## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

**FIRST LEGISLATIVE DAY**

**FIRST CALENDAR DAY**

**(Saturdays and Sundays Excepted)**

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, January 5, 1959

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of 12 o'clock meridian, the Assembly of the 1959 Regular Session of the Legislature of California was called to order by Arthur A. Ohnimus, Chief Clerk of the 1957 and 1958 Regular Sessions.

In conformity with the law, the following officers were also present: Eleanor K. Donoghue, Minute Clerk of the 1957 and 1958 Regular Sessions, and Tony Beard, Sergeant-at-Arms of the 1957 and 1958 Regular Sessions.

### PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by the Reverend Robert S. Romeis, Chaplain of the Assembly for the 1957 and 1958 Regular Sessions:

*Almighty and Everlasting God*, In whose omnipotent hand lies the destiny of men and nations, we invoke Thy blessing at the beginning of this Legislative session. Grant that it may be truly a new session, new in spirit and new in purpose, with old rivalries and old prejudices forgotten. Give strength and guidance to the Governor-elect and to all the administrative officers. Endow the members of this body with wisdom and judgment, and especially with a sense of proportion, that they may distinguish the important from the trivial. Remind them ever that they are not their own, but that they belong first to Thee and then to the people of this State. Grant, O Lord, that none of us may ever forget that without Thee we cannot succeed, but that by Thy power we cannot fail; through Jesus Christ, Thy Son, Our Lord.—AMEN

### CERTIFICATES FROM SECRETARY OF STATE

The Clerk read the following certificate of duly elected Members of the Assembly of the 1959 Regular (General) Session of the Legislature of the State of California:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election held on the fourth day of November, A.D. 1958, to represent the people of the State of California as Members of the Assembly at the 1959 Session of the Legislature of said State, as appears from the statement of vote received from the county clerks and registrars of voters comprising the several Assembly districts of

the State of California, said statement of vote being a record of and on file in my office, viz.:

**Members of the Assembly-elect**

| *Name* | *District* | *County or counties comprising district* |
|---|---|---|
| Frank P. Belotti | First | Del Norte, Humboldt, Mendocino |
| Pauline L. Davis | Second | Siskiyou, Modoc, Lassen, Shasta, Trinity, Sierra, Plumas |
| Lloyd W. Lowrey | Third | Tehama, Glenn, Colusa, Yolo, Lake |
| Harold Thomas Sedgwick | Fourth | Butte, Sutter, Yuba |
| Samuel R. Geddes | Fifth | Napa, Solano |
| Paul J. Lunardi | Sixth | Placer, El Dorado, Amador, Mono, Calaveras, Tuolumne, Mariposa, Inyo, Alpine, Nevada |
| Richard H. McCollister | Seventh | Marin, Sonoma |
| Thomas J. MacBride | Eighth | Sacramento |
| Edwin L. Z'berg | Ninth | Sacramento |
| Jerome R. Waldie | Tenth | Contra Costa |
| S. C. Masterson | Eleventh | Contra Costa |
| William "Bill" Biddick, Jr. | Twelfth | San Joaquin |
| Carlos Bee | Thirteenth | Alameda |
| Robert W. Crown | Fourteenth | Alameda |
| Nicholas (Nick) Petris | Fifteenth | Alameda |
| Walter I. Dahl | Sixteenth | Alameda |
| William Byron Rumford | Seventeenth | Alameda |
| Don Mulford | Eighteenth | Alameda |
| Charles W. Meyers | Nineteenth | San Francisco |
| A. Phillip Burton | Twentieth | San Francisco |
| Milton Marks | Twenty-first | San Francisco |
| John A. Busterud | Twenty-second | San Francisco |
| John A. O'Connell | Twenty-third | San Francisco |
| Edward M. Gaffney | Twenty-fourth | San Francisco |
| Louis Francis | Twenty-fifth | San Mateo |
| Carl A. Britschgi | Twenty-sixth | San Mateo |
| Glenn E. Coolidge | Twenty-seventh | San Benito, Santa Cruz |
| Clark L. Bradley | Twenty-eighth | Santa Clara |
| Bruce F. Allen | Twenty-ninth | Santa Clara |
| Ralph M. Brown | Thirtieth | Stanislaus |
| Gordon H. Winton, Jr. | Thirty-first | Madera, Merced |
| Bert DeLotto | Thirty-second | Fresno |
| Charles B. Garrigus | Thirty-third | Fresno |
| Alan G. Pattee | Thirty-fourth | Monterey |
| Myron H. Frew | Thirty-fifth | Kings, Tulare |
| James L. Holmes | Thirty-sixth | San Luis Obispo, Santa Barbara |
| Rex M. Cunningham | Thirty-seventh | Ventura |
| Dorothy M. Donahoe | Thirty-eighth | Kern |
| John C. Williamson | Thirty-ninth | Kern |
| Edward E. Elliott | Fortieth | Los Angeles |
| Allen Miller | Forty-first | Los Angeles |
| Tom Bane | Forty-second | Los Angeles |
| Howard J. Thelin | Forty-third | Los Angeles |
| Joseph M. Kennick | Forty-fourth | Los Angeles |
| George E. Brown, Jr. | Forty-fifth | Los Angeles |
| Charles Edward Chapel | Forty-sixth | Los Angeles |
| Bruce V. Reagan | Forty-seventh | Los Angeles |
| Frank Lanterman | Forty-eighth | Los Angeles |
| Ernest R. Geddes | Forty-ninth | Los Angeles |
| Ronald Brooks Cameron | Fiftieth | Los Angeles |
| William A. Munnell | Fifty-first | Los Angeles |
| George A. Willson | Fifty-second | Los Angeles |
| Montivel A. Burke | Fifty-third | Los Angeles |
| John L. E. Collier | Fifty-fourth | Los Angeles |
| Vernon Kilpatrick | Fifty-fifth | Los Angeles |
| Seth J. Johnson | Fifty-sixth | Los Angeles |
| Charles J. Conrad | Fifty-seventh | Los Angeles |
| Joseph C. Shell | Fifty-eighth | Los Angeles |
| Thomas M. Rees | Fifty-ninth | Los Angeles |
| Harold K. Levering | Sixtieth | Los Angeles |
| Lester A. McMillan | Sixty-first | Los Angeles |
| Augustus F. Hawkins | Sixty-second | Los Angeles |
| Don A. Allen, Sr. | Sixty-third | Los Angeles |
| Lou Cusanovich | Sixty-fourth | Los Angeles |
| Jesse M. Unruh | Sixty-fifth | Los Angeles |

| *Name* | *District* | *County or counties comprising district* |
|---|---|---|
| Charles H. Wilson | Sixty-sixth | Los Angeles |
| Clayton A. Dills | Sixty-seventh | Los Angeles |
| Vincent Thomas | Sixty-eighth | Los Angeles |
| Carley V. Porter | Sixty-ninth | Los Angeles |
| W. S. (Bill) Grant | Seventieth | Los Angeles |
| L. M. (Lee) Backstrand | Seventy-first | Riverside |
| Eugene G. Nisbet | Seventy-second | San Bernardino |
| Jack A Beaver | Seventy-third | San Bernardino |
| Bruce Sumner | Seventy-fourth | Orange |
| Richard T. Hanna | Seventy-fifth | Orange |
| Leverette D. House | Seventy-sixth | Imperial |
| Sheridan N. Hegland | Seventy-seventh | San Diego |
| Frank Luckel | Seventy-eighth | San Diego |
| George G. Crawford | Seventy-ninth | San Diego |
| Jack Schrade | Eightieth | San Diego |

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this fifth day of January, A D 1959.

(SEAL) FRANK M. JORDAN, Secretary of State

### Certificate of Election

The Clerk read the following certificate of election and oath of office for a special election in the Fifty-second Assembly District:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, hereby certify: That according to the official returns of the special election held in the Fifty-second Assembly District on the fourth day of November, 1958, and the statement of the result thereof on file in my office

GEORGE A. WILLSON

was elected to the office of Member of Assembly, Fifty-second Assembly District, for the term ending January 5, 1959.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California, at Sacramento, this third day of December, 1958.

(SEAL) FRANK M. JORDAN, Secretary of State

### Oath of Office

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office of Member of Assembly, Fifty-second Assembly District, I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.

GEORGE A. WILLSON

Subscribed and sworn to before me, this fifth day of December, A D. 1958.

JOHN F. McCARTHY
Judge of Superior Court, Los Angeles County

Filed in the Office of the Secretary of State of the State of California, December 8, 1958.

FRANK M. JORDAN, Secretary of State
(SEAL) By CHARLES J. HAGERTY, Assistant Secretary of State

## ROLL CALL BY COUNTIES

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

## MEMBERS SWORN IN

As required by Section 9023 of the Government Code, the Chief Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election, and duly qualified by taking and subscribing to the following oath administered by Hon. Roger J. Traynor, Associate Justice of the State Supreme Court:

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office of Member of the Assembly, I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means

Carlos Bee, Robert W. Crown, Nicholas (Nick) Petris, Walter I. Dahl, William Byron Rumford, Don Mulford, Paul J. Lunardi, Harold T. Sedgwick, Lloyd W. Lowrey, Jerome R. Waldie, S. C. Masterson, Frank P. Belotti, Bert DeLotto, Charles B. Garrigus, Leverette D. House, Dorothy M. Donahoe, John C. Williamson, Myron H. Frew, Pauline L. Davis, Edward E. Elliott, Allen Miller, Tom Bane, Howard J. Thelin, Joseph M. Kennick, George E. Brown, Jr., Charles Edward Chapel, Bruce V. Reagan, Frank Lanterman, Ernest R. Geddes, Ronald Brooks Cameron, William A. Munnell, George A. Willson, Montivel A. Burke, John L. E. Collier, Vernon Kilpatrick, Seth J. Johnson, Charles J. Conrad, Joseph C. Shell, Thomas M. Rees, Harold K. Levering, Lester A. McMillan, Augustus F. Hawkins, Don A. Allen, Sr., Lou Cusanovich, Jesse M. Unruh, Charles H. Wilson, Clayton A. Dills, Vincent Thomas, Carley V. Porter, W. S. (Bill) Grant, Gordon H. Winton, Jr., Richard H. McCollister, Alan G. Pattee, Samuel R. Geddes, Bruce Sumner, Richard T. Hanna, L. M. (Lee) Backstrand, Thomas J. MacBride, Edwin L. Z'berg, Glenn E. Coolidge, Eugene G. Nisbet, Jack A. Beaver, Sheridan N. Hegland, Frank Luckel, George G. Crawford, Jack Schrade, Charles W. Meyers, Phillip Burton, Milton Marks, John A. Busterud, John A. O'Connell, Edward M. Gaffney, William Biddick, Jr., James L. Holmes, Louis Francis, Carl A. Britschgi, Clark L. Bradley, Bruce F. Allen, Ralph M. Brown, and Rex M. Cunningham.

## ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1959 Regular (General) Session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

## NOMINATIONS FOR SPEAKER

Mr. Thomas J. MacBride of Sacramento placed in nomination for Speaker Mr. Ralph M. Brown of Modesto.

The nomination of Mr. Brown was seconded by Mr. Carley V. Porter of Compton.

### Nominations Closed

Mrs. Pauline L. Davis of Portola moved that nominations for Speaker be now closed.

Mr. Edward M. Gaffney of San Francisco and Mr. Clayton A. Dills of Gardena seconded the motion.

Motion carried.

## ELECTION OF SPEAKER

The roll was called, with the following result:

For HON. RALPH M. BROWN—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton and Z'berg—79.

NOES—None.

Whereupon the Chief Clerk announced the vote of the Assembly, and declared Hon. Ralph M. Brown the choice of the Assembly for Speaker of the 1959 Regular (General) Session of the Legislature.

## APPOINTMENT OF COMMITTEE ON ESCORT

The Chief Clerk appointed Messrs. MacBride, Porter, Mrs Davis, and Mr. Cunningham as a Select Committee to escort Speaker-elect Hon Ralph M. Brown to the bar of the Assembly.

## OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker-elect Hon. Ralph M. Brown took and subscribed to the following oath, administered by Hon. Roger J. Traynor, Associate Justice of the State Supreme Court:

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the

Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office of Speaker of the Assembly I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.

**Speaker Presiding**

At 12 31 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

## ADDRESS BY THE SPEAKER

Speaker Ralph M. Brown then addressed the Assembly.

## ANNOUNCEMENTS

Speaker Brown announced that for the inaugural ceremonies seats for the wives and families of the Members of the Legislature would be set up at the desks of the Members of the Assembly; that invited guests would be seated in the rear of the Assembly Chamber; and that additional seating for visitors had been provided in Rooms 4202 and 4203 of the Capitol Annex, where the inaugural program would be piped in.

## COMMITTEE FROM THE SENATE

Senators Shaw, Regan, and Byrne appeared before the bar of the Assembly, and announced that the Senate had organized, and was ready to proceed with the regular business.

## NOMINATIONS FOR SPEAKER PRO TEMPORE

The Speaker declared the election of Speaker pro Tempore of the Assembly next in order, and called for nominations.

Mr. William Byron Rumford of Berkeley placed in nomination for Speaker pro Tempore Mr. Carlos Bee of Hayward.

The nomination of Mr. Carlos Bee was seconded by Mr. Eugene G. Nisbet of Upland.

**Nominations Closed**

Miss Dorothy M. Donahoe of Bakersfield moved that nominations for Speaker pro Tempore be now closed.

Mr. Montivel A. Burke of San Marino and Mr. Ernest R. Geddes of Claremont seconded the motion.

Motion carried.

## ELECTION OF SPEAKER PRO TEMPORE

The roll was called, with the following result:

For HON. CARLOS BEE—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Hon. Carlos Bee being the choice of the Assembly for Speaker pro Tempore, the Speaker declared him duly elected.

### APPOINTMENT OF COMMITTEE ON ESCORT

The Speaker appointed Mr. Rumford, Miss Donahoe, and Mr. Nisbet as a Select Committee to escort Speaker pro Tempore-elect Hon. Carlos Bee to the bar of the Assembly.

### OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker pro Tempore-elect Hon Carlos Bee took and subscribed to the following oath administered by Hon. Roger J. Traynor, Associate Justice of the State Supreme Court:

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office of Speaker pro Tempore of the Assembly I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.

### APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Speaker pro Tempore Bee as a Select Committee of One to escort Hon. L. H. Lincoln of Oakland, former Speaker of the Assembly, and Hon. Thomas A. Maloney of San Francisco, former Speaker pro Tempore of the Assembly, to the rostrum.

### NOMINATIONS FOR CHIEF CLERK

The Speaker declared the nomination and election of Chief Clerk of the Assembly now in order.

Mr. Glenn E. Coolidge of Felton placed in nomination for Chief Clerk Mr. Arthur A. Ohnimus of Sacramento.

The nomination of Mr. Ohnimus was seconded by Mr. Lester A. McMillan of Los Angeles.

#### Nominations Closed

Mr. Edward M. Gaffney of San Francisco moved that nominations for Chief Clerk be now closed.

Mr. Frank Lanterman of La Canada, Mr. Clayton A. Dills of Gardena, and Mr. William A. Munnell of Montebello seconded the motion.

Motion carried.

### ELECTION OF CHIEF CLERK

The roll was called, with the following result:

For Mr. ARTHUR A. OHNIMUS—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

NOES—None

Mr. Arthur A. Ohnimus being the choice of the Assembly for Chief Clerk, the Speaker declared him duly elected.

### ANNOUNCEMENT

Speaker Brown announced that the Chief Clerk-elect, Minute Clerk-elect, Sergeant-at-Arms-elect, and Chaplain-elect would take and subscribe to the oath of office in a group.

### NOMINATIONS FOR MINUTE CLERK

The Speaker declared the nomination and election of Minute Clerk of the Assembly now in order.

Mr. Richard T. Hanna of Garden Grove placed in nomination for Minute Clerk Mrs. Eleanor K. Donoghue of Sacramento.

The nomination of Mrs Donoghue was seconded by Mr. Ernest R. Geddes of Claremont, Mr. Allen G. Pattee of Salinas, and Mr. Harold K Levering of Los Angeles.

#### Nominations Closed

Mr. John A. O'Connell of San Francisco moved that nominations for Minute Clerk be now closed.

Mr. Charles W. Meyers of San Francisco seconded the motion.

Motion carried.

### ELECTION OF MINUTE CLERK

The roll was called, with the following result:

For MRS. ELEANOR K. DONOGHUE—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—80.

NOES—None.

Mrs. Eleanor K. Donoghue being the choice of the Assembly for Minute Clerk, the Speaker declared her duly elected.

## NOMINATIONS FOR SERGEANT-AT-ARMS

The Speaker declared the nomination and election of Sergeant-at-Arms of the Assembly now in order.

Mr. William Biddick, Jr of Stockton placed in nomination for Sergeant-at-Arms Mr. Tony Beard of Sacramento

The nomination of Mr. Beard was seconded by Mr. Jack Schrade of El Cajon.

### Nominations Closed

Mr. Leverette D. House of Brawley moved that nominations for Sergeant-at-Arms be now closed.

Mr. James L. Holmes of Santa Barbara seconded the motion.

## ELECTION OF SERGEANT-AT-ARMS

The roll was called, with the following result:

FOR MR. TONY BEARD—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Mr. Tony Beard being the choice of the Assembly for Sergeant-at-Arms, the Speaker declared him duly elected.

## NOMINATIONS FOR CHAPLAIN

The Speaker declared the nomination and election of Chaplain of the Assembly now in order.

Mr. Thomas J. MacBride of Sacramento placed in nomination for Chaplain Rev. R. Wilbur Simmons of the Pioneer Congregational Church of Sacramento.

The nomination of Rev. R. Wilbur Simmons was seconded by Mr. Edwin L. Z'berg of Sacramento.

### Nominations Closed

Mr. Paul J. Lunardi of Roseville moved that nominations for Chaplain be now closed.

Mr Charles H. Wilson of Los Angeles seconded the motion.

## ELECTION OF CHAPLAIN

The roll was called, with the following result:

FOR REV. R. WILBUR SIMMONS—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

NOES—None.

Rev. R. Wilbur Simmons being the choice of the Assembly for Chaplain, the Speaker declared him duly elected.

### APPOINTMENT OF SELECT COMMITTEES ON ESCORT

Speaker Brown appointed Mr. Coolidge to escort Chief Clerk-elect Arthur A. Ohnimus, Mr. Hanna to escort Minute Clerk-elect Eleanor K. Donoghue, Mr. Biddick to escort Sergeant-at-Arms-elect Tony Beard, and Mr. MacBride to escort Chaplain-elect Rev. R. Wilbur Simmons to the bar of the Assembly.

### OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Chief Clerk-elect Arthur A. Ohnimus, Minute Clerk-elect Eleanor K. Donoghue, Sergeant-at-Arms-elect Tony Beard, and Chaplain-elect Rev. R. Wilbur Simmons took and subscribed to the following oath, administered by Hon. Roger J. Traynor, Associate Justice of the State Supreme Court:

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office to which I have been elected I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.

### RESOLUTIONS

The following resolutions were offered:

By Mr. Winton:

#### House Resolution No. 1

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

Ralph M. Brown—*Speaker*
Carlos Bee—*Speaker pro Tempore*
Arthur A. Ohnimus—*Chief Clerk*
Eleanor K. Donoghue—*Minute Clerk*
Tony A. Beard—*Sergeant-at-Arms*
R. Wilbur Simmons—*Chaplain*

Resolution read, and, on motion of Mr. Winton, seconded by Mr. Dahl, adopted.

#### Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 1, the Speaker announced the appointment of Messrs. Winton, Belotti, and Williamson as such Select Committee to wait upon the Senate.

By Mr. Lowrey:

**House Resolution No. 2**

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

Resolution read, and on motion of Mr. Lowrey, seconded by Mr. Johnson, adopted.

**Appointment of Select Committee**

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs. Lowrey, Busterud, Reagan, Hegland, and Munnell as such Select Committee to wait upon the Governor.

By Mr. Miller:

**House Resolution No. 3**

*Resolved by the Assembly of the State of California*, That the Standing Rules of the 1957 Regular Session, as amended, be and the same are hereby adopted as Temporary Rules for the 1959 Regular Session.

Resolution read, and, on motion of Mr. Miller, seconded by Mr. Cusanovich, adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—80.

NOES—None.

## ADDRESS BY THE SPEAKER PRO TEMPORE

Upon invitation of Speaker Brown, Speaker pro Tempore Carlos Bee addressed the Assembly.

## INTRODUCTIONS

Speaker pro Tempore Bee then presented Mrs. Ralph M. Brown, Mrs. L. H. Lincoln, and Mrs. Carlos Bee to the Members of the Assembly.

## REPORT OF SELECT COMMITTEE

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

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

**Waiver of Mileage**

January 5, 1959

*Memorandum to Arthur Ohnimus:*

Inasmuch as I did not return to San Diego from interim committee duty in Sacramento, I hereby waive claim to statutory mileage from San Diego to Sacramento, California.

FRANK LUCKEL, Chairman
Assembly Interim Committee
on Transportation and Commerce

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 4

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

| District | Name | Address | Distance from county seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 5 cents per mile |
|---|---|---|---|---|---|---|---|---|
| 1 | Frank P Belotti | Eureka, Humboldt County | 312 | -- | -- | 312 | 624 | $31.20 |
| 2 | Pauline L Davis | Portola, Plumas County | 136 | 40 | -- | 176 | 352 | 17 60 |
| 3 | Lloyd W Lowrey | Rumsey, Yolo County | 23 | 36 | -- | 59 | 118 | 5 90 |
| 4 | Harold T. Sedgwick | Oroville, Butte County | 86 | -- | -- | 86 | 172 | 8.60 |
| 5 | Samuel R Geddes | Napa, Napa County | 61 | -- | -- | 61 | 122 | 6 10 |
| 6 | Paul J Lunardi | Roseville, Placer County | 37 | -- | 18 | 19 | 38 | 1 90 |
| 7 | Richard H McCollister | San Rafael, Marin County | 105 | -- | -- | 105 | 210 | 10 50 |
| 8 | Thomas J MacBride | Sacramento, Sacramento County | -- | -- | -- | -- | -- | -- |
| 9 | Edwin L Z'berg | Sacramento, Sacramento County | -- | -- | -- | -- | -- | -- |
| 10 | Jerome R Waldie | Antioch Contra Costa County | 62 | -- | 21 | 41 | 82 | 4 10 |
| 11 | S C Masterson | El Sobrante, Contra Costa County | 62 | 21 | -- | 83 | 166 | 8.30 |
| 12 | William Biddick | Stockton, San Joaquin County | 48 | -- | -- | 48 | 96 | 4 80 |
| 13 | Carlos Bee | Hayward, Alameda County | 84 | 16 | -- | 100 | 200 | 10 00 |
| 14 | Robert W Crown | Alameda, Alameda County | 84 | 5 | -- | 89 | 178 | 8.90 |
| 15 | Nicholas (Nick) Petris | Oakland, Alameda County | 84 | -- | -- | 84 | 168 | 8 40 |
| 16 | Walter I Dahl | Oakland Alameda County | 84 | -- | -- | 84 | 168 | 8 40 |
| 17 | William Byron Rumford | Berkeley, Alameda County | 84 | -- | 1 | 83 | 166 | 8 30 |
| 18 | Don Mulford | Oakland, Alameda County | 84 | -- | -- | 84 | 168 | 8.40 |
| 19 | Charles W Meyers | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9.00 |
| 20 | Phillip Burton | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 21 | Milton Marks | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9.00 |
| 22 | John A Busterud | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 23 | John A O'Connell | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 24 | Edward M. Gaffney | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 25 | Louis Francis | San Mateo, San Mateo County | 119 | -- | 1 | 118 | 236 | 11.80 |
| 26 | Carl A Britschgi | Redwood City San Mateo County | 119 | -- | -- | 119 | 238 | 11.90 |
| 27 | Glenn E Coolidge | Felton Santa Cruz County | 198 | 6 | -- | 204 | 408 | 20 40 |
| 28 | Clark L Bradley | San Jose, Santa Clara County | 128 | -- | -- | 128 | 256 | 12 80 |
| 29 | Bruce F Allen | Los Gatos, Santa Clara County | 128 | 10 | -- | 138 | 276 | 13 80 |
| 30 | Ralph M Brown | Modesto, Stanislaus County | 77 | -- | -- | 77 | 154 | 7.70 |
| 31 | Gordon H. Winton | Merced, Merced County | 114 | -- | -- | 114 | 228 | 11 40 |
| 32 | Bert DeLotto | Fresno, Fresno County | 169 | -- | -- | 169 | 338 | 16 90 |
| 33 | Charles B Garrigus | Reedley, Fresno County | 169 | 25 | -- | 194 | 388 | 19 40 |
| 34 | Alan G Pattee | Salinas Monterey County | 208 | -- | -- | 208 | 416 | 20 80 |
| 35 | Myron H Frew | Dinuba, Tulare County | 206 | -- | 14 | 192 | 384 | 19.20 |
| 36 | James L Holmes | Santa Barbara, Santa Barbara County | 460 | -- | -- | 460 | 920 | 46 00 |
| 37 | Rex M. Cunningham | Ventura, Ventura County | 490 | -- | -- | 490 | 980 | 49 00 |
| 38 | Dorothy M Donahoe | Bakersfield, Kern County | 278 | -- | -- | 278 | 556 | 27.80 |
| 39 | John C Williamson | Bakersfield Kern County | 278 | -- | -- | 278 | 556 | 27 80 |
| 40 | Edward E Elliott | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 41 | Allen Miller | San Fernando, Los Angeles County | 447 | -- | 21 | 426 | 852 | 42 60 |
| 42 | Tom Bane | Tujunga, Los Angeles County | 447 | -- | 17 | 430 | 860 | 43 00 |
| 43 | Howard J Thelin | Glendale, Los Angeles County | 447 | -- | 10 | 437 | 874 | 43 70 |
| 44 | Joseph M Kennick | Long Beach, Los Angeles County | 447 | 22 | -- | 469 | 938 | 46 90 |
| 45 | George E Brown, Jr | Monterey Park Los Angeles County | 447 | 8 | -- | 455 | 910 | 45 50 |
| 46 | Charles Edward Chapel | Inglewood Los Angeles County | 447 | 10 | -- | 457 | 914 | 45 70 |
| 47 | Bruce V Reagan | Pasadena, Los Angeles County | 447 | 13 | -- | 460 | 920 | 46 00 |
| 48 | Frank Lanterman | La Canada, Los Angeles County | 447 | 16 | -- | 463 | 926 | 46 30 |
| 49 | Ernest R Geddes | Claremont, Los Angeles County | 447 | 26 | -- | 473 | 946 | 47 30 |
| 50 | Ronald Brooks Cameron | Whittier, Los Angeles County | 447 | 13 | -- | 460 | 920 | 46 00 |
| 51 | William A Munnell | Montebello, Los Angeles County | 447 | 9 | -- | 456 | 912 | 45 60 |
| 52 | George A Willson | Huntington Park, Los Angeles County | 447 | 6 | -- | 453 | 906 | 45 30 |
| 53 | Montivel A Burke | Alhambra Los Angeles County | 447 | 9 | -- | 456 | 912 | 45 60 |
| 54 | John L E Collier | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 55 | Vernon Kilpatrick | Lynwood, Los Angeles County | 447 | 10 | -- | 457 | 914 | 45 70 |
| 56 | Seth J. Johnson | Los Angeles Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 57 | Charles J Conrad | Sherman Oaks, Los Angeles County | 447 | -- | 2 | 445 | 890 | 44 50 |
| 58 | Joseph C Shell | Los Angeles Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 59 | Thomas M Rees | Los Angeles Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 60 | Harold K Levering | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44.70 |

| District | Name | Address | Distance from county seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 5 cents per mile |
|---|---|---|---|---|---|---|---|---|
| 61 | Lester A McMillan | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | $44.70 |
| 62 | Augustus F. Hawkins | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 63 | Don A Allen | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 64 | Lou Cusanovich | Van Nuys, Los Angeles County | 447 | -- | -- | 447 | 894 | 44.70 |
| 65 | Jesse M Unruh | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 66 | Charles H Wilson | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 67 | Clayton A Dills | Gardena, Los Angeles County | 447 | 11 | -- | 458 | 916 | 45.80 |
| 68 | Vincent Thomas | San Pedro, Los Angeles County | 447 | 23 | -- | 470 | 940 | 47 00 |
| 69 | Carley V. Porter | Compton, Los Angeles County | 447 | 18 | -- | 465 | 930 | 46 50 |
| 70 | W S (Bill) Grant | Long Beach, Los Angeles County | 447 | 22 | -- | 469 | 938 | 46 90 |
| 71 | L M (Lee) Backstrand | Riverside, Riverside County | 512 | -- | -- | 512 | 1,024 | 51 20 |
| 72 | Eugene G. Nisbet | Upland, San Bernardino County | 508 | -- | 23 | 485 | 970 | 48.50 |
| 73 | Jack A Beaver | Redlands, San Bernardino County | 508 | 9 | -- | 517 | 1,034 | 51.70 |
| 74 | Bruce Sumner | Santa Ana, Orange County | 481 | -- | -- | 481 | 962 | 48 10 |
| 75 | Richard T Hanna | Midway City, Orange County | 481 | -- | 3 | 478 | 956 | 47.80 |
| 76 | Leverette D. House | Brawley, Imperial County | 661 | -- | 14 | 647 | 1,294 | 64 70 |
| 77 | Sheridan N. Hegland | La Mesa, San Diego County | 573 | 11 | -- | 584 | 1,168 | 58.40 |
| 78 | Frank Luckel | San Diego, San Diego County | 573 | -- | -- | 573 | 573 | 28 65 |
| 79 | George G Crawford | San Diego, San Diego County | 573 | -- | -- | 573 | 1,146 | 57 30 |
| 80 | Jack Schrade | El Cajon, San Diego County | 573 | 18 | -- | 591 | 1,182 | 59 10 |

| Name | Address | Distance from county seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 10 cents per mile |
|---|---|---|---|---|---|---|---|
| Arthur A Ohnimus | San Francisco, San Francisco County | -- | -- | -- | -- | -- | -- |
| Eleanor K Donoghue | Sacramento Sacramento County | -- | -- | -- | -- | -- | -- |
| Tony Beard | Broderick, Yolo County | -- | -- | -- | -- | -- | -- |

Resolution read, and ordered held at the desk.

By Mr. Miller:

**House Resolution No. 5**

Relative to amending the Temporary Rules of the Assembly

*Resolved by the Assembly of the State of California,* That the Temporary Standing Rules for the 1959 Regular Session are hereby amended by adding a new rule 51.5 to read:

51.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Chief Clerk for introduction which does not comply with the foregoing requirements of this rule the Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof.

Resolution read, and ordered held at the desk.

By Mr. MacBride:

**House Resolution No. 6**

*Resolved by the Assembly of the State of California,* That the Speaker appoint a Select Committee of Four to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 1.45 p.m., for the purpose of attending the Inaugural Ceremonies for Governor-elect Edmund G. Brown and Lieutenant Governor-elect Glenn M. Anderson.

Resolution read, and on motion of Mr. MacBride, adopted.

### Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 6, the Speaker announced the appointment of Messrs. MacBride, Sumner, Crown, and Elliott as such Select Committee to wait upon the Senate, and invite that honorable body to meet with the Assembly in Joint Convention at 1.45 p.m.

## MESSAGE FROM THE SENATE

SENATE CHAMBER, January 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate has elected the following statutory officers for the 1959 Regular Session:

Hugh M. Burns—*President pro Tempore*
J. A. Beek—*Secretary of the Senate*
Joseph F. Nolan—*Sergeant-at-Arms*
John F. Lea—*Minute Clerk*
Rev. I. E. Metcalf—*Chaplain*

J. A. BEEK, Secretary of the Senate
By LACHLAND M. RICHARDS, Chief Assistant Secretary

## REPORTS OF SELECT COMMITTEES

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

The Select Committee appointed to wait upon the Senate, appeared before the bar of the Assembly, and reported that it had discharged its duties, and that the Members of the Senate would meet with the Members of the Assembly in Joint Convention at 1.45 p.m.

## RECESS

At 1.20 p.m., on motion of Mr. Miller, the Assembly recessed until 1.45 p.m.

## REASSEMBLED

At 1.45 p.m., the Assembly reconvened.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

## RECESS

At 1.50 p.m., on motion of Mr. Munnell, the Assembly recessed for the purpose of meeting with the Senate in Joint Convention.

# IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 5, 1959

At 2 p.m., the Senate and Assembly met in Joint Convention.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

## ANNOUNCEMENT

Speaker Brown announced the presence in the Assembly Chamber of the Honorable Hugh M. Burns, President pro Tempore of the Senate, and invited him to the rostrum.

### INTRODUCTION OF PRESIDENT PRO TEMPORE OF THE SENATE

Hon. Ralph M. Brown, Speaker of the Assembly, then presented President pro Tempore of the Senate Hon. Hugh M. Burns to the Joint Convention.

### SENATE ROLL CALL

Hon. Hugh M. Burns, President pro Tempore of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Arnold, Beard, Berry, Brown, Burns, Byrne, Christensen, Cobey, Collier, Coombs, Dilworth, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McBride, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, Thompson, and Williams—39.

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

### ASSEMBLY ROLL CALL

Hon. Ralph M. Brown, Speaker of the Assembly, directed the Chief Clerk to call the roll of Assemblymen.

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

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

### STAR SPANGLED BANNER PLAYED

Upon request of the Speaker, the Honorable Frank Lanterman, Member of the Assembly from the Forty-eighth District, played the *Star Spangled Banner* upon the electric organ, and all Members of the Legislature and guests joined in singing the National Anthem.

### INVOCATION

Upon invitation of Speaker Brown, Rev. R. Wilbur Simmons, Chaplain of the Assembly, offered the following prayer:

*Eternal God and Creator.* With whom beginnings are always important, as this new legislative session begins, give to all assembled a deep and disturbing sense of a sacred trust. From this very first day, give to us a certain knowledge that they labor in vain who seek to build the city, the State, and the Nation, without an utter dependence upon Thee. Make us mindful, O God, of an invisible host, millions of citizens whose welfare depends so largely on the integrity, vision, wisdom, and courage of this chosen group of leaders. Direct, protect, and sustain the Governor of this State and all who assume office in these days. May our delight be in Thy law, and may the peace which passes all understanding be in our hearts.—AMEN.

### APPOINTMENT OF SELECT COMMITTEES ON ESCORT

Speaker of the Assembly Ralph M. Brown appointed Messrs. Backstrand, Bruce F. Allen, Marks, Kennick, and Cunningham as a Select Committee to escort the Honorable Goodwin J. Knight, Governor of the State of California, to the bar of the Assembly.

President pro Tempore of the Senate Hugh M. Burns appointed Senators Richards, Miller. Thompson, Short, and Dolwig as a Select Committee to escort the Honorable Glenn M. Anderson, Lieutenant Governor-elect of the State of California, to the bar of the Assembly.

### APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker of the Assembly Ralph M. Brown appointed Messrs. Meyers, Chairman, Unruh, Reese, Hawkins, and Mrs. Davis as an Assembly Committee to escort the Honorable Edmund G. Brown, Governor-elect of the State of California, to the Assembly Chamber.

President pro Tempore of the Senate Hugh M. Burns appointed Senators O'Sullivan, Cobey, Farr, Coombs, and McCarthy as a Senate Committee to escort the Honorable Edmund G. Brown, Governor-elect of the State of California, to the bar of the Assembly.

### REPORT OF SELECT COMMITTEES

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

### ANNOUNCEMENT

The Speaker of the Assembly announced that the certificate of election from the Secretary of State had been received relative to the election of Edmund G Brown as Governor and Glenn M. Anderson as Lieutenant Governor of the State of California.

### REPORT OF SELECT COMMITTEE ON ESCORT

The Select Committee on Escort, appointed to wait upon the Honorable Glenn M Anderson, and escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon Glenn M. Anderson, Lieutenant Governor-elect of the State of California

### REPORT OF JOINT COMMITTEE ON ESCORT

The Joint Committee on Escort, appointed to wait upon the Honorable Edmund G. Brown, and escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon Edmund G. Brown, Governor-elect of the State of California.

### PRESENTATION OF GOVERNOR KNIGHT

Hon. Ralph M. Brown, Speaker of the Assembly, then presented Governor Goodwin J Knight to the Joint Convention.

## ADDRESS BY GOVERNOR KNIGHT

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

### Address by Governor Goodwin J. Knight

On this spot 12 years ago today I first took oath as a constitutional officer of this State.

I became Lieutenant Governor.

Five years and three months ago I relinquished that position to accept the greatest honor the State can bestow, the governorship.

The 12 years of state service have been challenging, rewarding, thrilling.

For those years I am deeply and humbly grateful

My gratitude goes to the Members of the Legislature, past and present, for the friendship and good will they have so generously extended me; to the members of the press, for their indulgence and personal warmth, and for the diligence with which they have fulfilled their responsibilities; and to all Californians, for the trust they have placed in me and their faith in our State's capacity and its destiny.

And to God, I offer a prayer of thanks for His Divine guidance.

These are my thoughts as I leave the office with which you have honored me. To these thoughts, allow me to add my warm best wishes to the new administration.

All of us share a firm conviction in the soundness and variety of a democratic republic.

When a small group of people landed on New England shores more than three centuries ago, they brought with them a belief. That belief was a deep determination to exercise self-government, to guarantee certain personal freedoms.

Those that followed added strength to this political philosophy: the dignity of the individual; creation of a state for the benefit of the people; denial of the practice of man living for and in fear of a regent or master.

These fundamentals were the cornerstones of the first civil government in California. They are the foundation of the structure we call constitutional government. They have been attacked, misrepresented, denounced and condemned.

And they will be again!

But you and I, and countless dedicated Californians will protect them and keep them. With courage and vigor we shall defend what is our priceless treasure—a sovereign people

In our daily lives that heritage shall inspire the highest aspirations of freedom under law and good will toward all men.

## PRESENTATION OF KEYS TO GOVERNOR-ELECT BROWN

At the conclusion of his address, Governor Knight presented the keys to the Governor's Office to the Honorable Attorney General Edmund G. Brown, Governor-elect of the State of California.

### ANNOUNCEMENT

Speaker Ralph M. Brown announced that the Honorable Phil S. Gibson, Chief Justice of the Supreme Court of the State of California would administer the oaths of office to Governor-elect Brown and to Lieutenant Governor-elect Anderson.

### OATH OF OFFICE ADMINISTERED TO GOVERNOR

Governor-elect Hon. Edmund G. Brown then took and subscribed to the following oath, administered by Hon. Phil S. Gibson, Chief Justice of the California Supreme Court:

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means, that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office of Governor of the State of California I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.

### OATH OF OFFICE ADMINISTERED TO LIEUTENANT GOVERNOR

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

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

And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

No Exceptions

and that during such time as I hold the office of Lieutenant Governor of the State of California I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means.

### AMERICA

Upon invitation of Speaker Ralph M. Brown, the Members of the Joint Convention and guests joined in the singing of *America*, accompanied upon the electric organ by the Honorable Frank Lanterman.

## INTRODUCTION OF DISTINGUISHED GUESTS

Speaker Ralph M. Brown then introduced to the Joint Convention Mrs. Edmund G. Brown and Mrs. Carlos Bee.

President pro Tempore Hugh M Burns then introduced to the Joint Convention Mrs. Glenn M Anderson and Mrs. Ralph M. Brown.

## PRESENTATION OF GOVERNOR BROWN

Hon. Hugh M. Burns, President pro Tempore of the Senate, then presented Governor Brown to the Joint Convention.

## ADDRESS BY GOVERNOR BROWN

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

### Inaugural Message to the California State Legislature by Governor Edmund G. Brown

Mr. President, Mr. Speaker, Mr. Chief Justice, Governor and Mrs. Knight, Members of the Legislature, and my fellow Californians:

Where democracy lives, free people speak in strong voices. Last November, a free people called for a new vision for California. We begin today the solemn duty and high privilege of translating that vision into public policy and into law.

The election reaffirms our conviction that the people of California are resolved to move forward with courage and confidence. Offered reaction by the radical right, the voters emphatically declined. Offered government by retreat, the people preferred progress. Clearly then, our duty is to bring to California the forward force of responsible liberalism.

The essence of liberalism is a genuine concern and deep respect for all the people. Not monuments or institutions or associations, but people. Not one race, or one creed, or one nationality, but all the people. When people come first and special privilege is scorned, government is truly liberal.

In a liberal atmosphere, the individual stands secure against invasion of his dignity or intrusion on his conscience. He has the right to require justice and fair play, the right to demand protection from economic abuse and selfish threats to his security. At the same time, government must not, in naive good intention, stifle his initiative or smother his growth. Men must indeed have freedom to breathe the air of self-respect.

A liberal program must also be a responsible program, a reasonable, rational, realistic program. We must know how much it will cost and where the money is coming from. Benefits must be measured against burdens. A program which pampers the people or threatens our solvency is as irresponsible as the one which ignores a vital need. But we will always remember that there is a difference between responsibility and timidity, and we are resolved to be governed more by our hopes than by our fears.

In the path of responsible liberalism, we walk in the giant footsteps of such memorable governors as Hughes and Roosevelt in New York, Wilson in New Jersey, LaFollette in Wisconsin, Altgeld and Stevenson in Illinois, and Johnson and Warren in California. Let us mark their example and set our sights to match their achievements.

Here in California, the explosive growth of our population and economy strains the fabric of government. Between election and inauguration, our population increased by 75,000 people. We must accept both the perils and the promise of this magnificent growth. No longer can we afford to stay on dead center, unresponsive and inert. I pledge a confident, pioneering leadership, ready to welcome growth, pursue its promise, and prepare for tomorrow.

A liberal's duty to be responsible has a special meaning in view of the grim crisis we face in the budget. From last year's budget, our bleak legacy is a 100 million dollar deficit. For several years, our State has spent more than it has taken in, and now almost all of our reserves and special funds are exhausted.

I am resolved that our new administration will face our financial responsibilities without flinching. Before the end of the month, I will recommend an economy-minded budget, and a courageous and fair program to obtain new revenues. I pledge, however, that we will not sacrifice essential services or narrow our vision for California.

Throughout the world, the cynical creed of Communism slanders democracy with the charge that men are too greedy, too ignorant, or too lazy to govern themselves. Let us, in our respect and concern for all the people, resolve to prove anew that representative government is the best government. Let us forge a program which will liberate our human resources and demonstrate the renewed vigor of American society. In this way, we will answer the slanders of Communism and expose its evil design.

This is a day of proper pride as well as earnest dedication for California Democrats. Not for 20 years, and only once before in this century, has a Democratic Governor made the inaugural address to the Legislature. And not since 1889 has there been a majority of Democrats in both houses of the Legislature.

The job of government, however, is not a narrowly partisan undertaking. I pledge my full co-operation to Democrats and Republicans alike. I know most of you personally, and I consider this to be one of the ablest legislative bodies in the United States. My door will always be open so that we can consider together our common problems of State Government. We must understand each other, trust each other, and work together in harmony. Where the good of the people is involved, I will expect the support of the distinguished members of both parties, and I hope by my actions to merit it.

In this connection, I express my deep appreciation to Governor Knight, to Mrs. Knight, and to the entire executive family for the genuine co-operation afforded me in the transfer of the functions and duties of this high office.

In obedience to the Constitution, I turn now to specific recommendations. I lay before you a program which in my considered judgment meets the test of being both liberal and responsible.

*First. Guarantee Equal Job Opportunities.* Discrimination in employment is a stain upon the image of California. We must recognize that conduct which degrades any member of society, degrades society as a whole. Every man must finally see the necessity of protecting the rights of others as the most effective security for his own.

I therefore urge you to enact legislation to bar discrimination by an employer or a labor union on grounds of race, creed, national origin, or age. We should provide the means for conciliation, public education, and enforcement to insure that there are no arbitrary barriers to useful and productive employment. In truth we are, and in practice we must be, one people, equal in privilege and opportunity. This is our moral duty.

*Second. Protect the Consumer.* We are all consumers. Yet, we have never been able to speak in a single voice because we are disorganized and our needs are so diverse Without a forceful spokesman in government, we have little defense against highly - organized special interests. I therefore recommend legislation providing for the appointment of a Consumers' Advocate, who should be empowered to advance the consumers' interests by public education and by representation before government agencies.

I also urge you to enact legislation to protect people from installment racketeers. Every year, thousands of Californians are deceived into signing sales contracts which contain unfair provisions and result in outrageous carrying charges. We need new laws to wipe out these vicious practices We need them fair, strong, and soon.

*Third. Encourage Economic Development.* To keep our economy strong, we need new industries, new payrolls, and new jobs for our expanding population. Accordingly, I recommend legislation for the establishment of an Agency for Economic Development to launch a vigorous program to bring business here. By augmenting private efforts to attract new industries, this agency will invigorate our economy and enrich our lives.

*Fourth. Safeguard Workers' Rights.* The voters have firmly rejected the so-called right-to-work law. In a new and objective atmosphere, let us move forward to strengthen the integrity of the collective bargaining process. I will soon send you a special message outlining my legislative proposals in detail. May I say now, however, that I intend to recommend:

Legislation under which employees in intrastate commerce can choose a bargaining representation;

Legislation specifically outlawing bribes to union officials;

Legislation setting up safeguards concerning union meetings and elections, and providing for the recall of union officers for misconduct;

Legislation preventing loans by unions to their officers, and requiring union officers and management consultants to file financial statements; and

Legislation governing the relationship between a local union and its parent organization.

Such laws would be safeguards against the irresponsible minority whose conduct damages all of labor. But there must be no punitive measures against free and responsible unions, which have brought untold progress and improved living conditions to our State Cripple the responsible union and all of the people will suffer. Strengthen the responsible union and labor can contribute its full energy to the new vision for California.

*Fifth. Increase Social Insurance and Public Welfare.* In the stern judgment of history, our greatness as a State will largely depend on our sense of responsibility to the elderly, the sick, the needy, the injured, and the unemployed. I reject the outdated notion that concern for these people is not the business of government.

I believe that the level of unemployment insurance benefits clearly should be raised. At 1959 prices, no family can meet its basic needs on the $40 per week maximum. In the last year, there has been forceful evidence that thousands of workers are left stranded if benefit payments are limited to 26 weeks when recessions last longer. We should lengthen the period of coverage, at least whenever unemployment has reached a given percentage of the work force.

Turning to the Workmen's Compensation Law, I recommend that we take prompt action to correct the striking inadequacy in the vocational rehabilitation provisions for injured workers. In addition, the amount and duration of benefits may well need to be increased. The same is true of disability benefits.

In the field of public welfare, we should improve the operation of the 1957 Medical Care Program and insure that it fulfills its important purpose. One obvious shortcoming in the program is its failure to extend to persons now enrolled in the Aid-to-Disabled Program. For the disabled person, the need for medical care is especially great and compelling.

Our new laws in the field of social insurance and public welfare must be responsible as well as liberal. Thus, we must stop short of an extreme, isolated position which would discourage the entry of new wealth and industry and thus injure our economy and our people alike. But short of this extreme, we will remember that social insurance and public welfare benefits go directly into our life stream and that we serve our economy as well as our humanitarian principles by making California a leader in this field.

*Sixth. Establish a Minimum Wage.* I urge you to enact legislation which will establish $1.25 an hour as the minimum wage for California workers not covered by the federal law. Minimum wage laws assure a worker that he will be paid enough to maintain himself in health and decency. Elementary fairness dictates that this protection should not be denied a person because of the happenstance that he is employed in a local business. Moreover, a minimum wage law will protect ethical employers from the unfair competition of those who would pay substandard wages.

*Seventh. Reform Election Practices.* Because elections are the strong heartbeat of democracy, the reform of election practices deserves a top priority. I urge you to abolish cross-filing in primary elections, and thus strengthen representative government by making our parties more responsible and more responsive to the will of the people.

I also urge you to strengthen our laws providing for disclosure of campaign funds. The gaps in the present law threaten the integrity of our democratic processes.

In this electronic age, we continue to count ballots by primitive methods. I recommend that existing statutes be broadened to encourage electronic tabulation of votes in all counties of the State. We must

also find a way to shorten our political campaigns and stop every election from being an endurance contest, both for the candidates and the voters. When we improve the election process, we strengthen democracy.

*Eighth. Promote Efficiency in Government.* I urge you to adopt legislation to enable us to reorganize and streamline State Government. Specifically, I believe that the Governor should be authorized to prepare and transmit to the Legislature plans for the reorganization of the executive branch of the State Government. I also pledge my wholehearted support for your efforts to improve the organization and operation of state agencies.

Not since 1928 have we made a thorough and penetrating analysis of the structure of our State Government. Today each citizen pays the price of a government which has developed haphazardly in a piecemeal response to the pressure of growth. We are burdened by layer upon layer of patchwork agencies, and confusing lines of authority. The time has come for us to modernize State Government and improve its services to our people.

*Ninth. Control Crime.* Crime and narcotics are ugly companions. Driven by fear and guilt, the criminal seeks escape through the use of narcotics; in turn, the addict steals to support his costly habit.

As a new approach to this complex problem, I urge you to authorize the Department of Corrections to establish pilot units for narcotic treatment and control in key areas of the State. This program would provide diagnostic testing and psychiatric aid for addicts released on parole or probation. By providing these new tools for control and rehabilitation, we take a promising and pioneering step toward narcotics control. We only endorse futility if we do no more in this field than renew procedures which time has already proven unsuccessful.

Our prisons are dangerously overcrowded. This not only magnifies the hazards of riots and breakouts, but inevitably produces the frustration of idleness. In meeting this problem, our first responsibility is the protection of society. We must initiate new studies to identify those prisoners who should never be released to prey again on an innocent public. We should also determine whether some prisoners are now kept confined after punishment has served its purpose. In addition, we should establish new forestry camps and industrial training programs so that after release, every man can offer society an effective skill and regular work habits.

Today's prisoners were yesterday's delinquents. The California Youth Authority has pioneered in the field of youth correction, but now we must press forward in the prevention of delinquency. To that end, I will immediately take personal leadership of the Governor's Advisory Committee on Children and Youth to study the early causes of one of society's most difficult problems. If we can find a way to reach the promise and the core of goodness in our emotionally disturbed children, we strike at the roots of crime.

*Tenth. Improve Quality in Education.* Both our Constitution and our conscience enjoin us to invest money in young minds, our greatest natural resources Specifically, our growth requires us to meet these needs in public education: 18,000 new teachers a year, when we now

graduate 11,000; 5,000 new classrooms a year, when we now build 2,500; facilities for 400,000 college and university students in 1970, when we now have space and equipment for but 100,000

These needs are the challenge of growth Let us meet them with adult dedication and ingenuity. We can attract and retain good teachers, if we offer practical training, adequate professional salaries, and new levels of community confidence and respect. We must also find the means to provide the physical plants as well as the intellectual climate for learning.

In turn, we have the right to require that our schools shall provide genuine education in a well-taught, disciplined curriculum. Every child deserves the chance to grow in fundamental knowledge, in special and technical skills, and in insight. I am determined that California will have the best public schools in the United States. I am persuaded, as I am confident you are, that whatever we invest in free public education is returned, manyfold, to our economy and to the strength of our democratic government.

*Eleventh. Protect Public Health.* We live in an era marked by new cures for old diseases and by dramatic new dangers to our health. Air pollution is a statewide menace It threatens the health of people not only in Los Angeles, but in every heavily populated region of the State. We must recognize that our attack on smog cannot stop at county lines.

I therefore ask that you supply additional funds for concentrated research on the dangerous effects of smog on people I call upon the automobile industry to expand and accelerate its research on smog prevention. I want to serve notice on every industry and every person involved that my administration will take effective action to protect the people of the State. People are more important than dollars.

Exposure to radiation from nuclear fallout and industrial accidents now threatens all of us. We should provide funds for the State Department of Public Health to maintain a constant guard against dangerous levels of radioactivity in air, water, food, and sewage.

In addition, I urge that California follow the example of other alert states and establish a co-ordinator of the many phases of atomic energy development now in process in several existing state agencies. Failure to act and plan in atomic matters, which are so promising to our progress and so critical for our safety, would be both irresponsible and dangerous.

I also recommend that the Legislature provide funds for the continuation of the Department of Public Health's program to combat alcoholism and promote temperance.

Fifteen years as a law enforcement officer have convinced me that although other problems may be better publicized, none causes more suffering and despair than alcoholism.

*Twelfth. Improve the Administration of Justice.* There is a log-jam in our California courts. In Los Angeles County alone, the backlog of civil cases climbed to nearly 16,000 in 1958. Each case has to wait in line well over a year after it is ready for trial. In other counties, the situation is even worse. Last October when Chief Justice Warren called attention to this crisis in the courts, we were forcefully reminded that justice delayed, frequently is justice denied.

Automobile accidents spawn a major portion of the congestion in our courts. For the accident victims, the net result is a grave social loss. After years of delay and uncertainty, the majority will recover nothing, and financial distress will be added to their pain and suffering. Those who eventually win their cases may not be able to collect their judgments, and what they do recover will have to be shared with others.

Three decades ago, California pioneered in establishing an expert commission to handle industrial accidents. Now, the time has come for us to weigh the wisdom of an Automobile Accident Commission to hear and determine claims arising out of auto accidents. If a commission modelel after our Industrial Accident Commission could provide a prompt remedy and fair compensation for the accident victim, we would reduce suffering and hardship. If the commission could gain an insight into the causes of accidents and issue safety orders, we would cut down the carnage on the highways. If, through the creation of such a commission, we could enable our courts to keep abreast of their dockets, we would take a long step toward our goal of equal justice under law.

The limits of this inaugural occasion do not permit a detailed statement of all that is in my mind and heart today. During the course of this session, I will bring you recommendations on traffic safety, billboards, the redevelopment law, improvements in our recreational program, and other matters.

Before the end of January, I will send you a major message on water. Development of our water resources is crucial to every segment of our State—the ranchers in our mountain areas, the farmers who make California the Nation's leading agricultural producer, and the homeowners in our population which will grow to 20 million by 1970. No problem has occupied more of my time in the weeks since election than water. Striking progress has been made. I can tell you now that I will soon present a water program which is rational, realistic, and responsive to the needs of all the people of the State.

I will also soon announce appointment of a Governor's Commission on Metropolitan Problems For the 85 percent of our people who live in urban communities, local government is often inefficient, costly, and confusing because the necessary services are rendered by overlapping and competing agencies The congestion of our streets symbolizes the necessity for a new and co-ordinated approach to the pressing problems in our cities. Any approach to these problems must respect our tradition of community responsibility and the high quality of our local officials, but I am convinced that we should make a concerted attack on these acute and chronic problems.

Looking beyond these specific matters, let us recall the warning of the Bible that where there is no vision, the people perish. Today we see successful industries accepting this judgment. They search out their most creative minds and put them to work studying distant horizons.

I propose that California follow industry's example and become the first state in the nation to set up a specific research and development program. I propose that we seek out our most creative minds both in and out of State Government and put them to work on a wide range of long-term problems, such as our crowded airways, the plight of workers

frozen in their jobs by pensions which cannot be transferred, discrimination in housing, the defects of the present health insurance program, and on to new problems on the frontiers of space.

As I conclude, I would observe that providence seems intent on making us a great people in a great State This destiny of greatness requires of us our best laws and fairest administration. Let us lead with confidence and compassion as we draw the lines of the new vision for California. May we pray to God that our virtues grow with California and be durable, and that our vision for California be liberal and responsible.

### INTRODUCTION OF GOVERNOR BROWN'S PARTY

At the conclusion of his address, Governor Brown presented to the Joint Convention his mother; his daughters, Barbara Casey, Kathy Brown, and Cynthia Kelly; his son, Edmund G. Brown, Jr.; and Miss Roosevelt, his first grade teacher.

### PRESENTATION OF LIEUTENANT GOVERNOR

Hon. Ralph M. Brown, Speaker of the Assembly, then presented Lieutenant Governor Glenn M. Anderson to the Joint Convention.

### ADDRESS BY LIEUTENANT GOVERNOR

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

#### Address by Lieutenant Governor Anderson

Governor Brown, Mr. Speaker, Mr. Speaker pro Tempore, President pro Tempore of the Senate, Chief Justice Gibson, Members of the Legislature, Ladies and Gentlemen:

Sixteen years ago I was first sworn in as a State Legislator in this same room. This Assembly Chamber holds many happy and nostalgic memories for me. Some of my fellow legislators of those years are still here, many are not. As Legislators we always strove to accomplish greater progress for our beloved State.

Today, particularly, we have just heard what I consider to be the most forward looking, courageous program that has ever been presented to a Legislature of California. We have heard Governor Pat Brown, obvious in his greatness, demonstrate that the confidence shown in him by the people on election day, will be fulfilled.

I am certain his administration will come to be identified as the one that drew new lines of vision, new goals, for a greater California of the future. His sights have remained high, never lowered, even with the current dilemma of a State facing difficult problems, and at the same time being encumbered by a huge deficit.

As he stated, his administration will never stay on "dead center," nor will it blindly stumble, but will always move forward meeting each crisis head on.

He has clearly stated many of the State's problems and has made recommendations for the solution of these problems. I have confidence that the Legislature in its good judgment will follow these recommendations, and the people of California will truly live in a greater and more glorious California.

As I listened to Governor Brown's address, it touched many responsive chords from the beginning to the end. For example his number one item . . . providing for equal job opportunities for all people regardless of race, creed, national origin or age . . . has been number one in my heart for as many years as I can remember. My office and staff will work diligently to help promote such legislation during this session, and I want Governor Brown to know that I feel California can lead the way in showing not only this Nation, but the entire world that we in America know what democracy means, and believe in it—wholeheartedly.

In my opening remarks I referred to the memories I hold of my years in the State Assembly. My experience in the Assembly brought me in close contact with the Members of the State Senate of California; and my respect for that body . . . for its co-operation, for its integrity, for its mature leadership, grew year by year. I consider the State Senate of California an outstanding deliberative group . . . as Presiding Officer of the Senate I will be part of that body, and it will be my full endeavor to work along with every member. I come to you in the spirit of complete co-operation.

In closing, I want the members of both houses, the Assembly and the Senate, each of the Constitutional Officers and the People of California to know that my office is ready and willing to serve you . . . and to you, Governor Brown, I want to assure you that your entire program has my full support. And knowing you as I do, I am confident that I will also be in full support of the subsequent programs that you will be presenting in the interests of our great State.

## INTRODUCTION OF DISTINGUISHED GUESTS

Speaker Ralph M. Brown then introduced the following guests to the Joint Convention: Alan Cranston, State Controller, and Mrs. Cranston; Frank M. Jordan, Secretary of State, and Mrs. Jordan; Bert A. Betts, State Treasurer, and Mrs. Betts; Stanley Mosk, Attorney General, and Mrs. Mosk; Paul Leake, George R. Reilly, John W. Lynch, and Richard Nevins, members of the State Board of Equalization; Roy Simpson, Superintendent of Public Instruction; Judge Edward F. O'Day of San Francisco; Gerald C. Haggerty of San Francisco, former Member of the Assembly; Ernest E. Debs, member of the Los Angeles County Board of Supervisors; William H. Rosenthal, Chairman of the Democratic State Central Committee; William F. Marsh of North Hollywood, former Member of the Assembly; Gerald J. O'Gara of San Francisco, former State Senator; Verne Hoffman of Stockton, former State Senator; George Christopher, Mayor of San Francisco; Francis McCarty, President of the San Francisco Board of Supervisors; and Elizabeth Smith, California Democratic National Committeewoman.

## BENEDICTION

Upon invitation of the Speaker, Rev. I. E. Metcalf, Chaplain of the Senate, pronounced the benediction.

## I LOVE YOU CALIFORNIA

Upon request of Speaker Brown, the Honorable Frank Lanterman then played *I Love You California* on the electric organ.

### ADJOURNMENT OF JOINT CONVENTION

At 3.50 p.m., there being no further business, on motion of Mr Munnell, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

## IN ASSEMBLY

At 3.51 p.m., the Assembly reconvened.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Backstrand of Riverside to Mrs. Helen Ostoreco of San Leandro; Mrs. Belle Myers of Great Bend, Kan.; Mrs. Rita Riddell of South Gate; Mrs. Erbeck of Quincy, and Mrs. Dorothy Linde of San Fernando.

On request of Mr. Luckel of San Diego to Charlotte J. Young of La Jolla.

On request of Mr. DeLotto of Fresno to Mrs. Eilen DeLotto, Kerwin DeLotto, Mr. and Mrs. James Zornes, Thomas Woods, Mrs. Collins, and Mrs. Caroline Barrick of Fresno.

On request of Mr. Frew of Dinuba to Ross H. Boyd, Edward Simco, Pat Faran, and Mrs. Virginia Faran of Porterville.

On request of Mr. Conrad of Sherman Oaks to Dr. and Mrs. Louis E. Benson and H. K. Bonaparte of Hollywood.

On request of Mr. Cameron of Whittier to Mrs. Ronald B. Cameron of Whittier, Mrs. Allen Cameron of Los Angeles, Mr. and Mrs. John G. Sobieski of San Marino, Mr. and Mrs Robert P. McLaughlin and Miss Nollie Hudson of Whittier, Mr. and Mrs George O'Brien of Los Angeles, and Mr. and Mrs. Jack Bell of Alhambra.

On request of Mr. Z'berg of Sacramento to Mrs. Merle Z'berg, Susan Z'berg, Louisa Durrer, Christine Harmon, Lloyd Harmon, John Herger, Mary Herger, Rose Marie Herger, Lorraine Johnson, F. N. Woodard, Donald Anderson, Michael M. Neves, and Edward M. Coz, all of Sacramento.

On request of Mr. Burton of San Francisco and the San Francisco Delegation, to Sala Burton, A. Brooks Berlin, Emmet Hagerty, Sol Silverman, John Monaghan, Richard Lynden, LeRoy King, Eldon Heckman, Frank Kieliger, Mrs. Eleanor McMenamin, Robert J. McMenamin, Harry Johns, Emmett Campion, Mr. and Mrs. Frank Meagher, Q. C. Lum, Charles Radetich, Mr. and Mrs. B. LaRosa, Mr. and Mrs. Frank McBean, Harold Berliner, Hon. Thomas A. Maloney, Hon. Gerald J. O'Gara, Thomas Fleming, Joseph Williams, John Shea, Hon. William C. Blake, Ruth Church Gupta, and Kamini Gupta, all of San Francisco.

On request of Messrs. O'Connell and Burton of San Francisco, to Anthony B. Goolsby of San Francisco.

On request of Messrs. Meyers and Burton of San Francisco, to Jefferson Beaver of San Francisco.

On request of Mr. Lunardi of Roseville to Mrs. Paul J. Lunardi, M. Lunardi, Mrs. Grace Isola, Mrs. Vee Lonergan, George Buljan, Fred Gasholino, and David Koester, all of Roseville.

On request of Mr. Burton of San Francisco to Martin J. Callaghan and Anabel Whang of San Francisco.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation, to Dr. and Mrs H A Tagliaferri, Mr. Al DeMartini, Mr and Mrs. Emmett Campion, Mr. and Mrs. Frank Meagher, Hon. and Mrs. William Blake, Mr. and Mrs. Thomas Feeney, Mr. and Mrs. John Shea, Mr. and Mrs. William Armstrong, Mrs Loretta Downey, Mrs. Mildred Taylor, Mr. and Mrs. Joseph Doody, Mr. Paul Barker, Mr. and Mrs. Marvie Isaksen, Mr. and Mrs. Attillo Raeta, Hon. Edward F. O'Day, Mr. Walter Jebe, Mr. William Lowery, Hon Gerald J. O'Gara, and Mr. Jefferson Beaver.

## ADJOURNMENT

At 3.54 p.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 6, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, January 6, 1959

The Assembly met at 10 a.m.

Hon. Ralph M Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O Lord our God,* Teach us in the meetings of this Assembly to make use of a moment of quiet prayer before we take up the duties of the day. We would be still—and know that Thou art God. Waiting upon Thee we shall renew our strength. Our work is too important for us not to pray, and having started the day with Thee let us make prayer an all day practice Thou knowest, O God, the needs, the motives, the hopes, the fears, of all of us. We commend ourselves to Thy loving care, each day, and all day long.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

CORONADO, CALIFORNIA, April 24, 1958

DEAR MR. OHNIMUS: With reference to your letter of April 11th concerning the Resolution 20 introduced by Capt. Frank Luckel to pay tribute to my father, Rear Admiral Friedell, I wish to acknowledge receipt of the two especially prepared copies.

These resolutions are greatly appreciated both by my mother, who has received her copies, and by my husband and myself for our copies.

Sincerely,

LUCIE F. DENUNZIO
(MRS. VINCENT L. DENUNZIO)

DOWNEY, CALIFORNIA, May 6, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly of the California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: It was indeed with deep appreciation that I received the beautiful scroll containing a resolution in Mr. Legg's memory from the Assembly of the California Legislature

I wish to thank you and ask that you extend to the members of the Assembly my sincere thanks for your thoughtfulness.

Sincerely yours,

HELEN N. LEGG

SAN FRANCISCO CALIFORNIA, May 7, 1958

*Hon. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS. I wish to acknowledge receipt of two specially prepared copies of the resolution introduced by Assemblyman Phillip Burton and passed by the Legislature honoring my brother, Albert.

Mrs. Albert Chow and her family asked me to extend their gratitude to you all who made possible this honor to Albert

With best wishes, I am

Sincerely yours,

WILLIAM JACK CHOW

LOS ANGELES, CALIFORNIA, May 9, 1958

*Hon. Arthur A. Ohnimus, Chief Clerk,*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: May I take this means of extending my thanks and appreciation for your courtesy in forwarding me House Resolution No 11 introduced by Assemblyman Edward E. Elliott and unanimously adopted on March 28th.

It is especially meaningful and gratifying to be the recipient of an honor and recognition from the California Legislature with which I had the privilege of becoming well acquainted.

Very sincerely yours,

TATS KUSHIDA

SPRINGFIELD, ILLINOIS, May 10, 1958

*Mr. A. A. Ohnimus*

DEAR SIR: Your kind letter received as well as the copy of the resolution of the California Legislature relative to the death of my uncle, the late Charles W. Stream.

I wish to thank you for your thoughtful consideration. I am,

Sincerely,

CLYDE C. STREAM

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
STATE BUILDING, SAN FRANCISCO, May 12, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR ARTHUR: Thank you for your letter of May 8, as well as the four copies of House Resolution No. 96, extending congratulations on my 53rd birthday.

Being the recipient of this great honor has deeply moved me. This wonderful gesture, on the part of the busy members of the Assembly, is something I shall always remember.

I appreciate very much your congratulations and with kindest personal regards, I am

Sincerely,

EDMUND G. BROWN, Attorney General

ROSEVILLE, CALIFORNIA, May 19, 1958

*Hon. Arthur A. Ohnimus*
*Chief Clerk and Chief Administrative*
*Assistant of the Assembly*
*State Capitol, Sacramento, California*

DEAR ARTHUR: Thank you so much for sending me the copies of the resolution on my retirement adopted by the members of the Assembly.

Will you please convey to the members of the Assembly my sincere appreciation for this gracious courtesy.

Sincerely,

JUANITA L. DEPENDENER

SAN FRANCISCO CHAMBER OF COMMERCE
SAN FRANCISCO, CALIFORNIA, May 20, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*3196 State Capitol*
*Sacramento 14, California*

MY DEAR MR. OHNIMUS: Thank you for your letter of May 13, 1958, and your subsequent thoughtfulness in sending us an illuminated copy of House Resolution No. 103, relative to the death of Dr. Henry Francis Grady.

This resolution will be appropriately framed and displayed in the San Francisco Chamber offices.

Sincerely yours,

G. L. FOX, General Manager

AMERICAN PHARMACEUTICAL ASSOCIATION
WASHINGTON, D. C., May 29, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: Thank you very much for your letter of April 23 announcing that an especially prepared copy of Assembly Concurrent Resolution 32 relative to the American Pharmaceutical Association was mailed to us.

The officers and members of our association are very grateful to the Legislature of the great State of California for this splendid recognition and it will be greatly appreciated if you will transmit to the members of the Legislature our thanks and appreciation of this very thoughtful act on their part.

Sincerely,

ROBERT P. FISCHELIS, Secretary

YONKERS, NEW YORK, June 2, 1958

DEAR MR. OHNIMUS: I received the six resolutions last week and wish I could say thanks to everyone in person. Will you please let them know, especially Assemblyman Augustus F. Hawkins, how much I appreciate the tribute so beautifully done in memory of my husband W. C. Handy.

Thank you again.

Sincerely,

MRS. W. C. HANDY

PORT HURON, MICHIGAN, June 6, 1958

*Assembly, California Legislature*
*Sacramento 14, California*

DEAR MR. OHNIMUS: I wish to acknowledge receiving a copy of Assembly Concurrent Resolution No. 9 relative to the passing of Adm. T. C. Sherman.

Thanking you, I am,

Sincerely,

DORA B. HUGHES
(MRS. A. H HUGHES)

CARMICHAEL, CALIFORNIA, June 18, 1958

Gratefully acknowledging and thanking you for your kind expression of sympathy.

MRS. EARL DESMOND AND FAMILY

BAKERSFIELD, CALIFORNIA, October 13, 1958

*Members of the State Assembly:*

The lovely flowers sent to Jess have helped to comfort me in my bereavement and your thoughtfulness has meant so much to me. No words can express the full measure of my appreciation of the sympathy and understanding of his colleagues.

Sincerely,

MRS. MARIAN DORSEY

The following communication was presented by the Chief Clerk from: Abraham Binneweg, Jr., of Oakland, relative to forests. Ordered filed with the Secretary of State.

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
WASHINGTON 25, D. C., April 30, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: The Secretary of the Navy has forwarded your letter of 11 April 1958 to me for acknowledgment of an illuminated copy of the Assembly Concurrent Resolution 20, memorializing the late Rear Admiral Wilhelm Lee Friedell, United States Navy, Retired.

I have noted that the resolution, which was adopted by the California Legislature on 17 March, was forwarded to the Navy Department at the request of Captain Frank Luckel, who introduced the resolution in Assembly. It is a pleasure to acknowledge the resolution. I am sure it will be greatly appreciated by the widow and family of Admiral Friedell.

Sincerely yours,

H. P. SMITH, Vice Admiral, USN
Chief of Naval Personnel

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON 25, D. C., April 30, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: We are pleased to acknowledge receipt of your letter of April 19 and the enclosed copy of Assembly Joint Resolution No. 10, adopted by the California Legislature on April 17, 1958, during the First Extraordinary Session.

The Bureau of Sport Fisheries and Wildlife, U. S. Fish and Wildlife Service, is presently studying the possibility of establishing a national migratory waterfowl refuge on the lands referred to in the resolution.

Sincerely yours,

ROSS LEFFLER, Assistant Secretary

HEADQUARTERS, DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF FOR LOGISTICS
WASHINGTON 25, D. C., May 1, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: This letter is in reply to your correspondence to the Department of Defense, dated 1 April 1958, concerning Resolution Number eight (8) as adopted by the California Legislature and pertaining to the recovery of infra-red sniperscopes sold by the Government to the public.

The M-2 sniperscope, as referred to in the Resolution, was formerly used by the U. S. Army. However, it is now obsolete and no longer an item of Army supply. The Army does not have any infra-red sniperscopes or viewers scheduled for disposal in the foreseeable future.

Items similar to the M-2 sniperscope generally referred to in commercial terms as infra-red viewers or night viewers are available through sources other than the military. Either of these viewers could be used for the purpose objected to by the Assembly.

The Department of the Army policy, in such cases, is not to destroy items which have sales value when the items or similar items are readily available on the commercial market. It would appear that the recovery of the sniperscopes would not be in the best interests of the Government.

I appreciate your interest in this matter and trust the above information will be of assistance to you.

Sincerely yours,

H. P. HOUSER, JR.
Colonel, GS
Chief, Storage and
Distribution Division

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
WASHINGTON 25, D. C., May 8, 1958

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: We appreciate receiving your letter of April 19, enclosing a copy of the California Assembly Joint Resolution No. 10.

The action taken by the State Legislature on this resolution is most gratifying. Preliminary investigations indicate that the Dorris Reservoir area has an important place in the future of the waterfowl management in the Pacific flyway.

Field evaluation and reconnaissance surveys have been completed by U. S. Fish and Wildlife Service field personnel, and the project has been favorably recommended to the Bureau of Sport Fisheries and Wildlife.

It is our hope that pending legislation will make available funds needed to carry on an accelerated acquisition program of important waterfowl areas such as the Dorris Reservoir.

Sincerely yours,

ARNIE J. SUOMELA, Commissioner

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF CHEMICAL OFFICER
WASHINGTON 25, D. C., May 15, 1958

*Mr. Arthur A. Ohnimus*
*California Legislature*
*Sacramento, California*

DEAR MR. OHNIMUS: Your letter of April 19, 1958, to the President of the United States, inclosing a copy of House Resolution No. 58, adopted during the 1958 First Extraordinary Session of the California Legislature, has been forwarded to this office for direct reply.

The Department of the Army very carefully observes every safety precaution in ocean disposal of any toxic, radioactive and deleterious material. Packaging of radioactive materials is in accordance with the minimum standards set forth in the National Bureau of Standards Handbook 58, and the minimum standards prescribed by the President's National Committee on Radiation Protection and the regulations of the Atomic Energy Commission mentioned in House Resolution No. 58.

In addition, the Department of the Army provides complete information on toxic and radioactive materials and their containers scheduled for ocean disposal to the Department of the Navy and the Fish and Wildlife Service in order that a safe dumping site may be selected.

As an example, prior to the ocean disposal of 8,025 tons of Lewisite and Mustard Gas on April 19, 1958, the question of possible hazard to fish life was thoroughly discussed with representatives of the Fish and Wildlife Service and the Navy Hydrographic Office. As a result the dumping location was selected in what is well known oceanographically as a "dead" area, in that it is not within any strong current system and has a depth of 2,257 fathoms of water. This location is 129 miles west of San Francisco, and far exceeds the provisions of House Resolution No. 58 that any ocean disposal be carried out in not less than 2,000 fathoms and not less than 60 miles from any sea mount.

You may be assured that any ocean disposal of any toxic, radioactive or deleterious material by the Department of the Army will be performed only after thorough study indicates no adverse effect on pelagic fishes.

Sincerely yours,

WILLIAM M. CREASY
Major General, USA
Chief Chemical Officer

FEDERAL CIVIL DEFENSE ADMINISTRATION
OFFICE OF THE ADMINISTRATOR
WASHINGTON 25, D. C. May 15, 1958

*Hon. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: Thank you for sending me a copy of Assembly Joint Resolution No. 14 which was adopted by the California Legislature on April 23, 1958.

Federal funds, under P. L. 875 (81st Congress) have been authorized by the President to supplement state and local efforts in the disaster areas of California resulting from the floods, and undoubtedly, the federal-state agreement, presently in progress, will help to resolve the problem described in the resolution.

Sincerely,

LEO A. HOEGH

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, June 11, 1958

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

DEAR MR. OHNIMUS: I am this day forwarding to the State Treasurer Check No. 001825, in the sum of $10,000.00, to be placed to the credit of the Legislative Printing Fund, representing proceeds from the sale of legislative publications and service by the Legislative Bill Room from February 1, 1958, to June 1, 1958.

Very truly yours,

PAUL E. GALLAGHER, State Printer

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, July 22, 1958

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

DEAR SIR: This is to advise you that as of this day we have deposited $1,121.69, to the credit of the Legislative Printing Fund, covering receipts from sales of Legislative publications by our Documents Section for the period January 1, 1958 through June 30, 1958.

Very truly yours,

PAUL E. GALLAGHER, State Printer

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, August 28, 1958

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

DEAR SIR: This is to advise you that as of this day we have deposited $3,000.00 to the credit of the Legislative Printing Fund, covering receipts from sales of Legislative publications by the Legislative Bill Room for the period June 1, 1958 through July 31, 1958.

Very truly yours,

PAUL E GALLAGHER, State Printer

The following communications were presented by the Chief Clerk from.

Diane Hall Fleischman of Los Angeles, relative to commitments to mental hospitals. Referred to the Committee on Social Welfare.

Martin Radoff of Encino, relative to bonds for contractors. Referred to the Committee on Judiciary.

Miss Bertha Lebell of Los Angeles, relative to grievances. Referred to the Committee on Social Welfare.

San Diego County Board of Supervisors, by R. B. James, county clerk and ex-officio clerk of the board of supervisors, endorsing a petition relative to strengthening the state narcotic laws. Referred to the Committee on Judiciary.

Sonoma County Board of Supervisors, resolution relative to a statewide study of the aid to needy children program. Referred to the Committee on Social Welfare.

Santa Barbara County Board of Supervisors by E. R. Birdsell, Deputy Clerk, enclosing a resolution relative to a statewide study of the aid to needy children program. Referred to the Committee on Social Welfare.

Madera County Board of Supervisors' resolution relative to a statewide study of the aid to needy children program. Referred to the Committee on Social Welfare.

City Council of the City of Torrance, by A. H. Bartlett, City Clerk, enclosing a resolution by the City Council relative to penalties for the sale of narcotics. Referred to the Committee on Judiciary.

Mrs. Lillian Roberts of Hollywood, enclosing House Joint Resolution 355 of the Eighty-fifth Congress, First Session, relative to an amendment to the United States Constitution abolishing personal income, estate, and gift taxes, and prohibiting the Federal Government from engaging in certain businesses. Referred to the Committee on Rules.

Signal Hill Post 490 of the American Legion, resolution relative to mental health legislation. Referred to the Committee on Social Welfare.

Heber Ladner, Secretary of State of the State of Mississippi, enclosing House Concurrent Resolution No 144 of the Mississippi Legislature, relative to the repeal of federal excise taxes on transportation. Referred to the Committee on Rules.

Heber Ladner, Secretary of State of the State of Mississippi, enclosing Senate Concurrent Resolution No. 148 of the Mississippi Legislature, memorializing Congress relative to railroad industry legislation. Referred to the Committee on Rules.

Los Angeles City Council resolution relative to a 1962 World Fair in the Los Angeles area. Referred to the Committee on Rules.

William A. Sobel of Los Angeles, relative to taxes. Referred to the Committee on Revenue and Taxation.

Kern County Board of Supervisors, by H. R. Tedrow, Deputy Clerk, acknowledging receipt of House Resolution No. 70, 1958, relative to the location of the Eastside Freeway on State Route 58 in the vicinity of Edison. Ordered filed with the Secretary of State.

Mildred P. Allen, Secretary of State of the State of Connecticut, enclosing Senate Joint Resolution No 9 of the Connecticut Legislature concerning the calling of a Constitutional Convention for proposing an amendment to the Constitution of the United States preventing the taxation of income of the resident of one state by another state. Referred to the Committee on Rules.

City Council of the City of Martinez, by Laurence J Kowalski, City Clerk, enclosing a resolution relative to compliance with P. L. 85-606. Referred to the Committee on Municipal and County Government.

Pete Lauchie of Inglewood, relative to smog. Referred to the Committee on Public Health.

C. D. Durfey of Sacramento, relative to fishing licenses for recipients of old age assistance and enclosing a letter from Governor Knight's Office Referred to the Committee on Fish and Game.

Mrs. Bente of Fresno, relative to grievances. Referred to the Committee on Government Organization.

L. Rohe Walter, Special Assistant to the Postmaster General, Washington, D C, acknowledging receipt of Assembly Joint Resolution No. 5 of the 1958 Session, relative to the issuance of a special stamp on traffic safety, and enclosing a copy of *"A Guide for the Selection of United States Commemorative Postage Stamps"* (two communications and pamphlets received) Referred to the Committee on Rules.

William O Burt of Palm Springs, in re a notice of tort claim under Government Code 16000-16054. Referred to the State Board of Control.

The following Letters of Transmittal were presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**

THE ASSISTANT TO THE PRESIDENT
THE WHITE HOUSE
WASHINGTON, D C, April 21, 1958

*The Honorable Arthur A. Ohnimus, Chief Clerk,*
*California Legislature*
*3196 State Capitol*
*Sacramento 14, California*

DEAR MR. OHNIMUS: The President has asked me to thank you for your letter of the sixteenth. He appreciates your courtesy in making available to him the accompanying copy of House Resolution No. 70 adopted by the California Assembly.

You may be interested in having the enclosed statement issued in connection with the President's approval of the highway bill. It explains in some detail his serious misgivings as to certain provisions of the legislation and it also sets forth his reasons for finally concluding that the bill should be signed

With the President's kind regards,

Sincerely,

SHERMAN ADAMS

Encl.

Above transmitted statement ordered referred to the Committee on Transportation and Commerce.

**Letter of Transmittal**
**Report on Reclamation of Water From Sewage or Industrial Waste**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, May 12, 1958

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

DEAR MR. OHNIMUS: I have the honor to transmit for the information of the California State Assembly a copy of the third progress report to the Legislature and the regional water pollution control boards on "Reclamation of Water from Sewage or Industrial Waste," as authorized and directed by Section 230 of the Water Code

This report presents a statewide inventory of sewage treatment facilities discharging to tidewaters, and status of sewage reclamation projects, for the two-year period July 1, 1953, through June 30, 1955.

Investigation of the feasibility and practicability of reclamation of waste waters, under Section 230 of the Water Code, is an integral part of the study and planning activities of this Department in support of the California Water Development Program

Sincerely,

HARVEY O. BANKS, Director

Attach.

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

**Letter of Transmittal**
**Report on Irrigation and Water Storage Districts in California—1951-1955**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, May 14, 1958

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

DEAR MR. OHNIMUS: I am pleased to transmit for the information of the California State Assembly a copy of a supplement to Bulletin No. 21 of the Department of Water Resources entitled, "Report on Irrigation and Water Storage Districts in California for 1951-1955," dated January, 1958. This is the latest of a series of similar reports which have been published periodically since 1929.

Irrigation and water storage districts are required by law to submit reports of their operations to the Department of Water Resources and the California Districts Securities Commission and to publish verified statements of their financial condition annually. Information contained in Bulletin No. 21 has been obtained from these reports and statements. The present supplement contains information on district activities for the period 1951-1955.

Sincerely yours,

HARVEY O. BANKS, Director

Enc.

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

**Letter of Transmittal**
**Bulletin 14—Lake County Investigation**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, May 15, 1958

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

DEAR MR. OHNIMUS: I am pleased to transmit herewith for the information of the California State Assembly a copy of the final edition of the Department of Water Resources Bulletin No. 14, "Lake County Investigation," dated July, 1957.

This bulletin reports results of a cooperative investigation between the State of California and the County of Lake. It presents an evaluation of the underground and surface water resources of the area; estimates of present (1953) water use; probable ultimate supplemental water requirements; and preliminary plans and cost estimates for water development works.

*Very truly yours,*

HARVEY O. BANKS, Director

Enc.

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

**Letter of Transmittal**
**Bulletin 18—San Luis Obispo County Investigation**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, June 12, 1958

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

DEAR MR. OHNIMUS: Transmitted herewith for the information and use of the California State Assembly is a copy of State Water Resources Board Bulletin No. 18, "San Luis Obispo County Investigation," dated May 1, 1958. This investigation was conducted by the State Department of Water Resources in co-operation with the County of San Luis Obispo.

This report contains an inventory of the surface and underground water resources of San Luis Obispo County, estimates of present and probably ultimate supplemental water requirements, and preliminary plans and cost estimates for water development works.

A provisional edition of Bulletin 18 was released last year in limited numbers, to enable interested parties to contribute suggestions and corrections. Subsequently, certain revisions were made in the report, and the California Water Commission has authorized publication of the report in its final form.

Very truly yours,

HARVEY O. BANKS
Director of Water Resources
By M. J. SHELTON, Deputy Director

Attach.

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

**Letter of Transmittal**
**Bulletin 39-57—Water Supply Conditions in Southern California, 1956-57**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, September 23, 1958

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

DEAR MR. OHNIMUS: Transmitted herewith for the information and use of the State Assembly is Volume I of Department of Water Resources Bulletin 39-57 entitled "Water Supply Conditions in Southern California During 1956-1957." It marks a further evolution of the Bulletin 39 series, published regularly since first authorized in 1929.

In that year, the Legislature, by enacting Chapter 832, directed that a continuing investigation be conducted of basic hydrologic data to promote the conservation, development, and utilization of the water resources of southern California. This report is one of a series begun in 1932 as a result of that authorization.

Consisting originally of ground water level listings in the major valleys and plains of southern California, Bulletin 39 has added more information as the need manifested itself. It now contains a description of surface water supply, ground water supply, sea-water intrusion, outflow and sewage discharge to the ocean, weather modification operations, and construction activities affecting water supply conditions. Its geographic scope has also been expanded.

For the first time this year, Bulletin 39-57 has been published in four volumes. The text of the report is contained in Volume I, supplemented by data tabulations in Volumes II and III, and several cross indexes of water wells in Volume IV.

useful primarily to agencies concerned with detailed engineering studies of water supply conditions.

The data assembled herein indicate a continuation of drought conditions through 1956-57, resulting in greater dependence on imported water from the Owens and Colorado Rivers. While last winter's precipitation has relieved somewhat the water deficiencies depicted in this bulletin, a rapidly expanding population imposes ever greater demands on existing water supplies and conveyance systems.

Very truly yours,

HARVEY O. BANKS, Director

Enc.

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

**Letter of Transmittal**
**Budget—State Department Water Resources**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
CALIFORNIA WATER COMMISSION, December 11, 1958

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

DEAR MR. OHNIMUS: Enclosed for the information of the Assembly is a copy of Resolution No. 50, concerning the budget of the State Department of Water Resources, adopted by the California Water Commission at its regular meeting in Los Angeles on December 4, 1958.

Very truly yours,

CLAIR A. HILL, CHAIRMAN
By WILLIAM M. CARAH
Executive Secretary

Encl.

Above transmitted budget referred to the Committee on Ways and Means.

**Letter of Transmittal**
**Report re Expressway—Clovis-Exeter**

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, December 19, 1958

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

DEAR MR. OHNIMUS: Senate Resolution No. 135 of the 1957 Legislature, by Senator Hugh M. Burns, requested that the Department of Public Works investigate the feasibility and cost of constructing an expressway from State Sign Route 41 north of Clovis, south via the east side of the San Joaquin Valley to State Sign Route 65 in the vicinity of Exeter, and report to the Legislature thereon not later than the 1959 Regular Session.

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

Sincerely,

T. F. BAGSHAW, Director of Public Works

Enclosures

Above transmitted six copies of report referred to the Committee on Transportation and Commerce.

### Letter of Transmittal
### Report re Highway—San Joaquin Valley-Ventura

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, December 22, 1958

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

DEAR MR. OHNIMUS: Senate Concurrent Resolution No. 83, Resolution Chapter 314 of the 1957 Legislature, by Senator J. J. McBride and Senator J. R. Dorsey; and Senate Concurrent Resolution No. 122, Resolution Chapter 295 of the 1957 Legislature, by Senator J. J. McBride, requested that the Department of Public Works investigate the feasibility of constructing a highway from Route 238 in the San Joaquin Valley to U. S. 101 near Ventura, and report to the Legislature as soon as reasonably possible.

There are enclosed six copies of a report on this subject, which has been prepared by the Division of Highways in accordance with the request contained in the resolutions.

Sincerely,

T. F. BAGSHAW, Director of Public Works

Encl.

Above transmitted six copies of report referred to the Committee on Transportation and Commerce.

### Letter of Transmittal
### Sea Water Conversion Program Berkeley Progress Report

UNIVERSITY OF CALIFORNIA, DEPARTMENT OF ENGINEERING
SEA WATER CONVERSION PROJECT, RICHMOND, 24 December 1958

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

DEAR MR. OHNIMUS: At the request of Mr. James H. Corley, Vice President of the University of California, we are pleased to enclose a copy of the Sea Water Conversion Program Berkeley Progress Report for the year ending 15 June 1958.

Very truly yours,

EVERETT D. HOWE, Professor
Mechanical Engineering

Encl.

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

### Letter of Transmittal
### Bulletin 66—Quality of Ground Waters in California, 1955-56

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO

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

DEAR MR. OHNIMUS: I have the honor to transmit herewith Department of Water Resources Bulletin No. 66 "Quality of Ground Waters in California, 1955-1956." This is the second of a continuing series of reports concerning this important matter.

A statewide ground water monitoring program was initiated in 1953. Since that time the Department of Water Resources, as directed by Section 229 of the Water Code, has conducted this program in cooperation with numerous agencies and individuals. Securing and interpreting data on prevailing quality of ground waters in California is the main objective of the program. These data are utilized by the Department of Water Resources in conducting water resources development studies and implementing The California Water Plan; by the regional water pollution control boards in establishing waste discharge requirements for protection of ground waters in California; and by other water service agencies throughout the State.

This report covers the period January, 1955 through December, 1956, and presents mineral analyses of ground water in 31 important ground water areas throughout the State

Very truly yours,

HARVEY O BANKS, Director

Encl.

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

**Letter of Transmittal**

CALIFORNIA STATE PERSONNEL BOARD
January 5, 1959

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

DEAR MR. OHNIMUS: The State Personnel Board at its regular meeting on December 5, 1958, adopted the following resolution:

*Resolved*, That the Report to the Governor and the Legislature concerning state salaries and other matters together with recommendations be adopted as the report prepared in conformance with Government Code Section 18712. The Secretary of the State Personnel Board is directed to file the report, a copy of which is identified by the signatures of all members of the Board, with the Governor and to file copies with each house of the Legislature in accordance with Government Code Section 18712.

In conformance with this resolution, we are transmitting a copy of this report to be filed with the Assembly. All members of the Legislature have received copies of the report.

Very truly yours,

JOHN F. FISHER, Secretary

**Letter of Transmittal**
**Report of State Personnel Board**

CALIFORNIA STATE PERSONNEL BOARD
December 5, 1958

*The Governor of California*
*and*
*Members of the Senate and the*
*Assembly of the State of California*

GENTLEMEN: The State Personnel Board, in accordance with Government Code Section 18712, submits this report on matters relating to civil service personnel under the jurisdiction of the board

The Legislature, in delegating to the Personnel Board the authority to set and adjust salary ranges for civil service and state college employees, has directed the board to: (a) consider the salaries for comparable service in private employment and in other governmental agencies; (b) consider proper internal salary relationships between state classes; and (c) keep expenditures for salary adjustments within the appropriation limits provided by the Legislature. (Government Code Section 18850)

The following summarizes the present salary situation:

1. The last general salary adjustment for state employees was effective July 1, 1957, based on March, 1957, salary data. No salaries were increased during the 1958-59 Fiscal Year because funds were not appropriated for the 3 percent general increase which was reported by the Personnel Board as being justified.
2. Even though there was a general reduction in business activity between 1957 and 1958, salaries and wages in industry continued to rise. Surveys will be conducted by the Personnel Board in March, 1959, to measure wage changes made by private industry between October, 1958, and March, 1959. If the current trend continues, a 7½ percent general adjustment of state salaries as of July 1, 1959, appears needed to catch up with the increases granted by other governmental jurisdictions and private industry over this two-year period.
3. In addition to a salary increase fund approximating 7½ percent, there will be need, as in previous years, for funds for specific salary adjustments. It appears, however, that special adjustments in excess of 7½ percent will be justified for only a small proportion of the employees

Based on these considerations, the following estimates of salary increase funds for the 1959-60 Fiscal Year are submitted:

1. The estimated cost of each 1 percent increase in salaries in the 1959-60 Fiscal Year for civil service employees and for employees of the state colleges is $2,500,000 from the General Fund The estimated cost of each 1 percent increase for employees paid from special funds is $1,665,000. The estimated cost of a 7½ percent increase is $18,750,000 from the General Fund and $12,500,000 from special funds
2. A fund for special salary adjustments will be needed in order to recognize changes in internal relationships and extreme changes in prevailing rates The Personnel Board estimates that an appropriation of $1,875,000 will be required from the General Fund and a commensurate amount from the special funds. About $1,000,000 of this fund will be required for a special 5 percent salary adjustment for state college faculty.

The estimated amounts for salary increases are sufficient only for adjustments of salaries for civil service employees and for employees of state colleges. They do not include funds for employees of the University of California and other exempt employees.

In addition to information on salaries, this report covers some of the more important current problems and aspects of personnel management in state service. These discussions may be summarized as follows:

1. Fundamental changes in the quality of individuals required and available for employment affect compensation, selection, employee development, and other personnel practices in state service These changes have resulted from the expansion of California's population and corresponding increases in the size of state service and the continuing demand for additional state services. This growth in size and complexity and advances in technology require greater skills of state employees and have increased the ratio of skilled to unskilled workers.
2. The State has continued to experience difficulties in recruiting employees with special skills such as psychiatrists, clinical psychologists, registered nurses, public assistance specialists, parole officers, engineers, and college faculty members. To meet these needs, the State has continued an active recruitment program. The increase in unemployment in the past year occurred mostly in the unskilled and semiskilled occupations and in specialty fields in which the State does not offer employment.
3. The growth in California's population with the resulting growth in state service has indicated a need for additional Personnel Board branch offices in order that reasonable services be given to people in all parts of the State The Personnel Board recommends the establishment of additional offices in Fresno, San Bernardino, and San Luis Obispo
4. Increasing complexity of state service and the need for more highly trained technical personnel have required increased emphasis in employee training and development by the state agencies. The acceptance by the state agencies of the responsibility for employee development is reflected in the increase in both the number and quality of training programs The Personnel Board will continue to direct its efforts to providing leadership and assistance to state agencies
5. It has become prevailing practice in local California jurisdictions to pay a salary differential to police officers assigned full-time to the operation of two-wheel motorcycles. The Personnel Board believes that this practice should be applicable to the California Highway Patrol. Funds are not available for the payment of a salary differential during the current fiscal year. The Personnel Board cannot take any action until funds are provided for this purpose
6. The nationwide shortage of and the increasing need for faculty members for the California state colleges require continued study of all of the factors which affect recruitment and retention. Such factors include: the enhancement of the prestige and status of teaching, the improvement of immediate and long-term incentives to pursue an academic career, and the improvement of facilities to permit full utilization of faculty members, plus raising the general level of academic salaries A special 5 percent salary increase is needed for state college faculty members in addition to any general salary adjustment which may be granted to state employees.
7. The responsibility for administering disciplinary actions rests with the operating departments. During the one-year period July 1, 1957, to June 30, 1958, state agencies took 361 formal actions to dismiss, suspend, demote employees,

or reject probationary employees from their positions. The Personnel Board modified the action of the agency in six cases and reversed it in two cases

Respectfully submitted,

CALIFORNIA STATE PERSONNEL BOARD
ROBERT D. GRAY, President
EMERY E. OLSON, Vice President
GLENN R. BAKER, Member
FORD A. CHATTERS, Member
HARRY FINKS, Member

Above transmitted report referred to the Committee on Civil Service and State Personnel.

The following communication and report were presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**
**Report of Legislative Counsel**

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, December 17, 1958

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

DEAR MR. OHNIMUS: There is submitted herewith a report on all laws enacted during the recent sessions which contain duration clauses limiting their effect. The expiration date of each is shown in the report.

In each instance, where he is still a member of the Legislature, the first named author has been notified of the expiration date.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By A. C. MORRISON, Chief Deputy

Above transmitted report referred to the Committee on Rules.

## PETITIONS

The following petitions were presented by the Chief Clerk from:

Edwin L. Wheeler of West Covina and 10 others, relative to the sale of narcotics. Referred to the Committee on Judiciary.

Albert E. Gallin of Crescent City, relative to water. Referred to the Committee on Conservation, Planning, and Public Works.

A petition from William Nathaniel Webber of Los Angeles. Referred to the Committee on Education.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

**Representatives of the Press**

STATE CAPITOL, SACRAMENTO, January 5, 1959

*Speaker of the Assembly*
*Assembly Chamber*
*State Capitol, Sacramento, California*

DEAR SIR: The following named persons are eligible for accreditation as representatives of the press at the 1959 General Session of the Legislature.

*Associated Press*—Morrie Landsberg, C. J. Leabo, Richard Meister, Jerry Harrell, John R. Morganthaler, Harry Jupiter, Paul Finch, Pete McLaughlin, Roger Barr, Al Barton, Charles Roberts

*United Press International*—James C. Anderson, Norman Kempster, Michael Fallon, Alton Pryor, Jerry Reynolds, De Van Shumway, R. D. Wagner, Charles G. Fredericks

*Capitol News Service*—Henry C. MacArthur, Edwin S. Capps
*San Francisco Call-Bulletin*—Jack S. McDowell
*San Francisco Chronicle*—Earl C. Behrens, Jackson Doyle
*San Francisco Examiner*—Clint Mosher, Jack Welter
*San Francisco News*—Sydney Kossen
*Oakland Tribune*—Don Thomas
*Sacramento Bee*—Herbert L. Phillips, Richard Rodda, Alfred E. Lyons, Robert Handsaker, C. K. McClatchy, Wilson K. Lythgoe, Clark Biggs, Tom Arden
*Los Angeles Examiner*—Carl Greenberg
*Los Angeles Mirror-News*—Richard M. Bergholz
*Los Angeles Times*—Robert Blanchard
*Fresno and Modesto Bee*—Roger Ellingson
*Copley Press*—Jack Cooper
*San Rafael Independent-Journal*—Chapin F. Day
*San Jose Mercury-News*—Harry Farrell

Very truly yours,

SQUIRE BEHRENS, President
Capitol Correspondents Association

## CONFIRMATION OF PRESS REPRESENTATIVES

By unanimous consent, the representatives of the press, as recommended by the Capitol Correspondents Association of California, were confirmed.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 7

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 7 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

By Mr. Miller:

### House Resolution No. 8

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office

**Request for Unanimous Consent**

Mr Miller was granted unanimous consent to take up House Resolution No. 8 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

**NAME PLACED UPON ROLL CALL ON HOUSE RESOLUTION NO. 7**

Mr. Burton was granted unanimous consent that he be recorded as voting "aye" on House Resolution No. 7.

**ANNOUNCEMENT**

Speaker Brown announced that Mr. Don A. Allen, Sr., is the proud grandfather of Don A Allen, III, born yesterday; whereupon the Members of the Assembly extended their congratulations to Mr Allen.

**RESOLUTIONS**

The following resolutions were offered:

By Mr. Miller:

**House Resolution No. 9**

*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase fourteen (14) complete sets of Deering's Code; and be it further

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby instructed to deliver one complete set of the said codes to each new Member of the Assembly.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 9 without reference to committte or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—72.
NOES—None

By Mr. Miller:

**House Resolution No. 10**

*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase fourteen (14) sets of the latest edition of the Larmac Index to California Laws; and be it further

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

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 10 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—72

NOES—None.

By Mr. Miller:

**House Resolution No. 11**

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare for use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of state officers, members and officers of both houses of the Legislature, together with their pictures, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, sessions of the California Legislature, record of legislation, the last primary and general election vote, and such other information as he may deem useful, to be printed and distributed pursuant to the statutory requirements

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 11 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—75

NOES—None.

By Mr. Miller:

**House Resolution No. 12**

*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase fourteen (14) combination 3-piece brief cases, similar to those heretofore purchased for the Members of the Assembly; and be it further

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) combination 3-piece brief case to each new Member of the Assembly.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 12 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—73

NOES—None.

By Mr. Miller:

**House Resolution No. 13**

Relative to purchasing Attorney General's Opinions

*Resolved by the Assembly of the State of California*, That each Member of the Assembly who so desires is entitled to be supplied with bound volumes and current pamphlets of "Opinions of the Attorney General of California" and index volumes thereto, as follows:

1. Each new member, upon application to and approval by the Committee on Rules, shall receive a complete set, together with a current subscription to said opinions;

2. Other members, upon application to and approval by the Committee on Rules, shall receive such bound volumes as have not previously been supplied to them by the Assembly to provide them with complete sets, together with current subscriptions to said opinions; and be it further

*Resolved*, That the Chief Clerk of the Assembly is instructed to purchase and deliver such volumes of the opinions and current subscriptions therefor as directed by the Committee on Rules.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 13 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.

NOES—None.

By Mr. Miller:

**House Resolution No. 14**

WHEREAS, The 1958 California Blue Book is one of the finest editions of this book that has been published; and

WHEREAS, This edition contains valuable political and historical information as well as the names, districts and length of legislative service of the Members of the Legislature from 1849 to 1958; and

WHEREAS, The demand for copies of the 1958 Blue Book has been far greater than in former years; and

WHEREAS, The number of these books provided for the Members of this Assembly was inadequate to meet their needs; and

WHEREAS, The 14 new Members of the Assembly have not been furnished copies of the 1958 Blue Book; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be and he is hereby authorized to deliver five copies of the 1958 edition of the California Blue Book to each of the 14 new Members of the Assembly; and be it further

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby authorized to deliver five additional copies of the 1958 Blue Book to each member of this session who served during the 1958 Regular Session, upon request of such member.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 14 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.

NOES—None.

By Mr. Miller:

**House Resolution No. 15**

Relating to publishing of the State Telephone Directory

WHEREAS, The present telephone directory listing the names and official telephone numbers of the state offices and the extension numbers of state employees does not contain the names and extension numbers of the Members of the Assembly in the departmental section under the caption of "Legislative, California State"; and

WHEREAS, It is desirable that this information be contained in this section of the telephone directory; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Finance of the State of California is hereby requested and directed to include this information in the next printing of this directory.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 15 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73

NOES—None.

By Mr. Miller:

**House Resolution No. 16**

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

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 16 without reference to committee or file.

Resolution read, and adopted.

By Mr. Miller:

**House Resolution No. 17**

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

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 17 without reference to committee or file.

Resolution read, and adopted.

By Mr. Miller:

**House Resolution No. 18**

*Resolved by the Assembly of the State of California*, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of Histories and Legislative Digests; to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection. This list is to be limited to ten (10) names each, and shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office; and be it further

*Resolved*, That no additional mailing list shall be allowed or authorized unless the sum of one hundred fifty dollars ($150) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature.

Resolution read, and referred to the Committee on Rules

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 52

Mr. Ernest R. Geddes was granted unanimous consent that Rule No. 52 be temporarily suspended for the purpose of permitting him to introduce an Assembly concurrent resolution, at this time.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (OUT OF ORDER)

The following resolution was offered:

**Assembly Concurrent Resolution No. 1:** By Mr. Ernest R. Geddes—Relative to the continuation of the Joint Legislative Committee for School Visitations.

#### Request for Unanimous Consent

Mr. Ernest R Geddes was granted unanimous consent to take up Assembly Concurrent Resolution No. 1 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

**Assembly Concurrent Resolution No. 1**—Relative to the continuation of the Joint Legislative Committee for School Visitations.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—77.

NOES—None.

Resolution ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 52

Mr. Winton was granted unanimous consent that Rule No. 52 be temporarily suspended for the purpose of permitting him to introduce an Assembly concurrent resolution, at this time.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 2:** By Messrs. Winton, Shell, Miss Donahoe, Messrs. Lanterman, Hanna, Ralph M. Brown, and Sedgwick—Relative to the continuance of the Joint Interim Committee on the Public Education System.

### Request for Unanimous Consent

Mr. Winton was granted unanimous consent to take up Assembly Concurrent Resolution No. 2 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

**Assembly Concurrent Resolution No. 2**—Relative to the continuance of the Joint Interim Committee on the Public Education System.

Resolution read, and ordered held at the desk.

## PARLIAMENTARY INQUIRY

Mr. McCollister arose to the following parliamentary inquiry: Since the members now have bills on their desks which will be ready for introduction today, and since House Resolution No. 5, which amends the Rules relative to the introduction of bills, was introduced yesterday and held at the desk, what is the desire and intention of the Speaker with respect to that resolution?

### Reply by Speaker

The Speaker replied that House Resolution No. 5 would be taken up immediately.

## CONSIDERATION OF HOUSE RESOLUTION NO. 4

**House Resolution No. 4**—Relative to mileage.

Resolution read.

## ANNOUNCEMENT

Speaker Brown announced that House Resolution No. 5, which was introduced yesterday, was held over for one day so that the Members of the Assembly could check their mileages, and advise the Chief Clerk of any changes which should be made.

### Chief Clerk Authorized to Make Changes

By unanimous consent, the Chief Clerk was authorized to make all necessary changes in the resolution.

### Waivers of Mileage

January 6, 1959

*Memorandum to Arthur A. Ohnimus, Chief Clerk*

Inasmuch as I did not return to Los Angeles from Interim Committee duty in Sacramento, I hereby waive claim to statutory mileage from Los Angeles to Sacramento, California.

AUGUSTUS F. HAWKINS

*Memorandum to Arthur A. Ohnimus, Chief Clerk*

Inasmuch as I did not return to San Francisco from Interim Committee duty in Sacramento, I hereby waive claim to statutory mileage from San Francisco to Sacramento, California.

JOHN A. O'CONNELL

*Memorandum to Arthur A. Ohnimus, Chief Clerk*

Inasmuch as I did not return to San Diego from Interim Committee duty in Sacramento, I hereby waive claim to statutory mileage from San Diego to Sacramento, California.

JACK SCHRADE

### Other Changes

Mr. Garrigus advised the Chief Clerk that his mileage should be 197 miles, since his residence was three miles beyond Reedley.

Mr. Burke advised the Chief Clerk that his official residence was San Marino instead of Alhambra.

## CONSIDERATION OF HOUSE RESOLUTION NO. 4, AS CORRECTED

By Mr. Miller.

### House Resolution No. 4

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

| District | Name | Address | Distance from county seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 5 cents per mile |
|---|---|---|---|---|---|---|---|---|
| 1 | Frank P Belotti | Eureka, Humboldt County | 312 | -- | -- | 312 | 624 | $31 20 |
| 2 | Pauline L Davis | Portola, Plumas County | 136 | 40 | -- | 176 | 352 | 17 60 |
| 3 | Lloyd W. Lowrey | Rumsey, Yolo County | 23 | 36 | -- | 59 | 118 | 5 90 |
| 4 | Harold T Sedgwick | Oroville, Butte County | 86 | -- | -- | 86 | 172 | 8 60 |
| 5 | Samuel R. Geddes | Napa, Napa County | 61 | -- | -- | 61 | 122 | 6.10 |
| 6 | Paul I Lunardi | Roseville Placer County | 37 | -- | 18 | 19 | 38 | 1 90 |
| 7 | Richard H McCollister | San Rafael, Marin County | 105 | -- | -- | 105 | 210 | 10.50 |
| 8 | Thomas J MacBride | Sacramento, Sacramento County | -- | -- | -- | -- | -- | -- |
| 9 | Edwin L Z'berg | Sacramento, Sacramento County | -- | -- | -- | -- | -- | -- |
| 10 | Jerome R Waldie | Antioch, Contra Costa County | 62 | -- | 21 | 41 | 82 | 4.10 |
| 11 | S C Masterson | El Sobrante, Contra Costa County | 62 | 21 | -- | 83 | 166 | 8 30 |
| 12 | William Biddick | Stockton, San Joaquin County | 48 | -- | -- | 48 | 96 | 4 80 |
| 13 | Carlos Bee | Hayward, Alameda County | 84 | 16 | -- | 100 | 200 | 10 00 |
| 14 | Robert W Crown | Alameda, Alameda County | 84 | 5 | -- | 89 | 178 | 8 90 |
| 15 | Nicholas (Nick) Petris | Oakland, Alameda County | 84 | -- | -- | 84 | 168 | 8.40 |
| 16 | Walter I Dahl | Oakland, Alameda County | 84 | -- | -- | 84 | 168 | 8 40 |
| 17 | William Byron Rumford | Berkeley, Alameda County | 84 | -- | 1 | 83 | 166 | 8 30 |
| 18 | Don Mulford | Oakland, Alameda County | 84 | -- | -- | 84 | 168 | 8 40 |
| 19 | Charles W Meyers | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 20 | Phillip Burton | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 21 | Milton Marks | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 22 | John A Busterud | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 23 | John A O'Connell | San Francisco, San Francisco County | 90 | -- | -- | 90 | 90 | 4 50 |
| 24 | Edward M Gaffney | San Francisco, San Francisco County | 90 | -- | -- | 90 | 180 | 9 00 |
| 25 | Louis Francis | San Mateo, San Mateo County | 119 | -- | 1 | 118 | 236 | 11 80 |
| 26 | Carl A Britschgi | Redwood City, San Mateo County | 119 | -- | -- | 119 | 238 | 11 90 |
| 27 | Glenn E Coolidge | Felton, Santa Cruz County | 198 | 6 | -- | 204 | 408 | 20 40 |
| 28 | Clark L Bradley | San Jose, Santa Clara County | 128 | -- | -- | 128 | 256 | 12 80 |
| 29 | Bruce F Allen | Los Gatos, Santa Clara County | 128 | 10 | -- | 138 | 276 | 13 80 |
| 30 | Ralph M Brown | Modesto, Stanislaus County | 77 | -- | -- | 77 | 154 | 7 70 |
| 31 | Gordon H Winton | Merced, Merced County | 114 | -- | -- | 114 | 228 | 11 40 |
| 32 | Bert DeLotto | Fresno, Fresno County | 169 | -- | -- | 169 | 338 | 16 90 |
| 33 | Charles B Garrigus | Reedley, Fresno County | 169 | 28 | -- | 197 | 394 | 19.70 |
| 34 | Alan G Pattee | Salinas, Monterey County | 208 | -- | -- | 208 | 416 | 20 80 |
| 35 | Myron H Frew | Dinuba, Tulare County | 206 | -- | 14 | 192 | 384 | 19 20 |
| 36 | James L Holmes | Santa Barbara, Santa Barbara County | 460 | -- | -- | 460 | 920 | 46 00 |
| 37 | Rex M Cunningham | Ventura, Ventura County | 490 | -- | -- | 490 | 980 | 49 00 |
| 38 | Dorothy M Donahoe | Bakersfield, Kern County | 278 | -- | -- | 278 | 556 | 27 80 |
| 39 | John C Williamson | Bakersfield, Kern County | 278 | -- | -- | 278 | 556 | 27 80 |
| 40 | Edward E Elliott | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 41 | Allen Miller | San Fernando, Los Angeles County | 447 | -- | 21 | 426 | 426 | 21 30 |
| 42 | Tom Bane | Tujunga, Los Angeles County | 447 | -- | 17 | 430 | 860 | 43 00 |
| 43 | Howard J Thelin | Glendale, Los Angeles County | 447 | -- | 10 | 437 | 874 | 43 70 |
| 44 | Joseph M Kennick | Long Beach, Los Angeles County | 447 | 22 | -- | 469 | 938 | 46 90 |
| 45 | George E Brown, Jr | Monterey Park, Los Angeles County | 447 | 8 | -- | 455 | 910 | 45 50 |
| 46 | Charles Edward Chapel | Inglewood, Los Angeles County | 447 | 10 | -- | 457 | 914 | 45 70 |
| 47 | Bruce V Reagan | Pasadena, Los Angeles County | 447 | 13 | -- | 460 | 920 | 46 00 |
| 48 | Frank Lanterman | La Canada, Los Angeles County | 447 | 16 | -- | 463 | 926 | 46 30 |
| 49 | Ernest R Geddes | Claremont, Los Angeles County | 447 | 26 | -- | 473 | 946 | 47 30 |
| 50 | Ronald Brooks Cameron | Whittier, Los Angeles County | 447 | 13 | -- | 460 | 920 | 46 00 |
| 51 | William A Munnell | Montebello, Los Angeles County | 447 | 9 | -- | 456 | 912 | 45 60 |
| 52 | George A Willson | Huntington Park, Los Angeles County | 447 | 6 | -- | 453 | 906 | 45 30 |
| 53 | Montbel A Burke | San Marino, Los Angeles County | 447 | 11 | -- | 458 | 916 | 45 80 |
| 54 | John L E Collier | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 55 | Vernon Kilpatrick | Lynwood, Los Angeles County | 447 | 10 | -- | 457 | 914 | 45 70 |
| 56 | Seth J Johnson | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 57 | Charles J Conrad | Sherman Oaks, Los Angeles County | 447 | -- | 2 | 445 | 890 | 44 50 |
| 58 | Joseph C Shell | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 59 | Thomas M Rees | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 60 | Harold K. Levering | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 61 | Lester A McMillan | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |

| District | Name | Address | Distance from county seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total mileage | Amount at 5 cents per mile |
|---|---|---|---|---|---|---|---|---|
| 62 | Augustus F Hawkins | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 447 | $22 35 |
| 63 | Don A Allen | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 64 | Lou Cusanovich | Van Nuys, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 65 | Jesse M Unruh | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 66 | Charles H Wilson | Los Angeles, Los Angeles County | 447 | -- | -- | 447 | 894 | 44 70 |
| 67 | Clayton A Dills | Gardena, Los Angeles County | 447 | 11 | -- | 458 | 916 | 45 80 |
| 68 | Vincent Thomas | San Pedro, Los Angeles County | 447 | 23 | -- | 470 | 940 | 47 00 |
| 69 | Carley V Porter | Compton, Los Angeles County | 447 | 18 | -- | 465 | 930 | 46 50 |
| 70 | W S. (Bill) Grant | Long Beach, Los Angeles County | 447 | 22 | -- | 469 | 938 | 46 90 |
| 71 | L M (Lee) Backstrand | Riverside, Riverside County | 512 | -- | -- | 512 | 1,024 | 51 20 |
| 72 | Eugene G Nisbet | Upland, San Bernardino County | 508 | -- | 23 | 485 | 970 | 48 50 |
| 73 | Jack A Beaver | Redlands, San Bernardino County | 508 | 9 | -- | 517 | 1 034 | 51 70 |
| 74 | Bruce Sumner | Santa Ana, Orange County | 481 | -- | -- | 481 | 962 | 48 10 |
| 75 | Richard T Hanna | Midway City, Orange County | 481 | -- | 3 | 478 | 956 | 47 80 |
| 76 | Leverette D House | Brawley, Imperial County | 661 | -- | 14 | 647 | 1,294 | 64 70 |
| 77 | Sheridan N Hegland | La Mesa, San Diego County | 573 | 11 | -- | 584 | 1 168 | 58 40 |
| 78 | Frank Luckel | San Diego, San Diego County | 573 | -- | -- | 573 | 573 | 28 65 |
| 79 | George G. Crawford | San Diego, San Diego County | 573 | -- | -- | 573 | 1,146 | 57 30 |
| 80 | Jack Schrade | El Cajon, San Diego County | 573 | 18 | -- | 591 | 591 | 29 55 |

| Name | Address | Distance from county seat | Distance from county seat, more | Distance from county seat, less | Mileage one way | Total Mileage | Amount at 10 cents per mile |
|---|---|---|---|---|---|---|---|
| Arthur A Ohnimus | San Francisco, San Francisco County | -- | -- | -- | -- | -- | -- |
| Eleanor K Donoghue | Sacramento, Sacramento County | -- | -- | -- | -- | -- | -- |
| Tony Beard | Broderick, Yolo County | -- | -- | -- | -- | -- | -- |

Resolution read, as corrected, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—76.

NOES—None

## CONSIDERATION OF HOUSE RESOLUTION NO. 5

By Mr. Miller:

**House Resolution No. 5**

Relative to amending the Temporary Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the Temporary Standing Rules for the 1959 Regular Session are hereby amended by adding a new rule 51.5 to read:

51 5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached

to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill If any bill is presented to the Chief Clerk for introduction which does not comply with the foregoing requirements of this rule the Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof.

Resolution read.

### Parliamentary Inquiry

Mr. Miller requested that the following inquiry by Mr. Lowrey be directed to the Chief Clerk: Is a House resolution to be treated as a bill, and will it require an accompanying digest before its introduction?

### Reply by Speaker

The Speaker replied that a House resolution is not a bill, that it is printed in the Journal only, and that it does not require a digest.

The question being on the adoption of House Resolution No. 5.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—80

NOES—None

### ANNOUNCEMENT

Pursuant to Rule 10, Speaker Brown suggested that the Assembly recess for the purpose of holding the party caucuses which will select the nominees for members of the Rules Committee The Speaker announced that each nominee will be voted for separately by the Assembly after his selection by the caucuses, and that Room 5168 has been provided for the Democrats, and Room 2170 for the Republicans.

### RECESS

At 10 54 a m., the Speaker declared the Assembly at recess until 11.30 a.m.

### REASSEMBLED

At 11.30 a m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### RECESS

At 11 53 a.m., on motion of Mr. Miller, the Assembly recessed until 2 p m

### REASSEMBLED

At 2 p.m , the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report of California Reciprocity Commission

CALIFORNIA RECIPROCITY COMMISSION
January 5, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol*
*Sacramento 14, California*
*Attention: Arthur A. Ohnimus, Chief Clerk*

DEAR SPEAKER BROWN: I am transmitting to the Assembly herewith the Fourth Annual Report of the California Reciprocity Commission as provided in Chapter 1002, Statutes of 1955.

Respectfully,

PAUL MASON, Chairman
California Reciprocity Commission

Encl.

Above transmitted report ordered filed with the Secretary of State.

## CALL OF THE ASSEMBLY

Mr. Elliott moved a call of the Assembly.

Mr. Johnson seconded the motion.

Motion carried. Time, 2.03 p.m.

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

Quorum present.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 6, 1959

To: *Ralph M. Brown, Speaker*

The following is the action of the Democratic Caucus

| | |
|---|---|
| Democratic Caucus Chairman | William A. Munnell |
| Majority Floor Leader | William A. Munnell |
| Members of Rules Committee | Augustus F. Hawkins |
| | Eugene G. Nisbet |
| | Richard T. Hanna |

WILLIAM A. MUNNELL, Chairman

## CALL OF THE ASSEMBLY DISPENSED WITH

At 2.12 p.m., on motion of Mr. Burke, seconded by Mr. Ernest R. Geddes, further proceedings under the call of the Assembly were dispensed with.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 6, 1959

To: *Ralph M. Brown, Speaker*

The following is the action of the Republican Caucus:

| | |
|---|---|
| Minority Floor Leader | Joseph C. Shell |
| Republican Caucus Chairman | Walter I. Dahl |
| Members of Rules Committee | Charles J. Conrad |
| | Harold T. Sedgwick |
| | Jack Schrade |

WALTER I. DAHL, Chairman

## ANNOUNCEMENT

The Speaker announced that the next order of business would be the approval or rejection of the Rules Committee nominees.

## ELECTION OF MEMBERS OF COMMITTEE ON RULES

The question being: Shall Mr. Augustus F. Hawkins, a nominee of the Democratic Caucus, be approved or rejected?

The roll was called, and Mr. Hawkins was approved by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

The question being: Shall Mr. Eugene G. Nisbet, a nominee of the Democratic Caucus, be approved or rejected?

The roll was called, and Mr. Nisbet was approved by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

The question being: Shall Mr. Richard T. Hanna, a nominee of the Democratic Caucus, be approved or rejected?

The roll was called, and Mr. Hanna was approved by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being: Shall Mr. Charles J. Conrad, a nominee of the Republican Caucus, be approved or rejected?

The roll was called, and Mr. Conrad was approved by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being: Shall Mr. Harold T. Sedgwick, a nominee of the Republican Caucus, be approved or rejected?

The roll was called, and Mr. Sedgwick was approved by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being: Shall Mr. Jack Schrade, a nominee of the Republican Caucus, be approved or rejected?

The roll was called, and Mr. Schrade was approved by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

## APPOINTMENT OF CHAIRMAN OF COMMITTEE ON RULES

Speaker Brown appointed Mr. Miller as Chairman of the Committee on Rules.

## ANNOUNCEMENTS

Speaker Brown announced that the Democratic Caucus has elected Mr. William A. Munnell Majority Floor Leader and Chairman of the Democratic Caucus.

Mr. Dahl announced that the Republican Caucus has elected Mr. Joseph C. Shell Minority Floor Leader; and that he, Mr. Dahl, has been elected Chairman of the Republican Caucus.

Speaker Brown announced that it would be appreciated if the Members of the Assembly and their wives would attend both of the inaugural balls this evening.

Mr. MacBride announced that all members who did not have their tickets to the ball, should check with his office; and announced that Governor Brown would lead the Grand March at Governor's Hall at 8.30 p.m., and at the Memorial Auditorium at 9.30 p.m., and that the committee would appreciate the members' attendance at both balls in that order.

Mr. MacBride announced that parking facilities for the members would be provided at Governor's Hall tonight; and that all legislators' cars would be admitted through the main gate of the fairgrounds.

### PARLIAMENTARY INQUIRY

Mr Winton arose to the following parliamentary inquiry: Was not permission to take up Assembly Concurrent Resolution No 2 without reference to committee, print, or file granted this morning?

#### Reply by Speaker

The Speaker replied in the affirmative.

### FURTHER CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

**Assembly Concurrent Resolution No. 2**—Relative to the continuance of the Joint Interim Committee on the Public Education System.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 52

Mr. Coolidge was granted unanimous consent that Rule No. 52 be temporarily suspended for the purpose of permitting him to introduce an Assembly concurrent resolution, at this time

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 3:** By Mr. Coolidge—Relative to the continuance of the Joint Committee on Assessment Practices

#### Unanimous Consent to Consider Assembly Concurrent Resolutions Nos. 1, 2, and 3

The Speaker announced that, from an abundance of precaution, and because the Joint Rules had not been adopted, he would ask unanimous consent, at this time, there being more than three-fourths of the members present, that the constitutional provision relative to the consideration of measures before 30 calendar days after their introduction had elapsed be dispensed with as it pertains to Assembly Concurrent Resolutions Nos. 1, 2, and 3.

Unanimous consent was granted.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

By unanimous consent, Assembly Concurrent Resolution No. 3 was considered without reference to committee, print, or file, and considered engrossed.

**Assembly Concurrent Resolution No. 3**—Relative to the continuance of the Joint Committee on Assessment Practices.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

The Speaker announced that, pursuant to the provisions of Assembly Rule No. 52, the roll would be called from A to Z and then back from Z to A, and that, as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

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

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

**Assembly Bill No. 1:** By Messrs. Bruce F. Allen, Elliott, Masterson, Burton, Bradley, Pattee, Waldie, and Z'berg—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to eligibility for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2:** By Mr. Belotti—An act to amend Section 2571 of the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 4:** By Messrs. Burton and O'Connell—Relative to recommending to the electors of the State that they vote at the next general election for the calling of a convention to revise the Constitution.

Referred to Committee on Rules.

**Assembly Bill No. 3:** By Mr. Conrad—An act to add Section 2231 to the Welfare and Institutions Code, relating to recovery of aged aid.

Referred to Committee on Social Welfare.

**Assembly Bill No. 4:** By Messrs. Crawford, Schrade, Luckel, and Hegland—An act to amend Section 74341, 74343, and 74345 of the Government Code, relating to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Assembly Bill No. 5:** By Messrs. Dahl and Luckel—An act to repeal and re-enact the Vehicle Code and to add Chapter 6.5 (commencing at Section 3067) to Title 14, Part 4, Division 3 of the Civil Code and to amend Section 11004.5 of the Revenue and Taxation Code, relating to vehicles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 6:** By Mrs. Davis, Messrs. Lunardi, Waldie, Winton, Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Crown, Dahl, DeLotto, Miss Donahoe, Messrs. Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Lowrey, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, O'Connell, Petris, Rumford, Sedgwick, Williamson, and Z'berg—An act to amend Section 10500 of the Water Code, relating to the development, utilization, and conservation of the water resources of the State.

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

**Assembly Concurrent Resolution No. 5:** By Miss Donahoe and Mr. Lanterman—Relative to adding Rule No. 8.7 to the Joint Rules of the Senate and Assembly relating to consideration of bills.

Referred to Committee on Rules.

**Assembly Bill No. 7:** By Messrs. Elliott, Burton, Hawkins, McMillan, George E. Brown, Masterson, Munnell, O'Connell, Rees, Rumford, and Unruh—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to miscegenation

Referred to Committee on Judiciary.

**Assembly Bill No. 8:** By Messrs. Francis, Biddick, Busterud, DeLotto, Gaffney, Marks, Miller, and Williamson—An act to amend Section 653k of the Penal Code, relating to switchblade knives.

Referred to Committee on Judiciary.

**Assembly Bill No. 9:** By Messrs. Hawkins, Elliott, Bane, Kilpatrick, Bruce F. Allen, George E. Brown, Burton, Cameron, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Kennick, MacBride, Masterson, Munnell, Nisbet, O'Connell, Petris, Porter, Thomas, and Charles H. Wilson—An act to amend Sections 4501 and 4552 of the Welfare and Institutions Code, relating to medical care for recipients of aid to the disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 10:** By Messrs. Hegland, Schrade, Crawford, and Luckel—An act to add Article 15 (commencing with Section 9220) to Chapter 7 of Division 4 of the Education Code, relating to the education of gifted high school pupils.

Referred to Committee on Education.

**Assembly Bill No. 11:** By Mr. Levering—An act to amend Section 2615 of the Business and Professions Code, relating to physical therapy.

Referred to Committee on Public Health.

**Assembly Bill No. 12:** By Mr. Lowrey—An act to amend Section 19485 1 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 13:** By Messrs. Luckel, Coolidge, Schrade, Hegland, Backstrand, Beaver, Britschgi, Burke, Chapel, Collier, Conrad, Cusanovich, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Pattee, and Shell—An act to amend Sections 11502, 11712, 11713, and 11714 of the Health and Safety Code, relating to narcotic violations.

Referred to Committee on Judiciary.

**Assembly Bill No. 14:** By Messrs. MacBride, Z'berg, Masterson, Bruce F. Allen, Bradley, and Waldie—An act to amend Section 575 of the Code of Civil Procedure, relating to pretrial conferences.

Referred to Committee on Judiciary.

**Assembly Bill No. 15:** By Mr. McCollister—An act to amend Section 73771 of the Government Code, relating to the municipal court in the Central Judicial District of Marin County.

Referred to Committee on Judiciary.

**Assembly Bill No. 16:** By Messrs Miller, Hanna, Burton, Francis, Bruce F. Allen, Biddick, Bradley, Ralph M. Brown, Busterud, Crawford, Crown, DeLotto, Lunardi, O'Connell, Sumner, and Thelin—An act to add Chapter 7 to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

Referred to Committee on Judiciary.

**Assembly Bill No. 17:** By Messrs. Nisbet and Beaver—An act to add Chapter 3.7 (commencing at Section 20705) to Division 10 of the Education Code, relating to state colleges, and making an appropriation therefor.

Referred to Committee on Education.

**Assembly Bill No. 18:** By Mr. Winton—An act to amend Sections 7046, 7081, 7051, 7067, 7075, 7094, 7095, 7097, 70251, and 7143 of, and to add Sections 7052, 7068 and 7076 to, the Education Code, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 19:** By Mr. Z'berg—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to the recorder's cash difference fund.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 20:** By Mr. Z'berg—An act to repeal Sections 4031, 26133, 26281, 26327, 26328, 26329, 26330, 26331, 31879, 31880, 31903, 31924, 31943, 31944, 31945, 31946, 36959, 37154, 50372, and 53503, and to amend Sections 1650, 1651, 4029, 4030, 26230, 26326, 27543, 31878, 31881, 31900, 31901, 31902, 31942, 31970, 32449, 32451,

34053, 34576, 34702, 35113, 35306, 37151, 37153, 37156, 37157, 50330, 50333, 50334, 51611, 51614, 51645, 51652, 53500, 53672, 60386, and 60415 of the Water Code, relating to recordation of instruments.

Referred to Committee on Municipal and County Government.

**Assembly Constitutional Amendment No. 1:** By Mr. Winton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article IX of said Constitution, relating to education.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 21:** By Mr. Thomas—An act to amend Section 8151 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

**Assembly Bill No. 22:** By Messrs. Luckel, Crawford, Hegland, and Schrade—An act to add Section 548 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 23:** By Mr. Lowrey—An act to validate school district acts, proceedings, and bonds, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 24:** By Messrs. Hegland, Schrade, Miss Donahoe, Messrs. Hanna and House—An act to add Chapter 3, commencing at Section 5251, to Division 3 of the Education Code, providing for school districts public works and making an appropriation therefor.

Referred to Committee on Education.

**Assembly Bill No. 25:** By Messrs. Hanna, Petris, and Munnell—An act to amend Section 4650 of the Labor Code, relating to the waiting period for disability payments under the Workmen's Compensation Law.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 26:** By Messrs. Elliott, Burton, Hawkins, McMillan, George E. Brown, Kilpatrick, Masterson, Munnell, O'Connell, Rees, Rumford, and Unruh—An act to amend Section 69 of the Civil Code, relating to marriage licenses.

Referred to Committee on Judiciary.

**Assembly Bill No. 27:** By Messrs. Dahl, Pattee, Gaffney, and Backstrand—An act to amend Sections 468, 468.2, 511, 511.1, 511.2 and 511.3 of, and to add Sections 510.5, 511.6 and 511.9 to, the Vehicle Code, and to amend Sections 21357, 21358, 21359, 22352, 22354, 22355, 22357, 22358 and 22360 of, to amend the heading of Article 1 (commencing at Section 22350) of Chapter 7 of Division 11 of, repeal Sections 22353 and 22356 of, and add Sections 627, 22349 and 22353

to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the speed of vehicles and signs in connection therewith.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 28**: By Messrs. Crawford, Hegland, Schrade, and Bane—An act to amend Sections 11502, 11712, 11713, and 11714 of the Health and Safety Code, relating to narcotic violations.

Referred to Committee on Judiciary

**Assembly Bill No. 29**: By Messrs. Coolidge, Busterud, Gaffney, Beaver, Johnson, Kennick, Luckel, Marks, Nisbet, Thomas, and Waldie —An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 30**: By Mr. Conrad—An act to add Article 3 (commencing at Section 10680) to Chapter 3 of Division 12 of the Elections Code, relating to election of judges.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 31**: By Messrs. Bruce F. Allen and Bradley—An act to amend Section 69600 of the Government Code, relating to the superior court judges for the County of Santa Clara.

Referred to Committee on Judiciary.

### ANNOUNCEMENT

Speaker Brown announced that the calling of the roll from A to Z and back from Z to A had now been completed, and that members desiring to introduce further bills, constitutional amendments, concurrent and joint resolutions may now send them to the desk for introduction.

### MEMBERS MADE CO-AUTHORS OF ASSEMBLY BILL NO. 29

Mr. Coolidge was granted unanimous consent that all members so desiring be permitted to affix their signatures to Assembly Bill No. 29, as co-authors.

#### Parliamentary Inquiry

Mr. Johnson arose to the following parliamentary inquiry: Do the provisions of Assembly Bill No. 29 cover only a certain area of the State?

#### Reply by Speaker

The Speaker replied that the provisions cover the whole State.

#### Co-authors

The following members indicated a desire to become co-authors of Assembly Bill No. 29: Messrs. Busterud, Gaffney, Beaver, Johnson, Kennick, Luckel, Marks, Nisbet, Thomas, and Waldie.

### INTRODUCTION OF GUEST

Speaker Brown announced the presence in the Assembly Chamber of Mr. Charles F. Meyers, father of Assemblyman Charles W. Meyers.

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

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

**Assembly Bill No. 32:** By Mr. McCollister—An act to amend Sections 1240 and 1241 of the Code of Civil Procedure, relating to exercise of eminent domain, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Assembly Bill No. 33:** By Mr. McCollister—An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 34:** By Mr. McCollister—An act to amend Sections 375.8, 377.8, and 1118 of the Agricultural Code, relating to New York dressed fowl.

Referred to Committee on Agriculture.

**Assembly Bill No. 35:** By Mr. McCollister—An act to amend Section 502 of the Agricultural Code, relating to approved milk inspection service.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 36:** By Mr. Thomas—An act to amend Section 1327 of the Unemployment Insurance Code, relating to claims for unemployment compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 37:** By Mr. Thomas—An act to amend Section 75080 of the Government Code, relating to employment of retired judges.

Referred to Committee on Judiciary.

**Assembly Bill No. 38:** By Mr. Crawford—An act to amend Sections 74342 and 74344 of the Government Code, relating to municipal court districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

**Assembly Bill No. 39:** By Mr. Crawford—An act to add Article 2 (comprising Section 11050) to Chapter 1, Division 10 of the Health and Safety Code, and to amend Section 12025 of the Penal Code, relating to evidence in criminal cases.

Referred to Committee on Judiciary.

**Assembly Concurrent Resolution No. 6:** By Messrs. Luckel, Crawford, Hegland, and Schrade—Relative to the death of Mrs. Ed. Fletcher.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. Frew:

### House Resolution No. 19

Relative to the death of the Honorable Augustus F. Jewett

WHEREAS, The Members of this Assembly have learned with deep regret of the death on August 11, 1958, of the Honorable Augustus F. Jewett who at one time was a member of this body representing the former Fifty-fourth District, consisting of Kings and Tulare Counties; and

WHEREAS, Augustus F. Jewett was elected to the Assembly in 1926 at the age of 24 and commenced his service in this body just 50 years after the date on which his father served as Sergeant-at-Arms of the Assembly, and the value of his service was recognized by his constituents who re-elected him in 1928 and in 1930; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members of this body express their sorrow regarding the death of the Honorable Augustus F. Jewett and recognize his able service both in this House and in the community where he resided; and be it further

*Resolved*, That when the Assembly adjourns on this date it do so in respect to the memory of the Honorable Augustus F. Jewett; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the members of the family of Augustus F. Jewett.

Resolution read, and referred to the Committee on Rules.

## MEETING OF MEMBERS OF COMMITTEE ON RULES

Mr. Miller invited the members of the new Committee on Rules to an informal meeting in Room 2140 immediately on adjournment.

## RESOLUTIONS

The following resolution was offered:

By Mr. Hawkins:

### House Resolution No. 20

Relative to the Capitol Legislative Reference Library

*Resolved by the Assembly of the State of California*, That the sum of one thousand three hundred twenty-five dollars ($1,325) or so much thereof as may be necessary is hereby made available to the Assembly Committee on Rules for the Assembly's one-half share of the expenses incurred in effectively establishing and equipping the Capitol Legislative Reference Library provided for in Assembly Concurrent Resolution No. 157 of the 1957 Regular Session to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Brown of Modesto to former Speaker of the Assembly James W. Silliman of Salinas.

On request of Mr. Williamson and Miss Donahoe of Bakersfield to Beverly and Walle Osborne, Jr., Buddy and Erwin Shrier, Ida and Ray Conn, Hulda and Mel Magnus, all of Bakersfield.

On request of Mr. Burke of San Marino to Mr. and Mrs. T. V. Burke of Alhambra.

On request of Mr. House of Brawley to Walter F. Burr of Brawley.

On request of Mr. Thelin of Glendale to Mrs. Hollie Volkmann, Mrs. Wilma Imm, Mrs. Marjorie Albee, Mrs. Peggy Corrick, and Al S. Brown, all of Glendale.

On request of Mr. Meyers of San Francisco to his father, Charles F. Meyers of San Francisco.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Mrs. Henry J. Dippel, Frank Kellegher, Mr. and Mrs. Sam Sayad, Col. Albert Cuevas, Mr. and Mrs. William White, Mr. and Mrs. John Minudri, Mr. and Mrs Noel Coleman, Mrs. Marie Bruce, Mr. and Mrs. Richard Onorato, Mr. and Mrs. A. C. Blackman, Mr. and Mrs. Tim Griffin, and Mr. and Mrs. Charles F. Meyers, all of San Francisco.

## ADJOURNMENT

At 3.24 p.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 11 a.m., Wednesday, January 7, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, January 7, 1959

The Assembly met at 11 a m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Most Merciful God,* Where there is no vision among leaders, the people perish. In these days in which bills are presented and issues set forth, deliver each one of us from any thought of personal advantage or glory. If there is to be failure, let it not be for lack of vision or for dearth of daring enterprise. If we fall short let it be in an effort to achieve goals that are too great for us Whatever the outcome of this Assembly, let us at least start it with high idealism and great hopes, and as, in such an effort, we expend our resources, we believe we may turn to Thee, O God, for strength to go on. Thou hast never yet failed those who seek to do Thy work and will. We pray in the name of Jesus Christ, our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Ernest R. Geddes, on motion of Mr. Burke.

Mr. Miller, on motion of Mr. Munnell.

## ANNOUNCEMENT

Mr. Rumford announced that the Governor's FEPC Bill was ready for introduction, and invited all members who desired to become co-authors to come to his desk and affix their signatures.

## UNANIMOUS CONSENT TO PRINT REPORT IN JOURNAL

Mr. Hegland was granted unanimous consent that the following letter of transmittal and Report of the Joint Legislative Committee for Revision of the Education Code be ordered printed in the Journal:

## LETTER OF TRANSMITTAL

**California Legislature**
**Joint Legislative Committee**
**for**
**Revision of the Education Code**

MEMBERS OF THE COMMITTEE

| *Senate Members* | *Assembly Members* |
|---|---|
| Nelson S. Dilworth, Vice Chairman | Wallace D. Henderson, Chairman |
| Hugh P. Donnelly | William S. Grant |
| Donald L. Grunsky | Sheridan N. Hegland |

Rolf W. Ordal, Ph.D.
Administrative Assistant

SACRAMENTO, CALIFORNIA
January 5, 1959

*Honorable Ralph M. Brown*
*Speaker of the Assembly*
*Sacramento, California*

DEAR MR. SPEAKER:

There is transmitted herewith a Progress Report on Revision of the Education Code. The committee proposes to file a supplemental report to the Legislature at a later date setting forth further progress on the revision of this code.

Very truly yours,

NELSON S. DILWORTH
Vice Chairman

SHERIDAN N. HEGLAND
Member of the Assembly
77th District

HUGH P. DONNELLY
Senator
22d District

WILLIAM S. GRANT
Member of the Assembly
70th District

DONALD L. GRUNSKY
Senator
23d District

## REPORT OF THE JOINT LEGISLATIVE COMMITTEE FOR THE REVISION OF THE EDUCATION CODE

**January 1, 1959**

Transmitted herewith is the Report of the Joint Legislative Committee for the Revision of the Education Code. The Senate members of the committee, by committee request, will introduce the bill which represents the first stage of work completed by the committee. This report presents a summary of the committee's work to date together with its recommendations to the Legislature.

*Major Objectives of Code Revision*

The Joint Legislative Committee for the Revision of the Education Code was created by the Legislature (1957 Regular Session, Chapter 2419) based upon Bill No. 4118 introduced by Assemblyman Wallace Henderson in response to growing public sentiment that the State's educational code needed major reorganization and improvement to make it a more effective and usable document for the State's school personnel and citizenry. Some major criticisms that have been directed against the existing Education Code are that the subject matter is not integrated or in orderly sequence, that it contains obsolete, ambiguous, and conflicting provisions, and that the general format of the code including titles, annotations, and index possess major shortcomings.

After public hearings and consultations with numerous educational authorities, this committee concluded that a thoroughgoing revision of the Education Code would be a difficult and time-consuming task and the work would have to be undertaken in orderly stages if the job was to be satisfactorily completed. To aid in the development of a research program preparatory to the revision, the committee secured the services of Dr. Ernest A. Engelbert of the Bureau of Governmental Research of the University of California, Los Angeles, who was instructed to work in close co-operation with the Legislative Counsel's Office and the Legislative Analyst's Office in formulating the project's objectives. The preparatory work resulted in the committee adopting the following work program:

1. The reorganization of the Education Code should be done in stages, each stage to represent a completed product which could be submitted to the Legislature.

2. The committee decreed that insofar as possible work should begin on the structural and organizational aspects of the code, postponing substantive and controversial issues until the final stages of revision in order to minimize the chances of political disputes in the early periods of activity.

3. The committee approved a program of Education Code revision in three stages:

Stage I: Designed to produce a reorganized code with more logical arrangement and better integration of subject matter but without substantive change.

Stage II: Directed toward the preparation of specific pieces of legislation designed to remove glaring ambiguities, inconsistencies, omissions, obsolescences, and similar changes.

Stage III: To result in an intensive study and extensive rewriting of specific divisions of the code.

*Legislative Committee Activities*

This committee has undertaken a number of activities to enlist public aid and support for the revision of the Education Code. First, the committee sent letters to approximately 350 persons throughout the State soliciting their advice. Responses came from a broad cross-section of the State's citizenry including local school administrators, legal counsels and attorneys, college presidents, professors, personnel of various state departments and representatives of education and noneducational groups. Their proposals have been studied carefully by the committee and its staff.

Second, the committee has held five public hearings for the purpose of receiving testimony and acquainting the public with what is being done. The hearings were held in Monterey on November 30, 1957, in Los Angeles on December 27, 1957, in Sacramento on May 27, 1958, in Sacramento on September 30, 1958, and in Berkeley on December 29, 1958.

Third, the committee appointed a Citizens' Advisory Committee of 30 distinguished persons representing the major organizations in the State interested in the revision of the Education Code. The Advisory Committee has met jointly with our Legislative Committee and has worked with us in evaluating the work of the staff. Membership of the Citizens' Advisory Committee is listed in Appendix A.

*Progress of Code Revision*

The actual work of code revision has been done by over a score of professional personnel including lawyers, educators, and social scientists located at seven major institutions, namely, the University of California at Los Angeles and Berkeley, Stanford University, Fresno State College, Fresno Junior College, San Diego State College, and San Francisco State College. Insofar as possible the work was assigned to teams upon the basis of special fields of knowledge which the personnel in the teams represented. The work was done under contract with the University of California and co-ordinated by the Bureau of Governmental Research at the University of California, Los Angeles. The roster of staff is to be found in Appendix B.

Working closely with the staff throughout the entire project have been representatives of the Legislative Counsel's Office and the State Department of Education. In particular, the committee drew heavily upon the services of Mr. Angus Morrison, Deputy Legislative Counsel, and Dr. George Hogan, and Mr. Lawrence Kearney, Deputy Superintendent and Legal Counsel, respectively, of the State Department of Education.

Much of the Education Code revision accomplished so far has been done with the aid of machine data processing. The International Business Machines installation at UCLA was made available without charge to the committee.

The progress of the work done to date on the revision of the Education Code is as follows:

Stage I has been completed and has resulted in the preprint bill which will be introduced in the Senate. This bill represents a major

reorganization of the entire existing Education Code *but does not include any substantive changes.* Divisions and chapters have been rearranged to provide more logical integration and sequence. The conversion table appended to the preprint bill gives the relocation of articles and sections. Also completed and to be added when the new code has been adopted are new titles for each section, an extensive system of cross-referencing, and a new, enlarged index.

Stage II, namely the preparation of individual pieces of legislation, should be completed by February 1, 1959. Nearly 300 separate items for legislation have been submitted to the Legislative Counsel on behalf of the committee which amend and clear up minor ambiguities, inconsistencies, and other deficiencies. Some of these items undoubtedly will be consolidated to provide fewer bills before they are introduced.

Stage III, namely the intensive study and extensive rewriting of major sections of the Education Code, is still in the initial phase. The staff is recommending to the committee, on the basis of priority, those divisions of the code which should be completely rewritten. Work will continue on this stage of code revision for the duration of the committee's existence.

*Committee Recommendations*

On the basis of this committee's work to date, the following recommendations are made:

1. The committee recommends that the preprint bill which will be introduced in the Senate be enacted into law as soon as reasonably possible.

2. The committee recommends passage of all trailer bills which are an integral part of the code reorganization program. These trailer bills will be introduced as committee bills with sponsorship and house origin to be subsequently determined by the committee.

3. The committee proposes to file a supplemental report to the Legislature at a later date setting forth further progress on the revision of this code.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

John Bisagno of San Ysidro, relative to grievances. Referred to the Committee on Social Welfare.

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

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

**Assembly Constitutional Amendment No. 2:** By Mr. Conrad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 6.5, relating to the election of judges.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 40:** By Mr. Conrad—An act to add Section 2598 to, and to amend Section 2742 of, the Elections Code, relating to the nomination of candidates at the direct primary election.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 41:** By Mr. Conrad—An act to add Section 2001 to the Elections Code, relating to the presidential primary election.

Referred to Committee on Elections and Reapportionment.

**Assembly Joint Resolution No. 1:** By Messrs. Pattee and Belotti (by request of Assembly Interim Committee on Fish and Game)—Relative to military closures.

Referred to Committee on Rules.

**Assembly Bill No. 42:** By Mr. Pattee—An act to amend Section 965 of the Welfare and Institutions Code, relating to institutions for juveniles.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 43:** By Mr. Pattee—An act to repeal Section 8377 of the Fish and Game Code, relating to albacore.

Referred to Committee on Fish and Game

**Assembly Bill No. 44:** By Mr. Pattee—An act to amend Section 69590 of the Government Code, relating to the Superior Court in the County of Monterey.

Referred to Committee on Judiciary.

**Assembly Bill No. 45:** By Mr. Pattee—An act to add Section 10659 to, and amend Section 10840 of, the Fish and Game Code, relating to sea otters.

Referred to Committee on Fish and Game.

**Assembly Bill No. 46:** By Mr. Pattee—An act to amend Sections 2422, 2423, and 2424 of the Labor Code, relating to labor camps.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 47:** By Mr. Pattee—An act to amend Section 6357.2 of the Education Code, relating to school district taxes

Referred to Committee on Education.

**Assembly Bill No. 48:** By Mr. Pattee—An act to amend Sections 73562 and 73563 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the Cities of Carmel and Monterey.

Referred to Committee on Judiciary.

**Assembly Bill No. 49:** By Mr. Pattee—An act to add Sections 32.6, 32.7, 250.1 to, to amend Section 685 of, and to add Sections 685.1, 685.2, 685.3, 685.4, 685.5 and 685.6 to, the Vehicle Code, and to amend Section 16275.5 of the Education Code, relating to farm labor vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 50:** By Mr. Pattee—An act to amend Section 20229 of the Government Code, relating to investments of the retirement fund in real property for sale or lease to counties that are contracting agencies with the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 51:** By Mr. Pattee—An act to add Article 15.5 (commencing at Section 7110) to Chapter 15 of Division 3 of the Education Code, relating to state allowances to school districts on account of attendance of students residing on state property or whose parents are employed on state property.

Referred to Committee on Education.

**Assembly Bill No. 52:** By Mr. Pattee—An act to repeal Section 6701 of the Revenue and Taxation Code, relating to the security required for the collection of the sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Concurrent Resolution No. 7:** By Messrs. MacBride and Z'berg—Relative to approving amendments to the charter of the County of Sacramento, State of California, ratified by the qualified electors of said county at a special election held therein on the third day of June, 1958.

**Request for Unanimous Consent**

Mr. MacBride was granted unanimous consent to take up Assembly Concurrent Resolution No. 7 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

**Assembly Concurrent Resolution No. 7**—Relative to approving amendments to the charter of the County of Sacramento, State of California, ratified by the qualified electors of said county at a special election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 8:** By Messrs. Busterud, Gaffney, Marks, O'Connell, Burton, and Meyers—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election and consolidated special elections held therein on the fourth day of November, 1958.

**Request for Unanimous Consent**

Mr. Busterud was granted unanimous consent to take up Assembly Concurrent Resolution No. 8 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

**Assembly Concurrent Resolution No. 8**—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election and consolidated special elections held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—74.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 9**: By Messrs. Busterud, Gaffney, Marks, O'Connell, Burton, and Meyers—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a direct primary election and consolidated special elections held therein on the third day of June, 1958.

#### Request for Unanimous Consent

Mr. Busterud was granted unanimous consent to take up Assembly Concurrent Resolution No. 9 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9

**Assembly Concurrent Resolution No. 9**—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a direct primary election and consolidated special elections held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None

Resolution ordered printed, and transmitted to the Senate.

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

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

**Assembly Concurrent Resolution No. 10:** By Messrs. Elliott, Busterud, and George E. Brown—Relative to the centennial celebration of the admission of Oregon to the Union.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 3:** By Mr. Cunningham—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to the selection of grand juries.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 53:** By Mr. Hegland—An act to amend Sections 8273 and 8274 of the Education Code, relating to school elections.

Referred to Committee on Education.

**Assembly Bill No. 54:** By Messrs. Hegland and Schrade—An act to amend Sections 5055, 7727 and 7732.5 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

**Assembly Bill No. 55:** By Mr. Sedgwick—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity, declaring the urgency thereof, to take effect immediately.

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

**Assembly Bill No. 56:** By Mr. Cunningham—An act to amend Sections 199 and 241 of the Code of Civil Procedure, relating to the selection of grand juries.

Referred to Committee on Judiciary.

**Assembly Bill No. 57:** By Messrs. Busterud, Biddick, Marks, Thelin, Bruce F. Allen, Bradley, Sumner, and Z'berg—An act to amend Section 8 of the Corporations Code, to add Section 11 to the Code of Civil Procedure, to amend Section 13 of the Education Code, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code and to amend Section 10 of the Vehicle Code, relating to the use of certified mail.

Referred to Committee on Judiciary.

**Assembly Bill No. 58:** By Mr. McCollister—An act to convey certain tide and submerged lands to the City of Mill Valley, in furtherance

of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 59:** By Mr. McCollister—An act to convey certain tide and submerged lands to the County of Marin, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 60:** By Mr. McCollister—An act to convey certain tide and submerged lands to the County of Sonoma, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 61:** By Mr. McCollister—An act appropriating funds for acquisition of additions to Mt. Tamalpais State Park.

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

**Assembly Bill No. 62:** By Mr. McCollister—An act to amend Section 28120 of the Government Code, relating to compensation for public services in counties of the twentieth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 63:** By Mr. McCollister—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 64:** By Mr. McCollister—An act to amend Section 24206 of the Education Code, relating to the granting of diplomas widening the completion of courses beyond high school.

Referred to Committee on Education.

**Assembly Bill No. 65:** By Mr. McCollister—An act to add Chapter 20 (commencing with Section 6000) to Division 6 of the Agricultural Code, relating to the California Poultry Promotion Council.

Referred to Committee on Agriculture.

**Assembly Bill No. 66:** By Mr. McCollister—An act to amend Section 380.12 of the Agricultural Code, relating to chicken poultry meat and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 67:** By Mr. Pattee—An act to amend Section 3509 of the Fish and Game Code, relating to training dogs.

Referred to Committee on Fish and Game.

**Assembly Bill No. 68:** By Mr. Belotti (by request of Assembly Interim Committee on Fish and Game)—An act to add Sections 13006 and 13103 to the Fish and Game Code, relating to fish and game funds.

Referred to Committee on Fish and Game.

### ANNOUNCEMENT

Mr. Dills announced that he was introducing a bill on narcotics, and invited all members who desired to become co-authors to come to his desk to affix their signatures.

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

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

**Assembly Bill No. 69:** By Messrs. Belotti and McCollister (by request of Assembly Interim Committee on Fish and Game)—An act to amend Section 8305 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

**Assembly Bill No. 70:** By Mr. Belotti—An act to amend Section 158 of the Vehicle Code, relating to the display of vehicle license plates.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 71:** By Mr. Thomas—An act to amend Section 8152 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

**Assembly Bill No. 72:** By Mr. Rumford—An act to add Section 820.7 to the Streets and Highways Code, relating to federal aid for highways in urban areas.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 73:** By Mr. Lowrey—An act to amend Section 9084.5 of, and to repeal Section 9087 of, the Insurance Code, relating to limitations on the risks to be insured against by insurance policies issued by fraternal fire insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 74:** By Messrs. Mulford, Busterud, Marks, Dahl, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—An act to add Section 5006.5 to the Elections Code, relating to election campaigns.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 75:** By Mr. Thelin—An act to add Section 8828 to the Education Code, relating to the education of pupils at junior college.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 11:** By Messrs. Munnell and Dahl—Relative to the selection of the Legislative Counsel of California.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 12:** By Mr. Belotti—Relative to the passing of Mr. Ray R. Ingels.

Referred to Committee on Rules.

**Assembly Bill No. 76:** By Messrs. Hawkins, Burton, Masterson, McMillan, George E. Brown, Crown, Elliott, Kilpatrick, and Charles H. Wilson—An act to amend Section 3352 of, and to repeal Section 3358.5 of, the Labor Code, relating to the application of workmen's compensation to domestic workers.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 77:** By Messrs. Hawkins, Burton, Elliott, McMillan, George E. Brown, Crown, Kilpatrick, and Charles H. Wilson—An act to amend Sections 629 and 639 of the Unemployment Insurance Code, relating to domestic service.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 78:** By Messrs. Busterud, Biddick, Schrade, Crawford, and Luckel—An act to add Section 17154 to the Revenue and Taxation Code, relating to the exclusion from personal income taxation of amounts received from public retirement systems.

Referred to Committee on Revenue and Taxation.

## RESOLUTIONS

The following resolution was offered:

By Mr. Masterson:

**House Resolution No. 21:** By Mr. Masterson—Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting the results of its study of Assembly Constitutional Amendment No. 46.

Resolution read, and ordered held at the desk.

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

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

**Assembly Bill No. 79:** By Messrs. Luckel, Hegland, Schrade, Crawford, Backstrand, Belotti, Francis, Frew, Gaffney, Samuel R. Geddes, House, Kilpatrick, and McMillan—An act to amend Section 372.1 of the Vehicle Code, relating to weight fees for commercial vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 80:** By Messrs. Luckel, Hegland, Schrade, Crawford, Backstrand, Belotti, Busterud, Dahl, Francis, Frew, Gaffney, Samuel R. Geddes, House, Kilpatrick, and McMillan—An act to amend Section 372.1 of the Vehicle Code, relating to vehicle weight fees.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 81:** By Messrs. Thomas, Dahl, Masterson, Crawford, Britschgi, Chapel, and Pattee—An act to amend Section 209.5 of the Revenue and Taxation Code, relating to the tax exemption of vessels in the process of construction, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

## UNANIMOUS CONSENT TO PRINT REPORT IN JOURNAL

Mr. Thomas was granted unanimous consent that the following letter of transmittal and Report of the Subcommittee on Taxation of Ships Under Construction, of the Assembly Interim Committee on Revenue and Taxation, be ordered printed in the Journal immediately following the introduction of Assembly Bill No. 81.

## LETTER OF TRANSMITTAL

January 6, 1959

*Honorable Walter I. Dahl, Chairman*
*Assembly Interim Committee on Revenue and Taxation*
*Sacramento, California*

DEAR MR. DAHL: Your Subcommittee on Taxation of Ships Under Construction has studied the testimony given at the hearing held in San Pedro on October 9, 1958, regarding taxation of vessels of less than 1,000 tons under construction.

Our final report and recommendation are forwarded herewith for the consideration of the full committee.

Respectfully submitted,

VINCENT THOMAS, Chairman
CHARLES CHAPEL
GEORGE CRAWFORD
S. C. MASTERSON
ALAN G. PATTEE

## REPORT OF SUBCOMMITTEE ON TAXATION OF SHIPS UNDER CONSTRUCTION

### Scope of Report

The Assembly Interim Committee on Revenue and Taxation Subcommittee on Taxation of Vessels Under Construction was created under the general authority of House Resolution No. 238 of the 1957 Regular Session to carry out the directives of House Resolution No. 57 of the First Extraordinary Session of 1958 to "ascertain, study, and analyze all facts relating to the taxation of vessels of less than 1,000 tons, under construction, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation."

**Recommendations**

The Subcommittee on Taxation of Vessels Under Construction recommends that Section 209.5 of the Revenue and Taxation Code be amended to read as follows:

*An act to amend Section 209.5 of the Revenue and Taxation Code, relating to the tax exemption of vessels in the process of construction.*

*The people of the State of California do enact as follows:*

SECTION 1. Section 209.5 of the Revenue and Taxation Code is amended to read:

209 5. All right, title or interest in or to any vessel ~~of more than 1,000 tons burden~~, *in the process of construction which, when completed, will be of 50 tons burden or larger, or which, regardless of size, is, or when completed will become, the property of the United States of America, this State, or of any county, city and county or municipal corporation within this State*, and the materials and parts held by the builder of the vessel at the site of construction for the specific purpose of incorporation therein, shall be exempt from taxation except for state purposes ~~; while the vessel is under construction within this State~~.

**Findings**

1. The addition of Section 209 5 to the Revenue and Taxation Code, exempting vessels of 1,000 tons burden and over from personal property taxation, while under construction, has aided materially in the resurgence of the shipbuilding industry in California. Within months after the addition of Section 209.5 to the code, California yards were successful in obtaining contracts on new ship construction amounting to some 2,000,000 man-days of shipyard labor. It has been necessary for some yards to enter labor training programs to meet their own demands for skilled labor. Necessarily, these ships are built in the larger yards.

2. Industries allied to shipbuilding have increased their activity by two to three times this amount in order to support the increase in shipyard activity. This increase is reflected in the greater amount of labor employed by subcontractors, expanded inventories of marine supply houses and heavier demand on general services reflecting the increased activities in the shipyards.

3. Currently there is little activity in the State in the small yards geared to build the 50 to 1,000-ton category of ship Employment in these yards, which constructed approximately 100 million dollars worth of government vessels alone during the Korean war, is now only slightly above the caretaker level. Extension of the exemption from local taxation to this category of ships could be expected to revitalize this segment of the shipbuilding industry and affiliated industries as it has that part of the industry constructing ships of over 1,000 tons burden. No other major shipbuilding state imposes personal property taxes on ships, of any size, under construction.

4. Expanded activity in the yards would increase labor efficiency and lower the impact of overhead costs. This would help California shipbuilders overcome some of the competitive advantages held by other shipbuilding states.

5. Revenue to the State through income and sales taxes, contributions to the unemployment insurance fund, etc., and to local jurisdictions

through increased valuation attendant to increased inventories of marine supply houses and industries serving the small ship builders as well as greater general economic activity reflected in greater demand for services, home construction, etc., would more than balance the loss of revenue due to the exemption from local property taxes on these vessels while under construction.

6. Vessels of 50 tons burden or more are almost exclusively commercial ships such as tuna boats, tugs, working platforms, etc., or government vessels such as minesweepers or minelayers, etc. Pleasure craft, almost invariably under 50 tons burden, would not be made exempt from property taxation while under construction by this amendment to Section 209.5 of the Revenue and Taxation Code.

7. A considerably expanded program in shipbuilding of the 50 to 1,000-ton category of ships is expected in the near future. The tuna boat fleet, the sardine boat fleet are near obsolescence. The offshore oil industry, in its developmental stages in California, will make heavy demands for vessels and floating equipment. California industry will not participate in this activity if the continued levying of personal property taxes on vessels under construction places California yards on a noncompetitive status.

8. The construction which the State Supreme Court has placed on the words "tons burden" makes it necessary to include specific wording which would exempt from taxation government vessels of any size under contract for construction. "Tons burden" means essentially cubic capacity for carrying passengers or freight, *beyond* that necessary for the operation of the vessel. Few government vessels are designed to have a passenger or freight carrying capacity, hence seldom have an appreciably measurable "tons burden."

9. Application of property taxes to vessels under construction for the Federal Government, which is a distinct possibility in view of recent decisions of the federal courts, is especially to be avoided. Construction of vessels for the Federal Government constitutes a major portion of the shipbuilding in the small shipyards. Addition of personal property taxes to bids for government contracts, which go to the lowest bidder, would place California shipyards out of this market.

## FULL REPORT

In 1957, the Federal Maritime Board established a program to sponsor construction of 300 ships of over 1,000 tons burden. As county assessors of the shipbuilding counties announced their intention to assess these ships while under construction, if any of them were built in the State, shipbuilders sought to have the Legislature establish a local tax exempt status for ships of over 1,000 tons burden, while under construction, in order that California shipbuilders could bid on these contracts without having to add to the bid the cost of personal property taxes. It was recognized by the Legislature that the preservation of the shipbuilding industry was of great importance to the national defense and to the economic and industrial development of the State. Since the end of World War II there had been very few major shipbuilding contracts awarded in California. One of the primary reasons for failure of California shipyards to receive major ship construction awards was that ships under construction in this State were subject to assessment

of a personal property tax. This tax is not assessed against ships under construction in the other principal states in which competing shipyards are located. Until this disadvantage was removed, the California shipyards could not compete successfully for a share of the nationwide new ship construction. The exemption was achieved by the addition of Section 209.5 to the Revenue and Taxation Code during the First Extraordinary Session of 1958.

The addition of Section 209.5 to the Revenue and Taxation Code has had a very invigorating effect on the California shipbuilding industry insofar as vessels of over 1,000 tons burden are concerned. Several contracts which were being negotiated between California shipyards and purchasers of ships were concluded after the addition of this section. These contracts have resulted in 2,000,000 man-days of shipyard labor having been brought into the State. There has been two to three times this increase in industries serving the shipbuilding industry.

One northern yard reported that the number of its employees has increased from 2,400 at the end of 1957 to 3,400 in September, 1958, with hiring still going on and 220 persons in training. Its payroll is up 3 million dollars over 1957 and is expected to be up 6 million dollars in 1959.

Similar effects have been reported by the industries which serve the shipbuilders. Inventories of such material as marine cable, chain, marine electrical equipment, etc., have been increased for the purpose of supporting the greater activity in shipbuilding. Welders, machinists, boilermakers, makers of galley equipment, etc., as well as general service occupations such as retailers, doctors, etc., have felt the impact of the increased shipbuilding activity.

The builders of ships over 1,000 tons feel that similar effects would be felt by the builders of smaller ships if Section 209.5 were amended to include exemption from local property taxes for vessels of 50–1,000 tons, while under construction. The same logic which supported the exemption of ships over 1,000 tons applies to its extension to ships of 50-1,000 tons.

One of the reasons that this was not done in 1958 was because Assembly Bill No. 24, which provided for the addition of Section 209.5 to the Revenue and Taxation Code, was considered an emergency measure necessitated by the Federal Maritime Board's announcement of its construction program of ships over 1,000 tons. In order for California shipyards to benefit from the program, Assembly Bill No. 24 had to be passed as an emergency measure. The situation with regards to ships of 50-1,000 tons was not quite as acute.

The Constitution provides for the exemption from local property taxes of ships over 50 tons burden engaged in carrying passengers or freight. Amendment of Section 209.5, as suggested, would make the law on property taxation of vessels while under construction conform to the constitutional provision which exempts them upon completion. It is possible to build vessels smaller than 50 tons between tax lien dates, hence these can escape taxation while under construction.

It was pointed out that the reasons for exempting vessels under construction from property taxes might not apply to other industries. The shipbuilding industry in California is a dying industry in need of tax relief in order to be able to compete. Other industries, for example

aircraft manufacturing, are operating at a higher rate of capacity and have other advantages which enable them to compete successfully without such a tax exemption.

The depressed condition of the California shipbuilding industry was emphasized by many witnesses. The Los Angeles area, which had some 135,000 persons in the industry at one time, is now down to some 2,000 persons so employed. Labor as well as management is anxious to prevent a further decline of the industry. Loss of employment in the industry is reflected in the fact that Marine Painters Local No. 1798, Los Angeles area, once the second largest painters union in the United States, is now the second smallest. Allied industries report a similar decline in employment. One supplier of marine mechanical equipment in the Los Angeles area reported that employment in his organization has shrunk by 60 percent.

The cause of the decline is not a result of labor-management problems. Wage and working standards are uniform on the Pacific Coast. Co-operation between labor and management, in attempting to solve cost and production problems is at a high level.

There is little work being done today in the construction of ships of the 50–1,000 tons category in California However, ships of this tonnage are being built outside of the State and sailed here for registry and operation. Numerous instances were given of bids going out to out-of-state builders on the construction of ships which were destined for California owners.

One witness remarked that although he did not know of any shipyards that build 50–1,000 ton vessels that had gone out of business, he did know of several that had changed hands, and he was aware of one yard which had recently undergone bankruptcy proceedings. He personally would be happy to sell two yards of this size in which he has an interest.

Exemption from local taxes would not bring the small shipbuilding industry back to the level of activity reached in California during the last war. As one witness stated, "It takes an incident like Korea to really trigger the work." Because of the heavy demand during wartime, a considerable amount of building facilities are developed which are in excess to peacetime demand. Nevertheless, in order to enable California shipyards to bid more competitively for what shipbuilding is available, it would be necessary to remove the handicap currently imposed by the levying of personal property taxes on vessels under construction.

Several witnesses emphasized the beneficial effects that an expanded small shipbuilding industry would have on the public economy of the State. Shipbuilding is a very heavy user of labor. The expanding population of California requires the employment opportunities of expanded industrial facilities that could be supplied, in part, by increased shipbuilding. Increased shipbuilding would increase sales and use taxes, increase contributions to unemployment and disability funds. It would take people off of unemployment rolls. In general it would help provide for the support of state services required by the people of the State.

An increase in small shipbuilding activity would have a beneficial effect on the general economy as well. It would provide for increased demand in industries allied to shipbuilding, such as gear and machine

construction, electrical equipment manufacturing, etc. Further, the demand for steel inherent in shipbuilding could encourage the development of an integrated steel industry in California with cheaper steel and a better basis for competition with eastern industry.

Currently the tax revenue on ships under construction is practically nil, hence there would be no great loss to the counties if the exemption were extended to the 50–1,000 ton category. Under an expanded construction schedule the losses in tax revenue, due to the exemption, would be more than balanced by the increased revenues from other property taxes.

A considerable amount of construction in the 50–1,000 ton category of ships is expected in the near future. The tuna boat fleet is approaching obsolescence. Currently the contracts for the replacement of these ships are going to the Gulf states. In the last nine years at least eight steel tuna boat contracts have gone to Louisiana. These represent 60,000 man-hours of labor per ship. Further, construction of sardine vessels is expected to follow the increased sardine run of recent years. These ships can be built in Washington and Oregon and sailed to California for operation if it were more profitable for purchasers to do this.

Mention was made by numerous witnesses that the infant offshore oil industry of California will become a large user of floating apparatus and small ships. The construction of these vessels could easily be lost to California yards if their tax costs placed them outside the competitive range This was pointed up by the experience of one witness who stated that a firm in which he has an interest, which was established to provide such vessels in anticipation of the expansion of the offshore oil industry, had sought bids outside the State on the construction of its fleet, even though the firm was a subsidiary of a California corporation with two yards in the State capable of building such vessels.

If California yards could get a share of this work, it would enable them to increase efficiency to the point that they would be more competitive. Currently only skeleton crews are maintained in most yards. For each contract entered into it is necessary to recruit labor, which then moves on when the contract is completed. The result is that many skilled shipyard workers are lost to the industry. Delays in recruiting skilled labor which result in delays in construction are costly. In addition it is sometimes necessary to train for skills which, through disuse, have been lost to the labor market.

It is recognized that California yards operate under handicaps other than the property tax on vessels under construction Washington yards are closer to the supply of lumber necessary in the construction of wooden vessels. The Gulf states have an advantage in lower labor costs and cheaper steel from Alabama. Further, the Gulf states have the advantage of experience in the construction of vessels for the offshore oil industry. California is the only state which permits the levying of property taxes on vessels under construction. The elimination of this tax would put the California yards on a level, taxwise, with the yards in other states. It would be a step toward making them more competitive with other builders.

The builders would like an amendment which would include vessels of 50–1,000 tons burden and all government vessels of any size. The types of vessels thus included would be work boats, barges, tugs, large tenders, working platforms, large fishing boats and general service boats of 60-70 feet in length Pleasure craft would not be included as these are almost invariably under 50 tons.

The elimination of property taxes on vessels under construction would not make up the differential in bids all the time. However, the elimination of those taxes would go a long way toward making California yards competitive in bidding. Bids submitted today are made up just to keep the yard operating, they do not reflect a true cost-price picture. The expense of compiling a bid may run to $3,000 to $5,000 due to the costs of telephone calls, specifications, plans, etc. To know that personal property taxes will have to be added to this makes the yards hesitate to expend the initial sum to compile the bid.

The margin of profit commonly sought by the yards is from 5 percent to 7 percent. A tax amounting to 3 percent to 4 percent of the total value of the contract reduces this to 2 percent to 3 percent, which is too thin a margin of profit on which to calculate. If a bad bid is submitted, costs rise beyond expectation, or a delay develops in construction, the loss could be substantial. Most small yards could not sustain a loss on one major contract and still remain in business.

Several witnesses testified as to the magnitude of the taxes levied. One builder added $60,000 in taxes to a bid which amounted to approximately 2 million dollars in total value. He stated that at this figure he was only hoping he would not be taxed twice In the latter event, taxes would have amounted to about $100,000. The contract went to a Gulf coast shipyard. The larger the contract let, the greater likelyhood there is of being hit by several tax dates.

Though no witness gave data to show the loss of a bid due specifically to the addition of taxes, several did indicate that this would make the difference on many bids. Several recent small minesweeper bids were so close together that the addition of property taxes would be critical. One Stockton builder, who has government contracts, stated that his yard is competitive on government bids, but that he would be put at a disadvantage if he had to add taxes to the bid.

The builders are especially apprehensive about the possible loss of government contracts. Government contracts were referred to as "the backbone of the industry, without which shipbuilding is a depressed industry." Recent court decisions and the passage of Assembly Bill No. 24 in the past session have led attorneys for the builders to suggest to them that they add local property taxes to bids submitted on government vessels. This would, in effect, place the California yards out of the market for government contracts.

The reasoning behind this advice is as follows: If it was considered necessary to exempt by special legislation all vessels over 1,000 tons burden from property taxes while under construction, this raises the implication that all vessels of less than 1,000 tons burden are subject to taxation. This implication applies to vessels constructed for governmental bodies as well as for private concerns. In addition, decisions were made this year by federal courts favorable to the application of

local property taxes to goods, title to which was the Federal Government, but which were in the possession of private concerns. The cases are *United States* v. *City of Detroit* (77 NW 2d 70) and *Muskegon Township* v. *Continental Motors* (77 NW 2d 799).

While there is a possibility that these decisions would not apply to the levying of the local property taxes in California on government vessels under construction, some builders are currently adding taxes to bids on government construction. It was reported that San Diego was levying property taxes on government vessels of the 50–1,000-ton category while under construction.

Exclusion from taxation of *all* government vessels is requested. This is because the words "tons burden" as used in Section 4, Article XIII of the State Constitution and Section 209.5 of the Revenue and Taxation Code, have been construed by the State Supreme Court to mean "net tons burden." "Net tons burden" is arrived at by subtracting crew-space, machinery, bridge, chart houses, etc., from gross tonnage. The purpose of Section 4, Article XIII of the Constitution is to exempt ships designed for carrying freight and/or passengers from local property taxation. A naval or military vessel, deliberately designed to have little or no excess carrying capacity, would seldom measure 50 "net tons burden."

Builders reported that they already were having difficulty making bids on and receiving government contracts. One of the more active yards reported that it had received a letter from the Navy asking if it wanted to be taken off the bidders list because it hadn't made bids on the past eight contracts let by the Navy. The yard felt that it could not realistically submit bids if taxes had to be added.

The Navy is interested in the tax situation in California as it would like to see the small yards continued in operation. The small yards are especially important in the construction of wooden, antimagnetic vessels required by the Navy. The Manpower Commission has found that the continued operation of the small shipyards is essential to the national defense of the United States, and that a constant flow of work is necessary to keep them operating. Without a continuing building program it is impossible to retain the nucleus group of trained workers which is necessary to meet expansion needs in cases of national emergency.

One builder gave facts and figures demonstrating the effect of obtaining or not obtaining government contracts From 1950 to 1955 his yard constructed seven minesweepers for the United States Navy. This represented 1,000,000 man-hours of labor and $4,500,000 in materials purchased from vendors. From 1955 to 1958 no new contracts were obtained. During this period his average monthly expenditure for materials was $138,000, for repair work primarily, and his average employment figure was 100-150. In 1958 a contract for three minesweepers was obtained. On this, his yard averages $400,000 monthly in expenditures to subcontractors, vendor's supply houses, etc. His labor force now averages 350-400.

This last contract would have been lost if taxes had been bid in, because he would have been hit by two or three lien dates. In May he bid on two minesweepers, but added as a condition that $120,000 in

taxes would be added if he were taxed by the county. The bids went to a yard in Washington.

No testimony was given in opposition to the bill.

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

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

**Assembly Bill No. 82:** By Messrs. Britschgi and Francis—An act to amend Sections 6075 and 6077 of the Harbors and Navigation Code, relating to harbor districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 83:** By Messrs. Britschgi and Francis—An act to add Section 32401 to the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 84:** By Messrs. Britschgi and Francis—An act to add Section 30.2 to, and to amend Section 1300.10 of, the Agricultural Code, relating to the floriculture and nursery products industries.

Referred to Committee on Agriculture.

### UNANIMOUS CONSENT TO PRINT REPORT IN JOURNAL

Mr. Johnson was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that the accompanying Report of the Assembly Interim Committee on Government Organization be filed.

### LETTER OF TRANSMITTAL

**Report of Assembly Interim Committee on Government Organization**

CALIFORNIA LEGISLATURE, ASSEMBLY INTERIM COMMITTEE
ON GOVERNMENT ORGANIZATION
SACRAMENTO, December 31, 1958

*The Honorable Speaker of the Assembly*
*The Honorable Members of the Assembly*
*State Capitol*
*Sacramento, California*

SIRS: In accordance with the provisions of House Resolution Number 251 of the 1957 General Session, the Assembly Interim Committee on Government Organization has reviewed certain aspects of the organization and policies of the executive branch of California's government, as they pertain to efficiency and economy, and particularly as they pertain to the ability of the Legislature to fulfill its major responsibility for reviewing the State's budget and determining the levels of service to be rendered to the taxpayers.

Specifically, this committee in recent months has explored the conditions brought about by the establishment of constitutional and statutory fixed and permanent appropriations and their effect upon the State's budget-making process.

To this end the committee held a public hearing in Sacramento on October 17 and heard testimony from all interested parties who wished to appear before it. Among others appearing were representatives of the State Department of Finance and other state agencies and the Legislative Analyst. In addition, the committee received written suggestions and recommendations from other interested organizations and persons, all of which the committee considered carefully in formulating its report and recommendations. The committee also reviewed reports, recommendations and suggestions made in previous years to other groups, both State and private, covering various aspects of this general subject.

The committee wishes to express its sincere appreciation to those persons within and without California's government who participated in the hearing and gave the committee the benefit of their views, and to the Legislative Analyst's Office for much detailed information and technical assistance in conducting this study and preparing the report.

The committee once again is very pleased to acknowledge the invaluable assistance furnished by Arthur Buck who has served as head of our staff for many years and performed exceptionally outstanding services for the committee.

Respectfully submitted,

| | |
|---|---|
| DON ANDERSON | THOMAS M. REES |
| JACK A. BEAVER | WM. BYRON RUMFORD |
| CHARLES J. CONRAD | JOSEPH C. SHELL |
| THOMAS J. MACBRIDE | SETH J. JOHNSON, Vice Chairman |
| RICHARD H. MCCOLLISTER | CASPAR W. WEINBERGER, Chairman |
| DON MULFORD | |

Submitted by Seth J. Johnson, Vice Chairman.

Above transmitted report ordered filed with the Secretary of State.

## ANNOUNCEMENT

Mr. Mulford announced that he is introducing a resolution in memory of Dr. Ernest O. Lawrence, and invited all members who desired to become co-authors to come to his desk and affix their signatures.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up House Resolution No. 21 without reference to committee or file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 21

By Mr. Masterson:

### House Resolution No. 21

Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting the results of its study of Assembly Constitutional Amendment No. 46

*Resolved by the Assembly of the State of California*, That the Interim Committee on Revenue and Taxation created by House Resolution No. 238 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim investigation and study authorized by House Resolution No. 305 of the 1957 Regular Session concerning the subject matter of Assembly Constitutional Amendment No. 46, introduced in the 1957 Regular Session. The committee is authorized to submit the report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and adopted.

### ANNOUNCEMENT

Speaker Brown announced that Dr. James Bryant Conant, President Emeritus of Harvard University, would address the Assembly this morning.

### APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Mr. Winton and Miss Donahoe as a Select Committee to escort Dr. James Bryant Conant, President Emeritus of Harvard University, to the bar of the Assembly.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Munnell was granted unanimous consent that the Chief Clerk be instructed to prepare and have printed 3,000 copies of the booklet listing the Members of the California Legislature and State and Congressional officers.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 13:** By Mr. Hawkins—Relative to approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in such county on the fourth day of November, 1958.

#### Request for Unanimous Consent

Mr. Hawkins was granted unanimous consent to take up Assembly Concurrent Resolution No. 13 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

**Assembly Concurrent Resolution No. 13**—Relative to approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in such county on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 14:** By Messrs. Grant and Kennick—Relative to approving certain amendments to the charter of

the City of Long Beach, State of California, ratified by the qualified electors of said city at a municipal election held therein November 4, 1958.

Request for Unanimous Consent

Mr. Grant was granted unanimous consent to take up Assembly Concurrent Resolution No. 14 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

**Assembly Concurrent Resolution No. 14**—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a municipal election held therein November 4, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

## REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon Dr. James Bryant Conant appeared at the bar of the Assembly, and announced the presence of Doctor Conant in the Assembly Chamber.

## RECESS

At 11.51 a.m., the Speaker declared the Assembly at recess until 11.57 a.m. to hear from Dr. James Bryant Conant, President Emeritus of Harvard University, and former Ambassador to Germany; and to meet Dr. Roy E. Simpson, State Superintendent of Public Instruction.

## REASSEMBLED

At 11.57 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 15**: By Messrs. Mulford, Busterud, Marks, and MacBride—Relative to Dr. Ernest O. Lawrence.

Request for Unanimous Consent

Mr. Mulford was granted unanimous consent to take up Assembly Concurrent Resolution No. 15 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 15

### Members Made Co-authors of Assembly Concurrent Resolution No. 15

Mr. Mulford was granted unanimous consent that all members so desiring be made co-authors of Assembly Concurrent Resolution No. 15.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

### Further Consideration of Assembly Concurrent Resolution No. 15

**Assembly Concurrent Resolution No. 15:** By Messrs. Mulford, Busterud, Marks, MacBride, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Mr. DeLotto, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to Dr. Ernest O. Lawrence.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

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

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

**Assembly Bill No. 85:** By Messrs. Unruh, Sumner, Don A. Allen, Mrs. Davis, Messrs. Bruce F. Allen, Belotti, Collier, Miller, and Rees—An act to add Section 506.3 to the Public Resources Code, relating to the Division of Beaches and Parks of the Department of Natural Resources, and declaring the urgency thereof, to take effect immediately.

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

**Assembly Bill No. 86:** By Mr. McCollister—An act to amend Section 28122 of the Government Code, relating to compensation for public services in counties of the twenty-second class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 87:** By Mr. McCollister—An act to convey certain tide and submerged lands in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 88:** By Messrs. Collier, Porter, Levering, Lanterman, Bradley, George E. Brown, Burke, Cameron, Chapel, Conrad, Cusanovich, Dills, Elliott, Grant, Hawkins, Johnson, Kennick, Kilpatrick, McMillan, Munnell, Rees, Shell, Thelin, Thomas, Unruh, and Charles H. Wilson—An act adding Article 6 (commencing at Section 25701) to Chapter 7 of Part 2 of Division 2 of Title 3 of the Government Code, relating to the reclamation of water from sewage or other waste water, and the disposal thereof.

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

**Assembly Bill No. 89:** By Messrs. Francis and Britschgi—An act to add Chapter 3.7 (commencing with Section 20700) to Division 10 of the Education Code, relating to the establishment of a state college in San Mateo County.

Referred to Committee on Education.

**Assembly Bill No. 90:** By Messrs. Nisbet, Grant, and Belotti—An act to amend Section 8304 of, repeal Sections 8308, 8309, 8310, 8311, 8312, 8313, 8314, 8315, and 8316, inclusive, of, and add Section 8308 and 8309 to, the Fish and Game Code, relating to red abalones.

Referred to Committee on Fish and Game.

**Assembly Bill No. 91:** By Messrs. Rumford, Hawkins, Don A. Allen, Gaffney, Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Ralph M. Brown, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Garrigus, Samuel R. Geddes, House, Johnson, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg (Departmental)—An act to add Part 4.5 (commencing with Section 1410) to Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, religious creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 92:** By Mr. Collier—An act to add Article 6 (comprising Sections 11660 to 11663, inclusive) to Chapter 2, Division 14 of the Elections Code, relating to interference with initiative, referendum, and recall.

Referred to Committee on Elections and Reapportionment.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Cusanovich of Van Nuys to Mr. and Mrs. Moffatt, Mr. and Mrs. Shapiro and Mrs. Whitestone.

On request of Messrs. Burton and O'Connell of San Francisco to Rudy and Laura Nothenberg of San Francisco.

On request of Mr. Petris of Oakland to Mr. and Mrs. Alfred Dunn of Oakland.

On request of Mr. Bane of Tujunga to Miss Joan Hammond, San Jose State College, and Bruce Bane, Pasadena City College.

On request of Mr. Williamson and Miss Donahoe of Bakersfield to Mrs. Reta Fry and Mr. and Mrs. Russell Allen of Wasco.

On request of Mr. House of Brawley to Mr. and Mrs. Walter F. Burr of Brawley.

On request of Mr. MacBride of Sacramento to Dr. Abraham Vereide of Washington, D. C.

On request of Mr. Mulford of Oakland to Mrs. Mulford and Mr. and Mrs Ralph Piercey of Berkeley.

On request of Mr. Winton of Merced, to Mr. and Mrs. Joseph Stefani of Merced.

On request of Messrs. Unruh and Don A. Allen of Los Angeles, to Mr. and Mrs. Helen Stanley, Mrs. Katherine Sims, Mrs. Elyse Resormes, and Mr. Duane Vest, of Los Angeles.

On request of Mr. Bee of Hayward, Mr and Mrs. George Simonds and Mr. Marshall Hansen of Hayward.

On request of Mr. Crown of Alameda to Skipper Howard, Chairman, and the following Explorer Scouts of San Leandro: Dick Cook, Jim Grassi, Ray Holm, Skip Howard, Steve Rayner, Bob Shatzen, Lynn Wobig, Ted Saito, Ray Johnston, Bill Leard, Larry Schiff, Gerry Lupp, Eddie English, Mickey Pocha, Jim Watts, Bill Wakeman, Jack Mann, Mark Grimes, Bob Ewell, Ed Van Pelt, Bill Mercer, Bob Johnson, Gary Cockrell, Cliff Davilla, Chuck Tonzi, Bob Berkhead, Dave Bower, Lionel Dutra, and Jim Hager; adult leaders: Vic Howard, Dan Grassi, Dr. Frank Saito, and Harry Estes.

## ADJOURNMENT

At 12.05 p.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, January 8, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 8, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ANNOUNCEMENT

Speaker Brown announced that, since the members had been in attendance at the Legislative Prayer Breakfast this morning, there would be a brief delay in the calling of the roll to permit time for the members to return to the Assembly Chamber.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Most Rev. Bishop Papken, Primate of the Diocese of the Armenian Apostolic Church in California:

*Our Heavenly Father and God of Love,* Thou dost hold the destiny of the universe, of the nations, and of each one of us, lead us in Thy light. Help us to think, speak, and work the good so that we may use this bright new day in each of our careers, according to Thy will.

Clean our minds and souls of narrow prejudice, selfish interest, and inadequate vision, but may it rather be engraved with words and deeds of honor, courage,

faithfulness and self-giving service for the benefit of our beloved country the United States of America. To Thee with Thy Son, and to the Holy Spirit belitted power and glory forever.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Levering.

### COMMUNICATIONS

The following communication was presented by the Speaker, read, and ordered printed in the Journal:

### APPOINTMENT OF MEMBER TO INTERIM COMMITTEE

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, January 7, 1959

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

DEAR ARTHUR: I hereby appoint Gordon Winton to fill the vacancy on the Joint Committee for the Revision of the Education Code.

Mr. Winton will take the place formerly held by Mr. Henderson.

Very truly yours,

RALPH M. BROWN, Speaker

### COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**
**Report on Governor's Mansion**

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 6, 1959

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

Subject: Report on Governor's Mansion
House Resolution No 344, Session 1957.

DEAR MR. OHNIMUS: In accordance with House Resolution No. 344 of the 1957 Session of the Legislature, attached are three copies of report on proposed Governor's Mansion, prepared in the Office of the State Architect.

Yours very truly,

ROBERT B. BRADFORD
Director of Public Works

Above transmitted three reports referred to the Committee on Ways and Means.

The following letter of transmittal was presented by the Speaker and ordered printed in the Journal:

**Letter of Transmittal**

**Report on Need for Improvement of Facilities for Fire Safety and Comfort of Employees in Buildings Occupied by State Agencies**

STATE OF CALIFORNIA
DEPARTMENT OF FINANCE
SACRAMENTO, December 18, 1958

*Speaker of the State Assembly*
*State Capitol*
*Sacramento, California*

Attention. Mr. Arthur A. Ohnimus, Chief Clerk

DEAR SIR: In response to the request set forth in House Resolution No. 313 (Assembly Journal, June 8, 1957), the Department of Finance submits herewith a copy of its report relative to the need for improvement of facilities for fire safety and the comfort of employees in buildings occupied and to be occupied by state governmental agencies and their working personnel.

Very truly yours,

T. H. MUGFORD, Director

Above transmitted report referred to the Committee on Rules.

## PARLIAMENTARY INQUIRY

Mr. Shell arose to the following parliamentary inquiry: What will be the policy relative to adjournment for this and future weekends; and is it permissible to recess from Thursday until Monday?

**Reply by Speaker**

The Speaker replied that there was no policy as to future weekends; but that it was planned that for this weekend the House would adjourn from today until Monday; and read from page 54 of the Assembly document entitled *The Legislature of California,* published July, 1958, and advised the members that authorities for such a recess were cited in the footnote at the bottom of that page.

## ANNOUNCEMENT

Speaker Brown announced that members submitting the names of guests to be extended the courtesies of the Assembly each day should submit their names on the blank forms which are provided for that purpose, and which may be obtained at the Assembly desk.

## RESOLUTIONS

The following resolution was offered:

By Mr. Cusanovich:

**House Resolution No. 22**

Relative to the passing of John M. Wright

WHEREAS, The Members of the Assembly are deeply grieved to learn of the death of an honorable and outstanding journalist, Mr. John M. Wright; and

WHEREAS, Mr. Wright was born in the City of Trenton, North Carolina, on October 16, 1908, the son of a prominent Methodist minister; and

WHEREAS, He graduated from Duke University and then entered the fields of publishing and public relations; and

WHEREAS, After publishing many weekly and daily newspapers in the South and in the East, he enlisted in the United States Naval Reserve in order to serve his Country during World War II; and

WHEREAS, At the end of the war he came to California, made his home in the San Fernando Valley, and joined the staff of the *Valley Times;* and

WHEREAS, He soon advanced to the position of political editor and assistant to the publisher of the *Valley Times;* and

WHEREAS, To the great benefit of his community and his State, he vigorously engaged in many newspaper campaigns, particularly in the fields of transportation and interstate western water problems; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly express their sincere regret and deep personal sorrow at the loss of such an able and respected citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to his wife and family as an expression of the heartfelt sympathy of all Members of the Assembly of California.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Concurrent Resolution No. 16:** By Messrs. Elliott, George E. Brown, Hawkins, McMillan, Beaver, Burton, Chapel, Crawford, Ernest R. Geddes, Hegland, Kilpatrick, Masterson, Munnell, Rees, Rumford, and Charles H. Wilson—Relative to congratulating Adolfo Lopez Mateos on his election to the Presidency of the United States of Mexico.

Referred to Committee on Rules.

**Assembly Bill No. 93:** By Mr. Rumford—An act making an appropriation, relating to fair employment practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 94:** By Mr. McCollister—An act to amend Section 4231 of the Agricultural Code, relating to milk.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 95:** By Mr. Collier—An act to add Section 24244 to the Health and Safety Code, relating to air pollution control.

Referred to Committee on Public Health.

**Assembly Bill No. 96:** By Mr. Hegland, Miss Donahoe, Messrs. Winton, Shell, and Chapel—An act to amend Section 24206 of the Education Code, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Referred to Committee on Education.

## ANNOUNCEMENT

Mr. Beaver announced that two bills, which contain the exact wording recommended by the Interim Committee on Government Organization in its report which was filed and distributed to the members yesterday, were at the Assembly desk; and invited all members who desired to become co-authors to affix their signatures to the measures before they are introduced.

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

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

**Assembly Constitutional Amendment No. 4:** By Messrs. Beaver, Schrade, Shell, Thelin, Bradley, Busterud, Conrad, Coolidge, Levering, Marks, McCollister, Mulford, Reagan, and Sumner—A resolution to propose to the people of the State of California an amendment to

the Constitution of the State, by adding Section 38 to Article IV, by repealing Section 25½ of Article IV, by amending Section 25¾ of Article IV, by repealing the third and fourth paragraphs of Section 6 of Article IX, and by repealing Article XXVI thereof, relating to expenditure of state funds.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 97:** By Messrs. Beaver, Schrade, Shell, Thelin, Bruce F. Allen, Biddick, Bradley, Busterud, Conrad, Coolidge, Gaffney, Levering, MacBride, Marks, McCollister, Mulford, and Sumner—An act to add Chapter 6 (commencing at Section 8501) to Division 1 of Title 2 of the Government Code, relating to the establishment of a Commission on California State Government Organization and Economy, defining its powers, duties, and responsibilities, and making an appropriation.

Referred to Committee on Government Organization.

**Assembly Constitutional Amendment No. 5:** By Messrs. Elliott, Burton, Kilpatrick, Samuel R. Geddes, and Hawkins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Constitutional Amendments.

## ANNOUNCEMENT

Speaker Brown announced that a few of the members have not submitted their committee preferences in writing; that he has asked Mr. Ruggieri from his office to contact these six or seven members; and invited the members to come to his office and present their requests to either Mr. Ruggieri or Miss Edith MacNair, so that he could complete the committee assignments as soon as possible.

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

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

**Assembly Bill No. 98:** By Mr. Hanna—An act to amend Section 5410 of the Labor Code, relating to the time for instituting proceedings for workmen's compensation upon the ground that the original injury has caused new and further disability.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 99:** By Mr. Hanna—An act to amend Section 1187.1 of the Code of Civil Procedure and Section 7120 of the Business and Professions Code, relating to mechanics' liens.

Referred to Committee on Judiciary.

**Assembly Bill No. 100:** By Mr. Hanna—An act to add Article 4 (commencing at Section 4380) to Chapter 4 of Division 5 of Title 1 of the Government Code, relating to public works and purchases.

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

**Assembly Bill No. 101**: By Mr. Hanna—An act to amend Section 7044 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 102**: By Mr. Hanna—An act to amend the heading of Chapter 3.5 (commencing at Section 20695) of Division 10, and Sections 20695 and 20696, of the Education Code, as added by Chapter 1681 of the 1957 Statutes, relating to Orange County State College.

Referred to Committee on Education.

**Assembly Bill No. 103**: By Messrs. Hawkins and Elliott—An act to amend Section 4020 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 104**: By Mr. Hawkins—An act to add Chapter 8 (commencing at Section 25800) to Division 20 of the Health and Safety Code, relating to the registration of radiation installations.

Referred to Committee on Public Health.

**Assembly Bill No. 105**: By Messrs. Hawkins and Elliott—An act to add Section 4167 to the Welfare and Institutions Code, relating to the transfer of real property by recipients of aid to the needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 106**: By Messrs. Hawkins and Elliott—An act to amend Section 4000 of the Welfare and Institutions Code, relating to eligibility for aid to the needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 107**: By Mr. Britschgi—An act to add Section 200.5 to the Welfare and Institutions Code, relating to county medical services.

Referred to Committee on Social Welfare.

**Assembly Bill No. 108**: By Mr. Britschgi—An act to add Section 14108.5 to the Health and Safety Code, relating to local fire districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 109**: By Mr. Britschgi—An act to add Section 14108.6 to the Health and Safety Code, relating to local fire districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 110**: By Mr. Conrad—An act to add Section 119 to the Elections Code, relating to the registration of voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 111**: By Messrs. Luckel, Crawford, Schrade, and Hegland—An act to amend Sections 5931 and 7842 of the Elections Code, relating to absentee voter ballots.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 112:** By Messrs. Luckel, Crawford, Schrade, and Hegland—An act to amend Section 33533 of the Health and Safety Code, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 113:** By Messrs. Elliott, George E. Brown, and Hawkins—An act to add Section 33049 to the Health and Safety Code, relating to restrictions on the basis of race, color, religion, or national origin of the rental of real property redeveloped under the Community Redevelopment Law.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 114:** By Mr. Hegland, Miss Donahoe, Messrs. Bee, Sedgwick, Crawford, and Cusanovich—An act to amend Section 20301 of the Education Code, relating to state colleges.

Referred to Committee on Education.

**Assembly Bill No. 115:** By Mr. Hegland, Miss Donahoe, Messrs. Sedgwick, Crawford, Bee, and Cusanovich—An act to add Section 184.3 to the Education Code, relating to state colleges.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 17:** By Messrs. Busterud, Marks, Gaffney, Meyers, Burton, and O'Connell—Relative to memorializing the death of Dr. Margaret J. Chung.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 23

Relative to continuing the existence of Assembly interim committees

*Resolved by the Assembly of the State of California*, That each Assembly interim committee in existence immediately prior to the commencement of this session shall continue to exist with all the powers and duties it possessed at that time except that it may not conduct hearings outside Sacramento. The existence of each such committee shall terminate, and its final report shall be filed, by the thirtieth calendar day of the session unless the Committee on Rules, for good cause, extends the existence of the committee for a further period which shall not exceed 30 calendar days.

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 23 without reference to committee or file.

### Parliamentary Inquiry

Mr. Masterson arose to the following parliamentary inquiry: What effect, if any, will this resolution have on House Resolution No. 21 which was adopted yesterday?

### Reply by Speaker

After some discussion, the Speaker suggested that a statement that this resolution will not invalidate House Resolution No. 21 be included in the resolution.

Mr. Miller stated that he would be happy to comply with this suggestion.

### Further Amendment to Resolution

Mr. Collier suggested that the resolution be amended to strike out "Committee on Rules, for good cause, extends," and insert "Assembly on majority vote, for good cause, extends."

Mr. Miller stated that he would accept the amendment.

### Unanimous Consent to Correct Resolution

Speaker Brown suggested that Mr. Miller be permitted to make the corrections at the desk without submission of formal amendments; but that, in the future, formal amendments to any measure be required.

Mr. Miller was granted unanimous consent to come to the desk and make the corrections in the resolution.

### Corrections Read

Mr. Miller suggested that the corrections he had made be read.

Whereupon Speaker Brown read the corrections to the Assembly.

### Consideration of House Resolution No. 23, as Amended

By Mr. Miller:

### House Resolution No. 23

Relative to continuing the existence of Assembly Interim Committees

*Resolved by the Assembly of the State of California*, That each Assembly interim committee in existence immediately prior to the commencement of this session shall continue to exist with all the powers and duties it possessed at that time except that it may not conduct hearings outside Sacramento. The existence of each such committee shall terminate, and its final report shall be filed, by the thirtieth calendar day of the session unless the Assembly on majority vote, for good cause, extends the existence of the committee for a further period which shall not exceed 30 calendar days. Nothing contained in this resolution shall in any way invalidate the provisions of House Resolution No. 21.

Resolution, as amended, read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

## COMMUNICATIONS

The following letter of transmittal and report were presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report of Department of Education

STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION
SACRAMENTO, January 5, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*California State Legislature*
*State Capitol, Sacramento, California*

DEAR ASSEMBLYMAN BROWN: As required by Section 24210 of the Education Code the attached report concerning investigation made pursuant to Article 1 Chapter 2 Division 12 of the Education Code is submitted.

Sincerely yours,

ROY E. SIMPSON

## ANNUAL REPORT TO THE GOVERNOR AND TO EACH HOUSE OF THE LEGISLATURE

**January 5, 1959**

Since the diploma-mill legislation became effective July 23, 1958, the Department of Education found it necessary to confer with the author of the legislation, the Attorney General's Office, and the Legislative Counsel as to the intent and meaning of many provisions included in Sections 24201 through Section 24220 of the Education Code. Several conferences were held concerning this legislation.

It was necessary to give notification to all private schools in order that they would be aware of the requirements and could take the necessary steps to comply with the law. The department issued news releases to press associations and newspapers and distributed about 4,000 copies of the legislation and instructions to private schools.

Emergency regulations were drawn up, filed, and distributed. Innumerable problems were encountered necessitating the presenting of questions to the Attorney General's Office for interpretation. In accordance with the requirements of the Administrative Procedure Act, a public hearing on the emergency regulations was held on September 25, 1958, and such changes as deemed necessary were incorporated and filed on November 5, 1958.

Recommendations for clarification and implementation of the law will be made to the Legislature at a later date.

Investigations made to determine compliance with Article I, Chapter 2, Division 12 of the Education Code excluding schools applying for authorization under Section 24206(f) are as follows:

I. Verification of Affidavit—35
II. Verification of Appraisal—12
III. Verification of both Affidavit and Appraisal—16
IV. Investigations of schools claiming religious exemption—3
V. Investigations referred to the Attorney General's Office—2
VI. Report of violation to be submitted to the Attorney General's Office—1

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

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

**Assembly Bill No. 116:** By Messrs. Belotti, Meyers, Biddick, and Mrs. Davis—An act making an appropriation to the Department of Fish and Game for a salmon marking and release program, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 117:** By Mr. Belotti—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works

**Assembly Bill No. 118:** By Messrs. Munnell, Crown, Ralph M. Brown, Thelin, Don A. Allen, Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Cameron, Crawford, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Gaffney, Garrigus, Samuel R

Geddes, Hanna, Hawkins, House, Lowrey, Luckel, Lunardi, Masterson, McMillan, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, and Z'berg (By Request of the Governor)—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896 and 2899 of, and to repeal Sections 2674, 2742, 2794 and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 119:** By Messrs. Dills, Cunningham, Rumford, Grant, Don A. Allen, Backstrand, Bane, Bee, Belotti, Britschgi, Chapel, Mrs. Davis, Miss Donahoe, Messrs. Elliott, Frew, Garrigus, Hawkins, Hegland, House, Lanterman, Lowrey, Luckel, Meyers, Mulford, Pattee, Porter, Schrade, Thomas, Williamson, George A. Willson, and Charles H. Wilson—An act to add Section 11713.5 to the Business and Professions Code, relating to narcotics.

Referred to Committee on Judiciary.

**Assembly Bill No. 120:** By Mr. O'Connell—An act making an appropriation to the Governor for the employment of promotional and job survey specialists.

Referred to Committee on Social Welfare.

**Assembly Bill No. 121:** By Mr. O'Connell—An act to amend Sections 3043 and 3431.1 of the Welfare and Institutions Code, relating to residence qualifications for aid to the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 122:** By Messrs. Chapel, Lanterman, Elliott, Hawkins, Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Mrs. Davis, Mr. Dills, Miss Donahoe, Messrs. Francis, Frew, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Masterson, McMillan, Miller, Nisbet, Pattee, Schrade, Shell, Sumner, and Thomas—An act to repeal Section 3081.93 of the Civil Code, relating to loans secured by real property.

Referred to Committee on Judiciary.

**Assembly Bill No. 123:** By Messrs. Elliott, Hawkins, Chapel, Munnell, George E. Brown, Dills, Gaffney, Kennick, Kilpatrick, Lunardi, McMillan, Nisbet, O'Connell, Pattee, Porter, and Thomas—An act to amend Sections 2020, 2025, 3084, and 3472 of, and to repeal Section 2020.002 of, the Welfare and Institutions Code, relating to public assistance grants.

Referred to Committee on Social Welfare.

## PARLIAMENTARY INQUIRY

Mr. Unruh arose to the following parliamentary inquiry: Is the Speaker carrying out the policy of assigning resolutions to the committees concerned, instead of to the Committee on Rules?

### Reply by Speaker

The Speaker replied that he had not as yet established a policy, this being the first week of the session.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. House of Brawley to Edward Radamacker of Calipatria.

On request of Mr. Johnson of Los Angeles to Mr. and Mrs. George B. Vrionis of Sacramento, Mrs Arthur E. Worthington of Westwood, New Jersey, and Mrs. Sal Panettieri of Brooklyn, New York.

## ADJOURNMENT

At 10.50 a.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 11 a m., Monday, January 12, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, January 12, 1959

The Assembly met at 11 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God Our Father*, As we return to the labors of another week, we thank Thee for the comfort and inspiration of home and loved ones, and for stirring reminders from friends and those who are concerned about what we do here. We pray that the rest and renewal of these past days may enable us to more adequately meet the opportunities of this day. For the sake of those we represent and for the help of all whom we may serve, our Father, cleanse our hearts of selfish concerns and give us opinions based on sound knowledge and true understanding.

Graciously guide, keep, and sustain the President of the United States, the Governor of this State, and lawmakers in both State and Nation; through Jesus Christ, Thy Son, our Lord—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Dahl, on motion of Mr. Bee.

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

Mr. Backstrand, on motion of Mr. Pattee.

Mr. Hegland, on motion of Mr. Schrade.

Mr. Francis, on motion of Mr. Britschgi

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Bradley, on motion of Mr. Bruce F. Allen.

Mr. Ernest R Geddes, on motion of Mr. Shell.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

### Telegram

POMONA, January 12, 1959

*Arthur Ohnimus*
*Chief Clerk, State Capitol*
*Sacramento, California*

Please excuse, personal business. Waive per diem.

ERNEST R. GEDDES

The following communications were presented by the Chief Clerk from:

Lillian Freeman Hoover of Long Beach, relative to capital punishment. Referred to the Committee on Judiciary.

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Mrs. J. P. Smith of Monrovia, relative to capital punishment. Referred to the Committee on Judiciary.

## ANNOUNCEMENT

Mr. Collier announced that he had at his desk a resolution requesting the N. C. A. A. to reconsider its action relative to the University of Southern California, and invited all members who so desired to affix their signatures to the resolution as co-authors.

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report on Financial Support of Public School System

DEPARTMENT OF EDUCATION
SACRAMENTO, January 8, 1959

*Hon Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento, California*

DEAR ASSEMBLYMAN BROWN. We have the pleasure of transmitting to you, and through you to the Members of the Assembly, a report on the financial support of our California Public School System.

This report is made pursuant to Section 46 of Chapter 1073, Statutes 1957, which requested the State Department of Education to report at the beginning of the 1959 Regular Session "concerning the operation, effect, administration, adequacy, and needed revision of laws relating to the subject of the support of the Public School System, including in the report its recommendations for appropriate legislation."

Should you and your colleagues in the Assembly have any questions concerning this report, we shall be most happy to discuss them with you.

Sincerely,

ROY E. SIMPSON

Encl.

Above transmitted report ordered filed with the Secretary of State.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Winton was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal; and that 1,000 copies of the Final Report of the Subcommittee on Fairs and Expositions of the Assembly Interim Committee on Agriculture, be ordered printed as a separate document.

### LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON AGRICULTURE
ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, January 5, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly; and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: In accordance with House Resolution No. 236, 1957 Regular Session of the California Legislature, the Assembly Interim Committee on Agriculture submits its report for the interim period.

Pursuant to House Resolution 331, a Subcommittee on Public Lands, Grazing and Forest Practices of the Assembly Interim Committee on Agriculture was created. This subcommittee has not been activated during the interim period and therefore has no report to make.

Assembly Bill No. 3908, relating to the use of chemicals for control of field rodents, was referred to the full committee for interim study. Due to the lack of interest of those immediately concerned with the bill, the subject matter was not studied by the committee.

The following report is that of the Subcommittee on Fairs and Expositions of the Assembly Interim Committee on Agriculture. The report includes an explanation of the major subjects studied, together with findings and the subcommittee's recommendations, including the subject matter of Assembly Bill No. 263, relating to free admissions at state, district, county, and citrus fruit fairs; Assembly Bill No. 267, which would abolish the Board of Directors of the California State Fair; and Assembly Bill No. 3740, concerning the California State Fair and Exposition.

Respectfully submitted,

WILLIAM W. HANSEN, Chairman

### SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON AGRICULTURE
SACRAMENTO, January 5, 1959

*Hon. William W. Hansen, Chairman*
*Assembly Interim Committee on Agriculture*
*Room 3100, State Capitol*

DEAR MR. HANSEN: The following is the report of the Subcommittee on Fairs and Expositions to the full committee. Matters studied are described in this report under "Scope of Report."

Your subcommittee sets forth in this report its findings and recommendations relating to the matters studied and is confident that the same will be valuable to the Legislature in its consideration of these matters.

The chairman desires to express his sincere appreciation for the co-operation he has received from the members of the subcommittee. The chairman and the committee members are grateful for the assistance and co-operation they received from witnesses appearing before the committee and to other persons who made valuable contributions to the subcommittee's report.

Respectfully submitted,

H. W. KELLY, Chairman,
Subcommittee on Fairs and Expositions
WILLIAM BIDDICK, JR
RALPH M. BROWN

SAMUEL R. GEDDES
JAMES L. HOLMES
JACK SCHRADE
GORDON H. WINTON, JR.

### ANNOUNCEMENT

Speaker Brown announced that copy for the revised pamphlet listing the Members of the Legislature and other state and congressional officers was ready for printing, and requested that any members who desired changes in their addresses contact the Chief Clerk.

### ADDRESS BY SPEAKER

Speaker Brown then addressed the Assembly as follows:

*Members of the Assembly:*

Last week when you elected me as your Speaker I promised to say a few words at a later date because of so many speeches you would have to hear that day.

Now that I have completed one week of my services as Speaker, I want to publicly thank each and every one for your support in electing me to this most important position. I shall always value this confidence and shall at all times endeavor to uphold the dignity and honesty which is a requisite of this honor.

I am sure that Mr. Bee, as your pro Tempore, with whom I am well pleased, will always work with me in the operation of an efficient administration.

As to committee appointments, may I say that I am doing my best to complete the assignments. It has not been easy. The appointment of a member to not more than three committees has been my goal—such a policy having been widely accepted by your letters and conversation to me during the last few weeks. The forms which you filled out for Mr. Ohnimus were given to me for the first time last Monday. Some of you have changed your minds as to your requests. These requests I am trying to follow. But I want you to know it is not easy. It is necessary to eliminate committee conflicts, divide up membership where feasible on a North-South basis, on a party basis, and other qualification requirements. Some committees have very few if any requests. Everyone wants to be on Ways and Means and Revenue and Taxation.

For example, no one wants on Engrossing and Enrolling except Mr. Burke and he selected it as his sixth choice. Some have been good soldiers and have stated they will serve wherever I put them. I like this because I have been in the same situation.

You have reported to me that you would like to have our committee meetings in the afternoon and not at night. This should complete our business during business hours. I think this will be good for the people of California. It will eliminate the problems of quorums at night, and still provide plenty of time for work.

Cutting the size of committees has been approved Some will have to serve on four committees, due to the estimated workload of certain committees.

The division of Conservation and Planning into Water, and Natural Resources, as well as dividing Judiciary into Criminal Administration and Civil Judiciary, has received 100 percent approval. I approve of such a rule change.

These changes will result in better work on one bill, rather than poor work on five bills.

So bear with me as I complete this task. I can only do my best and that is what I am going to do. Everyone cannot, nor should he or she expect, to get everything he wants. If this were the case I might have been Speaker in my first term.

We will be going through trying times for the next five months. I shall endeavor to be fair to every member. I shall try to recognize every member on this floor when recognition is asked. It will be difficult, as it is easy to see the Speaker, but difficult for the Speaker to watch the sideline members, such as Mr. Porter and Mr. Unruh. Last week I asked the members, when they obtain recognition, to tell the Speaker the purpose for which they rise, if other than speaking on the very matter under consideration. This will save time—my time and yours. Let us try this.

To keep everyone informed, let me show you a phone at my desk. Only last Friday did I learn how to run it It is not connected to Governor Brown's Office, but is an intercom to my secretary's office so I can get something from my office without having to leave the rostrum.

Throughout this building are loudspeakers which carry the happenings of the House. I have one in my office; there are speakers in the

lounge, in the newspaper offices, and so forth. So, if I am not on the rostrum, but in my own office, I can keep my ear on the proceedings at all times.

On occasions I will be absent for the day. As you may know, the Speaker is a member of the Board of Regents, and other official bodies, and when I go, I know the shop will be in good hands with Carlos Bee as pro Tempore.

It will be my suggestion, after watching the photographers go wild on inaugural day, to propose to Mr. Behrens, President of the Capitol News Association, that he take up this problem with the cameramen to prevent future incidents of this kind I am going to suggest that he discuss the possibility of organizing the cameramen into a limited group, similar to the arrangements that now exist with the newsmen. In this way there will be a limited number of cameramen taking pictures but none will be deprived of coverage because, through the association arrangements, the photographs will be available to all. If this suggestion is adopted we will certainly eliminate the unauthorized and amateur photographers who cluttered up the rostrum during the Inaugural Ceremonies.

The general rule is that no pictures are to be taken during a session, but on extraordinary occasions there should be some restraint when the rule is waived for such affairs.

I hope that each of you will discuss your problems with the Speaker. I want to help each member as far as his district is concerned, as well as the State of California.

In closing may I suggest that we at all times endeavor to show to the people of California that we are a group of distinguished people; that we will serve them in an honest and forthright manner, and that they, in the end, will realize the sacrifices we are making, not only financially but as to our health and other considerations, and that we love our work.

## MESSAGES FROM THE GOVERNOR

The following message from the Governor was this day received:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 2, 1959

*To the Members of the Senate and Assembly*
*of the State of California*

In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a Report of the Cases of Pardon, Commutations of Sentence and Reprieve issued by me from February 3, 1958, to January 5, 1959.

Respectfully submitted,

GOODWIN J. KNIGHT, Governor

# ACTS OF EXECUTIVE CLEMENCY OF CALIFORNIA

## Granted for Period February 3, 1958, to January 5, 1959

## PARDONS AND COMMUTATIONS ISSUED BY GOODWIN J. KNIGHT

### PARDONS

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

CHARLES WALTER BENNETT, San Quentin Nos 49632 and 61256, was convicted of the crime of attempted robbery in Sacramento County during February, 1931 He served approximately 2 years 7 months in prison and 2 years 8 months on parole, being discharged therefrom May 13, 1936. He was thereafter convicted of the crime of petit theft with prior conviction in the City and County of San Francisco during December, 1937. He served approximately 2 years 1 month in prison and 5 months on parole. On June 15, 1940, he was returned to finish his term in prison and was discharged therefrom December 15, 1940. Certificate of rehabilitation issued September 12, 1956, by the Superior Court of the City and County of San Francisco. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted December 19, 1958.

WALLACE J. BOUTIN, also known as Jerome W. Boutin, California State Prison No. A-3904, pleaded guilty to the crime of burglary second degree in Los Angeles County during May, 1946. He served approximately 1 year 5 months in prison and 1 year 6 months on parole, being discharged therefrom on April 18, 1949. Certificate of rehabilitation issued November 25, 1957, by the Superior Court of Contra Costa County. Granted July 30, 1958.

LOUIS BUCCKRE, also known as Louis Bucchierre, San Quentin No 69616, was convicted of the crime of violation of Section 182 of the California Penal Code (Conspiracy to Violate Section 1581 of the Labor Code) in the County of San Francisco during March, 1943. He served approximately 6 months in prison, being discharged therefrom September 29, 1943. Certificate of rehabilitation issued August 1, 1958, by the Superior Court of San Francisco County. Granted December 18, 1958.

JOHN F. BULGAR, also known as John Bulgar, San Quentin No. 60432, pleaded guilty to the crime of grand theft in Santa Clara County during May, 1937. He served approximately 2 years 1 month in prison and 1 year 6 months on parole, being discharged therefrom December 14, 1940 Certificate of rehabilitation issued July 1, 1958, by the Superior Court of Santa Clara County. Granted December 18, 1958.

ANTONIO G. CARCIONE, San Quentin No. 53854, was convicted of the crime of arson two counts in Santa Clara County during March, 1933 He served approximately 2 years 1 month in prison and 2 years 1 month on parole, being discharged therefrom on May 20, 1937. Certificate of rehabilitation issued October 25, 1957, by the Superior Court of Santa Clara County. Granted July 30, 1958.

JUAN CASTRO, Folsom No. 7275, pleaded guilty to the crime of robbery in San Joaquin County during April, 1909. He served approximately 7 years 9 months in prison and 7 years 4 months on parole, being discharged therefrom on May 4, 1924. Certificate of rehabilitation issued November 7, 1957, by the Superior Court of San Francisco County. Granted July 30, 1958.

EARL P. CHRISTESON, California State Prison No. A-8228, was convicted of the crime of grand theft four counts in Los Angeles County during January, 1948. He served approximately 2 years 6 months in prison and 2 years 6 months on parole, being discharged therefrom on January 31, 1953. Certificate of rehabilitation issued June 29, 1955, by the Superior Court of Los Angeles County. Granted December 22, 1958.

VETRO CLARIZO, also known as Vito Clarizio, San Quentin No. 51627, was convicted of the crime of manslaughter in Stanislaus County during February, 1932. He served approximately 4 years 7 months in prison and 1 year 6 months on parole, being discharged therefrom on March 1, 1938. Certificate of rehabilitation issued July 29, 1957, by the Superior Court of San Joaquin County. Granted July 30, 1958

FLOYD DENNIS CLARK, also known as Floyd Clark, San Quentin No A-3424, pleaded guilty to the crime of burglary second degree in Santa Cruz County during March, 1946. He served approximately 1 year 11 months in prison and 1 year 10 months on parole, being discharged therefrom December 25, 1949. Certificate of rehabilitation issued August 25, 1958, by the Superior Court of Contra Costa County. Granted December 18, 1958.

MATEO CONTRERAS, Folsom No 6595, was convicted of the crime of manslaughter in Los Angeles County during October, 1906. He served approximately 6 years 8 months in prison, being discharged therefrom June 20, 1913. Certificate of rehabilitation issued September 2, 1958, by the Superior Court of Kings County. Granted December 18, 1958.

CLINTON F. COVERT, San Quentin No 57685, pleaded guilty to the crime of grand theft two counts in Shasta County during May, 1935. He served approximately 1 year 10 months in prison and 1 year 9 months on parole, being discharged therefrom on December 20, 1938. Certificate of rehabilitation issued February 10, 1958, by the Superior Court of Sacramento County. Granted July 30, 1958

MARK HENRY DAVIS, San Quentin No. 38817, was convicted of the crime of grand larceny in Los Angeles County during January, 1924. He served approximately 1 year 2 months in prison and 1 year 10 months on parole, being discharged therefrom January 2, 1927. Certificate of rehabilitation issued June 23, 1958, by the Superior Court of Los Angeles County. Granted December 18, 1958.

MARY ANN DITTMAR also known as Mary Ann Lantz, California Institution for Women No. 1294, pleaded guilty to the crimes of auto theft three counts in Alameda County during May, 1949. She served approximately 3 years 2 months in prison and 1 year 10 months on parole, being discharged therefrom on May 13, 1954. Certificate of rehabilitation issued August 12, 1958, by the Superior Court of Alameda County. Granted December 18, 1958.

ENGELBERT B. ERICHSEN, California State Prison No. A-16106, pleaded guilty to the crime of embezzlement and falsification of accounts in Santa Clara County during October, 1950. He served approximately 1 year 2 months in prison and 1 year 10 months on parole, being discharged therefrom on October 19, 1953. Certificate of rehabilitation issued November 29, 1957, by the Superior Court of Santa Clara County. Granted July 30, 1958.

JOE FERRI, also known as John Ferraris, San Quentin Nos. 30241 and 45362, was convicted of the crime of burglary second degree in Merced County during January, 1917. He served approximately 1 year 8 months in prison, being discharged therefrom September 20, 1918. He thereafter pleaded guilty to the crime of grand theft in Tulare County during May, 1928. He served approximately 1 year 4 months in prison and 1 year on parole, being discharged therefrom September 9, 1930. Certificate of rehabilitation issued January 13, 1958, by the Superior Court of San Joaquin County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted December 18, 1958.

EARL K. FLEMING, San Quentin No. 57102, was convicted of the crime of grand theft five counts in Los Angeles County during December, 1934. He served approximately 3 years in prison and 1 year 10 months on parole, being discharged therefrom on October 5, 1939 Certificate of rehabilitation issued December 21, 1956, by the Superior Court of Los Angeles County. Granted July 30, 1958.

CHARLES EDWARD GABLE, San Quentin No. 46844, pleaded guilty to the crime of robbery second degree in Monterey County during March, 1929 He served approximately 3 years in prison and 3 years 4 months on parole, being discharged therefrom on July 17, 1935. Certificate of rehabilitation issued December 21, 1956, by the Superior Court of Del Norte County. Granted July 30, 1958.

MELVIN V. GARRETT, San Quentin No. 61233, pleaded guilty to the crime of issuing checks without sufficient funds two counts in San Diego County during November, 1937. He served approximately 3 years 5 months in prison and 9 months on parole, being discharged therefrom January 23, 1942. Certificate of rehabilitation issued July 14, 1958, by the Superior Court of San Diego County. Granted December 18, 1958.

ANTONIO A. GONZALES, also known as Jose Garcia, also known as Ignacio Alvarez, San Quentin No. 27535, pleaded guilty to the crime of burglary second degree in San Joaquin County during May, 1914. He served approximately 2 years 1 month in prison, being discharged therefrom June 8, 1916. He thereafter was convicted of the crime of petty larceny in Sacramento County during January, 1918. He was sentenced to serve 6 months in the county jail. Certificate of rehabilitation issued August 27, 1956, by the Superior Court of Yolo County. Granted July 30, 1958.

JAMES MARGOLIS GORDON, also known as James Margolis, was convicted of the crime of grand theft seven counts and criminal conspiracy to cheat and defraud in Los Angeles County during February, 1946. He served approximately 2 years 2 months in prison and 1 year 7 months on parole, being discharged therefrom November 29, 1949. Certificate of rehabilitation issued September 16, 1958, by the Superior Court of Los Angeles County. Granted December 18, 1958.

EVERETT B GRAVES, also known as Thomas Jackson, Preston School of Industry No. 9892, San Quentin Nos 49981 and 67728, and Folsom Nos. 19249 and 24100, was convicted of the crime of issuing fictitious checks in Ventura County during October, 1929. He served approximately 1 year 2 months in prison and 3 months on parole, being discharged therefrom on March 1, 1931. He thereafter pleaded guilty to the crime of grand theft in Ventura County during March, 1931. He served approximately 2 years 11 months in prison being discharged therefrom on February 23, 1934. Thereafter he pleaded guilty to the crime of grand theft in Sacramento County during July, 1934. He served approximately 3 years 3 months in prison, being discharged therefrom on October 30, 1937. Thereafter he was convicted of the crime of burglary second degree in San Diego County during January, 1942. He served approximately 2 years 4 months in prison and 2 years 4 months on parole, being discharged therefrom on September 13, 1946. Certificate of rehabilitation issued January 28, 1958, by the Superior Court of Kings County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted July 30, 1958.

ARVO NIKOLAI HELLSTEN, San Quentin No. 56656, was convicted of the crime of manslaughter in Alameda County during September, 1934. He served approximately 1 year 9 months in prison and 1 year 6 months on parole, being discharged therefrom on December 23, 1937. Certificate of rehabilitation issued April 26, 1954, by the Superior Court of Alameda County. Granted December 22, 1958.

JOHN FRANK HOGUE, San Quentin No. 58151, pleaded guilty to the crime of violation of Section 288 of the Penal Code two counts in Los Angeles County during May, 1935. He served approximately 7 years 4 months in prison and 4 years 2 months on parole, being discharged therefrom November 5, 1946. Certificate of rehabilitation issued June 25, 1956, by the Superior Court of Marin County. Granted December 19, 1958.

HERMAN HOUTMAN, San Quentin Nos. 50683 and 61884, pleaded guilty to the crime of grand theft in Glenn County during August, 1931. He served approximately 2 years 8 months in prison and 1 year 10 months on parole, being discharged therefrom February 23, 1936. He thereafter pleaded guilty to the crime of petty theft, with a prior felony conviction in Tulare County during April, 1938. He served approximately 1 year 9 months in prison and 1 year 9 months on parole, being discharged therefrom October 2, 1941. Certificate of rehabilitation issued October 29, 1950, by the Superior Court of Tulare County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted July 30, 1958.

KIMBALL JENSEN, San Quentin No. 61687, pleaded guilty to the crime of grand theft in Santa Cruz County during March, 1938. He served approximately 1 year 9 months in prison and 1 year 10 months on parole, being discharged therefrom October 25, 1941. Certificate of rehabilitation issued January 22, 1958, by the Superior Court of Santa Cruz County. Granted July 30, 1958

CHESTER ARTHUR KING, San Quentin No. A-12031, pleaded guilty to the crime of burglary second degree in Ventura County during September, 1949. He served approximately 3 years in prison and 3 years on parole, being discharged therefrom September 29, 1955. Certificate of rehabilitation issued May 28, 1957, by the Superior Court of Ventura County. Pardon recommended by a majority of the justices of the California Supreme Court Granted July 30, 1958.

HYMAN MEYER LEIBSKER, also known as Hymen Sandy Meyers, San Quentin No. 46053, pleaded guilty to the crime of rape in Los Angeles County during October, 1928. He served approximately 4 years 1 month in prison and 1 year 6 months on parole, being discharged therefrom May 13, 1934. Certificate of rehabilitation issued January 28, 1958, by the Superior Court of Los Angeles County. Granted July 30, 1958.

WALTER R. LINDSEY, also known as W. R. Lindsay, San Quentin No. 40415, pleaded guilty to the crime of violating Section 476 of the Penal Code in Riverside County during February, 1925. He served approximately 2 years in prison and 1 year on parole, being discharged therefrom February 8, 1928. Certificate of rehabilitation issued May 9, 1958, by the Superior Court of Santa Clara County. Granted December 18, 1958.

BURNARD HENRY LUCE, also known as Bert Luce, San Quentin No. 61358, pleaded guilty to the crime of issuing checks without sufficient funds in Merced County during February, 1937, and was granted probation. He thereafter violated his probation and served approximately 2 years 1 month in prison and 2 years on parole, being discharged therefrom March 25, 1942 Certificate of rehabilitation issued October 16, 1957, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted July 30, 1958.

JOE MARABELLA, JR., also known as Joe Marbello, was convicted of the crime of robbery first degree in Los Angeles County during August, 1931. He served approximately 3 years 4 months in prison and 1 year 8 months on parole, being discharged therefrom June 22, 1936 Certificate of rehabilitation issued July 25, 1958, by the Superior Court of Riverside County. Granted December 18, 1958.

FRED MARRATTO, California State Prison No. A-9573, was convicted of the crimes of possession of narcotics and sale of narcotics in Los Angeles County during June, 1948. He served approximately 1 year 5 months in prison and 1 year 8 months on parole, being discharged therefrom on July 3, 1951. Certificate of rehabilitation issued May 18, 1955, by the Superior Court of Los Angeles County. Granted December 19, 1958.

DOROTHY McDONALD, California Institution for Women No. 1648, pleaded guilty to the crime of violating Section 11500 of the Health and Safety Code (transporting a narcotic) in San Joaquin County during January, 1952 She served approximately 1 year 5 months in prison and 2 years 10 months on parole, being discharged therefrom April 12, 1956. Certificate of rehabilitation issued September 30, 1957, by the Superior Court of Los Angeles County. Granted December 19, 1958.

WILLIAM BARRIOS MONGE, California State Prison No. A-18810, was convicted of the crime of violating Section 11500 of the Health and Safety Code in Los Angeles County during September, 1951. He served approximately 1 year 6 months in prison and 3 years on parole, being discharged therefrom March 8, 1955. Certificate of rehabilitation issued January 28, 1958, by the Superior Court of Los Angeles County. Granted July 30, 1958.

EUGENE ARTHUR NEWTON, San Quentin No. 57640, pleaded guilty to the crime of forgery in Humboldt County during October, 1930, and was granted 5 years on probation. He was thereafter convicted of violation of probation. He served approximately 1 year in prison and 1 year on parole, being discharged therefrom May 10, 1937. Certificate of rehabilitation issued March 23, 1956, by the Superior Court of Mendocino County. Granted December 22, 1958.

EMERSON OLIVER, San Quentin No. A-11825, pleaded guilty to the crimes of burglary second degree and forgery in Los Angeles County during April, 1949. He served approximately 1 year 7 months in prison and 1 year 5 months on parole, being discharged therefrom April 30, 1952. Certificate of rehabilitation issued August 8, 1957, by the Superior Court of Los Angeles County. Granted July 30, 1958.

HARRY EUGENE PAXTON, San Quentin No. A-1178, was convicted of the crime of murder second degree in Shasta County during February, 1945. He served approximately 2 years 4 months in prison and 2 years 6 months on parole, being discharged therefrom December 1, 1949. Certificate of rehabilitation issued May 16, 1958, by the Superior Court of Orange County. Granted December 18, 1958.

JOHN W. RICHARDSON, San Quentin No. 58763, was convicted of the crime of robbery first degree in Los Angeles County during February, 1936. He served approximately 4 years 1 month in prison and 1 year 11 months on parole, being discharged therefrom February 11, 1942. Certificate of rehabilitation issued October 22, 1956, by the Superior Court of Sacramento County. Granted July 30, 1958.

LESTER O. RUSSELL, San Quentin No. 26147, was convicted of the crime of manslaughter in Santa Barbara County during May, 1912. He served approximately 3 years 8 months in prison and 11 months on parole, being discharged therefrom December 26, 1916. Certificate of rehabilitation issued January 3, 1958, by the Superior Court of Sonoma County. Granted July 30, 1958.

IRA SANDEFUR, San Quentin No. A-8512, pleaded guilty to the crime of manslaughter in Contra Costa County during March, 1948. He served approximately 2 years in prison and 3 years on parole, being discharged therefrom March 3, 1953. Certificate of rehabilitation issued June 24, 1957, by the Superior Court of Contra Costa County. Granted July 30, 1958.

MOE BERNARD SHULMAN, San Quentin No. 33859, and Folsom No. 12501, pleaded guilty to the crime of violating Section 28, Motor Vehicle Act, in San Diego County during June, 1920. He escaped from San Quentin Prison and was returned on March 26, 1922, and transferred to Folsom Prison on March 2, 1923. He served approximately 4 years in prison, being discharged therefrom September 26, 1924. Certificate of rehabilitation issued October 25, 1956, by the Superior Court of San Francisco County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted July 30, 1958.

THOMAS MERRITT SIMMONS, San Quentin No. 62636, was convicted of the crime of murder second degree in San Diego County during July, 1938. He served approximately 9 years 9 months in prison and 3 years 9 months on parole, being discharged therefrom on January 24, 1952. Certificate of rehabilitation issued February 21, 1958, by the Superior Court of Los Angeles County. Granted December 18, 1958.

JEROME FROMAN SONKEN, also known as Jerome Froman Sonkin, California State Prison No. A-5707, pleaded guilty to the crime of robbery first degree in Los Angeles County during March, 1947. He served approximately 2 years 6 months in prison and 3 years 6 months on parole, being discharged therefrom March 5, 1953. Certificate of rehabilitation issued February 6, 1957, by the Superior Court of Los Angeles County. Granted December 19, 1958.

PATRICIA LOUISE STARKEY, California Institution for Women No. 1410, pleaded guilty to the crime of grand theft in Orange County during June, 1950. She served approximately 1 year 7 months in prison and 2 years 2 months on parole, being discharged therefrom March 6, 1954 Certificate of rehabilitation issued August 28, 1956, by the Superior Court of Orange County. Granted July 30, 1958.

WALTER STOKES, San Quentin No. 62345, pleaded guilty to the crime of assault with a deadly weapon in Santa Barbara County during August, 1938. He served approximately 2 years 6 months in prison and 2 years 3 months on parole, being discharged therefrom May 1, 1943. Certificate of rehabilitation issued October 1, 1957, by the Superior Court of San Francisco County. Granted July 30, 1958.

RICHARD IRVING STONE, San Quentin No. A-15728, pleaded guilty to the crime of grand theft four counts in San Francisco County during August, 1950. He served approximately 1 year 4 months in prison and 3 years 8 months on parole, being discharged therefrom August 25, 1955. Certificate of rehabilitation issued July 9, 1956, by the Superior Court of San Francisco County. Granted July 30, 1958.

ALPHONSE C. VELLA, California State Prison No. A-20993, pleaded guilty to the crime of violation of Section 337a (Subsection 2 of the Penal Code) (keeping a place for recording bets) in San Francisco County during April, 1952. He served approximately 9 months in prison and 3 months on parole, being discharged therefrom April 18, 1953. Certificate of rehabilitation issued November 18, 1957 by the Superior Court of Contra Costa County. Granted July 30, 1958.

ROBERT WELDON WELLS, also known as R. H. Wells, San Quentin No. 38180, pleaded guilty to the crime of forgery in Fresno County during July, 1923. He served approximately 2 years 10 months in prison and 4 months on parole, being discharged therefrom September 8, 1926 Certificate of rehabilitation issued January 22, 1958, by the Superior Court of Santa Cruz County. Pardon recommended by a majority of the justices of the California Supreme Court. Granted July 30, 1958.

## PARDONS

### Granted without reference to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, after favorable recommendations.

NEMECIO LOPEZ ACERO, also known as Demencio Lopez Acero, also known as Nemecio Acero-Lopez, Los Angeles Police Department No. 39070 and Los Angeles County Sheriff's Office Nos. 324978 and A-34662, pleaded guilty to the crime of violation of the Deadly Weapons Act in Los Angeles County during February, 1940, and was given a city jail sentence. He thereafter was convicted of the crime of burglary, second degree, in Los Angeles County during November, 1940, and was given a county jail sentence, suspended, and 3 years' probation. His probation was revoked and during February, 1944, he was remanded to the Sheriff of Los Angeles County to serve the 1-year sentence. In August, 1944, after serving approximately 6 months in the county jail, he was released to the custody of the United States Immigration authorities for deportation to Mexico. Pardon recommended by the Adult Authority and Thomas L. Ambrose, Judge of the Superior Court of Los Angeles County. Granted July 30, 1958.

RAYMOND ALVAREZ, San Quentin No. 51443, was convicted of the crime of murder, first degree, in Fresno County during September, 1931, and received a life sentence. He served 12 years in prison, being released on parole January 24, 1944. Pardon recommended by the Adult Authority and Melvin A. Willmirth, Sheriff of Fresno County. Granted July 30, 1958.

FRANCISCO ANGUIANO, Imperial County Jail No. 22065, pleaded guilty to the crime of petty theft in Imperial County during October, 1931. He served approximately 40 days in Imperial County Jail, being released therefrom on November 30, 1931. Pardon recommended by the Adult Authority. Granted July 30, 1958.

ARTHUR ASHLEY, San Quentin No. 59559, pleaded guilty to the crime of burglary, second degree, in Tulare County during November, 1936, and received an indeterminate sentence. He served approximately 2 years in prison, being discharged therefrom on November 16, 1938. Pardon recommended by the Adult Authority. Granted July 30, 1958.

SALVADOR RETOMOZA AYON, also known as Manuel Ayon Retamosa, also known as Manuel Retanoza, also known as Manuel Salvador Ayon Retamosa, Stockton Sheriff's Office No. 49888, was convicted of the crime of forgery in San Joaquin County during March, 1953. He served approximately 60 days in prison being discharged therefrom May 25, 1953. Pardon recommended by the Adult Authority. Granted December 18, 1958.

WINDFIELD BARNES, San Quentin Prison No. 65602, pleaded guilty to the crime of murder, first degree, in Yolo County during September, 1940, and received a life sentence. He served approximately 7 years 6 months in prison and has been on parole approximately 10 years 7 months. Pardon recommended by the Adult Authority. Granted December 18, 1958.

BENJAMIN BLITZ, Youth Authority No. 10343, pleaded guilty to the crime of robbery, second degree, in Ventura County during April, 1949. He was paroled to New York State on November 13, 1949, and released from parole by the Youth Authority on July 11, 1952. Pardon recommended by the Adult Authority. Granted December 18, 1958.

JOSEPH B. BROWN, San Quentin No. 35530, pleaded guilty to the crime of murder, first degree, in Santa Clara County during November, 1921, and received a life sentence. He served 17 years in prison and was released on parole November 2, 1938. Pardon recommended by the Adult Authority and Frank J. Rao, State Parole Officer. Granted July 30, 1958.

DIMITRY BURKOVSKY, California Youth Authority No. 33233, pleaded guilty to the crime of burglary, second degree, four counts in Ventura County during January, 1958. His sentence was fixed at not to exceed his 25th birthday and he was paroled on November 13, 1958. Pardon recommended (on three of the four counts) by the Adult Authority. Granted December 18, 1958.

NICHOLAS CIRIMELE, San Quentin No. 62905, was convicted of the crime of murder, first degree, and robbery, second degree, in San Francisco County during December, 1938. He served 5 years and 5 months in prison and was released on parole to enter the United States Army on June 2, 1944. Pardon recommended by the Adult Authority and Twain Michelsen, Judge of the Superior Court, City and County of San Francisco. Granted July 30, 1958.

SHIRLEY REITER, now MRS. SHIRLEY CLARK, Torrance Police Department No 6382, pleaded guilty to the crime of petty theft in Los Angeles County during August, 1948. She posted $50.00 bail and bail was forfeited. Pardon recommended by the Adult Authority and P. G. Bennett, Chief of Police, Torrance. Granted July 30, 1958.

RICHARD R. COLYAR, San Quentin No. 54416, pleaded guilty to the crime of murder, first degree, two counts in Los Angeles County during June, 1933. He served 9 years 8 months in prison, being released on parole March 8, 1943. Pardon recommended by the Adult Authority. Granted December 19, 1958.

MICHAEL A. DeMATTEO, also known as Michael Albert DeMatteo, San Quentin No. A-17725, was convicted of the crime of assault with intent to do great bodily injury in San Diego County during May, 1951. He served approximately 1 year 3 months in prison, being discharged therefrom August 12, 1952. Pardon recommended by Adult Authority. Granted December 18, 1958.

RICHARD BRUDENELL DIBBLE, California State Prison No. A-3789, pleaded guilty to the crimes of robbery, first degree, and robbery, second degree, in Los Angeles County during May, 1946, and received indeterminate sentences. He served 2 years 4 months in prison and 2 years 9 months on parole, being discharged therefrom June 27, 1951. Pardon recommended by the Adult Authority and A. C. Stoner, Parole Supervisor, Board of Pardons and Paroles, State of Georgia. Granted July 30, 1958.

RODNEY DOUGLAS, San Quentin No. A-17173, pleaded guilty to the crime of violating Section 11500 of the Health and Safety Code in the City and County of San Francisco during March, 1951. He served approximately 1 year 6 months in prison and 1 year 3 months on parole, being discharged therefrom December 5, 1953. Pardon recommended by the Adult Authority and George M. Healy, Deputy Chief of Police, City and County of San Francisco. Granted December 18, 1958.

PHILIP L. DUNN, Los Angeles Police Department No. 86041, pleaded guilty to the crime of petty theft in Los Angeles County during September, 1946, and was placed on probation for 1 year and fined $250. He thereafter pleaded guilty to the crime of petty theft in Los Angeles County during December, 1947. His sentence was suspended and he was placed on probation for 1 year. He thereafter pleaded guilty to the crime of petty theft in Los Angeles County during February, 1949, and was sentenced to 90 days in jail. Thereafter he pleaded guilty to the crime of battery in Los Angeles County during May, 1954, and was sentenced to 30 days in jail, 25 of which were suspended. Pardon recommended by the Adult Authority. Granted July 30, 1958.

RAYMOND FLORES, also known as Ignacio Flores-Perez, Ramon Ignacio Flores and Daniel Gomez, San Quentin No 57804, was convicted of the crime of grand larceny in Los Angeles County during July, 1927, and served 14 months in the Preston School of Industry. He thereafter was convicted of the crimes of grand theft auto and violation of Section 146, California Vehicle Act, in Los Angeles County during May, 1931, and served 4 months in the Preston School of Industry. He thereafter was convicted of the crime of violation of Section 146, California Vehicle Act, in Los Angeles County during July, 1933, and paid a fine of $1,000. Thereafter he pleaded guilty to the crime of violation of Section 146, California Vehicle Act, in Los Angeles County during June, 1935. He served 3 years in prison, being discharged therefrom on June 22, 1938. Thereafter he pleaded guilty to the crime of violation of Section 503, Vehicle Code, in Los Angeles County during December, 1938, and was sentenced to 1 year in the county jail. On February 8, 1939, he was deported to Mexico. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted July 30, 1958.

ABRAHAM FOX, also known as Abe M. Fox and Abe Morris Fox, San Quentin No. A-30280, was convicted of the crime of pool-selling or bookmaking 4 counts, concurrent, in San Francisco County during June, 1951. He served approximately 6 months in prison and 6 months on parole, being discharged therefrom on August 26, 1955. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted December 18, 1958.

EARL WILLIAM GARRIOTT, California State Prison No A-26395, was convicted of the crime of robbery, first degree, in San Diego County during September, 1953. He served 1 year and 8 months in prison and 2 years 2 months on parole, being discharged therefrom on August 5, 1957. Pardon recommended by the Adult Authority. Granted July 30, 1958.

CLARENCE WILLIAM GOSNELL, Jr., Los Angeles County Sheriff's Office No. B-32909, pleaded guilty to the crime of contributing to the delinquency of a minor in Los Angeles County during August, 1947, and was sentenced to 1 day in the county jail. Pardon recommended by the Adult Authority. Granted July 30, 1958.

WONG GOW, also known as Wong Gowe, San Quentin No. 31928 and Folsom No. 18087, was convicted of the crime of murder, first degree, in Colusa County during July, 1918, and received a life sentence. He served 9 years 7 months in prison, being released on parole February 10, 1928. He thereafter violated his parole and was returned to prison where he served an additional 6 years 1½ months, being released on parole November 15, 1938. Pardon recommended by the Adult Authority. Granted July 30, 1958.

EDWARD A. HARRINGTON, San Quentin No. 69725, pleaded guilty to the crime of attempted burglary, first degree, in Los Angeles County during March, 1943. He served 1 year 3¼ months in prison, being discharged therefrom on July 30, 1944. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted July 30, 1958

LeROY HAYWOOD, San Quentin No 43255, pleaded guilty to the crime of murder, first degree, in Ventura County during February, 1927. He served 13 years and 9 months in prison, being released on parole November 4, 1940. Pardon recommended by the Adult Authority and William J Suytar, Sheriff of Ventura County Granted July 30, 1958.

LEONARDO HERNANDEZ, also known as Leonardo Hernandez Ojeda, also known as Lorenzo A Reyes, Los Angeles County Sheriff's Office No. 339944, pleaded guilty to the crime of assault with a deadly weapon in Los Angeles County during July, 1941. On August 13, 1941, he was released to the custody of the United States Immigration authorities for deportation. Pardon recommended by the Adult Authority. Granted July 30, 1958

JENSHIRO HIROSHIGE, San Quentin No. 63854, pleaded guilty to the crime of murder, first degree, in Los Angeles County during July, 1939, and received a life sentence. He served 10 years and 2 months in prison, being released on parole September 20, 1949. Pardon recommended by the Adult Authority. Granted July 30, 1958.

ALBERT L LEVINSON, California State Prison No. A-3642, pleaded guilty to the crime of attempted extortion in Los Angeles County during March, 1946. He served 1 year 5½ months in prison and 1 year 3½ months on parole, being discharged therefrom on January 27, 1949 Pardon recommended by the Adult Authority. Granted July 30, 1958

LIM LAM, also known as Lim Yen, San Quentin No. 52932 and Folsom No. 24487, pleaded guilty to the crime of murder, first degree, in San Francisco County during September, 1932. He served approximately 14 years in prison and was released on parole October 4, 1946. Pardon recommended by the Adult Authority Granted December 18, 1958

MICHAEL LOSACCO, San Quentin No 56732, pleaded guilty to the crime of murder second degree, in San Francisco County during October, 1934 He served 13 years in prison, and was released therefrom on life parole on October 20, 1947. Pardon recommended by the Adult Authority. Granted December 18, 1958.

THOMAS H. LOWRY, Los Angeles Sheriff's Office No. 189801, was convicted of the crime of grand theft three counts in Los Angeles County during September, 1933 He served 2 years on probation, being discharged therefrom September 17, 1935. Pardon recommended by the Adult Authority. Granted December 2, 1958

CHARLES WESLEY LYON, California State Prison No. A-30953, was convicted of the crimes of conspiracy and asking or receiving bribes by public officers in San Diego County during October, 1954 He served 2 years in prison and over 2 years on parole with an excellent record and paid a fine of $5,000. Granted December 19, 1958.

GUADALUPE HERNANDEZ MANCILLAS, also known as Guadalupe Hernandez, Folsom Prison No. 10423 and San Quentin Prison No. 31474, pleaded guilty to the crime of attempt to pass fictitious check in Imperial County during February, 1917 He served 1 year 3 months in prison and 5 months on parole, being discharged therefrom on October 8, 1918. Pardon recommended by the Adult Authority Granted July 30, 1958.

JOSEPH MASKI, also known as Joe Marr, San Quentin No. 58527, pleaded guilty to the crime of robbery, first degree, in the City and County of San Francisco during January, 1936. He served 4 years 1 month in prison, being released on parole February 27, 1940. On July 29, 1940, he returned to prison on his own volition and was discharged therefrom on March 5, 1941 Pardon recommended by the Adult Authority. Granted July 30, 1958.

WILLIAM McKENZIE, also known as Cyril Elson Shell, also known as William Thomas McKinley, San Quentin No. 17315, pleaded guilty to the crime of murder, first degree, in Calaveras County during July, 1931, and was sentenced to life. He served approximately 16 years in prison, being released on life parole August 27, 1947. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted December 18, 1958.

ARTHUR LEROY MEYER, San Diego County Sheriff's Office No 147775, was convicted of the crimes of conspiracy to commit assault and of assault by means likely to produce great bodily injury in San Diego County during August, 1956, and was placed on probation for a period of 10 years with detention of 3 months in the custody of the San Diego County Sheriff and who received a fine of $750.00. He served a total of 81 days in jail. Granted January 3, 1959.

JOHN RUSSELL MILLER, also known as John Miller, San Quentin No 59504, pleaded guilty to the crime of murder, first degree, in Humboldt County during September, 1936. He served approximately 14 years in prison, being released on parole on October 24, 1950. Pardon recommended by the Adult Authority Granted December 18, 1958.

MORRIS MITCHELL, Los Angeles County Sheriff's Office No. B-211693, was convicted of the crime of violating Section 476a of the Penal Code, 2 counts, in Los Angeles County during May, 1952. He was sentenced to 1 year in the county jail, 2 counts to run concurrently; sentence was suspended and he was granted 3 years probation, fined $100 and ordered to make restitution During November, 1953, probation was terminated and record of conviction expunged under Penal Code Sections 1203.3 and 1203.4. Pardon recommended by the Adult Authority. Granted July 30, 1958

MERITT J. NEWMAN, also known as Merrit Newman and Merritt Newman, California State Prison No. 20531, was convicted of the crime of murder, first degree, in Nevada County during September, 1936, and received a life sentence He served 12 years in prison, being released on parole September 27, 1948. Pardon recommended by the Adult Authority, Wayne Brown, Sheriff of Nevada County, and a majority of the justices of the California Supreme Court. Granted July 30, 1958.

MAX JAMES OSSLO, San Diego County Sheriff's Office No 147773, was convicted of the crimes of conspiracy to commit assault and of assault by means likely to produce great bodily injury, in San Diego County during August, 1956, and was placed on probation for a period of 10 years with detention of 6 months in the custody of the San Diego County Sheriff and who received a fine of $1,500.00 He served a total of 81 days in jail. Granted January 3, 1959.

GEORGE PANTELAS, also known as George S. Davis, San Quentin No. 47052, pleaded guilty to the crime of violation of Section 476a of the Penal Code, 6 counts, in Los Angeles County during February, 1928 He was granted 3 years probation and during May, 1929, his probation was revoked He served 2 years in prison and was paroled for deportation on June 3, 1931. He illegally re-entered the United States in 1940. A special bill passed by Congress in 1956 signed by President Eisenhower canceled deportation proceedings in this matter. Pardon recommended by the Adult Authority. Granted July 30, 1958.

MARGARET PRENDERGAST, also known as Margurite Prendergast, Los Angeles Sheriff's Office No. B-560464, pleaded guilty to the crime of issuing checks without sufficient funds with intent to defraud, two counts, in Los Angeles County during December, 1957, and January, 1958. She served approximately 6 weeks in Los Angeles County Jail, being discharged therefrom August 14, 1958. Pardon recommended by the Adult Authority. Granted December 18, 1958.

ELEONORE RAMBO, formerly Eleonore Grace, Contra Costa County Sheriff's Office No. 47406, pleaded guilty to the crime of petty theft in Contra Costa County during March, 1950. She paid a fine of $150 and was granted 6 months probation Thereafter she pleaded guilty to the crime of petty theft in Yolo County during August, 1950, and was sentenced to serve 60 days in jail Sentence was suspended on the condition that she serve 2 years probation. Pardon recommended by the Adult Authority and Francis W Collins, District Attorney of Contra Costa County. Granted July 30, 1958.

ROBERT W. ROLLER, Folsom No. 18978, was convicted of the crime of robbery, first degree, in San Francisco County during February, 1934. He served approximately 3 years 3 months in prison, being released on parole May 24, 1937. His parole was revoked January 26, 1938; however, he was not returned to prison in California and on August 9, 1951, he was reinstated on parole and his term fixed to permit discharge on that date. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted December 18, 1958.

JACK F. ROSARIO, also known as Joe Ventura, also known as Francisco De La Pena, also known as Francisco Penia, Bakersfield Police Department No 8721, San Joaquin County Sheriff's Office No. 9820-V. Salinas Police Department No 790, pleaded guilty to the crime of petty theft in Kern County during October, 1934. He paid a fine of $180 and was sentenced to 90 days in county jail Subsequently he pleaded guilty to the crime of petty theft in San Joaquin County during October, 1935, and was sentenced to 180 days in the county jail. Thereafter he pleaded guilty to the crime of petty theft in Monterey County during June, 1938, and was sentenced to 180 days in the county jail, being discharged therefrom on parole October 24, 1938. Pardon recommended by the Adult Authority. Granted December 18, 1958.

JAMES SALINA, also known as James Salani, also known as James Salinas, San Quentin No. 25895 and Folsom No. 10020, was convicted of the crime of burglary, second degree, in Sacramento County during July, 1912. He served 3 years 1 month in prison and was released on parole August 28, 1915. Thereafter he was convicted of the crime of murder, first degree, in the City and County of San Francisco during March, 1916. He served 19 years in prison and was released on parole March 9, 1935. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted July 30, 1958.

RUDOLPH SALLI, also known as Rudolph Salli Koske, San Quentin No. 35304 and Folsom No. 15585, pleaded guilty to the crime of burglary in San Francisco County during August, 1921, and was granted 1 year on probation. During August, 1921, he pleaded guilty to the crime of forgery in Mendocino County. He served 1 year 7 months in prison and 9 months on parole, being discharged therefrom on January 4, 1924 Thereafter he was convicted of the crime of burglary, second degree, in Los Angeles County and received an indeterminate sentence. He was released on parole on February 28, 1932, after serving 3 years 1½ months in prison. On January 28, 1935, he was declared a technical parole violator It was later learned that he had returned to Finland in 1932, and was brought back to the United States in 1950 as a political refugee and thereafter deported because of his criminal record His term, therefore, was refixed to permit discharge as of March 21, 1952. Pardon recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Granted July 30, 1958

TONY P. SOUZA, San Quentin Nos. 35636 and 70804 and Folsom Nos 14598, 22614, and 24069, was convicted of the crime of burglary, second degree, in Humboldt County during September, 1939. He was adjudged an habitual criminal and received a life sentence During December, 1941, he was taken out to court in Alameda County where he pleaded guilty to the crime of attempted burglary, second degree He was returned to prison and served 8¼ years, being released on parole on March 26, 1948 Pardon recommended by the Adult Authority, R. W. Bonetti, Judge of the Washington Judicial District, Broderick, and a majority of the justices of the California Supreme Court. Granted July 30, 1958.

CLIFFORD J. THOMPSON, San Diego County Superior Court case No 65437, pleaded guilty to the crime of grand theft in San Diego County during October, 1930, and was granted 2 years on probation on condition that he serve the first 60 days in the County Road Camp and make restitution On May 5, 1931, an Order Dismissing Information Against Probationer was issued by the Superior Court of San Diego County which terminated the probation and dismissed the charge. Pardon recommended by the Adult Authority. Granted July 30, 1958.

ADOLFO JIMENES TORRES, also known as Adolfo Torres Jimenez, Los Angeles County Sheriff's Office Nos B-88984 and B-136066, pleaded guilty to the crime of petty theft in Los Angeles County during May, 1950, and was granted 3 years on probation, the first 30 days to be served in the county jail. Thereafter he pleaded guilty to the crime of violating Section 504 of the Vehicle Code in Los Angeles County during February, 1951, and was granted 2 years on probation with 6 months in the county jail suspended Pardon recommended by the Adult Authority. Granted July 30, 1958.

X. L WASHINGTON, San Quentin No. 50255, was convicted of the crime of murder, first degree, in Los Angeles County during September, 1930, and was given a life sentence. He served 12 years in prison and was released on parole May 14, 1943. Pardon recommended by the Adult Authority. Granted July 30, 1958.

## COMMUTATIONS OF SENTENCE

REMMEL WAYNE BRICE, San Quentin No. A-9550-B, was convicted of the crime of murder, first degree, in Los Angeles County during November, 1956. Commutation of sentence to life imprisonment without possibility of parole recommended by a majority of the justices of the California Supreme Court. Commutation of sentence to life imprisonment without possibility of parole granted August 9, 1958.

FLORENCIO CASTILLO, also known as Florencio de los Santos Castillo, San Quentin No. 58624, pleaded guilty to the crime of murder, first degree, in Contra Costa County during January, 1936, and received a life sentence. He served approximately 7 years 7 months in prison and was released on parole February 15, 1951. Commutation of sentence to time served recommended by the Adult Authority. Commutation of sentence to time served granted December 18, 1958.

WILBERT FELIX FRIEND, San Quentin No. A-33863-A, was convicted of the crime of murder, first degree, in San Diego County in 1936. Commutation of sentence to life imprisonment without possibility of parole recommended by a majority of the justices of the California Supreme Court Commutation of sentence to life imprisonment without possibility of parole granted October 7, 1958.

GEORGE T. GIBBONS, San Quentin No. 58124, was convicted of the crime of murder, first degree, in Imperial County during September, 1935, and received a life sentence. He served approximately 14 years in prison and was released on parole September 28, 1949. Commutation of sentence to time served recommended by the Adult Authority. Commutation of sentence to time served granted July 30, 1958.

CLIFFORD JEFFERSON, San Quentin No. A-1742-B, was convicted of the crime of assault by a person serving a life term in a state prison upon another in Sacramento County during September, 1955. Commutation of sentence to life imprisonment without possibility of parole recommended by a majority of the justices of the California Supreme Court. Commutation of sentence to life imprisonment without possibility of parole granted June 26, 1958.

ALBERT LIPP, California State Prison No. 62197, was convicted of the crime of murder, first degree, in Los Angeles County during June, 1938, and received a life sentence. He served approximately 6 years 5 months in San Quentin Prison and was then transferred to the California Institution for Men where he served 6 years 1 month, being released on life parole January 12, 1951. Commutation of sentence to time served recommended by the Adult Authority and a majority of the justices of the California Supreme Court. Commutation of sentence to time served granted December 18, 1958.

VINCENT LUCICH, San Quentin Nos. 27467 and 48796 and Folsom No. 16966, was convicted of the crime of murder, first degree, and prior felony conviction in Marin County during July, 1930, and received a life sentence. He served 17 years in prison and was released on parole July 14, 1947. Commutation of sentence to time served recommended by the Adult Authority, Charles W. Dullea, former Captain of Detectives, San Francisco Police Department, and a majority of the justices of the California Supreme Court. Commutation of sentence to time served granted December 19, 1958.

JOHN W. OSBORNE, Folsom No. 22433, San Quentin No. 65403, was convicted of the crime of murder, first degree, in Placer County during June, 1939, and received a life sentence. He served approximately 10 years 9 months in prison and was released on parole March 27, 1950. Commutation of sentence to time served recommended by the Adult Authority. Commutation of sentence to time served granted July 30, 1958.

HOMER DAVID RODGERS, San Quentin No. 55091 and Folsom No. 24385, was convicted of the crime of murder, first degree, in Los Angeles County during September, 1932, and received a life sentence. He served approximately 11 years in prison and was released on parole December 2, 1944. Commutation of sentence to time served recommended by the Adult Authority. Commutation of sentence to time served granted December 18, 1958.

ROBERT SCHENK, San Quentin Nos. 36847 and 59663 and Folsom Nos. 14611 and 20818, was convicted of the crimes of robbery, first degree, with three prior felony convictions, two counts; assault with a deadly weapon, with three prior felony convictions; and violation of Section 2, Chapter 339, Statutes of 1923 (Gun Law) with two prior felony convictions in San Francisco County during December, 1936. He was adjudged an habitual criminal and received three life sentences and a sentence of 1 to 5 years, all to run consecutively. He served 12½ years in prison

and was released on parole June 7, 1949. Favorable recommendations were received from the Adult Authority, public defender, and California State Supreme Court. Commutation of sentence to time served granted July 30, 1958.

## REPRIEVE

REMMEL WAYNE BRICE, San Quentin No. A-9550B, convicted of the crime of murder, first degree, in Los Angeles County. Four months reprieve to July 21, 1958, granted for the purpose of further investigation.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller (by request of Speaker Brown):

### House Resolution No. 24

Relative to amending Rule 16 of the Temporary Rules of the Assembly

*Resolved by the Assembly of the State of California,* That Rule 16 of the Temporary Rules of the Assembly is amended to read as follows:

16. ~~Twenty-four~~ *Twenty-six* standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Engrossment and Enrollment
3. ~~Conservation~~ *Natural Resources*, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Government Organization
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military and Veterans Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. ~~Judiciary~~ *Judiciary—Civil*
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce
24. Livestock and Dairies
25. *Criminal Procedure*
26. *Water.*

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 24 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus,

Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

### Speaker pro Tempore Presiding

At 11.23 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## ADDRESS BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee then addressed the Assembly.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Bruce F. Allen and Miller:

### House Resolution No. 25

Relative to the continuance of the Assembly Interim Committee on Judiciary

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

1. The Assembly Interim Committee on Judiciary, created by House Resolution No. 224 of the 1957 Session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature *including any recess, until* March 16, 1959, *with authority to file its final report* not later than March 16, 1959.

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

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

### Request for Unanimous Consent

Mr. Bruce F. Allen was granted unanimous consent to take up House Resolution No. 25 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOES—None.

By Messrs. Burton and Masterson:

### House Resolution No. 26

Relative to welcoming Alaska as the 49th State in the Union

WHEREAS, The people of the Territory of Alaska, in the Special Referendum of August 26, 1958, declared their ardent desire for admission, as a state, to the Union of the United States of America; and

WHEREAS, With the firmness and straightforwardness characteristic of America's pioneer people, the people of the Territory of Alaska reaffirmed their desire for statehood in the pre-statehood election of November 25, 1958; and

WHEREAS, The President of the United States, Dwight D. Eisenhower, signed the Proclamation admitting Alaska to statehood on January 3, 1959; and

WHEREAS, California, as a fellow-western State, is particularly pleased to welcome and congratulate Alaska; and

WHEREAS, Californian Clair Engle was Chairman of the House of Representatives Committee on Interior and Insular Affairs at the time that committee recommended statehood for Alaska during the 1958 Session of Congress; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House takes pleasure in welcoming and congratulating Alaska as the 49th State in the Union; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to prepare and transmit a suitably prepared copy of this resolution to the following distinguished officials of the State of Alaska: The Honorable William A. Egan, the first Governor of the State of Alaska, the Honorable Hugh J. Wade, first Secretary of State of Alaska, the first United States Senators from Alaska, the Honorable Edward L. (Bob) Bartlett and the Honorable Ernest Gruening, the Honorable Ralph J. Rivers, the first Member of Congress from Alaska, and to the Alaska State Legislature; to the Honorable Clair Engle, United States Senator from the State of California.

Resolution read, and referred to the Committee on Rules.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 18:** By Messrs. Chapel, Dills, and Charles H. Wilson—Relative to approving a charter amendment to the charter of the City of Inglewood, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

### Request for Unanimous Consent

Mr. Chapel was granted unanimous consent to take up Assembly Concurrent Resolution No. 18 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

**Assembly Concurrent Resolution No. 18**—Relative to approving a charter amendment to the charter of the City of Inglewood, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 19:** By Mr. Masterson—Relative to approving a charter amendment to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa,

State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of June, 1958.

Request for Unanimous Consent

Mr. Masterson was granted unanimous consent to take up Assembly Concurrent Resolution No. 19 without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19

**Assembly Concurrent Resolution No. 19**—Relative to approving a charter amendment to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—69.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 20:** By Mr. Biddick—Relative to approving certain amendments to the charter of the City of Stockton, a municipal corporation in the County of San Joaquin, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held thereon on the fourth day of November, 1958.

Request for Unanimous Consent

Mr. Biddick was granted unanimous consent to take up Assembly Concurrent Resolution No. 20 without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 20

**Assembly Concurrent Resolution No. 20**—Relative to approving certain amendments to the charter of the City of Stockton, a municipal corporation in the County of San Joaquin, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held thereon on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride,

Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—69.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 21**: By Messrs. MacBride and Z'berg—Relative to approving charter amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

### Request for Unanimous Consent

Mr. MacBride was granted unanimous consent to take up Assembly Concurrent Resolution No. 21 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 21

**Assembly Concurrent Resolution No. 21**—Relative to approving charter amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

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

**Assembly Concurrent Resolution No. 22**: By Messrs. Collier, Shell, Cusanovich, Miller, Don A. Allen, George E. Brown, Chapel, Johnson, Kennick, Lanterman, McMillan, Porter, Thelin, Thomas, Unruh, and Charles H. Wilson—Relative to the probation of the University of Southern California by the National Collegiate Athletic Association.

Referred to Committee on Rules

**Assembly Concurrent Resolution No. 23**: By Mr. Miller—Relative to the continuance of the Joint Interim Committee on Water Resources Development Problems.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 24:** By Messrs. Charles H. Wilson, Shell, Porter, Thelin, Elliott, Hanna, Johnson, Lanterman, Munnell, and Unruh—Relative to the School of Education of the University of Southern California.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 2:** By Messrs. Busterud, Marks, Mulford, Bruce F. Allen, Britschgi, Crawford, Cusanovich, and Z'berg —Relative to statehood for Hawaii.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 6:** By Mr. Pattee—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 14 of Article I thereof, relating to eminent domain.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 124:** By Messrs. Grant and Kennick—An act to add Section 459.86 to the Vehicle Code, relating to parking privileges for disabled persons.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 125:** By Messrs. Grant, Kennick, and Winton—An act to amend Sections 3036 and 7151 of the Fish and Game Code, relating to licenses for disabled veterans.

Referred to Committee on Fish and Game.

**Assembly Bill No. 126:** By Messrs. Grant and Kennick—An act to add Section 6369 to the Revenue and Taxation Code, relating to exemptions under the sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 127:** By Messrs. Grant and Kennick—An act to amend Section 4004 of the Penal Code, relating to the removal of inmates from county jails.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 128:** By Messrs. Grant and Kennick—An act to amend Section 1397 of the Penal Code, relating to corporations.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 129:** By Messrs. Grant and Kennick—An act to amend Section 1392 of the Penal Code, relating to corporations.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 130:** By Messrs. Grant and Kennick—An act to amend Section 72050 of the Government Code, relating to the clerk of the municipal court.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 131:** By Messrs. Grant and Kennick—An act to repeal Section 72053 of, and to add Section 72053 to, the Government Code, relating to expenses of clerks, deputy clerks, commissioners and court reporters of municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 132:** By Messrs. Grant and Kennick—An act to amend Section 72069 of the Government Code, relating to the fee for preparing copies of records of municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 133:** By Messrs. Grant and Kennick—An act to amend Sections 1428 and 1428b of, and to repeal Section 1428a of, the Penal Code, relating to the keeping and destruction of records of inferior courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 134:** By Messrs. Grant and Kennick—An act to amend Sections 26721, 26722, 26725, 26738 and 26743 of the Government Code, relating to the fees of sheriffs and marshals.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 135:** By Messrs. Grant and Kennick—An act to and Section 26736 to the Government Code, relating to the fees of sheriffs, marshals and constables.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 136:** By Mr. Thomas—An act to amend Section 145 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 137:** By Mr. Thomas—An act to amend Section 145 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 138:** By Mr. Lowrey—An act to add Chapter 4 (commencing with Section 600) to Division 3 of the Harbors and Navigation Code, relating to registration, numbering, operation, and equipment of vessels.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 139:** By Mr. Lowrey—An act to add Section 19391 to the Government Code, relating to state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 140:** By Mrs. Davis and Mr. Lunardi—An act to add Section 233 to the Water Code, relating to water projects.

Referred to Committee on Water.

**Assembly Bill No. 141:** By Mrs. Davis and Mr. Lunardi—An act to add Section 1243 to, and amend Section 1257 of, the Water Code, relating to the use of water for recreation and the preservation and enhancement of fish and wildlife resources.

Referred to Committee on Fish and Game.

**Assembly Bill No. 142:** By Mrs. Davis—An act to amend Section 800 of the Labor Code, relating to lumber industries.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 143:** By Messrs. George E. Brown, Cameron, Elliott, Bane, and Hawkins—An act to add Part 4.1 (commencing at Section 1420) to Division 2 of the Labor Code, relating to discrimination in the employment of aged persons

Referred to Committee on Social Welfare.

**Assembly Bill No. 144:** By Messrs. George E. Brown, Cameron, Elliott, Bane, Hawkins, and McMillan—An act to amend Sections 2011, 2016, 2160, and 2163 of, to repeal Sections 2181, 2181.01, 2181.05, 2224, and 2224.1 of, the Welfare and Institutions Code, and to amend Section 206.7 of the Civil Code, relating to relatives' responsibility requirements in the Old Age Security Law.

Referred to Committee on Social Welfare.

**Assembly Bill No. 145:** By Messrs. George E. Brown, Bane, Elliott, and Hawkins—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care.

Referred to Committee on Social Welfare.

**Assembly Bill No. 146:** By Mr. Cunningham—An act to amend Section 7030 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 147:** By Mr. Cunningham—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation

**Assembly Bill No. 148:** By Miss Donahoe and Mr. Williamson—An act to add Section 8045 to the Education Code and Section 1010 to the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 149:** By Messrs. Luckel, Crawford, and Schrade —An act to amend Section 252 of the Vehicle Code, relating to the operation of motor vehicles.

Referred to Committee on Transportation and Commerce

**Assembly Bill No. 150:** By Mr. Elliott—An act to add Section 104.8 to the Welfare and Institutions Code, relating to the administration of public assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 151:** By Mr. Elliott—An act to amend Section 14108 of the Education Code, relating to the compensation of members of school district personnel commissions.

Referred to Committee on Education.

**Assembly Bill No. 152:** By Mr. Elliott—An act to add Section 2500.5 to, the Welfare and Institutions Code, relating to county aid and relief to indigents.

Referred to Committee on Social Welfare.

**Assembly Bill No. 153:** By Mr. Thelin—An act to amend Section 10493 of the Insurance Code, relating to insurance for participants in municipal playground activities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 154:** By Mr. Thelin—An act to add Section 25100.5 to the Government Code, relating to the clerk of the board of supervisors in counties of over 2,000,000 population.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 155:** By Messrs. Busterud, Mulford, Hawkins, Crawford, Bruce F. Allen, Rumford, and Z'berg—An act to amend Section 51 of the Civil Code, relating to rights of citizens to use places of public accommodation or amusement.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 156:** By Messrs. Biddick and Britschgi—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 157:** By Mr. Biddick—An act to amend Section 25827 of the Government Code, relating to counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 158:** By Mr. Charles H. Wilson—An act to add Section 7032 to the Business and Professions Code, relating to contractors' licenses.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 159:** By Mr. MacBride—An act to add Section 19828 to the Health and Safety Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 160:** By Mr. MacBride (By request)—An act to add Section 6545.5 to the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 161:** By Messrs. Winton and Nisbet—An act to amend Sections 35100, 35101, 35102, and 35106 of, to repeal Sections 35107, 35108, 35109, 35110, and 35111 of, to add Sections 35107, 35108, and 35109 to, and to amend and renumber Sections 35112 and 35113 of, the Water Code, relating to California water districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Assembly Bill No. 162:** By Mr. Belotti—An act to amend Section 335.5 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 163:** By Mr. Dills, Miss Donahoe, Messrs. Garrigus, and Porter—An act to add Section 4302.6 to the Government Code,

relating to the purchase, by public agencies, of printing presses not manufactured in the United States.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 164:** By Mr. Pattee—An act to add Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 to, and to amend Section 7560 of the Business and Professions Code, relating to employees of insurance adjusters.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 165:** By Mr. Pattee—An act to add Section 469 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 166:** By Mr. Ralph M. Brown—An act to add Chapter 3 8 (commencing at Section 20715) to Division 10 of the Education Code, and to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges, and making an appropriation therefor.

Referred to Committee on Education.

**Assembly Bill No. 167:** By Mr. Thelin—An act to amend Sections 25663 and 25663a of the Revenue and Taxation Code, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 168:** By Mr. MacBride—An act to amend Section 352 of the Code of Civil Procedure, relating to the statute of limitations.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 169:** By Mr. Bruce F. Allen—An act to amend Sections 9652 and 9653 of, and to add Section 9654 to, the Education Code, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 170:** By Messrs. Elliott and Kilpatrick—An act to add Sections 149 and 150 to the Streets and Highways Code, relating to highway improvements.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 171:** By Messrs. Elliott and Kilpatrick—An act to amend Section 200.1 of the Welfare and Institutions Code, relating to county aid to indigents.

Referred to Committee on Social Welfare.

**Speaker Presiding**

At 11.52 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 172:** By Messrs. Elliott and Kilpatrick—An act to add Sections 1515, 1515.1, and 1515.2 to the Military and Veterans

Code, relating to the duties of the California State Disaster Council with respect to the radioactive content of the atmosphere.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 173:** By Messrs Pattee and Coolidge—An act to add Chapter 3.8 (commencing at Section 20705) to Division 10 of the Education Code, and to add Article 12 (commencing at Section 25251) to Chapter 1 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to the expansion of publicly supported higher education by the establishment of a state college in the area of Monterey, Santa Cruz and San Benito Counties.

Referred to Committee on Education.

## APPOINTMENT OF COMMITTEE CHAIRMEN

Speaker Brown appointed the following committee chairmen:

Mr. Unruh, Chairman of the Committee on Ways and Means

Mr. MacBride, Chairman of the Committee on Revenue and Taxation.

Mr. Backstrand, Chairman of the Committee on Transportation and Commerce.

Mr. Rees, Chairman of the Committee on Finance and Insurance.

Mr Winton, Chairman of the Committee on Government Organization.

Mr. Bradley, Chairman of the Committee on Municipal and County Government.

Mr. Porter, Chairman of the Committee on Water.

Mr. Lowrey, Chairman of the Committee on Natural Resources, Planning, and Public Works.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 7, 1959

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

Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No. 3
Senate Concurrent Resolution No. 4

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Concurrent Resolution No. 2**—Relative to approving amendments to the charter of the City of San Bernardino, County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the third day of June, 1958.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 3**—Relative to extending the date for final report of the Joint Interim Committee on Water Resources Development Problems.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 4**—Relative to approving amendments to the charter of the City of Burbank, County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the third day of June, 1958.

Referred to Committee on Rules.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, January 5, 1959; Tuesday, January 6, 1959; Wednesday, January 7, 1959; and Thursday, January 8, 1959.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guest for this legislative day:

On request of Speaker pro Tempore Bee of Hayward to former Assemblyman Patrick McGee of Los Angeles.

## ADJOURNMENT

At 11.55 a.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 13, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, January 13, 1959

The Assembly met at 10 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Our Father God,* We are Thy children, the creatures of Thy hand. Thou hast entrusted to us this present day with its opportunities which will never come again. The occasion, the needs of the people of this State, laws for human betterment, these all await us. Little men cannot make big laws. A bad tree cannot bring forth good fruit. Grapes do not grow on thorns nor figs on thistles. We are driven back on Thee, Our God. We are not wise enough or good enough or strong enough. Make us channels of Thy wisdom, Thy goodness, and Thy strength, that we fail not our fellowman nor Thee.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Ralph M. Brown.

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

Mr. Dahl, on motion of Mr. Shell.

### COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Mark Sullivan of San Francisco, two communications relative to capital punishment. Referred to the Committee on Criminal Procedures.

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Clara Losee of Berkeley, relative to FEPC legislation. Referred to the Committee on Governmental Efficiency and Economy.

### ANNOUNCEMENT

Mr. Bee announced that the printer's error on page 23 of the Assembly History, which shows Mr. Busterud as Chairman of the Committee on Transportation and Commerce, would be corrected to properly show Mr. Backstrand as chairman of that committee.

### RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

#### House Resolution No. 27

Relative to the Committee on Rules

*Resolved by the Assembly of the State of California*, That the Committee on Rules is authorized to employ private counsel to defend any action brought against a committee of this House, or a member or employee of any such committee, whenever the Committee on Rules determines that the interest of the Assembly in protecting its ability to ascertain facts for legislative purposes requires the employment of such private counsel; and be it further

*Resolved*, That the Committee on Rules is authorized to expend for such purpose any funds allocated to it.

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 27 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—64

NOES—None.

By Miss Donahoe and Mr. Williamson:

#### House Resolution No. 28

Relative to the passing of the Honorable Jess R. Dorsey

WHEREAS, The Legislature of the State of California has lost one of its most distinguished Members in the passing of the late Senator Jess R. Dorsey; and

WHEREAS, The death of the Honorable Jess R. Dorsey ended the career of a man dedicated to public service which began in 1899 when he served as Clerk of the Assembly Ways and Means Committee; and

WHEREAS, The Honorable Jess R. Dorsey was a native of Missouri and became a resident of California at an early age where he received his education, having attended the elementary schools of Kern County and the Watsonville High School; and

WHEREAS, Following his graduation from Valparaiso University in Indiana in 1898, he was admitted to the Bar of California where he entered the private practice of law, first establishing a private law office in Randsburg and later in the City of Bakersfield which he maintained until his death; and

WHEREAS, The Honorable Jess R. Dorsey, as a dedicated public servant, rendered service with distinction in numerous and various capacities, having served in the Assembly for two terms from 1902 until 1907, following which he rendered service as City Attorney of Bakersfield and was later elected to the office of District Attorney for Kern County, where he served for two terms from 1917 to 1923; and

WHEREAS, In 1942 the Honorable Jess R. Dorsey was elected to the Senate for a term of office of four years and was re-elected to that high office in each of the following elections held in 1946, 1950, and 1954, after having won both party nominations in each primary election in which he was a candidate for State Senator; and

WHEREAS, His service to his community and to the State earned him the respect and everlasting gratitude of his fellow citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body feel a profound sense of bereavement in the loss of their colleague, and desire by this resolution to convey their heartfelt sympathy to the members of his family; and be it further

*Resolved*, That when the Assembly adjourns this day, it shall do so in honor of the memory of the Honorable Jess R. Dorsey; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to the members of the family of the Honorable Jess R. Dorsey.

Resolution read, and referred to the Committee on Rules.

By Messrs. Bane, Rees, Rumford, and Johnson:

**House Resolution No. 29**

Relative to a Subcommittee on Smog Control

WHEREAS, Legislation has been proposed to ban the sale of automobiles after January 1, 1961 unless they are equipped with devices to reduce or eliminate smog-producing discharges; and

WHEREAS, On Friday, January 16, 1959 four or more outstanding manufacturing firms will make reports on such devices to the annual meeting of the American Society of Automotive Engineers to be held in Detroit; and

WHEREAS, The Assembly should be fully informed concerning such devices in order that it may safeguard the public health through legislation properly designed to drastically reduce or eliminate the discharge by automobiles of smog-producing substances; and

WHEREAS, The Assembly Interim Committee on Public Health is now authorized to secure such information; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Health (created by House Resolution No. 219 of the 1957 Regular Session) is hereby authorized and directed to appoint a subcommittee to attend the meeting of the American Society of Automotive Engineers in Detroit on January 16, 1959, and there secure all available information concerning devices designed to replace or eliminate smog-producing discharges by automobiles, and to report thereon to the Assembly not later than February 15, 1959, including in its report its recommendations for appropriate legislation; and be it further

*Resolved*, That said subcommittee is hereby authorized to meet and act both within and outside the State of California in carrying out the duties imposed on it pursuant to this resolution

Resolution read, and referred to the Committee on Rules.

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

The following resolutions were offered:

**Assembly Concurrent Resolution No. 25**: By Mr. Miller—Relative to the new Flag of the United States of America.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 26**: By Mr. Williamson and Miss Donahoe — Relative to approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on November 4, 1958.

### Request for Unanimous Consent

Mr. Williamson was granted unanimous consent to take up Assembly Concurrent Resolution No. 26 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 26

**Assembly Concurrent Resolution No. 26**—Relative to approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on November 4, 1958.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### ANNOUNCEMENTS

Mr. McMillan announced that his bill to abolish capital punishment was ready for introduction, and invited all members who desired to become co-authors of the bill to come to his desk and affix their signatures.

Mr. Miller announced that, at previous sessions, it had been the practice many times to introduce duplicate bills in both the Senate and the Assembly; that this practice was, sometimes, necessary in the bifurcated sessions, but that it greatly increased the cost of printing for the legislative session.

Mr. Miller further announced that the last Joint Committee on Legislative Procedure had requested the Legislative Counsel to advise the committee if a rule which would deter the introduction of duplicate bills in both houses could be enforced, in order to provide a substantial saving in the cost of printing. The committee was advised that such a procedure could not be enforced by rule, but that it could be enforced informally by the members if they would refuse to accept a bill for introduction if it had previously been introduced in the other house.

Mr. Miller further announced that yesterday the Senate had announced that it would be the policy of the Senate, insofar as possible, to keep duplicate bills from being introduced; and he requested that

the Members of the Assembly adopt the same policy in accepting bills for introduction.

Speaker Presiding

At 10.17 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## APPOINTMENT TO JOINT INTERIM COMMITTEE

Speaker Brown appointed Mr. MacBride to the Joint Interim Committee on Highway Problems.

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

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

**Assembly Constitutional Amendment No. 7:** By Messrs. Collier and Ernest R. Geddes—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7.1 to Article IX thereof, relating to education.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 174:** By Messrs. Burton, Masterson, and Waldie—An act to amend Section 633 of, and to add Section 710 to, the Unemployment Insurance Code, relating to unemployment insurance coverage for municipal and county employees.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 175:** By Mr. Britschgi—An act to amend Section 69599 of the Government Code, relating to superior court judges of San Mateo County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 176:** By Messrs. Nisbet and House—An act to repeal Sections 31031 and 31031.5 of, and to add Section 31031 to, the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Assembly Bill No. 177:** By Messrs. Hanna and Miller—An act to amend Section 7108 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 178:** By Messrs. Hanna and Miller—An act to add Article 5.5 (commencing at Section 7078) to Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 179:** By Messrs. Hanna and Miller—An act to amend Section 7111 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 180:** By Mr. Conrad—An act to amend Sections 675, 687, 7014, 7131, 7134, 7135, 7607, 7608, 9102, 9850 and 9917 of the Elections Code, relating to tally sheets.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 181:** By Mr. Rumford—An act to amend Section 2733.5 of the Business and Professions Code, relating to temporary permits for nurses.

Referred to Committee on Public Health.

**Assembly Bill No. 182:** By Messrs. Munnell, Grant, Don A. Allen, Miller, Bane, Cameron, Chapel, Crawford, Cusanovich, Elliott, Kilpatrick, Porter, Rees, and Charles H. Wilson—An act to add Division 15 (commencing at Section 900) to the Vehicle Code and to add Division 19 (commencing at Section 43000) to the Vehicle Code as proposed by Assembly Bill No. 5, relating to motor vehicle antismog tax.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 183:** By Mr. Coolidge—An act to add Chapter 3 9 (commencing with Section 20720) to Division 10 of the Education Code, and to add Article 13 (commencing with Section 25210) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to the expansion of publicly supported higher education by the establishment of a state college in the area of Santa Cruz and San Benito Counties.

Referred to Committee on Education.

**Assembly Bill No. 184:** By Mr. Levering—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 185:** By Mr. Belotti—An act to amend Section 156 of, and to add Section 157.7 to, the Vehicle Code and to amend Section 4850 of, and to add Section 4854 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to license plates for vehicles and making an appropriation therefor.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 186:** By Messrs. Collier and Ernest R. Geddes—An act to add Article 5 (comprising Sections 220 to 232, inclusive) to Chapter 1, Division 1 of the Education Code, establishing a state college board and prescribing its functions.

Referred to Committee on Education.

**Assembly Bill No. 187:** By Mrs. Davis—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and Section 325 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

**Assembly Bill No. 188:** By Mr. Pattee—An act to repeal Sections 31, 32, 33 and 34 and Chapters 5 and 8, Part 2, Division 1 of the Insurance Code, to add Chapters 5 (commencing at Section 1621), and 8 (commencing at Section 1831), to Part 2, Division 1 of said code,

and to amend Sections 383.5, 766, 773, 783, 1760.5, 1765, 1776, 1813, 1821, 10252, 11101, 11102, 11103, 12280.2, 12281 and 12977 of said code, relating to the licensing of insurance producers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 189:** By Mr. Charles H Wilson—An act to amend Section 3.6 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Ch. 547, Stats. 1957), relating to the Los Angeles Metropolitan Transit Authority.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 190:** By Mr. Pattee—An act to amend Section 8014 of the Fish and Game Code, relating to weight receipts for fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 191:** By Messrs Luckel, Crawford, Schrade, and Hegland—An act to amend Sections 1370 and 1376 of the Harbors and Navigation Code, relating to pilotage in the Port of San Diego.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 192:** By Miss Donahoe—An act to amend Sections 8620, 8652, and 8674 of, to add Sections 8516, 8538, 8539, and 8540 to, and Article 6 5 (commencing at Section 8615) to Chapter 14 of Division 3 of, and to repeal Sections 8516 and 8517 of, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 193:** By Mr. Conrad—An act to amend Section 7972, and to repeal Section 7972.5 of the Elections Code, relating to election returns.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 194:** By Mr. Conrad—An act to amend Section 7970 of, and to repeal Sections 7970.5 and 7971.5 of the Elections Code, relating to primary election returns.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 195:** By Mr. Conrad—An act to amend Sections 293, 293.5, 295, and 296 of, and to repeal Section 296.5 of, the Elections Code, relating to the cancellation of voter registrations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 196:** By Mr. Conrad—An act to amend Sections 4501, 4501.5, 4530, 4532, 4533, and 4536 of, and to add Section 4533.5 to, the Elections Code, relating to campaign statements.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 197:** By Mr. Conrad—An act to amend Sections 2500 and 7920 of the Elections Code, relating to city elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 198**: By Mr Conrad—An act to amend Sections 2890 and 11553 of the Elections Code, relating to ballots and documents connected with elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 199**: By Mr. Conrad—An act to amend Section 5781.10 of the Public Resources Code, relating to election of directors of recreation.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 200**: By Mr. Conrad—An act to amend Sections 30291, 30756, 30762, 30763, 30771, and 30815 of the Water Code, relating to elections in county water districts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 201**: By Mr. Conrad—An act to amend Section 1180 of the Military and Veterans Code, relating to law governing election.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 202**: By Messrs. Bruce F. Allen, Bradley, Biddick, Crawford, and Z'berg—An act to amend Section 1385 of the Penal Code, relating to dismissal of criminal actions.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 203**: By Mr. Biddick—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 204**: By Mr. Elliott—An act to amend Section 52 of the Civil Code, relating to damages recoverable for violation of personal rights.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 205**: By Mr. Elliott—An act to amend Sections 3818, 3830, 3925, 3941, and 3946 of the Elections Code, relating to office designations on election ballots.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 206**: By Mr. McCollister—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 207**: By Messrs. Dills and Johnson—An act to amend Sections 20607, 20607.5, 20607.6, 20952, 20952.5, 20952.6, 21252.4 and 21252.6 of the Government Code, relating to retirement of local safety members under the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 208**: By Messrs. Cameron, Hegland, Porter, Bane, George E. Brown, Johnson, Petris, Thelin, and Thomas—An act

to add Section 13001.6 to the Education Code, relating to the employment of teachers by school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 209:** By Messrs. Cameron, Charles H. Wilson, Rees, Johnson, Bane, George E. Brown, Crown, Petris, Porter, Thelin, and Thomas—An act to add Section 55529 to the Water Code, relating to county waterworks district bonds.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 210:** By Mr. Winton—An act to amend Section 2807 of the Education Code, relating to school district organization.

Referred to Committee on Education.

**Assembly Bill No. 211:** By Mr. Sedgwick—An act to amend Sections 18001, 18350, and 18446 of, to repeal Sections 18355, 18364, 18369, and 18444 of, and to add Sections 18002.1 and 18444 to, the Health and Safety Code, relating to auto and trailer parks and tent camps.

Referred to Committee on Public Health.

**Assembly Bill No. 212:** By Mr. Sedgwick—An act to add Section 25699 to the Government Code, relating to county water resources committees and boards.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 213:** By Mr. O'Connell—An act to amend Sections 4751 and 4753 of, and to add Sections 4756 and 4757 to, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 214:** By Messrs. O'Connell, Burton, George E. Brown, Elliott, Hawkins, Masterson, McMillan, Petris, and Rees—An act to repeal Sections 19441 and 19442 of the Education Code, and to repeal Sections 16565 and 16566 of the Education Code as proposed by Senate Bill No. 2, relating to applications for the use of school property.

Referred to Committee on Education.

**Assembly Bill No. 215:** By Messrs. O'Connell, Burton, Elliott, Meyers, George E. Brown, Busterud, Crown, Hawkins, Masterson, McMillan, Petris, Rees, and Waldie—An act to repeal Sections 32 and 23705 of the Revenue and Taxation Code, relating to claims for tax exemption.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 216:** By Mr. Levering—An act to amend Section 55103 of the Water Code, relating to formation of county waterworks districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 217**: By Mr. Levering—An act to amend Sections 55101, 55801 and 55966 of the Water Code, relating to county waterworks districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 218**: By Mr. Collier—An act to add Chapter 1.9, comprising Sections 5120 to 5128, inclusive, to Division 3 of the Education Code, relating to property valuations for the purpose of allocating money to school districts, and the adjustment of school district tax rates as a result thereof.

Referred to Committee on Education.

**Assembly Bill No. 219**: By Mr. Conrad—An act to add Sections 6801.5 and 6802.5 to the Elections Code, relating to electronic counting.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 220**: By Mr Conrad—An act to add Sections 5931.3 and 5931.8 to the Elections Code, relating to absent voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Constitutional Amendment No. 8**: By Messrs. O'Connell, Burton, Elliott, George E Brown, Crown, Hawkins, McMillan, Petris, Rees, and Waldie—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XX, relating to oaths of office.

Referred to Committee on Constitutional Amendments.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 4 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Senate Concurrent Resolution No. 4 be withdrawn from the Committee on Rules.

### Request for Unanimous Consent

Mr. Bane was granted unanimous consent to take up Senate Concurrent Resolution No. 4 without reference to file.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

**Senate Concurrent Resolution No. 4**—Relative to approving amendments to the charter of the City of Burbank, County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

## RE-ASSIGNMENT OF BILLS

The Speaker ordered the following bills re-assigned:

**Assembly Bills Nos. 8, 13, 28, 39,** and **119** from the Committee on Judiciary to the Committee on Criminal Procedure.

**Assembly Bills Nos. 6, 55, 88,** and **117** from the Committee on Conservation, Planning, and Public Works to the Committee on Water.

**Assembly Bills Nos. 61, 85,** and **100** from the Committee on Conservation, Planning, and Public Works to the Committee on Natural Resources, Planning, and Public Works.

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

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

**Assembly Concurrent Resolution No. 27:** By Messrs. Gaffney, Busterud, Marks, Meyers, Belotti, Burton, Chapel, Coolidge, Grant, Hanna, Hawkins, Holmes, Johnson, Luckel, MacBride, Miller, Nisbet, O'Connell, Reagan, Rumford, and Thelin—Relative to the death of Royal W. Jimerson.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 28:** By Messrs. Gaffney, Marks, Busterud, O'Connell, Burton, and Meyers—Relative to passing of Francis J. Ahern.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 3:** By Messrs. Cusanovich, Thomas, Mrs. Davis, Messrs. Crawford, Belotti, Nisbet, and Schrade—Relative to imported tuna.

Referred to Committee on Rules.

**Assembly Bill No. 221:** By Messrs. McMillan, Thomas, Sumner, Francis, Bane, Britschgi, George E. Brown, Burton, Cameron, Crown, DeLotto, Miss Donahoe, Messrs. Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Kilpatrick, Masterson, Meyers, Miller, O'Connell, Petris, Porter, Rees, Waldie, and Winton—An act to add Section 18c to the Penal Code, relating to the death penalty.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 222:** By Mr. Belotti—An act to amend Section 705.3 of the Vehicle Code, and to amend Section 35552 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 223:** By Messrs. Bruce F. Allen and Z'berg—An act to amend Section 612 of the Code of Civil Procedure, relating to papers which the jury may take into the jury room in civil cases.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 224:** By Mr. Pattee—An act making an appropriation for support of the Office of Commerce and Travel.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 225:** By Mr. Pattee—An act to add Article 5, comprising Sections 12050 to 12053, inclusive, to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to the Office of Commerce and Travel.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 226:** By Mr. MacBride—An act to amend Sections 51360 and 51361 of, and to repeal Section 51362 of, the Water Code, relating to reclamation district operation and maintenance assessments.

Referred to Committee on Municipal and County Government.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 12, 1959

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

Assembly Concurrent Resolution No. 7
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 13
Assembly Concurrent Resolution No. 14
Assembly Concurrent Resolution No. 15

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, January 12, 1959

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

Senate Concurrent Resolution No. 1

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 1**—Relative to approving six certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on June 3, 1958.

### Request for Unanimous Consent

Mr. Hegland was granted unanimous consent to take up Senate Concurrent Resolution No. 1 without reference to committee or file.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

**Senate Concurrent Resolution No. 1**—Relative to approving six certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on June 3, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Lanterman, Levering, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 20 FROM COMMITTEE

Mr. Hawkins was granted unanimous consent that House Resolution No. 20 be withdrawn from the Committee on Rules.

### Request for Unanimous Consent

Mr. Hawkins was granted unanimous consent to take up House Resolution No. 20 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 20

By Mr. Hawkins:

### House Resolution No. 20

Relative to the Capitol Legislative Reference Library

*Resolved by the Assembly of the State of California*, That the sum of one thousand three hundred twenty-five dollars ($1,325) or so much thereof as may be necessary is hereby made available to the Assembly Committee on Rules for the Assembly's one-half share of the expenses incurred in effectively establishing and equipping the Capitol Legislative Reference Library provided for in Assembly Concurrent Resolution No. 157 of the 1957 Regular Session to be paid from said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74.

NOES—None.

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

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

**Assembly Concurrent Resolution No. 29:** By Messrs. Crawford, Luckel, and Schrade—Relative to the death of Dr. Edward L. Hardy.

Referred to Committee on Rules.

**Assembly Bill No. 227:** By Mr. Miller (By request of County of Los Angeles with co-operation and support of Senator Richard Richards)—An act to add Section 55335 to the Water Code, relating to the powers of county waterworks districts.

Referred to Committee on Water.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Lanterman and Shell:

### House Resolution No. 30

In order to better protect the good name and athletic standing of California collegiate athletes, and to prevent unfair and arbitrary penalties from being assessed by any interstate athletic association under blanket charges having no relevance to the athletic status of student athletes who are innocent of any personal or team infraction, be it hereby

*Resolved by the Assembly of the California State Legislature*, That no educational institution of collegiate level either tax-supported or granted tax exemption shall remain or become a member of any interstate or national athletic association whose rules of membership compliance may inflict a penalty or penalties affecting any form of athletic competition excepting that kind in which the alleged violation has occurred. In event of such charge or charges of any such violation, the defendant member school shall be notified in writing not less than 20 days in advance of a formal hearing which shall be required to be held by said association and occur only after due notice and a copy in detail of all charges shall be provided in said notice. Said notice shall also state the name of such person or persons or institution or organization filing such charges with said interstate athletic association so that said defendent school may reply thereto in reasonable self-defense.

Resolution read, and referred to the Committee on Rules

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 13, 1959

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

Assembly Concurrent Resolution No. 1
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No. 21

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker:

### Letter of Transmittal
### Resolution of Bay Area Air Pollution Control District

BAY AREA AIR POLLUTION CONTROL DISTRICT
SAN FRANCISCO, January 8, 1959

*Hon. Ralph M. Brown*
*c/o Assembly Post Office*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN BROWN: The Board of Directors of the Bay Area Air Pollution Control District at their regular meeting, December 3, 1958, adopted the enclosed Resolution "Memorializing the Legislature of the State of California to Approve Adequate Funds for the State Department of Health for Research and Measurement of Radiation Damage in Milk."

The district board also directed that a copy of this resolution be forwarded to the Speaker of the Assembly of the California State Legislature.

Very truly yours,

PATRICK J. MORAN, Executive Secretary

Above transmitted resolution referred to the Committee on Public Health.

## ANNOUNCEMENT

Mr. Miller announced that the Committee on Rules is working diligently to complete the assignment of office space and desks for the members; and that the assignments will be completed in another day or two.

## ANNOUNCEMENT OF INTERIM COMMITTEE MEETING

Mr. Busterud announced that the Subcommittee on Traffic Accident Consequences of the Assembly Interim Committee on Judiciary would hold its final meeting on Tuesday, January 20th, at 2 p.m., or on adjournment, in Room 4168.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker pro Tempore Bee of Hayward to former Assemblyman Wallace D. Henderson, of Fresno.

On request of Mr. Mulford of Oakland and Mr. Rumford of Berkeley to Howard L. R. Hughes and B. Wayne Daniels, teachers; and the following pupils of the Willard Junior High School of Berkeley: Patricia Anderson, Shirley Baggett, Roland Brooks, Mary Ann Bursey, David Campbell, Missy Claypool, Selena Condon, William Davis, Gretchen Diebenkorn, Barbara Dixon, Marjorie Douglas, Edna Early, Mary Lee Esser, Calvyn Expose, Dolores Fermin, Honora FitzGibbon, Jack Forward, William Goodwin, Kathleen Hamilton, Martha Hamlin, Gerlad Hayashida, Robert Hilliard, Josephine Horner, Margaret James, Lillian Marie Johnson, Walther Kassebohm, Janis Kitamura, Lydia Knight, Kenneth Kuroiwa, John Lee, Eric Livingston, Sandra (Gene) Lee, Michael Luperine, Teruhiko Maoki, Marilyn Martin, James McCray, Hugh Macdonald, Jackie McFadden, Alfred McMurray, Dusty Mellin, Walter Murray, Nickolas Pappas, Nancy Parsons, Virginia Pointer, Curtis Randolph, Maria Salazar, Harry Scott, Bobbie Jean Selvian, Alice Shelton, Armo Ronald Smith, Warner Stafford, Eunice Sylvester, Darryle Totty, George L. Usher, Katherine Vaughns, Charles Williams, Gwendolyn Williams, Carol Winchester, Ralph W. Wong, Shirley Wong.

On request of Mr. Marks of San Francisco to Thomas E. Richer of Washington, D. C.

## ADJOURNMENT

At 11.08 a.m, on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 14, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, January 14, 1959

The Assembly met at 10 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God of Law and Order,* As committees are established and their leaders chosen, in preparation for the vast amount of work which must take place behind the scenes, grant to us each one a clear understanding that order and method and procedure are essential. As mountain climbers tie themselves together, not only to hold safe one that may fall, but to draw higher any who need help, so may it be in this Assembly; that lawmakers may be held together by the strong rope of lofty aspiration; that all may proceed with ultimate care and concern for each other; and that through orderly procedure, Thy will and work, O God, may be done. Let us be kind one to another, tenderhearted, forgiving one another, even as Thou, for Christ's sake, hath forgiven us.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Munnell.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Bruce F. Allen, on motion of Mr. Bradley.

Mr. Dahl, on motion of Mr. Shell.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 13, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 29

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 13, 1959

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

Assembly Concurrent Resolution No. 2

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

## RESOLUTIONS

The following resolution was offered:

By Mr. Cunningham:

### House Resolution No. 31

Relative to the death of Don Adolfo y Hernandez y Camarillo

WHEREAS, December 11, 1958, marked the passing at the age of 94 of one of California's foremost citizens, Don Adolfo y Hernandez y Camarillo; and

WHEREAS, Mr. Camarillo began life in the mission town of San Buenaventura, Ventura County, on October 29, 1864; and

WHEREAS, From the age of 16 Mr. Camarillo had the responsibility of the Spanish grant ranch holdings of his family, near the family-named home town of Camarillo; and

WHEREAS, With education in Ventura schools and a year at International Business College in Los Angeles, he directed not only his own ranch operations but was a director and officer of Bank of A. Levy, Oxnard; Security First National Bank in Oxnard; Peoples Lumber Company and others; and

WHEREAS, Mr. Camarillo resided all of his life in Ventura County and greatly contributed to the civic affairs of that county, serving for 57 years on the Board of Trustees of Pleasant Valley School; giving long service to the Ventura County Fair, having been a director and board president of the fair for many years; serving as a member of the State Board of Agriculture for many years; and serving on the Ventura County Highway Commission; and

WHEREAS, Deeply devoted to his religion, Mr. Camarillo was noted for his aid to the St. Mary Magdalen Church in Camarillo and St. John's Seminary nearby and his activity in the Knights of Columbus; and

WHEREAS, For his outstanding achievements as a Catholic layman, Mr. Camarillo was awarded the pontifical decoration of Knight of St. Gregory by the Most Rev. J. Francis A. McIntyre, Archbishop of the Los Angeles Diocese, in the name of Pope Pius XII; and

WHEREAS, His other activities included membership in the Oxnard Elks Lodge of which he was a charter member and a trustee, and honorary chairman of the fund-raising for the new St. John's Hospital in Oxnard; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature, by this resolution, desire to express their admiration of Don Adolfo y Hernandez y Camarillo, a leader in his community, and his State, worthy of all the honor that has been paid to him during his lifetime, and to extend their heartfelt sympathy to his family on his passing; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Rosa Petit, Mrs. Ave FitzGerald, Mrs. Harold Burket, and Miss Carmen Camarillo, his daughters.

Resolution read, and referred to the Committee on Rules.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT EXTRA COPIES OF REPORT

Mr. McMillan was granted unanimous consent that 500 additional copies of the Report on Problems of the Death Penalty be printed.

### ANNOUNCEMENT OF INTERIM COMMITTEE APPOINTMENT

Speaker Brown announced the appointment of Messrs. Ernest R. Geddes, Bee, and Miss Donahoe to the Joint Legislative Committee on School Visitations.

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

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

**Assembly Bill No. 228**: By Messrs. Garrigus, Lunardi, Gaffney, Bruce F. Allen, Bane, Britschgi, Burton, Cusanovich, Mrs. Davis, Messrs. DeLotto, Samuel R. Geddes, Kennick, Marks, Masterson, Rees, Williamson, and Winton—An act to amend Sections 6451, 6452, 6455, 6701 and 7176 of, and to add Section 6451.5 to, the Revenue and Taxation Code, relating to the sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 229**: By Messrs. Masterson and Waldie—An act to amend Section 7717 of the Education Code, and amend Section 19581 of the Education Code as proposed by Senate Bill No. 2, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 230**: By Messrs. George E. Brown and Charles H. Wilson—An act to amend Section 5717 of the Elections Code, relating to casting of ballots.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 231**: By Mr. McMillan—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 232**: By Mr. Dills—An act to repeal Sections 31734, 31735, and 31736 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 233**: By Mr. Dills—An act to amend Section 31520.1 of the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 234**: By Messrs. Belotti and Coolidge—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 235**: By Messrs. Belotti and Meyers—An act to add Section 705.2 to the Vehicle Code, and to add Section 35553 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 236**: By Mr. Conrad—An act to amend Sections 84 and 89 of, and to add Sections 82.5, 82.6, 92 and 93 to the Elections Code, relating to presidential voting for new residents.

Referred to Committee on Elections and Reapportionment.

## ANNOUNCEMENTS

Mr. Ernest R. Geddes announced that he had at his desk a series of bills relative to state aid for education in county jails, and invited all members who desired to become co-authors to come to his desk, and affix their signatures.

Mr. Francis announced that he had at his desk a series of bills amending the drunk-driving laws, and invited all members who desired to become co-authors to come to his desk, and affix their signatures.

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

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

**Assembly Bill No. 237**: By Mr. Conrad—An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 238**: By Mr. Conrad—An act to repeal Section 655.5 of the Elections Code, relating to precinct boards.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 239**: By Mr. Conrad—An act to repeal Section 661 of the Elections Code, relating to election officers.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 240**: By Mr. Conrad—An act to amend Section 571 of the Elections Code, relating to number of voters in precincts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 241**: By Mr. Conrad—An act to amend Section 1691 of the Education Code, relating to election notice to voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 242**: By Mr. Conrad—An act to amend Section 14058 of the Health and Safety Code, relating to nomination of fire commissioners.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 243**: By Mr. Conrad—An act to amend Sections 3871 and 3925 of the Elections Code, relating to ballot composition.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 244**: By Mr. Rumford, Miss Donahoe, Messrs. Crawford, Luckel, Hegland, Kennick, and Schrade—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026 5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021, 9024, and 9028.6 to, the Business and Professions Code, relating to the licensing of social workers.

Referred to Committee on Social Welfare.

**Assembly Bill No. 245**: By Messrs. Elliott, George E. Brown, Hawkins, Kilpatrick, and McMillan—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 246**: By Mr. Pattee—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 22

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered held at desk temporarily.

## PARLIAMENTARY INQUIRY

Mr. Burton arose to the following parliamentary inquiry: What is the order of business before the House?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the House was now ready to proceed with the order of business of Introduction, First Reading, and Reference of Assembly Bills.

### ANNOUNCEMENT

Mr. Burton announced that he had at his desk a bill relative to the payment of unemployment insurance to nonprofit employees, and invited all members who desired to become co-authors to come to his desk, and affix their signatures.

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

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

**Assembly Bill No. 247:** By Messrs. Ernest R. Geddes, Bee, Cusanovich, Elliott, Garrigus, Luckel, and McMillan—An act to add Section 7099 to the Education Code, and to add Section 17953 to the Education Code as proposed by Senate Bill No. 2, relating to classes for adults in any county or city and county jail or farm for adults.

Referred to Committee on Education.

**Assembly Bill No. 248:** By Messrs. Ernest R. Geddes, Bee, Cusanovich, Elliott, Garrigus, Luckel, and McMillan—An act to amend Section 4018.5 and to add Sections 4018.6, 4018.7, and 4018.8 to the Penal Code, relating to classes of instruction, vocational training and rehabilitation of prisoners in county jails.

Referred to Committee on Education.

**Assembly Bill No. 249:** By Messrs. Ernest R Geddes, Bee, Cusanovich, Elliott, Garrigus, Luckel, and McMillan—An act making an appropriation to reimburse counties for certain costs in connection with classes of instruction, vocational training and rehabilitation of prisoners in county jails.

Referred to Committee on Education.

**Assembly Bill No. 250:** By Messrs Beaver and Nisbet—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Collier was granted unanimous consent to take up Assembly Concurrent Resolution No. 22 without reference to file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

**Assembly Concurrent Resolution No. 22**—Relative to the probation of the University of Southern California by the National Collegiate Athletic Association.

Resolution read.

#### Motion to Table Resolution

Mr. Britschgi moved that the resolution be laid on the table.

Mr. Pattee seconded the motion.

Motion lost by the following vote:

AYES—Backstrand, Bane, Beaver, Bradley, Britschgi, Busterud, Crawford, Crown, Davis, DeLotto, Donahoe, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna,

Lunardi, MacBride, Marks, Nisbet, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Williamson, Winton, and Z'berg—29.

NOES—Don A. Allen, George E. Brown, Burke, Burton, Cameron, Collier, Conrad, Coolidge, Cusanovich, Dills, Elliott, Francis, Garrigus, Ernest R. Geddes, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Porter, Reagan, Shell, Thelin, Thomas, Unruh, Waldie, George A. Willson, and Charles H. Wilson—38.

### Demand for Previous Question

Messrs. Johnson, Hanna, Ernest R. Geddes, Reagan, and Pattee demanded the previous question. Demand sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 22.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Belotti, George E. Brown, Burke, Burton, Chapel, Collier, Conrad, Cunningham, Cusanovich, Dills, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Porter, Reagan, Sedgwick, Shell, Thelin, Thomas, Unruh, George A. Willson, and Charles H. Wilson—42

NOES—Beaver, Bee, Biddick, Bradley, Britschgi, Busterud, Cameron, Coolidge, Crown, Davis, DeLotto, Donahoe, Garrigus, Hanna, Holmes, MacBride, Marks, Nisbet, O'Connell, Pattee, Petris, Rees, Sumner, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—28

Resolution ordered transmitted to the Senate.

### Votes Changed Upon Roll Call on Motion to Table Assembly Concurrent Resolution No. 22

Messrs. Levering and Miller were granted unanimous consent that they be recorded as voting "No" instead of "Aye" on the motion to table Assembly Concurrent Resolution No. 22.

## ANNOUNCEMENT

Speaker pro Tempore Bee announced the presence of Lieutenant Governor Glenn M. Anderson in the Assembly Chamber.

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

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

**Assembly Bill No. 251:** By Messrs. Beaver and Nisbet—An act to amend Section 266 of the Revenue and Taxation Code, relating to the college exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 252:** By Messrs. Beaver and Nisbet—An act to amend Section 254.7 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 253:** By Messrs. Beaver and Nisbet—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 254**: By Messrs. Beaver and Nisbet—An act to amend Section 264 of the Revenue and Taxation Code, relating to the orphanage exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 255**: By Messrs. Beaver and Nisbet—An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 256**: By Mr. Dills—An act to amend Section 31625 of, and to add Section 31625.1 to, the Government Code, relating to the County Employees' Retirement Law of 1937.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 257**: By Mr. Miller (with the approval and support of Senator Richard Richards)—An act to amend Section 71083 of the Government Code, relating to municipal and justice courts and judges thereof, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 258**: By Messrs. Kilpatrick, House, Don A. Allen, Elliott, Grant, McMillan, and George A. Willson—An act to amend Section 21805 of the Welfare and Institutions Code, relating to the commencement of aid payments to applicants for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 259**: By Messrs. Kilpatrick, Chapel, Don A. Allen, Elliott, Grant, McMillan, and George A. Willson—An act to add Section 7032 to the Business and Professions Code, relating to contractors.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 260**: By Messrs. Kilpatrick, Chapel, and Grant—An act to add Section 6370 to the Revenue and Taxation Code, relating to exemption from sales and use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 261**: By Messrs Kilpatrick, Chapel, and Grant—An act to add Section 10787 to the Revenue and Taxation Code, relating to exemptions from the vehicle license fee.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 262**: By Messrs. Porter, Levering, Thomas, Grant, Ernest R. Geddes, Unruh, and George A. Willson—An act to add Section 55109 to the Water Code, relating to investigations and reports regarding proposed county waterworks districts or annexations thereto.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 263:** By Messrs. Porter, Levering, Thomas, Grant, Ernest R. Geddes, Unruh, and George A. Willson—An act to add Section 55336 to the Water Code, relating to the sale of surplus water by county waterworks districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 264:** By Mr. McMillan—An act making an appropriation to pay the claim of Louis Urban against the State of California.

Referred to Committee on Ways and Means.

**Assembly Bill No. 265:** By Messrs. MacBride and Z'berg—An act to amend Sections 576 and 578 of, to add Section 575.1 to, and to repeal Sections 577 and 578.1 of, the Welfare and Institutions Code, relating to juvenile court referees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 266:** By Messrs. Francis and Britschgi—An act to amend Section 502 of the Vehicle Code and Section 23102 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving vehicles while under the influence of intoxicating liquor.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 267:** By Messrs. Francis and Britschgi—An act to amend Section 501 of the Vehicle Code and Section 23101 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving vehicles while under the influence of intoxicating liquor.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 268:** By Messrs. Francis and Britschgi—An act to add Section 502.5 to the Vehicle Code, to add Section 23102.5 to the Vehicle Code as proposed by Assembly Bill No. 5, to amend Section 21407 of, and to add Sections 21407.5 and 21407.6 to, the Public Utilities Code, and to add Sections 269 and 270 to the Harbors and Navigation Code, relating to the use of intoxicating liquor by the operators of power boats, aircraft and devices moved by human power.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 269:** By Mr. Francis—An act to add Section 502.2 to the Vehicle Code, and Section 23102.2 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to chemical tests of vehicle drivers for intoxication.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 270:** By Messrs. Francis and Britschgi—An act to amend Section 505 of the Vehicle Code and Section 23103 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to reckless driving.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 271:** By Messrs. Francis, Britschgi, Burke, Chapel, Grant, Meyers, Pattee, Porter, and Thomas—An act to amend Sections 11712, 11713, 11714, and 11715.6 of the Health and Safety Code, relating to narcotic offenses.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 272:** By Messrs. Francis and Britschgi—An act to add Article 6 (commencing at Section 11850) to Chapter 7, Division 10, of the Health and Safety Code, relating to registration of narcotic offenders.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 273:** By Mr. Francis—An act to amend Section 633 of the Vehicle Code, and Section 24404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to spotlamps on vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 274:** By Mr. Francis—An act to add Section 43.4 to the Civil Code, relating to causes of action for fraudulent promises to marry or cohabit.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 275:** By Mr. Francis—An act to amend Section 717.1 of the Code of Civil Procedure, relating to proceedings supplemental to execution.

Referred to Committee on Judiciary—Civil.

**Assembly Constitutional Amendment No. 9:** By Mr. Francis (By request) — A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17.5 to Article XIII thereof, relating to taxation by a chartered city.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 276: By Mr. Francis**—An act to amend Section 825 of the Penal Code, relating to arrests.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 277:** By Mr. Francis (By request)—An act to amend Section 3 of an initiative act entitled "An act providing for daylight saving time in the State of California," approved by electors November 8, 1949, relating to daylight saving time, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 278:** By Messrs. Francis and Britschgi—An act to amend Section 10201 of the Business and Professions Code, relating to real estate licenses.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 279:** By Messrs. Francis, Britschgi, George E. Brown, Burke, Chapel, Grant, Hanna, Kilpatrick, Meyers, Petris, Porter, Thelin, and Thomas—An act to amend Section 254.7 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 280:** By Messrs. Francis, Britschgi, George E. Brown, Burke, Cameron, Chapel, Grant, Kilpatrick, Meyers, Porter, and Thomas—An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 281:** By Mr. House—An act to add Section 70054.5 to the Government Code, relating to fees of official reporters.

Referred to Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Johnson, Rumford, Grant, Hanna, and Mulford:

### House Resolution No. 32

Relating to air pollution by motor vehicles

WHEREAS, Air pollution is a hazard to the health of the people of the State; and

WHEREAS, Emissions from motor vehicle exhausts are the only presently uncontrollable major source of air pollution; and

WHEREAS, The motor vehicle population of this State has increased from 5,823,981 in September, 1953, to 7,454,832 in September, 1958, and is still rapidly increasing; and

WHEREAS, The motor vehicle is an existing, increasing, and major contributor to air pollution in an ever greater number of communities; and

WHEREAS, The motor vehicle as a moving source of air pollution does not operate solely within a single local or state governmental jurisdiction, and therefore the primary responsibility for the abatement of this source is the manufacturer of the motor vehicle; and

WHEREAS, Only one million dollars a year is being expended by the motor vehicle manufacturers of the United States, and an equally insufficient amount of time and energy are being devoted to this problem by the motor vehicle manufacturers, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the motor vehicle manufacturers of the United States be requested to expedite research on a motor vehicle exhaust control mechanism before legislation to protect the people from the public health menace becomes necessary; and be it further

*Resolved*, That the motor vehicle manufacturing industry of the United States is called upon to report to the Nation and to the State of California as soon as possible on its constructive accomplishments to date, the work now under way, and the work planned, including a time schedule and a date when an effective motor vehicle exhaust control device will be available; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Automobile Manufacturers Association in Detroit, Michigan.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Rumford was granted unanimous consent to take up House Resolution No. 29 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 29

**House Resolution No. 29**: By Messrs. Bane, Rees. Rumford, and Johnson—Relative to a Subcommittee on Smog Control.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

In the first line of the first "Resolved" clause of the measure, as printed on page 141 of the Assembly Journal for January 13, 1959, after 'That", insert "the chairman of".

### Amendment No. 2

In the third line of the first "Resolved" clause of said measure, after "subcommittee", insert "consisting of two members of the committee".

### Amendment No. 3

In the last line of the measure, strike out the period, and insert "; and be it further

*Resolved*, That so much of the unexpended balance of the money previously allocated to the committee as is necessary is hereby made available for the expenses of the subcommittee and its members, and for any charges, expenses or claims it may incur under this resolution."

### Consideration of House Resolution No. 29, as Amended

By Messrs. Bane, Rees, Rumford, and Johnson:

### House Resolution No. 29

Relative to a Subcommittee on Smog Control

WHEREAS, Legislation has been proposed to ban the sale of automobiles after January 1, 1961, unless they are equipped with devices to reduce or eliminate smog-producing discharges; and

WHEREAS, On Friday, January 16, 1959, four or more outstanding manufacturing firms will make reports on such devices to the annual meeting of the American Society of Automotive Engineers to be held in Detroit; and

WHEREAS, The Assembly should be fully informed concerning such devices in order that it may safeguard the public health through legislation properly designed to drastically reduce or eliminate the discharge by automobiles of smog-producing substances; and

WHEREAS, The Assembly Interim Committee on Public Health is now authorized to secure such information; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Chairman of the Assembly Interim Committee on Public Health (created by House Resolution No. 219 of the 1957 Regular Session) is hereby authorized and directed to appoint a subcommittee consisting of two members of the committee to attend the meeting of the American Society of Automotive Engineers in Detroit on January 16, 1959, and there secure all available information concerning devices designed to replace or eliminate smog-producing discharges by automobiles, and to report thereon to the Assembly not later than February 15, 1959, including in its report its recommendations for appropriate legislation; and be is further

*Resolved*, That said subcommittee is hereby authorized to meet and act both within and outside the State of California in carrying out the duties imposed on it pursuant to this resolution; and be it further

*Resolved*, That so much of the unexpended balance of the money previously allocated to the committee as is necessary is hereby made available for the expenses of the subcommittee and its members, and for any charges, expenses or claims it may incur under this resolution.

Resolution read, as amended.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is it possible for the Speaker to appoint additional members to the Interim Committee on Public Health?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the number of members on the committee was set up by the resolution which created the committee, and the committee was appointed by the previous Speaker; so there could be no further appointments unless a vacancy on the committee should occur.

The question being on the adoption of House Resolution No. 29, as amended.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—69.

NOES—None.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Mulford and Rumford:

**House Resolution No. 33**

Relative to the retirement of Judge Louis J. Hardie

WHEREAS, The Members of the Legislature have learned that a testimonial dinner is to be held on January 15 in honor of the retirement of Judge Louis J. Hardie from the Berkeley-Albany Municipal Court; and

WHEREAS, Since 1938 Judge Hardie has served 21 years on the bench, first in the Albany City Court and later in the Berkeley-Albany Judicial District; and

WHEREAS, Judge Hardie, over his many years of service, has personified all the qualities desirable in a judge, handling judicial business honestly, capably and effectively; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature commend Judge Louis J. Hardie for his long and honorable career, and express their sincere appreciation for his honest and dependable services to the people of the State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Judge Louis J. Hardie and to the Berkeley-Albany Bar Association.

Resolution read, and referred to the Committee on Rules.

By Mr. Beaver:

**House Resolution No. 34**

Relative to a consent calendar

WHEREAS, It is desirable to gather at one place on the calendar of the House all uncontested bills, in order that they may be acted upon without explanation or debate; and

WHEREAS, This can be accomplished by means of a consent calendar similar to that used in the United States House of Representatives; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules is hereby requested to study and present to the Assembly a procedure for the establishment of a consent calendar similar to that used in the United States House of Representatives.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Constitutional Amendment No. 10:** By Messrs. Busterud, Beaver, Biddick, Coolidge, and Belotti—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 11:** By Mr. Burton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 17 of Article V thereof, relating to the requirements for eligibility to the office of Attorney General.

Referred to Committee on Constitutional Amendments.

**Assembly Concurrent Resolution No. 30:** By Messrs. Coolidge, Belotti, Pattee, Sumner, Beaver, Bee, Britschgi, Burton, Busterud, Crown, Cunningham, Mrs. Davis, Messrs. Francis, Samuel R. Geddes, Hegland, Lunardi, Marks, McCollister, Meyers, O'Connell, Schrade, and Waldie—Relative to small craft harbor loans.

Referred to Committee on Rules.

**Assembly Bill No. 282:** By Mr. House—An act to amend Section 22842 of, and to repeal Sections 22844 and 22845 of, the Water Code, relating to irrigation districts containing 500,000 acres or more.

Referred to Committee on Water.

**Assembly Bill No. 283:** By Messrs. House and Hanna—An act to amend Section 823 of the Penal Code, relating to bail of person arrested on warrant of another county.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 284:** By Messrs. House and Hanna—An act to amend Section 117p of the Code of Civil Procedure, relating to action in small claims courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 285:** By Messrs. Garrigus and Ernest R. Geddes, Miss Donahoe, Messrs. Frew, Hawkins, McMillan, Nisbet, and Williamson—An act to amend the heading of Article 6 (commencing at Section 16111) of Chapter 1 of Division 8 of, and to add Sections 16112, 16113, and 16114 to, the Education Code, to add Section 899 to the Military and Veterans Code, and to add Sections 10653, 10654, and 10655, to the Education Code as proposed by Senate Bill No. 2, relating to educational assistance for veterans' children, and making an appropriation therefor.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 286:** By Messrs. Masterson, Garrigus, Shell, Porter, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee,

Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—An act to add Article 2.5 (commencing at Section 4471.1), to Chapter 4, Part 2, Division 5 of the Health and Safety Code, relating to fishing in water supplies and recreational uses in the surrounding area.

Referred to Committee on Fish and Game.

**Assembly Bill No. 287**: By Messrs. Burton, O'Connell, Masterson, Z'berg, George E. Brown, Cameron, Elliott, Samuel R. Geddes, McMillan, Meyers, Pattee, Petris, Rumford, and Waldie—An act to repeal Sections 634, 643, and 644 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 288** (Departmental—Governor): By Messrs. Hawkins, Kilpatrick, Don A Allen, Elliott, Bruce F. Allen, Bane, Biddick, George E. Brown, Ralph M. Brown, Burton, Cameron, Chapel, Crawford, Crown, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Kennick, Lunardi, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg (By request of Governor)—An act to amend Sections 4501 and 4552 of the Welfare and Institutions Code, relating to medical care for recipients of aid to the disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 289**: By Messrs. George E. Brown and Burton—An act to amend Section 709 of the Unemployment Insurance Code, relating to elective coverage for unemployment and disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 290**: By Messrs. Biddick, Busterud, Waldie, Masterson, Mrs. Davis, Messrs. DeLotto, Samuel R. Geddes, and Winton—An act to add Section 5011 to the Elections Code, relating to misrepresentation in election campaigns.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 291**: By Messrs. Busterud, Beaver, Biddick, and Coolidge—An act to amend Sections 87 and 230 of the Elections Code, relating to affidavits required of voters.

Referred to Committee on Elections and Reapportionment

**Assembly Bill No. 292**: By Mr. Conrad—An act to amend Section 9483 of the Elections Code, relating to county election services to cities and districts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 293**: By Mr. Conrad—An act to amend Section 11052 of the Elections Code, relating to recall.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 294**: By Mr. Conrad—An act to amend Sections 7039, 7040, 7041, 7042 and 7043 of the Elections Code, relating to eight-member precinct canvassing board.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 295**: By Mr. Conrad—An act to amend Section 7964 and to repeal Section 7964.1 of the Elections Code, relating to completion of canvass.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 296**: By Messrs. Burton and Britschgi—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 297**: By Messrs. Francis, Britschgi, and Bee—An act to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to reconstruction of the San Mateo-Hayward Bridge.

Referred to Committee on Transportation and Commerce.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 14, 1959

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

Assembly Concurrent Resolution No. 26

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, January 14, 1959

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

Senate Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 9**—Relative to continuance of the Joint Committee on Water Problems.

Referred to Committee on Rules.

## ANNOUNCEMENT

Speaker pro Tempore Bee announced that the Speaker had advised him that the Assembly would not be in session over the weekend; that the present plans were to meet at 9.30 a.m. tomorrow morning, and that when the House adjourns tomorrow, it would do so until Monday morning.

## ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Cunningham announced that the Joint Interim Committee on Public Utilities and Corporations would meet at 2 p.m. this afternoon in Room 4168.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Lanterman, MacBride, and Z'berg:

### House Resolution No. 35

Relating to the establishment of the California Supreme Court in the City of Sacramento

WHEREAS, It is fitting and proper that the California Supreme Court establish its quarters at the seat of State Government; and

WHEREAS, The California statute since 1873 has imposed upon the Supreme Court of this State the duty to keep its offices in the City of Sacramento; and

WHEREAS, The express intent of the law is clearly set forth in Section 1060 of the Government Code and its predecessor, Section 852 of the Political Code; and

WHEREAS, It is recognized by this House that no penalty provision has been enacted for the enforcement of the statute, in keeping with the policy of the Legislature; and

WHEREAS, This policy is based upon the presumption that officers charged with the enforcement of the law will themselves scrupulously comply with its mandate; and

WHEREAS, This House is aware that the quarters and structural facilities available in the State Capital may be inadequate for the needs of the court; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Chief Justice is respectfully requested to advise the Legislature of the quarters and facilities required by the Supreme Court for the discharge of its duties in an efficient and dignified manner, to the end that the Legislature may take suitable action to obviate every material objection the court may have to the establishment of its headquarters in the City of Sacramento; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chief Justice of the California Supreme Court

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 298:** By Mr. Thomas—An act to amend Section 8046 of the Fish and Game Code, relating to the Marine Research Committee.

Referred to Committee on Fish and Game.

**Assembly Bill No. 299:** By Messrs. Gaffney, Thomas, and Masterson—An act to add Section 6401.5 to the Labor Code, relating to medical facilities.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 300:** By Messrs. Gaffney, Thomas, Busterud, and Masterson—An act to add Section 206.1 to, and amend Section 215, of the Labor Code, relating to wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 301:** By Messrs. Gaffney, Thomas, Masterson, and Munnell—An act to amend Section 203 of the Labor Code, relating to payment of wages

Referred to Committee on Industrial Relations.

**Assembly Bill No. 302:** By Messrs. Gaffney, Thomas, Busterud, Marks, and Masterson—An act to add Section 206.5 to the Labor Code and to add Section 7110.1 to the Business and Professions Code, relating to the payment of wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 303:** By Messrs Gaffney, Thomas, Busterud, Marks, Masterson, Munnell, and Rumford—An act to add Section 206.4 to the Labor Code, relating to the payment of wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 304:** By Messrs. Gaffney, Thomas, Munnell, and Rumford—An act to add Section 690.11a to the Code of Civil Procedure, relating to execution of judgment.

Referred to Committee on Judiciary—Civil.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. McCollister of Mill Valley to Mrs. George Reinerth of Santa Rosa.

On request of Mr. Mulford of Oakland to Mrs. C. P. Emery of Albany.

On request of Mr. House of Brawley to John E. Bowman of El Cerrito and Walter Dearlove of Calexico.

On request of Mr. Waldie of Antioch to Laura Krominger, leader, Cathy Allin, Marge Dotson, assistant leaders, and the following members Tawanka Camp Fire Group of the Fairview School of Lafayette: Wanda Barber, Judy Batinovich, Joye Dale, Sharon Dotson, Vickie Halbert, Susan Kroninger, Karen Martens, Marilyn Millett, Margie Ann Raynes, Cathy Short, Margaret Southworth, Kitty Terry, and Kathy Trunell.

On request of Mr. Waldie of Antioch to Lorna Barker, leader; Bette Harden, co-leader; Wm. H. Barber, sponsor; Billy Barber, Mike Harden, and the following members of A-o-wa-ki-ya Camp Fire Group of the Stanley School of Lafayette: Marsha Barber, Trudy Harden, Jeanne Schmidt, Sheryl Donaldson, Jo Anne Jacobsen, Lynn Ringel, Leslie Cook, Leslie Mayland, Sharon Osgood, Marilyn Davis, Diane Koses, Diane Burror, Kris Sivisend, and Linda Rockwell.

On request of Mr. McMillan of Los Angeles to Mrs. John Foran of Los Angeles.

On request of Mr. Bradley of San Jose to Berwyn H. Lee of San Jose.

On request of Mr. Lunardi of Roseville to Fred Sholtz of Lake Tahoe.

On request of Mr. Backstrand of Riverside to Mr. B. W. Burkhard and James Tennant of Indio, and Don Short of San Diego.

## ADJOURNMENT

At 11 49 a.m., on motion of Mr. Munnell, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Thursday, January 15, 1959.

CARLOS BEE, Speaker pro Tempore

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY
NINTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, January 15, 1959

The Assembly met at 9.30 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Most Merciful God*, Forgive us if we have thought of prayer as a waste of time and help us to see that without it our labors are a waste of effort. Not only *may* we know Thy will, but we *must* know it. We may not know many things, but we *must* know Thee. Our influence may not be great, but it can be good. Our speech may not be eloquent, but it can be truthful. We may not have equally able minds, but they can all be completely devoted to public welfare. Such talents as we have we would not bury, but use, for the good of our State and the glory of Thy name.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

### LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lowrey, on motion of Mr. Munnell.

Mr. Thomas, on motion of Mr. Munnell.

## COMMUNICATIONS

ASSEMBLY CHAMBER, January 14, 1959

MR. SPEAKER: Pursuant to your instructions the Chief Clerk has examined:

**Assembly Concurrent Resolution No. 1**—Relative to the continuation of the Joint Legislative Committee for School Visitations;

**Assembly Concurrent Resolution No. 2**—Relative to the continuance of the Joint Interim Committee on the Public Education System;

**Assembly Concurrent Resolution No. 3**—Relative to the continuance of the Joint Committee on Assessment Practices;

**Assembly Concurrent Resolution No. 7**—Approving amendments to the charter of the County of Sacramento, State of California, ratified by the qualified electors of said county at a special election held therein on the third day of June, 1958;

**Assembly Concurrent Resolution No. 8**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election and consolidated special elections held therein on the fourth day of November, 1958;

**Assembly Concurrent Resolution No. 9**—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a direct primary election and consolidated special elections held therein on the third day of June, 1958;

**Assembly Concurrent Resolution No. 13**—Approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in such county on the fourth day of November, 1958;

**Assembly Concurrent Resolution No. 14**—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a municipal election held therein November 4, 1958;

**Assembly Concurrent Resolution No. 15**—Relative to Dr. Ernest O Lawrence;

**Assembly Concurrent Resolution No. 18**—Approving a charter amendment to the charter of the City of Inglewood, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958;

**Assembly Concurrent Resolution No. 20**—Approving certain amendments to the charter of the City of Stockton, a municipal corporation in the County of San Joaquin, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held thereon on the fourth day of November, 1958;

**Assembly Concurrent Resolution No. 21**—Approving charter amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the fourteenth day of January, 1959, at 3 p.m.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

## COMMUNICATIONS

The following communication was presented by the Speaker, read, and ordered printed in the Journal:

### ELECTION OF JOINT INTERIM COMMITTEE CHAIRMAN

JOINT LEGISLATIVE COMMITTEE FOR
REVISION OF THE EDUCATION CODE
SACRAMENTO, January 14, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Sacramento*

DEAR MR. SPEAKER: The Joint Legislative Committee for Revision of the Education Code met in Room 4090 of the Capitol Annex, January 12, 1959, at 3 40 p.m. Members present were: Assemblymen Winton, Hegland, and Grant, and Senators Dilworth (Vice Chairman), Donnelly, and Grunsky. The meeting was called to order by Vice Chairman

Dilworth. Assemblyman Hegland was elected chairman to fill the vacancy in that office. The meeting was adjourned at 3:45 p.m.

Very truly yours,

NELSON S. DILWORTH, Vice Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 14, 1959

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

Senate Bill No. 2

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 2**—An act to recodify the Education Code, by repealing and re-enacting said code, relating to the establishment, maintenance, government and operation of schools, libraries and institutions of learning, arts and sciences.

Ordered held at the desk.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 36

Relative to amending the Temporary Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the Temporary Standing Rules of the Assembly for the 1959 Regular Session are hereby amended by repealing Rule 56 thereof, relating to introduction of Departmental Bills

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 305:** By Mr. George E. Brown—An act to amend Section 10505 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance

**Assembly Bill No. 306:** By Mr. George E. Brown—An act to add Article 4 (commencing at Section 17600) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to barber colleges.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 307:** By Mr. George E. Brown—An act to amend Sections 6535 and 6552.7 of the Business and Professions Code, relating to barber colleges.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 308:** By Mr. George E. Brown—An act to amend Section 6535 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 309:** By Mr. George E. Brown—An act to amend Sections 7332, 7383, 7412, and 7442 of, and to repeal Sections 7331, 7333, and 7334 of, the Business and Professions Code, relating to cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 310:** By Mr. Thelin—An act to amend Section 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of an instrument.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 311:** By Mr. Conrad—An act to amend Sections 2609 and 2632 of the Elections Code, relating to nominations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 312:** By Mr. Conrad—An act to amend Sections 2610, 3080 and 3082 of the Elections Code, relating to verification deputies.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 313:** By Mr. Dills—An act to repeal Section 21300 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Concurrent Resolution No. 31:** By Messrs. Gaffney, MacBride, Unruh, Marks, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to the passing of Pope Pius XII.

Referred to Committee on Rules.

**Assembly Bill No. 314:** By Mr. McCollister (By Request)—An act to add Section 6060.4 to the Business and Professions Code, relating to licenses to practice law.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 315:** By Mr. Charles H. Wilson—An act to amend Sections 26, 951, 2792, 2799, 2807, 2842, 3946, and 10050 of, and to repeal Section 2792.1 of, the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 316:** By Mr. Luckel—An act to amend Section 23320 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 317:** By Mr. Z'berg—An act to add Section 1773.1 to the Labor Code. relating to per diem wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 318:** By Mr. Z'berg—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to the wages of public employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 319:** By Mr. Don A. Allen—An act to add Article 2.5, comprising Sections 35580 to 35587, inclusive, to Chapter 2, Part 2, Division 2, Title 4, of the Government Code, relating to the withdrawal of agricultural land from cities.

Referred to Committee on Municipal and County Government.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Dahl moved that, pursuant to Article IV, Section 2 (a) of the Constitution, Assembly Bill No. 5 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.

NOES—None

### Speaker Presiding

At 9.58 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding

### APPOINTMENT OF COMMITTEE CHAIRMEN AND VICE CHAIRMEN

Speaker Brown appointed the following committee chairmen and vice chairmen of committees:

**Agriculture**—Mr. Samuel R. Geddes, Chairman; Mr. Williamson, Vice Chairman.

**Civil Service and State Personnel**—Mr. Meyers, Chairman; Mr Z'berg, Vice Chairman.

**Constitutional Amendments**—Mr. Busterud, Chairman; Mr. Don A. Allen, Vice Chairman.

**Criminal Procedure**—Mr. O'Connell, Chairman; Mr. Petris, Vice Chairman.

**Education**—Miss Donahoe, Chairman; Mr. Garrigus, Vice Chairman.

**Elections and Reapportionment**—Mr. Crown, Chairman; Mr. Grant, Vice Chairman.

**Engrossment and Enrollment**—Mr. Burke, Chairman.

**Fish and Game**—Mrs. Davis, Chairman; Mr. Thomas, Vice Chairman.

**Governmental Efficiency and Economy**—Mr. Masterson, Chairman, Mr. George E. Brown, Vice Chairman.

**Industrial Relations**—Mr McMillan, Chairman; Mr. Waldie, Vice Chairman.

**Interstate Co-operation**—Mr. Dills, Chairman.

**Judiciary—Civil**—Mr. Biddick, Chairman; Mr. George A. Willson, Vice Chairman.

**Legislative Representation**—Mr. Frew, Chairman; Mr. Charles H. Wilson, Vice Chairman.

**Livestock and Dairies**—Mr. Belotti, Chairman; Mr. House, Vice Chairman.

**Manufacturing, Oil, and Mining Industry**—Mr. Bruce F. Allen, Chairman; Mr. Kennick, Vice Chairman.

**Military and Veterans Affairs**—Mr. Crawford, Chairman; Mr. Mulford, Vice Chairman.

**Public Health**—Mr. Rumford, Chairman; Mr. Cameron, Vice Chairman.

**Public Utilities and Corporations**—Mr. Cunningham, Chairman; Mr. Luckel, Vice Chairman.

**Social Welfare**—Mr. Burton, Chairman; Mr. Elliott, Vice Chairman.

## APPOINTMENT OF COMMITTEE VICE CHAIRMEN

Speaker Brown appointed the following vice chairmen of committees:

**Finance and Insurance**—Mr. Pattee, Vice Chairman.

**Government Organization**—Mr. Marks, Vice Chairman.

**Municipal and County Government**—Mr. DeLotto, Vice Chairman.

**Natural Resources, Planning, and Public Works**—Mr. Kilpatrick, Vice Chairman.

**Revenue and Taxation**—Mr. Sumner, Vice Chairman.

**Transportation and Commerce**—Mr. Gaffney, Vice Chairman.

**Water**—Mr. Lunardi, Vice Chairman.

**Ways and Means**—Mr. Coolidge, Vice Chairman.

### ANNOUNCEMENT

Speaker Brown announced that he was still working on the schedule of committee meetings, and that he would present the schedule at a later date.

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

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

**Assembly Bill No. 320**: (Departmental—Governor)—By Messrs. Winton, Munnell, Rees, Miller, Biddick, Crown, Mrs. Davis, Mr. DeLotto, Miss Donahoe, Messrs. Frew, Garrigus, Hanna, House, Kennick, MacBride, Nisbet, Rumford, and Williamson—An act to repeal Chapter 1 of Division 7 of, to add Chapter 1 to Division 7 of, and to repeal Section 5007 of, the Elections Code, relating to election campaigns, campaign contributions and campaign expenditures, and providing penalties for violations thereof.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 321**: By Messrs. Rumford, Mulford, Dahl, Bee, Crawford, Crown, Cunningham, and Petris—An act to add Sections 11723, 11724 and 11725 to the Health and Safety Code, relating to the establishment of narcotic rehabilitation clinics and making an appropriation therefor.

Referred to Committee on Public Health.

**Assembly Bill No. 322**: By Messrs. Munnell, McCollister, McMillan, Busterud, Bruce F. Allen, Burton, Chapel, Mrs. Davis, Messrs. DeLotto, Francis, Frew, Gaffney, Garrigus, Grant, Lunardi, Masterson, Meyers, Nisbet, Porter, Sedgwick, Waldie, and Z'berg—An act to amend Section 2655 of the Unemployment Insurance Code, relating to unemployment compensation disability benefit.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 323**: By Messrs. DeLotto and Garrigus—An act to amend Section 5 of the Fresno Metropolitan Flood Control District Act (Chapter 503, Statutes of 1955), relating to the governing board of the district.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 324**: By Messrs. DeLotto and Garrigus—An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 325**: By Mr. Winton—An act to amend Section 13672.1 of the Education Code and Section 13456 of the Education

Code as proposed by Senate Bill No. 2, relating to leaves of absence of certificated employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 326**: By Mr. Reagan—An act to amend Section 10504 of the Streets and Highways Code, relating to remedies in case of default by contractor.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 327**: By Mr. Reagan—An act to amend Section 5255 of the Streets and Highways Code, relating to remedies in case of default by contractor.

Referred to Committee on Municipal and County Government.

**Assembly Constitutional Amendment No. 12**: By Messrs. Burton, Don A. Allen, George E. Brown, Elliott, Hawkins, and McMillan—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Constitutional Amendments.

**Assembly Concurrent Resolution No. 32**: By Messrs. MacBride and Z'berg—Relative to the creation of the Joint Committee on the Governor's Mansion and the setting aside of funds for the Governor's Mansion.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Miller was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal; and that 3,000 copies of the Report of the Subcommittee on Escheat of the Assembly Interim Committee on Judiciary be ordered printed as a separate document:

## LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, January 12, 1959

*Hon. Ralph M. Brown, Speaker of the Assembly*
*and Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Enclosed is the Report of the Subcommittee on Escheat of the Assembly Interim Committee on Judiciary.

During the interim this subcommittee has gathered and examined previous studies of the subject of abandoned property, including earlier bills introduced in the California Legislature, the statutes of sister states, and the writings of scholars in the field. Moreover, four hearings were held in which potential benefits and possible problems were assayed. The results of this effort are distilled in the report, and culminated in the recent introduction of Assembly Bill No. 16, 1959,

which is appended. The report is brief yet comprehensive, and deserves the careful consideration of the Legislature.

Respectfully submitted,

BRUCE F. ALLEN, Chairman

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

The following bills were introduced and read the first time:

**Assembly Bill No. 328:** By Messrs. Burton, Don A. Allen, George E. Brown, Elliott, Hawkins, and McMillan—An act to amend Sections 87 and 230 of the Elections Code, relating to affidavits required of voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 329:** By Messrs. House, Frew, Garrigus, and Hanna—An act to amend Section 700.2 of the Vehicle Code, and to amend Section 23115 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the spilling of vehicle loads.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 330:** By Messrs. Hanna and Chapel—An act to add Section 6018 to the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 331:** By Messrs Burton, Masterson, O'Connell, Waldie, Don A. Allen, Bane, Bee, Britschgi, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Gaffney, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Lunardi, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Unruh, Williamson, George A. Willson, and Z'berg—An act to add Sections 220.1, 1182.1, and 2751 to the Labor Code, relating to wages.

Referred to Committee on Industrial Relations.

### ANNOUNCEMENTS

Mr. Burton announced that he had at his desk a bill of permissive legislation for temporary housing projects, and invited all members who desired to become co-authors of the bill to come to his desk and affix their signatures.

Mr. Sumner announced that his secretary, Mrs. Eleanor Dixie Danielson, was the recipient of a state merit award.

Mr. Francis announced that he had at his desk a series of bills relative to permitting telephone calls immediately after booking by the police, and invited all members who desired to become co-authors of the bills to come to his desk and affix their signatures.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 36 FROM COMMITTEE

Mr. Miller was granted unanimous consent that House Resolution No. 36 be withdrawn from the Committee on Rules.

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 36 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 36

By Mr. Miller:

### House Resolution No. 36

Relative to amending the Temporary Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the Temporary Standing Rules of the Assembly for the 1959 Regular Session are hereby amended by repealing Rule 56 thereof, relating to introduction of Departmental Bills.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None

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

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

**Assembly Bill No. 332:** By Messrs. Burton, O'Connell, George E. Brown, Garrigus, Masterson, and Waldie—An act to amend Section 35541 of the Health and Safety Code, relating to temporary housing projects.

Referred to Committee on Public Health.

**Assembly Bill No. 333:** By Mr. Rees—An act to repeal Section 4601 of, and to add Section 4601 to, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 334:** By Mr. Rees—An act to add Section 4910 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 335:** By Mr. Rees—An act to amend Section 4301 of, to add Section 4304.5 to, and to repeal Sections 4302, 4302.5, and 4303.5 of, the Government Code, relating to preference for American made materials in public purchases.

Referred to Committee on Governmental Efficiency and Economy.

## EXPLANATION OF ABSENCE

January 15th

Please place in Journal that Johnson was attending Governor's Advisory Traffic Council meeting 10 to 10.45 a.m., on January 15th.

SETH J. JOHNSON

## RESOLUTIONS

The following resolution was offered:

By Messrs. Crawford, Rumford, Cunningham, Dills, Thelin, and Johnson:

### House Resolution No. 37

Relating to a study of California hospitals by the Assembly Committee on Public Health

WHEREAS, The adequacy of patient care provided in California's hospitals is of paramount importance to all people in the State; and

WHEREAS, It is recognized that a high quality of service is provided by the vast majority of hospitals in California; however it is further recognized that a few hospitals are not meeting these high standards; and

WHEREAS, The public has expressed a deep concern over the quality of health services provided by these hospitals; and

WHEREAS, The Assembly Interim Committee on Public Health has been investigating many aspects of hospital care and has determined that a study and investigation of hospitals in California is necessary in the interest of the public health, and has further determined that this study will be of value to the hospitals, physicians, and public health agencies in their continuing endeavor to improve the quality of patient care; now, therefore, be it

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

1. The Assembly Standing Committee on Public Health is hereby instituted an interim committee and is authorized and directed to ascertain, study, and analyze all facts relating to whether or not California hospitals are meeting the standards necessary to insure adequate protection to, and medical care of, the public, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Public Health or a subcommittee thereof for the 1959 Regular Session. The chairman shall be appointed by the Chairman of the Standing Committee on Public Health. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the 15th legislative day of that session.

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

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

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

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

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

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

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the _____ for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and dishursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 336:** By Mr. Francis—An act to amend Section 68072 of, and to add Section 68110 to, the Government Code, relating to judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 337:** By Messrs. Francis, Busterud, Meyers, Bruce F. Allen, Britschgi, Lunardi, MacBride, and Z'berg—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 338:** By Messrs. Francis, Busterud, Meyers, Bruce F. Allen, Britschgi, House, Lunardi, MacBride, and Z'berg—An act to amend Section 264 of the Revenue and Taxation Code, relating to the orphanage exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 339:** By Mr. Francis—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 340:** By Messrs. Francis and Britschgi—An act to add Section 269 to the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 341:** By Messrs. Francis, Burton, Meyers, Britschgi, Crown, Frew, Garrigus, Masterson, and Waldie—An act to add Section 581.5 to the Penal Code, relating to telephone calls by arrested persons.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 342:** By Messrs. Francis, Burton, Meyers, Britschgi, Crown, Frew, Garrigus, Masterson, and Waldie—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 343:** By Messrs. Lunardi, Winton, Belotti, Garrigus, and Sedgwick—An act to amend Section 365 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 344:** By Messrs. Francis, Burton, Meyers, Britschgi, Frew, Garrigus, Masterson, and Waldie—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 345**: By Messrs. Garrigus, Ernest R. Geddes, Hegland, Winton, George E. Brown, DeLotto, Frew, House, and Kennick—An act to add Chapter 13 (commencing at Section 21901) to Division 10 of the Education Code, and to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as proposed by Senate Bill No. 2 relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 33**: By Messrs. George A. Willson, Lunardi, Kennick, Petris, Bane, George E. Brown, Cameron, Cusanovich, DeLotto, Garrigus, Marks, Waldie, Williamson, and Z'berg —Relative to Legislative Orientation Conference for new Members of the Legislature.

#### Request for Unanimous Consent

Mr. George A. Willson was granted unanimous consent to take up Assembly Concurrent Resolution No. 33 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 33

**Assembly Concurrent Resolution No. 33**—Relative to Legislative Orientation Conference for new Members of the Legislature.

Resolution read.

#### Resolution Corrected by Unanimous Consent

Speaker Brown was granted unanimous consent that the word "interim" in the last paragraph of the resolution be corrected to read "intern".

The question being on the adoption of the resolution, as corrected.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 96

Mr. Meyers was granted unanimous consent that Rule No. 96 be temporarily suspended for the purpose of adding his name and the names of Messrs. Cunningham, Frew, Kennick, and Kilpatrick as coauthors of Assembly Bill No. 118.

#### Parliamentary Inquiry

Mr. Beaver arose to the following parliamentary inquiry: Where is the bill, at this time?

#### Reply by Speaker

The Speaker replied that the bill is at the desk, having been returned from the printer, but not yet sent to the committee to which it has been referred.

#### Request to Invoke Constitutional Provision

Mr. Meyers asked for unanimous consent that pursuant to Article IV, Section 2 (a) of the Constitution, Assembly Bill No. 118 may be acted upon by the Assembly and that he be permitted to offer his amendment to the bill, before 30 calendar days have elapsed.

Mr Sumner withheld unanimous consent.

#### Request Withdrawn

Mr. Meyers withdrew his request

### NOTICE OF INTENTION TO WITHHOLD UNANIMOUS CONSENT

Mr. Winton announced that he was serving notice that hereafter he would withhold unanimous consent on all requests for unanimous consent which would disrupt the work of the House; and that he would withhold unanimous consent to add names to roll calls or change votes on roll calls unless such requests were made within a short time after the vote had been announced, since the members have the privilege of having short statements of vote inserted in the Journal.

### ANNOUNCEMENT

Mr. MacBride announced that he had at his desk a bill giving to counties possessory interest in taxes on equipment in industrial and defense plants, and invited all members who desired to become co-authors of the bill to come to his desk and affix their signatures.

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

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

**Assembly Bill No. 346:** By Messrs. Unruh, Don A Allen, Crown, Hawkins, Bee, George E. Brown, Burton, Cameron, DeLotto, Elliott, Garrigus, Kilpatrick, MacBride, McMillan, Petris, Rees, Rumford, Waldie, and Z'berg—An act to amend Sections 51, 52, 53, and 54 of the Civil Code, relating to the rights of citizens in places of public accommodation or amusement.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 347: By Mr. Biddick**—An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 348:** By Mr. Biddick—An act to amend Section 1252 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 349**: By Messrs. Crown, Bee, Mulford, Petris, and Rumford—An act to amend Sections 5828 and 6499.6 of the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Referred to Committee on Public Utilities and Corporations.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 13, 1959

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

Senate Concurrent Resolution No. 7

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 7**—Relative to approving a certain amendment to the charter of the City of Newport Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on November 4, 1958.

### Request for Unanimous Consent

Mr. Sumner was granted unanimous consent to take up Senate Concurrent Resolution No. 7 without reference to committee or file.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

**Senate Concurrent Resolution No. 7**—Relative to approving a certain amendment to the charter of the City of Newport Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on November 4, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 12, 1959

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

Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolutions were read:

**Senate Concurrent Resolution No. 5**—Relative to approving amendments to the charter of the City of Salinas, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California direct primary election held on the third day of June, 1958.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 6**—Relative to the adoption of the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, January 15, 1959

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

Assembly Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

### ANNOUNCEMENT

Mr. Ernest R. Geddes announced that the Joint Committee on School Visitations had held an organizational meeting, and that he had been elected chairman of the committee.

### EXPRESSION OF APPRECIATION

Mr. Ernest R. Geddes expressed his appreciation, and the appreciation of the members to Mrs. Flora Gillian and to Mr. Tony Beard and his staff of Sergeants-at-Arms, through whose co-operation the visiting school children had been guided on tours of the Capitol previous to the organization of the committee.

### ANNOUNCEMENT

Mr. MacBride announced that in order to give all members who desired to become co-authors time to affix their signatures to the bill, he would wait until Monday to introduce his bill on possessory interests.

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

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

**Assembly Bill No. 350**: By Messrs. Crown, Waldie, Busterud, Garrigus, Bane, Bee, Biddick, George E. Brown, Burke, Burton, Cameron, Conrad, Crawford, Cunningham, Dahl, Mrs. Davis, Mr. DeLotto, Miss Donahoe, Messrs. Francis, Frew, Gaffney, Grant, Hanna, Hegland,

House, Kennick, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Petris, Rees, Schrade, Sumner, Williamson, George A. Willson, Winton, and Z'berg (Departmental—Governor)—An act to amend Section 6800 of the Elections Code, relating to electronic and electromechanical tabulation of ballots.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 351:** By Mr. George E. Brown—An act to amend Sections 7302, 7310, 7311, 7312, 7320, 7330, 7331, 7332, 7334, 7362.1, 7370, 7372, 7373, 7376, 7380, 7382, 7383, 7393, 7394, 7400, 7412, 7420, 7431, 7436, and 7442 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 352:** By Mr. George E. Brown—An act to repeal Section 3270 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 353:** By Mr. George E. Brown—An act to add Section 2657 to the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 354:** By Messrs. Francis and Bradley—An act to repeal Sections 367d and 367e of the Penal Code, relating to operation of vehicles while intoxicated.

Referred to Committee on Criminal Procedure.

**Assembly Constitutional Amendment No. 13:** By Messrs. Busterud, Marks, Burton, O'Connell, Meyers, and Mulford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 2.6, relating to transit facilities.

Referred to Committee on Constitutional Amendments.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 9 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Senate Concurrent Resolution No 9 be withdrawn from the Committee on Rules for purpose of amendment and consideration at this time.

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 9 without reference to file.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9

**Senate Concurrent Resolution No. 9**—Relative to the continuance of the Joint Committee on Water Problems.

Resolution read.

### Motion to Amend

Mr. Miller moved the adoption of the following amendment:

### Amendment No. 1

In the printed measure, strike out the paragraph numbered "2" and insert:

"2. The committee is authorized to act during this session of the Legislature, including any recess, but not later than the 60th calendar day of the session with authority to file its final report not later than that date."

Amendment read, and adopted.

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 9, as amended, without reference to reprint or file

### Consideration of Senate Concurrent Resolution No. 9, as Amended

**Senate Concurrent Resolution No. 9**—Relative to the continuance of the Joint Committee on Water Problems.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

## EXPLANATION OF ABSENCE

Please place in Journal that Johnson went to Governor Brown's office at 11.20 a.m.

SETH J. JOHNSON

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

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

**Assembly Bill No. 355:** By Mr. Conrad—An act to amend Section 1609 of the Elections Code, relating to county initiative.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 356:** By Mr. Conrad—An act to amend Section 682 of the Elections Code, relating to change in polling place.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 357:** By Mr. Conrad—An act to amend Section 1615 of the Elections Code, relating to county initiative measures.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 358:** By Messrs. Elliott, Rees, Hawkins, George E. Brown, and McMillan—An act to add Section 13237 to the Education Code and Section 13561.1 to the Education Code as proposed by Senate Bill No. 2, relating to lunch periods for teachers.

Referred to Committee on Education.

**Assembly Bill No. 359:** By Mr. Francis—An act to amend Section 7 of the Penal Code, relating to the definition of "book."

Referred to Committee on Criminal Procedure.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Brown of Fresno to former Speaker of the Assembly L. H. Lincoln of Oakland; Judge Thomas W. Caldecott of Berkeley, former Member of the Assembly; and Justice Fred B. Wood of the First District Court of Appeal, Division 1, San Francisco, former Legislative Counsel.

On request of Mr. Mulford of Oakland and Speaker Brown of Fresno to Mr. and Mrs. Robert S. Phillips of Berkeley.

On request of Mr. Lunardi of Roseville to Ruben Robertson of Colfax.

On request of Mr. Collier of Los Angeles, Mr Reagan of Pasadena, and Mr. Lanterman of La Canada to Mr. and Mrs. Warren Dorn of Los Angeles.

On request of Mr. Belotti of Eureka to Fred Haight, Austin Hunter, and Harold Del Ponte of Crescent City

On request of Mr. Mulford of Oakland to Mr and Mrs. Forrest Bachman of Oakland

On request of Mr. Luckel of San Diego and the San Diego Delegation to Donald E. Hanson of San Diego.

On request of Mr O'Connell of San Francisco to Mathew Gaffney (son of Assemblyman Gaffney), George Haliburton, Donald Jones, Miss Gayle Bernstein, and Stanley Daw, teachers, and the following pupils of the Pelton Junior High School, San Francisco: Barbara Alexander, Shirley Angel, Patricia Armstrong, Margaret Brown, Carolyn Collins, Darlene Cook, Stephanie Cook, Lela Crews, Lorraine De Cort, Patricia De Hart, Mildred Earby, Patricia Ellison, Dorothy Freeman, Gayle Frenna, Regina Gauvin, Elizabeth George, Valerie Gilliam, Rose Griffith, Virginia Guerrero, Katie Guillory, Florine Halley, Joyce Harper, Phyllis Harris, Gloria Harvey, DeLois Hawkins, Shirley Hawkins, Delores Hodges, Evelyn Hodges, Claudetta Ingram, Rosemary Ishii, Maggie Jackson, Jenkins, Loretta Johnson, Patricia Jones, Lily Kalehua, Joanne Kious, Johnnie Lee Knox, Josephine Lee, Sandra McCarthy, Janice McGee, Joyce McGill, Patricia Miles, Estella Moral, Lorrietta Nelson, Carolyn Passig, Dolores Periera, Shirley Perry, Verna Mae Pete, Joyce Pickens, Maria Prado, Marilyn Puccinelli, Carolyn Ragowsky, Frances Rainey, Geneva Randall, Diane Ricard, Patricia Roberts, Margaret Robinson, Pearlie Rochelle, Arlene Saiki, Linda Salm, Betty Jean Scurr, Geraldine Stevens, Patsy Swoopes, Patricia Trotman, Montez Tuia, Ann Turner, Tommie Vance, Barbara Washington, Ruthie Wesley, Delores Williams, Elizabeth Williams, Gloria Williams, Hazel Williams, Ruth Wise, Gloria Wright, Ray Balberan, Robert Beaird, Walter Bell, James Braden, James Brown, Henry Burfiet, Charles Busuttil, Joseph Butler, Joseph Cavallaro, Michael Charlos, Calvin Coates, Clarence Coleman, Jerry Collins, James Cook, John Crossley, Miguel Cruz, William Dickerson, Howard Elliott, J. B. Fuller, Robert Gray, Michael Helm, Charles Hopkins, Mike Houston,

Raemon Ingram, Sylvester Irving, Allan Johnson, James Kempers, Elisha King, Roy Martin, Walter McDaniel, Percy Mims, Chris Misuraca, James Munson, Ronald Muscat, Daniel Nava, George Newton, Gerald Noble, Ozzie Norris, Andrew Peace, Lenwood Price, James Pryor, William Randolph, Cory Reeves, Clinton Robinson, LeRoy Robinson, Leon Salm, John Schembre, Ronald Scott, John Seaton, Clifford Simmons, Luther Smith, Robert Smith, Darryl Stwoe, Robert Taylor, Jimmie Terry, Robert Thompson, Donnell Tucker, Stephen Ward, George Washington, Robert Weekly, Thomas Wenger, Robert Williams, Walter Williams, Warner Wilson, Edwin Wohler, Hamilton Wong, and Bobby Wysinger.

On request of Mr. Cameron of Whittier to Howard McKibben, John I. McKibben, and Charles Samuels, of Whittier.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Robert J. Spiegel, of San Francisco.

## ADJOURNMENT

At 11.27 a.m., on motion of Mr. Miller, the Speaker declared the Assembly adjourned until 11 a.m., Monday, January 19, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, January 19, 1959

The Assembly met at 11 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Most Merciful and Loving God,* One by one the names of the roll call echo in our ears We commend each person to Thy gracious keeping. Yet one other name we call, Thy name, O God, a name above every name Be Thou present, Lord, Thy spirit brooding over this Assembly calling each one in this sacred silence to face squarely the opportunity for public service. So direct the minds of these, Thy servants, that when they cast their vote the people of this State will have been well served, and Thy kingdom of love, justice, and mercy brought nearer to reality; through Jesus Christ, our Lord.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Crown, on request of the Speaker.
Mr. Rumford, on motion of Mr. Shell.
Mr. Johnson, on motion of Mr. Shell.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Francis L. Weimer of Los Angeles, relative to capital punishment. Referred to the Committee on Criminal Procedure.

The following communication was presented by the Speaker:

A resolution by the Imperial County 1958 Grand Jury, relative to narcotics. Referred to the Committee on Criminal Procedure.

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report of California Public Library Commission

STATE OF CALIFORNIA
CALIFORNIA PUBLIC LIBRARY COMMISSION
BERKLLEY, January 10, 1959

*The Honorable Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The report of the California Public Library Commission was due today The report was adopted by the commission on January 7th. However, the letter of transmittal, to be signed by the chairman, has not yet reached me Presumably it will reach me on Monday, and the report will then be sent. I regret this delay.

Very truly yours,

ED A. WIGHT, Director of Research

Copy to Mr Heckendorf

Above transmitted report referred to the Committee on Education.

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The following letters of transmittal were presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Report on All-year Highway, Mineral King Sector of Sequoia National Forest, Tulare County

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 14, 1959

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

DEAR MR. OHNIMUS: Reference is made to Senate Concurrent Resolution No. 12, 1958 Session, by Senator J. Howard Williams.

This resolution requests the Department of Public Works, through the Division of Highways, *to investigate feasibility of constructing an all-year, all-season road of* adequate standards from a terminus point in the San Joaquin Valley to Mineral King sector of Sequoia National Forest in Tulare County.

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

Sincerely,

ROBERT B. BRADFORD
Director of Public Works

Enclosures 6

Above transmitted six copies of report referred to the Committee on Transportation and Commerce.

**Letter of Transmittal**
**Report to Joint Legislative Budget Committee on Survey of the Department of Fish and Game**

JOINT LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
SACRAMENTO, January 14, 1959

TO: *All Members of the Legislature*
FROM: *A. Alan Post*
SUBJECT: *Fish and Game Report*

Senate Concurrent Resolution No. 126 of the 1957 Session of the Legislature made an appropriation to the Joint Legislative Budget Committee for the purpose of contracting with an independent agency to make a survey of the fish and game program of the State of California. Accordingly, the Budget Committee employed the management firm of Booz, Allen & Hamilton to carry out such a survey.

On December 12, 1958, the Budget Committee received the completed report from Booz, Allen & Hamilton and authorized its printing for distribution to Members of the Legislature and others.

Senator Arthur H. Breed, Jr., Chairman of the Joint Legislative Budget Committee, has instructed me to notify all Members of the Legislature that 10 copies of the report will be made available to the member for such distribution as he determines. In addition to the copy which accompanies this letter, nine additional copies will be delivered to you upon your request to this office or copies will be distributed by us to persons who present themselves from time to time at this office with written instructions thereon from you.

This arrangement will be in effect during the period of the legislative session. At the close of the session, any copies which have not been taken by Members of the Legislature will be maintained in this office, available for distribution to any member and the public upon request, free of charge

In addition to the 10 copies to be furnished to each member, there will be 330 copies made available by the Documents Section for sale to the public at a price of $2 per copy, the revenue from such sales to be returned to the Fish and Game Preservation Fund. Requests for purchase of the report may be directed to the Documents Section, State Printing Plant, Seventh and Richards Boulevard, Sacramento.

Encl.

Above transmitted report referred to the Committee on Fish and Game.

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**Letter of Transmittal**
**Report of Department of Public Works on Expenditure of Funds Appropriated to the Flood Control Fund of 1946**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, January 15, 1959

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

DEAR MR. OHNIMUS: I have the honor to transmit herewith for the information of the California State Assembly, a report of the State Department of Water Resources covering the actions of this department with respect to the reallocation of money, allocated by the Legislature pursuant to the provisions of the Flood Control Fund Law of 1946, for the period January 1, 1957, to December 31, 1958, as required by Sections 12930 and 12875 of the Water Code.

In summary, the report shows that $27,584,871 was reallocated to local agencies from the Flood Control Fund of 1946, under reallocation orders issued through December 31, 1958. A total of 146 applications for the reallocation of funds from the Flood Control Fund of 1946, in the total amount of $12,030,432.49, were received from local agencies during the period January 1, 1957, to December 31, 1958. During this same period, expenditures from the Flood Control Fund of 1946 amounted to $11,381,256.84, released under reallocation orders issued by the department and $6,497,689, expended by the Reclamation Board in connection with projects under their jurisdiction.

Very truly yours,

HARVEY O BANKS, Director

Encl.

Above transmitted report referred to the Committee on Water.

### PARLIAMENTARY INQUIRY

Mr. Hegland arose to the following parliamentary inquiry: Is the House on the order of business of motions and resolutions?

#### Reply by Speaker

The Speaker replied that the House was not under that order of business, but that, by unanimous consent of the House, a motion would be entertained.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Hegland was granted unanimous consent that the Rules be temporarily suspended in order that Senate Bill No. 2 be held at the desk without reference to committee.

#### Motion to Invoke Constitutional Provision

Mr. Hegland moved that, pursuant to Article IV, Section 2(a) of the Constitution, Senate Bill No. 2 may be heard in Committee of the Whole on January 27, 1959; and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Ernest R. Geddes seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lauterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

#### Request for Unanimous Consent to Set Senate Bill No. 2 for Special Order and Hear in Committee of the Whole

Mr. Hegland was granted unanimous consent that Senate Bill No. 2 be made a special order of business for Tuesday, January 27, 1959, at 10:30 a.m.; and that the Assembly meet in Committee of the Whole at that time to consider Senate Bill No. 2.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT IN JOURNAL

Mr. McCollister was granted unanimous consent that the following Final Report of the Assembly Interim Committee on Livestock and Dairies be ordered printed in the Journal in 10-point type:

### FINAL REPORT
### INTERIM COMMITTEE ON LIVESTOCK AND DAIRIES

SACRAMENTO, January 15, 1959

DEAR MR. SPEAKER: Pursuant to House Resolution No. 225 (1957 General Session), and pursuant to House Resolution No. 48 (1958 First Ex. Sess.), your Interim Committee on Livestock and Dairies herewith submits its final report, as follows:

Your committee held numerous meetings throughout the State on the assigned issues, with concentration on the known livestock, poultry,

and milk producing areas, such as Eureka, Petaluma, San Mateo, Salinas, Fresno, Paramount in Los Angeles County, San Diego and in the State Capitol, as necessary. These meetings treated Assembly Bills Nos 2023, 2024, and 2025, authored by Assemblyman Lowrey, Assembly Bill No 3314, by Assemblyman Winton, Assembly Bill No. 11, by Assemblyman McCollister, and a controversy over rural highways in Los Angeles County which was not in bill form. A condensation of the hearings on these subjects now follows:

### ASSEMBLY BILL NO. 11

Through arrangements with the Joint Interim Committee on Agriculture both your Assembly committee and the joint committee met in concert in all of the above locations to simultaneously consider Assembly Bill No. 11, relating to the creation of a Poultry Promotion Council, and Assembly Bill No. 3314, which proposed control over the charges for hauling milk.

On the Poultry Promotion Council matter your committee heard many witnesses, yet it seems sufficient to say that there was little or no opposition to the proposal since it contained provisions for an industry referendum and both the joint committee and your committee therefore concluded that adequate information regarding Assembly Bill No. 11 should be broadcast to the resident California poultrymen. This was accomplished during the spring and summer of 1958, as per House Resolution No. 48 of the Special Session, wherein Assemblyman McCollister headed a subcommittee which undertook to mail a copy of Assembly Bill No. 11, and analysis material to the industry. It subsequently followed that the referendum on this Poultry Promotion Council did not gain the necessary majority and, therefore, your committee does not recommend the re-enactment of this measure unless amended to a voluntary basis.

### ASSEMBLY BILL NO. 3314

On the milk hauling charges subject, wherein your committee also worked with the joint committee on agriculture and livestock problems within the same schedule and number of meetings, we submit herewith the following excerpt from our transcript which statement we feel most clearly sets forth the situation:

> "My name is L. F. Clifton, and I am representing the Western Milk Transport My company is engaged in both the transportation of milk from dairies to plants in this area as well as the hauling of milk and dairy products from country plants to city distribution plants in Southern California, as well as in other consuming markets. The proposed legislation, if it were enacted, would vitally affect our operations and create an uncertainty which could make it impossible for us to operate efficiently Therefore, we desire to put before you information on our operations which may be of assistance to you in your consideration of Assembly Bill No. 3314.
>
> "The hauling of milk and dairy products in the San Joaquin Valley is a highly competitive business. We must compete both

against other contract carriers, and with plants which carry on their own hauling operations. Therefore, the permanency of our business is solely dependent upon two factors. One, our ability to assure producers and distributors that we can transport milk and fluid dairy products in the quantities desired, on the required schedules, and in the manner required by all health and quality standards. Second, we must be able to provide this service on a reasonably low cost basis.

"We entered the ranch-to-plant transportation field in the San Joaquin Valley after long experience in providing this type of transportation service in the Southern California area. We knew from the start that we would be under constant pressure to reduce the cost of the ranch-to-plant haul. Our present $0.14 per hundredweight hauling rate applicable to tanker shipments on whole milk is a reduction from the original rates established in this area. We are constantly seeking ways and means of reducing costs and improving service even though we have been faced with a steadily rising trend in labor, truck, fuel, and material costs.

"We would like to try to give you some ideas of the investment required to maintain an adequate area-wide transportation service. Currently, we are transporting from dairies to country plants, milk produced in Fresno, Kings, Tulare, and Kern Counties. And, I may also add, on the coastal areas too, which would be Santa Barbara, and San Luis Obispo Counties. We are also transporting milk from plants scattered throughout the San Joaquin Valley to points in Southern California and in the Bay area. For just the ranch-to-plant haul, we maintain a fleet of 15 tankers, and for the 'over the road' hauling operations in the San Joaquin Valley, a fleet of 52 tankers. Our investment in facilities and equipment for servicing the transportation needs of our customers in the San Joaquin Valley is in excess of $2,000,000. Our total personnel for the area exceeds 156, including a large group of men trained and licensed as weighers and samplers, in accordance with the requirements of the Agricultural Code.

"It is obvious in view of these figures that our planning and our negotiations on rates with distributors and producers are aimed at permanency for our business and are not based on a temporary fly-by-night approach. In this connection we are greatly concerned with the proposed legislation as contained in Assembly Bill No. 3314, since it would inject a terrific element of uncertainty into the situation. Actually, it is impossible for us to interpret the meaning of some of the provisions. It could mean that our entire program of maintaining a complete hauling service for an area would 'go by the boards.' We might be forced to negotiate new rates every year, and be unable to plan on a long-time basis. It would appear that we could no longer negotiate with plants to provide the required service, but that actually our negotiations would have to be carried on with the Director of Agriculture, since he would become the determining factor on what agency the plants could use for milk transportation.

"We certainly have no fears of the consideration of our rates on an open public bid basis, but we are concerned with the fact that individual parts of a territory might be segregated out under a lower bid which would make it impossible to properly serve an entire area on the lowest overall rate basis. In view of our many years of experience in operating as a common carrier and a contract carrier in other areas, we are apprehensive as to what will happen in the milk transportation field if the Director of Agriculture is to approve rate structures in only a cursory manner. By that, we mean, unless it is contemplated that the Department of Agriculture will be set up and staffed as a complete rate-making body, we will have no distinct and definite basis to estimate future rate structures and operating standards. Any public agency which has the responsibility of approving or establishing transportation rates for a dynamic industry such as our milk industry, must be prepared to carry on this function in a full and complete manner and be certain its actions will result in the maintenance of the needed hauling facilities

"In summary, we wish to state that from our experience we know that the rate structure currently in this area and in the foreseeable future, will be subject to competitive pressures, and that we cannot maintain our business permanently unless we are capable of providing a good transportation service on a reasonable cost basis. We do not believe additional legislation is necessary to regulate the hauling of both producers and distributors, and to enjoy their good will, we must fill their needs every day in the year. We believe the proposed legislation would only hamper our ability to do so."

L. F. CLIFTON
Western Milk Transport Co.

In addition, we submit the following transcript of the San Diego meeting. This transcript is similar to the other six meetings held statewide:

## TRANSCRIPT OF PROCEEDINGS

## ASSEMBLY INTERIM COMMITTEE ON LIVESTOCK AND DAIRIES

**Chamber of Commerce Building**
**San Diego, California**
**November 12, 1957**
**10 a.m.**

**THOMAS M. ERWIN, Chairman**

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## ASSEMBLY INTERIM COMMITTEE ON LIVESTOCK AND DAIRIES

Full Committee Hearing
San Diego, California
November 12, 1957—10 a.m.

MEMBERS IN ATTENDANCE

THOMAS M. ERWIN, Chairman
CARL BRITSCHGI
RICHARD T. HANNA
ALAN G. PATTEE

OTHER LEGISLATORS PRESENT

SENATOR PAUL BYRNE
SENATOR ALFRED A. ERHART
SENATOR FRED KRAFT
ASSEMBLYMAN JACK SCHRADE
ASSEMBLYMAN FRANK LUCKEL
ASSEMBLYMAN SHERIDAN N. HEGLAND

STAFF MEMBERS PRESENT

HAROLD F. LEWRIGHT, Executive Field Representative
PAUL HUFF, Executive Secretary, Joint Interim Committee on Agricultural and Livestock Problems

CHAIRMAN ERWIN: (After introduction of members.)

This is the sixth meeting we have had on Assembly Bill No. 3314 having to do with milk hauling. We have found as we have traveled statewide, that while certain problems do exist as far as hauling is concerned, it is, in most instances, misunderstanding. It's something that I personally feel—especially in Southern California—should be left as is. If we're going to have new legislation, I think maybe if it applies only to one area it would be unconstitutional. When most legislation is introduced it has to be statewide and take into consideration the overall problem as it affects the industry statewide. We can't very well just pinpoint it to one certain area where maybe certain things have existed in the past that some producers and some small distributors or large distributors in that area, are not satisfied with. We have found, coming down from Eureka through Central California now into Southern California, that maybe we're in better shape if we don't have too much legislation. We have found that if you can work it out at the local level in most instances you have a better deal by far than having the State move in and pass legislation that may not do the job that producers and distributors think might be done. We have found that in certain legislation we have passed, that when that legislation is not thought through the way it should be—and if the producers and the distributors can meet themselves and work out their own problems and then come to the Legislature united on that problem—then we find in most instances that the legislators are not confused by the issue but it's clearcut and legislation can be introduced and passed and signed by the Governor that will take care of a problem that might exist in agriculture. We're going to first hear from proponents of this bill. I would like to read the bill—it's rather short. It was introduced by Assemblyman Winton from Merced County.

"SECTION 1. Section 4285 is added to the Agricultural Code, to read:

"4285. No hauling charge shall be charged by a distributor for the hauling of the milk of a producer, except pursuant to a contract entered

into for a one-year period. Such contract shall be let upon open bidding with public notice to commercial haulers of fluid milk. The bid accepted and the terms of the contract shall be approved by the director."

If the legislation was passed in its present form as written, I can assure you there would be nothing but confusion in the dairy industry statewide. Do we have any individual here who would like to testify in favor of this bill? We have a producer here, Mr. Buckel, who is president of the Producers Council and he's also chairman of the local Control Board of San Diego County. Have you any statement, Mr. Buckel, that you'd like to make? I think we'd like to hear from you because I think you would know the problem perhaps from the producer's standpoint as well as anyone we could find here in San Diego

D. W. BUCKEL, President, San Diego County Milk Producers Council: Thank you, Mr. Erwin. I'm D. W. Buckel, producer for Hayes Foremost Creamery in San Diego and Chairman of the San Diego Milk Producers Council which consists of about 85 percent of the producers in San Diego County. I am also chairman of the San Diego Control Board. I have just a few brief remarks to make. I am fairly familiar with the conditions of San Diego County and the hauling. First let me say, to my knowledge, there are two independent haulers here that do a very good job. We also have a co-op that is hauling milk and an independent distributor, I understand. Generally speaking, and speaking from the Board of Directors of the Milk Producers Council, they're all fairly well satisfied with their general hauling setup. We do not believe that this proposed bill will do us any good. First it puts—let's say another one of our problems in the Department of Agriculture's hands and we're very much in favor of the Bureau of Milk Control, but not to have the milk hauling incorporated in the bureau's hands or the State's hands. Another thing, we're very much in favor of small business. We have two of the local haulers here that we would consider big business, but small business compared to the milk transport up north. We have a little different problem in San Diego County compared possibly with San Joaquin and the Los Angeles areas. Up there it's all pretty well flat ground. Due to our carrying down here, the hauler, I would think, in quite a number of areas is compelled to use a bigger tractor for fluid milk than what he would in the Los Angeles or San Joaquin areas. Another thing in San Joaquin, where possibly this bill was originated, they have a problem that I can sympathize with that we do not have here. Our rates are fairly uniform. I don't think there is any complaint—a little confusion possibly on the way a couple of the milk haulers are billing. One of them has one rate with a surcharge and the other one has a flat rate—possibly amounts to the same thing. Other than that I don't think I would have anything to say unless there are some questions you might want answered.

CHAIRMAN ERWIN: Are there any questions? I would like to invite legislators from San Diego County to feel free to ask any questions if you want. Mr. Britschgi.

MR. BRITSCHGI: Mr. Buckel do you know what you're paying—the charge for milk hauling?

MR. BUCKEL: Yes sir.

MR. BRITSCHGI: You're a producer yourself?

MR. BUCKEL: That's right.

MR. BRITSCHGI: Do you know what you're paying?

MR. BUCKEL: Oh, absolutely.

MR. BRITSCHGI: How did you get that information? How do you find out?

MR BUCKEL: It's on my statement each month. In other words the distributors charge off to the hauler.

MR. BRITSCHGI: Is it written in your contract?

MR. BUCKEL: No, there's nothing written in the contract—and let me say this that—I've been a producer since 1914 and I've had all types of problems and there're all types of contracts that are written. Some that are thirty days and some are year contracts. This would only cause confusion to make a contract for your hauling for a year when the producer has a six month or ninety day producing contract. They would conflict. Ours is pretty much a general understanding between the hauler and the producer—I don't have a copy with me—where the hauler has tried to inform the producers as to his general fixed charges and the reason for increasing prices. Then it's a matter of deduction on your milk check by your local distributor to pay your hauler.

MR. BRITSCHGI: The reason I asked the question is because I happen to be a producer, and was a distributor and a producer at the same time, and all the contracts that I had to make with my producers, the lease department always required me to put in the amount I was charging my producers for hauling. As we've gone around the State—as the chairman has told you—we have found that many producers haven't the slightest idea as to what they're being charged. I was just wondering if it was in your contracts in this area.

MR BUCKEL: To my knowledge there is no contract—I don't claim to be an expert, just general knowledge—the customary way as I understand it is to list your deductions whether it's for advertising purposes or for hauling or whatever, it is on your statement and so you've got so many pounds of milk at so much a hundred and it's very easy to see what your hauling is About a year ago last September we had an increase in hauling and there was quite a bit of confusion among some of the producers that felt that this hauling wasn't justified. Again I believe that comes mostly from misunderstanding. There was one hauler —hauls the same area for one group of distributors—was charging a certain price as a surcharge and the other made it just increase in hauling and they both amount to about the same money. I will say, to my knowledge, that the local co-op is hauling milk much cheaper, but again we can't compare a co-op organization with an independent businessman.

CHAIRMAN ERWIN: Senator Erhart.

SENATOR ERHART: Mr. Buckel, you're a producer?

MR. BUCKEL: Yes, sir.

SENATOR ERHART: Do you have any idea in regard to how many types of haulers you have in this area—contract haulers and the co-op haul their own milk and the processors also haul some of the milk, do they?

MR. BUCKEL: The answer to that—I would say there are four to my knowledge. There are two independent and then the co-op has their hauler and I understand one distributor has a truck that hauls for their producers. Again I might not be fully informed, but I think there

are four with the exception of possibly some little producer hauling his own milk.

SENATOR ERHART: Percentagewise, what would the percentages be that the various haulers haul, of the milk that's produced in this area?

MR. BUCKEL: You say percentage——

SENATOR ERHART: Percentagewise, yes

MR. BUCKEL: I would say, roughly speaking, these four haulers would haul about 90 percent of the milk. Again I don't claim to be familiar with all the figures. There might be a little milk hauled by some of these producer-distributors that have a small producer that he might haul for in cans—with that I'm not acquainted.

SENATOR ERHART: Have you a hauler in this area whose rates are set by the commission?

MR. BUCKEL: That I don't know.

SENATOR ERHART: What is the average rate—the hauling charges?

MR. BUCKEL: I don't have the figures with me but according to the Milk Bureau's average hauling rate it's 18 cents and I think that is pretty well in line with the figures our organization making costs today has—around 18 cents a hundred.

SENATOR ERHART: As a producer do you feel that you have anything to say at all in determining the rates?

MR. BUCKEL: As a producer—let me speak now for only myself, not the organization or any other group—I would like to say this, that if there are any changes, we fully understand why the changes take place. I think that there is a cause for all of these things—taxes, fixed charges, gasoline, wages—I will admit that due to the unions and whatnot, the wages are continuously changing with the hauler and it is no control of the hauler. Again a man with a contract hauler or an organization, he has these charges increased on him through no fault of his own and they must be passed on to the producer. Unfortunately, the producer is in the squeeze.

SENATOR ERHART: You're satisfied then——

MR. BUCKEL: Generally speaking, I would say that I am satisfied and on behalf of our board of directors, who are very active in the area, they are satisfied in general—let's say—with hauling in the past and up to the present. We feel there should be a little more—let's say for a lot of dairymen here that don't understand English language and don't understand how to read the whyfor—there should be a little clearer explanation why some of these things are done. Here's one man in one zone that's paying 18 cents, another man in another zone 16 cents, but it might be five miles further out, it might be due to different conditions.

SENATOR ERHART: It's possible though for the producer who is confused about what he pays and what his neighbor pays to find out the reasons why, is it not, if he wants to dig into it?

MR. BUCKEL: I think so. I believe that if a person is interested in their own personal problems—if they feel like they're overcharged and they go to the source of it, there is always a pretty good explanation of why it's done. I know I've been aroused myself several times when we have these increases handed on to us just like our other increases, but

then we try to find out and if we find out why they're being done we're pretty well satisfied.

SENATOR ERHART: Thank you.

CHAIRMAN ERWIN: Mr Hanna.

MR. HANNA: Just to clarify that last point, are there any producers in San Diego, to your knowledge, that contract themselves for their milk hauling with an independent hauler?

MR. BUCKEL: That I can't say. I don't know offhand

MR. HANNA: There is not a substantial number at any rate that do that?

MR. BUCKEL: I think again that most of it is done—I'm only thinking—by the distributor, and again I believe that goes pretty much with the Health Department coming in The Health Department, as I understand, doesn't permit haulers to haul my milk that goes to one distributor and then the neighbor's milk that goes to another distributor in the same tank. Therefore, he's got to pass us up and haul that into the plant, and come back and haul for another distributor and pick it up and make another load. So I think that's pretty much up to the distributor and his producers as to the—let's say—the routine of making a load and trying to have the truck come in with a full load That I'm not acquainted with. I'm only speaking in general

MR HANNA: You believe that for the most the contracts made by the distributor with the hauler to pick up the producer's milk? Is that right?

MR. BUCKEL: Whether the distributor has the contract or not I don't know. All I know is that again our hauling is based pretty much on the contract hauling figures and rates, and then that is passed on to us for the distributor to collect. Whether they have a contract, I'm not in a position to testify at this time I'm just speaking in general. Again let me emphasize I believe in small business and we have two men here to my knowledge that do a good job They've got a tremendous investment in a small way and I would hate—being a small businessman myself—to see those boys squeezed out. In the long run we'd have some big corporation coming down here and taking over and it wouldn't give us a bit more service and possibly the cost would be just as high. Now that, generally speaking, is my own thinking.

CHAIRMAN ERWIN: Are there any further questions? Thank you very much, Mr. Buckel. Do we have any other producer in the room that would like to testify? If not, we have Mr. Manly. You indicated that you would like to testify. Give your name and who you represent, please.

L. A. MANLY, Qualitee Dairy Products Association: I am L. A. Manly and I represent Qualitee Dairy Products Association. My only reason for making any statement is just to say that if this bill should be passed—we first submitted the bill to our attorney and asked him if this would affect us. We haul our own milk and we assess our members on a formula which we've worked out as close to the actual cost of the hauling as possible. Our attorney advised us that if this bill were passed that we would be governed by it. So we would only like to say that if such a bill is presented again, with any amendments, we would like to have it amended so that the co-operative marketing association would not have to base its rates on any rates stated or work approved

by the State. Our attorney suggested that in the case of this Assembly Bill No. 3314 that this amendment should be made to it, "The section does not apply to hauling charges made within and to the membership of a co-operative marketing association."

CHAIRMAN ERWIN: We have that in our transcript and it won't be necessary to submit it. Are there any questions?

MR. HANNA: Mr. Erwin.

CHAIRMAN ERWIN: Yes, Mr. Hanna.

MR. HANNA: Mr. Manly, then you are representing the co-operative distributor-hauler that was referred to by Mr. Buckel.

MR. MANLY: I presume so.

MR. HANNA: And you say you assess on a formula that comes close to covering the cost of hauling. Can you at this time recite about what that formula is or can you produce that formula that we might have it for our records?

MR. MANLY: I can tell you how the formula is made up subject to change as conditions change, of course. We take into consideration three different factors, first the investment factor figuring that we have to have the hauling equipment—tankers—all of our milk is hauled in tankers—so we use an investment factor and charge the same rate per hundredweight with that investment factor whether the dairy farm is 5 miles from our plant or 50 miles from our plant. In other words, the dairyman who lives 10 miles away from our plant pays the same. We use the same factor on the hauling charge as the more distant ones. Then we use a time factor which gives advantage to the large producer. We're figuring that each man should pay the cost of hauling his milk. If he has an inconvenient dairy location, difficult to get our tanker into his milkhouse, we figure that he should be penalized for that. Actually it doesn't take us much longer to pick up a thousand gallons of milk at a dairy farm than it does 300 gallons of milk. I don't think we have any producer that small but the thing of it is the actual pumping time is small compared to the other time that enters into taking a reading on the tank, agitating the milk, sampling, connecting up your pump and disconnecting when the milk is pumped out, and recording readings, and so on. In other words, that time is the same whether the producer is delivering 1,000, 1,500 gallons of milk or 300. So we use a time factor and we charge a rate based upon what we're paying our men by making a cost study on each dairy. We charge from the time we pull off on a county road into his dairy farm until we get out. We just charge the man's time. Then the third factor is a mileage factor. We blend those three factors as best we can and establish a hauling rate for that particular member. If he gets a contract increase, or for one reason or another increases his production greatly or decreases it greatly, we would make a new time study and establish another rate for him. We may have two dairymen right together, maybe 30 miles out, who pay some difference in rate because of the size of the operation

MR. HANNA: Can you give us any idea about what your charge is at the present time?

MR MANLY: I think our lowest charge for a producer down here at Mission Valley, perhaps about five or six miles from the plant, is about 7½ cents a hundredweight.

MR. HANNA: What's your largest?

MR. MANLY: I think our most distant producer—would have to be for a large producer—about 57 miles is, I believe, 18 cents a hundredweight.

MR. HANNA: Thank you.

CHAIRMAN ERWIN: Are there any further questions? Senator Erhart.

SENATOR ERHART: Maybe I should direct this to you, I don't know. We've had producers testify at various meetings that we've held who claim that they really didn't know how much they paid for hauling. That the statements issued to them were complicated with a lot of figures on them and they didn't know exactly what they did pay. Would it be possible at our Paramount meeting—our next meeting—to have someone bring to us a formula, or a statement, just to show us how complicated the thing might be with his deductions and grades of milk and so forth. Is it complicated, this statement that you issue to the producer, so that he can't figure out what he does pay for hauling?

MR. MANLY: Our statement is rather complicated because we grade our milk as no other distributors do. But from the standpoint of the hauling rate, we just show the number of pounds of milk hauled and the rate per hundredweight on the statement and the dollar value.

SENATOR ERHART: One of these producers claimed that they really don't know what they pay. The statement has a lot of figures on it and they can't understand it because they don't read English or because they don't pay enough attention to it, or just take it for granted, or were they sincere when they said that "Well, we don't know what we pay. It varies from time to time and one really doesn't know what we do pay."

CHAIRMAN ERWIN: I think it was testimony that came to us in some of our meetings in the Central Valley that probably would not be applicable to Southern California. That's the reason I feel that it would be almost impossible to bring something like that out here at our San Diego meeting when that testimony came from around in the San Joaquin area and lower Sacramento Valley.

MR. MANLY: As far as our members are concerned, they all know what they're paying for hauling because it's shown right on their statement and they're very conscious of what they're paying.

SENATOR ERHART: Isn't that statement pretty universal throughout the State—the type of the statement that they issue to the producer?

MR. MANLY: I don't know.

SENATOR ERHART: I think I can get that information in Compton.

CHAIRMAN ERWIN: Mr. Britschgi has a question.

MR. BRITSCHGI: Mr. Chairman and Mr. Manly, you're operating under stabilization plans here in this area, are you not?

MR. MANLY: Yes.

MR. BRITSCHGI: I think on page 5 Section 3B it gives a formula as to what should be in a producer's contract. I believe Item 4 in that particular section states that it should state in the contract the transportation costs. Have you ever included that in your contracts?

MR. MANLY: No.

MR. BRITSCHGI: I'm just wondering why the department has never insisted on it being in in various areas. I know in my particular area, we all had to have it in. I was just wondering if that happened to be an administrative program through different heads of departments, whether someone insisted upon it. It's written in there in black and white and I just wondered if you had to have it in your contracts. If not, why not?

MR. MANLY: As a co-operative association, we're not bound by the stabilization act and some of the state men are here to say whether I'm right or wrong. We're not actually paying producers for milk, we're just selling our own milk so we don't even have to pay any state prices. We just pay back to our producers--remit it back to our producers—what is left after taking our processing and selling charges out.

MR. BRITSCHGI: I'll ask somebody else that question later on.

MR MANLY: From our standpoint all our producers' markets are the same price per plus.

CHAIRMAN ERWIN: Thank you very much. Are there any further questions? We have Bob Hodge. You'll give your name and who you represent, please.

BOB HODGE, Golden Arrow Dairy, San Diego: We would like to go on record as being opposed to this bill that has been written here. I think most creameries operate as we do. Our milk haulers perform a lot of services for us, and for the farmer also, I believe, besides hauling milk, which could be eliminated by the contract hauler who was merely interested in hauling the job as cheaply as possible. Our weighing and sampling is done by our haulers. Our hauler helps in our cost control and I think he performs a very valuable service to us

CHAIRMAN ERWIN: Are there any questions by any of the members of the committee? Thank you very much, Mr. Hodge. Now we have Mr. Mosher We're going to number this as Exhibit 9 and it'll be carried in the record.

BURT MOSHER, Marketing Co-ordinator for Foremost Dairies: My name is Burt Mosher, I'm Marketing Co-ordinator for the Foremost Dairies. Mr. Chairman and Members of the Committee, I would like to give you my views on Assembly Bill No 3314 as proposed in the last session of the California Legislature.

The proposed bill contains three provisions:

The first provision would require that no hauling charge could be made by a distributor except pursuant to a one-year contract. Milk contracts between producers and distributors are for varying periods of time and certainly all provisions should apply for the length of the contract which we believe should be a matter of private contract between the producer and his distributor.

The second provision requires that the hauling contract shall be let upon open bidding with public notice to commercial haulers of fluid milk. The investment in equipment required for hauling milk is so great that it must be utilized to its fullest possible degree in order to operate on present rates. If as a result of bidding the hauling function was performed first by one then by another contract hauler or distributor, idle equipment could substantially increase costs which would adversely affect the hauling rates and ultimately the price to the consumer.

The third provision of the bill requires that the director shall approve the bid and the terms of the contract. I think this addition to the law is unnecessary because the hauling is now highly competitive and by its very nature tends to develop the lowest possible rates and furthermore the provisions of Section 4231 already give the director the power to establish maximum rates.

In my opinion the director presently uses a practical method of establishing maximum rates by the inclusion of a provision in all stabilization and marketing plans which says in effect that a distributor who purchases, receives or otherwise handles milk at a producer's dairy location may deduct only the lowest rate in effect for a public carrier as filed with the Public Utilities Commission. If such a rate has not been established a deduction not in excess of the average rate paid to others engaged in hauling milk from the same territory may be made and in no case shall the deduction be more than the actual amount paid by the distributor for such transportation.

There is, of course, one other condition not specifically covered by the maximums enumerated above.

This would be where a distributor was hauling the milk from an area where no public carrier rate existed nor where others hauled milk and in this case a distributor could conceivably charge a price higher than reasonably necessary. I doubt very much if this occurs and can't think of an area in California where no competitive rate exists. In our particular contract, incidentally, we put in a clause that says in the absence of all these competitive conditions that the hauling rate shall be agreed upon between the producer and the distributor. However, in the Fresno interim committee hearing someone mentioned such a problem and it could possibly exist. I think if this situation did occur and this was called to the attention of the bureau, that it could quickly be corrected by bureau consultations with the distributor. If not, it appears clear to me that the bureau could investigate, call a public hearing, receive evidence, make a finding, and place in the stabilization and marketing plan a specific maximum charge for transportation from that area to the area where sold.

Section 4231 says in so many words: "The stabilization and marketing plan may further provide for maximum charges for plant and transportation services on fluid milk, fluid cream and fluid skim milk, or the milk fat or fluid skim milk components which are transported to the area where sold."

I would like to briefly discuss the competitive factors that to my mind insure low hauling costs. In California we have producers or associations of producers hauling milk, we have large area-wide contract haulers operating fleets of trucks, small contract haulers operating one or two trucks and distributors hauling their own milk. All of these compete for the business. No one of them could long maintain rates out of line with others and keep in business. We as a distributor might prefer to haul our own milk in order to co-ordinate its pickup and receipt closely with the changing needs of our processing operation.

However, the fact is that we haul the milk in some areas and contract for its haul in others, this emphasizes the competitive factors of this function. In areas where we can haul at competitive rates we are

inclined to do so; however, where highly efficient contract hauling arrangements exist we use those facilities.

In 18 of our California processing or country plant receiving operations, we haul the milk in only five, the producers haul the milk in one—in fact that's three sets of producers hauling that one—large contract haulers haul the milk in five, and individual contract haulers haul the milk in seven. These individual contract haulers range from one to four in each of the particular operations, and in fact there are some exceptions to the other where even in these five where we haul our own there are one, two, three of those where we also have contract haulers hauling into the same area.

Over many years the rates for hauling have developed through the experience of many competing operators, which I think is the soundest way to develop rates.

Mr. Wolters, our California Transportation and Traffic Manager, will be in Paramount and will elaborate on the processes used in arriving at proper hauling rates.

It has been suggested that perhaps the Public Utilities Commission or the Bureau of Milk Control should establish rates for all hauls. I am sure either could do the job if they hired sufficient personnel to do so. Comprehensive rate setting by either agency would require voluminous studies on collecting milk from various volume shippers and on hauling the fluctuating volumes to the hundreds of points where the milk is used in California. This would be costly either to the taxpayers or to the industry and ultimately the consuming public and is, I believe, completely unnecessary.

I have not found it possible to attend all of your previous hearings on this subject, but I did attend the ones in Eureka and Fresno. From my observation of these hearings, particularly the one in Fresno, it does appear that a problem exists. The problem as it appears to me is one of misinformation, lack of understanding and the failure by producers to place their problem before their distributor or the bureau I don't believe that understanding can be legislated. I think that it can only be accomplished through the joint efforts of producers, distributors and the bureau.

For example: In Fresno a statement was made that a deduction of $1.06 per hundredweight was made from a producer who shipped milk from Los Banos to Bakersfield. The solution to this problem should be very simple. If true, it is a direct violation of the maximum provisions in the stabilization and marketing plan and I have no doubt the bureau would stop it immediately if it were called to their attention. It is much more likely that the $1.06 represented a haul to Bakersfield plus an authorized deduction for assembling, cooling and reshipping, plus transportation to Los Angeles or some other southern area and in fact the producer received a far better net return for this milk through the ability of the distributor to utilize this milk as Class 1 milk in the southern area than would have been the case if it were necessary to dispose of the milk for manufacturing purposes in the valley. Explanation of this by either the bureau or the distributor would eliminate one more case of misunderstanding.

Another case reported in the Fresno hearing was where a deduction of 35 cents per hundredweight was made from a producer for a haul that returned only 26 cents to the contract hauler. This also would be a direct violation of present stabilization and marketing plans and could be corrected overnight by the bureau if the case were brought to their attention and found to be true.

Another statement made was that the cost per ton to haul milk was twice as much as to haul a ton of hay. I completely fail to see what that has to do with whether the cost of hauling milk of varying volumes under varying conditions and varying distances is proper or not. Differences in equipment, cost, utilization of hay hauling equipment for other purposes, etc., failure to be able to use back haul on milk and such makes that comparison to me completely irrelevant to the cost of handling milk.

Another statement was made that a condition existed whereby a hauling rate of 32 cents per hundredweight resulted in a cost per mile of 60 cents, another producer had a hauling rate of 37 cents which resulted in a cost of 90 cents per mile. Other similar comparisons were made.

Upon questioning by the committee the witness declared that such variations were general, not isolated. I am sure that this is true. It explains one of the reasons why it does not cost five times as much to haul milk 150 miles as it does to haul it 30 miles. Examination of the equipment cost alone shows why this would be true. If a hauler has an annual depreciation of $4,000 on his equipment hauled the same volume of milk 30 miles for 300 days or 9,000 miles per year the cost per mile would be 44 cents for the equipment alone, but if he hauled that same milk 150 miles or 45,000 miles per year the cost would be only 9 cents per mile.

I was also interested in the results of a survey made by the California Milk Federation in which 1,947 questionnaires were mailed to producers, 201 replied and of these 201, 42 percent felt that the rates were too high; 36 percent felt they were fair; and 22 percent said they didn't know. I think it is quite a tribute to the effectiveness of the present competitive system of rate determination to find 36 percent of the producers saying the rates are fair and 22 percent not willing to say they were too high. I would have expected a much greater percentage to feel that the costs they pay for hauling or any other element of their cost was too high. I would likewise expect that a large majority of the same group would say the price they receive for their milk was low. This would seem to me to be a natural reaction to such a question. I would also expect results from a survey of consumers as to whether the cost of meat or coffee or automobiles was fair or too high to say it was too high in a great majority of the cases and conversely that the income they received for their contributions to the economy were too low.

I have said that there does appear to be a problem, but that not legislation but dissemination of information, understanding of the problem and use of the present provisions of the law were what is needed.

I think distributors might find it worth their while and contribute greatly if they were to examine their present reports to producers on

hauling rates and make sure that they are giving them adequate information regarding those rates and giving their fieldmen full information so that they can better explain the deductions to the producer.

I think producer representations should also acquaint themselves more fully with the problem and use their efforts to clarify the situation and encourage their producers to take their complaints to their distributor or the bureau. It has been said that producers are reticent about complaining to their distributor about their rates—we had a notice that that was true, incidentally—for fear of losing their contract. I can assure our producers that they need have no concern of losing their contract because of any honest complaint on rate or any other subject.

I am sure the bureau is quite capable of enforcing their present maximum limits on transportation if violations are called to their attention. I further believe that the bureau should periodically make a comparison of rates of competing haulers for hauling milk under like conditions and for like distances and if they find violations or unreasonable variations that they proceed to correct them by consultation with the haulers or by exercise of the authority now granted them under Section 4232. I don't expect that they will find much to correct, but their routine check might be valuable in assuring producers that they are receiving fair treatment

The bureau already audits all payments and deductions to producers for transportation or other services and this sort of a study would be far less costly than setting up the bureau or any other agency as a rate-making body and be just as effective.

In summary I see no need for further legislation. I think the present law adequately provides for control of reasonable hauling rates in California.

CHAIRMAN ERWIN: At this time I would like to introduce Assemblyman Hegland who just came in. That makes 100 percent of the legislators from San Diego County present this morning.

I was struck as you were, Mr. Mosher, by the statement made that they haul hay for $9 a ton as against milk at a much higher rate. I also wonder if the individual who made that statement—and we have it in the record—realized that the truck that hauls hay can haul barnyard fertilizer and haul iron. It can haul practically a hundred things but I think if you took your milk truck and hauled your milk one way and then tried to haul back gasoline, your equipment would be completely ruined and the Health Department would be on your neck. Not only that but the public wouldn't be drinking the milk. If you hauled beer in that kind of a container, it would also ruin milk because the flavor is there. The only other thing I could see would be orange juice and that in turn would ruin it. While the milk people do sell orange juice—you can feed orange pulp to your cows but you even flavor the milk by doing that—so that's one thing I think was not taken into consideration that the only thing you can haul in the truck is milk and you're going to the farm empty and you have to go empty and you have to come back full or approximately full to make the load pay. Another thing that struck me about many of these very expensive pieces of equipment, we've testimony that they go out and come back just about half full. It's a problem that I think will be brought out in our

report and should be brought out for the benefit of everybody. Maybe those are some of the things that these producers—sometimes do not take into consideration. We all have our problems and that is one of the problems of the man that's hauling milk. Believe me if he's put out of business with this expensive equipment, we're going to find ourselves as producers in a bind that would raise the price much higher than it is presently. When we introduce legislation, in many instances, it's not given the chance to be heard like this piece of legislation. I think the committee when legislation dealing with this subject comes up in the future will be well-prepared to vote intelligently on it. We would not have been in that position had this legislation gone through, because I think the testimony we've had statewide will bring out that we'd have had nothing but confusion in the industry. Are there any questions that any of the members want to ask Mr. Mosher. Mr. Britschgi.

MR. BRITSCHGI: Same question I've asked a few of the others. Mr. Mosher, do your contracts contain the transportation charge? When your field man goes in and tries to sign up shipper "A", does he give him an idea as to just what the hauling charge will be or does he wait for the surprise when the statement comes?

MR. MOSHER: No, he would give them the hauling charge. However, in the contract itself it specifically repeats the provisions that are indicated in the Stabilization and Marketing Plan as to "It shall not be more than the lowest, the Public Utilities, the average." If that doesn't exist and then we go further and say, "If there is no competing factor in that market, the rate shall be one agreed upon between the producers and the distributors." Then on the statement itself, he gets his information of each of the deductions each month. But he is acquainted and let know what the hauling rate is.

MR. BRITSCHGI: Would you be willing, Mr. Mosher, to have for us at Paramount, or somebody in your organization have for us, a copy of one of your contracts and I assume they're probably just about the same all over the State. I don't know whether that's right.

MR. MOSHER: They're very similar.

MR. BRITSCHGI: More or less. I think, Mr. Chairman, to follow this along, if we could have possibly Mr. Dick or our Executive Secretary here secure copies of various companies' contracts for our inspection, I think we'd probably have the answers to a lot of these questions

CHAIRMAN ERWIN: You have them, Mr. Dick? Do you have copies of them in your department?

MR. DICK: I believe copies are filed with us.

MR. BRITSCHGI: I don't mean anybody in particular, Mr. Dick. Just sample copies of say Carnation or somebody.

MR. DICK: I think we can work with Harold Lewright and between us collect statistics.

MR. BRITSCHGI: I think you'll find all these answers are in these contracts in most cases.

MR. DICK: We'd be glad to furnish them—the contracts.

CHAIRMAN ERWIN: That's fine.

MR. BRITSCHGI: We have had statements, if you'll remember, that they have no idea what they pay at all. I'd like to prove the fact that

they are in the contracts. They have to be if they're going to live up to the stabilization plan.

CHAIRMAN ERWIN: Mr. Hanna.

MR. HANNA: I want to ask the witness, if where you are contracting for the hauling with an independent contractor, do they submit to you some idea of the zoning for the area in which they'll be picking up?

MR. MOSHER: In some cases it would be by area. Quite often that is developed based upon discussions with the producers themselves as to what they think is fair, whether it shall be on a zoning basis of 10 miles, 20 miles and so forth, or shall it be a flat rate for all within that area? Of course, when it's an individual contract hauler handling it, we don't often get into those negotiations at that point. We must approve the hauler, however, but I myself, back many years ago when I was in the office, have sat down with contract haulers, for example, who were hauling the milk and when they needed more money we would review the thing with them and have them bring in their figures. They had to bring in their bills and we knew what their income was because they got it from us—and go over the thing before we would ever do it. I think this will be a better question for Mr. Wolter, incidentally, since he does intend to cover just that point of how he goes about establishing with producers whether it be zones or whether it be flat pricing and so forth. He will be in Paramount and has been handling this thing for 25 years and I think he might better answer it.

MR. HANNA: Is there only the two ways that they approach it or is there some other way? Or are you able to state?

MR. MOSHER: I don't believe that I am.

MR. HANNA: I see.

CHAIRMAN ERWIN: Senator Erhart.

SENATOR ERHART: Mr. Chairman, I think we should thank Mr. Mosher on behalf of the committee for the very fine paper that he presented. I think it was self-explanatory and clears up some of the questions that were asked at previous meetings. I thought it was a very fine paper.

CHAIRMAN ERWIN: Are there any further questions? Thank you very much, Mr. Mosher. Do we have anybody else that would like to testify at this time? Are there any producers present who have anything to say? Anyone other than the Department of Agriculture? Assemblyman Schrade.

MR. SCHRADE: Mr. Chairman, before you adjourn the meeting I want to tell you, as one of the legislators here from San Diego County and I know that I'm speaking for the entire legislative team from San Diego, that we appreciate your committee coming into San Diego to listen to some of the problems that exist—not only statewide but here in our own county. We sincerely what to thank you and the entire committee for coming down and helping us with this problem.

CHAIRMAN ERWIN: Mr. Schrade, it was at your request and at the request of the delegation from San Diego County, that we're here. We probably would not have come had it not been for your asking us to come into your county where we have a great many poultrymen and dairymen. You have some very wonderful dairymen that I know down here and have been associated with during the years—Dr. Goode and others. We're happy to come down and be of service to you and also

to be of service to the poultrymen and that's why the Joint Committee is meeting here. Mr. Britschgi.

MR. BRITSCHGI: Mr. Chairman, before you adjourn, I notice that Mr. Dick has this memorandum here to us and while we're going to have the information, I know that some of the people are not going to have it and while we have a little bit of time I think it might be well to have Mr. Dick go over this particular question here.

CHAIRMAN ERWIN: Will you do that, Mr. Dick? I'd appreciate it and I know the committee would. I have a copy right here for you.

MR. DICK: I'll go over the memorandum. If we get into any technical questions we have Mr. Weinland here who is chief of the bureau and he can answer the technical questions that I won't be able to. The memorandum is a memorandum to me from Mr. Weinland dated July 3d and was prepared at the request of your secretary, Harold Lewright. It reads as follows:

"You have requested information concerning the problem or problems with respect to milk hauling charges which may have motivated Assembly Bill No. 3314, which was referred to an interim committee for study. There are a number of fluid milk producers throughout the State who are of the opinion that transportation charges they are required to pay for the delivery of their milk are too high.

"In order to properly analyze the problem, it would appear necessary to outline the manner in which transportation charges are handled in the stabilization and marketing plans.

"Section 4204 of the Agricultural Code, which states the purposes of the act relating to the establishment of minimum prices, provides that the cost to distributors within any marketing area for fluid milk or fluid cream shall be uniform with all other distributors purchasing fluid milk or fluid cream of similar grade or quality under like terms and conditions. To accomplish uniformity of price, minimum producer prices are established in the stabilization and marketing plan on an F.O.B. plant basis for each marketing area. The stabilization and marketing plans further provide that, in the event the distributor purchases fluid milk or fluid cream F.O.B. producer's dairy location, that the distributor may deduct the lowest of the following transportation rates:

(Now we come to the meat of the thing, which is in the orders)

"(1) The lowest rate for transportation of said commodity then in effect for public carrier as filed with the Public Utilities Commission.

"(2) The average rate paid to others engaged in hauling said commodity from the same territory.

"(3) The actual amount paid by the distributor for such transportation.

(Now when we come to Class 2 and 3 milk there is a limit on that)

"(4) For Class 2 and 3 milk, a specific maximum rate is provided in addition to the aforementioned provisions.

"There are currently very few common carrier rates for milk filed with the Public Utilities Commission. Therefore, the review of transportation charges by the bureau is primarily concerned with items (2), (3) and (4) above. (Those are the items that are in the order)

"When a distributor's plant is audited by the bureau to determine whether or not the producer has been paid in accordance with his contract and the stabilization and marketing plans affecting the payment

for his milk, the hauling charges levied against the producer are reviewed in the following manner:

"(1) If a contract hauler transports the fluid milk from the producer's dairy ranch to the distributor's plant, the invoices of the contract hauler are checked against the charges made against the producer for the hauling, and in no instances are these charges permitted to be greater than the actual charge of the contract haul.

"(2) If a distributor hauls the producer's milk in his own equipment, the charges made for the hauling are checked to see whether or not they are in line with the hauling rates charged by contract haulers, if such hauling rates are established and available.

"(3) If a distributor hauls a producer's milk in his own equipment and there are no contract hauler rates available for comparison with the charges made by the distributor, then the charges made are examined to ascertain whether or not they are reasonable and in line with charges made by other distributors hauling milk from the same vicinity. If there are no other distributors hauling milk from the same vicinity, the charges made are usually accepted as being reasonable.

"It has been found very difficult to compare charges for hauling made by one distributor with hauling charges made by another distributor because of the difference in distances from the road to dairy locations or pickup points and the varying road conditions.

"(4) On the charges for hauling made against Class 2 and Class 3 fluid milk the amounts charged are checked in the same manner as stated in (1), (2) and (3), except that in the instances where the stabilization and marketing plan has a maximum limitation on the amount of the haul, a determination is made as to whether or not this limitation has been exceeded.

"Certain distributors have set up separate entities (such as separate corporations) which they completely control, and which are engaged in the business of hauling the producer's milk that is utilized in their plant operations. In these instances, the charges made to the distributor by this separate entity are accepted but are scrutinized in line with paragraphs (1), (2) and (3) above. However, it should be noted that, in some of these instances, there is really no sound basis for ascertaining whether or not the charge made is equitable and fair. Therefore, we have no alternative except to accept the charge made.

"On the other hand, we have found that some distributors actually maintain cost figures on their hauling operations, and charge only enough for the hauling to take care of the replacement of equipment and overhead This results in a charge less than the rates normally charged for comparable haul distances."

CHAIRMAN ERWIN: Mr. Britschgi.

MR. BRITSCHGI: Isn't it true that the trouble that developed in San Joaquin County was due to the fact that you had a distributor hauling milk from producers and he had to use up the rest of the milk that went into Class 2 and 3 He might of had to send it to some other particular area—on that particular haul is where some of these producers probably ran into trouble They found out that the standard price, I know in San Joaquin it's $3.30, I think, and they've been getting their pay checks and it would be down to around $2.70 or $2 90. They figure that somewhere along the line they were being charged too much

Your department nowhere in here has any control over that portion of what happens to that milk, do they?

MR. DICK: I didn't understand what you meant.

MR. BRITSCHGI: If you can follow my thinking — if there is nothing here that is going to say that if certain amounts of producer A's milk is used into Class 2 or Class 3 that he would be therefore guaranteed at least $3.30, which is the set price in the valley for Grade B milk. He may get less than that.

MR. DICK: There is in this thing, however, a limit on what they can charge him for hauling that Class 2 or Class 3 milk.

MR. BRITSCHGI: I think that's where the misunderstanding has come along in that particular area in the valley. I have always felt that possibly the distributor was doing the farmer a favor by at least getting rid of the milk for him.

MR. DICK: You recall, Mr. Britschgi, that one of the witnesses testified that the distributor watched these contract hauls pretty carefully because the same contract hauler that hauls some of the Class 1 also hauled the Class 2 and Class 3 milk on which the distributor had to absorb the difference because he was limited by this order to a certain hauling charge on Class 2 and Class 3.

MR. BRITSCHGI: I feel, Mr. Chairman, that these several paragraphs sort of outline this thing in pretty fair shape.

CHAIRMAN ERWIN: I think they will be very valuable for our transcript when we have finished it and I want to thank you Mr. Dick for bringing it before the committee. Are there any further questions? If not, then we are going to stand adjourned.

The committee therefore concluded that the text of Assembly Bill No. 3314, as originally introduced, could not be recommended, yet our committee does feel that some clarification of the present law should be enacted, making sure that milk producers have the right to request a review of their charges and, making sure that if such a request is lodged with the Department of Agriculture, the department will have the right and duty to review and remedy the situation.

**Assembly Bill No. 2023—Assembly Bill No. 2025**

Prior to the opening of the 1958 Budget Session, your committee met in the State Capitol to consider Assembly Bill No. 2023 and Assembly Bill No. 2025, both of which proposed changes in the method of prescribing standards for the establishment of minimum prices to be paid by distributors to milk producers. The bills were supported and presented by the Western Dairymen's Association and variously opposed by other elements of the industry, all to the end that your committee found no grounds for any recommendation.

**Rural Roads**

Next, a situation arose in the rural portions of Los Angeles County where various resident and proprietory dairymen came to the committee with requests for an examination of the assignment of road and highway funds applicable to their area, the import being that roads servicing the dairies were not being adequately maintained and improved. Two sessions were held on this matter with appropriate state and Los Angeles County officials in attendance, yet your committee seemed almost prohibited from effecting any remedy since the distribution of

highway funds for secondary roads within a county has traditionally and by law been reserved to the judgment of local county officials. Much as we might like to, therefore, your committee is refraining from making any recommendation on this subject.

**Other Subjects**

Toward the end of 1958, and as chairman of your committee, I communicated with the authors of all other measures which had been assigned to the committee, asking and offering our facilities if these authors wished their matters heard. Only one further request came from this invitation and your committee therefore met again in Sacramento to consider Assembly Bill No. 2024 by Assemblyman Lowrey, relating to duplicate milk inspection fees.

**Assembly Bill No. 2024**

This subject was also presented and supported by the Western Dairymen's Association with the contention that the present law makes it possible for inspectors from three levels of government, to-wit, city, county and State, to all make inspections of milk, resulting in a multiplicity of charges. However, none of the members of your committee seemed willing to accept the terms of Assembly Bill No. 2024 since it sought to place all inspection duties in the hands of the State Department of Agriculture to the complete exclusion of the lower levels of government. Further, Mr. Charles V. Dick, Deputy Director of the State Department of Agriculture, and members of his staff, explained that under the present law the State may qualify local inspection and that there are no duplicate fees. It still seemed possible, however, for a dairyman whose facilities are physically located in an area being inspected by one service to be charged inspection fees from that area (Los Angeles) whereas his milk was actually being shipped to another area (for example, San Francisco) Your committee therefore recommends that legislation be enacted in the form of an amendment which will give the Department of Agriculture the right to initiate changes in the boundaries between milk inspection areas.

**Transcripts Available**

Detailed transcripts of all testimony and proceedings, together with the several legal opinions relating to the topics heard, are here on file and available to anyone interested, yet for the sake of brevity they are not incorporated in this report. Also, we feel that you and the entire membership of the 1959 Legislature should know that our committee was assisted by Mr. Harold F. Lewright, who served us as Executive Field Representative, with splendid efficiency; that we are able to return a small unexpended balance of the funds allotted to us, even though our tasks and number of required meetings were extensive; and that all members of this committee join me in expressing the feeling that our activities have constituted a much-needed public service.

**Bills**

Bills to accomplish our recommendations have been drawn and placed in the hands of the incumbent members of your committee.

Respectfully submitted,

THOMAS M. ERWIN, Chairman

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 188 FROM COMMITTEE

Mr. Pattee was granted unanimous consent that Assembly Bill No. 188 be withdrawn from the Committee on Finance and Insurance.

### Motion to Invoke Constitutional Provision

Mr. Pattee moved that, pursuant to Article IV, Section 2(a) of the Constitution, Assembly Bill No. 188 may be heard in Committee of the Whole on January 28, 1959, and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Backstrand seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

### Request for Unanimous Consent to Set Assembly Bill No. 188 for Special Order and Hear in Committee of the Whole

Mr. Pattee was granted unanimous consent that Assembly Bill No. 188 be made a special order of business for Tuesday, January 27, 1959, at 10.45 a.m.; and that the Assembly meet in Committee of the Whole at that time to consider Assembly Bill No 188.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Beaver, Porter, Sumner, Schrade, and Lunardi:

### House Resolution No. 38

Relative to directing the Assembly Interim Committee on Water to create a Subcommittee on Water Project Uses for Atomic Power

WHEREAS, It is the expressed policy of the United States Government to encourage the peacetime use of atomic power, thus creating a probability that substantial federal assistance might be made available to the State of California in developing a workable project for the application of such power in this State; and

WHEREAS, In its efforts to solve the problem of water shortage, the Legislature should carefully consider the possibility of solution or partial solution of the problem by means of an economical system of salt water conversion; and

WHEREAS, A great unsolved problem in connection with the future development of California consists of the need to transfer its surplus of water in the northern part of the State to areas of deficiency in the southern part of the State, together with a power requirement for transferring water over the Tehachapi Mountains greatly in excess of the electric power which will be produced by the Oroville Dam as presently planned; and

WHEREAS, California has, in the University of California, an institution which is exceptionally well qualified to study the possibility of utilizing atomic power for salt water conversion and to accomplish the transfer of water from north to south, not only because of the world-renowned atomic scientists on its faculty but also because of its close working relationships with the Atomic Energy Commission and other federal agencies; now, therefore, be it

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

1. The Assembly Interim Committee on Water, created at this session, is directed to create a subcommittee designated as the Subcommittee on Water Project Uses for Atomic Power. The committee, through said subcommittee is authorized and

directed to ascertain, study and analyze all facts relating to the desirability of having a full-scale investigation, by a legislative committee, by the University of California, or otherwise, of the possibility that atomic energy can be used to furnish a feasible and economical means for producing the power needed for salt water conversion and to transfer surplus water from the northern part of California to the southern part of California

2. In addition to any money otherwise made available, the sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly to the Assembly Interim Committee on Water for the expenses of the Subcommittee on Water Project Uses for Atomic Power and its members and for any charges, expenses, or claims it may incur under said resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Joint Resolution No. 4:** By Mr. Rees—Relative to requesting Congress to authorize further appropriations for air pollution control.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 5:** By Mr. Rees—Relative to requesting Congress to enact legislation amending federal Air Pollution Control Law.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 6:** By Mr. Rees—Relative to the National Conference on Air Pollution.

Referred to Committee on Rules.

**Assembly Bill No. 360:** By Mr. Chapel—An act to amend Section 24228 of the Health and Safety Code, relating to air pollution control districts.

Referred to Committee on Public Health.

**Assembly Bill No. 361:** By Mr. Chapel—An act to amend Section 2d of the Los Angeles County Flood Control Act (Chapter 755, Stats. 1915), relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 362:** By Messrs. Don A. Allen and Crawford (Request of County Counsel L. A. County)—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and widows of veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 363:** By Messrs. Hegland, Schrade, Luckel, and Crawford (Departmental—Education)—An act to amend Section 4238 of, to repeal Section 4239 of, the Education Code, and to amend Section 2561 of, and to repeal Section 2562 of, the Education Code as proposed

by Senate Bill No. 2, relating to the formation of junior college districts.

Referred to Committee on Education.

**Assembly Bill No. 364:** By Messrs. Hegland, Luckel, and Schrade—An act to add Sections 34401.5 and 35493.5 to the Health and Safety Code, relating to the taxation of the operation of housing projects.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 365:** By Mr. Munnell—An act to amend Section 146 of the Civil Code, relating to disposition of community property and homesteads in cases of divorce and separate maintenance.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 366:** By Mr. Cameron—An act to amend Section 72602 of the Government Code, relating to municipal courts in Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 367:** By Messrs. Kennick, Grant, Hanna, Munnell, Nisbet, Petris, and Z'berg—An act to add Section 752 to the Welfare and Institutions Code, relating to the expunging of juvenile court records.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 368:** By Messrs. Hegland, Ernest R. Geddes, Miss Donahoe, and Mr. Schrade—An act to add Section 1010 5 to the Education Code, and to add Section 906.5 to the Education Code as proposed by Senate Bill No. 2, relating to legal counsel for school districts.

Referred to Committee on Education.

**Assembly Bill No. 369:** By Mr. Waldie—An act to amend Section 514 of the Penal Code, relating to embezzlement.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 370:** By Mr. DeLotto—An act to repeal Section 25082 of the Government Code, relating to meetings of boards of supervisors.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 371:** By Mr. DeLotto—An act to repeal Sections 25480, 25481, 25482, 25483, 25484, 25485 and 25502 of the Government Code, relating to county purchasing.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 372:** By Miss Donahoe and Mr. Z'berg—An act to add Section 376.1 to the Education Code and Section 855.1 to the Education Code, as proposed by Senate Bill No. 2, relating to leaves of absences of employees of county superintendents of schools.

Referred to Committee on Education.

**Assembly Bill No. 373:** By Miss Donahoe, Mr. Lunardi, Mrs. Davis, and Mr. Z'berg—An act to repeal Section 13041 of the Education Code

and Section 13285 of the Education Code as proposed by Senate Bill No. 2, relating to teachers of beginners.

Referred to Committee on Education.

**Assembly Bill No. 374**: By Mrs. Davis (By request)—An act to amend Section 854 of the Fish and Game Code, relating to fish and game wardens.

Referred to Committee on Fish and Game

**Assembly Bill No. 375**: By Mr. Hanna—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Muncipal and County Government.

**Assembly Bill No. 376**: By Messrs. Hanna, Burton, Elliott, and Kilpatrick—An act to add Section 219 to the Welfare and Institutions Code, relating to real property of public assistance recipients.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 377**: By Mr. Thelin—An act to amend Sections 17003, 18470, 18593, 18600, 18645, 18648, 18651, 18834, 19051, 19057, 19058, 19061 1, 19062.2, 19062.6, 19062.7, 19062.9, 19081, 19083, 18085, 23031, 25666, 25669, 25672, 25731a, 25761a, 26071, 26075, 26076, 26078, 26080 1, 26080 3, 26103, 26103a, and 26252 of, to repeal Sections 18594, 18595, 18596, 18646, 19059, 19060, 19061, 19062.3, 19062.4, 19062.5, 25667, and 26077 of, and to add Sections 17035, 18646, and 23059 and Division 3 (commencing at Section 46000) to, the Revenue and Taxation Code, relating to state revenue, creating the Board of Conferees and the Tax Court, prescribing the powers and duties thereof, and providing for administrative appeals and for court actions respecting the determination of tax agencies.

Referred to Committee on Government Organization.

**Assembly Bill No. 378**: By Messrs. Thelin, Shell, and Chapel—An act to add Section 69507 to the Government Code, relating to superior courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 379**: By Messrs. Holmes and Bradley—An act to amend Section 27361.6 of the Government Code, relating to recordation of instruments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 380**: By Messrs. Bane, Thomas, Crawford, Cameron, George E. Brown, Cusanovich, Hawkins, George A. Willson, and Charles H. Wilson—An act to amend Section 227 of the Labor Code, relating to employer payments.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 381**: By Miss Donahoe—(Departmental—Education)—An act to amend Sections 6854, 9545, and 9562 of the Education Code, and Sections 8851, 8903, and 11204 of the Education Code as

proposed by Senate Bill No. 2, relating to county superintendents of schools.

Referred to Committee on Education.

**Assembly Bill No. 382**: By Mr Conrad—An act to amend Sections 5721 and 5722 of the Elections Code, relating to assisted voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 383**: By Mr. Conrad—An act to amend Sections 5621 and 5627 of the Elections Code, relating to challenges of voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 384**: By Mr. Conrad—An act to amend Section 2743.5 of the Elections Code, relating to the election of nonpartisan officers.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 385**: By Mr. Conrad—An act to add Section 2598 to Article 4 of Chapter 2 of Division 5 of the Elections Code, relating to candidates' political affiliations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 386**: By Messrs Winton, Porter, Hanna, and Lowrey—An act to amend Section 264.1 of, and to add Section 260.85 to, the Agricultural Code, relating to diseased animals, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 387**: By Mr. Winton—An act to add Section 4676 to the Education Code, and to add Section 2898 to the Education Code as proposed by Senate Bill No. 2, relating to the lapsation of school districts.

Referred to Committee on Education.

**Assembly Bill No. 388**: By Messrs. Britschgi and Francis—An act to add Article 6 (commencing at Section 11850) to Chapter 7, Division 10, of the Health and Safety Code, relating to registration of narcotic offenders.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 389**: By Messrs. Belotti and Lowrey—An act to amend Section 4184 of the Fish and Game Code, relating to bears.

Referred to Committee on Fish and Game.

**Assembly Constitutional Amendment No. 14**: By Mr. Thelin—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 5 to Article VI thereof, relating to the Tax Court

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 15**: By Mr. Pattee—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article IV, relating to the term of office of Members of the Assembly.

Referred to Committee on Constitutional Amendments.

**Assembly Concurrent Resolution No. 34**: By Miss Donahoe and Mr. Williamson—Relative to commending Walter Kane of Bakersfield, and congratulating him on being named "Man of the Year in Traffic Safety."

### Request for Unanimous Consent

Miss Donahoe was granted unanimous consent to take up Assembly Concurrent Resolution No. 34 without reference to committee, print, or file, and that the same be considered engrossed

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 34

**Assembly Concurrent Resolution No. 34**—Relative to commending Walter Kane of Bakersfield, and congratulating him on being named "Man of the Year in Traffic Safety."

Resolution read, and adopted

Resolution ordered printed, and transmitted to the Senate.

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

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

**Assembly Concurrent Resolution No. 35**: By Messrs. Crawford, Luckel, Hegland, House, Schrade, and Marks—Relative to the passing of Edgar A. Luce.

Referred to Committee on Rules.

**Assembly Bill No. 390**: By Messrs. Chapel, Porter, Kilpatrick, McMillan, George E. Brown, Cunningham, Elliott, Grant, Hawkins, Holmes, Masterson, Shell, Thomas, and Charles H. Wilson—An act to add Section 222 to the Revenue and Taxation Code, relating to the exemption of household furniture from taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 391**: By Messrs. DeLotto and Garrigus—An act to repeal Section 673.5 of the Elections Code, relating to party affiliations of election officers.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 392**: By Messrs Sedgwick, Hanna, Bee, Hegland, Crawford, and Cusanovich—An act to add Article 5 (commencing at Section 220) to Chapter 1, Division 1 of the Education Code, and Chapter 5 (commencing at Section 551) to Division 2 of the Education Code, as proposed by Senate Bill No. 2, establishing a State College Board and prescribing its function.

Referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 26**—Approving certain amendments to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at an election held therein on November 4, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the fifteenth day of January, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Rules

ASSEMBLY CHAMBER, January 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No 6

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, January 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 23

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 6
Assembly Concurrent Resolution No 23

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

### Committee on Rules

ASSEMBLY CHAMBER, January 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 6

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Miller was granted unanimous consent that the following amendments to Senate Concurrent Resolution No. 6, as proposed by the Committee on Rules, together with a communication from the Legislative Counsel which explains each amendment, be ordered printed in the Journal:

## AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 6 AS PROPOSED BY THE COMMITTEE ON RULES

### Amendment No. 1

On page 2, lines 31 and 32, of the printed measure, strike out "and shall not require a vote to authorize their introduction,".

### Amendment No. 2

On page 3, strike out lines 6 to 25, inclusive, and insert

"8.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing

law which are proposed by the bill. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction which does not comply with the foregoing requirements of this rule the Secretary or Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof."

**Amendment No. 3**

On page 3, line 51, strike out "thirteenth", and insert "thirtieth".

**Amendment No. 4**

On page 4, line 43, after "requests", insert "by members" .

**Amendment No. 5**

On page 4, lines 43 and 44, strike out "bills and legislative publications", and insert "copies of the Weekly Histories, the Legislative Digest and the Legislative Index".

**Amendment No. 6**

On page 4, line 50, strike out "bills and legislative publications", and insert "copies of the Weekly Histories, the Legislative Digest and the Legislative Index".

**Amendment No. 7**

On page 4, line 51, after "number", insert "of bills and legislative publications".

**Amendment No. 8**

On page 5, line 1, strike out "Except as hereinabove provided, no", and insert "No".

**Amendment No. 9**

On page 5, between lines 27 and 28, insert

"13.1. The Legislative Counsel shall provide for the compilation and periodic publication of the digests mentioned in Rule 8.5 in separate pamphlets for each house. He shall also provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation The State Printer shall print the pamphlet digests (comprising the Legislative Digest) and the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation."

**Amendment No. 10**

On page 6, strike out lines 27 to 30, inclusive.

**Amendment No. 11**

On page 18, line 31, strike out "Auditor", and insert "Analyst".

**Amendment No. 12**

On page 18, lines 42 and 43, strike out "for the constitutional recess and adjournment".

**Amendment No. 13**

On page 18, line 47, strike out "Hereafter all", and insert "All".

## COMMUNICATION FROM LEGISLATIVE COUNSEL RELATIVE TO PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 6

SACRAMENTO, January 18, 1959

*Hon. Allen Miller*
*Assembly Chamber*

*Joint Rules—No. 6227*

DEAR MR. MILLER: We enclose amendments to Senate Concurrent Resolution No. 6, relative to adoption of the Joint Rules, prepared at your request. These amendments would make the following changes:

1. *Rule 6* is amended to eliminate language relating to a vote to authorize introduction of bills, which previously applied to introductions after the constitutional recess. Since the recess and restriction on

bill introductions thereafter have been eliminated by constitutional amendment, this language is obsolete.

2. *Rule 8.5*, relating to digests of bills, is changed to conform exactly to the identical rules on that subject adopted by both houses.

3. *Rule 10.5* is amended to change the date by which departmental bills must be introduced from the thirteenth calendar day to the thirtieth calendar day.

4. *Rule 13* is amended to provide that the 10 organizations or individuals listed by each member shall receive Weekly Histories, the Legislative Digest and the Legislative Index, rather than bills and legislative publications.

5. *Rule 17* is amended to eliminate the provision requiring compilation and printing of the History during the constitutional recess.

6. *Rule 37.5* is amended to correct the erroneous reference to the Legislative Auditor to show the correct title, Legislative Analyst.

7. *Rule 38* is amended to delete the reference to adjournment for the constitutional recess which has been eliminated by constitutional amendment.

8. *Rule 39* is amended to delete the word "Hereafter" in the rule requiring sessions to be designated in the year in which held. This is a technical amendment making no substantive change in the rule.

9. A new Rule 13.1 is added to provide for the compilation and publication of the digests required by Rule 8.5 and of a cumulative Legislative Index.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By A. C. MORRISON, Chief Deputy

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. Cunningham announced a meeting of the Subcommittee on Professional and Vocational Standards of the Assembly Interim Committee on Governmental Efficiency and Economy on Wednesday, January 21, 1959, at 2.30 p.m. in Room 4164.

Mr. Miller announced a meeting of the Committee on Rules at 2 p.m. today in the Conference Room off of the Assembly Lounge.

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

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

**Assembly Bill No. 393:** By Mr. Belotti—An act to amend Section 8276 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

**Assembly Bill No. 394:** By Mr. McMillan—An act to amend Section 6535 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health.

**Assembly Bill No. 395:** By Mr. McMillan—An act to amend Section 2933.5 of the Business and Professions Code, relating to psychologists.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 396:** By Mr. McMillan—An act to amend Section 2941 5 of the Business and Professions Code, relating to phychologists.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 397:** By Messrs. McMillan and Dills—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering.

Referred to Committee on Public Health.

**Assembly Bill No. 398:** By Mr. Bradley—An act to amend Sections 254.6, 257, 257.2, and 257.4 of, and to repeal Section 254.5 of, the Vehicle Code and to amend Sections 12512, 12513, 12514, and 12650 of, and to repeal Section 12507 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to age limits for vehicle drivers' licenses.

Referred to Commitee on Transportation and Commerce.

**Assembly Bill No. 399:** By Mr. Bradley—An act to amend Section 10206 of the Education Code, and to amend Section 8107 of the Education Code as proposed by Senate Bill No. 2, relating to automobile driver training in the public schools.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 400:** By Mr. Bradley—An act to repeal Section 503 of the Vehicle Code and to amend Sections 487 and 499b of the Penal Code, all relating to taking a vehicle without the consent of the owner.

Referred to Committee on Criminal Procedure.

**Assembly Concurrent Resolution No. 36:** By Mr. Bradley—Relative to approving continuation of studies by the California Law Revision Commission.

Referred to Committee on Rules.

**Assembly Bill No. 401:** By Mr. Bradley—An act to amend Sections 1460, 1461, and 1570 of the Probate Code, relating to appointment of guardians for minors and insane and incompetent persons.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 402:** By Mr. Bradley—An act to repeal Sections 367d and 367e of the Penal Code and to amend Section 502 of the Vehicle Code, all relating to driving a vehicle while under the influence of intoxicating liquor

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 403:** By Mr. Bradley—An act to amend Sections 2201, 3901 and 3904 of the Corporations Code, relating to the sale of all or substantially all of the property and assets of a corporation.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 404:** By Messrs. Bradley and Dahl—An act to repeal Title 4 (commencing with Section 894) of Part 2 of the Penal Code, to add Title 4 (commencing with Section 888) to Part 2 of the Penal Code, to repeal Section 169 of the Penal Code, to repeal Sections 65.2, 241, 242, and 243 of the Code of Civil Procedure, to repeal Section 12551 of the Government Code, to amend Sections 192, 196, 199, 204, 204b, 204c, 204d, 205, 206, 209, 211, and 238 of the Code of Civil Procedure, to amend Sections 167, 168, and 1326 of the Penal Code, and to amend Section 12552 of the Government Code, relating to grand juries.

Referred to Committee on Judiciary—Civil.

**Assembly Constitutional Amendment No. 16:** By Mr. Bradley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article XI thereof, relating to the presentation, consideration and enforcement of claims against chartered counties, cities and counties and cities and against officers, agents and employees thereof.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 405:** By Mr. Bradley—An act to add Division 3.5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said code, relating to claims against the State, local public entities and public officers and employees.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 406:** By Mr. Bradley—An act to repeal Article 2 (commencing with Section 1980) of Chapter 6 of Division 4 of Title 1, Part 1 (commencing with Section 16000) of Division 4 of Title 2, and Sections 2003 and 53053 of the Government Code, to add Chapters 1 (commencing with Section 600) and 3 (commencing with Section 800) to Division 3.5 of Title 1 of the Government Code, and to amend Section 53052 of the Government Code, relating to claims against the State, local public entities and public officers and employees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 407:** By Mr. Bradley—An act to repeal Sections 29700, 29700.1, 29701, 29702, 29703, 29704, 29705, 29707, 29711, 29713, 29714, 29714.1, 29715, 29716, 29720, to add Sections 29700 and 29706, to renumber Section 29719, to renumber and amend Sections 29706, 29708, 29709, 29710, 29712, 29717, 29718, 29721 and to amend Sections 29741, 29744 and 29748 of the Government Code, and to amend Section 439.56 of the Agricultural Code and Section 945 of the Military and Veterans Code, all relating to claims against counties.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 408:** By Mr. Bradley—An act to amend Sections 37201 and 39586 of the Government Code, relating to claims against cities.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 409**: By Mr. Bradley—An act to amend Section 1007 of the Education Code, Sections 6370 and 6960 of the Harbors and Navigation Code, Section 14164 of the Health and Safety Code, Sections 5553 and 5784.19 of the Public Resources Code, Section 21782 of the Streets and Highways Code and Section 56117 of the Water Code; to repeal Sections 61628, 61630, and 61631 of the Government Code, Sections 4817, 5617, and 6096 of the Health and Safety Code, Sections 16682, 16683, 16684, 16685, 16686, Article 5a (commencing with Section 12830) of Chapter 6 of Division 6 and Article 6 (commencing with Section 29060) of Chapter 6 of Part 2 of Division 10 of the Public Utilities Code, Sections 22727, 22728, 22729, 31084, 31085, 31086, 31087, 35752, 35753, and 35754 of the Water Code; and to add Article 1.5 (commencing with Section 1018) to Chapter 1 of Division 2, Article 5 (commencing with Section 21658) to Chapter 10 of Division 10, Article 2.5 (commencing with Section 22360) to Chapter 4 of Division 11, Article 3 5 (commencing with Section 22680) to Chapter 5 of Division 11 and Article 8.5 (commencing with Section 22980) to Chapter 6 of Division 11 of the Education Code, Section 61628 to the Government Code, Chapter 4 (commencing with Section 5790) to Part 1 5 of Division 8, Chapter 3.5 (commencing with Section 5905) to Part 2 of Division 8, Chapter 3 5 (commencing with Section 6095) to Part 3 of Division 8 and Article 3 (commencing with Section 6680) to Chapter 5 of Part 5 of Division 8 of the Harbors and Navigation Code, Sections 954, 4817, 5617, 4665.6, 6096, 14163.5, Article 5.5 (commencing with Section 2320) to Chapter 5 of Division 3, Article 4.5 (commencing with Section 2880) to Chapter 8 of Division 3, Article 4.5 (commencing with Section 4130) to Chapter 1 of Part 2 of Division 5, Article 5 5 (commencing with Section 4185.1) to Chapter 1.5 of Part 2 of Division 5, Article 5.5 (commencing with Section 5745) to Chapter 9 of Part 3 of Division 5, Article 8 (commencing with Section 6805) to Chapter 7 of Part 1 of Division 6, Article 5 (commencing with Section 9010) to Chapter 8 of Part 4 of Division 8, Article 6.5 (commencing with Section 14363) to Chapter 1a of Part 3 of Division 12, Article 7.1 (commencing with Section 14488) to Chapter 2 of Part 3 of Division 12, Article 4.1 (commencing with Section 20115) to Chapter 1 of Part 1 of Division 14, Article 2.5 (commencing with Section 24232) to Chapter 2 of Division 20, Article 16 (commencing with Section 24374) to Chapter 2.5 of Division 20, Chapter 7 (commencing with Section 32492) to Division 23, Article 6 (commencing with Section 33340) to Chapter 2 of Part 1 of Division 24 and Article 6 (commencing with Section 34380) to Chapter 1 of Part 2 of Division 24 of the Health and Safety Code, Article 2.5, (commencing with Section 1209) to Chapter 1 of Division 6 of the Military and Veterans Code, Section 5553 5, Article 3 (commencing with Section 9420) to Chapter 4 of Division 9 and Article 1.5 (commencing with Section 11520) to Chapter 7 of Division 10 of the Public Resources Code, Section 16682, Article 5a (commencing with Section 12830) to Chapter 6 of Division 6, Article 6 (commencing with Section 29060) to Chapter 6 of Part 2 of Division 10, Chapter 4.5 (commencing with Section 22601) to Part 2 of Division 9 and Article 9 (commencing with Section 25951) to Chapter 6 of Part 1 of Division 10 of the Public Utilities Code, Sections 31867, 33550, 35707, Chapter 10.5 (commencing

with Section 27190) to Part 3 of Division 16, Chapter 9.5 (commencing with Section 8230) to Part 2 of Division 9, Chapter 11 5 (commencing with Section 19190) to Part 4 of Division 14, Chapter 15.5 (commencing with Section 25360) to Part 1 of Division 16 and Chapter 13 5 (commencing with Section 26225) to Part 2 of Division 16, Sections 8991, 22727, 31084, 35752, 44457, Article 4 5 (commencing with Section 50145) to Chapter 2 of Part 1 of Division 15 and Chapter 4 (commencing with Section 55720) to Part 4 of Division 16 of the Water Code, relating to claims against the State, local public entities and public officers and employees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 410:** By Mr. Bradley—An act to amend Section 3 of Chapter 349 of the Statutes of 1873-74, Section 9 of Chapter 201 of the Statutes of 1895, Section 11 of Chapter 310 of the Statutes of 1905, Section 19 of the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 53 of the Solvang Municipal Improvement District Act (Chapter 1635, Statutes of 1951), Section 53 of the Fairfield-Suisun Sewer District Act (Chapter 303, Statutes of 1951), Section 53 of the Montalvo Municipal Improvement District Act (Chapter 549, Statutes of 1955), and Section 11 of the Lower San Joaquin Levee District Act (Chapter 1075, Statutes of 1955); to add Section 3.1 to Chapter 349 of the Statutes of 1873-74, Section 9.5 to Chapter 63 of the Statutes of 1880, Section 12.5 to Chapter 158 of the Statutes of 1885, Section 49.5 to the Drainage Act of 1903 (Chapter 238, Statutes of 1903), Section 46.5 to Chapter 25 of the Statutes of 1907, Section 19.1 to the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 8 5 to Chapter 99 of the Statutes of 1913, Section 8.5 to Chapter 361 of the Statutes of 1915, Section 29.5 to the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), Section 34.5 to the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), Section 3.1 to the Orange County Flood Control District Act (Chapter 723, Statutes of 1927, Section 20.5 to the American River Flood Control District Act (Chapter 808, Statutes of 1927), Section 10.5 to Chapter 641 of the Statutes of 1931, Section 21 1 to the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), Section 20.5 to the Orange County Water District Act (Chapter 924, Statutes of 1933), Section 8 is added to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), Section 15.1 is added to the Monterey Peninsula Airport District Act (Chapter 52, Statutes of 1941), Section 135.5 to the California Water Storage and Conservation District Act (Chapter 1253, Statutes of 1941), Section 15.5 to the County Water Authority Act (Chapter 545, Statutes of 1943), Section 17.5 to the San Diego County Flood Control District Act (Chapter 1372, Statutes of 1945), Section 2.5 to the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of the First Extraordinary Session of 1952), Section 9.5 to the Contra Costa County Storm Drainage District Act (Chapter 1532, Statutes of 1953), Section 11.5 to the Fresno Metropolitan Flood Control Act (Chapter 503, Statutes of 1955), and Section 48 to the Santa Clara-Alameda-San Benito Water Authority

Act (Chapter 1289, Statutes of 1955); and to repeal and add Section 20 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), Section 14½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), Section 6.1 of the Metropolitan Water District Act (Chapter 429, Statutes of 1927), Section 13 of the Ventura County Flood Control Act (Chapter 44, Statutes of the Fourth Extraordinary Session of 1944), Section 31 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), Section 15 of the Riverside County Flood Control and Water Conservation District Act (Chapter 1122, Statutes of 1945), Section 8.1 of the Santa Barbara County Water Agency Act (Chapter 1501, Statutes of 1945), Section 30 of the San Luis Obispo County Flood Control and Water Conservation District Act (Chapter 1294, Statutes of 1945), Section 30 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699, Statutes of 1947), Section 8 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), Section 8 of the Mendocino Flood Control and Water Conservation District Act (Chapter 995, Statutes of 1949), Section 29 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275, Statutes of 1949), Section 30 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951), Section 30 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449, Statutes of 1951), Section 34 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544, Statutes of 1951), Section 30 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), Section 15 of the Kings River Conservation District Act (Chapter 931, Statutes of 1951), Section 8.1 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656, Statutes of 1951), Section 8 of the Yolo County Flood Control and Water Conservation District Act (Chapter 1657, Statutes of 1951), Section 8.1 of the Sacramento County Water Agency Act (Chapter 10, Statutes of the First Extraordinary Session of 1952), Section 29 of the Marin County Flood Control and Water Conservation District Act (Chapter 666, Statutes of 1953), Section 34 of the San Benito County Water Conservation and Flood Control District Act (Chapter 1598, Statutes of 1953), Section 8 of the Morrison Creek Flood Control District Act (Chapter 1771, Statutes of 1953), Section 31 of the Del Norte County Flood Control District Act (Chapter 166, Statutes of 1955), Section 31 of the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057, Statutes of 1955), Section 154 of the Santa Cruz County Flood Control and Water Conservation District Act (Chapter 1489, Statutes of 1955) and Section 20 of the Contra Costa County Water Agency Act (Chapter 518, Statutes of 1957), relating to claims against the State, local public entities and public officers and employees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 411**: By Mr. Bruce F. Allen—An act to repeal Sections 597a, 597b, 597c, 597d, all as added by Chapter 220, Statutes of 1907, and Section 599d of the Penal Code, relating to horses.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 412**: By Mr. Porter, Miss Donahoe, Messrs. Ernest R. Geddes, Bane, Cusanovich, and George A. Willson (Departmental—Education)—An act to repeal Section 5 of Chapter 513 of the Statutes of 1957, to repeal Sections 6814, 6815, 6816, and 6822 of the Education Code; to repeal Sections 11004, 11005.1, 11006.1, and 11052.1 of, and to amend Sections 11005, 11006, and 11052 of, the Education Code as proposed by Senate Bill No. 2, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 413**: By Messrs. Chapel, Kilpatrick, Backstrand, Belotti, Busterud, Dills, Francis, House, and Meyers—An act to amend the title of Division 11d (commencing at Section 729.01) of, and Sections 729.02, 729.03, 729.04, 729.05, 729.07, 729.08, 729.10, 729.11, 729.12, 729.13, 729.14, 729.15, and 729.16 of and to add Section 729.015 to, the Vehicle Code, and to amend the title of Division 14 (commencing at Section 31600) of, and Sections 31601, 31602, 31603, 31604, 31606, 31607, 31609, 31610, 31611, 31612, 31613, 31614, and 31615 of, and to add Section 31600.5 to, the Vehicle Code, as proposed by Assembly Bill No. 5, relating to the transportation of radioactive materials

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 414**: By Mr. Rees (Departmental—Employment)—An act to amend Section 3260 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 415**: By Mr. Rees (Departmental—Employment)—An act to amend Sections 318, 319, 320, 708, 978, 979, 991, 1028, 1556, 1558, 1562, 1585, 1956, 2054, 2055, 2902, 3004, and 3254 of, to add Sections 20, 930.5, and 1179.5 to, to add an Article heading to Article 2 of Chapter 2, Part 1, Division 1 of, to, and to repeal Section 138 of, the Unemployment Insurance Code, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 416**: By Mr. Rees (Departmental—Employment)—An act to add Section 940 to Article 2, Chapter 4, Part 1, Division 1 of the Unemployment Insurance Code, relating to unemployment and disability compensation insurance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 417**: By Messrs. Kilpatrick, Don A. Allen, George A. Willson, Bane, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Cusanovich, Elliott, Ernest R. Geddes, Grant, Hawkins, Kennick, Lanterman, Levering, McMillan, Miller, Munnell, Porter, Reagan, Rees, Shell, Thelin, Thomas, and Charles H. Wilson (At request of

Los Angeles County Counsel)—An act to amend Section 4902 of the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 418:** By Messrs. Hegland and Schrade (Departmental—Education)—An act to amend Sections 4105 2, 4624 and 4944 of the Education Code, and to amend Sections 1406, 1485, and 3256 of the Education Code as proposed by Senate Bill No. 2, relating to members of school boards.

Referred to Committee on Education.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Luckel was granted unanimous consent to take up Assembly Concurrent Resolution No. 6 without reference to file.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

**Assembly Concurrent Resolution No. 6**—Relative to the death of Mrs. Ed. Fletcher.

Resolution read.

#### Members Made Co-authors of Assembly Concurrent Resolution No. 6

Mr. Luckel was granted unanimous consent that all members voting on the resolution be placed upon the illuminated copy of Assembly Concurrent Resolution No. 6 as co-authors.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Munnell of Montebello to Don Rose of Los Angeles.

On request of Mr. Thomas of San Pedro to Mr. and Mrs. William Lawrence of San Pedro.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Mrs. John Sketchley of San Francisco.

On request of Mr. George A. Willson of Huntington Park to C J and Louise Gill of Garden Grove.

On request of Mr. Winton of Merced to Mrs. H. C. George, Mrs. Carl DeWing, Mrs. Harold Zimmerman, Mrs. Basil Sullens, and Mrs. W. D. Tullock, adults; and the following Girl Scout Troop No. 54 of the Herbert Hoover School of Merced: Bernice Davis, Becky Barnard, Sandra Blais, Barbara Colwell, Kora Davis, Connie DeWing, Lyn George, Jean Hoffmeister, Janet Lewis, LaVerne McManus, Barbara Sullens, Patty Tullock, Judy Weekes, Brenda Zimmerman, Mary Beth Myers, Sandra Petersen, Sue Passavoy, Nancy Suffecoal, and Leona Witrock.

On request of Mr. Garrigus of Reedley to Mr. Stienberg of Palm Springs.

## ADJOURNMENT

At 11.57 a.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 20, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

TWELFTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, January 20, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk James D. Driscoll at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God, Infinite and Eternal*, That part of eternity with which Thou hast entrusted us is a day of giant cities, guided missiles, and atomic energy. We would not turn back to the quiet village life of the past, even if we could. Awaken us to the true nature and full dimension of today's task. As we continue the exploration of *outer space* keep us steadfast and vigilant in the conquest of *inner space*, where we find smog, death on our highways, prejudice among men of varied races, clashing sectional loyalties, and economic injustice. Help us, God, to solve these issues so near at hand, thus to become a worthy element of Thine eternity.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Thomas, on motion of Mr. Porter.
Mr. Backstrand, on request of Speaker Brown.
Mr. Belotti, on request of Speaker Brown.
Mr. Chapel, on request of Speaker Brown.
Mr. Gaffney, on request of Speaker Brown.
Mr. Meyers, on request of Speaker Brown.
Mr. MacBride, on request of Speaker Brown.

**Chief Clerk Arthur A. Ohnimus at the Desk**

## MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE
SACRAMENTO, January 20, 1959

*To the Assembly of the State of California:*

Attached hereto is a special message which I am sending you outlining my views on the need for legislation pertaining to labor-management relations.

Respectfully,

EDMUND G. BROWN, Governor

Attch.

## SPECIAL MESSAGE ON LABOR-MANAGEMENT RELATIONS

Earlier this month I addressed this distinguished Legislature on the course I have charted for my administration in the next four years.

I described that course as one of "responsible liberalism."

And I defined liberalism as a philosophy which believes that people—not institutions, or organizations, or corporations—come first.

It is a philosophy that believes the individual has a right to demand justice and fair play free of any unnecessary restraints either by society or by government.

But I think we must emphasize again and again that to be truly responsible, liberalism must be realistic; it must be practical; and it must be responsive to the needs of all our people.

Since the interest of government is the common interest, the truly responsible government must restrain individual conduct only to promote the common good.

On this basis, and where it has been found necessary, democratic society has determined that the common interest requires that government regulate certain activities.

On this basis, we have established uniform standards of conduct for banks, corporations, utilities and many other institutions making up our free enterprise system.

There is another vital area in our free enterprise system which I believe requires additional regulation. I refer, of course, to labor-management relations.

Those relations in a democratic society are carried out to an appreciable extent by employers and their associations on one hand and employees and their unions on the other.

This collective bargaining process is recognized and protected by law. Through it labor and management wield tremendous influence on our economy.

They set patterns of wages, hours and working conditions for organized workers ultimately extending to the vast bulk of employed persons in the Country, whether organized or not.

They also control vast sums of money—running into the billions of dollars—in dues and health, welfare and pension funds.

Most representatives of both sides are responsible, dedicated men. Responsible men, of course, try to set standards for their relationships voluntarily, and certainly we much prefer voluntary action.

The AFL-CIO, through its Ethical Practices Codes, has voluntarily set such standards for the relationship of union officials to union members and parent labor organizations to subordinate bodies.

Virtually all labor organizations include minimum standards of conduct in their constitutions or bylaws.

Many businesses and professions also have adopted their own codes of conduct.

Yet—just as responsible government has found it necessary to establish standards for the conduct of banks, corporations and utilities—I believe there is need to provide standards in labor-management relations.

For example, if labor seeks to maintain its right to bargain collectively, it must accept the corresponding responsibility—as most of it already has—to represent its members democratically and to act only in the public good.

I am acutely aware that labor historically has resisted many unfair efforts by government to interfere in its activities.

But labor also has recognized that it can promote both the welfare of its members and the general welfare if it supports government intervention where it is both responsible and necessary.

Its own decades-long fight for recognition resulted in laws guaranteeing its right to bargain.

On other fronts, it sponsored and vigorously pressed social welfare legislation which has removed the peril of poverty from almost all our population.

Labor's support of unemployment insurance, disability benefits, minimum wages, fair labor standards, health and welfare and pension plans and a multitude of other measures benefited all our people, not simply union members.

To obtain these things meant government intervention; but because it was responsible intervention, labor approved.

In the process, it demonstrated its changing character—from an institution which was primarily economic to one which was sociological and political as well.

Last year, George Meany, president of the AFL-CIO, recognized the need for uniform standards of conduct in labor-management relations when he supported the Kennedy-Ives Bill in Congress.

Unfortunately, that bill was killed in the House of Representatives.

Its defeat by extremists on both sides means that we at the state level must show the way to the Federal Government in enacting a law which does establish minimum standards.

We must make certain that opposition by the same groups that killed Kennedy-Ives will not delay action in this vital field. We must lead, not follow.

Our state law must not be punitive or restrictive. It must assist, not obstruct, the collective bargaining process.

It must be fair legislation, impartial legislation, and it must be effective legislation.

I have caused to be drafted a series of amendments to the State Labor Code which I believe meet those requirements. I respectfully submit them to this distinguished Legislature for consideration.

The first of my proposals sets up standard democratic procedures for unions.

Virtually all union constitutions or bylaws already contain these procedures. Some, however, do not, and a few unscrupulous men—inside and outside labor—have used this situation for selfish motives.

Therefore, I recommend that the State Labor Code be amended to require that union constitutions or bylaws provide that local units of labor organizations hold a minimum of 10 regular meetings each year, that adequate notice of both regular meetings and meetings held to nominate and elect officers be given, and that minutes of meetings be kept and be made available to members.

This amendment also should require that union constitutions or bylaws provide that no business may be transacted at a meeting of a local unit unless a reasonable quorum is present, that members be given reasonable opportunity to nominate candidates for office or other representatives, that they be given reasonable opportunity to vote in elections, that all elections be by secret ballot, and that they be held at least once every three years. Provisions also should be made for recall of officers for misconduct.

I further recommend that the financial transactions of employee and employer representatives be regulated.

Unions should be required to file with the Department of Industrial Relations copies of their constitutions, bylaws or governing rules and practices.

The acceptance of money or anything else of value by any official representative or employee of a union from an employer or his representative with the understanding it will influence the official actions of such union official, representative or employee should be prohibited. Violation would be a misdemeanor.

We also must guard against the possibility that a conflict of interest in a labor union official's business holdings might lead to collusive labor contracts leading to low wages and poor working conditions for the union's members.

Therefore, I recommend that union officials and employees, other than clerical employees, be required to file reports of any stock, bond or other interest they hold in a company with which the union negotiates, in any company which does a substantial part of its business with a company with which the union negotiates or in any company which does business with the union itself. We should also require that they report any payment received directly or indirectly from any employer or any person who acts as an expert, adviser or consultant to an employer.

It is not the intent of these proposals to reveal the strength or weakness of a union so that it would be at a disadvantage in collective bargaining. Similarly it is not the intent that a union official's private financial affairs be laid bare to the public when we do not require that sort of disclosre from any other citizen. It is, however, the intent that union members, for whom the union exists, be permitted to know the financial structure of their organization and be assured that the conduct of their officers in financial affairs touching the union is above reproach.

For that reason, the legislation I propose requires that the reports be confidential, except that they must be made available for inspection by union members upon request and may be used by the department for compilation of statistical data without disclosing the names of the persons or organizations involved.

To assure standards for achieving the same purpose on the management side of the bargaining table, I recommend legislation which would prohibit an employer, or any person who acts as a labor relations expert or representative of an employer from giving any money or other thing of value to a representative of a labor organization with intent to influence his official actions or decisions. Violation of this provision would be a misdemeanor.

Any employer, corporation or association which paid money or any other thing of value for the purpose of influencing employees or their representatives in the collective bargaining process or in their right to organize, or for the purpose of investigating a labor organization, its members or representatives, would be required to file annual reports of such expenditures.

I propose also that any organization, corporation or consultant receiving such money or thing of value be required to file similar annual reports.

These reports also would be confidential, with the exceptions already noted in connection with the reports of labor organizations and their officials.

I propose also that the terms under which a parent labor organization imposes a so-called trusteeship on a subordinate body be made subject to certain safeguards.

Trusteeship often is a legitimate and necessary device for correcting abuses, eliminating subversive influences, or restoring democracy in a subordinate organization.

But the device sometimes is abused. It has been used in a few instances to restrict rather than to promote democratic procedures.

I propose that a report be required of the parent labor organization, to be filed with the department, setting forth the reasons for imposing the trusteeship.

The legislation I propose would require that during the period of trusteeship it would be unlawful to count the votes of delegates from the subordinate body in any convention or election of officers unless the delegates were chosen by a secret ballot vote among all the members of the subordinate body in good standing.

It also would be unlawful for the parent labor organization to commingle the funds or assets of the subordinate body with its own or to use the subordinate body's funds or assets for any purpose other than

expenses of the trusteeship, expenses for conducting the affairs of the subordinate body, or the normal per capita tax and assessments payable by subordinate bodies not in trusteeship.

The trusteeship could be imposed only in accordance with the constitution or bylaws of the parent labor organization. It could not be imposed for any longer than one year, except for good cause shown to the Department of Industrial Relations.

The legislation gives any union member, labor organization or employer the right to seek enforcement of these uniform standards by submitting a petition to the department.

In addition, any person aggrieved by a decision or order of the Department of Industrial Relations relating to this portion of the act would expressly be assured the right to petition the courts for relief.

The department itself would be permitted to promulgate rules and regulations for the implementation of these procedures and would be empowered to take all proceedings necessary for the enforcement of its decisions and orders.

Finally, to obviate the necessity for duplicate and overlapping reports, the legislation provides that any of its provisions subsequently covered by federal law shall become inoperative.

I turn now to an area in which California law has long been deficient. Correcting this deficiency, in my opinion, would assist materially in improving the collective bargaining process and in assuring labor-management peace.

California has no machinery whereby employees working in intrastate commerce may select or reject a union as their collective bargaining representative. The result has been detrimental to the best interests of the employees, of organized labor, of the employers and of the public itself.

I recommend that you approve legislation setting up such machinery.

It would provide that whenever one or more unions claim to represent a majority of employees in a given unit, the labor organization or organizations involved would be permitted to file a petition for a representation election with the Department of Industrial Relations.

The department would be empowered to conduct hearings and to hold self-determination elections among the employees involved to determine what should be an appropriate unit. It also would be empowered to hold secret-ballot elections among employees in the designated unit to determine whether or not they wished to be represented by a union and which union they wanted as their collective bargaining agent. It would certify the union receiving a majority of the votes cast as the collective bargaining representative.

The legislation I propose would provide that following such certification a second election in the designated unit could not be held for at least a year, or until the expiration of a collective bargaining agreement, provided that in any event the restriction not run beyond two years.

This legislation does two things.

It closes the gap in our intrastate collective bargaining machinery, and it corrects what I think is a fundamental error in our present Jurisdictional Strike Act.

That act defines a jurisdictional strike as being, among other things, any concerted refusal to perform work or any other concerted interruption of an employer's operation or business arising out of a controversy between two or more unions over which of them has or should have the exclusive right to bargain with an employer on behalf of his employees.

I respectfully submit that this is a representation, not a jurisdictional, dispute. The machinery I have recommended would provide for the resolution of such a dispute, whereas present law merely provides that an injunction to halt economic action may be sought.

A second section of this legislation would provide machinery for the resolution of a true jurisdictional strike, which is correctly defined in the present Jurisdictional Strike Act as a concerted refusal to perform work or any other concerted interruption of an employer's operation or business arising out of a controversy between two or more unions as to which of them has or should have the exclusive right to have its members perform work for the employer.

This section would provide that any employer whose employees become involved in a jurisdictional strike, or any of his employees, or any labor organization involved, may petition the Department of Industrial Relations to determine whether a true jurisdictional strike exists.

Excluded from the definition of a labor organization would be any organization, agency, committee or group which is, in whole or in part, financed, interfered with, assisted financially, dominated or controlled by any employer.

This would eliminate the possibility that an unscrupulous employer whose employees were on strike for other than jurisdictional reasons might encourage or set up a dummy or company union and then petition the courts for an injunction halting the strike on the grounds it was jurisdictional.

Upon the filing of a petition the department would be required to investigate the dispute summarily and within 48 hours either dismiss the petition or issue notice that a hearing would be held to determine whether a true jurisdictional strike exists.

Upon issuance of the notice, any concerted refusal to perform work or any other concerted interruption of an employer's operation or business arising out of the controversy would be required to cease and could not be resumed while the department maintains jurisdiction over the case.

Once the department determined that a true jurisdictional strike exists, the unions involved would have three choices.

They could submit the dispute for a final and binding decision to a tribunal of their affiliated organizations, or they could submit it to arbitration. In both cases, if the department found any concerted refusal to perform work or any other concerted interruption of any employer's operation or business arising out of the controversy, it could order such action to cease and not be resumed.

The third choice would permit the unions by mutual consent to submit the dispute to a final and binding decision by the Department of Industrial Relations. In making its decision, the department would be required to consider rules and working practices in the

organizations and industries involved and to make a decision which would be in the public interest.

These choices retain the element of voluntarism. They encourage unions to resolve jurisdictional strikes through their own machinery. And they permit unions to have the State resolve those disputes if they wish.

In any event, harassment of an employer or action detrimental to the public good by the unions involved is prohibited in a true jurisdictional strike.

The department would be empowered to take necessary action to enforce its decisions and orders, and any aggrieved person would have the right of judicial review.

Since this legislation prohibits economic action arising out of a true jurisdictional strike, I recommend that you repeal the present injunctive provisions of the Jurisdictional Strike Act.

Those provisions have not served their purpose. Indeed, they have led to bitterness and strife. They have sometimes been used to throw the power of the courts behind one of the parties in the collective bargaining process.

The legislation I propose would keep government's hand to a minimum in collective bargaining. But it would prohibit economic action involving the public or an employer in a dispute between two unions and at the same time help solve such disputes, something present law fails to do.

In my opinion, the legislation I have outlined here is reasonable.

I am aware that we already have a vast bulwark of criminal laws against fraud, embezzlement, assault and other abuses.

But just as we have found it necessary to enact laws applying to other specific fields, I believe we must today apply specific laws to labor-management relations.

I am certain that the proposals made here are no more—but certainly no less—than was demanded by the people and is required by the circumstances existing in this field.

I believe they meet the tests of being fair and impartial, of being effective, of being neither punitive nor restrictive, and of assisting, not obstructing, the collective bargaining process.

I would hope and expect that reasonable men on both sides of the bargaining table, men of every political persuasion could agree on their merit and their necessity.

It is with confidence, therefore, in the judgment of all parties concerned that I recommend that this Legislature enact these proposals into law.

## APPOINTMENT OF STANDING COMMITTEES

Speaker Brown announced the appointment of the following standing committees, and directed the Chief Clerk to read the list of appointments to the Assembly:

## ASSEMBLY STANDING COMMITTEES

**Agriculture (14)**—Samuel R. Geddes (Chairman), Williamson (Vice Chairman), Backstrand, Biddick, Frew, Garrigus, Holmes, House, Lowrey, McCollister, Pattee, Schrade, Sedgwick, and Winton

**Civil Service and State Personnel (7)**—Meyers (Chairman), Z'berg (Vice Chairman), Burke, Crawford, Cunningham, Samuel R. Geddes, and McCollister.

**Constitutional Amendments (7)**—Busterud (Chairman), Don A. Allen (Vice Chairman), Bane, Dahl, Thelin, Thomas, and Williamson.

**Criminal Procedure (10)**—O'Connell (Chairman), Petris (Vice Chairman), Bruce F. Allen, Bane, Burton, Crawford, Crown, Francis, Kilpatrick, and Waldie.

**Education (17)**—Donahoe (Chairman), Garrigus (Vice Chairman), Bee, Britschgi, Collier, Cusanovich, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Porter, Reagan, Sedgwick, Waldie, and Winton.

**Elections and Reapportionment (14)**—Crown (Chairman), Grant (Vice Chairman), Bane, George E. Brown, Burton, Busterud, Conrad, Francis, Luckel, Meyers, Munnell, Petris, Reagan, and George A. Willson.

**Engrossment and Enrollment (2)**—Burke (Chairman), and Kilpatrick.

**Finance and Insurance (15)**—Rees (Chairman), Pattee (Vice Chairman), Burton, Cameron, Crown, DeLotto, Levering, Munnell, O'Connell, Reagan, Rumford, Thelin, Unruh, Waldie, and George A. Willson.

**Fish and Game (11)**—Davis (Chairman), Thomas (Vice Chairman), Don A. Allen, Beaver, Burke, DeLotto, Johnson, Lunardi, Nisbet, Pattee, and Williamson.

**Government Organization (14)**—Winton (Chairman), Marks (Vice Chairman), Biddick, Coolidge, Samuel R. Geddes, MacBride, McCollister, McMillan, Miller, Mulford, Rees, Rumford, Schrade, and Shell.

**Governmental Efficiency and Economy (13)**—Masterson (Chairman), George A. Brown (Vice Chairman), Bradley, Busterud, Cusanovich, Elliott, Hanna, Levering, Luckel, McMillan, O'Connell, Reagan, and Winton.

**Industrial Relations (7)**—McMillan (Chairman), Waldie (Vice Chairman), George A. Brown, Cusanovich, Elliott, Gaffney, and Shell.

**Judiciary—Civil (12)**—Biddick (Chairman), George A. Willson (Vice Chairman), Bradley, Busterud, Hanna, MacBride, Marks, Masterson, Miller, Sumner, Thelin, and Z'berg

**Legislative Representation (5)**—Frew (Chairman), Charles H. Wilson (Vice Chairman), Bee, Chapel, and Dahl

**Livestock and Dairies (7)**—Belotti (Chairman), House (Vice Chairman), Britschgi, McCollister, Pattee, Porter, and Charles H. Wilson.

**Manufacturing, Oil, and Mining Industry (11)**—Bruce F. Allen, (Chairman), Kennick (Vice Chairman), Crown, Donahoe, Garrigus, Grant, Holmes, House, Shell, Unruh, and Z'berg.

**Military and Veterans Affairs (7)**—Crawford (Chairman), Mulford (Vice Chairman), Don A. Allen, Backstrand, Cameron, Cunningham, and Francis.

**Municipal and County Government (13)**—Bradley (Chairman), DeLotto (Vice Chairman), Don A. Allen, Britschgi, George E. Brown, Ernest R. Geddes, Hegland, Holmes, Johnson, Kennick, Lanterman, Nisbet, and George A. Willson.

**Natural Resources, Planning, and Public Works (9)**—Lowrey (Chairman), Kilpatrick (Vice Chairman), Cusanovich, Francis, Grant, Hegland, Marks, Meyers, and Miller.

**Public Health (12)**—Rumford (Chairman), Cameron (Vice Chairman), Coolidge, Crawford, Cunningham, Dills, Grant, Hegland, Johnson, Marks, Mulford, and Thelin.

**Public Utilities and Corporations (12)**—Cunningham (Chairman), Luckel (Vice Chairman), Backstrand, Britschgi, Burke, Cameron, Chapel, Dills, Hawkins, Holmes, Lunardi, and Charles H. Wilson.

**Revenue and Taxation (17)**—MacBride (Chairman), Sumner (Vice Chairman), Bradley, Chapel, Dahl, DeLotto, Hawkins, Lanterman, Masterson, Mulford, Munnell, Petris, Rees, Shell, Thomas, Unruh, and Charles H. Wilson.

**Rules (7)**—Miller (Chairman), Conrad, Hanna, Hawkins, Nisbet, Schrade, and Sedgwick.

**Social Welfare (7)**—Burton (Chairman), Elliott (Vice Chairman), Ernest R. Geddes, Hawkins, Kennick, Kilpatrick, and O'Connell.

**Transportation and Commerce (15)**—Backstrand (Chairman), Gaffney (Vice Chairman), Bane, Belotti, Chapel, Dahl, Dills, Frew, Johnson, Kennick, Luckel, Lunardi, Meyers, Petris, and Rumford.

**Water (20)**—Porter (Chairman), Lunardi (Vice Chairman), Bruce F. Allen, Beaver, Bee, Belotti, Collier, Davis, Frew, Garrigus, Ernest R. Geddes, Lanterman, Levering, Lowrey, Nisbet, Schrade, Sedgwick, Sumner, Williamson, and Z'berg.

**Ways and Means (22)**—Unruh (Chairman), Coolidge (Vice Chairman), Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Collier, Conrad, Davis, Donahoe, Gaffney, House, Lanterman, Lowrey, MacBride, Masterson, McMillan, Munnell, Porter, Rees, and Sumner.

**Interstate Co-operation (5)**—Dills (Chairman), Conrad, Cooldige, Lowrey, and Thomas.

**RECESS**

At 10.16 a.m., the Speaker declared the Assembly at recess until 10.18 a.m., in order to hear from the Honorable Hugh M. Burns, President pro Tempore of the Senate.

## REASSEMBLED

At 10.18 a.m, the Assembly reconvened.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 19**—Approving a charter amendment to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the third day of June, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the nineteenth day of January, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Rules

ASSEMBLY CHAMBER, January 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No 12
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No 25

With the recommendation: Be adopted

MILLER, Chairman

Above resolutions ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 25

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

### Committee on Rules

ASSEMBLY CHAMBER, January 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No. 3
Senate Concurrent Resolution No. 5

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, January 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 22

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 19, 1959

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

Assembly Concurrent Resolution No. 6
Assembly Concurrent Resolution No 22
Assembly Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

## ANNOUNCEMENT

Mr. Unruh announced that he had at his desk a bill relative to installment buying, and invited all members who desired to become coauthors to come to his desk and affix their signatures.

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

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

**Assembly Bill No. 419**: By Mr. Miller (Departmental—Governor)—An act to add Chapter 8.5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 420**: By Mr. Ralph M. Brown—An act to amend Section 543 of the Probate Code, relating to bonds of executors of estates.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 421**: By Messrs. Dills, Francis, Bruce F. Allen, Crawford, and Z'berg—An act to amend Section 473 of the Code of Civil Procedure, relating to relief from default judgments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 422**: By Mr. McCollister—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 423**: By Mr McCollister—An act to repeal Section 5100.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 424**: By Mr. Burke—An act to amend Section 25450.4 of the Government Code, relating to contracts for the construction, alteration or repair of county buildings.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 425**: By Mr Luckel—An act to amend Sections 11002 and 11003 of the Government Code, relating to receipt of mail by the State and its agencies.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 426**: By Mrs. Davis (By Request)—An act to add Section 856 to the Fish and Game Code and to amend Section 817 of the Penal Code, relating to members of the Wildlife Protection Branch of the Department of Fish and Game.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 427**: By Messrs. Hegland, Schrade, and Luckel—An act to add Sections 20580.5 and 20580.6 to the Government Code, relating to the State Employees' Retirement System and membership therein by employees of school districts.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 428:** By Messrs. Hegland, Schrade, and Luckel—An act to amend Sections 31809 and 31813 of the Government Code, relating to the County Employees Retirement Law of 1937, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 429:** By Mr. Dahl—An act to amend Section 107.1 of the Revenue and Taxation Code, relating to the assessment of possessory interests, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 430:** By Messrs. Garrigus, Lowrey, Miss Donahoe, Messrs, Lunardi, Bruce F. Allen, Bee, Chapel, Mrs. Davis, Messrs. DeLotto, Dills, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hegland, Marks, Masterson, Munnell, Petris, Rees, Unruh, Waldie, and Winton—An act to add Sections 12041.7, 12138, 12400.2, and 13039.1 to the Education Code, and add Sections 13105.5, 13145.5, 13171.5, and 13113.5 to the Education Code as proposed by Senate Bill No. 2, relating to the issuance of emergency credentials authorizing service in the Public School System.

Referred to Committee on Education.

**Assembly Bill No. 431:** By Mr Dills—An act to add Article 4 5 (commencing with Section 2430) to Chapter 1, Part 9, Division 2 of the Labor Code, relating to sanitary facilities.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 432:** By Messrs. Masterson and Chapel—An act to amend Section 12101 of the Financial Code, relating to the cashing of checks, drafts, money orders or other commercial paper serving the same purpose.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 433:** By Mr. Bee—An act to repeal Section 327 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 434:** By Mr. Bee—An act to repeal Section 101 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 435:** By Mr. Bee—An act to amend Sections 100 and 1253 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 436:** By Mr. Lunardi, Miss Donahoe, and Mr. Garrigus—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide

limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 437:** By Messrs. Bruce F. Allen, Z'berg, Waldie, Masterson, and O'Connell—An act to amend Section 1026 and 1026a of the Penal Code, relating to insanity of criminal offenders.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 438:** By Mr. Sedgwick (By Request)—An act to amend Section 311 of the Fish and Game Code, relating to salmon fishing.

Referred to Committee on Fish and Game.

**Assembly Bill No. 439:** By Mr. Burton—An act to repeal Section 2629 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 440:** By Messrs. Burton, O'Connell, Elliott, Hawkins, and Masterson—An act to add Sections 220.1, 1182.1 and 2751 to the Labor Code, relating to wages.

Referred to Committee on Industrial Relations.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, January 12, 1959; Tuesday, January 13, 1959; Wednesday, January 14, 1959; and Thursday, January 15, 1959.

### Speaker pro Tempore Presiding

At 10:35 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Pattee was granted unanimous consent to take up Senate Concurrent Resolution No. 5 without reference to file.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

**Senate Concurrent Resolution No. 5**—Relative to approving amendments to the charter of the City of Salinas, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a special municipal election consolidated with the State of California direct primary election held on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller,

Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Zberg—68.

NOES—None

Resolution ordered transmitted to the Senate.

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

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

**Assembly Bill No. 441**: By Mr. Burton—An act to amend Section 2804 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 442**: By Mr. Burton—An act to amend Section 2703 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 443**: By Mr. Burton—An act to add Section 228 to the Labor Code, relating to jury duty.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 444**: By Messrs. Burton and Elliott—An act to amend Section 10177 of the Business and Professions Code, relating to real estate licenses.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 445**: By Mr. Burton—An act to add Section 2712.5 to the Unemployment Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 446**: By Messrs. Burton, Masterson, and Elliott—An act to add Section 1631.5 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 447**: By Mr. Burton—An act to amend Sections 3254 and 3254.5 of the Unemployment Code, relating to unemployment disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 448**: By Mr. Bee—An act to amend Section 18191 of the Education Code and Section 15451 of the Education Code as proposed by Senate Bill No. 2, relating to school buildings.

Referred to Committee on Education.

**Assembly Bill No. 449**: By Mr Bee—An act to amend Sections 5055 and 7727 of the Education Code and Sections 19431 and 19602 of the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Referred to Committee on Education.

**Assembly Bill No. 450**: By Mr. Bee—An act to amend Section 4301 of the Government Code, relating to American-made materials and products.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 451**: By Mr. Bee—An act to amend Section 19302 of the Education Code, and to amend Section 17101 of the Education Code as proposed by Senate Bill No. 2, relating to charges against school district funds.

Referred to Committee on Education.

**Assembly Bill No. 452**: By Mr. Bee—An act to amend Section 5901 of the Education Code and Section 21301 of the Education Code as proposed by Senate Bill No. 2, relating to school district funds.

Referred to Committee on Education.

**Assembly Bill No. 453**: By Mr. Bee—An act to repeal Sections 7018.1 of, and to add Section 7018.1 to, the Education Code, to repeal Section 18060 of, and to amend and renumber Section 18060.1 of, the Education Code as proposed by Senate Bill No. 2, relating to allowances to local school districts for transportation of pupils, declaring the urgency thereof to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 454**: By Mr. Bee—An act to amend Sections 9821, 9822, and 9823 of the Education Code, and to amend Sections 6914, 6915, and 6916 of the Education Code as proposed by Senate Bill No. 2, relating to advance apportionment of state aid to school districts.

Referred to Committee on Education.

**Assembly Bill No. 455**: By Mr. Bee—An act to amend Section 370 of the Vehicle Code, and to repeal Section 9253 as proposed by Assembly Bill No. 5, relating to registration fees.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 456**: By Mr. Bee—An act to add Section 32109 to the Health and Safety Code, and to amend Section 4501 of the Elections Code, relating to hospital districts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 457**: By Messrs. McMillan, Biddick, and Sumner—An act to add Section 1044.5 to the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 458**: By Messrs. McMillan, Biddick, and Sumner—An act to add Section 1024 to the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 459**: By Messrs. McMillan, Biddick, and Sumner—An act to amend Section 1012 of the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 460**: By Mr. O'Connell—An act to amend Section 4554 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 461**: By Mr. O'Connell—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 462**: By Mr. Samuel R. Geddes—An act to add Section 1178.5 to the Military and Veterans Code, relating to the formation of veterans' memorial districts.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 463**: By Mr. Samuel R Geddes—An act to add Section 1198.5 to the Military and Veterans Code, relating to the management of veterans' memorial districts.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 464**: By Mr. Samuel R. Geddes—An act to amend Sections 1192 and 1205 of the Military and Veterans Code, relating to veterans' memorial district taxes.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 465**: By Mr. Samuel R. Geddes—An act to amend Section 1191 of the Military and Veterans Code, relating to the management of veterans' memorial districts.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 466**: By Mr. Samuel R. Geddes—An act to add Article 3.5 (commencing with Section 1221) to Chapter 1, of Division 6, of the Military and Veterans Code, relating to the construction of halls, buildings and meeting places by veterans' memorial districts.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 467**: By Mr. Samuel R. Geddes—An act to add Chapter 5 (commencing with Section 2380) to Division 3 of the Welfare and Institutions Code, relating to housing for the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 468**: By Mr. Biddick—An act to amend Section 713 of, and repeal Sections 714 and 714.1 of, the Vehicle Code, and to amend Sections 35701 and 35704 of, repeal Section 35706 of, add Section 35706 to, repeal Section 35707 of, add Section 35707 to, and repeal Sections 35708, 35709, 35710, 35711, 35712, 35713, and 35714 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the restricting of highways by counties.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 469**: By Mr. Samuel R. Geddes—An act to add Section 7044.5 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 470**: By Mr. Samuel R Geddes—An act to repeal Section 7049 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 471**: By Mr. Samuel R. Geddes—An act to amend Section 7058 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 472**: By Mr. Samuel R. Geddes—An act to amend Sections 750 and 752 of the Vehicle Code, and to amend Sections 40800 and 40804 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the color of vehicles used in the enforcement of the Vehicle Code.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 473**: By Messrs. Elliott, George E. Brown, Thomas, Kilpatrick, and Porter—An act to amend Section 2675 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 474**: By Messrs. Elliott, Kilpatrick, and Hawkins—An act to amend Sections 3006, 3102 and 3103, and to repeal Section 3104, of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 475**: By Messrs. Elliott, Kilpatrick, and Hawkins—An act to amend Section 2626 of the Unemployment Insurance Code, relating to unemployment compensation benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 476**: By Messrs. Elliott, George E. Brown, Thomas, Kilpatrick, Hawkins, and Porter—An act to amend Section 316 of the Unemployment Insurance Code, relating to publication of information.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 477**: By Messrs. Elliott, Kilpatrick, and Hawkins—An act to repeal Section 2677 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 478**: By Messrs. Elliott and Kilpatrick—An act to repeal Section 2605 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 479**: By Messrs. Elliott and Kilpatrick—An act to amend Section 452 of the Labor Code, relating to uniforms.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 480**: By Messrs. Elliott, George E. Brown, Thomas, Kilpatrick, and Porter—An act to amend Section 1257 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 481**: By Mr. Lanterman—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 482**: By Mr. Lanterman—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 483**: By Messrs. Lanterman and Hawkins—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 484**: By Messrs. Lanterman and Ernest R. Geddes—An act to amend Section 35002.3 of the Government Code, relating to the annexation of territory by cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 485**: By Messrs. Lanterman and Ernest R Geddes—An act to amend Sections 2160.1, 2160.3 and 3044.1 of, and add Section 4160 1 to, the Welfare and Institutions Code, relating to payments to recipients of old age security, aid to needy blind and aid to needy disabled in public medical institutions.

Referred to Committee on Social Welfare.

**Assembly Bill No. 486**: By Messrs. Lanterman and Dills—An act to add Section 11503 and to amend Sections 11501, 11713, 11714, and 11715 6 of the Health and Safety Code, relating to offenses involving heroin or marijuana.

Referred to Committee on Criminal Procedure.

**Assembly Concurrent Resolution No. 37**: By Messrs. Bee, Dahl, Rumford, Mulford, Crown, and Petris — Relative to approving the amendment to the charter of the County of Alameda voted for and ratified by the electors of said county at an election held therein on the third day of June, 1958.

**Request for Unanimous Consent**

On request of Mr. Bee, Mr. Rumford was granted unanimous consent to take up Assembly Concurrent Resolution No. 37 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 37

**Assembly Concurrent Resolution No. 37**—Relative to approving the amendment to the charter of the County of Alameda voted for and ratified by the electors of said county at an election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolutions were offered:

**Assembly Concurrent Resolution No. 38:** By Messrs. Dahl, Mulford, Backstrand, Pattee, Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Cusanovich, Dills, Elliott, Ernest R. Geddes, Hegland, Holmes, House, Lanterman, Levering, Luckel, MacBride, McMillan, Petris, Rees, Schrade, George A. Willson, and Charles H. Wilson—Relative to making October 31st of each year Youth Honor Day.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 39:** By Mr. Miller—Relative to the creation of the Joint Committee on Historical Landmarks.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 7:** By Messrs. Levering, Reagan, Thelin, Shell, Cusanovich, Grant, Holmes, and Lanterman—Relative to proposing an amendment to the Constitution of the United States relating to abolishing personal income, estate, and gift taxes and prohibiting the United States Government from engaging in business in competition with its citizens.

Referred to Committee on Rules.

### RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

**House Resolution No. 39**

Relative to amending the Standing Rules of the Assembly

*Resolved by the Assembly of the State of California,* That the Standing Rules of the Assembly are amended by adding thereto a new Rule 12.5 to read as follows:

12.5. The Assembly Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Contingent Fund, including money now or hereafter appropriated, except such sums as are specifically made available for the expenses of designated interim committees or for other purposes, is hereby made available to the Assembly Committee on Rules for any

charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or joint resolution The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint interim committee by the Assembly, upon the expiration of such committee, and shall be expended as provided in these rules.

Resolution read, and referred to the Committee on Rules.

By Mr. Dills:

**House Resolution No. 40**

Relative to the creation of the Assembly Committee on Interstate Co-operation

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

1. The Assembly Committee on Interstate Co-operation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to co-operation between this State and other states and with the Federal Government, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code, except that, in the interest of keeping the State of California adequately represented at interstate meetings, if any such member is unable to attend such a meeting the chairman, with the consent of the Speaker, may select another Member of the Assembly to serve temporarily and to attend the meeting. Such temporary member shall have all the rights and duties of a regular member.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the thirtieth calendar day of that session

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

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

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

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

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

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

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

7. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges expenses or claims as may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Mr. Bee:

**House Resolution No. 41**

Relative to the continuance of the Assembly Interim Committee on Social Welfare

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

1. The Assembly Interim Committee on Social Welfare, created by House Resolution No. 218 of the 1957 Session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed

by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 1, 1959, with authority to file its final report not later than March 1, 1959.

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

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

Resolution read, and referred to the Committee on Rules.

By Messrs. Mulford, Crown, Petris, Dahl, Bee, Rumford, and Samuel R. Geddes:

**House Resolution No. 42**

Relative to James H. Quinn

WHEREAS, James H. Quinn has just completed 16 years of outstanding service to the people of California as a member of the State Board of Equalization, representing the Second Equalization District; and

WHEREAS, Prior to his membership on the board, he was the President of the Building Trades Council of Alameda County, the Editor of the East Bay Labor Journal, a member of the Oakland City Council, and twice Vice Mayor of Oakland; and

WHEREAS, He will long be remembered for his complete and untiring devotion to his work, his geniality, his friendliness and his kind and considerate treatment of all who had any business with him; and

WHEREAS, Throughout his public career, he has always conducted his office and himself in a most exemplary manner; now, therefore, be it

*Resolved by the Assembly of the State of California*, That its Members do hereby thank James H. Quinn for his years of service to the people of California as a member of the State Board of Equalization; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to present to Mr Quinn an appropriately prepared copy of this resolution.

Resolution read, and referred to the Committee on Rules.

By Mr. Hawkins:

**House Resolution No. 43**

Relative to the preparation and printing of the proceedings of the 1959 Legislators' Orientation Conference

*Resolved by the Assembly of the State of California*, That the Legislative Counsel compile in one volume the materials presented at the 1959 Legislators' Orientation Conference; and be it further

*Resolved*, That the Chief Clerk of the Assembly cause 1,500 copies of this document to be printed, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Charles H. Wilson was granted unanimous consent to take up Assembly Concurrent Resolution No. 24 without reference to file

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 24

**Assembly Concurrent Resolution No. 24**—Relative to the School of Education of the University of Southern California.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

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

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

**Assembly Bill No. 487**: By Messrs. MacBride, Porter, Bruce F. Allen, Hegland, Don A. Allen, Backstrand, Beaver, Bee, Belotti, George E. Brown, Ralph M. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—An act to amend Section 106 of the Revenue and Taxation Code, relating to the definition of personal property for purposes of taxation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

### Statement by Mr. Levering

I have co-authored Assembly Bill No. 487, the Possessory Interest Bill, by request with the understanding that my co-authorship does not carry with it any obligation to vote for the bill on final passage unless the problems that are now present in the bill are worked out to my satisfaction.

HAROLD K. LEVERING

**Assembly Bill No. 488**: By Messrs. MacBride and Z'berg—An act to add Section 20596.1 to, and to amend Section 20601 of, the Education Code; to add Section 24556.5 to, and to amend Section 24561 of, the Education Code as proposed by Senate Bill No. 2, relating to the State College Revenue Bond Act of 1947.

Referred to Committee on Education.

**Assembly Bill No. 489**: By Mr. MacBride—An act to add Section 26072.7 to the Revenue and Taxation Code, relating to corporations exempt under the Bank and Corporation Tax Law, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 490**: By Messrs. Kilpatrick, Chapel, Elliott, and Hawkins (By request of Los Angeles County Counsel)—An act to amend Sections 2804, 2808 and 2810 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 491**: By Messrs. Kilpatrick, Elliott, Hawkins, Chapel, and McMillan (By request of Los Angeles County Counsel)—An act to amend Section 26726 of the Government Code, relating to keepers' fees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 492**: By Messrs. Unruh and Rees—An act to amend Sections 769, 1228 and 1416 of the Financial Code, relating to

investments and loans by banks, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 493**: By Messrs. Unruh and Burton—An act to amend Section 2653 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 494**: By Messrs. Unruh and Burton—An act to amend Section 2627 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 376

Mr. Hanna was granted unanimous consent that Assembly Bill No. 376 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Social Welfare.

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

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

**Assembly Bill No. 495**: By Mr. Ernest R. Geddes—An act to amend Section 9535 of the Education Code, and amend Section 8801 of the Education Code as proposed by Senate Bill No. 2, relating to county school service fund library services.

Referred to Committee on Education.

**Assembly Bill No. 496**: By Mr. Ernest R. Geddes—An act to repeal Sections 7043 and 7044 of the Education Code as added by Chapter 1510 of the 1953 Statutes and as amended by Chapter 1073 of the 1957 Statutes, and to add Sections 7043 and 7044 to, the Education Code, and to repeal Sections 18357 and 18358 of, and to amend and renumber Sections 18357.1 and 18358.1 of, the Education Code as proposed by Senate Bill No. 2, relating to educational programs in juvenile halls, juvenile homes and juvenile camps, and to declare the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 497**: By Mr. Ernest R. Geddes (Departmental—Education)—An act to amend Section 19601.5 of, and to add Section 19610.1 to, the Education Code, and to amend Section 16603 of, and to add Section 16625.1 to, the Education Code as proposed by Senate Bill No. 2, relating to child-care centers.

Referred to Committee on Education.

### ANNOUNCEMENTS OF SUBCOMMITTEE MEETINGS

Mr. Busterud announced a meeting of the Subcommittee on Traffic Accidents and Consequences of the Assembly Interim Committee on Judiciary for this afternoon at 2 p.m. in Room 4168.

Speaker pro Tempore Bee announced a meeting of the Subcommittee on Architecture, Contractors, and Civil and Professional Engineers of the Assembly Interim Committee on Governmental Efficiency and Economy on Thursday, January 29th.

### Request for Unanimous Consent

Mr. Ernest R. Geddes was granted unanimous consent that the Subcommittee on Architecture, Contractors, and Civil and Professional Engineers of the Assembly Interim Committee on Governmental Efficiency and Economy be granted permission to use Room 4164 for a meeting on Thursday, January 29, 1959.

## ASSIGNMENT OF DESKS IN ASSEMBLY CHAMBER

Mr. Nisbet announced the following assignments to desks in the Assembly Chamber:

Mr. Munnell to desk No. 2, Mr. Shell to desk No. 7, Mr. Cusanovich to desk No. 14, Mr. Conrad to desk No. 42, Mr. Williamson to desk No. 46, Mr. Z'berg to desk No. 53, Mr. George E. Brown to desk No. 56, Mr. Ralph M. Brown to desk No. 61, Mr. Holmes to desk No. 80, and Mr. Petris to desk No. 79.

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

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

**Assembly Bill No. 498:** By Messrs. Waldie, Masterson, Burton, and Petris—An act to amend Sections 3858, 3860, 3861 and 3862 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 499:** By Messrs. Don A. Allen, Unruh, Sumner, Mrs. Davis, and Mr. Bruce F. Allen—An act to add Section 5006.2 to the Public Resources Code, relating to state parks.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 500:** By Messrs. Unruh, Crown, McCollister, Munnell, Pattee, Rumford (Comprising the Subcommittee on Lending and Fiscal Agencies of the Assembly Interim Committee on Finance and Insurance), Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Britschgi, George E. Brown, Ralph M. Brown, Burton, Busterud, Cameron, Crawford, Cunningham, Cusanovich, Mrs. Davis, Messrs. DeLotto, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg (and also at the request of the Governor)—An act to add Title 2 (commencing with Section 1801) to Part 4, Division 3, of the Civil Code, relating to credit and installment sales of goods and services.

Referred to Committee on Finance and Insurance.

## CONSIDERATION OF DAILY FILE

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

**Senate Concurrent Resolution No. 6**—Relative to the adoption of the Joint Rules of the Senate and Assembly.

The following amendments proposed by the Committee on Rules, communication from the Legislative Counsel explaining the amendments, and the resolution showing the amendments proposed by the Committee on Rules in strikeout and italic type, were ordered printed in the Journal:

### AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 6 AS PROPOSED BY THE COMMITTEE ON RULES

**Amendment No. 1**

On page 2, lines 31 and 32, of the printed measure, strike out "and shall not require a vote to authorize their introduction,".

**Amendment No. 2**

On page 3, strike out lines 6 to 25, inclusive, and insert

"8.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction which does not comply with the foregoing requirements of this rule the Secretary or Chief Clerk shall return it to the member who presented it

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof."

**Amendment No. 3**

On page 3, line 51, strike out "thirteenth", and insert "thirtieth".

**Amendment No. 4**

On page 4, line 43, after "request", insert "by members".

**Amendment No. 5**

On page 4, lines 43 and 44, strike out "bills and legislative publications", and insert "copies of the Weekly Histories, the Legislative Digest and the Legislative Index".

**Amendment No. 6**

On page 4, line 50, strike out "bills and legislative publications", and insert "copies of the Weekly Histories, the Legislative Digest and the Legislative Index".

**Amendment No. 7**

On page 4, line 51, after "number", insert "of bills and legislative publications".

**Amendment No. 8**

On page 5, line 1, strike out "Except as hereinabove provided, no", and insert "No".

**Amendment No. 9**

On page 5, between lines 27 and 28, insert

"13.1. The Legislative Counsel shall provide for the compilation and periodic publication of the digests mentioned in Rule 8.5 in separate pamphlets for each house. He shall also provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation. The State Printer shall print the pamphlet digests (comprising the Legislative Digest) and the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation."

**Amendment No. 10**

On page 6, strike out lines 27 to 30, inclusive.

**Amendment No. 11**

On page 18, line 31, strike out "Auditor", and insert "Analyst".

**Amendment No. 12**

On page 18, lines 42 and 43, strike out "for the constitutional recess and adjournment".

**Amendment No. 13**

On page 18, line 47, strike out "Hereafter all", and insert "All".

## COMMUNICATION FROM LEGISLATIVE COUNSEL RELATIVE TO PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 6

SACRAMENTO, January 18, 1959

*Hon. Allen Miller*
*Assembly Chamber*

*Joint Rules—No. 6227*

DEAR MR. MILLER: We enclose amendments to Senate Concurrent Resolution No. 6, relative to adoption of the Joint Rules, prepared at your request. These amendments would make the following changes:

1. *Rule 6* is amended to eliminate language relating to a vote to authorize introduction of bills, which previously applied to introductions after the constitutional recess. Since the recess and restriction on bill introductions thereafter have been eliminated by constitutional amendment, this language is obsolete

2. *Rule 8.5,* relating to digests of bills, is changed to conform exactly to the identical rules on that subject adopted by both houses.

3. *Rule 10.5* is amended to change the date by which departmental bills must be introduced from the thirteenth calendar day to the thirtieth calendar day.

4. *Rule 13* is amended to provide that the 10 organizations or individuals listed by each member shall receive Weekly Histories, the Legislative Digest and the Legislative Index, rather than bills and legislative publications.

5. *Rule 17* is amended to eliminate the provision requiring compilation and printing of the History during the constitutional recess.

6. *Rule 37.5* is amended to correct the erroneous reference to the Legislative Auditor to show the correct title, Legislative Analyst.

7. *Rule 38* is amended to delete the reference to adjournment for the constitutional recess which has been eliminated by constitutional amendment.

8. *Rule 39* is amended to delete the word "Hereafter" in the rule requiring sessions to be designated in the year in which held. This is a technical amendment making no substantive change in the rule.

9. A new Rule 13.1 is added to provide for the compilation and publication of the digests required by Rule 8.5 and of a cumulative Legislative Index.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By A. C. MORRISON, Chief Deputy

## SENATE CONCURRENT RESOLUTION NO. 6, SHOWING PROPOSED AMENDMENTS

**Senate Concurrent Resolution No. 6**—Relative to the adoption of the Joint Rules of the Senate and Assembly.

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the following Rules be adopted as the Joint Rules for the 1959 Regular Session:

### JOINT RULES OF THE SENATE AND ASSEMBLY

#### COMMITTEES AND COMMITTEE MEETINGS

##### Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

##### Joint Committees

2. The Rules Committee of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

##### Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

##### Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

#### BILLS AND RESOLUTIONS

##### Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

##### Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

##### Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, ~~and shall not require a vote to authorize their introduction,~~ and except

as provided in Rule 24. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Digest of Bills Introduced

~~8.5. No bill shall be introduced in either house, unless it is accompanied by a digest showing the changes in the existing law which are proposed by the bill. If any bill is presented to either the Secretary of the Senate or Chief Clerk of the Assembly for introduction and is not accompanied by a digest prepared by the Legislative Counsel the Secretary of the Senate or the Chief Clerk of the Assembly shall deliver the bill to the Legislative Counsel after its introduction. The Legislative Counsel shall review the digest submitted with the bill, modify it where necessary in his opinion and return both to the officer from whom he received them, for printing.~~

~~The digest of each bill shall be printed in the Journal of the house in which it was introduced immediately following the title of the bill. The digests shall also be printed in looseleaf form (one digest to the page), and distributed in the same manner as other legislative publications.~~

~~The provisions of this rule shall be effective only if a constitutional amendment is adopted providing for the abolishment of the bifurcated session and the establishment of a continuous session.~~

*8.5 No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction which does not comply with the foregoing requirements of this rule the Secretary or Chief Clerk shall return it to the member who presented it.*

*The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof.*

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Introduction of Departmental Bills

10.5. No departmental bill shall be introduced at the request of or on behalf of any state officer or agency after the ~~thirteenth~~ *thirtieth* calendar day of any general session, nor shall any departmental bill be introduced in both houses of the Legislature at any session.

The Secretary of the Senate and the Chief Clerk of the Assembly shall have distinctive covers or backs prepared for departmental bills that are introduced at the request of or on behalf of any state officer or agency, which shall show at whose request the bill is introduced. Any such bill when printed shall include in its heading a statement that the introduction of the bill was requested by a state officer or agency and setting forth the title of the officer or agency that made the request. Only those bills which are so identified shall be construed to be departmental bills within the provisions of this rule.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—Manner of Printing Bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests *by members* for mailing or distribution of ~~bills and legislative publications~~ *copies of the Weekly Histories, the Legislative Digest and the Legislative Index* shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Except as otherwise provided by either the Assembly or Senate, each Member of the Senate and Assembly shall be permitted to submit a list of 10 organizations or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of ~~bills and legislative publications~~ *copies of the Weekly Histories, the Legislative Digest and the Legislative Index* to supply this list together with such number *of bills and legislative publications* as may be necessary for legislative requirements.

~~Except as hereinabove provided, no~~ *No* complete list of bills shall be delivered except upon payment therefor of the sum of one hundred fifty dollars ($150) at a general session or twenty-five dollars ($25) at a budget session. Not more than two copies of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, shall be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

*13.1. The Legislative Counsel shall provide for the compilation and periodic publication of the digests mentioned in Rule 8.5 in separate pamphlets for each house. He shall also provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections effected by pending legislation. The State Printer shall print the pamphlet digests (comprising the Legislative Digest) and the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation.*

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A Daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed, once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

~~Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.~~

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

PASSAGE AND ENROLLING OF BILLS

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate within 15 days, and no Assembly bill shall be passed by the Assembly within 10 days prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the

house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the Office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Two copies of such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The committee on conference shall report to both the Senate and the Assembly.

Report of Committee on Conference

29 The report of the committee on conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed; provided, however, that no more than three different conference committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than two of the Senate Members and two of the Assembly Members constituting the committee to agree upon a report. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill.

The report of a conference committee shall be in writing, and a copy of any amendments proposed in the report shall be placed on the desk of each member of the house before it is acted upon by the house.

When Conference Committee Report Is in Order

30. The presentation of the report of a committee on conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Conference Committee Reports on Urgency Measures

30.5. When the report of a committee on conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency measure, the procedure and the vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote

in the affirmative the presiding officer shall then direct that the question of whether the house shall adopt the report of the committee on conference shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to adopt the report of the committee on conference.

## MISCELLANEOUS PROVISIONS

### Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

### Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 24 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupations or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privilege of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the Standing Committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to

correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in conference committee.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, he is authorized and instructed to deliver two copies of the opinion to the first named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

Resolutions Prepared by Legislative Counsel

34 1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he shall inform each subsequent requester that such a resolution is being, or has been, prepared, and shall furnish such subsequent requester with the name of the member for whom the resolution was, or is being, prepared.

Expense of Members

35. As provided in Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the Legislature (including any recess of three days or less) an allowance authorized for other elected state officers at the time the expense is incurred.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant at Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of fifteen cents ($0.15) per mile each way for travel within the State and ten cents ($0.10) per mile each way for travel outside the borders of the State incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of twenty dollars ($20) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman. The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be entitled to receive the same expense allowances as if the committee were functioning within the State.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

Expenses of Interim Committee Employees

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally; provided, that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing.

Appointment of Committees

36.5. The provisions of this rule shall apply whenever a joint interim committee is created by a statute or resolution which either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or which makes no provision for the appointment of members or the filling of vacancies.

The Senate members of the committee shall be appointed by the Senate Committee on Rules; the Assembly members of the committee shall be appointed by the Speaker; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

Legislative Budget Committee

37. In addition to any other committee provided for by these Rules, there shall be a joint committee to be known and called the Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of seven Members of the Senate and seven Members of the Assembly. The Senate members of the committee shall consist of seven Members of the Senate appointed by the Committee on Rules. The Assembly members of the committee shall consist of seven Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not re-elected at the general election.

Any vacancies occuring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or

resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Analyst, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst shall be as follows:

(1) To ascertain the facts and make recommendtions to the Budget Committee and under their direction to the committees of the Legislature concerning:

(a) State Budget.

(b) Revenues and expenditures of the State.

(c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee or, in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the

committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

On and after the commencement of a succeeding general session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody, available to the Members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Analyst with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the Government of the State of California. But, except as hereinabove provided, neither the Legislative Analyst nor any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requester to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requester or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be any material delay he shall subsequently communicate this fact to the requester. In the event the committee refuses such authorization, he shall inform such requester forthwith.

Registration of Legislative Representatives

37.5. In addition to the duties hereinabove prescribed the Legislative ~~Auditor~~ *Analyst* is directed, so long as he is designated to be "clerk" or "secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the Joint Rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee.

Adjournment

38. Adjournment ~~for the constitutional recess and adjournment~~ sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. ~~Hereafter all~~ *All* regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

Joint Committee on Interhouse Co-operation

40. The Joint Committee on Interhouse Co-operation is hereby created. It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof, concerning the relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has a continuing existence and may meet, act, and conduct its business at any place within the State, during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate membership shall consist of the President pro Tempore of the Senate, and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker, the Chairman of the Assembly Committee on Rules and the three other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between sessions in the Senate membership of the committee shall be filled by the Senate Committee on Rules. Vacancies occurring in the Assembly membership shall be filled by appointment by the Speaker.

The committee shall have authority to make rules to govern its own proceedings. It may also create subcommittees from its membership and assign to such subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold.

The provisions of Joint Rule 36 shall apply to the committee, and it shall have all the authority provided in such rule or in Article IV, Section 37 of the Constitution.

Claims for Workmen's Compensation

41. The Chairman of the Rules Committee of each house of the Legislature shall sign any required workmen's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer or employee of the house, or any employee of a standing or interim committee thereof. In the case of a joint committee, the Chairman of the Rules Committee of either house may sign any such report in respect to a member or employee of such joint committee.

Information Concerning Interim Committees

42. The Rules Committee of each house shall provide for a continuous cumulation during interim periods between sessions of the Legislature of information concerning the membership, organization, meetings and studies of legislative investigating committees. Each Rules Committee shall be responsible for information concerning the investigating committees of its own house and concerning joint investigating committees under the chairmanship of a member of that house. To the extent possible, each Rules Committee shall seek to insure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within 30 days after the adjournment of each regular session of the Legislature.

The information thus cumulated shall be made available to the public by the Rules Committee of each house and shall be published periodically under their joint direction.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23

**Assembly Concurrent Resolution No. 23**—Relative to the continuance of the Joint Interim Committee on Water Resources Development Problems.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Munnell of Montebello to H. E. Gilbert and A. B. McNabney of Cleveland, Ohio.

On request of Mr. Levering of Los Angeles to M. Philip Davis, former Assemblyman, of Los Angeles.

On request of Mr. MacBride of Sacramento to William Treiglaff, Jon Geil, Mrs. Smith, and Mrs. Meredith, teachers, and the following pupils of the Cottage School: Melvin Ball, Gary Benvenuti, Graham Bishop, Michael Clark, Michael Davies, Darrell DeCosta, Harry Drury, William Garlinghouse, Jack Goodman, Gary Hartwig, John Mayer, Michael McWhirk, Richard Moreland, Michael Nestor, Charles Otterson, Robert Paul, Johnny Smith, Michael Solomon, Robert Stratton, Harry Vaughan, Thomas Savasta, Ned Zoller, Faye Allen, Charlene Andre, Patricia Bullock, Susan Clausnitzer, Linda Conley, Vicky Donaldson, Susan Gilmore, Dianna Jay, Cynthia LeMoine, Patricia Ann Meredith, Paula Morgan, Sandra Neuman, Carol Reese, Nancy

Ricker, Jill Stewart, Natalie Tamburri, Leonard Bassett, Larry Bensinger, Michael Borgman, Stephen Corey, Michael Desmarais, Craig Douglas, James Eisner, Paul Hilton, William Hoffner, David Jones, Charles Montoya, Donald Moss, Greg Nikkel, David Reed, James Reese, Duane Rose, Jimmy Rosen, Thomas Thomas, Thomas Tritthart, Donald Wright, Cathy Alsing, Pam Bishop, Rhonda Duncan, Jeanne Floyd, Vivian Fritz, Carla Hesser, Linda Kline, Gail Mabbutt, Melinda Pebbles, Judith Quinn, Rosina Richardson, Elayne Roberts, Susan Stratton, Marsha Williams, Jeanne Yallalee, and Jean Glazebrook.

On request of Mr. Frew of Dinuba to William D. Lynch of San Francisco and James Daly Compe of Hanford.

On request of Messrs. MacBride and Z'berg of Sacramento to Mrs. John Nicholson, Mrs. Loyd H. Walker, Mrs. Fred W. Hartman, Mrs. Joseph O'Neill and Mrs. Hyde C. Welsh of Sacramento.

On request of Mr. Lunardi of Roseville to Ed Koster and Robert A. Sutherland of Roseville.

On request of Messrs. Z'berg of Sacramento and George A. Willson of Huntington Park to Mrs. John E. Bohm, John Bohm, and Richard Bohm of Sacramento.

On request of Mr. Crown of Alameda, to the following pupils of the San Leandro High School: Lee McElhaney, Nan Norman, Tom Ortzow, Deanna Gomez, Claude Morgan, Ron Kirkland, John Weiss, Jim Nordlie, Kiyoshi Kato, Phil Parnham, Nancy Rossiter, Gerry Fowler, Virginia Miller, Judy Canario, Rich Newbern, Dick Fetter, Frank Hedley, Gary Galvan, Carolyn Hensel, Cliff Davilla, George Patton, Jeannie Weisser, Barbara Jo Nardine, Sandie Simi, Betty Ann Dominguez, Judy Fletcher, Sandy Dal Porto, Rosemarie Bettencourt, Linda Slowe, Jim Pursley, Jack Wengert, Dean Jones, Warren Simandl, Doug Ferreira, Ted Rose, Gay Gagnon, Patti Power, Barbara Van Drent, Martin Pace, Ron Hooper, John Polinsky, Tom Longden, Robert Fernandez, and Karen Hathaway.

## ADJOURNMENT

At 11.23 a.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 21, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

THIRTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, January 21, 1959

The Assembly met at 10 a.m

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God, Almighty and Everlasting,* Whose gracious hand didst guide pilgrims across stormy seas and pioneers over barren plains and high mountains, guide us in this, our creative and changing time. Help us to read with discernment the markers along old trails until we know full well the new trails which lead to abundant life. Make us willing to learn from all our yesterdays. Deepen our understanding and appreciation of the book of memory. Establish in us, our Father, God, the work of those who have gone before, for they, without us, cannot be made perfect. Laboring to enact into legal code, needed changes, keep us mindful of deep roots in a noble past. We pray in the name of Him who is the same yesterday, today, and forever.—AMEN

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Samuel R. Geddes, on request of Speaker pro Tempore Bee.

Mr. Reagan, on motion of Mr. Shell.

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

Mr. Rees, on request of Speaker Brown.

## COMMUNICATIONS

The following letters of transmittal were presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, January 7, 1959

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

DEAR MR. OHNIMUS: The attached material was received by the Assembly Judiciary Committee during the interim and is being forwarded to you at the request of the correspondents.

Sincerely yours,

BRUCE F. ALLEN

Above transmitted material referred to the Committee on Judiciary—Civil.

### Letter of Transmittal
### Report by California Highway Commission on Policy and Procedure on Freeway Route Adoptions

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 20, 1959

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

DEAR MR. OHNIMUS: Senate Concurrent Resolution No. 90, Chapter 250 of Resolutions, Statutes of 1957, requests that the California Highway Commission transmit to each house of the Legislature at the commencement of each annual session a report dealing with the policy of the commission on freeway route adoptions.

Six copies of the commission's report for the calendar year 1958 are submitted herewith.

The report was prepared to show Members of the Legislature the extent of the public's participation in the freeway route determinations made by the California Highway Commission during 1958. It includes details of the 11 public hearings held by the commission and the 39 public meetings held by the Division of Highways.

Sincerely,

ROBERT B. BRADFORD, Director of Public Works

Encl.

Above transmitted six copies of report referred to the Committee on Transportation and Commerce.

## CONSIDERATION OF DAILY FILE

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

**Senate Concurrent Resolution No. 6**—Relative to the adoption of the Joint Rules of the Senate and Assembly.

Resolution read.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Rules:

**Amendment No. 1**

On page 2, lines 31 and 32, of the printed measure, strike out "and shall not require a vote to authorize their introduction,".

Amendment read, and adopted.

**Amendment No. 2**

On page 3, strike out lines 6 to 25, inclusive, and insert

"8.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction which does not comply with the foregoing requirements of this rule the Secretary or Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof."

Amendment read, and adopted.

**Amendment No. 3**

On page 3, line 51, strike out "thirteenth", and insert "thirtieth".

Amendment read, and adopted.

**Amendment No. 4**

On page 4, line 43, after "request", insert "by members".

Amendment read, and adopted.

**Amendment No. 5**

On page 4, lines 43 and 44, strike out "bills and legislative publications", and insert "copies of the Weekly Histories, the Legislative Digest and the Legislative Index".

Amendment read, and adopted.

**Amendment No. 6**

On page 4, line 50, strike out "bills and legislative publications", and insert "copies of the Weekly Histories, the Legislative Digest and the Legislative Index".

Amendment read, and adopted.

**Amendment No. 7**

On page 4, line 51, after "number", insert "of bills and legislative publications".

Amendment read, and adopted.

**Amendment No. 8**

On page 5, line 1, strike out "Except as hereinabove provided, no", and insert "No".

Amendment read, and adopted.

**Amendment No. 9**

On page 5, between lines 27 and 28, insert

"13.1. The Legislative Counsel shall provide for the compilation and periodic publication of the digests mentioned in Rule 8.5 in separate pamphlets for each house. He shall also provide for the periodic publication of a cumulative Legislative Index which shall include tables of sections affected by pending legislation. The State Printer shall print the pamphlet digests (comprising the Legislative Digest) and the Legislative Index in such quantities, and at such times, as are determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of such printing shall be paid from the legislative printing appropriation."

Amendment read, and adopted.

**Amendment No. 10**

On page 6, strike out lines 27 to 30, inclusive.

Amendment read, and adopted.

**Amendment No. 11**

On page 18, line 31, strike out "Auditor", and insert "Analyst".

Amendment read, and adopted.

**Amendment No. 12**

On page 18, lines 42 and 43, strike out "for the constitutional recess and adjournment".

Amendment read, and adopted.

**Amendment No. 13**

On page 18, line 47, strike out "Hereafter all", and insert "All".

Amendment read, and adopted.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 6, as amended, without reference to reprint or file.

**Consideration of Senate Concurrent Resolution No. 6, as Amended**

**Senate Concurrent Resolution No. 6**—Relative to the adoption of the Joint Rules of the Senate and Assembly.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—76.

NOES—None.

Resolution ordered reprinted, and transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Chapel was granted unanimous consent to offer and take up a House resolution without reference to committee or file.

**Members Made Co-authors of House Resolution**

Mr. Chapel was granted unanimous consent that all members voting on his House resolution be made co-authors of the resolution.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Chapel, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman,

Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, and Z'berg:

**House Resolution No. 44**

Congratulating the Reverend Charles S. Casassa, S.J.

WHEREAS, The date of February 2, 1959, will mark the Tenth Anniversary of the Reverend Charles S. Casassa, S.J., as President of Loyola University of Los Angeles; and

WHEREAS, Father Casassa has not only maintained the high standards of his predecessors, but has furthered the vital cause of education by emphasizing improved methods of teaching, and fostering greater individual instruction resulting in a higher level of scholarship; and

WHEREAS, A testimonial dinner has been planned in his honor in recognition of his outstanding service in guiding the destinies of this illustrious Catholic university; and

WHEREAS, The Legislators of California wish to add their congratulations to the testimonials of Reverend Casassa's many friends and admirers on the happy occasion of his Tenth Anniversary; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members commend the Reverend Casassa on his fine achievements of the past decade and wish him even greater success for the future years; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit 10 suitably prepared copies to Loyola University of Los Angeles.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75.

NOES—None.

By Mr. Thomas:

**House Resolution No. 45**

Relative to the passing of Montgomery Phister

WHEREAS, The Members of this House have, with profound sorrow and deepest regret, learned of the passing, on December 25, 1958, at the age of 61, of one of the most respected and loved leaders of the American fishing industry, Mr. Montgomery Phister; and

WHEREAS, "Monty," as he is affectionately known by his host of friends and admirers, was born in Denver, Colorado, on September 6, 1897, and it was California's good fortune that he came to this State in 1909; and

WHEREAS, After receiving the degree of Doctor of Jurisprudence from the University of Southern California School of Law, he began the practice of law and rapidly developed a wide reputation, among fellow lawyers and the general public, as a competent, scholarly and fearless representative of his clients' interests; and

WHEREAS, In 1937 he became associated with the Van Camp Sea Food Company and thereafter advanced to the high office of vice president and secretary of that corporation; and

WHEREAS, His accomplishments on behalf of the fishing industry were many, and some of his more noteworthy projects included the establishment of offices within the United States Department of State and the Department of Interior to deal with fisheries, the establishment of the Pacific Marine Fisheries Commission and the founding of the Fishermen's and Merchants' Bank, now a branch of the California Bank; and

WHEREAS, Mr Phister was unstinting in giving his time and energy to the service of his profession, his government and his beloved fishing industry, having served as President of the California Fish Canners' Association, Chairman of the American Bar Association's Committee on Fisheries and Territorial Waters, member of the California State Committee on Natural Resources and other boards and commissions too numerous to mention; and

WHEREAS, This man was active in civic affairs at the local level, having served on the San Pedro Y.M.C.A. Board, the Board of Directors of the Los Angeles Chamber of Commerce and the Mayor's Committee on Transportation; and

WHEREAS, "Monty" has been the living example of those famous words of Theodore Roosevelt, "I would rather wear out than rust out"; and

WHEREAS, It is fitting and proper that this House, as the representative of those people who have benefited from the services of this man, should honor him; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House desire to express their deep regret at the loss of so outstanding a citizen and adopt this resolution of testimony to his great contributions to his government, his industry and his fellow men; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Helga Phister, his two children, Montgomery Phister, Jr., and Mrs. Susan Holt, and to his brother, Henry Phister.

### Request for Unanimous Consent

Mr. Thomas was granted unanimous consent to take up House Resolution No. 45 without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Unruh:

### House Resolution No. 46

Relative to the continuance of the Assembly Interim Committee on Finance and Insurance

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

1. The Assembly Interim Committee on Finance and Insurance, created by House Resolution No. 235 of the 1957 Regular Session, is continued as an Assembly committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 15, 1959, with authority to file its final report not later than March 15, 1959.

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

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

Resolution read, and referred to the Committee on Rules.

### Speaker Presiding

At 10.35 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

By Mr. Rumford:

### House Resolution No. 47

Relative to the continuance of the Assembly Interim Committee on Public Health for the purpose of reporting

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Health created by House Resolution No. 219 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim studies and investigations. The committee is authorized to submit its reports, including its final report, not later than March 15, 1959.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 501**: By Mr. Lowrey (Departmental—Agriculture)—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

Referred to Committee on Agriculture.

**Assembly Bill No. 502**: By Mr. Lowrey (Departmental—Agriculture)—An act to amend Sections 165 and 165.3 of, and to add Sections 165.7 and 166 to, the Agricultural Code, relating to the possession and confinement of nutria.

Referred to Committee on Livestock and Dairies

**Assembly Bill No. 503**: By Messrs. Luckel, Crawford, Hegland, and Schrade—An act to amend Section 372 of the Vehicle Code, and to amend Section 9400 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to weight fees.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 504**: By Mr Thomas—An act to repeal Sections 1277 and 1281 of, to amend Section 1254 of, and to add Section 1281 to, the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 505**: By Mr. Thomas—An act to repeal Section 1277 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 506**: By Messrs. Hegland, Schrade, and Luckel—An act to amend Section 1301.1 of the Education Code, and amend Section 1532 of the Education Code, as proposed by Senate Bill No. 2, relating to district superintendents of schools

Referred to Committee on Education.

**Assembly Bill No. 507**: By Messrs. Hegland, Schrade, and Luckel (Departmental—Education)—An act to amend Section 4902.05 of, and to repeal Section 4902 1 of, the Education Code; and amend Section 3113 of, and to repeal Section 3117 of, the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts.

Referred to Committee on Education.

**Assembly Bill No. 508**: By Mr. Hegland—An act to amend Section 11100 of the Elections Code, relating to municipal recall elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 509**: By Mr. O'Connell—An act to amend Section 1260 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 510**: By Mr O'Connell—An act to repeal Section 1264 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 511**: By Mr. O'Connell—An act to repeal Section 1262 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 512**: By Mr. O'Connell—An act to amend Section 1259 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 513**: By Messrs. Masterson, Burton, Waldie, and Thelin—An act to add Section 392 to the Insurance Code, relating to attorneys' fees of a claimant in an action against an insurer.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 514**: By Messrs. Masterson, Waldie, Biddick, Burton, Miss Donahoe, Messrs. Frew, Garrigus, and Petris—An act to amend Sections 2572, 2601, and 2602 of, to add Sections 2601.5 and 4506 to, and to add Chapter 6 (commencing with Section 5400) to Division 7 of, the Elections Code, relating to campaign contributions, and making an appropriation therefor.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 515**: By Mr. Masterson—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 516**: By Mr. Masterson—An act to amend Section 1431 of the Probate Code, relating to claims of minors.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 517**: By Mr. Masterson—An act to amend Section 1405 of the Probate Code, relating to appointment of general guardians.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 518**: By Mr. Masterson (By request)—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to business solicitation.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 519**: By Mr. Masterson—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 520**: By Mr. Masterson—An act to amend Section 1552.2 of the Welfare and Institutions Code, relating to the payment of aid to needy children in mismanagement cases.

Referred to Committee on Social Welfare.

**Assembly Bill No. 521**: By Mr. Masterson—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 522**: By Mr. Masterson—An act to amend Section 651 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 523**: By Mr Masterson—An act to amend Section 5823 of the Public Resources Code, relating to small craft harbors.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 524**: By Mr. Masterson—An act to add Section 6405 to the Revenue and Taxation Code, relating to the use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 525**: By Messrs. Masterson, Waldie, Francis, Gaffney, Bruce F. Allen, Busterud, MacBride, and Z'berg—An act to add Chapter 12 (commencing at Section 7000) to Division 7 of Title 1 of the Government Code, relating to the liability of public hospitals.

Referred to Committee on Public Health.

**Assembly Bill No. 526**: By Messrs. Masterson and Burton—An act to add Section 4555.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 527**: By Messrs. Masterson and Waldie—An act to add Chapter 5 (commencing at Section 31585) to Part 6 of Division 12 of the Water Code, relating to county water districts.

Referred to Committee on Water.

**Assembly Bill No. 528**: By Mr. Masterson—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance

**Assembly Bill No. 529**: By Mr. Masterson (By request)—An act to amend Section 276 of the Vehicle Code and to amend Section 12816 of the Vehicle Code proposed by Assembly Bill No. 5, relating to the expiration of drivers' licenses.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 530**: By Messrs Masterson and Waldie—An act to add Section 28731.5 to the Public Utilities Code, relating to the board of directors of the San Francisco Bay Area Rapid Transit District.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 531**: By Messrs. Masterson and Waldie—An act to add Section 4831.7 to, and to amend Sections 4832 and 4832 5 of, the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 532**: By Messrs. Masterson and Waldie—An act to repeal Sections 1518 and 1518.1 of, and to amend Section 1518 2 of the Military and Veterans Code, and to add Sections 1517, 1518, and 1518.1 thereto, relating to preparedness for and mitigation of disasters, including the establishment of the California Disaster Office as a separate state agency, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 533**: By Messrs. Masterson, Waldie, Burton, Biddick, Chapel, Conrad, and Frew—An act to amend Section 1225 of the Government Code, relating to the authority of legislators to administer and certify oaths.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 534**: By Messrs. Masterson, Garrigus, DeLotto, Frew, Lunardi, and Sedgwick—An act to amend Sections 3802, 3803, 3804, 3806, 3807, 3808, 6194, 6504, 6551, and 6552 of, to amend and renumber Sections 3816, 3817, 3819, 3819.5, 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, and 3829 of, to repeal Sections 3809, 3811, 3814, 3815, 3818, 3830, and 6204 of, and to add Sections 3814, 3815, 3816, 3817, 3818, 3819, 3820, 3821, 3836, 5710 5, and 7016.5 to, the Elections Code, relating to voting at general elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 535**: By Messrs. Masterson and Waldie—An act to add Section 13831.7 to the Education Code, and to add Section 13516 5 to the Education Code as proposed by Senate Bill No. 2, relating to the salaries of certificated employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 536**: By Messrs. Masterson and Waldie—An act to amend Section 6830 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 537**: By Messrs. Masterson and Waldie (By request)—An act to repeal Section 6923 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 538**: By Messrs. Masterson and Waldie—An act to amend Section 6585 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 539**: By Messrs Masterson and Waldie—An act to amend Section 6464 of the Health and Safety Code, relating to sanitary districts

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 540**: By Messrs. Masterson and Waldie—An act to amend Section 6482 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 541**: By Messrs. Masterson and Waldie—An act to add Section 6523.2 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 542**: By Messrs. Masterson and Waldie—An act to amend Section 6628 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 543**: By Messrs. Masterson and Waldie—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 544**: By Messrs. Masterson and Waldie—An act to add Section 6517.5 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 545**: By Messrs. Masterson and Waldie—An act to amend Section 6885.8 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 546**: By Messrs. Masterson and Waldie—An act to amend Section 6885.9 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 547**: By Messrs. Masterson and Waldie—An act to add Section 6801 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 548**: By Messrs. Masterson and Waldie—An act to amend Section 6522.1 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 549**: By Messrs. Masterson and Waldie—An act to amend Section 6732 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 550:** By Messrs. Masterson and Waldie—An act to add Section 6885.95 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 551:** By Messrs. Masterson and Waldie—An act to amend Section 24005 of the Government Code, relating to vacations of county employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 552:** By Messrs. Masterson and Waldie—An act to amend Section 53205.1 of the Government Code, relating to premium payments by local agencies from public funds.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 553:** By Messrs. Masterson and Waldie—An act to amend Section 1525 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 554:** By Messrs. Masterson and Waldie—An act to add Article 10 (commencing at Section 53900) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to budgets of local governmental bodies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 555:** By Messrs. Masterson and Waldie—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 556:** By Messrs. Masterson and Waldie—An act to add Section 1242.5 to the Code of Civil Procedure, relating to survey and exploration of land for reservoir purposes.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 557:** By Messrs. Masterson and Waldie—An act to amend Sections 5871, 5875, and 5876 of the Streets and Highways Code, relating to sidewalks, curbs, and other street improvements.

Referred to Committee on Municipal and County Government.

**Assembly Joint Resolution No. 8:** By Messrs. Masterson and Waldie—Relative to the selection of the City of Antioch as a site for an experimental saline water conversion plant

Referred to Committee on Rules

**Assembly Constitutional Amendment No. 17:** By Messrs. Masterson, Waldie, Crown, and Hegland—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 23b to Article XII thereof, relating to publicly owned public utilities.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 558:** By Messrs. Masterson and Waldie—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 559:** By Messrs. Kennick, Grant, and Cameron—An act to amend Section 5787 of, and to add Section 5787.01 to, the Public Resources Code, relating to the dissolution of recreation and park districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 560:** By Mr. Belotti (Departmental—Agriculture)—An act to amend Section 1080 of the Agricultural Code, relating to use and application of injurious materials.

Referred to Committee on Agriculture

**Assembly Bill No. 561:** By Mr. Belotti (Departmental—Agriculture)—An act to amend Section 4395 of the Agricultural Code, relating to testing, weighing, and sampling of fluid milk.

Referred to Committee on Livestock and Dairies

**Assembly Bill No. 562:** By Mr. Belotti (Departmental—Agriculture)—An act to amend Section 509 of the Agricultural Code, relating to milk inspection services and fees.

Referred to Committee on Livestock and Dairies.

**Assembly Constitutional Amendment No. 18:** By Mr. Thelin—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ of Article XIII thereof, relating to the veterans' tax exemption.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 563:** By Mr. Garrigus—An act to add Section 16271.3 to the Education Code, and Section 16864 to the Education Code, as proposed by Senate Bill No. 2, relating to the use of school buses, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

### Rush Order Placed Upon Printing of Assembly Bill No. 563

Mr. Garrigus was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 563.

**Assembly Bill No. 564:** By Mr Pattee—An act to add Section 7856 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

### ANNOUNCEMENT

Mr. Johnson announced that he had at his desk a resolution congratulating Hon Glenard P. Lipscomb on his election as Chairman of the Republican Delegation in the House of Representatives, and invited all members who desired to become co-authors to affix their signatures to the measure.

## ANNOUNCEMENT OF COMMITTEE APPOINTMENT

Speaker Ralph M. Brown appointed Mr. Unruh a member of the Joint Legislative Budget Committee.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 48

Relating to the use of the Assembly Chamber by the Eleventh Annual Y.M.C.A. Model Legislature

WHEREAS, For 10 consecutive years the Area Council of Y.M.C.A.'s, acting through its California Statewide Committee on Youth and Government, has sponsored a "Model Legislature" which has been conducted during the month of February each year; and

WHEREAS, The Legislature of California will be in session this year during February for the first time in the history of this worthwhile event, thus requiring the granting of permission by the Assembly under Assembly Standing Rule No. 37; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly hereby grants permission to the Eleventh Annual Y.M.C.A. Model Legislature to use the Assembly Chamber and such committee rooms as can be conveniently made available to it on Friday, Saturday and Sunday, February 13, 14 and 15, 1959. No use of the Assembly Chamber shall be made prior to 2 p.m. on February 13th and the only microphones to be used are those at the desk and two standing microphones to be placed at the front of the Assembly Chamber.

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 48 without reference to committee or file.

Resolution read, and adopted.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Munnell was granted unanimous consent that the Assembly and the Senate meet in Joint Convention at 11 a.m. tomorrow morning, January 22d, for the purpose of hearing the message from Governor Edmund G. Brown relative to water.

## PARLIAMENTARY INQUIRY

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Since the Senate will adjourn tomorrow for the weekend, will the Assembly meet on Friday?

### Reply by Speaker

The Speaker replied that the Assembly would probably adjourn for the weekend tomorrow.

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

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

**Assembly Bill No. 565:** By Mr. MacBride (Departmental—Secretary of State)—An act to amend Sections 4119, 4124, 6403, 6700, and 6801 of, to add Sections 6403.1, 6403.2, and 6403.3 to, and to repeal Sections 6202, 6303, 6400, 6401, 6402, 6408, 6409 and 6802 of, the Corporations Code, relating to foreign corporations.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 566**: By Mr. MacBride (Departmental—Secretary of State)—An act to amend Sections 3632 and 3672 of the Corporations Code, relating to amendments to articles of incorporation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 567**: By Mr. MacBride (Departmental—Secretary of State)—An act to amend Sections 12164, 12203, and 12204 of the Government Code, relating to duties and fees of the Secretary of State.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 568**: By Messrs. MacBride and Munnell—An act to amend Section 3051a of the Civil Code and Section 425 of the Vehicle Code, relating to liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 569**: By Mr. MacBride—An act to amend Section 660 of the Agricultural Code, relating to milk products plant licenses.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 570**: By Mr. George E. Brown—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 571**: By Mr. Bee, Miss Donahoe, Messrs. Pattee, Masterson, Frew, Garrigus, and Winton—An act making an appropriation for participation by the State in the benefits of the National Defense Education Act of 1958, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 572**: By Mr. Bee—An act to amend Section 7717.1 of the Education Code, relating to school building aid.

Referred to Committee on Education.

**Assembly Bill No. 573**: By Mr. Bee, Miss Donahoe, Messrs. Samuel R. Geddes, Kilpatrick, Lanterman, Masterson, Sedgwick, and Sumner—An act to add Chapter 5 (commencing with Section 350) to Division 1 of the Welfare and Institutions Code, relating to the Governor's Welfare Study Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 574**: By Mr. George E. Brown—An act to amend Sections 117 and 117r of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 575**: By Mr. Bradley—An act to amend Section 1532 of the Probate Code, relating to sales by guardians.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 576:** By Mr. Bradley—An act to amend Section 787 of the Probate Code, relating to a sale made upon a credit by an executor or administrator.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 577:** By Mr. Bradley—An act to amend Section 1530a of the Probate Code, relating to compromise of claims by guardians.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 578:** By Mr. Bradley—An act to amend Sections 5500, 5537, and 5538 of, and to add Sections 5500.1, 5537.1, 5537.2, 5537.3, 5537.4, and 5537.5 to, the Business and Professions Code, relating to architecture.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 579:** By Miss Donahoe, Messrs. Ernest R. Geddes, Porter, Hanna, Bruce F. Allen, Bee, Biddick, Ralph M. Brown, Garrigus, Hawkins, Masterson, Munnell, Waldie, and Williamson—An act to add Sections 14000, 14002.8, 14002 9, 14002 10, 14028, 14029, 14071.1, 14071.2, 14071.3, 14071.4, and 14074 to, and to amend Sections 1017, 14001, 14002, 14002 5, 14003, 14004, 14005, 14026, 14051, 14052, and 14071 of, the Education Code, to add Sections 20567.4 to, and to amend Sections 20583, 21704, and 22301 of, the Government Code, to add Sections 13580, 13590.1, 13590.2, 13590.3, 13603, 13604, 13651.1, 13651.2, 13651.3, 13651.4, and 13655 to, and to amend Sections 917, 13581, 13583, 13588, 13582, 13591, 13592, 13601, 13621, 13622, and 13651 of, the Education Code as proposed by Senate Bill No. 2, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 580:** By Messrs. Kilpatrick, Miller, Schrade, Nisbet, Beaver, and Hegland—An act to add Sections 26803.5, 71271, 71272 to the Government Code, relating to preservation of superior, municipal, and justice court records.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 581:** By Mr. Lunardi, Mrs. Davis, Messrs. Masterson, Waldie, Dills, Miss Donahoe, Messrs. Frew, Gaffney, Hawkins, MacBride, and Williamson (Departmental—Youth Authority)—An act to repeal Section 1121 of the Welfare and Institutions Code, relating to the administration of institutions for delinquent.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 582:** By Messrs. Britschgi and Francis—An act to amend Sections 25000, 25001, 25002, 25004 and 25007 of the Health and Safety Code, relating to chemical toilets.

Referred to Committee on Public Health.

**Assembly Bill No. 583:** By Mr. House (Departmental—Agriculture)—An act to amend Section 1101 of the Agricultural Code, relating to egg standards.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 584:** By Mr. House (Departmental—Agriculture)—An act to amend Section 263.2 of, and to add Sections 260.25 and 260.85 to, the Agricultural Code, relating to bovine brucellosis.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 585:** By Mr. Holmes—An act to add Section 752.5 to the Vehicle Code and to add Section 40809 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to unmarked vehicles of the California Highway Patrol.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 586:** By Messrs. Munnell, Gaffney, Porter, MacBride, Bruce F. Allen, Britschgi, George E. Brown, Hawkins, Masterson, Meyers, Sedgwick, and George A. Willson—An act to add Sections 7615 and 7616 to the Public Utilities Code, relating to safety regulations for railroads.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 587:** By Messrs. Munnell, Gaffney, Burton, Waldie, Bruce F. Allen, Britschgi, George E. Brown, Francis, Hawkins, Masterson, Meyers, and Porter—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 588:** By Messrs. George A. Willson, George E. Brown, Bane, Thomas, Biddick, Collier, Cusanovich, Frew, Hanna, House, Kennick, Lunardi, Marks, and Petris—An act to amend Section 117 of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 589:** By Messrs. Munnell, Gaffney, Burton, Waldie, Bruce F. Allen, Britschgi, George E. Brown, Hawkins, MacBride, Masterson, Meyers, and Porter—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 590:** By Messrs. Munnell, Gaffney, Burton, Waldie, Bruce F Allen, George E. Brown, Hawkins, MacBride, Masterson, Meyers, and Porter—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 591:** By Messrs. Bruce F. Allen, Garrigus, Crawford, Winton, Beaver, and Sedgwick—An act making an appropriation for the acquisition of property and rights-of-way, the relocation of railroads, highways and utilities, and the construction of tunnels and bridges in connection with the Oroville Dam features of the Feather River Project, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Assembly Bill No. 592:** By Messrs. McMillan, Collier, Cusanovich, Elliott, Ernest R. Geddes, and Charles H. Wilson—An act to add Section 6406 to the Revenue and Taxation Code, relating to exemption from the use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 593:** By Messrs. Crown, Francis, Winton, Crawford, Burton, Marks, and O'Connell—An act to amend Section 24206 of the Education Code and Section 29007 of the Education Code as proposed by Senate Bill No. 2, relating to law schools.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 594:** By Messrs. Unruh, Munnell, Bruce F. Allen, Burton, Masterson, and Waldie—An act to amend Sections 51 and 52 of, and to repeal Sections 53 and 54 of, the Civil Code, relating to civil rights.

Referred to Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Johnson, Sumner, Collier, Thelin, Cusanovich, Thomas, Porter, McCollister, Dahl, Miss Donahoe, Messrs. Frew, Kilpatrick, Conrad, Ernest R. Geddes, Beaver, Bruce F. Allen, Hegland, Schrade, Bradley, Hawkins, Chapel, Sedgwick, Lanterman, Backstrand, Levering, Belotti, Shell, Pattee, Coolidge, Mulford, Rumford, Burke, Luckel, Holmes, Masterson, Francis, Grant, McMillan, Lowrey, Britschgi, Ralph M. Brown, Busterud, Dills, Charles H. Wilson, Elliott, George A. Willson, George E. Brown, Marks, Gaffney, Crawford, Miller, and Bee:

### House Resolution No. 49

Relating to congratulating Glenard P. Lipscomb

WHEREAS, Representative Glenard P. Lipscomb has recently been elected as Chairman of California's 14-member Republican Delegation to the House of Representatives of the United States Congress; and

WHEREAS, Representative Lipscomb is serving his fourth term in Congress after an equal number of terms in the California State Assembly; and

WHEREAS, He has gained a well-deserved reputation as a hard-working Congressman, and the respect of his colleagues is reflected in his selection for membership on the important Government Operations Committee and the House Appropriations Committee; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Glenard P. Lipscomb on his selection as the leader of California Republicans in the House of Representatives in Congress, and wish him success in his new position, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Representative Lipscomb.

### Request for Unanimous Consent

Mr. Johnson was granted unanimous consent to take up House Resolution No. 49 without reference to committee or file.

Resolution read.

### Motion to Refer to Committee

Mr. Burton moved that the resolution be referred to the Committee on Rules.

Mr. Unruh seconded the motion.

**Point of Order**

Mr. Bradley arose to the following point of order: That unanimous consent to consider the resolution without reference to committee has been granted, so the motion to refer is not in order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, since the resolution is before the House for consideration, and therefore subject to any motion.

**Parliamentary Inquiry**

Mr. McMillan arose to the following parliamentary inquiry: What is the question before the House?

**Reply by Speaker**

The Speaker replied that the question is the motion to refer the resolution to the Committee on Rules.

The roll was called, and the motion to refer lost by the following vote:

AYES—Bane, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Garrigus, House, Kennick, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rumford, Unruh, Waldie, Williamson, George A. Willson, Winton, and Zberg—31.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Dills, Elliott, Francis, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Levering, Luckel, Marks, McCollister, McMillan, Mulford, Pattee, Porter, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—41.

The question being on the adoption of the resolution.

Resolution adopted.

By Mr. Bradley:

**House Resolution No. 50**

Relative to amending the Temporary Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the Temporary Standing Rules for the 1959 Regular Session are hereby amended by adding a new rule 51.6, to read:

51.6. No bill shall be introduced which contains the signatures of more than 4 members.

Resolution read, and referred to the Committee on Rules.

By Mr. DeLotto:

**House Resolution No. 51**

Relative to a revision of the Elections Code

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Elections and Reapportionment is hereby authorized and directed to analyze and study the provisions of the Elections Code and to prepare a complete revision, without substantive change, of the Elections Code designed to clarify the law and eliminate ambiguities and obsolescences; and be it further

*Resolved*, That the committee submit its final report to the Assembly not later than the thirtieth calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 40**: By Messrs. Hawkins, Miller, Schrade, Ernest R. Geddes, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George

E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to the creation of the Joint Legislative Committee on Legislative Reference Library and Research Services.

### Request for Unanimous Consent

Mr. Hawkins asked for unanimous consent to take up Assembly Concurrent Resolution No. 40 without reference to committee.

### Notice by Mr. Lowrey

Mr. Lowrey served notice that starting tomorrow he would withhold unanimous consent to consider resolutions without reference to committee.

### Unanimous Consent Granted

Mr. Hawkins was granted unanimous consent to take up Assembly Concurrent Resolution No. 40 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 40

**Assembly Concurrent Resolution No. 40**—Relative to the creation of the Joint Legislative Committee on Legislative Reference Library and Research Services.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—Lowrey—1.

Resolution ordered printed, and transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 20, 1959

MR. SPEAKER: Your Committee on Rules reports:
Assembly Joint Resolution No. 5
Assembly Joint Resolution No. 6
*With the recommendation: Be adopted.*

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, January 20, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 10
Assembly Concurrent Resolution No. 16

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, January 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 10
Assembly Concurrent Resolution No. 16
Assembly Joint Resolution No. 5
Assembly Joint Resolution No. 6

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

**Committee on Rules**

ASSEMBLY CHAMBER, January 20, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 40

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, January 20, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 38
House Resolution No. 43

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolutions ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 20, 1959

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

Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 34

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, January 19, 1959

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

Senate Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolution was read:

**Senate Concurrent Resolution No. 10**—Relative to the selection of the State of California and the City of Los Angeles as the site of the 1960 Democratic National Convention.

Referred to Committee on Rules.

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

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

**Assembly Bill No. 595**: By Messrs. Cunningham, Rumford, Mulford, Dills, Crawford, Grant, Hanna, Hegland, Johnson, Luckel, Schrade, and Thelin—An act to add Section 211.5 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health.

Referred to Committee on Public Health.

**Assembly Bill No. 596**: By Messrs. Ernest R. Geddes and McMillan—An act to amend Section 2935 of the Business and Professions Code, relating to psychologists.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 597**: By Mr. Ernest R. Geddes (Departmental—Education)—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens by public agencies.

Referred to Committee on Industrial Relations.

### ANNOUNCEMENT OF INTERIM COMMITTEE MEETING

Mr. Bee announced a meeting of the Assembly Interim Committee on Social Welfare at 3 p.m. today in Room 6003, and invited the new members of the Standing Committee on Social Welfare to sit in on the meeting.

### PARLIAMENTARY INQUIRY

Mr. Miller arose to the following parliamentary inquiry: Is it the intention of the House to adjourn until tomorrow, or to reconvene this afternoon?

#### Reply by Speaker

The Speaker replied that the Assembly would not be in session this afternoon.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up Assembly Concurrent Resolution No. 25 without reference to file.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 25

**Assembly Concurrent Resolution No. 25**—Relative to the new Flag of the United States of America.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 3 without reference to file.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

**Senate Concurrent Resolution No. 3**—Relative to extending the date for final report of the Joint Interim Committee on Water Resources Development Problems.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Resolution ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 10 FROM COMMITTEE

Mr. Munnell was granted unanimous consent that Senate Concurrent Resolution No. 10 be withdrawn from the Committee on Rules.

#### Request for Unanimous Consent

Mr. Munnell was granted unanimous consent to take up Senate Concurrent Resolution No. 10 without reference to file.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

**Senate Concurrent Resolution No. 10**—Relative to the selection of the State of California and the City of Los Angeles as the site of the 1960 Democratic National Convention.

Resolution read.

#### Parliamentary Inquiry

Mr. Beaver arose to the following parliamentary inquiry: Can the resolution be amended to include the Chairman of the Republican National Committee?

#### Reply by Speaker

The Speaker replied that the resolution could be amended by the presentation of an amendment to the desk, and its adoption by the House.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Munnell announced that the Assembly will adjourn for the weekend at noon tomorrow.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker pro Tempore Bee of Hayward to Mr. and Mrs. John S. Campbell of West Vancouver, B. C., and Mrs. Carlos Bee of Hayward.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Mrs. Lynette Messer of San Francisco.

On request of Messrs. DeLotto of Fresno and Garrigus of Reedley to John J. Sullivan and Robert Green of Fresno.

On request of Mr. Winton of Merced to Blaine A. Dewey and Jack Fries, adults; and the following pupils of the Plainsburg Union Elementary School and the LeGrand Elementary School, Merced County: Kenneth Carr, Douglas Higgins, Kitt Kahl, Albert Huerta, Dennis O'Hagan, Leo Snyder, Linda Allen, Robbizell Brown, Shirley McKay, Margaret Regalo, George Brumbaugh, Bob Culpepper, Butch Glasgow, Steven Hall, Gasper Hernandez, Millard Ketner, Nolan Mills, David Moorse, John Morgan, Mike Padilla, Walt Potter, Mike Ritchey, John Sanchez, Frank Swiggart, Joe Torres, Keith Turner, Betty Cardenas, Delane Cope, Andrea Flores, Anita Flores, Linda Gasper, Linda Gore, Zozima Hernandez, Donna Locke, Caroline Souaa, Janet Swiggart, Mary Ann Swiggart, Sue Wilson, and Mary Lovato.

On request of Mr. MacBride of Sacramento to the following pupils of the Larchmont School, North Highlands: James Call, Danny Catlilt, Bobby Dwyer, Donald Eoff, Steven Macky, Clifford Mallory, Joseph Mapes, John Peckham, Ernest Storey, William Sutton, Joseph Valenzuela, Geffrey Meade, Barbara Archer, Kathleen Brace, Darlene Cluckey, Phyllis Call, Cathryine Feldman, Mary Furneaux, Christine Glidden, Sherrill Kelley, Erin Lorton, Sandra Wright, Cathrine Robinson, Valli Seals, Linda Slackmam, Carol Cudd, Randal Baron, Gerald Brock, Johan Cardella, Dennis Carter, Michael Carter, Darrell Chambers, Russell Collins, Sandra Coon, Danny Gillette, Chris Kelley, Valarie Latzen, Michael McCook, Christine McHolland, Margaret McHugh, Diana Miles, David Newmeyer, Randall Roberts, Calvin Saunders, Cherlynn Smith, Rosemary Speer, Arleen Strew, Bonita Thorstad, Dennis Vincent, Michael Wasina, Melvin Welty, Billy Whitten, and Jeannie Whitter.

On request of Mr. Winton of Merced to Jay Mason of Merced

On request of Mr. McMillan of Los Angeles to Mrs. Rosalie Blau of Los Angeles.

On request of Mr. Z'berg of Sacramento to Mrs. Martha Robertson, instructor; Mrs. Zacharias, Mrs. Nevin, Mrs. Hansen, Mrs. Smith, and Mrs. Sutti, parents; and the following pupils of the Franklin School: Donald Hansen, Walter Immoos, Bob Kamerer, Rod Kamerer, Karen Kneppel, Steve Lawrence, Lisa Lima, Mary Lima, Tony Lima, Penny Nevin, Jennie Rau, Dennis Rau, Diana Rubb, David Sherman, Paul Schmidt, Leon Schmidt, Jackie Smith, Barbara Sutti, Cheryl Zacharias, and John Tescher.

On request of Mr. Meyers of San Francisco to W. Harry Johns of San Francisco.

On request of Messrs. Petris and Dahl of Oakland to Martin Huff and Robert Osborne of Oakland.

On request of Mr. Mulford of Oakland to M/Sgt. Gunnar Rasmussen and Sgt. Johannes P. Olsen of the Danish Army, Allied Students School of the U. S. Army at Fort Bliss, Texas.

On request of Mr. Frew of Dinuba to Mr. and Mrs. Perry G. Briney and Mrs. Catherine Dyksinski of Hanford.

## ADJOURNMENT

At 12.02 p.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, January 22, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

FOURTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, January 22, 1959

The Assembly met at 9.30 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God of Peace*, Since we must work together without crippling strife, and since each Assembly Member must maintain a deep inner peace, hear us as we pray in the words of St. Francis of Assisi:

"Lord, make me an instrument of Thy peace.
Where there is hatred, let me sow love.
Where there is injury, pardon.
Where there is doubt, faith.
Where there is despair, hope.
Where there is darkness, light.
Where there is sadness, joy.
O Divine Master, grant that
I may not so much seek
To be consoled, as to console;
To be understood, as to understand;
To be loved, as to love;
For it is in giving, that we receive.
It is in pardoning that we are pardoned.
It is in dying, that we are born to eternal life."—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Reagan, on motion of Mr. Shell.

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

Mr. Rees, on request of the Speaker.

### ANNOUNCEMENT

Speaker Brown announced that he had received a communication from Bert W. Levit, Director of Finance, stating that the budget would be presented on Wednesday morning, January 28th.

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

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

**Assembly Concurrent Resolution No. 41**: By Mr. Conrad—Relative to the passing of Cecil B. de Mille.

Referred to Committee on Rules.

**Assembly Bill No. 598**: By Messrs. Hegland, Schrade, Luckel, and Crawford—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to cancelling of uncollected taxes, penalties, or costs.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 599**: By Messrs. Kennick and Grant—An act to add Section 1.5 to Chapter 2165 of the Statutes of 1957, relating to recreation, park and parkway districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 600**: By Mr. Miller—An act to amend Sections 7068 and 7122 of, and to add Sections 7068.1, 7068.2, 7068.3, and 7122.5 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 601**: By Mr. Miller—An act to amend Section 7072 of the and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 602**: By Messrs. McMillan and George E. Brown —An act to add Section 923.5 to the Labor Code, relating to public employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 603**: By Messrs. McMillan and George E. Brown —An act to add Chapter 3.5 (commencing at Section 11950) to Division 6 of the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 604**: By Messrs. Garrigus, Lunardi, Lowrey, and Frew—An act to amend Sections 1172 and 1391 of the Labor Code, relating to the employment of minors.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 605**: By Messrs. Garrigus, Lowrey, Bruce F. Allen, and Waldie—An act to amend Sections 19485 and 19597 of the Business and Professions Code, relating to horseracing.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 606**: By Mr. Belotti—An act to add Section 330 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 607**: By Messrs George E. Brown, Elliott, Hawkins, and McMillan—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by public employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 608**: By Mr. Pattee—An act to amend Section 14273 of the Government Code, relating to public works contracts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 609**: By Mr. McCollister—An act to amend Sections 170 and 171 of the Vehicle Code and to amend Sections 5005 and 5008 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the fees for issuing special license plates.

Referred to Committee on Transportation and Commerce.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 22, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 41

With the recommendation: Be adopted.

MILLER, Chairman

### Request for Unanimous Consent

Mr. Conrad was granted unanimous consent to take up Assembly Concurrent Resolution No. 41 without reference to print or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 41

**Assembly Concurrent Resolution No. 41**—Relative to the passing of Cecil B. de Mille.

Resolution read.

**Members Made Co-authors of Assembly Concurrent Resolution No. 41**

Mr. Conrad was granted unanimous consent that all members voting on the resolution be placed upon the illuminated copy of Assembly Concurrent Resolution No. 41 as co-authors.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

**Names Placed Upon Roll Call on Assembly Concurrent Resolution No. 41**

Messrs. DeLotto and Beaver were granted unanimous consent that they be recorded as voting "Aye" on the adoption of Assembly Concurrent Resolution No. 41.

## REMARKS ON CONDITION OF THE FILE

Mr. Rumford spoke on the condition of the file.

Mr. Charles H. Wilson spoke on the condition of the file.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 6**—Relative to the death of Mrs. Ed. Fletcher;

**Assembly Concurrent Resolution No. 22**—Relative to the probation of the University of Southern California by the National Collegiate Athletic Association;

**Assembly Concurrent Resolution No. 33**—Introduced by Mr. George A. Willson (on behalf of Assemblymen Bane, George E. Brown, Cameron, DeLotto, Garrigus, Kennick, Lunardi, Marks, Petris, Reagan, Waldie, Williamson, and Z'berg; and Senators Fisher, Holmdahl, McAteer, O'Sullivan, Rattigan, Rodda, Shaw, Slattery, and Stiern);

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-first day of January, 1959, at 3 p.m.

BURKE, Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 21, 1959

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

Assembly Concurrent Resolution No. 37

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, January 21, 1959

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

Senate Concurrent Resolution No. 8

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 8**—Relative to the continuance of the Joint Judiciary Committee on Administration of Justice.

Referred to Committee on Rules.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, January 21, 1959

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

Senate Bill No. 46

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following bill was read the first time:

**Senate Bill No. 46**—An act to amend Sections 35100, 35101, 35102, and 35106 of, to repeal Sections 35107, 35108, 35109, 35110, and 35111 of, to add Sections 35107, 35108, and 35109 to, and to amend and renumber Sections 35112 and 35113 of, the Water Code, relating to California water districts, and declaring the urgency thereof, to take effect immediately.

#### Motion to Expunge Record and Rescind Action on Motion

Mr. Winton moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused to invoke the provision of Article IV, Section 2 (a) of the Constitution in order that Senate Bill No. 46 might be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Munnell seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Senate Bill No. 46 referred to the Committee on Water.

### REMARKS ON CONDITION OF THE FILE

Mr. Miller spoke on the condition of the file.

### POINT OF INQUIRY

Mr. Don A. Allen arose to inquire if his voting machine was working, and if he was recorded on the motion to expunge.

#### Reply by Speaker

The Speaker replied that the last roll call recorded him as voting "Aye."

## NAMES PLACED UPON ROLL CALL ON ASSEMBLY CONCURRENT RESOLUTION NO. 41

Messrs. Holmes, Meyers, Collier, Francis, and Levering were granted unanimous consent that they be recorded as voting "Aye" on Assembly Concurrent Resolution No. 41.

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

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

**Assembly Bill No. 610**: By Messrs. Williamson, Lunardi, Bane, Bruce F. Allen, Biddick, George E. Brown, Burton, Chapel, Crawford, Cunningham, DeLotto, Dills, Miss Donahoe, Messrs. Frew, Garrigus, MacBride, Masterson, Munnell, Nisbet, O'Connell, Petris, Waldie, Winton, and Z'berg—An act to add Section 20922 to the Business and Professions Code, relating to gasoline.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 611**: By Mr. Charles H. Wilson—An act to add Article 8.5 (commencing at Section 2860) to Chapter 2 of Division 5 of the Elections Code, relating to the endorsement of candidates at primary elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 612**: By Mr. Biddick—An act to add Section 5834.1 to the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 613**: By Mrs. Davis—An act to amend Sections 28156 and 28156.1 of the Government Code, relating to compensation for public service in counties of the fifty-sixth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 614**: By Mr. Bradley—An act to amend Section 11005 of, and to add Section 11005.6 to, the Revenue and Taxation Code, relating to allocations to counties from the Motor Vehicle License Fee Fund.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 615**: By Messrs. Belotti and O'Connell—An act to repeal Section 256 of, to add Section 277 to, and to amend Section 279 of, the Vehicle Code, and to repeal Section 12511 of, to add Section 12511 to, and to amend Section 12815 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to drivers' licenses.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 616:** By Mr. George E. Brown—An act to amend Section 2540 of the Elections Code, relating to the qualification of political parties.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 617:** By Mr. George E. Brown—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to eligibility for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 618:** By Mr. McMillan—An act to add Section 923.2 to the Labor Code, relating to fire fighters.

Referred to Committee on Industrial Relations

**Assembly Bill No. 619:** By Mr. Johnson—An act to add Section 11550.5 to the Business and Professions Code, relating to the charging of fees in connection with the filing of tentative subdivision maps.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 620:** By Mr. Johnson—An act to amend Section 5180 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 621:** By Mr. Johnson—An act to amend Section 5397 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 622:** By Mr. Johnson—An act to amend Section 5281 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 623:** By Messrs. Williamson, Burton, Cusanovich, Miss Donahoe, Messrs Garrigus, and Marks—An act to amend Sections 8026 and 8029 of the Elections Code, relating to the recount of ballots for congressional and legislative offices.

Referred to Committee on Elections and Reapportionment.

## CONSIDERATION OF DAILY FILE

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12

**Assembly Concurrent Resolution No. 12**—Relative to the passing of Mr. Ray R. Ingels.

Resolution read, and adopted unanimously by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

### Motion to Adjourn in Memory of Mr. Ray R. Ingels

Mr. Belotti moved that when the Assembly adjourns this day, it do so out of respect to the memory of Ray R. Ingels.

Motion carried unanimously.

## PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Is the House granting unanimous consent to consider these resolutions?

### Reply by Speaker

The Speaker replied that the order of business is the consideration of business on the Daily File.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF HOUSE RESOLUTION NO. 22

By Mr. Cusanovich:

**House Resolution No. 22**—Relative to the passing of John M. Wright.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read:

### Amendment No. 1

Amend the resolution to show the following co-authors "Messrs. Thelin, Lanterman, Bane, Conrad, and Miller".

### Amendment Withdrawn by Unanimous Consent

Mr. Cusanovich was granted unanimous consent that the amendment be withdrawn.

### Members Made Co-authors of House Resolution No. 22

Mr. Cusanovich was granted unanimous consent that all members so desiring be placed upon House Resolution No. 22 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—75

NOES—None.

### Further Consideration of House Resolution No. 22

By Messrs. Cusanovich, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin,

Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 22**

Relative to the passing of John M. Wright

WHEREAS, The Members of the Assembly are deeply grieved to learn of the death of an honorable and outstanding journalist, Mr. John M. Wright; and

WHEREAS, Mr. Wright was born in the City of Trenton, North Carolina, on October 16, 1908, the son of a prominent Methodist minister; and

WHEREAS, He graduated from Duke University and then entered the fields of publishing and public relations; and

WHEREAS, After publishing many weekly and daily newspapers in the South and in the East, he enlisted in the United States Naval Reserve in order to serve his Country during World War II; and

WHEREAS, At the end of the war he came to California, made his home in the San Fernando Valley, and joined the staff of the *Valley Times;* and

WHEREAS, He soon advanced to the position of Political Editor and Assistant to the Publisher of the *Valley Times;* and

WHEREAS, To the great benefit of his community and his State, he vigorously engaged in many newspaper campaigns, particularly in the fields of transportation and interstate western water problems; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly express their sincere regret and deep personal sorrow at the loss of such an able and respected citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to his wife and family as an expression of the heartfelt sympathy of all Members of the Assembly of California.

Resolution read, and adopted unanimously.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

**Assembly Concurrent Resolution No. 10**—Relative to the centennial celebration of the admission of Oregon to the Union.

Resolution read.

**Members Made Co-authors of Assembly Concurrent Resolution No. 10**

Mr. Elliott was granted unanimous consent that all members so desiring be placed upon the illuminated copy of Assembly Concurrent Resolution No. 10 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors upon the illuminated copy of the resolution:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the adoption of the resolution

Resolution adopted unanimously.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16

**Assembly Concurrent Resolution No. 16**—Relative to congratulating Adolfo Lopez Mateos on his election to the Presidency of the United States of Mexico.

Resolution read.

#### Members Made Co-authors of Assembly Concurrent Resolution No. 16

Mr. Elliott was granted unanimous consent that all members so desiring be placed upon the illuminated copy of Assembly Concurrent Resolution No. 16 as co-authors.

#### Roll Call

The following members indicated a desire to become co-authors on the illuminated copy of the resolution:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—75

NOES—None.

The question being on the adoption of the resolution.

Resolution adopted unanimously.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF HOUSE RESOLUTION NO. 43

By Mr. Hawkins:

**House Resolution No. 43**—Directing the Legislative Counsel to compile in one volume the materials presented at the 1959 Legislator's Orientation Conference, and the Chief Clerk to have printed 1,500 copies.

Resolution read.

#### Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

#### Amendment No. 1

In line 1 of the second *Resolved* clause of the resolution, as printed in the Assembly Journal for January 20, 1959, at page 256, strike out "1,500", and insert "2,000"

Amendment read, and adopted.

#### Consideration of House Resolution No. 43, as Amended

By Mr. Hawkins:

#### House Resolution No. 43

Relative to the Preparation and Printing of the Proceedings of the 1959 Legislator's Orientation Conference

*Resolved by the Assembly of the State of California*, That the Legislative Counsel compile in one volume the materials presented at the 1959 Legislator's Orientation Conference; and be it further

*Resolved*, That the Chief Clerk of the Assembly cause 2,000 copies of this document to be printed, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

### REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 11

Mr. Dahl was granted unanimous consent to take up Assembly Concurrent Resolution No. 11, temporarily passed on file.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

**Assembly Concurrent Resolution No. 11**—Relative to the selection of the Legislative Counsel of California.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Resolution ordered transmitted to the Senate

### REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 38

Mr. Beaver was granted unanimous consent to take up House Resolution No. 38, temporarily passed on file.

### CONSIDERATION OF HOUSE RESOLUTION NO. 38

By Messrs. Beaver, Porter, Sumner, Schrade, and Lunardi:

**House Resolution No. 38**—Directing the Assembly Interim Committee on Water, created at this session, to create a Subcommittee on Water Project Uses for Atomic Power.

#### Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

#### Amendment No. 1

In the first line of the title of the measure, as printed on page 218 of the Assembly Journal for January 19, 1959, strike out "Interim", and insert "Standing".

#### Amendment No. 2

In the first line of the paragraph numbered "1." on page 219 of said Journal, after "Assembly", strike out "Interim", and insert "Standing".

#### Amendment No. 3

Strike out the entire paragraph number "2." on page 219

Amendments read, and adopted.

#### Consideration of House Resolution No. 38, as Amended

By Messrs. Beaver, Porter, Sumner, Schrade, and Lunardi:

#### House Resolution No. 38

Relative to directing the Assembly Standing Committee on Water to create a Subcommittee on Water Project Uses for Atomic Power

WHEREAS, It is the expressed policy of the United States Government to encourage the peacetime use of atomic power, thus creating a probability that substantial federal assistance might be made available to the State of California in developing a workable project for the application of such power in this State; and

WHEREAS, In its efforts to solve the problem of water shortage, the Legislature should carefully consider the possibility of solution or partial solution of the problem by means of an economical system of salt water conversion; and

WHEREAS, A great unsolved problem in connection with the future development of California consists of the need to transfer its surplus of water in the northern part of the State to areas of deficiency in the southern part of the State, together with a power requirement for transferring water over the Tehachapi Mountains greatly in excess of the electric power which will be produced by the Oroville Dam as presently planned; and

WHEREAS, California has, in the University of California, an institution which is exceptionally well qualified to study the possibility of utilizing atomic power for salt water conversion and to accomplish the transfer of water from north to south, not only because of the world-renowned atomic scientists on its faculty but also because of its close working relationships with the Atomic Energy Commission and other federal agencies; now, therefore, be it

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

1. The Assembly Standing Committee on Water, created at this session, is directed to create a subcommittee designated as the Subcommittee on Water Project Uses for Atomic Power. The committee, through said subcommittee is authorized and directed to ascertain, study and analyze all facts relating to the desirability of having a full-scale investigation, by a legislative committee, by the University of California, or otherwise, of the possibility that atomic energy can be used to furnish a feasible and economical means for producing the power needed for salt water conversion and to transfer surplus water from the northern part of California to the southern part of California.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Hegland was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, January 19, 1959

*Hon. Sheridan N. Hegland*
*Assembly Chamber*

*Federal Crop Allotments—No. 5713*

DEAR MR. HEGLAND: You have requested this office to explore the possibility of state legislation which would require the crop allotment documents of the Federal Government to be open for public inspection.

It is our opinion that state legislation on this subject would not be enforceable because of the general principle that the departments of the Federal Government are not subject to regulation by the states (*Mayo* v. *United States*, 319 U. S. 441, 87 L. ed. 1504; *Arizona* v. *California*, 283 U. S. 423, 75 L. ed. 1154; *Kauffman* v. *Kauffman*, 93 Cal. App. 2d 808).

Under Request No. 6338, we have prepared a draft of a joint resolution requesting the Secretary of Agriculture to permit inspection of crop allotment records in this State. In this connection, Section 1362, Title 7, USCA, provides that all acreage allotments shall, in accordance with regulations of the secretary, be made and kept fully available for public inspection in a county or other local administrative area.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDSEL W. HAWS, Deputy Legislative Counsel

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

**Senate Concurrent Resolution No. 2**—Relative to approving amendments to the charter of the City of San Bernardino, County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

## MOTION TO INVITE GOVERNOR TO ADDRESS JOINT CONVENTION

Mr. Munnell moved that a Committee of Five be appointed to wait upon His Excellency, Governor Edmund G. Brown, and invite him to address the Joint Convention at 11 a.m. today.

Motion carried.

### Appointment of Select Committee

Pursuant to the above motion by Mr. Munnell, Speaker Brown appointed Messrs. Munnell, Belotti, Porter, Lunardi, and Busterud as such Select Committee to wait upon the Governor.

## MOTION TO INVITE SENATE TO MEET IN JOINT CONVENTION

Mr. Munnell moved that a Committee of Three be appointed by the Speaker to invite the Senate to meet with the Assembly in Joint Convention at 11 a.m. today.

Motion carried.

### Appointment of Select Committee

Pursuant to the provisions of the above motion by Mr. Munnell, the Speaker appointed Messrs. Dills, Pattee, and George A. Willson as such Select Committee to wait upon the Senate.

## ANNOUNCEMENT

Speaker Brown announced that the seats in the front of the Assembly Chamber have been reserved for the Members of the Senate during the Joint Convention.

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

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

**Assembly Bill No. 624**: By Mr. Francis—An act to add Section 653m to the Penal Code, relating to curfew on minors.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 625**: By Mr. Francis—An act to add Section 6370 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 626**: By Mr. Francis—An act to add Section 6406 to the Revenue and Taxation Code, relating to exemption from the use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 627**: By Mr. Francis—An act to add Section 329.5 to the Code of Civil Procedure, relating to the statute of limitations.

Referred to Committee on Judiciary—Civil.

## ANNOUNCEMENT

Mr. Coolidge announced that the Report of the Joint Legislative Audit Committee had been printed and distributed to the members, and that additional copies of the report are available upon request.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Coolidge was granted unanimous consent that the following letter of transmittal to the Report of the Joint Legislative Audit Committee be ordered printed in the Journal:

## LETTER OF TRANSMITTAL

JOINT LEGISLATIVE AUDIT COMMITTEE, CALIFORNIA LEGISLATURE
SACRAMENTO, December 31, 1958

*The Honorable President pro Tempore of the Senate*
*The Honorable Speaker of the Assembly*
*The Honorable Members of the Senate and*
*Assembly of the Legislature of California*
*State Capitol, Sacramento*

SIRS: We transmit herewith our first report covering all of the activities of your Joint Audit Committee from its formation in 1955 to date. The committee believes that the new post audit procedure is now well established and that the Auditor General and his office are performing a most valuable function in aid of the basic duty of the Legislature to oversee the operation of the executive branch.

The work performed by the very able Auditor General and his experienced staff has already brought about a great many improvements in administration and in the safeguarding of state funds. In the years ahead, the work of this committee and of the Auditor General's Office

can be of critical importance in assuring the people of California that their State Government is being run with the highest degree of honesty and efficiency.

Respectfully submitted,

GLENN E. COOLIDGE
JESSE M. UNRUH
CASPAR W. WEINBERGER,
Chairman

HUGH P. DONNELLY
J. HOWARD WILLIAMS
ARTHUR H. BREED, JR.,
Vice Chairman

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

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

**Assembly Bill No. 628:** By Mr. Francis—An act to amend Section 703 of the Streets and Highways Code, relating to relocation of utilities in state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 629:** By Mr. Crown—An act to amend Section 537.5 of the Code of Civil Procedure, relating to attachment.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 630:** By Messrs. Crown and Bee—An act to convey certain tide and submerged lands to the City of San Leandro, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Referred to Committee on Manufacturing, Oil, and Mining Industry

**Assembly Bill No. 631:** By Mr. McMillan—An act to add Section 923.1 to the Labor Code, relating to privileges and immunities of employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 632:** By Messrs Bruce F. Allen, Hegland, and Belotti—An act to amend Section 20301 of the Education Code, and Section 23601 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges.

Referred to Committee on Education.

**Assembly Bill No. 633:** By Miss Donahoe, Messrs Bee, Kilpatrick, and Porter—An act to add Section 6623 to the Welfare and Institutions Code, relating to handiwork of state hospital patients.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 634:** By Miss Donahoe, Messrs. Bee, Kilpatrick, and Porter—An act to add Section 1125 to the Welfare and Institutions Code, relating to handiwork of Youth Authority inmates.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 635:** By Messrs. Waldie, Garrigus, and Burton—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary—Civil.

**Assembly Concurrent Resolution No. 42**: By Messrs. Miller and O'Connell—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 9**: By Messrs. Hegland, Lowrey, Garrigus, DeLotto, Backstrand, Bee, Belotti, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Mrs. Davis, Messrs. Dills, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, McMillan, Nisbet, Pattee, Porter, Schrade, Shell, Thelin, Thomas, Williamson, Charles H. Wilson, and Winton—Relative to public inspection of crop allotment records in the State of California.

Referred to Committee on Rules.

**Assembly Bill No. 636**: By Messrs. Waldie, Masterson, Burton, Z'berg, Crown, Hawkins, and Petris—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 637**: By Mr. Samuel R. Geddes—An act to amend Section 3000 of the Welfare and Institutions Code, relating to aid to needy blind persons.

Referred to Committee on Social Welfare.

**Assembly Bill No. 638**: By Mr. Samuel R. Geddes (Departmental—Agriculture)—An act to amend Section 762.9 of the Agricultural Code, relating to canning tomato inspection fees.

Referred to Committee on Agriculture.

**Assembly Bill No. 639**: By Mr. Samuel R. Geddes (Departmental—Agriculture)—An act to amend Sections 781, 784.4, and 784.6 of the Agricultural Code, and to add Section 12604.5 to the Business and Professions Code, relating to fruit, nut and vegetable standards and containers.

Referred to Committee on Agriculture.

**Assembly Bill No. 640**: By Mr. Samuel R. Geddes—An act to amend Section 7030 of the Business and Professions Code, relating to the licensing and regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 641**: By Mr. Samuel R. Geddes (Departmental—Agriculture)—An act to amend Section 795 of the Agricultural Code, relating to citrus.

Referred to Committee on Agriculture.

**Assembly Bill No. 642**: By Mr. Elliott—An act to amend Section 6301 of the Business and Professions Code, relating to boards of law library trustees.

Referred to Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Schrade, Miller, Nisbet, Conrad, Hawkins, Sedgwick, and Hanna:

### House Resolution No. 52

*Resolved*, That the policy of this House shall be that no material shall be placed upon the desks of the members in the Assembly Chamber unless such placement has been first approved by the Speaker of the Assembly or the Chairman of the Committee on Rules; and be it further

*Resolved*, That any such material or communications presented for placement on the desks of the members must be signed by the member or other person requesting their distribution, and shall be delivered to the Sergeant-at-Arms for such distribution, and be it further

*Resolved*, That the Sergeant-at-Arms of the Assembly be and he is hereby directed and instructed to enforce the provisions of this resolution.

Resolution read, and referred to the Committee on Rules

By Messrs. Crawford, Schrade, Luckel, and Hegland:

### House Resolution No. 53

Relative to retirement of Judge Jacob C. Weinberger

WHEREAS, The members of this body have learned of the retirement of Judge Jacob C. Weinberger as Judge of the United State District Court, Southern District of California, San Diego, and

WHEREAS, Judge Weinberger was born January 4, 1882, was graduated from the University of Colorado with a degree of Bachelor of Laws in 1904 and was admitted to the Colorado Bar that year, the Arizona Bar in 1905, and the California Bar in 1911, and

WHEREAS, He was Assistant District Attorney in Gila County, Territory of Arizona, from 1907 to 1909, was elected a Delegate from Gila County to the Constitutional Convention in 1910, and participated in forming the Constitution of the State of Arizona; and

WHEREAS, He practiced law in San Diego for 30 years from 1911 to 1941, was City Attorney for San Diego from 1941 to 1943, and Judge of the Superior Court from 1943 to 1945 following which he was sworn in as United States District Judge in 1946; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly congratulate Judge Weinberger on his long career of honorable and distinguished public service to the people of the State and to the people of the United States and extend their heartiest good wishes upon the occasion of his retirement, and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Judge Jacob C. Weinberger.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

### House Resolution No. 54

Relative to the Capitol Branch of the State Library

*Resolved by the Assembly of the State of California*, That the State Printer is requested to furnish one copy of each legislative report which is printed at the order of the Legislature or a committee thereof to the Capitol Branch of the State Library.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Speaker Brown announced that, with the consent of the House, the Department of Water Resources would be permitted to take moving pictures from the Balcony during the Joint Convention.

Unanimous consent was granted

Speaker Brown also announced that, with the consent of the House, permission for authorized cameramen to take pictures before

and after the Governor's speech, but not during the Governor's speech, would be granted.

Unanimous consent of the House was granted.

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

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

**Assembly Bill No. 643**: By Mr. Cameron—An act to add Section 439.04 to the Agricultural Code, and to amend Section 1920 of the Health and Safety Code, relating to dogs.

Referred to Committee on Public Health.

**Assembly Bill No. 644**: By Mr. Samuel R. Geddes—An act to add Section 33710.1 to the Health and Safety Code, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 645**: By Mr. Samuel R. Geddes—An act to add Chapter 10 (commencing at Section 19830) to Part 3 of Division 13 of the Health and Safety Code, relating to the establishment of a housing research center, and making an appropriation therefor.

Referred to Committe on Governmental Efficiency and Economy.

**Assembly Bill No. 646**: By Messrs Britschgi and Francis—An act to add Article 8.6 (commencing at Section 20518) to Chapter 2 of Division 10 of the Education Code and to add Article 6.5 (commencing at Section 24960) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to a branch facility of San Francisco State College, and making an appropriation therefor.

Referred to Committee on Education.

### REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Senate, appeared before the bar of the Assembly, and reported that it had discharged its duties, and that the Members of the Senate would meet with the Members of the Assembly in Joint Convention at 11 a.m.

### RECESS

At 10.50 a.m , on motion of Mr. Munnell, the Assembly recessed for the purpose of meeting with the Senate in Joint Convention.

## IN JOINT CONVENTION

ASSEMBLY CHAMBER
Thursday, January 22, 1959

At 11 a.m., the Senate and Assembly met in Joint Convention.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

## ANNOUNCEMENTS

Tony Beard, Sergeant-at-Arms of the Assembly, announced the presence in the Assembly Chamber of Joseph F. Nolan, Sergeant-at-Arms of the Senate.

Joseph F. Nolan, Sergeant-at-Arms of the Senate, appeared before the bar of the Assembly, and announced the presence in the Assembly Chamber of the Honorable Glenn M. Anderson, Lieutenant Governor of the State of California and President of the Senate; the Honorable Hugh M. Burns, President pro Tempore of the Senate; and the Members of the Senate.

## PRESIDENT AND PRESIDENT PRO TEMPORE OF THE SENATE INVITED TO ROSTRUM

Hon. Ralph M. Brown, Speaker of the Assembly, then invited Lieutenant Governor Glenn M. Anderson, President of the Senate, and Senator Hugh M. Burns, President pro Tempore of the Senate, to the rostrum of the Assembly.

## ASSEMBLY ROLL CALL

Hon Ralph M. Brown, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

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

## SENATE ROLL CALL

Hon. Glenn M. Anderson, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Arnold, Beard, Berry, Brown, Burns, Byrne, Christensen, Cobey, Collier, Coombs, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McBride, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Slattery, Stiern, Teale, Thompson, and Williams—37

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

## APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon. Ralph M. Brown, Speaker of the Assembly, appointed Messrs. Munnell, Belotti, Porter, Lunardi, and Coolidge as the Assembly Committee to escort His Excellency Hon. Edmund G. Brown, Governor of the State of California to the bar of the Assembly.

Hon. Glenn M. Anderson, President of the Senate, appointed Senators Erhart, Holmdahl, Rattigan, Miller, and Shaw as the Senate Committee to escort His Excellency Hon. Edmund G. Brown, Governor of the State of California to the bar of the Assembly.

### REPORT OF JOINT COMMITTEE ON ESCORT

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

### PRESENTATION OF PRESIDENT PRO TEMPORE OF SENATE

Hon. Ralph M. Brown, Speaker of the Assembly, then presented the President pro Tempore of the Senate, Hon. Hugh M. Burns, to the Joint Convention.

### PRESENTATION OF LIEUTENANT GOVERNOR

Hon. Hugh M. Burns, President pro Tempore of the Senate, then presented the President of the Senate, Lieutenant Governor Glenn M. Anderson, to the Joint Convention.

### PRESENTATION OF GOVERNOR

Hon. Glenn M. Anderson, Lieutenant Governor of the State of California, then presented Governor Edmund G. Brown to the Joint Convention.

### ADDRESS BY THE GOVERNOR

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

### WATER MESSAGE BY GOVERNOR EDMUND G. BROWN TO LEGISLATURE

*Mr. President, Mr. Speaker, Members of the Legislature:*

May I first of all thank you for your courtesy in arranging this joint session of the Legislature. I have asked to come here today, under these extraordinary circumstances, so that we can meet together as the single voice of all the people of California. I have come to present a water program which I believe is rational, realistic, and responsive to the needs of all the people of California.

Our State is magnificently varied in its resources, its scenery, its industry, and its people. Providence, as I said in my Inaugural Message, seems intent on making us a great people in a great State.

Yet, in spite of our great endowment, it has become the fashion in recent years to dwell on our water problems as being awesome and impossibly complicated. We have brooded over the expense and become lost in a forest of fear. In prior sessions of the Legislature, the result has been delay and frustration.

This stalemate must come to an end. If we take courage and put our fears behind us, we can replace narrow, sectional differences with confident, pioneering leadership. This the people of California demand and deserve.

It is not the lack of water which creates the problem we meet to discuss. Indeed, the average runoff exceeds our requirements by a safe margin.

The core of our problem is distribution. We do not have enough water when and where we need it. We have too much water when and where we do not need it Thus, it is obvious that we must build dams to capture water which would otherwise escape, and we must build canals and aqueducts to transport the water we have saved to the communities where it is needed.

To accomplish these vital tasks, our State has a great natural advantage. The physical setting of the delta of the Sacramento and San Joaquin Rivers is a gift from nature that we have never fully appreciated.

Above the delta, we have both a supply of water and the sites to store it. Within the delta, we have the natural point of convergence. When we wish to export water to an area of need lying to the south, the delta can serve as the pool, or, if you please, as the tap from which the water can flow.

Every year there are 3 million acre-feet of water in the Sacramento-San Joaquin Delta which are not being used. At present, the water goes wasting out to sea through the Golden Gate. We must build the facilities for offstream storage and move this water to areas where it is urgently needed. Unless we save this surplus water, we waste a precious natural resource and fail the people of our State.

We should remember that we store water, not alone for future use, but also to avoid flood damage. To protect human life and valuable property, we must arrest our rivers in their headlong rush to the sea Because the Federal Government contributes funds for flood control, we must impress the Congress with our urgent needs. We will also have to provide state funds to insure that flood control projects will be available for multipurpose use—not simply for flood control.

From our water development program, we should also create new sources of electrical energy. An ample supply of low-cost power is absolutely essential to our industrial future and to the needs of all our people The State, too, will need an enormous amount of power to operate the pumps which are required to carry the water from areas of surplus to areas of need.

Fortunately, the extra cost of adding power facilities to our water projects is small in relation to the cost of the projects and small in relation to the resulting benefits. In addition, revenues from the sale of power enable us to furnish water and other benefits to deserving areas of our economy which cannot pay the total cost of water. As an example, I cite the Central Valley Project, where the production of power has benefited our whole economy.

In planning our water projects, we must give a high priority to recreation and to the development of our fish and wildlife resources As our population grows and our leisure time increases, recreation requires added recognition as a beneficial use of water. Projects developed for recreational purposes provide our people with wholesome diversion and a happier and fuller life. At the same time, they stimulate the growth of portions of our State where recreation is the primary industry.

Against the background of these general observations, I propose the following program for water development:

*First:* I propose that this session of the Legislature appropriate 38 million dollars from the Investment Fund to start on a construction program. It is time to start moving dirt and stop throwing mud. This is the beginning of a positive program for water development In considering this 38-million-dollar appropriation and subsequent expenses, I want to emphasize that the major cost of water development is eventually repaid from project revenues.

*Second:* I propose that we commit the entire Investment Fund to water development. This fund is unique in that it was built up through the depletion of a great natural resource, our offshore oil. I am determined that it shall be dedicated to the development of another precious resource, our water.

*Third:* I propose that in 1960 we authorize a general obligation bond issue in the neighborhood of 500 million dollars to complete the program outlined in this message. To all of you, I pledge that I will fight to obtain adequate financing to complete the great aqueduct south. And to all of you, I pledge that I will fight to obtain adequate financing to provide the other facilities throughout the State necessary to meet the needs of our people.

*Fourth:* We must encourage the Federal Government to finance water projects designed for navigation, flood control, and irrigation. Considering the condition of our budget, it is plain nonsense to resist federal aid. I am glad to see that the old hostility to federal funds is now mellowing. We should use federal aid wherever we can, but we must also remember that we have our own responsibilities in the development of our water resources.

*Fifth:* We should undertake the development of our water resources on a comprehensive statewide basis. Local agencies, of course, must be encouraged to move ahead with those projects which have a primarily local impact. Yet, I am convinced that there must be an integrated statewide development of the massive works which affect many communities. Only thus can we prevent duplication and waste. Only thus can we avoid Balkanizing our State into competing water provinces.

*Sixth:* Many of the principles now applicable to the operation of utilities should guide us in the development of our state water resources. Thus, we should recognize our obligation to insure that water will be available to meet the proper demands of every part of the State. As in the case of a utility, we should be able to enlarge our facilities to bring more water into the delta pool and recover the cost from the system as a whole. Just as the first man to get a telephone does not enjoy a lower rate, so those who are first served by state water projects should not have a privileged status.

As long as the Legislature guides our water development, we can be certain that the system will be completed and administered in fairness and equity. Those who would doubt this are questioning, not the water program, but rather the fundamental basis of democratic government.

In explaining this program, I have made no attempt to answer every conceivable question or satisfy all extremists. In addition, I have put to one side the question of a constitutional amendment. After long thought, I have concluded that an amendment is not necessary to an affirmative water program. Beyond that, I have found that there is no general agreement on what the contents of such an amendment should be. I am not hostile to an amendment and I am not closing the door on one. But I am convinced that our positive program of water development should not be delayed by further frustrating debate over the terms of a constitutional amendment.

Now let us look at the main points of the 38 million dollar construction program which I propose for this year.

The great aqueduct system from the delta to the south is a key to pressing problems of water supply. By carrying water to Southern California the aqueduct will supply the area where the human need is the greatest. On the way southward, the aqueduct system will also serve areas of critical water shortage.

I urge you to appropriate 10.7 million dollars to enable us to start at both ends of this great aqueduct system. 1.3 million dollars would be for aqueduct rights-of-way from the delta to the San Luis Reservoir site. 3.8 million dollars would be for the rights-of-way from San Luis to southern Kern County. And 3 3 million dollars would be for rights-of-way for the aqueduct system into Southern California.

The remaining 2.3 million dollars would be used to complete the acquisition of the San Luis Reservoir site. This will provide an important portion of the State's share of the joint San Luis Project. I am determined that the dam at San Luis shall be constructed to its full height so that we can store 2.1 million acre-feet in the resorvoir.

In the past few days bills have been introduced by Senators Engle and Kuchel and Congressmen Sisk and Johnson to authorize federal participation in the San Luis Project. I will do everything in my power to insure the passage of these bills I see in them a reasonable compromise of the intrastate conflicts which have been a roadblock to this vital project. We must not allow disputes within the California family to delay us further.

There is also a vital need for a South Bay Aqueduct to bring water from the delta to Alameda and Contra Costa Counties and portions of northern Santa Clara County. I am asking you to appropriate 7.9 million dollars for rights-of-way and for initial construction of this facility.

The units proposed for immediate construction will serve the Livermore Valley and the Niles Cone area where fresh water is urgently needed to prevent sea water encroachment into the underground basin. When Santa Clara representatives have completed their studies, the South Bay Aqueduct can be extended to northern Santa Clara County.

The Department of Water Resources has recommended that water service to southern Santa Clara, San Benito, and Santa Cruz Counties should be provided by a Pacheco Pass route. I will urge the Bureau of Reclamation to accelerate their studies as to the feasibility of serving these areas as part of the Federal Central Valley Project.

The use of the delta as a collecting pool will require the construction of works to guard against sea water encroachment in the westerly portion of the delta. We are well aware of the hydraulic problems of the delta and the complex questions regarding water rights in that area. The Department of Water Resources has been studying this matter for a long time and, remarkably enough, there appears to be a relatively inexpensive physical solution. By April 1st, when these studies will be completed, I expect to ask an appropriation to begin the initial work for bringing fresh water to the threatened delta areas and thus also to permit increased diversions from the delta.

Let us now turn to consider facilities above the delta.

There are, of course, also areas in need of water which cannot be served from the delta. For example, Sierra Valley in Plumas and Sierra Counties is critically short of water necessary to support its agricultural economy. To provide service for this area, I will ask for 2.4 million dollars for rights-of-way and construction of upstream features of the Feather River unit. The principal one of these would be Frenchman Reservoir.

I will also ask for the appropriation of 11.9 million dollars for construction of the combination railroad and highway bridge over the west branch of the Feather River. The bridge will enable us to use the new high speed highway which is being completed this year.

A board of consulting engineers is conducting a study to determine whether construction on the Feather River should be started at Bidwell Bar instead of Oroville. On this technical question, I intend to accept the judgment of the Department of Water Resources after it has had the benefit of the study which will be completed on February 1st. I will then ask for funds to carry forward this major work on the Feather River which is vitally necessary for flood control.

Let me now turn to consider additional flood control works. I will ask for 7.3 million dollars as the State's share of the Black Butte Project presently under construction on Stony Creek in Tehama County. I will also ask for 6.4 million dollars for the State's share of the New Hogan Reservoir on the Calaveras River. Since the 1958 Legislature appropriated 10 million dollars of this amount, only 3.7 million dollars in new money is involved.

These are multipurpose projects, which are urgently needed for flood control, but are not immediately required for water conservation in their local areas. The flood control benefits will be paid for by the United States. If the State will assure repayment to the United States for the conservation features, we can move forward with these construction projects. Since the State's entire financial obligation will be eventually repaid from the sale of water made available by these projects, I urge their approval now.

We must also bend our efforts to develop an economical means of obtaining fresh water from the ocean. Therefore, I request an appropriation of 1.6 million dollars for use in co-operation with the United States in the construction of a sea water conversion plant. This plant, which will probably be located in Southern California, will include a nuclear reactor as a source of energy.

Turning to federal matters, I intend to urge the Congress of the United States to take the following action:

Authorize construction of the Auburn, Buchanan and Hidden River dams and the Folsom Canals;

Appropriate approximately 60 million dollars for flood control construction and 70 million dollars for reclamation in the State next year; and

Take the necessary steps to insure that water can be delivered in the Sacramento Valley canals area.

Further, I will urge the Federal Government to construct the power features of the Trinity Division and distribute the power in accordance with existing federal law. The State itself will purchase a large volume of Trinity power to operate the pumps for its water projects. I am firmly opposed to the suggested partnership arrangement. Such an arrangement would deny to the State the preference that public agencies are now granted by federal law.

I also intend to press for the enactment by Congress of the Engle-Kuchel Bill which would permit low-cost federal loans for irrigation features of projects which are primarily municipal and industrial in character.

In this broad statement I have emphasized the first and immediate steps that we must take. But in our *long-range* plans for water development, we must and we will give thought to the future facilities that will undoubtedly be needed as our State grows. These will include additional local projects, expansion of the aqueduct systems, new works in the delta, master drains for the Central Valley, and, at the proper time, importation of water from the Eel River system and other streams of the North Coastal area.

By all these recommendations, I have sought to bring the forward force of responsible liberalism to the specific problem of water. As I conclude, I would emphasize that our problem lies, not so much in the control and use of our rivers, as in ourselves. Let us resolve to prove that we are one State, one people, and that we can produce one good water program. Let us grow with the strength of unity, as we begin to fulfill our destiny of greatness.

### ADJOURNMENT OF JOINT CONVENTION

At 11.45 a.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

## IN ASSEMBLY

At 11.47 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 22, 1959

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

Assembly Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

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

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

**Assembly Bill No. 647**: By Mr. Lowrey (Departmental—Governor)—An act to amend Section 11200 of, and to add Article 9.9 (commencing at Section 11276) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Assembly Bill No. 648**: By Mr. Levering—An act to amend Section 8780 of the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 649**: By Messrs. Meyers, O'Connell, Marks, Busterud, Burton, and Gaffney—An act to add Chapter 4 (commencing at Section 30900) to Division 17 of the Streets and Highways Code, relating to the financing, construction, operation, and maintenance of a tube across San Francisco Bay for rapid transit facilities.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 650**: By Mrs. Davis—An act to amend Sections 151, 152, and 153 of the Water Code, relating to the California Water Commission.

Referred to Committee on Water.

**Assembly Bill No. 651**: By Messrs. Masterson, Bee, O'Connell, Waldie, Bruce F. Allen, and Burton (Departmental—Social Welfare)—An act to amend Section 4160 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 652**: By Messrs. MacBride and Z'berg—An act to amend Section 70141.5 of the Government Code, relating to court commissioner of superior courts.

Referred to Committee on Judiciary—Civil.

## ANNOUNCEMENT

Speaker Brown announced that the Daily File carries a tabulation showing the date after which Assembly bills may be heard in committee and acted upon by the House pursuant to Article IV, Section

2 (a) of the Constitution, as well as a listing of bills upon which the provisions of Article IV, Section 2(a) relative to the hearing of bills and action by the House have been invoked; and directed the attention of the members to page 74 of the Daily File for January 22, 1959.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. Winton announced a meeting of the Citizens Advisory Committee on Education on Friday, January 23d, and Saturday, January 24th, in Room 4202.

Mr. Backstrand announced a meeting of the Committee on Transportation and Commerce at 3 p.m. today in Room 2170.

Mr. Bruce F. Allen announced a meeting of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary in the State Building, Los Angeles, at 9.30 a.m. tomorrow, Friday, January 23d.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Sedgwick of Oroville to Roy A. Payne, Carl McNeil, adults, and the following pupils of the Pleasant Grove School: Gordon Colby, Terry Cuquet, Beverly Davis, Darlene Davis, Joyce Davis, George Davis, Marie Gillis, Audrey Kent, Joey Mellow, George Rosenberg, Nicki Shultz, Shelia Stone, Edward Walker, Dennis Young, and Madeline Morgan.

On request of Speaker Brown of Modesto to James Dean of Sacramento.

On request of Mr. Crown of Alameda to Mrs. Packer, Mrs. Snyder, Mr. Nalepka, teachers, and the following pupils of the Porter School: Leo Aragon, Gordon Brown, Stephen Buckley, James Buster, Ronald Carter, Robert Daniels, Robert Epperson, David Feldhammer, Karin Freeman, John Friedrich, Laurie Guerci, Sharon Imura, Jerry Jacobs, Janet Jones, Hilda Leefeldt, Margaret Marshall, David Martin, Consuelo Martinez, Bruce McKinstry, Raymond Ng, Wilma Patterson, Toni Pingree, Charlotte Polk, Donna Reed, Scott Riblett, Carol Savenko, Daniel Taylor, Johnny Walker, Stanley Armoskus, Mike Carey, Patricia Clark, Kim Clinton, Bernice Dennis, Edward Eisen, Harold Frederick, Loretta Gramma, Pat Harrinton, Ann Johnsen, Janet Loux, Linda MacKenzie, Gary Mockel, David Rasmussen, Toni Santos, Shirley Smith, Sandra Sorenson, Michael Stroud, Lynnda Theis, Bill Thompson, Lucille Van Sant, Joyce Brasmer, Sandra Perry, Frank Brewer, Alan Baitinger, Thomas Belcher, Kenneth Click, Claudette Colbert, Doretha Creighton, James Dodge, Michael Doggett, Jennifer Elderts, Joan Essex, Donald Frazeur, Nikki Freeman, JoAnne Hayame, Ruth Hixon, Herbert Klein, Patt Leefeldt, Thelma Martin, Frank Mazzi, Kathleen Nunes, Rollin Podwys, Jay Royce, Jonell Russell, Pat Sharp, David Sligh, David Takeda, Sally Wakelee, Lorie White, Patsy Wong, Sandra Robinson, and Stephen Roe.

On request of Mr. Winton of Merced to Kenneth Anderson of Los Banos.

On request of Speaker Brown of Modesto to Sam L. Collins, of Fullerton, former Speaker of the Assembly.

On request of Mr. McMillan of Los Angeles to Al and Ruth Waxman of Los Angeles.

On request of Mr. Williamson and Miss Donahoe of Bakersfield to Robert S. Hughett and Vincent Bittleston of Buttonwillow.

On request of Mr. Pattee of Salinas to Joseph Stave of Salinas.

On request of Speaker pro Tempore Bee of Hayward to Dr. Fred Harcleroad and Dr. Dale P. Wren of San Jose.

On request of Mr. Sedgwick of Oroville to Glenn Hildebrand and Doris Long, adults; and the following pupils of the Central Gaither Union School of Yuba City: George Carpenter, Ruby Dearduff, John Greathouse, Nancy Harris, John Magenheimer, David Odom, Arden Oji, Betty Rose, Doyle Trimble, Ronnie Trimble, Mary Ramirez, Terry Wallace, Phyllis Watkins, Kathleen Wilbanks, Rashokaur Chima, and Morishige Yuasa.

On request of Mr. Hegland of La Mesa to Mr. and Mrs. Jim Culver of La Mesa.

On request of Mr. Backstrand of Riverside to John Ganahl and Ralph Pfiffner of Corona, and Everett Grubb of Elsinore.

On request of Mr. Hanna of Garden Grove to Howard Crooke of Santa Ana.

On request of Miss Donahoe of Bakersfield, Messrs. Bee of Hayward, Garrigus of Reedley, and Porter of Compton to Ewald Turner of Pendleton, Oregon.

## ADJOURNMENT

At 11.57 a.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 11 a.m., Monday, January 26, 1959, out of respect to the memory of the late Ray R. Ingels of Potter Valley, former Member of the Assembly.

RALPH M. BROWN, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, January 26, 1959

The Assembly met at 11 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God, Creator of the Natural World,* Thou who dost send the rain on the just and on the unjust, give us the wisdom to use justly the bounties which come from Thy hand. Water and minerals, mountains and sunlight, coastline and favorable climate; these are among Thy gifts to the people of our State. May *all* the people come to share these blessings because sincere legislators, with varying convictions, help to make it possible Let glistening snowy peaks, the rumble of cascades, the roar of Yosemite, and the murmur of trickling mountain streams all remind us again that water is essential to life. Ours is the task of distribution and use; Thine is the wisdom to do it, O God. Guide us in this difficult matter, as in all other vital issues, we humbly pray, through Jesus Christ, our Lord.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

## READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. O'Connell, on motion of Mr. MacBride.

Mr. Lanterman, on motion of Mr. Shell.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Cunningham, on motion of Mr. Dills.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, January 23, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of Assembly*
*Assembly Chamber, Sacramento*

DEAR SIR: This is to advise you that as of this day we have deposited $4,100 63, to the credit of the Legislative Printing Fund, covering receipts from sales of legislative publications by our Documents Section for the period July 1, 1958 through December 31, 1958.

Very truly yours,

PAUL E. GALLAGHER, State Printer

The following communications were presented by the Chief Clerk from:

Vera J. Ellis of Los Angeles, relative to loyalty oaths. (Two communications). Referred to the Committee on Judiciary—Civil.

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Mrs. H. F. Cady of Huntington Park, relative to drivers' licenses and to race discrimination. Referred to the Committee on Transportation and Commerce.

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Katherine Miller of Claremont, relative to capital punishment. Referred to the Committee on Criminal Procedure.

## RESOLUTIONS

The following resolution was offered:

By Mr. Ralph M. Brown:

### House Resolution No. 55

Relative to the continuance of the Assembly Interim Committee on Governmental Efficiency and Economy

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Governmental Efficiency and Economy created by House Resolution No. 220 of the 1957 Regular Session is continued in existence until March 15th, 1959, for the purpose of reporting the results of its interim studies and investigations. The committee is authorized to submit its reports, including its final report, not later than March 15, 1959.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 653:** By Mr. Holmes—An act to amend Section 69599.5 of the Government Code, relating to superior courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 654:** By Mr. Holmes—An act to amend Section 74641 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 655:** By Mr Belotti (Departmental—Education) —An act to repeal Article 4 (comprising Section 2481) of Chapter 7 of Division 2 of, to repeal Sections 2891, 2892, 2893, 2894, 2895, 2897, 2898, 2899, and 2900 of, to amend Sections 2571 and 2921 of, and to add Section 2891 to, the Education Code; and to repeal Article 4 (comprising Section 1771) of Chapter 2 of Division 5, Part 1, of, to repeal Sections 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, and 2010 of, to amend Sections 1851 and 2021 of, and to add Section 2001 to, the Education Code as proposed by Senate Bill No. 2, relating to school district organization.

Referred to Committee on Education.

**Assembly Bill No. 656:** By Mr. Miller—An act to amend Section 81 of the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Agriculture.

**Assembly Concurrent Resolution No. 43:** By Messrs. Miller, Cusanovich, and Bane, and Senator Richard Richards, co-author—Relative to the Pacoima Memorial Lutheran Hospital

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Assembly Concurrent Resolution No. 43 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 43

**Assembly Concurrent Resolution No. 43**—Relative to the Pacoima Memorial Lutheran Hospital.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 22, 1959

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

Senate Concurrent Resolution No 6

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, January 20, 1959

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

Senate Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, January 20, 1959

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

Senate Concurrent Resolution No. 12

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 12**—Relative to approving the charter of the City of Needles, County of San Bernardino, State of California, ratified by the qualified electors of said city at a special election held therein on the third day of June, 1958.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 22, 1959

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

Senate Joint Resolution No. 1
Senate Joint Resolution No. 2
Senate Joint Resolution No. 3

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolutions were read:

**Senate Joint Resolution No. 1**—Relative to the National Conference on Air Pollution.

Referred to Committee on Rules.

**Senate Joint Resolution No. 2**—Relative to requesting Congress to enact legislation amending federal air pollution control law.

Referred to Committee on Rules.

**Senate Joint Resolution No. 3**—Relative to requesting Congress to authorize further appropriations for air pollution control.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 22, 1959

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

Senate Bill No. 139

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Backstrand was granted unanimous consent to hold a special meeting of the Committee on Transportation and Commerce in Room 2170, at 2 p.m. today.

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

The following bill was read the first time:

**Senate Bill No. 139**—An act to amend Sections 140 and 161 of, and to add Section 160.2 to, the Vehicle Code, and to amend Section 4606 of, and to add Sections 4014 and 4611 to, the Vehicle Code as proposed by Assembly Bill No. 5, and to add Section 10787 to the Revenue and Taxation Code, relating to vehicle registration, and declaring the urgency thereof to take effect immediately.

### Motion to Invoke Constitutional Provision

Mr. Backstrand moved that, pursuant to Article IV, Section 2(a), of the Constitution, Senate Bill No. 139 may be heard in the Committee on Transportation and Commerce this afternoon, at 2 p.m. in Room 2170, and acted upon by the Assembly before 30 calendar days have elapsed.

Senate Bill No. 139 referred to the Committee on Transportation and Commerce.

The question being on the motion by Mr. Backstrand.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—76

NOES—None

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONCURRENT RESOLUTION NO. 30

Mr. Coolidge was granted unanimous consent that Assembly Concurrent Resolution No. 30 be withdrawn from the Committee on Rules, and re-referred to the Committee on Natural Resources, Planning, and Public Works.

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

The following resolutions were offered.

**Assembly Concurrent Resolution No. 44**: By Mr. Belotti—Relative to public lands in South Humboldt Bay.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 45**: By Mr. Sumner—Relative to approving charter amendments to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of April, 1957.

Request for Unanimous Consent

Mr. Sumner was granted unanimous consent to take up Assembly Concurrent Resolution No 45 without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 45

**Assembly Concurrent Resolution No. 45**—Relative to approving charter amendments to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of April, 1957.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Zberg, and Mr Speaker—74.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 46**: By Mr Sumner—Relative to approving a charter amendment to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

Request for Unanimous Consent

Mr. Sumner was granted unanimous consent to take up Assembly Concurrent Resolution No. 46 without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 46

**Assembly Concurrent Resolution No. 46**—Relative to approving a charter amendment to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

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

The following resolution was offered.

**Assembly Concurrent Resolution No. 47:** By Messrs. Johnson and Rumford, and Senator Richards, Co-author—Relative to air pollution by motor vehicles.

### Request for Unanimous Consent

Mr Johnson asked for unanimous consent to take up Assembly Concurrent Resolution No. 47 without reference to committee, print, or file, and that the same be considered engrossed.

Mr. Charles H. Wilson withheld unanimous consent.

### Motion to Temporarily Suspend the Rules

Mr Johnson moved that the Rules be temporarily suspended for the purpose of taking up Assembly Concurrent Resolution No 47 without reference to committee, print, or file, and that the same be considered engrossed.

Mr Rumford seconded the motion.

Rules temporarily suspended by the following vote.

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Burton, Unruh, and Charles H Wilson—3.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 47

**Assembly Concurrent Resolution No. 47**—Relative to air pollution by motor vehicles.

Resolution read, and adopted.

Resolution ordered printed, and transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Belotti was granted unanimous consent to offer, and to take up a House resolution without reference to committee or file.

## RESOLUTIONS

The following resolution was offered:

By Mr. Belotti:

### House Resolution No. 56

Relative to congratulating Mr. Carl A. Britschgi upon the occasion of his birthday anniversary

WHEREAS, The Honorable Carl Britschgi
First opened his big, brown eyes
And saw the pale, dawning light of day
Under Menlo Park's fair skies; and

WHEREAS, Carl Britschgi whizzed right through
Grade and high school in Redwood City
Matriculating at Santa Clara U---
Young, handsome, ambitious and witty; and
WHEREAS, Carl Britschgi, with dimple and smile
Made a target for girls to adore,
Acquired Violet Schaller as his fair bride
In August of Thirty-four; and
WHERLAS, This union produced one son,
Young Brenton, now age twenty-two,
More closely binding this charming pair
With a happiness known by few; and
WHERFAS, Carl Britschgi, over the years
Has successfully, in this great State,
Engaged in farming with vigor and vim—
And dabbled in real estate; and
WHEREAS, Being Mayor of Redwood City
Took fourteen years of his zest---
He still has found time for the Lions, Elks, and
Native Sons of the Golden West; now, therefore, be it
*Resolved by the Assembly of the State of California,*
That each Member of the Assembly extends
Best wishes to Honorable Carl Britschgi
From his countless number of friends
With congratulations upon his birthday
On January twenty-fourth may he shine,
May his birthdays stretch along happily
'Til he reaches a hundred and nine; and be it further
*Resolved,* That the Chief Clerk of the Assembly
*Is hereby directed to transmit*
A suitably prepared copy of this resolution
To Carl Britschgi——and may he treasure it

Resolution read, and adopted unanimously.

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

The following resolutions were offered:

**Assembly Concurrent Resolution No. 48**: By Miss Donahoe and Mr. Williamson, and Senator Stiern, Co-author—Relative to the potato industry of Kern County and welcoming Mr. D. Leo Dolan, Canadian Consul General at Los Angeles.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 49**: By Mr. Miller—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 19**: By Messrs. Hawkins, Busterud, Burton, and Bane—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article XVIII thereof, relating to a convention for the revision of the Constitution.

Referred to Committee on Constitutional Amendments.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Dahl:

### House Resolution No. 57

Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting

*Resolved by the Assembly of the State of California,* That the Assembly Interim Committee on Revenue and Taxation created by House Resolution No. 238 of the

1957 Session is continued in existence until March 15, 1959, for the purpose of submitting its reports to Legislature. The committee is authorized to submit any report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and referred to the Committee on Rules.

By Mr. Luckel:

**House Resolution No. 58**

Relative to the continuance of the Assembly Interim Committee on Transportation and Commerce for the purpose of reporting the results of its interim study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Transportation and Commerce created by House Resolution No. 272 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim study. The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959

Resolution read, and referred to the Committee on Rules.

By Mr. Williamson and Miss Donahoe:

**House Resolution No. 59**

Relative to congratulating Mr. and Mrs Charles Wesley Crockett

WHEREAS, It has come to the attention of the Members of this Assembly that Mr. and Mrs. Charles Wesley Crockett of Bakersfield, California, will celebrate their Golden Wedding Anniversary on January 28, 1959; and

WHEREAS, Mr and Mrs. Crockett, who were married on January 28, 1909, in Kearney, Nebraska, have, throughout their wedded life, displayed a high degree of mutual love and devotion which has made their marriage an exceedingly happy one; and

WHEREAS, This union was blessed with a son, Charles Wesley Crockett, Jr., who in Florence, Italy, on October 3, 1944, gave his life in the defense of his Country; and

WHEREAS, This devoted couple have been residents of this State for many years and during that time have participated unselfishly in civic affairs; and

WHEREAS, Mrs. Crockett is the daughter of S. J. Johnson, one of the founders of Minden, Nebraska, and is the sister of the Honorable Seth J Johnson, the very able Representative from the Fifty-sixth District; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California take this occasion to congratulate Mr. and Mrs. Crockett on their Fiftieth Wedding Anniversary and to wish them happiness and good health for many years to come; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Mr. and Mrs. Crockett and to their grandsons Charles Richard Crockett and David Wesley Crockett.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 657:** By Mr. Conrad—An act to amend Section 71140.1 of the Government Code, relating to attaches of municipal courts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 658:** By Messrs. Hegland, Schrade, Luckel, and Crawford—An act to add Article 10 (commencing at Section 53910) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to local taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 659:** By Messrs. Hegland, Schrade, Luckel, and Crawford (Departmental—Education)—An act to amend Section 2493

of the Education Code, and amend Section 1783 of the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 660:** By Messrs. Hegland, Schrade, Luckel, and Crawford—An act to amend Sections 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463 and 6500 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 661:** By Messrs. Hegland, Schrade, Luckel, and Crawford—An act to amend Sections 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463, 6500, 6504, and 6508 of, and to add Sections 5027, 5028, 6403.1, 6443.1, 6443.2 and 6443.3 to, the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 662:** By Mr. Chapel—An act to add Section 1825.1 to the Education Code, and Section 940.1 to the Education Code as proposed by Senate Bill No. 2, relating to school district elections.

Referred to Committee on Education.

**Assembly Bill No. 663:** By Mr. Chapel—An act to amend Section 5101 of the Streets and Highways Code and Section 50550 of the Government Code, relating to the installation and sale of electric transmission and communications facilities.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 664:** By Mr. Hanna—An act to amend Section 677.5 of the Vehicle Code, and to amend Section 27300 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to safety belts.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 665:** By Mr. Winton—An act to amend Section 2285 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

**Assembly Bill No. 666:** By Messrs. Hawkins, Busterud, Burton, and Bane—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 667:** By Mr. Dahl—An act to add Sections 10109, 10110, and 10111 to the Streets and Highways Code, relating to domestic water supply improvements under the Municipal Improvement Act of 1913.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 668**: By Messrs. Grant, Munnell, and Kennick—An act to amend Section 32009 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 669**: By Messrs. Grant, Munnell, and Kennick—An act to add Section 32005.5 to the Health and Safety Code, relating to hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 670**: By Miss Donahoe and Mr. Williamson, and Senator Stiern, co-author—(Departmental—Corrections)—An act to add Article 7 (commencing at Section 2048) to Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 5003 of said code, relating to the establishment and functions of the California Correctional Institution at Tehachapi.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 671**: By Miss Donahoe—An act to add Sections 167 and 168 to the Welfare and Institutions Code, relating to the academic education of patients in state hospitals

Referred to Committee on Social Welfare.

**Assembly Bill No. 672**: By Messrs. Dahl, Bee, Petris, Mulford, and Rumford—An act to amend Section 13241 of the Public Utilities Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

## ANNOUNCEMENTS

Mr. Johnson announced that both he and Speaker Brown had become grandfathers over the weekend; that on Friday night, January 23d, a baby boy, the grandson of Speaker and Mrs. Ralph M. Brown, was born to Mr. and Mrs. Frank Pierson of Modesto; and that on Sunday, January 25th, Julianne Marie Johnson, the granddaughter of Assemblyman and Mrs. Seth J. Johnson, was born to Mr. and Mrs. Robert S. Johnson of La Crescenta.

The Members of the Assembly then extended their congratulations to Speaker Brown and Mr. Johnson; and to Mrs. Seth J. Johnson, who was introduced to the members.

### Speaker pro Tempore Presiding

At 11.45 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

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

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

**Assembly Bill No. 673**: By Mr. Charles H. Wilson—An act to amend Section 301 of the Public Utilities Code, relating to the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 674:** By Mr Charles H. Wilson—An act to add Section 2014 to the Business and Professions Code, relating to chiropody.

Referred to Committee on Public Health.

**Assembly Bill No. 675:** By Mr Charles H Wilson—An act to add Section 41211 to the Health and Safety Code, relating to garbage disposal districts

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 676:** By Mr. Ernest R Geddes—An act to add Section 1711 to the Streets and Highways Code, relating to agreements between cities and counties for street construction, repair or maintenance

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 677:** By Mr. George E Brown—An act to amend Section 7109 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 678:** By Mr. Z'berg (Departmental—Education) —An act to amend Section 8953 of the Education Code, and to amend Section 5753 of the Education Code as proposed by Senate Bill No. 2, relating to summer school classes conducted by elementary school districts.

Referred to Committee on Education.

**Assembly Bill No. 679:** By Mr. Burke—An act to amend Section 603 of the Vehicle Code and Section 21113 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to courthouse parking

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 680:** By Mr Dills—An act to amend Section 226 of the Labor Code, relating to wage deduction statements.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 681:** By Mr. Dills—An act to amend Section 226 of the Labor Code, relating to wage deduction statements.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 682:** By Messrs. Busterud, Marks, Biddick, Thelen, Bruce F Allen, MacBride, Masterson, and Sumner—An act to amend Sections 58241, 61128, 61230, and 61823 of the Government Code, Sections 3533, 4659, 5418, and 8127 of the Streets and Highways Code, Sections 1808, 2285, 2341, 2832, 14750, 14815, 14825, 14827, 32004.6, 32004.8 and 33573 of the Health and Safety Code, and Sections 9304, 9313, 9316, and 9713 of the Public Resources Code, relating to recordation of instruments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 683**: By Mr. House—An act to add Section 1744.1 to the Code of Civil Procedure, relating to children's courts of conciliation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 684**: By Mr. McCollister—An act to amend Section 73781 of, to repeal Section 73782 of, and to add Section 73782 to, the Government Code, relating to reporters of the Municipal Court of the Central Judicial District of Marin County

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 685**: By Mr. McCollister—An act to add Section 74705 to the Government Code, relating to reporters of the Santa Rosa Municipal Court

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 686**: By Messrs. Masterson and Waldie—An act to add Sections 16906 and 17050.5 to the Business and Professions Code, relating to trading stamps

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 687**: By Messrs. Masterson and Waldie—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to trading stamps

Referred to Committee on Governmental Efficiency and Economy

**Assembly Bill No. 688**: By Messrs. Masterson and Waldie—An act to add Sections 32008 and 32009 to the Revenue and Taxation Code, relating to alcoholic beverage taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 689**: By Messrs. Masterson, Waldie, and Burton—An act to add Article 4 (commencing with Section 570) to Chapter 6 of Division 1 of the Insurance Code, relating to actions against insurers

Referred to Committee on Judiciary—Civil.

## APPOINTMENT OF MEMBER TO JOINT LEGISLATIVE BUDGET COMMITTEE

Speaker pro Tempore Bee announced that Speaker Brown has appointed Mr. MacBride to the Joint Legislative Budget Committee, vice Mr. Coolidge, resigned.

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

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

**Assembly Bill No. 690**: By Mr. Masterson—An act to amend Section 6731 of, and to add Section 6735.5 to, the Business and Professions Code, relating to the practice of engineering

Referred to Committee on Governmental Efficiency and Economy

**Assembly Bill No. 691:** By Mr. Masterson—An act to amend Section 11567 of, and to add Sections 11594 and 11618 to, the Business and Professions Code, relating to subdivision maps

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 692:** By Mr. Masterson—An act to add Section 6788 to the Business and Professions Code, relating to the practice of engineering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 693:** By Messrs. Marks, Busterud, Gaffney, Meyers, Bruce F. Allen, Britschgi, Burton, and Francis—An act to amend Section 1060 of the Government Code, relating to residence and offices of state officers.

Referred to Committee on Government Organization.

**Assembly Bill No. 694:** By Messrs. Rumford, Mulford, Dahl, Bee, Cameron, Crawford, Dills, Grant, Hanna, Hegland, Johnson, Luckel, and Schrade—An act to add Section 2327 to the Business and Professions Code, relating to the practice of medicine, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health

Speaker Presiding

At 11 54 a m , Hon. Ralph M Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 695:** By Mr. Biddick—An act to amend the title of Article 3 (commencing at Section 14893) of Chapter 3 of Part 5, Division 12 of, to amend Section 14906 of, to add Section 14895 to, and to repeal Section 14897 of the Health and Safety Code, relating to the abatement of hazardous weeds.

Referred to Committee on Agriculture.

**Assembly Bill No. 696:** By Mr. Elliott—An act to add Section 6703.5 to the Government Code, relating to state holidays.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 697:** By Mr. Elliott—An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment compensation benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 698:** By Mr. MacBride—An act to amend Section 20930.5 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 699:** By Messrs. MacBride, Z'berg, Meyers, and Samuel R. Geddes—An act to amend Sections 20100, 20100.1 and 20101 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the board of administration.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 700**: By Messrs. MacBride, Bruce F. Allen, Masterson, Miller, Burton, Crawford, Hegland, Lunardi, Schrade, Sumner, Thelin, Unruh, and Williamson—An act to add Sections 20710, 20852, and 20894 to the Business and Professions Code, relating to petroleum products.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 24**—Relative to the School of Education of the University of Southern California;

**Assembly Concurrent Resolution No. 34**—Relative to commending Walter Kane of Bakersfield, and congratulating him on being named "Man of the Year in Traffic Safety";

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-second day of January, 1959, at 2 p.m.

BURKE, Chairman

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, January 22, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 5

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## ANNOUNCEMENTS

Speaker Brown announced the birth, on Sunday morning, January 25th, of Sally Ann Murphy, the daughter of Mr. and Mrs. Patrick R. Murphy of Sacramento; whereupon the Members of the Assembly extended their congratulations to Mr. Murphy, Chief Assistant Clerk of the Assembly.

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Speaker Brown announced a meeting of the chairmen and vice chairmen of all standing committees at 9 a.m. tomorrow, January 27th.

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Speaker Brown announced that, starting tomorrow, the old policy relative to printing the names of guests in the Assembly Journal without formally introducing them to the Assembly would be followed, and that the only exceptions to this rule would be the introduction of distinguished guests and classes of students in the Assembly Balcony.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Bee of Hayward to Mrs. Charles W. Babers, Mrs. Arthur H. Bye, Mrs. Jack A. Wigholm, adults; and the following members of Troop 245 South East Bay Girl Scouts Council, Redund and Proctor Schools: Cecelia Andrews, Louise Albritton, Maureen Babers, Judy Louise Bye, Julia Botelho, Cynthia Ellison, Alline Huntsman, Carolyn Junkins, Gay Ellen Molina, Pamela Nunes, Betty Wigholm, and Christine Wigholm.

On request of Mr. Thomas of San Pedro to James Conway of San Pedro.

On request of Mr Bee of Hayward to Mrs. Claude White, leader; Mrs. James Crosby, co-leader; and Mrs. A. J. Avilla; and the following members of Girl Scout Troop 364, South East Bay Girl Scout Council, Castro Valley School: Kathleen Avilla, Alice Callaway, Jane Crosby, Sharyn Giliberti, Jane Johnson, Dyann Martin, Jimi Gay McIntyre, Sandra Salgardo, Linda Slagh, Marlene Taddei, Susan Warren, Claudia White, Deborah Wolbach, and Douglas White.

On request of Mr. Sedgwick of Oroville to the following pupils of the Durham Elementary School: Garth Allen, Vicki Bailey, Charletta Barron, Trillis Birdseye, Sharilyn Bjerke, Judy Brandt, Lois Briggs, Cheryl Brun, Joan Burnett, Linda Chesson, Janice Conn, Karen Cook, Florence Cooley, Betty Cox, Doris Davis, Thomas Dowd, Patsy Evans, Sharon Evans, Richard Hiatt, Laurie Hinshaw, Sandra Hull, Winn Humphrey, Ernest Jensen, Jennie Johnston, Karen Kendall, Wallace King, Mary Lara, Larry Lee, Connie Luallen, William Lucas, Arturo Lucero, Myrna McIntosh, Ricky Montgomery, Pat Orr, Loren Plumb, Diana Pyle, Patricia Ryon, Allen Sellars, Barbara Simmons, Jack Summers, Jimmie Summers, Linda Summers, Arlie Susmilch, Paula Taylor, Jackie Tracy, Lee Walker, Ricky Wilson, Terry Wilson, and Wayne Wittmeier.

On request of Mr. Hanna of Garden Grove to William W. Thomson of Santa Ana.

On request of Mr. Z'berg of Sacramento to Florence Mooradian and Mrs. Townley, adults; and the following pupils of the Joseph Bonnheim School, Sacramento: John Acosta, Gregg Anderson, Darrell Bennett, Danny Christensen, Dennis Galvin, Fred Gines, Alan Hawkins, Patrick McLaughlin, John O'Brien, Daryl Oie, Gene Paul, Dale Plumb, Billy Reynolds, Steven Schaindt, Joanna Butler, Sue Crutchfield, Debra Fike, Jackie LoBue, Geraldine Lovato, Carolyn Meiss, Debbie Nordgreen, Paula Oliver, Paula Pabst, Linda Snider, Mary Thibodeaux, Patty Townley, Lloydene Willden, Verna Wilson, and Jacqueline Wade.

On request of Mr Crown of Alameda to John Stevens and Bernice Wilson, teachers; and the following pupils of the Bancroft School: Peter Davis, Mike Green, Carol Muller, Pam Rosewell, Marti Stuerhoff, Jack Ullom, Sharon Dunlap, Bill Andres, Caroline Harrison, Glen Horsley, Judy Skoonberg, Steve Stein, Kathleen Kennedy, Kathy Howard, Sue Gilbert, Gary Smith, Carolyn Cates, Janet Ferrari, Nancy Medland, Vicki Shulz, Lynne Gaskins, Carolme Kuhl, Edyth Hamlin, Karla Nolan, Tim Cannis, Ron Zimmerman, Bill Castro, Ron Christensen, Louis Maher, Craig Miller, Linda Oudekirk, Sue Dent, Judi Balch, Tom McCarthy, and Bill Wakeman.

On request of Mr. Johnson of Los Angeles to Mrs. Grace Farnell of Los Angeles.

On request of Mr. Reagan of Pasadena and Mr. Lanterman of La Canada to Mr. and Mrs. Kenneth Stever of Altadena.

On request of Mr. Lunardi of Roseville to Theodore E. Zeller and Dave Archer, adults; and the following pupils of the Placer Hills Union Elementary School of Meadow Vista: Donna Andreozzi, Patsy

Ball, Bob Blair, Marlene Bruce, Rosalie Casalli, Star Cattel, Lita Chavez, Winona Clay, Dickie Davis, Howard Davis, Loretta Duncan, Pat Enzler, Gene Fakhouri, Guy Fleming, Mike Florence, Dinah Fowler, Kenneth Hamilton, Barry Hawthorne, Ralph Hirz, Georgia Hitchcock, Marion Holt, Clyde Howe, Ronald Hurst, Karen Jackson, Arlene Johnson, Nan Kreeger, Bill Lansing, Connie Lay, Rex Lewis, Bob Lienau, Pat Locks, Kathy Lodico, Bruce Lombardi, Donna Maize, George McCall, Mike Meador, Valerie Merle, Barbara Merryman, Paulette Norton, Tommy Nortz, Gary Olmstead, Billy Palmer, Larry Polly, Marlene Rodgers, Eddie Root, Sam Scott, Lee Smith, Susan Stengl, Douglas Stevens, Retha Stokes, Helen Strehlow, Doris Thompson, Fred Thumann, Richard Tomlinson, Kathy Vandegrifth, Carol Walker, Robert Wallington, Donna Williams, and Pete Zander.

On request of Mr Chapel of Palos Verdes Estates to Mary Wallenberg and Nina Volkert of Los Angeles

On request of Mr Johnson of Los Angeles to Carmen Warschaw, Low Warschaw, and Miss Susan Warschaw, of Los Angeles.

On request of Mr. Coolidge of Felton to Lewis Nelson and Pat Creegan of Santa Cruz.

On request of Mr Belotti of Eureka to John Stokes, son, John Stokes, III; and Robroy Nielsen, all of Arcata.

On request of Mr. Munnell of Montebello to Mr. and Mrs. Morris L. Shucart of Los Angeles

On request of Mr. Waldie of Antioch to Charles Rothrock of Sacramento

On request of Mr Kilpatrick of Lynwood to J B. Dennis of Glendale.

On request of Mr. Francis of San Mateo to Bob St Clair of Daly City.

On request of Mr. Mulford of Berkeley to Mrs. Herbert Baker, Mrs. Karl Baldwin, Mrs. Ernest Kester, Mrs. Daniel Riedel, adults; and the following members of the Brownie Troop 178, Cragmont School: Ruth Baker, Karen Baldwin, Susan Brubaker, Anne Cattaneo, Jennifer Danton, Lynn Eudey, Nancy Kester, Janet McEwen, Cindy Pace, and Elizabeth Riedel

## ADJOURNMENT

At 11 57 a m, on motion of Mr Winton, the Speaker declared the Assembly adjourned until 10 a m, Tuesday, January 27, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, January 27, 1959

The Assembly met at 10 a m
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God of Wisdom and Love,* Enable us to to transmit to coming generations such knowledge and wisdom from the past that those who come after us will be able to build a still better world. Give to lawmakers, administrators, school boards, and parents such sound judgment and solid support that teachers, touching creatively the lives of children and youth, may work with confidence and a sense of security. Grant to us such faith in Thee, O God, that through research and experiment we may explore the secrets of Thy universe, never fearing nor dreading what we may find Deliver all who work in public education from the pressure of outside groups and selfish interests, through Jesus Christ our Lord.—AMEN

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lanterman, on motion of Mr. Shell.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Cunningham, on motion of Mr. Crown.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, read, and ordered printed in the Journal:

*Mr. Arthur A. Ohnimus, Chief Clerk*
*State Assembly, State Capitol*
*Sacramento, Calif., U. S. A.*

DEAR ARTHUR: Think of you folks a lot and hope to visit all of you—have had a grand time in Tokyo, and other places. Sail from Yokohama today and home February first.

My best to all hands and warmest regards to you and yours from us

J. B. COOKE

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The following communications were presented by the Chief Clerk from:

W. Robinson and family of Inyokern, relative to capital punishment. Referred to the Committee on Criminal Procedure.

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Pearl L. Robertson of Gardena, relative to medical aid. Referred to the Committee on Social Welfare.

## RESOLUTIONS

The following resolutions were offered:

By Mr McMillan:

### House Resolution No. 60

Relative to the continuance of the Assembly Interim Committee on Industrial Relations for the purpose of reporting the results of its interim investigation and study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Industrial Relations created by House Resolution No 221 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its inetrim investigation and study. The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and referred to the Committee on Rules.

By Messrs. Cusanovich, Bane, Conrad, and Miller:

### House Resolution No. 61

Relative to commemorating the Twentieth Anniversary of St Nicholas Church in Encino, California

WHEREAS, It has come to the attention of the Assembly that this month, January, 1959, marks the Twentieth Anniversary of the St. Nicholas Church of Encino, California; and

WHEREAS, The church had a humble beginning, in that the first church service of the parish was held in a renovated barn on the estate of Edward Everett Horton, and at that service Rev Harley Wright Smith pointed out that Christ himself had a similar birth, having been born in a manger, and

WHEREAS, Named after the Patron Saint of children, St. Nicholas, the church has continually devoted its services to the youth of the community and, also in line therewith, Reverend Smith has constantly been a champion of youth; and

WHEREAS, St. Nicholas Church of Encino has been extremely successful since its inception, never having been in debt, and this exemplary achievement is directly attributable to the outstanding and never-failing support given it by the citizens of Encino and the San Fernando Valley, as evidenced by the donation of its present location by the late Dr O C. Welbourne; and

WHEREAS, The membership has grown from a handful to one of over 600 families, which includes many leading personalities of radio, screen, and television; and

WHEREAS, Today the reverend of the church is the same one that presided at the initial exercises on January 8, 1939, Rev. Harley Wright Smith, who performed honorably as a Chaplain in the United States Army in World War I, was Rector of St. Andrews in Stamford, Connecticut, prior to his coming to California, and who is noted in many publications of famous people, as "Who's Who in the West," "Who's Who on the Pacific Coast," and numerous others; and

WHEREAS, The notable record of devotion and service of the St Nicholas Church of Encino is one that may be held high for all to see, admire, and use as a model of Christianity; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly take great pleasure in extending their heartiest felicitations to the membership of St. Nicholas Church of Encino on the commemoration of its Twentieth Anniversary and in commending its leader, Rev. Harley Wright Smith, on his outstanding devotion to God, and to the people and youth of the community, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Chairman of the Vestry of St Nicholas Church of Encino, California, and to Rev. Harley Wright Smith.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Constitutional Amendment No. 20**: By Mr. Pattee—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (b) of Section 2 of Article IV thereof, relating to compensation of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 701**: By Mr. Pattee—An act to repeal Section 4334 of, and to add Chapter 1 5 (commencing at Section 4050) to Division 5 of Title 1 and Section 4334 to, the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 702**: By Mr. Pattee—An act to amend Section 4104 of, to repeal Section 4105 of, and to add Section 4105 to, the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 703**: By Mr. Pattee—An act to add Section 856 to the Fish and Game Code and to amend Section 817 of the Penal Code, relating to members of the Wildlife Protection Branch of the Department of Fish and Game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 704**: By Messrs. Hegland and Schrade—An act to add Section 6357.4 to the Education Code, and to add Section

20801.5 to the Education Code as proposed by Senate Bill No. 2, relating to school district maximum tax rates.

Referred to Committee on Education.

**Assembly Bill No. 705:** By Messrs. Garrigus and Frew—An act to amend Sections 9080.3 and 9084.5, and to repeal Section 9087, of the Insurance Code, relating to fraternal fire insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 706:** By Mrs. Davis—An act to add Part 7 (commencing at Section 12900) to Division 6 of the Water Code, relating to the planning, construction, and operation of water development projects for cities, counties, and districts throughout the State.

Referred to Committee on Water.

**Assembly Bill No. 707:** By Mr. Backstrand (Departmental—Public Works)—An act to amend Sections 27 and 29 of the Streets and Highways Code, relating to maintenance and construction of highway facilities.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 708:** By Messrs. George E. Brown, Cameron, Elliott, and DeLotto—An act to add Chapter 8 (commencing at Section 25701) to Division 20 of the Health and Safety Code, relating to the manufacture and sale of toys.

Referred to Committee on Criminal Procedure.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 2

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, January 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 18
House Resolution No. 19
House Resolution No. 26
House Resolution No. 28
House Resolution No. 31
House Resolution No. 32
House Resolution No. 33
House Resolution No. 34
House Resolution No. 39
House Resolution No. 42
House Resolution No. 52
House Resolution No. 53
House Resolution No. 54

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, January 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Senate Bill No. 130

With the recommendation. Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, January 26, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 4

With the recommendation: Be adopted

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 27, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 2
Assembly Joint Resolution No. 4

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 26, 1959

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

Assembly Concurrent Resolution No. 10 Assembly Concurrent Resolution No. 16
Assembly Concurrent Resolution No. 12 Assembly Concurrent Resolution No. 41

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled

SENATE CHAMBER, January 26, 1959

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

Senate Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read

**Senate Joint Resolution No. 4**—Relative to the conversion of sea water.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr Backstrand was granted unanimous consent that the Rules be temporarily suspended for the purpose of reading Senate Bill No. 139 the second time, at this time.

## SECOND READING OF SENATE BILL NO. 139 BY UNANIMOUS CONSENT

**Senate Bill No. 139**—An act to amend Sections 140 and 161 of, and to add Section 160.2 to, the Vehicle Code, and to amend Section 4606 of, and to add Sections 4014 and 4611 to, the Vehicle Code as proposed by Assembly Bill No. 5, and to add Section 10787 to the Revenue and Taxation Code, relating to vehicle registration, and declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

## RESOLUTIONS

The following resolution was offered

By Mr Winton:

**House Resolution No. 62**

Relative to printing copies of the Report of the Assembly Interim Committee on Government Organization

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Government Organization is authorized to have printed 1,000 additional copies of its report of December 31, 1958, entitled "Recommendations for Obtaining Economy and Efficiency in California State Government"

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 709:** By Mr McMillan—An act to repeal Chapter 7 (commencing with Section 1115) of Part 3, Division 2, of the Labor Code, relating to jurisdictional strikes.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 710:** By Mr. McMillan—An act to amend Section 1012 of the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 711:** By Mr. McMillan—An act to repeal Chapter 8 (commencing with Section 1131) of Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 712:** By Messrs. MacBride, Samuel L. Geddes, and Z'berg—An act to amend Section 3800 of the Labor Code, relating to construction permits.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 713:** By Messrs Porter, Munnell, Hanna, George A. Willson, George E Brown, Elliott, Grant, Kennick, and Kilpatrick—An act to add Section 19622.8 to the Business and Professions Code, relating to the Forty-eighth District Agricultural Association.

Referred to Committee on Agriculture.

**Assembly Bill No. 714:** By Messrs Britschgi and Winton—An act to add Section 30.2 to, and to amend Section 1300.10 of, the Agricultural Code, relating to the floriculture and nursery products industries, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

**Assembly Bill No. 715:** By Mr. Winton—An act to add Section 7194 to the Education Code, and add Section 17556 to the Education Code as proposed by Senate Bill No. 2, relating to apportionments for schools from the State School Fund.

Referred to Committee on Education.

**Assembly Bill No. 716**: By Mr. Sumner—An act to add Section 22506 to the Water Code, relating to leases of irrigation district property.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 717**: By Messrs Unruh, Sumner, Don A Allen, Mrs. Davis, Messrs. Biddick, Busterud, Hanna, and Meyers—An act to amend Sections 13006, 13100, and 13101 of, and to add Sections 13006.1 and 13006.2 to, the Government Code, relating to the acquisition of state property.

Referred to Committee on Government Organization.

**Assembly Bill No. 718**: By Mr. Miller—An act to amend Sections 9107, 9108, 9109, 9134 and 10246, and to repeal Sections 9131, 9132 and 9133 of the Government Code, relating to legislative organization.

Referred to Committee on Rules.

**Assembly Bill No. 719**: By Messrs Miller and Bradley—An act to add Section 744.1 to the Vehicle Code, relating to the reporting of traffic violations committed by minors

Referred to Committee on Transportation and Commerce.

**Assembly Concurrent Resolution No. 50**: By Mr. Miller—Relative to an amendment of the Joint Rules of the Senate and Assembly to provide for the creation of a Joint Committee on Legislative Organization.

Referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 5**—An act to repeal and re-enact the Vehicle Code and to add Chapter 6.5 (commencing at Section 3067) to Title 14, Part 4, Division 3 of the Civil Code and to amend Section 11004.5 of the Revenue and Taxation Code, relating to vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately".

### Amendment No. 2

On page 280, strike out lines 27 to 38, inclusive

Bill ordered reprinted, and engrossed.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 5**—Relative to requesting Congress to enact legislation amending federal air pollution control law.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 6**—Relative to the National Conference on Air Pollution.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75

NOES—None.

Resolution ordered transmitted to the Senate.

#### Speaker pro Tempore Presiding

At 10:37 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 2 was taken up.

**Senate Bill No. 2**—An act to recodify the Education Code, by repealing and re-enacting said code, relating to the establishment, maintenance, government and operation of schools, libraries and institutions of learning, arts and sciences.

Bill read second time.

#### Motion for Committee of the Whole

Mr. Hegland moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 2.

Motion carried

## IN COMMITTEE OF THE WHOLE

Speaker pro Tempore Carlos Bee presiding.

Senate Bill No. 2 considered.

On motion of Mr. Hegland, seconded by Mr. Elliott, the committee did arise, and report back to the Assembly.

## IN ASSEMBLY

Speaker pro Tempore Carlos Bee presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, January 27, 1959

GENTLEMEN: Your Committee of the Whole has considered Senate Bill No. 2, and reports the bill back with the recommendation: Do pass.

BEE, Chairman

Senate Bill No. 2 ordered to third reading.

### CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 188 was taken up.

**Assembly Bill No. 188**—An act to repeal Sections 31, 32, 33, and 34 and Chapters 5 and 8, Part 2, Division 1 of the Insurance Code, to add Chapters 5 (commencing at Section 1621), and 8 (commencing at Section 1831), to Part 2, Division 1 of said code, and to amend Sections 383.5, 766, 773, 783, 1760.5, 1765, 1776, 1813, 1821, 10252, 11101, 11102, 11103, 12280.2, 12281, and 12977 of said code, relating to the licensing of insurance producers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion for Committee of the Whole

Mr. Pattee moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 188.

Motion carried.

## IN COMMITTEE OF THE WHOLE

Speaker pro Tempore Carlos Bee presiding.
Assembly Bill No. 188 considered.

On motion of Mr. Pattee, the committee did arise, and report back to the Assembly.

## IN ASSEMBLY

Speaker pro Tempore Carlos Bee presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, January 27, 1959

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No. 188, and reports the same back with the recommendation: Do pass.

BEE, Chairman

#### Request for Unanimous Consent

Mr. Pattee was granted unanimous consent to take up Assembly Bill No. 188 without reference to file or engrossment.

## CONSIDERATION OF ASSEMBLY BILL NO. 188

### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Pattee:

*Resolved*, That Assembly Bill No. 188 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read, and adopted by the following vote

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None.

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

**Assembly Bill No. 188**—An act to repeal Sections 31, 32, 33, and 34 and Chapters 5 and 8, Part 2, Division 1 of the Insurance Code, to add Chapters 5 (commencing at Section 1621), and 8 (commencing at Section 1831), to Part 2, Division 1 of said code, and to amend Sections 383.5, 766, 773, 783, 1760.5, 1765, 1776, 1813, 1821, 10252, 11101, 11102, 11103, 12280.2, 12281, and 12977 of said code, relating to the licensing of insurance producers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R. Geddes was granted unanimous consent to take up Senate Bill No. 2 without reference to file.

### CONSIDERATION OF SENATE BILL NO. 2

#### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Ernest R Geddes:

*Resolved*, That Senate Bill No. 2 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—77

NOES—None.

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

**Senate Bill No. 2**—An act to recodify the Education Code, by repealing and re-enacting said code, relating to the establishment, maintenance, government and operation of schools, libraries and institutions of learning, arts and sciences.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.

NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT

Mr. Hegland announced that the index to Senate Bill No. 2 is being prepared, but is not yet ready for printing; and advised the members that the Senate preprint of Senate Bill No. 2 carries a cross-reference table which shows the disposition of the various sections of the Education Code.

### PARLIAMENTARY INQUIRY

Mr. Winton arose to the following parliamentary inquiry: Was the last vote on the urgency clause or on the passage of Senate Bill No. 2?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the vote was on the passage of the bill, since it did not carry an urgency clause.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 12 FROM COMMITTEE

Mr. Beaver was granted unanimous consent that Senate Concurrent Resolution No. 12 be withdrawn from the Committee on Rules for consideration, at this time.

#### Request for Unanimous Consent

Mr. Beaver was granted unanimous consent to take up Senate Concurrent Resolution No. 12 without reference to committee or file.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12

**Senate Concurrent Resolution No. 12**—Relative to approving the charter of the City of Needles, County of San Bernardino, State of California, ratified by the qualified electors of said city at a special election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77

NOES—None.

Resolution ordered transmitted to the Senate.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Miss Donahoe moved that, pursuant to Article IV, Section 2(a) of the Constitution, Assembly Bill No. 563 may be heard in committee before 30 calendar days have elapsed, and that the bill be heard in the Committee on Education at 1:30 p.m. on Thursday, January 29th, in Room 2170.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—None.

### ANNOUNCEMENT

Mr. MacBride announced that the cans of tomato juice placed in the offices of the members were presented through the courtesy of Sacramento Chamber of Commerce, and were a product of Sacramento County's agricultural and industrial enterprise.

## PARLIAMENTARY INQUIRY

Mr. Burton arose to the following parliamentary inquiry: Would it be proper to request permission to take up a House resolution at this time?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the resolution could be introduced at this time if the House agreed

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent to offer a House resolution, at this time.

## RESOLUTIONS

The following resolutions were offered.

By Messrs. Burton, Marks, Busterud, Gaffney, O'Connell, Meyers, Z'berg, MacBride, George E Brown, Rumford, Miss Donahoe, Messrs. Williamson, Chapel, and Biddick:

### House Resolution No. 63

Relative to the Chinese New Year

WHEREAS, The Members of the Legislature of the State of California take great pleasure in hereby extending to their fellow Californians of Chinese ancestry heartiest congratulations and best wishes with regard to the coming celebration of the Chinese New Year; and

WHEREAS, The Chinese lunar calendar year 4657 will commence at midnight, Saturday, February 7th, and with the first day of the "Year of the Boar" on Sunday, February 8th; and

WHEREAS, It is the sincere wish of each and every Member of the California Legislature that the "Year of the Boar" will be a peaceful and prosperous one for all California residents of Chinese descent, a year blessed with happiness and joy for each of them; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature of the State of California do express to all Californians of Chinese ancestry congratulations and best wishes with regard to the coming public celebration of the Chinese New Year during the days of February 13th to 15th, inclusive, and be it further

*Resolved*, That the Chief Clerk be directed to transmit suitably prepared copies of this resolution to the Chinese Chamber of Commerce, the Chinese Six Companies the San Francisco and Los Angeles Lodges of the Chinese-American Citizens Alliance, the Cathay Post of the American Legion, and the Chinatown Post No 4618 of the Veterans of Foreign Wars.

### Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up House Resolution No. 63 without reference to committee or file.

Resolution read, and adopted.

By Mr. Mulford:

### House Resolution No. 64

Relative to the Eighty-fifth Anniversary of the First Congregational Church of Berkeley and twentieth year of Dr Vere V. Loper as Pastor of the Church

WHEREAS, Members of First Congregational Church of Berkeley gathered in Pilgrim Hall, Dana Street and Channing Way on the evening of January 21, 1959, to observe the founding of the church, 85 years ago, and

WHEREAS, Organized in 1874, with 23 charter members, the church had among those men and women the names which are familiar to every Berkeleyan today—Shattuck, Woolsey, Haste and Barker; and

WHEREAS, Three of the first 10 Presidents of the University of California were members of the parish; and

WHEREAS, Present at the gathering, as honored guests, were 29 members who had joined the church prior to 1905; and

WHEREAS, The minister of the church, Dr. Vere V. Loper, who came to the church from Denver, Colorado, in 1939 and is beginning his twentieth year, presided at the church gathering; and

WHEREAS, A feature of the evening program was a film showing the church at the time of its first use of the present building in 1927, and the early homes of the church, the early activities of church organizations, and views of worship services, and ministers in the pulpit, as well as slides of the present-day life and work of the church; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House takes pleasure in congratulating the First Congregational Church of Berkeley upon the occasion of its Eighty-fifth Anniversary and Dr Vere V Loper, beginning his twentieth year as Pastor of the Church; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to prepare and transmit a suitably prepared copy of this resolution to the First Congregational Church of Berkeley and to Dr. Vere V Loper.

Resolution read, and referred to the Committee on Rules.

By Mr. Rees:

**House Resolution No. 65**

Relative to the continuance of the Assembly Interim Committee on Conservation, Planning, and Public Works for the purpose of reporting the results of its interim investigation and study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Conservation, Planning, and Public Works created by House Resolution No 215 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim investigation and study The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 720:** By Mrs. Davis, Messrs. Sumner, Winton, Lowrey, Bruce F Allen, Britschgi, Crown, Cusanovich, DeLotto, Frew, Garrigus, Samuel R Geddes, Hawkins, Hegland, House, Lunardi, Porter, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—An act to amend Sections 504 5, 506, 506 6, 506 7, 5001, 5003, 5003.5, 5004, 5005, 5006, 5006.1, 5006 5, 5007, 5008, 5010, 5010 5, 5012, 5012.1, 5015, 5016, 5019 5, 5020, 5021, 5022, 5023, 5025.11, 5025.12, 5025.2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072 5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5013 5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050) of Chapter 1, Division 5 of, and to add Sections 5017 and 5018 to, the Public Resources Code, relating to beaches and parks.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Speaker Presiding**

At 11.20 a m, Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 721:** By Mr. Chapel—An act to amend Section 8695 of the Fish and Game Code, relating to gill nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 722:** By Messrs. Miller, Cusanovich, Bane, and Conrad—An act to add Section 69751 to the Government Code, relating to the sessions of the superior courts.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 723:** By Messrs. Levering, Luckel, Grant, Charles H. Wilson, Beaver, Biddick, Bradley, Busterud, Crawford, Dills, Gaffney, Hegland, Marks, McMillan, Meyers, Munnell, Schrade, Thomas, Unruh, and Winton—An act to amend Section 704 of the Vehicle Code, and to amend Section 35550 of the Vehicle Code as proposed by Assembly Bill No 5, relating to weight of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 724:** By Mr. Masterson—An act to amend Section 8727 of, and to add Section 8773 to, the Business and Professions Code, relating to land surveying.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 725:** By Mr. Masterson—An act to amend Section 8742 of, and to add Section 8745.5 to, the Business and Professions Code, relating to land surveying.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 726:** By Mr. Masterson—An act to add Section 8794 to the Business and Professions Code, relating to land surveying.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 727:** By Mr. Masterson—An act to amend Sections 8751 and 8765 of the Business and Professions Code, relating to land surveying.

Referred to Committee on Governmental Efficiency and Economy

**Assembly Bill No. 728:** By Messrs. Masterson, Elliott, Hawkins, and Sedgwick—An act to amend Section 5410 of the Labor Code, relating to workmen's compensation

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 729:** By Messrs. Masterson, Elliott, Hawkins, and Sedgwick—An act to amend Section 5406 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 730:** By Messrs. Bee and Pattee—An act to add Section 2015 to the Fish and Game Code, relating to possession of fish and Game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 731:** By Messrs. Crown, Petris, Masterson, and Hawkins—An act to repeal Section 4702 of the Labor Code, and to add Section 4702 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 732:** By Messrs. Crown, Petris, Masterson, Hawkins, and Waldie—An act to amend Section 4702 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 733**: By Messrs Crown, Burton, and Hawkins—An act to amend Section 3352 of the Labor Code and to repeal Sections 3358.5 and 5704 5 of the Labor Code, relating to workmen's compensation

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 734**: By Messrs. Crown, Burton, Hawkins, and Petris—An act to amend Section 3352 of the Labor Code, and to repeal Chapter 9 (commencing at Section 4250) of Division 4 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 735**: By Messrs Crown, Petris, Masterson, Hawkins, and Waldie—An act to amend Section 4650, and to repeal Section 4652, of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 736**: By Messrs Crown, Petris, Masterson, Hawkins, and Waldie—An act to amend Section 3207 of, and to add Section 4669 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 737**: By Messrs Crown, Masterson, Hawkins, Petris, and Waldie—An act to add Section 4664 to the Labor Code, relating to workmen's compensation

Referred to Committee on Finance and Insurance

**Assembly Bill No. 738**: By Messrs Hawkins, Masterson, Chapel, George E Brown, Burton, Crown, Elliott, and Waldie—An act to repeal Sections 979 and 980 and to amend Section 978 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 739**: By Messrs. Hawkins, Masterson, Chapel, George E. Brown, Burton, and Elliott—An act to repeal Sections 901, 902, 903, 904, 905, 906, 978, 979, 980, 981, 982, 983, 989, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1060, 1097 and 2603 and to amend Sections 1025, 1098, 1335, 1338, 1380 and 1958 of the Unemployment Insurance Code and to add Section 977 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 740**: By Messrs Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, Thomas, and Waldie—An act to amend Sections 4658 and 4659 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 741**: By Messrs Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, and Waldie—An act to amend Section 5814 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 742:** By Messrs. Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, Thomas, and Waldie—An act to repeal Section 1027 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 743:** By Messrs. Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, Thomas, and Waldie—An act to repeal Section 4656 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 744:** By Messrs. Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, Thomas, and Waldie—An act to amend Section 4656 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 745:** By Messrs. Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, Thomas, and Waldie—An act to amend Section 930 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 746:** By Messrs. Hawkins, Masterson, Chapel, George E. Brown, Burton, Crown, Elliott, Thomas, and Waldie—An act to amend Sections 930, 984, 985 and 1176 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 747:** By Mr. Samuel R. Geddes—An act to amend Sections 3047 and 3047.01 of the Welfare and Institutions Code, relating to aid to needy blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 748:** By Messrs. Nisbet, Winton, Garrigus, DeLotto, and Frew—An act to amend Section 801.5 of the Agricultural Code, relating to sale of grapes.

Referred to Committee on Agriculture.

**Assembly Bill No. 749:** By Mr. Hanna—An act making an appropriation to the State Department of Social Welfare for home studies in connection with the adoption of foreign-born children.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 750:** By Mr. Hanna—An act to amend Section 205.5 of the Revenue and Taxation Code, and providing for the effective date thereof, relating to the veterans' property tax exemption.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 751:** By Messrs. Masterson, Burton, and Waldie —An act to add Section 4903.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 752:** By Messrs. Waldie and Masterson—An act to repeal Article 1 (commencing at Section 27251) of Chapter 10 of Part 1 of Division 10 of, and to add Article 1 (commencing at Section 27251) to Chapter 10 of Part 1 of Division 10 to, the Public Utilities Code, relating to the exclusion of territory within transit districts in the counties of Alameda and Contra Costa.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 753:** By Messrs. Waldie and Masterson—An act to amend Section 14058 of the Health and Safety Code, relating to local fire districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 754:** By Mr. Waldie—An act to amend and renumber Section 45308.1 of, and to add Sections 45308.1 and 45308.2 to, the Government Code, relating to investment of city retirement funds.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 755:** By Mr. Samuel R. Geddes—An act to amend Section 3447 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 756:** By Messrs. Burton, Masterson, Hawkins, George E. Brown, Elliott, and Rumford—An act to amend Section 24200 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 757:** By Mr. Burton—An act to add Section 2838.5 to the Elections Code, relating to county central committees

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 758:** By Messrs. Burton and Crown—An act to add Section 2802.5 to the Elections Code, relating to state central committees of political parties.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 759:** By Messrs. Burton, Waldie, George E. Brown, Elliott, and McMillan—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 760:** By Messrs. Elliott, Munnell, Hawkins, George E. Brown, Burton, Kilpatrick, McMillan, Thomas, and Charles H. Wilson—An act to amend Section 4000 of the Welfare and Institutions Code, relating to aid to the disabled.

Referred to Committee on Social Welfare.

**Assembly Concurrent Resolution No. 51:** By Messrs. Thelin, Johnson, Collier, and Reagan—Relative to congratulating the City of Glendale on winning the sweepstakes award in the Rose Parade.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 10:** By Mr. Lowrey, Mrs Davis, Messrs. Beaver, Porter, Mulford, and Schrade—Relative to memorializing Congress concerning the establishment in California of a soil and water conservation laboratory.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 21:** By Mr. Hanna—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ of Article XIII, relating to the exemption of property from taxation on account of military service.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 761:** By Messrs. Nisbet, Kennick, and Munnell—An act to amend Sections 937, 938 and 939 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to the Committee on Finance and Insurance.

**Assembly Bill No. 762:** By Messrs Nisbet, Kennick, and Munnell—An act to amend Section 1252 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

### ANNOUNCEMENTS

Mr. Z'berg announced that Hasting's Law College extends an invitation to the Members of the Assembly and their wives to attend a reception from 5 to 7.30 p m. on Wednesday, January 28th, in the Empire Room at the Senator Hotel.

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Mr. Bradley announced an informal meeting of the Subcommittee on Conforming the State Income Tax Law with the Federal Income Tax Law at 2 p.m. this afternoon in Room 4168.

### APPOINTMENT TO JOINT LEGISLATIVE AUDIT COMMITTEE

Speaker Brown appointed Mr. Winton to the Joint Legislative Audit Committee.

### MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, January 19, 1959; Tuesday, January 20, 1959; Wednesday, January 21, 1959; and Thursday, January 22, 1959.

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Johnson of Los Angeles and Mr. Burke of San Marino to Miss Karen Johnson, Mr. Edward L. Johnson, and Roy Crocker of San Marino.

On request of Speaker Brown of Modesto to Wallace Henderson of Fresno, former Assemblyman.

On request of Mr. Levering of Los Angeles to Carroll Greentree of Sacramento.

On request of Mr. Petris of Oakland, Mr. DeLotto of Fresno, and Mr. Garrigus of Reedley to Mrs. Fotine Ballas of Fresno.

On request of Mr. George A. Willson of Huntington Park to Mrs. Joanne Duncan, Mrs. Sarah Flynn, and Mrs. Anna Willson of Huntington Park.

On request of Mr. Lunardi of Roseville to the following pupils of the Calaveras Unified School District:

SAN ANDREAS: Theodore Axford, Richard Bagley, David Curry, John Dayen, Michael Foley, Charles Fushel, Fred William Gerard, Ennis Evan Hudson, Richard James, George Eric Lane, Dan Matson, William McFall, Randy Metzger, Gary Alan Snyder, Billy Sears, Jackie Swim, David Bruce Young, Nancy Belyea, Karen Collins, Patricia Corbett, Donna Hawkins, Paula Jones, Bonnie Kiley, Rita Gail Pierce, Anne Rodriquez, Rosemary Watrous, Susan Watson, Michael Dell'Orto, Harold Hardin, Henery Hix, Melvin Dixie, Dana Dell Ponte, Tim Bonham, Gerrard Denny, Sam Edwards, Karen Jones, Sandie Lacy, Allen Lawson, Kenny Lauder, Larry Ponte, Bobby Ross, Carole Smpardos, and Roberta Whaley; Adults: Miss McGinnis, Mrs. Drummond, and Mr. Smith. RAILROAD FLAT: Phyllis Smith. MOKELUMNE HILL: Steven Coates, John Anderson, Dennis Tuttle, Arlene Lester, and Helen Becker; Adult: Mrs. Peek. WEST POINT: Jerry Atnip, Joe Barton, Danny Bryan, Dennis Downum, Evelyn Harris, Pat Hatfield, Gloria Jeff, Caroldean Jones, David Manker, Judy Owensby, Mike Peterson, Shirley Phillips, Lois Pickel, Sharon Pickel, Carrol Powell, Esther Sharritt, Steve Soracco, Janie Terry, Sharon Wall, and Verda Willard; Adults: John Joyner and Herbert Ambrosius. VALLEY SPRINGS: David Chrisman, Albert Fehling, Donald Goodner, Barbara Granados, Norman Hatler, Sandy Lyons, Gloria Martell, Pamela Maul, Terry McMillen, Candy Pereira, Linda Stevens, Pat White, and Joyce Winkler; Adult: Mr. Matson. AVERY: Henry Bailey, Louise Ballard, Richard Baughman, Lucille Castillo, Dennis Dolley, Johnny Giles, Mark Grady, Ruth Hudson, Johnny Loomis, Michael Martincello, Jeanette McNamer, Diane Pocoroba, Michael Preston, Barbara Sanders, and Robert Wanzer; Adult: Miss Fischer. MURPHYS: John Nitz, Gilbert Child, Patti Dyer, Linda Bartschi, Bobby Allen, Marsha Spielman, John Blakemore, Dean Von Aspern, David Modrell, Scott Kirkpatrick, Susan Karst, Richard Gardner, Connie Shoemaker, Jeff Grant, Sam Manuel, and Dianne Parker; Adult: John Hofstetter. CAMANCHE: Barbara Borland, Gary Gaskill, and Sharon Sheridan. SHEEPRANCH: Charles Richardson.

## ADJOURNMENT

At 11.38 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 28, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER

Wednesday, January 28, 1959

The Assembly met at 10 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Wilhamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R Wilbur Simmons:

*O God, Our Father,* Whose Spirit touches and changes every realm of life, even the economic, we dare to pray that the people of California, now being called upon to bear the cost of government, may be given the best bargain they have ever had Give them more real help for their tax dollar than they have ever known Lift the burden of taxation from those least able to bear it. Give us the courage to place taxes on the luxuries and nonessentials of life. Make the strong and thrifty more willing to carry the load of the weak and indolent. Let material wealth be translated into human uplift, public welfare, and spiritual blessing; and once a budget has been accepted, give us the character to live within it. We pray in the name of the Carpenter of Nazareth.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lanterman, on motion of Mr. Shell.

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

Mr. Schrade, on motion of Mr. Miller.

Miss Donahoe, on motion of Mr. Rumford.

Mr. Winton, on request of Speaker Brown.

## LEAVE OF ABSENCE FOR PART OF THE MORNING

The following member was granted leave of absence for part of the morning, because of legislative business elsewhere:

Mr. Beaver, on request of Speaker pro Tempore Bee.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

Representatives of Television and Radio

January 27, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR SIR: The following named persons are eligible for accreditation as representatives of television, radio, and newspapers at the 1959 General Session of the Legislature:

*San Francisco Examiner*—Ronald Johnson, vice Clint Mosher, resigned
KBET-TV—Hank Thornley, John Mackenzie, Paul Meeks
KCRA-TV—Harry Sweet, Coy Watson
KCRA—John V. Jervis, Josh Darsa
KFBK—Ray Rodgers, Allen J. Sheppard, Jr.

Very truly yours,

SQUIRE BEHRENS

## CONFIRMATION OF PRESS, TELEVISION, AND RADIO REPRESENTATIVES

By unanimous consent, the above representatives of television, radio, and newspaper, as recommended by the Capitol Correspondents Association of California, were confirmed.

## APPOINTMENT OF MEMBERS TO JOINT INTERIM COMMITTEE ON AGRICULTURAL AND LIVESTOCK PROBLEMS

Speaker pro Tempore Bee announced that Speaker Ralph M. Brown has appointed Messrs. Belotti, Samuel R. Geddes, House, and Charles H. Wilson to the Joint Interim Committee on Agricultural and Livestock Problems.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Mrs. Stanley Bergerman, Jr., of Hollywood, relative to smog. Referred to the Committee on Public Health.

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Dorothy Williams of Burbank, relative to teen-age drivers' licenses. Referred to the Committee on Transportation and Commerce.

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

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

**Assembly Bill No. 763**: By Mr. Thomas—An act to amend Section 8780 of the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 764**: By Mr. Thomas—An act to amend Section 8780 of the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 765**: By Mr. Thomas—An act to amend Section 8780 of the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 766**: By Messrs. Cameron and Cunningham—An act to amend Section 5093 of the Business and Professions Code and to amend Section 5084 of the Business and Professions Code as proposed by Senate Bill No. 104, relating to accountants.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 767**: By Mr. Samuel R. Geddes—An act to amend Sections 3084.1 and 3472.1 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 768**: By Mr. Pattee—An act to amend Section 3600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 769**: By Mr. Pattee—An act to add Section 5605.5 to the Financial Code, relating to the placing of insurance on property securing a loan made by a savings and loan association.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 770**: By Mr. Charles H. Wilson—An act to amend Section 10176 of the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance

**Assembly Bill No. 771**: By Mr. O'Connell—An act to amend Section 5307.1 of the Labor Code, relating to workmen's compensation

Referred to Committee on Finance and Insurance.

## RESOLUTIONS

The following resolution was offered:

By Mr. Ernest R. Geddes:

### House Resolution No. 66

Relative to the death of Mr. Paul Endicott

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Mr. Paul Endicott; and

WHEREAS, Mr. Endicott was born November 6, 1890, in Brighton, Iowa, and educated in the public schools of Iowa, including the University of Iowa, from which he graduated in 1912; and

WHEREAS, He became Manager of Home Builders Savings and Loan Association in Pomona in 1920 and had been its president since 1938, and was President of the United States Savings and Loan League in 1941 and at one time served as President of the California State Savings and Loan League; and

WHEREAS, He was a Director of Federated Home Loan Bank of San Francisco; and

WHEREAS, He had a national reputation for his knowledge of savings and loan matters; and

WHEREAS, The National Government called on Mr. Endicott for assistance in establishing the Home Owners Loan Corporation and the nationwide reserve system for savings and loan associations; and

WHEREAS, He was a member of the Masonic Lodge since he was 21 years old, a Director of the Pomona Chamber of Commerce for many years, a member of the board of Pomona Valley Community Hospital for 17 years, a member of the Board of Trustees of Pilgrim Congregational Church and an honorary member of Pomona Rotary Club; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby express their deep regret at the passing of Mr. Paul Endicott, and convey their condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Marie Roe Endicott, and to his son, John Paul Endicott.

Resolution read, and referred to the Committee on Rules.

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

The following bill was introduced, and read the first time:

**Assembly Bill No. 772**: By Messrs. Chapel, Rumford, Mulford, Johnson, Britschgi, Burke, Burton, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Dills, Francis, Marks, Masterson, Petris, Sedgwick, Shell, and Waldie—An act to add Section 2378.5 to the Business and Professions Code, and Chapter 7 (commencing at Section 1700), Division 2, to the Health and Safety Code, relating to the creation of a Cancer Advisory Council, and the regulation and control of the diagnosis, treatment, and cure of cancer.

Referred to Committee on Public Health.

## REPORTS OF STANDING COMMITTEES

### *Committee on Engrossment and Enrollment*

ASSEMBLY CHAMBER, January 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 23**—Relative to the continuance of the Joint Interim Committee on Water Resources Development Problems;

**Assembly Concurrent Resolution No. 37**—Approving the amendment to the charter of the County of Alameda voted for and ratified by the electors of said county at an election held therein on the third day of June, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-seventh day of January, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, January 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered returned to second reading file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 27, 1959

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

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 43

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, January 27, 1959

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

Senate Bill No. 12

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 12**—An act to amend Section 7148 of the Fish and Game Code, relating to possession of trout, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

## MESSAGES FROM THE GOVERNOR

The Budget Message from the Governor was received, and the Clerk was directed to read the message.

### Motion to Dispense With Reading of Message

Mr. Collier moved that further reading of the Budget Message be dispensed with, and that the message be ordered printed in the Journal.

Mr. Charles H. Wilson seconded the motion.

Motion carried.

## BUDGET MESSAGE BY GOVERNOR EDMUND G. BROWN

*To the Senate and Assembly of the Legislature of California.*

The budget is a stern test of our principles. It reveals our values and spotlights our goals. It is, indeed, a ledger of our character, our choices, and our courage.

I welcome the challenge of the budget This is a meaningful opportunity to show that liberal leadership can be also responsible leadership. I have prepared a fair and forthright budget, and I am prepared to fight for it

For years now, we have been deceiving ourselves about our state finances. Despite an expanding economy, we have spent far more than we have taken in In the last three fiscal years, including the current year, General Fund expenditures will have exceeded revenues by more than $323 million. In the 1958-59 Fiscal Year alone the deficiency of current revenues is estimated at $147 5 million.

Up to now it has been possible to avoid facing up to the fiscal realities because surpluses built up during and after the war and held in so-called "reserve" funds or in the General Fund have been used to meet the deficits But these fund balances are now exhausted or needed elsewhere. By using the fund surpluses to meet annual deficits we have succeeded only in postponing the day of reckoning. That day is now upon us

Again this year, we have been told that we can dodge the hard facts of fiscal life We have been urged to invade the Investment Fund and abandon our vital water program. I am determined that we shall not do this We must have the courage to face our financial responsibilities without flinching

We must now put our State back in the black To do this, I offer neither platitudes nor panaceas There will be no fancy schemes and no money miracles. I bring you, instead, economy in government, a balanced budget, and a sound program for financing it

Although the incoming Governor has no Constitutional or other responsibility for the $68.4 million deficit we are inheriting, I have concluded that it must be erased as rapidly as possible.

These are stringent times, and this is a stringent budget. We have examined the expenditure requests of every department and agency with rigorous care. There have been no special preserves or privileged exceptions.

To run our state departments I have appointed able, frugal executives. I have given them firm instructions and full authority to launch an aggressive economy drive. I intend to reward people who save money. We are already on our way to saving five million dollars before this fiscal year is out.

The increases in the budget reflect the paramount needs of our people. We are a great State with great resources. We would confuse responsibility with timidity if we failed to meet the vital needs of our people. Thus, for instance, no austerity aims have prevented us from providing funds for a Fair Employment Practices Commission, from increasing the funds for smog research, or from providing medical care for permanently disabled persons.

No matter how determined we are to make economies, we must recognize that our expenses are increasing.

As our population expands, so inevitably do costs for such items as schools, mental hospitals, courts, and prisons. We must be prepared to accept both the perils and the promise of our magnificent growth.

If we are to restore fiscal solvency to our State—and I say we must—we will need $200 million in new revenues next year. I have proposed a revenue program which will not only balance next year's budget but will serve us well as a fiscal vehicle in the years ahead.

In the proposed program, our goal has been to obtain broadly based revenues with contribution fairly geared to overall ability to pay. We have not surrendered to the power of vested interests or to the fear of public clamor. We have refused to yield to pressures to favor business or labor, industry or consumers. After long and intensive study, our program has been carefully fashioned to make the ultimate burden fall equitably on all of our people, and on all segments of our economy.

When we balance our budget with current revenues, we take a long stride toward responsible leadership. But we must remember that a balanced budget is not an end in itself. The budget exists, not as an exercise in bookkeeping, but as a measure of a government's service to its people. Only if our total program is confident, pioneering, and responsive to the needs of the people can we properly take credit for fiscal solvency. Even in the drama of the budget, people are more important than dollars.

### 1957-58 and 1958-59 Deficits

In 1957-58 General Fund expenditures exceeded General Fund revenues by $137 million. This deficit was met by application of a surplus from the preceding fiscal year of $110.2 million plus transfers from other funds of $32.3 million, thus leaving a General Fund surplus at June 30, 1958, of $6.8 million.

In January, 1958, when the current 1958-59 Budget was presented it had been anticipated that required transfers from other funds to balance the 1957-58 Budget would be less than $12 million and that the carry-over surplus would be $8 million. The current budget (1958-59) was presented to the Legislature in January, 1958, as a balanced budget. At the time the current budget was adopted spending was estimated to exceed revenues by $99.2 million, and it was proposed to balance the budget by transfers from other funds of $91.2 million and by application of the expected $8 million surplus from 1957-58.

Since the 1958 session of the Legislature, however, several things happened. There was a substantial decline in estimated revenues for 1958-59 and a substantial increase in estimated expenditures. To meet the 1957-58 deficit required use of about $20 million more of reserve funds than had been anticipated. Since substantially all of the balances in these funds (except the Investment Fund) would have been exhausted by June 30, 1959, in balancing the current budget, this had a cumulative effect.

As presently estimated, expenditures for the current fiscal year will exceed current revenues by $147.5 million, and the resulting General Fund deficit at June 30, 1959, will be $68.4 million.

This figure is exclusive of $7.2 million remaining unexpended from $7.5 million appropriated in 1957 from the General Fund to meet in part the capital expenditure program for the new State Fair. Since overall financing plans for this project include the marketing of authorized revenue bonds in the total amount of $13 million and since it is doubtful when funds from this source can be made available, it is not anticipated that the $7.2 million referred to will be expended in the current fiscal year. Hence this latter figure has been excluded from expenditures in calculating the deficit expected at June 30, 1959. For the same reason further expenditure from this appropriation for the 1959-60 Fiscal Year is not included in this budget.

**1959-60 Expenditure Program**

Formulation of the proposed budget has included a careful review of departmental requests. Wherever possible, without impairing needed state services or working a hardship on recipients of such services, these have been modified to reduce net expenditures. Major policy determinations in this area are noted in the budget document, and involve total reductions in departmental requests for General Fund expenditures of some $24 million. Budget requests for new functions or increased levels of service totaling $21.5 million were submitted. Of these, only $3.6 million have been approved. (These figures do not include the Department of Education request to the Legislature for an increased level of public school support.)

*Mental Hygiene.* In the Mental Hygiene budget, I am recommending a $9 million increase in appropriation over 1958-59 to provide for the opening of new facilities and growth factors, plus a $1.5 million increase to provide for improved and expanded programs. This latter amount covers augmentation of the inservice training program, psychiatric research activities, increases in professional, technical and nursing staff levels, and increased allowances for special drugs. A nonproductive statistical research unit has been deleted, thus saving $50,000. The budget also proposes elimination of 49 food service assistants for small congregate dining rooms serving less than 125 patients. This service can be adequately handled by regular ward personnel, with a resultant saving of $146,000.

*Public Health.* In addition to normal growth factor increases in expenditures, the budget provides $508,000 for new programs in connection with radiation hazards, air pollution research, and related activities. The subsidy for mosquito abatement has been eliminated except for districts now taxing at the maximum 40-cent tax rate. This will save $390,000. I recommend that in computing subsidies to the counties for tuberculosis sanitoria, we adjust the amounts to recognize the repayments the counties receive from paying patients. This will save $260,000.

*Inaugural Message Programs.* In my inaugural address, I presented certain proposals for new or augmented programs. Included in the budget is a total of $1.7 million for these proposals, as follows:

| | |
|---|---|
| To provide medical care for permanently disabled persons | $514,620 |
| To establish an Economic Development Agency | 350,000 |
| To establish a Fair Employment Practices Commission | 240,000 |
| To enable the Department of Public Health to maintain guard against levels of radioactivity that may endanger life or health | 239,216 |
| To supply additional funds for concentrated research on the causes and prevention of air pollution | 162,307 |
| To initiate special handling and treatment of paroled narcotic addicts | 125,000 |
| To establish the office of Consumer Counsel | 45,000 |
| To establish co-ordination of activities directed toward problems arising from the use of radioactive materials | 22,705 |
| Total | $1,698,848 |

*Salary Increases.* In its annual report dated December 23, 1957, the Personnel Board recommended a 3 percent salary increase for all employees under its jurisdiction for 1958-59. Funds to implement this recommendation were eliminated by the 1958 Legislature. In its last report of December 5, 1958, the board recommends an increase for Fiscal Year 1959-60 of 7½ percent, plus an added 5 percent for state college faculties, plus $875,000 for special salary adjustments. The board states that the cost would be $20.6 million. However, if these recommendations were adopted, a like increase presumably would be added to University of California salaries and to salaries of statutory and exempt personnel; also retirement contributions would increase for all affected employees. Hence the total cost to the General Fund would approximate $31.1 million.

While it is true that salary increases for state employees in a time of financial stress should be carefully weighed, it is also true that to hold state employees to existing salary levels in an inflationary period has the effect of requiring them to finance in part the state expenditure program. After full consideration, I have included in the budget provision for a 5 percent increase for salaries of all state employees for the Fiscal Year 1959-60 at a total cost of $32 million, of which the General Fund will bear $19.3 million.

The California Consumer Price Index at June 15, 1958 (which was the approximate effective date of the recommended 3 percent increase mentioned above) was 126.2; and it is estimated that at June 15, 1959, it will be 128.1, an increase of 1.9 points or 1.5 percent. As a check on these figures, a Personnel Board chart dated October 17, 1958, indicates that state salary levels were approximately equivalent to comparable industry and governmental salary levels at July 1, 1957; between that date and June 15, 1959, it is estimated that the index figure will rise from 121.7 to 128.1, an increase of 6.4 points or 5.2 percent. Assuming that the 3 percent increase

recommendation referred to was a sound one, and adjusting it to the index figures, it would appear that a salary increase of from 4.5 percent to 5.2 percent would be equitable for 1959-60.

It is on this basis that I have arrived at the recommended 5 percent increase. I am aware of the fact that the wage statutes of California have eliminated regular use of cost of living data from salary survey studies since 1949. But these are stringent times for state finances. The burden of that stringency should not be permitted to fall unduly on state employees. Nevertheless, in making provision for them in the light of existing conditions, statutory guides for survey studies should not be the exclusive consideration.

I have not included any additional increase for the state college faculties, although of course they will receive the 5 percent increase recommended for all state employees. This should put them on better than a parity basis with similarly situated college personnel in other states. In 1957 state college faculty members received a 10 percent increase while state employees generally got 5 percent, and some university personnel 7 percent. Further preferential treatment for state college faculty members is believed unwarranted at this time.

*Water Resources and the Investment Fund.* The budget proposes operations of the Department of Water Resources in the total amount of $122 million, an increase of $9 million over the current year. This amount will be financed by $71 million from the General Fund and $5.1 from the Investment Fund. The capital outlay program is budgeted at $52.9 million, of which the Investment Fund will supply $52.8 million. $10 million of this amount has already been appropriated and is available from the current budget year. $4.7 million is for administration and design, leaving $38.1 million in new appropriations for construction.

The anticipated activities and capital outlay programs, and my views and recommendations with respect to dedication of the Investment Fund for water development, have been put before you in a special message, and financial details are contained in the budget. For these reasons further discussion here is unnecessary.

I will only repeat that the orderly and prompt development and distribution of California's water resources is a project of the highest priority for the future of our State.

*Other Capital Outlay* The state building program, which has been under way for a number of years, will continue under the proposed budget for total expenditures of $95.5 million. This will be funded by $20.9 million from special funds, $66.2 million from state construction bond issues, and $8.5 million from the Capital Outlay and Savings Fund. The last amount represents a transfer from the General Fund.

Other capital outlay expenditures, all from funds other than the General Fund, include $218 million from the State Highway Fund, $52.9 million for water resource development mostly from the Investment Fund, and $15.6 million from the State Beach and Park Fund. The total in this category is $318 million.

*Military and Veterans Affairs* I recommend elimination of the officers' uniform allowance to the extent that it is duplicated by a federal allowance for uniforms. I also recommend discontinuance of state support for the cadet corps program. These changes will save $541,000. I also recommend that the subsidy to veterans' organizations for furnishing claims and rights services to veterans, and the similar subsidy for county veterans service officers, be deleted. There appears to be inadequate justification for continuance of these expenditures by the State in view of federal responsibility and activities in this field. The saving here is $1.1 million.

*Public School Apportionment* I am determined, as I said in my inaugural, that California shall have the best public schools in the United States. Toward this goal, I offer two basic recommendations.

First, the improved level of state support at the ADA figure of $193.37, as authorized by the 1957 Legislature, must be continued. Unless legislative action is taken, apportionment aid will automatically return to the $180 formula that was in effect June 30, 1957. The result of this upon our public schools would be tragic. I am, therefore, making a budgetary provision for $76,260,680, the amount necessary to maintain the 1957 formula, adjusted for the larger number of children now in school. Of this amount, $34,171,920 is required to meet the ADA increase at $180, and $42,088,760 is necessary to provide $193.37, the 1957 figure, for the total ADA of 1959-60.

Second, I am recommending an additional $23,453,000 for the express purpose of improving the quality of education beyond that possible under the 1957 figure. Specifically, I recommend that the apportionment figure per unit of average daily attendance be increased by $7.45, or from $193.37 to $200.82.

In its January, 1959, report to the Legislature, the Department of Education directed attention to the increasing ratio of the number of children to our total population and to the higher costs of education for each child. The State must assume its share of these increased financial responsibilities. No activity we support is of greater importance than public education.

In urging this increase, I wish to point out that this is the first time since 1952, and the second time since 1945, that the budget message has contained a specific recommendation by the Governor for an improvement in the apportionment aid formula

The amount of increase I have recommended is less than that suggested by the Department of Education. This is dictated by the necessity of achieving a proper balance among our many state responsibilities, and also in order to keep a firm limit on tax increases

I am convinced that we must improve our support of the program for physically and mentally handicapped children. Thus, in principle though not in exact amount, I concur in the Department of Education's recommendation that the State increase its contributions for this purpose I am recommending $2.49 per ADA unit, which is part of the total increase of $7.45. To sustain the present support level of $193 37, adjusted for the larger number of pupils, and adding the improvement figure I have recommended, will provide a total increase in school apportionment funds of $60.7 million for 1959-60 over 1958-59

In tabular form, I compare below the increases proposed by the Department of Education and those which I am recommending.

| | *Proposed Increases* * | |
|---|---|---|
| | *Department of Education* | *Budget* |
| Basic and Equalization Aid | $44,175,000 | $20,336,000 |
| Amount per ADA | 13.97 | 6.46 |
| County School Service Fund | 316,300 | --- |
| Amount per ADA | 10 | --- |
| Pupil Transportation | --- | --- |
| Amount per ADA | --- | --- |
| Special Education | 10,785,830 | 7,839,000 |
| Amount per ADA | 3 41 | 2 49 |
| Apportionment for Growth | —3,398,760 | —4,722,000 |
| Amount per ADA | —1.07 | —1 50 |
| Subtotal, State School Fund | $51,878,370 | $23,453,000 |
| Amount per ADA | 16 41 | 7 45 |
| Driver Training | 2,309,175 | --- |
| Amount per ADA | .73 | --- |
| Total, State School Fund | $54,187,545 | $23,453,000 |
| Amount per ADA | $17 14 | $7.45 |

* These increases are over and above apportionments based upon the present amount per ADA of $193 37 (recommended for continuance both by the Department of Education and in the proposed budget), augmented to include the anticipated increased enrollment for 1959-60

In explanation of my recommendations, I offer the following analysis:

(1) *Basic and Equalization Aid.*

(a) My recommendations for changes in the basic and equalization aid funds represent a 5 percent increase, less the adjustments noted in the next two paragraphs.

(b) The levying of additional state taxes for increased allowances to the wealthier districts is not deemed warranted at this time. Accordingly, there is no increase recommended for *basic aid* The department's proposal for an increase in this figure from $125 to $130 is not included, reducing the proposed 5 percent increase by approximately $3 million This $3 million would have gone to those wealthier districts not eligible for equalization aid

(c) Large state expenditures for *adult education* must be weighed against the more pressing needs of the school system for additional funds to educate children, particularly in a time when every additional dollar provided by the State must come from a new tax levy. Thus I recommend a reduction in basic and equalization aid for adult education programs of approximately 25 percent or $2.5 million. The effect will be to encourage districts to recoup from fees more of the costs of those adult programs which are not of a truly basic educational character, or to curtail such offerings except to the extent that the district is willing to finance them from local funds.

(2) No increase in the basis of apportionments for the *County School Service Fund* is recommended. This fund was intended to take care of the very small inefficient districts, which have been decreasing in number since the fund was established. The fund, therefore, should be declining instead of growing.

(3) As I mentioned earlier, a substantial increase is included for *special education* to cover approximately 100 percent of current average excess costs to school districts in educating the physically handicapped and mentally retarded children; the increase amounts to $7 8 million. This involves a reduction in amount as compared with the request of the department Instead of basing its figure on present costs, the department projected annual increases in costs for the next two years.

(4) The department recommends a decrease in *apportionment for growth*. The previous apportionment for growth has proved to be too large. This allowance has been adjusted to bring it into conformity with the other allowances I have recommended There will be a resultant saving of about $1.3 million.

(5) Increased support for *driver training programs*, and for encouraging districts to *lengthen the school year*, is not recommended I cannot accord these items a priority high enough to justify a further tax increase.

The costs of education have taken an increasingly larger share of the General Fund in recent years This year the growth factor alone will require a significant portion of the new revenues we must develop Thus, because I must distribute revenues among the many functions and services of the State, I cannot concur in the total recommendations made by the Department of Education.

The years ahead will require greater effort by all to meet the costs of education Toward the goal of keeping these costs within the limits of our ability to pay, I urge all in the field of public education to make a critical re-examination of methods and offerings. Economies can be achieved through district reorganization and the elimination of small, highly expensive districts.

Improved visual teaching aids and the resources of electronic science can point the way to the wider and more economical distribution of teaching skills These and other improvements are vitally needed if we are to avoid being overwhelmed by the costs of education. We can, I am convinced, reduce some costs, and those which we cannot reduce we shall recognize as our obligation to the children of California. These we will meet.

*University of California* The recommended University appropriation totals $94.3 million. This will enable the Regents to continue the complete University program as contemplated by the budget requests. This figure contains funds based upon existing formulas for the larger student population expected in the next fiscal year, as well as for the gradual shift to a larger proportion of students in the more expensive upper division and graduate courses. Adjustments made in arriving at the total appropriation figure mentioned include: (a) Budgetary savings in 1959-60 (estimated excess of appropriations over actual expenditures) estimated at $2.7 million, and for the current fiscal year at $2 million; (b) A $1.2 million saving representing approximately 16 percent of the cost of the Extension Division heretofore subsidized by state funds. Since none of these courses are given without a fee charge, small fee increases will make the Extension program self-supporting as is presently the case with similar courses given by the state colleges. (c) Increase in nonresident tuition fees from $400 to $500 per year, adding $550,000 to reimbursements; (d) Providing for a contingent fund of $1 million instead of $1.1 million, which would appear reasonable in view of the $1 million contingent fund utilized for the General Fund operations, (e) Eliminating $100,000 requested for nonacademic merit pay increases, as not compatible with state employee compensation practices All employees and faculty of the University are, of course, included in the provision for a 5 percent salary increase which I am recommending, at a cost (for the University alone) of $5 million Provision is made for funds requested for operation of a radio astronomy telescope ($28,000).

*State Colleges* I recommend appropriations in the amount of $57.6 million, including funds for an off-campus resident center for teacher education in Imperial Valley ($47,000), and a contingent fund for college presidents' expenses in connection with faculty and student receptions ($15,000) An increase in resident fees from $40 to $50 was recommended by the Department of Education I recommend that these fees be fixed at $65 per year, thus increasing anticipated reimbursements by $1.2 million. The larger amount is justified on the basis of those special and other services for which fees have been customarily charged, and does not involve any charge in the nature of a tuition for educational purposes At the same time it is proposed to increase nonresident fees from $180 to $250 per year The new fee schedule is in line with charges made by similar institutions in other states. With respect to the authorized colleges in Orange and Alameda Counties, funds have been provided for a staff to continue planning only, and the $1.5 million requested to commence operation of these new colleges in rented quarters is not included. In view of the present fiscal situation, temporary deferment of actual opening is proposed until the colleges are prepared to open in their own plants.

*Fiscal Affairs.* Transfer of certain specialized auditing functions from the State Controller to the Departments of Social Welfare and Public Health respectively will result in additional federal grants to the State of $75,000. Preauditing of claims by the Controller in part duplicates accounting work of other agencies; elimination of this duplication will reduce the Controller's budget by 18 positions or $88,000. Improvements in methods and staff assignments in the Division of Buildings and Grounds will reduce the Department of Finance budget by $150,000. Provision is made for 30 additional auditors for the Franchise Tax Board for field audits both in and out of California. I have been assured that this will produce substantial additional tax revenues.

*Other Functions.* I recommend that administrative costs of the Division of Architecture be transferred to the Architectural Revolving Fund, reducing General Fund expenditures by $194,000. Similarly, it is proposed that the Division of Administrative Procedures recover from the agencies served (mostly special fund agencies) the full cost of hearing work performed ($134,000).

### Expenditure Comparisons

A summary comparison of total state expenditures for the three years ending June 30, 1960, is as follows:

SUMMARY—ACTUAL AND ESTIMATED EXPENDITURES—ALL FUNDS

| | *Actual 1957-58* | *Estimated 1958-59* | *Proposed 1959-60* | *Change from 1958-59* |
|---|---|---|---|---|
| State Operations | $541,469,972 | $596,320,446 | $656,925,743 | $60,605,297 |
| Capital Outlay | 354,787,661 | 344,322,192 | 326,620,252 | —17,701,940 |
| Local Assistance | 995,178,465 | 1,114,318,483 | 1,204,831,640 | 90,513,157 |
| Totals | $1,891,436,098 | $2,054,961,121 | $2,188,377,635 | $133,416,514 |

SUMMARY—ACTUAL AND ESTIMATED EXPENDITURES—GENERAL FUND

| | *Actual 1957-58* | *Estimated 1958-59* | *Proposed 1959-60* | *Change from 1958-59* |
|---|---|---|---|---|
| State Operations | $396,387,136 | $432,311,807 | $469,123,205 | $36,811,398 |
| Capital Outlay | 84,742,053 | 16,003,815 | 8,485,095 | —7,518,720 |
| Local Assistance | 765,332,588 | 840,281,034 | 941,455,180 | 101,174,146 |
| Totals | $1,246,461,777 | $1,288,596,656 | $1,419,063,480 | $130,466,824 |

It will be observed that General Fund expenditures are estimated to increase by $130.4 million in 1959-60 over the current 1958-59 year; whereas the increase for 1958-59 over 1957-58 was $42.1 million. Such comparisons can be misleading without an analysis of the major elements that enter into the difference.

Increase in expenditures proposed for *Local Assistance* amounts to $101.1 million of the total $130.4-million increase in 1959-60. Over and above increases necessitated by growth, which account for more than half the increase in this category, are these important elements: (i) the 1959-60 Budget includes the recommended increase in the level of school apportionments amounting to $23.5 million (no such increase was made in 1958-59); (ii) in 1959-60 a normal state contribution will have to be made to the Teachers Retirement Fund of $40.2 million, whereas the 1958-59 Budget reached into a reserve fund for $20.1 million of that year's contribution with only $14.5 million coming from current funds; this accounts for $25.7 million of the difference; (iii) the increase in the required transfer to the Flood Control Fund in 1959-60 is greater by $12 million than in 1958-59.

Comparisons as to expenditures from the General Fund for *Capital Outlay* for the three years are distorted by the relative use of bond funds (which are not included in the budget totals) in each of the years. In 1957-58 a smaller part of the building program was financed from bond funds with a correspondingly larger part from current funds. For this reason the 1958-59 Budget for Capital Outlay shows a reduction in expenditures of $68.7 million which obscures increases in other sections of the budget. This factor accounts for only $7.5 million in comparing 1959-60 with 1958-59.

The real test of a "tight" budget is in the part dealing with *State Operations* where a much greater portion of the expenditures are subject to budgetary control. General Fund expenditures for State Operations are budgeted to increase by $36.8 million in 1959-60 over 1958-59. The corresponding increase in 1958-59 over the preceding year was $35.9 million. The 1958-59 Budget, however, made no provision for salary increases, whereas the 1959-60 Budget includes $19.3 million for this purpose. Moreover, the uncontrollable provision for general debt service will increase by $5.3 million in 1959-60 compared to an increase of only $0.8 million in 1958-59.

When consideration is given to the necessity for providing for growth in the State's university, colleges, hospitals, and correctional facilities (in addition to the salary increase and debt service items totaling $24.6 million), it becomes apparent that the 1959-60 Budget compares most favorably to its predecessor.

### Fair and Exposition Fund

The Fair and Exposition Fund is perhaps the outstanding example of the defects and dangers inherent in the special fund method of financing. Large sums of money from taxation, having no logical relationship to the purposes for which they are dedicated, are substantially diverted from the General Fund and are directed to various specific functions designated as "agricultural." These dedications, whatever might have been the case when they were created, today bear no relationship to the needs of the various functions and serve to swell their expenditures beyond actual

need in many instances In addition, they have a definite tendency to inhibit appropriate annual budget scrutiny. Moreover, large sums of state moneys are frozen in "reserve" in the fund, for no apparent or justifiable purpose The sheer complexities of the Fair and Exposition Fund are inconsistent with any reasonable concept of understandable fiscal procedure

I am convinced this fund should be abolished forthwith, and the financing now handled through this fund be accomplished through the General Fund Fortunately, this is a matter that the Legislature has plenary power to deal with

I am not proposing any decrease for 1959-60 in appropriations that would otherwise have been made from the fund had it remained in existence during the coming year. To do so would have the effect of clouding my recommendation for abolishment of the fund.

As an integral part of my recommendation for abolishment of the Fair and Exposition Fund, I recommend abolishment of the Wildlife Restoration Fund which is fed solely by horse racing revenues, and transfer of the financing of the functions of this fund to the Fish and Game Preservation Fund. I also recommend abolishment of the State College Fund which is fed solely from Fair and Exposition Fund moneys and from horse racing revenues, with transference of the same functions at the same level of expenditure to General Fund financing.

Coincident with abolishment of the Fair and Exposition Fund and upon the assumption that my recommendation in this regard will be approved by the Legislature, I am proposing an increase in the tax on horse racing revenues as a part of my proposals relating to new revenue sources. This increase will produce new General Fund revenues of $12.4 million.

In addition, adoption of my recommendations concerning abolishment of the Fair and Exposition Fund will accomplish a nonrecurring transfer to the General Fund of $4 8 million accumulated in the Fair and Exposition Fund and not allocated or appropriated for any immediate purpose. In addition, there will be an annual accrual to the General Fund of the $750,000 which now goes to the Wildlife Restoration Fund, making the total 1959-60 benefit to the General Fund $5 6 million.

*Other State Funds.* There are, of course, many other funds for which accounts are maintained in the State Treasury; about 80 of these are reflected in the budget totals of revenues and expenditures. (See Schedule 5 of the 1959-60 Budget.) There has been much discussion, some reported in the press, of the desirability of doing away with the special fund method of financing, and statements have been made that all funds should be abolished. In this connection, I would call the following matters to your attention.

(a) Some of these funds are established by constitutional provision, and so are beyond the power of the Legislature to change. Principal items in this category are the various highway user funds and the Fish and Game Preservation Fund.

(b) Apparent fund balances do not always represent cash in the treasury, as some funds have substantial asset investments in realty

(c) Many funds are created from fees charged to a particular business or professional activity and legally committed to support of regulation in the particular field The courts have imposed a continuing obligation upon the State for support of such regulatory and service functions as were contemplated when the fees were imposed; and this obligation may affect the ability of the State to divert fund balances

(d) Where funds are used (as many of them are) for support and capital outlay purposes by the agencies to whose operations they relate, they obviously relieve the General Fund of the necessity of financing such expenditures If the funds are abolished and their surpluses and income diverted to the General Fund to the extent legally permissible, the recurring benefit to the General Fund will be limited to the amount by which agency expenditures annually are less than the annual income of the respective fund Furthermore, in a number of instances annual agency expenditures exceed the fund income related to the agency operation, and the General Fund is already "picking up the tab" for the excess, or the fund surplus is being used to provide this amount

(e) Apparent balances are not always available for diversion, as they may already have been committed by the agency within its authorized powers for specific purposes

(f) In a not inconsiderable number of cases where an agency is operating through a fund, the fund is used to provide working capital for agency expenditures For example, fund income may be derived from fees collected on a calendar year basis, whereas the agency operates on a fiscal year basis. In such cases the fund balance may be deceptively large at June 30 of each year because it includes the amount necessary to support agency expenditures between July and December. If balances of this type are diverted to the General Fund, no financial benefit to the General Fund would occur, because the money would have to be kept intact as working capital for subsequent use of the agency.

(g) As I have already pointed out, the large balances that the State accumulated in the past when General Fund revenues exceeded expenditures and which were placed in the so-called "reserve" funds, will have been entirely used up in meeting annual budget deficits by the end of the current fiscal year. The single exception is

the Investment Fund, which I am proposing for dedication to the development of our water resources exclusively.

The special funds are so numerous and many of them are so complex in structure that it was impossible for me to present as a part of this budget an acceptable program for overall modification of special fund financing. Only a more thorough study than has been possible in the time available for preparation of this budget can lay the foundation for such a program. It is for this reason that I have confined my recommendations in this area to the Fair and Exposition Fund. If this recommendation is unacceptable, it is hardly to be expected that any general revision of special fund financing can be expected in the foreseeable future.

Reference is made to a special analysis of fund balances which will be found in the introductory section of the budget.

### Financing the 1958-59 Deficit

The anticipated deficit from the 1958-59 Fiscal Year is now estimated to be $68.4 million on June 30 of this year.

With a deep conviction that fiscal responsibility calls for early payment of our past debts, I have chosen to deal with this deficit.

It is my recommendation that the method of assessment and collection of the insurance gross premiums tax be changed to a self-assessment procedure, so that the proceeds of that tax calculated on premiums for the calendar year 1958 instead of being received by the State in the fall of 1959 will be received in April, 1959.

This will produce added revenues for the current fiscal year of $55.6 million, which will be used to reduce the carryover deficit from the current fiscal year from $68.4 million to $12.8 million. It is proposed that this remaining deficit be carried by temporary borrowing during the next fiscal year.

The program that I offer is estimated to erase all but $5.4 million of the 1958-59 deficit by June 30, 1960. Moreover, the economy measures I have already initiated will materially reduce even this carryover.

### 1959-60 Revenue Program

The central problem in this whole massive document we call the budget can be summarized with three figures. The proposed total General Fund expenditure for the next fiscal year, 1959-60, is $1,419.1 million. The estimated General Fund income from presently expected revenues for that same period totals $1,218 million. That leaves a shortage of $201.1 million which must be obtained in order to balance income against outgo.

The Constitution enjoins me "to recommend the sources from which the additional revenue shall be provided." I would not have it otherwise. It is the proud responsibility of the chief executive of this State to provide courageous leadership when his tasks are most difficult. I am recommending not only the sources of additional tax money, but the amounts that should be obtained from each so that the budget may be balanced and the tax structure be fair and equitable.

Before I detail these recommendations, I shall discuss briefly the method used in arriving at them.

In the campaign for Governor it was agreed by both candidates that the State faced a fiscal crisis, and that the time had come to face up to the problem of obtaining sufficient revenues to put California back on a pay-as-you-go basis.

Immediately upon my election as Governor I began a study of this State's tax structure. I sought the counsel of leading experts in and out of State Government.

Among these experts, whether economists, tax attorneys, or specialists in governmental finance, I found an amazing degree of general agreement on the makeup of a new tax program for California. I found that it was widely recognized that the income tax, based as it is upon ability to pay, now plays too small a role in California's overall tax program. The income tax as now constituted is not constructed and graduated to reflect adequately the principle which makes it a fair tax.

I am recommending a substantial revision of the California state income tax structure. The revision can be made—and should be made—so that the family with up to $10,000 in annual income will not be adversely affected, and in many cases will benefit.

The income tax revisions alone, however, will not provide enough revenue to handle our fiscal problem. In making up the difference, we have gone to sources where the present taxes are considerably lower than in other major states or to recognized sources which California has left untapped.

In doing so, we have been careful to keep a reasonable balance between those taxes which place an added burden on industry and those which directly affect the consumer.

The following description of my tax recommendations, will, I think, explain why this is so:

1. *Income Tax.* I recommend revision of the personal income tax structure to increase revenues by $60.7 million in the next fiscal year. Here are the proposed changes:

a. The tax brackets should be narrowed from $5,000 to $2,500. Under the present system, a man who pays taxes on $10,000 in taxable income pays at about the same

rate as a man who pays taxes on $14,999. With this change, the rate would increase at $12,500. At the same time the maximum rate should be increased from 6 percent to 7 percent so that there is a slightly steeper progression through the narrowed brackets.

b. The credit for dependents should be increased from $400 to $600, and the standard deduction from 6 percent to 10 percent. Taken together with the other proposed revisions, this would result in actual lowering of taxes for a married man with two children until his income reaches $10,500 a year. It would also bring this feature of state tax law into conformity with the federal income tax law and simplify preparation of returns.

c. The personal exemption for married couples should be reduced from $3,500 to $3,000, and for single persons from $2,000 to $1,500. This brings the exemptions into a more logical relationship, and broadens the tax base.

d. Capital gains taxation should be changed to conform to the federal law.

It should be noted that the income tax tends to produce increased revenues as the economy expands and to keep pace with the steady inflation that has become a major factor in our economy.

2. *Inheritance Tax.* I recommend an increase in the rates of the Inheritance Tax on bequests to persons who do not have a close family relationship to the deceased. The rates in Class "C" should go up 25 percent, and in Class "D" 50 percent. Present provisions for credit on payments of federal estate taxes should be eliminated. An estimated $2 million increase in revenue in 1959-60 would result. California's present rates were established in 1935 and there has been no increase since that date. The changes proposed would keep California well within the rate range of states which levy such taxes. The Gift Tax should be similarly modified, although the revenue effects would be minor.

3. *Bank and Corporation Franchise Tax.* I recommend the following changes in the Bank and Corporation Franchise Tax:

a. The rate for general corporations should be increased from 4 to 5½ percent. This compares to such other states as New York with 5½ percent, Oregon 6 percent, Minnesota 7 percent, and Massachusetts 7 percent. It should also be noted that these taxes are deductions against the federal income tax on corporations, and thus carry an offset factor for the corporate taxpayer of approximately 50 percent.

b. There should be a corresponding increase in the maximum rate applicable to financial institutions from 8 percent to 11 percent for the same general reasons.

c. There should be an increase in the minimum annual corporate franchise tax from $25 to $100.

d. There should be a provision permitting accelerated depreciation of assets on the same basis as that in the federal law, once again bringing about federal-state conformity.

Together, these changes would add $33.6 million in revenues in the 1959-60 Fiscal Year. In the first full year in which the effect of these changes would be felt, the overall increase over present revenues from these taxes would be $58.6 million.

4. *Insurance Taxes.* Provision for self-assessment and advancing the date of payment of the insurance gross premiums tax, as proposed, would also increase revenue from that source on an accelerated basis in 1959-60, estimated at $5 million.

5. *Severance Tax.* I recommend a severance tax on petroleum products at the rate of 2 percent of the gross value. California now has a small severance tax which is imposed for conservation and regulation purposes and which produces only token revenues. Most other major oil-producing states obtain major revenues from severance taxes. The 2 percent rate recommended is well below average among the 28 states which now have such taxes, and far less than the 5 percent levied by Oklahoma and the 4.6 percent levied by Texas. This tax would produce an estimated $19.3 million in 1959-60, and an estimated $23.2 million for a full year.

6. *Horse Racing.* I recommend that the State revise its formula for obtaining revenues from horse racing to increase those revenues by some $12.4 million annually:

a. The gross commission on parimutuel betting should be increased from 13 to 15 percent. The track's share of the gross commission should be decreased by one-half percent on the handle between $50 million and $100 million, and by 1 percent on the handle over $100 million, and there should be a corresponding increase in the State's share.

b. The so-called breakage formula should be changed so that the accumulated amount up to $25,000 would be retained by the track; the accumulated amount between $25,000 and $100,000 would be shared equally between the track and the State; and all amounts over $100,000 would go to the State.

7. *Cigarette and Tobacco Tax.* I recommend an excise tax on cigarettes at 3 cents per pack, which will produce an estimated $52.9 million in the 1959-60 Fiscal Year and an estimated $60 million for a full year. I also recommend an excise tax on other tobacco products at 15 percent of the wholesale price, estimated to produce $7.1 million in 1959-60, and $8 million for a full year.

California is one of the few states which does not now have a tobacco tax of any kind and the rates proposed are modest in comparison to those levied in many other states.

8. *Beer Tax.* I recommend that the rate of excise tax on beer be increased from 2 cents per gallon to 7 cents per gallon. It is estimated that this change will produce $9.2 million in 1959-60 and $10 million for a full year.

The State's present beer tax is one of the lowest in the Nation The increase would leave the California beer tax rate still below that in some states in which prices of beer are at about the same level as in California.

Beer and cigarette taxes often hit the consumer the hardest, but it should be remembered that they are the only new taxes I am proposing which will have such an effect. Moreover, these taxes are levied not on necessities, but on items of personal choice.

In the first full year of impact for these new taxes, the estimated revenue is $256.6 million. Every dollar, I anticipate, will be needed to meet the needs of our booming population—new schools, more teachers, mental hospitals, more correctional institutions, and more of all the essential services rendered by the State. We should return to the principle of financing as much as possible of our capital outlay requirements out of current tax revenue.

ESTIMATED YIELDS (In Millions)

| | *Full year (present base)* | *First year 1959-60* |
|---|---|---|
| 1. Cigarette and tobacco tax | $68.0 | $60 0 |
| 2. Beer tax increase | 10 0 | 9.2 |
| 3. Horseracing revenues | 12 4 | 12 4 |
| 4. Severance tax on petroleum products | 23.2 | 19 3 |
| 5. Bank and corporation franchise tax changes | 58 6 | 33.6 |
| 6. Insurance gross premiums tax advance in payment | 5 0 | 5.0 |
| 7. Inheritance tax changes | 8 0 | 2 0 |
| 8. Personal income tax changes | 71.4 | 60.7 |
| Totals | $256.6 | $202.2 |

GENERAL FUND SUMMARY

| | |
|---|---|
| Revenues from present tax structure | $1,217,974,289 |
| Revenues from proposed new sources | 202,200,000 |
| Total Revenues | $1,420,174,289 |
| Reallocation of Fair and Exposition Fund | 5,600,000 |
| Transfers from other funds | 709,288 |
| Total Income | $1,426,483,577 |
| Expenditures | 1,419,063,480 |
| Indicated Surplus 1959-60 | $7,420,097 |
| Deduct: 1958-59 deficit | —12,803,624 |
| Accumulated Deficit at June 30, 1960 | —$5,383,527 |

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I transmit to you herewith the detailed budget for the fiscal year commencing July 1, 1959, and ending June 30, 1960, and I have presented to you my recommendations for the revenue sources required to finance it, pursuant to the provisions of the California Constitution.

These have been formulated with an emphasis upon the need for economy dictated by a decent regard for the stringent financial condition of the State. At the same time my program is a liberal and forward looking one, designed with faith and confidence in the future of this great State

Respectfully submitted,

EDMUND G. BROWN, Governor

January 28, 1959

## LETTER OF TRANSMITTAL

*To Hon. Edmund G. Brown*
*Governor of California*

Transmitted herewith is the proposed Budget of the State of California for the Fiscal Year 1 July 1959 to 30 June 1960. The detailed statements of the Budget are preceded by a section containing summary tables, charts, and other explanatory material.

I have made a sincere attempt to simplify and clarify the form of presentation of the budget.

For example, in the narrative explanatory material found throughout the detailed statements, wherever possible references dealing particularly with budgetary comments and changes have been italicized so that these important matters are

"flagged" for more ready reference. The General Budget Summary found in Schedule 1 has been materially revised in manner of presentation, so that it is clearer and more easily understandable and usable. A new schedule comparing General Fund revenues under both present and proposed tax structures has been added as Schedule 2. Previously used schedules have been retained, and some charts have been added; but the order in which these will be found in the document has been changed. A table of contents has been prepared and included at the beginning of the book, and should provide a readier access to all portions of the volume than has been possible in the past.

As requested by you, the usual summary statement of fund conditions (now found in Schedule 5) has been augmented by a new schedule (Schedule 5-A) showing balances of the major funds with reference to their availability for diversionary use in lieu of additional tax levies.

You will appreciate that conclusions as to "availability" of fund balances not only involve accounting determination as to the number of dollars in the funds at any given time, but also require a complete and careful analysis of many legal and practical considerations.

In this connection, I would caution that the limitations of time for preparation of the budget document have made it necessary to treat this new schedule as a *tentative and preliminary approach to a more detailed and thorough study of fund financing* which I will present to you in a subsequent report. Of course, no effort has been spared to make the new schedule as accurate as available data has permitted. *It is possible, however, that some revisions may have to be made.*

In the relatively brief time that I have been working with them, I have already come to appreciate the ability and the devotion to duty of the staff of the Department of Finance. *It is therefore with confidence that I advise you that the staff* and facilities of the department will be able to furnish you with additional information and to assist in the consideration of the budget as you may require

Respectfully submitted,

BERT W. LEVIT, Director of Finance

28 January 1959

Governor's Budget ordered filed with the Secretary of State.

***Speaker Presiding***

At 10.15 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Miller, Rumford, and Shell as a Select Committee to escort Mr. Rajhumar Sinha, Doctor Rau, and Mr. Rao to the rostrum.

## RECESS

At 10 16 a m., Speaker Brown declared the Assembly at recess until 10 30 a.m. to hear from Mr. Rajhumar Sinha, Consul General of India for 18 West American States; Doctor Rau, Speaker of the Madras Legislative Assembly, India; and Mr. Rao, member of the Upper House of Parliament in India, and Deputy Chairman, Council of States of India.

## REASSEMBLED

At 10 30 a m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

## REMARKS BY SPEAKER RALPH M. BROWN

Speaker Brown addressed the Assembly as follows:

***Remarks by Speaker Ralph M. Brown***

Within a few days the standing committees of the Assembly will begin their work. Mr. Bee and I have already met with the committee chairmen and vice chairmen and discussed the matter of conducting committee meetings in an efficient and fair manner. My staff and I have worked very hard on the matter of committee assignments and committee meeting schedules. As a result there are only a handful of

conflicts. But your co-operation is needed for the efficient operation of the committees, and I expect each of you to co-operate.

Perhaps some of you have already had organizational meetings with your various committee chairmen and already know some of the plans I presented to them. I am sure there are some of you who have not had such a meeting as yet. In any event, I would like to call the attention of all of the members to some of the basic policies which I have instructed the chairmen to follow.

First, I would like to announce that there will be no night committee meetings. Every committee has a daylight schedule. It may be necessary later in the session to return to night meetings, and the present committee schedule can be very easily adapted if that necessity arises. In the meantime, if each of you co-operates, I believe night meetings can be avoided.

You can co-operate with your chairman and fellow committee members by prompt and regular attendance at meetings. Period I meetings will begin promptly at 1 30 and adjourn at 3 30. Period II meetings will begin promptly at 3.45 and adjourn at 5 45. Don't depend on the "other fellow" to make the quorum. Be prompt so there can be an early quorum and the committee can begin to function on time. I have already mentioned that there are very few conflicts. Consequently every committee member is expected to attend all meetings of his committees. There will be occasional exceptions and these should be discussed with your chairman in advance of meetings. You will find that if you work hard during the afternoon, evening meetings can be avoided.

The chairmen, too, will do their part to insure efficient and fair hearings. Your chairman has been instructed to call the meeting to order on time. He will also budget his time so that a bill which could be acted upon with dispatch does not monopolize the entire meeting period. I am very anxious to avoid the practice of carrying bills over to another meeting in order to better accommodate those interested persons who come from long distances, many times on very limited budgets, to testify before committees regarding such bills. It will be necessary for your chairman to limit the comments of both members and witnesses to the immediate subject at hand. Here again, your co-operation is needed.

With one or two exceptions, all of you have indicated a desire to eliminate night meetings. I am presenting you with an opportunity to do so. Whether or not night meetings can be eliminated rests squarely on the shoulders of each of you.

A new committee schedule which will enable us to avoid night meetings will also mean we will have to convene from 9.30 a.m. to 12 noon daily, and on Friday afternoons when our workload requires it. We are now scheduled to meet for 15 hours weekly. We will still meet for the same number of hours, that is, two and one-half hours during the morning, and an additional two and one-half hours on Friday afternoon when necessary. Convening one-half hour earlier may be somewhat of a hardship on a few of you. However, I believe there is general agreement that the elimination of night meetings is worth the very small sacrifice of convening one-half hour earlier.

Each of us is interested in doing a good job for all of the people of California. The plans I've laid before you today will enable us to do so, and at the same time provide us with an opportunity for deserved rest and a fresh approach to the new problems which come before us every day.

You can be sure that both Mr. Bee, who is doing a wonderful job, and I will always be available to help you with any problems which might arise, and I hope that each of you will feel free to call upon us. The most satisfactory results will be achieved if we all work together.

## PROPOSED SCHEDULE OF COMMITTEE MEETINGS

The following proposed Schedule of Assembly Committee Meetings was presented by Speaker Ralph M. Brown, and ordered printed in the Journal:

### Schedule of Assembly Committee Meetings

#### MONDAY

| Period I 1 30 to 3 30 p m | Room | Period II. 3.45 to 5.45 p m | Room |
|---|---|---|---|
| Ways and Means | 4202 | Education | 2170 |
| Civil Service and State Personnel | 4168 | Criminal Procedure | 4164 |
| Transportation and Commerce | 2170 | | |
| Finance and Insurance | 5168 | | |

#### TUESDAY

| Period I 1.30 to 3 30 p m | Room | Period II. 3 45 to 5 45 p m | Room |
|---|---|---|---|
| Natural Resources, Planning, and Public Works | 2196 | Fish and Game | 5168 |
| Water | 4202 | Manufacturing, Oil, and Mining Industry | 4168 |
| Government Organization | 5168 | Governmental Efficiency and Economy | 2170 |

#### WEDNESDAY

| Period I. 1.30 to 3 30 p m | Room | Period II 3 45 to 5 45 p m. | Room |
|---|---|---|---|
| Public Health | 5168 | Education | 4202 |
| Social Welfare | 2196 | Judiciary—Civil | 4164 |
| Elections and Reapportionment | 2170 | Public Utilities and Corporations | 5168 |
| Agriculture | 4202 | | |
| Livestock and Dairies on adjournment of Agriculture | 4202 | | |

#### THURSDAY

| Period I 1 30 to 3 30 p m | Room | Period II 3 45 to 5 45 p m | Room |
|---|---|---|---|
| Ways and Means | 4202 | Revenue and Taxation | 2170 |
| Military and Veterans Affairs | 2196 | Industrial Relations | 4168 |
| Municipal and County Government | 5168 | | |
| Transportation and Commerce | 2170 | | |

### Rules—Assembly Lounge Conference Room

Tuesday Wednesday and Thursday—9 a m or on call

| Subject to Call of Speaker or Chairman | Room | |
|---|---|---|
| Engrossment and Enrollment | 3106 | |
| Legislative Representation | By Request | |
| Constitutional Amendments | By Request | |

**Speaker pro Tempore Presiding**

At 10.35 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## RESOLUTIONS

The following resolution was offered:

By Mr. Lowrey:

**House Resolution No. 67**

Relative to the creation of a Subcommittee of the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works has conducted a study and published a report concerning the desirability of establishing a federal soil and water conservation laboratory at Davis, California; and

WHEREAS, The federal officials involved and other interested parties will be in attendance at the National Soil Conservation Association Convention, to be held at Houston, Texas; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Vice Chairman of the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 215 of the 1957 Regular Session and continued by House Resolution No. 23 of this session) is hereby authorized and directed to appoint a subcommittee consisting of the Chairman of the Assembly Standing Committee on Natural Resources, Planning, and Public Works, who shall serve as chairman of the subcommittee, and one other member of the interim committee, to attend the meeting of the National Soil Conservation Association, and be it further

*Resolved*, That said subcommittee shall secure all available information concerning the possible establishment of such a laboratory at Davis, California, and shall report its findings to the Assembly not later than February 15, 1959; and be it further

*Resolved*, That said subcommittee is hereby authorized to meet and act both within and outside the State of California in carrying out the duties imposed on it pursuant to this resolution; and be it further

*Resolved*, That the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 215 of the 1957 Regular Session and continued by House Resolution No. 23 of this session) is further continued in existence until February 15, 1959, for the purposes of carrying out the provisions of this resolution; and be it further

*Resolved*, That the sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the subcommittee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the subcommittee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 773**: By Mr. Biddick—An act to codify Section 12 of Chapter 29, 1956 First Extraordinary Session, by repealing said section, and by adding Article 8 (commencing with Section 16419) to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, relating to the investment fund.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 774**: By Mr. Biddick—An act to codify the Klamath River Basin Compact by adding Part 6 (commencing with Section 5900) to Division 2 of the Water Code, and to repeal Chapter 113 of the Statutes of 1957, and Chapter 2.5 (commencing with Section 8110) of Division 1 of Title 2 of the Government Code, relating to the Klamath River Basin.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 775**: By Mr. Biddick—An act to codify Section 6 of Chapter 184 of the Statutes of 1957, by repealing said Section, and by adding Section 18212 to the Financial Code, relating to capital and surplus of industrial loan companies.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 776**: By Mr. Biddick—An act to codify Chapter 1473 of the Statutes of 1957 by repealing Section 1, thereof and by adding Section 1153.1 to the Agricultural Code, relating to the establishment of a market news service in the Klamath Basin.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 777**: By Mr. Biddick—An act to codify Chapter 992 of the Statutes of 1945 by repealing said act, and by adding Article 3 (commencing with Section 13410) to Chapter 4 of Part 3, Division 3, Title 2 of the Government Code, relating to the purchase and acquisition of surplus property from the Federal Government or its agencies.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 778**: By Mr. Biddick—An act to codify Chapter 1739, Statutes of 1953 by repealing said chapter, and adding Chapter 6.5 (commencing with Section 1230) to Part 1, Division 1 of the Public Utilities Code, relating to allocation to counties, cities, and cities and counties for the construction of grade crossing protections, and making an appropriation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 779**: By Mr. Biddick—An act to maintain the Government Code by amending Sections 13210, 13212, and 13213 thereof, relating to state burial grounds.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 780**: By Mr. Biddick—An act to codify Sections 7, 7.1, and 7.2 of Chapter 20 of the Statutes of 1946, First Extraordinary Session, by amending Sections 6 and 7 and repealing Sections 7.1 and 7.2, and by adding Part 7 5 (commencing with Section 15490) to Division 3 of Title 2 of the Government Code, relating to the State Allocation Board.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 781**: By Mr. Biddick—An act to maintain the Agricultural Code by amending Sections 375.6, 1014, 1071.4 and 4273 thereof, and by repealing Sections 83 and 207.6 thereof, relating to the plant and animal industry and the products thereof.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 782**: By Mr. Biddick—An act to maintain the Business and Professions Code by amending Sections 2457.5 and 9575 thereof, and by repealing Sections 202.5, 6060.5, 6060.8, and 6061 thereof, relating to the regulation and protection of licensed professions and business enterprises, and making an appropriation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 783**: By Mr. Biddick—An act to maintain the Civil Code by amending Sections 1172 and 3081.1 thereof, and by repealing Section 2924½ thereof, relating to instruments affecting property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 784**: By Mr. Biddick—An act to maintain the Code of Civil Procedure by amending Sections 13a, 89, 112, 196.1, 689d, and 690.27 thereof, relating to proceedings in civil cases including the organization, jurisdiction, and administration of courts of justice, and the procedure in civil actions and special proceedings of a civil nature.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 785**: By Mr. Biddick—An act to maintain the Education Code by amending Sections 1825, 4105.5, 5001, 14641, 18366, and 22674 thereof, and by repealing Section 7714.2 thereof, and by amending Sections 939, 1409, 17151, 14372, 15716, and 27874, and repealing Section 19578, of the Education Code as proposed by Senate Bill No. 2, relating to institutions of learning, including the establishment, maintenance, government, and operation of schools and libraries

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 786**: By Mr Biddick—An act to maintain the Fish and Game Code by amending Sections 10828 and 10841 thereof, by amending and renumbering Sections 8317 and 19031 thereof, and by repealing Article 9 (commencing with Section 8100) of Chapter 1, Part 3, Division 6, and Sections 8308, 8309, 8310, 8311, 8312, 8313, 8314, 8315, and 8316, thereof, relating to fish and game.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 787**: By Mr Biddick—An act to maintain the Government Code by amending Sections 9141, 9320, 9357.2, 9360.3, 11290, 12541, 13373, 16305.6, 16472, 16480.1, 50532, 51300, and the heading of Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5, thereof, and by amending and renumbering Part 10 (commencing with Section 15750) of Division 3, Title 2, Article 4 (commencing with Section 34870) of Chapter 7, Part 1, Division 2, Title 4, Chapter 12 (commencing with Section 55300) of Part 2, Division 2, Title 5, and Chapter 4 (commencing with Section 61930) of Part 7, Division 2, Title 6, thereof, and by repealing Article 2.5 (commencing with Section 21000) of Chapter 8, Part 3, Division 5, Title 2, and Sections 31671.2 and 75030, relating to the government of public agencies within this State.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 788**: By Mr. Biddick—An act to maintain the Health and Safety Code by amending Sections 4121, 4186.30, 4805, 8741, 14219, 14240, 14254, and 24351.3, and by repealing Section 33280 thereof, relating to health and safety.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 789**: By Mr. Biddick—An act to maintain the Insurance Code by amending Sections 1802.71 and 10270 thereof, and by repealing Sections 947 and 11580.1 thereof, relating to insurance.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 790**: By Mr. Biddick—An act to maintain the Labor Code by amending Section 1397.5 thereof, relating to the employment of minors.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 791**: By Mr. Biddick—An act to maintain the Military and Veterans Code, by amending Section 1180 thereof, relating to memorial districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 792**: By Mr. Biddick—An act to maintain the Penal Code by amending Section 1227 thereof, and by repealing Sections 23, 438, and 441 thereof, relating to crimes and punishment.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 793**: By Mr. Biddick—An act to maintain the Public Utilities Code by amending Sections 22229, 24503, 24531, 24532, 24533, 24534, and 24535 thereof, relating to the organization and powers of districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 794**: By Mr. Biddick—An act to maintain the Revenue and Taxation Code by amending Sections 3552.42 and 3730 thereof, by amending and renumbering Article 2.5 (commencing with Section 10111) of Chapter 5, Part 4, Division 2 thereof, and by repealing Chapter 2 (commencing with Section 28201) of Part 12, Division 2 thereof, relating to taxation and the raising of revenue.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 795**: By Mr. Biddick—An act to maintain the Streets and Highways Code by amending Sections 6611, 27001, 27002, 27003, and 27004 thereof, relating to public ways and all appurtenances thereto.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 796**: By Mr. Biddick—An act to maintain the Vehicle Code by amending Sections 142, 694, and 739.1 thereof, and by repealing Section 422.7 thereof, and by amending Sections 35108 and 40513 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicles and vehicular traffic.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 797**: By Mr. Biddick—An act to maintain the Water Code by amending Sections 163, 401, 2603, 11581, 12640, 26328, the heading of Article 9.5 (commencing with Section 11260) of Chapter 2, Part 3, Division 6, and the heading of Article 4 (commencing with Section 55610) of Chapter 2, Part 4, Division 16 thereof, and by amending and renumbering the heading of Article 9.6 (commencing

with Section 11270) of Chapter 2, Part 3, Division 6 thereof, and by repealing Section 154.5 thereof, relating to the control utilization, and distribution of water.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 798:** By Mr. Biddick—An act to maintain the Welfare and Institutions Code, by amending Sections 156.1, 163, 5400, 6557, 6564, and 6723 thereof, relating to the administration of, and commitment of persons to, the Department of Mental Hygiene.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 799:** By Mr. Biddick—An act to maintain the Welfare and Institutions Code by amending Section 2181.1 thereof, relating to aid to aged persons.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 800:** By Mr. Unruh—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

**Announcement Relative to Assembly Bill No. 800**

Speaker pro Tempore Bee directed the attention of the members to the fact that Assembly Bill No. 800 is the Budget Bill.

**Assembly Bill No. 801:** By Mr. Biddick—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405 of the Statutes of 1951), relating to flood control and water conservation in Santa Clara County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 802:** By Mrs. Davis, Messrs. DeLotto, Lunardi, Don A. Allen, Burke, Johnson, Kennick, Nisbet, Pattee, Thomas, and Williamson—An act to add Chapter 3 (commencing with Section 13200) to Division 10 of the Fish and Game Code, relating to accounting by the Department of Fish and Game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 803:** By Mr. Dills—An act to add Section 20955 to the Government Code, relating to state employees' retirement.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 804:** By Messrs. Lunardi, Sumner, Bruce F. Allen, DeLotto, Lowrey, Sedgwick, Williamson, and Z'berg—An act to amend Section 25253 of the Government Code, relating to county boards of supervisors.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 805:** By Messrs. Lunardi, Garrigus, Bruce F. Allen, Mrs. Davis, Messrs. DeLotto, Frew, Sedgwick, Williamson, and

Z'berg—An act to amend Section 147 of the Streets and Highways Code, relating to mass transportation facilities on state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 806:** By Mr. Holmes—An act to amend Sections 142 and 168 of the Vehicle Code and to amend Sections 350 and 5018 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the registration of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 807:** By Messrs. Masterson, Burton, and Waldie—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, and to repeal Sections 13082, 13084, and 13085 of the Education Code, and to amend Sections 13304, 13311, 13312, 13315, 13320, 13321, and 13322 of, and to repeal Sections 13303, 13307, and 13308 of the Education Code as proposed by Senate Bill No 2, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 808:** By Messrs Masterson and Waldie—An act to amend Section 37380 of the Government Code, relating to leases of city property.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 809:** By Messrs. Kilpatrick, George E. Brown, Don A. Allen, Bane, Elliott, House, McMillan, and Petris—An act to amend Sections 3082 and 3474.5 of, and to add Section 3474.3 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

**Assembly Bill No. 810:** By Messrs Burton, O'Connell, Crown, Petris, George E. Brown, Elliott, Francis, Masterson, McMillan, and Waldie—An act to add Section 653j to the Penal Code, relating to the overhearing and recording of communications.

Referred to Committee on Criminal Procedure

**Assembly Bill No. 811:** By Messrs. Rumford, Mulford, O'Connell, and Bruce F. Allen—An act to amend Section 14493 of the Business and Professions Code, relating to unauthorized use of name.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 812:** By Messrs. Rumford, O'Connell, and Masterson—An act to amend Section 35540 and 35541 of the Health and Safety Code, and to repeal Section 2 of Chapter 1246, Statutes 1955, relating to temporary housing projects.

Referred to Committee on Municipal and County Government.

**Assembly Concurrent Resolution No. 52:** By Messrs Schrade, Hegland, Luckel, and Crawford—Relative to the placement of mission bells along El Camino Real.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. George A. Willson:

### House Resolution No. 68

Relative to requesting a report from the Department of Public Works pertaining to State Highway Route 174

WHEREAS, A study is being made and plans are being developed by the Department of Public Works for the continuation of a freeway as a replacement for that portion of State Highway Route 174 between Lincoln Boulevard (State Highway Route 60) and the Santa Ana Freeway; and

WHEREAS, There has been no disclosure to the people of the area as to which parcels of property will or may be affected by the proposed freeway; and

WHEREAS, The jeopardy of loss of property value is of great concern to the area and loss of potential industrial development is possible; and

WHEREAS, The continued uncertainty as to the location of the proposed freeway is of particular concern to the City of Southgate and its people who are anxious to learn if a division of the city is contemplated; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby requested to report as soon as possible to the Assembly at the 1959 Session of the Legislature on the current status of the studies and plans which have been made or which are in progress relative to the proposed freeway which is the subject of this resolution; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE 71

Pursuant to Rule 71, the following bill was on second reading file today:

**Assembly Bill No. 5.**

Above bill ordered to third reading

## THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 2**—Relative to statehood for Hawaii.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Tholin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69

NOES—None

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 18

By Mr. Miller:

### House Resolution No. 18

*Resolved by the Assembly of the State of California*, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of Histories and Legislative Digests; to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection. This list is to be limited to ten (10) names each, and shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as

the Attorney General, Legislative Counsel Bureau, and the Governor's Office; and be it further

*Resolved*, That no additional mailing list shall be allowed or authorized unless the sum of one hundred fifty dollars ($150) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—Coolidge—1.

## CONSIDERATION OF HOUSE RESOLUTION NO. 19

By Mr. Frew:

### House Resolution No. 19

Relative to the death of the Honorable Augustus F. Jewett

WHEREAS, The Members of this Assembly have learned with deep regret of the death on August 11, 1958, of the Honorable Augustus F. Jewett who at one time was a member of this body representing the former Fifty-fourth District, consisting of Kings and Tulare Counties; and

WHEREAS, Augustus F. Jewett was elected to the Assembly in 1926 at the age of 24 and commenced his service in this body just 50 years after the date on which his father served as Sergeant-at-Arms of the Assembly, and the value of his service was recognized by his constituents who re-elected him in 1928 and in 1930; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body express their sorrow regarding the death of the Honorable Augustus F. Jewett and recognize his able service both in this House and in the community where he resided; and be it further

*Resolved*, That when the Assembly adjourns on this date it do so in respect to the memory of the Honorable Augustus F. Jewett; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the members of the family of Augustus F. Jewett

Resolution read, and adopted unanimously by a rising vote of the Members of the Assembly.

## CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Mr. Cunningham:

### House Resolution No. 31

Relative to the death of Don Adolfo y Hernandez y Camarillo

WHEREAS, December 11, 1958, marked the passing at the age of 94 of one of California's foremost citizens, Don Adolfo y Hernandez y Camarillo; and

WHEREAS, Mr. Camarillo began life in the mission town of San Buenaventura, Ventura County, on October 29, 1864; and

WHEREAS, From the age of 16 Mr. Camarillo had the responsibility of the Spanish Grant ranch holdings of his family, near the family-named home town of Camarillo; and

WHEREAS, With education in Ventura schools and a year at International Business College in Los Angeles, he directed not only his own ranch operations but was a director and officer of Bank of A. Levy, Oxnard; Security First National Bank in Oxnard; Peoples Lumber Company and others; and

WHEREAS, Mr. Camarillo resided all of his life in Ventura County and greatly contributed to the civic affairs of that county, serving for 57 years on the Board of Trustees of Pleasant Valley School; giving long service to the Ventura County Fair, having been a director and board president of the fair for many years; serving as a member of the State Board of Agriculture for many years; and serving on the Ventura County Highway Commission; and

WHEREAS, Deeply devoted to his religion, Mr Camarillo was noted for his aid to the St. Mary Magdelen Church in Camarillo and St. John's Seminary nearby and his activity in the Knights of Columbus; and

WHEREAS, For his outstanding achievements as a Catholic layman, Mr. Camarillo was awarded the pontifical decoration of Knight of St Gregory by the Most Rev. J. Francis A. McIntyre, Archbishop of the Los Angeles Diocese, in the name of Pope Pius XII, and

WHEREAS, His other activities included membership in the Oxnard Elks Lodge of which he was a charter member and a trustee, and honorary chairman of the fund-raising for the new St. John's Hospital in Oxnard; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature, by this resolution, desire to express their admiration of Don Adolfo v Hernandez v Camarillo, a leader in his community, and his State, worthy of all the honor that has been paid to him during his lifetime, and to extend their heartfelt sympathy to his family on his passing; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Rosa Petit, Mrs. Ave FitzGerald, Mrs Harold Burket, and Miss Carmen Camarillo, his daughters

Resolution read, and adopted unanimously.

## PRESENTATION OF GUESTS

Speaker pro Tempore Bee introduced Miss Charlene Meyers, the 18-month-old daughter of Assemblyman and Mrs. Charles W. Meyers who was attending her first session of the Assembly, and her mother to the Members of the Assembly.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF HOUSE RESOLUTION NO. 33

By Messrs Mulford and Rumford:

### House Resolution No. 33

Relative to the retirement of Judge Louis J. Hardie

WHEREAS, The Members of the Legislature have learned that a testimonial dinner is to be held on January 15th in honor of the retirement of Judge Louis J Hardie from the Berkeley-Albany Municipal Court; and

WHEREAS, Since 1938 Judge Hardie has served 21 years on the Bench, first in the Albany City Court and later in the Berkeley-Albany Judicial District, and

WHEREAS, Judge Hardie, over his many years of service, has personified all the qualities desirable in a judge, handling judicial business honestly, capably and effectively; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature commend Judge Louis J. Hardie for his long and honorable career, and express their sincere appreciation for his honest and dependable services to the people of the State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Judge Louis J. Hardie and to the Berkeley-Albany Bar Association.

Resolution read, and adopted unanimously

## CONSIDERATION OF HOUSE RESOLUTION NO. 34

By Mr. Beaver:

### House Resolution No. 34

Relative to a consent calendar

WHEREAS, It is desirable to gather at one place on the calendar of the House all uncontested bills, in order that they may be acted upon without explanation or debate; and

WHEREAS, This can be accomplished by means of a consent calendar similar to that used in the United States House of Representatives; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules is hereby requested to study and present to the Assembly a procedure for the establishment of a consent calendar similar to that used in the United States House of Representatives.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 42

By Messrs Mulford, Crown, Dahl, Petris, Bee, Rumford, and Samuel R. Geddes:

### House Resolution No. 42

Relative to James H. Quinn

WHEREAS, James H. Quinn has just completed 16 years of outstanding service to the people of California as a member of the State Board of Equalization, representing the Second Equalization District; and

WHEREAS, Prior to his membership on the board, he was the President of the Building Trades Council of Alameda County, the Editor of the *East Bay Labor Journal*, a member of the Oakland City Council, and twice Vice Mayor of Oakland; and

WHEREAS, He will long be remembered for his complete and untiring devotion to his work, his geniality, his friendliness and his kind and considerate treatment of all who had any business with him; and

WHEREAS, Throughout his public career, he has always conducted his office and himself in a most exemplary manner; now, therefore, be it

*Resolved by the Assembly of the State of California*, That its Members do hereby thank James H Quinn for his years of service to the people of California as a member of the State Board of Equalization; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to present to Mr. Quinn an appropriately prepared copy of this resolution

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 52

By Messrs. Schrade, Miller, Nisbet, Conrad, Hawkins, Sedgwick, and Hanna:

### House Resolution No. 52

*Resolved*, That the policy of this House shall be that no material shall be placed upon the desks of the members in the Assembly Chamber unless such placement has been first approved by the Speaker of the Assembly or the Chairman of the Committee on Rules; and be it further

*Resolved*, That any such material or communications presented for placement on the desks of the members must be signed by the member or other person requesting their distribution, and shall be delivered to the Sergeant-at-Arms for such distribution, and be it further

*Resolved*, That the Sergeant-at-Arms of the Assembly be and he is hereby directed and instructed to enforce the provisions of this resolution

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 53

By Messrs. Crawford, Schrade, Luckel, and Hegland:

### House Resolution No. 53

Relative to retirement of Judge Jacob C. Weinberger

WHEREAS, The members of this body have learned of the retirement of Judge Jacob C Weinberger as Judge of the United States District Court, Southern District of California, San Diego; and

WHEREAS, Judge Weinberger was born January 4, 1882, was graduated from the University of Colorado with a degree of Bachelor of Laws in 1904 and was admitted to the Colorado Bar that year, the Arizona Bar in 1905, and the California Bar in 1911; and

WHEREAS, He was Assistant District Attorney in Gila County, Territory of Arizona, from 1907 to 1909 was elected a Delegate from Gila County to the Constitutional Convention in 1910, and participated in forming the Constitution of the State of Arizona; and

WHEREAS, He practiced law in San Diego for 30 years from 1911 to 1941, was City Attorney for San Diego from 1941 to 1943, and Judge of the Superior Court from 1943 to 1945, following which he was sworn in as United States District Judge in 1946; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly congratulate Judge Weinberger on his long career of honorable and distinguished public service to the people of the State and to the people of the

United States and extend their heartiest good wishes upon the occasion of his retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Judge Jacob C. Weinberger.

Resolution read, and adopted unanimously.

### CONSIDERATION OF HOUSE RESOLUTION NO. 54

By Mr. Miller:

**House Resolution No. 54**

Relative to the Capitol Branch of the State Library

*Resolved by the Assembly of the State of California*, That the State Printer is requested to furnish one copy of each legislative report which is printed at the order of the Legislature or a committee thereof to the Capitol Branch of the State Library.

Resolution read, and adopted.

### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4

**Assembly Joint Resolution No. 4**—Relative to requesting Congress to authorize further appropriations for air pollution control.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70

NOES—None.

Resolution ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Beaver was granted unanimous consent to take up Assembly Bill No 5, at this time, without reference to file.

### CONSIDERATION OF ASSEMBLY BILL NO. 5

**Assembly Bill No. 5**—An act to repeal and re-enact the Vehicle Code and to add Chapter 6.5 (commencing at Section 3067) to Title 14, Part 4, Division 3 of the Civil Code and to amend Section 11004.5 of the Revenue and Taxation Code, relating to vehicles.

Bill read third time.

**Speaker Presiding**

At 11.07 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding

The question being on the passage of Assembly Bill No. 5.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS

**Senate Bill No. 139**—An act to amend Sections 140 and 161 of, and to add Section 160.2 to, the Vehicle Code, and to amend Section 4606 of, and to add Sections 4014 and 4611 to, the Vehicle Code as proposed by Assembly Bill No. 5, and to add Section 10787 to the Revenue and Taxation Code, relating to vehicle registration, and declaring the urgency thereof to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent to take up House Resolution No. 26, temporarily passed on file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 26

By Messrs. Burton and Masterson:

### House Resolution No. 26

Relative to welcoming Alaska as the 49th State in the Union

WHEREAS, The people of the Territory of Alaska, in the Special Referendum of August 26, 1958, declared their ardent desire for admission, as a state, to the Union of the United States of America; and

WHEREAS, With the firmness and straightforwardness characteristic of America's pioneer people, the people of the Territory of Alaska reaffirmed their desire for statehood in the prestatehood election of November 25, 1958; and

WHEREAS, The President of the United States, Dwight D. Eisenhower, signed the Proclamation admitting Alaska to Statehood on January 3, 1959; and

WHEREAS, California, as a fellow-western state, is particularly pleased to welcome and congratulate Alaska; and

WHEREAS, Californian Clair Engle was Chairman of the House of Representatives Committee on Interior and Insular Affairs at the time that committee recommended statehood for Alaska during the 1958 Session of Congress; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House takes pleasure in welcoming and congratulating Alaska as the forty-ninth State in the Union; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to prepare and transmit a suitably prepared copy of this resolution to the following distinguished officials of the State of Alaska: The Honorable William A. Egan, the first Governor of the State of Alaska; the Honorable Hugh J. Wade, first Secretary of State of Alaska; the first U. S. Senators from Alaska, the Honorable Edward L. (Bob) Bartlett and the Honorable Ernest Gruening; the Honorable Ralph J. Rivers, the first Member of Congress from Alaska, and to the Alaska State Legislature, to the Honorable Clair Engle, United States Senator from the State of California.

Resolution read, and adopted unanimously.

## HOUSE RESOLUTION NO. 32 PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file:

**House Resolution No. 32**, on motion of Mr. Johnson.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 10**—Relative to the centennial celebration of the admission of Oregon to the Union;

**Assembly Concurrent Resolution No. 12**—Relative to the passing of Mr. Ray R. Ingels;

**Assembly Concurrent Resolution No. 16**—Relative to congratulating Adolfo Lopez Mateos on his election to the Presidency of the United States of Mexico;

**Assembly Concurrent Resolution No. 41**—Relative to the passing of Cecil B. de Mille;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-eighth day of January, 1959, at 11 a.m.

BURKE, Chairman

## RESOLUTIONS

The following resolution was offered:

By Mr. Cunningham:

### House Resolution No. 69

Relative to the continuance of the Assembly Interim Committee on Public Utilities and Corporations

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Utilities and Corporations created by House Resolution No. 223 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim studies and investigations. The committee is authorized to submit its reports, including its fiscal report, not later than March 15, 1959.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 813**: By Mr. Masterson (Departmental—Professional and Vocational Standards)—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to fees payable by architects, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 814:** By Messrs. Crawford and Luckel—An act to add Section 21415 to the Public Utilities Code, relating to aircraft

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 815:** By Messrs. Crawford and Luckel—An act to amend Sections 21410, 21412, and to repeal Sections 21001, 21002, 21003, 21004, 21005, 21006, 21007, 21008, 21009, 21010, and 21413, Chapter 2 (commencing with Section 21201), Chapter 4 (commencing with Section 21601), and Chapter 5 (commencing with Section 21691) of Part 1 of Division 9, of the Public Utilities Code, relating to State Aeronautics Commission Act.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 816:** By Mr. DeLotto (Departmental—State Treasurer)—An act to amend Sections 16305.5 and 16480 and to repeal Section 16305.6 of the Government Code, relating to money in Treasury trust accounts and the investment thereof.

Referred to Committee on Government Organization.

**Assembly Bill No. 817:** By Mr. DeLotto—An act to amend Section 25642 of the Government Code, relating to fire protection.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 818:** By Mr. Hawkins—An act to repeal Sections 633 and 709 and to amend Section 705 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 819:** By Mr. Hawkins—An act to repeal Sections 625, 626, 627, 628 and 642 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 820:** By Mr. Hawkins—An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 821:** By Messrs. Hawkins and Crown—An act to repeal Sections 629 and 639 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 822:** By Mr Hawkins—An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 823:** By Mr. Nisbet—An act to add Sections 2372 and 8390 to the Fish and Game Code, relating to halibut.

Referred to Committee on Fish and Game.

**Assembly Bill No. 824**: By Messrs Nisbet, Belotti, Frew, and Mrs Davis—An act to amend Section 8304 of the Fish and Game Code, relating to abalones

Referred to Committee on Fish and Game.

**Assembly Bill No. 825**: By Messrs. Chapel, Kilpatrick, Hawkins, Elliott, Bane, Cameron, Crawford, Crown, Holmes, House, McMillan, Petris, Rees, Schrade, George A. Willson, and Charles H. Wilson—An act to add Section 17214.3 to the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 826**: By Mr. O'Connell—An act to amend Section 8305 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

**Assembly Bill No. 827**: By Messrs Cunningham, Grant, Luckel, Crawford, Dills, Francis, Johnson, Lunardi, Rumford, and Thelin—An act to amend Sections 101, 1601, 2100, 2791, 3010, 3146, 3148, 3151, 4000, 4006, and 4360 of, and to repeal Section 202 5 of, the Business and Professions Code, and to amend Sections 101 and 113 of, and to add Chapter 4 (commencing at Section 440) to Part 1 of Division 1 of, the Health and Safety Code, relating to the creation of a Division of Healing Arts in the State Department of Public Health and prescribing its powers and duties.

Referred to Committee on Public Health.

**Assembly Bill No. 828**: By Messrs. Cunningham, Holmes, Francis, Chapel, Burke, Dills, Hawkins, Johnson, Pattee, Rumford, and Charles H. Wilson—An act to add Chapter 5 (commencing at Section 650) to Division 3 of the Harbors and Navigation Code, relating to the operation and equipment of vessels, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 829**: By Messrs Cunningham, Charles H. Wilson, Holmes, Pattee, Britschgi, Burke, Chapel, Francis, Hawkins, and Johnson—An act to repeal Section 5001 of, and to amend Sections 5003, 5005, 5007, 5008, and 5136 of, the Public Utilities Code, and to repeal Section 6 of Chapter 9, Statutes 1958 Regular Session, relating to transportation fees, to take effect immediately.

Referred to Committee on Public Utilities and Corporations

**Assembly Bill No. 830**: By Messrs. Cunningham, Holmes, Francis, Chapel, Burke, Dills, Hawkins, Johnson, Pattee, and Charles H. Wilson—An act to add Chapter 4 (commencing at Section 600) to Division 3 of the Harbors and Navigation Code, relating to the registration of vessels.

Referred to Committee on Public Utilities and Corporations.

## ANNOUNCEMENTS

Mr. Rumford announced an organizational meeting of the Committee on Public Health at 2 p.m. this afternoon in Room 5168.

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Mr. Beaver announced that the jars of honey which have been placed in the offices of the members are a product of San Bernardino County; and have been presented through the courtesy of the San Bernardino County Board of Trade and the Miller Honey Co.

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Mr. Ernest R. Geddes announced that the Subcommittee on Architecture, Contractors, and Civil and Professional Engineers of the Assembly Interim Committee on Governmental Efficiency and Economy will meet tomorrow morning at 10 a.m. in Room 4164; and that tomorrow morning he will ask that Mr. Hanna and the members of the subcommittee be excused to attend the meeting.

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Mr. Sumner announced that a Southern Counties' Caucus will be held at 8 p.m. tonight in Room 3191.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Ernest R. Geddes of Claremont to Paul D. Walker of Claremont.

On request of Mr. Luckel of San Diego and the San Diego Delegation to Sam Knight of San Diego.

On request of Mr. Hanna of Garden Grove to Gordon T. Shepard of Garden Grove.

On request of Mr. Cameron of Whittier to Paul D. Walker of Pomona and Edward L. Johnson of Whittier.

On request of Mr. Backstrand of Riverside to Mr. and Mrs. Enos C. Reid of Riverside.

On request of Mr. House of Brawley to Mr. and Mrs. Howard Morrow of Brawley.

On request of Mr. Garrigus of Reedley and Mr. DeLotto of Fresno to Mr. and Mrs. Charles Pashayan of Fresno.

On request of Mr. Waldie of Antioch to John McCormick of Antioch.

On request of Mr. Meyers of San Francisco to Mrs. Charles W. Meyers and daughter, Charlene, of San Francisco.

On request of Mr. George A. Willson of Huntington Park to Robert Lynch of Huntington Park.

On request of Mr. Cunningham of Ventura to Mr. and Mrs. Robert Letever, Mr. and Mrs. Robert Haley, and Mr. and Mrs. Fred Ireland of Ventura.

On request of Mr. Beaver of Redlands and Mr. Nesbit of Upland to Mr. and Mrs. S. Wesley Break of Redlands, and Mr. and Mrs. Richard G. Manley of Upland.

On request of Mr. Biddick of Stockton to Mrs. Castillo, Mrs. Angie Queirolo, Mrs. R. F. Wells and John Obertello, Jr., adults, and the following pupils of the Mossvale School: Beatrice Castillo, Annette Laigo, Christine Morgan, Anna Queirolo, Martha Castillo, Inez Dillard, Tonya Henderson, Carolyn Hiraga, Claudia Laigo, and Brenda Wells.

On request of Mr. Z'berg of Sacramento to Larry Oatfield, teacher, and the following pupils of the McDonell-Walker School: Ann Bohannon, Betty Casto, Karen Chambers, Davilyn Lance, Betty Mateos, Emma McKinney, Cheryl Moorhead, Errol Mullins, Carol Spence, Kay Stechman, Lynn Spooner, Louise Tanaka, Irene Viramontes, Jackie Welborn, Marilyn Wenger, Clifford Appel, Chip Fussell, Richard Glenn, Stanely Kawamura, Fidencio Morales, John Musick, Ronnie Okimura, Jim Phillips, Wayne Spratley, and Wakabayashi.

On request of Mr. Grant of Long Beach to Miss Margaret L. Yost and Miss Gene Groff of Long Beach.

On request of Speaker Ralph M. Brown of Modesto to William Mosley Jones of Los Angeles, former Speaker of the Assembly.

## ADJOURNMENT

At 11.37 a.m., on motion of Mr. MacBride, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, January 29, 1959, out of respect to the memory of the late Honorable Augustus F. Jewett, former Member of the Assembly.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, January 29, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R Wilbur Simmons:

*Most Gracious God*, Thou who hast called us to be Thy servants, we remember before Thee all those who labor in these halls: clerks, secretaries, printers, janitors, others Let us not forget the vital part they play. Enable lobbyists to bring essential facts without seeking special favors for those they represent Give wisdom to those who publicize that they may make known only true and important events. Give patience, skill, and satisfaction to those whose work is rarely noticed Give to all of us good fellowship, real appreciation for each other, and enjoyment in work which merits the stamp of Thy divine approval. We pray in the name of Him who said, "My Father worketh even until now, and I work."—AMEN

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Backstrand, on motion of Mr. Pattee.

Mr. Hegland, on motion of Mr. Schrade.

Mr. Thomas, on motion of Mr. Porter.

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

Mr. Lanterman, on motion of Mr. Shell.

## MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10.05 a.m., Mr. Ernest R. Geddes was granted unanimous consent that he and Messrs. Biddick, Busterud, Elliott, and Sedgwick, and Mr. Hanna, the author of the bills to be considered, be excused, for the purpose of holding a meeting of the Subcommittee on Architecture, Contractors, and Civil and Professional Engineers, in Room 4164, at this time.

## PETITION

The following petition was presented by the Chief Clerk from:

Helen E. Hutchins, and 16 others, relative to capital punishment. Referred to the Committee on Criminal Procedure.

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 53:** By Messrs. Gaffney, Busterud, Marks, and Munnell—Relative to commending Clint Mosher.

Resolution read.

### Members Made Co-authors of Assembly Concurrent Resolution No. 53

Mr. Chapel was granted unanimous consent that all members so desiring be placed upon Assembly Concurrent Resolution No. 53 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

### Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up Assembly Concurrent Resolution No. 53 without reference to committee, print, or file, and that the same be considered engrossed.

### Further Consideration of Assembly Concurrent Resolution No. 53

**Assembly Concurrent Resolution No. 53:** By Messrs. Gaffney, Busterud, Marks, Munnell, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Samuel R. Geddes,

Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, Charles H Wilson, Winton, and Z'berg—Relative to commending Clint Mosher.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Shell was granted unanimous consent that the following report be ordered printed in the Journal, and that 300 copies of the report be printed as a separate document:

## REPORT OF ASSEMBLY INTERIM COMMITTEE ON MANUFACTURING, OIL, AND MINING INDUSTRY

MEMBERS OF THE COMMITTEE

| | |
|---|---|
| H. W. "PAT" KELLY, Chairman | HERBERT R. KLOCKSIEM |
| JOSEPH C. SHELL, Vice Chairman | LLOYD W. LOWREY |
| BRUCE F. ALLEN | FRANK LUCKEL |
| PHILLIP BURTON | RICHARD H. MCCOLLISTER |
| ROBERT W. CROWN | ALLEN MILLER |
| DOROTHY M. DONAHOE | EUGENE G. NISBET |
| WILLIAM S. GRANT | JOHN A. O'CONNELL |
| WILLIAM W. HANSEN | JESSE M. UNRUH |

HELEN AMSBERRY, Committee Secretary

### LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, ASSEMBLY INTERIM COMMITTEE ON MANUFACTURING, OIL, AND MINING INDUSTRY
SHAFTER, CALIFORNIA, January 5, 1959

*Honorable Speaker of the Assembly; and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Your Committee on Manufacturing, Oil, and Mining Industry created pursuant to House Resolution No. 237, herewith submits its report on matters studied during the 1957-59 interim period.

Two major topics have been studied by the committee during the 1957-59 interim period: subsidence in the Long Beach area assertedly due to the extraction of oil and gas, and the problem of the tax rate on agricultural minerals. Reports, studies and exhibits relating to these topics are available at the committee office.

Your committee sets forth in this report its findings and recommendations relating to the matters studied and is confident that the same will be valuable to the Legislature in its consideration of these matters.

The chairman desires to express his sincere appreciation for the co-operation he has received from the members of the committee. The chairman and the committee members are grateful for the assistance

and co-operation they received from witnesses appearing before the committee and to other persons who made valuable contributions to the committee.

Respectfully submitted,
(Signed by the following members)

H. W. KELLY, *Chairman*
JOSEPH C. SHELL, *Vice Chairman*
BRUCE F. ALLEN
PHILLIP BURTON
ROBERT W. CROWN
DOROTHY M. DONAHOE
WM. S. GRANT
WM. W. HANSEN
HERBERT R. KLOCKSIEM
FRANK LUCKEL
RICHARD H. MCCOLLISTER
ALLEN MILLER
EUGENE G. NISBET
JOHN A. O'CONNELL
JESSE M. UNRUH *(with reservations)*

## RESOLUTION CREATING COMMITTEE

By Mr. Kelly:

**House Resolution No. 237**

Relative to constituting the Assembly Standing Committee on Manufacturing, Oil, and Mining Industry an interim committee

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

1. The Assembly Standing Committee on Manufacturing, Oil, and Mining Industry of the 1957 Regular Session is hereby constituted an interim committee and is authorized and directed to ascertain, study and analyze all facts relating to the leasing, financing, discovery, development, synthesizing, production, waste, conservation, transportation, importation, treatment, refining, marketing, and use of oil, gas, and other hydrocarbon substances and any and all matters relating to or affecting oil, gas, and other hydrocarbon substances, and the subjects of manufacturing and mining, including the question of desirability or undesirability of having preferences for California bidders on public contracts, and including any problems arising out of the search for uranium ore, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Manufacturing, Oil, and Mining Industry for the 1957 Regular Session. The chairman and vice chairman shall be the chairman and vice chairman of the *standing committee. Vacancies occurring in the membership of the committee* shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1959 Regular Session, with authority to file its final report not later than the fifth legislative day after the constitutional recess during such session.

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

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

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

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

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

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

6. The sum of eighteen thousand three hundred fifty dollars ($18,350) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

## REPORT OF ASSEMBLY INTERIM COMMITTEE ON MANUFACTURING, OIL, AND MINING INDUSTRY

### Subsidence:

*Findings:* The chief matter to come before the committee during the 1957-59 interim period was that relating to subsidence of land levels in the Long Beach area assertedly due to the extraction of large volumes of oil and gas during the last 20 years.

Two hearings were held in the fall of 1957 at which times the methods and manner in which the subsidence could be halted were discussed.

The City of Long Beach, after first favoring the establishment of a subsidence abatement district (Assembly Bill No. 4163, 1957 Regular Session), in December, 1957, submitted to the committee a proposed draft of legislation to provide for co-operative development and unit operation and repressuring of oil and gas pools. The proposal called for the promotion of voluntary agreements insofar as feasible by the Oil and Gas Supervisor. If voluntary agreement were not achieved, the supervisor was empowered by the suggested legislation to require the repressurization by unit operation. The proposal of Long Beach met with the approval of most of the operators in the subsidence area.

Legislation reflecting the proposals presented to the committee by the City of Long Beach was introduced in the 1958 Special Session. Assembly Bill No. 5 together with Assembly Bill No 12 (providing for a city to enter into unit agreements) was passed by the Legislature and signed by the Governor (Chapter 73).

*Recommendations:* As legislation has already been considered and passed in reference to the subsidence problem, the committee makes no further specific recommendations. However, as some problems have developed since the legislation became law and due to the general gravity of the problem, the committee believes further legislative observation of the problem may be necessary.

#### Witnesses Appearing Before the Subsidence Hearings of the Assembly Interim Committee on Manufacturing, Oil, and Mining Industry, Long Beach, October 3-4, 1957

Wahlfred Jacobson, City Attorney, City of Long Beach
Raymond C. Kealer, Mayor, City of Long Beach
Hon. Craig Hosmer, Congressman, Eighteenth District
John Lambie, Assistant County Engineer, representing Los Angeles County Board of Supervisors
Dr. Frank S. Hudson, Engineering Consultant
Hon. Clyde Doyle, Congressman, Twenty-third District
William L. Horner, Vice President, Core Laboratories, Inc.
G. E. Woodward, Vice President, DeGolyer and MacNaughton
Rear Admiral Robert Campbell, Commander of the Naval Base in Los Angeles

Capt. Charles H. Neel, Civil Engineer Corps, U. S. Navy
Frank J. Hardesty, Chief Petroleum Engineer, Port of Long Beach
Bob Hoffmaster, Assistant Harbor Engineer, Port of Long Beach
Bernard E. McCune, Deputy City Engineer, City of Long Beach
Samuel Vickers, City Manager, City of Long Beach
Russell M. Brougher, President, Civic League of Long Beach
Martin N. Erck, Counsel and Secretary, Monterey Oil Co.

**Witnesses Appearing Before the Subsidence Hearings of the Assembly Interim Committee on Manufacturing, Oil, and Mining Industry in Los Angeles, December 9-10, 1957**

Raymond C. Kealer, Mayor, City of Long Beach
John C. Spence, Jr., Deputy City Attorney, City of Long Beach
Dr. Frank S. Hudson, Engineering Consultant, San Francisco
G. E. Woodward, Vice President, DeGolyer and MacNaughton
Samuel E. Vickers, City Manager, City of Long Beach
Frank J. Hardesty, Chief Petroleum Engineer, Port of Long Beach
Rear Admiral Ralph K. James, Commander of the Long Beach Naval Shipyard
Edward C. Renwick, Attorney, Union Pacific Railroad Company
Lee S. Osborne, Vice President, Union Pacific Railroad Company
J. C. Scherer, Assistant Chief Petroleum Engineer, Union Pacific Railroad Company
P. S. Magruder, Executive Vice President, General Petroleum Company
Mrs. Bonnie Harter, Marine Improvement Association of Long Beach
Wahlfred Jacobson, City Attorney, City of Long Beach
Ivar Larson, Long Beach Harbor Oil Field
Mrs. Leon Olson, Landowner, Wilmington Field
Francis Hortig, Chief of Staff, State Lands Commission
Laurence B. James, Chief Geologist, California Department of Water Resources
Philip Brady, Deputy City Attorney, City of Long Beach

**Agricultural Minerals**

*Findings:* The Subcommittee on Agricultural Minerals of the Interim Committee on Manufacturing, Oil, and Mining Industry investigated the taxation of agricultural minerals and chemical fertilizers at a hearing held in Bakersfield in May, 1958.

*Background to the Question.* The Agricultural Code requires that manufacturers of commercial fertilizers and agricultural minerals pay a tonnage license fee and a $50 registration fee each year. Commercial fertilizer is defined as substances containing 5 percent or more of nitrogen, available phosphorus pentoxide, or potassium oxide, soluble in distilled water, singly, collectively, or in combination, except manures, hay straws, peat and leaf mold. Agricultural minerals are similar, except they contain less than 5 percent nitrogen

Funds collected from tonnage taxes and licenses are used in law enforcement by the Bureau of Chemistry. The bureau sees that the laws are complied with protecting farmers and the general public in sales of various agricultural chemicals.

Prior to 1943, the tonnage tax was 25 cents a ton on commercial fertilizer and 10 cents a ton on agricultural minerals. In 1943, the commercial fertilizer tonnage tax was reduced from 25 cents to 20 cents a ton, and then in 1952 was further reduced to 15 cents a ton.

In 1955 the tax on agricultural minerals was reduced from 10 cents per ton to 3 cents per ton to be in effect for two years. During the 1955-57 interim period, the committee reviewed the tax problem and recommended in their report the continuation of the three-cent tax level for an additional two-year period until October 1, 1959. This was provided by the 1957 Legislature. The committee recommended, as well, that costs studies be made to determine basic information needed to establish a permanent relationship between commercial fertilizer and the agricultural minerals tonnage taxes. (See Assembly Interim Committee Reports, 1955-1957, Vol. 14, No. 2, pp. 7, 13-18).

In light of the above, the Subcommittee on Agricultural Minerals has continued the study of the problem.

*Committee Findings.* At the request of the subcommittee, the Legislative Analyst's office studied the cost implications of the tax to arrive at some basis for establishing an equitable tax rate (See below for the full report.)

Cost studies conducted by the Legislative Analyst indicate that the proper relationship between the tonnage taxes on commercial fertilizers and agricultural minerals is 15 to 4.3. This calculation considers the cost of processing samples, collection costs, and the number of samples taken per ton; the major assumption being the tonnage tax on commercial fertilizers is equitable.

The above 15 to 4.3 ratio does not attempt to balance the revenues and expenditures of the Bureau of Chemistry. The existing rate for commercial fertilizers and agricultural minerals, according to the Legislative Analyst, would have to be increased to meet the current expenditure requirements if these two sources of revenue are to be relied upon for total support. To reach a balance of receipts and expenditures, the Legislative Analyst recommended to the subcommittee that consideration also be given to increasing revenues of the bureau by other means such as charging for the analyses of certain soil amendments and auxiliary plant chemicals which do not pay for the services performed on their behalf at the present time. To fully carry the bureau by means of existing taxes, the rates would probably have to be about 20 cents on commercial fertilizers and 6 or 7 cents for agricultural minerals.

The Legislative Analyst estimates that there is a surplus of about $400,000 in the special fund which provides resources for the Bureau of Chemistry to operate the agricultural minerals and commercial fertilizer inspection and enforcement. This surplus will be exhausted within about four years unless an adjustment is made in tax rates. The department's policy is that the amount of the revenue should equal the cost of one year's operation, or about $300,000.

Allen B. Lemmon, Chief of the Division of Plant Industry, Department of Agriculture, and formerly Chief of the Bureau of Chemistry, stated to the subcommittee that the general relationship between fertilizer materials enforcement is in the approximate ratio of 20 percent for agricultural minerals enforcement, and 80 percent for other classes

of fertilizing materials, which includes commercial fertilizers, soil amendments, and auxiliary plant chemicals.

Mr. Lemmon, in general, supported the assessment provided by the Legislative Analyst and recommended that consideration be given to a registration fee for auxiliary plant chemicals which are currently not paying for the inspection and enforcement services. According to Mr. Lemmon, there should be little opposition to such a fee as many of the auxiliary plant chemical firms also sell economic poisons, fertilizers or agricultural minerals. In addition, the class of soil amendments (such as leaf mold, vermiculite, peat moss, etc.) could be examined to see if some of those included could be taken out and placed into one of the other currently taxable classes.

The California Fertilizer Association, according to M. M. Stockman, Chairman of the Legislative Committee, is as an industry in favor of the findings of the Legislative Analyst and the position of the Department of Agriculture. A ratio of about three to one between chemical fertilizer and agricultural mineral taxes is recommended by the association. Mr. Stockman asserted that the industry would support a measure to bring more money in from auxiliary plant chemicals, but noted that the amount of revenue would probably be small.

Harvey S. Holloway, President of the H. M. Holloway, Inc., pointed out to the subcommittee that the difference in price for gypsum as compared to commercial fertilizers is considerable. Gypsum sold by his company sells between $3 75 and $6.25 per ton as compared to rates for commercial fertilizers of $50 to $75 per ton. Therefore, the gypsum producer pays a much higher tax in proportion to his selling price. His findings indicate the tonnage tax on gypsum used in farming is about 12 cents to 15 cents per acre, whereas it is 6 cents to 7 cents per acre for commercial fertilizers. In addition, costs are lower for testing agricultural minerals and the samples taken are considerably less (five to one for 1956) in comparing commercial fertilizers and agricultural minerals. According to Mr. Holloway, it is reasonable and equitable to fix a tax on agricultural minerals at not to exceed the present rate of three cents per ton.

*Recommendations:* The committee recommends the retention of the three-cent tax per ton on agricultural minerals in view of the fact that the fund for inspection services is sufficient to continue the Bureau of Chemistry's functions for several years without additional tax income from the industry.

## LETTER FROM MR. UNRUH

ASSEMBLY, CALIFORNIA LEGISLATURE, January 13, 1959

*Honorable Speaker of the Assembly; and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: I am signing the committee report because it states the bare facts of the investigation into subsidence in the City of Long Beach and therefore is technically correct. However, I do not feel the committee report is specific enough in pointing out the deficiencies of the subsidence legislation which was enacted in 1958.

I also feel that the report should be much more specific in pointing out that certain oil companies and oil interests in the City of Long Beach have successively dragged their heels for years and were able to insert, what appears to me to be badly weakening provisions into the subsidence measure. While that measure may be of some help in combating subsidence which threatens the continued existence of the City of Long Beach, I personally feel that if the committee had more thoroughly pointed out the offending interests, that stronger legislation could have been enacted. It appears to me that it certainly should have been.

Also, it would be my recommendation that a continuing legislative study of this problem is imperative if the welfare of the City of Long Beach directly, and all of Southern California indirectly, is to be protected.

Sincerely,

JESSE M. UNRUH

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

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

**Assembly Bill No. 831**: By Messrs Unruh, Munnell, and Rees—An act to amend Section 404 of the Unemployment Code, relating to referees of Appeals Board.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 832**: By Mr. Collier—An act to amend Sections 14740 4, 14740 5, and 14740.6 of the Education Code, and Sections 14683, 14684, and 14685 of the Education Code as proposed by Senate Bill No. 2, relating to school district retirement systems.

Referred to Committee on Education.

**Assembly Bill No. 833**: By Mr Z'berg—An act to amend Section 2804 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931

Referred to Committee on Municipal and County Government

**Assembly Bill No. 834**: By Mr. Hanna (Departmental—Industrial Relations)—An act to amend Section 74 of the Labor Code, relating to the enforcement of subpoenas.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 835**: By Mr. Biddick—An act to amend Sections 802.6 and 823 53 of the Agricultural Code, relating to grape containers.

Referred to Committee on Agriculture.

**Assembly Bill No. 836**: By Mrs Davis—An act to amend Sections 175, 177 and 181 of the Water Code, relating to the State Water Rights Board.

Referred to Committee on Water.

**Assembly Bill No. 837**: By Mr. Coolidge—An act to amend Sections 16771 and 16772 of the Government Code, relating to state bonds.

Referred to Committee on Government Organization.

**Assembly Bill No. 838**: By Mr Hanna (By request of Southern California Auto Dealers Association)—An act to amend Section 221.2 of the Vehicle Code, and to amend Section 10855 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to stolen and embezzled vehicles.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 839**: By Mr. Winton (Departmental—State Building Standards Commission)—An act to amend Sections 18901, 18902, 18903, 18904, 18905, 18906, 18907, 18908 and to add Sections 18906 3 and 18906.4 to the Health and Safety Code, relating to the State Building Standards Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 840**: By Mr. Winton (Departmental—Agriculture)—An act to amend Section 1239 of the Agricultural Code, relating to agricultural warehouse inspection and license fees.

Referred to Committee on Agriculture.

**Assembly Bill No. 841**: By Mr. Winton—An act to amend Section 106 of the Education Code, and Section 108 of the Education Code as proposed by Senate Bill No. 2, relating to meetings of the State Board of Education.

Referred to Committee on Education.

**Assembly Bill No. 842**: By Mr Winton—An act to amend Sections 911.23, 913, 914, 914.9, and 918.1 of the Agricultural Code, relating to agricultural and vegetable seeds.

Referred to Committee on Agriculture.

### Speaker pro Tempore Presiding

At 10 20 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 843**: By Messrs. O'Connell, Marks, and Burton—An act to amend Section 8276 and repeal Sections 8277 and 8279 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

**Assembly Bill No. 844**: By Messrs. O'Connell, Marks, and Burton—An act to amend Section 8371 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

**Assembly Bill No. 845**: By Messrs. O'Connell, Marks, and Burton—An act to add Section 8283 to the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

**Assembly Bill No. 846**: By Mr. Charles H. Wilson—An act to amend Section 4.4 of, and to add Section 2.14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 847:** By Mr. Biddick—An act to amend and renumber Section 1709.3 (as added by Chapter 1689, Statutes of 1957) of the Insurance Code, relating to licenses for insurance agents.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 848:** By Mr. Biddick—An act to amend and renumber Section 103.7 (as added by Chapter 1068, Statutes of 1957) of the Welfare and Institutions Code, relating to public assistance recipients.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 849:** By Mr. Biddick—An act to amend and renumber Section 21661 (as added by Chapter 2154, Statutes of 1957), and the title of Part 6.5 of Division 13 and Sections 36500 to 36509, inclusive (as added by Chapter 1487, Statutes of 1957), of the Water Code, relating to districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 850:** By Mr. Biddick—An act to amend and renumber Section 6403 (added by Stats. 1947, Ch. 887) of the Public Resources Code, relating to the powers and duties of the State Lands Commission with respect to the reservation of mineral deposits in state lands.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 851:** By Mr. Biddick—An act to repeal Section 186 (as amended by Chapter 2424, Statutes of 1957) of the Water Code, relating to State Water Rights Board.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 852:** By Mr. Biddick—An act to amend and renumber Section 213 (as added by Chapter 2409, Statutes of 1957), of the Health and Safety Code, relating to kosher meats.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 853:** By Mr. Biddick—An act to amend and renumber Sections 20495 (as added by Chapter 1155, Statutes of 1957), 37395 (as added by Chapter 1475, Statutes of 1957), and 70045.9 (as added by Chapter 1786, Statutes of 1957) of the Government Code, relating to local governmental operations.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 854:** By Mr. Biddick—An act to repeal Sections 21152 (as added by Chapter 65, Statutes of 1957), 21152 (as added by Chapter 936, Statutes of 1957), 21153 (as added by Chapter 936, Statutes of 1957), 69505 (as added by Chapter 1045, Statutes of 1957), and 73650 (as added by Chapter 65, Statutes of 1957) of the Government Code, relating to public employment.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 855:** By Mr Biddick—An act to amend and renumber Section 4187 (as added by Chapter 2017, Statutes of 1957) of the Fish and Game Code, relating to special hunting permits.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 856**: By Mr. Biddick—An act to repeal Section 1354 (as added by Chapter 1037, Statutes of 1957) of the Fish and Game Code, relating to Archibald Lake public fishing and recreation area.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 857**: By Mr. Biddick—An act to amend and renumber Section 24206 (as added by Chapter 1275, Statutes of 1957) of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 858**: By Mr. Biddick—An act to amend and renumber Section 96 (as added by Chapter 1471, Statutes of 1957) of the Agricultural Code, relating to insurance for horserace meetings.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 859**: By Mr. Samuel R. Geddes—An act to add Section 591.5 to the Vehicle Code, and to add Section 22519 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to removal of ignition keys from unattended vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 860**: By Mr. Samuel R. Geddes (Departmental—Education)—An act to amend Section 16091 of the Education Code, and Section 10651 of the Education Code as proposed by Senate Bill No. 2, relating to the provision for readers to assist blind students.

Referred to Committee on Social Welfare.

**Assembly Bill No. 861**: By Mr. Pattee—An act to add Section 7711 to the Fish and Game Code, relating to transportation of fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 862**: By Mr. Rees—An act to amend Section 12258 of the Revenue and Taxation Code, relating to insurance taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 863**: By Mr. Rees—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 864**: By Mr Rees—An act to amend Section 3710.1 of, and to add Section 3710.3 to, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 865**: By Mr. Rees—An act to repeal Sections 4050, 4051, 4052, 4053, 4056, 4602, 4603 and 4604 of, and to amend Sections 4600 and 4601 of, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 866**: By Mr. Rees—An act to amend Section 752 of the Financial Code, relating to powers of banks and trust companies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 867**: By Miss Donahoe—An act to amend Section 14401 of the Education Code, and to amend Section 14001 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 868**: By Mr. Miller—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation.

Referred to Committee on Rules.

**Assembly Bill No. 869**: By Messrs. Porter, Collier, Charles H. Wilson, Rees, and Cusanovich—An act to add Section 25843 to the Government Code, relating to weather data.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 870**: By Messrs Porter, Biddick, Ralph M Brown, George A. Willson, Cameron, and Dahl—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts

Referred to Committee on Municipal and County Government.

**Assembly Concurrent Resolution No. 54**: By Messrs. MacBride and Z'berg—Relative to the death of Judge Percy G West.

Referred to Committee on Rules

**Assembly Constitutional Amendment No. 22**: By Mr. Conrad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 26 to Article I, and by amending Section 1 of Article II thereof, relating to the age of majority.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 23**: By Mr. Conrad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article VI thereof, relating to the eligibility of judges for party nominations.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 871**: By Messrs. Porter, Biddick, Ralph M Brown, George A. Willson, Cameron, and Dahl—An act to amend Section 2350 and Section 2351 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 872**: By Messrs. Porter, Biddick, Ralph M Brown, George A. Willson, Cameron, and Dahl—An act to amend Section 2330 of, and to add Section 233.6 to, the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 873**: By Messrs. Porter, Biddick, Ralph M. Brown, George A. Willson, Cameron, and Dahl—An act to amend Section 2312 of the Health and Safety Code, relating to the withdrawal of mosquito abatement funds.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 874**: By Messrs. Porter, Biddick, Ralph M. Brown, George A. Willson, Cameron, and Dahl—An act to amend Sections 2248 and 2851 of the Health and Safety Code, relating to the compensation and expenses of mosquito and pest abatement district board members.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 875**: By Mr. Miller, Senator Richards, co-author —An act to amend Section 75025 of the Government Code, relating to judges' retirement.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 29, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 67

Without recommendation.

MILLER, Chairman

### Request for Unanimous Consent

Mr Lowrey was granted unanimous consent to take up House Resolution No. 67 without reference to file.

### Speaker Presiding

At 10.34 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## CONSIDERATION OF HOUSE RESOLUTION NO. 67

By Mr. Lowrey:

### House Resolution No. 67

Relative to the creation of a Subcommittee of the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works has conducted a study and published a report concerning the desirability of establishing a federal soil and water conservation laboratory at Davis, California; and

WHEREAS, The federal officials involved and other interested parties will be in attendance at the National Soil Conservation Association Convention, to be held at Houston, Texas; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Vice Chairman of the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 215 of the 1957 Regular Session and continued by House Resolution No. 23 of this session) is hereby authorized and directed to appoint a subcommittee consisting of the Chairman of the Assembly Standing Committee on Natural Resources, Planning, and Public Works, who shall serve as

chairman of the subcommittee, and one other member of the interim committee, to attend the meeting of the National Soil Conservation Association; and be it further

*Resolved*, That said subcommittee shall secure all available information concerning the possible establishment of such a laboratory at Davis, California, and shall report its findings to the Assembly not later than February 15, 1959; and be it further

*Resolved*, That said subcommittee is hereby authorized to meet and act both within and outside the State of California in carrying out the duties imposed on it pursuant to this resolution; and be it further

*Resolved*, That the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 215 of the 1957 Regular Session and continued by House Resolution No. 23 of this session) is further continued in existence until February 15, 1959, for the purposes of carrying out the provisions of this resolution; and be it further

*Resolved*, That the sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the subcommittee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the subcommittee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Bee, Bradley, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—50.

NOES—Britschgi, Burke, Dahl, Hawkins, Holmes, Levering, McMillan, Reagan, Shell, Thelin, and Charles H. Wilson—11.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 209, 262, AND 263

Mr. Cameron was granted unanimous consent that Assembly Bill No. 209 be withdrawn from the Committee on Natural Resources, Planning, and Public Works, and re-referred to the Committee on Water.

Mr. Porter was granted unanimous consent that Assembly Bills Nos. 262 and 263 be withdrawn from the Committee on Natural Resources, Planning, and Public Works, and re-referred to the Committee on Water.

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

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

**Assembly Bill No. 876**: By Messrs. Reagan and Levering—An act to amend Section 2653 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 877**: By Mr. Miller (Departmental—Industrial Relations)—An act to amend Labor Code Section 101, relating to payment of court costs by the Division of Labor Law Enforcement.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 878**: By Messrs Kilpatrick, George E. Brown, Elliott, Ernest R. Geddes, and Hawkins—An act to add Sections 3010, 3011, 3409, and 3410 to, to amend Sections 3047.2, 3447, and 3449 of, and to repeal Sections 3088, 3088.1, 3474 and 3474.1 of, the Welfare and Institutions Code, relating to the responsibility of relatives of recipients of aid to the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 879:** By Messrs. Kilpatrick, Chapel, Hawkins, George E. Brown, Elliott, and Ernest R. Geddes—An act to add Section 638 to the Penal Code, relating to equipment employing Roentgen rays.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 880:** By Messrs. Kilpatrick, Chapel, George E. Brown, Elliott, Ernest R. Geddes, and Hawkins—An act to add Section 1773.3 to the Labor Code, relating to prevailing wage rates.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 881:** By Messrs. Kilpatrick, Chapel, George E. Brown, Elliott, Ernest R. Geddes, and Hawkins—An act to amend Section 3475 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

**Assembly Bill No. 882:** By Messrs. MacBride, Z'berg, Meyers, and O'Connell—An act to add Section 152 to the Streets and Highways Code, relating to property acquired for state highway needs.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 883:** By Messrs. Masterson and Waldie—An act to amend Sections 57, 70, 331, 332, 3031, 4006, and 7049 of the Fish and Game Code, relating to licenses for taking animals.

Referred to Committee on Fish and Game.

**Assembly Bill No. 884:** By Messrs. Masterson and Waldie—An act to add Article 6 (commencing at Section 35400) to Chapter 1, Part 2, Division 2, Title 4, of the Government Code, relating to the annexation of territory to cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 885:** By Mr. Unruh (Departmental—Industrial Relations)—An act to amend Sections 1652 and 1663 of the Labor Code, relating to artists' managers.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 886:** By Mr. Unruh (Departmental—Industrial Relations)—An act to add Section 1582.1 to, and to amend Sections 1588, 1588.2 and 1594 of, the Labor Code, relating to employment agency licenses.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 887:** By Mr. Unruh (Departmental—Industrial Relations)—An act to amend Section 1684 of the Labor Code, relating to farm labor contractors.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 888:** By Mr. Winton—An act to amend Sections 1010 and 1011 of, and to add Section 1011.5 to, the Agricultural Code, relating to spray residue.

Referred to Committee on Agriculture.

**Assembly Bill No. 889**: By Messrs. Mulford and Rumford—An act to amend Section 511.3 of the Vehicle Code and to add Section 22413 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the establishing of maximum speed limits by local authorities on streets with a grade in excess of 10 percent.

Referred to Committee on Transportation and Commerce.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, January 29, 1959

MR. SPEAKER. Your Committee on Rules reports

Assembly Joint Resolution No. 10

With the recommendation: Be adopted

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, January 29, 1959

MR. SPEAKER. Your Committee on Rules reports:

House Resolution No. 41
House Resolution No. 46
House Resolution No. 47
House Resolution No. 68

With the recommendation: Be adopted

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, January 28, 1959

MR. SPEAKER. Your Committee on Rules reports:

Assembly Joint Resolution No. 9

With the recommendation: Be re-referred to the Committee on Agriculture.

MILLER, Chairman

Above resolution ordered re-referred to the Committee on Agriculture.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 28, 1959

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

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 45
Assembly Concurrent Resolution No. 46

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, January 26, 1959

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

Senate Concurrent Resolution No. 16

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 16**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on November 4, 1958.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 26, 1959

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

Senate Concurrent Resolution No. 17

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolution was read:

**Senate Concurrent Resolution No. 17**—Relative to approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the third day of June, 1958.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 27, 1959

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

Senate Concurrent Resolution No. 18
Senate Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolutions were read:

**Senate Concurrent Resolution No. 18**—Relative to approving an amendment to the charter of the County of San Bernardino, State of California, ratified by the qualified electors of said county at an election held therein on the third day of June, 1958.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 19**—Relative to approving an amendment to the charter of the County of San Bernardino, State of California, ratified by the qualified electors of said county at an election held therein on the fourth day of November, 1958.

Referred to Committee on Rules.

## MOTION FOR COPIES OF BUDGET

Mr. Winton moved that the Chief Clerk be instructed to make available to each Member of the Assembly five copies of the Budget on request.

Motion carried unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 39

By Mr. Miller:

**House Resolution No. 39**

Relative to amending the Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the Standing Rules of the Assembly are amended by adding thereto a new Rule 12.5 to read as follows:

12.5. The Assembly Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money

in the Assembly Contingent Fund, including money now or hereafter appropriated, except such sums as are specifically made available for the expenses of designated interim committees or for other purposes, is hereby made available to the Assembly Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or joint resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint interim committee by the Assembly, upon the expiration of such committee, and shall be expended as provided in these rules.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

## CONSIDERATION OF DAILY FILE

## CONSIDERATION OF HOUSE RESOLUTION NO. 28

By Miss Donahoe and Mr. Williamson:

**House Resolution No. 28**—Relative to the passing of the Honorable Jess R. Dorsey.

Resolution read.

### Members Made Co-authors of House Resolution No. 28

Mr. Williamson was granted unanimous consent that all members so desiring be placed upon House Resolution No. 28 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

### Further Consideration of House Resolution No. 28

By Miss Donahoe, Messrs. Williamson, Bruce F. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs Davis, Messrs DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick,

Shell, Sumner, Thelin, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 28**

Relative to the passing of the Honorable Jess R. Dorsey

WHEREAS, The Legislature of the State of California has lost one of its most distinguished members in the passing of the late Senator Jess R. Dorsey; and

WHEREAS, The death of the Honorable Jess R. Dorsey ended the career of a man dedicated to public service which began in 1899 when he served as Clerk of the Assembly Ways and Means Committee; and

WHEREAS, The Honorable Jess R. Dorsey was a native of Missouri and became a resident of California at an early age where he received his education, having attended the elementary schools of Kern County and the Watsonville High School; and

WHEREAS, Following his graduation from Valparaiso University in Indiana in 1898, he was admitted to the Bar of California where he entered the private practice of law, first establishing a private law office in Randsburg and later in the City of Bakersfield which he maintained until his death; and

WHEREAS, The Honorable Jess R. Dorsey, as a dedicated public servant, rendered service with distinction in numerous and various capacities, having served in the Assembly for two terms from 1902 until 1907, following which he rendered service as City Attorney of Bakersfield and was later elected to the office of District Attorney for Kern County, where he served for two terms from 1917 to 1923; and

WHEREAS, In 1942 the Honorable Jess R. Dorsey was elected to the Senate for a term of office of four years and was re-elected to that high office in each of the following elections held in 1946, 1950, and 1954, after having won both party nominations in each primary election in which he was a candidate for State Senator; and

WHEREAS, His service to his community and to the State earned him the respect and everlasting gratitude of his fellow citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body feel a profound sense of bereavement in the loss of their colleague, and desire by this resolution to convey their heartfelt sympathy to the members of his family; and be it further

*Resolved*, That when the Assembly adjourns this day, it shall do so in honor of the memory of the Honorable Jess R. Dorsey, and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to the members of the family of the Honorable Jess R. Dorsey

Resolution read, and adopted unanimously by a rising vote of the Members of the Assembly.

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

The following bill was introduced, and read the first time:

**Assembly Bill No. 890**: By Messrs. Hawkins, Rumford, Elliott, Don A. Allen, Bruce F. Allen, George E. Brown, Burton, Busterud, Crawford, Gaffney, Garrigus, Kilpatrick, Masterson, McMillan, Meyers, Munnell, O'Connell, Unruh, Waldie, Williamson, and Charles H. Wilson—An act to add Part 5 (commencing at Section 35700) to Division 24 of the Health and Safety Code, relating to discrimination in publicly assisted housing.

Referred to Committee on Governmental Efficiency and Economy.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker pro Tempore Bee of Hayward to Frank Bonelli of Huntington Park, former Assemblyman.

On request of Mr. Lunardi of Roseville to Robert K. Oldenburg, Olive Auser, and LeRoy Elder, adults; and the following pupils of the Big Oak Flat School: Billy Auser, Sandra Walker, Pamela Green,

Thorlee Crawford, Anna Bell Moore, Shirley Stoughton, Jimmy Peters, Robert Vipperman, Robert Coolidge, Jim Finley, Jack Finley, Floyd Walker, Tommy Wilson, Louie Gookin, Dorothy Elder, Fayma Gray, Janet Cremeen, and Sharon Nicholson.

On request of Mr. Waldie of Antioch and Mr. Masterson of El Sobrante to James Kenney and Thomas Coll of Contra Costa County.

On request of Mr. Don A. Allen of Los Angeles to Harold L. Scott, R.S., of Los Angeles

On request of Miss Donahoe and Mr. Williamson of Bakersfield to Mrs. P. T. Ketelson of Ridgecrest.

On request of Mr. DeLotto of Fresno and Mr. Garrigus of Reedley to Henry Andreas, Sloan McCormick, and Floyd Olsen of Fresno, and Clint Wilson of Modesto.

On request of Miss Donahoe of Bakersfield and the San Diego Delegation to Mrs. Nancy C. Ketelson of Ridgecrest.

On request of Mr. Winton of Merced to Paul Christoffersen, Edgar Norby, Chester Ridgeway, and Ralph Spotts of Madera County.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Frank Mesple of Redwood City, Don Livingston of Oakland, Lu Verda Moffatt of Berkeley, Gerald D Wacks, Boyce Bennett, and Nick Cretan of San Francisco, students of the San Francisco State College.

On request of Mr. Bradley of San Jose to Harold Seyferth of San Jose.

On request of Mr. Winton of Merced to District Attorney and Mrs Lester J. Gendron of Madera County.

On request of Mr. Belotti of Eureka to Manuel Mattz of Hoopa, Gary Cundy of Willow Creek, and Don Himes, District Superintendent of Schools, Hoopa.

## ADJOURNMENT

At 11.15 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 11 a.m., Monday, February 2, 1959, out of respect to the memory of the late Senator Jess R. Dorsey of Bakersfield.

RALPH M. BROWN, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-FIRST CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, February 2, 1959

The Assembly met at 11 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God, Most Merciful and Gracious,* Take our lives into Thy hands and hold them most surely in Thy keeping, that we may know beyond the shadow of a doubt that there is a firm power under us, a great and loving care about us, and an eternal destiny before us. Give us steadfast minds, which no unworthy thought can turn aside; valiant spirits, which no tribulation can destroy; brave hearts, which no pressure can intimidate. Now, Our Father, that we have said our prayers, we are ready to begin the labors of the day. We pray in the name of Him who once said, and still promises, "Ask, and ye shall receive; seek, and ye shall find; knock, and it shall be opened unto you"—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

## READING OF THE JOURNAL DISPENSED WITH

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

## ANNOUNCEMENT

Speaker Brown announced that a bill amending Sections 3701 and 3702 of the Labor Code, relative to workmen's compensation insurance and security, had been presented at the desk without an author's signature; and requested that the author of the bill come to the desk, and sign the bill.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal

**Report of Department of Public Works—Studies on U. S. 101—Pacific Palisades**

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 29, 1959

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

DEAR MR. OHNIMUS: Chapter 2009, Statutes of 1957 (Assembly Bill No. 4129), appropriated $300,000 to the Department of Public Works for expenditure in conducting certain investigations and studies on U. S. 101 in and north of the City of Santa Monica, the so-called Pacific Palisades.

There are enclosed six copies of a progress report on this project

Sincerely,

ROBERT B. BRADFORD, Director of Public Works

Encl

Above transmitted six copies of report referred to the Committee on Transportation and Commerce

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The following communications were presented by the Chief Clerk from:

Hedwig Rahn of Los Angeles, relative to aged aid. Referred to the Committee on Social Welfare

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Jan and George Williams of Burbank, relative to age limits for drivers' licenses. Referred to the Committee on Transportation and Commerce.

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D. Duncan of Burbank, relative to age limits for drivers' licenses Referred to the Committee on Transportation and Commerce.

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Mrs. William Ridell and Mrs. John Rymer of San Jose, relative to age limits for drivers' licenses. Referred to the Committee on Transportation and Commerce.

## ANNOUNCEMENT

Speaker Brown announced that copies of the Legislative Digest have been placed upon the members' desks this morning; and advised the members that they should retain these copies, since they will not be reprinted.

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report of Special Study Commission on Juvenile Justice

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, February 2, 1959

*The Honorable Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR BROWN: Pursuant to provisions of Section 6028.3 of the Penal Code, I have the honor, in behalf of the State Board of Corrections, to transmit the First Interim Report of the Special Study Commission on Juvenile Justice

It is evident that the commission has made considerable progress and has pursued its objectives in an organized, well-conceived manner which has resulted in the active participation of local officials throughout the State.

The commission, in its preliminary findings, has already identified several problem areas in the administration of juvenile justice which require carefully conceived solutions. The commission's approach to this important task reflects its awareness of the complexity of issues under study. Their plans to base suggested solutions on a thorough analysis of data, and subsequent review by their advisory committee and leading professional organizations should produce favorable results. In view of the fact that the commission's staff was not assigned until early in 1958, the additional time which the commission requires to complete its responsibilities appears justified and necessary.

We, therefore, wish to join in the commission's request for an extension of time to June 30, 1960, in order that they may complete their study and respectfully urge favorable executive and legislative support of this request.

Respectfully submitted,

RICHARD A. McGEE
Chairman, State Board of Corrections

Above transmitted report referred to the Committee on Criminal Procedure.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, January 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 11**—Relative to the selection of the Legislative Counsel of California;

**Assembly Concurrent Resolution No. 43**—Relative to the Pacoima Memorial Lutheran Hospital;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of January, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, January 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file.

### Committee on Education

ASSEMBLY CHAMBER, January 29, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 563

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading

## MESSAGES FROM THE SENATE

SENATE CHAMBER, January 29, 1959

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

Senate Concurrent Resolution No. 22

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 22**—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. Thomas:

### House Resolution No. 70

Relative to a research bibliography of fish and game material

WHEREAS, Pursuant to House Resolution No. 124 of the 1957 Regular Session of the Legislature an excellent comprehensive Annotated Bibliography of Research in Economically Important Species of California Fish and Game covering all available research papers on some 144 species was prepared for the Assembly Interim Committee on Fish and Game by Mr. William F. Scheuermann, Jr.; and

WHEREAS, This bibliography for the first time makes available a most valuable research tool for the study of material already written on the species included in the study; and

WHEREAS, This bibliography includes all available material prior to July, 1958, but in order for such a bibliography to be most useful it should include any subsequent studies of these species and any others which may become important in the future; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Fish and Game is requested to keep this bibliography up to date on the selected species and any additional species which may become economically important and to report such material to the Legislature at each general session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Department of Fish and Game and a suitably prepared copy to Mr. William F. Scheuermann, Jr.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 891**: By Mr. Bee—An act to add Section 580 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 892**: By Mr. Bee—An act to add Section 2015 to the Fish and Game Code, relating to possession of fish and game.

Referred to Committee on Fish and Game.

### Speaker pro Tempore Presiding

At 11.11 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 893**: By Mr. Collier—An act to amend Section 14736 of the Education Code, and amend Section 14674 of the Education Code as proposed by Senate Bill No. 2, relating to district retirement boards.

Referred to Committee on Education.

**Assembly Bill No. 894**: By Mr. Bane—An act to amend Section 14883 of the Health and Safety Code, relating to the abatement of hazardous weeds.

Referred to Committee on Agriculture.

**Assembly Bill No. 895**: By Messrs. Z'berg and Bane (Departmental—Corrections)—An act to amend Sections 20016 and 20334 of, and to add Section 21363 3 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

## INTRODUCTION OF GUEST

Speaker pro Tempore Bee announced the presence in the Assembly Chamber of Mr. David Kennick, the son of Assemblyman and Mrs. Joseph M. Kennick, and introduced him to the Members of the Assembly.

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

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

**Assembly Bill No. 896**: By Mr. Crawford—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 897**: By Mr. Conrad—An act to amend the article heading of Article 8 (commencing at Section 2790) of Chapter 2 of Division 5 of, to amend Section 2798, 2798.5, 2799, and 2807 of, to add Article 8.5 (commencing at Section 2855) to Chapter 2 of Division 5 of, to add Sections 2859 and 2864 to, to amend and renumber Sections 2800, 2801, 2802, 2803, 2804, 2805, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, and 2847.7 of, and to repeal Sections 2806, 2811, 2812, 2813, 2814 and 2815 of, the Elections Code, relating to state central committees of political parties.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 898**: By Messrs. Rumford and Mulford (Departmental—Public Health)—An act to amend Sections 26288, 26289, 26290, 26291, and 26292 of, and to add Section 26290 5 to, the Health and Safety Code, relating to new drugs or devices.

Referred to Committee on Public Health.

**Assembly Bill No. 899**: By Messrs. Rumford and Mulford (Departmental—Public Health)—An act to amend Section 28475 of, and to add Sections 28475.1, 28475.2, and 28477 to, the Health and Safety Code, relating to olive oil.

Referred to Committee on Agriculture.

**Assembly Bill No. 900**: By Messrs. Rumford and Mulford (Departmental—Public Health)—An act to amend Sections 26328, 26330 and 26335 of the Health and Safety Code, relating to the acquisition of samples prescribed by the California Pure Drugs Act.

Referred to Committee on Public Health.

**Assembly Bill No. 901**: By Messrs. Rumford and Mulford (Departmental—Public Health)—An act to amend and renumber Section 213 (as added by Chapter 2409, Statutes of 1957) of the Health and Safety Code, relating to section numbers.

Referred to Committee on Public Health.

**Assembly Bill No. 902**: By Messrs Bane and George E. Brown—An act to add Section 220.2 to the Labor Code, relating to contributions by state and local governments to employee pension plans.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 903**: By Mr Thelin—An act to add Section 75082 to the Government Code, relating to retired judges acting as referees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 904**: By Mr. Miller (Departmental—State Lands Commission)—An act to amend Section 6826 of the Public Resources Code, relating to administration and control of state lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 905**: By Mr. Winton—An act to amend Section 1722 of the Elections Code, relating to the municipal elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 906**: By Mr. Winton—An act to amend Sections 8321, 8322, 8323, and 8331 of the Streets and Highways Code, relating to city street vacation proceedings.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 907**: By Mr. Sedgwick—An act to amend Sections 803, 803.5, 804, 828.45, and 829.2 of the Agricultural Code, relating to standard containers.

Referred to Committee on Agriculture.

**Assembly Bill No. 908**: By Messrs. Cunningham, Holmes, Johnson, Luckel, Britschgi, Burke, Dills, Francis, Hawkins, Pattee, and Charles H. Wilson—An act to establish a Public Services Code, thereby consolidating and revising the law relating to certain utilities and transit districts, and to repeal certain laws and parts of laws specified herein.

Referred to Committee on Public Utilities and Corporations

**Assembly Bill No. 909**: By Mr. Backstrand (Departmental—Education)—An act making an appropriation for the installation of street improvements, including sidewalks, at the California School for the Deaf at Riverside

Referred to Committee on Education

**Assembly Bill No. 910**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Section 14640 of the Education Code, and Section 14370 of the Education Code as proposed by Senate Bill No. 2, relating to state teachers' disability annuity.

Referred to Committee on Education.

**Assembly Bill No. 911**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Sections 14401 and 14445 of, and to add Section 14401.3 to, the Education Code, and to amend Sections 14001 and 14057 of, and to add Section 14001.3 to, the Education Code as proposed by Senate Bill No. 2, and to amend Section 20335 of the Government Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education

**Assembly Bill No. 912**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Sections 14449.5 and 14453 of the Education Code, and Sections 14064 and 14068 of, the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 913**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Section 14641 of the Education Code, and Section 14372 of the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 914**: By Miss Donahoe (Departmental—Education)—An act to amend Sections 7231, 7232, 7235, 7236, and 7239 of, and to add Sections 7231.1 and 7240 to, the Education Code, and to amend Sections 20201, 20202, 20205, 20206, and 20209 of, and to add Sections 20201.1 and 20210 to, the Education Code as proposed by Senate Bill No. 2, relating to junior college tuition, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 915**: By Miss Donahoe (Departmental—Education)—An act to amend Section 13061 of the Education Code, and Section 13302 of the Education Code as proposed by Senate Bill No. 2, relating to special lecturers

Referred to Committee on Education.

**Assembly Bill No. 916**: By Miss Donahoe (Departmental—Education)—An act to amend Section 12051 of the Education Code, and Section 13112 of the Education Code as proposed by Senate Bill No. 2, relating to certification documents.

Referred to Committee on Education.

**Assembly Bill No. 917**: By Miss Donahoe—An act to amend Section 9601.2 of the Education Code, and Section 6806 of the Education Code as proposed by Senate Bill No. 2, relating to contracts for education of physically handicapped minors.

Referred to Committee on Education.

**Assembly Bill No. 918**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Section 14680 of, and to repeal Sections 14479.1 and 14681 of, the Education Code, and to amend Section 14411 of, and to repeal Sections 14110 and 14412 of the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 919**: By Messrs. Bradley, Winton, Johnson, Lanterman, Ernest R. Geddes, and Holmes—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, and to amend Section 23010.1 of the Government Code and Section 4050 of the Public Resources Code, relating to metropolitan fire protection authorities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 920**: By Messrs. Bradley, Ernest R. Geddes, Lanterman, and Johnson—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600) of, and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 921**: By Mr. Bradley—An act to repeal Section 26204 of the Government Code, relating to war histories of counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 922**: By Mr. Bradley—An act to add Section 24010 to the Government Code, relating to county officers.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 923**: By Mr. Bradley—An act to amend Sections 35120 and 35121 of the Government Code, relating to annexation procedure.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 924**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation to the Department of Public Health, in augmentation of Item 439 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 925**: By Mr. Bradley—An act to amend Section 1557.1 of the Probate Code, relating to the purchase of realty.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 926**: By Mr. Bradley—An act to amend Section 35009 of the Government Code, relating to the annexation of territory by cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 927**: By Mr Bradley—An act to add Section 201a to, and to amend Section 225 of, the Code of Civil Procedure, relating to trial juries.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 928**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation to the Department of Water Resources for the completion of studies and investigations of water resources, in augmentation of Item 257 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 929**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of the Youth Authority, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 930**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Mental Hygiene, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 931**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Corrections, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 932**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation for workmen's compensation benefits, in augmentation of Item 263 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 933**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation for reimbursement of expenses incurred by counties and cities for licensing and inspection of homes and agencies caring for aged, and children, in augmentation of Item 448 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 934**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation to the Department of Public Health, in augmentation of Item 444 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 935**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation for support of the California Horse Racing Board, in augmentation of Item 204 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 936**: By Mr. Unruh (Departmental—Finance)—An act making an appropriation for support of the Division of Real Estate, Department of Investment, in augmentation of Item 208.1, of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 937**: By Mr Unruh (Departmental—Finance)—An act making an appropriation for printing constitutional amendments and other ballot measures, in augmentation of Item 32 of the Budget Act of 1958, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 938**: By Mr. Levering—An act to amend Sections 1563 and 1576, Military and Veterans Code, relating to preparation for and mitigation of disasters and damage caused by disasters.

Referred to Committee on Military and Veterans Affairs

**Assembly Bill No. 939**: By Mr. Levering—An act to add Section 2630 to the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 940**: By Messrs. Lowrey, Z'berg, and MacBride—An act to add Section 6868 to the Harbors and Navigation Code, relating to river port districts.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 941**: By Messrs. Masterson, Waldie, Biddick, and Gaffney—An act to amend Section 68546 of the Government Code, relating to court attaches.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 942**: By Messrs. Lanterman and Ernest R. Geddes—An act to add Section 1857.5 to Article 6 of Chapter 9 of Division 1 of the Insurance Code, relating to reports required of rating organizations.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 943**: By Mr. Garrigus and Miss Donahoe—An act to add Section 19303.1 to the Education Code, and to add Section 17103 5 to the Education Code as proposed by Senate Bill No. 2, relating to cafeteria personnel.

Referred to Committee on Education.

**Assembly Bill No. 944**: By Messrs. Crown, O'Connell, Burton, Waldie, and Petris—An act to amend Section 1550.1 of the Penal Code, relating to hearings in extradition proceedings.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 945**: By Messrs Elliott, Hawkins, and Gaffney (Departmental—Education)—An act to amend Section 3332 of the Welfare and Institutions Code, relating to the administration and use of the California Industries for the Blind Manufacturing Fund.

Referred to Committee on Social Welfare

**Assembly Bill No. 946**: By Messrs. Elliott, Hawkins, and Gaffney (Departmental—Education)—An act to amend Section 3302 5 of the Welfare and Institutions Code, relating to qualifications of managers of the California Industries for the Blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 947**: By Mr. Biddick—An act to amend Section 65652 of the Government Code, relating to the adoption by counties and cities of precise plans and regulations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 948**: By Mr. Winton (Departmental—Education)—An act to amend the heading of Article 8 (commencing at Section 2581), Chapter 7, Division 2 of, to amend and renumber Section 2582 of, to amend Sections 2581, 2583, 2583.1, 2586, and 2592 of, to add Section 2582 to, and to repeal Sections 2584, 2585.1, and 2593 of the Education Code, and to amend the heading of Article 10 (commencing at Section 1871), Chapter 2, Division 5 of, to amend and renumber Section 1872, to amend Sections 1871, 1873, 1874, 1878, 1884, to add Section 1872 to, and to repeal Sections 1875, 1877, and 1885 of, the Education Code as proposed by Senate Bill No. 2, relating to the lapsation and suspension of school districts.

Referred to Committee on Education.

**Assembly Bill No. 949**: By Mr. Munnell—An act to add Section 18371 to the Health and Safety Code, relating to trailer coaches, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 950**: By Messrs. MacBride, Z'berg, and Lowrey (Departmental—Public Works)—An act to add Section 562 to the Streets and Highways Code, relating to state highways, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Concurrent Resolution No. 55**: By Messrs. Miller, Cusanovich, and Bane—Relative to the Holy Cross Hospital in the San Fernando Valley.

### Request for Unanimous Consent

Mr Miller was granted unanimous consent to take up Assembly Concurrent Resolution No. 55 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 55

**Assembly Concurrent Resolution No. 55**—Relative to the Holy Cross Hospital in the San Fernando Valley.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 71

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 71 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

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

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

**Assembly Bill No. 951**: By Mr. Biddick—An act to amend Section 715.3 of the Civil Code, relating to restraints upon alienation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 952**: By Mr. Biddick—An act to amend Section 2934a of the Civil Code, relating to the substitution of trustee under trust deed.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 953**: By Mr. Biddick—An act to amend Section 28004 of the Corporations Code, relating to retirement systems.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 954**: By Mr. MacBride—An act to amend Section 1872 of the Education Code and Section 1242 of the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 955**: By Mr. MacBride—An act to amend Sections 13404 and 13405 of the Education Code, and to amend Sections 13364 and 13365 of the Education Code as proposed by Senate Bill No. 2, relating to teachers' institutes.

Referred to Committee on Education.

**Assembly Bill No. 956**: By Mr. MacBride—An act to amend Section 13104 of the Education Code, and to amend Section 13337 of the Education Code as proposed by Senate Bill No. 2, relating to employment and classification of personnel by public school districts.

Referred to Committee on Education.

**Assembly Bill No. 957**: By Messrs. Samuel R. Geddes and Z'berg—An act to add Section 3025.2 and 3087.05 to, and to amend Section 3087.2 of, the Welfare and Institutions Code, relating to aid to the blind, and making an appropriation therefor.

Referred to Committee on Social Welfare

**Assembly Bill No. 958**: By Messrs. Samuel R. Geddes and Z'berg (Departmental—State Personnel Board)—An act to amend Section 18854 of the Government Code, relating to merit salary adjustments for state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 959**: By Messrs Samuel R. Geddes and Z'berg (Departmental—State Personnel Board)—An act to amend Section 18941 of the Government Code, relating to nonsalaried assistants to the State Personnel Board.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 960**: By Messrs. Samuel R Geddes and Z'berg (Departmental—State Personnel Board)—An act to amend Section 18901 of the Government Code, relating to state civil service eligible lists.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 961**: By Mr. O'Connell (Departmental—Social Welfare)—An act to amend Section 4002 of the Welfare and Institutions Code, relating to aid to needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 962**: By Mr Belotti—An act to amend Section 718 of the Vehicle Code and Section 42030 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to penalties for overloading of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 963**: By Mr. Rees (Departmental—Insurance)—An act to amend Section 10643 of, and to add Sections 10656 and 10657 to, the Insurance Code, relating to health and welfare programs, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 964**: By Mr. Rees (Departmental—Insurance)—An act to repeal Sections 1653 and 1654 of the Insurance Code, relating to producers' licenses.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 965**: By Mr. Rees (Departmental—Insurance)—An act to amend Section 1592 of the Insurance Code, relating to alien insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 966**: By Mr. Rees (Departmental—Insurance)—An act to amend Section 11624 of, and to add Section 11624.5 to, the Insurance Code, relating to commissions on insurance placed with the California Automobile Assigned Risk Plan.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 967**: By Mr. Rees—An act to amend Section 5373 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 968**: By Mr. Rees—An act to repeal Article 8 (commencing at Section 32080) of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the retirement of county peace officers.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 969**: By Mr. Rees—An act to amend Section 31760.1 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 970**: By Mr. Rees (Departmental—Insurance)—An act to add Section 1765.1 to the Insurance Code, relating to qualifications for surplus line brokers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 971**: By Mr. Charles H. Wilson—An act to amend Sections 233 and 234 of the Public Utilities Code, relating to telephone corporations.

Referred to Committee on Public Utilities and Corporations.

## RESOLUTIONS

The following resolution was offered:

By Mr. Mulford:

### House Resolution No. 72

Relative to commending Fire Chief Fred Antone Pimental of Albany on his retirement

WHEREAS, Fire chiefs from throughout the State will gather in Albany, California, on February 7, 1959, to congratulate and pay tribute to Fred Antone Pimental, Fire Chief of Albany, upon his retirement; and

WHEREAS, Fred Antone Pimental was born in West Oakland on July 17, 1900, and was educated in Oakland and Manteca schools; and

WHEREAS, Fred Antone Pimental gave up his own dairy business in San Pablo to enter the Fire Department on February 1, 1928, and rose to the rank of Chief on September 18, 1944; and

WHEREAS, Having served in various capacities in national and state fire organizations as President of the Alameda County Association of Firemen, an active member in the International Association of Fire Chiefs, California Association of Fire Chiefs, Pacific Coast Intermountain Association of Fire Chiefs, and the California State Firemen's Association; and

WHEREAS, He has made time to be active in community organizations, and particularly, those that encourage and aid young men to be better Americans and good citizens, such as the Young Men's Christian Association, Boy Scouts of America, and the Dads' Club; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly take great pleasure in extending their heartiest felicitations and congratulations for a job well done to Fire Chief Fred Antone Pimental, on his retirement after 31 years of service to his community; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Fire Chief Fred Antone Pimental.

### Request for Unanimous Consent

Mr. Mulford was granted unanimous consent to take up House Resolution No 72 without reference to committee or file.

Resolution read, and adopted unanimously.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 25**—Relative to the new Flag of the United States of America,

**Assembly Concurrent Resolution No. 45**—Approving charter amendments to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of April, 1957;

**Assembly Concurrent Resolution No. 46**—Approving a charter amendment to the charter of the City of Santa Ana, a municipal corporation in the County of Orange, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the second day of February, 1959, at 11 a.m.

BURKE, Chairman

## REQUEST FOR UNANIMOUS CONSENT

Mr Lowrey was granted unanimous consent to take up Assembly Joint Resolution No. 10, at this time.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 10

**Assembly Joint Resolution No. 10**—Relative to memorializing Congress concerning the establishment in California of a soil and water conservation laboratory.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78

NOES—None.

Resolution ordered transmitted to the Senate.

## UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Belotti was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal:

## LETTER OF TRANSMITTAL

### Final Report of the Assembly Interim Committee on Fish and Game

ASSEMBLY INTERIM COMMITTEE ON FISH AND GAME

February 5, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly; and*
*Hon. Members of the Assembly*
*State Capitol, Sacramento*

LADIES AND GENTLEMEN: In accordance with the provisions of House Resolution No. 210 of the 1957 General Session, your committee has reviewed various aspects of the California fish and game management program and herewith submits the final report of its activities during the interim following the close of the 1957 session.

Contained herein are narratives of the committee's field trips, reviews of testimony received at its various hearings and committee findings and recommendations.

The committee wishes to express its appreciation for assistance rendered by members of the staff of the Legislative Analyst and to its research assistant, William F. Scheuermann, Jr., for field investigations and the writing of this report.

Respectfully submitted,

DON A. ALLEN, SR.
DONALD E. ANDERSON
*(Did not sign)*
MONTIVEL A. BURKE
LOU CUSANOVICH
THOMAS M. ERWIN
*(Did not sign)*
MYRON H. FREW
WILLIAM S. GRANT
SETH J. JOHNSON
FRANCIS C. LINDSAY
*(Did not sign)*
EUGENE G. NISBET
ALAN G. PATTEE
JACK SCHRADE
VINCENT THOMAS
*(Did not sign)*

PAULINE L. DAVIS, Vice Chairman
*(Accepted in part)*
FRANK P. BELOTTI, Chairman

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mrs. Davis announced an executive session and organizational meeting of the Committee on Fish and Game tomorrow, February 3d, on adjournment, in Room 5168.

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Mr. O'Connell announced an organizational meeting of the Committee on Criminal Procedure at 3.45 p.m. today in Room 4164.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Sedgwick of Oroville to Alvin Dunn, Dayton Sayer, and L. E. Carlin, adults; and the following pupils of the Palermo Elementary School, Oroville: Jess Abilez, Jerry Asbury, Jerry Baldridge, Lloyd Braz, Tom Buckallew, Don Burns, Ron Burns, Virl Bush, Lawrence Cabrera, Vesta Castleman, John Chenoweth, Sharron Chenoweth, Beatrice Cuevas, George Custer, Ron Dyer, Tim Eggers, Eugene Flatt, Steve Greenman, Karen Hawkins, Dan Hazelton, Gloria Hindman, Sherilyn Housen, John Kidd, Sherrie LaDue, Darline Lerner, Ken Lewis, Janie Martinez, Jim McClung, Dennis McGill, Judy Metsker, Carole Mingus, Goe Moore, Helen Navarro, David Navarro, Madeline Oberholtzer, Charles Parker, Roger Parker, Arthur Poloni, Brian Raschdorf, Buck Rodgers, Russell Slobig, Dennis H. Smith, Dennis Ray Smith, Gary Stewart, Don Taylor, Charlie Thornton, Belva Travis, Ron White, Fred Writespan, Carolyn Yaws, and David Zabokrtsky.

On request of Mr. Luckel of San Diego and the San Diego Delegation to Mr. and Mrs Bevan Walker of Santee, and Ed Clark of San Diego.

On request of Mr. Petris of Oakland to Sister Natalie, O. P., Sister Carolyn, O. P., Sister Ann Marie, O. P., Sister Marie Simone, O. P. Sister Nazareth, O P., and Sister Sabastian, O. P., and Mrs. Gakie. adults; and the following pupils of St. Cyril's School: Mike Lewis, Gary Peterson, Manuel Andrew, Gerald Rasmussen, Vincent O'Neill, John Dommes, Anne Doran, Martha Devine, Mike Ambrosi, Robert Freitas, Kelly Fry, Peggy Ford, Michael Tuttle, Janet Roger, Eugene DeSmidt, Gloria Gallo, Ken Nolan, Sharon Bradshaw, Nancy McLeod, Janet McQuillan, Aileen Moniz, Mary Gruidl, Joe Parlet, Jane Mullen, Joan Guettenger, Joanne Parenzan, Judy Padrnos, Linda Leighton, Kathleen Jurick, Gloria Zanolin, Pat Epperson, George Stricker, Margaret Stage, Susan Sirhall, Claire Craig, Terryl Shute, Howard Galyen, Bill Gonsalves, Diana Griese, Dwight T. Ehrensing, Luise Charlebois, Myron Hanson, Carol Ivica, Bernadette Fleming, Donna King, John Evans, Eddie Garcia, Lyle Peterson, Helene Santich, Rosemary Rodrigues, Michael Flaherty, Ronald LaCosta, John Rettig, Judith Hungerford, Margaret Cipra, Virginia Romagnolo, Rita O'Leary, Peggy Gehrig, Patricia Rago, Jacqueline Alberts, Lynda Bristol, Susan Streicher, Irene Fiore, Mina Basica, Barbara Seronella, Margaret O'Mara, Margot McQuown, George Manson, Lynne Boscacci, Alida Morrill, Maureen Finnegan, Carol Vierra, Rosalie Davis, Mary Margaret Butler, Danny Harrigan, Larry Goforth, Thomas Aguer, Jon Molan, Dan Hutchinson, Frank Jurasek, Gary Truitt, Barbara Peterson, Diane Dommes, George Parenzan, Philip Warner, Douglas Snyder, Jack Doherty, Grace Prindiville, and June Mecchi

On request of Mr Hegland of La Mesa to Dr. John W. Dunn of San Marcus, and James W Sutton of San Diego.

On request of Mr. Miller of San Fernando to Roderic Duncan of Belvedere.

On request of Mr. Frew of Dinuba to Mr. and Mrs. Walter Picanso of Kingsburg, and Mr and Mrs Tony Machado, Mr. and Mrs John Cordoza, and Mr. and Mrs Louis Mederos of Tulare.

On request of Mr. Francis of San Mateo to Mrs Rachel Day, James Glass, Mrs. Walters, and Mrs. Hubbard, adults; and the following pupils of the Lincoln School. Marjorie Armstrong, Christine Avakoff, Janet Avitabile, Robert Battagin, Barbara Beaumont, Gregory Chillemi, Robert Critzman, Sherry Dorris, Gregory Dougherty, Jeanne Fitzpatrick, Douglas Fraser, Denise Ginotti, Gary Giovannetti, Christopher Guiver, Diane Heuermann, James Hill, Ronni Hubbard, Linda Huff, Laurel Kendall, Linda Kislingbury, Kimbrough Laughlin, Donald Lightbody, Terry Manheim, Michael Masarie, Carol Moore, Lester Morgan, Gregory Moscini, Gary Nolan, Michael O'Hara, Laura Schutt, Barbara Trexler, Jack Walters, and Bruce Young.

On request of Mr. Petris of Oakland to Mrs. Laura Fraser of Oakland.

On request of Mr. Gaffney of San Francisco and the San Francisco Delegation to Herman Soloman of San Francisco.

On request of Mr. Gaffney of San Francisco and Mr. Rumford of Berkeley to Daniel A. Collins, D.D.S., M.S.D., of San Francisco.

On request of Mr. Kennick of Long Beach to David Kennick of Long Beach.

On request of Mr. Z'berg of Sacramento to Art Lucia, Mrs. Robert King, Mrs. Neva Huffman, and Mrs. Parsons, adults; and the following members of Boy Scout Troop 109, Coloma Elementary School and Kit Carson Junior High School: George White, Wendell Huffman, Fred Bedford, Floyd Vann, David Haynes, Jeffory Motlow, Steve Sigler, Jim Seifers, David Lynch, Paul Parsons, George Parsons, Jack Kiernan, Tom Morebeck, Tom Kabler, Art Lucia, Jr., Barry Emmons, Gerry Copeland, Tom Munso, Jeff Lung, Chris King, Kent Howard, and Jim Hunt.

## ADJOURNMENT

At 11.54 a.m., on motion of Mr. Winton, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Tuesday, February 3, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, February 3, 1959

The Assembly met at 10 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel. Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God, Supreme Ruler.* Whose law is perfect, whose statutes are right, whose commandment is pure, whose judgments are true and righteous altogether, so rule in the lives of each one of us that it may be with the full consent of the governed. In complete harmony with Thy holy laws may there be enacted here statutes which guard well the sanctuaries of altar and fireside, and which preserve the greater good and contentment of all the people. For the divine purpose at the heart of the world, which mercy underlies, and a gracious Providence controls, Blessed be the Lord God, who hath matched us with this hour and placed His Rule of Love eternally in our hearts. —AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lowrey, on motion of Mr. Z'berg.

Mr. Grant, on motion of Mr. Z'berg.

## ANNOUNCEMENT

Speaker Brown announced that photographs of the members for use in the Legislative Handbook were being taken in the Sergeant-at-Arms' Office; and requested that the members file out, a few at a time, to have their pictures taken.

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Speaker Brown announced that no member has as yet claimed authorship of the bill on workmen's compensation, which was presented at the desk without a signature, and stated that this would be the final announcement relative to finding an author for the bill.

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

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

**Assembly Bill No. 972**: By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to repeal Article 4.5 (commencing at Section 20215) of Chapter 2, Part 3, Division 5, Title 2 of, and to add Section 20209 to, the Government Code, relating to investment of money in the State Employees' Retirement Fund.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 973**: By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to amend Sections 20024 and 20024.01 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel

**Assembly Bill No. 974**: By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to amend Section 20493 of, and to add Section 20496 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 975**: By Mr MacBride (Departmental—State Employees' Retirement System)—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 976**: By Mr MacBride (Departmental—State Employees' Retirement System)—An act to amend Section 20330 of the Government Code, relating to membership in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 977**: By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to amend Sections 20023.1, 20393, 20600.5, 21021.5, and 21360 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 978**: By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to add Sections 20988 and 21338 to, to amend Section 21706 of, and to repeal Section 21703 of, the Government Code, relating to the State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 979**: By Mr. MacBride (Departmental—State Employees' Reirement System)—An act to add Sections 22015, 22152, 22308 and 22503 to, and to amend Sections 22150 and 22151 of, the Government Code, relating to integration of federal old age and survivors insurance with the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 980**: By Mr. MacBride (Departmental—State Employees' Retirement Fund)—An act to amend Sections 20865, 20950, 20950.5, 20951, 20952, 20952.5, 20952.6, 20953, and 21365.5, and to repeal Section 20806, of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 981**: By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to amend Sections 20750.1, 20750.2, 20750.3 and 20750.4 and to repeal Sections 20750.112, 20750.15, 20750.22, 20750.25, 20750.32, 20750.35, 20750.42, and 20750.45 of the Government Code, relating to the State's contributions under the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 982**: By Mr MacBride (Departmental—State Employees' Retirement System)—An act to amend Sections 20560, 20606, and 20834 of, to add Sections 20465 and 20933.5 to, and to repeal Sections 20019.1, 20019.2, 20606.1, and 20608.1 of, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 983**: By Mr MacBride (Departmental—State Employees' Retirement System)—An act to amend Sections 20016, 21263, 21290.5, 21292, 21293, 21295, and 21363, and to repeal Sections 21208, 21209, 21290.7, 21290.75, 21292.5, 21292.7, 21292.75, 21294, 21363.5, 21363.7, and 21363.75 of, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 984:** By Mr. MacBride (Departmental—State Employees' Retirement System)—An act to amend Sections 20655, 20685, 20897, 21100, 21207, 21210, 21251.15 and 21261 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 985:** By Messrs Bruce F. Allen, Sumner, Miller, Crown, O'Connell, and Thelin—An act to add Section 7056.5 to the Public Resources Code, relating to the production of oil and gas or other minerals.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 986:** By Messrs. Bruce F. Allen, Sumner, Miller, Crown, O'Connell, and Thelin—An act to add Sections 7058, 7059, 7060 and 7061 to the Public Resources Code, relating to production of oil, gas or other hydrocarbons.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 987:** By Mrs. Davis (Departmental—Education)—An act to amend Section 29484 of the Government Code, relating to proceeds of the United States Forest Reserve Fund.

Referred to Committee on Education.

**Assembly Bill No. 988:** By Mr. Belotti—An act to amend Section 709 of the Vehicle Code, and Section 2803 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to unlawfully loaded vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 989:** By Mrs Davis—An act to create a flood control district to be called Plumas County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Referred to Committee on Water.

**Assembly Bill No. 990:** By Messrs. Winton, Garrigus, DeLotto, Bee, Biddick, and Nisbet—An act to add Section 23661.5 to the Business and Professions Code, and to add Section 32110 to the Revenue and Taxation Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 991**: By Messrs. Rumford and Dahl—An act to amend Section 4168 of the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Public Health.

**Assembly Bill No. 992**: By Messrs. Rumford and Dahl—An act to add Sections 4008.2 and 4008.3 to the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health

**Assembly Bill No. 993**: By Messrs. Rumford and Dahl—An act to amend Section 4035 of the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Public Health.

**Assembly Bill No. 994**: By Mr. Pattee—An act to add Section 8397 to the Fish and Game Code, relating to squid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 995**: By Mr. Elliott (Departmental—Education)—An act to amend Section 3364 of the Welfare and Institutions Code, relating to purchase of blind-made products by public agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 996**: By Mr. Coolidge (Departmental—Franchise Tax Board)—An act to amend Sections 2322a, 24670, 25102, 25551, 25663, 25673, 25674, 26074, 26131, and 26281 of, and to add Sections 25401b, 25905, 25962.2, 26073c and 26080.4 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 997**: By Mr. Coolidge (Departmental—Franchise Tax Board)—An act to amend Section 24532 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 998**: By Mr. Coolidge (Departmental—Franchise Tax Board)—An act to amend Sections 17206, 17208, 17854, 18009, 18552, 18586, 18586.2, 18586.3, 18588, 18806, 19053, and 19062 of, to add Sections 17746, 18551.1, 18694, 18695, 19062.10, and 19408 to, and to repeal Section 18010 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 999**: By Mr. Coolidge (Departmental—Franchise Tax Board)—An act to amend Sections 17734, 18003, 18004, 18007, 18167, 18802, 19051, and 19053.7 of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1000**: By Mr Ernest R Geddes, Miss Donahoe, Messrs. Sedgwick, and Garrigus (Departmental—Education)—An act to amend Sections 5153, 5154, 5154.5, 5202, 6911, 6941, 6944, 7001, 7018.1, 7032, 7032.1, 7033, 7034, 7035.1, 7036, 7037.2, 7038, 7041, 7042, 7043, 7044, 7075, 7081, 7091, 7092 1, 7096, 7101 1, 7101 2, 7102.1, 7102 2, 7103.1, 7103.2, 7106, 7121, 7121.1, of, to repeal Sections 7037, 7037.1, 7094, 7095, 7109.2, 7109.21, and 7109.22 of, and to add Sections 5154.6, 6999, 7000.15, 7000.17, 7000.18, 7000.41, 7037, 7037.01, 7037.02, 7037.1, 7092.6, 7093.1, 7095.1, 7096.2, 7106.1, 7109.01, 7109.2, and 7121.3 to, and adds Article 9.5 (commencing at Section 7078) and Article 11.2 (commencing at Section 7099) to Chapter 15, Division 3 of the Education Code, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 1001**: By Mr. Conrad—An act to amend Section 132 and to repeal Section 132.5 of the Elections Code, relating to absent registration.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1002**: By Mr. Conrad—An act to amend Section 82 of the Elections Code, relating to presidential voting for new residents.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1003**: By Mr. Z'berg—An act to amend Section 469 of the Vehicle Code, and to amend Sections 21362 and 21404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the reflectorizing of railroad warning approach signs.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1004**: By Mr. Z'berg—An act to amend Section 604.1 of the Vehicle Code and to amend Section 21652 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to access to public highways from service roads.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1005**: By Mr. Z'berg (Departmental—State Personnel Board)—An act to amend Section 19682 of the Government Code, relating to charges against state civil service employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1006**: By Mr. Winton (Departmental—Water Resources)—An act to amend Section 7.5 of the Government Code, relating to state boards, commissions, and committees.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1007**: By Mr. Ernest R. Geddes (Departmental—Education)—An act to repeal Sections 9142 and 9143 of the Education Code and Sections 6210 and 6211 of the Education Code as proposed by Senate Bill No. 2, and to add Article 8 (commencing at Section 3366) to Chapter 2, Part 1, Division 5 of the Welfare and Institutions Code, relating to opportunity work centers for the blind.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1008**: By Mr Ernest R. Geddes, Miss Donahoe, Messrs. Elliott, Porter, Burke, Hegland, McMillan, Schrade, and Charles H Wilson—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as proposed by Senate Bill No. 2, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education

**Assembly Bill No. 1009**: By Mr. Ernest R. Geddes—An act to add Section 188 to the Education Code, and Section 369 to the Education Code as proposed by Senate Bill No 2, relating to establishment by the State Board of Education of a School Library Consultant Service in the State Department of Education, and making an appropriation therefor.

Referred to Committee on Education.

**Assembly Bill No. 1010**: By Mr. Ernest R. Geddes—An act to amend Section 3254 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1011**: By Mr. Ernest R. Geddes—An act to amend Section 93 of the Streets and Highways Code, relating to maintenance and restoration of public highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1012**: By Mr. Munnell—An act to add Section 29722 to the Government Code, relating to claims of contractors on local public works.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1013**: By Mr. Munnell—An act to add Section 53024 to the Government Code, relating to contract payments on local public works.

Referred to Committee on Municipal and County Government.

**Assembly Concurrent Resolution No. 56**: By Mr. Miller—Relative to the continuance of the Joint Committee on Legislative Procedure.

Referred to Committee on Rules

**Assembly Concurrent Resolution No. 57**: By Mr. Miller—Relative to adding Rule No. 34.2 to the Joint Rules of the Senate and Assembly, with respect to memorial resolutions.

Referred to Committee on Rules

**Assembly Bill No. 1014**: By Messrs Samuel R. Geddes and Z'berg—An act to amend Section 19574.5 of the Government Code, relating to leave of absence for state civil service employee while charges are investigated.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1015**: By Messrs. Crown, Burton, and Petris—An act to repeal Sections 4451 and 4452 of the Labor Code, and to amend Sections 4453, 4455 and 4460 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1016**: By Mr. Z'berg—An act to amend Section 667.1 of the Welfare and Institutions Code, relating to the establishment of schools in county juvenile halls.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1017**: By Messrs. Samuel R. Geddes and Pattee—An act to amend Sections 70 and 71 of the Agricultural Code, relating to the California State Fair and Exposition.

Referred to Committee on Agriculture.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 2, 1959

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

Assembly Concurrent Resolution No. 53

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

### Speaker pro Tempore Presiding

At 10.21 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 691

Mr. Masterson was granted unanimous consent that Assembly Bill No. 691 be withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Governmental Efficiency and Economy.

## PARLIAMENTARY INQUIRY

Miss Donahoe arose to the following parliamentary inquiry: Since today is the last day for the introduction of departmental bills, will there be a check made with the Legislative Counsel's Office to ascertain if all departmental bills have been delivered to the members who will introduce them?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that, pursuant to Joint Rule No. 10.5, today is the last day for the introduction of departmental bills; and that all departments should have their bills presented for introduction today.

**Parliamentary Inquiry**

Miss Donahoe arose to the following parliamentary inquiry: Will there be a check made with the Legislative Counsel's Office to ascertain if all requests have been filled?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was the responsibility of the departments to see that their bills are presented.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 296

Mr. Burton was granted unanimous consent that Assembly Bill No. 296 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Industrial Relations.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. O'Connell was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 2, 1959

*Hon. John A. O'Connell*
*Assembly Chamber*

*Amendment of Bills—No. 7704*

DEAR MR. O'CONNELL:

*Question*

You asked whether there is any way by which author's amendments to a bill can be adopted within the 30-day period following introduction of the bill without securing a waiver of the constitutional waiting period by a vote of three-fourths of the members.

*Opinion*

In our opinion there is no way by which such amendments could be adopted during that 30-day period without the required waiver.

*Analysis*

The answer to your question depends on the proper construction to be placed upon the following portion of Section 2, Article IV of the State Constitution:

> "At the general session, no bill, other than the Budget Bill, shall be heard by any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced; provided, that this provision may be dispensed with by the consent of three-fourths of the members of the house."

A committee of the Assembly, whether it is a standing committee or the entire Assembly sitting as a Committee of the Whole, has no authority to amend a bill. It may recommend amendments, or recommend that the bill be amended in a specified way and then passed, but it cannot itself change the measure.

In other words, once a bill has been introduced in the Assembly only the Assembly can amend it, at least until it is passed and sent to the Senate. Further, amendments to a bill by the Assembly cannot be adopted without a consideration of the question presented by the original bill and by the changes which would be made by the amendments. After consideration of these questions, amendments may be adopted by the Assembly only by majority vote of the members present. In our opinion there is no doubt that this constitutes action by the house within the meaning of the constitutional provision quoted above.

In view of this conclusion it is our opinion that there is no way by which a bill may be amended during the 30-day period following its introduction except by "dispensing with" the constitutional provision quoted above by a vote of three-fourths of the members of the house.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By A. C. MORRISON, Chief Deputy

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

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

**Assembly Bill No. 1018**: By Miss Donahoe (Departmental—State Controller)—An act to amend Sections 5054, 5055, 5055.1, 5057, 5058.2, 7726, 7727, 7727.1, 7727.2, 7729, 7731.2 and 7779 of, and to repeal Sections 5056 and 7728 of, the Education Code, and to amend Sections 19430, 19431, 19432, 19434, 19438, 19601, 19602, 19603, 19604, 19607, 19613 and 19663 of, and to repeal Sections 19433 and 19606 of, the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1019**: By Miss Donahoe (Departmental—State Controller)—An act to amend Section 7745 of the Education Code, and Section 19629 of the Education Code as proposed by Senate Bill No. 2, relating to repayment of unauthorized expenditures or excess apportionments.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1020**: By Miss Donahoe and Mr. Williamson (By request)—An act to amend Section 46005 of the Water Code, relating to additional preliminary assessments of water storage districts.

Referred to Committee on Water.

**Assembly Bill No. 1021**: By Miss Donahoe—An act to add Chapter 7 (commencing with Section 60200) to Division 1 of Title 6 of the Government Code, relating to destruction of records of special districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1022**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Sections 14522, 14524.1 and 14601, Education Code, and Sections 14152, 14156, and 14301 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 1023**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Sections 14425, 14521, 14637, 14661, and 14664 of, and to add Sections 14663.2 to, the Education Code, and to amend Sections 14025, 14151, 14363, 14401, and 14405, of, and to add Section 14403.1 to, the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 1024**: By Miss Donahoe (Departmental—State Teachers' Retirement System)—An act to amend Sections 14575, 14638.1, 14638 2, and 14638 3 of the Education Code and Sections 14251, 14365, 14366, and 14367 of the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 1025**: By Miss Donahoe (Departmental—Teachers' Retirement Board)—An act to amend Sections 14302 and 14303 of the Education Code, and Sections 13853 and 13854 of the Education Code as proposed by Senate Bill No 2, relating to the State Teachers' Retirement Board.

Referred to Committee on Education.

**Assembly Bill No. 1026**: By Mr Masterson (Departmental—State Controller)—An act to amend Section 17072 of the Government Code, relating to canceled warrants.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1027**: By Mr. Masterson (Departmental—State Controller)—An act to amend Section 11255 of the Government Code, relating to payments between state agencies and between appropriations.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1028**: By Mr. Masterson (Departmental—Professional and Vocational Standards)—An act to amend Sections 7376 and 7381 of, to add Section 7396 7 to, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1029**: By Mr. Masterson (Departmental—Professional and Vocational Standards)—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1030**: By Mr. Backstrand—An act to amend and renumber Section 591 of, and to add Section 739.6 to, the Vehicle Code, and to amend Section 41102 of, and to add Section 41103 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to procedure for violations involving unattended vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1031**: By Mr. Backstrand—An act to amend Sections 69592 and 69748.1 of the Government Code, relating to the superior court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1032**: By Mr. Backstrand—An act to amend Section 3276 of the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1033**: By Mr. Backstrand—An act to amend Section 3044 of, and to repeal Section 9481 of, the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1034**: By Mr. Backstrand—An act to amend Section 1203.4 of the Penal Code, relating to the release from penalties and disabilities of a person who has completed probation.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1035**: By Mr. Backstrand—An act to amend Section 647 of the Penal Code, relating to the offense of unauthorized entry of property.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1036**: By Messrs. Backstrand and Ernest R. Geddes—An act to amend Sections 2981 and 2982 of, and to add Section 2983 to the Civil Code, relating to conditional sales.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1037**: By Mr. Hanna—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1038**: By Mr. Hanna—An act to amend Sections 643a and 643b of the Penal Code, relating to the protection of blind and partially blind people.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1039**: By Messrs. Hawkins and Elliott—An act to add Section 4550.1 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Speaker Presiding**

At 10.41 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1040**: By Mr. MacBride (Departmental—State Board of Equalization)—An act to amend Sections 6006 and 6010 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1041**: By Mr. MacBride (Departmental—State Board of Equalization)—An act to add Section 6021 to the Revenue and Taxation Code, relating to sales taxes in respect to vending machines.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1042**: By Mr. MacBride (Departmental—Board of Equalization)—An act to amend Sections 8707, 8714, 9301, 9776, and 10451, of the Revenue and Taxation Code, relating to the use fuel and motor vehicle transportation license tax laws.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1043**: By Mr. MacBride (Departmental—Motor Vehicles)—An act to repeal Chapter 9 (commencing at Section 240) of Division 3 of, and to add Chapter 9 (commencing at Section 240) to Division 3 of, the Vehicle Code, and to amend Sections 9263, 9264, and 9551 of, to repeal Chapter 3 (commencing at Section 11500) of Division 5 of, and to add Chapter 3 (commencing at Section 11500) to Division 5 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to automobile wreckers.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1044**: By Mr. Z'berg (Departmental—Industrial Relations)—An act to amend Sections 3701 and 3703 of the Labor Code, relating to workmen's compensation insurance and security.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1045**: By Mr. Sedgwick—An act to add Section 233 to the Water Code, relating to archaeological investigations.

Referred to Committee on Water.

**Assembly Bill No. 1046**: By Mr. Unruh (Departmental—Real Estate)—An act to add Sections 10131 2, 10183, and 10184 to the Business and Professions Code, relating to real estate brokers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1047**: By Mr. Unruh (Departmental—Real Estate)—An act to amend Sections 10026, 10131, 10132, 10134, 10252, 10252.5, 10253, 10253.5, 10255 and 10305 of, and to add Sections 10027 and 10085 to, the Business and Professions Code, relating to definition of brokers, agents and salesmen and advance fee charges.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1048**: By Mr. O'Connell—An act to amend Sections 147 and 158 of, and to add Sections 158.4, 158.5, 177.5, 177.6 and 209 to, the Vehicle Code, and to amend Section 4156 of, and to add Sections 5207, 5208, 5209, 5210, 5211, 5754 and 11718 to, the

Vehicle Code as proposed by Assembly Bill No. 5, relating to license plates and devices therefor.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1049**: By Messrs. Lanterman and Bradley, and Senator Richards, co-author—An act to amend Section 27491 of the Government Code, relating to duties and powers of coroner.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1050**: By Mr. Biddick—An act to amend Section 5248 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1051**: By Mr. Rees (Departmental—Real Estate)—An act to add Section 10143 to the Business and Professions Code, relating to rentals.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1052**: By Mr. Rees (Departmental—Real Estate)—An act to add Section 11018.1 to the Business and Professions Code, relating to subdivisions.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1053**: By Mr. Rees (Departmental—Real Estate)—An act to add Section 3081.15 to the Civil Code, relating to real property loan brokers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1054**: By Mr. Rees (Departmental—Real Estate)—An act to amend Section 10279.8 of the Business and Professions Code, relating to real estate and business opportunity licenses.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1055**: By Mr. Rees (Departmental—Real Estate)—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to subdivisions.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1056**: By Mr. Rees (Departmental—Real Estate)—An act to amend Sections 10177, 10302 and 10562 of the Business and Professions Code, relating to revocation or suspension of licenses by the Real Estate Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 563**—An act to add Section 16271.3 to the Education Code, and Section 16864 to the Education Code, as proposed by

Senate Bill No. 2, relating to the use of school buses, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

## CONSIDERATION OF HOUSE RESOLUTION NO. 46

By Mr. Unruh:

### House Resolution No. 46

Relative to the continuance of the Assembly Interim Committee on Finance and Insurance

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

1. The Assembly Interim Committee on Finance and Insurance, created by House Resolution No. 235 of the 1957 Regular Session, is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 15, 1959, with authority to file its final report not later than March 15, 1959.

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

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

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

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 47

By Mr. Rumford:

### House Resolution No. 47

Relative to the continuance of the Assembly Interim Committee on Public Health for the purpose of reporting

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Health created by House Resolution No. 219 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim studies and investigations. The committee is authorized to submit its reports, including its final report, not later than March 15, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 41

By Mr. Bee:

**House Resolution No. 41**—Relative to the continuance of the Assembly Interim Committee on Social Welfare.

Resolution read.

### Motion to Amend

Mr. Bee moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the paragraph numbered 2 of the resolution as printed in the Assembly Journal for January 20, 1959, at pages 255-256, strike out "March 1", and insert "March 15".

### Amendment No. 2

In line 3 of the paragraph numbered 2, strike out "March 1", and insert "March 15".

Amendments read, and adopted.

### Consideration of House Resolution No. 41, as Amended

By Mr. Bee:

### House Resolution No. 41

Relative to the continuance of the Assembly Interim Committee on Social Welfare

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

1. The Assembly Interim Committee on Social Welfare, created by House Resolution No. 218 of the 1957 Session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 15, 1959, with authority to file its final report not later than March 15, 1959.

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

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

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

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 68

By Mr. George A. Willson:

### House Resolution No. 68

Relative to requesting a report from the Department of Public Works pertaining to State Highway Route 174

WHEREAS, A study is being made and plans are being developed by the Department of Public Works for the continuation of a freeway as a replacement for that portion of State Highway Route 174 between Lincoln Boulevard (State Highway Route 60) and the Santa Ana freeway; and

WHEREAS, There has been no disclosure to the people of the area as to which parcels of property will or may be affected by the proposed freeway; and

WHEREAS, The jeopardy of loss of property value is of great concern to the area and loss of potential industrial development is possible; and

WHEREAS, The continued uncertainty as to the location of the proposed freeway is of particular concern to the City of Southgate and its people who are anxious to learn if a division of the city is contemplated; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby requested to report as soon as possible to the Assembly at the 1959 Session of the Legislature on the current status of the studies and plans which have been made or which are in progress relative to the proposed freeway which is the subject of this resolution; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the Department of Public Works.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

## APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Britschgi, Thomas, and Bradley as a Select Committee to escort Reverend Donohoe to the rostrum.

## RECESS

At 10.55 a.m., on motion of Mr. Britschgi, the Assembly recessed until 11.03 a.m., to hear from Rev. Father Patrick A. Donohoe, President of Santa Clara University.

## REASSEMBLED

At 11.03 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## APPOINTMENT OF MEMBERS TO INTERIM COMMITTEES

Speaker Brown appointed Mr. Rees to the Joint Legislative Budget Committee, replacing Mr. Munnell who has resigned.

Speaker Brown appointed Mr. Bee to the Joint Interim Committee on the Public Education System.

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

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

**Assembly Bill No. 1057**: By Mr. MacBride—An act to add Section 9307 to the Corporations Code, relating to change of name of nonprofit corporation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1058**: By Mr. MacBride—An act to amend Section 31809 of the Government Code, relating to pension determination formulas for members of county retirement systems.

Referred to Committee on Municipal and County Government.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that the accompanying reports be printed as a supplement to the Journal, and that 500 copies be printed as a separate document.

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 2, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*

DEAR MR. SPEAKER: I am transmitting herewith a copy of the Report of the Joint Committee on Legislative Procedure dated December 15, 1958, which sets forth suggested procedures for the 1959 General Session. Although some of the suggested procedures have already been adopted, printed copies of the document will assist the members and others in considering the remaining proposals.

Also transmitted is the earlier report of the committee, dated March 6, 1956. This is the report which recommended elimination of the bifurcated session, which has since been accomplished, and other changes. This report contains much background material concerning the objectives sought to be accomplished by the new kind of session, as well as material relating to proposed changes in legislative procedures. It should also be of assistance in considering suggested procedures at this session, even though many of the suggestions it makes have already been adopted by the Legislature and by the people.

In order that these reports may be readily available, it is requested that they be ordered printed as a single document in the appendix to the Assembly Journal, and that 500 extra copies be printed.

Very truly yours,

ALLEN MILLER

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

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

**Assembly Bill No. 1059**: By Messrs. MacBride, Meyers, and Z'berg—An act to add Section 19735 to the Government Code, relating to state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1060**: By Messrs. MacBride, Meyers, and Z'berg—An act to amend Sections 18021.5 and 18023 of the Government Code, relating to overtime for state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1061**: By Messrs. MacBride, Meyers, and Z'berg—An act to amend Sections 20100, 20100.1, 20101, 20102, and 20104 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the board of administration.

Referred to Committee on Civil Service and State Personnel.

### INQUIRY

Speaker Brown inquired if any of the members had any departmental bills to come from the Counsel Bureau.

Mr. Crawford advised the Speaker that he had one bill being prepared.

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

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

**Assembly Bill No. 1062**: By Messrs. Bruce F. Allen, Beaver, and Williamson—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Referred to Committee on Water.

**Assembly Bill No. 1063**: By Messrs. Bruce F. Allen, Collier, Beaver, Luckel, Coolidge, Hegland, Porter, Schrade, Williamson, Charles H. Wilson, and Winton—An act to amend Section 1256 of, to add Part 1.5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to the Water Code, relating to the California Water Plan

Referred to Committee on Water.

**Assembly Bill No. 1064**: By Messrs. Bruce F. Allen, Collier, Beaver, Luckel, Hegland, Porter, Schrade, and Winton—An act to add Section 12645 to the Water Code, relating to water development projects

Referred to Committee on Water

**Assembly Bill No. 1065**: By Messrs Bruce F. Allen and O'Connell—An act to amend Section 3855 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1066**: By Miss Donahoe (Departmental—Education)—An act to amend Section 12025 of the Education Code, and Section 13101 of the Education Code as proposed by Senate Bill No. 2, relating to accreditation of teacher training institutions.

Referred to Committee on Education

**Assembly Bill No. 1067**: By Messrs. O'Connell, Burton, Busterud, Masterson, and Crawford—An act to add Section 1958 to the Government Code, relating to the bonding of peace officers.

Referred to Committee on Criminal Procedure

**Assembly Bill No. 1068**: By Mr. Thelin—An act to add Section 279 to the Penal Code, relating to the offense of detaining or concealing a child from the person entitled to custody.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1069**: By Messrs. Crawford, Bane, Luckel, and Hegland—An act to add Section 69507 to the Government Code, relating to superior courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1070**: By Messrs. Meyers and O'Connell—An act to repeal Section 3600.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1071**: By Messrs. Meyers and O'Connell—An act to add Section 60.2 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1072**: By Messrs. Meyers and O'Connell—An act to amend Section 3713 of, and to add Section 3713.1 to, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1073**: By Mr. Ernest R. Geddes—An act to amend Section 190 of the Streets and Highways Code, relating to the allocation of funds to grade separation projects.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1074**: By Messrs. DeLotto, Garrigus, Lowrey, Mrs. Davis, Messrs. Britschgi, Chapel, Ernest R. Geddes, Samuel R. Geddes, Hegland, MacBride, Masterson, Munnell, Rees, and Z'berg—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, 760, 1839, 1840, 1841, 1842, 1843 of, and to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to the assessment and equalization of property for tax purposes.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1075**: By Messrs. Unruh, Munnell, Burton, and Williamson—An act to amend Sections 2801 and 2804 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

**Assembly Joint Resolution No. 11**: By Mr. Cunningham—Relative to the use of Southern California airspace.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 12**: By Messrs. Hawkins, Petris, Elliott, George E. Brown, and Kennick—Relative to enactment of a National Food Allotment Stamp Plan.

Referred to Committee on Rules.

**Assembly Bill No. 1076**: By Messrs. Burton, Cameron, Z'berg, Crown, Don A. Allen, Bane, Bee, Biddick, George E. Brown, Chapel, Cunningham, Mrs. Davis, Messrs. Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Holmes, Kennick,

Kilpatrick, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Thomas, Waldie, Williamson, George A. Willson, and Charles H. Wilson—An act to amend Sections 2011, 2016, 2160, and 2163 of, and to repeal Sections 2181, 2181.01, 2181.05, 2224, and 2224.1, of the Welfare and Institutions Code and to amend Section 206.7 of the Civil Code, relating to relatives' responsibility requirements with respect to the old age assistance program.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1077**: By Messrs. Meyers, MacBride, Z'berg, and Samuel R. Geddes (Departmental—Personnel Board)—An act to amend Section 1228.5 and to add Section 19330.5 of the Government Code, relating to leaves of absence from the state civil service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1078**: By Messrs. Nisbet, Thelin, Winton, O'Connell, and Crown—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims court counterclaims or cross-complaints.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1079**: By Messrs Nisbet, Winton, Bradley, and Frew—An act to amend Section 37902 of the Government Code, relating to public projects of general law cities.

Referred to Committee on Government Organization.

**Assembly Bill No. 1080**: By Messrs. Nisbet, Bradley, and Frew—An act to amend Section 37901 of the Government Code, relating to public projects of general law cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1081**: By Messrs. Crawford, Luckel, Hegland, and Schrade—An act to add Article 11.5 (commencing at Section 9171) to Chapter 7 of Division 4 of the Education Code, and to add Chapter 5 (commencing at Section 551) to Division 2 of the Education Code, as proposed by Senate Bill No. 2, relating to the acceptance of the provisions and benefits of the "National Defense Education Act of 1958," approved September 2, 1958.

Referred to Committee on Education.

**Assembly Bill No. 1082**: By Mr. Crawford (Departmental—Education)—An act to appropriate one hundred thousand dollars ($100,000) to be expended pursuant to Chapter 13 of Division 10 of the Education Code, relating to the National Defense Education Act of 1958, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 58**: By Messrs. Reagan and Lanterman—Relative to Industrial Relations Section of California Institute of Technology.

Referred to Committee on Rules.

## ANNOUNCEMENT

Speaker Brown announced that today is the eighth wedding anniversary of Assemblyman and Mrs. Charles W. Meyers; whereupon the Speaker and members extended their congratulations to Mr. and Mrs. Meyers.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. McMillan announced an organizational meeting of the Committee on Industrial Relations at 2 p.m. today in Room 3142.

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Mr Samuel R. Geddes announced an organizational meeting of the Committee on Agriculture at 1.30 p.m. tomorrow, February 4th, in Room 4202; and also that two resolutions would be heard at that time.

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Mrs. Davis announced that the organizational meeting of the Committee on Fish and Game would be held in Room 5168 at 2 p.m. this afternoon, instead of on adjournment, as announced yesterday.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Grant of Long Beach and Mr. Munnell of Montebello to Mr. and Mrs. Pat Mullendore and son, Roger, of Long Beach.

On request of Mr. Porter of Compton to Dennis V. Dalsimer of Bellflower and Carmela T. Martin of Anaheim.

On request of Mr. McCollister of Mill Valley to William Bagley of San Rafael.

On request of Mr. McCollister of Mill Valley to Mother Julie and Nun Companion, and the following pupils of the Saint Rose School, Santa Rosa: Janet Ambrose, Nancy Anderson, Shirley Bertoli, Victoria Bertoli, Elsie Busse, Mary Campbell, Lynn Cerri, Mary de la Forest, Marilyn Fitch, Catherine Grace, Charlene Hull, Katherine Imwalle, Joan Kennedy, Jacklyn Leete, Carol Lucas, Suzanne Lucas, Ann Moscardini, Loretta Olson, Sally Painter, Joan Patton, Helen Ray, Rose Rettela, Rose Rocca, Jane Schaever, Mary Sullivan, Penelope Terry, Adrienne Trombetta, Patricia Uboldi, Michelle Wion, Sharon Zumwalt, Camille Carter, Stephen Anderson, Thomas Bell, William Burke, Thomas Cipolla, Daniel Eilers, Timothy Evans, William Ewertz, Jan Hansen, John Kalin, James Maguire, Edgar Marcoux, Norman Marcoux, John Moratto, David Nervo, Michael O'Leary, Lawrence Panick, and William Traverso.

On request of Mr. Mulford of Oakland to Dr. Charles Buell, Mrs. Josephine Buell, Mr. Saulsberry, Mrs. Nunes, and Miss Pollard, adults; and the following pupils of the California School for the Blind at Berkeley: Robert Addison, Duffy Doody, Michael Edwards, Wally Finn, Tom Fowle, Robert Fowler, Richard Holcomb, Edward VanderLinden, Marline Green, Carol Ann Rose, Peggy Steagall, Betty Lujan, Tom Dana, Louis Martin, Robert Martin, Keith Schutz, Chester Sturgeon, George Nava, Muriel Brien, Mary Ann Sotelo, Sharon Welch.

Ricky Joy, Jon Austin, Patsy Walters, Jerry Beaman, Leo Cruz, Robert Curley, Steve Hanamura, Tim Lewis, Larry Martin, Gary Stallings, Wayne Long, Mary DeCastro, Diane Klevensteuber, Kathy Mertz, Mary June Paulson, Myra Kay Reiner, Joanne Rewoldt, Esther Salata, Janice Schroeder, Jean Miller, John Kavanaugh, Carlos Ortiz, Bill Place, Benny Pharies, Charles Lunkley, and Joyce Morgan.

On request of Mr. Dahl of Oakland to Miss Joan Warner and Miss Lynn Gibson of Oakland.

## ADJOURNMENT

At 11.25 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, February 4, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, February 4, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Pettis, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons.

*O God*, Grant us the gift of loyalty. For our homes, give us love and understanding; for our Country, sacrifice and service; for our churches, reverence and devotion. Remind us that Thy love divine hath led us in the past. In this free land by Thee our lot is cast. Be Thou our ruler, guardian, guide, and stay. Thy word our law, Thy paths our chosen way. How can we be other than grateful for the Nation we love, for the State we are met to serve, and for those who have trusted us with the authority of government? With glad hearts and deep devotion to duty we move on to the legislative concerns which belong to this day. God keep us loyal to duty, to friends, to self, to our highest ideals, to Christ, in whose name we pray.—AMEN

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lowrey, on motion of Mr. Z'berg.

Mr. Grant, on motion of Mr. Z'berg.

Mr. Miller, on motion of Mr. Winton.

## ANNOUNCEMENTS

Speaker Brown announced that today was the last day for the taking of pictures of Members of the Assembly for use in the Legislative Handbook; and requested that those members who did not have their pictures taken yesterday do so today.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal

### Report on Proposed Bidwell Bar and Oroville Reservoirs

STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES
SACRAMENTO, February 2, 1959

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

DEAR MR. OHNIMUS. I am pleased to transmit herewith 81 copies of "Report of Board of Consultants to Department of Water Resources on Proposed Bidwell Bar and Oroville Reservoirs for Control and Development of Feather River" dated January, 1959, for distribution to Members of the Assembly. This report has been prepared pursuant to Senate Concurrent Resolution No. 4, Chapter 6, Statutes of 1958. In addition, it considers alternative plans of development of the water resources of Feather River as suggested by the Weber Foundation in its several reports to the Assembly Committee on Conservation, Planning, and Public Works. The board has also considered features of other possible plans for development suggested some years ago by the United States Bureau of Reclamation which differed from the proposals of the State's authorized Feather River Project and the plan of the Weber Foundation. The board studied 14 plans composed of the various suggested development features either singly or in combination. The board's studies also encompassed possible upstream developments.

The Board of Consulting Engineers, appointed by me on August 11, 1958, was composed of the following outstanding consulting engineers:

PAUL D. BERRIGAN, Brigadier General, United States Army, Retired, had a distinguished career in the development, design, and construction of both civil and military works for a period of 30 years. Among General Berrigan's assignments was a tour of duty as Division Engineer, South Pacific Division, in which capacity he was responsible for a number of the major multipurpose developments in the Central Valley, including Folsom, Pine Flat and Isabella Reservoirs. General Berrigan retired in 1957 and now is a consulting engineer with headquarters in San Francisco.

JOHN A. COTTON is an eminent consulting engineer in the field of water resources, and particularly in the development of power projects and the design and construction of dams. Mr. Cotton is a registered civil, electrical, mechanical, and structural engineer in the State of California. Prior to entering consulting practice he was associated with the Federal Power Commission, in which capacity he was closely connected with a large number of the power projects in California. He has been called upon by various nations throughout the world to assist them in the development of water resources.

SIDNEY T. HARDING, Professor Emeritus of Civil Engineering at the University of California, is one of the outstanding authorities on water supply and use, engineering economics, and project feasibility in the western United States. He served on the faculty at the University for 35 years, during which time he was also consultant for many public agencies concerned with water development. Since his retirement in 1949, he has devoted full time working with such agencies.

The board performed its work independently of the department, but members of the departmental staff were made available to the board to make engineering analyses

and computations requested by it. The board met with officials of the United States Bureau of Reclamation, United States Army Engineers, and the Federal Power Commission to obtain from those agencies any information, assistance or advice within the purview of the board's study. The board also discussed the various possible developments with interested local agencies and individuals. The board expresses its appreciation for the excellent co-operation received.

The conclusions and recommendations of the Board of Consultants are:

"CONCLUSIONS

"The board concludes that Bidwell Bar Reservoir is not needed for sound water resource development of the Feather River Basin and that the large Oroville Reservoir is economically feasible and is needed for such development. The board recognizes that as water needs increase, upstream developments, not now justified can be undertaken to conserve additional water supply in this basin"

"RECOMMENDATIONS

"The board recommends that Bidwell Bar Dam and Reservoir not be included in the State's development plans of the Feather River Basin."

I have reviewed the board's report and concur with its conclusions and recommendations.

Very truly yours,

HARVEY O. BANKS, Director

Encls.

Above transmitted copies of report referred to the Committee on Water.

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The following communications were presented by the Chief Clerk from:

Mrs. May Strickland of Ontario, relative to legislation. Referred to the Committee on Constitutional Amendments.

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Al Innis of Carlsbad, relative criminal prosecutions. Referred to the Committee on Criminal Procedure.

## RESOLUTIONS

The following resolution was offered:

By Miss Donahoe:

### House Resolution No. 73

Relative to the continuance of the Assembly Interim Committee on Education for the purpose of reporting the results of its interim investigation and study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Education created by House Resolution No. 285 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim investigation and study The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

### Request for Unanimous Consent

Miss Donahoe was granted unanimous consent to take up House Resolution No. 73 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—65.

NOES—None.

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

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

**Assembly Bill No. 1083**: By Messrs Bane and Cameron—An act to amend Section 13092 of the Education Code, and Section 13320 of the Education Code as proposed by Senate Bill No. 2, relating to the employment of certificated employees by school districts.

Referred to Committee on Education.

**Assembly Bill No. 1084**: By Messrs. Bane and Cameron—An act to amend Section 14645 of the Education Code, and Section 14376 of the Education Code as proposed by Senate Bill No. 2, relating to the employment after retirement of certificated employees by school districts.

Referred to Committee on Education.

**Assembly Bill No. 1085**: By Mr. Bane—An act to amend Section 21683, and to repeal Sections 21685, 21686, 21687, 21688, 21690 and 21691 of the Water Code, relating to elections in irrigation districts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1086**: By Mr. Bane—An act to amend Sections 5932 and 7801 of, and to repeal Sections 5932.5 and 7801.5 of, the Elections Code, relating to absent voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1087**: By Mr. Bee—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition and construction of state parks in Alameda County.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1088**: By Mr. Bee—An act to amend Section 25450.4 of the Government Code, relating to construction contracts in counties with population of 500,000 or more.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1089**: By Mr. Bradley—An act to repeal Part 1 (commencing at Section 20000), Division 14, of the Health and Safety Code, relating to police protection districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1090**: By Mr. Bradley—An act to add Sections 20007, 20144, and 20302 to, and Article 5 (commencing at Section 20350) to Chapter 2, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1091**: By Mr. Bradley—An act to amend Section 2422 of the Education Code, Section 1723 of the Education Code, as proposed by Senate Bill No. 2, Section 7920 of the Elections Code, Section 1180 of the Military and Veterans Code, and Section 22229 of the Public Utilities Code, relating to the classification of cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1092**: By Mr. Bradley—An act to amend Section 607f of the Civil Code, Sections 9361, 9363, 14004, 18002, and 18003 of the Education Code, and Sections 6601, 6603, 13591, 15802, and 15803 of the Education Code, as proposed by Senate Bill No. 2, relating to classification of cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1093**: By Mrs. Davis—An act to add Section 222 to, and to add Chapter 8 (commencing with Section 6900) to, Part 1, Division 6 of, the Fish and Game Code, relating to salmon spawning areas.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1094**: By Mr. Bradley—An act to add Article 13 (commencing with Section 255) to Chapter 1, Title 3, Part 1 of the Code of Civil Procedure, relating to the drawing of juries.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1095**: By Mr Bradley—An act to amend Section 5785 of, to repeal Sections 5785 1, 5785.2, 5785.3, and 5785.4 of, and to add Sections 5785.1, 5785 2, and 5785.3 to, the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Municipal and County Government.

**Speaker pro Tempore Presiding**

At 10.15 a.m , Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 1096**: By Mr. Holmes—An act to add Section 234 to, and to repeal Section 12605 of, the Water Code, relating to weather modification.

Referred to Committee on Water.

**Assembly Bill No. 1097**: By Mr. Holmes—An act to add Section 25660.1 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1098**: By Mr. Z'berg—An act to amend Sections 5780 2 and 5781.4 of the Public Resources Code, relating to the governing bodies of recreation and park districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1099**: By Mr. Z'berg—An act to amend Sections 6401 and 14003 of the Health and Safety Code, relating to the governing bodies of sanitary districts and local fire districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1100**: By Mr. Z'berg—An act to add Section 14115 to the Health and Safety Code, relating to local fire protection districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1101**: By Messrs. Hegland and Schrade—An act to add Article 4 (commencing at Section 21851) to Chapter 13 of Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as proposed by Senate Bill No. 2, relating to testing of students attending private secondary schools, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 1102**: By Messrs. Bruce F. Allen, Bradley, Crawford, and Winton—An act to add Section 6816 8 to the Public Resources Code, relating to basic research and field studies in connection with mining, and making an appropriation.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1103**: By Messrs. Elliott, Kilpatrick, and Chapel—An act to add Section 9616 to the Education Code, and Section 6822 to the Education Code as proposed by Senate Bill No. 2, relating to the education of physically handicapped minors

Referred to Committee on Social Welfare.

**Assembly Bill No. 1104**: By Messrs. Elliott, Chapel, and Kilpatrick—An act to amend Section 3447 of the Welfare and Institutions Code, relating to reader funds and educational scholarships awarded to potentially self-supporting blind persons

Referred to Committee on Education.

**Assembly Bill No. 1105**: By Messrs Elliott, Kilpatrick, and Chapel—An act to amend Sections 103.4, 118, and 118.2 of, and to amend the chapter heading of Chapter 3 (commencing with Section 3400) of Part 1 of Division 5 of, the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1106**: By Mr. McCollister—An act to add Section 614.4 to the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1107**: By Mr. McCollister—An act to add Section 614.5 to the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1108**: By Mr. McCollister—An act to amend Section 620 of the Agricultural Code, relating to cheese.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1109**: By Messrs. O'Connell and Crawford—An act to amend Section 496 of the Penal Code, relating to stolen property.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1110**: By Mr. Masterson—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Referred to Committee on Public Health.

**Assembly Bill No. 1111**: By Mr George E Brown—An act to add Section 18861 to, and Article 2.5 (commencing at Section 53240) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to payment of the cost of repairing or replacing property of governmental employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1112**: By Mr. George E. Brown—An act to add Section 13203 2 to the Education Code, and Section 13006 to the Education Code as proposed by Senate Bill No 2, relating to deposits by school districts for traveling expenses.

Referred to Committee on Education

**Assembly Bill No. 1113**: By Mr. George E. Brown—An act to add Section 1032 to the Education Code and add Section 817 to the Education Code as proposed by Senate Bill No. 2, relating to payment of the cost of repairing or replacing property of school district employees.

Referred to Committee on Education.

**Assembly Bill No. 1114**: By Miss Donahoe and Mr. Williamson, and Senator Stiern, co-author (By Request)—An act to add Section 29370.1 to the Government Code, relating to establishment of County Cash Difference Fund.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1115**: By Miss Donahoe and Mr. Williamson, and Senator Stiern, co-author (By Request)—An act to add Chapter 16 (commencing with Section 26490) to Part 2 of Division 2 of Title 3 of the Government Code, relating to county advisory commissions.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1116**: By Mr. Coolidge (At the request of State Board of Equalization)—An act to amend Sections 7493, 7660, 7670, 7675, 7852, 7916, 8126, 8128, 8147, 8148, 8149, 8191, 8307 and the heading of Article 4 (commencing at Section 7916) of Chapter 6 of Part 2 of Division 2 of the Revenue and Taxation Code, to repeal Article 5 (commencing at Section 7751) of Chapter 5 of Part 2 of Division 2 and Section 7981 of said code, and to add thereto Sections 7676, 7711.5, 8149.5 and 8404 and Articles 1.5 (commencing at Section 7861) and 2.5 (commencing at Section 7881) to Chapter 6 of Part 2 of Division 2 of said code, all relating to the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1117**: By Mr. Hegland, Miss Donahoe, Messrs. Ernest R. Geddes, and Sedgwick—An act to amend Sections 101, 102, 103, and 109 of, and to add Sections 102.1 and 102 2 to, the Education Code and to amend Sections 101, 102, 103, and 112 of, and to add Sections 102.1 and 102.2 to, the Education Code, as proposed by Senate Bill No. 2, relating to the State Board of Education.

Referred to Committee on Education.

**Assembly Bill No. 1118**: By Messrs. Hegland, Schrade, Crawford, and Luckel—An act to amend Section 713 of the Vehicle Code and to amend Section 35704 of, and to add Section 35716 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to contractors subject to city ordinances decreasing vehicle weight limits.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1119**: By Mr. Charles H. Wilson—An act to add Sections 19408 and 25965 to the Revenue and Taxation Code, relative to criminal proceedings under the Personal Income Tax Law and Bank and Corporation Tax Law.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1120**: By Mr. Britschgi—An act to amend Section 1622 of the Welfare and Institutions Code, relating to child care institutions.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1121**: By Mr. Britschgi—An act to amend Section 2302 of the Welfare and Institutions Code, relating to institutions for aged persons.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1122**: By Mr. Britschgi—An act to add Sections 1654, 1655, and 1656 to the Welfare and Institutions Code, relating to protective services for children, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1123**: By Mr. Britschgi—An act to add Sections 4193 and 4194 to the Welfare and Institutions Code, relating to the administration of aid to the disabled, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1124**: By Mr. Britschgi—An act to amend Sections 1641 and 1643 of the Welfare and Institutions Code, relating to the administration of adoption programs.

Referred to Committee on Social Welfare

**Assembly Bill No. 1125**: By Mr. Britschgi—An act to amend Section 4605 of, and to add Sections 4606 and 4607 to, the Welfare and Institutions Code, relating to medical care for public assistance recipients, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1126**: By Mr Britschgi—An act to amend Section 3481 of, and to add Sections 3483 and 3484 to, the Welfare and Institutions Code, relating to the administration of aid to the partially self-supporting blind, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1127**: By Mr. Britschgi—An act to amend Section 3087.2 of, and to add Sections 3094 and 3095 to, the Welfare and Institutions Code, relating to the administration of aid to the needy blind, and making an appropriation therefor.

Referred to Committee on Social Welfare

**Assembly Bill No. 1128**: By Mr. Britschgi—An act to amend Section 1555 of, and to add Sections 1563 and 1564 to, the Welfare and Institutions Code, relating to the administration of aid to needy children, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1129**: By Mr. Britschgi—An act to amend Section 2188 of, and to add Sections 2194 and 2195 to, the Welfare and Institutions Code, relating to the administration of old age assistance, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1130**: By Mr. Britschgi—An act to amend Section 4127 of the Agricultural Code, relating to unfair practices.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1131**: By Mr. Britschgi—An act to amend Section 4362 of the Agricultural Code, relating to milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1132**: By Messrs. Britschgi and Francis—An act to amend Section 14820 of the Health and Safety Code, relating to annexations to fire protection districts

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1133**: By Mr. Britschgi—An act to amend Section 35305 of the Government Code, relating to the annexation of uninhabited territory to cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1134**: By Mr. Biddick—An act to add Article 5 (commencing at Section 50920) to Chapter 4, Part 1, Division 1, Title 5, of the Government Code, relating to extraterritorial law enforcement activities of county and city peace officers.

Referred to Committee on Criminal Procedure.

**Speaker Presiding**

At 10.34 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1135**: By Mr. Samuel R. Geddes—An act to amend Sections 7028, 7044, and 7050 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1136**: By Mr. Reagan—An act to amend Section 4660 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1137**: By Mr. Reagan—An act to amend Section 4660 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1138**: By Messrs. Biddick, Masterson, and Waldie—An act to amend Section 537.5 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1139**: By Messrs. Biddick, Busterud, Masterson, Waldie, and Sumner—An act to amend Section 1198.1 of, and to add Section 1198.2 to, the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1140**: By Messrs. Biddick, Busterud, Masterson, Waldie, and Marks—An act to amend Sections 925 and 952 of the Probate Code, relating to vouchers supporting payments by executor or administrator.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1141**: By Messrs. Biddick, Busterud, Masterson, Waldie, and Marks—An act to amend Section 780 of the Probate Code, relating to sales of real property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1142**: By Messrs. Biddick, Busterud, Masterson, Waldie, and Marks—An act to amend Section 1405 of the Probate Code, relating to guardians.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1143**: By Messrs. Biddick, Busterud, Masterson, Waldie, and Marks—An act to amend Section 689b of the Code of Civil Procedure, relating to execution of civil judgments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1144**: By Mr. Sedgwick—An act to add Article 3 (commencing at Section 35050) to Chapter 1 of Part 4 of Division 13 of the Water Code, relating to elections in California water districts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1145**: By Mr. Williamson and Miss Donahoe—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1146**: By Mr Williamson and Miss Donahoe—An act to add Section 228 to the Labor Code, relating to jury duty.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1147**: By Mr. Williamson and Miss Donahoe—An act to add Section 273 to the Labor Code, relating to the payment of wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1148**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, co-author—An act to add Sections 2897.1, 2898.1 and 2898.2 to the Elections Code, relating to the demise of a candidate before the printing of a primary or general election ballot.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1149**: By Mr. Williamson and Miss Donahoe—An act to amend Section 204 of the Labor Code, relating to payment of wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1150**: By Mr. Hanna—An act to add Article 10 (commencing at Section 7155) to Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1151**: By Mr. Hanna—An act to amend Section 539 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1152**: By Mr. Hanna—An act to amend Sections 422 and 423 of the Probate Code, relating to the administration of estates.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1153**: By Mr. Hanna—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1154**: By Mr. Hanna—An act to amend Section 19539.5 of the Business and Professions Code, relating to horseracing.

Referred to Committee on Government Organization.

**Assembly Bill No. 1155**: By Mr. Hanna—An act to add Section 1953f.5 to the Code of Civil Procedure, relating to competency of business records as evidence.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1156**: By Mr. Bane—An act to amend Section 230 of the Elections Code, relating to the form of the affidavit of registration.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1157**: By Messrs. Crawford, Bruce F. Allen, O'Connell, and Hegland—An act to amend Section 27491 of, and to add Section 27491.1 to, the Government Code, and to add Section 7116 to the Health and Safety Code, relating to coroners' investigations.

Referred to Committee on Public Health.

**Assembly Bill No. 1158**: By Messrs. Crawford, Bruce F. Allen, O'Connell, and Hegland—An act to amend Section 10250 of the Health

and Safety Code and Section 11160 of the Penal Code, relating to reports by coroners and physicians.

Referred to Committee on Public Health.

**Assembly Bill No. 1159**: By Mr. Waldie—An act to amend Section 71601 of the Government Code, relating to justice courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1160**: By Messrs. Waldie, Masterson, and DeLotto—An act to add Article 8.5 (commencing with Section 58250) to Chapter 1 of Division 1 of Title 6 of the Government Code, relating to withdrawal of territory annexed to a city.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1161**: By Mr. Waldie—An act to add Section 65805 to the Government Code, relating to city zoning ordinances.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1162**: By Messrs. Waldie, Masterson, Burton, Samuel R. Geddes, Bane, George E. Brown, Crown, Elliott, Gaffney, Garrigus, O'Connell, and Z'berg—An act to add Sections 13207 and 20400 to the Education Code, and to add Sections 12915 and 24317 to the Education Code as proposed by Senate Bill No. 2, relating to the right of organization of public school employees and state college employees.

Referred to Committee on Education.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 525

Mr. Masterson was granted unanimous consent that Assembly Bill No. 525 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolution was offered:

By Mr. McMillan:

### House Resolution No. 74

Relative to amending the Temporary Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That Rule 14 of the Temporary Standing Rules of the Assembly for the 1959 Regular Session is amended to read:

14. Both during sessions, and after final adjournment and until the convening of the next regular general session, the Committee on Rules has the following additional powers and duties:

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

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

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

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

(e) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(f) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof such clerical, secretarial and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purposes to employ such additional stenographic and secretarial assistants as may be necessary, assign, re-assign and discharge such assistants and prescribe amounts, times and methods of payment of their compensation.

(g) To incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex, *except that the committee shall not incur any item of expense in excess of five hundred dollars ($500) for the repair, alteration, improvement, or equipping of the Assembly Chamber or the offices provided for the Assembly in the State Capitol or the Capitol Annex unless specific authorization is given by House resolution for any such item.*

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, February 3, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Concurrent Resolution No. 30

With the recommendation: Be adopted.

KILPATRICK, Vice Chairman

Above resolution ordered engrossed.

### Committee on Rules

ASSEMBLY CHAMBER, February 3, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 31
Assembly Concurrent Resolution No 29
Assembly Concurrent Resolution No 35
Assembly Concurrent Resolution No 36
Assembly Concurrent Resolution No. 28

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 28
Assembly Concurrent Resolution No. 29
Assembly Concurrent Resolution No. 30
Assembly Concurrent Resolution No. 31
Assembly Concurrent Resolution No. 35
Assembly Concurrent Resolution No. 36

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

**Committee on Rules**

ASSEMBLY CHAMBER, February 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 65
House Resolution No. 58
House Resolution No. 60
House Resolution No. 57
House Resolution No. 55
House Resolution No. 69
House Resolution No. 51

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 563

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 3, 1959

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

Assembly Concurrent Resolution No. 40

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

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, February 3, 1959

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

Assembly Concurrent Resolution No. 55

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

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

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

**Assembly Bill No. 1163:** By Mr. Rees—An act to add Section 10640.1 to the Insurance Code, relating to employee health and welfare programs.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1164**: By Mr. Rees—An act to repeal Section 3 of Chapter 2167 of the Statutes of 1957, relating to employee health and welfare programs.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1165**: By Mr. Samuel R. Geddes—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1166**: By Mr. Samuel R. Geddes—An act to amend Section 19 of the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of 1952 First Extraordinary Session), relating to annexation of land to the Vallejo Sanitation and Flood Control District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1167**: By Mr. Nisbet—An act to amend Section 37208 of the Government Code, relating to city budgetary procedure.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 1168**: By Messrs Belotti and Coolidge—An act to appropriate moneys in the Small Craft Harbors Revolving Fund for the Shelter Cove Project, Humboldt County.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1169**: By Messrs. Backstrand, Ralph M. Brown, Gaffney, Chapel, Belotti, and MacBride—An act to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of the Streets and Highways Code, relating to state highways, providing for a California Freeway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Referred to Committee on Transportation and Commerce.

## APPOINTMENT OF MEMBERS TO INTERIM COMMITTEES

Speaker Brown appointed the following members to committees:

Messrs. Biddick and Collier to the Joint Interim Committee on Water Problems.

Mr Biddick to the Uniform State Laws Commission.

Messrs. Bane, Belotti, Porter, and Sumner to the Joint Interim Committee on Water Resources Development Problems.

Mr. Samuel R. Geddes to the Fairs Classification Commission.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr Garrigus moved that, pursuant to Article IV, Section 2 (a) of the Constitution Assembly Bill No. 563 may be acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

### CONSIDERATION OF ASSEMBLY BILL NO. 563

**Assembly Bill No. 563**—An act to add Section 16271.3 to the Education Code, and Section 16864 to the Education Code, as proposed by Senate Bill No. 2, relating to the use of school buses, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

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

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

**Assembly Bill No. 1170**: By Mr MacBride—An act to amend Sections 12126, 12151, 12153, 12154, 12155, 12276, 12402, 12405, 12431, 12435, 12464, 12465, 12494, 12495, 12622, 12623, 12624, 12676, 12682,

12801, 12802, 12803, 12834, 12952, 12977, 12997, 13102, 13103, 13105, 13112, and 13113 of, to repeal Sections 12127, 12401, 12403, 12432, 12433, 12434, 12437, 12438, 12461, 12625, and 12998 of, and to add Sections 12440, 12983 and 12998 to, the Revenue and Taxation Code, relating to insurance taxation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

### Motion to Invoke Constitutional Provision

Mr. MacBride moved that, pursuant to Article IV, Section 2 (a), of the Constitution, Assembly Bill No 1170 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed; and that the bill be heard in the Committee on Revenue and Taxation on February 12th.

### Motion Withdrawn

Mr. MacBride withdrew his motion.

### Rush Order Placed Upon Printing of Assembly Bill No. 1170

Mr. MacBride was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1170.

**Assembly Bill No. 1171**: By Mr. MacBride (At the request of the Governor)—An act to amend Section 32151 of the Revenue and Taxation Code, relating to the taxation of alcoholic beverages, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1172**: By Mr. MacBride (At the request of the Governor)—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1173**: By Mr. MacBride (At the request of Department of Finance)—An act to amend Sections 19485, 19485.1, 19597, 19620.1 and 19627, and to repeal Section 19627.1, of the Business and Professions Code, relating to revenue derived from horse-racing, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1174**: By Mr. MacBride (At the request of the Governor)—An act to add Part 15 (commencing at Section 33000) to Division 2 of the Revenue and Taxation Code, imposing a tax for the privilege of producing or severing oil or gas from beneath the soil and waters of this State, making an appropriation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1175**: By Mr. MacBride (At the request of the Governor)—An act to amend Sections 23151, 23153, 23184, 23186,

23501, 23771, 24349, 24350, 24355 of, and to add Sections 24351, 24352, 24353, 24354, 24356, 24356.1 and 24575.1 to the Revenue and Taxation Code, relating to bank and corporation taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1176**: By Mr. MacBride (At the request of the Governor)—An act to amend Sections 13406, 13407, 15207 and 15208, and to repeal Section 13989, of the Revenue and Taxation Code, relating to inheritance and gift taxation, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1177**: By Mr. MacBride (At the request of the Governor)—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211.5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190.1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to, and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1178**: By Messrs. Cusanovich, Collier, Miss Donahoe, and Mr. Bane—An act to add Article 8 (commencing at Section 10251) to Chapter 4 of Division 8 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposal of old high school textbooks.

Referred to Committee on Education.

**Assembly Bill No. 1179**: By Messrs. Kilpatrick, Chapel, George E. Brown, House, Bane, Cunningham, Elliott, Ernest R. Geddes, Samuel R. Geddes, Nisbet, Petris, Reagan, Thelin, George A. Willson, and Z'berg—An act to add Sections 10084, 10085, 10140.5, 10143, 10144, and 10145 to, and to amend Sections 10131, 10132, 10134, and 10140 of, the Business and Professions Code, relating to the Real Estate Commissioner and the business of assisting persons in filing applications for lands owned by the Federal Government, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1180**: By Messrs. Kilpatrick, Chapel, George E. Brown, Petris, Bane, Conrad, Cunningham, Elliott, Ernest R. Geddes, Samuel R. Geddes, House, Nisbet, Reagan, Thelin, George A. Willson, and Z'berg—An act to amend Sections 447a and 449a of the Penal Code, relating to arson.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1181**: By Messrs. Kilpatrick, Chapel, George E. Brown, Petris, Bane, Cunningham, Elliott, Ernest R. Geddes, Samuel

R. Geddes, House, Reagan, Thelin, George A. Willson, and Z'berg—An act to amend Section 692 of and add Section 692b to the Code of Civil Procedure, relating to notice of sale of property.

Referred to Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolution was offered:

By Mr. Samuel R. Geddes:

### House Resolution No. 75

Relative to continuing the Assembly Interim Committee on Civil Service and State Personnel

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

1. The Assembly Interim Committee on Civil Service and State Personnel, created by House Resolution No. 222 of the 1957 Regular Session, is continued as an Assembly committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 15, 1959, with authority to file its final report not later than March 15, 1959.

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

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

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENTS

Speaker Brown announced that, unless there was objection to this procedure, the Assembly would adjourn for the weekend tomorrow.

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Speaker Brown announced that the Assembly would be in session on Thursday, February 12th, since an adjournment for the weekend on Wednesday would violate the constitutional provision relative to a recess for longer than three days without the consent of the other house.

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Speaker Brown announced that, in order to observe the holiday on Monday, February 23d, the Assembly would have to be in session on Friday, February 20th.

## PARLIAMENTARY INQUIRY

Mr. Ernest R. Geddes arose to the following parliamentary inquiry: Has not the House adopted a resolution granting use of the Assembly Chamber for the February 12th weekend to the Y. M. C. A. Model Legislature?

### Reply by Speaker

The Speaker replied that the Y. M. C. A. Model Legislature has been granted permission to use the Assembly Chamber at 2 p.m. on Friday, February 13th, and for Saturday, February 14th, and Sunday, February 15th; so a session could be held on Friday morning, February 13th, if desired.

### ANNOUNCEMENT

Mr. Britschgi announced that today is the birthday of Mrs. Alice Francis, wife of Assemblyman Louis Francis of San Mateo, whereupon Speaker Brown and the Members of the Assembly joined with Mr. Britschgi in extending birthday greetings and best wishes to Mrs. Francis.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Gaffney was granted unanimous consent to take up Assembly Concurrent Resolution No. 31 without reference to file.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 31

**Assembly Concurrent Resolution No. 31**—Relative to the passing of Pope Pius XII.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 215 AND 214

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 215 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Criminal Procedure.

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 214 be withdrawn from the Committee on Education, and re-referred to the Committee on Criminal Procedure.

### ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Biddick announced an organizational meeting of the Committee on Judiciary—Civil at 3:45 p.m. today in Room 4164, and urged the attendance of all members of the committee.

### ANNOUNCEMENT

Mr. Backstrand announced that transportation for the members of the Committee on Transportation and Commerce who will attend a meeting at the California Highway Patrol Academy today would be available in the State Garage at noon.

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Brown of Modesto to Jack Ramey, Mrs. Jack Ramey, Maxine Boren, and Edith Massera of Modesto.

On request of Mr. Reagan of Pasadena to Mr. and Mrs. Arthur Fish of Pasadena.

On request of Messrs. Unruh, Hawkins, Charles H. Wilson, and Don A. Allen of Los Angeles to Spencer Wiley, William Pollard, Elbert Hudson, and George Thomas.

On request of Mr. Britschgi of Redwood City to Mrs. Louis Francis of San Mateo.

On request of Mr. Petris of Oakland to Mrs. Mary Batagios and Peter Sam Batagios of Oakland.

On request of Mr. McMillan of Los Angeles to Zelma Hansen of Palma, Mallorca, Spain.

On request of Mr. Mulford of Oakland to Sister M. Rosarii, teacher; Mrs. Paula Anglin, Mrs. Don M. Correa, and Mrs. Michele Marx, adults; and the following pupils of Saint Joseph School: Christine Arriaga, Patricia Ceballos, Karen Fernandes, Susan Frisvold, Kerry Mullen, Maureen Munro, Kathleen Shields, Barbara Brajkovich, Donna Correa, Gloria Cristani, Mary A. Jacobus, Barbara Mullan, Joan Murphy, Christie Schwarz, Sandra Toso, Diana Unis, and Llouise Viliocco.

On request of Mr. Bruce F. Allen of Los Gatos to Jerry Bush of San Jose.

On request of Mrs Davis of Portola to William Gunlock of Dunsmuir, former Assemblyman.

On request of Mr. MacBride of Sacramento to John Sanders, Mrs. Joyce Snider, Les Bult, and Bill Harvey, teachers; Mr. Snider, Mrs. Polley, and Mrs. Bonar, adults; and the following pupils of the Earl Le Gette School: Robert Anderson, Steven Barzo, Steven Bogdonoff, David Bonar, Robert Evans, Michael Hegy, Roger Haugen, Richard Haxton, Eldon Irvine, John Kovak, Bill Lake, Gordon Leighton, Joe Mitchell, Gary Nichols, Stephen Olsen, Mike Polley, Larry Ragan, Chris Roediger, Lowell Smith, Michael Clancey, Pamela Beattie, Judith Bradbury, Norma Burks, Joyce Carter, Linda Hall, Jackie Hartman, Adrienne Haxton, Suzanne Hobbs, Pamela Mattson, Ellen Morrisroe, Jeanette Pyle, Susan Rand, Joan Rice, Eloise Stone, Diane Thompson, Gwendoline Yourd, Darlynn Grimes, and Jane Lu Britten.

## ADJOURNMENT

At 11.28 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, February 5, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, February 5, 1959

The Assembly met at 10 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*We know, Our Father God,* That we cannot legislate morality, responsible attitudes, right feelings, nor good will. Grant that we may, however, through good laws, help to provide the climate in which these things may grow and flourish. "There ought to be a law" is a phrase that has echoed through the empty corridors of history, but there must be something more than law, and for this something more, we humbly pray. Through the enactments of this Assembly we would spare children and youth from violence and crime; we would save our citizens from unfair discrimination on any basis; we would provide an economic foundation encouraging to all industry. May we so work, think, and decide that we may deserve to hear the tribute "well done, good and faithful servants" of the people.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Lowrey, on motion of Mr Z'berg.

Mr. Grant, on motion of Mr. Z'berg.

The following member was granted leave of absence for the day, because of the death of his father:

Mr. Munnell, on motion of Mr. Unruh.

## APPOINTMENT OF MEMBERS TO PUBLIC WORKS BOARD

Speaker Brown appointed Messrs. Nisbet and Ralph M. Brown to the Public Works Board.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, February 4, 1959

MR. SPEAKER: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 48
Assembly Concurrent Resolution No. 51
With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, February 4, 1959

MR SPEAKER: Your Committee on Rules reports:
Assembly Joint Resolution No. 8
With the recommendation. Re-refer to the Committee on Water.

MILLER, Chairman

Above resolution re-referred to the Committee on Water.

ASSEMBLY CHAMBER, February 4, 1959

MR. SPEAKER: Your Committee on Rules reports:
House Resolution No. 35
With the recommendation: Re-refer to the Committee on Government Organization

MILLER, Chairman

Above resolution re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, February 4, 1959

MR. SPEAKER: Your Committee on Rules reports:
House Resolution No 59
With the recommendation: Be adopted

MILLER, Chairman

Above resolution ordered on file.

### Committee on Agriculture

ASSEMBLY CHAMBER, February 4, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Assembly Joint Resolution No. 9
With the recommendation. Be adopted.

SAMUEL R GEDDES, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 48
Assembly Concurrent Resolution No. 51
Assembly Joint Resolution No. 9

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

### Committee on Rules

ASSEMBLY CHAMBER, February 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 52

With the recommendation Be adopted.

MILLER, Chairman

Above resolution ordered engrossed

ASSEMBLY CHAMBER, February 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 61
House Resolution No. 64
House Resolution No. 66
House Resolution No. 75

With the recommendation Be adopted

MILLER, Chairman

Above resolutions ordered on file

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

**Assembly Concurrent Resolution No. 53**—Relative to commending Clint Mosher;

**Assembly Concurrent Resolution No. 55**—Relative to the Holy Cross Hospital in the San Fernando Valley;

And reports the same correctly enrolled, and presented to the Secretary of State on the fourth day of February, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 52

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 4, 1959

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

Assembly Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, February 4, 1959

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

Senate Concurrent Resolution No. 11
Senate Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Concurrent Resolution No. 11**—Relative to highway improvements by the Department of Public Works.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 13**—Relative to State Highway Route 38 (Sign Route 89) around Emerald Bay.

Referred to Committee on Rules.

### EXPLANATION OF ABSENCE

February 5, 1959

I was off the floor yesterday, February 4, 1959, to address a class of students from my district and missed some roll calls.

DON MULFORD

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

**Assembly Concurrent Resolution No. 30**—Relative to small craft harbor loans.

Resolution read

#### Motion to Amend

Mr. Coolidge moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed resolution, strike out lines 46 to 49, inclusive.

#### Amendment No. 2

On page 3, strike out lines 1 and 2.

Amendments read, and adopted.

#### Request for Unanimous Consent

Mr. Coolidge was granted unanimous consent to take up Assembly Concurrent Resolution No. 30, as amended, without reference to reprint or file, and that the same be considered re-engrossed.

#### Consideration of Assembly Concurrent Resolution No. 30, as Amended

**Assembly Concurrent Resolution No. 30**—Relative to small craft harbors.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Mulford, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered reprinted, and transmitted to the Senate.

**Assembly Concurrent Resolution No. 35**—Relative to the passing of Edgar A. Luce.

Resolution read, and adopted unanimously by a rising vote of the Members of the Assembly.

Resolution ordered transmitted to the Senate.

### Adjournment in Memory of Edgar A. Luce

Speaker Brown ordered that, when the Assembly this day adjourns, it do so out of respect to the memory of the late Edgar A. Luce.

**Assembly Concurrent Resolution No. 28**—Relative to passing of Francis J. Ahern.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 29**—Relative to the death of Dr. Edward L. Hardy.

Resolution read.

### Speaker pro Tempore Presiding

At 10.24 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Members Made Co-authors of Assembly Concurrent Resolution No. 29

Mr. Hegland was granted unanimous consent that all members voting on Assembly Concurrent Resolution No. 29 be placed upon the illuminated copy of the resolution as co-authors.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 36**—Relative to approving continuation of studies by the California Law Revision Commission.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 65

By Mr. Rees:

**House Resolution No. 65**—Relative to continuance of the Assembly Interim Committee on Conservation, Planning, and Public Works for

the purpose of reporting the results of its interim investigation and study.

**Parliamentary Inquiry**

Mr. Thomas arose to the following parliamentary inquiry: Has the resolution been read?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it had not, and directed the Clerk to read the resolution.

By Mr. Rees:

**House Resolution No. 65**

Relative to the continuance of the Assembly Interim Committee on Conservation, Planning, and Public Works for the purpose of reporting the results of its interim investigation and study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Conservation, Planning, and Public Works created by House Resolution No. 215 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim investigation and study The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—69.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 57

By Mr. Dahl:

**House Resolution No. 57**

Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Revenue and Taxation created by House Resolution No 238 of the 1957 Session is continued in existence until March 15, 1959, for the purpose of submitting its reports to Legislature. The committee is authorized to submit any report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 55

By Mr. Ralph M. Brown:

**House Resolution No. 55**

Relative to the continuance of the Assembly Interim Committee on Governmental Efficiency and Economy

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Governmental Efficiency and Economy created by House Resolution No 220 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim studies and investigations. The

committee is authorized to submit its reports, including its final report, not later than March 15, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 69

By Mr. Cunningham.

### House Resolution No. 69

Relative to the continuance of the Assembly Interim Committee on Public Utilities and Corporations

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Utilities and Corporations created by House Resolution No. 223 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim studies and investigations. The committee is authorized to submit its reports, including its fiscal report, not later than March 15, 1959

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—72

NOES—None

## CONSIDERATION OF HOUSE RESOLUTION NO. 51

By Mr. DeLotto:

### House Resolution No. 51

Relative to a revision of the Elections Code

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Elections and Reapportionment is hereby authorized and directed to analyze and study the provisions of the Elections Code and to prepare a complete revision, without substantive change, of the Elections Code designed to clarify the law and eliminate ambiguities and obsolescenses; and be it further

*Resolved*, That the committee submit its final report to the Assembly not later than the thirtieth calendar day of the 1961 Regular Session

Resolution read, and ordered passed on file

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Concurrent Resolution No. 40**—Relative to the creation of the Joint Legislative Committee on Legislative Reference Library.

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

### Amendment No. 1

On page 2 of the printed measure, strike out lines 38 to 41, inclusive.

**Amendment No. 2**

On page 2, line 42, strike out "(g)", and insert "(f)".

**Amendment No. 3**

On page 2, line 46, strike out "(h)", and insert "(g)".

**Amendment No. 4**

In the third line of the title of the printed measure, as amended in the Senate on January 27, 1959, strike out "and Research Services".

**Amendment No. 5**

On page 1, line 9, strike out "research", and insert "library".

**Amendment No. 6**

On page 2, strike out lines 21 to 25, inclusive.

**Amendment No. 7**

On page 2, line 26, strike out "(d)", and insert "(c)".

**Amendment No. 8**

On page 2, line 29, strike out "(e)", and insert "(d)".

**Amendment No. 9**

On page 2, line 37, strike out "(f)", and insert "(e)".

**Amendment No. 10**

On page 2, line 41, strike out "(g)", and insert "(f)".

**Amendment No. 11**

On page 1, line 4, of the printed measure, as amended in the Senate on January 28, 1959, strike out the words "and Research Facilities".

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

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—73.

NOES—None.

Assembly Concurrent Resolution No. 40 ordered enrolled.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. MacBride moved that, pursuant to Article IV, Section 2 (a) of the Constitution, Assembly Bill No. 1170 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Reagan—1.

**Assembly Bill No. 1170 Set for Hearing in Committee**

Mr. MacBride announced that Assembly Bill No. 1170 would be heard in the Committee on Revenue and Taxation on Thursday, February 19th.

## REQUEST FOR UNANIMOUS CONSENT

Mr. McMillan was granted unanimous consent to take up House Resolution No. 60, temporarily passed on file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 60

By Mr. McMillan:

**House Resolution No. 60**

Relative to the continuance of the Assembly Interim Committee on Industrial Relations for the purpose of reporting the results of its interim investigation and study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Industrial Relations created by House Resolution No. 221 of the 1957 Regular Session is continued in existence until March 15, 1959 for the purpose of reporting the results of its interim investigation and study. The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 5, 1959

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

Senate Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolution was read:

**Senate Concurrent Resolution No. 23**—Relative to departmental bills.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 23 without reference to committee or file.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 23

**Senate Concurrent Resolution No. 23**—Relative to departmental bills.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson,

McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—None.

Resolution ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Dills was granted unanimous consent to take up House Resolution No. 40, temporarily passed on file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Mr. Dills:

### House Resolution No. 40

Relative to the creation of the Assembly Committee on Interstate Co-operation

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

1. The Assembly Committee on Interstate Co-operation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to co-operation between this State and the other states and with the Federal Government, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code, except that, in the interest of keeping the State of California adequately represented at interstate meetings, if any such member is unable to attend such a meeting, the chairman, with the consent of the Speaker, may select another Member of the Assembly to serve temporarily and to attend the meeting. Such temporary member shall have all the rights and duties of a regular member.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the thirtieth calendar day of that session.

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

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

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

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

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

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

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

7. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims as may incur under this resolution, to be paid from said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad,

Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68

NOES—None

## ANNOUNCEMENT

Mr. Hawkins announced that he had at his desk a bill relative to a minimum wage of $1.25 per hour, which he was introducing at the request of the Governor, and invited all members who desired to be co-authors to come to his desk and affix their signatures to the bill.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Luckel was granted unanimous consent to take up House Resolution No. 58, temporarily passed on file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 58

By Mr. Luckel:

### House Resolution No. 58

Relative to the continuance of the Assembly Interim Committee on Transportation and Commerce for the purpose of reporting the results of its interim study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Transportation and Commerce created by House Resolution No. 212 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim study. The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Johnson was granted unanimous consent that the following remarks by Mr. Gaffney, delivered yesterday on the adoption of Assembly Concurrent Resolution No. 31, be ordered printed in the Journal:

### Remarks by Mr. Gaffney on the Passing of Pope Pius XII

Eugenio Pacelli, known to the world as Pope Pius the XII, exemplified two cardinal attributes of character during his entire priesthood and his long incumbency of the Papacy.

First, he manifested an endearment for all the people of the world, an intense interest and understanding affection for each man, woman, and child who met him in audience; in many instances, addressing the person in his native language and expressing an intimate acquaintance with, and a concern for the visitor's home city or country and its people.

Secondly, he will be remembered in history for his intense, unfaltering, and uncompromising enmity toward communism as destructive of the social, economic and spiritual rights of the human person and the human family.

His profound knowledge of divine and human law dictated his pronouncement that the tenets of communism would enslave labor and industry, deny love of country and neighbor, sever the bonds of the human family, and deprive the human spirit of its aspiration for an eternity with God.

In all humility, I ask we pay respect in this resolution to the memory of a militant champion of human rights, a profound scholar, and a gentle, humble servant of God and man.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Lunardi moved that, pursuant to Article IV, Section 2 (a) of the Constitution, Assembly Bill No 436 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Bradley asked that the record show that, as Chairman of the Committee on Municipal and County Government, he had no objection to the motion.

### Speaker Presiding

At 11 08 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion by Mr. Lunardi.

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT

Mr. DeLotto was granted unanimous consent to take up further consideration of House Resolution No. 51, at this time.

## FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 51

By Mr. DeLotto:

**House Resolution No. 51**—Relative to a revision of the Elections Code.

Resolution read.

### Motion to Amend

Mr. DeLotto moved the adoption of the following amendment:

### Amendment No. 1

*Strike out the last line of the resolution as printed on page 299 of the Assembly Journal for January 21, 1959, and insert "than the tenth calendar day of the 1960 Regular Session."*

Amendment read, and adopted.

**Consideration of House Resolution No. 51, as Amended**

By Mr. DeLotto:

**House Resolution No. 51**

Relative to a revision of the Elections Code

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Elections and Reapportionment is hereby authorized and directed to analyze and study the provisions of the Elections Code and to prepare a complete revision, without substantive change, of the Elections Code designed to clarify the law and eliminate ambiguities and obsolescences; and be it further

*Resolved*, That the committee submit its final report to the Assembly not later than the tenth calendar day of the 1960 Regular Session

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—70

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE CONCURRENT RESOLUTION NO. 22 FROM COMMITTEE

Mr. Petris was granted unanimous consent that Senate Concurrent Resolution No. 22 be withdrawn from the Committee on Rules.

**Request for Unanimous Consent**

Mr. Petris was granted unanimous consent to take up Senate Concurrent Resolution No. 22 without reference to file.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 22

**Senate Concurrent Resolution No. 22**—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 5, 1959

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

| | |
|---|---|
| Assembly Joint Resolution No. 2 | Assembly Concurrent Resolution No. 28 |
| Assembly Joint Resolution No. 4 | Assembly Concurrent Resolution No. 29 |
| Assembly Joint Resolution No. 5 | Assembly Concurrent Resolution No. 35 |
| Assembly Joint Resolution No. 6 | |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, February 5, 1959

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

Senate Concurrent Resolution No. 21

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolution was read:

**Senate Concurrent Resolution No. 21**—Relative to the trip of Nautilus under the North Pole.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 58 FROM COMMITTEE

Mr. Reagan was granted unanimous consent that Assembly Concurrent Resolution No. 58 be withdrawn from the Committee on Rules.

### Request for Unanimous Consent

Mr. Reagan was granted unanimous consent to take up Assembly Concurrent Resolution No. 58 without reference to file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 58

**Assembly Concurrent Resolution No. 58**—Relative to Industrial Relations Section of California Institute of Technology.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### Introduction of Professor Gray

Speaker Brown then introduced Professor Robert D. Gray, Director of the Industrial Relations Section of the California Institute of Technology, to the Members of the Assembly.

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

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

**Assembly Concurrent Resolution No. 59**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, Co-author—Relative to congratulating Dr. Clifford F. Loader.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 60**: By Messrs. McCollister, Samuel R. Geddes, Winton, and Belotti—Relative to a legislative investigation of the problems of vertical integration or contract farming in the agricultural industries of this State.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 13**: By Messrs. Mulford, Crawford, Luckel, Chapel, Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Ralph M. Brown, Burton, Busterud, Collier, Coolidge, Crown, Cunningham, Cusanovich, Mrs. Davis, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna,

Hawkins, Holmes, House, Kilpatrick, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, O'Connell, Petris, Reagan, Rumford, Schrade, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—Relative to equalizing retirement benefits for retired members of the armed forces who retired prior to June 1, 1958.

Referred to Committee on Rules.

**Assembly Bill No. 1182:** By Mr. Levering—An act to amend Section 2626 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1183:** By Mr. Bee—An act to add Section 32130.7 to the Health and Safety Code, relating to local hospital districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

### MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11.28 a.m., Mr. Coolidge was granted unanimous consent that, since there was no further business other than the introduction of bills, the members of the Committee on Assessment Practices be excused, for the purpose of holding a meeting in Room 4168, at this time.

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

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

**Assembly Bill No. 1184:** By Mr. Francis—An act to amend Sections 21010 and 21408 of the Public Utilities Code, relating to aviation.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1185:** By Mr. Francis—An act to add Section 506.2 to the Vehicle Code, and to add Section 23117 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the operation of a vehicle under the influence of liquor and drugs.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1186:** By Mr. Francis—An act to amend Section 11001 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health.

**Assembly Bill No. 1187:** By Mr. Francis—An act to amend Section 10255 of, to add Sections 10143 and 10264 to, and to repeal Sections 10252.5, 10253.5, and 10305 of, the Business and Professions Code, relating to collection of advance fees by real estate and business opportunity licensees.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1188:** By Mr. Francis (By Request)—An act to add Chapter 4.5 (commencing with Section 10342.1) to Division 4, Part 1, of the Business and Professions Code, and to repeal Division 6

(commencing with Section 1700) of the Financial Code, relating to escrow transactions

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1189**: By Messrs. Porter, Charles H. Wilson, House, Belotti, Britschgi, McCollister, and Pattee—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1190**: By Messrs. Bane and Conrad—An act to amend Sections 7003, 7007 and 7008, and to repeal Sections 7005 and 7006 of the Elections Code, relating to canvass at precincts.

Referred to Committee on Elections and Reapportionment.

## PARLIAMENTARY INQUIRY

Mr. McCollister arose to the following parliamentary inquiry: Since the Committee on Conservation, Planning, and Public Works has, by rule, been divided into two committees, what is the procedure to be followed by the author of a bill, such as Assembly Bill No. 61, which was referred to that committee before the new rule was adopted?

### Reply by Speaker

The Speaker replied that Assembly Bill No 61 has been reassigned to the Committee on Natural Resources, Planning, and Public Works; and that he believed that all of those bills which were originally referred to committees which have since been divided into two committees have been reassigned to the appropriate committee.

## WAIVER OF PER DIEM

Mr. Gaffney waived his per diem for tomorrow, Friday, February 6th.

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

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

**Assembly Bill No. 1191**: By Messrs Biddick and Miller—An act to amend Section 92 of, and to add Section 109 to, the Civil Code, relating to grounds for divorce.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1192**: By Mr. Backstrand—An act to amend Sections 5781.10 and 5781.12 of, and to add Sections 5781.20, 5781.21, 5781.22, 5781.23, 5781.24, 5781.25, and 5781.26 to, the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1193**: By Mr. Z'berg—An act to amend Section 172 of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1194:** By Mr. Samuel R. Geddes—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committeee on Government Organization.

**Assembly Bill No. 1195:** By Messrs. Collier and Cusanovich—An act to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 1196:** By Messrs. Masterson and Waldie—An act to amend Sections 4703, 4704, 4705, 4706, 4707, 4708, 4709, 4710, 4711, and 4713 of, and to add Sections 4702.5 and 4713.5 to, the Revenue and Taxation Code, relating to the distribution of property tax levies and assessments.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1197:** By Mr. Bruce F. Allen—An act to amend Section 1881 of the Code of Civil Procedure, relating to confidential communications to public officers.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1198:** By Mr. George E. Brown—An act to add Section 14694.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to transfer of membership by employees of certain school district retirement plans to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 1199:** By Messrs. Hegland, Schrade, and Crawford—An act to amend Section 992 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to publicity for school district programs.

Referred to Committee on Education.

**Assembly Bill No. 1200:** By Mr. Dahl—An act to amend Section 44.1 of the Vehicle Code, and to amend Section 205 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of "Authorized Emergency Vehicle."

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1201:** By Mr. Miller and Senator Richards, coauthor—An act to amend Section 75060 of the Government Code, relating to the retirement of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1202:** By Mr. Bradley—An act to amend Section 25123 of the Government Code, and Section 1651 of the Elections Code, relating to effective date of county ordinances.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1203**: By Mr. Bradley—An act to amend Sections 1208 and 4532 of the Penal Code, relating to the offense of failure of a prisoner released from jail during working hours to return to the jail.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1204**: By Mr. Bradley—An act to repeal Part 2 (commencing at Section 20500) of Division 14 of the Health and Safety Code, and to add Section 38638 to the Government Code, relating to police protection at public meetings.

Referred to Committee on Municipal and County Government.

Speaker pro Tempore Presiding

At 11 32 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 1205**: By Mr. Bradley—An act to amend Section 1107 of the Code of Civil Procedure, relating to prerogative writs.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1206**: By Mr. Belotti—An act to amend Section 346 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1207**: By Mr. Holmes—An act to amend Section 24300 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1208**: By Mr. Holmes—An act to add Section 23394.5 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1209**: By Messrs. Petris, Waldie, George E. Brown, Bane, Crown, Meyers, and O'Connell—An act to add Section 1282 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1210**: By Messrs Petris, Waldie, Bane, George E. Brown, Crown, Meyers, and O'Connell—An act to amend Section 1720 of the Labor Code, relating to public works.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1211**: By Mr. Pattee—An act to amend Sections 6855, 6860, 6866, 6870, 6875, 6876, 6877, 6878, 6880, 6886, 6887, 6888, 6890, 6895, 6902, 6906, 6909, 6910, 6911, 6912, 6921, 6923, 6925, 6926, 6947, 6950, and 6956 of, and to amend and renumber Sections 6861, 6862, 6863, 6864 and 6865 of, and to add Sections 6876.1, 6876.2, 6886.1, 6899 1, 6916 1, and 6949.1 to, and to repeal Sections 6864 5, 6872, 6879, 6920, 6945, and 6946 of, the Business and Professions Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1212**: By Messrs DeLotto and Garrigus, and Senator Burns, co-author—An act to add Section 19.5 to the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to district bonds, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1213**: By Messrs. DeLotto and Garrigus, and Senator Burns, co-author—An act to amend Section 17 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to bonds, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1214**: By Mr. DeLotto—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to county funds.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1215**: By Messrs. Garrigus and DeLotto—An act to amend Section 10651 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to readers for blind college students.

Referred to Committee on Education.

**Assembly Bill No. 1216**: By Mr. Porter—An act to add Section 16678 to, and to repeal Section 16678 of, the Education Code, and to add Section 12259 to, and to repeal Section 12259 of, the Education Code as proposed by Senate Bill No. 2, relating to work permits for minor pupils.

Referred to Committee on Education.

**Assembly Bill No. 1217**: By Mr. Porter—An act to amend Section 6334 of the Education Code, and Section 20504 of the Education Code as proposed by Senate Bill No. 2, relating to school district budgets.

Referred to Committee on Education.

**Assembly Bill No. 1218**: By Mr. Bruce F. Allen—An act to amend Section 190.1 of the Penal Code, relating to offenses for which the penalty is death or life imprisonment.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1219**: By Messrs. Bruce F. Allen, Sumner, Hanna, Miller, and O'Connell—An act to add Section 7062 to the Public Resources Code, relating to the production of oil, gas or other hydrocarbons.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1220**: By Messrs. Bruce F. Allen, Miller, Hanna, and O'Connell—An act to add Section 7054.5 to the Public Resources Code, relating to oil, gas, and mineral leases by public agencies.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1221**: By Messrs. Bruce F. Allen, Hegland, Luckel, Schrade, and Sumner—An act to add Section 12587 to the Water Code, relating to state construction of flood control and water conservation projects.

Referred to Committee on Water.

**Assembly Bill No. 1222**: By Mr. Hawkins—An act to add Chapter 3.5 (commencing at Section 6450) to Part 11 of Division 1 of Title 1 of the Corporations Code, relating to foreign corporations.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1223**: By Messrs. Hawkins, O'Connell, Burton, McMillan, George E. Brown, Crown, Elliott, Gaffney, Kennick, Kilpatrick, Masterson, Meyers, Nisbet, Porter, Thomas, Unruh, and Charles H. Wilson (By request of the Governor)—An act to amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1172, 1173, 1174, 1178, 1182, 1183, 1185, 1194, 1195, 1195.5, 1197, 1199 of, and to repeal Sections 1191, 1192, and 1193 of, and to add Sections 1205, 1206 and 1207 to, the Labor Code, relating to minimum wages and other terms of employment.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1224**: By Mr. MacBride—An act to amend Section 31808 of the Government Code, relating to the computation of retirement allowances.

Referred to Committee on Municipal and County Government.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Winton of Merced to Douglas Choquette, Bill Pringle, Harry Grine, and Kathryn Ward, adults; and the following pupils of the Planada School: Jessie Bennett, Mary Chavez, Rudy Coronado, Dena Cowley, Steve Curtis, Melburn Horn, Ronnie Knight, Billy McKay, Paul Mendia, Vincent Mora, Jerry Mudra, Rosemary Navarro, Gloria Prieto, Ernest Salcido, Jesus Sanchez, Jim Sneed, Martha Soto, Robert Stofle, Bill Thomas, Joe Valdez, Bob Vega, Albert Vieyra, Sharon Williams, Diane Wilson, George Aguero, Beatrice Banaga, Judy Bledsoe, Camilo Castillo, Ann Contreras, Glenn Davis, Gudelia DeLanda, Mary Ann Felix, James Friend, Alex Fuentez, Ralph Gonzales, Gilbert Gracia, Louise Gray, Annie Hernandez, Carlos Lopez, Tommy Lopez, John Lucero, Patricia Miller, Thomas Nanez, Dennis Nolen, Donald Ornelas, Frank Ornelas, Irene Parga, Santiago Sanchez, and Jerry Shelby.

On request of Mr. Britschgi of Redwood City to Mrs. Sprague Smith, President, and Mrs. Milton Treacy, Legislative Chairman, and the following members of the Women's Council of National Association of Real Estate Brokers, Mid-Peninsula Chapter, of Redwood City, San Carlos, and Belmont Board of Realtors: Catherine Buckman, Margaret Carroll, Svea d'Este, Rose De Mattei, Irene Ebner, Ralph

Ebner, Helen Estep, Mildred Fernald, Olive Finn, Hope Hatfield, Sprague Smith, Leola Smith, Dora Solvason, Martin Sweeney, Ellen Sweeney, La Verne Tasker, James Tasker, Mary Treacy, Bernice Houchan, Mr. and Mrs. Frank Guida, Karl Hatfield, and Josephine Johnson.

On request of Mr. Unruh of Los Angeles to Mark Nottingham and Zel Conn of Los Angeles

On request of Mr. Williamson and Miss Donahoe of Bakersfield to Erwin Shrier of McFarland.

On request of Mr. Lunardi of Roseville to Mrs. Dorothea Engstrom, Mrs. Helena Barkell, Mrs. Marguerite Larsen, Mrs. Lola Maxey, Mrs. Bette Newell, Mrs. Elizabeth Deming, Mrs Eva Ernst, Mrs. Ann Thorson, Mrs. Lillie Cates, and Mrs. Verna Dodds, adults; and the following pupils of the Camino School: Karen Allison, Janet Barkell, Larry Beaman, Michael Beebe, Janice Blunck, Margo Brock, Stephen Busch, Tom Cady, Noreen Carsten, Carolyn Cooper, Bill Cottrell, Carolyn Cumming, Richard Darrington, Kenneth Deming, Robert Dodds, Diana Dunn, Bill Dunton, Ann Ernst, Steven Fisher, Eugene Frailey, Richard Garrison, Linda Giguere, Karen Godske, Jerry Hughes, Lorraine Johnson, Ruth Juncker, Sharon Lafferty, David Langford, Bill Larsen, Henry Lucero, Michael Lyman, Tommilyn Maxey, Joyce Minton, Linda Newell, Tom Pettey, Rose Marie Phillips, Donna Reid, Stanley Stowe, Warren Sturtevant, and Roy Joe Ward.

On request of Mr. McMillan of Los Angeles to Mr. and Mrs. John R. Inderrieden of Los Angeles.

On request of Mr. Garrigus of Reedley to Dr. Vincent Evans of the College of the Pacific at Stockton.

On request of Mr. Porter of Compton to Julie Bartlett of Downey.

On request of Mr. Backstrand of Riverside to Ted Burkhart of Coachella, Pat Cohen of Palm Springs, Art Cavanaugh of Indio, and Doctor Johnson of Mecca.

On request of Mr. Lanterman of La Canada and Mr. Reagan of Pasadena to Professor Robert D. Gray of Pasadena.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to John Diestel of San Francisco.

On request of Mr MacBride of Sacramento to the following group from SMAMA NCO Preparatory School, McClellan Air Force Base: Staff Sergeants—Leon E. Garding, McClellan Air Force Base; Ollie W. Smith, South Carolina AFNG; Richard P. O'Grady, Kansas AFNG; William S. Fritz, Missouri AFNG; Joe W. Bogy, Tinker Air Force Base, Oklahoma; John C. Tietgens, North Dakota, AFNG; Armando G. Navarrette, Tinker Air Force Base, Oklahoma; Elias McDew, Jr, McClellan Air Force Base; Charles J. McKinstry, New Jersey AFNG; Lawrence E. Taylor, McClellan Air Force Base; Ralph J. Nusbaum, Indiana AFNG; Airman 1st Class Bernard E. Frey, Iowa AFNG; Staff Sergeants—Alex A. Castaneda, New Jersey AFNG; John A. Marion, Pennsylvania AFNG; Jerome L. Parks, McClellan Air Force Base; Airman 1st Class Raymond L Brown, South Carolina AFNG; and Staff Sergeant Charles E Nye, Jr., McClellan Air Force Base.

## ADJOURNMENT

At 11.38 a m., on motion of Mr. Winton, the Speaker pro Tempore declared the Assembly adjourned until 11 a.m., Monday, February 9, 1959, out of respect to the memory of the late Judge Edgar A. Luce, former Member of the Senate.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, February 9, 1959

The Assembly met at 11 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Millet, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God of Our Fathers,* We pray for our sons and daughters and that our way of life may be made to support redeeming youth agencies such as Boy Scouts, Girl Scouts, Campfire Girls, Y. M. C. A., Y. W. C. A., and the multiple youth activities of church, school, and State. Keep before our eyes the bright faces of our children and our children's children, that all our legislation may help to bring to them a better society than we have known As we are led now in pledging allegiance to the symbol of our beloved land, we pray for our children and youth in the name of Him who came proclaiming to us that "a little child shall lead them"—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Since this is National Boy Scout Week, Speaker Brown was granted unanimous consent that Dort Lucas, Explorer Scout; Tommy Eudy, Boy Scout; and Timmy Marty, Cub Scout; be permitted to come forward and assist the Speaker in the pledge of allegiance to the Flag.

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag, led by Speaker Brown, Dort Lucas, Tom Eudy, and Timmy Marty.

### READING OF THE JOURNAL DISPENSED WITH

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

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his father:

Mr. Munnell, on motion of Mr. Winton.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Bradley, on motion of Mr. Grant.

### COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, February 3, 1959

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

DEAR MR OHNIMUS In accordance with Section 1432 of the Streets and Highways Code, there are transmitted herewith for the use of the Members of the Assembly, 300 copies of the Budget Report of the Division of Highways as included in the Governor's Budget submitted to the 1959 Session of the Legislature. A limited number of additional copies are available if needed

Respectfully submitted,

ROBERT B BRADFORD, Director of Public Works

One copy of the above transmitted report ordered filed with the Secretary of State.

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The following communications were presented by the Chief Clerk from:

John K. Harvey of Fresno (two communications) relative to old age pensions. Referred to the Committee on Social Welfare.

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Bertha Seralte of Madera (two communications) relative to legislation. Referred to the Committee on Social Welfare.

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Mary H. Johnson of Los Angeles, relative to grievances Referred to the Committee on Social Welfare.

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G. W. King of San Andreas, relative to legislation Referred to the Committee on Fish and Game.

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Walter C. Peterson, City Clerk, enclosing a Los Angeles City Council resolution requesting information relative to legislation. Referred to the Committee on Natural Resources, Planning, and Public Works.

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F. D. Chapman of Anderson, relative to speed limits. Referred to the Committee on Transportation and Commerce

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Miller was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, January 27, 1959

*Hon. Allen Miller*
*Assembly Chamber*

*Executive Secretary, District Agricultural Associations—No. 6698*

DEAR MR. MILLER: You have asked three questions pertaining to the position of executive secretary of district agricultural associations. We will answer those questions in series.

*Question No. 1*

Can the present board of directors of an agricultural district association make the position of executive secretary civil service?

*Opinion No. 1*

The answer is yes, subject to the approval of the Department of Finance.

*Analysis No. 1*

Directors of a district agricultural association are state officers (Sec. 84, Ag. C.) and each association is a state institution (Sec. 86, Ag. C.).

Section 4 of Article XXIV of the State Constitution provides that the term "state civil service" shall include every officer and employee of this State, with certain exceptions. Subsection 15 of Section 4 excepts officers and employees of district agricultural associations employed less than six months in any one calendar year. Inasmuch as these associations are state institutions, the provisions of Section 4, Article XXIV of the State Constitution would apply to their officers and employees working six months or more in any calendar year.

A district agricultural association is authorized one employee exempt from state civil service (subsection 5, Section 4, Article XXIV, State Constitution). Under subsection 5, such exempt position must be a confidential position. As a matter of internal organization an exempt employee will usually hold the position of executive secretary or a position of similar designation. We have been informed by the Department of Finance that all executive secretaries in district agricultural associations are exempt employees and that no civil service class is established for this position.

There is no requirement that the board of directors of such association designate the executive secretary as the exempt position. This would be a matter of internal organization, and thus the executive secretary position would come within the provisions of Article XXIV of the State Constitution. It is the purpose of the Civil Service Act

and Article XXIV of the State Constitution to place all employees under the Civil Service System unless specifically excepted (*Stockburger v. Riley*, 21 Cal. App 2d 165) Establishing the executive secretary's position as civil service would require the approval of the Department of Finance (to be discussed more fully under question No. 3) and would have to be accomplished in accordance with the rules and regulations of the State Personnel Board (Sec. 18500 et seq., Gov. C.).

*Question No. 2*

Can the present board of directors execute term contracts with its executive secretary who is exempt from civil service as its confidential employee which would be beyond the power of the board to change when its membership is no longer the same?

*Opinion No. 2*

In our opinion, present boards could not execute such a contract.

*Analysis No. 2*

As a general rule members of boards and commissions cannot, in the exercise of governmental powers, as distinguished from proprietary functions, bind their successors by contracts extending beyond their term of office (73 C.J.S. 399; *McQuillin, Municipal Corporations,* p. 408). The board of directors of a district agricultural association consists of eight members (Sec. 81, Ag. C.) and the terms are so fixed that two members are appointed on the 15th day of January of each year (Sec. 82, Ag. C.).

Applying the above principles, a present board could not execute a contract with the executive secretary which would be enforceable as to a board when membership is no longer the same. It seems clear that such a contract would destroy the nature of the position which exempts it from civil service, the confidential relationship between the employee and the board.

*Question No. 3*

What power does the Department of Finance have to approve establishing the position of executive secretary as civil service, and approving contracts of employment with executive secretaries?

*Opinion No. 3*

In our opinion the Department of Finance has the power to approve such determinations.

*Analysis No. 3*

Section 87 of the Agricultural Code provides that the board of directors of the association may, *with the approval of the Department of Finance,* "fix the term of office, the amount of bond, salary and prescribe the duties of the secretary and of the treasurer." In the event the board of directors should determine to establish the executive secretary's position as one within civil service, it would be necessary to establish a salary and prescribe the duties of such position. Under

the plain terms of Section 87, this could not be accomplished without the approval of the Department of Finance.

Section 84 of the Agricultural Code provides as follows:

> "The directors are State officers. They shall meet at a place within the district and organize by the election of one of their number as president, who shall hold such office for one year and until his successor is elected. *The directors shall also elect a secretary and treasurer not of their number.* One person may be both secretary and treasurer." (Emphasis ours)

It is to be noted that Section 84 of the Agricultural Code does not by its terms require approval of the Department of Finance for the election of a secretary and it might be argued that under this section the board of directors could appoint a secretary without such approval. However, we feel that a court would construe Section 84 as meaning only that the secretary could not also be a director and that the specific provisions of Section 87 would control. Such construction would conform to the general rule that specific provisions on a subject control over more general ones.

We have heretofore concluded that contracts of employment between the directors and the executive secretary could not bind future boards. It would be necessary, however, for the Department of Finance to approve any employment contract with the executive secretary. Under subsection (b) of Section 87, approval of the department is required in managing the affairs of the association. A contract of employment would come within this provision.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDSEL W. HAWS, Deputy Legislative Counsel

## RESOLUTIONS

The following resolutions were offered:

By Mr. Ralph M. Brown:

### House Resolution No. 76

Relative to the passing of Vernon F. Gant

WHEREAS, The Members of the Assembly are deeply grieved to learn of the death of one of the most distinguished and outstanding of their former members, Vernon F. Gant; and

WHEREAS, Vernon F Gant, a native of Kentucky, had lived in the area of Stanislaus County for 56 years, first as a renowned newspaperman and later as a recognized specialist in the laws pertaining to irrigation and negligence; and

WHEREAS, He served the people of his community in the Assembly as a representative from Stanislaus County from 1926 through 1928; and

WHEREAS, A veteran of World War I, he was prominent in many of the community activities not only of Stanislaus County, but also of the State and Nation, and will always be remembered for the high esteem in which he was held by both Bench and Bar; now, therefore, be it

*Resolved*, That the Members of this Assembly express their sincere regret and deep personal sorrow at the loss of such an able and respected citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to his wife and family as an expression of the heartfelt sympathy of all Members of the Assembly of California.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

**HOUSE RESOLUTION NO. 77**

Relative to adoption of Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the following Standing Rules are hereby adopted as the Permanent Standing Rules of the Assembly for the 1959 Regular Session:

# PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1959 REGULAR SESSION

## SECTION 1

## LEGISLATIVE ORGANIZATION

### Assembly General Officers

1. The general officers of the Assembly whose names and titles shall appear on the frontpiece of all publications are:

Speaker
Speaker pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk

### Assignment of Desks to Members

2. Members shall be assigned to offices and desks by the Committee on Rules, and, as far as possible, the committee shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

### Hours of Meeting

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

## RULES

### Adoption of Standing Rules

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

### Suspension of Rules

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

### Amending Standing Rules

6. No standing rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of a majority of the entire elected membership of the Assembly.

No such resolution shall be considered until it shall have been referred to the Committee on Rules.

**Temporary Rules**

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

**Parliamentary Rules**

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

**Effect of Adoption of These Rules**

9. The adoption of the Standing Rules of a budget session shall not be construed as modifying or rescinding the permanent Standing Rules of the Assembly for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those rules.

**Committee on Rules**

10. There is a Committee on Rules, which shall act as the executive committee of the House. The committee shall consist of one member appointed by the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the elected membership of the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and such vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy.

Vacancies in the appointive membership shall be filled by the Speaker. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee.

**Powers of the Committee on Rules**

11. The Committee on Rules provided herein shall have the following powers:

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

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

**Rules and Regulations Governing Committees**

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

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

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

The Committee on Rules shall adopt rules and regulations governing the letting of any contract by an interim investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees or other Assembly committees.

Such rules may provide for allowances to committee employees in lieu of actual expenses for mileage, hotel accommodations, and meals at the rates fixed by the committee from time to time in limitation of reimbursement of actual expenses of committee employees generally, or at such lesser rate as may be prescribed by the employing committee.

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

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee and of any other Assembly committee that has employees.

**Employees of Committees**

12.5. Every applicant for employment by any committee of the Assembly or by a subcommittee of any such committee, shall prepare a formal application for such employment on forms prescribed by the Assembly Committee on Rules. The application shall include a statement of his present employment, his employment during the preceding two years, and such other pertinent information as the committees require. The application shall be certified under penalty of perjury, and any wilful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

An employee of any committee of the Assembly or of a subcommittee of any such committee, shall not engage in any employment, activity, or enterprise which has been determined to be inconsistent, incompatible, or in conflict with his duties as such employee or with the duties, functions, or responsibilities of the committee or subcommittee by which he is employed Each such employee shall immediately report in writing to the chairman of the committee or subcommittee by which he is employed, any other employment, activity, or enterprise he engages in while so employed, and shall transmit a copy of such report to the Assembly Rules Committee.

**Assembly Contingent Fund**

12.6. The Assembly Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Contingent Fund, including money now or hereafter appropriated, except such sums as are specifically made available for the expenses of designated interim committees or for other purposes, is hereby made available to the Assembly Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or joint resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint interim committee by the Assembly, upon the expiration of such committee, and shall be expended as provided in these rules.

**Interim Committee on Rules**

13. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members

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

**Powers of the Committee on Rules**

14. Both during sessions, and after final adjournment and until the convening of the next regular general session, the Committee on Rules has the following additional powers and duties;

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

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

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

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

(e) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(f) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof such clerical, secretarial and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purposes to employ such additional stenographic and secretarial assistants as may be necessary, assign, re-assign and discharge such assistants and prescribe amounts, times and methods of payment of their compensation.

(g) To incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

**Committee on Engrossment and Enrollment**

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

(b) To consider and report on requests for the introduction of bills after the constitutional recess.

(c) To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

**Standing Committees**

16. Twenty-six standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Engrossment and Enrollment
3. Natural Resources, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Government Organization
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military and Veterans Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary—Civil
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce
24. Livestock and Dairies
25. Criminal Procedure
26. Water.

**Membership of Standing Committees**

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

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

### Creation of Interim Committees

18. A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other interim or investigating committee.

### Rational Organization of Committees

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

### Special Assembly Committee on Legislative Representation

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

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

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

The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative Auditor as executive secretary of this committee to act without compensation.

## SECTION 2

## HOUSE FUNCTIONS

### Duties of Assembly Officers

#### Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

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

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

**Funerals and Other Ceremonies and Events**

22. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or, in lieu of such expenses, the same allowance for accommodations, meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary for the purchase on behalf of the Assembly of suitable floral pieces at any such funeral or at any other such ceremony or event at which the offering of a floral tribute is appropriate.

All expenses incurred pursuant to this rule, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Assembly to the Assembly Committee on Rules and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

**Duties of the Speaker pro Tempore**

23. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. He shall, ex officio, be a member of the Committee on Rules with all of the rights and privileges of such membership except the right to vote.

**Majority Floor Leader**

24. The Speaker, after consultation with the members of his supporting majority, shall appoint one member to be his personal representative on the floor of the Assembly, who shall be known as the Majority Floor Leader.

It shall be his duty to manage the daily file and to participate in the various debates by making such motions, points of order, or other arrangements as may be necessary to expedite the proceedings of the Assembly, and he shall be responsible for the presentation of all matters which relate to the order of business, and to the promotion of harmony among the membership.

The Majority Floor Leader shall be ex officio a member of the Committee on Rules with all the rights and privileges of such membership except the right to vote.

In the event of the absence or inability of the Speaker pro Tempore, for any reason or at any time, to perform the duties of his office, the Majority Floor Leader shall assume and perform such of those duties as may be required to conduct the business of the Assembly.

**Minority Floor Leader**

25. The minority if any, or any organized segment of the membership may, through caucus or other means, designate a member to act as floor leader for it. When so acting he may be referred to as Minority Floor Leader.

The Minority Floor Leader shall be ex officio a member of the Committee on Rules with all the rights and privileges of such membership except the right to vote.

**Duties of the Chief Clerk**

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

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

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

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

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

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

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

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

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

has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

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

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

(k) To order and sign for all documents and printing, subject to approval by the Speaker or a person designated by the Speaker.

**Correction of Amendments**

27. The Chief Clerk may, with prior approval of the Speaker, make technical changes in amendments to bills and measures, adopted by the Assembly. Technical changes are limited to those correcting spelling and punctuation and those necessary in order that the amendments fit the last form of the bill or measure.

**Registration of Legislative Advocates**

28. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section.

**Duties of the Sergeant-at-Arms**

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

**Duties of the Chief Assistant Sergeant-at-Arms**

30. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

## Printing

**Authority for Printing**

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

**Printing Style, Form and Amount to Be Printed**

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

**Printing Assembly History**

33. The Chief Clerk shall cause to be compiled and printed a Legislative Handbook as soon as practicable after the commencement of the session.

During the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Tuesday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

**Publication of Names of Guests of Assembly**

34. The Chief Clerk shall cause to be printed a suitable publication containing the names of the guests extended the courtesies of the Assembly when, in his judgment, such a publication is advisable. A copy of each publication so printed during the session shall be filed with the Secretary of State and made a part of the Appendix to the final approved Journal for the session.

**Printing of Maps**

35. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

**Miscellaneous**

**Admission to Assembly Chamber**

36. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the Lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

**Use of Assembly Chamber**

37. The Assembly Chamber shall not be used for any public or private business other than legislative matters during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

**Persons Admitted to Floor of the Assembly**

38. No person other than members, officers, attaches, employees of the Legislature, former Members of the Legislature, and accredited members of the press shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted upon presentation of a guest card of said member countersigned by the Speaker, such guest card being valid

only on the legislative day for which it was issued. No person required to register pursuant to Section 9906 of the Government Code shall, under any circumstances be admitted to the Assembly Chambers while the Assembly is in session.

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the Balcony shall be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person shall engage in influencing the passage or defeat of legislation in the Assembly Chamber; provided, that this sentence is not applicable to Members of the Legislature.

**Smoking in Assembly Chamber**

39. Smoking may be prohibited temporarily during any session of Assembly by a majority vote of the members present.

**Fees for Witnesses**

40. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear, and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

No witness shall be entitled to his fee or mileage until after his appearance before such a committee

**Press Privileges**

41. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

**Press Photographers**

42. Press photographers shall be authorized to take photographs at meetings of Assembly committees subject to the following conditions:

1. The authorization given by this rule shall apply only to photographers from or employed by accredited newspapers or wire services, and newsreel or television photographers.

2. The authorization shall extend to all Assembly standing committees and subcommittees thereof, but shall not extend to executive meetings of such committees and subcommittees.

3. The chairman of the committee concerned shall be notified either orally or in writing, at any time prior to the committee meeting that a press photographer will be present.

4 To the extent practical, flash cameras shall not be used

5. Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee.

## SECTION 3
## LEGISLATIVE PROCEDURE

### Speaker to Call Assembly to Order

43. The Speaker, or in his absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Majority Floor Leader shall call the Assembly to order, and shall preside until the return of the Speaker or Speaker pro Tempore.

### Roll Call and Quorum

44. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered in the Journal. A majority of all the members elected to the Assembly shall constitute a quorum.

### Order of Business

45. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Second Reading of Bills
8. Messages from the Governor
9. Messages from the Senate
10. Motions and Resolutions
11. Business on the Daily File
12. Notices of Motions
13. Announcements
14. Adjournment

### Pledging Allegiance to the Flag

46. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

### Reading, Correcting and Approving Journals

47. a. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

b All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal Such corrected Journals may thereafter be approved by a majority vote of the members present.

c. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

### Presentation of Petitions

48. Whenever petitions, memorials, or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

### Messages From the Governor

49. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership

### Messages From the Senate

50. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which references shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business file.

### Bills

#### Bills Defined

51. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided.

#### Digests of Bills Introduced

51.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Chief Clerk for introduction which does not comply with the foregoing requirements of this rule the Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof.

#### Introduction and Reference of Bills

52. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

**Reference of Bills to Committee**

53. Immediately following its first reading, the Speaker, shall refer each bill to a committee, unless upon a motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable.

**Delivery of Bills to State Printer**

54. After introduction, first reading and reference to committee, all bills shall be delivered to the State Printer.

**Standing Committee Functions**

**Standing Committee on Rules**

57. The Rules of the Assembly shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, such additional rules, not in conflict with the Standing Rules, as it may deem necessary for the conduct of any business referred to such committee.

A majority of the committee members present may order a call of the committee.

**Meetings of Standing Committees**

58. All standing committees shall meet at the hour and place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee, by a majority vote of its entire membership, shall order an executive session.

All bills set for hearing by any Assembly committee must be published in the Daily File not less than three days in advance of such hearing; provided, that this rule shall not prevent any Assembly committee from hearing any bill on Tuesday or Wednesday, where the action of the committee or committee's chairman setting such bill for hearing was taken on the preceding Friday or Saturday and a notice thereof is published in the Daily File for the following Monday; provided, further, that no bill shall be set for hearing nor shall any notice thereof be published by any Assembly committee until that bill has been referred to such committee.

The several standing committees and their chairmen are directed to adopt a procedure which assures that no committee shall commence the hearing of any bill after the hour of six o'clock p.m. at an afternoon meeting of the committee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior thereto may be continued thereafter for such period of time as the committee deems necessary.

**Committee Quorum**

59. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the

adoption of any amendments to any bill. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

**Bills Reported Back to Assembly**

60. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule. The chairman of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

**Reports of Committees**

61. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

**Signing Bills Out of Committee**

62. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

**Committee of the Whole**

63. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered in the Journal except upon motion and a majority vote of the members present.

**Committee on Ways and Means**

64 The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading.

**Committee Expenditures**

65. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly.

**Reports of Interim Committees**

66. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth legislative day after the convening thereof

## Passage of Bills

### Daily File

67. There shall be printed an Assembly Daily File for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily File of the Assembly. The following listing shall constitute the order of the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills
7. Adoption of Resolutions

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58, in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

### Inactive File

68. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

### Record of Bills

69. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be indorsed upon such bill.

### Second Reading of Bills

70. All bills shall be read the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time except under that order of business.

### Committee Amendments

71. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing.

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments, or any part thereof, by the Assembly.

**Amendments From the Floor**

72. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate four copies of the proposed amendment must be delivered to the Clerk's desk and one copy made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

**Consideration of Bills Re-referred to Committee**

73. Whenever a bill which has been amended, and re-referred to committee, is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the regular third reading file until the following day.

**Consideration of Constitutional Amendments, Concurrent and Joint Resolutions**

74. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

**Bills Transmitted to the Senate**

75. Upon the final passage of any bill if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

**Bills Considered During Period Prior to Final Adjournment**

76. See Joint Rule 23 for provisions governing bills considered during this period.

**Concurrence in Senate Amendments**

77. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

**Nonconcurrence in Senate Amendments**

78. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a

committee of three (3) on conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

**Committee on Conference**

79. The Speaker, in appointing a committee on conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his vote on the appropriate roll call, as follows:

(a) The roll call on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments;

(b) The roll call on the question of concurrence with Senate amendments to an Assembly bill.

***Meetings and Reports of Committees on Conference***

80. The Chairman of the Senate committee on conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill The presentation and consideration of any report of a committee on conference shall always be in order, except during a roll call or when a member has the floor It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution

The vote on concurrence or upon the adoption of such conference report by the Assembly shall be deemed the vote upon final passage of such bill.

**Engrossing and Enrolling Bills**

81. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purpose, in compliance with provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

**Enrollment**

82. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Engrossment and Enrollment shall report both

the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

#### Adoption of Resolutions

83. House resolutions and concurrent resolutions that do not require a recorded roll-call vote, such as resolutions of congratulation or sympathy, shall be listed under a separate heading in the printed Daily File. They shall be considered for adoption under that order of business, or at any other time as determined by the Speaker.

## SECTION 4
## PARLIAMENTARY PROCEDURE

### Motions and Questions

#### Precedence of Motions During Debate

84. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

*First*—To adjourn;
*Second*—To recess to a time certain;
*Third*—To lay on the table;
*Fourth*—For the previous question;
*Fifth*—To set as a special order;
*Sixth*—To postpone indefinitely;
*Seventh*—To refer to or re-refer;
*Eighth*—To amend.

#### Questions of Order Decided Without Debate

85. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 84 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

#### Appeal From Decision of the Speaker

86. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and the member taking the appeal may give his reasons for making his appeal, and the Speaker shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of Rules, or priority of business. A majority vote of the members present shall decide any appeal.

#### Speaker Explains Order of Business

87. The Speaker may, on his own motion or upon the motion of any Member of the Assembly, explain the order of business when the motion

pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

**To Adjourn**

88. A motion to adjourn is not debatable and cannot be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adojurnment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the members present.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. A statement shall not occupy more than two minutes and shall not be debatable.

**To Recess to a Time Certain**

89. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

**To Lay on the Table**

90. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

Any motion to lay on the table, if carried by a majority vote of the entire elected membership, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint, or House resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

**The Previous Question**

91. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

**Motion to Set Special Order**

92. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

**Motion to Postpone to a Time Certain**

93. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

**Motion to Postpone Indefinitely**

94. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire elected membership, the main question shall not be acted upon again during the session.

**Motion to Amend**

95. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 90.

**Amendment to Be Germane**

96. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

**Substitute Motion**

97. A motion to substitute shall be deemed and treated as a motion to amend.

**Motions in Writing**

98. Upon request of the Speaker all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before the same are acted upon.

**Constitution of Motions**

99. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

**Division of Questions**

100. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

**Withdrawal of Motions**

101. After a motion is stated by the Speaker, or a bill, resolution, or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

**Motion to Be Germane**

102. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

**Motion to Withdraw and Recall Bills**

103. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members.

No bill or resolution shall be withdrawn from committee and placed upon the file except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

**Re-reference of Measures on File**

104. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members.

**Bills Stricken From File**

105. A motion to strike from the file any bill or House resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

**Motion to Rescind Action and Expunge Record**

106. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

**Reconsideration of Vote**

107. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed

upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

**Call of Assembly**

108. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly, and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call, which list of absentees shall be furnished to the Sergeant-at-Arms. Thereupon no members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State Police, and sheriffs or their deputies, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, such action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered.

**Resolutions**

109. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

**Motions and Resolutions**

110. Any motion or resolution not otherwise provided for under the Rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

**Adjournment**

111. Adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

**Members' Decorum and Privileges**

**Order in Speaking to Questions**

112. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

**Motions**

112.5. When a member desires to make a motion, he shall obtain recognition as provided in Rule 112. Upon being recognized he shall open by stating his motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debatable, the member who made it shall then be entitled to recognition to open the debate thereon.

When a member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, he shall not be permitted to conclude his debate by making any motion or by demanding the previous question.

**Leave of Absence**

113. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except

by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

**Personal Privilege**

114. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

**Objection to Reading of Any Paper**

115. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

**Members Called to Order for Transgressing Rules**

116. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

b. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

**Members Voting**

117. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or House resolution, and have such explanation printed in the Journal

immediately following such vote, provided no such explanation shall exceed 50 words in length.

**Compensation and Expenses of Member Convicted of Felony**

118. If a Member of the Assembly is convicted of a felony by a superior court, his right to further compensation or expenses is thereupon suspended and his membership on any interim committee is suspended. If such conviction becomes final, the right of the member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the State. If the conviction is reversed by an appellate court or a motion for a new trial is granted and the member is thereafter found not guilty or the charges against him are dismissed, the amounts of the withheld compensation or expenses shall be paid to the member and the suspension of his committee membership shall terminate.

Whenever a member is convicted of a felony in the superior court, the Assembly Rules Committee shall give written notice to the State Controller, directing him to discontinue any further payments to the member unless and until the Rules Committee notifies the State Controller that the member has been found not guilty or that the charges against him are dismissed. The State Controller shall not draw any warrant payable to any such member except as provided in this rule.

**Ayes and Noes**

119. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

**Voting Not to Be Interrupted**

120. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

**Members at Clerk's Desk**

121. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

**Tie Vote**

122. In case of an equal division, or tie vote, the question shall be lost.

**"Two-thirds of the Entire Elected Membership" Defined**

123. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

**Assembly Expenses Between Sessions**

124. Pursuant to the powers vested in the Assembly Committee on Rules, and during such times as the assembly is not in session, the committee is authorized and directed to incur and pay such expenses

of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 1225**: By Messrs. Chapel and Masterson—An act to amend Section 19609 of the Education Code, as enacted by the Legislature at the 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

**Assembly Bill No. 1226**: By Mr. Ralph M. Brown—An act to amend Sections 6062, 6062a, 6063, 6063a, 6064, 6065, and 6066 of the Government Code, and Section 782 of the Probate Code, relating to publication of notice.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1227**: By Mr. Ralph M. Brown—An act to amend Section 6021 of the Government Code, relating to newspapers of general circulation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1228**: By Mr. Ralph M. Brown—An act to amend Section 74781 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1229**: By Mr. Ralph M. Brown—An act to amend Section 69604 of the Government Code, relating to the superior courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1230**: By Mr. Ralph M. Brown—An act to add Sections 31805.1, 31815, 31816, and 31816.1 to, and to amend Sections 31805 and 31813 of, the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1231**: By Mr. Ralph M. Brown—An act to add Sections 31805.1, 31815, 31816, and 31816.1 to, and to amend Sections 31805 and 31813 of, the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1232**: By Mr. Beaver—An act to amend Sections 4501.5, 4532, and 4536 of, and to add Section 4533.5 to, the Elections Code, relating to campaign statements in municipal elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1233:** By Mr. Beaver—An act to amend Sections 1711, 1712, 1722, and 1771 of, and to repeal Section 1717 of, the Elections Code, relating to municipal initiative and referendum measures.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1234:** By Mr. Beaver—An act to amend Section 9900 of, and to repeal Sections 9912, 9913, 9914, 9916, and 9917 of, the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1235:** By Mr. Beaver—An act to amend Sections 9750, 9754.1, 9755, 9756, 9760, 9801, 9850, 9912, 11101, 11119, and 11120 of, the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1236:** By Mr. Beaver—An act to amend Section 26802 of the Government Code, relating to the duties of a registrar of voters.

Referred to Committee on Elections and Reapportionment.

Speaker pro Tempore Presiding

At 11.13 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 1237:** By Mr. Beaver—An act to amend Sections 61401 and 61402 of, and to add Sections 61402.5 and 61402.6 to, the Government Code, relating to community services district general elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1238:** By Mr. Beaver—An act to add Section 72074 to the Government Code, relating to fees in municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1239:** By Mr. Beaver—An act to add Section 25.5 to the Civil Code, relating to giving of blood donations.

Referred to Committee on Public Health.

**Assembly Bill No. 1240:** By Mr. Miller—An act to repeal Section 14703 and 14704 of the Health and Safety Code, relating to fire protection districts in one or more counties

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1241:** By Mr. Miller and Senator Richards, coauthor—An act to amend Section 72622 of the Government Code, relating to the official body of judges of municipal courts established in Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1242:** By Mr. Miller (By request of Director, Department of Water Resources)—An act to add Article 2.6 (commencing at Section 265) to Chapter 2.5 of Division 1 of the Water

Code, relating to contracts by the Department of Water Resources for construction of projects.

Referred to Committee on Water.

**Assembly Bill No. 1243**: By Mr. Miller—An act to add Section 35005.1 to the Government Code, relating to firemen.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1244**: By Mr. Dills (By Request)—An act to amend Section 7532 of the Public Utilities Code, relating to railroads.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1245**: By Mr. MacBride—An act to add Section 402 to the Penal Code, relating to the offense of sightseeing at the scene of fires, accidents, and other events.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1246**: By Mr. Z'berg—An act to amend Sections 18020, 18021, 18022 and 18705 of the Government Code and to repeal Section 18024 of the Government Code, relating to hours of work of state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1247**: By Mr. Z'berg—An act to add Section 19533.4 to the Government Code, relating to state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1248**: By Mr. Winton—An act to add Section 7032 to the Business and Professions Code, relating to contractors, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1249**: By Mr. O'Connell—An act to amend Section 6947 of, and add Section 6946 5 to, the Business and Professions Code, and to add Section 426c to the Code of Civil Procedure, relating to actions by assignees for collection.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1250**: By Mr. Rumford—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Referred to Committee on Public Health.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, February 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 8

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 62

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 3, 1959

MR. SPEAKER: Your Committee on Rules reports

House Resolution No. 50

With amendments but without recommendation.

MILLER, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 5, 1959

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

Assembly Concurrent Resolution No. 47

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

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

## CONSIDERATION OF DAILY FILE

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 48

**Assembly Concurrent Resolution No. 48**—Relative to the potato industry of Kern County and welcoming Mr. D. Leo Dolan, Canadian Consul General at Los Angeles.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 51

**Assembly Concurrent Resolution No. 51**—Relative to congratulating the City of Glendale on winning the sweepstakes award in the Rose Parade.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF HOUSE RESOLUTION NO. 59

By Mr. Williamson and Miss Donahoe:

**House Resolution No. 59**—Relative to congratulating Mr. and Mrs. Charles Wesley Crockett.

Resolution read.

#### Motion to Amend

Mr. Williamson moved the adoption of the following amendment:

#### Amendment No. 1

*In the last paragraph of the resolution, after "transmit", insert "suitably prepared".*

Amendment read.

### Roll Call Demanded

Messrs. Winton, Masterson, and Dills demanded a roll call.

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

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

### Consideration of House Resolution No. 59, as Amended

By Mr. Williamson and Miss Donahoe:

### House Resolution No. 59

Relative to congratulating Mr. and Mrs. Charles Wesley Crockett

WHEREAS, It has come to the attention of the Members of this Assembly that Mr. and Mrs. Charles Wesley Crockett of Bakersfield, California will celebrate their Golden Wedding Anniversary on January 28, 1959; and

WHEREAS, Mr. and Mrs. Crockett, who were married on January 28, 1909, in Kearney, Nebraska, have throughout their wedded life displayed a high degree of mutual love and devotion which has made their marriage an exceedingly happy one; and

WHEREAS, This union was blessed with a son, Charles Wesley Crockett, Jr., who in Florence, Italy, on October 3, 1944, gave his life in the defense of his Country; and

WHEREAS, This devoted couple have been residents of this State for many years and during that time have participated unselfishly in civic affairs; and

WHEREAS, Mrs. Crockett is the daughter of S. J. Johnson, one of the founders of Minden, Nebraska, and is the sister of the Honorable Seth J. Johnson, the very able representative from the Fifty-sixth District; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California take this occasion to congratulate Mr. and Mrs. Crockett on their Fiftieth Wedding Anniversary and to wish them happiness and good health for many years to come; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Mr. and Mrs. Crockett and to their grandsons Charles Richard Crockett and David Wesley Crockett.

Resolution read, and adopted unanimously.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 9

**Assembly Joint Resolution No. 9**—Relative to public inspection of crop allotment records in the State of California.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 52

**Assembly Concurrent Resolution No. 52**—Relative to the placement of mission bells along El Camino Real.

Resolution read.

### Speaker Presiding

At 11.34 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Brutschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr Speaker—65

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 61

By Messrs. Cusanovich, Bane, Conrad, and Miller:

### House Resolution No. 61

Relative to commemorating the Twentieth Anniversary of St. Nicholas Church in Encino, California

WHEREAS, It has come to the attention of the Assembly that this month, January, 1959, marks the Twentieth Anniversary of the St. Nicholas Church of Encino, California; and

WHEREAS, The church had a humble beginning, in that the first church service of the parish was held in a renovated barn on the estate of Edward Everett Horton, and at that service Rev. Harley Wright Smith pointed out that Christ himself had a similar birth, having been born in a manger; and

WHEREAS, Named after the Patron Saint of children, St. Nicholas, the church has continually devoted its services to the youth of the community and, also in line therewith, Reverend Smith has constantly been a champion of youth; and

WHEREAS, St. Nicholas Church of Encino has been extremely successful since its inception, never having been in debt, and this exemplary achievement is directly attributable to the outstanding and never-failing support given it by the citizens of Encino and the San Fernando Valley, as evidenced by the donation of its present location by the late Dr O C Welbourne; and

WHEREAS, The membership has grown from a handful to one of over 600 families, which includes many leading personalities of radio, screen, and television; and

WHEREAS, Today the reverend of the church is the same one that presided at the initial exercises on January 8, 1939, Rev. Harley Wright Smith; who performed honorably as a Chaplain in the United States Army in World War I, was Rector of St. Andrews in Stamford, Connecticut, prior to his coming to California, and who is noted in many publications of famous people, as "Who's Who in the West," "Who's Who on the Pacific Coast," and numerous others; and

WHEREAS, The notable record of devotion and service of the St. Nicholas Church of Encino is one that may be held high for all to see, admire, and use as a model of Christianity, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly take great pleasure in extending their heartiest felicitations to the membership of the St Nicholas Church of Encino on the commemoration of its Twentieth Anniversary and in commending its leader, Rev. Harley Wright Smith, on his outstanding devotion to God, and to the people and youth of the community; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Chairman of the Vestry of St. Nicholas Church of Encino, California, and to Rev. Harley Wright Smith.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 64

By Mr. Mulford:

### House Resolution No. 64

Relative to the Eighty-fifth Anniversary of the First Congregational Church of Berkeley and twentieth year of Dr Vere V. Loper as Pastor of the Church

WHEREAS, Members of First Congregational Church of Berkeley gathered in Pilgrim Hall, Dana Street and Channing Way on the evening of January 21, 1959, to observe the founding of the church, 85 years ago; and

WHEREAS, Organized in 1874, with 23 charter members, the church had among those men and women the names which are familiar to every Berkeleyan today—Shattuck, Woolsey, Haste and Barker; and

WHEREAS, Three of the first 10 Presidents of the University of California were members of the parish, and

WHEREAS, Present at the gathering, as honored guests, were 29 members who had joined the church prior to 1905; and

WHEREAS, The minister of the church, Dr. Vere V. Loper, who came to the church from Denver, Colorado, in 1939 and is beginning his twentieth year, presided at the church gathering; and

WHEREAS, A feature of the evening program was a film showing the church at the time of its first use of the present building in 1927, and the early homes of the church, the early activities of church organizations, and views of worship services, and ministers in the pulpit, as well as slides of the present-day life and work of the church; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House takes pleasure in congratulating the First Congregational Church of Berkeley upon the occasion of its eighty-fifth anniversary and Dr. Vere V. Loper, beginning his twentieth year as Pastor of the Church; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to prepare and transmit a suitably prepared copy of this resolution to the First Congregational Church of Berkeley and to Dr. Vere V. Loper.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 66

By Mr. Ernest R. Geddes:

### House Resolution No. 66

Relative to the death of Mr. Paul Endicott

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Mr. Paul Endicott; and

WHEREAS, Mr. Endicott was born November 6, 1890, in Brighton, Iowa, and educated in the public schools of Iowa, including the University of Iowa, from which he graduated in 1912; and

WHEREAS, He became Manager of Home Builders Savings and Loan Association in Pomona in 1920 and had been its president since 1938, and was President of the United States Savings and Loan League in 1941 and at one time served as President of the California State Savings and Loan League; and

WHEREAS, He was a Director of Federated Home Loan Bank of San Francisco; and

WHEREAS, He had a national reputation for his knowledge of savings and loan matters; and

WHEREAS, The National Government called on Mr. Endicott for assistance in establishing the Home Owners Loan Corporation and the nationwide reserve system for savings and loan associations; and

WHEREAS, He was a member of the Masonic Lodge since he was 21 years old, a Director of the Pomona Chamber of Commerce for many years, a member of the board of Pomona Valley Community Hospital for 17 years, a member of the Board of Trustees of Pilgrim Congregational Church and an honorary member of Pomona Rotary Club; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby express their deep regret at the passing of Mr. Paul Endicott, and convey their condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Marie Roe Endicott, and to his son, John Paul Endicott.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 75

By Mr. Samuel R. Geddes:

**House Resolution No. 75**

Relative to continuing the Assembly Interim Committee on Civil Service and State Personnel

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

1. The Assembly Interim Committee on Civil Service and State Personnel, created by House Resolution No. 222 of the 1957 Regular Session, is continued as an Assembly committee at this session, with the membership and with all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 15, 1959, with authority to file its final report not later than March 15, 1959.

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

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

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

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Rumford was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal; and that 500 copies of the Report of the Subcommittee on Restaurant Sanitation be printed from the funds of the Assembly Interim Committee on Public Health.

## LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE
ON PUBLIC HEALTH

*Hon. Ralph M. Brown, Speaker, and*
*Members of the Assembly*
*Assembly Chamber*

GENTLEMEN: In accordance with the provisions of House Resolution 219 of the 1957 General Session, the Assembly Interim Committee on Public Health appointed a Subcommittee on Restaurant Sanitation to study the present California Restaurant Act and to determine whether or not new legislation was needed. Its report containing recommendations as to needed legislation is transmitted herewith.

The committee wishes to express its appreciation to the many persons and organizations, and especially the members of the Advisory Committee on Restaurant Sanitation, who have worked with the committee during this interim.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee
on Public Health

### SUBCOMMITTEE LETTER OF TRANSMITTAL

*Hon. W. Byron Rumford, Chairman*

*Assembly Interim Committee on Public Health*

DEAR MR. RUMFORD: Attached is the Report of the Subcommittee on Restaurant Sanitation. This report is the result of the testimony given at public hearings and the information gathered by the subcommittee during the 1957-59 interim.

Respectfully submitted,

REX M. CUNNINGHAM
CLAYTON A. DILLS
HOWARD J. THELIN

W. S. GRANT, Chairman
Subcommittee on
Restaurant Sanitation
GEORGE G. CRAWFORD

### MOTION TO APPROVE JOURNALS

On motion of Mr. Winton, the following Journals were approved, as corrected by the Minute Clerk: Monday, January 26, 1959; Tuesday, January 27, 1959; Wednesday, January 28, 1959; Thursday, January 29, 1959; Monday, February 2, 1959; Tuesday, February 3, 1959; Wednesday, February 4, 1959; and Thursday, February 5, 1959.

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

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

**Assembly Bill No. 1251**: By Mr. Sumner—An act to add Section 54.5 to the Civil Code, relating to false charges made to a professional disciplinary body.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1252**: By Mr Biddick—An act to add Sections 853.5 and 853.6 to the Penal Code, relating to ordinance enforcement procedure.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1253**: By Messrs Hegland, Schrade, and Crawford—An act to amend Section 12024.5 of the Business and Professions Code, to amend Sections 28700, 28702, 28717 of, and to add Sections 28710.5 and 28727 to, the Health and Safety Code, relating to frozen food locker plants.

Referred to Committee on Public Health

**Assembly Bill No. 1254**: By Messrs. Hegland, Crawford, and Schrade—An act to amend Section 1053 of the Fish and Game Code, relating to duplicate licenses.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1255**: By Messrs. Hegland and Schrade (By Request)—An act to amend Section 16731 of the Government Code, relating to the registration of state bonds.

Referred to Committee on Government Organization.

**Assembly Bill No. 1256**: By Messrs. Grant, Rumford, Cunningham, Crawford, and Dills—An act to repeal Chapter 11 (commencing at Section 28600) of Division 21 of, and to add Chapter 11 (commencing at Section 28520) to Division 21 of, the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Referred to Committee on Public Health.

**Assembly Bill No. 1257**: By Messrs. Cameron and Bane—An act to add Sections 13409 and 54205 to the Government Code, relating to purchases through the Department of Finance.

Referred to Committee on Government Organization.

**Assembly Bill No. 1258**: By Mr. Rees (Departmental—Employment)—An act to amend Sections 980, 1521, 1528, 1529, 1532, 1534, 1555, 1556, and 1558, of and to add Section 1528.5 to Article 2 of Chapter 6 of Part 1 of Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1259**: By Mr. Rees—An act to add Section 3864 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1260**: By Mr. Rees—An act to amend Sections 5803 and 5804 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1261**: By Mr. Rees—An act to amend Section 3601 of the Labor Code, relating to workmen's compensation

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1262**: By Messrs. Miller, Cusanovich, Bane, and Conrad—An act to amend Section 6341 of the Business and Professions Code, relating to law libraries.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 1263**: By Mr. Miller (Departmental—Division of Savings and Loan Commission)—An act to amend Section 5252 of the Financial Code, relating to actions by the Savings and Loan Commissioner on applications filed with him, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1264**: By Mr. Holmes—An act to add Section 23428.9 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1265**: By Messrs. Kilpatrick, Masterson, Miller, Beaver, Nisbet, Schrade, and Sumner (Departmental—Finance)—An act to repeal Sections 1518 and 1518.1 of, and to amend Section 1518.2 of the Military and Veterans Code, and to add Sections 1517, 1518, and 1518.1 thereto, relating to preparedness for and mitigation of disasters, including the establishment of the California Disaster Office as a separate state agency, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1266**: By Miss Donahoe and Mr. Williamson (By Request), and Senator Stiern, co-author—An act to amend Section 73431 of the Government Code, relating to judges of the municipal court established in the district embracing the City of Bakersfield.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1267**: By Miss Donahoe and Mr. Britschgi—An act to add Article 6 (commencing at Section 6751) and Article 7 (commencing at Section 6771) to Chapter 7 of Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to guidance schools.

Referred to Committee on Education.

**Assembly Bill No. 1268**: By Mr. Hanna—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1269**: By Mr. Hanna—An act to add Section 337a to the Code of Civil Procedure, relating to the statute of limitations on certain types of contracts and book accounts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1270**: By Mr. Hanna—An act to amend Sections 553 and 946 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 1271**: By Messrs. O'Connell and Bruce F. Allen—An act to amend Section 709 of the Probate Code, relating to the filing of claims with an executor or administrator.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1272**: By Messrs. Bruce F. Allen and Mulford—An act to amend Section 1324 of the Penal Code, relating to immunity from prosecution

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1273**: By Mr. Crawford—An act to add Chapter 1.5 (commencing at Section 7080) to Division 9 of the Elections Code, relating to the counting of ballots at tabulating centers.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1274:** By Mr. Belotti—An act to amend Section 8222 of the Fish and Game Code, relating to salmon

Referred to Committee on Fish and Game

**Assembly Concurrent Resolution No. 61:** By Miss Donahoe—Relative to devising a means for expressing legislative intent and preserving the evidence thereof.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 14:** By Messrs. Kilpatrick, Miller, Beaver, Schrade, and Nisbet (By request of Los Angeles Office of Civil Defense)—Relative to civil defense.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr Rees:

### House Resolution No. 78

Relative to the use of funds by the Assembly Interim Committee on Conservation, Planning, and Public Works

*Resolved by the Assembly of the State of California*, That the unexpended balance of the sum of thirteen thousand dollars ($13,000) which was made available from the Contingent Fund of the Assembly by House Resolution No. 234 of the 1957 Regular Session of the Legislature for the use of the Subcommittee on Water Project Power of the Assembly Interim Committee on Conservation, Planning, and Public Works is hereby made available to the Assembly Interim Committee on Conservation, Planning, and Public Works for the expenses of such committee and its members or any subcommittee thereof and for any charges, expenses, or claims it may incur, to be paid from the the contingent fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION

Mr. Marks introduced Mr. Bill Steiff, new political editor of the *San Francisco News* to the Members of the Assembly.

## ANNOUNCEMENTS

Mr. Meyers announced that Mr. Sydney Kossens, former political editor of the *San Francisco News*, is now associated with the *San Francisco Examiner*, and extended his best wishes to Mr. Kossens

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Mr. Rees announced a reception for all Democratic members from 5 to 6 p m tonight at the Hotel El Mirador, to meet United States Senator Clair Engle.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

*Today*—

At 1.30 p m.—

Finance and Insurance (Organizational meeting), in Room 5168.

Civil Service and State Personnel (Organizational meeting), in Room 4168.

Transportation and Commerce, in Room 2170.

At 3 45 p m.—
Education (Executive-organizational meeting), in Room 2170.

*Upon adjournment*—
Constitutional Amendments (Organizational meeting), in Room 4164.

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Mr. Masterson announced that tomorrow's meeting of the Committee on Governmental Efficiency and Economy would be held in Room 4202, instead of in Room 2170. Subject: Assembly Bills Nos. 91 and 93.

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Mr. Miller announced a meeting of the Committee on Rules at 9 a.m. tomorrow morning in the Conference Room off of the Assembly Lounge; at which time the Joint Rules and the effect of the recent amendment to Article IV, Section 2 (a) of the Constitution on Assembly procedure would be discussed.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Johnson of Los Angeles and Mr. Meyers of San Francisco to Dr. William Ward of San Francisco.

On request of Mr. Johnson of Los Angeles and Mr. Marks of San Francisco to B. V. Baird and M J. Ryan of San Francisco.

On request of Mr. Schrade of El Cajon and the San Diego Delegation to Mrs. Pearle H. Miller of San Diego.

On request of Mr. Belotti of Eureka to Richard F. Denbo of Eureka.

On request of Mr. Burton of San Francisco and the San Francisco delegation to Geraldine Taylor, Charles Loesch, Louis Angelo, and Rudy Nothenberg of San Francisco.

On request of Mr. McMillan of Los Angeles to Mr. and Mrs. Bernard S. Selber of Los Angeles.

On request of Mr. Petris of Oakland and Mr. George E. Brown of Monterey Park to Bernard Sheridan of Oakland, former Assemblyman.

On request of Mr. DeLotto of Fresno to Richard Hicks of Fresno.

On request of Mr. Johnson of Los Angeles, Mr. Britschgi of Redwood City, and Mr. Francis of San Mateo to William Lewis of San Mateo.

On request of Mr. Samuel R. Geddes of Napa to Mrs. Dorothy Emerick, Mrs Ethel Hague, Mrs. Alice Gonzales, Mrs. Naomi Rose, Mrs Sue Rush, Mrs. Charlene Healy, Mrs. William Pazdral, and Mrs. Josephine Barker, adults; and the following pupils of the Fairview School: Dora Alexander, John Ambrose, William Babcock, Carol Banovitz, Richard Begrin, Robert Broughton, Linda Chaney, Diane Craig, JoAnn Curley, Eddie Eichler, Barbara Empting, Cathy Gould, Ronnie Harris, Walter Hombach, Steve Iverson, Carolyn Johnson, Greg Lewis, David McDermott, James Murphy, William Newell, James Perdoni, Jackie Pricer, Donna Quinn, Larry Shanks, Earl Sorenson, Patricia Stone, Michael Malsbury, Gary Wilson, Mary Fehrman, Gary Bryant, Janie Moorhead, Jerry Jones, Grace Abenis, Barbara Barker, Thomas Birch, Eileen Bray, Roger Bubak, Carolyn Campbell, Terrance Curley, Eugene Deballi, Vicki DeWeese, Eugene Gillihan, Gary Hadley, Russell Hague, Michael Haines, Harolyn Healy, Gerry Hunt,

Michael Johns, Robert King, Richard Kuraica, Rose Mannelli, Cathleen Myers, William Pazdral, Maureen Preimesberger, Timothy Rush, James Sanderson, Sheila Smith, Andrew Stow, Robert Taylor, Pamela Warney, Margaret Whitley, Robert Zawidski, Michael Zirkle, Lewis Beltran, Judy Blair, Cheryl Bowles, June Burleson, Gary Cooley, James Davis, Marion Emerick, Albert Fawcett, Mary Galbraith, Larry Gettle, Robert Gillihan, MaryAnn Gonzales, Lawyer Hague, Sandra Hueschan, James Hewitt, Don Hickey, Timothy Holmes, Martha Hudson, Steven Kessler, Brian Leighty, Joyce Moon, Orton Owens, Mike Pierson, Fred Pribble, Bonnie Rose, Tom Shelley, Robert Tidwell, Peter Torres, Beverly Townsend, Alvin Baker, and Pat Metzger.

## ADJOURNMENT

At 11.57 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, February 10, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

TWENTY-SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, February 10, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, What shall we do with the profusion of bills? And still they come! Keep us faithful to our homework as good students. No matter the complexity of the issues, let there be no despair of understanding, and no shrinking from difficult decisions to be made; neither let there be any excuse for ignorance. Make effective in committee those who inquire, estimate, and recommend. May the right questions be asked so that the right answers may be made. Deliver every lawmaker from riding a hobby or having an obsession for a special interest to the point of blindness in other matters. We pray for the sake of the people, and in the name of Jesus Christ, our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. McCollister, on motion of Mr. Shell.

## COMMUNICATIONS

The following letter of transmittal was presented by Mr. Grant, and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

CITY OF LAKEWOOD, January 28, 1959

*The Honorable William Grant*
*Assemblyman, 70th District*
*State Capitol Building, Sacramento*

DEAR MR. GRANT: You will, perhaps, be interested to know that the City Council of the City of Lakewood, at their regular meeting of January 27, 1959, adopted the following resolutions:

**Resolution No. 817**—"A resolution of the City Council of the City of Lakewood endorsing an amendment to the California Streets and Highways Code revising the Mayo-Breed formula to provide a redistribution of state gas tax funds on the basis of not less than sixty (60) percent to southern counties"

**Resolution No. 823**—"A resolution of the City Council of the City of Lakewood endorsing amendments to the Streets and Highways Code so as to continue the present six ($0.06) cents per gallon state gas tax and thereby improve highway conditions."

We are sending a copy of each of said resolutions for your information and use.

Sincerely yours,

JO BENNITT, City Clerk, City of Lakewood

Encl.

Above transmitted resolutions referred to the Committee on Transportation and Commerce.

## MESSAGES FROM THE GOVERNOR

A message from the Governor was received.

### Motion to Print in Journal

Mr Charles H. Wilson moved that the message from the Governor be printed in the Journal without being read in full

Mr. Bane seconded the motion.

Motion carried.

## MESSAGE FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, February 10, 1959

*To the Honorable Members of the Assembly:*

A month ago, my mail on air pollution brought a letter from Los Angeles which has left a deep imprint. The letter began, "I am a girl of 11, almost 12, and I would like to grow up." Quite unmistakably without the aid of her parents, the young lady observed, "The smog here in Los Angeles is so thick that it's pitiful—so thick that we could not tell if we were pink or blue." She concluded by saying, "Since you are Governor, I thought that maybe you could do something about it."

This letter brings the problem of smog into a compelling focus. No responsibility we have is more important than making certain that our children have a chance to grow up. No duty that we perform is more

pressing than insuring that the people of our State can live in health and happiness.

People who have suffered the stifling effect of smog need no survey to convince them that it interferes with our health and our happiness. But the statistics are nevertheless significant.

Preliminary figures from the 1958 Survey of the State Department of Public Health show that more than 3 out of 10 adults in this State are bothered by air pollution in their home communities. The survey indicates that in Los Angeles and Orange Counties, more than half the adults are plagued by smog. The great majority of those affected reported severe eye or nasal irritation

An earlier aspect of the same survey indicated that at least 11 percent of the people who moved out of Los Angeles County in the last decade did so because of the smog. The survey showed that about 700,000 people in Los Angeles County alone, and 6 percent of the people in the State as a whole, have given serious thought to moving out of their communities because of air pollution. Smog, the survey indicates, is an important cause of job dissatisfaction, leading to high labor turnover and a significant economic loss.

Our health officials and our doctors are gravely concerned that the eye irritation and immediate discomfort from smog may only be the top of the iceberg. Almost without exception, they fear that the bulk of the injury to our health from smog may be under the surface, temporarily hidden from view. It is widely believed that in 10 or 20 years, chronic diseases may result from exposure to smog which took place this year.

Disturbing evidence accumulates that air pollution may be a factor in lung cancer. Chemical studies in California and elsewhere have revealed the presence of cancer-producing substances in polluted air. We know now that substances found in the air can cause cancer in animals. Studies have also demonstrated that lung cancer is more frequent and more deadly in cities than in rural areas, and the higher rate of cigarette smoking in cities will not account for all the difference.

There is also a strong suspicion that smog may cause or complicate emphysema, a chronic lung condition impairing the oxygen exchange between air and blood. In California, deaths from emphysema were nearly four times as high in 1957 as they had been only seven years earlier.

Scientists in England have shown that mortality from chronic lung conditions, including what we call emphysema, are associated with the fog index and that outdoor workers in heavily polluted areas are more severely affected than other workers. Another recent English medical study shows that the "degree of illness" of chronic bronchitis patients increased when air pollution did.

These English studies lead our researchers to suspect that the startling increase in emphysema deaths in California may be attributable to air pollution. Of course, careful investigation will be essential before firm conclusions can be drawn.

These are only examples of the chronic diseases in which air pollution is thought to play a part. Many experienced physicians are firmly convinced that smog is also an insidious influence on patients with heart disease, asthma, allergies, and many other chronic sicknesses.

A recent survey by the Los Angeles County Medical Association dramatizes the deep concern of doctors about the smog problem. Among the doctors who expressed an opinion, 95 percent said they recognized a smog syndrome which has symptoms similar to poisoning from ozone, peroxides, aldehydes and oxides of nitrogen. Eighty-seven percent of the doctors who stated their views, as well as over 80 percent of the cancer specialists, said that they believe that smog is a contributing factor in cancer of the lungs and air passages. Eighty-seven percent of the chest specialists said that smog aggravates lung diseases, and 60 percent said that they had recommended to patients that they move from the area because of the smog. Fifty-six percent of the doctors who expressed themselves—and a much higher percentage of certain specialists—said that they knew of people who left the Los Angeles area because of smog.

Beyond these disquieting facts relating to chronic diseases lurks the ever-present danger that air pollution aggravated by adverse weather conditions may produce a major disaster. While our knowledge about air pollution disasters of the past is far from adequate, we already know enough to be genuinely concerned.

In London in December 1952, in the midst of a cold heavy fog combined with air pollution, hospital admissions for diseases of the heart and lungs rose sharply and the death rate for a 10-day period was 4,000 higher than the normal. In 1956, a similar episode claimed about 1,000 lives, and again in the last few days, press accounts indicate that a killer-smog has pervaded London. Lethal attacks of air pollution were also reported in the Meuse Valley in Belgium in 1930 and in Poza Rica, Mexico in 1950.

Here in the United States, a similar disaster occurred in October, 1948, in Donora, Pennsylvania, an industrial town located in a steep valley. Fifteen deaths occurred and two-fifths of the population suffered definite symptoms during a week in which unusual weather conditions caused a concentration of industrial pollutants.

In stressing the health dangers of air pollution, I do not want to minimize the other serious consequences of the smog which hangs over our State. We know that air pollution causes serious crop damage. Our agricultural scientists estimate that smog completely ruins $8,000,000 worth of agricultural products every year in California alone. In the southern San Joaquin Valley, for instance, there is striking evidence of injury to such major crops as cotton, alfalfa, and grapes.

We also know that smog reduces visibility. This not only mars our scenery but it also endangers people traveling by air and produces accidents and delays on our freeways and highways

In California, smog is increasingly a statewide menace to our health. While Los Angeles remains the most critical area, smog has invaded the San Francisco area, the San Diego area, the San Joaquin Valley, and the Sacramento area, as well as the counties surrounding Los Angeles. Weather experts believe that every major metropolitan area of the State has a potential smog problem. In general terms, the air pollution problem of other metropolitan areas is now comparable to that which existed in Los Angeles after World War II.

From my study of this problem, I am convinced that we must adopt a new and constructive program to enlist the resources of the State

in the fight against air pollution. I have found no magic cure-all for the riddle of smog. I offer you neither nonsense nor nostrums. Instead, I propose that the State take the following pioneering and positive steps.

*First.* I urge you to enact legislation to require the State Department of Public Health to develop and publish standards for the discharge of pollutants from motor vehicle exhausts by February 1, 1960. California should become the first state to undertake this vital task.

It is widely recognized that the most urgent control problem is to curb pollutants discharged from vehicle exhausts. Just as we combat water pollution by establishing standards for sewage disposal, so we must fight smog by clamping down on this prime source of noxious gases and smoke.

Widespread public insistence and effective newspaper work now appear to have spurred the development of an exhaust control device. However, as late as last November, a spokesman of the automobile industry referred to smog as a "mere pinprick" and urged us to avoid emotionalism. If any vestige of this complacency remains, I urge that it be abandoned immediately. Companies which trifle with the public health or scoff at the genuine alarm of the people about smog are certain to regret it in the long run. They will learn to their sorrow that the health of the people is more important than tailfins or chrome.

When the antismog devices are developed, the exhaust discharge standards will provide a vital basis for legislation which may be necessary to compel their use. The standards will also provide an essential tool for enforcement officials and the general public to measure the overall effectiveness of the devices. A number of different pollutants apparently flow from the exhausts of cars. We must be certain that the devices offered to the public will not ignore a noxious gas, or increase one as they remove another.

*Second.* I have instructed the Director of the Department of Motor Vehicles to launch an immediate study to determine the most efficient system for the inspection of vehicle exhaust discharges. Periodic inspection apparently will be necessary to insure the efficient operation of any of the proposed devices or methods to remove pollutants from vehicle exhausts. When a workable device is ready, we must be prepared with plans for a sensible inspection system.

*Third.* I urge you to enact legislation which will require the State Department of Public Health to develop and publish standards for the quality of the air we breathe by February 1, 1960. Years ago, the spread of disease and sickness required health authorities to develop standards for our drinking water. The time has now come for California to take the lead and establish standards for the purity of air.

Standards for safe air will give local control officials and health officers a measuring stick for smog. It is essential that we know what level of pollution threatens death or illness, or impairs the health of our people. Unless we establish these guideposts, we risk our happiness, our health, and, indeed, our lives.

Neither the standards for safe air nor those for vehicle exhausts will be static. They can be refined and improved as we increase our knowledge of the causes and effects of smog. But we now know enough to make an important beginning.

In developing these standards, the State Department of Public Health should have the assistance of its own outstanding Advisory Committee on Air Sanitation as well as air pollution experts from the University of California It should seek the advice of the United States Public Health Service and other qualified scientific consultants. And public hearings should be held so that there will be opportunity for a full presentation of views on this vital subject. We must be prepared, this year and in the future, to dedicate major resources to the vital work on these standards.

*Fourth.* I recommend the establishment in Los Angeles of a state-supported Air Pollution Field Unit of the Department of Public Health. This unit would be charged with responsibility for an intensive study of both the acute and the chronic effects of smog. To provide expert guidance for this unit, we must also maintain a strong core staff of chronic disease specialists in the Department of Public Health. I am convinced that we must install a skilled research team in the area of greatest smog concentration and that we must also strengthen the headquarters staff to supervise it.

*Fifth* I recommend that funds for contract research on air pollution should be further increased. Research on smog was one of the few items to receive added support in my stringent budget Weighing the urgency of this problem, I now recommend still more funds for contract research on smog. This would include closed-chamber tests to determine the effects of various quantities of air pollutants on human beings, a statewide survey of the immediate effects of smog on people's health, experiments on the mixture of air pollutants and fog-like droplets of water, studies on the resistance of human lungs to the flow of polluted air, and the development of biologic organisms as an index of air pollution. In view of the suspected relationship of smog to chronic diseases as well as our concern about smog disasters, it is plain that we can no longer afford the price of ignorance.

*Sixth.* I recommend the creation of a regional air pollution control district in the San Joaquin Valley. Weather experts advise us that air conditions in the valley invite dangerous pollution as industry expands there. A regional district, modeled on the Bay area district, will provide a practical mechanism for efficient, effective control. If we take prompt action, smog can be curbed before it gains a foothold and threatens the people and crops in this rich area.

In making these recommendations, I have acted on the premise that all levels of government—the county, the State and the Federal Government—have important duties in the fight against smog. I believe our present statutes are basically right in vesting primary responsibility for control and enforcement in the local control districts, or, in some instances, in regional districts. Wide variations in geography, weather, and population density mark our State. Communities or regions should

have freedom to tailor their control and enforcement to local conditions, so long as their conduct does not endanger the health or economy of other communities or regions.

Earlier I sent messages to the President of the United States and to our Senators and Representatives in Congress urging that the United States shoulder its share of the burden. Now in this message I have outlined the obligations which I am convinced must be assumed by the State. The dimensions of this problem plainly require a major effort by all of us.

Air pollution, I would observe in conclusion, stands out as one of the major health problems in our changing environment. It is no excuse for apathy to acknowledge that we cannot promise miracles. We must press forward in the fight against smog with the same dedication, the same diligence, that has brought eventual victory over other threats to our health. Let us resolve that our children will have a full opportunity to grow up and flourish in the clean, clear air of California.

Respectfully,

EDMUND G. BROWN, Governor

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Gaffney, Busterud, Marks, Meyers, Burton, O'Connell, and Bradley:

### House Resolution No. 79

Relative to San Francisco's Outstanding Young Man of 1958

WHEREAS, Nominated by the public and chosen by the Managing Editors of San Francisco City's four daily newspapers, 33-year-old Henry R. Morris, has been named San Francisco's Outstanding Young Man of 1958; and

WHEREAS, Henry R. Morris, father of three children and Supervisor of Pacific Telephone's Commercial Staff for the San Francisco Division, makes time to take an active part in the betterment of American youth; and

WHEREAS, Mr. Morris is a Director of the San Francisco Council of Camp Fire Girls and chairman of its special fund drive, active in the Guardsmen's summer group program for underprivileged children, active in the Boys' Clubs of America, and Advisor to Boy Scout Troop No. 3 Chinatown; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend and congratulate Henry R. Morris on the distinction of being selected San Francisco's Outstanding Young Man of 1958 and wish him greater success for the future years; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Henry R. Morris, the Pacific Telephone and Telegraph Company, and to the Managing Editors of San Francisco City's four daily newspapers.

### Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up House Resolution No. 79 without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Kennick and Grant:

### House Resolution No. 80

Relating to the San Diego Freeway in Los Angeles County

WHEREAS, The Department of Public Works has demonstrated its wisdom and foresight by providing for the inclusion in the 1959-1960 State Highway Budget of the following items in connection with the San Diego Freeway in Los Angeles County:

| | |
|---|---|
| "San Diego Freeway—Studebaker Road to 0.1 mile east of the Long Beach Freeway (portions); structures, pumping plant, and grading of structure approaches on the route of the San Diego Freeway | $8,500,000 |

"San Diego Freeway—0.1 mile east of Long Beach Freeway to Alameda Street; grade, pave and structures for 8-lane freeway (including portions of interchange at Long Beach Freeway) ---------- $6,500,000."; and

WHEREAS, The ultimate completion of the San Diego Freeway will materially relieve the existing congested traffic conditions and will correspondingly result in a saving of lives and property and will generally benefit the traveling public; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby commended for its actions in proceeding with the San Diego Freeway project; and be it further

*Resolved*, That the Department of Public Works is urged to undertake at the earliest possible moment the acquisition of rights-of-way for the San Diego Freeway from the Harbor Freeway to Studebaker Road and to use all its diligence in completing that portion of the San Diego Freeway; and be it further

*Resolved*, That the Department of Public Works conduct a survey and report to the Legislature at this session the costs of completing the San Diego Freeway from the Harbor Freeway to Studebaker Road; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 1275**: By Mr. MacBride—An act to amend Section 459.2 of the Vehicle Code, and to amend Section 21106 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to establishment of crosswalks by local authorities.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1276**: By Mr. MacBride—An act to add Section 13513 to, and to repeal Sections 13512, 13513, 13514, 13515 and 13516 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to salary of school district employees.

Referred to Committee on Education.

**Assembly Bill No. 1277**: By Mr. MacBride—An act to add Section 54906 to the Government Code, relating to the filing of statements and maps and plats for tax purposes by cities and districts on annexation or change in boundaries, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1278**: By Mr. Bee—An act to amend Section 30 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the acquisition, use and disposition of property.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1279**: By Mr. Bee—An act to amend Section 22 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to contracts for improvements.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1280**: By Mr. Bee—An act to amend Section 15955 of the Education Code, as enacted by the Legislature at its 1959

Regular Session, relating to contracts by school district governing boards.

Referred to Committee on Education.

**Assembly Bill No. 1281:** By Messrs. George E. Brown, Chapel, and Masterson—An act to amend Sections 6701, 6734, 6735, 6738, 6740, 6741, 6744, 6745, 6752, 6756.2, and 6787 of, to amend and renumber Sections 6703, 6704, and 6705 of, to add Sections 6702, 6703, 6703.5, 6704, 6705, 6706, and 6737.2 to, and to repeal Sections 6702 and 6731 of, the Business and Professions Code, relating to the practice of engineering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1282:** By Messrs. Pattee and Sumner—An act to add Section 4651 to the Fish and Game Code, relating to wild boar.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1283:** By Mr. Sumner—An act to amend Section 2808 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1284:** By Messrs. Garrigus, Williamson, and Bee—An act to add Section 2181.06 to the Welfare and Institutions Code, relating to old age assistance.

Referred to Committee on Social Welfare.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 28**—Relative to passing of Francis J. Ahern;

**Assembly Concurrent Resolution No. 29**—Relative to the death of Dr. Edward L. Hardy;

**Assembly Concurrent Resolution No. 31**—Relative to the passing of Pope Pius XII;

**Assembly Concurrent Resolution No. 35**—Relative to the passing of Edgar A. Luce;

**Assembly Concurrent Resolution No. 40**—Relative to the creation of the Joint Legislative Committee on Legislative Reference Library;

**Assembly Joint Resolution No. 2**—Relative to statehood for Hawaii;

**Assembly Joint Resolution No. 4**—Relative to requesting Congress to authorize further appropriations for air pollution control;

**Assembly Joint Resolution No. 5**—Relative to requesting Congress to enact legislation amending federal air pollution control law;

**Assembly Joint Resolution No. 6**—Relative to the National Conference on Air Pollution;

And reports the same correctly enrolled, and presented to the Secretary of State on the ninth day of February, 1959, at 3 p.m.

BURKE, Chairman

### Committee on Education

ASSEMBLY CHAMBER, February 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 17

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, February 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 22
Assembly Bill No. 27

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 9, 1959

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

Senate Joint Resolution No. 5
Senate Concurrent Resolution No. 25

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Joint Resolution No. 5**—Relative to the curtailment of service by the Southern Pacific Company.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 25**—Relative to the appointment of the State Controller as the accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

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

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

**Assembly Bill No. 1285**: By Mr. O'Connell—An act to amend Sections 18401, 18402, 18405, and 18410.6 of the Revenue and Taxation Code, relative to personal income tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1286**: By Messrs. Schrade, Hegland, and Luckel—An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Chula Vista in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, the construction and maintenance of improvements thereon, and the disposition and expenditure of revenue therefrom, and reserving rights to the State and repealing Chapter 120 of the Statutes of 1925, Chapter 1847 of the Statutes of 1947 and Chapter 593 of the Statutes of 1953.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1287**: By Messrs. Luckel, Crawford, Hegland, and Schrade—An act to amend Section 54955 of the Government Code, relating to meetings of legislative bodies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1288**: By Miss Donahoe and Messrs. Masterson and Porter (Departmental—Finance)—An act to amend Section 12500 of the Education Code, and Section 13182 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to fees for credentials and life diplomas.

Referred to Committee on Education.

**Assembly Bill No. 1289**: By Miss Donahoe—An act to add Section 13966.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session and to add Section 31565.5 to the Government Code, relating to the retirement of certificated employees in the office of county superintendent of schools.

Referred to Committee on Education.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Bruce F. Allen, Sumner, Biddick, MacBride, Bradley, and Miller:

### House Resolution No. 81

Relative to contumacious witnesses appearing before the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary

WHEREAS, The Subcommittee on Rackets of the Assembly Interim Committee on Judiciary has reported to the Assembly, pursuant to Government Code Section 9407, the contempt committed during this Session of the Legislature, to wit, on January 23, 1959, before said committee by Gene Burg and by Jack Fine, also known as Jack Kessler; and

WHEREAS, The report of said subcommittee clearly establishes that the contumacious refusal of said Gene Burg and Jack Fine to answer material questions asked by the subcommittee not only constituted contempt of said subcommittee, but also that they wilfully and without lawful excuse violated an order of the Superior Court of the State of California, in and for the County of Los Angeles, heretofore issued by the Hon. Philbrick McCoy, judge, and thereby committed a contempt of court; and

WHEREAS, While further proceedings under Section 9408 for contempt of court may later prove to be desirable, the wilful refusal on the part of said Gene Burg and Jack Fine to comply with said order of the Superior Court of the State of California and to answer questions which have already been determined by the superior court to be material and proper constitutes a misdemeanor under Government Code Section 9412 and under Penal Code Section 166 and should be prosecuted as such; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Chairman of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary is instructed to file a complaint with the City Prosecutor of the City of Los Angeles; and be it further

*Resolved*, That said city prosecutor is requested to prosecute said Gene Burg and Jack Fine to the fullest extent of the law; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit to the City Prosecutor of the City of Los Angeles the Report of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary concerning the contempt committed by said Gene Burg and Jack Fine, and a copy of this resolution.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following letter of transmittal and Report of the Subcommittee on Rackets of

the Assembly Interim Committee on Judiciary be ordered printed in the Journal:

**LETTER OF TRANSMITTAL**

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, February 10, 1959

*Hon. Ralph M. Brown and*
*Members of the Assembly*

GENTLEMEN: Pursuant to Section 9407 of the Government Code, the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary transmits herewith its report on the contempt committed by Gene Burg and Jack Fine before said subcommittee at a hearing held in the State Building in Los Angeles on January 23, 1959.

Very truly yours,

BRUCE F. ALLEN

**REPORT OF SUBCOMMITTEE ON RACKETS OF ASSEMBLY INTERIM COMMITTEE ON JUDICIARY**

SACRAMENTO, February 9, 1959

*Assembly Chamber, Sacramento*

MR. SPEAKER: We, the undersigned, members of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary, hereby report to your honorable body, the Assembly of the State of California, pursuant to Section 9407 of the Government Code, as follows:

That the Assembly Committee on Judiciary was created by, and given the powers and duties specified in, House Resolution No. 224 of the 1957 Regular Session and was continued in existence until March 16, 1959, by House Resolution No. 25 of this session, with all the powers and duties previously conferred upon it;

That the Subcommittee on Rackets was created, as authorized by Rule 36 of the Joint Rules of the Senate and Assembly and Section 37 of Article IV of the Constitution, by letter of the Chairman of the Assembly Interim Committee on Judiciary;

That said letter authorized and directed said subcommittee to ascertain, study and analyze all facts relating to the system of laws and judicial administration of the State, including, but not limited to, all laws relating to crimes and the manner of punishment therefor, control of subversive activities, civil rights, administration of justice, bribery, fraud, influence peddling, civil and administrative actions and proceedings and remedies, and the needed revision of any and all laws in any way bearing upon or related to the subject of House Resolution No. 224;

That said subcommittee consisted of Bruce F. Allen, Chairman, Clark L. Bradley, William Biddick, Jr., Thomas J. MacBride, and Bruce Sumner;

That said subcommittee commenced an investigation to determine whether the existing laws relating to crimes and the manner of punishment therefor are adequate to cope with criminal elements operating within industry, including specifically the garment industry, or whether changes in such laws are necessary to protect the public;

That said subcommittee received information, in the form of testimony of witnesses and reports of its investigators, indicating that certain manufacturers and contractors in the garment industry were being coerced into making payments to certain persons, said payments taking the form of salaries or commissions for fictitious services; that coercive methods were used to induce such manufacturers and contractors to hire the services of particular truckers and of persons purchasing salvage materials from such manufacturers and contractors; that persons who had engaged in criminal activities in the garment industry in the eastern United States had converged on California with intent to engage in criminal activities in California;

That in order to ascertain whether, and to what extent, the information mentioned in the preceding paragraph was accurate and whether, and to what extent, deficiencies in the existing penal laws were responsible for the existence of said conditions, said subcommittee duly scheduled and held a meeting in Room 115 of the State Building in the City of Los Angeles, County of Los Angeles, State of California, commencing on January 14, 1958;

That Jack Fine and Gene Burg did appear before said subcommittee, a quorum thereof being present at all times, at said meeting pursuant to subpoenas duly served upon them in accordance with law, and then and there refused to answer material questions asked of them as more particularly set forth in the following excerpts from the transcript of the proceedings:

*Jack Fine*

"Q. Do you have a street address?

"A. On advice of my counsel, I refuse to answer, it might tend to incriminate me.

"Q. What business are you in?

"A. I refuse to answer, it might tend to incriminate me.

"Q. Mr. Fine, I will show you a canceled check, number 3366 of Nor-Ad Sportswear, Inc., payable to Jack Fine in the amount of $75, and ask if that is your signature on the back of the check?

"A. I refuse to answer on the ground it might tend to incriminate me, use the Fifth Amendment.

"Q. Now, I will show you a group of checks, the one just mentioned is the first check and the last one being dated September 20, 1957, in the amount of $75 payable to Jack Fine, and I will ask you if that is your signature on those checks?

"A. I refuse to answer on the ground that it may tend to incriminate me and use the Fifth Amendment.

"Q. Were you ever employed by Abraham Schafler or Nor-Ad Sportswear, Inc.?

"A. I refuse to answer on the grounds it would tend to incriminate me and use the Fifth Amendment.

"Q. Do you know a man by the name of Sam Miller?

"A. I refuse to answer on the ground that it might tend to incriminate me.

"Q. Do you know a man by the name of Sam Kitzler?

"A. I refuse to answer on the ground it might tend to incriminate me, use the Fifth Amendment.

"Q. Did you ever live at the Harvey Hotel?

"A. I refuse to answer on the ground it might tend to incriminate me, use the Fifth Amendment.

"Q. Do you have an occupation at the present time?

"A. I refuse to answer on the ground it might tend to incriminate me under the Fifth Amendment.

"Q. Mr. Fine, do you have any connection with the International Ladies Garment Union?

"A. I refuse to answer on the ground that it might tend to incriminate me, use the Fifth Amendment.

"Q. Do you have any union connections at all?

"A. I refuse to answer on the ground that it might tend to incriminate me, use the Fifth Amendment.

"Q. Well, you are directed by the committee to answer these questions. Now, do you still refuse to answer?

"A. I refuse to answer on the grounds it might tend to incriminate me under the Fifth Amendment.

"Q. Where were you born, Mr. Fine?

"A. I refuse to answer that, it might tend to incriminate me, use the Fifth Amendment.

"Q. Mr. Fine, I will show you another document, a hotel registration card, bearing the name 'Jack Fine' on two places. I will ask you if that is your signature?

"A. I refuse to answer on the ground that it might tend to incriminate me, use the Fifth Amendment.

"Q. Mr. Fine, having looked at that card, does that refresh your memory about Sam Miller?

"A. I refuse to answer on the grounds that it might tend to incriminate me and use the Fifth Amendment.

"Q. Did you ever call Sam Kitzler on the telephone?

"A. I refuse to answer on the grounds it might tend to incriminate me under the Fifth Amendment.

"Q. Did you ever do any work for Abraham Schafler or Nor-Ad Sportswear?

"A. I refuse to answer on the ground that it might tend to incriminate me and use the Fifth Amendment.

"Q. Mr. Fine, did you receive a check for $100 from Nor-Ad Sportswear, Inc., dated January the 31st, 1958?

"A. I refuse to answer on the grounds it might tend to incriminate me, use the Fifth Amendment.

"Q. That was January 31, 1957. Do you understand the question?

"A. I refuse to answer that, it might tend to incriminate me, and use the Fifth Amendment.

"Q. Do you refuse to answer the question that was just asked?

"A. That's right, on the grounds it might tend to incriminate me.

"Q. Were you working for Nor-Ad, Incorporated, or Abraham Schafler in the week from January the 24th to January the 31st, 1957?

"A. I refuse to answer on the ground it would tend to incriminate me and use the Fifth Amendment.

"Q. Were you placed under arrest during that week from January 24, 1957, to January 31, 1957, and held in jail in Los Angeles?

"A. I refuse to answer on the grounds that it might tend to incriminate me and I use the Fifth Amendment.

"Q. Was the charge on which you were arrested bookmaking in violation of Section 337-A of the Penal Code?

"A. I refuse to answer on the ground it might tend to incriminate me and use the Fifth Amendment.

"Q. Were you found guilty and sentenced on April 2d, 1957, on that charge?

"A. I refuse to answer on the ground it might tend to incriminate me and use the Fifth Amendment.

"Q. Do you know Harold Happy Melzer?

"A. I refuse to answer on the grounds it would tend to incriminate me and use the Fifth Amendment.

"Q. Have you ever been employed by a store operated by Mr. Melzer known as the Day Bell Store on South Vermont Avenue in Los Angeles?

"A. I refuse to answer on the grounds it might tend to incriminate me and use the Fifth Amendment.

"Q. You were shown Exhibit 2, consisting of two registration cards from the Harvey Hotel, which indicated that you and one Samuel Miller occupied jointly Room 249. Had you known Mr. Miller prior to that time?

"A. I refuse to answer on the ground that it might tend to incriminate me and use the Fifth Amendment.

"Q. What was the first contact you ever made with Abraham Schafler?

"A. I refuse to answer on the grounds it would tend to incriminate me and use the Fifth Amendment

"Q. Mr. Schafler has testified he employed you as a commission man. Will you tell the committee what your exact duties were as a commission man for Mr. Schafler?

"A. I refuse to answer on the ground it might tend to incriminate me and use the Fifth Amendment.

"Q. Mr. Schafler testified that you were employed as a commission man by him for a stated period of time. Will you tell this committee what territory you covered and what prospective customers you called on?

"A. I refuse to answer on the ground it might tend to incriminate me and use the Fifth Amendment."

*Gene H. Burg*

"Q. And it is correct also that you were later tried and convicted of participating in that violence, is that right?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Well, if you already have been convicted of it, why, there is no crime in admitting it. But, who were the other men that were with you at that time?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. How did you happen to pay this call on Mike Silvers' plant on November 17th, 1953?

"A. I refuse to answer on the grounds that it may tend to incriminate me.

"Q. When were you arrested by the police for that wrecking of Mike Silvers' plant?

"A. I refuse to answer on the grounds that it may tend to incriminate me.

"Q. How much money did you have in your possession at the time you were picked up by the police?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Did somebody pay you for doing that?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. In October or November of 1953 where were you residing?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you know a person by the name of James Fratiano?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Did you ever call James Fratiano on the telephone?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you know Charles Battaglio?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Did you ever call Charles Battaglio on the telephone?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you know a person named Joe Capitano?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. When you were tried for participation in the wrecking of Mike Silvers' place, which event occurred November 17th, 1953, were you represented by counsel?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. I don't see how that possibly could incriminate you, Mr. Burg."

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you have an attorney at the present time?

"A. Yes, I do.

"Q. Who is he?

"A. Mr. Brumbaugh, sitting on my right.

"Q. Are you acquainted with Joe Capitano?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Are you acquainted with Tom Simone?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Mr. Burg, I will show you a photograph bearing Los Angeles Police Department Number 97693, and ask you if you have ever seen that man before?

"A. I refuse to answer on the grounds it may intend to incriminate me.

"Q. I show you another photograph bearing the California Prisons Number 828624, and ask you if you recognize that?

"A. I still refuse to answer on the grounds that it may tend to incriminate me.

"Q. Mr. Burg, the first picture I showed you is that of Charles Battaglio, also known as Charlie Batts. We have a report from the Attorney General's Office that he was convicted on a bookmaking charge in 1948 in Los Angeles.

"The other picture is that of James Fratiano. I have a report from the Attorney General's Office on that man that shows several convictions, the last one being in 1954 on conspiracy to extort on which sentence I understand the man is now in state prison.

"We also have a record that shows within the period of a month and a half prior to the wrecking of Mike Silvers' plant you made a series of telephone calls to both James Fratiano and Charles Battaglio. Now, in view of that would you like to tell us what those calls were about?

"A. No, I refuse to answer on the grounds that it may tend to incriminate me.

"Q. In October and November of 1953 was your telephone number Angelus 22766?

"A. I still refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you know the number State 91454 ——

"A. I refuse ——

"Q. —— is the number of James Fratiano?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you know that that is a nonpublished number?

"A. I still refuse to answer on the grounds it may tend to incriminate me.

"Q. Do yon know that Sunset 32024 was the number charged to Charles Battaglio?

"A. I refuse to answer on the grounds that it may tend to incriminate me.

"Q. Do you know that James Fratiano's address is 16716 Moorpark, North Hollywood?

"A. I still refuse to answer on the grounds it may tend to incriminate me.

"Q. Do you know at that time, 1953, that Charles Battaglio resided at 6248 Vineland Avenue in North Hollywood?

"A. I still refuse to answer on the grounds it may tend to incriminate me.

"Q. Did you ever work as a part-time bartender at the Bali Hi Cafe?

"A. I still refuse to answer on the grounds that it may tend to incriminate me.

"Q. Did you not work there for a period of some six weeks in the summer of 1957?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. And was it not represented at the time you worked there that you were a student at the University of California at Los Angeles?

"A. I refuse to answer on the grounds it may tend to incriminate me.

"Q. Were you a student at the University of California at Los Angeles at that time?

"A. I refuse to answer on the grounds that it may tend to incriminate me.

"Q. What is your occupation at the present time, Mr. Burg?

"A. I refuse to answer on the grounds that it may tend to incriminate me."

That thereafter, pursuant to Section 9408 of the Government Code, your subcommittee filed petitions in the Superior Court of the State of California in and for the County of Los Angeles to compel said Jack Fine and Gene H. Burg to answer said questions and other material and proper questions;

That after notice and hearing the Honorable Philbrick McCoy, Judge of said superior court, concluded that said Jack Fine and Gene Burg had wilfully and without legal justification refused to answer material questions asked of them by a legally constituted subcommittee of the Assembly of the State of California, and issued an order to said Jack Fine and Gene Burg pursuant to Section 9408 of the Government Code directing them, and each of them, to appear before the Subcommittee on Rackets of the Assembly Interim Judiciary Committee at its hearing at a time and place to be fixed by the subcommittee and then and there answer the questions set forth in the petitions on file in the cause and any other material questions asked by the subcommittee;

That said findings, conclusions and order were duly served on said Jack Fine and Gene Burg;

That acting pursuant to said order and pursuant to the powers vested in it by House Resolution 224 and 25 mentioned above, said subcommittee scheduled a hearing on January 23, 1959, at 9.30 a.m. in Room 115, State Building, Los Angeles, and duly issued and served subpoenas on said Jack Fine and Gene Burg to appear and testify at said hearing;

That at the time and place specified said Gene Burg appeared with counsel and was then and there furnished a true and correct copy of the order of Judge Philbrick McCoy mentioned above, and thereafter wilfully refused to answer the following questions:

"Q. Mr. Burg, did you visit Mike Silvers' garment factory on or about November 17, 1953?

"Q. Mr. Burg, who sent you to the Mike Silvers' garment factory in November, 1953?

"Q. Do you know Tom Simone?
"Q. Do you know James Fratiano?
"Q. Did you have a telephone conversation with Charles Battaglio in December, 1952?
"Q. After you were convicted of your participation in the wrecking of Mike Silvers' garment plant, and while you were in the custody of the State at Soledad State Prison did you have any conversation there with James Fratiano?
"Q. On or about February 6, 1954, did you appear or be present in the Superior Court here in Los Angeles in a trial then being held of James Fratiano on a change of extortion?
"Q. Do you know John Tripodi?
"Q. Who was with you the night this garment factory of Mike Silvers was wrecked?
"Q. Are you presently under the influence of narcotics?
"Q. Mr. Burg, did you correspond by mail with John Tripodi while you were at Soledad Penitentiary?
"Q. While you were at Soledad Penitentiary and corresponded with John Tripodi was James Fratiano also an inmate of that institution?";

That at the time and place specified Jack Fine appeared with counsel and was then and there furnished with a true and correct copy of the order of Judge Philbrick McCoy mentioned above, and thereafter wilfully refused to answer the following questions:

"Q. What is your occupation, Mr. Fine?
"Q. Do you know a man by the name of Sam Miller?
"Q. Didn't you occupy a room at the Harvey Hotel in Los Angeles with Sam Miller in March of 1955?
"Q. Where do you live?
"Q. Have you ever been engaged in bookmaking?
"Q. Are you engaged in bookmaking at the present time?
"Q. Do you know Bennie Stein, who is known to the committee as a bookmaker, who has engaged in that activity in Los Angeles?
"Q. Do you know Herbert Fried, also known as 'Happy' Meltzer?
"Q. I will show you check number 4398 of Norad's Sportswear, Inc., dated September 20, 1957, in the amount of $75, and ask you if that is your signature on the back?
"Q. Were you ever employed by either Abraham Schafler or Norad's Sportswear, Inc.?
"Q. Do you have any connection with any union?
"Q. Do you get money, such as the check just showed you, or any other money from any garment manufacturers in Los Angeles County?
"Q. Referring to the check which I previously showed you, with your signature on the back, what appears to be your signature, did you keep the money in your own right that is represented by that check?
"Q. Do you know a Henry Auerbach, A-u-e-r-b-a-c-h?

"Q. The committee has information that you informed Henry Auerbach, a bookie, to give to his probation officer the names of Harry and Louis Levitt, L-e-v-i-t-t, as his place of employment.

"Q. Did you give any such advice to Henry Auerbach?

"Q. Do you know Mr. "B"?

"Q. Isn't Mr. "B" the owner of the Chestnut Room in Santa Monica?

"Q. And hasn't Mr. "B" been a partner with you in a bookkeeping operation known as the Santa Monica book?

"Q. What is the correct name of Mr. "B"?

"Q. Do you know Jack West, a person known to the committee as a bookmaker?

"Q. The committee has information indicating that you have engaged in bookmaking in association with Jack West, also known as Jack Wesotsky, W-e-s-o-t-s-k-y, a person having a New York conviction for bribery in 1952; is that correct?

"Q. Mr. Fine, it is a matter of record that Mr. West is now a fugitive, having jumped bail, and there is a no-bail warrant out for his arrest.

"The committee has information that subsequent to Mr. West's leaving these parts you took over the operation of his book in the Santa Monica area; is that correct?

"Q. The committee also has information that from time to time Herbie Fried, also known as Harold 'Happy' Meltzer, has been observed using your automobile or an automobile registered in your name. Is that a fact?

"Q. You were previously questioned by the committee as to Mr. Sam Miller, your acquaintance and occupying a room with him at the Harvey Hotel. Isn't it a fact that Mr. Sam Miller is also known as Morris Sedikaner and at that time was a fugitive on a charge of unlawful flight to avoid prosecution?

"Q. Haven't you from time to time worked as a clerk in Harold Meltzer's store known as Dabill?

"Q. Isn't it a fact that your alleged roommate, Sam Miller, also known as Morris Sedikaner, was apprehended by the FBI in the parking lot adjoining Harold Meltzer's store, the Dabill?

"Q. Referring to the Chestnut Room the committee has information that Mr. Henry Auerbach and others operating relay stations in a book allegedly operated by you were instructed and did pick up their paychecks at the Chestnut Room in Santa Monica.

"Q. Did you ever cash any of the checks you received from Abe Schafler, doing business as Norad, at the Chestnut Room?

"Q. After Murray Stein left Los Angeles early in 1958, isn't it a fact that you took over what is known as his action in the downtown district in bookmaking?

"Q. Isn't it a fact that the first check you received from Abe Schafler, doing business as Norad Sportswear, was on or about January 31, 1957?

"Q. Isn't it a fact, Mr. Fine, that on the date shown on that check of January 31, 1957, that you were actually in the county jail on a charge of bookmaking, on which you were later convicted or plead guilty?

"Q. It has been stated that you were a commission man, salesman or commission salesman for Norad Sportswear all during the time that you received these checks. Were you, in that first week when you were in the county jail, performing your duties as a commission man, in '57?

"Q. BY CHAIRMAN ALLEN: Well, let's clear this up. Mr. Fine, were you in jail around any time on or near January 31, 1957?

"Q. BY MR. HARRIS: Isn't it a fact that during the period covered by your first check from Norad Sportswear, Inc., this check was dated January 31, 1957, that some time during that week preceding that day you were in custody in a jail here in Los Angeles?";

That the refusal of each of said witnesses to testify was based on the contention that the committee has lost jurisdiction by reason of the 1957 Legislative Session having terminated as of January 5, 1959, and has no power to investigate any fact whatsoever; and for the reason that the scope of the inquiry as announced is not within the scope of the legislative investigation;

That said refusal of each witness to answer said questions constitutes a violation of the said order of Judge Philbrick McCoy and a contempt of the superior court, as well as a contempt of this committee and of the Assembly;

That said contempt was committed during the 1959 Regular Session of the Legislature and your subcommittee hereby reports the same to the Assembly pursuant to Section 9407 of the Government Code for such action as may be deemed necessary by the Assembly.

Respectfully submitted,

BRUCE F. ALLEN — THOMAS J. MACBRIDE
BRUCE SUMNER — CLARK L. BRADLEY
WILLIAM BIDDICK, JR.

Subject matter of above report referred to the Committee on Rules.

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

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

**Assembly Bill No. 1290**: By Mr. Biddick—An act to amend Section 109.5 of the Streets and Highways Code, relating to agreements with the United States in connection with state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1291**: By Mr. Unruh—An act to amend Section 1205 of the Penal Code, relating to payment of fines.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1292**: By Mr. Unruh—An act to amend Section 460 of the Penal Code relating to burglary.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1293**: By Mr. Z'berg—An act to amend Section 3052 of the Civil Code, relating to possessory liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1294**: By Messrs. Unruh and Porter—An act to add Section 727.5 to the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1295**: By Messrs. Unruh and Porter—An act to add Section 106.6 to the Water Code, relating to recreational use of reservoirs.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1296**: By Mr. Britschgi—An act to amend Section 407 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1297**: By Messrs. Britschgi and Bradley—An act to amend Section 407 of, and to add Section 514 to, the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1298**: By Messrs. Britschgi and Bradley—An act to amend Section 407 of, and to add Section 514 to, the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1299**: By Mr. Britschgi—An act to amend Sections 74302 and 74303 of the Government Code, relating to the municipal court in the Cities of San Carlos and Redwood City.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1300**: By Messrs. Unruh and Burton—An act to add Chapter 5.5 (commencing at Section 1106) to Part 3 of Division 2 of the Labor Code, and to add Section 1736 to the Labor Code, relating to the employment of certain age groups.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1301**: By Mr. Britschgi—An act to add Section 507 to the Vehicle Code, and to add Section 23118 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving a vehicle under the influence of liquors and drugs.

Referred to Committee on Criminal Procedure.

## CONSIDERATION OF DAILY FILE
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Concurrent Resolution No. 47**—Relative to air pollution by motor vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 47?

### Amendment No. 1

On page 2, line 2, of the printed measure, strike out "either the ninth of tenth", and insert "the sixteenth".

### Amendment No. 2

On page 1 of the printed measure, as amended in the Senate on February 4, 1959, strike out lines 7 and 8

### Amendment No. 3

On page 2, strike out lines 8 to 11, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 47 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Concurrent Resolution No. 47 ordered enrolled.

### Names Placed Upon Roll Call

Messrs. Marks and Francis were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Concurrent Resolution No. 47.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1257

Mr. Cameron was granted unanimous consent that Assembly Bill No. 1257 be withdrawn from the Committee on Government Organization and re-referred to the Committee on Governmental Efficiency and Economy.

## CONSIDERATION OF DAILY FILE (RESUMED)
## CONSIDERATION OF HOUSE RESOLUTION NO. 62

By Mr. Winton:

**House Resolution No. 62**—Relative to printing copies of the Report of the Assembly Interim Committee on Government Organization.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules was read, and adopted:

### Amendment No. 1

In the last line of the measure, as printed on page 358 of the Assembly Journal for January 27, 1959, after "Government", insert ", the costs of such printing to be paid for out of any money previously made available to said committee".

**Consideration of House Resolution No. 62, as Amended**

By Mr. Winton:

**House Resolution No. 62**

Relative to printing copies of the Report of the Assembly Interim Committee on Government Organization

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Government Organization is authorized to have printed 1,000 additional copies of its report of December 31, 1958, entitled "Recommendations for Obtaining Economy and Efficiency in California State Government," the costs of such printing to be paid for out of any money previously made available to said committee.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 50

By Mr. Bradley:

**House Resolution No. 50**—Relative to amending the Temporary Rules of the Assembly

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

In the last line of the measure, as printed in the Assembly Journal for January 21, 1959, at page 299, after "members", insert "of the Assembly, nor shall any bill be introduced which contains the name of more than one Senator as co-author".

**Consideration of House Resolution No. 50, as Amended**

By Mr. Bradley:

**House Resolution No. 50**

Relative to amending the Temporary Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the Temporary Standing Rules for the 1959 Regular Session are hereby amended by adding a new rule 51.6, to read:

51.6. No bill shall be introduced which contains the signatures of more than four members of the Assembly, nor shall any bill be introduced which contains the name of more than one Senator as co-author.

Resolution read, as amended.

**Parliamentary Inquiry**

Mr. Ernest R. Geddes arose to the following parliamentary inquiry: If adopted today, when will this Rule become effective?

**Reply by Speaker**

The Speaker replied that it would become effective immediately on adoption.

#### Demand for Previous Question

Messrs. Collier, Charles H. Wilson, Hegland, Luckel, and Beaver demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote:

AYES—Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Chapel, Conrad, Crawford, Crown, Francis, Garrigus, Grant, Johnson, Lanterman, Levering, Luckel, Lunardi, MacBride, Miller, Reagan, Rees, Thelin, Unruh, Charles H. Wilson, and Winton—28.

NOES—Bruce F. Allen, Don A. Allen, Bane, Biddick, Burton, Busterud, Cameron, Collier, Coolidge, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—46.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

**Senate Concurrent Resolution No. 8**—Relative to the continuance of the Joint Judiciary Committee on Administration of Justice.

Resolution read.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

#### Amendment No. 1

On page 1, line 12, of the printed measure, strike out "final" and strike out lines 13 and 14, and insert "the sixtieth calendar day of this session, with authority to file its final report not later than that day."

#### Amendment No. 2

On page 1, line 22, strike out "The", and insert

"In addition to any money heretofore made available to the committee continued by this resolution, the".

Resolution ordered reprinted, and on file.

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

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

**Assembly Bill No. 1302**: By Messrs. Grant, Kennick, Munnell, and Cusanovich, and Senator Richards, co-author—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72705, 72705.5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1303**: By Messrs. Grant, Kennick, and Bruce F. Allen—An act to amend Section 2 of Chapter 73 of the Statutes of the 1958 First Extraordinary Session and Sections 3340 and 3411 of the Public Resources Code, relating to oil and gas.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1304**: By Messrs Bruce F. Allen and Schrade—An act to add Sections 12636 and 12637 to the Water Code, relating to sale of water from state water projects.

Referred to Committee on Water.

**Assembly Bill No. 1305**: By Messrs. Bruce F. Allen, Hegland, Schrade, Crawford, and Luckel—An act to add Section 12588 to the Water Code, relating to state-authorized flood control and water conservation projects.

Referred to Committee on Water.

**Assembly Bill No. 1306**: By Mr. Bruce F. Allen—An act to add Part 4 (commencing at Section 11900) to Division 6 of the Water Code, relating to the acquisition, construction, operation, and maintenance of units of the California Water Plan.

Referred to Committee on Water.

**Assembly Bill No. 1307**: By Messrs. Crown, Bane, Petris, Unruh, and George A. Willson, and Senator Cobey, co-author—An act to add Section 3831 to the Elections Code, relating to the general election ballot.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1308**: By Messrs. Crown, Bane, Petris, Unruh, and George A. Willson, and Senator Cobey, co-author—An act to add Section 3947 to the Elections Code, relating to the direct primary election ballot.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1309**: By Mr. Francis, and Senator Dolwig (Co-author)—An act to amend Sections 73602 and 73603 of the Government Code, relating to the municipal court in the Cities of Daly City and South San Francisco.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1310**: By Mr. Francis, and Senator Dolwig (Co-author)—An act to amend Sections 73522 and 73523 of the Government Code, relating to the municipal court in the Cities of Burlingame and San Mateo.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1311**: By Messrs. Gaffney, Busterud, Marks, Meyers, and O'Connell—An act to amend Section 27173.5 of the Streets and Highways Code, relating to the advertising of bids for repair and construction work done by a bridge and highway district.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1312**: By Messrs. Gaffney, Busterud, Marks, Meyers, and O'Connell—An act to amend Section 27177.5 of the Streets and Highways Code, relating to bridge and highway districts

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1313**: By Mr. Bruce F. Allen—An act to transfer money from the General Fund to the California Water Fund for the development of water resources of the State.

Referred to Committee on Water.

**Assembly Bill No. 1314**: By Messrs. Bruce F. Allen, Porter, and MacBride—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Referred to Committee on Water.

**Assembly Bill No. 1315**: By Messrs. Waldie and Masterson—An act to amend Section 69582 of the Government Code, relating to superior courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1316**: By Messrs. Ernest R Geddes, Lanterman, and Burke—An act to amend Sections 34302 and 34304 of the Government Code, relating to the incorporation of cities.

Referred to Committee on Municipal and County Government.

## RESOLUTIONS

The following resolution was offered:

By Mr. Francis:

### House Resolution No. 82

Relative to the passing of Mr. and Mrs. Edward Brady

WHEREAS, The Members of this Assembly are deeply grieved to learn of the tragic death of Mr. and Mrs. Edward Brady caused by an automobile collision; and

WHEREAS, Mr Brady was an outstanding labor leader during his 50 years of activity in the labor movement and was Business Manager, Financial Secretary and Treasurer of the Sheet Metal Workers' Union Local 272 of San Mateo, California, a Trustee for the Northern California health and welfare plan for the sheet metal workers, and a member of the San Mateo Executive Board for the Building and Construction Trades Council and the State Building and Construction Trades Council; and

WHEREAS, Mr. Brady was a member of the Foresters Lodge and the Native Sons of the Golden West and Mr. and Mrs. Brady were long-time residents of the City of San Mateo, having enjoyed a happily married life of 54 years; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby wish to express their grief on the passing of Mr and Mrs Brady and to extend their sincere condolences to the surviving members of the family and the many friends throughout the State who survive them; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Mathew Brady, the brother of Mr. Brady, and Mrs Grace Westphal, the sister of Mrs. Brady.

Resolution read, and referred to the Committee on Rules.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr Crawford moved that, pursuant to Article IV, Section 2 (a) of the Constitution, Assembly Bill No. 1081 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

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

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.

NOES—None.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1081 FROM COMMITTEE

Mr. Crawford was granted unanimous consent that Assembly Bill No. 1081 be withdrawn from the Committee on Education for purpose of amendment, and that the bill be re-referred to the Committee on Education.

### SECOND READING OF ASSEMBLY BILL NO. 1081 (BY UNANIMOUS CONSENT)

**Assembly Bill No. 1081**—An act to add Article 11.5 (commencing at Section 9171) to Chapter 7 of Division 4 of the Education Code, and to add Chapter 5 (commencing at Section 551) to Division 2 of the Education Code, as proposed by Senate Bill No. 2, relating to the acceptance of the provisions and benefits of the "National Defense Education Act of 1958," approved September 2, 1958.

Bill read second time.

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NOTE—On February 11, 1959 (Assembly Journal, page 615), the record was expunged, and the action rescinded whereby amendments to Assembly Bill No. 1081 were this day adopted.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS

Mr. Samuel R. Geddes was granted unanimous consent that Assembly Bills Nos. 65, 66, and 34 be withdrawn from the Committee on Agriculture, and re-referred to the Committee on Livestock and Dairies.

Speaker Brown ordered that Assembly Bill No. 138 be withdrawn from the Committee on Transportation and Commerce, and re-referred to the Committee on Public Utilities and Corporations.

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

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

**Assembly Bill No. 1317**: By Messrs. Ernest R Geddes, Hawkins, Meyers, Johnson, Beaver, Bee, Belotti, George E. Brown, Dills, Miss Donahoe, Messrs. Elliott, Gaffney, Samuel R. Geddes, Hanna, House, MacBride, Porter, Rumford, and Z'berg—An act to amend Sections 14003, 14406, 14502, and 14803 of, and to add Section 14905.5 to, and to repeal Section 14004 of, the Financial Code, relating to credit unions.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1318**: By Messrs. Ernest R. Geddes, Hawkins, Meyers, Johnson, Beaver, Bee, Belotti, George E. Brown, Dills, Miss Donahoe, Messrs. Elliott, Gaffney, Samuel R. Geddes, Hanna, House, MacBride, Porter, Rumford, Unruh, and Z'berg—An act to amend Section 15800 of the Financial Code, relating to supervision and examination of credit unions, and making an appropriation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1319**: By Messrs. Ernest R. Geddes, Hawkins, Meyers, Rumford, Beaver, Bee, Belotti, George E. Brown, Dills, Miss Donahoe, Messrs. Elliott, Gaffney, Samuel R. Geddes, Hanna, House, Johnson, MacBride, Porter, and Unruh—An act to add Section 690.21a to the Code of Civil Procedure, relating to property exempt from execution or attachment.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1320**: By Messrs. Schrade, Winton, Bruce F. Allen, Masterson, Beaver, Belotti, Biddick, Burke, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Francis, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kilpatrick, Luckel, Lunardi, Miller, Nisbet, O'Connell, Porter, Sedgwick, Williamson, and George A. Willson—An act to amend Section 19563 of the Business and Professions Code, relating to horseracing.

Referred to Committee on Government Organization.

### ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mrs. Davis announced a meeting of the Committee on Fish and Game at 3.45 p m. today, in Room 5168.

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Mr. Masterson announced that the Committee on Governmental Efficiency and Economy would meet today at 3.30 p.m. for an organizational meeting; and at 3.45 p.m. to hear Assembly Bills Nos. 91 and 93, the FEPC Bills, in Room 4202.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Brown of Modesto to Ted Colton, adult; and the following pupils of the Milnes School: Lee Beldon, Sheryl Halley, Phillip Hamby, Cora Kroon, Alan Scharli, Marzell Sisco, Lucille Toste, and Lovella Waldrip.

On request of Mr. MacBride of Sacramento to C. D. Lewis and Mrs. Rachael Blake, adults; and the following pupils of the John Holst School, Fair Oaks: Randolph Arnest, James Bareuther, Thron Brinson, Michael Cochran, Steven Campbell, Earl Davis, Wayne Davis, Sean Dobrinen, Allen Flowers, Earl Hall, Kent Hollingsworth, Danny Heno, David Jones, Carl Kuhl, Michael Popanz, Richard Randall, Thomas Schaff, David Stetson, Michael Sullivan, Jeffrey Vargas, Donald Wemhaner, Alice Connors, Jean Cullar, Carol Davidson, Georgia Ditheridge, Diana Durbin, Susan Eller, Sharon Fink, Sandra Foster, Maxine Frisk, Connie Harding, Mary Jacks, Margaret Leckey, Sandra Lucas, Kathleen McCormack, Patricia McGee, Judith Martes, Margie Monroe, Mary Morgan, Carol Patterson, Barbara Raven, Karen Roberts, Suzanne Roe, Catherine Samora, Janice Sample, Patricia Stewart, Dorothy Thompson, Jerri Westfall, Joy Whittlesey, Carol Williams, Lois Whitenack, and Tamara Wood.

On request of Mr. Britschgi of Redwood City to Robert St. Clair of San Francisco.

On request of Mr. Cusanovich of Van Nuys to "Crazy Legs" Hirsch of Los Angeles.

On request of Mr. DeLotto of Fresno to William Crump, Jr., of Fresno.

On request of Mr. Biddick of Stockton to John Morrell and Ed Dixon, adults; and the following pupils of the Dent Union School, Escalon: Judy Adams, Larry Bunch, Karma Borgquist, Richard Burt, Jacquie Cranston, Geraldine Denney, Patricia Flick, Dick Gonzales, Nancy Heurlin, Janice Hickman, Danny Howard, Janet Karr, Jim Kite, Gary Knox, Dick Lewis, Tommy Lewis, Janice Lial, George Norbeck, Donna Reitveld, Mike Shaw, Joan Shepherd, Janet Vaughn, and Pat Young.

On request of Mr. Biddick of Stockton to Mrs. Dorothy Dehr and Gene Hitt, adults; and the following pupils of the Needham School: Darrel Almer, James Anderson, Randal Bauer, Wilford Borth, Robert Bruner, Thomas Carlton, Fred Coe, Mark Curry, Ricky Davidson, Arthur Ellis, Robert Evans, Robert Feiock, James Ficklin, John Fleck, Richard Griek, William Guillory, George Hirsbrunner, John Janinis, Warren Light, Donald Long, Scott Mallory, Robert Morton, Larry Nies, Robert Ostermann, Dudley Pleasant, Roy Reece, Jerome Sailer, Kapoor Takhar, Wayne Vogel, Richard Zimbelmann, Beverly Atherstone, Marlene Bolen, Virginia Bonham, Deloris Bosch, Sandra Castagna, Louise Clark, Hazel Corey, Terry Davis, Garnet Delzer, Judith Doherty, Sandra Douglas, Rebecca Eckhardt, Jeanette Flaherty, Pamela Frantz, Mary Lou Golz, Merry Gregory, Leta Haas, Kathleen Handel, Sharon Hildenbrand, Carol Husebye, Pamela Johnson, Linda Jordan, Terry Kauffman, Claudia Kirsten, Diane Kraft, Donna Lindholm, Judith Lok, Jo Ann Mauch, Valerie Nantt, Linda Owen, Barbara

Rapalee, Cynthia Sartor, Darlene Schulz, Jean Siegle, Sandra Walker, Cheryl Waters, and Sharon Wright.

On request of Mr. MacBride of Sacramento to Mrs. Krayenbuhl, adult; and the following pupils of the Folsom School: Kathy Crowe, Sharon Barth, George Johnson, Dave Lawson, Ronald Culver, Tom Russell, and Cindy Krayenbuhl.

On request of Mr. Z'berg of Sacramento to Dick Sperbeck, adult; and the following pupils of the Bishop Armstrong School: R. Alvarez, P. Cerda, J. Delgato, R. Fuel, B. Galsong, K. Gull, P. Labarry, B. Furtado, J. Martinez, A. Molina, S. Persic, J. Renzi, M. Roark, A. Sardelich, A. Sekul, M. Warren, and C. Esgro.

## ADJOURNMENT

At 11.23 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, February 11, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

TWENTY-EIGHTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, February 11, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Search us deeply, O God,* That on this Ash Wednesday, we may turn our ill-accustomed hearts to true repentance. May we remember the life and passion of the humblest man earth has known, not vainly as a thing long gone, but as a living, compelling present reality; and so may these days of Lent be to each one of us a glad springtime of the soul. Let us not merely give up for a season some things that we ought to give up anyway, but may we crowd out of our lives all unworthiness by the expulsive power of a new affection for Him who came saying: "If any man would come after me, let him deny himself, and take up his cross, and follow me."—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, seconded by Mr. Coolidge, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Marks, on motion of Mr. Coolidge.
Mr. Lanterman, on motion of Mr. Shell.
Mr. Cameron, on motion of Mr. Unruh.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Mrs. Lily Archer of Lynwood, relative to grievances. Referred to the Committee on Military and Veterans Affairs.

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San Diego County Board of Supervisors, by T. M. Hegland, Chief Administrative Officer, relative to legislation. Referred to the Committee on Judiciary—Civil

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Telegram

DETROIT, MICH., Feb. 11, 1959

*Chief Clerk of the Assembly*
*State Capitol, Sacramento*

In response to resolution of the California Legislature a delegation of top automotive officials will arrive in Sacramento Sunday, February 15th. We understand the time for appearance is 2 p.m. Monday.

HARRY A. WILLIAMS, Managing Director Automobile Mfrs. Assn.

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The following letter of transmittal and report were presented by the Speaker, and ordered printed in the Journal:

## LETTER OF TRANSMITTAL

STATE BUILDING STANDARDS COMMISSION
SACRAMENTO, January 26, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol Building, Sacramento*

DEAR MR. SPEAKER: Section 18909 of the Health and Safety Code requires that the State Building Standards Commission shall biennially submit a report of its activities together with recommendations for legislation to the Governor and the Legislature. We submit herewith the third biennial report covering the calendar years of 1958 and 1959.

The commission has been hampered in carrying out the intent and purpose of the Building Standards Act by technical and legal provisions of the law. The commission believes that if the intent and purpose of the act is to be accomplished, several amendments will be necessary. This report contains the commission's recommendations with respect to the sections of the act which they feel are in need of amendment and have set forth at the bottom of each amendment the reason for and an explanation of the proposed change.

The commission will be happy to provide any additional information desired.

Sincerely,

JOE R. YOCKERS, Secretary
State Building Standards Commission

Encl.

## THIRD BIENNIAL REPORT OF THE STATE BUILDING STANDARDS COMMISSION

Sacramento, January 2, 1959

To: *Hon. Governor Edmund G Brown*
*Hon. Ralph Brown, Speaker of the Assembly*
*Hon. Hugh Burns, President pro Tempore of the Senate*

FROM: Ernest C. Hillman, *Chairman*, Structural Engineer, Los Angeles; A. W. Russell, *Vice Chairman*, Chief Building Inspector, San Mateo County; Joe R. Yockers, *Secretary*, State Fire Marshal, Sacramento; *Members:* Anson Boyd, State Architect, Sacramento; Frank F. Burrows, Contractor, Belmont; Andrew T. Hass, Architect, San Francisco; Walter Zuetel, Retired Building Official, Pasadena; W. C. Jacobsen, Department of Agriculture, Sacramento; Dr. Malcolm H Merrill, Director of Public Health, Berkeley; Dr. M. E. Porter, Director of Mental Hygiene, Sacramento; John F. Henning, Director of Industrial Relations, San Francisco; George K. Wyman, Director of Social Welfare, Sacramento; George Uhl, M.D., Los Angeles City Health Officer, Los Angeles; and Harry A. Cobden, Senior Building Code Analyst, Sacramento.

I. *History*

The State Building Standards Commission was created by the Legislature and approved by the Governor in 1953.

The membership consists of seven state officials which are: the State Architect, the State Fire Marshal, the Director of Public Health, the Director of Social Welfare, the Director of Agriculture, the Director of Industrial Relations, the Director of Mental Hygiene; and six members appointed by the Governor.

The State Building Standards Commission was created after a three-year interim study by the Legislature. This interim committee made an exhaustive study and investigation into the entire field of building regulations on a state level, and a study of proposals for corrective legislation to relieve the burden imposed on contractors, owners, architects and the entire building industry by conflicting and duplicate building regulations between state agencies.

II. *Commission Activities*

Unfortunately the commission had no budget and it was impractical to obtain technical help from the several state departments involved in building regulations. In 1956 the Department of Finance set up a budget in the Department of Public Works for the commission, and since that time progress has been made in carrying out the provisions of the act.

From 1953 to May, 1957, the commission held regular meetings, but having no staff it was unable to accomplish much other than to screen new regulations to determine conflict or duplication.

The statutes creating the State Building Standards Commission provide for the publication of a single code of all building standards that are enforced by state agencies. It further provides that all regulations pertaining to building standards shall first be approved by the commission.

It is the purpose of the act creating the commission to provide the means of eliminating duplication, conflict and overlapping in state building regulations and to provide a single code containing all state building standards.

There are 23 administrative agencies in the State and some 17 of these write and enforce building regulations and standards. There are 10 state statutory code provisions dealing with building regulations and 19 general laws. Therefore, it can readily be seen that the commission faces an enormous task in sifting these rules and regulations for duplication or conflict and consolidating them into a single code.

In 1957 the commission attempted to work through the different departments that have membership in the commission. Finding that ineffective, the Department of Finance was asked to establish a small budget for the commission's operations during 1956 and 1957.

In May of 1957 the commission prevailed upon Harry A. Cobden, a housing and building code engineer, to accept the position of "Senior Code Analyst." They directed that his first efforts be the compilation of an index of the present existing rules and regulations having to do with building standards. That index is now complete and only refinement and publication remain.

This year the Attorney General's Office rules that the commission could not publish an index or digest of state building regulations, but that under the statutes was required to publish the entire code of all state agencies' building regulations. As this would bring about more of the sort of chaos that now exists, the commission is attempting to have legislation introduced and enacted to remedy this situation. Such proposed legislation is contained in this report.

The commission held four regular meetings in 1957 and four regular meetings in 1958, and had many special meetings of its Screening Committee and its Coding Committee and more recently, their Legislative Committee.

There presently exist some conflicts, duplication and overlaps among state agency regulations relating to building standards. The commission has been successful in co-ordinating the adoptions of new regulations to eliminate overlapping and conflicts between state agencies, but in no case does the commission attempt to enforce or administer building standards or to make any substantive change in any regulation.

The most difficult problem of the commission is the consolidation of the state building regulations into a single code. In the adoption of regulations by the various state agencies, a different pattern or format has been used by each agency and it is almost impossible to consolidate these regulations into a readily understandable code without rewording and rearranging the various sections. To accomplish this the commission has adopted a standard building code format to guide state agencies in redrafting their building standards in such a manner that they can be consolidated into a single code. Here again the commission feels that some minor changes in the law will be necessary to facilitate this work.

The State Building Standards Commission properly staffed can be of material value to departments in writing building regulations and construction standards. The construction industry, including the professional services such as architects and engineers, can be saved needless frustration and the construction industry will show a great economical gain. In the future agencies writing, administering or enforcing building standards would be able to bring their problems to the commission and the result will be an up-to-date and modern building code that would serve the needs of all state agencies.

A workable program has been established by the commission pursuant to the law and which will fully carry out the intent of the Legislature. The proposed work of the commission is generally believed to be beneficial by the agencies affected and the program will result in a modern and up-to-date code.

The commission hopes that it can write a uniform state code and it goes without saying that such a code would be of enormous value to the whole building industry as well as to the State. Such a code should be a performance code and not a specification code. There are nationally recognized standards and testing procedures for evaluating the performance of most materials, assemblies and mechanical devices used in the building trades. The use of any method or material of construction which is shown by test to meet minimum safety standards of the code would be acceptable. A performance code would encourage the development of better and more economical building materials and should be regularly brought up to date.

The commission hopes that antiquated specification standards can be scrapped in favor of performance standards. The specification code tries to tell builders just what material to use and how to use it, and tends to discourage the development of new and better construction materials and assemblies.

The performance code stresses the goal to be achieved rather than the material to be used and lets the builder do it in his own way. It makes no difference whether he uses one material or another method of construction, as long as he meets the basic requirements of fire protection, structural strength, sanitation and safety.

Only New York State has adopted a full-fledged performance code although a few other states have adopted codes that may be considered performance codes. The New York Code was drawn up in 1949 after three years of study by architects, engineers, labor, manufacturers, the National Bureau of Standards and other authoritative groups. In the past nine years more than 250 New York towns and cities have repealed their old specification codes in favor of the new performance code and applications for adoption are still coming into Albany every month.

Now that the various segments of the building trades are on record against featherbedding and antiquated construction methods, it seems that one of the main deterrents has been removed from modern advancement in building construction The performance code idea is sound, practical and economical. A building code that does not prevent such catastrophes as the recent school fire in Chicago or the Coconut

Grove fire in Boston and which does not protect against structural failures under severe earthquake conditions is not a good code. The commission believes that a good performance code might have prevented those tragedies.

Sound building standards are not only desirable, but a necessity if we are to prevent the further growth of slum areas, substandard building and all the depraving conditions that go with it. Disease, fire and crime with all their resultant costs, are a byproduct of substandard building construction standards. Conservation of a structure after it is built is a vital and necessary function of every state building regulation, and adequate building regulations are a primary tool of every state agency charged with enforcing safety standards.

III. *Proposed Legislation*

After having an opportunity to study and operate under the State Building Standards Act, the commission believes that if it is to serve its intended purpose, several sections of the act must be amended. These amendments are set forth with explanations below.

The Governor's Office has reviewed and approved these amendments for introduction as departmental legislation.

Section 18901 of the Health and Safety Code is amended to read:

18901. The commission shall adopt, amend and publish a single code of all administrative regulations of state agencies ~~defining~~ *relating to* building standards, ~~and~~ *which code* may include, amend and publish therein portions of said administrative regulations or of applicable building codes by means of reference ~~: index or digest, as the commission may direct~~.

*The commission may publish an index and reference guide to the administrative regulations and statutes relating to building standards. The publication of such index and reference guide shall not nullify nor supersede any existing regulation legally adopted by any state agency.*

*Explanation:* This amendment would authorize the publication of an index and guide to present building standards which would serve a very useful purpose pending the writing of a single code. The commission believed that this was possible under the present act but the Attorney General ruled that the adoption and publication of an index and guide might have a legal effect upon existing standards. At the present time there is no complete index or guide to all state building regulations. An amendment is recommended to clarify this point.

Section 18902 of the Health and Safety Code is amended to read:

18902. Every state officer and employee authorized by law to adopt any rule or regulation ~~establishing~~ *relating to or repealing* building standards shall do so only through and with the approval of the commission.

*Explanation:* This is a change that clears up the present section and would require submission of proposals to repeal existing standards as well as those adopting new standards.

Section 18903 of the Health and Safety Code is amended to read:

18903. It is the purpose of this ~~act~~ *part* to provide the means for eliminating duplication, *conflict* and overlapping in state building regulations and not to substitute the ~~State Building Standards~~ commission for the responsibilities now vested by law in various state agencies.

To that end each state agency concerned shall continue to prepare such building regulations as it is authorized and finds necessary, but such regulations shall not be effective until approved ~~and published~~ by the ~~State Building Standards~~ commission

*Explanation:* This amendment adds the word "conflict" and takes out the three words "State Building Standards" and leaves just the word "commission." The amendment likewise strikes out the words "and published" in the last sentence thereby eliminating a legal technicality as to the effect of new standards pertaining to building construction.

Section 18904 of the Health and Safety Code is amended to read:

18904. The commission may withhold approval and require change in any proposed regulation only if it finds *duplication*, conflict or overlapping between proposed and existing regulations, *or when the nomenclature or arrangement does not conform to that adopted by the commission*. The commission shall not require any substantive change ~~not involving~~ *unless such change is necessary because of duplication*, conflict ~~or~~, overlapping, *nomenclature, or arrangement*, nor may it withhold approval on substantive grounds alone. *The commission may advise all other state agencies concerned with respect to existing as well as proposed regulations and may make recommendations to eliminate conflicts and to assure consistency and uniformity of all statewide building standards.*

*Explanation:* This amendment adds the word "duplication." It also adds "nomenclature" and "arrangement" as a grounds for not approving regulations that come before the commission. Also it gives the commission the authority to advise all other state agencies concerned and may make recommendations designed to assure consistency and uniformity of statewide building standards in existing as well as proposed regulations.

Section 18905 of the Health and Safety Code is amended to read:

18905. The responsibility for enforcing or supervising the enforcing of state building regulations shall remain ~~in departments~~ as vested by law.

*Explanation:* This amendment clears up the present section and leaves the intent the same as it was before. In many instances authority is delegated to other than a "department." Striking out the words "in departments" would leave the administration as vested by law.

Section 18906 of the Health and Safety Code is amended to read:

18906. ~~Within six months after the taking effect of this act~~ The ~~State Building Standards~~ commission in co-operation with all ~~departments~~ *state agencies* concerned, shall promulgate and publish a State Building Standards Code which shall, *when completed and published,* supersede all then existing regulations *relating to building standards* issued by individual state ~~departments~~ *agencies. The code may quote or contain references to state laws relating to building standards.* Thereafter the commission may approve and publish amendments to the code not oftener than once each 90 days, except that by three-fourths vote of all its members the commission may find that an emergency exists and may then adopt and publish amendments as needed.

*Explanation:* This amendment takes out the time element which has now expired, and allows the commission to publish an index and guide to existing statutes and state laws relating to building standards. This change will permit immediate publication of an index and guide of present-day building standards without affecting their validity. Under the present statutes the Attorney General feels that the commission is without authority to adopt and publish an index and guide, and such adoption may affect the validity of existing standards. Likewise the adoption of one agency's standards might tend to automatically repeal all other State Building Standards because of the provision of the existing section.

Section 18906.3 of the Health and Safety Code is added to said code, to read:

18906.3. For the purpose of this part the term "building standard" means any adopted state administrative regulation pertaining to the construction, alteration or improvement of a "building" as defined in Section 18906.4.

*Explanation:* This amendment defines building standards and also where a building regulation can be found and defined. It would exclude regulations that are operational in character and not require that they be included in the Building Standards Code.

Section 18906 4 of the Health and Safety Code is added to said code, to read:

18906.4. For the purpose of this part "building" means any structure as to which state agencies have regulatory power, built for support, shelter, housing or enclosure of persons, animals, chattels, equipment, or property of any kind, and also includes structures wherein things may be grown, made, produced, kept, handled, stored, or disposed of. All appendages, accessories, apparatus, appliances and equipment built in or installed as a part of a building or structure shall be deemed to be a part thereof, but "building" shall not include any tunnel, mine shaft, highway, or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code.

*Explanation:* This amendment defines a building and excludes certain types of construction which the commission feels the Legislature did not intend to include.

Section 18907 of the Health and Safety Code is amended to read:

18907. The members of the ~~State Building Standards~~ commission shall serve without compensation. ~~The necessary technical and clerical assistance for the preparation and publishing of the State Building Standards Code shall be provided by the state departments whose directors are members of the commission and by the Division of Administrative procedure.~~ Members of the commission who are not state officers shall be paid actual necessary travel expenses~~, to be shared by the state departments represented on the commission~~. ~~The code and its amendments shall be published by the Division of Administrative Procedure after approval by the Building Standards Commission.~~

*Explanation:* This amendment takes out the unnecessary provision in regard to compensation and since the commission now operates under its own budget, there is no further need for reference to other state agencies.

Section 18908 of the Health and Safety Code is amended to read:

18908. The State Building Standards Code and all amendments ~~to it~~ *and publications relating thereto* shall be published in suitable looseleaf form and shall be made available to the public at *a* reasonable ~~cost~~ *price* . ~~The State Department of Professional and Vocational Standards shall notify all licensees in affected professions or industries regulated by that department of the availability of the code and of its amendments.~~ It shall be the duty of each state department concerned and of each city or county to have an up-to-date copy of the code available for public inspection. *The code and its amendments shall be published by the Division of Administrative Procedure after approval by the commission.*

*Explanation:* This amendment has to do with publication. This section allows the commission to make a profit on its publication, in other words, pay its way. It relieves the Department of Professional and Vocational Standards from the responsibility of notifying licensees.

Section 18909 as well as Section 18910 and Section 18911 remain the same.

The present handicaps under which the State Building Standards Commission is organized emphasizes the inadequacy of the present law under which it operates. The passage of the proposed legislation submitted herewith will eliminate these obstacles and the commission will be able to carry out the expressed intent of the Legislature.

Respectfully submitted,

STATE BUILDING STANDARDS COMMISSION
JOE R. YOCKERS, Secretary

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION
STATE CAPITOL, SACRAMENTO, February 10, 1959

*Speaker of the Assembly*
*Assembly Chamber*
*State Capitol, Sacramento*

DEAR SIR: The following named person is eligible for accreditation as a representative of the press at the 1959 General Session of the Legislature:

*The San Francisco News:* William Steif, replacing Sydney Kossen.

SQUIRE BEHRENS, President
Capitol Correspondents Association

## CONFIRMATION OF PRESS REPRESENTATIVE

By unanimous consent, the representative of the press, as recommended by the Capitol Correspondents Association of California, was confirmed.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Bruce F. Allen and Bradley:

### House Resolution No. 83

Relative to congratulating Mr. Russell Cone, Mr. Tom Cox, and the Calo Rescue Unit

WHEREAS, The Calo Rescue Unit, a unit of highly trained personnel and bloodhounds under the direction of Mr. Russell Cone of Los Gatos, California, has, since 1956, offered its services in finding lost persons free of charge to all authorized county, state, or federal agencies; and

WHEREAS, This unit, sponsored by the Calo Pet Food Company of Oakland, California, is on call 24 hours a day, every day of the year to aid in the search and rescue of lost persons and travels to the locations of search both by air and by motor vehicle and maintains a fully equipped station wagon which has telephone and civil air patrol radio communications, a high output public address system, and complete field equipment for tracking under all conditions of terrain and weather, as well as camping and first aid facilities; and

WHEREAS, Mr. Cone is ably assisted by Mr. Tom Cox of Saratoga, California, a descendant of an early pioneer California family, and together they work with six famous bloodhounds, who are among the finest of the breed: Daniel Boone, Calamity Jane, Calo King, Calo Queen, Annie Oakley, and Calamity Jane II; and

WHEREAS, This unit has handled 118 searches for lost persons from 2½ years to 80 years of age, 90 percent of whom have been found alive within 24 hours after the Calo Rescue Unit started its search; and

WHEREAS, Mr. Russell Cone when not engaged in search or rescue work, lectures to schools, service clubs, and other interested groups on "What You Should Do, If You Are Lost," and made over 400 such presentations to over 100,000 persons in 1958; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Russell Cone, Mr. Tom Cox, and the Calo Pet Food Company are commended for this highly meritorious service to the citizens of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Russell Cone, Mr. Tom Cox, and the Calo Pet Food Company.

Resolution read, and referred to the Committee on Rules.

By Mr. Belotti:

**House Resolution No. 84**

Relative to the State Capitol Park squirrels

WHEREAS, The State Capitol Park is famous throughout the Nation and the world for the magnificent grandeur of its many and varied trees imported from all parts of the world, for its immaculately landscaped lawns, and for its beautiful gardens filled with flowers of every hue and variety; and

WHEREAS, This outstanding park attracts tourists from everywhere who enjoy pleasant and leisurely strolls through the park viewing this splendid monument to man's love of the beauty of nature; and

WHEREAS, The enjoyment of tourists visiting our park is greatly enhanced by the presence of the permanent residents thereof, the friendly, fun-loving squirrels, whose antics bring laughter and joy to young and old alike; and

WHEREAS, In the past the squirrels in the park have had an abundant supply of food, namely, peanuts bought by tourists and others from a peanut vendor located at an entrance to the park and fed to the squirrels, to the enjoyment of both the feeders and the grateful furry recipients; and

WHEREAS, These squirrels, who have been imported to the park to add to the enjoyment of all who visit the park, have become quite tame and quite dependent upon this supply of food to fill their needs; and

WHEREAS, The recent death of the peanut vendor who provided this supply of food for the squirrels poses a serious threat to their survival; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Division of Buildings and Grounds of the Department of Finance be requested to take whatever steps may be necessary to assure that the squirrels, the beloved permanent residents of the State Capitol Park and an important feature thereof, have available a sufficient supply of food so that they may continue to thrive and to delight all the visitors to this world-famous park; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Chief of the Division of Buildings and Grounds, Department of Finance.

Resolution read, and referred to the Committee on Rules.

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

The following bill was introduced, and read the first time:

**Assembly Bill No. 1321**: By Mr. Winton—An act to add Sections 607.5 and 631.7 to, and to amend Section 637.1 of, the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 77

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 13
Assembly Joint Resolution No. 3

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 54
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No. 42
Assembly Concurrent Resolution No. 49

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 57

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 16
Senate Concurrent Resolution No. 17
Senate Concurrent Resolution No. 18
Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 21

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 93

Without recommendation, and be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 91

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

MASTERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Fish and Game

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Bill No. 43
Assembly Bill No. 71
With the recommendation: Do pass.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Bill No. 116
With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DAVIS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Bill No. 45
With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Senate Bill No. 12
With amendments with the recommendation Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, February 10, 1959

MR. SPEAKER: Your Committee on Water reports:
Assembly Bill No 88
With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Rules reports:
House Resolution No. 70
With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Assembly Concurrent Resolution No. 48
Assembly Concurrent Resolution No. 51
Assembly Concurrent Resolution No. 58

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, February 10, 1959

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

Senate Concurrent Resolution No. 15

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 15**—Relative to the erection of signs along routes to the Hearst Memorial State Park.

Referred to Committee on Natural Resources, Planning, and Public Works.

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

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

**Assembly Bill No. 1322**: By Mr. Levering—An act to amend Section 4702 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1323**: By Mr. Holmes—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 17**—An act to add Chapter 3.7 (commencing at Section 20705) to Division 10 of the Education Code, relating to state colleges, and making an appropriation therefor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

#### Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", and making an appropriation therefor".

#### Amendment No. 2

On page 1, strike out lines 13 to 22, inclusive, and strike out all of page 2.

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

**Assembly Bill No. 22**—An act to add Section 548 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "548", and insert "541".

**Amendment No. 2**

On page 1, line 1, strike out "548", and insert "541".

**Amendment No. 3**

On page 1, line 3, strike out "548. Route 248", and insert "541. Route 241".

**Amendment No. 4**

On page 1, lines 4 and 5, strike out "via the easterly portion of National City", and insert ", easterly of existing Route 2".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 27**—An act to amend Sections 468, 468.2, 511, 511.1, 511.2 and 511.3 of, and to add Sections 510.5, 511.6 and 511.9 to, the Vehicle Code, and to amend Sections 21357, 21358, 21359, 22352, 22354, 22355, 22357, 22358 and 22360 of, to amend the heading of Article 1 (commencing at Section 22350) of Chapter 7 of Division 11 of, repeal Sections 22353 and 22356 of, and add Sections 627, 22349 and 22353 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the speed of vehicles and signs in connection therewith.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 7 of the title of the printed bill, strike out "22353", and insert "22358.5".

**Amendment No. 2**

On page 2, line 26, strike out "60", and insert "65".

**Amendment No. 3**

On page 2, strike out lines 27 to 30, inclusive, and insert "hour."

**Amendment No. 4**

On page 3, strike out lines 18 to 21, inclusive, and insert

"(1) On any highway other than a state highway, in any business or residence district, unless a different speed is determined by local authority under procedures set forth in this code."

**Amendment No. 5**

On page 3, strike out lines 29 to 34, inclusive.

**Amendment No. 6**

On page 4, line 1, strike out "60", and insert "65".

**Amendment No. 7**

On page 4, line 4, strike out "60", and insert "65".

**Amendment No. 8**

On page 4, line 6, strike out "60", and insert "65".

**Amendment No. 9**

On page 4, line 7, after "of", insert "60,".

**Amendment No. 10**

On page 4, line 47, strike out "60", and insert "65".

**Amendment No. 11**

On page 5, line 1, strike out "60", and insert "65".

**Amendment No. 12**

On page 5, line 8, strike out "or 30-".

**Amendment No. 13**

On page 5, line 11, strike out "or 30".

**Amendment No. 14**

On page 5, line 13, strike out "or 30 ".

**Amendment No. 15**

On page 5, line 16, strike out "or 55", and insert "55 or 60".

**Amendment No. 16**

On page 5, line 17, strike out "60", and insert "65".

**Amendment No. 17**

On page 5, line 26, strike out "60", and insert "65".

**Amendment No. 18**

On page 5, line 29, strike out "60", and insert "65".

**Amendment No. 19**

On page 5, line 31, strike out "60", and insert "65 ".

**Amendment No. 20**

On page 5, line 33, after "of", insert "60.".

**Amendment No. 21**

On page 6, strike out lines 2 to 11, inclusive, and insert
"511.6 Legislative Intent as to Speed Zoning. It is the intent of the Legislature that physical conditions such as width, curvature, grade and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning, as the basic rule of Section 510 is sufficient regulation as to such conditions."

**Amendment No. 22**

On page 6, line 27, strike out "Bill No __", and insert "Bill No. 5".

**Amendment No. 23**

On page 6, strike out line 28, and insert
"627. Engineer-".

**Amendment No. 24**

On page 6, strike out line 42, and insert
"21357."

**Amendment No. 25**

On page 6, strike out line 50, and insert
"21358. Where one".

**Amendment No. 26**

On page 7, strike out line 8, and insert
"21359. Whenever the".

**Amendment No. 27**

On page 7, strike out line 27, and insert
"22349. No person shall drive a".

**Amendment No. 28**

On page 7, line 28, strike out "60", and insert "65".

**Amendment No. 29**

On page 7, strike out lines 29 to 32, and insert "per hour".

**Amendment No. 30**

On page 7, strike out line 34, and insert
"22352. The prima facie limits".

**Amendment No. 31**

On page 8, strike out lines 6 to 9, inclusive, and insert
"(1) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code."

**Amendment No. 32**

On page 8, strike out lines 21 to 23, inclusive.

**Amendment No. 33**

On page 8, strike out lines 25 to 35, inclusive, and on line 36, strike out "SEC. 19", and insert
"SEC. 18".

**Amendment No. 34**

On page 8, strike out line 37, and insert
"22354. Whenever the".

**Amendment No. 35**

On page 8, line 40, strike out "60", and insert "65".

**Amendment No. 36**

On page 8, line 42, strike out "60", and insert "65".

**Amendment No. 37**

On page 8, line 43, after "of", insert "60,".

**Amendment No. 38**

On page 8, line 49, strike out "20", and insert "19".

**Amendment No. 39**

On page 8, strike out line 50, and insert
"22355. Whenever the Department".

**Amendment No. 40**

On page 9, line 12, strike out "21", and insert "20".

**Amendment No. 41**

On page 9, line 13, strike out "22", and insert "21".

**Amendment No. 42**

On page 9, strike out line 14, and insert
"22357. Whenever a local author-".

**Amendment No. 43**

On page 9, line 16, strike out "or 30".

**Amendment No. 44**

On page 9, line 20, strike out "or 30".

**Amendment No. 45**

On page 9, line 22, strike out "or 55", and insert ", 55 or 60".

**Amendment No. 46**

On page 9, line 23, strike out "60", and insert "65".

**Amendment No. 47**

On page 9, line 31, strike out "23", and insert "22".

**Amendment No. 48**

On page 9, strike out line 32, and insert
"22358. Whenever a local author-".

**Amendment No. 49**

On page 9, line 34, strike out "60", and insert "65".

**Amendment No. 50**

On page 9, line 37, strike out "60", and insert "65".

**Amendment No. 51**

On page 9, line 38, after "of" insert "60,".

**Amendment No. 52**

On page 9, between lines 43 and 44, insert
"SEC. 23. Section 22358.5 is added to said code, to read:
22358.5. It is the intent of the Legislature that physical conditions such as width, curvature, grade and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning, as the basic rule of Section 22350 is sufficient regulation as to such conditions"

**Amendment No. 53**

On page 9, strike out line 45, and insert
"22360. Whenever".

**Amendment No. 54**

On page 9, line 48, strike out "60", and insert "65".

**Amendment No. 55**

On page 10, line 2, strike out "60", and insert "65".

**Amendment No. 56**

On page 10, strike out lines 6 to 10, inclusive, and insert
"SEC. 25. All speed restriction signs in place on the effective date of this act".

**Amendment No. 57**

On page 10, strike out lines 18 and 19, and insert "Regular Session, and in such case at the same time as said code takes effect, at which time Sections 468, 468.2, 510.5, 511, 511.1, 511.2, 511.3, 511.6, and 511.9 of the Vehicle Code adopted in 1935 are repealed."

**Amendment No. 58**

On page 10, line 21, after "26", insert ", except that prior to said date highway authorities may make engineering and traffic surveys and necessary changes in signs to reflect changes in speed limits on January 1, 1960".

Bill ordered reprinted, and engrossed.

## THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 8**—Relative to the continuance of the Joint Judiciary Committee on Administration of Justice.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, MacBride, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

## RESOLUTIONS

The following resolution was offered:

By Messrs Mulford and Dahl:

**House Resolution No. 85**

Relating to the commendation of Harold and Minnie Oliver for services rendered to the Children's Hospital of the East Bay

WHEREAS, On February 16, 1959, Mrs. William Harold Oliver will resign after 25 years as General Chairman of the Branches (the women's auxiliary) of Children's Hospital of the East Bay, Oakland, California; and

WHEREAS, During her 25-year tenure the branches have earned almost 3½ million dollars and membership has increased from 500 women in 13 branches to 3,000 women in 76 branches; and

WHEREAS, Mrs. Oliver, or Minnie, as she is affectionately known to her multitude of friends and acquaintances, has tirelessly worked for the Children's Hospital since 1921, when she joined Pine Branch; and

WHEREAS, Over the years she has given a minimum of eight hours daily, and often 12 or even more hours, in concentrated effort on behalf of Children's Hospital, and even on Saturdays and Sundays her time is usually devoted to some phase of hospital work; and

WHEREAS, She has never received a penny for her services, nor has she ever submitted even a small expense account; and

WHEREAS, Among the citations she has received for her work in the community are those from the Oakland Rotary Club, B'nai B'rith Council, Theta Sigma Phi, the Interservice Club Council of Oakland ("the Outstanding Citizen for 1953" award), and in 1955 a rosebush in Oakland's Municipal Rose Garden was named the Minnie Culver Oliver rose; and

WHEREAS, Mr. William Harold Oliver was President of Children's Hospital of the East Bay, Oakland, California, from 1928 to 1951 and now serves on the hospital's board of directors; and

WHEREAS, It was he who drafted Mrs. Oliver in 1934 to take over the auxiliary organization; and

WHEREAS, Together they have been a most effective combination, working always for the improvement and development of Children's Hospital of the East Bay, Oakland, California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California takes great pleasure in commending Mr. and Mrs. Oliver for their long and valuable service to the community of Oakland and the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly prepare and transmit a suitably prepared copy of this resolution to Mr. and Mrs. Oliver.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Bill No. 1324**: By Mr. Dahl—An act to amend Section 581 of the Agricultural Code, relating to imitation milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1325**: By Mr. Dahl—An act to amend Section 666 of the Agricultural Code, relating to imitation milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1326**: By Mr. Z'berg, Mrs. Davis, Messrs. Williamson, Waldie, George E. Brown, Crown, Garrigus, and Petris—An act to add Section 6369 to the Revenue and Taxation Code, relating to exemption from the sales and use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1327**: By Miss Donahoe—An act to add Section 1153 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to destruction of returns.

Referred to Committee on Education.

**Assembly Bill No. 1328**: By Mr. Ernest R. Geddes—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

Referred to Committee on Education.

**Assembly Bill No. 1329**: By Mr. Ernest R. Geddes—An act to amend Section 6209 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the instruction of blind adults.

Referred to Committee on Education.

**Assembly Bill No. 1330**: By Messrs. Petris, Waldie, George E. Brown, Hanna, Bane, and Crown—An act to add Article 6 (commencing with Section 1450) to Chapter 5, Part 1, Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1331**: By Messrs. Petris, Waldie, George E. Brown, Bane, Crown, and Meyers—An act to amend Section 1279 of the Unemployment Insurance Code, relating to unemployment compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1332**: By Mr. Waldie—An act to amend Section 9530 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1333**: By Mr. George E. Brown—An act to add Section 13277.5 to the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to certificated employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1334**: By Mr. George E. Brown—An act to amend Section 640 of the Vehicle Code and to amend Section 25260 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the display of red lights on sanitation district vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1335**: By Messrs. Hawkins, Elliott, George E Brown, and Ernest R. Geddes—An act to add Chapter 1.5 (commencing at Section 8050) to Division 1 of Title 2 of the Government Code, relating to creation of the California Commission on Inter-American Co-operation, prescribing its powers and duties, and making an appropriation.

Referred to Committee on Rules

**Assembly Bill No. 1336**: By Messrs. Bruce F. Allen and MacBride—An act to amend Section 17045 of, and to add Section 17045.1 to, the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1337**: By Messrs Bruce F. Allen and MacBride—An act to amend Sections 17040 and 17043 of the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1338**: By Messrs. Bruce F. Allen and MacBride—An act to add Sections 17040.1 and 17043.1 to the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1339**: By Mr. Bane—An act to add Section 6548.5 to the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1340**: By Mr. Bane—An act to amend Sections 6535, 6537, 6546, 6560, and 6561 of, and to add Sections 6546.5 and 6560.5 to, the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1341**: By Mr Dills—An act to add Section 31664 5 to the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1342**: By Mr. Bradley—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1343**: By Mr. Bradley—An act to amend Sections 967 and 969 of, and to repeal Chapter 6 (commencing at Section 880) of Part 2 of Division 1 of the Health and Safety Code, relating to local health districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1344**: By Mr. Bradley—An act to amend Sections 900, 967 and 969 of the Health and Safety Code, relating to local health districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1345**: By Mr. Bradley—An act to add Section 5303 to the Government Code and to amend Sections 5302 and 29917 of the Government Code, Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, Section 55525 of the Water Code, Section 4790 of the Health and Safety Code and Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), all relating to signatures and countersignatures on bonds of public bodies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1346**: By Mr. Bradley—An act to repeal Chapter 13 5 (commencing at Section 26250) of Part 2 of Division 2 of Title 3 of the Government Code, relating to preservation of newspapers

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1347**: By Mr. Bradley—An act to amend Sections 7302, 7306, 7308, 7309.5, 7315, 7323, 7332, 7342, 7370, 7383, 7396.6, 7398.5, 7420, and 7442 of, and to amend and renumber the titles of Article 6 (commencing at Section 7370), Article 7 (commencing at Section 7380), Article 8 (commencing at Section 7390), Article 9 (commencing at Section 7410), Article 10 (commencing at Section 7420), Article 11 (commencing at Section 7425), and Article 12 (commencing at Section 7435) of Chapter 10 of Division 3 of, and to repeal Sections 7331, 7333, 7334, 7341, 7343, 7344, 7345, and 7421 of, and Article 5 (commencing at Section 7360) of Chapter 10 of Division 3 of, the Business and Professions Code, relating to cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1348**: By Mr. Bradley—An act authorizing the State Park Commission to accept the Murphy Home in Sunnyvale as a state historical monument and to provide for its preservation, development, and interpretation.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1349**: By Mr. Bruce F. Allen and Miss Donahoe—An act to amend Sections 13140 and 13141 of, and to add Sections 13220 and 23867 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session.

Referred to Committee on Education.

**Assembly Bill No. 1350**: By Messrs. O'Connell, Burton, Ernest R. Geddes, Hawkins, Don A. Allen, Bane, Belotti, George E. Brown, Cameron, Chapel, Crawford, Crown, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—An act to amend Section 2020 of the Welfare and Institutions Code, relating to old age assistance, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

### REQUEST FOR UNANIMOUS CONSENT TO CORRECT REPORT

Mr. Bruce F. Allen was granted unanimous consent that page 582 of the Report of the Subcommittee on Rackets as it appears in the Assembly Journal for February 10, 1959, be corrected to read "B" instead of "Bee" where it appears in four places on that page.

### MOTION TO GRANT USE OF ASSEMBLY CHAMBER AND COMMITTEE ROOMS

Mr Miller moved that permission to use the Assembly Chamber and committee rooms, previously granted to the Y. M. C. A. Model Legislature starting at 2 p.m. on Friday, February 13th, be extended to the Model Legislature for the full day on Friday.

Mr. Z'berg seconded the motion.

Motion carried unanimously.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Chapel was granted unanimous consent that he be permitted to receive 650 copies of Assembly Bill No. 772 from the Legislative Bill Room.

### REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 1081

Mr. Crawford was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on February 10th (Assembly Journal, page 590), adopted amendments to Assembly Bill No. 1081.

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1081

**Assembly Bill No. 1081**—An act to add Article 11.5 (commencing at Section 9171) to Chapter 7 of Division 4 of the Education Code, and to add Chapter 5 (commencing at Section 551) to Division 2 of the Education Code, as proposed by Senate Bill No. 2, relating to the

acceptance of the provisions and benefits of the "National Defense Education Act of 1958," approved September 2, 1958.

Bill read second time.

**Motion to Amend**

Mr. Crawford moved the adoption of the following amendments:

**Amendment No. 1**

In line 4 of the title of the printed bill, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 2**

In line 7 of the title, after "1958", insert "and declaring the urgency thereof, to take effect immediately"

**Amendment No. 3**

On page 2, line 44, after "Congress", insert "Moneys allocated for the purpose of establishing a student loan fund at a state college, the California State Polytechnic College, or the State Nautical School may be withdrawn from the State Treasury and deposited to the credit of that institution in a trust account in accordance with the provisions of Government Code Sections 16305-16305.7 for the purpose of making loans to students in accordance with the federal act"

**Amendment No. 4**

On page 3, lines 2 and 3, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 5**

On page 4, line 9, after "Congress.", insert "Moneys allocated for the purpose of establishing a student loan fund at a state college, the California State Polytechnic College, or the State Nautical School may be withdrawn from the State Treasury and deposited to the credit of that institution in a trust account in accordance with the provisions of Government Code Sections 16305-16305.7 for the purpose of making loans to students in accordance with the federal act"

**Amendment No. 6**

On page 4, strike out lines 14 to 20, inclusive, and insert

"SEC. 3. Section 2 of this act shall become operative at the same time as the Education Code, as enacted by the Legislature at its 1959 Regular Session, at which time Article 11.5 (commencing at Section 9171) of Chapter 7, Division 4 of the Education Code as added by Section 1 of this act is repealed.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the California Constitution, and shall go into immediate effect. The facts constituting such necessity are

The United States Commissioner of Education has allotted money under the act to the State for the Fiscal Year 1958-1959, and it is necessary that this measure become effective immediately in order that the needy students of state colleges may receive loans under Title II of the act for the second semester, which at most state colleges begins about February 1, 1959"

Amendments read, and adopted.

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

## RESOLUTIONS

The following resolution was offered:

By Messrs. Bane, George A. Willson, George E. Brown, and Williamson:

**House Resolution No. 86**

Relative to the death of Mrs. Edith Wilson McCoy

WHEREAS, The Members of the Assembly have learned with regret that Mrs. Edith Wilson McCoy, the wife of Mr. George T. McCoy, the State Highway Engineer, passed away on January 29, 1959; and

WHEREAS, Mrs. McCoy was born in Marathon, Iowa, in 1893, and was a graduate of Whitman College and Columbia University where she majored in chemistry and economics; and

WHEREAS, Following her move to California in 1927 with her husband, she became one of California's most widely known golfing sportswomen, and for a number of years was a Director of the Women's Division of the Northern California Golfing Association; and

WHEREAS, She was a member of the Del Paso Country Club, the American Association of University Women, the Sacramento Blood Bank, and other Sacramento clubs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their regret at the death of Mrs. McCoy, and extend their condolences to her family and friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to Mr. George T. McCoy, to Mr. George T. McCoy, Jr., of Kennewick, Washington, and to Mrs. McCoy's sister, Mrs. Elsie Martin of Sacramento.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Concurrent Resolution No. 62**: By Mr. Rees—Relative to state publications sent to Members of the Legislature.

Referred to Committee on Rules.

**Assembly Bill No. 1351**: By Messrs. O'Connell, Burton, and Masterson—An act to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2753, 3925, 3926, and 3946 of the Elections Code, relating to elections, and providing that county and municipal offices shall be partisan offices.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1352**: By Mr. Masterson—An act to amend Section 645 of the Vehicle Code, and to amend Section 26100 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to approval of tires.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1353**: By Mr. Samuel R. Geddes—An act to amend Sections 1176 and 1178 of, and to add Sections 1177.5 and 1177.6 to, the Military and Veterans Code, relating to veterans' memorial districts

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1354**: By Mr. Rees—An act to amend Section 33738 of the Health and Safety Code, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1355**: By Mr. Rees (Departmental—At the request of Governor's Office)—An act to add Section 426.2 to the Health and Safety Code, relating to the discharge of pollutants from motor vehicles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1356**: By Messrs. Munnell and Grant—An act to amend Sections 72640, 72645, 72646, 72647, 72649, and 72650 of the

Government Code, relating to the office of Marshal of Municipal Courts, Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1357:** By Mr. MacBride—An act to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to bonds of school districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1358:** By Mr. MacBride—An act to add Chapter 20 (commencing at Section 9800) to Division 3 of the Business and Professions Code, relating to professional inspectors, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1359:** By Mr. MacBride—An act to amend Section 20009.1 of the Government Code, relating to employees' retirement system.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1360:** By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.86 to the Vehicle Code, and to add Section 26506 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1361:** By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.85 to the Vehicle Code, and to add Section 26505 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1362:** By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to amend the headings of Chapter 7 (commencing at Section 670) and Chapter 8 (commencing at Section 687) of Division 10 of, to add Article 2 (commencing at Section 670 80) to Division 10 of, and to add a chapter heading to precede Section 671 of, the Vehicle Code, and to add Article 3 (commencing at Section 26500) to Chapter 3 of Division 12 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes on vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1363:** By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.84 to the Vehicle Code, and to add Section 26504 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1364:** By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.83 to

the Vehicle Code, and to add Section 26503 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1365**: By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.82 to the Vehicle Code, and to add Section 26502 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1366**: By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.81 to the Vehicle Code, and to add Section 26501 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1367**: By Messrs. Charles H. Wilson, Cunningham, Francis, Hawkins, and Burke—An act to add Section 670.87 to the Vehicle Code, and to add Section 26507 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to air brakes for vehicles.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1368**: By Messrs. Rumford, Francis, Johnson, Meyers, Backstrand, Bee, Coolidge, Crown, Mulford, and Z'berg (Departmental—Governor's Office)—An act to add Section 426.1 to the Health and Safety Code, relating to standards for the quality of air, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Burton, Meyers, and O'Connell:

### House Resolution No. 87

Relative to the retirement of Thomas A Brooks

WHEREAS, June 30, 1958, marked the retirement of Thomas A. Brooks, after 52 years of distinguished private and public service; and

WHEREAS, Mr. Brooks was born in San Francisco June 20, 1886, and was educated in the public schools of that city; and

WHEREAS, He began his career in 1906 as a salesman for Pacific Telephone and Telegraph Company and remained with that company for 26 years during which time he worked in various capacities including Manager, District Manager and Division Commercial Engineer for Central and Southern California; and

WHEREAS, The City and County of San Francisco acquired the services of Mr Brooks as a Purchaser of Supplies January 8, 1932, and he rose to become the Chief Administrative Officer of that city February 20, 1941, a position he held until his retirement; and

WHEREAS, Marguerite Mulligan became Mrs. Thomas A. Brooks in 1922 and she can take great pride in the achievements of her husband; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body extend heartiest congratulations to Mr. Brooks on his retirement from a long career of honorable and distinguished service to the people of the State and to the people of the City and County of San Francisco; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr. Thomas A. Brooks.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Mr. Cunningham announced the showing of a motion picture on narcotics, under the auspices of the Assembly Subcommittee on Narcotics and Dangerous Drugs and the Senate Committee on Narcotics, today, in Room 4203.

## PARLIAMENTARY INQUIRY

Mr. Bradley arose to the following parliamentary inquiry: Would it be possible to deem a House resolution, now being prepared by the Legislative Counsel, read and referred to committee?

### Reply by Speaker

The Speaker replied that such an action could not be taken unless the resolution was at the desk.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Announcements were made of the committee meetings scheduled for this date, as set forth in the Daily File and Daily History.

Mr. Burton announced an organizational meeting of the Committee on Social Welfare in the Assembly Lounge at 1 30 p.m. today.

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Mr. Bradley announced an executive session and meeting of the Committee on Municipal and County Government for tomorrow afternoon, February 12th, at 1.30 p.m. in Room 5168. Subject: Assembly Bill No. 156 (Biddick) and Assembly Bill No. 436 (Lunardi).

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Brown of Modesto to Mrs. Elizabeth Angelinoff, club advisor and teacher; and the following members of the Globe Travelers Club (also history students) of the Thomas Downey High School, Modesto: Bob Saunders (president), Carolyn Haskins (vice president), Judy Morici (treasurer), Lorelle Williams (secretary), Louise Wadelski (reporter), Diane Wadelski, Marcia Schimp, Marie Dougherty, Pat DeSeelhorst, Sandra Smith, Lynne Shelley, Judy Weisenberger, Lew Franklin, Robert Masonheimer, Barry Boget, Eddie Bauche, Larry Sims, Betty Bowen, Lynne Hammond, Joan Ruppaport, Dorothy Rhoads, Alex Graf, Sue Duffin, Nancy Shepard, Jody Summers, Stanley Flashman, Marsha Horst, Morris Able, Delores Machado, Sharon Ellis, Karen Holland, Pat Milner, Maureen Heaston, Nancy Kirkbride, Cathy Casazza, Judy Friedman, Ruth Wagner, Martha Little, Marcia Wright, and Carole Looney.

On request of Mr. Biddick of Stockton to Mr. Terry and Mr. Dixon, adults; and the following students of the Dent Union School, Escalon: Alfred Brown, Jerrie Brown, Linda Cunningham, Kathy Doyle, Paula Ford, Gloria Garcia, Bonnie Hodgin, Shirley Jansen, Barbara Jerome, Patty Jones, Jerry Linch, Rodney Lundquist, Robert Machado, Ronald Macsenti, DeeLynn Magers, Judy Oswald, Mike Ricci, Mike Russell, Marlene Simas, Sharon Thompson, and Jeanette Vaughan.

On request of Speaker Brown of Modesto to W. R. Dennis, Mrs. Lord, and Mrs. Kast, adults; and the following students of the

Modesto Union Academy, Modesto: Charles Burch, Don Dyer, Carolee Fischer, Doris Fisk, Carol Gaines, Charlene Hendricks, Henry Herman, Awana Hirschkorn, Lowell Hirschkorn, Carol Ruth Huff, Russell Ings, Harvey La Tourette, Lenny Messer, Jerry McCullock, Roger Renslow, Eldred Scull, Norma Schroeder, Carol Shultz, Clarence Simpson, Sharon Testman, Danielle Tompkins, Marilyn Venden, and Carol Wilkins.

On request of Mr. Masterson of El Sobrante to the following pupils of the Hillcrest School, Rodeo: Billy Brewer, Adam Castorena, Robert Crigger, Billy Duncan, Gary Hendrickson, Donald Ivanoff, Ralph Kreis, Gary Morrison, Paul Ramun, Bill Rosson, Jimmy Thomas, Tommy Turigliatto, Ronald Flores, Philip Weninger, Robert Alexander, Roy Cargo, Jerry Carone, Luis Castorena, Bobby Cross, Benny Dorsey, Jerry Fink, Marty Goni, Michael Lewis, Bobby Neubacher, Dean Oeser, Tommy Page, Francis Peters, John Sanders, Lawrence Scott, John Stephens, David Werth, Marlene Buck, Rachel Espitia, Judy Fontaine, Judy Giacalone, Scarlett Gibson, Sharon Headrick, Barbara Nugent, Virginia Reichert, Janet Rodrigues, Carol Rowlett, Jo Ann Schoorl, Henrietta Smothers, Sheila Williams, Mercia Johnston, Joan Caldwell, Laura de Bonneville, Nancy Blevins, Judy DeLeau, Donna Edmister, Susan Ekstrom, Janice Kelsey, Rosemary Lott, Joseena Lucas, Claire Madigan, Marlene Medeiros, Shirley Onderdonk, Cleedith Ralston, Sandra Scharlin, Suzanne Sheffer, and Sandra Thornburgh.

On request of Mrs. Davis of Portola to Mrs. J. C. Worley of Susanville.

On request of Mr. Hanna of Garden Grove to Mr. and Mrs. T. A. Craig of Bombay, India.

On request of Mr. Crawford of San Diego to Tom Golden of San Diego.

On request of Mr. Miller of San Fernando to Max Eddy Utt of Los Angeles.

## ADJOURNMENT

At 10.56 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, February 12, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

TWENTY-NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, February 12, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. William James Hunt, Pastor of Kyles Temple, A. M. E. Zion Church of Sacramento:

*Our Father,* We thank Thee for the privilege of living and for the right to share in the making of our own lives. We know that the good life does not come for the asking; but that we have the special right, as men, to participate in the making of our own salvation.

We are especially grateful for this right, because it is the handle by which we can lift ourselves—even in days as trying and difficult as these. Help us, therefore, to find in this God-given privilege the strength that we need to live through the storms and the floods that break in upon us—every day.

We thank Thee for great men; men who have stood tall in history; men, like Abe Lincoln, who have helped to push us forward; men who have found the strength to lift us up. We thank Thee for all who have been great in public service.

May the spirit of Christ abide with us, as we face up to the problems of today. Help us to see that we cannot do our jobs aright unless the picture of the wholeness of life is larger than the picture of self. In the Name of Jesus Christ, our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

### LEAVES OF ABSENCE FOR THE DAY

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

Mr. Reagan, on motion of Mr. Dahl.
Mr. Lanterman, on motion of Mr. Dahl.
Mr. Shell, on motion of Mr. Dahl.
Mr. Holmes, on request of Speaker Brown.

### MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10.05 a.m., Mr. Busterud was granted unanimous consent that he and Messrs. Bruce F. Allen, Biddick, Crawford, Crown, Francis, Hanna, MacBride, Masterson, Sumner, and Thelin be excused while attending a meeting of the Joint Interim Judiciary Committee on the Administration of Justice this morning.

### PLEDGE OF ALLEGIANCE TO THE FLAG

This being the birthday of Abraham Lincoln, upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### ANNOUNCEMENT

Speaker Brown announced that, in observance of Lincoln's Birthday, Mr. Garrigus would recite Abraham Lincoln's favorite poem; and Mr. Conrad would read Lincoln's Gettysburg Address to the Assembly.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that the address and poem recited by Mr. Garrigus; and Lincoln's Gettysburg Address, as read by Mr. Conrad, be printed in the Journal.

### ADDRESS BY MR. GARRIGUS

Abraham Lincoln became an enthusiastic student of literature, particularly in the arts of poetry and drama, through the influence of Mentor Graham who was schoolmaster at the little log Clary's Grove schoolhouse near the tiny village of New Salem.

Lincoln was moved deeply by poetry and tried his hand valiantly at the art, but we soon hear him confiding to a friend with that amazing objective view of himself which characterized his life—that he was lacking in the necessary talent. Lincoln had three poets whose works were particularly appealing to him: Burns, Byron and Shakespeare. His interest in these poets is highly significant in throwing light upon his own complex personality, for Burns, the warm, humble, earthy poet of the hearth and heart is the extreme opposite of the lonely, misunderstood self-isolated genius of the aristocratic George Gordon, Lord Byron. Yet these men represent the extremes of Lincoln's own nature where even today he wanders as an image in the public mind, either as a folksy, canny, rude, humble, joke-cracking frontier lawyer or as

a lonely, melancholy misunderstood genius who grieved over the awareness that the public would never understand or accept him on the basis of his own deep philosophical insights.

But it was neither Byron or Burns who wrote the poem which had the greatest appeal to and most completely expressed the philosophy of the personality of Abraham Lincoln. That honor belongs to a relatively unknown and obscure poet by the name of William Knox. A poem of this young poet came to the attention of Lincoln when he was still in his twenties and so influenced the young legislator that he committed it to memory at once and thereafter on numerous occasions both public and private he recited it aloud and with deep feeling. So today in reverent memory of the young legislator of that time in Illinois, I accept the privilege of reading to the legislators of the 1959 General Session of the California State Legislature the favorite poem of Abraham Lincoln.

## ABRAHAM LINCOLN'S FAVORITE POEM

### Oh! Why Should the Spirit of Mortal Be Proud?

By WILLIAM KNOX

Oh! why should the spirit of mortal be proud?
Like a swift-fleeting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
Man passeth from life to his rest in the grave.

The leaves of the oak and the willow shall fade,
Be scattered around, and together be laid;
And the young and the old, and the low and the high,
Shall moulder to dust and together shall die.

The infant a mother attended and loved;
The mother that infant's affection who proved;
The husband that mother and infant have blessed,—
Each, all, are away to their dwellings of rest.

The maid on whose cheek, on whose brow, in whose eye,
Shone beauty and pleasure—her triumphs are by;
And the memory of those who loved her and praised,
Are alike from the minds of the living erased.

The hand of the king that the sceptre hath borne;
The brow of the priest that the mitre hath worn;
The eye of the sage, and the heart of the brave,
Are hidden and lost in the depth of the grave.

The peasant whose lot was to sow and to reap;
The herdsman who climbed with his goats up the steep;
The beggar who wandered in search of his bread,
Have faded away like the grass that we tread.

The saint who enjoyed the communion of heaven;
The sinner who dared to remain unforgiven;
The wise and the foolish, the guilty and just,
Have quietly mingled their bones in the dust.

So the multitude goes, like the flowers or the weed
That withers away to let others succeed;
So the multitude comes, even those we behold,
To repeat every tale that has often been told.

For we are the same our fathers have been;
We see the same sights our fathers have seen;
We drink the same stream, and view the same sun,
And run the same course our fathers have run.

The thoughts we are thinking our fathers would think;
From the death we are shrinking our fathers would shrink;
To the life we are clinging they also would cling;
But it speeds for us all, like a bird on the wing.

They loved, but the story we cannot unfold;
They scorned, but the heart of the haughty is cold;
They grieved, but no wail from their slumbers will come;
They joyed, but the tongue of their gladness is dumb.

They died, aye! they died: and we things that are now,
Who walk on the turf that lies over their brow,
Who make in their dwelling a transient abode,
Meet the things that they met on their pilgrimage road.

Yea! hope and despondency, pleasure and pain,
We mingle together in sunshine and rain;
And the smiles and the tears, the song and the dirge,
Still follow each other, like surge upon surge.

'Tis the wink of an eye, 'tis the draught of a breath,
From the blossom of health to the paleness of death,
From the gilded saloon to the bier and the shroud,
Oh! why should the spirit of mortal be proud?

### READING BY MR. CONRAD

Mr. Conrad read Lincoln's Gettysburg Address.

### LINCOLN'S GETTYSBURG ADDRESS

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. We are now engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hollow—this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these

honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

## EXCERPTS FROM SACRAMENTO BEE OF FEBRUARY 8, 1959

The following excerpts from the *Sacramento Bee* were ordered printed in the Journal on request of Mr. MacBride:

### LINCOLN'S LESSONS IN EARLY LIFE GAVE EVIDENCE OF HIS DESTINED ROLE IN HISTORY

By PETER J. SHIELDS

Thursday will be the 150th anniversary of the birth of Abraham Lincoln. He died nearly a century ago. But the short years of his life were so rich in lessons taught and things done that more has been said and written about him than of any other man in the history of our Country.

Lest the story of his rare life should lapse into tradition or become a mere legend, I think the least of us should speak when we can to keep it as a living memory in our rapidly changing world.

#### Part of the Drama

I think history has dwelt too much upon the meager conditions of the birth of this man. If the child had grown up to indifference the emptiness of his life might have been attributed to the conditions of his birth. But when a Lincoln is born, every condition attending it becomes a part of the great drama of his life and partakes of its glory.

I think, too, the early years of a child's life are more important than they are held to be. The peace, the mystery, the strength of the things about him deeply impressed themselves upon his character and remained with him to the end.

It was the forest-born, praire-bred man who led the forces which later saved our Union. At a very early age this boy began to give evidence of the career which he was to conquer. He asked searching questions, he wanted to know why.

He early learned to read and devoured every book or leaflet within his reach. He walked long distances to clearings where frontier politicians were speaking. They were probably as irrelevant and lacking in issues as their modern brethren. But he probably got benefit from them in detecting this failure.

#### Walked Miles for Books

He heard of a book in a home 10 miles away which he wanted to read. He walked the 10 miles, got the book and read and reread it until he had made its lesson his own. He learned to write and wrote about what he saw or of what he was thinking. He would read the result to his sympathetic but illiterate stepmother and asked her eagerly: "Do I make that clear?" If she said no, he would rewrite the matter and keep on trying until his sympathetic listener said he had made clear the thing he wanted to say.

He thus learned the meaning of words, and their proper use as well, in that log kitchen as in the world's proudest university. Here he learned to write the Gettysburg Address, and the thousand other articles to which he put his pen, with a clarity and grace which made him one of the greatest masters of English expression.

He attended school only a few months. But to a youth with his mind hungry for knowledge and the ability to read the meaning of what he saw, he did not need the simple schools of that day. The world around him was a classroom and all of its activities were lessons and demonstrations.

**Saw Slave Market**

As a young man he rode on a flatboat down the river to New Orleans and visited a slave market. He saw it with all of its implications and he hated it. This experience had much to do with his later life and the history of our Country. Later his father moved with his family to Illinois where the young Lincoln studied law, to the amusement of the people of his community.

He was elected to the Legislature of Illinois and served two or three terms but without distinction. He was elected to Congress where he served one term and voluntarily sacrificed hope of re-election by making a speech condemning the Mexican War as unjust.

Hating slavery, he accepted the Missouri Compromise which confined the institution within limits believing that if it were so confined it would be "in process of ultimate extincton." When it was proposed to modify this restriction and permit slavery to extend to northern territory all of the pent-up forces of his mind were aroused to action to which he gave expression in the famous Lost Speech in Bloomington, which history still refers to as notable.

**Debates With Douglas**

Following this came the Lincoln-Douglas debates, to which a nation listened, the Cooper Union speech, and the presidency. All of this is history to which I will not attempt to add. What we want to know more about, is the intrinsic nature of the man who possessed so many virtues so strangely associated * * * a man to whom ridicule and attempted insult resulted only in a new strength of perfection * * * above all a man who grew increasingly humble as his honors multiplied. We must try to find an answer to this by a study of what he did. After his death, when the hearts of our people were softened by a sense of delayed appreciation, they sought for a more detailed knowledge of his earlier life.

**'Suthin' Different'**

Dennis Hanks, a simple fellow who had known Lincoln since his earlier youth, was asked about him and told many stories of what kind of boy and maturing man he had been. He told of many things and then, looking at his questioners, he said most interpretively: "There was suthin' different about Abe."

There was something different about him—tangible and obvious, but undefinable.

**Threat of War**

I have not dared to speak of this man's presidency. What he did there is beyond our power to estimate. Immediately following his assumption of office the threat of war became imminent. It took some

time for an anxious people to realize that in a great crisis they had found a man fitted to meet it. Efforts were made to avoid war and compromises were variously offered. But our President stood firm to the proposition that no settlement would be considered which did not have as its major condition that the Federal Union should be preserved.

Unwilling to barter the power of his Country, to dim its prestige or to endanger its dreams of freedom, he was relentless. So the war came and for four tortuous years this man bore its responsibilities and suffered its sorrows. In time the war ended.

The courage, the fortitude and the faith of Abraham Lincoln had triumphed and the Union had been preserved, and then his life was taken. Unable to say more, with bowed heads we can say no less—a crown would have befitted so great a life.

That life should be preserved as a living memory and, in recognition of it, we should resolve to so strengthen and perfect our Country that it will be worthy of the price he paid to save it.

### RESPECTED AUTHORITY

Peter J. Shields, who earned for himself an indelible place in the American judiciary during a half century of service as a judge of the Superior Court of Sacramento County, is one of California's most respected authorities on Abraham Lincoln. In commemoration of the 150th anniversary of Lincoln's birth, Judge Shields—now 96 and born two years before Lincoln's assassination—agreed to write this special article for *The Bee* appraising Lincoln's impact upon American life.

### ADDRESS BY MR. CHAPEL

Mr. Chapel was granted unanimous consent to address the Assembly for four minutes.

### ADDRESS BY MR. BANE

Mr. Bane was granted unanimous consent to address the Assembly for one minute.

### POINT OF PERSONAL PRIVILEGE

Mr. Hanna arose on a point of personal privilege.

### COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**
**Resolutions by California Water Commission**

DEPARTMENT OF WATER RESOURCES
CALIFORNIA WATER COMMISSION
SACRAMENTO, February 10, 1959

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

DEAR MR. OHNIMUS: Transmitted for the information of the Assembly are Resolutions Nos. 53 and 54 of the California Water Commission. They deal with exemption from diligence under State Filings to appropriate water and Governor Brown's water development program, respectively.

Very truly yours,

ARNOLD FREW, Chairman
By WILLIAM M. CARAH, Executive Secretary

Encl.

Above transmitted resolutions referred to the Committee on Water.

The following communications were presented by the Chief Clerk from:

Mr. Abraham Binneweg, Jr., of Oakland, relative to grievances. Referred to the Committee on Revenue and Taxation.

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Stanley L. Johnson, Executive Secretary, Los Angeles Bar Association, enclosing a resolution re retention of tissue by coroner's office. Referred to the Committee on Municipal and County Government.

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Mrs. W. Ward of El Cajon, relative to taxes. Referred to the Committee on Revenue and Taxation.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

DIOCESE OF SACRAMENTO, THE CHANCERY
1119 K STREET, P. O. BOX 1706
SACRAMENTO, February 10, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State of California*
*State Capitol, Sacramento*

HONORABLE AND DEAR MR. BROWN: To invoke the Divine aid on officers of our state and local governments and upon the members of the legal profession, there was held in Sacramento last year the traditional Red Mass. The attendance and comments of all concerned were so satisfactory that we have reason to believe that we have laid the foundation of a noble tradition.

This year we will have the Red Mass at the Cathedral of the Blessed Sacrament, Sacramento, at 4 p.m. on Thursday, April 16th. It will be followed by a banquet at 6 30 p.m. at a local hotel Invitations to both Mass and banquet will be sent to the individual Members of the State Legislature at a later date.

May we kindly request an adjournment of the Assembly and of committee meetings on the afternoon of April 16th in order that the Members of the Legislature may have an opportunity to attend these functions?

Thanking you in anticipation of your kind co-operation in this matter, I remain,

Yours sincerely,

MOST REVEREND JOSEPH T. McGUCKEN
Bishop of Sacramento

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 22

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 47**—Relative to air pollution by motor vehicles;

And reports the same correctly enrolled, and presented to the Secretary of State on the eleventh day of February, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No. 42
Assembly Concurrent Resolution No. 49
Assembly Concurrent Resolution No. 54

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 11, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 3
Assembly Joint Resolution No. 13

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

**Committee on Public Health**

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 11

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 7
Assembly Bill No. 38

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 48

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports.

Assembly Bill No. 4

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 74
Assembly Bill No. 92

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bills ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER. Your Committee on Rules reports:

Assembly Concurrent Resolution No. 59

With the recommendation: Be adopted

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER Your Committee on Rules reports:

House Resolution No. 76
House Resolution No 81
House Resolution No 82
House Resolution No. 83
House Resolution No. 84
House Resolution No. 85
House Resolution No. 86
House Resolution No. 87

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 12, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 27

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No 59

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 11, 1959

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

Assembly Bill No. 188

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

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

### Parliamentary Inquiry

Mr. Pattee arose to the following parliamentary inquiry: Would it be in order to take up the consideration of Senate amendments to Assembly Bill No. 188, at this time?

### Reply by Speaker

The Speaker replied that they could be considered, at this time, by unanimous consent.

### Request for Unanimous Consent to Take up Senate Amendments to Assembly Bill No. 188

Mr. Pattee was granted unanimous consent to take up Senate amendments to Assembly Bill No. 188

## CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 188

**Assembly Bill No. 188**—An act to repeal Chapters 5 and 8, Part 2, Division 1 of the Insurance Code, to add Chapters 5 (commencing at Section 1621), and 8 (commencing at Section 1831), to Part 2, Division 1 of said code, and to amend Sections 383.5, 766, 773, 783, 1760.5, 1765, 1776, 1813, 1821, 10252, 11101, 11102, 11103, 12280.2, 12281 and 12977 of said code, relating to the licensing of insurance producers, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 188?

### Amendment No. 1

On page 1, in the first line of the title of the printed bill, strike out "Sections 31, 32, 33 and 34 and".

### Amendment No. 2

On page 1, line 1, strike out "Sections 31, 32, 33 and 34, and".

### Amendment No. 3

On page 4, line 8, strike out ";", and insert ":".

### Amendment No. 4

On page 22, line 8, after "insurance", insert "or".

### Amendment No. 5

On page 25, line 27, strike out "1637", and insert "1706".

### Amendment No. 6

On page 28, line 43, strike out "if", and insert "of".

### Amendment No. 7

On page 31, line 32, strike out "section", and insert "article".

### Amendment No. 8

On page 39, line 39, strike out "Chapters", and insert "Chapter".

### Amendment No. 1

On page 4 of the printed bill as introduced, between lines 28 and 29, insert

"(f) As an officer or salaried representative of a life insurer if his activities are limited to direct technical advice and assistance to a properly licensed person and his activities do not include effecting insurance or soliciting or negotiating insurance except as a part of and in connection with the business of insurance agent, insurance broker, or life agent licensed under this chapter."

### Amendment No. 2

On page 4, line 29, strike out "f", and insert "g".

### Amendment No. 3

On page 4, line 33, strike out "g", and insert "h".

### Amendment No. 4

On page 4, line 39, strike out "h", and insert "i".

### Amendment No. 1

In line 6 of the title of the printed bill, strike out "12281", and insert "12282".

### Point of Order

Mr. O'Connell arose to the following point of order: That copies of the printed bill, as amended in the Senate, are not on the desks of the members.

### Ruling by Speaker

The Speaker ruled that the House was proceeding under unanimous consent.

### Point of Order

Mr. O'Connell arose to the following point of order: That pursuant to the Constitution, the House has no power to act upon a bill unless it is printed in its final form, and available to the members.

### Ruling by Speaker

The Speaker ruled the point of order well taken; and directed the Sergeant-at-Arms to place copies of Assembly Bill No. 188, as amended in the Senate, on the desks of the members.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 11, 1959

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

Senate Concurrent Resolution No. 8

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## RESOLUTIONS

The following resolution was offered:

By Mr. Grant:

### House Resolution No. 88

Relative to the continuance of the Assembly Interim Committee on Elections and Reapportionment

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

1. The Assembly Interim Committee on Elections and Reapportionment created by House Resolution No. 214 of the 1957 Regular Session is continued as an Assembly Interim Committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until March 15, 1959, with authority to file its final report not later than that date.

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

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

### Request for Unanimous Consent

Mr. Grant was granted unanimous consent to take up House Resolution No. 88 without reference to committee or file.

Resolution read.

### Speaker pro Tempore Presiding

At 10.37 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

By Mr. Bradley:

**House Resolution No. 89**

Relative to the continuance of the Assembly Interim Committee on Municipal and County Government for the purpose of reporting the results of its interim investigation and study

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Municipal and County Government created by House Resolution No 277 of the 1957 Regular Session is continued in existence until March 15, 1959, for the purpose of reporting the results of its interim investigation and study. The committee is authorized to submit its report to the Legislature not later than the fifteenth day of March, 1959.

**Request for Unanimous Consent**

Mr Grant, on request of Mr. Bradley, was granted unanimous consent to take up House Resolution No. 89 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—72.

NOES—None.

## FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 188

**Assembly Bill No. 188**—An act to repeal Chapters 5 and 8, Part 2, Division 1 of the Insurance Code, to add Chapters 5 (commencing at Section 1621), and 8 (commencing at Section 1831), to Part 2, Division 1 of said code, and to amend Sections 383 5, 766, 773, 783, 1760 5, 1765, 1776, 1813, 1821, 10252, 11101, 11102, 11103, 12280.2, 12281 and 12977 of said code, relating to the licensing of insurance producers, declaring the urgency thereof, to take effect immediately.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 188?

**Amendment No. 1**

On page 1, in the first line of the title of the printed bill, strike out "Sections 31, 32, 33 and 34 and".

**Amendment No. 2**

On page 1, line 1, strike out "Sections 31, 32, 33 and 34, and".

**Amendment No. 3**

On page 4, line 8, strike out ";", and insert ":".

**Amendment No. 4**

On page 22, line 8, after "insurance", insert "or".

**Amendment No. 5**

On page 25, line 27, strike out "1637", and insert "1706".

**Amendment No. 6**

On page 28, line 43, strike out "if", and insert "of".

**Amendment No. 7**

On page 31, line 32, strike out "section", and insert "article".

**Amendment No. 8**

On page 39, line 39, strike out "Chapters", and insert "Chapter".

**Amendment No. 1**

On page 4 of the printed bill as introduced, between lines 28 and 29, insert

"(f) As an officer or salaried representative of a life insurer if his activities are limited to direct technical advice and assistance to a properly licensed person and his activities do not include effecting insurance or soliciting or negotiating insurance except as a part of and in connection with the business of insurance agent, insurance broker, or life agent licensed under this chapter."

**Amendment No. 2**

On page 4, line 29, strike out "f", and insert "g".

**Amendment No. 3**

On page 4, line 33, strike out "g", and insert "h".

**Amendment No. 4**

On page 4, line 39, strike out "h", and insert "i".

**Amendment No. 1**

In line 6 of the title of the printed bill, strike out "12281", and insert "12282".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 188 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 188 ordered enrolled.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Thomas and Chapel:

**House Resolution No. 90**

Relating to the commendation of the City of Torrance, California, and the City of Konya, Turkey, for participating as sister cities in President Eisenhower's "People-to-People" Program

WHEREAS, President Eisenhower in 1956 inaugurated the "People-to-People" Program to establish greater friendship and understanding between the peoples of the United States and other nations through the medium of direct personal contact; and

WHEREAS, To implement this program the City of Torrance, California, and other cities in the United States were requested by the American Municipal Association to affiliate with a foreign city of similar characteristics and mutual interests; and

WHEREAS, The Torrance City-to-City Committee selected the City of Konya, Turkey, as Torrance's sister city for participation in said program, and the city council of said city endorsed said selection and, on behalf of the people of Torrance, invited the people and the government of the City of Konya, to participate with Torrance as its sister city in the President's program; and

WHEREAS, The Mayor and the Municipal Council of the City of Konya have accepted the invitation of Torrance to become its sister city; and

WHEREAS, The City of Torrance has declared February 28th as "Konya Day" and will on that day host Madame Ismet Sandli, Turkish Delegate to the United Nations; and

WHEREAS, The action of the Cities of Konya and Torrance is representative of the mutual trust and understanding that exist between the peoples of our two great nations; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California herewith commends the action of the Cities of Konya and Torrance for affiliating as sister cities in President Eisenhower's "People-to-People" Program and congratulates the governments and peoples of both cities on their inspiring example of the fight that individual municipalities can wage against the

expansion of international Communism, and the furtherance of the brotherhood of man among free peoples everywhere; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Torrance, California, and Konya, Turkey.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Mr. Johnson announced that he had at his desk the committee bill relative to the co-ordinator of atomic energy development and radiation protection, and invited all members who desired to become co-authors to come to his desk to affix their signatures.

## MOTION BY MR. COLLIER

Mr. Collier moved that the transfer of 36 acres of land in the Chavez Ravine, Los Angeles, by the Division of Highways, be held in abeyance until all particulars relative to the transfer of this land shall have been considered by this Assembly; that the Speaker appoint a committee to make an investigation immediately and report back to this body; that such investigation be made at the earliest possible moment in order not to delay the transfer of this property, if terms and conditions are satisfactory with this body; that a copy of this body's action be sent to the Governor, the Department of Public Works, and the Division of Highways.

Mr. Lowrey seconded the motion.

### Motion to Refer

Mr. Winton moved that the motion by Mr. Collier be referred to the Committee on Governmental Efficiency and Economy.

Mr. Miller seconded the motion.

### Motion to Table Motion

Mr. Lowrey moved that the motion by Mr. Winton, to refer the motion by Mr. Collier to committee, be laid on the table

Mrs. Davis seconded the motion.

### Point of Information

Mr. Charles H. Wilson arose to the following point of information: Mr. Lowrey's motion is to table Mr. Winton's motion, so Mr. Lowrey's motion does not affect the motion by Mr. Collier.

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied in the affirmative.

The question being on the motion by Mr. Lowrey that the motion by Mr. Winton be laid on the table.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Mrs Davis seconded the motion.

Motion carried. Time, 11 a.m.

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

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 108

Mr. Bruce F. Allen was granted unanimous consent that Assembly Rule No. 108 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### PARLIAMENTARY INQUIRY

Mr. Rees arose to the following parliamentary inquiry: If Mr. Lowrey's motion carries, would not Mr. Collier's motion also be laid on the table?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore read Rule No. 90 to the members.

#### Parliamentary Inquiry

Mr. Rees arose to the following parliamentary inquiry: Is it then the ruling that the motion by Mr. Lowrey, if carried, would carry with it the motion by Mr. Collier?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it would, if carried by 41 votes.

#### Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Was not a different ruling made earlier?

#### Points of Personal Privilege

Mr. Charles H. Wilson arose to a point of personal privilege.

Mr. Lowrey arose to a point of personal privilege.

Mr. Collier arose to a point of personal privilege.

### MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY

Mr. Lowrey moved that further proceedings under the call of Assembly be dispensed with.

Mrs. Davis seconded the motion.

#### Point of Personal Privilege

Mr. Thomas arose to a point of personal privilege.

#### Parliamentary Inquiry

Mr. Porter arose to the following parliamentary inquiry: Would an inquiry of Mr. Collier, relative to his desire in this matter, be in order?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied in the affirmative.

#### Point of Order

Mr. Munnell arose to the following point of order: That the question before the House is the motion to lift the call, so the members are not speaking to the question.

#### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

#### Point of Personal Privilege

Mr. Porter arose to a point of personal privilege.

**Point of Order**

Mr. Munnell arose to the following point of order: That Mr. Porter does not have the floor.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order not well taken, since Mr. Porter was speaking to a point of personal privilege.

**Parliamentary Inquiry**

Mr. Beaver arose to the following parliamentary inquiry: Would a motion to expunge the record, and rescind the action on the motion by Mr. Lowrey be in order?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that such a motion would not be in order while the House is under the call.

The question being on the motion that further proceedings under the call of the Assembly be dispensed with.

Motion carried.

At 11.14 a.m., further proceedings under the call of the Assembly were dispensed with.

**Parliamentary Inquiry**

Mr. Beaver arose to the following parliamentary inquiry: Would a motion to expunge be in order now?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied in the affirmative.

**Motion to Expunge Record and Rescind Action on Motion to Table**

Mr. Beaver moved to expunge the record, and rescind the action whereby the motion to table the motion by Mr. Winton was lost.

Mr. Bradley seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Wilhamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

**Parliamentary Inquiry**

Mr Beaver arose to the following parliamentary inquiry: What is the status of the motion by Mr Collier?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the motion before the House is the motion by Mr. Lowrey.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Was not the motion expunged?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the vote on the motion was expunged, so the motion is now before the House.

**Motion Withdrawn**

Mr. Lowrey withdrew his motion that the motion by Mr. Winton be laid on the table

The question being on the motion by Mr. Winton, that the motion by Mr. Collier be referred to the Committee on Governmental Efficiency and Economy.

**Speaker Presiding**

At 11 20 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Parliamentary Inquiry**

Mr. Miller arose to the following parliamentary inquiry: Would the Speaker please read the motion before the House, in the wording that the motion will appear in the Journal.

The Speaker read the motion, as it appeared in the Minutes, to the House.

**Motion to Amend**

Mr. Miller moved that the motion be amended to provide that the Committee on Governmental Efficiency and Economy meet immediately, and report back on Monday.

**Ruling by Speaker**

The Speaker ruled the motion not in order, pursuant to Rule No. 112.5.

**Motion to Amend**

Mr. Collier moved to amend the motion to make an immediate investigation.

**Ruling by Speaker**

Speaker Brown ruled the motion not in order, pursuant to Rule No. 112.5.

**Motion to Amend Motion**

Mr. Bruce F. Allen moved that Mr. Winton's motion be amended to require a report back by the Committee on Governmental Efficiency and Economy to this body on Monday; and that this action be communicated by the Chief Clerk to the Division of Highways with the request that any action by that body be delayed until this report has been made to the House.

Mr. Lowrey seconded the motion.

Mr. Winton accepted the amendment to his motion.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Has the amendment been adopted?

**Reply by Speaker**

The Speaker replied that it had not.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: What is the present status of Mr. Bruce F. Allen's amendment?

### Reply by Speaker

The Speaker replied that the amendment has been accepted by Mr. Winton as a part of his motion.

### Motion to Amend

Mr. Bruce F. Allen moved that the motion be amended to set the date for submission of the report for Wednesday, instead of Monday.

Amendment accepted by Mr. Winton.

### Point of Order

Mr. Lowrey arose to the following point of order: That Messrs. Unruh and Collier are not speaking to the question.

### Ruling by Speaker

The Speaker ruled the point of order well taken.

### Point of Personal Privilege

Mr. Collier arose to a point of personal privilege.

### Demand for Previous Question

Messrs. Hegland, Johnson, Schrade, Backstrand, and Belotti demanded the previous question Demand sustained.

The question being on the motion by Mr. Winton that the motion by Mr. Collier be referred to the Committee on Governmental Efficiency and Economy; and that the committee be required to report back to this body on Wednesday; and that this action be communicated by the Chief Clerk to the Division of Highways with the request that any action by that body be delayed until this report has been made to the House.

Motion carried unanimously.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Marks, Busterud, Gaffney, Meyers, O'Connell, and Burton:

### House Resolution No. 91

Relative to the passing of Mr. Harry D. Collier

WHEREAS, Harry D. Collier, a native Californian, who for many years was a leader in the petroleum industry, passed away on January 30, 1959; and

WHEREAS, Mr. Collier, born in San Francisco in 1876, was associated with the Standard Oil Company of California from 1903 until his death, rising through a succession of important assignments with that company to the presidency in 1940, and serving from 1924 until his death as a director of that organization; and

WHEREAS, Mr. Collier was prominent in the world of business and commerce, serving as a Director of the Arabian American Oil Company, the Anglo California Bank, the Matson Navigation Company, and the American Petroleum Institute; and

WHEREAS, He contributed extensively to the public welfare through his membership in the California Division of the Cancer Society and by his service as a Trustee of Mills College and his activities as a Consulting Professor at the Stanford Graduate School of Business; and

WHEREAS, He was largely responsible for bringing the 1956 Republican National Convention to San Francisco, which convention was of great benefit to the City and County of San Francisco and to the State of California; and

WHEREAS, The achievements and accomplishments of this outstanding Californian in his later years following his retirement in 1955 demonstrate how useful a life can be after retirement and how much a community and the State can benefit from the services of our senior citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly express their deep regret and personal sorrow at the loss of so able and active a citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to his widow, Mrs. May Collier, as an expression of the heartfelt sympathy of all the Members of the Assembly of California.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENTS

Mr. Porter announced that there would be no meeting of the Los Angeles County Delegation today.

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Mr. Porter announced a meeting of the Southern California Counties Delegation at 1.30 p.m. this afternoon in Room 3191.

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

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

**Assembly Concurrent Resolution No. 63**: By Mr. Elliott—Relative to the printing of amendments to bills.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 64**: By Messrs. Thelin and Lanterman—Relative to congratulating Carroll W. Parcher.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 65**: By Mr. Belotti, Mrs. Davis, Messrs. Thomas, Don A. Allen, Cusanovich, and Nisbet—Relative to salmon marking.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 66**: By Mr. Kilpatrick—Relative to criminal procedure in time of disaster.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 67**: By Mr. Backstrand—Relative to congratulating Mr. Paul Ames.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 68**: By Miss Donahoe and Mr. Williamson, and Senator Stiern, co-author—Relative to congratulating Judge Delbert E. Wong.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 15**: By Messrs Johnson, Rumford, Hanna, Mulford, Bruce F. Allen, George E. Brown, Chapel, Francis, Grant, Rees, and Thelin—Relative to atomic energy and radiation protection.

Referred to Committee on Rules.

**Assembly Bill No. 1369**: By Messrs. Crown, Rumford, and Petris—An act to amend Sections 69580 and 73075 of the Government Code, relating to courts in Alameda County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1370:** By Mr. Samuel R. Geddes—An act to amend Sections 3009 and 3408 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1371:** By Mr. Pattee (Departmental—Motor Vehicles)—An act to add Sections 32 6 and 250.1 to the Vehicle Code, and to add Sections 322 and 12519 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to chauffeurs' licenses for operators of farm labor vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1372:** By Mr. Thelin—An act to add Section 3208.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1373:** By Mr. Thelin—An act to amend Section 3202 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1374:** By Mr. Thelin—An act to amend Section 2980 of the Civil Code, relating to conditional sales contracts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1375:** By Messrs. Burton, O'Connell, Elliott, and Masterson—An act to add Section 7071.4 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1376:** By Mr. Lowrey—An act to amend Sections 160.91, 160.92, 160.93, 160.94, and 160.95 of the Agricultural Code, relating to pest control.

Referred to Committee on Agriculture.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE 71

Pursuant to Rule 71, the following bills were this day on the second reading file:

**Assembly Bills Nos. 22 and 27.**

Above bills ordered to third reading.

### RE-REFERENCE OF ASSEMBLY BILL NO. 22 PURSUANT TO RULE 64

On advice of the Legislative Counsel, and pursuant to Rule 64, the Speaker ordered Assembly Bill No. 22 re-referred to the Committee on Ways and Means.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 43**—An act to repeal Section 8377 of the Fish and Game Code, relating to albacore.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 71**—An act to amend Section 8152 of the Fish and Game Code, relating to sardines.

Bill read second time.

**Motion to Amend**

Mr. Thomas moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "sardines", insert ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 8, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

In order to properly conserve the sardine resources of this State and properly utilize them, the season for taking sardines should be the same this year as it was in 1958. This will not be the case, however, unless this bill is made to take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted and engrossed.

**Assembly Bill No. 45**—An act to add Section 10659 to, and amend Section 10840 of, the Fish and Game Code, relating to sea otters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "take on such lands any", and insert "possess firearms and traps and may take on such lands any nonprotected".

**Amendment No. 2**

On page 1, strike out line 6.

**Amendment No. 3**

On page 1, line 13, strike out "and", and insert 'lying".

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

**Assembly Bill No. 88**—An act adding Article 6 (commencing at Section 25701) to Chapter 7 of Part 2 of Division 2 of Title 3 of the Government Code, relating to the reclamation of water from sewage or other waste water, and the disposal thereof.

Bill read second time, and ordered engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 12**—An act to amend Section 7148 of the Fish and Game Code, relating to possession of trout, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on January 19, 1959, strike out "amend" and insert "repeal".

Amendment No. 2

On page 1, strike out lines 2 to 22, inclusive, and insert "repealed."

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

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 27

**Assembly Concurrent Resolution No. 27**—Relative to the death of Royal W. Jimerson.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

Members Made Co-authors of Resolution

Mr. Gaffney was granted unanimous consent that all members so desiring be placed upon the illuminated copy of Assembly Concurrent Resolution No. 27 as co-authors.

Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. MacBride was granted unanimous consent that two articles from the *Sacramento Bee* of Sunday, February 8, 1959, be ordered printed in the Journal.

Speaker Brown ordered the above articles to appear following the copy of Lincoln's Gettysburg Address at the front of this day's Journal.

## CONSIDERATION OF DAILY FILE (RESUMED)
## CONSIDERATION OF HOUSE RESOLUTION NO. 77

By Mr. Miller:

**House Resolution No. 77**—Relative to adoption of Permanent Standing Rules of the Assembly.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

In the first line of the second paragraph of Rule No. 11 of the Permanent Standing Rules of the Assembly for the 1959 Regular Session as proposed by the printed

resolution on page 524 of the Assembly Journal for February 9, 1959, strike out the first "The", and insert "To".

**Amendment No. 2**

In Rule No. 15, strike out paragraph (b) as printed on page 527 of the said Journal.

**Amendment No. 3**

In the first line of paragraph (c) of Rule No. 15 as printed on page 527 of the said Journal, strike out "(c)", and insert "(b)".

**Amendment No. 4**

In the second line of the last paragraph of Rule No. 20 as printed on page 528 of the said Journal, strike out "Auditor", and insert "Analyst".

**Amendment No. 5**

In the second line of Rule No. 28 as printed on page 531 of the said Journal, strike out "Auditor", and insert "Analyst".

**Amendment No. 6**

In the first line of Rule No 57 as printed on page 536 of the said Journal, strike out "57", and insert "55".

**Amendment No. 7**

In the first line of Rule No. 58 as printed on page 536 of the said Journal, strike out "58", and insert "56".

**Amendment No. 8**

In the first line of Rule No. 59 as printed on page 536 of the said Journal, strike out "59", and insert "57".

**Amendment No. 9**

In the first line of Rule No. 60 as printed on page 537 of the said Journal, strike out "60", and insert "58".

**Amendment No. 10**

In the first line of Rule No 61 as printed on page 537 of the said Journal, strike out "61", and insert "59".

**Amendment No. 11**

In the first line of Rule No. 62 as printed on page 537 of the said Journal, strike out "62", and insert "60".

**Amendment No. 12**

In the first line of Rule No. 63 as printed on page 537 of the said Journal, strike out "63", and insert "61".

**Amendment No. 13**

In the first line of Rule No. 64 as printed on page 537 of the said Journal, strike out "64", and insert "62".

**Amendment No. 14**

In the first line of Rule No. 65 as printed on page 537 of the said Journal, strike out "65", and insert "63".

**Amendment No. 15**

In the first line of Rule No 66 as printed on page 537 of the said Journal, strike out "66", and insert "64".

**Amendment No. 16**

Strike out the first and second lines of Rule No. 67 as printed on page 538 of the said Journal, and insert

"65. There shall be printed an Assembly Daily File for each legislative day".

**Amendment No. 17**

In the first line of Rule No. 68 as printed on page 538 of the said Journal, strike out "68", and insert "66".

**Amendment No. 18**

In the first line of Rule No. 69 as printed on page 538 of the said Journal, strike out "69", and insert "67".

**Amendment No. 19**

In the first line of Rule No. 70 as printed on page 538 of the said Journal, strike out "70", and insert "68".

**Amendment No. 20**

In the first line of Rule No. 71 as printed on page 538 of the said Journal, strike out "71", and insert "69".

**Amendment No. 21**

In the first line of Rule No. 72 as printed on page 539 of the said Journal, strike out "72", and insert "70".

**Amendment No. 22**

In the first line of Rule No. 73 as printed on page 539 of the said Journal, strike out "73", and insert "71".

**Amendment No. 23**

In the first line of Rule No. 74 as printed on page 539 of the said Journal, strike out "74", and insert "72".

**Amendment No. 24**

In the first line of Rule No 75 as printed on page 539 of the said Journal, strike out "75", and insert "73".

**Amendment No. 25**

In the first line of Rule No 76 as printed on page 539 of the said Journal, strike out "76", and insert "74".

**Amendment No. 26**

In the first line of Rule No. 77 as printed on page 539 of the said Journal, strike out "77", and insert "75".

**Amendment No. 27**

In the first line of Rule No. 78 as printed on page 539 of the said Journal, strike out "78", and insert "76".

**Amendment No. 28**

In the first line of Rule No. 79 as printed on page 540 of the said Journal, strike out "79", and insert "77".

**Amendment No. 29**

In the first line of Rule No 80 as printed on page 540 of the said Journal, strike out "80", and insert "78".

**Amendment No. 30**

In the first line of Rule No. 81 as printed on page 540 of the said Journal, strike out "81", and insert "79".

**Amendment No. 31**

In the first line of Rule No. 82 as printed on page 540 of the said Journal, strike out "82", and insert "80".

**Amendment No. 32**

In the first line of Rule No. 83 as printed on page 541 of the said Journal, strike out "83", and insert "81".

**Amendment No. 33**

In the first line of Rule No. 84 as printed on page 541 of the said Journal, strike out "84", and insert "82".

**Amendment No. 34**

In the first line of Rule No. 85 as printed on page 541 of the said Journal, strike out "85", and insert "83".

**Amendment No. 35**

In the first line of Rule No 86 as printed on page 541 of the said Journal, strike out "86", and insert "84".

**Amendment No. 36**

In the first line of Rule No. 87 as printed on page 541 of the said Journal, strike out "87", and insert "85".

**Amendment No. 37**

In the first line of Rule No 88 as printed on page 542 of the said Journal, strike out "88", and insert "86".

**Amendment No. 38**

In the first line of Rule No. 89 as printed on page 542 of the said Journal, strike out "89", and insert "87".

**Amendment No. 39**

In the first line of Rule No 90 as printed on page 542 of the said Journal, strike out "90", and insert "88".

**Amendment No. 40**

In the first line of Rule No 91 as printed on page 542 of the said Journal, strike out "91", and insert "89".

**Amendment No. 41**

In the first line of Rule No 92 as printed on page 542 of the said Journal, strike out "92", and insert "90".

**Amendment No. 42**

In the first line of Rule No. 93 as printed on page 542 of the said Journal, strike out "93", and insert "91".

**Amendment No. 43**

In the first line of Rule No. 94 as printed on page 543 of the said Journal, strike out "94", and insert "92".

**Amendment No. 44**

In the first line of Rule No 95 as printed on page 543 of the said Journal, strike out "95", and insert "93".

**Amendment No. 45**

In the first line of Rule No. 96 as printed on page 543 of the said Journal, strike out "96", and insert "94".

**Amendment No. 46**

In the first line of Rule No. 97 as printed on page 543 of the said Journal, strike out "97", and insert "95".

**Amendment No. 47**

In the first line of Rule No. 98 as printed on page 543 of the said Journal, strike out "98", and insert "96".

**Amendment No. 48**

In the first line of Rule No. 99 as printed on page 543 of the said Journal, strike out "99", and insert "97".

**Amendment No. 49**

In the first line of Rule No. 100 as printed on page 543 of the said Journal, strike out "100", and insert "98".

**Amendment No. 50**

In the first line of Rule No. 101 as printed on page 544 of the said Journal, strike out "101", and insert "99".

**Amendment No. 51**

In the first line of Rule No. 102 as printed on page 544 of the said Journal, strike out "102", and insert "100".

**Amendment No. 52**

In the first line of Rule No. 103 as printed on page 544 of the said Journal, strike out "103", and insert "101".

**Amendment No. 53**

In the first line of Rule No 104 as printed on page 544 of the said Journal, strike out "104", and insert "102".

**Amendment No. 54**

In the first line of Rule No. 105 as printed on page 544 of the said Journal, strike out "105", and insert "103".

**Amendment No. 55**

In the first line of Rule No. 106 as printed on page 544 of the said Journal, strike out "106", and insert "104".

**Amendment No. 56**

In the first line of Rule No. 107 as printed on page 544 of the said Journal, strike out "107", and insert "105".

**Amendment No. 57**

In the first line of Rule No. 108 as printed on page 545 of the said Journal, strike out "108", and insert "106".

**Amendment No. 58**

In the first line of Rule No. 109 as printed on page 546 of the said Journal, strike out "109", and insert "107".

**Amendment No. 59**

In the first line of Rule No. 110 as printed on page 546 of the said Journal, strike out "110", and insert "108".

**Amendment No. 60**

In the first line of Rule No. 111 as printed on page 546 of the said Journal, strike out "111", and insert "109".

**Amendment No. 61**

In the first line of Rule No. 112 as printed on page 546 of the said Journal, strike out "112", and insert "110".

**Amendment No. 62**

In the first line of Rule No. 112.5 as printed on page 546 of the said Journal, strike out "112.5", and insert "111".

**Amendment No. 63**

In the first line of Rule No. 113 as printed on page 546 of the said Journal, strike out "113", and insert "112".

**Amendment No. 64**

In the first line of Rule No. 114 as printed on page 547 of the said Journal, strike out "114", and insert "113"

**Amendment No. 65**

In the first line of Rule No. 115 as printed on page 547 of the said Journal, strike out "115", and insert "114".

**Amendment No. 66**

In the first line of Rule No. 116 as printed on page 547 of the said Journal, strike out "116", and insert "115".

**Amendment No. 67**

In the first line of Rule No. 117 as printed on page 547 of the said Journal, strike out "117", and insert "116".

**Amendment No. 68**

In the first line of Rule No. 118 as printed on page 548 of the said Journal, strike out "118", and insert "117".

**Amendment No. 69**

In the first line of Rule No. 119 as printed on page 548 of the said Journal, strike out "119", and insert "118".

**Amendment No. 70**

In the first line of Rule No. 120 as printed on page 548 of the said Journal, strike out "120", and insert "119".

**Amendment No. 71**

In the first line of Rule No. 121 as printed on page 548 of the said Journal, strike out "121", and insert "120".

**Amendment No. 72**

In the first line of Rule No 122 as printed on page 548 of the said Journal, strike out "122", and insert "121".

**Amendment No. 73**

In the first line of Rule No. 123 as printed on page 548 of the said Journal, strike out "123", and insert "122".

**Amendment No. 74**

In the first line of Rule No. 124 as printed on page 548 of the said Journal, strike out "124", and insert "123".

## HOUSE RESOLUTION NO. 77, AS AMENDED

**House Resolution No. 77**

Relative to Adoption of Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the following Standing Rules are hereby adopted as the Permanent Standing Rules of the Assembly for the 1959 Regular Session

# PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1959 REGULAR SESSION

## SECTION 1

## LEGISLATIVE ORGANIZATION

**Assembly General Officers**

1. The general officers of the Assembly whose names and titles shall appear on the frontpiece of all publications are:

Speaker
Speaker pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk

**Assignment of Desks to Members**

2. Members shall be assigned to offices and desks by the Committee on Rules, and, as far as possible, the committee shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

**Hours of Meeting**

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

## RULES

**Adoption of Standing Rules**

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

**Suspension of Rules**

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

**Amending Standing Rules**

6. No standing rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of a majority of the entire elected membership of the Assembly.

No such resolution shall be considered until it shall have been referred to the Committee on Rules.

**Temporary Rules**

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

**Parliamentary Rules**

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

**Effect of Adoption of These Rules**

9. The adoption of the Standing Rules of a budget session shall not be construed as modifying or rescinding the permanent Standing Rules of the Assembly for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

**Committee on Rules**

10. There is a Committee on Rules, which shall act as the executive committee of the House. The committee shall consist of one member appointed by the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of

each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the elected membership of the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and such vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Vacancies in the appointive membership shall be filled by the Speaker. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee.

**Powers of the Committee on Rules**

11. The Committee on Rules provided herein shall have the following powers:

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

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

**Rules and Regulations Governing Committees**

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

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

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

The Committee on Rules shall adopt rules and regulations governing the letting of any contract by an interim investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees or other Assembly committees.

Such rules may provide for allowances to committee employees in lieu of actual expenses for mileage, hotel accommodations, and meals at the rates fixed by the committee from time to time in limitation of reimbursement of actual expenses of committee employees generally, or at such lesser rate as may be prescribed by the employing committee.

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

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee and of any other Assembly committee that has employees.

**Employees of Committees**

12.5. Every applicant for employment by any committee of the Assembly or by a subcommittee of any such committee, shall prepare a formal application for such employment on forms prescribed by the Assembly Committee on Rules The application shall include a statement of his present employment, his employment during the preceding two years, and such other pertinent information as the committees require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

An employee of any committee of the Assembly or of a subcommittee of any such committee, shall not engage in any employment, activity, or enterprise which has been determined to be inconsistent, incompatible, or in conflict with his duties as such employee or with the duties, functions, or responsibilities of the committee or subcommittee by which he is employed. Each such employee shall immediately report in writing to the chairman of the committee or subcommittee by which

he is employed, any other employment, activity, or enterprise he engages in while so employed, and shall transmit a copy of such report to the Assembly Rules Committee.

**Assembly Contingent Fund**

12.6. The Assembly Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Contingent Fund, including money now or hereafter appropriated, except such sums as are specifically made available for the expenses of designated interim committees or for other purposes, is hereby made available to the Assembly Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or joint resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint interim committee by the Assembly, upon the expiration of such committee, and shall be expended as provided in these rules.

**Interim Committee on Rules**

13. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

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

**Powers of the Committee on Rules**

14. Both during sessions, and after final adjournment and until the convening of the next regular general session, the Committee on Rules has the following additional powers and duties;

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

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

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

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

(e) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(f) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof such clerical, secretarial and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purposes to employ such additional stenographic and secretarial assistants as may be necessary, assign, re-assign and discharge such assistants and prescribe amounts, times and methods of payment of their compensation.

(g) To incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

**Committee on Engrossment and Enrollment**

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

~~(b) To consider and report on requests for the introduction of bills after the constitutional recess.~~

~~(c)~~ *(b)* To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

**Standing Committees**

16. Twenty-six standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Engrossment and Enrollment
3. Natural Resources, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Government Organization
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military and Veterans Affairs

14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary—Civil
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce
24. Livestock and Dairies
25. Criminal Procedure
26. Water.

**Membership of Standing Committees**

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

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

**Creation of Interim Committees**

18. A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other interim or investigating committee.

**Rational Organization of Committees**

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

**Special Assembly Committee on Legislative Representation**

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

The committee shall have the rights, powers and duties prescribed in Section 9909 of the Government Code, specifically including but not

limited to the authority to grant certificates of registration as legislative advocates, and all the rights and powers of legislative investigating committees as provided by the Joint Rules of the Senate and Assembly.

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

The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative ~~Auditor~~ *Analyst* as executive secretary of this committee to act without compensation.

## SECTION 2
## HOUSE FUNCTIONS

### Duties of Assembly Officers

**Duties of the Speaker**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Funerals and Other Ceremonies and Events**

22. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or, in lieu of such expenses, the same allowance for accommodations, meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary for the purchase on behalf of the Assembly of suitable floral pieces at any such funeral or at any other such ceremony or event at which the offering of a floral tribute is appropriate.

All expenses incurred pursuant to this rule, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Assembly to the Assembly Committee on Rules and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

**Duties of the Speaker pro Tempore**

23 The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. He shall, ex officio, be a member of the Committee on Rules with all of the rights and privileges of such membership except the right to vote.

**Majority Floor Leader**

24. The Speaker, after consultation with the members of his supporting majority, shall appoint one member to be his personal representative on the floor of the Assembly, who shall be known as the Majority Floor Leader.

It shall be his duty to manage the daily file and to participate in the various debates by making such motions, points of order, or other arrangements as may be necessary to expedite the proceedings of the Assembly and he shall be responsible for the presentation of all matters which relate to the order of business, and to the promotion of harmony among the membership.

The Majority Floor Leader shall be ex officio a member of the Committee on Rules with all the rights and privileges of such membership except the right to vote.

In the event of the absence or inability of the Speaker pro Tempore, for any reason or at any time, to perform the duties of his office, the Majority Floor Leader shall assume and perform such of those duties as may be required to conduct the business of the Assembly.

**Minority Floor Leader**

25. The minority if any, or any organized segment of the membership may, through caucus or other means, designate a member to act as floor leader for it. When so acting he may be referred to as Minority Floor Leader.

The Minority Floor Leader shall be ex officio a member of the Committee on Rules with all the rights and privileges of such membership except the right to vote.

**Duties of the Chief Clerk**

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

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

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

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

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

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

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

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

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

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

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

(k) To order and sign for all documents and printing, subject to approval by the Speaker or a person designated by the Speaker.

**Correction of Amendments**

27. The Chief Clerk may, with prior approval of the Speaker, make technical changes in amendments to bills and measures, adopted by the Assembly. Technical changes are limited to those correcting spelling and punctuation and those necessary in order that the amendments fit the last form of the bill or measure.

**Registration of Legislative Advocates**

28 Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative ~~Auditor~~ *Analyst* is hereby designated as the person embraced by the definition of "Clerk" set forth in that section.

**Duties of the Sergeant-at-Arms**

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

**Duties of the Chief Assistant Sergeant-at-Arms**

30. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

## Printing

**Authority for Printing**

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

**Printing Style, Form and Amount to Be Printed**

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

**Printing Assembly History**

33. The Chief Clerk shall cause to be compiled and printed a Legislative Handbook as soon as practicable after the commencement of the session.

During the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Tuesday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

**Publication of Names of Guests of Assembly**

34. The Chief Clerk shall cause to be printed a suitable publication containing the names of the guests extended the courtesies of the Assembly when, in his judgment, such a publication is advisable. A

copy of each publication so printed during the session shall be filed with the Secretary of State and made a part of the Appendix to the final approved Journal for the session.

**Printing of Maps**

35. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

## Miscellaneous

**Admission to Assembly Chamber**

36 Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the Lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

**Use of Assembly Chamber**

37. The Assembly Chamber shall not be used for any public or private business other than legislative matters during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

**Persons Admitted to Floor of the Assembly**

38. No person other than members, officers, attaches, employees of the Legislature, former Members of the Legislature, and accredited members of the press shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted upon presentation of a guest card of said member countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued. No person required to register pursuant to Section 9906 of the Government Code shall, under any circumstances be admitted to the Assembly Chambers while the Assembly is in session.

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person shall engage in influencing the passage or defeat of legislation in the Assembly Chamber; provided, that this sentence is not applicable to Members of the Legislature.

**Smoking in Assembly Chamber**

39. Smoking may be prohibited temporarily during any session of Assembly by a majority vote of the members present.

**Fees for Witnesses**

40. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear, and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

No witness shall be entitled to his fee or mileage until after his appearance before such a committee.

**Press Privileges**

41. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

**Press Photographers**

42. Press photographers shall be authorized to take photographs at meetings of Assembly committees subject to the following conditions:

1. The authorization given by this rule shall apply only to photographers from or employed by accredited newspapers or wire services, and newsreel or television photographers.

2. The authorization shall extend to all Assembly standing committees and subcommittees thereof, but shall not extend to executive meetings of such committees and subcommittees.

3. The chairman of the committee concerned shall be notified either orally or in writing, at any time prior to the committee meeting that a press photographer will be present.

4. To the extent practical, flash cameras shall not be used.

5. Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee.

## SECTION 3
## LEGISLATIVE PROCEDURE

**Speaker to Call Assembly to Order**

43. The Speaker, or in his absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Majority Floor Leader shall call the Assembly to order, and shall preside until the return of the Speaker or Speaker pro Tempore.

**Roll Call and Quorum**

44. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered in the Journal A majority of all the members elected to the Assembly shall constitute a quorum.

**Order of Business**

45. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Second Reading of Bills
8. Messages from the Governor

9. Messages from the Senate
10. Motions and Resolutions
11. Business on the Daily File
12. Notices of Motions
13. Announcements
14. Adjournment

**Pledging Allegiance to the Flag**

46. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

**Reading, Correcting and Approving Journals**

47. a. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

b. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

c. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal The approval of the Journal shall require a majority vote of the members present.

**Presentation of Petitions**

48. Whenever petitions, memorials, or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

**Messages From the Governor**

49. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

**Messages From the Senate**

50. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which references shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business file.

**Bills**

**Bills Defined**

51. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided.

**Digests of Bills Introduced**

51.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Chief Clerk for introduction which does not comply with the foregoing requirements of this rule the Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof

**Introduction and Reference of Bills**

52. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced, which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

**Reference of Bills to Committee**

53. Immediately following its first reading, the Speaker, shall refer each bill to a committee, unless upon a motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable.

**Delivery of Bills to State Printer**

54. After introduction, first reading and reference to committee, all bills shall be delivered to the State Printer.

**Standing Committee Functions**

**Standing Committee Rules**

~~57~~ *55*. The Rules of the Assembly shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, such additional rules, not in conflict with the Standing Rules, as it may deem necessary for the conduct of any business referred to such committee.

A majority of the committee members present may order a call of the committee.

**Meetings of Standing Committees**

~~58~~ *56*. All standing committees shall meet at the hour and place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee, by a majority vote of its entire membership, shall order an executive session.

All bills set for hearing by any Assembly committee must be published in the Daily File not less than three days in advance of such hearing; provided, that this rule shall not prevent any Assembly committee from hearing any bill on Tuesday or Wednesday, where the action of the committee or committee's chairman setting such bill for hearing was taken on the preceding Friday or Saturday and a notice thereof is published in the Daily File for the following Monday; provided, further, that no bill shall be set for hearing nor shall any notice thereof be published by any Assembly committee until that bill has been referred to such committee.

The several standing committees and their chairmen are directed to adopt a procedure which assures that no committee shall commence the hearing of any bill after the hour of six o'clock p.m. at an afternoon meeting of the committee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior thereto may be continued thereafter for such period of time as the committee deems necessary.

**Committee Quorum**

~~59~~ *57*. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the adoption of any amendments to any bill. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

**Bills Reported Back to Assembly**

~~60~~ *58*. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule. The chairman of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

**Reports of Committees**

~~61~~ *59*. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

**Signing Bills Out of Committee**

~~62~~ *60*. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

**Committee of the Whole**

~~63~~ *61*. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered in the Journal except upon motion and a majority vote of the members present.

**Committee on Ways and Means**

~~64~~ *62*. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading.

**Committee Expenditures**

~~65~~ *63*. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly.

**Reports of Interim Committees**

~~66~~ *64*. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth legislative day after the convening thereof.

**Passage of Bills**

**Daily File**

~~67.~~ ~~There shall be printed an Assembly Daily File for each legislative day following the constitutional recess, or at any time prior thereto~~ *65. There shall be printed an Assembly Daily File for each legislative day* when ordered by the Speaker. The Committee on Rules shall have charge of the Daily File of the Assembly. The following listing shall constitute the order of the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills
7. Adoption of Resolutions

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58, in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

**Inactive File**

~~68~~ *66*. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the

inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

**Record of Bills**

~~69~~ *67*. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be indorsed upon such bill.

**Second Reading of Bills**

~~70~~ *68*. All bills shall be read the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time except under that order of business.

**Committee Amendments**

~~71~~ *69*. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments, or any part thereof, by the Assembly.

**Amendments From the Floor**

~~72~~ *70*. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present

Before debate four copies of the proposed amendment must be delivered to the Clerk's desk and one copy made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

**Consideration of Bills Re-referred to Committee**

~~73~~ *71*. Whenever a bill which has been amended, and re-referred to committee, is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the regular third reading file until the following day.

**Consideration of Constitutional Amendments, Concurrent and Joint Resolutions**

~~74~~ *72*. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The

ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution

**Bills Transmitted to the Senate**

~~75~~ *73*. Upon the final passage of any bill if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

**Bills Considered During Period Prior to Final Adjournment**

~~76~~ *74*. See Joint Rule 23 for provisions governing bills considered during this period.

**Concurrence in Senate Amendments**

~~77~~ *75*. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

**Nonconcurrence in Senate Amendments**

~~78~~ *76*. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a committee of three (3) on conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

**Committee on Conference**

~~79~~ *77*. The Speaker, in appointing a committee on conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his vote on the appropriate roll call, as follows:

(a) The roll call on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments;

(b) The roll call on the question of concurrence with Senate amendments to an Assembly bill.

**Meetings and Reports of Committees on Conference**

~~80~~ *78*. The Chairman of the Senate committee on conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than two of the

Assembly members and two of the Senate members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill. The presentation and consideration of any report of a committee on conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such conference report by the Assembly shall be deemed the vote upon final passage of such bill.

**Engrossing and Enrolling Bills**

~~81~~ *79*. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purpose, in compliance with provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

**Enrollment**

~~82~~ *80*. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

**Adoption of Resolutions**

~~83~~ *81*. House resolutions and concurrent resolutions that do not require a recorded roll-call vote, such as resolutions of congratulation or sympathy, shall be listed under a separate heading in the printed Daily File. They shall be considered for adoption under that order of business, or at any other time as determined by the Speaker.

## SECTION 4
## PARLIAMENTARY PROCEDURE

**Motions and Questions**

**Precedence of Motions During Debate**

~~84~~ *82*. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

*First*—To adjourn;
*Second*—To recess to a time certain;
*Third*—To lay on the table;
*Fourth*—For the previous question;

*Fifth*—To set as a special order;
*Sixth*—To postpone indefinitely;
*Seventh*—To refer to or re-refer;
*Eighth*—To amend.

**Questions of Order Decided Without Debate**

~~85~~ *83*. All incidental questions of order, arising after a motion is made for any of the questions named in Rule ~~84~~ and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

**Appeal From Decision of the Speaker**

~~86~~ *84*. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and the member taking the appeal may give his reasons for making his appeal, and the Speaker shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of Rules, or priority of business. A majority vote of the members present shall decide any appeal.

**Speaker Explains Order of Business**

~~87~~ *85*. The Speaker may, on his own motion or upon the motion of any Member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

**To Adjourn**

~~88~~ *86*. A motion to adjourn is not debatable and cannot be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal A motion to adjourn must be adopted by a majority vote of the members present.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. A statement shall not occupy more than two minutes and shall not be debatable.

**To Recess to a Time Certain**

~~89~~ *87*. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

**To Lay on the Table**

~~90~~ *88*. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

Any motion to lay on the table, if carried by a majority vote of the entire elected membership, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint, or House resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

**The Previous Question**

~~91~~ *89*. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

**Motion to Set Special Order**

~~92~~ *90*. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

**Motion to Postpone to a Time Certain**

~~93~~ *91*. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

**Motion to Postpone Indefinitely**

~~94~~ *92*. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire elected membership, the main question shall not be acted upon again during the session.

**Motion to Amend**

~~95~~ *93*. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 90.

**Amendment to Be Germane**

~~96~~ *94*. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

**Substitute Motion**

~~97~~ *95*. A motion to substitute shall be deemed and treated as a motion to amend.

**Motions in Writing**

~~98~~ *96*. Upon request of the Speaker all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before the same are acted upon.

**Constitution of Motions**

~~99~~ *97*. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

**Division of Questions**

~~100~~ *98*. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

**Withdrawal of Motions**

~~101~~ *99*. After a motion is stated by the Speaker, or a bill, resolution, or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

**Motion to Be Germane**

~~102~~ *100*. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

**Motion to Withdraw and Recall Bills**

~~103~~ *101*. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members.

No bill or resolution shall be withdrawn from committee and placed upon the file except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

**Re-reference of Measures on File**

~~104~~ *102*. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety

of such reference, and shall require a recorded vote of a majority of the elected members.

**Bills Stricken From File**

~~105~~ *103*. A motion to strike from the file any bill or House resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

**Motion to Rescind Action and Expunge Record**

~~106~~ *104*. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

**Reconsideration of Vote**

~~107~~ *105*. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership.

except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

**Call of Assembly**

~~108~~ *106*. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly, and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call, which list of absentees shall be furnished to the Sergeant-at-Arms. Thereupon no members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State Police, and sheriffs or their deputies, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, such action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered.

**Resolutions**

~~109~~ *107*. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

**Motions and Resolutions**

~~110~~ *108*. Any motion or resolution not otherwise provided for under the Rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

**Adjournment**

~~111~~ *109*. Adjournment *sine die* shall be ordered by concurrent resolution The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

### Members' Decorum and Privileges

#### Order in Speaking to Questions

~~112~~ *110*. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

#### Motions

~~112.5~~ *111*. When a member desires to make a motion, he shall obtain recognition as provided in Rule 112. Upon being recognized he shall open by stating his motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debatable, the member who made it shall then be entitled to recognition to open the debate thereon.

When a member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, he shall not be permitted to conclude his debate by making any motion or by demanding the previous question.

#### Leave of Absence

~~113~~ *112*. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

#### Personal Privilege

~~111~~ *113*. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

#### Objection to Reading of Any Paper

~~115~~ *114*. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

**Members Called to Order for Transgressing Rules**

~~116~~ *115*. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

b. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

**Members Voting**

~~117~~ *116*. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or House resolution, and have such explanation printed in the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

**Compensation and Expenses of Member Convicted of Felony**

~~118~~ *117*. If a Member of the Assembly is convicted of a felony by a superior court, his right to further compensation or expenses is thereupon suspended and his membership on any interim committee is suspended. If such conviction becomes final, the right of the member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the State. If the conviction is reversed by an appellate court or a motion for a new trial is granted and the member is thereafter found not guilty or the charges against him are dismissed, the amounts of the withheld compensation or expenses shall be paid to the member and the suspension of his committee membership shall terminate.

Whenever a member is convicted of a felony in the superior court, the Assembly Rules Committee shall give written notice to the State Controller, directing him to discontinue any further payments to the member unless and until the Rules Committee notifies the State Controller that the member has been found not guilty or that the charges against him are dismissed. The State Controller shall not draw any warrant payable to any such member except as provided in this rule.

**Ayes and Noes**

~~119~~ *118*. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

**Voting Not to Be Interrupted**

~~120~~ *119*. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

**Members at Clerk's Desk**

~~121~~ *120*. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

**Tie Vote**

~~122~~ *121*. In case of an equal division, or tie vote, the question shall be lost.

**"Two-thirds of the Entire Elected Membership" Defined**

~~123~~ *122*. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

**Assembly Expenses Between Sessions**

~~124~~ *123*. Pursuant to the powers vested in the Assembly Committee on Rules, and during such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution, as amended, and ordered on file.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 57

**Assembly Concurrent Resolution No. 57**—Relative to adding Rule No. 34.2 to the Joint Rules of the Senate and Assembly, with respect to memorial resolutions.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 1, line 15, of the printed measure, after "Legislature", insert "or other persons. In all cases a Senate resolution or a House resolution, or both, shall be used to congratulate any person or organization upon the occurrence of any significant event or achievement".

Resolution ordered reprinted, and engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 56

**Assembly Concurrent Resolution No. 56**—Relative to the continuance of the Joint Committee on Legislative Procedure.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

Amendment No. 1

On page 1, line 15, of the printed measure, strike out "sixtieth", and insert "ninetieth".

Amendment No. 2

On page 1, line 16, after "session", insert "unless sooner terminated".

Resolution ordered reprinted, and engrossed.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following report be ordered printed in the Journal:

## REPORT OF SPECIAL COMMITTEE TO ATTEND SOCIETY OF AUTOMOTIVE ENGINEERS ANNUAL MEETING AT DETROIT

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 12, 1959

*Mr. Ralph M. Brown, Speaker*
*Members of the Assembly*
DEAR MEMBERS:

*Subject:* Report of the Special Committee delegated by the Assembly (House Resolution No. 29) to attend the Society of Automotive Engineers Annual Meeting at Detroit on January 16-19, 1959.

Your delegation, Seth Johnson and W. Byron Rumford, selected by you to attend the important convention given by the Society of Automotive Engineers in Detroit on January 16th pursuant to House Resolution No. 29, submits the following report:

The people of the State of California have been plagued by air pollution, called "smog," in the Los Angeles vicinity and in other areas throughout the State and have demanded that the Legislature take specific action with respect to the automotive industry in the development of some device to eliminate the emissions of hydrocarbons and other contaminants from automobile exhausts which have been declared to be responsible for at least two-thirds of the smog present in these

areas today. Your committee was successful in meeting and discussing with America's outstanding automotive engineers this very delicate subject.

Your representatives arrived in Detroit on the morning of Friday, January 16th, and immediately went into conference with the following persons:

A. A. KUCHER, Vice President, Engineering and Research, Ford Motor Company,

C. A. CHAYNE, Vice President, Engineering, General Motors Corporation,

J. M. CAMPBELL, Scientific Director, Technical Center, General Motors Corporation,

J. M. CHANDLER, Section Supervisor of Test Engineering, Ford Motor Company,

A. L. HAYNES, Director, Engineering Research and Advanced Product Study, Ford Motor Company,

C. M. HEINEN, Assistant Chief Engineer, Chemical, Chrysler Corporation,

J. C. ZEDER, Vice President, Engineering, and Special Advisor to the President, Chrysler Corporation,

WM. F. SHERMAN, Manager, Engineering and Technical Department, Automobile Manufacturers Association,

KARL M. RICHARDS, Manager, Field Services Department, Automobile Manufacturers Association.

At this conference your delegates related the serious thinking of the California Legislature with reference to the need of an immediate solution to the control of automobile emissions. Wide discussion was held on the California problem. We presented to these executives and engineers the bills and resolution which had been introduced in our session of the Legislature with reference to the control of automobile exhausts with which we felt they should be concerned. At this two-hour conference, your representatives pointed out to these technicians and executives, the importance of increasing the scope of their research so that the people in California could use their automobiles and enjoy them free from adverse smog conditions. It was pointed out to these men that the people of California had felt that little was being done, and that the automotive industry could have taken a stronger and firmer position in intensifying the research activities to develop a device necessary to remove hydrocarbon emissions.

J. M. Chandler, Section Supervisor of Test Engineering, Ford Motor Car Company, gave a complete description and demonstration of his catalytic converter which, through the efforts of the Ford Motor Car Company and scientists, has been developed. We heard from Mr. C. M. Heinen, Assistant Chief Engineer, Chemical, Chrysler Corporation, of the intensive work which Chrysler is doing in the field, in co-operation with other automotive groups. We were assured by the group present that we would see all that was being done by the automotive industry in the field of research and study, and the efforts to develop devices for the removal of hydrocarbons that they have been able to accomplish.

Immediately after this conference, we were taken to the annual meeting of the Society of Automotive Engineers at which several papers were presented on the "control of gas emissions." Copies of these papers have been given to the Members of the Legislature. It is noted that at this meeting several representatives from the City of Los Angeles were also present. It was learned, through the papers presented at this scientific meeting, that considerable amount of work is being done on automobile exhaust gases, their conversion, and elimination.

Immediately after the meeting, the newspapers interviewed members of your delegation and attempted to determine if we were satisfied that the automotive industry had done all that they could. It was the feeling of your delegates that the Detroit newspaper representatives felt that smog in California was a local problem and that it should be handled on a local basis We were able to impress the reporters, however, that not only did California have smog within its state borders, but that it was a national problem, and that we totally disagreed that this scientific menace should be handled by local authorities alone without the assistance of either the automotive engineers or federal assistance.

Saturday, January 17th, a conference was held with members of the Automobile Manufacturers Committee at the New Center Building of the Automobile Manufacturers Association in Detroit with Mr. S. Smith Griswold of the Los Angeles Air Pollution Control District and Councilman Everett Burkhalter of Los Angeles in attendance. At this meeting pictures with explanations were shown by the engineers portraying the intensity of emissions of gases from large trucks and automobiles which they declared were not in good mechanical condition. Smith Griswold showed films of the main arterials, highways and freeways in Los Angeles during several periods of the day portraying the development of smog. It was shown that the intensity of smog increased as the number of automobiles increased, indicating very definitely that smog was a product of automobile emissions. This was a highly instructive and impressive movie in color, and showed the intensity to which smog develops at certain periods of the day. The conference lasted for at least three hours. Discussions were held by the members participating in the discussion and questions were answered both by your representatives and by members of the automobile industry.

In the afternoon your delegates visited the new fifty million dollar General Motors Engineering Research Center where we had discussions with Dr. Lloyd Withrow, head of the Department of Fuels and Lubrication, who is doing considerable work in the field of fuel research. We saw the $50,000 long path infa cell known as "Silent Sam." This is one of the two experimental units developed in the United States to determine the cause of smog. This device is not only important as an instrument to detect the hydrocarbon emissions, but it is a device which simulates smog conditions in which the various gases and the photochemical change which takes place in the air can be produced and recordings made as to the quantity, amount, and the intensity of other gases present. The information obtained from the studies of this instrument will be forwarded to the United States Public Health Service for further experimentation on human tissue.

On Monday, January 19th, your delegates again visited the engineering laboratories of the Ford Motor Car Company in which James Chandler, Section Supervisor of Test Engineering, gave us a demonstration of his catalytic converter and showed in detail the amount of research which the Ford Company was involved in, regarding automobile emissions. The automobile industry in their own words, "will rid the exhaust of unburned hydrocarbons, but we do not promise to get rid of smog."

In our final conference with the engineers and the officials of the automobile industry, an invitation was extended to the group to present in person their devices and information relative to the smog problem as it concerns the automobile to the California Legislature. We have received from the Automobile Manufacturers Association acknowledgment of this invitation, and they will present to the Legislature on February 16th, information relative to this important problem. The committee feels that the presence of these men before the Legislature will be of inestimable value, and to the members in determining their actions on pending legislation before this body.

Your representatives feel that the trip to Detroit was well worth while, and that the automobile industry as it concerns automobile exhausts has accepted their responsibility to help California and the Nation to obtain acceptable air.

Respectfully submitted,

SETH J. JOHNSON
W. BYRON RUMFORD

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal; and that 1,000 copies of the Report on Atomic Energy Development and Radiation Protection in California be printed.

## LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, February 11, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: The Assembly Interim Committee on Public Health submits the Report on Atomic Energy Development and Radiation Protection in California prepared by the Subcommittee on Air Pollution and Radiation Protection in accordance with House Resolution No. 219 of the 1957 Session.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee on
Public Health

### SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, February 11, 1959

*Hon. W. Byron Rumford, Chairman*
*Assembly Interim Committee on Public Health*

DEAR MR. RUMFORD: This is the first of two reports on the subject of atomic energy and radiation being submitted by your Subcommittee on Air Pollution and Radiation Protection. The second, submitted this same date, contains basic background information which will supplement the information contained in this report.

The subcommittee found early in its study that extensive and rapidly increasing applications of atomic energy and radiation in California present problems that are clearly a responsibility of the State. It believes that the legislation proposed herein is a necessary first step in meeting this responsibility.

The subcommittee wishes to express its appreciation to the many individuals, the representatives of industry, medicine and labor, state agencies, to the staff and faculty of the University of California whose testimony at the public hearings and whose advice and consultation throughout the interim has been of such assistance.

Respectfully submitted,

W. S. GRANT
RICHARD T. HANNA
DON MULFORD
W. BYRON RUMFORD

SETH J. JOHNSON, Chairman
Subcommittee on Air Pollution
and Radiation Protection

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal; and that 1,000 copies of the Report on Development and Control of Nuclear Energy Industry in California be printed.

### LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, February 11, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: The Assembly Interim Committee on Public Health submits this report entitled "Development and Control of Nuclear Energy Industry in California" prepared for the Subcommittee on Air Pollution and Radiation Protection by the Bureau of Special Administration, University of California at Berkeley in accordance with House Resolution No. 219, 1957 Session.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee
on Public Health

## SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, February 11, 1959

*Hon. W. Byron Rumford, Chairman*
*Assembly Interim Committee on Public Health*

DEAR MR. RUMFORD: This report on Nuclear Energy Industry Development and Control was prepared at the request of the Subcommittee on Air Pollution and Radiation Protection by the Bureau of Public Administration, University of California. The committee wishes to express its sincere appreciation to Professor Dwight Waldo, acting director of the bureau, and the author Dr. Frances Herring, for their co-operation in the preparation of this report.

The report presents background information vital for an understanding of the nature and uses of nuclear energy and radiation. It outlines the legislative approaches adopted by other states and federal agencies to cope with the problems posed by this new industry and it discusses various criteria for state legislation and regulation.

The bureau staff and the committee have worked closely in the planning and preparation of this report so that it would supplement the subcommittee report submitted this same date. The author and the Bureau of Public Administration, are, of course, responsible for the data and its emphasis.

Respectfully submitted,

W. S. GRANT
RICHARD T. HANNA
DON MULFORD
W. BYRON RUMFORD

SETH J. JOHNSON, Chairman
Subcommittee on Air Pollution
and Radiation Protection

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 12, 1959

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

Assembly Bill No. 5

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

## APPOINTMENT OF COMMITTEE ON LEGISLATIVE REFERENCE LIBRARY

Speaker Brown appointed Messrs. Hawkins, Schrade, and Ralph M. Brown to the Joint Legislative Committee on Legislative Reference Library.

## CHANGE OF COMMITTEE MEETING ROOM

Speaker Brown announced that the Assembly Committee on Livestock and Dairies will meet on Wednesday, Period I, in Room 4168 on adjournment of the Committee on Agriculture instead of Room 4202.

## ANNOUNCEMENT

Mr. Johnson announced that 29 members of the Automobile Manufacturers Association will meet in the Capitol on Monday, February 16th, at 2 p.m.; and invited all Members of the Assembly and the Senate to be present at the meeting.

## ANNOUNCEMENT OF COMMITTEE MEETINGS

Mr. Backstrand announced a meeting of the Committee on Transportation and Commerce at 1.30 p.m. today.

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Mr. MacBride announced a meeting of the Committee on Revenue and Taxation on adjournment in Room 2170.

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Mr. Crawford announced that the meeting of the Committee on Military and Veterans Affairs, scheduled for 1.30 p m. this afternoon, had been canceled.

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Mr. Bradley announced a meeting of the Committee on Municipal and County Government in Room 5168 at 1 30 p.m. today.

## ADJOURNMENT

At 12 m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, February 16, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, February 16, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### ANNOUNCEMENT

Speaker Brown announced that, in recognition of National Brotherhood Week, both the Senate and the Assembly will be led in prayer by representatives of various faiths. For the next four days in the Assembly the leaders will be as follows:

Monday, the Right Reverend Raymond Renwald, Roman Catholic; Tuesday, Rabbi William Fertig, Jewish; Wednesday, Dr. Theophilus Taylor, Presbyterian National Moderator; Thursday, the Reverend Parthenios Kirmitsis, Greek Orthodox.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rt. Rev. Msgr. Raymond Renwald of the Cathedral of the Blessed Sacrament:

*Come, Let Us Sing Unto the Lord With Joy;* To God, Our Savior, let us raise a song of praise; before His face let us appear betimes to offer thanks, and raise our hearts to Him in psalms of jubilee.

Because the Lord is great, the God of might, a mighty King above all gods—His people He will not disdain for in His hand are all the ends of earth and on the mountain heights His eye doth rest.

The sea is His for He created it; the land His hands have formed. Come in adoration let us bend the knee before Our God, for verily He is the Lord, Our God; and we His people are the sheep of His pasture —AMEN.

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

## READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Ernest R. Geddes, on motion of Mr. Conrad.

Mr. Kilpatrick, on motion of Mr. George A. Willson.

## COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 14, 1959

*Members of the State Assembly*
*State Capitol, Sacramento*

We shall always remember with deep gratitude your comforting expression of sympathy.

BILL and CHARLOTTE MUNNELL

UNITED PRESS ASSOCIATIONS
SACRAMENTO BUREAU, STATE CAPITOL, February 16, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Sacramento*

DEAR RALPH: Would you be so kind as to advise the honorable Members of the Assembly that "working" newspapermen covering the Capitol once again stand ready, willing and I think able to hand legislators their biennial shellacking in the Fifth Press-Legislature Golf Tournment?

The date for this year's tournament is Sunday, April 19th. The site is Haggin Oaks golf course. A dinner will be held after the tournament. Wives are invited to participate in the tournament and attend the dinner.

For the benefit of new members, competency with a brassie is not a requirement for the tournment. The high gross in the 1957 event was 206 strokes registered by Senator Fred Farr.

In order to arrange starting times and make pairings, we need to know quite early the number of participants. Legislators desiring to play should make reservations with members of the tournament committee—Robert M. Blanchard of the *Los Angeles Times*, Richard C Bergholz of the *Los Angeles Mirror-News*, Don Thomas of the *Oakland Tribune*, Al Latimer with Senator Arnold or Carl Holmes of Pacific Telephone & Telegraph Co, or the undersigned

One last word. To assure absolute fairness in the conduct of this great event, the handicapping once again will be done by two impartial and disinterested observers—Blanchard and Anderson.

Sincerely,

JAMES C. ANDERSON

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF OREGON, OREGON STATE SENATE
SALEM, February 12, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*Sacramento, California*

DEAR MR. OHNIMUS: The copy of Assembly Concurrent Resolution No 10 felicitating the State of Oregon upon the 100th Anniversary of her admission to the Union was received today.

The people of the State of Oregon and the Oregon Legislative Assembly appreciate this expression of the California Legislative Assembly's good wishes upon this great occasion. The Resolution was read at today's Senate session.

The Oregon Legislative Assembly cordially invites the Members of your Assembly to visit Oregon during our Centennial Trade Fair, June 10th through September 17th.

Cordially yours,

WALTER J. PEARSON, President of the Senate

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**
**Bulletin 63—Sea-Water Intrusion in California**

STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES
SACRAMENTO, February 9, 1959

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

DEAR MR. OHNIMUS: I have the honor to transmit for the information and use of Members of the Assembly, 81 copies of Bulletin No. 63, "Sea-Water Intrusion in California," and Appendix B thereto. The studies presented in these reports were authorized by Chapter 1500, Statutes of 1951, and Section 229 of the Water Code.

The bulletin discusses the present status of sea-water intrusion into coastal ground water basins in the State, describes methods of control, and summarizes relevant experimental work. Preliminary plans for prevention and control of sea-water intrusion are presented.

The results of a large-scale experimental project conducted by the Los Angeles County Flood Control District at Manhattan Beach, Los Angeles County, are presented in the appendix. The objective of this project was to determine the feasibility of preventing and controlling sea-water intrusion by creating a pressure ridge in confined aquifers by injection of fresh water through wells.

Additional phases of this investigation, including special studies by the University of California both at Berkeley and Los Angeles, and the United States Geological Survey, will be presented in other appendixes to be published in the near future.

This investigation reveals that intrusion of sea-water, induced by long-sustained overdraft conditions, has already damaged some of the State's most important ground water basins. It points up the need for effective measures to correct these present problems and to prevent intrusion into other coastal basins. Unless timely, remedial steps are instituted, extensive and irreparable damage will inevitably result.

Very truly yours,

HARVEY O. BANKS, Director

Above transmitted copies report distributed to the members, and one copy ordered referred to the Committee on Water.

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The following communications were presented by the Chief Clerk from:

Rosilee Elliott of Olivehurst, relative to pensions. Referred to the Committee on Social Welfare.

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Sam Elliott of Olivehurst, relative to pensions. Referred to the Committee on Social Welfare.

E. F. Novak, Founder, National Tobacco Smokers League, Los Angeles, relative to taxes. Referred to the Committee on Revenue and Taxation.

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Clarence E. Burr of Sebastopol, relative to smog. Referred to the Committee on Public Health.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

LETTER OF TRANSMITTAL

FAIRS CLASSIFICATION COMMITTEE
SACRAMENTO, February 16, 1959

*To the President of the Senate,*
*The Speaker of the Assembly,*
*Members of the Senate and Assembly,*
*The Director of Finance*

The Fairs Classification Committee, established pursuant to Section 92.7 of the Agricultural Code, herewith presents its report and classification of fairs for the year 1958 as required by Section 92 8 of that code.

During 1958, the several fairs reached a new peak in fair and interim use activity, and attracted a new high totals of exhibitors, exhibits and visitors. The fairs accomplished much by way of meeting their responsibilities for expanded service to youth, industry and agriculture Room for continued improvement remains, however. Progressive fair boards of directors and management constantly strive to better the efficiency and value of their fairs. We believe the people of California can take pride in the results of their efforts.

Data prepared by the Division of Fairs and Expositions, Department of Finance, as well as that gathered by the committee itself, on which our classifications are based, has been retained in our files, and is open to inspection by interested parties.

The committee gratefully acknowledges the co-operation of Mr. A. E. Snider, Chief of the Division of Fairs and Expositions, and also the assistance of Mr. Leroy Sloane, who compiled the voluminous official statistics.

Respectfully submitted

FAIRS CLASSIFICATION COMMITTEE
By W. C. WOXBERG, Chairman

MEMBERS OF COMMITTEE

Senator John F. Thompson, San Jose
Assemblyman H. W. Kelly, Shafter
Mr. T. H. Mugford, Deputy Director, Department of Finance
Mr. A. E. Snider, Chief, Division of Fairs and Expositions

| | |
|---|---|
| Mr. A. A. Jensen, Susanville<br>Area No. 1 | Mr. Roy L. Welch, Yuba City<br>Area No. 2 |
| Mr. L. J. Hamilton, Lakeport<br>Area No. 3 | Mr. C. B. Mathews, Sonora<br>Area No. 4 |
| Mr. W. C. Woxberg, Merced<br>Area No. 5 | Mr. Russell Pettit, San Jose<br>Area No. 6 |

Mr. Max P. Schonfield, Northridge, Area No. 7

## REPORT
## FAIRS CLASSIFICATION COMMITTEE
## FOR 1958

### 1958 a Good Year for Fairs

California's many district and county fairs again demonstrated their value as centers of agricultural and industrial progress, education, recreation and community activity during 1958. Including interim users, almost 8,000,000 people, the greatest total ever, visited the fairs during the year and benefited from their many exhibits and their other facilities.

The growth in fair activity paralleled the growth of our State as a whole. More than 400,000 entries competed for awards and premiums in the various classes of exhibits. The fairs continued to expand and improve their services and facilities to meet the new challenges of rapidly changing times.

### Local Pride Stimulates Fair Activity

Our observations indicate that there is a considerable local pride in the great majority of fairs. No other local or district promotion can generate the interest, community effort, and co-operation between individuals that are required to prepare for a county or district fair Large groups are needed to plan, gather supplies for, and build community or organizational displays.

Competition between individual exhibitors is very keen. Everyone does his or her best to produce a better product, breed a better animal, or do a better job of canning. Award winners earn, and get, publicity and wider community acceptance as part of the reward for their achievement.

### Junior Activities Grow Fastest

Fastest growing departments at every fair are those in the junior division. The 4-H, FFA, FHA and other youth groups are increasing their numbers at enormous rates. All are participating in fair activities. Doing so gives their members the real satisfaction of accomplishing something worthwhile on an individual basis. Their projects, and public acknowledgment of their successes can only result in the development of better adults. It is far better to encourage good citizenship through fairs, to create proper pride in well-directed effort and workmanship, than it is to tolerate problems of juvenile behavior. The thousands of our California youth who participate in fair activities are our greatest assets.

Since the industrial education department was placed on the Master Premium List there has been a great expansion in the type of activities to which our youth could direct their attention This is especially important in view of the phenomenal growth in industry within our State. Exhibitors from urban areas are now able to take much more active part in fairs. Enlightened fair management is encouraging interest in this department, to better serve more segments of our youthful population.

Many fairs have added a physical fitness program to their schedules. City and county recreation departments, who carry on such programs on a year-round basis, are encouraging the trend, because it enables them to give contestants in their final rounds the publicity and awards which go with outstanding accomplishment at fairs.

**Basis for Classification of Fairs**

When this committee first began its work in 1956, it established as the basis for its work three classes for fairs, following in this respect the divisions referred to in subsection 92.8(b) of the code. The three were Regional, Special and Sectional. As a result of its first year's experience, the committee developed a fourth class, Regional-Sectional fairs, and used it in its ratings for 1957, and is using it again for 1958.

The committee met several times during the calendar year 1958. It has received a detailed statistical analysis of population, fair attendance, revenues and finance relating to all of the 72 fairs, based upon 1957 operations, from the Division of Fairs and Expositions of the Department of Finance. In addition to this, the committee itself secured certain information on 1958 operations directly from 70 fairs by means of a questionnaire compiled by a subcommittee. Members of the committee also visited most of the fairs during the year, either at fairtime or during the interim, and their personal observations have been used as an additional guide in determining classifications.

**Classification of Fairs Cannot Be Exact**

The committee wishes to direct attention to the fact that a present classification of fairs cannot be anything like exact. Section 92.8 of the Agricultural Code merely enumerates certain standards which shall be applied, but leaves their definition to the discretion of the committee. This has the obvious effect of making committee judgments at least partially subjective. Three years of experience in attempting to develop and apply reasonable standards to the classification process has convinced committee members that very few fairs can be fairly judged by statistics or dollars and cents alone. Many factors influence the operations of every fair. To mention only a few, there is first the area, economic as well as geographic, in which a fair is located; there are changing weather conditions; there may be fires or other disasters; aging plant and equipment have their effect; and competing attractions may cut into attendance.

**Classification Standards Used**

The committee is convinced that its classifications for 1958 are probably more objective than those for the two preceding years because they are based not only on data for a longer period, but also on types of data which were not available for the first two years. It has been, and will continue to be one of the committee's principal responsibilities to test all data for validity, reliability, objectivity, and uniformity of definition and reporting. There is still much room for improvement in all of these fields. However, we are still of the opinion that it is not now possible to devise an arithmetical or mathematical formula which will enable automatic classification of the several fairs.

Factors taken into account in arriving at classifications for all fairs include:

(a) Attendance, both paid and unpaid, in relation to estimated current population of the area served. The Division of Fairs and Expositions prepared useful graphs to aid in evaluating this factor.

(b) Number of exhibit classes in which entries can be made, total number of entries, and total premiums paid in relation to total entries.
(c) Net operating expense—operating within the budget.
(d) Operating revenues and operating expenditures.
(e) Net revenues related to attendance.
(f) Kinds and numbers of interim uses, and revenues derived from such uses.

**Sectional Fairs**

Sectional Fairs have been defined as those which service primarily the immediate area in which they are located. They offer a considerable number of exhibit departments, but the number of exhibits is generally limited, and most of them are entered by residents of the area. There are, however, marked differences in the operations and efficiency of management between fairs which fit into this category. In recognition of these differences, the committee has divided the class into Sectional Fairs I and Sectional Fairs II.

Twenty-eight fairs have been classified as Sectional Fairs II on the basis of their overall ratings. They are:

| | |
|---|---|
| 4th District | Petaluma |
| 9th District | Eureka |
| 10th District | Yreka |
| 10A District | Tulelake |
| 14th District | Watsonville |
| 16th District | Paso Robles |
| 17th District | Grass Valley |
| 18th District | Bishop |
| 20th District | Auburn |
| 21A District | Madera |
| 26th District | Plymouth |
| 28th District | Victorville |
| 30th District | Red Bluff |
| 33d District | Hollister |
| 34th District | Cedarville |
| 36th District | Dixon |
| 42d District | Orland |
| 44th District | Colusa |
| 52d District | Sacramento |
| El Dorado County Fair | Placerville |
| Humboldt County Fair | Ferndale |
| Madera County Fair | Chowchilla |
| Mendocino County Fair | Booneville |
| Monterey County Fair | Kings City |
| Napa County Fair | Calistoga |
| Placer County Fair | Roseville |
| Shasta County Fair | McArthur |
| Trinity County Fair | Hayfork |

Twenty-two fairs have been classified as Sectional Fairs I on the basis of their above-average overall ratings:

| | |
|---|---|
| 3d District | Chico |
| 7th District | Monterey |
| 12th District | Ukiah |
| 13th District | Yuba City |
| 23d District | Antioch |
| 24th District | Tulare |
| 24A District | Hanford |
| 25th District | Napa |
| 27th District | Anderson |
| 29th District | Sonora |
| 32d District | Costa Mesa |
| 35A District | Mariposa |
| 37th District | Santa Maria |
| 39th District | Angels Camp |
| 40th District | Woodland |
| 41st District | Crescent City |
| 45th District | Imperial |
| 46th District | Hemet |
| 49th District | Lakeport |
| Butte County Fair | Gridley |
| Plumas County Fair | Quincy |
| Solano County Fair | Vallejo |

**Special Feature Fairs**

Special Feature Fairs have been defined as those which service primarily some particular phase of our State's agriculture, horticulture, livestock raising, or industrial activity. Because each such fair has its own special and distinctive operation, it is difficult to arrive at standards by which to classify them fairly and adequately. Generally, they are typified by the facts that they offer only a limited number of exhibit departments, and concentrate their premium awards in one major division. Each such fair must have strong support in its own county or district, but most of them have a drawing power which attracts exhibitors and attendance from a much wider area.

The committee's list of Special Feature Fairs includes the following:

| | |
|---|---|
| 1st District | Oakland |
| 19th District | Santa Barbara |
| Lassen County Fair | Susanville |
| Marin County Fair | Ross |
| Merced County Fair | Los Banos |
| San Benito County Fair | Hollister |
| San Francisco County Fair | San Francisco |
| San Joaquin County Fair | Lodi |
| San Mateo County Fair | San Mateo |

**Regional-Sectional Fairs**

Regional-Sectional Fairs are defined as those that have management and operation equal to a Regional Fair, but on a smaller scale. Such a fair must have sufficient types of exhibits to attract the majority of

exhibitors and spectators, community interest must be high, and interim use of facilities above average Paid attendance must exceed 50,000, and exhibits must number 4,700 or more

A total of 10 fairs have been classified as Regional-Sectional Fairs on the basis of their meeting these standards as well as because of their excellent overall ratings:

| | |
|---|---|
| 2d District | Stockton |
| 15th District | Bakersfield |
| 31st District | Ventura |
| 35th District | Merced |
| 38th District | Turlock |
| 50th District | Lancaster |
| 51st District | Northridge |
| Alameda County Fair | Pleasanton |
| Riverside County Fair | Indio |
| Sonoma County Fair | Santa Rosa |

**Regional Fairs**

For the purposes of determining Regional Fairs, the State was divided into four regions, and it was established that only one such fair could be designated for each region. By definition, such a fair must have paid attendance of at least 100,000, more than 10,000 exhibits, and sufficient interim use to involve year-round use of its facilities.

Again, for 1958 the committee has classed three fairs as Regional. The fairs in the San Joaquin, Coastal, and Southern Regions put in the Regional class are, we believe, unmistakeable in their superior overall ratings as compared to others.

The three are:

| | |
|---|---|
| 21st District Fair | Fresno |
| 22d District Fair | Del Mar |
| Santa Clara County Fair | San Jose |

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

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

**Assembly Bill No. 1377**: By Mr. Lowrey—An act to amend Section 160.6 of the Agricultural Code, relating to licenses for pest control.

Referred to Committee on Agriculture.

**Assembly Bill No. 1378**: By Mr Lowrey—An act to add Sections 7¾ to 7⅝ to Chapter 361 of the Statutes of 1915, relating to the Sacramento River West Side Levee District.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1379**: By Mr. Lowrey—An act to amend Section 12663 of the Water Code, relating to the plan of improvement for flood control and water conservation on Cache Creek.

Referred to Committee on Water.

**Assembly Bill No. 1380**: By Mr. Lowrey—An act to add Section 8655 to the Revenue and Taxation Code, relating to exemption from the use fuel tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1381**: By Messrs. Mulford and Dahl—An act to amend Section 9359.1 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1382**: By Mr. Z'berg—An act to amend Section 1779 of the Labor Code, relating to fees for placing persons in public work.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1383**: By Messrs. Sumner, Hanna, and Biddick—An act to repeal Sections 71606, 71607, 71608, and 71222 of, and to add Section 68542.5 to, the Government Code, relating to assignment of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1384**: By Mr. Hanna—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1385**: By Mr. Hanna—An act to repeal Section 4753.5 and to amend Sections 4754 and 4755 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1386**: By Mr. Hanna—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1387**: By Mr. Hanna—An act to add Section 3448 to Title 3, Part 2, Division 4 of the Civil Code, relating to assignments for the benefit of creditors.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1388**: By Mr. Hanna—An act to amend Section 4650 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1389**: By Mr. Hanna—An act to add Section 4606 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1390**: By Mr. Biddick—An act to amend Sections 1026, 1026a, 1367, 1370 and 1372 of the Penal Code, relating to insanity of a defendant in a criminal prosecution.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1391**: By Mr. Biddick—An act to amend Sections 2981 and 2982 of the Civil Code, relating to conditional sales.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1392**: By Mr. Coolidge—An act to amend Section 4554 of the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1393**: By Mr. Coolidge—An act to amend Section 4555 of the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1394**: By Mr. Coolidge—An act to amend Section 4500 of the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1395**: By Mr. Kilpatrick (By Request)—An act to add Section 9003.5 to the Government Code, relating to legislative vacancies caused by disaster.

Referred to Committee on Natural Resources, Planning, and Public Works.

## RESOLUTIONS

The following resolution was offered:

By Mr. Conrad:

**House Resolution No. 92**—Relative to the Twenty-fifth Wedding Anniversary of Mr. and Mrs. Ralph M. Brown.

### Request for Unanimous Consent

Mr. Conrad was granted unanimous consent to take up House Resolution No. 92 without reference to committee or file.

Resolution read.

### Speaker pro Tempore Presiding

At 10.18 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Members Made Co-authors of House Resolution No. 92

Mr. Conrad was granted unanimous consent that all members so desiring be placed upon House Resolution No. 92 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.

NOES—None.

**Consideration of House Resolution No. 92, as Amended**

By Messrs. Conrad, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Mrs Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 92**

Relative to the Twenty-fifth Wedding Anniversary of Mr. and Mrs Ralph M. Brown

WHEREAS, There lived in Modesto in 1934 an enterprising young lawyer named Ralph M Brown and a girl named Lillian Weber; and

WHEREAS, Mr. Brown, after careful consideration of all the facts and circumstances as a good lawyer should, concluded that the necessary procedures, both formal and informal, should be initiated to cause Miss Weber to become Mrs. Brown; and

WHEREAS, Mr. Brown thereupon undertook to prepare, and did prepare, certain airtight arguments to be presented to Miss Weber in the customary and accepted manner of proceeding in such matters, and

WHEREAS, These arguments were in due course and at the appropriate time used to great advantage by Mr. Brown, leading to the formulation of a leading question (which is permissible in such cases) which was designed to admit of but one answer, and

WHEREAS, Mr. Brown received his answer and his success in the handling of his most important case is demonstrated by the recorded fact that on February 16, 1934, there occurred in Fresno the joining of Ralph M. Brown and Lillian Weber in wedlock; and

WHEREAS, This happy marriage has been blessed by a daughter, Valerie, who is now Mrs Frank Pierson, and by two lovely grandchildren, Elizabeth Pierson and Gregory Ralph Pierson, who so recently announced his appearance to the world on January 30, 1959; and

WHEREAS, Ralph M Brown, in the 25 years since his marriage, with the constant help and inspiration of Lillian Brown, has become one of the leading citizens of California, having served in the Legislature for 16 years as a Member of this Assembly, a successful career which has culminated in his election by the members of this body as their Speaker; and

WHEREAS, The passing years have amply demonstrated that Ralph knows how and when to ask a good question, leading or otherwise, and Lillian knows how to give a good answer; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly hereby extend their heartiest congratulations to Mr. Speaker and Mrs. Ralph M Brown on the occasion of their silver wedding anniversary on February 16, 1959, and hereby express the best wishes of each member of this House for many more such happy occasions; and be it further

*Resolved*, That the Chief Clerk of the Assembly present a suitably prepared copy of this resolution to Hon. and Mrs Ralph M. Brown

Resolution read, and adopted unanimously.

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

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

**Assembly Bill No. 1396**: By Mr. MacBride—An act to amend Section 2804 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1397**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, Co-author (By Request)—An act to add Sections 69957, 69958, 69959, 72196, 72197, and 72198 to the Government Code, relating to official reporters of the superior court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1398**: By Mr. Hawkins—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Sections 3306 and 3332 of, the Welfare and Institutions Code, relating to social security coverage for state employees not covered by a retirement system.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1399**: By Mr. Hawkins—An act to amend Sections 3306 and 3332 of the Welfare and Institutions Code, to amend Sections 135 and 633 of, and to add Section 605.5 to the Unemployment Insurance Code, relating to unemployment compensation benefits and unemployment compensation disability benefits for employees of certain public agencies, and making an appropriation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1400**: By Mr. Backstrand—An act to add Section 556 to the Welfare and Institutions Code, to amend Section 744 of the Vehicle Code, and to amend Section 1803 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the jurisdiction of minors involved in traffic offenses.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1401**: By Mr. Backstrand—An act to add Sections 43648.1 and 43652.2 to, and to amend Section 43652 of, the Government Code, relating to limited obligation bonds, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1402**: By Mr Backstrand (By Request)—An act to amend Section 69 of the Civil Code, relating to marriage.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1403**: By Messrs. Johnson, Rumford, Hanna, Mulford, Bruce F. Allen, George E. Brown, Chapel, Francis, Grant, Rees, and Thelin—An act to add Chapter 7.5 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to atomic energy development and radiation protection.

Referred to Committee on Public Health.

**Assembly Bill No. 1404**: By Messrs. Johnson, Rumford, Hanna, Mulford, Bruce F. Allen, George E. Brown, Chapel, Francis, Grant, Rees, and Thelin—An act making an appropriation for support of the Office of Atomic Energy Development and Radiation Protection.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1405**: By Mr. McCollister—An act to amend Section 74701 of the Government Code, relating to the Santa Rosa Municipal Court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1406**: By Mr. Masterson—An act to amend Section 753 of, and to add Section 753.1 to, the Code of Civil Procedure, relating to actions for partition of property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1407**: By Messrs. O'Connell, Burton, and Waldie—An act to amend Sections 640, 653h and 653i of the Penal Code and to add Section 653*l* to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1408**: By Miss Donahoe, Messrs. Meyers, Don A. Allen, O'Connell, Burton, Elliott, Ernest R Geddes, Hawkins, Kilpatrick, and McMillan—An act to amend the heading of Chapter 3 (commencing at Section 5251) of Division 6 of, and to add Section 5261 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to nursery schools.

Referred to Committee on Education.

**Assembly Bill No. 1409**: By Mr. Winton—An act to add Section 26206 to the Government Code, relating to rewards for apprehension and conviction of vandals.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1410**: By Mr. Dills—An act to amend Section 2550 of the Business and Professions Code, relating to dispensing opticians.

Referred to Committee on Public Health.

**Assembly Bill No. 1411**: By Mrs. Davis (By Request)—An act to add Section 1126 to the Fish and Game Code, relating to planting trout.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1412**: By Messrs. Hegland and Schrade—An act to add Article 11 (commencing at Section 3481) to Chapter 9 of Division 5 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the dissolution of unified school districts.

Referred to Committee on Education.

**Assembly Bill No. 1413**: By Miss Donahoe and Mr. Williamson—An act to add Sections 13302.1 and 13967 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district employees

Referred to Committee on Education.

**Assembly Bill No. 1414**: By Mr. Dahl—An act to amend Section 12256 of the Revenue and Taxation Code, relating to insurance taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1415**: By Mr. Thomas—An act to add Section 18715 to the Government Code, relating to state employment.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1416**: By Mr. Thomas—An act to add Section 18861 to the Government Code, relating to payment of wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1417**: By Mr. McMillan—An act to amend Sections 1510 and 1557 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1418**: By Mr. Collier—An act to amend Section 21115 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts payroll procedure.

Referred to Committee on Education

**Assembly Bill No. 1419**: By Mr. Cameron—An act to amend Section 71140 of the Government Code, relating to the qualifications of municipal court judges

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1420**: By Mr. Z'berg—An act to amend Section 18853 of the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1421**: By Mr. George E. Brown—An act to add Chapter 4 (commencing with Section 460) to Part 1 of Division 2 of the Labor Code, relating to minimum wages and maximum hours of labor.

Referred to Committee on Industrial Relations.

**Speaker Presiding**

At 10.34 a.m., Hon Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1422**: By Mr. George E Brown—An act to add Chapter 20 (commencing with Section 9800) to Division 3 of the Business and Professions Code, relating to the regulation and licensing of interior designers and decorators, creating a State Board of Interior Designers and Decorators, prescribing their powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1423**: By Mr. Miller, and Senator Richards, Co-author—An act to amend Section 68200 of the Government Code, relating to the compensation of the Chief Justice of the Supreme Court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1424**: By Mr Frew—An act to amend Section 694 of the Vehicle Code and to amend Section 35103 of, and to add Section 35113 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to overwidth implements of husbandry.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1425**: By Mr. Coolidge—An act to add Section 13292.5 to the Government Code, relating to the mishandling of state funds.

Referred to Committee on Government Organization.

**Assembly Bill No. 1426**: By Mr. O'Connell—An act to amend Section 1858.56 of the Civil Code, relating to warehousemen's liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1427**: By Mr. O'Connell—An act to add Section 13571 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to rights of certified school employees.

Referred to Committee on Education.

**Assembly Bill No. 1428**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, co-author (By Request)—An act to add Section 1091.1 to the Government Code, relating to interest of officers in contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1429**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, co-author (By Request)—An act to add Chapter 9 (commencing with Section 3120) to Division 4 of Title 1 of the Government Code, relating to air travel insurance of local agency officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1430**: By Mr. Hawkins—An act to amend Sections 25658 and 25665 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1431**: By Mr. Hawkins—An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1432**: By Mr. Hawkins—An act to add Section 23825 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1433**: By Messrs. Rees, Unruh, and Shell (Departmental—Governor)—An act to amend Sections 19620, 19624, and 19629 of, and to repeal Sections 19621, 19622, 19622.5, 19622.7, 19623, 19624, 19625, 19626, 19627 3, and 19628 of, the Business and Professions Code, to amend Sections 88, 92.1, 92 5, 94, 94.5, and 94.6 of the Agricultural Code, to amend Section 25902 of the Government Code, and to repeal Section 25903 of the Government Code, relating to state revenues.

Referred to Committee on Ways and Means.

**Assembly Bill No. 1434**: By Mr. Miller, and Senator Richards, Co-author (By Request)—An act to amend Sections 541.1 and 1513 of the Probate Code and to add Section 6408.5 to the Financial Code, relating to deposits and investments by executors, administrators, guardians and other fiduciaries.

Referred to Committee on Judiciary—Civil.

**Assembly Concurrent Resolution No. 69**: By Messrs. Francis and Britschgi, and Senator Dolwig, Co-author—Relative to the retirement of Carrol Monroe Speers.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 70**: By Mr. Francis, and Senator Dolwig, Co-author—Relative to the death of J. Frank Barrett.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 71**: By Mr. Biddick—Relative to approving certain amendments to the charter of the City of Stockton, a municipal corporation in the County of San Joaquin, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held thereon on the fourth day of November, 1958.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 72**: By Mr. Miller and Senator Richards, co-author—Relative to the construction of State Highway Route 23 between Soledad Junction and Palmdale as a four-lane freeway.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Messrs. O'Connell, Burton, Meyers, Gaffney, Marks, and Busterud:

### House Resolution No. 93

Relative to the passing of the Honorable John D. Welch

WHEREAS, The Members of the Legislature were deeply saddened by the passing of one of their distinguished colleagues, Mr. John D. Welch, on August 24, 1958; and

WHEREAS, John D. Welch, who was born in San Francisco on June 26, 1900, served in the Assembly of the State of California representing the Twenty-first District from 1940 to 1942; and

WHEREAS, John D. Welch has resided the last six years in Novato and was Shop Superintendent at the Toledo Scale Company plant in Santa Rosa; and

WHEREAS, John D. Welch contributed much to the welfare of the people of this State by ably serving as an Assemblyman, and also through his active participation in civic and fraternal organizations for many years; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature hereby express their grief at the passing of the Honorable John D. Welch and desire by this resolution to convey their sympathy to his bereaved family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Ethel Welch, his widow; his daughter, Dolores Mattias of San Francisco, and his sister, Patricia Sabin of North Sacramento.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### *Committee on Engrossment and Enrollment*

ASSEMBLY CHAMBER, February 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 48**—Relative to the potato industry of Kern County and welcoming Mr. D. Leo Dolan, Canadian Consul General at Los Angeles;

**Assembly Concurrent Resolution No. 51**—Relative to congratulating the City of Glendale on winning the sweepstakes award in the Rose Parade;

**Assembly Concurrent Resolution No. 58**—Relative to completion of 20 years of service by the Industrial Relations Section, California Institute of Technology;

And reports the same correctly enrolled, and presented to the Secretary of State on the thirteenth day of February, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 71

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, February 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 43
Assembly Bill No. 88

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, February 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1081

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, February 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 45

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, February 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 57

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 149

With amendments with the recommendation: Amend, and do, pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 12, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 165
With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 16, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 17
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, February 16, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 29
With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE 71

Pursuant to Rule 71, the following bill was this day on the second reading file:

**Assembly Bill No. 71.**

Above bill ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 11**—An act to amend Section 2615 of the Business and Professions Code, relating to physical therapy.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 7**—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to miscegenation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 38**—An act to amend Sections 74342 and 74344 of the Government Code, relating to municipal court districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 48**—An act to amend Sections 73562 and 73563 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the Cities of Carmel and Monterey.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary, was read, and adopted:

**Amendment No. 1**

On page 1, line 20, of the printed bill, strike out the second "shall".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 74**—An act to add Section 5006.5 to the Elections Code, relating to election campaigns.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, after "case.", insert "The provisions of this section shall not apply in the case of any newspaper or other regularly published periodical, radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio or television station) which in the ordinary course of business publishes news items, editorials or other comments or paid advertisements which directly or indirectly urge the support or opposition of a candidate if such newspaper, periodical, radio or television station or individual, engages in no further or other activities in connection with the support or opposition of a candidate other than to report news or public meetings, editorial items or comments or advertisements."

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

**Assembly Bill No. 92**—An act to add Article 6 (comprising Sections 11660 to 11663, inclusive) to Chapter 2, Division 14 of the Elections Code, relating to interference with initiative, referendum, and recall.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "threatens to inflict bodily harm", and insert "commits assault or battery".

**Amendment No. 2**

On page 1, line 11, strike out "in order", and insert "with the intent".

**Amendment No. 3**

On page 1, line 16, strike out "felony", and insert "misdemeanor".

**Amendment No. 4**

On page 1, line 19, strike out "felony", and insert "misdemeanor".

**Amendment No. 5**

On page 2, line 10, strike out "felony", and insert "misdemeanor".

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

## CONSIDERATION OF HOUSE RESOLUTION NO. 77

House Resolution No. 77

Relative to Adoption of Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That the following Standing Rules are hereby adopted as the Permanent Standing Rules of the Assembly for the 1959 Regular Session:

# PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1959 REGULAR SESSION

## SECTION I

## LEGISLATIVE ORGANIZATION

### Assembly General Officers

1. The general officers of the Assembly whose names and titles shall appear on the frontpiece of all publications are:

Speaker
Speaker pro Tempore
Majority Floor Leader
Minority Floor Leader
Chief Clerk

### Assignment of Desks to Members

2. Members shall be assigned to offices and desks by the Committee on Rules, and, as far as possible, the committee shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

### Hours of Meeting

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

## RULES

### Adoption of Standing Rules

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

### Suspension of Rules

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

### Amending Standing Rules

6. No standing rule of the Assembly shall be amended except by resolution adopted by an affirmative recorded vote of a majority of the entire elected membership of the Assembly.

No such resolution shall be considered until it shall have been referred to the Committee on Rules.

### Temporary Rules

7. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall

have the effect, for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

**Parliamentary Rules**

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

**Effect of Adoption of These Rules**

9. The adoption of the Standing Rules of a budget session shall not be construed as modifying or rescinding the permanent Standing Rules of the Assembly for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

**Committee on Rules**

10. There is a Committee on Rules, which shall act as the executive committee of the House. The committee shall consist of one member appointed by the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the elected membership of the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and such vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Vacancies in the appointive membership shall be filled by the Speaker. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee.

**Powers of the Committee on Rules**

11. The Committee on Rules provided herein shall have the following powers:

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

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

**Rules and Regulations Governing Committees**

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

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

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

The Committee on Rules shall adopt rules and regulations governing the letting of any contract by an interim investigating committee and shall also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees or other Assembly committees.

Such rules may provide for allowances to committee employees in lieu of actual expenses for mileage, hotel accommodations, and meals at the rates fixed by the committee from time to time in limitation of reimbursement of actual expenses of committee employees generally, or at such lesser rate as may be prescribed by the employing committee.

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

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee and of any other Assembly committee that has employees

**Employees of Committees**

12.5. Every applicant for employment by any committee of the Assembly or by a subcommittee of any such committee, shall prepare a formal application for such employment on forms prescribed by the Assembly Committee on Rules. The application shall include a statement of his present employment, his employment during the preceding two years, and such other pertinent information as the committees require. The application shall be certified under penalty of perjury, and any willful false statement or omission of a material fact shall be punishable as perjury. If the application discloses any fact that indicates that the applicant has a personal interest that would conflict with the faithful performance of his duties, the applicant shall not be employed. All applications shall be retained in the records of the committee.

An employee of any committee of the Assembly or of a subcommittee of any such committee, shall not engage in any employment, activity, or enterprise which has been determined to be inconsistent, incompatible, or in conflict with his duties as such employee or with the duties, functions, or responsibilities of the committee or subcommittee by which he is employed. Each such employee shall immediately report in writing to the chairman of the committee or subcommittee by which he is employed, any other employment, activity, or enterprise he engages in while so employed, and shall transmit a copy of such report to the Assembly Rules Committee.

**Assembly Contingent Fund**

12.6. The Assembly Committee on Rules is the committee provided for in Section 9127 of the Government Code. The balance of all money in the Assembly Contingent Fund, including money now or hereafter appropriated, except such sums as are specifically made available for the expenses of designated interim committees or for other purposes, is hereby made available to the Assembly Committee on Rules for any charges or claims it may incur in carrying out the duties imposed upon it by these rules or by Assembly or joint resolution. The money made available by this rule includes the unencumbered balances of all sums heretofore made available to any Assembly or joint interim committee by the Assembly, upon the expiration of such committee, and shall be expended as provided in these rules.

**Interim Committee on Rules**

13. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

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

**Powers of the Committee on Rules**

14. Both during sessions, and after final adjournment and until the convening of the next regular general session, the Committee on Rules has the following additional powers and duties:

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

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

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

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

(e) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

(f) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof such clerical, secretarial and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purposes to employ such additional stenographic and secretarial assistants as may be necessary, assign, re-assign and discharge such assistants and prescribe amounts, times and methods of payment of their compensation.

(g) To incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol and the Capitol Annex.

**Committee on Engrossment and Enrollment**

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

(b) To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

**Standing Committees**

16. Twenty-six standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Engrossment and Enrollment
3. Natural Resources, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Government Organization
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military and Veterans Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary—Civil
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce
24. Livestock and Dairies
25. Criminal Procedure
26. Water

**Membership of Standing Committees**

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

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

**Creation of Interim Committees**

18. A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other interim or investigating committee.

### Rational Organization of Committees

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

### Special Assembly Committee on Legislative Representation

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

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

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

The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative Analyst as executive secretary of this committee to act without compensation.

## SECTION 2
## HOUSE FUNCTIONS

### Duties of Assembly Officers

#### Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

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

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

**Funerals and Other Ceremonies and Events**

22. The Speaker may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals and other ceremonies and events in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or, in lieu of such expenses, the same allowance for accommodations, meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary for the purchase on behalf of the Assembly of suitable floral pieces at any such funeral or at any other such ceremony or event at which the offering of a floral tribute is appropriate.

All expenses incurred pursuant to this rule, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Assembly to the Assembly Committee on Rules and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

**Duties of the Speaker pro Tempore**

23. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. He shall, ex officio, be a member of the Committee on Rules with all of the rights and privileges of such membership except the right to vote.

**Majority Floor Leader**

24. The Speaker, after consultation with the members of his supporting majority, shall appoint one member to be his personal representative on the floor of the Assembly, who shall be known as the Majority Floor Leader.

It shall be his duty to manage the daily file and to participate in the various debates by making such motions, points of order, or other arrangements as may be necessary to expedite the proceedings of the Assembly and he shall be responsible for the presentation of all matters which relate to the order of business, and to the promotion of harmony among the membership.

The Majority Floor Leader shall be ex officio a member of the Committee on Rules with all the rights and privileges of such membership except the right to vote.

In the event of the absence or inability of the Speaker pro Tempore, for any reason or at any time, to perform the duties of his office, the Majority Floor Leader shall assume and perform such of those duties as may be required to conduct the business of the Assembly.

**Minority Floor Leader**

25. The minority if any, or any organized segment of the membership may, through caucus or other means, designate a member to act as floor leader for it. When so acting he may be referred to as Minority Floor Leader.

The Minority Floor Leader shall be ex officio a member of the Committee on Rules with all rights and privileges of such membership except the right to vote.

**Duties of the Chief Clerk**

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

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

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

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

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

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

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

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

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

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

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

(k) To order and sign for all documents and printing, subject to approval by the Speaker or a person designated by the Speaker.

**Correction of Amendments**

27. The Chief Clerk may, with prior approval of the Speaker, make technical changes in amendments to bills and measures, adopted by the Assembly. Technical changes are limited to those correcting spelling and punctuation and those necessary in order that the amendments fit the last form of the bill or measure.

**Registration of Legislative Advocates**

28. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Analyst is hereby designated as the person embraced by the definition of "Clerk" set forth in that section.

**Duties of the Sergeant-at-Arms**

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

**Duties of the Chief Assistant Sergeant-at-Arms**

30. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

## Printing

**Authority for Printing**

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

**Printing Style, Form and Amount to Be Printed**

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

**Printing Assembly History**

33. The Chief Clerk shall cause to be compiled and printed a Legislative Handbook as soon as practicable after the commencement of the session.

During the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Tuesday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

**Publication of Names of Guests of Assembly**

34. The Chief Clerk shall cause to be printed a suitable publication containing the names of the guests extended the courtesies of the Assembly when, in his judgement, such a publication is advisable. A copy of each publication so printed during the session shall be filed with the Secretary of State and made a part of the Appendix to the final approved Journal for the session.

**Printing of Maps**

35. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

**Miscellaneous**

**Admission to Assembly Chamber**

36. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the Lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

**Use of Assembly Chamber**

37. The Assembly Chamber shall not be used for any public or private business other than legislative matters during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

**Persons Admitted to Floor of the Assembly**

38. No person other than members, officers, attaches, employees of the Legislature, former Members of the Legislature, and accredited members of the press shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted upon presentation of a guest card of said member countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued. No person required to register pursuant to Section 9906 of the Government Code shall, under any circumstances be admitted to the Assembly Chambers while the Assembly is in session

All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A

special section in the balcony shall be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person shall engage in influencing the passage or defeat of legislation in the Assembly Chamber; provided, that this sentence is not applicable to Members of the Legislature.

**Smoking in Assembly Chamber**

39. Smoking may be prohibited temporarily during any session of Assembly by a majority vote of the members present.

**Fees for Witnesses**

40. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10.) for each day such witness shall be required to appear, and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

No witness shall be entitled to his fee or mileage until after his appearance before such a committee.

**Press Privileges**

41. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

**Press Photographers**

42. Press photographers shall be authorized to take photographs at meetings of Assembly committees subject to the following conditions:

1. The authorization given by this rule shall apply only to photographers from or employed by accredited newspapers or wire services, and newsreel or television photographers.

2. The authorization shall extend to all Assembly standing committees and subcommittees thereof, but shall not extend to executive meetings of such committees and subcommittees

3. The chairman of the committee concerned shall be notified either orally or in writing, at any time prior to the committee meeting that a press photographer will be present.

4. To the extent practical, flash cameras shall not be used.

5. Photographs shall be taken in an orderly and expeditious manner so as to cause the least possible inconvenience to the committee.

## SECTION 3

## LEGISLATIVE PROCEDURE

**Speaker to Call Assembly to Order**

43. The Speaker, or in his absence, the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Majority Floor Leader shall call the Assembly to order, and shall preside until the return of the Speaker or Speaker pro Tempore.

### Roll Call and Quorum

44. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered in the Journal. A majority of all the members elected to the Assembly shall constitute a quorum.

### Order of Business

45. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Second Reading of Bills
8. Messages from the Governor
9. Messages from the Senate
10. Motions and Resolutions
11. Business on the Daily File
12. Notices of Motions
13. Announcements
14. Adjournment

### Pledging Allegiance to the Flag

46. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

### Reading, Correcting and Approving Journals

47. a. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

b. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

c. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

### Presentation of Petitions

48. Whenever petitions, memorials, or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered in the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

### Messages From the Governor

49. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

### Messages From the Senate

50. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which references shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business file.

## Bills

### Bills Defined

51. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided.

### Digests of Bills Introduced

51.5. No bill shall be introduced unless it is contained in a cover attached by the Legislative Counsel and unless it is accompanied by a digest prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law which are proposed by the bill. If any bill is presented to the Chief Clerk for introduction which does not comply with the foregoing requirements of this rule the Chief Clerk shall return it to the member who presented it.

The digest shall be printed on the bill as introduced in distinctive type upon the lower part of the first page thereof.

### Introduction and Reference of Bills

52. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced, which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

**Reference of Bills to Committee**

53. Immediately following its first reading, the Speaker, shall refer each bill to a committee, unless upon a motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable.

**Delivery of Bills to State Printer**

54. After introduction, first reading and reference to committee, all bills shall be delivered to the State Printer.

**Standing Committee Functions**

**Standing Committee Rules**

55. The Rules of the Assembly shall govern the conduct of all committee meetings Each committee may adopt, by a majority vote of its entire membership, such additional rules, not in conflict with the Standing Rules, as it may deem necessary for the conduct of any business referred to such committee.

A majority of the committee members present may order a call of the committee.

**Meetings of Standing Committees**

56. All standing committees shall meet at the hour and place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee, by a majority vote of its entire membership, shall order an executive session.

All bills set for hearing by any Assembly committee must be published in the Daily File not less than three days in advance of such hearing; provided, that this rule shall not prevent any Assembly committee from hearing any bill on Tuesday or Wednesday, where the action of the committee or committee's chairman setting such bill for hearing was taken on the preceding Friday or Saturday and a notice thereof is published in the Daily File for the following Monday; provided, further, that no bill shall be set for hearing nor shall any notice thereof be published by any Assembly committee until that bill has been referred to such committee.

The several standing committees and their chairmen are directed to adopt a procedure which assures that no committee shall commence the hearing of any bill after the hour of six o'clock p.m. at an afternoon meeting of the committee or after the hour of 11 o'clock p.m. at an evening meeting, but the hearings on a bill commenced prior thereto may be continued thereafter for such period of time as the committee deems necessary.

**Committee Quorum**

57. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the adoption of any amendments to any bill At least a majority of all members constituting such committee shall be required to report a bill out of committee.

**Bills Reported Back to Assembly**

58. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule The chairman of each committee shall, insofar as practicable, report back bills in the same order as they were acted upon by the committee.

**Reports of Committees**

59. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

**Signing Bills Out of Committee**

60. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

**Committee of the Whole**

61. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered in the Journal except upon motion and a majority vote of the members present.

**Committee on Ways and Means**

62 The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading.

**Committee Expenditures**

63. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly.

**Reports of Interim Committees**

64. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth legislative day after the convening thereof.

## Passage of Bills

**Daily File**

65. There shall be printed an Assembly Daily File for each legislative day when ordered by the Speaker. The Committee on Rules shall

have charge of the Daily File of the Assembly. The following listing shall constitute the order of the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills
7. Adoption of Resolutions.

All bills on the Daily File shall be called for consideration, provided compliance has been had with Rule 58, in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

**Inactive File**

66. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

**Record of Bills**

67. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be indorsed upon such bill.

**Second Reading of Bills**

68. All bills shall be read the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading. All bills reported out of committee shall be placed on the second reading file for the next legislative day and shall not be read a second time except under that order of business.

**Committee Amendments**

69. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by majority vote of the members present. Assembly and Senate bills amended on second reading, whether by committee amendment or amendment from the floor, shall be ordered reprinted and returned to the second reading file. Assembly bills so amended shall be engrossed after printing

Adoption of amendments to any bill in the Assembly prior to third reading, other than by a roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments, or any part thereof, by the Assembly.

**Amendments From the Floor**

70. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate four copies of the proposed amendment must be delivered to the Clerk's desk and one copy made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary

**Consideration of Bills Re-referred to Committee**

71. Whenever a bill which has been amended, and re-referred to committee, is reported out by that committee, it shall be placed on the second reading file and shall not be transferred therefrom to the regular third reading file until the following day.

***Consideration of Constitutional Amendments, Concurrent and Joint Resolutions***

72. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

**Bills Transmitted to the Senate**

73 Upon the final passage of any bill if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

**Bills Considered During Period Prior to Final Adjournment**

74. See Joint Rule 23 for provisions governing bills considered during this period.

**Concurrence in Senate Amendments**

75. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

**Nonconcurrence in Senate Amendments**

76. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a committee of three (3) on conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

**Committee on Conference**

77. The Speaker, in appointing a committee on conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his vote on the appropriate roll call, as follows:

(a) The roll call on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments;

(b) The roll call on the question of concurrence with Senate amendments to an Assembly bill.

**Meetings and Reports of Committees on Conference**

78. The Chairman of the Senate committee on conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a committee on conference shall be appointed a member of another committee on conference on the same bill. The presentation and consideration of any report of a committee on conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such conference report by the Assembly shall be deemed the vote upon final passage of such bill.

**Engrossing and Enrolling Bills**

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purpose, in compliance with provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

**Enrollment**

80. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

### Adoption of Resolutions

81. House resolutions and concurrent resolutions that do not require a recorded roll-call vote, such as resolutions of congratulation or sympathy, shall be listed under a separate heading in the printed Daily File. They shall be considered for adoption under that order of business, or at any other time as determined by the Speaker.

## SECTION 4
## PARLIAMENTARY PROCEDURE

### Motions and Questions

#### Precedence of Motions During Debate

82. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

*First*—To adjourn;
*Second*—To recess to a time certain;
*Third*—To lay on the table;
*Fourth*—For the previous question;
*Fifth*—To set as a special order;
*Sixth*—To postpone indefinitely;
*Seventh*—To refer to or re-refer;
*Eighth*—To amend.

#### Questions of Order Decided Without Debate

83. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 84 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

#### Appeal From Decision of the Speaker

84. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and the member taking the appeal may give his reasons for making his appeal, and the Speaker shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of Rules, or priority of business. A majority vote of the members present shall decide any appeal.

#### Speaker Explains Order of Business

85. The Speaker may, on his own motion or upon the motion of any Member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

**To Adjourn**

86. A motion to adjourn is not debatable and cannot be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the members present.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. A statement shall not occupy more than two minutes and shall not be debatable.

**To Recess to a Time Certain**

87. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

**To Lay on the Table**

88. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

Any motion to lay on the table, if carried by a majority vote of the entire elected membership, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint, or House resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

**The Previous Question**

89. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

**Motion to Set Special Order**

90. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

**Motion to Postpone to a Time Certain**

91. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

**Motion to Postpone Indefinitely**

92 When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire elected membership, the main question shall not be acted upon again during the session.

**Motion to Amend**

93. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 90.

**Amendment to Be Germane**

94 No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

**Substitute Motion**

95. A motion to substitute shall be deemed and treated as a motion to amend.

**Motions in Writing**

96 Upon request of the Speaker all motions shall be reduced to writing and shall be read to the Assembly by the Speaker before the same are acted upon.

**Constitution of Motions**

97. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

**Division of Questions**

98. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

**Withdrawal of Motions**

99. After a motion is stated by the Speaker, or a bill, resolution, or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

**Motion to Be Germane**

100. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

**Motion to Withdraw and Recall Bills**

101. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members

No bill or resolution shall be withdrawn from committee and placed upon the file except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

**Re-reference of Measures on File**

102. A motion to re-refer a bill or resolution that is on the Assembly Daily File to committee may be made during the regular order of business. The motion shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members.

**Bills Stricken From File**

103. A motion to strike from the file any bill or House resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

**Motion to Rescind Action and Expunge Record**

104. Previous to the approval of the Journal by the Assembly any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

**Reconsideration of Vote**

105. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed

upon the unfinished business file, and no further action shall be taken prior to the next legislative day When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

**Call of Assembly**

106. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly, and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call, which list of absentees shall be furnished to the Sergeant-at-Arms Thereupon no members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State Police, and sheriffs or their deputies, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, such action to become effective upon the completion of the roll call and the announcement of the vote upon the matter for which the call was ordered.

**Resolutions**

107. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

**Motions and Resolutions**

108. Any motion or resolution not otherwise provided for under the Rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

**Adjournment**

109. Adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

## Members' Decorum and Privileges

**Order in Speaking to Questions**

110. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

**Motions**

111. When a member desires to make a motion, he shall obtain recognition as provided in Rule 112. Upon being recognized he shall open by stating his motion, except in the case of a nomination, and in any other case shall not speak to the merits of the motion at that time and shall confine his remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debatable, the member who made it shall then be entitled to recognition to open the debate thereon.

When a member obtains the floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, he shall not be permitted to conclude his debate by making any motion or by demanding the previous question.

**Leave of Absence**

112. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

**Personal Privilege**

113 Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

**Objection to Reading of Any Paper**

114. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

**Members Called to Order for Transgressing Rules**

115. a If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determinted whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

b. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

**Members Voting**

116. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure

of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution

A member may submit a written explanation of his vote on any bill or House resolution, and have such explanation printed in the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

**Compensation and Expenses of Member Convicted of Felony**

117. If a Member of the Assembly is convicted of a felony by a superior court, his right to further compensation or expenses is thereupon suspended and his membership on any interim committee is suspended If such conviction becomes final, the right of the member to further compensation or expenses shall terminate and any compensation or expenses withheld shall be forfeited to the State If a conviction is reversed by an appellate court or a motion for a new trial is granted and the member is thereafter found not guilty or the charges against him are dismissed, the amounts of the withheld compensation or expenses shall be paid to the member and the suspension of his committee membership shall terminate

Whenever a member is convicted of a felony in the superior court, the Assembly Rules Committee shall give written notice to the State Controller, directing him to discontinue any further payments to the member unless and until the Rules Committee notifies the State Controller that the member has been found not guilty or that the charges against him are dismissed The State Controller shall not draw any warrant payable to any such member except as provided in this rule.

**Ayes and Noes**

118. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

**Voting Not to Be Interrupted**

119. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

**Members at Clerk's Desk**

120. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

**Tie Vote**

121. In case of an equal division, or tie vote, the question shall be lost.

**"Two-thirds of the Entire Elected Membership" Defined**

122. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

**Assembly Expenses Between Sessions**

123. Pursuant to the powers vested in the Assembly Committee on Rules, and during such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 13**—Relative to equalizing retirement benefits for retired members of the armed forces who retired prior to June 1, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—68.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 3**—Relative to imported tuna.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr Speaker—64.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 17**—Relative to memorializing the death of Dr. Margaret J. Chung.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 54**—Relative to the death of Judge Percy G. West.

Resolution read.

### Motion to Adjourn in Memory of Judge West

Mr. Z'berg moved that when the Assembly this day adjourns, it do so out of respect to the memory of Judge Percy G. West.

Motion carried.

The question being on the adoption of the resolution.

Resolution adopted unanimously by a rising vote of the Members of the Assembly.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 42**—Relative to amending the Joint Rules of the Senate and Assembly.

Resolution read.

### Speaker pro Tempore Presiding

At 11.02 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.

NOES—Bruce F. Allen—1

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 49**—Relative to amending the Joint Rules of the Senate and Assembly.

Resolution read.

### Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed measure, lines 7 and 8, strike out "one hundred twentieth", and insert "sixtieth".

Amendment read.

### Demand for Previous Question

Messrs. Francis, Dahl, Williamson, Busterud, and Unruh demanded the previous question. Demand sustained.

The question being on the adoption of the amendment offered by Mr. McCollister.

Amendment refused adoption.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering,

Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—McCollister and Shell—2.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 11.37 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Request for Opinion

Mr. McCollister requested that the Chief Clerk be instructed to obtain an opinion of the Legislative Counsel as to whether or not Saturdays and Sundays are to be counted in the 120 calendar days set forth in Assembly Concurrent Resolution No. 49.

Mr. Miller joined in the request.

Request granted.

**Assembly Concurrent Resolution No. 56**—Relative to the continuance of the Joint Committee on Legislative Procedure.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 57**—Relative to adding Rule No. 34.2 to the Joint Rules of the Senate and Assembly, with respect to memorial resolutions.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—Elliott, Gaffney, and Charles H. Wilson—3.

Resolution ordered transmitted to the Senate

## CONSIDERATION OF HOUSE RESOLUTION NO. 70

By Mr. Thomas:

House Resolution No. 70

Relative to a research bibliography of fish and game material

WHEREAS, Pursuant to House Resolution No. 124 of the 1957 Regular Session of the Legislature an excellent comprehensive Annotated Bibliography of Research in Economically Important Species of California Fish and Game covering all available

research papers on some 144 species was prepared for the Assembly Interim Committee on Fish and Game by Mr. William F. Scheuermann, Jr.; and

WHEREAS, This bibliography for the first time makes available a most valuable research tool for the study of material already written on the species included in the study; and

WHEREAS, This bibliography includes all available material prior to July, 1958, but in order for such a bibliography to be most useful it should include any subsequent studies of these species and any others which may become important in the future, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Fish and Game is requested to keep this bibliography up to date on the selected species and any additional species which may become economically important and to report such material to the Legislature at each General Session, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Department of Fish and Game and a suitably prepared copy to Mr. William F. Scheuermann, Jr.

Resolution read, and adopted unanimously.

## ANNOUNCEMENT

Mr. Dahl announced that he would not take up Assembly Bill No. 27 today, but that he would take the bill up for consideration tomorrow.

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

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

**Assembly Bill No. 1435**: By Mr. MacBride—An act to amend Section 5302.6 of the Streets and Highways Code, relating to the Improvement Act of 1911, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1436**: By Mr. MacBride—An act to amend Section 13641 of the Revenue and Taxation Code, relating to inter vivos transfers.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1437**: By Mr. MacBride—An act to amend Sections 14372 and 14373 of the Revenue and Taxation Code, relating to inheritance tax refunds.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1438**: By Messrs. Nisbet, Hegland, Schrade, Johnson, and Kennick—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to population of cities.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1439**: By Messrs. Busterud, Gaffney, and Meyers—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1440**: By Mr. Hegland (By Request)—An act to amend Section 13444 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to dismissal of probationary teachers.

Referred to Committee on Education.

**Assembly Bill No. 1441**: By Mr. Cunningham—An act to amend Section 71661 of the Government Code, relating to receipts for bail.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1442**: By Mr Cunningham—An act to amend Section 909 of the Streets and Highways Code, relating to county highway construction equipment contracts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1443**: By Mr. Cunningham—An act to add Section 1481.1 to the Government Code, and to amend Section 1203.8 of the Penal Code, relating to bonding of probation officers and their assistants.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1444**: By Mr. Cunningham—An act to amend Sections 11535 and 11551.5 of the Business and Professions Code, relating to subdivisions.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1445**: By Mr. O'Connell—An act to add Chapter 4 (commencing with Section 460) to Part 1 of Division 2 of the Labor Code, relating to minimum wages.

Referred to Committee on Industrial Relations

**Assembly Bill No. 1446**: By Mr. Johnson—An act to add Sections 35500.1 and 35550.1 to the Government Code, relating to exclusion of territory from cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1447: By Mr. Johnson**—An act to amend Sections 58853, 58854, 58857, 58859 and 58860 of the Government Code, relating to change of boundaries.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1448**: By Mr. Crawford, and Senator Cobey, Co-author—An act to add Title 4 (commencing with Section 13500) to Part 4 of the Penal Code, relating to standards for hiring and training of local law enforcement officers and making an appropriation.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1449**: By Mr. Biddick—An act to repeal Section 170.5 of the Code of Civil Procedure, relating to peremptory challenges of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1450**: By Mr. Biddick—An act to add Section 1506.6 to the Welfare and Institutions Code, relating to obtaining aid to needy children by false statements and representations or by other improper means.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1451**: By Mr. Biddick—An act to amend Sections 1653, 1672, 1674, 1681, 1683, and 1686 of, and to add Section

1686.5 to, the Code of Civil Procedure, relating to enforcement of duties of support.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1452:** By Mr. Williamson, Miss Donahoe, Mr. Masterson, and Senator Stiern, Co-author—An act to add Section 25509 to the Government Code, relating to Purchasing Agent's Stores Account.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1453:** By Mr. Lowrey—An act to add Section 7075.5 to the Water Code, relating to seepage and erosion.

Referred to Committee on Water.

**Assembly Bill No. 1454:** By Mr. Lunardi—An act to amend Section 208.1 of the Vehicle Code and to amend Section 11715 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicle license plates for manufacturers and dealers.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1455:** By Messrs. Lunardi, DeLotto, Garrigus, and Waldie—An act to add Section 5906.5 to the Elections Code, relating to absent voters.

Referred to Committee on Elections and Reapportionment.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONCURRENT RESOLUTION NO. 65

Mr Belotti was granted unanimous consent that Assembly Concurrent Resolution No. 65 be withdrawn from the Committee on Rules, and re-referred to the Committee on Fish and Game.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Belotti was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of setting Assembly Concurrent Resolution No. 65 for hearing in the Committee on Fish and Game without the three-day notice thereof appearing in the Daily File.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Unruh was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 14, 1959

*Hon Jesse M. Unruh*
*Assembly Chamber*

*Assembly Bill No. 91—No. 8529*

DEAR MR UNRUH:

*Question*

You ask whether Assembly Bill No 91 may be passed before the Budget Bill without a letter from the Governor.

*Opinion*

In our opinion the bill may be passed before the Budget Bill without a letter from the Governor.

*Analysis*

Article IV, Section 34 of the Constitution provides in part that "Until the Budget Bill has been finally enacted, neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor, or appropriations for the salaries, mileage and expenses of the Senate and Assembly."

Whether or not Assembly Bill No. 91 can be passed before the Budget Bill without a letter from the Governor depends on whether or not the bill contains an appropriation.

The bill in question, in general, prohibits discrimination by employers, labor organizations, and employment agencies against any person because of his race, creed, color, national origin, or ancestry. It also provides for the establishment of a State Fair Employment Practice Commission to enforce the act and prescribes the terms of office, salaries, and functions of the members of the commission.

We find nothing in the bill that authorizes the expenditure of state funds or which purports to appropriate state funds. On the contrary, the appropriation for the support of the commission is contained in the Budget Bills (Item 135, Assembly Bill No. 800 and Senate Bill No 350). In view of this, it is our conclusion that the bill may be passed before the Budget Bill without a letter from the Governor.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD K. PURCELL
Deputy Legislative Counsel

Two copies to Assemblyman Rumford pursuant to Joint Rule 34.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. MacBride was granted unanimous consent that the following analysis of Assembly Bill No. 1170, with proposed amendments, be ordered printed in the Journal:

**From Legislative Analyst to Thomas J. MacBride**

February 16, 1959

### ANALYSIS OF ASSEMBLY BILL NO. 1170
**(As Proposed to Be Amended February 19, 1959)**

*Tax:* Insurance Tax

*Effect on Revenue:* Increase in Revenue to General Fund during 1958-59 of $55,600,000 and $5,000,000 during 1959-60

*Analysis:*

This analysis is based on the printed copy of Assembly Bill No. 1170, introduced February 4, 1959, after giving effect to the proposed author's amendments which are attached hereto.

The main purpose of the bill, which is a tax levy within the meaning of Article IV of the Constitution, and will go into effect immediately, is

to advance the payment date of the tax from November 15th to June 15th. It makes no other substantive changes in the existing law except:

1. To place the tax on what is essentially a self-assessed basis.
2. To provide for assessment of deficiencies as to past periods currently, instead of only once each year.
3. To provide for interest on deficiencies and overpayments.

### Procedure Under Existing Law

Under existing law ocean marine insurers, which pay only about one-tenth of 1 percent of the total tax, file annual reports with the Insurance Commissioner on May 1st. All other insurers file their reports on April 1st, including a "premium tax return" in duplicate. The Insurance Commissioner files a report with the Board of Equalization on or before July 1st showing the amount of tax payable by each insurer as computed by him, and includes with the report one copy of each "premium tax return."

On or before August 10th, the Board of Equalization assesses the tax and notifies each insurer of the amount. On or before September 10th any insurer dissatisfied with the assessment may apply to the board for correction and the Board of Equalization has until October 15th to make any changes in the assessments and to notify the insurers accordingly. On October 20th the Board of Equalization notifies the Controller of the amounts of all assessments against insurance companies, and if the taxes are not paid to the Controller by November 15th a 10 percent penalty attaches.

Currently about 28 percent of the tax is received in October of each year and the remaining 72 percent in November.

The only procedure for assessing and collecting any deficiencies as to past periods which may be disclosed by the Insurance Commissioner's periodical examinations of the records of the insurance companies, or otherwise, is to include them with the regular amounts assessed by the Board of Equalization on August 10th, which need not be paid until November 25th, and there is no provision for interest on deficiencies or overpayments such as is common to most other tax laws.

### Procedure Under Assembly Bill No. 1170

Under Assembly Bill No. 1170, the insurers are required to file two copies of a tax return with the reports filed with the Insurance Commissioner on April 1st or May 1st, as the case may be, and to pay the tax indicated on the return to the Insurance Commissioner not later than June 15th in order to avoid a 10 percent penalty and interest at one-half of 1 percent per month or fraction thereof from June 15th to date of payment.

On July 1st the Insurance Commissioner forwards one copy of the tax return to the Board of Equalization together with recommendations for any changes in the reported tax and the Board of Equalization, on or before August 10th, after making the assessment, which it is required to do under Article XIII, Section 14¾(h) of the Constitution, notifies only those insurers whose assessments differ from the amounts on the returns, with a copy of the notice to the Insurance Commissioner and the Controller.

The insurer has the same right as at present to apply to the board on or before September 10th for correction of any assessment, including his own "self-assessment," and the board has until October 15th to change any assessment, at which time it must notify the insurer of the revised assessment, with a copy to the Insurance Commissioner and the Controller.

Assessments made by the board on August 10th or October 15th are payable to the Controller and bear interest at one-half of 1 percent per month or fraction thereof from June 15th to date of payment and if not paid by November 15th, a 10 percent penalty attaches.

If at any time the Insurance Commissioner should discover a deficiency which has not been assessed he shall notify the insurer and the board of the amount and the insurer has 30 days to protest to the board. The board within an additional 30 days must reassess the tax and notify the insurer and the Controller of the amount, and the insurer must pay the Controller within 30 days after receiving such notice in order to avoid a 10 percent penalty. All such assessments bear interest at one-half of 1 percent per month or fraction thereof from June 15th of the year in which the tax would have been payable if properly assessed to the date of payment.

The procedure for assessing deficiencies at any time is new, and conforms generally to the procedure for assessing such deficiencies under other tax laws.

Any overpayments disclosed in the course of the assessment process may be offset against any tax due on the next or succeeding due dates, and bear interest at 6 percent per annum from the date of overpayment to the date the credit is used but to not later than April 1st following the date of approval.

The allowance of interest on overpayments is new and is in accordance with the provisions in most other tax laws.

### Administrative Costs

During 1958 there were 716 assessments against insurance companies which required some processing by each of three agencies, the Insurance Commissioner, the Board of Equalization and the Controller, including the mailing of approximately 750 notices to insurers by the Board of Equalization and the maintenance of collection records for 716 assessments by the Controller.

Under Assembly Bill No. 1170, the number of notices required per year will be reduced from approximately 750 to an estimated 160 since notices will be required only in cases where self-assessments have been changed or deficiencies discovered, and the record-keeping required by the Controller will be reduced accordingly.

These changes should result in some overall reduction in administrative cost.

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 1170

### Amendment No. 1

In line 3 of the title of the printed bill, after "12624," insert "12626,".

### Amendment No. 2

On page 3, line 26, strike out "or", and insert "and".

**Amendment No. 3**

On page 3, strike out lines 27 and 28, and insert "part, the Insurance Commissioner shall note such fact".

**Amendment No. 4**

On page 5, strike out "They", and insert "The taxes".

**Amendment No. 5**

On page 5, line 6, strike out "their delinquent date", and insert "June 15".

**Amendment No. 6**

On page 5, line 7, strike out "June", and insert "November".

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

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**Amendment No. 7**

On page 5, between lines 19 and 20, insert

"SEC. 18.5. Section 12626 of said code is amended to read:

12626. On or before the fifteenth day of [November] *June*, the State Compensation Insurance Fund shall pay into the State Treasury to the credit of the General Fund the sum required under the provisions of Section 12264 of this code."

**Amendment No. 8**

On page 7, strike out line 5, and insert "on which the credit is used but not later than April 1st following the date of approval."

**Amendment No. 9**

On page 7, line 30, strike out "from April 1st", and insert "at the rate of one-half of 1 percent per month from June 15".

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 7
Assembly Bill No. 11
Assembly Bill No. 38

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, February 16, 1959

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

Assembly Bill No. 436

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

BRADLEY, Chairman

Above reported bill ordered to second reading

## ANNOUNCEMENT

Mr Porter announced a Los Angeles County Delegation luncheon meeting at the Hotel Senator at 12.15 p.m. today.

## REPORT BY MR. BUSTERUD

Mr. Busterud made a short verbal report on his trip to the Oregon Centennial Celebration at Salem, which he attended on Saturday as a representative of Governor Brown.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Announcements were made of the committee meetings scheduled for this date, as set forth in the Daily File and Daily History.

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Messrs. Backstrand and Rumford announced that a meeting with automotive manufacturers and dealers on the latest inventions for the elimination of smog or air pollution caused by automobile exhausts would be held at 2 p.m. in the Assembly Chamber.

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Mr. Busterud announced a meeting of the Subcommittee on Traffic Accidents and Consequences of the Assembly Interim Committee on Judiciary at 9 a.m. Wednesday, February 18th, in Room 2196.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr Bradley of San Jose to Ralph Grebmeier and Schuyler Hunt, teachers; Mrs. J. H. Harper, Mrs. James Marsh, Mrs. William Hecht, Mr Campbell, Mrs. Dunlap, Mr. Archer, and Mrs. Grimm, adults; and the following pupils of the Crittenden School: Richard Allen, Charla Archer, Clyde Armstrong, Donald Barnett, Alicia Baker, Don Beffer, Ralph Bolan, Linda Bryson, Catherine Campbell, Cheryl Cann, Joyce Capote, Ernest Carlisle, John Collins, Tommy Cooper, Michelle Dunlap, Gilbert Enger, Brian Fisher, Wayne Fogleman, Arthur Fuller, Luciano Garcia, Harley Grimm, Juanita Guerrero, Judy Harper, Patty Hecht, Virginia Hodges, Ann Marie Hupman, Andrew Jackson, Lionel Jainez, Darlene Jay, Donald Jocius, Trudi Klatt, Kenneth Krass, Hiroko Kudo, Kathy Lindbo, Raymond Macius, Bill Marsh, Mildred Martinez, Josephine Medina, Judy Metcalf, Martha Mohundro, Louis Ortiz, Sharon Reed, Alfred Santana, Billy Scott, Marlyn Settle, Benny Simental, George Staples, Walter Tibbett, Jim Turner, Dick Vader, Bob Valenzuela, Rose Vicars, Paul Voss, Terrance Whitlock, Victoria Winslow, Suzette Woods, Mathew Younger, and Bob Zwenke

On request of Mr. Luckel of San Diego, Mr. Schrade of El Cajon, Mr. Crawford of San Diego, and Mr. Hegland of La Mesa to Russell Vuich, Howard Baumann, Bruce Sandell, of San Diego; and Miss Merrill Campbell, of Anaheim.

On request of Mr. Francis of San Mateo to Mrs. Burke and Mrs. Sherwood, adults; and the following Senior Girl Scouts, North San Mateo County Council: Janet Flint, Shannon Casamo, Dolores Spinetti, Carolyn Reinche, Joan Spinetti, Susan Woolery, Susan Damon, Joan Hillman, Arleen Hansen, Jeanne Quivey, Rozanne Quivey, Joan Burke, Joan Johnsrud, Kathy Erdman, Toni Nessi, Elaine Erickson, Kathy Rollman, Barbara Rollman, Jane O'Brian, Nanette McGuire, Joan Kelly, Karen Deming, Sally Sloan, Diane Pulsifer, Kathy Brumfield, Barbara Perrson, Linda Scroggie, Christine Davis, Loretta Durham, Pam Marsh, Maureen Stocknick, Ann Imprescia, Ann Burke, Pat Schultz, Maureen Murphy, Jackie Cook, Linda Anderson, Sharon Peters, Connie Sims, Valorie Stagg, Barbara Niehuser, Pat Urback, Barbara Golladay, and Carole Duke.

On request of Mr. Winton of Merced to Mr. and Mrs. Roberts, Mr. and Mrs. Zacharias, Rev. Francis McKenna, Bob Fereke, Gene Borden, Carey Bovey, E. J. Lyons, and Jim Howall, adults; and the following winners in the fire prevention essay contest of Merced County: Carl Roberts and Judy Zacharias.

On request of Mr. Schrade of El Cajon and the San Diego Delegation to F. J. Doerr of El Cajon.

On request of Mr. Johnson of Los Angeles to John P. Dick of Los Angeles.

On request of Mr. Charles H. Wilson of Los Angeles to Los Angeles City Councilman Gordon R. Hahn, former Assemblyman, of Los Angeles.

On request of Mr. Lunardi of Roseville to Del Conrad of Mariposa County.

On request of Mr. Chapel of Palos Verdes Estates to Lolita M. Dixon and La Trelle Wilhelm of Los Angeles.

On request of Speaker Brown of Modesto to Mrs. Erma Garrison and Ernie R Law of Los Angeles

On request of Mr. Lunardi of Roseville to Sterling Cramer, Member of Olympics Commission

On request of Mr. Waldie of Antioch to Mrs. Vonna Malinen, teacher; Mrs Hobbs and Mrs Barlietto, adults, and the following pupils of the Heights School: Mary Aiello, Rose Ann Aiello, Diana Amos, Berit Boysen, Irene Boyd, James Hudson, Otis Dean, Craig Hobbs, Edwin Hilton, Anna Marie Russo, Linda Thomas, Louis A. Strusis, Nick Wegner, Christine Baglietto, Sally Miano, Richard Sink, Kenneth Campbell, and Linda Campbell.

## ADJOURNMENT

At 12.02 p m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a m , Tuesday, February 17, 1959 out of respect to the memory of the late Judge Percy G. West of Sacramento, former Member of the Assembly.

RALPH M. BROWN, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

THIRTY-SECOND CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, February 17, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

Upon invitation of the Speaker, the following prayer was offered by Rabbi William Fertig of the Mosaic Law Congregation of Sacramento:

*O God, Our Father,* We seek Thy guidance and inspiration as we assemble this morning As Members of this great legislature, we are charged with responsibilities of vision, insight and understanding

As each problem is pondered and each issue examined, we pray that our decisions be just and beneficial to our State and its citizens.

We are grateful to participate in the development and progress of our beloved California As our State continues to grow in numbers, so, too, may our people grow in spiritual vitality, ethical sensitivity and a quest for harmonious living.

Even as Scripture states "and the earth shall be filled with the knowledge of the Lord, as the waters cover the seas," so, too, may His spirit permeate our lives and our communities.—AMEN.

Chief Clerk Arthur A. Ohnimus at the Desk

### READING OF THE JOURNAL DISPENSED WITH

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

### REQUEST RELATIVE TO PRINTING OF OPINIONS IN JOURNAL

Speaker Brown requested that in the future all members who have opinions from the Legislative Counsel which they desire to have printed in the Journal, present their requests at this order of business in the morning.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Miller was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 16, 1959

*Hon. Allen Miller,*
*Assembly Chamber*

*Assembly Concurrent Resolution No. 49—No. 8576*

DEAR MR. MILLER: You ask whether the phrase "one hundred twentieth calendar day of a general session" as used in Assembly Concurrent Resolution No. 49 requires Saturdays and Sundays to be counted as calendar days.

In our opinion the answer is yes.

Assembly Concurrent Resolution No 49 would add Rule 8.3 to the Joint Rules, prohibiting introduction of bills "after the one hundred twentieth calendar day of a general session" except on motion made after five days' notice of intention to do so, and after securing favorable recommendation of the Committee on Rules and a favorable vote of two-thirds of the elected members of the house of introduction.

A calendar day is generally defined as the space of time that elapses between two successive midnights (*Booker* v *Chief Engineer* (Mass.) 85 N E. (2d) 766,767). This would include Saturdays and Sundays.

It should be noted that under the Constitution the session must terminate at the end of the 120th calendar day, exclusive of Saturdays and Sundays. A rule prohibiting introduction of bills after that date would be without any practical effect, and rules of statutory construction prevent a construction which not only departs from the literal meaning of the words used, but also leads to absurd results.

We think it is clear, therefore, that under Assembly Concurrent Resolution No. 49 Saturdays and Sundays must be counted as calendar days.

The 120th calendar day, therefore, will fall on May 4, 1959, and if Assembly Concurrent Resolution No. 49 is adopted, commencing with May 5th no bill may be introduced without complying with the requirements of that resolution.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
BY A. C. MORRISON, Chief Deputy

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

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

**Assembly Bill No. 1456**: By Messrs. Lunardi, DeLotto, Garrigus, and Waldie—An act to amend Sections 5901 and 5931 of the Elections Code, relating to absent voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1457**: By Messrs. Elliott, McMillan, Thomas, Hawkins, George E. Brown, and Cusanovich—An act to amend Section 13317 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to tenure of certificated employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1458**: By Messrs. Hegland, Luckel, Crawford, and Schrade—An act to amend Sections 950 and 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school district elections.

Referred to Committee on Education.

**Assembly Bill No. 1459**: By Mr. Hanna—An act to add Section 24311.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to resignations of state college employees.

Referred to Committee on Education.

**Assembly Bill No. 1460**: By Mr. Hanna—An act to amend Section 24302 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to appointment of state college employees.

Referred to Committee on Education.

**Assembly Bill No. 1461**: By Mr. Bradley—An act to amend Sections 305 and 415 of, and to add Section 514 to, the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1462**: By Mr. Bradley—An act authorizing the Director of Finance to acquire real property in the City of San Jose for incorporation into the campus of San Jose State College.

Referred to Committee on Education.

**Assembly Bill No. 1463**: By Mr. Bradley—An act to amend Section 4031 of the Health and Safety Code, relating to water.

Referred to Committee on Public Health.

**Assembly Bill No. 1464**: By Mr. Garrigus—An act to amend Section 14201 of the Education Code as enacted at the 1959 Regular Session, relating to contributions to the Permanent Fund of the State Teachers' Retirement System

Referred to Committee on Education.

**Assembly Bill No. 1465**: By Mr. DeLotto—An act to amend Sections 6340 and 6361 of the Business and Professions Code, relating to county law libraries.

Referred to Committee on Judiciary—Civil.

**Assembly Concurrent Resolution No. 73**: By Messrs. Meyers, O'Connell, Burton, Busterud, Belotti, Gaffney, and Marks, and Senator McAteer, Co-author—Relative to the commendation of Mr. Sydney Kossen.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 74**: By Messrs. Meyers, Marks, Gaffney, O'Connell, Burton, Busterud, and Senator McAteer, Co-author—Relative to the passing of Dr. Otto G. Freyermuth.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 75**: By Messrs. Busterud, Marks, Gaffney, and Biddick—Relative to Invest in America Week.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 16**: By Mr. Lunardi, Mrs. Davis, Messrs. Biddick, Z'berg, Bee, George E. Brown, Burton, Crown, DeLotto, Lowrey, MacBride, Masterson, Meyers, Petris, Rumford, Waldie, and Winton—Relative to the Auburn Dam on the American River.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. Z'berg:

### House Resolution No. 94

Relative to the passing of Mr. William A. Carroll

WHEREAS, William A. Carroll, a native Californian, who for many years was Sacramento Superintendent of Parks, passed away on February 8, 1959; and

WHEREAS, Mr. Carroll, born in Sacramento, was employed with the Sacramento Park Department for 36 years, retiring in 1954 as City Superintendent of Parks; and

WHEREAS, Mr. Carroll was well known for the important role he played as the developer of William Land Park; and

WHEREAS, Mr. Carroll, as head of the City of Sacramento's Tree Division was responsible for the planting and maintenance of the trees for which the city is famous; and

WHEREAS, He was a member of the Southside Improvement Club, the Elks Lodge No. 6, the Eagles Aerie No. 9, the Sacramento Historical Society, and the Sacramento City Employees' Association; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members express their deep regret at the death of Mr. Carroll, and extend their condolences to his relatives and friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to his brother, Mr. D. H. Carroll, and to his sisters, Mrs. Marjorie Welch, Mrs. Kittie Parker, and Mrs. Amy Stacy.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, February 16, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 111

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, February 16, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 91

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, February 16, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 343

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 16, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 191
Assembly Bill No. 273

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, February 16, 1959

MR SPEAKER: Your Committee on Finance and Insurance repoits.

Assembly Bill No. 73
Assembly Bill No. 164

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 74
Assembly Bill No. 92

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Elections and Reapportionment.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 16, 1959

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

Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No 54
Assembly Concurrent Resolution No. 30

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, February 16, 1959

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

Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 28

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Concurrent Resolution No. 26**—Relative to extending the time for the filing of a report by the Joint Legislative Tax Committee.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 28**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 16, 1959

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

Senate Bill No. 20

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following bill was read the first time:

**Senate Bill No. 20**—An act to amend Sections 370, 372 and 372.4 of, and to repeal Section 372.1 of, the Vehicle Code, and to amend Sections 7351 and 8651 of the Revenue and Taxation Code, relating to highway user fees and taxes.

Referred to Committee on Transportation and Commerce.

## CONSIDERATION OF DAILY FILE

## BILLS ON SECOND READING FILE PURSUANT TO RULE 69

Pursuant to Rule 69, the following bill was this day on the second reading file:

**Assembly Bill No. 48.**

Above bill ordered to third reading, subsequent to engrossment.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 149**—An act to amend Section 252 of the Vehicle Code, relating to the operation of motor vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Vehicle Code", insert ", and to add Section 12518 to the Vehicle Code as proposed by Assembly Bill No. 5".

**Amendment No. 2**

On page 2, after line 15, insert

"SEC. 2. Section 12518 is added to the Vehicle Code as proposed by Assembly Bill No. 5, to read

12518. The provisions of Sections 12502 and 12503 shall apply to any nonresident who is under the age of 21 years and who is a member of the Armed Forces of the United States on active duty within this State, except that the maximum period during which such nonresident may operate a motor vehicle in this State without obtaining an operator's or chauffeur's license shall be limited to a period of 60 days immediately following the entry of such nonresident into this State.

SEC. 3. Section 2 of this act becomes operative only if the Vehicle Code as proposed by Assembly Bill No. 5 is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as said code takes effect, at which time Section 252 of the Vehicle Code adopted in 1935 is repealed."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 165**—An act to add Section 469 to the Streets and Highways Code, relating to state highway routes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "near Del Rey Oaks".

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

**Assembly Bill No. 29**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 436**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

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

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "the following districts, authorities, agen-", and insert "school districts of any kind or class and public utilitiy districts."

**Amendment No. 2**

On page 1 strike out lines 5 to 12, inclusive; on page 2 strike out lines 1 to 52, inclusive; and on page 3 strike out lines 1 to 22, inclusive.

Bill ordered reprinted, and engrossed.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 88**—An act adding Article 6 (commencing at Section 25701) to Chapter 7 of Part 2 of Division 2 of Title 3 of the Government Code, relating to the reclamation of water from sewage or other waste water, and the disposal thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 59**—Relative to congratulating Dr. Clifford F. Loader.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 83

By Messrs. Bruce F. Allen and Bradley:

### House Resolution No. 83

Relative to congratulating Mr. Russell Cone, Mr. Tom Cox, and the Calo Rescue Unit

WHEREAS, The Calo Rescue Unit, a unit of highly trained personnel and bloodhounds under the direction of Mr. Russell Cone of Los Gatos, California, has, since 1956, offered its services in finding lost persons free of charge to all authorized county, state, or federal agencies; and

WHEREAS, This unit, sponsored by the Calo Pet Food Company of Oakland, California, is on call 24 hours a day, every day of the year to aid in the search and rescue of lost persons and travels to the locations of search both by air and by motor vehicle and maintains a fully equipped station wagon which has telephone and Civil Air Patrol radio communications, a high-output public address system, and complete field equipment for tracking under all conditions of terrain and weather, as well as camping and first aid facilities; and

WHEREAS, Mr. Cone is ably assisted by Mr. Tom Cox of Saratoga, California, a descendant of an early pioneer California family, and together they work with six famous bloodhounds, who are among the finest of the breed: Daniel Boone, Calamity Jane, Calo King, Calo Queen, Annie Oakley, and Calamity Jane II; and

WHEREAS, This unit has handled 118 searches for lost persons from 2½ years to 80 years of age, 90 percent of whom have been found alive within 24 hours after the Calo Rescue Unit started its search; and

WHEREAS, Mr. Russell Cone when not engaged in search or rescue work, lectures to schools, service clubs, and other interested groups on "What you should do, if you are lost," and made over 400 such presentations to over 100,000 persons in 1958; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Russell Cone, Mr. Tom Cox, and the Calo Pet Food Company are commended for this highly meritorious service to the citizens of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Russell Cone, Mr Tom Cox, and the Calo Pet Food Company.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 84

By Mr. Belotti:

### House Resolution No. 84

Relative to the State Capitol Park squirrels

WHEREAS, The State Capitol Park is famous throughout the Nation and the world for the magnificent grandeur of its many and varied trees imported from all parts of the world, for its immaculately landscaped lawns, and for its beautiful gardens filled with flowers of every hue and variety; and

WHEREAS, This outstanding park attracts tourists from everywhere who enjoy pleasant and leisurely strolls through the park viewing this splendid monument to man's love of the beauty of nature; and

WHEREAS, The enjoyment of tourists visiting our park is greatly enhanced by the presence of the permanent residents thereof, the friendly, fun-loving squirrels, whose antics bring laughter and joy to young and old alike; and

WHEREAS, In the past the squirrels in the park have had an abundant supply of food, namely, peanuts bought by tourists and others from a peanut vendor located at an entrance to the park and fed to the squirrels, to the enjoyment of both the feeders and the grateful furry recipients; and

WHEREAS, These squirrels, who have been imported to the park to add to the enjoyment of all who visit the park, have become quite tame and quite dependent upon this supply of food to fill their needs; and

WHEREAS, The recent death of the peanut vendor who provided this supply of food for the squirrels poses a serious threat to their survival; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Division of Buildings and Grounds of the Department of Finance be requested to take whatever steps may be necessary to assure that the squirrels, the beloved permanent residents of the State Capitol Park and an important feature thereof, have available a sufficient supply of food so that they may continue to thrive and to delight all the visitors to this world-famous park; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Chief of the Division of Buildings and Grounds, Department of Finance.

Resolution read.

### Demand for Previous Question

Messrs. Holmes, Cusanovich, Don A. Allen, Conrad, and Backstrand demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—68.

NOES—Lowrey—1.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 27**—An act to amend Sections 468, 468.2, 511, 511.1, 511.2 and 511.3 of, and to add Sections 510.5, 511.6 and 511.9 to, the Vehicle Code, and to amend Sections 21357, 21358, 21359, 22352, 22354, 22355, 22357, 22358 and 22360 of, to amend the heading of Article 1 (commencing at Section 22350) of Chapter 7 of Division 11 of, repeal Sections 22353 and 22356 of, and add Sections 627, 22349 and 22358.5 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the speed of vehicles and signs in connection therewith.

Bill read third time.

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on February 11, 1959, strike out "and 511.9", and insert ", 511.9 and 753.1".

**Amendment No. 2**

In line 7 of the title, strike out "and 22358.5", and insert ", 22358.5 and 40809".

**Amendment No. 3**

On page 5, between lines 32 and 33, insert

"SEC. 9.5. Section 753.1 is added to said code, to read:

753.1. Evidence of Speed Obtained by Use of Radar Equipment or Electronic Device. Notwithstanding any other provision of this code, evidence secured through the use of radar equipment or an electronic timing device shall be admissible in any prosecution for the purpose of arrest or prosecution under this code upon a charge involving the speed of a vehicle. Signs warning motorists of the use of radar for such purposes shall be erected at the border of each highway leading into this State from another state or country and at other appropriate places throughout the State."

**Amendment No. 4**

On page 9, between lines 20 and 21, insert

"SEC. 24.5. Section 40809 is added to said code, to read:

40809. Evidence secured through the use of radar equipment or an electronic timing device shall be admissible in any prosecution for the purpose of arrest or prosecution under this code upon a charge involving the speed of a vehicle. Signs warning motorists of the use of radar for such purposes shall be erected at the border of each highway leading into this State from another state or country and at other appropriate places throughout the State."

**Amendment No. 5**

On page 9, line 31, strike out "24", and insert "24.5".

**Amendment No. 6**

On page 9, line 38, strike out "and 511.9", and insert "511.9 and 753.1".

Amendments read.

**Speaker pro Tempore Presiding**

At 10.15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Unruh, Ernest R. Geddes, Luckel, Lanterman, and Dills demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Bruce F. Allen.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Lowrey, and Mrs. Davis demanded a roll call.

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

AYES—Bruce F. Allen, Beaver, Bradley, Conrad, Coolidge, Crawford, Davis, Elliott, Frew, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Lowrey, MacBride, Masterson, Miller, Mulford, Schrade, Sumner, Thelin, Waldie, and Williamson—25.

NOES—Don A. Allen, Backstrand, Bane, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Gaffney, Ernest R. Geddes, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, McMillan, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Thomas, Unruh, George A. Willson, Charles H. Wilson, Winton, and Z'berg—49.

The question being on the passage of the bill.

**Speaker Presiding**

At 10.54 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Mulford, Grant, Chapel, Ernest R. Geddes, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill.

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

AYES—Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—Bruce F. Allen, Burton, Collier, Cusanovich, Davis, Francis, Frew, Samuel R. Geddes, Lowrey, Masterson, McCollister, McMillan, Nisbet, Sedgwick, Thelin, and Waldie—16.

**Motion to Amend Title**

Mr. Dahl moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 8 of the title of the printed bill, as amended in the Assembly on February 11, 1959, after "No.", insert "5".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 43**—An act to repeal Section 8377 of the Fish and Game Code, relating to albacore.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 48

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports.

Assembly Bill No. 127

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 341
Assembly Bill No. 342
Assembly Bill No. 344

With amendments with the recommendation: Amend, and do pass, as amended

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 276

With amendments but without recommendation, and be re-referred to Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No 283

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading

**Committee on Rules**

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 90
House Resolution No. 93

With the recommendation. Be adopted

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 38
Assembly Concurrent Resolution No. 64

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 17, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 38
Assembly Concurrent Resolution No. 64

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

**Committee on Education**

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 249

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 17, 1959

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

Assembly Bill No. 229

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

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 96
Assembly Bill No. 358

With amendments with the recommendation. Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 29

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Education

ASSEMBLY CHAMBER, February 17, 1959

MR SPEAKER: Your Committee on Education reports.

Assembly Bill No 218
Assembly Bill No. 248

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bills ordered to second reading.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF HOUSE RESOLUTION NO. 81

By Messrs. Bruce F. Allen, Sumner, Biddick, MacBride, Bradley, and Miller:

### House Resolution No. 81

Relative to contumacious witnesses appearing before the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary

WHEREAS, The Subcommittee on Rackets of the Assembly Interim Committee on Judiciary has reported to the Assembly, pursuant to Government Code Section 9407, the contempt committed during this session of the Legislature, to wit, on January 23, 1959, before said committee by Gene Burg and by Jack Fine, also known as Jack Kessler; and

WHEREAS, The report of said subcommittee clearly establishes that the contumacious refusal of said Gene Burg and Jack Fine to answer material questions asked by the subcommittee not only constituted contempt of said subcommittee, but also that they wilfully and without lawful excuse violated an order of the Superior Court of the State of California, In and For the County of Los Angeles, heretofore issued by the Honorable Philbrick McCoy, Judge, and thereby committed a contempt of court; and

WHEREAS, While further proceedings under Section 9408 for contempt of court may later prove to be desirable, the wilful refusal on the part of said Gene Burg and Jack Fine to comply with said order of the Superior Court of the State of California and to answer questions which have already been determined by the superior court to be material and proper constitutes a misdemeanor under Government Code Section 9412 and under Penal Code Section 166 and should be prosecuted as such; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Chairman of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary is instructed to file a complaint with the City Prosecutor of the City of Los Angeles; and be it further

*Resolved*, That said City Prosecutor is requested to prosecute said Gene Burg and Jack Fine to the fullest extent of the law; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit to the City Prosecutor of the City of Los Angeles the Report of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary concerning the contempt committed by said Gene Burg and Jack Fine, and a copy of this resolution.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 82

By Mr. Francis:

### House Resolution No. 82

Relative to the passing of Mr. and Mrs. Edward Brady

WHEREAS, The Members of this Assembly are deeply grieved to learn of the tragic deaths of Mr and Mrs. Edward Brady caused by an automobile collision; and

WHEREAS, Mr. Brady was an outstanding labor leader during his 50 years of activity in the labor movement and was Business Manager, Financial Secretary and Treasurer of the Sheet Metal Workers' Union Local 272 of San Mateo, California, a Trustee for the Northern California Health and Welfare Plan for the sheet metal workers, and a member of the San Mateo Executive Board for the Building and Construction Trades Council and the State Building and Construction Trades Council; and

WHEREAS, Mr. Brady was a member of the Foresters Lodge and the Native Sons of the Golden West and Mr. and Mrs. Brady were longtime residents of the City of San Mateo, having enjoyed a happily married life of 54 years; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby wish to express their grief on the passing of Mr. and Mrs Brady and to extend their sincere condolences to the surviving members of the family and the many friends throughout the State who survive them; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Matthew Brady, the brother of Mr. Brady, and Mrs. Grace Westphal, the sister of Mrs. Brady.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 85

By Messrs. Mulford and Dahl:

### House Resolution No. 85

Relating to the commendation of Harold and Minnie Oliver for services rendered to the Children's Hospital of the East Bay

WHEREAS, On February 16, 1959, Mrs. William Harold Oliver will resign after 25 years as General Chairman of the Branches (the women's auxiliary) of Children's Hospital of the East Bay, Oakland, California; and

WHEREAS, During her 25-year tenure the branches have earned almost 3¾ million dollars and membership has increased from 500 women in 13 branches to 3,000 women in 76 branches; and

WHEREAS, Mrs. Oliver, or Minnie, as she is affectionately known to her multitude of friends and acquaintances, has tirelessly worked for the Children's Hospital since 1921, when she joined Pine Branch; and

WHEREAS, Over the years she has given a minimum of eight hours daily, and often 12 or even more hours, in concentrated effort on behalf of Children's Hospital, and even on Saturdays and Sundays her time is usually devoted to some phase of hospital work; and

WHEREAS, She has never received a penny for her services, nor has she ever submitted even a small expense account; and

WHEREAS, Among the citations she has received for her work in the community are those from the Oakland Rotary Club, B'Nai Brith Council, Theta Sigma Phi, the Interservice Club Council of Oakland ("the Outstanding Citizen for 1953" award), and in 1955 a rosebush in Oakland's Municipal Rose Garden was named the Minnie Culver Oliver rose, and

WHEREAS, Mr. William Harold Oliver was President of Children's Hospital of the East Bay, Oakland, California, from 1928 to 1951 and now serves on the hospital's board of directors; and

WHEREAS, It was he who drafted Mrs. Oliver in 1934 to take over the auxiliary organization; and

WHEREAS, Together they have been a most effective combination, working always for the improvement and development of Children's Hospital of the East Bay, Oakland, California; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Assembly of the State of California takes great pleasure in commending Mr. and Mrs. Oliver for their long and valuable service to the community of Oakland and the State of California; and be it further

*Resolved,* That the Chief Clerk of the Assembly prepare and transmit a suitably prepared copy of this resolution to Mr. and Mrs. Oliver.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 86

By Messrs. Bane, George A. Willson, George E. Brown, and Williamson:

### House Resolution No. 86

Relative to the death of Mrs Edith Wilson McCoy

WHEREAS, The Members of the Assembly have learned with regret that Mrs. Edith Wilson McCoy, the wife of Mr. George T. McCoy, the State Highway Engineer, passed away on January 29, 1959; and

WHEREAS, Mrs. McCoy was born in Marathon, Iowa, in 1893, and was a graduate of Whitman College and Columbia University where she majored in chemistry and economics; and

WHEREAS, Following her move to California in 1927 with her husband, she became one of California's most widely known golfing sportswomen, and for a number of years was a Director of the Women's Division of the Northern California Golfing Association; and

WHEREAS, She was a member of the Del Paso Country Club, the American Association of University Women, the Sacramento Blood Bank, and other Sacramento clubs; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members express their regret at the death of Mrs. McCoy, and extend their condolences to her family and friends; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to Mr. George T. McCoy, to Mr. George T. McCoy, Jr. of Kennewick, Washington, and to Mrs. McCoy's sister, Mrs. Elsie Martin of Sacramento.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 87

By Messrs. Burton, Meyers, and O'Connell:

### House Resolution No. 87

Relative to the retirement of Thomas A. Brooks

WHEREAS, June 30, 1958, marked the retirement of Thomas A. Brooks, after 52 years of distinguished private and public service; and

WHEREAS, Mr. Brooks was born in San Francisco June 20, 1886, and was educated in the public schools of that city; and

WHEREAS, He began his career in 1906 as a salesman for Pacific Telephone and Telegraph Company and remained with that company for 26 years during which time he worked in various capacities including Manager, District Manager and Division Commercial Engineer for Central and Southern California; and

WHEREAS, The City and County of San Francisco acquired the services of Mr. Brooks as a Purchaser of Supplies January 8, 1932, and he rose to become the Chief Administrative Officer of that city February 20, 1941, a position he held until his retirement; and

WHEREAS, Marguerite Mulligan became Mrs. Thomas A. Brooks in 1922 and she can take great pride in the achievements of her husband; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body extend heartiest congratulations to Mr. Brooks on his retirement from a long career of honorable and distinguished service to the people of the State and to the people of the City and County of San Francisco; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Mr Thomas A Brooks.

Resolution read, and adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—73

NOES—None.

**Members Made Co-authors of House Resolution No. 87**

Mr. Burton was granted unanimous consent that all members who voted for the resolution be placed upon the illuminated copy of House Resolution No. 87 as co-authors.

**Assembly Bill No. 71**—An act to amend Section 8152 of the Fish and Game Code, relating to sardines, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

The question being on the passage of the bill.

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

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 11**—An act to amend Section 2615 of the Business and Professions Code, relating to physical therapy.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel

R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 7**—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to miscegenation.

Bill read third time.

**Parliamentary Inquiry**

Mr. Lanterman arose to the following parliamentary inquiry: What provision has been made for the correction of the error made in the legislative digest of this bill?

**Reply by Speaker**

The Speaker replied that no provision has been made by Rule, but that anyone may call attention to such an error.

**Parliamentary Inquiry**

Mr. Lanterman arose to the following parliamentary inquiry: Must a misstatement in the digest of the bill then go to the other house without being corrected?

**Reply by Speaker**

The Speaker replied that there is no provision for such correction in the Rules; and directed the inquiry to Mr. Miller.

**Reply by Chairman of Committee on Rules**

Mr. Miller replied that with the consent of the House, such a correction in the digest to a bill could be made.

**Parliamentary Inquiry**

Mr. Lanterman arose to the following parliamentary inquiry: Then there is no provision for amending or correcting the digest to the bill?

**Reply by Speaker**

The Speaker replied that the question should be taken up with the Committee on Rules.

**Parliamentary Inquiry**

Mr. Elliott arose to the following parliamentary inquiry: Cannot this matter be taken up on the Senate side, and the digest amended there?

**Reply by Speaker**

The Speaker replied that there has been no provision made for amending the digest, so there is no way to amend it, unless the Rules are changed.

The question being on the passage of Assembly Bill No. 7.

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

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Collier, Crawford, Crown, DeLotto, Dills, Elliott, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller,

Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—50.

NOES—Burke, Chapel, Conrad, Lanterman, Levering, Lowrey, Reagan, and Shell—8.

**Motion to Amend Title**

Mr. Elliott moved the adoption of the following amendment to the title:

**Amendment No. 1**

In the heading of the printed bill, after line 3, insert "(Senator J. Eugene McAteer, Co-author)".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 38**—An act to amend Sections 74342 and 74344 of the Government Code, relating to municipal court districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—Burton—1.

The question being on the passage of the bill.

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

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Burton—1.

Bill ordered transmitted to the Senate.

## MOTIONS TO INVOKE CONSTITUTIONAL PROVISION

Mr. Winton moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 1255 may be heard in committee before 30 calendar days have elapsed.

**Parliamentary Inquiry**

Mr. Sumner arose to the following parliamentary inquiry: Have not the Rules been amended requiring the reference of such a motion to committee?

Mr. Sumner withdrew his inquiry.

The question being on the motion by Mr. Winton.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto,

Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Mr. Crawford move that, pursuant to Article IV, Section 2 (a), of the Constitution, Assembly Bill No. 1082 may be heard in committee before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Mr. O'Connell moved that, pursuant to Article IV, Section 2 (a), of the Constitution, Assembly Bill No. 1350 may be heard in committee before 30 calendar day have elapsed.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. O'Connell moved a call of the Assembly.

Motion carried. Time, 11.50 a m.

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

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Conrad:

### House Resolution No. 95

Congratulating Walter Brennan

WHEREAS, The Hollywood Chamber of Commerce is honoring television and screen star, Walter Brennan, with a luncheon on February 23, 1959; and

WHEREAS, This year marks Mr. Brennan's thirty-fifth year in show business, a field in which he has long been a favorite of the American public; and

WHEREAS, His excellence as an actor has three times received recognition through Academy Awards as best supporting actor in "Come and Get It," "Kentucky," and "The Westerner"; and

WHEREAS, In recent years, while continuing to appear in motion pictures, he has achieved a new popularity in the medium of television, climaxed by his current series "The Real McCoys"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members join with the many friends and admirers of Walter Brennan in commending him for the consistently high quality of his performances and extending their sincere wishes for his continued success; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Walter Brennan

Resolution read, and referred to the Committee on Rules.

By Messrs. Pattee, McMillan, Masterson, Meyers, Charles H. Wilson, and Shell:

**House Resolution No. 96**

Relative to a California Sweepstake Lottery

WHEREAS, Nearly all of the major countries in the world are now holding state or national lotteries; and

WHEREAS, The financial position of the State is critical; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules be directed to assign to the appropriate interim committee for study the feasibility of the establishment of a California Sweepstake Lottery with the revenue to be earmarked for Education and Public Welfare, and that the committee to which said subject is so assigned for study shall hold thorough hearings throughout the State on the matter and report to the Legislature at the 1960 Regular Session on its findings.

Resolution read, and referred to the Committee on Rules.

By Mr. Conrad:

**House Resolution No. 97**

Relative to congratulating Mr. C. E. Toberman on the construction and opening of the C. E. Toberman Building in Hollywood

WHEREAS, Mr. C. E. Toberman has completed construction of a building to house the First Federal Savings and Loan Company, a company founded by him, and the building is to be opened for service to the public on February 24, 1959; and

WHEREAS, He, at the age of 78, has participated in the growth and development of Hollywood since the beginning of this century, being a man of vision and typifying progress with complete confidence in the future of Hollywood; and

WHEREAS, As a real estate and investment executive, Mr. Toberman has erected and promoted many buildings, including Grauman's Egyptian Theater, Grauman's Chinese Theater, Hollywood Roosevelt Hotel, Hollywood Masonic Temple, El Capitan Building, Barker Brothers Building, Paramount Theater, and the Bekin Storage Building, and has pioneered in the first steel structural design for residential properties in the Outpost Drive area; and

WHEREAS, Mr. Toberman is Past Master of Hollywood Lodge No. 355, F. & A. M., and has participated in numerous civic affairs with a special interest in the guidance and development of our youth, his contributions in this field including service with Boy Scouts, Young Men's Christian Association and the Black Foxe Military Academy; now, therefore, be it

*Resolved by the Assembly of the State of California*, That it is very appropriate on the occasion of the opening of the C. E. Toberman Building that Mr. C. E. Toberman be commended for his outstanding contributions to the welfare of the people of California; and

*Resolved*, That the Chief Clerk of the Assembly forward suitably prepared copies of this resolution to Mr. Toberman.

Resolution read, and referred to the Committee on Rules.

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

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

**Assembly Concurrent Resolution No. 76**: By Messrs. McMillan, Charles H. Wilson, Levering, Hawkins, Elliott, and Shell, and Senator Richards, Co-author—Relative to congratulating the Westside Jewish Community Center.

Referred to Committee on Rules.

**Assembly Bill No. 1466**: By Mr. Pattee—An act to add Chapter 14 (commencing at Section 22950) to Division 8 of the Business and Professions Code, relating to employees of carnival owners.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1467**: By Mr. Thomas—An act to add Section 18955 to the Government Code, relating to promotional examinations.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1468**: By Messrs. Marks, Winton, Miller, Shell, Busterud, and Rumford—An act to add Division 3 (commencing at Section 45000) to, and to repeal Sections 10454, 10455, 18594, 18595, 18596, 19058, 19059, 19060, 19061, 19061.1, 19062.1, 19062.3, 19062.4, 19062.5, 19062 6, 19062.7, 25667, 26076, 26077, 26078, and 26080.1 of, the Revenue and Taxation Code, relating to state revenue, creating the Department of Revenue and the Board of Tax Appeals, prescribing the powers and duties of the department and the board, transferring the administration of certain laws to the Department of Revenue, including those relating to itinerant merchants, providing for administrative appeals from certain actions and determinations by said department, abolishing the Franchise Tax Board.

Referred to Committee on Government Organization.

**Assembly Bill No. 1469**: By Mr. Bee—An act to add Section 13955.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 1470**: By Messrs. Samuel R. Geddes, Pattee, and Chapel—An act to add Article 4 (commencing at Section 98.1) to Chapter 3 of Division 1 of the Agricultural Code, relating to fairs.

Referred to Committee on Agriculture.

**Assembly Bill No. 1471**: By Messrs. Samuel R. Geddes, Pattee, and Chapel—An act to add Article 4 (commencing at Section 98.1) to Chapter 3 of Division 1, to repeal Sections 92, 92.1, 92 4, 92.5, 92.6, 92.9, and 94.6 of, and to amend Sections 92.8 and 94.5 of the Agricultural Code, to repeal Sections 19622, 19622 5, 19622.7, 19623, 19624, 19624.5, 19626.5, and to amend Sections 19626 and 19628 of the Business and Professions Code, relating to fairs.

Referred to Committee on Agriculture.

**Assembly Bill No. 1472**: By Mr. Belotti—An act to amend Section 26840 of the Government Code, relating to marriage license fees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1473**: By Mr. George E. Brown—An act to amend Section 14549 of the Health and Safety Code, relating to county fire protection districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1474**: By Messrs Waldie and Masterson—An act to amend Section 1431 of the Probate Code, relating to minor's disputed claim.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1475**: By Mr. George E. Brown—An act to amend Sections 14400, 14501, 14504, and 14540 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO INVOKE CONSTITUTIONAL PROVISION RELATIVE TO ASSEMBLY BILL NO. 1350

At 11.56 a.m., on motion of Mr. O'Connell, further proceedings under the call of the Assembly were dispensed with.

#### Motion to Expunge Record and Rescind Action on Motion by Mr. O'Connell

Mr. O'Connell moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused to carry his motion that Assembly Bill No. 1350 may be heard in committee before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Don A. Allen, Burton, Cameron, Collier, Coolidge, Crawford, Levering, Masterson, Shell, and Sumner—10.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 27

Reported correctly re-engrossed (Title Amendment).

BURKE, Chairman

Assembly Bill No. 27 ordered transmitted to the Senate.

### MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, February 9, 1959; Tuesday, February 10, 1959; Wednesday, February 11, 1959; and Thursday, February 12, 1959.

### ANNOUNCEMENTS OF COMMITTEE MEETINGS

Speaker Brown announced that there is no necessity for members to announce scheduled meetings of committees, notices of which appear in the Assembly Daily File.

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Mr Lowrey announced that the Subcommittee on Education of the Committee on Ways and Means would meet at 2 p.m. in Room 4168.

### ADJOURNMENT

At 12.03 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 30 a.m., Wednesday, February 18, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

THIRTY-THIRD CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, February 18, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

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

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Bristchgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

Upon invitation of the Speaker, the following prayer was offered by Dr. Theophilus Taylor, Presbyterian National Moderator:

*Lord God of Our Fathers,* Who dost hold in Thy hands the destinies of men and nations, grant, we beseech Thee, that this Assembly of those whom the people of this State of California have elected to represent the best interests of this State and Nation, and to legislate the laws necessary thereto, may be so directed of Thy Spirit, as to conduct the affairs of government this day in a manner pleasing to Thee Do Thou keep ever brightly before them those principles of our founding fathers which have made our Nation strong: sanctity of life, worth of the individual, equality of opportunity for all regardless of race or creed, government of the people, for the people, and by the people, and full recognition that we are a "nation under God." Uphold and encourage these servants of the people in all things right, and just, and true. Teach Thou them "to do justly, and to love mercy, and to walk humbly with" Thee Bestow upon them true concern for the downtrodden and unfortunate among men. Then at this day's end, O Heavenly Father, put within their hearts that peace and satisfaction which comes from unselfish service of their fellow men, and from knowledge of a task well done.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

### COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

A. J. Deutsch of Lakewood, Colorado, relative to legislation. Referred to the Committee on Judiciary—Civil.

#### Chief Clerk Arthur A. Ohnimus at the Desk

The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

**Joint Report of Department of Natural Resources and University of California Pursuant to Senate Concurrent Resolution No. 84, 1957 Session**

THE UNIVERSITY OF CALIFORNIA
BERKELEY, February 11, 1959

*To:* HON. GLENN M. ANDERSON
*President of the Senate*
HON. RALPH M. BROWN
*Speaker of the Assembly*

We have the honor to present a joint report on studies and preliminary plans for basic research and field studies dealing with all phases of mining and the mineral industries prepared by the State Department of Natural Resources and the University of California, as required by Senate Concurrent Resolution No. 84 of the 1957 Regular Session.

California's annual mineral production has now reached the value of 1.6 billion dollars, a source of new wealth second only to agricultural products. Three quarters of this comes from the petroleum industry, which can benefit from the proposed research through the expansion of geological information, and the development and application of new geochemical methods such as those now used by the Russians for locating oil fields. Most of the readily accessible and obvious mineral deposits in the State have been discovered and are being used. However, great stores of mineral wealth still remain unexploited. If the new sources of mineral raw materials are to be located and developed, all modern methods of exploration and field studies must be employed. Detailed geological mapping of rock formations and mineral deposits, development and application of geophysical and geochemical methods, and fundamental studies of the origin of ore deposits can lead to the development of new and more efficient exploration tools. Improvement in mining and production methods through research in cheaper and more efficient drilling and extraction practices can increase yield of valuable mineral products. Research in beneficiation of ores, and in methods of concentrating and separating many types of nonmetallic raw materials can lead to the successful exploitation of deposits heretofore considered uneconomic.

Knowledge of the uses of minerals by industry in California, and of the specifications required by industry, is a fruitful field for research. Research in this field of mineral utilization can lead to the development of new markets and new industries, and to the increased use of mineral raw materials produced in California. It seems evident that through research, California's income from mineral production can be increased substantially.

Respectfully submitted,

CLARK KERR, President, University of California
DEWITT NELSON, Director, Department of Natural Resources

Encl.
cc: Senator Arthur H. Breed, Jr.
Senator Charles Brown
Senator Randolph Collier

Above transmitted report referred to the Committee on Manufacturing, Oil, and Mining Industry.

## LETTER OF TRANSMITTAL

### Attorney General's Report on Subsequent Injuries Fund Matters

STANLEY MOSK, ATTORNEY GENERAL
SACRAMENTO, February 16, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: In accordance with the provisions of Labor Code Section 4753, this office herewith transmits for your consideration a report to the Legislature upon Subsequent Injuries Fund matters.

Additional copies of such report will be delivered directly to the appropriate committees of the Legislature.

Copies of the report will also be distributed to the individual Members of the Legislature.

Very truly yours,

STANLEY MOSK, Attorney General

Encl.

Above transmitted report ordered filed.

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

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

**Assembly Bill No. 1476:** By Messrs Bruce F. Allen, Williamson, Masterson, Lunardi, MacBride, Meyers, Sumner, and Waldie—An act to add Section 17050.1 to the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1477:** By Mr. Bruce F. Allen—An act to amend Section 2020.002 of the Welfare and Institutions Code, relating to old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1478:** By Mr. Bruce F. Allen—An act to add Sections 11099, 11159, 11329, 11554, 11569, 11609, 11649, 11679, 11719, 11779, and Article 4 8 (commencing at Section 11740) to Chapter 7 of Division 10 to, and to amend Sections 11001, 11003, 11501 and 11712 of, and to repeal Article 2 (commencing at Section 11530) of Chapter 5 of Division 10 of, the Health and Safety Code, relating to marijuana and narcotics.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1479:** By Mr. Rees (Departmental—Finance)—An act to amend Section 656 of the Agricultural Code, relating to the purchase of colored oleomargarine for state institutions.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1480:** By Messrs. Ernest R. Geddes and Cameron—An act to amend Section 13002 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to travel expenses of school district employees.

Referred to Committee on Education.

**Assembly Bill No. 1481:** By Mr. Ernest R. Geddes—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its

1959 Regular Session, relating to the powers and duties of governing boards of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1482**: By Messrs. Busterud and Marks—An act to amend Sections 19800, 19803 and 19804 of, and to add Section 19802.5 to, the Business and Professions Code, relating to weights of bread.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1483**: By Mr. House—An act to add Section 20450.5 to the Government Code, relating to contracts with the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1484**: By Mr. Mulford—An act to amend Section 3287 of the Civil Code, relating to interest as damages.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1485**: By Mr. Ernest R. Geddes—An act to amend Section 3259 of the Unemployment Insurance Code, relating to unemployment disability compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1486**: By Mr. Ernest R. Geddes—An act to add Section 3105 to the Unemployment Insurance Code, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1487**: By Messrs. Grant and Kennick—An act to add Section 174 to the Vehicle Code and to add Section 5355 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to trailer coach registration and license penalty fee.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1488**: By Messrs. Grant, Luckel, Backstrand, Coolidge, Dills, Samuel R. Geddes, Hawkins, Kennick, McMillan, Rumford, and Shell—An act to amend Section 18001 of the Health and Safety Code, relating to the definition of "trailer coaches."

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1489**: By Messrs. Grant, Coolidge, Dills, Samuel R. Geddes, Hawkins, Kennick, Luckel, McMillan, Rumford, and Shell—An act to amend Section 710.3 of the Vehicle Code, and to amend Section 35790 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to trailer coaches.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1490**: By Messrs. Grant, Samuel R. Geddes, Hawkins, and Kennick—An act to add Section 5003.4 to the Public Resources Code, relating to the State Park System.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1491**: By Messrs. Busterud, Masterson, MacBride, Sumner, Biddick, Thelin, and Z'berg—An act to add Section 169.2 to the Civil Code, relating to earnings and accumulations after an interlocutory judgment of divorce.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1492**: By Messrs. Busterud, Masterson, MacBride, Sumner, and Biddick—An act to amend Sections 640, 645 and 646 of the Probate Code, relating to the administration of estates.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1493**: By Messrs Busterud, Biddick, Sumner, and Z'berg—An act to amend Section 1032 5 of the Code of Civil Procedure, relating to jury expenses.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1494**: By Messrs. Busterud, Biddick, Masterson, MacBride, Sumner, Thelin, and Z'berg—An act to amend Section 227 of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1495**: By Messrs. Busterud, Biddick, Masterson, Z'berg, MacBride, Sumner, and Thelin—An act to amend Section 227d of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1496**: By Messrs. Busterud, Bee, and Luckel—An act to add Section 6068.5 to the Revenue and Taxation Code, relating to the sales and use tax law.

Referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1497**: By Messrs. Busterud, Marks, Biddick, Masterson, MacBride, Sumner, Thelin, and Z'berg—An act to amend Section 71085 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1498**: By Mr. George A. Willson—An act to amend Section 15811 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments for sewers and drains by school districts.

Referred to Committee on Education.

**Assembly Bill No. 1499**: By Mr George A Willson—An act to amend Section 21114 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments of wages to school district employees.

Referred to Committee on Education

**Assembly Bill No. 1500**: By Messrs Crawford, Bruce F. Allen, Crown, Hanna, Masterson, and Sumner—An act to add Chapter 9.2 (commencing with Section 73100), to Title 8 of, and to repeal Articles 9, 16, 25, and 30 (commencing at Sections 73640, 73950, 74340, and

74740, respectively) of Chapter 10, of Title 8 of, the Government Code, relating to municipal courts in San Diego County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1501**: By Mr. Pattee—An act to amend Section 958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 77**: By Messrs. Meyers, O'Connell, Burton, Gaffney, and Busterud—Relative to a legislative investigation of the problems in the building alteration, repair and remodeling industry.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 78**: By Messrs. Johnson, Thelin, Hegland, Schrade, Bane, George E. Brown, Cameron, Chapel, Miss Donahoe, Messrs. House, Kennick, Kilpatrick, Lowrey, Nisbet, Petris, Rees, and George A. Willson—Relative to fire safety in schools.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 79**: By Messrs. Conrad, Miller, Hanna, Schrade, and Nisbet—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 149
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 7
Reported correctly re-engrossed (Title Amendment).

BURKE, Chairman

Assembly Bill No. 7 ordered transmitted to the Senate.

### Committee on Water

ASSEMBLY CHAMBER, February 17, 1959

MR SPEAKER. Your Committee on Water reports.
Assembly Bill No. 282
With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Water reports:
Assembly Bill No 55
With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR SPEAKER: Your Committee on Water reports:
Assembly Bill No. 209
With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Concurrent Resolution No. 65
With the recommendation: Be adopted.

DAVIS, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Bill No. 67
Assembly Bill No. 187
With the recommendation: Do pass.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Fish and Game reports.
Assembly Bill No. 45
With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Senate Bill No. 12
With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined:
Assembly Bill No. 436
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Assembly Bill No. 177
With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Assembly Bill No. 308
With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 179
Assembly Bill No. 351

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 17, 1959

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

Assembly Concurrent Resolution No. 59

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, February 17, 1959

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

Senate Concurrent Resolution No. 24

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 24**—Relative to a study of election laws and practices in this State.

Referred to Committee on Rules.

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

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

**Assembly Bill No. 1502**: By Mr. Francis—An act to amend Section 373 of the Elections Code, relating to indexes of registrations of voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1503**: By Mr. Francis—An act to add Section 376 to the Elections Code, relating to voter statistics.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1504**: By Mr. Francis—An act to add Section 577 to the Elections Code, relating to the boundaries of election precincts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1505**: By Mr. Francis—An act to amend Sections 370 and 370.1 of the Elections Code, relating to indexes of voter registrations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1506**: By Mr. Francis—An act to add Section 372.5 to the Elections Code, relating to indexes of voter registrations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1507**: By Mr. Francis—An act to add Section 3711.5 to the Elections Code, relating to the right to vote.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1508**: By Mr. Francis—An act to add Section 120.6 to the Elections Code, relating to the registration of voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1509**: By Messrs. Samuel R. Geddes and Pattee—An act to add Section 683.5 to the Vehicle Code, and to add Article 9 (commencing at Section 28000) to Chapter 5 of Division 12 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to emergency fuses carried in passenger vehicles.

Referred to Committee on Transportation and Commerce.

## RESOLUTIONS

The following resolution was offered:

By Mr. Samuel R. Geddes:

### House Resolution No. 98

Relating to the development of housetrailer parks for elderly citizens

WHEREAS, Medical and scientific discoveries have added to the average life span in this State, resulting in a rapidly increasing group of elderly citizens with special problems and needs, particularly with respect to housing; and

WHEREAS, The Citizens Advisory Committee on Aging has reported that suitable housing at a reasonable cost may be provided for many Californians over 65 years of age through a program for the development of properly equipped housetrailer parks; and

WHEREAS, In order to enact appropriate legislation to effectuate such a program it is necessary that this House be fully informed as to the nature and extent of the problems involved therein, the extent to which such a program can properly be effectuated by private industry and the extent to which state action is required; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Division of Housing in the Department of Industrial Relations, as a state agency familiar with the practical aspects and problems of housetrailer park development and operation, is requested to investigate the feasibility of and the problems involved in initiating and carrying out such a program, and to submit to this House such recommendations for legislation or other action as will, in the opinion of the Division of Housing, best promote the development of housetrailer parks with all necessary sanitary and other facilities, equipment and amenities appropriate for dignified habitancy by elderly citizens who prefer to live in housetrailers; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Director of Industrial Relations and the Chief of the Division of Housing.

Resolution read, and referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE

## BILLS ON SECOND READING FILE PURSUANT TO RULE 69

Pursuant to Rule 69, the following bills were this day on the second reading file:

**Assembly Bill No. 149.**

**Assembly Bill No. 436.**

Above bills ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 111**—An act to amend Sections 5931 and 7842 of the Elections Code, relating to absentee voter ballots.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

#### Amendment No. 1

On page 2, line 4, of the printed bill, strike out "While in the custody of the"; strike out all of lines 5 and 6, and insert "An identification envelope shall in no event be opened before being delivered to the canvassing board."

#### Amendment No. 2

On page 2, line 15, strike out "by the voter".

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

**Assembly Bill No. 91**—An act to add Part 4.5 (commencing with Section 1410) to Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, religious creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 343**—An act to amend Section 365 of the Streets and Highways Code, relating to state highways.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce was read, and adopted:

#### Amendment No. 1

On page 1, line 8, of the printed bill, strike out "at", and insert "near".

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

**Assembly Bill No. 191**—An act to amend Sections 1370 and 1376 of the Harbors and Navigation Code, relating to pilotage in the Port of San Diego.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 273**—An act to amend Section 633 of the Vehicle Code, and Section 24404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to spotlamps on vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 73**—An act to amend Section 9084 5 of, and to repeal Section 9087 of, the Insurance Code, relating to limitations on the risks to be insured against by insurance policies issued by fraternal fire insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 9084.5 of, and to repeal Section 9087 of," and insert "Sections 9084.5 and 9087 of".

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

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**Amendment No. 2**

On page 1, strike out line 16, and insert

"SEC. 2. Section 9087 of said code is amended to read:

9087. [Such associations shall not issue policies of insurance on any property within the limits of a city which has a population of 7,500 or more.] No property within the corporate limits of any city or town shall be insured except dwellings and the contents thereof, grange halls and the contents thereof, other grange property, and any buildings appurtenant thereto."

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

**Assembly Bill No. 164**—An act to add Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 to, and to amend Section 7560 of the Business and Professions Code, relating to employees of insurance adjusters

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "3 to", and insert "3 of".

**Amendment No. 2**

In line 2 of the title after the second "of", insert a comma.

**Amendment No. 3**

On page 1, line 2, after "added to", insert "Chapter 11 of Division 3 of".

**Amendment No. 4**

On page 1, line 13, strike out "such employee", and insert "employee of a licensee".

**Amendment No. 5**

On page 2, line 24, strike out "delineated", and insert "specified"

**Amendment No. 6**

On page 3, after line 51, insert

"7544.23. Except as otherwise required to comply with the provisions of Article 5.5 (commencing at Section 7555) of Chapter 11 of Division 3, the proceedings under this article shall be conducted in accordance with Chapter 5 (commencing at Section 11500) of Part 1, of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein."

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

**Assembly Bill No. 127**—An act to amend Section 4004 of the Penal Code, relating to the removal of inmates from county jails.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 13, and insert "the superior court or an inferior court of the county".

Amendment No. 2

On page 1, line 14, strike out "justice court".

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

**Assembly Bill No. 341**—An act to add Section 581.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "answered".

Amendment No. 2

On page 1, line 6, strike out "to", and insert "completed to the person called who may be either".

Bill ordered reprinted, and engrossed

**Assembly Bill No. 342**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "answered".

Amendment No. 2

On page 1, line 6, strike out "to", and insert "completed to the person called who may be".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 344**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted.

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "answered".

Amendment No. 2

On page 1, line 6, strike out "to", and insert "completed to the person called who may be either".

Bill ordered reprinted and engrossed.

**Assembly Bill No. 276**—An act to amend Section 825 of the Penal Code, relating to arrests.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, after line 16, insert

"Every arrested person must be booked within three hours after the arrest or be released from custody. A person is booked when an official record of his arrest is made or his photograph or fingerprints are taken."

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

**Assembly Bill No. 283**—An act to amend Section 823 of the Penal Code, relating to bail of person arrested on warrant of another county.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 229**—An act to amend Section 7717 of the Education Code, and amend Section 19581 of the Education Code as proposed by Senate Bill No. 2, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 96**—An act to amend Section 24206 of the Education code, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 29007, 29008, and 29010 of, and to add Sections 29002.1, 29007.1, 29007.2, and 29007.3 to, the Education Code, as enacted by the Legislature at its 1958 Regular Session, relating"

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

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Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 29002.1 is added to the Education Code, as enacted by the Legislature at its 1959 Regular Session, to read:

29002.1. Notwithstanding the provisions of Section 29001, "diploma" does not include a document evidencing completion of a course of in-service training given by any person, firm, association, partnership, or corporation, if all of the following conditions apply:

(a) The course of in-service training is given in connection with the primary business or purpose of the person, firm, association, partnership, or corporation, and such primary business or purpose is not education.

(b) The course of in-service training and the document is given only to employees of such person, firm, association, partnership, or corporation.

(c) No charge is asked or collected from the person taking the course or receiving the document.

(d) The document does not exceed three inches by five inches in size, and contains a statement, in 8-point or larger type, that the person, firm, association, partnership, or corporation is not primarily an educational institution and does not have authority to issue diplomas under Section 29007 of the Education Code

(e) All statements made on the certificate are truthful.

SEC. 2. Section 29007 of said code is amended to read:

29007. Except as otherwise provided by law, no person, firm, association, partnership or corporation may issue or confer a diploma or honorary diploma unless such person, firm, association, partnership or corporation meets the requirements of one of the following subdivisions:

(a) A corporation which has filed with the Superintendent of Public Instruction an affidavit by the president or other head of the corporation, stating that the corporation owns an interest in real or personal property or both real and personal property used exclusively for the purpose of education, of a fair market value of not less than fifty thousand dollars ($50,000). Such affidavit shall be accompanied by an appraisal by a state inheritance tax appraiser appointed for the county in which the institution is located, describing the real or personal property or both, and showing the value of the interest of the corporation therein to be at least fifty thousand dollars ($50,000). The value of the interest of the property required to be owned by the corporation for the purposes of this section shall be deemed to be the appraised value of the interest owned by the corporation less the unpaid balance on any note secured by a mortgage or deed of trust thereon or the unpaid balance on a contract of sale thereof.

(b) A hospital licensed under the provisions of Division 2, Chapter 2 (commencing with Section 1400) of the Health and Safety Code, which issues diplomas in [nursing, or in] connection with the operation of a hospital *in the field of medicine or related to the field of medicine*,

(c) A person, firm, association, partnership or corporation which is approved *or licensed* by a [licensing] board under the Department of Professional and Vocational Standards and which issues or confers diplomas in the profession, vocation or occupation controlled by the board *approving or* licensing it; provided, that this subdivision shall not be construed as authorizing the issuing of a diploma which is not limited to the profession, vocation or occupation controlled by the licensing *or approving* board

(d) Any educational institution accredited for teacher training by the State Board of Education for credentials in the field of teacher training *; provided, that this subdivision shall not be construed as authorizing the issuance of a diploma which is not based exclusively on courses of instruction accredited by the State Board of Education*.

(e) Any *educational* institution approved *for veteran training* by the Bureau of Readjustment Education of the Department of Education; provided, that this subdivision shall not be construed as authorizing the issuance of a *degree by such an institution or as authorizing the issuance of any* diploma which is not based exclusively on courses of instruction approved by said bureau.

(f) A person, firm, association, partnership or corporation authorized by the Superintendent of Public Instruction to issue specified diplomas. Such permission shall be granted upon a year-to-year basis by the Superintendent of Public Instruction upon the submission of information to him that the courses of instruction, and the faculty [or requirements], *and other educational standards* of such applicant will afford students or require of students a course of education comparable to that being furnished by *public schools beyond the high school or* persons, firms, associations, partnerships and corporations offering similar instruction and complying with other subdivisions hereof. For the purpose of this subdivision, the Superintendent of Public Instruction may rely on the findings of an accrediting agency generally accepted by the class of institution concerned and shall consider the results of the examination taken pursuant to Business and Professions Code, Section 2941.5 by students of any applicant, *but he shall not rely solely on such findings as the sole criteria for granting or withholding permission*. The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the superintendent made pursuant to this subdivision

SEC. 3. Section 29007.1 is added to said code, to read:

29007.1. Any type or kind of corporation, formed before or after July 23, 1958, whose corporate powers so permit, may issue or confer a diploma or honorary diploma subject to the requirements of Section 29007 and other sections of this article (commencing at Section 29001).

SEC. 4. Section 29007.2 is added to said code, to read:

29007.2. Notwithstanding the provisions of Section 29007, no person, firm, association, partnership, or corporation, authorized to issue honorary diplomas under Section 29007, may issue or confer an honorary diploma under the provisions of Section 29007, unless he or it is also authorized, under this article (commencing at Section 29001) to issue diplomas in the field of knowledge or endeavor in which he or it issues or confers the honorary diploma.

SEC. 5. Section 29007.3 is added to said code, to read:

29007.3. Any corporation which is authorized to issue or confer diplomas or honorary diplomas by meeting the requirements of subdivision (a) of Section 29007, shall between January 1st and January 31st of each year, commencing with January 1, 1960, file with the Superintendent of Public Instruction an affidavit by the president or other head of the corporation stating that the corporation, at the time of filing the affidavit, owns an interest in real or personal property or both real and personal property used exclusively for the purpose of education, of a fair market value of not less than fifty thousand dollars ($50,000). The value of the interest of the property required to be owned by the corporation for the purposes of this section shall be deemed to be the appraised value of the interest owned by the corporation less the unpaid balance on any note secured by a mortgage or deed of trust thereon or the unpaid balance on a contract of sale thereof.

Whenever the interest of a corporation which is authorized to issue or confer diplomas or honorary diplomas by meeting the requirements of subdivision (a) of Section 29007 in real or personal property or both real and personal property used exclusively for the purpose of education, is of a fair market value of less than fifty thousand dollars ($50,000), the corporation shall forthwith notify the Superintendent of Public Instruction that it no longer meets the requirements of Section 29007 and shall forthwith cease issuing or conferring diplomas and honorary diplomas.

SEC. 6. Section 29008 of said code is amended to read:

29008. Any person, firm, association, partnership or corporation authorized under subdivision (b), (c), (d), (e) or (f) of Section 29007 to issue diplomas shall, between the first and thirty-first days of January of each year, commencing on January 1, 1959, file with the Superintendent of Public Instruction an affidavit of its owner, president, or other head, setting forth the following information covering the preceding calendar year:

[(1) The names and addresses, both local and home, including city and street, of its students who were enrolled in courses of instruction beyond high school.]

*(1)* [(2)] The courses of study offered by the institution.

*(2)* [(3)] The names and addresses, both local and home, including city and streets of its faculty, together with a record of the educational qualifications of each.

*(3)* [(4)] *The names and addresses, both local and home, including city and streets, of the persons to whom the institution granted* the diplomas and honorary diplomas [granted] *during the preceding year;* [to whom granted;] the date *upon which such diplomas and honorary diplomas were* granted; and the curricula upon which the diplomas were based *Correspondence schools whose home office is located outside of California will submit this information only for persons residing in California.*

SEC. 7. Section 29010 of said code is amended to read:

29010. Any person, firm, association, partnership or corporation, which issues or confers diplomas or honorary diplomas shall maintain current records for a period of not less than three years at [its] *each institution or at the* principal [place of business] *institution where instruction is offered* within the State of California, immediately available during normal business hours, for inspection by the Superintendent of Public Instruction or the Attorney General showing the following:

(a) The names and addresses, both local and home, including city and street, of each of its students.

(b) The courses of study offered by the institution.

(c) The names and addresses, including city and street, of its faculty, together with a record of the educational qualifications of each.

(d) The diplomas and honorary diplomas granted; to whom granted; the date of granting; together with the curricula upon which the diplomas were based."

**Amendment No. 3**

On page 1, strike out lines 2 to 18, inclusive; and strike out all of page 2.

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

**Assembly Bill No. 358**—An act to add Section 13237 to the Education Code and Section 13561.1 to the Education Code as proposed by Senate Bill No. 2, relating to lunch periods for teachers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "continuous", and insert "consecutive".

**Amendment No. 2**

On page 1, between lines 16 and 17, insert

"There shall be no lengthening of the duration of the school day because of the requirements of this section

If a school provides a lunch period of less than one hour of consecutive minutes for the pupils or students thereof, the school district governing board may permit a duty-free lunch period of less than one hour if it is necessary for the teacher or instructor to be available for a class; but in no event shall such duty-free lunch period amount to less than that required by the provisions of Section 13236."

**Amendment No. 3**

On page 1, after line 20, insert

"The provisions of this section shall prevail over any provision of Section 13236 which conflicts herewith."

**Amendment No. 4**

On page 2, line 15, strike out "continuous", and insert "consecutive".

**Amendment No. 5**

On page 2, between lines 16 and 17, insert

"There shall be no lengthening of the duration of the school day because of the requirements of this section.

If a school provides a lunch period of less than one hour of consecutive minutes for the pupils or students thereof, the school district governing board may permit a duty-free lunch period of less than one hour if it is necessary for the teacher or instructor to be available for a class; but in no event shall such duty-free lunch period amount to less than that required by the provisions of Section 13561."

**Amendment No. 6**

On page 2, between lines 20 and 21, insert

"The provisions of this section shall prevail over any provision of Section 13561 which conflicts herewith."

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

**Assembly Bill No. 218**—An act to add Chapter 1.9, comprising Sections 5120 to 5128, inclusive, to Division 3 of the Education Code, relating to property valuations for the purpose of allocating money to school districts, and the adjustment of school district tax rates as a result thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "1.9, comprising Sections 5120 to 5128, inclusive, to Division 3", and insert "1.5 (commencing at Section 17261) to Division 14"

**Amendment No. 2**

In line 2 of the title after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, lines 1 and 2, strike out "1.9, comprising Sections 5120 to 5128, inclusive," and insert "1.5 (commencing at Section 17261)".

**Amendment No. 4**

On page 1, line 2, strike out "3", and insert "14".

**Amendment No. 5**

On page 1, line 5, strike out "1.9", and insert "1.5".

**Amendment No. 6**

On page 1, line 8, strike out "5120", and insert "17261".

**Amendment No. 7**

On page 2, line 15, strike out "5121", and insert "17262".

**Amendment No. 8**

On page 2, line 15, strike out "5120", and insert "17261".

**Amendment No. 9**

On page 2, line 23, strike out "5122", and insert "17263".

**Amendment No. 10**

On page 2, line 24, strike out "5120 and 5121", and insert "17261 and 17262".

**Amendment No. 11**

On page 2, line 31, strike out "5120 and 5121", and insert "17261 and 17262".

**Amendment No. 12**

On page 2, line 33, strike out "5123", and insert "17264".

**Amendment No. 13**

On page 2, line 40, strike out "5124", and insert "17265".

**Amendment No. 14**

On page 2, line 47, strike out "5125", and insert "17266".

**Amendment No. 15**

On page 3, line 15, strike out "5126", and insert "17267".

**Amendment No. 16**

On page 3, line 16, strike out "7081", and insert "17702 and 17702.1".

**Amendment No. 17**

On page 3, line 17, strike out "5125", and insert "17266".

**Amendment No. 18**

On page 3, line 28, strike out "5127", and insert "17268".

**Amendment No. 19**

On page 3, line 30, strike out "7081", and insert "17702 and 17702.1"

**Amendment No. 20**

On page 3, line 41, strike out "5128", and insert "17269".

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

**Assembly Bill No. 248**—An act to amend Section 4018.5 and to add Sections 4018.6, 4018.7, and 4018.8 to the Penal Code, relating to classes of instruction, vocational training and rehabilitation of prisoners in county jails.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 11, and insert "Department of Education in accordance with regulations which the State Board of Education".

**Amendment No. 2**

On page 2, line 9, strike out "Board", and insert "Department".

**Amendment No. 3**

On page 2, line 10, strike out "it", and insert "the State Board of Education".

**Amendment No. 4**

On page 2, line 11, strike out "Board", and insert "Department".

**Amendment No. 5**

On page 2, line 20, strike out "Board", and insert "Department".

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

### RE-REFERENCE OF ASSEMBLY BILL NO. 229 PURSUANT TO RULE 62

On advice of the Legislative Counsel, and pursuant to Rule 62, the Speaker ordered Assembly Bill No. 229 re-referred to the Committee on Ways and Means subsequent to engrossment.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 66 FROM COMMITTEE

Mr. McCollister was granted unanimous consent that Assembly Bill No. 66 be withdrawn from the Committee on Livestock and Dairies for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 66

**Assembly Bill No. 66**—An act to amend Section 380.12 of the Agricultural Code, relating to chicken poultry meat and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Mr. McCollister moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to repeal Section 380.11 of,".

**Amendment No. 2**

On page 1, strike out lines 8 to 13, inclusive, and insert

"All chicken poultry meat and packages of such meat offered for retail sale in California as a fresh product shall be tagged, marked, or otherwise labeled to indicate the name of the state in which the chicken poultry was grown or raised.

Such marking, tag, or label shall also state the name of the preservative drug or drugs, antibiotic, or medication, if any, to which the product has been subjected.

All information required by this section shall be displayed in capital letters no smaller than 10-point type.

For the purposes of this section a "fresh product" shall not include live poultry, nor any chicken poultry that has been frozen, cooked, prepared, canned, or used as an ingredient in other foods."

**Amendment No. 3**

On page 1, line 14, after "2.", insert "Section 380.11 of said code is repealed.
SEC. 3."

Amendments read, and adopted.

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

### APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Hanna and Bane as a Select Committee to escort Mr. Devere Baker to the rostrum.

### RECESS

At 10.02 a.m., Speaker Brown declared the Assembly at recess until 10.15 a.m. to hear from Mr Devere Baker, world traveler, lecturer, and author, who, with three companions, navigated the raft *Lehi* across the Pacific Ocean to Hawaii.

### REASSEMBLED

At 10.15 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Hawkins moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 1430 may be withdrawn from committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Levering seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—74.

NOES—None.

#### Assembly Bill No. 1430 Withdrawn From Committee

Mr Hawkins was granted unanimous consent that Assembly Bill No. 1430 be withdrawn from the Committee on Government Organization.

#### Motion to Strike From File

Mr. Hawkins moved that Assembly Bill No. 1430 be stricken from the file.

Motion carried unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kilpatrick was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 11, 1959

*Hon. Vernon Kilpatrick*
*Assembly Chamber*

*County of Origin—No. 8222*

DEAR MR. KILPATRICK:

*Question*

You have asked if contracts between the State and water users for water exported from the area in which it originated would be subject to the so-called "county of origin" provision (Wat C, Sec. 10505).

*Opinion and Analysis*

The so-called "county of origin" provision relates to applications to appropriate water held by the Department of Water Resources and filed as being required "in the development and completion of the whole or any part of a general or co-ordinated plan looking toward the development, utilization, or conservation of the water resources of the State." The "county of origin" provision precludes the department from releasing from priority or assigning any such appropriation which, in its judgment, will deprive the county in which the appropriated water originates of any such water necessary for the development of the county (Wat. C., Sec. 10505).

The "county of origin" provision thus applies only to applications filed under Section 10500 of the Water Code, and unless the water to be appropriated is obtained by virtue of such inapplication, the provisions would be inapplicable.

Assuming that the water was obtained from an application filed under Section 10500 of the Water Code, the effect of the "county of origin" provision on the water user under a state contract would depend on the conditions under which the appropriation was assigned or released from priority.

By its terms the "county of origin" provision is applicable only with respect to assignment or release from priority of certain applications. Thus, if in the judgment of the department the assignment or release from priority of an appropriation would not deprive the county in which the water originates of the water necessary for development of the county, and the department makes an unconditional assignment or release of the appropriation for uses in other areas, those uses could provision. Under such circumstances, the "county of origin" provision would not affect contracts to deliver such water

On the other hand, if conditions were imposed on the assignment or release from priority, the uses under the assignment or release would be subject to change to the extent permitted by the conditions. Under such circumstances, the "county of origin" provision could affect contracts to deliver water.

It will be noted that the "county of origin" provision would not necessarily become a part of a contract to deliver water Rather, it might limit the water right on which the contract was based and, to the same extent, limit the water available to be disposed of by contract.

In this connection it should be noted that the so-called "watershed protection" provisions (Wat. C. 11460 et seq.) generally preclude any agency of the State in the construction and operation of the Central Valley Project (of which the Feather River Project is a unit) from depriving a watershed or area in which the water originates of the prior right to all water reasonably required to adequately supply the beneficial needs of the watershed or area.

As a limitation on the powers of these agencies, the "watershed protection" provisions would limit the power of any such agency to contract for the delivery of water.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 48**—An act to amend Sections 73562 and 73563 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the Cities of Carmel and Monterey.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 29**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—74.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

By Messrs. O'Connell, Burton, Meyers, Gaffney, Marks, and Busterud:

## CONSIDERATION OF HOUSE RESOLUTION NO. 93

### House Resolution No. 93

Relative to the passing of the Honorable John D. Welch

WHEREAS, The Members of the Legislature were deeply saddened by the passing of one of their distinguished colleagues, Mr. John D. Welch, on August 24, 1958; and

WHEREAS, John D. Welch, who was born in San Francisco on June 26, 1900, served in the Assembly of the State of California representing the Twenty-first District from 1940 to 1942; and

WHEREAS, John D. Welch has resided the last six years in Novato and was Shop Superintendent at the Toledo Scale Company plant in Santa Rosa; and

WHEREAS, John D. Welch contributed much to the welfare of the people of this State by ably serving as an Assemblyman, and also through his active participation in civic and fraternal organizations for many years; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature hereby express their grief at the passing of the Honorable John D. Welch and desire by this resolution to convey their sympathy to his bereaved family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Ethel Welch, his widow; his daughter, Dolores Mattias of San Francisco, and his sister, Patricia Sabin of North Sacramento.

Resolution read.

#### Request to Adjourn in Memory of John D. Welch

Mr. O'Connell requested that, when the Assembly this day adjourns, it do so out of respect to the memory of the late John D. Welch.

Request granted unanimously.

The question being on the adoption of the resolution.

Resolution adopted unanimously by a rising vote of the Members of the Assembly.

### ANNOUNCEMENT

Speaker Brown announced that today is the birthday of Mr. Dahl, whereupon the Members of the Assembly joined with the Speaker in extending birthday congratulations to Mr. Dahl.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 38**—Relative to making October 31st of each year Youth Honor Day.

Resolution read.

#### Introduction

By unanimous consent, Mr. Burton introduced Victor Bacigalupi, Richard Blau, and Larry Close to the Members of the Assembly.

The question being on the adoption of the resolution.

Resolution adopted unanimously.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 64**—Relative to congratulating Carroll W. Parcher.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

#### Request for Unanimous Consent

Mr. Thelin was granted unanimous consent that the Chief Clerk be instructed to order three illuminated copies of Assembly Concurrent Resolution No. 64 prepared for presentation.

### ANNOUNCEMENT

Mr. Porter announced that he was holding at his desk a bill relative to teachers' survivors' benefits, and invited those members who desired to become co-authors to come to his desk and affix their signatures.

## CONSIDERATION OF DAILY FILE (RESUMED)
## CONSIDERATION OF HOUSE RESOLUTION NO. 90

By Messrs. Thomas and Chapel:

### House Resolution No. 90

Relating to the commendation of the City of Torrance, California, and the City of Konya, Turkey, for participating as sister cities in President Eisenhower's "People-to-People" Program

WHEREAS, President Eisenhower in 1956 inaugurated the "People-to-People" Program to establish greater friendship and understanding between the peoples of the United States and other nations through the medium of direct personal contact; and

WHEREAS, To implement this program the City of Torrance, California, and other cities in the United States were requested by the American Municipal Association to affiliate with a foreign city of similar characteristics and mutual interests; and

WHEREAS, The Torrance City-to-City Committee selected the City of Konya, Turkey, as Torrance's sister city for participation in said program, and the City Council of said city endorsed said selection and, on behalf of the people of Torrance, invited the people and the government of the City of Konya, to participate with Torrance as its sister city in the President's program; and

WHEREAS, The Mayor and the Municipal Council of the City of Konya have accepted the invitation of Torrance to become its sister city; and

WHEREAS, The City of Torrance has declared February 28th as "Konya Day" and will on that day host Madam Ismet Sandh, Turkish Delegate to the United Nations; and

WHEREAS, The action of the Cities of Konya and Torrance is representative of the mutual trust and understanding that exist between the peoples of our two great nations, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California herewith commends the action of the Cities of Konya and Torrance for affiliating as sister cities in President Eisenhower's "People-to-People" Program and congratulates the governments and peoples of both cities on their inspiring example of the fight that individual municipalities can wage against the expansion of international Communism, and the furtherance of the brotherhood of man among free peoples everywhere; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Torrance, California, and Konya, Turkey.

Resolution read, and adopted unanimously.

## REPORT BY MR. MASTERSON

Mr. Masterson gave a short verbal partial report relative to the hearing by the Committee on Governmental Efficiency and Economy on the motion by Mr. Collier relative to the Chavez Ravine property; and announced that the committee had requested an opinion from the Legislative Counsel relative to certain phases of the investigation; that the committee would meet again this afternoon at 2 p.m. in Room 4203; and that a final report of the committee would be submitted tomorrow.

### Speaker pro Tempore Presiding

At 10.45 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

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

**Senate Concurrent Resolution No. 16**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on November 4, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—Don A. Allen—1.

Resolution ordered transmitted to the Senate.

**Vote Changed Upon Roll Call**

Mr. Bane was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Senate Concurrent Resolution No. 16.

**Senate Concurrent Resolution No. 17**—Relative to approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the special municipal election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—Don A. Allen—1.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 18**—Relative to approving an amendment to the charter of the County of San Bernardino, State of California, ratified by the qualified electors of said county at an election held therein on the third day of June, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 19**—Relative to approving an amendment to the charter of the County of San Bernardino, State of California, ratified by the qualified electors of said county at an election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 21**—Relative to the trip of Nautilus under the North Pole.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 331 FROM COMMITTEE

Mr Burton was granted unanimous consent that Assembly Bill No. 331 be withdrawn from the Committee on Industrial Relations for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 331

**Assembly Bill No. 331**—An act to add Sections 220.1, 1182.1, and 2751 to the Labor Code, relating to wages.

Bill read second time.

### Motion to Amend

Mr. Burton moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, after "220 1," insert "220 2, 220.3,".

### Amendment No. 2

On page 1, line 3, after "220 1 ", strike out "No", and insert "(a) Except as otherwise provided in this section or Section 220.2, no".

### Amendment No. 3

On page 1, line 4, strike out "man, woman or minor", and insert "adult person"

### Amendment No. 4

On page 1, line 6, strike out "SEC. 2.", and insert
"(b) The minimum wage for a 'learner" is ninety-five cents ($0 95) an hour; provided, that the number of persons employed at this rate pursuant to this subdivision shall not exceed 10 percent of the persons regularly employed in the establishment, except that an employer of less than 10 persons may employ one learner at such rate. A person may be employed as a "learner" within the meaning of the preceding provisions of this subdivision, during his first 200 hours of employment in a skilled or semiskilled occupation in which he has had no previous similar or related experience

(c) The commission may issue a permit authorizing employment of a person whose earning capacity is impaired by advanced age, physical disability, or mental deficiency at less than the minimum wage prescribed by this section. Such permits shall be granted only upon joint application of the employer and employee.

(d) This section shall not be construed to restrict the authority otherwise granted to the commission by this chapter to fix, for any trade, occupation, or industry, such minimum wage as is required to supply the necessary costs of proper living, except that the commission may not fix a minimum wage lower than the applicable minimum wage fixed by this section. Any provision of an order or ruling of the commission promulgated prior to the effective date of this section which fixes a lower minimum wage than that fixed by this section is void as to any person to whom such minimum wage fixed by this section is applicable

SEC. 2. Section 220.2 is added to said code, to read

220.2. Section 220.1 does not apply to, nor does the commission have authority to fix a minimum wage, maximum hours, or working conditions for the following persons:

(a) Any person employed in domestic service in or about a private home, other than those employed to do housecleaning, cooking, house repair, or maintenance work. For the purposes of this paragraph, child care is deemed to be domestic service.

(b) Any person engaged in the activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not in fact exist or where the services rendered to such organizations are on a voluntary basis.

(c) Any person subject to an apprentice agreement entered into under Chapter 4 (commencing with Section 3070) of Division 3 of this code.

SEC. 3. Section 220.3 is added to said code, to read:

220.3. The commission may make rules and regulations reasonably necessary to carry out the provisions of this chapter, including, but not limited to, rules and regulations prescribing the manner in which hours of work shall be computed for purposes of determining whether the minimum wage prescribed by statute or order is being paid and rules and regulations determining how meals and lodging shall be valued for such purpose.

SEC. 4."

**Amendment No. 5**

On page 1, line 10, strike out "3.", and insert "5."

**Amendment No. 6**

On page 1, line 12, strike out "one" and strike out lines 13 to 15, inclusive, and insert "that provided in Section 220.1 if the employment is within the coverage of that section."

Amendments read, and adopted.

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

## POINT OF PERSONAL PRIVILEGE

Mr. Ernest R. Geddes arose on a point of personal privilege.

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

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

**Assembly Bill No. 1510**: By Mr. Lowrey—An act to add Section 13055 to the Health and Safety Code, relating to fires.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1511**: By Mr. Belotti—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1512**: By Messrs. Petris, Crown, Chapel, Unruh, House, Masterson, and Winton—An act to amend Section 9740 of the Government Code, relating to compilation of legislative manual.

Referred to Committee on Rules.

**Assembly Bill No. 1513**: By Messrs. Petris, Crown, Unruh, Masterson, Chapel, House, and Winton—An act to amend Section 9020 of the Government Code, relating to the Legislature; the members, officers, and employees thereof.

Referred to Committee on Rules.

**Assembly Bill No. 1514**: By Messrs. Hegland, Luckel, House, Crawford, and Schrade—An act to add Section 20210 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the support of junior colleges, and making an appropriation therefor.

Referred to Committee on Education.

**Assembly Bill No. 1515**: By Mr. Bee—An act to add Section 32130.7 to the Health and Safety Code, relating to local hospital districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

**Assembly Bill No. 1516**: By Miss Donahoe (By Request)—An act to add Sections 24305, 24305.1, and 24305.2 to, and to repeal Section 24305 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to rejection of probationary state college employees.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 80**: By Mr. Miller—Relative to corrections in legislative digests.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 81**: By Mr. Bee—Approving certain amendments to the charter of the City of Hayward, a municipal corporation in the County of Alameda, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the eighth day of April, 1958.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No 65
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 165

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

### Committee on Rules

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No. 68
Assembly Concurrent Resolution No 70
Assembly Concurrent Resolution No 76

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, February 18, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 78

Without recommendation.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 18, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 94
House Resolution No. 95
House Resolution No 97

With the recommendation. Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 18, 1959

MR SPEAKER: Your Committee on Rules reports.

Assembly Concurrent Resolution No 66

With amendments with the recommendation. Amend, and re-refer to the Committee on Criminal Procedure.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 91
Assembly Bill No. 191
Assembly Bill No. 273
Assembly Bill No. 283

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, February 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 229

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

## ANNOUNCEMENTS

Speaker pro Tempore Bee announced that it would not be necessary for chairmen to make announcements of previously scheduled committee meetings which have been printed in the Daily File.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

*Today—*

*At 2 p.m.—*

Governmental Efficiency and Economy, subject: Motion relative to Chavez Ravine, in Room 4203.

*At 1 30 p.m.—*

Subcommittee 2 of the Committee on Ways and Means (Sumner, Chairman), in Room 4168.

Subcommittee 6 B of the Committee on Ways and Means (Rees, Chairman).

## ADJOURNMENT

At 11 a.m., on motion of Mr. Winton, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Thursday, February 19, 1959, out of respect to the memory of the late John D. Welch, former Member of the Assembly.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY
THIRTY-FOURTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, February 19, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

In recognition of National Brotherhood Week, upon invitation of the Speaker, the following prayer was offered by Rev. Parthenios Kirmitsis of the Greek Orthodox Church:

*O Jesus Christ, Our Lord,* Who at all times and at every hour, both in heaven and on earth are worshipped and glorified; who loveth the just and showeth mercy to those who art hardened in sin; who calleth all men to salvation; do Thou, O Lord, receive also our supplications at this time and direct our lives according to Thy Commandments. Sanctify our souls; purify our bodies; set aright our minds and cleanse our thoughts; especially bless Thy servants, the members of this body, and help them in their offices and as they meet here in legislative session. Turn their thoughts to Thee and open their hearts to Thy spirit that they may have wisdom in their decisions, understanding in their thinking, and love in their attitudes, for the good of our State and the glory of Thy Holy Name.—AMEN.

### Appreciation Expressed

Speaker Brown expressed to Reverend Kirmitsis the appreciation of the Assembly for the beauty and inspiration of his prayer, offered this morning.

## READING OF THE JOURNAL DISPENSED WITH

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

## PETITIONS

The following petition was presented by the Chief Clerk from:

Claudia Walker of San Francisco. Referred to the Committee on Judiciary—Civil.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF OREGON, HALL OF REPRESENTATIVES
SALEM, February 13, 1959

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

DEAR MR. OHNIMUS: The Assembly Concurrent Resolution No. 10 congratulating the State of Oregon upon the 100th anniversary on her admission to the Union has been received and read in the House of Representatives of the Oregon Legislature. Please extend the thanks of the Oregon House of Representatives and its Speaker to the California Legislature for its courtesy and thoughtfulness We look forward to another 100 years of friendly co-operation with your great state.

Very truly yours,

ROBERT B. DUNCAN, Speaker
House of Representatives

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report on Narcotics and Hypnotics

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, February 19, 1959

*The Honorable Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: For the past year the Board of Corrections, pursuant to Section 6027 of the Penal Code, has again been giving the problem of the narcotic traffic careful study. In January of 1953 a report on *Narcotics and Hypnotics* was made to the Legislature with several recommendations which were subsequently adopted.

Since that date the continued growth of the problem is evidence that alternative methods of control must be considered. This report presents facts hitherto not known concerning offenders in state custody. In addition the recommendations of the Committee on Narcotics, endorsed by the Board of Corrections, February 13, 1959, are included for your consideration.

It is recognized that interim committees of the Legislature have held numerous hearings and that this is a complex problem with diverse viewpoints The Board of Corrections objective has been to secure and analyze facts which are presented with some recommendations for your consideration.

Respectfully submitted,

RICHARD A. McGEE, Chairman, Board of Corrections

Above transmitted report referred to the Committee on Criminal Procedure.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No. 68
Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 70

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 76

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 188**—An act to repeal Chapters 5 and 8, Part 2, Division 1 of the Insurance Code, to add Chapters 5 (commencing at Section 1621), and 8 (commencing at Section 1831), to Part 2, Division 1 of said code, and to amend Sections 383.5, 766, 773, 783, 1760.5, 1765, 1776, 1813, 1821, 10252, 11101, 11102, 11103, 12280.2, 12282 and 12977 of said code, relating to the licensing of insurance producers, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the eighteenth day of February, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 17**—Memorializing the death of Dr. Margaret J. Chung;

**Assembly Concurrent Resolution No. 27**—Relative to the death of Royal W. Jimerson;

**Assembly Concurrent Resolution No. 30**—Relative to small craft harbor loans;

**Assembly Concurrent Resolution No. 54**—Relative to the death of Judge Percy G. West;

And reports the same correctly enrolled, and presented to the Secretary of State on the eighteenth day of February, 1959, at 2 p.m.

BURKE, Chairman

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 5

With amendments with the recommendation: Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

### Committee on Public Health

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Assembly Bill No. 181

With the recommendation: Do pass.

CAMERON, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Assembly Bill No. 397

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

CAMERON, Vice Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 134
Assembly Bill No. 135
Assembly Bill No. 168
Assembly Bill No. 231
Assembly Bill No. 281
Assembly Bill No. 284

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 18, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 278

With amendments but without recommendation, and be re-referred to Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 118
Assembly Bill No. 350

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 218
Assembly Bill No 248

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 18, 1959

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

Assembly Concurrent Resolution No. 52

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, February 18, 1959

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

Senate Concurrent Resolution No. 30

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 30**—Relative to the improvement of the Redwood Highway.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 18, 1959

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

| | |
|---|---|
| Senate Bill No. 9 | Senate Bill No. 93 |
| Senate Bill No. 16 | Senate Bill No. 94 |
| Senate Bill No. 22 | Senate Bill No. 95 |
| Senate Bill No. 23 | Senate Bill No 303 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following bills were read the first time:

**Senate Bill No. 9**—An act to add Section 6865 to the Vehicle Code and to repeal Section 16275.5 of the Education Code, relating to the painting of buses formerly used as school buses.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 16**—An act to amend Section 61755 of the Government Code, relating to community services districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 22**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 23**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 93**—An act to add Section 2193 to the Agricultural Code, relating to marketing programs.

Referred to Committee on Agriculture.

**Senate Bill No. 94**—An act to amend Section 1300.17 of the Agricultural Code, relating to marketing orders.

Referred to Committee on Agriculture.

**Senate Bill No. 95**—An act to amend Sections 796.1, 796.6, and 828.83 of the Agricultural Code, relating to citrus fruits.

Referred to Committee on Agriculture.

**Senate Bill No. 303**—An act to amend the heading of Chapter 6 (commencing at Section 22801), Division 11, and to add Article 1.5 (commencing at Section 22811), to Chapter 6, Division 11, of the Education Code, and to amend the heading of Chapter 6 (commencing at Section 28001), Division 20, and to add Article 1.5 (commencing at

Section 28021) to Chapter 6, Division 20, of the Education Code as proposed by Senate Bill No. 2, relating to libraries, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE 69

Pursuant to Rule 69, the following bills were this day on the second reading file:

**Assembly Bill No. 341, Assembly Bill No. 342, and Assembly Bill No. 344.**

Above bills ordered to third reading, subsequent to engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 282**—An act to amend Section 22842 of, and to repeal Sections 22844 and 22845 of, the Water Code, relating to irrigation districts containing 500,000 acres or more.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

Strike out lines 11 and 12 of the title of the printed bill, and insert "any entity."

**Amendment No. 2**

On page 1, strike out lines 8 and 9, and insert "as hereinafter defined."

**Amendment No. 3**

On page 10, line 37, after "erty", insert a comma.

**Amendment No. 4**

On page 12, line 47, strike out "district", and insert "agency".

**Amendment No. 5**

On page 13, line 35, strike out "district" and insert "board".

**Amendment No. 6**

On page 15, line 2, strike out "treasurers", and insert "auditor".

**Amendment No. 7**

On page 15, strike out lines 3 and 4, and insert "ceiving it in accordance with the provisions of Chapter 1c (commencing at Section 4656) of Part 8 of Division 1 of the Revenue and Taxation Code."

**Amendment No. 8**

On page 15, strike out lines 35 to 47, inclusive, and insert

"SEC. 16. If the board by resolution determines that a bonded indebtedness to pay for the acquisition or construction of any works for any purposes of the agency or for refunding any outstanding bonds should be incurred and can be repaid and liquidated as to both principal and interest from revenues designated by the board, the agency is authorized and shall have the power to define such works as an "enterprise" and to issue revenue bonds all in the manner and as provided in the Revenue Bond Law of 1941 as amended, and for such purpose the agency shall be considered a "local agency," as defined by Section 54307 of the Government Code; provided, however, that notwithstanding the provisions of Section 54310 of the Government Code, the board shall have the power, subject to the limitations of Section 4.1 hereof, to borrow money and issue revenue bonds for, and to define "enterprise" to include systems, plants, works or undertakings for the generation, production, transmission and sale of hydroelectric energy."

**Amendment No. 9**

On page 15, line 51, strike out the period, and insert ", in the manner and to the extent provided in Sections 54433 and 54434 of the Government Code; provided, however, that Sections 20003 and 20004 of the Water Code shall not be applicable to the agency."

**Amendment No. 10**

On page 17, line 10, strike out "or of the levy".

**Amendment No. 11**

On page 17, lines 18 and 19, strike out "or assessment".

**Amendment No. 12**

On page 17, lines 22 and 23, strike out "levy of any assessment or".

**Amendment No. 13**

On page 17, line 25, strike out "assessment or".

**Amendment No. 14**

On page 17, line 35, strike out "or levy".

**Amendment No. 15**

On page 18, line 11, strike out "public".

**Amendment No. 16**

On page 19, strike out lines 22 to 34, inclusive.

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

**Assembly Bill No. 209**—An act to add Section 55529 to the Water Code, relating to county waterworks district bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 1 of the title of the printed bill, after the second "to" insert "and amend Sections 55522 and 55523 of".

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

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**Amendment No. 2**

On page 1, after line 7, insert

"SEC. 2. Section 55522 of the Water Code is amended to read:

55522. The board shall designate an amount, not less than one-fortieth of the *principal* [whole] amount of the indebtedness, *or series thereof*, which shall be paid annually at a fixed time and place, together with the interest on all sums unpaid. The rate of interest shall be designated in the bonds and shall be paid semiannually

at a rate not in excess of 8 percent per year; except that interest for the first year after the date of the bonds may be made payable at the end of said year.

SEC. 3. Section 55523 of the Water Code is amended to read:

55523 The board may determine and fix a date for the earliest maturity of the principal of the bonds, *or series thereof*, not more than 10 years from the date of issue of bonds [, but, in this event,]. *The principal* [the whole] amount of the indebtedness, *or series thereof*, must be made payable in not to exceed 40 years from the time of contracting the same; and beginning with the date of earliest maturity of the bonds, *or series thereof*, not less than one-fortieth of the *principal* [whole] amount of the indebtedness, *or series thereof*, shall be paid annually."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 67**—An act to amend Section 3509 of the Fish and Game Code, relating to training dogs.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 187**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and Section 325 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 45**—An act to add Section 10659 to, and amend Section 10840 of, the Fish and Game Code, relating to sea otters.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 177**—An act to amend Section 7108 of the Business and Professions Code, relating to contractors.

Bill read second time.

#### Consideration of Committee Amendments

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

#### Amendment No. 1

On page 1, line 8, of the printed bill, strike out "to substantially", and insert "substantially to".

#### Amendment No. 2

On page 1, line 12, after "action", insert

"Reasonable overhead costs necessary for the prosecution of the contractor's business shall not be considered diversion under this section."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 308**—An act to amend Section 6535 of the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

#### Consideration of Committee Amendments

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

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 20, inclusive, and insert "No college of barbering may be open to the public more than five days in any week, nor more than 40 hours in any week."

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

**Assembly Bill No. 179**—An act to amend Section 7111 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 351**—An act to amend Sections 7302, 7310, 7311, 7312, 7320, 7330, 7331, 7332, 7334, 7362.1, 7370, 7372, 7373, 7376, 7380, 7382, 7383, 7393, 7394, 7400, 7412, 7420, 7431, 7436, and 7442 of the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered engrossed.

**Assembly Concurrent Resolution No. 66**—Relative to criminal procedure in time of disaster.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

On page 1, line 20, of the printed measure, strike out "April", and insert "December".

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure

### RE-REFERENCE OF BILLS PURSUANT TO RULE 62

On advice of the Legislative Counsel, and pursuant to Rule 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 67** and **187**, subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)
### SECOND READING OF SENATE BILLS

**Senate Bill No. 12**—An act to amend Section 7148 of the Fish and Game Code, relating to possession of trout, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

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

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

**Assembly Bill No. 1517**: By Mr. George E. Brown and Senator Richards, co-author—An act to amend Section 12900 of the Corporations Code, relating to co-operative corporations.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1518**: By Messrs. George E. Brown and Burton—An act to add Section 2442 to the Labor Code, relating to general health provisions.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1519**: By Messrs. George A. Willson and Munnell—An act to amend Section 29320 of the Government Code, relating to a revolving fund for the superior court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1520**: By Messrs. George A. Willson and Munnell—An act to amend Sections 75 and 170 of the Code of Civil Procedure, and Sections 75002, 75003, and 75028 of the Government Code, relating to the assignment of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1521**: By Messrs. Grant, Coolidge, Dills, Samuel R. Geddes, Hawkins, Kennick, Luckel, McMillan, and Rumford—An act to add Section 6388 to the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1522**: By Mr. Grant—An act to amend Section 6453.5 of the Revenue and Taxation Code, relating to credits against the sales and use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1523**: By Mr. Grant—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1524**: By Mr. Beaver—An act to add Section 1851.5 to the Insurance Code, relating to hospital service plans.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1525**: By Mr. Beaver—An act to amend Section 10209 of the Insurance Code, relating to group life policies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1526**: By Mr. Beaver—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1527**: By Mr. Beaver—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1528**: By Mr. Beaver—An act to amend Section 10270.55 of the Insurance Code, relating to standard provisions in disability policies.

Referred to Committee on Finance and Insurance.

### COMMITTEE REPORT SUBMITTED

Mr. Masterson submitted and read the following Report of the Committee on Governmental Efficiency and Economy to the members:

### REPORT OF COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

*It was moved by Assemblyman Hanna, seconded by Assemblyman McMillan, that the following be adopted as the consensus and finding of the Assembly Committee on Governmental Efficiency and Economy in regard to Chavez Ravine:*

1. That no new substantive facts have been presented relative to Chavez Ravine negotiations between the State of California and the City of Los Angeles at our present meeting, and
2. It appearing that the City of Los Angeles and the State of California entered into negotiation for transfer of this property some time ago in good faith.

*It is therefore recommended:*

1. That the Assembly take no action at this late hour concerning the Chavez Ravine, and
2. That final disposition of the matter remain in the discretion of the Governor and Executive Department where it is properly vested, and
3. That a copy of the proposed report of this committee summarizing the findings of their interim investigations be made available to the Governor's Office forthwith.
4. Finally, the committee commend Mr. Collier on his showing of diligence in this matter.

*The above report was unanimously adopted by the Committee on Governmental Efficiency and Economy.*

S. C. MASTERSON, Chairman

#### Parliamentary Inquiry

Mr. Thomas arose to the following parliamentary inquiry: Will the Assembly take formal action relative to the acceptance or rejection of the Report of the Committee on Governmental Efficiency and Economy?

#### Reply by Speaker

The Speaker replied that such action is at the will of the House.

#### Motion to Accept Report

Mr. Thomas moved that the Report of the Committee on Governmental Efficiency and Economy be accepted by the Assembly.

Mr. Ernest R. Geddes seconded the motion.

#### Demand for Previous Question

Messrs. Unruh, Dills, Levering, Schrade, and House demanded the previous question. Demand sustained.

The question being on the motion by Mr. Thomas that the Assembly accept the Report of the Committee on Governmenal Efficiency and Economy.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Dahl, and Coolidge demanded a roll call. The roll was called, and the motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Bruce F. Allen, Coolidge, Dahl, and Sumner—4.

**Notice of Motion to Reconsider**

Mr. Coolidge gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly accepted the Report of the Committee on Governmental Efficiency and Economy.

## ANNOUNCEMENT

Mr. George A. Willson announced that today is the birthday of Mr. House, whereupon the Members of the Assembly joined in extending their best wishes and birthday greetings to Mr. House.

## MOTION TO TAKE UP MOTION TO RECONSIDER TODAY

Mr. Thomas moved that the motion to reconsider the vote whereby the Assembly accepted the Report of the Committee on Governmental Efficiency and Economy be taken up at this time.

Mr. Munnell seconded the motion.

**Demand for Immediate Vote**

Mr. Munnell demanded that the motion be put to an immediate vote

**Ruling by Speaker**

The Speaker ruled the demand in order pursuant to Rule 105.

The roll was called, and the motion to take up the motion to reconsider at this time carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Bradley, George E. Brown, Burke, Busternd, Chapel, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Levering, Luckel, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—49.

NOES—Bruce F. Allen, Beaver, Belotti, Burton, Cameron, Collier, Coolidge, Crawford, Dahl, Francis, Hegland, Holmes, Marks, Meyers, Mulford, Pattee, Schrade, Sedgwick, and Sumner—19.

**Motion to Reconsider Acceptance of Report**

In compliance with a notice given, Mr. Coolidge moved that the vote whereby the Assembly accepted the Report of the Committee on Governmental Efficiency and Economy be reconsidered.

**Point of Personal Privilege**

Mr. Coolidge arose on a point of personal privilege.

The question being on the motion to reconsider.

**Point of Order**

Mr. Biddick arose to the following point of order: That the question is not subject to debate.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Point of Order**

Mr. Biddick arose to the following point of order: That Rule 105 provides that a motion to reconsider on the same day is not subject to debate.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, since the question before the House is the motion to reconsider; permission to take up the motion on this day having been granted previously.

**Demand for Previous Question**

Messrs. Conrad, Lanterman, Pattee, Hanna, and Luckel demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

Motion lost by the following vote:

AYES—Bruce F. Allen, Beaver, Busterud, Collier, Coolidge, Crawford, Dahl, Francis, Mulford, and Sumner—10

NOES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

## ANNOUNCEMENT

Speaker Brown announced that today was the last day for the introduction of departmental bills pursuant to Joint Rule 10.5.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 149**—An act to amend Section 252 of the Vehicle Code, and to add Section 12518 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the operation of motor vehicles.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.39 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 436**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined,

and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Ernest R. Geddes announced that today is the birthday of Mr. Porter, whereupon the Members of the Assembly joined in extending their best wishes and birthday greetings to Mr. Porter.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 91**—An act to add Part 4.5 (commencing with Section 1410) to Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, religious creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees.

Bill read third time.

**Demand for Previous Question**

Messrs. Hegland, Luckel, Schrade, Holmes, and Backstrand demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins,

Holmes, House, Johnson, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Bradley, Burke, Chapel, Collier, Conrad, Cusanovich, Hegland, Lanterman, Levering, Lowrey, Luckel, Reagan, Shell, and Thelin—14

Bill ordered transmitted to the Senate.

### Explanation of Vote

February 19, 1959

Reference is made to Assembly Bill No. 91 voted in the Assembly this morning I was on the long-distance phone at the moment the vote was taken, but had I been there, I would have voted "No."

WALTER DAHL

## INTRODUCTION OF GUESTS

Mr. Belotti introduced Mr. Hubert B. Scudder, former Member of the Assembly and former Member of Congress to the members.

Mr. Busterud introduced Mrs. Edward M. Gaffney, the wife of Assemblyman Gaffney, to the members.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 331
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Industrial Relations.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 67
Assembly Bill No 187
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 341
Assembly Bill No. 342
Assembly Bill No. 344
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 179
Assembly Bill No. 282
Assembly Bill No. 351
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 92

With the recommendation: Do pass.

GRANT, Vice Chairman

Above bill ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 288

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Rules**

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 7

With the recommendation: Be re-referred to the Committee on Revenue and Taxation.

MILLER, Chairman

Above resolution re-referred to the Committee on Revenue and Taxation.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, February 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 275

*With amendments with the recommendation: Amend, and do pass, as amended.*

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2
Assembly Bill No. 115
Assembly Bill No. 210

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bills ordered to second reading.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 33 FROM COMMITTEE

Mr. McCollister was granted unanimous consent that Assembly Bill No. 33 be withdrawn from the Committee on Civil Service and State Personnel, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 33

**Assembly Bill No. 33**—An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Mr. McCollister moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 7, of the printed bill, strike out ", and in the latter event this sec-" and strike out lines 8 through 16, and insert ". If the former alternative eventuates, the effective period of this section shall terminate on the first of the second month following that in which such legislation goes into effect; if the latter eventuates, the effective period of this section shall terminate on the first of the second month following that in which the modification to the State's Agreement under Section 218 of the Social Security Act including state members is executed. In the event proceedings to effect coverage in accordance with statutory authorization are unsuccessful, this section shall cease to be effective upon completion of such proceedings. All employees retained in service by reason of the provisions of this section shall be retired forthwith when this section ceases to be effective."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

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

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

**Assembly Bill No. 1529**: By Messrs. Beaver and Nisbet—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 1530**: By Mr. O'Connell—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1531**: By Mr. O'Connell—An act to amend Section 8278 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1532**: By Messrs. Porter, MacBride, and Z'berg—An act to amend Sections 21756, 21810, 21812, 22051, and 22052 of, and to add Section 21800 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district bonds.

Referred to Committee on Education.

## REQUEST FOR UNANIMOUS CONSENT

Mr. McMillan was granted unanimous consent to take up Assembly Concurrent Resolution No. 76, at this time.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 76

**Assembly Concurrent Resolution No. 76**—Relative to congratulating the Westside Jewish Community Center.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride,

Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

**Assembly Bill No. 1533:** By Mr. Miller and Senator Richards, co-author—An act to amend Section 69586 of the Government Code, relating to the superior court in Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1534:** By Messrs. Chapel, Holmes, Ernest R. Geddes, Hawkins, Kilpatrick, Shell, and Charles H. Wilson—An act to add Section 34302 7 to the Government Code, relating to the incorporation of cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1535:** By Messrs. Gaffney, Elliott, Chapel, George E. Brown, Backstrand, Bane, Belotti, Biddick, Britschgi, Busterud, Cameron, Crown, Mrs. Davis, Mr. Dills, Miss Donahoe, Messrs. Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Porter, Rumford, Schrade, Thomas, Williamson, Charles H. Wilson, and Z'berg —An act to amend Sections 3084 and 3087.2 of, and to add Sections 3084.2 and 3025.1 to, the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1536:** By Messrs. Gaffney, Elliott, Chapel, George E. Brown, Backstrand, Bane, Belotti, Biddick, Britschgi, Busterud, Cameron, Crown, Mrs. Davis, Mr. Dills, Miss Donahoe, Messrs. Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Porter, Rumford, Schrade, Thomas, Williamson, Charles H. Wilson, and Z'berg— An act to amend Sections 3472 and 3481 of, and to add Sections 3472.2 and 3420.1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1537:** By Messrs. Porter, Crawford, Grant, Ernest R. Geddes, Dahl, and O'Connell—An act to add Section 918 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to co-operative studies by school districts.

Referred to Committee on Education.

**Assembly Bill No. 1538:** By Messrs. Porter, Winton, Ernest R. Geddes, and Belotti—An act to add Chapter 10 (commencing at Section

3551) to Division 5 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district organization, and making an appropriation.

Referred to Committee on Education.

**Assembly Bill No. 1539**: By Messrs. Bruce F Allen, Sumner, and Hanna—An act to amend Section 27641 of the Government Code, relating to the term and removal of a county counsel.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1540**: By Messrs. Petris, Crown, Waldie, Masterson, Bane, Bee, Belotti, Chapel, Dahl, Dills, House, Johnson, Kennick, Luckel, Munnell, Rumford, and George A. Willson—An act to add Section 507 to the Vehicle Code and Section 23116 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the driving of motor vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1541**: By Messrs. Petris, Crown, Biddick, Waldie, Bane, Bee, Belotti, Cameron, Chapel, Dills, House, Johnson, Kennick, Luckel, Masterson, Meyers, Munnell, Rumford, and George A. Willson (Departmental—Motor Vehicles)—An act to amend Section 291 of the Vehicle Code, and to amend Section 13200 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the suspension of drivers' licenses by courts.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1542**: By Messrs. Miller and Biddick, and Senator Regan, co-author—An act to add Section 75035 to, and to amend Section 75070 of, the Government Code, relating to the Judges' Retirement System.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1543**: By Mr. Nisbet—An act to add Section 1265 to Article 1 of Chapter 5 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1544**: By Mr. Nisbet—An act to amend Section 36522 of the Government Code, relating to monthly financial reports in general law cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1545**: By Mr. Nisbet—An act to amend Section 194 of the Streets and Highways Code and Section 11005 of the Revenue and Taxation Code, relating to municipal population determinations.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1546**: By Mr. Nisbet—An act to amend Sections 36936.1, 51508 and 51511 of the Government Code, relating to city ordinances and resolutions fixing the amount of revenue to be raised by taxation.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1547**: By Mr. Hanna—An act to amend Section 1193.2 of the Code of Civil Procedure, relating to claims of liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1548**: By Mr. Hanna—An act to add Article 5.5 (commencing at Section 7078) to Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1549**: By Mr. Reagan—An act to amend Section 6901 of the Labor Code, relating to passenger, mail, or express train crews.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1550**: By Mr. Lowrey—An act to amend Sections 7202 and 7203 of the Revenue and Taxation Code, relating to local sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1551**: By Mr. Lowrey—An act making an appropriation for the acquisition and development of a public recreational area by Yolo and Solano Counties.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1552**: By Messrs. Meyers, O'Connell, and Burton —An act to amend Section 24005 of the Government Code, relating to vacations.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1553**: By Mr. Meyers—An act to add Chapter 5 (commencing at Section 17202) to Part 2 of Division 7 of the Business and Professions Code, relating to unfair practices in the sale of cigarettes.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Concurrent Resolution No. 82**: By Messrs Meyers, O'Connel, Marks, Burton, Belotti, Busterud, and Gaffney—Relative to the congratulation and commendation of Lt. Shepherd M. Jenks.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 83**: By Mr. Francis, and Senator Dolwig, co-author—Relative to the passing of Mrs Mary Rapp.

Referred to Committee on Rules.

## ADJOURNMENT

At 11.54 a m., on motion of Mr. Winton, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a m., Friday, February 20, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY

THIRTY-FIFTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, February 20, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Our Father God,* Knowing ourselves to be Thy children we ought to be ready to recognize that we are all brothers. In this Brotherhood Week we are grateful for the high ethical and moral teachings of Judaism, for the power for good throughout the world which is Roman Catholicism, for the beauty and form in the Orthodox churches, and for freedom, faith, and fellowship found in Protestant Christianity. Enable us to benefit from the many streams of strength which have emptied themselves to make our Nation great and strong. May the enactments of this Assembly be worthy additions to our laws, traditions, culture, and our way of life.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shell, seconded by Mr. McCollister, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

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

Mr. Bruce F. Allen, on motion of Mr. Shell.

Mr. George A. Willson, on motion of Mr. House.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

L. C. Shaffer of Los Banos, relative to licensing of gamblers. Referred to the Committee on Rules.

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The following letter of transmittal and report were presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION, SACRAMENTO, February 18, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*and*
*Hon. Glenn M. Anderson*
*President of the Senate*
*State Capitol, Sacramento*

Attached is a report of the Committee on Program and Policies of the State Board of Education relating to state colleges. This report was accepted by the State Board of Education at its meeting in Sacramento on February 12, 1959, and is sent to you at the direction of the board.

The board has expressed its desire to follow this statement as it continues to carry responsibilities for the government of, and policy making for, the state colleges.

Sincerely yours,

ROY E. SIMPSON
Secretary and Executive Officer
State Board of Education

Attach.

## REPORT OF THE COMMITTEE ON PROGRAM AND POLICIES OF THE STATE BOARD OF EDUCATION

### Study Relating to the State Colleges
### As Approved February 11, 1959

**Background Statement:**

The State Board of Education is the governing and policymaking body for the state colleges. Rapid growth of California has brought increased enrollments within the existing institutions and has led to the creation of new state colleges. As the state colleges have emerged as recognized educational institutions offering bachelor's and master's degrees in many fields, there has been the need for greater attention to be given to clarifying and strengthening the board's role as the operating legal agency.

State college presidents and faculty members have joined legislators, college advisory boards, the press, and the general public in expressing interest in having the board provide leadership and direction as a positive influence in the organization and direction of the state colleges. The board has responded by increasing its meetings to provide 11 during 1959, by holding the majority of its meetings on state college campuses, and by setting aside a major part of each meeting for a consideration of state college matters.

Accomplishments of the state colleges in recent years speak well of the efforts of the State Board of Education, and the Director of Education as its key officer, but at the same time there is a recognition by the board that further improvements must be made in the structure, particularly in light of the great growth and related problems in the years just ahead. The present report is intended to provide a constructive foundation upon which sound improvements in structure and in management may be based.

**Organization of the Committee:**

The State Board of Education at its meeting on May 9, 1957, established a working committee to review the responsibilities, policies, and program of the board. The committee consists of Board Members Mrs. Eva Noland, William Werner, and William N. Bucknam, chairman; Presidents Malcolm Love (San Diego State College) and Julian A. McPhee (California State Polytechnic College); and Associate Superintendent of Public Instruction J. Burton Vasche, secretary.

**Purpose and Procedures of the Study:**

After considerable discussion it was the consensus that the committee concentrate upon one segment of its responsibility, namely, that of the state colleges and after the first study is completed to consider studies embracing other segments of the educational structure.

The following statement summarizes the committee's position:

The committee is concerning itself first with the important problem of the role of the board as the governing and policy-making body for the state colleges, particularly as to how the board may strengthen and improve its work in the state college field, and its relationships with other agencies of State Government.

The committee considered how best to obtain reactions and recommendations from interested agencies and individuals as to how the board may best carry its responsibilities as a governing and policy-making body. The secretary was directed to prepare a tentative letter for review by the chairman, the letter to stress the organization and background of the committee, a statement of its responsibility and a request that suggestions and reactions be sent to the committee. The following paragraph presents the committee's request:

> "* * * Accordingly, the committee would appreciate receiving from you in the near future any suggestions or reactions which you and your staff associates feel should be considered by the board in its study. At a subsequent time, the committee will want to confer with you personally to review tentative recommendations growing out of the study which relate to your own field of interest"

It was decided that the following key officials should receive the letter: the Governor; State Controller; Director of Finance; State Architect; Legislative Analyst; Executive Officer, State Personnel Board; and state college presidents.

It was agreed that the committee would consider answers to the letters which are to go to the above enumerated governmental leaders and that it further would solicit, through letters and interviews, reports from representatives of state agencies, college administrators and faculty, public school officials, officials, officers of professional organizations, and other interested parties.

It was further suggested that the secretary bring together documents and materials bearing on state college organization and administration. The administrative adviser reported that he had available certain summaries of statutory powers of the State Board of Education and that these would be made available to the committee.

**Chronology of Committee Work:**

Important stages in the development of the work of the committee may be summarized as follows:

May 9, 1957—the State Board of Education established a working committee to review the responsibilities, policies, and program of the board.

October 4, 1957—work of the committee was directed to the review of a state board-state college relationship, and a tentative plan established for the conduct of the study.

November 20, 1957—a meeting of the full committee provided opportunity to formally establish the purposes of the study and to initiate a program for its implementation.

January 2, 1958—the committee met with the Director of Education and with all state college presidents for a full evening discussion of matters relating to state college administration.

July 23, 1958—the committee met with the State Director of Finance and his associates for discussion of fiscal relationships as they affect board responsibility and state college operations

August 8, 1958—the committee held an evening meeting with the State Personnel Board and the Executive Officer of the Personnel Board for a review of problems, relationships and procedures in the personnel field as they affect state college staff members

December 16, 1958—the committee met jointly with the state college faculty representatives and state college presidents in a review of those matters which college faculties feel are most significant in college organization and operation.

**Areas of General Agreement:**

Letters from key state officials and from discussions with both lay and state college personnel indicated agreement upon the following basic points:

1. Policy making should rest within the State Board of Education.
2. Consideration must be given as to the extent of autonomy necessary for successful administration of the individual college.
3. Policy making must rest within the State Board of Education and the State Department of Education rather than in another agency of government.
4. It is desirable to have the State Board of Education clarify and improve its role as a governing and policy-making body for the state colleges.
5. In addition to its function as a top policy-making board, the State Board of Education should serve as a sounding board of public opinion for the state colleges.
6. The board must give consideration to defining the role of the state colleges in higher education, the programs to be offered, the students to be admitted, and other basic policy matters.

**Conclusions and Recommendations:**

1. The board should establish broad policies and rules and regulations for the state colleges.
2. The board should delegate responsibilities for administrative responsibilities to appropriate administrative officers.
3. Duties of administrative offices should be clearly specified in writing.
4. Administrative officers should report regularly to the board on the status and progress of work in the colleges.
5. The board should maintain a published handbook on board policy.
6. On-going operating procedures within the colleges and from the colleges to the board should be clearly established and reviewed at frequent intervals, with revisions made as needed.
7. At the present time the board has no direct authority for state college fiscal matters and must depend on other state agencies for approval in this area, but the board should have full fiscal authority for the state colleges, subject only to review by the State Legislature.
8. At the present time the board has limited authority in state college personnel matters because many policies and administrative decisions in this area are granted to the State Personnel Board and to the Department of Finance; the State Board of Education should have full policymaking responsibility for state colleges, including administrative, classification, and salary-setting authority now exercised by the State Personnel Board and the Department of Finance.
9. The board should maintain a close working relationship with the State Legislature through a continuing program of information and recommended legislation.
10. The board should establish and maintain sound budget planning procedures for the state colleges, review the annual budget request, and transmit the budget request to the Legislature with recommendation for action.
11. Close co-operation should be maintained with all other state agencies, and with federal agencies in those areas where there are problems of mutual interest to the state colleges.
12. The board should continue to develop programs and procedures through which state college faculty members may have an opportunity to participate in planning and work projects of interest to the state colleges.
13. The board should emphasize the fundamental importance of instruction and related activities in the state colleges.
14. The board should establish its meeting schedules on a yearly basis, modifying this schedule only when emergencies demand such changes.
15. At each regularly scheduled meeting of the State Board of Education, a section of the meeting should be set aside for the consideration of state college matters.
16. Meetings of the State Board of Education should be held frequently on state college campuses in order to acquaint members with the work of the colleges and college faculty with the programs and services of the board.
17. Part of each board meeting should be devoted to the presentation of information relating to the colleges and discussion of matters of current concern to the colleges and to the board. Presidents of state colleges and faculty members should be encouraged to attend meetings of the State Board of Education when the board meets on the college campus. Plans of communication should be clearly established between the board and the college administration and faculty.
18. The agendas for board meetings and minutes of meetings, along with other reports to the board, should be available for faculty study, and filed on the campus in a central place.
19. The board should sponsor the publication of a regular bulletin on the state colleges which would have as its purpose the distribution to state college faculties of information relating to the programs and work of the state colleges.

20. Provisions should be made for a clearly established and well-understood appeal procedure within the colleges and from the colleges to the Director of Education and the State Board of Education

21. The board should develop an adequate staff within the Division of State Colleges and Teacher Education to conduct on-going studies in various areas of state college administration and instruction and to carry out the necessary details of the central office Members of the board should participate in professional meetings and professional groups both within California as well as nationally, and report back the results of such meetings and contacts to regular board meetings.

22. The board should maintain close working relationships with the Regents of the University of California and with governing boards of the several private colleges and universities within the State.

23. The board should establish and frequently evaluate the purposes of the state colleges.

24. The board should evaluate critically the admission requirements of the state colleges and direct on-going research in this significant area of responsibility

25. The board should encourage the further development of the junior colleges and relate junior college services to the programs of state colleges in those communities where both types of institutions exist.

26. Each state college should be encouraged to develop a long-term development program in educational offerings, in faculty increases, and in capital outlay construction.

27. The board should work with the Regents of the University of California and in co-operation with the regents recommend to the Legislature a program for the orderly expansion of higher education in California, particularly as it relates to the rapid growth of the decade ahead

28. The board should from time to time propose to the Legislature changes in law which will clarify and strengthen the board's leadership responsibilities and increase the effectiveness of the state colleges

29. The board should make provision for the development of an adequate salary and professional welfare program for state college personnel

30. The continuing program of public information should be sponsored by the board in order that the people of California may know of the program, work, and opportunities provided by the state colleges

31. The board should devote a major part of its time to a critical review of its operations, and make those improvements where reviews show changes are desirable.

## RESOLUTIONS

The following resolution was offered:

By Mr. Bee:

### House Resolution No. 99

Relative to the passing of Mr. Hans Henningsen

WHEREAS, Hans Henningsen, a native Californian and a pioneer of this State, who contributed much to the development and welfare of this State, passed away on February 2, 1959; and

WHEREAS, Mr. Henningsen, born in Hayward, California, in 1884, was Deputy County Clerk for Alameda County for five years, was associated with the Crocker-Anglo Bank for 30 years, having retired in 1952; and

WHEREAS, He was a charter member of the Hayward Lions Club, the Odd Fellows, Diana Lodge and the Hayward Chamber of Commerce; and

WHEREAS, Throughout his long and useful life Mr. Henningsen made significant and important contributions to the public welfare through his active participation in civic and municipal affairs; and

WHEREAS, He was honored by the Lions Club of Hayward by being selected as a Man of the Year for his community services, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members of this body express their regret and deep personal sorrow in the loss of so able a citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to his widow, Matilda Henningsen, and to his sons, Dr. Melvin Henningsen of Hayward and Irving J. Henningsen of Atherton, and to his sisters, Mrs. Hans Kuck and Mrs. Mary Davey of Oakland.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 59**—Relative to congratulating Dr. Clifford F. Loader;

And reports the same correctly enrolled, and presented to the Secretary of State on the nineteenth day of February, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 5**—An act to repeal and re-enact the Vehicle Code and to add Chapter 6.5 (commencing at Section 3067) to Title 14, Part 4, Division 3 of the Civil Code and to amend Section 11004.5 of the Revenue and Taxation Code, relating to vehicles;

And reports the same correctly enrolled, and presented to the Governor on the nineteenth day of February, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 177
Assembly Bill No. 209

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 66
Assembly Bill No. 73
Assembly Bill No. 127
Assembly Bill No. 276
Assembly Bill No. 343

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 55

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 96
Assembly Bill No. 111
Assembly Bill No. 164
Assembly Bill No. 358

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### *Committee on Finance and Insurance*

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 416

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 162

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 20
Assembly Bill No. 217
Assembly Bill No. 323
Assembly Bill No. 361
Assembly Bill No. 370

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 154
Assembly Bill No. 156

With amendments with the recommendation: Amend, and re-refer to the committee.

BRADLEY, Chairman

Above bills ordered to second reading.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 184
Assembly Bill No. 296

With the recommendation: Do pass.

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 76
Assembly Bill No. 77

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Finance and Insurance.

McMILLAN, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, February 20, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 79

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 19, 1959

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

Assembly Concurrent Resolution No. 64
Assembly Concurrent Resolution No. 76

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, February 19, 1959

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

Senate Concurrent Resolution No. 29

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 29**—Relative to an alternate truck route through the City of Eureka.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 19, 1959

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

Senate Bill No. 53

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following bill was read the first time:

**Senate Bill No. 53**—An act to amend Section 525.1 of the Vehicle Code and Section 21654 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving in the right-hand lane.

Referred to Committee on Transportation and Commerce.

## ANNOUNCEMENT

Speaker Brown announced that today was the birthday of Miss Dorothy Donahoe, whereupon the Members of the Assembly joined with the Speaker in extending their best wishes and birthday greetings to Miss Donahoe.

## CONSIDERATION OF DAILY FILE

## BILLS ON SECOND READING FILE PURSUANT TO RULE 69

Pursuant to Rule 69, the following bills were this day on the second reading file:

**Assembly Bill No. 209** and **Assembly Bill No. 177.**

Above bills ordered to third reading

## SECOND READING OF ASSEMBLY BILLS

**Assembly Constitutional Amendment No. 5**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

### Amendment No. 1

On page 2, line 5, of the printed measure, after the second "person", insert "convicted of any infamous crime,".

**Amendment No. 2**

On page 2, line 7, after "law", insert "therefor,".

**Amendment No. 3**

On page 2, lines 7 and 8, strike out "for conviction of any felony, federal or state,".

Resolution ordered reprinted, and engrossed.

**Assembly Bill No. 181**—An act to amend Section 2733 5 of the Business and Professions Code, relating to temporary permits for nurses.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 397**—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

One page 1, line 3, of the printed bill, strike out "enroll or".

**Amendment No. 2**

On page 1, line 4, after the period, insert "The college shall notify the board of the name and the file number of the license of each person so admitted."

**Amendment No. 3**

On page 1, line 7, strike out "enrolled in", and insert "admitted to".

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

**Assembly Bill No. 134**—An act to amend Sections 26721, 26722, 26725, 26738 and 26743 of the Government Code, relating to the fees of sheriffs and marshals.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 135**—An act to add Section 26736 to the Government Code, relating to the fees of sheriffs, marshals and constables.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 168**—An act to amend Section 352 of the Code of Civil Procedure, relating to the statute of limitations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 231**—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 281**—An act to add Section 70054.5 to the Government Code, relating to fees of official reporters.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 284**—An act to amend Section 117p of the Code of Civil Procedure, relating to action in small claims courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 278**—An act to amend Section 10201 of the Business and Professions Code, relating to real estate licenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 10201", and insert "Sections 10201, 10321.5, and 10581.5".

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

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**Amendment No. 2**

On page 1, strike out lines 3 to 13, inclusive, and insert

"10201. Notwithstanding any other provision of this part, the holder of a renewal license who fails to renew it prior to the expiration of the period for which it was issued and who has otherwise qualified for such license, may renew it within two years from such expiration upon proper application and the payment of a late renewal fee in an amount equal to one and one-half times the regular renewal fee.

Notwithstanding any other provision of this part, if a person who is or has been licensed under the provisions of this chapter complies with all of the requirements for a renewal license except that the application is not filed within the time prescribed, the commissioner may issue a renewal license if he finds the delay was due to mistake, inadvertence, surprise or excusable neglect; provided, however, that any applicable late renewal fee shall be charged

SEC. 2. Section 10321.5 of said code is amended to read:

10321.5 [If a person fails to apply for a renewal of his license prior to midnight of the last day of the period for which the license was issued, no renewal license shall be issued to him except upon payment of a renewal fee in an amount one and one-fourth times the amount otherwise required for renewal.] *Notwithstanding any other provision of this part, the holder of a renewal license who fails to renew it prior to the expiration of the period for which it was issued and who has otherwise qualified for such license, may renew it within two years from such expiration upon proper application and the payment of a late renewal fee in an amount equal to one and one-half times the regular renewal fee.*

*Notwithstanding any other provision of this part, if a person who is or has been licensed under the provisions of this chapter complies with all of the requirements for a renewal license except that the application is not filed within the time prescribed, the commissioner may issue a renewal license if he finds the delay was due to mistake, inadvertence, surprise or excusable neglect; provided, however, that any applicable late renewal fee shall be charged.*

SEC. 3. Section 10581.5 of said code is amended to read:

10581.5. [If a person fails to apply for a renewal of his license prior to midnight of the last day of the period for which the license was issued, no renewal license shall be issued to him except upon payment of a renewal fee in an amount one and one-fourth times the amount otherwise required for renewal.] *Notwithstanding any provision of this part, the holder of a renewal license who fails to renew it prior to the expiration of the period for which it was issued and who has otherwise qualified for such license, may renew it within two years from such expiration upon proper application and the payment of a late renewal fee in an amount equal to one and one-half times the regular renewal fee.*

*Notwithstanding any other provision of this part, if a person who is or has been licensed under the provisions of this chapter complies with all of the requirements for a renewal license except that the application is not filed within the time prescribed, the commissioner may issue a renewal license if he finds the delay was due to mistake, inadvertence, surprise or excusable neglect; provided, however, that any applicable late renewal fee shall be charged."*

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 118**—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896, and 2899 of, and to repeal Sections

2674, 2742, 2794, and 2795 of, the Elections Code, relating to partisan candidates.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 350**—An act to amend Section 6800 of the Elections Code, relating to electronic and electromechanical tabulation of ballots.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 92**—An act to add Article 6 (comprising Sections 11660 to 11663, inclusive) to Chapter 2, Division 14 of the Elections Code, relating to interference with initiative, referendum, and recall.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 275**—An act to amend Section 717.1 of the Code of Civil Procedure, relating to proceedings supplemental to execution.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

#### Amendment No. 1

On page 1, line 10, of the printed bill, after "chapter, of a" strike out "judgment debtor or".

#### Amendment No. 2

On page 1, line 12, strike out "debtor", and insert "person".

#### Amendment No. 3

On page 1, line 14, strike out "debtor's", and insert "person's".

#### Amendment No. 4

On page 1, line 15, after the period, insert "Such mileage fees shall be an item of costs chargeable to the judgment debtor, and the court may, pursuant to Section 719, order the application of any property of the judgment debtor to the satisfaction of such costs."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2**—An act to amend Section 2571 of the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 1851 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

#### Amendment No. 2

On page 1, between lines 9 and 10, insert

"SEC. 2. Section 1851 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:

1851. A single, *union, or joint union* elementary school district may be annexed to another single, *union, or joint union* elementary school district which during the last preceding fiscal year had an average daily attendance in excess of the district to be annexed pursuant to this article (commencing at Section 1851), and upon such terms as may be agreed upon between the governing boards of the school districts.

SEC. 3. Section 2 of this act shall become operative at the same time as the Education Code, as enacted by the Legislature at its 1959 Regular Session, at which time Section 2571 of the Education Code as amended by Section 1 of this act is repealed."

**Amendment No. 3**

On page 1, line 10, strike out "2.", and insert "4."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 115**—An act to add Section 184.3 to the Education Code, relating to state colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "184.3 to the Education Code", and insert "24002 to the Education Code as enacted at the 1959 Regular Session".

**Amendment No. 2**

On page 1, line 1, strike out "184.3", and insert "24002."

**Amendment No. 3**

On page 1, strike out lines 3 and 4, and insert

"24002. The president of a state college may, subject to the rules and regulations of the State Board of Education, without the approval of the Director of".

**Amendment No. 4**

On page 1, lines 6 and 7, strike out "or any other purpose at a state college", and insert "authorized to be performed by the state college or any other authorized purpose or function of the state college, or for scholarships, buildings, or libraries".

**Amendment No. 5**

On page 1, lines 9, 10 and 11, strike out "a trust account in accordance with the provisions of Government Code Sections 16305-16305.7", and insert "the Special Deposit Fund in the treasury, in accordance with the provisions of Article 2 (commencing with Section 16370) of Chapter 2, Part 2, Division 4, Title 2 of the Government Code,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 210**—An act to amend Section 2807 of the Education Code, relating to school district organization.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "2807 of the Education Code", and insert "1947 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

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

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**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 1947 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:

1947. If a majority of the votes cast at the election [in each of any two or more of the school districts] is in favor of the union school district, the union school district

is formed [but if a majority of the votes cast in any district are against the formation of the union school district, that district shall not be included in the union school district and the union school district shall be formed to include only those districts which are contiguous to each other and in which a majority of the votes cast favored the formation of the union school district]. *except that if the voters in one district cast a majority of all the votes cast at the election then the proposal must carry by a majority in such district and, in addition, by a majority of the combined votes of all the other districts concerned*. The county superintendent shall, within 15 days after receiving the returns of the election, notify the county assessor, the county clerk, and the county auditor of the formation of the union school district"

**Amendment No. 3**

On page 1, strike out lines 2 to 19, inclusive.

Bill ordered reprinted, and engrossed.

## RE-REFERENCE OF BILLS PURSUANT TO RULE 62

On advice of the Legislative Counsel, and pursuant to Rule 62, the Speaker ordered the following bill re-referred to the Committee on Ways and Means:

**Assembly Bill No. 181.**

**Speaker pro Tempore Presiding**

At 9.46 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 273**—An act to amend Section 633 of the Vehicle Code, and Section 24404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to spotlamps on vehicles.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 283**—An act to amend Section 823 of the Penal Code, relating to bail of person arrested on warrant of another county.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Concurrent Resolution No. 65**—Relative to salmon marking.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

**Explanation of Vote**

Due to legislative business elsewhere in the Capitol, I was not present when Assembly Concurrent Resolution No. 65 was voted on. Had I been present, I would have voted aye.

CHARLES W. MEYERS

**Assembly Bill No. 191**—An act to amend Sections 1370 and 1376 of the Harbors and Navigation Code, relating to pilotage in the Port of San Diego.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 78

By Mr. Rees:

**House Resolution No. 78**

Relative to the use of funds by the Assembly Interim Committee on Conservation, Planning, and Public Works

*Resolved by the Assembly of the State of California*, That the unexpended balance of the sum of thirteen thousand dollars ($13,000) which was made available from the Contingent Fund of the Assembly by House Resolution No. 234 of the 1957 Regular Session of the Legislature for the use of the Subcommittee on Water Project Power of the Assembly Interim Committee on Conservation, Planning, and Public Works is hereby made available to the Assembly Interim Committee on Conservation, Planning, and Public Works for the expenses of such committee and its members or any subcommittee thereof and for any charges, expenses, or claims it may incur, to be paid from the Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

**Demand for Previous Question**

Messrs. Crawford, Johnson, Hegland, Schrade, and House demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe,

Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—62

NOES—Britschgi, Dahl, Hawkins, Holmes, Lanterman, Levering, and Shell—7.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 341**—An act to add Section 581.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—57.

NOES—Biddick, Burke, Busterud, Crawford, Hanna, MacBride, Marks, and Miller—8.

### Motion to Amend Title

Mr. Francis moved the adoption of the following amendment to the title:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on February 18, 1959, strike out "581.5", and insert "851.5".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 342**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read third time.

The roll was called.

### Motion for Call of Assembly

Pending the announcement of the vote, Mr. Francis moved a call of the Assembly.

### Motion Withdrawn

Mr. Francis withdrew his motion.

### Motion to Expunge Record and Rescind Action on Assembly Bill No. 342

Mr. Francis moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 342.

Mr. Rumford seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, and Z'berg—61.

NOES—Crawford, Cusanovich, Hegland, Holmes, and Schrade—5.

### Motion to Place on Inactive File

Mr. Francis moved that Assembly Bill No. 342 be placed on the inactive file.

Motion carried.

### MOTION TO PLACE ASSEMBLY BILL NO. 344 ON INACTIVE FILE

Mr. Francis moved that Assembly Bill No. 344 be placed on the inactive file.

Motion carried.

### EXPLANATION OF VOTES ON ASSEMBLY BILLS NOS. 341, 342, AND 344

Reference is made to Assembly Bills Nos. 341, 342, and 344 on third reading file this morning. The four members of the San Diego Delegation believe that the Assembly has the responsibility to determine which bills should be placed on the Governor's desk and deplore either the committee or the Assembly abrogating this responsibility by passing substantially similar bills.

The San Diego Delegation supports Assembly Bill No. 342 and opposes Assembly Bills Nos. 341 and 344.

GEORGE G. CRAWFORD
JACK SCHRADE
SHERIDAN N. HEGLAND
FRANK LUCKEL

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We voted "No" on Assembly Bill No. 341 because we object strongly to the procedure of asking the Assembly to pass a series of three inconsistent bills affecting the same code section on the improper argument that the Governor and the Senate can "choose between them."

We, nevertheless, favor the principle of granting arrested persons the right to make proper telephone calls and would have voted for a single bill to accomplish this purpose.

JOHN A. BUSTERUD
MILTON MARKS

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I voted "No" on Assembly Bill No. 341 providing for three telephone calls by arrested persons. I am in favor of the principle of telephone calls for arrested persons and voted for Assembly Bill No. 342 allowing one telephone call on which roll call the record was expunged. I also object strongly to the procedure of asking the Assembly to pass a series of inconsistent bills relying on the Senate and the Governor to make the correct ultimate decision.

WILLIAM BIDDICK

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 282**—An act to amend Section 22842 of, and to repeal Sections 22844 and 22845 of, the Water Code, relating to irrigation districts containing 500,000 acres or more.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 45**—An act to add Section 10659 to, and amend Section 10840 of, the Fish and Game Code, relating to sea otters.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 179**—An act to amend Section 7111 of the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 351**—An act to amend Sections 7302, 7310, 7311, 7312, 7320, 7330, 7331, 7332, 7334, 7362.1, 7370, 7372, 7373, 7376, 7380, 7382, 7383, 7393, 7394, 7400, 7412, 7420, 7431, 7436, and 7442 of the Business and Professions Code, relating to cosmetology.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 76

By Mr. Ralph M. Brown:

### House Resolution No. 76

Relative to the passing of Vernon F. Gant

WHEREAS, The Members of the Assembly are deeply grieved to learn of the death of one of the most distinguished and outstanding of their former members Vernon F. Gant; and

WHEREAS, Vernon F. Gant, a native of Kentucky, had lived in the area of Stanislaus County for 56 years, first as a renowned newspaperman and later as a recognized specialist in the laws pertaining to irrigation and negligence; and

WHEREAS, He served the people of his community in the Assembly as a Representative from Stanislaus County from 1926 through 1928; and

WHEREAS, A veteran of World War I, he was prominent in many of the community activities not only of Stanislaus County, but also of the State and Nation, and will always be remembered for the high esteem in which he was held by both bench and bar; now, therefore, be it

*Resolved*, That the Members of this Assembly express their sincere regret and deep personal sorrow at the loss of such an able and respected citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to his wife and family as an expression of the heartfelt sympathy of all Members of the Assembly of California.

Resolution read.

**Request to Adjourn in Memory of Vernon F. Gant**

Mr. Ralph M. Brown was granted unanimous consent that when the Assembly this day adjourns, it do so out of respect to the memory of the late Vernon F. Gant.

The question being on the adoption of the resolution.

Resolution read, and adopted unanimously by a rising vote of the Members of the Assembly.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 69**—Relative to the retirement of Carrol Monroe Speers.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 67**—Relative to congratulating Mr. Paul Ames.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 68**—Relative to congratulating Judge Delbert E. Wong.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

**Members Made Co-authors of Assembly Concurrent Resolution No. 68**

Mr. Burton was granted unanimous consent that all members so desiring be placed upon the illuminated copy of Assembly Concurrent Resolution No. 68 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

**Assembly Concurrent Resolution No. 70**—Relative to the death of J. Frank Barrett.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 94

By Mr. Z'berg:

**House Resolution No. 94**

Relative to the passing of Mr. William A Carroll

WHEREAS, William A. Carroll, a native Californian, who for many years was Sacramento Superintendent of Parks, passed away on February 8, 1959; and

WHEREAS, Mr. Carroll, born in Sacramento, was employed with the Sacramento Park Department for 36 years, retiring in 1954 as City Superintendent of Parks; and

WHEREAS, Mr. Carroll was well known for the important role he played as the developer of William Land Park; and

WHEREAS, Mr Carroll, as head of the City of Sacramento's Tree Division was responsible for the planting and maintenance of the trees for which the city is famous; and

WHEREAS, He was a member of the Southside Improvement Club, the Elks Lodge No. 6, the Eagles Aerie No. 9, the Sacramento Historical Society, and the Sacramento City Employees' Association; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their deep regret at the death of Mr. Carroll, and extend their condolences to his relatives and friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to his brother, Mr D H. Carroll, and to his sisters, Mrs Marjorie Welch, Mrs Kittie Parker and Mrs. Amy Stacy.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 95

By Mr. Conrad:

### House Resolution No. 95

Congratulating Walter Brennan

WHEREAS, The Hollywood Chamber of Commerce is honoring television and screen star, Walter Brennan, with a luncheon on February 23, 1959; and

WHEREAS, This year marks Mr. Brennan's thirty-fifth year in show business, a field in which he has long been a favorite of the American public, and

WHERLAS, His excellence as an actor has three times received recognition through Academy Awards as best supporting actor in "Come and Get It," "Kentucky," and "The Westerner"; and

WHEREAS, In recent years, while continuing to appear in motion pictures, he has achieved a new popularity in the medium of television, climaxed by his current series "The Real McCoys"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members join with the many friends and admirers of Walter Brennan in commending him for the consistently high quality of his performances and extending their sincere wishes for his continued success; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Walter Brennan.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 97

By Mr. Conrad:

### House Resolution No. 97

Relative to congratulating Mr. C. E. Toberman on the construction and opening of the C. E. Toberman Building in Hollywood

WHEREAS, Mr. C E. Toberman has completed construction of a building to house the First Federal Savings and Loan Company, a company founded by him, and the building is to be opened for service to the public on February 24, 1959; and

WHEREAS, He, at the age of 78, has participated in the growth and development of Hollywood since the beginning of this century, being a man of vision and typifying progress with complete confidence in the future of Hollywood; and

WHLREAS, As a real estate and investment executive, Mr. Toberman has erected and promoted many buildings, including Grauman's Egyptian Theater, Grauman's Chinese Theater, Hollywood Roosevelt Hotel, Hollywood Masonic Temple, El Capitan Building, Barker Brothers Building, Paramount Theater, and the Bekin Storage Building, and has pioneered in the first steel structural design for residential properties in the Outpost Drive area; and

WHEREAS, Mr Toberman is Past Master of Hollywood Lodge No. 355, F. & A. M, and has participated in numerous civic affairs with a special interest in the guidance and development of our youth, his contributions in this field including service with Boy Scouts, Young Men's Christian Association and the Black-Foxe Military Academy; now, therefore, be it

*Resolved by the Assembly of the State of California*, That it is very appropriate on the occasion of the opening of the C E Toberman Building that Mr C. E. Toberman be commended for his outstanding contributions to the welfare of the people of California; and

*Resolved*, That the Chief Clerk of the Assembly forward suitably prepared copies of this resolution to Mr Toberman

Resolution read, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 68 FROM COMMITTEE

Mr. Belotti was granted unanimous consent that Assembly Bill No. 68 be withdrawn from the Committee on Fish and Game, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 68

**Assembly Bill No. 68**—An act to add Sections 13006 and 13103 to the Fish and Game Code, relating to fish and game funds.

Bill read second time.

#### Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 13006 and", and insert "Section".

#### Amendment No. 2

On page 1, strike out lines 1 to 10, inclusive, and insert
"SECTION 1. Section 13103 is added to the Fish and Game Code, to read:".

Amendments read, and adopted.

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

#### Speaker Presiding

At 10.50 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### NAMES PLACED UPON ROLL CALL UPON ASSEMBLY BILL NO. 341

Mr. Beaver asked for unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 341.

Mr. Winton withheld unanimous consent.

#### Motion to Temporarily Suspend the Rules

Mr. Beaver moved that the Rules be temporarily suspended for the purpose of permitting him to be recorded as voting "Aye" on Assembly Bill No. 341.

Mr. Elliott seconded the motion.

#### Request for Unanimous Consent

Mr. Lowrey was granted unanimous consent that the motion be amended to include granting permission that he be recorded as voting "Aye," instead of "No," on Assembly Bill No. 341.

The question being on the motion, as amended, that the Rules be temporarily suspended for the purpose of permitting Mr. Beaver to be recorded as voting "Aye," and Mr. Lowrey to be recorded as voting "Aye" instead of "No" on Assembly Bill No. 341.

Motion for temporary suspension of the Rules carried by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Dahl, Davis, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, and Z'berg—53.

NOES—George E. Brown, DeLotto, Donahoe, Lunardi, Munnell, and Winton—6.

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

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

**Assembly Bill No. 1554:** By Mr. Bee—An act to amend Sections 73075, 73081 and 73084 of, and to add Sections 73084.5 and 73090.1 to, the Government Code, relating to municipal court districts in Alameda County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1555:** By Mr. McCollister—An act to add Section 1102.6 to the Agricultural Code, relating to egg standards.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1556:** By Mr. Pattee—An act to amend Sections 74222 and 74223 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the City of Salinas.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1557:** By Messrs. Sumner and Hanna, and Senator Murdy, Co-author—An act to add Article 13.5 (commencing at Section 73840) to Chapter 10, Division 8 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1558:** By Messrs. Nisbet and Beaver—An act to amend Section 68540 of the Government Code, relating to assignment of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1559:** By Messrs. Nisbet and Beaver—An act to add Section 2509.1 to the Revenue and Taxation Code, relating to the collection of property taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1560:** By Messrs. Nisbet and Beaver—An act to amend Section 4149 of the Revenue and Taxation Code, relating to redemption of any parcel of tax-sold or tax-deeded property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1561:** By Messrs. Nisbet and Beaver—An act to amend Section 4102 of the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1562:** By Messrs. Nisbet and Beaver—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1563:** By Messrs. Nisbet and Beaver—An act to amend Section 70055 of the Government Code, relating to filing fees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1564**: By Messrs. Nisbet and Beaver—An act to amend Section 603 of the Vehicle Code, and to amend Section 21113 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the penalty for unauthorized stopping of vehicles on municipal or educational property.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1565**: By Mr Thomas and Senator Teale, co-author—An act to add Part 4 to Division 9 of the Public Utilities Code, to provide for the giving of security by owners and operators of aircraft involved in accidents, to provide for administration thereof; and to provide penalties for violation of any provisions of this act.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1566**: By Mr. Chapel—An act to add Section 3671 to the Public Utilities Code, relating to highway permit carriers.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1567**: By Mr. Z'berg—An act to add Section 20804.7 to the Government Code, relating to retirement credit for state employees for periods during which they were employed in liquidation work.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1568**: By Mr. Z'berg—An act to add Sections 20014.4, 20017.4, 21020.4, 21290.4, 21292.4 and 21363.4 to the Government Code, relating to the State Employees' Retirement System in respect to harbor police, state police, campus security officers and campus police.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1569**: By Mr. Cunningham—An act to amend Section 31671 of the Government Code, relating to retirement for county employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1570**: By Mr. Cunningham—An act to amend Section 25528 of the Government Code, relating to the sale or lease of county real property.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1571**: By Messrs. MacBride, Meyers, Z'berg, and Burton—An act to amend Section 21365.5 of the Government Code, relating to benefits payable on the death of a member eligible to retire under the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1572**: By Mr. Cusanovich—An act to amend Section 6404.2, relating to orders of the Division of Industrial Safety on pressure vessels.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1573:** By Messrs. Lanterman and Thomas—An act to amend Sections 31461.1, 31558.1, 31620.1, 31630.1, 31639.15, 31700, 31701, 31721.5, and 31780.5 of the Government Code, relating to retirement systems.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1574:** By Messrs. Lanterman and Thomas—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1575:** By Messrs Lanterman and Thomas—An act to amend Sections 31652, 31652.2 and 31726 of the Government Code, relating to county retirement systems.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1576:** By Mr. Lanterman—An act to add Section 31727.6 to the Government Code, relating to retirement systems.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1577:** By Mr. Lanterman—An act amending Sections 31460, 31527, 31602, 31680, 31720.2, 31765, 31765.1, 31780 and 31787 of, repealing Section 31646 of, and adding Sections 31481, 31681.4, and 31739.2 to, the Government Code, relating to county retirement systems.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1578:** By Messrs Burton, Waldie, Masterson, Bane, Don A. Allen, Biddick, Cameron, Crown, Mrs. Davis, Messrs. DeLotto, Dills, Elliott, Frew, House, Kennick, MacBride, McMillan, Meyers, Nisbet, O'Connell, Petris, Rees, Thomas, Williamson, Winton, and Z'berg—An act to add Section 1253.1 to the Unemployment Insurance Code, relating to eligibility for unemployment compensation benefits, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Joint Resolution No. 17:** By Messrs Samuel R. Geddes, Winton, Crawford, Gaffney, Don A. Allen, Backstrand, Bane, Beaver, George E. Brown, Burke, Cameron, Cusanovich, Mrs Davis, Messrs. DeLotto, Dills, Frew, Garrigus, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Marks, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Waldie, and Williamson—Relative to memorializing Congress to enact a bill to provide assistance to the states in the contstruction, modernization, additions and improvements of domiciliary and hospital buildings of state veterans' homes by a grant to subsidize, in part, the capital outlay cost.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 18:** By Messrs. Samuel R. Geddes, Winton, Crawford, Gaffney, Don A Allen, Backstrand, Bane, Beaver, George E. Brown, Burke, Cameron, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Frew, Garrigus, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Marks, McCollister, Meyers, Nisbet,

Pattee, Petris, Porter, Rees, Rumford, Schrade, Waldie, and Williamson—Relative to memorializing Congress to increase federal aid to state veterans' homes.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Schrade:

### House Resolution No. 100

In appreciation to the Reverend R. Wilbur Simmons, Chaplain of the Assembly, and authorizing the printing of the prayers of the Assembly in book form

WHEREAS, During the 1959 Regular Session of the California Legislature it has been the privileged good fortune of the Assembly to have the Reverend R. Wilbur Simmons serve as its Chaplain; and

WHEREAS, The Reverend R. Wilbur Simmons, through his inspirational prayers each morning of the session, has brought to this body valuable and necessary spiritual guidance and comfort for the day's work, and has reminded the members of their obligations not only to their God but to their fellow men, to the State and to the Nation; and

WHEREAS, His devout utterances, his demonstrated high degree of intelligence and his manifest vision have compelled the admiration of all within his hearing and have won the personal regard and sincere respect of each and every Member of the Assembly; and

WHEREAS, The Reverend R. Wilbur Simmons, through his devotional entreaties, has greatly encouraged the members to merit the trust imposed in them by the people of California, and has caused the members to look upon their daily tasks with greater tolerance and deeper understanding of the hearts and wishes of all the people of California; now, therefore, before the date for sine die adjournment arrives, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House express to the Reverend R. Wilbur Simmons their heartfelt appreciation for the rewarding spiritual service and guidance he has rendered this body during this session of the Legislature, and for the stimulation to duty and justice the members have derived from his daily supplications; and be it further

*Resolved*, That the Chief Clerk of the Assembly is authorized and directed to have printed 500 copies of a booklet containing the prayers offered in the Assembly at this session; and that he send one copy of this booklet to each Member of the Assembly, one copy to each attache employed on the Assembly desk, and one copy to each accredited newspaper correspondent, the remainder of the copies to be transmitted to the Reverend R. Wilbur Simmons together with a suitably engrossed copy of this resolution.

Resolution read, and referred to the Committee on Rules.

By Mr. Lowrey:

### House Resolution No. 101

Relative to state school building aid

WHEREAS, The State has been providing funds for allocation to school districts for the construction of needed school facilities; and

WHEREAS, Many school districts have been applying to the State Allocation Board for loans and grants from such funds; and

WHEREAS, The State Allocation Board has approved many applications apportioning funds for the use of such needy school districts; and

WHEREAS, Many school districts desire to avail themselves of the opportunity to review, consider and study the layouts and design of such facilities; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Allocation Board make typical layouts, designs and plans as approved by the State Allocation Board available for use by such school districts; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Chairman of the State Allocation Board.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 33
Assembly Bill No. 308
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 66
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, February 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 181
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 118
Assembly Bill No. 134
Assembly Bill No 135
Assembly Bill No. 168
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading:

ASSEMBLY CHAMBER, February 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 79
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 231
Assembly Bill No. 284
Assembly Bill No. 350
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 1170
With amendments with the recommendation: Amend, and do pass, as amended

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER. Your Committee on Revenue and Taxation reports.

Assembly Bill No. 250
Assembly Bill No. 251
Assembly Bill No 252
Assembly Bill No. 254
Assembly Bill No 324

With the recommendation. Do pass.

MACBRIDE, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 20, 1959

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

Assembly Concurrent Resolution No 67
Assembly Concurrent Resolution No. 68
Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 70

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

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

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

**Assembly Bill No. 1579**: By Messrs. Unruh, Crown, and Munnell—An act to add Article 1.5 (commencing at Section 685) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance retaliatory laws.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1580**: By Messrs. Unruh and Crown—An act to add Article 5.9 (commencing with Section 799 1), Chapter 1, Part 2, Division 1, and Section 10270.505 to the Insurance Code, relating to the regulation of credit life and credit disability insurance.

Referred to Committee on Finance and Insurance.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Brown of Modesto to Stan Simidian, W. I. Honeycutt, and Donald Drake of Modesto.

On request of Mr. Munnell, of Montebello, to Lester Young and Martha Orrgally, of Los Angeles.

On request of Mr. Unruh, of Los Angeles, to Miss Beverly Augustine, of Los Angeles

On request of Mr. Biddick, of Stockton, to James Buntin and Mrs. Flora Olsson, teachers; and the following pupils of the John Marshall Junior High School, Stockton: Charles Baker, Lily Beltran, Georgeanne Benson, Anita Billington, Willie Breckenridge, Marina Cabaldi, Essie Daniels, Gen Daniels, Danny Davis, Shirley Fowler, Mary Fujino, Marlene Ghiglieri, Ricardo Gonzales, Steve Gotanda, Opal Gulley, Margaret Hallford, Jerry Hawley, Danne Hisaka, Tetsu Hojo, Kay Holden, Rod Izquierdo, Teresa Jaquez, Harry Jue, Vickie Jacobo, Jim Ko, Ken Kobayashi, Louie Lee, David Loo, Lawrence Louie, Barbara Maritch, Mary Martinez, Charlotte McGowan, Wayne Nakawatase,

Carolyn Ng, Idell Powell, Louise Rohdenburg, Judy Ross, Larry Swift, Ann Tateyama, Nori Ueda, Shoji Wada, Julie White, Judy Yabamoto, Nori Yabamoto, and Grace Ybarra.

On request of Mr. Backstrand of Riverside to Rev. Laing Sibbett of Bishop.

On request of Mr. Biddick of Stockton, Mr. Rumford of Berkeley, and Mr. Gaffney of San Francisco to Rev. J. S. Sutton of Stockton.

On request of Mr. Cameron of Whittier to James D. Nesbitt of Whittier.

On request of Mr. Gaffney of San Francisco and the San Francisco Delegation, and Mr. Rumford of Berkeley and the Alameda Delegation to Newell Johnson of San Francisco.

On request of Mr. Thomas of San Pedro to Mrs. O. M. Benton, Mrs. Chas. Van Wagner, Mrs. Robert Teutsch, and Mrs. Olin Crabtree.

## ADJOURNMENT

At 11.09 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, February 24, 1959, out of respect to the memory of the late Vernon F. Gant, former Member of the Assembly, and in commemoration of the birthday of George Washington.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY

THIRTY-SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, February 24, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Budduck, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Most Merciful and Loving God,* Here in a moment of prayer we try to stand still, though the motion of our own travel from home and office is still with us, and the world rushes on. Help us to get hold of ourselves, to be still and know that Thou art God Our hearts will remain restless until they rest in Thee, and our lives will be wasted until we do Thy will If for a moment, O God, we turn from the world, it is not to disdain it; if we shut it out, it is not to forsake it; if we turn toward Thee, it is not to deny it. We turn to Thee. Our Father, because we must Humbly we seek to do Thy will through the labors of this Assembly.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for a part of the morning, because of legislative business elsewhere:

Mr. Francis, on motion of Mr. Britschgi.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Abraham Binneweg, Jr., of Oakland, relative to cross-filing. Referred to the Committee on Elections and Reapportionment.

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Mrs. Rosa E. Kochly of Lucerne Valley, relative to elections. Referred to the Committeee on Elections and Reapportionment.

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF TERRITORIES
WASHINGTON, D. C., February 18, 1959

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

DEAR MR. OHNIMUS: The White House has asked us to thank you for your letter of February 6 forwarding to the President a copy of Assembly Joint Resolution No. 2.

Both the President and this department have strongly urged the passage by the Congress of legislation which would authorize the admission of Hawaii to statehood. We hope very much that the Congress will consider favorably the statehood legislation which is now before it.

Sincerely yours,

ANTHONY T. LAUSI, Director

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Water Resources Bulletin 62—Recommended Water Well Construction and Sealing Standards—Mendocino County

STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES
SACRAMENTO, February 9, 1959

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

DEAR MR. OHNIMUS: I have the honor to transmit herewith for the information of the California State Assembly Bulletin No. 62 of the Department of Water Resources entitled "Recommended Water Well Construction and Sealing Standards, Mendocino County." This report has been prepared under authority of Section 231 of the Water Code. The investigation was conducted and report prepared by the Division of Resources Planning of the Department of Water Resources.

This report is the first of a series of reports designed to formulate and recommend areal standards of waterwell construction and sealing in order to adequately protect the waters of the State from quality impairment caused by improperly constructed, defective, or abandoned wells. The recommended standards presented are based on physical conditions and current well construction practices found in Mendocino County.

While there are at present no statewide laws in California setting forth standards for well construction and sealing, the Legislature recognized the need for such standards in the enactment of Chapter 1552, Statutes of 1949, by directing the

Department of Water Resources to formulate minimum standards of well construction and procedures for the abandonment of wells. This report is designed to assist those who may undertake to formulate legislation or regulations for control of well construction and sealing practices in Mendocino County.

Very truly yours,

HARVEY O. BANKS, Director

Encl.

Above transmitted report referred to the Committee on Water.

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

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

**Assembly Bill No. 1581:** By Mr. Dahl—An act to repeal Chapter 1071 and Section 1 of Chapter 1072 of the Statutes of 1957, and to repeal Section 15849 of the Government Code, relating to the sale of the new site for the California State Fair and Exposition.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1582:** By Mr. Miller—An act to amend Section 75033 of the Government Code, relating to the retirement of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1583:** By Mr. Miller—An act to amend Section 75104.5 of the Government Code, relating to the Judges' Retirement System.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1584:** By Mr. Thelin—An act to add Section 555 to the Probate Code, relating to deposits of money in lieu of bonds.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1585:** By Mr. Thelin—An act to add Section 771.5 to the Probate Code, relating to the sale of subscription rights without prior court approval.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1586:** By Mr. Thelin—An act to amend Sections 676, 677 and 680½ of the Code of Civil Procedure, relating to undertakings in actions to set aside fraudulent transfers and conveyances.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1587:** By Mr. Porter—An act to amend Section 679.3 of the Vehicle Code, and to amend Section 30904 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of V bars on vehicles transporting hay.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1588:** By Mr. Pattee—An act to add Section 984.5 to the Military and Veterans Code, relating to benefits to dependents of veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1589**: By Mr. George E. Brown—An act to add Section 665.5 to, and to amend Section 5708 of, the Elections Code, relating to election procedure.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1590**: By Messrs. Collier, Cusanovich, and Johnson—An act to add Sections 153 and 154 to the Streets and Highways Code, relating to the erection of signs on freeways.

Referred to Committee on Transportation and Commerce.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 281
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 115
Assembly Bill No. 210
Assembly Bill No 275
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Constitutional Amendment No. 5
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 341
*And reports the same correctly re-engrossed (Title Amendment).*

BURKE, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, February 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
**Assembly Concurrent Resolution No. 52**—Relative to the placement of mission bells along El Camino Real;
And reports the same correctly enrolled, and presented to the Secretary of State on the twentieth day of February, 1959, at 11 a m.

BURKE, Chairman

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE 69

Pursuant to Rule 69, the following bills were this day on the second reading file:

**Assembly Constitutional Amendment No. 5, Assembly Bill No. 275, Assembly Bill No. 2, Assembly Bill No. 115,** and **Assembly Bill No. 210.**

Above bills ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 416**—An act to add Section 940 to Article 2, Chapter 4, Part 1, Division 1 of the Unemployment Insurance Code, relating to unemployment and disability compensation insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 162**—An act to amend Section 335.5 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 20**—An act to repeal Sections 4031, 26133, 26281, 26327, 26328, 26329, 26330, 26331, 31879, 31880, 31903, 31924, 31943, 31944, 31945, 31946, 36959, 37154, 50372, and 53503, and to amend Sections 1650, 1651, 4029, 4030, 26230, 26326, 27543, 31878, 31881, 31900, 31901, 31902, 31942, 31970, 32449, 32451, 34053, 34576, 34702, 35113, 35306, 37151, 37153, 37156, 37157, 50330, 50333, 50334, 51611, 51614, 51645, 51652, 53500, 53672, 60386, and 60415 of the Water Code, relating to recordation of instruments.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 217**—An act to amend Sections 55101, 55801 and 55966 of the Water Code, relating to county waterworks districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 323**—An act to amend Section 5 of the Fresno Metropolitan Flood Control District Act (Chapter 503, Statutes of 1955), relating to the governing board of the district.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 361**—An act to amend Section 2d of the Los Angeles County Flood Control Act (Chapter 755, Stats. 1915), relating to the Los Angeles County Flood Control District.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 370**—An act to repeal Section 25082 of the Government Code, relating to meetings of boards of supervisors.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 154**—An act to add Section 25100.5 to the Government Code, relating to the clerk of the board of supervisors in counties of over 2,000,000 population.

Bill read second time.

**Consideration of Committee Amendments**

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

**Amendment No. 1**

On page 1 of the printed bill, after line 7, insert

"The clerk of the board of supervisors shall perform those duties prescribed by law for the county clerk as ex officio clerk of the board of supervisors or for the clerk of the board of supervisors and such additional duties as the board of supervisors shall prescribe by ordinance. He may perform all the duties vested in the county clerk other than those vested in the county clerk as ex officio clerk of the superior court and may take acknowledgments and administer and certify oaths in the performance of his official duties."

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

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read second time.

**Consideration of Committee Amendments**

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

**Amendment No. 1**

On page 1 of the printed bill, strike out line 9, and insert "local performance of governmental or proprietary function within limited".

**Amendment No. 2**

On page 2, line 5, after "which", insert "the territory of".

**Amendment No. 3**

On page 2, line 14, after "district", insert "or the State when acting under the State Contract Act".

**Amendment No. 4**

On page 2, line 15, after the period, insert "Notwithstanding the preceding provisions of this section, this section does not require a school district to comply with the zoning ordinances of a county or city unless such zoning ordinance makes provision for the location of public schools.

Each local agency required to comply with building ordinances and zoning ordinances pursuant to this section and each school district whose school buildings are inspected by a county or city pursuant to Section 53092 shall be subject to the provisions of the applicable ordinances of a county or city requiring the payment of fees but the amount of such fees charged a local agency or school district shall not exceed the amount charged under the ordinance to nongovernmental agencies for the same services or permits."

**Amendment No. 5**

On page 2, line 18, after "city", insert "all or part of".

**Amendment No. 6**

On page 2, line 22, after the period, insert "No delegation under this section shall become effective without the consent of the legislative body of the county or city to which the delegation is made."

**Amendment No. 7**

On page 2, line 36, strike out "Error", and insert "Arbitrariness, capriciousness, error,"

**Amendment No. 8**

On page 2, strike out lines 48 and 49; and on page 3, strike out lines 1 to 5, inclusive, and insert

"An appeal shall not be filed with the Local Planning Advisory Committee unless the local agency filing the appeal has exhausted the administrative remedies provided by county or city ordinance."

Amendment No. 9

On page 2, line 5, after "situated.", insert "On projects for which state school building aid is requested by a local agency for construction of school facilities the county or city planning commission in which said agency is located shall consider in its review for approval information relating to attendance area enrollment, adequacy of the site upon which the construction is proposed, safety features of the site and proposed construction, and present and future land utilization, and report thereon to the State Allocation Board"

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

**Assembly Bill No. 184**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 296**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act

Bill read second time, and ordered engrossed.

**Assembly Bill No. 76**—An act to amend Section 3352 of, and to repeal Section 3358.5 of, the Labor Code, relating to the application of workmen's compensation to domestic workers

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "for a calendar quarter", and insert "per month".

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

**Assembly Bill No. 77**—An act to amend Sections 629 and 639 of the Unemployment Insurance Code, relating to domestic service.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 629", and insert "Section 629 of, and to amend and renumber Sections 638".

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

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Amendment No. 2

On page 1, strike out lines 6 to 18, inclusive, and insert "is fifty dollars ($50) or more

SEC. 2. Section 639 of said code is amended and renumbered to read

[639.] *638.* "Employment" does not include domestic service in a local college club, or local chapter of a college fraternity or sorority, *by a student who is enrolled and is regularly attending classes at a school, college or university.*

SEC. 5. Section 638 of said code is amended and renumbered to read.

[638.] *639.* Sections [639] *640* to 648, inclusive, shall be operative only during such time as the respective type or types of service set forth in those sections are similarly excluded from the definition of "employment," in the Federal Unemployment Tax Act."

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

**Assembly Bill No. 1170**—An act to amend Sections 12126, 12151, 12153, 12154, 12155, 12276, 12402, 12405, 12431, 12435, 12464, 12465, 12494, 12495, 12622, 12623, 12624, 12676, 12682, 12801, 12802, 12803, 12834, 12952, 12977, 12997, 13102, 13103, 13105, 13112, and 13113 of, to repeal Sections 12127, 12401, 12403, 12432, 12433, 12434, 12437, 12438, 12461, 12625, and 12998 of, and to add Sections 12440, 12983 and 12998 to, the Revenue and Taxation Code, relating to insurance taxation, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, after "12624," insert "12626,".

**Amendment No. 1.3**

On page 1, line 11, after "return.", insert "No penalty or interest for delinquent payment shall, however, accrue or be payable if the remittance is made before the following June 15."

**Amendment No. 1.5**

On page 3, line 13, after "return.", insert "No penalty or interest for delinquent payment shall, however, accrue or be payable if the remittance is made before the following June 15."

**Amendment No. 2**

On page 3, line 26, strike out "or", and insert "and".

**Amendment No. 3**

On page 3, strike out lines 27 and 28, and insert "part, the Insurance Commissioner shall note such fact".

**Amendment No. 4**

On page 5, line 4, strike out "They", and insert "The taxes".

**Amendment No. 5**

On page 5, line 6, strike out "their delinquent date", and insert "June 15".

**Amendment No. 6**

On page 5, line 7, strike out "June", and insert "November".

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

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**Amendment No. 7**

On page 5, between lines 19 and 20, insert

"SEC. 18.5. Section 12626 of said code is amended to read:

12626. On or before the fifteenth day of [November] *June*, the State Compensation Insurance Fund shall pay into the State Treasury to the credit of the General Fund the sum required under the provisions of Section 12264 of this code."

**Amendment No. 8**

On page 7, strike out line 5, and insert "on which the credit is used but not later than April 1st following the date of approval."

**Amendment No. 9**

On page 7, line 30, strike out "from April 1st", and insert "at the rate of one-half of 1 percent per month from June 15".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 250**—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 251**—An act to amend Section 266 of the Revenue and Taxation Code, relating to the college exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 252**—An act to amend Section 254.7 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 254**—An act to amend Section 264 of the Revenue and Taxation Code, relating to the orphanage exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 324**—An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

## RE-REFERENCE OF BILLS PURSUANT TO RULE 62

On advice of the Legislative Counsel, and pursuant to Rule 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 115.**

**Assembly Bill No. 162, Assembly Bill No. 184,** and **Assembly Bill No. 296,** subsequent to engrossment.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

**House Resolution No. 102**

Relative to commending Fritz B. Burns

WHEREAS, Fritz B. Burns was born in Minneapolis, Minnesota, October 9, 1899, and as a boy started his real estate career distributing handbills for a firm of which he later became president; and

WHEREAS, He has built thousands of individual homes in well-planned communities with excellent shopping centers, schools, and rental housing facilities; improved and simplified construction methods; and raised and improved the living standards of many families, and

WHEREAS, With tact and patience he assisted in the original organization of the National Association of Home Builders and energetically has promoted and advocated the establishment of a sound workable residential rehabilitation program for the cities of this country; and

WHEREAS, Fritz B. Burns came to California in 1920 and in the past 38 years has developed numerous communities throughout Los Angeles County, some of

which are: Panorama City, Windsor Hills, Westside Village, Playa del Rey, West Westchester, Monterey Park, Riverside Rancho, Pasadena-Hastings Ranch, Toluca Woods, and North Hollywood; and

WHEREAS, During an active career, he has been the recipient of many outstanding awards, both on a local and national basis, some of which are: Builder of the Year Award from the Building Contractors Association; Wm. May Garland Trophy from the Los Angeles Realty Board; 1955 Achievement Award from the Construction Industries of Los Angeles Chamber of Commerce; Distinguished Service Award from the National Association of Home Builders, and the Appreciation Award for Build America Better Council from the National Association of Real Estate Boards; and

WHEREAS, He has served as Past President, Home Builders Institute of Los Angeles; Past Director, Los Angeles Chamber of Commerce, Past Director, Los Angeles Realty Board; Past President, National Association of Home Builders; and Past Director, National Association of Real Estate Boards; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members commend Fritz B. Burns, worthy of all honors conferred upon him, for his initiative, imagination, and judgment, which have contributed to the advancement and development of his city, his State, and his Nation; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Fritz B. Burns.

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 102 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Miss Donahoe was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 500 copies of the Final Report of the Subcommittee on Institutional Education of the Assembly Interim Committee on Education be printed as a separate document.

## LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON EDUCATION
SACRAMENTO, February 16, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution 271, adopted June 8, 1957, the Assembly Interim Committee on Education herewith submits its final report on Institutional Education.

Respectfully submitted,

DONALD D. DOYLE, Chairman
Interim Committee on Education

## SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 16, 1959

*Hon Donald D. Doyle, Chairman*
*Assembly Interim Committee on Education*
*Assembly Chamber, Sacramento*

DEAR MR. DOYLE: Pursuant to the general authority of House Resolution 271, adopted June 8, 1957, under which you appointed this subcommittee, the Subcommittee on Institutional Education held hearings

at Santa Rita Prison on September 17-18, 1957; at Los Angeles on December 2-3, 1957; and at Perkins Youth Authority Reception Center on December 17, 1958. This report and the legislative recommendations of the subcommittee are based on those hearings and independent staff research.

Respectfully submitted,

DOROTHY M. DONAHOE, Chairman
Subcommittee on Institutional Education
VERNON KILPATRICK
DONALD D. DOYLE
CARLOS BEE
PAULINE L. DAVIS
EDWARD E. ELLIOTT
CARLEY V. PORTER

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

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

**Assembly Bill No. 1591**: By Mr. Backstrand—An act to add Sections 4102.5, 4102.6, and 4102.7 to the Government Code, relating to subcontract bidding on public work or improvements.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1592**: By Mrs. Davis—An act to create a flood control district to be called Siskiyou County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district; and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Referred to Committee on Water.

**Assembly Bill No. 1593**: By Mr. Frew—An act to amend Section 40355 of the Water Code, relating to water storage districts

Referred to Committee on Water.

**Assembly Bill No. 1594**: By Miss Donahoe—An act to add Section 817 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the academic education of inmates in state institutions.

Referred to Committee on Education

**Assembly Bill No. 1595**: By Miss Donahoe—An act to add Article 3.5 (commencing at Section 5920) to Chapter 6 of Division 6 of Part 2 of the Education Code as enacted at the 1959 Regular Session, relating to evening study halls in high schools.

Referred to Committee on Education.

**Assembly Bill No. 1596:** By Mr. Munnell—An act to add Sections 20024.02 and 21251.6 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1597:** By Messrs. Hegland, Crawford, Schrade, and Luckel—An act to add Section 20390.1 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1598:** By Messrs. Hegland, Crawford, Schrade, and Luckel—An act to add Section 9355.15 to the Government Code, relating to the Legislators' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1599:** By Messrs. Hegland, Crawford, Schrade, and Luckel—An act to add Section 9355.16 to the Government Code, relating to the Legislators' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1600:** By Messrs. Hegland, Crawford, Schrade, and Luckel—An act to add Section 20390.2 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1601:** By Messrs. Crawford, Hegland, Schrade, and Luckel—An act to add Section 27206 to the Government Code, relating to federal tax liens.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1602:** By Mr. Reagan—An act to add Section 23428.9 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1603:** By Mr. Masterson—An act to add Section 5527 to the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 209**—An act to add Section 55529 to and amend Sections 55522 and 55523 of the Water Code, relating to county waterworks district bonds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 508

Mr. Hegland was granted unanimous consent that Assembly Bill No. 508 be withdrawn from the Committee on Elections and Reapportionment, and re-referred to the Committee on Municipal and County Government.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 177**—An act to amend Section 7108 of the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

#### Speaker pro Tempore Presiding

At 10.34 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 134**—An act to amend Sections 26721, 26722, 26725, 26738 and 26743 of the Government Code, relating to the fees of sheriffs and marshals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 135**—An act to add Section 26736 to the Government Code, relating to the fees of sheriffs, marshals and constables.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson,

Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Beaver, Crawford, Davis, and Lowrey—4

Bill ordered transmitted to the Senate.

**Assembly Bill No. 168**—An act to amend Section 352 of the Code of Civil Procedure, relating to the statute of limitations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 231**—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 281**—An act to add Section 70054.5 to the Government Code, relating to fees of official reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 284**—An act to amend Section 117p of the Code of Civil Procedure, relating to action in small claims courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes. House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 118**—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896, and 2899 of, and to repeal Sections 2674, 2742, 2794, and 2795 of, the Elections Code, relating to partisan candidates.

Bill read third time.

### Motion to Amend

Mr. Charles H. Wilson moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the title of the printed bill, after "of," insert "to add Article 8.5 (commencing with Section 2860) to Chapter 2 of Division 5 of,".

### Amendment No. 2

On page 2, between lines 48 and 49, insert

"SEC. 7. Article 8.5 (commencing with Section 2860) is added to Chapter 2 of Division 5 of said code, to read:

Article 8.5. Preprimary Endorsements

2860. The term "party committee" as used in this article means the state and county central committees of qualified political parties and any organization, committee, council, or other group chartered by or operating with the official sanction of a state or county central committee of a qualified political party.

Any organization, committee, council, or other group that includes as part of its own name the name of a qualified political party, or any variation of that name, and that purports to express the views of that party as to the party's preference for nominees at the direct primary election, shall be deemed to be operating with the official sanction of a state or county central committee of a qualified political party for purposes of this article.

2861. It is unlawful for any party committee to endorse one of a number of candidates seeking a party nomination at the direct primary election.

2862. Any member of a party committee that participates in the making of an endorsement in violation of this article is guilty of a misdemeanor, punishable by a fine of five hundred dollars ($500)."

### Amendment No. 3

On page 2, line 49, strike out "SEC. 7.", and insert "SEC. 8."

Amendments read.

### Demand for Previous Question

Messrs. Unruh, Luckel, Cameron, Hanna, and Crawford demanded the previous question

### Parliamentary Inquiry

Mr. Munnell arose to the following parliamentary inquiry: Since he is the author of the bill, will he not be permitted to speak on the amendments?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that, by unanimous consent, Mr. Munnell would be permitted to speak on the amendments before the demand for the previous question was put to a vote.

Consent granted.

The question being on the demand for the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Charles H. Wilson.

**Roll Call Demanded**

Messrs. Charles H. Wilson, Levering, and Reagan demanded a roll call.

The roll was called.

**Announcement**

Speaker pro Tempore Bee advised the members that Rule 120 provides that no member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Munnell moved a call of the Assembly.

Mr. Meyers seconded the motion.

Motion carried. Time, 10.13 a.m.

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

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Hanna was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 350**—An act to amend Section 6800 of the Elections Code, relating to electronic and electromechanical tabulation of ballots.

Bill read third time.

**Speaker Presiding**

At 11.15 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 92**—An act to add Article 6 (comprising Sections 11660 to 11663, inclusive) to Chapter 2, Division 14 of the Elections Code, relating to interference with initiative, referendum, and recall.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 79**—Relative to amending the Joint Rules of the Senate and Assembly.

Resolution read.

Demand for Previous Question

Messrs. Ernest R. Geddes, Holmes, Luckel, Cusanovich, and Burke demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Don A. Allen, Elliott, Samuel R. Geddes, Hawkins, Levering, and Thomas—6.

Resolution ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 118

At 11.53 a.m., on motion of Mr. Munnell, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Charles H. Wilson to Assembly Bill No. 118 refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Luckel, MacBride, Marks, McCollister, Mulford, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—39.

NOES—Don A. Allen, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, House, Kennick, Kilpatrick, Lowrey, Lunardi, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—40.

### Notice of Motion to Reconsider Amendments to Assembly Bill No. 118

Messrs. Shell and Sumner gave notice that on the next legislative day they would move to reconsider the vote whereby the amendments by Mr. Charles H. Wilson to Assembly Bill No. 118 were this day refused adoption.

### Motion to Take up Motion to Reconsider

Mr. Munnell moved that the motion to reconsider be taken up, at this time.

Mr. Crown seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, Bradley, George E. Brown, Burton, Cameron, Chapel, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Grant, Hanna, House, Kennick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—42.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Britschgi, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Elliott, Francis, Ernest R. Geddes, Samuel R. Geddes, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—35

### Motion to Reconsider Amendments to Assembly Bill No. 118

In compliance with a notice given, Mr. Shell moved that the vote whereby the amendments to Assembly Bill No. 118 were refused adoption be reconsidered.

Mr Sumner seconded the motion.

### Demand for Previous Question

Messrs. Masterson, Dills, Winton, Miller, and Crown demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

Amendments to Assembly Bill No. 118 refused reconsideration by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Luckel, MacBride, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—38.

NOES—Don A Allen, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, House, Kennick, Kilpatrick, Lowrey, Lunardi, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—40.

The question being on the passage of the bill.

### Motion to Set Assembly Bill No. 118 for Special Order

Mr. Bradley moved that Assembly Bill No. 118 be made a special order of business for Wednesday, February 25, 1959, at 11 a.m.

Mr. Francis seconded the motion.

Motion lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Ernest R Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Thomas—32.

NOES—Don A. Allen, Bane, Bee, Biddick, George E Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Levering,

Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—43.

The question being on the passage of Assembly Bill No. 118.

**Parliamentary Inquiry**

Mr. McCollister arose to the following parliamentary inquiry: Since the motion by Mr. Bradley, which required 54 votes, was lost, would not a motion to adjourn, which requires only a majority of those present, accomplish a similar purpose?

**Reply by Speaker**

The Speaker replied that it would, if carried.

**Parliamentary Inquiry**

Mr. McCollister arose to the following parliamentary inquiry: In consideration of the lateness of the hour and the number of members desiring to speak on the bill, could not the Speaker, from the Chair, reach an agreement to put the matter over until tomorrow?

**Reply by Speaker**

The Speaker replied that apparently no such agreement could be reached.

**Motion to Adjourn**

Mr. Bradley moved that the Assembly do now adjourn until 9.30 a.m tomorrow morning, February 25th.

Mr. Sumner seconded the motion.

**Point of Order**

Mr. Munnell arose to the following point of order: That the motion is not in order since the House is not on the order of business of motions and resolutions.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, since a motion to adjourn is in order at any time except while under a call or in the midst of a roll call.

The question being on the motion to adjourn.

Motion lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Charles H. Wilson—34.

NOES—Don A. Allen, Bane, Bee, Biddick, George E Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hanna, Hawkins, House, Kennick, Kilpatrick Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—43.

The question being on the passage of the bill.

**Demand for Previous Question**

Messrs. Burton, Crown, O'Connell, Unruh, and House demanded the previous question.

Demand sustained by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Frew, Garrigus, Samuel R. Geddes, Hanna, House, Kennick, Kilpatrick, Lowrey, Luckel,

Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—45.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Elliott, Francis, Gaffney, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—33.

The question being on the passage of Assembly Bill No. 118.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—49.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Grant, Holmes, Johnson, Lanterman, Levering, MacBride, Marks, McCollister, Reagan, Schrade, Sedgwick, Shell, and Sumner—29.

Bill ordered transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 83

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 80

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 12

With the recommendation: That the resolution be re-referred to the Committee on Social Welfare.

MILLER, Chairman

Above resolution re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 4

With the recommendation: That the resolution be re-referred to the Committee on Constitutional Amendments.

MILLER, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

### Committee on Rules

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER. Your Committee on Rules reports:

Assembly Concurrent Resolution No. 62

With the recommendation That the resolution be re-referred to the Committee on Governmental Efficiency and Economy.

MILLER, Chairman

Above resolution re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 24

With the recommendation: That the resolution be re-referred to the Committee on Elections and Reapportionment.

MILLER, Chairman

Above resolution re-referred to the Committee on Elections and Reapportionment.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 68
Assembly Bill No. 278
Assembly Bill No. 397

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 162
Assembly Bill No 184
Assembly Bill No. 296

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 20
Assembly Bill No 217
Assembly Bill No. 250
Assembly Bill No. 251
Assembly Bill No. 252
Assembly Bill No. 254

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 323
Assembly Bill No 324
Assembly Bill No 361
Assembly Bill No 370
Assembly Bill No 416

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 83

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

## ADJOURNMENT

At 12.22 p m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, February 25, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY

THIRTY-EIGHTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, February 25, 1959

The Assembly met at 9.30 a.m.

Hon Ralph M. Brown, Speaker of the Assembly, presiding.

First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—80

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God Our Father, Father of All Manner of Men, Who Art on Both Sides of Every Conflict* Forgive us for the walls and partitions and fences which we have built. Teach us the meaning of our oneness in Thee, and lead us, step by step, to Thy perspectives on mankind that we may transcend every sectionalism and division. May the last words of Chaplain Peter Marshall in the United States Senate, echo as the prayer of this Assembly: "May Thy will be done here and Thy program be carried out above party and personality, beyond time and circumstance, for the good of America and the peace of the world"—AMEN.

**Legislative Intern Stuart Hall at the Desk**

### READING OF THE JOURNAL DISPENSED WITH

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

**Chief Clerk Arthur A. Ohnimus at the Desk**

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

William A. Cakebread of Antioch, relative to licenses for trailers. Referred to Committee on Public Utilities and Corporations.

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., February 19, 1959

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

DEAR MR. OHNIMUS: This will acknowledge and thank you for your letter of February 6 enclosing copies of Assembly Joint Resolutions Nos. 2, 4 and 5.

For your information, I am attaching copies of two bills I have sponsored, one to amend the Federal Airport Act in order to extend the time for making grants under the provisions of that act; the other to extend the duration of the Federal Air Pollution Control Law.

As regards the admission of Hawaii into the Union as a state, all indications thus far from both houses lead me to feel very optimistic about the outcome of legislation on this issue which is now pending before the Congress. The house bill, H.R. 4221, has been reported out of the Committee on Interior and Insular Affairs and is now awaiting consideration by the Whole House. On the Senate side, hearings have been scheduled by the Interior and Insular Affairs Committee for February 25 and 26 on S. 50, the Hawaiian statehood bill introduced by Senator James E. Murray and sponsored by 53 other Senators. I am hopeful that we will have this legislation through the House and even through the Senate by the end of April.

Sincerely yours,

JOHN F. SHELLEY, Member of Congress

Above transmitted copies of bills referred to the Committee on Rules.

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C, February 19, 1959

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

DEAR ARTHUR Thank you for your letter of February 6th, and for the enclosed copies of Assembly Joint Resolutions Nos. 2, 4, and 5

Insofar as the smog issue is concerned, you may be interested to know that I introduced legislation on January 15, 1959, in the House of Representatives on this problem. One bill, H R 2409, would provide for fast tax write-offs of smog treatment works The other, H R 2347, is to extend for five years the Federal Air Pollution Control Act, which as you know authorizes appropriations of five million dollars per year to support and aid technical research to abate air pollution, to provide federal technical services and financial aid to states and local air pollution control agencies, and similar activities. Copies of these bills are enclosed for your information. Senator Kuchel has introduced similar measures.

Prospects for early consideration of legislation to grant statehood to Hawaii are encouraging. As you may know, the House Interior and Insular Affairs Committee began meeting on this matter early in the session, and reported a bill out on February 11th. A rule has been requested, and it is hoped that it will reach the floor at an early date. Be assured that I intend to support the Hawaiian statehood measure when it comes before us on the floor of the House.

Sincerely yours,

GLENARD P. LIPSCOMB, Member of Congress

Enclosures

Above transmitted copies of bills referred to the Committee on Rules.

The following communication was presented by the Speaker, and ordered printed in the Journal:

HOTEL SENATOR
SACRAMENTO, February 25, 1959

*Hon. Ralph M. Brown,*
*Speaker of the Assembly,*
*State Capitol, Sacramento*

DEAR MR. SPEAKER: It would afford the City of Los Angeles a great honor and pleasure if all of the Members of the Assembly who are Irish and all members who are friends of the Irish would be guests of that city at a reception and frolic on next St. Patrick's Day which falls on Tuesday, March 17.

The party will be in the Gold Room of the Hotel Senator and will start at about 3.30 p.m. and last until 7 p m. Everyone attending must wear something green and it must be visible. Green shorts will not be enough.

All who attend will find something reminiscent of the beautiful isle of Eire Kindly leave word with the Speaker's Office if you will come, is our suggestion, so we may know to what extent to provide refreshments. Erin Go Bragh!

Sincerely yours,

LESLIE E. CLAYPOOL
Representative of Los Angeles
(Known on St. Patrick's Day
as Leslie Clay O'Poole)

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The following communication was presented by the Speaker, and ordered printed in the Journal:

REPORT BY MR. BUSTERUD

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 19, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. SPEAKER: I am submitting this letter to you as a report upon my recent trip to the State of Oregon as the personal representative of Governor Brown and of the State of California at the centennial ceremonies held last Saturday, February 14th, in Salem, Oregon.

The State of Oregon and the Centennial Commission extended Mrs. Busterud and me every possible courtesy, and we feel that this spirit of good will should be pointed out in some way to my fellow legislators. I intend, therefore, to ask that this letter be printed in the Journal.

Upon our arrival by train in Portland, we were met by a representative of the Centennial Commission, shown a number of courtesies, and taken on a sightseeing tour of the city.

The next day, which was Saturday, we were met at noon by a member of the Statehood Commission, Mr. Thomas C. Young, and his wife who drove us to Salem for the ceremonies Upon my arrival at the capital, I was assigned a military aide and a limousine and was accorded all of the honors which would have been due to the Governor of California in connection with the parade and ceremonies which followed.

At the conclusion of the formal ceremonies, in which both Governor Mark Hatfield and Vice President Nixon participated, I had an opportunity to meet personally with both of these officials and convey to them the greetings of Governor Brown and our legislators. Mrs. Busterud and I then attended a dinner at the home of Mr. Gerald Frank, a Salem civic leader, where we again had the opportunity to meet with a number of governmental and consular officials and with a number of leaders of the Oregon Legislature.

All in all, the weekend was a most interesting one to us in view of the fact that Oregon is the state of my birth. During the course of my conversations with the Oregon legislators, we exchanged a number of worthwhile experiences and ideas which, I hope, will be of mutual benefit to our neighboring states.

Incidentally, I have made no request for reimbursement of my expenses in connection with my trip to Oregon, and I intend to bear them personally.

Sincerely yours,

JOHN A. BUSTERUD

## COMMUNICATIONS

The following communication was presented by the Speaker, read, and ordered printed in the Journal:

STATE OF NEVADA
LIEUTENANT GOVERNOR'S OFFICE
CARSON CITY, February 24, 1959

*To the Honorable Speaker and*
*Members of the California State Assembly*

MY FRIENDS: It is always a privilege and a happy event when I cross the Sierras to enter Nevada's neighboring state. It is even more of a privilege at this particular time.

How much of your fair state should rightfully be under the banner of battle-born Nevada, and how much of Nevada should be under the protection of the Bear Flag is a moot question, one that has recently been before the public because it seems that in the earliest days of our State Governments our Legislatures may not have been as prone as are we now to go into all the details, even when they concern such a vast amount of territory as that now in dispute.

However, the Nataqua Territory dispute can be settled, and settled by clubs if the Members of the California Legislature see fit to accept the invitation I am about to issue to you. This dispute has now reached such proportions that we, in Nevada, think that it could well be settled by clubs.

In behalf of Nevada, and as the Lieutenant Governor of that State and with full accord of the Senate of that State, it is my pleasure at this time to issue this invitation:

The legislators of Nevada and the legislators of California will meet at Hidden Valley in Reno, Nevada where there is an attractive clubhouse and golf course, and on March 21st, we will then and there decide the issue with clubs—golf clubs.

To the end that there will be no hard feelings, we, of Nevada, will provide the transportation from Sacramento to Reno and return, the

lodging while in Nevada, the entertainment and the necessary refreshments for the California legislators who wish to make the trip, together with their wives. Furthermore, we agree that they shall be returned to Sacramento sound in mind and body.

To the end that neither the Legislature of Nevada nor the Legislature of California may be charged with expending public funds for such a battle of clubs, the cost of the entire trip, together with the entertainment, food and housing for the group, will be paid by Nevada friends.

This invitation is extended to further cement the friendly relations between the great State of California and the great State of Nevada, and to notify all concerned that a feeling of good fellowship exists between the two great states, and to settle once and for all the reason for the Nataqua Territory dispute, which, after all, was a dispute between the citizens of one section of one state and the citizens of one section of another state.

In holding this Nataqua "Powwow," we will write a new chapter in the relationship between two great states and set an example for the world to follow in the friendly settlement of disputes.

Cordially yours,

REX BELL, Lieutenant Governor

### MOTION TO ACCEPT INVITATION

Mr. Bradley moved that the Assembly accept the invitation from the State of Nevada, and that the Speaker write a letter of acceptance to Lieutenant Governor Bell

Motion carried.

### ANNOUNCEMENT

Speaker Brown announced that he would write a letter of acceptance to Lieutenant Governor Bell of Nevada, and requested that all members who desire to attend the Nataqua "Powwow" contact his office so that the necessary arrangements can be made.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILLS NOS. 222 AND 185 FROM COMMITTEE

Mr. Belotti was granted unanimous consent that Assembly Bills Nos. 222 and 185 be withdrawn from the Committee on Transportation and Commerce for purpose of amendment, and that the bills be re-referred to the committee

### CONSIDERATION OF ASSEMBLY BILLS NOS. 222 AND 185

**Assembly Bill No. 222**—An act to amend Section 705 3 of the Vehicle Code, and to amend Section 35552 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Bill read third time.

#### Motion to Amend

Mr Belotti moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, between lines 19 and 20, of the printed bill, insert

"The provisions of this section shall be operative only until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature."

**Amendment No. 2**

On page 2 between lines 18 and 19, insert

"The provisions of this section shall be operative only until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature."

Amendments read, and adopted

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

**Assembly Bill No. 185**—An act to amend Section 156 of, and to add Section 157.7 to, the Vehicle Code and to amend Section 4850 of, and to add Section 4854 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to license plates for vehicles and making an appropriation therefor.

Bill read second time.

**Motion to Amend**

Mr. Belotti moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, between lines 4 and 5 of the printed bill, insert "to the owner two suitable license plates or devices for a motor vehicle other than a motorcycle or power cycle and".

**Amendment No. 2**

On page 1, line 7, strike out "each vehicle", and insert "all other vehicles".

**Amendment No. 3**

On page 1, between lines 10 and 11, insert "Effective January 1, 1963, the department upon registering a vehicle shall issue one suitable license plate or device for each vehicle required to be registered hereunder. Such plate or device shall identify the vehicle for which it is issued for the period of its validity."

**Amendment No. 4**

On page 2, line 11, after "issue", insert "to the owner two suitable license plates or devices for a motor vehicle, other than a motorcycle, and".

**Amendment No. 5**

On page 2, line 13, strike out "each vehicle", and insert "all other vehicles".

**Amendment No. 6**

On page 2, between lines 16 and 17, insert "Effective January 1, 1963, the department upon registering a vehicle shall issue one suitable license plate or device for each vehicle required to be registered hereunder. Such plate or device shall identify the vehicle for which it is issued for the period of its validity."

Amendments read, and adopted

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

**Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bills Nos. 222 and 185**

Mr. Belotti was granted unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 222 and 185.

## RESOLUTIONS

The following resolution was offered:

By Mr. Mulford:

**House Resolution No. 103**

Relative to congratulating Fleet Admiral Chester W. Nimitz upon his seventy-fourth birthday anniversary

WHEREAS, The Legislature has learned that February 24, 1959 marks the seventy-fourth birthday of Fleet Admiral Chester W. Nimitz; and

WHEREAS, Admiral Nimitz was born in Fredericksburg, Texas, on February 24, 1885; and

WHEREAS, He received a bachelor of science degree from the United States Naval Academy in 1905; and

WHEREAS, Admiral Nimitz is one of California's most outstanding citizens, having served this State and the Nation as Commander in Chief of the Pacific Fleet during World War II, as Chief of Naval Operations, as Chairman of the Presidential Committee on Internal Security and Individual Rights, and as a Regent of the University of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California extend their sincere congratulations to Fleet Admiral Chester W. Nimitz on his seventy-fourth birthday, and express their thanks and appreciation to Admiral Nimitz for his many years of outstanding and distinguished service to the State and the Nation, and hope that in all the days to come he will continue to enjoy that abundant and full life which has always heretofore been his, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Fleet Admiral Chester W. Nimitz

### Request for Unanimous Consent

Mr. Mulford was granted unanimous consent to take up House Resolution No. 103 without reference to committee or file.

Resolution read, and adopted unanimously.

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

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

**Assembly Bill No. 1604**: By Mr. Biddick—An act to amend Section 25525 of the Government Code, relating to manner of making sale or lease of county-owned real property.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1605**: By Mr. Cunningham—An act to amend Section 2110 of the Streets and Highways Code, relating to Highway Users Tax Fund

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1606**: By Mr. Cunningham—An act to amend Section 24103 of the Government Code, relating to peace officers' deputies.

Referred to Committee on Criminal Procedure.

### Hon. Thomas J. MacBride Presiding

At 9.48 a.m., Hon. Thomas J. MacBride, Member of the Assembly from the Eighth District, presiding.

**Assembly Bill No. 1607**: By Mr. Cunningham—An act to amend Section 6381 of the Revenue and Taxation Code, relating to exemptions from the sales tax for sales to governmental agencies.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1608**: By Mr. Burton—An act to amend Sections 690.1, 690.4, 690.8, 690.9, 690.10, 690.19, 690.20, 690.24, and 690.25 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1609**: By Mr. Burton—An act to amend Sections 543, 682, 682.1, 688, and 690.11 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1610**: By Mr. Burton—An act to amend Section 690.1 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1611**: By Mr. Burton—An act to amend Section 690.4 of the Code of Civil Procedure, relating to exemption from attachment and exemption.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1612**: By Mr. Burton—An act to amend Section 690.8 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1613**: By Mr. Burton—An act to amend Section 690.9 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1614**: By Mr. Burton—An act to amend Section 690.10 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1615**: By Mr. Burton—An act to amend Section 690.19 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1616**: By Mr. Burton—An act to amend Section 690.20 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1617**: By Mr. Burton—An act to amend Section 690.24 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Comimttee on Judiciary—Civil.

**Assembly Bill No. 1618**: By Mr. Burton—An act to amend Section 690.25 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1619**: By Mr. Burton—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1620**: By Mr Bruce F. Allen—An act to amend Section 25103 of the Government Code, relating to signing resolutions, ordinances and records of board of supervisors.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1621**: By Messrs. Crawford, Schrade, Hegland, and Luckel—An act to add Article 5.5 (commencing at Section 4760) to Chapter 2 of Part 2 of Division 4 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1622**: By Mr. Z'berg—An act to amend Sections 1551 and 13566 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to powers and duties of superintendents of school districts.

Referred to Committee on Education.

**Assembly Bill No. 1623**: By Mr. Z'berg—An act to amend the heading of Article 6 (commencing at Section 4800) of Chapter 2 of Part 2 of Division 4 and Sections 4800, 4801, 4802, 4803, and 4804, of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Speaker Presiding**

At 9.52 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1624**: By Messrs. Masterson, Shell, Waldie, Mulford, Burton, Frew, House, Munnell, Petris, Porter, Sedgwick, Sumner, and Thomas—An act to add Part 5 (commencing at Section 17500) to Division 4 of Title 2 of the Government Code, relating to state fiscal affairs.

Referred to Committee on Government Organization.

**Assembly Bill No. 1625**: By Messrs. Chapel, Elliott, Hawkins, Kilpatrick, and George A. Willson—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1626**: By Mr. Rumford—An act to repeal Section 2385 of, and to add Article 13.5 (comprising Section 2422) to, the Business and Professions Code, relating to the healing arts.

Referred to Committee on Public Health.

**Assembly Bill No. 1627**: By Mr. Rumford—An act to add Sections 651.3 and 651.5 to the Business and Professions Code, relating to persons engaged in the healing arts professions.

Referred to Committee on Public Health.

**Assembly Bill No. 1628**: By Mr. Rumford—An act to add Section 7116 to the Health and Safety Code, relating to autopsies.

Referred to Committee on Public Health.

**Assembly Bill No. 1629**: By Mr. Rumford—An act to amend Sections 206.5 and 206.7 of the Civil Code, relating to proceedings by adult for release from obligation to support parent.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1630**: By Mr. Rumford—An act to amend Section 2286 of the Business and Professions Code, relating to midwives.

Referred to Committee on Public Health.

**Assembly Bill No. 1631**: By Mr. Rumford—An act to amend Sections 24360.3 and 24367.11 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Referred to Committee on Public Health.

**Assembly Bill No. 1632**: By Mr. Rumford—An act to add Section 13031.3 to the Education Code, and to add Section 13276.5 to the Education Code as proposed by Senate Bill No. 2, relating to photographs as a condition to employment in a school district.

Referred to Committee on Education.

**Assembly Bill No. 1633**: By Mr. Rumford—An act to add Section 17532.5 to the Business and Professions Code, relating to advertisements for the sale of diamond jewelry.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1634**: By Mr. Rumford—An act to amend Section 2216 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Public Health.

**Assembly Bill No. 1635**: By Mr. Rumford—An act to amend Section 2288 of the Business and Professions Code, relating to the healing arts.

Referred to Committee on Public Health.

**Assembly Bill No. 1636**: By Mr. Rumford—An act to repeal Section 533 of the Business and Professions Code, relating to State Medical Library.

Referred to Committee on Public Health.

**Assembly Bill No. 1637**: By Mr. Francis—An act to amend Section 19577 of the Education Code as enacted at the 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education

**Assembly Bill No. 1638**: By Mr. Francis—An act to add Sections 269 and 270 to the Harbors and Navigation Code, relating to the use of intoxicating liquor by the operators of power boats.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1639**: By Mr. Francis—An act to amend Section 21407 of, and to add Sections 21407.5, and 21407.6 to, the Public Utilities Code, relating to the use of intoxicating liquor, and drugs by the operators of aircraft.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1640**: By Mr. Cusanovich—An act to amend Sections 10407, 10503, and 10600 of the Streets and Highways Code, relating to the Municipal Improvement Act of 1913.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1641**: By Mr. Bee—An act to amend Sections 601 and 653 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county boards of education.

Referred to Committee on Education.

**Assembly Bill No. 1642**: By Mr. Winton—An act to amend Section 71180 of the Government Code, relating to judges of justice and municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1643**: By Mr. Winton—An act to amend Section 12606 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Agriculture.

**Assembly Bill No. 1644**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5504 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to qualifications of teachers conducting high school courses in the elementary schools.

Referred to Committee on Education.

**Assembly Bill No. 1645**: By Messrs Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 943 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Referred to Committee on Education.

**Assembly Bill No. 1646**: By Messrs Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 960 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Referred to Committee on Education.

**Assembly Bill No. 1647**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5403 of, and to repeal Section 5404 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to postgraduate courses of study in elementary schools.

Referred to Committee on Education.

**Assembly Bill No. 1648**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 6904 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the education of mentally retarded minors.

Referred to Committee on Education.

**Assembly Bill No. 1649**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5662 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposition of tax receipts for support of high school and unified school districts.

Referred to Committee on Education.

**Assembly Bill No. 1650**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5611 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tuition payments for interdistrict attendance of school pupils.

Referred to Committee on Education.

**Assembly Bill No. 1651**: By Mr. Bruce F Allen—An act to amend Sections 19552 and 19559 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to State School Building Act of 1952.

Referred to Committee on Education.

**Assembly Bill No. 1652**: By Messrs. Masterson, Waldie, and Francis—An act to amend Section 17829 of the Health and Safety Code, relative to housing.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1653**: By Mr. Munnell—An act to amend Section 20202 of the Education Code as enacted at the 1959 Regular Session, relating to county school tuition funds.

Referred to Committee on Education.

**Assembly Bill No. 1654**: By Mr. Munnell—An act to add Section 18861 to the Government Code, relating to salaries paid to members of the California Highway Patrol.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1655**: By Mr. Charles H. Wilson—An act to amend Sections 890 and 891 of the Military and Veterans Code, and to amend Section 10652 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational assistance for dependents of veterans.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1656**: By Mr. Charles H. Wilson—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to the payment of hospital benefits to persons confined in mental institutions.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1657**: By Mr. Bradley—An act to add Section 9359.01 to the Government Code, relating to retirement allowances of Members of the Legislature.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1658**: By Mr. Biddick—An act to repeal Section 2 of, and to amend Section 4 of, Chapter 2038 of the Statutes of 1957, relating to the San Joaquin County Superior Court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1659**: By Mr. Bane—An act to add Section 6548.5 to the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health.

**Assembly Bill No. 1660**: By Mr. Coolidge—An act to amend Section 3077 of the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Public Health.

**Assembly Bill No. 1661**: By Messrs. George A. Willson, Chapel, and Elliott—An act to add Chapter 9.7 (commencing at Section 7250) to Division 3 of the Business and Professions Code, relating to the creation of a State Board of Control of Blind-made Products, prescribing its organization, powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Constitutional Amendment No. 24**: By Messrs Bruce F. Allen, Hegland, Porter, MacBride, Biddick, Sedgwick, and Winton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2.5 to Article XIII, relating to the assessment of property used for agricultural purposes.

Referred to Committee on Constitutional Amendments.

**Assembly Concurrent Resolution No. 84**: By Messrs. Sumner, Hanna, and Beaver—Relative to acquisition of land in the City of Newport Beach for a state park.

Referred to Committee on Rules

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 104

Relative to amending Rule 105 of the Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That Rule 105 of the Permanent Standing Rules of the Assembly is amended to read

105. *(a)* ~~Notice of a~~ *A* motion to reconsider on the next legislative day; *(1)* the vote whereby any bill; ~~constitutional amendment, concurrent or joint resolution~~ was passed or refused passage, *or (2) the vote whereby any motion, amendment, concurrence, Assembly resolution or proposition other than a bill was passed or refused passage,* must be

~~given~~ *made* on the same day *the* ~~such~~ vote to be ~~so~~ reconsidered was taken. *No motion to reconsider shall be in order on the last day, or the day preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 members, except that it shall require such a vote of 54 members or 60 members, respectively, to reconsider the vote on any matter originally requiring 54 or 60 votes, as the case may be.*

A ~~notice of~~ motion to reconsider a vote must be ~~given~~ *made* by a member voting on the ~~bill, constitutional amendment, concurrent or joint resolution~~ *question*, and shall take precedence over all motions, except a motion to adjourn. Upon such ~~notice of~~ motion being ~~given~~ *made*, the ~~bill. constitutional amendment, concurrent or joint resolution~~ *matter to be reconsidered* shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a ~~notice of a~~ motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. *When reconsideration is granted, the matter to be reconsidered shall resume its exact position before the Assembly previous to its being voted upon.*

*(b)* Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, ~~constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken which notice shall suspend all further consideration until the next legislative day. provided, however, that a motion to reconsider on the same day the notice was given~~ *may move to take upon the same day the motion to reconsider such a question, previously made by another member. The motion to take up the reconsideration on the same day* shall take precedence over ~~and above~~ *the motion to reconsider* ~~such notice~~ and upon demand of any member *the motion to take up the reconsideration on the same day* must be put to an immediate vote. *If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the House.* ~~A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.~~

~~No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote of any matter originally requiring a two-thirds vote for its passage or adoption.~~

~~When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.~~

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 64**—Relative to congratulating Carroll W Parcher;

**Assembly Concurrent Resolution No. 67**—Relative to congratulating Mr. Paul Ames;

**Assembly Concurrent Resolution No. 68**—Relative to congratulating Judge Delbert E. Wong;

**Assembly Concurrent Resolution No. 69**—Relative to the retirement of Carrol Monroe Speers;

**Assembly Concurrent Resolution No. 70**—Relative to the death of J. Frank Barrett;

**Assembly Concurrent Resolution No. 76**—Relative to congratulating the West-side Jewish Community Center;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of February, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 72

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1170

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

### Committee on Water

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Water reports

Assembly Bill No. 262
Assembly Bill No. 263

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No. 527

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No 599

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 234

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No 61

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 85

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bill ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 73

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 492

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 305

Assembly Bill No. 500

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 164

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

**Committee on Manufacturing, Oil, and Mining Industry**

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 58
Assembly Bill No. 60
Assembly Bill No. 630

With amendments with the recommendation: Amend, and do pass, as amended.

BRUCE F. ALLEN, Chairman

Above bills ordered to second reading.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 68

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 125
Assembly Bill No. 389

With amendments with the recommendation: Amend, and do pass, as amended.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 24, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 393

With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 24, 1959

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

Assembly Joint Resolution No. 13
Assembly Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, February 24, 1959

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

Senate Bill No. 88

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 88**—An act to amend Section 7193 of the Education Code, and Section 17417 of the Education Code as proposed by Senate Bill No. 2, relating to school apportionments.

Referred to Committee on Education.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 24, 1959

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

Senate Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

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

The following resolution was read:

**Senate Concurrent Resolution No. 31**—Relative to the commendation of the City of Torrance, California, and the City of Konya, Turkey, for participating as sister cities in President Eisenhower's "People-to-People" Program.

Referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE 69

Pursuant to Rule 69, the following bill was this day on the second reading file:

**Assembly Bill No. 1170.**

Above bill ordered to third reading.

### MOTION TO PRINT REPORT

Mr. George A Willson moved that 1,000 copies of the Report of the Board of Corrections Relative to Narcotics be ordered printed.

Motion carried unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 245 FROM COMMITTEE

Mr Elliott was granted unanimous consent that Assembly Bill No. 245 be withdrawn from the Committee on Criminal Procedure for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 245

**Assembly Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2 5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency.

Bill read second time.

#### Motion to Amend

Mr. Elliott moved the adoption of the following amendments:

#### Amendment No. 1

In line 7 of the title of the printed bill, after "delinquency", insert ", and making an appropriation".

#### Amendment No. 2

On page 1, lines 6 and 7, strike out "Department of the Youth Authority", and insert "State Government".

**Amendment No. 3**

On page 2, line 7, strike out "a salary of _____, and", strike out lines 8 and 9, and insert "the sum of twenty-five dollars ($25) per diem for every meeting of the commission which he attends and in addition shall be reimbursed for his traveling expenses necessarily incurred in the performance of his duties."

**Amendment No. 4**

On page 2, between lines 19 and 20, insert

"The commission may appoint a full-time executive secretary and such other necessary employees as are approved by the Director of Finance. The compensation of the executive secretary shall be fixed by the commission with the approval of the Director of Finance."

**Amendment No. 5**

On page 2, between lines 22 and 23, insert

"There shall be an Advisory Board to the California Youth Commission, consisting of the Lieutenant Governor, Superintendent of Public Instruction, and Directors of Departments of Corrections, Youth Authority, Employment, Mental Hygiene and Social Welfare, or their duly selected representatives."

**Amendment No. 6**

On page 2, after line 38, insert

"SEC. 2. The amount of _____ dollars ($_____) is appropriated from the General Fund to the California Youth Commission for its support during the 1959-1960 Fiscal Year."

Amendments read, and adopted.

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

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 55 FROM COMMITTEE

Mr. Sedgwick was granted unanimous consent that Assembly Bill No. 55 be withdrawn from the Committee on Water for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 55

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time.

**Motion to Amend**

Mr. Sedgwick moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 46, of the printed bill, as amended in the Assembly on February 19, 1959, after the period, insert "No action in eminent domain to acquire property or interests therein outside the boundaries of the County of Yuba shall be commenced unless the board of supervisors of each affected county has consented to such acquisition by resolution."

**Amendment No. 2**

On page 4, line 7, after "superintendence", insert "as hereinafter provided".

**Amendment No. 3**

On page 5, line 47, after "constructed", insert "in compliance with any applicable laws and".

**Amendment No. 4**

On page 7, between lines 4 and 5, insert
"SEC. 4.12. Nothing contained in this act shall deprive a county in which water originates of any water necessary for the development of such county."

**Amendment No. 5**

On page 13, line 38, after the period, insert "In awarding any contract or authorizing any work, the board shall comply with the provisions of Article 2 (commencing at Section 1770) of Chapter 1, Part 7, Division 2 of the Labor Code."

**Amendment No. 6**

On page 16, line 17, after "energy", insert "as authorized in this act".

**Amendment No. 7**

On page 16, line 21, strike out "2000", and insert "20000".

**Amendment No. 8**

On page 17, lines 28 to 30, inclusive, strike out ", payment of in lieu taxes to the County of Yuba upon works of the agency situate within the County of Yuba,".

Amendments read, and adopted.

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

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 812

Mr. Rumford was granted unanimous consent that Assembly Bill No. 812 be withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Public Health.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, February 16, 1959; Tuesday, February 17, 1959; Wednesday, February 18, 1959; Thursday, February 19, 1959; and Friday, February 20, 1959.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Munnell was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, January 29, 1959

*Hon. William A. Munnell*
*Assembly Chamber*

*Legislative Procedure—No. 6983*

DEAR MR. MUNNELL: You have asked four questions with respect to the effect on legislative procedure of the amendment to Section 2 of Article IV of the Constitution which was adopted at the 1958 General Election. These questions are set forth and answered separately below.

I

What is the earliest date a Senate bill may be heard by an Assembly committee or acted upon by the Assembly in order to comply with the provisions of Section 2 of Article IV of the Constitution?

The pertinent portion of Section 2 of Article IV of the Constitution as amended at the 1958 General Election reads as follows:

> "At the general session, no bill, other than the Budget Bill, shall be heard by any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced; provided, that this provision may be dispensed with by the consent of three-fourths of the members of the house."

Under this provision the day after the date on which a bill is introduced is the first day included in the 30-day count. Starting with, and including this day, 30 days are counted. The bill can be heard by a committee or acted upon by either house on the day following the thirtieth day counted.

Therefore, assuming that a Senate bill should reach the Assembly prior to the day following the thirtieth day counted, due to the Senate having dispensed with the constitutional provision referred to, it could not be heard by an Assembly committee or acted upon by the Assembly until the day following the thirtieth day counted, unless the Assembly should itself, by consent of three-fourths of the members, also dispense with the provisions of Section 2 of Article IV.

II

Can the provisions of Section 2 of Article IV prohibiting hearing by a committee or action by the House until 30 calendar days have elapsed be dispensed with by a compound motion requiring but a single vote?

In our opinion it can.

We presume that your question has reference to a situation in which it is desired by one motion to be adopted by three-fourths of the Members of the House to dispense with the constitutional provision referred to for the dual purpose of permitting a bill to be both heard by a committee and acted upon by the House prior to the elapsing of the 30 calendar day period.

There is nothing in the constitutional provision in question which would appear to prohibit the accomplishment of this purpose by the adoption of a single motion; neither are we aware of anything in the Joint Rules or Rules of the Assembly which would require that a separate motion be made and adopted for the purpose of permitting the hearing of a bill in a committee and the subsequent action upon the bill on the floor of the Assembly. It would appear to us that, once the 30-day limitation is dispensed with in connection with a particular bill, it is dispensed with for all purposes with respect to that bill.

III

Does the re-reference of a bill from one committee to another committee constitute action upon a bill within the meaning of Section 2 of Article IV?

We do not believe it does.

Pursuant to Assembly Rule 53 a bill is referred to an appropriate committee by the Speaker, unless upon a motion of the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such a motion to refer a bill is not debatable.

Under the provisions of Assembly Rule 103 a motion to re-refer a bill from one committee to another committee may be made during the regular order of business, but is only debatable as to the propriety of such a reference. The substance or merits of the bill cannot be considered.

Such a motion would appear to us to relate strictly to the procedural aspects of the business of the Assembly which are a necessary preliminary to the proper distribution of the business of the Assembly so that the various bills may be heard and acted upon in an orderly fashion. The substance of a bill is not before the Assembly under such a motion and no action is being taken which has a relationship to its merits. We, therefore, do not believe that a re-reference of a bill from one committee to another would constitute action upon the bill within the meaning of Section 2 of Article IV.

IV

Is a motion to withdraw a bill from committee an action upon the bill within the meaning of Section 2 of Article IV?

We do not believe it is.

Pursuant to Assembly Rule 103 a motion to withdraw a bill from committee may be made during the regular order of business. The provision of Rule 103 that a motion to re-refer a bill shall only be debatable as to the propriety of such reference does not literally cover the point on the question of withdrawal. However, in the absence of a rule specifically covering the point, the provisions of Mason's Manual of Legislative Procedure are applicable pursuant to Assembly Rule 8 in which it is specified that Mason's Manual shall be the authority in all cases not covered by the Rules.

Mason's Manual provides on this point as follows (Sec. 491).

> "It is not in order to discuss the merits of a bill upon a motion to discharge a committee or withdraw the bill from committee. Debate in such cases must be confined strictly to the purpose of the motion, for if this were not true, the merits of any question could be forced under discussion merely by such a motion."

Similarly, the same authority declares (Sec. 83):

> "The motion to discharge a committee or to withdraw a measure from committee is debatable as to the advisability of that action, but the measure is not open to debate."

For the reasons mentioned under question number III, we do not believe that a motion to withdraw a bill from committee, in and of itself, would constitute an action on the bill within the meaning of Section 2 of Article IV.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

**Speaker pro Tempore Presiding**

At 10.18 a m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Constitutional Amendment No. 5**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Resolution read.

### Demand for Previous Question

Messrs. Luckel, Charles H. Wilson, Hegland, Johnson, and Pattee demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Elliott moved a call of the Assembly.

Mr. Hawkins seconded the motion.

Motion carried. Time, 10.47 a.m.

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

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY
## BY UNANIMOUS CONSENT
## TEMPORARY SUSPENSION OF ASSEMBLY RULE 106

Mr. Winton was granted unanimous consent that Assembly Rule 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 275**—An act to amend Section 717.1 of the Code of Civil Procedure, relating to proceedings supplemental to execution.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—58

NOES—Crawford, Hanna, Hegland, Sumner, and Winton—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2**—An act to amend Section 2571 of the Education Code and Section 1851 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES — Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 210**—An act to amend Section 1947 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district organization.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—61.

NOES—Britschgi, Davis, Ernest R. Geddes, House, Masterson, Shell, and Sumner—7.

**Notice of Motion to Reconsider Assembly Bill No. 210**

Mr. Ernest R. Geddes gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 210 was this day passed.

**Assembly Bill No. 416**—An act to add Section 940 to Article 2, Chapter 4, Part 1, Division 1 of the Unemployment Insurance Code, relating to unemployment and disability compensation insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 20**—An act to repeal Sections 4031, 26133, 26281, 26327, 26328, 26329, 26330, 26331, 31879, 31880, 31903, 31924, 31943, 31944, 31945, 31946, 36959, 37154, 50372, and 53503, and to amend Sections 1650, 1651, 4029, 4030, 26230, 26326, 27543, 31878, 31881, 31900, 31901, 31902, 31942, 31970, 32449, 32451, 34053, 34576, 34702, 35113, 35306, 37151, 37153, 37156, 37157, 50330, 50333, 50334, 51611, 51614, 51645, 51652, 53500, 53672, 60386, and 60415 of the Water Code, relating to recordation of instruments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

**Notice of Motion to Reconsider Assembly Bill No. 20**

Mr. Masterson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 20 was this day passed.

**Assembly Bill No. 217**—An act to amend Sections 55101, 55801 and 55966 of the Water Code, relating to county waterworks districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 323**—An act to amend Section 5 of the Fresno Metropolitan Flood Control District Act (Chapter 503, Statutes of 1955), relating to the governing board of the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 361**—An act to amend Section 2d of the Los Angeles County Flood Control Act (Chapter 755, Stats. 1915), relating to the Los Angeles County Flood Control District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 370**—An act to repeal Section 25082 of the Government Code, relating to meetings of boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. George A. Willson announced that today was the birthday of Mr. Petris; whereupon the Members of the Assembly joined in extending their best wishes and birthday greetings to Mr. Petris.

### Speaker Presiding

At 11.15 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 250**—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, after line 12, insert
"No amount shall be cancelled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration."

Amendment read.

### Point of Order

Mr. Sumner arose to the following point of order: That Mr. Chapel has exceeded his time for debate.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### Demand for Previous Question

Messrs. Hegland, Luckel, Schrade, Crawford, and Holmes demanded the previous question. Demand sustained

The question being on the adoption of the amendment.
Amendment refused adoption.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—Chapel, Collier, Conrad, Ernest R. Geddes, Holmes, Lanterman, Levering, Lowrey, Luckel, Reagan, Shell, and Thelin—12

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—64

NOES—Chapel, Collier, Conrad, Ernest R. Geddes, Holmes, Lanterman, Levering, Lowrey, Luckel, Reagan, Shell, and Thelin—12.

### Notice of Motion to Reconsider Assembly Bill No. 250

Mr. Chapel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 250 was this day passed.

### Motion to Temporarily Suspend the Rules

Mr. Beaver moved that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider Assembly Bill No. 250, at this time.

Mr. Charles H. Wilson seconded the motion.

Parliamentary Inquiry

Mr. Hegland arose to the following parliamentary inquiry: How many votes are required to carry the motion?

Reply by Speaker

The Speaker replied that an "Aye" vote of two-thirds of those present is required to suspend the Rules.

The question being on the motion to take up the motion to reconsider Assembly Bill No. 250, at this time.

Rules temporarily suspended by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—Chapel, Francis, Holmes, and Lowrey—4.

Motion to Reconsider Assembly Bill No. 250

In compliance with a notice given, Mr. Chapel moved that the vote whereby Assembly Bill No. 250 was passed be reconsidered.

Parliamentary Inquiry

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Is the question on reconsideration of the amendment?

Reply by Speaker

The Speaker replied the question is on the motion to reconsider the bill.

Point of Order

Mr. Charles H. Wilson arose to the following point of order: That Mr. Chapel is speaking to the amendment, and not to the motion to reconsider.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Parliamentary Inquiry

Mr. Chapel arose to the following parliamentary inquiry: What is the procedure required to have a roll call taken on the amendment?

Reply by Speaker

The Speaker replied that reconsideration of the bill must first be granted, and then reconsideration of the amendment must be granted.

Motion to Reconsider Withdrawn

Mr. Chapel withdrew his motion to reconsider the vote on Assembly Bill No. 250.

(Notice of motion to reconsider Assembly Bill No. 250 given later this day.)

## CALL OF ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5

At 11.44 a.m., on motion of Mr. Elliott, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 5 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—Backstrand, Beaver, Bradley, Burke, Chapel, Collier, Coolidge, Crawford, Dahl, Davis, Francis, Ernest R. Geddes, Hegland, Johnson, Lanterman, Levering, Lowrey, Luckel, Masterson, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, and Thelin—26.

Resolution ordered transmitted to the Senate.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 250

Mr Beaver moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 250.

Mr. Lowrey seconded the motion.

Motion lost by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Francis, Ernest R. Geddes, Grant, Hanna, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, O'Connell, Reagan, Shell, Sumner, Thelin, and Mr. Speaker—34

NOES—Bee, Britschgi, George E. Brown, Burton, Cameron, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hawkins, Hegland, House, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—38

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULE 62

Mr. Unruh was granted unanimous consent that Rule 62 be suspended as it pertains to Assembly Bill No. 1170, and that the bill be not required to be re-referred to the Committee on Ways and Means.

## NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 250

Mr. Collier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 250 was this day passed.

### Motion to Temporarily Suspend the Rules

Mr. Munnell moved that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider, at this time.

Mr. Masterson demanded an immediate vote.

Rules temporarily suspended by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Kennick, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Bruce F. Allen, Backstrand, Bradley, Chapel, Collier, Cusanovich, Francis, Ernest R. Geddes, Grant, Lanterman, Reagan, Shell, and Thelin—13.

**Motion to Reconsider Assembly Bill No. 250**

In compliance with a notice given, Mr. Collier moved that the vote whereby Assembly Bill No. 250 was passed be reconsidered.

Assembly Bill No. 250 refused reconsideration by the following vote:

AYES—Backstrand, Beaver, Bradley, Chapel, Collier, Cusanovich, Francis, Ernest R. Geddes, Grant, Holmes, Johnson, Lanterman, Lowrey, Reagan, Shell, and Thelin—16

NOES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hawkins, Kennick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—46.

Assembly Bill No. 250 ordered transmitted to the Senate.

**Statement Relative to Assembly Bill No. 250**

I am for forgiving the organizations for failing to file the loyalty oath and I am against repealing the loyalty oath.

JOHN L. E. COLLIER

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

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

**Assembly Bill No. 1662**: By Mr. Beaver—An act to add Section 704.3 to the Insurance Code, relating to the reserves of disability insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1663**: By Messrs. Burton, Cusanovich, Elliott, and McMillan—An act to add Section 1094.5 to the Unemployment Insurance Code, relating to the release of information concerning foreign workers.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1664**: By Mr. Burton—An act to amend Sections 4163 and 4164 of the Welfare and Institutions Code, relating to property qualifications for aid to the needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1665**: By Mr. Burton—An act to amend Sections 3047 and 3047.01 of the Welfare and Institutions Code, relating to property qualifications for aid to the needy blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1666**: By Mr. Burton—An act to amend Sections 2164 and 2165 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1667**: By Mr. Burton—An act to amend Section 3447 of the Welfare and Institutions Code, relating to property qualifications for aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1668**: By Messrs. Burton, Lowrey, and Z'berg—An act to add Section 728.5 to the Public Utilities Code, relating to rates.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1669**: By Mr. Burton—An act to add Section 653m to the Penal Code, relating to electronic eavesdropping.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1670**: By Mr. George E. Brown—An act to amend Sections 4742.1 and 4755 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1671**: By Mr. Lanterman—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1672**: By Messrs. Garrigus, Bruce F. Allen, Gaffney, and DeLotto—An act to add Section 14356.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 1673**: By Messrs. Collier, Johnson, Cusanovich, Bruce F. Allen, and George E. Brown—An act to add Section 6008 to the Public Resources Code, relating to sale of state lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1674**: By Mr. Nisbet—An act to amend Sections 65503 and 65505 of the Government Code, relating to vote required for change of master plan.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1675**: By Messrs. Porter, Ernest R. Geddes, Bee, Hanna, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—An act to add Sections 13837, 13838, 14256, 14257, 14258, 14259, and 14260 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to

the providing of survivor allowances in the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 85**: By Mr. Cameron—Approving a charter amendment to the charter of the City of Whittier, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at the general election held therein on the fourth day of November, 1958.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 25**: By Mr. Samuel R. Geddes—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.6 to Article XIII thereof, relating to tax exemption for blind residents.

Referred to Committee on Constitutional Amendments.

## RESOLUTIONS

The following resolution was offered:

By Mr. Francis:

### House Resolution No. 105

Relative to the passing of Mrs. Irene Moore Brady

WHEREAS, Mrs. Irene Moore Brady, an outstanding philanthropist, has passed on to her final reward; and

WHEREAS, Mrs. Brady, a native of Peoria, Illinois, was, for many years, a resident of Hillsborough, and

WHEREAS, She was given almost sole credit for organizing the Peninsula Humane Society and was that organization's greatest single benefactor, having contributed $100,000 in 1952 to finance construction of the Peninsula Humane Society Animal Shelter at Coyote Point; and

WHEREAS, While Mrs. Brady was active in charitable affairs, she never sought publicity for herself in connection with her very noteworthy achievements; and

WHEREAS, Mrs. Brady was the widow of James H. Brady, the noted Governor and Senator of the State of Idaho; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body expresses its most profound regrets upon the passing of so generous a contributor to important charities, and extends its most sincere sympathies to the family of Mrs. Irene Moore Brady, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Brady's sisters, Mrs. Henry Suzzallo of Hillsborough, and Mrs. G. M. Pierce of Tucson, Arizona.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Rules reports.

Assembly Concurrent Resolution No. 44

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Rules reports.

House Resolution No. 99

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, February 24, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 573
Assembly Bill No. 633

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 76
Assembly Bill No. 77
Assembly Bill No. 154
Assembly Bill No. 156

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 44

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

## ANNOUNCEMENT RELATIVE TO CHANGE IN DATE OF COMMITTEE HEARING ON ASSEMBLY BILL NO. 156

Mr. Biddick announced that Assembly Bill No. 156, previously set for hearing in the Committee on Municipal and County Government for tomorrow, will be heard on Thursday, March 5, 1959.

## ANNOUNCEMENT OF COMMITTEE MEETING

Miss Donahoe announced that the Committee on Education would meet at 3.45 p.m. today in Room 4202; and that, because of the heavy calendar, the committee would recess for dinner, and meet again tonight.

## ADJOURNMENT

At 12.03 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, February 26, 1959.

RALPH M BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

THIRTY-NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, February 26, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Infinite God*, Set our minds on things distant and profound—that the goal of a noble society may never get lost in lesser matters such as how fast shall we travel on our highways, or how shall we prevent collisions in mid-air. Important as these things are, it is more essential, Our Father, to know our destination. We dare to pray that those who live in this State one hundred years from now will look back with gratitude to the 1959 Legislature. Make us to be courageous architects of a better way of life, for we pray in the name of One who set in men's minds an eternal dream of a kingdom of heaven here on earth and near at hand.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Artificial Insemination of Animals

STATE OF CALIFORNIA, DEPARTMENT OF AGRICULTURE
SACRAMENTO, February 24, 1959

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

DEAR MR. OHNIMUS: Pursuant to the provisions of Section 30.6 of the Agricultural Code, I am pleased to transmit to you a report on "Artificial Insemination of Animals," for the years 1957 and 1958.

Very sincerely yours,

W. C JACOBSEN, Director

Encl.

Above transmitted report referrred to the Committee on Livestock and Dairies.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 25, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 185
Assembly Bill No. 222
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 245
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

### Committee on Agriculture

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Assembly Bill No. 501
Assembly Bill No. 560
With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Assembly Bill No. 638
With amendments with the recommendation: Amend, and do pass, as amended.

SAMUEL R GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Assembly Bill No 639
With amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 93
Senate Bill No. 94
Senate Bill No. 95

With the recommendation: Do pass

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

**Committee on Public Utilities and Corporations**

ASSEMBLY CHAMBER, February 25, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports.

Assembly Bill No 349

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 663

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

NOTE On March 2d (A. J., page 980) the record was expunged relative to two bills reported out of committee on the above report.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 637
Assembly Bill No. 651

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 107

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, February 25, 1959

MR SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No. 258
Assembly Bill No. 521

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bills ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, February 25, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 57
Assembly Bill No. 278
Assembly Bill No. 425
Assembly Bill No. 533
Assembly Bill No. 566
Assembly Bill No. 627

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 133

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 34
Assembly Bill No. 35
Assembly Bill No. 66
Assembly Bill No. 386
Assembly Bill No. 584

With the recommendation: Do pass

BELOTTI, Chairman

Above bills ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 290

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 74

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportioment.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 456
Assembly Bill No. 623

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 25, 1959

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

Senate Bill No. 66

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 66**—An act to amend Sections 9, 10, and 19b of Chapter 158 of the Statutes of 1885, relating to drainage districts.

Referred to Committee on Municipal and County Government.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 25, 1959

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

Senate Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

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

The following resolution was read:

**Senate Concurrent Resolution No. 33**—Relative to a program of basic research and field studies dealing with all phases of mining and mineral industries.

Referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 262**—An act to add Section 55109 to the Water Code, relating to investigations and reports regarding proposed county waterworks districts or annexations thereto.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 263**—An act to add Section 55336 to the Water Code, relating to the sale of surplus water by county waterworks districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 527**—An act to add Chapter 5 (commencing at Section 31585) to Part 6 of Division 12 of the Water Code, relating to county water districts.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

### Amendment No. 1

On page 3, line 7, of the printed bill, after "district", insert "and who are also the holders of title to a majority in area thereof".

### Amendment No. 2

On page 4, between lines 45 and 46, insert

"31608 The resolution declaring the improvement district to be formed shall become effective 30 days after its adoption

**31609. If a petition protesting against** the adoption of the resolution declaring the improvement district to be formed is presented to the board prior to its effective date, the resolution shall be suspended and the board shall reconsider it. The petition shall be signed by not less than 10 percent of the registered voters within the proposed improvement district on the date of adoption of said resolution. If the board does

not repeal the resolution against which a petition is filed, the board shall submit the resolution to the voters within such improvement district at a regular election or a special election for the purpose. The resolution shall not become effective unless and until a majority of the voters vote in favor thereof. Such election shall be conducted in the manner provided in Article 3 (commencing at Section 31405) of Chapter 2 of Part 6 of this division insofar as applicable, except that if a majority of the votes cast at said election are in favor of the resolution then the cost of such election shall be borne by the improvement district. This section shall not apply to any improvement district containing less than 100 registered voters as of the date of adoption of the resolution referred to in Section 31596."

**Amendment No. 3**

On page 4, line 46, strike out "31608", and insert '31610".

**Amendment No. 4**

On page 5, line 2, after the second comma, insert "or".

**Amendment No. 5**

On page 5, line 8, strike out "31609", and insert "31611".

**Amendment No. 6**

On page 2, line 23, strike out "dolalrs", and insert "dollars".

**Amendment No. 7**

On page 3, line 21, strike out "protect", and insert "protest".

**Amendment No. 8**

On page 3, line 47, strike out "protect", and insert "protest".

**Amendment No. 9**

On page 4, line 8, strike out "protect", and insert "protest".

**Amendment No. 10**

On page 5, line 26, strike out "such taxes", and insert "taxes collected pursuant to this article".

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

**Assembly Bill No. 599**—An act to add Section 1.5 to Chapter 2165 of the Statutes of 1957, relating to recreation, park and parkway districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 61**—An act appropriating funds for acquisition of additions to Mt. Tamalpais State Park.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Park", insert "and declaring the urgency thereof, to take effect immediately."

**Amendment No. 2**

On page 1, line 2, strike out "unexpended balances as of June 30, 1959, of".

**Amendment No. 3**

On page 1, after line 7, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The restrictive description of the property to be acquired, as contained in the statutes cited in Section 1 hereof, has prevented the prompt acquisition of the property which should be added to Mt. Tamalpais State Park. Land values of this

property are subject to rapid changes and the public interest will suffer if acquisition before the ninetieth day after this session is impossible. It is therefore necessary, in order to protect the public interest in the prompt and economical acquisition of this property for park purposes, that this act take effect immediately."

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

**Assembly Bill No. 85**—An act to add Section 506.3 to the Public Resources Code, relating to the Division of Beaches and Parks of the Department of Natural Resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "upon nomination by the director".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 73**—An act to amend Sections 9084.5 and 9087 of the Insurance Code, relating to limitations on the risks to be insured against by insurance policies issued by fraternal fire insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 492**—An act to amend Sections 769, 1228 and 1416 of the Financial Code, relating to investments and loans by banks, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 305**—An act to amend Section 10505 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, after "union", insert "and the officers of which are members of the labor union".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 500**—An act to add Title 2 (commencing with Section 1801) to Part 4, Division 3, of the Civil Code, relating to credit and installment sales of goods and services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed bill, strike out "personal used or".

**Amendment No. 2**

On page 2, lines 24 and 25, strike out "boats, aircraft, or their auxiliary equipment, nor".

**Amendment No. 3**

On page 3, line 23, after "sale", insert "or where no time price differential is added but the goods or services are available at a lesser price if paid by cash".

**Amendment No. 4**

On page 4, line 21, after the period, insert "The term does not include the pledgee of or the holder of a security interest in an aggregate number of such contracts or installment accounts to secure a bona fide loan thereon."

**Amendment No. 5**

On page 4, line 34, strike out "The term does not include the pledgee"; and strike out all of lines 35 to 37, inclusive.

**Amendment No. 6**

On page 4, line 44, strike out "1803 3", and insert "1808.3".

**Amendment No. 7**

On page 8, line 10, after "contract", insert "other than one for services".

**Amendment No. 8**

On page 13, line 19, after the first "of", insert "notice or of".

**Amendment No. 9**

On page 13, line 42, strike out "allowed", and insert "contained".

**Amendment No. 10**

On page 14, line 5, strike out "1810.2", and insert "1810.4".

**Amendment No. 11**

On page 16, line 12, after "goods", insert "at public sale".

**Amendment No. 12**

On page 3, line 2, after "dentists", insert ", nor services for which the tariffs, rates, charges, costs or expenses, including in each instance the time sale price, is required by law to be filed with and approved by the Federal Government or any official, department, division, commission or agency of the United States".

**Amendment No. 13**

On page 4, line 48, strike out the period, and after "services", insert ", including any promissory notes or any other evidences of indebtedness between the parties relating to the transaction."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 164**—An act to add Article 3 5 (commencing at Section 7544) to Chapter 11 of Division 3 of, and to amend Section 7560 of, the Business and Professions Code, relating to employees of insurance adjusters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on February 18, 1959, strike out lines 5 to 11 inclusive, and insert

"(e) The names and addresses of all persons by whom the employee was employed during the preceding five-year period, together with a description of the duties performed for each employer during such period and the reason each employment was terminated.

(f) A statement listing all arrests suffered by the employee for any criminal offense other than a minor traffic violation, together with a full explanation of the time, place, nature, and disposition of each such arrest."

**Amendment No. 2**

On page 2, line 38, strike out "of three dollars ($3)", and insert "fixed by the director at not less than one dollar ($1) and not more than five dollars ($5)".

**Amendment No. 3**

On page 2, lines 42 and 43, strike out "of Section 7520".

**Amendment No. 4**

On page 3, line 27, after "felony", insert "or any offense involving moral turpitude, or of illegally using, carrying, or possessing a dangerous weapon".

**Amendment No. 5**

On page 3, after line 37, insert

"(i) Impersonated, or permitted or aided and abetted another to impersonate, a law enforcement officer or employee of the United States, a state, or any political subdivision thereof.

(j) With intent to deceive the public, used a title, or worn a badge, uniform, or insignia, likely to be confused with that of any law enforcement officer of the United States, a state, or any political subdivision thereof."

**Amendment No. 6**

On page 3, line 45, after the period, insert "Each employee shall notify the director in writing within 30 days after any change in his residence address."

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

**Assembly Bill No. 58**—An act to convey certain tide and submerged lands to the City of Mill Valley, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Bill read second time.

**Consideration of Committee Amendments**

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

**Amendment No. 1**

On page 1 of the printed bill, between lines 6 and 7, insert "All that portion of the tide and submerged lands, filled or unfilled, lying between the ordinary high-water marks of the Arroyo Principal del Corte Madera del Presidio northerly from the southwesterly line of Sausalito Canal and of the sloughs tributary thereto within the limits of the exterior boundaries of Lots 301 and 302 and a portion of Richardson Bay lying within Lot 302, as shown upon 'Map No 1 of Salt Marsh and Tide Lands Situate in the County of Marin" dated 1870, prepared by order of the Board of Tide Land Commissioners in accordance with an Act of the Legislature approved April 1, 1870."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 60**—An act to convey certain tide and submerged lands to the County of Sonoma, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

In line 5 of the title of the printed bill, strike out the period, and insert ", and to repeal Chapter 1406 of the Statutes of 1951."

**Amendment No. 2**

On page 1, between lines 5 and 6, insert

"That part of Bodega Harbor, in Sonoma County, California, situated inside and landward of a straight line beginning at the southwesterly end of the South Jetty at

the entrance to said Bodega Harbor at its intersection with Bodega Head, running thence north to a point in the North Jetty on the sand spit locally known as 'Doran Park'; said tide and submerged lands lie bayward of the ordinary high water mark as meandered and shown on the United States General Land Office Plat for Bodega Ranch, and specifically described on said plat between stations; and by courses numbered 79 to 131, both inclusive, as surveyed by the U. S. Surveyor General for California and dated November 21, 1857"

**Amendment No. 3**

On page 2, strike out lines 43 to 50, inclusive, and insert

"SEC. 2. There is hereby reserved to the State of California the area lying between points No. B98 and B99, as surveyed by the United States Surveyor General for California and dated November 21, 1857, an area described as follows:

*Beginning at a point on the survey line of Bodega Rancho* which is *approximately* P + B98, thence S 1°, 04′ E, 100′ + to a point on the mean high tide line of Bodega Bay; thence along said high tide line S 47° 42′ E, 800.0′ to a point, thence S 56° 12′ E, 172.9′ to a point still on said high tide line. Thence leaving said high tide line N 51° 50′ E to a point on the approximate survey line of Bodega Rancho, between Station B98 and B99; thence in a northwesterly direction along the said Bodega Rancho line to the point of beginning, and also any accretions bayward which has taken place since the date of this deed which was recorded October 22, 1935, Book 394, Page 229, Records of Sonoma County."

**Amendment No. 4**

On page 3, after line 10, insert

"SEC. 5. Chapter 1406 of the Statutes of 1951 is repealed"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 630**—An act to convey certain tide and submerged lands to the City of San Leandro, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

On page 3, line 10, of the printed bill, after "leases", strike out the period, and insert "; provided, however, that the use of said lands by said city and its successors, or by its lessees or franchise holders, shall not be inconsistent with the use by the *City of Oakland, a municipal corporation,* for the *purposes* for which granted, of those certain adjacent lands heretofore granted to said City of Oakland by Chapter 1028, Statutes of 1955 and Chapter 709, Statutes of 1957."

**Amendment No. 2**

On page 1, lines 16 and 17, strike out "Tide Land Commissioners' Map No. 1, Alameda County", and insert "Maps Nos. 1 and 2 of "Salt Marsh and Tide Lands Situate in the County of Alameda", prepared by order of the Board of Tide Land Commissioners,".

**Amendment No. 3**

On page 2, line 1, strike out "Division of State Lands in Los Angeles" and insert "State Lands Commission in Sacramento".

**Amendment No. 4**

On page 2, strike out lines 18 through 40, inclusive, and insert "All that portion of Multord Canal lying westerly from the northerly extension of the easterly line of Lot 30 of Section 4, Township 3 South, Range 3 West, Mount Diablo Base and Meridian as shown upon "Map No 1 of Salt Marsh and Tide Lands, Situate in the County of Marin", prepared by order of the Board of Tide Land Commissioners, dated 1871."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 68**—An act to add Section 13103 to the Fish and Game Code, relating to fish and game funds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 125**—An act to amend Sections 3036 and 7151 of the Fish and Game Code, relating to licenses for disabled veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, after "be", insert "required and shall be".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 389**—An act to amend Section 4184 of the Fish and Game Code, relating to bears.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, after line 16, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 393**—An act to amend Section 8276 of the Fish and Game Code, relating to crabs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6.

Amendment No. 2

On page 1, line 7, strike out "(b)", and insert "(a)".

Amendment No. 3

On page 1, line 7, strike out "other".

Amendment No. 4

On page 1, line 8, strike out "May 31st"; and in line 9, strike out "(c)", and insert "July 1st.
(b)".

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

**Assembly Bill No. 573**—An act to add Chapter 5 (commencing with Section 350) to Division 1 of the Welfare and Institutions Code, relating to the Governor's Welfare Study Commission.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 2, line 27, of the printed bill, after "programs," insert "including the general relief program in the various counties,".

Amendment No. 2

On page 2, lines 50 and 51, strike out "California Law Revision Commission", and insert "Legislative Counsel".

Amendment No. 3

On page 3, lines 3 and 4, strike out "California Law Revision Commission", and insert "Legislative Counsel".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 633**—An act to add Section 6623 to the Welfare and Institutions Code, relating to handiwork of state hospital patients.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

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

Amendment No. 2

On page 1, line 4, strike out "all"

Bill ordered reprinted, and engrossed.

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

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

**Assembly Bill No. 1676**: By Mr. Charles H. Wilson—An act to amend Sections 11802 and 11803 of the Vehicle Code as enacted by the Legislature in its 1959 Regular Session, relating to the power to refuse to renew the license of vehicle salesmen and to issue probationary and temporary licenses to such vehicle salesmen and to provide for written demand for hearing.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1677**: By Mr. Sumner—An act to amend Section 61600 of the Government Code, relating to powers and duties of community service districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1678**: By Mr. Munnell—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1679**: By Mr Munnell—An act to add Section 2266 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to salary increases for the California Highway Patrol.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1680:** By Mr. Miller—An act to add Section 20814 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1681:** By Mr. Belotti—An act to add Section 22658 to, and to amend Section 22851 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the removal of vehicles from private property.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1682:** By Messrs. Grant and Kennick—An act to add Section 6388 to the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1683:** By Messrs. Grant and Kennick—An act to amend Section 19369 of the Health and Safety Code, relating to auto and trailer parks.

Referred to Committee on Public Health.

**Assembly Bill No. 1684:** By Messrs. George A. Willson and House—An act to amend Section 16½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relating to the condemnation of property by the Los Angeles County Flood Control District.

Referred to Committee on Water.

**Assembly Bill No. 1685:** By Mr. George A. Willson—An act to amend Section 1241 of the Code of Civil Procedure, relating to facts necessary for condemnation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1686:** By Mr. Johnson—An act to add Section 13208 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the revocation or suspension of the driving privilege.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1687:** By Mr. Lanterman—An act to amend Sections 2808, 3357, 3718, 3795, 4104.5, 4105.2, 4106, 4150, 4217, 4803, and 4834.5 of the Revenue and Taxation Code, and to repeal Sections 568 and 4152 thereof, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Constitutional Amendment No. 26:** By Messrs. Bruce F. Allen, Schrade, Crawford, Luckel, Backstrand, Beaver, Bee, Belotti, Conrad, Cusanovich, DeLotto, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lunardi, MacBride, Nisbet, Porter, Sedgwick, Sumner, Williamson, and Winton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Constitutional Amendments.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

### NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 20 WAIVED

Mr. Masterson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 20 was passed.

Assembly Bill No. 20 ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 158 FROM COMMITTEE

Mr. Charles H. Wilson was granted unanimous consent that Assembly Bill No. 158 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 158

**Assembly Bill No. 158**—An act to add Section 7032 to the Business and Professions Code, relating to contractors' licenses.

Bill read second time.

#### Motion to Amend

Mr. Charles H. Wilson moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "a regulatory license or permit", and insert "any license".

Amendment read, and adopted.

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

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

The following resolution was offered:

**Assembly Concurrent Resolution No. 86**: By Mr. Lunardi—Relative to memorial celebration of City of Lincoln.

#### Request for Unanimous Consent

Mr. Lunardi was granted unanimous consent to take up Assembly Concurrent Resolution No. 86 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 86

**Assembly Concurrent Resolution No. 86**—Relative to memorial celebration of City of Lincoln.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

#### Request for Illuminated Copy of Resolution

Mr. Lunardi was granted unanimous consent that an illuminated copy of the resolution be prepared for presentation.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 210

In compliance with a notice given on a previous day, Mr. Ernest R. Geddes moved that the vote whereby Assembly Bill No. 210 was passed be reconsidered.

### Speaker pro Tempore Presiding

At 10.05 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the motion to reconsider.

The roll was called, and Assembly Bill No 210 reconsidered by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Holmes, Johnson, Kennick, Lanterman, Lowrey, MacBride, Marks, McCollister, Meyers, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—51

NOES—Bane, Bradley, George E. Brown, Burton, DeLotto, Lunardi, Miller, Williamson, and Winton—9.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 210

**Assembly Bill No. 210**—An act to amend Section 1947 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district organization.

Bill read third time.

### Motion to Re-refer

Mr. Hegland moved that Assembly Bill No. 210 be re-referred, without prejudice, to the Committee on Education.

Mr. Lowrey seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 251**—An act to amend Section 266 of the Revenue and Taxation Code, relating to the college exemption, declaring the urgency thereof, to take effect immediately

Bill read third time.

### Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, after line 11, insert

"No amount shall be canceled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first

complied with the provisions of Section 32 of this code, relating to the loyalty declaration."

Amendment read.

**Demand for Immediate Vote**

Mr. Munnell demanded that the question be put to an immediate vote.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the demand not in order.

**Demand for Previous Question**

Messrs. Luckel, Cameron, Holmes, Schrade, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the adoption of the amendment.

**Point of Order**

Bruce F. Allen arose to the following point of order: That Mr. Burton was not speaking to the question.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken.

The question being on the adoption of the amendment.

**Roll Call Demanded**

Messrs. Chapel, Levering, and Reagan demanded a roll call.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Mr. Collier seconded the motion.

Motion carried. Time, 10.38 a.m.

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

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 252**—An act to amend Section 254.7 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter,

Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 254**—An act to amend Section 264 of the Revenue and Taxation Code, relating to the orphanage exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time

### Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, after line 12, insert
"No amount shall be cancelled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration."

Amendment read.

### Motion to Table Amendment

Mr. Unruh moved that the amendment be laid on the table.

Mr. Masterson seconded the motion.

### Roll Call Demanded

Messrs. Lowrey, Reagan, and Lanterman demanded a roll call.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Mr. Lowrey seconded the motion.

### Point of Order

Mr. Bruce F. Allen arose to the following point of order: That the Rules provide that no call can be placed upon a call.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken, since Rule No. 106 was suspended by unanimous consent before the bill was taken up.

The question being on the motion for a call of the Assembly.

Motion carried. Time, 10.45 a.m.

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

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton asked for unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Crawford withheld unanimous consent.

### Motion for Temporary Suspension of Rule No. 106

Mr. Winton moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Lowrey seconded the motion.

Rule No. 106 temporarily suspended by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Zberg—72.

NOES—Don A. Allen, Crawford, and Schrade—3

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 324**—An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, after line 12, insert

"No amount shall be cancelled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration."

Amendment read.

### Demand for Previous Question

Messrs. Winton, Schrade, Luckel, Holmes, and MacBride demanded the previous question. Demand sustained

The question being on the adoption of the amendment by Mr. Chapel.

### Roll Call Demanded

Messrs. Chapel, Lanterman, and Reagan demanded a roll call.

### Parliamentary Inquiry

Miss Donahoe arose to the following parliamentary inquiry: May I ask a question of Mr. Chapel?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the demand for previous question had been sustained.

Parliamentary Inquiry

Miss Donahoe arose to the following parliamentary inqury: May I not ask a question of Mr. Chapel during his time for closing debate?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that she could, if Mr. Chapel would yield to the question.

Request for Unanimous Consent

Miss Donahoe was granted unanimous consent that an opinion of the Legislative Counsel relative to Assembly Bills Nos. 250, 251, 254, and 324 be ordered printed in the Journal.

(NOTE: Above opinion appears at page 921 of the Journal for this day.)

The question being on the adoption of the amendment by Mr. Chapel.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Mr. Francis seconded the motion.

Parliamentary Inquiry

Mr. Chapel arose to the following parliamentary inquiry: Are there any absentees?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that there was one member not voting on the last roll call.

The question being on the motion for a call of the Assembly.

Parliamentary Inquiry

Mr Hegland arose to the following parliamentary inquiry: Is the question open to debate?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was not.

The question being on the motion for a call of the Assembly.

Motion carried. Time 11.07 a.m.

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

Motion to Dispense With Call of the Assembly

At 11.07 a.m., Mr. Hegland moved that further proceedings under the call of the Assembly be dispensed with.

Mr. Luckel seconded the motion.

Motion lost.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

### REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

The Speaker pro Tempore inquired if there was any objection that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

Mr. Munnell withheld unanimous consent.

## PARLIAMENTARY INQUIRY

Mr. Munnell arose to the following parliamentary inquiry: Have any members been excused?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that there were no leaves of absence granted to members today.

## ROLL CALL

Speaker pro Tempore Bee directed the Clerk to take a roll call to determine how many members were present in the Assembly Chamber.

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

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

## PARLIAMENTARY INQUIRY

Mr. Chapel arose to the following parliamentary inquiry: Is it not the privilege of a member to force a member to vote?

### Speaker Presiding

At 11.09 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Reply by Speaker

The Speaker replied that Rule No. 116 provides that every member in the Assembly Chamber when a roll call is required shall vote, unless excused by a majority vote of the members; that any member who refuses to so vote after the Speaker has requested him to do so, and who has not been excused from voting, may, in the discretion of the Speaker, or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure after the vote on the question has been announced.

## REQUEST FOR CENSURE OF MEMBERS

Mr. Chapel requested that any members not voting on his amendments be so censured in a kindly way.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Ernest R. Geddes moved that Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Lowrey seconded the motion.

## PARLIAMENTARY INQUIRY

Mr. Chapel arose to the following parliamentary inquiry: What happened to the request that members not voting on the amendments be censured in a kindly way?

### Reply by Speaker

The Speaker replied that such a request is not in order until after the vote on the amendments has been announced.

The question being on the motion to temporarily suspend Rule No. 106.

Motion carried.

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILLS NOS. 250, 251, 254, AND 324

The following opinion of the Legislative Counsel was ordered printed in the Journal, pursuant to the request for unanimous consent previously granted to Miss Donahoe:

### Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 20, 1959

*Hon Charles Edward Chapel*
*Assembly Chamber*

*Property Taxation: Tax Exemptions—No. 8992*

DEAR MR. CHAPEL: You have referred us to Assembly Bills 250, 251, 254 and 324 and you call our attention to the second paragraph of each such bill where the following language is shown in strikeout:

> "No amount shall be canceled or refunded pursuant to this section unless the person or organization otherwise entitled to such cancellation or refund has first complied with the provisions of Section 32 of this code, relating to the loyalty declaration."

*Question*

You ask whether the amendments found in the first paragraph of each such bill would be effective without the strikeout of the language found in the second paragraph of each such bill.

*Opinion*

In our opinion the objective of each such bill as set forth in its first paragraph can be accomplished without the deletion of the language found in the second paragraph.

*Analysis*

The language shown in each second paragraph refers to the filing of a loyalty declaration pursuant to Section 32 of the Revenue and Taxation Code.

The provisions of Section 32 were found to be unconstitutional by the United States Supreme Court in *Speiser* v. *Randall* (1958), 2 L. Ed. 2d 1460; *First Unitarian Church of Los Angeles* v. *County of Los Angeles* (1958), 2 L. Ed. 2d 1484.

Thus the language found in the second paragraph of each bill here in question now shown in strikeout, would, if not deleted, be meaningless

in view of these decisions, unless, of course, Section 32 is amended to include a provision that could be sustained constitutionally.

Notwithstanding this conclusion, however, the first paragraph of each bill would, in our opinion, nevertheless be legally operative even if the language of the second paragraph is not deleted.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD F. NOWAK, Deputy

Two copies to Hon. Jack A. Beaver and to Hon. Bert DeLotto, pursuant to Joint Rule 34.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 71**—Relative to approving certain amendments to the charter of the City of Stockton, a municipal corporation in the County of San Joaquin, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held thereon on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—78
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 72**—Relative to the construction of State Highway Route 23 between Soledad Junction and Palmdale as a four-lane freeway.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.
NOES—None.

Resolution ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Britschgi was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No. 72.

**Assembly Concurrent Resolution No. 75**—Relative to Invest in America Week.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON CHAPEL AMENDMENT TO ASSEMBLY BILL NO. 251

At 11.15 a.m., on motion of Mr. Chapel, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment by Mr. Chapel to Assembly Bill No. 251 refused adoption by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Francis, Gaffney, Ernest R Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, Mulford, Reagan, Schrade, Sedgwick, Shell, Thelin, and Charles H Wilson—34

NOES—Bruce F Allen, Beaver, Bee, Biddick, Britschgi, George E Brown, Burton, Busterud, Cameron, Crown, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—46.

The Speaker called attention to the fact that there were 80 votes on the above roll call.

#### Further Consideration of Assembly Bill No. 251

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Chapel, Collier, Cusanovich, Grant, Holmes, Lanterman, Levering, Reagan, Shell, and Thelin—10.

#### Parliamentary Inquiry

Mr. Thomas arose to the following parliamentary inquiry: Was the previous vote on the passage of the bill?

#### Reply by Speaker

The Speaker replied that the vote was on the urgency clause.

The question being on the passage of Assembly Bill No. 251.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Chapel, Collier, Cusanovich, Grant, Holmes, Lanterman, Levering, Reagan, Shell, and Thelin—10.

Bill ordered transmitted to the Senate.

**Explanation of Vote**

I am for forgiving the organizations in claiming exemption and refunds but I'm against any repeal of the loyalty oath.

JOHN L. E. COLLIER
LOU CUSANOVICH

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TABLE AMENDMENT TO ASSEMBLY BILL NO. 254

At 11.18 a.m., Mr. Chapel moved that further proceedings under the call of the Assembly be dispensed with.

Mr. Winton seconded the motion.

The names of the absentees were called, and the motion to table the amendment by Mr. Chapel to Assembly Bill No. 254 carried by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crown, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Holmes, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—43.

NOES—Don A. Allen, Backstrand, Bane, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Ernest R. Geddes, Grant, Hegland, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Meyers, Mulford, Reagan, Schrade, Shell, Thelin, and Charles H. Wilson—35.

**Further Consideration of Assembly Bill No. 254**

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Chapel, Collier, Grant, Holmes, Johnson, Levering, Reagan, Shell, and Thelin—9.

The question being on the passage of the Assembly Bill No. 254.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66

NOES—Chapel, Collier, Grant, Holmes, Johnson, Levering, Reagan, Shell, and Thelin—9.

Bill ordered transmitted to the Senate.

**Explanation of Vote**

I am for forgiving the organizations in claiming exemption and refunds but I'm against any repeal of the loyalty oath.

JOHN L. E. COLLIER
LOU CUSANOVICH

## CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT TO ASSEMBLY BILL NO. 324

At 11.24 a.m., on motion of Mr. Chapel, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment by Mr. Chapel to Assembly Bill No. 324 lost by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Francis, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, Mulford, Reagan, Schrade, Sedgwick, Shell, Thelin, and Charles H. Wilson—33

NOES—Beaver, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crown, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—46.

### Further Consideration of Assembly Bill No. 324

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Chapel, Collier, Holmes, Johnson, Levering, Reagan, Shell, and Thelin—8.

The question being on the passage of Assembly Bill No. 324.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Chapel, Collier, Holmes, Johnson, Levering, Reagan, Shell, and Thelin—8.

Bill ordered transmitted to the Senate.

### Explanation of Vote

I am for forgiving the organizations in claiming exemption and refunds but I'm against any repeal of the loyalty oath.

JOHN L. E. COLLIER
LOU CUSANOVICH

## EXPLANATION OF VOTE ON ASSEMBLY BILLS NOS. 251, 252, 254, AND 324

I want it distinctly understood my vote in connection with Assembly Bills 251, 252, 254 and 324 was only against abolishing the loyalty oath, and feel that this matter should not have been included with other provisions in the bills of which I approved.

WM. S. GRANT

## REQUEST FOR UNANIMOUS CONSENT

Mr. Levering was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
Sacramento, February 25, 1959

*Hon. Harold K. Levering*
*Assembly Chamber*

*Registration of Legislative Advocates—No. 9095*

DEAR MR. LEVERING: You have asked whether Sections 9900-9910 of the Government Code require a person registering as a legislative advocate to answer the question of how much he is paid by the person engaging his services "in all capacities."

*Opinion*

In our opinion, if the registrant can answer how much compensation he receives for activities subject to Section 9906 of the Government Code, he is not required to answer how much he receives for other services. However, if he receives a lump sum for services, some of which are within and some outside of Section 9906, and he cannot answer how much of that sum he receives for services within Section 9906, he can be required to answer how much he receives in all capacities.

*Analysis*

Section 9906 of the Government Code prescribes what information must be furnished on registration. That section reads, in part, as follows.

> "Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Legislature of the State of California or the approval or veto of any legislation by the Governor of the State of California shall, before doing anything in furtherance of such object, register with the Clerk of the Assembly and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, *how much he is paid and is to receive,* by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. . . ." (Emphasis added)

The reasonable interpretation of the underlined phrase, read in its context, appears to us to be that it calls for information about how much the registrant is to be paid for legislative advocacy, i.e., for services within the scope of Section 9906.

Sometimes, a person who is required to register performs a variety of services for the person or organization he represents, not all of which are within Section 9906; he is paid a lump sum periodically, as, for example, a monthly salary; no definite part of this sum is

identified by the employer as compensation for services under Section 9906; and the legislative advocate concludes that he cannot make such allocation. In such a case we believe that he can properly be required to report the total compensation received from the person or organization he represents. Various committees on legislative representation have, in fact, arrived at the same conclusion, which they formalized by rule. For example, Rule 36 of the Rules of the Assembly Committee on Legislative Representation, issued in 1955 (A.J., Mar. 15, 1955, p. 1406), and an identical rule of the corresponding Senate committee issued in 1953 (S.J., Jan. 13, 1953, p. 199) have provided as follows:

> "The failure of a registrant to include in his registration a statement of how much he is paid, and is to receive, shall be deemed sufficient ground for refusing to issue a certificate.
>
> "If the registrant's employment is on a regularly monthly or annual basis and is for services other than activities specified in Section 9906 of the Government Code, the committee will deem that he has complied with this rule if he does either of the following:
>
> (a) States his annual or monthly compensation.
>
> (b) States that he is paid on a monthly or annual basis for various services, some of which do not constitute activities under Section 9906, and further states that he will make appropriate allocation of his compensation for activities covered by Section 9906 when such services are performed. If the registrant thereafter fails to make such allocation of his compensation in any monthly report, this failure shall be deemed sufficient ground for refusing a certificate or suspending or revoking a certificate."

It is our conclusion that where the advocate receives lump-sum payment, and cannot identify the amount of the compensation given for his services within the scope of Section 9906, he can be required to state his total compensation for his services in all capacities for the person or organization he represents.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By TERRY L. BAUM, Deputy

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 78**—Relative to fire safety in schools.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 80**—Relative to corrections in legislative digests.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick,

Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—75.

NOES—None

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 81**—Approving certain amendments to the charter of the City of Hayward, a municipal corporation in the County of Alameda, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the eighth day of April, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 80

By Messrs Kennick and Grant:

### House Resolution No. 80

Relating to the San Diego Freeway in Los Angeles County

WHEREAS, The Department of Public Works has demonstrated its wisdom and foresight by providing for the inclusion in the 1959-1960 State Highway Budget of the following items in connection with the San Diego Freeway in Los Angeles County:

"San Diego Freeway—Studebaker Road to 0.1 mile east of the Long Beach Freeway (portions); structures, pumping plant, and grading of structure approaches on the route of the San Diego Freeway ..... $8,500,000

"San Diego Freeway—0.1 mile east of Long Beach Freeway to Alameda Street; grade, pave and structures for 8-lane freeway (including portions of interchange at Long Beach Freeway) $6,500,000"; and

WHEREAS, The ultimate completion of the San Diego Freeway will materially relieve the existing congested traffic conditions and will correspondingly result in a saving of lives and property and will generally benefit the traveling public; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby commended for its actions in proceeding with the San Diego Freeway project; and be it further

*Resolved*, That the Department of Public Works is urged to undertake at the earliest possible moment the acquisition of rights-of-way for the San Diego Freeway from the Harbor Freeway to Studebaker Road and to use all its diligence in completing that portion of the San Diego Freeway; and be it further

*Resolved*, That the Department of Public Works conduct a survey and report to the Legislature at this session the costs of completing the San Diego Freeway from the Harbor Freeway to Studebaker Road; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto,

Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—75.

NOES—None.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1170**—An act to amend Sections 12126, 12151, 12153, 12154, 12155, 12276, 12402, 12405, 12431, 12435, 12464, 12465, 12494, 12495, 12622, 12623, 12624, 12626, 12676, 12682, 12801, 12802, 12803, 12834, 12952, 12977, 12997, 13102, 13103, 13105, 13112, and 13113 of, to repeal Sections 12127, 12401, 12403, 12432, 12433, 12434, 12437, 12438, 12461, 12625, and 12998 of, and to add Sections 12440, 12983, and 12998 to, the Revenue and Taxation Code, relating to insurance taxation, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 44**—Relative to public lands in South Humboldt Bay.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### ANNOUNCEMENT

Mr. McMillan announced that on Friday, February 27th, at 10 a.m., the State of California will execute a man in the gas chamber at San Quentin, and invited all members to witness the execution; that transportation to San Quentin would be provided, and urged the members to come to his desk to make arrangements for the trip.

#### Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: What is the business before the House?

#### Reply by Speaker

The Speaker replied that the present order of business was announcements.

#### Point of Personal Privilege

Mr. Chapel arose on a point of personal privilege.

Ruled not a point of personal privilege.

Statement

Mr. Conrad arose to make a statement relative to pictures of mangled victims.

Ruled not in order.

Inquiry

Mr. Levering arose to the following inquiry: What is the crime for which the prisoner is to be executed?

Speaker Brown ruled the inquiry not in order.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 374 FROM COMMITTEE

Mrs. Davis was granted unanimous consent that Assembly Bill No. 374 be withdrawn from the Committee on Fish and Game for purpose of amendment, and that the bill be re-referred to the committee.

Bill ordered temporarily passed on file, pending clarification of an apparent conflict in amendments to Assembly Bill No. 374.

## ANNOUNCEMENT

Miss Donahoe announced that she and Mr. Williamson were requesting the members to save the evening of April 2d for the Kern County dinner, invitations to which would be in the mail shortly.

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

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

**Assembly Bill No. 1688**: By Messrs. Chapel, Dills, Thomas, Don A. Allen, Johnson, Kilpatrick, Porter, George A. Willson, and Charles H. Wilson—An act to add Article 14 (commencing at Section 25291) to Chapter 13 of Division 18 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the establishment of a state college in the area of Los Angeles County and making an appropriation for site acquisition.

Referred to Committee on Education.

**Assembly Bill No. 1689**: By Mr. George E. Brown—An act to add Section 7615 to the Public Utilities Code, relating to railroads.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1690**: By Messrs. Bane, Kennick, Williamson, and George A. Willson—An act to amend Sections 4159, 4160, and 14600 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to notice of change of address of vehicle owners and operators.

Referred to Committee on Transportation and Commerce.

## CONSIDERATION OF ASSEMBLY BILL NO. 374

**Assembly Bill No. 374**—An act to amend Section 854 of the Fish and Game Code, relating to fish and game wardens.

Bill read second time.

**Motion to Amend**

Mrs. Davis moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 9 and 10.

Amendment read, and adopted.

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

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

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

**Assembly Bill No. 1691**: By Mr. Lunardi—An act to amend Sections 1, 2, 3.2, 3.4, 4.1, 4.11, 5, 5.1, 7.1, 10, 13, 14, 14.1, 15, 16, and 17 of, to amend and renumber Sections 5.3, 14.3, 30, 32, 33, 34, 35, 36, 37, and 38 of, to add Sections 4.12 and 4.13 to, and to repeal Sections 5.4, 5.5, 5.6, 5.7, 13.1, 14.2, 15.1, 15.2, 15.3, 15.4, 18, 19, 19.1, 19.2, 19 3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11, 19.13, 19.14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19.21, 20, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 21, 21.1, 22, 23, 24, 25, 26, 27, 28 and 29 of the Placer County Water Agency Act (Chapter 1234, Statutes of 1957), relating to the Placer County Water Agency, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Assembly Bill No. 1692**: By Mr. Waldie—An act to amend Section 13207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to revocation of certification documents whenever the holder has been convicted of certain sex offenses.

Referred to Committee on Education.

**Assembly Bill No. 1693**: By Mr. Frew—An act to amend Section 4002 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to violation of registration requirements.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1694**: By Mr. Rumford—An act to amend Section 11200 of the Health and Safety Code, relating to exempt narcotics.

Referred to Committee on Public Health.

**Assembly Bill No. 1695**: By Messrs. George E. Brown, Unruh, Gaffney, Busterud, Beaver, Biddick, Elliott, Kilpatrick, MacBride, Marks, Miller, Munnell, O'Connell, Porter, Sedgwick, Thomas, and Waldie—An act to amend Sections 6903, 6904, 8951, 8952, and 8955 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to mentally retarded children.

Referred to Committee on Education.

**Assembly Bill No. 1696**: By Mr. O'Connell—An act to add Division 4.3 (commencing with Section 11800) to the Business and Professions Code, relating to the regulation of organizations whose members are licensed, registered, or certificated under said code.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1697**: By Mr. O'Connell—An act to add Sections 301.5, 820.5, 2240, 6410, and 6411 to the Corporations Code, relating to the government of corporations.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1698**: By Messrs. Winton, Crawford, Biddick, and Ernest R. Geddes—An act to add Chapter 3 (commencing with Section 17750) to Part 3 of Division 7 of the Business and Professions Code, relating to the regulation, registration, and bonding of trading stamp companies.

Referred to Committee on Governmental Efficiency and Economy.

## REPORTS OF STANDING COMMITTEES

### Committee on Public Health

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 360

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 321

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 397

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Rules reports.

Senate Concurrent Resolution No. 13

With the recommendation: That the resolution be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 101

House Resolution No. 105

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 31

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 556
Assembly Bill No. 568

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

AssemblyBill No. 111

With the recommendation: Do pass.

CROWN, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, February 26, 1959

MR SPEAKER: Your Committee on Rules reports·

Assembly Concurrent Resolution No. 82
Assembly Concurrent Resolution No. 85

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

**Committee on Education**

ASSEMBLY CHAMBER, February 26, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No 381
Assembly Bill No. 10
Assembly Bill No. 24

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 26, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1081
Assembly Bill No. 1082
Assembly Bill No. 392

With the recommendation· Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 488
Assembly Bill No. 451
Assembly Bill No. 452
Assembly Bill No. 363
Assembly Bill No. 151
Assembly Bill No. 506

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 448
Assembly Bill No. 453
Assembly Bill No. 454

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bills ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, February 25, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 310

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 262
Assembly Bill No. 263
Assembly Bill No. 492
Assembly Bill No. 599

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 55

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No 82
Assembly Concurrent Resolution No. 85

And reports the same correctly engrossed

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 38**—Relative to making October 31st of each year Youth Honor Day;

**Assembly Joint Resolution No. 13**—Relative to equalizing retirement benefits for retired members of the Armed Forces who retired prior to June 1, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of February, 1959, at 11 a m.

BURKE, Chairman

## ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Backstrand announced a meeting of the Committee on Transportation and Commerce at 1.30 p.m. today in Room 2170.

## ADJOURNMENT

At 11.49 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 30 a.m., Friday, February 27, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

FORTIETH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, February 27, 1959

The Assembly met at 9.30 a m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

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

Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—73.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Merciful God,* Make the opening prayer each day to be a time of personal dedication for each Assembly Member and state employee. We would all speak to Thee on this day in words once written in a letter by a son to his mother:

"I would be true, for there are those who trust me;
I would be pure, for there are those who care;
I would be strong, for there is much to suffer;
I would be brave, for there is much to dare.
I would be friend of all, the foe, the friendless;
I would be giving, and forget the gift;
I would be humble, for I know my weakness;
I would look up, and laugh, and love, and lift."—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

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

## LEAVES OF ABSENCE

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

Mr. Holmes, on motion of Mr. Shell.
Mr. Munnell, on motion of Mr. Unruh.
Mr. Thomas, on motion of Mr. Porter.
Mr. Charles H. Wilson, on motion of Mr. Pattee.
Mr. Don A. Allen, on request of Speaker Brown.
Mr. Collier, on motion of Mr. Conrad.

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

Mr. Bradley, on motion of Mr. Shell.

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The following members were granted leaves of absence for a part of the day, to attend to legislative business elsewhere:

Mrs. Davis, to attend a meeting of the Fish and Game Commission.

Mr. Lanterman, to attend a meeting of the Joint Committee on Education.

Messrs. Waldie and Masterson, to attend a meeting in the Public Works Building at 10 a.m.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Walter C. Peterson, City Clerk of the City of Los Angeles, transmitting a report relative to water pollution control. Referred to the Committee on Water.

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Walter C. Peterson, City Clerk, by Henry P. Pio, Chief Deputy City Clerk of the City of Los Angeles transmitting a resolution relative to tax exemptions for small shipyards. Referred to the Committee on Revenue and Taxation.

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Minnie L. Fletcher of Los Angeles, relative to racial discrimination and legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Robert B Duncan, Speaker, Oregon House of Representatives, enclosing House Joint Memorial No. 1, relative to a treaty with Japan and other nations on maximum salmon fishing in the Pacific Ocean. Referred to Committee on Rules.

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF OREGON, OFFICE OF THE GOVERNOR
STATE CAPITOL, SALEM, February 23, 1959

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

DEAR MR. OHNIMUS. Receipt is hereby acknowledged of Assembly Concurrent Resolution No 10 felicitating the State of Oregon upon its 100th Anniversary.

On behalf of the people of the State of Oregon, I wish to take this means to thank the California Assembly for their adoption of this Resolution at the time of Oregon's 100th Birthday. It is especially gratifying to have such a token of friendship from or neighboring state, and it will be cherished by Oregonians for years to come

I welcome the pleasure of extending an invitation to you and the Members of the Assembly to visit the State of Oregon during the time of the Centennial Exposition and International Trade Fair—June 10 to September 17, 1959.

Sincerely,

MARK HATFIELD, Governor

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C., February 25, 1959

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

DEAR MR. OHNIMUS: I have been requested by Secretary Flemming and Surgeon General Burney to acknowledge with sincere thanks your thoughtful referral of Joint Resolution No. 6 of the California Assembly with reference to the National Conference on Air Pollution.

We are indeed appreciative of the commendatory statements in this resolution regarding the National Conference on Air Pollution. We too feel that the conference was quite successful in its several major missions—that of affording the opportunity for citizens representing the many interests concerned with the air pollution problem to discuss and exchange ideas, of assessing the present state of knowledge and level of air pollution research activity, and of determining future objectives of that research.

The National Conference on Air Pollution appears to have done much to alert the public and its leaders to problems of air pollution, to assess these problems nationally, and to chart a general course for dealing with them. It is felt that another national conference might be appropriately considered at a later date, when it would serve to appraise the progress made and any developments during the interval.

Sincerely yours,

M. D. HOLLIS, Assistant Surgeon General
Chief Engineer

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

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

**Assembly Bill No. 1699**: By Mr. Miller—An act to add Section 20814 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1700**: By Mr. McMillan—An act to add Sections 1012.1 and 1035.1 to, to amend Sections 1035, 1037, 1038, 1039 and 1041 of, and to repeal Section 1040 of, the Military and Veterans Code, relating to the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 1701**: By Mr. Pattee—An act to add Section 655 to the Unemployment Insurance Code, relating to excluded services.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1702**: By Mr. Lanterman—An act to amend Section 34312 of the Government Code, relating to the boundaries of new cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1703**: By Mr. Lanterman—An act to add Section 10116 to the Insurance Code, relating to group health and medical insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1704:** By Mr. Lanterman, and Senator Dilworth, Co-author—An act to amend Section 9575 of the Business and Professions Code, relating to dry cleaning, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1705:** By Mr. Thelin—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1706:** By Mr. Reagan—An act to amend Section 2652 of the Unemployment Insurance Code, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1707:** By Mr. Belotti—An act to amend Section 8842 of the Fish and Game Code, relating to trawl nets for shrimp or prawns.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1708:** By Messrs. Grant, Kennick, Johnson, Cusanovich, and Conrad—An act to amend Section 1861a of the Civil Code, relating to liens of keepers of apartment houses, apartments, cottages, and bungalow courts.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, February 26, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 455
With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.
Assembly Bill No 628
With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER. Your Committee on Transportation and Commerce reports:
Assembly Bill No. 585
With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 609
With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 22

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 4
Assembly Bill No. 288

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, February 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 20

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 222
Assembly Bill No. 235

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 615

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, February 27, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports

Assembly Bill No. 508

With amendments with the recommendation: Amend, and re-refer to the committee.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 531
Assembly Bill No. 216

With the recommendation. Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 154
Assembly Bill No. 157
Assembly Bill No 536
Assembly Bill No. 538
Assembly Bill No. 539
Assembly Bill No. 540
Assembly Bill No. 542
Assembly Bill No. 612
Assembly Bill No. 668
Assembly Bill No. 669

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 49

*With amendments with the recommendation:* Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 58
Assembly Bill No. 85
Assembly Bill No. 305

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 26, 1959

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

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 57
Assembly Concurrent Resolution No. 65
Assembly Concurrent Resolution No 71
Assembly Concurrent Resolution No. 81
Assembly Joint Resolution No. 10

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, February 26, 1959

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

Assembly Bill No. 11

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

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, February 26, 1959

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

Assembly Joint Resolution No. 3

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

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, February 26, 1959

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

Senate Bill No. 28
Senate Bill No. 63
Senate Bill No. 64
Senate Bill No 77
Senate Bill No. 89
Senate Bill No 131
Senate Bill No. 132
Senate Bill No. 140
Senate Bill No. 218

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 28**—An act to amend Section 705.3 of the Vehicle Code, relating to logging trucks.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 63**—An act to amend Section 600.5 of the Vehicle Code, relating to disposal of dirt and rocks upon public and private highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 64**—An act to amend Section 374b of the Penal Code, relating to the disposal of rocks and dirt on public and private property.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 77**—An act to add Section 701.5 to the Vehicle Code, relating to trailers.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 89**—An act to amend Section 16277 of the Education Code, and Section 16853 of the Education Code as proposed by Senate Bill No. 2, relating to school buses.

Referred to Committee on Education

**Senate Bill No. 131**—An act to amend Section 12107 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Agriculture.

**Senate Bill No. 132**—An act to amend Section 5093 of the Business and Professions Code, and to amend Section 5083 of the Business and Professions Code as proposed by Senate Bill No. 104, relating to accountancy.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 140**—An act to amend Sections 468.1, 469 and 471.5 of the Vehicle Code, and to amend Sections 21400, 21403 and 21404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to materials used in traffic signs.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 218**—An act to add Section 4305 to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

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

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

**Assembly Bill No. 1709**: By Mr. Backstrand—An act to amend Section 35407 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to water well drilling and servicing equipment on vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1710:** By Mr. Backstrand—An act to amend Sections 23102, 23103 and 23105 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session relating to drunken and reckless driving, and operating vehicles under the influence of narcotic drugs.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1711:** By Mr. Backstrand—An act to add Section 5109 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to issuance of special license plates.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1712:** By Mr. Backstrand—An act to amend Section 22400 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to minimum speeds for vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Joint Resolution No. 19:** By Mr. Lowrey—Relative to the Sacramento Valley Canals unit of the Central Valley Project.

Referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 85, 305, 500, 58, 60, 630, 125, 389, 573,** and **633.**

**Assembly Bills Nos. 58, 85,** and **305** ordered to third reading.

**Assembly Bills Nos. 500, 60, 630, 125, 389, 573,** and **633** ordered to third reading, subsequent to engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 501**—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 560**—An act to amend Section 1080 of the Agricultural Code, relating to use and application of injurious materials.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 638**—An act to amend Section 762.9 of the Agricultural Code, relating to canning tomato inspection fees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

#### Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "thirty-five cents ($0.35)", and insert "thirty-four cents ($0.34)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 639**—An act to amend Sections 781, 784.4 and 784.6 of the Agricultural Code, and to add Section 12604.5 to the Business and Professions Code, relating to fruit, nut and vegetable standards and containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture were read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "and", insert ", unless otherwise specifically defined in this chapter,".

**Amendment No. 2**

On page 1, line 11, strike out "50", and insert "40".

**Amendment No. 3**

On page 1, line 12, strike out the period, and insert "in the form of a lid, cover or wrapping of any kind."

**Amendment No. 4**

On page 3, line 27, after "and", insert ", unless otherwise specifically defined in this chapter,".

**Amendment No. 5**

On page 3, line 28, strike out "50", and insert "40".

**Amendment No. 6**

On page 3, line 29, strike out the period, and insert "in the form of a lid, cover or wrapping of any kind."

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

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 663**—An act to amend Section 5101 of the Streets and Highways Code and Section 50550 of the Government Code, relating to the installation and sale of electric transmission and communications facilities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 5101", and insert "Sections 5101, 5132 and 5220".

**Amendment No. 2**

In line 2 of the title, after "Government Code," insert "and to add Section 5103 to the Streets and Highways Code,".

**Amendment No. 3**

In lines 3 and 4 of the title, strike out "transmission and communications", and insert ", telephone, water and gas".

**Amendment No. 4**

On page 2, line 15, strike out "energy", and insert "service".

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

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**Amendment No. 5**

On page 2, between lines 47 and 48, insert

"SEC. 2. Section 5103 is added to said code, to read:

5103. Whenever the work or improvement includes the installation of works or appliances for supplying electric, telephone, water or gas service, and the territory in which the work or improvement is contemplated is within the service area of a public utility or public agency supplying such service, the legislative body shall, before the adoption of the resolution of intention, enter into an agreement with such public utility or public agency which agreement shall, among other things, provide for the following:

(a) For the supplying or approval by the public utility or public agency of plans and specifications for the work or improvement.

(b) For the performance of work or service, for an allowance or contribution by the public utility or public agency toward the cost of the work or service where provided for by its established rules or regulations, and for the payment for such work or service.

(c) That the agreement shall become effective upon the effective date of the resolution or ordinance ordering the work in proceedings taken pursuant to this division.

(d) That after the work has been completed, and upon acceptance by the public utility or public agency, title to the work or improvement shall vest in the public utility or public agency and constitute a part of its system supplying such electric, telephone, water or gas service, and, shall be used, operated, maintained and managed by it as a part of such system.

SEC. 3. Section 5132 of said code is amended to read:

5132. The resolution of intention shall be sufficient if it states in general terms the class or kinds of work contemplated such as grading, paving, sewering or other work, and gives in general the location of the proposed work and refers to plans, profiles, detailed drawings and specifications or such of them as may be suitable or proper for the full and detailed description of the proposed work *and if it refers to any agreement entered into pursuant to Section 5103*. The resolution of intention shall contain also a notice of the day, hour and place when and where any and all persons having any objections to the proposed work may appear before the legislative body and show cause why the proposed work should not be carried out in accordance with the resolution of intention. The time shall not be less than 15 or more than 60 days from the date of the passage of the resolution.

SEC. 4. Section 5220 of said code is amended to read:

5220. At any time not later than the hour set for hearing objections to the proposed work, any owner of property liable to be assessed for the work may make written protest against the proposed work or against the extent of the district to be assessed, [or both] *or against any agreement entered into pursuant to Section 5103, or any of them*. Such protest must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and be delivered to the clerk, and no other protests or objections shall be considered."

**Amendment No. 6**

On page 2, line 48, strike out "2", and insert "5".

**Amendment No. 7**

On page 3, lines 7 and 8, strike out "electric light or power", and insert "electricity and electric".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

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NOTE—On March 2d (Assembly Journal, page 980) the record was expunged, and the action rescinded whereby Assembly Bill No. 828 was this day read the second time, and amended (pages 944-947).

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NOTE—On March 2d (Assembly Journal, page 980) the record was expunged, and the action rescinded whereby Assembly Bill No 828 was this day read the second time, and amended (pages 944-947)

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NOTE—On March 2d (Assembly Journal, page 980) the record was expunged, and the action rescinded whereby Assembly Bill No. 830 was this day read the second time, and amended (pages 947-949).

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NOTE—On March 2d (Assembly Journal, page 980) the record was expunged, and the action rescinded whereby Assembly Bill No. 830 was this day read the second time, and amended (pages 947-949).

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**Assembly Bill No. 637**—An act to amend Section 3000 of the Welfare and Institutions Code, relating to aid to needy blind persons.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 651**—An act to amend Section 4160 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 258**—An act to amend Section 2180.5 of the Welfare and Institutions Code, relating to the commencement of aid payments to applicants for old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "2180.5", and insert "103.3".

**Amendment No. 2**

In line 3 of the title, strike out "old age", and insert "public".

**Amendment No. 3**

On page 1, line 1, strike out "2180.5", and insert "103.3".

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

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**Amendment No. 4**

On page 1 strike out lines 3 to 22 inclusive, and insert

"103 3. The provisions of this code relative to public assistance for which state grants-in aid are made to the counties shall be administered fairly to the end that all persons who are eligible and apply for such public assistance shall receive the assistance to which they are entitled promptly, with due consideration for the needs of applicants and the safeguarding of public funds.

(a) Any applicant for, or recipient or payee of, such public assistance shall be informed as to the provisions of eligibility and his responsibility for reporting facts material to a correct determination of eligibility and grant.

(b) Any applicant for, or recipient or payee of, such public assistance shall be responsible for reporting accurately and completely within his competence those facts required of him pursuant to subdivision (a) and to report promptly any changes in those facts.

(c) Any person who makes full and complete disclosure of those facts as explained to him pursuant to subdivision (a) is entitled to rely upon the award of the board of supervisors as being accurate, and that the warrant he receives correctly reflects the award made by the board, except that the county paying the aid shall be allowed a period of two months following the month of payment within which to adjust any errors or changes in amount of grant resulting from changes in income or need which occur too late to be reflected in the grant for the current month.

(d) If any overpayment which results because of the failure to report facts in accordance with subdivision (b) is not adjusted within a period of two months following the month of overpayment, the person receiving the aid shall make restitution and all actions necessary to secure restitution may be brought against him.

If the recipient or family is currently eligible in accordance with law and the rules of the State Social Welfare Board, collection of overpayments shall not be made through discontinuance or reduction of aid beyond the grant adjustment period permitted by subsection (c) except where the recipient or family at the time of determination of the overpayment possessed liquid assets sufficient to support himself or his family at the rate of the grant during the period of reduction or discontinuance thereof.

(e) If it is found that a recipient or a family was possessed of property in excess of the amount permitted by law, and it is established that the recipient or family received such aid in good faith, honestly believing eligibility was properly established, the amount collectible shall be limited to an amount equal to the market value of the excess property or the amount of aid granted during the period the excess property was held, whichever is the lesser.

(f) When an underpayment *or denial* of aid occurs because of an administrative error or inadvertence on the part of a county and as a result the *applicant or* recipient [receives a lesser] *does not receive* the amount [than that] to which he is entitled, the county shall pay aid equal to the full amount of the underpayment which occurred during the four years immediately preceding the date the error or inadvertence is discovered."

**Amendment No. 5**

On page 2, strike out lines 1 to 8, inclusive

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

**Assembly Bill No. 521**—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

**Amendment No. 1**

On page 1, lines 18 and 19, of the printed bill strike out "under Chapter 1 of Division 3 of the code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 57**—An act to amend Section 8 of the Corporations Code, to add Section 11 to the Code of Civil Procedure, to amend Section 13 of the Education Code, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code and to amend Section 10 of the Vehicle Code, relating to the use of certified mail.

Bill read second time.

**Motion to Amend**

Mr. Busterud moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill strike out "13", and insert "31".

**Amendment No. 2**

In line 3 of the title after "Code", insert "as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

In line 6 of the title strike out "and", and insert a comma.

**Amendment No. 4**

In line 7 of the title after the comma, insert "and to add Section 29 to the Vehicle Code as proposed by Assembly Bill No. 5,".

**Amendment No. 5**

On page 2, strike out lines 3 to 14, inclusive, and insert

"SEC. 3. Section 31 of the Education Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

31. Writing includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement, or record is required or authorized by this code, it shall be made in writing in the English language unless it is expressly provided otherwise.

*Wherever any notice or other communication is required by this code to be mailed by registered mail by or to any person or corporation, the mailing of such notice or other communication by certified mail shall be deemed to be a sufficient compliance with the requirements of law*"

**Amendment No. 6**

On page 3, after line 28, insert

"SEC. 9. Section 29 is added to the Vehicle Code as proposed by Assembly Bill No. 5, to read:

29. Wherever any notice or other communication is required by this code to be mailed by registered mail by or to any person or corporation, the mailing of such

notice or other communication by certified mail shall be deemed to be a sufficient compliance with the requirements of law.

SEC. 10. Section 9 of this act becomes operative only if the Vehicle Code as proposed by Assembly Bill No. 5 is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as said code takes effect, at which time Section 10 of the Vehicle Code adopted in 1935 is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 278**—An act to amend Sections 10201, 10321.5 and 10581.5 of the Business and Professions Code, relating to real estate licenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 425**—An act to amend Sections 11002 and 11003 of the Government Code, relating to receipt of mail by the State and its agencies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 533**—An act to amend Section 1225 of the Government Code, relating to the authority of legislators to administer and certify oaths.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 566**—An act to amend Sections 3632 and 3672 of the Corporations Code, relating to amendments to articles of incorporation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 627**—An act to add Section 329.5 to the Code of Civil Procedure, relating to the statute of limitations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 133**—An act to amend Sections 1428 and 1428b of, and to repeal Section 1428a of, the Penal Code, relating to the keeping and destruction of records of inferior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "the names of all witnesses sworn, all the exhibits introduced,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 34**—An act to amend Sections 375.8, 377.8 and 1118 of the Agricultural Code, relating to New York dressed fowl.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 35**—An act to amend Section 502 of the Agricultural Code, relating to approved milk inspection service.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 66**—An act to amend Section 380.12 of, and to repeal Section 380.11 of, the Agricultural Code, relating to chicken poultry meat and declaring the urgency thereof, to take effect immediately.

Bill read second time, and to third reading.

**Assembly Bill No. 386**—An act to amend Section 264.1 of, and to add Section 260 85 to, the Agricultural Code, relating to diseased animals, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 584**—An act to amend Section 263.2 of, and to add Sections 260.25 and 260 85 to, the Agricultural Code, relating to bovine brucellosis.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 290**—An act to add Section 5011 to the Elections Code, relating to misrepresentation in election campaigns.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out lines 3 to 5, inclusive, and insert "Any member of a county central committee or official party organization may commence an action in the superior court to enjoin misrepresentation by a candidate or committee in his behalf, in the manner prohibited by this section, to the effect that such candidate has the support of such committee or organization."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 74**—An act to add Section 5006 5 to the Elections Code, relating to election campaigns.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill as amended in Assembly February 16, 1959, strike out "Every", and insert "No".

Amendment No. 2

On page 1, line 3, strike out "is guilty of a misdemeanor, who", and insert a comma.

Amendment No. 3

On page 1, line 7, strike out "does", and insert "shall do".

Amendment No. 4

On page 1, line 9, strike out "Assumes, pretends, or implies", and insert "Assume, pretend, or imply".

Amendment No. 5

On page 1, line 12, strike out "Assumes, pretends, or implies", and insert "Assume, pretend, or imply".

Amendment No. 6

On page 1, line 14, strike out "The provisions of this"; and on page 2 strike out lines 1 to 12, inclusive, and insert

"Any violation of this section may be enjoined in a civil action brought by the incumbent of the public office involved. The petitioner in such action shall also be

awarded damages in the amount of one thousand dollars ($1,000) for the first violation, his reasonable attorney fees, and five hundred dollars ($500) for each day on which the person enjoined violates this section following the issuance of the injunction."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 456**—An act to add Section 32109 to the Health and Safety Code, and to amend Section 4501 of the Elections Code, relating to hospital districts.

Bill read second time

Motion to Amend

Mr. Bee moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, before "Section", insert "SECTION 1"

Amendment No. 2

On page 1, line 3, after "1", insert "(commencing at Section 4500)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 623**—An act to amend Sections 8026 and 8029 of the Elections Code, relating to the recount of ballots for congressional and legislative offices.

Bill read second time, and ordered engrossed

**Assembly Bill No. 1**—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to eligibility for old age assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, lines 14 and 15, of the printed bill, strike out "since January 1, 1932", and insert "for 25 years at the time of making application".

Amendment No. 2

On page 2, line 4, strike out "declare under oath".

Amendment No. 3

On page 2, strike out line 5.

Amendment No. 4

On page 2, line 6, strike out "shall annually thereafter".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 360**—An act to amend Section 24228 of the Health and Safety Code, relating to air pollution control districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 397**—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill as amended in Assembly February 20, 1959, after "reward", insert "The postgraduate course shall be offered only in the evenings or on Mondays."

Bill ordered reprinted, and ordered re-engrossed.

**Assembly Bill No. 556**—An act to add Section 1242.5 to the Code of Civil Procedure, relating to survey and exploration of land for reservoir purposes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "it", and insert "and in the event such agency is unable by negotiations to obtain consent of the owner to enter upon his land for such purposes, the agency"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 568**—An act to amend Section 3051a of the Civil Code and Section 425 of the Vehicle Code, relating to liens.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted.

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "three hundred dollars ($300)", and insert "two hundred dollars ($200)".

**Amendment No. 2**

On page 2, line 12, strike out "three hundred dollars ($300)", and insert "two hundred dollars ($200)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 111**—An act to amend Sections 5931 and 7842 of the Elections Code, relating to absentee voter ballots.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 381**—An act to amend Sections 6854, 9545 and 9562 of the Education Code, and Sections 8851, 8903 and 11204 of the Education Code as proposed by Senate Bill No. 2, relating to county superintendents of schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, beginning in line 1 of the title of the printed bill, strike out "Sections 6854, 9545, and 9562 of the Education Code, and".

**Amendment No. 2**

On page 1, strike out lines 1 to 18, inclusive; on page 2 strike out lines 1 to 51, inclusive; and on page 3 strike out lines 1 to 35, inclusive.

**Amendment No. 3**

On page 3, line 36, strike out "4", and insert "1".

**Amendment No. 4**

On page 3, line 45, strike out "for", and insert "of".

**Amendment No. 5**

On page 4, line 29, strike out "5", and insert "2".

**Amendment No. 6**

On page 4, beginning in line 50, strike out "less any restricted remaining balance for", and insert "of".

**Amendment No. 7**

On page 4, line 52, after the comma, insert "less any restricted remaining balance and any amount received by the county superintendent of schools under the provisions of the National Defense Education Act of 1958 (Public Law 864, Eighty-fifth Congress) or under any similar provisions of any other act of Congress,".

**Amendment No. 8**

On page 5, line 8, strike out "6", and insert "3".

**Amendment No. 9**

On page 5, line 35, strike out "7", and insert "4".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 10**—An act to add Article 15 (commencing with Section 9220) to Chapter 7 of Division 4 of the Education Code, relating to the education of gifted high school pupils.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "15 (commencing at Section 9220) to Chapter 7 of Division 4", and insert "13 (commencing at Section 6401) to Chapter 6 of Division 6".

**Amendment No. 2**

In line 2 of the title, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

In line 3 of the title, after "the", insert "advanced".

**Amendment No. 4**

In line 3 of the title, strike out "gifted", and insert "12th grade".

**Amendment No. 5**

In line 3 of the title, strike out "pupils", and insert "students".

**Amendment No. 6**

On page 1, strike out line 1 to 5, inclusive, and insert

"SECTION 1. Article 13 (commencing at Section 6401) is added to Chapter 6 of Division 6 of the Education Code, to read:

Article 13. Advanced Education of 12th Grade Students".

**Amendment No. 7**

On page 1, line 7, strike out "9220", and insert "6401".

**Amendment No. 8**

On page 1, lines 9 and 10, strike out "are intellectually gifted to an extent enabling them to master more", and insert "would benefit from".

**Amendment No. 9**

On page 1, line 11, after "authorize", insert "such".

**Amendment No. 10**

On page 1, line 12, strike out "determined to be intellectually gifted".

**Amendment No. 11**

On page 1, line 13, after "college", insert "as special part-time students".

**Amendment No. 12**

On page 1, line 17, strike out "9221", and insert "6402".

**Amendment No. 13**

On page 1, lines 17 and 18, strike out "determined to be intellectually gifted, and".

**Amendment No. 14**

On page 1, line 18, strike out the first comma, and insert "as a special part-time student pursuant to Section 6401".

**Amendment No. 15**

On page 2, line 1, after the first "and", insert "to".

**Amendment No. 16**

On page 2, line 3, strike out "9222", and insert "6403".

**Amendment No. 17**

On page 2, line 6, strike out "pupils", and insert "students".

**Amendment No. 18**

On page 2, line 7, after "college", insert "as special part-time students".

**Amendment No. 19**

On page 2, line 9, strike out "pupil", and insert "student".

**Amendment No. 20**

On page 2, line 11, strike out "pupils", and insert "students".

**Amendment No. 21**

On page 2, lines 13 and 14, strike out "units of average daily"

**Amendment No. 22**

On page 2, line 14, strike out ", in connection with", and insert "by".

**Amendment No. 23**

On page 2, line 14, strike out "pupils," and insert "students".

**Amendment No. 24**

On page 2, line 15, strike out "pupil's", and insert "student's".

**Amendment No. 25**

On page 2, line 17, strike out "pupil's".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 24**—An act to add Chapter 3, commencing at Section 5251, to Division 3 of the Education Code, providing for school districts public works and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "3, commencing at Section 5251," and insert "2.5 (commencing at Section 17571)".

**Amendment No. 2**

In line 2 of the title strike out "3 of the Education Code", and insert "14 of the Education Code, as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, of the printed bill, strike out the first "3", and insert "2.5".

**Amendment No. 4**

On page 1, line 1, strike out the second "3", and insert "14".

**Amendment No. 5**

On page 1, line 2, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session."

**Amendment No. 6**

On page 1, line 4, strike out "3", and insert "2.5".

**Amendment No. 7**

On page 1, line 6, strike out "5251", and insert 17571".

**Amendment No. 8**

On page 2, line 13, strike out "5252", and insert "17572".

**Amendment No. 8.5**

On page 2, line 45, strike out "8823", and insert "5717".

**Amendment No. 9**

On page 2, line 49, strike out "5253", and insert "17573".

**Amendment No. 10**

On page 3, line 19, strike out "5254", and insert "17574"

**Amendment No. 11**

On page 3, line 27, strike out "5255", and insert "17575".

**Amendment No. 12**

On page 3, line 28, strike out "19", and insert "10".

**Amendment No. 13**

On page 3, line 31, strike out "5256", and insert "17576".

**Amendment No. 14**

On page 3, line 37, strike out "5257", and insert "17577".

**Amendment No. 15**

On page 3, line 49, strike out "5258", and insert "17578".

**Amendment No. 16**

On page 4, line 11, strike out "5259", and insert "17579".

**Amendment No. 17**

On page 4, line 22, strike out "5260", and insert "17580".

**Amendment No. 18**

On page 4, line 28, strike out "5261", and insert "17581".

**Amendment No. 19**

On page 4, line 37, strike out "5262", and insert "17582".

**Amendment No. 20**

On page 4, line 42, strike out "5263", and insert "17583".

**Amendment No. 21**

On page 4, line 50, strike out "5264", and insert "17584".

**Amendment No. 22**

On page 5, line 5, strike out "5265", and insert "17585".

**Amendment No. 23**

On page 5, line 29, strike out "5266", and insert "17586".

**Amendment No. 24**

On page 5, line 37, strike out "5267", and insert "17587".

**Amendment No. 25**

On page 6, line 2, strike out "5265", and insert "17585".

**Amendment No. 26**

On page 6, line 4, strike out "5265", and insert "17585"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 488**—An act to add Section 20596.1 to, and to amend Section 20601 of, the Education Code; to add Section 24556.5 to, and to amend Section 24561 of, the Education Code as proposed by Senate Bill No. 2, relating to the State College Revenue Bond Act of 1947.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 451**—An act to amend Section 19302 of the Education Code, and to amend Section 17101 of the Education Code as proposed by Senate Bill No. 2, relating to charges against school district funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 452**—An act to amend Section 5901 of the Education Code and Section 21301 of the Education Code as proposed by Senate Bill No. 2, relating to school district funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 363**—An act to amend Section 4238 of, to repeal Section 4239 of, the Education Code, and to amend Section 2561 of, and to repeal Section 2562 of, the Education Code as proposed by Senate Bill No 2, relating to the formation of junior college districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 151**—An act to amend Section 14108 of the Education Code, relating to the compensation of members of school district personnel commissions.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 506**—An act to amend Section 1301.1 of the Education Code, and amend Section 1532 of the Education Code, as proposed by Senate Bill No. 2, relating to district superintendents of schools.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 448**—An act to amend Section 18191 of the Education Code, and Section 15451 of the Education Code as proposed by Senate Bill No. 2, relating to school buildings.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Section 15451 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 2**

In line 3 of the title, strike out "Bill No. 2".

**Amendment No. 3**

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 15451 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 1, line 16, after the period, insert "Nothing in this section shall be construed to allow a school district to perform work with its own forces in excess of the limitations set forth in Sections 15951 and 15957 of this chapter."

**Amendment No. 5**

On page 1, strike out lines 17 to 22, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 453**—An act to repeal Sections 7018.1 of, and to add Section 7018.1 to, the Education Code, to repeal Section 18060 of, and to amend and renumber Section 18060.1 of, the Education Code as proposed by Senate Bill No. 2, relating to allowances to local school districts for transportation of pupils, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 2**

On page 2, between lines 18 and 19, insert

"(c) An integrated program shall be defined as any program in which physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, the continuing services of a special teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program, said special teacher to teach them the appropriate tool skills, provide them with the appropriate special materials, and give them the appropriate counseling and guidance necessary to enable them to benefit fully from the regular classroom program."

**Amendment No. 3**

On page 2, lines 19 and 20, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 4**

On page 2, after line 51, insert

"(c) An integrated program shall be defined as any program in which physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, the continuing services of a special teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program, said special teacher to teach them the appropriate tool skills, provide them with the appropriate special materials, and give them the appropriate counseling and guidance necessary to enable them to benefit fully from the regular classroom program"

**Amendment No. 5**

On page 3 strike out lines 3 to 5, inclusive, and insert "when the Education Code as enacted by the Legislature at its 1959 Regular Session takes effect;".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 454**—An act to amend Sections 9821, 9822 and 9823 of the Education Code, and to amend Sections 6914, 6915 and 6916 of the Education Code as proposed by Senate Bill No. 2, relating to advance apportionment of state aid to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert "An act to amend Sections 6914, 6915 and 6916 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relat-".

**Amendment No. 2**

On page 1, strike out lines 1 to 19, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert "SECTION 1. Section 6914 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read .".

**Amendment No. 3**

On page 2, line 33, strike out "SEC. 5.", and insert "SEC. 2."

**Amendment No. 4**

On page 2, line 46, strike out "SEC. 6.", and insert "SEC. 3."

**Amendment No. 5**

On page 3, strike out lines 10 to 16, inclusive

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 310**—An act to amend Section 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of an instrument.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "officer", insert "specified below".

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 93**—An act to add Section 2193 to the Agricultural Code, relating to marketing programs.

Bill read second time, and ordered to third reading.

**Senate Bill No. 94**—An act to amend Section 1300.17 of the Agricultural Code, relating to marketing orders.

Bill read second time, and ordered to third reading.

**Senate Bill No. 95**—An act to amend Sections 796.1, 796.6 and 828.83 of the Agricultural Code, relating to citrus fruits.

Bill read second time, and ordered to third reading.

### MOTION RELATIVE TO SALARY OF SECOND SECRETARIES

Mr. Miller moved that second secretaries assigned to members from the secretarial pool receive the basic salary paid to pool secretaries.

Mr. Kilpatrick seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Conrad, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Miller, Mulford, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—54.

NOES—None.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Nisbet moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 1543 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Lowrey seconded the motion:

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1543 FROM COMMITTEE

Mr. Nisbet was granted unanimous consent that Assembly Bill No. 1543 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1543

**Assembly Bill No. 1543**—An act to add Section 1265 to Article 1 of Chapter 5 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

#### Motion to Amend

Mr. Nisbet moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, after line 11, insert

"This amendment is hereby declared to be merely a clarification of the original intention of the Legislature and is not a substantive change, and is in conformity with the existing administrative interpretation of the law."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1713**: By Mr. Kilpatrick (By Request)—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in the event of war or enemy-caused disaster.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1714**: By Mr. Kilpatrick (By Request)—An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1715**: By Messrs. Lunardi, Francis, Biddick, Garrigus, and Winton—An act to repeal Section 13363 of, and to add Section 13363 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to conviction of a traffic offense in another state.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1716**: By Messrs. Lunardi, Garrigus, Francis, and Winton—An act to amend Section 14601 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to mandatory minimum sentences upon conviction of driving while license refused, suspended or revoked.

Referred to Committee on Criminal Procedure.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 599**—An act to add Section 1.5 to Chapter 2165 of the Statutes of 1957, relating to recreation, park and parkway districts

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 73**—An act to amend Sections 9084.5 and 9087 of the Insurance Code, relating to limitations on the risks to be insured against by insurance policies issued by fraternal fire insurers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 492**—An act to amend Sections 769, 1228 and 1416 of the Financial Code, relating to investments and loans by banks, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 68**—An act to add Section 13103 to the Fish and Game Code, relating to fish and game funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller,

Mulford, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 101

By Mr. Lowrey:

### House Resolution No. 101

Relative to state school building aid

WHEREAS, The State has been providing funds for allocation to school districts for the construction of needed school facilities; and

WHEREAS, Many school districts have been applying to the State Allocation Board for loans and grants from such funds; and

WHEREAS, The State Allocation Board has approved many applications apportioning funds for the use of such needy school districts, and

WHEREAS, Many school districts desire to avail themselves of the opportunity to review, consider and study the layouts and design of such facilities; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Allocation Board make typical layouts, designs and plans as approved by the State Allocation Board available for use by such school districts; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the Chairman of the State Allocation Board

Resolution read, and adopted.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 85**—Approving a charter amendment to the charter of the City of Whittier, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at the general election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote.

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66
NOES—None.

Resolution ordered transmitted to the Senate.

### Speaker Presiding

At 10.23 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 389, 573, 35, 386,** and **488,** subsequent to engrossment.

**Senate Bill No. 93.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 83**—Relative to the passing of Mrs. Mary Rapp.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 99

By Mr. Bee:

### House Resolution No. 99

Relative to the passing of Mr. Hans Henningsen

WHEREAS, Hans Henningsen, a native Californian and a pioneer of this State, who contributed much to the development and welfare of this State, passed away on February 2, 1959; and

WHEREAS, Mr. Henningsen, born in Hayward, California, in 1884, was Deputy County Clerk for Alameda County for five years; was associated with the Crocker-Anglo Bank for 30 years, having retired in 1952; and

WHEREAS, He was a charter member of the Hayward Lions Club, the Odd Fellows, Dania Lodge and the Hayward Chamber of Commerce; and

WHEREAS, Throughout his long and useful life Mr. Henningsen made significant and important contributions to the public welfare through his active participation in civic and municipal affairs; and

WHEREAS, He was honored by the Lions Club of Hayward by being selected as a Man of the Year for his community services; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body express their regret and deep personal sorrow in the loss of so able a citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to his widow, Matilda Henningsen, and to his sons, Dr. Melvin Henningsen of Hayward and Irving J. Henningsen of Atherton, and to his sisters, Mrs. Hans Kuck and Mrs. Mary Davey of Oakland.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 105

By Mr. Francis:

### House Resolution No. 105

Relative to the passing of Mrs. Irene Moore Brady

WHEREAS, Mrs. Irene Moore Brady, an outstanding philanthropist, has passed on to her final reward; and

WHEREAS, Mrs. Brady, a native of Peoria, Illinois, was, for many years, a resident of Hillsborough; and

WHEREAS, She was given almost sole credit for organizing the Peninsula Humane Society and was that organization's greatest single benefactor, having contributed $100,000 in 1952 to finance construction of the Peninsula Humane Society Animal Shelter at Coyote Point; and

WHEREAS, While Mrs. Brady was active in charitable affairs, she never sought publicity for herself in connection with her very noteworthy achievements; and

WHEREAS, Mrs. Brady was the widow of James H. Brady, the noted Governor and Senator of the State of Idaho; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body expresses its most profound regrets upon the passing of so generous a contributor to important charities, and extends its most sincere sympathies to the family of Mrs. Irene Moore Brady; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Brady's sisters, Mrs. Henry Suzzallo of Hillsborough, and Mrs G. M. Pierce of Tucson, Arizona.

Resolution read, and adopted unanimously.

### Speaker pro Tempore Presiding

At 10.25 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 82**—Relative to the congratulation and commendation of Lt. Shepherd M. Jenks.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### THIRD READING OF SENATE BILLS

**Senate Bill No. 12**—An act to amend Section 7148 of the Fish and Game Code, relating to possession of trout, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

#### Speaker Presiding

At 10.29 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Senate Concurrent Resolution No. 31**—Relative to the commendation of the City of Torrance, California, and the City of Konya, Turkey, for participating as sister cities in President Eisenhower's "People-to-People" Program.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

### ANNOUNCEMENT

Speaker Brown announced that the advantage of meeting on Fridays is to build up the Daily File, and also to give the authors of bills introduced on Friday, a three-day advantage over their introduction on Monday.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1717**: By Messrs. Lunardi and Sedgwick—An act to make an appropriation for a loan to the South Sutter Water District for the construction of an irrigation project, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Assembly Bill No. 1718**: By Mr. MacBride—An act to amend Section 11713 of, and to add Sections 11718, 11719, 11720 and 11721 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing and regulation of manufacturers, transporters and dealers of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1719**: By Mr. Chapel and Miss Donahoe—An act to add Section 202.6 to the Revenue and Taxation Code, relating to the exemption from taxation of property used exclusively for the public schools.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1720**: By Messrs. Hegland, Schrade, Luckel, and Crawford—An act to amend Section 31214 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state scholarships.

Referred to Committee on Education.

**Assembly Bill No. 1721**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Sections 10953, 10954 and 10955 of, and to repeal Section 10956 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to attendance of pupils in the public schools.

Referred to Committee on Education.

**Assembly Bill No. 1722**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5555 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to evening high school and junior college classes.

Referred to Committee on Education.

**Assembly Bill No. 1723**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Sections 10553 and 10601 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the exclusion and suspension of pupils attending public schools.

Referred to Committee on Education.

**Assembly Bill No. 1724**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Sections 9251, 9253, 9604 and 10008 of the Education Code, as

enacted by the Legislature at its 1959 Regular Session, relating to school textbooks.

Referred to Committee on Education.

**Assembly Bill No. 1725:** By Messrs. Z'berg, MacBride, Samuel R. Geddes, and Lunardi—An act to add Chapter 2.8 (commencing at Section 8150) to Division 1 of Title 2 of the Government Code, relating to the Capitol Building and Planning Commission, and making an appropriation.

Referred to Committee on Government Organization.

**Assembly Bill No. 1726:** By Mr. Williamson and Miss Donahoe, and Senator Stiern, co-author (By Request)—An act to amend Section 26108 of the Government Code, relating to compensation and traveling expenses of the members of a county board of trade or county chamber of commerce.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1727:** By Mr. Lunardi, Mrs. Davis, Mr. Williamson, Miss Donahoe, Messrs. Beaver, Belotti, Burton, Busterud, Crown, DeLotto, Frew, Gaffney, Garrigus, Samuel R. Geddes, House, Lowrey, MacBride, Masterson, Meyers, Mulford, Rumford, Waldie, Winton, and Z'berg—An act to amend Section 7677.1 of the Public Utilities Code, relating to train orders.

Referred to Committee on Public Utilities and Corporations.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Z'berg, MacBride, Bruce F. Allen, Biddick, Britschgi, George E. Brown, Burton, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Mrs. Davis, Messrs. Dills, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Masterson, McMillan, Meyers, Mulford, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, and George A. Willson:

### House Resolution No. 106

Relative to the Pacific Southwest Local Service Case

WHEREAS, The Civil Aeronautics Board is conducting a proceeding known as the *Pacific Southwest Local Service Case* in which it will examine the need for new and improved air service to Sacramento, California; and

WHEREAS, The capital of California is located in Sacramento and approximately 6,400,000 people, representing approximately 45 percent of the State's population, reside in Los Angeles and San Diego Counties alone; and

WHEREAS, 41 out of the 80 Members of the Assembly and six Members of the Senate reside in portions of Southern California which could receive improved air service to Sacramento via either Los Angeles or San Diego; and

WHEREAS, Legislators require the fastest possible transportation by air because they are frequently required to return to their home districts during the lengthy legislative sessions; and

WHEREAS, Numerous constituents in Southern California and the San Joaquin Valley require the best possible air transportation to Sacramento to look after their interests in the state capital; and

WHEREAS, There is a great deal of travel between Sacramento, on the one hand, and Los Angeles and San Diego, on the other hand, by various state departments, and

WHEREAS, There is but one airline presently serving the Sacramento-Los Angeles-San Diego areas and the needs of the Legislature, the state departments, and other people of the State of California; and

WHEREAS, The competitive trunkline service which has been proposed in the *Pacific Southwest Local Service Case* would provide four-engine, jet-prop service and thus reduce the present elapsed time between Sacramento and Los Angeles and between Sacramento and San Diego by over 30 percent and improve the present air service; and

WHEREAS, There is also a need for improved local air service to intermediate cities, such as Fresno and Bakersfield; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. That the Assembly strongly urges the Civil Aeronautics Board to authorize competitive trunkline air service between Sacramento, on the one hand, and Los Angeles and San Diego, on the other hand.

2. That the Assembly also urges the Civil Aeronautics Board to authorize local air service between Sacramento and various intermediate cities, such as Fresno and Bakersfield.

3. That the Speaker of the Assembly appoint one representative to appear at the hearing in the *Pacific Southwest Local Service Case, Docket No. 5645, et al.*, to commence on March 10, 1959, in Long Beach, California, and support the need for competitive trunkline air service between Sacramento, on the one hand, and Los Angeles and San Diego, on the other hand, and local air service to intermediate points.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, February 27, 1959

MR SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 489

With amendments with the recommendation Amend, and do pass, as amended

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 78
Assembly Bill No 487

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bill ordered to second reading.

## EXPLANATION OF ABSENCE

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 27, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Assembly Chamber, Sacramento*

MR. SPEAKER: Because I was called to the Governor's Office for a lengthy conference it was necessary for me to be absent from the Assembly Chamber much of this legislative day. As a result I did not have the opportunity to vote on many of the bills on the Daily File.

Sincerely yours,

CARLEY V. PORTER

## ADJOURNMENT

At 10.34 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 2, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY

FORTY-FIRST CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, March 2, 1959

The Assembly met at 10 a m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God and Father of Mankind,* As Thou hast led us to opposing points of view, resolve our differences, beginning within each one of us Reserving the right to think for ourselves, let us give to others the same right, without ascribing error, if they differ from us. Without knowledge in their specialties, let us be patient with those who do not know things that we know Opinionated ourselves, give us respect for the opinions of others; partisan, help us to appreciate a party different from our own, forgetful, help us to bear cheerfully with this same failing in others; impatient, let us run with patience the race that is set before us As those who frequently trespass, we make our prayer in the name of Him who bade us pray for those who trespass against us.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McMillan, seconded by Mr. Porter, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Shell.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, February 27, 1959

*Mr Arthur A. Ohnimus*
*Chief Clerk of State Assembly*
*Assembly Chamber, Sacramento*

DEAR SIR: This is to advise you that as of this day we have deposited $14,000 to the credit of the Legislative Printing Fund, covering receipts from sales of Legislative publications by the Legislative Bill Room for the period August 1, 1958, through January 31, 1959

Very truly yours,

PAUL E. GALLAGHER, State Printer

CITY OF SUSANVILLE
SUSANVILLE, February 27, 1959

*Honorable Members of the State Legislature*
*State Capitol, Sacramento*

HONORABLE MEMBERS: The Susanville Planning Commission at their regular meeting on February 26, 1959, made a recommendation to the City Council of the City of Susanville that the council go on record as favoring the transfer of the territory to the State of Nevada as claimed by Nevada Assemblyman Crawford

Notices of this recommendation are being sent to the Governors of both states as well as to both State Legislatures.

Respectfully yours,

SUSANVILLE PLANNING COMMISSION
MARLYS M. RITCHIE, Secretary

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The following comunications were presented by the Chief Clerk from:

Amy Dwyer of Pasadena, relative to taxation. Referred to Committee on Revenue and Taxation.

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James Gill of Los Angeles, relative to legislation. Referred to Committee on Public Health.

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Glenard P. Lipscomb, Member of Congress, expressing appreciation for illuminated copies of House Resolution No. 49. Ordered filed with the Secretary of State.

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Ralph J. Rivers, Member of Congress, expressing appreciation for House Resolution No. 26. Ordered filed with the Secretary of State.

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Ernest Gruening, United States Senator, expressing appreciation for resolution welcoming Alaska as the forty-ninth state. Ordered filed with the Secretary of State.

Hazel Trout of Ventura, relative to divorce laws. Referred to the Committee on Judiciary—Civil.

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The following communication was presented by the Speaker from:

J. Manaster Co. of Chicago, Illinois, relative to legislation. Referred to the Committee on Livestock and Dairies.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1728**: By Mr. Collier—An act to amend Section 4004 of the Penal Code, relating to the release of inmates of county jails.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1729**: By Mr. Chapel—An act to add Part 20 (commencing at Section 37000) to Division 2 of the Revenue and Taxation Code, relating to the licensing of vending machines and the taxation of their ownership.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1730**: By Mr. Chapel—An act to amend Section 4156 of, and add Section 4464 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to temporary vehicle permits and license plates.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1731**: By Mr. Chapel—An act to amend Section 42230 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session relating to refund of fees upon rejection of applications.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1732**: By Mr. Pattee—An act to amend Section 9006 of the Welfare and Institutions Code, relating to community mental health services.

Referred to Committee on Public Health.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, February 27, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 34
Assembly Bill No. 151
Assembly Bill No. 349
Assembly Bill No. 360
Assembly Bill No. 363
Assembly Bill No. 451
Assembly Bill No. 452
Assembly Bill No. 501
Assembly Bill No. 506
Assembly Bill No. 533
Assembly Bill No. 560
Assembly Bill No 566
Assembly Bill No. 584
Assembly Bill No. 623
Assembly Bill No. 627
Assembly Bill No. 637
Assembly Bill No. 651

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 633
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 60
Assembly Bill No. 125
Assembly Bill No. 630
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 425
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 389
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 573
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 35
Assembly Bill No. 386
Assembly Bill No. 488
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 61
Assembly Bill No. 158
Assembly Bill No. 374
Assembly Bill No. 393
Assembly Bill No. 527
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, February 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 164
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 397

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file

ASSEMBLY CHAMBER, March 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 500

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 57
Assembly Bill No. 290
Assembly Bill No. 310
Assembly Bill No 448
Assembly Bill No. 456
Assembly Bill No 568

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, March 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 453
Assembly Bill No. 454
Assembly Bill No 556
Assembly Bill No. 638

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 185

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, March 2, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 884

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, February 27, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 563

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, February 27, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 31
Senate Bill No. 134
Senate Bill No. 141
Senate Bill No. 185
Senate Bill No. 188

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 31**—An act to amend Section 28122 of the Government Code, relating to compensation for public service in counties of the twenty-second class.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 134**—An act to amend Sections 4931 and 4931.1 of the Education Code, and Sections 3201 and 3202 of the Education Code, as proposed by Senate Bill No 2, relating to school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 141**—An act to amend Section 6 of the Del Norte County Flood Control District Act (Chapter 166 of the Statutes of 1955), relating to the powers of the Del Norte County Flood Control District.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 185**—An act to amend Section 26104 of the Government Code, relating to advertising by county board of supervisors.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 188**—An act to amend Section 73771 of the Government Code, relating to the municipal court in the Central Judicial District of Marin County.

Referred to Committee on Judicial—Civil.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Backstrand was granted unanimous consent that the committee amendments to Assembly Bill No. 49 be withdrawn, and that corrected amendments be substituted therefor.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1733**: By Mr. Dahl—An act to add Section 69749.1 to the Government Code, relating to sessions of the superior court.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 1734**: By Mr. Thelin—An act to amend Sections 11532, 11532.3 and 11532.7 of the Insurance Code, relating to mutualized insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1735**: By Mr. McCollister—An act to amend Sections 1950 of the Code of Civil Procedure and 6200 of the Government Code, relating to public records.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1736**: By Mr. McCollister—An act to add Section 940.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 1737**: By Mr. McCollister—An act to add Section 7024 to, and to amend Section 7803 of, the Elections Code, relating to the counting of ballots.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1738**: By Mr. McCollister—An act to amend Section 25536 of the Government Code, relating to leasing of county real property.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1739**: By Mr. McCollister—An act to amend Section 31108 of the Government Code, relating to limited civil service system for county employees and officers.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1740**: By Mr. McCollister—An act to amend Section 31469 of the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1741**: By Mr. McCollister—An act to amend Sections 74701, 74702, and 74703 of the Government Code, relating to the Santa Rosa Municipal Court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1742**: By Mr. McCollister—An act to amend Section 1750 of, and to add Section 1778 to, the Government Code, relating to resignations and vacancies of public employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1743**: By Mr. McCollister—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1744**: By Mr. McCollister—An act to amend Sections 9168, 9169, 9201, and 9211 of the Public Resources Code, relating to soil conservation districts

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1745**: By Mr. McCollister—An act to amend Section 19150 of, and to add Section 5834.5 to, the Streets and Highways Code, relating to street lighting.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1746**: By Mr. McCollister—An act to amend Sections 1162 and 1169 of, and to add Sections 1173.5 and 1178.5 to, the Streets and Highways Code, relating to permanent road divisions.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1747**: By Mr. McCollister—An act to amend Section 9006 of the Welfare and Institutions Code, relating to community mental health services.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1748**: By Messrs. Hegland, Winton, and Shell—An act to amend Section 29011 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance, acquisition and use of degrees, diplomas, certificates, transcripts and documents evidencing the completion of courses beyond high school.

Referred to Committee on Education.

**Assembly Bill No. 1749**: By Messrs Britschgi and Garrigus—An act to amend Section 4101 of the Agricultural Code, relating to the marketing of dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1750**: By Mr. Thomas—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1, Title 2 of the Government Code to authorize instrumentalities created jointly by this State or any other state or states to obtain federal old age and survivors' insurance for the employees of such instrumentalities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1751**: By Mr Bradley—An act to amend Section 11601 of the Business and Professions Code, relating to subdivisions.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1752**: By Mr. Bradley—An act to amend Sections 427 1 and 427.2 of, to repeal Section 427.3 of, and to add Sections 427 5, 427.6 427.7, 427.8, and 427.9 to, the Health and Safety Code, relating to alcoholic rehabilitation, and making an appropriation.

Referred to Committee on Public Health.

**Assembly Bill No. 1753**: By Mr. Bradley—An act to repeal Chapter 2 (commencing at Section 4659), Chapter 8 (commencing at Section 5500), Chapter 9 (commencing at Section 5700), and Chapter 10 (commencing at Section 5900) of Part 3, Division 5 of the Health and Safety Code, and the Municipal Sewer District Act of 1939 (Ch. 24, Stats. 1939), and all acts and parts of acts amendatory thereof and supplementary thereto, relating to sewer and sanitation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1754**: By Miss Donahoe and Mr. Williamson (By Request)—An act to amend Section 16657 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to board of recreation commissioners and providing compensation and traveling expenses of members thereof.

Referred to Committee on Education.

**Assembly Bill No. 1755:** By Messrs. Ralph M. Brown, Winton, and Bradley—An act to repeal and add Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, thereby recodifying the law relating to horseracing.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Constitutional Amendment No. 27:** By Mr. Beaver—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1d to Article XIII thereof, relating to revenue and taxation.

Referred to Committee on Constitutional Amendments.

## RESOLUTIONS

The following resolution was offered:

By Mr. House:

### House Resolution No. 107

Relative to commending Virgil Pinkley

WHEREAS, It has come to the attention of the Members of the Assembly of the State of California that one of its foremost citizens, Virgil Pinkley, has recently become the Editor and Publisher of Desert Newspapers Incorporated, which organization includes five newspapers, the *El Centro Post*, the *El Centro Press*, the *Brawley News*, the *Indio Date Palm*, and the *Indio News;* and

WHEREAS, The story of Virgil Pinkley's rapid rise to success is enheartening and should serve as an inspiration to all young men who aspire to follow a career in the field of journalism, and

WHEREAS, Virgil Pinkley started his journalism career while in high school as a sports reporter for the *San Bernardino Sun and Telegram;* and, subsequently, in 1928-1929, he was the Editor of the *Daily Trojan* at the University of Southern California, and

WHEREAS, Upon graduation from the University of Southern California in 1929, Virgil Pinkley's immediate goal was to be a newspaper foreign correspondent, but in seeking such a position he was constantly advised to get a job as a reporter on a newspaper and work his way up to such a coveted position; scorning his advisors he secured a job on a cattle boat and worked his way to London, where his perspicacity so impressed the Chief of United Press' London Office that even though the office was fully staffed the chief created a position for Virgil; and

WHEREAS, In 1935, when a brash youth in international affairs, he astounded many people throughout the world with his forecast that within 48 hours Italy would be at war with Ethiopia; and

WHEREAS, In a relatively short period of time Virgil Pinkley became United Press' European Business Manager, and he demonstrated his exceptional executive ability by establishing United Press bureaus in many famous cities throughout the world, including Stockholm, Brussels, Warsaw, Cairo, Jerusalem, Prague, Dublin, Helsinki, Milan, Genoa, and Budapest, and in 1944 in recognition of his notable endeavors he was elevated to the position of vice president; and

WHEREAS, In his travels for United Press, Virgil Pinkley journeyed around the world several times and interviewed the prominent officials in practically every country of the world, and his fabulous knowledge and experience has distinguished him as a respected and widely read authority on world affairs; and

WHEREAS, During World War II Virgil Pinkley was an accredited American war correspondent and British war correspondent; he was wounded in the Desert Campaign in December of 1941 and flew several bombing missions with the Royal Air Force and the Air Corps of the United States Army; he was granted the only exclusive wartime interview by General Dwight D. Eisenhower; and for his brilliant and devoted service in carrying out his many assignments as a war correspondent he was awarded the Medal of Freedom; and

WHEREAS, In 1947, serving as editor and publisher, Virgil Pinkley organized the staff and started the operation of the *Los Angeles Mirror*, which subsequently joined with the *Los Angeles Daily News*, and in which combined newspaper operation he continued to serve as editor and publisher; and

WHEREAS, Virgil Pinkley has constantly been noted for his crusading policies and reputation as a champion of the people and this has played a key part in the vital role of a free press in a free society, and its corresponding contribution to maintaining an informed electorate; and

WHEREAS, It is only fitting that the Members of this body take this means of recognizing this outstanding California citizen who has distinguished himself in so

many fields and professions, as an author, foreign correspondent, news commentator, executive, editor, and publisher; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Virgil Pinkley for his outstanding contributions to the advancement and enlightenment of mankind and congratulate him for entering the publication field in Imperial County; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Virgil Pinkley, President of Desert Newspapers Incorporated, to Carl Schooss, Vice President and Manager, to Phil Ault, Executive Editor, and to the editors of each of the newspapers in Desert Newspapers Incorporated.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Speaker Brown announced that Assembly Bills Nos. 830 and 828 were not legally before the House.

## REQUESTS FOR UNANIMOUS CONSENT TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILLS NOS. 830 AND 828

Speaker Brown was granted unanimous consent that the record be expunged, and the action rescinded, whereby Assembly Bills Nos. 830 and 828 were reported out of the Committee on Public Utilities and Corporations on February 26th (Assembly Journal, page 903).

### Record Expunged, Action Rescinded on Assembly Bill No. 830

Speaker Brown was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on February 27th (Assembly Journal, pages 947 to 949), read Assembly Bill No 830 the second time, and adopted committee amendments to the bill

### Re-reference of Assembly Bill No. 830

Speaker Brown ordered Assembly Bill No 830 re-referred to the Committee on Public Utilities and Corporations

### Record Expunged, Action Rescinded on Assembly Bill No. 828

Speaker Brown was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on February 27th (Assembly Journal, pages 944 to 947), read Assembly Bill No. 828 the second time, and adopted committee amendments to the bill.

### Re-reference of Assembly Bill No. 828

Speaker Brown ordered Assembly Bill No 828 re-referred to the Committee on Public Utilities and Corporations.

## CHANGES IN STANDING COMMITTEE APPOINTMENTS

Speaker Brown appointed Mr. Winton to the Committee on Ways and Means, vice Mr. Biddick, resigned.

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Speaker Brown appointed Mr. Biddick to the Committee on Governmental Efficiency and Economy, vice Mr. Winton, resigned.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Constitutional Amendment No. 28:** By Messrs. Garrigus, Lowrey, and Frew—A resolution to propose to the people of the State

of California an amendment to the Constitution of the State, by amending Section 3 of Article IV, relating to the term of office of Members of the Assembly.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 1756**: By Messrs. Crawford and Schrade—An act to amend Section 690 11 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

### Speaker pro Tempore Presiding

At 10.30 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## RESOLUTIONS

The following resolution was offered:

By Miss Donahoe:

### House Resolution No. 108

Relating to a study of the maximum tax rates of school districts

WHEREAS, The maximum tax rates prescribed by law for school districts have not been increased in over 10 years: and

WHEREAS, The prescribed maximum rates may be unrealistic in the light of the present-day requirements for an educational program and the present-day costs of such a program, as indicated by the fact that a large number of school districts now levy the maximum rate, or under the local option provisions, a rate greater than the prescribed maximum, now, therefor, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Education be directed to ascertain, study and analyze all facts relating to the maximum tax rates of school districts and the advisability or desirability of increasing or abolishing such maximum rates and the consequences of an increase or abolition, including but not limited to the operation, effect, and administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, at the 1961 Regular Session of the Legislature, including in the report its recommendations for appropriate legislation.

Resolution read, and referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE

## BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 638, 57, 290, 456, 397, 556, 568, 448, 453, 454, and 310.**

Above bills (except Assembly Bill No. 397) ordered to third reading.

### Second Reading of Assembly Bill No. 397

**Assembly Bill No. 397**—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering.

Bill read second time.

### Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on February 27, 1959, strike out "a postgraduate", and insert "an advanced".

### Amendment No. 2

On page 1, line 11, strike out "postgraduate course shall", and insert "advanced course may".

**Amendment No. 3**

On page 1, line 12, strike out "or", and insert "and".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 455**—An act to amend Section 370 of the Vehicle Code, and to repeal Section 9253 as proposed by Assembly Bill No. 5, relating to registration fees.

Bill read second time.

**Motion to Amend**

Mr. Bee moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "370 of the Vehicle Code," and insert "9250".

**Amendment No. 2**

In line 2 of the title strike out "as proposed by Assembly Bill No. 5", and insert "of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 9250 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

9250. On and before December 31, 1959, a registration fee of eight dollars ($8) shall be paid to the department for the registration of every vehicle of a type subject to registration, except as are expressly exempted under this code from the payment of registration fees [, and except those referred to in Section 9253]. On and after January 1, 1960, a registration fee of seven dollars ($7) shall be paid to the department for the registration of every vehicle of a type subject to registration, except as are expressly exempted under this code from the payment of registration fees [.] [and except those referred to in Section 9253] ."

**Amendment No. 4**

On page 1, strike out lines 2 to 13, inclusive.

**Amendment No. 5**

On page 2, strike out lines 3 to 9, inclusive, and insert

"SEC. 2. Section 9253 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 628**—An act to amend Section 703 of the Streets and Highways Code, relating to relocation of utilities in state highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "a publicly owned".

**Amendment No. 2**

On page 1, line 4, strike out "utility to", and insert "any utility whether publicly or privately owned to".

**Amendment No. 3**

On page 1, line 4, after "facility", insert "used solely to supply water which facility is".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 585**—An act to add Section 752.5 to the Vehicle Code and to add Section 40809 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to unmarked vehicles of the California Highway Patrol.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 752.5 to the Vehicle Code and to add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "752.5 is added to the Vehicle Code", and insert "40809 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 19, inclusive, and insert

"40809. Notwithstanding the provisions of Section 40800 or 40804, the Department of the California Highway Patrol and any other traffic law enforcement agency may use nondistinctively marked vehicles in an amount not exceeding 25 percent of its traffic vehicle fleet."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 609**—An act to amend Sections 170 and 171 of the Vehicle Code and to amend Sections 5005 and 5008 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the fees for issuing special license plates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 19, of the printed bill, after "issued", insert "and whenever the vehicle or the ownership of the vehicle for which plates are issued, is changed".

**Amendment No. 2**

On page 2, line 30, after "issued", insert "and whenever the vehicle or the ownership of the vehicle for which plates are issued, is changed".

**Amendment No. 3**

On page 3, line 2, after "issued", insert "and whenever the vehicle or the ownership of the vehicle for which plates are issued, is changed".

**Amendment No. 4**

On page 3, line 17, after "issued", insert "and whenever the vehicle or the ownership of the vehicle for which plates are issued, is changed".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 22**—An act to add Section 541 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 4**—An act to amend Sections 74341, 74343, and 74345 of the Government Code, relating to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 288**—An act to amend Sections 4501 and 4552 of the Welfare and Institutions Code, relating to medical care for recipients of aid to the disabled.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 222**—An act to amend Section 705.3 of the Vehicle Code, and to amend Section 35552 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 235**—An act to add Section 705.2 to the Vehicle Code, and to add Section 35553 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 615**—An act to repeal Section 256 of, to add Section 277 to, and to amend Section 279 of, the Vehicle Code, and to repeal Section 12511 of, to add Section 12511 to, and to amend Section 12815 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to drivers' licenses.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 256 of, to add Section 277 to, and to amend Section 279 of, the Vehicle Code, and to repeal".

#### Amendment No. 2

In lines 4 and 5 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 3

On page 1, strike out lines 1 through 20, inclusive.

#### Amendment No. 4

On page 2, strike out lines 1 and 2, and insert

"SECTION 1. Section 12511 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is repealed."

#### Amendment No. 5

On page 2, line 3, strike out "5", and insert "2".

#### Amendment No. 6

On page 2, line 7, strike out "6", and insert "3".

**Amendment No. 7**

On page 2, line 10, strike out "may", and insert "shall".

**Amendment No. 8**

On page 2, strike out lines 18 through 23, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 508**—An act to amend Section 11100 of the Elections Code, relating to municipal recall elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and add Section 11102 to,".

**Amendment No. 2**

On page 1, after line 15, insert

"SEC. 2. Section 11102 is added to said code, to read:

11102. If a vacancy occurs in an office after a recall petition has been filed, the election shall nevertheless proceed as provided in this chapter."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 531**—An act to add Section 4831.7 to, and to amend Sections 4832 and 4832.5 of, the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 4714.5 and,".

**Amendment No. 2**

On page 1, after the enacting clause of the printed bill, insert:

"SECTION 1. Section 4714.5 is added to the Health and Safety Code, to read:

4714.5. If the board of supervisors finds that protests have been made, prior to its final determination for formation of the district, by the owners of real property within the proposed district the assessed value of which, as shown by the last equalized assessment roll, constitutes more than one-half of the total assessed value of the real property within the proposed district, the proceeding shall terminate. The board of supervisors shall order the proceeding terminated when such protests are received."

**Amendment No. 3**

On page 1, line 1, strike out "SECTION 1.", and insert "SEC. 2."

**Amendment No. 4**

On page 3, line 11, of the printed bill, strike out "SEC. 2", and insert "SEC. 3"

**Amendment No. 5**

On page 3, line 17, of the printed bill, strike out "SEC. 3", and insert "SEC. 4"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 216**—An act to amend Section 55103 of the Water Code, relating to formation of county waterworks districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "10", and insert "25".

**Amendment No. 2**

On page 1, line 6, strike out "10 percent or more of the property owners", and insert "by not less than 25 percent of the freeholders resident and nonresident within the proposed district, including not less than 15 percent of such resident freeholders".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 154**—An act to add Section 25100.5 to the Government Code, relating to the clerk of the board of supervisors in counties of over 2,000,000 population.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 157**—An act to amend Section 25827 of the Government Code, relating to counties.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 536**—An act to amend Section 6830 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 538**—An act to amend Section 6585 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 539**—An act to amend Section 6464 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 540**—An act to amend Section 6482 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 542**—An act to amend Section 6628 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 612**—An act to add Section 5834.1 to the Streets and Highways Code, relating to county maintenance districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 668**—An act to amend Section 32009 of the Health and Safety Code, relating to hospital districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 669**—An act to add Section 32005.5 to the Health and Safety Code, relating to hospital districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 49**—An act to add Sections 32.6, 32.7, 250.1 to, to amend Section 685 of, and to add Sections 685.1, 685.2, 685.3, 685.4, 685.5, and 685.6 to, the Vehicle Code, and to amend Section 16275.5 of the Education Code, relating to farm labor vehicles.

Bill read second time.

**Motion to Amend**

Mr. Backstrand moved the adoption of the following amendments, previously substituted for the committee amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "32.6, 32.7, 250.1 to, to amend Section", and all of lines 2 and 3, and insert "322, 323, 12519, 22413, 31401, 31402, 31403, 31404, 31405 and 31406 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to amend Section 16854".

**Amendment No. 2**

In line 4 of the title, after "Code", insert "as enacted by the Legislature at the 1959 Regular Session".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, lines 1 and 2, strike out "32.6 is added to the Vehicle Code, to read.", and insert "322 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read

322. A "farm labor bus" is any bus owned, operated or leased by a farmer or a farm labor contractor, as defined by Sections 1682 and 1682.3 of the Labor Code, while being used for the transportation of seven or more employees of a farmer or farm labor contractor.

SEC. 2. Section 323 is added to said code, to read.

323. A "farm labor truck" is any motor truck owned, operated or leased by a farmer or farm labor contractor, as defined by Sections 1682 and 1682.3 of the Labor Code, while being used for the transportation of seven or more employees of a farmer or farm labor contractor.

SEC. 3. Section 12519 is added to said code, to read:

12519. No person shall operate a farm labor truck or a farm labor bus upon a highway unless he is in possession of a valid chauffeur's license or an endorsed operator's license endorsed by the department to permit the operation of farm labor vehicles or is expressly exempted under this code.

SEC. 4. Section 22413 is added to said code, to read:

22413. In no event shall the driver of a farm labor bus or a farm labor truck operate such vehicle in excess of a maximum speed of 45 miles per hour when transporting passengers.

SEC. 5. Section 31400 of said code is amended to read:

31400. *Farm labor buses and farm labor* trucks used primarily or regularly for the transportation of [workmen] *farm laborers* shall be:

(a) Equipped with seats *and back rests* securely fastened to the vehicle

(b) Equipped, *if a motor truck*, with a railing or other suitable enclosure on the sides and end of the vehicle not less than [30] *46* inches above the floor of the vehicle.

(c) Equipped with steps, stirrups or other equivalent devices so placed and arranged that the vehicle may be safely mounted and dismounted

*(d) Equipped at all times with two reflector flares of a type approved by the California Highway Patrol. When any such vehicle is disabled on the roadway or within 10 feet thereof one reflector flare shall be placed approximately 100 feet in advance and the other approximately 100 feet to the rear of the disabled vehicle.*

*(e) Equipped with at least one fire extinguisher, of a type approved by the California Highway Patrol, located in an easily accessible place in the driver's compartment. A four-pound dry chemical extinguisher or a four-pound $CO_2$ extinguisher shall be deemed to meet the minimum requirements for such vehicles. In no event shall extinguishers containing carbon tetrachloride be carried in or about the vehicle.*

*(f) Equipped, if the passenger compartment is separated from the driver's compartment, with a horn, buzzer or other signalling device actuated from the passenger compartment whereby the passengers of the vehicle may readily gain the attention of the driver in the event of an emergency.*

SEC. 6. Section 31401 is added to said code, to read:

31401. Farm labor buses and enclosed farm labor trucks having an enclosed seating capacity and used primarily or regularly for the transportation of farm laborers, shall, in addition to the requirements of Section 31400 of this code, meet the following specifications:

(a) Every passenger compartment shall be provided with at least two exits, remotely located from each other. Each exit shall be provided with an adequate door, guardrail or other closure which opens outward and is capable of being opened from either the interior or exterior of the vehicle. Such exits shall be equipped with positive devices to keep them closed when not in use and of such character as to permit them to be opened readily when necessary, without undue accessibility for unauthorized use.

Exits shall conform to the following minimum specifications:

(1) *No obstruction shall be placed over the handle of an exit.*

(2) Signs reading "Exit" shall be printed on the interior and exterior of the vehicle at the exits. The signs shall be printed in English and in the language of the workers currently being transported. All letters shall be at least two inches in height.

(3) No part of a seat shall be a part of or attached to an exit.

(b) Aisles shall be provided so that every passenger has ready access to each of at least two exits.

Where seating is face to face, the aisle between the seats facing each other shall be at its narrowest point at least 24 inches wide.

SEC. 7. Section 31402 is added to said code, to read:

31402. The exhaust system of every vehicle subject to the provisions of Section 31401 shall extend beyond the rear or side of the body, but shall in no case terminate in the vicinity of an exit. Exhaust pipes, mufflers and tailpipes shall be entirely outside the body. *No flexible pipe or tubing shall be used except where necessary to* prevent breakage, and shall be only of the hermetically sealed exhaust type.

SEC. 8. Section 31403 is added to said code, to read:

31403. The ventilation system in the passenger compartment of every vehicle subject to the provisions of Section 31401 shall be approved by the California Highway Patrol.

SEC. 9. Section 31404 is added to said code, to read:

31404. All broken glass in windows or elsewhere on a vehicle subject to the provisions of Section 31401 shall be removed. Replacement glass shall be of the safety type as defined in Section 26702 of this code.

SEC. 10. Section 31405 is added to said code, to read:

31405. (a) All cutting tools or tools with sharp edges carried in the passenger compartment of farm labor buses, farm labor trucks, or other trucks used primarily or regularly for the transportation of farm laborers, shall be placed in covered boxes or containers and all other tools, equipment or other materials carried in the passenger compartment of such vehicles shall be secured to the body of the vehicle and in no event shall they be carried in the aisles.

(b) No substance with a flashpoint of below 150 degrees Fahrenheit shall be carried in the passenger or driver's compartment of such vehicles.

SEC. 11. Section 31406 is added to said code, to read:

31406. The Department of Industrial Relations shall determine the maximum number of passengers which may be carried with safety on each farm labor bus and farm labor truck used primarily or regularly for the transportation of farm laborers. The number so determined shall be plainly marked on the outside of the vehicle near the door or entrance. It is unlawful for any driver or other person in control to permit passengers in excess of the number so determined to ride in or upon the vehicle.

SEC. 12. Section 16854 of the Education Code as enacted at the 1959 Regular Session is amended to read:

16854. When a school bus is sold to a person, firm, association, partnership, or corporation and is used for purposes other than the transportation of pupils pursuant to this article (commencing at Section 16851), it shall be painted a color different than that prescribed by the State Board of Education for school buses *and all other school signs or markings shall be eliminated* before it is operated on any street or highway."

**Amendment No. 4**

On page 1, strike out lines 3 through 21, inclusive; and strike out pages 2, 3 and 4.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 489**—An act to add Section 26072.7 to the Revenue and Taxation Code, relating to corporations exempt under the Bank

and Corporation Tax Law, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "An act to", strike out "add Section 26072.7 to", and insert "amend Section 23772 of, and to add Section 26072.7 to,"

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PRINTER'S NOTE—There being no 7-point strikeout type available the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 23772 of the Revenue and Taxation Code is amended to read

23772. Every organization exempt under Article 1 except:

(a) A religious organization exempt under Section 23701d,

(b) An educational organization exempt under Section 23701d, if such organization normally maintains a regular faculty and curriculum and normally has a regularly organized body of pupils or students in attendance at the place where its educational activities are regularly carried on; or

(c) A charitable organization, or an organization for the prevention of cruelty to children or animals, exempt under Section 23701d, if such organization is supported, in whole or in part, by funds contributed by the United States or any state or political subdivision thereof, or is primarily supported by contributions of the general public; or

(d) An organization exempt under Section 23701d, if such organization is operated, supervised, or controlled by or in connection with a religious organization described in subsection (a); or

(e) An organization exempt solely under Section 23701b, shall file an annual return with the Franchise Tax Board on or before the fifteenth day of the fifth full calendar month following the close of the income year setting forth—

(1) Its gross receipts for the year,

(2) Its expenses attributable to such income and incurred within the year,

(3) Its disbursements within the year for the purpose for which it is exempt,

(4) Its accumulation of income within the year,

(5) Its aggregate accumulations of income at the beginning of the year,

(6) Its disbursements out of principal in the current and prior years for the purposes for which it is exempt,

(7) A balance sheet showing its assets, liabilities and net worth as of the beginning of such year, and

(8) Such other information as the Franchise Tax Board may by regulation prescribe

(f) [No organization shall receive any exemption prescribed by this part for any year in which it fails to file on or before the due date the annual return required by this section] *Any organization exempt from taxes under Article 1 (commencing at Section 23701) of Chapter 4 of this part shall pay the minimum tax provided for by Section 23153 for any year or years for which it fails to file, on or before the due date, the annual return required by this section*

SEC. 2. Section 26072.7 is added to said code, to read:".

**Amendment No. 3**

On page 1, lines 4 and 5, strike out "after December 31, 1956, and ending".

**Amendment No. 4**

On page 1, lines 6 and 7, strike out "Section 23701m", and insert "Sections 23701a to 23701m, inclusive,".

**Amendment No. 5**

On page 1, line 13, strike out "SEC. 2", and insert "SEC. 3"

**Amendment No. 6**

On page 1, strike out lines 18 to 20, inclusive, and on page 2, strike out lines 1 to 15, inclusive, and insert

"Certain exempt corporations have inadvertently failed to file an information return required by Section 23772 of the Revenue and Taxation Code. For failure to file such information return, Section 23772, as amended in 1957, provides, in part, that corporations become subject to the tax. If exempt corporations are now subjected to tax, they will be confronted with obligations which, if met, will substantially impair their ability to function effectively. This act will remedy the situation by permitting for a limited period of time any tax to be canceled, or refunded, if such tax was imposed because the exempt corporations failed to file a timely information return In doing so, the public policy of the State as expressed in the Bank and Corporation Tax Law will be entirely fulfilled and the State as a whole will benefit."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 78**—An act to add Section 17154 to the Revenue and Taxation Code, relating to the exclusion from personal income taxation of amounts received from public retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 15 to 17, inclusive, and insert

"The maximum amount excludable from gross income pursuant to this section shall be one thousand two hundred dollars ($1,200) per taxable year."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 487**—An act to amend Section 106 of the Revenue and Taxation Code, relating to the definition of personal property for purposes of taxation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 401.1 and Part 10 (commencing at Section 5150) of Division 1 to,".

**Amendment No. 2**

In line 2 of the title, after "definition", insert "and assessment".

**Amendment No. 3**

In line 3 of the title, after "taxation," insert "and the taxation of the use or possession for use of tax-exempt personal property,".

**Amendment No. 4**

On page 1, between lines 6 and 7, insert

"Nothing in this section shall be construed as allowing the assessment of any interest in tangible personal property in excess of the full cash value of such interest, or as permitting the taxation of property which is exempt under Section 209.5 or 220 of this code, or any interest therein.

SEC. 2 Section 401.1 is added to said code, to read:

401.1. Legal or equitable interests in tax-exempt tangible personal property shall be valued for assessment purposes, so far as practicable, in the same manner and to the same extent as taxable interests in tax-exempt improvements

SEC. 3. Part 10 (commencing at Section 5150) is added to Division 1 of said code, to read:

PART 10. LOCAL PRIVILEGE AND USE TAXES

5150. As provided in this part, a tax may be imposed annually on the use, storage for purposes of use by the assessee, processing or other consumption in this State, by a person in connection with the conduct of a business for profit, of tangible personal property consisting of inventories, raw materials, supplies, or work in process, where any or all interests in such property are exempt from property taxation.

5151. The annual amount of the tax imposed pursuant to this part shall be a sum equal to the full cash value of such tangible personal property as of noon of the first Monday or first Monday in March specified in Section 5157 multiplied by the unsecured personal property tax rate applicable to similar property which is wholly taxable by the taxing agency imposing the tax.

5152. Except as otherwise specifically provided in this part, the tax imposed pursuant to this part shall be administered, enforced, collected and distributed in the same manner as provided for taxes on tangible personal property shown on the unsecured roll. The tax does not constitute a lien upon such property nor upon any interest therein, nor shall such property or interest therein be subject to seizure and sale for the enforcement of such tax.

The tax may be collected by suit as provided in Chapter 5, Part 5, of Division 1 of this code.

The property constituting a measure of the tax shall be shown on the unsecured roll and shall be assessed and equalized in the same manner as tangible personal property subject to ad valorem taxation.

The taxes authorized by this part shall be subject to cancellation or refund under the conditions and in the manner provided with respect to ad valorem property taxes.

5153. Any such tax shall not apply with respect to any property held for a period of 30 days or less prior to 12 o'clock noon of the first Monday or first Monday in March specified in Section 5157. Such period shall be known as the "exclusion period."

This section shall not be construed as providing for the exclusion of any such property held by the assessee immediately prior to the exclusion period, which during the exclusion period is incorporated into, or consumed in the manufacture of, other property not included in a measure of the tax held by the taxpayer as of noon of the first Monday or first Monday in March specified in Section 5157.

5154. Any county, city and county, city, school district or any other public agency having the power to tax tangible personal property, may by resolution of its governing body impose a tax in accordance with this part. The resolution shall be effective upon its adoption and shall continue in effect from year to year thereafter until rescinded by action of the governing body. Within 10 days after its adoption, certified copies of the resolution shall be filed with the assessor and the auditor of the county in which the taxing agency is located.

So far as practicable, the provisions of the Education Code regarding the determination and levy of school district ad valorem property taxes shall apply to any taxes for school districts that may be imposed pursuant to this part.

5155. Any tax imposed by a taxing agency pursuant to this part shall be in lieu of all ad valorem property taxes which would otherwise be levied by such taxing agency upon any or all taxable interests in the tangible personal property which is a measure of the tax.

5156. The tax shall not apply with respect to any property or to any interest therein which is exempt from ad valorem property taxation under Section 209.5 or 220 of this code.

5157. Any tax imposed pursuant to this part before June 1, 1959, shall apply with respect to property held for the purposes described in Section 5150 as of noon of the first Monday after the effective date of this part, and annually thereafter as of noon of the first Monday in March. If a tax is imposed after June 1, 1959, it shall apply with respect to property held for the purposes described in Section 5150 as of noon of the first Monday of March following the date of its imposition and annually thereafter as of noon of the first Monday in March.

5158. A tax imposed pursuant to this part shall not apply with respect to property used, stored for use, processed or otherwise consumed in the performance of a contract which by its terms requires the burden of the tax to be borne by the contractor, which is not subject to price renegotiation or redetermination, and which either was entered into between November 24, 1958, and the effective date of this part or was entered into pursuant to an irrevocable bid submitted between November 24, 1958, and the effective date of this part.

5159. If any provision of this part, or the application thereof to any person or circumstance, is held invalid, the remainder of this part, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 4. For the Fiscal Year 1959-1960, legal and equitable interests in otherwise tax-exempt tangible personal property shall be subject to taxation pursuant to the

provisions of this act, and such interests shall be assessed for taxation for that year at the full cash value of such interests as of noon of the first Monday following the effective date of this act.

SEC. 5. Every legal and equitable interest in otherwise tax-exempt tangible personal property acquired and held under a contract which by its terms requires the burden of a property tax to be borne by the contractor, which is not subject to price renegotiation or redetermination, and which either was entered into between November 24, 1958 and the effective date of this act or was entered into pursuant to an irrevocable bid submitted between November 24, 1958 and the effective date of this act, shall be exempt from property taxation.

SEC 6. Legal and equitable interests in tax-exempt tangible personal property created by a lease of such property entered into prior to the effective date of this act shall be valued for assessment purposes at the full cash value of such property interests less the present worth of the rentals payable under said lease for the unexpired term thereof. This section shall not apply to a renewal or extension of any such lease occurring after the effective date of this act."

**Amendment No. 5**

On page 1, line 7, strike out "SEC 2.", and insert "SEC. 7."

**Amendment No. 6**

On page 2, line 17, after "exempt", insert ", and to provide for a nondiscriminatory tax measured by the value of the use of certain classes of personal property".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation

## SECOND READING OF SENATE BILLS

**Senate Bill No. 20**—An act to amend Sections 370, 372 and 372.4 of, and to repeal Section 372.1 of, the Vehicle Code, and to amend Sections 7351 and 8651 of the Revenue and Taxation Code, relating to highway user fees and taxes.

Bill read second time, and ordered to third reading.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 638, 556, 453,** and **454.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 11**—An act to amend Section 2615 of the Business and Professions Code, relating to physical therapy, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 11?

**Amendment No. 1**

In line 2 of the title of the printed bill, after "therapy", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 20, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There is a serious shortage of physical therapists in this State which has caused untold hardships to the people of California. To alleviate this shortage the Legislature has provided that graduates of approved physical therapy schools who have

filed an application for registration with the Board of Medical Examiners may practice as physical therapists under specified supervision prior to taking the examination for registration. However, this privilege is limited to an applicant who files with the board prior to the date of the first examination given after he graduates.

This act would delete this limitation and would authorize a person otherwise qualified to practice as a physical therapist during the period between the filing of an application with the board and the next succeeding examination for registration which occurs after such filing. Thus a greater number of qualified persons could immediately begin practicing as physical therapists and the critical shortage of such trained persons would be greatly alleviated."

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 11?

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 11 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None

Assembly Bill No. 11 ordered enrolled.

**Assembly Joint Resolution No. 3**—Relative to imported tuna.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 3?

**Amendment No. 1**

On page 2, line 2, of the printed bill, after "Assembly", insert "and Senate".

**Amendment No. 2**

On page 2, line 2, after "Game", strike out "Committee", and insert "Committees".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 3 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None

Assembly Joint Resolution No. 3 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 262**—An act to add Section 55109 to the Water Code, relating to investigations and reports regarding proposed county waterworks districts or annexations thereto.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 263**—An act to add Section 55336 to the Water Code, relating to the sale of surplus water by county waterworks districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 85**—An act to add Section 506.3 to the Public Resources Code, relating to the Division of Beaches and Parks of the Department of Natural Resources, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read.

### Demand for Previous Question

Messrs. Crawford, Schrade, Luckel, Charles H. Wilson, and Grant demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69
NOES—Backstrand, Busterud, Conrad, Dahl, Francis, Luckel, Marks, McCollister, Mulford, and Rumford—10.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Backstrand, Busterud, Conrad, Dahl, Francis, Luckel, Marks, McCollister, Mulford, and Rumford—10.

Bill ordered transmitted to the Senate

**Explanation of Vote**

I voted "No" upon Assembly Bill No. 85, because I object to the principle of increasing the number of positions in the Division of Beaches and Parks which are exempt from Civil Service status, and because it does not appear that enactment of this measure will lead to increased conservation.

JOHN A. BUSTERUD

## REQUEST FOR UNANIMOUS CONSENT TO TAKE PICTURES

The San Diego Delegation was granted unanimous consent that a photographer for San Diego papers be permitted to take pictures of the Assembly in session.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 305**—An act to amend Section 10505 of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 500**—An act to add Title 2 (commencing with Section 1801) to Part 4, Division 3, of the Civil Code, relating to credit and installment sales of goods and services.

Bill read third time.

**Demand for Previous Question**

Messrs. Luckel, Chapel, Hegland, Schrade, and Miller demanded the previous question.

The roll was called, and the demand for previous question was not sustained by the following vote:

AYES—Bane, Beaver, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, DeLotto, Garrigus, Hegland, Kennick, Kilpatrick, Luckel, MacBride, Masterson, McCollister, McMillan, Miller,

Munnell, Nisbet, Petris, Porter, Reagan, Schrade, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Z'berg—36

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Bradley, Britschgi, Collier, Conrad, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Lanterman, Levering, Lowrey, Marks, Meyers, Mulford, O'Connell, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Williamson, and Winton—38.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—72.

NOES—Bradley, Burke, Ernest R. Geddes, and Levering—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 58**—An act to convey certain tide and submerged lands to the City of Mill Valley, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 60**—An act to convey certain tide and submerged lands to the County of Sonoma, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof, and to repeal Chapter 1406 of the Statutes of 1951.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 630**—An act to convey certain tide and submerged lands to the City of San Leandro, in furtherance of navigation,

commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—72.
NOES—None.

Bill ordered transmitted to Senate

**Assembly Bill No. 125**—An act to amend Sections 3036 and 7151 of of the Fish and Game Code, relating to licenses for disabled veterans.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to Senate.

**Assembly Bill No. 633**—An act to add Section 6623 to the Welfare and Institutions Code, relating to handiwork of state hospital patients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 501**—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas,

Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent

Speaker pro Tempore Bee was granted unanimous consent that Assembly Bills Nos. 349 and 66 be taken up, out of order, for purpose of amendment.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read third time.

### Motion to Amend

Mr. Crown moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 14, of the printed bill, before "A loan", insert "6499.6."

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 66**—An act to amend Section 380.12 of, and to repeal Section 380.11 of, the Agricultural Code, relating to chicken poultry meat and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on February 18, 1959, strike out "amend Section 380.12 of", and insert "add Sections 380.13 and 380.14 to".

### Amendment No. 2

In line 2 of the title strike out "tion 380.11", and insert "tions 380.11 and 380.12".

### Amendment No. 3

On page 1 strike out lines 1 to 7, inclusive, and insert
"SECTION 1. Sections 380.11 and 380.12 of the Agricultural Code are repealed.
SEC. 2. Section 380.13 is added to said code, to read:
380.13".

### Amendment No. 4

On page 1, line 19, strike out "antibiotic, or medication.".

### Amendment No. 5

On page 1, line 21, after "be", insert "conspicuously".

### Amendment No. 6

On page 1, line 24, strike out "that has been", and insert "meat that is".

### Amendment No. 7

On page 1, line 25, strike out "prepared,".

### Amendment No. 8

On page 1, strike out line 27, and on page 2, line 1, strike out "SEC. 3.", and insert
"SEC. 3. Section 380.14 is added to said code, to read:
380.14 (a) The director and the commissioners of each county under the supervision of the director shall enforce the provisions of this article where any poultry meat is offered for sale or sold.

(b) Any person who violates any provision of this article or any regulations adopted hereunder is guilty of a misdemeanor.
SEC. 4."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1
Assembly Bill No. 10
Assembly Bill No. 381
Assembly Bill No 1543

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 74

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Elections and Reapportionment.

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 24

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, March 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 4
Assembly Bill No. 157
Assembly Bill No. 235
Assembly Bill No. 536
Assembly Bill No. 538
Assembly Bill No. 539
Assembly Bill No. 540
Assembly Bill No. 542
Assembly Bill No. 612
Assembly Bill No. 668
Assembly Bill No. 669

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

## REQUEST FOR UNANIMOUS CONSENT TO RE-REFER ASSEMBLY BILL NO. 506

Mr. Hegland was granted unanimous consent that Assembly Bill No. 506 be re-referred to the Committee on Education.

### Speaker Presiding

At 11.50 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## ANNOUNCEMENT

Mr. MacBride announced that Sacramento City, Sacramento County, and the Sacramento Chamber of Commerce were giving a reception and party for the Members of the Legislature at the Senator Hotel on Tuesday, March 31st, and that personal invitations to the party would soon be in the mail.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26

Mr. Bruce F. Allen was granted unanimous consent that Assembly Constitutional Amendment No. 26 be withdrawn from the Committee on Constitutional Amendments, and re-referred to the Committee on Water.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1757**: By Mr. Porter—An act to amend Section 2016.5 of the Welfare and Institutions Code, relating to a telephone allowance for recipients of old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1758**: By Mr. Biddick—An act to amend Section 26650 of the Water Code, relating to irrigation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1759**: By Mr. Hawkins—An act to amend Section 2226 of the Welfare and Institutions Code, relating to liens for county hospital care.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1760**: By Mr. Hawkins—An act to add Sections 653b and 653c to the Penal Code, relating to the offenses of failure to provide a proper bond for construction and repair, and improperly obtaining or using a certificate of completion for such work.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1761**: By Mr. Hawkins—An act to add Article 10 (commencing at Section 7155) to Chapter 9, Division 3 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1762**: By Mr. MacBride—An act to amend Section 54661 of the Government Code, relating to the issuance, sale and exchange of refunding bonds by local agencies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1763**: By Messrs. Cameron and Cunningham—An act to amend Sections 12100, 12200.1 and 12304 of, and to add Section 12200.2 to, the Financial Code, relating to check sellers and cashers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1764**: By Mr. McMillan—An act to add Section 224.5 to, and to amend Section 225 of, the Labor Code, relating to wage deductions.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1765:** By Mr. Crown—An act to add Section 25083 to the Government Code, relating to the canvass of local or special election votes by board of supervisors on regular meeting day.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1766:** By Messrs. O'Connell, Burton, George E. Brown, Elliott, Hawkins, McMillan, Petris, Rees, and Waldie—An act to amend Sections 1360, 1368, 1369, 3103, and 18150 and to repeal Sections 1192, 3108, and 3109 of the Government Code, and to repeal Section 2842.5 of the Elections Code, relating to oaths of office.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1767:** By Mr. O'Connell—An act to amend Section 16041 of the Insurance Code, relating to health and welfare programs.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1768:** By Mr O'Connell—An act to amend Section 21805 of the Welfare and Institutions Code, relating to the determination of eligibility for old age assistance.

Referred to Committee on Social Walfare.

**Assembly Bill No. 1769:** By Messrs. O'Connell, Francis, Cunningham, Britschgi, Coolidge, and Pattee—An act to amend Section 650 of the Streets and Highways Code, relating to the naming of state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1770:** By Mr. Backstrand—An act to add Section 34704.1 to the Water Code, relating to officers of California water districts

Referred to Committee on Water.

**Assembly Bill No. 1771:** By Mr. Burton—An act to amend Section 1172 of the Labor Code, relating to wages of minors.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1772:** By Mr. Burton—An act to amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1173, 1174, 1178, 1182, 1183, 1185, 1194, 1195, 1195.5, 1197, 1199 of the Labor Code, relating to minimum wages and other terms of employment.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 1773:** By Messrs. Kennick, Grant, Bane, Elliott, Hawkins, Nisbet, Petris, and Charles H. Wilson—An act to amend Section 2165d of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1774**: By Messrs Kennick, Grant, Bane, Elliott, Hawkins, Nisbet, Petris, and Charles H. Wilson—An act to amend Section 2160.9 of the Welfare and Institutions Code, relating to the computation of old age assistance grants.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1775**: By Mr. Thelin—An act to amend Section 1195 of the Penal Code, relating to bail.

Referred to Committee on Criminal Procedure

**Assembly Bill No. 1776**: By Mr. Thelin—An act to amend Sections 1278, 1287, 1458, and 1459 of the Penal Code, relating to undertakings of bail.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1777**: By Mr. Elliott—An act to add Section 13747.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees.

Referred to Committee on Education.

**Assembly Joint Resolution No. 20**: By Messrs Luckel, Hegland, Schrade, and Crawford—Relative to legislation concerning the Indian Claims Commission.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 21**: By Mr. Lowrey—Relative to state-federal relations in water development.

Referred to Committee on Rules.

## ADJOURNMENT

At 11.57 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, March 3, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

FORTY-SECOND CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, March 3, 1959

The Assembly met at 9 30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Most Gracious God.* We pray for one of life's rarest blessings, a sense of humor, greatly to be desired in this Assembly and wherever men work and live. Reveal to us the similarity of humor and faith, humor dealing with surface incongruities and surprises; faith dealing with deep variances and uncertainties If the deep center of life is tragic and unsound, then we may not smile, for there are some things too serious and sad to smile about. Grant to us, O God, such faith as will provide a sound base for an undiscourageable good humor, else life is bereft of joy. Give us understanding of a word reputedly spoken by a son of Ireland, "Now abideth faith, hope, love, these three, and the greatest of these is a sense of humor."—AMEN.

Chief Clerk Arthur A. Ohnimus at the Desk

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Mulford, further reading of the Journal of the previous legislative day was dispensed with.

## REPORT ORDERED PRINTED IN THE JOURNAL

Speaker Brown ordered the following letter of transmittal and report printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 24, 1959

*Hon. Ralph Brown*
*Speaker of Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The Assembly Legislative Representation Committee has met and is herewith submitting a Progress Report for consideration of the Members of the Assembly.

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal.

Respectfully submitted,

MYRON H. FREW, Chairman
CHARLES H. WILSON, Vice Chairman
CARLOS BEE
CHARLES EDWARD CHAPEL
WALTER I. DAHL

### PROGRESS REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Assembly and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and unless good cause to the contrary is shown, all of the persons named in this report is entitled to have this committee grant to him a certificate of registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant certificates of registration as Legislative Advocate to the following named persons:

ABNEY, HERMON F., El Mirador Hotel, Sacramento
Los Angeles Fire & Police Protective League
ACTON, WILLIAM B., 210 Post St., San Francisco 8
Liquor Stores & Taverns Association
ALBERTONI, A E., Senator Hotel, Sacramento
Federated Fire Fighters of California
ALBRECHT, EUGENE L, SR., 1320 N St., Apt. 201, Sacramento
California State Firemen's Association, Inc.
ALLEN, BRUCE F., 926 J Bldg., Sacramento
Redevelopment Agency of the City of Sacramento
ALLEN, HOWARD P., El Mirador Hotel, Sacramento
Southern California Edison Company
ALVIN, CASS D., El Mirador Hotel, Sacramento
United Steelworkers of America
AMADOR, RICHARD S, Rm. 308, Senator Hotel, Sacramento
California Teamsters Legislative Council

ANDERSON, CARL, El Mirador Hotel, Sacramento
Association of Northern California Loggers
ANDERSON, T. D., 112 Market St , Rm. 607, San Francisco 11
Employment Agencies Association of Northern California
H. Moffat Co.
Union Sheep Co.
James Allen & Sons
Del Monte Meat Co.
Union Products Corp.
Wm. Taaffe & Company, Inc
ARCHIBALD, A. L., Land Hotel, Sacramento
California Council for the Blind, Inc.
ARNOLD, LEWIS E., Senator Hotel, Sacramento
City of Los Angeles, Bureau of Engineering
BALLARD, G. W., 1320 N St , Sacramento
Brotherhood of Railroad Trainmen
BARTON, WILLIAM H., 11th and L Bldg., Rm. 301, Sacramento
California Teachers Association
BEARD, KENNAN H., P. O. Box 561, Modesto
East Modesto Industrial Association
BECKER, WILLIAM L., Rm. 206, 2940 16th St , San Francisco
California Commission for Fair Employment Practices
California State Psychological Association
BECKUS, ROBERT J., Senator Hotel, Sacramento
Dairy Institute of California
BERRY, MRS. ROBLEY, 373 Coventry Road, Berkeley 7
California Congress of Parents and Teachers
BIERLY, SIDNEY H., 475 Huntington Drive, San Marino 9
California Fertilizer Association
BLACKBURN, WILLIAM F , 2436 N. Hollywood Way, Burbank
California Check Sellers and Cashers Association
BLEASE, COLEMAN ARTHUR, Rm. 610 Forum Bldg., Sacramento
Friends Committee on Legislation
BLOOM, EDWARD J., Senator Hotel, Sacramento
California Barber College Association
BRAMKAMP, LYNN, 925 Forum Bldg., Sacramento
California Milk Producers Federation
BRANCO, JOE, 1617 10th St , Sacramento
Western Dairymen's Association
BRANDON, EVERETT P., 690 Market St., San Francisco
National Association for the Advancement of Colored People
BRANSTETTER, WANDA G., Chandler Field, Fresno 6
Agricultural Aircraft Association, Inc.
BRENT, GEORGE, Senator Hotel, Sacramento
California Federation of Service Stations
BROADERS, HALDEN C., 2301 H St., Sacramento
Bank of America National Trust & Savings Association

BROMLEY, ELMER P., El Mirador Hotel, Sacramento
Southern California Edison Company
P. G. & E., San Francisco
California Oregon Power Company
Southern California Gas Company, Los Angeles
Southern Counties Gas Company, Los Angeles
California Electric Power Company, Riverside
San Diego Gas & Electric Company, San Diego

BROWN, EDWARD A., 1754 Bidwell Way, Sacramento
California Trailer Park Association

BROWN, ROBERT C., Rm. 1301, 926 J Bldg., Sacramento
California Taxpayers' Association

BRUMBAUGH, CAPT. CAL F., 1213 H St., Sacramento
California Association of Highway Patrolmen

BRYANT, MRS. ARDIS, 1815 Garden St., Santa Barbara
American Association of University Women

BURNS, DONALD CARLTON, Senator Hotel, Sacramento
California State Association of Life Underwriters

CALLAHAN, MICHAEL R., Senator Hotel, Sacramento
California State Council of Culinary Workers, Bartenders, and Hotel Service Employees

CAMPBELL, MRS. GAYE, Senator Motel, Sacramento
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs and Proprietors

CANNON, VERN H., Senator Hotel, Sacramento
California Teamsters Legislative Council

CARMICHAEL, LESTER H., 2758 Eastern Ave., Sacramento 21
Brotherhood of Railroad Signalmen of America

CARPENTER, RICHARD, Senator Hotel, Sacramento
League of California Cities

CARPENTER, WILLIAM E., 611 Elks Bldg., Sacramento
County of Alameda

CARR, FRANCIS J., El Mirador Hotel, Sacramento
Pacific Gas & Electric Company

CARRY, CHARLES R., Ferry Bldg., Terminal Island
California Fish Canners Association, Inc.

CASHION, MRS. VALERIE V., 248 Del Mar, San Mateo
American Association of University Women

CASTIGLIONE, FRANK W., 3091 Wilshire Blvd., Los Angeles
Western Growers Association

CASTOR, MRS. HENRY, 120 South Euclid Ave., Pasadena
League of Women Voters of California

CHADWICK, JOHN E., 1400 S St., Sacramento
Associated General Contractors of America, Inc.

CHANDLER, CONNIE CLARA, Senator Hotel, Sacramento
Liberty League

CHANDLER, LAURENCE, Rm. 7, 302-B South Brand Blvd., Glendale 4
California Loan & Finance Association

CHESHIRE, HARRY V., JR., Senator Hotel, Sacramento
Automobile Club of Southern California

CHRISTENSEN, BRUNEL, 1400 10th St., Likely
California Cattlemen's Association

CLAR, MRS. EVELYN M., 1681 Parkmead Way, Sacramento
League of Women Voters of California
CLARK, ROBERT, El Mirador Hotel, Sacramento
United Steelworkers of America
CLEARY, DONALD W., Senator Hotel, Sacramento
San Francisco City and County
CLOPTON MORT L, 639 South Spring St., Los Angeles 14
California Manufacturers' Association
COLWELL, MRS. MAX, 322 W. 21st St., Los Angeles
California Congress of Parents and Teachers
CONAGHAN, JAMES A., 354 21st St., Oakland 12
Alameda County Milk Dealers Association
CONSIGLIO, THOMAS, El Mirador Hotel, Sacramento
United Steel Workers of America
COOK, GEOFFREY, El Mirador Hotel, Sacramento
Southern California Edison Company
COOPER, VINCENT T., 500 Elks Bldg, Sacramento
County Supervisors Association of California
CORAM, PAUL S., P. O Box 53, Riverside
Dairymen's Service Association
CRALLE, ROBERT E., Senator Hotel, Sacramento
California Association of School Administrators
CREAGH, MERRICK W., 1100 26th St., Bakersfield
Kern County Board of Supervisors
CREEDON, DANIEL J., El Mirador Hotel, Sacramento
Malt Beverage Industry
CREIGHTON, ROBERT C., Senator Hotel, Sacramento
City of Long Beach
DAVID, NINA V., Senator Hotel, Sacramento
California Federation of Service Stations
DAVIS, ALLAN E., Forum Building, Sacramento
California Manufacturers' Association
DAVIS, BYRON H, Regis Hotel, Sacramento
Railroad Shopcrafts Legislative Committee of California
The American Railway Supervisors Association
Sheet Metal Workers' International Association
International Association of Machinists
International Brotherhood of Firemen and Oilers
International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers
DAVIS, EDWARD M., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
DAVIS, HERBERT C., El Mirador Hotel, Sacramento
California Fish Canners Association
DAVIS, NEILL, El Mirador Hotel, Sacramento
California Savings and Loan League
DAVIS, SHERROD STONE, 307 B St., P. O. Box 152, San Mateo
Kirkbride, Wilson, Harzfeld and Wallace
DEAN, J M, 2351 W. 3rd St., Los Angeles 57
Building Material Dealers Credit Association
DEL GUERCIO, RICHARD A, 603 Elks Bldg., Sacramento
Los Angeles County Board of Supervisors

DESCH, FRED J., Senator Hotel, Sacramento
Trailer Coach Association
DIBIASI, NATE, 600 4th Ave., Broderick
Southern California District Council ILWU
DICARO, LAWRENCE B., 3716 J St., Sacramento
Associated Master Barbers and Beauticians of California
DICK, J. EDGAR, 1400 10th St., Sacramento
California Cattlemen's Association
DIEFFENBACHER, JOSEPH R., Senator Hotel, Sacramento
California Grocers Association
Pacific States Cold Storage
California Warehousemen's Association
California Association of Ice Industries
DONOHUE, ROBERT B., 717 Market St., San Francisco
California Association of Industrial Loan Companies
DOYLE, DONALD D., Sutter Club, Sacramento
The Pharmaceutical Institute
DRAPER, W. MARVIN, JR., 5464 Foothill Blvd., Oakland 1
California Credit Union League
DUDLEY, ARTHUR S., 549 Southgate Road, Sacramento
Western Tax Council, Inc.
DURBROW, ROBERT T., Senator Hotel, Sacramento
Irrigation Districts Association of California
ELLIS, WILLIAM, Californian Hotel, Sacramento
Brotherhood of Locomotive Firemen and Enginemen
EVANS, JAMES A , El Mirador Hotel, Sacramento
California Institute of Social Welfare
FARLEY, GOSCOE O , El Mirador Hotel, Sacramento
State Bar of California
FARR, MISS MARION, 2024½ Ocean Park Blvd., Santa Monica
American Association of University Women (Calif. State Div.)
FASSETT, WESTON W., 3949 E. Pacific Ave., Sacramento
Retired State Government Employees Association of California
FEE, RUFUS S., Senator Hotel, Sacramento
Metropolitan Water District of Southern California
FEINBERG, GEORGE, 1315 K St., Sacramento 14
California State Employees Association
FERRIS, MELTON, Sutter Club, Sacramento
American Institute of Architects, California Council
FINKS, HARRY, 2210 H St., Sacramento
California Labor Federation AFL—CIO
FORBES, E. F., 604 Mission St., San Francisco 5
Western States Meat Packers Association, Inc.
FORT, ROBERT O., 1020 8th St., Sacramento
Peace Officers Association of California
California State Sheriffs Association
FOSSETTE, CARL, Senator Hotel, Sacramento
West Basin Water Association
FRASER, JOHN, Senator Hotel, Sacramento
Public Health League of California
GAEDE, MRS. GRACE T., Senator Hotel, Sacramento
California School Boards Association

GARDINER, ROBERT A., 811 25th St., Sacramento
California Water Association
GARDNER, HOWARD, Senator Hotel
League of California Cities
GARIBALDI, JAMES D., Senator Hotel, Sacramento
Hollywood Turf Club
Del Mar Turf Club
California Beverage Distributors Association
Pacific Outdoor Advertising Company
California Association of Highway Patrolmen
GARLAND, GORDON H., Senator Hotel, Sacramento
California Water Development Council
GARROD, RALPH VINCE, El Mirador Hotel, Sacramento
Farmers Underwriters Association
California Farmers Inc.
GARROD, RICHARD R., El Mirador Hotel, Sacramento
Farmers Underwriters Association
GIAMMUGNANI, TES. L , 4601 H St., Sacramento
California Rental Owners Association
GILCHRIST, JOHN PARKER, 16th & N Sts., Sacramento
Northern California Seafood Institute
Collateral Loan Association
GILL, JOSEPH C., 727 W. 7th, Los Angeles 17
County Sanitation Districts of Los Angeles County
Southeast Recreation and Park District
Norwalk Hospital District
GILLISS, WILLIAM E., Senator Hotel, Sacramento
California Association of Timber Truckers
American Institute of Architects, California Council
Central Valley Thoroughbred Breeders Committee
Chiropractic Institute of California
GILMORE, JOHN F., 1400 10th St., Sacramento
California Hay, Grain and Feed Dealers Association
GLADE, J. RICHARD, 803 11th & L Bldg., Sacramento
Inter-Association Unemployment Insurance Committee
GLASS, MARGARET M., El Rancho Hotel, Sacramento
Challenge Cream and Butter Association
GODDARD, MERLE J., Senator Hotel, Sacramento
California Grocers Association
GOODRICH, MRS. PATTERSON, 8721 Sunset Plaza Terrace, Los Angeles 46
American Association of University Women
GOSLOW, MRS. ROBERT H., 16037 Miami Way, Pacific Palisades
American Association of University Women
GOSS, WILLIAM R., 217 South Hill St., Los Angeles 12
California Firechiefs Association (Northern Division)
GREENBERG, MAXWELL E., 3540 Wilshire Blvd., Los Angeles 5
Lenders' Service Corporation
GREGORY, PHILIP J., El Mirador Hotel, Sacramento
California Bankers Association
Investment Bankers Association of America
California Mortgage Bankers Association

HADELER, WILLIAM D., Senator Hotel, Sacramento
California Grocers Association
HAGGERTY, C. J., 995 Market St., San Francisco
California Labor Federation AFL—CIO
HALSTEAD, JACK L., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
HAMMELL, IRVING E., 1012 Meredith Drive, Bakersfield
Allied Printing Trades Legislative Committee
HANLEY, ROBERT E., 1400 10th St., Sacramento
California Farm Bureau Federation
HANNEGAN, JOHN J., Forum Bldg., Sacramento
Farmers Underwriters Association
HANSON, CHESTER G., Senator Hotel, Sacramento
Metropolitan Water District of Southern California
HANSON, S. G., 1315 K St., Sacramento
California State Employees Association
HARDINGE, FRANKLIN, JR., P. O. Box 344-M, 1444 Wentworth, Pasadena
California Savings and Loan League
HARLEY, JAMES A., P. O. Box 222, 820 Main St., Martinez
Contra Costa County Employees Association
HARRIS, THOMAS LEONARD, Senator Hotel, Sacramento
California Teamsters Legislative Council
HAYES, BARBARA LANG, El Mirador Hotel, Sacramento
American Association of University Women
HAYWOOD, ROY, 1503 10th St., Sacramento
Associated Master Barbers and Beauticians of California
HEALEY, LESTER, El Mirador Hotel, Sacramento
California Electric Power Company
HELD, OWEN H., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
California State Firemen's Association
HIBBERT, MAURICE E., 727 W. Seventh St., Los Angeles 17
Challenge Cream and Butter Association
HOFFMAN, VERNE W., Park Mansions Apts., Sacramento
California Correctional Officers Association
California Wild Life Federation
HOLMES, CARL M., 1414 K St., Sacramento
Pacific Telephone and Telegraph Company
HOWE, LESLIE D., Rm. 1301, 926 J Bldg., Sacramento 14
California Taxpayers Association
HUBBARD, LESLIE V., JR., 925 Forum Bldg., Sacramento
California Milk Producers Federation
HUFFMAN, MRS. ROBERT, 548 Tuolumne Place, Stockton 4
American Association of University Women (Calif. State Div.)
HUKILL, BROOKE, 8315 South Rosemead, Pico Rivera
Dairy Information Service
ISAKSEN, MARVEY C., Senator Motel, Sacramento
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs and Proprietors
ISSEL, GEORGE, Park Hotel, Sacramento
Fish Cannery Workers and Fishermen's Union of the Pacific, San Francisco and Moss Landing Bay Areas

JENNER, KENNETH E., 2650 Russell St., Berkeley 5
California Landscape Contractors Association, Inc.
JESKE, HOWARD L., 2020 L St., Sacramento
California-Western States Life Insurance Company
JOHNS, ALGER H., 1545 N. Verdugo Rd., P. O. Box 146, Glendale
Pacific Union Conference of Seventh-Day Adventists
JOHNSON, MICHAEL P., 600 4th St., Sacramento
Northern California District Council ILWU
JONES, ROBERT W., 1405 E. 22d St, Merced
Order of Repeatermen and Toll Testboardmen Local 1011, IBEW, AFL—CIO.
KAHN, MAX R., Senator Hotel, Sacramento
Jefferson E. Peyser (General Counsel for Wine Institute)
KAITZ, WALTER, 2011 Yale St., Sacramento
California Real Estate Association
California Bus Association
KARLSTAD, OLAF, 6224 43d St., Sacramento
California Association of Barbers and Beauticians
KEIRN, G. DALE, 110 Elm St., Modesto
California School Employees Association
KELLER, LEWIS, Senator Hotel, Sacramento
League of California Cities
KELLY, ANDY, 1833 South Orange Drive, Los Angeles 19
Ocean Fish Protective Association
KENNEDY, ANTHONY J., 635 Forum Bldg., Sacramento
California State Dental Association
Southern California State Dental Association
California Legislative Council of Professional Engineers
California Association of Dispensing Opticians
KENNEDY, HAROLD W., Senator Hotel, Sacramento
Los Angeles County Board of Supervisors
KENNEDY, JOHN R., Elks Bldg., Sacramento
Santa Clara County Board of Supervisors
KENNEDY, VINCENT D., 11th & L Bldg., Sacramento
California Retailers Association
KNORP, ALBERT J., 4871 Alta Drive, Sacramento
Home Builders Council of California
KRAMER, CALVIN W., 2301 E. St., Sacramento
Brotherhood Maintenance of Way Employees
KRUSE, ALAN P., 46 Kearny St., San Francisco
California Savings and Loan League
LANDELS, EDWARD D., El Mirador Hotel, Sacramento
California Bankers Association
Investment Bankers of America
California Mortgage Bankers Association
LANGSTAFF, CLARENCE H., Rm. 603 Elks Bldg., Sacramento
Los Angeles County Board of Supervisors
LARSON, KENNETH DONALD, 1320 N St., Sacramento 14
Los Angeles County Fire Fighters Association No. 1014
LAWSEN, MRS. THOMAS E., 4836 Crestwood Way, Sacramento
California Congress of Parents and Teachers, Inc.

LAYMON, FRED E., Senator Hotel, Sacramento
Automobile Club of Southern California
Interinsurance Exchange of the Automobile Club of Southern California
LEAVEY, H. HAROLD, 2020 L St., Sacramento
California-Western States Life Insurance Co.
LECAIN, FRANK, Senator Hotel, Sacramento
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs and Proprietors
LEFEVRE, ALLEN, El Mirador Hotel, Sacramento
Foster and Kleiser Company
LEONARD, EDMUND D., Senator Hotel, Sacramento
California Self-Insurers Association
LINCOLN, CHESTER C., Park Mansion Apts., Sacramento
Merchants and Manufacturers Association of Los Angeles
LOHEIT, ROBERT, 3716 J St., Sacramento
Associated Master Barbers and Beauticians of California
LONG, E. A., Penobscot Ranch, Cool
Western Harness Racing Association
LONG, JOHN B., Rm. 240, 11th and L Bldg., Sacramento
California Newspaper Publishers Association, Inc.
LOVE, DAN R., JR., Senator Hotel, Sacramento
Southern Pacific Company
LUTHER, JOHN M., 334 Forum Bldg., Sacramento
California Central Valleys Flood Control Association
LYON, CHARLES W., Senator Hotel, Sacramento
Southern California Merchants Association
LYONS, WILLIAM, Senator Hotel, Sacramento
Department of Water and Power, City of Los Angeles
MCADAMS, CHARLES L., 2975 Wilshire Blvd., Los Angeles 5
California State Hotel Association
MCCLUNG, EMMONS, 11th and L Bldg., Sacramento
California Retailers Association
MCDONOUGH, MARTIN, 926 J Bldg., Sacramento
Redevelopment Agency of the City of Sacramento
MCELHENEY, JOHN W., 1315 K St., Sacramento
California State Employees Association
MCELLIGOTT, PEGGY L., 307 B St., San Mateo
Kirkbride, Wilson, Harzfeld, and Wallace
MCGILVRAY, KENNETH G., 714 Forum Bldg., Sacramento
Building Material Dealers Credit Association
Associated Credit Bureaus of California
Petroleum Equipment Suppliers Association
MCGINN, HULDA, El Mirador Hotel, Sacramento
Northern California Theaters Association
MCGLYNN, HAROLD J., 1414 K St., Sacramento
Pacific Telephone and Telegraph Company
MCGOWAN, WILLIAM N., 2220 Bancroft Way, Berkeley 4
California Association of Secondary School Administration
MCKAY, ROBERT E., 11th and L Bldg., Sacramento
California Teachers Association

McLAIN, GEORGE, Park Mansions Apts., Sacramento
California Institute of Social Welfare
McLAUGHLIN, FRANCIS M., 605 Elks Bldg , Sacramento
Los Angeles County
McLEAN, WILLIAM J., 1414 K St , Rm 602, Sacramento
Pacific Telephone and Telegraph Company
McLELLAN, RICHARD U., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
McLENNAN, ALFRED D., El Mirador Hotel, Sacramento
Atchison, Topeka and Santa Fe Railway Co.
McWHINNEY, W. C., Senator Hotel, Sacramento
City of Long Beach
MAFFIT, NORMAN H., 604 Mission St., San Francisco 5
Western States Meat Packers Association
MAHLER, THERESA S , Rm. 35, 135 Van Ness Ave , San Francisco
Association for Nursery Education of Northern California
MARKEY, JAMES S., Park Mansions Hotel, Sacramento
Collectors Advisory Council
MATTHEWS, HAZEN L., 712 Title Insurance Bldg., Los Angeles
California Land Title Association
MAU, CARL F., 374 W. Santa Clara St , San Jose
California Water Service Company
MAZOR, STANLEY, 6206 Bullard Dr , Oakland
California Junior Statesmen of America
MEREDITH, GEORGE F., 11th and L Bldg., Sacramento
East Bay Municipal Utility District
MERRILL, LOUIS S , 2500 Stockton Blvd , Sacramento
Western Fairs Association, Inc.
MERZ, ELMER J., 304 Mitau Bldg., Sacramento
California Association of Nurserymen
MIDDAUGH, A. R., Senator Hotel, Sacramento
County of San Mateo, Hall of Justice and Records
MIDDLETON, WILLIAM T., 620 W. 6th St , Los Angeles 17
Trans World Airlines, Inc.
MILLER, BURT W., 11th and L Bldg., Sacramento
California Retailers Association
MILLER, CHARLES J., Suite 611, 926 J Bldg , Sacramento
State Employees Building Corporation
MILLER, JAMES A., Elks Building, Sacramento
California State Hotel Association, Ltd.
California State Restaurant Association
MILLER, LESLIE W., 1331 T St , Sacramento
Construction Industry Legislative Council
California State Builders Exchange
MILLER, WILLIAM L., 217 South Hill St , Los Angeles 12
California Fire Chiefs' Association
MINARD, CLAUDE, 11th and L Bldg , Sacramento
California Railroad Association
MISURACA, CHARLES V., Rt. 1, Box 191, Dixon
Western Dairymen's Association
MITCHELL, G. R., Regis Hotel, Sacramento
Brotherhood of Locomotive Engineers

MOELLER, KENNETH G., El Rancho Hotel, Sacramento
Oakland Chamber of Commerce
MOLNER, DUKE, El Mirador Hotel, Sacramento
United Wholesale Liquor Dealers Association of California
MORRIS, JACK F., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
MOYSE, RALPH E., 414 Front St., San Francisco
Wholesale Fruit and Produce Dealers, Ass'n. of San Francisco
MURPHY, CLARENCE E., 5464 Foothill Blvd., Oakland 1
California Credit Union League
MURRAY, JAMES, JR., 727 J St., Sacramento
California Barber College Association
NALL, CARL E., 1304 E. 7th St., Rm. 256, Los Angeles
Pacific Dairy and Poultry Association
NEAL, WILLIAM H., Senator Hotel, Sacramento
City of Los Angeles
NEVILLE, JOHN T., Senator Hotel, Sacramento
City of Los Angeles
NICKEL, GEORGE D., El Mirador Hotel, Sacramento
Beneficial Management Corporation of America
NIELSEN, ROY J., 309 Bank of America Bldg., Sacramento
California Association of Collectors, Inc.
NOLDER, THOMAS A., 500 Elks Bldg., Sacramento
County Supervisors Association of California
NORCROSS, LEE H., D. C., Apt. 307, Senator Manor, Sacramento
California Chiropractic Association
NOWELL, LOUIS R., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
OLIVER, DAVID V., Senator Hotel, Sacramento
Association of California Insurance Companies
Canners League of California
OLSEN, S. J., Senator Motel, Sacramento
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists, Masseurs and Proprietors
OUGHTON, ALBERT R., 1006 24th St., Sacramento
International Union of Operating Engineers, Stationary Local 39
PATTEE, W. BURLEIGH, 111 Sutter St., San Francisco 4
Sperry and Hutchinson Company
PETERSON, LYNN G., Senator Hotel, Sacramento
Pabst Brewing Company
PEYSER, JEFFERSON E., Senator Hotel, Sacramento
Wine Institute
Independent Mortgage Bankers Association
California Housing Council
PITTS, THOMAS L., Senator Hotel, Sacramento
California Labor Federation, AFL—CIO
POMEROY, JACK F., 24 California St., San Francisco 11
Lumber Merchants Association of Northern California
READ, BEN H., Senator Hotel, Sacramento
Public Health League of California

REAGAN, BENNIE C., 315 S. Broadway, Los Angeles
California Check Sellers and Cashers Association
REDWINE, KENT H., El Mirador Hotel, Sacramento
Association of Motion Picture Producers, Inc.
Motion Picture Association of America
REYNOLDS, HAROLD G., Jr., 1714 Capitol Avenue, Sacramento
California State Nurses Association
REYNOLDS, RALPH EDWIN (TED), El Mirador Hotel, Sacramento
California Roadside Council, Inc.
RICHARDS, RUSSELL D., 1400 10th St., Sacramento
California Farm Bureau Federation
RILEY, ROBERT M., 448 South Hill St., Los Angeles 13
California State Restaurant Association
ROSE, VERNON L., 3716 J Street, Sacramento
Associated Master Barbers and Beauticians of California
ROSS, KENNETH A., JR., El Mirador Hotel, Sacramento
Associated General Contractors (Southern California Chapter)
ROSSI, JACK G., 4320 Velmonte Dr., Sacramento 25
Associated Farmers of California, Inc.
ROWLAND, GILFORD G, 537 Forum Bldg, Sacramento
Pacific American Steamship Association
Federated Employers of San Francisco
SAJOR, EDMUND C., 1320 Webster St., Oakland 12
Oakland Chamber of Commerce
SALISBURY, E. E., El Mirador Hotel, Sacramento
Public Health League of California
SAMUELS, TOM, 222 South 2nd St., San Jose
Building Material Dealers Association
SCHOFIELD, W. R., Senator Hotel, Sacramento
California Forest Protective Association
SCULLY, CHARLES P., 995 Market St., San Francisco
California Labor Federation AFL—CIO
SEEDMAN, GEORGE M., El Rancho Hotel, Sacramento
Rowe Service Company
SHARPE, ROBERT H., 1315 K St, Sacramento
California State Employees Association
SHEPHERD, GEORGE M., 28 N. 1st St., San Jose 13
California Drycleaners Association, Inc.
SHIELDS, RANDLE P., Senator Hotel, Sacramento
San Francisco Chamber of Commerce
SHULTS, ALBERT J., El Mirador Hotel, Sacramento
General Petroleum Corporation
Richfield Oil Corporation
Shell Oil Company
Tidewater Oil Company
SIEGEL, WILLIAM M., 500 Elks Bldg., Sacramento
County Supervisors Association of California
SILVA, FRANK A., Pacific Bldg., San Francisco
California Federated Institute, Inc.
SKOLIL, MRS. RUTH HERRON, 5674 Montezuma Rd., San Diego 15
American Association of University Women

SLAFTER, HERBERT A., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
SMITH, BURCK, Senator Hotel, Sacramento
American Airlines, Inc.
SMITH, DAVE F., El Mirador Hotel, Sacramento
Motor Car Dealers Association of Southern California
SMITH, FRED C., 1320 N St., Apt. 304, Sacramento
Los Angeles County Fire Fighters Association No. 1014
SMITH, RUSSELL, El Mirador Hotel, Sacramento
Motor Car Dealers Association of Southern California
SNELL, MRS. ARTHUR J., 801 W. Euclid Ave., Stockton 4
American Association of University Women
SORELL, LEON H., Hearst Bldg., San Francisco 3
Liquor Retailers Association
SPERL, WENZEL S., 5917 Northside Dr., Los Angeles
Order of Repeatermen and Toll Testboardmen Local 1011 IBEW, AFL—CIO
SPOOR, E. H., 1716 O St., Sacramento
Mountain Counties Water Resources Association
SPRING, GARDINER W., JR., 1803 W. 3rd St., Los Angeles 57
Associated Subcontractors of Southern California, Inc.
STAIGER, WILLIAM B., 1400 10th St., Sacramento
Agricultural Council of California
STEPHENS, JOSEPH H., Mansion Inn, Sacramento
California Public Accountants Association
STEVENS, BERENICE, 3640 Grand Ave., Rm. 207, Oakland 10
California Association of Medical Laboratory Technicians
STEVENS, LAWRENCE C., Senator Hotel, Sacramento
Richfield Oil Corporation
SULLIVAN, EUGENE J., Senator Hotel, Sacramento
Insurance Brokers Exchange of California
SUPPANCE, RALPH A., 6356 De Longpre Ave., Los Angeles 28
Driving Schools Association of California
SUTHERLAND, WALTER R., 1315 K St., Sacramento
California State Employees Association
SWEIGERT, WILLIAM THOMAS, JR., 616 Eye St., Sacramento
Association of California Insurance Companies
The State Bar of California
SWITZER, FRED W., 942 So. La Brea Ave., Los Angeles
Pest Control Operators of California, Inc.
TABER, LLOYD W., 3970 Wilshire Blvd., Los Angeles 5
The Taber Company, Inc.
TAFT, PERRY H., Senator Hotel, Sacramento
Association of Casualty and Surety Companies
TARNOFF, H. L., Senator Hotel, Sacramento
California Retail Liquor Dealers Institute
TEMPLE, WILLIAM L., El Mirador, Sacramento
Malt Beverage Industry

THIGPEN, W. R., P. O. Box 1974, 400 Post St., San Francisco
United Air Lines
Air Transport Association of America
THOMAS, TREVOR K., Rm. 610, Forum Bldg., Sacramento
Friends Committee on Legislation
THOMPSON, JOHN A., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
TRASK, BERT, Senator Hotel, Sacramento
California Trucking Associations, Inc.
TROOST, FRANK W., 3411½ W. 43rd Place, Los Angeles
California Monument Association, Inc.
TRUSTY, L. SHERMAN, El Mirador Hotel, Sacramento
California Barber School Association
TURNER, GOURNEY H., El Mirador Hotel, Sacramento
Los Angeles Fire and Police Protective League
VAN VLECK, GORDAN, 1400 10th St., Sloughouse
California Cattlemen's Association
WAKEFIELD, GEORGE W., 605 Elks Bldg., Sacramento
Los Angeles County Board of Supervisors
WAKEFIELD, HAROLD S., Senator Hotel, Sacramento
Daily Institute of California
WELTY, EARL M., El Mirador Hotel, Sacramento
Union Oil Company of California
WENDT, JOHN R., 11th and L Bldg., Sacramento
California Railroad Association
WHITE, LAWRENCE B., Senator Hotel, Sacramento
California Schools Boards Association
WHITE, WILLIAM A., 1107 9th St., Sacramento
California Council of Civil Engineers and Land Surveyors
WICKLIFFE, LEONARD M., Californian Hotel, Sacramento
Order of Railway Conductors and Brakemen
Railroad Brotherhoods California Legislative Board
WILL, ARTHUR J., Senator Hotel, Sacramento
California Portland Cement Company
Monolith Portland Cement Company
Riverside Cement Company
Southwestern Portland Cement Company
Los Angeles Turf Club, Inc.
WILLIAMS, SPENCER M., Elks Bldg., Sacramento
Santa Clara County Board of Supervisors
WILLIAMS, W. F., Senator Hotel, Sacramento
The National Board of Fire Underwriters
WOOLEY, MAGNUS R., Senator Hotel, Sacramento
Pacific Finance Corporation
YARWOOD, PAUL, 926 J Bldg., Suite 810, Sacramento 14
California Optometric Association
YATES, CLAUDE E., 1441 Van Ness Ave., San Francisco
California Council of Business Schools
ZELLER, RICHARD H., Senator Hotel, Sacramento
California Trucking Associations, Inc.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Adolph Hintz of Compton, relative to employment. Referred to the Committee on Criminal Procedure.

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The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report of California Public Outdoor Recreation Plan Committee

STATE OF CALIFORNIA
CALIFORNIA PUBLIC OUTDOOR RECREATION PLAN COMMITTEE
SACRAMENTO, March 2, 1959

*Hon. Ralph M. Brown*
*Speaker of the State Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN. In compliance with Section 1, Chapter 3, Division 7, Statutes of 1957, as Chairman of the California Public Outdoor Recreation Plan Committee, I submit the attached progress report. As required, a copy has also been submitted to the President of the State Senate and to the Governor.

This is a report of the progress of the work of this committee towards producing a guiding Outdoor Recreation Master Plan which will be presented to the Legislature and to the Governor in March of 1960. This committee believes that the extensive work comprising this plan will be of great help to the executive and legislative branches of government in consideration of any reorganization to handle the complex burgeoning demands for recreation. One of the key objectives of the California Public Outdoor Recreation Plan is to assess the fair responsibility that each level of government in California should assume in assuring that the public needs are met with no gaps nor overlaps in services.

Because the work of this committee is now in an advanced stage, we stand ready to counsel with you or any group on problems of recreation requiring immediate solution.

Sincerely yours,

DEWITT NELSON, Chairman
California Public Outdoor
Recreation Plan Committee

Above transmitted report referred to the Legislative Reference Library.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1778**: By Mr. McCollister—An act to add Section 45009 to the Government Code, relating to holidays for city employees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1779**: By Mr. McCollister—An act to amend Section 38634 of the Government Code, relating to annual leaves of absences for policemen.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1780**: By Mr. McCollister—An act to amend Sections 560 and 561 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1781:** By Mr. Winton—An act to amend Sections 819, 828.65, and 829.45 of the Agricultural Code, relating to containers.

Referred to Committee on Agriculture.

**Assembly Bill No. 1782:** By Mr. Holmes—An act to amend Section 74642, to amend and renumber Sections 74643 and 74644, and to add Section 74644.1 to, the Government Code, relating to the municipal court established in a district embracing the City of Santa Barbara.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 56**—Relative to the continuance of the Joint Committee on Legislative Procedure;

**Assembly Concurrent Resolution No. 65**—Relative to salmon marking.

**Assembly Concurrent Resolution No. 71**—Approving certain amendments to the charter of the City of Stockton, a municipal corporation in the County of San Joaquin, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held thereon on the fourth day of November, 1958;

**Assembly Concurrent Resolution No. 81**—Approving certain amendments to the charter of the City of Hayward, a municipal corporation in the County of Alameda, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the eighth day of April, 1958;

**Assembly Joint Resolution No. 10**—Relative to memorializing Congress concerning the establishment in California of a soil and water conservation laboratory;

And reports the same correctly enrolled, and presented to the Secretary of State on the second day of March, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 133
Assembly Bill No. 258
Assembly Bill No. 521
Assembly Bill No. 639
Assembly Bill No. 663

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 66
Assembly Bill No. 349

And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 288

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 216
Assembly Bill No. 455

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 397

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 33

With the recommendation: Do pass.

MEYERS, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 879
Assembly Bill No. 359
Assembly Bill No. 215

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 268
Assembly Bill No 624

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Concurrent Resolution No. 66

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above resolution ordered on file.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 530

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 53

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 67
Assembly Bill No. 162
Assembly Bill No. 181
Assembly Bill No. 187
Assembly Bill No. 229

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 184

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 82
Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 85

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, March 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 42
Assembly Concurrent Resolution No. 49

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered to unfinished business file.

SENATE CHAMBER, March 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 12

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, March 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 190
Senate Bill No. 213

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 190**—An act to amend Sections 1672 and 1673 of, and to add Section 1670.1 to, the Elections Code, relating to county ballot measures.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 213**—An act to add Section 17531.1 to the Business and Professions Code, relating to packaging of unassembled toys.

Referred to Committee on Governmental Efficiency and Economy.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 18
Senate Bill No. 83
Senate Bill No. 136
Senate Bill No. 151
Senate Bill No. 166
Senate Bill No. 175
Senate Bill No. 191
Senate Bill No. 192
Senate Bill No. 217

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 18**—An act to amend Sections 1091 and 36526 of, to add Sections 1091.5 and 36526.5 to, and to repeal Section 1092.5 of, the Government Code, relating to conflicts of interests of public officers.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 83**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and to amend Section 325 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

**Senate Bill No. 136**—An act to amend Section 145 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 151**—An act to add Article 5 (commencing with Section 1101) to Chapter 1, Division 2 of the Education Code, relating to governing boards of school districts.

Referred to Committee on Education.

**Senate Bill No. 166**—An act to add Section 1073 to the Civil Code and to add Section 109 to the Probate Code, relating to a grant, devise or bequest to a grantor's or testator's own heirs or next of kin.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 175**—An act to amend Section 100 of the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to the dissolution of drainage districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 191**—An act to amend Section 11042 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 192**—An act to amend Section 11041 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 217**—An act to amend Sections 28816 and 28958 of, to add Section 29126.1 to, and to repeal Section 28972 of, the Public Utilities Code, and to amend Sections 15771 and 16158 of, to add Section 16456.1 to, and to repeal Section 16182 of, the Public Services Code, relating to the San Francisco Bay Area Rapid Transit District.

Referred to Committee on Transportation and Commerce.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 397, 455, 609, 615, 531, 216,** and **489.**

**Assembly Bills Nos. 397, 455,** and **216** ordered to third reading.

**Assembly Bills Nos. 609, 615, 531,** and **489** ordered to third reading, subsequent to engrossment.

## SECOND READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 185**—An act to amend Section 156 of, and to add Section 157.7 to, the Vehicle Code and to amend Section 4850 of, and to add Section 4854 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to license plates for vehicles and making an appropriation therefor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, starting in line 1 of the title of the printed bill, as amended in the Assembly February 25, 1959, after the first "to", strike out "amend Section 156 of, and to add Section 157.7 to, the Vehicle Code and to amend Section 4850 of, and to".

**Amendment No. 2**

In line 3 of the title of the bill, strike out "Section", and insert "Sections".

**Amendment No. 3**

In line 3 of the title of the bill, after "4854", insert "and 4855".

**Amendment No. 4**

In line 3 of the title of the bill, strike out "proposed", and insert "enacted".

**Amendment No. 5**

In line 4 of the title of the bill, after "5", insert "during the 1959 Regular Session".

**Amendment No. 6**

On page 1, strike out lines 1 through 22

**Amendment No. 7**

On page 2, strike out lines 1 through 26.

**Amendment No. 8**

On page 2, line 27, strike out "SEC. 4", and insert "SECTION 1".

**Amendment No. 9**

On page 2, line 28, strike out "or tabs".

**Amendment No. 10**

On page 2, line 28, after "issued", insert "for trailers and motorcycles".

**Amendment No. 11**

On page 2, line 30, after the period, insert "One license plate of each set of two license plates issued for the years 1960 and 1961 for all other vehicles, shall be covered or partly covered with or made of reflectorizing material.

SEC. 2. Section 4855 is added to said code, to read:

4855. Whenever the department issues a set of license plates for any vehicle, one of which is covered or partly covered or made of reflectorizing material, it shall be attached to the rear of the vehicle for which issued."

**Amendment No. 12**

On page 2, line 31, strike out "5", and insert "3".

**Amendment No. 13**

On page 2, lines 33 and 34, strike out "the 1959 budget", and insert "Item 166 of the Budget Act of 1959".

**Amendment No. 14**

On page 2, strike out lines 35 through 40.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 884**—An act to add Article 6 (commencing at Section 35400) to Chapter 1, Part 2, Division 2, Title 4, of the Government Code, relating to the annexation of territory to cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "city territory", and insert "the territory of a city".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

## RE-REFERENCE OF BILL PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bill re-referred to the Committee on Ways and Means:

**Assembly Bill No. 66.**

## REPORTS OF STANDING COMMITTEES

**Committee on Rules**

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 106

With the recommendation: Be adopted.

MILLER, Chairman

**Request for Unanimous Consent**

Mr. Z'berg was granted unanimous consent to take up House Resolution No. 106 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 106

By Messrs. Z'berg, MacBride, Bruce F. Allen, Biddick, Britschgi, George E. Brown, Burton, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Mrs. Davis, Messrs. Dills, Elliott, Frew, Garrigus, Samuel

R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Masterson, McMillan, Meyers, Mulford, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, and George A. Willson:

**House Resolution No. 106**

Relative to the Pacific Southwest Local Service Case

WHEREAS, The Civil Aeronautics Board is conducting a proceeding known as the *Pacific Southwest Local Service Case* in which it will examine the need for new and improved air service to Sacramento, California; and

WHEREAS, The capital of California is located in Sacramento and approximately 6,400,000 people, representing approximately 45 percent of the State's population, reside in Los Angeles and San Diego Counties alone; and

WHEREAS, 41 out of the 80 Members of the Assembly and six Members of the Senate reside in portions of Southern California which could receive improved air service to Sacramento via either Los Angeles or San Diego; and

WHEREAS, Legislators require the fastest possible transportation by air because they are frequently required to return to their home districts during the lengthy legislative sessions; and

WHEREAS, Numerous constituents in Southern California and the San Joaquin Valley require the best possible air transportation to Sacramento to look after their interests in the state capital; and

WHEREAS, There is a great deal of travel between Sacramento, on the one hand, and Los Angeles and San Diego, on the other hand, by various state departments; and

WHEREAS, There is but one airline presently serving the Sacramento-Los Angeles-San Diego areas and the needs of the Legislature, the state departments, and other people of the State of California; and

WHEREAS, The competitive trunkline service which has been proposed in the *Pacific Southwest Local Service Case* would provide four-engine, jet-prop service and thus reduce the present elapsed time between Sacramento and Los Angeles and between Sacramento and San Diego by over 30 percent and improve the present air service; and

WHEREAS, There is also a need for improved local air service to intermediate cities, such as Fresno and Bakersfield; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. That the Assembly strongly urges the Civil Aeronautics Board to authorize competitive trunkline air service between Sacramento, on the one hand, and Los Angeles and San Diego, on the other hand

2. That the Assembly also urges the Civil Aeronautics Board to authorize local air service between Sacramento and various intermediate cities, such as Fresno and Bakersfield

3. That the Speaker of the Assembly appoint one representative to appear at the hearing in the *Pacific Southwest Local Service Case, Docket No. 5645, et al.*, to commence on March 10, 1959, in Long Beach, California, and support the need for competitive trunkline air service between Sacramento, on the one hand, and Los Angeles and San Diego, on the other hand, and local air service to intermediate points.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 560**—An act to amend Section 1080 of the Agricultural Code, relating to use and application of injurious materials

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Britschgi—1

Bill ordered transmitted to the Senate.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None

**Notice of Motion to Reconsider Assembly Bill No. 349**

Mr. Collier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 349 was this day passed.

**Assembly Bill No. 637**—An act to amend Section 3000 of the Welfare and Institutions Code, relating to aid to needy blind persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frances, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 651**—An act to amend Section 4160 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.03 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 278**—An act to amend Sections 10201, 10321.5, and 10581.5 of the Business and Professions Code, relating to real estate licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 425**—An act to amend Sections 11002 and 11003 of the Government Code, relating to receipt of mail by the State and its agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 533**—An act to amend Section 1225 of the Government Code, relating to the authority of legislators to administer and certify oaths.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Coolidge—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 566**—An act to amend Sections 3632 and 3672 of the Corporations Code, relating to amendments to articles of incorporation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 627**—An act to add Section 329.5 to the Code of Civil Procedure, relating to the statute of limitations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75.
NOES—Winton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 34**—An act to amend Sections 375.8, 377.8, and 1118 of the Agricultural Code, relating to New York dressed fowl.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—67.
NOES—Bruce F. Allen, Luckel, Masterson, Waldie, and Williamson—5

Bill ordered transmitted to the Senate.

**Assembly Bill No. 584**—An act to amend Section 263.2 of, and to add Sections 260.25 and 260.85 to, the Agricultural Code, relating to bovine brucellosis.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 360**—An act to amend Section 24228 of the Health and Safety Code, relating to air pollution control districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 111**—An act to amend Sections 5931 and 7842 of the Elections Code, relating to absentee voter ballots.

Bill read third time.

**Speaker Presiding**

At 10.24 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 451**—An act to amend Section 19302 of the Education Code, and to amend Section 17101 of the Education Code as proposed by Senate Bill No. 2, relating to charges against school district funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 452**—An act to amend Section 5901 of the Education Code and Section 21301 of the Education Code as proposed by Senate Bill No. 2, relating to school district funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford,

Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—Collier—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 363**—An act to amend Section 4238 of, to repeal Section 4239 of, the Education Code, and to amend Section 2561 of, and to repeal Section 2562 of, the Education Code as proposed by Senate Bill No 2, relating to the formation of junior college districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 151**—An act to amend Section 14108 of the Education Code, relating to the compensation of members of school district personnel commissions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 57**—An act to amend Section 8 of the Corporations Code, to add Section 11 to the Code of Civil Procedure, to amend Section 31 of the Education Code as enacted by the Legislature at the 1959 Regular Session, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code, to amend Section 10 of the Vehicle Code, and to add Section 29 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of certified mail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 290**—An act to add Section 5011 to the Elections Code, relating to misrepresentation in election campaigns.

Bill read third time.

**Point of Order**

Mr. Bradley arose to the following point of order: That Mr. Munnell was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: Am I in order for a point of personal privilege on remarks previously made?

**Reply by Speaker**

The Speaker replied that he was not, at this time, since the remarks were addressed to a bill which was not before the House.

**Demand for Previous Question**

Messrs. Marks, Ernest R. Geddes, Cameron, Belotti, and Hegland demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 456**—An act to add Section 32109 to the Health and Safety Code, and to amend Section 4501 of the Elections Code, relating to hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 568**—An act to amend Section 3051a of the Civil Code and Section 425 of the Vehicle Code, relating to liens.

Bill read third time.

### Motion to Amend

Mr. MacBride moved the adoption of the following amendments:

### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on February 27, 1959, strike out "Section 3051a of the Civil Code and Section 425 of the Vehicle Code", and insert "Sections 3051a and 3068 of the Civil Code".

### Amendment No. 2

On page 1, line 19, strike out "Section 57 of the "California Vehicle Act" ", and insert "Sections 10650 and 10652 of the Vehicle Code".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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### Amendment No. 3

On page 2, strike out lines 1 to 26, inclusive, and insert

"SEC. 2. Section 3068 of said code is amended to read:

3068. (a) Every person has a lien dependent upon possession for the compensation to which he is legally entitled for making repairs or performing labor upon, and furnishing supplies or materials for, and for the storage, repair or safekeeping of, and for the rental of trailer parking space for, any vehicle of a type subject to registration under the Vehicle Code, subject to the limitations set forth in this chapter.

(b) That portion of the lien in excess of [one hundred dollars ($100)] *two hundred dollars ($200)*, for any work or services rendered or performed at the request of any person other than the holder of the legal title, is invalid, unless prior to commencing any such work or service the person claiming the lien gives actual notice in writing either by personal service or by registered letter addressed to the legal owner named in the registration certificate, and the consent of the holder of the legal title is obtained before any such work or services are performed. If any portion of a lien includes charges for the care, storage or safekeeping of, or for the rental of trailer parking space for, a vehicle for a period in excess of 60 days, the portion of the lien which accrued after the expiration of such period is invalid unless the provisions of Sections 10650, 10651, and 10652 of the Vehicle Code have been complied with by the holder of the lien."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 448**—An act to amend Section 15451 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school buildings.

Bill read third time.

### Demand for Previous Question

Messrs Hanna, Grant, Cusanovich, Dahl, and MacBride demanded the previous question Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Biddick, Bradley, and Masterson—3.

Bill ordered transmitted to the Senate.

**Speaker pro Tempore Presiding**

At 11.12 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

**Assembly Bill No. 310**—An act to amend Section 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of an instrument.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 22**—An act to add Section 541 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 4**—An act to amend Sections 74341, 74343, and 74345 of the Government Code, relating to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Speaker Presiding**

At 11.20 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 288**—An act to amend Sections 4501 and 4552 of the Welfare and Institutions Code, relating to medical care for recipients of aid to the disabled.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 222**—An act to amend Section 705.3 of the Vehicle Code, and to amend Section 35552 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72
NOES—Luckel and Winton—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 235**—An act to add Section 705.2 to the Vehicle Code, and to add Section 35553 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to logging trucks.

Bill read third time.

#### Demand for Previous Question

Messrs. Hanna, Holmes, Dills, Meyers, and Dahl demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Britschgi, Chapel, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Rumford, Schrade, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Mr. Speaker—44.
NOES—Don A. Allen, Bane, Beaver, Bradley, George E. Brown, Burke, Collier, Crawford, Donahoe, Garrigus, Samuel R. Geddes, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Miller, Reagan, Rees, Shell, Unruh, Charles H. Wilson, Winton, and Z'berg—24.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT REGARDING LEGISLATIVE RECEPTION OF THE BOARD OF GOVERNORS OF THE STATE BAR

Speaker Brown announced that, in order to avoid conflicting dates on March 19th with "A Night in Old Monterey," the legislative reception, previously scheduled by the Board of Governors of the State Bar for that date, is being advanced to Wednesday, March 18th. As previously announced, the reception will be held in the Camellia Room at the El Dorado Hotel, starting at 5.30 p.m.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 542**—An act to amend Section 6628 of the Health and Safety Code, relating to sanitary districts.

Bill read third time.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 1, of the printed bill, strike out "said code", and insert "the Health and Safety Code".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 669**—An act to add Section 32005.5 to the Health and Safety Code, relating to hospital districts.

Bill read third time.

**Motion to Amend**

Mr. Grant moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "32005.1", and insert "32005.5".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILLS NOS. 828 AND 830 FROM COMMITTEE

Mr. Cunningham was granted unanimous consent that Assembly Bills Nos. 828 and 830 be withdrawn from the Committee on Public Utilities and Corporations, for purpose of amendment, and that the bills be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 828

**Assembly Bill No. 828**—An act to add Chapter 5 (commencing at Section 650) to Division 3 of the Harbors and Navigation Code, relating to the operation and equipment of vessels, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Motion to Amend**

Mr. Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code", insert ", and to amend Section 5861 of the Public Resources Code".

**Amendment No. 2**

On page 1, after line 12, insert

"(a) "Commission" means the Small Craft Harbors Commission, Department of Natural Resources"

**Amendment No. 3**

On page 1, line 13, strike out "(a)", and insert "(b)".

**Amendment No. 4**

On page 1, line 15, strike out "(b)", and insert "(c)"

**Amendment No. 5**

On page 1, line 18, strike out "(c)", and insert "(d)".

**Amendment No. 6**

On page 2, line 3, strike out "(d)", and insert "(e)".

**Amendment No. 7**

On page 2, line 15, strike out "(e)", and insert "(f)".

**Amendment No. 8**

On page 2, line 17, strike out "(f)", and insert "(g)".

**Amendment No. 9**

On page 2, line 19, strike out "(g)", and insert "(h)".

**Amendment No. 10**

On page 2, line 21, strike out "(h)", and insert "(i)".

**Amendment No. 11**

On page 3, line 42, strike out "division", and insert "commission".

**Amendment No. 12**

On page 3, line 47, strike out "division", and insert "commission"

**Amendment No. 13**

On page 3, line 51, strike out "division", and insert "commission".

**Amendment No. 14**

On poge 4, line 13, strike out "division", and insert "commission"

**Amendment No. 15**

On page 4, line 17, strike out "division", and insert "commission".

**Amendment No. 16**

On page 4, line 20, strike out "division", and insert "commission".

**Amendment No. 17**

On page 4, line 26, strike out "division", and insert "commission".

**Amendment No. 18**

On page 4, line 34, after "livery", insert ", other than a boat livery operated under a franchise from a city or county,".

**Amendment No. 19**

On page 4, line 38, strike out "six (6) months", and insert "90 days".

**Amendment No. 20**

On page 4, line 44, after the period, insert "The provisions of this subdivision shall not apply to any motorboat or any vessel rented by the owner of a boat livery if the boat livery is being operated under a franchise from a city or county and the motorboat or vessel is provided with the equipment required by the city or county. Such motorboats or vessels need not be provided with the equipment required by Section 652 or by the rules and regulations made pursuant thereto."

**Amendment No. 21**

On page 4, line 50, strike out "approved as provided in Section 659".

**Amendment No. 22**

On page 5, line 7, strike out "division", and insert "commission".

**Amendment No. 23**

On page 5, line 30, strike out "a", and insert "an undocumented".

**Amendment No. 24**

On page 5, line 34, strike out the comma, and insert "on such forms and".

**Amendment No. 25**

On page 5, line 35, strike out "division", and insert "commission".

**Amendment No. 26**

On page 5, line 35, after the period, insert "The division shall furnish approved forms for the filing of such reports."

**Amendment No. 27**

On page 5, line 48, after "person", insert "at least 12 years of age".

**Amendment No. 28**

On page 6, line 3, strike out "one hour after"; and strike out "one hour before".

**Amendment No. 29**

On page 6, strike out lines 17 to 45, inclusive, and insert

"659. The commission may make rules and regulations for the uniform navigational marking of the waters of this State. Such rules and regulations shall not be in conflict with markings prescribed by the United States Coast Guard. No city, county, or person shall mark the waters of this State in any manner in conflict with the markings prescribed by the commission."

**Amendment No. 30**

On page 6, line 48, after "any", insert "undocumented".

**Amendment No. 31**

On page 7, line 3, strike out "division", and insert "commission".

**Amendment No. 32**

On page 7, line 5, strike out "divi-".

**Amendment No. 33**

On page 7, line 6, strike out "sion", and insert "commission".

**Amendment No. 34**

On page 7, line 10, strike out "division", and insert "commission".

**Amendment No. 35**

On page 7, line 11, after "of", insert "undocumented".

**Amendment No. 36**

On page 7, line 13, after "subdivisions", insert "when there is a conflict in local regulations or where no regulations exist".

**Amendment No. 37**

On page 7, strike out lines 14 to 17, inclusive.

**Amendment No. 38**

On page 8, lines 30 and 31, strike out " and in the Office of the Secretary of State".

**Amendment No. 39**

On page 8, line 32, strike out "(a)".

**Amendment No. 40**

On page 8, line 35, strike out "division", and insert "commission".

**Amendment No. 41**

On page 8, strike out lines 38 to 47, inclusive.

**Amendment No. 42**

On page 8, line 49, strike out "division", and insert "commission".

**Amendment No. 43**

On page 10, line 33, strike out "division", and insert "commission".

**Amendment No. 44**

On page 10, line 40, strike out "division", and insert "commission".

**Amendment No. 45**

On page 10, line 50, strike out "division", and insert "commission".

**Amendment No. 46**

On page 11, line 3, strike out "division", and insert "commission"

**Amendment No. 47**

On page 11, after line 6, insert

"SEC. 2 Section 5861 of the Public Resources Code is amended to read:

5861. The commission shall establish general policies for the guidance of the division in the planning, acquisition, construction, development, improvement, maintenance and operation of small craft harbors under the jurisdiction of the division, the transfer of harbors to local agencies, and the making of loans to local agencies, pursuant to this division, *the registration of vessels by the division, the regulation of the operation and equipment of vessels by the division*, and for that purpose may adopt such rules and regulations as may be necessary to carry out the provisions of this division *and the provisions of Chapter 4 (commencing at Section 690) and Chapter 5 (commencing at Section 650), Division 3 of the Harbors and Navigation Code.*"

**Amendment No. 48**

On page 11, line 7, strike out "2.", and insert "3."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Rush Order Placed Upon Printing of Assembly Bill No. 828**

Mr. Cunningham was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 828.

## CONSIDERATION OF ASSEMBLY BILL NO. 830

**Assembly Bill No. 830**—An act to add Chapter 4 (commencing at Section 600) to Division 3 of the Harbors and Navigation Code, relating to the registration of vessels.

Bill read second time.

### Motion to Amend

Mr. Cunningham moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the title of the printed bill, after "Code", insert ", and to amend Section 5861 of the Public Resources Code".

### Amendment No. 2

On page 1, after line 15, insert

"(a) "Commission" means the Small Craft Harbors Commission, Department of Natural Resources."

### Amendment No. 3

On page 1, line 16, strike out "(a)", and insert "(b)".

### Amendment No. 4

On page 1, line 18, strike out "(b)", and insert "(c)".

### Amendment No. 5

On page 1, line 20, after "water.", insert "It does not include watercraft which are held for hire by the owner of a boat livery operated under a franchise from a city or county where such city or county requires the registration of such watercraft"

### Amendment No. 6

On page 1, line 21, strike out "(c)", and insert "(d)".

### Amendment No. 7

On page 2, line 3, strike out "Owner"; and strike out all of lines 4 to 10, inclusive, and insert

"(e) "Legal owner" is a person holding the legal title to a vessel under a conditional sale contract, the mortgagee of a vessel, or the renter or lessor of a vessel to the State, or to any county, city, district or political subdivision of the State, under a lease, lease-sale, or rental-purchase agreement which grants possession of the vessel to the lessee for a period of 30 consecutive days or more.

(f) "Registered owner" is the person registered by the division as the owner of the vessel"

### Amendment No. 8

On page 2, line 11, strike out "(d)", and insert "(g)".

### Amendment No. 9

On page 2, line 13, strike out "(e)", and insert "(h)"

### Amendment No. 10

On page 2, line 15, strike out "(f)", and insert "(i)".

### Amendment No. 11

On page 2, line 17, strike out "(g)", and insert "(j)".

### Amendment No. 12

On page 2, line 22, after "or", insert "a county, city, or political subdivision".

### Amendment No. 13

On page 2, line 34, strike out "it.", and insert "the commission. The application shall contain the name and address of the owner, and of the legal owner if any"

### Amendment No. 14

On page 2, strike out line 38, and insert "and issue a certificate of ownership to the legal owner and a certificate of number to the owner, or both to the owner if there is no legal owner, stating the".

### Amendment No. 15

On page 2, line 42, strike out "division", and insert "commission".

**Amendment No. 16**

On page 3, line 7, after "change," insert "the existing certificate of ownership and".

**Amendment No. 17**

On page 3, line 8, after "certificate", insert "of ownership and a new certificate of number".

**Amendment No. 18**

On page 3, line 16, after "certificate", insert "of ownership and certificate"

**Amendment No. 19**

On page 3, line 17, after "or", insert "the commission".

**Amendment No. 20**

On page 3, line 22, strike out "division", and insert "commission".

**Amendment No. 21**

On page 3, line 24, after "the", insert "commission and the".

**Amendment No. 22**

On page 3, line 32, strike out "division", and insert "commission".

**Amendment No. 23**

On page 3, after line 35, insert

(i) If a certificate of number is not renewed on or before the day on which it expires, a penalty equal to one-half of the fee for the renewal of the certificate shall be added to the fee for renewal.

(j) All money received by the division pursuant to this chapter shall be deposited in the General Fund."

**Amendment No. 24**

On page 3, line 36, strike out "(i)", and insert "(k)".

**Amendment No. 25**

On page 3, lines 37 and 38, strike out ", other than the creation of a security interest,".

**Amendment No. 26**

On page 3, after line 42, insert "ownership and certificate of".

**Amendment No. 27**

On page 3, line 47, strike out "(j)", and insert "(l)".

**Amendment No. 28**

On page 3, line 51, strike out "division", and insert "commission".

**Amendment No. 29**

On page 4, line 5, strike out "(k)", and insert "(m)".

**Amendment No. 30**

On page 4, line 9, strike out "division", and insert "commission".

**Amendment No. 31**

On page 4, line 23, strike out the period, and insert "or municipality of such state."

**Amendment No. 32**

On page 4, line 26, strike out "division", and insert "commission".

**Amendment No. 33**

On page 4, line 27, strike out "division", and insert "commission".

**Amendment No. 34**

On page 4, line 31, strike out "division", and insert "commission".

**Amendment No. 35**

On page 4, line 35, strike out "division", and insert "commission".

**Amendment No. 36**

On page 4, line 39, strike out "(a)".

**Amendment No. 37**

On page 4, line 42, strike out "division", and insert "commission".

**Amendment No. 38**

On page 4, strike out lines 45 to 52, inclusive; and on page 5, strike out lines 1 and 2.

**Amendment No. 39**

On page 5, line 4, strike out "division", and insert "commission".

**Amendment No. 40**

On page 6, after line 42, insert

"SEC. 2 Section 5861 of the Public Resources Code is amended to read:

5861. The commission shall establish general policies for the guidance of the division in the planning, acquisition, construction, development, improvement, maintenance and operation of small craft harbors under the jurisdiction of the division, the transfer of harbors to local agencies, and the making of loans to local agencies, pursuant to this division, *the registration of vessels by the division, the regulation of the operation and equipment of vessels by the division,* and for that purpose may adopt such rules and regulations as may be necessary to carry out the provisions of this division *and the provisions of Chapter 4 (commencing at Section 600) and Chapter 5 (commencing at Section 650), Division 3 of the Harbors and Navigation Code*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Rush Order Placed Upon Printing of Assembly Bill No. 830**

Mr. Cunningham was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 830.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Dahl was granted unanimous consent that 1,000 copies of Assembly Bill No. 5 (Chapter 3, Statutes of 1959), together with the cross index be ordered printed.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 74 FROM COMMITTEE

Mr. Mulford gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 74 from the Committee on Elections and Reapportionment.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1783**: By Mr. Charles H. Wilson—An act to add Section 9810 of the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to liens on vehicles.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1784**: By Mr. O'Connell—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1785**: By Mr. Hanna—An act to repeal Section 24400 of, and to add Section 24400 to, the Health and Safety Code, relating to dangerous excavations.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1786:** By Mr. Bane—An act to add Section 6607 to the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1787:** By Mr. Chapel—An act to add Chapter 9 (commencing at Section 4065) to Part 1 of Division 5 of the Health and Safety Code, relating to warehouse sanitation.

Referred to Committee on Public Health.

**Assembly Bill No. 1788:** By Mr. Chapel—An act to amend Section 216 of, and to add Section 244 to, the Public Utilities Code, relating to parking lots.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1789:** By Mr. Masterson—An act to amend Section 16902 of the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1790:** By Mr. Masterson—An act to amend Section 16905 of the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1791:** By Mr Masterson—An act to repeal Chapter 3 (commencing at Section 16900) of Part 2 of Division 7 of the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1792:** By Messrs. Masterson, Waldie, Shell, Ernest R. Geddes, Backstrand, Munnell, and Reagan—An act to amend Section 22480 of the Financial Code, relating to charges on loans made by personal property brokers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1793:** By Messrs. Masterson, Ernest R. Geddes, Shell, Munnell, and Reagan—An act to amend Section 22451 of the Financial Code, relating to charges on loans by personal property brokers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1794:** By Messrs. Crawford, Schrade, Hegland, and Bane—An act to add Section 1030 to the Government Code, relating to peace officers.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1795:** By Mr. Dills—An act to amend Sections 22460 and 24459 of the Financial Code, relating to out-of-state loans.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1796:** By Messrs. Kilpatrick, George A. Willson, Petris, Holmes, George E. Brown, Chapel, Crown, Elliott, Grant, House, and McMillan—An act to amend Section 23102 of the Vehicle Code as

enacted by the Legislature at the 1959 Regular Session, relating to convictions for operating motor vehicles while under the influence of intoxicating liquor.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1797**: By Mr. Francis—An act to add Section 320 to the Agricultural Code, and Section 26528 to the Health and Safety Code, relating to illegal possession or use of sulfur dioxide.

Referred to Committee on Public Health.

**Assembly Bill No. 1798**: By Messrs. Francis and Britschgi, and Senator Dolwig, co-author—An act to add Section 72005 to the Government Code, relating to judges of municipal courts

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1799**: By Mr. Francis—An act to add Section 6394 to the Revenue and Taxation Code, relating to sales tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1800**: By Messrs. Francis and Britschgi, and Senator Dolwig, co-author—An act to amend Section 255 of the Revenue and Taxation Code, relating to exemption from property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1801**: By Mr. Bruce F. Allen—An act to repeal Sections 11501, 11502, 11712, 11713 and 11714 of, and to amend Sections 11500, 11530, 11557, 11715.5 and 11715.6 of, and to add Sections 1103.1, 11501, 11502, 11503, 11531, 11532 to the Health and Safety Code and to add a new Article 2.5 (commencing with Section 11540) to Chapter 5 of Division 10 of said code, relating to narcotics.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1802**: By Mr. Rees—An act to add Section 1633.5 to the Insurance Code, relating to insurance licensing.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1803**: By Mr. Rees—An act to amend Section 18661 of the Financial Code, relating to industrial loan companies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1804**: By Mr. Rees—An act to amend Section 31787 of the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1805**: By Mr. Rees—An act to amend Section 31727.4 of the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1806**: By Mr. Rees—An act to amend Sections 3212, 3212.5, and 3212.6 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1807**: By Mr. Rees—An act to amend Section 31734 of the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1808**: By Mr. Dahl—An act to amend Section 565 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "special highway construction equipment."

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1809**: By Mr. Dahl—An act to amend Section 576 of, and to repeal Section 686 of, the Vehicle Code, and to amend Section 22452 of, and to repeal Section 22455 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the stopping of vehicles at railroad grade crossings.

Referred to Committee on Transportation and Commerce.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 109

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved* That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Resolution read, and referred to the Committee on Rules.

By Mr. Garrigus:

### House Resolution No. 110

Commending Dr Stephen E. Epler on being designated Citizen of the Year

WHEREAS, Dr. Stephen E. Epler served his country with distinction as an officer in the naval forces of the United States during World War II; and

WHEREAS, Dr Stephen E Epler has spent a quarter of a century in the field of education as a teacher and administrator; and

WHEREAS, Dr Stephen E. Epler is nationally known as the inventor of Six Man Football which has been a great aid in promoting the physical health and wholesome mentality of a generation of American youth; and

WHEREAS, Dr. Stephen E. Epler has served with distinction as Superintendent of the Reedley College and High School District and President of Reedley College; and

WHEREAS, Dr. Stephen E. Epler served as Chairman of the Community Chest and as Chairman of the King's River District of the Boy Scouts of America; and

WHEREAS, Dr. Stephen E Epler was named by the Reedley District Chamber of Commerce as Citizen of the Year; and

WHEREAS, The honor of being Citizen of the Year is a highly distinctive honor, designated by the most prominent members of the Reedley Community only after a most due and careful deliberation upon the merits of the recipient; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members congratulate Dr Stephen E. Epler on receiving this significant honor; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Dr. Epler.

Resolution read, and referred to the Committee on Rules.

By Messrs. O'Connell, Gaffney, Meyers, Marks, Busterud, and Burton:

**House Resolution No. 111**

Relative to the death of Joseph P. Gilmore

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of the Honorable Joseph P. Gilmore on November 19, 1958; and

WHEREAS, He was born on March 10, 1892, educated in the schools of San Francisco, a former florist in that city, and, at the time of his passing, a representative of the Draymen's Association of San Francisco and the secretary of the Truck Owner's Association; and

WHEREAS, Joseph P. Gilmore devoted a great portion of his life to civic activity on both the local and state level; and

WHEREAS, He was a member of the Assembly of the State of California for many years, serving from 1929 to 1937, and again from 1939 to 1941; and

WHEREAS, During the tenure of the Honorable Joseph P. Gilmore in the Legislature, he was a well-known sponsor of welfare legislation and was very active in other fields of legislation, such as tideland reclamation and highways; and

WHEREAS, He also played an important part in obtaining state funds for the construction of the world-famous "Cow Palace" of Agricultural District 1A; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of former Assemblyman Joseph P. Gilmore, and wish to convey their heartfelt condolences to the members of his bereaved family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his daughter, May Rasmussen.

Resolution read, and referred to the Committee on Rules.

By Mr. Ernest R. Geddes:

**House Resolution No. 112**

Relative to congratulating Vincent D Kennedy

WHEREAS, Vincent D. Kennedy did, during the month of February of this year complete the first one-quarter of a century of his period of distinguished service as Managing Director of California Retailers Association; and

WHEREAS, "Vinc," who was born in the shadow of the Capitol and spent his youth in Sacramento, is widely known and loved by a great host of friends and is respected throughout all branches of the State Government because of his service to the State, first as Executive Secretary to Governor C. C Young and later as Southern California Representative of the California Public Utilities Commission; and

WHEREAS, Vinc is justly proud of his service in "the corner office" during the Young Administration, which was noted for the many public-spirited and eminent men who devoted themselves to the betterment of our great State; and

WHEREAS, From that experience Vinc developed a continuing and deep regard for the welfare of his native California that has always distinguished him among his colleagues; and

WHEREAS, Much favorable attention has been directed to California by the service Vinc has vigorously performed with national organizations on behalf of retailing, and

WHEREAS, Vinc has served faithfully and conscientiously on various federal and state advisory groups, thereby bringing acclaim to his industry and recognition to California; and

WHEREAS, We wish to join with his many friends in extending hearty congratulations upon this happy occasion; now, therefore, be it

*Resolved, by the Assembly of the State of California*, That the Members of the Assembly hereby extend to our good friend Vinc Kennedy our enthusiastic congratulations upon the completion of his first 25 years of service as Managing Director of the California Retailers Association, confidently trusting that he will happily continue as such Director for many years to come; and be it further

*Resolved*, That the Secretary of the Assembly is directed to transmit to Vincent D Kennedy a suitably prepared copy of this resolution.

Resolution read, and referred to the Committee on Rules.

By Mr. Belotti:

**House Resolution No. 113**

Relative to the continuance of the Assembly Interim Committee on Fish and Game

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Interim Committee on Fish and Game created by House Resolution No. 210 of the 1957 Regular Session is recreated and continued in existence until March 15, 1959, with the membership and all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session.

2. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as adopted at this session and amended from time to time, are applicable to this committee and its members.

3. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 531
Assembly Bill No. 609

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 489
Assembly Bill No 615

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Rules

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Bill No 718

With amendments with the recommendation: Amend, and do pass, as amended

MILLER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 50

With amendments with the recommendation: Amend, and be adopted, as amended

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Bill No. 868

With the recommendation: Do pass.

MILLER, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 297

With amendments with the recommendation: Amend, and do pass as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 75
Assembly Bill No. 430

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER. Your Committee on Education reports:

Assembly Bill No. 381

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 571

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No. 372
Assembly Bill No. 373
Assembly Bill No. 832
Assembly Bill No. 704
Assembly Bill No. 387

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 715
Assembly Bill No. 807
Assembly Bill No. 572

With amendments with the recommendation Amend, and do pass, as amended

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 303

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

## ADJOURNMENT

At 11.56 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, March 4, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

FORTY-THIRD CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, March 4, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Everlasting God, Our Father*, Grant that soon in Thine eternity we may see the whole world one, without regard to race or language or selfish interest; one family of mankind, God's sons and daughters; one law, the law of love; one great set of principles for society, the Sermon on the Mount; one great goal, to find the city of God let down from heaven and translated into the institutions of men Give to us our full share in so great and divine an enterprise. May every act of this Assembly bring nearer to reality this kingdom once proclaimed by Jesus Christ, in whose name we pray —AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Frew, seconded by Mr. Garrigus, further reading of the Journal of the previous legislative day was dispensed with.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1810:** By Messrs. Petris and Rees—An act to add Article 5 (commencing with Section 33955) to Chapter 5, Part 1, Division 24 of the Health and Safety Code, relating to community redevelopment and urban renewal plans and bonds.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1811:** By Mr. Levering—An act to add Section 2635 to the Revenue and Taxation Code, relating to the taxation of possessory interests.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1812:** By Mr. Hawkins—An act to amend Section 32001 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health.

**Assembly Bill No. 1813:** By Mr. Hawkins—An act to add Chapter 3 (commencing at Section 17800), to Part 3, Division 7 of the Business and Professions Code, relating to regulation of closing-out and fire sales

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1814:** By Mr. Hawkins—An act to add Section 23378.5 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1815:** By Mr. Hawkins—An act to amend Sections 23360 and 23362 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1816:** By Messrs. Garrigus, Chapel, Gaffney, and Lunardi—An act to repeal Sections 13182, 13183, and 13184 of, and to add Section 13182 to, the Education Code as enacted at the 1959 Regular Session, relating to teaching credentials and life diplomas.

Referred to Committee on Education.

**Assembly Bill No. 1817:** By Mr. Pattee—An act to add Section 5211 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the pledge of allegiance in public schools.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 87:** By Messrs. Waldie, Masterson, and Samuel R. Geddes, and Senators Gibson and Miller, Co-authors—Relative to tolls on the Carquinez Strait Bridge.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 88:** By Miss Donahoe and Mr. Willamson, and Senator Stiern, Co-author—Relative to higher education.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 89**: By Miss Donahoe and Mr. Williamson, and Senator Stiern, Co-author—Relative to the establishment of a state college or branch of the University of California in Kern County.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 11**—An act to amend Section 2615 of the Business and Professions Code, relating to physical therapy, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 563**—An act to add Section 16271.3 to the Education Code, and Section 16864 to the Education Code, as proposed by Senate Bill No 2, relating to the use of school buses, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the third day of March, 1959, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 57**—Relative to adding Rule No. 34 2 to the Joint Rules of the Senate and Assembly with respect to memorial resolutions;

**Assembly Joint Resolution No. 3**—Relative to imported tuna;

And reports the same correctly enrolled, and presented to the Secretary of State on the third day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 49
Assembly Bill No. 78
Assembly Bill No. 487
Assembly Bill No 508
Assembly Bill No. 585
Assembly Bill No. 628

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 542
Assembly Bill No. 568
Assembly Bill No. 669

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 185

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 884

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 159
Assembly Bill No. 596

With amendments with the recommendation. Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 160
Assembly Bill No. 518
Assembly Bill No. 687

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 634
Assembly Bill No. 686
Assembly Bill No 692
Assembly Bill No. 712
Assembly Bill No. 726
Assembly Bill No. 727

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No 176

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 227

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, March 3, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 393

With amendments with the recommendation: Amend, and do pass, as amended.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 286
Assembly Bill No. 883

With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Bill No. 721
With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:
Assembly Bill No. 8
With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Government Organization**

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Government Organization reports:
Assembly Bill No 816
With amendments with the recommendation: Amend, and do pass, as amended

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Government Organization reports:
Assembly Bill No. 837
Assembly Bill No. 1255
With the recommendation: Do pass.

WINTON, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 73
With the recommendation. Be adopted

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER. Your Committee on Rules reports:
House Resolution No. 104
House Resolution No. 109
With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Rules reports:
Senate Concurrent Resolution No. 33
With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 4, 1959

MR SPEAKER: Your Committee on Rules reports:
Senate Joint Resolution No 5
With the recommendation: That the resolution be re-referred to the Committee on Public Utilities and Corporations.

MILLER, Chairman

Above resolution re-referred to the Committee on Public Utilities and Corporations.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 86

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 79

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, March 2, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 37

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 37**—Relative to approving amendments to the charter of the City of Santa Clara, County of Santa Clara, State of California, ratified by the qualified electors of said city at an election held therein on the fourth day of November, 1958.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 52
Senate Bill No 90
Senate Bill No. 104
Senate Bill No 155

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 52**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 90**—An act to amend Section 13831.4 of the Education Code, and Section 13515 of the Education Code as proposed by Senate Bill No. 2, relating to teachers' salaries.

Referred to Committee on Education.

**Senate Bill No. 104**—An act to amend Sections 5001, 5002, 5003, 5009, 5100, and 5102 of, and to amend and renumber Sections 5015, 5016, 5017, 5018, 5018.5, 5019, 5020, 5020.5, 5021, 5022, 5030, 5031, 5032, 5033, 5033.5, 5034, 5050, 5051, 5052, 5053, 5054, 5060, 5061, 5062, 5063, 5063.5, 5064, 5065, 5066, 5080, 5080.5, 5081, 5083, 5090, 5091, 5092, 5093, 5094, 5095, 5096, 5097, 5098, 5104, 5105, 5106, 5107, 5108, 5115, 5116, 5117, 5130, 5131, 5132, and 5133 of, and to add Sections 5031, 5032, 5033, 5034, 5035, 5053, 5054, 5073, 5075, 5076, 5084, and 5088 to, and the titles of Article 2 (commencing at Section 5030), Article 3 (commencing at Section 5050), Article 4 (commencing at Section 5070), Article 5 (commencing at Section 5080), Article 6 (commencing at Section 5100), Article 7 (commencing at Section 5120), and Article 8 (commencing at Section 5130), to Chapter 1 of Division 3 of, and to repeal Sections 5082, 5082.5, and 5082.6 of, and the titles of Article 2 (commencing at Section 5015), Article 3 (commencing at Section 5030), Article 4 (commencing at Section 5050), Article 5 (commencing at Section 5060), Article 6 (commencing at Section 5080), Article 7 (commencing at Section 5090), Article 8 (commencing at Section 5100), Article 9 (commencing at Section 5115), Article 10 (commencing at Section 5130) of Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 155**—An act to add Article 4.7 (commencing with Section 11750) to Chapter 7 of Division 10 of the Health and Safety Code, relating to narcotic treatment-control units.

Referred to Committee on Public Health.

## CONSIDERATION OF DAILY FILE

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 33**—An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 879**—An act to add Section 638 to the Penal Code, relating to equipment employing roentgen rays.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 359**—An act to amend Section 7 of the Penal Code, relating to the definition of "book."

Bill read second time, and ordered engrossed.

**Assembly Bill No. 215**—An act to repeal Sections 32 and 23705 of the Revenue and Taxation Code, relating to claims for tax exemption.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 268**—An act to add Section 502.5 to the Vehicle Code, to add Section 23102.5 to the Vehicle Code as proposed by Assembly Bill No. 5, to amend Section 21407 of, and to add Sections 21407.5 and 21407.6 to, the Public Utilities Code, and to add Sections 269 and

270 to the Harbors and Navigation Code, relating to the use of intoxicating liquor by the operators of powerboats, aircraft and devices moved by human power.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 20, inclusive.

**Amendment No. 2**

On page 3, line 21, strike out "SEC. 8.", and insert "SEC. 3."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 624**—An act to add Section 653m to the Penal Code, relating to curfew on minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 13, insert

"SEC. 2. In enacting this legislation it is not the intention of the Legislature to pre-empt the field, and counties and cities may adopt, or retain in effect, ordinances, or parts thereof, not in conflict with the provisions of Section 1 of this act, including, but not limited to, ordinances imposing liability on parents or others having custody of a minor for loitering by the minor; provided, however, that any ordinance, insofar as it forbids loitering after an hour other than 10 p.m. shall be deemed in conflict with this act."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Concurrent Resolution No. 66**—Relative to criminal procedure in time of disaster.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, lines 20 and 21 of the printed measure, as amended in the Assembly on February 19, 1959, strike out "December 15, 1959," and insert "February 1, 1960,".

**Amendment No. 2**

On page 1, line 21, strike out "at this session", and insert "as early as possible thereafter".

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 530**—An act to add Section 28731.5 to the Public Utilities Code, relating to the board of directors of the San Francisco Bay Area Rapid Transit District.

Bill read second time.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Code", insert "and to add Section 15676.5 to the Public Services Code".

**Amendment No. 2**

On page 1 after line 6, insert

"SEC. 2. Section 15676.5 is added to the Public Services Code, to read:

15676.5. A member of the board of supervisors of, or a mayor or member of the city council of any city within, any county in the district may be appointed to and serve contemporaneously as a member of the board of directors.

SEC. 3. Section 2 of this act shall become operative only if the Public Services Code is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as the Public Services Code takes effect; at which time Section 28731.5 of the Public Utilities Code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 67**—An act to amend Section 3509 of the Fish and Game Code, relating to training dogs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 162**—An act to amend Section 335.5 of the Streets and Highways Code, relating to state highways

Bill read second time, and ordered to third reading.

**Assembly Bill No. 181**—An act to amend Section 2733.5 of the Business and Professions Code, relating to temporary permits for nurses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 187**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and Section 325 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 229**—An act to amend Section 7717 of the Education Code, and amend Section 19581 of the Education Code as proposed by Senate Bill No. 2, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 184**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 15, insert

"SEC. 2. This act shall be known and may be cited as the Levering-Burton Act."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 718**—An act to amend Sections 9107, 9108, 9109, 9134 and 10246, and to repeal Sections 9131, 9132 and 9133 of the Government Code, relating to legislative organization.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Rules, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, after "organizations", insert "and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 3, after line 38, insert

"SEC. 7. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Efficient operation of the Legislature requires the consolidation of various joint committees created by statute, resolution, or both. In order that this may be accomplished in an orderly fashion and without interruption of the legislative process it is necessary that this statute and a concurrent resolution which complements it take effect at the same time and at the earliest possible date.

SEC. 8. Sections 1 to 6 of this act become operative only if the Assembly Concurrent Resolution No. 50 is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time said resolution takes effect."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 868**—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 297**—An act to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to reconstruction of the San Mateo-Hayward Bridge.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, after "Bridge", insert "declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2, after line 43, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There presently exists a hazardous traffic condition on the San Mateo-Hayward and Dumbarton Bridges, brought about by a greatly increased use of these bridges beyond the intended capacities of these bridges, which results in unnecessary injury to persons and property. It is necessary to improve these bridges to meet present day standards for vehicular traffic to remedy this situation. Such improvement is provided for by this bill and will result in the saving of lives and property."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 75**—An act to add Section 8828 to the Education Code, relating to the education of pupils at junior college.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8828", and insert "5721".

Amendment No. 2

In line 1 of the title, after "Education Code", insert "as enacted by the Legislature at its 1959 Regular Session".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 5721 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:

7521. The governing board of a school district maintain-".

Amendment No. 4

On page 1, lines 4 and 5, strike out "located in a county".

Amendment No. 5

On page 1, line 9, strike out "with", and insert "and may contain".

Amendment No. 6

On page 1, between lines 17 and 18, insert "The contract may also include an amount for capital outlay."

Amendment No. 7

On page 2, line 3, after "the contract.", insert "The provisions of Section 20751 which authorize a tax rate for junior college purposes shall apply to cover the cost of education prescribed by the contract."

Amendment No. 8

On page 2, line 7, strike out "7231 to 7239", and insert "20201 to 20209".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 430**—An act to add Sections 12041.7, 12138, 12400.2, and 13039.1 to the Education Code, and add Sections 13105.5, 13145.5, 13171.5, and 13113.5 to the Education Code as proposed by Senate Bill No. 2, relating to the issuance of emergency credentials authorizing service in the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "12041.7, 12138, 12400.2, and 13039.1 to the Education Code, and add Sections".

Amendment No. 2

In lines 3 and 4 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

Amendment No. 3

In line 4 of the title, strike out "issuance of emergency", and insert "renewal of".

Amendment No. 4

On page 1, strike out lines 1 to 16, inclusive, and on page 2, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. Section 13105.5 is added to the Education Code, to read:".

**Amendment No. 5**

On page 2, lines 21 and 22, strike out "an emergency", and insert "a renewable".

**Amendment No. 6**

On page 2, line 28, strike out "SEC. 6", and insert "SEC. 2".

**Amendment No. 7**

On page 2, line 28, strike out "proposed".

**Amendment No. 8**

On page 2, line 30, strike out "an emergency", and insert "a renewable".

**Amendment No. 9**

On page 2, line 32, strike out "accredited", and insert "elementary".

**Amendment No. 10**

On page 2, line 33, strike out "which shall", and insert a period.

**Amendment No. 11**

On page 2, strike out lines 34 and 35.

**Amendment No. 12**

On page 2, line 41, strike out "SEC. 7", and insert "SEC. 3".

**Amendment No. 13**

On page 2, line 41, strike out "proposed".

**Amendment No. 14**

On page 2, line 43, strike out "An emergency", and insert "A renewable".

**Amendment No. 15**

On page 2, line 49, strike out "SEC. 8", and insert "SEC. 4".

**Amendment No. 16**

On page 2, line 49, strike out "proposed".

**Amendment No. 17**

On page 3, line 2, strike out "emergency", and insert "renewable".

**Amendment No. 18**

On page 3, strike out lines 4 to 10, inclusive, and insert

"Any person so employed in a teaching position by a governing board of a school district shall receive at least the minimum salary payable to a teacher possessing a credential issued pursuant to Section 13104 of this code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 381**—An act to amend Sections 8851, 8903, and 11204 of the Education Code as proposed by Senate Bill No. 2, relating to county superintendents of schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 372**—An act to add Section 376.1 to the Education Code and Section 855.1 to the Education Code, as proposed by Senate Bill No. 2, relating to leaves of absences of employees of county superintendent of schools.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 373**—An act to repeal Section 13041 of the Education Code and Section 13285 of the Education Code as proposed by Senate Bill No. 2, relating to teachers of beginners.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 832**—An act to amend Sections 14740.4, 14740.5, and 14740.6 of the Education Code, and Sections 14683, 14684, and 14685 of the Education Code as proposed by Senate Bill No. 2, relating to school district retirement systems.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 704**—An act to add Section 6357.4 to the Education Code, and to add Section 20801.5 to the Education Code as proposed by Senate Bill No. 2, relating to school district maximum tax rates.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 387**—An act to add Section 4676 to the Education Code, and to add Section 2898 to the Education Code as proposed by Senate Bill No. 2, relating to the lapsation of school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 715**—An act to add Section 7194 to the Education Code, and to add Section 17556 to the Education Code as proposed by Senate Bill No. 2, relating to apportionments for schools from the State School Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to add Section 7194 to the Education Code, and".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "as proposed by Senate Bill No. 2", and insert "as enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 15, inclusive.

**Amendment No. 4**

On page 2, line 1, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 5**

On page 2, line 2, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session".

**Amendment No. 6**

On page 2, line 13, after "struction", insert "after consultation with the County Committee on School District Organization".

**Amendment No. 7**

On page 2, strike out lines 15 to 20, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 807**—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, and to repeal Sections 13082, 13084, and 13085 of the Education Code, and to amend Sections 13304, 13311, 13312, 13315, 13320, 13321, and 13322 of, and to repeal Sections 13303, 13307, and 13308 of the Education Code as proposed by Senate Bill No. 2, relating to school district employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "13081, 13086, 13087, 13089, 13092,".

**Amendment No. 2**

Strike out lines 2 and 3 of the title.

**Amendment No. 3**

In line 6 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 1 to 20, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 49, inclusive, and insert

"SECTION 1. Section 13304 of the Education Code as enacted at the 1959 Regular Session is amended to read:".

**Amendment No. 5**

On page 3, line 50, after "district", insert "having an average daily attendance of 250 or more".

**Amendment No. 6**

On page 4, strike out line 10, and insert

"SEC. 2. Section 13311 of said code is amended".

**Amendment No. 7**

On page 4, strike out line 20, and insert

"SEC. 3. Section 13312 of said code is amended to".

**Amendment No. 8**

On page 4, strike out line 25, and insert

"SEC. 4. Section 13315 of said code is amended to".

**Amendment No. 9**

On page 4, line 30, after "shall", insert ", in a district having an average daily attendance of 250 or more,".

**Amendment No. 9.5**

On page 4, line 33, after the period, insert

"In a district having an average daily attendance of less than 250 pupils, he may be so classified."

**Amendment No. 10**

On page 4, strike out line 35, and insert

"SEC. 5. Section 13320 of said code is amended".

**Amendment No. 11**

On page 4, line 39, after the comma, insert "each having an average daily attendance of 250 or more, and".

**Amendment No. 12**

On page 4, strike out line 47, and insert

"SEC. 6. Section 13321 of said code is amended".

**Amendment No. 13**

On page 5, strike out line 38, and insert

"SEC. 7. Section 13322 of said code is amended".

**Amendment No. 14**

On page 6, strike out line 15, and insert

"SEC. 8. Sections 13303, 13307, and 13308 of said".

**Amendment No. 15**

On page 6, line 16, strike out "posed".

**Amendment No. 16**

On page 6, strike out lines 17 to 23, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 572**—An act to amend Section 7717.1 of the Education Code, relating to school building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7717.1", and insert "19582".

**Amendment No. 2**

In line 1 of the title after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 19582 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:

19582. The board by the adoption of rules shall provide for the manner of determining the area of adequate school construction existing in an applicant school district at the time of application. Such rules shall define and provide for the method of determining building areas that are to be included in whole or in part, or to be excluded from the area of existing adequate school construction.

The board may make exceptions to the provisions of this section or to the rules adopted pursuant to such section when it determines that such will be for the benefit of children affected.

For the purposes of this section, "service area" may be defined as (1) buildings which when constructed were intended to be used for a purpose to which the provisions of Education Code Sections 15451 to 15465, inclusive, would not apply, whether or not such sections were in effect at the time when the building was constructed, or (2) buildings which when constructed were intended to be used for a purpose to which Education Code Sections 15451 to 15465, inclusive, would apply, whether or not such sections were in effect when the building was constructed, but which building has been converted or is intended to be converted, as shown by the application, to use for purposes to which such sections would not apply. Service area may include, but is not limited to, construction used as bus garages, maintenance shops, centrally located district storage and warehouses, teacherage and custodial houses, utility shelters, administration offices, transformer vaults, and service yards.

The board shall exclude from the building area of a district the area of any building which is or will be used exclusively for a parenty co-operative nursery education facility, and for no other purpose, and which building at the time of acquisition thereof by the district was incidental to the purchase of a school site and unsuitable for classroom purposes or which was acquired by the district without expenditure of school district funds.

The area of adequate school construction existing in a district at the time of application shall be initially computed as all of the construction area of a district except (1) such areas as may be eligible for replacement under standards established by the board, and (2) such areas in an existing structurally inadequate building for which an application has been filed for structural rehabilitation or in a building previously structurally rehabilitated under either Sections 19401 to 19486, inclusive, or Sections 19551 to 19689, inclusive, of the Education Code, that exceeds the maximum building area allowed by Section 19581 for a number of pupils, equivalent to those that could be housed in the building after rehabilitation. The board shall prescribe by rule the method of computing the number of pupils which could be so housed for the purposes of this subsection If such area of adequate school construction, when added to the minimum facilities needed by the district, results in a total construction area in excess of the amount prescribed in Section 19581, then the board may make the following adjustments to the initial computation or such revisions thereof as the board, in its discretion, deems desirable:

(a) Service areas constructed prior to July 19, 1947, shall be excluded, except as provided in (c) below.

(b) Service areas constructed subsequent to July 19, 1947, shall be recomputed by multiplying the total number of square feet of said service area by the percentage determined from dividing the actual construction cost per square foot as

determined by the Director of Finance by the estimated average cost per square foot of the new school facilities for which the district has made application

(c) If any inadequate nonservice area constructed prior to July 19, 1947, is, or will be, converted to a service area, such area shall be recomputed by multiplying said area by the percentage determined by dividing the depreciated value of said area by the replacement cost as such value and cost are determined by the Director of Finance.

(d) If, after the revised computation of service areas is made as prescribed under subsections (a), (b), and (c) of this section, the existing and requested building area of the district is in excess of the schedule set forth in Section 19581 the existing building area of nonservice facilities may be determined on the basis of the number of pupils housed by such facilities at an allowance per pupil which is not more than 25 percent in excess of the amount per pupil prescribed in Section 19581.

The board shall prescribe by rule the method for computing the number of adequately housed pupils for purposes of this subsection.

[This section shall remain in effect until the ninety-first day after the final adjournment of the 1959 Regular Session of the Legislature.]"

Amendment No. 4

On page 1, strike out lines 2 to 20, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 53**—An act to amend Section 525.1 of the Vehicle Code and Section 21654 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving in the right-hand lane.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill as amended in Senate February 18, 1959, after "lane", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 5, after "shall", insert ", as the authority in charge of the highway finds desirable,".

Amendment No. 3

On page 2, after line 13, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The proper direction of vehicular traffic is in its very nature a matter affecting the public safety. It is essential that proper signs be erected to direct slow moving vehicles to use the proper highway lanes to prevent accidents between such vehicles and vehicles traveling at the high speeds normally driven on modern highways This bill will help alleviate that situation."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 303**—An act to amend the heading of Chapter 6 (commencing at Section 22801), Division 11, and to add Article 1.5 (commencing at Section 22811), to Chapter 6, Division 11, of the Education Code, and to amend the heading of Chapter 6 (commencing at Section 28001), Division 20, and to add Article 1.5 (commencing at Section 28021) to Chapter 6, Division 20, of the Education Code as proposed by Senate Bill No. 2, relating to libraries, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 868** and **381**, subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Concurrent Resolution No. 42**—Relative to amending the Joint Rules of the Senate and Assembly.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 42?

**Amendment No. 1**

On page 1, line 9, of the printed measure, following "provision", insert "and the limitation contained in Section 2(a) of Article IV of the Constitution".

**Amendment No. 2**

On page 1, strike out line 11, and insert
"(a) A written request for such dispensation entitled 'Request to Consider and Act on Bill Within 30 Calendar Days'".

**Amendment No. 3**

On page 1, lines 13 and 14, strike out "a copy of such notice"; and in line 15, strike out "The notice shall be printed in the journal of that house".

**Amendment No. 4**

On page 1, strike out line 16; and in line 17, strike out "notice, the", and insert "(b) The".

**Amendment No. 5**

On page 1, line 20, strike out "its", and insert "the bill's".

**Amendment No. 6**

On page 1, line 22, strike out ", on or after the fifth", and strike out lines 23 and 24, and insert 'may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of".

**Amendment No. 7**

On page 2, line 1, strike out "motion dispensing with this provision", and insert "resolution".

**Amendment No. 8**

On page 2, line 3, strike out "motion", and insert "resolution".

**Amendment No. 9**

On page 1, line 16, of the printed measure, as amended in the Senate on February 24, 1959, after "be," insert "printed in the Journal".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 42 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Concurrent Resolution No. 42 ordered enrolled.

**Assembly Concurrent Resolution No. 49**—Relative to amending the Joint Rules of the Senate and Assembly.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 49?

Amendment No. 1

On page 1 of the printed measure, strike out line 17, and in line 18 strike out "notice, the", and insert "(b) The".

Amendment No. 2

On page 1, in line 22, strike out ", on or after"; strike out lines 23 to 25, inclusive, and insert "may offer a resolution, without further reference thereof to committee, granting permission to introduce the bill. The adoption of the resolution".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 49 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Concurrent Resolution No. 49 ordered enrolled.

## ANNOUNCEMENT RELATIVE TO LAST DAY FOR FREE INTRODUCTION OF BILLS

Mr. Miller announced that, pursuant to the newly adopted Joint Rule No. 8.3, the period for the free introduction of bills ends on May 4th, which is the one hundred and twentieth calendar day provided by the rule.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 623**—An act to amend Sections 8026 and 8029 of the Elections Code, relating to the recount of ballots for congressional and legislative offices.

Bill read third time.

Motion to Amend

Mr. Williamson moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "shall be limited to", and insert "may include".

Amendment No. 2

On page 2, line 3, after "precincts", insert "specified by previous declarations, as well as any or all precincts".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 568**—An act to amend Section 3051a of the Civil Code and Section 425 of the Vehicle Code, relating to liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

## APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Mulford, Bee, Rumford, Dahl, and Miss Donahoe as a Select Committee to escort Dr. Clark Kerr to the bar of the Assembly.

## RECESS

At 10.01 a.m., Speaker Brown declared the Assembly at recess until 10.08 a.m. to meet and hear from the Honorable Clark Kerr, President of the University of California.

## REASSEMBLED

At 10.08 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS (RESUMED)

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 349

In compliance with a notice given on a previous day, Mr. Collier moved that the vote whereby Assembly Bill No. 349 was passed be reconsidered.

### Speaker pro Tempore Presiding

At 10.13 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Speaker Presiding

At 10.23 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Parliamentary Inquiry

Mr. Charles H. Wilson, arose to the following parliamentary inquiry: What will be the disposition of the bill if reconsideration is granted?

### Reply by Speaker

The Speaker replied that the author has agreed to request that the bill be re-referred to committee.

The question being on the motion to reconsider.

Assembly Bill No. 349 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77

NOES—None.

### Request for Unanimous Consent to Re-refer

Mr. Crown was granted unanimous consent that Assembly Bill No. 349 be re-referred to the Committee on Public Utilities and Corporations.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 74 FROM COMMITTEE WAIVED

Mr. Mulford waived his notice of motion to withdraw Assembly Bill No. 74 from the Committee on Elections and Reapportionment.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 154**—An act to add Section 25100.5 to the Government Code, relating to the clerk of the board of supervisors in counties of over 2,000,000 population.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 157**—An act to amend Section 25827 of the Government Code, relating to counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 536**—An act to amend Section 6830 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—68
NOES—None.

Bill ordered transmitted to the Senate.

### PERMISSION TO TAKE PICTURE

Speaker Brown announced that one of the newspapers had requested permission to take a picture of the guests in the Assembly Balcony.

Permission granted by unanimous consent.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 538**—An act to amend Section 6585 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 539**—An act to amend Section 6464 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 540**—An act to amend Section 6482 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—74.
NOES—None

Bill ordered transmitted to the Senate.

#### Name Placed Upon Roll Call

Mr. Coolidge was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 540.

Hon. Augustus F. Hawkins Presiding

At 10.49 a.m., Hon. Augustus L. Hawkins, Member of the Assembly from the Sixty-second District, presiding

**Assembly Bill No. 542**—An act to amend Section 6628 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, and Mr Speaker—65.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 612**—An act to add Section 5834.1 to the Streets and Highways Code, relating to county maintenance districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 668**—An act to amend Section 32009 of the Health and Safety Code, relating to hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 669**—An act to add Section 32005.5 to the Health and Safety Code, relating to hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell,

Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 397**—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 609**—An act to amend Sections 170 and 171 of the Vehicle Code and to amend Sections 5005 and 5008 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the fees for issuing special license plates.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 26, of the printed bill, as amended in the Assembly on March 2, 1959, strike out "aid", and insert "said".

Amendment No. 2

On page 3, line 27, strike out "added to", and insert "of".

Amendment No. 3

On page 3, line 28, strike out "is", and insert "are"

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 615**—An act to repeal Section 12511 of, to add Section 12511 to, and to amend Section 12815 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver's licenses.

Bill read third time.

Speaker Presiding

At 11 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 531**—An act to add Sections 4714.5 and 4831.7 to, and to amend Sections 4832 and 4832.5 of, the Health and Safety Code, relating to county sanitation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 216**—An act to amend Section 55103 of the Water Code, relating to formation of county waterworks districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 489**—An act to amend Section 23772 of, and to add Section 26072.7 to, the Revenue and Taxation Code, relating to corporations exempt under the Bank and Corporation Tax Law, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis,

DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 50**—Relative to an amendment of the Joint Rules of the Senate and Assembly to provide for the creation of a Joint Committee on Legislative Organization.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read and adopted:

Amendment No. 1

On page 3 of the printed measure, after line 9, insert

"This resolution shall become effective only if Assembly Bill No. 718 is enacted by the Legislature at its 1959 Regular Session and in such case at the same time as said statute takes effect."

Amendment read, and adopted.

Resolution ordered reprinted and engrossed.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 94**—An act to amend Section 1300.17 of the Agricultural Code, relating to marketing orders.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 95**—An act to amend Sections 796 1, 796 6, and 828.83 of the Agricultural Code, relating to citrus fruits.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 20**—An act to amend Sections 370, 372 and 372.4 of, and to repeal Section 372.1 of, the Vehicle Code, and to amend Sections 7351 and 8651 of the Revenue and Taxation Code, relating to highway user fees and taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT RELATIVE TO LIMITATIONS ON DEBATE

Speaker Brown announced that Assembly Standing Rule No. 110 provides that no member may be allowed to speak more than 10 minutes to open and five minutes to close the debate on any question; that no member other than the author or mover of the question may be allowed to speak more than five minutes thereon; that the time consumed in the questioning of a member must be deducted from the time allowed that member for debate; and requested that hereafter the members hold their remarks and questioning to the time allowed by the Rules; and stated that if a member has exceeded his time for debate, any other member has the right to raise the point of order; and that the point of order will be sustained by the Speaker.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 3, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: In accordance with the provisions of House Resolutions Nos. 219 and 319 of the 1957 General Session, the Assembly Interim Committee on Public Health appointed a Subcommittee on Accident Prevention to study the problem of home and off-the-job accidents. The report containing the committee's recommendations as to needed legislation, and suggestions for further study is transmitted herewith.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee on
Public Health

SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 3, 1959

*Hon. W. Byron Rumford, Chairman*
*Assembly Interim Committee on Public Health*

DEAR MR. RUMFORD: Attached is the Report of your Subcommittee on Accident Prevention. This report relates the findings and recommendations resulting from the subcommittee's study and investigation during the 1957-59 interim.

The subcommittee wishes to express its appreciation to the many persons who testified at the public hearings, to the State Department of Public Health, local health departments, the staff of the California Home Safety Project, the various California chapters of the National Safety Council, and to the many others whose assistance has made this study possible.

Respectfully submitted,

RICHARD T. HANNA, Chairman
Subcommittee on Accident Prevention
GEORGE G. CRAWFORD
CLAYTON A. DILLS
W. S. GRANT

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal:

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 3, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: The Assembly Interim Committee on Public Health submits the Report on Air Pollution in California prepared by the Subcommittee on Air Pollution and Radiation Protection in accordance with House Resolution No. 219 of the 1957 Session.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee
on Public Health

SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 3, 1959

*Hon. W. Byron Rumford, Chairman*
*Assembly Interim Committee on Public Health*

DEAR MR. RUMFORD: Enclosed is the Report on Air Pollution in California prepared by the Subcommittee on Air Pollution and Radiation

Protection. The subcommittee held public hearings on this subject as follows:

October 28, 1958, Los Angeles.
November 12, 1958, Berkeley.

The subcommittee found that air pollution was remaining a serious problem in the State's two largest metropolitan areas and was a growing problem in other areas of the State, largely because of the State's rapid growth in population, industry and motor vehicle use. The subcommittee has come to recognize that the continued presence of air pollution represents a health hazard to the people of the State, one that could result in widespread sickness and death. The exact nature of this hazard has yet to be determined, although some research work to this end is in progress. The subcommittee feels that the recommendations advanced in this report, if acted upon, will provide more information on this problem.

The subcommittee wishes to express its appreciation to the many witnesses who appeared before it, to the staff of the Los Angeles Air Pollution Control District and the Bay Area Air Pollution Control District, and the Department of Public Health for their valuable assistance, and to the California Legislative Internship Program for making available to the subcommittee the services of Mr. Edward Levy.

Respectfully submitted,

W. S. GRANT
DON MULFORD

SETH J JOHNSON, Chairman
Subcommittee on Air Pollution and Radiation Protection
RICHARD T. HANNA
W. BYRON RUMFORD

## ANNOUNCEMENTS

Mr. Cunningham announced that the Committee on Public Utilities and Corporations will hear the Boating Bills, Assembly Bills Nos. 828 and 830, at 3.30 p.m. this afternoon, in Room 5168.

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Mr. Biddick announced that he had at his desk a bill appropriating funds for small craft harbors, and invited all members who desired to become co-authors to contact him, either at his desk or in his office, and affix their signatures thereto.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Tuesday, February 24, 1959; Wednesday, February 25, 1959; Thursday, February 26, 1959; and Friday, February 27, 1959.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1818:** By Mr. Coolidge—An act to amend Sections 8150, 8155, 8157 and 8158 of, and to repeal Section 8154 of, the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1819**: By Messrs. Hegland, Schrade, and Crawford—An act to amend Section 32130.5 of the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1820**: By Messrs. Hegland, Schrade, and Crawford—An act to add Section 32135 to the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1821**: By Messrs. Hegland and Schrade—An act to amend Section 32125 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1822**: By Messrs. Hegland, Schrade, and Crawford—An act to amend Section 32100 of the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1823**: By Messrs Hegland and Schrade—An act to amend Section 1241 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1824**: By Messrs. Hegland, Schrade, and Crawford—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1825**: By Messrs. Hegland, Schrade, and Crawford—An act to amend Section 32132 of the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1826**: By Mr. Biddick, Mrs. Davis, and Mr. Ralph M. Brown—An act to add Article 4 (commencing at Section 7350) to Chapter 2, Part 2, Division 6 of the Fish and Game Code, relating to the use of minnows, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1827**: By Messrs. Cameron, Grant, Kennick, and Munnell—An act to amend Section 2615.5 and 2910.7 of the Revenue and Taxation Code, relating to the payment of property taxes, including the tax bills and tax receipts.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1828**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5203 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays.

Referred to Committee on Education.

**Assembly Bill No. 1829**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5902 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to vocational courses.

Referred to Committee on Education.

**Assembly Bill No. 1830**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to repeal Section 13105 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to licensing of certified school personnel.

Referred to Committee on Education.

**Assembly Bill No. 1831**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 16519 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school supplies.

Referred to Committee on Education.

**Assembly Bill No. 1832**: By Messrs. Hegland, Grant, and Winton (By request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Section 5606 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior high schools.

Referred to Committee on Education.

**Assembly Bill No. 1833**: By Messrs. Chapel, Cunningham, Backstrand, Johnson, Britschgi, Burke, Cameron, Dills, Francis, Hawkins, and Waldie—An act to add Chapter 8 (commencing at Section 25625) to Division 20 of the Health and Safety Code, relating to atomic energy.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1834**: By Messrs. Petris, Unruh, Hanna, and Rees—An act to repeal Article 4, consisting of Section 14161, of Chapter 8 of Part 8 of Division 2 of the Revenue and Taxation Code, relating to discounts for inheritance tax payments.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1835**: By Mr Lowrey—An act to add Section 330 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1836**: By Mr. Busterud, Chairman, and Messrs. Biddick, Sumner, Masterson, Miller, and O'Connell, comprising the Subcommittee on Traffic Accident Consequences of the Assembly Interim Committee on Judiciary—An act to add Section 11580.2 to the Insurance Code, relating to uninsured motorist coverage.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1837**: By Mr Burton—An act to amend Section 2164 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1838**: By Mr. Burton—An act to add Sections 12501.5, 12651.5, and 12764 to the Health and Safety Code, relating to fireworks.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1839**: By Mr. Burton—An act to repeal Chapter 7 (commencing with Section 1115) of Part 3, Division 2, of the Labor Code, relating to jurisdictional strikes.

Referred to Committee on Industrial Relations.

## RESOLUTIONS

The following resolution was offered:

By Mr. Johnson:

### House Resolution No. 114

Relating to Plant a Tree Week

WHEREAS, Our modern cities with their towering masses of steel and concrete contain little to remind man of the beauties of nature; and

WHEREAS, The Chamber of Commerce Los Angeles Beautiful Committee, with the aid of numerous civic and youth groups, is endeavoring to correct this situation through its annual Plant a Tree Week, to be held this year between March 2 and March 8; and

WHEREAS, During this period approximately 6,000 trees will be planted throughout the City of Los Angeles to not only enhance the beauty of that city but to benefit the residents thereof and visitors thereto by providing them with a glimpse of natural beauty in the midst of that busy modern metropolis; and

WHEREAS, The week's program will include an observance of Arbor Day on March 7, which marks the 110th birthday anniversary of the great California horticulturist, Luther Burbank; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly commend the Chamber of Commerce Los Angeles Beautiful Committee for their work in connection with Plant a Tree Week and request all the citizens of this State to fully co-operate with this civic group so that the event will be an even greater success this year than in past years; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to the Chamber of Commerce Los Angeles Beautiful Committee.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 215 | Assembly Bill No. 387 |
| Assembly Bill No. 359 | Assembly Bill No. 704 |
| Assembly Bill No. 372 | Assembly Bill No. 832 |
| Assembly Bill No. 373 | Assembly Bill No. 879 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 868

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 828
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Utilities and Corporations.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 830
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Utilities and Corporations.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

**Assembly Concurrent Resolution No. 82**—Relative to the congratulation and commendation of Lt. Shepherd M. Jenks;

**Assembly Concurrent Resolution No. 83**—Relative to the passing of Mrs. Mary Rapp;

**Assembly Concurrent Resolution No. 85**—Approving a charter amendment to the charter of the City of Whittier, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at the general election held therein on the fourth day of November, 1958;

And reports the same correctly enrolled, and presented to the Secretary of State on the fourth day of March, 1959, at 11 a.m.

BURKE, Chairman

## ADJOURNMENT

At 11.31 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, March 5, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY

FORTY-FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, March 5, 1959

The Assembly met at 9.30 a.m.

Hon Ralph M Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God and Father of us all.* In these brief weeks in this Assembly we have measured each other, tested and tried out one another, until we are no longer strangers, but friends. Enable us to know that our personal greatness is measured by our kindness, our intellectual attainment by our modesty, and our real caliber by the consideration and tolerance we have for others May we never forget that our ignorance is betrayed by our suspicions and prejudices Let us walk worthy of the vocation wherewith we are elected and called, "till we all come . . . unto a perfect man, unto the measure of the stature of the fullness of Christ," in whose name and spirit we pray —AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dills, seconded by Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Kilpatrick, on motion of Mr. George A. Willson.

## MEMBERS EXCUSED FOR COMMITTEE MEETING

At 9.35 a.m., Mr. Coolidge was granted unanimous consent that he and Messrs. Lanterman, Charles H. Wilson, Samuel R. Geddes, Bradley, and Collier be excused, for the purpose of attending a meeting of the Joint Committee on Assessment Practices, at this time.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

YMCA YOUTH AND GOVERNMENT
STUDIO CITY, CALIFORNIA, February 28, 1959

*The Honorable Ralph M. Brown*
*Speaker of the Assembly*
*Capitol Building Office, Sacramento*

MR. SPEAKER: For most high school students, the study of government is a dull necessity. But for the members of the Y. M. C. A Model Legislature, government is an interesting and vital part of our American way of life. Our participation gave us a small idea of the enormous problems involved. We feel that we will want to exercise a citizen's responsibility to the fullest degree, now that we understand, at least to some extent, the functions of the Legislature.

As Youth Secretary of State I have been requested, by the members of the Eleventh Annual Model Legislature, to express our appreciation to the Members of the Assembly of the State of California, for the privilege of the use of the Assembly Chamber, and the individual help which they gave us.

Sincerely yours,

ROBERT L. MASTEN, Youth Secretary of State

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The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Resolution by Long Beach City Council

CITY OF LONG BEACH, March 3, 1959

*Hon. Ralph M. Brown*
*Assemblyman, 30th District*
*Speaker, California State Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: We are transmitting herewith a copy of Resolution No. C-17158, adopted by the City Council of the City of Long Beach, at its meeting of March 3, 1959, entitled as follows:

A Resolution of the City Council of the City of Long Beach Opposing the Adoption of Assembly Bill No. 286.

Very truly yours,

MARGARET L. HEARTWELL, City Clerk

Encl.

Above transmitted resolution referred to the Committee on Fish and Game.

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### Letter of Transmittal
### Resolution by Vernon City Council

VERNON, CALIFORNIA, March 4, 1959

*The Honorable L. H. Lincoln*
*Speaker of the California State Assembly*
*State Capitol, Sacramento*

DEAR SIR: Enclosed you will find a certified copy of Resolution No. 2254—A Resolution of the City Council of the City of Vernon Urging the Defeat of Assembly Bill 286—which was adopted by the City Council at its meeting held March 3, 1959

Yours very truly,

F. A. ZIEMER, City Clerk

Encl.

Above transmitted resolution referred to the Committee on Fish and Game.

The following communication was presented by the Chief Clerk from:

Mrs. E. White of Los Angeles, relative to legislation. Referred to the Committee on Revenue and Taxation.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Conrad, Sedgwick, Hawkins, Schrade, Nisbet, and Miller:

### House Resolution No. 115

Relative to timing debates

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is authorized and directed to provide two time clocks or timing devices in appropriate places within the Assembly chambers which can be controlled by the Speaker or as he may direct for the purpose of indicating to the members the lapse of time permitted for debate; and be it further

*Resolved*, That the Assembly Committee on Rules may incur and pay such expense as it may determine to be necessary to carry out the purpose of this resolution

Resolution read, and referred to the Committee on Rules.

By Messrs. Conrad, Don A. Allen, and Cusanovich:

### House Resolution No. 116

Relative to the death of Lou Costello

WHEREAS, The Members of the Assembly were shocked to learn of the untimely passing on March 3, 1959, of Louis Francis Cristillo, known to millions throughout the world as the actor and comedian, Lou Costello; and

WHEREAS, Lou was born on March 6, 1908, in Paterson, New Jersey, and after a short period of early adulthood as an extra and stunt man in the movies joined forces with Bud Abbott to become with him the famous team of Abbott and Costello; and

WHEREAS, For over a quarter of a century, Lou and Bud, through depression, war and peace times, by their zany antics have brought tears of laughter to the eyes of their devoted audiences in movies, theaters and night clubs; and

WHEREAS, Lou's sympathetic character as the fall guy, needled by the straight man's barbs, and sometimes bruised by slaps and falls, but always resiliently cheerful, was universally loved by his fans; and

WHEREAS, His passing leaves a void in the world of entertainment which will not easily be filled; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members hereby pay tribute to the memory of America's incomparable comedian, Lou Costello, and extend their sincere condolences to his bereaved family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the widow, Mrs. Anne Costello.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 114 FROM COMMITTEE

Mr. Johnson was granted unanimous consent that House Resolution No. 114 be withdrawn from the Committee on Rules.

### Request for Unanimous Consent

Mr. Johnson was granted unanimous consent to take up House Resolution No. 114 without reference to file

## CONSIDERATION OF HOUSE RESOLUTION NO. 114

By Mr. Johnson:

### House Resolution No. 114

Relating to Plant a Tree Week

WHEREAS, Our modern cities with their towering masses of steel and concrete contain little to remind man of the beauties of nature; and

WHEREAS, The Chamber of Commerce Los Angeles Beautiful Committee, with the aid of numerous civic and youth groups, is endeavoring to correct this situation

through its annual Plant a Tree Week, to be held this year between March 2d and March 8th; and

WHEREAS, During this period approximately 6,000 trees will be planted throughout the City of Los Angeles to not only enhance the beauty of that city but to benefit the residents thereof and visitors thereto by providing them with a glimpse of natural beauty in the midst of that busy modern metropolis; and

WHEREAS, The week's program will include an observance of Arbor Day on March 7th, which marks the 110th birthday anniversary of the great California horticulturist, Luther Burbank, now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly commend the Chamber of Commerce Los Angeles Beautiful Committee for their work in connection with Plant a Tree Week and request all the citizens of this State to fully co-operate with this civic group so that the event will be an even greater success this year than in past years; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to the Chamber of Commerce Los Angeles Beautiful Committee.

Resolution read, and adopted unanimously.

## HOUSE RESOLUTION NO. 32 STRICKEN FROM INACTIVE FILE

Mr. Johnson was granted unanimous consent that House Resolution No. 32 be stricken from the inactive file.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1840**: By Mr. Beaver—An act to add Section 10055 to the Education Code, as enacted at the 1959 Regular Session, relating to high school textbooks.

Referred to Committee on Education.

**Assembly Bill No. 1841**: By Mr. Beaver—An act to amend Section 20361 of the Government Code, relating to employees' retirement system.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1842**: By Mr. Williamson—An act to add Chapter 11 (commencing at Section 22000) to Division 8 of the Business and Professions Code, relating to trading stamps.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1843**: By Messrs. Grant and Kennick—An act to amend Section 18009 of the Health and Safety Code, relating to trailer coaches.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1844**: By Mr. George E. Brown—An act to amend Section 14004 of the Financial Code, relating to credit union employee organizations.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1845**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, Co-author (By Request)—An act to add Section 54906 to the Government Code, relating to highway lighting districts.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1846**: By Mr. Dahl—An act to amend Section 22406 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of trucks and truck tractors.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1847**: By Mr. Lunardi—An act to create the Nevada County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Nevada County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Referred to Committee on Water.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 530, 184, 718, 297, 715, 807,** and **572.**

**Senate Bill No. 53.**

Above Assembly bills ordered to third reading subsequent to engrossment.

Senate Bill No. 53 ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 159**—An act to add Section 19828 to the Health and Safety Code, relating to contractors.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert "19828. No city or county shall issue a building permit to an applicant, unless such applicant submits a statement certifying that he is licensed pursuant to Chapter 9 (commencing at Section 7000) of Division 3 of the Business and Professions Code and that his license is in full force and effect, which statement contains the number and classification of his license, or submits a statement that he is exempt from the provisions of that chapter, which statement contains the basis for the alleged exemption."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 596**—An act to amend Section 2935 of the Business and Professions Code, relating to psychologists.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after the period, insert "No person shall employ or use the title "Registered Psychologist" ".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 160**—An act to add Section 6545.5 to the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "barbering", insert "in California".

**Amendment No. 2**

On page 1, between lines 10 and 11, insert

"(c) He has a diploma showing graduation from an eighth grade grammar school, or an equivalent education as determined by an examination conducted by the board."

**Amendment No. 3**

On page 1, line 11, strike out "(c)", and insert "(d)".

**Amendment No. 4**

On page 1, line 12, strike out "(d)", and insert "(e)".

**Amendment No. 5**

On page 1, after line 21, insert

"No application for a certificate of registration under this section shall be received after the expiration of ninety (90) days from the effective date of the section."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 518**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to business solicitation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "zation", insert "express or implied".

**Amendment No. 2**

On page 2, line 1, after "authorization", insert "express or implied".

**Amendment No. 3**

On page 2, between lines 2 and 3, insert

"17802 Authorization to use the telephone may be implied from previous communications between the parties or their agents or representative or from any conduct which in the usual course of business indicates that the use of the telephone would be an acceptable method of communication."

**Amendment No. 4**

On page 2, line 3, strike out "17802", and insert "17803".

Amendment No. 5

On page 2, line 6, strike out "17803", and insert "17804".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 687**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to trading stamps.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 16, of the printed bill, after "business", insert ", unless such person advertises that he does not give trading stamps on certain items of merchandise and designates such items in the advertisement".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 634**—An act to add Section 1125 to the Welfare and Institutions Code, relating to handiwork of Youth Authority inmates.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 686**—An act to add Sections 16906 and 17050.5 to the Business and Professions Code, relating to trading stamps.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 692**—An act to add Section 6788 to the Business and Professions Code, relating to the practice of engineering.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 712**—An act to amend Section 3800 of the Labor Code, relating to construction permits.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 726**—An act to add Section 8794 to the Business and Professions Code, relating to land surveying.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 727**—An act to amend Sections 8751 and 8765 of the Business and Professions Code, relating to land surveying.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 176**—An act to repeal Sections 31031 and 31031.5 of, and to add Section 31031 to, the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 227**—An act to add Section 55335 to the Water Code, relating to the powers of county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "and distribute", and insert ", treat and reclaim".

Amendment No. 2

On page 1, line 8, after "sewage", insert "or both; may store, distribute, sell or otherwise dispose of the water and byproducts resulting from such purification, treatment and reclamation;".

Amendment No. 3

On page 1, strike out lines 12 to 16, inclusive, and insert "to carry out these powers."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 393**—An act to amend Section 8276 of the Fish and Game Code, relating to crabs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

On page 1, strike out lines 5 to 8, inclusive, of the printed bill, as amended in the Assembly on February 26, 1959, and insert

"(a) Crabs may be taken in Districts 6, 7, 8, and 9 only between December 15th and July 15th

(b) Crabs may be taken in all other districts only between November 15th and May 31st."

Amendment No. 2

On page 1, strike out line 9, and insert

"(c) Crabs may not be taken for commercial purposes in".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 286**—An act to add Article 2.5 (commencing at Section 4471.1), to Chapter 4, Part 2, Division 5 of the Health and Safety Code, relating to fishing in water supplies and recreational uses in the surrounding area.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4471.1", and insert "4470".

Amendment No. 2

On page 1, line 1, strike out "4471.1", and insert "4470".

Amendment No. 3

On page 1, line 7, strike out "4471.1.", and insert "4470."

Amendment No. 4

On page 1, line 7, after the first "in", insert "this".

Amendment No. 5

On page 2, line 1, strike out "4471.2.", and insert "4470.1."

**Amendment No. 6**

On page 2, line 7, strike out "re-"; and strike out lines 8 through 34, and insert "make application to the State Department of Public Health for an amendment to its water supply permit, which would allow the opening of the body of water to public fishing and the surrounding land area for other recreational use, and which application will include the steps proposed to meet the regulations of the State Department of Public Health relating to recreation on domestic water supply reservoirs.

4470.2. Upon receipt of the permit, if".

**Amendment No. 7**

On page 2, line 41, strike out ". In either event, recreational uses"; and strike out lines 42 to 44, inclusive; and in line 45 strike out "nothing", and insert "subject to the regulations of the State Department of Public Health.

4470.3. Nothing".

**Amendment No. 8**

On page 2, line 49, strike out "4471.5.", and insert

"4470.4. The ballot for the election authorized by Section 4470.2 shall contain such instructions required by law to be printed thereon and in addition thereto the following:

| | | |
|---|---|---|
| Shall the (insert name of governmental agency) allow fishing in the (name of body of water) and other recreational uses in the surrounding area subject to the regulations of the State Department of Public Health? | YES | |
| | NO | |

4470.5. The governmental agency owning the body of water may prepare a co-ordinated plan for public fishing in the body of water and other recreational uses in the surrounding land area consistent with the water supply permit issued by the State Department of Public Health. Such plan may provide for development of the area by stages and may exclude from public access structures, facilities or works of the agency necessary in supplying water for human consumption and such portions of the body of water and surrounding land areas as may be reasonably required for the protection, maintenance or operations of such structures, works or facilities. Such plan may exclude such portions of the surrounding area as are unsuitable for public recreational use.

4471."

**Amendment No. 9**

On page 3, line 13, strike out "and shall be reim-"; and strike out lines 14 to 19, inclusive; and in line 20, strike out "4471.6.", and insert "4471.1."

**Amendment No. 10**

On page 3, line 37, strike out "4471.7.", and insert

"4471.2. As far as possible the development and operation of the recreational uses authorized by this article shall be financed out of the revenues authorized by this article; provided, however, that the governmental agency owning the body of water is not required to fix fees which are unreasonably high and in its discretion may make use of any means of financing which it is otherwise authorized to use for any purpose.

4471.3."

**Amendment No. 11**

On page 3, line 44, strike out "4471.8.", and insert "4471.4."

**Amendment No. 12**

On page 3, line 46, strike out "Section 4471.4", and insert "this article".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 383**—An act to amend Sections 57, 70, 331, 332, 3031, 4006, and 7049 of the Fish and Game Code, relating to licenses for taking animals.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "4006," insert "4332, 4751,".

**Amendment No. 2**

On page 2, line 35, strike out "citizen of the United States", and insert "person".

**Amendment No. 3**

On page 2, strike out lines 37 and 38; and in line 39, strike out "(e)", and insert "(d)".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 4**

On page 3, line 1, after "SEC. 7.", insert "Section 4332 of said code is amended to read:

4332. Any resident of this State 12 years of age or over who possesses a valid hunting license may, upon payment of two dollars ($2), procure the number of license tags corresponding to the number of deer that may legally be taken by one person during the current license year.

Any nonresident of this State, [or any noncitizen of the United States,] 12 years of age or over, who possesses a valid hunting license, may, upon payment of ten dollars ($10), procure the number of license tags corresponding to the number of deer that may legally be taken by one person during the current license year.

[The amendments to this section shall become operative with the issuance of the 1958 deer license tags.]

SEC. 8. Section 4751 of said code is amended to read:

4751. Any resident of this State 12 years of age or over who possesses a valid hunting license may, upon payment of one dollar ($1), procure the number of bear license tags corresponding to the number of bear that may legally be taken by one person during the current license year.

Any nonresident of this State, [or any noncitizen of the United States,] who possesses a valid hunting license, may, upon payment of ten dollars ($10), procure the number of bear license tags corresponding to the number of bear that may legally be taken by one person during the current license year.

SEC 9."

**Amendment No. 5**

On page 3, lines 11 and 12, strike out "or noncitizen of the United States and nonresident of this State".

**Amendment No. 6**

On page 3, line 16, strike out "citizen of the United States", and insert "person"

**Amendment No. 7**

On page 3, after line 42, insert

"SEC 10. Sections 3, 4, 5, 6, 7, and 8 of this act shall become operative on July 1, 1960. Section 9 of this act shall become operative on January 1, 1960. Sections 1 and 2 of this act shall become operative on July 1, 1960, as to licenses and license tags issued pursuant to Sections 331, 332, 3031, 4006, 4332, and 4751 of the Fish and Game Code as amended by this act. Sections 1 and 2 of this act shall become operative on January 1, 1960, as to fishing licenses issued pursuant to Section 7149 of the Fish and Game Code as amended by this act."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 721**—An act to amend Section 8695 of the Fish and Game Code, relating to gill nets

Bill read second time, and ordered engrossed.

**Assembly Bill No. 8**—An act to amend Section 653k of the Penal Code, relating to switchblade knives.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "concealed".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 816**—An act to amend Sections 16305.5 and 16480 and to repeal Section 16305.6 of the Government Code, relating to money in treasury trust accounts and the investment thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "reimbursed", and insert "reinvested".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 837**—An act to amend Sections 16771 and 16772 of the Government Code, relating to state bonds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1255**—An act to amend Section 16731 of the Government Code, relating to the registration of state bonds.

Announcement

Speaker Brown announced that the provisions of Article IV, Section 2(a) of the Constitution have not been invoked for the Assembly to act upon Assembly Bill No. 1255.

Motion to Place on Inactive File

Mr. Winton moved that Assembly Bill No. 1255 be placed on the inactive file.

Motion carried.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 718, 297, 715, 572, 692,** and **726,** subsequent to engrossment.

**Senate Bill No. 53.**

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 5, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 609
Assembly Bill No. 623

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Concurrent Resolution No. 50
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Concurrent Resolution No. 73
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

### Committee on Agriculture

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 656
Assembly Bill No. 695
Assembly Bill No. 713
Assembly Bill No. 714
Assembly Bill No. 748
Assembly Bill No. 840
Assembly Bill No. 842

With the recommendation: Do pass.

SAMUEL R GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Assembly Bill No. 835
Assembly Bill No. 888
With amendments with the recommendation: Amend, and do pass, as amended.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:
Assembly Bill No. 59
With amendments with the recommendation: Amend, and do pass, as amended.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:
Assembly Bill No. 520
With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:
Assembly Bill No 123
With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 671

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 258
Assembly Bill No. 860

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 180
Assembly Bill No. 193
Assembly Bill No. 194
Assembly Bill No. 197
Assembly Bill No. 199
Assembly Bill No. 200
Assembly Bill No. 201
Assembly Bill No. 238
Assembly Bill No. 242
Assembly Bill No. 243
Assembly Bill No. 294
Assembly Bill No. 311
Assembly Bill No. 312
Assembly Bill No. 356
Assembly Bill No. 382

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 383
Assembly Bill No. 384

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 236
Assembly Bill No. 237
Assembly Bill No 241
Assembly Bill No. 355
Assembly Bill No. 357

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 195

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Concurrent Resolution No. 24

With the recommendation: Be adopted.

CROWN, Chairman

Above resolution ordered on file.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 502
Assembly Bill No. 561
Assembly Bill No. 569
Assembly Bill No. 583

With the recommendation: Do pass.

BELOTTI, Chairman

Above bills ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 274
Assembly Bill No. 682
Assembly Bill No. 683

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 130
Assembly Bill No. 131
Assembly Bill No. 516
Assembly Bill No. 684
Assembly Bill No. 336
Assembly Bill No. 379

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 297
Assembly Bill No. 530
Assembly Bill No. 715

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No. 530 ordered to third reading.

Assembly Bills Nos. 297 and 715 re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 184

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 665
Assembly Bill No. 694

With the recommendation: Do pass.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 812

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER. Your Committee on Rules reports:

Assembly Concurrent Resolution No 84

With the recommendation: That the resolution be re-referred to the Committee on Natural Resources, Planning, and Public Works.

MILLER, Chairman

Above resolution re-referred to the Committee on Natural Resources, Planning, and Public Works.

ASSEMBLY CHAMBER, March 5, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 107
House Resolution No. 110
House Resolution No. 111

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 572
Assembly Bill No. 718

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 807

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 4, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 36**—Relative to the continuance of the Joint Committee on Water Problems.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 67
Senate Bill No. 149
Senate Bill No. 178
Senate Bill No. 231

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 67**—An act to amend Section 823 of the Agricultural Code, relating to apple containers.

Referred to Committee on Agriculture.

**Senate Bill No. 149**—An act to amend Sections 5053, 5600, 5613, 6006, 6561, 7150, and 8702 of, to add Sections 6413 and 7603.5 to, and to repeal Section 7407 of, the Financial Code, relating to savings and loan associations.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 178**—An act to amend Sections 12607 and 12611 of the Business and Professions Code, relating to commodities sold in containers.

Referred to Committee on Agriculture.

**Senate Bill No. 231**—An act to amend Section 63.5 of the Agricultural Code, relating to county agricultural commissioners.

Referred to Committee on Agriculture.

## EXPLANATION OF ABSENCE

March 5, 1959

May the Journal show that Assemblyman Clark L. Bradley was in Committee on Assessment Practices from 9 35 a.m. to 11.30 a.m on this date

CLARK L. BRADLEY

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Winton was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that 2,500 copies of the report be printed out of the committee funds.

CALIFORNIA LEGISLATURE JOINT INTERIM COMMITTEE
ON THE PUBLIC EDUCATION SYSTEM
STATE CAPITOL, SACRAMENTO

*Hon. Glenn Anderson,*
*President of the Senate*
*and*
*Hon. Ralph M. Brown,*
*Speaker of the Assembly*

GENTLEMEN: There is transmitted herewith preliminary progress report of the Joint Interim Committee on the Public Education System established under authority of Assembly Concurrent Resolution No 20, of the 1958 1st Extraordinary Session, as amended by Assembly Concurrent Resolution No 2, of the 1959 Regular Session.

Included in this report is the first report of the Citizens Advisory Commission, authorized by the Legislature of the State of California to examine the complete education system of our State.

This is commended to you for the thoughtful study by you, the legislators of this State, and all other citizens interested in the future of education in California.

Respectfully submitted,

GEORGE MILLER, JR., Vice Chairman
HUGH M. BURNS
PAUL L. BYRNE
NELSON S. DILWORTH
HUGH P. DONNELLY
DONALD L. GRUNSKY
FRED S. FARR

GORDON H. WINTON, Chairman
DOROTHY M. DONAHOE
RICHARD T. HANNA
FRANK LANTERMAN
HAROLD SEDGWICK
JOSEPH C. SHELL
CARLOS BEE

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 623**—An act to amend Sections 8026 and 8029 of the Elections Code, relating to the recount of ballots for congressional and legislative offices.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.06 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 609**—An act to amend Sections 170 and 171 of the Vehicle Code and to amend Sections 5005 and 5008 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the fees for issuing special license plates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Grant was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, the report to be printed out of committee funds:

### LETTER OF TRANSMITTAL

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 214, 1957 General Session, the Assembly Interim Committee on Elections and Reapportionment herewith submits its report for the 1957-1959 interim period.

This report contains a discussion of the major topics studied by the committee, together with relevent information submitted to the committee.

The committee wishes to acknowledge with appreciation all those who aided in the prosecution of the committee's work during the interim period.

Respectfully submitted,

| | |
|---|---|
| MONTIVEL A. BURKE | WM. S. GRANT, Chairman |
| JOHN A. BUSTERUD | PHILLIP BURTON, Vice Chairman |
| CHARLES EDWARD CHAPEL | LOUIS FRANCIS |
| CHARLES J. CONRAD | CHARLES W. MEYERS |
| ROBERT W. CROWN | WILLIAM A. MUNNELL |
| CASPAR W. WEINBERGER | CARLEY V. PORTER |

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 33**—An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel,

MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 359**—An act to amend Section 7 of the Penal Code, relating to the definition of "book."

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sliell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 67**—An act to amend Section 3509 of the Fish and Game Code, relating to training dogs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 162**—An act to amend Section 335.5 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 181**—An act to amend Section 2733.5 of the Business and Professions Code, relating to temporary permits for nurses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 187**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and Section 325 of the Fish and Game Code, relating to deer.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Bruce F. Allen and Luckel—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 229**—An act to amend Section 7717 of the Education Code, and amend Section 19581 of the Education Code as proposed by Senate Bill No. 2, relating to school district public works, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Hon. John A. Busterud Presiding**

At 10.35 a.m., Hon. John A. Busterud, Member of the Assembly from the Twenty-second District, presiding.

**Assembly Bill No. 372**—An act to add Section 376.1 to the Education Code and Section 855.1 to the Education Code, as proposed by

Senate Bill No. 2, relating to leaves of absences of employees of county superintendent of schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Beaver, Francis, Holmes, Levering, Lowrey, and Shell—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 373**—An act to repeal Section 13041 of the Education Code and Section 13285 of the Education Code as proposed by Senate Bill No. 2, relating to teachers of beginners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 832**—An act to amend Sections 14740.4, 14740.5, and 14740.6 of the Education Code, and Sections 14683, 14684, and 14685 of the Education Code as proposed by Senate Bill No. 2, relating to school district retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Speaker pro Tempore Presiding**

At 10.44 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 704**—An act to add Section 6357.4 to the Education Code, and to add Section 20801.5 to the Education Code as proposed by Senate Bill No. 2, relating to school district maximum tax rates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 387**—An act to add Section 4676 to the Education Code, and to add Section 2898 to the Education Code as proposed by Senate Bill No. 2, relating to the lapsation of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1629

Mr. Rumford was granted unanimous consent that Assembly Bill No. 1629 be withdrawn from the Committee on Social Welfare, and re-referred to the Committee on Judiciary—Civil.

## CONSIDERATION OF DAILY FILE (RESUMED)
## CONSIDERATION OF HOUSE RESOLUTION NO. 104

By Mr. Miller:

**House Resolution No. 104**

Relative to amending Rule 105 of the Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That Rule 105 of the Permanent Standing Rules of the Assembly is amended to read

105. *(a)* ~~Notice of a~~ *A* motion to reconsider on the next legislative day; *(1)* the vote whereby any bill, ~~constitutional amendment, concurrent or joint resolution~~ was passed or refused passage, *or (2) the vote whereby any motion, amendment, concurrence, Assembly resolution or proposition other than a bill was passed or refused passage,* must be ~~given~~ *made* on the same day *the* ~~such~~ vote to be ~~so~~ reconsidered was taken. *No motion to reconsider shall be in order on the last day, or the day preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 members, except that it shall require such a vote of 54 members or 60 members, respectively, to reconsider the vote on any matter originally requiring 54 votes or 60 votes, as the case may be.*

A ~~notice of~~ motion to reconsider a vote must be ~~given~~ *made* by a member voting on the ~~bill, constitutional amendment, concurrent or joint resolution~~ *question*, and shall take precedence over all motions, except a motion to adjourn. Upon such ~~notice of~~ motion being ~~given~~

*made*, the ~~bill, constitutional amendment, concurrent or joint resolution~~ *matter to be reconsidered* shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a ~~notice of a~~ motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. *When reconsideration is granted, the matter to be reconsidered shall resume its exact position before the Assembly previous to its being voted upon.*

*(b)* Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill; ~~constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken which notice shall suspend all further consideration until the next legislative day, provided, however, that a motion to reconsider on the same day the notice was given~~ *may move to take up on the same day the motion to reconsider such a question, previously made by another member. The motion to take up the reconsideration on the same day* shall take precedence over ~~and above~~ *the motion to reconsider* ~~such notice~~ and upon demand of any member *the motion to take up the reconsideration on the same day* must be put to an immediate vote. *If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the house.* ~~A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.~~

~~No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote of any matter originally requiring a two-thirds vote for its passage or adoption.~~

~~When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.~~

Resolution read.

### Motion to Continue Further Consideration

Mr. Miller moved that further consideration of House Resolution No. 104 be continued until the next legislative day.

Mr. Hanna seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 109

By Mr. Miller:

### House Resolution No. 109

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is

hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Masterson was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 4, 1959

*Hon. S. C. Masterson*
*Assembly Chamber*

*Committee Amendments—Assembly Rule No. 56—No. 9803*

*Question*

DEAR MR. MASTERSON: You have asked whether a bill must be noticed in the Daily File under Assembly Rule No. 56 when the author wishes to have author's amendments accepted by the committee and the bill sent out to the floor for adoption of the amendments and re-referred to the committee prior to being set for hearing.

*Opinion*

In our opinion such an action does not require a three-day notice in the Daily File pursuant to Assembly Rule No. 56.

*Analysis*

Assembly Rule No. 56 requires that all bills "set for hearing" by any Assembly committee must be published in the Daily File not less than three days in advance of such hearing.

Only if the committee is going to "hear" the bill is the notice required. The term "hearing" as commonly used in legislative parlance connotes an investigation into the merits of the bill by means of listening to witnesses for and against it. We are sure that this is the sense in

which the term is employed in Assembly Rule No. 56, and that the purpose of the rule is to inform such prospective witnesses of the pending hearing so that they may present their arguments.

It follows that both by construction of the language of the rule and by considering its purpose, an action by a committee which simply sends the bill to the floor for adoption of author's amendments and re-referral to the committee would not be considered a "hearing" of the bill within the meaning of Assembly Rule No. 56 and no three-day notice need be given.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

### ANNOUNCEMENT RELATIVE TO MEETING

Mr. Porter announced that the time for the briefing session on the Feather River Project for the members of the Committees on Rules and Water will be held at 8 15 p.m., instead of at 8 p.m. tonight, in Room 4202.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 443 FROM COMMITTEE

Mr. Burton was granted unanimous consent that Assembly Bill No. 443 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 443

**Assembly Bill No. 443**—An act to add Section 228 to the Labor Code, relating to jury duty.

Bill read second time.

#### Motion to Amend

Mr. Burton moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 2 and 3, and insert

"228. In any case in which an employee of an employer having 50 or more employees is required to serve on a jury, such employer shall compensate the employee in the amount of the difference between the jury fees received by the employee and the employee's regular compensation, during the period in which the employee is required to be away from his employment because of such jury duty; provided, that such employer is not required to pay the employee in excess of twenty dollars ($20) per day, and he is not required to compensate him for longer than two weeks for any one period of jury duty."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Rees was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 1,000 copies of the Report of the Subcommittee on Beaches and Parks of the Assembly Interim Committee on Conservation, Planning, and Public Works be ordered printed as a separate document:

COMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON
CONSERVATION, PLANNING, AND PUBLIC WORKS
SACRAMENTO, March 1, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

The full Committee on Conservation, Planning, and Public Works, under the chairmanship of Francis C. Lindsay, has followed hearings and investigations of the Subcommittee on Beaches and Parks with great interest and concern. In fact, a majority of the full committee has attended one or more of these critical hearings.

The legislation submitted with this report for the consideration of the Assembly is the result of six years of investigation. This legislation, moreover, meets the standards of accepted administrative principles and is in such form as not to hinder the final reorganization of the recreation function. It is my belief that the recommendations of this report are minimum, necessary reforms which, if followed by the Legislature, will result in important advances in our recreation program so necessary to serve the needs of the people of California.

Respectfully submitted,

THOMAS M. REES, Vice Chairman
Assembly Interim Committee on
Conservation, Planning, and Public Works

SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 1, 1959

*Hon Thomas M. Rees, Vice Chairman*
*Conservation, Planning, and Public Works*
*California State Assembly, Sacramento*

DEAR SIR: This report of the Assembly Subcommittee on Beaches and Parks, submitted pursuant to House Resolution No. 215, contains findings and recommendations, and the substantiating material on which these are based.

Our investigation of acquisition policy and processes of the State Park Commission and the division began in 1955 and were reviewed in our report of March 1, 1957. During the past interim the subcommittee has continued its investigation of these matters by holding four hearings where all testimony was taken under oath and where all assistance available to the legislative arm in critical situations was utilized Thus, the subcommittee requested and received the support of the Legislative Counsel's Office in the preparation and conduct of the hearings. It requested and received detailed reports from the Legislative Analyst and from the Auditor General involving the acquisition processes of the division and the progress that has been made in the purchase and development of park areas. It is felt by our committee that these matters are of sufficient statewide importance to be included in the appendix of this report.

These investigations and the testimony presented to the committee resulted in the inescapable conclusion that the major cause of delay in the acquisition program resides in the policies of the Park Commission. The work of the subcommittee, in the interim ending 1957, demonstrated that major difficulties in the acquisition processes were based on commission policies. The subcommittee recommended to the commission and the division that these policies be adjusted realistically to meet the crash purchase program the division has been involved in for the last three years. The investigations during this last interim, however, indicate that these policies and processes have not been changed appreciably; consequently this report contains legislation that limits the commission to an advisory function in the department and integrates fully the division, the chief, and the commission into the departmental structure.

The report further recommends that the entire acquisition program of all state agencies other than the Division of Highways be transferred to the Department of Finance. The evidence we have received and the investigations we have conducted show that action programs are hindered by property acquisition. Moreover, property acquisition programs presently distributed among the various action agencies of the State can be expected to increase with population growth. The State needs a uniform policy in this activity. The Department of Finance with its long concern for the protection of the State of California is the appropriate agency to handle this activity. It would be indeed remiss of me if I did not emphasize the devotion of this subcommittee to its public duty. I want particularly to commend Assemblywoman Pauline Davis for her interest in this matter and for chairing a special unit of the subcommittee which carried on the important hearings on acquisition, policies and processes of November 24 and 25, 1958.

It is our recommendation that the legislation submitted with this report be adopted and that the matter of the full consolidation of the recreation function be studied carefully during the interim by an appropriate subcommittee of the Assembly so that the Legislature in 1961 will be in a position to consider this question.

Respectfully submitted,

Subcommittee on Beaches and Parks

| | |
|---|---|
| JESSE M. UNRUH, Chairman | BRUCE ALLEN |
| PAULINE L. DAVIS, Chairman, Special Unit | DON A. ALLEN, SR. |
| FRANK P. BELOTTI | JOHN L. E. COLLIER |
| JACK SCHRADE | ALLEN MILLER |
| | BRUCE SUMNER |
| | THOMAS M. REES |

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 73

**Assembly Concurrent Resolution No. 73**—Relative to the commendation of Mr. Sydney Kossen.

Resolution read.

Speaker Presiding

At 11.10 a.m., Hon. Ralph M. Brown, Speaker of the Assembly presiding.

The question being on the adoption of the resolution.

Resolution adopted unanimously.

Resolution ordered transmitted to the Senate.

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Concurrent Resolution No. 79**—Relative to amending the Joint Rules of the Senate and Assembly.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 79?

Amendment No. 1

On page 1, line 18, of the printed measure, strike out "from", and insert "expressed by".

Amendment No. 2

On page 2, line 11, strike out "calendar", and insert "legislative".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 79 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Assembly Concurrent Resolution No. 79 ordered enrolled.

## ANNOUNCEMENT

Mr. Conrad announced that Members of the Assembly may now avail themselves of the Consent Calendar.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS

**Senate Bill No. 303**—An act to amend the heading of Chapter 6 (commencing at Section 22801), Division 11, and to add Article 1.5 (commencing at Section 22811), to Chapter 6, Division 11, of the Education Code, and to amend the heading of Chapter 6 (commencing at Section 28001), Division 20, and to add Article 1.5 (commencing at Section 28021) to Chapter 6, Division 20, of the Education Code as proposed by Senate Bill No. 2, relating to libraries, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Nisbet.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 33**—Relative to a program of basic research and field studies dealing with all phases of mining and mineral industries.

Resolution read, and presented by Mr. Belotti, and adopted.

Resolution ordered transmitted to the Senate.

### ASSEMBLY BILL NO. 1253 RETURNED TO COMMITTEE

Speaker Brown ordered Assembly Bill No. 1253 removed from the report of the Committee on Public Health, and returned to the committee, since 30 calendar days since the introduction of the bill have not elapsed.

### MOTION TO RE-REFER HOUSE RESOLUTION NO. 104

Mr. Miller moved that House Resolution No. 104 be re-referred to the Committee on Rules.

Mr. Hawkins seconded the motion.

Motion carried.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1848**: By Messrs. Petris, George E. Brown, Crawford, Hawkins, Hegland, House, Schrade, and George A. Willson—An act to amend Sections 11102, 11104, 11105, 11106, 11107 and 11110 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to driving schools and instructors and licenses issued in connection therewith.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1849**: By Messrs. Petris, Crown, George A. Willson, Burton, Masterson, and Waldie—An act to amend Section 17454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to service of process on nonresident vehicle operators.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1850:** By Mr. O'Connell—An act to amend Section 1227 of the Penal Code, relating to executions of judgments of death.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1851:** By Mr. George A. Willson—An act to amend Section 825 of the Penal Code, relating to rights of arrested persons.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1852:** By Mr. George A. Willson—An act to amend Section 27706 of the Government Code, and Section 1203.1 of the Penal Code, relating to services of the public defender.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1853:** By Mr. George A. Willson—An act to amend Section 196 of the Civil Code, relating to support of relatives.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1854:** By Mr. Unruh—An act to amend Section 1162 of the Civil Code, relating to gifts of securities to minors.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1855:** By Messrs. Unruh, Dahl, Ernest R. Geddes, Rees, Chapel, Crawford, Crown, Munnell, O'Connell, and Pattee—An act to repeal Section 10131.1 of, and to add Chapter 5 (commencing at Section 10350) to Part 1, Division 4, of the Business and Professions Code; to amend Sections 3081.1, 3081.2, 3081.3, 3081.4, 3081.9 and 3081.93 of the Civil Code; and to amend Sections 25102 and 25102.1 of the Corporations Code, relating to mortgage loans and brokers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1856:** By Messrs. Mulford and Rumford—An act to add Article 12 (commencing at Section 20240) to Chapter 1 of Division 10 of the Education Code, and to add Chapter 5 (commencing at Section 23530) to Division 17 of the Education Code as enacted at the 1959 Regular Session, relating to municipal services afforded the University of California by the City of Berkeley, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1857:** By Messrs. Busterud, Masterson, Sumner, Hanna, Biddick, Miller, and O'Connell (Comprising the Subcommittee on Traffic Accident Consequences of the Assembly Interim Committee on Judiciary)—An act to add Sections 1659 and 42006 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver improvement schools.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1858:** By Mr. Porter—An act to add Section 42007 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to penalties for vehicle speeding violations.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1859**: By Mr. Pattee—An act to amend Section 1176 of the Insurance Code, relating to mortgage loan investments.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1860**: By Mr. Pattee—An act to amend Section 402.5 of the Revenue and Taxation Code, relating to the assessment of property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1861**: By Messrs. Bruce F. Allen and Collier—An act to add Section 730.5 to the Code of Civil Procedure, relating to deeds of trust.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1862**: By Mr. Elliott—An act to amend Section 13737 of the Education Code, as enacted by Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees.

Referred to Committee on Education.

**Assembly Bill No. 1863**: By Mrs Davis—An act to create a flood control district to be called Sierra County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Referred to Committee on Water.

**Assembly Bill No. 1864**: By Messrs Lanterman, Winton, and Shell —An act to add Section 9257 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the use of textbooks prescribed by the State Board of Education.

Referred to Committee on Education.

**Assembly Bill No. 1865**: By Messrs. Kennick and Grant—An act to amend Section 24071 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1866**: By Mr. Britschgi and Senator Hollister—An act to add Sections 11375 and 11376 to the Government Code, relating to administrative rules and regulations

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Constitutional Amendment No. 29**: By Mr. Pattee—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2.6 to Article XIII, relating to the assessment of property used for recreational purposes.

Referred to Committee on Constitutional Amendments.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Bruce F. Allen:

### House Resolution No. 117

Relative to the continuance of the Assembly Interim Committee on Judiciary

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Interim Committee on Judiciary created by House Resolution No. 224 of the 1957 Session and continued by House Resolution No. 25 of the 1959 Session is further continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, until April 16, 1959, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly adopted at this session and as amended from time to time, are applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and referred to the Committee on Rules.

By Mr. Bruce F. Allen:

### House Resolution No. 118

Relative to continuing the existence of Assembly interim committees

*Resolved by the Assembly of the State of California*, That each Assembly interim committee in existence immediately prior to the commencement of this session shall continue to exist with all the powers and duties it possessed at the time except that it may not conduct hearings outside Sacramento. The existence of each such committee shall terminate, and its final report shall be filed, by the sixtieth calendar day of the session unless the Assembly, by a majority vote, for good cause, extends the existence of the committee for a further period which shall not exceed 30 calendar days.

Resolution read, and referred to Committee on Rules.

By Mr. Miller:

### House Resolution No. 119

Relative to adjournment on Good Friday, March 27, 1959

WHEREAS, It is the custom among Christians throughout the world to devote three hours on the afternoon of Good Friday to commemorative services and meditation upon the Passion and death of the Savior; and

WHEREAS, All Members of this Assembly desiring to participate in those religious observances should be free to do so; now, therefore, be it

*Resolved by the Assembly of the State of California*, That an adjournment be taken from 12 noon on Friday, March 27, 1959, until Monday, March 30, 1959, at 10 a.m., in respect to observance of Holy Week.

Resolution read, and referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 10

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 53

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 208
Assembly Bill No. 507
Assembly Bill No. 418
Assembly Bill No. 325
Assembly Bill No. 148
Assembly Bill No. 655
Assembly Bill No. 412

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, March 5, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 349
Assembly Bill No 672
Assembly Bill No. 846
Assembly Bill No. 138

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 752

With amendments with the recommendation: Amend, and do pass, as amended.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 828

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CUNNINGHAM, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 692
Assembly Bill No. 726

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 176
Assembly Bill No. 634
Assembly Bill No. 686
Assembly Bill No. 712
Assembly Bill No. 721
Assembly Bill No. 727
Assembly Bill No. 837

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 66

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 75
Assembly Bill No. 268
Assembly Bill No. 430
Assembly Bill No. 624

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

## ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Coolidge announced that the Joint Committee on Assessment Practices would meet on Monday and Tuesday, March 9th and 10th, at 10.30 a.m. each day in Room 4202, and at 2 p.m. each day in Room 4203.

## ADJOURNMENT

At 11.27 a.m., on motion of Mr. Meyers, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, March 6, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

FORTY-FIFTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, March 6, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

### ROLL CALL

The roll was called, and the following answered to their names:

Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*What does it mean, O Lord God,* That Thou hast matched us with this hour of the world's life? Surely there is some great thing which we should attempt, some cause to which we should give ourselves Challenge us to move toward greatness that has seemed just out of our reach.

"Lives of great men all remind us
We can make our lives sublime
And, departing, leave behind us
Footprints in the sands of time."

Enable us to see that the depths of our footprints in the sands of history will be determined by the weight of the cross which we bear. We pray in the name of One who bore His cross for our sakes, and calls, "Come, follow Me."—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dahl, seconded by Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. McCollister, on motion of Mr. Backstrand.
Mr. Masterson, on motion of Mr. Winton.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Sumner, on motion of Mr. Dahl.
Mr. Shell, on motion of Mr. Dahl.
Mr. Bee, on request of Speaker Brown.
Mr. Miller, on motion of Mr. George E. Brown.
Mr. George A. Willson, on motion of Mr. House.
Mr. Holmes, on motion of Mr. Schrade.
Mr Cunningham, on request of Speaker Brown.
Mr. Thomas, on motion of Mr. Hawkins.
Mr. Bruce F. Allen, on motion of Mr. Williamson.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

CITY OF SUSANVILLE, March 3, 1959

*Honorable Members of the State Legislature*
*State Capitol, Sacramento*

DEAR MEMBERS OF THE LEGISLATURE: The City Council of the City of Susanville at their regular meeting on March 2, 1959, adopted by unanimous vote the following motion:

> "In the interest of further economic development and for the best interests of the City of Susanville and the surrounding area, the City Council of the City of Susanville recommends that the California Legislature agree to the transfer to Nevada of the territory claimed by Assemblyman Crawford of the Nevada Legislature."

Notices of this action have been sent to both Legislatures, the Governors of both States, Assemblyman Crawford and Senator Whitacre of the Nevada Judiciary Committee.

Respectfully submitted,

MARLYS M. RITCHIE, City Clerk

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The following communications were presented by the Chief Clerk from:

A. Turner of Los Angeles relative to the death penalty. Referred to the Committee on Criminal Procedure.

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Jack R. Gage, Secretary of State, State of Wyoming, enclosing Joint Memorial No. 1, relative to watershed rules. Referred to the Committee on Water.

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Joe A. Svitak of Los Angeles, relative to estates. Referred to the Committee on Judiciary—Civil.

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

**Old Sacramento**

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF BEACHES AND PARKS
SACRAMENTO, March 3, 1959

*Mr. Ralph M. Brown,*
*Speaker of the Assembly,*
*State Capitol, Sacramento*

DEAR MR. BROWN: In conformance with the Act of the California Legislature, Chapter 2315, Statutes of 1957, (Senate Bill No. 1312), there are transmitted 10 copies of Part I of our study, "Old Sacramento, a Report on its Significance to the City, State, and Nation, with Recommendations for the Preservation and Use of its Principal Historical Structures and Sites."

We shall be pleased to furnish additional copies of this report, should you desire them. Part II, summarizing in more detail the history of the structures and sites of Old Sacramento, will be transmitted to you by April 15.

Sincerely yours,

NEWTON B. DRURY, Chief

Above transmitted report referred to the Legislative Library.

### APPOINTMENT OF MEMBER TO ATTEND HEARING

Speaker Brown appointed Mr. Z'berg to represent the Assembly at the hearing in the *Pacific Southwest Local Service Case, Docket No. 5615, et al.*, to commence on March 10, 1959, in Long Beach, California, in accordance with the provisions of House Resolution No. 106, 1959 Regular Session.

### ANNOUNCEMENT RELATIVE TO NEVADA TRIP

Speaker Brown made the following announcement:

On February 24th, Rex Bell, Lieutenant Governor of the State of Nevada, invited the Members of the Legislature to spend the weekend of March 21st at Hidden Valley in Reno, all expenses paid. The golf course will also be available to the members.

Air transportation has now been arranged, and the tentative schedule is as follows: Leave Sacramento around 10 a.m. on Saturday, and return somewhere around 4 p.m. on Sunday.

You will receive another statement from my office shortly containing all the particulars. This is to assist you in deciding whether or not you wish to attend this event.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1867**: By Mr. Kilpatrick (By Request)—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1868**: By Mr. Thelin—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation, and the allocation of state funds.

Referred to Committee on Revenue and Taxation.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 42**—Relative to amending the Joint Rules of the Senate and Assembly;

**Assembly Concurrent Resolution No. 86**—Relative to memorial celebration of City of Lincoln;

And reports the same correctly enrolled, and presented to the Secretary of State on the fifth day of March, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 8
Assembly Bill No. 159
Assembly Bill No. 596
Assembly Bill No. 816

And reports the same correctly engrossed.

BURKE, Chairman

Above bills returned to second reading file.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 393

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill returned to second reading file.

### Committee on Social Welfare

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Joint Resolution No. 12

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BURTON, Chairman

Above resolution ordered on file.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 462
Assembly Bill No. 463
Assembly Bill No. 464
Assembly Bill No. 465
Assembly Bill No. 362

With the recommendation: Do pass.

CRAWFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 285
Assembly Bill No. 457
Assembly Bill No. 710

With amendments with the recommendation: Amend, and re-refer to the Committee on Military and Veterans Affairs.

CRAWFORD, Chairman

Above bills ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 678

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 35
Assembly Bill No. 61
Assembly Bill No. 386
Assembly Bill No. 389
Assembly Bill No. 488

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 93

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 5, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 49

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 950
Assembly Bill No. 707
Assembly Bill No. 805

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 481
Assembly Bill No. 482
Assembly Bill No. 667

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 16

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 156
Assembly Bill No. 508

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 23
Assembly Bill No. 417
Assembly Bill No. 543
Assembly Bill No. 544
Assembly Bill No. 545
Assembly Bill No. 547
Assembly Bill No. 549
Assembly Bill No. 613
Assembly Bill No. 753
Assembly Bill No. 754
Assembly Bill No. 869

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 660
Assembly Bill No. 661
Assembly Bill No. 919

With amendments with the recommendation. Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 22
Senate Bill No. 23

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 27
Assembly Bill No. 45

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 149

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, March 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 138
Senate Bill No. 203

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 138**—An act to amend Sections 181 and 200 of, and to add Section 207.9 to, the Agricultural Code, relating to animal diseases and quarantine.

Referred to Committee on Agriculture.

**Senate Bill No. 203**—An act to amend Section 1096.3 of the Agricultural Code, relating to livestock remedies.

Referred to Committee on Livestock and Dairies.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 159, 596, 393, 8,** and **816.**

Above bills ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 656**—An act to amend Section 81 of the Agricultural Code, relating to district agricultural associations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 695**—An act to amend the title of Article 3 (commencing at Section 14893) of Chapter 3 of Part 5, Division 12 of, to amend Section 14906 of, to add Section 14895 to, and to repeal Section 14897 of the Health and Safety Code, relating to the abatement of hazardous weeds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 713**—An act to add Section 19622.8 to the Business and Professions Code, relating to the 48th District Agricultural Association.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 714**—An act to add Section 30.2 to, and to amend Section 1300 10 of, the Agricultural Code, relating to the floriculture and nursery products industries, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 748**—An act to amend Section 801.5 of the Agricultural Code, relating to sale of grapes.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 840**—An act to amend Section 1239 of the Agricultural Code, relating to agricultural warehouse inspection and license fees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 842**—An act to amend Sections 911.23, 913, 914, 914.9, and 918.1 of the Agricultural Code, relating to agricultural and vegetable seeds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 835**—An act to amend Sections 802.6 and 823 53 of the Agricultural Code relating to grape containers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 3, line 25, of the printed bill, strike out "and", and insert "to".

Amendment No. 2

On page 3, after line 29, add the following:

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act permits the use of a new grape container for the shipping to the consuming public of California grapes. This container has been used in limited quantities for the past year under an experimental permit and has proven extremely popular with grape shippers and consumers. The harvest season for California grapes begins in May in Southern California, and if these new containers are to be used this season, it is necessary that this act take immediate effect."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 888**—An act to amend Sections 1010 and 1011 of, and to add Section 1011.5 to, the Agricultural Code, relating to spray residue.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out all of lines 5 to 7, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 59**—An act to convey certain tide and submerged lands to the County of Marin, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "lands", insert ", filled or unfilled,".

Amendment No. 2

On page 1, between lines 5 and 6, insert

"PARCEL A

All that land within the unincorporated area of the County of Marin, lying within Richardson Bay as shown upon the Board of Tide Land Commissioners'

"Map No 1 of the Salt Marsh and Tide Lands Situate in the County of Marin, State of California" dated 1870, on file in the office of the State Lands Commission at Sacramento, designated as Sausalito Basin and those areas designated as Brickyard, Oyster, Salt Works, Rosedale and Coyote Canals and that portion of Sausalito Canal lying southeasterly from Courses Nos. 160 and 161 of "Meanders at Ordinary High Tide" as tabulated on Table I of said Map No 1, and those areas designated as Monterey, Sonoma, Waldo, Myrtle, Yuba, Grove, Eureka, Pescadero, Madrona, Manzanita, Teutonia, Oro, Fresno, Shasta, Yolo, Parepa, Pohono, Esmeralda, Tulare, Owyhee, Coyote and Canal Streets, and all the street areas normal to the aforementioned streets at present known and referred to as Tomales, Bolinas, Petaluma, Humboldt, Donahue and Railroad Avenues, including Railroad Avenue lying between Coyote Canal and Rosedale Canal and each of the undesignated areas lying between Railroad Avenue and Blocks 169, 195 and 232.

PARCEL B

All that land lying within Gallinas Canal (including the north and south forks thereof) as shown on the Board of Tide Land Commissioners' "Map No. 3 of Salt Marsh and Tide Lands Situate in the County of Marin, State of California" dated 1871 on file in the office of the State Lands Commission at Sacramento, lying westerly from a line drawn between the southeasterly end of Course No. 1 and the northeasterly end of Course No. 87 as said courses are tabulated on said Map No. 3 in the Table entitled "Meanders of Gallinas Canal".

PARCEL C

All that land within Richardson Bay and within the City of Belvedere designated upon the Board of Tide Land Commissioners' "Map No. 1 of Salt Marsh and Tide Lands Situate in the County of Marin, State of California" dated 1870, on file in the office of the State Lands Commission at Sacramento, as Middle and East Canals and that portion of Sausalito Basin more particularly described as follows.

Beginning at the most westerly corner of Lot 382 as shown upon said Map No. 1, thence running southeasterly along the southwesterly lines of Lots 382, 388, 389 and 390 to the beginning of Course No. 328 of the "Meanders at Ordinary High Tide" as tabulated in Table I of said Map No. 1; thence continuing southeasterly along the "Meanders at Ordinary High Tide" to the southeasterly end of Course No 342; then westerly to the northeasterly end of Course No 47 of the "Meanders of the Line of Nine Ft Depth at the Lowest Tide" as tabulated in Table III of said Map No 1, then southwesterly along said Course No. 47 to a point on the southwesterly limits of the City of Belvedere; then northwesterly along said limits of the City of Belvedere to the point of beginning."

**Amendment No. 3**

On page 2, between lines 9 and 10, insert "Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise granted by said county under the Broughton Act, and any such franchise shall be effective with respect to said lands when title thereto passes to said county hereunder"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 520**—An act to amend Section 1552.2 of the Welfare and Institutions Code, relating to the payment of aid to needy children in mismanagement cases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "establishing a simplified fiscal procedure"; and strike out all of lines 9 and 10, and insert "for the payment of aid under this section so that such aid will be paid only in cases wherein it is shown to be necessary. Persistent failure to meet financial obligations incurred in the purchase of essential items of food, clothing, and shelter shall be included within the definition of mismanagement established by the State Board of Social Welfare pursuant to this section."

**Amendment No. 2**

On page 2, strike out lines 6 to 9, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 123**—An act to amend Sections 2020, 2025, 3084, and 3472 of, and to repeal Section 2020.002 of, the Welfare and Institutions Code, relating to public assistance grants

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "2020," insert "2020.002,".

**Amendment No. 2**

In lines 1 and 2 of the title, strike out ", and to repeal Section 2020.002 of,".

**Amendment No. 3**

On page 1, line 7, strike out "ten".

**Amendment No. 4**

On page 1, line 8, strike out "($110)", and insert "($100)".

**Amendment No. 5**

On page 1, line 10, strike out "ten dollars ($110)", and insert "dollars ($100)".

**Amendment No. 6**

On page 2, line 3, strike out "ten dollars ($110)", and insert "dollars ($100)".

**Amendment No. 7**

On page 2, line 12, strike out "repealed", and insert "amended to read:".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 8**

On page 2, between lines 12 and 13, insert

"2020.002. Any recipient who pursuant to Section 2020 of this code receives less than one hundred *twenty*-five dollars [($105)] *($125)* per month from the total of his grant and income from all other sources shall be granted an additional amount of aid [not to exceed sixteen dollars ($16) per month or so much thereof as is necessary] *sufficient* to meet the actual needs of the recipient but in no event shall the sum of his grant and income exceed one hundred *twenty*-five dollars [($105)] *($125)* per month except as provided by Section 2020 of this chapter"

**Amendment No. 9**

On page 2, line 38, after "3084.", insert "(a)".

**Amendment No. 10**

On page 2, line 42, strike out "twenty", and insert "ten".

**Amendment No. 11**

On page 2, line 43, strike out "($120)", and insert "($110)".

**Amendment No. 12**

On page 2, line 45, strike out "twenty dollars ($120)", and insert "ten dollars ($110)".

**Amendment No. 13**

On page 2, line 47, strike out "twenty dollars ($120)", and insert "ten dollars ($110)".

**Amendment No. 14**

On page 2, after line 51, insert

"(b) Any recipient who pursuant to this section receives less than one hundred thirty-five dollars ($135) per month from the total of his grant and income from all other sources shall be granted an additional amount of aid sufficient to bring the sum of his grant and income to one hundred thirty-five dollars ($135) per month"

**Amendment No. 15**

On page 3, line 25, strike out "The", and insert "(a) The".

**Amendment No. 16**

On page 3, line 29, strike out "twenty", and insert "ten".

**Amendment No. 17**

On page 3, line 30, strike out "($120)", and insert "($110)".

**Amendment No. 18**

On page 3, line 32, strike out "twenty dollars ($120)", and insert "ten dollars ($110)".

**Amendment No. 19**

On page 3, line 34, strike out "twenty dollars ($120)", and insert "ten dollars ($110)".

**Amendment No. 20**

On page 3, between lines 38 and 39, insert

"(b) Any recipient who pursuant to this section receives less than one hundred thirty-five dollars ($135) per month from the total of his grant and income from all other sources shall be granted an additional amount of aid sufficient to bring the sum of his grant and income to one hundred thirty-five dollars ($135) per month."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 258**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to the commencement of aid payments to applicants for public assistance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 360**—An act to amend Section 16091 of the Education Code, and Section 10654 of the Education Code as proposed by Senate Bill No. 2, relating to the provisions for readers to assist blind students.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 180**—An act to amend Sections 675, 687, 7014, 7131, 7134, 7135, 7607, 7608, 9102, 9850 and 9917 of the Elections Code, relating to tally sheets.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 193**—An act to amend Section 7972, and to repeal Section 7972.5 of the Elections Code, relating to election returns.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 194**—An act to amend Section 7970 of, and to repeal Sections 7970.5 and 7971.5 of the Elections Code, relating to primary election returns.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 197**—An act to amend Sections 2500 and 7920 of the Elections Code, relating to city elections.

Bill read second time, and ordered engrossed

**Assembly Bill No. 199**—An act to amend Section 5781.10 of the Public Resources Code, relating to election of directors of recreation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 200**—An act to amend Sections 30291, 30756, 30762, 30763, 30771, and 30815 of the Water Code, relating to elections in county water districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 201**—An act to amend Section 1180 of the Military and Veterans Code, relating to law governing election.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 238**—An act to repeal Section 655.5 of the Elections Code, relating to precinct boards.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 242**—An act to amend Section 14058 of the Health and Safety Code, relating to nomination of fire commissioners.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 243**—An act to amend Sections 3871 and 3925 of the Elections Code, relating to ballot composition.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 294**—An act to amend Sections 7039, 7040, 7041, 7042 and 7043 of the Elections Code, relating to eight-member precinct canvassing board.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 311**—An act to amend Sections 2609 and 2632 of the Elections Code, relating to nominations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 312**—An act to amend Sections 2610, 3080 and 3082 of the Elections Code, relating to verification deputies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 356**—An act to amend Section 682 of the Elections Code, relating to change in polling place

Bill read second time and ordered engrossed.

**Assembly Bill No. 382**—An act to amend Sections 5721 and 5722 of of the Elections Code, relating to assisted voters.

Bill read second time and ordered engrossed.

**Assembly Bill No. 383**—An act to amend Sections 5621 and 5627 of the Elections Code, relating to challenges of voters.

Bill read second time and ordered engrossed.

**Assembly Bill No. 384**—An act to amend Section 2743 5 of the Elections Code, relating to the election of nonpartisan officers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 236**—An act to amend Sections 84 and 89 of, and to add Sections 82.5, 82 6, 92, and 93 to the Elections Code, relating to presidential voting for new residents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 2, line 5, of the printed bill, strike out "as to his residence. The affidavit shall set"; and strike out line 6, and insert "of registration."

Bill ordered reprinted and engrossed.

**Assembly Bill No. 237**—An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 3, line 3, of the printed bill, strike out ", unless the"; and strike out all of lines 4 to 7, inclusive, and insert ". If a candidate is elected to fill a vacancy between the primary and general elections, he may use any appropriate designation as set forth in subdivision (a) of this section on the general election ballot regardless of the designation he may have used on the primary election ballot."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 241**—An act to amend Section 1691 of the Education Code, relating to election notice to voters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the comma, insert "and Section 1152 of the Education Code as proposed by Senate Bill No. 2,".

**Amendment No. 2**

On page 1, line 13, after "district", insert ", county superintendent of schools, board of supervisors, or other authority calling the election,".

**Amendment No. 3**

On page 1, after line 21, insert

"SEC. 2. Section 1152 of the Education Code as proposed by Senate Bill No. 2 is amended to read:

1152. In the case of any school district election called or conducted under the provisions of this code, the county clerk, or the registrar of voters if such office has been established, of the county in which the majority of the territory of the district is located, shall, at least 10 days before the day fixed for the election, mail to each registered voter residing within the district, a card designating the polling place and time of the election and containing a statement of the purposes of the election.

*At least 60 days before the date of the election, the governing board of the school district, county superintendent of schools, board of supervisors, or other authority calling the election, shall furnish the county clerk or registrar of voters with a list of precincts established for the election and the polling place in each such precinct, together with a copy of the statement of the purposes of the election. The same information shall be furnished the county superintendent of schools by the governing board of the district.*

Costs incurred by the county clerk or the registrar of voters in connection with this section shall be paid out of funds of the district.

SEC. 3. Section 2 of this act shall become operative only if the Education Code as proposed by Senate Bill No. 2, is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as Senate Bill No. 2 takes effect; at

which time Section 1691 of the Education Code as amended by Section 1 of this act is repealed."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 355**—An act to amend Section 1609 of the Elections Code, relating to county initiative.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "90", and insert '60".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 357**—An act to amend Section 1615 of the Elections Code, relating to county initiative measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section" and insert "Sections".

Amendment No. 2

In line 1 of the title, after "1615", insert ", 1717, 1907, and 11062".

Amendment No. 3

In line 2 of the title, after "to", insert "arguments on".

Amendment No. 4

In line 2 of the title, strike out "initiative".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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Amendment No. 5

On page 1, after line 14, insert

"SEC. 2. Section 1717 of said code is amended to read:

1717. The persons filing an initiative petition pursuant to this chapter may file therewith a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance. Neither argument shall exceed three hundred words in length, and both arguments shall be printed upon the *same sheet of paper and mailed to each voter with the* sample ballot [issued] for the election.

SEC. 3. Section 1907 of said code is amended to read:

1907. The persons filing an initiative petition pursuant to this article may file therewith a written argument in favor of the ordinance; the board may submit an argument against the ordinance. Neither argument shall exceed 300 words in length, and both arguments shall be printed upon the *same sheet of paper and mailed to each voter with the* sample ballot [used] for the election.

SEC. 4. Section 11062 of said code is amended to read:

11062. [Upon] *With* the sample ballot there shall be *mailed a printed copy of* [printed in not more than two hundred words,] the *grounds* [reasons] set forth in the recall petition *seeking* [for demanding] the recall of the officer, *and of an answer* [. Upon the same ballot] in not more than two hundred words, *if such an answer is filed with the county clerk, in which* the officer may justify his course in office."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 195**—An act to amend Sections 293, 293.5, 295, and 296 of, and to repeal Section 296.5 of, the Elections Code, relating to the cancellation of voter registrations.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

Amendment No. 1

On page 2, line 49, of the printed bill, strike out the quotation marks (") at the end of sentence

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 502**—An act to amend Sections 165 and 165.3 of, and to add Sections 165.7 and 166 to, the Agricultural Code, relating to the possession and confinement of nutria.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 561**—An act to amend Section 4395 of the Agricultural Code, relating to testing, weighing, and sampling of fluid milk.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 569**—An act to amend Section 660 of the Agricultural Code, relating to milk products plant licenses.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 583**—An act to amend Section 1101 of the Agricultural Code, relating to egg standards.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 274**—An act to add Section 43.4 to the Civil Code, relating to causes of action for fraudulent promises to marry or cohabit.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 682**—An act to amend Sections 58241, 61128, 61230, and 61823 of the Government Code, Sections 3533, 4659, 5418, and 8127 of the Streets and Highways Code, Sections 1808, 2285, 2341, 2832, 14750, 14815, 14825, 14827, 32004.6, 32004.8, and 33573 of the Health and Safety Code, and Sections 9304, 9313, 9316, and 9713 of the Public Resources Code, relating to recordation of instruments.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 683**—An act to add Section 1744.1 to the Code of Civil Procedure, relating to children's courts of conciliation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 130**—An act to amend Section 72050 of the Government Code, relating to the clerk of the municipal court.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary —Civil, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert "The provisions of this section relating to the ex officio status of the clerk shall not apply to the municipal court established in the Los Angeles Judicial District"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 131**—An act to repeal Section 72053 of, and to add Section 72053 to, the Government Code, relating to expenses of clerks, deputy clerks, commissioners and court reporters of municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 10, inclusive, and insert "72053. In addition to their salaries, the clerks, deputy clerks, commissioners, and court reporters of the municipal court shall be allowed their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses. At the option of the board of supervisors, they may be furnished with automobiles at public expense, or allowed traveling expenses at the same rate for each mile traveled that is authorized by the board of supervisors as travel expenses for officers or employees of the county."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 516**—An act to amend Section 1431 of the Probate Code, relating to claims of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary —Civil, was read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, after "minor", and before the period, insert "; provided, however, that such release and satisfaction or covenant not to sue shall not be effective for any purpose until the money to be paid under the compromise or covenant shall have been deposited in the bank or trust company or invested in an account in an insured savings and loan association as directed in the order of the court."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 684**—An act to amend Section 73781 of, to repeal Section 73782 of, and to add Section 73782 to, the Government Code, relating to reporters of the Municipal Court of the Central Judicial District of Marin County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to repeal Section 73782 of,".

**Amendment No. 2**

In line 2 of the title, strike out "73782", and insert "73781.5".

**Amendment No. 3**

On page 1, line 7, strike out "and", and insert "in criminal".

**Amendment No. 4**

On page 1, strike out lines 10 to 12, inclusive, and insert "or the per diem rate fixed by any special act governing the compensation of official court reporters in the County of Marin, whichever is the greater. Said salary".

**Amendment No. 5**

On page 2, line 7, after "reporting," insert "fees at".

**Amendment No. 6**

On page 2, line 8, after "69949", insert "or as fixed by any special act governing the compensation of official court reporters in the County of Marin, whichever is the greater. In criminal cases such fees upon order of the court shall be a charge against the general fund of the county."

**Amendment No. 7**

In page 2, strike out lines 12 to 26, inclusive, and insert

"SEC. 2. Section 73781.5 is added to said code, to read:

73781.5. A designated full-time official reporter of the court shall be a member of any retirement system maintained by the county in which he is employed, and while he holds office as provided in Section 72194 shall be entitled to the same vacation, sick leave, and similar privileges and benefits as are now or may hereafter be provided for the employees of the County of Marin, including the right to participate in any group accident, health or life insurance plan adopted by the board of supervisors of said county. For the purpose of such retirement system the salary provided for in this article for such reporter shall be deemed his entire compensation. Such reporter shall be eligible for the benefits provided by Section 31641.5 of this code, and for the purpose of the application of said section the "county service" rendered by such reporter shall be deemed to have commenced from the time of his appointment as an official reporter of said municipal court, and the "aggregate compensation" received shall be deemed to be those sums actually paid to said reporter for reporting only by said county during the period of said service."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 336**—An act to amend Section 68072 of, and to add Section 68110 to, the Government Code, relating to judges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 68072 of, and to".

**Amendment No. 2**

In line 2 of the title, after "to", strike out the comma.

**Amendment No. 3**

On page 1, strike out lines 1 to 22, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

**Amendment No. 4**

On page 2, line 7, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 5**

On page 2, line 8, after "court", insert "of record".

**Amendment No. 6**

On page 2, line 10, after "robe", insert ", which he shall furnish at his own expense".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 379**—An act to amend Section 27361.6 of the Government Code, relating to recordation of instruments.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 1, of the printed bill, strike out "is added to", and insert "of".

**Amendment No. 2**

On page 1, line 2, strike out the comma, and insert "is amended".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 665**—An act to amend Section 2285 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 694**—An act to add Section 2327 to the Business and Professions Code, relating to the practice of medicine, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 812**—An act to amend Sections 35540 and 35541 of the Health and Safety Code, and to repeal Section 2 of Chapter 1246, Statutes 1955, relating to temporary housing projects.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "35540 and".

**Amendment No. 2**

In line 2 of the title, strike out "repeal", and insert "amend".

**Amendment No. 3**

On page 1, strike out lines 1 to 12 inclusive.

**Amendment No. 4**

On page 1, line 13, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 5**

On page 1, line 19, strike out "if no longer needed.", and insert "and shall be demolished not later than one year after the ninety-first day after final adjournment of the 1969 General Session of the Legislature."

**Amendment No. 6**

On page 1, line 20, strike out "3" after "SEC.", and insert "2".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 7**

On page 1, line 21, strike out "repealed.", and insert "is amended to read:
SEC 2. The provisions of this act shall remain in effect until the ninety-first day after final adjournment of the [1961] *1969* General Session of the Legislature."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 53**—An act to amend Sections 8273 and 8274 of the Education Code, relating to school elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 8273 and 8274", and insert "Section 992".

**Amendment No. 2**

In line 2 of the title, after "Code," insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 and 2, and insert
"SECTION 1. Section 992 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:
992 The governing board of any city school district may inform and make known to the citizens of the district, the educational programs and activities of the schools therein. *The expense of any such program shall be a proper charge against school district funds.*
*The governing board of any school district may prepare, duplicate, distribute, and disseminate to the electors of the district factual information concerning any pending bond election, apportionment authorization election, or election to increase, maintain, or decrease the maximum school tax rate in the district; the cost thereof is a proper charge against the general fund of the district.*
Nothing in this section shall authorize the preparation or dissemination of information for the purpose of influencing the electors in the district in voting at any school district election or in voting upon any proposition affecting the public schools of the district."

**Amendment No. 4**

On page 1, strike out lines 3 to 22, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 208**—An act to add Section 13001.6 to the Education Code, relating to the employment of teachers by school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 507**—An act to amend Section 4902.05 of, and to repeal Section 4902.1 of, the Education Code; and amend Section 3113 of, and to repeal Section 3117 of, the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 418**—An act to amend Sections 4105.2, 4624, and 4944 of the Education Code, and to amend Sections 1406, 1485, and 3256 of the Education Code as proposed by Senate Bill No. 2, relating to members of school boards.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 325**—An act to amend Section 13672.1 of the Education Code and Section 13456 of the Education Code as proposed by Senate Bill No. 2, relating to leaves of absence of certificated employees of school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 148**—An act to add Section 8045 to the Education Code and Section 1010 to the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 655**—An act to repeal Article 4 (comprising Section 2481) of Chapter 7 of Division 2 of, to repeal Sections 2891, 2892, 2893, 2894, 2895, 2897, 2898, 2899, and 2900 of, to amend Sections 2571 and 2921 of, and to add Section 2891 to, the Education Code; and to repeal Article 4 (comprising Section 1771) of Chapter 2 of Division 5, Part 1, of, to repeal Sections 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, and 2010 of, to amend Sections 1851 and 2021 of, and to add Section 2001 to, the Education Code as proposed by Senate Bill No. 2, relating to school district organization.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 412**—An act to repeal Section 5 of Chapter 513 of the Statutes of 1957, to repeal Sections 6814, 6815, 6816, and 6822 of the Education Code; to repeal Sections 11004, 11005.1, 11006.1, and 11052.1 of, and to amend Sections 11005, 11006, and 11052 of, the Education Code as proposed by Senate Bill No. 2, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill as amended in the Assembly on March 2, 1959, after "of", insert ", and add Sections 5829.1 and 5829.2 to,".

#### Amendment No. 2

On page 2, after line 38 insert

"SEC. 3. Section 5829.1 is added to said code, to read:

5829.1. Any contract or agreement for a transfer pursuant to Section 5823 or a loan pursuant to Sections 5827 or 6499.5, for which gross revenues of a small craft

harbor are made the sole security for repayment shall include, but is not limited to, provisions requiring the governing body of the city, county, or district to:

(a) punctually pay all installments of principal and interest on money owed to the State.

(b) continuously operate in an efficient and economical manner all small craft harbor facilities acquired, constructed, improved or completed in full or in part as a result of transfers or loans by the State.

(c) make all repairs, renewals and replacements necessary to the efficient operation of the small craft harbor facilities and to keep them in good repair at all times.

(d) preserve and protect the security interest of the State in all respects by procuring insurance on such facilities in an amount and of the type approved by the commission.

(e) periodically fix, prescribe and collect fees, rentals or other charges for services and facilities of the small craft harbor facilities sufficient to produce gross revenues adequate for payment of all of the following:

(1) all installments of principal and interest on money owed the State as they come due.

(2) all expenses of operation, maintenance, and repair of the small craft harbor facilities.

(3) such additional sums as may be required by the commission for any sinking fund, reserve fund or other special fund established for the further security of the loan or transfer or as a depreciation or other charge in connection with the small craft harbor facilities.

In addition to the foregoing, the commission shall include in any such contract or agreement any requirements which it deems necessary convenient or desirable to provide additional security for the performance by the city, county or district of its obligations under the contract or agreement.

SEC. 4. Section 5829.2 is added to said code, to read:

5829.2. If the legislative body of a city, county, or district has acquired, constructed or improved small craft harbor facilities pursuant to an agreement or contract for a transfer pursuant to Section 5823, or a loan pursuant to Sections 5827 or 6499 5, such facilities may not be leased in whole or in part to a private concessionaire or lessee until such legislative body has published a notice pursuant to Section 6066 of the Government Code inviting bids and has otherwise complied with this section. Prior to publication of the notice the legislative body shall obtain the approval of the commission to the proposed leasing of the harbor facility and to the terms and conditions of the proposed lease. The notice shall distinctly and specifically describe the harbor facilities which are to be leased and set forth the period of time for which the facilities are to be leased, and the minimum rental to be paid under the lease The notice shall recite that the lease will reserve to the legislative body the power to fix and determine the rates to be charged by the lessee for the use by the public of such facilities. The notice also shall recite that award of the lease by the legislative body is subject to final approval by the commission, and fix a time and place for the opening of bids by the legislative body.

At the time and place fixed in the notice the legislative body shall meet and consider all bids which have been submitted. The lease shall be awarded to the highest responsible bidder, but the award to shall become final only after the award by the legislative body has been approved by the commission."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 672**—An act to amend Section 13241 of the Public Utilities Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

### Amendment No. 1

In line 3 of the printed bill as introduced in the Assembly on January 26, 1959, delete "The", and insert "Bonds authorized pursuant to this chapter shall mature serially in amounts to be fixed by the board; provided, that payment shall begin not

more than 10 years from the date of issuance thereof and be completed in not more than 50 years from that date; provided, further, that the".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 846**—An act to amend Section 4.4 of, and to add Section 2.14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "service", and before "over", insert "to the public".

**Amendment No. 2**

On page 1, line 6, after "trip", and before the word "or", insert "mileage,".

**Amendment No. 3**

On page 1, between lines 7 and 8, insert

"Sec. 2.15. "Sightseeing service" means the furnishing of transportation service to the public on a per capita basis where expeditious and reasonably direct movement between points served is not a primary objective."

**Amendment No. 4**

On page 1, line 19, after "service", strike out the period, and insert "or sightseeing service."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 138**—An act to add Chapter 4 (commencing with Section 600) to Division 3 of the Harbors and Navigation Code, relating to registration, numbering, operation, and equipment of vessels.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code," insert "and to repeal Chapter 6 (commencing at Section 3101), Part 5, Division 1, of the Revenue and Taxation Code,".

**Amendment No. 2**

In line 3 of the title, strike out "registration, numbering, operation, and equipment of".

**Amendment No. 3**

On page 1, line 5, strike out ", NUMBERING, OPERATION,"; and strike out line 6, and insert "OF VESSELS".

**Amendment No. 4**

On page 1, line 10, strike out "promote safety for"; and strike out lines 11 to 13, inclusive, and insert "co-ordinate its system of identification and numbering of vessels with the "Federal Boating Act of 1958." "

**Amendment No. 5**

On page 2, strike out lines 1 to 5, inclusive.

**Amendment No. 6**

On page 2, line 6, strike out "(c)", and insert "(b)".

**Amendment No. 7**

On page 2, line 7, strike out "motorboat", and insert "vessel".

**Amendment No. 8**

On page 2, lines 8 and 9, strike out "motorboat", and insert "vessel".

**Amendment No. 9**

On page 2, line 13, strike out "(d)", and insert "(c)".

**Amendment No. 10**

On page 2, line 17, strike out "(e)", and insert "(d)".

**Amendment No. 11**

On page 2, line 19, strike out "(f)", and insert "(e)".

**Amendment No. 12**

On page 2, lines 19 and 20, strike out "motorboat or a".

**Amendment No. 13**

On page 2, between lines 20 and 21, insert

"(f) "Board" means the State Board of Equalization.

(g) "Assessor" means the assessor of the county where the vessel is assessable for property tax purposes."

**Amendment No. 14**

On page 2, line 22, strike out "Motorboats", and insert "Vessels".

**Amendment No. 15**

On page 2, line 24, strike out "motorboat", and insert "vessel".

**Amendment No. 16**

On page 2, line 26, strike out "motorboat", and insert "vessel".

**Amendment No. 17**

On page 2, lines 26 and 27, strike out "motorboat", and insert "vessel".

**Amendment No. 18**

On page 2, line 30, strike out "motorboat", and insert "vessel".

**Amendment No. 19**

On page 2, line 33, strike out "motorboat", and insert "vessel".

**Amendment No. 20**

On page 2, line 37, strike out "motorboat", and insert "vessel".

**Amendment No. 21**

On page 2, line 39, strike out "[appropriate state agency]", and insert "assessor".

**Amendment No. 22**

On page 2, line 39, strike out "it", and insert "the board".

**Amendment No. 23**

On page 2, line 40, strike out "motorboat", and insert "vessel".

**Amendment No. 24**

On page 2, line 41, strike out "a fee of [ ] dollars", and insert "payment in the amount of one dollar ($1) for the State Board of Equalization".

**Amendment No. 25**

On page 2, line 42, strike out "the [appropriate"; and strike out line 43; and in line 44 strike out "office and", and insert "together with the one dollar ($1) payment, the assessor, upon satisfactory proof that any property taxes due on the vessel from the present owner have been paid or assessment of the vessel has been included on the secured roll, shall".

**Amendment No. 26**

On page 2, line 45, strike out "motorboat", and insert "vessel".

**Amendment No. 27**

On page 2, line 47, strike out "motorboat", and insert "vessel".

**Amendment No. 28**

On page 2, lines 48 and 49, strike out "rules and regulations of the [appropriate state agency]", and insert "the board".

**Amendment No. 29**

On page 3, line 1, strike out "motorboat", and insert "vessel".

**Amendment No. 30**

On page 3, line 2, strike out "motorboat", and insert "vessel".

**Amendment No. 31**

On page 3, line 3, strike out "motorboat", and insert "vessel".

**Amendment No. 32**

On page 3, line 6, strike out "record the number".

**Amendment No. 33**

On page 3, line 7, strike out "motorboat", and insert "vessel".

**Amendment No. 34**

On page 3, line 9, after "625", insert ", make application and obtain a number for the vessel under the system of this State."

**Amendment No. 35**

On page 3, line 9, strike out "recordation", and insert "application".

**Amendment No. 36**

On page 3, line 11, strike out the comma; and strike out line 12, and insert a period.

**Amendment No. 37**

On page 3, line 13, strike out "motorboat", and insert "vessel".

**Amendment No. 38**

On page 3, line 14, strike out "fee [or portion thereof]", and insert "one dollar ($1) payment for the board".

**Amendment No. 39**

On page 3, line 15, strike out "[appropriate state agency]", and insert "assessor".

**Amendment No. 40**

On page 3, line 20, strike out "motorboats", and insert "vessels".

**Amendment No. 41**

On page 3, lines 21 and 22, strike out "[appropriate state agency]", and insert "board".

**Amendment No. 42**

On page 3, strike out lines 23 to 30, inclusive, and insert

"(e) The assessor shall forward to the board a duplicate copy of each certificate of number issued or a record thereof as prescribed by the board The duplicate copies of certificates of number or the prescribed records and the payments required by this section shall be forwarded to the board within five business days after receipt, in accordance with procedures prescribed by the board."

**Amendment No. 43**

On page 3, line 31, strike out "of the [appropriate state agency] made or".

**Amendment No. 44**

On page 3, strike out line 34, and insert "chapter expires at midnight on the 30th day of June, annually."

**Amendment No. 45**

On page 3, strike out lines 35 to 42, inclusive.

**Amendment No. 46**

On page 3, strike out line 43, and insert

"(h) The owner shall furnish the board a".

**Amendment No. 47**

On page 3, line 45, strike out "motorboat", and insert "vessel".

**Amendment No. 48**

On page 3, line 48, strike out "motorboat", and insert "vessel".

**Amendment No. 49**

On page 3, line 50, strike out "motorboat", and insert "vessel".

**Amendment No. 50**

On page 4, line 1, strike out "motorboat", and insert "vessel".

**Amendment No. 51**

On page 4, line 3, strike out "(j)", and insert "(i)".

**Amendment No. 52**

On page 4, line 4, strike out "[appropriate state agency]", and insert "board".

**Amendment No. 53**

On page 4, lines 6 and 7, strike out "[appropriate state agency]", and insert "board".

**Amendment No. 54**

On page 4, lines 7 and 8, strike out "[appropriate state agency]", and insert "board".

**Amendment No. 55**

On page 4, line 13, strike out "(k)", and insert "(j)".

**Amendment No. 56**

On page 4, lines 13 and 14, strike out "motorboat", and insert "vessel".

**Amendment No. 57**

On page 4, line 16, strike out "motorboat", and insert "vessel".

**Amendment No. 58**

On page 4, strike out lines 18 to 49, inclusive; strike out page 5; and on page 6, strike out lines 1 to 35, inclusive.

**Amendment No. 59**

On page 6, line 37, strike out "6", and insert "5".

**Amendment No. 60**

On page 6, line 39, strike out "motorboat", and insert "vessel".

**Amendment No. 61**

On page 6, line 44, strike out "boat", and insert "vessel".

**Amendment No. 62**

On page 6, line 46, strike out "motorboat", and insert "vessel".

**Amendment No. 63**

On page 6, line 48, strike out "motorboat", and insert "vessel".

**Amendment No. 64**

On page 7, line 2, strike out "motorboat", and insert "vessel".

**Amendment No. 65**

On page 7, line 2, strike out "boats", and insert "vessels".

**Amendment No. 66**

On page 7, lines 3 and 4, strike out "[appropriate state agency] after the agency", and insert "board after it".

**Amendment No. 67**

On page 7, line 5, strike out "motorboats", and insert "vessels".

**Amendment No. 68**

On page 7, line 7, strike out "motorboats", and insert "vessels".

**Amendment No. 69**

On page 7, line 8, strike out "motorboat", and insert "vessel".

**Amendment No. 70**

On page 7, lines 8 and 9, strike out "[appropriate state agency]", and insert "board".

**Amendment No. 71**

On page 7, line 9, strike out "motorboat", and insert "vessel".

**Amendment No. 72**

On page 7, strike out lines 13 to 49, inclusive; and on page 8, strike out lines 1 to 4, inclusive.

**Amendment No. 73**

On page 8, line 6, strike out "10", and insert "6".

**Amendment No. 74**

On page 8, line 20, after "vessel," insert "on the waters of this State,".

**Amendment No. 75**

On page 8, strike out lines 23, 24, and 25, and insert "shall within three days file with the sheriff of the county wherein such collision, accident, or other casualty occurred, a full written report thereof, including such information as the board may require.

(c) Within 10 days after receiving such accident report, the sheriff shall transmit a duplicate copy of the report to the board.

(d) All reports made in accordance with subsection (b) shall be without prejudice to the individual so reporting and no such report shall be used as evidence in any trial, civil or criminal, arising out of the collision, accident, or other casualty, concerning which the report is made."

**Amendment No. 76**

On page 8, line 27, strike out "11", and insert "7".

**Amendment No. 77**

On page 8, line 30, after "States," insert "or of this State,".

**Amendment No. 78**

On page 8, line 31, strike out "[appropriate"; and strike out lines 32 and 33, and insert "board pursuant to subdivision (c) of Section 645 shall be transmitted to said official or agency."

**Amendment No. 79**

On page 8, strike out lines 35 to 50, inclusive; strike out page 9; and on page 10, strike out lines 1 to 27, inclusive

**Amendment No. 80**

On page 10, strike out line 29, and insert

"Article 8. Rules and Regulations

660. The board shall prescribe the system of numbers, forms, procedures, and regulations necessary to carry out the provisions of this chapter relating to numbering of vessels and reports of collisions, accidents, and casualties."

**Amendment No. 81**

On page 10, strike out lines 31 to 36, inclusive.

**Amendment No. 82**

On page 10, line 38, strike out "17", and insert "9".

**Amendment No. 83**

On page 10, line 40, strike out "680", and insert "670".

**Amendment No. 84**

On page 10, line 45, strike out "18", and insert "10".

**Amendment No. 85**

On page 10, line 47, strike out "685. (a)", and insert "675."

**Amendment No. 86**

On page 10, line 48, strike out "620, 635, 645, and 660", and insert "and 645".

**Amendment No. 87**

On page 10, line 50, strike out "[fifty] dollars", and insert "fifty dollars ($50)".

**Amendment No. 88**

On page 11, strike out lines 1 to 9, inclusive, and insert

"SEC. 2. Chapter 6 (commencing at Section 3101) of Part 5 of Division 1 of the Revenue and Taxation Code, comprised of Sections 3101 through 3112, inclusive, is repealed."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 752**—An act to repeal Article 1 (commencing at Section 27251) of Chapter 10 of Part 1 of Division 10 of, and to add Article 1 (commencing at Section 27251) to Chapter 10 of Part 1 of Division 10 to, the Public Utilities Code, relating to the exclusion of territory within transit districts in the Counties of Alameda and Contra Costa.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

### Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert "An act to amend Sections 24507, 24908, 26241, 26653, and 27281 of, and to add Sections 25057, 25841.5, 25845, 25846, 25847, 25848, 25849, 25904, 26210.5, 26403, 26404, 26405, 26406, 26657, and 26658 to, and to add Article 7 (commencing at Section 26351) to Chapter 7 of Part 1 of Division 10 of, and Article 3 (commencing at Section 27291) to Chapter 10 of Part 1 of Division 10, and Chapter 10.5 (commencing at Section 27401) to Part 1 of".

### Amendment No. 2

In line 4 of the title, after "Code," insert "and to amend Sections 13006, 13507, 14280, 14752, and 15030, and to add Sections 13656, 14065.5, 14069, 14070, 14071, 14072, 14073, 14128, 14259.5, 14502, 14503, 14504, 14505, 14752, 14756, and 14757 to, and to add Article 7 (commencing at Section 14390) to Chapter 7 of Part 1 of Division 5, and Article 3 (commencing at Section 15035) to Chapter 10 of Part 1 of Division 5, and Chapter 10.5 (commencing at Section 15050) to Part 1 of Division 5 of the Public Services Code as proposed by Assembly Bill No. 908,".

### Amendment No. 3

In line 5 of the title, strike out "exclusion of territory within".

### Amendment No. 4

In line 6 of the title, after "Costa", insert ", and declaring the urgency thereof, to take effect immediately".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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### Amendment No. 5

On page 1, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 24507 of the Public Utilities Code is amended to read:

24507. "Percent of the total vote cast," when used with reference to the requirements of any petition or nomination paper, means percent of the total vote cast, exclusive of absent voter ballots, within the proposed district, district, *city* or territory [proposed to be annexed to a district], as the case may be at the last general state election.

SEC. 2. Section 24908 of said code is amended to read:

24908. The board shall establish rules for its proceedings and may provide by ordinance or resolution that each member shall receive for each attendance at the meetings of the board *and for each day any member is engaged in authorized district business other than attendance at meetings of the board* the sum of twenty dollars ($20) but not to exceed one hundred dollars ($100) in any calendar month and shall be allowed such necessary traveling and personal expenses incurred in the performance of his duties as authorized by the board.

SEC. 3. Section 25057 is added to said code, to read:

25057. Notwithstanding any provisions of the Government Code, the board may authorize payment of any or all of the premiums on any group life, accident and health insurance, health and welfare plan, or pension or retirement plan, on officers or employees of a district. Upon authorization by its employees, a district may make deductions from the wages and salaries of its employees:

(1) Pursuant to a collective bargaining agreement with a duly designated or certified labor organization for the payment of union dues, fees, or assessments.

(2) For the payment of contributions pursuant to any health and welfare, pension, or retirement plan.

(3) For any purpose for which deductions may be authorized by employees of any private employer.

SEC. 4. Section 25841.5 is added to said code, to read:

25841.5. A district may borrow money for the purpose of defraying the expenses of a district lawfully incurred after the commencement of the fiscal year, but prior to the time moneys from the tax levy for the fiscal year are received by a district, in a sum which shall not exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation of taxable property in a district at the time the moneys are borrowed, and may evidence such borrowing by notes bearing interest at a rate not to exceed six (6) percent per annum. The notes shall be payable from the tax levy from the then current fiscal year, which levy shall contain a sum sufficient to provide for the payment of the notes and the interest thereon The form of said notes and the proceedings relating to their issuance and sale, will be governed by the applicable provisions contained in Article 7 (commencing at Section 53820) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code. The maturity of said notes shall not exceed two (2) years.

SEC. 5. Section 25845 is added to said code, to read.

25845. The district may purchase equipment such as cars, trolley buses and motor buses, and rolling equipment, and may execute agreements, leases and equipment trust certificates in the forms customarily used by private corporations engaged in the transit business appropriate to effect the purchase and leasing of rolling equipment and may dispose of the equipment trust certificates upon the terms and conditions as the board may deem appropriate. All money required to be paid by the district pursuant to the agreements, leases and equipment trust certificates provided for in this section shall be payable solely from the revenue or income to be derived from the transit facilities and from grants and loans as provided in Section 25844 Payment for equipment, or the rental of equipment, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates payable solely from revenue or income as provided in this section, and title to the equipment shall not vest in the district until the equipment trust certificates are paid.

SEC. 6. Section 25846 is added to said code, to read

25846. The agreement to purchase or lease may direct the vendor or lessor to sell and assign or lease the rolling equipment to a bank or trust company, duly authorized to transact business in the State of California, as trustee, for the benefit and security of the equipment trust certificates and may direct the trustee to deliver the rolling equipment to one or more designated officers of the district and may authorize the district to simultaneously execute and deliver an installment purchase agreement or a lease of the equipment to the district.

SEC. 7. Section 25847 is added to said code, to read:

25847 The agreements and leases shall be duly acknowledged before a person authorized by law to take acknowledgments of deeds and in the form required for acknowledgment of deeds. The agreements, leases, and equipment trust certificates shall be authorized by resolution of the district and shall contain such covenants, conditions and provisions as may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from the revenue or income to be derived from the transit system

SEC. 8. Section 25848 is added to said code, to read:

25848. The covenants, conditions and provisions of the agreements, leases, and equipment trust certificates shall not conflict with any of the provisions of any trust agreement securing the payment of bonds, notes or certificates of the district.

SEC. 9. Section 25849 is added to said code, to read:

25849. An executed copy of each agreement or lease shall be filed in the office of the Secretary of State, who will be entitled to receive one dollar ($1) for each copy filed with him and which filing shall constitute notice to any subsequent judgment creditor or any subsequent purchaser. Each vehicle so purchased or leased shall have the name of the owner or lessor plainly marked on both sides thereof, followed by the appropriate words, "owner and lessor" or "owner and vendor," as the case may be.

SEC. 10. Section 25904 is added to said code, to read:

25904. Whenever one or more special transit service districts are created and established pursuant to Chapter 10.5 (commencing at Section 27401), taxes in excess of one cent ($0 01) per one hundred dollars ($100) of assessed valuation shall not thereafter be levied against any property not within the boundaries of a special transit service district, excepting, however, taxes sufficient to pay the principal or interest or both on any bonded indebtedness theretofore or thereafter incurred by a district as a whole. The creation of a special transit service district does not invalidate, in any manner, any taxes or assessments previously levied or assessed against any property of the district, either within or without the boundaries of a special transit service district.

SEC. 11. Section 26210 5 is added to said code, to read:

26210.5. The board shall comply with the provisions of Article 3 (commencing at Section 1670) of Chapter 2 of Division 4 of the Elections Code, the provisions

of which are applicable to any bond election held pursuant to this article. Wherever the words "county clerk" appear in the Elections Code the words "secretary of the board" shall be substituted, for the purposes of this article, and wherever the words "board of supervisors appear in the Elections Code, the words "board of directors" shall be substituted, and wherever the words "district attorney or county counsel" appear in the Elections Code, the words "attorney for the district" shall be substituted.

SEC. 12. Section 26241 of said code is amended to read:

26241. Bonds authorized by this chapter shall mature serially in amounts to be fixed by the board; except that payment shall begin not later than 10 years from the date thereof and *shall* be completed in not more than 50 years from that date.

*The board may divide any issue of bonds authorized pursuant to this chapter into two or more series, and may fix different dates of issuance and different maturity dates for the bonds of each series. The bonds of each series shall mature serially in amounts to be fixed by the board, and the board shall fix a date not more than 10 years from the date of issuance of each series for the earliest maturity of such series, and shall fix a date not more than 50 years from the date of issuance of each series for the final maturity of such series.*

*Pending the actual issuance or delivery of bonds, a district may issue temporary or interim bonds, certificates, or receipts, of any denomination whatsoever, with or without coupon, and in such form as may be prescribed by the board, to be exchanged for definitive bonds when ready for delivery.*

SEC. 13. Article 7 (commencing at Section 26351) is added to Chapter 7 of Part 1 of Division 10 of said code, to read:

Article 7. Revenue Bonds

26351. As an alternative procedure for the raising of funds, a district created pursuant to this part is authorized to issue bonds, payable from revenues of any facility or enterprise to be acquired or constructed by a district, in the manner provided by the Revenue Bond Law of 1941 (Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code), all of the provisions of which are applicable to a district created pursuant to this part.

26352. A district created pursuant to this part is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term "enterprise" as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include transit facilities and any and all parts thereof and all additions, extensions and improvements thereto and all other facilities authorized to be acquired, constructed or completed by a district under this part. A district may issue revenue bonds under the Revenue Bond Law of 1941, for any one or more facilities or enterprises authorized to be acquired, constructed, or completed by a district or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941, for the acquisition, construction and completion of any one of such facilities. Nothing in this article shall prevent a district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or character for any of the facilities or works authorized hereunder, and all proceedings may be carried on simultaneously or, in the alternative, as the directors may determine.

SEC. 14. Section 26403 is added to said code, to read:

26403. The annexation agreement may also provide that the city's annexation to the district shall constitute annexation to any existing special transit service district Approval of the annexation by the voters, pursuant to this chapter, if the annexation agreement includes provision for inclusion in a special transit service district, shall constitute full compliance with the provisions of Article 6 (commencing at Section 27461) of Chapter 10.5

SEC 15. Section 26404 is added to said code, to read:

26404. As an alternative to commencement of annexation proceedings by action of the legislative body of a city, a petition signed by voters within the city proposed to be annexed, equal in number to at least ten (10) percent of the total vote cast, and asking that proceedings be taken for its annexation, may be addressed to the board and filed with the secretary of the district

SEC. 16. Section 26405 is added to said code, to read:

26405 The petition may include one or more separate documents, but each document shall contain the affidavit of the party who circulated it, certifying that each name signed thereto is the true signature of the person whose name it purports to be The secretary of the district shall compare the signatures on the petition with the affidavits of registration on file with the county clerk and if he finds that the petition has been signed by the required number of voters he shall attach his signature thereto and present the petition to the board.

SEC 17. Section 26406 is added to said code, to read:

26406 If the board determines that the annexation of the city, whose voters have petitioned pursuant to Section 26404, would facilitate the acquisition or operation of any transit facilities for the district or be of advantage to the district, then the board shall also determine the terms and conditions upon which the annexation

should be made. The terms and conditions of annexation shall be embodied in an annexation agreement. The annexation agreement may provide (among other things) for any or all of the items set forth in Sections 26402 and 26403.

SEC. 18. Section 26653 of said code is amended to read:

26653. A petition signed by voters within the territory proposed to be annexed equal in number to at least [25] *10* percent of the total vote cast, describing the territory and asking that proceedings be taken for its annexation, shall be addressed to the board and filed with the secretary of the district

SEC. 19. *Section 26657 is added to said code, to read:*

26657. The annexation agreement may also provide that the unincorporated territory's annexation to the district shall constitute annexation to any existing special transit service district. Approval of the annexation by the voters, pursuant to this chapter, if the agreement includes provision for inclusion in a special transit service district, shall constitute full compliance with the provisions of Article 6 (commencing at Section 27461) of Chapter 10 5.

SEC. 20. Section 26658 is added to said code, to read:

26658. As an alternative to commencement of annexation proceedings by a petition by the voters within any unincorporated territory, proposed to be annexed, the legislative body of an unincorporated territory may agree in writing upon the terms *and condition of annexation, which agreement may contain (among other things)* provisions as set forth in Sections 26656 and 26657

SEC. 21 Section 27281 of said code is amended to read:

27281. If the city to which any territory included in any district has been annexed already provides transit service in the territory annexed, *or if any territory in any district is annexed to a city, not a part of any district as originally established pursuant to this part, and not annexed thereto pursuant to this part,* the city council or other governing body of the city may petition the district for the exclusion of such territory from the district"

**Amendment No. 6**

On page 1, strike out line 7, and insert

"SEC. 22 Article 3 (commencing at Section 27291) is added to Chapter 10 of Part 1 of Division 10 of said code, to read:

Article 3. Exclusion of Territory Within or Without City".

**Amendment No. 7**

On page 1, line 9, strike *out* "27251", *and insert* "27291".

**Amendment No. 8**

On page 1, strike out lines 12 through 19, inclusive, and insert

"27292. Any time after the defeat of a bond issue by the voters of the district any city or unincorporated territory, a majority of whose voters voting on a district bond issue proposition voted against said proposition, may be excluded by order of the board upon receipt by the board of a verified petition of ten percent (10%) of the total vote cast in the territory proposed to be excluded, or of a resolution adopted by the city council or board of supervisors having jurisdiction of the territory. However, no city shall be divided and not less than one-half of the territory under the jurisdiction of the board of supervisors and then remaining within the district shall be included in any petition or resolution or combination thereof filed simultaneously, nor shall any territory be excluded by any petition or resolution or combination thereof which creates areas of noncontiguous territory or will be entirely surrounded by the remainder of the district."

**Amendment No. 9**

On page 2, line 1, strike out "27253", and insert "27293".

**Amendment No. 10**

On page 2, line 1, after the word "petition", insert "or resolution".

**Amendment No. 11**

On page 2, line 5, strike out "27254", and insert "27294".

**Amendment No. 12**

On page 2, line 5, strike out "petition is proposed", and insert "exclusion is initiated".

**Amendment No. 13**

On page 2, line 7, strike out "present the petition", and insert "adopt the resolution".

**Amendment No. 14**

On page 2, line 24, strike out "petition", and insert "resolution".

**Amendment No. 15**

On page 2, line 25, strike out "the petition", and insert "it"

**Amendment No. 16**

On page 2, line 26, strike out "27255", and insert "27295".

**Amendment No. 17**

On page 2, line 27, after "petition", insert "or resolution".

**Amendment No. 18**

On page 2, line 29, after "tion", insert "or resolution".

**Amendment No. 19**

On page 2, line 29, after "petition", insert "or resolution".

**Amendment No. 20**

On page 2, line 32, after "petition", insert "or resolution".

**Amendment No. 21**

On page 2, line 34, strike out "30", and insert "20"

**Amendment No. 22**

On page 2, line 37, after "petition", insert "or resolution".

**Amendment No. 23**

On page 2, line 41, strike out "27256", and insert "27296".

**Amendment No. 24**

On page 2, line 43, after "petition", insert "or resolution".

**Amendment No. 25**

On page 2, line 44, strike out "27257. The petition", and insert "27297. The petition or resolution".

**Amendment No. 26**

On page 2, line 46, strike out "27258", and insert "27298".

**Amendment No. 27**

On page 2, line 48, after "petition", insert "or resolution".

**Amendment No. 28**

On page 3, line 3, strike out "27259", and insert "27299".

**Amendment No. 29**

On page 3, line 4, after "excluding", insert "all of".

**Amendment No. 30**

On page 3, lines 4 and 5, strike out "60 days of the receipt of a petition", and insert "10 days after the hearing on the petition or resolution".

**Amendment No. 31**

On page 3, line 6, strike out "of the receipt of the petition", and insert "thereof".

**Amendment No. 32**

On page 3, line 8, after "district", insert ", however, if a general election is to be held within the territory proposed to be excluded within six months after the petition or resolution is filed with the secretary of the district the board may consolidate the election requested by this article with the general election".

**Amendment No. 33**

On page 3, line 10, after "election.", insert "The cost of the election shall be borne by the district."

**Amendment No. 34**

On page 3, line 11, strike out "27260", and insert "27300".

**Amendment No. 35**

On page 3, line 18, strike out "27261", and insert "27301".

**Amendment No. 36**

On page 3, line 24, strike out "24262", and insert "27302".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 37**

On page 3, after line 32, insert

"SEC 23. Chapter 10.5 (commencing at Section 27401) is added to Part 1 of Division 10 of said code, to read:

CHAPTER 10.5. SPECIAL TRANSIT SERVICE DISTRICTS

Article 1. Proposal of Formation

27401. One or more special transit service districts may be created within the boundaries of a district pursuant to this chapter.

27402. Resolutions shall first be passed by the legislative bodies of half or more, but of not less than two, of the public agencies, within all or any part of the area which would be included in the proposed special transit service district, declaring that the public interest or necessity demands the creation of a special transit service district and describing its boundaries. The boundaries of the proposed special transit service district may include territory outside any such public agency if the territory is within the area of the transit district. When the entire area of a public agency is to be included in the special transit service district it may be described in the resolutions by name. Certified copies of the resolutions shall be filed with the secretary of the district.

27403. As an alternative to the instigation of the formation of a special transit service district by resolutions, a petition may be filed with the secretary of a district signed by voters within the proposed special transit service district equal in number to at least 10 percent of the total vote cast. The boundaries of the proposed special transit service district shall be described in the petition and shall include at least two public agencies or portions thereof. A statement of the name of any public agency constitutes a sufficient and legal description of the territory if the entire area of the agency is included.

27404. The petition shall declare that the public interest or necessity demands the creation of a special transit service district within the area of the district described in the petition. The petition may include one or more separate documents, but each document shall contain the affidavit of the party who circulated it, certifying that each name signed thereto is the true signature of the person whose name it purports to be.

27405. The secretary of the district shall compare the signatures on the petition with the affidavits of registration on file with the county clerk and he shall certify to the board as to the sufficiency or insufficiency of the petition.

27406. The board may initiate proceedings for the creation of a special transit service district within the area of the district by passing a resolution declaring that the public interest or necessity demands the creation of a special transit service district, and describing its boundaries, which shall include all or any part of two or more public agencies. A public agency to be included may be described by name if the entire area of the agency is included. No certified copy of the resolution need be filed with the secretary of the district.

Article 2. Hearing

27411. Within 60 days after receipt of the resolutions of the public agencies or receipt of the certification of the sufficiency of a petition by the secretary of the district, or the passage of the resolution of the board, the board shall, by resolution, designate the special transit service district as "_____ (here insert name) Transit District, Special Transit Service District No. _____ (here insert number)" (all such special transit service districts shall be numbered consecutively) and shall fix a time and place for a hearing on the proposed creation of a special transit service district, and shall publish notice of the hearing.

27412. The notice of hearing shall be published once in a newspaper of general circulation published in the district.

27413. The time fixed for the hearing shall be not less than 20 nor more than 60 days from the date of the publication of the notice.

27414. At or before the hearing, any person interested may file with the secretary of the district written objections to the creation of the special transit service district or to the inclusion of his property therein. Upon the hearing the board shall hear and determine all protests and objections. The hearing may be adjourned from time to time by the board without further notice other than an order to be entered upon the minutes of its meeting fixing the time and place of the adjournment.

27415. The board may reduce or enlarge the boundaries of the proposed special transit service district, but the boundaries of the proposed special transit service district shall be within the boundaries of the district.

27416. The board shall not approve the creation of a special transit service district containing territory in addition to the territory included in the resolutions or petitions filed with the secretary of the district, or in its own resolution, until

notice of its intention to include such additional territory has been published for the time and in the manner prescribed for the original hearing on the matter and a hearing is had pursuant to the notice.

27417. If no protests are filed, or if the protests filed are overruled and denied by the board, the board shall by resolution approve the creation of the special transit service district either as originally described or as revised by the board and, except as provided by Article 3 (commencing at Section 27421), shall by resolution order and declare the special transit service district created.

Article 3. Election

27421. Any public agency included, or partly included, within the boundaries of a special transit service district may, by a resolution adopted by its legislative body, adopted within 30 days after the adoption of the resolution creating a special transit service district, require the submission of a proposition to the voters of the public agency, or portion thereof, for the purpose of determining whether the public agency, or portion thereof, will be included within the boundaries of the special transit service district. However, no election shall be held, if the board, pursuant to Section 27417, excludes from the territory to be annexed the whole or any portion of a public agency in accordance with the petition or resolution adopted by the legislative body of the public agency.

27422. Instead of the procedure by resolution of a public agency, a petition may be filed with the secretary of the district, signed by voters within any public agency, or portion thereof, included within the boundaries of the special transit service district equal in number to at least 10 percent of the vote cast, requiring an election to be held as described in Section 27421 of this chapter.

27423. The petition may include one or more documents, but each document shall contain the affidavit of the party who circulated it, certifying that each name affixed thereto is the true signature of the person whose name it purports to be. The petition shall be filed within 30 days after the adoption of the resolution creating a special transit service district.

27424 The secretary of the district shall compare the signatures with the affidavits of registration on file with the county clerk and shall certify to the board as to the sufficiency or insufficiency of the petition.

27425 The filing of a resolution pursuant to Section 27421, or of a petition pursuant to Section 27422, shall stay the effective creation of the special transit service district within the public agency or portion thereof included in the resolution or petition until the results of the required election are canvassed.

27426. The board shall call the election required by Sections 27421 and 27422 within 60 days after the petition or resolution is filed with the secretary of the district, provided that if a general election is to be held within the petitioning public agency within 120 days after the petition or resolution is filed with the secretary of the district, the board may consolidate the election required by this article with the general election.

27427. The ballot for the election shall contain such instructions as are required by law to be printed thereon and in addition thereto the following.

| | | |
|---|---|---|
| Shall the "(giving name of special transit service district)" be created and established in "(giving name of public agency or portion thereof)"? | YES | |
| | NO | |

27428. No person is entitled to vote at the election unless he is a voter of the public agency or portion thereof requesting the election. The election may be held on the same day as any other state, county or city election and may be consolidated.

27429. The costs of the election required by this article shall be borne equally by the public agency and the district.

27430. The question of the creation of a special transit service district, submitted to a vote pursuant to this article, shall be canvassed separately for each public agency or portion thereof in which an election is held, and the board shall order and declare the special transit service district created, including each public agency, or portion thereof, in which no election was held pursuant to Section 27426 and also including each public agency, or portion thereof, in which an election was held and in which a majority of those who voted upon the proposition of creating the special transit service district voted in favor of the proposition, and excluding each public agency, or portion thereof, in which an election was held and in which a majority of those who voted upon the proposition of creating the special transit service district voted against the proposition

Article 4 Taxing Subdivision

27441. A special transit service district has no separate corporate existence, but shall be deemed to be a taxing subdivision of the district, and within each special transit service district the board may levy and collect or cause to be collected taxes

for any lawful purpose in accordance with Article 8 (commencing at Section 25891) of Chapter 6.

Article 5. Bond Election

27451. At any time after the adoption by the board of the resolution creating a special transit service district, notwithstanding the effective date of the resolution, the board may provide for the submission of a proposition for the incurring of a bonded indebtedness to be incurred by the district on behalf of the special transit service district to pay the costs of acquiring, constructing, or completing the whole or any portion of any transit facilities, or for acquiring any works, lands, structures, rights, equipment, or other property necessary or convenient to carry out the objects, purposes or powers of the district within the boundaries of a special transit service district created pursuant to this chapter.

27452. The proposition for incurring a bonded indebtedness under Section 27451 may be submitted to the voters of any public agency or portion thereof at the same election as a proposition to create the special transit service district within a public agency or portion thereof, held pursuant to Article 3 (commencing at Section 27421). In such event a proposition for incurring a bonded indebtedness shall be submitted at a separate special bond election in all portions of the special transit service district in which no election is held pursuant to Article 3 (commencing at Section 27421).

27453. Except as otherwise provided in this article, the provisions of Chapter 7 (commencing at Section 26201) shall substantially govern as to all matters pertaining to the issuance of bonds under this article, including, among other things and without limiting the generality of the foregoing, the calling, holding, and consolidation of the bond election, the formation, execution, issuance, maturity, redemption, refunding, validation, the payment of interest from bond funds, and the status of the bonds as investments.

27454. The favorable vote of a majority of all the voters voting on the proposition to authorize the issuance of bonds at the election or elections held pursuant to Sections 27451 or 27452 within the special transit service district as finally established is required to authorize the issuance of the bonds.

27455. Only the property in the special transit service district shall be taxable for the payment of the principal and interest on special transit service district bonds. Until the bonds are paid, taxes shall be levied in substantial compliance with Section 25893.

27456. Any proceeding denying the validity of the creation of any special transit service district, or of any bonds authorized by the voters thereof, pursuant to this part, shall be brought within three months after the date upon which the applicable resolution is adopted by the board or the applicable proposition is approved by the voters.

Article 6. Annexation

27461. Any public agency or portion thereof within the boundaries of a district, hereafter referred to collectively as "territory," not included within the boundaries of a special transit service district, may be annexed thereto in the manner provided in this article.

27462. The board shall, by resolution, determine that the annexation of the territory will facilitate the acquisition or operation of transit facilities for the special transit service district, describe the territory, declare its intention to annex the territory to the special transit service district, set forth the terms and conditions upon which the territory shall be annexed, fix the time and place for hearing on the question of the annexation, and provide for notice of the hearing.

27463. Any public agency or portion thereof included as part of the territory to be annexed to a special transit service district pursuant to this article may, by resolution of its legislative body, or a petition of its voters filed prior to the hearing on annexation, require the submission of an annexation proposition to the voters of the public agency, or portion thereof.

27464. Except as otherwise provided herein, Article 3 (commencing at Section 27421) shall govern the procedure for the submitting of said annexation proposition to the voters of any public agency or portion thereof involved, provided that no election shall be held if the board, pursuant to Section 27468, excludes from the territory to be annexed the whole or any portion of a public agency in accordance with its petition or resolution.

27465. The terms and conditions for the annexation of territory to a special transit service district may provide (among other things) for the payment of taxes within the territory to be annexed, in addition to the taxes otherwise provided for in this part, the fixing of rates, rentals, and charges differing from those fixed or existing elsewhere, within the special transit service district, the making of a payment or payments, or the transfer of property, real and personal, and other assets to the district by the territory proposed to be annexed

27466. Notice fixing the time and place for hearing on the question of the annexation of territory to a special transit service district shall be published once in a newspaper of general circulation published in the district.

27467. The time for hearing shall be not less than 20 nor more than 60 days from the date of the publication of the notice.

27468. At or before the hearing, any person interested may file with the secretary of the district written objections to the annexation of the territory to the special transit service district or to the inclusion of his propery. Upon the hearing, the board shall hear and determine all protests and objections.

27469. The hearing may be adjourned from time to time by the board without further notice other than an order entered upon the minutes of its meeting fixing the time and place of adjournment. In the event that no protests are filed or the protests filed are overruled and denied, the board shall, by resolution, declare the territory, or a portion thereof, annexed to the special transit service district.

27470. From and after the date of filing of the resolution with the secretary of the district the annexation of the territory, or portion thereof, to the special transit service district is complete; provided, that if pursuant to Sections 27463 and 27464 of this article, an annexation election is to be held, the annexation is stayed until the canvassing of the results of said election.

27471. From and after the date of annexation any territory annexed to a special transit service district is liable for payment of its proportionate share of any indebtedness then existing and payable by the special transit service district. From and after the date of annexation the board shall levy upon all of the property in the territory annexed such taxes, tolls, or charges as are necessary to comply with the terms and conditions of annexation, in addition to any other district taxes otherwise authorized in this part.

Article 7. Dissolution

27481. A special transit service district may be dissolved by resolution of the board if any proposition for the incurring of a bonded indebtedness fails to carry, and if the special transit service district is then subject to no other indebtedness or liability pursuant to this part and has been organized for not less than two years. Dissolution of a special transit service district shall not prevent subsequent proceedings for the creation of a special transit service district including the same or any part of the area of the special transit service district dissolved.

SEC. 24. Section 13006 of the Public Services Code, as proposed by Assembly Bill No. 908, is amended to read:

13006. "Percent of the total vote cast," when used with reference to the requirements of any petition or nomination paper, means percent of the total vote cast, exclusive of absent voter ballots, within the proposed district, district, *city* or territory [proposed to be annexed to a district], as the case may be at the last general state election

SEC. 25. Section 13507 of said code is amended to read:

13507. The board shall establish rules for its proceedings and may provide by ordinance or resolution that each member shall receive for each attendance at the meetings of the board *and for each day any member is engaged in authorized district business other than attendance at meetings of the board* the sum of twenty dollars ($20) but not to exceed one hundred dollars ($100) in any calendar month and shall be allowed such necessary traveling and personal expenses incurred in the performance of his duties as authorized by the board.

SEC. 26. Section 13656 is added to said code, to read:

13656. Notwithstanding any provisions of the Government Code, the board may authorize payment of any or all of the premiums on any group life, accident and health insurance, health and welfare plan, or pension or retirement plan, on officers or employees of a district. Upon authorization by its employees, a district may make deductions from the wages and salaries of its employees:

(1) Pursuant to a collective bargaining agreement with a duly designated or certified labor organization for the payment of union dues, fees, or assessments.

(2) For the payment of contributions pursuant to any health and welfare, pension, or retirement plan.

(3 For any purpose for which deductions may be authorized by employees of any private employer.

SEC. 27. Section 14065.5 is added to said code, to read:

14065.5. A district may borrow money for the purpose of defraying the expenses of a district lawfully incurred after the commencement of the fiscal year, but prior to the time moneys from the tax levy for the fiscal year are received by a district, in a sum which shall not exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation of taxable property in a district at the time the moneys are borrowed, and may evidence such borrowing by notes bearing interest at a rate not to exceed six (6) percent per annum. The notes shall be payable from the tax levy from the then current fiscal year, which levy shall contain a sum sufficient to provide for the payment of the notes and the interest thereon. The form of said notes and the proceedings relating to their issuance and sale, will be governed by the applicable provisions contained in Article 7 (commencing at Section 53820) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code. The maturity of said notes shall not exceed two (2) years.

SEC. 28. Section 14069 is added to said code, to read:

14069. The district may purchase equipment such as cars, trolley buses and motor buses, and rolling equipment, and may execute agreements, leases and equipment trust certificates in the forms customarily used by private corporations engaged in the transit business appropriate to effect the purchase and leasing of rolling equipment and may dispose of the equipment trust certificates upon the terms and conditions as the board may deem appropriate. All money required to be paid by the district pursuant to the agreements, leases and equipment trust certificates provided for in this section shall be payable solely from the revenue or income to be derived from the transit facilities and from grants and loans as provided in Section 14068. Payment for equipment, or the rental of equipment, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates payable solely from revenue or income as provided in this section, and title to the equipment shall not vest in the district until the equipment trust certificates are paid.

SEC. 29. Section 14070 is added to said code, to read:

14070. *The agreement to purchase or lease may direct the vendor or lessor to sell* and assign or lease the rolling equipment to a bank or trust company, duly authorized to transact business in the State of California, as trustee, for the benefit and security of the equipment trust certificates and may direct the trustee to deliver the rolling equipment to one or more designated officers of the district and may authorize the district to simultaneously execute and deliver an installment purchase agreement or a lease of the equipment to the district.

SEC. 30. *Section 14071 is added to said code, to read:*

14071. The agreements and leases shall be duly acknowledged before a person authorized by law to take acknowledgments of deeds and in the form required for acknowledgment of deeds. The agreements, leases, and equipment trust certificates shall be authorized by resolution of the district and shall contain such covenants, conditions and provisions as may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from the revenue or income to be derived from the transit system.

SEC. 31. Section 14072 is added to said code, to read:

14072. The *covenants, conditions and provisions* of the agreements, leases, and equipment trust certificates shall not conflict with any of the provisions of any trust agreement securing the payment of bonds, notes or certificates of the district.

SEC. 32. Section 14073 is added to said code, to read:

14073. An executed copy of each agreement or lease shall be filed in the Office of the Secretary of State, who will be entitled to receive one dollar ($1) for each copy filed with him and which filing shall constitute notice to any subsequent *judgment creditor or any subsequent purchaser. Each vehicle so purchased or* leased shall have the name of the owner or lessor plainly marked on both sides thereof, followed by the appropriate words, "owner and lessor" or "owner and vendor," as the case may be.

SEC. 33. Section 14128 is added to said code, to read:

14128 Whenever one or more special transit service districts are created and established pursuant to Chapter 10.5 (commencing at Section 15050) taxes in excess of one cent ($0.01) per one hundred dollars ($100) of assessed valuation shall not thereafter be levied against any property not within the boundaries of a special transit service district, excepting, however, taxes sufficient to pay the principal or interest or both on any bonded indebtedness theretofore or thereafter incurred by a district as a whole. The creation of a special transit service district does not invalidate, in any manner, any taxes or assessments previously levied or assessed against any property of the district, either within or without the boundaries of a *special transit service district.*

SEC. 34. Section 14259.5 is added to said code, to read.

14259.5. The board shall comply with the provisions of Article 3 (commencing at Section 1670) of Chapter 2 of Division 4 of the Elections Code, the provisions of which are applicable to any bond election held pursuant to this article Wherever the words "county clerk" appear in the Elections Code the words "secretary of the board" shall be substituted, for the purposes of this article, and wherever the words "board of supervisors" *appear in the Elections Code,* the words "board of directors" shall be substituted, and wherever the words "district attorney or county counsel" appear in the Elections Code, the words "attorney for the district" shall be substituted.

SEC. 35. Section 14280 of said code is amended to read:

14280. Bonds authorized by this chapter shall mature serially in amounts to be fixed by the board; except that payment shall begin not later than 10 years from the date thereof and *shall* be completed *in not more than 50 years from that date.*

***The board may divide any issue of bonds authorized pursuant to this chapter into two or more series, and may fix different dates of issuance and different maturity dates for the bonds of each series The bonds of each series shall mature serially in amounts to be fixed by the board, and the board shall fix a date not more than 10 years from the date of issuance of each series for the earliest maturity of such***

*series, and shall fix a date not more than 50 years from the date of issuance of each series for the final maturity of such series.*

*Pending the actual issuance or delivery of bonds, a district may issue temporary or interim bonds, certificates, or receipts, of any denomination whatsoever, with or without coupon, and in such form as may be prescribed by the board, to be exchanged for definitive bonds when ready for delivery.*

SEC. 36. Article 7 (commencing at Section 14390) is added to Chapter 7 of Part 1 of Division 5 of said code, to read:

Article 7. Revenue Bonds

14390. As an alternative procedure for the raising of funds, a district created pursuant to this part is authorized to issue bonds, payable from revenues of any facility or enterprise to be acquired or constructed by a district, in the manner provided by the Revenue Bond Law of 1941 (Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code), all of the provisions of which are applicable to a district created pursuant to this part.

14391. A district created pursuant to this part is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing at Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term "enterprise" as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include transit facilities and any and all parts thereof and all additions, extensions and improvements thereto and all other facilities authorized to be acquired, constructed or completed by a district under this part. A district may issue revenue bonds under the Revenue Bond Law of 1941, for any one or more facilities or enterprises authorized to be acquired, constructed, or completed by a district or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941, for the acquisition, construction and completion of any one of such facilities. Nothing in this article shall prevent a district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or character for any of the facilities or works authorized hereunder, and all proceedings may be carried on simultaneously or, in the alternative, as the directors may determine.

SEC. 37. Section 14502 is added to said code, to read:

14502. The annexation agreement may also provide that the city's annexation to the district shall constitute annexation to any existing special transit service district. Approval of the annexation by the voters, pursuant to this chapter, if the annexation agreement includes provision for inclusion in a special transit service district, shall constitute full compliance with the provisions of Article 6 (commencing at Section 15130) of Chapter 10.5.

SEC. 38. Section 14503 is added to said code, to read:

14503. As an alternative to commencement of annexation proceedings by action of the legislative body of a city, a petition signed by voters within the city, proposed to be annexed, equal in number to at least ten (10) percent of the total vote cast, and asking that proceedings be taken for its annexation, may be addressed to the board and filed with the secretary of the district.

SEC. 39. Section 14504 is added to said code, to read:

14504. The petition may include one or more separate documents, but each document shall contain the affidavit of the party who circulated it, certifying that each name signed thereto is the true signature of the person whose name it purports to be. The secretary of the district shall compare the signatures on the petition with the affidavits of registration on file with the county clerk and if he finds that the petition has been signed by the required number of voters he shall attach his signature thereto and present the petition to the board.

SEC. 40. Section 14505 is added to said code, to read:

14505. If the board determines that the annexation of the city, whose voters have petitioned pursuant to Section 14503, would facilitate the acquisition or operation of any transit facilities for the district or be of advantage to the district, then the board shall also determine the terms and conditions upon which the annexation should be made. The terms and conditions of annexation shall be embodied in an annexation agreement. The annexation agreement may provide (among other things) for any or all of the items set forth in Sections 14501 and 14502.

SEC. 41. Section 14752 of said code is amended to read:

14752. A petition signed by voters within the territory proposed to be annexed equal in number to at least [25] *10* percent of the total vote cast, describing the territory and asking that proceedings be taken for its annexation, shall be addressed to the board and filed with the secretary of the district.

SEC. 42. Section 14756 is added to said code, to read:

14756. The annexation agreement may also provide that the unincorporated territory's annexation to the district shall constitute annexation to any existing special transit service district. Approval of the annexation by the voters, pursuant to this chapter, if the agreement includes provision for inclusion in a special transit service district, shall constitute full compliance with the provisions of Article 6 (commencing at Section 15130) of Chapter 10.5.

SEC. 43. Section 14757 is added to said code, to read:

14757. As an alternative to commencement of annexation proceedings by a petition by the voters within any unincorporated territory, proposed to be annexed, the legislative body of an unincorporated territory may agree in writing upon the terms and conditions of annexation, which agreement may contain (among other things) provisions as set forth in Sections 14755 and 14756.

SEC. 44. Section 15030 of said code is amended to read:

15030. If the city to which any territory included in any district has been annexed already provides transit service in the territory annexed, *or if any territory in any district is annexed to a city, not a part of any district as originally established pursuant to this part, and not annexed thereto pursuant to this part,* the city council or other governing body of the city may petition the district for the exclusion of such territory from the district.

SEC. 45 Article 3 (commencing at Section 15035) is added to Chapter 10 of Part 1 of Division 5 of said code, to read:

Article 3. Exclusion of Territory

15035. The provisions of this article are alternative to any other provisions for the exclusion of territory from the district.

15036. Any time after the defeat of a bond issue by the voters of the district and prior to the approval of a bond issue at a subsequent election by the voters of a district or a special transit service district therein any city or unincorporated territory, a majority of whose voters voting on a district bond issue proposition voted against said proposition, may be excluded by order of the board upon receipt by the board of a verified petition of ten percent (10%) of the total vote cast in the territory proposed to be excluded, or of a resolution adopted by the city council or board of supervisors having jurisdiction of the territory. However, no city shall be divided and not less than one-half of the territory under the jurisdiction of the board of supervisors and then remaining within the district shall be included in any petition or resolution or combination thereof filed simultaneously, nor shall any territory be excluded by any petition or resolution or combination thereof which creates areas of noncontiguous territory or will be entirely surrounded by the remainder of the district.

15037. The petition or resolution shall state the reasons for the proposed exclusion and that the area will not be benefited by inclusion in the district, shall define the boundaries of the area proposed to be excluded, and request that the area be excluded.

15038. (a) If the exclusion is initiated by a city council or board of supervisors, such legislative body shall hold a public hearing on the proposal to adopt the resolution. A notice of the hearing shall be published once in a newspaper of general circulation published in the area proposed to be excluded, or in a newspaper published within the city and county the legislative body of which has initiated the proceedings, in the event that a newspaper is not published in the area.

(b) The notice of the hearing shall be entitled "Proposal to Exclude the _____ Territory from the _____ Transit District." The territory shall be designated by an appropriate name descriptive of the area proposed to be excluded. The notice shall also contain a description of the area, state the time and place for a hearing by the legislative body, and shall state that all persons interested in the exclusion may attend and be heard. The hearing shall be held not less than 10 days after publication of the required notice.

(c) The legislative body shall conduct the hearing and at its conclusion, or at the conclusion of a further hearing to which adjournment has been made, may adopt the resolution and transmit it to the board.

15039. Within 60 days after the receipt of a petition for exclusion, the board shall hear the petition or resolution at a regular or adjourned meeting of the board. Notice of the filing of the petition or resolution shall be given by publication of the petition or resolution in a newspaper of general circulation, published in the district and selected by the board The notice shall also state the date of the filing of the petition or resolution and that it will be considered by the board, and shall state the time and place of the hearing The time fixed for the hearing shall not be less than 20 days from the date of the first publication of the notice. The property to be excluded may or may not be specifically described in the notice, but if not described, the notice shall refer to the petition or resolution on file for purposes of a particular description of the property sought to be excluded and shall make reference to the property by a descriptive name.

15040. Any landowner or taxpayer within the district may appear at the hearing, either in behalf of or in opposition to the granting of the petition or resolution

15041. The petition or resolution shall be heard by the board at the time and place specified in the notice of the hearing.

15042. If, upon the hearing the board determines that it is in the best interests of the district that the lands mentioned in the petition or resolution, or some portion of them, be excluded from the district, or if it appears that the lands, or some portion of them, will not be benefited by their continued inclusion in

the district, the board shall make an order that the lands, or some portion of them, as the board may determine, be excluded from the district, describing specifically the lands excluded.

15043. In the event that the board shall not make the order excluding all of the area proposed to be excluded within 10 days after the hearing on the petition or resolution for exclusion, the board shall within 120 days thereof order and conduct an election within the area proposed to be excluded upon the question of whether the area shall be excluded from the district. However if a general election is to be held within the territory proposed to be excluded within six months after the petition or resolution is filed with the secretary of the district the board may consolidate the election requested by this article with the general election. All resident electors of the area shall be eligible to vote at the election. The cost of the election shall be borne by the district.

15044. In the event that a majority of the votes cast at the election are in favor of the exclusion, the board, upon completion of the canvass, shall make an order excluding the area from the district. In the event that a majority of the votes cast at the election are opposed to the exclusion, the measure fails and no proceedings for exclusion of the area may be subsequently initiated within one year.

15045. A copy of the order of exclusion, certified by the secretary of the district, shall be recorded in the office of the county recorder of the county in which the lands are situated. The record of the certified copy shall be prima facie evidence of the exclusion from the district of the lands which are purported to be excluded thereby.

15046. Subsequent to the making and recording of the order of exclusion, the lands excluded shall no longer be a part of the district.

The order of exclusion does not invalidate, in any manner, taxes or assessments previously levied or assessed against the lands excluded, nor relieve the property excluded from any outstanding bonds which are a lien upon the excluded property at the time of exclusion or from any taxes imposed to pay the principal or interest on the bonds.

SEC. 46. Chapter 10.5 (commencing at Section 15050) is added to Part 1 of Division 5 of said code, to read:

## CHAPTER 10.5. SPECIAL TRANSIT SERVICE DISTRICTS

### Article 1. Proposal of Formation

15050. One or more special transit service districts may be created within the boundaries of a district pursuant to this chapter.

15051. Resolutions shall first be passed by the legislative bodies of half or more, but of not less than two, of the public agencies, within all or any part of the area which would be included in the proposed special transit service district, declaring that the public interest or necessity demands the creation of a special transit service district and describing its boundaries. The boundaries of the proposed special transit service district may include territory outside any such public agency if the territory is within the area of the transit district. When the entire area of a public agency is to be included in the special transit service district it may be described in the resolutions by name. Certified copies of the resolutions shall be filed with the secretary of the district.

15052. As an alternative to the instigation of the formation of a special transit service district by resolutions, a petition may be filed with the secretary of a district signed by voters within the proposed special transit service district equal in number to at least 10 percent of the total vote cast. The boundaries of the proposed special transit service district shall be described in the petition and shall include at least two public agencies or portions thereof. A statement of the name of any public agency constitutes a sufficient and legal description of the territory if the entire area of the agency is included.

15053. The petition shall declare that the public interest or necessity demands the creation of a special transit service district within the area of the district described in the petition. The petition may include one or more separate documents, but each document shall contain the affidavit of the party who circulated it, certifying that each name signed thereto is the true signature of the person whose name it purports to be.

15054. The secretary of the district shall compare the signatures on the petition with the affidavits of registration on file with the county clerk and he shall certify to the board as to the sufficiency or insufficiency of the petition.

15055. The board may initiate proceedings for the creation of a special transit service district within the area of the district by passing a resolution declaring that the public interest or necessity demands the creation of a special transit service district, and describing its boundaries, which shall include all or any part of two or more public agencies. A public agency to be included may be described by name

if the entire area of the agency is included. No certified copy of the resolution need be filed with the secretary of the district.

Article 2. Hearing

15060. Within 60 days after receipt of the resolutions of the public agencies or receipt of the certification of the sufficiency of a petition by the secretary of the district, or the passage of the resolution of the board, the board shall, by resolution, designate the special transit service district as "_____ (here insert name) Transit District, Special Transit Service District No. _____ (here insert number)" (all such special transit service districts shall be numbered consecutively) and shall fix a time and place for a hearing on the proposed creation of the special transit service district, and shall public notice of the hearing.

15061. The notice of hearing shall be published once in a newspaper of general circulation published in the district.

15062. The time fixed for the hearing shall be not less than 20 nor more than 60 days from the date of the publication of the notice.

15063. At or before the hearing, any person interested may file with the secretary of the district written objections to the creation of the special transit service district or to the inclusion of his property therein. Upon the hearing the board shall hear and determine all protests and objections. The hearing may be adjourned from time to time by the board without further notice other than an order to be entered upon the minutes of its meeting fixing the time and place of the adjournment.

15064. The board may reduce or enlarge the boundaries of the proposed special transit service district, but the boundaries of the proposed special transit service district shall be within the boundaries of the district.

15065. The board shall not approve the creation of a special transit service district containing territory in addition to the territory included in the resolutions or petitions filed with the secretary of the district, or in its own resolution, until notice of its intention to include such additional territory has been published for the time and in the manner prescribed for the original hearing on the matter and a hearing is had pursuant to the notice.

15066. If no protests are filed, or if the protests filed are overruled and denied by the board, the board shall by resolution approve the creation of the special transit service district either as originally described or as revised by the board and, except as provided by Article 3 (commencing at Section 15080), shall by resolution order and declare the special transit service district created

Article 3. Election

15080. Any public agency included, or partly included, within the boundaries of a special transit service district may, by a resolution adopted by its legislative body, adopted within 30 days after the adoption of the resolution creating a special transit service district, require the submission of a proposition to the voters of the public agency, or portion thereof, for the purpose of determining whether the public agency, or portion thereof, will be included within the boundaries of the special transit service district. However, no election shall be held, if the board, pursuant to Section 15066, excludes from the territory to be annexed the whole or any portion of a public agency in accordance with the petition or resolution adopted by the legislative body of the public agency.

15081. Instead of the procedure by resolution of a public agency, a petition may be filed with the secretary of the district, signed by voters within any public agency, or portion thereof, included within the boundaries of the special transit service district equal in number to at least 10 percent of the vote cast, requiring an election to be held as described in Section 15080 of this chapter.

15082. The petition may include one or more documents, but each document shall contain the affidavit of the party who circulated it, certifying that each name affixed thereto is the true signature of the person whose name it purports to be. The petition shall be filed within 30 days after the adoption of the resolution creating a special transit service district.

15083. The secretary of the district shall compare the signature with the affidavits of registration on file with the county clerk and shall certify to the board as to the sufficiency or insufficiency of the petition.

15084. The filing of a resolution pursuant to Section 15080, or of a petition pursuant to Section 15081, shall stay the effective creation of the special transit service district within the public agency or portion thereof included in the resolution or petition until the results of the required election are canvassed.

15085. The board shall call the election required by Sections 15080 and 15081 within 60 days after the petition or resolution is filed with the secretary of the district, provided that if a general election is to be held within the petitioning public agency within 120 days after the petition or resolution is filed with the secretary of the district, the board may consolidate the election required by this article with the general election.

15086 The ballot for the election shall contain such instructions as are required by law to be printed thereon and in addition thereto the following:

| | | |
|---|---|---|
| Shall the "(giving name of special transit service district)" be created and established in "(giving name of public agency or portion thereof)"? | Yes | |
| | No | |

15087. No person is entitled to vote at the election unless he is a voter of the public agency or or portion thereof requesting the election. The election may be held on the same day as any other state, county or city election and may be consolidated

15088. The costs of the election required by this article shall be borne equally by the public agency and the district.

15089. The question of the creation of a special transit service district, submitted to a vote pursuant to this article, shall be canvassed separately for each public agency or portion thereof in which an election is held, and the board shall order and declare the special transit service district created, including each public agency, or portion thereof, in which no election was held pursuant to Section 15085 and also including each public agency, or portion thereof, in which an election was held and in which a majority of those who voted upon the proposition of creating the special transit service district voted in favor of the proposition, and excluding each public agency, or portion thereof, in which an election was held and in which a majority of those who voted upon the proposition of creating the special transit service district voted against the proposition

Article 4. Taxing Subdivision

15100 A special transit service district has no separate corporate existence, but shall be deemed to be a taxing subdivision of the district, and within each special transit service district the board may levy and collect or cause to be collected taxes for any lawful purpose in accordance with Article 8 (commencing at Section 14115) of Chapter 6.

Article 5 Bond Election

15110. At any time after the adoption by the board of the resolution creating a special transit service district, notwithstanding the effective date of the resolution, the board may provide for the submission of a proposition for the incurring of a bonded indebtedness to be incurred by the district on behalf of the special transit service district to pay the costs of acquiring, constructing, or completing the whole or any portion of any transit facilities, or for acquiring any works, lands, structures, rights, equipment, or other property necessary or convenient to carry out the objects, purposes or powers of the district within the boundaries of a special transit service district created pursuant to this chapter

15111. The proposition for incurring a bonded indebtedness under Section 15110 may be submitted to the voters of any public agency or portion thereof at the same election as a proposition to create the special transit service district within a public agency or portion thereof, held pursuant to Article 3 (commencing at Section 15080). In such event a proposition for incurring a bonded indebtedness shall be submitted at a separate special bond election in all portions of the special transit service district in which no election is held pursuant to said Article 3 (commencing at Section 15080).

15112 Except as otherwise provided in this article, the provisions of Chapter 7 (commencing at Section 14250) shall substantially govern as to all matters pertaining to the issuance of bonds under this article, including, among other things and without limiting the generality of the foregoing, the calling, holding, and consolidation of the bond election, the formation, execution, issuance, maturity, redemption, refunding, validation, the payment of interest from bond funds, and the status of the bonds as investments.

15113 The favorable vote of a majority of all the voters voting on the proposition to authorize the issuance of bonds at the election or elections held pursuant to Sections 15110 or 15111 within the special transit service district as finally established is required to authorize the issuance of the bonds

15114 Only the property in the special transit service district shall be taxable for the payment of the principal and interest on special transit service district bonds Until the bonds are paid, taxes shall be levied in substantial compliance with Section 14117.

15115. Any proceeding denying the validity of the creation of any special transit service district, or of any bonds authorized by the voters thereof, pursuant to this part, shall be brought within three months after the date upon the applicable resolution is adopted by the board or the applicable proposition is approved by the voters.

Article 6 Annexation

15130. Any public agency or portion thereof within the boundaries of a district, hereafter referred to collectively as "territory," not included within the boundaries

of a special transit service district may be annexed thereto in the manner provided in this article.

15131. The board shall, by resolution, determine that the annexation of the territory will facilitate the acquisition or operation of transit facilities for the special transit service district, describe the territory, declare its intention to annex the territory to the special transit service district, set forth the terms and conditions upon which the territory shall be annexed, fix the time and place for hearing on the question of the annexation, and provide for notice of the hearing.

15132. Any public agency or portion thereof included as part of the territory to be annexed to a special transit service district pursuant to this article may, by resolution of its legislative body, or a petition of its voters filed prior to the hearing on annexation, require the submission of an annexation proposition to the voters of the public agency, or portion thereof.

15133. Except as otherwise provided herein, Article 3 (commencing at Section 15080) shall govern the procedure for the submitting of said annexation proposition to the voters of any public agency or portion thereof involved, provided that no election shall be held if the board, pursuant to Section 15137, excludes from the territory to be annexed the whole or any portion of a public agency in accordance with its petition or resolution.

15134. The terms and conditions for the annexation of territory to a special transit service district may provide (among other things) for the payment of taxes within the territory to be annexed, in addition to the taxes otherwise provided for in this part, the fixing of rates, rentals, and charges differing from those fixed or existing elsewhere, within the special transit service district, the making of a payment or payments, or the transfer of property, real and personal, and other assets to the district by the territory proposed to be annexed.

15135. Notice fixing the time and place for hearing on the question of the annexation of territory to a special transit service district shall be published once in a newspaper of general circulation published in the district.

15136. The time for hearing shall be not less than 20 nor more than 60 days from the date of the publication of the notice.

15137. At or before the hearing, any person interested may file with the secretary of the district written objections to the annexation of the territory to the special transit service district or to the inclusion of his property. Upon the hearing, the board shall hear and determine all protests and objections.

15138. The hearing may be adjourned from time to time by the board without further notice other than an order entered upon the minutes of its meeting fixing the time and place of adjournment. In the event that no protests are filed or the protests filed are overruled and denied, the board shall, by resolution, declare the territory, or a portion thereof, annexed to the special transit service district.

15139. From and after the date of filing of the resolution with the secretary of the district the annexation of the territory, or portion thereof, to the special transit service district is complete, provided that if pursuant to Sections 15132 and 15133 of this article, an annexation election is to be held, the annexation is stayed until the canvassing of the results of said election.

15140. From and after the date of annexation of any territory annexed to a special transit service district is liable for payment of its proportionate share of any indebtedness then existing and payable by the special transit service district. From and after the date of annexation the board shall levy upon all of the property in the territory annexed such taxes, tolls, or charges as are necessary to comply with the terms and conditions of annexation, in addition to any other district taxes otherwise authorized in this part.

### Article 7. Dissolution

15145. A special transit service district may be dissolved by resolution of the board if any proposition for the incurring of a bonded indebtedness fails to carry, and if the special transit service district is then subject to no other indebtedness or liability pursuant to this part and has been organized for not less than two years. Dissolution of a special transit service district shall not prevent subsequent proceedings for the creation of a special transit service district including the same or any part of the area of the special transit service district dissolved.

SEC. 47. Sections 24 to 46, inclusive, become operative only if the Public Service Code is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as said code takes effect, at which time Sections 1 to 23, inclusive, added to the Public Utilities Code by this act are repealed.

SEC. 48. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Because of recent court decisions and the outcome of recent bond elections the provisions of this act are urgently required to permit districts already formed under

the Transit District Law to take immediate action to carry out the purpose of such law."

Bill ordered reprinted, and engrossed.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 816.**

**Assembly Bills Nos. 714, 842, 502,** and **148,** subsequent to engrossment.

### APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Mr. Grant as a Select Committee to escort Mr. William H. Thompson, Jr, to the rostrum.

### RECESS

At 9.59 a m, on motion of Mr. Grant, the Assembly recessed until 10.09 a.m. to hear from William H. Thompson, Jr., a member of the Governor's Advisory Committee on Children and Youth

### REASSEMBLED

At 10.09 a m., the Assembly reconvened.
Hon Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1062 FROM COMMITTEE

Mr. Porter was granted unanimous consent that Assembly Bill No. 1062 be withdrawn from the Committee on Water for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1062

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State

Bill read second time

#### Motion to Amend

Mr. Porter, on request of Mr. Bruce F. Allen, moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 11, of the printed bill, after "any project", insert "constructed by the State, or by the State in co-operation with the Federal Government,"

#### Amendment No. 2

On page 1, line 12, strike out "distribution, or use", and insert "and distribution".

#### Amendment No. 3

On page 1, strike out lines 16 to 19, inclusive; and on page 2, strike out lines 1 to 13, inclusive

#### Amendment No. 4

On page 2, line 19, strike out "in trust".

#### Amendment No. 5

On page 2, line 20, after "expended", insert "upon projects".

**Amendment No. 6**

On page 2, line 21, strike out "for the purposes set forth in Section 12902".

**Amendment No. 7**

On page 2, strike out lines 30 and 31, and insert
"(a) All money in the Investment Fund."

**Amendment No. 8**

On page 2, line 33, strike out "state".

**Amendment No. 9**

On page 2, lines 39 and 40, strike out "and between the State and state agencies".

**Amendment No. 10**

On page 2, strike out lines 44 to 48, inclusive; and in line 49 strike out "(e)" and insert "(c)".

**Amendment No. 11**

On page 3, line 1, strike out "(f)", and insert "(d)".

**Amendment No. 12**

On page 3, line 4, strike out "fifteen million dollars ($15,000,000)", and insert "sixteen million seven hundred fifty thousand dollars ($16,750,000)".

**Amendment No. 13**

On page 3, line 7, strike out "(g)", and insert "(e)".

**Amendment No. 14**

On page 3, line 9, strike out "(h)", and insert "(f)".

**Amendment No. 15**

On page 3, line 10, strike out "appropriation, gift," and insert "gift".

**Amendment No. 16**

On page 3, line 11, strike out "(i)", and insert "(g)"

**Amendment No. 17**

On page 3, lines 22 and 23, strike out ", including any appropriations hereafter made to such fund."

**Amendment No. 18**

On page 3, lines 24 and 25, strike out "for the purposes set forth in Section 12902".

**Amendment No. 19**

On page 3, strike out lines 27 to 31; and in line 32 strike out "12916", and insert "12915".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Luckel was granted unanimous consent that the following letter of transmittal be ordered in the Journal, the report to be printed from committee funds.

## LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, ASSEMBLY INTERIM
COMMITTEE ON TRANSPORTATION AND COMMERCE
SACRAMENTO, March 6, 1959

*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: In accordance with the mandate of House Resolution No. 212, Regular Session of the California Legislature, 1957, we have

the honor to present a report describing the work of the committee during 1957-58, and the conclusions and recommendations reached

Respectfully submitted,

FRANK LUCKEL, Chairman
EDWARD M GAFFNEY, Vice Chairman
L. M. BACKSTRAND
FRANK BELOTTI
JOHN BUSTERUD
CHARLES EDWARD CHAPEL
WALTER DAHL
CLAYTON A. DILLS
LOUIS FRANCIS
MYRON H. FREW
LEVERETTE HOUSE
VERNON KILPATRICK
LESTER MCMILLAN
CHARLES W. MEYERS
WILLIAM BYRON RUMFORD
CHARLES WILSON

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 879**—An act to add Section 638 to the Penal Code, relating to equipment employing roentgen rays.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 184**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—62
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 712**—An act to amend Section 3800 of the Labor Code, relating to construction permits.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 176**—An act to repeal Sections 31031 and 31031.5 of, and to add Section 31031 to, the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich Dahl, DeLotto, Dills, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.
NOES—Bradley—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich Dahl, DeLotto, Dills, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.
NOES—Bradley—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 721**—An act to amend Section 8695 of the Fish and Game Code, relating to gill nets.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 837**—An act to amend Sections 16771 and 16772 of the Government Code, relating to state bonds

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Munnell was granted unanimous consent to offer a concurrent resolution relative to the approval of a charter, and that the resolution be considered without reference to committee.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 90**: By Mr. Munnell—Approving the charter of the City of Dairy Valley, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of February, 1959.

### Request for Unanimous Consent

Mr Munnell was granted unanimous consent to take up Assembly Concurrent Resolution No 90 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 90

**Assembly Concurrent Resolution No. 90**—Approving the charter of the City of Dairy Valley, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of February, 1959.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschg, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None

Resolution ordered printed, and transmitted to the Senate

### Rush Order Placed Upon Printing of Assembly Concurrent Resolution No. 90

Mr. Munnell was granted unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 90.

## CONSIDERATION OF DAILY FILE (RESUMED)
## CONSIDERATION OF HOUSE RESOLUTION NO. 107

By Mr. House:

### House Resolution No. 107

Relative to commending Virgil Pinkley

WHEREAS, It has come to the attention of the Members of the Assembly of the State of California that one of its foremost citizens Virgil Pinkley, has recently become the editor and publisher of Desert Newspapers Incorporated, which organization includes five newspapers, the *El Centro Post*, the *El Centro Press*, the *Brawley News*, the *Indio Date Palm*, and the *Indio News;* and

WHEREAS, The story of Virgil Pinkley's rapid rise to success is enheartening and should serve as an inspiration to all young men who aspire to follow a career in the field of journalism; and

WHEREAS, Virgil Pinkley started his journalism career while in high school as a sports reporter for the *San Bernardino Sun and Telegram;* and, subsequently, in 1928-1929, he was the editor of the *Daily Trojan* at the University of Southern California; and

WHEREAS, Upon graduation from the University of Southern California in 1929, Virgil Pinkley's immediate goal was to be a newspaper foreign correspondent, but in seeking such a position he was constantly advised to get a job as a reporter on a newspaper and work his way up to such a coveted position; scorning his advisors he secured a job on a cattle boat and worked his way to London, where his perspicacity so impressed the Chief of United Press' London Office that even though the office was fully staffed the chief created a position for Virgil; and

WHEREAS, In 1935, when a brash youth in international affairs, he astounded many people throughout the world with his forecast that within 48 hours Italy would be at war with Ethiopia; and

WHEREAS, In a relatively short period of time Virgil Pinkley became United Press' European Business Manager, and he demonstrated his exceptional executive ability by establishing United Press bureaus in many famous cities throughout the world, including Stockholm, Brussels, Warsaw, Cairo, Jerusalem, Prague, Dublin, Helsinki, Milan, Genoa, and Budapest, and in 1944 in recognition of his notable endeavors he was elevated to the position of vice president; and

WHEREAS, In his travels for United Press, Virgil Pinkley journeyed around the world several times and interviewed the prominent officials in practically every country of the world, and his fabulous knowledge and experience has distinguished him as a respected and widely-read authority on world affairs; and

WHEREAS, During World War II Virgil Pinkley was an accredited American War Correspondent and British War Correspondent; he was wounded in the desert campaign in December of 1941 and flew several bombing missions with the Royal Air Force and the Air Corps of the United States Army; he was granted the only exclusive wartime interview by General Dwight D. Eisenhower; and for his brilliant and devoted service in carrying out his many assignments as a war correspondent he was awarded the Medal of Freedom; and

WHEREAS, In 1947, serving as editor and publisher, Virgil Pinkley organized the staff and started the operation of the *Los Angeles Mirror*, which subsequently joined with the *Los Angeles Daily News*, and in which combined newspaper operation he continued to serve as editor and publisher; and

WHEREAS, Virgil Pinkley has constantly been noted for his crusading policies and reputation as a champion of the people and this has played a key part in the vital role of a free press in a free society, and its corresponding contribution to maintaining an informed electorate; and

WHEREAS, It is only fitting that the members of this body take this means of recognizing this outstanding California citizen who has distinguished himself in so many fields and professions, as an author, foreign correspondent, news commentator, executive, editor, and publisher; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members hereby commend Virgil Pinkley for his outstanding contributions to the advancement and enlightenment of mankind and congratulate him for entering the publication field in Imperial County; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Virgil Pinkley, President of Desert Newspapers Incorporated, to Carl Schooss, Vice President and Manager, to Phil Ault, Executive Editor, and to the editors of each of the newspapers in Desert Newspapers Incorporated.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 110

By Mr. Garrigus:

### House Resolution No. 110

Commending Dr. Stephen E. Epler on being designated Citizen of the Year

WHEREAS, Dr. Stephen E. Epler served his Country with distinction as an officer in the Naval Forces of the United States during World War II; and

WHEREAS, Dr. Stephen E. Epler has spent a quarter of a century in the field of education as a teacher and administrator; and

WHEREAS, Dr. Stephen E. Epler is nationally known as the inventor of six-man football which has been a great aid in promoting the physical health and wholesome mentality of a generation of American youth; and

WHEREAS, Dr. Stephen E. Epler has served with distinction as Superintendent of the Reedley College and High School District and President of Reedley College; and

WHEREAS, Dr. Stephen E. Epler served as Chairman of the Community Chest and as Chairman of the King's River District of the Boy Scouts of America; and

WHEREAS, Dr. Stephen E. Epler was named by the Reedley District Chamber of Commerce as Citizen of the Year; and

WHEREAS, The honor of being Citizen of the Year is a highly distinctive honor, designated by the most prominent members of the Reedley community only after

a most due and careful deliberation upon the merits of the recipient; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members congratulate Dr. Stephen E. Epler on receiving this significant honor; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Doctor Epler.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 111

By Messrs. O'Connell, Gaffney, Meyers, Marks, Busterud, and Burton:

### House Resolution No. 111

Relative to the death of Joseph P. Gilmore

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of the Honorable Joseph P. Gilmore on November 19, 1958; and

WHEREAS, He was born on March 10, 1892, educated in the schools of San Francisco, a former florist in that city, and, at the time of his passing, a representative of the Draymen's Association of San Francisco and the secretary of the Truck Owner's Association; and

WHEREAS, Joseph P. Gilmore devoted a great portion of his life to civic activity on both the local and state level; and

WHEREAS, He was a Member of the Assembly of the State of California for many years, serving from 1929 to 1937, and again from 1939 to 1941; and

WHEREAS, During the tenure of the Honorable Joseph P. Gilmore in the Legislature, he was a well-known sponsor of welfare legislation and was very active in other fields of legislation, such as tideland reclamation and highways; and

WHEREAS, He also played an important part in obtaining state funds for the construction of the world-famous "Cow Palace" of Agricultural District 1A; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of former Assemblyman Joseph P. Gilmore, and wish to convey their heartfelt condolences to the members of his bereaved family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his daughter, May Rasmussen.

Resolution read, and adopted unanimously by a rising vote of the Members of the Assembly.

### Announcement

Speaker Brown announced that when the Assembly this day adjourns, it will do so out of respect to the memory of the late Joseph P. Gilmore.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1819, 1820, 1821, 1822, 1824, AND 1825

Mr. Hegland was granted unanimous consent that Assembly Bills Nos. 1819, 1820, 1821, 1822, 1824, and 1825 be withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Public Health.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 91**: By Miss Donahoe—Relative to augmenting the funds of the Joint Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults.

Referred to Committee on Rules.

**Assembly Bill No. 1869:** By Mr. Samuel R. Geddes—An act to amend Section 2302 of the Welfare and Institutions Code, relating to boarding homes and institutions for aged persons.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1870:** By Mr. Garrigus—An act to add Section 13555.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the number of pupils in classrooms of the Public School System.

Referred to Committee on Education.

**Assembly Bill No. 1871:** By Mr. Bane—An act to amend Section 3075 of the Penal Code, relating to the county board of parole commissioners.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1872:** By Mrs. Davis, Messrs. Lunardi, Belotti, and Lowrey (Senators Regan, Teale, and Arnold, co-authors)—An act to add Section 108 to the Water Code, relating to development of the water resources of the State.

Referred to Committee on Water.

**Assembly Bill No. 1873:** By Messrs. Meyers, O'Connell, Samuel R. Geddes, MacBride, and Z'berg—An act to amend Sections 18853 and 18860 of the Government Code, relating to salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1874:** By Messrs. Meyers, O'Connell, Samuel R. Geddes, and Z'berg—An act to add Section 13927 to the Government Code, relating to state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1875:** By Messrs. Porter and Cameron—An act to amend Sections 72706 and 72708 of the Government Code, relating to the officers and attaches of municipal courts in Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1876:** By Messrs. Meyers and O'Connell—An act to amend Section 445.2 of the Vehicle Code, and to amend Sections 11105, 11106 and 11107 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving schools.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1877:** By Messrs. Meyers and O'Connell—An act to amend Section 257 of the Vehicle Code, and to amend Section 12512 of, add Section 12518 to, and repeal Section 12654 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to operator licenses and instruction permits for students of driver training schools.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1878:** By Messrs. Britschgi and Francis—An act to amend Section 19577 of the Education Code, as enacted at the 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

## RESOLUTIONS

The following resolutions were offered.

By Messrs. Z'berg, Biddick, Ralph M. Brown, Samuel R. Geddes, Lowrey, Lunardi, MacBride, and Sedgwick:

### House Resolution No. 120

Relating to commending and congratulating Central California Educational Television, Inc, and television station KVIE

WHEREAS, Television station KVIE, the broadcasting facility of Central California Educational Television, Inc., a nonprofit corporation, began telecast operations on February 23, 1959, and

WHEREAS, This achievement was the culmination of more than six years of labor by thousands of dedicated residents of the area the station is now serving; and

WHEREAS, That area includes 15 central California counties embracing more than 200,000 square miles; and

WHEREAS, The potential viewing audience within that area numbers approximately 1,750,000 California citizens; and

WHEREAS, KVIE is the second educational, or community, or noncommercial television station in the State of California and the thirty-eighth in the Nation; and

WHEREAS, KVIE is providing its viewers with a variety of educational, informative and cultural television programs of interest to both general and specific tastes not otherwise obtainable through this medium of communication; and

WHEREAS, KVIE further serves the elementary and secondary grade school children within its coverage area with a specified amount of actual classroom instruction and provides the instructors of these children with teacher training; and

WHEREAS, KVIE will also offer "telecourses" in certain subjects, which will be accepted for college credit by the 10 institutions of higher learning within its coverage area; and

WHEREAS, The operation of KVIE is supported entirely by contributions of money, materials, time and talent from interested citizens, with the exception of a small, permanent staff; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly commends and congratulates the directors and members of Central California Educational Television, Inc., and the staff of television station KVIE for their joint achievement, and offers every good wish for the success of this worthwhile venture; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the president of the board of directors of Central California Educational Television, Inc, and to the general manager of television station KVIE.

Resolution read, and referred to the Committee on Rules.

By Mr. Belotti:

### House Resolution No. 121

Relative to the death of Howard Griffin

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Howard Griffin on February 25, 1959; and

WHEREAS, Mr. Griffin was born in Glasco, Kansas, and moved to Crescent City, California, in October of 1926; and

WHEREAS, He founded the weekly newspaper "*Crescent City American*" in November of 1926 and was the publisher of such newspaper until his death; and

WHEREAS, He was instrumental in starting the 4H movement in Del Norte County in the early 1930's; and

WHEREAS, For a number of years, although physically handicapped, Mr. Griffin was active in civic and political party affairs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of Howard Griffin, and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his son, Wally Griffin.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 340

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 81
Assembly Bill No. 429
Assembly Bill No. 598
Assembly Bill No. 825
Assembly Bill No. 1040
Assembly Bill No. 1041

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 107

With the recommendation: That the bill be re-referred to the Committee on Social Welfare.

UNRUH, Chairman

Above bill re-referred to the Committee on Social Welfare.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 302
Assembly Bill No. 880

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 759
Assembly Bill No 597

With the recommendation: Do pass.

McMILLAN, Chairman

Above bills ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 170

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 148
Assembly Bill No. 502
Assembly Bill No. 714
Assembly Bill No. 842

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 160
Assembly Bill No. 227
Assembly Bill No. 286
Assembly Bill No. 443
Assembly Bill No. 518
Assembly Bill No. 687
Assembly Bill No. 883

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 180
Assembly Bill No. 193
Assembly Bill No. 194
Assembly Bill No. 197
Assembly Bill No. 199
Assembly Bill No. 200
Assembly Bill No. 201
Assembly Bill No. 208
Assembly Bill No. 238
Assembly Bill No. 242
Assembly Bill No. 243
Assembly Bill No. 274
Assembly Bill No. 294
Assembly Bill No. 311
Assembly Bill No. 312
Assembly Bill No. 325
Assembly Bill No. 356
Assembly Bill No. 382
Assembly Bill No. 383
Assembly Bill No. 384
Assembly Bill No. 412
Assembly Bill No. 418
Assembly Bill No. 507
Assembly Bill No. 561
Assembly Bill No. 569
Assembly Bill No. 583
Assembly Bill No. 655
Assembly Bill No. 656
Assembly Bill No. 665
Assembly Bill No. 682
Assembly Bill No. 683
Assembly Bill No. 694

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 695
Assembly Bill No. 713
Assembly Bill No. 748
Assembly Bill No. 840
Assembly Bill No. 860

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

## ADJOURNMENT

At 10.44 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 9, 1959, out of respect to the memory of the late Joseph P. Gilmore, of San Francisco, former Member of the Assembly.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

FORTY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, March 9, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God Our Father*, Be in this day, and in the fleeting hours of its passing, be in every day of this Assembly, now moving toward the half-way mark of its existence; be in the minds of legislators who wonder if the work is half done; be Thou in committee meeting and in every informal discussion, that haste and panic and pressure may never preclude right decisions; be Thou companion in the pace which gets things done, but does not exhaust the nerves which are steeled to the endeavor; be Thou, O living God, an ever-present source of help to every legislator, that he may ultimately hear the plaudit, "Well done, good and faithful public servant"—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lanterman, seconded by Mr. Coolidge, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bruce F. Allen, on motion of Mr. Williamson.

Mr. Cunningham, on motion of Mr. Crown.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Ernest R. Geddes, on motion of Mr. Shell.

## MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10.05 a.m., Mr. Coolidge was granted unanimous consent that he and Messrs. Lanterman, Charles H. Wilson, Samuel R. Geddes, Bradley, and Collier be excused for the balance of the legislative day, for the purpose of attending a meeting of the Joint Committee on Assessment Practices.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Jasper O. Burton of Farmersville, relative to aged aid. Referred to the Committee on Social Welfare.

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Mr. and Mrs. Leo J. Munchh and family of Monterey Park, relative to unionizing public utilities. Referred to the Committee on Industrial Relations.

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Mr. and Mrs. Leo J. Munchh and family of Monterey Park, relative to narcotics peddlers. Referred to the Committee on Criminal Procedure.

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Joe A. Svitak of Los Angeles, relative to the sale of defective electrical appliances. Referred to the Committee on Governmental Efficiency and Economy.

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A. J. Wilzbach of Burbank; Edward L. Julina of Culver City; Frankie May Bond, Evelyn Bond Pride, and John C. Dunn of Los Angeles; Mary Glielini and Anthony Glielini of Sepulveda; Bette C. Walker, Myrtle A. Hayes, and Rutherford B. Hayes of Van Nuys, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

UNITED STATES SENATE
WASHINGTON, D. C., March 3, 1959

*Hon Arthur A. Ohnimus*
*Chief Clerk of Assembly*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: All of us from the forty-ninth state are grateful to the Assembly for its favorable action, by unanimous vote, of the resolution relative to welcoming Alaska to the Union. Strong bonds have existed between Californians and Alaskans, and it is our hope that statehood will make these bonds even stronger.

Please express to the Assembly my appreciation for its thoughtful action. Thank you, sir, for having made available to me a handsome copy of the resolution which will be framed for proud display here at my Senate office.

With best wishes, I am

Sincerely yours,

E. L. BARTLETT

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The following communications were presented by the Speaker from:

Randal F. Dickey, Jr., of Alameda, relative to the Emerald Bay Highway. Referred to the Committee on Transportation and Commerce.

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Lamont F. Toronto, Secretary of State of Utah, by Wendell L. Cottrell, Deputy Secretary of State, transmitting a copy of Utah House Concurrent Resolution No. 3, requesting Congress to oppose the National Wilderness Preservation's Acts. Referred to the Committee on Natural Resources, Planning, and Public Works.

## EXPLANATION OF ABSENCE

March 9, 1959

Clark Bradley was excused this date for attendance in the two-day hearing of the Joint Assessment Committee in Room 4202.

CLARK BRADLEY

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1879**: By Mr. Frew—An act to add Article 14 (commencing at Section 25350) to Chapter 13 of Division 18 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the establishment of a state college in the area of Tulare and Kings Counties.

Referred to Committee on Education.

**Assembly Bill No. 1880**: By Mr. Bee—An act to amend Section 13294 of the Government Code, relating to state departments.

Referred to Committee on Governmental Efficiency and Economy.

### Speaker pro Tempore Presiding

At 10.10 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 300

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules

### *Committee on Engrossment and Enrollment*

ASSEMBLY CHAMBER, March 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 49**—Relative to amending the Joint Rules of the Senate and Assembly;

**Assembly Concurrent Resolution No. 79**—Relative to amending the Joint Rules of the Senate and Assembly;

And reports the same correctly enrolled, and presented to the Secretary of State on the sixth day of March, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 237
Assembly Bill No. 835
Assembly Bill No. 888

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 59
Assembly Bill No 236
Assembly Bill No 241
Assembly Bill No 355
Assembly Bill No. 357

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 123

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 6, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution 73

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled

SENATE CHAMBER, March 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 48
Assembly Bill No 191

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 416
Assembly Bill No. 436

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 133
Senate Bill No. 232
Senate Bill No. 277
Senate Bill No. 339
Senate Bill No. 340
Senate Bill No. 342

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Referred to Committee on Water.

**Senate Bill No. 232**—An act to add Section 60414 to the Vehicle Code, and to add Section 23120 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to glasses worn by drivers.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 277**—An act to add Section 4902.25 to the Education Code, and to add Section 3118.5 to the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 339**—An act to amend Section 8752 of the Education Code, and amend Section 5602 of the Education Code as proposed by Senate Bill No. 2, relating to junior high schools.

Referred to Committee on Education.

**Senate Bill No. 340**—An act to add Section 6868 to the Harbors and Navigation Code, relating to river port districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 342**—An act to amend Sections 571.5 and 571.6 of the Elections Code, relating to election precincts.

Referred to Committee on Elections and Reapportionment.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1881**: By Mr Thomas—An act to amend Sections 14000 and 14001 of the Fish and Game Code, relating to the Pacific Marine Fisheries Compact

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1882**: By Mr. Thomas—An act to amend Section 2020.1 of the Welfare and Inistitutions Code, relating to lump sum income of old age assistance applicants and recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1883**: By Mr. George A. Willson—An act to amend Section 72757 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1884**: By Mr. Winton—An act to amend Section 552 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Masterson:

### House Resolution No. 122

Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting the results of its study of Assembly Constitutional Amendment No. 46

*Resolved by the Assembly of the State of California*, That the Interim Committee on Revenue and Taxation created by House Resolution No. 238 of the 1957 Regular Session is continued in existence until April 15, 1959, for the purpose of reporting the results of its interim investigation and study authorized by House Resolution No. 305 of the 1957 Regular Session concerning the subject matter of Assembly Constitutional Amendment No. 46, introduced in the 1957 Regular Session. The committee is authorized to submit the report to the Legislature not later than the fifteenth day of April, 1959.

Resolution read, and referred to the Committee on Rules.

By Mr. Thomas:

### House Resolution No. 123

Relative to the Conference on Legislative Action of the United Steelworkers of America

WHEREAS, The second Conference on Legislative Action sponsored by the California Legislative Education Committee of the United Steelworkers of America will be held in Sacramento the week of March 15 to 20, 1959, with about 100 delegates selected from hundreds of legislative education committee members representing more than 75,000 steelworkers in this State to consider legislative issues and problems and processes; and

WHEREAS, This conference will also enable local union members to acquire a better understanding of legislation and the workings of the Legislature in California and acquaint themselves with the controversial issues before the 1959 Regular Session of the Legislature; and

WHEREAS, This conference is in keeping with the basic democratic philosophy of the principle of self-government and will offer to many of our citizens an opportunity to understand and participate in the legislative processes of their government and communicate directly with their elected representatives; and

WHEREAS, Such participation by all citizens at all levels of government is essential to the continual effectiveness of our democratic system; now, therefore, be it

*Resolved by the Assembly of the State of California*, That its members hereby welcome the delegates to the Conference on Legislative Action sponsored by the California Legislative Education Committee of the United Steelworkers of America to their capital City of Sacramento, and hope that while they are here they will highlight their stay by visiting the State Capitol and their elected representatives and present their views on the many issues now before the Legislature; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr David J. McDonald, President, Mr. I. W. Abel, Secretary-Treasurer, Mr. Howard R Hague, Vice President, and Mr. Charles J. Smith, Director of District 38 of the United Steelworkers of America, whose special contributions and efforts have made this conference possible.

Resolution read, and referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 835, 888, 59, 236, 237, 241, 355, 357** and **752.**

Above bills, with the exception of Assembly Bill No. 752, ordered to third reading.

Assembly Bill No. 752 ordered to third reading, subsequent to engrossment.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 12**—Relative to enactment of a National Food Allotment Stamp Plan.

Resolution read.

#### Consideration of Committee Amendments

Amendments, proposed by the Committee on Social Welfare, were read.

#### Motion to Hold on File Temporarily

Mr. Hawkins moved that further consideration of Assembly Joint Resolution No. 12 be held on file temporarily.

Motion carried.

**Assembly Bill No. 462**—An act to add Section 1178.5 to the Military and Veterans Code, relating to the formation of veterans' memorial districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 463**—An act to add Section 1198.5 to the Military and Veterans Code, relating to the management of veterans' memorial districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 464**—An act to amend Sections 1192 and 1205 of the Military and Veterans Code, relating to veterans' memorial district taxes.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 465**—An act to amend Section 1191 of the Military and Veterans Code, relating to the management of veterans' memorial districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 362**—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and widows of veterans.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 285**—An act to amend the heading of Article 6 (commencing at Section 16111) of Chapter 1 of Division 8 of, and to add Sections 16112, 16113, and 16114 to, the Education Code, to add Section 899 to the Military and Veterans Code, and to add Sections 10653, 10654, and 10655, to the Education Code as proposed by Senate

Bill No. 2, relating to educational assistance for veterans' children, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Military and Veterans Affairs, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to amend the heading of Article 6 (commencing at".

**Amendment No. 2**

Strike out lines 2 and 3 of the title.

**Amendment No. 3**

In line 6, of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 1 to 12, inclusive.

**Amendment No. 5**

On page 2, strike out lines 1 to 28, inclusive.

**Amendment No. 6**

On page 2, line 29, strike out "SEC. 4", and insert "SECTION 1".

**Amendment No. 7**

On page 2, lines 31 and 32, strike out "Sections 16112 and 16113 of the Education Code", and insert "this article".

**Amendment No. 8**

On page 2, line 35, strike out "Armed Services", and insert "Veterans Administration".

**Amendment No. 9**

On page 2, line 35, strike out "permanently and".

**Amendment No. 10**

On page 2, line 36, after "in", insert "World War I,".

**Amendment No. 11**

On page 2, line 37, strike out "was a resident of California immediately preceding his"

**Amendment No. 12**

On page 2, strike out line 38, and insert "meets the residence requirements of this article except that no person shall receive benefits under this article, who becomes eligible to receive duplicate benefits from any other government source. The department shall cause to be paid from the Veterans' Dependents' Education Fund to all eligible students under this section, above the high school level and in lieu of the limitations elsewhere expressed in this article, an allowance for living expenses not exceeding fifty dollars ($50) for each month of satisfactory attendance. The department shall arrange for qualified applicants to receive their first monthly allowance at time of registration and is hereby authorized to establish a revolving fund if necessary to effect such payment. For the purpose of enabling the department to carry out the program prescribed by this section, the Veterans' Dependents' Education Fund shall be augmented as described in Section 898 of this article by the additional amount of two hundred thousand dollars ($200,000) annually. In the event this sum is insufficient to enroll all worthy applicants, the department shall consider both scholastic achievement and financial need in limiting enrollment under Section 896 of this article."

**Amendment No. 13**

On page 2, line 39, strike out "SEC 5", and insert "SEC. 2"

**Amendment No. 14**

On page 2, lines 39 and 40, strike out "as proposed by Senate Bill No. 2".

**Amendment No. 15**

On page 2, line 46, strike out "In addition, the student shall receive financial".

**Amendment No. 16**

On page 2, strike out lines 47 to 52, inclusive

**Amendment No. 17**

On page 3, strike out lines 1 and 2.

**Amendment No. 18**

On page 3, line 3, strike out "SEC 6", and insert "SEC. 3"

**Amendment No. 19**

On page 3, line 3, strike out "proposed".

**Amendment No. 20**

On page 3, lines 9 and 10, strike out "the time necessary for completion of a four-year college course of study", and insert "his period of eligibility under Article 2, Chapter 4, Division 4 of the Military and Veterans Code."

**Amendment No. 21**

On page 3, line 11, strike out "SEC. 7", and insert "SEC. 4"

**Amendment No. 22**

On page 3, line 11, strike out "proposed"

**Amendment No. 23**

On page 3, lines 15 and 16, strike out "State Scholarship Commission", and insert "Department of Veterans Affairs".

**Amendment No. 24**

On page 3, line 18, strike out "commission", and insert "department".

**Amendment No. 25**

On page 3, strike out lines 20 to 41, inclusive

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military and Veterans Affairs.

**Assembly Bill No. 457**—An act to add Section 1044.5 to the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Military and Veterans Affairs, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "1044.5", and insert "1012.2".

**Amendment No. 2**

On page 1, strike out lines 1 to 11, inclusive, and insert

"1012.2. Each member of the home, regardless of the date of his admission, whose income from all sources exceeds fifty dollars ($50) per month, excepting wages paid member employees on regular assignments, shall reimburse the State in a reasonable amount each month for his maintenance. The department shall determine annually the per diem expense of maintenance of members of the home and shall require any member, whose income exceeds fifty dollars ($50) per month, to reimburse the State in full or in part, monthly, for his maintenance

The department may reduce or remit the per diem cost, either in full or in part, to a member with a spouse, dependent children, or a dependent father or mother."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military and Veterans Affairs.

**Assembly Bill No. 710**—An act to amend Section 1012 of the Military and Veterans Code, relating to the Veterans' Home in California.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Military and Veterans Affairs, were read and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "discharged", insert "or released from active duty".

**Amendment No. 2**

On page 1, line 6, strike out "honorable".

**Amendment No. 3**

On page 1, line 6, after "conditions", insert "other than dishonorable".

**Amendment No. 4**

On page 1, line 9, after "Administration", insert "and other sections of this code relating to admission requirements for membership".

**Amendment No. 5**

On page 1, after line 15, insert

"In addition to the other requirements prescribed in this section, a veteran, to be eligible for admittance to the home, must be temporarily or permanently disabled to the extent that he is unable to follow a gainful occupation, as determined by the examining medical officer, and must be financially unable to provide for his hospitalization or domiciliary care."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military and Veterans Affairs.

**Assembly Bill No. 678**—An act to amend Section 8953 of the Education Code, and to amend Section 5753 of the Education Code as proposed by Senate Bill No. 2, relating to summer school classes conducted by elementary school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 8953 of the Education Code, and to".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 5753 of the Education Code as enacted at the 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 2, line 2, strike out "on".

**Amendment No. 5**

On page 2, strike out lines 3 and 4, and insert "who, in the judgment of the governing board of district, may profit from the instruction offered."

**Amendment No. 6**

On page 2, strike out lines 5 to 10, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 35**—An act to amend Section 502 of the Agricultural Code, relating to approved milk inspection service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 61**—An act appropriating funds for acquisition of additions to Mt. Tamalpais State Park and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 386**—An act to amend Section 264.1 of, and to add Section 260.85 to, the Agricultural Code, relating to diseased animals, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 389**—An act to amend Section 4184 of the Fish and Game Code, relating to bears.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 488**—An act to add Section 20596.1 to, and to amend Section 20601 of, the Education Code; to add Section 24556.5 to, and to amend Section 24561 of, the Education Code as proposed by Senate Bill No. 2, relating to the State College Revenue Bond Act of 1947.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22413, 31401, 31402, 31403, 31404, 31405 and 31406 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to amend Section 16854 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

### Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on March 2, 1959, strike out "and 31406", and insert ", 31406 and 31407".

### Amendment No. 2

On page 2, line 9, strike out "Farm labor buses and farm labor"

### Amendment No. 3

On page 2, lines 10 and 11, strike out "farm laborers", and insert "workmen".

### Amendment No. 4

On page 2, strike out lines 20 through 37, inclusive

### Amendment No. 5

On page 3, line 12, strike out "each of at least ", and insert "at least one of".

### Amendment No. 6

On page 4, between lines 2 and 3, insert

"SEC. 12. Section 31407 is added to said code, to read.

31407. Farm labor buses and farm labor trucks used primarily or regularly for the transportation of farm laborers shall be:

(a) Equipped at all times with two reflector flares of a type approved by the California Highway Patrol. When any such vehicle is disabled on the roadway or within 10 feet thereof one reflector flare shall be placed approximately 100 feet in advance and the other approximately 100 feet to the rear of the disabled vehicle.

(b) Equipped with at least one fire extinguisher, of a type approved by the California Highway Patrol, located in an easily accessible place in the driver's compartment. A four-pound dry chemical extinguisher or a four-pound $CO_2$ extinguisher shall be deemed to meet the minimum requirements for such vehicles. In no

event shall extinguishers containing carbon tetrachloride be carried in or about the vehicle

(c) Equipped, if the passenger compartment is separated from the driver's compartment, with a horn, buzzer or other signaling device actuated from the passenger compartment whereby the passengers of the vehicle may readily gain the attention of the driver in the event of an emergency."

**Amendment No. 7**

On page 4, line 3, strike out "12", and insert "13".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 950**—An act to add Section 562 to the Streets and Highways Code, relating to state highways, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 707**—An act to amend Sections 27 and 29 of the Streets and Highways Code, relating to maintenance and construction of highway facilities.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 805**—An act to amend Section 147 of the Streets and Highways Code, relating to mass transportation facilities on state highways.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 481**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "(and other entities)", and insert "and other entities".

**Amendment No. 2**

On page 1, between lines 12 and 13, insert
"California water districts".

**Amendment No. 3**

On page 1, after line 21, insert
"County water agencies".

**Amendment No. 4**

On page 2, between lines 5 and 6, insert
"Flood control and water conservation districts"

**Amendment No. 5**

On page 2, between lines 14 and 15, insert
"Housing authorities"

**Amendment No. 6**

On page 2, between lines 41 and 42, insert
"Rapid transit districts".

**Amendment No. 7**

On page 2, between lines 43 and 44, insert
Recreation and park districts"

Amendment No. 8

On page 3, between lines 5 and 6, insert
"Urban renewal agencies".

Amendment No. 9

On page 3, between lines 7 and 8, insert
"Water authorities".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 482**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "and", insert "other".

Amendment No. 2

On page 1, between lines 14 and 15, insert
"California water districts".

Amendment No. 3

On page 2, between lines 1 and 2, insert
"County water agencies".

Amendment No. 4

On page 2, between lines 6 and 7, insert
"Flood control and water conservation districts".

Amendment No. 5

On page 2, between lines 15 and 16, insert
"Housing authorities".

Amendment No. 6

On page 2, between lines 42 and 43, insert
"Rapid transit districts".

Amendment No. 7

On page 2, between lines 44 and 45, insert
"Recreation and park districts".

Amendment No. 8

On page 3, between lines 5 and 6, insert
"Urban renewal agencies".

Amendment No. 9

On page 3, between lines 8 and 9, insert
"Water authorities".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 667**—An act to add Sections 10109, 10110, and 10111 to the Streets and Highways Code, relating to domestic water supply improvements under the Municipal Improvement Act of 1913.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "a metropolitan water district,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 508**—An act to amend Section 11100 of, and to add Section 11102 to, the Elections Code, relating to municipal recall elections.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 23**—An act to validate school district acts, proceedings, and bonds, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 417**—An act to amend Section 4902 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 543**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 544**—An act to add Section 6517.5 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 545**—An act to amend Section 6885.8 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 547**—An act to add Section 6801 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 549**—An act to amend Section 6732 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 613**—An act to amend Sections 28156 and 28156.1 of the Government Code, relating to compensation for public service in counties of the fifty-sixth class.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 753**—An act to amend Section 14058 of the Health and Safety Code, relating to local fire districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 754**—An act to amend and renumber Section 45308.1 of, and to add Sections 45308.1 and 45308.2 to, the Government Code, relating to investment of city retirement funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 869**—An act to add Section 25843 to the Government Code, relating to weather data.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 660**—An act to amend Sections 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463 and 6500 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 2, line 48, of the printed bill, after "thereto", insert ", and for the purposes of Section 330 of the Code of Civil Procedure and Section 2911 of the Civil Code said date shall be deemed the "due date" of the last principal coupon attached to said bonds".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 661**—An act to amend Sections 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463, 6500, 6504, and 6508 of, and to add Sections 5027, 5028, 6403.1, 6443.1, 6443.2 and 6443.3 to, the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 4, line 17, of the printed bill, after "thereto", insert ", and for the purposes of Section 330 of the Code of Civil Procedure and Section 2911 of the Civil Code said date shall be deemed the "due date" of the last principal coupon attached to said bonds".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, and to amend Section 23010.1 of the Government Code and Section 4050 of the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 8, between lines 28 and 29, of the printed bill, insert

"13860.5. The board of an authority may contract with any county which has a regularly organized department of forester and fire warden to perform the functions and duties of that department for the county. The contract shall provide that all of the employees of the county department of forester and fire warden shall become employees of the authority without the necessity of having to qualify in any manner whatsoever."

**Amendment No. 2**

On page 9, strike out lines 10 to 18, inclusive, and insert

"13869. All employees of an incorporated area which is included within the authority on the date it begins to function, and all of the employees of an incorporated area which enters the authority thereafter, who have been employed by the fire department of the incorporated area in full-time fire prevention and suppression activities for a period of not less than six months immediately prior to the inclusion of the incorporated area within the authority shall become employees of the authority without the necessity of medical or written examinations. Other employees of such incorporated areas may be employed by the authority in its discretion."

**Amendment No. 3**

On page 9, between lines 18 and 19, insert

"13869.5. Whenever an authority begins to function in a county, all of the employees of the fire protection districts in the county shall become employees of the authority without the necessity of having to qualify in any manner whatsoever."

**Amendment No. 4**

On page 14, line 35, after "district", insert "or incorporated area".

**Amendment No. 5**

On page 14, line 39, after "district", insert "or incorporated area".

**Amendment No. 6**

On page 14, line 41, after "districts", insert "or incorporated areas".

**Amendment No. 7**

On page 17, after line 12, insert

"13949 The property and funds of the fire department of an incorporated area which is included within an authority pursuant to this chapter shall vest absolutely in the authority and the authority shall be subject to all indebtedness, bonded or otherwise, of the incorporated area which is applicable to the fire department, as provided in Section 13925. The indebtedness which the authority is to assume shall be determined by agreement between the incorporated area and the authority prior to the inclusion of the incorporated area in the authority."

**Amendment No. 8**

On page 18, line 17, strike out "10", and insert "11".

**Amendment No. 9**

On page 19, line 34, after "authority", insert "which has, by ordinance, elected to assume such responsibility".

**Amendment No. 10**

On page 19, line 43, after "authority", insert "which has, by ordinance, elected to assume such responsibility".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 340**—An act to add Section 269 to the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 81**—An act to amend Section 209.5 of the Revenue and Taxation Code, relating to the tax exemption of vessels in the process of construction, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "vessel", insert "of more than 50 tons burden or 100 tons displacement".

Amendment No. 2

On page 1, strike out lines 4 to 8, inclusive; and in line 9, strike out "State"

Amendment No. 3

On page 1, line 12, after "purposes", insert ", while the vessel is under construction within this State"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 429**—An act to amend Section 107.1 of the Revenue and Taxation Code, relating to the assessment of possessory interests, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "interests", strike out ", and", and insert a period

Amendment No. 2

Strike out line 3 of the title.

Amendment No. 3

On page 1, line 3, after "107.1.", insert "A possessory interest, when arising out of a lease (no matter how designated or for what term) of exempt property, consists only of the lessee's interest under such lease"

Amendment No. 4

On page 1, between lines 16 and 17, insert

"This section does not apply to leasehold estates for the production of gas, petroleum and other hydrocarbon substances from beneath the surface of the earth, and other rights relating to such substances which constitute incorporeal hereditaments or profits a prendre."

Amendment No. 5

On page 2, strike out lines 11 to 26, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation

**Assembly Bill No. 598**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted.

Amendment No. 1

On page 2, line 50, of the printed bill, strike out "unpaid", and after "all", insert "delinquent and current".

Amendment No. 2

On page 2, line 51, after "were", insert "or are"

Amendment No. 3

On page 3, line 1, strike out "thereto".

Amendment No. 4

On page 3, line 1, after "to", insert ", or possession was taken by,".

Amendment No. 5

On page 3, line 2, after "agency", insert ", whichever time the court determines to have first occurred,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 825**—An act to add Section 17214.3 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "by responsible relatives", and insert "within the taxable year by a responsible relative in an amount not greater than the amount he is".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1040**—An act to amend Sections 6006 and 6010 of the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 and 9, and insert "includes any".

Amendment No. 2

On page 2, between lines 8 and 9, insert "'Transfer of possession," "lease," or "rental" also includes transactions found by the board to be in lieu of a transfer of title, exchange or barter."

Amendment No. 3

On page 2, strike out all of line 33 after "cludes"; and strike out all of line 34 before "any".

Amendment No. 4

On page 2, following line 52, insert "'Transfer of possession," "lease," or "rental" also includes transactions found by the board to be in lieu of a transfer of title, exchange or barter."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1041**—An act to add Section 6021 to the Revenue and Taxation Code, relating to sales taxes in respect to vending machines.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, after "chines", insert "located on Army, Navy or Air Force installations and".

Amendment No. 2

On page 1, line 6, strike out the comma and insert a period; and strike out lines 7, 8, and 9

Amendment No. 3

On page 1, strike out line 11, and insert "who owns or possesses vending machines and who controls the operations of the"

Amendment No. 4

On page 1, line 13, strike out "having", and insert "who has".

Amendment No. 5

On page 1, line 14, strike out the period, and insert ", and whose compensation is based, in whole or in part, upon receipts from sales made through such machines"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 302**—An act to add Section 206.5 to the Labor Code and to add Section 7110.1 to the Business and Professions Code, relating to the payment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 through 15, and insert "7110.1. The requiring of an execution of release of any claim or the causing of the execution of any such release in violation of Section 206.5 of the Labor Code is a cause for disciplinary action."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 880**—An act to add Section 1773.3 to the Labor Code, relating to prevailing wage rates.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "body", insert ", other than a state agency,".

Amendment No. 2

On page 1, after line 9, insert

"Where the body awarding or authorizing the public work is a state agency, except as provided in Section 1773.6, it shall file, annually, with the Director of Industrial Relations its determination of general prevailing rates of per diem wages for those localities in which public work is to be performed. If during any annual period the state agency determines that there has been a change in any prevailing rate of per diem wages in any locality it shall notify the Director of Industrial Relations within 10 days thereof."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 759**—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 597**—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens by public agencies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 170**—An act to add Sections 149 and 150 to the Streets and Highways Code, relating to highway improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to add Section 149 to the Streets and High-".

Amendment No. 2

On page 1, line 3, strike out "or cause to be installed,".

Amendment No. 3

On page 1, line 4, strike out "emergency", and insert "or permit the installation of,".

Amendment No. 4

On page 1, strike out line 6, and insert "to be desirable and not hazardous and in the best interests of the traveling public."

Amendment No. 5

On page 1, strike out lines 7 to 12, inclusive, and insert "The department shall indicate the location of such telephones on freeway parkways by appropriate signs and may indicate the location of such telephones in close proximity to freeways."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 93**—An act to add Section 2193 to the Agricultural Code, relating to marketing programs.

Bill read second time, and ordered to third reading.

**Senate Bill No. 16**—An act to amend Section 61755 of the Government Code, relating to community services districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 22**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on February 17, 1959, between lines 22 and 23, insert "County water agencies".

Amendment No. 2

On page 3, between lines 11 and 12, insert "Water authorities".

Amendment No. 3

On page 4, between lines 38 and 39, insert
"(d) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States"

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 23**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on February 17, 1959, between lines 22 and 23, insert "County water agencies".

Amendment No. 2

On page 3, between lines 10 and 11, insert "Water authorities".

Amendment No. 3

On page 4, between lines 36 and 37, insert
"(d) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States."

Bill ordered reprinted, and returned to the second reading file.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 950, 805, 156,** and **759,** subsequent to engrossment.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Miller and Masterson:

House Resolution No. 124

*Resolved by the Assembly of the State of California,* That the Chief Clerk is hereby authorized and directed to have printed 150 copies of the Petition for Writ of Mandate filed by the Attorney General in the Supreme Court in the case of *State Board of Education* v. *Levit* (Sac No. 7057), including the Exhibits, Points and Authorities, and Appendices, and to distribute one copy thereof to each Member of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Beaver:

House Resolution No. 125

Relating to financial statements in committee reports

WHEREAS, Assembly interim committees are agents of the Assembly entrusted with the task of ascertaining and reporting facts for legislative purposes; and

WHEREAS, Many of the reports of such committees are widely distributed and used for *many purposes; and*

WHEREAS, The public is entitled to know what work went into the preparation of the reports, by whom they were prepared, and what was the full cost of preparation; now, therefore, be it

*Resolved by the Assembly of the State of California,* That Rule No. 12.3 is added to the Permanent Standing Rules of the Assembly, to read:

**Interim Committee Reports**

12.3. Each report of an interim committee shall include a financial statement therein showing the total cost of the report, including the amount expended for expenses of the members, the number of hearings held, the name of, and amount paid to, each consultant, the name of, and amount paid to, each committee employee, and the amount expended for other goods and services in preparation of the report.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1885:** By Messrs. Grant and Kennick—An act to add Section 427.5 to the Health and Safety Code, relating to alcoholic rehabilitation, and making an appropriation.

Referred to Committee on Public Health.

**Assembly Bill No. 1886:** By Messrs Unruh, Munnell, Winton, Crown, DeLotto, and Waldie—An act to amend Sections 18200, 18207, 18406 1, 18412, 18413, 18614, 18616, 18668, and 18669 of the Financial Code, to add Sections 18200.1, 18200.2, 18200.3, 18200.4, 18200.5, 18200.6, 18203.5, 18205.5, 18607.1, 18617 1, 18625, 18626, 18668.1, 18668.2, 18818, 18818.1, and 18818.2 to said code, to add an article heading to Chapter 3 of Division 7, to add an article heading and new Article 2 (commencing with Section 18420) to Chapter 3 of Division 7 of said code, to add Chapter 6 (commencing with Section 18850) to Division 7 of said code, and to repeal Sections 18204, 18206, 18404, 18414, 18415, and 18818 of said code, relating to industrial loan companies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1887:** By Messrs. Kennick and Nisbet—An act to amend Section 103.1 of the Welfare and Institutions Code, relating to the administration of public assistance.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1888:** By Messrs. Kennick, Cusanovich, and Nisbet—An act to amend Section 123 of the Welfare and Institutions Code, relating to reports of the Department of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1889:** By Mr. George E. Brown and Senator Rattigan, Co-author—An act to add Section 53064 to the Government Code, relating to local agencies reimbursing employees for damaged property.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1890:** By Mr. George E. Brown and Senator Rattigan, Co-author—An act to amend Section 1157 1 of the Government Code, relating to payroll deductions for public employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1891**: By Mr. George E. Brown—An act to amend Section 22201 of the Government Code, relating to combination of retirement and social security plans.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1892**: By Mr. George E. Brown and Senator Richards, Co-author—An act to repeal Section 31805, and to add Sections 31805.1, 31815, 31816, and 31816.1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

Referred to Committee on Civil Service and State Personnel

**Assembly Bill No. 1893**: By Mr. George E. Brown and Senator Richards, Co-author—An act to add Section 31681.3 to the Government Code, relating to an increase in retirement allowances payable to retired members under the County Employees Retirement Law of 1937.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1894**: By Mr. George E. Brown and Senator Richards, Co-author—An act to amend Section 31591 of, and to add Section 31781.2 to, the Government Code, relating to retirement allowances payable under the County Employees Retirement Law of 1937.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1895**: By Mr. George E. Brown and Senator Rattigan, Co-author—An act to amend Section 31720 of, and to repeal Section 31720.2 of, the Government Code, relating to County Employees Retirement Law of 1937.

Referred to Committee on Civil Service and State Personnel

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 149**—An act to amend Section 252 of the Vehicle Code, and to add Section 12518 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the operation of motor vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 149?

### Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on February 17, 1959, strike out "Sections 12502 and 12503", and insert "Section 12504"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 149 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lowrey, Luckel, MacBride, Marks, McCollister, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63

NOES—Masterson—1.

Assembly Bill No. 149 ordered enrolled.

### Name Placed Upon Roll Call

Mr. Bane was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendment to Assembly Bill No. 149.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Backstrand was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that 500 copies of the Report of the Joint Interim Committee on Highway Problems be ordered printed as a separate document:

## LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE
March 9, 1959

*To the President of the Senate*
*the Speaker of the Assembly*
*and to Members of the Senate and Assembly*

The Joint Interim Committee on Highway Problems, created pursuant to Senate Concurrent Resolution No. 134, Resolutions Chapter No. 341, Statutes 1957, herewith submits its final report for the 1959 Regular Session.

Respectfully submitted,

| *Senators* | *Assemblymen* |
|---|---|
| RANDOLPH COLLIER, Chairman | LEE M. BACKSTRAND, Vice Chairman |
| SWIFT BERRY | FRANK P. BELOTTI |
| HUGH M. BURNS | RALPH M. BROWN |
| CARL L. CHRISTENSEN, JR | CHARLES EDWARD CHAPEL |
| LUTHER E. GIBSON | EDWARD M. GAFFNEY |
| RICHARD RICHARDS | THOMAS J. MACBRIDE |
| STANFORD C. SHAW | CHARLES W. MEYERS |

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 455**—An act to amend Section 9250 and to repeal Section 9253 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration fees.

Bill read third time.

### Consideration of Amendments

The following amendments, proposed by Mr Bee, were read:

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 2, 1959, strike out "Section 9253", and insert "Sections 9253 and 9404".

### Amendment No. 2

On page 1, line 5, strike out "On and before December 31, 1959,".

### Amendment No. 3

On page 1, strike out lines 10 through 14, inclusive.

Amendment No. 4

On page 2, after line 12, insert
"SEC. 3. Section 9404 of said code is repealed."

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 530**—An act to add Section 28731.5 to the Public Utilities Code and to add Section 15676.5 to the Public Services Code, relating to the board of directors of the San Francisco Bay Area Rapid Transit District.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Zberg, and Mr. Speaker—65
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 634**—An act to add Section 1125 to the Welfare and Institutions Code, relating to handiwork of Youth Authority inmates.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—63.
NOES—Lowrey—1

Bill ordered transmitted to the Senate

**Assembly Bill No. 686**—An act to add Sections 16906 and 17050.5 to the Business and Professions Code, relating to trading stamps.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—67.
NOES—Frew and Williamson—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 727**—An act to amend Sections 8751 and 8765 of the Business and Professions Code, relating to land surveying.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 159**—An act to add Section 19828 to the Health and Safety Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—Elliott and Lunardi—2.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Hawkins was granted unanimous consent to take up further consideration of Assembly Joint Resolution No. 12.

## FURTHER CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 12

**Assembly Joint Resolution No. 12**—Relative to enactment of a National Food Allotment Stamp Plan

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read:

### Amendment No. 1

On page 2, line 6, of the printed measure, strike out "Conference", and insert "Association".

### Amendment No. 2

On page 2, line 6, after "Welfare," insert "the California Institute of Social Welfare,".

### Amendment No. 3

On page 2, line 20, after "provide", insert "and to make such food available in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons".

### Motion to Adopt Amendments and Retain Resolution on File

Mr. Hawkins moved that the amendments be adopted, and that the resolution be placed on file without re-reference to the Committee on Ways and Means.

Mr. Burton seconded the motion.

Motion carried.

Resolution ordered reprinted, engrossed, and placed on file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 393**—An act to amend Section 8276 of the Fish and Game Code, relating to crabs.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford,

Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 8**—An act to amend Section 653k of the Penal Code, relating to switchblade knives.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 656**—An act to amend Section 81 of the Agricultural Code, relating to district agricultural associations.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschig, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 695**—An act to amend the title of Article 3 (commencing at Section 14893) of Chapter 3 of Part 5, Division 12 of, to amend Section 14906 of, to add Section 14895 to, and to repeal Section 14897 of the Health and Safety Code, relating to the abatement of hazardous weeds.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 713**—An act to add Section 19622.8 to the Business and Professions Code, relating to the 48th District Agricultural Association.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Burton—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Burton—1.

**Motion to Amend Title**

Mr. Porter moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Association", insert ", declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 748**—An act to amend Section 801.5 of the Agricultural Code, relating to sale of grapes.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 840**—An act to amend Section 1239 of the Agricultural Code, relating to agricultural warehouse inspection and license fees.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford Munnell,

Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 258**—An act to amend Section 103 3 of the Welfare and Institutions Code, relating to the commencement of aid payments to applicants for public assistance.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 860**—An act to amend Section 16091 of the Education Code, and Section 10651 of the Education Code as proposed by Senate Bill No. 2, relating to the provision for readers to assist blind students.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—68
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 180**—An act to amend Sections 675, 687, 7014, 7131, 7134, 7135, 7607, 7608, 9102, 9850 and 9917 of the Elections Code, relating to tally sheets.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 193**—An act to amend Section 7972, and to repeal Section 7972.5 of the Elections Code, relating to election returns.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson,

Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 194**—An act to amend Section 7970 of, and to repeal Sections 7970.5 and 7971.5 of the Elections Code, relating to primary election returns.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 197**—An act to amend Sections 2500 and 7920 of the Elections Code, relating to city elections.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 199**—An act to amend Section 5781.10 of the Public Resources Code, relating to election of directors of recreation.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 200**—An act to amend Sections 30291, 30756, 30762, 30763, 30771, and 30815 of the Water Code, relating to elections in county water districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford,

Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 201**—An act to amend Section 1180 of the Military and Veterans Code, relating to law governing election.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 238**—An act to repeal Section 655.5 of the Elections Code, relating to precinct boards

Bill read third time, and passed by the following vote·

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Speaker Presiding**

At 11.37 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding

**Assembly Bill No. 242**—An act to amend Section 14058 of the Health and Safety Code, relating to nomination of fire commissioners.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 243**—An act to amend Sections 3871 and 3925 of the Elections Code, relating to ballot composition.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E Brown, Burke, Busterud, Chapel, Conrad, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Francis, Gaffney, Garrigus, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, George A. Willson, Z'berg, and Mr Speaker—53

NOES—Burton, Cameron, Elliott, Masterson, O'Connell, Waldie, and Williamson—7.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 294**—An act to amend Sections 7039, 7040, 7041, 7042 and 7043 of the Elections Code, relating to eight-member precinct canvassing board.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 311**—An act to amend Sections 2609 and 2632 of the Elections Code, relating to nominations.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 312**—An act to amend Sections 2610, 3080 and 3082 of the Elections Code, relating to verification deputies.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 356**—An act to amend Section 682 of the Elections Code, relating to change in polling place.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 382**—An act to amend Sections 5721 and 5722 of the Elections Code, relating to assisted voters.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 383**—An act to amend Sections 5621 and 5627 of the Elections Code, relating to challenges of voters.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 384**—An act to amend Section 2743.5 of the Elections Code, relating to the election of nonpartisan officers.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENTS

Speaker Brown announced that the procedure just followed for the consideration of the series of bills by Mr. Conrad is very similar to the procedure which will be followed for bills on the Consent Calendar, and requested that committee chairmen take advantage of the Rules relative to the Consent Calendar for noncontroversial bills.

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Speaker Brown announced that, through March 6th, the end of the ninth week and 38 legislative days in session, total measures introduced which have to be acted upon by each house is:

| | |
|---|---|
| Assembly measures | 2,019 |
| Senate measures | 971 |
| Total | 2,990 |

Through Friday, March 6, the Assembly has passed:

| | |
|---|---|
| Assembly measures | 211 |
| Senate measures | 20 |
| Total | 231 |

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1179 FROM COMMITTEE

Mr. Kilpatrick was granted unanimous consent that Assembly Bill No. 1179 be withdrawn from the Committee on Governmental Efficiency and Economy, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1179

**Assembly Bill No. 1179**—An act to add Sections 10084, 10085, 10140.5, 10143, 10144, and 10145 to, and to amend Sections 10131, 10132, 10134, and 10140 of, the Business and Professions Code, relating to the real estate commissioner and the business of assisting persons in filing applications for lands owned by the Federal Government, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

#### Amendment No. 1

In line 5 of the title of the printed bill, after "the", insert "State or".

#### Amendment No. 2

On page 2, line 22, after "the", insert "State or".

#### Amendment No. 3

On page 2, line 25, after "the", insert "State or".

#### Amendment No. 4

On page 2, line 38, after "the", insert "State or".

#### Amendment No. 5

On page 2, line 47, after "the", insert "State or".

#### Amendment No. 6

On page 2, line 49, after the first "the", insert "State or".

Amendment No. 7

On page 3, line 3, after "the", insert "State or".

Amendment No. 8

On page 3, line 12, after the second "the", insert "State or".

Amendment No. 9

On page 3, line 39, after "the", insert "State or".

Amendment No. 10

On page 3, line 46, after "the", insert "State or".

Amendment No. 11

On page 3, line 49, after "the", insert "State or".

Amendment No. 12

On page 4, line 6, after "the", insert "State or".

Amendment No. 13

On page 4, line 10, after "the", insert "State or".

Amendment No. 14

On page 4, line 10, after "any", insert "State or".

Amendment No. 15

On page 4, line 18, after "the", insert "State or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULE NO. 56 AND RESET BILLS FOR HEARING

Mr. Holmes was granted unanimous consent that Rule No. 56 be temporarily suspended in order that Assembly Bill Nos. 379, 653, and 654, previously set for hearing in the Committee on Judiciary—Civil on March 18th, be reset for hearing in the committee on March 11th.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Francis was granted unanimous consent that the following proposed amendments to Assembly Bill No. 215 be ordered printed in the Journal, without action being taken at this time:

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 215

By Mr. Francis:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Sections 32 and 23705 of"; and after "to", insert "amend Sections 32 and 23705 of, and to add Sections 33, 34, 35, 36, 23706, 23707, 23708 and 23709 to,".

Amendment No. 2

On page 1, strike out lines 1 and 2.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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Amendment No. 3

On page 1, after line 2, insert

"SECTION 1. Section 32 of the Revenue and Taxation Code is amended to read:

32. Any statement, return, or other document in which is claimed any exemption, other than the householder's exemption, from any property tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State shall contain a

declaration that the person or organization making the statement, return, or other document does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If [any such statement, return, or other document does not contain such declaration,] *the assessor determines, upon evidence received from a law enforcement or other governmental agency, including a legislative committee, and after an opportunity for hearing has been afforded, that* the person or organization making such statement, return, or other document *does so advocate, the assessor shall deny such person or organization* [shall not receive any] *the* exemption from the tax to which the statement, return, or other document pertains. [Any person or organization who makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.]

SEC. 2. Section 33 is added to said code, to read:

33. Before he denies any exemption under Section 32, the assessor shall deliver or mail to the claimant a written notice of his intention to do so and afford the claimant an opportunity to file a written request, within a period of 15 days from and after the date of the delivery or mailing of the notice, for a hearing in the matter. Following the receipt of such a request, the assessor shall hold a hearing on the denial of the exemption after giving the claimant a written notice of the hearing, by delivery or mail, at least 10 days prior to the hearing.

In any such proceeding the assessor has the burden of proving that the exemption claimant is not entitled to the exemption, but he may consider and act upon any relevant evidence received from a law enforcement or other governmental agency, including a legislative committee, in affidavit form.

SEC. 3. Section 34 is added to said code, to read:

34. Any claimant who is denied an exemption following a hearing may obtain a judicial review of the determination by filing a petition for a writ of mandate in accordance with Section 1094.5 of the Code of Civil Procedure. In such proceedings the court may exercise an independent judgment on the evidence.

SEC. 4. Section 35 is added to said code, to read:

35. The making of any knowingly false declaration in a statement, return, or other document filed pursuant to Section 32 constitutes a felony.

SEC. 5. Section 36 is added to said code, to read:

36. Sections 33 to 35, both inclusive, shall be construed so as to effectuate the purpose of Section 19 of Article XX of the State Constitution.

SEC. 6. Section 23705 of said code is amended to read:

23705. Any incorporated organization which claims any exemption prescribed by this article shall file annually with the Franchise Tax Board, on or before May 15th, a declaration that it does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocates the support of a foreign government against the United States in event of hostilities. If any such organization incorporates, qualifies to do intrastate business, commences activities within this State, revives or is restored to good standing in any year after May 15th, it shall make and file such declaration [before it is allowed any exemption prescribed by this article. Any incorporated organization which makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.

No exemption under this article shall be allowed to any incorporated organization for any year in which it fails to file on or before May 15th the annual declaration required by this section.]

*If the board determines, upon evidence received from a law enforcement or other governmental agency, including a legislative committee, and after an opportunity for hearing has been so afforded, that the incorporated organization making such declaration does so advocate, the board shall deny such organization the exemption from the tax to which the declaration pertains.*

SEC. 7. Section 23706 is added to said code, to read:

23706. Before it denies any exemption under Section 23705, the board shall deliver or mail to the claimant a written notice of its intention to do so and afford the claimant an opportunity to file a written request, within a period of 15 days from and after the date of the delivery or mailing of the notice, for a hearing in the matter. Following the receipt of such a request, the board shall hold a hearing on the denial of the exemption after giving the claimant a written notice of the hearing, by delivery or mail, at least 10 days prior to the hearing.

In any such proceeding the board has the burden of proving that the exemption claimant is not entitled to the exemption, but it may consider and act upon any relevant evidence received from a law enforcement or other governmental agency, including a legislative committee, in affidavit form.

SEC. 8. Section 23707 is added to said code, to read:

23707. Any claimant who is denied an exemption following a hearing may obtain a judicial review of the determination by filing a petition for a writ of mandate in

accordance with Section 1094.5 of the Code of Civil Procedure. In such proceedings the court may exercise an independent judgment on the evidence.

SEC. 9. Section 23708 is added to said code, to read:

23708. The making of any knowingly false declaration in a statement, return, or other document filed pursuant to Section 32 constitutes a felony.

SEC. 10. Section 23709 is added to said code, to read:

23709. Sections 23706 to 23708, both inclusive, shall be construed so as to effectuate the purpose of Section 19 of Article XX of the State Constitution."

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1836

Mr. Busterud was granted unanimous consent that Assembly Bill No. 1836 be withdrawn from the Committee on Transportation and Commerce, and re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. O'Connell was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 5, 1959

*Hon. John A. O'Connell*
*Assembly Chamber*

*Bank and Corporation Tax Law: Loyalty Declaration for Exemption—No. 6593*

DEAR MR. O'CONNELL: You have referred us to Section 23705 of the Revenue and Taxation Code, relating to the loyalty declaration by an incorporated organization which claims an exemption from taxation under the Bank and Corporation Tax Law, and you ask whether the requirement for such loyalty declaration is constitutional in view of the recent decision (June 30, 1958) of the United States Supreme Court in *Speiser* v. *Randall* (2 L. Ed. Adv. 1460).

*Opinion*

In our opinion, based on *Speiser* v. *Randall,* the nonsubversive declaration requirement in Section 23705 of the Revenue and Taxation Code is unconstitutional.

*Analysis*

SECTION 23705 of the Revenue and Taxation Code* provides as follows (Stats. 1957, Ch. 2072):

> "Any incorporated organization which claims any exemption prescribed by this article shall file annually with the Franchise Tax Board, on or before May 15th, a declaration that it does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If any such organization incorporates, qualifies to do instrastate business, commences activities within this State, revives or is restored to good standing in any year after May 15th, it shall make and file such declaration before it is allowed

* Unless otherwise noted, all section references are to the Revenue and Taxation Code.

any exemption prescribed by this article. Any incorporated organization which makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.

"No exemption under this article shall be allowed to any incorporated organization for any year in which it fails to file on or before May 15th the annual declaration required by this section."

This section was enacted pursuant to Article XX, Section 19, of the California Constitution, adopted at the General Election of November 4, 1952, which provides:

"SEC. 19. Notwithstanding any other provision of this Constitution, no person or organization which advocates the overthrow of the Government of the United States or the State by force or violence or other unlawful means or who advocates the support of a foreign government against the United States in the event of hostilities shall:

(a) Hold any office or employment under this State, including but not limited to the University of California, or with any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State; or

(b) Receive any exemption from any tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State.

"The Legislature shall enact such laws as may be necessary to enforce the provisions of this section."

Also enacted, pursuant to the above amendment, was Section 32 which reads as follows:

"32. Any statement, return, or other document in which is claimed any exemption, other than the householder's exemption, from any property tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State shall contain a declaration that the person or organization making the statement, return, or other document does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If any such statement, return, or other document does not contain such declaration, the person or organization making such statement, return, or other document shall not receive any exemption from the tax to which the statement, return, or other document pertains. Any person or organization who makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution."

The constitutionality of Section 32 was questioned in *Speiser* v. *Randall* in its application to the veterans' property tax exemption.

The basic issue with which the United States Supreme Court was confronted was whether California had chosen a fair method consistent with due process to determine when a claimant is a member of the class to which the tax exemption in question would be applied.

The primary attack made by the appellants upon these provisions was that they denied them freedom of speech without the procedural safeguards required by the due process clause of the Fourteenth Amendment to the United State Constitution.

The court pointed out that a discriminitory denial of a tax exemption for engaging in speech is a limitation on free speech. It emphasized that under the California procedure the person claiming an exemption had the affirmative burden of proof in court, as well as before the assessor, to show that he is a proper person to qualify for the tax exemption in question.

The court held that when the constitutional right to speech is sought to be deterred by a state's general taxing program, due process demands that the speech be unencumbered until the state comes forward with sufficient proof justifying its inhibition.

Accordingly, the court further held that the enforcement of Section 19 of Article XX of the California Constitution through procedures which place the burden of proof and persuasion upon the taxpayer, is a violation of due process. It followed, according to the court, that the appellants could not be required to execute the declaration as a condition for obtaining a tax exemption.

The similarity between Section 32 and Section 23705 is immediately recognizable upon a comparison of the two. Section 23705 requires an organization to assume an affirmative duty to show by declaration that it does not engage in the activities described in the constitutional amendment—the very requirement which the Supreme Court of the United States found to be a violation of due process.

Thus, noting the identical duties in the two sections, we can, by reference and comparison, conclude that Section 23705 is unconstitutional.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD F. NOWAK, Deputy

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1896**: By Messrs. Rees. and Unruh—An act to add Division 3 (commencing at Section 63000) to Title 6 of the Government Code, relating to metropolitan multipurpose districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1897**: By Messrs. O'Connell, Burton, and Hawkins—An act to amend Sections 2020.002 and 2025 of the Welfare and Institutions Code, relating to old age assistance grants, and making an appropriation.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1898**: By Messrs. Hawkins, Biddick, O'Connell, Munnell, Burton, Elliott, Unruh, and Winton—An act relating to participation by the State in the Civil War Centennial, creating the California Civil War Centennial Commission and describing the powers and duties thereof.

Referred to Committee on Government Organization.

**Assembly Bill No. 1899**: By Mr. Crawford, Miss Donahoe, Mrs. Davis, and Mr. House—An act to amend Sections 31213 and 31214 and to repeal Section 31219 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to competitive scholarships.

Referred to Committee on Education.

**Assembly Bill No. 1900**: By Messrs. Biddick, Masterson, Coolidge, Busterud, Bruce F Allen, Belotti, Britschgi, Chapel, Cunningham, Mrs. Davis, Messrs. Francis, Frew, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Lunardi, Meyers, Mulford, Pattee, Schrade, Sumner, Waldie, Charles H. Wilson, and Winton—An act to amend Section 8352 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel Fund and making an appropriation thereof.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1901**: By Messrs. Kilpatrick, Grant, Elliott, George A. Willson, Miss Donahoe, and Mr. House—An act to add Section 2180.7 to the Welfare and Institutions Code, relating to applicants for Old Age Security.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1902**: By Messrs. Kilpatrick, Grant, Elliott, George A. Willson, Miss Donahoe, and Mr. House—An act to add Section 3082.2 to the Welfare and Institutions Code, relating to applicants for aid to needy blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1903**: By Mr. Samuel R. Geddes—An act to amend Section 18950 of the Government Code, relating to promotion in the State Civil Service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1904**: By Mr. Unruh—An act to add Chapter 20 (commencing at Section 9800) to Division 3 of the Business and Professions Code, relating to the creation of a California State Board of Building Designers, prescribing its organization, powers and duties, and making an appropriation therefore.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1905**: By Messrs. Hegland and Schrade—An act to add Part 3 (commencing at Section 36200) to Division 2 of Title 4 of the Government Code, relating to cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1906**: By Mr Belotti (By Request of Department of Fish and Game)—An act to repeal Section 10710 of the Fish and Game Code, relating to razor clams.

*Referred to Committee on Fish and Game*

**Assembly Bill No. 1907**: By Messrs. Waldie and Masterson—An act to amend Sections 35712 and 35714 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to county highway weight limits.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1908**: By Messrs. Hanna, Grant, Johnson, and Crawford—An act to add Chapter 10 (commencing at Section 25900) to Division 20 of, and to amend Sections 26244, 26247, 26254, and 26255 of the Health and Safety Code, to amend Sections 1064 and 1096.3 of the Agricultural Code, and to amend Sections 4168 and 4171 of the Business and Professions Code, relating to labeling of containers of dangerous drugs, poisons, and other hazardous substances.

Referred to Committee on Public Health.

## RESOLUTIONS

The following resolution was offered:

By Messrs. O'Connell, Burton, Busterud, Gaffney, Marks, and Meyers:

### House Resolution No. 126

Relative to the League of Women Voters

WHEREAS, The Legislature is to be honored on March 11th by a visit by a delegation from the League of Women Voters of San Francisco; and

WHEREAS, The League of Women Voters is a nationwide organization devoted to promoting political responsibility through informed and active participation of citizens in government; and

WHEREAS, Effective participation of citizens in democratic government requires a knowledge of the structure of governmental machinery, of elected officers and their duties, and of the electoral process; and

WHEREAS, The San Francisco chapter of this worthy organization has been especially successful over the years in carrying out its functions and has conducted a diligent and highly effective program of voter education; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members commend the ladies of the San Francisco Chapter of the League of Women Voters on their excellent work in the past, and express the hope that they continue to carry on this vital function so important for a true democratic society; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the San Francisco Chapter of the League of Women Voters

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 53

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 759
Assembly Bill No. 805
Assembly Bill No. 950

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 23
Assembly Bill No. 340
Assembly Bill No 362
Assembly Bill No. 417
Assembly Bill No. 462
Assembly Bill No. 463
Assembly Bill No 464
Assembly Bill No. 465
Assembly Bill No 543
Assembly Bill No. 544
Assembly Bill No. 545
Assembly Bill No 547
Assembly Bill No 549
Assembly Bill No. 597
Assembly Bill No. 613
Assembly Bill No. 753
Assembly Bill No. 754
Assembly Bill No. 869

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

## ADJOURNMENT

At 11.52 a.m., on motion of Mr. Winton, seconded by Mr. Meyers, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, March 10, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

FORTY-SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, March 10, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Great God,*

"Give me wide walls to build my House of Life.
The North shall be of Love, against the winds of fate;
The South of Tolerance, that I may outreach hate,
The East of Faith, that rises clear and new each day;
The West of Hope, that even dies a glorious way
The threshold 'neath my feet shall be Humility;
The roof—the very sky itself—Infinity
Give me wide walls to build my House of Life'"

And so may my life and the life of every lawmaker be good enough and great enough to be used in building a more perfect structure of law and order in this State—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Coolidge, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. McMillan, on request of Speaker Brown.

The following members were granted leaves of absence for the day, to attend a meeting of the Joint Committee on Assessment Practices:

Mr Coolidge, on request of Speaker Brown.
Mr Lanterman, on request of Speaker Brown.
Mr Charles H. Wilson, on request of Speaker Brown.
Mr. Samuel R. Geddes, on request of Speaker Brown.
Mr. Bradley, on request of Speaker Brown.
Mr Collier, on request of Speaker Brown.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Mr. and Mrs William Meadows of Bakersfield, relative to social security Referred to the Committee on Social Welfare.

## APPOINTMENT TO STATE ALLOCATION BOARD

Speaker Brown announced the appointment of Miss Donahoe to the State Allocation Board.

## EXPLANATION OF ABSENCE

March 10, 1959

Clark Bradley was excused Tuesday, March 10th, to attend the second day of the Joint Assessment Practices Committee hearings.

CLARK L. BRADLEY

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 455
And reports the same correctly re-engrossed.

**BURKE, Chairman**

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 707
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 752
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

| | |
|---|---|
| Assembly Bill No. 130 | Assembly Bill No. 520 |
| Assembly Bill No. 131 | Assembly Bill No. 672 |
| Assembly Bill No. 138 | Assembly Bill No. 684 |
| Assembly Bill No. 195 | Assembly Bill No. 812 |
| Assembly Bill No. 336 | Assembly Bill No. 846 |
| Assembly Bill No. 516 | Assembly Bill No. 1062 |

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 12

And reports the same correctly engrossed

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 45**—An act to add Section 10659 to, and amend Section 10840 of, the Fish and Game Code, relating to sea otters;

**Assembly Bill No. 416**—An act to add Section 940 to Article 2, Chapter 4, Part 1, Division 1 of the Unemployment Insurance Code, relating to unemployment and disability compensation insurance, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 436**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 27**—An act to amend Sections 468, 468.2, 511, 511.1, 511.2 and 511.3 of, and to add Sections 510.5, 511.6 and 511.9 to, the Vehicle Code, and to amend Sections 21357, 21358, 21359, 22352, 22354, 22355, 22357, 22358 and 22360 of, to amend the heading of Article 1 (commencing at Section 22350) of Chapter 7 of Division 11 of, repeal Sections 22353 and 22356 of, and add Sections 627, 22349 and 22358.5 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the speed of vehicles and signs in connection therewith;

And reports the same correctly enrolled, and presented to the Governor on the ninth day of March, 1959, at 3 p.m.

BURKE, Chairman

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, March 4, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports.

Assembly Bill No. 239

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports

Assembly Bill No. 1118
Assembly Bill No. 1200

With the recommendation: Do pass

BACKSTRAND, Chairman

Above bills ordered to second reading

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, March 3, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports.

Assembly Bill No. 700

With amendments with the recommendation: Amend, and do pass, as amended

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports

Assembly Bill No. 76

With the recommendation: Do pass

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 770
Assembly Bill No. 866
Assembly Bill No. 940

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

### Speaker pro Tempore Presiding

At 9.38 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports

Assembly Bill No. 164

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports

Assembly Bill No. 313

With amendments with the recommendation: Amend, and do pass, as amended

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1059
Assembly Bill No. 1061

With the recommendation: Do pass.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports.

Assembly Bill No 1014

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports.

Assembly Bill No. 119
Assembly Bill No. 367
Assembly Bill No. 271
Assembly Bill No. 276
Assembly Bill No. 268
Assembly Bill No. 1638
Assembly Bill No. 1639

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Assembly Bills Nos. 119, 367, 271, 276, and 268 ordered to second reading

### Re-reference of Assembly Bills Nos. 1638 and 1639

Speaker pro Tempore Bee announced that Assembly Bills Nos. 1638 and 1639 in the above report were reported out of committee before the 30 calendar day period after their introduction had elapsed, and ordered Assembly Bills Nos 1638 and 1639, with the committee amendments thereto, re-referred to the Committee on Criminal Procedure.

### Committee on Rules

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 116
House Resolution No. 113
House Resolution No. 122
House Resolution No. 117
House Resolution No 123

With the recommendation. Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 74

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 90

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, March 9, 1959

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed·

Senate Bill No. 98
Senate Bill No. 212
Senate Bill No. 272
Senate Bill No. 344
Senate Bill No. 347
Senate Bill No. 352

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 98**—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 212**—An act to repeal Sections 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10, 1435.11, 1435.12, 1435.13, 1435.14, 1435.15, 1435.16, 1435.17, 1435.18, 1435.19, 1435.22, 1435.24, 1435.25, 1435.26, 1435.27, 1435.28, 1435.29, 1435.30, 1435.31, 1435.33, 1435.37, and 1435.39 of the Probate Code, and to amend Sections 1435.1, 1435.2, 1435.3, and 1529 of said code, and to amend and renumber Sections 1435.20, 1435.21, 1435.23, 1435.32, 1435.34, 1435.35, 1435.36, and 1435.38 of said code, and to add Sections 1435.4, 1435.5, 1435.9, 1435.15, 1435.16, 1435.17, and 1435.18 to said code, and to amend Sections 172, 172a, 1242 and 1243 of the Civil Code, and to add Section 172b to said code, relating to transfer and encumbrance of community and homestead property when a spouse is incompetent.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 272**—An act to amend Sections 480 and 1802 of the Probate Code and Sections 106, 1581, 1586 and 1587 of the Financial Code, relating to conservatorship.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 344**—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 347**—An act to add Section 1255b to the Code of Civil Procedure, relating to eminent domain and the allowance of interest after an order is made letting the plaintiff into possession.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 352**—An act to amend Sections 1653, 1672, 1677, 1680, 1683, 1685, and 1689 of, to repeal Sections 1661 and 1681 of, and to add Sections 1661, 1672.5, 1681, 1683.5, 1691, and 1692 to, the Code of Civil Procedure, relating to the enforcement of duties of support.

Referred to Committee on Judiciary—Civil.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1909**: By Messrs. House, Hanna, and Bruce F. Allen—An act to amend Section 740 of the Welfare and Institutions Code, relating to care of wards of the juvenile court.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1910**: By Mr. House—An act to add Section 1654 to the Welfare and Institutions Code, relating to care of defective or seriously disturbed children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1911**: By Mr. House—An act to amend Section 1622 of the Welfare and Institutions Code, relating to reimbursement of agencies for the cost of inspecting and licensing institutions for children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1912**: By Mr House—An act to add Chapter 3 (commencing at Section 1647) to Part 3 of Division 2 of the Welfare and Institutions Code, relating to receiving homes for children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1913**: By Mr House—An act to amend Section 1511 of the Welfare and Institutions Code, relating to state payments for needy children confined in institutions, and making an appropriation.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1914**: By Mr. Bee—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1915**: By Mr. Bee—An act to amend Section 1632 of the Welfare and Institutions Code, relating to tuberculosis tests.

Referred to Committee on Social Welfare

**Assembly Bill No. 1916**: By Mr Bee—An act to add Section 25210.78i to the Government Code, relating to county service areas

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1917**: By Mr. Bee—An act to amend Section 1062 and to repeal Section 3546 of the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1918**: By Mr Bruce F. Allen—An act to repeal the Santa Clara-Alameda-San Benito Water Authority Act (Chapter 1289, Statutes of 1955), relating to the Santa Clara-Alameda-San Benito Water Authority.

Referred to Committee on Water.

**Assembly Bill No. 1919**: By Messrs. Bruce F. Allen and Miller—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1920**: By Mr. Elliott—An act to add Section 150 to the Streets and Highways Code, relating to state freeways

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1921**: By Mr. Beaver—An act to amend Sections 61400, 61401, 61402, 61403, 61430, 61431 and 61432 of the Government Code, relating to community services district general elections.

Referred to Committee on Elections and Reapportionment.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 678, 481, 482, 667, 302,** and **880.**
**Senate Bills Nos. 22** and **23.**

Above Assembly bills ordered to third reading, subsequent to engrossment.

Above Senate bills ordered to third reading.

### RE-REFERENCE OF BILL PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bill re-referred to the Committee on Ways and Means:

**Assembly Bill No. 880,** subsequent to engrossment.

### Hon. Richard H. McCollister Presiding

At 9.52 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 455**—An act to amend Section 9250 and to repeal Section 9253 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration fees.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Beaver, Bee, Belotti, George E. Brown, Burke, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Francis, Gaffney, Garrigus, Samuel R. Geddes, Hegland, House, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Meyers, Munnell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Williamson, George A. Willson, Winton, and Z'berg—42.

NOES—Bruce F. Allen, Backstrand, Bradley, Britschgi, Cameron, Conrad, Dahl, Ernest R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, MacBride, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Sedgwick, Thelin, Unruh, Waldie, and Charles H. Wilson—26.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 419 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 419 be withdrawn from the Committee on Industrial Relations for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 419

**Assembly Bill No. 419**—An act to add Chapter 8 5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations

Bill read second time.

### Motion to Amend

Mr. Miller moved the adoption of the following amendments:

### Amendment No. 1

On page 1 of the printed bill, strike out lines 7 through 9, inclusive, and insert "the workers shall have full freedom of association, including the right to organize, to bargain collectively and to designate representatives of their own choosing for the

purpose of negotiating the terms and conditions of employment or other mutual aid or protection, and the representative designated or selected for the purpose of collective bargaining by a majority of the workers voting in a given unit shall be the exclusive representative of all the employees in such unit for the purposes of collective bargaining. A jurisdictional strike as herein defined is hereby de-".

**Amendment No. 2**

On page 2, line 7, strike out "except those within a collective bargain-"; and strike out all of lines 8 and 9, and insert "and any organization or association of employers, except workers within a collective bargaining unit acting in the interest of an employer, directly or indirectly"

**Amendment No. 3**

On page 2, line 17, strike out "knowingly", and insert "directly or indirectly,".

**Amendment No. 4**

On page 2, lines 18 and 19, strike out "assisted financially", and insert "supported".

**Amendment No. 5**

On page 2, line 19, strike out the period, and insert ", and any organization, agency, committee or group which is not affiliated with a national or international labor organization shall have the burden of proving it is bona fide."

**Amendment No. 6**

On page 2, line 20, strike out "Any", and insert "If a question of representation exists, any".

**Amendment No. 7**

On page 3, between lines 2 and 3, insert "If the election involves two or more labor organizations and if the election results in no labor organization receiving a majority of the valid votes cast, a run-off election shall be conducted between the two labor organizations receiving the largest number of votes."

**Amendment No. 8**

On page 3, line 14, strike out the period, and insert "; provided, an additional election shall be conducted if a petition is filed not earlier than 120 days nor later than 60 days prior to the termination of two years from the date of the execution of such collective bargaining agreement."

**Amendment No. 9**

On page 3, lines 22 and 23, strike out "other concerted interference with an employer's operation or business", and insert "striking, picketing, boycotting or work stoppage".

**Amendment No. 10**

On page 3, line 37, after "hours", insert "(excluding Saturdays, Sundays and holidays)".

**Amendment No. 11**

On page 3, lines 41 and 42, strike out "other concerted interference with an employer's operation or business", and insert "striking, picketing, boycotting or work stoppage".

**Amendment No. 12**

On page 4, strike out lines 5 to 7, inclusive, and insert

"(c) If the labor organizations involved fail to submit the subject matter of such strike for a final and binding decision under subdivision (a) or subdivision (b) of this section within seven days (excluding Saturdays, Sundays and holidays) from the date the department issues notice of a hearing to determine whether a jurisdictional strike exists, the department shall proceed to determine the jurisdiction and issue a final and binding decision."

**Amendment No. 13**

On page 4, lines 22 and 23, strike out "other concerted interference with the employer's operation or business", and insert "striking, picketing, boycotting or work stoppage".

**Amendment No. 14**

On page 4, lines 25 and 26, strike out "concerted interference with the employer's operation or business to cease.", and insert "striking, picketing, boycotting or work stoppage to cease, except that any such concerted refusal to perform work or any such striking, picketing, boycotting or work stoppage may be continued if the employer is refusing to comply with a final and binding decision resolving such jurisdiction."

**Amendment No. 15**

On page 5, strike out line 1, and insert
"1147. Any interested labor organization, any member of an interested labor organization or any interested employer".

**Amendment No. 16**

On page 5, line 10, strike out "such".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Rush Order Placed Upon Printing of Assembly Bill No. 419**

Mr. Miller was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 419.

**Speaker pro Tempore Presiding**

At 10 13 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 807**—An act to amend Sections 13304, 13311, 13312, 13315, 13320, 13321, and 13322 of, and to repeal Sections 13303, 13307, and 13308 of the Education Code as enacted at the 1959 Regular Session, relating to school district employees.

Bill read third time.

**Speaker Presiding**

At 10 16 a m., Hon Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—60

NOES—Davis, Levering, Lowrey, Reagan, and Winton—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 596**—An act to amend Section 2935 of the Business and Professions Code, relating to psychologists.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 561**—An act to amend Section 4395 of the Agricultural Code, relating to testing, weighing, and sampling of fluid milk.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 569**—An act to amend Section 660 of the Agricultural Code, relating to milk products plant licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 582**—An act to amend Section 1101 of the Agricultural Code, relating to egg standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 274**—An act to add Section 43.4 to the Civil Code, relating to causes of action for fraudulent promises to marry or cohabit.

Bill read third time.

**Demand for Previous Question**

Messrs. Grant, Johnson, Luckel, Schrade, and House demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering,

Luckel, MacBride, Marks, Masterson, Meyers, Mulford, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—54.

NOES—Cameron, Davis, DeLotto, Donahoe, Elliott, Gaffney, Hanna, Hawkins, Lowrey, Lunardi, Miller, Munnell, Nisbet, and O'Connell—14.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 682**—An act to amend Sections 58241, 61128, 61230, and 61823 of the Government Code, Sections 3533, 4659, 5418, and 8127 of the Streets and Highways Code, Sections 1808, 2285, 2341, 2832, 14750, 14815, 14825, 14827, 32004.6, 32004.8, and 33573 of the Health and Safety Code, and Sections 9304, 9313, 9316, and 9713 of the Public Resources Code, relating to recordation of instruments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 683**—An act to add Section 1744.1 to the Code of Civil Procedure, relating to children's courts of conciliation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 665**—An act to amend Section 2285 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 694**—An act to add Section 2327 to the Business and Professions Code, relating to the practice of medicine, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read.

**Request to Correct Word**

Mr. Rumford asked for unanimous consent to amend the bill in order to strike out "trails", and insert "trials".

**Reply by Speaker**

The Speaker replied that the bill would have to be reprinted if amended, at this time; and that apparently the misspelling of the word was a printer's error which had been corrected in the engrossed bill.

Request withdrawn.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 208**—An act to add Section 13001.6 to the Education Code, relating to the employment of teachers by school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering,

Lowrey, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 507**—An act to amend Section 4902.05 of, and to repeal Section 4902.1 of, the Education Code; and amend Section 3113 of, and to repeal Section 3117 of, the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 418**—An act to amend Sections 4105.2, 4624, and 4944 of the Education Code, and to amend Sections 1406, 1485, and 3256 of the Education Code as proposed by Senate Bill No. 2, relating to members of school boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 325**—An act to amend Section 13672.1 of the Education Code and Section 13456 of the Education Code as proposed by Senate Bill No. 2, relating to leaves of absence of certificated employees of school districts.

Bill read third time.

### Speaker pro Tempore Presiding

At 11.10 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 655**—An act to repeal Article 4 (comprising Section 2481) of Chapter 7 of Division 2 of, to repeal Sections 2891, 2892, 2893, 2894, 2895, 2897, 2898, 2899, and 2900 of, to amend Sections 2571 and 2921 of, and to add Section 2891 to, the Education Code; and to repeal Article 4 (comprising Section 1771) of Chapter 2 of Division 5, Part 1 of, to repeal Sections 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, and 2010 of, to amend Sections 1851 and 2021 of, and to add Section 2001 to, the Education Code as proposed by Senate Bill No. 2, relating to school district organization.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 419**—An act to repeal Section 5 of Chapter 513 of the Statutes of 1957, to repeal Sections 6814, 6815, 6816, and 6822 of the Education Code; to repeal Sections 11004, 11005.1, 11006.1, and 11052.1 of, and to amend Sections 11005, 11006, and 11052 of, the Education Code as proposed by Senate Bill No. 2, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 835**—An act to amend Sections 802.6 and 823.53 of the Agricultural Code, relating to grape containers.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

**Motion to Amend Title**

Mr. Biddick moved the adoption of the following amendments to the title:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 6, 1959, strike out "823.53", and insert "828.53".

**Amendment No. 2**

In line 2 of the title, after "containers", insert ", declaring the urgency thereof, to take effect immediately".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 888**—An act to amend Sections 1010 and 1011 of, and to add Section 1011.5 to, the Agricultural Code, relating to spray residue.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 59**—An act to convey certain tide and submerged lands to the County of Marin, in furtherance of navigation, commerce,

and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 236**—An act to amend Sections 84 and 89 of, and to add Sections 82.5, 82.6, 92, and 93 to the Elections Code, relating to presidential voting for new residents.

Bill read third time.

**Speaker Presiding**

At 11.26 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 237**—An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 241**—An act to amend Section 1691 of the Education Code, and Section 1152 of the Education Code as proposed by Senate Bill No. 2, relating to election notice to voters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 355**—An act to amend Section 1609 of the Elections Code, relating to county initiative.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 357**—An act to amend Sections 1615, 1717, 1907, and 11062 of the Elections Code, relating to arguments on county measures.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 752**—An act to amend Sections 24507, 24908, 26241, 26653, and 27281 of, and to add Sections 25057, 25841.5, 25845, 25846, 25847, 25848, 25849, 25904, 26210.5, 26403, 26404, 26405, 26406, 26657, and 26658 to, and to add Article 7 (commencing at Section 26351) to Chapter 7 of Part 1 of Division 10 of, and Article 3 (commencing at Section 27291) to Chapter 10 of Part 1 of Division 10, and Chapter 10.5 (commencing at Section 27401) to Part 1 of Division 10 to, the Public Utilities Code, and to amend Sections 13006, 13507, 14280, 14752, and 15030, and to add Sections 13656, 14065.5, 14069, 14070, 14071, 14072, 14073, 14128, 14259.5, 14502, 14503, 14504, 14505, 14752, 14756, and 14757 to, and to add Article 7 (commencing at Section 14390) to Chapter 7 of Part 1 of Division 5, and Article 3 (commencing at Section 15035) to Chapter 10 of Part 1 of Division 5, and Chapter 10.5 (commencing at Section 15050) to Part 1 of Division 5 of the Public Services Code as proposed by Assembly Bill No. 908, relating

to the transit districts in the Counties of Alameda and Contra Costa, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—72.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 12**—Relative to enactment of a National Food Allotment Stamp Plan.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Levering and Reagan—2.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Messrs. Beaver and Nisbet announced that the oranges placed in the offices of the members this morning were presented through the courtesy of the San Bernardino Board of Trade and with the compliments of Messrs. Beaver and Nisbet.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, March 2, 1959; Tuesday, March 3, 1959; Wednesday, March 4, 1959; Thursday, March 5, 1959; and Friday, March 6, 1959.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1046, 1047, 1053, 1054, AND 1056

Mr. Rees was granted unanimous consent that Assembly Bills Nos. 1046, 1047, 1053, 1054, and 1056 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Finance and Insurance.

### ASSEMBLY BILL NO. 1255 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the second reading file:

**Assembly Bill No. 1255**, on request of Mr. Winton.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1922**: By Mr. Thomas—An act to amend Section 8373 of the Fish and Game Code, relating to sale of fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1923**: By Mr. Thomas—An act to amend Section 8836 of the Fish and Game Code, relating to trawl nets in Districts 17, 18, and 118.5.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1924**: By Mr. Thomas—An act to amend Section 8833 of the Fish and Game Code, relating to trawl nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1925**: By Mr. Thomas—An act to amend Section 8694 of the Fish and Game Code, relating to gill nets in District 19A.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1926**: By Mr. Petris—An act to amend Section 1203.1 of the Penal Code, relating to probation.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1927**: By Mr Dahl—An act to add Section 21369 to, and to amend Section 21403 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle speed signs.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1928**: By Mr. Winton—An act to amend Section 13133 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to standards for issuance of teaching credentials.

Referred to Committee on Education.

**Assembly Bill No. 1929**: By Messrs. Hegland, Grant, and Winton (By Request of Senators Dilworth, Donnelly, and Grunsky)—An act to

amend Section 16051, and to repeal Section 16055, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to sale or lease of school real property.

Referred to Committee on Education.

**Assembly Bill No. 1930**: By Miss Donahoe—An act to add Article 9 (commencing at Section 8690) to Chapter 14 of Division 3 of the Business and Professions Code, relating to maintaining of financial responsibility by structural pest control operators.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1931**: By Mr. Luckel—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1932**: By Messrs. Porter, McCollister, Britschgi, Crawford, Belotti, Cameron, Hanna, and House—An act to amend Section 4354 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 1933**: By Messrs. Porter, McCollister, Britschgi, Crawford, Belotti, Cameron, Hanna, and House—An act to amend Section 4361 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies

**Assembly Bill No. 1934**: By Mr. George A. Willson—An act to amend Sections 72709, 72710 and 72712 of the Government Code, relating to court reporters in the Municipal Court, Los Angeles Judicial District.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 302
Assembly Bill No. 481
Assembly Bill No. 482

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 170
Assembly Bill No. 880

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 713

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered transmitted to the Senate.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 614

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 719

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 667
Assembly Bill No. 678

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 74

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

**Committee on Education**

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 53

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 917

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 893
Assembly Bill No. 1178

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 914

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 88
Senate Bill No. 89

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1101

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

## APPOINTMENT TO STATE SCHOOL BUILDING FINANCE COMMITTEE

Speaker Brown appointed Mr. Bee to the State School Building Finance Committee.

## OPINION ORDERED PRINTED IN JOURNAL

Speaker Brown ordered the following opinion of the Legislative Counsel printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 9, 1959

*Hon. Ralph M. Brown*
*Assembly Chamber*

*Olympic Organizing Committee—No. 9613*

DEAR MR. BROWN: You have requested information concerning the California Olympic Commission, the Olympic Organizing Committee, and the rendering of emergency medical aid by the organizing committee's staff with reference to the material set forth in the attached telegram.

The California Olympic Commission was created as a part of the State Government by Chapter 124, Statutes of 1955, as amended by Chapter 1069, Statutes of 1957. The commission is charged with the responsibility of preparing facilities for the Winter Olympic Games to be staged in 1960 and performing these responsibilities. It is authorized to employ a staff and enter into contracts to accomplish such purposes.

The statutes creating the commission and the amendments thereto do not contain any provisions pertaining to the furnishing of medical aid by its staff.

The commission, with the approval of the Department of Finance, has entered into a contract with the Olympic Organizing Committee, a nonprofit corporation organized in California for the staging of the Olympic Games. Under the recitals of the contract the organizing committee has been given sole and exclusive rights to hold and stage the games by the International Olympic Committee and the United States National Olympic Committee. Generally speaking, it may be said that under the terms of the contract with the commission, which we have examined, the commission agrees to acquire the land and the fixed equipment, title to which remains in the State, and the organizing committee agrees to provide all services necessary in preparation for, and during the games. The commission periodically allocates money to the organizing committee as necessary for the latter's functions.

Under the terms of the contract the organizing committee agrees to purchase or acquire such first aid rooms, supplies and equipment for use during the pre-Olympic trial events and during the games as may be necessary and to staff such first aid facilities (Section 8.11, Appendix 1 to Standard Agreement Form 2).

Section 8 of Chapter 124 of the Statutes of 1955 provides that the State of California shall not in any manner or under any circumstances be liable for any of the acts, doings or proceedings of any person, association or corporation with which the commission shall act, co-operate or join to carry out the purposes of the act. Section 9 of Chapter 124 of the Statutes of 1955 provides that no member of the commission or employee or any officer thereof shall be personally liable for any debts or obligations or liability that may be incurred or created by the commission or by the State of California acting by or through the commission.

There is no statutory requirement that a physician or surgeon render professional aid to one who seeks such aid. In *Coleman* v. *Middlestaff*, 147 Cal. App. 2d Supp. 833, 835, the court quoted the general rule as stated in 41 Am. Jur. 135, as follows:

> ". . . 'In the absence of statute, a physician or surgeon is under no legal obligation to render professional services to everyone who applies to him or seeks to engage him. Physicians are not public servants who are bound to serve all who seek them, as are innkeepers, common carriers, and the like.' "

It would thus appear that the rendering of aid by a physician under any particular circumstance is a matter to be determined by the physician involved.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDSEL W. HAWS, Deputy

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal

### Summary and Selected Data on Safety Belt Performance in California, 1958

STATE OF CALIFORNIA, DEPARTMENT OF
CALIFORNIA HIGHWAY PATROL
SACRAMENTO, March 3, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR SIR: In compliance with Section 139.45 of the California Vehicle Code, the attached report covering the opinions of California Highway Patrol personnel regarding safety belt effectiveness in accidents is respectfully submitted.

Very truly yours,

BERNARD R. CALDWELL, Commissioner

Attach.

Above transmitted report referred to the Legislative Reference Library.

## ADJOURNMENT

At 11.50 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, March 11, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

### 1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

**FORTY-FIRST LEGISLATIVE DAY**

**FORTY-EIGHTH CALENDAR DAY**
**(Saturdays and Sundays Excepted)**

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, March 11, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Eternal God*, The work of this Assembly moves inexorably to the place where deliberation must lead to decision and conviction will sorely test co-operation. When issues become sharpened and emotions deeply stirred, we will need Thee, O God, all the more. In all our doings let us put service above self, justice above personal triumph, idealism above personal gain. There was one who set us all an example when he said, "Here I stand, God help me, I can do no other." So may we stand, humbly, but firmly, always for the right as we see it, standing over against other men, good men and true, if we must so stand.—AMEN.

**Reading Clerk Norman Jachens at the Desk**

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Burke, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Crown, on motion of Mr. Petris.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Abraham Binneweg, Jr., of Oakland, relative to legislation. Referred to the Committee on Transportation and Commerce.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 92**: By Messrs. Ralph M. Brown, Miller, Bruce F. Allen, Bane, Belotti, Hawkins, Nisbet, Porter, and Sumner (Co-authored by Senators Fisher, Montgomery, Regan, Richards, Shaw, and Short—Relative to the continuance of the Joint Interim Committee on Water Resources Development Problems.

Referred to Committee on Rules.

**Assembly Bill No. 1935**: By Messrs. Ralph M. Brown, Bee, DeLotto, and Elliott—An act to add Sections 2.1 and 2.2 to Chapter 124 of the Statutes of 1955, relating to proceedings of the California Olympic Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1936**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 1325 and 1326 to the Fish and Game Code, relating to proceedings of the Wildlife Conservation Board.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1937**: By Messrs. Ralph M. Brown, Bee, DeLotto, and Elliott—An act to add Sections 1710 and 1711 to the Harbors and Navigation Code, relating to proceedings of the San Francisco Port Authority.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1938**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 3.11 and 3.12 to Chapter 1508 of the Statutes of 1947, relating to proceedings of the San Francisco World Trade Center Authority.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1939**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 19035.9 and 19035.10 to the Business and Professions Code, relating to proceedings of the California Advisory Board of Furniture and Bedding.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1940**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 21217 and 21218 to the Public Utilities Code, relating to proceedings of the California Aeronautics Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1941**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to amend Section 16480.1 of the Government Code, relating to proceedings of the Pooled Money Investment Board.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1942**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to amend Section 20023 of, and to add Section 20034 to, the Water Code, relating to proceedings of the California Districts Securities Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1943**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 9065.1 and 9065.2 to the Public Resources Code, relating to proceedings of the State Soil Conservation Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1944**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 8919.1 and 8919.2 to the Business and Professions Code, relating to proceedings of the Yacht and Ship Brokers Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1945**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 731 and 732 to the Fish and Game Code, relating to proceedings of the Marine Research Committee.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1946**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 8609 and 8610 to the Public Resources Code, relating to proceedings of the Recreation Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1947**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 13007 and 13008 to the Water Code, relating to proceedings of the State Water Pollution Control Board.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1948**: By Messrs Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 31007 and 31008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Western Interstate Commission for Higher Education.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1949**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 14106 and 14107 to the Fish and Game Code, relating to proceedings of the Pacific Marine Fisheries Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1950**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 65020.1 and 65020.2 to the Government Code, relating to proceedings of the Local Planning Advisory Committee.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1951**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 2604 and 2605 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Reciprocity Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1952**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 5863 and 5864 to the Public Resources Code, relating to proceedings of the Small Craft Harbors Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1953**: By Messrs Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 3804 and 3805 to the Harbors and Navigation Code, relating to proceedings of the Board of Harbor Commissioners for Humboldt Bay.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1954**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to amend Section 4364 of the Public Resources Code, relating to proceedings of the advisory committee on reforestation methods and procedures.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1955**: By Messrs. Ralph M. Brown, Bee, DeLotto, Elliott, and Marks—An act to add Sections 26007 and 26008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the board of governors of the California Maritime Academy.

Referred to Committee on Governmental Efficiency and Economy.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 73**—Relative to the commendation of Mr. Sydney Kossen;

**Assembly Concurrent Resolution No. 90**—Approving the charter of the City of of Dairy Valley, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of February, 1959;

And reports the same correctly enrolled, and presented to the Secretary of State on the tenth day of March, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

**Assembly Bill No. 48**—An act to amend Sections 73562 and 73563 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the Cities of Carmel and Monterey;

**Assembly Bill No. 149**—An act to amend Section 252 of the Vehicle Code, and to add Section 12518 to the Vehicle Code as proposed by Assembly Bill No 5, relating to the operation of motor vehicles;

**Assembly Bill No. 191**—An act to amend Sections 1370 and 1376 of the Harbors and Navigation Code, relating to pilotage in the Port of San Diego;

And reports the same correctly enrolled, and presented to the Governor on the tenth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 349

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Utilities and Corporations.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 379
Assembly Bill No. 1179

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 419

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Industrial Relations.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 835

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 49

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

| | |
|---|---|
| Assembly Bill No. 81 | Assembly Bill No. 660 |
| Assembly Bill No 285 | Assembly Bill No. 710 |
| Assembly Bill No 429 | Assembly Bill No. 825 |
| Assembly Bill No. 457 | Assembly Bill No. 1040 |
| Assembly Bill No 598 | Assembly Bill No. 1041 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

**Committee on Manufacturing, Oil, and Mining Industry**

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 904

With the recommendation: Do pass.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, March 9, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 705

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

**Committee on Natural Resources, Planning, and Public Works**

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1087

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1192

With amendments with the recommendation: Amend, and do pass, as amended

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 716

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Concurrent Resolution No. 15

With the recommendation: Be adopted.

LOWREY, Chairman

Above resolution ordered on file.

**Committee on Constitutional Amendments**

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 18
Assembly Constitutional Amendment No. 21

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 6

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 960

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bill ordered to second reading.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, March 10, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 892
Assembly Bill No. 994

With the recommendation: Do pass.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 286
Assembly Bill No. 883

With amendments with the recommendation: Amend, and do pass, as amended.

DAVIS, Chairman

Above bills ordered to second reading.

**Committee on Government Organization**

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 316

With amendments with the recommendation. Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1194

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 756

With the recommendation: That the bill be re-referred to the Committee on Criminal Procedure.

WINTON, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports.

Assembly Bill No. 1026
Assembly Bill No. 1027

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 690
Assembly Bill No. 691
Assembly Bill No. 725

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 277
Assembly Bill No. 813
Assembly Bill No. 890
Assembly Bill No. 1028

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 113
Assembly Bill No. 192
Assembly Bill No. 470
Assembly Bill No. 1029
Assembly Bill No. 1211

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 839

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 527
Assembly Bill No. 1096

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 989

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 10, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1020
Assembly Bill No. 1045
Assembly Bill No. 1062

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 88

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, March 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 20

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 20**—Relative to a study of the Uniform Commercial Code.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 27
Senate Bill No. 37
Senate Bill No. 39
Senate Bill No. 49
Senate Bill No. 62
Senate Bill No. 78
Senate Bill No. 79
Senate Bill No. 85
Senate Bill No. 91
Senate Bill No. 117
Senate Bill No. 210
Senate Bill No. 281
Senate Bill No. 310
Senate Bill No. 311

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 27**—An act to amend Section 409 of the Code of Civil Procedure, relating to notice of pendency of actions affecting title to real property.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 37**—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from small claims courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 39**—An act to add Section 117jj to the Code of Civil Procedure, relating to appeals from small claims courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 49**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control.

Referred to Committee on Water.

**Senate Bill No. 62**—An act to amend Section 581d of the Code of Civil Procedure, relating to the dismissal of an action.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 78**—An act to amend Section 2924b of the Civil Code, relating to the use of certified mail for notices of default and sale under deeds of trust or mortgages.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 79**—An act to add Section 17 to the Civil Code, to add Section 11 to the Code of Civil Procedure, to amend Section 8 of the Corporations Code, to amend Section 13 of the Education Code, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code, and to amend Section 10 of the Vehicle Code, relating to the use of certified mail.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 85**—An act to amend Section 55916 of the Water Code, relating to county waterworks districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 91**—An act to amend Section 8819.5 of the Education Code, and Section 5703 of the Education Code as proposed by Senate Bill No. 2, relating to junior colleges.

Referred to Committee on Education.

**Senate Bill No. 117**—An act to add Section 24283 to the Health and Safety Code, relating to air pollution, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

**Senate Bill No. 210**—An act to amend Section 3304 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to discontinuance of elementary schools in unified school districts.

Referred to Committee on Education.

**Senate Bill No. 281**—An act to amend Section 6651 of the Welfare and Institutions Code, relating to state hospitals and institutions.

Referred to Committee on Social Welfare.

**Senate Bill No. 310**—An act to amend Section 7009 of the Welfare and Institutions Code, relating to liability for payment.

Referred to Committee on Social Welfare.

**Senate Bill No. 311**—An act to amend Section 5516 of the Welfare and Institutions Code, relating to cost of care.

Referred to Committee on Social Welfare.

**Chief Clerk Arthur A. Ohnimus at the Desk**

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Frew was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 10, 1959

*Hon. Myron H. Frew*
*Assembly Chamber*

*Registration of Legislative Advocates—No. 10108*

*Question*

DEAR MR. FREW: You have asked whether a person who engages himself for pay to influence legislation embodied in a particular bill must register as a legislative advocate if he does nothing more than appear before a committee when the bill is heard.

*Opinion*

In our opinion he does not have to register.

*Analysis*

Section 9906 of the Government Code requires generally that "Any person who shall engage himself for pay or any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Legislature" shall register as a legislative advocate. However, the section further provides that its provisions "shall not apply to any person who merely appears before a committee of the Legislature of the State of California in support of or opposition to legislation."

This exemption, in our opinion, covers the person described in the situation presented to us. We have considered the possibility that the exemption should be interpreted as applying only to persons who appear without compensation or who appear on their own behalf rather than for other persons. However we have rejected the former interpretation on the ground that the exemption would be unnecessary as so interpreted, as the general provisions of Section 9906 apply only to persons who receive consideration for their efforts. We have rejected the second interpretation on the ground that the language of the statute

will not support it. We cannot read into the term "merely" the meaning "merely on his own behalf." Rather the term would appear to mean that the exemption applies when the form of advocacy in which the person engages is confined to appearances before committees and does not include other forms of advocacy otherwise covered by Section 9906.

This conclusion is bolstered to some extent by the case of *United States* v. *Slaughter,* 89 F. Supp. 876. That case involved the interpretation of the Federal Regulation of Lobbying Act (2 U.S.C. Secs. 261-270), with which the California law is in all material respects identical. Section 267, which corresponds with Section 9906 of the Government Code, contains the same exemption as does the latter section for persons who merely appear before committees. In that case the exemption was held to extend to a person who, for compensation, helps a witness before a committee prepare his statement. This interpretation indicates that it is immaterial that the person seeking to come within the exemption receives compensation or acts on behalf of another person. This interpretation, said the court, was necessary to give effect to the intent of the exemption that there be no interference with or hampering of the giving of testimony before committees.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By TERRY L. BAUM, Deputy

## INQUIRY BY SPEAKER

The Speaker inquired if any member had an item on the second reading file which required special attention; or if any member had an objection to considering the bills on the second reading file read the second time, with appropriate actions taken on those bills requiring action.

### Motion

Mr. McCollister moved that the bills on second reading be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Dills seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 239**—An act to repeal Section 661 of the Elections Code, relating to election officers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 664 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

Starting on line 2, insert

"SECTION 2. Section 664 of the Elections Code is amended to read:

664. The application for the position of election officer shall be substantially in the following form:

APPLICATION TO SERVE AS ELECTION OFFICER

My name in full is_____

My actual residence is_____

My age is_____; My occupation is_____

I am employed at_____(give place of employment).

[I am not, and have not been, within the last ninety days, employed in any capacity, other than that of election officer or as a clerk engaged in the registration of voters, by the State, county, city and county, or incorporated city in which I now reside.]

I have _____ acted as an election officer at an election _____.

(If applicant has previously acted as an election officer state the time and place when so acting and the nature of the office held, otherwise insert the word "not" after the word "have.")

I have _____ passed a civil service examination _____.

(If applicant has previously passed such examination state the time and place thereof and the position for which it was held, otherwise insert the word "not" after the word "have.")

My experience in clerical work has been as follows:

(State briefly.)

For further information, I would refer to the following:

_____

_____

_____

(Names and addresses of two or three well known citizens of the community, who are acquainted with the qualifications of applicant; to be filled out if applicant is not, through previous service or otherwise, already known to the appointing board.)

I am now registered as a voter in this county (or city and county).

I can read and write the English language and all of the matter written in the foregoing answers is in my own handwriting.

_____

Signature of applicant."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionments.

**Assembly Bill No. 1118**—An act to amend Section 713 of the Vehicle Code and to amend Section 35704 of, and to add Section 35716 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to contractors subject to city ordinances decreasing vehicle weight limits.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1200**—An act to amend Section 44.1 of the Vehicle Code, and to amend Section 205 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of "authorized emergency vehicle."

Bill read second time, and ordered engrossed.

**Assembly Bill No. 700**—An act to add Sections 20710, 20852, and 20894 to the Business and Professions Code, relating to petroleum products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

On page 2, line 20, of the printed bill, after "merits", insert "or quality".

**Amendment No. 2**

On page 2, line 21, strike out "relate to", and insert "identify".

**Amendment No. 3**

On page 2, after line 29, insert

"SEC. 4. Section 20895 is added to said code, to read:

20895. When gasoline is offered for sale by any producer, manufacturer, distributor, broker, jobber, wholesaler, or seller, except at retail, said seller, at the time of the sale, must specify in writing the octane number of the gasoline sold. The octane number of said gasoline at the time of sale by said seller shall be not less than the octane number specified by said seller.

SEC. 5. Section 20896 is added to said code, to read:

20896. In any prosecution of any seller under the provisions of Sections 20894 or 20895, it is a complete defense to prove that the octane number was represented to said seller in writing by the party from whom said seller purchased the same as being the true octane number of the gasoline."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 76**—An act to amend Section 3352 of, and to repeal Section 3358.5 of, the Labor Code, relating to the application of workmen's compensation to domestic workers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 770**—An act to amend Section 10176 of the Insurance Code, relating to disability insurance policies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 866**—An act to amend Section 752 of the Financial Code, relating to powers of banks and trust companies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 940**—An act to add Section 6868 to the Harbors and Navigation Code, relating to river port districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 164**—An act to add Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 of, and to amend Section 7560 of, the Business and Professions Code, relating to employees of insurance adjusters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on February 26, 1959, strike out lines 14 to 24, inclusive; strike out all of page 2; and on page 3 strike out lines 1 and 2, and insert

"7544.11. Every person in the employ of a licensee on the effective date of this article shall file with the director an application for registration within 14 days after such effective date.

7544.12. Every person entering the employ of a licensee after the effective date of this article shall file with the director an application for registration within 14 days after the commencement of such employment.

7544.13. The application for registration under this article shall be on a form prescribed by the director and shall be accompanied by the fee provided for in this article.

7544.14. The application shall be verified and shall include:

(a) The full name, residence address, residence telephone number, date and place of birth, and the social security number of the employee.

(b) A statement listing any and all names used by the employee, other than the name by which he is currently known, together with an explanation setting forth the place or places where each such name was used, the date or dates of each use and a full explanation of the reasons why each such name was used. If the employee has never used a name other than that by which he is currently known, this fact shall be set forth in the statement.

(c) The name and address of the employer and the date the employment commenced.

(d) The title of the position occupied by the employee and a description of his duties.

(e) Two recent photographs of the employee, of a type prescribed by the director, and a classifiable set of his fingerprints.

(f) Such other information, evidence, statements, or documents as may be required by the director."

**Amendment No. 2**

On page 3, line 12, strike out "assigned to this State on behalf of an insurer", and insert "employed by a licensee".

**Amendment No. 3**

On page 3, line 31, strike out "7544.2", and insert "7544.20".

**Amendment No. 4**

On page 3, line 51, strike out "7544.11", and insert "7544.14".

**Amendment No. 5**

On page 4, line 8, strike out "without charge".

**Amendment No. 6**

On page 4, strike out lines 9 to 11, inclusive, and insert "pocket card. The exhibition of this card to a licensee shall be considered as prima facie evidence that the person is registered by the Department of Professional and Vocational Standards."

**Amendment No. 7**

On page 4, strike out lines 14 to 17, inclusive, and insert

"under this article.

7544.23. Each person registered under this article shall notify the director in writing within 30 days of each change in employment by licensees. If such person ceases to be employed by a licensee he shall notify the director in writing within 30 days and shall surrender the registration card to the director. If at some subsequent time such person is again employed by a licensee he shall apply for a re-issuance of a registration card. Such application shall be on a form prescribed by the director and shall be accompanied by the re-registration fee required by this article. Each employee while registered shall notify the director in writing within 30 days after any change in his residence address."

**Amendment No. 8**

On page 4, line 18, strike out "7544.23", and insert "7544.24".

**Amendment No. 9**

On page 4, between lines 24 and 25, insert

"7544.25. The registration fee required by this article shall be fixed by the director at not more than ten dollars ($10) nor less than three dollars ($3). The re-registration fee required by this article shall be one dollar ($1)."

**Amendment No. 10**

On page 4, line 27, strike out "7544.11", and insert "7544.14".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 313**—An act to repeal Section 21300 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

**Amendment No. 2**

On page 1, lines 1 and 2, strike out "repealed", and insert "amended to read:".

**Amendment No. 3**

On page 1, after line 2, insert

"21300. If, prior to attaining the minimum age for voluntary retirement for service applicable to members of his class, a recipient of a disability retirement allowance *other than one for industrial disability* engages in a gainful occupation not in state service, the board shall reduce his monthly disability retirement pension to an amount which, when added to the compensation earned monthly by him, shall not exceed the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition.

If his earnings are further altered, the board may further alter his disability retirement pension to the lower of the following amounts:

(a) The amount of the disability retirement pension upon which he was originally retired.

(b) An amount which, when added to the compensation earned by him, shall equal the amount of the maximum compensation earnable by a person holding the position which he held at the time of his retirement, or, if that position has been abolished, the maximum compensation earnable by a person holding it immediately prior to its abolition.

When he reaches the minimum age for voluntary retirement for service applicable to members of his class his retirement allowance shall be made equal to the amount it would be if not reduced under this section, and shall not again be modified for any cause."

Bill ordered reprinted and engrossed.

**Assembly Bill No. 1059**—An act to add Section 19735 to the Government Code, relating to state employees

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1061**—An act to amend Sections 20100, 20100.1, 20101, 20102, and 20104 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the Board of Administration.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1014**—An act to amend Section 19574.5 of the Government Code, relating to leave of absence for state civil service employee while charges are investigated.

Bill read second time, ordered engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 119**—An act to add Section 11713.5 to the Business and Professions Code, relating to narcotics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Business and Professions", and insert "Health and Safety".

**Amendment No. 2**

On page 1, lines 1 and 2, strike out "Business and Professions", and insert "Health and Safety".

**Amendment No. 3**

On page 1, line 10, strike out "30", and insert "5".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 367**—An act to add Section 752 to the Welfare and Institutions Code, relating to the expunging of juvenile court records.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "records", insert "and other records relating to wards of the juvenile court".

**Amendment No. 2**

On page 1, line 6, strike out "he", and insert "such person, or the county probation officer,".

**Amendment No. 3**

On page 1, line 8, strike out "him", and insert "such person".

**Amendment No. 4**

On page 1, line 9, strike out "record of his", and insert "records, including records of arrest, relating to such person's".

**Amendment No. 5**

On page 1, line 9, after "case", insert ", in the custody of the juvenile court and probation officer and such other agencies, including law enforcement agencies, and public officials, as petitioner alleges, in his petition, to have custody of such records".

**Amendment No. 6**

On page 1, line 10, after "county", insert "and the county probation officer, if he is not the petitioner,".

**Amendment No. 7**

On page 1, line 11, strike out "or his deputy", and insert "or probation officer or any of their deputies".

**Amendment No. 8**

On page 1, line 17, after "case", insert "in the custody of the juvenile court".

**Amendment No. 9**

On page 1, line 18, after "dockets", insert ", and other records relating to the case, in the custody of such other agencies and officials as are named in the order".

**Amendment No. 10**

On page 1, line 19, after the period, insert "The court shall send a copy of the order to each agency and official named therein, and each such agency and official shall destroy or expunge records in its custody as directed by the order."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 271**—An act to amend Sections 11712, 11713, 11714, and 11715.6 of the Health and Safety Code, relating to narcotic offenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 4 to 6, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 276**—An act to amend Section 825 of the Penal Code, relating to arrests.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on February 18, 1959, strike out "Section 825", and insert "Sections 825 and 849".

**Amendment No. 2**

On page 1, line 5, after "arrest", insert ", excluding Sundays".

**Amendment No. 3**

On page 1, line 12, after "any", insert "such".

**Amendment No. 4**

On page 1, line 13, after "when", insert "such".

**Amendment No. 5**

On page 1, line 17, after "custody", insert "; provided, that if it is not possible to book the arrested person within three hours after the arrest because of the distance from the place of arrest to the place where a person so arrested would normally be booked, or because of physical disability of the arrested person or the arresting officer, such person shall be booked as soon after the lapse of such three hours as such condition permits or be released from custody".

**Amendment No. 6**

On page 1, after line 19, insert

"SEC. 2. Section 849 of said code is amended to read:

849. (a) When an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released, must, without unnecessary delay, be taken before the nearest or most accessible magistrate in the county in which the offense is triable, and a complaint stating the charge against the arrested person, must be laid before such magistrate.

(b) Any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever:

(1) He is satisfied that there is no ground for making a criminal complaint against the person arrested. Any record of such arrest shall include a record of the release hereunder and thereafter shall not be deemed an arrest but a detention only.

(2) The person arrested was arrested for intoxication only, and no further proceedings are desirable.

(3) The person arrested was arrested for a misdemeanor, and has signed an agreement to appear in court or before a magistrate at a place and time designated, as provided in this code.

*(c) Immediately after such arrest, any attorney at law entitled to practice in the courts of record of California, may at the request of the prisoner or any relative of such prisoner, visit the person so arrested. Any officer having charge of the prisoner so arrested who willfully refuses or neglects to allow such attorney to visit a prisoner is guilty of a misdemeanor. Any officer having a prisoner in charge, who refuses to allow any such attorney to visit the prisoner when such request is made therefor shall forfeit and pay to the party aggrieved the sum of five hundred dollars ($500), to be recovered by action in any court of competent jurisdiction.*

*Every arrested person must be booked within three hours after the arrest or be released from custody; provided, that if it is not possible to book the arrested*

*person within three hours after the arrest because of the distance from the place of arrest to the place where a person so arrested would normally be booked, or because of physical disability of the arrested person or the arresting officer, such person shall be booked as soon after the lapse of such three hours as such condition permits or be released from custody. A person is booked when an official record of his arrest is made and his photograph or fingerprints are taken, or any of these acts."*

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 268**—An act to add Section 502.5 to the Vehicle Code, to add Section 23102.5 to the Vehicle Code as proposed by Assembly Bill No. 5, to amend Section 21407 of, and to add Sections 21407.5 and 21407.6 to, the Public Utilities Code, and to add Sections 269 and 270 to the Harbors and Navigation Code, relating to the use of intoxicating liquor by the operators of power boats, aircraft and devices moved by human power.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly on March 4, 1959, strike out "502.5 to the Vehicle Code, to add Sec-"; and strike out all of lines 2 through 7, inclusive, and insert "23102.5 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "vehicle." "

**Amendment No. 2**

On page 1, line 1, strike out "502.5 is added to the Vehicle Code", and insert "23102.5 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 3 through 7, inclusive.

**Amendment No. 4**

On page 1, line 8, strike out "and 23102", and insert ", 23102, 23103, 23104, 23105, 23106, and 23108".

**Amendment No. 5**

On page 1, line 9, strike out "moved". and insert "propelled".

**Amendment No. 6**

On page 1, line 10, after "power", insert "and designed to transport persons".

**Amendment No. 7**

On page 3, strike out lines 9 through 14, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 614**—An act to amend Section 11005 of, and to add Section 11005.6 to, the Revenue and Taxation Code, relating to allocations to counties from the Motor Vehicle License Fee Fund.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 719**—An act to add Section 744.1 to the Vehicle Code, relating to the reporting of traffic violation committed by minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "744.1 to the Vehicle Code", and insert "1816 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 2**

On page 1, line 1, strike out "744.1 is added to the Vehicle Code", and insert "1816 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out line 3, and insert

"1816. Every judge, referee, probation officer, or other person responsible for the disposition of cases involving traffic offenses committed by persons under 21 years of age shall keep a full record of every case in which such a person is charged with a violation of this code, and, except as provided in Sections 1803 and 13355, shall report the offense to the department at its office in Sacramento not more than 30 days after the date on which it was committed. No report need be made in the case of parking violations or if it is found that the offense was not committed.

The report required by this section shall be made upon a form furnished by the department and shall contain all necessary information as to the identity of the offender, the arresting agency, and the date and nature of the offense."

**Amendment No. 4**

On page 1, strike out lines 4 through 17, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 53**—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Assembly on March 6, 1959, strike out "city".

Bill ordered reprinted, re-engrossed:

**Assembly Bill No. 917**—An act to amend Section 9601.2 of the Education Code, and Section 6806 of the Education Code, as proposed by Senate Bill No. 2, relating to contracts for education of physically handicapped minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 9601.2 of the Education Code, and".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 19, inclusive.

**Amendment No. 4**

On page 2, strike out lines 1 to 18, inclusive.

**Amendment No. 5**

On page 2, line 19, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 6**

On page 2, lines 19 and 20, strike out "as proposed by Senate Bill No. 2".

**Amendment No. 7**

On page 2, line 23, after "district", insert "in the same county,".

**Amendment No. 8**

On page 3, strike out lines 5 to 10, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 893**—An act to amend Section 14736 of the Education Code, and amend Section 14674 of the Education Code as proposed by Senate Bill No. 2, relating to district retirement boards.

Bill read second time, ordered engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1178**—An act to add Article 8 (commencing at Section 10251) to Chapter 4 of Division 8 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposal of old high school textbooks.

Bill read second time, ordered engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 914**—An act to amend Sections 7231, 7232, 7235, 7236, and 7239 of, and to add Sections 7231.1 and 7240 to, the Education Code, and to amend Sections 20201, 20202, 20205, 20206, and 20209 of, and to add Sections 20201.1 and 20210 to, the Education Code as proposed by Senate Bill No. 2, relating to junior college tuition, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 5 of the title of the printed bill, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 2**

On page 1, lines 13 and 14, strike out "junior college district nor in any high".

**Amendment No. 3**

On page 1, line 14, after "maintaining", insert "a".

**Amendment No. 4**

On page 1, line 14, strike out "courses".

**Amendment No. 5**

On page 2, lines 34 and 35, strike out "junior college district nor in any high".

**Amendment No. 6**

On page 2, line 48, strike out "junior college districts, and high".

**Amendment No. 7**

On page 3, lines 4 and 5, strike out "junior college district or high".

**Amendment No. 8**

On page 3, line 16, strike out "upon", and insert "Upon".

**Amendment No. 9**

On page 4, lines 1 and 2, strike out "proposed by Senate Bill No. 2" and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 10**

On page 4, lines 13 and 14, strike out "junior college district nor in any high".

**Amendment No. 11**

On page 4, line 14, after "maintaining", insert "a".

**Amendment No. 12**

On page 4, line 15, strike out "courses".

**Amendment No. 13**

On page 4, line 37, strike out "proposed".

**Amendment No. 14**

On page 4, line 48, strike out "proposed".

**Amendment No. 15**

On page 5, lines 2 and 3, strike out "junior college district nor in any high".

**Amendment No. 16**

On page 5, line 7, strike out "proposed".

**Amendment No. 17**

On page 5, line 17, strike out "junior college districts, and high".

**Amendment No. 18**

On page 5, line 23, strike out "proposed".

**Amendment No. 19**

On page 5, lines 25 and 26, strike out "junior college district or high".

**Amendment No. 20**

On page 5, line 46, strike out "proposed".

**Amendment No. 21**

On page 6, line 18, strike out "proposed".

**Amendment No. 22**

On page 6, strike out lines 24 to 30, inclusive, and insert

"SEC. 15. Sections 8 to 14, inclusive, of this act shall become operative at the same time as the Education Code, as enacted by the Legislature at its 1959 Regular Session, at which time Sections 7231, 7231.1, 7232, 7235, 7236, 7239, and 7240 of the Education Code as amended and added by Sections 1 to 7, inclusive, of this act are repealed."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1101**—An act to add Article 4 (commencing at Section 21851) to Chapter 13 of Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as proposed by Senate Bill No. 2, relating to testing of students attending private secondary schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1255**—An act to amend Section 16731 of the Government Code, relating to the registration of state bonds.

Bill read second time, and ordered engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 88**—An act to amend Section 7193 of the Education Code, and Section 17417 of the Education Code as proposed by Senate Bill No. 2, relating to school apportionments.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 89**—An act to amend Section 16277 of the Education Code, and Section 16853 of the Education Code as proposed by Senate Bill No 2, relating to school buses.

Bill read second time, and ordered to the Consent Calendar.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 462**—An act to add Section 1178.5 to the Military and Veterans Code, relating to the formation of veterans' memorial districts.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 463**—An act to add Section 1198.5 to the Military and Veterans Code, relating to the management of veterans' memorial districts.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Thomas, Waldie, Williamson, Charles H Wilson, Winton, Zberg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 464**—An act to amend Sections 1192 and 1205 of the Military and Veterans Code, relating to veterans' memorial district taxes.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney,

Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 465**—An act to amend Section 1191 of the Military and Veterans Code, relating to the management of veterans' memorial districts.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 362**—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and widows of veterans.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 35**—An act to amend Section 502 of the Agricultural Code, relating to approved milk inspection service.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 61**—An act appropriating funds for acquisition of additions to Mt. Tamalpais State Park and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 386**—An act to amend Section 264.1 of, and to add Section 260.85 to, the Agricultural Code, relating to diseased animals, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

**Name Placed Upon Roll Call**

Mr. Kilpatrick was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 386.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Hon. William Biddick Presiding**

At 10.04 a.m., Hon. William Biddick, Member of the Assembly from the Twelfth District, presiding.

**Assembly Bill No. 488**—An act to add Section 20596.1 to, and to amend Section 20601 of, the Education Code; to add Section 24556.5 to, and to amend Section 24561 of, the Education Code as proposed by Senate Bill No. 2, relating to the State College Revenue Bond Act of 1947.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 707**—An act to amend Sections 27 and 29 of the Streets and Highways Code, relating to maintenance and construction of highway facilities.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 508**—An act to amend Section 11100 of, and to add Section 11102 to, the Elections Code, relating to municipal recall elections.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 23**—An act to validate school district acts, proceedings, and bonds, declaring the urgency thereof to take effect immidiately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 417**—An act to amend Section 4902 of the Health and Safety Code, relating to sewer maintenance districts

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.14 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 543**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 544**—An act to add Section 6517.5 to the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 545**—An act to amend Section 6885.8 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 547**—An act to add Section 6801 to the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 549**—An act to amend Section 6732 of the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 613**—An act to amend Sections 28156 and 28156.1 of the Government Code, relating to compensation for public service in counties of the fifty-sixth class.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 753**—An act to amend Section 14058 of the Health and Safety Code, relating to local fire districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 754**—An act to amend Section 45308 1 of, and to add Sections 45308.1 and 45308.2 to, the Government Code, relating to investment of city retirement funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 869**—An act to add Section 25843 to the Government Code, relating to weather data.

Bill read third time.

**Speaker Presiding**

At 10.27 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins,

Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 340**—An act to add Section 269 to the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.
NOES—Bruce F. Allen, Cameron, and Lowrey—3.

*The question being on the passage of the bill.*

Bill passed by the following vote:

AYES—Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65
NOES—Bruce F. Allen, Cameron, and Lowrey—3

Bill ordered transmitted to the Senate.

**Assembly Bill No. 597**—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens by public agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 678**—An act to amend Section 5753 of the Education Code as enacted at the 1959 Regular Session, relating to summer school classes conducted by elementary school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 481**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Bruce F. Allen—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Bruce F. Allen—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 482**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 667**—An act to add Sections 10109, 10110, and 10111 to the Streets and Highways Code, relating to domestic water supply improvements under the Municipal Improvement Act of 1913.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 302**—An act to add Section 206.5 to the Labor Code and to add Section 7110.1 to the Business and Professions Code, relating to the payment of wages.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 113

By Mr. Belotti:

### House Resolution No. 113

Relative to the continuance of the Assembly Interim Committee on Fish and Game

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Interim Committee on Fish and Game created by House Resolution No. 210 of the 1957 Regular Session is recreated and continued in existence until March 15, 1959, with the membership and all the rights, powers, and duties possessed by the committee and its members immediately prior to the commencement of this session.

2. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as adopted at this session and amended from time to time, are applicable to this committee and its members.

3. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 122

By Mr. Masterson:

### House Resolution No. 122

Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting the results of its study of Assembly Constitutional Amendment No. 46

*Resolved by the Assembly of the State of California*, That the Interim Committee on Revenue and Taxation created by House Resolution No. 238 of the 1957 Regular Session is continued in existence until April 15, 1959, for the purpose of reporting the results of its interim investigation and study authorized by House Resolution No. 305 of the 1957 Regular Session concerning the subject matter of Assembly Constitutional Amendment No. 46, introduced in the 1957 Regular Session. The committee is authorized to submit the report to the Legislature not later than the fifteenth day of April, 1959.

Resolution read.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 117

By Mr. Bruce F. Allen:

### House Resolution No. 117

Relative to the continuance of the Assembly Interim Committee on Judiciary

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Interim Committee on Judiciary created by House Resolution No 224 of the 1957 Session and continued by House Resolution No. 25 of the 1959 Session is further continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power

2. The committee is authorized to act during this session of the Legislature including any recess, until April 16, 1959, with authority to file its final report not later than the date of adjournment

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly adopted at this session and as amended from time to time, are applicable to this committee and its members

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 123

By Mr. Thomas:

### House Resolution No. 123

Relative to the Conference on Legislative Action of the United Steelworkers of America

WHEREAS, The second Conference on Legislative Action sponsored by the California Legislative Education Committee of the United Steelworkers of America will be held in Sacramento the week of March 15 to 20, 1959, with about 100 delegates selected from hundreds of legislative education committee members representing more than 75,000 steelworkers in this State to consider legislative issues and problems and processes; and

WHEREAS, This conference will also enable local union members to acquire a better understanding of legislation and the workings of the Legislature in California and acquaint themselves with the controversial issues before the 1959 Regular Session of the Legislature; and

WHEREAS, This conference is in keeping with the basic democratic philosophy of the principle of self-government and will offer to many of our citizens an opportunity to understand and participate in the legislative processes of their government and communicate directly with their elected representatives; and

WHEREAS, Such participation by all citizens at all levels of government is essential to the continual effectiveness of our democratic system; now, therefore be it

*Resolved by the Assembly of the State of California*, That its members hereby welcome the delegates to the Conference on Legislative Action sponsored by the California Legislative Education Committee of the United Steelworkers of America to their capital City of Sacramento, and hope that while they are here they will highlight their stay by visiting the State Capitol and their elected representatives and present their views on the many issues now before the Legislature; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. David J. McDonald, President, Mr. I. W. Abel, Secretary-Treasurer, Mr. Howard R. Hague, Vice President, and Mr. Charles J Smith, Director of District 38 of the United Steelworkers of America, whose special contributions and efforts have made this conference possible.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 116

By Messrs. Conrad, Don A. Allen, and Cusanovich:

### House Resolution No. 116

Relative to the death of Lou Costello

WHEREAS, The Members of the Assembly were shocked to learn of the untimely passing on March 3, 1959, of Louis Francis Cristillo, known to millions throughout the world as the actor and comedian, Lou Costello; and

WHEREAS, Lou was born on March 6, 1908, in Paterson, New Jersey, and after a short period of early adulthood as an extra and stunt man in the movies joined forces with Bud Abbott to become with him the famous team of Abbott and Costello; and

WHEREAS, For over a quarter of a century, Lou and Bud, through depression, war and peace times, by their zany antics have brought tears of laughter to the eyes of their devoted audiences in movies, theaters and night clubs; and

WHEREAS, Lou's sympathetic character as the fall guy, needled by the straight man's barbs, and sometimes bruised by slaps and falls, but always resiliently cheerful, was universally loved by his fans; and

WHEREAS, His passing leaves a void in the world of entertainment which will not easily be filled; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members hereby pay tribute to the memory of America's incomparable comedian, Lou Costello, and extend their sincere condolences to his bereaved family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the widow, Mrs. Anne Costello.

Resolution read, and adopted unanimously.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 74

**Assembly Concurrent Resolution No. 74**—Relative to the passing of Dr. Otto G. Freyermuth.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### Commendation of Members

Speaker Brown commended the Members upon their diligence, and the volume of business transacted this morning.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 389**—An act to amend Section 4184 of the Fish and Game Code, relating to bears.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Pattee, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—56.

NOES—Bane, Burton, Elliott, Samuel R. Geddes, Hegland, McMillan, Miller, Munnell, Nisbet, Rees, Unruh, Waldie, George A. Willson, and Z'berg—14.

Bill ordered transmitted to the Senate.

## THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 24**—Relative to a study of election laws and practices in this State.

Resolution read, and presented by Mr. Holmes.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 93**—An act to add Section 2193 to the Agricultural Code, relating to marketing programs.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 16**—An act to amend Section 61755 of the Government Code, relating to community services districts.

Bill read third time, and presented by Mr. Frew.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bee was granted unanimous consent that the following letter of transmittal and report be ordered printed in the Journal:

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, January 27, 1959

*Hon. Ralph M. Brown, Speaker*
*and Members of the Assembly*
*State Capitol, Sacramento*

GENTLEMEN: The Assembly Interim Committee on Social Welfare authorized by House Resolution No. 218 of the 1957 Regular Session herewith respectfully submits its final report based on the verbatim testimony given in a public hearing on Assembly Bill No. 1234.

This bill was introduced at the 1957 Regular Session of the State Legislature. Its purpose being to establish a special agency for services to the blind within the Special Schools and Services Division of the State Department of Education.

This report was prepared under the direction of the Chairman, Hon. Carlos Bee, and adopted by members of the committee on January 21, 1959.

Respectfully submitted,

CARLOS BEE, Chairman
FRANK LANTERMAN, Vice Chairman
BRUCE F. ALLEN
DOROTHY M. DONOHOE
BRUCE SUMNER
SAMUEL R. GEDDES
SHERIDAN N. HEGLAND
VERNON KILPATRICK
S. C. MASTERSON
HAROLD T. SEDGWICK

## SUMMARY REPORT OF THE HEARING ON ASSEMBLY BILL NO. 1234

July 9, 1958

ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE

### BRIEF ANALYSIS OF ASSEMBLY BILL NO. 1234

*Background*

In 1951 the California Council of the Blind, an affiliate of the National Federation of the Blind, introduced a bill to establish a separate agency within the State Department of Education for rehabilitation of

the blind. This bill was opposed by the Department of Education on the grounds that it was administratively cumbersome. The bill died in committee.

Since then the council has introduced, in each successive session, bills of varying sorts designed to establish a separate agency and *split off vocational rehabilitation of the blind from the program of vocational rehabilitation services to all other handicapped groups.* The many bills which have been introduced have been characterized by certain common features, among which are provisions for almost complete autonomy of the new unit for the blind with a minimum of controls by the State Department of Education. In fact, some of the bills have proposed that the new unit be responsible only to the Governor.

In each instance the Department of Education and the Department of Finance have opposed bills setting up a separate agency for the blind on the grounds that it would duplicate services, divide responsibility, disintegrate co-ordinating efforts, and increase cost to the State. No bills have passed the Assembly or the Senate.

The California Council of the Blind has sponsored the bills each session until 1957 when Assembly Bill No. 1234 was introduced—this bill was not sponsored by the council, however, at the request of the council the present amendments were added to the bill in order to make the special agency eligible to receive federal funds.

The California Council of the Blind is a co-ordinating body for various affiliated local clubs in different communities of the State. This council is the largest organized group of blind in the State. They represent approximately 2,000 of the 25,000 blind persons in California. This council has been responsible for many pieces of legislation liberalizing benefits and services for the blind, and has obtained other concessions for them.

The program of the California Council of the Blind appears to be identical with that of the National Federation of the Blind—political action and legislation. There does not appear to be a specific service program. Undoubtedly the National Federation of the Blind, founded in 1940, and its affiliates have had a healthy influence from the viewpoint of stimulating action on programs for the blind that aroused the blind from the lethargy of traditional patterns.

Both the Federation and the California Council have been subjected to criticism, even among the blind population, because of their intensely single-minded preoccupation with the blind to the exclusion of the interests of other handicapped groups. The council holds that if services for the blind are improved it should ultimately result in the improvement of services for all handicapped groups.

In 1953 the Legislature passed the first California Rehabilitation Act, independent from the federal program, which has proved most valuable in strengthening the legal position of the program. In spite of the fact that this bill was discussed at length with the council, and certain amendments were added at their request, the group still feared some damage to programs for the blind and attempted to campaign for the Governor's veto. Fortunately for the entire group of handicapped in the State this campaign was not successful.

*Purpose*

*Arguments* presented *in favor* of Assembly Bill No. 1234, designed to set up a separate agency for the blind are briefly as follows:

1. A separate agency will permit better integration and co-ordination of services.

In this separate agency would be the four existing services that lend themselves to training: Rehabilitation, Field Work; California Industries for the Blind, and Orientation Centers. Consolidating these services would enable them to work together more effectively and harmoniously.

2. Many states have established separate agencies for the blind.

Under the first vocational rehabilitation legislation many states, where services for the blind were already established as separate entities, established separate commissions for the blind; other states continued the tradition of separate agencies until there are now 37 states which have separated rehabilitation of the blind from that of the total handicapped population. Separation of the blind for rehabilitation purposes tends to increase their share of available rehabilitation funds.

3. Problems of the blind are so complex and unique as to demand separate treatment from all other groups.

Sight is a person's primary sense. Without this sense of sight a blind person must become adjusted to a world and a society geared to sighted persons. Most handicapped individuals can receive the same type of training that a sighted person would and get a great deal out of it—but this is not possible for the blind person because he is cut off from the normal environment, and must create or have created for him, a completely different kind of environment in which by means of various devices, and without the sense of sight, he must become a competent and capable person. The types of equipment necessary for the blind are highly specialized and often more costly than is necessary for other handicapped persons.

4. Vocational rehabilitation of the blind in California is a failure under the present method of administration.

The separate agency would be headed by a new administrative and supervisory staff, with the necessary consultative and accounting personnel. There are approximately 75 percent of the blind persons in California over the age of 60, and for that reason probably not rehabilitable, but within the 25 percent there are a great many people who are immediately available and good risks for rehabilitation. These people are not being reached. This emphasizes the need for a separate agency for the blind.

5. Only the blind should lead the blind and, therefore, the new agency should be under the leadership of a blind person.

Persons most apt to understand the problems of the blind are the competent blind persons who have experienced the problems of blindness, lived with it daily and solved the business of dealing with the exigencies of life.

*Arguments* presented *against* Assembly Bill No. 1234 are as follows:

1. If a separate agency is established for the rehabilitation of the blind there is no increase in federal appropriations for this purpose. Federal grants-in-aid are made to a state on the basis of a formula based on population and per-capita income from each state, so that the amount available is the same whether for a single agency, or for two agencies. This amount of money would be allocated, at the discretion of the state between two agencies, the general one for all handicapped, and the separate one for the blind.

The total budget in the general program for vocational rehabilitation during the past fiscal year was approximately four and one-half million dollars. Of this about 55 percent was federal funds—and 45 percent or about two million dollars state funds.

During the past fiscal year about $450,000 or roughly 10.1 percent of the budget of the Bureau of Vocational Rehabilitation was spent on rehabilitation of the blind. There are approximately 150,000 persons in all disability categories in the State needing rehabilitation services. The blind represent less than 2 percent of those needing services.

The estimated number of blind persons eligible and feasible for vocational rehabilitation services is 2,000 About 500 or 25 percent are now being served. Compare this with other severe disability groups.

| *Disability* | *Estimated number needing service* | *Number being served* | *Percent* |
|---|---|---|---|
| Cerebral Palsy | 5,000 | 100 | 2 |
| Mentally Retarded | 15,000 | 750 | 0.5 |
| Epilepsy | 20,000 | 160 | 0 8 |
| Paraplegia | 3,000 | 150 | 5 |
| Muscular Dystrophy and Multiple Sclerosis | 6,000 | 60 | 1 |

Since the amount of federal funds for rehabilitation are fixed by law, it is obvious that any increase in services to the blind must come at the expense of the general program for all handicapped unless the State appropriates from the General Fund additional money for the blind alone. The blind in California have commanded more services and more financial outlay in proportion to their number than any handicapped group

2. The quantity and quality of service being rendered to the blind is important, but there is no evidence that a transfer of services to a separate agency for the blind would improve services. There is no sound administrative reason why the four existing services that would be placed in a separate agency, i e , rehabilitation, field work, California Industries for the Blind, and Orientation Centers, cannot work together effectively and harmoniously under the present administration setup if there is strong leadership and willingness on the part of these services to co-operate.

3. To separate the blind and consolidate them into a special disabled group serves to emphasize their "differentness." This is especially undesirable in the case of blind persons because the numerous agencies and services now set up for their benefit have engendered a feeling of separateness which often hinders their easy adjustment to normal life.

The philosophy of all agencies and individuals dealing with handicapped is to avoid any plan that would accentuate their differentness.

4. The fact that 37 states have established separate agencies for the blind is largely a historical development which should not be allowed to confuse the issue in California Where a separate agency exists in a state it is necessary for that state to determine the amount of federal funds which is to be given to the separate agency. The blind, with a single approach, have averaged 19 percent of the available funds with the range up to 39 percent in one state. Such an increase in cost (California rehabilitation of blind runs 10.1 percent) would legislate against the other handicapped in California instead of providing an equitable way for caring for all handicapped through a central agency.

5. The problem of whether or not services to the blind in vocational rehabilitation are adequate should be reviewed in the light of services to all handicapped people. If the services have been unsatisfactory for the blind, it would seem reasonable that the needs of other handicapped groups have not been met.

6. It seems less important that the blind be led by a blind person than that the person leading be a skilled person In actual practice the California blind program is largely staffed with blind workers, not because they understand the problems of the blind any better than sighted workers, but because of the belief that the blind counselor is better able to demonstrate actual performance of industrial operation when "selling" a blind person to an employer. The program as a whole, is co-ordinated by a staff officer who himself is blind and who is responsible directly for the vending stand program. This vending program is acknowledged nationally to be the best vending stand program in the United States. There are 171 installations throughout the State with a gross sale business of $3,600,000. A total net earning of $714,000 with an average earning per month per person of $342.

7. Assembly Bill No. 1234 in its present form gives to the director of the proposed separate agency power and authority that are in conflict with the power and authority of: (1) The Director of Education, (2) The State Board of Education, (3) The Personnel Board. It appears that the separate agency would be housed in the Department of Education without the department having responsibility for it.

*Recommendations:*

1. We recommend against the passage of Assembly Bill No. 1234, and the idea it represents of a separate agency, for partial welfare coverage.

2. We recommend that greater effort be made (by the present administrative unit) for rehabilitation of the blind so they may become useful and economically sound citizens.

3. We recommend closer co-ordination and improvement of those services to the blind that come under the Department of Education's Division of Special Schools and Services, and the Department's Bureau of Vocational Rehabilitation.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bee was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and announced that 250 copies of each of the reports be printed as separate documents out of the committee's funds.

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, Februry 16, 1959

*Hon. Ralph M. Brown, Speaker*
*and Members of the Assembly*
*State Capitol, Sacramento*

GENTLEMEN: The Interim Committee on Social Welfare, created by House Resolution 218 of the 1957 Regular Session, herewith respectfully submits its final report based upon verbatim testimony given in a hearing on Rest Homes for the Aged in California.

The report was prepared under the direction of the Chairman, Hon. Carlos Bee, and was adopted by the committee on February 18, 1959.

Respectfully submitted,

CARLOS BEE, Chairman
FRANK LANTERMAN, Vice Chairman
BRUCE F. ALLEN
DOROTHY M. DONAHOE
BRUCE SUMNER
SAMUEL R. GEDDES
SHERIDAN N. HEGLAND
VERNON KILPATRICK
S. C. MASTERSON
HAROLD T. SEDGWICK

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## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 16, 1959

*Hon. Ralph M. Brown, Speaker*
*and Members of the Assembly*
*State Capitol, Sacramento*

GENTLEMEN: The Interim Committee on Social Welfare, created by House Resolution 218 of the 1957 Regular Session, herewith respectfully submits its final report based upon verbatim testimony given in a public hearing on Foster Care for Children in California.

The report was prepared under the direction of the Chairman, Hon. Carlos Bee, and was adopted by the committee on February 18, 1959.

Respectfully submitted,

CARLOS BEE, Chairman
FRANK LANTERMAN, Vice Chairman
BRUCE F. ALLEN
DOROTHY M. DONAHOE
BRUCE SUMNER
SAMUEL R. GEDDES
SHERIDAN N. HEGLAND
VERNON KILPATRICK
S. C. MASTERSON
HAROLD T. SEDGWICK

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, February 16, 1959

*Hon. Ralph M. Brown, Speaker*
*and Members of the Assembly*
*State Capitol, Sacramento*

GENTLEMEN: The Interim Committee on Social Welfare, created by House Resolution 218 of the 1957 Regular Session, herewith respectfully submits its final report based upon verbatim testimony given in three public hearings on Conditions and Problems of California Industries for the Blind.

The report was prepared under the direction of the Chairman, Hon. Carlos Bee, and was adopted by the committee on January 21, 1959.

Respectfully submitted,

CARLOS BEE, Chairman
FRANK LANTERMAN, Vice Chairman
BRUCE F. ALLEN
DOROTHY M. DONAHOE
BRUCE SUMNER
SAMUEL R. GEDDES
SHERIDAN N. HEGLAND
VERNON KILPATRICK
S. C. MASTERSON
HAROLD T. SEDGWICK

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, ASSEMBLY INTERIM
COMMITTEE ON SOCIAL WELFARE
SACRAMENTO, January 26, 1959

*Hon. Ralph M. Brown, Speaker*
*and Members of the Assembly*
*State Capitol, Sacramento*

GENTLEMEN: Our Interim Committee on Social Welfare created by House Resolution No. 218 of the 1957 Regular Session herewith respectfully submits its final report based on verbatim testimony given in three public hearings on Assembly Bill No. 1582, introduced at the 1957 Regular Session of the State Legislature, and referred to the interim committee for further study.

This report was prepared under the direction of the Chairman, Hon. Carlos Bee, and adopted by the members of the committee on January 21, 1959.

Respectfully submitted,

CARLOS BEE, Chairman
FRANK LANTERMAN, Vice Chairman
BRUCE F. ALLEN
DOROTHY M. DONAHOE
BRUCE SUMNER
SAMUEL R. GEDDES
SHERIDAN N. HEGLAND
VERNON KILPATRICK
S. C. MASTERSON
HAROLD T. SEDGWICK

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ANNOUNCEMENT

Mr Miller announced that May 4th is the one hundred twentieth calendar day for the introduction of bills under Joint Rule No. 8.3; and announced the procedure which will be followed for the introduction of bills on and after May 5th under said Joint Rule; and the procedure which will be followed under Joint Rule No. 10.8 for the

consideration of bills or constitutional amendments within 30 calendar days after their introduction; and stated that these procedures are set forth in an opinion of the Legislative Counsel which he would request to be printed in the Journal this day.

**REQUEST FOR UNANIMOUS CONSENT TO PRINT OPINION IN JOURNAL**

Mr. Miller was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

**OPINION OF LEGISLATIVE COUNSEL RELATIVE TO JOINT RULES NOS. 8.3 AND 10.8**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 8, 1959

*Hon. Allen Miller*
*Assembly Chamber*

*Procedure Under Joint Rules Nos. 8.3 and 10.8—No. 9520*

DEAR MR. MILLER: You have asked for a brief summary of the procedure to be followed under Joint Rule No. 8.3 (as added by Assembly Concurrent Resolution No. 49) and Joint Rule No. 10.8 (as added by Assembly Concurrent Resolution No. 42).

*Joint Rule No. 8.3*

Joint Rule No. 8.3 relates to the introduction of bills and provides as follows:

"8.3. No bill shall be introduced after the 120th calendar day of a general session except as follows:

"(a) A written notice of intention to introduce a bill, a copy of the bill and a digest prepared pursuant to Rule No. 8.5 shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and shall be transmitted to the Rules Committee of the appropriate house The notice and digest shall be printed in the Journal of that house.

"(b) The Rules Committee of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for the introduction of the proposed bill.

"(c) If the Rules Committee recommends that introduction of the proposed bill be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to introduce the bill. The adoption of the resolution granting such permission shall require an affirmative recorded vote of two-thirds of the elected members of the house in which the request is made.

"As used in this rule 'bill' includes constitutional amendments but does not include joint or concurrent resolutions."

Under this rule the "120th calendar day" of this session is May 4, 1959 *, and thus no bill may be introduced on or after May 5th without complying with the requirements of the rule As used in the rule, "bill" includes constitutional amendments, but not joint or concurrent resolutions.

* See Legislative Counsel Opinion No 8576; Assembly Journal for February 17, 1959, at page 746.

The first step to be taken by a member who wishes to introduce a bill under the rule on or after May 5th would be to file a written notice that he intends to introduce a bill with the Chief Clerk or the Secretary of the Senate, as the case may be, together with a draft of the bill and a digest prepared by the Legislative Counsel.

The clerk or the secretary would then transmit the notice, the bill, and the digest to the Rules Committee and cause the notice and the digest to be printed in the Journal.

The Rules Committee would determine whether there exists an urgent need for the introduction of the bill. If the committee recommends that introduction be permitted, the member could offer a resolution, without further reference to committee, granting permission to introduce the bill. The resolution could be adopted only by an affirmative recorded vote of two-thirds of the elected members of the house in which the request was made Thereafter the bill could be introduced.

*Joint Rule No. 10.8*

Joint Rule No. 10.8 relates to the consideration of bills and provides as follows:

> "10.8. No bill shall be heard by any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced, except this provision and the limitation contained in Section 2(a) of Article IV of the Constitution may be dispensed with as follows:
>
> "(a) A written request for such dispensation entitled 'Request to Consider and Act on Bill Within 30 Calendar Days' shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, printed in the Journal and transmitted to the Rules Committee of the appropriate house.
>
> "(b) The Rules Committee of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill's introduction.
>
> "(c) If the Rules Committee recommends that said waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution shall require an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.
>
> "As used in this rule 'bill' includes constitutional amendments but does not include joint or concurrent resolutions."

The first step to be taken by a member who wishes to have a bill or constitutional amendment heard by a committee or acted upon prior to the required waiting period under Rule No. 10.8 would be to file a written request with the Chief Clerk of the Assembly or Secretary of the Senate, as the case may be, entitled "Request to Consider and Act on Bill Within 30 Calendar Days."

The written request would be printed in the Journal and transmitted to the Rules Committee. The procedure to be followed after the filing of the written request under Joint Rule No. 10 8 is the same as that

required under Joint Rule No. 8.3 relating to introduction of bills after the 120th calendar day except that the resolution must be adopted by an affirmative recorded vote of three-fourths of the elected members of the house.

When that procedure has been followed and the resolution adopted, the bill (or constitutional amendment) can be heard in committee or acted upon by the house, or both.

Joint Rule No. 10.8, like Joint Rule No. 8.3, does not apply to joint or concurrent resolutions.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

## REQUEST FOR UNANIMOUS CONSENT

Mr. Samuel R. Geddes was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that the copy of the report transmitted therewith be filed with the Secretary of State; and announced that the report is being printed as a separate document out of the committee's funds.

## LETTER OF TRANSMITTAL

February, 1959

*Hon. Ralph Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: Pursuant to House Resolution No. 222 of the 1957 General Session, directing the Assembly Interim Committee on Civil Service and State Personnel to ascertain, study and analyze facts relating to the State Civil Service System and state personnel, your committee transmits herewith the final report of its findings, conclusions and recommendations.

Legislation recommended by the committee is set forth in the report, along with committee observations and committee recommendations for further study.

Legislative action has not been recommended for many of the subjects studied because legislative action has been deemed unnecessary or inappropriate at this time, or because further research and study appear necessary.

Transcripts of the hearings and other information submitted are available in the office of the Chairman of the Committee, Samuel R. Geddes, Room 2140, State Capitol, Sacramento, California.

Respectfully submitted,

SAMUEL R. GEDDES
Chairman
MONTIVEL A. BURKE
WILLIAM A. MARSH
ROY J. NIELSEN
VINCENT THOMAS

THOMAS J. MACBRIDE
Vice Chairman
PHILLIP BURTON
CHARLES W. MEYERS
HOWARD J. THELIN
(with reservations)

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Rees asked for unanimous consent that 1,000 copies of the Report on Metropolitan Government in California, by Pacific Planning and Research, to the Assembly Interim Committee on Conservation, Planning, and Public Works be ordered printed as a separate document out of Assembly funds.

Speaker Brown withheld unanimous consent, and ordered the request referred to the Committee on Rules.

## ANNOUNCEMENT

Mr. O'Connell announced that Mr. Walter Wanger has extended a cordial invitation to the Members of the Assembly to attend a showing of the motion picture "I Want to Live," which will be presented at the Tower Theater, 16th and Broadway, tomorrow afternoon, March 12th, at 4.30 p.m.; and further announced that Mr. Walter Wanger will be present at the theater to greet his guests.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Lowrey asked for unanimous consent that Assembly Bill No. 647 be withdrawn from the Committee on Water, for purpose of amendment, and that the bill be re-referred to the committee.

### Request Withdrawn

Mr Lowrey withdrew his request at this time.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No 28

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 25
Senate Concurrent Resolution No. 26

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER. Your Committee on Rules reports:

House Resolution No 119
House Resolution No. 121
House Resolution No. 126

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

### Request for Unanimous Consent

Mr. O'Connell was granted unanimous consent to take up House Resolution No. 126 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 126

By Messrs. O'Connell, Burton, Busterud, Gaffney, Marks, and Meyers:

### House Resolution No. 126

Relative to the League of Women Voters

WHEREAS, The Leigslature is to be honored on March 11th by a visit by a delegation from the League of Women Voters of San Francisco; and

WHEREAS, The League of Women Voters is a nationwide organization devoted to promoting political responsibility through informed and active participation of citizens in government; and

WHEREAS, Effective participation of citizens in democratic government requires a knowledge of the structure of governmental machinery, of elected officers and their duties, and of the electoral process; and

WHEREAS, The San Francisco chapter of this worthy organization has been especially successful over the years in carrying out its functions and has conducted a diligent and highly effective program of voter education; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend the ladies of the San Francisco Chapter of the League of Women Voters on their excellent work in the past, and express the hope that they continue to carry on this vital function so important for a true democratic society; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the San Francisco Chapter of the League of Women Voters.

Resolution read, and adopted unanimously.

### Request for Unanimous Consent

Mr. O'Connell was granted unanimous consent that the Chief Clerk be instructed to have five illuminated copies of House Resolution No. 126 prepared for presentation.

## ANNOUNCEMENTS

Mr. George A. Willson announced that copies of the pamphlet on narcotics by the Board of Corrections are available in his office.

---

Mr. Johnson announced that he will introduce a bill tomorrow relative to fire protection for parochial and elementary schools, and invited all members who desired to become co-authors to affix their signatures to the bill.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Belotti was granted unanimous consent to offer a resolution at this time.

## RESOLUTIONS

The following resolution was offered:

By Mr. Belotti

### House Resolution No. 127

Relating to the Camellia Festival

WHEREAS, The Capital City of California, known as the "Camellia Capital of the World," is celebrating its Fifth Annual Camellia Festival, and

WHEREAS, The Capitol Park is becoming nationally known for its exhibit of more than 2,000 Camellia plants of numerous varieties, some of which came to the Capital City with the California Gold Rush; and

WHEREAS, The profusion of Camellia blooms each spring adds to the beauty of California's Capital City and brings pleasure to thousands of visitors each year; and

WHEREAS, The Camellia Festival stimulates civic pride and enthusiasm for Sacramento throughout the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend the City and County of Sacramento and the Camellia Festival Association for its magnificent effort to beautify the Capital City of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to Clarence L. Azevedo, Mayor of Sacramento; Jack

Mingo, Chairman of the Sacramento County Board of Supervisors; E. A. Combatalade, President of the Camellia Festival Association; and Jerry J. Olrich, State Gardener

Request for Unanimous Consent

Mr. Belotti was granted unanimous consent to take up House Resolution No. 127 without reference to committee or file.

Resolution read, and adopted unanimously.

RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1200, 1061, 614, 1178,** and **1101,** subsequent to engrossment.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 1956**: By Mr. Pattee—An act to amend Sections 1719, 1751, and 1887 of the Insurance Code, relating to insurance licenses.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1957**: By Mr. Biddick—An act to add Section 20933.5 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1958**: By Mr. O'Connell—An act to amend Section 3020 of, and to add Section 3020.5 to, the Penal Code, relating to terms of imprisonment of prisoners in state prisons

Referred to Committee on Criminal Procedure

**Assembly Bill No. 1959**: By Mr. O'Connell—An act to amend Section 1093.5 of the Penal Code, relating to instructions to the jury in criminal cases.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 1960**: By Messrs. Z'berg, Waldie, Williamson, Lunardi, George E. Brown, Samuel R. Geddes, MacBride, and Meyers—An act to add Section 2708.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1961**: By Messrs. Z'berg, Waldie, and Meyers—An act to add Section 18862 to the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 1962**: By Mr. Johnson—An act to amend Sections 729.03 and 729.15 of, and to add Sections 729.17, 729.18, 729.19 and 729.20 to, the Vehicle Code, and to amend Sections 31602 and 31614 of, and to add Sections 31616, 31617, 31618 and 31619 to, the

Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of explosives, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1963:** By Mr. Johnson—An act to add Sections 12403, 12404, and 12405 to the Health and Safety Code, relating to explosives.

Referred to Committee on Transportation and Commerce

**Assembly Bill No. 1964:** By Mr. Johnson—An act to repeal Sections 12000 and 12113 of, to amend Sections 12000.5, 12002, 12100, 12101, 12102, 12103, 12104, 12107, 12108, 12109, 12111.5, 12112, 12114, 12115, 12190, 12304, 12350, and 12402 of, and to add Sections 12000, 12101.5, 12105.5, 12107.5, 12113, and 12301.5 to, the Health and Safety Code, relating to explosives, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

**Assembly Bill No. 1965:** By Mr. Johnson—An act to amend Sections 13350, 13361, 13364, 17703, 17704 and 17705 of, and to repeal Section 13365 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of drivers of motor vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1966:** By Mr. Charles H. Wilson—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1967:** By Mr. Charles H. Wilson—An act to amend Section 1228 of the Government Code, relating to personal services by inmates of state institutions.

Referred to Committee on Industrial Relations

**Assembly Bill No. 1968:** By Mr. Charles H. Wilson—An act to add Section 680.1 to the Streets and Highways Code, relating to the removal and relocation of utilities upon state highways

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 1969:** By Mr MacBride—An act to amend Section 31801 and to repeal Section 22306 of the Government Code, relating to the participation of policemen and firemen in Federal Old Age and Survivors' Insurance.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1970:** By Mr. MacBride—An act to amend Section 75033 of the Government Code, relating to the Judges Retirement Law.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 1971**: By Mr. MacBride—An act to amend Sections 445 and 531 of, and to add Sections 531.1, and 1061.1 to, the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 1972**: By Mr. Rees—An act to amend Sections 143.1 and 183 of the Streets and Highways Code, relating to the expenditure of funds available for state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1973**: By Mr. Rees—An act to amend Section 172b of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 1974**: By Messrs. Meyers, Biddick, Don A. Allen, Belotti, Munnell, Nisbet, and Sumner (By Request of Subcommittee on Bay and Water Pollution of the Assembly Interim Committee on Conservation, Planning, and Public Works)—An act to amend Sections 13002, 13022, 13025, 13041, 13042, 13052, 13054, 13055, and 13060 of, to add Sections 13000.1, 13000.2, 13000.3, 13000.4, 13020.1, 13022.1, 13026, 13052.1, 13054.1, 13054.2, 13054.3, 13054.4, 13054.5, 13054.6, 13054.7, 13054.8, 13055.1, 13055.2, 13065 to, and to add Article 4 (commencing at Section 13080) to Chapter 4 of Division 7 of, the Water Code, and to add Section 5652 to the Fish and Game Code, relating to water pollution.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1975**: By Mr. Bruce F. Allen—An act to add Section 18715 to the Government Code, relating to blind workers, and making an appropriation.

Referred to Committee on Social Welfare.

**Assembly Bill No. 1976**: By Mr. Cunningham—An act to add Section 32300.2 to, and to amend Sections 32303, 32304, and 32312 of, the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1977**: By Mr. Thomas—An act to amend Section 2003 of the Fish and Game Code, relating to offering a prize as reward for taking fish.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1978**: By Mr. Thomas—An act to amend Section 8395 of the Fish and Game Code, relating to sale or purchase of surf perch.

Referred to Committee on Fish and Game.

**Assembly Bill No. 1979**: By Mr. Beaver—An act to add Section 1561 to the Insurance Code, relating to foreign insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 1980**: By Mr. Williamson and Miss Donahoe, and Senator Stiern, Co-author (By Request)—An act to add Section 203.10 to the Welfare and Institutions Code, relating to County Medical Research Accounts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1981**: By Messrs. Ernest R. Geddes and Rumford, and Senator Farr, Co-author—An act to amend Sections 7201 and 7210 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school libraries affiliating with county libraries.

Referred to Committee on Education

**Assembly Bill No. 1982**: By Messrs Ernest R. Geddes and Rumford, and Senator Farr, Co-author—An act to amend Sections 7203 and 7211 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district libraries.

Referred to Committee on Education.

**Assembly Bill No. 1983**: By Messrs. Ernest R. Geddes and Rumford, and Senator Farr, Co-author—An act to add Section 27000 to Article 1, of Chapter 1, of Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public libraries.

Referred to Committee on Education.

**Assembly Bill No. 1984**: By Messrs. Ernest R Geddes and Rumford, and Senator Farr, Co-author—An act to amend Section 27051 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the administration of the State Library and its services to public libraries.

Referred to Committee on Education.

**Assembly Bill No. 1985**: By Messrs. Ernest R Geddes and Rumford, and Senator Farr, Co-author—An act to add Chapter 1.5 (commencing at Section 27111) to Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state aid to public libraries, and making an appropriation.

Referred to Committee on Education.

**Assembly Bill No. 1986**: By Messrs. Ernest R. Geddes and Rumford, and Senator Farr, Co-author—An act to amend Section 27201 of, and to add Section 27201.5 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county librarians.

Referred to Committee on Education

**Assembly Bill No. 1987**: By Messrs. Ernest R. Geddes and Rumford, and Senator Farr, Co-author—An act to amend Section 27252 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the duties of the Board of Library Examiners.

Referred to Committee on Education.

**Assembly Bill No. 1988**: By Messrs. Ernest R Geddes and Rumford, and Senator Farr, Co-author—An act to add Section 27271 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county free libraries.

Referred to Committee on Education.

**Assembly Bill No. 1989**: By Messrs. Ernest R. Geddes, Francis, and Britschgi, and Senator Dolwig, Co-author—An act to amend Section 27401 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to municipal libraries.

Referred to Committee on Education.

**Assembly Bill No. 1990**: By Messrs. Ernest R. Geddes, Luckel, and Hegland—An act to amend Section 25210.78 of, and to add Sections 25210.78i and 25210.78j to, the Government Code, relating to county service areas.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1991**: By Messrs. Ernest R. Geddes, Luckel, and Hegland—An act to amend Section 25210.78 of the Government Code, relating to county service areas.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1992**: By Mr Ernest R Geddes and Miss Donahoe—An act to amend Sections 13303 13304, 13305, 13307, 13308, 13315, 13320, 13322, and 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts

Referred to Committee on Education.

**Assembly Bill No. 1993**: By Mr Ernest R Geddes—An act to amend Sections 141.5 and 2183 of the Welfare and Institutions Code, relating to public assistance warrants

Referred to Committee on Social Welfare.

**Assembly Bill No. 1994**: By Mr Ernest R Geddes—An act to amend Section 2220.5 of the Welfare and Institutions Code, relating to the termination of old age assistance.

Referred to Committee on Social Welfare

**Assembly Constitutional Amendment No. 30**: By Mr. O'Connell—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 7 of Article I thereof, relating to waiver of jury trials

Referred to Committee on Constitutional Amendments.

**Assembly Concurrent Resolution No. 93**: By Messrs. Kennick, Grant, Gaffney, Collier, Cusanovich, and Nisbet—Relative to Sabbath School Instructors' Week.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 128

Relative to amending Rule No. 52 of the Permanent Standing Rules of the Assembly for the 1959 Regular Session

*Resolved by the Assembly of the State of California*, That Rule No. 52 of the Permanent Standing Rules is amended to read:

**Introduction and Reference of Bills**

52. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced, which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member before final passage.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

**Introduction of House Resolutions**

*Each House Resolution shall be signed by the member, or each of the members who is an author of the House Resolution before it is introduced; if there are more than four (4) co-authors, then a special roll call form providing a space for additional signatures must be attached to the House Resolution before introduction. These forms may be obtained at the Clerk's desk.*

Resolution read, and referred to the Committee on Rules.

By Mr. Cameron:

### House Resolution No. 129

Relative to the passing of Neil R. Murray

WHEREAS, The family of Neil R Murray, publisher of the *El Monte Herald*, suffered the tragic loss of his physical presence on Wednesday, March 4, 1959; and

WHEREAS, The passing of Neil R. Murray marks the end of a brilliant career in the field of journalism, a career marked by the receipts of numerous awards and the attainment of a position of respect and admiration of newspapermen throughout the State, and

WHEREAS, The indomitable spirit of this man, who was at one time the President of the California Newspaper Publishers Association, is typified in his continuing to write editorials even while confined in the hospital with death approaching; and

WHEREAS, The City of El Monte has lost an outstanding crusader, a man who has never deviated from his ideals nor in his fight to promote the best interests of the City of El Monte; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly do hereby pay tribute to the memory of Neil R Murray, and offer their sincere condolences to the members of his family ; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mrs. Neil R Murray, his widow.

Resolution read, and referred to the Committee on Rules.

By Mr. Cunningham:

**House Resolution No. 130**

Relative to the continuance of the Assembly Interim Committee on Public Utilities and Corporations

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Utilities and Corporations created by House Resolution No. 223 of the 1957 Regular Session and continued in existence by House Resolution No 69 of this session is continued in existence until April 15, 1959, for the purpose of reporting the results of its interim studies and investigations The committee is authorized to submit its reports, including its fiscal report, not later than April 15, 1959

Resolution read, and referred to the Committee on Rules.

By Messrs. Rumford, Hanna, Johnson, Grant, and Mulford:

**House Resolution No. 131**

Relative to air pollution

WHEREAS, Air pollution is presently a hazard to the health of the people of this State; and

WHEREAS, The control of automobile exhaust products is an essential part of any plan to solve the air pollution problem; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Advisory Committee on Motor Vehicle Legislation, with representatives of the Department of Public Health, the University of California, the Motor Vehicle Exhaust Products Committee of the Automobile Manufacturers Association, and the air pollution control districts, is authorized and directed to ascertain, study, and analyze all facts relating to the control of motor vehicle exhaust products, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws bearing upon the subject of this resolution, and including a study of the administrative, legislative, and inspection problems, and to report thereon to the Assembly Interim Committee on Transportation and Commerce and to the Legislature by January 1, 1961, including in the report its recommendations for legislation

Resolution read, and referred to the Committee on Rules.

By Messrs Burton, Waldie, O'Connell, Masterson, Bee, Biddick, George E. Brown, Ralph M. Brown, Busterud, Cameron, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 132**

Relative to congratulating the Honorable Earl Warren, Chief Justice of the United States Supreme Court

WHEREAS, On March 19 of this year, the Honorable Earl Warren, Chief Justice of the United States Supreme Court will celebrate his sixty-eighth birthday; and

WHEREAS, The career of the Chief Justice is a matter of particular pride to the people of this State, whom he served so ably as Attorney General and Governor; and

WHEREAS, Individual liberties and constitutional rights in this Nation are more secure by reason of his leadership in the school segregation cases and others involving civil rights and civil liberties, and

WHEREAS, In the best tradition of Anglo-American jurisprudence, he has made it quite clear that cases are not to be decided in the courts by use of an applause meter, and that civil liberties and civil rights extend to unpopular and even disreputable persons as much as to the popular and respectable; now, therefore, be it

*Resolved*, That the Assembly of the State of California extends to Chief Justice Warren its congratulations on the occasion of his sixty-eighth birthday; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit to Chief Justice Warren a suitably prepared copy of this resolution.

Resolution read, and referred to the Committee on Rules.

By Miss Donahoe and Mr. Williamson:

**House Resolution No. 133**

Relative to commending and congratulating Leo G. Pauly

WHEREAS, Leo G. Pauly of Bakersfield California, was recently chosen as the recipient of the 1959 Distinguished Citizen Award by Bakersfield Post 26, American Legion; and

WHEREAS, His selection should come as no surprise to those who know of the 64 years of service that Leo G. Pauly has contributed to the public and his fellow man; and

WHEREAS, Son of a pioneer family who came to Kern county by a wagon team in 1869, Leo G. Pauly was raised near Tehachapi and after graduation from San Jose Normal School, the predecessor of San Jose State College, he returned to Tehachapi as Principal and teacher of the Tehachapi School; and

WHEREAS, In 1896 he was married to Essa Davis of Bakersfield and on December 23, 1959, the couple celebrated their sixty-second Wedding Anniversary; and

WHEREAS, In 1898 Leo G. Pauly accepted the post of Principal of Summer School in Bakersfield and one of his most famous students was Earl Warren, Chief Justice of the United States Supreme Court; and

WHEREAS, In 1909 Leo G Pauly left the teaching profession and became the general manager of the Ardizzi-Olcese Corporation, the oldest mercantile establishment in Kern County; his association with the Olcese family has continued to the present day and he presently conducts daily duties as agent for the Louis V. Olcese estate, which includes 23,000 acres of farm and oil land and several downtown properties in Bakersfield; and

WHEREAS, He served on the board of education until 1917, and in 1911 was appointed Chief of the Bakersfield Fire Department; and

WHEREAS, Leo G. Pauly served as a member of the draft board during both World War I and World War II, as Postmaster of Bakersfield from 1932 to 1936, as a member of the Bakersfield City Council for 1939 and 1940, as Kern County's purchasing agent during the 1940's, and as Supervisor of the Third District of Kern County upon appointment in 1946 by Governor Earl Warren; and

WHEREAS, Leo G. Pauly is a member of the advisory board of the East Bakersfield branch of the Bank of America, and has served as a board member since 1921, the last 31 years of which have been in the position of chairman; and

WHEREAS, Leo G. Pauly, a charter member of the Kern County Hospital Commission, was recently reappointed to the commission for a four-year term and he has constantly been an active member of the commission, presently serving as chairman of the commission's budget committee; and

WHEREAS, It is only fitting that the Assembly of the State of California take this means to express its appreciation and recognition of Leo G. Pauly's many years of exceptional and dedicated service; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Leo G. Pauly for his 64 years of outstanding and devoted public service to the residents and taxpayers of Kern County and congratulate him on his being selected for the 1959 Distinguished Citizen Award of American Legion Post 26 of Bakersfield, California, an honor he so justly deserves; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. and Mrs. Leo G. Pauly, to each of their three children, Mr. Harold Pauly, Mr. Leo Pauly, Jr., and Mrs. Harry Mahaffee, and to American Legion Post 26 of Bakersfield, California.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Francis was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 10, 1959

*Hon. Louis Francis*
*Assembly Chamber*

**Property Taxation: Exemptions—No. 10043**

*Question*

DEAR MR. FRANCIS: You have asked whether the provisions of the proposed amendments to Assembly Bill No. 215 as set forth on page 1203 of the *Assembly Daily Journal* of March 9, 1959, are sufficient to eliminate the constitutional objection to Section 32 of the Revenue and Taxation Code which the United States Supreme Court found in *Speiser* v. *Randall* (1958), 2 L. Ed. 2d 1460.

*Opinion*

In our opinion the provisions of the bill are sufficient to eliminate such objection.

*Analysis*

Section 32 prohibited the allowance of a tax exemption in the absence of a loyalty declaration on the part of the exemption claimant.

The Supreme Court in *Speiser* v. *Randall*, supra, held in effect that Section 32 unconstitutionally limited or penalized the right of free speech in that it placed on the taxpayer the burden of proving his loyalty in order to qualify for tax exemption. The issue before the court was thus stated (2 L. Ed 2d, at p. 1471):

> "... The question for decision, therefore, is whether this allocation of the burden of proof, on an issue concerning freedom of speech, falls short of the requirements of due process."

Further, the court indicated what the minimum requirements for due process would be in such matters by stating (2 L. Ed. 2d, p. 1472):

> "It is true that due process may not always compel the full formalities of a criminal prosecution before criminal advocacy can be suppressed or deterred, but it is clear that the State which attempts to do so must provide procedures amply adequate to safeguard against invasion speech which the Constitution protects."

And further (2 L. Ed. 2d, p. 1473):

> "... Where the transcendent value of speech is involved, due process certainly requires in the circumstances of this case that the State bear the burden of persuasion to show that the appellants engaged in criminal speech."

The amendments as drafted do not place on any exemption claimant the burden of proving nonadvocacy of the overthrow of the State or Federal Government by force or violence or other unlawful means or

nonadvocacy of the support of a foreign government against the United States in the event of hostilities.

We believe it would overcome the particular objection to Section 32 which the court voiced in the *Speiser* case.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD F. NOWAK, Deputy

Two copies to Hon. John A O'Connell pursuant to Joint Rule 34.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent that the names of the ladies from the San Francisco League of Women Voters who are visiting the Capitol today be included in the Assembly Journal guest list.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 893
Assembly Bill No. 1014

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 770
Assembly Bill No. 866
Assembly Bill No. 940
Assembly Bill No. 1059
Assembly Bill No. 1118
Assembly Bill No. 1255

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 614
Assembly Bill No. 1061
Assembly Bill No. 1101
Assembly Bill No. 1178
Assembly Bill No. 1200

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

## ANNOUNCEMENTS RELATIVE TO COMMITTEE MEETINGS

Mr. Rees announced that the Capital Outlay Subcommittee of the Committee on Ways and Means would not meet this evening as scheduled; and that the water items previously scheduled for hearing tonight will be taken up at the end of next week.

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Mr. Sumner announced that Subcommittee 2B of the Committee on Ways and Means would meet at 1.30 p m. today in Room 4164 to consider salary increases for state employees.

## ADJOURNMENT

At 11.40 a.m., on motion of Mr. Sumner, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, March 12, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY

FORTY-NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, March 12, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Assistant Clerk Patrick R. Murphy at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Great and Merciful God,* Since it is not given us to see ourselves as others see us, deliver us from undue dread of what they may see when they look our way. Since the labor of this Assembly requires that we work closely together, make us to be cheerful when it is difficult to be cheerful, and patient when it is difficult to be patient. Enable us to push on when we want to stand still, to keep silent when we want to talk, and to be agreeable when we really want to be disagreeable. Give to us a courtesy born of a knowledge that every person fights a battle to keep rested, and to keep his spirits high. We pray to Thee, Our Father, who dost alone see us as we really are, and hast promised to forgive all.—AMEN.

**Assistant Clerk William Scheuermann at the Desk**

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Charles H. Wilson, seconded by Mr. Beaver, further reading of the Journal of the previous legislative day was dispensed with.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

LOS ANGELES COUNTY COUNCIL
THE AMERICAN LEGION—DEPARTMENT OF CALIFORNIA
LOS ANGELES, March 10, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*State Assembly, Capitol Building, Sacramento*

DEAR MR. OHNIMUS: It would be appreciated if you were to advise the Members of the Assembly that the Los Angeles County Council of the American Legion, Department of California, has endorsed the resolution of Greayer Clover Post No. 254 of the American Legion, a copy of which is attached and heretofore was dispatched to each Member of the Assembly.

Respectfully yours,

WARREN B. HILLMAN, Adjutant

Encl.

Above transmitted resolution referred to the Committee on Military and Veterans Affairs.

## ANNOUNCEMENT

Speaker Brown announced that anonymous communications addressed to the Assembly would not be recognized, but would be placed in the wastebasket.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 1995**: By Mr. Beaver—An act to amend Section 660 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to beehive loaders attached to vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1996**: By Mr. Beaver—An act to amend Section 1080.6 of the Agricultural Code, relating to sodium fluoroacetate.

Referred to Committee on Agriculture.

**Assembly Bill No. 1997**: By Mr. Beaver—An act to add Section 35114 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to width of loads.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 1998**: By Mr. Bee—An act to add Section 25366.5 to the Government Code, relating to disposition of assets of special districts upon dissolution.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 1999**: By Mr. Z'berg—An act to amend Section 1147 of the Probate Code, relating to public administrators.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2000**: By Messrs Lanterman and Ernest R. Geddes—An act to amend Section 34302.5 of the Government Code, relating to incorporation of cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2001**: By Mr. Lanterman—An act to amend Section 8250 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health.

**Assembly Bill No. 2002**: By Mr Bradley—An act to amend Sections 5780.1, 5780.13, 5780.16, 5781 3, 5781.4, 5781.6, 5781.13, 5781 14, 5782.5, 5784.5, 5785.4, 5787, and 5787 3 of, and to amend and renumber Sections 5781 9, 5781.10, 5781.11, 5781.12, 5781.15, 5781.16, 5781.17, 5781.18, and 5781.19 of the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Municipal and County Government.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Ernest R. Geddes and Holmes:

### House Resolution No. 134

Relating to the congratulation of Dr Julian A. McPhee

WHEREAS, Dr. Julian A. McPhee is observing his Twenty-fifth Anniversary as president of California State Polytechnic College; and

WHEREAS, He has served the people of California in responsible positions of agricultural education, vocational education and higher education for more than a quarter of a century; and

WHEREAS, By virtue of his long and faithful service to education in California, he has earned the honorary title of "Dean of State College Presidents"; and

WHEREAS, Throughout his public career in behalf of education for the young people of California, he has brought respect, honor and admiration to the profession of educational administration; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body do hereby congratulate Dr. Julian A. McPhee on his Twenty-fifth Anniversary as President of California State Polytechnic College and his long and distinguished educational service to the people of the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Julian A. McPhee.

Resolution read, and referred to the Committee on Rules.

**Chief Clerk Arthur A. Ohnimus at the Desk**

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 75**—Relative to Invest in America Week.

**Assembly Concurrent Resolution No. 80**—Relative to corrections in legislative digests;

And reports the same correctly enrolled, and presented to the Secretary of State on the eleventh day of March, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 661

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 919

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 18
Assembly Constitutional Amendment No. 21

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file.

**Committee on Agriculture**

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 639

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 67
Senate Bill No. 131

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 379
Assembly Bill No. 653
Assembly Bill No. 654
Assembly Bill No. 941

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 336

With the recommendation: Do pass.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1145

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Agriculture**

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No 641
Assembly Bill No. 907

With amendments with the recommendation: Amend, and do pass, as amended.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 1189

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1106
Assembly Bill No. 1107

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BELOTTI, Chairman

Above bills ordered to second reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No 674

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No 155

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 812

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No 211
Assembly Bill No 643

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, March 12, 1959

MR SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No 1131

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No 292
Assembly Bill No. 385
Assembly Bill No 616

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No 1202

With the recommendation: That the bill be re-referred to the Committee on Municipal and County Government.

CROWN, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER. Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1001
Assembly Bill No. 1002
Assembly Bill No. 1156
Assembly Bill No 1190

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER Your Committee on Elections and Reapportionment reports:

Assembly Bill No 74
Assembly Bill No. 195

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bills ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER Your Committee on Public Utilities and Corporations reports.

Assembly Bill No. 830

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CUNNINGHAM, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 908

With amendments with the recommendation: Amend, and do pass, as amended

CUNNINGHAM, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 74

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, March 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 29

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, March 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended.

Assembly Bill No. 85

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, March 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 11
Senate Joint Resolution No. 6
Senate Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Joint Resolution No. 11**—Relative to federal highway legislation.

Referred to Committee on Rules.

**Senate Joint Resolution No. 6**—Relative to more than two terms for the President of the United States.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 38**—Relative to congratulating and expressing appreciation to participants in the revision of the California State Education Code.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 30
Senate Bill No. 202
Senate Bill No. 242
Senate Bill No. 251
Senate Bill No. 278
Senate Bill No. 279
Senate Bill No. 343
Senate Bill No. 353
Senate Bill No. 430
Senate Bill No. 514

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 30**—An act to add Section 690.235 to the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 202**—An act to amend Section 205.5 of the Agricultural Code, relating to the State Livestock Sanitary Committee.

Referred to Committee on Agriculture.

**Senate Bill No. 242**—An act to amend Section 4655.2 of the Revenue and Taxation Code, relating to the distribution of unsecured taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 251**—An act to amend Section 4302 of the Government Code, relating to preference for American-made materials in public works contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 278**—An act to amend Section 963 of the Welfare and Institutions Code, relating to juvenile homes and camps.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 279**—An act to add Sections 13392.3, 13392.4, 13392.5, and 13392.6 to the Government Code, relating to slaughter, or purchase or sale of slaughtered animals, by state agencies.

Referred to Committee on Agriculture.

**Senate Bill No. 343**—An act to amend Section 8046 of the Fish and Game Code, relating to privilege taxation of commercial fish packers and processors.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 353**—An act to add Chapter 6, comprising Sections 5500 through 5506, to Division 6 of Title 1 of the Government Code, relating to facsimile signatures or seals on public obligations.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 430**—An act to amend Section 980 of the Military and Veterans Code, relating to veterans' benefits.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 514**—An act to amend Sections 3203, 3204, and 3403 of, and to add Section 3407.5 to, the Public Resources Code, relating to oil and gas.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly second reading file, with the exception of Assembly Bill No. 1062, be deemed read the second time, with appropriate action taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 700, 313, 53,** and **914.**

Above bills ordered to third reading, subsequent to engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 904**—An act to amend Section 6826 of the Public Resources Code, relating to administration and control of state lands.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 705**—An act to amend Sections 9080.3 and 9084 5, and to repeal Section 9087, of the Insurance Code, relating to fraternal fire insurance.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted·

#### Amendment No. 1

In line 1 of the title of the printed bill, after "9080.3", strike out "and", and insert a comma.

#### Amendment No. 2

In line 1 of the title, strike out "to repeal".

#### Amendment No. 3

On page 2, line 1, after "city", strike out ", in"; and strike out all of lines 2 to 5, inclusive, and insert a period.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 4

On page 2, line 24, after "is", strike out "repealed", and insert "amended to read: 9087 [Such associations shall not issue policies of insurance on any property within the limits of a city which has a population of 7,500 or more.] No property within the corporate limits of any city or town shall be insured except dwellings and the contents thereof, grange halls and the contents thereof, other grange property, and any buildings appurtenant thereto"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1192**—An act to amend Sections 5781.10 and 5781.12 of, and to add Sections 5781.20, 5781.21, 5781.22, 5781.23, 5781.24, 5781.25, and 5781.26 to, the Public Resources Code, relating to recreation and park districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

#### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "sixtieth", and insert "fifty-fourth".

**Amendment No. 2**

On page 1, line 4, after "election", insert ", at 12 o'clock noon,".

**Amendment No. 3**

On page 1, line 9, strike out "the district board of directors may determine that".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 716**—An act to add Section 22506 to the Water Code, relating to leases of irrigation district property.

Bill read second time, ordered engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 960**—An act to amend Section 18901 of the Government Code, relating to state civil service eligible lists.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, after "is established.", insert "If names are to be removed from an eligible list in a program of continuous testing before the expiration of one year, the persons whose names are to be removed shall be notified in writing either in person or by regular mail prior to the date of such action."

Bill ordered reprinted and engrossed

**Assembly Bill No. 286**—An act to add Article 2.5 (commencing at Section 4470), to Chapter 4, Part 2, Division 5 of the Health and Safety Code, relating to fishing in water supplies and recreational uses in the surrounding area

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

The printed bill as amended in the Assembly on March 5, 1959, is further amended as follows:

**Amendment No. 1**

On page 2, line 3, after "upon", insert "promptly proceed with and complete a co-ordinated plan for public fishing in the body of water and other recreational uses in the surrounding land area. Such plan may provide for development of the area by stages and may exclude from public access structures, facilities or works of the agency necessary in supplying water for human consumption and such portions of the body of water and surrounding land area as may be reasonably required for the protection, maintenance or operation of such structures, facilities or works. Such plan may exclude such portions of the surrounding area as are unsuitable for public recreational use. The co-ordinated plan may also include an estimate of the cost of the capital improvements necessary or convenient for such public fishing and recreational uses, an estimate of the annual cost of maintenance and operation of the plan, and a recommendation as to the manner in which the plan may be financed."

**Amendment No. 2**

On page 2, line 30, before "make", insert "After completion of the co-ordinated plan the governmental agency shall promptly".

**Amendment No. 3**

On page 2, line 33, after "recreational use", insert "pursuant to the co-ordinated plan."

**Amendment No. 4**

On page 2, line 33, strike out the comma, and in lines 33 to 36, inclusive, strike out "and which application will include the steps proposed to meet the regulations of the State Department of Public Health relating to recreation on domestic water supply reservoirs"

**Amendment No. 5**

On page 2, line 37, after "of the", insert "amended"

**Amendment No. 6**

On page 2, line 39, after "next", insert "statewide primary election or".

**Amendment No. 7**

On page 2, line 43, strike out "findings and conditions fixed by the department", and insert "the amended permit."

**Amendment No. 8**

On page 2, lines 47 and 48, strike out "subject to the regulations of the State Department of Public Health."

**Amendment No. 9**

On page 3, line 10, after the ruled line, insert "If the governmental agency concludes that a bond issue is required to pay for the capital improvements included in the co-ordinated plan as approved by the amended permit, there shall also be printed on the ballot, immediately following the ballot proposition aforesaid, the following proposition to be voted on by the constituents of the governmental agency:

| | | |
|---|---|---|
| Shall the (insert name of governmental agency) incur a bonded indebtedness in the principal amount of $_____ for providing the capital improvements for fishing in the (name of body of water) and other recreational uses in the surrounding land area, subject to the regulations of the State Department of Public Health?" | YES | |
| | NO | |

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 892**—An act to add Section 2015 to the Fish and Game Code, relating to possession of fish and game

Bill read second time, and ordered engrossed

**Assembly Bill No. 994**—An act to add Section 8397 to the Fish and Game Code, relating to squid, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 883**—An act to amend Sections 57, 70, 331, 332, 3031, 4006, 4332, 4751, and 7049 of the Fish and Game Code, relating to licenses for taking mammals.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Assembly on March 5, 1959, after "for", strike out "12", and insert "6".

**Amendment No. 2**

On page 1, line 9, after "for", strike out "12", and insert "6".

Bill ordered reprinted and re-engrossed.

**Assembly Bill No. 316**—An act to amend Section 23320 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 23320 of", and insert "Sections 23320, and 23397 of, and to add Section 24051 to".

**Amendment No. 2**

On page 2, strike out line 25, and insert
"(23) On-sale beer license for fishing party boats (per".

**Amendment No. 3**

On page 2, strike out lines 27 and 28.

**Amendment No. 4**

On page 2, line 29, strike out "(25)", and insert "(24)".

**Amendment No. 5**

On page 2, line 31, strike out "(26)", and insert "(25)".

**Amendment No. 6**

On page 2, line 37, strike out "(27)", and insert "(26)".

**Amendment No. 7**

On page 2, line 45, strike out "(28)", and insert "(27)".

**Amendment No. 8**

On page 3, line 9, strike out "(29)", and insert "(28)".

**Amendment No. 9**

On page 3, line 14, strike out "(30)", and insert "(29)".

**Amendment No. 10**

On page 3, line 15, strike out "(31)", and insert "(30)".

**Amendment No. 11**

On page 3, after line 22, insert
"SEC. 2. Section 23397 of said code is amended to read:
23397. Alcoholic beverages may be served on trains, boats, and airplanes under on-sale licenses issued for trains, boats, and airplanes, only to passengers or employees not on duty.
Alcoholic beverages may be served on airplanes under on-sale licenses with meals only, and no charge, in addition to the price of the ticket for passage on an airplane, shall be made for the service of such alcoholic beverages.
*Beer may be served on boats under an on-sale beer license for fishing party boats except during the time such boats are at a dock*
SEC 3. Section 24051 is added to said code, to read:
24051. The department may issue and renew on-sale beer licenses for fishing party boats on payment of the fees without regard to the provisions of Sections 23985, 23986, 22987, 23988, 24013, 24014, or 24043."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1026**—An act to amend Section 17072 of the Government Code, relating to canceled warrants.

Bill read second time, and ordered engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1027**—An act to amend Section 11255 of the Government Code, relating to payments between state agencies and between appropriations.

Bill read second time, and ordered engrossed and to be placed on the Consent Calendar.

**Assembly Bill No. 690**—An act to amend Section 6731 of, and to add Section 6735.5 to, the Business and Professions Code, relating to the practice of engineering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 6735.5 to,".

**Amendment No. 2**

On page 2, strike out lines 4 to 11, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 691**—An act to amend Section 11567 of, and to add Sections 11594 and 11618 to, the Business and Professions Code, relating to subdivision maps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, line 12 of the printed bill, strike out "36", and insert "26".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 725**—An act to amend Section 8742 of, and to add Section 8745.5 to, the Business and Professions Code, relating to land surveying.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, lines 8 and 9 of the printed bill, strike out "in land surveying or".

**Amendment No. 2**

On page 1, line 15, after "earned", insert "in a technical institute".

**Amendment No. 3**

On page 1, line 17, strike out "three", and insert "one and one-half".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 277**—An act to amend Section 3 of an initiative act entitled "An act providing for daylight saving time in the State of California," approved by electors November 8, 1949, relating to daylight saving time, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors

Bill read second time, and ordered engrossed.

**Assembly Bill No. 813**—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to fees payable by architects, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 890**—An act to add Part 5 (commencing at Section 35700) to Division 24 of the Health and Safety Code, relating to discrimination in publicly assisted housing.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1028**—An act to amend Sections 7376 and 7381 of, to add Section 7396.7 to, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 113**—An act to add Section 33049 to the Health and Safety Code, relating to restrictions on the basis of race, color, religion, or national origin of the rental of real property redeveloped under the Community Redevelopment Law.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

#### Amendment No. 1

On page 1, after line 14, of the printed bill, insert

"Every final redevelopment plan or urban renewal plan prior to its submission for approval to the legislative body having jurisdiction shall contain a provision requiring for submission to the legislative body for approval, all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of any land in a redevelopment project or an urban renewal project and such deeds, leases or contracts shall contain the nondiscrimination or non-segregation clauses hereafter prescribed.

Express provisions shall be included in all deeds, leases and contracts which the agency proposes to enter into with respect to the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any land in a redevelopment project or an urban renewal project in substantially the following form.

(a) In deeds the following language shall appear—"The grantee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any person or group of persons on account of race, color, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the premises herein conveyed, nor shall the grantee himself or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."

(b) In leases the following language shall appear—"The lessee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through them and this lease is made and accepted upon and subject to the following conditions

(1) That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, national origin or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased, nor shall the lessee himself, or any person claiming under or

through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants or vendees in the premises herein leased."

(c) In contracts entered into by the agency relating to the sale, transfer or leasing of land or any interest therein acquired by the agency within any redevelopment or urban renewal area or project, the foregoing provisions in substantially the forms set forth shall be included and such contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 192**—An act to amend Sections 8620, 8652, and 8674 of, to add Sections 8516, 8538, 8539, and 8540 to, and Article 6.5 (commencing at Section 8615) to Chapter 14 of Division 3 of, and to repeal Sections 8516 and 8517 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of printed bill, and insert

"An act to amend Section 1071.4 of the Agricultural Code, and to amend Sections 8562, 8620, 8652, and 8674 of, to add Sections 8516, 8538, 8539, 8540, and 8572 to, and Article 6.5 (com-".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 1071.4 of the Agricultural Code is amended to read:

1071.4. It shall not be construed to be a violation of the provisions of this article for:

(1) A person engaged in the business of farming and who does not manufacture nor sell economic poisons, to accommodate his neighbors by furnishing and applying registered economic poisons to trees or plants for them, without having obtained the license or having become a registrant as required by this article.

(2) A person, who holds *a valid structural pest control operator's license issued pursuant to Chapter 14 (commencing at Section 8500) of Division 3 of the Business and Professions Code or* a valid agricultural pest control operator's certificate required by Section 150 of this code and who does not manufacture, nor deal in economic poisons, nor sell economic poisons except when used in connection with his own agricultural pest control service work, to use registered economic poisons in his own business without having obtained the license or having become a registrant as required by this article.

For the purposes of this section, the manufacturing of, or dealing in, economic poisons shall not include the mixing or diluting of registered economic poisons in accordance with directions placed upon the containers thereof by a registrant or in conformance with established custom or practice.

SEC. 2. Sections 8516 and 8517 of the Business and Professions Code are repealed."

**Amendment No. 3**

On page 1, line 3, strike out "2", and insert "3".

**Amendment No. 4**

On page 1, line 8, strike out "3", and insert "4".

**Amendment No. 5**

On page 1, strike out line 12, and insert "Section 8615.17."

**Amendment No. 6**

On page 1, line 13, strike out "4", and insert "5".

**Amendment No. 7**

On page 1, lines 16 and 17, strike out "Sections 8615.17, 8615.18 and 8615.19," and insert "Section 8615.17".

**Amendment No. 8**

On page 2, line 6, strike out "5", and insert "6"

**Amendment No. 9**

On page 2, lines 8 and 9, strike out "Sections 8615.17, 8615.18, and 8615.19", and insert "Section 8615.17".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 10**

On page 2, between lines 10 and 11, insert

"SEC. 7. Section 8562 of said code is amended to read:

8562. To obtain an original operator's license, an applicant shall submit to the registrar an application in writing containing the statement that the applicant desires the issuance of an operator's license under the terms of this chapter.

The application shall be made on forms prescribed by the board and issued by the registrar in accordance with rules and regulations adopted by the board, and shall contain the following:

(a) The name of the applicant.

(b) If a partnership, the names of all partners and the name of the partner or responsible natural person qualifying for the applicant.

(c) If an association or corporation, the names of all officers and the name of the officer or responsible natural person qualifying for the association or corporation.

(d) The proposed location of place of business and the proposed location of branch offices, if any.

(e) Proof satisfactory to the board that the applicant has had actual experience for a period of not less than the time specified opposite the branches listed below in the employ of a licensed operator in the State of California in the particular branch or branches of pest control for which the applicant desires to be licensed, or the equivalent of such experience:

Branch 1 ----------[6 months] *2 years*
Branch 2 ----------[1 year] *2 years*
Branch 3 ----------4 years

(f) A designation of the group or groups for which the application is made.

(g) The fees prescribed by this chapter.

(h) No operator's license shall be issued to a person under 21 years of age or to any copartnership in which such person is a partner or to any corporation of which he is an officer or responsible natural person; provided, however, that if he shall first have had a guardian appointed by a court of competent jurisdiction he can become a partner in a licensed partnership, or an officer or other responsible official in a corporation or association, other than the qualified partner, qualified officer, or qualified responsible natural person."

**Amendment No. 11**

On page 2, line 11, strike out "6", and insert "8".

**Amendment No. 12**

On page 2, between lines 15 and 16, insert

"8615. The provisions contained in this article apply only to wood destroying organisms."

**Amendment No. 13**

On page 2, line 16, strike out "8615", and insert "8615.1".

**Amendment No. 14**

On page 2, line 21, strike out "8615.1", and insert "8615.2".

**Amendment No. 15**

On page 2, line 29, strike out "8615.2", and insert "8615.3".

**Amendment No. 16**

On page 2, line 36, strike out "8615.3", and insert "8615.4".

**Amendment No. 17**

On page 2, strike out lines 43 to 45, inclusive, and insert

"8615.5. "Report" means the document issued by operators to the person, or agent of the person, for whom an inspection was performed. A report shall include a foundation diagram or sketch, the inspecting licensees description of the findings

subsequent to his inspection, date inspection was performed, date report was issued, name and license number of licensee who performed the inspection, name style, address and license number of operator issuing the report, address of the premises covered by the report, description of structures covered by the report, name and address of the person, or agent of the person, for whom the inspection was performed, specifications for the elimination of evident infestations, infections, and earth to wood contacts, specifications for the correction of conditions conducive to infestation and infection, and specifications for making inaccessible and hidden areas, where practicable, accessible for inspection."

**Amendment No. 18**

On page 2, line 46, strike out "8615.5", and insert "8615.6".

**Amendment No. 19**

On page 3, line 1, strike out "8615.6", and insert "8615.7".

**Amendment No. 20**

On page 3, line 6, strike out "8615.7", and insert "8615.8".

**Amendment No. 21**

On page 3, strike out lines 11 and 12.

**Amendment No. 22**

On page 4, strike out lines 7 to 13, inclusive.

**Amendment No. 23**

On page 4, line 14, strike out "7", and insert "9".

**Amendment No. 24**

On page 4, line 16, after "complaint", insert "in writing".

**Amendment No. 25**

On page 4, line 30, strike out "8", and insert "10".

**Amendment No. 26**

On page 4, between lines 41 and 42, insert

"SEC. 11. Section 8572 is added to said code, to read:

8572. Any individual who meets the following requirements may apply to the board for a salesman's permit:

(a) Is 18 years of age or over.

(b) Is a citizen of the United States and has been a resident of this State for at least one year.

A salesman's permit shall authorize the holder thereof to solicit structural pest control work for a structural pest control operator and shall be valid until suspended or revoked by the board.

The board may refuse to grant, or may suspend or revoke, a permit upon the same grounds that they refuse to grant, or suspend or revoke, an operator's or field representative's license."

**Amendment No. 27**

On page 4, line 42, strike out "9", and insert "12".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 470**—An act to repeal Section 7049 of the Business and Professions Code, relating to contractors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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**Amendment No. 2**

On page 1, strike out line 2, and insert "Code is amended to read:

7049. This chapter does not apply to any construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation districts, or to farming, dairying, agriculture, viticulture, horticulture, or stock or poultry raising, or clearing or other work upon land [in rural districts for fire prevention purposes] *including, but not limited to, land leveling, where the cost is less than one thousand dollars ($1,000)*, except when performed by a licensee under this chapter."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1029**—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, strike out "over a period of not less than four months".

**Amendment No. 2**

On page 4, lines 9 and 10, strike out "twenty dollars ($20) and not less than ten dollars ($10)", and insert "twenty-five dollars ($25) and not less than fifteen dollars ($15)".

**Amendment No. 3**

On page 4, strike out lines 14 to 16, inclusive.

**Amendment No. 4**

On page 4, line 17, strike out "(n)", and insert "(m)"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1211**—An act to amend Sections 6855, 6866, 6870, 6875, 6876, 6877, 6878, 6880, 6886, 6887, 6888, 6890, 6895, 6902, 6906, 6909, 6910, 6911, 6912, 6921, 6923, 6925, 6926, 6947, 6950, and 6956 of, and to amend and renumber Sections 6861, 6862, 6863, 6864 and 6865 of, and to add Sections 6876.1, 6876.2, 6886.1, 6899.1, 6916.1, and 6949.1 to, and to repeal Sections 6864.5, 6872, 6879, 6920, 6945, and 6946 of, the Business and Professions Code, relating to collection agencies

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "any", and insert "an".

**Amendment No. 2**

On page 1, strike out lines 4 and 5, and insert "money arising out of contract".

**Amendment No. 3**

On page 6, line 22, strike out "manager", and insert "person".

**Amendment No. 4**

On page 9, strike out lines 28, 29 and 30, and insert
"6890.1 Should the license of a licensee be revoked"

**Amendment No. 5**

On page 11, strike out lines 48 to 52, inclusive, and on page 12, strike out lines 1 to 4, inclusive, and insert
"6912. A licensee desiring to remove his place of business from the street address stated in the license, to make any change of the business name therein shown, shall file written application therefor, shall deposit the license with and pay the duplicate license fee to, the Secretary of State.
Upon approval of the application by the board, the Secretary of State shall enter the change in"

**Amendment No. 6**

On page 12, strike out lines 10 to 14, inclusive, and insert
"If the application is not approved the Secretary of State shall return the surrendered license to the licensee and repay to the licensee the duplicate license fee."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 839**—An act to amend Sections 18901, 18902, 18903, 18904, 18905, 18906, 18907, 18908 and to add Sections 18906.3 and 18906.4 to the Health and Safety Code, relating to the State Building Standards Commission.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, after "Commission", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 3, after line 32, insert
"SEC. 11. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:
The maintenance of proper building standards is by its very nature a matter necessary for the preservation of the public health and safety. The proper administration of building standards requires the immediate establishment of adequate regulations together with proper indexing to allow the necessary enforcement of such regulations. This bill accomplishes that purpose."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 527**—An act to add Chapter 5 (commencing at Section 31585) to Part 6 of Division 12 of the Water Code, relating to county water districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 3, line 6, of the printed bill, as amended in the Assembly on February 26, 1959, strike out "a majority in".

**Amendment No. 2**

On page 3, line 6, after "to", insert "not less than 51 percent of the".

Amendment No. 3

On page 3, line 20, strike out "protect", and insert "protest".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1096**—An act to add Section 234 to, and to repeal Section 12605 of, the Water Code, relating to weather modification.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "shall", and insert "may".

Bill reported reprinted, and engrossed.

**Assembly Bill No. 989**—An act to create a flood control district to be called Plumas County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out lines 4 and 5, and insert "division or district thereof. No action in eminent domain to acquire property or interests therein outside the boundaries of the County of Plumas shall be commenced unless the board of supervisors of each affected county has consented to such acquisition by resolution."

Amendment No. 2

On page 9, line 36, after "Chapter 1", insert "of Division 1".

Amendment No. 3

On page 19, strike out lines 51 and 52, and insert "the Board of Supervisors of the County of Plumas, except that such compensation shall".

Amendment No. 4

On page 20, after line 51, insert

"SEC. 38. This act shall be known as the "Plumas County Flood Control and Water Conservation District Act." "

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1020**—An act to amend Section 46005 of the Water Code, relating to additional preliminary assessments of water storage districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1045**—An act to add Section 233 to the Water Code, relating to archaeological investigations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Bill read third time.

Motion to Amend

Mr. Bruce F. Allen moved the adoption of an amendment.

Amendment read, and passed temporarily on file.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 914, 1194, 813, 1045,** and **1062,** subsequent to engrossment.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1062

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Bill read third time.

Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 31, of the printed bill, as amended in the Assembly on March 6, 1959, strike out "which"; and strike out all of lines 32 to 42, inclusive, and insert ", the provisions of this chapter shall prevail."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 245 FROM COMMITTEE

Mr. Elliott was granted unanimous consent that Assembly Bill No. 245 be withdrawn from the Committee on Criminal Procedure for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 245

**Assembly Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2 5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies

to aid in the prevention of juvenile delinquency, and making an appropriation.

Bill read second time

**Motion to Amend**

Mr Elliott moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 20, of the printed bill, as amended on February 25, 1959, strike out "commission with the approval", and in line 21 strike out "of the Director of Finance", and insert "State Personnel Board".

**Amendment No. 2**

On page 2, line 32, after "governmental", insert "and other local"; and after "agencies", insert "and/or persons".

**Amendment No. 3**

On page 2, after line 46, insert

"1803 The commission shall have the power and it shall be the duty of the commission to

(a) Stimulate the more effective use of existing community resources and services for youth;

(b) Recommend needed new services for youth;

(c) Develop effective programs for the prevention of delinquency, youth crime and neglect;

(d) Obtain information regarding enforcement of local and state laws insofar as they concern the protection and welfare of youth;

(e) Promote co-operation of departments of the State, its political subdivisions and municipalities and co-operate with public and private agencies and departments and voluntary local committees throughout the State in order to carry out the purposes of this article;

(f) Encourage closer co-operation locally so as to stimulate employment for youth at fair wages and encourage sound youth programs on the basis of community planning;

(g) Obtain, assemble and develop statistical records and data that shall, among other things, reflect the incidence and trends of delinquency and youthful crimes and offenses in the State;

(h) Devise, analyze, accept or reject plans for the creation and operation of youth bureaus, recreation and youth service projects or other youth programs as defined by the rules and regulations of the commission;

(i) Authorize and require, in accordance with the provisions of this article, the payment or withholding of state aid for counties for the purposes of this article;

(j) Foster educational programs in connection with youth and delinquency;

(k) Create such regional offices as it may deem advisable;

(l) Appoint such advisory groups and committees as it deems necessary to carry out the purposes and objectives of this article;

(m) Promulgate and publish conditions and regulations relative to the obtaining and use of state aid and the creation and operation of youth programs;

(n) Receive federal moneys and expend the same;

(o) Do all things necessary and desirable to carry out the powers and duties granted to it.

1804. The commission shall also have the power and it shall be the duty of the commission to make necessary studies and analyses and to conduct research with respect to:

(a) The prevention of delinquency, crime and neglect among young persons, and the problems of youth guidance;

(b) The operation of all laws in this State affecting youth;

(c) The operation of similar laws in other states and the federal jurisdiction;

(d) Guidance, treatment, techniques of and facilities for rehabilitation of adjudicated juvenile delinquents, neglected children, youthful offenders, wayward minors, and youth convicted of crime, with the advice and consent of the interdepartmental committee;

(e) The operation, statutes, rules and policies of courts having jurisdiction over youth;

(f) The operation of probation parole, institutional and other corrective treatment of youth, with the advice and consent of the interdepartmental committee;

(g) Parent and adult education in relation to prevention of crime, neglect and delinquency among youth;

(h) Recreation for youth in relation to prevention of crime, neglect and delinquency;

(i) Suitable training and scholarship programs for personnel engaged in the prevention of delinquency and youth crime;

(j) Assisting in the development and establishment of uniform statistics and reporting of youth crime, delinquency and neglect;
(k) Reasonable bases for allocation of state financial and other aid to municipalities so as to serve most effectively the purpose of this article;
(l) Available and needed facilities and services, private as well as governmental, for youth in the State;
(m) Such other matters as the commission deems relevant and desirable.
2. The commission shall have the power to recommend legislative and administrative changes and otherwise to provide policy guidance with respect to any of the matters specified in this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be referred to the Committee on Criminal Procedure.

## CONSIDERATION OF DAILY FILE (RESUMED)
## SECOND READING OF SENATE BILLS

**Senate Concurrent Resolution No. 28**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

#### Amendment No. 1

On page 1, line 5, of the title of the printed measure, after "Equalization", insert "and the State Personal Board".

#### Amendment No. 2

On page 1, between lines 11 and 12, insert "to Glenn R. Baker, Ford A. Chatters, Robert S. Ash, Robert D. Gray, and Emery E. Olson, members of the State Personnel Board;".

Resolution ordered reprinted, and on file.

## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 88**—An act adding Article 6 (commencing at Section 25701) to Chapter 7 of Part 2 of Division 2 of Title 3 of the Government Code, relating to the reclamation of water from sewage or other waste water, and the disposal thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 88?

#### Amendment No. 1

On page 1, line 12, of the printed bill, strike out "or".

#### Amendment No. 2

On page 2, line 7, strike out "or gift".

#### Amendment No. 3

On page 2, line 12, after "or", insert ", with the consent of the city legislative body expressed by ordinance, to".

Senate amendments read.

### Speaker pro Tempore Presiding

At 10.01 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on concurrence in the Senate amendments.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 88 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 88 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1118**—An act to amend Section 713 of the Vehicle Code and to amend Section 35704 of, and to add Section 35716 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to contractors subject to city ordinances decreasing vehicle weight limits.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—Britschgi—1

### Notice of Motion to Reconsider Assembly Bill No. 1118

Mr. Britschgi gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1118 was this day passed.

**Assembly Bill No. 76**—An act to amend Section 3352 of, and to repeal Section 3358.5 of, the Labor Code, relating to the application of workmen's compensation to domestic workers.

Bill read third time.

By unanimous consent, Assembly Bill No. 76 was ordered passed on file, and to retain its place on file on the next legislative day.

**Assembly Bill No. 770**—An act to amend Section 10176 of the Insurance Code, relating to disability insurance policies.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 866**—An act to amend Section 752 of the Financial Code, relating to powers of banks and trust companies.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 940**—An act to add Section 6868 to the Harbors and Navigation Code, relating to river port districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1059**—An act to add Section 19735 to the Government Code, relating to state employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66
NOES—Chapel—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1255**—An act to amend Section 16731 of the Government Code, relating to the registration of state bonds.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers Mulford, Munnell Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70
NOES—None

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 119

By Mr. Miller.

### House Resolution No. 119

Relative to adjournment on Good Friday, March 27, 1959

WHEREAS, It is the custom among Christians throughout the world to devote three hours on the afternoon of Good Friday to commemorative services and meditation upon the Passion and death of the Savior; and

WHEREAS, All Members of this Assembly desiring to participate in those religious observances should be free to do so; now, therefore, be it

*Resolved by the Assembly of the State of California*, That an adjournment be taken from 12 noon on Friday, March 27, 1959, until Monday, March 30, 1959, at 10 a.m., in respect to observance of Holy Week.

Resolution read.

### Parliamentary Inquiry

Mr. Chapel arose to the following parliamentary inquiry: Would a motion to table be in order at this time?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied in the affirmative.

### Motion to Table Resolution

Mr. Chapel moved that the resolution be laid on the table.

Mr. Holmes seconded the motion.

### Roll Call Demanded

Messrs. Munnell, Unruh, and Charles H. Wilson demanded a roll call.

The roll was called, and the motion to table lost by the following vote:

AYES—Chapel, Holmes, Levering, Reagan, Shell, and George A. Willson—6.

NOES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—56.

The question being on the adoption of the resolution.

Resolution adopted.

## ANNOUNCEMENT

Mr. Porter announced that on tomorrow he would introduce a bill relative to procedure for the transfer of the San Luis Reservoir site to the Federal Government if and when this occurs, and invited all members who desired to become co-authors to affix their signatures to the bill.

### Hon. Charles J. Conrad Presiding

At 10.30 a.m., Hon. Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 914

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 813
Assembly Bill No. 1045
Assembly Bill No. 1194

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 53

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 313
Assembly Bill No. 700

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

**Committee on Education**

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 987
Assembly Bill No. 1217
Assembly Bill No. 1066
Assembly Bill No. 948

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 47

With amendments with the recommendation: Amend, and do pass, as amended

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Education reports

Assembly Bill No 368

With amendments with the recommendation. Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No. 497

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER. Your Committee on Education reports

Assembly Bill No 535
Assembly Bill No 867
Assembly Bill No. 915
Assembly Bill No 916

With the recommendation Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2 and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 16

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 878

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER Your Committee on Social Welfare reports:

Assembly Bill No. 103
Assembly Bill No 106
Assembly Bill No. 553
Assembly Bill No. 1016

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No 1076

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 11, 1959

MR SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No. 767
Assembly Bill No. 881
Assembly Bill No. 945
Assembly Bill No 1105

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 257

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, March 12, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports.

Assembly Bill No 672

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent that Assembly Bills Nos. 16 and 257 be read the second time, at this time.

### SECOND READING OF ASSEMBLY BILL NO. 16

**Assembly Bill No. 16**—An act to add Chapter 7 to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "repeal Sections 1460 to 1578, inclusive, and to".

#### Amendment No. 2

In line 1 of the title, after the figure "7", insert "(commencing with Section 1600)".

#### Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Sections 1460 to 1578, inclusive, of the Code of Civil Procedure are repealed.

SEC. 2. Chapter 7 (commencing with Section 1600) is added to Title 10 of Part 3 of said code, to read:".

#### Amendment No. 4

On page 1, line 8, after the period, insert "None of the provisions of this chapter shall apply to any type of property received by the State under the provisions of Chapters 1 to 6, inclusive, of this title."

#### Amendment No. 5

On page 1, line 12, after the second comma, insert "safe deposit company,".

#### Amendment No. 6

On page 2, line 25, after "organization", insert "or business association".

#### Amendment No. 7

On page 2, strike out lines 28 and 29, and insert "interest or dividend thereon, excluding service charges deducted prior to the date of January 1, 1959, unless the owner has, within seven years:".

#### Amendment No. 8

On page 2, strike out lines 40 and 41, and insert "dends thereon, excluding service charges deducted prior to the date of January 1, 1959, unless the owner has within seven years:".

#### Amendment No. 9

On page 2, strike out lines 50 to 52, inclusive; and on page 3, strike out lines 1 to 8, inclusive, and insert

"(c) Any sums payable on traveler's checks issued in this State by a business association maintaining a principal place of business in this State, or issued in this State by a banking or financial organization, that has been outstanding for more than 15 years from the date of its issuance, unless the owner has within 15 years corresponded in writing with the business association or banking or financial organization concerning it, or otherwise indicated an interest as evidenced by a memorandum on file with such organization or association.

(d) Any sums payable on any other written instruments issued in this State on which a banking or financial organization is directly liable, including, by way of illustration but not of limitation, certificates of deposit, drafts, certified checks, and money orders, that have been outstanding for more than seven years from the date it was payable, or from the date of its issuance if payable on demand, unless the owner has within seven years corresponded in writing with the banking or financial organization concerning it, or otherwise indicated an interest as evidenced by a memorandum on file with the banking or financial organization."

**Amendment No. 10**

On page 3, line 9, strike out "(d)", and insert "(e)".

**Amendment No. 11**

On page 4, strike out line 12, and insert
"1605. (a) Any".

**Amendment No. 12**

On page 4, line 21, strike out "(a)", and insert "(1)".

**Amendment No. 13**

On page 4, line 23, strike out "(b)", and insert "(2)".

**Amendment No. 14**

On page 4, between lines 27 and 28, insert
"(b) Any intangible interest in a business association, as evidenced by the stock records or membership records of the association, owned by a person who has not claimed a declared dividend within five years of declaration and has not corresponded in writing with the business association concerning such interest for 15 years is presumed abandoned if:
(1) The business association was organized under the laws of or created in this State; or
(2) The business association is doing business in this State but was not organized under the laws of or created in this State, and the records of the business association indicate that the last known address of the person entitled to such interest is in this State.
For the purposes of this chapter the business association with respect to such interest shall be deemed a holder."

**Amendment No. 15**

On page 5, line 30, strike out "Treasurer", and insert "Controller".

**Amendment No. 16**

On page 5, line 35, strike out "three dollars ($3)", and insert "ten dollars ($10)".

**Amendment No. 17**

On page 5, lines 43 and 44, strike out "three dollars ($3)", and insert "ten dollars ($10)".

**Amendment No. 18**

On page 5, line 48, strike out "Treasurer", and insert "Controller".

**Amendment No. 19**

On page 6, line 7, strike out "Treasurer", and insert "Controller".

**Amendment No. 20**

On page 6, strike out lines 22, 23 and 24, and insert "clude all items of property as to which the time period resulting in the presumption of abandonment first commenced running during the 10-year period preceding the effective date of this chapter. At the option of the holder, items of property as to which the time period resulting in the presumption of abandonment commenced running more than 10 years preceding the effective date of this chapter may be included on the initial or any subsequent report; if so included, the holder thereof shall be entitled to the protection afforded by Section 1614."

**Amendment No. 21**

On page 6, line 25, strike out "filing of the report", and insert "final date for filing the reports".

**Amendment No. 22**

On page 6, line 26, strike out "Treasurer", and insert "Controller".

**Amendment No. 23**

On page 6, line 45, strike out "Treasurer", and insert "Controller".

**Amendment No. 24**

On page 6, line 51, strike out "Treasurer", and insert "Controller".

**Amendment No. 25**

On page 6, strike out line 52, and insert "and all further claims must thereafter be directed to the State Controller."

**Amendment No. 26**

On page 7, line 1, strike out "Treasurer", and insert "Controller".

**Amendment No. 27**

On page 7, line 5, strike out "Treasurer", and insert "Controller".

**Amendment No. 28**

On page 7, line 11, strike out "Treasurer", and insert "Controller".

**Amendment No. 29**

On page 7, line 19, strike out "Treasurer to whom", and insert "Controller and".

**Amendment No. 30**

On page 7, line 20, after "directed", insert "to the State Controller".

**Amendment No. 31**

On page 7, line 24, strike out "Treasurer", and insert "Controller".

**Amendment No. 32**

On page 7, strike out line 31, and insert "the State Controller, but in lieu thereof shall file with the State Controller a verified".

**Amendment No. 33**

On page 7, line 35, strike out "Treasurer", and insert "Controller".

**Amendment No. 34**

On page 7, line 38, strike out "Treasurer", and insert "Controller".

**Amendment No. 35**

On page 7, line 42, strike out "Treasurer", and insert "Controller".

**Amendment No. 36**

On page 7, line 44, after "upon", insert "filing".

**Amendment No. 37**

On page 7, line 45, strike out "Treasurer", and insert "Controller".

**Amendment No. 38**

On page 7, line 48, strike out "Treasurer", and insert "Controller".

**Amendment No. 39**

On page 8, lines 4 and 5, strike out "Treasurer", and insert "Controller".

**Amendment No. 40**

On page 8, line 7, strike out "Treasurer", and insert "Controller".

**Amendment No. 41**

On page 8, line 8, strike out "him", and insert "the State Controller".

**Amendment No. 42**

On page 8, line 11, strike out "Treasurer", and insert "Controller".

**Amendment No. 43**

On page 8, line 21, strike out "Treasurer", and insert "Controller".

**Amendment No. 44**

On page 8, line 24, strike out "Treasurer", and insert Controller".

**Amendment No. 45**

On page 8, strike out lines 26 to 46, inclusive, and insert

"1618. (a) All money received under this chapter, including the proceeds from the sale of property under Section 1617, shall be deposited in the Unclaimed Property Fund in an account titled "Abandoned Property."

(b) All money in the Abandoned Property account in the Unclaimed Property Fund is hereby continuously appropriated to the Controller, without regard to fiscal years, for expenditure for the following purposes:

(1) For payment of claims allowed by the State Controller under the provisions of Section 1620;

(2) For refund, to the person making such deposit, of amounts, including overpayments, deposited in error in such fund;

(3) For payment of the cost of appraisals incurred by the Controller covering property held in the name of an account in such fund,

(4) For payment of the cost incurred by the Controller covering indemnity bonds required in order to have duplicate certificates of ownership issued in order to replace lost certificates, covering personal property held in the name of an account in such fund;

(5) For payment of amounts required to be paid by the State as trustee, bailee, or successor in interest to the preceding owner;

(6) For payment of costs incurred by the Controller for the repair, maintenance and upkeep of property held in the name of an account in such fund;

(7) For payment of costs of official advertising in connection with the sale of property held in the name of an account in such fund;

(8) For transfer to the General Fund as provided in paragraph (c) of this section.

*(c) At the end of each month, or oftener if he deems it advisable, the Controller* shall transfer all money in the Abandoned Property account in excess of $50,000, to the General Fund. Before making this transfer, he shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, and the name of the corporation. The record shall be available for public inspection at all reasonable business hours."

**Amendment No. 46**

On page 8, line 48, after "a", insert "personally verified".

**Amendment No. 47**

On page 8, line 50, strike out "Treasurer", and insert "Controller".

**Amendment No. 48**

On page 8, line 51, strike out "Treasurer", and insert "Controller".

**Amendment No. 49**

On page 9, strike out lines 5, 6 and 7, and insert

"(b) There shall be deducted by the Controller from the amount of any allowed and approved claim, 1 percent of the total amount of such claim, but in no event less than three dollars ($3), for each individual share claimed, as a service charge for the receipt, accounting for, and management of the money or other property claimed and for the processing of the claim filed to recover the same."

**Amendment No. 50**

On page 9, strike out line 9, and insert "Controller or as to whose claim the Controller has failed".

**Amendment No. 51**

On page 9, lines 10 and 11, strike out "commence an action in a court of competent jurisdiction", and insert "file a petition".

**Amendment No. 52**

On page 9, line 12, after "claim", insert "in the superior court in any county or city and county in which the Attorney General has an office".

**Amendment No. 53**

On page 9, line 13, strike out "Treasurer", and insert "Controller".

**Amendment No. 54**

On page 9, line 14, strike out "Treasurer", and insert "Controller".

**Amendment No. 55**

On page 9, strike out line 15, and insert

"A copy of the petition and of a notice of hearing shall be served upon the State Controller and the Attorney General and the Attorney General shall have not less than 30 days within which to respond by answer. In lieu of answer, the Attorney General may file a statement of noninterest whereupon the petitioner shall present to the court his prima facie proof of entitlement. The proceeding shall be tried de novo without a jury. If judgment is awarded in favor of petitioner, the State Controller shall make payment subject to any charges provided by Section 1620(b). No costs of trial shall be allowed for or against the petitioner."

**Amendment No. 56**

On page 9, line 16, strike out "Treasurer", and insert "Controller".

**Amendment No. 57**

On page 9, line 23, strike out "Treasurer", and insert "Controller"

**Amendment No. 58**

On page 9, between lines 27 and 28, insert

"When requested by the State Controller, such examination shall be conducted by any licensing or regulating agency otherwise empowered by the laws of this State to examine the records of the holder. For the purpose of determining compliance with this chapter, the Superintendent of Banks and the Savings and Loan Commissioner are hereby respectively vested with full authority to examine the records of any banking organization and any savings and loan association doing business within this State but not organized under the laws of or created in this State"

**Amendment No. 59**

On page 9, strike out line 29, and insert "State Controller as required under this chapter, the State Controller shall bring".

**Amendment No. 60**

On page 9, line 38, strike out "Treasurer", and insert "Controller".

**Amendment No. 61**

One page 9, line 43, strike out "Treasurer", and insert "Controller".

**Amendment No. 62**

On page 9, between lines 48 and 49, insert

"1628 No agreement entered within nine months after the date of filing report under Section 1611(d) shall be valid if any person thereby undertakes to locate property reported under Section 1611 for a fee or other compensation exceeding 10 percent of the value of recoverable property unless the agreement is in writing and signed by the owner and discloses the nature and value of the property and the name and address of the holder thereof, as such facts are so reported; provided, that nothing herein shall be construed to prevent an owner from asserting, at any time, that any agreement to locate property is based upon an excessive or unjust consideration.

1629 Claims for recovery of any funds or property received or receivable by the State under existing law, and which has not permanently escheated, shall be made in the manner prescribed by this chapter"

**Amendment No. 63**

On page 10, after line 4, insert

"SEC 3. All money held in the Unclaimed Property Fund on the effective date of this act, other than money derived from the estates of deceased persons, shall be transferred to the credit of the Abandoned Property account in the Unclaimed Property Fund.

All money held in the Unclaimed Property Fund on the effective date of this act, which was derived from the estates of deceased persons, shall be transferred to the credit of the Estates of Deceased Persons account in the Unclaimed Property Fund.

All property, real or personal, held in the name of the Unclaimed Property Fund on the effective date of this act, shall continue to be held in the name of said fund, and shall be held in the name of the Estates of Deceased Persons account or in the name of the Abandoned Property account, according to its origin"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Rush Order Placed Upon Printing of Assembly Bill No. 16**

Mr. Miller was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 16.

## SECOND READING OF ASSEMBLY BILL NO. 257

**Assembly Bill No. 257**—An act to amend Section 71083 of the Government Code, relating to municipal and justice courts and judges thereof, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "71083. Whenever the territory of a judicial district (herein called the annexed district)".

#### Amendment No. 2

On page 1, strike out lines 5 to 7, inclusive, and insert "pal court (herein called the annexing district),".

#### Amendment No. 3

On page 1, line 8, after "court", insert "partly or".

#### Amendment No. 4

On page 1, line 12, strike out the period, and insert ", if any one of the following subdivisions apply:

(a) All of the territory of the annexed district is annexed to the annexing district.

(b) A part of the territory of the annexed district is annexed to the annexing district and in such part more than 50 percent of the residents of the annexed district reside, as determined prior to the annexation.

(c) The annexed district is a judicial district with a justice court, and a part of its territory is annexed to the annexing district, and the justice court is discontinued by the board of supervisors under Section 71097.

Whenever part of an annexed district is annexed to an annexing district and because of the application of subdivisions (b) or (c), above, a judge of the annexed district becomes entitled to succeed to a vacant judgeship as above provided, no subsequent annexation of all or part of the remainder of the annexed district to the same annexing district shall entitle any judge of the annexed district to succeed to a vacant judgeship in the annexing district."

#### Amendment No. 5

On page 2, between lines 13 and 14, insert "This section, as amended at the 1959 Regular Session of the Legislature, applies to annexations occurring before or after the effective date of the amendment to this section enacted at the 1959 Regular Session of the Legislature and no judge who, before the effective date of such amendment, became entitled to succeed to a vacancy on a municipal court and who has not succeeded to such vacancy before such effective date shall be entitled to so succeed unless he would be so entitled under this section as amended at the 1959 Regular Session."

#### Amendment No. 6

On page 3, line 11, after "all", insert "or a large part".

#### Amendment No. 7

On page 3, line 18, strike out "But where only"; and strike out lines 19 to 22, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### Rush Order Placed Upon Printing of Assembly Bill No. 257

Mr. Miller was granted unanimous consent that a rust order be placed upon the printing of Assembly Bill No. 257.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF HOUSE RESOLUTION NO. 121

By Mr. Belotti:

### House Resolution No. 121

Relative to the death of Howard Griffin

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Howard Griffin on February 25, 1959; and

WHEREAS, Mr. Griffin was born in Glasco, Kansas, and moved to Crescent City, California, in October of 1926; and

WHEREAS, He founded the weekly newspaper *"Crescent City American"* in November of 1926 and was the publisher of such newspaper until his death; and

WHEREAS, He was instrumental in starting the 4H movement in Del Norte County in the early 1930's; and

WHEREAS, For a number of years, although physically handicapped, Mr. Griffin was active in civic and political party affairs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of Howard Griffin, and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his son, Wally Griffin.

Resolution read, and adopted.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 77
Assembly Concurrent Resolution No. 91

With the recommendation: Be adopted

MILLER, Chairman

Assembly Concurrent Resolution No. 77 ordered engrossed.

### Request for Unanimous Consent

Miss Donahoe was granted unanimous consent to take up Assembly Concurrent Resolution No. 91 without reference to file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 91

**Assembly Concurrent Resolution No. 91**—Relative to augmenting the funds of the Joint Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults.

Resolution read.

### Speaker Presiding

At 10.35 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—67

NOES—None.

Resolution ordered transmitted to the Senate

## REQUEST FOR UNANIMOUS CONSENT

Mr. Kilpatrick was granted unanimous consent to offer a resolution, at this time.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Kilpatrick and George A. Willson:

### House Resolution No. 135

Relative to commending employees of the South Gate-Walnut Park branch of the Bank of America

WHEREAS, The Members of the Assembly of the State of California desire, hereby to congratulate and commend Mrs Delores Vossler, Mr. Charles Haslup, and Mr. Clarence E. Schueller, whose quick thinking and courageous action foiled an attempted holdup of the South Gate-Walnut Park branch of the Bank of America and resulted in the capture of the holdup man; and

WHEREAS, When a man placed a bowling bag on the counter in front of the teller window at which Mrs. Vossler was working and announced that he had a hand grenade and would pull the pin unless she put all the money she had into the bag, Mrs. Vossler stepped back from the window and shouted to a fellow employee that she was being held up; and

WHEREAS, Bank Guard Charles Haslup and Operations Officer Clarence E. Schueller were able, as a result of the warning, to apprehend the holdup man as he attempted to leave the bank and held him until South Gate police arrived; and

WHEREAS, The bravery displayed by these bank officers and employees was of the highest order and they are deserving of recognition by all; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California take great pleasure in conveying to Mrs. Vossler, Mr. Haslup, and Mr. Schueller their heartiest congratulations and highest commendation for the quick thinking and courageous action which foiled the attempted holdup of the South Gate-Walnut Park branch of the Bank of America and resulted in the capture of the holdup man; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Delores Vossler, 5607 Rayburn Street, Compton; to Mr. Charles Haslup, 3699 Agnes Avenue, Lynwood; to Mr. Clarence E Schueller, 2137 Huntington Avenue, Anaheim; and to Mr. Walter E. Bruns, the Legislative Advocate for the Bank of America.

#### Request for Unanimous Consent

Mr. Kilpatrick was granted unanimous consent to take up House Resolution No. 135 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Luckel was granted unanimous consent to offer a resolution at this time

## RESOLUTIONS

The following resolution was offered:

By Mr. Luckel:

### House Resolution No. 136

Relative to the continuance of the Assembly Interim Committee on Transportation and Commerce

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Transportation and Commerce created by House Resolution No. 212 of the 1957 Regular Session and continued by House Resolution No. 58 of this session is continued in existence until April 15, 1959.

#### Request for Unanimous Consent

Mr. Luckel was granted unanimous consent to take up House Resolution No. 136 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 215**—An act to repeal Sections 32 and 23705 of the Revenue and Taxation Code, relating to claims for tax exemption.

Bill read third time

### Motion to Amend

Mr. Francis moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Sections 32 and 23705 of", and after "to" insert "amend Sections 32 and 23705 of, and to add Sections 33, 34, 35, 36, 23706, 23707, 23708 and 23709 to,".

### Amendment No. 2

On page 1, strike out lines 1 and 2.

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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### Amendment No. 3

On page 1, after line 2, insert

"SECTION 1 Section 32 of the Revenue and Taxation Code is amended to read:

32. Any statement, return, or other document in which is claimed any exemption, other than the householder's exemption, from any property tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State shall contain a declaration that the person or organization making the statement, return, or other document does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If [any such statement, return, or other document does not contain such declaration.] *the assessor determines, upon evidence received from a law enforcement or other governmental agency, and after an opportunity for hearing has been afforded, that* the person or organization making such statement, return, or other document *does so advocate, the assessor shall deny such person or organization* [shall not receive any] *the* exemption from the tax to which the statement, return, or other document pertains. [Any person or organization who makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.]

SEC. 2. Section 33 is added to said code, to read

33. Before he denies any exemption under Section 32, the assessor shall deliver or mail to the claimant a written notice of his intention to do so and afford the claimant an opportunity to file a written request, within a period of 15 days from and after the date of the delivery or mailing of the notice, for a hearing in the matter. Following the receipt of such a request, the assessor shall hold a hearing on the denial of the exemption after giving the claimant a written notice of the hearing, by delivery or mail, at least 10 days prior to the hearing.

In any such proceeding the assessor has the burden of proving that the exemption claimant is not entitled to the exemption, but he may consider and act upon any relevant evidence received from a law enforcement or other governmental agency in affidavit form.

SEC. 3. Section 34 is added to said code, to read:

34. Any claimant who is denied an exemption following a hearing may obtain a judicial review of the determination by filing a petition for a writ of mandate in accordance with Section 1094.5 of the Code of Civil Procedure. In such proceedings the court may exercise an independent judgment on the evidence.

SEC. 4. Section 35 is added to said code, to read:

35. The making of any knowingly false declaration in a statement, return, or other document filed pursuant to Section 32 constitutes a felony.

SEC. 5. Section 36 is added to said code, to read:

36. Sections 33 to 35, both inclusive, shall be construed so as to effectuate the purpose of Section 19 of Article XX of the State Constitution.

SEC. 6. Section 23705 of said code is amended to read:

23705. Any incorporated organization which claims any exemption prescribed by this article shall file annually with the Franchise Tax Board, on or before May 15th, a declaration that it does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If any such organization incorporates, qualifies to do intrastate business, commences activities within this State, revives or is restored to good standing in any year after May 15th, it shall make and file such declaration [before it is allowed any exemption prescribed by this article]. [Any incorporated organization which makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.

No exemption under this article shall be allowed to any incorporated organization for any year in which it fails to file on or before May 15th the annual declaration required by this section.]

*If the board determines, upon evidence received from a law enforcement or other governmental agency, and after an opportunity for hearing has been so afforded, that the incorporated organization making such declaration does so advocate, the board shall deny such organization the exemption from the tax to which the declaration pertains.*

SEC. 7. Section 23706 is added to said code, to read:

23706. Before it denies any exemption under Section 23705, the board shall deliver or mail to the claimant a written notice of its intention to do so and afford the claimant an opportunity to file a written request, within a period of 15 days from and after the date of the delivery or mailing of the notice, for a hearing in the matter. Following the receipt of such a request, the board shall hold a hearing on the denial of the exemption after giving the claimant a written notice of the hearing, by delivery or mail, at least 10 days prior to the hearing.

In any such proceeding the baord has the burden of proving that the exemption claimant is not entitled to the exemption, but it may consider an act upon any relevant evidence received from a law enforcement or other governmental agency in affidavit from.

SEC. 8. Section 23707 is added to said code, to read:

23707. Any claimant who is denied an exemption following a hearing may obtain a judicial review of the determination by filing a petition for a writ of mandate in accordance with Section 1094.5 of the Code of Civil Procedure. In such proceedings the court may exercise an independent judgment on the evidence

SEC. 9. Section 23708 is added to said code, to read:

23708. The making of any knowingly false declaration in a statement, return, or other document filed pursuant to Section 32 constitutes a felony.

SEC. 10. Section 23709 is added to said code, to read:

23709. Sections 23706 to 23708, both inclusive, shall be construed so as to effectuate the purpose of Section 19 of Article XX of the State Constitution."

Amendments read.

### Motion to Grant Additional Time for Debate

Mr. Levering moved that Mr. Francis be granted four minutes additional time for debate.

Mr. Holmes seconded the motion.

Motion carried.

The question being on the adoption of the amendments.

### Motion to Table Amendments

Mr. Munnell moved that the amendments be laid on the table.

Mr. Unruh seconded the motion.

The roll was called.

### Parliamentary Inquiry

Mr. Chapel arose to the following parliamentary inquiry: Would a demand for public censure of all members who refuse to vote on the motion be in order?

### Reply by Speaker

The Speaker replied that pursuant to the rule (No. 116) the demand would be in order after the vote has been announced.

#### Demand

Mr. Chapel demanded that if any member refuses to vote on the motion he be censured pursuant to Rule 116.

Mr. Francis requested that the vote be announced.

#### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Munnell moved a call of the Assembly.

Mr. Elliott seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Biddick, George E. Brown, Burton, Cameron, Coolidge, Crown, DeLotto, Dills,, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, *and* Mr Speaker—43.

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, Francis, Ernest R. Geddes, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Pattee, Reagan, Sedgwick, Shell, Sumner, and Thelin—33.

#### Call of the Assembly

Time, 11.08 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY
### PARLIAMENTARY INQUIRY

Mr. Holmes arose to the following parliamentary inquiry: What happened to the request by Mr. Francis that the vote be announced?

#### Reply by Speaker

The Speaker replied that the motion for a call of the Assembly took precedence over the request.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Holmes moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Collier seconded the motion.

Motion carried.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS

**Senate Bill No. 22**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Lowrey.

#### Speaker pro Tempore Presiding

At 11.11 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 23**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

Bill read third time, and presented by Mr. Lowrey.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—77.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 15**—Relative to the erection of signs along routes to the Hearst Memorial State Park.

Resolution read, presented by Mr Holmes, and adopted.

Resolution ordered transmitted to the Senate

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TABLE AMENDMENTS TO ASSEMBLY BILL NO. 215

At 11.17 a.m., Mr. Francis moved that further proceedings under the call of the Assembly be dispensed with.

Mr. Lanterman seconded the motion.

### Point of Order

Mr. O'Connell arose to the following point of order: That the motion for a call of the Assembly was made by Mr. Munnell, so the motion by Mr. Francis is not in order.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken, since any member is entitled to move that a call be lifted.

The question being on the motion that further proceedings under the call of the Assembly be dispensed with.

Motion carried.

### Absentees Called

The names of the absentees were called, and the motion to table the amendments offered by Mr. Francis to Assembly Bill No. 215 lost by the following vote:

AYES—Don A. Allen, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, DeLotto, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—40.

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Gaffney, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—40.

### Demand Not Renewed

NOTE—Mr. Chapel did not renew his demand for public censure of any member not voting on the motion to table the amendments pursuant to Rule No. 116, as all members were present and voting.

### Explanation of Vote on Motion to Table Amendments

I voted "No" on the motion to table amendments to Assembly Bill No. 215 because no opportunity for debate had been given prior to the making of the motion. It is unfair to foreclose debate on an issue of this kind involving important constitutional questions without further discussion.

JOHN A. BUSTERUD

## FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 215

The question being on the adoption of the amendments proposed by Mr. Francis to Assembly Bill No. 215.

### Parliamentary Inquiry

Mr. Masterson arose to the following parliamentary inquiry: Will those members desiring to speak on the amendments be called in the order listed before the motion to table was made?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that he would follow the sequence of the list prepared by the Speaker before the motion was made; and add any other members desiring to be recognized to the list.

### Point of Order

Mr. Bruce F. Allen arose to the following point of order: That Mr. Munnell had previously been recognized to speak on the amendments, and had made a motion at that time, so he would not be the next in line for debate on the amendments.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

The question being on the adoption of the amendments.

**Motion to Re-refer**

Mr. Bruce F. Allen moved that the bill and amendments be re-referred to the Committee on Revenue and Taxation.

Mr. Crawford seconded the motion.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Could there be a division of the question on the motion by Mr. Bruce F. Allen, with separate votes on the re-reference of the amendments and the re-reference of the bill?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that they could not.

**Demand for Previous Question**

Messrs. Burton, Dahl, Lanterman, DeLotto, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the motion that the bill and amendments be re-referred to the Committee on Revenue and Taxation.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Dahl, and O'Connell demanded a roll call.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Francis, Gaffney, Ernest R Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Thomas—39

NOES—Don A. Allen, Bane, Bee, Biddick, George E Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—40.

The question being on the adoption of the amendments by Mr. Francis.

**Speaker Presiding**

At 11.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Luckel, Cameron, Holmes, Ernest R. Geddes, and Petris demanded the previous question Demand sustained.

The question being on the adoption of the amendments by Mr. Francis

**Point of Personal Privilege**

Mr. O'Connell arose on a point of personal privilege

The question being on the adoption of the amendments by Mr. Francis.

**Roll Call Demanded**

Messrs. Francis, Dahl, and Reagan demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Crawford Cunningham, Cusanovich, Dahl, Dills, Francis, Ernest R Geddes, Grant, Hegland, Holmes, Johnson,

Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, and Thelin—36.

NOES—Beaver, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—42.

### Explanation of Vote on Francis Amendments

I was on the list to speak before the previous question was moved on the above matter. Had I had the opportunity I would have pointed out that the procedure set forth in the amendments proposed is not workable nor would they afford adequate protection to persons brought before the assessor.

BRUCE SUMNER

The question being on the passage of Assembly Bill No. 215.

### Demand for Previous Question

Messrs. Charles H. Wilson, Schrade, Hegland, Holmes, and Burton demanded the previous question. Demand sustained.

The question being on the passage of Assembly Bill No. 215.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. O'Connell moved a call of the Assembly.

The roll was called.

### Request to Change Vote Upon Roll Call

Mr. Reagan asked for unanimous consent that he be recorded as voting "No" instead of "Aye" on the roll call on Assembly Bill No. 215.

### Ruling by Speaker

The Speaker ruled the request not in order, at this time, since the House was in the middle of the roll call on the motion for a call of the Assembly.

The vote was announced, and the motion for a call of the Assembly lost by the following vote:

AYES—Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Davis, DeLotto, Dills, Elliott, Frew, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—38.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, McMillan, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—39.

The vote was announced, and Assembly Bill No. 215 refused passage by the following vote:

AYES—Bee, Biddick, George E. Brown, Burton, Cameron, Crown, DeLotto, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—39.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Gaffney, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—41.

### Request for Call of the Absentees

Mr. O'Connell requested that the absentees be called on the motion for a call of the Assembly.

### Reply by Speaker

The Speaker ruled the request not in order since the vote on the motion had already been announced.

### Notice of Motion to Reconsider Assembly Bill No. 215

Mr. Masterson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 215 was this day refused passage.

### Explanations of Vote on Assembly Bill No. 215

We are for forgiving organizations for failure to file exemptions relative to the loyalty oath. But we are absolutely against the repeal of the loyalty oath.

JOHN L. COLLIER
LOU CUSANOVICH

We voted no on the vote on final passage of Assembly Bill No. 215 because we feel the measure should have been referred to the Committee on Revenue and Taxation for the purpose of working out proper amendments to conform to the decision of the Supreme Court in the case of *Speiser* v. *Randall*, 2 L. Ed. Adv. 1460.

JOHN A. BUSTERUD
MILTON MARKS

## REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R. Geddes was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 500 copies of the report be printed out of committee funds.

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 10, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 285, adopted June 8, 1957, the Assembly Interim Committee on Education herewith submits its final report on Extension and Restriction of Tenure.

Respectfully submitted

DOROTHY M. DONAHOE, Chairman
Committee on Education

## SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 10, 1959

*Hon. Dorothy M. Donahoe, Chairman*
*Assembly Committee on Education*
*Assembly Chamber, Sacramento*

DEAR MISS DONAHOE: Pursuant to the general authority of House Resolution No. 285, adopted June 8, 1957, under which this subcommittee was appointed, the Subcommittee on the Extension and Restriction of Tenure held hearings in San Diego on October 15, 1958, and in Los

Angeles on December 6, 1958. This report is the result of those hearings and an independent research study conducted by the committee staff.

Respectfully submitted,

ERNEST R. GEDDES
Chairman of the subcommittee
CARLOS BEE
JOHN L. E. COLLIER
EDWARD E. ELLIOTT
CARLEY V. PORTER
HAROLD T. SEDGWICK

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 11, 1959

*Hon. Charles Edward Chapel*
*Assembly Chamber*

*Loyalty Oaths—No. 9798*

DEAR MR. CHAPEL: You have asked whether the recent tax cases or any other cases indicate that the loyalty oath required of public officers and employees by Article XX, Section 3, of the California Constitution and various statutes violates the Federal Constitution.

On the contrary, the court in the tax case of *Speiser* v. *Randall* (1958), 357 U.S. 513, 2 L. ed. 2d 1460, distinguished between requiring a loyalty oath of public employees, and requiring the oath in order to secure a tax exemption. The following is an analysis of the Speiser case including reference to the distinction drawn by the court between the tax exemption loyalty oaths and the loyalty oath cases relating to public employees.

*Speiser* v. *Randall;*
*Prince* v. *City and County of San Francisco*
(Consolidated cases on appeal from the Supreme Court of California, 1958, 357 U.S. 513, 2 L. ed. 2d 1460, 78 S Ct. 1332)

Appellants were veterans of World War II who claimed the veterans' property tax exemption provided by Article XIII, Section 1-¼ of the California Constitution.

Under California law applicants for such exemption must annually complete a standard form of application and file it with the local assessor. The form was revised in 1954 to add an oath by the applicant as follows:

> "I do not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities."

Each appellant refused to subscribe the oath and struck it from the form which he executed and filed for the tax year 1954-55. Each contended that the exaction of the oath as a condition of obtaining a tax exemption was forbidden by the Federal Constitution. The respective assessors of Contra Costa County and the City and County of San Francisco denied the exemption solely for the refusal to execute the

oath. The Supreme Court of California sustained the assessors' actions against the appellants' claims of constitutional invalidity.

The oath printed on the tax exemption form was based upon Article XX, Section 19, of the California Constitution, adopted at the General Election of November 4, 1952, which provides as follows:

> "Notwithstanding any other provision of this Constitution, no person or organization which advocates the overthrow of the Government of the United States or the State by force or violence or other unlawful means or who advocates the support of a foreign government against the United States in the event of hostilities shall:
>
> * * * * * * *
>
> "(b) Receive any exemption from any tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State.
>
> "The Legislature shall enact such laws as may be necessary to enforce the provisions of this section."

The California Legislature enacted Section 32 of the Revenue and Taxation Code pursuant to the above constitutional amendment, which section requires the claimant, as a prerequisite to qualification for any property tax exemption other than the householder's exemption, to declare that he does not engage in the activities described in the constitutional amendment.

The primary attack made by the appellants upon these provisions was that they denied them freedom of speech without the procedural safeguards required by the due process clause of the Fourteenth Amendment to the United States Constitution.

Thus, the basic issue with which the United States Supreme Court was confronted was whether California had chosen a fair method consistent with due process to determine when a claimant is a member of the class to which the tax exemption in question would be applied.

The court pointed out that a discriminatory denial of a tax exemption for engaging in speech is a limitation on free speech. It emphasized that under the California procedure the appellants, as taxpayers under the state law, had the affirmative burden of proof, in court as well as before the assessor, to show that they are proper persons who qualify under the constitutional provisions for the tax exemption in question; that is, that they are not persons who advocate the overthrow of the Government of the United States, or of the State, by force or violence or other unlawful means, or who advocate the support of a foreign government against the United States in the event of hostilities.

The court further pointed out that when the State undertakes to restrain unlawful advocacy, it must provide procedures which are adequate to safeguard against infringement of constitutionally protected rights, and that only considerations of the greatest urgency can justify restrictions on speech. It stated that the separation of legitimate from illegitimate speech calls for more sensitive tools than California has

supplied, and that it is plain that where the burden of proof lies may be decisive of the outcome

The court held that when the constitutional right to speech is sought to be deterred by a state's general taxing program, due process demands that the speech be unencumbered until the state comes forward with sufficient proof justifying its inhibition.

Accordingly, the court further held that the enforcement of Section 19 of Article XX of the California Constitution, through procedures which place the burden of proof and persuasion upon the taxpayer, is a violation of due process It followed, according to the court, that the appellants could not be required to execute the declaration as a condition for obtaining a tax exemption. In reaching such a conclusion the court indicated that it might be conceded for the purposes of argument, that the provisions of Section 19 of Article XX, in and of themselves, without the additional requirement of the declaration as a prerequisite to a tax exemption, might be valid.

Thus, Article 19 of Section 20 is not expressly declared unconstitutional, but enforcement through the statutory procedures utilized is unconstitutional.

In rendering its decision, the court distinguished the cases previously decided relating to loyalty oaths required of public employees. It pointed out that each of those cases concerned a limited class of persons in, or aspiring to, public positions by virtue of which they could, if evilly motivated, create serious danger to the public safety. The principal aim of those statutes was not to penalize political speeches but to deny positions to persons supposed to be dangerous because the speech might be misused to the detriment of the public.

The court stated that the tax exemption loyalty oath legislation could have no such justification, in that it purported to deal directly with speech and the expression of political ideas. In answer to the argument that veterans as a class occupy a position of special trust and influence in the community, and therefore any veteran who engages in the proscribed advocacy constitutes a special danger to the State, the court stated that while a public employee may be deprived of his position and thereby removed from the place of special danger, the State is powerless to erase the service which the veteran has rendered to his Country. According to the court, therefore, the State consequently can act against a veteran only as it can act against any other citizen, by imposing penalties to deter unlawful conduct.

Moreover, the court pointed out that the oaths required in the public employee cases performed a different function from the declaration or oath in issue in the instant cases. In the earlier cases it appeared that the loyalty oath, once signed, became conclusive of the facts attested so far as the right to office was concerned. If the person took the oath he retained his position. The court pointed out that the oath was not part of a device to shift to the officeholder the burden of proving his right to retain his position The signer could be prosecuted for perjury, but only in accordance with the strict procedural safeguards surrounding such criminal prosecutions, whereas in the present case, the declaration might be accepted or rejected on the basis of incompetent information or no information at all.

Based on these distinctions, the court held that the principles of the employee loyalty oath cases had no application to the present cases it was considering.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By (MRS.) ROSE WOODS, Deputy

### REQUEST FOR UNANIMOUS CONSENT

Mr. Rees was granted unanimous consent that the following report of the Committee on Rules be read:

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

March 12, 1959

MR SPEAKER: Your Committee on Rules did this day consider the motion of Mr. Rees relative to approval of payment of funds for the purpose of printing 1,000 copies of a report of the Interim Committee on Conservation, Planning, and Public Works and reports as follows:

That the printing of said report be approved and that funds for such printing come first from the funds of the interim committee and thereafter to the extent that such funds are inadequate, from the Assembly Contingent Funds

MILLER, Chairman

### REPORT ADOPTED

By unanimous consent, the above report of the Committee on Rules was approved and adopted.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 120

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 11

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 87
Assembly Concurrent Resolution No. 88

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered engrossed, and to the Consent Calendar.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 104

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered on file for amendment.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 128
House Resolution No. 129
House Resolution No. 133

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

### Committee on Social Welfare

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 485
Assembly Bill No. 747
Assembly Bill No. 755

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bills ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 720

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works.

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1026
Assembly Bill No 1027

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 277
Assembly Bill No. 716
Assembly Bill No. 890
Assembly Bill No. 892
Assembly Bill No. 904
Assembly Bill No 994
Assembly Bill No. 1020
Assembly Bill No 1028

And reports the same correctly engrossed.

BURKE, Chairman

Above bills, with the exception of Assembly Bill No. 716, ordered to third reading.

Assembly Bill No. 716 ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 119
Assembly Bill No 239
Assembly Bill No 271
Assembly Bill No. 367
Assembly Bill No. 719
Assembly Bill No. 917

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 12, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Concurrent Resolution No 77

And reports the same correctly engrossed

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 12, 1959

MR SPEAKER: *Your Committee on Engrossment and Enrollment has examined:*

Assembly Concurrent Resolution No 87
Assembly Concurrent Resolution No. 88

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 164
Assembly Bill No. 268
Assembly Bill No. 276

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 647 FROM COMMITTEE

Mr. Lowrey was granted unanimous consent that Assembly Bill No. 647 be withdrawn from the Committee on Water for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 647

**Assembly Bill No. 647**—An act to amend Section 11200 of, and to add Article 9.9 (commencing at Section 11276) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project and declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

### Amendment No. 1

In lines 5 and 6 of the title of the printed bill, strike out "and declaring the urgency thereof, to take effect immediately".

### Amendment No. 2

On page 2, strike out lines 11 through 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Announcements were made of the committee meetings scheduled for this date, as set forth in the Daily File and Daily History.

## ADJOURNMENT

At 12 07 p m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, March 13, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

FIFTIETH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, March 13, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—77.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by the Reverend Robert S. Romeis, Pastor of St. John's Lutheran Church of Sacramento, and a former Chaplain of the Assembly:

*Almighty and Everlasting God*, Remind us on this day—Friday the 13th—that the true issues of life are not decided by luck or by ill-luck, but rather by the choices which we human beings make day by day. Purge our souls of selfishness, cleanse our hearts of pride, sweep from our minds the cobwebs of shallow thought and hasty judgment. Enable us, O Father, to make choices that are right in Thy sight, that are comfortable to our consciences, that will stand the strictest test of sincerity and truth. Help us so to do Thy will, O Lord, that this day will be a good day, a lucky day for the people of California, a prelude to a better tomorrow and a finer future; through Jesus Christ, Thy Son, Our Lord, who liveth and reigneth with Thee and the Holy Ghost, one God, world without end—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Thomas, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Reagan, on motion of Mr. Shell.

Mr. Z'berg, on motion of Mr. Samuel R. Geddes.

Mr. Cameron, on motion of Mr. Unruh.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

CITY OF LOS ANGELES
OFFICE OF CITY CLERK
March 9, 1959

*Arthur A. Ohnimus*
*Clerk of the Assembly*
*Assembly Chamber, State Capitol, Sacramento*

GREETINGS: At the meeting of the Council held March 9, 1959, upon recommendation of the State, County and Federal Affairs Committee, the following motion was adopted

"I MOVE that the State Legislature be memorialized by the Los Angeles City Council to take adequate steps to insure state legislation to aid and assist in smog control in this city, and

I FURTHER MOVE that the proposed legislation include the regulation or prohibition of the sale of automobiles in California after January 1, 1961, unless said automobiles are properly equipped with smog prevention equipment or unless the development of smog control devices permit an earlier date for the enforcement of smog control on all automobiles sold.

I FURTHER MOVE that the proposed legislation provide for the control of automobiles from out of state using Los Angeles streets, allowing a visitor's automobile a reasonable time for use here before being required to install smog control equipment, and

I FURTHER MOVE that the proposed legislation provide for the equipment of privately-owned automobiles already in use on the streets of Los Angeles and that a period of grace of one or two years be allowed before requiring the equipment of older cars with the acceptable smog control equipment, and

I FURTHER MOVE that Los Angeles representatives in the State Legislature be advised that smog control is the most important single subject to come before the Legislature and that the problem affects the lives of our citizens, the economic well-being of the community, the growth and development of the area as a metropolitan area, and that no time or expense be spared to bring the matter forcibly to the attention of the entire Legislature that smog is the paramount problem of the City of Los Angeles."

Respectfully yours,

WALTER C. PETERSON, City Clerk
By A. M. MORRIS, Assistant City Clerk

I HEREBY CERTIFY the foregoing to be a true and correct copy of the action taken by the Council of the City of Los Angeles at its meeting held March 9, 1959.

WALTER C. PETERSON, City Clerk
By A. M. MORRIS, Assistant City Clerk

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The following communications were presented by the Chief Clerk from:

Mildred Major, Mrs. Florence Candee, J. Weinberg, and Bob Candee of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Tom A. Francis of San Francisco, relative to billboards. Referred to the Committee on Governmental Efficiency and Economy.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Joint Resolution No. 22**: By Mr. George E. Brown—Relative to nuclear weapons test explosions under an adequate inspection system.

Referred to Committee on Rules.

### Speaker pro Tempore Presiding

At 9.34 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2003**: By Mr. Thomas—An act to amend Section 8780 of the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2004**: By Mr. Lanterman—An act to add Section 9006.1 to the Welfare and Institutions Code, relating to meetings of local mental health advisory boards.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2005**: By Messrs. Johnson, Thelin, Hegland, Don A. Allen, Beaver, Britschgi, George E. Brown, Ralph M. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, DeLotto, Gaffney, Ernest R. Geddes, Grant, House, Kennick, Lanterman, Luckel, Lunardi, MacBride, Meyers, Mulford, Porter, Reagan, Rumford, Schrade, Shell, Thomas, and Charles H. Wilson, and Senator Dilworth, co-author—An act to amend Section 13114, of, to amend and renumber Section 13114.5 of, and to add Sections 13114.1, 13114.2, 13114.3, 13114.4, 13114.5, 13117, and 13147 to, the Health and Safety Code, relating to fire protection.

Referred to Committee on Public Health.

**Assembly Bill No. 2006**: By Mr. Nisbet (By Request)—An act to add Section 18973.1 to the Government Code, relating to promotional civil service examinations.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2007**: By Messrs. Biddick, Ralph M. Brown, and Lowrey—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary co-ordination of releases of water from reservoirs.

Referred to Committee on Water.

**Assembly Bill No. 2008**: By Mr. Charles H. Wilson—An act to add Section 21804.1 to the Education Code, as enacted at the 1959 Regular Session, relating to school district bonding capacity.

Referred to Committee on Education.

**Assembly Bill No. 2009**: By Messrs. Hanna, Sedgwick, Hegland, and Bee—An act to amend Sections 23603, 23604, 23605, 23607, 23608, 23609, 23610, 23651, 23652, 23653, 23657, 23701, 23703, 23706, 23707, 23751, 23752, 23753, 23754, 23757, 23760, 23761, 23801, 23803, 23851, 23852, 23853, 23854, 23855, 23856, 23858, 23859, 23860, 23862, 23863,

23864, 23865, 23866, 23901, 23902, 23903, 23951, 23952, 23953, 24051, 24052, 24053, 24101, 24102, 24103, 24104, 24201, 24202, 24203, 24204, 24205, 24206, 24208, 24209, 24210, 24251, 24252, 24254, 24255, 24256, 24301, 24302, 24305, 24308, 24312, 24313, 24315, 24351, 24352, 24353, 24354, 24452, 24453, 24454, 24502, 24581, 24582, 24601, 24651, 24701, 24702, 24703, 24753, 24754, 24853, 24854, 24952, and 24954 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Referred to Committee on Education.

**Assembly Bill No. 2010**: By Messrs. Hegland, Luckel, Crawford, and Schrade—An act to add Section 20568.1 to, and to amend Sections 26965, 26966 and 26967 of, the Water Code, relating to irrigation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2011**: By Messrs. Masterson, Grant, Shell, Waldie, Backstrand, Ernest R. Geddes, Munnell, and Reagan—An act to add Section 22458.1 to the Financial Code, relating to credit life insurance in connection with loans made by personal property brokers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2012**: By Messrs. Rumford, Dahl, Gaffney, Z'berg, Bruce F. Allen, Backstrand, Mulford, O'Connell and Pattee—An act to amend Sections 16053, 16081, 16082, 16456, and 16457 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle financial responsibility laws

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2013**: By Messrs. Rumford and O'Connell—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to public assistance payments.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2014**: By Messrs. Rumford and O'Connell—An act to amend Section 2142.5 of the Welfare and Institutions Code, relating to medical needs of old-age assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2015**: By Mr. Rumford—An act to amend Section 2018 of the Welfare and Institutions Code, relating to recipients of old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2016**: By Messrs. O'Connell and Munnell—An act to add Section 830 to the Penal Code, relating to records of arrest.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2017**: By Mr. O'Connell—An act to amend Section 16562 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to use of school property for public purposes.

Referred to Committee on Education.

**Assembly Bill No. 2018**: By Mr. Ernest R. Geddes—An act to amend Section 197.8 of the Streets and Highways Code, relating to city street project contracts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2019**: By Mr. MacBride—An act to add Section 14804.1 to the Financial Code, relating to credit unions.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2020**: By Mr. MacBride—An act to amend Section 488.5 of the Vehicle Code, and to amend Section 20014 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of vehicle accident reports.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2021**: By Messrs. Lunardi and Garrigus—An act to amend Section 3107 of the Government Code, relating to oaths of allegiance.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2022**: By Mr. Lunardi—An act to amend Section 20803 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to tax rates of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2023**: By Mr. Beaver—An act to add Article 11 (commencing at Section 11640) to Chapter 2 of Part 2 of Division 4 of the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2024**: By Mr. Beaver—An act to amend Section 58854 of the Government Code, relating to information furnished by proponents to the boundary commission for clarification of boundary changes.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2025**: By Mr. Beaver—An act to amend Section 1773 of the Labor Code, relating to public works.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2026**: By Mr. Beaver—An act to amend Section 74263 of the Government Code, relating to San Bernardino Municipal Court District and sheriff's duties.

Referred to Committee on Judiciary—Civil.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT ADDITIONAL COPIES OF BILLS

Mr. Ernest R. Geddes was granted unanimous consent that additional copies of the following bills be printed:

Three thousand five hundred additional copies of Assembly Bill No. 1985; 1,000 additional copies each of Assembly Bills Nos. 1984, 1987, and 1990; 500 copies each of Assembly Bills Nos. 1981, 1982, 1983, 1986, and 1989.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2027**: By Mr. Beaver—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in small claims courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2028**: By Mr. Beaver—An act to amend Section 34311 of the Government Code, relating to organization of new cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2029**: By Messrs. Grant and Kennick—An act to amend Section 16900 of the Health and Safety Code, relating to gas appliances

Referred to Committee on Public Health.

**Assembly Bill No. 2030**: By Mr. Bee—An act to amend Sections 8825, 8826, 8827, and 8828 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health.

**Assembly Bill No. 2031**: By Mr. Rumford—An act to repeal Section 24755 of, and to add Sections 24749 and 27455 to, the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2032**: By Messrs. Winton and Belotti—An act to add Section 4243.5 to the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Constitutional Amendment No. 31**: By Messrs. Lanterman and Crawford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to searches and seizures.

Referred to Committee on Constitutional Amendments.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 36**—Relative to approving continuation of studies by the California Law Revision Commission;

And reports the same correctly enrolled, and presented to the Secretary of State on the twelfth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1192

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

### Committee on Rules

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 4

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, March 12, 1959

MR SPEAKER: Your Committee on Military and Veterans Affairs reports

Assembly Bill No. 750
Assembly Bill No. 458

With the recommendation: Do pass.

CRAWFORD, Chairman

Above bills ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 293
Assembly Bill No. 1085

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bills ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 49
Assembly Bill No. 1030

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 723

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 882

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 12, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 77

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No 28

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 326
Assembly Bill No. 490
Assembly Bill No. 552
Assembly Bill No. 967
Assembly Bill No. 863
Assembly Bill No. 1212
Assembly Bill No. 1213

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 212
Assembly Bill No. 555
Assembly Bill No. 557
Assembly Bill No. 808
Assembly Bill No. 1052
Assembly Bill No. 1055

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 551
Assembly Bill No. 1214

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 541

With amendments with the recommendation. Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 66
Senate Bill No. 185

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 392

With amendments but without recommendation, and be re-referred to Committee on Education.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 12, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 454
Assembly Bill No 556
Assembly Bill No. 638

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, March 11, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1186

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 997
Assembly Bill No. 1042
Assembly Bill No. 1116

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 524

With the recommendation: That the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bill ordered filed; and subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 598
Assembly Bill No. 998
Assembly Bill No. 999

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bills ordered to second reading.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, March 13, 1959

MR SPEAKER: Your Committee on Industrial Relations reports.

Assembly Bill No. 419

With the recommendation: Do pass.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 13, 1959

MR SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 479

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 584

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, March 12, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 111

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, March 13, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 22
Senate Bill No. 23

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, March 12, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 12

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Joint Resolution No. 12**—Relative to co-operation between federal and local agencies.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 12, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 137
Senate Bill No. 174
Senate Bill No. 349
Senate Bill No. 400
Senate Bill No. 505

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 137**—An act to amend Sections 375.1, 377.1, and 377.6 of the Agricultural Code, relating to poultry.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 174**—An act to add Section 2351 to the Agricultural Code, relating to deposit of funds.

Referred to Committee on Agriculture.

**Senate Bill No. 349**—An act to add Division 5, comprising Sections 30000 through 30010, to Title 4 of the Corporations Code, relating to fiduciary security transfers.

Referred to Committee on Finance and Insurance.

Speaker Presiding

At 9.57 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Senate Bill No. 400**—An act to add Section 5132 to the Agricultural Code, relating to the investment of moneys collected pursuant to the California Beef Council Law.

Referred to Committee on Agriculture.

**Senate Bill No. 505**—An act to amend Sections 21460 and 21803 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to highway signs and markings.

Referred to Committee on Transportation and Commerce.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 934

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 934**—An act to validate the organization and acts of junior college districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker Ralph M. Brown was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and the report ordered filed:

## LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 13, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 220, 1957 Session of the California Legislature, your Assembly Interim Committee on Governmental Efficiency and Economy submits its report covering its functions and activities during the 1957-59 interim.

The work of the committee was divided among various subcommittees and each submits its own report and recommendations, if any, based upon facts accumulated at the various hearings.

Respectfully submitted,

RALPH M. BROWN, Chairman
CARLOS BEE
WILLIAM BIDDICK, JR.
FRANK G. BONELLI
CLARK L. BRADLEY
REX M. CUNNINGHAM
EDWARD E. ELLIOTT
ERNEST R. GEDDES
JAMES L. HOLMES
HAROLD K. LEVERING
FRANK LUCKEL
LESTER A. MCMILLAN
DON MULFORD
HAROLD T. SEDGWICK
A. I. STEWART
GORDON H. WINTON, JR.
JOHN A. BUSTERUD,
Vice Chairman

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bee moved that all bills on the Assembly second reading file be deemed read the second time, with appropriate action taken on those bills requiring action.

Mr. Pattee seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file.

**Assembly Bills Nos. 1192, 960, 286, 883, 690, 691, 725, 839, 527,** and **1096** ordered to third reading.

**Assembly Bills Nos. 1192, 960, 286, 883, 839, 527,** and **1096** ordered to third reading, subsequent to engrossment.

**Assembly Bills Nos. 690, 691,** and **725** ordered to the Consent Calendar, subsequent to engrossment.

## CONSIDERATION OF DAILY FILE

### SECOND READING OF ASSEMBLY BILLS

**House Resolution No. 104**—Relative to amending Rule 105 of the Permanent Standing Rules of the Assembly.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In line 8, of the printed measure, on page 880 of the Assembly Journal for February 25, 1959, after the period, insert "A motion to reconsider may be voted on without a second."

Resolution ordered printed in the Journal, as amended, and placed on the Consent Calendar.

**House Resolution No. 104, as Amended**

**House Resolution No. 104**

Relative to amending Rule No. 105 of the Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California,* That Rule No. 105 of the Permanent Standing Rules of the Assembly is amended to read:

105. *(a)* ~~Notice of a~~ *A* motion to reconsider on the next legislative day ~~,~~ *(1)* the vote whereby any bill ~~, constitutional amendment, concurrent or joint resolution~~ was passed or refused passage, *or (2) the vote whereby any motion, amendment, concurrence, Assembly resolution or proposition other than a bill was passed or refused passage,* must be ~~given~~ *made* on the same day *the* ~~such~~ vote to be ~~so~~ reconsidered was taken. *No motion to reconsider shall be in order on the last day, or the day preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 members, except that it shall require such a vote of 54 members or 60 members, respectively, to reconsider the vote on any matter originally requiring 54 votes or 60 votes, as the case may be. A motion to reconsider may be voted on without a second.*

A ~~notice of~~ motion to reconsider a vote must be ~~given~~ *made* by a member voting on the ~~bill, constitutional amendment, concurrent or joint resolution~~ *question*, and shall take precedence over all motions, except a motion to adjourn. Upon such ~~notice of~~ motion being ~~given~~ *made*, the ~~bill, constitutional amendment, concurrent or joint resolution~~ *matter to be reconsidered* shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a ~~notice of a~~ motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. *When reconsideration is granted, the matter to be reconsidered shall resume its exact position before the Assembly previous to its being voted upon.*

*(b)* Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill ~~, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given~~ *may move to take up on the same day the motion to reconsider such a question, previously made by another member. The motion to take up the reconsideration on the same day* shall take precedence over ~~and above~~ *the motion to reconsider* ~~such notice~~ and upon demand of any member *the motion to take up the reconsideration on the same day* must be put to an immediate vote. *If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the house.* ~~A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.~~

~~No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an~~

~~affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote of any matter originally requiring a two-thirds vote for its passage or adoption.~~

~~When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.~~

Resolution ordered to the Consent Calendar.

**Assembly Bill No. 639**—An act to amend Sections 781, 784.4, and 784.6 of the Agricultural Code, and to add Section 12604.5 to the Business and Professions Code, relating to fruit, nut and vegetable standards and containers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 379**—An act to amend Section 27361.6 of the Government Code, relating to recordation of instruments.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 653**—An act to amend Section 69599.5 of the Government Code, relating to superior courts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 654**—An act to amend Section 74641 of the Government Code, relating to municipal courts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 941**—An act to amend Section 68546 of the Government Code, relating to court attaches.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 336**—An act to add Section 68110 to the Government Code, relating to judges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1145**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read second time.

*Consideration of Committee Amendments*

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, strike out lines 37 through 41, inclusive, and insert "(h) The registered owner of a motor vehicle under a conditional sales contract shall give written notice to the legal owner of any change of the registered owner's address within 30 days after the change. The failure to notify the legal owner shall create a presumption of a fraudulent intent on the part of the registered owner if he becomes delinquent in any payment as required under the conditional sales contract."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 641**—An act to amend Section 795 of the Agricultural Code, relating to citrus.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

**Amendment No. 1**

On page 2, line 28, of the printed bill, strike out "the damage on"; and strike out all of line 29, and insert "the same methods and procedures as required for oranges produced in California unless it is not practical to obtain sufficient accurate information upon which to establish Dates A and B as required by this section for such oranges. In such case the extent of damage by freezing in any lot of such oranges shall be determined by the "damage on the segment walls" unless examination of a representative sample of the oranges in said lot shows that the drying process has developed".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 907**—An act to amend Sections 803, 803.5, 804, 828.45, and 829.2 of the Agricultural Code, relating to standard containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

On page 2, line 16, of the printed bill, after "27B.", insert "Containers of peaches placed in molded forms shall be marked with the exact number of peaches placed therein, and may be packed in standard container Number 31."

**Amendment No. 2**

On page 2, strike out lines 21, 22, and 23.

**Amendment No. 3**

On page 3, line 16, after "27A", insert "Containers of nectarines placed in molded forms shall be marked with the exact number of nectarines placed therein, and may be packed in standard container Number 31."

**Amendment No. 4**

On page 3, strike out lines 21, 22, and 23.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1189**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1106**—An act to add Section 614.4 to the Agricultural Code, relating to milk and dairy products

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1107**—An act to add Section 614.5 to the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 674**—An act to add Section 2014 to the Business and Professions Code, relating to chiropody.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 812**—An act to amend Section 35541 of the Health and Safety Code, and to amend Section 2 of Chapter 1246, Statutes 1955, relating to temporary housing projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 211**—An act to amend Sections 18001, 18350, and 18446 of, to repeal Sections 18355, 18364, 18369, and 18444 of, and to add Sections 18002.1 and 18444 to, the Health and Safety Code, relating to auto and trailer parks and tent camps.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, after the first comma, insert "18002,".

### Amendment No. 2

In line 1 of the title, strike out "and 18446 of, to", and insert "18355, and 18444 of".

### Amendment No. 3

Strike out line 2 of the title; and in line 3, strike out "add Sections 18002.1 and 18444 to,".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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### Amendment No. 4

On page 1, strike out line 1, and insert

"SECTION 1. Section 18001 of the Health and Safety Code is amended to read:

18001. "Trailer coach," as used in this part, means any camp car, trailer, *mobile home* or other vehicle, with or without motive power, designed and constructed to travel on the public thoroughfares at the maximum allowable speed limit and in accordance with the provisions of the Vehicle Code, and designed or used for human habitation.

(a) A dependent trailer coach is one not equipped with a toilet for sewage disposal.

(b) An independent trailer coach *or mobile home* is one equipped with a toilet [for sewage disposal] *and bath*.

SEC. 2. Section 18002 of said code is amended to read:

18002. "Auto and trailer park," *or mobile home park*, as used in this part, means any area or tract of land where space is rented or held out for rent, to two or more owners or users of trailer coaches, *mobile homes* or tent campers furnishing their own camping equipment, or where free camping is permitted owners or users of trailer coaches, *mobile homes* or tent camping equipment for the purpose of securing their trade.

SEC. 3. Section 18350 of said code is amended to read:

18350. [(a) Public *toilets, baths*, and lavatories shall be installed and maintained *for each sex in accordance with the following ratio of trailer sites, provided*, however, that the number of such public facilities may be reduced accordingly when private toilet and bath facilities are erected on trailer sites and it is further provided that the number of lavatories designed for the use of women may be reduced by fifty percent (50%).

| Sites | Toilets | Baths | Lavatories |
|---|---|---|---|
| 2-30 | 2 | 2 | 2 |
| 31-70 | 3 | 3 | 3 |

One additional toilet and one additional bath shall be provided for each sex for each fifty (50) additional sites or fractional part thereof in excess of seventy-one (71)

sites. The enforcement agency, when conditions warrant, may approve the installation and use of other types of toilet facilities ]

*Public toilets, showers, and lavatories shall be provided as follows:*

*(a) For dependent trailers: One toilet, one shower, and one lavatory for each sex for each ten (10) dependent trailer sites.*

*(b) For independent trailers and mobile homes the following ratio of toilets, showers, and lavatories for each sex:*

| *Sites* | *Toilets* | *Showers* | *Lavatories* |
|---|---|---|---|
| *2-25* | *1* | *1* | *1* |
| *26-70* | *2* | *2* | *2* |

*One additional toilet shall be provided for each sex for each one hundred (100) additional sites or fractional part thereof in excess of seventy (70) sites.*

[(b)] *(c)* All toilet facilities for dependent trailers shall not be farther than [two hundred feet (200')] *four hundred feet (400')* from [each] *any dependent* trailer site.

[(c)] *(d)* Each toilet shall be for the exclusive use of the occupants of the trailer sites in the auto and trailer park

SEC. 4 Section 18355 of said code is amended to read:

18355. It is unlawful for any person to use, or permit the use of, any toilet in any trailer coach located [or camped] within an auto and trailer [camp.] *park* unless [such toilet] *the plumbing in such auto and trailer park* meets the requirements of the Division of Housing as set forth in rules and regulations of the said division for such use, and the said division is hereby empowered to draft and enforce such rules and regulations

SEC. 5. Section 18444 of said code is amended to read:

18444. No tent site shall be located farther than [two hundred feet (200')] *four hundred feet (400')* from public toilet [and public bathing] facilities"

**Amendment No. 5**

One page 1, strike out lines 2 to 19, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 643**—An act to add Section 439.04 to the Agricultural Code, and to amend Section 1920 of the Health and Safety Code, relating to dogs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "439.04 to the Agricultural Code, and to"; and strike out line 2, and insert "3008 to the Fish and Game Code, relating".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 3008 is added to the Fish and Game Code, to read:

3008. The physical control of a dog by its owner while the dog is engaged in hunting in an area where the owner is otherwise authorized to hunt, shall be as required by this code or regulations made pursuant thereto Local ordinances relating to such control are not applicable to such dogs while so engaged.

Dogs which are used for hunting which have been vaccinated for rabies in their county of residence in conformity with state law regulating vaccinations in rabies areas are not subject to rabies vaccination requirements of local ordinances outside their county of residence."

**Amendment No. 3**

On page 1, strike out lines 2 to 21, inclusive; and on page 2, strike out lines 1 to 28, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1131**—An act to amend Section 4362 of the Agricultural Code, relating to milk products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

On page 2, line 14, of the printed bill, after "institution", insert "within the jurisdiction of this State".

**Amendment No. 2**

On page 2, line 23, strike out "or state", and insert ", state, or federal".

**Amendment No. 3**

On page 2, line 33, strike out "and state", and insert ", state, and federal".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 292**—An act to amend Section 9483 of the Elections Code, relating to county election services to cities and districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 385**—An act to add Section 2598 to Article 4 of Chapter 2 of Division 5 of the Elections Code, relating to candidates' political affiliations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 616**—An act to amend Section 2540 of the Elections Code, relating to the qualification of political parties.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1001**—An act to amend Section 132 and to repeal Section 132.5 of the Elections Code, relating to absent registration.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1002**—An act to amend Section 82 of the Elections Code, relating to presidential voting for new residents.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1156**—An act to amend Section 230 of the Elections Code, relating to the form of the affidavit of registration.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1190**—An act to amend Sections 7003, 7007 and 7008, and to repeal Sections 7005 and 7006 of the Elections Code, relating to canvass at precincts

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 74**—An act to add Section 5006.5 to the Elections Code, relating to campaigns.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on February 27, 1959, strike out lines 18 through 22, inclusive.

Bill ordered reprinted and re-engrossed.

**Assembly Bill No. 195**—An act to amend Sections 293, 293.5, 295, and 296 of, and to repeal Section 296.5 of, the Elections Code, relating to the cancellation of voter registrations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on March 6, 1959, after the first comma, insert "he has had written notice from the voter that the voter still resides and has not removed from the residence address stated in the affidavit of registration, or,".

Amendment No. 2

On page 2, strike out line 25, and insert "law. However, if you still reside and have not removed from the residence address stated in your affidavit of registration and you have notified the county clerk of that fact in writing, over your signature, within 30 days after date of mailing this notice, your affidavit of registration shall be restored to the file and shall remain permanent unless canceled for any other cause. If you are a member of the armed forces of the".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 908**—An act to establish a Public Services Code, thereby consolidating and revising the law relating to certain utilities and transit districts, and to repeal certain laws and parts of laws specified herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Services", and insert "Districts".

Amendment No. 2

On page 1, line 1, strike out "Services", and insert "Districts".

Amendment No. 3

On page 1, line 5, strike out "Services", and insert "Districts".

Amendment No. 4

On page 75, line 22, strike out "Service", and insert "Districts".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 987**—An act to amend Section 29484 of the Government Code, relating to proceeds of the United States Forest Reserve Fund.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1217**—An act to amend Section 6334 of the Education Code, and Section 20504 of the Education Code as proposed by Senate Bill No. 2, relating to school district budgets.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1066**—An act to amend Section 12025 of the Education Code, and Section 13101 of the Education Code as proposed by Senate Bill No. 2, relating to accreditation of teacher training institutions.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 948**—An act to amend the heading of Article 8 (commencing at Section 2581), Chapter 7, Division 2 of, to amend and renumber Section 2582 of, to amend Sections 2581, 2583, 2583.1, 2586, and 2592 of, to add Section 2582 to, and to repeal Sections 2584, 2585.1, and 2593 of the Education Code, and to amend the heading of Article 10 (commencing at Section 1871), Chapter 2, Division 5 of, to amend and renumber Section 1872, to amend Sections 1871, 1873, 1874, 1878, 1884, to add Section 1872 to, and to repeal Sections 1875, 1877, and 1885 of, the Education Code as proposed by Senate Bill No. 2, relating to the lapsation and suspension of school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 47**—An act to amend Section 6357.2 of the Education Code, relating to school district taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 17, of the printed bill, before the period, insert ", and said increase shall be in addition to any other school district tax authorized by law to be levied".

Amendment No. 2

On page 1, line 21, before the period, insert ", and said increase shall be in addition to any other school district tax authorized by law to be levied".

Amendment No. 3

On page 2, line 4, before the period, insert ", and said increase shall be in addition to any other school district tax authorized by law to be levied".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 368**—An act to add Section 1010.5 to the Education Code, and to add Section 906.5 to the Education Code as proposed by Senate Bill No. 2, relating to legal counsel for school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert "An act to".

Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 906.5 is added to the Education Code, as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 4**

On page 1, line 10, after "practice", insert "to assist it in the preparation and conduct of school district litigation".

**Amendment No. 5**

On page 1, strike out lines 13 to 18, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 497**—An act to amend Section 19601.5 of, and to add Section 19610.1 to, the Education Code, and to amend Section 16603 of, and to add Section 16625.1 to, the Education Code as proposed by Senate Bill No. 2, relating to child care centers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 19601.5 of, and to add Section 19610.1 to, the Education Code, and".

**Amendment No. 2**

In lines 3 and 4 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "19601.5 of the Education Code is", and insert "16603 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 1, strike out lines 2 to 18, inclusive; and on page 2, strike out lines 1 to 48, inclusive.

**Amendment No. 5**

On page 4, line 1, strike out "Subdivision", and insert "Section".

**Amendment No. 6**

On page 4, line 2, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 7**

On page 4, line 3, strike out "four dollars ($4)", and insert "six dollars ($6)".

**Amendment No. 8**

On page 4, strike out lines 8 to 14, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 535**—An act to add Section 13831.7 to the Education Code, and to add Section 13516.5 to the Education Code as proposed by Senate Bill No. 2, relating to the salaries of certificated employees of school districts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 867**—An act to amend Section 14401 of the Education Code, and to amend Section 14001 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 915**—An act to amend Section 13061 of the Education Code, and Section 13302 of the Education Code as proposed by Senate Bill No. 2, relating to special lecturers.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 916**—An act to amend Section 12051 of the Education Code, and Section 13112 of the Education Code as proposed by Senate Bill No. 2, relating to certification documents.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 878**—An act to add Sections 3010, 3011, 3409, and 3410 to, to amend Sections 3047.2, 3447, and 3449 of, and to repeal Sections 3088, 3088.1, 3474 and 3474.1 of, the Welfare and Institutions Code, relating to the responsibility of relatives of recipients of aid to the blind.

Bill read second time.

*Consideration of Committee Amendments*

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, after the comma, insert "and to amend Section 206.7 of the Civil Code,".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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Amendment No. 2

On page 3, after line 7, insert

"SEC. 9. Section 206.7 of the Civil Code is amended to read:

206.7. In the event that the parent of a person seeking to maintain an action pursuant to Section 206.5 is an applicant for or recipient of aid under Chapter 1 of Division 3, *or* Chapter 2 of Division 4[, Chapter 1 of Part 1 of Division 5, or Chapter 3 of Part 1 of Division 5] of the Welfare and Institutions Code, the person seeking to maintain the action shall first make application to the board of supervisors of the county responsible for granting such aid for an order freeing him from responsibility for the support of his parent. At the time of making such application, the person shall produce proof, either by a person who was in a position to know the facts, other than the parent against whom relief is sought, or by documentary or other reliable evidence, that while he was a minor under 16 years of age he was abandoned by the parent for a period of two or more years and that during such period the parent was physically and mentally able to support him. If the board denies his request or fails to act upon such request within 30 days, such person shall be entitled to file an action pursuant to Section 206.5."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 103**—An act to amend Section 4020 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "Division 3", and insert "Part 1 of Division 5".

**Amendment No. 2**

On page 1, line 12, strike out "Division 3", and insert "Part 1 of Division 5".

**Amendment No. 3**

On page 1, line 23, strike out ", within the limits set forth in this section,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 106**—An act to amend Section 4000 of the Welfare and Institutions Code, relating to eligibility for aid to the needy disabled.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out "and the individual's social case history".

**Amendment No. 2**

On page 1, strike out lines 15 to 20, inclusive, and insert "qualified under this chapter unless he requires supervision or physical assistance on a regular basis.

Supervision or physical assitance on a regular basis means that the person requires help in his daily regimen to maintain himself in a condition of safety and well being."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 553**—An act to amend Section 1525 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

**Amendment No. 1**

On page 1, after line 17, of the printed bill, insert

"(d) If he is born in the State and meets the requirements of Section 1500 as they relate to children who have been relinquished for adoptive placement"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1016**—An act to amend Section 667.1 of the Welfare and Institutions Code, relating to the establishment of schools in county juvenile halls.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "board of supervisors", in insert "county board of education".

Amendment No. 2

On page 1, line 13, after the period, insert "The board of supervisors shall have the power to review and approve any budget proposing expenditures for the operation of such schools, and may revise it to the extent deemed necessary."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 767**—An act to amend Sections 3084.1 and 3472.1 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 881**—An act to amend Section 3475 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 945**—An act to amend Section 3332 of the Welfare and Institutions Code, relating to the administration and use of the California Industries for the Blind Manufacturing Fund.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1105**—An act to amend Sections 103 4, 118, and 118.2 of, and to amend the chapter heading of Chapter 3 (commencing with Section 3400) of Part 1 of Division 5 of, the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 672**—An act to amend Section 13241 of the Public Utilities Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 485**—An act to amend Sections 2160.1, 2160.3 and 3044.1 of, and add Section 4160.1 to, the Welfare and Institutions Code, relating to payments to recipients of old age security, aid to needy blind and aid to needy disabled in public medical institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "until the first of the", and insert "for a period prior to the first calendar".

Amendment No. 2

On page 3, line 5, strike out "until the first of the", and insert "for a period prior to the first calendar".

Amendment No. 3

On page 3, line 26, strike out "until the first of the", and insert "for a period prior to the first calendar".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 747**—An act to amend Sections 3047 and 3047.01 of the Welfare and Institutions Code, relating to aid to needy blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "chapter", and insert "section".

Amendment No. 2

On page 1, line 20, strike out "chapter", and insert "section".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 755**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "chapter", and insert "section".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 720**—An act to amend Sections 504.5, 506, 506.6, 506.7, 5001, 5003, 5003.5, 5004, 5005, 5006, 5006.1, 5006.5, 5007, 5008, 5010, 5010.5, 5012, 5012.1, 5015, 5016, 5019.5, 5020, 5021, 5022, 5023, 5025.11, 5025.12, 5025 2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072.5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5013.5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050) of Chapter 1, Division 5 of, and to add Sections 5017 and 5018 to, the Public Resources Code, relating to beaches and parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill strike out "504.5,".

Amendment No. 2

On page 1, line 1, strike out "504.5", and insert "506".

Amendment No. 3

On page 1, strike out lines 3 and 4.

Amendment No. 4

On page 2, strike out lines 1, 2, and 3.

**Amendment No. 5**

On page 2, strike out line 13, and insert "sion of Beaches and Parks in connection with the adminis-".

**Amendment No. 6**

On page 2, strike out line 19, and insert "the Division of Beaches and Parks, succeeds to and is vested".

**Amendment No. 7**

On page 2, strike out line 47, and insert
"The Chief of the Division of Beaches and Parks shall act".

**Amendment No. 8**

On page 2, strike out lines 49, 50, 51, and 52, and insert
"SEC. 2. Section 506.6 of said code is amended to read:
506.6. The Governor shall appoint a Chief of the Division of Beaches and Parks subject to the confirmation of the Senate."

**Amendment No. 9**

On page 3, strike out lines 1 and 2.

**Amendment No. 10**

On page 3, strike out line 4, and insert "Beaches and Parks to exercise the director's power to ap-".

**Amendment No. 11**

On page 3, line 10, strike out "SEC. 4.", and insert "SEC. 3."

**Amendment No. 12**

On page 3, line 14, strike out "SEC. 5.", and insert "SEC. 4."

**Amendment No. 13**

On page 3, strike out lines 16 and 17, and insert "through the Division of Beaches and Parks, has control of the State Park System."

**Amendment No. 14**

On page 3, line 18, strike out "SEC. 6.", and insert "SEC. 5."

**Amendment No. 15**

On page 3, line 45, strike out "SEC. 7.", and insert "SEC. 6."

**Amendment No. 16**

On page 4, line 33, strike out "SEC. 8.", and insert "SEC. 7."

**Amendment No. 17**

On page 4, line 40, strike out "SEC. 9.", and insert "SEC. 8."

**Amendment No. 18**

On page 4, strike out line 51, and insert "Beaches and Parks is created. It may also receive and ac-".

**Amendment No. 19**

On page 5, line 3, strike out "SEC. 10.", and insert "SEC. 9."

**Amendment No. 20**

On page 5, line 21, strike out "SEC. 11.", and insert "SEC. 10."

**Amendment No. 21**

On page 5, line 30, strike out "SEC. 12.", and insert "SEC. 11."

**Amendment No. 22**

On page 5, line 47, strike out "SEC. 13.", and insert "SEC. 12."

**Amendment No. 23**

On page 6, line 6, strike out "SEC. 14.", and insert "SEC. 13."

**Amendment No. 24**

On page 6, strike out line 11, and insert "Division of Beaches and Parks and other em-".

**Amendment No. 25**

On page 6, line 20, strike out "SEC. 15.", and insert "SEC. 14."

**Amendment No. 26**

On page 6, line 46, strike out "SEC. 16.", and insert "SEC. 15."

**Amendment No. 27**

On page 6, strike out line 49, and insert "the Division of Beaches and Parks illegally, or".

**Amendment No. 28**

On page 7, line 3, strike out "SEC. 17.", and insert "SEC. 16."

**Amendment No. 29**

On page 7, line 19, strike out "SEC. 18.", and insert "SEC. 17."

**Amendment No. 30**

On page 7, line 43, strike out "SEC. 19.", and insert "SEC. 18."

**Amendment No. 31**

On page 7, line 44, strike out "SEC. 20.", and insert "SEC. 19."

**Amendment No. 32**

On page 9, line 1, strike out "SEC. 21.", and insert "SEC. 20."

**Amendment No. 33**

On page 9, line 11, strike out "SEC. 22.", and insert "SEC. 21."

**Amendment No. 34**

On page 9, lines 12 and 13, strike out "appropriates money for the planning of any state beach", and insert "directs the Division of Beaches and Parks to plan any state beach".

**Amendment No. 35**

On page 9, line 21, strike out "and".

**Amendment No. 36**

On page 9, line 22, after "projected", insert ", and that it has secured the approval of the appropriate local planning agency".

**Amendment No. 37**

On page 9, line 23, strike out "SEC. 23.", and insert "SEC. 22."

**Amendment No. 38**

On page 9, line 31, strike out "SEC. 24.", and insert "SEC. 23."

**Amendment No. 39**

On page 9, line 37, strike out "SEC. 25.", and insert "SEC. 24."

**Amendment No. 40**

On page 10, line 23, strike out "SEC. 26.", and insert "SEC. 25."

**Amendment No. 41**

On page 10, line 34, strike out "SEC. 27.", and insert "SEC. 26."

**Amendment No. 42**

On page 10, line 42, strike out "SEC. 28.", and insert "SEC. 27."

**Amendment No. 43**

On page 11, line 13, strike out "SEC. 29.", and insert "SEC. 28."

**Amendment No. 44**

On page 11, line 21, strike out "SEC. 30.", and insert ' SEC. 29."

**Amendment No. 45**

On page 11, line 26, strike out "SEC. 31.", and insert "SEC. 30."

**Amendment No. 46**

On page 11, line 30, strike out "SEC. 32.", and insert "SEC. 31."

**Amendment No. 47**

On page 11, line 38, strike out "SEC. 33.", and insert "SEC. 32."

**Amendment No. 48**

On page 11, line 49, strike out "SEC. 34.", and insert "SEC. 33."

**Amendment No. 49**
On page 11, line 50, strike out "SEC. 35.", and insert "SEC. 34."

**Amendment No. 50**
On page 12, line 13, strike out "SEC. 36.", and insert "SEC. 35."

**Amendment No. 51**
On page 13, line 5, strike out "SEC. 37.", and insert "SEC. 36."

**Amendment No. 52**
On page 13, line 12, strike out "SEC. 38.", and insert "SEC. 37."

**Amendment No. 53**
On page 13, line 14, strike out "SEC. 39.", and insert "SEC. 38."

**Amendment No. 54**
On page 13, line 23, strike out "SEC. 40.", and insert "SEC. 39."

**Amendment No. 55**
On page 13, line 36, strike out "SEC. 41.", and insert "SEC. 40."

**Amendment No. 56**
On page 13, line 43, strike out "SEC. 42.", and insert ' SEC. 41."

**Amendment No. 57**
On page 13, line 48, strike out "SEC. 43.", and insert "SEC. 42."

**Amendment No. 58**
On page 14, line 10, strike out "SEC. 44.", and insert "SEC. 43."

**Amendment No. 59**
On page 14, line 24, strike out "SEC. 45.", and insert "SEC. 44."

**Amendment No. 60**
On page 14, line 25, strike out "SEC. 46.", and insert "SEC. 45."

**Amendment No. 61**
On page 14, line 32, strike out "SEC. 47.", and insert "SEC. 46."

**Amendment No. 62**
On page 15, line 9, strike out "SEC. 48.", and insert "SEC. 47."

**Amendment No. 63**
On page 15, line 28, strike out "SEC. 49.", and insert "SEC. 48."

**Amendment No. 64**
On page 15, line 33, strike out "SEC. 50.", and insert "SEC. 49."

**Amendment No. 65**
On page 15, line 37, strike out "SEC. 51.", and insert "SEC. 50."

**Amendment No. 66**
On page 15, line 45, strike out "SEC. 52.", and insert "SEC 51."

**Amendment No. 67**
On page 16, line 1, strike out "SEC. 53.", and insert "SEC. 52."

**Amendment No. 68**
On page 16, line 8, strike out "SEC. 54.", and insert "SEC. 53."

**Amendment No. 69**
On page 16, line 29, strike out "SEC. 55.", and insert "SEC. 54."

**Amendment No. 70**
On page 16, line 45, strike out "SEC. 56.", and insert "SEC. 55."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 960, 725, 839, 1096, 653, 336, 1066,** and **945,** subsequent to engrossment.

### WITHDRAWAL AND RE-REFERENCE OF BILLS

Mr. Biddick was granted unanimous consent that Senate Bill No. 353 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary—Civil.

Mr. Biddick was granted unanimous consent that Senate Bill No. 344 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary—Civil.

Mr. George E. Brown was granted unanimous consent that Assembly Bills Nos. 1892, 1893, 1894, and 1895 be withdrawn from the Committee on Civil Service and State Personnel, and re-referred to the Committee on Municipal and County Government.

### UNANIMOUS CONSENT FOR ILLUMINATED COPIES OF RESOLUTION

Mr. Busterud was granted unanimous consent that the Chief Clerk be instructed to have six illuminated copies of Assembly Concurrent Resolution No. 75 prepared for presentation.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Beaver was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and the report printed out of the committee's funds:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 12, 1959

*Hon Thomas M. Rees, Vice Chairman,*
*Assembly Interim Committee on Conservation,*
*Planning, and Public Works,*
*California State Legislature, Sacramento*

DEAR ASSEMBLYMAN REES: Pursuant to House Resolution No. 234, passed by the Assembly on June 9, 1957, there is submitted herewith a final report of your Subcommittee on Water Project Power.

This report covers the period of the subcommittee's activities since the 1958 Session of Legislature and presents certain findings and conclusions which your subcommittee has made together with the pertinent information which your committee believes supports these conclusions.

The subcommittee wishes to express its appreciation to the many organizations and individuals who have co-operated with and assisted

it. The subcommittee also wishes to thank the Legislative Analyst's Office for the staff assistance provided throughout the course of the study and in the preparation of the report.

Respectfully submitted,

JACK A. BEAVER, Chairman
JACK SCHRADE
PAULINE L. DAVIS
WILLIAM BIDDICK, JR.
ALLEN MILLER

## CONSIDERATION OF DAILY FILE (RESUMED)

## SECOND READING OF SENATE BILLS

**Senate Bill No. 67**—An act to amend Section 823 of the Agricultural Code, relating to apple containers.

Bill read second time, and ordered to third reading.

**Senate Bill No. 131**—An act to amend Section 12107 of the Business and Professions Code, relating to weights and measures.

Bill read second time, and ordered to third reading.

## UNFINISHED BUSINESS

## NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1118 CONTINUED

Mr. Britschgi was granted unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 1118 be continued until the next legislative day.

## REQUEST FOR UNANIMOUS CONSENT TO CONTINUE NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 215

Mr. Masterson asked for unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 215 be continued until the next legislative day.

Mr. Shell withheld unanimous consent.

### Motion to Continue Notice of Motion to Reconsider Assembly Bill No. 215

Mr. Masterson moved that his notice of motion to reconsider the vote on Assembly Bill No. 215 be continued until the next legislative day.

Mr. Winton seconded the motion.

### Point of Personal Privilege

Mr. Masterson arose on a point of personal privilege.

### Demand for Previous Question

Messrs. Luckel, Schrade, Belotti, Ernest R. Geddes, and Holmes demanded the previous question. Demand sustained.

### Speaker pro Tempore Presiding

At 10.15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the motion that the notice of motion to reconsider the vote on Assembly Bill No. 215 be continued until the next legislative day.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burton, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus,

Samuel R. Geddes, Hawkins, House, Kennick, Lowrey, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—38.

NOES—Bruce F. Allen, Backstrand, Belotti, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Gaffney, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Pattee, Schrade, Sedgwick, Shell, Sumner, and Thelin—31.

## LEAVES OF ABSENCE FOR BALANCE OF DAY

At 10.05 a.m., the following members were granted leaves of absence for the balance of the day, because of legislative business elsewhere:

Mr. Lunardi, on motion of Mr. Winton.

Mr. Ralph M. Brown on his own request, to attend a meeting of the Regents of the University of California.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Constitutional Amendment No. 18**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ of Article XIII thereof, relating to the veterans' tax exemption.

Resolution read.

The roll was called.

### Point of Order

Mr. Bruce F. Allen arose to the following point of order: That Mr. Dahl is recorded as voting, but is not in the Chamber.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken, and ordered the name of Mr. Dahl stricken from the roll.

The names of the absentees were called.

Upon arriving at his desk, Mr. Dahl voted "Aye."

The vote was announced, and Assembly Constitutional Amendment No. 18 adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Lanterman, Lowrey, Luckel, Marks, Masterson, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, and Winton—58

NOES—Bruce F. Allen, Backstrand, Bradley, Garrigus, Grant, Levering, MacBride, McCollister, McMillan, Miller, Munnell, Rees, and Unruh—13.

Resolution transmitted to the Senate.

**Assembly Constitutional Amendment No. 21**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ of Article XIII, relating to the exemption of property from taxation on account of military service.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Winton—68.
NOES—None.

Resolution ordered transmitted to the Senate.

### INTRODUCTION OF CAMELLIA QUEEN

Mr. MacBride introduced Miss Virginia Bangert, Sacramento's Camellia Queen, to the Members of the Assembly.

### RECESS

At 10.34 a.m., on motion of Mr. MacBride, the Assembly recessed until 10.35 a.m., to hear from Miss Virginia Bangert, Sacramento Camellia Queen.

### REASSEMBLED

At 10.35 a.m., the Assembly reconvened.
Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 700**—An act to add Sections 20710, 20852, and 20894 to the Business and Professions Code, relating to petroleum products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, and Winton—66.
NOES—None.

#### Motion to Amend Title

Mr. MacBride moved the adoption of the following amendment to the title:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 11, 1959, strike out "and 20894", and insert "20894, 20895, and 20896".

Amendment read, and adopted.
Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 313**—An act to amend Section 21300 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 53**—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read third time.

Bill ordered passed on file, and to retain its place on file.

**Assembly Bill No. 892**—An act to add Section 2015 to the Fish and Game Code, relating to possession of fish and game.

Bill read third time, and presented by Mrs. Davis.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis. Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Winton—60.

NOES—Bradley, Chapel, MacBride, Mulford, and Sumner—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 994**—An act to add Section 8397 to the Fish and Game Code, relating to squid, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—74.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 277**—An act to amend Section 3 of an initiative act entitled "An act providing for daylight saving time in the State of California," approved by electors November 8, 1949, relating to daylight saving time, said amendment to take effect upon the approval

thereof by the electors, and providing for the submission thereof to the electors.

Bill read third time.

**Demand for Previous Question**

Messrs. Unruh, Dahl, Dills, Ernest R. Geddes, and Schrade demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Does the bill require 41 or 54 votes for passage?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore inquired of Mr. Francis if he had received an opinion relative to the vote required for passage of the bill.

**Reply by Mr. Francis**

Mr. Francis replied that he would like to lay the bill over until the question was clarified.

**Point of Order**

Mr. Lowrey arose to the following point of order: That there is no provision for laying the bill over during a roll call.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken

**Motion to Expunge Record and Rescind Action on Assembly Bill No. 277**

Mr. Francis moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 277

Mr Masterson seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Bradley, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Francis, Frew, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Mulford, O'Connell, Petris, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, George A Willson, Charles H Wilson, and Winton—49.

NOES—Don A. Allen, Britschgi, George E. Brown, Burton, Collier, Davis, Donahoe, Garrigus, Samuel R. Geddes, Kennick, Lowrey, Miller, Munnell, Nisbet, Unruh, and Williamson—16.

The question being on the passage of the bill.

**Announcement**

Speaker pro Tempore Bee announced that the Chief Clerk had been advised by the Legislative Counsel's Office that 41 votes were required to pass Assembly Bill No. 277.

The question being on the passage of Assembly Bill No. 277.

Bill ordered passed on file, and to retain its place on file on the next legislative day.

**Assembly Bill No. 1028**—An act to amend Sections 7376 and 7381 of, to add Section 7396.7 to, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—65.
NOES—Sumner—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1020**—An act to amend Section 46005 of the Water Code, relating to additional preliminary assessments of water storage districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—66.
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 85**—An act to add Section 506.3 to the Public Resources Code, relating to the Division of Beaches and Parks of the Department of Natural Resources, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 85?

### Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on February 26, 1959, after "Governor", insert ", subject to confirmation by the Senate".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 85 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Schrade, Sedgwick, Shell, Sumner,

Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—65.
NOES—None.

Assembly Bill No. 85 ordered enrolled.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 904**—An act to amend Section 6826 of the Public Resources Code, relating to administration and control of state lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—68.
NOES—None.

Bill ordered transmitted to the Senate.

#### Name Placed Upon Roll Call on Assembly Bill No. 904

Mr. Meyers was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 904.

### CONSIDERATION OF DAILY FILE (RESUMED)
### CONSIDERATION OF CONSENT CALENDAR

Speaker pro Tempore Bee announced that the next roll call would be on the first item on the Consent Calendar.

**Assembly Bill No. 1014**—An act to amend Section 19574.5 of the Government Code, relating to leave of absence for state civil service employee while charges are investigated.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Winton—70.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1265 FROM COMMITTEE

Mr. Kilpatrick was granted unanimous consent that Assembly Bill No. 1265 be withdrawn from the Committee on Natural Resources, Planning, and Public Works for purpose of amendment, and that the bill be re-referred to the committee.

Assembly Bill No. 1265 ordered to second reading.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kilpatrick was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal; and 1,000 copies of the report be ordered printed as a separate document out of committee funds.

### COMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON
CONSERVATION, PLANNING, AND PUBLIC WORKS
SACRAMENTO, March 5, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

The work of the subcommittee on the Impact of Enemy Attack under the capable chairmanship of Assemblyman Vernon Kilpatrick has commanded national attention. Many of the accomplishments and recommendations in the subcommittee's three previous reports have resulted in a material strengthening of the civil defense and survival program for the State and Nation.

I strongly recommend a continuation of the activities of this subcommittee in the 1959-60 interim, confident that the people of the State of California will benefit greatly.

Respectfully submitted,

THOMAS M. REES, Vice Chairman
Assembly Interim Committee on
Conservation, Planning, and Public Works

### SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 5, 1959

*To the Committee on Conservation,*
*Planning, and Public Works*
*California State Assembly, Sacramento*

GENTLEMEN: More than four years of extensive study have been expended by your subcommittee on the problems of succession to public office and preservation of records in view of a possible devastating enemy nuclear attack.

It is gratifying to be able to report real progress through the cooperation of the Legislature, men like Chairman J. Warren Beebe and his colleagues in the Los Angeles and State Bar associations, capable staff assistance by Mr. James Williams, Mr. John Caswell of the office of Legislative Analyst, Professor Charles Fairman, Professor of Law in Harvard Law School, Mr. John E. McCormick, the host of witnesses who have given valuable help, and all others who have an interest in the problems and necessity of adequate civil defense.

The subcommittee has concluded after careful consideration that the scope of its activities should be expanded. There are many aspects of the civil defense problem in which a legislative committee can assist.

We would particularly stress the importance of an exhaustive review of all necessary factors involved in the site selection and construction of an alternate seat of government and State Disaster Control center.

We are deeply appreciative of the interest and co-operation of the Legislature in its consideration of our program.

Respectfully submitted,

VERNON KILPATRICK, Chairman — ALLEN MILLER
JACK A. BEAVER — BRUCE SUMNER

Subcommittee on Impact of Enemy Attack on the Economy and Constitutional Government of the State of California

## SECOND READING OF ASSEMBLY BILL NO. 1265

**Assembly Bill No. 1265**—An act to repeal Sections 1518 and 1518.1 of, and to amend Section 1518.2 of the Military and Veterans Code, and to add Sections 1517, 1518, and 1518.1 thereto, relating to preparedness for and mitigation of disasters, including the establishment of the California Disaster Office as a separate state agency, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

### Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

### Amendment No. 1

Strike out lines 6 and 7 of the title of the printed bill, and insert "state agency"

### Amendment No. 2

On page 2, line 10, strike out "a sufficient number of", and insert "sufficient".

### Amendment No. 3

On page 2, line 10, strike out "assist-"; and strike out line 11

### Amendment No. 4

On page 2, strike out lines 16 to 22, inclusive.

### Amendment No. 5

On page 3, line 7, before "regional", strike out "the".

### Amendment No. 6

On page 3, strike out lines 13 to 25, inclusive, and insert

"SEC. 6. This act shall become operative on the effective date of an Act of Congress appropriating funds for expenditure, during the 1959-60 or 1960-61 Fiscal Year, pursuant to Section 4 of Public Law 606 of the Eighty-fifth Congress, Second Session."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Was Assembly Bill No. 1265 ordered returned to committee?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was ordered engrossed, and to be re-referred to the committee.

### REQUEST FOR UNANIMOUS CONSENT

Mr. McMillan was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal; and the report printed as a separate document out of committee funds:

### LETTER OF TRANSMITTAL

March 13, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: In compliance with the provisions of House Resolution No. 221, 1957, directing the Assembly Interim Committee on Industrial Relations to ascertain, study, and analyze all facts relating to industrial relations, the committee does herewith respectfully submit its report with the findings and recommendations of the committee.

Very truly yours,

| | |
|---|---|
| LESTER A. MCMILLAN, Chairman | JESSE M. UNRUH |
| JAMES L. HOLMES, Vice Chairman | L. M. (LEE) BACKSTRAND |
| WALLACE D. HENDERSON | PHILLIP BURTON |
| JOSEPH C. SHELL | EDWARD E. ELLIOTT |

EDWARD M. GAFFNEY

### ANNOUNCEMENT

Mr. DeLotto announced, for those members attending the Democratic Convention in Fresno, that there would be a dinner at 6 p.m. and a general assembly meeting at 9 p.m. tonight at the Californian Hotel in Fresno.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Dahl asked for unanimous consent that a letter of transmittal to the Report of the Assembly Interim Committee on Revenue and Taxation be ordered printed in the Journal.

Mr. Munnell inquired if the request could be held up until Mr. Coolidge was present at his desk.

Upon arriving at his desk, Mr. Coolidge withheld unanimous consent to the request by Mr. Dahl.

#### Point of Personal Privilege

Mr. Coolidge arose on a point of personal privilege.

#### Motion to Withdraw Letter of Transmittal

Mr. Coolidge moved that the letter of transmittal be withdrawn from the desk until he had had an opportunity to read the report.

Mr. Dahl withdrew his request and the letter of transmittal.

#### Request for Unanimous Consent

Mr. Dahl asked for unanimous consent that the time for filing the report be continued.

#### Statement by Mr. Miller

Mr. Miller stated that the time for filing reports due on Sunday, March 15th, will be Monday, March 16th.

**Request for Unanimous Consent**

Mr. Dahl asked for unanimous consent that the time for filing the Report of the Assembly Interim Committee on Revenue and Taxation be extended for one week.

**Request for Unanimous Consent**

Mr. Unruh asked for unanimous consent that the request include the Report of the Assembly Interim Committee on Finance and Insurance.

Mr. Dahl accepted the amendment to his request.

**Point of Order**

Mr. Bruce F. Allen arose to the following point of order: That the life of an interim committee and the time for filing its report cannot be extended except by resolution.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken.

**Announcement**

Mr. Miller announced that resolutions extending these interim committees may be offered on Monday.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 218 FROM COMMITTEE

Mr. Collier gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 218 from the Committee on Ways and Means.

## PARLIAMENTARY INQUIRY

Miss Donahoe arose to the following parliamentary inquiry: Would a request that a measure on the Consent Calendar be re-referred to committee be in order?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it would.

## REQUEST FOR UNANIMOUS CONSENT TO RE-REFER ASSEMBLY CONCURRENT RESOLUTION NO. 88

Miss Donahoe was granted unanimous consent that Assembly Concurrent Resolution No. 88 be withdrawn from the Consent Calendar, and re-referred to the Committee on Education.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. MacBride was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal; and that 500 copies of the report be printed as a separate document:

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 3, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*State Capitol, Sacramento*

DEAR MR. ALLEN: Pursuant to your directive and in conformance with the provisions of House Resolution No. 224 of the 1957 General

Session, the Subcommittee on Marketing and Trade Practices herewith submits its report on Gasoline Octane Identification.

The subcommittee hopes that the report of its activities will be of value and aid to this Legislature in its task of enacting desired legislation and invites you, the members of the Interim Committee on Judiciary, the Members of the Legislature and the public to join with the subcommittee in sponsoring and enacting the legislation which is proposed herein.

Respectfully submitted,

THOMAS J. MACBRIDE, Chairman
Subcommittee on Marketing and Trade Practices
BRUCE F. ALLEN
PHILLIP BURTON
GEORGE G. CRAWFORD
LOUIS FRANCIS
S. C. MASTERSON
ALLEN MILLER
BRUCE SUMNER
HOWARD J. THELIN
JESSE M. UNRUH

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Rees was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 1,000 copies of the report be printed out of any committee funds remaining after the previous reports ordered printed out of said funds have been completed.

## COMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON
CONSERVATION, PLANNING, AND PUBLIC WORKS
SACRAMENTO, March 1, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

The full Committee on Conservation, Planning, and Public Works, under the chairmanship of Francis C. Lindsay, in all of the work of its 10 subcommittees has found the primary difficulty in meeting the problems of growth in California are related to the inadequacy of existing jurisdictions to cover full problem areas.

Thus, in the field of planning, it is possible to establish a metropolitan or regional planning agency covering the full problem area, but the plan itself, to be effective, must be adopted by all the cities and counties within the area. Further, it must be reflected in the area-wide physical development at programs, whether they be streets and highways, air pollution, sewerage, or water supply and distribution. This frustration with the inadequancies of jurisdictions appropriate to cover the problem areas resulted in the full committee assignment of this subject to the Subcommittee on Planning for study and report.

This report is the second produced during this interim on the subject of metropolitan organization. The first was a background report prepared by the staff of the committee for the purpose of discussing in more detail the problems of metropolitan organization in California. The two reports together are important contributions to this subject

and should be carefully reviewed by Members of the California Legislature.

Respectfully submitted,

THOMAS M. REES, Vice Chairman
Assembly Interim Committee on
Conservation, Planning, and Public Works

**SUBCOMMITTEE LETTER OF TRANSMITTAL**

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 1, 1959

*Committee on Conservation,*
*Planning, and Public Works*
*California State Assembly, Sacramento*

GENTLEMEN: While six years of hearings and staff work have emphasized the importance of a workable method of establishing area-wide government to meet area-wide problems, the decision to prepare legislation and the report supporting it was made at the full committee programming meeting following the 1957 Session. The committee desired a solution not in violation of the strong home rule principles characteristic of California local government and one that would not necessarily result in big government.

Staff research indicates that major proposals for governmental consolidation in metropolitan areas have often been defeated, even though such proposals were sound, because of political inacceptability. It is felt that area-wide government based on present local governmental structures will meet the test of both acceptability and adequacy.

The general framework of the legislation submitted with this report was first developed for the San Francisco Bay Area Air Pollution Control District. This legislation was prepared over a two-year period in close co-operation with the cities and counties in the San Francisco Bay area. It was deliberately designed to permit the same pattern of government structure to be used as other functions of an area-wide nature were identified and support developed for transfer to area-wide government. The same pattern of structure was used in the Metropolitan and Regional Planning Legislation prepared by this subcommittee and accepted by the Legislature at the 1957 Session.

It is the belief of the subcommittee that the permissive legislation submitted with this report will make possible area-wide government, strongly founded on the principle of home rule, yet with sufficient authority and responsibility to meet present and developing metropolitan problems.

Respectfully submitted,

Subcommittee on Planning

THOMAS M. REES, Chairman
BRUCE F. ALLEN
CHARLES W. MEYERS
JOHN L. E. COLLIER
(With Reservations)
WILLIAM BIDDICK
BRUCE SUMNER
JESSE M. UNRUH
HAROLD T. SEDGWICK

### REQUEST FOR UNANIMOUS CONSENT TO CHANGE VOTE

Mr. Burton asked for unanimous consent that he be recorded as voting "Aye" instead of "No" on Items 98, 99, and 100 on the Consent Calendar.

Mr. Winton withheld unanimous consent.

#### Motion to Change Vote

Mr. Burton moved that he be recorded as voting "Aye" instead of "No" on Items 98, 99, and 100 on the Consent Calendar.

#### Parliamentary Inquiry

Mr. Holmes arose to the following parliamentary inquiry: Would not such action require that the record be expunged, since the first roll call on the Consent Calendar had already been taken?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it would not be necessary to expunge the record.

#### Point of Order

Mr. Winton arose to the following point of order: That the vote was announced on all items on the Consent Calendar.

#### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled that, since he did not call the individual items and substitute the roll call, a roll call on these items would now be in order.

#### Consideration of Items 98, 99, and 100 on the Consent Calendar

Speaker pro Tempore Bee announced that the next roll call would be on Assembly Bill No. 893, Item 98 on the Consent Calendar.

**Assembly Bill No. 893**—An act to amend Section 14736 of the Education Code, and amend Section 14674 of the Education Code as proposed by Senate Bill No. 2, relating to district retirement boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 88**—An act to amend Section 7193 of the Education Code, and Section 17417 of the Education Code as proposed by Senate Bill No. 2, relating to school apportionments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant,

Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 89**—An act to amend Section 16277 of the Education Code, and Section 16853 of the Education Code as proposed by Senate Bill No. 2, relating to school buses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—69.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST TO SPEAK ON CONDITION OF THE FILE

Mr. Unruh arose to speak on the condition of the file.

### Point of Order

Mr. Ernest R. Geddes arose to the following point of order: That remarks on the condition of the file are only in order when the motion to adjourn is before the House.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

## ANNOUNCEMENT

Mr. Francis announced that typed copies of the Report of the Subcommittee on Pornographic Literature were available for the members of the subcommittee to read over the weekend, for approval.

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Mr. Francis announced that he was introducing a bill which accomplishes the purposes of the amendments he had offered to Assembly Bill No. 215, and invited all members so desiring to become co-authors.

## MOTION TO ADJOURN

At 12.05 p.m Mr. Winton moved that the Assembly adjourn until 10 a.m. on Monday, March 16, 1959, after the business at the desk has been completed.

## REMARKS ON CONDITION OF THE FILE

Mr. Unruh spoke on the condition of the file.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Burton:

### House Resolution No. 137

Congratulating Hawaii on statehood

WHEREAS, The Territory of Hawaii has long sought admission to the Union with full privileges of statehood and first class citizenship for its people; and

WHEREAS, This group of islands in the North Pacific Ocean has in recent years become America's vacationland, each year attracting thousands of tourists by its balmy climate, breathtakingly beautiful scenery, and restful way of life; and

WHEREAS, This tropical paradise has attained great commercial importance also with its sugar, pineapple, fishing, and livestock industries; and

WHEREAS, Hawaii's population by recent estimates, exceeds 500,000, with almost half of the inhabitants living in or near Honolulu on the island of Oahu; and

WHEREAS, More than a thousand ships annually clear Honolulu harbor, and daily airplane flights have brought the land of hibiscus and ginger within a few hours travel from the west coast of the United States; and

WHEREAS, It is with great satisfaction that the people of California have learned that their friendly neighbors across the ocean are to be linked even more closely than before by the ties of statehood; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their heartiest congratulations to the Territory of Hawaii on its admission as the Fiftieth State of the United States of America; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Governor of Hawaii, the Legislature of Hawaii, and the Hawaiian Delegate to the Congress of the United States.

Resolution read, and referred to the Committee on Rules.

By Mr. Conrad:

### House Resolution No. 138

Relating to the commendation of Mr. Otto K. Olesen

WHEREAS, Otto K. Olesen was born in Denmark, attended school in his native city, and was graduated from Copenhagen Institute of Technology, and came to Los Angeles in 1912; and

WHEREAS, His talent and enthusiasm soon led to his employment with the Winfield-Kerner Company in whose employ he ultimately advanced to the position of Chief Engineer and General Manager, and in 1919 he founded his own studio and theatrical lighting equipment business in Hollywood; and

WHEREAS, He pioneered the first artificial lighting equipment that made possible the indoor shooting of motion pictures; and

WHEREAS, Mr. Olesen has long participated in numerous important civic and charitable activities in the Greater Los Angeles area, having served as director of the Hollywood Bowl Association for 22 years and recently having been elected the first life member of the board of directors of that organization, having been closely associated with the Pilgrimage Theater in Hollywood and now serving as President of the newly organized Pilgrimage Theater Foundation, and also having served in important capacities with the American National Red Cross, the American Cancer Society, and the executive board of the Boy Scouts of America (Los Angeles Area Council); and

WHEREAS, Otto K. Olesen has also served as a member of the Board of Governors of the Welfare Federation of the Los Angeles area, as Vice President of the Southern California Improvement Foundation, Inc., as Chairman of the Federal Employees Division of the Community Chest, and as a member of the Board of Directors of the Rebild National Park Board, Inc., of Aalborg, Denmark, which sponsors the only Independence Day celebration outside the United States; and

WHEREAS, Mr. Olesen has also been active with the Hollywood Chamber of Commerce, the Hollywood Lions group, and is a Shriner and a life member of Al Malaikah Temple and a member of Cahuenga Masonic Lodge No. 513, and of the Peace Officers Shrine Club, the Union Press and League Club of San Francisco, the Navy League of the United States, Tau Kappa Epsilon Fraternity at the University of Southern California, and the Viking Club of Los Angeles; and

WHEREAS, Otto K. Olesen was at one time chairman of the Major Disaster Emergency Lighting Commission of Los Angeles County and took an active part in the important and vital rescue work following the St. Francis Dam disaster of 1928, the Long Beach earthquake of 1933, and the Montrose Flood of 1934; and

WHEREAS, Otto K. Olesen has been recognized for important services by two Governments, having been awarded the King Christian X Denmark Freedom Medal and, as Chairman of the War Finance Division of Hollywood during World War II, he received a Treasury Award Medal for his outstanding services to this Nation, and

has served as Postmaster of the Los Angeles Post Office since February 15, 1954; and

WHEREAS, One of the most important and significant of all the activities of Mr. Olesen has been his participation as President and General Chairman of what is now the magnificent Hollywood Bowl Easter Sunrise Service with which he has rendered 39 years of outstanding service; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Otto K. Olesen is an outstanding example of the type of citizen of which this State can be justly proud and that this body commends Mr. Olesen for his outstanding career both in the business and governmental world as well as with numerous important charitable and civic occupations; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Otto K. Olesen and to his daughter, Mrs. Eleanor Baldwin of Los Angeles.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 94:** By Messrs. Gaffney, Grant, Rumford, Chapel, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to St. Patrick's Day.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 13, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2
Assembly Bill No. 22
Assembly Bill No. 73

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 217

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, March 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 240 | Senate Bill No. 449 |
| Senate Bill No. 288 | Senate Bill No. 451 |
| Senate Bill No. 327 | Senate Bill No. 452 |
| Senate Bill No. 356 | Senate Bill No. 482 |
| Senate Bill No. 447 | Senate Bill No. 493 |
| Senate Bill No. 448 | Senate Bill No. 496 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 240**—An act to add Section 4764.1 to the Health and Safety Code, relating to county sanitation districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

**Senate Bill No. 288**—An act to amend Sections 206, 207, 208, 209, 210, and 217 of the Fish and Game Code, relating to the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 327**—An act to add Section 1507 to the Education Code and Section 10810 to the Education Code, as proposed by Senate Bill No. 2, relating to education.

Referred to Committee on Education

**Senate Bill No. 356**—An act to amend Section 2054 of the Harbors and Navigation Code, relating to the San Francisco Harbor

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 447**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 448**—An act to amend Section 4750 of the Fish and Game Code, relating to bear.

Referred to Committee on Fish and Game.

**Senate Bill No. 449**—An act to amend Section 3081 and to repeal Sections 4761 and 4762 of the Fish and Game Code, relating to the possession of bear meat after the season.

Referred to Committee on Fish and Game.

**Senate Bill No. 451**—An act to amend Section 1059 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 452**—An act to amend Sections 3083, 3084, 3085 and 3086 of the Fish and Game Code, relating to bonded frozen food locker and cold storage plants, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Senate Bill No. 482**—An act to amend Sections 8514, 8562, 8564, 8565, 8566, and 8651 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 493**—An act to amend Section 1696.3 of the Labor Code, relating to transportation of farm laborers.

Referred to Committee on Industrial Relations.

**Senate Bill No. 496**—An act to add Section 20258 to the Education Code, and Section 265 to the Education Code as proposed by Senate Bill No. 2, relating to teachers in state college laboratory demonstration elementary schools and in schools under the jurisdiction of the Department of Education.

Referred to Committee on Education.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2033**: By Mr. Holmes—An act to add Section 69891.6 to the Government Code, relating to secretaries of superior court judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2034**: By Mr. McCollister—An act to amend Section 16023 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to deposit of security following a vehicle accident.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2035**: By Mrs. Davis—An act to repeal Section 11200 of, and to add Article 9.2 (commencing at Section 11254) to Chapter 2, Part 3, Division 6 of, the Water Code, relating to the Central Valley Project.

Referred to Committee on Water.

**Assembly Bill No. 2036**: By Mrs. Davis—An act to repeal Section 11200 of, and to add Article 9.3 (commencing at Section 11256) to Chapter 2, Part 3, Division 6 of, the Water Code, relating to the Central Valley Project.

Referred to Committee on Water.

**Assembly Bill No. 2037**: By Messrs. Gaffney, Ernest R. Geddes, Elliott, Miss Donahoe, Messrs. Rumford, and Shell—An act to add Section 14377 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deductions of group insurance preiums from teachers' retirement allowances.

Referred to Committe on Education.

**Assembly Bill No. 2038**: By Messrs. O'Connell, Burton, and Waldie —An act to amend Section 834a of the Penal Code, relating to resisting arrest.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2039**: By Messrs. O'Connell, Burton, and Waldie —An act to amend Sections 821 and 849 of the Penal Code, relating to arrests.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2040**: By Messrs. O'Connell, Burton, and Waldie —An act to add Section 1325 to the Penal Code, relating to evidence in criminal cases.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2041**: By Messrs. O'Connell, Burton, and Waldie —An act to amend Section 842 of the Penal Code, relating to warrants of arrest.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2042**: By Messrs. O'Connell and Burton—An act to amend Section 833 of the Penal Code, relating to arrests for illegal possession of weapons.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2043**: By Messrs. O'Connell and Burton—An act to amend Section 836 of the Penal Code, relating to grounds for arrest.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2044**: By Mr. Samuel R. Geddes—An act to add Section 2302.1 to the Welfare and Institutions Code, relating to institutions and boarding homes for the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2045**: By Mr. Samuel R. Geddes—An act to amend Section 2301 of the Welfare and Institutions Code, relating to institutions and boarding homes for the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2046**: By Mr. Samuel R. Geddes—An act to add Section 2313 to the Welfare and Institutions Code, relating to boarding homes for the aged.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2047**: By Messrs. Waldie, Ernest R. Geddes, Hegland, Garrigus, Britschgi, Cusanovich, Miss Donahoe, Messrs. Elliott, Gaffney, Samuel R. Geddes, Sedgwick, and Winton—An act to amend Section 14253 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to death benefits under State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2048**: By Messrs. Gaffney, Busterud, Marks, and Meyers (By Request of the San Francisco Port Authority)—An act to amend Section 3000 of, and to add Section 3000.5 to the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2049**: By Mr. McCollister—An act to add Article 3 (commencing at Section 4170) to Chapter 3 of Division 7 of the Harbors and Navigation Code, relating to the development, improvement or maintenance of ports, harbors, and tidelands by counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2050**: By Mr. McCollister—An act to amend Section 12.1 of the Sonoma County Flood Control and Water Conservation District Act (Ch. 994, Stats. 1949) and to repeal Section 3 of Chapter 43 of the Statutes of the 1956 First Extraordinary Session, relating to the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2051**: By Mr. McCollister—An act to amend Sections 9, 10, 13 1, 13.4, and 13 5 of, and to add Sections 3.6 and 13.15 to, the Sonoma County Flood Control and Water Conservation District Act (Ch. 994, Stats. 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2052**: By Messrs. Francis, Levering, Shell, Holmes, Bruce F. Allen, Backstrand, Belotti, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Ernest R. Geddes, Grant, Johnson, Lanterman, Luckel, Mulford, Pattee, Reagan, Schrade, Sedgwick, and Thelin—An act to amend Section 32 of, and to add Sections 33, 34, 35 and 36 to, the Revenue and Taxation Code, relating to tax exemptions and the filing of declarations of loyalty in support thereof.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2053**: By Mr. Francis—An act to amend Section 145 of the Penal Code, relating to offenses of public officer with respect to arrested persons.

Referred to Committee on Criminal Procedure.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 960
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 257
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 286
Assembly Bill No. 883

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 690
Assembly Bill No. 691

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 725

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 653
Assembly Bill No. 839
Assembly Bill No. 945
Assembly Bill No. 1066
Assembly Bill No. 1096

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 527

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1062

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 292
Assembly Bill No. 385
Assembly Bill No. 616
Assembly Bill No. 767
Assembly Bill No. 881
Assembly Bill No. 948
Assembly Bill No. 987
Assembly Bill No. 1105
Assembly Bill No. 1189
Assembly Bill No. 1217

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 535
Assembly Bill No. 654
Assembly Bill No. 674
Assembly Bill No. 867
Assembly Bill No. 915
Assembly Bill No. 916
Assembly Bill No. 941
Assembly Bill No. 1001
Assembly Bill No. 1002
Assembly Bill No. 1106
Assembly Bill No. 1107
Assembly Bill No. 1156
Assembly Bill No. 1190

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

## EXPLANATION OF ABSENCE FROM THE CHAMBER

March 13, 1959

We missed several roll calls this morning because we were attending an executive meeting of the Interim Subcommittee on Public Works.

EUGENE G. NISBET
CHARLES W. MEYERS

## ADJOURNMENT

At 12.10 p.m., on motion of Mr. Winton, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, March 16, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY

FIFTY-FIRST CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, March 16, 1959

The Assembly met at 10 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God,* We place our lives alongside Thy greatness, as revealed in the person of Christ, and we are made more conscious of our own need. May we be led by Christ's example to feed our minds on the truth of God, to purge our imaginations in the purity of God, to fill our hearts with the love of God, to devote our wills to the purpose of God, and to refine our consciences in the holiness of God.

Truth, purity, love, purpose, holiness—these are Thy gifts, our Father. May we open every area of life to the winds of Thy Holy Spirit, that our language, our thoughts, our attitudes, our hearts, our imaginations, our consciences—that these all may be made clean and pure, noble and right.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Schrade, further reading of the Journal of the previous legislative day was dispensed with.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Paul R. Connor of Altadena (three communications); Dan and Joan Jones of Compton; Mr. and Mrs. J. M. Kizlen, C. E. Williams, and Olga Lee Scarborough of Long Beach; Irwin Pechersky, Edith Pechersky, and Dr. B. F. Badley of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Jack Tomson of Burbank, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Peter T. Rice of Los Angeles, relative to parole. Referred to the Committee on Criminal Procedure.

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., March 9, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Thank you for sending me, with your letter of March 2d, copies of Assembly Joint Resolution No. 10, urging the establishment of a soil and conservation laboratory in California, and Assembly Joint Resolution No. 13, relative to equalizing retirement benefits for retired members of the armed forces. I am glad to have these expressions of the views of the California Legislature, which I will certainly have in mind.

I am strongly supporting the establishment of a soil conservation laboratory in California, which I believe is greatly needed in our State. I am enclosing a copy of H. R. 2255, which I introduced to equalize pay of retired members of the uniformed services, who are entitled to such pay on May 31, 1958. I am pressing for expedited committee action on this proposal.

Sincerely,

BERNIE SISK, Member of Congress

Above transmitted copy of H. R. 2255 referred to the Committee on Military and Veterans Affairs.

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UNITED STATES SENATE
WASHINGTON, D. C., March 9, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*State Capitol, Sacramento*

DEAR ARTHUR: Thank you for sending me copies of the Assembly Joint Resolutions relating to soil and water conservation laboratories and to benefits for retired officers of the armed services.

I have joined with Senator Engle in proposing a bill authorizing construction of a laboratory in California and I am co-sponsor of a measure to rectify the unfair discrimination now affecting retired service personnel.

I always am happy to know of the position of the Members of the State Legislature on matters pending in the Congress.

With kind regards, I am

Sincerely,

THOMAS H. KUCHEL, United States Senator

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., March 9, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: This will acknowledge and thank you for your letter of March 2nd enclosing copies of Assembly Joint Resolutions Nos. 10 and 13. Your Resolution No. 13 is of particular interest to me, as I have introduced a bill to equalize the pay of retired members of the uniformed services. I am making both these resolutions a part of my file.

Sincerely yours,

HAROLD T. (BIZZ) JOHNSON, Member of Congress

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., March 12, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Thank you for your letter of March 2d, enclosing copies of Assembly Joint Resolutions Nos. 10 and 13.

You may be sure of my continued support of the establishment in California of a soil and water conservation laboratory.

I have introduced H. R. 1997, a bill to correct the inequity which resulted for certain retired members of the armed forces by the Military Pay Bill of 1958. I am very pleased to receive this further evidence of support from the Assembly.

With warm regards,

Sincerely,

BOB WILSON, Member of Congress

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., March 11, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR ARTHUR: Thank you for your letter of March 2d, and for the enclosed copies of Assembly Joint Resolution No. 10, concerning the establishment in California of a soil and water conservation laboratory, and Assembly Joint Resolution No. 13, relative to equalizing retirement benefits for retired members of the armed forces who retired prior to June 1, 1958. I appreciate your thoughtfulness in making copies of these resolutions available to me.

I have taken the liberty of forwarding the copy of Resolution No. 10 to Secretary of Agriculture Benson for his information and comment. When pertinent information is received I shall be in touch with you again.

Insofar as Resolution No. 13 is concerned, you will be interested to know that legislation has been introduced in this session of Congress to equalize the pay of retired members of the uniformed services I am enclosing a copy of the bill introduced by Representative Bob Wilson (California) which is similar to the many measures put in on this matter. The legislation is just pending before the House Armed Services Committee and no action has been scheduled as yet.

With best regards,

Sincerely yours,

GLENARD P. LIPSCOMB, Member of Congress

Above transmitted copy of H. R. 1997 referred to the Committee on Military and Veterans Affairs.

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The following letters of transmittal were presented by the Speaker, and ordered printed in the Journal:

**Letter of Transmittal**
**Resolution by City of Whittier**

WHITTIER, March 12, 1959

*The Honorable Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

MY DEAR MR. BROWN: Enclosed is City of Whittier Resolution No. 3120 which is self-explanatory, and which resolution was approved and adopted at the last regular session of the City Council on March 10, 1959.

You will note, by the certification attached thereto, that all members of the City Council are in full agreement.

Sincerely yours,

GUY N. DIXON, City Clerk

Encl.

Above transmitted resolution relative to Assembly Bill No. 286 referred to the Committee on Fish and Game.

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**Letter of Transmittal**
**Resolution by City of Bellflower**

CITY OF BELLFLOWER, March 13, 1959

*Hon. Ralph M. Brown, Speaker*
*Speaker's Office, Capitol Building, Sacramento*

DEAR MR. BROWN: Please find enclosed copy of a resolution adopted by the City of Bellflower at its regular meeting of March 9, 1959.

Very truly yours,

MARY E. LEWIS, City Clerk

Above transmitted resolution relative to Assembly Bill No. 286 referred to the Committee on Fish and Game.

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The following resolutions were presented by the Speaker:

A resolution by the City Council of the City of San Marino relative to Assembly Bill No. 286. Referred to the Committee on Fish and Game.

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A resolution by the City Council of the City of Gardena, relative to Assembly Bill No. 286. Referred to the Committee on Fish and Game.

## ANNOUNCEMENT

Speaker Brown announced that through March 13th, the end of the tenth week and 43 legislative days in session, total measures introduced which have to be acted upon by each house is:

| | |
|---|---|
| Assembly measures | 2,200 |
| Senate measures | 1,052 |
| Total | 3,252 |

Through Friday, March 13th, the Assembly has passed:

| | |
|---|---|
| Assembly measures | 317 |
| Senate measures | 27 |
| Total | 344 |

Speaker Brown advised the members that the number of measures passed so far is approximately 10 percent of the measures introduced.

## INQUIRY BY SPEAKER

The Speaker inquired if any member had an objection to considering the bills on the Assembly second reading file, with the exception of Assembly Bill No. 1085, read the second time, with appropriate actions taken on those bills requiring action.

#### Motion

Mr. McCollister moved that the bills on the Assembly second reading file, with the exception of Assembly Bill No. 1085, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Coolidge seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 641, 907, 1131, 74, 195, 908, 47, 485, 747,** and **755.**

Above bills ordered to third reading subsequent to engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 750**—An act to amend Section 205.5 of the Revenue and Taxation Code, and providing for the effective date thereof, relating to the veterans' property tax exemption.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 458**—An act to add Section 1024 to the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 293**—An act to amend Section 11052 of the Elections Code, relating to recall.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

#### Amendment No. 1

On page 1, line 5, of the printed bill, after "by", insert "voters equal in number to at least 20 percent of the entire vote last cast within the county for all candidates for the office which the incumbent, sought to be removed, occupies".

#### Amendment No. 2

On page 1, lines 8 and 9, strike out "not less than 25 percent of the voters of the county on the date the petition is filed".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22413, 31401, 31402, 31403, 31404, 31405, 31406 and 31407 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to amend Section 16854 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1030**—An act to amend and renumber Section 591 of, and to add Section 739.6 to, the Vehicle Code, and to amend Section 41102 of, and to add Section 41103 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to procedure for violations involving unattended vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 723**—An act to amend Section 704 of the Vehicle Code, and to amend Section 35550 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to weight of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 704 of the Vehicle Code, and to amend".

Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

Amendment No. 3

On page 1, line 1, strike out "704 of the Vehicle Code", and insert "35550 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

Amendment No. 4

On page 1, strike out lines 3 to 17, inclusive, and on page 2, strike out lines 1 to 9, inclusive.

Amendment No. 5

On page 2, line 21, after "is", insert "not more than 2,500 pounds, is on the rear axle only, and is".

Amendment No. 6

On page 2, strike out lines 26 to 30, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 882**—An act to add Section 152 to the Streets and Highways Code, relating to property acquired for state highway needs.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "If such real property was acquired, in whole or in part, by use of federal funds and the State is required to repay to the Federal Government any or all of the rents received from such property, the department shall annually pay to the county in which such real property is situated an amount equivalent to 25 percent of the portion of the rents deposited in the fund during such preceding fiscal year not required to be repaid to the Federal Government."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 326**—An act to amend Section 10504 of the Streets and Highways Code, relating to remedies in case of default by contractor.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 490**—An act to amend Sections 2804, 2808 and 2810 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 552**—An act to amend Section 53205.1 of the Government Code, relating to premium payments by local agencies from public funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 967**—An act to amend Section 5373 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 863**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1212**—An act to add Section 19.5 to the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to district bonds, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1213**—An act to amend Section 17 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to bonds, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 212**—An act to add Section 25699 to the Government Code, relating to county water resources committees and boards.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 555**—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 557**—An act to amend Sections 5871, 5875, and 5876 of the Streets and Highways Code, relating to sidewalks, curbs, and other street improvements.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 808**—An act to amend Section 37380 of the Government Code, relating to leases of city property.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1052**—An act to add Section 11018.1 to the Business and Professions Code, relating to subdivisions.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1055**—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to subdivisions.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 551**—An act to amend Section 24005 of the Government Code, relating to vacations of county employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "limitations"

**Amendment No. 2**

On page 1, line 7, after "the", insert "provisions".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1214**—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to county funds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "officer", insert "or administrative head of any county department or judicial district".

**Amendment No. 2**

On page 1, line 12, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 3**

On page 1, line 18, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 4**

On page 1, line 22, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 5**

On page 2, line 2, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 6**

On page 2, line 6, after "office", insert ", department, or judicial district".

**Amendment No. 7**

On page 2, line 12, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 8**

On page 2, line 19, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 9**

On page 2, line 27, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 10**

On page 2, line 32, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 11**

On page 2, line 38, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 12**

On page 2, line 47, after "officer", insert "or administrative head of a county department or judicial district".

**Amendment No. 13**

On page 3, line 5, after "officer", insert "or administrative head of a county department or judicial district".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 541**—An act to add Section 6523.2 to the Health and Safety Code, relating to sanitary districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 7, insert

"Prior to termination of service, however, the district board shall notify, in writing, the owner and tenant, if any, of such property that service is intended to be so terminated and conduct a hearing thereon as herein provided. Such notice shall be mailed to the owner at the address shown on the records of the assessor of the county or as known to the clerk, and a copy shall be delivered to the tenant or posted conspicuously on the property. The notice shall state the date of the proposed termination of service and the reasons therefor and the date the district board shall hold a hearing upon such intended termination. Such hearing shall not be held less than 10 days subsequent to the giving of notice as herein required."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 454**—An act to amend Sections 6914, 6915, and 6916 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to advance apportionment of state aid to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 556**—An act to add Section 1242.5 to the Code of Civil Procedure, relating to survey and exploration of land for reservoir purposes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 638**—An act to amend Section 762 9 of the Agricultural Code, relating to canning tomato inspection fees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 392**—An act to add Article 5 (commencing at Section 220) to Chapter 1, Division 1 of the Education Code, and Chapter 5 (commencing at Section 551) to Division 2 of the Education

Code, as proposed by Senate Bill No. 2, establishing a state college board and prescribing its function.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Article 5 (commencing at Section 220) to Chapter 1, Division 1 of the Education Code, and".

**Amendment No. 2**

In line 4 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 15, inclusive

**Amendment No. 4**

On page 2, strike out lines 1 to 40, inclusive, and insert

"SECTION 1. Chapter 5 (commencing at Section 551) is added to Division 2 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 5**

On page 3, line 29, strike out "may", and insert "shall".

**Amendment No. 6**

On page 3, strike out lines 42 to 48, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1186**—An act to amend Section 11001 of the Health and Safety Code, relating to narcotics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "following", insert ", whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis"

**Amendment No. 2**

On page 1, line 5, strike out the period, and insert "and coca leaves."

**Amendment No. 3**

On page 1, line 6, strike out the period, and insert "and opiate."

**Amendment No. 4**

On page 2 strike out lines 22 to 28, inclusive, and insert

"(p) Isoamidone "Isoamidone" shall mean any substance identified chemically as 4,4-diphenyl-5-methyl-6-dimethylaminohexanone-3.

(q) Bemidone. "Bemidone" shall mean any substance identified chemically as 1-methyl-4-metahydroxy-phenyl-piperidine-4-carboxylic acid ethyl ester.

(r) NU-1196. "NU-1196" shall mean any substance identified chemically as a-1,3-dimethyl-4-phenyl-4-propionoxy piperidine (also known as Nisentil).

(s) Any substance identified chemically as alpha-3-Ethyl-1-methyl-4-phenyl-4-propionoxypiperidine.

(t) Any substance identified chemically as beta-3-Ethyl-1-methyl-4-phenyl-4-propionoxypiperidine.

(u) N. I. H.-2933. "N. I. H.-2933" shall mean any substance identified chemically as 6-dimethylamino-4,4-diphenyl-3-heptanol.

(v) N I H.-2953. "N I. H.-2953" shall mean any substance identified chemically as 6-dimethylamino-4,4-diphenyl-3-acetoxyheptane

(w) CB-11 "CB-11" shall mean any substance identified chemically as 6-morpholino-4,4-diphenyl-3-heptanone (also known as Heptazone or Heptalgin).

(x) NU-2206. "NU-2206" shall mean any substance identified chemically as 3-hydroxy-N-methylmorphinan.

(y) Alpha-acetylmethadol. "Alpha-acetylmethadol" shall mean any substance identified chemically as α-6-dimethylamino-4,4-diphenyl-3-acetoxyheptane

(z) Alpha-methadol. "Alpha-methadol" shall mean any substance identified chemically as α-6-dimethylamino-4,4-diphenyl-3-heptanol.

(aa) Beta-acetylmethadol. "Beta-acetylmethadol" shall mean any substance identified chemically as B-6-dimethylamino-4,4-diphenyl-3-acetoxyheptane.

(bb) Any substance identified chemically as 3-Dimethylamino-1,1-di-(2-thienyl)-1-butene

(cc) Any substance identified chemically as 3-Ethylmethylamino-1,1-di-(2-thienyl)-1-butene.

(dd) Any substance identified chemically as 4,4-diphenyl-6-dimethylamino-3-hexanone

(ee) Piperidyl methadone. "Piperidyl methadone" shall mean any substance identified chemically as 4,4-diphenyl-6-piperidino-3-heptanone.

(ff) Any substance identified chemically as Isopropyl 1-methyl-4-phenylpiperidine-4-carboxylate.

(gg) Diethylthiambutene "Diethylthiambutene" shall mean any substance identified chemically as 3-diethylamino-1,1-di(2-thienyl)-1-butene

(hh) Any substance identified chemically as 1,3-dimethyl-4-phenyl-4-propionoxyhexamethyleneimine

(ii) Any substance identified chemically as Ethyl 2,2-diphenyl-4-morpholinobutyrate

(jj) Any substance identified chemically as Ethyl 1-[2-(p-aminophenyl)-ethyl]-4-phenylpiperidine-4-carboxylate.

(kk) Any substance identified chemically as 1-(2 Morpholinoethyl)-4-Carbethoxy-4-phenylpiperidine.

(ll) Any substance identified chemically as d-2, 2-Diphenyl-3-methyl-4-morpholino-butyryl-pyrrolidine.

(mm) Any compound, manufacture, salt, derivative, or preparation of opium, isonipecaine, coca leaves, or opiate.

(nn) Any substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in the foregoing subdivisions."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 997**—An act to amend Section 24532 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1042**—An act to amend Sections 8707, 8714, 9301, 9776, and 10451, of the Revenue and Taxation Code, relating to the use fuel and motor vehicle transportation license tax laws.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1116**—An act to amend Sections 7493, 7660, 7670, 7675, 7852, 7916, 8126, 8128, 8147, 8148, 8149, 8191, 8307 and the heading of Article 4 (commencing at Section 7916) of Chapter 6 of Part 2 of Division 2 of the Revenue and Taxation Code, to repeal Article 5 (commencing at Section 7751) of Chapter 5 of Part 2 of Division 2 and Section 7981 of said code, and to add thereto Sections 7676, 7711.5, 8149.5 and 8404 and Articles 1.5 (commencing at Section 7861) and 2.5 (commencing at Section 7881) to Chapter 6 of Part 2 of Division 2 of said code, all relating to the motor vehicle fuel license tax.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 598**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in the Assembly on March 9, 1959, strike out "and current".

Amendment No. 2

On page 2, line 40, after "improvements", insert "and the pro rata share of the current taxes, penalties and costs which are a lien against such land or improvements, prorated for the fiscal year for which such current taxes, penalties and costs are or will be due and payable, shall be paid out of the award. The date for such proration shall be".

Amendment No. 3

On page 2, line 43, strike out ", shall be paid out of the award"

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 998**—An act to amend Sections 17206, 17208, 17854, 18009, 18552, 18586, 18586.2, 18586.3, 18588, 18806, 19053, and 19062 of, to add Sections 17746, 18551.1, 18694, 18695, 19062.10, and 19408 to, and to repeal Section 18010 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 3, line 48, of the printed bill, after "month", insert "after that date".

Amendment No. 2

On page 4, line 2, after "the tax in three", strike out "equal".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 999**—An act to amend Sections 17734, 18003, 18004, 18007, 18167, 18802, 19051, and 19053.7 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, line 36, of the printed bill, strike out "1811(c)", and insert "18111(c)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 419**—An act to add Chapter 8.5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 479**—An act to amend Section 452 of the Labor Code, relating to uniforms.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out the period after "employer", insert "; provided, however, that the requirements of this section shall not apply where the cost of such uniforms is covered by an agreement between the employer and its employees."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 458, 49, 1042, 1116,** and **419,** subsequent to engrossment.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 16
Assembly Bill No. 316
Assembly Bill No. 1029
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 700
And reports the same correctly re-engrossed. (Title amendment.)

BURKE, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 641
Assembly Bill No. 907
And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 74
Assembly Bill No. 195
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 47 Assembly Bill No. 747
Assembly Bill No. 485 Assembly Bill No. 755
And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1131
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 245
And reports the same correctly re-engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 705
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 13, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 234
With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Sedgwick was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 250 copies of the accompanying report be printed as a separate document out of the committee's funds:

## COMMITTEE LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON EDUCATION
ROOMS 3102-3114, STATE CAPITOL
SACRAMENTO, March 10, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 285 of the 1957 Regular Session, the Assembly Interim Committee on Education herewith

submits its final report from its Subcommittee on Higher Education, Beyond the Twelfth Grade.

Respectfully submitted,

DONALD D. DOYLE, Chairman
Interim Committee on Education

### SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 10, 1959

*Hon. Donald D. Doyle*
*Assembly Interim Committee on Education*
*Assembly Chamber, Sacramento*

DEAR MR. DOYLE: Pursuant to the general authority of House Resolution No. 285 of the 1957 Regular Session, under which you appointed this Subcommittee on Higher Education, we herewith submit our final report.

Respectfully submitted,

Subcommittee on Higher Education

HAROLD T SEDGWICK, Chairman — LOU CUSANOVICH
CARLOS BEE — RICHARD HANNA
GEORGE G. CRAWFORD — SHERIDAN HEGLAND

### REQUEST FOR UNANIMOUS CONSENT

Mr. Coolidge was granted unanimous consent that the second reading of Senate Bill No. 185 be passed temporarily on file.

### REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, all bills on the Senate second reading file, with the exception of Senate Bill No. 185, were deemed read the second time, with appropriate action taken on those bills requiring action.

### SECOND READING OF SENATE BILLS

**Senate Joint Resolution No. 4**—Relative to the conversion of sea water.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

On page 1, of the printed measure, strike out lines 18 and 19, and insert "the United States to expedite without delay, current studies of means of economically con-".

Resolution ordered reprinted, and on file.

**Senate Bill No. 66**—An act to amend Sections 9, 10, and 19b of Chapter 158 of the Statutes of 1885, relating to drainage districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 77**—An act to add Section 701.5 to the Vehicle Code, relating to trailers.

Bill read second time, and ordered to third reading.

**Senate Bill No. 28**—An act to amend Section 705.3 of the Vehicle Code, relating to logging trucks.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on February 18, 1959, strike out "amend Section 705.3 of the Vehicle Code, and to".

#### Amendment No. 2

In line 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 3

On page 1, line 1, strike out "705.3 of the Vehicle Code", and insert "35552 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 4

On page 1, strike out lines 3 through 24, inclusive

#### Amendment No. 5

On page 2, between lines 17 and 18, insert
"This section may be cited as the Christensen-Belotti Act."

#### Amendment No. 6

On page 2, strike out lines 18 through 22, inclusive.

#### Amendment No. 7

On page 2, line 16, strike out "nine-first", and insert "ninety-first".

Bill ordered reprinted, and returned to the second reading file.

## PARLIAMENTARY INQUIRY

Mr Dahl arose to the following parliamentary inquiry: Will the adoption of amendments to a bill on the Consent Calendar take it off of the Consent Calendar?

#### Reply by Speaker

The Speaker replied that it would.

#### Parliamentary Inquiry

Mr. Dahl arose to the following parliamentary inquiry: Is this the normal procedure, even if the amendments are technical in nature?

#### Reply by Speaker

The Speaker replied that the joint rule provides that any bill amended on the Consent Calendar must be returned to the second reading file.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 217**—An act to amend Sections 55101, 55801 and 55966 of the Water Code, relating to county waterworks districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 217?

#### Amendment No. 1

On page 1, line 4, of the printed bill, after "territory", insert "within the same county".

**Amendment No. 2**

On page 1, line 12, after "territory", insert "within the same county but"

**Amendment No. 3**

On page 1, line 22, after "consolidation", insert "of two or more districts within the same county".

**Amendment No. 4**

On page 2, line 1, strike out "finds", and insert "determines"

**Amendment No. 5**

On page 2, in lines 7 and 8, strike out "not be detrimental", and insert "be beneficial"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 217 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 217 ordered enrolled

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bane was granted unanimous consent that the second reading of Assembly Bill No. 1085 be taken up, at this time.

## SECOND READING OF ASSEMBLY BILL NO. 1085

**Assembly Bill No. 1085**—An act to amend Section 21683, and to repeal Sections 21685, 21686, 21687, 21688, 21690 and 21691 of the Water Code, relating to elections in irrigation districts.

Bill read second time.

### Motion to Amend

Mr. Bane moved the adoption of the following amendment:

**Amendment No. 1**

In the first and second lines of the title of Assembly Bill No. 1085 as introduced on February 4, 1959, strike out ", and to repeal Sections 21685, 21686, 21687, 21688, 21690 and 21691".

Amendment read.

### Inquiry by Speaker

Speaker Brown inquired of the Clerk if there would be any conflict between the amendment offered by Mr. Bane and the committee amendment?

The Chief Assistant Clerk advised the Speaker that there would be no conflict.

The question being on the adoption of the amendment.

Amendment adopted.

### Request for Unanimous Consent

Mr. Bane was granted unanimous consent that the committee amendments to Assembly Bill No. 1085 be considered at this time without reference to reprint.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

Amendment No. 1

On page 1, of the printed bill, strike out lines 8 and 9

Bill ordered reprinted, and engrossed.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORTS

Mr. Bradley was granted unanimous consent that the Final Reports of the Committee on Municipal and County Government relative to:

Modernization of Non-Charter County Law;

Problems of Local Government Resulting from the *Hall* v. *City of Taft* case decision;

Concepts in Metropolitan Government;

Functional Consolidation of Local Government;

Incorporation Practices;

Special Districts in the State of California; Problems in General and the Consolidation of Sewer and Fire District Acts,

be placed across the desk; and that the reports be transmitted to the printer, and printed as separate documents out of the committee's funds.

Parliamentary Inquiry

Mr. Bradley arose to the following parliamentary inquiry: Will ordering the printing of these reports today permit the use of the committee's funds for the printing of the reports?

Reply by Speaker

The Speaker referred the inquiry to the Chairman of the Committee on Rules.

Reply by Chairman of Committee on Rules

Mr. Miller replied that he had received a Legislative Counsel opinion that reports to be filed on March 15th were acceptable today.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 50 Placed on the Inactive File

On request of Mr. Miller, Assembly Concurrent Resolution No. 50 was ordered placed on the inactive file.

**Assembly Bill No. 890**—An act to add Part 5 (commencing at Section 35700) to Division 24 of the Health and Safety Code, relating to discrimination in publicly assisted housing.

Bill read third time.

Demand for Previous Question

Messrs. Burton, Meyers, Masterson, Pattee, and Hegland demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott,

Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Backstrand, Bradley, Burke, Dahl, Lanterman, Levering, Reagan, Shell, and Thelin—9.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 286**—An act to add Article 2.5 (commencing at Section 4470), to Chapter 4, Part 2, Division 5 of the Health and Safety Code, relating to fishing in water supplies and recreational uses in the surrounding area.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10:49 a.m. Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—Britschgi, Lanterman, Levering, and Reagan—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 883**—An act to amend Sections 57, 70, 331, 332, 3031, 4006, 4332, 4751, and 7049 of the Fish and Game Code, relating to licenses for taking mammals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—77.

NOES—Lowrey—1

**Motion to Amend Title**

Mr. Masterson moved the adoption of the following amendments to the title:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on March 12, 1959, strike out "7049", and insert "7149".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "licenses for taking mammals", and insert "fish and game".

Amendments read, and adopted

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 527**—An act to add Chapter 5 (commencing at Section 31585) to Part 6 of Division 12 of the Water Code, relating to county water districts.

Bill read third time.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 48, of the printed bill, as amended in the Assembly on March 12, 1959, strike out "protect", and insert "protest".

**Amendment No. 2**

On page 4, line 8, strike out "protect", and insert "protest".

**Amendment No. 3**

On page 6, line 1, strike out "such taxes", and insert "taxes collected pursuant to this article".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

**Assembly Bill No. 639**—An act to amend Sections 781, 784.4, and 784.6 of the Agricultural Code, and to add Section 12604.5 to the Business and Professions Code, relating to fruit, nut and vegetable standards and containers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1189**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read third time.

**Motion to Amend**

Mr. Porter moved the adoption of the following amendments:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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**Amendment No. 1**

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 493 of the Agricultural Code is amended to read:

493. The State Personnel Board shall hold examinations in various parts of the State for the purpose of determining the qualifications of persons desiring to become employed by the department in the enforcement of the provisions of this division and the rules and regulations of the director, and shall establish an eligible list therefor, provided, that persons in the employ of the State of California or any county or city or city and county in California may be eligible for employment by any county or city without being on such eligible list if such person was in the employ of the State

of California or any county or city or city and county in California, and while so employed, enforcing laws, rules, regulations and ordinances pertaining to milk and milk products within [two] *four* years immediately preceding date of such subsequent employment."

**Amendment No. 2**

On page 1 strike out lines 2 to 15, inclusive; and on page 2 strike out lines 1 and 2.

**Amendment No. 3**

On page 2, line 4, strike out "persons", and insert "person".

Amendments read, and adopted.

Bill ordered reprinted and re-engrossed.

**Assembly Bill No. 292**—An act to amend Section 9483 of the Elections Code, relating to county election services to cities and districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 385**—An act to add Section 2598 to Article 4 of Chapter 2 of Division 5 of the Elections Code, relating to candidates' political affiliations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 616**—An act to amend Section 2540 of the Elections Code, relating to the qualification of political parties.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—68.

NOES—Bruce F. Allen, Britschgi, Busterud, Chapel, Conrad, Cusanovich, Thelin, and Charles H. Wilson—8.

Bill ordered transmitted to the Senate.

### LEAVE OF ABSENCE FOR BALANCE OF DAY

The following member was granted leave of absence for the balance of the day, because of illness:

Mr. Porter, on request of Speaker pro Tempore Bee.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 948**—An act to amend the heading of Article 8 (commencing at Section 2581), Chapter 7, Division 2 of, to amend and renumber Section 2582 of, to amend Sections 2581, 2583, 2583.1, 2586, and 2592 of, to add Section 2582 to, and to repeal Sections 2584, 2585.1, and 2593 of the Education Code, and to amend the heading of Article 10 (commencing at Section 1871), Chapter 2, Division 5 of, to amend and renumber Section 1872, to amend Sections 1871, 1873, 1874, 1878, 1884, to add Section 1872 to, and to repeal Sections 1875, 1877, and 1885 of, the Education Code as proposed by Senate Bill No. 2, relating to the lapsation and suspension of school districts.

Bill read third time.

#### Speaker Presiding

At 11.18 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

#### Demand for Previous Question

Messrs. Grant, Luckel, Schrade, Burke, and Masterson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

#### Motion to Grant Additional Time for Debate

Mr. Lowrey moved that Mr. Winton be granted an additional two minutes for debate.

Mrs. Davis seconded the motion.

Motion carried.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—52.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Coolidge, Cunningham, Dahl, Davis, Francis, Samuel R. Geddes, Holmes, House, Kennick, Lowrey, Lunardi, Masterson, Mulford, Munnell, Nisbet, Pattee, Reagan, Sedgwick, Shell, Thelin, and Charles H. Wilson—25.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 767**—An act to amend Sections 3084.1 and 3472.1 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House,

Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

## INTRODUCTION OF GUESTS

Mr. Burke introduced his daughter, Mrs. Norma Jean Evans of San Marino, and Mrs. Vera Geraldine of Pasadena to the Members of the Assembly.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 881**—An act to amend Section 3475 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1105**—An act to amend Sections 103.4, 118, and 118.2 of, and to amend the chapter heading of Chapter 3 (commencing with Section 3400) of Part 1 of Division 5 of, the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 215

In compliance with a notice given on a previous day, Mr. Masterson moved that the vote whereby Assembly Bill No. 215 was refused passage be reconsidered.

Assembly Bill No 215 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None

Assembly Bill No. 215 ordered to third reading.

**Request for Unanimous Consent to Print Proposed Amendments in Journal**

Mr. Masterson was granted unanimous consent that the following proposed amendments to Assembly Bill No. 215 be ordered printed in the Journal without action:

***Request for Unanimous Consent***

Mr. Levering was granted unanimous consent that, if the proposed amendments contain strike-out type, they be printed in the Journal in 10-point type.

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 215

By Mr. Masterson:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 32 of the Revenue and Taxation Code is amended to read:

32. ~~Any statement, return, or other document in which is claimed any exemption, other than the householder's exemption, from any property tax imposed by this State or any county, city or county, city, district, political subdivision, authority, board, bureau, commission or other public agency of this State shall contain a declaration that the person or organization making the statement, return, or other document does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If any such statement, return, or other document does not contain such declaration, the person or organization making such statement, return, or other document shall not receive any exemption from the tax to which the statement, return, or other document pertains. Any person or organization who makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.~~ *(a) No person or organization which advocates the overthrow of the Government of the United States or of of this State by force or violence or other unlawful means or advocates the support of a foreign government against the United States in the event of hostilities shall receive any exemption from any property tax imposed by this State or by any county, city and county, city, district, political subdivision, authority, board, bureau, commission, or other public agency of this State. Any such person or organization which willfully makes, subscribes, prepares, or presents any return, statement, or other document in which he or it claims the exemption, or any other*

*person or organization which willfully aids or assists such person or organization in such preparation or presentation, is guilty of a felony, which shall be punished in accordance with Section 35300 of the Corporations Code in the case of an organization or Section 35301 of that code in the case of an individual.*

*(b) The following oath or affirmation shall be filed with the appropriate taxing agency by each person claiming an exemption, or on its behalf by a duly authorized officer, member, or agent, at the time the exemption is claimed:*

*"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without any mental reservations or purpose of evasion."*

*(c) This section has been enacted pursuant to and in implementation of Section 19 of Article XX of the State Constitution.*

SEC. 2. Section 23705 of said code is amended to read:

23705. ~~Any incorporated organization which claims any exemption prescribed by this article shall file annually with the Franchise Tax Board, on or before May 15th, a declaration that it does not advocate the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means nor advocate the support of a foreign government against the United States in event of hostilities. If any such organization incorporates, qualifies to do intrastate business, commences activities within this State, revives or is restored to good standing in any year after May 15th, it shall make and file such declaration before it is allowed any exemption prescribed by this article. Any incorporated organization which makes such declaration knowing it to be false is guilty of a felony. This section shall be construed so as to effectuate the purpose of Section 19 of Article XX of the Constitution.~~

~~No exemption under this article shall be allowed to any incorporated organization for any year in which it fails to file on or before May 15th the annual declaration required by this section.~~ *(a) No organization which advocates the overthrow of the Government of the United States or of this State by force or violence or other unlawful means or advocates the support of a foreign government against the United States in the event of hostilities shall receive any exemption allowed by this article. Any such organization which willfully makes, subscribes, prepares, or presents any return, statement, or other document in which it claims the exemption, or any other person or organization which willfully aids or assists it in such preparation or presentation, is guilty of a felony, which shall be punished in accordance with Section 35300 of the Corporations Code in the case of an organization or Section 35301 of that code in the case of an individual.*

*Any organization which has been granted an exemption allowed under this article shall not subsequently receive the exemption if it advocates the overthrow of the Government of the United States or of this State by force or violence or other unlawful means or advocates the support of a foreign government against the United States in the*

*event of hostilities. A violation of this paragraph is a felony punishable in accordance with Section 35300 of the Corporations Code in the case of an organization or Section 35301 of that code in the case of an individual.*

*(b) The following oath or affirmation shall be filed with the appropriate taxing agency by each organization claiming an exemption, or on its behalf by its duly authorized officer, member or agent, at the time that the exemption is first claimed:*

*"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without any mental reservations or purpose of evasion."*

*Any declaration of loyalty filed with the Franchise Tax Board in support of an exemption allowed by this article prior to the effective date of the amendment to this section in 1957 shall be prima facie evidence of loyalty to the United States and to this State of the person making and filing such declaration or the organization on whose behalf it is filed.*

*(c) This section has been enacted pursuant to and in implementation of Article XX of the State Constitution."*

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1118 CONTINUED

Mr. Britschgi was granted unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 1118 be continued until the next legislative day.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 812**—An act to amend Section 35541 of the Health and Safety Code, and to amend Section 2 of Chapter 1246, Statutes 1955, relating to temporary housing projects.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None

Bill ordered transmitted to the Senate.

### Parliamentary Inquiry

Mr. Rumford arose to the following parliamentary inquiry: Can the title be corrected, at this time?

### Reply by Speaker

The Speaker replied that if the amendment is not prepared, it can be taken care of in the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Miss Donahoe was granted unanimous consent that the following letters of transmittal and report be ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 13, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 285 of the 1957 Regular Session, the Assembly Interim Committee on Education herewith submits its final report from its Subcommittee on School Districts' Construction Funds.

Respectfully submitted,

DOROTHY M. DONAHOE, Chairman
Assembly Committee on Education

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 13, 1959

*Hon. Dorothy M. Donahoe*
*Chairman, Assembly Committee on Education*
*Assembly Chamber, State Capitol, Sacramento*

DEAR MISS DONAHOE: Pursuant to the general authority of House Resolution No. 285 of the 1957 Regular Session, under which this Subcommittee on School Districts' Construction Funds was created, we herewith submit our final report.

Respectfully submitted,

CARL A. BRITSCHGI, Chairman
PAULINE L. DAVIS
DOROTHY M. DONAHOE
SHERIDAN N. HEGLAND
LEVERETTE D. HOUSE

### REPORT OF THE SUBCOMMITTEE ON SCHOOL DISTRICTS CONSTRUCTION FUNDS

#### Scope of Report

The Subcommittee on School Districts' Construction Funds was created under the general authority of House Resolution No. 285 of the 1957 Regular Session of the California Legislature.

Hearings of this subcommittee were held on October 9, 1957, in San Mateo; February 6, 1958, at Sacramento; October 9, 1958, in Los Angeles; and October 22, 1958, in San Francisco.

At these hearings Assembly Bill No. 3903 of the 1957 Session of the California Legislature was under discussion. Assembly Bill No. 3903 has two main purposes. They are (1) to place public school construction on a pay-as-you-go basis and (2) to equalize support for school construction throughout the State.

This report outlines the present method of financing school construction in California and the analysis, as developed from witnesses at the hearings, of Assembly Bill No. 3903.

Because of the vast amount of money presently being spent on the construction of school buildings throughout the State of California and the huge interest charges each year on outstanding bonds which have been passed by the citizens of the State for school construction purposes, it was generally agreed by all witnesses that it was going to be necessary in the future to develop another method of school construction financing.

**Findings**

(1) That under the present system of bond-financed school construction the amount of yearly interest charges on bonds are getting to be astronomical.

(2) That a pay-as-you-go method of school construction financing would be advantageous to the State.

(3) That it is necessary that the amount of money being spent by the taxpayers of this State on school district construction be equalized on a county-to-county basis.

(4) That the bonds presently being written for school construction cannot now be paid off before their expiration date, which is detrimental to the financial stability of many school districts.

**Recommendations**

(1) Further study should be given to pay-as-you-go financing of school construction.

(2) Further study should be given to the establishment of county school construction funds which would equalize payments of taxpayers within counties.

(3) Provisions in new state bonds should be such that they could be paid off in full at any time.

(4) Any measure changing the present method of school construction financing should insure more local control.

**Proposed Legislation**

(See bills attached.)

**Report**

Assembly Bill No. 3903 of the 1957 Session of the Legislature was authored by Assemblyman Sheridan N. Hegland. The bill has two purposes, as explained previously, of placing public school construction on a pay-as-you-go basis and of equalizing support for school construction throughout the State.

The achievement of the pay-as-you-go basis is prescribed in Assembly Bill No. 3903 as follows:

**Pay-As-You-Go**

1. The State School Building Construction Fund would be established and funds sufficient to meet the requirements of the following expenses would be placed therein:
   a. Paying interest and principal on the outstanding bonds of all school districts.
   b. Paying interest and principal on outstanding state bonds for school building loan purposes.
   c. Paying expenses of current school construction in all school districts.
   d. Paying expenses of administering the program

2. The requirements of this fund are to be provided by:
   a. Thirty percent (30%) from the State General Fund.
   b. Seventy percent (70%) to be raised from an ad valorem tax levied by the board of supervisors in each county. The tax to be levied shall not exceed $1.20 for each $100 of assessed valuation.

**Equalization**

The equalization features of Assembly Bill No. 3903 are achieved in the following manner:

1. That thirty percent (30%) of the construction and bond interest and redemption costs for the year shall be met from the statewide taxes.
2. That seventy percent (70%) of the construction and bond interest and redemption costs shall be met from an equalized tax on all the assessed valuation in the State.

**Operation**

It is contemplated that Assembly Bill No 3093 will be operated in the following manner:

1 Each county superintendent of schools each year, on or before May 30th, shall secure for each school district a five-year estimate of the children to be in attendance and certify such to the State Allocation Board and to the State Department of Education.
2. The Department of Education, on or before May 30th of each year, shall certify to the State Allocation Board and the State Controller, the area of adequate school construction in each school district and the number of pupils that can be housed in the area determined. (Pupils housed in facilities requiring replacement are inadequately housed )
3. The State Allocation Board, on or before June 30th of each year, shall determine and certify to the State Controller the amount of money necessary, in accordance with construction standards they are authorized to adopt for:
   a. Purchase and improvement of school sites.
   b. Purchase of desks, tables, chairs, and equipment
   c. Planning and construction, reconstruction, alteration of, and additions to school buildings in each school district.
   d. Housing for the education of exceptional children.
   e. Administrative and auxiliary facilities.
   f. Replacement of facilities.

   Allowances for site purchase shall be based upon a five-year projection by the State Allocation Board.
   Allowances for all other purposes shall be based on a two-year projection by the State Allocation Board.
4. The State Controller shall set up the fund to meet all costs of the program and determine amount to be contributed by the State General Fund and the amount to be raised by each county.
5. The board of supervisors in each county shall levy the tax necessary, not in excess of $1 20 for each $100 of assessed valuation, to raise the required amount in the county.

6. Provisions are contained in the proposal for the allocation and disbursement of the moneys to the funds and agencies responsible for the expenditures.

**Author's Statement**

Assemblyman Sheridan Hegland appeared before the committee and gave some background material on school district construction funds and what he felt were certain requirements that any permanent financing plan should be.

Assemblyman Hegland explained that he felt this bill places school construction on a permanent basis instead of a temporary basis. He explained that 10 years ago when the school construction program was started as an aid to local school districts, about a quarter of a million youngsters were on half-day sessions and that even today, after spending hundreds of millions of dollars of state aid funds, there are still a quarter of a million youngsters on half-day sessions. This, of course, is because of the large expansion of the school facilities in the State and the large number of children that have come in from other states.

Mr. Hegland went on to say that other requirements of a permanent plan should be:

1. That costs would be lower under state construction than in other ways of building schools.
2. That a plan should be devised so that school construction is an operational cost and not a capital cost. Mr. Hegland compared it with the same category as the buying of chalk or the hiring of teachers or the purchase of blackboards or desks: that is, it is a continuing recurring cost. Therefore, it should not properly be considered a capital expenditure.
3. That any new plan should be on a pay-as-you-go basis, on which we could save millions of dollars in financing costs.
4. That it would promote equity among taxpayers.
5. That it will alleviate the building shortage in California.
6. That any new financing method would both preserve and extend local control.
7. That it would be financially sound.

Mr. Hegland explained that he felt that Assembly Bill No. 3903 met these requirements, but that there were also some economics to be worked out, and also the question to be answered of whether it is politically feasible to change the whole system of school construction methods at one time, and at this time, in our State Government.

**State Department of Education**

Dr. Ronald Cox, Chief of the Bureau of Public Administration of the State Department of Education appeared before the committee and gave the following analysis of this bill:

1. The advantages of a pay-as-you-go basis for school construction are widely known. The adoption of the proposal would eliminate the necessity of future borrowing by the State and by individual school districts and the resultant payment of interest on the borrowed money. It would reduce the total cost of providing school facilities by a very significant amount.

2. The equalization of support for school construction proposes that the revenues of the State be available for thirty percent (30%) of the cost of the program and that the total assessed valuation of the counties of the State be available for seventy percent (70%) of the cost of the program, both sources being available for the construction of school facilities wherever they are needed.
3. The initial and continuing costs of the program are large. The immediate and continuing large out-of-pocket costs of a pay-as-you-go program have been the principal deterrent to the adoption of such programs at the local district level. It also has been the principal factor in the adoption of statutory authority for school districts to issue bonds for construction purposes. There is little doubt that the adoption of the proposal would result in savings to the State and to local districts if both were willing to accept the proposal and meet the costs.
4. There are dangers in the proposal that the plan will tend to require a larger measure of state control to be exerted, especially in city districts that are not now under the State School Building Aid Program The determination of what constitutes adequate school facilities would likely rest with a state agency under the program, and the type of school facilities to be provided also would likely be determined by a state agency.
5. The proposal as currently drafted assigns functions of an educational nature to other than the Department of Education. These responsibilities should be assigned to the Department of Education.

### California Association of School Administrators

Paul Salmon, Superintendent of the Covina School District, representing the State Building Committee of the California Association of School Administrators appeared before the committee and testified that his organization had gone over Assembly Bill No. 3903 and found that it generally answered many of the problems of school construction today.

### The Present State-Aided Building Program

We feel the following explanation of the state-aided bond program for school construction prepared by H. H. Jaqueth, Executive Officer of the State Allocation Board would be helpful in understanding the present problems involved in schoolhouse construction.

Under the state-aided program, 1027 construction projects have been completed, of which 963 have been for elementary schools, and 64 high schools have been constructed. These schools provide housing for 313,902 pupils. There has been an average of over 300 construction projects approved by the State Allocation Board each year.

### Financing

Inasmuch as the existing State School Building Aid Program has become a permanent program due to the 30-year repayment provisions and other requirements, and, further, because this program represents a very large, substantial part of school construction within the State,

experience of the State Allocation Board may be used indicating problems and operational activities.

Under present legislation, funds are raised by means of statewide bond issues supplemented by funds which are almost entirely individual school district bond amounts. The State has provided 690.5 million dollars for school construction, or 76 percent of the cost of state-aided projects, and districts have provided the balance of 24 percent of the cost. The accompanying chart (see page 1431) of "What Happens to State Aid School Bond Issues for a Complete Project" provides information relating to the bond funds. On this chart it is to be noted that presently 66 percent of available funds is spent for schoolhouse construction with the balance being spent for the purchase of sites, preparation of plans, furniture and equipment, and other items.

### Characteristics

In order to provide information relating to the trend of state aid for school construction purposes, see Appendix, page 1432, under the heading of "Cost and Other Characteristics of State Aided School Facilities." Reference is made to the discussion and tables for information relating to sites, new construction, additions, and furniture and equipment. It is to be noted that in 1954 building construction costs represented 79.1 percent of the total; whereas, in 1958 the building construction total dropped to 71.1 percent of total, with the remainder of the costs indicating increases in non-building items such as preparation of plans, site development and site acquisition.

It should be noted that through the first 10 months of 1958, 2,328 applications for state aid have been received by the State Allocation Board, with 400 being received in 1958 (an increase of 20 percent over 1957). Approved projects totaling 600.4 million dollars include funds for 1,640 projects, with a total pupil capacity of 426,821.

During the past few years the trend of the cost of state aid per average project has increased, principally because of additional allowable expenditures authorized by the Legislature for expanded facilities. For instance, the Legislature has provided that funds may be used for furniture and equipment and these costs now represent approximately 6 percent of each application. In addition, allowable costs for outdoor teacher station construction has been authorized by the State Allocation Board and these represent a cost of approximately from 5 to 10 percent per application, where this type of facility is provided.

### General

It is almost impossible to satisfactorily provide funds to a district on a per-pupil basis. During the period from 1953 to 1957 school construction costs for new structures have varied from approximately $200 per pupil to over $3,000 per pupil, depending upon the facilities being provided. Some of the items which cause this disparity are as follows:

1. Variance in cost of site acquisition.
2. Variance in cost of providing utilities services.
3. Variance in cost of developing the sites to make them usable.
4. Variances in the allowable building area per pupil (small schools receive special area adjustments, large schools need less area per pupil).

5. Cost variances for providing special facilities, such as
   a. Multipurpose room only.
   b. Special types of rooms for junior high schools, etc.
6. Variances in cost on a geographical basis throughout the State (metropolitan areas v. isolated and/or rural areas).
7. Variance in the desires of districts in providing facilities.

During the period of the state-aided program, about one-third of the school districts receiving aid have applied for replacement of facilities, or rehabilitation or reconstruction of existing facilities. Costs of this type of construction have varied from very small amounts to amounts nearly equal to the cost of new construction.

In answer to specific questions, we have the following to report:

"1. How much money has been made available this year?"

Answer—From October 8, 1957, to October, 1958, the State Allocation Board has approved applications for state-aid amounting to $97,719,084.

"2. How much has been returned this year?"

Answer—The computed repayments from state-aided school districts to be made during the 1958-59 Fiscal Year is $15,638,999.

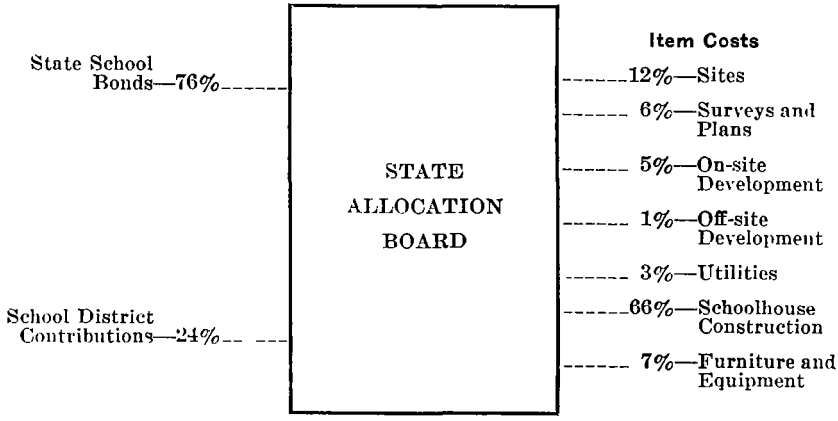
"3. What is an estimate of the total annual interest on bonds—local and state?"

Answer—It is estimated that the interest costs of local and state bonds for 1958-59 will be as follows:

| | |
|---|---|
| Local | $38,000,000 |
| State | 13,000,000 |
| Total | $51,000,000 |

**LOCAL ALLOCATION DIVISION**
**DEPARTMENT OF FINANCE**
**WHAT HAPPENS TO STATE AID SCHOOL BOND ISSUES FOR A COMPLETE PROJECT**

**The State Allocation Board Is in Effect a Funnel Through Which the State Makes Loans and Grants to Over Three Hundred School Districts Each Year**



## Appendix
## Cost and Other Characteristics of State-Aided School Facilities That Were Completed and Ready for Use by August 31, 1958
## (Chapter 19, Div. 3, Ed. Code)

### School Building Aid Costs to Date

By the end of August, 1958, the State Allocation Board had approved applications for 598.4 million dollars in new school facilities under the School Building Aid Law of 1952. These facilities require 452.3 million dollars in state aid and 146.1 million dollars in district funds.

The status and total cost of these facilities on August 31, 1958, is as follows:

| | *(Millions of Dollars)* |
|---|---|
| Completed Construction Projects | $314.5 |
| Construction Projects Not Yet Completed | 244.3 |
| Advance Purchase of Site | 37.4 |
| Separate Applications for Furniture and/Equipment | 2.2 |
| Total | $598.4 |

### Cost Characteristics of Completed Construction Projects

This analysis is based on project costs of completed facilities as known when the construction contract was awarded. As a result, the detail of project costs in the analysis adds to 319 million dollars, which is 1½ percent more than the 314.5 million dollars actual costs as known on August 31, 1958. The difference represents the return of unused contingencies and minor adjustments in other items. The analysis excludes the value of sites unless they were acquired as a part of the construction project.

By August, 1958, a total of 1,027 school construction projects had been completed and occupied. The number completed increased rapidly each year, from 55 in 1954 (includes one project actually completed in 1953) to a peak of 334 completions in 1957. A total of 158 projects were reported as completed in the first eight months of 1958. The facilities so far completed contain over 9,400 classrooms designed to house 314,000 pupils.

The average school construction project cost $311,000 during the period 1954-58. Elementary projects averaged $276,000 while the relatively smaller number of high school projects averaged $841,000 each. The contract cost of buildings comprised 72.9 percent of the total cost of completed projects in the period 1954-58 and ranged from a high of 79.1 percent in 1954 to a low of 71.1 percent in 1958.

In terms of capital outlay per pupil, project costs averaged $1,017 per pupil during the period 1954-58 for all grade levels. Elementary schools which include 83 percent of the value of all projects completed, were provided at an average cost of $951 per pupil during the period 1954-58. Elementary project costs have gained steadily, ranging from $810 per pupil in 1954 to $1,056 per pupil in 1958. The cost of constructing elementary school buildings on new sites has remained relatively constant during the period, ranging between $650 and $681 per elementary school pupil. In 1958, the cost is actually slightly lower than in the preceding year. The overall increase in cost per pupil has

been principally in nonbuilding costs. These project costs rose from $184 per elementary pupil in 1954 to $322 per pupil in 1958. The principal items contributing to the increase were site acquisition, development of the site, and utilities. These costs have increased significantly in the amount per pupil, and as a percentage of the total project cost.

There is no clearly defined trend from 1954 to 1958 in the computed cost of high school projects. It is probable, however, that underlying trends are obscured by an appreciable shift in the composition of high school projects from smaller schools in areas with relatively high construction costs, to larger schools near metropolitan centers.

Reconstruction costs per pupil appear relatively high in the accompanying tables because of the method of computation. The count of pupils was limited to those in classrooms actually reconstructed and to those in new classrooms in the project while costs include considerable sums for improving general service facilities which would affect all of the students at the attendance center.

The following tables classify the cost of completed facilities by type of project expenditure and grade level for new schools, school additions, and reconstruction projects:

**Table 1**

**COST AND QUANTITY OF SCHOOL HOUSING COMPLETED 1954-58 UNDER STATE SCHOOL BUILDING AID**

**Classified by Year Construction Completed and by Type of Project Chapter 19, Division 3, Education Code**

| *Type of construction project and year completed* | *Number of construction projects* | *Construction project cost* [a] | *Number of classrooms* | *Pupils housed* |
|---|---|---|---|---|
| **Total, 1954-58** | | | | |
| Totals, All Construction Projects | 1,027 | $319,197,409 | 9,421 | 313,902 |
| Total, Elementary | 963 | 265,396,892 | 8,240 | 279,014 |
| New site school | 415 | 171,084,868 | 5,248 | 181,353 |
| School addition (with classrooms) | 478 | 84,431,303 | 2,851 | 93,043 |
| Nonclassroom construction | 37 | 4,595,731 | 0 | 0 |
| Reconstruction | 33 | 5,284,990 | 141 | 4,618 |
| Total, High School | 64 | 53,800,517 | 1,181 | 34,888 |
| New site school | 24 | 33,121,558 | 706 | 20,167 |
| School addition (with classrooms) | 32 | 15,634,274 | 405 | 12,227 |
| Nonclassroom construction | 1 | 162,971 | 0 | 0 |
| Reconstruction | 7 | 4,881,714 | 70 | 2,494 |
| **Jan.-Aug., 1958** | | | | |
| Total, All Construction Projects | 158 | 59,046,218 | 1,473 | 49,891 |
| Total, Elementary | 141 | 39,856,284 | 1,099 | 37,740 |
| New site school | 65 | 27,459,983 | 792 | 27,480 |
| School addition (with classrooms) | 60 | 9,829,370 | 288 | 9,704 |
| Nonclassroom construction | 11 | 1,728,176 | 0 | 0 |
| Reconstruction | 5 | 838,755 | 19 | 556 |
| Total, High School | 17 | 19,189,934 | 374 | 12,151 |
| New site school | 6 | 9,159,127 | 172 | 5,064 |
| School addition (with classrooms) | 7 | 5,988,335 | 136 | 4,791 |
| Nonclassroom construction | 0 | 0 | 0 | 0 |
| Reconstruction | 4 | 4,042,472 | 66 | 2,296 |

[a] Construction project costs are as determined when the construction bid was approved Final costs average approximately 1¾ percent lower because of return of unused contingencies and minor adjustments in other cost components

Table 1

## COST AND QUANTITY OF SCHOOL HOUSING COMPLETED 1954-58 UNDER STATE SCHOOL BUILDING AID—Continued

### Classified by Year Construction Completed and by Type of Project Chapter 19, Division 3, Education Code

| *Type of construction project and year completed* | *Number of construction projects* | *Construction project cost* [a] | *Number of classrooms* | *Pupils housed* |
|---|---|---|---|---|
| **Year 1957** | | | | |
| Total, All Construction Projects | 334 | $110,845,807 | 3,073 | 101,472 |
| Total, elementary | 305 | 87,100,301 | 2,557 | 86,220 |
| New site school | 133 | 57,773,238 | 1,681 | 58,606 |
| School addition (with classrooms) | 146 | 25,624,212 | 842 | 26,510 |
| Nonclassroom construction | 17 | 2,047,381 | 0 | 0 |
| Reconstruction | 9 | 1,655,470 | 34 | 1,104 |
| Total, High School | 29 | 23,745,506 | 516 | 15,252 |
| New site school | 11 | 16,668,634 | 362 | 10,748 |
| School addition (with classrooms) | 14 | 6,074,659 | 150 | 4,306 |
| Nonclassroom construction | 1 | 162,971 | 0 | 0 |
| Reconstruction | 3 | 839,242 | 4 | 198 |
| **Year 1956** | | | | |
| Total, All Construction Projects | 286 | 76,755,604 | 2,449 | 81,561 |
| Total, Elementary | 277 | 71,498,569 | 2,296 | 77,578 |
| New site school | 110 | 44,753,981 | 1,420 | 48,820 |
| School addition (with classrooms) | 146 | 23,796,131 | 826 | 27,053 |
| Nonclassroom construction | 7 | 712,322 | 0 | 0 |
| Reconstruction | 14 | 2,236,135 | 50 | 1,705 |
| Total, High School | 9 | 5,257,035 | 153 | 3,983 |
| New site school | 3 | 2,904,765 | 68 | 1,705 |
| School addition (with classrooms) | 6 | 2,352,270 | 85 | 2,278 |
| Nonclassroom construction | 0 | 0 | 0 | 0 |
| Reconstruction | 0 | 0 | 0 | 0 |
| **Year 1955** | | | | |
| Total, All Construction Projects | 194 | 58,749,557 | 1,914 | 63,919 |
| Total, Elementary | 185 | 53,141,515 | 1,776 | 60,417 |
| New site school | 81 | 32,046,138 | 1,043 | 35,881 |
| School addition (with classrooms) | 99 | 20,675,192 | 706 | 23,690 |
| Nonclassroom construction | 1 | 3,584 | 0 | 0 |
| Reconstruction | 4 | 416,601 | 27 | 846 |
| Total, High School | 9 | 5,608,042 | 138 | 3,502 |
| New site school | 4 | 4,389,032 | 104 | 2,650 |
| School addition (with classrooms) | 5 | 1,219,010 | 34 | 852 |
| Nonclassroom construction | 0 | 0 | 0 | 0 |
| Reconstruction | 0 | 0 | 0 | 0 |
| **Year 1954** | | | | |
| Total, All Construction Projects | 55 | 13,806,223 | 512 | 17,039 |
| Total, Elementary | 55 | 13,800,223 | 512 | 17,039 |
| New site school | 26 | 9,051,528 | 312 | 10,546 |
| School addition (with classrooms) | 27 | 4,506,398 | 189 | 6,086 |
| Nonclassroom construction | 1 | 104,268 | 0 | 0 |
| Reconstruction | 1 | 138,029 | 11 | 407 |
| Total, High School | 0 | 0 | 0 | 0 |

[a] Construction project costs are as determined when the construction bid was approved Final costs average approximately 1½ percent lower because of return of unused contingencies and minor adjustments in other cost components

## Table 2

## AVERAGE COST OF SCHOOL CONSTRUCTION PROJECT COMPONENTS

### Classified by Grade Level and Year Construction Completed for State-Aided School Construction Under Chap. 19, Div. 3, Ed. Code

*Average cost per construction project*

| *Grade level and year completed* | *Total* | *Site acquisition* | *Surveys and plans* | *Utilities* | *On-site develop-ment* | *Off-site develop-ment* | *Building construction* | *Tests and inspec-tion* | *Furniture and equipment* | *Contin-gencies* |
|---|---|---|---|---|---|---|---|---|---|---|
| Period 1954-58 | | | | | | | | | | |
| All Constr Projects | $310,806 | $11,273 | $21,977 | $10,268 | $16,117 | $2,614 | $226,579 | $5,391 | $9,717 | $6,870 |
| Elementary | 275,593 | 10,662 | 19,310 | 9,082 | 14,497 | 2,393 | 199,241 | 5,069 | 9,082 | 6,257 |
| High school | 840,633 | 20,474 | 62,094 | 28,118 | 40,481 | 5,937 | 637,929 | 10,232 | 19,268 | 16,100 |
| Year 1958 (Jan.-Aug.) | | | | | | | | | | |
| All Constr. Projects | 373,709 | 18,297 | 26,171 | 13,906 | 22,149 | 3,644 | 265,534 | 6,110 | 9,882 | 7,926 |
| Elementary | 282,669 | 15,050 | 19,670 | 11,357 | 16,869 | 3,346 | 196,232 | 5,486 | 8,343 | 6,316 |
| High school | 1,128,819 | 45,235 | 80,088 | 35,887 | 65,944 | 6,114 | 840,336 | 11,287 | 22,648 | 21,280 |
| Year 1957 | | | | | | | | | | |
| All Constr Projects | 331,873 | 13,145 | 23,697 | 11,824 | 17,887 | 3,374 | 239,597 | 5,728 | 9,574 | 7,047 |
| Elementary | 285,575 | 12,911 | 19,943 | 10,163 | 16,186 | 3,015 | 202,965 | 5,310 | 8,771 | 6,311 |
| High school | 818,810 | 15,617 | 63,181 | 29,285 | 35,771 | 7,144 | 624,870 | 10,129 | 18,022 | 14,789 |
| Year 1956 | | | | | | | | | | |
| All Constr. Projects | 268,376 | 9,672 | 18,814 | 9,145 | 12,884 | 1,904 | 195,698 | 4,985 | 8,963 | 6,311 |
| Elementary | 258,118 | 9,900 | 18,678 | 8,653 | 12,525 | 1,803 | 187,633 | 4,805 | 8,683 | 6,038 |
| High school | 584,115 | 2,673 | 41,476 | 24,274 | 23,941 | 5,013 | 443,918 | 10,518 | 17,567 | 14,735 |
| Year 1955 | | | | | | | | | | |
| All Constr Projects | 302,833 | 7,162 | 21,571 | 7,995 | 15,034 | 1,931 | 225,906 | 5,143 | 11,356 | 6,735 |
| Elementary | 287,251 | 7,163 | 20,421 | 7,726 | 14,593 | 1,897 | 212,975 | 4,989 | 11,004 | 6,483 |
| High school | 623,115 | 7,157 | 45,215 | 13,526 | 24,099 | 2,636 | 491,692 | 8,288 | 18,599 | 11,903 |
| Year 1954 | | | | | | | | | | |
| All Constr. Projects | 259,013 | 2,546 | 17,354 | 3,964 | 8,668 | 1,145 | 198,572 | 4,258 | 8,250 | 6,156 |
| Elementary | 259,013 | 2,546 | 17,354 | 3,964 | 8,668 | 1,145 | 198,572 | 4,258 | 8,250 | 6,156 |
| High school | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |

NOTE: Costs shown are as determined when construction bid was approved. Final costs average approximately 1½ percent lower than those shown because of return of unused contingencies and minor adjustments in other components.

Table 3
AVERAGE COST PER PUPIL FOR STATE-AIDED SCHOOL CONSTRUCTION
Classified by Type of Project and Year Completed
(Chapter 19, Div. 3, Ed. Code)

| Type of construction project | Average cost per pupil by year construction completed | | | | | |
|---|---|---|---|---|---|---|
| | Period 1954-58 | 1954 | 1955 | 1956 | 1957 | (Jan.-Aug.) 1958 |
| All Construction Projects | $1,017 | $810 | $919 | $941 | $1,092 | $1,184 |
| All Elementary Projects | 951 | 810 | 880 | 921 | 1,010 | 1,056 |
| All High School Projects | 1,542 | -- | 1,601 | 1,320 | 1,557 | 1,579 |
| Building and Other Costs by Type of School | | | | | | |
| Elementary School, New Site | | | | | | |
| Total | 943 | 858 | 893 | 917 | 986 | 999 |
| Building | 666 | 674 | 650 | 653 | 681 | 677 |
| Other costs | 277 | 184 | 243 | 264 | 305 | 322 |
| Elementary School Addition | | | | | | |
| Total | 907 | 740 | 874 | 880 | 967 | 1,013 |
| Building | 685 | 594 | 666 | 661 | 727 | 743 |
| Other costs | 222 | 146 | 208 | 219 | 240 | 270 |
| High School, New Site | | | | | | |
| Total | 1,593 | -- | 1,656[a] | 1,704[a] | 1,551 | 1,809 |
| Building | 1,227 | -- | 1,322[a] | 1,294[a] | 1,184 | 1,211 |
| Other costs | 366 | -- | 334[a] | 410[a] | 367 | 598 |
| High School Addition | | | | | | |
| Total | 1,279 | -- | 1,431 | 1,033 | 1,411 | 1,250 |
| Building | 1,003 | -- | 1,081 | 785 | 1,091 | 1,014 |
| Other costs | 276 | -- | 350 | 248 | 320 | 236 |

[a] Average based on less than five construction projects.

NOTES: (1) Costs are as determined when the construction bid was approved. Final costs average approximately 1½ percent lower because of return of unused contingencies and minor adjustments in other cost components.
(2) Building costs are based on breakdown of construction bid. Site acquisition, surveys and plans, utilities, on-site development, off-site development, tests and inspection, furniture and equipment, and contingencies are classified as "other costs."
(3) Data for "All Construction Projects" include value of nonclassroom and reconstruction projects. Data for new-site schools and school additions include only those projects which contain classrooms.
(4) Number of pupils used in computing average are derived from standard formula adopted by research staff for computing normal classroom capacity.

## REQUEST FOR UNANIMOUS CONSENT TO EXTEND TIME FOR FILING REPORTS

Miss Donahoe was granted unanimous consent that two more subcommittees of the Assembly Interim Committee on Education be granted an extension of three days to file their reports for printing in the Journal; and stated that there would be no additional expenditure of committee funds required to complete the reports.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following letters of transmittal and report be ordered printed in the Journal:

## LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 15, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 219 and House Resolution No. 261 of the 1957 General Session, the Assembly Interim Committee on Public Health herewith submits its report on hospitals and medical care facilities.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee on
Public Health

## SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 15, 1959

*Hon W Byron Rumford, Chairman*
*Assembly Interim Committee on Public Health*
*Assembly Chamber, Sacramento,*

DEAR MR RUMFORD: Enclosed herewith is the report of the Subcommittee on Hospitals and Medical Care Facilities. The committee in its investigations examined county responsibility for medical care and treatment of medically indigent persons, and county reimbursement policies for care provided by non-county medical institutions that treat medically indigent persons in an emergency

The committee held hearings in Long Beach on November 1, 1957, and in San Diego on February 20, 1958 A number of meetings were held with representatives of the various medical and hospital associations and the public health agencies This report is the result of those hearings and the independent research conducted by the committee

Respectfully submitted,

GEORGE G. CRAWFORD, Chairman
Subcommittee on Hospitals and
Medical Care Facilities

REX M. CUNNINGHAM
CLAYTON A. DILLS
SETH J. JOHNSON
HOWARD J THELIN

## FINDINGS

1. There is wide variation in the standards and policies regarding eligibility for admission to county medical facilities in the State and consequently the policies for determining inter-county responsibilities for medical care and treatment This lack of uniform standards has created some confusion between counties while attempting to discharge their responsibilities for indigent medical care.

2. The lack of a uniform policy regarding county financial responsibility for hospital care provided to county indigents treated at district or private hospitals in an emergency situation has complicated the problem of determining financial responsibility for such care.
3. That there may be a serious question as to the adequacy of the medical care provided the public in some California hospitals. The subcommittee believes that the area of hospital administration needs to be closely examined by the Legislature.

### RECOMMENDATIONS

1. That there be additional study by the Legislature on the problems of standards of eligibility for admission to county medical facilities, inter-county responsibility for medical care and treatment, and financial responsibility for hospital care provided indigent patients at noncounty hospitals.
2. The Legislature should undertake to study all facts relating to whether or not California hospitals are meeting the standards necessary to insure adequate protection to, and medical care of, the public, including the operation, effect, administration, enforcement and needed revision of any and all laws relating to this subject.

### REPORT OF SUBCOMMITTEE ON HOSPITALS AND MEDICAL CARE FACILITIES

Pursuant to House Resolution No 219 creating the Assembly Interim Committee on Public Health and House Resolution No. 261 authorizing a continuing study of district hospitals, the Interim Committee on Public Health appointed a Subcommittee on Hospitals and Medical Care Facilities. The subcommittee held hearings as follows:

November 1, 1957, Long Beach
February 20, 1958, San Diego

The subcommittee's inquiry at these hearings was generally limited to three areas of hospital care. These areas were:

1. Standards of eligibility and policies regarding admission to county medical facilities.
2. Inter-county responsibility for medical care and treatment.
3. Financial responsibility for hospital care provided for indigent patients at noncounty hospitals.

In California, at the present time, every person averages approximately one day a year spent as a hospital patient. The operation of hospitals has become the fifth largest industrial or business activity in the United States, involving huge amounts in capital investment, payrolls, and other operating expenses. In California, for example, our hospitals represent a current depreciated value of over half a billion dollars. Replacement would cost more than double this amount.

A significant proportion of the total cost of hospitalization in California falls upon the counties since approximately 20 percent of the people in California receive their hospital care in institutions operated by counties. Because counties are responsible for the major part of treatment for tuberculosis and other chronic diseases involving long periods of hospitalization, the 20 percent of the State's population served by county hospitals actually receives something in excess of 30

percent of the hospital care provided by all hospitals throughout the State.

To provide this care, the 58 counties in California operate 81 hospitals of various types. These include 52 with 11,486 beds for general hospital services, 12 with 5,998 beds for tuberculosis care and 17 with 6,991 beds for chronic and custodial care.

**Legal Basis for County Hospitals**

Sections 200-222 of the Welfare and Institutions Code establish the legal basis on which county hospitals are operated in California. The board of supervisors of each county has the responsibility of establishing and maintaining the hospital, prescribing rules for its government and management, appointing the county physician and other employees determining the standards of elegibility governing patients' qualifications for care in the county hospitals, fixing the rates which may be charged for care, establishing the policy for collections from patients for care, and adjusting or compromising patients' liability for payments covering care. With regard to patient care, Section 211 provides that: "No county shall withhold emergency care pending the patient giving security for reimbursement to the county."

Certain court decisions have interpreted these sections of the Welfare and Institutions Code, particularly *Goodall* v. *Brite*, 11 Ca. App 2d 540, 54 Pac. 2d 510. Some of the more significant elements are:

1. Boards of supervisors have broad powers on establishing and maintaining county hospitals and in prescribing rules for their management.
2. County hospitals are established to provide care for:
   a. Indigent sick.
   b. Partially dependent sick (the so-called medically indigent).
   c Psychiatric and other custodial cases.
   d. Physically handicapped children who qualify legally for care.
   e. Tuberculosis patients, with provision for payment by those who are able to pay.
   f. Contagious cases.
   g Prisoners.
   h. Emergency cases. An emergency includes the situation in which the patient is unable to secure admission to a private facility and needs immediate hospitalization. The hospital has the responsibility of collecting full actual cost when patients can afford to pay.

**The State and County Hospitals**

The State has relatively little jurisdiction over county medical facilities. As indicated above, the boards of supervisors of the counties have broad powers in the establishment and maintenance of these facilities.

Although some subsidies are received from the State, county hospitals are supported almost entirely by local taxpayers. Subsidies received include those given for the support of the needy blind, crippled children, tubercular persons, and persons receiving old age security payments who are under treatment in a county hospital.

As is usually the case, receipt of subsidies means that the counties must meet certain state requirements; e g., in the case of aid in caring

for needy tubercular patients, the State prescribes minimum standards of construction and operation of sanatoria Aside from these exceptions, however, the State does not exercise administrative control over county hospitals.

**State Department of Public Health**

This department prescribes the standards which must be maintained by the counties in order to obtain the subsidies mentioned above.

Under the Federal Hospital Survey and Construction Program, counties may apply for assistance from federal and state funds for construction and equipping of new hospital facilities in areas determined to be in most critical need of them. Allocations are made in equal amounts by federal, state, and county authorities. Hospitals receiving such assistance must maintain the facility in accordance with the minimum requirements for hospitals under California's Hospital Licensing Act (Sections 1400-1421, Health and Safety Code).

State law does provide that the department shall investigate, examine, and make reports upon county facilities and that all plans for the use of existing buildings or new buildings, or additions and alterations in buildings, must be submitted to the department for suggestions and approval, but only as to the "social requirements" of the occupants.

Quarterly inspections are made by the department, but since county institutions (unless in one of the categories mentioned above) do not require a state license in order to operate, the department's recommendations and suggestions are not mandatory.

**The State Department of Social Welfare**

The department's responsibility in this field is limited to the deciding of disputes between counties as to the responsibility for an indigent. This function is provided for in Section 2504 of the Welfare and Institutions Code as follows:

> "If a dispute occurs between counties as to the responsibility for an indigent, either county may submit the dispute to the State Department of Social Welfare. The decision of the department thereon shall be final."

The department has no powers of enforcement of its decisions. If the responsible county fails to pay the county of hospitalization after a department decision, resort to the courts is necessary.

The only other relationship between the department and county hospitals stems from payments which may be made by the department to certain county outpatient clinics under a plan of medical care for welfare recipients

**Standards of Eligibility and Admission Policies of County Medical Facilities**

Final responsibility for any decision as to who is eligible for county care rests ultimately with the board of supervisors; day to day decisions, however, are made by the hospitals or by county welfare departments. Examination of financial eligibility for hospital care is made by the county welfare department in 23 counties and by the hospital itself in the remainder.

The most usual method of judging need for county care is to measure the applicant's income, personal property, and value of unencumbered

real property against the cost of family maintenance and the probable cost of hospitalization and convalescence for a particular illness. These elements are considered not only to test eligibility for using county facilities but also as a criteria for weighing the patient's ability to pay some proportion or all of the hospital bill.

From an examination of admission policies, one can only conclude that there are as many different policies as there are counties.

A study conducted by the Bureau of Public Administration of the University of California discloses that:

> "Almost half of the county hospitals have no set maxima regarding financial eligibility for care in that all resources—income, personal property and real property—are considered in relation to the medical diagnosis and probable cost of medical care, plus the inability to secure private care. Twenty-three counties fall into this category; fourteen of them, however, require a lien on all property, if any.
>
> "Sixteen counties place a ceiling on the amount of personal and real property the applicant may own but the provision with regard to income is flexible and depends on the family's total basic needs in relation to the cost of medical care. Eleven of these require a lien on real property owned.
>
> "Virtually all the hospitals which have set maxima on personal or real property holdings set these amounts much below the state requirement for recipients of the categorical aids. The limit on real property, under the Old Age Security and Blind Laws for example, is an assessed evaluation, less all encumbrances on record, of $5,000
>
> "In twelve counties the limit is $3,500, one of them disregarding encumbrances In three counties the limit is $3,000, in one $2,500 and in one $250. None of these counties would consider as eligible for care an applicant who had as much personal property as the State allows in old age security or aid to the blind
>
> "After an applicant is considered both financially and medically eligible for hospital care, most hospitals require that certain other conditions must be met before he is admitted.
>
> "In 30 counties the patient must sign a lien on any real property he possesses, 36 counties require that hospital insurance, if any, must be assigned, and 31 require that the patient sign a written agreement to make periodic repayments of the cost of hospital care. Twenty-four counties require that the patient waive the statute of limitations on collections."

This great variation between counties in determining eligibility for admission to county hospitals raises serious problems of intercounty responsibility for indigent care when an indigent is unable to be hospitalized in his county of residence because of an emergency situation Such is often the case when a person is injured in an automobile accident outside his home county. Although this individual might be eligible for indigent care under the standards prevailing in the county in which the accident occurs, he might not be eligible for such care in his home county.

When the county providing the care wishes to transfer the patient to his home county or presents a bill for medical care to his home county, the county of residence will often refuse responsibility for future care or refuse payment of the bill because the patient would not be eligible for indigent care on the basis of the home county's definition and standards of eligibility. The county that rendered the aid in the emergency is then left with the cost of the care provided and further care required to get the patient back on his feet.

In an attempt to resolve this problem of inter-county responsibility for medical care, the subcommittee formed an advisory committee composed of representatives of the California Medical Association, the California Hospital Association, the County Supervisors Association, the Association of California Hospital Districts, and the County Hospital Administrators.

The Advisory Committee, in a statement adopted April 18, 1958, subscribed to the principle that:

> ". . . each county is responsible for emergency care of all alleged indigents in their said county and to this end shall provide that emergency care facilities shall be readily available to the people within the county either through facilities owned by the county or through other facilities which are under contract in the county. *Provided:*
>
> 1. The county providing care shall determine the patient's county of residence and shall report the case to said county of residence. In event legal residence cannot be established, the county wherein the emergency arises shall be considered to be the county of residence for these purposes, *only*.
>
> 2. The county providing care shall be reimbursed the cost of said care by the county of residence.
>
> 3. In all instances, the county of residence will verify or disprove indigency of the patient and when he is found to be nonindigent seek reimbursement from him or his responsible relatives in accordance with the county's usual policy.
>
> This program is possible under present law and is being observed in some counties. The committee recommends that it be adopted by the remaining counties."

Although the State Department of Social Welfare has the responsibility to decide disputes between counties relating to hospital care, its decisions can only be enforced through the courts, a sometimes long and expensive procedure.

A closely related problem concerns the financial responsibility of counties for hospital care provided for indigent patients at non-county hospitals. These would include nonprofit, church sponsored, private and district hospitals.

Although our present statutes state that the counties are to provide care for the indigent residents of the respective counties, the law is silent in regard to the method and the requirement of reimbursement to any person or agency who may have rendered the service or care. Many counties have been found to ignore the legitimate claims made by all types of hospitals for reimbursement of the actual cost of rendering care to such patients. This procedure results in hospitals bearing a 100 percent loss on services rendered on a humanitarian basis.

Nonprofit and church hospitals naturally have to pass this loss on to their paying patients.

In this connection, district hospitals have been faced with a somewhat serious dilemma The law requires that district hospitals establish rates which will enable the hospitals to operate as nearly as practicable without using tax funds for operation. It also provides that contracts for the care of indigents shall not provide for rates below cost. (Section 32125, Health and Safety Code). Further, there is no specific authority permitting any difference in rates for patients except if the patient is a district resident.

Many counties have insisted that rates paid for care rendered indigents should be less than the regular established rates. This creates problems of administration as well as questions of legality. For example, one county has entered into contracts with most private hospitals in the county for rates to be paid for care rendered indigents and with one district hospital outside that county. However, the district hospital within the county has not signed the contract because it was felt that it would be improper and illegal to do so. The district hospital which has signed the contract has been unable to secure a contract of any kind from its own county.

The following table illustrates the various types of arrangements existing between counties and district hospitals: (35 district hospitals considered)

**Numerical Table Showing Types of Arrangements**

| | Total No affected | Written contracts | Verbal arrangements | No contracts and no payments | Regular rates | Reduced rates | Written contracts at regular rates |
|---|---|---|---|---|---|---|---|
| Counties | 24 | 13 | 6 | 5 | 7 | 12 | 4 |
| District Hospitals | 35 | 18 | 8 | 9 | 11 | 15 | 6 |

At this time it is not possible to present the magnitude of the problem in terms of number of indigent patients cared for by district hospitals or the extent of financial responsibility assumed.

**Blood Donations**

As a result of the committee's investigation into hospitals and medical care facilities, it was brought to the committee's attention that certain counties were possibly "demanding" a donation of blood by relatives and friends of prospective patients as a condition to the patient's admission to the county's hospital. Section 2500 of the Welfare and Institutions Code prescribes the duty of a county to aid its indigent residents:

> "Every county and every city and county shall relieve and support all incompetent, poor, indigent persons and those incapacitated by age, disease, or accident, lawfully resident therein, when such persons are not supported and relieved by their relatives or friends, or by their own means, or by state hospitals or other state or private institutions."

In this connection, the Office of the Legislative Counsel in Opinion No. 3021 states that:

> "The obligation imposed on counties by (Section 2500 of the Welfare and Institutions Code) is a mandatory duty (*County of Los Angeles* v. *Frisbie,* 19 Cal. 2d 634, 639), and it has been indicated that it obligates a county to provide its indigent residents

with necessary medical care (*County of Los Angeles* v. *County of Imperial*, 82 Cal. App. 2d 136, 139; see also *Goodall* v. *Brite*, 11 Cal. App. 2d 540). This is reflected also in Section 2500 itself, which specifically mentions those indigents who are incapacitated by disease or accident. "It also appears clear that a county which establishes a hospital has the duty to admit indigent residents in need of hospital care. The following statements made by the Supreme Court of this State in the case of *Goodall* v. *Brite*, 11 Cal. App. 2d 540, are indicative of the county's duty in this regard:

> 'It is admitted that a resident pauper must be hospitalized at public expense. This is a matter of pure humanity and no one, solely because of poverty, should be permitted to suffer because of lack of funds.' (page 549)
>
> 'It is admitted that indigent persons are to be admitted when in need of hospitalization.' (page 549)
>
> 'When a board of supervisors is given management of a county hospital that body is given the power to adopt rules for the admission of patients, provided, of course, that it must admit those entitled by law to enter and cannot admit those whose reception is prohibited by law or the Constitution.' (page 550)

"We do not mean to imply by the foregoing that a county is powerless to impose reasonable conditions relative to the admission of indigents to its hospital. Section 203 of the Welfare and Institutions Code, which authorizes the board of supervisors to establish a county hospital, expressly gives to the board authority to prescribe rules for the government and management thereof. Further, the courts have held, with respect to the granting of indigent aid, that the board of supervisors has discretion to determine eligibility for, the type and amount of, and conditions to be attached to the granting of such aid, and that the courts will not interfere with these determinations in the absence of a clear showing of fraud or arbitrary or capricious conduct (*County of Los Angeles* v. *Department of Social Welfare*, 41 Cal. 2d 455, 458; *Patten* v. *County of San Diego*, 106 Cal. App. 2d 467, 470)."

During the Subcommittee on Hospitals and Medical Care Facilities' hearing in Long Beach on November 1, 1957, George McClain, Chairman of the California Institute of Social Welfare, charged that Sonoma County had tentatively approved a plan under which "Each patient treated by the tax-supported Sonoma County Hospital would be forced to agree to submit to a blood donation before receiving treatment."

"In other words, no blood, no treatment.

"* * * Under this proposal these people would escape this blood-sucking requirement only if they could get a friend or relative to agree to give the blood instead * * *

"Now, members of the committee, lest you think this can't happen, let me clear your minds. It has happened! Tulare and Merced Counties have already adopted just such a 'no blood, no treatment' policy at their county hospitals."

Responding to these charges by Mr. McClain, Mr. Neale Smith, Sonoma County Administrator, read into the record at the committee's February 20, 1958, hearing in San Diego a letter from Mr. Guy A. King, Chairman of the Sonoma County Board of Supervisors to Attorney General Edmund G. "Pat" Brown. The letter states:

"It has been the policy of the Sonoma County Hospital in cases where it is known or suspected that a patient will require blood or plasma to advise the patient's family that blood will be required, and they are requested to provide blood in the name of the patient on a basis of two pints donated to one pint used. If, as sometimes happens, the family or friends cannot or will not donate the required blood, it is provided and the patient's account is charged. If the patient is able to pay, the county is eventually reimbursed for the cost of the blood. If not, it is provided by the taxpayers as part of the hospital service. Although two pints of blood are requested for each pint received, the actual amount of blood obtained under this program is less than one pint provided to one pint received.

"No patient has ever been refused blood or any other medical service when it was required. Frequently, however, elective surgery is not scheduled until the blood is donated. However, when it would be unusually difficult or impossible for the patient or his relatives to obtain the blood donations, even elective surgery is performed without donations of blood.

"As far as old age security recipients are concerned, their own blood is not acceptable, as the Blood Bank accepts blood only from persons under 60 years of age. Blood from the patient himself is rarely obtained as the patient is not in condition to give blood or he would not be in the hospital.

"The present policy of requesting blood applies only to patients who require blood in their treatments. Many patients requiring blood are not able to have it provided for them by friends or relatives. The cost to the hospital for undonated blood is continuously increasing, placing a burden on the taxpayer. But, actually the greatest need is for blood donations irrespective of cost.

"In his written recommendations to the board of supervisors on the 1957-58 Budget, the county administrator stated:

'Because of the increased cost for blood and plasma service, two counties that we know of are now demanding a pint of blood a year for any out-patient, and two pints a year from patients admitted for care or from their relatives. This offsets to some extent the increase in the cost of this service. It is my opinion we should explore this arrangement. The receiving of blood could be a consideration for care given out-patient clinic patients who now pay nothing for the service. A small payment fee has been proposed and will undoubtedly come before you for consideration before too long, at which time, the possible blood donation program

might be integrated with the payment plan. I have a feeling that some abuses of the out-patient clinic services are made by patients to whom going to the hospital occasionally is almost a source of entertainment. Requiring the payment of a small fee or the donation of blood might tend to curtail any abuses if there are such.'

"This recommendation was discussed by the board of supervisors with the county administrator and with the medical director and the business manager of the hospital during budget discussions but no action has yet been taken by the board relative to requiring hospital patients who do not require blood or out-patient clinic patients to obtain blood donations on their behalf * * *."

Following this statement, Dr. Henry D. Stailey, Medical Director of Sonoma County Hospital, stated that at the present time, Sonoma County Hospital did not demand blood from patients; however, according to the transcript:

DR. STAILEY: ". . . but two counties have adopted this, and we studied it a little bit and they seem to be getting along all right. Now you cannot demand blood as a reason for getting the county hospital care, I don't believe—maybe you can, but the idea was not just to demand from everyone. You take a person, an elderly person, who has no friends, no young relatives, no one to get blood from—you just forget it. . . ."

MR. RUMFORD: "It says here, in this letter to Brown that in his opinion you should explore the arrangement. Is this arrangement being explored already?"

DR. STAILEY: "Not by me. I don't know whether Mr. Smith is."

MR. SMITH: "Actually we haven't followed through on that. It was discussed last July at the budget sessions."

MR. RUMFORD: "In other words, they had seriously given thought of demanding or at least asking blood from patients who received local attention at the hospital."

MR. SMITH: "Well it was a proposal that was submitted to the board as a means by which we could reduce some of the cost of rendering hospital services."

Quite obviously the problem of obtaining sufficient quantities of blood to be used in hospitals and replenishing the supply of blood expended on patients is a serious one. However, the question arises as to what lengths a county or a county board of supervisors may go in obtaining blood. It is to be admitted that the board of supervisors has the discretion to determine eligibility for the type and amount of and conditions to be attached to the granting of aid, and that the courts will not interfere with these determinations. However, the Legislative Counsel in Opinion No. 3021 doubts that "the courts would regard as reasonable a requirement imposed by a county that indigents or their relatives or friends donate blood as a condition to admitting the indigent to the county hospital for needed care."

The Attorney General's Office, seized of the problem at the behest of the committee, recognizes the "impropriety and possible illegality of denying medical care to patients unless they 'donate' blood." Although the Office of the Attorney General doesn't believe needed medical care is being denied because patients have refused to "donate" blood, it "seems likely that in attempting to maintain adequate blood supplies, conscientious county administrators and doctors may well have created the impression that medical care is being denied or withheld pending receipt of blood donations from the patient or his friends or relatives."

Due to the fact that further complaints concerning these improper demands upon patients at certain county hospitals have come to the committee's attention, the committee feels that the various county boards of supervisors and hospital administrators should keep clearly in mind the limited conditions they may impose upon individuals seeking admission to county hospitals, and certainly a demand of blood in lieu of monetary payment or as a condition for entrance into the hospital is not only improper but probably illegal.

**Hospital Care in California**

During the summer of 1958 widespread newspaper publicity concerning published reports by the California Medical Association examining patient dissatisfaction with hospital treatment and related abuses provoked demand for an inquiry into the extent to which conditions of inadequate patient care in California hospitals existed, and the appropriate state responsibility for correcting and preventing any deficiencies in this area.

Several years ago the CMA embarked on a series of studies of the relationship between physicians and their patients. They sought to learn why some patients are happy and enthusiastic in their relationships with their own physicians and others are not. These studies were undertaken as the groundwork for seeking the causes for medical malpractice actions that have been finding their way into our courtrooms in increasing numbers and severity in the past decade or so The cost of these actions has been high but, more important, there is the underlying question of why such actions should ever arise in the first place

The first such study (1955) was made in the form of an analysis of physicians who had had malpractice suits filed against them. Contrasted with these physicians was a control group of physicians in comparable situations who had not had such suits This pilot study—called the San Mateo Project—led to a conclusion that further research on this problem was required. Another study was made on patients who had been plaintiffs in malpractice actions, contrasted with a control group of patients who had not been involved in such litigation.

More recently, because there was evidence to show that some 70 percent of malpractice actions arose from patients who had been hospitalized at the time of the alleged incident, an effort was made to find out what happens in some hospitals that results in a high incidence of such actions Four hospitals with the highest malpractice rates were selected to be compared with four hospitals with the lowest malpractice rates.

This report, known as the "Blum Report" concluded that "the number of malpractice suits arising from hospital incidents involving staff physicians is related to the quality of the organization of the hospital as a whole, and to the quality of the organization and performance of the medical staff."

This report, although intended to be kept confidential until the CMA could officially act upon it, was released to the press. The publication of certain exerpts of the report, taken out of context and with no direct relationship to the major conclusion, caused widespread public concern, if not alarm.

The publication of the report and the response to it prompted the committee to call a meeting of those agencies and organizations that have a responsibility in the field of hospital care. The meeting, held in San Francisco, was attended by representatives from the California Hospital Association, California Medical Association, the Association of California Hospital Districts, and the State Department of Public Health.

The results of this meeting indicated that any problems of hospital administration leading to malpractice suits were probably not confined to only the four hospitals surveyed in the Blum Report, but that the committee could not undertake a further investigation of this situation without first doing the research necessary for the laying of a proper background to study this extremely complicated area of administration and legislation. The committee felt that a complete study of the hospital situation was very much in order once the scope of the investigation was decided upon.

Since that time the committee has determined that an investigation should be made to ascertain areas in which patient dissatisfaction arises; to determine whether California hospitals are meeting standards necessary to insure adequate protection and medical care of the public, and to determine if legislation is necessary to establish and insure compliance with such standards The purpose of the study would also be to assign to appropriate medical authority the responsibility for correcting those areas which relate to medical practice and responsibility and to assign to the State those areas of responsibility which are regulatory in nature.

This study would serve two public purposes. First, it would establish a sound basis upon which added protection would be afforded to the general public which uses hospital services and defining the appropriate roles of the medical profession through self-government of certain medical matters and state by definition of public regulatory responsibilities.

Secondly, by correcting these problems, it would provide encouragement to the medical profession to practice in California. There has been some strong feeling that the growing frequency of malpractice suits is turning medical doctors away from California. This is contrary to public welfare and should appropriately be a matter of concern to this committee.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Rumford was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal; and that 500

copies of the accompanying report be ordered printed as a separate document:

COMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 16, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: The Assembly Interim Committee on Public Health submits the Report on Narcotics and Dangerous Drugs prepared by the Subcommittee on Narcotics and Dangerous Drugs in accordance with House Resolution No. 180 of the 1957 Session.

Respectfully submitted,

W. BYRON RUMFORD, Chairman
Assembly Interim Committee on
Public Health

SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 16, 1959

*Hon. W. Byron Rumford, Chairman*
*Assembly Interim Committee on Public Health*

DEAR MR. RUMFORD: The Subcommittee on Narcotics and Dangerous Drugs was appointed following adjournment of the 1957 General Legislative Session in accordance with the provisions of House Resolution No. 180. This report is the result of the hearings held by the subcommittee since that time.

During the same interim period other legislative committees have been investigating various aspects of the narcotics problem. This committee has attempted to co-ordinate its work with that of these other committees to avoid duplication of effort. The Subcommittee on Narcotics of the Assembly Interim Committee on Judiciary has studied the penal aspects of the narcotics problem. The Senate Committee on Narcotics has been concerned with a number of aspects of the narcotics problem. The Senate committee and this committee held a joint hearing to consider the need for a public school educational program in the field of narcotics.

This committee has restricted its study, and this report, for the most part, relates to the problem of the treatment and rehabilitation of narcotic drug addicts, calling attention to or discussing other aspects of the problem only when necessary for an understanding of the problems of rehabilitation or treatment.

The subcommittee wishes to express its appreciation to the many individuals, the representatives of medicine, state and local agencies, and

other organizations whose testimony at the public hearings and whose advice and consultation throughout the interim have been of such assistance.

Respectfully submitted,

REX M. CUNNINGHAM, Chairman W. BYRON RUMFORD

Subcommittee on Narcotics and Dangerous Drugs

HOWARD J. THELIN CLAYTON A. DILLS

GEORGE G CRAWFORD DON MULFORD

## REQUEST FOR UNANIMOUS CONSENT

Mr. Dahl was granted unanimous consent to offer a resolution, at this time.

## RESOLUTIONS

The following resolution was offered:

By Mr. Dahl:

### House Resolution No. 139

Relative to the continuance of the Assembly Interim Committee on Revenue and Taxation for the purpose of reporting

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Revenue and Taxation created by House Resolution No 238 of the 1957 Session is continued in existence until March 23, 1959, for the purpose of submitting its reports to the Legislature The committee is authorized to submit any report to the Legislature not later than the twenty-third day of March, 1959.

### Request for Unanimous Consent

Mr Dahl was granted unanimous consent to take up House Resolution No. 139 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## NAMES PLACED UPON ROLL CALL ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 215

Messrs Meyers and Belotti were granted unanimous consent that they be recorded as voting "Aye" on the motion to reconsider Assembly Bill No. 215

## REQUEST FOR UNANIMOUS CONSENT

Mr Rees was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 500 copies of the accompanying report be ordered printed as a separate document out of committee funds:

## COMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON
CONSERVATION, PLANNING, AND PUBLIC WORKS
SACRAMENTO, March 1, 1959

*Hon Ralph M. Brown,*
*Speaker of the Assembly,*
*Members of the Assembly,*
*Assembly Chamber, Sacramento*

This report of the Subcommittee on Bay and Water Pollution, prepared in accordance with House Resolution Nos. 215 and 297, 1957, comes at a time of accelerated population growth and resulting problems of water quality These problems can be expected to increase with growth in the absence of passage of this legislation. The active service of the Regional and State Water Pollution Control Boards and the departmental directors, serving ex officio on this board, in the work of the subcommittee, is evidence of official state recognition of the importance of immediate action.

It is my belief that action taken now will save the State and its political subdivisions great expenditures of money and assist private enterprise by clearer definitions of standards and controls, both on the amount of pollution discharge and on appropriate location of discharge plants. Unquestionably, the lack of clarity in present legislation is a factor not conducive to sound industrial development of the State. I earnestly recommend that both houses of the Legislature pass the legislation submitted herewith as a guarantee to the future health and welfare of the State.

Respectfully submitted,

THOMAS M. REES, Vice Chairman
Assembly Interim Committee on
Conservation, Planning, and Public Works

## SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, March 1, 1959

*Hon. Thomas M. Rees, Vice Chairman*
*Conservation, Planning, and Public Works*
*California State Assembly, Sacramento*

DEAR SIR: Extensive hearings were held by your subcommittee on the problems of water pollution in the State of California. As the committee work progressed, it became apparent that the focal point of practically all comments was a series of recommendations for revision on the Water Pollution Control Act which had been prepared by a committee consisting of five state department heads who are ex officio members of the State Water Pollution Control Board at approximately the same time, the committee was provided with joint recommendations by the State Water Pollution Control Board and the Regional Water Pollution Control Boards. These two reports were the result of requests by your subcommittee at an executive programing meeting following the close of the 1957 Legislature.

The last hearing in San Francisco resulted in testimony being directed primarily to the recommendations of the five-man committee because their report had been sent by your committee to all agencies and industrial organizations with the request that review comments be prepared and submitted at a subsequent meeting of the subcommittee. The testimony submitted at the San Francisco hearing on December 19, 1958, consequently, was related to the proposals submitted by the State departmental committee and the discussions centered around committee recommendations. Few substantive proposals were made beyond the recommendations of the five-man committee.

Your subcommittee, consequently, has prepared legislation basically in accord with these recommendations which have as their purpose the strengthening of the act in two ways: first, by a declaration of state legislative policy including a clear provision that the disposal of waste to the waters of the State is a privilege, not a right, and second, placing the responsibility on the State Water Pollution Control Board to establish policy sufficiently detailed in accordance with these goals to provide direction to the regional boards in their enforcement of the act. Other sections would strengthen the enforcement powers of the regional boards. In addition to clarifying amendments to the act, this legislation will increase the membership of the regional boards through the addition of two members, one representing recreation and wildlife and the other representing the public at large.

The success of the hearings of this subcommittee and its working relationship both to private organizations and public agencies throughout the State is the result largely of the programing of the Staff Assistant, James T. Williams, and Charles Kunsman, Legislative Intern. The summary and comparison of the many proposals both public and private for changes in existing legislation which resulted in the subcommittee decisions for amendments to the act were prepared by Jan Stevens, Legislative Intern, assigned to the subcommittee.

Respectfully submitted,

CHARLES W. MEYERS, Chairman
FRANK P. BELOTTI
WILLIAM BIDDICK
DON A. ALLEN, SR. *
WILLIAM A. MUNNELL
EUGENE G. NISBET
BRUCE SUMNER

* I decline to sign the report because it is based on the recommendations of the five department heads. No attention was given to the testimony and recommendations given by other expert witnesses.

DON A. ALLEN, SR.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rees was granted unanimous consent that the following report be ordered printed in the Journal:

ASSEMBLY INTERIM COMMITTEE ON CONSERVATION,
PLANNING, AND PUBLIC WORKS
SACRAMENTO, March 13, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR SIR: This report of the Subcommittee on Public Works of the Interim Committee on Conservation, Planning, and Public Works,

under the chairmanship of Francis C. Lindsay, is submitted in accordance with House Resolution No. 80 by Charles W. Meyers.

The Subcommittee on Public Works has continued the extensive investigations carried on during the interim 1955 to 1957 by the Subcommittee on Highways, chaired by Richard J. Dolwig. Ten hearings during that interim throughout the State, and numerous conferences of the subcommittee, fully support the legislation and report submitted in March, 1957. All the legislation recommended in the report passed both houses of the Legislature. Assembly Bill No. 4057, however, was held in committee on the Senate side and an identical bill by Mr. Dolwig reached the Governor's desk where it was pocket-vetoed on the assurances of the Highway Commission that the procedures advocated in the legislation would be instituted by administrative direction of the commission.

The findings of the subcommittee in 1957 relative to this bill follow:

"1. The present procedures of the Highway Commission and the division involving the selection and adoption of freeway routes were found to be inadequate in the following particulars:

a. Inadequate liaison between state and local agencies involved.

b. Inadequate consideration on the part of the Division of Highways of local community plans and objectives.

c. Inadequate provisions for public information and local participation in the determination of freeway routes.

d. Failure of the Division of Highways and local responsible agencies to adjust problems during the planning stage.

e. Lack of uniformity in the procedures utilized by the various district offices of the Division of Highways.

f. The Highway Commission itself in its relationships with local agencies is inappropriately involved as a protagonist in what should be administrative level discussions."

With the passage of Mr. Meyers' House Resolution No. 80 in response to widespread local dissatisfaction which the procedures of the vetoed bill attempted to remedy, staff investigations continued and two hearings were held; one in Los Angeles on August 5, 1958, and one in San Francisco on August 7 and 8, 1958. These hearings and continued staff investigations substantiated the need for legislation prescribing the procedures of the Division of Highways for planning, design and location of freeways and highways. In the meantime, the Highway Commission, in accordance with its assurance at the time of the veto, revised its procedure regarding freeway location processes. These changes are described by Mr. T. Fred Bagshaw, Assistant Director of the Department of Public Works at the San Francisco hearing on August 7, 1958, as follows:

On February 26, 1958, after conferences with groups including representatives of cities and counties, the commission adopted a new resolution substantially revising its past procedures. While the main intent of the commission in this new resolution was to insure opportunity to local agencies for close liaison between them and the Division of Highways at all times in studying various freeway locations, several other changes were made. The changes are outlined as follows:

1. Under the new resolution, the Division of Highways will confer with all local agencies which may be affected by the freeway at the time

studies are initiated and from time to time thereafter. In the previous resolution, such conferences were not required until a tentative conclusion had been formed by the Division of Highways as to where a freeway should be located. There was some feeling that this was too late in the procedure. Experience under the old resolution indicated the value of liaison between the Division of Highways and local agencies at an early stage in the studies and such liaison in many instances had actually been maintained. In any event, all conferences will now start to take place at the beginning of the studies and will continue throughout the period of study. This should insure a close working relationship between local agencies and the Division of Highways.

2. The Division of Highways will obtain a copy of any master plan which has been formulated by a local agency. Moreover, this copy must be sent to the California Highway Commission when the Division of Highways makes its recommendation to the commission.

3. The Division of Highways will now notify local agencies, during such conferences, of the provisions of Section 75.5 of the Streets and Highways Code pertaining to the community values and the rights of the local agencies to present evidence thereon.

4. The Division of Highways will now hold such meetings as are necessary to acquaint citizens with possible freeway locations and the reasons therefor, and to hear from citizens regarding their thoughts on the matter, as soon as studies have produced sufficient information to permit intelligent discussion. Under the old procedure, such meetings were held after a tentative conclusion had been reached. The word "meeting" rather than "hearing" was used here in order that the gatherings might be kept informal in nature and because they were not being called to make a decision on the issue at that time, but rather to acquaint all parties with the problems of the others. If it appears that the adoption may be controversial in nature, the State Highway Engineer may appoint another employee of his division who is not employed in the district office to be presiding officer of the meeting The purpose of this provision is to have a chairman who has not been involved in the problems.

5. After meetings are held and studies are completed, the district office of the Division of Highways sends a report to headquarters in Sacramento, including therein all necessary data and its recommendation as to the location of the freeway. The State Highway Engineer then either makes his decision as to the recommendation of the Division of Highways on the matter or he orders further studies. Under the revised resolution, the district will include in its report to the headquarters office information relating to the relationship of the proposed locations and any master plans, and all information submitted pursuant to Section 75.5 of the Streets and Highways Code. When the State Highway Engineer makes his recommendation to the Highway Commission, this data will also be submitted to them

6. The State Highway Engineer will also now hold any other hearings required under federal law.

The hearings of the subcommittee during the past interim do not support the position of the Highway Commission that its procedural instructions are a substitute for the legislative procedure submitted in

the 1957 report and resubmitted with this report. The following testimony from the San Francisco hearing, on August 7th, furnishes the reasons for this committee conclusion:

CHAIRMAN LINDSAY: Again I think this should be in the record that any change that has been made on the resolution took the efforts of both houses and I would say especially Assemblyman Meyers who was author of the Assembly bill. I think it again emphasizes the need to have this put in the code to give the cities and counties and local property owners rights that they don't have under the present system. There are a few points here that our committee advisor here, Mr. Samuel Wood, would like to get into the record Sam, do you have some of these points that you want to cover?

DR. SAMUEL WOOD: Yes, I think so, Mr. Lindsay. One of the problems that I think the Division of Highways has faced in the selection and adoption of a freeway route has been the failure of local agencies to agree among themselves. Is this right, Mr. Bagshaw? Among themselves on the adoption in such fashion that you found local confusion rather than unity on a freeway route adoption.

MR. BAGSHAW: That does happen. We find division on a city council and board of supervisors.

DR. WOOD: No, I'm talking about a community itself. All the agencies within a community haven't been able to make up their minds and come to a conclusion in regard to the adoption.

MR. BAGSHAW: That's correct.

DR. WOOD: Now one of the purposes of this legislation was to not only direct the commission and the division in regard to certain procedures, but more importantly it was the feeling of the subcommittee in drafting the legislation that local agencies need to be guided in this process, you see? And, consequently, in the legislation there are shalls and mays regarding local action in this regard. For example, in Section 2112 of the bill, the notice that you sent out is supposed to acquaint local agencies with the provisions of 75 5 which has to do with community values, and as I understand your resolution, this is covered, but I don't know just when this notification goes out. Is it the first one that goes out when you are considering the adoption of a freeway?

MR. BAGSHAW: I think the statement I read indicates that at the first conferences, which are at the initiation of study, the district engineer shall notify the local governing bodies of the provision of the so-called Hegland bill.

DR. WOOD: This is to acquaint them with their responsibilities and their duties and powers under the section of the Highway Code. This first substantial section of the bill also states that the community may designate officials and officers to deal directly with you during this period of conferences and advice in regard to the freeway location. Now this is the directive, you see, to the local people to proceed to get their own house in order. This is one phase that is not covered and you can't cover in your resolution, but is covered in the substantive features of this bill.

Another one is that the community may and the department shall accept general plans and studies and so on, as indicating their own preference and their own decisions. Now you see this isn't a directive to you as much as it is to the local people to get their own house in

order again. These factors can't be covered in your resolution and can be covered in the legislation.

There are other factors here, I think, that have not been covered in the resolution that are important. The first is this question of notification, notice of hearings, publication of notification in the press. The purpose of this after long study by the subcommittee was to be sure that all the factors including maps and including the alternate routes and so on, were presented in each locality. There was great discussion, as you know, you sat in on some of these conferences, in regard to this action. The main purpose being that the committee felt that there should be assurance at the legislative side that the full notice and the full facts were presented and that these would not be dependent upon the feelings of the local newspaper editor upon a news release by your department.

Another section, this is 216. I'm going through these substantive sections to try to point out some of the voids in the resolution. The whole purpose of Section 216 was to require that the same type of information that went to the commission from the staff of the commission, which is the Division of Highways, regarding the selection of a route and the considerations and the economic information involved on why this route was more feasible than another route, all this data would be submitted to the locality 45 days before the hearing by the commission. Now, the feeling of the subcommittee, at this time was that, if this was submitted to the locality and they had all the facts upon which to discuss this matter, they would be in a position then to defend any position or to support the division and the commission in the hearings.

One of the other provisions of this section, which is in reality another section, 217, of the measure, was that at this time the Division of Highways was to request an agreement from the board of supervisors or from the city commission regarding the closing of streets * * * an official resolution of this agency. Now if it were accomplished before the final commission hearing on the recommendation of the division to the commission on the selection, then the whole argument would be settled at this time Now the purpose of this was not caprice on the part of the subcommittee. It was to settle some of these controversies that could only be settled locally before they appeared and were thrashed out in heated argument in front of the commission.

Now these are the substantive measures that I think have been left out of your resolution, and some of them you can't handle by resolution. Now the question of the final hearing in Sacramento was one that we felt that the local agencies were entitled to, and actually if there were no problems involved, and this has often been the case on these locations, there would be no time consumed by the commission. It would be a simple perfunctory sort of adoption.

CHAIRMAN LINDSAY: Now, Fred, you made the comment that you thought that the requirement of 45-days' notice might cause undue delay in getting some of the freeway routes adopted. Haven't the facts of the matter been just the opposite that where you have had conferences and where people understood what you were trying to do, usually you get hearings waived. But I can remember this Junipero Serra thing has been holding fire practically as long as I have been in

the Legislature, for years, and it has been just recently, Lee, that you have finally adopted a route and there are still problems concerning it. There are other freeways that we know about where there have been repeated problems. Isn't it true that, if you had been required to sit down with these people and furnished them your figures and your reasons for doing it and then had the advantage of legislation which required them to answer, we could have probably saved many years' time on some of these freeways.

MR. BAGSHAW: No, I don't think that would have been the case, Mr. Chairman. The Junipero Serra has only been in the State Highway System and a matter that we have been concerned with for less than two years.

CHAIRMAN LINDSAY: Oh, it's just been two years since you agreed to take it into the highway system.

MR. BAGSHAW: We had not theretofore made any studies or had any concern with it or any responsibility in connection with it. It's really gone through in a remarkably fast period of time. Now as far as having hearings in Sacramento, as I read the law this morning, it says, "that before any freeway route adoption is accomplished by the commission, there should be a hearing in Sacramento." It says nothing about being waived, and that would mean that the commission would be there almost constantly and there would be 35- or 45-day delay here where everyone was in agreement in many of these cases.

CHAIRMAN LINDSAY: Fred, if nobody shows up at the hearing in a regular commission hearing, it could be dismissed in one minute's time. You could have a list of 25 or 30 of these and, if there was nobody appearing on this or if the hearings had been waived, you could wipe out the whole group.

MR. BAGSHAW: Mr. Chairman, this last report on this question brought the committee up to the end of last year. There is to be another report made by the department to the Legislature in January. Each year we are to report on this whole freeway route adoption program, but we have adopted this year, which is not as yet a matter of formal record to the Legislature, some 30 freeway routes and there have only been five days of hearing, one in Oakland on the Grove-Shafter, two-day hearing on the Junipero Serra, and two days last week on the Westside. All the rest have been done by simple action of the commission after the local city council or board of supervisors, following extensive hearings by the Division of Highways, have said, "We've talked this out enough, we are satisfied that we now have all the facts, we don't think any further public good would be accomplished by the commission coming down into the community and having a hearing."

CHAIRMAN LINDSAY: No, the final hearing required here was in Sacramento.

MR. BAGSHAW: That's right.

CHAIRMAN LINDSAY: And the point is that when you finally bring this to the commission for their final action, it is finally done in a public meeting anyway, isn't it?

MR. BAGSHAW: That's right

CHAIRMAN LINDSAY: And so in effect anybody that is on the floor can be heard at that time anyway, isn't this true?

MR. BAGSHAW: Yes. The procedure very briefly is, and I may be telling the committee something they already know, that the State Highway Engineer makes a recommendation to the commission at a formal meeting that here's the problem, we've made studies, here's our recommendation. The commission then directs him to contact the local city government, the local county government, that this matter is before them for consideration They haven't gone into it, they haven't made any decision. Do you or do you not think it's in the public interest for the commission to go down into your community and hold public hearings before they make a decision? If the answer is yes, as in the case of this little town of Yermo that I mentioned, the commission goes and holds a hearing before they take action If the answer is no, which is in the majority of cases, then the commission gives 30 days' time and notice that within 30 days they propose to act. In that time and before they act, any interested individual or group or governing body has the opportunity to come before the commission and be heard before final action is taken.

DR. WOOD: After these hearings that the subcommittee held over a period of two years, it was the conclusion of the subcommittee that because of your local hearings where the commission itself was a participant that the commission became a party to the decision and you did not have really a quasi-judicial hearing on the final adoption, do you follow me? In other words, the commission itself sat in on the arguments in the locality between your division people and the local people. The whole purpose of this procedure was to set up a system whereby the responsible administrative people in the field who attempt to adjust most of these problems or at least pinpoint them, so that when they appeared before the commission, the commission would not have been involved in this thing earlier and could listen to the facts in an unprejudiced sort of way. Do you think that this is possible under your present procedure?

MR BAGSHAW: I think that the fact of the matter is that when the commission meets this month they don't know, as of now, what the State Highway Engineer is going to bring before them in the way of a recommendation for a freeway location in a particular area. He presents it. Outside of the fact that generally knowing there is a problem coming before them some day in the area, they are not well-informed on the details.

DR. WOOD. Unless, of course, they sat in on these hearings locally.

MR. BAGSHAW: They don't sit on the local * * *

DR. WOOD: They were doing this. You are saying that they are not now doing it.

MR. BAGSHAW: No. In one case, I think Mr. Bishop sat in on a hearing on the Junipero Serra, he walked in at the meeting, sat in the audience. Aside from that, the commission generally is certainly not in on these early hearings by the state highway engineers. I sit in on some of them because part of my work is when the commission comes to a conclusion to write some of these reports I don't participate in it. I don't discuss it with the members of the commission, that is, until it gets to the point where they are making a decision

CHAIRMAN LINDSAY: One of the things that we are putting in the record here today is that this is a two-sided coin, all right, that

while the Legislature was endeavoring to set up certain policies for the commission to act within, at the same time particularly for the benefit for those in the audience, we were also setting up certain requirements for the counties and the cities and the local agencies to meet at the same time. That it is not fair and the Legislature is not interested in simply setting up a set of rules which would make freeway progress in this State a shambles. What we are trying to do is to answer the question of really getting to the problem of other than just straight dollar values, the human and economical relationships within the communities, but at the same time we want the communities themselves to have by law certain responsibilities of being prepared after due notice and being ready to give you their answer. So, I think that this is one of the things that people must understand that was in the legislation that we have had.

I notice that we have been joined by Assemblyman John O'Connell and, John, if you would like to sit up with the committee you are quite welcome to. If you have any questions of the witnesses, you are quite welcome to join with the committee in doing so.

DR. WOOD: Mr. Bagshaw, you stated that one of the advantages of the resolution type of approach to this problem was that you were able to modify the procedure as you moved forward.

MR. BAGSHAW: Yes.

DR. WOOD: And in the process of discussing that point, you said, for example, that now after the location has been determined the commission prepares a report that summarizes all the reasoning, this is economic and engineering, I assume, including community values, and this report then is made available to the local people to help convince them that the selection is a proper one, is this true?

MR. BAGSHAW: That's right.

DR. WOOD: Now, under this Section 216, this is the one that would ask that the Division of Highways submit to the locality the same type of brief, the same sort of information, including a request for a resolution agreeing to the closing of streets. The purpose of this, you see, was to submit to these local people these types of data so they would have the same basis for review of this situation before the adoption. The whole purpose of the procedure is to involve them before the commission makes its own stand. Do you feel that this new amendment to your procedure in regard to notifying the people afterwards is a better process than notifying them before the decision is made?

MR. BAGSHAW: Well, Mr Wood, these matters are all discussed with the local governmental officials and the State Highway Engineer holds a public meeting, a record of which is kept by a court reporter, and the matter of the streets that are affected while not final, certainly are all discussed. After the adoptions are out certainly the State cannot legally and would not as a matter of policy want to go in and build a freeway through a city or county and affect any city streets or county roads without formal approval of the city government. That's the procedure now. Also, when the commission acts, they adopt a general line and the exact type of structure is not known at that time whether this street is going to be closed, whether there will be an interchange at this block or two blocks away. So that you might there be determining something in advance which was not going to result eventually.

DR. WOOD: A question there, Mr. Bagshaw, don't you think that the engineering detail, the engineering facts, on your interchanges and on whether this is a submerged freeway or whether it's elevated would have a great deal to do with the local communities' position in regard to an agreement on the location?

MR. BAGSAW: Certainly, I agree with that.

DR. WOOD: Yet these facts are not submitted at the time the committee is requested to agree to make up its mind.

MR. BAGSHAW: They are not known as facts and as Mr. Booker testified later, being the man who actually designs these freeways and builds them, he might be able to talk more intelligently than I can, but the design does change after the law is adopted.

CHAIRMAN LINDSAY: Yes, and of course, when you change the design from a freeway that is either on a ground level to an elevated freeway or to a submerged freeway, you probably upset the calculations of the whole planning commission and everything else within the area, but they are already stuck because they have agreed to this particular route.

MR. BAGSHAW: They don't have to sign a freeway agreement if they are not satisfied with the proposal of the State to affect any city street or county road. That's certainly the final word that the local governing body has on the development of these freeways.

CHAIRMAN LINDSAY: I just wanted to mention, too, that I notice on the title of Mr. Meyers' bill that John O'Connell is one of the principal co-authors of it indicating that he's been extremely interested in the freeway problem also in the City of San Francisco.

ASSEMBLYMAN REES: Fred, the Highway Commission is opposed to any of their resolutions being placed in the code. I was wondering if you could perhaps do the committee a favor by taking the code sections of the Dolwig-Meyers bill, which Mr. Wood read, which referred to the duties of local government and their relations with the commission, if you could take those code sections and present them to the Highway Commission and see what the Highway Commission would accept in terms of legislation. I hate to get into the spot where the commission says we are opposed period to any reference in the code. I think that both sides have to give and take. If there are some parts you are opposed to, let's put them in a different bill. Have two bills going side-by-side. But in one bill let's see if we can't reach some agreement as to the function of local government, local planning commissions, in terms of the route adoption process. Now, can you do that? I would like to get away from this 100 percent no on everything. * * *

MR. BAGSHAW: Well, I would say first, Mr. Rees and members of the committee, that the commission, while they are concerned with what the committees of the Legislature do and what the Legislature does and they are interested in bills that are introduced and those that are passed and not passed, they don't take any formal action either opposing this bill or approving it; but the department, of course, is interested and I would be glad to do what you suggest with the commission. I'd just like to make a very brief statement. Any proposal either by resolution of the commission, by committee action, by the enactment of legislation that is produced that the

members of the commission feel will improve the procedures and be in the general interest of improving the California highway program, I'm confident that you will find the commission unanimously in support of it. They are not trying to protect any rights or prerogatives they have. They are fundamentally interested in getting on with the building of the important system of highways in California. I'm sure they would be in favor individually of any legislation whether it's written into the law or whether it's by resolution. I think you have a mistaken notion that they are sitting there guarding jealously some rights that they have and are unwilling to let go of them.

ASSEMBLYMAN REES: Of course, I have the notion, Fred, but I don't think it's mistaken. I would appreciate it if you could submit that to them, because I think we can actually come out with some legislation that both of us agree on.

MR. BAGSHAW: Would that be Senate Bill No. 725?

ASSEMBLYMAN REES: Yes, the Dolwig Bill * * * the amendment that Sam was reading off to you on local legislation.

DR. WOOD: Fred, there is another question. Does the commission have a staff of its own?

MR. BAGSHAW: No. The Division of Highways is the staff for the Department of Public Works. The Director of Public Works, as you know, is the chairman of the commission. We have a limited staff. The Division of Highways has the technical staff. They are, in effect, the staff of the commission.

DR. WOOD: Then the commission perforce is faced with the types of data and the recommendations of the Division of Highways.

MR. BAGSHAW: Yes, they can and occasionally do outside, but largely they depend on us.

DR. WOOD: Has the commission ever been known to hire a staff to advise the commission in an area where the local people are in heavy conflict with the staff of the division?

MR. BAGSHAW: Not to my knowledge.

A detailed comparison of the two procedures is contained in the opinion of the Legislative Counsel attached to this letter report.

Following these hearings and staff investigations during the past interim, the subcommittee through an executive session submits the same legislation vetoed by the Governor in 1957. This legislation is supported through the report of the subcommittee at that time, Volume 13, No 13, and the transcripts of both the Los Angeles and San Francisco hearings, which were printed and given wide distribution. These documents, in addition to this letter, constitute our report and will substantiate and the Subcommittee on Public Works endorses Assembly Bill ____.

Respectfully submitted,

THOMAS M. REES, Vice Chairman
Assembly Interim Committee on
Conservation, Planning, and Public Works

Subcommittee on Public Works

| | |
|---|---|
| CHARLES W. MEYERS | WILLIAM A. MUNNELL |
| BRUCE F. ALLEN | EUGENE G. NISBET |
| SHERIDAN HEGLAND | BRUCE SUMNER |

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, February 25, 1959

*Hon. Charles W. Meyers*
*Assembly Chamber*

*State Freeways—No. 8739*

DEAR MR. MEYERS. You have requested an analysis of the differences between the 1955 and 1958 freeway location policy resolutions of the California Highway Commission * and a statement of which of these changes appear to be similar to the provisions of Senate Bill No. 725 of the 1957 Regular Session (which bill was passed by both houses but pocket-vetoed by the Governor).

The 1955 resolution did not provide for conferences with local officials and public hearings until sufficient engineering and economic data had been accumulated to support a tentative conclusion as to a basic plan for the location of the freeway.

The 1958 resolution provides for such conferences at the initiation of studies and from time to time thereafter, requires the State Highway Engineer to notify the governing body of the local agency of the provisions of Section 75.5 of the Streets and Highways Code (added by Chapter 69, 1956 (1st Ex.) Session, to provide for consideration, when requested, of a freeway's effect on community values), and provides for obtaining of local master or general plans if available. After sufficient information has been accumulated, public hearings would be required. This procedure under the 1958 resolution appears to be substantially similar to that proposed in Senate Bill No. 725, although not as detailed (see Secs. 212-215, incl., S. & H. C., in Senate Bill No. 725).

From this stage of the proceedings on, the procedure under both the 1955 resolution and the 1958 resolution are substantially similar. In other words, after the conference with local officials and the public hearings, the State Highway Engineer would submit a report thereon to the commission and a recommendation as to the freeway location. Thereafter, hearings would be held by the commission, after notice of its intended action, if such hearings were requested by the local governing body, or such hearings could be held by the commission on its own. One difference under the 1958 resolution is the requirement of consideration of information submitted pursuant to Section 75.5 of the code, both in the State Highway Engineer's report to the commission and at hearings held by the commission.

Senate Bill No. 725 would have required notification to the governing bodies of local agencies affected of the department's proposed recommendation to the commission prior to the commission's hearings; and would have required such notification to include a statement of the law as to agreements for the closing of local streets and highways and a request that the local governing body adopt a resolution of its position with respect to the recommended freeway location. The bill

* The 1955 resolution was adopted on February 18, 1955.
The 1958 resolution was adopted on February 26, 1958.

would have required a public hearing by the commission in the affected area, upon request by the governing body of the local agency concerned, and a public hearing by the commission in Sacramento. None of these provisions in Senate Bill No. 725 are contained in the 1958 resolution, although the 1958 resolution does contain a provision for the holding of a hearing by the commission, if requested by the local governing body.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

## REQUEST TO PRINT REPORT

Mr. Francis requested unanimous consent that the letter of transmittal of the Report of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary be printed in the Journal; and that 3,000 copies of the report be ordered printed as a separate document.

### Inquiry by Speaker

The Speaker inquired if the report would be printed out of committee funds.

### Reply by Mr. Francis

Mr. Francis replied that his request was to print the report out of Assembly funds, since there were no committee funds available.

### Statement by Chairman of Rules Committee

Mr. Miller stated that, since there are no committee funds available, the question of printing the report out of Assembly funds is at the will of the House.

### Roll Call Demanded

Mr. Lowrey demanded a roll call.

### Parliamentary Inquiry

Mr. Munnell arose to the following parliamentary inquiry: If a "co-equal" report is submitted by two members of the subcommittee, would the reports print as separate documents or as a single document?

### Reply by Speaker

The Speaker replied that they would print as one document.

### Parliamentary Inquiry

Mr. Crown arose to the following parliamentary inquiry: Should the two members desiring to file a "co-equal" report request unanimous consent to do so?

### Reply by Speaker

The Speaker replied that such a request could be made.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Would the so-called "co-equal" report print as a part of the original report?

### Reply by Speaker

The Speaker replied that it would, if presented in time.

### Inquiry of Mr. Francis

Speaker Brown inquired of Mr. Francis if he would include the "co-equal" report as a part of his report.

### Reply by Mr. Francis

Mr. Francis stated that he would accept the printing of the report as a part of his request.

### Motion to Expunge Record and Rescind Action on Motion to Print Report

Mr. Francis moved to expunge the record, and rescind the action whereby the Assembly on this day refused consent to print the letter of transmittal in the Journal, and 3,000 copies of the Reports of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary as a separate document.

Mr. Meyers seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Burton, Cameron, Lowrey, and Rees—4.

### Motion to Print Report

Mr. Francis moved that the letter of transmittal to the Report of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary be ordered printed in the Journal, and that 1,000 copies of the report be printed as a separate document.

### Motion Withdrawn

Mr. Francis withdrew his motion.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Cunningham was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal; and that the accompanying report be ordered printed as a separate document out of the committee's funds:

## LETTER OF TRANSMITTAL

SACRAMENTO, March 15, 1959

*Hon. Ralph M. Brown,*
*Speaker of the Assembly; and*
*Honorable Members of the Assembly*
*State Capitol, Sacramento*

LADIES AND GENTLEMEN: Pursuant to House Resolution No. 223 of the 1957 California Legislature, your Assembly Interim Committee on Public Utilities and Corporations submits its report covering its functions and activities during the 1957-59 interim.

The work of the committee was divided, the full committee studying some subjects and the various subcommittees other subjects and each

submits its own report and recommendations, if any, based upon facts enumerated at the various hearings held.

Respectfully submitted,

REX M. CUNNINGHAM, Chairman
WILLIAM F. MARSH, Vice Chairman

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| MONTIVEL A. BURKE | JAMES L. HOLMES |
| CHARLES EDWARD CHAPEL | SETH J. JOHNSON |
| CLAYTON A. DILLS | FRANK LUCKEL |
| LOUIS FRANCIS | ALAN G. PATTEE |
| AUGUSTUS F. HAWKINS | CHARLES H. WILSON |

## SUBCOMMITTEE LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON
PUBLIC UTILITIES AND CORPORATIONS
SACRAMENTO, February 16, 1959

*Hon. Rex M. Cunningham, Chairman*
*Assembly Interim Committee on Public Utilities and Corporations*

DEAR MR. CUNNINGHAM: Attached is the Report of the Subcommittee on Public Utilities Commission's Safety Regulations, which subcommittee was set up as a result of House Resolution No. 266 of the 1957 Regular Session.

The report presents the results of the subcommittee study conducted during the 1957-59 interim, summarizes the testimony presented at two hearings, and presents the subcommittee findings and recommendations.

The committee wishes to express its appreciation to the many individuals and organizations for valued assistance, the results of which are reflected in this report.

Respectfully submitted,

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| CHARLES H. WILSON, Chairman | AUGUSTUS F. HAWKINS |
| MONTIVEL A. BURKE | WILLIAM F. MARSH |
| LOUIS FRANCIS | |

## SUBCOMMITTEE LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON
PUBLIC UTILITIES AND CORPORATIONS
SACRAMENTO, March 9, 1959

*Hon. Rex M. Cunningham, Chairman*
*Assembly Interim Committee on Public Utilities and Corporations*

DEAR MR. CUNNINGHAM: Attached is the Report of the Subcommittee on P. U. C. Rates and other General Regulations of the Assembly Interim Committee on Public Utilities and Corporations.

The report presents the results of the subcommittee study conducted on House Resolution No. 339, summarizes the testimony presented at the hearing held in San Francisco on this subject and presents the subcommittee findings and recommendations.

The committee wishes to express its appreciation to the many individuals and organizations for valued assistance in the compiling of this report.

Respectfully submitted,

AUGUSTUS F. HAWKINS, Chairman
CLAYTON A. DILLS
JAMES L. HOLMES
WILLIAM F. MARSH
CHARLES H. WILSON

**SUBCOMMITTEE LETTER OF TRANSMITTAL**

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON
PUBLIC UTILITIES AND CORPORATIONS
SACRAMENTO, March 14, 1959

*Hon. Rex M. Cunningham, Chairman*
*Assembly Interim Committee on Public Utilities and Corporations*

DEAR MR. CUNNINGHAM: Attached is the report of the Subcommittee on Corporation Laws. The report presents the results of a subcommittee study conducted during the 1957-59 interim, summarizes the testimony presented at two hearings, and presents the subcommittee findings and recommendations.

The committee wishes to express its appreciation to the many individuals and organizations for valued assistance, the results of which are reflected in this report.

Respectfully submitted,

LOUIS FRANCIS, Chairman
MONTIVEL A. BURKE
CHARLES EDWARD CHAPEL
ALAN G. PATTEE
CHARLES H. WILSON

**SUBCOMMITTEE LETTER OF TRANSMITTAL**

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON
PUBLIC UTILITIES AND CORPORATIONS
SACRAMENTO, March 9, 1959

*Hon. Rex M. Cunningham, Chairman*
*Assembly Interim Committee on Public Utilities and Corporations*

DEAR MR. CUNNINGHAM: The Subcommittee on Atomic Energy and its Relationship to Corporations and Public Utilities herewith presents its report, findings and recommendations for legislation to the Assembly Interim Committee on Public Utilities and Corporations.

As chairman of the subcommittee I wish to respectfully request that if the Assembly Standing Committee on Public Utilities and Corporations passes Assembly Bill No. 1833 to the floor of the Assembly, that the bill be amended to show that it is the bill of the entire committee.

Respectfully submitted,

CHARLES EDWARD CHAPEL, Chairman
CLAYTON A. DILLS
JAMES L. HOLMES
SETH J. JOHNSON

## SUBCOMMITTEE LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON
PUBLIC UTILITIES AND CORPORATIONS
SACRAMENTO, January 13, 1959

*Hon. Rex M. Cunningham, Chairman*
*Assembly Interim Committee on Public Utilities and Corporations*

DEAR MR. CUNNINGHAM: Attached is the report of the Subcommittee on Aeronautics. The report presents the results of a subcommittee study conducted during the 1957-59 interim, summarizes the testimony presented at three hearings, and presents the subcommittee findings and recommendations.

The committee wishes to express its appreciation to the many individuals and organizations for valued assistance, the results of which are reflected in this report.

Respectfully submitted,

WILLIAM F. MARSH, Chairman
CLAYTON A. DILLS
FRANK LUCKEL
ALAN G. PATTEE
CHARLES H. WILSON

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Coolidge moved that, pursuant to Article IV, Section 2(a), of the Constitution, Senate Bill No. 934 may be heard in committee today, and acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT TO HEAR BILL IN COMMITTEE

Mr Coolidge was granted unanimous consent that permission be granted to set Senate Bill No. 934 for hearing in the Committee on Education this afternoon.

## RESOLUTIONS

The following resolution was offered:

By Mr. Unruh:

### House Resolution No. 140

Relative to the continuance of the Assembly Interim Committee on Finance and Insurance for the purpose of reporting

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Finance and Insurance created by House Resolution No. 235 of the 1957 Session is recreated and continued in existence until April 15, 1959, for the purpose of submitting its reports to the Legislature The committee is authorized to submit any report to the Legislature not later than the fifteenth day of April, 1959

**Request for Unanimous Consent**

Mr. Unruh was granted unanimous consent to take up House Resolution No. 140 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70

NOES—None

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 16, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 212
Assembly Bill No 555
Assembly Bill No. 808
Assembly Bill No. 1052
Assembly Bill No. 1055

And reports the same correctly engrossed

BURKE. Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 326
Assembly Bill No. 490
Assembly Bill No 552
Assembly Bill No. 750
Assembly Bill No 863
Assembly Bill No 967
Assembly Bill No 997
Assembly Bill No. 1030
Assembly Bill No 1212
Assembly Bill No. 1213

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 497
Assembly Bill No. 878

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 16, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 458
Assembly Bill No 1042
Assembly Bill No. 1116

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, March 16, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 113
Assembly Bill No 470
Assembly Bill No. 1211

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to the Committee on Governmental Efficiency and Economy

## ADJOURNMENT

At 12.12 p m , on motion of Mr. Ernest R Geddes, seconded by Mr. Conrad, the Speaker declared the Assembly adjourned until 9.30 a m , Tuesday, March 17, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

FIFTY-SECOND CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, March 17, 1959

The Assembly met at 9 30 a.m.

Hon Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee. Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

As Saint Patrick once prayed for God's safekeeping, we use his words in our prayer today:

"May the strength of God pilot us. May the power of God preserve us May the wisdom of God instruct us. May the hand of God protect us. May the way of God direct us May the shield of God defend us

May the host of God guard us against the snares of the Evil One and the temptations of the world

May Christ be with us Christ before us Christ in us. Christ over us May Thy salvation, O Lord, be always ours this day and forevermore"—AMEN.

—SAINT PATRICK (389?-461)

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Z'berg, seconded by Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Porter, on motion of Mr. Thomas

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Unruh, on motion of Mr. Munnell.

The following member was granted leave of absence for the day, and desired to waive his per diem.

Mr Backstrand, on request of Speaker Brown.

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Resolution by Del Norte County Board of Supervisors

BOARD OF SUPERVISORS, DEL NORTE COUNTY
CRESCENT CITY, March 11, 1959

*Hon. Ralph M. Brown*
*Speaker of the State Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: Enclosed you will find a certified copy of Resolution No. 1108 in opposition to Senate Bill 576, adopted by the Del Norte County Board of Supervisors on March 9, 1959.

Very truly yours,

POLA IVES, Clerk
By: MARTHA VARNER, Deputy

Encl.

Above transmitted resolution referred to the Committee on Transportation and Commerce.

## ANNOUNCEMENT

Speaker Brown announced that the beautiful bouquet of green carnations on the Speaker's rostrum was presented with the St. Patrick's Day greetings and best wishes of Judge William H. Rosenthal of Los Angeles, former Member of the Assembly.

## RESOLUTIONS

The following resolution was offered:

By Mr. Levering:

### House Resolution No. 141

Relative to the printing of the Assembly Journal

*Resolved by the Assembly of the State of California*, That the State Printer is directed to use 10-point type whenever proposed amendments to be printed in the Assembly Journal contain material in strikeout.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2054:** By Messrs. Frew and Garrigus—An act to add Chapter 6 (commencing with Section 12550) to Title 2, Part 4, of the Penal Code, relating to firearms.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2055:** By Mr. Pattee—An act to add Section 9158 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to research projects for school district organization.

Referred to Committee on Education.

**Assembly Bill No. 2056:** By Messrs Mulford, Dahl, Charles H Wilson, Pattee, and Beaver—An act to add Section 771 5 to the Insurance Code, relating to insurance in connection with loans.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2057:** By Mr. Lunardi—An act to add Section 16864 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the use of school buses in connection with the 1960 Olympic Winter Games.

Referred to Committee on Education

**Assembly Bill No. 2058:** By Messrs. Porter, Lunardi, Sedgwick, Levering, Backstrand, Beaver, Burke, Cusanovich, DeLotto, Frew, Garrigus, House, Lanterman, Luckel, MacBride, McMillan, Munnell, Thomas, Unruh, George A. Willson, and Winton—An act to amend Section 11500 of the Water Code, relating to the powers of the Department of Water Resources.

Referred to Committee on Water.

**Assembly Bill No. 2059:** By Messrs. Masterson and Waldie—An act to amend Section 26361 of the Government Code relating to revenue bonds for county improvements, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2060:** By Messrs Masterson and Waldie—An act to amend Section 54309 of the Government Code, relating to the issuance of revenue bonds by local agencies.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2061:** By Mr. Busterud—An act to amend Section 14345 of the Revenue and Taxation Code, relating to inheritance taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2062:** By Messrs. MacBride and Z'berg—An act to add Sections 20230.5, 20750.13, 20750.23, 20750.33, and 20750.43 to, and to add Article 6 (commencing with Section 21380), to Chapter 9, Part 3, Division 5, Title 2 of, the Government Code, relating to State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2063:** By Mr. MacBride—An act to amend Section 69 of the Civil Code and Section 10350 of the Health and Safety Code, relating to marriage licenses and certificates of registry of marriage.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2064**: By Messrs. Meyers, Burton, O'Connell, and Gaffney—An act to amend Section 10952 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to length of school days.

Referred to Committee on Education.

Chief Clerk Arthur A. Ohnimus at the Desk

**Assembly Bill No. 2065**: By Messrs. Nisbet and Beaver—An act to amend Section 70046 of the Government Code, relating to court reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2066**: By Messrs. Nisbet and Beaver—An act to amend Section 14151 of the Health and Safety Code, relating to local fire districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2067**: By Messrs. Nisbet and Beaver—An act to amend Section 74265 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino.

Referred to Committee on Judiciary—Civil.

Speaker pro Tempore Presiding

At 9.42 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2068**: By Mr. Lowrey—An act to amend Sections 1141, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109 and 3110, and to repeal Sections 3106.5, 3111, and 3112, of the Revenue and Taxation Code, relating to vessels.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2069**: By Mr. Beaver—An act to amend Section 70046 of the Government Code, relating to court reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2070**: By Messrs. Grant and Kennick—An act to amend Section 75104.4 of the Government Code, relating to judges retirement system.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 72**—Relative to the construction of State Highway Route 23 between Soledad Junction and Palmdale as a four-lane freeway;

**Assembly Concurrent Resolution No. 74**—Relative to the passing of Dr. Otto G. Freyermuth;

*And reports the same correctly enrolled, and presented to the Secretary of State on the sixteenth day of March, 1959, at 2 p.m.*

BURKE, Chairman

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 29**—An act to amend Section 262 of the Revenue and Taxation Code, relating to the church exemption, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 88**—An act adding Article 6 (commencing at Section 25701) to Chapter 7 of Part 2 of Division 2 of Title 3 of the Government Code, relating to the reclamation of water from sewage or other waste water, and the disposal thereof;

And reports the same correctly enrolled, and presented to the Governor on the sixteenth day of March, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 16, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1145

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 103
Assembly Bill No. 106
Assembly Bill No. 211
Assembly Bill No. 553
Assembly Bill No. 643
Assembly Bill No. 647

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 989

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1016
Assembly Bill No. 1265

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 557

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 527
Assembly Bill No. 1189

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 720
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Natural Resources, Planning, and Public Works.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 883
And reports the same correctly re-engrossed (Title Amendment)

BURKE, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 368
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 723
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to the second reading file.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 293
Assembly Bill No. 551
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

## PARLIAMENTARY INQUIRY

Mr. Collier arose to the following parliamentary inquiry: Is the House presently on the order of business of Reports of Committees?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was now on that order of business.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Since there will be some bills reported out of the Committee on Ways and Means with amendments this morning, will the amendments be adopted this morning or tomorrow?

### Speaker Presiding

At 9.44 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Reply by Speaker

The Speaker replied that the amendments will appear on the second reading file tomorrow.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Are any amendments to bills reported out of committee today being adopted?

**Reply by Speaker**

The Speaker replied that they were not, since bills reported out of committee today will be on file for second reading tomorrow, at which time the proposed committee amendments will be considered by the Assembly; and stated that a committee can only recommend to the House the adoption of amendments to a bill

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: Then tomorrow morning will be the proper time for raising a point of order?

**Reply by Speaker**

The Speaker replied in the affirmative, and stated that the Rules provide the procedure for the consideration of committee amendments.

**Speaker pro Tempore Presiding**

At 9.46 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## REPORTS OF STANDING COMMITTEES

**Committee on Ways and Means**

ASSEMBLY CHAMBER, March 16, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 692
Assembly Bill No 726
Assembly Bill No. 156
Assembly Bill No. 1062
Assembly Bill No 218

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1011

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1290

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 140
Senate Bill No. 63
Senate Bill No. 64

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 472

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 572

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 978
Assembly Bill No. 979
Assembly Bill No. 980
Assembly Bill No. 982
Assembly Bill No. 1005

With the recommendation: Do pass.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 972
Assembly Bill No. 973
Assembly Bill No. 975
Assembly Bill No. 976
Assembly Bill No. 977
Assembly Bill No 1359

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MEYERS, Chairman

Above bills ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports.

Assembly Bill No. 705

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 965
Assembly Bill No. 1263

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 515
Assembly Bill No. 522

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 192

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 127

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 369
Assembly Bill No. 1180
Assembly Bill No. 1109

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No 1068
Assembly Bill No. 221

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 245

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

O'CONNELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 191

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

## PARLIAMENTARY INQUIRY

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Would a question on the condition of the file be in order?

### Reply by Speaker pro Tempore

The Speaker pro Tempore inquired the nature of the question.

### Reply by Mr. Wilson

Mr. Wilson stated that his inquiry pertains to the Consent Calendar.

### Parliamentary Inquiry

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Would the Speaker pro Tempore please explain the procedure for the placement and consideration of bills on the Consent Calendar?

### Reply by Speaker pro Tempore

The Speaker pro Tempore directed the attention of the members to an opinion of the Legislative Counsel, and directed further discussion of the inquiry to the Chairman of the Committee on Rules.

Mr. Miller discussed the procedure for placing and considering bills on the Consent Calendar.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 305
Assembly Bill No. 323
Assembly Bill No. 451

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 12

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 290

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

### Speaker Presiding

At 9.56 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 41

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 41**—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 33
Senate Bill No. 92
Senate Bill No. 105
Senate Bill No. 230
Senate Bill No. 259
Senate Bill No. 261
Senate Bill No. 265
Senate Bill No. 280
Senate Bill No. 312
Senate Bill No. 341
Senate Bill No. 357
Senate Bill No. 358
Senate Bill No. 386
Senate Bill No. 387
Senate Bill No. 388
Senate Bill No. 390
Senate Bill No. 428
Senate Bill No 429
Senate Bill No. 431
Senate Bill No. 436
Senate Bill No. 442
Senate Bill No. 474
Senate Bill No. 475
Senate Bill No. 509
Senate Bill No. 512

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 33**—An act to add Article 5 commencing with Section 12050 to Chapter 1, Part 2, Division 3, Title 2 of, the Government Code, relating to the protection of consumer interests.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 92**—An act to amend Section 5081.5 of the Education Code, and Section 19472 of the Education Code as proposed by Senate Bill No. 2, relating to changes in school districts.

Referred to Committee on Education.

**Senate Bill No. 105**—An act to amend Section 21880 of, and to add Sections 21822, and 21880.5 to, the Business and Professions Code, relating to brake fluid.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 230**—An act to amend Sections 3370, 3371, and 3372 of the Financial Code, relating to loans by banks to officers, directors, or employees thereof.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 259**—An act to amend Section 1226 of the Financial Code, relating to loan limits of commercial banks.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 261**—An act to amend Sections 2201, 2208 and 2210.5 of the Streets and Highways Code, relating to financial aid for county highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 265**—An act to amend Section 1744 of the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 280**—An act to amend Section 1219.5 of the Agricultural Code, to amend Section 6062 of the Harbors and Navigation Code, to amend Sections 5740.19 and 5790.26 of the Health and Safety Code, and to amend Section 2354.1 of the Welfare and Institutions Code, relating to the keeping of business records by public accountants.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 312**—An act to repeal Section 6558 of the Welfare and Institutions Code, relating to appointment of employees by medical superintendent.

Referred to Committee on Public Health.

**Senate Bill No. 341**—An act to add Sections 35909, 35910 and 35911 to the Water Code, relating to California water districts.

Referred to Committee on Water.

**Senate Bill No. 357**—An act to amend Section 1705.5 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 358**—An act to add Section 2078 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 386**—An act to amend Section 1657 of the Insurance Code, relating to the issuance of certificates of convenience.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 387**—An act to amend Sections 1718 and 12977 of the Insurance Code, relating to penalty fees for late applications to renew production licenses.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 388**—An act to amend Section 1775.5 of the Insurance Code, relating to taxes paid on gross premiums by surplus line brokers.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 390**—An act to repeal Section 12970 of, to amend Sections 12973 and 12973.5 of, and to add Sections 12970 and 12970.1 to, the Insurance Code, relating to fees charged by the Insurance Commissioner.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 428**—An act to amend Section 702 of the Military and Veterans Code, relating to salaries and expenses of the Division of Farm and Home Purchases, Department of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 429**—An act to amend Section 988.3, Military and Veterans Code, relating to advances of money to Department of Veterans Affairs by Department of Finance.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 431**—An act to amend Section 16470 of the Government Code, relating to state funds.

Referred to Committee on Government Organization.

**Senate Bill No. 436**—An act to amend Sections 21200, 21201, and 21208 of the Financial Code, and Sections 343 and 11108 of the Penal Code, and to add Section 21208 to the Financial Code, relating to pawnbrokers.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 442**—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 474**—An act to amend Section 1061 of the Insurance Code, relating to the audit of proceedings in cases of insolvency and delinquency.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 475**—An act to amend Section 3000 of, and to add Section 3000.5 to, the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 509**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the conveyance of property of the Agnews State Hospital.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 512**—An act to amend the heading of Article 5 (commencing at Section 2045) of Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 2045.1 of said code, relating to the State Prison at Soledad.

Referred to Committee on Criminal Procedure.

## ANNOUNCEMENT

Speaker Brown announced that the beautiful bouquet of carnations, just brought to the Assembly rostrum, was presented with Saint Patrick's Day greetings and best wishes from Mr. Thomas A. Maloney of San Francisco, former Member and Speaker pro Tempore of the Assembly.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 293, 1085, 723, 551, 1214, 1186, 598, 998,** and **999.**

**Senate Bill No. 28.**

Assembly Bills Nos. 293 and 551 and Senate Bill No. 28 ordered to third reading.

Assembly Bill No. 723 ordered to the Consent Calendar.

Assembly Bills Nos. 1085, 1214, 1186, 598, 998, and 999 ordered to third reading, subsequent to engrossment.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 234**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

#### Amendment No. 1

On page 2 of the printed bill, strike out lines 5 to 10, inclusive, and insert "due each county under this section."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 185**—An act to amend Section 26104 of the Government Code, relating to advertising by county board of supervisors.

Bill read second time, and ordered to the Consent Calendar.

## UNFINISHED BUSINESS

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 111**—An act to amend Sections 5931 and 7842 of the Elections Code, relating to absentee voter ballots.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 111?

#### Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on February 18, 1959, strike out ", or mailing,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 111 by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 111 ordered enrolled.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 218 FROM COMMITTEE WAIVED

Mr. Collier waived his notice of motion to withdraw Assembly Bill No. 218 from the Committee on Ways and Means.

## OPINION OF LEGISLATIVE COUNSEL ORDERED PRINTED IN THE JOURNAL

The following opinion of the Legislative Counsel was ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO THE CONSENT CALENDAR

SACRAMENTO, March 12, 1959

*Hon. Allen Miller*
*Assembly Chamber*

*Consent Calendar—No. 10227*

*Question*

DEAR MR. MILLER: You have asked whether a bill placed on the Consent Calendar on March 12th may be finally acted upon March 13th.

*Opinion and Analysis*

Joint Rule 22.2 of the Joint Rules of the Senate and Assembly provides in part:

> "* * * No consent calendar bill shall be considered for adoption until the second legislative day following the day of its placement on the Consent Calendar."

Under this rule a bill placed on the Consent Calendar on March 12th could not be considered for adoption until the second legislative day following the day of its placement on the Consent Calendar. Placement on the Consent Calendar occurs by order of the Speaker and upon second reading of the bill. (See Assembly Journal, page 1252, with respect to Assembly Bill No. 1014). Therefore if a bill were read for the second time and placed on the calendar on March 12th, it could not be considered for adoption until March 14th, assuming the 13th was a legislative day.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By KENT L. DECHAMBEAU, Deputy

## CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 215**—An act to repeal Sections 32 and 23705 of the Revenue and Taxation Code, relating to claims for tax exemption.

Bill read third time.

**Motion to Re-refer**

Mr. Masterson moved that the bill be re-referred to the Committee on Revenue and Taxation.

Mr. Shell seconded the motion.

**Motion Withdrawn**

Mr. Masterson withdrew his motion, with the consent of his second.

Further consideration of Assembly Bill No. 215 passed temoprarily on file.

**Assembly Bill No. 53 Placed on the Inactive File**

Upon motion of Mr Hegland, Assembly Bill No. 53 was placed upon the inactive file.

**Assembly Bill No. 277**—An act to amend Section 3 of an initiative act entitled "An act providing for daylight saving time in the State of California," approved by electors November 8, 1949, relating to daylight saving time, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.20 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Grant, Schrade, Luckel, Ernest R. Geddes, and Dahl demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Bradley, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Elliott, Francis, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Mulford, O'Connell, Petris, Reagan, Rumford, Shell, Sumner, Thelin, Waldie, and Charles H. Wilson—42

NOES—Beaver, Belotti, Biddick, George E. Brown, Burton, Collier, Coolidge, Davis, DeLotto, Donahoe, Frew, Garrigus, Samuel R. Geddes, Hegland, Kilpatrick, Lowrey, Lunardi, MacBride, McCollister, Miller, Munnell, Nisbet, Pattee, Rees, Schrade, Sedgwick, Thomas, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—32.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 527**—An act to add Chapter 5 (commencing at Section 31585) to Part 6 of Division 12 of the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 641**—An act to amend Section 795 of the Agricultural Code, relating to citrus.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Gaffney was granted unanimous consent that the committee reports relative to Assembly Concurrent Resolution No. 94 be read, at this time.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 94
With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 94
And reports the same correctly engrossed.

BURKE, Chairman

### Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up Assembly Concurrent Resolution No. 94 without reference to file.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 94

**Assembly Concurrent Resolution No. 94**—Relative to Saint Patrick's Day.

Resolution read, and adopted unanimously.
Resolution ordered transmitted to the Senate.

## MOTION TO PRINT IN JOURNAL

Mr. Shell moved that the remarks by Mr. Gaffney relative to Saint Patrick be ordered printed in the Journal.

Mr. Johnson seconded the motion.
Motion carried.

## REMARKS BY MR. GAFFNEY RELATIVE TO SAINT PATRICK

*Mr. Speaker and Members of the Assembly:*

On this day, the seventeenth of March, people of all races and creeds pause to remember a one-time shepherd slave boy who tended his flocks on the hills of Antrim, Ireland, and who rose to command the respect and devotion of the Irish race and the love and affection of people throughout the world for 15 centuries.

Patrick was the son of Calphurnius, a Roman civil officer of high rank and on his mother's side Patrick was a nephew of Saint Martin of Tours. As to his birthplace about the year 387, whether it was at a Roman campsite city at the mouth of the Clyde in Scotland, Normandy, or Rome, we do not know, and the Irish say "na bocklish" or "never mind."

At the age of 16 he was kidnaped by a band of Irish marauders and sold into slavery to an Irish chief. He tended his flock for six years and in the long days and nights of solitude, Patrick prayed that God would deliver him back to his people and his prayer was answered in a flight to the coast and a ship to the continent. Patrick had learned to love the Irish people and yearned to someday return to them. So, it seems he was destined to become a bishop and an apostle of Christianity to the pagan people he had served and loved. Patrick did return 18 years later in the year of A.D. 433 at the mouth of the Vantry near the present city of Wicklow, and with his small group of followers converted a whole nation to Christendom without a single martyrdom. He was, however, taken captive by certain war-like Druids and once was loaded with chains and condemned to die.

Then for decades he carried on his missionary zeal by building 350 monasteries of profound learning and dispatching hundreds of monks to found monasteries, churches, and colleges, throughout Europe, to relight the torch of faith and knowledge, which had almost flickered out due to the ravages of the barbarian Vandals and Goths.

His courage and steadfast faith in God—his zeal for the spreading of faith and knowledge as weapons to destroy tyranny and error endear Saint Patrick to men and women everywhere today as they inspired his fellow men of the Fifth Century.

May the blessing of Saint Patrick descend upon us today.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 74**—An act to add Section 5006.5 to the Elections Code, relating to campaigns.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 195**—An act to amend Sections 293, 293.5, 295, and 296 of, and to repeal Section 296.5 of, the Elections Code, relating to the cancellation of voter registrations.

Bill read third time.

**Demand for Previous Question**

Messrs. Grant, Masterson, DeLotto, Burke, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thelin, Charles H. Wilson, and Winton—52.

NOES—Biddick, Burton, Cameron, Cunningham, Davis, Donahoe, Elliott, Samuel R. Geddes, Hawkins, Lunardi, McMillan, Munnell, O'Connell, Rumford, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—19.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 47**—An act to amend Section 6357.2 of the Education Code, relating to school district taxes.

Bill read third time.

**Speaker Presiding**

At 11.05 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Motion to Amend**

Mr. Shell moved the adoption of the following amendments proposed by Mr. Pattee:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 13, 1959, strike out "6357.2", and insert "20801".

**Amendment No. 2**

In line 1 of the title, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 20801 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:

20801. The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount of the proposed expenditures of the school district required or authorized pursuant to Sections 16551 to 16566, inclusive, and Sections 16651 to 16664, inclusive, of this code as shown by the budget of the district for such school year, as finally adopted by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.

The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the district, and said increase shall be in addition to any other school district tax authorized by law to be levied.

*In a unified school district not maintaining a junior college, the increase provided by this section shall not exceed ten cents ($0.10) per each one hundred dollars ($100) of the assessed value of property within the district, and said increase shall be in addition to any other school district tax authorized by law to be levied.*

*In a unified school district maintaining a junior college, the increase provided by this section shall not exceed fifteen cents ($0.15) per each one hundred dollars ($100) of the assessed value of property within the district, and said increase shall be in addition to any other school district tax authorized by law to be levied.*

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year required or authorized by Sections 16551 to 16566, inclusive, and Sections 16651 to 16664, inclusive, of this code."

**Amendment No. 4**

On page 1 strike out lines 2 to 27, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## INTRODUCTION OF GUESTS

Speaker Brown introduced Mrs. Janet C. Medins of Los Angeles, the mother of Mr. Charles H. Wilson, and Mrs. Donna Payne, of Van Nuys, the sister of Mr. Wilson, to the Members of the Assembly.

## ANNOUNCEMENT

Mr. Waldie announced that today was the Fourteenth Wedding Anniversary of Mr. and Mrs. John C. Williamson, whereupon the members joined in extending their best wishes to Mr. and Mrs. Williamson.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 485**—An act to amend Sections 2160.1, 2160.3 and 3044.1 of, and add Section 4160.1 to, the Welfare and Institutions Code, relating to payments to recipients of old age security, aid to needy blind and aid to needy disabled in public medical institutions.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 747**—An act to amend Sections 3047 and 3047.01 of the Welfare and Institutions Code, relating to aid to needy blind.

Bill read third time.

**Motion to Re-refer to Committee**

Mr. Pattee moved that Assembly Bill No. 747 be re-referred to the Committee on Ways and Means.

Mr. Bee seconded the motion.

Motion carried.

**Assembly Bill No. 747 Re-referred to Committee**

Mr. Samuel R. Geddes was granted unanimous consent that Assembly Bill No. 747 be re-referred to the Committee on Ways and Means.

## ANNOUNCEMENT

Speaker Brown announced that all items on the Consent Calendar, with the exception of Assembly Bill No. 672 (Item 89) would now be considered.

## CONSIDERATION OF DAILY FILE (RESUMED)
## CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

**Assembly Bill No. 716**—An act to add Section 22506 to the Water Code, relating to leases of irrigation district property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1026**—An act to amend Section 17072 of the Government Code, relating to canceled warrants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 1027**—An act to amend Section 11255 of the Government Code, relating to payments between state agencies and between appropriations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 128

By Mr. Miller:

**House Resolution No. 128**

Relative to amending Rule No. 52 of the Permanent Standing Rules of the Assembly for the 1959 Regular Session

*Resolved by the Assembly of the State of California*, That Rule No 52 of the Permanent Standing Rules is amended to read:

**Introduction and Reference of Bills**

52. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced If any bill is introduced, which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member before final passage

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

**Introduction of House Resolutions**

*Each House resolution shall be signed by the member, or each of the members who is an author of the House resolution before it is introduced; if there are more than four (4) co-authors, then a special roll call form providing a space for additional signatures must be attached to the House resolution before introduction. These forms may be obtained at the Clerk's desk.*

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76

NOES—None

**Assembly Concurrent Resolution No. 87**—Relative to tolls on the Carquinez Strait Bridge

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 11**—Relative to highway improvements by the Department of Public Works.

Resolution read, and presented by Mr. O'Connell.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None

Resolution ordered transmitted to the Senate

### Consideration of House Resolution No. 129

By Mr. Cameron:

### House Resolution No. 129

Relative to the passing of Neil R Murray

WHEREAS, The family of Neil R Murray, publisher of the *El Monte Herald*, suffered the tragic loss of his physical presence on Wednesday, March 4, 1959; and

WHEREAS, The passing of Neil R. Murray marks the end of a brilliant career in the field of journalism, a career marked by the receipt of numerous awards and the attainment of a position of respect and admiration of newspapermen throughout the State; and

WHEREAS, The indomitable spirit of this man, who was at one time the President of the California Newspaper Publishers Association, is typified in his continuing to write editorials even while confined in the hospital with death approaching; and

WHEREAS, The City of El Monte has lost an outstanding crusader, a man who has never deviated from his ideals nor in his fight to promote the best interests of the City of El Monte; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly do hereby pay tribute to the memory of Neil R Murray, and offer their sincere condolences to the members of his family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mrs Neil R Murray, his widow

Resolution read, and adopted unanimously.

### Consideration of House Resolution No. 133

By Miss Donahoe and Mr. Williamson:

### House Resolution No. 133

Relative to commending and congratulating Leo G. Pauly

WHEREAS, Leo G Pauly of Bakersfield, California, was recently chosen as the recipient of the 1959 Distinguished Citizen Award by Bakersfield Post 26, American Legion; and

WHEREAS, His selection should come as no surprise to those who know of the 64 years of service that Leo G. Pauly has contributed to the public and his fellow man; and

WHEREAS, Son of a pioneer family who came to Kern County by a wagon team in 1869, Leo G. Pauly was raised near Tehachapi and after graduation from San Jose Normal School, the predecessor of San Jose State College, he returned to Tehachapi as principal and teacher of the Tehachapi School; and

WHEREAS, In 1896 he was married to Essa Davis of Bakersfield and on December 23, 1958, the couple celebrated their Sixty-second Wedding Anniversary; and

WHEREAS, In 1898 Leo G Pauly accepted the post of Principal of Sumner School in Bakersfield and one of his most famous students was Earl Warren, Chief Justice of the United States Supreme Court; and

WHEREAS, In 1909 Leo G. Pauly left the teaching profession and became the general manager of the Ardizzi-Olcese Corporation, the oldest mercantile establishment in Kern County; his association with the Olcese family has continued to the present day and he presently conducts daily duties as agent for the Louis V Olcese estate, which includes 23,000 acres of farm and oil land and several downtown properties in Bakersfield, and

WHEREAS, He served on the board of education until 1917, and in 1911 was appointed Chief of the Bakersfield Fire Department; and

WHEREAS, Leo G. Pauly served as a member of the draft board during both World War I and World War II, as Postmaster of Bakersfield from 1932 to 1936, as a member of the Bakersfield City Council for 1939 and 1940, as Kern County's purchasing agent during the 1940's, and as Supervisor of the Third District of Kern County upon appointment in 1946 by Governor Earl Warren; and

WHEREAS, Leo G. Pauly is a member of the advisory board of the East Bakersfield branch of the Bank of America, and has served as a board member since 1921, the last 31 years of which have been in the position of chairman, and

WHEREAS, Leo G. Pauly, a charter member of the Kern County Hospital Commission, was recently reappointed to the commission for a four-year term and he has constantly been an active member of the commission, presently serving as chairman of the commission's budget committee; and

WHEREAS, It is only fitting that the Assembly of the State of California take this means to express its appreciation and recognition of Leo G. Pauly's many years of exceptional and dedicated service; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Leo G. Pauly for his 64 years of outstanding and devoted public service to the residents and taxpayers of Kern County and congratulate him on his being selected for the 1959 Distinguished Citizen Award of American Legion Post 26 of Bakersfield, California, an honor he so justly deserves; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. and Mrs. Leo G. Pauly, to each of their three children, Mr Harold Pauly, Mr. Leo Pauly, Jr., and Mrs. Harry Mahaffee, and to American Legion Post 26 of Bakersfield, California.

Resolution read, and adopted unanimously.

**Assembly Bill No. 690**—An act to amend Section 6731 of, the Business and Professions Code, relating to the practice of engineering.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 691**—An act to amend Section 11567 of, and to add Sections 11594 and 11618 to, the Business and Professions Code, relating to subdivision maps.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Consideration of House Resolution No. 104**

**House Resolution No. 104**

Relative to amending Rule No. 105 of the Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That Rule No. 105 of the Permanent Standing Rules of the Assembly is amended to read:

105. *(a)* ~~Notice of a~~ *A* motion to reconsider on the next legislative day~~,~~ *(1)* the vote whereby any bill~~,~~ ~~constitutional amendment, concurrent or joint resolution~~ was passed or refused passage, *or (2) the vote whereby any motion, amendment, concurrence, Assembly resolution or proposition other than a bill was passed or refused passage,* must be ~~given~~ *made* on the same day *the* ~~such~~ vote to be ~~so~~ reconsidered was taken. *No motion to reconsider shall be in order on the last day, or the day preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 members, except that it shall require such a vote of 54 members or 60 members, respectively, to reconsider the vote on any matter originally requiring 54 votes or 60 votes, as the case may be. A motion to reconsider may be voted on without a second.*

A ~~notice of~~ motion to reconsider a vote must be ~~given~~ *made* by a member voting on the ~~bill, constitutional amendment, concurrent or joint resolution~~ *question*, and shall take precedence over all motions, except a motion to adjourn. Upon such ~~notice of~~ motion being ~~given~~ *made*, the ~~bill, constitutional amendment, concurrent or joint resolution~~ *matter to be reconsidered* shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a ~~notion of a~~ motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. *When reconsideration is granted, the matter to be reconsidered shall resume its exact position before the Assembly previous to its being voted upon.*

*(b)* Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill~~,~~ ~~constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given~~ *may move to take up on the same day the motion to reconsider such a question, previously made by another member. The motion to take up the reconsideration on the same day* shall take precedence over ~~and above~~ *the motion to reconsider* ~~such notice~~ and upon demand of any member *the motion to take up the reconsideration on the same day* must be put to an immediate vote. *If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the house.* ~~A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.~~

~~No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in~~

~~the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote of any matter originally requiring a two-thirds vote for its passage or adoption.~~

~~When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.~~

NOTE—Later this day, the record was expunged, and the action rescinded whereby House Resolution No. 104 was adopted *See* page 1500.

**Assembly Bill No. 379**—An act to amend Section 27361.6 of the Government Code, relating to recordation of instruments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 654**—An act to amend Section 74641 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 941**—An act to amend Section 68546 of the Government Code, relating to court attaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1106**—An act to add Section 614.4 to the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1107**—An act to add Section 614.5 to the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 674**—An act to add Section 2014 to the Business and Professions Code, relating to chiropody.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1001**—An act to amend Section 132 and to repeal Section 132.5 of the Elections Code, relating to absent registration.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1002**—An act to amend Section 82 of the Elections Code, relating to presidential voting for new residents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1156**—An act to amend Section 230 of the Elections Code, relating to the form of the affidavit of registration.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1190**—An act to amend Sections 7003, 7007 and 7008, and to repeal Sections 7005 and 7006 of the Elections Code, relating to canvass at precincts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 535**—An act to add Section 13831.7 to the Education Code, and to add Section 13516.5 to the Education Code as proposed by Senate Bill No. 2, relating to the salaries of certificated employees of school districts.

Bill read third time.

**Bill Removed From Consent Calendar**

On request of Mr. Bradley, Assembly Bill No. 535 was removed from the Consent Calendar.

Bill ordered returned to the second reading file.

**Assembly Bill No. 867**—An act to amend Section 14401 of the Education Code, and to amend Section 14001 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 915**—An act to amend Section 13061 of the Education Code, and Section 13302 of the Education Code as proposed by Senate Bill No. 2, relating to special lecturers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 916**—An act to amend Section 12051 of the Education Code, and Section 13112 of the Education Code as proposed by Senate Bill No. 2, relating to certification documents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON HOUSE RESOLUTION NO. 104

Mr. Miller was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted House Resolution No 104 on the Consent Calendar (Assembly Journal, page 1496), and that the resolution be removed from the Consent Calendar.

House Resolution No. 104 ordered returned to the second reading file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### FURTHER CONSIDERATION OF CONSENT CALENDAR
### CONSIDERATION OF ASSEMBLY BILL NO. 672

**Assembly Bill No. 672**—An act to amend Section 13241 of the Public Utilities Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Mr. Dahl moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 6, 1959, after "Code", insert "and to amend Section 3835 of the Public Districts Code".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 2

On page 1 between lines 16 and 17, insert

"SEC. 2. Section 3835 of the Public Districts Code is amended to read.

3835 Bonds authorized [by] *pursuant to* this chapter shall mature serially in amounts to be fixed by the board; [except] *provided*, that payment shall begin not [later] *more* than 10 years from the date *of issuance* thereof and be completed in not more than 50 years from that date [.] *; provided, further, that the board may divide any issue of bonds authorized pursuant to this chapter into two or more series, and may fix different dates of issuance and different maturity dates for the bonds of each series. The bonds of each series shall mature serially in amounts to be fixed by the board, and the board shall fix a date not more than 10 years from the date of issuance of each series for the earliest maturity of such series, and shall fix a date not more than 50 years from the date of issuance of each series for the final maturity of such series.*

SEC. 3. Section 2 of this act shall become operative only if the Public Districts Code is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as the Public Districts Code takes effect; at which time Section 13241 of the Public Utilities Code is repealed."

#### Amendment No. 3

On page 1, line 17, strike out "2", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the second reading file.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 750**—An act to amend Section 205.5 of the Revenue and Taxation Code, and providing for the effective date thereof, relating to the veterans' property tax exemption.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe,

Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford,, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 326**—An act to amend Section 10504 of the Streets and Highways Code, relating to remedies in case of default by contractor.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 490**—An act to amend Sections 2804, 2808 and 2810 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 552**—An act to amend Section 53205.1 of the Government Code, relating to premium payments by local agencies from public funds.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Charles H Wilson, Winton, Z berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 967**—An act to amend Section 5373 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad,

Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 863**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1212**—An act to add Section 19.5 to the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to district bonds, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1213**—An act to amend Section 17 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955),

relating to bonds, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 454**—An act to amend Sections 6914, 6915, and 6916 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to advance apportionment of state aid to school districts.

Bill read third time.

**Motion to Expunge Record and Rescind Action on Roll Call**

Mr. Winton moved to expunge the record, and rescind the action whereby Assembly Bill No. 454 was passed.

Mr. Sumner seconded the motion.

Motion carried unanimously.

The question being on the passage of Assembly Bill No. 454.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Coolidge was granted unanimous consent that the report of the Committee on Education relative to Senate Bill No. 934 be read.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 934

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

### Request for Unanimous Consent

Mr. Coolidge was granted unanimous consent that Senate Bill No. 934 be read the second time, at this time.

## SECOND READING OF SENATE BILL NO. 934

**Senate Bill No. 934**—An act to validate the organization and acts of junior college districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

### Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Coolidge:

*Resolved*, That Senate Bill No. 934 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

## THIRD READING OF SENATE BILL NO. 934

**Senate Bill No. 934**—An act to validate the organization and acts of junior college districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Masterson was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO PROPERTY TAXATION: EXEMPTIONS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 16, 1959

*Hon. S. C. Masterson*
*Assembly Chamber*

*Property Taxation: Exemptions—No. 10456*

*Question*

DEAR MR. MASTERSON: You have asked whether amendments of Assembly Bill No. 215 of the current session to incorporate the provisions of Assembly Bill No. 2214 of the 1957 Regular Session, as amended on May 4, 1957, would be consistent with the constitutional guarantees of free speech.

*Opinion*

It is our opinion that the amendments would be consistent with such guarantees.

*Analysis*

Assembly Bill No. 2214 of the 1957 Session, as amended on May 4, 1957, would have amended Sections 32 and 23705 of the Revenue and Taxation Code.

Prior to the amendment, Section 32 required an applicant for a property tax exemption, other than the householder's exemption, to file a declaration to the effect that he does not advocate unlawful overthrow of the government, provided that in the absence of such a declaration the exemption should not be allowed, and made it a felony to make such a declaration knowing it to be false.

As amended on May 4, 1957, Assembly Bill No. 2214 would have changed Section 32 to prohibit the receipt of a tax exemption by any

subversive; to make it a felony for any such person willfully to make, subscribe, prepare or present any return or other document in which he should claim an exemption, or to assist another in doing so; and to require a person claiming a tax exemption to file a prescribed oath to support and defend the Constitutions of the United States and of the State of California and "bear true faith and allegiance to the same."

Prior to the amendment, Section 23705 was similar to Section 32 in its scope, although applicable only to organizations claiming exemptions under the Bank and Corporations Tax Law.

Assembly Bill No. 2214 as it read after the amendment on May 4, 1957, would have made changes in Section 23205 similar to those that it would have made in Section 32. It also would have prohibited and made it a felony for any organization once granted an exemption to receive the exemption thereafter upon advocating the overthrow of the Federal or State Governments by force or violence or other unlawful means. In addition it would have made any loyalty declaration filed prior to its effective date, prima facie evidence of loyalty.

In this connection, we have considered the holding of the United States Supreme Court in the 1958 case of *Speiser* v. *Randall*, 2 L. Ed. 2d 1460, to the effect that Section 32 of the Revenue and Taxation Code unconstitutionally limited or penalized the right of free speech in that it placed on the taxpayer the burden of proving that he does not advocate the unlawful overthrow of the government in order to qualify for an exemption

The court concluded that under the section the appellant had the affirmative burden of proof, in court as well as before the assessor, to show that he was qualified for an exemption; that is, that he was not a person who advocated the overthrow of the Government of the United States, or of the State, by force or violence or unlawful means, or who advocated the support of a foreign government against the United States in the event of hostilities.

It declared that when the constitutional right to speak is sought to be deterred by a state's general taxing program, due process demands that the speech be unencumbered until the state comes forward with sufficient proof justifying its inhibition, and that the state bear the burden of proof in that regard.

As we see it, the oath that Assembly Bill No. 2214 would have required would not have shifted to a taxpayer the burden of proving that he does not advocate the unlawful overthrow of the government. That bill would in part have restated the California constitutional language denying a tax exemption to those who advocate the unlawful overthrow of the government, and the United States Supreme Court has indicated (at least for the purpose of the *Speiser* decision) that such a provision is sustainable (2 L. Ed. 2d 1474).

The only serious problem involved here, therefore, turns on the question of whether the oath that would have been required by Assembly Bill No. 2214 would have had the effect of restraining freedom of speech. That oath read:

> "(b) The following oath or affirmation shall be filed with the appropriate taxing agency by each person claiming an

exemption or on its behalf by a duly authorized officer, member, or agent, at the time the exemption is first claimed:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without any mental reservations or purpose of evasion."

This oath does not require a declaration that the person seeking tax exemption "does not advocate" the overthrow of the government. It is the traditional oath to support and defend the Constitution of the United States and the State of California, and the obligation involved is wholly consistent with an exercise of all rights guaranteed by those constitutions, including the right of free speech.

While the oath which would have been imposed by Assembly Bill No. 2214 is stated to be in implementation of Section 19, Article XX, we do not think this alone is sufficient to render a statute objectionable as an invasion of freedom of speech. It will be presumed that the Legislature acted within the limits of its constitutional power and, where possible, our courts construe statutes in such a way as to sustain them constitutionally. (*Shealor* v. *City of Lodi,* 23 C. 2d 647, 653, 45 Cal. Jur. 2d 624).

It may be noted that the oath provided by Assembly Bill No. 2214 involved a declaration that it is taken without any mental reservations or purpose of evasion. Under such language, the possibility exists that the taxpayer may be prosecuted for making a false declaration. But, if the statement is false, the taxpayer can be prosecuted for perjury (Pen. C. Secs. 118, 129) only in accordance with the strict procedural safeguards surrounding criminal prosecutions in which guilt must be established by the State beyond a reasonable doubt. In the *Speiser* case, the court took pains to note that when such is the situation there is not present the vice which it found in Section 32 (2 L. Ed. 2d, at pp. 1472, 1474).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
BY J. GOULD, Principal Deputy

### REQUEST FOR UNANIMOUS CONSENT

Mr. Rees was granted unanimous consent to take up Assembly Bill No. 1055 (Item 62), on the Consent Calendar—First Legislative Day.

### CONSIDERATION OF ASSEMBLY BILL NO. 1055

**Assembly Bill No. 1055**—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to subdivisions.

Bill read third time.

#### Motion to Amend

Mr. Rees moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed bill, strike out line 1, and insert

"SEC. 2. Section 11535 of said code is amended to read:

11535. (a) "Subdivision" refers to any real property, improved or unimproved, or portion thereof, shown on the latest adopted county tax roll as a unit or as

contiguous units, which is divided for the purpose of sale or lease, whether immediate or future, by any subdivider into five or more parcels within any one-year period; provided, that this chapter shall not apply to the leasing of apartments, offices, stores, or similar space within an apartment building, industrial building, commercial building, or trailer park, nor shall this chapter apply to mineral, oil or gas leases.

(b) "Subdivision" does not include either of the following:

(1) Any parcel or parcels of land in which all of the following conditions are present: (i) which contain less than five acres, (ii) which abut upon dedicated streets or highways, (iii) in which street opening or widening is not required by the governing body in dividing the land into lots or parcels, and (iv) the lot design meets the approval of the governing body.

(2) Any parcel or parcels of land divided into lots or parcels, each of a net area of one acre or more, a tentative map of which has been submitted to the governing body and has been approved by it as to street alignment and widths, drainage provisions and lot design

(c) In either case provided in subsection (b) of this section, there shall be filed a record of survey map pursuant only to the provisions of Chapter 15 of Division 3 of this code and conveyances may be made of lots or parcels shown on such map by lot or block number, initial, or such other designation as may be shown on such map.

(d) Nothing contained in this chapter shall apply to land dedicated for cemetery purposes under the Health and Safety Code of the State of California.

*(e) Nothing contained in this section shall in any way modify or affect any of the provisions of Section 11000 of this code.*"

**Amendment No. 2**

On page 2, strike out lines 2 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the second reading file.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Lowrey was granted unanimous consent that the following letter of transmittal and report be ordered printed in the Journal:

## LETTER OF TRANSMITTAL

JOINT LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
SACRAMENTO, March 16, 1959

*Hon. Lloyd W. Lowrey*
*Assemblyman, Third District*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN LOWREY: Pursuant to your request, we have secured a cost comparison between the use of automatic versus standard transmission for state automobiles.

A statement of the cost factors involved is contained in two enclosures The first consists of a summary of the data submitted to us by the Chief of Automotive Management, Department of Finance, and the second is a copy of the more detailed statement submitted.

These data indicate that it is apparently significantly more economical to continue the use of standard transmission and clutch.

Sincerely,

A. ALAN POST, Legislative Analyst

Encls.

## COST COMPARISONS
## AUTOMATIC VERSUS STANDARD TRANSMISSION
(100,000 Miles)

| | *Automatic* | *Standard* |
|---|---|---|
| Extra cost, new car | $150.00 | – |
| Preventive maintenance (100,000 miles) | | |
| Band adjustment (every 20,000) | 26.40 | – |
| Transmission oil change (every 20,000) | 21.00 | – |
| Clutch pedal adjustment (4) | – | $4.80 |
| | $197.40 | $4.80 |
| Overhaul costs (if required) | | |
| Transmission overhaul—labor | $64.20 | $22.20 |
| Transmission overhaul—parts | 100.00 | 50.00 |
| | $164.20 | $72.20 |
| Complete replacement, transmission | | |
| Automatic transmission and torque conversion | $315.00 | – |
| Standard transmission and clutch | – | $147.00 |
| | $315.00 | $147.00 |

In addition to the above cost factors, the Automotive Management Division has offered the following:

1. Their considered opinion is that it costs approximately three mills per mile more to operate an automatic transmission equipped vehicle as opposed to one with a standard transmission, or a total of $300 more in 100,000 miles.
2. In at least one instance, the brakes required relining at 13,000 miles in a car equipped with automatic transmission and generally it is felt that brake lining life is much less by comparison with standard transmission principally because of the lack of engine compression for braking in automatic transmission equipped vehicles.
3. It is generally acknowledged that fuel consumption in automatic transmission cars exceeds that of standard transmission equipped vehicles, often by as much as 10 percent.

## COSTS OF AUTOMATIC TRANSMISSION EQUIPPED PASSENGER CARS AS COMPARED TO STANDARD TRANSMISSION AND CLUTCH

1. Extra cost of new car equipped with automatic transmission.

Fordomatic ..... $189.60 list ..... $150 net

2 Cost of preventive maintenance, oil change and band adjustment at 20,000 mile intervals. Four services required during 100,000 miles of driving.

Labor ..... 1.1 hours per operation
Total 4 4 hours @ $6 per hour ..... $26.40

Four changes of oil, 10 quarts per change, total 40 quarts @ $0.525 per quart.

Total ..... $21

In addition to the above, we can expect that it will be necessary to adjust the manual and throttle linkage at least four times during the life of the car. Cost per operation:

1 hour @ $6. Total ..... $24.00
Total Cost of Preventive Maintenance ..... 71.40

Standard transmissions do not require periodic adjustments or oil changes.

Clutch pedal adjustments may be needed. Four of these should be sufficient at a cost of

.2 hour each @ $6 per hour. Total ..... $4.80

Difference in cost of preventive maintenance $66.60 per car.

Cost of overhaul on automatic transmissions far exceeds the cost of the same work on standard shift transmissions.

Labor on automatics using Ford as an example requires:

10.7 hours @ $6 cost is ..... $64.20

Labor on standard shift transmission and clutch requires:

3.7 hours @ $6 cost is ..... $22.20

Added cost of labor on automatic $42.

Because of the greater number of parts incorporated in an automatic transmission, the cost of material necessary will generally exceed the cost of parts needed for a standard transmission and clutch. The average standard transmission and clutch overhaul can usually be accomplished at a material cost not in excess of $50. Material necessary for an automatic transmission overhaul will generally cost double this amount—$100.

As an example, we are listing the cost of a complete automatic transmission as compared to the cost of a standard transmission and clutch:

Automatic transmission and torque converter ..... $315
Standard transmission and clutch ..... 147

It is generally acknowledged that fuel consumption in an automatic transmission equipped car will exceed that of a standard transmission often by as much as 10 percent. As an example, we are quoting a report received from one state operator:

> "Driving a car not familiar with which apparently consumes more gas because of automatic drive. Standard stations extremely limited between Reno and and Alturas. One station was closed for no apparent reason. Had to walk in order to get gas."

It is also true that brake lining life is shorter in an automatic transmission equipped car because of reduced effectiveness of engine compression as a brake. For example, we recently found it necessary to reline the brakes on a 1958 Ford station wagon equipped with an automatic transmission at 13,000 miles. This is a pool car on regular dispatch with a high percentage of highway driving. The mileage obtained from this lining was less than 50 percent of the mileage generally delivered by standard transmission cars doing like work.

The average life of state-owned passenger cars exceeds five years. According to Kelly Blue Book, an automatic transmission adds approximately $50 to the wholesale value of a five-year-old car. Added depreciation cost $125 ($100 net).

We believe that the principal reason for the popularity of automatic transmissions is the added driving ease; however, under certain road conditions, such as rough hilly terrain or icy roads. Operation is more difficult on icy roads; an automatic transmission may shift at a time which can result in dangerous skids and thereby contribute to the possibility of accident. In rough hilly terrain, some automatic transmissions will shift when shifting is a disadvantage.

It is our considered opinion that the use of automatic transmissions has increased the per mile cost of state-owned passenger cars and will continue to do so. Exact comparison of these costs are not available because of the many intangibles involved; however, we feel it is safe to say that the added cost per vehicle is not less than $300 or 3 mills per mile, based on 100,000 miles.

It is true that there are some drivers that are not familiar with the operation of a standard shift car; also, that some handicapped operators require an automatic transmission. These must be considered when formulating a policy regarding purchase of automatic transmissions. A program of instruction may be necessary for those operators who are not familiar with standard transmissions.

E. W. SCAMMON,
Chief of Automotive Management
By HERBERT NUGENT,
Inspector of Automotive Equipment

## WITHDRAWAL AND RE-REFERENCE OF BILLS

Mr. Bradley was granted unanimous consent that Senate Bill No. 240 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Municipal and County Government.

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Mr. Kennick was granted unanimous consent that Assembly Bills Nos. 1887 and 1888 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Social Welfare.

## ANNOUNCEMENT

Mr. Gaffney announced that the City of Los Angeles is inviting the Members of the Assembly to attend a Saint Patrick's Day party at the Senator Hotel from 3.30 p.m. to 7 p.m. today.

## NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1118 CONTINUED

Mr. Britschgi was granted unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 1118 be continued until the next legislative day.

## ANNOUNCEMENT OF SUBCOMMITTEE MEETING

Mr. Rees announced a meeting of the Subcommittee on Capital Outlay of the Committee on Ways and Means at 7.30 p.m. tonight. Subject: Contested capital outlay items.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, March 9, 1959; Tuesday, March 10, 1959; Wednesday, March 11, 1959; Thursday, March 12, 1959; and Friday, March 13, 1959.

## REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, the following committee reports were deemed read, and appropriate actions taken:

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 2**—An act to amend Section 2571 of the Education Code, and Section 1851 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 73**—An act to amend Sections 9084.5 and 9087 of the Insurance Code, relating to limitations on the risks to be insured against by insurance policies issued by fraternal fire insurers;

**Assembly Bill No. 85**—An act to add Section 506.3 to the Public Resources Code, relating to the Division of Beaches and Parks of the Department of Natural Resources, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 584**—An act to amend Section 263.2 of, and to add Sections 260.25 and 260.85 to, the Agricultural Code, relating to bovine brucellosis;

And reports the same correctly enrolled, and presented to the Governor on the seventeenth day of March, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1186

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 598

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1085

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 998

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 999

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER Your Committee on Finance and Insurance reports:

Assembly Bill No. 966
Assembly Bill No. 1317

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 11

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 93

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No 93

And reports the same correctly engrossed

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

**Committee on Rules**

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 89

With the recommendation: That the resolution be re-referred to the Committee on Education.

MILLER, Chairman

Above resolution re-referred to the Committee on Education.

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 138

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 125
House Resolution No. 130
House Resolution No. 137

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

**Committee on Education**

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 96

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 24

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1327
Assembly Bill No. 954
Assembly Bill No. 955
Assembly Bill No. 956
Assembly Bill No. 495
Assembly Bill No 1008

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 134

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 917

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 132

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 94

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 177
Senate Bill No. 215
Senate Bill No. 551

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 177**—An act to add Division 19 (commencing at Section 70000) to the Water Code, relating to levee districts.

Referred to Committee on Water.

**Senate Bill No. 215**—An act to amend Sections 6075 and 6077 of the Harbors and Navigation Code, relating to harbor districts.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 551**—An act to amend Sections 74502, 74503, 74504 and 74504.5 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Referred to Committee on Judiciary—Civil.

## ADJOURNMENT

At 12 noon, on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, March 18, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

### 1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

**FORTY-SIXTH LEGISLATIVE DAY**

**FIFTY-THIRD CALENDAR DAY**
**(Saturdays and Sundays Excepted)**

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, March 18, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, Thou who dost call some men to special leadership, guide and sustain the President of the United States and the Governor of California. In like manner, we would pray for leaders with whom we work each day: the Speaker of this Assembly, the Speaker pro Tempore, and all committee chairmen. In loyal support, let there be no tinge of envy, no subtle attempt to correct or discipline, no feeling of superiority, no stalling which drops to the level of obstructionism. Working together constructively, may every legislator be glad to note the effort of every other. We pray in the name of the greatest leader of men the world has known, of whom it was said, "Never man spake as this Man."—AMEN

### READING OF THE JOURNAL DISPENSED WITH

On motion of Miss Donahoe, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Porter, on motion of Mr. Collier.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Winton.

## PETITIONS

The following petitions were presented by the Chief Clerk from:

Evelyn Fernandez of Alta Loma, and 11 others, relative to the penalty for the sale of narcotics. Referred to the Committee on Criminal Procedure.

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Irene McClara of Upland, and four others, relative to the penalty for the sale of narcotics. Referred to the Committee on Criminal Procedure.

---

Mary C. Mills of Arlington, and 24 others, relative to the penalty for the sale of narcotics. Referred to the Committee on Criminal Procedure.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

W. B. White of Kingsburg, relative to the budget. Referred to the Committee on Ways and Means.

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C. W. Ferulsoltz of Encino, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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M. E. Halloran of Berkeley, relative to daylight saving. Referred to the Committee on Governmental Efficiency and Economy.

---

George Arnold of Lake Arrowhead, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Lanterman:

### House Resolution No. 142

Relative to printing roll call vote on bills

*Resolved by the Assembly of the State of California*, That the Standing Rules of the Assembly are amended by adding thereto a new Rule No. 73.5 to read:

Printing of Roll Call Vote on Bills

73.5. There shall be printed on the last page of each Assembly bill passed by roll call vote, following the text thereof, the roll call vote on final passage thereof showing the names of the members voting and whether they voted "aye" or "nay." Such roll call vote shall be printed on the bill prior to its transmission to the Senate.

Resolution read, and referred to the Committee on Rules.

By Mr. Lanterman:

**House Resolution No. 143**

Relative to printing roll call votes in committees in the Journal

*Resolved by the Assembly of the State of California*, That the Standing Rules of the Assembly are amended by adding thereto a new Rule No. 60.5 to read:

Printing of Committee Roll Call Votes in Journal

60.5. On the day following a roll call vote on any bill in a standing committee, the chairman thereof shall report the vote thereon to the Speaker who shall cause the vote to be printed in the Journal, giving the name of each committee member who voted on the bill and his vote thereon.

Resolution read, and referred to the Committee on Rules.

By Messrs. Kennick and Thomas:

**House Resolution No. 144**

Relating to the Seaside Freeway

WHEREAS, The State Legislature in 1958 (Ch. 74, Stats. 1958 1st Ex.) added to Route 167 a connection between the Harbor Freeway (Route 165) in San Pedro and the Long Beach Freeway (Route 167) in Long Beach; and

WHEREAS, This new highway will include a bridge to be constructed between San Pedro and Terminal Island as well as a bridge between Terminal Island and Long Beach; and

WHEREAS, Traffic and transportation problems in the harbor area of Los Angeles County daily become more serious and necessitate the early construction of this connecting highway as a freeway, including the construction of the San Pedro-Terminal Island Bridge and a bridge to replace the existing pontoon bridge over Cerritos Channel; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the California Highway Commission is requested to declare the added portion of Route 167 which will connect the Harbor Freeway and the Long Beach Freeway to be a freeway, to be known as the Seaside Freeway, and to determine the location and boundaries of the Seaside Freeway, and to allocate funds for the earliest possible construction of the Seaside Freeway; and be it further

*Resolved*, That the Department of Public Works is requested to make a feasibility study of the construction of the San Pedro-Terminal Island Bridge, and of a bridge to replace the existing pontoon bridge over Cerritos Channel, out of money in the State Highway Fund; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

By Mr. Biddick (Sponsored by Senator Short):

**House Resolution No. 145**

Relative to Mrs. Mable W. Barron

WHEREAS, The Superintendent of the Lincoln Unified School District in San Joaquin County, Mrs. Mable W. Barron, has announced her intention to retire from the Public School System at the close of this school year; and

WHEREAS, Mrs. Barron became Principal of the Lincoln Elementary School in 1948, at which time there were only four teachers and 105 pupils, and classes were held in a surplus quonset hut, a building constructed in 1878 and two new classrooms; and

WHEREAS, In the 11 years since then, Mrs. Barron has successfully guided the district with its rapidly expanding population through an educational and school-building program requiring 10 bond issues and a unification election; and

WHEREAS, The district now contains five elementary schools, a senior elementary school, and a high school, the staff has increased to 118 teachers and 59 classified employees, and the pupils presently number almost 3,000; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members take the occasion of the retirement of Mrs. Mable W. Barron from service with the Public School System to commend her for her outstanding achievements as Superintendent of the Lincoln Unified School District; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Barron.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2071**: By Mr. Mulford—An act to amend Sections 22110 and 24951 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle turn signals.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2072**: By Mr Z'berg—An act to amend Sections 603 and 604 of the Welfare and Institutions Code, relating to probation committees.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2073**: By Messrs. Z'berg and Samuel R. Geddes—An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment compensation benefits.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2074**: By Messrs. Marks, Sumner, Biddick, and Busterud—An act to amend Section 6060 of the Business and Professions Code, relating to admission to practice law.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2075**: By Messrs. Marks, Gaffney, Dahl, Lunardi, Meyers, and Petris—An act to amend Section 12814 of, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the examination of drivers.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2076**: By Mr. Winton—An act to add Article 3 (commencing at Section 1120) to Chapter 8, Division 5, of the Agricultural Code, relating to poultry quality.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2077**: By Mr. Winton—An act to add Article 3.5 (commencing at Section 1130) to Chapter 8, Division 5 of the Agricultural Code, relating to the sale of poultry.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2078**: By Mr. Busterud, Chairman, and Messrs. Masterson, Miller, Biddick, and Sumner, as members of the Subcommittee on Traffic Accident Consequences of the Assembly Interim Committee on Judiciary—An act to add Section 6515 to the Welfare and Institutions Code, relating to reports by the Department of Mental Hygiene to the Department of Motor Vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2079**: By Messrs. Lowrey, Johnson, Crawford, Hanna, Porter, and Charles H. Wilson—An act to amend Section 126 of the Government Code, relating to acquisition of lands by the United States.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2080**: By Mr. Lowrey—An act to amend Section 388 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2081**: By Mr. Johnson—An act to amend Section 21756 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to passing trolley coaches.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2082**: By Mr. Johnson—An act to amend Section 21804 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to entering highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2083**: By Mr. Johnson—An act to amend Section 21451 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic signals.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2084**: By Mr. Johnson—An act to amend Section 22651 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to removal of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2085**: By Mr. Johnson—An act to amend Section 4000 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration for vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2086**: By Mr. Lunardi—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2087**: By Mr. MacBride—An act to add Section 7141.5 to the Education Code, and to add Section 17252 to the Education Code as enacted at the 1959 Regular Session, relating to the duties of county superintendents of schools and county auditors in respect to state apportionments for school districts, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 2088**: By Mr. MacBride—An act to add Section 12606.2 to the Business and Professions Code, relating to containers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2089**: By Mr. Charles H. Wilson—An act to amend Section 23104 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2090**: By Mr. George A. Willson—An act to amend Section 1171 of the Probate Code, relating to establishing fact of death.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2091**: By Mr. George A. Willson—An act to amend Section 925 of the Probate Code, relating to production and destruction of vouchers by executors and administrators.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2092**: By Mr. George A. Willson—An act to amend Section 5811 of the Labor Code, relating to court fees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2093**: By Mr. George A. Willson—An act to amend Section 26827 of the Government Code, relating to fees of county clerk.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2094**: By Mr. George A. Willson—An act to add Section 26827.1 to the Government Code, relating to fee for entering judgment.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2095**: By Mr. George A. Willson—An act to repeal Section 10554 of the Health and Safety Code, relating to proceedings to establish record of birth, death or marriage.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2096**: By Mr. George A. Willson—An act to add Section 26825.1 to the Government Code, relating to fees of county clerk.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2097**: By Mr. Francis (By Request)—An act to add Section 831 to the Penal Code, relating to records of arrest.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2098**: By Mr George E Brown—An act to add Sections 22009.2, 22011.1, and 22150.1 to the Government Code, relating to participation in the Federal Old Age, Survivors and Disability Insurance program by members of the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2099**: By Mr. Lunardi—An act to amend Section 21662 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mountain driving.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2100**: By Mr. MacBride—An act to add Section 12025.5 to the Business and Professions Code, relating to containers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2101**: By Messrs. Ernest R. Geddes and Bane—An act to add Section 14699 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to district retirement salary plans.

Referred to Committee on Education.

**Assembly Bill No. 2102**: By Mr. Holmes—An act to add Section 95.5 to the Agricultural Code, relating to fairs.

Referred to Committee on Agriculture.

**Assembly Bill No. 2103**: By Mr. Holmes—An act to add Part 8 (commencing at Section 7900) to Division 5 of the Labor Code, relating to carnivals and circuses.

Referred to Committee on Agriculture.

**Assembly Bill No. 2104**: By Mr. Holmes—An act to add Section 94.7 to the Agricultural Code, relating to fairs.

Referred to Committee on Agriculture.

**Assembly Bill No. 2105**: By Mr. Charles H. Wilson—An act to amend Section 25259 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to lights.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2106**: By Mr. George E. Brown, and Senator Richards, co-author—An act to amend Section 31458.2 of, and to add Section 31458.4 to, the Government Code, relating to County Employees Retirement System.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2107**: By Mr. Johnson—An act to amend Section 26709 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mirrors.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2108**: By Mr. Beaver—An act to amend Section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2109**: By Messrs. Bruce F. Allen and Bradley—An act to add Article 6.5 (commencing at Section 53800) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relative to the issuance of building certificates by local public agencies.

Referred to Committee on Government Organization.

**Assembly Bill No. 2110**: By Mr. Bruce F. Allen—An act to amend Section 69955 of the Government Code, relating to the reporting notes taken by court reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2111:** By Messrs. Britschgi and Francis, and Senator Dolwig, Co-author—An act to add Section 29333 to the Government Code, relating to county revolving funds.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2112:** By Messrs. Britschgi and Francis, and Senator Dolwig, Co-author—An act to amend Section 23010 of, and to add Sections 23010.2 and 25210.6 to, the Government Code, relating to loans by counties.

Referred to Committee on Municipal and County Government.

## RESOLUTIONS

The following resolution was offered:

By Mr. Francis:

### House Resolution No. 146

Relative to the passing of William I. Farmer

WHEREAS, The Members of this House have learned with profound sorrow of the passing, at the age of 63, of one of San Bruno's foremost citizens, Mr. William I. Farmer; and

WHEREAS, This man was a native of Burney, in Shasta County, and was reared on a cattle ranch, and it was San Bruno's good fortune that he took up residence in that city 32 years ago; and

WHEREAS, Mr. Farmer served with distinction as a First Lieutenant in the Army Air Corps during World War I, and held office on the San Bruno City Council from 1932 until 1940, serving two terms as mayor; and

WHEREAS, He was employed as an industrial relations executive with Consolidated Western Pipe and Steel Company, a division of United States Steel, having begun his employment 38 years ago with its predecessor, Western Pipe and Steel Company, as an engineer; and

WHEREAS, This man was a Past Master of the Francis Drake Masonic Lodge, and was a prominent and long-time San Mateo County and San Bruno civic leader, having served as Commander of American Legion Post No. 409 of San Bruno, as an executive of the North County Boy Scout movement, as a committeeman for the United Crusade, as past president of the Board of St John's Evangelical Church of San Bruno, and as a trustee of the San Mateo Union High School Board; and

WHEREAS, To mourn his passing and to receive the heartfelt sympathy of all he leaves his widow, Rachel Jones Farmer; a daughter, Mrs Elizabeth Long, of Redwood City; a son, William Hughes Farmer, of Pleasant Hill; a sister, Mrs Rita Douglas, of Merced; a brother, Clarence C. Farmer, of Roseville; and four grandchildren, Elizabeth Ann, Walter and Chris Long, and Heidi Farmer; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House desire by this resolution to pay tribute to the memory of a distinguished leader, William I. Farmer, and to convey to his bereaved widow and family their most sincere condolences; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to the widow and family of Mr Farmer

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 908

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 672

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1214
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 47
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1055
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 192
Assembly Bill No. 234
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered re-referred to committee.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Assembly Bill No. 381 | Assembly Bill No. 1061 |
| Assembly Bill No. 573 | Assembly Bill No. 1076 |
| Assembly Bill No. 868 | Assembly Bill No. 1101 |

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Education reports:
Assembly Bill No. 1162
With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:
Assembly Concurrent Resolution No. 84
With the recommendation: Be adopted.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

LOWREY, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1265

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 720

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bill ordered to second reading.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 141

With the recommendation: Do pass, and be re-referred to the Committee on Water.

DAVIS, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 763
Assembly Bill No. 1254

With the recommendation: Do pass.

DAVIS, Chairman

Above bills ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 600
Assembly Bill No 687
Assembly Bill No. 1007
Assembly Bill No. 1029

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1006

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 113
Assembly Bill No. 1135
Assembly Bill No. 1179
Assembly Bill No. 1287
Senate Bill No. 104

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 986
Assembly Bill No. 1219
Assembly Bill No. 1220

With amendments with the recommendation Amend, and do pass, as amended.

BRUCE F. ALLEN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports.

Assembly Bill No 985

With the recommendation: Do pass.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 1286

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 1303

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRUCE F ALLEN, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 22

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 15

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 134

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 141

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

## PARLIAMENTARY INQUIRY

Mr. Collier arose to the following parliamentary inquiry: Certain bills were reported out of the Committee on Ways and Means yesterday with amendments proposed by the committee; were these amendments proposed to bills which were referred originally to the Committee on Ways and Means, or were they to bills which were first referred to a parent committee, and then to the Committee on Ways and Means; and what do the amendments do?

### Reply by Speaker

The Speaker requested that Mr. Collier specify the bills and file numbers to which he had reference; and advised that a bill referred to a committee is the property of that committee for the purpose of proposing amendments, or making other recommendations to the House.

### Reply by Mr. Collier

Mr. Collier stated that his inquiry was addressed to Assembly Bill No. 24.

### Reply by Speaker

The Speaker replied that consideration of this bill could be held temporarily if desired; and invited Mr. Collier to come to the desk to read the amendments.

### Request for Unanimous Consent

Mr. Collier was granted unanimous consent that he be permitted to refer back to Assembly Bill No. 24 if the amendments prove to be controversial.

NOTE: After reading the amendments, Mr. Collier withdrew his objections.

## INQUIRY RELATIVE TO AMENDMENTS

Speaker Brown inquired of Mr. Coolidge if he desired to consider his amendments to Assembly Bill No. 1062, now at the desk, on the second reading file today or on the third reading file.

Mr. Coolidge stated that he desired to take up the amendments on the third reading of the bill.

### Amendments Withdrawn

Mr. Coolidge was granted unanimous consent that he be permitted to withdraw his proposed amendments to Assembly Bill No. 1062, at this time.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R. Geddes was granted unanimous consent that Assembly Bill No. 1317, on the second reading file today, retain its place on the second reading file tomorrow; and that he be granted permission to prepare and correct the amendments to the bill.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly second reading file, with the exception of Assembly Bill No. 1317, be deemed read the second time, with appropriate action taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 692**—An act to add Section 6788 to the Business and Professions Code, relating to the practice of engineering.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 726**—An act to add Section 8794 to the Business and Professions Code, relating to land surveying.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 218**—An act to add Chapter 1.5 (commencing at Section 17261) to Division 14 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to property valuations for the purpose of allocating money to school districts, and the adjustment of school district tax rates as a result thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1011**—An act to amend Section 93 of the Streets and Highways Code, relating to maintenance and restoration of public highways.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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### Amendment No. 1

On page 1, lines 8, 9 and 10, of the printed bill, after "department" strike out "[may] *shall* maintain such public highway while it is being used as a detour and on the completion of such use [may] *shall* restore the same to its former condition", and insert ", upon the completion of such use, and upon the request of the local agency having jurisdiction over the highway, shall restore the same to its former condition; provided, that the local agency shall reimburse the department for the amount of all betterment to such highway caused by the restoration. The department

shall also reimburse the local agency for all reasonable additional expenses incurred by that agency in maintaining said highway during the period of detour if such additional expenses were caused by said detour."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1290**—An act to amend Section 109.5 of the Streets and Highways Code, relating to agreements with the United States in connection with state highways.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 572**—An act to amend Section 19582 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, as amended in the Assembly on March 4, 1959, strike out "parenty", and insert "parent".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 978**—An act to add Sections 20988 and 21338 to, to amend Section 21706 of, and to repeal Section 21703 of, the Government Code, relating to the State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 979**—An act to add Sections 22015, 22152, 22308 and 22503 to, and to amend Sections 22150 and 22151 of, the Government Code, relating to integration of federal old age and survivors insurance with the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 980**—An act to amend Sections 20865, 20950, 20950.5, 20951, 20952, 20952.5, 20952.6, 20953, and 21365.5, and to repeal Section 20806, of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 982**—An act to amend Sections 20560, 20606, and 20834 of, to add Sections 20465 and 20933.5 to, and to repeal Sections 20019.1, 20019.2, 20606.1, and 20608.1 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1005**—An act to amend Section 19682 of the Government Code, relating to charges against state civil service employees.

Bill read second time, and ordered engrossed

**Assembly Bill No. 972**—An act to repeal Article 4.5 (commencing at Section 20215) of Chapter 2, Part 3, Division 5, Title 2 of, and to add Section 20209 to, the Government Code, relating to investment of money in the State Employees' Retirement Fund.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 973**—An act to amend Sections 20024 and 20024.01 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 975**—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 976**—An act to amend Section 20330 of the Government Code, relating to membership in the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 977**—An act to amend Sections 20023.1, 20393, 20600.5, 21021.5, and 21360 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1359**—An act to amend Section 20009.1 of the Government Code, relating to employees' retirement system.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 705**—An act to amend Sections 9080.3, 9084.5, and to repeal Section 9087, of the Insurance Code, relating to fraternal fire insurance.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 965**—An act to amend Section 1592 of the Insurance Code, relating to alien insurers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1263**—An act to amend Section 5252 of the Financial Code, relating to actions by the Savings and Loan Commissioner on applications filed with him, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 515**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 24 to 26, inclusive, and insert "of and in the course of the employment. This presumption".

**Amendment No. 2**

On page 2, line 29, strike out the period, and insert "; provided, however, that in the case of heart trouble where the employee has served 10 years or more as a full-time fire-fighting or law enforcement employee, the presumption shall be conclusive."

**Amendment No. 3**

On page 3, strike out lines 2 and 3, and insert "itself. This pre-".

**Amendment No. 4**

On page 3, line 9, strike out the period, and insert "; provided, however, that in the case of heart trouble where an employee has served 10 years or more as a full-time law enforcement employee, the presumption shall be conclusive."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 522**—An act to amend Section 651 of the Insurance Code, relating to insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 651 of", and insert "add Section 651.1 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. Section 651.1 is added to the Insurance Code, to read:

651.1. The provisions of Section 651 of this code shall not prevent cancellation of any auto liability insurance policy at any time by the mutual agreement of the insured on the one hand and the insurer or its agent or a broker on the other providing such cancellation is evidenced by a written statement signed by the insured or on his behalf expressly setting forth the cancellation date of such insurance policy."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 127**—An act to amend Section 4004 of the Penal Code, relating to the removal of inmates from county jails.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on February 18, 1959, after "a", insert "warrant of arrest or a written".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 369**—An act to amend Section 514 of the Penal Code, relating to embezzlement.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1180**—An act to amend Sections 447a and 449a of the Penal Code, relating to arson.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1109**—An act to amend Section 496 of the Penal Code, relating to stolen property.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1068**—An act to add Section 279 to the Penal Code, relating to the offense of detaining or concealing a child from the person entitled to custody.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1, line 15, of the printed bill, after "felony", insert "if the person takes the child out of the State of California".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 221**—An act to add Section 18c to the Penal Code, relating to the death penalty.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "a majority", and insert "five".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 966**—An act to amend Section 11624 of, and to add Section 11624.5 to, the Insurance Code, relating to commissions on insurance placed with the California Automobile Assigned Risk Plan.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, after "Plan", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 21, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the

Constitution and shall go into immediate effect. The facts constituting such necessity are:

There exists a condition whereby insurance agents and brokers are charging members of the insuring public for handling placements in the California Automobile Assigned Risk Plan which are in addition to the commission such agents and brokers receive from the insurer. The Assigned Risk Plan currently contains provisions establishing commission rates and such provisions do not authorize a charge being made upon the insuring public. It is essential in order to protect the public that such additional charges be prohibited."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 96**—An act to amend Sections 29007, 29008, and 29010 of, and to add Sections 29002.1, 29007.1, 29007.2, and 29007.3 to, the Education Code, as enacted by the Legislature at its 1958 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on February 18, 1959, strike out ", 29007.1".

**Amendment No. 2**

In line 4 of the title, strike out "29007.2, and 29007.3" and insert "and 29007.1".

**Amendment No. 3**

On page 2, line 8, after "corporation", insert "whether heretofore or hereafter formed".

**Amendment No. 4**

On page 2, line 28, after the period, insert "There shall also be filed annually, between January 1st and 31st, an affidavit stating that such assets of the corporation have not been reduced, as of the date of filing, below the minimum amount specified above. The affidavit shall be made and filed in the same manner as the original affidavit except that an appraisal is not required Whenever such assets of the corporation are reduced below such minimum amount the corporation shall forthwith notify the Superintendent of Public Instruction that it no longer meets the requirements of this subdivision and shall forthwith cease issuing or conferring diplomas and honorary diplomas."

**Amendment No. 5**

On page 3, strike out line 29, and insert

"29007.1. Notwithstanding the provisions of Section 29007, no person, firm, association, partnership, or corporation may issue or confer an honorary diploma except in a field of knowledge or endeavor in which he or it offers courses of instruction and issues diplomas based thereon."

**Amendment No. 6**

On page 3, strike out lines 30 to 52, inclusive; and on page 4, strike out lines 1 to 17, inclusive.

**Amendment No. 7**

On page 4, line 18, strike out "SEC. 6", and insert "SEC. 4".

**Amendment No. 8**

On page 4, line 42, strike out "SEC. 7", and insert "SEC. 5".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 24**—An act to add Chapter 2.5 (commencing at Section 17571) to Division 14 of the Education Code, as enacted by

the Legislature at its 1959 Regular Session, providing for school districts public works and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in the Assembly on February 27, 1959, after "Finance", insert "and the Director of Education"

**Amendment No. 2**

On page 1, line 15, after "of the", insert "Department of Education and the".

**Amendment No. 3**

On page 2, line 42, after "Finance", insert "and the Department of Education, jointly,".

**Amendment No. 4**

On page 2, line 45, strike out "with", and insert "in duplicate with the Department of Education and".

**Amendment No. 5**

On page 3, strike out line 1, and insert "Department of".

**Amendment No. 6**

On page 3, line 9, strike out "After deter-"; and in line 10 strike out "mining", and insert "After the director and the Department of Education determine, jointly,".

**Amendment No. 7**

On page 3, line 11, after "director", insert "and the Department of Education".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1327**—An act to add Section 1153 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to destruction of returns.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 954**—An act to amend Section 1872 of the Education Code and Section 1242 of the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 955**—An act to amend Sections 13404 and 13405 of the Education Code, and to amend Sections 13364 and 13365 of the Education Code as proposed by Senate Bill No. 2, relating to teachers' institutes.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 956**—An act to amend Section 13104 of the Education Code, and to amend Section 13337 of the Education Code as proposed by Senate Bill No. 2, relating to employment and classification of personnel by public school districts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 495**—An act to amend Section 9535 of the Education Code, and amend Section 8801 of the Education Code as proposed by Senate Bill No. 2, relating to county school service fund library services.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1008**—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as proposed by Senate Bill No. 2, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof to take effect immediately.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 917**—An act to amend Section 9601.2 of the Education Code, and Section 6806 of the Education Code as proposed by Senate Bill No. 2, relating to contracts for education of physically handicapped minors.

Bill read second time, and ordered to the Consent Calendar

By Mr. Miller:

**House Resolution No. 104**

Relative to amending Rule No. 105 of the Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That Rule No. 105 of the Permanent Standing Rules of the Assembly is amended to read:

105. *(a)* ~~Notice of a~~ *A* motion to reconsider on the next legislative day, *(1)* the vote whereby any bill, ~~constitutional amendment, concurrent or joint resolution~~ was passed or refused passage, *or (2) the vote whereby any motion, amendment, concurrence, Assembly resolution or proposition other than a bill was passed or refused passage,* must be ~~given~~ *made* on the same day *the* ~~such~~ vote to be ~~so~~ reconsidered was taken. *No motion to reconsider shall be in order on the last day, or the day preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless it receives an affirmative recorded vote of 41 members, except that it shall require such a vote of 54 members or 60 members, respectively, to reconsider the vote on any matter originally requiring 54 votes or 60 votes, as the case may be. A motion to reconsider may be voted on without a second.*

A ~~notice of~~ motion to reconsider a vote must be ~~given~~ *made* by a member voting on the ~~bill, constitutional amendment, concurrent or joint resolution~~ *question*, and shall take precedence over all motions, except a motion to adjourn. Upon such ~~notice of~~ motion being ~~given~~ *made*, the ~~bill, constitutional amendment, concurrent or joint resolution~~ *matter to be reconsidered* shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a ~~notice of a~~ motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

*When reconsideration is granted, the matter to be reconsidered shall resume its exact position before the Assembly previous to its being voted upon.*

*(b)* Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, ~~constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given~~ *may move to take up on the same day the motion to reconsider such a question, previously made by another member. The motion to take up the reconsideration on the same day* shall take precedence over ~~and above~~ *the motion to reconsider* ~~such notice~~ and upon demand of any member *the motion to take up the reconsideration on the same day* must be put to an immediate vote. *If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the house.* ~~A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.~~

~~No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote of any matter originally requiring a two-thirds vote for its passage or adoption.~~

~~When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.~~

Resolution ordered placed on the third reading file.

**Assembly Bill No. 672**—An act to amend Section 13241 of the Public Utilities Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1055**—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to subdivisions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 535**—An act to add Section 13831.7 to the Education Code, and to add Section 13516.5 to the Education Code as proposed by Senate Bill No. 2, relating to the salaries of certificated employees of school districts.

Bill read second time, and ordered to third reading.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 140**—An act to amend Sections 468.1, 469 and 471.5 of the Vehicle Code, and to amend Sections 21400, 21403 and

21404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to materials used in traffic signs.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 63**—An act to amend Section 600.5 of the Vehicle Code, and to amend Section 23112 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to disposal of dirt and rocks upon public and private highways.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 64**—An act to amend Section 374b of the Penal Code, relating to the disposal of rocks and dirt on public and private property.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 192**—An act to amend Section 11041 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

#### Amendment No. 1

On page 1, line 18, of the printed bill, after "members", strike out "family, including the member, the member's".

#### Amendment No. 2

On page 1, line 19, after "spouse", strike out "and", insert a comma; and after "children", insert "and minor grandchildren".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 191**—An act to amend Section 11042 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 134**—An act to amend Sections 4931 and 4931.1 of the Education Code, and Sections 3201 and 3202 of the Education Code, as proposed by Senate Bill No. 2, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1290** and **979**, subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1118 WAIVED

Mr. Britschgi waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1118 was passed.

Assembly Bill No. 1118 ordered transmitted to the Senate.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 290**—An act to add Section 5011 to the Elections Code, relating to misrepresentation in election campaigns.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 290?

### Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on February 27, 1959, after the second "name", insert ", or any variation upon the name,".

### Amendment No. 2

On page 1, lines 12 and 13, strike out "other official party organization", and insert "state central committee".

### Amendment No. 3

On page 2, lines 1 and 2, strike out "official party organization", and insert "state central committee".

### Amendment No. 4

On page 2, lines 5 and 6, strike out "or organization".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 290 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George D. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None

Assembly Bill No. 290 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 76**—An act to amend Section 3352 of, and to repeal Section 3358.5 of, the Labor Code, relating to the application of workmen's compensation to domestic workers.

Bill read third time

### Speaker pro Tempore Presiding

At 10:12 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Demand for Previous Question

Messrs. Burton, Masterson, Grant, Hegland, and Luckel demanded the previous question.

Demand for previous question refused by the following vote:

AYES—Don A. Allen, Burton, Crawford, Cunningham, Elliott, Garrigus, Grant, Hegland, Kilpatrick, Luckel, Masterson, O'Connell, Schrade, Thomas, Unruh, Waldie, Williamson, and Charles H. Wilson—18

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Coolidge, Crown, Cusanovich, Dahl, Donahoe, Ernest R. Geddes, Samuel R. Geddes, Hanna, Holmes, House, Johnson, Kennick, Lanterman, Levering, MacBride, Marks, Meyers, Mulford, Munnell, Nisbet, Pattee, Reagan, Rees, Sedgwick, Shell, Sumner, Thelin, George A. Willson, and Z'berg—41.

**Demand for Previous Question**

Messrs. Grant, Unruh, Burton, Masterson, and Pattee demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—57.

NOES—Britschgi, Burke, Coolidge, Dahl, Francis, House, Lanterman, Levering, Mulford, Reagan, Shell, and Thelin—12

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 77**—Relative to a legislative investigation of the problems in the building alteration, repair and remodeling industry.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers Miller, Mulford Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—None.

Resolution ordered transmitted to the Senate

**Assembly Bill No. 1192**—An act to amend Sections 5781.10 and 5781 12 of, and to add Sections 5781 20, 5781 21, 5781.22, 5781.23, 5781.24, 5781 25, and 5781 26 to, the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 907**—An act to amend Sections 803, 803.5, 804, 828.45, and 829 2 of the Agricultural Code, relating to standard containers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson Charles H. Wilson, Winton, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 908**—An act to establish a Public Districts Code, thereby consolidating and revising the law relating to certain utilities and transit districts, and to repeal certain laws and parts of laws specified herein.

Bill read third time.

**Motion to Re-refer**

Mr. Cunningham moved that the bill be re-referred to the Committee on Public Utilities and Corporations.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Assembly Bill No. 47**—An act to amend Section 6357.2 of the Education Code, relating to school district taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1030**—An act to amend and renumber Section 591 of, and to add Section 739.6 to, the Vehicle Code, and to amend Section 41102 of, and to add Section 41103 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to procedure for violations involving unattended vehicles.

Bill read third time.

**Speaker Presiding**

At 10.43 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Motion to Amend**

Mr. Backstrand moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 18, of the printed bill, strike out "such illegal parking", and insert "the violation".

**Amendment No. 2**

On page 5, line 21, strike out "such illegal parking", and insert "the violation".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 638**—An act to amend Section 7629 of the Agricultural Code, relating to canning tomato inspection fees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 997**—An act to amend Section 24532 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 293**—An act to amend Section 11052 of the Elections Code, relating to recall.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1085**—An act to amend Section 21683 of the Water Code, relating to elections in irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Leon A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 551**—An act to amend Section 24005 of the Government Code, relating to vacations of county employees.

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent

Mr. Masterson was granted unanimous consent to take up Assembly Bill No. 556, temporarily passed on file.

**Assembly Bill No. 556**—An act to add Section 1242.5 to the Code of Civil Procedure, relating to survey and exploration of land for reservoir purposes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1214**—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to county funds.

Bill read third time.

### Motion to Amend

Mr. DeLotto moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 16, 1959, strike out "19378", and insert "29378".

**Amendment No. 2**

On page 2, lines 42 and 43, strike out "county officer or administrative head of a county department or judicial district", and insert "treasurer"

**Amendment No. 3**

On page 2, line 44, after "fund", insert "designated in the resolution"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1186**—An act to amend Section 11001 of the Health and Safety Code, relating to narcotics.

Bill read third time.

**Hon. Vincent Thomas Presiding**

At 10.55 a.m., Hon. Vincent Thomas, Member of the Assembly from the Sixty-eighth District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 598**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to cancelling of uncollected taxes, penalties, or costs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 998**—An act to amend Sections 17206, 17208, 17854, 18009, 18552, 18586, 18586.2, 18586.3, 18588, 18806, 19053, and 19062 of, to add Sections 17746, 18551.1, 18694, 18695, 19062.10, and 19408 to, and to repeal Section 18010 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie Williamson, George A. Willson, Charles H Wilson, and Z'berg—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 999**—An act to amend Sections 17734, 18003, 18004, 18007, 18167, 18802, 19051, and 19053.7 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Z'berg—72.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 125

By Mr. Beaver:

### House Resolution No. 125

Relating to financial statements in committee reports

WHEREAS, Assembly interim committees are agents of the Assembly entrusted with the task of ascertaining and reporting facts for legislative purposes; and

WHEREAS, Many of the reports of such committees are widely distributed and used for many purposes; and

WHEREAS, The public is entitled to know what work went into the preparation of the reports, by whom they were prepared, and what was the full cost of preparation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Rule No. 12.3 is added to the Permanent Standing Rules of the Assembly, to read:

**Interim Committee Reports**

*12.3 Each report of an interim committee shall include a financial statement therein showing the total cost of the report, including the amount expended for expenses of the members, the number of hearings held, the name and amount paid to each consultant, the name and amount paid to each committee employee, and the amount expended for other goods and services in preparation of the report.*

Resolution read.

**Motion**

Mr. Bruce F. Allen moved that the Chief Clerk be instructed to place on the desks of the members by Monday, mimeographed copies of the Rules as they now stand.

**Point of Order**

Mr. Munnell arose to the following point of order: That the motion is not germane to the question before the House

**Ruling by Acting Speaker**

Acting Speaker Thomas ruled the point of order well taken.

The question being on the adoption of the resolution.

**Demand for Previous Question**

Messrs. Lanterman, Gaffney, Pattee, Dahl, and Holmes demanded the previous question.

Demand for previous question sustained by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—63.

NOES—Davis, Hegland, O'Connell, Schrade, Thelin, and Unruh—6.

The question being on the adoption of the resolution.

**Roll Call Demanded**

Messrs. Levering, Reagan, and Collier demanded a roll call.

The roll was called, and the resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, McMillan, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thelin, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55

NOES—Backstrand, Bee, Bradley, Dahl, Davis, Dills, Donahoe, Ernest R. Geddes, Grant, Kennick, Masterson, McCollister, Meyers, Nisbet, O'Connell, Rumford, Unruh, and Waldie—18.

NOTE—A notice of motion to reconsider the vote on House Resolution No. 125 was given later this day. *See* page 1550.

**Explanations of Vote on House Resolution No. 125**

My "no" vote on House Resolution No. 125 was based on my conviction that all financial information regarding interim committees should be made available to the public through our official recording publication, our Assembly Journal. Such report should list all requirements suggested in House Resolution No. 125

W. BYRON RUMFORD

My "no" vote on House Resolution No. 125 is because I feel that all fiscal data on interim reports should be printed in the official Daily Journal. I agree that all material requested in House Resolution No. 125 should be available to the public, but in already established procedures.

DOROTHY M. DONAHOE

**Speaker Presiding**

At 11.18 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## MOTION TO TAKE UP MOTIONS AND RESOLUTIONS

Mr. Bruce F. Allen moved that the order of business of Motions and Resolutions be taken up at this time, in order to permit him to make a motion.

Motion ruled not in order under the present order of business.

## CONSIDERATION OF DAILY FILE (RESUMED)

## HOUSE RESOLUTION NO. 130 RE-REFERRED TO COMMITTEE

Mr. Cunningham was granted unanimous consent that House Resolution No. 130 be withdrawn from the file, and re-referred to the Committee on Rules.

## CONSIDERATION OF HOUSE RESOLUTION NO. 132

By Messrs. Burton, Waldie, O'Connell, Masterson, Bee, Biddick, George E. Brown, Ralph M. Brown, Busterud, Cameron, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew,

Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 132**—Congratulating Hon. Earl Warren on his sixty-eighth birthday.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read:

**Amendment No. 1**

In lines 2 and 3, of the fourth "WHEREAS" clause of the measure, as printed on pages 1290 and 1291 of Assembly Journal for March 11, 1959, strike out "cases are not to be decided in the courts by use of an applause meter, and that".

**Request That Resolution Be Read**

Mr. Burton requested that the Clerk read the resolution as it would appear after adoption of the committee amendment.

Resolution so read.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Has the committee amendment been adopted?

**Reply by Speaker**

The Speaker replied that it had not.

The question being on the adoption of the committee amendment.

Amendment adopted by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Crown, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—50

NOES—Backstrand, Britschgi, Burke, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Holmes, Johnson, Lanterman, Levering, Mulford, Pattee, Schrade, Shell, and Thelin—18

Mr. Burton requested that the resolution be read, as amended.

**Consideration of House Resolution No. 132, as Amended**

By Messrs. Burton, Waldie, O'Connell, Masterson, Bee, Biddick, George E. Brown, Ralph M. Brown, Busterud, Cameron, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 132**

Relative to congratulating the Honorable Earl Warren, Chief Justice of the United States Supreme Court

WHEREAS, On March 19th of this year, the Honorable Earl Warren, Chief Justice of the United States Supreme Court, will celebrate his sixty-eighth birthday; and

WHEREAS, The career of the Chief Justice is a matter of particular pride to the people of this State, whom he served so ably as Attorney General and Governor; and

WHEREAS, Individual liberties and constitutional rights in this Nation are more secure by reason of his leadership in the school segregation cases and others involving civil rights and civil liberties; and

WHEREAS, In the best tradition of Anglo-American jurisprudence, he has made it quite clear that civil liberties and civil rights extend to unpopular and even disreputable persons as much as to the popular and respectable; now, therefore, be it

*Resolved*, That the Assembly of the State of California extends to Chief Justice Warren its congratulations on the occasion of his Sixty-eighth Birthday; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit to Chief Justice Warren a suitably prepared copy of this resolution.

Resolution read, as amended.

**Motion to Re-refer**

Mr. Mulford moved that the resolution be re-referred to committee.

Motion ruled not in order pursuant to Rule 111.

**Motion to Re-refer**

Mr. McCollister moved that the resolution be re-referred to the Committee on Rules.

Mr. Chapel seconded the motion.

**Demand for Previous Question**

Messrs. Hegland, Johnson, Luckel, Schrade, and DeLotto demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

**Roll Call Demanded**

Messrs. Elliott, Bruce F. Allen, and McCollister demanded a roll call.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Sedgwick, Shell, Thelin, and George A. Willson—31.

NOES—Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—39.

The question being on the adoption of the resolution, as amended.

**Demand for Previous Question**

Messrs. Grant, Luckel, Masterson, Ernest R. Geddes, and Chapel demanded the previous question. Demand sustained.

The question being on the adoption of the resolution, as amended.

**Roll Call Demanded**

Messrs. O'Connell, Meyers, and Munnell demanded a roll call.

The roll was called, and the resolution adopted by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Chapel, Levering, Reagan, and Thelin—4.

**Explanation of Votes on House Resolution No. 132**

We abstained from voting on House Resolution No. 132 because, as representatives of the Sixteenth and Eighteenth Districts, respectively, located in Alameda County, and as the Chief Justice of the United States has maintained his residence of record

in Oakland (Sixteenth District) for many years, we felt that we should have been granted the traditional courtesy to help prepare a proper resolution of congratulations on the occasion of his birthday. Nor were we afforded the courtesy of being invited to co-author the measure before the vote was taken. We feel that the language in the resolution did not treat with sufficient detail the record of the Chief Justice of the United States as a former District Attorney of Alameda County, former Attorney General and Governor of the State of California, nor did it refer to the fact that Chief Justice Warren has long been a proud and happy father of five wonderful children who are outstanding citizens in their own right in California.

WALTER I. DAHL
DON MULFORD

#### Members Made Co-authors of House Resolution No. 132

Mr. Burton was granted unanimous consent that, in addition to the present co-authors of the resolution, all members so desiring be placed upon the illuminated copy of House Resolution No. 132 as co-authors.

#### Roll Call

The roll was called, and the following members indicated their desires relative to becoming co-authors:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Collier, Conrad, Crown, Cunningham, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—47.

NOES—Chapel—1.

### PARLIAMENTARY INQUIRY

Mr. Bradley arose to the following parliamentary inquiry: Would I be in order to make an announcement?

#### Reply by Speaker

The Speaker replied that the House was not on that order of business.

#### Request for Unanimous Consent

Mr. Bradley asked for unanimous consent that the House take up the order of business of Announcements.

Mr. Munnell withheld unanimous consent.

#### Motion to Take up Announcements

Mr. Bradley moved that the House take up the order of business of Announcements.

Mr. Collier seconded the motion.

#### Point of Order

Mr. Munnell arose to the following point of order: That the House is not on the order of business of Motions and Resolutions.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

#### Request for Unanimous Consent

Mr. Bradley asked for unanimous consent that the Rules be suspended to permit him to make an announcement.

Request ruled not in order, at this time.

### NOTICE OF MOTION TO ADJOURN

Mr. Winton announced that he would move that the Assembly adjourn until 9.30 a.m., on Thursday, March 19, 1959, as soon as the business at the desk is completed.

### ANNOUNCEMENT

Mr. Bradley announced the he and Mr Backstrand are sending a letter of birthday congratulations to Chief Justice Earl Warren, and invited all members who so desired to join with them, and affix their signatures to the letter.

### NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 125

Mr. Unruh gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution Bill No. 125 was this day adopted (Assembly Journal, page 1546).

### ANNOUNCEMENT

Mr. MacBride announced that the State Bar Association has invited the members and their ladies to a party at the Camellia Room of the El Dorado at 5.30 p.m. today.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Biddick was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL AND ANALYSIS OF ASSEMBLY BILL NO. 156, AS AMENDED

STATE OF CALFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 17, 1959

*Hon. William Biddick, Jr.*
*Assembly Chamber*

**Analysis of Assembly Bill No. 156, as Amended**
**February 24, 1959—No. 10546**

DEAR MR BIDDICK: You have asked us for an analysis of Assembly Bill No 156, as amended February 24, 1959. Our analysis is set forth below.

*Summary Analysis*

The bill would require, with certain exceptions, each local agency (as defined in the bill) to comply with all applicable building ordinances and zoning ordinances of the county or city in which the local agency is situated.

It would allow a local agency aggrieved by the application of a zoning ordinance or the decision of a county or city officer or agency in connection with the ordinance to appeal to the local planning advisory committee.

It would allow the State Department of Public Works to delegate to a county or city the functions of the Division of Architecture relating to the inspection of school building construction.

*Detailed Analysis*

*Definition* (Sec. 53090)

Defines "local agency" to mean an agency of the State for the local performance of governmental or proprietary function within limited boundaries. Excludes a city or a county from the term.

Defines "building ordinance" to mean county or city ordinances regulating building and construction and removal of buildings including ordinances relating to matters set forth in Government Code Section 38660 * and similar matters, and including ordinances relating to building permits and building inspection.

*Requirement of Compliance* (Sec. 53091)

Requires each local agency to comply with all applicable building ordinances and zoning ordinances of the county or city in which the territory of the local agency is situated.

Provides, where the local agency is situated in more than one city or county or partly in a city and partly in a county, that the local agency shall comply with such ordinances of the county or city with respect to the territory of the local agency situated therein and that the ordinance of a city or county shall not be applied to territory of a local agency which is outside of the boundaries of the county or city.

*Exceptions from Requirement of Compliance* (Sec. 53091)

2. Excepts the State when acting under the State Contract Act (commencing at Gov C. Sec. 14250) from the provision requiring compliance with building ordinances of a county or city.

2. Excepts school districts from the provision requiring compliance with building ordinances. Also excepts school districts from the provision requiring compliance with a zoning ordinance unless the zoning ordinance makes provision for the location of public schools.

*Provisions re School Districts* (Secs. 53091 and 53092)

Provides that on projects for which state school building aid is requested by a local agency for the construction of school facilities, the planning commission of the county or city in which the local agency is located must consider in its review for approval information relating to the attendance area enrollment, adequacy of the site upon which the construction is proposed, safety features of the site and proposed construction, and present and future land utilization, and report thereon to the State Allocation Board.

Allows the State Director of Public Works, on recommendation of the Division of Architecture, to delegate to a county or city all or part

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* Gov. C. Sec 38660 provides

"The legislative body of a city may:

"(a) Regulate the construction of and the materials used in all buildings, chimneys, stacks, and other structures and in foundations and foundation walls.

"(b) Regulate the construction, repair, or alteration of buildings pursuant to Health and Safety Code Section 17953

"(c) Prevent the erection and maintenance of unsafe building walls, chimneys, stacks, or other structures

"(d) Provide for the summary abatement, destruction, or removal of such unsafe structures and of unsightly or partially destroyed buildings

"(e) Regulate the construction and location of drains and sewers.

"(f) Regulate the materials used in wiring structures for electricity and in piping them for a water, gas, or electric supply, and regulate the manner of such piping

"(g) Prohibit the construction of structures not conforming to such regulations."

of the powers and duties of the Division of Architecture relating to the inspection of the construction of school buildings of school districts within the county or city, if, as determined by the Division of Architecture, the county or city has an adequate building inspection program. Makes such delegation effective only if the legislative body of the county or city consents thereto.

*Fees* (Sec. 53091)

Makes each local agency required to comply with building or zoning ordinances and each school district whose buildings are inspected by a county or city subject to the applicable county or city ordinances requiring the payment of fees. Limits the amount of fees charged to the amount charged under the ordinance to nongovernmental entities for the same services or permits.

*Appeal to the Local Planning Advisory Committee* (Sec. 53093)

Allows appeal to the Local Planning Advisory Committee by any local agency aggrieved by the application of a zoning ordinance or by the decision of an officer or agency of the county or city made in connection with the ordinance, on the ground of arbitrariness, capriciousness, error, or illegality, in any decision, order, requirement, permit, or determination of the city, county or city officer or agency.

Requires the Local Planning Advisory Committee to adopt rules for such appeals. Requires the appeal to be taken within a reasonable time, as provided in the rules. Provides for commencement of appeal, by the local agency, by filing a notice of appeal, stating the grounds, with the committee and with the city clerk or county clerk, as the case may be.

Requires the county or city, at the request of the committee, to transmit to it all papers constituting the record upon which the action appealed from was taken.

Prohibits the filing of an appeal unless the local agency has exhausted the administrative remedies provided by county or city ordinance.

Requires the committee to hear and decide the appeals and, by its decision, to affirm, suspend, modify, or reverse the act or determination of the county or city.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By BARBARA COCHRANE CALAIS, Deputy

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 140 FROM COMMITTEE

Mr. Lunardi was granted unanimous consent that Assembly Bill No. 140 be withdrawn from the Committee on Water for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 140

**Assembly Bill No. 140**—An act to add Section 233 to the Water Code, relating to water projects.

Bill read second time.

### Motion to Amend

Mr. Lunardi moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "department", and insert "Department of Water Resources".

Amendment No. 2

On page 1, line 6, after "cludes", insert "(1) the comments and recommendations, if any, of the Department of Fish and Game and (2)".

Amendment No. 3

On page 1, line 8, after "resources", insert "that the Department of Water Resources determines to be justifiable and feasible,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO INTRODUCTION OF CONSTITUTIONAL AMENDMENTS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 5, 1959

*Hon Bruce F. Allen*
*Assembly Chamber*

Introduction of Constitutional Amendments—No. 9448

*Question*

DEAR MR. ALLEN: You ask whether a constitutional amendment can be heard by a standing committee within the period of 30 days following its introduction.

*Opinion*

In our opinion the Constitution does not prevent committee consideration of a constitutional amendment within the 30-day period, but the Joint Rules do prevent such committee consideration.

*Analysis*

Section 2 of Article IV of the Constitution provides in part as follows:

> "At the general session, no bill * * * shall be heard by any committee or acted upon by either house until 30 calendar days have elapsed following the date the bill was first introduced; provided, that this provision may be dispensed with by the consent of three-fourths of the members of the house."

No definition of the word "bill" is contained in the Constitution. However, the Legislature has for many years construed constitutional references to "bills" as not including concurrent resolutions. Prior to the recent amendment to Article IV, Section 2, at the November 4th election, the section made reference to bills in the provision that "On the reassembling of the Legislature, no bill shall be introduced in either house without the consent of three-fourths of the members thereof, nor shall more than two bills be introduced by any one member after such reassembling." Under the provisions of Joint Rule 6, which appear to have been first adopted in 1915 (Stats. 1915, Res. Ch. 14, p. 1730) and

readopted at each subsequent session, concurrent resolutions, as well as constitutional amendments and joint resolutions, were not deemed bills within the meaning of Section 2 of Article IV of the Constitution and did not require a vote to authorize their introduction.

It is a general rule that the Legislature cannot authoritatively fix the meaning of the Constitution, and its interpretation is not controlling in the courts. Yet where the meaning is doubtful, long-continued construction by the Legislature is entitled to deference (11 Cal. Jur. 2d 372). We have no doubt that a court would conclude that the new constitutional restriction upon the handling of bills, as was the case with the former operation of the section, has no application to concurrent and joint resolutions or constitutional amendments. (See, also, Const. Art. IV, Secs. 15 and 16.)

However, Rule No. 10.8 of the Joint Rules of the Senate and Assembly provides that no bill shall be heard by any committee or acted upon by either house until 30 days have elapsed following the date of introduction. The rule prescribes the conditions which must be met before the rule can be dispensed with. Unless those conditions are met, the 30-day waiting period applies.

Unlike the constitutional provision mentioned above, Joint Rule No. 10.8 is specifically made applicable to constitutional amendments as well as bills. It does not apply to joint or concurrent resolutions.

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By A. C. MORRISON, Chief Deputy

## REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, the following reports of standing committees were deemed read, with appropriate action taken on those items requiring action:

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER: Your Committee on Water reports:

Senate Bill No 46

With amendments with the recommendation Amend, and re-refer to the Committee on Water

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Joint Resolution No. 8

With amendments with the recommendation: Amend, and be adopted, as amended.

PORTER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 55
Assembly Bill No 117
Assembly Bill No. 227

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER Your Committee on Water reports·

Assembly Bill No. 1242

With amendments with the recommendation. Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No 1208
Assembly Bill No. 1323

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER· Your Committee on Government Organization reports:

Assembly Bill No. 1193

With the recommendation: Do pass

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER. Your Committee on Government Organization reports:

Assembly Bill No 316

With amendments with the recommendation· Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 17, 1959

MR SPEAKER· Your Committee on Government Organization reports:

Assembly Bill No. 990
Assembly Bill No. 1264
Assembly Bill No 1624

With amendments with the recommendation Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 979
Assembly Bill No. 1290

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 392
Assembly Bill No. 479
Assembly Bill No. 541
Assembly Bill No. 882

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 84

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 15
Assembly Joint Resolution No. 22

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 495
Assembly Bill No. 954
Assembly Bill No 955
Asesmbly Bill No 956
Assembly Bill No. 972
Assembly Bill No 973
Assembly Bill No. 975
Assembly Bill No. 976
Assembly Bill No. 977
Assembly Bill No. 1008
Assembly Bill No. 1327
Assembly Bill No 1359

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

## ADJOURNMENT

At 11.54 a.m., on motion of Mr. Sumner, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, March 19, 1959.

RALPH M BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

FIFTY-FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, March 19, 1959

The Assembly met at 9 30 a m.

Hon Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Zberg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

As we pray today, we quote from the West Point Cadet Prayer:

"*O God, our Father* . . . Strengthen and increase our admiration for honest dealing and clean thinking . . . Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with courage that is born of loyalty to all that is noble and worthy, that scorns compromise with vice and injustice and knows no fear when truth and right are in jeopardy. Guard us against flippancy and irreverence in the sacred things of life . . . May we find genuine pleasure in clean and wholesome mirth and feel inherent disgust for all coarse-minded humor. Help us, in our work and in our play, to keep ourselves physically strong, mentally awake, and morally straight.—AMEN."

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cusanovich, seconded by Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Porter, on motion of Mr. Collier.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Winton.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

H. T. Proctor of Wilmington, and Ed La Fow of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Bill Post of San Francisco, relative to medical malpractice. Referred to the Committee on Public Health.

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E. L. Evans of Los Angeles, and L. V. Breece of East Bakersfield, relative to the budget. Referred to the Committee on Ways and Means.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Lunardi:

### House Resolution No. 147

Relating to the commendation of Mr. R. M. Wieland

WHEREAS, Mr R. H. Wieland, switchman at the Angels Camp central office, Pacific Telephone and Telegraph Company, performed an outstanding feat of humanitarian bravery, on February 16, 1958, by his rescue of a family of three from a burning building; and

WHEREAS, Mr. Wieland, 34 years of age and a resident of Sonora, is married to Ruth Wieland and the father of two small children; and

WHEREAS, Mr. Wieland, while returning to his headquarters in the small hours of the morning of February 16, 1958, observed the main building of an isolated winter resort in flames; and

WHEREAS, After noting that an automobile was parked in front of the building and thus deducing that there were helpless persons inside, Mr. Wieland quickly ran to the building and, after continued shouting and pounding on the doors, finally aroused the owner, Mr. Jack C Dill, who, with his wife and son, had been sleeping therein; and

WHEREAS, Mr. Wieland thereupon entered the burning building and led Mrs. Dill to safety while Mr. Dill aroused his son; and

WHEREAS, After seeing that all the occupants were safe, Mr Wieland once again entered the blazing building, armed only with a water bucket, for the purpose of fighting the fire, and, after long-continued effort, eventually succeeded in extinguishing the blaze; and

WHEREAS, Had he driven the four miles to the nearest telephone to summon help, three lives undoubtedly would have been lost and valuable property destroyed; and

WHEREAS, Mr. Wieland has been selected for a Theodore N. Vail Memorial Fund Award in recognition of an outstanding act in an emergency, reflecting the finest traditions of service to the public; and

WHEREAS, This State is indeed fortunate to have citizens of the caliber of Mr Wieland who are skilled and resourceful, and at the same time willing to undergo great personal danger in order to be of service to their fellow men; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends Mr. R. M. Wieland for his outstanding act of bravery; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. R. M. Wieland.

Resolution read, and referred to the Committee on Rules.

By Messrs. Marks, Busterud, Gaffney, Meyers, O'Connell, and Burton.

**House Resolution No. 148**

Relative to congratulating Maurice and Anna Moskovitz

WHEREAS, The life and achievements of Maurice Moskovitz are most worthy of emulation for he is a living example of the great tradition of America of great success coming from diligent effort even though beginning in most humble circumstances, and

WHEREAS, Maurice Moskovitz, from the time he aided in the rebuilding of San Francisco after the earthquake and fire of 1906 to his present numerous business activities has always striven to better his community and aid his community not only through his activities in the business world but also by serving on the Selective Service Board since 1941; the Boy Scout Advisory Board for five years, many Community Chest teams, 15 years on adult probation boards, three terms as Golden Gate Bridge director, seven years on the O. P. A. rent board, and on the City Charter Revision Committee, and

WHEREAS, Maurice Moskovitz fondly cherishes the memory of putting painters to work on a Fillmore Street building at the bottom of the depression, and using this as the inspiration going on to develop the "immediate relief" plan of 1934 for government-backed low interest loans to rehabilitate private property and put the jobless to work, which won him Congressional Record mention; and

WHEREAS, Through all of these accomplishments and efforts Maurice Moskovitz has had the constant aid and companionship of his devoted wife, Anna; and

WHEREAS, Anna and Maurice Moskovitz on March 7, 1959, together with their fine children, Alfred and Leonard Moskovitz, and Mrs. William Wishan and their grandchildren observed a most noteworthy occasion, the celebration of their Fiftieth Wedding Anniversary, now, therefore, be it

*Resolved by the Assembly of the State of California,* That Maurice and Anna Moskovitz are heartily congratulated on their Fiftieth Wedding Anniversary and are sincerely commended for their activities toward bettering their community and State; and be it further

*Resolved,* That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Maurice and Anna Moskovitz.

Resolution read, and referred to the Committee on Rules.

By Messrs. Kilpatrick and George A. Willson:

**House Resolution No. 149**

Relative to the death of Peter Sanchez

WHEREAS, The Members of the Assembly have learned that Peter Sanchez, well-beloved civic leader in the Florence-Firestone community and secretary-manager of the Florence-Firestone Chamber of Commerce, died February 28, 1959, in an automobile accident; and

WHEREAS, "Pete" was born in Los Angeles, the son of a prominent Los Angeles family and graduated from high school in that city; and

WHEREAS, He later moved to Arizona to play baseball for one of the early mining companies of Arizona and became a safety engineer as well as one of the best playing catchers a team could have; and

WHEREAS, Pete married Agnes Park while he was in Arizona; and

WHEREAS, He became affiliated with the Standard Oil Company in their refinery at El Segundo, and later became affiliated with the Shell Oil Company, with a position in a supervisory capacity at their refinery at Dominguez; and

WHEREAS, Pete retired in 1952 and had since that time devoted all of his time and energy to unselfish activities for the benefit of his community, State, and Nation; and

WHEREAS, Pete was a member of the Los Angeles County Roads Commission, president of the Professional Baseball Umpires Association, member of the Florence-Firestone Co-ordinating Council, past president of the Southern California Baseball Managers Association, and past president of the Florence-Firestone Protective Association; and

WHEREAS, Pete Sanchez was a man of high ideals, honorable in his dealings, highly active in his church, and recognized no barriers of creed, color, official or financial status; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members express their sincere sorrow at the passing of Peter Sanchez, a man whose great service to his community, State and Nation earned him the well-deserved love and respect of all during his lifetime, and now extend their heartfelt condolences to his bereaved family and friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to William Sanchez, his son, and to his sisters, Irene Putnam, Claude Sanchez, and Rose Davidge.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Speaker Brown announced that by unanimous consent a photograph of the Assembly in session would be taken at 10 a.m. this morning for use in the Telephone Magazine.

Consent granted.

### Speaker pro Tempore Presiding

At 9.39 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Belotti and Meyers:

### House Resolution No. 150

Relating to a study of highway safety markings

WHEREAS, The high speed of vehicles and the crowded conditions on the highways of this State makes good driver visibility increasingly important; and

WHEREAS, The visibility of the white line normally used to indicate the division of vehicle lanes is of prime importance, especially in times of inclement, hazy or foggy weather when other guiding points are obscured; and

WHEREAS, Improvement of the visibility of the white dividing line would result in the saving of lives and the prevention of injury to persons and property; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby directed to conduct a study as follows:

1. The department shall study the feasibility of, and the cost of, maintaining white dividing lines of reflectorizing paint.

2. The study shall include a consideration of those areas in this State having peculiar local problems of visibility.

3. The department shall submit its report to the Legislature at the 1960 Regular Session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

By Mr. Hanna:

### House Resolution No. 151

Relative to a study of the costs of education to be conducted by the Superintendent of Public Instruction

WHEREAS, While the Legislature is primarily interested in making available the highest possible quality of education in the public schools of the State, it also has the duty of ascertaining that the cost of education is reasonable when related to the results produced; and

WHEREAS, The Superintendent of Public Instruction has been encouraging school districts to organize the seventh and eighth grades on a "departmentalized" basis so that the pupils change rooms for certain instructional periods; and

WHEREAS, The state maximum requirement of 75 square feet of room space for each pupil and 20 acres ground space for each junior high school has been adopted for all practical purposes as the minimum requirement in this State; and

WHEREAS, The requirement of departmentalization and size extensions as mentioned herein has resulted in the following increases in cost of operation, to-wit:

a. Increase in maintenance and upkeep cost of both interior and exterior of buildings and upon grounds surrounding them

b. Increase in cost of certified personnel per pupil calculated on the average of 1 to every 25 pupils in junior high schools as in contrast to 1 to every 32 pupils in elementary schools.

c. Increase in administrative cost per pupil.

d. Increase in transportation for greater area served; and

WHEREAS, These additions result in an average daily attendance cost substantially higher for junior high schools than for self-contained elementary schools, which costs presently must be met by robbing average daily attendance support in grades kindergarten to sixth or by increasing local taxation above present set limits, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly hereby requests the Superintendent of Public Instruction to report to the Legislature at its 1961 Regular Session, within five days after the convening thereof, on the following matters.

(a) Whether the education provided for seventh and eighth grade pupils by the departmentalized system is superior to that provided by the self-contained classroom system.

(b) If so, whether the degree of superiority of the departmentalized system is great enough to justify the excess cost of maintaining such a system

(c) If so, the recommendations of the Superintendent of Public Instruction setting forth the methods of raising additional state and local funds to finance the additional cost entailed in substituting the departmentalized system for the self-contained classroom system of educating seventh and eighth grade pupils, including the needs of the State for such a substitution on a statewide basis, and the changes which would be required in the present state and local tax structure to finance the more expensive system; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Superintendent of Public Instruction.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2113**: By Messrs. Biddick, Busterud, Bruce F. Allen, Masterson, House, Lunardi, MacBride, Marks, Sumner, and Winton—An act to add Section 40807 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to speed of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2114**: By Messrs. Masterson and Waldie—An act to amend Sections 73582, 73583, 73584, 73585, and 73586 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2115**: By Messrs. Masterson and Waldie—An act to amend Sections 74082, 74083, 74084, 74085, 74086, and 74087 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2116**: By Messrs. Masterson and Waldie—An act to amend Sections 74612, 74613, and 74614 of the Government Code, relating to San Pablo Municipal Court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2117**: By Mrs. Davis and Senator Arnold, coauthor—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1 of the Government Code, relating to the State Advisory Commission on Indian Affairs, and making an appropriation.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2118**: By Mrs. Davis—An act to create a flood control district to be called Lassen County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district

Referred to Committee on Water.

**Assembly Bill No. 2119**: By Mr. Munnell—An act to add Section 20025.5 to the Government Code, relating to the State Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2120**: By Mr. O'Connell—An act to amend Section 1066 of the Public Utilities Code, relating to the establishment of carrier rates.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2121**: By Mr. Johnson—An act to amend Sections 21457 and 21802 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing red signals.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2122**: By Mr. Johnson—An act to add Section 22520 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the stopping of vehicles on freeways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2123**: By Mr. Johnson—An act to add Section 40311 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to appearance in court for traffic violations

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2124**: By Mr. Johnson—An act to amend Section 21801 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles turning left at an intersection.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2125**: By Mr. Johnson—An act to amend Section 13355 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to revocation of vehicle operating privileges of juveniles.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2126:** By Messrs. Cameron and Ernest R. Geddes —An act to add Section 22519 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the regulation of off-street parking facilities by local authorities.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2127:** By Mr. Waldie—An act to amend Section 162 of the Probate Code, relating to payment of interest on legacies.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2128:** By Mr. Waldie—An act to amend Section 11619 of the Health and Safety Code, relating to forfeiture of vehicles for narcotics violations.

Referred to Committee on Public Health.

**Assembly Bill No. 2129:** By Mr. Waldie—An act to amend Section 4234 of the Business and Professions Code, relating to dangerous drugs.

Referred to Committee on Public Health.

**Assembly Bill No. 2130:** By Mr. Rees—An act to add Section 6405 to the Revenue and Taxation Code, relating to the exemption of works of art from the use tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2131:** By Mr. Pattee—An act to repeal Section 814.4 of, and to amend Section 828 of, the Agricultural Code, relating to vegetable standards.

Referred to Committee on Agriculture.

**Assembly Bill No. 2132:** By Mr. Conrad—An act to amend Sections 8571 and 8701 of, and to add Section 8701.5 to the Elections Code, relating to election contests.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2133:** By Messrs. O'Connell, Meyers, Burton, Marks, Busterud, and Gaffney—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2134:** By Messrs. George A. Willson, Miller, and Munnell—An act to repeal Sections 69894, 69898, 69899, 69899.5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892.1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 69894.2, 69894.3 and 69894.4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2135:** By Mr. MacBride—An act to amend Section 21296 of, and to add Section 21297.5 to, the Government Code,

relating to disability retirement pensions under the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2136**: By Mr. Thelin—An act to amend Section 784 of the Code of Civil Procedure, relating to partition sales of property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2137**: By Mr. Bee—An act to amend Section 9256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited acts of public school employees.

Referred to Committee on Education.

**Assembly Bill No. 2138**: By Mr. Britschgi—An act to amend Section 6731 of the Business and Professions Code, relating to the practice of engineering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2139**: By Mr. Britschgi—An act to add Section 23119 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the operation of a vehicle while under the influence of intoxicating liquor.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2140**: By Mr. Britschgi—An act to add Section 15008 to the Education Code as enacted at the 1959 Regular Session, relating to school site acquisitions.

Referred to Committee on Education.

**Assembly Bill No. 2141**: By Mr. Britschgi—An act to add Section 27253.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the use of county libraries by nonresidents.

Referred to Committee on Education.

**Assembly Bill No. 2142**: By Mr. Coolidge—An act to add Part 2.3 (commencing at Section 18897) to Division 13 of the Health and Safety Code, relating to organized camps.

Referred to Committee on Natural Resources, Planning, and Public Works.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 22**—An act to add Section 541 to the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 111**—An act to amend Sections 5931 and 7842 of the Elections Code, relating to absentee voter ballots;

**Assembly Bill No. 217**—An act to amend Sections 55101, 55801 and 55966 of the Water Code, relating to county waterworks districts;

**Assembly Bill No. 305**—An act to amend Section 10505 of the Insurance Code, relating to insurance;

**Assembly Bill No. 323**—An act to amend Section 5 of the Fresno Metropolitan Flood Control District Act (Chapter 503, Statutes of 1955), relating to the governing board of the district;

**Assembly Bill No. 451**—An act to amend Section 19302 of the Education Code, and to amend Section 17101 of the Education Code as proposed by Senate Bill No 2, relating to charges against school district funds;

And reports the same correctly enrolled, and presented to the Governor on the eighteenth day of March, 1959, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 94**—Relating to St. Patrick's Day,

And reports the same correctly enrolled, and presented to the Secretary of State on the eighteenth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 369
Assembly Bill No. 965
Assembly Bill No. 978
Assembly Bill No. 980
Assembly Bill No 982
Assembly Bill No. 1005
Assembly Bill No. 1109
Assembly Bill No. 1180
Assembly Bill No. 1263

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1030
Assembly Bill No 1214

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1011
Assembly Bill No 1068

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 572

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

### Committee on Agriculture

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER Your Committee on Agriculture reports:

Senate Bill No. 231

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 202

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

SAMUEL R. GEDDES, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 138

With amendments with the recommendation: Amend, and do pass, as amended.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 203

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1108

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 405
Assembly Bill No. 406
Assembly Bill No. 410

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 567
Assembly Bill No. 1293
Assembly Bill No. 1299

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1228

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 565

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 513

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports.

Assembly Bill No. 175
Assembly Bill No. 1031
Assembly Bill No. 1229
Senate Bill No. 188

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 516
Assembly Bill No. 657
Assembly Bill No. 927
Assembly Bill No. 1091

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1235

With amendments with the recommendation. Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1233
Assembly Bill No. 1234
Assembly Bill No. 1236
Assembly Bill No. 320

With the recommendation: Do pass

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1033
Assembly Bill No. 1237

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CROWN, Chairman

Above bills ordered to second reading.

### Report of Committee on Education Held at Desk

A report received from the Committee on Education relative to Assembly Bills Nos. 1000 and 1457 was ordered held at the desk temporarily.

### Committee on Education

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER Your Committee on Education reports:

Assembly Bill No 911
Assembly Bill No 912
Assembly Bill No. 918
Assembly Bill No. 1024
Assembly Bill No 1025

*With the recommendation:* Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Education reports:

Senate Bill No 277

With the recommendation Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER. Your Committee on Education reports.

Assembly Bill No 1280
Assembly Bill No. 910
Assembly Bill No. 1022
Assembly Bill No. 1023

With the recommendation · Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER. Your Committee on Education reports:

Senate Bill No 339

With the recommendation Do pass

DONAHOE, Chairman

Above bill ordered to second reading

### Committee on Social Welfare

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 121

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No. 244

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No. 957

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 376
Assembly Bill No 809
Assembly Bill No. 1038

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No. 1370

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER. Your Committee on Public Utilities and Corporations reports

Assembly Bill No 586

With the recommendation: That the bill be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

CUNNINGHAM, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1168

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CUNNINGHAM, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER Your Committee on Public Utilities and Corporations reports.

Assembly Bill No. 1222

With amendments with the recommendation. Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 953

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:
Assembly Bill No 1073

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, March 17, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Assembly Bill No. 1150

With amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Rules reports:
House Resolution No. 146

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Rules reports:
House Resolution No. 145

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 221
Assembly Bill No. 966

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

### Committee on Public Health

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Public Health reports:
Senate Bill No. 117

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Public Health reports:
Assembly Bill No. 991
Assembly Bill No. 993
Assembly Bill No. 1239

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Assembly Bill No. 643

With the recommendation Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1253
Assembly Bill No. 1368

With amendments with the recommendation: Amend. and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER. Your Committee on Public Health reports:

Assembly Bill No. 211
Assembly Bill No. 595
Assembly Bill No. 992

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bills ordered to second reading.

### Speaker Presiding

At 10.04 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## PICTURE OF ASSEMBLY

At 10.06 a.m., pursuant to consent previously granted, a photograph of the Assembly in session was taken.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1000
Assembly Bill No. 1457

With amendments with the recommendation. Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Assembly Bill No. 1000 ordered to second reading.

### Announcement

Speaker Brown announced that Assembly Bill No. 1457 was reported out of committee before 30 calendar days had elapsed.

### Re-reference of Assembly Bill No. 1457

Miss Donahoe was granted unanimous consent that Assembly Bill No. 1457 be re-referred to the Committee on Education.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports·

Assembly Bill No. 491
Assembly Bill No. 1369

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bills ordered to second reading.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file.

**Assembly Bills Nos. 1011, 572, 1068, 221,** and **966.**

**Assembly Bill No. 192.**

Above bills ordered to third reading.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R. Geddes was granted unanimous consent to take up Assembly Bill No. 1317, on the second reading file, at this time.

### SECOND READING OF ASSEMBLY BILL NO. 1317

**Assembly Bill No. 1317**—An act to amend Sections 14003, 14406, 14502, and 14803 of, and to add Section 14905.5 to, and to repeal Section 14004 of, the Financial Code, relating to credit unions.

Bill read second time.

#### Request for Unanimous Consent

Mr. Ernest R. Geddes was granted unanimous consent that he be permitted to substitute corrected amendments for the committee amendments to Assembly Bill No. 1317.

#### Motion to Amend

Mr. Ernest R. Geddes moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out the balance of the line, and insert "14004 and 14006 of the Financial Code, relating to credit unions."

#### Amendment No. 2

Strike out lines 2 and 3 of the title of the bill.

#### Amendment No. 3

On page 1, line 1, strike out "14003", and insert "14004".

#### Amendment No. 4

On page 1, between lines 2 and 3, insert

"14004. Nonprofit associations, which are formed for the mutual benefit and protection of credit unions, by credit unions organized under this division, or under the provisions of the statutes of the United States applicable to credit unions *or any nonprofit association formed by bona fide employees of credit unions* , may use the words "credit" and "union" in the name or title designating *any* such association."

#### Amendment No. 5

On page 1, strike out lines 3 to 10, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

#### Amendment No. 6

On page 2, line 10, strike out "SEC. 3", and insert "SEC. 2".

#### Amendment No. 7

On page 3, strike out lines 24 to 52, inclusive; and on page 4, strike out lines 1 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

### ASSEMBLY BILL NO. 1624 RE-REFERRED TO COMMITTEE

Speaker Brown announced that Assembly Bill No. 1624 was on the second reading file before 30 calendar days have elapsed, and ordered the bill re-referred to the Committee on Government Organization.

#### Speaker pro Tempore Presiding

At 10.12 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Thomas was granted unanimous consent that Assembly Bill No. 763, on the second reading file, be taken up at this time.

### SECOND READING OF ASSEMBLY BILL NO. 763

**Assembly Bill No. 763**—An act to amend Section 8780 of the Fish and Game Code, relating to bait nets.

Bill read second time.

#### Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 8151 and".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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#### Amendment No. 2

On page 1, after line 22, insert

"SEC. 2. Section 8151 of said code is amended to read:

8151. Sardines for use in a reduction plant, or by a packer, may be taken only in accordance with this article, and at the following times in the following places:

(a) In Districts 4, 4½ and those portions of Districts 3½ and 18 lying south of a line running east and west through Point Arguello, 19, *19A*, 20A and 21, between September 1st and December 31st, inclusive.

(b) Elsewhere in the State, except in District[s 19A and] 20 where they may not be so taken, between August 1st and December 31st."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

### INQUIRY BY SPEAKER PRO TEMPORE

The Speaker pro Tempore inquired if any member had an objection to considering the balance of the bills on the Assembly second reading file read the second time, with appropriate actions taken on those bills requiring action.

#### Motion

Mr. Pattee moved that the bills on the Assembly second reading file, with the exception of Assembly Bills Nos. 1317, 763, and 1624, which were previously acted upon, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Miss Donahoe seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## SECOND READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 381**—An act to amend Sections 8851, 8903, and 11204 of the Education Code as proposed by Senate Bill No. 2, relating to county superintendents of schools.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on February 27, 1959, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

### Amendment No. 2

On page 3, line 28, strike out "SEC.", and insert "SECTION".

### Amendment No. 3

On page 3, lines 28 and 29, strike out "proposed by Senate Bill No. 2," and insert "enacted by the Legislature at its 1959 Regular Session".

### Amendment No. 4

On page 5, strike out lines 31 to 37, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 573**—An act to add Chapter 5 (commencing with Section 350) to Division 1 of the Welfare and Institutions Code, relating to the Governor's Welfare Study Commission.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

### Amendment No. 1

In line 3 of the title of the printed bill, strike out "Commission", and insert "Committee".

### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Public welfare in California is one of the most costly services of government, requiring more than $500,000,000 annually for assistance and administration. More than 9,000 employees are engaged in providing the multiplicity of public services for over 500,000 citizens of this State. Over a period of 50 years the 16 public programs have been established as the public demand indicated their necessity. No overall review has ever been made.

SEC. 2. Chapter 5 (commencing with Section 350) is".

### Amendment No. 3

On page 1, line 5, strike out "COMMISSION", and insert "COMMITTEE"

### Amendment No. 4

On page 1, line 10, strike out "Commission. The commission", and insert "Committee. The committee".

### Amendment No. 5

On page 1, line 14, strike out "commission", and insert "committee".

### Amendment No. 6

On page 1, line 17, strike out "commission", and insert "committee".

### Amendment No. 7

On page 1, line 23, strike out "commission", and insert "committee".

**Amendment No. 8**

On page 2, line 6, strike out "commission", and insert "committee".

**Amendment No. 9**

On page 2, line 9, strike out "commission", and insert "committee".

**Amendment No. 10**

On page 2, line 15, strike out "commission", and insert "committee".

**Amendment No. 11**

On page 2, lines 17 and 18, strike out ", including the general relief programs in the various counties,".

**Amendment No. 12**

On page 2 strike out lines 32 to 36, inclusive, and insert

"(f) Examine and make recommendations regarding administrative methods used by the Department of Social Welfare and the three area offices in particular, to the end that there is a constructive and uniform effectuation of policies and procedures."

**Amendment No. 13**

On page 2, line 39, strike out "commission", and insert "committee".

**Amendment No. 14**

On page 2, line 47, strike out "commission", and insert "committee".

**Amendment No. 15**

On page 2 strike out lines 49 and 50, and insert

"355 The committee shall make a final report to the Governor not later than September 15, 1961, and shall go out of existence on September 30, 1961. The committee shall not expend more than".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 868**—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "15", and insert "17".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1061**—An act to amend Sections 20100, 20100.1, 20101, 20102, and 20104 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the Board of Administration.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 20100 of the Government Code is amended to read:

20100. The board of administration of this system is continued in existence. It consists of:

(a) One member of the State Personnel Board, selected by and serving at the pleasure of the State Personnel Board.

(b) The Director of Finance.

(c) The comptroller of the university or such other official as the university may designate.
(d) An official of a life insurer and an officer of a bank, appointed by the Governor.
(e) Three members elected under the supervision of the board as follows:
(1) A member elected by the members of the system from the membership thereof;
(2) A member elected by the state members of the system from the state membership thereof; and
(3) A member elected by the local members of the system from the local membership thereof.
The member elected for the term ending January 15, 1958, is deemed to have been elected as provided in paragraph (1) of this subsection, and his successor shall be elected as provided therein.
Of the two members elected for terms ending January 15, 1959, the one having the lesser seniority on the board is deemed to have been elected as provided in paragraph (2) of this subsection, and his successor shall be elected as provided therein; and the one having the greater seniority is deemed to have been elected as provided in paragraph (3) of this subsection, and his successor shall be elected as provided therein.
*(f) A member appointed by the Governor from a list of names of persons who are retired for service from the system and who have been sponsored by a petition containing at least 50 signatures of retired for service persons. The person so sponsored and appointed may be a person who qualified for retirement by employment with either a state agency or local contracting agency.*"

**Amendment No. 2**

On page 1, strike out lines 2 to 18, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1076**—An act to amend Sections 2011, 2016, 2160, and 2163 of, and to repeal Sections 2181, 2181.01, 2181.05, 2224, and 2224.1, of the Welfare and Institutions Code and to amend Section 206.7 of the Civil Code, relating to relatives' responsibility requirements with respect to the old age assistance program.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 4 of the printed bill, after line 51, insert
"SEC. 7. This act shall become operative October 1, 1959."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1101**—An act to add Article 4 (commencing at Section 21851) to Chapter 13 of Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as proposed by Senate Bill No. 2, relating to testing of students attending private secondary schools, and declaring the urgency thereof, to take effect immediately

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Article 4", and insert "Chapter 14".

**Amendment No. 2**

In lines 1 and 2 of the title strike out "21851) to Chapter 13 of", and insert "21951) to".

**Amendment No. 3**

On page 1, line 1, strike out "Article 4", and insert "Chapter 14"

**Amendment No. 4**

On page 1, line 1, strike out "21851", and insert "21951".

**Amendment No. 5**

On page 1, line 2, strike out "Chapter 13 of".

**Amendment No. 6**

On page 1, line 4, strike out "Article 4", and insert "Chapter 14".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1162**—An act to add Sections 13207 and 20400 to the Education Code, and to add Sections 12915 and 24117 to the Education Code as proposed by Senate Bill No. 2, relating to the right of organization of public school employees and state college employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out line 1; and in line 2, strike out "Code, and", and insert "An act".

**Amendment No. 2**

In line 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session"

**Amendment No. 3**

On page 1, strike out lines 1 to 18, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 12915 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 4**

On page 2, line 10, after "without", insert "improper".

**Amendment No. 5**

On page 2, strike out lines 11 to 14, inclusive, and insert "the part of supervisors and administrators, or any other persons or entities."

**Amendment No. 6**

On page 2, strike out line 15, and insert

"SEC. 2. Section 24317 is added to said code, to".

**Amendment No. 7**

On page 2, line 21, after "without", insert "improper"

**Amendment No. 8**

On page 2, line 22, strike out "and to employ such", and insert "or any other persons or entities"

**Amendment No. 9**

On page 2, strike out lines 23 to 31, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1265**—An act to repeal Sections 1518 and 1518.1 of, and to amend Section 1518.2 of the Military and Veterans Code,

and to add Sections 1517, 1518, and 1518.1 thereto, relating to preparedness for and mitigation of disasters, including the establishment of the California Disaster Office as a separate state agency.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 720**—An act to amend Sections 506, 506 6, 506 7, 5001, 5003, 5003.5, 5004, 5005, 5006, 5006.1, 5006.5, 5007, 5008, 5010, 5010.5, 5012, 5012.1, 5015, 5016, 5019.5, 5020, 5021, 5022, 5023, 5025.11, 5025.12, 5025.2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072.5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5013.5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050) of Chapter 1, Division 5 of, and to add Sections 5017 and 5018 to, the Public Resources Code, relating to beaches and parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 13, 1959, strike out lines 32 and 33, and insert

"506.6. The Division of Beaches and Parks shall be administered through a chief who shall have at least five years experience in park, recreational, or related types of administration. The chief shall be appointed by the Governor, subject to confirmation by the Senate. The chief shall serve at the pleasure of the director and his salary shall be fixed by the director in accordance with law. The chief shall have such duties as shall be assigned from time to time, by the director, and he shall be responsible to the director for the performance thereof."

Amendment No. 2

On page 8, strike out lines 14 and 15, and insert "the visitor days projected, and the division shall consult and advise with the appropriate local planning agency with regard thereto."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1254**—An act to amend Section 1053 of the Fish and Game Code, relating to duplicate licenses.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 600**—An act to amend Sections 7068 and 7122 of, and to add Sections 7068.1, 7068 2, 7068.3, and 7122.5 to the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 3, line 20, of the printed bill, strike out "or the", and insert "and the".

Amendment No. 2

On page 3, line 30, strike out "affidavit", and insert "application".

Amendment No. 3

On page 3, line 33, strike out "affidavit", and insert "aplication"

**Amendment No. 4**

On page 4, line 1, strike out "who", and insert "other than the individual qualifying on behalf of the individual or entity, if the licensee".

**Amendment No. 5**

On page 4, lines 2 and 3, strike out "associate or the responsible managing employee", and insert "or associate".

**Amendment No. 6**

On page 4, line 5, strike out "who", and insert "had knowledge of or".

**Amendment No. 7**

On page 4, line 14, after "he", insert "had knowledge of or".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 687**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to trading stamps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on March 5, 1959, after "stamps", insert ", if the purchases requests them,".

**Amendment No. 2**

On page 1, line 19, after "advertisement", insert "or posts a list of such items in a conspicuous place in his place of business".

**Amendment No. 3**

On page 1, line 21, after "misdemeanor", insert "which shall be punishable by a fine of not to exceed $100".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1007**—An act to repeal Sections 9142 and 9143 of the Education Code and Sections 6210 and 6211 of the Education Code as proposed by Senate Bill No. 2, and to add Article 8 (commencing at Section 3366) to Chapter 2, Part 1, Division 5 of the Welfare and Institutions Code, relating to opportunity work centers for the blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 2**

In line 6 of the title, after "blind", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, line 4, strike out "proposed by Senate Bill No 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 4**

On page 3, strike out lines 44 to 46, inclusive, and insert

"SEC. 4. Section 2 of this act shall become operative at the same time as the Education Code, as enacted by the Legislature at its 1959 Regular Session becomes effective.

SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Facilities are presently being completed for an opportunity work center for the blind in Los Angeles It is necessary to place such opportunity work center in operation at the earliest possible date in order to permit transfer thereto of less efficient blind workers now using the facilities of the Los Angeles production center of the California Industries for the Blind and thus provide work opportunity for more efficient blind workers at said production center. The law now requires a local sponsor for each opportunity work center for the blind. Great delays have been encountered in obtaining suitable sponsors This measure will eliminate the requirement of obtaining a local sponsor The avoidance of delay in placing the opportunity work centers in operation will contribute to the expeditious and efficient employment of the blind."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1029**—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on March 12, 1959, after line 1, insert

"(m) The fee for examination as a permanent waver shall be set by the board annually at not more than eight dollars ($8) and not less than two dollars ($2)."

#### Amendment No. 2

On page 4, line 5, strike out "(m)", and insert "(n)".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1006**—An act to amend Section 7.5 of the Government Code, relating to state boards, commissions, and committees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 113**—An act to add Section 33049 to the Health and Safety Code, relating to restrictions on the basis of race, color, religion, or national origin of the rental of real property redeveloped under the Community Redevelopment Law.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 12, 1959, after "religion," insert "ancestry,"; in line 3 of the title, after "the", insert "sale, lease, or"; and in line 4 of the title, after "redeveloped", insert "and urban renewal".

#### Amendment No. 2

On page 1, line 3, after "that", insert "there shall be no discrimination because of race, color, religion, national origin, or ancestry in the sale, lease or rental of property in any community redevelopment or urban renewal project."

#### Amendment No. 3

On page 1, line 3, after "that", strike out "the"; and strike out all of lines 4 to 8, inclusive.

Amendment No. 4

On page 1, line 12, after "rental", insert ", sale, or lease"

Amendment No. 5

On page 1, line 13, after "religion," insert "ancestry,".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1135**—An act to amend Sections 7028, 7044, and 7050 of the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 7028, 7044, and", and insert "Section".

Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 7050 of the Business and Professions Code is amended to read:"

Amendment No. 3

On page 2, strike out lines 9 to 12, inclusive, and insert "tracts for a project with a licensed contractor or contractors, but it shall apply to a person who engages in the business or acts in the capacity of a contractor by building a structure on his own land and who offers the structure for sale within one year of completion thereof."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1179**—An act to add Sections 10084, 10085, 10140.5, 10143, 10144, and 10145 to, and to amend Sections 10131, 10132, 10134, and 10140 of, the Business and Professions Code, relating to the real estate commissioner and the business of assisting persons in filing applications for lands owned by the State or Federal Government, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 9, 1959, strike out "and 10145", and insert "10145, 10512.5, 10514.5, and 10514.7".

Amendment No. 2

In line 3 of the title, strike out "and 10140", and insert "10140, 10501, 10502, 10506, and 10512".

Amendment No. 3

On page 1, line 15, strike out "2 (commencing at Section 11500)", and insert "1 (commencing at Section 11000)".

Amendment No. 4

On page 2, line 14, after "for", insert "the purchase or lease of, or in locating or entering upon,".

Amendment No. 5

On page 2, line 27, after "for", insert "the purchase or lease of, or in locating or entering upon,".

**Amendment No. 6**

On page 2, line 38, after "for", insert "the purchase or lease of, or in locating or entering upon,".

**Amendment No. 7**

On page 2, line 43, after "for", insert "the purchase or lease of, or in locating or entering upon,".

**Amendment No. 8**

On page 2, line 52, strike out "11500", and insert "11000".

**Amendment No. 9**

On page 3, line 3, after "for", insert "the purchase or lease of, or to locate or enter upon,".

**Amendment No. 10**

On page 3, line 6, strike out "11500", and insert "11000".

**Amendment No. 11**

On page 3, line 27, after "for", insert "the purchase or lease of, or to locate or enter upon,".

**Amendment No. 12**

On page 3, line 34, after "for", insert "the purchase or lease of, or in locating or entering upon,".

**Amendment No. 13**

On page 3, line 45, after "for", insert "the purchase or lease of, or in locating or entering upon,"

**Amendment No. 14**

On page 3, after line 51, insert

"SEC. 10 Section 10501 of said code is amended to read:

10501. A mineral, oil and gas broker within the meaning of this part is a person who, for a compensation or in expectation of a compensation, sells or offers for sale, buys or offers to buy, lists, or solicits for prospective purchasers, or negotiates the purchase or sale or exchange of mineral, oil or gas property, or who, for a compensation or in expectation of a compensation, negotiates loans on mineral, oil or gas property, leases or offers to lease, or negotiates the sale, purchase, or exchange of leases, rents or places for rent, or collects rent or royalties from mineral, oil or gas property, for another or others *or who, other than as an officer or employee of the State or Federal Government, for a compensation or in expectation of a compensation, assists or offers to assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, mineral, oil or gas property owned by the State or Federal Government*.

SEC. 11. Section 10502 of said code is amended to read:

10502. A mineral, oil and gas salesman within the meaning of this part is a natural person who, for a compensation or in expectation of a compensation, is employed by a licensed mineral, oil and gas broker to sell or offer for sale, or to list, or to buy or to offer to buy, or to negotiate the purchase or sale or exchange of mineral, oil or gas property, or to solicit for prospective purchasers of mineral, oil or gas property, or to negotiate a loan on mineral, oil or gas property, or to lease, or to negotiate the sale, purchase or exchange of leases, or offer to lease, rent or place for rent, any mineral, oil or gas property, *or to assist or offer to assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, mineral, oil or gas property owned by the State or Federal Government*.

SEC. 12 Section 10506 of said code is amended to read:

10506. One act of buying or selling a mineral, oil or gas property of or for another for a compensation or in expectation of a compensation, or offering for another to buy or sell or exchange a mineral, oil or gas property, or negotiating the purchase or sale or exchange of, or listing or soliciting prospective purchasers of mineral, oil or gas property, or negotiating a loan on or leasing or renting or placing for rent a mineral, oil or gas property, or collecting rent therefrom, *or, other than as an officer or employee of the State or Federal Government, assisting or offering to assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, mineral, oil or gas property owned by the State or Federal Government*, constitutes the person making such offer, sale or purchase, exchange or lease, or negotiating the loan, or so renting or placing for rent or collecting the rent or listing or soliciting, *or assisting or offering to assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, mineral, oil or gas property owned by the State or Federal Government*, a mineral, oil and gas broker or salesman within the meaning of this part.

SEC 13. Section 10512 of said code is amended to read:

10512 Every officer, agent or employee of any company, and every other person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circularization of any false statement or representation concerning any

mineral, oil or gas property, *or, if the mineral, oil or gas property is owned by the State or Federal Government, which such person offers to assist another or others to file an application for the purchase or lease of, or to locate or enter upon,* and every person who, with knowledge that any advertisement, pamphlet, prospectus or letter concerning any mineral, oil or gas property or any written statement that is false or fraudulent, issues, circulates, publishes or distributes the same, or causes the same to be issued, circulated, published or distributed, or who in any other respect willfully violates or fails, omits, or neglects to obey, observe or comply with any order, permit, decision, demand or requirement of the commissioner under the provisions of this part relating to mineral, oil and gas brokerage, is guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for a term not to exceed six months, or by a fine of not to exceed five hundred dollars ($500), and, if a mineral, oil and gas licensee, he shall be held to trial by the commissioner for a suspension or revocation of his mineral, oil and gas license, as provided in the provisions of this part relating to hearings. It shall be the duty of the district attorney of each county in this State to prosecute all violations of the provisions of this section in respective counties in which the violations occur.

SEC. 14. Section 10512.5 is added to said code, to read:

10512.5. Each advertisement or other statement which is published by a mineral, oil and gas broker or salesman offering to assist persons to file applications for the purchase or lease of, or to locate or enter upon, lands owned by the State or Federal Government shall, when published, indicate the name of the broker for whom it is published and state that he is licensed as a mineral, oil and gas broker by the State of California.

SEC. 15. Section 10514.5 is added to said code, to read.

10514.5. Any mineral, oil and gas broker who assists another or others, or whose mineral, oil and gas salesmen assist another or others, for a compensation, in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the State or Federal Government shall report to the commissioner the names and addresses of all persons he or his salesman have assisted in filing applications for land owned by the State or Federal Government and the amount of compensation received from such persons. The report shall be filed quarterly within 10 days after the end of each calendar quarter.

SEC. 16. Section 10514.7 is added to said code, to read

10514.7. The commissioner may prescribe by regulation the information which shall be contained in contracts or other agreements by a mineral, oil and gas broker, or a mineral, oil and gas salesman, to assist another or others in filing an application for the purchase or lease of, or in locating or entering upon, lands owned by the State or Federal Government, including, but not limited to, information with regard to the services agreed to be performed and information with regard to the hazards which may prevent the person to be assisted in filing an application with the State or Federal Government ever receiving any state or federal land under the application."

**Amendment No. 15**

On page 4, line 1, strike out "SEC. 10", and insert "SEC. 17".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1287**—An act to amend Section 54955 of the Government Code, relating to meetings of legislative bodies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "A", and insert "If an adjournment is by less than a quorum or by the clerk or secretary in absence of all members, then a".

**Amendment No. 2**

On page 1, line 16, after "held", insert "within 24 hours after the time of the adjournment".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 986**—An act to add Sections 7058, 7059, 7060 and 7061 to the Public Resources Code, relating to production of oil, gas or other hydrocarbons.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7058", and insert "7058.5".

**Amendment No. 2**

On page 1, line 1, strike out "7058", and insert "7058.5".

**Amendment No. 3**

On page 1, line 3, strike out "7058", and insert "7058.5".

**Amendment No. 4**

On page 1, line 10, after "agreement," insert "the form of the lease or agreement, and one variable, biddable factor, on which bids will be received,".

**Amendment No. 5**

On page 1, after line 19, insert

"This section shall not apply to the renewal of leases or operating agreements issued for a fixed term; provided, that such renewals shall be subject to State Lands Commission approval as provided in Section 7060.

As used in this section, governing body of a city means the city council, or other city board or agency having jurisdiction by charter or law over the property involved."

**Amendment No. 6**

On page 2, between lines 10 and 11, insert

"As used in this section, governing body of a city means the city council, or other city board or agency having jurisdiction by charter or law over the property involved."

**Amendment No. 7**

On page 2, between lines 17 and 18, insert

"(c) Prior to adopting the resolution provided for by Section 7058.5, the city may petition the State Lands Commission for approval of the form of the resolution."

**Amendment No. 8**

On page 2, line 19, strike out "7058 to 7060", and insert "7058.5 to 7059".

**Amendment No. 9**

On page 2, line 21, after "plicable to", insert "general law and".

**Amendment No. 10**

On page 2, line 22, after "State", insert "where mineral rights have not been reserved to the State. Section 7060 shall be applicable to both general law and chartered cities only with respect to tide or submerged lands granted in trust to such cities by the State, where mineral rights have not been reserved to the State".

**Amendment No. 11**

On page 2, line 23, strike out "7058", and insert "7058.5".

**Amendment No. 12**

On page 2, after line 25, insert

"The State Lands Commission may in its discretion exempt particular leases or operating agreements from the procedure required by Sections 7058.5 and 7059 where by reason of the small size of the property or drainage from offset wells, such procedure would in the judgment of the State Lands Commission in the particular case be impractical."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1219**—An act to add Section 7062 to the Public Resources Code, relating to the production of oil, gas or other hydrocarbons.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Manufacturing, Oil, and Mining Industry, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "expenditures of revenue", and insert "revenue and expenditures thereof".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1220**—An act to add Section 7054.5 to the Public Resources Code, relating to oil, gas, and mineral leases by public agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 7052 of,".

**Amendment No. 2**

On page 1, after line 6, insert

"Prior to adopting the resolution provided for by Section 7052, the governing body may petition the State Lands Commission for approval of the form of the resolution.

SEC. 2. Section 7052 of said code is amended to read:

7052. Lands may be leased in tracts of such size and shape as the governing body may determine. Before executing a lease of any such property, the governing body shall in open meeting, by not less than a two-thirds vote of its members, adopt a resolution declaring its intention to lease the property. The resolution shall describe the property proposed to be leased in such manner as to identify it, specify the minimum rental and term for which it will be leased, *the form of the lease or agreement, and one variable, biddable factor, on which bids will be received,* and fix a time not less than three weeks thereafter and place for a public meeting of said governing body, at which meeting sealed proposals to lease will be received and considered. The resolution shall, before the date of such meeting, be published once a week for three successive weeks in one or more newspapers of general circulation in the county where the property is situated.

*This section shall not apply to the renewal of leases or operating agreements issued for a fixed term, provided that such renewals shall be subject to State Lands Commission approval as provided in Section 7054.5*

*The State Lands Commission may in its discretion exempt particular leases or operating agreements from the procedure required by this section and Section 7053 where by reason of the small size of the property or drainage from offset wells such procedure would in the judgment of the State Lands Commission in the particular case be impracticable"*

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 985**—An act to add Section 7056.5 to the Public Resources Code, relating to the production of oil and gas or other minerals.

Bill read second time, and ordered engrossed

**Assembly Bill No. 1303**—An act to amend Section 2 of Chapter 73 of the Statutes of the 1958 First Extraordinary Session and Sections 3340 and 3411 of the Public Resources Code, relating to oil and gas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Sections", insert "3110,".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 2, between lines 6 and 7, insert

"SEC. 2. Section 3110 of the Public Resources Code is amended to read:

3110. All money paid to the State Treasurer pursuant to *Article 7 (commencing at Sec. 3400) of* this chapter shall be deposited to the credit of the Petroleum and Gas Fund, which fund is continued in existence.

All the money in the Petroleum and Gas Fund *at any time and from time to time* is hereby appropriated [to the Department of Natural Resources, Division of Oil and Gas,] *and made available* for the purpose of carrying out the provisions of *this division, except Article 5 5 (commencing at Sec. 3315) of* this chapter."

**Amendment No. 3**

On page 2, line 7, strike out "2", and insert "3".

**Amendment No. 4**

On page 2, line 7, strike out "the Public Resources Code", and insert "said code".

**Amendment No. 5**

On page 2, line 28, strike out "3", and insert "4".

**Amendment No. 6**

On page 2, line 28, strike out "the Public Resources Code", and insert "said code".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Joint Resolution No. 8**—Relative to the selection of the City of Antioch as a site for an experimental saline water conversion plant.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 20, of the printed measure, after "encroachment", insert "and brackish conditions".

**Amendment No. 2**

On page 1, line 23, strike out "saline", and insert "brackish".

**Amendment No. 3**

On page 2, strike out line 14, and insert "saline brackish water conversion plant and that the program be augmented to provide for an additional saline brackish water conversion plant to be located in California; and be it further".

Resolution ordered reprinted, and engrossed.

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the

purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 117**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 227**—An act to add Section 55335 to the Water Code, relating to the powers of county waterworks districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1242**—An act to add Article 2 6 (commencing at Section 265) to Chapter 2.5 of Division 1 of the Water Code, relating to contracts by the Department of Water Resources for construction of projects.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 2, of the title of the printed bill, after the second "of", insert ", and Section 11554.1 to,".

**Amendment No. 2**

On page 1, line 6, strike out "The", and insert "Notwithstanding any provisions of the State Contract Act, the".

**Amendment No. 3**

On page 1, after line 11, insert

"SEC 2. Insert 11554.1 is added to said code, to read:

11554 1. Notwithstanding any provisions of the State Contract Act, the department may award and enter into construction contracts which require expenditures in excess of funds presently available therefor, but a provision shall be included in such contracts which makes the obligation of the department and the State contingent upon sufficient funds being made available by future appropriations or by law."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1208**—An act to add Section 23394 5 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 1**

Assembly Bill No. 1208 is amended to read:

"SECTION 1. Section 23394.5 is added to the Business and Professions Code, to read:

23394.5 No privileges under an off-sale general license shall be exercised by the licensee in more than one room or building unless the rooms or buildings are [connected and accessible to each other] *contiguous and the access between such rooms*

*or buildings is adequate and available for general public use* without the necessity of using any public or private street, alley or sidewalk."

**Amendment No. 2**

On page 1 of the printed bill, after line 7, insert
"SEC. 2. The provisions of this act shall not be retroactive in their application."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1323**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, strike out "licensee or employee, with or without a warrant", and insert "persons".

**Amendment No. 2**

On page 1, line 5, strike out "shall", and insert "may"; and strike out "the licensee or employee", and insert "such person".

**Amendment No. 3**

On page 1, line 8, strike out the period after "officer", and insert "provided that when an arrest is made of a licensee or employee or a licensee the arresting officer shall release such licensee or employee without taking such licensee or employee before a magistrate upon such licensee or employee signing an agreement to appear in court or before a magistrate at a place and time designated by an arresting officer."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1193**—An act to amend Section 172 of the Penal Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 316**—An act to amend Sections 23320, and 23397 of, and to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, as amended in the Assembly on March 12, 1959, after "beer", insert "and wine".

**Amendment No. 2**

On page 3, strike out line 31, and insert "Beer and wine may be served on boats under an on-sale beer and wine license".

**Amendment No. 3**

On page 3, line 35, after "beer", insert "and wine".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 990**—An act to add Section 23661.5 to the Business and Professions Code, and to add Section 32110 to the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, strike out "outside of this State".

**Amendment No. 2**

On page 1, line 7, after "manufacturer", insert "or wine grower".

**Amendment No. 3**

On page 1, line 14, after "manufacturer", insert ", wine grower".

**Amendment No. 4**

On page 2, line 1, after "manufacturer", insert "or wine grower".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1264**—An act to add Section 23428.9 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "serves", insert "daily".

**Amendment No. 2**

On page 1, lines 5 and 6, strike out "and has been in existence for more than 10 years", and insert "owns or leases, operates and maintains a clubroom or rooms for its membership and has operated the clubroom or rooms for a period of not less than 10 years and has regular membership dues of not less than fifty dollars ($50) per year per member".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1286**—An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Chula Vista in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, the construction and maintenance of improvements thereon, and the disposition and expenditure of revenue therefrom, and reserving rights to the State and repealing Chapter 120 of the Statutes of 1925, Chapter 1847 of the Statutes of 1947 and Chapter 593 of the Statutes of 1953.

Bill read second time, ordered engrossed, and to the Consent Calendar.

### REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, all bills on the Senate second reading file were deemed read the second time, with appropriate action taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE (RESUMED)
### SECOND READING OF SENATE BILLS

**Senate Bill No. 46**—An act to amend Sections 35100, 35101, 35102, and 35106 of, to repeal Sections 35107, 35108, 35109, 35110, and 35111 of, to add Sections 35107, 35108, and 35109 to, and to amend and renumber Sections 35112 and 35113 of, the Water Code, relating to California water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 5 and 6, and insert "relating to California water districts."

**Amendment No. 2**

On page 3, line 2, after "proxy", insert "or authority of legal representative".

**Amendment No. 3**

On page 3, strike out lines 3 and 4, and insert "opposite the name of the person giving the proxy or authority of legal representative."

**Amendment No. 4**

On page 4, line 3, after "(a)", insert "Post the results of the election at the entrance of the polling place.
(b)".

**Amendment No. 5**

On page 4, line 9, strike out "(b)", and insert "(c)".

**Amendment No. 6**

On page 4, line 24, strike out "file for".

**Amendment No. 7**

On page 4, line 25, strike out "The copy shall"; and strike out lines 26 to 45, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Water.

**Senate Bill No. 104**—An act to amend Sections 5001, 5002, 5003, 5009, 5100, and 5102 of, and to amend and renumber Sections 5015, 5016, 5017, 5018, 5018.5, 5019, 5020, 5020.5, 5021, 5022, 5030, 5031, 5032, 5033, 5033.5, 5034, 5050, 5051, 5052, 5053, 5054, 5060, 5061, 5062, 5063, 5063.5, 5064, 5065, 5066, 5080, 5080.5, 5081, 5083, 5090, 5091, 5092, 5093, 5094, 5095, 5096, 5097, 5098, 5104, 5105, 5106, 5107, 5108, 5115, 5116, 5117, 5130, 5131, 5132, and 5133 of, and to add Sections 5031, 5032, 5033, 5034, 5035, 5053, 5054, 5073, 5075, 5076, 5084, and 5088 to, and the titles of Article 2 (commencing at Section 5030), Article 3 (commencing at Section 5050), Article 4 (commencing at Section 5070), Article 5 (commencing at Section 5080), Article 6 (commencing at Section 5100), Article 7 (commencing at Section 5120), and Article 8 (commencing at Section 5130), to Chapter 1 of Division 3 of, and to repeal Sections 5082, 5082.5, and 5082.6 of, and

the titles of Article 2 (commencing at Section 5015), Article 3 (commencing at Section 5030), Article 4 (commencing at Section 5050), Article 5 (commencing at Section 5060), Article 6 (commencing at Section 5080), Article 7 (commencing at Section 5090), Article 8 (commencing at Section 5100), Article 9 (commencing at Section 5115), Article 10 (commencing at Section 5130) of Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

In line 9 of the title of the printed bill, as amended in the Senate on February 25, 1959, after "5076," insert "5077,".

#### Amendment No. 2

On page 12, between lines 15 and 16, insert

"SEC. 52.5. Section 5077 is added to said code, to read:

5077. A person who filed an application for registration as a public accountant pursuant to subdivision (b) of Section 5082, repealed at the 1959 Regular Session of the Legislature, prior to re-entry to military or naval service and whose re-entry prevented the completion of qualifying education or experience required by such section, shall be granted an additional period of time in which to complete the required education or experience. Such additional time shall extend for 18 months after the date of discharge from military or naval service or return to inactive status."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

### UNFINISHED BUSINESS

### NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 125 CONTINUED

Mr Unruh was granted unanimous consent that his notice of motion to reconsider the vote on House Resolution No. 125 be continued until the next legislative day.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1011, 221, 1265,** and **55.**

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1030**—An act to amend and renumber Section 591 of, and to add Section 739.6 to, the Vehicle Code, and to amend Section 41102 of, and to add Section 41103 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to procedure for violations involving unattended vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks,

Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1214**—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to county funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 692**—An act to add Section 6788 to the Business and Professions Code, relating to the practice of engineering.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Cusanovich—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 726**—An act to add Section 8794 to the Business and Professions Code, relating to land surveying.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read third time.

**Motion to Grant Additional Time for Debate**

Mr. Britschgi moved that Mr. Biddick be granted an additional five minutes for debate.

Mr. Beaver seconded the motion.

Motion carried.

**Hon. Gordon H. Winton Presiding**

At 10.36 a.m., Hon. Gordon H. Winton, Member of the Assembly from the Thirty-first District, presiding.

The question being on the passage of the bill.

**Motion to Re-refer**

Mr. Bruce F. Allen moved that the bill be re-referred to the Committee on Education.

Mr. Beaver seconded the motion.

**Parliamentary Inquiry**

Mr. Biddick arose to the following parliamentary inquiry: Are the members who desire to speak being called from the list for the bill or for the motion?

**Reply by Acting Speaker**

Acting Speaker Winton replied that they were being called from both, at their preference.

**Demand for Previous Question**

Messrs. Lanterman, Reagan, Johnson, Hanna, and Shell demanded the previous question. Demand sustained.

**Speaker pro Tempore Presiding**

At 11.02 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the motion to re-refer.

Motion lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Burke, Cameron, Conrad, Crawford, Cunningham, Cusanovich, Davis, Dills, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, McCollister, Munnell, Pattee, Reagan, Schrade, Sedgwick, and Thomas—34.

NOES—Don A. Allen, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Crown, Dahl, DeLotto, Francis, Garrigus, Samuel R. Geddes, Holmes, House, Levering, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Rees, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Zberg—39.

The question being on the passage of the bill.

**Hon. William Byron Rumford Presiding**

At 11.10 a.m., Hon. William Byron Rumford, Member of the Assembly from the Seventeenth District, presiding.

**Demand for Previous Question**

Messrs. Unruh, Munnell, Waldie, Crown, and Petris demanded the previous question.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Lanterman, and Samuel R. Geddes demanded a roll call.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Bane, George E. Brown, Cameron, Collier, Crawford, Crown, Cusanovich, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, and Z'berg—43.

NOES—Bruce F Allen, Don A. Allen, Beaver, Belotti, Biddick, Bradley, Burke, Conrad, Dahl, Elliott, Ernest R. Geddes, Grant, Hegland, Lanterman, Marks, Masterson, Miller, Schrade, Sedgwick, and Thelin—20.

The question being on the passage of the bill.

### Motion to Grant Additional Time for Debate

Mr. Unruh moved that Mr. Biddick be granted five minutes additional time for debate in order to answer questions.

Mr. MacBride seconded the motion.

Motion carried.

### Speaker pro Tempore Presiding

At 11 20 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

### Demand for Previous Question

Mr. Britschgi demanded the previous question. Demand ruled not in order.

### Point of Order

Mr. Bruce F. Allen arose to the following point of order: That the demand for the previous question has been sustained, and Mr. Biddick has concluded his debate, so further questions are not in order.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Biddick moved a call of the Assembly.

Mr. Britschgi seconded the motion.

Motion carried. Time, 11.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Backstrand moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Shell seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Bill read third time.

### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendments:

### Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on March 12, 1959, strike out "money in", and insert "resources of".

### Amendment No. 2

On page 2, line 11, strike out "money in", and insert "resources of".

### Amendment No. 3

On page 2, strike out lines 25 to 30, inclusive, and insert

"(d) All revenues received by the State pursuant to the provisions of Chapter 29, Statutes of 1956, First Extraordinary Session, and any moneys required to be transferred from the State Lands Act Fund to the Investment Fund pursuant to the provisions of subparagraph 2 of subdivision (c) of Section 6816 of the Public Resources Code."

### Amendment No. 4

On page 2, line 40, strike out "Sections 16430, 16431, and 16432", and insert "Section 16430".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### Motion to Set Assembly Bill No. 1062 for Special Order

Mr. Bruce F. Allen moved that Assembly Bill No. 1062 be made a special order of business for Monday, March 23, 1959, at 11 a.m.

Motion carried by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—65.

NOES—None.

**Assembly Bill No. 218**—An act to add Chapter 1.5 (commencing at Section 17261) to Division 14 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to property valuations for the purpose of allocating money to school districts, and the adjustment of school district tax rates as a result thereof.

Bill read third time

### Speaker Presiding

At 11.39 a.m., Hon Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Gaffney, Garrigus, Ernest R.

Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—Bruce F. Allen and Winton—2.

Bill ordered transmitted to the Senate.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Petris, Don A. Allen, Chapel, Gaffney, Bane, Bee, Bradley, George E. Brown, Ralph M. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Dahl, DeLotto, Miss Donahoe, Messrs. Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Rees, Rumford, Sumner, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

### House Resolution No. 152

Relative to the 138th Anniversary of the National Independence of Greece

WHEREAS, The story of mankind's long and painful struggle for freedom is brilliantly punctuated with the stirring achievements of the Greek people—from Marathon to the Grammos Mountains, and

WHEREAS, No such event in modern times is more illustrious than the Greek Revolution commencing at Agia Lavra, on March 25, 1821, which in large part was inspired by the American Revolution of 1776, and which ultimately resulted in the freedom of Hellas from nearly 400 years of slavery under the Ottoman Empire; and

WHEREAS, The people of the United States of America gave widespread support to the people of Greece during their revolutionary war in the form of food, medical supplies, volunteers and other aid, and a deep and abiding friendship has since prevailed between the peoples of the two countries as reflected in the correspondence between Thomas Jefferson and Demetrios Capodistrias, Greece's first Premier, in our military alliance through two World Wars, the Truman Doctrine, the Korean conflict, and in a multitude of government and private economic, academic and cultural bonds, and

WHEREAS, The people of Hellas and many thousands of Californians of Hellenic descent are observing this year's Independence Day with particular enthusiasm in view of the recent victory of the people of Cyprus; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California do express to all Californians of Hellenic ancestry best wishes with regard to the coming public celebrations of the 138th Anniversary of the National Independence of Greece on March 25th; and be it further

*Resolved*, That the Chief Clerk be directed to transmit suitably prepared copies of this resolution to the Hellenic communities of California

### Request for Unanimous Consent

Mr. Petris was granted unanimous consent to take up House Resolution No 152 without reference to committee or file.

Resolution read, and adopted unanimously.

## ANNOUNCEMENT

Mr. Thelin announced that today was the birthday of Mr. Seth Johnson, whereupon the Members of the Assembly joined in extending their best wishes and birthday greetings to Mr Johnson

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr Unruh was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that 1,500 copies of the accompanying report be ordered printed as a separate document out of committee funds:

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 17, 1959

*Honorable Speaker of the Assembly*
*Honorable Members of the Assembly*
*State Capitol, Sacramento*

LADIES AND GENTLEMEN: In accordance with the provisions of House Resolution No. 235 of the 1957 General Session, your committee has spent considerable time and effort on research and hearings in the field of installment credit with a view toward proffering legislation necessary to adequately protect both the consumer and the merchandiser.

Contained herein are narratives of the several hearings which were held in San Francisco and Los Angeles, case histories of complaints received and the Retail Installment Sales Act which was introduced in the Assembly on January 20, 1959.

Also contained herein is an account of the hearings which were held in Los Angeles to examine into the reasons for the failure of the Equitable Plan Company of Los Angeles, and proposed legislation to protect investors in so-called "Investment Certificates" from suffering future losses such as occurred in this specific failure

The committee wishes to express its appreciation for assistance rendered by Mr. Bernard Czesla of the Legislative Counsel's office; the Better Business Bureau of Los Angeles and San Francisco, and the many other agencies and individuals who were most co-operative and helpful in our investigation.

Respectfully submitted,

| | |
|---|---|
| JESSE M. UNRUH, Chairman | ERNEST R. GEDDES |
| ROBERT W. CROWN | WILLIAM BYRON RUMFORD |
| WILLIAM A MUNNELL | ALAN G PATTEE |
| HOWARD J. THELIN | RICHARD H. MCCOLLISTER |

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### California Plans—Annual Report, Department of Finance

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, March 17, 1959

*The Honorable Ralph M Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR BROWN: I am pleased to present to you the second Annual Report of the Local Planning Office, established in the Department of Finance pursuant to Chapter 33, Statutes of 1956

The report comprises a comprehensive survey of the manifold planning activities of California's cities and counties and of the several special projects undertaken by the Local Planning Office in collaboration with other state agencies This report also summarizes the administration of the Urban Planning Assistance Grant Program which had disbursed to 61 cities a total of $434,328 in grant funds by December, 1958.

It is believed that this report will be most useful in appraising the progress that is being made at all levels of government in finding solutions to the development problems arising throughout the State from continuing, rapid growth.

Sincerely yours,

BERT W. LEVIT, Director of Finance

Above transmitted report ordered referred to Mr. Hawkins, Chairman of the Joint Committee on Legislative Reference Library.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 117
Assembly Bill No. 985
Assembly Bill No. 1193
Assembly Bill No. 1254

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1006
Assembly Bill No. 1286

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 24

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 96
Assembly Bill No. 127

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 140
Assembly Bill No. 515
Assembly Bill No. 522

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 18, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No 875

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 20
Assembly Bill No. 370
Assembly Bill No. 452
Assembly Bill No. 489

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 18, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Joint Resolution No. 8

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Joint Resolution No. 8**—Relative to Coast Guard facilities in navigable water in California.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 8
Senate Bill No. 567
Senate Bill No. 600
Senate Bill No. 638

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 8**—An act to add Section 34315.5 to the Health and Safety Code, relating to housing authorities.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 567**—An act to add Section 2192.1 to the Revenue and Taxation Code, relating to the effect of tax

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 600**—An act to amend Section 639 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 638**—An act to amend Sections 1261 and 1269, Agricultural Code, relating to produce dealers.

Referred to Committee on Agriculture.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bradley was granted unanimous consent that the following letter to Chief Justice Warren be ordered printed in the Journal:

### Letter to Chief Justice Warren

STATE CAPITOL
SACRAMENTO, CALIFORNIA
March 19, 1959

*Hon. Earl Warren*
*Chief Justice of the Supreme Court*
*Washington, D. C.*

DEAR JUSTICE WARREN: Your career as Chief Justice is a matter of particular pride to the people of this State which you served so ably as Attorney General and Governor.

Being informed that you are about to celebrate your sixty-eighth birthday, we have joined together in forwarding this letter to you to express our congratulations on this festive occasion and to wish you many happy returns of the day.

Sincerely yours,

CLARK L. BRADLEY
DON MULFORD
CHARLES EDWARD CHAPEL
GLENN E. COOLIDGE
BILL GRANT
HAROLD K. LEVERING
HAROLD SEDGWICK
FRANK LANTERMAN
MILTON MARKS
JOHN A. BUSTERUD
LEE BACKSTRAND
ALAN G. PATTEE
CHARLES J. CONRAD
LOU CUSANOVICH
HOWARD J. THELIN
LOUIS FRANCIS
JACK A. BEAVER
JOSEPH C. SHELL
JACK SCHRADE
MONTE A. BURKE
RICHARD H. MCCOLLISTER
SETH J JOHNSON
FRANK BELOTTI
JAMES L. HOLMES
WALTER DAHL
BRUCE V. REAGAN
CARL BRITSCHGI
BUD COLLIER
ERNEST R GEDDES
GEORGE G. CRAWFORD
BRUCE ALLEN
BRUCE SUMNER
FRANK LUCKEL

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Unruh was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO COMMITTEE REPORTS

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 18, 1959

*Hon. Allen Miller*
*Assembly Chamber*

**Committee Reports: H. R. No. 125—No. 10704**

*Question No 1*

DEAR MR. MILLER: With respect to House Resolution No. 125, you have asked whether, if the resolution is adopted, the Assembly Committee on Rules could adopt a policy statement providing that the

required financial data can be in a letter of transmittal, rather than incorporated in the committee report itself.

*Opinion No. 1*

We do not believe such a procedure would be permitted under the provisions of the resolution in question.

*Analysis No. 1*

House Resolution No. 125 would add a new Rule No. 12.3 to the Permanent Standing Rules of the Assembly to read:

> "Each report of an interim committee shall include a financial statement therein showing the total cost of the report, including the amount expended for expenses of the members, the number of hearings held, the name of, and amount paid to, each consultant, the name of, and amount paid to, each committee employee, and the amount expended for other goods and services in preparation of the report."

We are of the opinion that the language of the proposed new rule in requiring each report to include a financial statement "therein" clearly contemplates the inclusion of the statement as a part of the report itself. We do not believe inclusion of financial data in a letter of transmittal, even if such a letter were printed in the Journal of the Assembly, would constitute compliance with the proposed rule.

*Question No. 2*

Relative to the above-mentioned resolution, you have also asked our opinion as to whether the proposed new rule would require every subcommittee report to contain the financial statement, or whether an overall statement of the full committee in a report would suffice.

*Opinion No. 2*

In our opinion, the proposed rule would require the inclusion of a financial statement in a report of a subcommittee as well as in a report of the full committee

*Analysis No. 2*

The purpose of the proposed new rule is indicated in three "whereas" clauses preceding the text of the rule which state that many reports of interim committees are widely distributed to the public and that the public is entitled to know what work and expense went into each report and by whom it was prepared.

The proposed rule itself, with respect to each report, requires a statement of the amount expended for member's expenses, the number of hearings held, amounts paid to consultants and employees, and amounts expended for goods and services in preparation of the report.

It is true that the rule refers to a "committee" and does not expressly mention a "subcommittee." However, a "committee" is "a body of persons appointed or elected to consider, investigate, or take action upon, and usually to report concerning, some matter of business," and a "subcommittee" is "an under committee; a part or division of a committee" (Webster's New International Dictionary, Second Edition).

We believe that the language of the proposed rule in requiring financial statements in each report of a "committee" is intended to cover a

report of any group of Members of the Legislature appointed or selected in any manner to consider, investigate, and report to the full body of the Legislature. The fact that the group of members is designated a "subcommittee" rather than a "committee" would be immaterial, in our opinion.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Two copies to Hon. Jack A. Beaver, pursuant to Joint Rule No. 34.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 156

At 11.57 a.m., on motion of Mr. Biddick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Mr. Hegland seconded the motion.

### Roll Call Demanded

Messrs. Biddick, MacBride, and Britschgi demanded a roll call.

### Point of Order

Mr. Biddick arose to the following point of order: That the motion for a call of the Assembly is not in order since all members desiring to change their votes have not been recognized.

### Ruling by Speaker

The Speaker ruled the point of order not well taken, since no other member was seeking the floor when the motion was made.

### Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Is the vote presently displayed on the board correct?

### Reply by Speaker

The Speaker replied that he presumed that it was.

### Point of Order

Mr. Biddick arose to the following point of order: That the vote has not been announced.

### Ruling by Speaker

The Speaker ruled the point of order well taken.

The question being on the motion that further proceedings under the call of the Assembly be dispensed with.

### Motion Withdrawn

With the consent of his second, Mr. Bruce F. Allen withdrew his motion.

The names of the absentees were called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Mr. Hegland seconded the motion.

### Roll Call Demanded

Messrs. Munnell, Luckel, and Biddick demanded a roll call.

The roll was called, and the motion for a call of the Assembly lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dills, Elliott, Francis, Ernest R. Geddes, Hawkins, Hegland, Johnson, Kennick, Lanterman, Levering, Marks, Meyers, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, and Thomas—31.

NOES—Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Grant, Hanna, Holmes, House, Kilpatrick, Luckel, Lunardi, MacBride, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, Rees, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—36.

The vote was announced, and Assembly Bill No. 156 passed by the following vote:

AYES—Don A. Allen, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crown, Dahl, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Holmes, House, Kilpatrick, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Rees, Sedgwick, Thelin, Unruh, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—41.

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Cameron, Collier, Conrad, Crawford, Cunningham, Cusanovich, Davis, Dills, Elliott, Francis, Ernest R. Geddes, Hawkins, Hegland, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, McCollister, Mulford, Munnell, Pattee, Reagan, Rumford, Schrade, Shell, Sumner, Thomas, Waldie, and Winton—37.

### Notice of Motion to Reconsider Assembly Bill No. 156

Mr. Bruce F. Allen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 156 was this day passed.

## ADJOURNMENT

At 12.04 p.m., on motion of Mr Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, March 20, 1959.

RALPH M BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

FIFTY-FIFTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, March 20, 1959

The Assembly met at 9.30 a.m.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Zberg—71.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God of Wisdom, God of Love,* We lift up to Thee important issues which are never simple, for they are surrounded by various kinds of values. Bills seldom seem to be perfect, for they reveal the limitations of their authors and the imperfect society out of which they come. There are always two sides to every question, and sometimes three, or more. The matters before this Assembly run the wide gamut of our complex public life. Who is wise enough for all these things? We pray for Thy wisdom, all-wise and loving Father, that the decisions made may prove to be right, and wiser than we know. Thy Wisdom and Will, not ours, be done on earth as it is in heaven.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hegland, seconded by Mr. Beaver, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Porter, on request of Speaker pro Tempore Bee.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Ralph M. Brown, on request of Speaker pro Tempore Bee, to attend a meeting of the Public Works Board.

Mr. Nisbet, on motion of Mr. Kennick, to attend a meeting of the Public Works Board.

Mr. Levering, on motion of Mr. Shell.

Mr. Mulford, on motion of Mr. Shell.

Mr. Lowrey, on motion of Mr. Winton.

Mr. Cameron, on motion of Mr. Bane.

Mr. Don A. Allen, on motion of Mr. Bane.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Bradley, on motion of Mr. Shell.

## COMMUNICATIONS

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal
### Report on Surplus State-owned Lands

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, March 13, 1959

*Hon. Glenn M. Anderson*
*President of the Senate*
*Hon. Ralph M. Brown*
*Speaker of the Assembly*

GENTLEMEN: Pursuant to the provisions of Chapter 1573, Statutes of 1951, the Department of Finance submits herewith its annual report to the Legislature on surplus state-owned lands.

On August 27, 1958, the Department of Finance sent instructions to all land-holding state agencies under the subject "Annual Inventory and Report of Excessive State Lands." These instructions read in part as follows:

> "Government Code Section 11011 requires all state agencies to submit an annual report of lands that are in excess of foreseeable needs
>
> "Each agency should make a thorough review of the state lands under its jurisdiction and submit a written statement that all lands owned by the agency have been checked. The statement should also list those lands that are excess, or should state that there are no excess lands"

In response to the above, ten parcels comprising approximately 493 acres have been submitted by various agencies as being surplus to their foreseeable needs. These properties have an estimated value of $1,500,000 and are described in detail in the body of this report. It is recommended that legislation to sell, exchange, or otherwise dispose of these parcels be enacted at the 1959 Session. The Department of Finance has caused Senate Bill No 589 to be introduced for this purpose.

Since the beginning of the surplus property program established by Chapter 1573, the Department of Finance has sold approximately 1,996 acres of property under specific legislative authority and the property returned to the local tax rolls, with the exception of a few parcels that were sold to property tax-exempt agencies, such as local municipalities. The total revenue received by the State as a result of these sales has amounted to $2,161,090. Supplement "A" to this report describes in detail those properties disposed of during the period 1957-58 for a total consideration of $266,590.

Not directly related to the surplus property program were several transactions negotiated by the Property Acquisition Division of this department. These transactions involved the transfer of surplus properties between state agencies. Supplement "B" describes in detail such transfers.

Presently held as surplus by the Department of Finance but not yet sold are properties valued at approximately $4,235,910. The current status of these lands is shown in Supplement "C" of this report.

Yours very truly,

BERT W. LEVIT, Director of Finance

Encls.

Above transmitted report referred to the Committee on Ways and Means.

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The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**
**Resolution of California Water Commission Regarding Flood Plain Zoning**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
CALIFORNIA WATER COMMISSION
March 18, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol, Sacramento*

DEAR MR OHNIMUS: Transmitted for the information of the Assembly are five copies of Resolution No. 56 of the California Water Commission regarding flood plain zoning.

The need for this study arises from a lack of factual information on which to base a decision as to the need of flood plain zoning in connection with flood control projects.

Very truly yours,

ARNOLD FREW, Chairman
By WILLIAM M. CARAH, Executive Secretary

Encls.

Above transmitted copies of resolution referred to the Committee on Water.

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The following communications were presented by the Chief Clerk from:

John L. Jordan of Brawley, [illegible]atis G. Tom Vasser of Blythe, Miriam Moore of Blythe, Elaine J. Edlefaen and D. DeMarcus of Lancaster, and Art J. Durando and Charles Ruben of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Mrs. Frank Moore of San Anselmo, relative to the loyalty oath. Referred to the Committee on Revenue and Taxation.

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R. Lindquist of Los Angeles, relative to the budget. Referred to the Committee on Ways and Means.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Cameron and Ernest R. Geddes:

**House Resolution No. 153**

Relative to the death of Donald A. Leggett

WHEREAS, The Members of the Assembly have learned that Covina's 30-year-old Mayor, Donald A Leggett passed away March 10, 1959, in the Bassett Memorial Hospital, Cooperstown, New York, where he had been undergoing treatment for leukemia for the past month; and

WHEREAS, Don was born November 30, 1928, in Los Angeles and graduated from Loyola University in 1951, and received a master's degree in electrical engineering from the University of California at Los Angeles in 1954; and

WHEREAS, He was Vice President of Randolph Engineering Company of San Gabriel; and

WHEREAS, He was first elected to the city council of Covina in April, 1956, and became mayor of that city in the spring of 1958 at 29, the youngest mayor in the city's history; and

WHEREAS, Don was awarded the Covina Junior Chamber of Commerce's Outstanding Citizen Award; and

WHEREAS, He had been a driving force for community betterment and civic improvement even before his election and was one of the chief backers of the city's master plan; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their sincere sorrow at the untimely passing of Donald A. Leggett, a man whose great service to his community earned him the well-deserved love and respect of all during his lifetime, and now extend their heartfelt condolences to his bereaved family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Monica Leggett, his widow, Theresa Leggett, his daughter, and Michael Gerard Leggett, his son.

Resolution read, and referred to the Committee on Rules.

By Mr. Beaver:

**House Resolution No. 154**

Relative to the filing of reports by interim committees

*Resolved by the Assembly of the State of California*, That Rule No. 12.2 is added to the Permanent Standing Rules of the Assembly, to read:

Filing of Interim Committee Reports Required

12.2. Each interim committee prior to its termination shall file a final report of its studies and investigations containing its recommendations, if any, for legislation.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Joint Resolution No. 23**: By Messrs. Z'berg, Lunardi, MacBride, Mrs. Davis, Messrs. Bruce F. Allen, Belotti, Biddick, DeLotto, Garrigus, Munnell, Nisbet, Waldie, and Williamson—Relative to the Trinity River Project.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 32**: By Mr. Thelin—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10¼ to Article XIII thereof, relating to the assessment of property for purposes of taxation.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2143**: By Mr. Miller (By Request)—An act to amend Section 3440 of the Civil Code, relating to fraudulent transfers of property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2144**: By Messrs. McMillan, Holmes, Chapel, Kilpatrick, Don A. Allen, Bane, George E. Brown, Burke, Cameron, Collier, Conrad, Cusanovich, Dills, Elliott, Ernest R. Geddes, Grant,

Hawkins, Johnson, Kennick, Lanterman, Levering, Miller, Munnell, Nisbet, Rees, Thelin, Thomas, Unruh, George A. Willson, and Charles H. Wilson—An act to add Section 86 6 to the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2145**: By Messrs. Kennick and Grant—An act to amend Sections 35450, 35451, 35452, 35453, 35456 and 35457 of the Government Code, relating to the annexation of territory to cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2146**: By Messrs. DeLotto, Garrigus, Grant, Bee, Cameron, Coolidge, Crawford, Dills, Johnson, Marks, Petris, and Rumford—An act to amend Section 15151 of the Health and Safety Code, relating to housing.

Referred to Committee on Public Health.

**Assembly Bill No. 2147**: By Mr. Luckel—An act to amend Section 24072.2 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2148**: By Messrs. Meyers, O'Connell, Gaffney, Marks, Burton, and Busterud—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2149**: By Messrs. Belotti, Pattee, McCollister, and House—An act to amend Section 4101 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2150**: By Mr. Kilpatrick—An act to amend Section 106 of the Welfare and Institutions Code, relating to the appointment of the Director of the Department of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2151**: By Messrs. Frew and Charles H. Wilson—An act to amend Section 9900 of the Government Code, relating to regulation of legislative representation

Referred to Committee on Legislative Representation.

**Assembly Bill No. 2152**: By Mr. DeLotto—An act to amend Section 7172 of the Financial Code, relating to loans by savings and loan associations.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2153**: By Mr. Ernest R. Geddes—An act to add Sections 20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601.5, 20750.6, 20988, 20989, 21251.14, 22152 and 22213, to add Chapter 6.5 (commencing at Section 20780), to Part 3, Division 5, Title 2, of, to amend Sections 22009.1, 22013, and 22210 of, and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2,

of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2154**: By Mr. Beaver—An act to add Sections 2923, 2924, 2925, and 2926 to the Revenue and Taxation Code and to add Section 17.1 to the San Bernardino County Flood Control Act (Ch. 73, Stats. 1939), relating to the collection of unsecured taxes.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2155**: By Mr. McMillan—An act to amend Sections 23816, 23821, and 23954.5 of, and to add Section 24072.3 to, the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 290**—An act to add Section 5011 to the Elections Code, relating to misrepresentation in election campaigns;

And reports the same correctly enrolled, and presented to the Governor on the nineteenth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 12**—Relative to enactment of a National Food Allotment Stamp Plan;

And reports the same correctly enrolled, and presented to the Secretary of State on the nineteenth day of March, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 8

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1062

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 66
Assembly Bill No. 148
Assembly Bill No. 502
Assembly Bill No. 714
Assembly Bill No. 805
Assembly Bill No. 842
Assembly Bill No. 950

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 321

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 760

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1350

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Military and Veterans Affairs**

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 285

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CRAWFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1355

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1424
Assembly Bill No. 664

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 217

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 9

With amendments with the recommendation. Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 483
Assembly Bill No. 554

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government

DELOTTO, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 175

With the recommendation: Do pass.

DELOTTO, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1160
Assembly Bill No. 1196
Assembly Bill No. 428

With the recommendation: Do pass.

DELOTTO, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 226
Assembly Bill No. 1277

With amendments with the recommendation: Amend, and do pass, as amended.

DELOTTO, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 660

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DELOTTO, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 153
Assembly Bill No. 675
Assembly Bill No. 833

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DELOTTO, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 31

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DELOTTO, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 240

With the recommendation: Do pass.

DELOTTO, Vice Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 44

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 561
Assembly Bill No. 569
Assembly Bill No. 695
Assembly Bill No. 835
Assembly Bill No. 840

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 9

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Joint Resolution No. 9**—Relative to scrapie disease of sheep.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 19, 1958

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 282
Senate Bill No. 446
Senate Bill No. 507
Senate Bill No. 558
Senate Bill No. 639
Senate Bill No. 671

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 282**—An act to amend Section 766 and to repeal Section 767 of the Financial Code, relating to loans and investments by banks and trust companies.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 446**—An act to amend Sections 3031, 3240, 3242, 3245, 4006, 4751, and to repeal Sections 3243 and 3244 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 507**—An act to add Section 30705 to, and to amend Section 30701 of, the Streets and Highways Code, relating to the Benicia-Martinez Ferry.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 558**—An act to amend Section 346 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 639**—An act to amend Section 73 of the Vehicle Code, and to amend Section 285 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of a vehicle dealer.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 671**—An act to add Sections 305.2 and 744.1 to the Vehicle Code, and to add Sections 1816 and 13367 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to traffic violations committed by minors.

Referred to Committee on Criminal Procedure.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1317, 763, 600, 1007, 1029, 986, 1219, 1220, 1242, 1208,** and **1323,** ordered to third reading, subsequent to engrossment.

**Assembly Bills Nos. 687** and **720** ordered to third reading, subsequent to re-engrossment.

### RE-REFERENCE OF ASSEMBLY BILLS NOS. 405 AND 410

By unanimous consent, Speaker pro Tempore Bee ordered Assembly Bills Nos. 405 and 410, with the committee amendments thereto, withdrawn from the second reading file, and re-referred to the Committee on Judiciary—Civil, for correction of the amendments.

### REQUEST THAT BILL BE REMOVED FROM CONSENT CALENDAR

Mr. Sumner requested that Assembly Bill No. 1025, on the second reading file today, be removed from the Consent Calendar.

### INQUIRY BY SPEAKER PRO TEMPORE

Speaker pro Tempore Bee inquired if any member had an objection to considering the balance of the bills on the Assembly second reading file read the second time, with appropriate actions taken on those bills requiring action.

#### Motion

Mr. McCollister moved that the bills on the Assembly second reading file, with the exception of Assembly Bills Nos. 405 and 410, which were previously acted upon, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Samuel R. Geddes seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE (RESUMED)
### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1108**—An act to amend Section 620 of the Agricultural Code, relating to cheese.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

#### Amendment No. 1

On page 2, line 8, of the printed bill, strike out the first comma and insert "or".

#### Amendment No. 2

On page 2, lines 8 and 9, strike out ", or retailer".

#### Amendment No. 3

On page 2, line 9, after "in", insert "such".

#### Amendment No. 4

On page 2, line 12, strike out "This provision shall not apply"; and strike out all of lines 13, 14 and 15, and insert

"(d) All cheese cut and wrapped or packaged into individual consumer packages for sale on the premises where cut, wrapped or packaged shall be labeled to indicate the variety of cheese in the package. This provision shall not apply to cheese cut, wrapped or packaged in retail establishments at the request of or in the presence of the consumer."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 406**—An act to repeal Article 2 (commencing with Section 1980) of Chapter 6 of Division 4 of Title 1, Part 1 (commencing with Section 16000) of Division 4 of Title 2, and Sections 2003 and 53053 of the Government Code, to add Chapters 1 (commencing with Section 600) and 3 (commencing with Section 800) to Division 3.5 of Title 1 of the Government Code, and to amend Section 53052 of the Government Code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

#### Amendment No. 1

On page 7, after line 5, of the printed bill, insert

"SEC. 5. The provisions of this act, insofar as they are substantially the same as existing statutory provisions relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 567**—An act to amend Sections 12164, 12203, and 12204 of the Government Code, relating to duties and fees of the Secretary of State.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1293**—An act to amend Section 3052 of the Civil Code, relating to possessory liens.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1299**—An act to amend Sections 74302 and 74303 of the Government Code, relating to the municipal court in the Cities of San Carlos and Redwood City.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1228**—An act to amend Section 74781 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "74781", and insert "73821".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 2**

On page 1, strike out lines 1 to 3, inclusive, and insert
"SECTION 1. Section 73821 of the Government Code is amended to read:
73821. There shall be [two] *three* judges".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 565**—An act to amend Sections 4119, 4124, 6403, 6700, and 6801 of, to add Sections 6403.1, 6403.2, and 6403.3 to, and to repeal Sections 6202, 6303, 6400, 6401, 6402, 6408, 6409, and 6802 of, the Corporations Code, relating to foreign corporations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, after "State", insert "a".

**Amendment No. 2**

On page 2, line 9, strike out "pursuant to", and insert "as provided for by".

**Amendment No. 3**

On page 2, line 14, after "State", insert "a".

**Amendment No. 4**

On page 3, line 49, strike out "such as is", and insert "as".

**Amendment No. 5**

On page 4, line 11, strike out "authority", and insert "qualification".

**Amendment No. 6**

On page 5, strike out lines 1 to 5, inclusive, and insert "certificate of qualification stating the date of filing of said statement and designation and that the corporation is qualified to transact intrastate business in this State, subject, however, to any licensing requirements otherwise imposed by this State. A copy of said statement and designation shall be annexed to the certificate of qualification."

**Amendment No. 7**

On page 5, line 28, strike out "authority", and insert "qualification".

**Amendment No. 8**

On page 5, line 32, strike out "authority", and insert "qualification".

**Amendment No. 9**

On page 5, line 34, strike out "authority", and insert "qualification".

**Amendment No. 10**

On page 6, line 3, strike out "authority", and insert "qualification".

**Amendment No. 11**

On page 6, line 21, strike out "authority", and insert "qualification".

**Amendment No. 12**

On page 6, line 22, strike out "authority", and insert "qualification".

**Amendment No. 13**

On page 6, line 26, strike out "authority", and insert "qualification".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 516**—An act to amend Section 1431 of the Probate Code, relating to claims of minors.

Bill read second time, and ordered re-engrossed.

**Assembly Bill No. 657**—An act to amend Section 71140.1 of the Government Code, relating to attaches of municipal courts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 927**—An act to add Section 201a to, and to amend Section 225 of, the Code of Civil Procedure, relating to trial juries.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1094**—An act to add Article 13 (commencing with Section 255) to Chapter 1, Title 3, Part 1 of the Code of Civil Procedure, relating to the drawing of juries.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1235**—An act to amend Sections 9750, 9754.1, 9755, 9756, 9760, 9801, 9850, 9912, 11101, 11119, and 11120 of, the Elections Code, relating to municipal elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 2, line 6, of the printed bill, strike out "40", and insert "20".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1233**—An act to amend Sections 1711, 1712, 1722, and 1771 of, and to repeal Section 1717 of, the Elections Code, relating to municipal initiative and referendum measures.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1234**—An act to amend Section 9900 of, and to repeal Sections 9912, 9913, 9914, 9916, and 9917 of, the Elections Code, relating to municipal elections.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1236**—An act to amend Section 26802 of the Government Code, relating to the duties of a registrar of voters.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 320**—An act to repeal Chapter 1 of Division 7 of, to add Chapter 1 to Division 7 of, and to repeal Section 5007 of, the Elections Code, relating to election campaigns, campaign contributions and campaign expenditures, and providing penalties for violations thereof.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1033**—An act to amend Section 3044 of, and to repeal Section 9481 of, the Elections Code, relating to municipal elections.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1237**—An act to amend Sections 61401 and 61402 of, and to add Sections 61402.5 and 61402.6 to, the Government Code, relating to community services district general elections.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1000**—An act to amend Sections 5153, 5154, 5154.5, 5202, 6911, 6941, 6944, 7001, 7018.1, 7032, 7032.1, 7033, 7034, 7035.1, 7036, 7037.2, 7038, 7041, 7042, 7043, 7044. 7075, 7081, 7091, 7092 1, 7096, 7101.1, 7101.2, 7102.1, 7102.2, 7103.1, 7103.2, 7106, 7121, 7121.1, of, to repeal Sections 7037, 7037.1, 7094, 7095, 7109.2, 7109.21, and 7109.22 of, and to add Sections 5154.6, 6999, 7000.15, 7000.17, 7000 18, 7000.41, 7037, 7037.01, 7037.02, 7037.1, 7092.6, 7093.1, 7095.1, 7096 2, 7106.1, 7109.01, 7109.2, and 7121.3 to, and adds Article 9.5 (commencing at Section 7078) and Article 11.2 (commencing at Section 7099) to Chapter 15, Division 3 of the Education Code, and to repeal Sections 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", insert "1504,".

**Amendment No. 2**

In line 2 of the title, strike out "7033,".

**Amendment No. 3**

In line 4 of the title, after "7096," insert "7097,".

**Amendment No. 4**

In line 5 of the title, after "7121.1," insert "and 10208,".

**Amendment No. 6**

In line 6 of the title, strike out "and 7109.22", and insert "7109.22, and 9176.1".

**Amendment No. 7**

In line 7 of the title, after "7000.41," insert "7033.1,".

**Amendment No. 8**

In line 8 of the title, strike out "7092.6", and insert "7083, 7091.1, 7091.2,".

**Amendment No. 9**

In line 12 of the title, after "Code," insert "to amend Sections 8109, 10808, 11301, 11401, 11404, 13525.1, 17301.1, 17303.1, 17305, 17306.1, 17308, 17352, 17402, 17403.1, 17405.1, 17411.1, 17503.1, 17614, 17616.1, 17655.1, 17656.1, 17658.1, 17660.1, 17661.1, 17665.1, 17666.1, 17702.1, 17751.1, 17801.1, 17851.1, 17901.1, 17903.1, 17951.1, 18060.1, 18102, 18103, 18152, 18153, 18202, 18203, 18251, 18352.1, 18355.1, 18356.1, 18357.1, 18358.1, 18401.1, 18451.1, 18452.1, 18453.1, 18455.1, 18456.1, and 18460.1 of, to repeal Sections 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17663.1, 17664, 17664.1, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17905.1, 17906, 17906.1, 17951, 17952, 18003, 18005, 18005.1, 18006, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to add Sections 17300, 17305.1, 17404.5, 17602.5, 17602.6, 17602.7, 17606.5, 17657.1, 17663, 17663.5, 17663.7, 17664, 17704, 17903.2, 17904.2, 17901.1, 17901.5, 17906.2, 18001.5, 18003, and 18253, and to add Article 6.5 (commencing at Section 17871) to Chapter 3 of Division 14 of, and Article 8.5 (commencing at Section 17970) to Chapter 3 of Division 14 of, the Education Code as enacted by the Legislature at its 1959 Regular Session,".

**Amendment No. 10**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 1504 of the Education Code is amended to read:

1504. *Except as may otherwise be specially provided,* the average daily attendance of all pupils, excepting pupils attending the seventh and eighth grades of a junior high school, who reside in one school district and attend school in another school district shall be credited to the district attended for apportionment purposes.

SEC. 1.5. Section 5153 of said code is amended to read:".

**Amendment No. 11**

On page 2, line 24, strike out "appropriated in", and insert "transferred pursuant to".

**Amendment No. 11.5**

On page 3, line 51, after "basic", insert ", supplemental basic,"

**Amendment No. 12**

On page 4, strike out lines 8 to 10, inclusive, and insert

"5154.5. In addition, the State Controller shall transfer from the General Fund to the State School Fund in each".

**Amendment No. 13**

On page 4, strike out lines 41 to 43, inclusive, and insert "each fiscal year thereafter, the State Controller shall transfer from the General Fund to the State".

**Amendment No. 14**

On page 5, line 1, strike out "appropriated", and insert "so transferred".

**Amendment No. 15**

On page 10, line 40, strike out "a", and insert "the preceding".

**Amendment No. 16**

On page 13, strike out lines 23 to 32, inclusive, and on page 14, strike out lines 1 to 36, inclusive, and insert

"SEC 18 Section 7033 1 is added to said code, to read:

7033.1. Beginning with the Fiscal Year 1960-1961 and for each fiscal year thereafter, for the purposes of Section 7034, a "necessary small school" is an elementary school with an average daily attendance of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, during the preceding fiscal year maintained by an elementary school district which maintained two or more schools and to which school any of the following conditions apply.

(a) The projection of enrollment for five years, based on the current enrollment of the district and children residing in the district, not yet old enough to attend school, shows that the enrollment will then exceed 100 pupils

(b) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(c) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(d) If topographical, climatic, time required to reach school, or other conditions exist in a district which would impose unusual hardship on pupils if the number of miles specified in (b) or (c) were required to be traveled. In such cases the Superintendent of Public Instruction may, when requested and after investigation, grant exceptions from the distance requirements.

(e) If the Superintendent of Public Instruction approves the recommendation of the county committee on school district organization designating one of two or more schools as an isolated small school, in cases where the proximity of one small school to another causes both schools to be classified as other than necessary small schools as defined by the other subdivisions of this section and the schools are operated by two or more districts and if the combined average daily attendance is less than 101.

If a school has once been determined to be a necessary small school that determination shall not be changed except as a review of the factors on which the determination is based made at intervals of five years following the effective date of the determination indicates that a change is necessary Any school not determined to be a necessary small school may be so determined, effective at the beginning of any fiscal year, if it meets the necessary conditions of this section.

This section shall become operative and shall supersede Section 7033 on July 1, 1960, and on and after such date Section 7033 shall have no further force and effect."

**Amendment No. 17**

On page 19, strike out lines 38 to 44, inclusive, and insert "the computation the attendance of all students who resided in territory which was not a part of any district maintaining a junior college and the attendance of all students who resided in another district which maintained a junior college who were in attendance under an interdistrict attendance agreement which required the payment of tuition by the district of residence, and there shall be included in the computation the attendance of all students residing in the district who were in attendance at a junior college in another district under an interdistrict attendance agreement which required the payment of tuition by the district of residence.

The Superintendent of Public Instruction shall exclude from the computation provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 9700.1, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults."

**Amendment No. 18**

On page 21, strike out lines 9 to 11, inclusive, and insert "7149, except that: (1) the attendance of all students who resided in territory that was not a part of any district maintaining a junior college, and the attendance of all students who resided in another district which maintained a junior college who were in attendance under an interdistrict attendance agreement which required the payment of tuition by the district of residence shall be excluded from the computation, and (2) the attendance of all students who were residing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 19**

On page 22, strike out lines 12 to 51, inclusive; on page 23, strike out lines 1 to 52, inclusive; on page 24, strike out lines 1 to 21, inclusive, and insert

"SEC. 36.5. Section 7091 of said code is amended to read:

7091. The Superintendent of Public Instruction shall compare the total of the amounts allowed to, and computed for, each elementary district pursuant to Articles 7 and 10 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any elementary school district pursuant to Articles 7 and 10 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount computed for such district pursuant to Articles 7 and 10 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

[Except for any elementary school district which was in existence on or before July 1, 1925, and in which district there was levied a tax for the preceding year of an amount not less than five cents ($0.05) less than the maximum tax rate prescribed for the district by Section 6357, the amount allowed under this article, beginning with the Fiscal Year 1955-56, to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section 7091 had the foundation program for the district been computed under Section 7032.1, except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 7091 and the amount that would have been computed for the district under Section 7091 had the foundation program for the district been computed under Section 7032.1 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions.

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require.

The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.]

Notwithstanding anything in this article to the contrary, the amount computed for any elementary school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6911 and 6944 by [two hundred ninety-three dollars ($293)] *three hundred five dollars ($305)* if the total average daily attendance of the district during the preceding fiscal year was less than 901, exclusive of the pupils attending the seventh and eighth grades of a junior high school, or by [two hundred ninety-five dollars ($295)] *three hundred fifteen dollars ($315)* if the total average daily attendance of the district during the preceding fiscal year was 901 or more, exclusive of the pupils attending the seventh and eighth grades of a junior high school, and had the tax used in making the computation for the district under Article 10 of this chapter been one dollar and thirty-five cents ($1.35).

SEC. 36.6. Section 7091.1 is added to said code, to read:

7091.1. Except for any elementary school district which was in existence on or before July 1, 1925, and in which district there was levied a tax for the preceding year of an amount not less than five cents ($0.05) less than the maximum tax rate prescribed for the district by Section 6357, the amount allowed under this article, beginning with the Fiscal Year 1955-56, to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section 7091 had the foundation program for the district been computed under Section 7032.1, except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each the subsequent fiscal years, of the difference between the allowance computed for the district under Section 7091 and the amount that would have been computed for the district under Section 7091 had the foundation program for the district been computed under Section 7032.1 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions:

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require.

The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

This section shall have no force or effect after June 30, 1960.

SEC. 37. Section 7091.2 is added to said code, to read:

Beginning with the Fiscal Year 1960-1961, the amount allowed under this article to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section 7091 had the foundation program for the district been computed under Section 7032.1, except that to this allowance shall be added an amount for the first fiscal year equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 7091 and the amount that would have been computed for the district under Section 7091 had the foundation program for the district been computed under Section 7032.1 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions:

(a) The projection of its enrollment for five years, based on the current enrollment of the district and children residing in the district, not yet old enough to attend school, shows that the enrollment will then exceed 100 pupils.

(b) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of *less than 101 would be required to travel more than 15 miles one way from a point* on a well-traveled road nearest their home to the nearest other public elementary school, or

(c) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(d) If topographical, climatic, time required to reach school, or other conditions exist in a district which would impose unusual hardships on pupils if the number of miles specified in (b) or (c) were required to be traveled. In such cases, the Superintendent of Public Instruction may, when requested and after investigation, grant exceptions from the distance requirements.

(e) If the Superintendent of Public Instruction approves the recommendation of the county committee on school district organization designating one of two or more schools as an isolated small school, in cases where the proximity of one small school to another causes both schools to be classified as other than necessary small schools as defined by the other subdivisions of this section and the schools are operated by two or more districts and if the combined average daily attendance is less than 101.

If a small school has once been determined to be a necessary small school that determination shall not be changed except as a review of the factors on which the determination is based made at intervals of five years following the effective date of the determination indicates that a change is necessary. Any school not determined to be a necessary small school may be so determined, effective at the beginning of any fiscal year if it meets the necessary conditions of this section.

This section shall become operative and shall supersede Section 7091.1 on July 1, 1960."

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 20**

On page 25, between lines 24 and 25, insert

"SEC. 39.5. Section 7097 of said code is amended to read:

7097. The Superintendent of Public Instruction shall allow each district for each unit of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 9700.1, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults, one hundred twenty-five dollars ($125) as basic state aid *and, if the district is eligible therefor, five dollars ($5) in state supplemental basic aid,* and the same amount as state equalization aid as is computed by dividing the allowance computed for the district under Article 11 of this chapter by the average daily attendance of the district during the preceding fiscal year, exclusive of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 9700.1, and for inmates of state institutions for adults and of city, county, or city and county jails, road camps or farms for adults. The total of basic and equalization aid allowed shall not exceed two hundred [twenty dollars (220)] *forty dollars ($240)* for each unit of average daily attendance during the preceding fiscal year for such adults, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults."

**Amendment No. 21**

On page 25, line 37, after "aid", insert "and, if the district is eligible, five dollars ($5) in state supplemental basic aid,".

**Amendment No. 22**

On page 25, strike out lines 44 to 47, and insert "ance agreement."

**Amendment No. 23**

On page 26, line 32, strike out "1961-1962", and insert "1960-61".

**Amendment No. 24**

On page 26, between lines 40 and 41, insert

"In the event that the computation made for any district under (2) above exceeds that made under (1) above for any fiscal year, and there are pupils attending in the district under an interdistrict attendance agreement for which a tuition payment is made to the district, the computation under (1) above for the district in which the pupils reside shall be made by excluding the average daily attendance of those pupils."

**Amendment No. 25**

On page 27, line 18, after "state aid", insert ", state supplemental basic aid,".

**Amendment No. 26**

On page 27, line 24, after "state aid", insert ", state supplemental basic aid,".

**Amendment No. 27**

On page 27, line 30, after "aid", insert ", state supplemental basic aid,".

**Amendment No. 28**

On page 27, line 35, after "aid", insert ", state supplemental basic aid,"

**Amendment No. 29**

On page 27, line 47, after "aid", insert "and state supplemental basic aid".

**Amendment No. 30**

On page 27, line 48, strike out "and 8", and insert "8, and 9.5".

**Amendment No. 31**

On page 28, line 4, strike out "7096.2", and insert "7083".

**Amendment No. 32**

On page 28, line 5, strike out "7096.2", and insert "7083".

**Amendment No. 33**

On page 28, strike out lines 10 to 22, inclusive, and insert "5 of Division 24 of the Health and Safety Code may request the Superintendent of Public Instruction to compute district aid for the district under this section. Upon receipt of such a request, the Superintendent of Public Instruction shall, in computing district aid under Section 7081, reduce the amount of the total assessed valuation in the district as shown by the equalized assessment roll for the preceding year by the amount of such assessed valuation upon which such tax receipts for such fiscal year were allocated to the redevelopment agency."

**Amendment No. 34**

On page 30, strike out lines 8 to 14, inclusive, and insert "low to each school district an amount equal to the actual expense of replacing vehicles used exclusively in automobile driver training programs and of replacing simulators used in such programs, but the amount shall not exceed three-fourths of the actual amount in excess of forty-".

**Amendment No. 35**

On page 30, line 43, after "aid", insert ", state supplemental basic aid,".

**Amendment No. 36**

On page 30, line 47, after "state aid", insert ", state supplemental basic aid".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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**Amendment No. 37**

On page 32, between lines 3 and 4, insert

"SEC. 59.3. Section 10208 of said code is amended to read:

10208. [The] *Allowances by the* Superintendent of Public Instruction shall [allow to each district the actual excess cost of training each pupil in such] *be made only for* driver training *classes maintained* in accordance with the rules and regulations as set forth by the State Board of Education [However, there shall not be allowed a sum in excess of thirty-five dollars ($35) per pupil trained.] Not more than the maximum enrollment of the tenth, eleventh, or twelfth grade classes of the district shall be counted as eligible for instruction in automobile driver training each year.

SEC. 59.4. Section 9176.1 of said code is repealed.

SEC. 59.5. Section 10808 of the Education Code as enacted at the 1959 Regular Session is amended to read.

10808. *Except as may otherwise be specially provided,* the average daily attendance of all pupils, excepting pupils attending the seventh and eighth grades of a junior high school, who reside in one school district and attend school in another school district shall be credited to the district attended for apportionment purposes.

SEC. 60. Section 17301 of said code is repealed.

SEC. 61. Section 17301.1 of said code is amended and renumbered to read:

*17301.* [17301.1.] The State Controller shall during each fiscal year transfer from the General Fund of the State to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount [not less than one hundred ninety-three dollars and thirty-seven cents ($193.37)] per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to the county school tuition funds, as certified by the Superintendent of Public Instruction, *as follows:*

*(a) During the Fiscal Year 1959-1960, no less than two hundred one dollars and twenty-two cents ($201.22).*

*(b) During the Fiscal Year 1960-1961, and for each fiscal year thereafter no less than two hundred dollars and ninety-seven cents ($200.97)*

He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed

for any of the purposes set forth in Section [17303.1] *17303* and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive [, whichever are in effect] ) of this chapter and in Sections 11256, 11257, and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to 18460 [.1] , inclusive [, whichever are in effect] .

[This section shall remain in effect until July 1, 1959 ]

SEC. 62. Section 17303 of said code is repealed

SEC. 63. Section 17303.1 of said code is amended and renumbered to read:

*17303.* [17303.1.] The amount [appropriated] *transferred pursuant to* [in] Section [17301.1] *17301* shall be expended in accordance with the following schedule:

(a) [Seventeen dollars and seventy-eight cents ($17.78) ] *Twenty-one dollars and fifty cents ($21.50)* multiplied by the total average daily attendance credited during the second preceding school year to elementary school districts which during the second preceding school year had less than 901 units of average daily attendance, to high school districts which during the second preceding school year had less than 301 units of average daily attendance, and to unified districts which during the second preceding school year had less than 1,501 units of average daily attendance for allowance to county school service funds pursuant to subdivision (a) of Section [18352.1] *18352* .

(b) [Three dollars ($3) ] *Three dollars and sixteen cents ($3.16)* multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for allowance to county school service funds pursuant to subdivision (b) of Section [18352.1] *18352* .

(c) Four dollars ($4) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 10 (Sections 18051 to 18061, inclusive [, whichever are in effect] ) of Chapter 3 of this division, except Section [18060.1] *18060* .

*For the Fiscal Year 1960-1961 and each fiscal year thereafter, three dollars and ninety-two cents ($3.92) multiplied by the total average daily attendance accredited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 10 (Sections 18051 to 18061, inclusive) of Chapter 3 of this division, except Section 18060.*

[(d) Five dollars and fifteen cents ($5.15) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section 18060.1 and Articles 11, 12 and 13 (Sections 18101 to 18106, inclusive, Sections 18151 to 18156, inclusive, and Sections 18201 to 18206, inclusive, whichever are in effect) of Chapter 3 of this division

(e) Twelve dollars and fifty-two cents ($12.52) ] *(d) Eleven dollars and forty-five cents ($11.45) for the Fiscal Year 1959-1960; and ten dollars and fifty-eight cents ($10.58) for the Fiscal Year 1960-1961 and for each fiscal year thereafter,* multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 9 (Sections 18001 to 18009, inclusive [, whichever are in effect] ) of Chapter 3 of this division.

[(f) One hundred sixty-seven dollars and four cents ($167.04) multiplied] *(e) For the Fiscal Year 1959-1960, one hundred eighty-one dollars and one cent ($181.01), and for the Fiscal Year 1960-1961 and each fiscal year thereafter, one hundred eighty-one dollars and eighty-one cents ($181.81), multiplied in each instance* by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, plus the difference between [one dollar and sixty-six cents ($1.66) ] *one dollar and sixty cents ($1.60)* multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds and [seventeen dollars and seventy-eight cents ($17.78) ] *twenty-one dollars and fifty cents ($21.50)* multiplied by the total average daily attendance credited during the second preceding school year to elementary school districts which during the second preceding school year had less than 901 units of average daily attendance, to high school districts which during the second preceding school year had less than 301 units of average daily attendance, and to unified districts which during the second preceding school year had less than 1,501 units of average daily attendance, for basic, *supplemental basic,* and equalization aid, and for allowances in lieu of basic and equalization aid allowed pursuant to Sections [18355.1] *18355* to 18401 [.1] , inclusive, [whichever are in effect,] to be apportioned on account of average daily attendance during the preceding school year credited to all kindergarten, elementary, high school and junior college schools in the State and county school tuition funds.

[This section shall remain in effect until July 1, 1959 ]

SEC. 64. Section 17305 of said code is amended to read

17305. *In addition, the State Controller shall transfer from the General Fund to the State School Fund in each fiscal year, the sums necessary to reimburse school districts for the cost of instructing pupils in the operation of motor vehicles, as follows.*

(a) [In addition there shall be provided such] *The sum* [as] the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for the actual cost of instructing pupils in the operation of motor vehicles. The amount shall not exceed [thirty-five dollars ($35)] *forty-five dollars ($45)* per pupil instructed in automobile driver training, in accordance with the rules and regulations as set forth by the State Board of Education : *and*[ Such amounts as are necessary to carry out the provisions of this section are appropriated from the General Fund and shall be transferred therefrom to the State School Fund by the State Controller each fiscal year ]

*(b) The sum the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for the actual cost of replacing vehicles used exclusively in automobile driver training programs and simulators used in such programs, but the amount shall not exceed an amount equal to 75 percent of that portion of such expense which is in excess of forty-five dollars ($45), multiplied by the number of pupils instructed by the district in automobile driver training.*

*A "simulator" is any automobile driver training device approved by the Department of Education to be used in classrooms for purposes of driver training instruction under simulated driving conditions.*

SEC. 65. Section 17305.1 is added to said code, to read:

17305.1. Beginning with the 1959-1960 Fiscal Year and in each fiscal year thereafter, the State Controller shall transfer from the General Fund to the State School Fund, in the sum certified by the Superintendent of Public Instruction, the amount necessary to reimburse each school district and county school service fund, pursuant to the provisions granting allowances, for the actual excess current expense incurred for educating physically handicapped minor pupils and mentally retarded minor pupils under Sections 18101 to 18206, inclusive, and for the transporting of blind, deaf, cerebral palsied, or orthopedically handicapped minor pupils, and mentally retarded minor pupils under Section 18060. The amount transferred in any fiscal year shall not exceed eight dollars and fifty-six cents ($8.56) multiplied by the total average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds.

SEC. 66. Section 17352 of said code is amended to read:

17352. (a) The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in the amounts and manner as herein prescribed as to provide in each warrant a portion of the total amount certified by the Superintendent of Public Instruction as apportioned under the provisions of Sections 11256, 11257, 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460[.1], inclusive, [whichever are in effect,] during the fiscal year from the State School Fund to the school districts under the jurisdiction of the county superintendent of schools of the county, to the county school service fund, and to the county school tuition fund of the county.

(1) *Warrants for amounts apportioned to county school service funds for supervision of instruction, health, attendance, and guidance services and other purposes under Section 18352 shall be for amounts equal to 8 percent in July, 16 percent in August, and 12 percent in September, of three-fourths of the amounts apportioned for such purposes by the Superintendent of Public Instruction, and shall constitute an advance upon the amounts payable as the principal apportionment For all other amounts apportioned,* warrants in the months of July, August and September shall be for amounts equal to 8 percent in July, 16 percent in August, and 12 percent in September of the amounts certified under Section 17401 by the Superintendent of Public Instruction and shall constitute an advance upon the amounts payable under Section 17402

(2) Warrants in the months from October to June, inclusive, shall include, in addition to the amounts required by subdivisions (3), (4), and (5) of this subdivision, one-tenth of the difference between the amounts certified by the Superintendent of Public Instruction as apportioned under Section 17402, subject to the provisions of Section 17403 [or 17403.1, whichever is in effect], and the amounts advanced thereon in the warrants for July, August and September. An additional one-tenth of such difference shall be included in the warrants for the month of November or for another month in the fiscal year as the Controller shall determine.

Warrants for the months of December and January, at the discretion of the Controller, may be reduced not to exceed 50 percent and the amount reduced shall be included in the warrants for any later month or months in the fiscal year as the Controller shall determine

(3) Warrants in December shall include four-tenths of the amounts certified by the Superintendent of Public Instruction as apportioned under Sections 17405, [or 17405.1, whichever is in effect,] and 17406 and subdivision (a) of Section 17404. An additional one-tenth of such amounts shall be included in the warrants for the months from January to June, inclusive.

(4) Warrants in February shall include the total amounts certified by the Superintendent of Public Instruction as apportioned under subdivision (a) of Section 17407.

(5) Warrants in June shall include the total amounts certified by the Superintendent of Public Instruction as apportioned under subdivision (b) of Section 17407 and Section 17408.

(b) The drawing of the warrants required to be drawn during any one of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year. The warrants shall be paid by the State Treasurer from the State School Fund and are not subject to the provisions of Government Code Section 16003.

SEC. 67. Section 11301 of said code is amended to read:

11301. The units of average daily attendance in the elementary schools of a district for a fiscal year shall be computed by dividing the total number of days of pupils attendance in all kindergarten and elementary schools and classes of the district during the fiscal year by the number of days school was actually taught in the regular day elementary schools of the district during the fiscal year, plus the units of average daily attendance credited to the district on account of the education of seventh and eighth grade pupils in a junior high school pursuant to Section 11404.

*Beginning for the Fiscal Year 1959-1960, for the purpose of apportionments to be made for the Fiscal Year 1960-1961, and fiscal years thereafter, the units of average daily attendance in the elementary schools of a district for a fiscal year shall be computed by dividing the total number of days of pupils' attendance in all kindergarten and elementary schools and classes of the district during the fiscal year by a divisor of 175 except that if the total number of days school was actually taught in the regular day elementary schools of the district during the fiscal year exceeds 180, the divisor shall be the number of days school was actually taught in the regular day elementary schools of the district diminished by five. To either of the results so obtained, shall be added the units of average daily attendance credited to the district on account of the education of seventh and eighth grade pupils in a junior high school pursuant to Section 11404.*

SEC. 68. Section 11401 of said code is amended to read:

11401. Units of average daily attendance in the high schools of a district other than evening high schools, continuation high schools, and continuation education classes, for a fiscal year are the quotient arising from dividing the total number of days of pupils' attendance in the regular day high schools, summer schools, special high school classes, and the part-time vocational courses of the district, exclusive of the number of days of pupils' attendance in the seventh and eighth grades of junior high schools, during the fiscal year by the number of days school was actually taught in the regular day schools of the district during the fiscal year.

*Beginning for the Fiscal Year 1959-1960, for the purpose of apportionments to be made in the Fiscal Year 1960-1961, and for fiscal years thereafter, the units of average daily attendance in the high schools of a district other than evening schools, and continuation education classes, for each fiscal year are the quotient arising from dividing the total number of days of pupils' attendance in the regular day high schools, summer schools, special high school classes and the part-time vocational courses of the district by a divisor of 175; except that if the total number of days school was actually taught in the regular day high schools exceeds 180, the divisor shall be the number of days such school was actually taught diminished by five.*

SEC. 69. Section 11404 of said code is amended to read:

11404. The units of average daily attendance for a fiscal year of pupils residing in any elementary school district and attending the seventh and eighth grades of a junior high school shall be determined separately and shall be computed by dividing the total number of days of pupils' attendance in said grades by the number of days school was actually taught during the fiscal year in the regular day high schools of the district maintaining the junior high school. The average daily attendance so computed shall be credited to the elementary school district in which the pupils reside.

*Beginning for the Fiscal Year 1959-1960, for the purpose of apportionments to be made in the Fiscal Year 1960-1961, and in the fiscal years thereafter, the units of average daily attendance for each fiscal year of pupils residing in any elementary school district and attending the seventh and eighth grades of a junior high school shall be determined separately and shall be computed by dividing the total number of days of pupils' attendance in those grades by a divisor of 175; except that if the number of days school was actually taught during the fiscal year in the regular day high schools of the district maintaining the junior high school exceeds 180, the divisor shall be the number of days school was actually taught diminished by five. The average daily attendance so computed shall be credited to the elementary school district in which the pupils reside*

SEC. 70. Section 17300 is added to said code, to read:

17300. It is the intent of the Legislature that the administration of the laws governing the financial support of the public school system in this State be conducted within the purview of the following principles and policies:

The system of public school support should be designed to strengthen and encourage local responsibility for control of public education. Local school districts should be so organized that they can facilitate the provision of full educational opportunities for all who attend the public schools. Local control is best accomplished by the development of strong, vigorous, and properly organized local school administrative units. It is the State's responsibility to create or facilitate the creation of local school districts of sufficient size to properly discharge local responsibilities and to spend the tax dollar effectively.

Effective local control requires that all local administrative units contribute to the support of school budgets in proportion to their respective abilities, and that all have such flexibility in their taxing programs as will readily permit of progress in the improvement of the educational program. Effective local control requires a local taxing power, and a local tax base which is not unduly restricted or overburdened.

The system of public school support should assure that State and local funds are adequate for the support of a realistic foundation program. It is unrealistic and unfair to the less wealthy districts to provide for only a part of the financing necessary for an adequate educational program.

The system of public school support should permit and encourage local school districts to provide and support improved educational programs. Improvement of programs in particular districts is in the interests of the State as a whole as well as of the people in individual districts, since the excellence of the programs in some districts will tend to bring about program improvement in other districts.

The system of public school support should make provision for the apportionment of state funds to local school districts on a strictly obejctive basis that can be computed as well by the local districts as by the State. The principle of local responsibility requires that the granting of discretionary powers to state officials over the distribution of state aid be avoided.

The system of public school support should effect a partnership between the State and each local district, with each participating in accordance with its relative ability. The respective abilities should be combined to provide a financial plan between the State and the local school district that may be known as the foundation program for public school support.

The system of public school support should provide, through the foundation program, for essential educational opportunities for all who attend the public schools. Provision should be made in the system for adequate financing of all educational services.

The system of public school support should provide for both guaranteed minimum support and equalization support from state funds. State support should be extended to all local districts regardless of wealth, for this not only develops a sense of broader responsibility, but also creates flexibility taxwise permitting the exercise of local initiative. State support should, to assure equal educational opportunity, provide for as large a measure of equalization as possible among districts. The taxing power of the State should be utilized to raise the level of educational opportunity in the financially weakest districts of the State.

The system of public school support should provide for an equitable system of state and local sharing in the foundation program. The degree of local sharing should be based, as nearly as possible, on the true ability of the local district, so that each may contribute uniformly to the foundation program.

SEC. 71. Section 17602.5 is added to said code, to read:

17602.5. For the 1960-1961 Fiscal Year and each fiscal year thereafter, for each district which has received or will receive during that year "federal funds" or "miscellaneous funds" (as defined in Sections 17605 and 17606.5), the total amount computed for the district as equalization aid and supplemental state basic aid shall, be reduced by, subject to Section 17602.7, an amount equal to forty-six and two-thirds percent (46⅔%) of the "federal funds" (as defined in Section 17605) and fifty-six and two-thirds percent (56⅔%) of the "miscellaneous funds" (as defined in Section 17606.5) received or to be received by such district for the fiscal year in which district aid is computed.

Should the amount of federal funds as defined in Section 17605 actually received by a school district for any fiscal year be more or less than that reported for such district by the United States Commissioner of Education to the Superintendent of Public Instruction, the Superintendent of Public Instruction shall during the fiscal year next succeeding that in which the district has received all of the federal funds actually paid the district for the first mentioned fiscal year withhold from or add to the apportionment made to the district from the State School Fund the amount of the excess or deficiency, as the case may be, in the apportionment of state equalization aid or state supplemental basic aid from the State School Fund for the preceding year, if the amount of the excess or deficiency in such apportionment was one hundred dollars ($100) or more.

This section shall become effective and supersede Section 17602 beginning with the Fiscal Year 1960-1961 and for all fiscal years thereafter. Except for the purposes of Section 17602.7, Section 17602 shall have no effect on and after July 1, 1960.

SEC. 72. Section 17602.6 is added to said code, to read:

17602.6. Any "federal funds" as defined in Section 17605, and any "miscellaneous funds" as defined in Section 17606 or Section 17606.5, whichever is applicable at the time, which are received by a unified school district or by a high school district maintaining a junior college, shall, for the purposes of Sections 11256, 11257, and 17251, Sections 17401 and 17417, and Sections 17601 to 18460, inclusive, be proportionately allocated by the Superintendent of Public Instruction between or among the different levels of school maintained by the district on the basis of the average daily attendance of each level.

SEC. 73. Section 17602.7 is added to said code, to read:

17602.7. Beginning in the Fiscal Year 1960-1961, and in each of the two fiscal years immediately succeeding, the Superintendent of Public Instruction shall compute the difference between (1) The total amount of the state equalization aid and state supplemental basic aid computed for each school district after Section 17602.5 is complied with, and (2) The total amount of the state equalization aid and state supplemental basic aid which would have been computed for the district after Section 17602 is complied with.

The Superintendent of Public Instruction shall, in addition to other allowances, allow to each eligible district, for each of the fiscal years set forth below, a percentage of the amount by which the total amount computed under (2), above, exceeds the total of the amount computed under (1), above, as follows:

| | |
|---|---|
| (a) 1960-1961 | 75 percent |
| (b) 1961-1962 | 50 percent |
| (c) 1962-1963 | 25 percent |
| (d) 1963-1964 and after | none |

The Superintendent of Public Instruction shall, in addition to other allowances, allow to each eligible district, for each of the fiscal years set forth below, a percentage of the amount by which the total amount computed under (2), above, is less than the total of the amount computed under (1), above, as follows:

| | |
|---|---|
| (a) 1960-1961 | 25 percent |
| (b) 1961-1962 | 50 percent |
| (c) 1962-1963 | 75 percent |
| (d) 1963-1964 | 100 percent |

SEC. 74. Section 17606.5 is added to said code, to read:

17606.5. "Miscellaneous funds" as used in Section 17602.5 means, beginning in the Fiscal Year 1960-1961 and for each subsequent fiscal year, the amount the county superintendent of schools has determined and reported to the Superintendent of Public Instruction in accordance with regulations of the Superintendent of Public Instruction is hereby authorized to adopt that the district has received and which has been deposited to the credit of the general fund of the district for the preceding fiscal year on account of in-lieu taxes or income from bonuses, royalties, rentals or any other income from district property or property within the district or State not being assessed for tax purposes and not being used for school purposes and any Federal Forest Reserve funds received by a district which are apportioned to the general fund of the district and are available for current expenditures.

This section shall become effective and supersede Section 17606 beginning with the Fiscal Year 1960-1961 and for all fiscal years thereafter. Except for the purposes of Section 17602.7, Section 17606 shall have no effect on and after July 1, 1960.

SEC. 75. Section 18352 of said code is repealed.

SEC. 76. Section 18352.1 of said code is amended and renumbered to read:

*18352* [18352.1]. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amounts as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 18351, shows is necessary, but:

(a) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for supervision of instruction [in all grades and classes of] *and health, attendance, and guidance services pursuant to Sections 8601 to 8753, inclusive, for pupils in* elementary school districts which during the next preceding fiscal year had less than 901 units of average daily attendance, *in high school districts which, during the preceding year had less than 301 units of average daily attendance,* and in [the elementary schools of] unified school districts which during the next preceding fiscal year had less than 1,501 units of average daily attendance shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, for such purpose, whichever is the lesser.

(b) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for all other purposes shall not exceed the sum provided by law for such purposes or the amounts shown necessary by such budgets, whichever is the lesser.

(c) The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed, but not in excess of [five] *two* hundred thousand dollars [($500,000)] *($200,000)*, to reimburse county superintendents of schools for expenses incurred in providing emergency education to pupils and making financial grants to school districts pursuant to the provisions of Sections 20105 and 20106.

(d) The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed to reimburse county superintendents of schools for the actual and necessary travel expenses incurred in connection with co-operative county publication projects by the county superintendent of schools or members of his staff.

SEC. 77. Section 18060 of said code is repealed.

SEC. 78. Section 18060.1 of said code is amended and renumbered to read:

*18060* [18060.1]. (a) In addition to all other amounts allowed to a school district under this article (commencing at Section 18051), the Superintendent of Public Instruction shall allow to each school district an amount equal to the current expense of the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils and mentally retarded minors who come within the provisions of Section 6903, to and from special day classes but not in excess of [three hundred and fifty dollars ($350)] *four hundred seventy-five dollars ($475)* for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district.

(b) The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the current expense of the county superintendent of schools during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils and mentally retarded minors who come within the provisions of Section 6903, to and from special day classes but not in excess of [three hundred fifty dollars ($350)] *four hundred seventy-five dollars ($475)* for each unit of average daily attendance during the next preceding year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the county superintendent of schools.

[This section shall remain in effect until July 1, 1959.]

SEC. 79. Section 17655 of said code is repealed.

SEC. 80. Section 17655.1 of said code is amended and renumbered to read:

*17655* [17655.1]. (a) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute five thousand [four hundred fifty dollars ($5,450)] *seven hundred fifty dollars ($5,750)*.

(b) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days school was maintained, he shall compute [ten thousand nine hundred dollars ($10,900)] *eleven thousand five hundred dollars ($11,500)*.

(c) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least three teachers were hired full time for more than one-half of the days school was maintained, he shall compute [sixteen thousand three hundred fifty dollars ($16,350)] *seventeen thousand two hundred fifty dollars ($17,250)*.

(d) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 76 or more but less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least four teachers were hired full time for more than one-half of the days school was maintained, he shall compute [twenty-one thousand eight hundred dollars ($21,800)] *twenty-three thousand dollars ($23,000)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 81. Section 17656 of said code is repealed.

SEC. 82. Section 17656.1 of said code is amended and renumbered to read:

*17656* [17656.1] For each elementary school district which maintained only one elementary school and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had an average daily attendance of 101 or more but less than 901 during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, by two hundred [eighteen dollars ($218)] *thirty dollars ($230)*.

For each elementary school district which maintained only one elementary school and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had an average daily attendance of 901 or more during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, by two hundred [twenty dollars ($220)] *forty dollars ($240)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 83. Section 17657.1 is added to said code, to read:

17657.1. Beginning with the Fiscal Year 1960-1961 and for each fiscal year thereafter for the purposes of Section 17658, a "necessary small school" is an elementary school with an average daily attendance of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, during the preceding fiscal year maintained by an elementary school district which maintained two or more schools and to which school any of the following conditions apply.

(a) The projection of enrollment for five years, based on the current enrollment of the district and children residing in the district, not yet old enough to attend school, shows that the enrollment will then exceed 100 pupils.

(b) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(c) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

(d) If topographical, climatic, time required to reach school, or other conditions exist in a district which would impose unusual hardships on pupils if the number of miles specified in (b) or (c) were required to be traveled, the Superintendent of Public Instruction may, when requested and after investigation, grant exceptions from the distance requirements.

(e) If the Superintendent of Public Instruction approves the recommendation of the county committee on school district organization designating one of two or more schools as an isolated small school, in cases where the proximity of one small school to another causes both schools to be classified as other than necessary small schools as defined by the other subdivisions of this section and the schools are operated by two or more districts and if the combined average daily attendance is less than 101.

If a school has once been determined to be a necessary small school that determination shall not be changed except as a review of the factors on which the determination is based made at intervals of five years following the effective date of the determination indicates that a change is necessary. Any school not determined to be a necessary small school may be so determined, effective at the beginning of any fiscal year, it it meets the necessary conditions of this section.

This section shall become operative and shall supersede Section 17657 on and after July 1, 1960, and on and after such date Section 17657 shall have no further force and effect.

SEC. 84. Section 17658 of said code is repealed.

SEC. 85. Section 17658.1 of said code is amended and renumbered to read:

*17658* [17658.1]. For each district on account of each necessary small school, he shall make one of the following computations, whichever applies:

(a) For each necessary small school which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time, he shall compute for the district five thousand [four hundred fifty dollars ($5,450)] *seven hundred fifty dollars ($5,750)*.

(b) For each necessary small school which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district [ten thousand nine hundred dollars ($10,900)] *eleven thousand five hundred dollars ($11,500)*.

(c) For each necessary small school which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district [sixteen thousand three hundred fifty dollars ($16,350)] *seventeen thousand two hundred fifty dollars ($17,250)*.

(d) For each necessary small school which had an average daily attendance during the preceding fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which

school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district [twenty-one thousand eight hundred dollars ($21,800)] *twenty-three thousand dollars ($23,000)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 86. Section 17660 of said code is repealed.

SEC. 87. Section 17660.1 of said code is amended and renumbered to read:

*17660* [17660.1]. For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of less than 901 during the preceding fiscal year, on account of the attendance during the preceding fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by two hundred [eighteen dollars ($218)] *thirty dollars ($230)*.

*For each elementary school district with an average daily attendance, exclusive* of pupils attending the seventh and eighth grades of a junior high school, of 901 or more during the preceding fiscal year, on account of the attendance during the preceding fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by two hundred [twenty] *forty* dollars [($220)] *($240)*

[This section shall remain in effect until July 1, 1959.]

SEC. 88. Section 17661 of said code is repealed.

SEC. 89. Section 17661.1 of said code is amended and renumbered to read:

*17661* [17661.1]. For each elementary school district maintaining two or more schools and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had a total average daily attendance in the district of 101 or more but less than 901 during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance of the district during the preceding fiscal year, exclusive of the average daily attendance for which a computation was made pursuant to Sections [17658.1 or 17660.1] *17658 or 17660*, by two hundred [eighteen dollars ($218)] *thirty dollars ($230)*.

For each elementary school district maintaining two or more schools and which, exclusive of pupils attendang the seventh and eighth grades of a junior high school, had a total average daily attendance in the district of 901 or more during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance of the district during the preceding fiscal year, exclusive of the average daily attendance for which a computation was made pursuant to Sections [17658.1] *17658* or [17660.1] *17660*, by two hundred [twenty dollars ($220)] *forty dollars ($240)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 90. Sections 17663 and 17663.1 of said code are repealed.

SEC. 91. Section 17663 is added to said code, to read:

17663. A necessary small high school for the purposes of Section 17664, is a high school with an average daily attendance of less than 301 (other than a single high school maintained by a unified district formed under the provisions of Sections 3001 to 3451, inclusive, or a high school maintained by any district for the exclusive purpose of educating continuation, juvenile hall, physically handicapped, or mentally retarded pupils) which comes within any one of the following conditions:

(a) The projection of its future enrollment on the basis of the enrollment of the elementary schools in the district shows that within eight years the enrollment in high school in grades 9 through 12 will exceed 300 pupils.

(b) Any one of the following combinations of distance and units of average daily attendance applies:

(1) The high school had an average daily attendance of less than 100 in grades 9 through 12 during the preceding fiscal year and is more than 15 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 20 miles or 25 percent of the pupils would be required to travel 30 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(2) The high school had an average daily attendance of 100 or more and less than 150 in grades 9 through 12 during the preceding fiscal year and is more than 10 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 18 miles or 25 percent of the pupils would be required to travel 25 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(3) The high school had an average daily attendance of 150 or more and less than 200 in grades 9 through 12 during the preceding fiscal year and is more than 7½ miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 15 miles or 25 percent of the pupils would be required to travel 20 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(4) The high school had an average daily attendance of 200 or more and less than 300 in grades 9 through 12 during the preceding fiscal year and is more than five miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 10 miles or 25 percent of the pupils would be required to travel 15 miles to the nearest other public high school.

(c) Topographical or other conditions exist in the district which would impose unusual hardships on the pupils if the number of miles specified above were required to be traveled. In these cases, the Superintendent of Public Instruction may, when requested, and after investigation, grant exceptions from the distance requirements.

(d) The Superintendent of Public Instruction has approved the recommendation of a county committee on school district organization designating one of two or more schools as necessary isolated schools in a situation where the schools are operated by two or more districts and the average daily attendance of each of the schools is less than 30 in grades 9 through 12.

SEC. 92. Section 17663.5 is added to said code, to read:

17663.5. If a high school is determined to be a necessary small high school under Section 17663, its status as such shall not be changed except as a review of the determinative factors made every five years following the date of the determination, indicates that the determination should be changed.

Any high school district not presently determined to be a necessary small high school district under Section 17663, may be determined to be such at the beginning of any fiscal year, provided it comes within the provisions of Section 17663.

SEC. 93. Section 17663.7 is added to said code, to read:

17663.7. On and after July 1, 1960, whenever the governing board of a district maintaining a small high school which does not come within the provisions of Section 17663, undertakes any building construction or alteration in respect to that school, of a type requiring the submission of plans to the Division of Architecture of the Department of Public Works, the school shall forthwith be classified as an unnecessary small school. Thereafter, the foundation program for the district in respect to that school shall be computed pursuant to Section 17665, notwithstanding an average daily attendance of less than 301.

SEC. 94. Sections 17664 and 17664.1 of said code are repealed.

SEC. 95. Section 17664 is added to said code, to read:

17664. For each district on account of each necessary small high school the Superintendent of Public Instruction shall make one of the following computations, whichever applies:

(a) For one which had an average daily attendance during the preceding fiscal year of less than 21 and for which at least three certified employees were employed full time, he shall compute thirty-four thousand eight hundred dollars ($34,800).

(b) For one which had an average daily attendance during the preceding fiscal year of 21 or more and less than 41 and for which at least four certificated employees were employed full time, he shall compute thirty-nine thousand nine hundred dollars ($39,900).

(c) For one which had an average daily attendance during the preceding fiscal year of 41 or more and less than 61 and for which at least five certificated employees were employed full time, he shall compute forty-five thousand dollars ($45,000).

(d) For one which had an average daily attendance during the preceding fiscal year of 61 or more and less than 76 and for which at least six certificated employees were employed full time, he shall compute fifty thousand one hundred dollars ($50,100).

(e) For one which had a average daily attendance during the preceding fiscal year of 76 or more and less than 91 and for which at least seven certificated employees were employed full time, he shall compute fifty-five thousand two hundred dollars ($55,200).

(f) For each one which had an average daily attendance during the preceding fiscal year of 91 or more and less than 106 and for which at least eight certificated employees were employed full time, he shall compute sixty thousand three hundred dollars ($60,300).

(g) For each one which had an average daily attedance during the preceding fiscal year of 106 or more and less than 121 and for which at least nine certificated employees were employed full time, he shall compute sixty-five thousand four hundred dollars ($65,400).

(h) For each one which had an average daily attendance during the preceding fiscal year of 121 or more and less than 136 and for which at least 10 certificated employees were employed full time, he shall compute seventy thousand five hundred dollars ($70,500).

(i) For each one which had an average daily attendance during the preceding fiscal year of 136 or more and less than 151 and for which at least 11 certificated employees were employed full time, he shall compute seventy-five thousand six hundred dollars ($75,600).

(j) For each one which had an average daily attendance during the preceding fiscal year of 151 or more and less than 181 and for which at least 12 certificated employees were employed full time, he shall compute eighty thousand seven hundred dollars ($80,700).

(k) For each one which had an average daily attendance during the preceding fiscal year of 181 or more and less than 221 and for which at least 13 certificated employees were employed full time, he shall compute eighty-five thousand eight hundred dollars ($85,800).

(*l*) For each one which had an average daily attendance during the preceding fiscal year of 221 or more and less than 261 and for which at least 14 certificated employees were employed full time, he shall compute ninety thousand nine hundred dollars ($90,900).

(m) For each one which had an average daily attendance during the preceding fiscal year of 261 or more and less than 301 and for which at least 15 certificated employees were employed full time, he shall compute ninety-six thousand dollars ($96,000).

For the purposes of this section a "certificated employeee" is an equivalent full-time position of an individual holding a credential authorizing service, and performing service in grades 9 through 12 in any secondary school. Any fraction of an equivalent full-time position shall be deemed to be a full-time position

SEC. 96. Section 17665 of said code is repealed.

SEC. 97. Section 17665.1 of said code is amended and renumbered to read:

*17665* [17665.1. For each high school district which had an average daily attendance of 267 or more and of less than 301 during the preceding fiscal year he shall multiply the average daily attendance during the preceding fiscal year, exclusive of the average daily attendance of a day high school having an average daily attendance of less than 267, by three hundred eight dollars ($308).] For each high school district which had an average daily attendance of 301 or more during the preceding fiscal year, he shall multiply the average daily attendance[, exclusive of the average daily attendance of a day high school having an average daily attendance of less than 267, by three hundred ten dollars ($310)] *three hundred thirty dollars ($330)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 98. Section 17666 of said code is repealed.

SEC. 99. Section 17666.1 of said code is amended and renumbered to read:

*17666* [17666.1]. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections 11451 and 11501, subject to the provisions of Section 17611, by [four hundred ten dollars ($410)] *four hundred eighty dollars ($480)*.

*For purposes of this section, the average daily attendance of a junior college district shall, subject to the provisions of Section 17611, be computed in the manner prescribed by Sections 11451 and 11501 except that there shall be excluded from the computation the attendance of all students who resided in territory which was not a part of any district maintaining a junior college and the attendance of all students who resided in another district which maintained a junior college who were in attendance under an interdistrict attendance agreement which required the payment of tuition by the district of residence, and there shall be included in the computation the attendance of all students residing in the district who were in attendance at a junior college in another district under an interdistrict attendance agreement which required the payment of tuition by the district of residence*

*The Superintendent of Public Instruction shall exclude from the computation provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 6352, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults*

[This section shall remain in effect until July 1, 1959.]

SEC. 99.5. Section 18355 of said code is repealed.

SEC. 100. Section 18355.1 of said code is amended and renumbered to read:

*18355* [18355.1]. The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

(a) For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Sections 17651 to 17667, inclusive, whichever are in effect, except that the provisions of Section 17657 shall not apply and whenever Sections [17656.1, 17660.1, or 17661.1] *17656, 17660, or 17661* require him to multiply average daily attendance by two hundred [eighteen dollars ($218)] *thirty dollars ($230)* he shall, for the purposes of this section multiply by two hundred [twenty] *forty* dollars [($220)] *($240)*. No allowance shall be made under this subdivision which is in excess of the actual expense of maintaining the emergency schools during the preceding fiscal year

(b) Three hundred [ten dollars ($310)] *thirty dollars ($330)* for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent of schools during the preceding fiscal year.

[This section shall remain in effect until July 1, 1959.]

SEC. 101. Section 18356 of said code is repealed.

SEC. 102 Section 18356.1 of said code is amended and renumbered to read:

*18356* [18356.1]. The Superintendent of Public Instruction shall allow to the county school service fund for all special schools or classes for mentally retarded minors maintained in each elementary school district of the county by the county superintendent of schools, the same amount as he would compute as the foundation program of an elementary school district under Sections 17651 to 17667, inclusive, whichever are in effect, except that the provisions of Section 17657 shall not apply and whenever Section s [17656.1, 17660.1, or 17661.1] *17656, 17660, or 17661* require him to multiply average daily attendance by two hundred [eighteen dollars ($218)] *thirty dollars ($230)* he shall, for the purposes of this section multiply by two hundred [twenty dollars ($220)] *forty dollars ($240)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 103. Section 18357 of said code is repealed.

SEC 104 Section 18357.1 of said code is amended and renumbered to read:

*18357* [18357.1]. The Superintendent of Public Instruction shall allow to the county school service fund for all elementary schools maintained in juvenile halls, juvenile homes, and juvenile camps by the county superintendent of schools the same amount as he would compute as the foundation program of an elementary school district under Sections 17651 to 17667, inclusive, whichever are in effect, except that the provisions of Section 17657 shall not apply and whenever Sections [17656 1, 17660.1, or 17661.1] *17656, 17660. or 17661* require him to multiply average daily attendance by two hundred [eighteen dollars ($218)] *thirty dollars ($230)* he shall, for the purposes of this section, multiply by two hundred [twenty dollars ($220)] *forty dollars ($240)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 105. Section 18358 of said code is repealed.

SEC. 106. Section 18358.1 of said code is amended and renumbered to read:

*18358* [18358 1]. The Superintendent of Public Instruction shall allow to the county school service fund for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, an amount computed by multiplying the average daily attendance in such secondary schools during the preceding fiscal year by three hundred [ten dollars ($310)] *thirty dollars ($330)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 107. Section 17851 of said code is repealed.

SEC. 108. Section 17851.1 of said code is amended and renumbered to read:

*17851* [17851.1]. *Beginning with the Fiscal Year 1959-1960, and for each fiscal year thereafter, the Superintendent of Public Instruction shall allow to each junior college district one hundred twenty-five dollars ($125) for each unit of average daily attendance in grades 13 and 14 during the preceding fiscal year. The average daily attendance shall be computed under Sections 11451 and 11501, subject to the provisions of Section 17611, except that: (1) the attendance of all students who resided in territory that was not part of any district maintaining a junior college, and the attendance of all students who resided in another district which maintained a junior college who were in attendance under an interdistrict attendance agreement which required the payment of tuition by the district of residence shall be excluded from the computation, and (2) the attendance of all students who were residing within the district and attending a junior college in another district under an interdistrict attendance agreement and on account of which average daily attendance tuition payment was made by the junior college district of residence shall be included in the computation.*

[The Superintendent of Public Instruction shall allow to each junior college district one hundred twenty-five dollars ($125) for each unit of average daily attendance in grades 13 and 14, during the preceding fiscal year as computed for the district under Sections 11451 and 11501, subject to the provisions of Section 17611, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any junior college district, to be known as basic state aid.]

The Superintendent of Public Instruction shall exclude from the computation of allowances provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 6352, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults.

[This section shall remain in effect until July 1, 1959.]

SEC. 109. Article 6 5 (commencing at Section 17871) is added to Chapter 3 of Division 14 of said code, to read:

Article 6 5. State Supplemental Basic Aid to School Districts

17871 The Superintendent of Public Instruction shall allow to each elementary school district, high school district, and junior college district, for each unit of average daily attendance computed in the manner and for the grades prescribed by the respective provisions allowing basic aid for each particular type of district, five dollars ($5), if the rate of tax levied for the particular type of district is no less than that prescribed as prerequisite to the allowance of state equalization aid to that district under Section 17906.

SEC. 110. Section 17702 of said code is repealed.

SEC. 111. Section 17702.1 of said code is amended and renumbered to read:

*17702* [17702.1]. Except as provided in Section 17703, the Superintendent of Public Instruction shall compute for each district described herein the amount, to be known as district aid, which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

(a) Sixty cents ($0.60) in an elementary school district.

[(b) Forty-five cents ($0.45) in a high school district with a total average daily attendance during the preceding fiscal year of less than 267.]

[(c)] *(b)* Fifty cents ($0.50) in a high school district [with a total average daily attendance during the preceding fiscal year of 267 or more].

[(d)] *(c)* [Thirty-three] *Twenty-four* cents [($0.33)] *($0.24)* in a junior college district.

[This section shall remain in effect until July 1, 1959.]

SEC. 112. Section 17901 of said code is repealed.

SEC. 113. Section 17901.1 of said code is amended and renumbered to read:

*17901* [17901.1]. The Superintendent of Public Instruction shall compare the total of the amounts allowed to, and computed for, each elementary district pursuant to Sections [17751.1] *17751*, [17702.1] *17702* and 17703 with the amount of the foundation program of school support computed for each such district pursuant to Sections 17651 to 17667, inclusive, whichever are in effect.

If the total amount allowed to, and computed for, any elementary school district pursuant to Sections [17751.1] *17751*, [17702.1] *17702* and 17703 is less than the amount of the foundation program of school support computed for such district pursuant to Sections 17651 to 17667, inclusive, whichever are in effect, he shall add to the amount computed for such district pursuant to Sections [17751.1] *17751*, [17702.1] *17702* and 17703 such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Sections 17651 to 17667, inclusive, whichever are in effect.

[Except for any elementary school district which was in existence on or before July 1, 1925, and in which district there was levied a tax for the preceding year of an amount not less than five cents ($0.05) less than the maximum tax rate prescribed for the district by Section 20751, the amount allowed under this article, beginning with the Fiscal Year 1955-56, to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section 17901.1 had the foundation program for the district been computed under Section 17656.1, except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 17901.1 and the amount that would have been computed for the district under Section 17901.1 had the foundation program for the district been computed under Section 17656.1 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions:

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require

The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.]

Notwithstanding anything in Sections 17614, 17615, [17901.1] *17901*, 17902, [17903.1,] *17903*, 17904, [17905.1] *17905*, and [17906.1] *17906* to the contrary, the amount computed for any elementary school district under Sections 17614, 17615, [17901 1] *17901*, 17902, [17903 1] *17903*, 17904, [17905.1] *17905*, and [17906.1] *17906* shall be not less than it would have been had the foundation program of school support for such district under Sections 17651 to 17667, inclusive, whichever are in effect, been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 11301 and 11404 by two hundred ninety-three dollars ($293) if the total average daily attendance of the district during the preceding fiscal year was less than 901, exclusive of the pupils attending the seventh and eighth grades of a junior high school, or by two hundred ninety-five dollars ($295) if the total average daily attendance of the district during the preceding fiscal year was 901 or more, exclusive of the pupils attending the seventh and eighth grades of a junior high school, and had the tax used in making the computation for the district under Sections 17702.1 and 17703 been one dollar and thirty-five cents ($1.35).

[This section shall remain in effect until July 1, 1959.]

SEC. 113 1. Section 17901.1 is added to said code, to read:

17901 1. Except for any elementary school district which was in existence on or before July 1, 1925, and in which district there was levied a tax for the preceding year of an amount not less than five cents ($0 05) less than the maximum tax rate prescribed for the district by Section 20751, the amount allowed under this article, beginning with the Fiscal Year 1955-56, to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section 17901 had the foundation program for the district been computed under Section 17656, except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 17901 and the amount that would have been computed for the district under Section 17901 had the foundation program for the district been computed under Section 17656 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions.

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require.

The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request

This section shall have no force or effect after June 30, 1960.

SEC 113 5. Section 17901 5 is added to said code, to read:

17901 5. The amount allowed under this article to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section 17901 had the foundation program for the district been computed under Section 17656, except that to this allowance shall be added an amount equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 17901 and the amount that would have been computed for the district under Section 17901 had the foundation program for this district been computed under Section 17656 except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions:

(a) The projection of its enrollment for five years, based on the current enrollment of the district and children residing in the district, not yet old enough to attend school, shows that the enrollment will then exceed 100 pupils, or

(b) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school with an average daily attendance of less than 101 would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(c) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school in the elementary school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(d) If topographical, climatic, time required to reach school, or other conditions exist in a district which would impose unusual hardships on pupils if the number of miles specified in (b) or (c) were required to be traveled.

In such cases, the Superintendent of Public Instruction may, when requested and after investigation, grant exceptions from the distance requirements, or

(e) If the Superintendent of Public Instruction approves the recommendation of the county committee on school district organization designating one of five or more schools as an isolated small school, in cases when the proximity of one small school to another causes both schools to be classified as other than necessary small schools as defined by the other subdivisions of this section, and the schools are operated by two or more districts and if the combined average daily attendance is less than 101.

If a small school has once been determined to be a necessary small school, that determination shall not be changed except as a review of the factors on which the determination is based made at intervals of five years following the date of the determination indicates that a change is necessary. Any school not determined to be a necessary small school may be so determined, effective at the beginning of any fiscal year if it meets the necessary conditions of this section.

This section shall become operative and shall supersede Section 17901 on and after July 1, 1960.

SEC. 114 Section 17903 of said code is repealed

SEC 115. Section 17903.1 of said code is amended and renumbered to read:

*17903* [17903.1]. Notwithstanding anything in Sections 17614 and 17615, and Sections [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, and [17906.1] *17906* to the contrary, the amount computed for any high school district under Sections 17614 and 17615, and Sections [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, and [17906.1] *17906* shall be not less than it would have been had the foundation program of school support for such district under Sections 17651 to 17667, inclusive, whichever are in effect, been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 11403 and 11452 by [three hundred eighty-eight dollars ($388)] *four hundred dollars ($400)* if the total average daily attendance of the district during the preceding fiscal year was less than 301, or by [three hundred ninety dollars ($390)] *four hundred ten dollars ($410)* if the total average daily attendance of the district during the preceding fiscal year was 301 or more, and had the tax used in making the computation for the district under Sections [17702.1] *17702* and 17703 been eighty-five cents ($0.85).

*The amount allowed under Sections 17614 and 17615, and Sections 17901 to 17906, inclusive, beginning with the Fiscal Year 1959-1960, to a high school district having an average daily attendance during the preceding fiscal year of less than 301, shall not be more than the amount which would have been computed under Section 17902 had the foundation program been computed pursuant to Section 17665 except that to this allowance shall be added an amount for the 1959-1960 Fiscal Year equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 17903 and the amount which would have been computed for the district under Section 17902 had the foundation program been computed under Section 17665.*

[This section shall remain in effect until July 1, 1959.]

SEC. 116. Section 17903.2 is added to said code, to read:

17903.2. Notwithstanding any provision of Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460, inclusive, if one or more districts maintaining necessary small high schools unite with a larger school district, the amount allowed by the Superintendent of Public Instruction during each of the first five fiscal years following that event, as the total basic state aid and state equalization aid on account of the district or districts which maintained any necessary small high schools, shall be not less than the total amount which would have been allowed as basic state aid and state equalization aid to those districts had there been no uniting of the districts; but only if such uniting of the districts maintaining small necessary high schools is effective for all purposes on or

before the dates specified for the particular districts classified by enrollment as follows:

(a) 60 or fewer pupils.....July 1, 1962
(b) 61 to 120 pupils.....July 1, 1963
(c) 121 to 200 pupils.....July 1, 1964
(d) 201 to 280 pupils.....July 1, 1965

For purposes of this section the computation of the foundation program under Sections 17651 to 17667, inclusive, for the district or districts which maintained any necessary small high schools shall be made by using the average daily attendance of the preceding year.

SEC. 116.5. Section 17951 of said code is repealed.

SEC. 116.6. Section 17951.1 of said code is amended and renumbered to read:

*17951* [17951.1]. The Superintendent of Public Instruction shall allow each district for each unit of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 6352, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults, one hundred twenty-five dollars ($125) as basic state aid *and, if the district is eligible therefor, five dollars ($5) in state supplemental basic aid,* and the same amount as state equalization aid as is computed by dividing the allowance computed for the district under Sections 17614, 17615, and Sections [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, and [17906.1] *17906* by the average daily attendance of the district during the preceding fiscal year, exclusive of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 6352, and for inmates of state institutions for adults and of city, county, or city and county jails, road camps or farms for adults. The total of basic and equalization aid allowed shall not exceed two hundred [twenty dollars ($220)] *forty dollars ($240)* for each unit of average daily attendance during the preceding fiscal year for such adults, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county or city and county jail, road camp or farm for adults.

[This section shall remain in effect until July 1, 1959.]

SEC. 117. Article 8.5 (commencing with Section 17970) is added to Chapter 3 of Division 14 of said code, to read:

### Article 8.5. Computation of Allowances for Junior College Pupils Who Are Not Residents of Any Junior College District

17970. The Superintendent of Public Instruction shall allow to each junior college district for each unit of average daily attendance, during the preceding fiscal year, of pupils not residing in the district and not residing in any district maintaining a junior college district, one hundred twenty-five dollars ($125) as basic state aid and, if the district is eligible, five dollars ($5) in state supplemental basic aid, and the same amount as state equalization aid as is computed by the allowance computed for the district under Sections 17614 and 17615, and Sections 17901 to 17906, inclusive, by the average daily attendance of the district during the preceding fiscal year for pupils who reside in the district and who are attending junior college in the district or who are attending junior college in another district under an interdistrict attendance agreement.

There shall be excluded from the computation of allowances provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 6352, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp, or farm for adults.

SEC. 118. Section 17904.2 is added to said code, to read:

17904.2. Beginning with the Fiscal Year 1959-1960, the Superintendent of Public Instruction shall compare (1) the amount of equalization aid computed for a district pursuant to Sections 17904 and 17970, with (2) the amount which would have been computed if all of the following applied:

(a) The foundation program of the district were computed by multiplying by four hundred ten dollars ($410) the number of units of average daily attendance in grades 13 and 14 computed under Sections 11451 and 11501, subject to the provisions of Section 17611, of all pupils attending the junior college of the district, whether or not they reside in the district, and excluding any average daily attendance of pupils residing in the district and attending a junior college in another district maintaining a junior college under an interdistrict attendance agreement.

(b) Basic aid were computed on the basis of the average daily attendance referred to in subdivision (a) above.

(c) The tax used in district aid was thirty-three cents ($0.33).

(d) Equalization aid were computed on the basis of subdivisions (a), (b), and (c) above.

If the amount computed under (2) above exceeds the amount computed under (1) above, the Superintendent of Public Instruction shall, beginning with the Fiscal Year 1959-1960, make an additional allowance to the junior college district, in the following amounts:

(a) For the Fiscal Years 1959-1960 and 1960-1961, the entire amount by which the amount computed under (2) above exceeds the amount computed under (1) above.

(b) For the successive fiscal years following the 1960-1961 Fiscal Year, the following percentages of the amount by which the amount computed under (2) above exceeds the amount computed under (1) above in each year:

| | | |
|---|---|---|
| (1) | 1961-1962 | 80 percent |
| (2) | 1962-1963 | 60 percent |
| (3) | 1963-1964 | 40 percent |
| (4) | 1964-1965 | 20 percent |
| (5) | 1965-1966, and after | none |

In the event that the computation made for any district under (2) above exceeds that made under (1) above for any fiscal year, and there are pupils attending in the district under an interdistrict attendance agreement for which a tuition payment is made to the district, the computation under (1) above for the district in which the pupils reside shall be made by excluding the average daily attendance of those pupils.

SEC. 119. Sections 17905, 17905.1, 17906, and 17906.1 of said code are repealed.

SEC. 120. Section 17906.2 is added to said code, to read:

17906.2. No state equalization aid and no state supplemental basic aid shall be allowed unless there shall have been levied pursuant to this code, for a district during the preceding fiscal year, a tax, exclusive of taxes levied under Sections 3356, 14214, 14657, 14758, 16633, 19443, 19619, 20801, and 22101, as follows:

(a) For purposes of allowances for the Fiscal Year 1959-1960, not less than sixty cents ($0.60) if an elementary district, forty-five cents ($0.45) if a high school district with a total average daily attendance during the preceding fiscal year of less than 301, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of 301 or more, and thirty-three cents ($0.33) if a junior college district.

(b) For purposes of allowances for the Fiscal Year 1960-1961, not less than sixty cents ($0.60) if an elementary district, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of less than 301, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of 301 or more, and twenty-four cents ($0.24) if a junior college district.

SEC. 121. Section 17614 of said code is amended to read:

17614. Notwithstanding anything in Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460.1, inclusive, whichever are in effect, to the contrary, if under Section 11255 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as basic state aid, *state supplemental basic aid*, and state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amounts of basic state aid, *state supplemental basic aid*, and state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily attendance to the acquiring school district. He shall allow to the original school district as basic state aid, *state supplemental basic aid*, and state equalization aid the amount computed by multiplying the resulting quotients by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as basic state aid, *state supplemental basic aid*, and state equalization aid the amount computed by multiplying the same quotients by the units of average daily attendance credited to the district under Section 11255.

*Whenever a small elementary school or small high school has been maintained during the preceding fiscal year within the territory of the original district included in the acquiring district, for which a small school foundation program is computed under the provision of Sections 17651 to 17667, inclusive, the amount allowed by the Superintendent of Public Instruction shall be the larger of (1) an amount determined as the product of the units of average daily attendance credited to the acquiring district and the basic aid and state supplemental basic aid for each unit of average daily attendance prescribed in Sections 17751, 17801, or 17871, or (2) an amount equal to the product of the average daily attendance credited to the acquiring district and an amount equal to the difference between the foundation program computed for each unit of such average daily attendance under the provisions of Sections 17651 to 17667, inclusive, and the district aid for each unit of average daily attendance under the provisions of Sections 17702 and 17703*

SEC. 122. Section 17704 is added to said code, to read:

17704. Any school district whose total tax revenues for any fiscal year are less than would have been realized from the total assessed value of property in the district because of allocations of tax receipts to a redevelopment agency pursuant to Article 4 (commencing at Section 33950) of Chapter 5 of Division 24 of the Health and Safety Code, may request the Superintendent of Public Instruction to compute district aid for the district under this section. Upon receipt of such a request, the Superintendent of Public Instruction shall, in computing district aid under Section 17702, reduce the amount of the total assessed valuation in the district as shown by the equalized assessment roll for the preceding year by the amount of such assessed valuation upon which such tax receipts for such fiscal year were allocated to the redevelopment agency.

SEC. 123. Section 18102 of said code is amended to read:

18102. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess current expense of education to such district of educating physically handicapped minor pupils but not in excess of [six hundred dollars ($600)] *nine hundred ten dollars ($910)* for each unit of average daily attendance of physically handicapped minor pupils in the district during the next preceding fiscal year, and an additional amount not in excess of [six hundred dollars ($600)] *nine hundred ten dollars ($910)*, or the cost to the district, whichever is the lesser, for each unit of average daily attendance of blind pupils, when a reader has actually been provided to assist him with his studies, or for the purchase of Braille books, the cost of transcribing ink print materials into Braille, the purchase or making of sound recordings and the purchase of special supplies and equipment for blind pupils.

SEC. 124. Section 18103 of said code is amended to read:

18103. [County School Service Fund.] The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the excess current expense of education to the county superintendent of schools of educating physically handicapped minor pupils but not in excess of [six hundred dollars ($600)] *nine hundred ten dollars ($910)* for each unit of average daily attendance of physically handicapped minor pupils educated by the county superintendent of schools during the preceding fiscal year, and an additional amount not in excess of [six hundred dollars ($600)] *nine hundred ten dollars ($910)*, or the cost to the county superintendent, whichever is the lesser, for each unit of average daily attendance of blind pupils, when a reader has actually been provided to assist him with his studies, or for the purchase of Braille books, the cost of transcribing ink print materials into Braille, the purchase or making of sound recordings and the purchase of special supplies and equipment for blind pupils.

*The allowance made under this section shall in no case exceed the difference between the actual expense of maintaining the emergency schools during the preceding fiscal year and the amount allowed under Section 18355.*

SEC. 125. Section 18152 of said code is amended to read:

18152. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess current expense of education, including transportation, to the school district, of educating mentally retarded minors who come within the provisions of Section 6902 during the preceding fiscal year in special schools or classes but not in excess of [two hundred dollars ($200)] *three hundred seventy-five dollars ($375)* per unit of average daily attendance of such minors.

SEC. 126. Section 18153 of said code is amended to read:

18153. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the excess current expense of education, including transportation, to the county superintendent of schools of educating mentally retarded minors coming within the provisions of Section 6902, during the preceding fiscal year in special schools or classes but not in excess of [two hundred dollars ($200)] *three hundred seventy-five dollars ($375)* per unit of average daily attendance of such minors.

SEC. 127. Section 18202 of said code is amended to read:

18202. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess current expense of education to the district, excluding transportation, of educating mentally retarded minors who come within the provisions of Section 6903 during the preceding fiscal year but not in excess of [four hundred fifty] *six hundred seventy* dollars [($450)] *($670)* per unit of average daily attendance of such minors.

SEC. 128. Section 18203 of said code is amended to read:

18203. The Superintendent of Public Instruction shall allow to each county school service fund an amount equal to the excess current expense of education to the county superintendent of school, excluding transportation, of educating mentally retarded minors who come within the provisions of Section 6903 during the preceding fiscal year but not in excess of [four hundred fifty dollars ($450)] *six hundred seventy dollars ($670)* per unit of average daily attendance of such minors.

SEC. 129. Section 18251 of said code is amended to read:

18251. The Superintendent of Public Instruction shall allow to each school district an amount equal to the actual cost, but not in excess of [thirty-five dollars ($35)] *forty-five dollars ($45)* per pupil instructed in automobile driver training, during the preceding fiscal year in accordance with regulations set forth by the State Board of Education to districts for instructing pupils in automobile driver training.

SEC. 130. Section 18253 is added to said code, to read:

18253. The Superintendent of Public Instruction shall allow to each school district an amount equal to the actual expense of replacing vehicles used exclusively in automobile driver training programs and of replacing simulators used in such programs, but the amount shall not exceed three-fourths of the actual amount in excess of forty-five dollars ($45) per pupil instructed in automobile driver training during the preceding fiscal year which was expended by the district in replacing such vehicles and simulators

A "simulator" is any automobile driver training device approved by the Department of Education to be used in classrooms for purposes of driver training instruction under simulated driving conditions.

SEC. 131. Section 18001.5 is added to said code, to read:

18001.5. The allowances provided for in this article (commencing with Section 18001) for each unit of average daily attendance attributable to growth, shall in no event be less than the basic state aid prescribed per unit of average daily attendance for the various types of school districts.

SEC. 132. Sections 18003, 18005, 18005.1, and 18006 of said code are repealed.

SEC. 133. Section 18003 is added to said code, to read:

18003. The Superintendent of Public Instruction shall allow, for each period referred to above, an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year and for the same period in the preceding fiscal year shall be computed in the manner prescribed in Sections 11251 to 11255, inclusive, and Sections 11301 to 11653, inclusive.

The Superintendent of Public Instruction shall allow for each period for each district which was in existence for all purposes during the preceding fiscal year an amount equal to the difference between (1) the amount of basic state aid, state supplemental basic aid, and state equalization aid which was apportioned on account of average daily attendance in the regular day classes in such district during the preceding fiscal year and (2) the amount of basic state aid, state supplemental basic aid, and state equalization aid which would have been apportioned had the total average daily attendance in the regular day classes in such district during such year been equal to the total average daily attendance during the period of the current year, multiplied for the first period by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175, and for the second period by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the current fiscal year to 175.

In making any computation under Section 17702 for the purposes of this section, the assessed valuation of the district for the current year shall be used.

SEC. 134. Section 17402 of said code is amended to read:

17402. The Superintendent of Public Instruction shall on or before September 25th of each year apportion to each elementary school district, high school district, junior college district, county school service fund, and county school tuition fund the total amounts allowed to them under Sections 17401, *17602.7*, 17614 and 17615, Sections 17751 to [17906.1] *17906*, inclusive, Sections 17951 to [17952.1] *17952*, inclusive, Section 17970, and Sections 18351 to 18458, inclusive, whichever are in effect. This apportionment shall be called the Principal Apportionment

SEC. 135. Section 17403 of said code is repealed.

SEC. 136. Section 17403.1 of said code is amended and renumbered to read:

*17403* [17403.1]. The Superintendent of Public Instruction shall withhold from the apportionment made to each district for which a computation was made under Section [17655.1] *17655* or [17658.1] *17658* as follows:

If the district had fewer teachers than prescribed by the subdivision of Section [17655.1] *17655* or [17658.1] *17658* under which the computation was made, the Superintendent of Public Instruction shall withhold an amount determined as the difference between the amount allowed under Sections [17751.1] *17651*, 17614 and 17615, and Sections 17901 to [17906.1] *17906*, inclusive, whichever are in effect, and the amount that would have been allowed had the computation for the district under Section [17655.1] *17655* or [17658.1] *17658* been made by multiplying the total average daily attendance by [two hundred eighteen dollars ($218)] *two hundred thirty dollars ($230)*.

[This section shall remain in effect until July 1, 1959.]

SEC. 137. Section 17404.5 is added to said code, to read:

17404.5. The Superintendent of Public Instruction shall withhold from the apportionment made to any district for which a computation was made under Section 17664, if the district had fewer certificated employees employed than are prescribed by the subdivision of Section 17664 under which the computation was made,

an amount determined as the difference between the amounts allowed under Sections 17614, 17615, and 17801, and Sections 17901 to 17906, inclusive, and the amount which would have been allowed had the computation for the district under Section 17664 been made by multiplying the total average daily attendance by three hundred twenty dollars ($320).

If, by the tenth day of November of any current fiscal year, an additional certificated employee or additional certificated employees are hired for a school in a district from which such a withholding was made, and the school then fully meets the requirements of the appropriate subdivision of Section 17664, the Superintendent of Public Instruction shall apportion, at the time the apportionment under Section 17405 is made to the district, the amount withheld. If the amount so apportioned is less than the amount of the withholding, the balance shall be allowed pursuant to Section 18460.

SEC. 137.5. Section 8109 of said code is amended to read:

8109. [The] *Allowances by the* Superintendent of Public Instruction shall [allow to each district the actual excess cost of training each pupil in such] *be made only for* driver training *classes maintained* in accordance with the rules and regulations as set forth by the State Board of Education. [However, there shall not be allowed a sum in excess of thirty-five dollars ($35) per pupil trained.] Not more than the maximum enrollment of the tenth, eleventh, or twelfth grade classes of the district shall be counted as eligible for instruction in automobile driver training each year.

SEC. 137.8. Section 18602 of said code is repealed.

SEC. 138. Sections 13525, 17306, 17405, 17411, 17503, 17616, 17751, 17801, 17952, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460, of said code are repealed.

SEC. 139. Section 13525.1 of said code is amended and renumbered to read:

*13525* [13525.1]. The governing board of each school district shall pay to each person employed in a day school of the district for full time in a position requiring certification qualifications and serving under other than an emergency or provisional credential an annual salary of not less than four thousand two hundred dollars ($4,200).

The governing board of each school district shall pay to each person employed for less than full time in a position requiring certification qualifications and serving under other than an emergency or provisional credential an annual salary of not less than an amount which bears the same ratio to four thousand two hundred dollars ($4,200) as the time required of the person bears to the time required of a person employed full time.

"Full time" means not less than the minimum school day for each day the schools of the district are maintained during the school year.

The provisions of this section shall not be construed as applying to substitute employees of a school district.

[This section shall remain in effect until July 1, 1959.]

SEC. 140. Section 17306.1 of said code is amended and renumbered to read.

*17306* [17306.1]. If any amount is appropriated by the Legislature in augmentation of any of the purposes set forth in the schedule in Section 17303.1, the amounts allowed for such purpose to districts and funds under Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460.1, inclusive, whichever are in effect, shall not exceed the amount computed under the formula or provisions of Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460.1, inclusive, whichever are in effect, for such purpose. If the amount in the schedule plus the amount appropriated in augmentation exceeds the total of the amounts so computed for such purpose for all districts and funds, the excess shall be allowed pursuant to Section 18460.1 for purposes specified in subdivisions (a), (b), (c), (d), (e), and (f) of Section 17303.1.

[This section shall remain in effect until July 1, 1959.]

SEC. 140.5. Section 17308 of said code is amended to read:

17308. Within the first month of the 1957-58 Fiscal Year, the State Controller shall transfer to the General Fund (1) from the School Bond Retirement Fund, ten million dollars ($10,000,000) and (2) from the money deposited in the Teachers' Permanent Fund by Section 3 of Chapter 13, Statutes of 1943, Fourth Extra Session, an amount equal to the appropriation from the General Fund to the Retirement Annuity Fund made by Item 425 of the Budget Act of 1957.

Within the first month of the 1958-59 Fiscal Year, the State Controller shall transfer to the General Fund (1) the remaining balance in the School Bond Retirement Fund, and (2) the balance of the amount, together with all increments thereon, deposited in the Teachers' Permanent Fund by Section 3 of Chapter 13, Statutes of 1943, Fourth Extra Session; provided, that no more shall be transferred from the Teachers' Permanent Fund than is appropriated from the General Fund to the Teachers' Permanent Fund and to the Retirement Annuity Fund for the 1958-59 Fiscal Year.

Transfers to effectuate the purposes of this section need not be made in cash but may be made in investments pursuant to Article 5, Chapter 3, Part 2, Division 4,

Title 2 (commencing at Section 16485) of the Government Code, except that investments shall be transferred at actual market value as determined by the State Board of Control rather than at "market value" as defined by Section 16486 of the Government Code.

[This section shall remain in effect until July 1, 1959.]

SEC. 141. Section 17405.1 of said code is amended and renumbered to read:

*17405* [17405.1]. The Superintendent of Public Instruction shall on or before December 10th of each year apportion to each elementary, high school, and junior college district, and county school service fund the total of amounts allowed to them under Sections 18051 to 18206, inclusive, whichever are in effect, and subdivision (a) of Section 17404. This apportionment shall be called the special purpose apportionment.

[This section shall remain in effect until July 1, 1959.]

SEC. 142. Section 17411.1 of said code is amended and renumbered to read:

*17411* [17411.1]. The Superintendent of Public Instruction shall withhold from the apportionment to an elementary school district the amount allowed the elementary school district for the average daily attendance in grades 7 and 8 in a junior high school by reason of the operation of subdivision (a) of Section 17601. The amount withheld shall be the larger of the following amounts:

(a) One hundred twenty-five dollars ($125) per unit of average daily attendance in grades 7 and 8 of the junior high school.

(b) An amount determined by the following process:

(1) Divide the district aid computed under Section [17702.1] *17702* or the amount which would have resulted had the tax used for such computation been one dollar and thirty-five cents ($1.35), whichever amount was used in computing equalization aid apportioned to the district, by the units of average daily attendance in kindergarten and grades 1 through 8;

(2) Subtract the quotient resulting from the computation in subparagraph (1) from the amount allowed per unit of average daily attendance as a foundation program for units of average daily attendance in grades 7 and 8 in the district;

(3) Multiply the result obtained in subparagraph (2) by the units of average daily attendance in grades 7 and 8 in a junior high school.

The Superintendent of Public Instruction shall add the amount withheld to the apportionment required to be made to the high school district maintaining the junior high school.

[This section shall remain in effect until July 1, 1959.]

SEC. 143. Section 17503.1 of said code is amended and renumbered to read:

*17503* [17503.1]. During any fiscal year there shall be expended for the payment of salaries of persons employed by the district in positions requiring certification qualifications or for the payment of tuition by the district to another district the following amounts:

(a) Not less than 65 percent of the foundation program for elementary school attendance in elementary districts with an average daily attendance during the preceding year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, as such foundation program is actually computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive [, whichever are in effect] ) of Chapter 3 of this division, or pursuant to Section [17901.1] *17901*, if the foundation program for such district is computed pursuant to Section [17901.1] *17901*, whichever is the case for the particular district, or 65 percent of the total state basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, reduced by the amount chargeable to the district for tuition for interdistrict attendance, pursuant to Section 5659, if such amount is less than the amount computed on the basis of the foundation program.

(b) Not less than 65 percent of the foundation program for elementary school attendance of an elementary district with an average daily attendance during the preceding year of 101 or more, exclusive of the average daily attendance of pupils attending the seventh and eighth grades of a junior high school, as such foundation program would be computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive, whichever are in effect) of Chapter 3, or as it would be computed pursuant to Section 17901.1 for apportionments in the same fiscal year, whichever is the larger amount; but if an amount computed by determining 65 percent of the total basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, reduced by the amount chargeable to the district for tuition for interdistrict attendance, pursuant to Section 5659, is less than the larger of the two amounts computed on the basis of the foundation program, such amount shall be used in lieu of the amount computed on the basis of the foundation program.

(c) Not less than 65 percent of the foundation program for high school attendance in high school districts with an average daily attendance during the preceding

year of less than 267, as such foundation program is actually computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive [, whichever are in effect]) of Chapter 3 of this division, or pursuant to Section [17903.1] *17903* if the foundation program for such district is computed pursuant to Section [17903.1] *17903*, whichever is the case for the particular district, or 65 percent of the total state basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, increased by amounts received as tuition payments for interdistrict attendance, if such amount is less than the amount computed on the basis of the foundation program.

(d) Not less than 65 percent of the foundation program for high school attendance in a high school district which had an average daily attendance during the preceding year of 267 or more, which would be computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive [, whichever are in effect]) of Chapter 3 of this division, or which would be computed for apportionments in the same fiscal year pursuant to Section [17903.1] *17903*, which ever is the larger amount; but if an amount computed by determining 65 percent of the total basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, increased by amounts received as tuition payments for interdistrict attendance, is less than the larger of the two amounts computed on the basis of the foundation program, such amount shall be used in lieu of the amount computed on the basis of the foundation program

(e) Not less than 65 percent of the foundation program computed for apportionments in the same fiscal year for junior college attendance, or 65 percent of the total state basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, increased by amounts received as tuition payments for interdistrict attendance and reduced by amounts of interdistrict attendance payments chargeable to it, if such amount is less than the amount computed on the basis of the foundation program.

(f) In addition to the above amounts, as determined for each district, not less than 65 percent of the apportionments for growth computed for the district during the preceding fiscal year, and not less than 65 percent of the apportionments computed pursuant to Sections [17951.1] *17951* and [17411.1] *17411* during the same fiscal year.

The terms "elementary district," "high school district" and "elementary school attendance," "high school attendance," and "junior college attendance," as used in this section, have the same meanings as if used in Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460 [.1] , inclusive [, whichever are in effect] .

In the event it appears to the governing board of a school district that the application of the preceding paragraphs of this section during a fiscal year would result in serious hardship to the district, or in the payment of salaries to persons employed by the district in positions requiring certification qualifications substantially in excess of the salaries paid persons employed in positions requiring certification qualifications by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district apply to the Superintendent of Public Instruction in writing not later than July 15th of the succeeding fiscal year for exemption from the requirements of the preceding paragraphs of this section for the fiscal year on account of which the application is made. Upon receipt of such application, duly approved, the Superintendent of Public Instruction may grant the district exemption, to the extent deemed necessary by him, from such requirements for the fiscal year on account of which the application is made.

If any portion of the money is not expended as required by this section and is not exempted by the Superintendent of Public Instruction, the county superintendent of schools having jurisdiction over the district shall add such portion to the amount required to be expended for salaries or tuition for the next succeeding fiscal year or he may transfer 80 percent of such amount to the county school service fund pursuant to Section 20104.

[This section shall remain in effect until July 1, 1959 ]

SEC. 144. Section 17616.1 of said code is amended and renumbered to read:

*17616* [17616.1] . The average daily attendance of pupils attending high school courses maintained by an elementary school district shall be, for the purposes of Sections 10951 to 11653, inclusive, Sections 17151 to 18460 [.1] , inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, [whichever are in effect,] considered average daily attendance in high school classes maintained by a high school district and apportionments of one

hundred twenty-five dollars ($125) per unit of average daily attendance, and no more, on account of such average daily attendance shall be made to the elementary school district.

[This section shall remain in effect until July 1, 1959.]

SEC. 145. Section 17751.1 of said code is amended and renumbered to read:

*17751* [17751.1]. The Superintendent of Public Instruction shall allow one hundred twenty-five dollars ($125) to each elementary school district for each unit of average daily attendance therein during the preceding fiscal year as computed for the district under Sections 11301 and 11404, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any elementary school district, to be known as basic state aid

[This section shall remain in effect until July 1, 1959.]

SEC. 146. Section 17801.1 of said code is amended and renumbered to read

*17801* [17801.1]. The Superintendent of Public Instruction shall allow to each high school district one hundred twenty-five dollars ($125) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 11403, 11452, and 11501, subject to the provisions of Section 17610, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any high school district, to be known as basic state aid.

The Superintendent of Public Instruction shall exclude from the computation of allowances provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 6352, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults

[This section shall remain in effect until July 1, 1959.]

SEC. 147. Section 18401.1 of said code is amended and renumbered to read:

*18401* [18401.1] The Superintendent of Public Instruction shall allow to each county school tuition fund one hundred twenty-five dollars ($125) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year

[This section shall remain in effect until July 1, 1959.]

SEC. 148. Section 18451.1 of said code is amended and renumbered to read:

*18451* [18451.1] (a) The total amount allowed from the State School Fund as basic and equalization aid, and allowances in lieu of basic and equalization aid allowed pursuant to Sections [18355.1] *18355* [18356.1] *18356*, [18357.1] *18357*, [18358.1] *18358* and [18401.1] *18401*, to be apportioned on account of average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the state and county school tuition funds on account of elementary, high school, and junior college school pupils shall not exceed the amount provided by law therefor.

(b) The total amount allowed from the State School Fund pursuant to Section [18060.1] *18060* and Sections 18101 to 18206, inclusive, shall not exceed the amount provided by law therefor

[This section shall remain in effect until July 1, 1959.]

SEC. 149. Section 18452.1 of said code is amended and renumbered to read:

*18452* [18452.1]. If the total amount allowed from the State School Fund to all school districts, county school service funds, and county school tuition funds under Sections 17614, 17615, [17751.1] *17751*, [17801.1] *17801*, [17851.1] *17851*, [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, [17906.1] *17906*, [17951.1] *17951*, 17952, [18355.1] *18355*, [18356.1] *18356*, [18357.1] *18357*, [18358.1] *18358*, and [18401.1] *18401* on account of average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the state and county school tuition funds is less than the amount provided by law for such purposes, the balance shall be allowed pursuant to Section [18460.1] *18460*

[This section shall remain in effect until July 1, 1959.]

SEC. 150. Section 18453.1 of said code is amended and renumbered to read:

*18453* [18453.1]. If the total amount allowed from the State School Fund to all school districts and county school service funds under Section 18060 [.1], and Sections 18101 to 18206, inclusive, [whichever are in effect,] on account of average daily attendance during the preceding fiscal year is less than the total amount provided by law for such purposes, the balance shall be allowed pursuant to Section [18460.1] *18460*

[This section shall remain in effect until July 1, 1959.]

SEC. 151. Section 18455.1 of said code is amended and renumbered to read:

*18455* [18455.1]. If the total amount allowed from the State School Fund to all school districts, county school service funds, and county tuition funds under Sections 17614, 17615, [17751.1] *17751*, [17801.1] *17801*, [17851.1] *17851*, [17951.1] *17951*, 17952, [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, [17906.1] *17906*, [18355.1] *18355*, [18356.1] *18356*, [18357.1] *18357*, [18358.1] *18358*, and [18401.1] *18401*, on account of average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the state and county school tuition funds is more than

the total amount provided by law for such purposes, the amount allowed each such district as equalization aid from the State School Fund shall be reduced proportionately.

[This section shall remain in effect until July 1, 1959.]

SEC. 152. Section 18456.1 of said code is amended and renumbered to read:

*18456* [18456.1]. If the total amount allowed from the State School Fund to all districts and county school service funds under Section [18060.1] *18060* and Sections 18101 to 18206, inclusive, [whichever are in effect,] on account of average daily attendance during the preceding fiscal year is more than the total amount provided by law for such purposes, the total amount allowed each such district and each such county school service fund from the State School Fund pursuant to said sections shall be reduced proportionately.

[This section shall remain in effect until July 1, 1959.]

SEC. 153. Section 18460.1 of said code is amended and renumbered to read:

*18460* [18460.1]. If the total amount allowed county school service funds under Sections 18351 to 18354, inclusive, [whichever are in effect,] is less than the amounts provided by Section [18352.1] *18352* the balance shall be added to the balances resulting from the application of Sections 18009, 18061, [18452.1] *18452*, [18453.1] *18453*, and subdivision (b) of Section 17404. The total of such balances shall be used as follows.

(a) First, to increase proportionately the allowances made to which Section [18455.1] *18455* applied. The increased allowances shall not exceed the amounts computed under Sections 17614, 17615, [17751.1] *17751*, [17801.1] *17801*, [17851.1] *17851*, [17951.1] *17951*, 17952, [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, [17906.1] *17906*, [18355.1] *18355*, [18356.1] *18356*, [18357.1] *18357*, [18358.1] *18358*, [18401.1] *18401*. The increase for each elementary, high school, or junior college district shall be an amount that bears the same ratio to the total balance as the amount of equalization aid allowed such district bears to the total amount of equalization aid allowed to all districts.

(b) Second, to restore, in the order herein listed, the amounts reduced under Sections 18007, 18008, [18456.1] *18456*, and subdivision (a) of Section 18061.

(c) Thereafter, to allow any remaining balance as additional state equalization aid to the districts that were allowed state equalization aid pursuant to Sections 17614, 17615, [17901.1] *17901*, 17902, [17903.1] *17903*, 17904, [17905.1] *17905*, and [17906.1] *17906*, during the then current fiscal year. The amount of additional state equalization aid allowed each such district for each unit of average daily attendance shall be determined by dividing such remaining balance by the average daily attendance of all districts receiving equalization aid.

[This section shall remain in effect until July 1, 1959.]

SEC. 154. Sections 59.5 to 153, inclusive, of this act shall become operative at the same time as the Education Code as enacted by the Legislature at its 1959 Regular Session takes effect, at which time the sections of the Education Code added or amended by Sections 1 to 59.3 of this act are repealed."

**Amendment No. 39**

On page 32, line 4, strike out "60", and insert "155".

**Amendment No. 40**

On page 32, line 10, strike out "61", and insert "156".

**Amendment No. 41**

On page 32, line 13, strike out "62", and insert "157".

**Amendment No. 42**

On page 32, line 19, strike out "63", and insert "158".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 911**—An act to amend Sections 14401 and 14445 of, and to add Section 14401.3 to, the Education Code, and to amend Sections 14001 and 14057 of, and to add Section 14001.3 to, the Education Code as proposed by Senate Bill No. 2, and to amend Section 20335 of the Government Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 14401 and 14445 of, and to add Section 14401.3 to, the Education Code, and to amend".

Amendment No. 2

In line 4 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

Amendment No. 3

On page 1, strike out lines 1 to 9, inclusive; strike out all of page 2, and on page 3, strike out lines 1 to 26, inclusive.

Amendment No. 4

On page 3, line 27, strike out "SEC. 4", and insert "SECTION 1".

Amendment No. 5

On page 3, line 30, strike out "Chapter 14, Division 7", and insert "Chapter 4, Division 10".

Amendment No. 6

On page 3, line 36, strike out "14", and insert "4".

Amendment No. 7

On page 3, strike out lines 39 and 40, and insert

"SEC. 2. Section 14001 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:".

Amendment No. 8

On page 4, line 44, after "semester", insert ", or less than one school quarter of 12 weeks if the district operates its adult education program on that basis".

Amendment No. 9

On page 5, line 1, strike out "6", and insert "3".

Amendment No. 10

On page 5, line 1, strike out "proposed".

Amendment No. 11

On page 5, line 14, strike out "SEC. 7", and insert "SEC. 4".

Amendment No. 12

On page 5, line 14, strike out "proposed".

Amendment No. 13

On page 5, strike out lines 27 to 34, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 912**—An act to amend Sections 14449.5 and 14453 of the Education Code, and Sections 14064 and 14068 of, the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "14449.5 and 14453 of the Education Code, and Sections".

**Amendment No. 2**

In line 3 of the title, strike out "proposed by Senate Bill No 2", and insert "enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 15, inclusive; and on page 2, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 14064 of the Education Code as enacted at the 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 2, line 38, strike out "on or before", and insert "before October 1, 1959,".

**Amendment No. 5**

On page 2, line 39, strike out "his retirement under the system".

**Amendment No. 6**

On page 2, strike out line 48, and insert

"SEC. 2. Section 14068 of said code is amended to".

**Amendment No. 7**

On page 3, strike out lines 13 to 18, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 918**—An act to amend Section 14680 of, and to repeal Sections 14479.1 and 14681 of, the Education Code, and to amend Section 14411 of, and to repeal Sections 14110 and 14412 of the Education Code as proposed by Senate Bill No 2, relating to State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend".

**Amendment No. 2**

In line 4 of the title, strike out "proposed by Senate Bill No. 2", and insert "as enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 19, inclusive; and on page 2, strike out lines 1 to 44 inclusive, and insert

"SECTION 1. Section 14411 of the Education Code as enacted at the 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 3, line 19, strike out "the rate fixed by the board", and insert "said rate".

**Amendment No. 5**

On page 3, strike out line 51, and insert

"SEC. 2. Sections 14110 and 14112 of said code are".

**Amendment No. 6**

On page 4, strike out lines 1 to 6, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1024**—An act to amend Sections 14575, 14638.1, 14638.2, and 14638.3 of the Education Code and Sections 14251, 14365, 14366, and 14367 of the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert "An act to amend Sections 14251, 14365, and 14366 of, and to repeal Section 14252 of, the Education Code as enacted".

**Amendment No. 2**

In line 4 of the title, strike out "Bill No. 2", and insert "at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 15, inclusive; on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 52, inclusive; on page 4, strike out lines 1 to 50, inclusive; and on page 5, strike out lines 1 and 2, and insert

"SECTION 1. Section 14251 of the Education Code as enacted at the 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 5, line 3, strike out "Upon", and insert "Except as provided in Sections 14364, 14365, or 14366, upon".

**Amendment No. 5**

On page 5, strike out lines 45 and 46, and insert

"SEC. 2. Section 14252 of said code is repealed.

SEC. 3. Section 14365 of said code is amended to read:".

**Amendment No. 6**

On page 6, strike out line 41, and insert

"SEC. 4. Section 14366 of said code is amended to".

**Amendment No. 7**

On page 6, line 46, strike out "who is", and insert "who could have".

**Amendment No. 8**

On page 6, line 48, after "14301", insert "at the time of his death,".

**Amendment No. 9**

On page 7, line 26, strike out "the estate of".

**Amendment No. 10**

On page 7, line 27, strike out "estate", and insert "child".

**Amendment No. 11**

On page 7, strike out lines 38 to 52, inclusive; and on page 8, strike out lines 1 to 22, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1025**—An act to amend Sections 14302 and 14303 of the Education Code, and Sections 13853 and 13854 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement Board.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Sections 14302 and 14303 of the Education Code, and".

**Amendment No. 2**

In line 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 21, inclusive, and insert

"SECTION 1. Section 13853 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:".

**Amendment No. 4**

On page 2, line 36, strike out "one", and insert "two".

**Amendment No. 5**

On page 2, line 49, strike out "SEC. 4", and insert "SEC. 2".

**Amendment No. 6**

On page 2, line 49, strike out "proposed".

**Amendment No. 7**

On page 3, strike out lines 8 to 13, inclusive.

Bill ordered reprinted, engrossed, and returned to the second reading file.

(NOTE—Upon request of Mr. Sumner, made previously, Assembly Bill No. 1025 was ordered removed from reference to the Consent Calendar. *See* page 1614.)

**Assembly Bill No. 1280**—An act to amend Section 15955 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts by school district governing boards.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 910**—An act to amend Section 14640 of the Education Code, and Section 14370 of the Education Code as proposed by Senate Bill No. 2, relating to state teachers' disability annuity.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1022**—An act to amend Sections 14522, 14524.1 and 14601, Education Code, and Sections 14152, 14156, and 14301 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1023**—An act to amend Sections 14425, 14521, 14637, 14661, and 14664 of, and to add Sections 14663.2 to, the Education Code, and to amend Sections 14025, 14151, 14363, 14401, and 14405, of, and to add Section 14403.1 to, the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 244**—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026.5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021,

9024, and 9028.6 to, the Business and Professions Code, relating to the licensing of social workers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 2, line 6, of the printed bill, strike out the semicolon and insert ". Notwithstanding any provision of law, the registration and classification, as well as the issuance, suspension, or revocation of a license shall be administered without regard to race, creed, color, political affiliation, national origin, age, or sex"

**Amendment No. 2**

On page 2, line 13, strike out "; and", and insert a period

**Amendment No. 3**

On page 7, strike out lines 19 and 20.

**Amendment No. 4**

On page 7, line 21, strike out "(d)", and insert "(c)".

**Amendment No. 5**

In line 5 of the title, after "9021", insert "9023,".

**Amendment No. 6**

On page 2, line 25, strike out "graduate", and insert "certified".

**Amendment No. 7**

On page 2, line 36, strike out "graduate", and insert "certified".

**Amendment No. 8**

On page 2, line 40, strike out "graduate", and insert "certified".

**Amendment No. 9**

On page 2, line 46, strike out "graduate", and insert "certified".

**Amendment No. 10**

On page 3, line 11, strike out "graduate", and insert "certified".

**Amendment No. 11**

On page 4, line 27, after "1961," insert "(1)".

**Amendment No. 12**

On page 4, line 33, after "examination", insert ", and (2) no person may be a self-employed social worker in private practice unless he is licensed as a certified social worker, has at least a master's degree in social work from an accredited school of social work and has met other prerequisites specified by the State Board of Social Work Examiners in accordance with administratively approved changes from time to time".

**Amendment No. 13**

On page 4, line 37, strike out "Graduate", and insert "Certified".

**Amendment No. 14**

On page 4, line 39, strike out "Associate social", and insert "Social".

**Amendment No. 15**

On page 4, line 40, strike out "graduate", and insert "certified".

**Amendment No. 16**

On page 4, line 48, strike out "associate".

**Amendment No. 17**

On page 5, line 2, strike out the second "or"; and strike out lines 3 and 4, and insert "shall".

**Amendment No. 18**

On page 5, line 5, after the period, insert "The board may, in lieu of the minimum qualification, accept successful completion of a social work examination in a governmental merit system or civil service jurisdiction as meeting this requirement.

**Amendment No. 19**

On page 5, between lines 31 and 32, insert

"SEC. 18. Section 9023 is added to said code, to read:

9023. This chapter shall not apply to any nonresident social worker who comes into this State on a temporary basis to serve as a guest lecturer, or consultant, to provide demonstrations, to promote professional education, or who is merely visiting without working as a social worker."

**Amendment No. 20**

On page 5, line 32, strike out "18", and insert "19".

**Amendment No. 21**

On page 5, line 33, strike out "19", and insert "20".

**Amendment No. 22**

On page 5, line 43, strike out "associate".

**Amendment No. 23**

On page 5, line 47, strike out "Graduate", and insert "Certified".

**Amendment No. 24**

On page 6, line 8, strike out "or shall have successfully".

**Amendment No. 25**

On page 6, strike out lines 9, 10, and 11, and insert "except that the board may, in lieu of its own examination, accept successful completion of a social work examination in a governmental merit sytem or civil service jurisdiction as meeting this requirement for the social worker category."

**Amendment No. 26**

On page 6, line 12, strike out "20", and insert "21".

**Amendment No. 27**

On page 6, line 28, strike out "21", and insert "22".

**Amendment No. 28**

On page 6, line 36, strike out "22", and insert "23".

**Amendment No. 29**

On page 6, line 47, strike out "23", and insert "24".

**Amendment No. 30**

On page 7, line 10, strike out "24", and insert "25".

**Amendment No. 31**

On page 7, line 23, strike out "25", and insert "26".

**Amendment No. 32**

On page 7, line 29, strike out "26", and insert "27".

**Amendment No. 33**

On page 7, strike out lines 45, 46, and 47.

**Amendment No. 34**

On page 7, line 48, strike out "27", and insert "28".

**Amendment No. 35**

On page 8, line 1, strike out "28", and insert "29".

**Amendment No. 36**

On page 8, line 5, strike out "29", and insert "30".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 957**—An act to add Section 3025.2 and 3087.05 to, and to amend Section 3087.2 of, the Welfare and Institutions Code, relating to aid to the blind, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "hospitalization or nursing care", and insert "boarding or nursing home care or homemaker or housekeeper service".

**Amendment No. 2**

On page 1, line 12, strike out "hospitalization or nursing care", and insert "boarding or nursing home care or homemaker or housekeeper service".

**Amendment No. 3**

On page 1, line 19, strike out "hospitalization or nursing care", and insert "boarding or nursing home care or homemaker or housekeeper service".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 376**—An act to add Section 219 to the Welfare and Institutions Code, relating to real property of public assistance recipients.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 809**—An act to amend Sections 3082 and 3474.5 of, and to add Section 3474.3 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1038**—An act to amend Sections 643a and 643b of the Penal Code, relating to the protection of blind and partially blind people.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1370**—An act to amend Sections 3009 and 3408 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "or nursing care", and insert ", boarding or nursing home care, or homemaker or housekeeper service".

**Amendment No. 2**

On page 1, line 9, strike out "or nursing care" and insert ", boarding or nursing home care, or homemaker or housekeeper service".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1222**—An act to add Chapter 3.5 (commencing at Section 6450) to Part 11 of Division 1 of Title 1 of the Corporations Code, relating to foreign corporations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 2, line 28, of the printed bill, after "State," insert "which is not a subsidiary of, nor does not have common management with, any such foreign lending institution,".

**Amendment No. 2**

On page 2, line 29, after "loans", insert ", including, but without limiting the scope of such servicing, the payment of ground rents, taxes, assessments, insurance and the like"

**Amendment No. 3**

On page 2, line 35, after "loans," insert "the maintenance or defense of any action or suit relating to the possession of such property,".

**Amendment No. 4**

On page 3, line 24, after "reason", insert "of engaging in any one or more of the activities set forth in Section 6450".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 953**—An act to amend Section 28004 of the Corporations Code, relating to retirement systems.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1073**—An act to amend Section 190 of the Streets and Highways Code, relating to the allocation of funds to grade separation projects.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 2, line 2, of the printed bill, strike out "one year", and insert "six months".

**Amendment No. 2**

On page 2, strike out line 10, and insert "bonds have not been issued or sold. Where such bond proceedings have been taken, if the bonds are not issued and sold within six months after the time of such allocation, or by the following October 1st, whichever first occurs, the commission may order the allocation canceled, and revert the amount thereof to the State Highway Fund, for re-allocation to another eligible project, or for use on state highways if no other project is or becomes eligible on or before the following October 1st. In any event, regardless of the method proposed by the local agency for the financing of its share of the project cost, if after an".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1150**—An act to add Article 10 (commencing at Section 7155) to Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, lines 1 and 2, of the printed bill, strike out "of Chapter 9 of Division 3 is added to", and insert "is added to Chapter 9 of Division 3 of".

**Amendment No. 2**

On page 2, line 22, strike out "of this act".

**Amendment No. 3**

On page 2, line 36, strike out "two", and insert "one".

**Amendment No. 4**

On page 2, line 41, strike out "of this act".

**Amendment No. 5**

On page 3, strike out lines 3 and 4.

**Amendment No. 6**

On page 3, line 5, strike out "7161", and insert "7160".

**Amendment No. 7**

On page 3, line 9, strike out "7162. If any provision of this article", and insert "SEC. 2. If any provision of this act".

**Amendment No. 8**

On page 3, line 12, strike out "article", and insert "act".

**Amendment No. 9**

On page 3, line 14, strike out "article", and insert "act".

**Amendment No. 10**

On page 3, line 15, strike out "7163 The provisions of this article", and insert "SEC. 3. The provisions of this act".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Rules.

**Assembly Bill No. 991**—An act to amend Section 4168 of the Business and Professions Code, relating to the practice of pharmacy.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 993**—An act to amend Section 4035 of the Business and Professions Code, relating to the practice of pharmacy.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1239**—An act to add Section 25.5 to the Civil Code, relating to giving of blood donations.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 643**—An act to add Section 3008 to the Fish and Game Code, relating to dogs.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1253**—An act to amend Section 12024.5 of the Business and Professions Code, to amend Sections 28700, 28702, 28717 of, and to add Sections 78710.5 and 28727 to, the Health and Safety Code, relating to frozen food locker plants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "28700".

**Amendment No. 2**

On page 2, strike out lines 3 through 42, inclusive.

**Amendment No. 3**

On page 2, line 43, strike out "SEC. 3", and insert "SEC. 2".

**Amendment No. 4**

On page 3, line 1, strike out "SEC. 4", and insert "SEC. 3".

**Amendment No. 5**

On page 3, line 5, strike out "SEC. 5", and insert "SEC. 4".

**Amendment No. 6**

On page 3, line 11, strike out "SEC. 6", and insert "SEC. 5".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1368**—An act to add Section 426.1 to the Health and Safety Code, relating to standards for the quality of air, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "illness," insert "including irritation to the senses,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 211**—An act to amend Sections 18001, 18002, 18350, 18355, and 18444 of the Health and Safety Code, relating to auto and trailer parks and tent camps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on March 13, 1959, after "of", insert ", and to add Section 18350.5 to,".

**Amendment No. 2**

On page 2, line 23, strike out "For", and insert "In auto and trailer parks constructed and operated exclusively for".

**Amendment No. 3**

On page 2, line 25, strike out "For independent trailers", and insert "In auto and trailer parks and mobile home parks constructed and operated for dependent trailers, independent trailers,".

**Amendment No. 4**

On page 2, between lines 37 and 38, insert

"SEC. 4. Section 18350.5 is added to said code, to read:

18350.5. In auto and trailer parks and mobile home parks constructed and operated exclusively for independent trailers and mobile homes, one toilet, one shower, and one lavatory shall be provided for each sex for each one hundred (100) sites or fractional part thereof."

**Amendment No. 5**

On page 2, line 38, strike out "SEC. 4", and insert "SEC. 5".

**Amendment No. 6**

On page 2, line 46, strike out "SEC. 5", and insert "SEC. 6".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 595**—An act to add Section 211.5 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 2, line 8, of the printed bill, after "information", and before the period, insert "or religious affiliations".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 992**—An act to add Sections 4008.2 and 4008.3 to the Business and Professions Code, relating to pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 4008.3", and insert ", 4008.3, and 4008.4".

**Amendment No. 2**

On page 1, after line 18, insert

"SEC. 3. Section 4008.4 is added to said code, to read:

4008.4. Nothing contained in Sections 4008.2 and 4008.3 shall be construed as authorizing the board to adopt rules of professional conduct relating to price fixing or advertising of commodities."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 491**—An act to amend Section 26726 of the Government Code, relating to keepers' fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "sixteen dollars ($16)", and insert "twelve dollars ($12)".

Amendment No. 2

On page 1, lines 10 and 11, strike out "thirty-two dollars ($32)", and insert "twenty-four dollars ($24)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1369**—An act to amend Sections 69580 and 73075 of the Government Code, relating to courts in Alameda County.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, after line 13, of the printed bill, insert

"SEC. 3. On or after the effective date of this act the Governor shall appoint one superior court judge in addition to the 16 judges now holding office and one municipal court judge in the Oakland-Piedmont Judicial District in addition to the seven judges now holding office. The other additional superior court judge, and the other additional municipal court judge for the Oakland-Piedmont Judicial District, shall be appointed by the Governor on or after October 1, 1960."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 875**—An act to amend Section 75025 of the Government Code, relating to judges' retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "(g)", and insert "(h)".

Amendment No. 2

On page 2, line 13, strike out "(h)", and insert "(i)".

Bill ordered reprinted, and engrossed.

RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1007, 1029, 986, 1219, 1220, 1242, 320,** and **809,** subsequent to engrossment.

MOTION

Mr. McCollister moved that all bills on the Senate second reading file be deemed read the second time, with appropriate action taken on those bills requiring action.

Mr. Lanterman seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## SECOND READING OF SENATE BILLS

**Senate Bill No. 231**—An act to amend Section 63 5 of the Agricultural Code, relating to county agricultural commissioners.

Bill read second time, and ordered to third reading

**Senate Bill No. 138**—An act to amend Sections 181 and 200 of, and to add Section 207.9 to, the Agricultural Code, relating to animal diseases and quarantine.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

### Amendment No. 1

On page 2, line 7, of the printed bill, after "places", insert "where livestock is held for the purpose of immediate slaughter".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 203**—An act to amend Section 1096 3 of the Agricultural Code, relating to livestock remedies.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 277**—An act to add Section 4902 25 to the Education Code, and to add Section 3118.5 to the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

### Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on March 5, 1959, after the period, insert "This section shall apply when the territory of the high school district is situated entirely in one county and consists of four or fewer elementary districts, at least two of which are not contiguous"

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 339**—An act to amend Section 8752 of the Education Code, and amend Section 5602 of the Education Code as proposed by Senate Bill No. 2, relating to junior high schools.

Bill read second time, and ordered to third reading.

**Senate Bill No. 117**—An act to add Section 24283 to the Health and Safety Code, relating to air pollution, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in the Senate on March 6, 1959, after "department", insert "after notice and hearing".

**Amendment No. 2**

In line 1 of the title of the printed bill, strike out "24283", and insert "426 5".

**Amendment No. 3**

On page 1, line 1, strike out "24283", and insert "426.5".

**Amendment No. 4**

On page 1, line 3, strike out "24283", and insert "426.5".

**Amendment No. 5**

On page 1, line 7, after "health", insert "including the prevention of irritation to the senses".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## ANNOUNCEMENTS

Speaker pro Tempore Bee made the following announcement relative to the trip to Nevada:

Transportation to the Sacramento Airport will be provided by the Sergeant-at-Arms, and three cars will leave from the Capitol Basement Garage at 9 15 a m., on Saturday, March 21st, for those who desire to take advantage of this service.

---

Mr. Garrigus announced that today was the thirty-third birthday of Mr Edwin L. Z'berg; whereupon the Members of the Assembly joined in extending their best wishes and birthday greetings to Mr. Z'berg.

---

Mr. Coolidge announced that he had a series of bills relative to economy in government ready for introduction today, and invited all members who so desired to become co-authors of the bills.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

### NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 125 CONTINUED

Mr. Unruh was granted unanimous consent that his notice of motion to reconsider the vote on House Resolution No. 125 be continued until the next legislative day.

### NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 156 CONTINUED

Mr. Bruce F. Allen was granted unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 156 be continued until the next legislative day.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 987**—An act to amend Section 29484 of the Government Code, relating to proceeds of the United States Forest Reserve Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, McCollister, McMillan, Miller, Munnell, Pattee, Petris, Reagan, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—58.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1005**—An act to amend Section 19682 of the Government Code, relating to charges against state civil service employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 965**—An act to amend Section 1592 of the Insurance Code, relating to alien insurers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.
NOES—None.

Bill order transmitted to the Senate.

**Assembly Bill No. 1263**—An act to amend Section 5252 of the Financial Code, relating to actions by the Savings and Loan Commissioner on applications filed with him, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.
NOES—None.

The question being on the passage of the bills.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 369**—An act to amend Section 514 of the Penal Code, relating to embezzlement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1180**—An act to amend Sections 447a and 449a of the Penal Code, relating to arson.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—64

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 104

By Mr. Miller:

House Resolution No. 104

Relative to amending Rule 105 of the Permanent Standing Rules of the Assembly

*Resolved by the Assembly of the State of California*, That Rule No. 105 of the Permanent Standing Rules of the Assembly is amended to read:

105. *(a)* ~~Notice of a~~ *A* motion to reconsider on the next legislative day ~~,~~ *(1)* the vote whereby any bill ~~, constitutional amendment, concurrent or joint Resolution~~ was passed or refused passage, *or (2) the vote whereby any motion, amendment, concurrence, Assembly resolution or proposition other than a bill was passed or refused passage,* must be ~~given~~ *made* on the same day *the* ~~such~~ vote to be ~~so~~ reconsidered was taken. *No motion to reconsider shall be in order on the last day, or the day preceding the last day, for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted unless*

*it receives an affirmative recorded vote of 41 members, except that it shall require such a vote of 54 members or 60 members, respectively, to reconsider the vote on any matter originally requiring 54 votes or 60 votes, as the case may be. A motion to reconsider may be voted on without a second.*

A ~~notice of~~ motion to reconsider a vote must be ~~given~~ *made* by a member voting on the ~~bill, constitutional amendment, concurrent or joint resolution~~ *question*, and shall take precedence over all motions, except a motion to adjourn. Upon such ~~notice of~~ motion being ~~given~~ *made*, the ~~bill, constitutional amendment, concurrent or joint resolution~~ *matter to be reconsidered* shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a ~~notice of a~~ motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. *When reconsideration is granted, the matter to be reconsidered shall resume its exact position before the Assembly previous to its being voted upon.*

*(b)* Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill ~~, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given~~ *may move to take up on the same day the motion to reconsider such a question, previously made by another member. The motion to take up the reconsideration on the same day* shall take precedence over ~~and above~~ *the motion to reconsider* ~~such notice~~ and upon demand of any member *the motion to take up the reconsideration on the same day* must be put to an immediate vote. *If the motion to take up the reconsideration on the same day is adopted, the motion to reconsider shall be the next order of business before the house.* ~~A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.~~

~~No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote of any matter originally requiring a two-thirds vote for its passage or adoption.~~

~~When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.~~

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—59.

NOES—Elliott—1.

**Assembly Bill No. 672**—An act to amend Section 13241 of the Public Utilities Code and to amend Section 3835 of the Public Districts Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, and Winton—61.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1055**—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 535**—An act to add Section 13831.7 to the Education Code, and to add Section 13516.5 to the Education Code as proposed by Senate Bill No 2, relating to the salaries of certificated employees of school districts

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—65.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 572**—An act to amend Section 19582 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school building aid.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1068**—An act to add Section 279 to the Penal Code, relating to the offense of detaining or concealing a child from the person entitled to custody.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, and Z'berg—56

NOES—Burton, Elliott, Miller, Munnell, and O'Connell—5

Bill ordered transmitted to the Senate.

**Assembly Bill No. 966**—An act to amend Section 11624 of, and to add Section 11624.5 to, the Insurance Code, relating to commissions on insurance placed with the California Automobile Assigned Risk Plan, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—62

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1254**—An act to amend Section 1053 of the Fish and Game Code, relating to duplicate licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills. Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 985**—An act to add Section 7056.5 to the Public Resources Code, relating to the production of oil and gas or other minerals.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 8**—Relative to the selection of the City of Antioch as a site for an experimental saline water conversion plant.

Resolution read, and presented by Mr. Waldie.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—63.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 117**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, and Z'berg—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 227**—An act to add Section 55335 to the Water Code, relating to the powers of county waterworks districts.

Bill read third time, and passed by the following vote

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1193**—An act to amend Section 172 of the Penal Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—60.
NOES—Beaver—1.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 120

By Messrs. Z'berg, Biddick, Ralph M. Brown, Samuel R. Geddes, Lowrey, Lunardi, MacBride, and Sedgwick:

### House Resolution No. 120

Relating to commending and congratulating Central California Educational Television, Inc., and television station KVIE

WHEREAS, Television station KVIE, the broadcasting facility of Central California Educational Television, Inc., a nonprofit corporation, began telecast operations on February 23, 1959; and

WHEREAS, This achievement was the culmination of more than six years of labor by thousands of dedicated residents of the area the station is now serving; and

WHEREAS, That area includes 15 Central California counties embracing more than 200,000 square miles, and

WHEREAS, The potential viewing audience within that area numbers approximately 1,750,000 California citizens; and

WHEREAS, KVIE is the second educational, or community, or noncommercial television station in the State of California and the thirty-eighth in the Nation; and

WHEREAS, KVIE is providing its viewers with a variety of educational, informative and cultural television programs of interest to both general and specific tastes not otherwise obtainable through this medium of communication; and

WHEREAS, KVIE further serves the elementary and secondary grade school children within its coverage area with a specified amount of actual classroom instruction and provides the instructors of these children with teacher training; and

WHEREAS, KVIE will also offer "telecourses" in certain subjects, which will be accepted for college credit by the 10 institutions of higher learning within its coverage area; and

WHEREAS, The operation of KVIE is supported entirely by contributions of money, materials, time and talent from interested citizens, with the exception of a small, permanent staff; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly commends and congratulates the directors and members of Central California Educational Television, Inc., and the staff of television station KVIE for their joint achievement, and offers every good wish for the success of this worthwhile venture; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the president of the board of directors of Central California Educational Television, Inc, and to the general manager of television station KVIE.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 146

By Mr. Francis:

### House Resolution No. 146

Relative to the passing of William I. Farmer

WHEREAS, The Members of this House have learned with profound sorrow of the passing, at the age of 63, of one of San Bruno's foremost citizens, Mr. William I. Farmer; and

WHEREAS, This man was a native of Burney, in Shasta County, and was reared on a cattle ranch, and it was San Bruno's good fortune that he took up residence in that city 32 years ago; and

WHEREAS, Mr. Farmer served with distinction as a First Lieutenant in the Army Air Corps during World War I, and held office on the San Bruno City Council from 1932 until 1940, serving two terms as mayor; and

WHEREAS, He was employed as an industrial relations executive with Consolidated Western Pipe and Steel Company, a division of United States Steel, having begun his employment 38 years ago with its predecessor, Western Pipe and Steel Company, as an engineer; and

WHEREAS, This man was a Past Master of the Francis Drake Masonic Lodge, and was a prominent and long-time San Mateo County and San Bruno civic leader, having served as Commander of American Legion Post No. 409 of San Bruno, as an executive of the North County Boy Scout movement, as a committeeman for the United Crusade, as past president of the Board of St. John's Evangelical Church of San Bruno, and as a trustee of the San Mateo Union High School Board; and

WHEREAS, To mourn his passing and to receive the heartfelt sympathy of all, he leaves his widow, Rachel Jones Farmer; a daughter, Mrs Elizabeth Long, of Redwood City; a son, William Hughes Farmer, of Pleasant Hill; a sister, Mrs. Rita Douglas, of Merced; a brother, Clarence C Farmer, of Roseville; and four grandchildren, Elizabeth Ann, Walter and Chris Long, and Heidi Farmer; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House desire by this resolution to pay tribute to the memory of a distinguished leader, William I. Farmer, and to convey to his bereaved widow and family their most sincere condolences; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to the widow and family of Mr. Farmer.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 145

By Mr. Biddick (Sponsored by Senator Short):

### House Resolution No. 145

Relative to Mrs. Mable W. Barron

WHEREAS, The Superintendent of the Lincoln Unified School District in San Joaquin County, Mrs Mable W. Barron, has announced her intention to retire from the Public School System at the close of this school year; and

WHEREAS, Mrs Barron became Principal of the Lincoln Elementary School in 1948, at which time there were only four teachers and 105 pupils, and classes were held in a surplus quonset hut, a building constructed in 1878, and two new classrooms; and

WHEREAS, In the 11 years since then, Mrs. Barron has successfully guided the district with its rapidly expanding population through an educational and school building program requiring 10 bond issues and a unification election; and

WHEREAS, The district now contains five elementary schools, a senior elementary school, and a high school, the staff has increased to 118 teachers and 59 classified employees, and the pupils presently number almost 3,000; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members take the occasion of the retirement of Mrs Mable W Barron from service with the Public

School System to commend her for her outstanding achievements as Superintendent of the Lincoln Unified School District; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Barron.

Resolution read, and adopted unanimously.

### THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 26**—Relative to extending the time for the filing of a report by the Joint Legislative Tax Committee.

Resolution read, and presented by Mr. Shell.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—62

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 28**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read, and presented by Mr. Frew.

Resolution ordered passed on file and to retain its place on file on the next legislative day.

**Senate Bill No. 67**—An act to amend Section 823 of the Agriculture Code, relating to apple containers.

Bill read third time, and presented by Mr. Coolidge.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, and Z'berg—59

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 131**—An act to amend Section 12107 of the Business and Professions Code, relating to weights and measures

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—58

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 4**—Relative to the conversion of sea water.

Resolution read, and presented by Mr. O'Connell.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—60.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 77**—An act to add Section 701.5 to the Vehicle Code, relating to trailers.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—55.

NOES—Sumner—1.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Coolidge announced that he would hold his series of bills on economy in government until Monday for introduction, in order that all members who desired to become co-authors would have an opportunity to affix their signatures to the bills.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 28**—An act to amend Section 705 3 of the Vehicle Code, relating to logging trucks.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, and Z'berg—54.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 11**—Relative to federal highway legislation.

Resolution read, and presented by Mr Backstrand

Resolution adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A Willson, Charles H Wilson, and Z'berg—61

NOES—None

Resolution ordered transmitted to the Senate.

**Senate Bill No. 134**—An act to amend Sections 4931 and 4931.1 of the Education Code, and Sections 3201 and 3202 of the Education Code, as proposed by Senate Bill No. 2, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Z'berg.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, and Z'berg—64

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, and Z'berg—64

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 192**—An act to amend Section 11041 of the Insurance Code, relating to fraternal benefit societies

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, and Z'berg—60.

NOES—None.

Bill ordered transmitted to the Senate.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1109**—An act to amend Section 496 of the Penal Code, relating to stolen property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—57.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 978**—An act to add Sections 20988 and 21338 to, to amend Section 21706 of, and to repeal Section 21703 of, the Government Code, relating to the State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage

Bill read third time, and passed by the following vote

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, and George A. Willson—56.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 980**—An act to amend Sections 20865, 20950, 20950.5, 20951, 20952, 20952.5, 20952.6, 20953, and 21365.5, and to repeal Section 20806, of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—60.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 982**—An act to amend Sections 20560, 20606, and 20834 of, to add Sections 20465 and 20933.5 to, and to repeal Sections 20019.1, 20019.2, 20606.1, and 20608.1 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks,

Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—62.
NOES—None.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF CONSENT CALENDAR

Speaker pro Tempore Bee announced that the next roll call would be on the first item on the Consent Calendar.

**Assembly Bill No. 1131**—An act to amend Section 4362 of the Agricultural Code, relating to milk products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 212**—An act to add Section 25699 to the Government Code, relating to county water resources committees and boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 555**—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 557**—An act to amend Sections 5871, 5875, and 5876 of the Streets and Highways Code, relating to sidewalks, curbs, and other street improvements.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew,

Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 808**—An act to amend Section 37380 of the Government Code, relating to leases of city property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1052**—An act to add Section 11018.1 to the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 66**—An act to amend Sections 9, 10, and 19b of Chapter 158 of the Statutes of 1885, relating to drainage districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 723**—An act to amend Section 35550 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to weight of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi,

MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 185**—An act to amend Section 26104 of the Government Code, relating to advertising by county board of supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 93**—Relative to Sabbath School Instructors' Week.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

Resolution ordered transmitted to the Senate.

By Mr. Conrad:

**House Resolution No. 138**

Relating to the commendation of Mr. Otto K. Olesen

WHEREAS, Otto K. Olesen was born in Denmark, attended school in his native city, and was graduated from Copenhagen Institute of Technology, and came to Los Angeles in 1912; and

WHEREAS, His talent and enthusiasm soon led to his employment with the Winfield-Kerner Company in whose employ he ultimately advanced to the position of Chief Engineer and General Manager, and in 1919 he founded his own studio and theatrical lighting equipment business in Hollywood; and

WHEREAS, He pioneered the first artificial lighting equipment that made possible the indoor shooting of motion pictures; and

WHEREAS, Mr. Olesen has long participated in numerous important civic and charitable activities in the Greater Los Angeles area, having served as director of the Hollywood Bowl Association for 22 years and recently having been elected the first life member of the board of directors of that organization, having been closely associated with the Pilgrimage Theater in Hollywood and now serving as president of the newly organized Pilgrimage Theater Foundation, and also having served in important capacities with the American National Red Cross, the American Cancer Society, and the Executive Board of the Boy Scouts of America (Los Angeles Area Council); and

WHEREAS, Otto K. Olesen has also served as a member of the Board of Governors of the Welfare Federation of the Los Angeles area, as Vice President of the Southern California Improvement Foundation, Inc., as chairman of the Federal Employees Division of the Community Chest, and as a member of the Board of Directors of the Rebild National Park Board, Inc of Aalborg, Denmark, which sponsors the only Independence Day celebration outside the United States; and

WHEREAS, Mr. Olesen has also been active with the Hollywood Chamber of Commerce, the Hollywood Lions group, and is a Shriner and a life member of Al Malaikah Temple and a member of Cahuenga Masonic Lodge No. 513, and of the Peace Officers Shrine Club, the Union Press and League Club of San Francisco,

the Navy League of the United States, Tau Kappa Epsilon Fraternity at the University of Southern California, and the Viking Club of Los Angeles; and

WHEREAS, Otto K. Olesen was at one time Chairman of the Major Disaster Emergency Lighting Commission of Los Angeles County and took an active part in the important and vital rescue work following the St. Francis Dam disaster of 1928, the Long Beach earthquake of 1933, and the Montrose Flood of 1934; and

WHEREAS, Otto K. Olesen has been recognized for important services by two governments, having been awarded the King Christian X Denmark Freedom Medal and, as Chairman of the War Finance Division of Hollywood during World War II, he received a Treasury Award Medal for his outstanding services to this Nation, and has served as Postmaster of the Los Angeles Post Office since February 15, 1954; and

WHEREAS, One of the most important and significant of all the activities of Mr. Olesen has been his participation as president and general chairman of what is now the magnificent Hollywood Bowl Easter Sunrise Service with which he has rendered 39 years of outstanding service: now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Otto K. Olesen is an outstanding example of the type of citizen of which this State can be justly proud and that this body commends Mr. Olesen for his outstanding career both in the business and governmental world as well as with numerous important charitable and civic occupations; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Otto K. Olesen and to his daughter, Mrs. Eleanor Baldwin of Los Angeles.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

**Assembly Bill No. 972**—An act to repeal Article 4.5 (commencing at Section 20215) of Chapter 2, Part 3, Division 5, Title 2 of, and to add Section 20209 to, the Government Code, relating to investment of money in the State Employees' Retirement Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 973**—An act to amend Sections 20024 and 20024.01 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 975**—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 976**—An act to amend Section 20330 of the Government Code, relating to membership in the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 977**—An act to amend Sections 20023.1, 20393, 20600.5, 21021.5, and 21360 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1359**—An act to amend Section 20009.1 of the Government Code, relating to employees' retirement system.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 705**—An act to amend Sections 9080.3, 9084.5, and Section 9087, of the Insurance Code, relating to fraternal fire insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1327**—An act to add Section 1153 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to destruction of returns.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 954**—An act to amend Section 1872 of the Education Code and Section 1242 of the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 955**—An act to amend Sections 13404 and 13405 of the Education Code, and to amend Sections 13364 and 13365 of the Education Code as proposed by Senate Bill No. 2, relating to teachers' institutes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 956**—An act to amend Section 13104 of the Education Code, and to amend Section 13337 of the Education Code as proposed by Senate Bill No. 2, relating to employment and classification of personnel by public school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 495**—An act to amend Section 9535 of the Education Code, and amend Section 8801 of the Education Code as proposed by Senate Bill No. 2, relating to county school service fund library services.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1008**—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as proposed by Senate Bill No. 2, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins,

Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 917**—An act to amend Section 9601.2 of the Education Code, and Section 6806 of the Education Code as proposed by Senate Bill No. 2, relating to contracts for education of physically handicapped minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 140**—An act to amend Sections 468.1, 469 and 471.5 of the Vehicle Code, and to amend Sections 21400, 21403 and 21404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to materials used in traffic signs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 63**—An act to amend Section 600.5 of the Vehicle Code, and to amend Section 23112 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to disposal of dirt and rocks upon public and private highways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 64**—An act to amend Section 374b of the Penal Code, relating to the disposal of rocks and dirt on public and private property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 191**—An act to amend Section 11042 of the Insurance Code, relating to fraternal benefit societies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 84**—Relative to acquisition of land in the City of Newport Beach for a state park.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 15**—Relative to atomic energy and radiation protection.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Resolution ordered transmitted to the Senate.

By Messrs. Ernest R. Geddes and Holmes:

**House Resolution No. 134**

Relating to the congratulation of Dr Julian A McPhee

WHEREAS, Dr Julian A. McPhee is observing his Twenty-fifth Anniversary as president of California State Polytechnic College; and

WHEREAS, He has served the people of California in responsible positions of agricultural education, vocational education and higher education for more than a quarter of a century; and

WHEREAS, By virtue of his long and faithful service to education in California, he has earned the honorary title of "Dean of State College Presidents"; and

WHEREAS, Throughout his public career in behalf of education for the young people of California, he has brought respect, honor and admiration to the profession of educational administration; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body do hereby congratulate Dr. Julian A McPhee on his Twenty-fifth Anniversary as President of California State Polytechnic College and his long and distinguished educational service to the people of the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Julian A. McPhee.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—63.

NOES—None.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 947

Mr. Biddick was granted unanimous consent that Assembly Bill No. 947 be withdrawn from the Committee on Elections and Reapportionment, and re-referred to the Committee on Municipal and County Government.

## NOTICE OF MOTION TO ADJOURN

Mr. Ernest R. Geddes gave notice that upon completion of the desk work this morning, he would move that the Assembly adjourn until 10 a.m. on Monday, March 23, 1959.

## ANNOUNCEMENT

Mr. Biddick announced that Senator Hollister would like to include all Assembly Members, so desiring, as co-authors of his bill relative to unclaimed gas tax moneys, and requested that any members desiring to become co-authors contact him.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 600

And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 687
And reports the same correctly re-engrossed

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1208
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 763
Assembly Bill No. 1317
Assembly Bill No 1323
And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 720
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 996
With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

## MOTION

Mr. O'Connell moved that the balance of the committee reports be deemed read, with appropriate actions taken on those bills requiring action.

Mr. Belotti seconded the motion.

Motion carried unanimously.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 487
With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MACBRIDE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1357

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DELOTTO, Vice Chairman

Above bill ordered to second reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 711
Assembly Bill No. 380

With the recommendation: Do pass.

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1223

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1146
Assembly Bill No. 618
Assembly Bill No. 631

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 20, 1959

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 448
Assembly Bill No. 560

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 20, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 425
Assembly Bill No. 456

And respectfully requests your honorable body to concur in said amendments

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Hanna:

### House Resolution No. 155

Relative to congratulating Mr. William H. Gallienne on the occasion of William H. Gallienne Day in Huntington Beach

WHEREAS, March 1, 1959, marked the occasion of William H. Gallienne Day in the City of Huntington Beach and a fitting tribute was paid to Mr. Gallienne to commemorate his fiftieth year of local residence and twenty-fifth year as Executive Secretary and Manager of the Huntington Beach Chamber of Commerce; and

WHEREAS, Mr. Gallienne was born in 1895 on the Island of Guernsey in the English Channel and migrated to the United States, to settle in the City of Huntington Beach; and

WHEREAS, From such a humble beginning Mr. Gallienne rose to become one of the leaders in his community, and his many friends honored him on March 1, 1959, by celebrating William H. Gallienne Day, one of the highlights of the eventful day being the presentation to Mr. Gallienne of a life-size portrait of himself, painted by the renowned artist Ruby Albright; and

WHEREAS, The family and many friends of Mr. Gallienne may be justly proud of the achievements which led to the title which has been bestowed upon him, "Mr. Huntington Beach"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body do hereby congratulate Mr. William H. Gallienne on his many personal and civic achievements and his long and noteworthy career of service to the City of Huntington Beach; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Gallienne.

Resolution read, and referred to the Committee on Rules.

By Messrs. Britschgi, Francis, and Dolwig:

### House Resolution No. 156

Relative to the death of Martin A. Poss

WHEREAS, The Members of the Assembly have learned with regret of the death of former San Mateo County Supervisor Martin A. Poss; and

WHEREAS, Mr. Poss had a long and distinguished record of public service extending back for almost 40 years; and

WHEREAS, Mr Poss first entered public service in the 1920's and after five years as a Planning Commissioner and Park Commissioner, was elected in 1927 to the San Mateo City Council to which he was returned for three successive terms; and

WHEREAS, He resigned from the council during World War II in order to give full time to his duties as chairman of his district's draft board, a position which he continued to hold over the intervening years; and

WHEREAS, Following his appointment by Governor Earl Warren to the San Mateo County Board of Supervisors in 1945, Mr. Poss served continuously in that office until his retirement this year; and

WHEREAS, Throughout his long career in local governmental service, he played an important role in guiding the development of San Mateo City and County; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their sincere regret at the loss of this able and respected citizen, and pay tribute to his outstanding record in the field of public service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the widow of Martin A. Poss, and his daughter Mrs. E. Werder.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 95**: By Messrs. Grant, Bradley, Sumner, Kennick, Bane, Beaver, Belotti, Burke, Chapel, Collier, Conrad, Cusanovich, Mrs. Davis, Messrs. Dills, Elliott, Gaffney, Ernest R.

Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Meyers, Rees, Schrade, Shell, Thelin, Thomas, and Charles H. Wilson—Relative to salt water conversion.

Referred to Committee on Rules

**Assembly Bill No. 2156**: By Messrs. Luckel and Hegland—An act to amend Section 22100 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the turning of vehicles at intersections.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2157**: By Messrs. Luckel and Hegland—An act to amend Section 5354 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of trailer coaches.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2158**: By Messrs. Masterson, Garrigus, Crown, Unruh, Busterud, House, Marks, Petris, Rumford, and Waldie—An act to add Sections 2805 and 2805.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2159**: By Messrs. Hawkins, Charles H. Wilson, Backstrand, and Dills—An act to repeal Section 6 of Chapter 9 of the 1958 Regular Session relating to transportation fees.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2160**: By Mr. Ernest R. Geddes—An act to amend Sections 13150, 16625 and 16626 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to employees in child care centers.

Referred to Committee on Education.

**Assembly Bill No. 2161**: By Messrs. Gaffney, MacBride, O'Connell, Munnell, Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Mrs Davis, Messrs Delotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg (By Request of the Governor)—An act to amend Section 2054 of the Unemployment Insurance Code, relating to establishment and maintenance of public employment offices by the Director of Employment

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2162**: By Mr Pattee—An act to amend Section 3166 of the Civil Code and Section 6703 of the Government Code, relating to Veterans Day.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2163**: By Mr. Waldie—An act to amend Sections 50704, 51323, 53000, and 53042 of, and to add Section 53005 to, the Water Code, relating to reclamation districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

### SENATE BILLS RE-REFERRED TO COMMITTEE

By order of Speaker pro Tempore Bee, the following bills were re-referred to committee:

**Senate Bill No. 46** to the Committee on Water.

**Senate Bill No. 104** to the Committee on Governmental Efficiency and Economy.

### ADJOURNMENT

At 11.38 a.m., on motion of Mr. Ernest R. Geddes, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, March 23, 1959.

CARLOS BEE, Speaker pro Tempore

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY

FIFTY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, March 23, 1959

The Assembly met at 10 a.m.

Hon. Ralph M Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

Quorum present

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God*, Who didst send Thy Son to ride in majesty into Jerusalem, let Him enter our cities, take captive our homes, and command the hearts of all assembled here. Cleanse our temples, after His example, and if our cities still call forth His tears, and the affairs of state are such that He would weep over them, correct and purify our public life May these days of Holy Week, our Father, be a special season of prayer and yielding to Thy will and purpose as revealed so clearly in the compassionate and steadfast Son of Man and Servant of all —AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Pattee, seconded by Mr. Backstrand, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. McCollister, on motion of Mr. Shell.

Mr. Burke, on motion of Mr. Collier

Mr. Collier, on his own request.

Mr. House, on motion of Mr. George A. Willson.

The following member was granted leave of absence for the day, because of the death of his father:

Mr. Lowrey, on motion of Mr. Winton.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C., March 18, 1959

*Mr. Arthur A. Ohnimus,*
*California Assembly,*
*State Capitol, Sacramento*

DEAR ARTHUR: This will acknowledge your letter of March 11th enclosing a copy of Assembly Joint Resolution No. 3 expressing concern over the tuna fishing and tuna canning industry in the State of California.

I know you are already aware of the tuna measures which have been introduced by Representative Bob Wilson. H.R. 682 levies a duty of three cents per pound on the importation of tuna, and H.R. 683 regulates the importation of tuna. Both of these bills are pending before the House Ways and Means Committee.

Thank you for bringing Assembly Joint Resolution No. 3 to my attention.

Sincerely,

GLENARD P. LIPSCOMB, Member of Congress

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OFFICE OF THE GOVERNOR
JUNEAU, March 11, 1959

*Mr. Arthur A. Ohnimus,*
*Chief Clerk of the Assembly,*
*California Legislature,*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: This will acknowledge receipt by this office of the beautifully illuminated copies of Assembly Concurrent Resolution No. 25, relative to the new Flag of the United States of America, and House Resolution No. 26, welcoming Alaska as the forty-ninth State of the Union.

I thank you and the people of California for these historical documents, which have been presented to the State Historical Museum and Library for preservation in their archives

Sincerely yours,

HUGH J. WADE, Acting Governor

The following communications were presented by the Chief Clerk from:

Judith Friedman of Los Angeles; D. DeMarcus and Elaine J. Edlefsen of Los Angeles; and Richard W. Lyon and Eloah Dawn Stevens of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Mary E. Galvin of Whittier, Kay Baird of Covina, Edna Loudy of West Covina, Mildred E. Fox of Temple City, Teresa Lytte of Arcadia, Gladys E. Akin of Azusa, Nellie M. Sessions of El Monte, Agnes K. Lindstrom of Glendora, Lois Cummins of Azusa, Ernestine H. Hembree of Covina, Mrs. Francis Hardie of Glendora, Barbara Ziesche of West Covina, Janice Akin of Azusa, and Helena Bealton of Arcadia, relative to legislation. Referred to the Committee on Education.

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Mrs. P. L. Brown of Los Angeles, relative to capital punishment. Referred to the Committee on Criminal Procedure.

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Mrs. Jean Simpson of Whittier, relative to capital punishment. Referred to the Committee on Criminal Procedure.

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Mrs. Blanche H. Lindley of Glendale, relative to legislation. Referred to the Committee on Ways and Means.

## ANNOUNCEMENT

Speaker Brown announced that over 800 school children are scheduled to visit the Legislature today.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2164**: By Mr Waldie—An act to amend Sections 13308, 13309, 15111 and 15112 of the Revenue and Taxation Code, relating to adopted children.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2165**: By Messrs. Thelin, Levering, and Collier (By Request)—An act to add Section 1920.1 to the Health and Safety Code, relating to vaccination of dogs.

Referred to Committee on Public Health.

**Assembly Bill No. 2166**: By Mr. Biddick—An act to amend Section 810.52 of the Agricultural Code, relating to asparagus.

Referred to Committee on Agriculture.

**Assembly Bill No. 2167**: By Mr. Cunningham—An act to amend Section 26504 of the Government Code, relating to funds received by district attorneys.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2168**: By Mr. Marks—An act to add Section 373.1 to the Code of Civil Procedure, relating to guardians ad litem.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2169**: By Mr. Marks—An act to amend Section 1120 of, and add Section 1120.1 to, the Probate Code, relating to testamentary trusts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2170**: By Mr. Marks—An act to amend Section 7203 of the Revenue and Taxation Code, relating to sales and use tax ordinances.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2171**: By Mr. Pattee and Senator Farr, co-author—An act to amend Section 6080 of the Harbors and Navigation Code, relating to harbor districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2172**: By Mr. Pattee—An act to amend Section 73 of, and to add Section 86.2 to, the Agricultural Code, relating to fairs.

Referred to Committee on Agriculture.

## RESOLUTIONS

The following resolution was offered:

By Mr. Pattee:

### House Resolution No. 157

Relative to the "Night in Monterey" party

WHEREAS, The Members of the Legislature spent a most enjoyable evening on March 19th as guests of the people of Monterey Peninsula at a party held in Governor's Hall; and

WHEREAS, The dinner was a gourmet's delight, featuring delicious cioppino and fresh succulent clams from Monterey's Old Fisherman's Wharf; and

WHEREAS, The additional pleasures of delightful entertainment and lively music made "A Night in Old Monterey" a truly memorable evening; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members take this means of thanking their gracious hosts, the people of the Monterey Peninsula; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Elwood J. Wilson, President of the Monterey Peninsula Chamber of Commerce, and to the Monterey Peninsula Herald.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 466

With amendments with the recommendation: Amend, and do pass, as amended

CRAWFORD, Chairman

Above bill ordered to second reading

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 19, 1959

MR. SPEAKER: Your Committee on Ways and Means reports

Assembly Bill No 297

With amendments with the recommendation. Amend, and do pass, as amended

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 18, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports.

Assembly Bill No. 594

With amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 567
Assembly Bill No. 910
Assembly Bill No. 953
Assembly Bill No. 991
Assembly Bill No. 993
Assembly Bill No 1022
Assembly Bill No 1023
Assembly Bill No. 1033
Assembly Bill No 1237
Assembly Bill No 1239
Assembly Bill No 1280
Assembly Bill No 1293
Assembly Bill No. 1299

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 376
Assembly Bill No. 657
Assembly Bill No. 927
Assembly Bill No. 1038
Assembly Bill No. 1094
Assembly Bill No 1233
Assembly Bill No. 1234
Assembly Bill No 1236

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 113

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1029

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, March 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 809
Assembly Bill No 986
Assembly Bill No. 1007
Assembly Bill No. 1219
Assembly Bill No. 1220
Assembly Bill No 1242

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 990
Assembly Bill No. 1135
Assembly Bill No. 1162
Assembly Bill No. 1264
Assembly Bill No. 1287

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 320

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1179

And reports the same correctly re-engrossed

KILPATRICK, Vice Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 957
Assembly Bill No. 1228

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 211

And reports the same correctly re-engrossed.

KILPATRICK, Vice Chairman

Above bill returned to second reading file.

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 595
Assembly Bill No. 875
Assembly Bill No. 992
Assembly Bill No. 1025
Assembly Bill No. 1235
Assembly Bill No. 1369
Assembly Bill No 1370

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bills ordered returned to second reading file.

**MOTION**

Mr. Bee moved that the bills on the Assembly second reading file be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Porter seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1108, 565, 1235, 911, 912, 918, 1024, 1025, 1370, 1073, 211, 595, 992, 491, 1369,** and **875.**

**Senate Bills Nos. 138** and **277.**

Assembly Bills Nos. 1108, 565, 911, 912, 918, 1024, 1073 and 491 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 1235, 1025, 1370, 211, 595, 992, 1369 and 875, and Senate Bill No. 138 ordered to third reading.

Senate Bill No 277 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 66**—An act to add Sections 380.13 and 380.14 to, and to repeal Sections 380.11 and 380.12 of, the Agricultural Code, relating to chicken poultry meat and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 148**—An act to add Section 8045 to the Education Code and Section 1010 to the Education Code as proposed by Senate Bill No. 2, relating to school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 502**—An act to amend Sections 165 and 165.3 of, and to add Sections 165.7 and 166 to, the Agricultural Code, relating to the possession and confinement of nutria

Bill read second time, and ordered to third reading.

**Assembly Bill No. 714**—An act to add Section 30.2 to, and to amend Section 1300.10 of, the Agricultural Code, relating to the floriculture and nursery products industries, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

**Assembly Bill No. 805**—An act to amend Section 147 of the Streets and Highways Code, relating to mass transportation facilities on state highways

Bill read second time, and ordered to third reading.

**Assembly Bill No. 842**—An act to amend Sections 911.23, 913, 914, 914.9, and 918.1 of the Agricultural Code, relating to agricultural and vegetable seeds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 950**—An act to add Section 562 to the Streets and Highways Code, relating to state highways, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 321**—An act to add Sections 11723, 11724 and 11725 to the Health and Safety Code, relating to the establishment of narcotic rehabilitation clinics and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and", and insert a comma.

**Amendment No. 2**

In line 1 of the title, after "11725", insert ", and 11726".

**Amendment No. 3**

In lines 2 and 3 of the title, strike out "establishment of narcotic rehabilitation clinics", and insert "rehabilitation and supervision of narcotic addicts".

**Amendment No. 4**

On page 1, strike out line 3, and insert

"11723 The rehabilitation of narcotic addicts and their supervision while on probation or parole is a matter of statewide concern. It is the policy of the State to encourage each county and city and county to maintain adequate and effective supervision over persons granted probation or parole pursuant to this article. The granting of financial assistance by the State to county and city and county governments which maintain such standards in accordance with this article is hereby declared to be a state purpose

SEC. 2. Section 11724 is added to said code, to read:

11724. There is in the State Government a Drug Addiction Commission composed of a representative of the Department of Justice, of the Department of Corrections and of the Department of Youth Authority, and two persons to be appointed for a term of two years by the Attorney General, one of whom shall be a sheriff and the other a chief probation officer of a county or city and county. Members of the commission shall serve without compensation, but shall be reimbursed for the necessary expenses incurred in the performance of their duties as members of the commission. The commission shall determine and establish, as a standard for use in giving effect to this article, the number of persons granted probation or parole under this article who can be supervised by one probation or parole officer with an effectiveness calculated to prevent a renewal or continuation of their addiction to narcotics.

SEC. 3. Section 11725 is added to said code, to read:

11725 The Department of Justice may enter into a contract with any county or city and county which undertakes thereby to maintain the standard of probation and parole supervision over addicts established by the commission as herein provided Such contracts shall provide for the granting of financial assistance by the State for the purpose of maintaining such standard of probation and parole supervision over addicts by the county or city and county, except that the State's contribution shall not exceed either (a) 50 percent of the actual cost of such supervision, including transportation but exclusive of administrative and overhead expense or (b) the additional cost of maintaining such standard of supervision, including transportation but exclusive of administrative and overhead expense, over and above the cost of supervision by the county or city and county of persons granted probation or parole otherwise than as provided by this article, whichever is greater, and in no event shall the State's contribution exceed the sum of one hundred fifty dollars ($150) annually per person under such supervision. Such contract shall also provide for payment by the State of the costs of the drugs and physicians' services involved in the administering of tests pursuant to Section 11722.

SEC 4 Section 11726 is added to said code, to read:

11726 The Department of Justice shall provide for such studies and research as may be necessary to evaluate the functional efficacy of this article as a method of treatment, rehabilitation and control of narcotic addicts and the use of diagnostic drugs in such treatment The department shall submit a report to the Legislature concerning the effect of this article in operation at the commencement of each session of the Legislature

SEC. 5 There is hereby appropriated to the Department of Justice out of the General Fund in the State Treasury the sum of one hundred thousand dollars ($100,000) to be expended during the 1959-60 Fiscal Year, for studies, research and contracts for the maintenance of probation and parole supervision standards for addicts as provided in Sections 11723 to 11726, inclusive, of the Health and Safety Code."

**Amendment No. 5**

On page 1, strike out lines 4 to 17, inclusive, and strike out page 2

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health

**Assembly Bill No. 760**—An act to amend Section 4000 of the Welfare and Institutions Code, relating to aid to the disabled.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, between "of" and "the", insert "and to add Section 4001 to".

**Amendment No. 2**

On page 1, line 15, strike out "requires constant care", and insert "needs care regularly"

**Amendment No. 3**

On page 1, line 16, strike out "constant care", and insert "care regularly".

**Amendment No. 4**

On page 1, lines 17 and 18, strike out "without which the daily regimen could not continue", and insert "with the daily regimen".

**Amendment No. 5**

On page 2, after line 6, insert

"SEC. 2. Section 4001 is added to said code, to read:

4001. It is the object and purpose of this chapter to provide persons whose dependency results from disability defined by Section 4000 with assistance and services which will encourage them to make greater efforts to achieve self-care and to enlarge their opportunities for independence."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare

**Assembly Bill No. 1350**—An act to amend Section 2020 of the Welfare and Institutions Code, relating to old age assistance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 2020.001 to,".

**Amendment No. 2**

On page 2, between lines 15 and 16, insert

"SEC. 2. Section 2020.001 is added to said code, to read

2020.001. It is the intent of the Legislature that any payment increases made under Section 2020 after January 1, 1959, shall be applied to existing items in the basic budget of needs established by the State Social Welfare Board to the end that the basic budget of needs may more closely reflect increased living costs."

**Amendment No. 3**

On page 2, line 16, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 4**

On page 2, line 27, strike out "3", and insert "4".

Amendment No. 5

On page 2, after line 52, insert

"SEC. 5. The increase in aid provided by this act shall be paid commencing April 1, 1959, or retroactively to April 1, 1959, to recipients who received aid on or after that date and who are entitled to receive aid on the effective date of this act."

Amendment No. 6

On page 3, line 1, strike out "4", and insert "6".

Amendment No. 7

On page 3, line 12, strike out "will deduct", and insert "deducted"

Amendment No. 8

On page 3, line 13, after "Benefits," insert "all or a part of".

Amendment No. 9

On page 3, line 14, after "year.", insert "Funds voted by Congress for the needy aged being withheld by the State amount to $5,364,200 per annum."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1355**—An act to add Section 426.2 to the Health and Safety Code, relating to the discharge of pollutants from motor vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "illness," insert "including irritation to the senses,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1424**—An act to amend Section 694 of the Vehicle Code and to amend Section 35103 of, and to add Section 35113 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to overwidth implements of husbandry.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 694 of the Vehicle Code and to".

Amendment No. 2

In line 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

Amendment No. 3

On page 1, line 1, strike out "694 of the Vehicle Code", and insert "35103 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

Amendment No. 4

On page 1, strike out lines 3 to 20, inclusive; strike out all of page 2; and on page 3, strike out lines 1 through 8, inclusive.

Amendment No. 5

On page 3, line 10, after "husbandry", insert "incidentally operated, transported, moved, or towed over a highway".

**Amendment No. 6**

On page 3, between lines 19 and 20, insert

"This section shall have no application to highways which are a part of the National System of Interstate and Defense Highways (as referred to in Section 108 of the Federal-aid Highway Act of 1956) when such application would prevent this State from receiving any federal funds for highway purposes."

**Amendment No. 7**

On page 3, line 20, strike out "3", and insert "2".

**Amendment No. 8**

On page 3, line 23, strike out "and delivery", and insert ", service, repair or alteration".

**Amendment No. 9**

On page 3, lines 25 and 26, strike out "shall not be operated for a distance in excess of 25 miles from the point of origin of the trip and".

**Amendment No. 10**

On page 3, strike out lines 34 to 39, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 664**—An act to amend Section 677.5 of the Vehicle Code, and to amend Section 27300 of the Vehicle Code as proposed by Assembly Bill No 5, relating to safety belts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 677.5 of the Vehicle Code, and to".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "677.5 of the Vehicle Code", and insert "27300 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 20, inclusive; and on page 2, strike out lines 1 through 10, inclusive.

**Amendment No. 5**

On page 2, line 12, after "any", insert "passenger".

**Amendment No. 6**

On page 2, line 15, strike out "1961", and insert "1962".

**Amendment No. 7**

On page 2, lines 15 and 16, strike out "or safety harnesses".

**Amendment No. 8**

On page 2, strike out lines 23 through 27, inclusive

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 423**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 through 20, inclusive, and insert "26613 Notwithstanding the provisions of 29601 the board of supervisors in a county having a population in excess of 3,000,000 may authorize the sheriff to enforce the rules of the road prescribed in Division 11 (commencing at Section 21000) of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session in all or any portion of the unincorporated area for the purpose of supplementing the enforcement of such laws by the California Highway Patrol. The expense incurred by the sheriff in the performance of such duties shall be a proper county charge."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 554**—An act to add Article 10 (commencing at Section 53900) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to budgets of local governmental bodies

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 13, inclusive, and insert "53900. Every local governmental agency, not otherwise required by law to do so, shall, on or before September 5th in each year, prepare and file with the county auditor of the county in which the agency conducts its principal operations a budget for the fiscal year then in progress.

This section shall not apply to cities, school districts, irrigation districts, reclamation districts, municipal utility districts, public utility districts, county water authorities, county water districts, municipal water districts, metropoltan water districts, and other districts for which the tax levy is not carried on the regular county assessment roll."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1160**—An act to add Article 8.5 (commencing with Section 58250) to Chapter 1 of Division 1 of Title 6 of the Government Code, relating to withdrawal of territory annexed to a city.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1196**—An act to amend Sections 4703, 4704, 4705, 4706, 4707, 4708, 4709, 4710, 4711, and 4713 of, and to add Sections 4702.5 and 4713.5 to, the Revenue and Taxation Code, relating to the distribution of property tax levies and assessments.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 428**—An act to amend Sections 31809 and 31813 of the Government Code, relating to the County Employees' Retirement Law of 1937, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

**Assembly Bill No. 226**—An act to amend Sections 51360 and 51361 of, and to repeal Section 51362 of, the Water Code, relating to reclamation district operation and maintenance assessments.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "and 51361 of, and to repeal Section 51362 of," and insert "51361, 51362, and 51364 of".

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PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

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Amendment No. 2

On page 2, strike out line 7, and insert

"SEC. 3. Section 51362 of said code is amended to read:

51362. The tax shall not exceed the rate of [seventy-five cents ($0.75)] *one dollar and fifty cents ($1.50)* on each one hundred dollars ($100) of the value assessed on the county tax roll of all taxable land and improvements thereon within the district.

SEC. 4. Section 51364 of said code is amended to read:

51364. All money collected shall be paid into the [county] treasury *of the principal county* to the credit of the maintenance fund of the district, and shall be held by the county treasurer for the benefit of the district and paid out by him upon warrants authorized by the board."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1277**—An act to add Section 54906 to the Government Code, relating to the filing of statements and maps and plats for tax purposes by cities and districts on annexation or change in boundaries, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and districts".

Amendment No. 2

On page 1 strike out lines 3 to 8, inclusive, and insert

"54906. This chapter does not apply with respect to any taxes levied for the Fiscal Year 1959-60 by any city to which any inhabited territory was annexed during the Fiscal Year 1958-59, if, on or before February 6, 1959, the city filed the statement and map or plat described in this chapter with the assessor whose assessment roll is used for the levy and with the State Board of Equalization."

Amendment No. 3

On page 1, line 15, after "in", insert "inhabited".

Amendment No. 4

On page 1, line 18, strike out "in districts affected".

Amendment No. 5

On page 2, line 2, strike out "and district".

Amendment No. 6

On page 2, line 4, strike out "any consequent", and insert "such".

Amendment No. 7

On page 2, strike out line 7, and insert "ments in the area affected and services in said area".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 660**—An act to amend Sections 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463 and 6500 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, line 31, of the printed bill, as amended in the Assembly on March 9, 1959, after "after the", insert "due".

**Amendment No. 2**

On page 2, line 45, strike out "the coupon date", and insert "the due date".

**Amendment No. 3**

On page 3, line 35, strike out "first", and insert "second".

**Amendment No. 4**

On page 3, line 37, strike out "first", and insert "second".

**Amendment No. 5**

On page 3, line 43, strike out "first", and insert "second".

**Amendment No. 6**

On page 4, line 9, strike out "first", and insert "second".

**Amendment No. 7**

On page 4, line 17, strike out "first", and insert "second".

**Amendment No. 8**

On page 4, line 34, strike out "first", and insert "second".

**Amendment No. 9**

On page 4, line 41, strike out "first", and insert "second".

**Amendment No. 10**

On page 4, line 45, strike out "first", and insert "second".

**Amendment No. 11**

On page 4, line 51, strike out "1st", and insert "2d".

**Amendment No. 12**

On page 4, line 52, strike out "1st", and insert "2d".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 153**—An act to amend Section 10493 of the Insurance Code, relating to insurance for participants in municipal playground activities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 675**—An act to add Section 4121.1 to the Health and Safety Code, relating to garbage disposal districts

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 833**—An act to amend Section 2804 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 993**—An act to amend Sections 2322a, 24670, 25102, 25551, 25663, 25673, 25674, 26074, 26131, and 26281 of, and to add Sections 25401b, 25905, 25962.2, 26073c and 26080.4 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, to take effect immediately.

Bill read second time, and ordered engrossed

**Assembly Bill No. 1357**—An act to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to bonds of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "a deputy clerk", and insert "by a deputy of either of such officers".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 711**—An act to repeal Chapter 8 (commencing with Section 1131) of Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 880**—An act to amend Section 227 of the Labor Code, relating to employer payments.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1723**—An act to amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1172, 1173, 1174, 1178, 1182, 1183, 1185, 1194, 1195, 1195.5, 1197, 1199 of, and to repeal Sections 1191, 1192, and 1193 of, and to add Sections 1205, 1206 and 1207 to, the Labor Code, relating to minimum wages and other terms of employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "21", and insert "18".

Amendment No. 2

On page 4, line 4, strike out "for".

Amendment No. 3

On page 4, line 5, strike out "employees".

**Amendment No. 4**

On page 4, line 44, after "wage paid to", strike out "a".

**Amendment No. 5**

On page 5, line 33, after "industry", insert ", except in agriculture where the rate shall be not less than one dollar ($1) an hour".

**Amendment No. 6**

On page 6, strike out lines 10 to 12, inclusive, and insert
"1206. Section 1205 does not apply to the following persons:".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1146**—An act to add Section 228 to the Labor Code, relating to jury duty.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 and 4, and insert
"228. In any case in which an employee of an employer having 10 or more employees is required to serve on a jury, such employer shall compensate the employee in the amount of the difference between the jury fees received by the employee and the employee's regular compensation, during the period in which the employee is required to be away from his employment because of such jury duty; provided, that such employer is not required to pay the employee in excess of twenty dollars ($20) per day, and he is not required to compensate him for longer than 30 days for any one period of jury duty."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 618**—An act to add Section 923.2 to the Labor Code, relating to fire fighters

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after the second "to", insert ", and Chapter 4 (commencing at Section 1960) to Part 7, Division 2 of,".

**Amendment No. 2**

On page 1, after line 6, insert
"SEC. 2. Chapter 4 (commencing at Section 1960) is added to Part 7, Division 2 of said code, to read:

CHAPTER 4. COLLECTIVE BARGAINING BY FIRE FIGHTERS

1960. As used in this chapter, the term "employees" means the employees of the fire departments and fire services of the State counties, cities, cities and counties, districts, and other political subdivisions of the State.

1961. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, for the purpose of collective bargaining or other mutual aid or protection but shall not have the right to strike.

1962 Whenever a majority of the employees in a fire department or a fire service appropriate for collective bargaining indicate a desire to be represented by a labor organization, the employing public agency shall enter into a written contract with the accredited representatives of such employees governing wages, salaries, hours, and working conditions.

1963. In case of a dispute over wages, salaries, hours or working conditions, which is not resolved by negotiations in good faith between the employing public agency and the labor organization, the employing public agency and the labor organization shall submit said dispute to the decision of the majority of an

arbitration board, and the decision of the majority of such arbitration board shall be final.

1964. The arbitration board shall be composed of two representatives of the employing public agency, and two representatives of the labor organization, and they shall endeavor to agree upon the selection of the fifth member. If they are unable to agree, the names of five persons experienced in labor arbitration shall be obtained from the Supervisor of Conciliation of the Division of Conciliation, Department of Industrial Relations. The labor organization and the employing public agency shall, alternately, strike a name from the list so supplied, and the name remaining after the labor organization and the employing public agency have stricken four names, shall be designated as the arbitrator The labor organization and the employing public agency shall determine by lot who shall first strike from the list. The decision of a majority of the arbitration board shall be final and binding upon the parties thereto The expenses of arbitration shall be borne equally by the parties. Each party shall bear his own costs

1965. The provisions of this chapter shall not be construed to repeal or supersede the provisions of any state law relating to the rights of employees of any county, city, city and county, district, or other political subdivision of the State."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 631**—An act to add Section 923.1 to the Labor Code, relating to privileges and immunities of employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

#### Amendment No. 1

On page 1, line 8, of the printed bill, after "subdivision", insert "or agency".

#### Amendment No. 2

On page 1, after line 9, insert

"This section does not apply to peace officers However, such exclusion of peace officers shall not be construed to take away from them any right of association or any other right or privilege they possessed prior to the effective date of this section, and they shall continue to enjoy such rights and privileges as if this section had never been enacted."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 565**, subsequent to engrossment
**Assembly Bills Nos. 992, 1369**, and **875**.

### ASSEMBLY BILL NO. 53 WITHDRAWN FROM INACTIVE FILE

**Assembly Bill No. 53** was withdrawn from the inactive file, and placed upon the third reading file on request of Mr Hegland

### MOTION

Mr Bee moved that all bills on the Senate second reading file be deemed read the second time, with appropriate action taken on those bills requiring action

Mr. Hawkins seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## SECOND READING OF SENATE BILLS

**Senate Bill No. 217**—An act to amend Sections 28816 and 28958 of, to add Section 29126.1 to, and to repeal Section 28972 of, the Public Utilities Code, and to amend Sections 15771 and 16158 of, to add Section 16456.1 to, and to repeal Section 16182 of, the Public Services Code, relating to the San Francisco Bay Area Rapid Transit District.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on February 27, 1959, strike out "Services", and insert "Districts".

#### Amendment No. 2

On page 2, line 7, strike out "Services", and insert "Districts".

#### Amendment No. 3

On page 3, line 3, strike out "Services", and insert "Districts".

#### Amendment No. 4

On page 3, line 5, strike out "Services", and insert "Districts".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 9**—An act to add Section 6865 to the Vehicle Code and to repeal Section 16275.5 of the Education Code, relating to the painting of buses formerly used as school buses.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on February 16, 1959, strike out "Section 686.5 to the Vehicle Code, to add".

#### Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 3

On page 1, line 1, strike out "686.5 is added to the Vehicle Code", and insert "27603 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 4

On page 1, strike out lines 3 through 13, inclusive.

#### Amendment No. 5

On page 1, line 14, after "when", insert "a motor vehicle formerly used as".

#### Amendment No. 6

On page 2, strike out lines 1 through 5, inclusive.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 175**—An act to amend Section 100 of the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to the dissolution of drainage districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 31**—An act to amend Section 28122 of the Government Code, relating to compensation for public service in counties of the twenty-second class.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 240**—An act to add Section 4764.1 to the Health and Safety Code, relating to county sanitation districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

## MOTION TO RECONSIDER HOUSE RESOLUTION NO. 125 CONTINUED

Mr. Unruh was granted unanimous consent that his motion to reconsider the vote on House Resolution No. 125 be continued until the next legislative day.

## REQUEST FOR UNANIMOUS CONSENT TO CONTINUE MOTION TO RECONSIDER ASSEMBLY BILL NO. 156

Mr. Bruce F. Allen asked for unanimous consent that his motion to reconsider the vote on Assembly Bill No. 156 be continued until the next legislative day.

Mr. Biddick withheld unanimous consent.

### Motion to Continue Motion to Reconsider Assembly Bill No. 156

Mr. Bruce F. Allen moved that his motion to reconsider the vote on Assembly Bill No. 156 be continued until the next legislative day.

Mr. Ernest R. Geddes seconded the motion.

Motion lost by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Conrad, Crawford, Dahl, Elliott, Frew, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, MacBride, Mulford, Porter, Schrade, Sumner, Thomas, Winton, and Mr. Speaker—24.

NOES—Don A. Allen, Bee, Biddick, Britschgi, Busterud, Cusanovich, Davis, DeLotto, Donahoe, Gaffney, Garrigus, Samuel R. Geddes, Holmes, Kennick, Levering, Luckel, Marks, Masterson, Miller, Nisbet, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Thelin, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—32.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 156

Mr. Bruce F. Allen moved that the vote whereby Assembly Bill No. 156 was passed be reconsidered.

### Speaker pro Tempore Presiding

At 10.25 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Point of Order

Mr. Charles H. Wilson arose to the following point of order: That the inquiry addressed to Mr. Biddick is not in order, since he does not have the floor.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken.

### Demand for Previous Question

Messrs. Grant, Charles H. Wilson, Beaver, Luckel, and Pattee demanded the previous question. Demand sustained.

**Speaker Presiding**

At 10.55 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion that the vote whereby Assembly Bill No. 156 was passed be reconsidered

Assembly Bill No. 156 reconsidered by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Davis, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Mulford, Munnell, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Winton, and Mr. Speaker—41.

NOES—Don A. Allen, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Crown, Cunningham, Dahl, DeLotto, Frew, Garrigus, Kennick, Marks, Masterson, McMillan, Meyers, Nisbet, O'Connell, Petris, Rees, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—29.

Assembly Bill No. 156 ordered to third reading file.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 425**—An act to amend Sections 11002 and 11003 of the Government Code, relating to receipt of mail by the State and its agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 425?

**Amendment No. 1**

On page 1, line 17, of the printed bill, strike out "and time"

**Amendment No. 2**

On page 1, line 18, after "mark", insert "and by the time specified by law for that date".

**Amendment No. 3**

On page 2, line 24, strike out "and time".

**Amendment No. 4**

On page 2, line 25, after "mark", insert "and by the time specified by law for that date".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 425 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None

Assembly Bill No. 425 ordered enrolled.

## POINT OF ORDER

Mr. Munnell arose to the following point of order: That the hour of 11 a.m. having arrived, the special order of business is before the House.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

### CONSIDERATION OF SPECIAL ORDER

The hour of 11 a.m. having arrived, Assembly Bill No. 1062 was taken up.

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State.

Bill read third time.

#### Request for Unanimous Consent

Speaker Brown was granted unanimous consent that all proposed amendments to Assembly Bill No. 1062 be disposed of before the bill is sent to reprint and re-engrossment if any amendments be adopted.

#### Consideration of Amendments
#### Motion to Amend

Mr. Coolidge moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "all", and insert "one hundred million dollars ($100,000,000) from the Investment Fund to the General Fund and shall transfer the balance of the".

#### Amendment No. 2

On page 2, strike out line 12, and insert

"(a) The resources transferred from the Investment Fund pursuant to Section 12911."

Amendments read.

#### Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Is there a copy of the amendments available?

#### Reply by Speaker

The Speaker replied that the Clerk would provide a copy.

#### Demand for Previous Question

Messrs Hegland, Luckel, Schrade, Ernest R. Geddes, and Holmes demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Coolidge.

#### Roll Call Demanded

Messrs Bruce F Allen, MacBride, and Munnell demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Bane, Britschgi, Chapel, Coolidge, Cusanovich, Dahl, Elliott, Francis, Samuel R Geddes, Hawkins, Holmes, Johnson, Lanterman, Levering, Masterson, McMillan, Mulford, Pattee, Reagan, Shell, Thelin, and Charles H Wilson—23

NOES—Bruce F Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—51

### Consideration of Further Amendments
### Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 19, 1959, strike out lines 4 to 9, inclusive, and insert

"12911. The resources of the Investment Fund in the State Treasury are hereby made available for transfer to the General Fund or to the California Water Fund as provided in Section 12911.5."

#### Amendment No. 2

On page 2, between lines 9 and 10, insert

"12911.5. After July 1, 1959, and during each succeeding fiscal year, if the Governor, the Controller, and the Director of Finance jointly determine at any time that the General Fund revenues are below the revenues anticipated and estimated in the budget submitted by the Governor to the Legislature for that fiscal year and are insufficient to meet the budgeted expenditures from the General Fund for that fiscal year, they may jointly authorize the transfer of an amount from the resources of the Investment Fund to the General Fund sufficient to meet the budgeted expenditures from the General Fund.

If the Governor, the Controller, and the Director of Finance jointly determine after July 1, 1959, and at any time during any succeeding fiscal year that there exists a surplus in the General Fund above the revenues budgeted for expenditure from the General Fund that fiscal year, they may jointly authorize the transfer of an amount equal to the amount of such surplus from the resources of the Investment Fund to the California Water Fund."

#### Amendment No. 3

On page 2, line 12, after "All", insert "such".

#### Amendment No. 4

On page 2, line 12, strike out the period, and insert "as may be transferred from that fund to the California Water Fund pursuant to Section 12911.5."

#### Amendment No. 5

On page 2, strike out lines 32 to 37, inclusive

#### Amendment No. 6

On page 2, line 38, strike out "(e)", and insert "(d)"

#### Amendment No. 7

On page 2, line 40, strike out "(f)", and insert "(e)".

#### Amendment No. 8

On page 2, line 42, strike out "(g)", and insert "(f)".

Amendments read

### Demand for Previous Question

Messrs. Grant, MacBride, Masterson, Miss Donahoe, and Mr. Belotti demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Hawkins.

### Roll Call Demanded

Messrs. Meyers, MacBride, and Munnell demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Britschgi, Busterud, Chapel, Coolidge, Cusanovich, Dahl, Dills, Elliott, Francis, Samuel R. Geddes, Hawkins, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Marks, Masterson, McMillan, Mulford, Pattee, Reagan, Shell, Thelin, Thomas, and Charles H. Wilson—29.

NOES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Cameron, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe,

Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, Kennick, Luckel, Lunardi, MacBride, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—45.

The question being on the passage of Assembly Bill No. 1062.

### Speaker pro Tempore Presiding

At 12.02 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Demand for Previous Question

Mr. Rees demanded the previous question

Demand ruled not in order, since an insufficient number of members arose to demand the previous question.

The question being on the passage of Assembly Bill No. 1062.

### Speaker Presiding

At 12.14 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Demand for Previous Question

Messrs. Garrigus, Belotti, Pattee, Masterson, and MacBride demanded the previous question. Demand sustained.

The question being on the passage of Assembly Bill No. 1062.

Bill passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Cameron, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—50.

NOES—Backstrand, Britschgi, Busterud, Chapel, Coolidge, Cusanovich, Dahl, Dills, Elliott, Francis, Samuel R. Geddes, Hawkins, Holmes, Johnson, Lanterman, Levering, Marks, Masterson, Mulford, Pattee, Reagan, Shell, Thelin, and Charles H. Wilson—24.

Bill ordered transmitted to the Senate.

### Explanations of Votes on Assembly Bill No. 1062

We voted "No" on the Coolidge Amendments to Assembly Bill No. 1062 and "No" on the vote on final passage of Assembly Bill No. 1062 because we felt that both the amendments and the bill itself attempted to dispose prematurely of either all or part of the Investment Fund.

Funds for water development are adequately protected by their retention in the Investment Fund for the time being.

We voted "Aye" on the Hawkins Amendments because they would have reserved the determination of this question until the legislative session has acted upon the pending budget and tax program.

We both favor enactment of a comprehensive state water program.

MILTON MARKS
JOHN A. BUSTERUD

Even though I am not opposed to using the Investment Fund for water development, I voted against Assembly Bill No. 1062 because I feel that the Investment Fund should be a part of a Constitutional Amendment covering the water program instead of a separate bill.

L. M. BACKSTRAND

### ANNOUNCEMENT

Mr. Porter announced that he had at his desk a constitutional amendment relative to water, which he will introduce tomorrow morning, and invited all members who desired to become co-authors to affix their signatures before that time.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Dahl was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and the accompanying report filed without printing as a separate document:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 5, 1959

*Hon. Ralph M. Brown,*
*Speaker of the Assembly:*

Pursuant to the authority granted by House Resolution No. 238 of the 1957 General Session of the Legislature, creating the Assembly Interim Committee on Revenue and Taxation and defining its powers and duties, there is transmitted herewith the final report of the committee.

Particular care has been exercised in the preparation of this report to assure that the testimony given at the respective hearings has been the basis of the material contained in the report. Transcripts of the testimony and exhibits are being retained in the office of the chairman to accommodate future reference.

The committee wishes express its gratitude to the many individuals who appeared, whose testimony is used to base the findings contained herein. Further acknowledgment is given to Mr. Richard Wright for the preparation of the Report for the Subcommittee on Agricultural Products.

Respectfully submitted,

WALTER I. DAHL, Chairman

*Members of the Assembly Interim*
*Committee on Revenue and Taxation*

| | |
|---|---|
| DON A ALLEN | WALTER I. DAHL |
| WILLIAM F. MARSH | AUGUSTUS F. HAWKINS |
| CLARK L. BRADLEY | LEVERETTE D. HOUSE |
| CARL A. BRITSCHGI | HERBERT R. KLOCKSIEM |
| CHARLES EDWARD CHAPEL | FRANK LANTERMAN |
| JOHN L. E. COLLIER | S. C. MASTERSON |
| GLENN E. COOLIDGE | ALAN G. PATTEE |
| GEORGE G. CRAWFORD | THOMAS M. REES |
| LOUIS FRANCIS | VINCENT THOMAS |
| SAMUEL R. GEDDES | CHARLES H. WILSON |

L. H. LINCOLN

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following communication be ordered printed in the Journal:

### Communication From Perry H. Taft

PERRY H. TAFT, ATTORNEY AT LAW
1 LARCH DRIVE, ATHERTON
March 16, 1959

*Mr. Harrison W. Hertzberg*
*Attorney at Law*
*3540 Wilshire Boulevard*
*Los Angeles, California*

DEAR MR. HERTZBERG: I was glad that I learned of your interest in Assembly Bill No. 1729 now pending before the California Legislature, while I was in Los

Angeles this past week. I believe that our telephone discussion of this legislative measure was most informative and that we can be mutually helpful to each other in our efforts to obtain the defeat of this legislation!

It occurs to me that you may want to supplement the information I gave to you regarding certain Assemblymen who are members of the Assembly Revenue and Taxation Committee in which committee this bill is presently located As I indicated the bill cannot be heard before early April because of the thirty-day rule after introduction but meanwhile you might want to alert your clients to write letters to those members of the Assembly Revenue and Taxation Committee with which they might be personally acquainted or have contacts through friends. In any event, we should by all means stay away from the author of the bill, Assemblyman Charles Chapel of Inglewood.

If you will call Arch Riddell, Sr. at RYan 1-8084 in Pasadena, he can give you the full list of the Assembly Revenue and Taxation Committee, including the areas from which each of the 17 members come. This will facilitate your determination of which of your client members could best communicate with these Assemblymen in opposition to the measure. As previously indicated in our discussion last Wednesday, particular emphasis should be placed on the fact that cities have already fully occupied this type of business license taxation which should not be duplicated by the State with the probable confiscation of many local businesses

As promised, I will be sure to advise you in the event the bill is set for hearing because of my interest in the measure as California tax counsel for the National Automatic Merchandising Association.

Sincerely yours,

PERRY H. TAFT

cc: Mr Herb Beitel, Legislative Counsel
National Automatic Merchandising Assn.
7 South Dearborn Street
Chicago 3, Illinois

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 380 | Assembly Bill No. 996 |
| Assembly Bill No 428 | Assembly Bill No. 1160 |
| Assembly Bill No 711 | Assembly Bill No 1196 |

And reports the same correctly engrossed

KILPATRICK, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

| | |
|---|---|
| Assembly Bill No. 912 | Assembly Bill No. 1073 |
| Assembly Bill No 1024 | Assembly Bill No. 1108 |

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 153
Assembly Bill No. 675
Assembly Bill No. 833

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 316 | Assembly Bill No. 868 |
| Assembly Bill No. 381 | Assembly Bill No. 1061 |
| Assembly Bill No. 573 | Assembly Bill No 1101 |

And reports the same correctly re-engrossed.

KILPATRICK, Vice Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1076

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 565

And reports the same correctly engrossed.

KILPATRICK, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

## RE-REFERENCE OF SENATE BILL NO. 117

Speaker Brown ordered Senate Bill No. 117 re-referred to the Committee on Ways and Means.

## ADJOURNMENT

At 12.25 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, March 24, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY

FIFTY-SEVENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, March 24, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O Thou Eternal God,* Sharing with us the enterprises of Thy still unfinished creation, Thou hast made us fellow craftsmen with each other and with Thee. The labors by which we have filled our days and exhausted our strength have been by Thy grace. Teach us to be good winners and good losers, and always strong proponents. Deliver us from all that embitters or discourages. Let us never lose our vision of building a better world. Make this week to be truly Holy Week because our actions and decisions are holy and acceptable in Thy sight, through Jesus Christ our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Nisbet, seconded by Mr. Kennick, further reading of the Journal of the previous legislative day was dispensed with.

### LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Garrigus, on motion of Mr. DeLotto.

Mr. Miller, on motion of Mr. George E. Brown.

Mr. Collier, on motion of Mr. Johnson.
Mr. House, on motion of Mr. George A. Willson.
Mr. Ernest R. Geddes, on motion of Mr. Shell.
Mr. Rees, on motion of Mr. Nisbet.

The following member was granted leave of absence for a part of the day, because of the death of his father:

Mr. Lowrey, on request of Speaker pro Tempore Bee.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, March 19, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol*

DEAR MR. OHNIMUS: House Resolution No. 80, adopted by the California Assembly on February 26, 1959, and printed in the Assembly Journal of that date at pages 928 and 929, requested that the Department of Public Works conduct a survey and report to the Legislature the cost of completing the San Diego Freeway from the Harbor Freeway to Studebaker Road.

The construction projects cited in the resolution will provide a usable unit of eight-lane freeway 1.3 miles long between 0.1 mile east of the Long Beach Freeway and Alameda Street at a cost of $6,500,000, and the start of the structures for the 7.1-mile section of eight-lane freeway between Studebaker Road and 0.1 mile east of the Long Beach Freeway at a cost of $8,500,000. In addition to these two construction projects, there are items of $6,448,000 in the 1958-59 right-of-way budget and items of $2,515,000 in the 1959-60 right-of-way budget for acquisition of right-of-way between Studebaker Road and Main Street. Budgeted items for construction and right-of-way, therefore, total $23,963,000.

The cost of completing the structures, grading, and paving the 7.1-mile section between Studebaker Road and 0.1 mile east of the Long Beach Freeway is estimated to be $20,500,000 for construction and $4,000,000 for right-of-way. The cost of the 4.5-mile section between Alameda Street and the Harbor Freeway is estimated to be $12,800,000 for construction and $200,000 for right-of-way. The total estimated cost of completing an eight-lane freeway on the 12.9-mile portion of the San Diego Freeway between Studebaker Road and the Harbor Freeway, therefore, is $37,500,000 which consists of $33,300,000 for construction and $4,200,000 for right-of-way.

Respectfully,
ROBERT B. BRADFORD, Director of Public Works

The following communications were presented by the Chief Clerk from:

Beatrice Olds of Los Angeles, relative to subterranean defense. Referred to the Committee on Military and Veterans Affairs.

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Abraham Binneweg, Jr., of Oakland, relative to automobile exhausts. Referred to the Committee on Transportation and Commerce.

---

Rev. A. Turner of Los Angeles, relative to capital punishment. Referred to the Committee on Criminal Procedure.

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Phyllis B. Look of South Gate, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

**Speaker pro Tempore Presiding**

At 9.38 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 96**: By Messrs. Belotti, Unruh, Lowrey, Masterson, Hegland, Schrade, and Charles H. Wilson—Relative to the use of state parks.

Referred to Committee on Rules.

**Assembly Bill No. 2173**: By Mr. George E. Brown—An act to amend Section 14218 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2174**: By Mr. Marks—An act to amend Sections 89 and 112 of the Code of Civil Procedure, relating to municipal and justice courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2175**: By Mr. Porter—An act to amend Section 16652 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to community recreation.

Referred to Committee on Education.

**Assembly Bill No. 2176**: By Mr. Samuel R. Geddes—An act to amend Section 626 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Agriculture.

**Assembly Bill No. 2177**: By Messrs. Hegland, Grant, and Winton (At the Request of Senators Dilworth, Donnelly, and Grunsky)—An act to amend Sections 16401, 16404, and 16406 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sale of personal property of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2178**: By Messrs. O'Connell and Meyers—An act to add Chapter 7.5 (commencing at Section 6825) to Division 3 of the Business and Professions Code, relating to the creation of a Board of Examiners for Operating Engineers, prescribing its organization, powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2179**: By Mr. MacBride—An act to amend Sections 73871, 73872, 73873, and 73874 of, and to add Sections 73873.1 and 73874.1 to, the Government Code, relating to officers and attaches of the municipal court of North Sacramento.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2180**: By Messrs. MacBride and Z'berg—An act to amend Sections 74182, 74183, 74184 and 74185 and to repeal Section 74186 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Referred to Committee on Judiciary—Civil.

## ANNOUNCEMENTS

Mr. Francis announced that he had a series of bills clarifying the laws relative to obscenity and lewdness and the sale of pornographic literature, and invited all members who desired to become co-authors to affix their signatures to the bills.

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Mr. Porter announced that he planned to introduce his constitutional amendment relative to water project financing this morning, and invited all members who desired to become co-authors to affix their signatures to the measure.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2181**: By Messrs. Reagan and Ralph M. Brown—An act to amend Section 54952 of the Government Code, relating to meetings of legislative bodies of local agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2182**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Britschgi, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Hawkins, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Meyers, Pattee, Reagan, Rumford, Shell, Thelin, Thomas, and Charles H. Wilson—An act to amend Sections 143.1 and 183 of the Streets and Highways Code, relating to the expenditure of funds available for state highways.

Referred to Committee on Government Organization.

**Assembly Bill No. 2183**: By Messrs. Coolidge, Francis, Holmes, Luckel, Backstrand, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Cusanovich, Dahl, Grant, Johnson, Lanterman, Levering, Marks, Pattee, Reagan, Shell, Sumner, Thelin, and Charles H. Wilson—An act to add Sections 11553.5, 15481, 15482, 15483, 15484, 15485, 15486, 15487, 15488, 15489, 15490, 15491, and 15492 to, to amend Section 15480 of, and to repeal Sections 15481, 15482, 15483, 15484, 15485, 15486, and 15487 of, the Government Code, relating to the Department of Investment.

Referred to Committee on Government Organization.

**Assembly Bill No. 2184**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Britschgi, Busterud, Chapel, Cusanovich, Dahl, Grant, Johnson, Kilpatrick, Lanterman, Levering, Meyers, Pattee, Reagan, Shell, Sumner, Thelin, and Charles H. Wilson—An act to amend Section 323 of the Military and Veterans Code, relating to allowances for uniforms.

Referred to Committee on Government Organization.

**Assembly Bill No. 2185**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Britschgi, Chapel, Collier, Crawford, Cusanovich, Dahl, Grant, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Levering, Pattee, Reagan, Schrade, Shell, Sumner, Thelin, and Charles H. Wilson—An act relating to the transfer and repayment of certain state funds with respect to the loan made to the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945, and in this connection amending Section 2 of Chapter 1505 of the Statutes of 1945.

Referred to Committee on Government Organization.

**Assembly Bill No. 2186**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Britschgi, Busterud, Cusanovich, Dahl, Grant, Hawkins, Hegland, Johnson, Kennick, Lanterman, Levering, Marks, Pattee, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, and Charles H. Wilson—An act to amend Section 4850 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to issuance of vehicle license plates.

Referred to Committee on Government Organization.

**Assembly Bill No. 2187**: By Messrs Coolidge, Holmes, Luckel, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Hawkins, Johnson, Lanterman, Levering, Marks, Meyers, Pattee, Reagan, Shell, Thelin, and Thomas—An act to amend Section 19331 of the Government Code and to amend Sections 389, 395, 395.01, and 395.03 of the Military and Veterans Code, relating to temporary military leaves for public employees.

Referred to Committee on Government Organization.

**Assembly Bill No. 2188**: By Messrs. Coolidge, Holmes, Luckel, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Johnson, Lanterman, Levering, Marks, Pattee, Reagan, Shell, Sumner, Thelin, and Thomas—An act to amend Sections 1229, 1403, and 1676 of the Health and Safety Code, relating to fees payable to the State Department of Public Health.

Referred to Committee on Government Organization.

**Assembly Bill No. 2189**: By Messrs Coolidge, Holmes, Luckel, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Hawkins, Johnson, Kennick, Kilpatrick, Lanterman, Meyers, Pattee, Reagan, Rumford, Shell, Sumner, Thelin, and Thomas—An act to amend Sections 25551 and 25553, and to repeal Section 25551a of the Revenue and Taxation Code, relating to the taxation of general corporations.

Referred to Committee on Government Organization.

**Assembly Bill No. 2190**: By Messrs. Coolidge, Francis, Holmes, Luckel, Backstrand, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Johnson, Lanterman, Levering, Marks, Pattee, Reagan, Shell, Sumner, Thelin, Unruh, and Charles H. Wilson—An act to amend Sections 21, 56, 61, 70, 70.5, 72, 73, 74, 79, and 95 of, to add Section 79.5 to, the Labor Code, and to amend Section 11559 of the Government Code, relating to the Department of Industrial Relations.

Referred to Committee on Government Organization.

**Assembly Bill No. 2191**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Britschgi, Busterud, Chapel, Cusanovich, Dahl, Hegland, Johnson, Lanterman, Levering, Marks, Pattee, Reagan, Schrade, Shell, and Thelin—An act to repeal Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code, relating to aeronautics and providing for the abolition of the California Aeronautics Commission

Referred to Committee on Government Organization.

**Assembly Bill No. 2192**: By Messrs. Coolidge, Luckel, Holmes, Backstrand, Beaver, Belotti, Britschgi, Chapel, Cusanovich, Dahl, Grant, Johnson, Lanterman, Levering, Pattee, Reagan, Shell, Sumner, and Thelin—An act to add Article 2 5 (commencing at Section 11743) to Chapter 3 of Part 3 of Division 2 of the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Government Organization.

**Assembly Bill No. 2193**: By Messrs Coolidge, Francis, Holmes, Luckel, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Hawkins, Johnson, Kilpatrick, Lanterman, Levering, Marks, Meyers, Pattee, Reagan, Shell, and Thelin—An act to add Section 14403 to the Government Code, relating to state contracts.

Referred to Committee on Government Organization.

**Assembly Bill No. 2194**: By Messrs. Coolidge, Francis, Holmes, Luckel, Backstrand, Beaver, Belotti, Britschgi, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Johnson, Kilpatrick, Lanterman, Levering, Marks, Meyers, Pattee, Reagan, Shell, Sumner, and Thelin—An act to amend Sections 431 and 432 of the Military and Veterans Code, relating to the control of armories

Referred to Committee on Government Organization.

**Assembly Bill No. 2195**: By Messrs. Coolidge, Mulford, Charles H. Wilson, Lanterman, Britschgi, Chapel, Cusanovich, Dahl, Elliott, Francis, Hawkins, Holmes, Levering, Pattee, Reagan, Shell, and Thomas—An act to provide for the transfer of funds from the Investment Fund to the General Fund.

Referred to Committee on Government Organization.

**Assembly Bill No. 2196**: By Messrs. Coolidge, Holmes, Luckel, Beaver, Belotti, Britschgi, Busterud, Chapel, Cusanovich, Dahl, Hegland, Johnson, Lanterman, Levering, Marks, Pattee, Schrade, Shell,

Thelin, and Charles H. Wilson—An act to repeal Division 7 (commencing with Section 8600) of the Public Resources Code, relating to public recreation and providing for abolishing the Recreation Commission and the Office of Director of Recreation.

Referred to Committee on Government Organization.

**Assembly Bill No. 2197**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Hawkins, Johnson, Kilpatrick, Lanterman, Levering, Pattee, Reagan, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—An act to amend Sections 13315, 13988, 14104, 14128, 14141, 14143, 14144, 14307, 14324, 14345, 14346, 14361, 14371, 14373, 14381, 14383, 14391, 14392, 14401, 14403, 14411, 14413, 14423, 14428, 14501, 14515, 14734, 14771, 14772, 14773, 14901 and 16504 of, and to add Section 14902 to, and to repeal Section 14142 and Article 4 (commencing at Section 14791) of Chapter 13 of Part 8 of Division 2 of, the Revenue and Taxation Code, and to amend Sections 605, 608, 609 and 1174 of the Probate Code, and to add Section 18595 to the Government Code, relating to the probate of estates and inheritance and gift taxation, and making an appropriation.

Referred to Committee on Government Organization.

**Assembly Bill No. 2198**: By Messrs. Coolidge, Francis, Holmes, Luckel, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Grant, Johnson, Kilpatrick, Lanterman, Levering, Meyers, Pattee, Shell, Sumner, and Thelin—An act to add Section 20014.6 to the Government Code, and to amend Sections 228 and 256 of the Military and Veterans Code, relating to the retirement of officers and enlisted men on full-time active duty with the Adjutant General.

Referred to Committee on Government Organization.

**Assembly Bill No. 2199**: By Messrs. Coolidge, Francis, Luckel, Britschgi, Burke, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Grant, Hawkins, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Pattee, Reagan, Rumford, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—An act to transfer the unexpended and unencumbered funds of district, county, and citrus fruit fairs to the General Fund.

Referred to Committee on Government Organization.

**Assembly Bill No. 2200**: By Messrs. Coolidge, Mulford, Charles H. Wilson, Dahl, Backstrand, Beaver, Bradley, Britschgi, Chapel, Cusanovich, Grant, Hawkins, Holmes, Lanterman, Levering, Marks, Pattee, Reagan, Shell, and Thomas—An act to provide for the transfer of funds from the State School Construction Fund to the General Fund.

Referred to Committee on Government Organization.

**Assembly Bill No. 2201**: By Messrs. Coolidge, Mulford, Charles H. Wilson, Dahl, Backstrand, Beaver, Belotti, Bradley, Britschgi, Chapel, Cusanovich, Francis, Grant, Hawkins, Holmes, Kilpatrick, Lanterman,

Levering, Marks, Meyers, Pattee, Reagan, Rumford, Shell, Sumner, and Thomas—An act providing for the transfer of state funds, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Government Organization.

**Assembly Bill No. 2202**: By Messrs. Coolidge, Francis, Holmes, Luckel, Britschgi, Chapel, Collier, Crawford, Cusanovich, Dahl, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Pattee, Reagan, Schrade, Shell, Thelin, Thomas, and Charles H. Wilson—An act relating to the sale of state property and providing for the disposition of the proceeds from such sale.

Referred to Committee on Government Organization.

**Assembly Bill No. 2203**: By Messrs. Burton and Biddick—An act to add Section 12503 to the Government Code, relating to eligibility for the Office of Attorney General.

Referred to Committee on Government Organization.

**Assembly Bill No. 2204**: By Mr. Thelin—An act to amend Section 1306 of the Penal Code, relating to bail.

Referred to Committee on Criminal Procedure.

**Speaker Presiding**

At 9.52 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 2205**: By Mr. Bane—An act to amend Section 22502 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to parking.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2206**: By Mr. Bane—An act to amend Section 555 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to sidewalks.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2207**: By Mr. Porter—An act to amend Sections 1363 and 1433 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school board meetings.

Referred to Committee on Education.

**Assembly Bill No. 2208**: By Mr. Cusanovich—An act to amend Section 15957 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district contracts.

Referred to Committee on Education.

**Assembly Bill No. 2209**: By Messrs. Kennick, Nisbet, and Grant—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Mulford, Rumford, Bee, and MacBride:

**House Resolution No. 158**

Relative to congratulating and commending Mr. James B. Black

WHEREAS, Mr. James B. Black has been named Alumnus of the Year of the University of California upon the recent occasion of the Ninety-first Annual University Charter Day Banquet in San Francisco, for his contributions to the development of western power resources and pioneering the establishment of privately financed nuclear power plants, and for his support of education; and

WHEREAS, James B. Black graduated from the University of California in 1912 and began his career as a service inspector for the Great Western Power Company; and

WHEREAS, Mr. Black rose rapidly through the ranks to become Vice President of the Western Power Corporation in 1926 and of the North America Company from 1927 to 1935; and

WHEREAS, He subsequently was selected as President, director and member of the executive committee of the Pacific Gas and Electric Company, in which capacity he served until 1955; and

WHEREAS, In 1955, Mr. Black became Chairman of the Board of the Pacific Gas and Electric Company; and

WHEREAS, He is a director of the Southern Pacific Company, the Fireman's Fund Insurance Company, the United States Steel Corporation, the Chemical Corn Exchange Bank, the Equitable Life Assurance Society, the Del Monte Properties Company, the California Pacific Title Insurance Company, and the Shell Oil Company, and

WHEREAS, Mr. Black is presently a member of many charitable, social, and fraternal organizations and has taken part in public affairs from the local to the national level; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly hereby congratulate and commend Mr. James B. Black as an outstanding citizen of this State and of the United States whose career is an example of achievement and success which is an inspiration to the people of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. James B. Black

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2210**: By Messrs. Kennick, Nisbet, and Grant—An act to amend Section 25665 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2211**: By Messrs. Kennick, Nisbet, and Grant—An act to amend Section 25661 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2212**: By Mr. McCollister—An act to amend Section 9031 of the Welfare and Institutions Code, relating to community mental health services.

Referred to Committee on Public Health.

**Assembly Bill No. 2213**: By Mr. McCollister—An act to amend Sections 1090 and 1090.1 of the Government Code, relating to interests of public officers in contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2214**: By Mr. McCollister—An act to amend Section 6026 of the Water Code, relating to the regulation of dams.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2215**: By Mr. McCollister—An act to add Section 70046.2 to the Government Code, relating to superior courts.

Referred to Committee on Judiciary—Civil.

### Hon. Gordon H. Winton Presiding

At 9 56 a m , Hon Gordon H Winton, Member of the Assembly from the Thirty-first District, presiding.

**Assembly Bill No. 2216**: By Mr. McCollister—An act to amend Section 73 of the Streets and Highways Code, relating to relinquishment of state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2217**: By Mr. McCollister—An act to amend Sections 73772 and 73773 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

### Speaker Presiding

At 9.57 a.m., Hon Ralph M. Brown, Speaker of the Assembly, presiding.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 20**—An act to repeal Sections 4031, 26123, 26281, 26327, 26328, 26329, 26330, 26331, 31879, 31880, 31903, 31924, 31943, 31944, 31945, 31946, 36959, 37154, 50372, and 53503, and to amend Sections 1650, 1651, 4029, 4030, 26230, 26326, 27543, 31878, 31881, 31900, 31901, 31902, 31942, 31970, 32449, 32451, 34053, 34576, 34702, 35113, 35306, 37151, 37153, 37156, 37157, 50330, 50333, 50334, 51611, 51614, 51645 51652, 53500, 53672, 60386, and 60415 of the Water Code, relating to recordation of instruments;

**Assembly Bill No. 370**—An act to repeal Section 25082 of the Government Code, relating to meetings of boards of supervisors;

**Assembly Bill No. 452**—An act to amend Section 5901 of the Education Code and Section 21301 of the Education Code as proposed by Senate Bill No. 2, relating to school district funds;

**Assembly Bill No. 489**—An act to amend Section 23772 of, and to add Section 26072 7 to, the Revenue and Taxation Code, relating to corporations exempt under the Bank and Corporation Tax Law, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the twenty-third day of March, 1959, at 4 p m

KILPATRICK, Vice Chairman

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 244
Assembly Bill No 406
Assembly Bill No 1222
Assembly Bill No 1253
Assembly Bill No. 1368

And reports the same correctly engrossed

KILPATRICK, Vice Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 1150
And reports the same correctly engrossed

KILPATRICK, Vice Chairman

Above bill re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 918
And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 491
And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 911
Assembly Bill No. 1303
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No 911 ordered to the Consent Calendar.

Assembly Bill No. 1303 re-referred to the Committee on Ways and Means.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports.
Assembly Bill No 949
Assembly Bill No. 1487
Assembly Bill No. 1488
With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.
Assembly Bill No. 124
Assembly Bill No. 1454
With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports
Assembly Bill No. 1540
Assembly Bill No. 1541
With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

NOTE—On April 23d (Assembly Journal, page 2767), the above action was rescinded whereby Assembly Bill No. 1541 was ordered filed, and the subject matter referred to the Committee on Rules

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 882

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1275

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1258

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 149

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 336
Assembly Bill No. 614
Assembly Bill No. 816
Assembly Bill No. 914
Assembly Bill No. 960
Assembly Bill No. 1178
Assembly Bill No. 1194
Assembly Bill No. 1200
Assembly Bill No. 759
Assembly Bill No. 880
Assembly Bill No. 1066
Assembly Bill No. 945
Senate Bill No. 155

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 185
Assembly Bill No. 1265

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1567

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER. Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1483

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 974

With the recommendation. Do pass.

MEYERS, Chairman

Above bill ordered to second reading.

## Committee on Rules

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Rules reports.

House Resolution No. 148
House Resolution No. 149
House Resolution No. 153
House Resolution No. 155
House Resolution No. 156

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

HANNA, Acting Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Rules reports.

House Resolution No. 147
House Resolution No. 157

With the recommendation. Be adopted.

HANNA, Acting Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER Your Committee on Rules reports:

Assembly Bill No 1512
Assembly Bill No 1513

With the recommendation: Do pass.

HANNA, Acting Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER Your Committee on Rules reports

Assembly Joint Resolution No 14

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar

HANNA, Acting Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 23

With the recommendation: That the resolution be re-referred to the Committee on Water.

HANNA, Acting Chairman

Above resolution re-referred to the Committee on Water.

### MOTION

Mr. Winton moved that all bills on the second reading file be deemed read the second time, with appropriate action taken on those bills requiring action

Mr. O'Connell seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 226, 1277, 660, 1357,** and **1223.**

**Senate Bills Nos. 217** and **9.**

Assembly Bills Nos. 226, 1277 and 1223 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 660 and 1357 ordered to the Consent Calendar, subsequent to engrossment.

Above Senate bills ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 466**—An act to add Article 3.5 (commencing with Section 1221) to Chapter 1, of Division 6, of the Military and Veterans Code, relating to the construction of halls, buildings and meeting places by veterans' memorial districts.

Bill read second time.

#### *Consideration of Committee Amendments*

The following amendments, proposed by the Committee on Military and Veterans Affairs, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 8 to 15, inclusive.

**Amendment No. 2**

On page 1, line 16, strike out "1222", and insert "1221".

**Amendment No. 3**

On page 1, line 21, strike out "1223", and insert "1222".

**Amendment No. 4**

On page 2, line 3, strike out "1224", and insert "1223".

**Amendment No. 5**

On page 2, line 11, strike out "1225", and insert "1224"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 297**—An act to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to reconstruction of the San Mateo-Hayward Bridge declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 4, 1959, after "act", insert "to amend Section 30350 of, and".

**Amendment No. 2**

On page 1, line 1, after "SECTION 1.", insert "Section 30350 of the Streets and Highways Code is amended to read:

30350. As long as any of the bonds issued pursuant to this chapter for the acquisition, construction, enlargement, extension or change in design or structure of any toll bridge or other highway crossing are outstanding and unpaid, there shall not be erected, constructed or maintained any other bridge, subway, tunnel, or other crossing over, under, through, or across the waters over which such bridge or other highway crossing is located or constructed, connecting or adjoining directly or indirectly the lands or extensions thereof or abutments thereon on both sides of the waters spanned or crossed by such bridge or other highway crossing within a distance of 10 miles from either side of such bridge or highway crossing, excepting bridges or other highway crossings actually in existence and being maintained, or for which there was outstanding an existing and lawfully issued franchise, at the time of the acquisition or location of the toll bridge or other highway crossing and prior to the time of the authorization of the revenue bonds.

Where a distance of less than 10 miles has been specified in any bond resolution containing the obligations of the authority in connection with any bonds theretofore issued, the department and the authority may construct new bridges or other highway crossings within less than 10 miles of the bridge or other highway crossing for which bonds are outstanding, but the provisions of any bond resolution adopted, prior to January 1, 1955, or similar provisions in any bond resolution thereafter adopted, in connection with the issuance of such bonds shall be observed. ~~But, no such provisions shall prevent the construction of the Southern Crossing within eight miles of the San Mateo-Hayward Bridge.~~

SEC. 2."

**Amendment No. 3**

On page 1, lines 2 and 3, strike out "the Streets and Highways", and insert "said".

**Amendment No. 4**

On page 2, line 7, strike out "authority", and insert "department".

**Amendment No. 5**

On page 2, line 25, after "insuring," insert "maintenance,".

**Amendment No. 6**

On page 2, lines 35 and 36, strike out ", including the cost of insurance of said bridges against all risks,".

**Amendment No. 7**

On page 2, line 38, strike out "2", and insert "3".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 594**—An act to amend Sections 51 and 52 of, and to repeal Sections 53 and 54 of, the Civil Code, relating to civil rights.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

#### Amendment No. 1

On page 1, line 9, of the printed bill, after "ties", insert ", except those institutions organized primarily for the purpose of, and which practice, the furthering of a specific sectarian religious belief or a specific national culture, and which limit their membership or affiliations to only those persons with a corresponding religious belief or national derivation".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 456**—An act to add Section 32109 to the Health and Safety Code, and to amend Section 4501 of the Elections Code, relating to hospital districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 456?

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on February 27, 1959, strike out "Section", and insert "Sections".

#### Amendment No. 2

In line 2 of the title, after "4501", insert "and 4501.5".

#### Amendment No. 3

On page 1, line 6, after "Code", insert "if the lawful receipts and expenses of his campaign exceed two hundred dollars ($200)".

#### Amendment No. 4

On page 1, after line 14, insert

"SEC. 3. Section 4501.5 of said code is amended to read.

4501.5. A candidate or nominee for a municipal office *or for election to the office of director of a hospital district* need not file a campaign statement if the lawful receipts and expenses of his campaign do not exceed two hundred dollars ($200)."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 456 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Kennick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 456 ordered enrolled.

### MOTION TO RECONSIDER HOUSE RESOLUTION NO. 125

In compliance with a motion given on a previous day, Mr. Unruh moved that the vote whereby House Resolution No. 125 was adopted be reconsidered.

House Resolution No. 125 reconsidered by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

### FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 125

By Mr. Beaver:

**House Resolution No. 125**—Relating to financial statements in committee reports.

Resolution read.

#### Speaker pro Tempore Presiding

At 10.05 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

#### Motion to Amend

Mr. Unruh moved the adoption of the following amendments:

#### Amendment No. 1

On page 1545 of the Assembly Journal for March 18, 1959, strike out lines 1 and 2 of the proposed Rule No. 12.3, and insert

"12.3. The chairman of each Assembly interim committee shall submit in the letter of transmittal of the final report the total expenses of the committee, including the".

#### Amendment No. 2

In the last line of said rule, strike out "in preparation of the report", and insert

", in the form prescribed by the Committee on Rules".

Amendments read, and adopted.

#### Consideration of House Resolution No. 125, as Amended

By Mr. Beaver:

#### House Resolution No. 125

Relating to financial statements in committee reports

WHEREAS, Assembly interim committees are agents of the Assembly entrusted with the task of ascertaining and reporting facts for legislative purposes; and

WHEREAS, Many of the reports of such committees are widely distributed and used for many purposes, and

WHEREAS, The public is entitled to know what work went into the preparation of the reports, by whom they were prepared, and what was the full cost of preparation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Rule No 12.3 is added to the Permanent Standing Rules of the Assembly, to read:

**Interim Committee Reports**

12.3. The chairman of each Assembly interim committee shall submit in the letter of transmittal of the final report the total expenses of the committee, including the amount expended for expenses of the members, the number of hearings held, the name of, and amount paid to,

each consultant, the name of, and amount paid to, each committee employee, and the amount expended for other goods and services, in the form prescribed by the Committee on Rules.

Resolution read, as amended.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILLS NOS. 405 AND 410 FROM COMMITTEE

Mr. Bradley was granted unanimous consent that Assembly Bills Nos. 405 and 410 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bills be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILLS NOS. 405 AND 410

**Assembly Bill No. 405**—An act to add Division 3.5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

### Motion to Amend

Mr Bradley moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 7, of the printed bill, after "LOCAL", insert "PUBLIC".

### Amendment No. 2

On page 2, line 18, strike out "provisions of law", and insert "statute".

### Amendment No. 3

On page 2, between lines 46 and 47, insert

"(j) Claims arising under any provision of the Unemployment Insurance Code, including but not limited to claims for money or benefits, or for refunds or credits of employer or worker contributions, penalties or interest, or for refunds to workers of deductions from wages in excess of the amount prescribed."

### Amendment No. 4

On page 3, line 17, strike out "Claim as Prerequisite to Suit", and insert "Presentation, Consideration and Enforcement of Claims".

### Amendment No. 5

On page 3, between lines 36 and 37, insert "The claim shall be signed by the claimant or by some person on his behalf."

### Amendment No. 6

On page 3, lines 37, 38 and 39, strike out "before final action thereon is taken by the governing body of the local public entity", and insert "within eighty (80) days after it is presented".

### Amendment No. 7

On page 3, line 45, strike out "give", and insert "mail to".

**Amendment No. 8**

On page 3, line 45, after "claim", insert "at the address of such person appearing on the claim".

**Amendment No. 9**

On page 3, line 47, strike out "final".

**Amendment No. 10**

On page 4, strike out lines 1 to 6, inclusive, and insert
"713 Any defense based upon".

**Amendment No. 11**

On page 4, line 8, strike out "give", and insert "mail"

**Amendment No. 12**

On page 4, line 10, strike out "given", and insert "mailed".

**Amendment No. 13**

On page 4, line 11, strike out "give the", and insert "give a".

**Amendment No. 14**

On page 4, line 14, strike out "or", and insert a comma.

**Amendment No. 15**

On page 4, line 15, before "thereof", insert "or auditor".

**Amendment No. 16**

On page 4, line 17, strike out "or secretary", and insert ", secretary or auditor"

**Amendment No. 17**

On page 4, line 22, before "or", insert "auditor".

**Amendment No. 18**

On page 4, line 37, strike out "less than sixteen (16) years of age", and insert "a minor"

**Amendment No. 19**

On page 5, line 5, strike out "take final action", and insert "act".

**Amendment No. 20**

On page 5, lines 17 and 18, strike out "to accept the amount allowed", and insert ", if he accepts the amount allowed, to accept it"

**Amendment No. 21**

On page 5, line 20, strike out "or secretary", and insert ", secretary or auditor".

**Amendment No. 22**

On page 5, strike out lines 21 to 25, inclusive, and insert "to the person who presented the claim"

**Amendment No. 23**

On page 5, line 32, strike out "final".

**Amendment No. 24**

On page 5, line 34, after "full", insert "and the claimant accepts the amount allowed".

**Amendment No. 25**

On page 5, line 49, strike out "act upon a claim".

**Amendment No. 26**

On page 5, line 50, strike out "or pay the same", and insert "pay the claim"

**Amendment No. 27**

On page 6, line 1, strike out "Except as provided in Section 718, when", and insert "When"

**Amendment No. 28**

On page 6, line 15, strike out ", express or implied,"

**Amendment No. 29**

On page 6, line 21, strike out "nine months", and insert "one year"

**Amendment No. 30**

On page 6, line 22, strike out "presentation", and insert "rejection"

**Amendment No. 31**

On page 6, between lines 22 and 23, insert

"722. Nothing in this chapter shall prohibit the governing body of a local public entity from compromising any suit based on a cause of action for which this chapter requires a claim to be presented."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Rush Order Placed Upon Printing of Assembly Bill No. 405**

Mr. Bradley was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 405.

**Assembly Bill No. 410**—An act to amend Section 3 of Chapter 349 of the Statutes of 1873-74, Section 9 of Chapter 201 of the Statutes of 1895, Section 11 of Chapter 310 of the Statutes of 1905, Section 19 of the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 53 of the Solvang Municipal Improvement District Act (Chapter 1635, Statutes of 1951), Section 53 of the Fairfield-Suisun Sewer District Act (Chapter 303, Statutes of 1951), Section 53 of the Montalvo Municipal Improvement District Act (Chapter 549, Statutes of 1955), and Section 11 of the Lower San Joaquin Levee District Act (Chapter 1075, Statutes of 1955); to add Section 3.1 to Chapter 349 of the Statutes of 1873-74, Section 9.5 to Chapter 63 of the Statutes of 1880, Section 12.5 to Chapter 158 of the Statutes of 1885, Section 49.5 to the Drainage Act of 1903 (Chapter 238, Statutes of 1903), Section 46.5 to Chapter 25 of the Statutes of 1907, Section 19.1 to the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 8 5 to Chapter 99 of the Statutes of 1913, Section 8.5 to Chapter 361 of the Statutes of 1915 Section 29.5 to the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), Section 34.5 to the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), Section 3.1 to the Orange County Flood Control District Act (Chapter 723, Statutes of 1927, Section 20.5 to the American River Flood Control District Act (Chapter 808, Statutes of 1927), Section 10.5 to Chapter 641 of the Statutes of 1931, Section 21.1 to the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), Section 20.5 to the Orange County Water District Act (Chapter 924, Statutes of 1933), Section 8 is added to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), Section 15.1 is added to the Monterey Peninsula Airport District Act (Chapter 52, Statutes of 1941), Section 135.5 to the California Water Storage and Conservation District Act (Chapter 1253, Statutes of 1941), Section 15 5 to the County Water Authority Act (Chapter 545, Statutes of 1943), Section 17.5 to the San Diego County Flood Control District Act (Chapter 1372, Statutes of 1945), Section 2.5 to the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of the First Extraordinary Session of 1952), Section 9.5 to the Contra Costa County Storm Drainage District Act (Chapter 1532, Statutes of 1953), Section 11.5 to the Fresno Metropolitan Flood Control Act (Chapter 503, Statutes of 1955), and Section 48 to the Santa

Clara-Alameda-San Benito Water Authority Act (Chapter 1289, Statutes of 1955); and to repeal and add Section 20 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), Section 14½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), Section 6.1 of the Metropolitan Water District Act (Chapter 429, Statutes of 1927), Section 13 of the Ventura County Flood Control Act (Chapter 44, Statutes of the Fourth Extraordinary Session of 1944), Section 31 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), Section 15 of the Riverside County Flood Control and Water Conservation District Act (Chapter 1122, Statutes of 1945), Section 8 1 of the Santa Barbara County Water Agency Act (Chapter 1501, Statutes of 1945), Section 30 of the San Luis Obispo County Flood Control and Water Conservation District Act (Chapter 1294, Statutes of 1945), Section 30 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699, Statutes of 1947), Section 8 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), Section 8 of the Mendocino Flood Control and Water Conservation District Act (Chapter 995, Statutes of 1949), Section 29 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275, Statutes of 1949), Section 30 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951), Section 30 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449, Statutes of 1951), Section 34 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544, Statutes of 1951), Section 30 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), Section 15 of the Kings River Conservation District Act (Chapter 931, Statutes of 1951), Section 8.1 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656, Statutes of 1951), Section 8 of the Yolo County Flood Control and Water Conservation District Act (Chapter 1657, Statutes of 1951), Section 8.1 of the Sacramento County Water Agency Act (Chapter 10, Statutes of the First Extraordinary Session of 1952), Section 29 of the Marin County Flood Control and Water Conservation District Act (Chapter 666, Statutes of 1953), Section 34 of the San Benito County Water Conservation and Flood Control District Act (Chapter 1598, Statutes of 1953), Section 8 of the Morrison Creek Flood Control District Act (Chapter 1771, Statutes of 1953), Section 31 of the Del Norte County Flood Control District Act (Chapter 166, Statutes of 1955), Section 31 of the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1058, Statutes of 1955), Section 154 of the Santa Cruz County Flood Control and Water Conservation District Act (Chapter 1489, Statutes of 1955) and Section 20 of the Contra Costa County Water Agency Act (Chapter 518, Statutes of 1957), relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

### Motion to Amend

Mr. Bradley moved the adoption of the following amendments:

### Amendment No. 1

On page 3 of the printed bill, in the fourth line from the end of the title of the bill, strike out "and".

### Amendment No. 2

On page 3, in the next to last line of the title of the bill, before "relating", insert "and Section 4.23 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes of 1957)".

### Amendment No. 3

On page 19, line 36, after "the", insert "Contra"

### Amendment No. 4

On page 19, after line 48, insert

"SEC 87. Section 4 23 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes of 1957) is repealed

SEC 88 Section 4.23 is added to the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes of 1957), to read.

Sec 4 23 Claims for money or damages against the authority are governed by Chapter 2 (commencing with Chapter 700) of Division 3 5 of Title 1 of the Government Code, except as provided therein, or by other statutes or regulations expressly applicable thereto."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### Rush Order Placed Upon Printing of Assembly Bill No. 410

Mr Bradley was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 410.

## REQUEST FOR UNANIMOUS CONSENT

Miss Donahoe was granted unanimous consent to take up a House resolution, at this time.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 159

Relating to congratulating and commending Mrs. Frances G Grinnell for her many years of outstanding service in the Los Angeles City School System

WHEREAS, The Assembly of the State of California has learned with regret that Mrs. Frances G. Grinnell has been compelled by illness to resign from her position as Associate Superintendent of the Los Angeles City Schools; and

WHEREAS, Mrs. Frances G. Grinnell has compiled an outstanding record of service with the Los Angeles City School System over a period of 36 years, during which time she served as an elementary school teacher, supervisor, principal, and finally as Associate Superintendent of the school system, to which position she was appointed in September, 1958; and

WHEREAS, Mrs. Frances G. Grinnell was born in Denver, Colorado, and at a very early age moved to Santa Monica, California, where she attended elementary and high schools, following which she attended Occidental College, the University of California, Los Angeles, and the University of Southern California, receiving from the latter institution her Bachelor's and Master's Degrees in Education; and

WHEREAS, She joined the Los Angeles City School System in September of 1923 when she became a teacher at Santa Barbara Avenue Elementary School, following which she held teaching positions at the 118th Street and 74th Street Schools, the positions of Principal at Mount Washington Elementary School, Principal at the Rockdale, Center Avenue, and Brentwood Schools, the positions of co-ordinator for student teacher training at Micheltorena School, Supervisor in the Valley Elementary District, Principal at Toluca Lake Elementary School, and, immediately prior to her most recent position, Assistant Superintendent in charge of elementary schools for the San Fernando Valley; and

WHEREAS, During the 36 years in which she was engaged in this work Mrs Frances G Grinnell compiled an outstanding record of achievement and contribution to the public schools which she served and made a multitude of friends by whom her assistance, kindness, and understanding will always be remembered; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mrs Frances G. Grinnell is congratulated and commended on her many years of outstanding work in the Public School System of the City of Los Angeles and for the important role that she played in the development of so great a number of the youth of this State in their formative years; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Frances G. Grinnell.

### Request for Unanimous Consent

Miss Donahoe was granted unanimous consent to take up House Resolution No. 159 without reference to committee or file.

Resolution read, presented by Miss Donahoe, and adopted unanimously.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, March 16, 1959; Tuesday, March 17, 1959; Wednesday, March 18, 1959; Thursday, March 19, 1959; and Friday, March 20, 1959.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 1223** subsequent to engrossment.

**Assembly Bill No. 911** from the Consent Calendar.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

### Assembly Bill No. 1189 Placed on the Inactive File

On motion of Mr. Porter, Assembly Bill No. 1189 was ordered placed on the inactive file.

**Assembly Bill No. 1217**—An act to amend Section 6334 of the Education Code, and Section 20504 of the Education Code as proposed by Senate Bill No. 2, relating to school district budgets.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 141

By Mr. Levering:

### House Resolution No. 141

Relative to the Printing of the Assembly Journal

*Resolved by the Assembly of the State of California*, That the State Printer is directed to use 10-point type whenever proposed amendments to be printed in the Assembly Journal contain material in strikeout.

Resolution read, and adopted.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1317**—An act to amend Sections 14004 and 14006 of the Financial Code, relating to credit unions.

Bill read third time.

### Motion to Amend

Miss Donahoe moved the adoption of the following amendments proposed by Mr. Ernest R. Geddes:

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 19, 1959, strike out "14006", and insert "14406".

### Amendment No. 2

On page 2, line 48, strike out "1,000,000", and insert "1,000,001".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 720**—An act to amend Sections 506, 506.6, 506.7, 5001, 5003, 5003.5, 5004, 5005, 5006, 5006.1, 5006.5, 5007, 5008, 5010, 5010.5, 5012, 5012.1, 5015, 5016, 5019.5, 5020, 5021, 5022, 5023, 5025.11, 5025.12, 5025.2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072.5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5013.5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050) of Chapter 1, Division 5 of, and to add Section 5017 and 5018 to, the Public Resources Code, relating to beaches and parks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Chapel, Conrad, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—52

NOES—Busterud, Dahl, Francis, Gaffney, Holmes, Levering, Luckel, Marks, McCollister, Rumford, and Shell—11

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1208**—An act to add Section 23394.5 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Holmes moved the adoption of the following amendment.

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 19, 1959, after "license", insert ", except as provided in Section 23106,"

Amendment read, and adopted.
Bill ordered reprinted and re-engrossed.

**Assembly Bill No. 1323**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Holmes moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "persons", and insert "person".

Amendment No. 2

On page 1, line 10, strike out the second "or", and insert "of"

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed

**Assembly Bill No. 516**—An act to amend Section 1431 of the Probate Code, relating to claims of minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 657**—An act to amend Section 71140.1 of the Government Code, relating to attaches of municipal courts, declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 927**—An act to add Section 201a to, and to amend Section 225 of, the Code of Civil Procedure, relating to trial juries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1094**—An act to add Article 13 (commencing with Section 255) to Chapter 1, Title 3, Part 1 of the Code of Civil Procedure, relating to the drawing of juries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1233**—An act to amend Sections 1711, 1712, 1722, and 1771 of, and to repeal Section 1717 of, the Elections Code, relating to municipal initiative and referendum measures.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 1234**—An act to amend Section 9900 of, and to repeal Sections 9912, 9913, 9914, 9916, and 9917 of, the Elections Code, relating to municipal elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1236**—An act to amend Section 26802 of the Government Code, relating to the duties of a registrar of voters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 376**—An act to add Section 219 to the Welfare and Institutions Code, relating to real property of public assistance recipients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68
NOES—Sumner—1

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1038**—An act to amend Sections 643a and 643b the Penal Code, relating to the protection of blind and partially blind people.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 643**—An act to add Section 3008 to the Fish and Game Code, relating to dogs

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1235**—An act to amend Sections 9750, 9754.1, 9755, 9756, 9760, 9801, 9850, 9912, 11101, 11119, and 11120 of, the Elections Code, relating to municipal elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 1025**—An act to amend Sections 13853 and 13854 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate

**Speaker Presiding**

At 10.51 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1370**—An act to amend Sections 3009 and 3408 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time

NOTE: Later this day the Assembly expunged the record, and rescinded the action whereby Assembly Bill No. 1370 was this day passed. (*See* page 1751 )

**Assembly Bill No. 211**—An act to amend Sections 18001, 18002, 18350, 18355, and 18444 of, and to add Section 18350.5 to, the Health and Safety Code, relating to auto and trailer parks and tent camps.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 595**—An act to add Section 211.5 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George F. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 491**—An act to amend Section 26726 of the Government Code, relating to keepers' fees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 148**—An act to add Section 8045 to the Education Code and Section 1010 to the Education Code as proposed by Senate Bill No 2, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel,

Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—69

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 502**—An act to amend Sections 165 and 165.3 of, and to add Sections 165.7 and 166 to, the Agricultural Code, relating to the possession and confinement of nutria.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 714**—An act to add Section 30 2 to, and to amend Section 1300.10 of, the Agricultural Code, relating to the floriculture and nursery products industries, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—73

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 805**—An act to amend Section 147 of the Streets and Highways Code, relating to mass transportation facilities on state highways

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 842**—An act to amend Sections 911.23, 913, 914, 914.9, and 918.1 of the Agricultural Code, relating to agricultural and vegetable seeds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 950**—An act to add Section 562 to the Streets and Highways Code, relating to state highways, declaring the urgency thereof, to take effect immediately.

Bill read third time

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1160**—An act to add Article 8 5 (commencing with Section 58250) to Chapter 1 of Division 1 of Title 6 of the Government Code, relating to withdrawal of territory annexed to a city.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 428**—An act to amend Sections 31809 and 31813 of the Government Code, relating to the County Employees' Retirement Law of 1937, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 711**—An act to repeal Chapter 8 (commencing with Section 1131) of Part 3, Division 2, of the Labor Code, relating to hot cargo and secondary boycotts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh,

Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—66
NOES—Lanterman, Levering, and Reagan—3

Bill ordered transmitted to the Senate

**Assembly Bill No. 380**—An act to amend Section 227 of the Labor Code, relating to employer payments.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Z'berg, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 53**—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read third time.

Motion to Amend

Mr. Hegland moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on March 11, 1959, strike out "distribute, and disseminate", and insert "and distribute".

Amendment No. 2

On page 1, line 11, after "district", insert "strictly".

Amendment No. 3

On page 1, line 16, after "authorize", insert "(1)".

Amendment No. 4

On page 1, line 20, after "district", insert ", (2) the use of pupils in any activity permitted by this section, or (3) the use of any school personnel not necessary for the preparation of the material referred to in this section".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

## THIRD READING OF SENATE BILLS

**Senate Concurrent Resolution No. 28**—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read, and presented by Mr. Frew.

Speaker pro Tempore Presiding

At 11.25 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution

Resolution adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Schrade Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate

**Senate Concurrent Resolution No. 25**—Relative to the appointment of the State Controller as the accounting officer for the Legislature for tax and other purposes.

Resolution read, and presented by Mr. Ralph M Brown.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson McCollister, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—68

NOES—None

Resolution ordered transmitted to the Senate.

**Senate Bill No. 231**—An act to amend Section 63 5 of the Agricultural Code, relating to county agricultural commissioners

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—68

NOES—None.

~~Bill ordered transmitted to the Senate.~~

NOTE—A motion to reconsider Senate Bill No 231 was offered later this day. (*See* page 1754.)

### Parliamentary Inquiry

Mr Lowrey arose to the following parliamentary inquiry: Did Senate Bill No 231 go to the Committee on Ways and Means, and if not, why was it not so re-referred?

### Point of Order

Mr. Hanna arose to the following point of order. That Mr Lowrey should make a motion either to reconsider the vote or expunge the record on this bill, before his remarks are in order

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled that Mr. Lowrey was arising to a parliamentary inquiry.

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied, in response to the parliamentary inquiry by Mr Lowrey, that evidently the bill was not referred to either the Senate Committee on Finance or the Assembly Committee on Ways and Means, and that he did not know why this procedure was followed.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Is there not a Rule relative to the reference of such bills to the Committee on Ways and Means?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that Rule No. 62 provides for the reference of bills which appropriate money, or require the expenditure of additional state moneys in any manner, to the Committee on Ways and Means; but that evidently the House was not advised that Senate Bill No. 231 should be so referred.

**Senate Bill No. 138**—An act to amend Sections 181 and 200 of, and to add Section 207 9 to, the Agricultural Code, relating to animal diseases and quarantine.

Bill read third time, and presented by Mr. Sedgwick.

**Speaker Presiding**

At 11.34 a.m , Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Z'berg and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 175**—An act to amend Section 100 of the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to the dissolution of drainage districts.

Bill read third time, and presented by Mr Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sum-

ner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 240**—An act to add Section 4764.1 to the Health and Safety Code, relating to county sanitation districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Holmes.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

The question being on the passage of the bill
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Assembly Bill No. 687, at this time.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 687**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to trading stamps.

Bill read third time

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "purchases", and insert "purchaser"

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

### MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 1370

Mr. Samuel R. Geddes moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 1370 (Assembly Journal, page 1743).

Mr. Sumner seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—69.

NOES—None.

Assembly Bill No. 1370 ordered passed on file, and to retain its place on file on the next legislative day.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Mulford was granted unanimous consent that he be permitted to offer a House resolution, at this time.

### RESOLUTIONS

The following resolution was offered:

By Messrs. Mulford, Meyers, Frew, Dahl, Rumford, and Winton:

**House Resolution No. 160**—Relative to commending the University of California.

#### Request for Unanimous Consent

Mr. Mulford was granted unanimous consent to take up House Resolution No. 160 without reference to committee or file.

#### Members Made Co-authors of House Resolution No. 160

Mr. Mulford was granted unanimous consent that all members so desiring be placed upon House Resolution No. 160 as co-authors.

#### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None

#### Consideration of House Resolution No. 160

By Messrs. Mulford, Meyers, Frew, Dahl, Rumford, Winton, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Gaffney, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg:

**House Resolution No. 160**

Relative to commending the University of California

WHEREAS, It was with great pleasure and a deep sense of pride that the Members of the Assembly of the State of California learned of the basketball victory of the University of California Golden Bears on March 21, 1959, to become National Collegiate Athletic Association Champions; and

WHEREAS, Champions of the Pacific Coast Conference in basketball for the third consecutive year, the Bears, with a record of 25 victories and but four losses completed the most successful season in the history of University of California athletics; and

WHEREAS, Basketball Coach Pete Newell has been elected "Northern California Coach of the Year" in 1957, 1958 and 1959 by the Northern California writers and sportscasters for his outstanding coaching accomplishments while at the University of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California do hereby extend to the University of California, to Pete Newell, and to the individual members of the basketball team their sincere and heartiest congratulations upon their outstanding victory in the National Collegiate Athletic Association Tournament in Louisville, Kentucky, and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to prepare and transmit suitably prepared copies of this resolution to the President of the University of California, Clark Kerr; to Chancellor of the Berkeley campus of the University of California, Glenn T. Seaborg; to Pete Newell, Coach of the Golden Bears; and to each member of the team.

Resolution read, and adopted unanimously.

## ANNOUNCEMENT

Mr. Winton announced that, if the condition of the file permits, the Assembly will adjourn on Thursday until Monday in observance of Good Friday and Easter.

## RESOLUTIONS

The following resolution was offered:

By Mr. Lanterman:

**House Resolution No. 161**

WHEREAS, *The Altadenan*, a weekly newspaper published by Harry W. Smith in Altadena, Los Angeles County, California, has been signally honored by the California Newspaper Publishers Association as first award winner for the best newspaper promotion for weeklies of 3,000 circulation or over; and

WHEREAS, Harry W. Smith has, through personal effort and enterprise, established *The Altadenan* as an outstanding community weekly newspaper of highest quality and newsworthiness; and

WHEREAS, *The Altadenan* has become an indispensible organ of community pride and effectiveness as the voice of Altadena; and

WHEREAS, Harry W. Smith and Helen Smith, his charming wife and helpmate, have maintained a high standard of integrity and moral tone at all times in the columns of their fine family newspaper; now, therefore, be it hereby

*Resolved by the Assembly of the California State Legislature*, That *The Altadenan* and its publishers be congratulated and commended for their achievement and the high honor and recognition bestowed upon them by their fellow publishers; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to publisher of *The Altadenan*, Harry W. Smith

**Request for Unanimous Consent**

Mr. Lanterman was granted unanimous consent to take up House Resolution No. 161 without reference to committee or file.

Resolution read, and adopted unanimously.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1079

Mr Nisbet was granted unanimous consent that Assembly Bill No. 1079 be withdrawn from the Committee on Government Organization, and re-referred to the Committee on Municipal and County Government.

### PARLIAMENTARY INQUIRY

Mr. Marks arose to the following parliamentary inquiry: Are announcements now in order?

#### Reply by Speaker

The Speaker directed the inquiry to Mr. Munnell.

#### Reply by Majority Floor Leader

Mr. Munnell replied that announcements were now in order.

### ANNOUNCEMENTS

Mr. Bruce F. Allen announced that there would be no meeting of the Committee on Manufacturing, Oil, and Mining Industry today.

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Mr. MacBride announced that the meeting of the Committee on Revenue and Taxation scheduled for Thursday, March 26, 1959, will be held at 3 p.m instead of at 3.45 p m., and in Room 4203 instead of in Room 2170.

### REQUEST FOR UNANIMOUS CONSENT

Mr Burton was granted unanimous consent to offer a House resolution, at this time.

### RESOLUTIONS

The following resolution was offered:

By Messrs. Burton, Bane, George E. Brown, Cameron, Crown, Elliott, Hawkins, Kennick, Nisbet, Petris, Unruh, Waldie, Williamson, George A. Willson, and Z'berg:

#### House Resolution No. 162

Relative to the Twentieth Year Conference on Legislative Action of the California Conference of Machinists

WHEREAS, The Twentieth Year Conference on Legislative Action sponsored by the California Conference of Machinists will be held in Sacramento on April 9, 10, 11, and 12, 1959, with about 250 delegates selected from hundreds of legislative education committee members representing more than 175,000 machinists in this State to consider legislative issues and problems and processes; and

WHEREAS, This conference will also enable local union members to acquire a better understanding of legislation and the workings of the Legislature in California and acquaint themselves with the controversial issues before the 1959 Regular Session of the Legislature, and

WHEREAS, This conference is in keeping with the basic democratic philosophy of the principle of self-government and will offer to many of our citizens an opportunity to understand and participate in the legislative processes of their government and communicate directly with their elected representatives; and

WHEREAS, Such participation by all citizens at all levels of government is essential to the continual effectiveness of our democratic system, now, therefore, be it

*Resolved by the Assembly of the State of California*, That its Members hereby welcome the delegates to the Conference on Legislative Action sponsored by the California Conference of Machinists to their capital City of Sacramento, and hope that while they are here they will highlight their stay by visiting the State Capitol and their elected representatives and present their views on the many issues now before the Legislature; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. A. J. Hayes, International President, International Association of Machinists, Mr. Roy M. Brown, General Vice President, International Association of Machinists, Mr. John Schiavenza, Secretary to the California Conference of Machinists, and Mr. Lou Sean, Secretary-Treasurer of the California Machinists Non-partisan Political League, whose special contributions and efforts have made this conference possible.

**Request for Unanimous Consent**

Mr. Burton was granted unanimous consent to take up House Resolution No. 162 without reference to committee or file.

Resolution read, and adopted unanimously.

## MOTION TO RECONSIDER SENATE BILL NO. 231

Mr. Unruh moved that the vote whereby Senate Bill No 231 was passed (Assembly Journal, page 1748) be reconsidered.

Senate Bill No 231 and the motion to reconsider ordered to the unfinished business file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 23, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 44

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 44**—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 35
Senate Bill No. 60
Senate Bill No. 61
Senate Bill No. 114
Senate Bill No. 116
Senate Bill No. 148
Senate Bill No. 229
Senate Bill No. 247
Senate Bill No. 290
Senate Bill No. 291
Senate Bill No. 332
Senate Bill No 438
Senate Bill No. 464
Senate Bill No. 545
Senate Bill No. 585
Senate Bill No. 591

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 35**—An act to amend Section 36507 of the Government Code, relating to filing the oath of office by city officers.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 60**—An act to add Section 1952.1 to the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 61**—An act to amend Section 1013a of the Code of Civil Procedure, relating to proof of service by mail.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 114**—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 116**—An act to add Section 1631 to the Civil Code, and to add 653d to the Penal Code, relating to sales of mining equipment.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 148**—An act to amend Section 1269b of the Penal Code, relating to bail and deposits instead of bail.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 229**—An act to amend Section 10508 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tuition fees for foreign students.

Referred to Committee on Education.

**Senate Bill No. 247**—An act to amend Section 1370 of the Penal Code, relating to verdict as to insanity of defendant.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 290**—An act to amend Section 23101 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving vehicles while under the influence of intoxicating liquor

Referred to Committee on Criminal Procedure.

**Senate Bill No. 291**—An act to amend Section 23102 of the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to driving vehicles while under the influence of intoxicating liquor.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 332**—An act to amend Sections 26002, 26003, 26004, 26005, 26006, 26007, 26008, 26009, 26010, 26011, 26012, 26013, 26015, and 26016 of, and to add Section 26014.1 to, the Corporations Code, relating to fees under the Corporate Securities Law, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 438**—An act to add Sections 21641 and 21642 to the Public Utilities Code, relating to airspace hazards.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

Referred to Committee on Public Health.

**Senate Bill No. 545**—An act to amend Sections 9, 12, 27, 27.1, and to add Sections 16.3, 16.4, 17.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 585**—An act to amend Section 3031 of the Civil Code, relating to inventory liens.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 591**—An act to amend Section 5208 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the maintenance of automobile driver training classes by school districts.

Referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Concurrent Resolution No. 66

With the recommendation: Be adopted.

O'CONNELL, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1448
Assembly Bill No. 28
Assembly Bill No. 1390

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1034
Assembly Bill No. 1400
Assembly Bill No 756

With the recommendation: Do pass

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER Your Committee on Criminal Procedure reports:

Assembly Bill No. 1203

With amendments with the recommendation: Amend, and do pass, as amended

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 210

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER. Your Committee on Education reports:

Assembly Bill No 166

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER Your Committee on Education reports.

Senate Bill No. 91
Senate Bill No. 442

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER. Your Committee on Education reports.

Assembly Bill No 210

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR SPEAKER: Your Committee on Education reports.

Assembly Bill No 1198
Assembly Bill No. 1459
Assembly Bill No. 1480
Assembly Bill No. 841

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No 1499
Assembly Bill No. 1481
Assembly Bill No. 1329
Assembly Bill No. 1418

With the recommendation: Do pass

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER Your Committee on Education reports:

Assembly Bill No. 1457
Assembly Bill No. 1458
Assembly Bill No 1195

With amendments with the recommendation. Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No 268

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 226
Assembly Bill No. 1277
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1223
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 660
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 14
And reports the same correctly engrossed

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1350
Assembly Bill No. 1355
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

**ADJOURNMENT**

At 11.52 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a m., Wednesday, March 25, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY

FIFTY-EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, March 25, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Parthenios Kirmitsis, Pastor of the Greek Orthodox Church of Sacramento, on the occasion of the One Hundred Thirty-eighth Anniversary of the Independence of Greece:

*Almighty God, the Father of All Mankind and the Judge of All Nations.* We are Thy children and we come to Thee bringing our sacrifice of praise and thanksgiving Thou has made us, and Thy love is the light of our life and Thy grace the strength of our hearts We believe in Thy presence at this moment in the midst of us and we pray Thee to accept this our prayer and praise.

We praise Thee for the blessings which Thou has given us and to our Nation, and especially for Thy gifts of justice, freedom and democracy.

Give us grace that amidst all our worldly cares and occupations we may never forget Thee, but remember that, wherever Thou art there is always freedom and goodness

And for our Nation, and every nation loving freedom and democracy, we pray that Thou will hasten the fulfillment of Thy promise of peace, that shall have no end, both now and forevermore —AMEN

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lowrey, seconded by Mr. Sumner, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Johnson, on motion of Mr. Shell.

Mr. Ernest R. Geddes, on motion of Mr. Shell.

Mr. House, on motion of Mr. George A. Willson.

Mr. Marks, on motion of Mr. Busterud.

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Hegland, on motion of Mr. Schrade.

## COMMUNICATIONS

The following resolution was presented by the Chief Clerk:

By San Bernardino Barracks No. 193, Veterans of World War I, relative to the budget. Referred to Committee on Ways and Means.

## RESOLUTIONS

The following resolutions were offered:

By Messrs Burton and Masterson:

### House Resolution No. 163

Relative to commemorating the Fiftieth Anniversary of radio broadcasting

WHEREAS, The year 1959 marks the Fiftieth Anniversary of radio broadcasting, and is an occasion of special significance to the citizens of California, and will be appropriately commemorated in San Jose and San Francisco by festivities and dedicatory ceremonies to be held on April 2d and 3d, and

WHEREAS, Radio broadcasting in its present form, had its birth in San Jose, California, where the first radio broadcasting station in the world was established in 1909, in the form of a small radio station which developed from a humble beginning with a broadcasting area of a few miles to listeners equipped with crystal sets, to become radio station KQW, and still later, Station KCBS with millions of listeners throughout Northern California; and

WHEREAS, The concept of radio broadcasting to a general public listening audience, in contrast to the use of radio as a means of communication between two geographical points, was first put into practice by the scientist Dr Charles David Herrold, who may rightfully be termed "The Father of Broadcasting"; and

WHEREAS, Dr Charles David Herrold made his first voice and music radio broadcast sometime in January, 1909, from his "Herrold Station, San Jose," as the facility was known before the days of call letters, which was situated in the Garden City Bank Building in San Jose; where he worked with the assistance of various persons including Mr Ray Newby, and Mrs. Sybil M. True who conducted the first programs in transmission of recorded music and who was undoubtedly the first "disc jockey"; and

WHEREAS, Those first broadcasts were among the most exciting events of the period and represented the beginnings of a great industry, and of a cultural medium which has become a part of the lives of everyone; and

WHEREAS, The compilation of the historical facts and data concerning the establishment of the first radio station in San Jose was the result of extensive research by Mr. Gordon Greb, Professor of Journalism at San Jose State College, who is chiefly responsible for ascertaining the date of establishment of Charles David Herrold's station, and

WHEREAS, The many festivities planned to commemorate the event will include the placing of a plaque at the site of Dr Herrold's first station in San Jose, parades, special broadcasts by Station KCBS recalling the times and the beginnings of its predecessor station, as well as numerous other activities; now, therefore, be it

*Resolved by the Assembly of the State of California,* That this body, by this resolution, joins in the commemoration of the establishment of the first radio broadcasting station and the Fiftieth Anniversary of broadcasting, and extends congratulations and best wishes on the occasion to the management and personnel of Station KCBS, to Professor Gordon Greb for his work in establishing the historical background for the event, and to Mr. Ray Newby and Mrs Sybil M. True for the important roles they played in the development of broadcasting; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Maurie Webster, General Manager of KCBS, Professor Gordon Greb, Mr Ray Newby, and Mrs. Sybil M True.

Resolution read, and referred to the Committee on Rules.

By Mr. Lowrey:

**House Resolution No. 164**

Congratulating Dr. Emil Mrak

WHEREAS, Dr. Emil M. Mrak, chairman of the Department of Food Technology at the Davis campus of the University of California was recently appointed Chancellor of the Davis campus, and

WHEREAS, Dr. Mrak, who received his Bachelor of Science, Master of Science, and Doctor of Philosophy degrees at the University of California, has been on the faculty since 1926, becoming assistant professor in 1937, associate professor in 1945, and professor of food technology and chairman of the department in 1948; and

WHEREAS, He received the Nicholas Apert Medal for his work in food technology in 1957, was honored by his colleagues last year by being selected faculty research lecturer on the Davis campus, and is presently serving on the important Food Protection Committee of the National Research Council of the National Academy of Sciences; and

WHEREAS, Dr. Mrak has achieved wide renown in the United States for his invaluable services on government food technology projects both during and since World War II, and his numerous articles on research in his particular field of scientific study; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their hearty congratulations to Dr Emil M Mrak on his appointment as Chancellor, and wish him success in his new position; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Dr. Mrak.

Resolution read, and referred to the Committee on Rules.

By Messrs. Dahl, Crown, Petris, Rumford, Bee, and Mulford:

**House Resolution No. 165**

Relative to commending Henry J Kaiser, Jr.

WHEREAS, The Members of the Assembly have learned that Henry J Kaiser, Jr. on March 7, 1959, was presented with an award by the Alameda County Educational Association for outstanding leadership services on behalf of education in California and Alameda County; and

WHEREAS, This award was in tribute to Mr Kaiser's leadership in the Oakland school bond campaign while General Chairman of the Oakland Good Schools Committee, and

WHEREAS, In recognition of Mr. Kaiser's national reputation as an authority on problems of public education in America he was invited to be one of the principal speakers on January 27, 1959, before the Conference of the National Association of School Boards held in San Francisco, California; and

WHEREAS, Mr. Kaiser has constantly been active in the civic affairs of his community and his State including chairman of the Oakland Workreation Committee, which provides work and recreation for teen-agers during the summer months; member of the Citizens' Legislative Advisory Commission; Director of the California Traffic Safety Foundation; Vice President and Director of the East Bay Chapter of the National Safety Council; Trustee of the Multiple Sclerosis Society of Northern California; and Trustee of the Episcopal Church Divinity School of the Pacific, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members take this occasion to commend Henry J. Kaiser, Jr for his outstanding contribution on behalf of education in particular and his community's welfare in general; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Henry J. Kaiser, Jr.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time.

**Assembly Constitutional Amendment No. 33**: By Messrs. Porter, Garrigus, Levering, Sedgwick, Backstrand, Bane, Beaver, Ralph M.

Brown, Cameron, Conrad, Crawford, Cusanovich, DeLotto, Dills, Gaffney, Hanna, Hawkins, Hegland, Holmes, Kennick, Lanterman, Luckel, Marks, McMillan, Miller, Munnell, Nisbet, Reagan, Rees, Schrade, Shell, Sumner, Thomas, Unruh Williamson, George A. Willson, Charles H. Wilson, and Winton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Water.

**Assembly Bill No. 2218**: By Messrs. Luckel, Crawford, Schrade, and Hegland (By Request)—An act to add Part 5 to Division 9 of the Public Utilities Code, relating to the regulation of the transportation of persons and property for compensation by aircraft between places within the State of California.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2219**: By Mr. Bradley—An act to amend Sections 33267, 33275, 33701, 33702, and 33745 of the Health and Safety Code, relating to owner participation in community redevelopment.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2220**: By Mr. Bradley—An act to amend Sections 396 and 399 of the Code of Civil Procedure, relating to payment of costs and fees on transfer of action to another court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2221**: By Mr. Bradley—An act to amend Sections 10605 and 10606 of the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health.

Speaker pro Tempore Presiding

At 9.40 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2222**: By Mr. Bradley—An act to amend Section 8608 of the Revenue and Taxation Code, relating to the Use Fuel Tax Law.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2223**: By Mr. Bradley—An act to amend Section 7204 of the Revenue and Taxation Code, relating to transmittal of local sales and use tax collections by the State Board of Equalization.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2224**: By Mr. Bradley—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization

**Assembly Bill No. 2225**: By Mr. Munnell—An act to add Section 13653.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence for noncertificated school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2226**: By Mr. Munnell—An act to add Section 13455.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence of certificated school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2227**: By Mr. Cunningham—An act to amend Sections 3505 and 3511 of, and to repeal Chapter 2 (commencing at Section 3901) of Division 2 of, the Public Utilities Code, relating to highway carriers and city carriers.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2228**: By Mr. Belotti—An act to amend Section 7059 of the Welfare and Institutions Code, relating to defective or psychopathic delinquents.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2229**: By Mr. O'Connell—An act to amend Sections 452, 726, 730 and 3502 of, and to repeal Sections 731 and 3663 of, the Public Utilities Code, relating to the regulation of common carrier rates.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2230**: By Messrs. Z'berg, MacBride, and Lunardi —An act to amend Sections 12845 and 12846 of the Public Utilities Code, and to amend Sections 2864 and 2865 of the Public Districts Code, as proposed by Assembly Bill No. 908, relating to municipal utility districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2231**: By Messrs. Gaffney and Backstrand—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle aid and vacuum brakes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2232**: By Messrs Gaffney and Backstrand—An act to amend Section 26453 of the Vehicle Code as enacted at the 1959 Regular Session of the Legislature, relating to the maintenance of vehicle brakes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2233**: By Messrs. Ernest R. Geddes and Gaffney (By Request)—An act to amend Sections 4000, 4005, 4020, 4022, 4160, 4162, 4182, 4189, 4501, and 4552 of, to add Sections 4001, 4003, 4006, 4007, 4020.1, 4145, 4162.1, 4163.7, and 4189.1 to, and to repeal Sections 4003, 4006, 4007, 4025, and 4145 of, the Welfare and Institutions Code, relating to aid to the permanently and totally disabled and making an appropriation.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2234**: By Mr. Lowrey—An act to add Sections 12627.3 and 12627.4 to the Water Code, relating to water seepage and erosion.

Referred to Committee on Water.

**Assembly Bill No. 2235**: By Mr. Lowrey—An act to add Section 4281.1 to the Agricultural Code, relating to the marketing of dairy products

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2236**: By Mr. Lowrey—An act to amend Section 3800 of the Fish and Game Code, relating to nonprotected birds.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2237**: By Mr. Lowrey—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2238**: By Messrs. Hanna, Sedgwick, Winton, and Porter—An act to add Chapter 2.5 (commencing with Section 23681) to Division 18 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state colleges

Referred to Committee on Education.

**Assembly Bill No. 2239**: By Mr. Collier—An act to amend Section 11628 of the Health and Safety Code, relating to disposition of vehicles forfeited for narcotics offenses.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2240**: By Mr. DeLotto—An act to add Section 35012 to the Government Code, relating to cities.

Referred to Committee on Municipal and County Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 448**—An act to amend Section 15451 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school buildings;

**Assembly Bill No. 560**—An act to amend Section 1080 of the Agricultural Code, relating to use and application of injurious materials;

**Assembly Bill No. 561**—An act to amend Section 4395 of the Agricultural Code, relating to testing, weighing, and sampling of fluid milk;

**Assembly Bill No. 569**—An act to amend Section 660 of the Agricultural Code, relating to milk products plant licenses;

**Assembly Bill No. 695**—An act to amend the title of Article 3 (commencing at Section 14893) of Chapter 3 of Part 5, Division 12 of, to amend Section 14906 of, to add Section 14895 to, and to repeal Section 14897 of the Health and Safety Code, relating to the abatement of hazardous weeds;

**Assembly Bill No. 835**—An act to amend Sections 8026 and 8285.3 of the Agricultural Code, relating to grape containers, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 840**—An act to amend Section 1239 of the Agricultural Code, relating to agricultural warehouse inspection and license fees,

**Assembly Bill No. 425**—An act to amend Sections 11002 and 11003 of the Government Code, relating to receipt of mail by the State and its agencies;

And reports the same correctly enrolled, and presented to the Governor on the twenty-fourth day of March, 1959, at 3 p m

BURKE, Chairman

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 44**—Relative to public lands in South Humboldt Bay;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of March, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 321
Assembly Bill No. 483
Assembly Bill No 554
Assembly Bill No. 618
Assembly Bill No. 631
Assembly Bill No 664
Assembly Bill No. 760
Assembly Bill No 1146
Assembly Bill No 1424

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 405
Assembly Bill No 410

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1357

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 53
Assembly Bill No 687

And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 466

And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 297

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 984
Assembly Bill No. 1415

With amendments with the recommendation: Do pass, as amended.

MEYERS, Chairman

Above bills ordered to second reading.

**Committee on Natural Resources, Planning, and Public Works**

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER. Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1348
Assembly Bill No. 1510

With the recommendation: Do pass.

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports.

Senate Bill No. 52

With amendments but without recommendation, and be re-referred to Committee on Ways and Means

LOWREY, Chairman

Above bill ordered to second reading.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 844
Assembly Bill No. 845

With amendments with the recommendation. Amend. and do pass, as amended

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No 843

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1032

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2. and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 83

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

**Committee on Water**

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No 650

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No 1379

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No. 140
Senate Bill No 133

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No. 836

With the recommendation: That the bill be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

PORTER, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules

**Committee on Ways and Means**

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 381
Assembly Bill No. 1101

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 37

With the recommendation. Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 158

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 157
Assembly Bill No 209
Assembly Bill No. 282
Assembly Bill No 360
Assembly Bill No. 361
Assembly Bill No. 363
Assembly Bill No. 599
Assembly Bill No. 612
Assembly Bill No. 633
Assembly Bill No. 634
Assembly Bill No. 665
Assembly Bill No. 1020

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 24, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 91

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 24, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 92
Assembly Bill No 262
Assembly Bill No. 888

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, March 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 28

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, March 24, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 135
Senate Bill No 266
Senate Bill No. 604

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 135**—An act to amend Sections 4999, 5000, 5003, and 5004 of the Water Code, relating to recordation of water extractions and diversions.

Referred to Committee on Water.

**Senate Bill No. 266**—An act to amend Section 108 of the Insurance Code, relating to classes of insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 604**—An act to amend Sections 1227, 1228, 1316, 1413 and 1416, and to repeal Section 1414, of the Financial Code, relating to loans

Referred to Committee on Finance and Insurance.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 57
Senate Bill No. 159
Senate Bill No. 206
Senate Bill No. 275
Senate Bill No. 286
Senate Bill No. 373
Senate Bill No. 375
Senate Bill No. 389
Senate Bill No. 541
Senate Bill No. 645
Senate Bill No. 652

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 57**—An act to amend Section 12077 of the Penal Code, relating to records of pistol or revolver sales

Referred to Committee on Criminal Procedure.

**Senate Bill No. 159**—An act to amend Sections 1853 and 1901 of the Probate Code, relating to conservatorship.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 206**—An act to add Section 117n to the Code of Civil Procedure, relating to appeals from judgments of small claims courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 275**—An act to amend Sections 682.1 and 682.2 of the Code of Civil Procedure, relating to writs of execution.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 286**—An act to add Section 72074 of the Government Code, relating to the duties of the clerks of the municipal courts.

Referred to Committee on Judiciary—Civil

**Senate Bill No. 373**—An act to amend Section 26907 of the Government Code, relating to the destruction of auditors' records

Referred to Committee on Municipal and County Government.

**Senate Bill No. 375**—An act to amend Sections 29010, 29011, 29041 and 29061 of the Government Code, relating to county budget and tax levy procedures.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 389**—An act to amend Section 11496 of the Insurance Code, relating to incorporation of nonprofit hospitals.

Referred to Committee on Public Health.

**Senate Bill No. 541**—An act to amend Sections 74692 and 74693 of the Government Code, relating to the officers and attaches of the municipal courts established in districts in Santa Cruz County.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 645**—An act to add Sections 14.5 and 14.6 to Chapter 523 of the Statutes of 1867-1868, relating to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 30, 1868.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 652**—An act to add Section 516 to the Public Resources Code, relating to vessel insurance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Bruce F. Allen and Bradley:

### House Resolution No. 166

Relative to "Teacher Recognition Week"

WHEREAS, The American public school serves as the basic unit of grass-roots democracy and a close bond between the community and its teachers and schools, contributes to the strength of democracy; and

WHEREAS, In the daily interaction of teacher, pupil, school and community, the most lasting and most vital attitudes are built as bulwarks to our democratic faith; and

WHEREAS, The outstanding successes and achievements of the teaching profession are evident in the unusual teacher contributions to the cultural and social life of the community and the Nation; and

WHEREAS, The teacher is a vital member of the community, a human, sympathetic, skillful individual serving as a molder of youth and the preserver of America's heritage; and

WHEREAS, The essential nobility of the teaching profession is animated by unselfish zeal and devotion and numbers within its ranks men and women of courage, ability and vision; and

WHEREAS, The Santa Clara County School Trustees Association is directing its attention toward creating and strengthening the interest and support of the people in their teachers and schools since such interest and support is an inevitable obligation of citizens in a democracy; and

WHEREAS, In furtherance of this effort, the Santa Clara County School Trustees Association is initiating a "Teacher Recognition Week" program in Santa Clara County during the week April 5-11, 1959, to provide an opportunity for every citizen to discover and to understand more fully the relationship of our schools and teachers to the values from which democracy receives its deepest meaning; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body join with the Santa Clara County Trustees Association in proclaiming April 5-11, 1959, as "Teacher Recognition Week"; and be it further

*Resolved*, That the Assembly approves and commends the project of the Santa Clara County School Trustees Association in this important field of teacher-community relations and pledges full and active support and participation to insure the success of this worthy program.

Resolution read, and referred to the Committee on Rules.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2241**: By Messrs. Bruce F. Allen and Williamson—An act to add Section 11655 to the Elections Code, relating to the circulation of election petitions.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2242**: By Mr. Bruce F. Allen—An act relating to the dissolution of the Santa Clara Valley Water Conservation District and the addition of the area thereof to the Santa Clara Flood Control and Water Conservation District, and in this connection to add Sections 3.4, 3.5, and 3.6 to the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951).

Referred to Committee on Water.

**Assembly Bill No. 2243**: By Mr. Miller—An act to add Chapter 8 (commencing with Section 1600) to Title 10 of Part 3 of the Code of Civil Procedure, and to repeal Article 5 (commencing with Section 1530) and Article 6 (commencing with Section 1540) of Chapter 6 of Title 10 of Part 3 of said code, relating to unclaimed property in the custody of federal officers, agencies, and departments, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2244**: By Mr. Winton—An act to amend Section 19a and add Section 19b to the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to drainage districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2245**: By Mr. Winton—An act to add Section 9861 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to executive sessions to consider school sites

Referred to Committee Governmental Efficiency and Economy.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2050 FROM COMMITTEE

Mr. McCollister was granted unanimous consent that Assembly Bill No. 2050 be withdrawn from the Committee on Municipal and County Government for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2050

**Assembly Bill No. 2050**—An act to amend Section 12.1 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949) and to repeal Section 3 of Chapter 43 of the Statutes of the 1956 First Extraordinary Session, relating to the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

(On March 26, 1959, the record was expunged, and the action rescinded whereby Assembly Bill No. 2050 was read the second time. (Assembly Journal, pages 1841-1842.))

(On March 26, 1959, the record was expunged, and the action rescinded whereby Assembly Bill No. 2050 was read the second time and amended. (Assembly Journal, pages 1841-1842.))

### MOTION

Mr. McCollister moved that the bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Busterud seconded the motion.

Motion carried unanimously

### CONSIDERATION OF DAILY FILE
### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 466 and 297.**

Above bills ordered to third reading; Assembly Bill No. 466 subsequent to engrossment, and Assembly Bill No. 297 subsequent to reengrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 949**—An act to add Section 18371 to the Health and Safety Code, relating to trailer coaches, declaring the urgency thereof, to take effect immediately.

Bill read second time

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 18371 to", and insert "amend Section 18370 of, and to add Section 18371 to,".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 18370 of the Health and Safety Code is amended to read:

18370. It is unlawful for any person to sell or offer for sale, within this State, any trailer coach manufactured after September 1, 1958, containing plumbing, heating or electrical equipment unless such equipment meets the requirements of the Division of Housing for such installations. Such rules and regulations shall be reasonably consistent with recognized and accepted principles for plumbing, heating and electrical installations, respectively, in order to protect the health and safety

of the people of this State from dangers inherent in the use of substandard and unsafe plumbing, heating and electrical equipment *In establishing such rules and regulations the division shall be guided by established practices of engineers and designers within the trailer coach industry.* The division by rule and regulation may establish a schedule of fees to pay the costs of work related to the work and enforcement of this chapter The fees collected shall be deposited to the credit of any appropriation for support of the division current at the time of collection

The Division of Housing may adopt, amend, repeal, and enforce, in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code, such rules and regulations as are reasonably necessary to effectuate the purposes of this section

All trailer coaches manufactured after September 1, 1958, which are sold or offered for sale within this State, shall bear an insigma of approval by the Division of Housing for plumbing, heating and electrical equipment therein

The Division of Housing may issue insignia for trailer coaches manufactured prior to September 1, 1958, which meet the standards established by the Division of Housing as provided in this section

SEC 2 Section 18371 is added to the Health and".

**Amendment No. 3**

On page 1, strike out line 4, and insert "ing the plumbing, heating and electrical equipment contained in a".

**Amendment No. 4**

On page 1, lines 5 and 6, strike out "require the use of any plumbing equipment other than plastic or rubber tubing, in", and insert "apply to".

**Amendment No. 5**

On page 1, line 7, strike out coach which is designed", and insert 'coach

(a) Having a gross weight of 4,500 pounds or less when factory equipped for the road;

(b) Designed".

**Amendment No. 6**

On page 1, line 8, strike out ", and is not", and insert "; and

(c) Not permanently".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

**Assembly Bill No. 1487**—An act to add Section 174 to the Vehicle Code and to add Section 5355 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to trailer coach registration and license penalty fee.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "174 to the Vehicle Code and to add", and insert "9561 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Section 10857 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees"

**Amendment No. 2**

Strike out lines 2, 3, and 4 of the title

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 9561 is added to the Vehicle Code as enacted at the 1959 Regular Session, to read

9561 No penalty fee shall be assessed for the delinquent payment of a vehicle registration fee when subsequent to the date on which the fee became due the vehicle is repossessed on behalf of any legal owner or a licensed dealer

SEC 2 Section 10857 is added to the Revenue and Taxation Code, to read

10857 No penalty fee shall be assessed for the delinquent payment of a vehicle license fee, when subsequent to the date on which the fee became due, the vehicle is repossessed on behalf of any legal owner, or a licensed dealer"

Amendment No. 4

On page 1, strike out lines 2 through 18, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1488**—An act to amend Section 18001 of the Health and Safety Code, relating to the definition of "trailer coaches."

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 18001.1 to,".

Amendment No. 2

In line 2 of the title, strike out "the definition of 'trailer coaches.'", and insert "vehicles."

Amendment No. 3

On page 1, after line 14, insert

"SEC. 2. Section 18001.1 is added to said code, to read:

18001.1. A camp car, with or without motive power, which is designed for human habitation and which contains plumbing, heating, or electrical equipment, is subject to the provisions of this part applicable to a trailer coach."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 124**—An act to add Section 459.86 to the Vehicle Code, relating to parking privileges for disabled persons.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1454**—An act to amend Section 208.1 of the Vehicle Code and to amend Section 11715 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicle license plates for manufacturers and dealers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1275**—An act to amend Section 459.2 of the Vehicle Code, and to amend Section 21106 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to establishment of crosswalks by local authorities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1258**—An act to amend Sections 980, 1521, 1528, 1529, 1532, 1534, 1555, 1556, and 1558, of and to add Section 1528.5 to Article 2 of Chapter 6 of Part 1 of Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 336**—An act to add Section 68110 to the Government Code, relating to judges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 614**—An act to amend Section 11005 of, and to add Section 11005.6 to, the Revenue and Taxation Code, relating to allocations to counties from the Motor Vehicle License Fee Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 816**—An act to amend Sections 16305.5 and 16480 and to repeal Section 16305.6 of the Government Code, relating to money in treasury trust accounts and the investment thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 914**—An act to amend Sections 7231, 7232, 7235, 7236, and 7239 of, and to add Sections 7231.1 and 7240 to, the Education Code, and to amend Sections 20201, 20202, 20205, 20206, and 20209 of, and to add Sections 20201.1 and 20210 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to junior college tuition, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 960**—An act to amend Section 18901 of the Government Code, relating to state civil service eligible lists.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1178**—An act to add Article 8 (commencing at Section 10251) to Chapter 4 of Division 8 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposal of old high school textbooks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1200**—An act to amend Section 44.1 of the Vehicle Code, and to amend Section 205 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of "authorized emergency vehicle."

Bill read second time, and ordered to third reading.

**Assembly Bill No. 759**—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 880**—An act to add Section 1773.3 to the Labor Code, relating to prevailing wage rates

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1066**—An act to amend Section 12025 of the Education Code, and Section 13101 of the Education Code as proposed by Senate Bill No. 2, relating to accreditation of teacher training institutions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 945**—An act to amend Section 3332 of the Welfare and Institutions Code, relating to the administration and use of the California Industries for the Blind Manufacturing Fund.

Bill read second time, and ordered to third reading

**Assembly Bill No. 185**—An act to add Sections 4854 and 4855 to, the Vehicle Code as enacted by Assembly Bill No. 5 during the 1959 Regular Session, relating to license plates for vehicles and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, lines 41 and 42, of the printed bill, as amended in the Assembly on March 3, 1959, strike out "six hundred thousand dollars ($600,000)", and insert "three hundred eighty-six thousand dollars ($386,000)".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1265**—An act to repeal Sections 1518 and 1518.1 of, and to amend Section 1518.2 of the Military and Veterans Code, and to add Sections 1517, 1518, and 1518.1 thereto, relating to preparedness for and mitigation of disasters, including the establishment of the California Disaster Office as a separate state agency.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in the Assembly on March 13, 1959, strike out "or", and insert "on".

**Amendment No. 2**

On page 2, strike out lines 35 to 42, inclusive; and on line 43, strike out "partment", and insert "1518.2".

**Amendment No. 3**

On page 2, line 50, strike out the second "the", and insert "this".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1483**—An act to add Section 20450.5 to the Government Code, relating to contracts with the State Employees' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 974**—An act to amend Section 20493 of, and to add Section 20496 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1512**—An act to amend Section 9740 of the Government Code, relating to compilation of legislative manual.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1513**—An act to amend Section 9020 of the Government Code, relating to the Legislature; the members, officers, and employees thereof.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1448**—An act to add Title 4 (commencing with Section 13500) to Part 4 of the Penal Code, relating to standards for hiring and training of local law enforcement officers and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "standards", insert "for recruitment".

Amendment No. 2

On page 2, line 15, strike out "Governor", and insert "Attorney General".

Amendment No. 3

On page 2, line 19, after the period, insert "The Attorney General shall be an ex officio member of the commission."

Amendment No. 4

On page 2, line 20, strike out "Governor", and insert "Attorney General".

Amendment No. 5

On page 2, line 23, strike out "Governor", and insert "Attorney General".

Amendment No. 6

On page 2, line 37, after "private," insert "or persons".

Amendment No. 7

On page 3, line 10, after the period, insert "All expenses for the operation of the commission shall be a proper charge against the revenue accruing under the provisions of Article 3 (commencing with Section 13520)."

Amendment No. 8

On page 3, line 17, after "enforcement", insert "officers"

Amendment No. 9

On page 3, line 21, strike out "or", and insert a comma.

Amendment No. 10

On page 3, line 21, after "county", insert ", or city or county".

Amendment No. 11

On page 3, line 26, strike out "and", and insert a comma.

Amendment No. 12

On page 3, line 26, after "counties", insert ", and cities and counties".

Amendment No. 13

On page 3, line 34, strike out "county and city", and insert "city, county, and city and county"

Amendment No. 14

On page 4, line 23, after "allocate", insert "and the State Treasurer shall pay"

Amendment No. 15

On page 4, line 25, after "applied", insert "and qualified",

**Amendment No. 16**

On page 4, line 27, strike out "for the amount", and insert "in an amount not to exceed one-half".

**Amendment No. 17**

On page 4, line 27, after "officer", insert "meeting the recruitment standards and".

**Amendment No. 18**

On page 4, line 30, after "allocation", insert ", *plus one-half of necessary living* expenses incurred by such officer which are necessitated by training requiring that he be away from his residence overnight".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure

**Assembly Bill No. 28**—An act to amend Sections 11502, 11712, 11713, and 11714 of the Health and Safety Code, relating to narcotic violations

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code," insert "and Section 1385 of the Penal Code,".

**Amendment No. 2**

On page 3, after line 11, insert

"SEC. 5. Section 1385 of the Penal Code is amended to read:

1385. The court may, either of its own motion or upon the application of the *prosecuting attorney, and in furtherance of justice,* order an action to be dismissed. The reasons of the dismissal must be set forth in an order entered upon the minutes. No dismissal shall be made for any cause which would be ground of demurrer to the accusatory pleading. *No court shall dismiss, strike out or fail to consider a charge or allegation if admitted or found to be valid of a prior conviction of any offense which under the provisions of Division 10 (commencing at Section 11000) of the Health and Safety Code would require the imposition of a greater penalty.*"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure

**Assembly Bill No. 1390**—An act to amend Sections 1026, 1026a, 1367, 1370, and 1372 of the Penal Code, relating to insanity of a defendant in a criminal prosecution

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out ", 1026a, 1367, 1370, and 1372", and insert "and 1026a"

**Amendment No. 2**

On page 2, strike out line 52, and insert "tendent to the court which found the defendant insane."

**Amendment No. 3**

On page 3, line 1, before "court", insert "The".

**Amendment No. 4**

On page 3, line 4, after "defendant", insert "is sane".

**Amendment No. 5**

On page 3, strike out lines 18 to 50, inclusive.

**Amendment No. 6**

On page 2, line 5, strike out "serious", and insert "severe".

**Amendment No. 7**

On page 2, line 8, strike out "impair", and insert "impairs"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 1034**—An act to amend Section 1203.4 of the Penal Code, relating to the release from penalties and disabilities of a person who has completed probation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1400**—An act to add Section 556 to the Welfare and Institutions Code, to amend Section 744 of the Vehicle Code, and to amend Section 1803 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the jurisdiction of minors involved in traffic offenses.

Bill read second time, and ordered engrossed

**Assembly Bill No. 756**—An act to amend Section 24200 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1203**—An act to amend Sections 1208 and 4532 of the Penal Code, relating to the offense of failure of a prisoner released from jail during working hours to return to the jail.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 3, line 2, of the printed bill, strike out "a felony"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 166**—An act to add Chapter 3 8 (commencing at Section 20715) to Division 10 of the Education Code, and to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted·

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Chapter 3 8 (commencing at Section 20715) to Division 10 of the Education Code, and to add".

**Amendment No. 2**

In line 4 of the title, strike out "proposed by Senate Bill No 2", and insert 'enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

In lines 5 and 6 of the title, strike out ", and making an appropriation therefor"

**Amendment No. 4**

On page 1, strike out lines 1 to 11, inclusive.

**Amendment No. 5**

On page 1, line 12, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 6**

On page 1, line 14, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 7**

On page 2, strike out lines 4 to 20, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 210**—An act to amend Section 1947 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district organization.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1498**—An act to amend Section 15811 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments for sewers and drains by school districts

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1459**—An act to add Section 24311.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to resignations of state college employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1480**—An act to amend Section 13002 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to travel expenses of school district employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 841**—An act to amend Section 106 of the Education Code, and Section 108 of the Education Code as proposed by Senate Bill No. 2, relating to meetings of the State Board of Education.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1499**—An act to amend Section 21114 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments of wages to school district employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1481**—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the powers and duties of governing boards of school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1329**—An act to amend Section 6209 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the instruction of blind adults.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1418**—An act to amend Section 21115 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts payroll procedure

Bill read second time, and ordered engrossed

**Assembly Bill No. 1457**—An act to amend Section 13317 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to tenure of certificated employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 17, inclusive, and insert "fication in a district, who is granted a leave of absence and transfers to another district which is under the supervision of the same chief administrative officer or district superintendent as the district from which the employee is on leave, shall acquire permanent classification in the district to which he transferred if he is employed for a second year in that district, at which time his permanent classification in the district from which he transferred shall expire."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1458**—An act to amend Sections 950 and 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school district elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "and a notice", and insert "or, at the option of the governing body, a card".

Amendment No. 2

On page 1, line 9, after "place", insert ", the time of the election, and containing a statement of the need and the purposes of the election".

Amendment No. 3

On page 2, after line 3, insert

"This section shall not apply where sample ballots are mailed to the voters pursuant to Section 950 of this code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education

**Assembly Bill No. 1195**—An act to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, declaring the urgency thereof, to take effect immediately

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "1957," insert "to repeal Sections 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17664, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17906, 17951, 17952, 18005, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to amend and renumber Sections 13525.1, 17301.1, 17303.1, 17306.1, 17308, 17403.1, 17405.1, 17411.1, 17503.1, 17616.1, 17655.1, 17656.1, 17658.1, 17660.1, 17661.1, 17663.1, 17664.1, 17665.1, 17666.1, 17702.1, 17751.1, 17801.1, 17851.1, 17901.1, 17903.1, 17905.1, 17906.1, 17951.1, 18005.1, 18060.1, 18352.1, 18355.1, 18356.1, 18357.1, 18358.1, 18401.1, 18451.1, 18452.1, 18453.1, 18455.1, 18456.1, and 18460.1 of, the Education Code as enacted at the 1959 Regular Session,".

**Amendment No. 2**

On page 1, between lines 6 and 7, insert

*"SEC. 1.5. Sections 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17664, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17906, 17951, 17952, 18005, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 19356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of the Education Code as enacted at the 1959 Regular Session are repealed.*

*SEC. 2. Section 13525.1 of said code is amended and renumbered to read:*

*13525* ~~13525.1~~. The governing board of each school district shall pay to each person employed in a day school of the district for full time in a position requiring certification qualifications and serving under other than an emergency or provisional credential an annual salary of not less than four thousand two hundred dollars ($~~4~~,200).

The governing board of each school district shall pay to each person employed for less than full time in a position requiring certification qualifications and serving under other than an emergency or provisional credential an annual salary of not less than an amount which bears the same ratio to four thousand two hundred dollars ($4,200) as the time required of the person bears to the time required of a person employed full time.

"Full time" means not less than the minimum school day for each day the schools of the district are maintained during the school year.

The provisions of this section shall not be construed as applying to substitute employees of a school district.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 3. Section 17301.1 of said code is amended and renumbered to read:*

*17301* ~~17301.1~~. The State Controller shall during each fiscal year transfer from the General Fund of the State to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for apportionment during the fiscal year a total amount not less than one hundred ninety-three dollars and thirty-seven cents ($193.37) per pupil in average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in

the State and to county school tuition funds, as certified by the Superintendent of Public Instruction.

He shall also transfer to the State School Fund any additional amounts appropriated thereto by the Legislature in augmentation of any of the amounts prescribed for any of the purposes set forth in Section ~~17303.1~~ *17303*, and such additional amounts shall be allowed and apportioned by the Superintendent of Public Instruction and warrants therefor drawn by the Controller in the manner provided in Articles 1 and 2 (Sections 17301 to 17354, inclusive, whichever are in effect) of this chapter and in Sections 11256, 11257, and 17251, and Sections 17401 to 17417, inclusive, and Sections 17601 to ~~18160.1, inclusive, whichever are in effect~~ *18160, inclusive*.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 1. Section 17303.1 of said code is amended and renumbered to read:*

*17303* ~~17303.1~~. The amount appropriated in Section ~~17301.1~~ *17301* shall be expended in accordance with the following schedule:

(a) Seventeen dollars and seventy-eight cents ($17.78) multiplied by the total average daily attendance credited during the second preceding school year to elementary school districts which during the second preceding school year had less than 901 units of average daily attendance, to high school districts which during the second preceding school year had less than 301 units of average daily attendance, and to unified districts which during the second preceding school year had less than 1,501 units of average daily attendance for allowance to county school service funds pursuant to subdivision (a) of Section ~~18352.1~~ *18352*.

(b) Three dollars ($3) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for allowance to county school service funds pursuant to subdivision (b) of Section ~~18352.1~~ *18352*.

(c) Four dollars ($4) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 10 (Sections 18051 to 18061, inclusive, whichever are in effect) of Chapter 3 of this division, except Section ~~18060.1~~ *18060*.

(d) Five dollars and fifteen cents ($5.15) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section ~~18060.1~~ *18060*, and Articles 11, 12 and 13 (Sections 18101 to 18106, inclusive, Sections 18151 to 18156, inclusive, and Sections 1201 to 18206, inclusive, whichever are in effect) of Chapter 3 of this division.

(e) Twelve dollars and fifty-two cents ($12.52) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year for the purposes of Article 9 (Sections 18001 to 18009, inclusive, whichever are in effect) of Chapter 3 of this division.

(f) One hundred sixty-seven dollars and four cents ($167 04) multiplied by the average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, plus the difference between one dollar and sixty-six cents ($1.66) multiplied by the average daily attendance during the preceding school year credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds and seventeen dollars and seventy-eight cents ($17 78) multiplied by the total average daily attendance credited during the second preceding school year to elementary school districts which during the second preceding school year had less than 901 units of average daily attendance, to high school districts which during the second preceding school year had less than 301 units of average daily attendance, and to unified districts which during the second preceding school year had less than 1,501 units of average daily attendance, for basic and equalization aid, and for allowances in lieu of basic and equalization aid allowed pursuant to Sections ~~18355.1~~ *18355* to ~~18401.1~~ *18401*, inclusive, whichever are in effect, to be apportioned on account of average daily attendance during the preceding school year credited to all kindergarten, elementary, high school and junior college schools in the State and county school tuition funds.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 5. Section 17306.1 of said code is amended and renumbered to read:*

*17306* ~~17306.1~~. If any amount is appropriated by the Legislature in augmentation of any of the purposes set forth in the schedule in Section ~~17303.1~~ *17303*, the amounts allowed for such purpose to districts and funds under Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to ~~18460.1~~ *18460*, inclusive, whichever are in effect, shall not exceed the amount computed under the formula or provisions of Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to ~~18460.1~~ *18460*, inclusive, whichever are in effect, for such purpose. If the amount in the schedule plus the amount appropriated in augmentation exceeds the total of the amounts so computed for such purpose for all districts and funds, the excess shall be allowed pursuant to Section ~~18460.1~~ *18460* for purposes specified in subdivisions (a), (b), (c), (d), (e), and (f) of Section ~~17303.1~~ *17303*.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 6. Section 17308 of said code is amended to read:*

17308. Within the first month of the 1957-58 Fiscal Year, the State Controller shall transfer to the General Fund (1) from the School Bond Retirement Fund, ten million dollars ($10,000,000) and (2) from the money deposited in the Teachers' Permanent Fund by Section 3 of Chapter 13, Statutes of 1943, Fourth Extra Session, an amount equal to the appropriation from the General Fund to the Retirement Annuity Fund made by Item 425 of the Budget Act of 1957

Within the first month of the 1958-59 Fiscal Year, the State Controller shall transfer to the General Fund (1) the remaining balance in the School Bond Retirement Fund, and (2) the balance of the

*amount, together with all increments thereon, deposited in the Teachers' Permanent Fund by Section 3 of Chapter 13, Statutes of 1943, Fourth Extra Session; provided, that no more shall be transferred from the Teachers' Permanent Fund than is appropriated from the General Fund to the Teachers' Permanent Fund and to the Retirement Annuity Fund for the 1958-59 Fiscal Year*

Transfers to effectuate the purposes of this section need not be made in cash but may be made in investments pursuant to Article 5, Chapter 3, Part 2, Division 4, Title 2 (commencing at Section 16485) of the Government Code, except that investments shall be transferred at actual market value as determined by the State Board of Control rather than at "market value" as defined by Section 16486 of the Government Code

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 7. Section 17103.1 of said code is amended and renumbered to read:*

*17103* ~~17103.1~~. The Superintendent of Public Instruction shall withhold from the apportionment made to each district for which a computation was made under Section ~~17655.1~~ *17655* or ~~17658.1~~ *17658* as follows:

If the district had fewer teachers than prescribed by the subdivision of Section ~~17655.1~~ *17655* or ~~17658.1~~ *17658* under which the computation was made, the Superintendent of Public Instruction shall withhold an amount determined as the difference between the amount allowed under Sections ~~17751.1~~ *17751*, 17514 and 17615, and Sections 17901 to ~~17906.1~~ *17906*, inclusive, whichever are in effect, and the amount that would have been allowed had the computation for the district under Section ~~17655.1~~ *17655* or ~~17658.1~~ *17658* been made by multiplying the total average daily attendance by two hundred eighteen dollars ($218).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 8. Section 17105.1 of said code is amended and renumbered to read:*

*17105* ~~17105.1~~ The Superintendent of Public Instruction shall on or before December 10th of each year apportion to each elementary, high school, and junior college district, and county school service fund the total of amounts allowed to them under Sections 18051 to 18206, inclusive, whichever are in effect, and subdivision (a) of Section 17404. This apportionment shall be called the special purpose apportionment.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 9. Section 17111.1 of said code is amended and renumbered to read:*

*17111* ~~17111.1~~ The Superintendent of Public Instruction shall withhold from the apportionment to an elementary school district the amount allowed the elementary school district for the average daily attendance in grades 7 and 8 in a junior high school by reason of the operation of subdivision (a) of Section 17601. The amount withheld shall be the larger of the following amounts:

(a) One hundred twenty-five dollars ($125) per unit of average daily attendance in grades 7 and 8 of the junior high school.

(b) An amount determined by the following process:

(1) Divide the district aid computed under Section ~~17702.1~~ *17702* or the amount which would have resulted had the tax used for such

computation been one dollar and thirty-five cents ($1.35), whichever amount was used in computing equalization aid apportioned to the district, by the units of average daily attendance in kindergarten and grades 1 through 8;

(2) Subtract the quotient resulting from the computation in subparagraph (1) from the amount allowed per unit of average daily attendance as a foundation program for units of average daily attendance in grades 7 and 8 in the district;

(3) Multiply the result obtained in subparagraph (2) by the units of average daily attendance in grades 7 and 8 in a junior high school.

The Superintendent of Public Instruction shall add the amount withheld to the apportionment required to be made to the high school district maintaining the junior high school.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 10. Section 17503.1 of said code is amended and renumbered to read:*

*17503* ~~17503.1~~. During any fiscal year there shall be expended for the payment of salaries of persons employed by the district in positions requiring certification qualifications or for the payment of tuition by the district to another district the following amounts:

(a) Not less than 65 percent of the foundation program for elementary school attendance in elementary districts with an average daily attendance during the preceding year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, as such foundation program is actually computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive, whichever are in effect) of Chapter 3 of this division, or pursuant to Section ~~17901.1~~ *17901*, if the foundation program for such district is computed pursuant to Section ~~17901.1~~ *17901*, whichever is the case for the particular district, or 65 percent of the total state basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, reduced by the amount chargeable to the district for tuition for interdistrict attendance, pursuant to Section 5659, if such amount is less than the amount computed on the basis of the foundation program.

(b) Not less than 65 percent of the foundation program for elementary school attendance of an elementary district with an average daily attendance during the preceding year of 101 or more, exclusive of the average daily attendance of pupils attending the seventh and eighth grades of a junior high school, as such foundation program would be computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive, whichever are in effect) of Chapter 3, or as it would be computed pursuant to Section ~~17901.1~~ *17901* for apportionments in the same fiscal year, whichever is the larger amount; but if an amount computed by determining 65 percent of the total basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, reduced by the

amount chargeable to the district for tuition for interdistrict attendance, pursuant to Section 5659, is less than the larger of the two amounts computed on the basis of the foundation program, such amount shall be used in lieu of the amount computed on the basis of the foundation program.

(c) Not less than 65 percent of the foundation program for high school attendance in high school districts with an average daily attendance during the preceding year of less than 267, as such foundation program is actually computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive, whichever are in effect) of Chapter 3 of this division, or pursuant to Section ~~17903.1~~ *17903*, if the foundation program for such district is computed pursuant to Section ~~17903.1~~ *17903*, whichever is the case for the particular district, or 65 percent of the total state basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, increased by amounts received as tuition payments for interdistrict attendance, if such amount is less than the amount computed on the basis of the foundation program.

(d) Not less than 65 percent of the foundation program for high school attendance in a high school district which had an average daily attendance during the preceding year of 267 or more, which would be computed for apportionments in the same fiscal year pursuant to Article 2 (Sections 17651 to 17667, inclusive, whichever are in effect) of Chapter 3 of this division, or which would be computed for apportionments in the same fiscal year pursuant to Section ~~17903.1~~ *17903*, whichever is the larger amount; but if an amount computed by determining 65 percent of the total basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, increased by amounts received as tuition payments for interdistrict attendance, is less than the larger of the two amounts computed on the basis of the foundation program, such amount shall be used in lieu of the amount computed on the basis of the foundation program.

(e) Not less than 65 percent of the foundation program computed for apportionments in the same fiscal year for junior college attendance, or 65 percent of the total state basic and equalization aid plus the amount which would be raised by the levy of the maximum tax rate prescribed for the district by Section 20751 on each one hundred dollars ($100) of assessed valuation of the district during the current fiscal year, increased by amounts received as tuition payments for interdistrict attendance and reduced by amounts of interdistrict attendance payments chargeable to it, if such amount is less than the amount computed on the basis of the foundation program.

(f) In addition to the above amounts, as determined for each district, not less than 65 percent of the apportionments for growth computed for the district during the preceding fiscal year, and not less than 65 percent of the apportionments computed pursuant to Sections ~~17951.1~~ *17951* and ~~17411.1~~ *17411* during the same fiscal year.

The terms "elementary district," "high school district" and "elementary school attendance," "high school attendance," and "junior college attendance," as used in this section, have the same meanings as if used in Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to ~~18460.1~~ *18460*, inclusive, whichever are in effect.

In the event it appears to the governing board of a school district that the application of the preceding paragraphs of this section during a fiscal year would result in serious hardship to the district, or in the payment of salaries to persons employed by the district in positions requiring certification qualifications substantially in excess of the salaries paid persons employed in positions requiring certification qualifications by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district apply to the Superintendent of Public Instruction in writing not later than July 15th of the succeeding fiscal year for exemption from the requirements of the preceding paragraphs of this section for the fiscal year on account of which the application is made. Upon receipt of such application, duly approved, the Superintendent of Public Instruction may grant the district exemption, to the extent deemed necessary by him, from such requirements for the fiscal year on account of which the application is made.

If any portion of the money is not expended as required by this section and is not exempted by the Superintendent of Public Instruction, the county superintendent of schools having jurisdiction over the district shall add such portion to the amount required to be expended for salaries or tuition for the next succeeding fiscal year or he may transfer 80 percent of such amount to the county school service fund pursuant to Section 20104.

~~This section shall remain in effect until July 1, 1959~~

*SEC. 11. Section 17616 1 of said code is amended and renumbered to read:*

*17616* ~~17616.1~~. The average daily attendance of pupils attending high school courses maintained by an elementary school district shall be, for the purposes of Sections 10951 to 11653, inclusive, Sections 17151 to ~~18460.1~~ *18460*, inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, whichever are in effect, considered average daily attendance in high school classes maintained by a high school district and apportionments of one hundred twenty-five dollars ($125) per unit of average daily attendance, and no more, on account of such average daily attendance shall be made to the elementary school district ~~This section shall remain in effect until July 1, 1959.~~

*SEC. 12. Section 17655.1 of said code is amended and renumbered to read:*

*17655* ~~17655.1~~. (a) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school,

and for which school at least one teacher was hired full time, he shall compute five thousand four hundred fifty dollars ($5,450).

(b) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days school was maintained, he shall compute ten thousand nine hundred dollars ($10,900).

(c) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least three teachers were hired full time for more than one-half of the days school was maintained, he shall compute sixteen thousand three hundred fifty dollars ($16,350).

(d) For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of 76 or more but less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least four teachers were hired full time for more than one-half of the days school was maintained, he shall compute twenty-one thousand eight hundred dollars ($21,800).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 13. Section 17656.1 of said code is amended and renumbered to read:*

*17656* ~~17656.1~~. For each elementary school district which maintained only one elementary school and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had an average daily attendance of 101 or more but less than 901 during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, by two hundred eighteen dollars ($218).

For each elementary school district which maintained only one elementary school and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had an average daily attendance of 901 or more during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, by two hundred twenty dollars ($220).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 14. Section 17658.1 of said code is amended and renumbered to read:*

*17658* ~~17658.1~~. For each district on account of each necessary small school, he shall make one of the following computations, whichever applies:

(a) For each necessary small school which had an average daily attendance during the preceding fiscal year of less than 26, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least one teacher was hired full time,

he shall compute for the district five thousand four hundred fifty dollars ($5,450).

(b) For each necessary small school which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school at least two teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district ten thousand nine hundred dollars ($10,900).

(c) For each necessary small school which had an average daily attendance during the preceding fiscal year of 51 or more but less than 76, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school three teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district sixteen thousand three hundred fifty dollars ($16,350).

(d) For each necessary small school which had an average daily attendance during the preceding fiscal year of 76 or more and less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and for which school four teachers were hired full time for more than one-half of the days schools were maintained, he shall compute for the district twenty-one thousand eight hundred dollars ($21,800).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 15. Section 17660.1 of said code is amended and renumbered to read:*

*17660* ~~17660.1~~. For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of less than 901 during the preceding fiscal year, on account of the attendance during the preceding fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by two hundred eighteen dollars ($218).

For each elementary school district with an average daily attendance, exclusive of pupils attending the seventh and eighth grades of a junior high school, of 901 or more during the preceding fiscal year, on account of the attendance during the preceding fiscal year of pupils in the seventh and eighth grades of a junior high school which attendance is credited to the elementary school district pursuant to Sections 11404 and 5612, he shall multiply the average daily attendance in such grades by two hundred twenty dollars ($220).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 16. Section 17661.1 of said code is amended and renumbered to read:*

*17661* ~~17661.1~~. For each elementary school district maintaining two or more schools and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had a total average daily attendance in the district of 101 or more but less than 901 during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance of the district during the preceding fiscal year, exclusive of the average daily attendance for which

a computation was made pursuant to Sections ~~17658.1~~ *17658* or ~~17660.1~~ *17660*, by two hundred eighteen dollars ($218).

For each elementary school district maintaining two or more schools and which, exclusive of pupils attending the seventh and eighth grades of a junior high school, had a total average daily attendance in the district of 901 or more during the preceding fiscal year, he shall compute an amount determined by multiplying the total average daily attendance of the district during the preceding fiscal year, exclusive of the average daily attendance for which a computation was made pursuant to Sections ~~17658.1~~ *17658* or ~~17660.1~~ *17660*, by two hundred twenty dollars ($220).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 17. Section 17663.1 of said code is amended and renumbered to read:*

*17663* ~~17663.1~~. For each high school district maintaining only one high school which had an average daily attendance during the preceding fiscal year of less than 267, he shall compute, except as otherwise provided, thirteen thousand two hundred twenty-eight dollars ($13,228) and in addition five hundred ten dollars ($510) for each of the first to eightieth units, inclusive, and one hundred fifty dollars ($150) for each of the eighty-first to the two hundred sixty-sixth units, inclusive.

No computation shall be made under this section for the average daily attendance of any high school or high school district established after July 1, 1953, without the approval of the Superintendent of Public Instruction. Unless such approval is had, the foundation program for such school or district shall be computed by multiplying the average daily attendance during the preceding fiscal year by three hundred eight dollars ($308).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 18. Section 17664.1 of said code is amended and renumbered to read:*

*17664* ~~17664.1~~. For each high school district which maintained two or more high schools, he shall compute for the district an amount which shall be determined by allowing for each day high school for which the governing board of the district has provided separate facilities and a separate administrative head and having an average daily attendance during the preceding fiscal year of less than 267 the amount which would otherwise be computed for the district under Section ~~17663.1~~ *17663* except that with respect to any such high school maintaining less than four years the amount computed for such high school shall be an amount determined by multiplying the average daily attendance of such high school by three hundred eight dollars ($308) if the total average daily attendance of the district for the preceding fiscal year was less than 301, or by three hundred ten dollars ($310) if such total average daily attendance was 301 or more, unless the following percentage of the amount computed under Section ~~17663.1~~ *17663* is the larger, in which case it shall be used

(a) Fifty-five percent if the high school maintains but one year,

(b) Sixty-five percent if the high school maintains but two years, or

(c) Eighty percent if the high school maintains but three years.

No computation shall be made under this section for any high school established after July 1, 1952, without the approval of the Superintendent of Public Instruction

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 19. Section 17665.1 of said code is amended and renumbered to read:*

*17665* ~~17665.1~~. For each high school district which had an average daily attendance of 267 or more and of less than 301 during the preceding fiscal year he shall multiply the average daily attendance during the preceding fiscal year, exclusive of the average daily attendance of a day high school having an average daily attendance of less than 267, by three hundred eight dollars ($308). For each high school district which had an average daily attendance of 301 or more during the preceding fiscal year, he shall multiply the average daily attendance, exclusive of the average daily attendance of a day high school having an average daily attendance of less than 267, by three hundred ten dollars ($310).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 20. Section 17666.1 of said code is amended and renumbered to read:*

*17666* ~~17666.1~~. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections 11451 and 11501, subject to the provisions of Section 17611, by four hundred ten dollars ($410).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 21. Section 17702.1 of said code is amended and renumbered to read:*

*17702* ~~17702.1~~. Except as provided in Section 17703, the Superintendent of Public Instruction shall compute for each district described herein the amount, to be known as district aid, which a tax levied on each one hundred dollars ($100) of 100 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

(a) Sixty cents ($0.60) in an elementary school district.

(b) Forty-five cents ($0.45) in a high school district with a total average daily attendance during the preceding fiscal year of less than 267.

(c) Fifty cents ($0.50) in a high school district with a total average daily attendance during the preceding fiscal year of 267 or more.

(d) Thirty-three cents ($0.33) in a junior college district

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 22. Section 17751.1 of said code is amended and renumbered to read:*

*17751* ~~17751.1~~. The Superintendent of Public Instruction shall allow one hundred twenty-five dollars ($125) to each elementary school district for each unit of average daily attendance therein during the preceding fiscal year as computed for the district under Sections 11301 and 11404, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any elementary school district, to be known as basic state aid.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 23. Section 17801.1 of said code is amended and renumbered to read:*

*17801* ~~17801.1~~. The Superintendent of Public Instruction shall allow to each high school district one hundred twenty-five dollars ($125) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 11403, 11452, and 11501, subject to the provisions of Section 17610, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any high school district, to be known as basic state aid.

The Superintendent of Public Instruction shall exclude from the computation of allowances provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 6352, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 24. Section 17851.1 of said code is amended and renumbered to read:*

*17851* ~~17851.1~~. The Superintendent of Public Instruction shall allow to each junior college district one hundred twenty-five dollars ($125) for each unit of average daily attendance in grades 13 and 14, during the preceding fiscal year as computed for the district under Sections 11451 and 11501, subject to the provisions of Section 17611, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any junior college district, to be known as basic state aid.

The Superintendent of Public Instruction shall exclude from the computation of allowances provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 6352, and of inmates of any state institution for adults or of any city, county, or city and county jail, road camp or farm for adults.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 25. Section 17901.1 of said code is amended and renumbered to read:*

*17901* ~~17901.1~~ The Superintendent of Public Instruction shall compare the total of the amounts allowed to, and computed for, each elementary district pursuant to Sections ~~17751.1~~ *17751*, ~~17702.1~~ *17702* and 17703 with the amount of the foundation program of school support computed for each such district pursuant to Sections 17651 to 17667, inclusive, whichever are in effect.

If the total amount allowed to, and computed for, any elementary school district pursuant to Sections ~~17751.1~~ *17751*, ~~17702.1~~ *17702* and 17703 is less than the amount of the foundation program of school support computed for such district pursuant to Sections 17651 to 17667, inclusive, whichever are in effect, he shall add to the amount computed for such district pursuant to Sections ~~17751.1~~ *17751*, ~~17702.1~~ *17702* and 17703 such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Sections 17651 to 17667, inclusive, whichever are in effect.

Except for any elementary school district which was in existence on or before July 1, 1925, and in which district there was levied a tax for

the preceding year of an amount not less than five cents ($0.05) less than the maximum tax rate prescribed for the district by Section 20751, the amount allowed under this article, beginning with the Fiscal Year 1955-56, *to an elementary school district having an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall not be more than the amount that would have been computed under Section* ~~17901.1~~ *17901 had the foundation program for the district been computed under Section* ~~17656.1~~ *17656* , except that to this allowance shall be added an amount for the Fiscal Year 1955-56 equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section ~~17901.1~~ *17901* and the amount that would have been computed for the district under Section ~~17901.1~~ *17901* had the foundation program for the district been computed under Section ~~17656.1~~ *17656* except as to any elementary school district determined to be a necessary school district by the existence of any one or more of the following conditions:

(a) If as many as five pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If as many as 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, exclusive of pupils attending the seventh and eighth grades of a junior high school would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified were required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require.

The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

Notwithstanding anything in Sections 17614, 17615, ~~17901.1~~ *17901* , 17902, ~~17903.1~~ *17903* , 17904, ~~17905.1~~ *17905* , and ~~17906.1~~ *17906* to the contrary, the amount computed for any elementary school district under Sections 17614, 17615, ~~17901.1~~ *17901* , 17902, ~~17903.1~~ *17903* , 17904, ~~17905.1~~ *17905* , and ~~17906.1~~ *17906* shall be not less than it would have been had the foundation program of school support for such district under Sections 17651 to 17667, inclusive, whichever are in effect,

been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 11301 and 11404 by two hundred ninety-three dollars ($293) if the total average daily attendance of the district during the preceding fiscal year was less than 901, exclusive of the pupils attending the seventh and eighth grades of a junior high school, or by two hundred ninety-five dollars ($295) if the total average daily attendance of the district during the preceding fiscal year was 901 or more, exclusive of the pupils attending the seventh and eighth grades of a junior high school, and had the tax used in making the computation for the district under Sections ~~17702.1~~ *17702* and 17703 been one dollar and thirty-five cents ($1.35).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 26. Section 17903.1 of said code is amended and renumbered to read:*

*17903* ~~17903.1~~. Notwithstanding anything in Sections 17614 and 17615, and Sections ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, and ~~17906.1~~ *17906* to the contrary, the amount computed for any high school district under Sections 17614 and 17615, and Sections ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, and ~~17906.1~~ *17906* shall be not less than it would have been had the foundation program of school support for such district under Sections 17651 to 17667, inclusive, whichever are in effect, been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 11403 and 11452 by three hundred eighty-eight dollars ($388) if the total average daily attendance of the district during the preceding fiscal year was less than 301, or by three hundred ninety dollars ($390) if the total average daily attendance of the district during the preceding fiscal year was 301 or more, and had the tax used in making the computation for the district under Sections ~~17702.1~~ *17702* and 17703 been eighty-five cents ($0.85).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 27. Section 17905.1 of said code is amended and renumbered to read:*

*17905* ~~17905.1~~. No state equalization aid shall be allowed to any district under Sections 17614, 17615, and Sections ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, and ~~17906.1~~ *17906* during the Fiscal Year 1957-58 unless, during the preceding fiscal year, there shall have been levied a tax for such district, exclusive of a tax levied under Sections 3356, 14214, 14657, 14758, 16633, 19443, 19619, 20801, and 22101, in an amount equal to sixty cents ($0.60) or more for an elementary district, forty-five cents ($0.45) or more for a high school district, or thirty cents ($0.30) or more for a junior college district.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 28. Section 17906.1 of said code is amended and renumbered to read:*

*17906* ~~17906.1~~. No state equalization aid shall be allowed under Sections 17614, 17615, and Sections ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, and ~~17906.1~~ *17906*, during the Fiscal Year 1958-59, or during any other subsequent fiscal year unless there shall

have been levied pursuant to this code, for such district during the preceding fiscal year, exclusive of tax levied under Sections 3356, 14214, 14657, 14758, 16633, 19443, 19619, 20801, and 22101, a tax not less than sixty cents ($0.60) if an elementary district, forty-five cents ($0.45) if a high school district with a total average daily attendance during the preceding fiscal year of less than 267, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of 267 or more, and thirty cents ($0.30) if a junior college district.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 29. Section 17951.1 of said code is amended and renumbered to read:*

*17951* ~~17951.1~~. The Superintendent of Public Instruction shall allow each district for each unit of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 6352, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or or city and county jail, road camp or farm for adults, one hundred twenty-five dollars ($125) as basic state aid and the same amount as state equalization aid as is computed by dividing the allowance computed for the district under Sections 17614, 17615, and Sections ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, and ~~17906.1~~ *17906* by the average daily attendance of the district during the preceding fiscal year, exclusive of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 6352, and for inmates of state institutions for adults and of city, county, or city and county jails, road camps or farms for adults. The total of basic and equalization aid allowed shall not exceed two hundred twenty dollars ($220) for each unit of average daily attendance during the preceding fiscal year for such adults, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 30. Section 18005.1 of said code is amended and renumbered to read:*

*18005* ~~18005.1~~. Notwithstanding any provisions of this article (commencing at Section 18001) to the contrary, allowances for growth for elementary school districts maintaining only one elementary school with a total average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, shall be computed pursuant to this section.

The provisions of subdivisions (a), (b), (c), and (d) of Section ~~17655.1~~ *17655* for average daily attendance and number of teachers hired shall apply to such districts.

No allowance for growth shall be made for such a district unless the excess units of average daily attendance for the period of the current fiscal year over units of average daily attendance of the corresponding period of the preceding fiscal year is sufficient to place the district within the requirements of a different subdivision of Section ~~17655.1~~

*17655*, or is sufficient to place the district outside of the requirements of any of the subdivisions of Section ~~17655.1~~ *17655*.

If the excess is sufficient to place the district within the requirements of a different subdivision of Section ~~17655.1~~ *17655* an apportionment for growth shall be made only if there has been employed for the school during the period of the current fiscal year the number of teachers required by the subdivision of Section ~~17655.1~~ *17655* which is applicable to the district according to its average daily attendance during the period of the current fiscal year, exclusive of pupils attending the seventh and eighth grades of a junior high school.

The Superintendent of Public Instruction shall allow, for each period for each district which was in existence for all purposes during the preceding fiscal year an amount equal to the difference between the amount of basic state aid and state equalization aid which was apportioned on account of average daily attendance in such district during the preceding fiscal year and the amount of basic state aid and state equalization aid which would have been apportioned had the total average daily attendance in such district during such year been equal to the total average daily attendance during the period of the current year, multiplied for the first period by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175, and for the second period by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

If the excess is sufficient to place the district outside of the requirements of any of the subdivisions of Section ~~17655.1~~ *17655*, the Superintendent of Public Instruction shall deem the average daily attendance of the district during the preceding fiscal year to have been 100 and he shall compute an allowance pursuant to Section 18003 with respect to the units of average daily attendance during the period of the then current fiscal year which are more than 100.

The Superintendent of Public Instruction shall allow to each school district for each unit by which the average daily attendance for each period of the then current fiscal year in the seventh and eighth grades of a junior high school exceeds such average daily attendance for the same period during the preceding fiscal year the following: for the first period, the sum of two hundred eighteen dollars ($218) if the total average daily attendance of the district during the preceding fiscal year was less than 901, exclusive of pupils attending the seventh or eighth grades of a junior high school, or two hundred twenty dollars ($220) if the total average daily attendance of the district during the preceding fiscal year was 901 or more, exclusive of pupils attending the seventh or eighth grades of a junior high school, multiplied by the ratio of days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175 and, for the second period, the sum of two hundred eighteen dollars ($218) if the total average daily attendance of the district during the preceding fiscal year was less than 901, exclusive of pupils attending the seventh and eighth grades of a junior high school, or two hundred twenty

dollars ($220) if the total average daily attendance of the district during the preceding fiscal year was 901 or more exclusive of pupils attending the seventh and eighth grades of a junior high school, multiplied by the ratio of the difference between 175 and the days the regular day schools of the district were maintained during the first period of the then current fiscal year to 175.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 31. Section 18060.1 of said code is amended and renumbered to read:*

*18060* ~~18060.1~~. (a) In addition to all other amounts allowed to a school district under this article (commencing at Section 18051), the Superintendent of Public Instruction shall allow to each school district an amount equal to the current expense of the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils and mentally retarded minors who come within the provisions of Section 6903, to and from special day classes but not in excess of three hundred and fifty dollars ($350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district.

(b) The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the current expense of the county superintendent of schools during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils and mentally retarded minors who come within the provisions of Section 6903, to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance during the next preceding year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the county superintendent of schools.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 32. Section 18352.1 of said code is amended and renumbered to read:*

*18352* ~~18352.1~~. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amounts as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 18351, shows is necessary, but:

(a) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for supervision of instruction in all grades and classes of elementary school districts which during the next preceding fiscal year had less than 901 units of average daily attendance and in the elementary schools of unified school districts which during the next preceding fiscal year had less than 1,501 units of average daily attendance shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, for such purpose, whichever is the lesser.

(b) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for all other purposes shall not exceed the sum provided by law for such purposes or the amounts shown necessary by such budgets, whichever is the lesser

(c) The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed, but not in excess of five hundred thousand dollars ($500,000), to reimburse county superintendents of schools for expenses incurred in providing emergency education to pupils and making financial grants to school districts pursuant to the provisions of Sections 20105 and 20106.

(d) The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed to reimburse county superintendents of schools for the actual and necessary travel expenses incurred in connection with co-operative county publication projects by the county superintendent of schools or members of his staff.

*SEC. 33. Section 18355.1 of said code is amended and renumbered to read:*

*18355* ~~18355.1~~. The Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

(a) For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Sections 17651 to 17667, inclusive, whichever are in effect, except that the provisions of Section 17657 shall not apply and whenever Section ~~17656.1~~ *17656*, ~~17660.1~~ *17660*, or ~~17661.1~~ *17661* require him to multiply average daily attendance by two hundred eighteen dollars ($218) he shall, for the purposes of this section multiply by two hundred twenty dollars ($220). No allowance shall be made under this subdivision which is in excess of the actual expense of maintaining the emergency schools during the preceding fiscal year.

(b) Three hundred ten dollars ($310) for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent of schools during the preceding fiscal year.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 34. Section 18356.1 of said code is amended and renumbered to read:*

*18356* ~~18356.1~~. The Superintendent of Public Instruction shall allow to the county school service fund for all special schools or classes for mentally retarded minors maintained in each elementary school district of the county by the county superintendent of schools, the same amount as he would compute as the foundation program of an elementary school district under Sections 17651 to 17667, inclusive, whichever are in effect, except that the provisions of Section 17657 shall not apply and whenever Section ~~17656.1~~ *17656*, ~~17660.1~~ *17660*, or ~~17661.1~~ *17661* require him to multiply average daily attendance by two hundred

eighteen dollars ($218) he shall, for the purposes of this section multiply by two hundred twenty dollars ($220).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 35. Section 18357.1 of said code is amended and renumbered to read:*

*18357* ~~18357.1~~. The Superintendent of Public Instruction shall allow to the county school service fund for all elementary schools maintained in juvenile halls, juvenile homes, and juvenile camps by the county sueprintendent of schools, the same amount as he would compute as the foundation program of an elementary school district under Sections 17651 to 17667, inclusive, whichever are in effect, except that the provisions of Section 17657 shall not apply and whenever Sections ~~17656.1~~ *17656*, ~~17660.1,~~ *17660,* or ~~17661.1~~ *17661* require him to multiply average daily attendance by two hundred eighteen dollars ($218) he shall, for the purposes of this section, multiply by two hundred twenty dollars ($220).

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 36. Section 18358.1 of said code is amended and renumbered to read:*

*18358* ~~18358.1~~. The Superintendent of Public Instruction shall allow to the county school service fund for all secondary schools maintained in juvenile halls, juvenile homes and juvenile camps by the county superintendent of schools, an amount computed by multiplying the average daily attendance in such secondary schools during the preceding fiscal year by three hundred ten dollars ($310).

~~This section shall remain in effect until July 1. 1959.~~

*SEC. 37. Section 18401.1 of said code is amended and renumbered to read:*

*18401* ~~18401.1~~. The Superintendent of Public Instruction shall allow to each county school tuition fund one hundred twenty-five dollars ($125) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

~~This section shall remain in effect until July 1. 1959.~~

*SEC. 38. Section 18451.1 of said code is amended and renumbered to read:*

*18451* ~~18451.1~~. (a) The total amount allowed from the State School Fund as basic and equalization aid, and allowances in lieu of basic and equalization aid allowed pursuant to Sections ~~18355.1~~ *18355*, ~~18356.1~~ *18356*, ~~18357.1~~ *18357*, ~~18358.1~~ *18358* and ~~18401.1~~ *18401*, to be apportioned on account of average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the state and county school tuition funds on account of elementary, high school, and junior college school pupils shall not exceed the amount provided by law therefor.

(b) The total amount allowed from the State School Fund pursuant to Section ~~18060.1~~ *18060* and Sections 18101 to 18206, inclusive, shall not exceed the amount provided by law therefor.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 39. Section 18452.1 of said code is amended and renumbered to read:*

*18452* ~~18452.1~~. If the total amount allowed from the State School Fund to all school districts, county school service funds, and county school tuition funds under Sections 17614, 17615, ~~17751.1~~ *17751*, ~~17801.1~~ *17801*, ~~17851.1~~ *17851*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, ~~17906.1~~ *17906*, ~~17951.1~~ *17951*, 17952, ~~18355.1~~ *18355*, ~~18356.1~~ *18356*, ~~18357.1~~ *18357*, ~~18358.1~~ *18358*, and ~~18401.1~~ *18401* on account of average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the state and county school tuition funds is less than the amount provided by law for such purposes, the balance shall be allowed pursuant to Section ~~18460.1~~ *18460*.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 40. Section 18453.1 of said code is amended and renumbered to read:*

*18453* ~~18453.1~~. If the total amount allowed from the State School Fund to all school districts and county school service funds under Section ~~18060.1~~ *18060*, and Sections 18101 to 18206, inclusive, whichever are in effect, on account of average daily attendance during the preceding fiscal year is less than the total amount provided by law for such purposes, the balance shall be allowed pursuant to Section ~~18460.1~~ *18460*.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 41. Section 18455.1 of said code is amended and renumbered to read:*

*18455* ~~18455.1~~. If the total amount allowed from the State School Fund to all districts, county school service funds, and county tuition funds under Sections 17614, 17615, ~~17751.1~~ *17751*, ~~17801.1~~ *17801*, ~~17851.1~~ *17851*, ~~17951.1~~ *17951*, 17952, ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, ~~17906.1~~ *17906*, ~~18355.1~~ *18355*, ~~18356.1~~ *18356*, ~~18357.1~~ *18357*, ~~18358.1~~ *18358*, and ~~18401.1~~ *18401*, on account of average daily attendance during the preceding fiscal year credited to all kindergarten, elementary, high school, and junior college schools in the state and county school tuition funds is more than the total amount provided by law for such purposes, the amount allowed each such district as equalization aid from the State School Fund shall be reduced proportionately.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 42. Section 18456.1 of said code is amended and renumbered to read:*

*18456* ~~18456.1~~. If the total amount allowed from the State School Fund to all districts and county school service funds under Section ~~18060.1~~ *18060* and Sections 18101 to 18206, inclusive, whichever are in effect, on account of average daily attendance during the preceding fiscal year is more than the total amount provided by law for such purposes, the total amount allowed each such district and each such county school service fund from the State School Fund pursuant to said sections shall be reduced proportionately.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 43. Section 18460.1 of said code is amended and renumbered to read:*

*18460* ~~18460.1~~. If the total amount allowed county school service funds under Sections 18351 to 18354, inclusive, whichever are in effect, is less than the amounts provided by Section ~~18352.1~~ *18352* the balance shall be added to the balances resulting from the application of Sections 18009, 18061, ~~18452.1~~ *18452*, ~~18453.1~~ *18453*, and subdivision (b) of Section 17404. The total of such balances shall be used as follows:

(a) First, to increase proportionately the allowances made to which Section ~~18455.1~~ *18455* applied. The increased allowances shall not exceed the amounts computed under Sections 17614, 17615, ~~17751.1~~ *17751*, ~~17801.1~~ *17801*, ~~17851.1~~ *17851*, ~~17951.1~~ *17951*, 17952, ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, ~~17906.1~~ *17906*, ~~18355.1~~ *18355*, ~~18356.1~~ *18356*, ~~18357.1~~ *18357*, ~~18358.1~~ *18358*, ~~18401.1~~ *18401*. The increase for each elementary, high school, or junior college district shall be an amount that bears the same ratio to the total balance as the amount of equalization aid allowed such district bears to the total amount of equalization aid allowed to all districts.

(b) Second, to restore, in the order herein listed, the amounts reduced under Sections 18007, 18008, ~~18456.1~~ *18456*, and subdivision (a) of Section 18061.

(c) Thereafter, to allow any remaining balances as additional state equalization aid to the districts that were allowed state equalization aid pursuant to Sections 17614, 17615, ~~17901.1~~ *17901*, 17902, ~~17903.1~~ *17903*, 17904, ~~17905.1~~ *17905*, and ~~17906.1~~ *17906*, during the then current fiscal year. The amount of additional state equalization aid allowed each such district for each unit of average daily attendance shall be determined by dividing such remaining balance by the average daily attendance of all districts receiving equalization aid.

~~This section shall remain in effect until July 1, 1959.~~

*SEC. 43 5. The amendments and repeals effected by Sections 1.5 to 43, inclusive, of this act shall become operative at the same time that the Education Code as enacted at the 1959 Regular Session takes effect.*

**Amendment No. 3**

On page 1, line 7, strike out "2", and insert "44".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 268**—An act to add Section 23102.5 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "vehicle."

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on March 11, 1959, strike out "bicycle, or other device propelled by human power and designed to transport persons", and insert "a bicycle".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 149**—An act to amend Sections 5053, 5600, 5613, 6006, 6561, 7150, and 8702 of, to add Sections 6413 and 7603.5 to, and to repeal Section 7407 of, the Financial Code, relating to savings and loan associations

Bill read second time, and ordered to third reading.

**Senate Bill No. 155**—An act to add Article 4.7 (commencing with Section 11750) to Chapter 7 of Division 10 of the Health and Safety Code, relating to narcotic treatment-control units.

Bill read second time, and ordered to third reading.

**Senate Bill No. 210**—An act to amend Section 3304 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to discontinuance of elementary schools in unified school districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 91**—An act to amend Section 8819.5 of the Education Code, and Section 5703 of the Education Code as proposed by Senate Bill No. 2, relating to junior colleges.

Bill read second time, and ordered to third reading.

**Senate Bill No. 442**—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 124, 1258, 1459, 841,** and **1418,** subsequent to engrossment.

**Senate Bill No. 149.**

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1208
Assembly Bill No. 1317
Assembly Bill No. 1323
And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1548

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1287
Senate Bill No. 482

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1332

With the recommendation: Do pass.

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 203

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1264

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 600**—An act to amend Sections 7068 and 7122 of, and to add Sections 7068.1, 7068.2, 7068.3, and 7122.5 to the Business and Professions Code, relating to contractors.

Bill read third time.

### Speaker Presiding

At 10.02 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Conrad, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey,

Luckel, Lunardi, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 687**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to trading stamps.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Coolidge, Cusanovich, Davis, DeLotto, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—46.
NOES—Backstrand, Bane, Bee, Bradley, Burke, Chapel, Conrad, Cunningham, Dahl, Donahoe, Frew, Lanterman, Levering, McCollister, Mulford, Pattee, Reagan, Rumford, Schrade, Shell, and George A. Willson—21.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1208**—An act to add Section 23394.5 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1323**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Masterson was granted unanimous consent that the following opinions of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL—ANALYSIS OF ASSEMBLY BILL NO. 1196

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 25, 1959

*Hon. S. C Masterson*
*Assembly Chamber*

**Analysis of Assembly Bill No. 1196—No. 10867**

DEAR MR. MASTERSON: This is in response to your request for an analysis of Assembly Bill No. 1196.

Taxes on the secured roll are ordinarily distributed to the funds for which they were levied upon collection (Sec. 4653 4, R. & T. C.).

Chapter 3 (commencing with Sec. 4701) of Part 8 of Division 1 of the Revenue and Taxation Code * provides an alternative method of distributing taxes on the secured roll to permit the apportionment of such taxes to the respective funds prior to collection, on the basis of the assets represented by the tax liens created on the lien date. The method becomes effective in any county upon the adoption of a resolution by the board of supervisors to that effect (Sec. 4702, R. & T. C.).

In brief, under the method each fund involved is credited with the full amount of the tax levied for it as soon as such amount is determined, and the aggregate cash on hand then becomes available to meet the drafts drawn on any of the funds, with a statutory accounting procedure set up for such purpose.

Assembly Bill No. 1196 makes numerous changes in the provisions constituting the alternative method. A detailed analysis of the apparently principal such changes is as follows:

Specifically authorizes extension of the method to assessments as well as taxes on the secured roll (Sec. 4702.5).

Substitutes for specified tax resources accounts, accrued record accounts and fund accounts to be kept by the county auditor and county treasurer, a requirement that such officers keep apportioned tax resources accounts in such manner that the balances of amounts apportioned to the several funds will be known to such officers (Sec. 4703). Requires also that auditor keep secured taxes receivables accounts in such manner as to establish accountability for accounts receivable (Sec. 4703). Makes other related changes on the crediting and charging of accounts (Secs. 4705-4711, 4713).

Provides that if valuations of tax-deeded property required to be entered on assessment roll exceed 1 percent of the total amount of the roll, the valuations shall not be included in any statements of equalized assessed valuations for bond debt limitation purposes (Sec. 4704).

Imposes on auditor only, rather than on both auditor and treasurer, duties relating to recording and accounting for delinquent penalties and costs (Sec. 4706).

* Section references hereafter are to existing or proposed sections of the Revenue and Taxation Code contained in Assembly Bill No. 1196.

Provides for apportionment of 100 percent of assessment levies, as distinguished from tax levies, to funds for which levied (Sec. 4713.5).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD F. NOWAK, Deputy

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO TRADING STAMPS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 24, 1959

*Hon. S. C. Masterson*
*Assembly Chamber*

**Trading Stamps—No. 10995**

*Question*

DEAR MR. MASTERSON: You have directed our attention to Assembly Bill No. 687 as amended in Assembly March 5, 1959, relating to trading stamps. You ask if there is anything in this bill which would require the giving of trading stamps on the amount of taxes that might be included in the price of the item sold.

*Opinion and Analysis*

Assembly Bill No. 687 as amended in Assembly March 5, 1959, would require any person who advertises the giving of trading stamps or who gives such stamps with the sale of any merchandise to give trading stamps with the sale of all items of merchandise offered for sale at his place of business, unless he advertises that he does not give trading stamps on certain items of merchandise and designates such items (proposed Sec. 17801).

While the bill requires trading stamps to be given with the sale of merchandise under certain conditions, it does not require trading stamps to be given for the full amount of the purchase price of such merchandise. Therefore, it is our opinion that the bill would not require trading stamps to be given on the amount of taxes that might be included in the price of the item sold.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By (MRS.) ANN MACKEY, Deputy

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 996**—An act to amend Sections 2322a, 24670, 25102, 25551, 25663, 25673, 25674, 26074, 26131, and 26281 of, and to add Sections 25401b, 25905, 25962.2, 26073c and 26080.4 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 226**—An act to amend Sections 51360 and 51361 of, and to repeal Section 51362 of, the Water Code, relating to reclamation district operation and maintenance assessments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. O'Connell announced that today was the birthday of Mr. Thomas J. MacBride, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. MacBride.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1277**—An act to add Section 54906 to the Government Code, relating to the filing of statements and maps and plats for tax purposes by cities and districts on annexation or change in boundaries, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant,

Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 66**—Relative to criminal procedure in time of disaster.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

### Request for Unanimous Consent

Mr. Hegland was granted unanimous consent to take up Assembly Bill No. 53, at this time.

**Assembly Bill No. 53**—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Charles H. Wilson—61.

NOES—Beaver, Bradley, Lowrey, Mulford, Reagan, and Z'berg—6.

~~Bill ordered transmitted to the Senate.~~

NOTE—A motion to reconsider Assembly Bill No. 53 on the next legislative day was offered later this day. (*See* page 1823.)

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER SENATE BILL NO. 231

In compliance with a motion given on a previous day, Mr. Unruh moved that the vote whereby Senate Bill No. 231 was passed be reconsidered.

Mr. Burke seconded the motion.

### Speaker pro Tempore Presiding

At 10.42 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assemly, presiding.

The question being on the motion to reconsider the vote whereby Senate Bill No 231 was passed.

Senate Bill No. 231 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

The question being on the passage of the bill.

### Motion to Re-refer

Mr. Winton moved that Senate Bill No. 231 be re-referred to the Committee on Ways and Means.

Mr. Hanna seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

## PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Is it possible to avoid the provisions of Rule No. 62 by introducing appropriation bills that do not take effect until next year?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the inquiry should be addressed to the Legislative Counsel.

## CONSIDERATION OF HOUSE RESOLUTION NO. 147

By Mr. Lunardi:

### House Resolution No. 147

Relating to the commendation of Mr. R. M. Wieland

WHEREAS, Mr. R. M. Wieland, switchman at the Angels Camp central office, Pacific Telephone and Telegraph Company, performed an outstanding feat of humanitarian bravery, on February 16, 1958, by his rescue of a family of three from a burning building; and

WHEREAS, Mr. Wieland, 34 years of age and a resident of Sonora, is married to Ruth Wieland and the father of two small children; and

WHEREAS, Mr. Wieland, while returning to his headquarters in the small hours of the morning of February 16, 1958, observed the main building of an isolated winter resort in flames; and

WHEREAS, After noting that an automobile was parked in front of the building and thus deducing that there were helpless persons inside, Mr. Wieland quickly ran to the building and, after continued shouting and pounding on the doors, finally aroused the owner, Mr. Jack C. Dill, who, with his wife and son, had been sleeping therein; and

WHEREAS, Mr. Wieland thereupon entered the burning building and led Mrs. Dill to safety while Mr. Dill aroused his son; and

WHEREAS, After seeing that all the occupants were safe, Mr. Wieland once again entered the blazing building, armed only with a water bucket, for the purpose of fighting the fire, and, after long continued effort, eventually succeeded in extinguishing the blaze; and

WHEREAS, Had he driven the four miles to the nearest telephone to summon help, three lives undoubtedly would have been lost and valuable property destroyed; and

WHEREAS, Mr. Wieland has been selected for a Theodore N. Vail Memorial Fund Award in recognition of an outstanding act in an emergency, reflecting the finest traditions of service to the public; and

WHEREAS, This State is indeed fortunate to have citizens of the caliber of Mr. Wieland who are skilled and resourceful, and at the same time willing to undergo great personal danger in order to be of service to their fellow men; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends Mr. R. M. Wieland for his outstanding act of bravery; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr R. M. Wieland.

Resolution read, and adopted unanimously.

### Members Made Co-authors of House Resolution No. 147

Mr. Lunardi was granted unanimous consent that all members so desiring be placed upon the illuminated copy of House Resolution No. 147 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors upon the illuminated copy of the resolution:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 157

By Mr. Pattee:

### House Resolution No. 157

Relative to the "Night in Monterey" party

WHEREAS, The Members of the Legislature spent a most enjoyable evening on March 19th as guests of the people of Monterey Peninsula at a party held in Governor's Hall; and

WHEREAS, The dinner was a gourmet's delight, featuring delicious cioppino and fresh succulent clams from Monterey's Old Fisherman's Wharf; and

WHEREAS, The additional pleasures of delightful entertainment and lively music made "A Night in Old Monterey" a truly memorable evening; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members take this means of thanking their gracious hosts, the people of the Monterey Peninsula; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Elwood J. Wilson, President of the Monterey Peninsula Chamber of Commerce, and to the *Monterey Peninsula Herald*.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 153

By Messrs. Cameron and Ernest R Geddes:

### House Resolution No. 153

Relative to the death of Donald A. Leggett

WHEREAS, The Members of the Assembly have learned that Covina's 30-year-old mayor, Donald A Leggett, passed away March 10, 1959, in the Bassett Memorial Hospital, Cooperstown, New York, where he had been undergoing treatment for leukemia for the past month; and

WHEREAS, Don was born November 30, 1928, in Los Angeles and graduated from Loyola University in 1951, and received a Master's degree in electrical engineering from the University of California at Los Angeles in 1954; and

WHEREAS, He was Vice President of Randolph Engineering Company of San Gabriel; and

WHEREAS, He was first elected to the City Council of Covina in April, 1956, and became mayor of that city in the spring of 1958 at 29, the youngest mayor in the city's history; and

WHEREAS, Don was awarded the Covina Junior Chamber of Commerce's outstanding citizen award; and

WHEREAS, He had been a driving force for community betterment and civic improvement even before his election and was one of the chief backers of the city's master plan; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members express their sincere sorrow at the untimely passing of Donald A. Leggett, a man whose great service to his community earned him the well-deserved love and respect of all during his lifetime, and now extend their heartfelt condolences to his bereaved family; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Monica Leggett, his widow, Theresa Leggett, his daughter, and Michael Gerard Leggett, his son.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 155

By Mr. Hanna:

### House Resolution No. 155

Relative to congratulating Mr. William H. Gallienne on the occasion of William H. Gallienne Day in Huntington Beach

WHEREAS, March 1, 1959, marked the occasion of William H. Gallienne Day in the City of Huntington Beach and a fitting tribute was paid to Mr. Gallienne to commemorate his fiftieth year of local residence and twenty-fifth year as Executive Secretary and Manager of the Huntington Beach Chamber of Commerce; and

WHEREAS, Mr. Gallienne was born in 1895 on the Island of Guernsey in the English Channel and migrated to the United States, to settle in the City of Huntington Beach; and

WHEREAS, From such a humble beginning Mr. Gallienne rose to become one of the leaders in his community, and his many friends honored him on March 1, 1959, by celebrating William H. Gallienne Day, one of the highlights of the eventful day being the presentation to Mr. Gallienne of a life-size portrait of himself, painted by the renowned artist Ruby Albright; and

WHEREAS, The family and many friends of Mr. Gallienne may be justly proud of the achievements which led to the title which has been bestowed upon him, "Mr. Huntington Beach"; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members of this body do hereby congratulate Mr. William H. Gallienne on his many personal and civic achievements and his long and noteworthy career of service to the City of Huntington Beach; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Gallienne.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 156

By Messrs. Britschgi and Francis, and Sponsored by Senator Dolwig:

### House Resolution No. 156

Relative to the death of Martin A. Poss

WHEREAS, The Members of the Assembly have learned with regret of the death of former San Mateo County Supervisor Martin A. Poss; and

WHEREAS, Mr. Poss had a long and distinguished record of public service extending back for almost 40 years; and

WHEREAS, Mr. Poss first entered public service in the 1920's and after five years as a planning commissioner and park commissioner, was elected in 1927 to the San Mateo City Council to which he was returned for three consecutive terms; and

WHEREAS, He resigned from the council during World War II in order to give full-time to his duties as chairman of his district's draft board, a position which he continued to hold over the intervening years; and

WHEREAS, Following his appointment by Governor Earl Warren to the San Mateo County Board of Supervisors in 1945, Mr. Poss served continuously in that office until his retirement this year; and

WHEREAS, Throughout his long career in local governmental service, he played an important role in guiding the development of San Mateo City and County; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their sincere regret at the loss of this able and respected citizen, and pay tribute to his outstanding record in the field of public service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the widow of Martin A. Poss, and his daughter Mrs. E Werder.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 149

By Messrs. Kilpatrick and George A. Willson:

### House Resolution No. 149

Relative to the death of Peter Sanchez

WHEREAS, The Members of the Assembly have learned that Peter Sanchez, well-beloved civic leader in the Florence-Firestone community and Secretary-Manager of the Florence-Firestone Chamber of Commerce, died February 28, 1959, in an automobile accident; and

WHEREAS, "Pete" was born in Los Angeles, the son of a prominent Los Angeles family and graduated from high school in that city; and

WHEREAS, He later moved to Arizona to play baseball for one of the early mining companies of Arizona and became a safety engineer as well as one of the best playing catchers a team could have; and

WHEREAS, Pete married Agnes Park while he was in Arizona; and

WHEREAS, He became affiliated with the Standard Oil Company in their refinery at El Segundo, and later became affiliated with the Shell Oil Company, with a position in a supervisory capacity at their refinery at Dominguez; and

WHEREAS, Pete retired in 1952 and had since that time devoted all of his time and energy to unselfish activities for the benefit of his community, State, and Nation; and

WHEREAS, Pete was a member of the Los Angeles County Roads Commission, President of the Professional Baseball Umpires Association, member of the Florence-Firestone Co-ordinating Council, past president of the Southern California Baseball Managers Association, and past president of the Florence-Firestone Protective Association; and

WHEREAS, Pete Sanchez was a man of high ideals, honorable in his dealings, highly active in his church, and recognized no barriers of creed, color, official or financial status; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their sincere sorrow at the passing of Peter Sanchez, a man whose great service to his community, State and Nation earned him the well-deserved love and respect of all during his lifetime, and now extend their heartfelt condolences to his bereaved family and friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to William Sanchez, his son, and to his sisters, Irene Putnam, Claude Sanchez, and Rose Davidge.

Resolution read, and adopted unanimously.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 9**—An act to add Section 6865 to the Vehicle Code and to repeal Section 16275.5 of the Education Code, relating to the painting of buses formerly used as school buses.

Bill read third time.

### Motion to Amend

Mr. Biddick moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on March 23, 1959, strike out "3", and insert "2".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

## CONSIDERATION OF CONSENT CALENDAR

## CONSENT CALENDAR—ASSEMBLY BILLS

### Speaker Presiding

At 10.58 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1006**—An act to amend Section 7.5 of the Government Code, relating to state boards, commissions, and committees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1286**—An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Chula Vista in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, the construction and maintenance of improvements thereon, and the disposition and expenditure of revenue therefrom, and reserving rights to the State and repealing Chapter 120 of the Statutes of 1925, Chapter 1847 of the Statutes of 1947 and Chapter 593 of the Statutes of 1953.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 567**—An act to amend Sections 12164, 12203, and 12204 of the Government Code, relating to duties and fees of the Secretary of State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1293**—An act to amend Section 3052 of the Civil Code, relating to possessory liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1299**—An act to amend Sections 74302 and 74303 of the Government Code, relating to the municipal court in the Cities of San Carlos and Redwood City.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1033**—An act to amend Section 3044 of, and to repeal Section 9481 of, the Elections Code, relating to municipal elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1237**—An act to amend Sections 61401 and 61402 of, and to add Sections 61402.5 and 61402.6 to, the Government Code, relating to community services district general elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1280**—An act to amend Section 15955 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts by school district governing boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 910**—An act to amend Section 14640 of the Education Code, and Section 14370 of the Education Code as proposed by Senate Bill No. 2, relating to state teachers' disability annuity.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1022**—An act to amend Sections 14522, 14524.1, and 14601, Education Code, and Sections 14152, 14156, and 14301 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1023**—An act to amend Sections 14425, 14521, 14637, 14661, and 14664 of, and to add Sections 14663.2 to, the Education Code, and to amend Sections 14025, 14151, 14363, 14401, and 14405 of, and to add Section 14403.1 to, the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 953**—An act to amend Section 28004 of the Corporations Code, relating to retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 991**—An act to amend Section 4168 of the Business and Professions Code, relating to the practice of pharmacy.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 993**—An act to amend Section 4035 of the Business and Professions Code, relating to the practice of pharmacy.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1239**—An act to add Section 25 5 to the Civil Code, relating to giving of blood donations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1108**—An act to amend Section 620 of the Agricultural Code, relating to cheese.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 912**—An act to amend Sections 14064 and 14068 of, the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 918**—An act to amend Section 14411 of, and to repeal Sections 14110 and 14412 of the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1024**—An act to amend Sections 14251, 14365, and 14366 of, and to repeal Section 14252 of, the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1073**—An act to amend Section 190 of the Streets and Highways Code, relating to the allocation of funds to grade separation projects.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 153**—An act to amend Section 10493 of the Insurance Code, relating to insurance for participants in municipal playground activities.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 675**—An act to add Section 4121.1 to the Health and Safety Code, relating to garbage disposal districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 833**—An act to amend Section 2804 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Heglard, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 203**—An act to amend Section 1096.3 of the Agricultural Code, relating to livestock remedies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 31**—An act to amend Section 28122 of the Government Code, relating to compensation for public service in counties of the twenty-second class.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 277**—An act to add Section 4902.25 to the Education Code, and to add Section 3118.5 to the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

Bill ordered transmitted to the Senate.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 97**: By Mr. Coolidge—Relative to making additional funds available to the Legislative Audit Committee.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 34**: By Messrs. Porter and Levering—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Water.

**Assembly Constitutional Amendment No. 35**: By Messrs. Porter and Levering—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Water.

**Assembly Constitutional Amendment No. 36**: By Messrs. Porter and Levering—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Water.

**Assembly Constitutional Amendment No. 37**: By Messrs. Porter and Levering—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Water.

**Assembly Bill No. 2246**: By Messrs. Grant and Kennick—An act to amend Section 18370 of the Health and Safety Code, relating to trailer coaches.

Referred to Committee on Public Health.

**Assembly Bill No. 2247**: By Mr. O'Connell—An act to amend Section 3546 of the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2248**: By Mr. O'Connell—An act to amend Sections 3572 and 3574 of the Public Utilities Code, relating to regulation of highway carriers by the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2249**: By Messrs. Francis, Thelin, Mulford, Bane, Burke, Conrad, Cusanovich, Miss Donahoe, Messrs. Gaffney, Johnson, Lanterman, Levering, Porter, Reagan, Shell, and Thomas—An act to add Chapter 7.5 commencing with Section 310.01 to Title 9 of Part 1 of the Penal Code, and to amend the heading to Chapter 8 of Title 9 of Part 1 of said code, and to repeal Sections 311, 312, 313, and 314 of, and to add Sections 311 and 311.1 to, said code, and to add Section 535 to the Code of Civil Procedure, relating to obscene and indecent exposure, materials, and performances.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2250**: By Messrs. Francis, Mulford, Bane, Conrad, Backstrand, Beaver, Burke, Chapel, Cusanovich, Miss Donahoe, Messrs. Gaffney, Johnson, Kennick, Lanterman, Levering, Meyers, Porter, Reagan, Rumford, Shell, and Thomas—An act to add Section 311.7 to the Penal Code, relating to distribution of obscene material to minors.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2251**: By Messrs. Francis, Thelin, Hanna, Mulford, Beaver, Belotti, Burke, Conrad, Miss Donahoe, Messrs. Gaffney, Grant, Lanterman, Levering, Meyers, Porter, Reagan, Shell, and Williamson—An act to add Section 311.5 to the Penal Code, relating to use of minors in transactions involving obscene matter.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2252**: By Messrs. Francis, Thelin, Hanna, Mulford, Beaver, Belotti, Burke, Conrad, Miss Donahoe, Messrs. Gaffney, Grant, Lanterman, Levering, MacBride, Meyers, Porter, Reagan, Shell, and Williamson—An act to add Section 311.6 to the Penal Code, relating to tie-in sales of obscene matter.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2253**: By Messrs. Francis, Mulford, Bane, Conrad, Backstrand, Beaver, Burke, Chapel, Cusanovich, Dahl, Miss Donahoe, Messrs. Gaffney, Johnson, Lanterman, Levering, Porter, Reagan, Shell, and Thomas—An act to add Section 535 to the Code of Civil Procedure, relating to injunctions against the preparation and distribution of obscene matter.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2254**: By Mr. McCollister—An act to add Section 71602.5 to the Government Code, relating to consolidation of offices in counties of the twentieth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2255**: By Mr. McCollister—An act to amend Section 24300 of the Government Code, relating to consolidation of county offices.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2256**: By Mr McMillan—An act to add Section 25666 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2257**: By Messrs. Meyers, Z'berg, Belotti, Samuel R. Geddes, and MacBride—An act to amend Sections 21022, 21290, 21292, 21293, 21295, 21363, and 21363.5 of the Government Code, to repeal Sections 21020.5, 21020.6, 21020.7, 21020.75, 21292.5, 21292.7, 21292.75, 21363.7, and 21363.75 thereof, and to add Section 21020.5 thereto, relating to the State Employees' Retirement System in respect to members suffering industrial disability or industrial death.

Referred to Committee on Civil Service and State Personnel.

## CHANGES IN REFERENCES OF BILLS

Speaker Brown ordered Assembly Constitutional Amendment No. 33 referred to the Committee on Water, instead of to the Committee on Constitutional Amendments; and Assembly Bill No. 2245 referred to the Committee on Governmental Efficiency and Economy, instead of to the Committee on Education.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 53

Mr. Beaver moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 53 was passed (Assembly Journal, page 1809).

Assembly Bill No. 53 and the motion to reconsider ordered to the unfinished business file.

## RESOLUTIONS

The following resolution was offered:

By Mr. MacBride:

### House Resolution No. 167

Relative to the commending and congratulating of Charles M. Goethe

WHEREAS, March 28, 1959, will mark the Eighty-fourth Birthday in the brilliant career of Charles M. Goethe; and

WHEREAS, Mr. Goethe, while eminently successful in his chosen occupation in the banking and real estate fields, will always be best remembered for his humanitarian interests; and

WHEREAS, As a naturalist, Mr. Goethe championed the saving of this Country's natural beauty spots and aided in the establishment of the National Park System and wild life refuges; and

WHEREAS, As a scientist, Mr. Goethe has pursued his studies in the Arctic and Antarctic, the jungles of Malaya and South America, the deserts of Africa and America, and in the mountains of the Andes, Rockies, Sierra, Appalachians and Alps; and

WHEREAS, For education, Mr. Goethe and his wife, the late Mary Glide Goethe, have given more than 250 scholarships and have supplied over 2,000 schools with nature study materials; and

WHEREAS, For children, Mr. Goethe was instrumental in establishing the playground system, setting up model playgrounds in this country and in the Orient; and

WHEREAS, His interest in eugenics, genetics and human genetics led to the founding of a magazine and the establishment of a new science; now, therefore, be it

*Resolved by the Assembly of the Legislature of the State of California*, That the Members of this body take the occasion of the Eighty-fourth Birthday of Charles M. Goethe to pay tribute to a career devoted to mankind, and, with the knowledge that his contributions to society are beyond repayment, offer their best wishes for the future; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Charles M. Goethe.

### Request for Unanimous Consent

Mr. MacBride was granted unanimous consent to take up House Resolution No. 167 without reference to committee or file.

Resolution read, and adopted unanimously.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 124
Assembly Bill No. 841
Assembly Bill No. 1258
Assembly Bill No. 1418
Assembly Bill No. 1459

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1275
Assembly Bill No. 1480
Assembly Bill No. 1483
Assembly Bill No. 1498

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 756
Assembly Bill No. 974
Assembly Bill No. 1034
Assembly Bill No. 1329
Assembly Bill No. 1400
Assembly Bill No. 1454
Assembly Bill No. 1481
Assembly Bill No. 1499
Assembly Bill No. 1512
Assembly Bill No. 1513

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 594

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

## EXPLANATION OF ABSENCE

I was absent on some roll calls this morning because I was in the Governor's office.

SHERIDAN N. HEGLAND

## ANNOUNCEMENT

Mr. Winton announced that, even though the Assembly adjourns for the Easter weekend at noon tomorrow, all committee meetings scheduled for tomorrow afternoon should be held as usual.

## ADJOURNMENT

At 11.08 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, March 26, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY

FIFTY-NINTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, March 26, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Our Heavenly Father*, As we commemorate today the first assembly of Christ and His disciples in an upper room, this Assembly room, too, becomes a place where men are held together by important business, the changing of a part of the world. Since no divisive forces in history have been able to destroy the essential unity of Christ and His followers, we venture to pray for unyielding unity among lawmakers in this Legislature that, sharing one far purpose, and welded together by the spirit of service, men may stand shoulder to shoulder, transcending sectionalism and party lines, knowing themselves to be leaders of a great State, citizens of a still greater Nation, part of a world community, members of the human race, children of the Most High God.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Thelin, seconded by Mr. Cusanovich, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. House, on motion of Mr. George A. Willson.

Mr. Johnson, on motion of Mr. Thelin.

Mr. Ernest R. Geddes, on motion of Mr. Conrad.

## ANNOUNCEMENT

Mr. Collier announced that the Passion Play presented by the congregation of the Pioneer Congregational Church during Easter Week was written by Mrs. R. Wilbur Simmons, the wife of the Chaplain of the Assembly; and urged all members to attend the final performance of this beautiful and inspiring play which will be held in the church edifice at 27th and L Streets tonight.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, March 20, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol*

DEAR MR. OHNIMUS: Please refer to your letter dated March 12, 1959, and my acknowledgment dated March 16, relative to the construction of State Highway Route 23 between Soledad Junction and Palmdale as a four-lane freeway.

The need for improvement of this section of state highway has been very forcefully brought to the attention of the California Highway Commission on numerous occasions in the past, especially in providing service to the industrial development in the Antelope Valley and the rapid increase in population to serve this expanding development. The location for this section of Route 23 has previously been adopted by the commission and declared a freeway. The State Highway Engineer has reported to the commission that the design is proceeding on schedule, with the major effort being made on the 13-mile section between Solemint and Red Rover Mine Road. Plans have progressed so that the Division of Highways is in a position to negotiate a freeway agreement with the County of Los Angeles. Anticipating the execution of such an agreement without undue delay, the commission has approved an item of $1,245,000 in the right-of-way program for the present fiscal year and an additional item of $1,500,000 in the right-of-way program for the 1959-60 Fiscal Year, which is available for purchase of right-of-way between U. S. Highway No. 99 and the Kern County Line.

The Department of Public Works operates on an annual budgetary basis and each year the California Highway Commission reviews the requirements on the entire State Highway System and prepares its budget on a priority of needs commensurate, of course, with legal requirements, in the distribution of state highway funds.

It is the intention of the department to complete the preparation of the plans just as rapidly as possible, and to clear the right-of-way, so that construction can be advertised as soon as the funds are made available by the California Highway Commission. The commission is well aware of the need for the improvement of this section of highway and will give it full consideration in preparing the 1960-61 Fiscal Year construction budget.

Respectfully,

ROBERT B. BRADFORD, Director of Public Works

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The following communications were presented by the Chief Clerk from:

Walter Redepenning and Una R. Wood of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

Mr. and Mrs. Judd Bernard of Beverly Hills, relative to air pollution. Referred to the Committee on Public Health.

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Leonard T. Blevins of San Francisco, relative to the budget. Referred to the Committee on Ways and Means.

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Virginia I. Gray of Azusa, relative to adult education. Referred to the Committee on Education.

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Alfred L. Vogan of Los Angeles, relative to vending machines. Referred to the Committee on Revenue and Taxation.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

*Hon. Ralph M. Brown, Speaker*
*and Members of the Assembly*
*State Capitol, Sacramento*

The family of the late John Lowrey acknowledges with deep appreciation your kind expression of sympathy.

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The following communication and opinion of the Legislative Counsel was presented by the Speaker, and ordered printed in the Journal:

**Communication**

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, March 24, 1959

*All members, State Public Works Board*

Attached you will find a copy of an opinion of the Office of the Legislative Counsel pertaining to the various powers and duties of the members of the legislative interim committee meeting with the State Public Works Board. This opinion is incorporated in a memorandum dated March 17, 1959, and was prepared by Lawrence C. Allyn, Deputy Legislative Counsel.

As you know, a similar inquiry was addressed to the Office of the State Attorney General. When an official reply to this letter has been received, copies will be sent to each of the board members.

Yours very truly,

STATE PUBLIC WORKS BOARD
H. C. VINCENT, JR., Administrative Secretary

Attachment

**OPINION OF LEGISLATIVE COUNSEL RELATIVE TO THE STATE PUBLIC WORKS BOARD**

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 17, 1959

*Hon. Bert W. Levit*
*Director of Finance*
*State Capitol, Sacramento*

**State Public Works Board—No. 10089**

DEAR MR. LEVIT: You have called our attention to the provisions of Section 15770 of the Government Code which reads:

"15770. There is in the State Government the State Public Works Board. The board consists of the Director of Finance, the

Director of Public Works, and the Real Estate Commissioner. Two Members of the Senate, appointed by the Senate Committee on Rules, and two Members of the Assembly, appointed by the Speaker, shall meet with and participate in the work of the board to the extent that such participation is not incompatible with their positions as Members of the Legislature. The appointed Members of the Legislature constitute a legislative interim committee on the subject of this part with all the powers and duties imposed upon such committees by the Joint Rules of the Legislature."

You state that uncertainty has arisen as to the extent of the powers and duties of the members of the legislative interim committee meeting with the board pursuant to the section quoted. You have asked us to advise you with respect to those powers and duties and particularly whether the members of the legislative interim committee (1) are members of the board, (2) should be counted for purposes of determining whether a quorum of the board is present, (3) may vote, and (4) as a legislative interim committee or as individual members have any veto power over actions of the board or its nonlegislative members.

It is our opinion that your four specific questions must all be answered in the negative. The basic function of the legislative interim committee created by Section 15770 is to observe the operations of the board and to report back to the Legislature with respect thereto and to exercise such powers as are authorized to be performed by interim committees pursuant to the Joint Rules of the Legislature. We believe that the extent of active "participation" in the work of the board is essentially limited to discussion and recommendations regarding matters which are under consideration by the board.

We think it is clear that the powers and duties of the State Public Works Board, as set forth in the sections of the Government Code immediately following Section 15770, are clearly executive in nature. It likewise should be noted that Section 15770 does not purport to make the members of the legislative interim committee also members of the board and that the section expressly permits them to participate in the work of the board only to the extent that such participation is not incompatible with their positions as Members of the Legislature.

Article III of the Constitution of California provides that the powers of the Government shall be divided into three separate departments—the legislative, executive, and judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others.

Section 19 of Article IV further provides that no Senator or Member of the Assembly shall, during the term for which he shall have been elected, hold or accept any office, trust, or employment under this State; provided, that this provision shall not apply to any office filled by election by the people.

We believe that the Legislature had these constitutional limitations in mind when the provisions of law now codified in Section 15770 of the Government Code were enacted. We believe that any attempt by the

Legislature to allow the members of this interim committee to participate in the work of the board in any such manner as suggested by the specific questions you asked would be held invalid and unconstitutional.

This conclusion finds support in the decision of the Supreme Court of this State in *Parker* v. *Riley*, 18 Cal. 2d 83. In that case, while the court upheld provisions of a statute authorizing legislative members to serve on the California Commission on Interstate Co-operation, it stated (page 88):

> "It must not be assumed, however, that legislative activities may be expanded indefinitely through the creation of separate agencies responsible primarily to the legislature. This sort of expansion would soon lead to a legislative usurpation of power incompatible with the proper exercise of its law-making function. The Constitution forbids any such assumption of duties by the legislative branch of government, and a statute conferring a nonlegislative office or trust upon members of the legislature would be clearly unconstitutional. But under the particular facts set forth, where the responsibilities imposed are merely those of gathering information and making recommendations, we think the duties must be considered incidental to the law-making function. The creation of a separate commission in this instance involved merely the use of new machinery in carrying out a trust already reposed in the Members of the Legislature. Under such circumstances the statute does not fall within the prohibition of the constitutional provisions replied upon, * * *"

This conclusion finds further support in Senate Constitutional Amendment No. 30 of the 1949 Session which appeared on the ballot as Proposition 5 at the General Election of 1950 which would have permitted a Member of the Legislature to "hold office and serve as a member of a board or commission created to apportion or allocate state funds to other state or local agencies." This measure was rejected by the people.

We note that the Attorney General considered very similar questions regarding the California Centennials Commission and reached the same conclusions as those herein expressed (13 Ops. Atty. Gen. 115).

In order to avoid any misunderstanding with respect to legislative participation in the work of the State Public Works Board and other boards performing executive duties, we believe it appropriate to call your attention to the unique status of the State Allocations Board with respect to the allocation of funds for construction of school buildings derived from bond issues. These bond issues were authorized by Sections 15 through 19, inclusive, of Article XVIII of the State Constitution, and in each instance the constitutional amendments authorized the Members of the Legislature who are required to meet with the State Allocations Board to have equal rights and duties with nonlegislative members to vote and act upon matters pending before the board.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following communication be ordered printed in the Journal:

### COMMUNICATION FROM LEGISLATIVE ANALYST

JOINT LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
SACRAMENTO, March 25, 1959

*Hon. Charles Edward Chapel*
*Assemblyman, Forty-sixth District*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN CHAPEL: Pursuant to your letter dated March 25, 1959 we have examined the records on file with this office and find, according to Section 9906 of the Government Code that:

I. Mr. Perry Taft was registered on March 16, 1959 to represent the *Association of Casualty and Surety Companies.* Date of registration is shown as January 23, 1959.

II. Mr. Perry Taft was not registered on March 16, 1959 to represent Mr. Harrison W. Hertzberg.

III. On March 16, 1959 Mr. Perry Taft was not registered to represent the *National Automatic Merchandising Association.*

IV. Mr. Perry Taft was not registered on March 16, 1959 to represent Mr. Herb Beitel.

V. Mr. Perry Taft was not registered on March 16, 1959 to represent Mr. Arch Riddell, Sr., at RYan 1-8084 in Pasadena.

VI. On March 16, 1959 Mr. Perry Taft was not registered to represent as California tax counsel for the *National Automatic Merchandising Association.*

VII. On March 16, 1959 the only firm, organization, or company for which Mr. Perry Taft had registered was the *Association of Casualty and Surety Companies.*

VIII. As of March 16, 1959 we have no record of a Mr. Harrison W. Hertzberg, or Mr. Herb Beitel registered as Legislative Advocates, nor any firm named the *National Automatic Merchandising Association* represented by anyone.

Sincerely,

A. ALAN POST, Legislative Analyst

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 456**—An act to add Section 32109 to the Health and Safety Code, and to amend Sections 4501 and 4501.5 of the Elections Code, relating to hospital districts;

And reports the same correctly enrolled, and presented to the Governor on the twenty-fifth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1203

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 137

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Agriculture

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1376

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 174
Senate Bill No. 400

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1377

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 178

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No 717

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 155
Assembly Bill No. 594
Assembly Bill No. 642
Assembly Bill No 1302
Assembly Bill No 1391

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 403
Assembly Bill No 404
Senate Bill No. 166
Senate Bill No. 212

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BIDDICK, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No 577

With the recommendation: Do pass.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 257
Assembly Bill No 401
Assembly Bill No 1181

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports

Assembly Bill No. 905
Assembly Bill No. 1307
Assembly Bill No 1308

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1144

With the recommendation: That the bill be re-referred to the Committee on Municipal and County Government.

CROWN, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, March 23, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports.

Assembly Bill No. 522

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

**Committee on Public Utilities and Corporations**

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1003
Assembly Bill No 663

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports.

Assembly Bill No. 1184

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 349

With amendments with the recommendation: Amend, and do pass, as amended

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 829

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

CUNNINGHAM, Chairman

Above bill re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 324
Assembly Bill No. 748

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, March 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 9

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 229
Assembly Bill No. 263
Assembly Bill No. 752

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, March 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 138
Senate Bill No. 192
Senate Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, March 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 14

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Joint Resolution No. 14**—Relative to federal highway legislation.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 59

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 59**—An act to add Section 1952.2 to the Code of Civil Procedure, relating to disposition of exhibits.

Referred to Committee on Judicial—Civil.

## MOTION

By unanimous consent, all bills on the Assembly and Senate second reading files were deemed read the second time, with appropriate action taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bill was this day on the second reading file:

**Assembly Bill No. 1203.**

Above bill ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 984**—An act to amend Sections 20655, 20685, 20897, 21100, 21207, 21210, 21251.15 and 21261 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "21210,".

#### Amendment No. 2

On page 4, strike out lines 29 to 48, inclusive.

#### Amendment No. 3

On page 4, line 49, strike out "SEC. 7.", and insert "SEC. 6."

#### Amendment No. 4

On page 5, line 42, strike out "SEC. 8.", and insert "SEC. 7."

#### Amendment No. 5

On page 6, line 20, strike out "SEC. 9.", and insert "SEC. 8."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1415**—An act to add Section 18715 to the Government Code, relating to state employment.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

#### Amendment No. 1

On page 1, line 3, of the printed bill, after "hold", insert "public".

#### Amendment No. 2

On page 1, lines 7 and 8, strike out "in each class of position".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1348**—An act authorizing the State Park Commission to accept the Murphy Home in Sunnyvale as a state historical monument and to provide for its preservation, development, and interpretation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1510**—An act to add Section 13055 to the Health and Safety Code, relating to fires.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 844**—An act to amend Section 8371 of the Fish and Game Code, relating to striped bass.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "inspected, tagged", and insert "imported".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 845**—An act to add Section 8283 to the Fish and Game Code, relating to crabs.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "in the area offshore from Bodega Bay to Moss Beach".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 843**—An act to amend Section 8276 and repeal Sections 8277 and 8279 of the Fish and Game Code, relating to crabs.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "and repeal Sections 8277 and 8279".

Amendment No. 2

On page 1, strike out line 16, and insert

"This section shall remain in effect until the ninety-first day after the final adjournment of the 1961 Regular Session of the Legislature."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1032**—An act to amend Section 3276 of the Fish and Game Code, relating to fish and game.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 650**—An act to amend Sections 151, 152, and 153 of the Water Code, relating to the California Water Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 152,".

**Amendment No. 2**

On page 1, strike out lines 6 to 23, inclusive.

**Amendment No. 3**

On page 1, line 24, strike out "SEC. 3", and insert "SEC. 2".

**Amendment No. 4**

On page 2, after line 9, strike out the balance of the bill.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 140**—An act to add Section 233 to the Water Code, relating to water projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 381**—An act to amend Sections 8851, 8903, and 11204 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county superintendents of schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1101**—An act to add Chapter 14 (commencing at Section 21951) to Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as proposed by Senate Bill No. 2, relating to testing of students attending private secondary schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

NOTE—Assembly Bill No. 1101 was amended later this day. (*See* page 1843.)

**Assembly Bill No. 1548**—An act to add Article 5.5 (commencing at Section 7078) to Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 22 and 23; and on page 2, strike out lines 1 to 7, inclusive, and insert

"7078.2. The bond shall be in an amount of two thousand five hundred dollars ($2,500)."

**Amendment No. 2**

On page 2, strike out lines 23 to 33, inclusive, and insert

"7078.4. A claimant may file a verified claim with the board. Such claim shall be filed within 90 days after the indebtedness upon which the claim is based became due.

7078.5. After a claim is filed, the board, in writing, shall make a demand upon the contractor to pay the amount claimed.

7078.6. If the demand of the board is not satisfied within 30 days after being made, the claimant may bring an action for recovery in a court of competent jurisdiction against the contractor and the surety on the bond. If the claim is for wages the Labor Commissioner shall bring the action on behalf of the unpaid worker."

**Amendment No. 3**

On page 2, between lines 37 and 38, insert

"7078.8. Any reference by a contractor in his advertising, soliciting, or other presentments to the public to the bond required to be filed pursuant to this article is a ground for the suspension of the license of such contractor.

7078.9. This article shall not apply to a contractor possessing an inactive license. As used in this section, an inactive license means a license for which the required fee has been paid but which has been made inactive by the filing by the licensee with the board in the manner prescribed in the rules and regulations of the board of an affidavit of "non-use."

7078.10. Each licensee shall be required to file only one bond of the type described in this article."

**Amendment No. 4**

On page 2, line 38, strike out "7078.8", and insert "7078.11".

**Amendment No. 5**

On page 2, after line 41, insert

"7078.12. The filing of a claim against a contractor as provided in this article is a ground for the suspension of the license of such contractor. The board may require the contractor to file a new bond in an amount not to exceed ten thousand two hundred dollars ($10,200).

7078.13. The proceeding under this article for the suspension of a license shall be conducted in accordance with Chapter 5 (commencing at Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1287**—An act to amend Section 54955 of the Government Code, relating to meetings of legislative bodies.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1332**—An act to amend Section 9530 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 203**—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "both" and "and off-sale".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1264**—An act to add Section 23428 9 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 83**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and to amend Section 325 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered to third reading.

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read second time, and ordered to third reading.

**Senate Bill No. 482**—An act to amend Sections 8514, 8562, 8564, 8565, 8566, and 8651 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 52**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Senate on February 25, 1959, after "section", insert "If the total amount in any fiscal year as computed under this section shall exceed two hundred fifty thousand dollars ($250,000), the amounts payable to the several counties shall be ratably reduced so as to limit the total amount payable hereunder to the sum of two hundred fifty thousand dollars ($250,000)."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 1348,** subsequent to engrossment.

**Assembly Bill No. 140.**

**Senate Bill No. 83.**

## REPORTS OF STANDING COMMITTEES

### Committee on Social Welfare

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1284

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 120
Assembly Bill No. 617

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 961
Assembly Bill No. 1394

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 92**—An act to add Article 6 (comprising Sections 11660 to 11663, inclusive) to Chapter 2, Division 14 of, and to amend Section 11649 of, the Elections Code, relating to interference with initiative, referendum, and recall.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 92?

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly February 16, 1959, after "of", insert ", and to amend Section 11649 of,".

### Amendment No. 2

On page 1, line 8, after "who", insert "threatens to commit an assault or battery on".

### Amendment No. 3

On page 1, strike out lines 9 to 13, inclusive.

### Amendment No. 4

On page 1, line 14, strike out "such circulator", and insert "a person circulating a referendum, initiative, or recall petition".

### Amendment No. 5

On page 1, lines 15 and 16, strike out ", for such purpose, or who does, in fact, inflict any such harm for such purpose," and insert ", with the intent to dissuade the circulator from circulating the petition or in retribution for such circulation,".

### Amendment No. 6

On page 2, line 2, strike out "felony", and insert "misdemeanor".

### Amendment No. 7

On page 2, after line 8, insert

"SEC. 2. Section 11649 of said code is amended to read:

11649. Every person who subscribes to any initiative, referendum or recall petition or to any nominating petition a fictitious name, or who subscribes thereto the name of another, *or who causes another to subscribe such a name to such a petition*, is guilty of a felony and is punishable by imprisonment in the state prison for not less than one nor more than 14 years."

### Amendment No. 8

On page 1, line 15, of the printed bill, as amended in the Senate on March 11, 1959, after the second "or", insert "to inflict damage".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 92 by the following vote:

AYES—Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, McCollister, McMillan, Miller, Mulford, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 92 ordered enrolled.

**Assembly Bill No. 262**—An act to add Section 55109 to the Water Code, relating to investigations and reports regarding proposed county waterworks districts or annexations thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 262?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "to enable the property owners to sponsor a proposal".

Amendment No. 2

On page 1, line 11, strike out "districts", and insert "a district".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 262 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, McCollister, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—49.
NOES—None.

Assembly Bill No. 262 ordered enrolled.

**Assembly Bill No. 888**—An act to amend Sections 1010 and 1011 of, and to add Section 1011.5 to, the Agricultural Code, relating to spray residue.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 888?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on March 6, 1959, after "justified.", insert "Until a different permissible tolerance is established by rules and regulations of the director pursuant to this article, the permissible tolerances for fresh and dried fruits, vegetables, hay, fodder, or feedstuffs are as follows: flourine, 7 parts per million; arsenic, expressed as arsenic trioxide, 3.5 parts per million; lead, 7 parts per million; dichlora-diphenyl-trichloroethane (DDT), 7 parts per million."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 888 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Conrad, Coolidge, Crawford, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Kennick, Lanterman, Lowrey, Lunardi, Marks, McCollister, McMillan, Miller, Mulford, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—48.
NOES—None.

Assembly Bill No. 888 ordered enrolled.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 53 CONTINUED

Mr. Beaver was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 53 be continued until the next legislative day.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 2050

Mr. McCollister moved to expunge the record, and rescind the action whereby the Assembly, on March 25, 1959 (Assembly Journal,

pages 1771 and 1772), read Assembly Bill No. 2050 the second time, and adopted the amendments offered by Mr. McCollister.

Motion carried by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. McCollister moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 2050 may be acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

## CONSIDERATION OF ASSEMBLY BILL NO. 2050

**Assembly Bill No. 2050**—An act to amend Section 12.1 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949) and to repeal Section 3 of Chapter 43 of the Statutes of the 1956 First Extraordinary Session, relating to the Sonoma County Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 12 1 of", and insert "add Section 12.2 to".

### Amendment No. 2

In the title, strike out lines 3 and 4, and insert "Statutes 1949), relat-".

### Amendment No. 3

On page 1, line 1, strike out "12.1 of", and insert "12.2 is added to".

### Amendment No. 4

On page 1, line 3, strike out "is amended", and insert a comma.

### Amendment No. 5

On page 1, line 4, strike out "12.1", and insert "12 2".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Hegland was granted unanimous consent to take up further consideration of Assembly Bill No. 1101, for purpose of amendment.

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1101

**Assembly Bill No. 1101**—An act to add Chapter 14 (commencing at Section 21951) to Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as proposed by Senate Bill No. 2, relating to testing of students attending private secondary schools, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Mr. Hegland moved the adoption of the following amendments:

#### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on March 19, 1959, strike out "as proposed by Senate Bill No. 2", and insert "as enacted by the Legislature at its 1959 Regular Session".

#### Amendment No. 2

On page 1, line 8, strike out "21851", and insert "21951"

#### Amendment No. 3

On page 1, line 14, strike out "21852", and insert "21952".

#### Amendment No. 4

On page 2, lines 7 and 8, strike out "as proposed by Senate Bill No 2", and insert "as enacted by the Legislature at its 1959 Regular Session".

#### Amendment No. 5

On page 2, strike out lines 30 to 36, inclusive, and insert

"SEC. 3. Section 2 of this act shall become operative at the same time as the Education Code as enacted by the Legislature at its 1959 Regular Session takes effect, at which time Chapter 14 of Division 10 of the Education Code as added by Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

#### Speaker pro Tempore Presiding

At 9.53 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### INTRODUCTION OF GUEST

Mrs. Pauline L. Davis introduced her son, John Rodney Davis, to the Members of the Assembly.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1196**—An act to amend Sections 4703, 4704, 4705, 4706, 4707, 4708, 4709, 4710, 4711, and 4713 of, and to add Sections 4702.5 and 4713.5 to, the Revenue and Taxation Code, relating to the distribution of property tax levies and assessments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson,

McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 297**—An act to amend Section 30350 of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to reconstruction of the San Mateo-Hayward Bridge declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.
NOES—None.

**Motion to Amend Title**

Mr. Francis moved the adoption of the following amendments to the title:

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on March 24, 1959, strike out "reconstruction of".

**Amendment No. 2**

In line 4 of the title, strike out "Bridge", and insert "and Dumbarton Bridges,".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 1454**—An act to amend Section 208.1 of the Vehicle Code and to amend Section 11715 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicle license plates for manufacturers and dealers.

Bill read third time.

***Motion to Amend***

Mr. Lunardi moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 208.1 of the Vehicle Code and to".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 20, inclusive; and one page 2, strike out lines 1 to 22, inclusive, and insert

"SECTION 1. Section 11715 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 3, line 7, strike out "subdivision (a) of".

**Amendment No. 5**

On page 3, strike out lines 10 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 336**—An act to add Section 68110 to the Government Code, relating to judges.

Bill read third time, and refused passage by the following vote:

AYES—Biddick, Bradley, Busterud, Collier, Conrad, Cusanovich, Elliott, Francis, Hawkins, Kilpatrick, Lanterman, Marks, Petris, Sumner, Thelin, and George A. Willson—16.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Cameron, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Grant, Hegland, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—53.

~~Bill ordered transmitted to the Senate.~~

NOTE—A motion to reconsider Assembly Bill No. 336 was offered later this day. (*See* page 1858.)

**Assembly Bill No. 614**—An act to amend Section 11005 of, and to add Section 11005.6 to, the Revenue and Taxation Code, relating to allocations to counties from the Motor Vehicle License Fee Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 816**—An act to amend Sections 16305.5 and 16480 and to repeal Section 16305.6 of the Government Code, relating to money in treasury trust accounts and the investment thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, Holmes, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris,

Rees, Rumford, Schrade, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Don A. Allen was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 816.

**Assembly Bill No. 914**—An act to amend Sections 7231, 7232, 7235, 7236, and 7239 of, and to add Sections 7231.1 and 7240 to, the Education Code, and to amend Sections 20201, 20202, 20205, 20206, and 20209 of, and to add Sections 20201.1 and 20210 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to junior college tuition, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1178**—An act to add Article 8 (commencing at Section 10251) to Chapter 4 of Division 8 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposal of old high school textbooks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT

Mr. Nisbet announced that today was the birthday of Mr. Thomas M. Rees, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Rees.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1200**—An act to amend Section 44.1 of the Vehicle Code, and to amend Section 205 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of "authorized emergency vehicle."

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 880**—An act to add Section 1773.3 to the Labor Code, relating to prevailing wage rates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1066**—An act to amend Section 12025 of the Education Code, and Section 13101 of the Education Code as proposed by Senate Bill No. 2, relating to accreditation of teacher training institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 945**—An act to amend Section 3332 of the Welfare and Institutions Code, relating to the administration and use of the California Industries for the Blind Manufacturing Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1512**—An act to amend Section 9740 of the Government Code, relating to compilation of legislative manual.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1513**—An act to amend Section 9020 of the Government Code, relating to the Legislature; the members, officers, and employees thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1034**—An act to amend Section 1203.4 of the Penal Code, relating to the release from penalties and disabilities of a person who has completed probation.

Bill read third time.

**Speaker Presiding**

At 11.03 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hegland, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks,

Masterson, McCollister, Meyers, Mulford, Munnell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Williamson, George A. Willson, and Z'berg—51.

NOES—George E. Brown, Cameron, Crown, Elliott, Garrigus, Hanna, Kennick, McMillan, Miller, Nisbet, O'Connell, Petris, Rees, Sumner, Waldie, and Winton—16.

Bill ordered transmitted to the Senate.

### Explanation of Vote on Assembly Bill No. 1034

I was called from the Assembly Chamber during the debate on Assembly Bill No. 1034. The roll was closed when I returned a few minutes later. I opposed this bill in committee and would have done so on the roll call had I been present.

PHILLIP BURTON

**Assembly Bill No. 1400**—An act to add Section 556 to the Welfare and Institutions Code, to amend Section 744 of the Vehicle Code, and to amend Section 1803 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the jurisdiction of minors involved in traffic offenses.

Bill read third time.

### Motion to Amend

Mr. Backstrand moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the title of the printed bill, strike out "to amend Section 744 of the Vehicle Code,".

### Amendment No. 2

In lines 3 and 4 of the title, strike out "proposed by Assembly Bill No 5", and insert "enacted by the Legislature at the 1959 Regular Session".

### Amendment No. 3

On page 1, line 5, after "vehicle", insert "unless the violation involves a felony".

### Amendment No. 4

On page 1, line 6, strike out "744 of the Vehicle Code", and insert "1803 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

### Amendment No. 5

On page 1, strike out lines 8 through 19, inclusive; and on page 2, strike out lines 1 through 18, inclusive.

### Amendment No. 6

On page 2, strike out lines 35 through 39, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 756**—An act to amend Section 24200 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

### Demand for Previous Question

Messrs. Grant, Bee, Lunardi, Luckel, and Cusanovich demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—48

NOES—Bradley, Burke, Chapel, Collier, Cusanovich, Holmes, Levering, Lowrey, Mulford, Reagan, Shell, and Thelin—12.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 148

By Messrs. Marks, Busterud, Gaffney, Meyers, O'Connell, and Burton:

### House Resolution No. 148

Relative to congratulating Maurice and Anna Moskovitz

WHEREAS, The life and achievements of Maurice Moskovitz are most worthy of emulation for he is a living example of the great tradition of America of great success coming from diligent effort even though beginning in most humble circumstances; and

WHEREAS, Maurice Moskovitz, from the time he aided in the rebuilidng of San Francisco after the earthquake and fire of 1906 to his present numerous business activities has always striven to better his community and aid his community not only through his activities in the business world but also by serving on the Selective Service Board since 1941, the Boy Scout Advisory Board for five years, many Community Chest teams, 15 years in adult probation boards, three terms as Golden Gate Bridge director; seven years on the O. P. A. rent board, and on the City Charter Revision Committee; and

WHEREAS, Maurice Moskovitz fondly cherishes the memory of putting painters to work on a Fillmore Street building at the bottom of the depression, and using this as the inspiration going on to develop the "immediate relief" plan of 1934 for government-backed low interest loans to rehabilitate private property and put the jobless to work, which won him Congressional Record mention; and

WHEREAS, Through all of these accomplishments and efforts Maurice Moskovitz has had the constant aid and companionship of his devoted wife, Anna; and

WHEREAS, Anna and Maurice Moskovitz on March 7, 1959, together with their fine children, Alfred and Leonard Moskovitz, and Mrs. William Wishan and their grandchildren observed a most noteworthy occasion, the celebration of their Fiftieth Wedding Anniversary; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Maurice and Anna Moskovitz are heartily congratulated on the Fiftieth Wedding Anniversary and are sincerely commended for their activities toward bettering their community and State; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Maurice and Anna Moskovitz.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 158

By Messrs. Mulford, Rumford, Bee, and MacBride:

### House Resolution No. 158

Relative to congratulating and commending Mr. James B. Black

WHEREAS, Mr. James B. Black has been named Alumnus of the Year of the University of California upon the recent occasion of the Ninety-first Annual University Charter Day Banquet in San Francisco for his contributions to the development of western power resources and pioneering the establishment of privately financed nuclear power plants, and for his support of education; and

WHEREAS, James B. Black graduated from the University of California in 1912 and began his career as a service inspector for the Great Western Power Company; and

WHEREAS, Mr. Black rose rapidly through the ranks to become Vice President of the Western Power Corporation in 1926 and of the North America Company from 1927 to 1935; and

WHEREAS, He subsequently was selected as president, director and member of the executive committee of the Pacific Gas and Electric Company, in which capacity he served until 1955; and

WHEREAS, In 1955, Mr. Black became Chairman of the Board of the Pacific Gas and Electric Company; and

WHEREAS, He is a director of the Southern Pacific Company, the Fireman's Fund Insurance Company, the United States Steel Corporation, the Chemical Corn Exchange Bank, the Equitable Life Assurance Society, the Del Monte Properties Company, the California Pacific Title Insurance Company, and the Shell Oil Company; and

WHEREAS, Mr. Black is presently a member of many charitable, social, and fraternal organizations and has taken part in public affairs from the local to the national level; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly hereby congratulate and commend Mr. James B. Black as an outstanding

citizen of this State and of the United States whose career is an example of achievement and success which is an inspiration to the people of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. James B. Black.

Resolution read, and adopted unanimously.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 9**—An act to add Section 6865 to the Vehicle Code and to repeal Section 16275.5 of the Education Code, relating to the painting of buses formerly used as school buses.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 155**—An act to add Article 4.7 (commencing with Section 11750) to Chapter 7 of Division 10 of the Health and Safety Code, relating to narcotic treatment-control units.

Bill read third time, and presented by Mr. Cunningham:

Bill passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 91**—An act to amend Section 8819.5 of the Education Code, and Section 5703 of the Education Code as proposed by Senate Bill No. 2, relating to junior colleges.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 442**—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Bill Placed on the Inactive File**

On motion of Mr. Waldie, Senate Bill No. 442 was placed on the inactive file.

## CONSIDERATION OF CONSENT CALENDAR

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 660**—An act to amend Sections 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463 and 6500 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1357**—An act to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to bonds of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 14**—Relative to civil defense.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Resolution ordered transmitted to the Senate.

### NOTICE OF MOTION TO ADJOURN

Mr. Winton announced that upon completion of the desk work, he would move that the Assembly adjourn until 10 a.m. on Monday, March 30, 1959.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Frew was granted unanimous consent that the following letter of transmittal and report be ordered printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 19, 1959

*Hon. Ralph Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The Assembly Legislative Representation Committee has met and is herewith submitting a Progress Report for consideration of the Members of the Assembly.

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal.

Respectfully submitted,

MYRON H. FREW, Chairman
CHARLES H. WILSON, Vice Chairman
CHARLES EDWARD CHAPEL
CARLOS BEE
WALTER I. DAHL

encl.

### PROGRESS REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Assembly and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and unless good cause to the contrary is shown, all of the persons named in this report are entitled to have this committee grant to each a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

#### Legislative Advocates

ANDERSON, CARL A., 464 Clementina Street, San Francisco 3
Heidelberg Pacific, Inc.

ANDREWS, WILLIAM S., El Mirador Hotel, Sacramento
California Electric Power Company
Pacific Gas & Electric Company
San Diego Gas & Electric Company

BARNES, ALBERT E., Route 2, Box 1885, Florin
The Shop Crafts Legislative Committee
BARRI, HENRY C., 4424 14th Avenue, Sacramento
The Shop Crafts Legislative Committee
BELL, WILLIAM D., 951 Franville Avenue W., Los Angeles
California Parents Association for Child Care Centers
BLAKELY, FRANCIS H., 1617 P Street, Sacramento
Independent Garage Owners of California, Inc.
BLALOCK, J. T., El Mirador Hotel, Sacramento
Pacific Indemnity Company
BOOKMAN, JOE, 206 South Spring Street, Los Angeles 12
Los Angeles County Peace Officers Protective Association
BREYER, IRVING G., 135 Van Ness Avenue, San Francisco
San Francisco Board of Education
BULLOCK, R. J., 1020 8th Street, Sacramento
California Association of Collectors, Inc.
CARSON, WILLIAM C., P. O. Box 800, Modesto
Travel Trailer Clubs of America, Inc.
CHILDERS, ALONZO, 1325 15th Street, Sacramento
California Institute of Social Welfare
CLAYPOOL, LESLIE E., Hotel Senator, Sacramento
City of Los Angeles
CONN, ZEL, Senator Hotel, Sacramento
American Building Contractors Association, Inc.
American Institute of Building Design
National Overhead Door Association, Inc.
COOK, ROBERT J., 927 10th Street, Suite 311, Sacramento
California Federation of Service Stations
DIFANI, GEORGE D., 6816 Stanley Avenue, Carmichael
Salmon Unlimited
EBERHARD, RAY C., Senator Hotel, Sacramento
Affiliated Teacher Organizations of Los Angeles
EDWARDS, R. J., Park Mansions Apt., Sacramento
California Marine Parks and Harbors Association
ELLIOT, JESSE H., Crest Theatre, Sacramento
Fox West Coast Theatres Corp.
ELLIS, DAVID A., 910 19th Street, Sacramento
Independent Garage Owners of California, Inc.
EPLEY, GARLAN, P. O. Box 389, Marysville
California Association of Collectors, Inc.
FLETCHER, JOHN R , 1326 N Street, Apt. 37, Sacramento
California Council of the Blind
FLEURY, GORDON A., 926 J Bldg., Sacramento 14
Referees of the Industrial Accident Commission (Association of)
FLUHARTY, JESSE E., Forum Bldg., Sacramento
California Association of Recreation and Park Districts
GARDNER, JAMES N., 4124 22d Street, Sacramento
California Retired Teachers Association
GELBER, LOUISE C., 112 Lexington Avenue, El Monte
California Federation of Business and Professional Women

GENSER, JOSEPH, 340 11th Street, Richmond
California State Federation of Teachers
GIBBENS, C. M., Regis Hotel, Room 304, Sacramento
Brotherhood Railway Carmen of America
GIBBS, CHARLES E., 25 California Street, Room 246, San Francisco 11
Associated Farmers of California, Inc.
GILL, JOSEPH C., 727 W. Seventh Street, Los Angeles
California Association of Recreation and Park Districts
GOFOURTH, JAMES D., 350 Bush Street, San Francisco 4
California State Chamber of Commerce
GUY, ARTHUR D., JR., 202 South Hamilton Drive, Beverly Hills
Fountain Freezer Association
HAGGERTY, GERALD P., El Mirador Hotel, Sacramento
California Grocers Association
HART, FRED J., 2454 Van Ness Avenue, San Francisco 9
National Health Federation
JAMES, LEONARD G., 310 Sansome Street, San Francisco 4
California Marine Parks and Harbors Association
JENKINS, THOMAS M., Senator Hotel, Sacramento
North Coast County Water District
JONES, ROBERT H., 821 Market Street, San Francisco
California Association of Collectors, Inc.
KAITZ, WALTER, 2011 Yale Street, Sacramento
California Broadcasters Association, Inc.
KENNEDY, ANTHONY J., 635 Forum Bldg., Sacramento
California Association of Tobacco Distributors, Inc.
KILROY, DR. DAN O., 3300 3rd Avenue, Sacramento
California Medical Association, Committee on Legislation
KNOX, PHIL, JR , 1107 9th Street, Sacramento
California Manufacturers Association
KOZELISKI, FRANK "KAY", 1700 South Wall Street, Los Angeles 15
Heidelberg Pacific, Inc.
KRAMM, ERNEST G., 1010 25th Street, Sacramento
National Electrical Contractors Association
LAWRENCE, RICHARD J., 900 Forum Bldg., Sacramento
L. A. Walker Company
LETSON, ED, P. O. Box 1007, Norwalk
California Association of Collectors, Inc.
LINDSAY, FRANCIS C., P. O. Box 457, Loomis
South Sutter Water District
LONG, STANLEY E., Senator Hotel, Sacramento
Travel Trailer Manufacturer's Council, Inc.
MCCLURE, WARREN A., Senator Hotel, Sacramento
North Coast County Water District
MCFARLAND, JOHN P., Senator Hotel, Sacramento
National Fraternal Congress of America
MCGILVRAY, KENNETH G., 714 Forum Bldg., Sacramento
Credit Managers Association of Southern California
MCMILLAN, E. A., Room 304, Regis Hotel, Sacramento
Brotherhood of Railway and Steamship Clerks
MADIGAN, EUGENE C., Senator Hotel, Sacramento
International Association of Machinists

MARCUS, PAUL M., 228 E. 7th Street, Long Beach 13
Long Beach City Employees' Association, Inc.
MARSH, WM. F. & ASSOCIATES, 617 South Olive, Los Angeles 14
Helen Edwards & Staff Employment
Ocean Fish Protective Association
MARTIN, BEN D., Room 240, 11th and L Bldg., Sacramento
California Newspapers Publishers Association
MARTIN, THEODORE W., P. O. Box 112, Whittier
State Highway Employees' Association
MATCHAN, DON C., 2454 Van Ness Avenue, San Francisco 9
National Health Federation
MILLER, HOWARD E., 821 South Pacific Avenue, San Pedro
San Pedro Fisheries Institute
MOWER, MRS. JAN, 215 4th Street, Rodeo
California Boating Council, Inc.
MOYSE, RALPH E., 414 Front Street, San Francisco
Wholesale Fruit and Produce Dealers Association of San Francisco
MULKEY, GEORGE A., Senator Hotel, Sacramento
International Brotherhood of Electrical Workers
MUNRO, RUSSELL S., 5329 Caleb Avenue, Sacramento
California State Restaurant Association
NIELSEN, ROY J., 309 Bank of America Bldg., Sacramento
Sacramento Printing Pressman & Assistants Union 60
NIZETICH, ANTHONY V., Senator Hotel, Sacramento
Fisherman's Cooperative Association
O'CONOR, JOHN, 607 South Hobart Blvd., Los Angeles 5
Trailer Coach Association
POTTORFF, GEORGE B., Room 531, 11th and L Bldg., Sacramento
Pan American World Airways
READ, EUGENE A., Forum Bldg., Sacramento
California Manufacturers Association
REDWINE, KENT H., El Mirador Hotel, Sacramento
Trailer Coach Association
REEDER, FAY S., Crest Theatre, Sacramento
Fox West Coast Theatres, Corp.
SAMUELS, TOM, 222 South 2nd Street, San Jose
Building Material Dealers Association
SANTOCONO, GALE, 352 Golden Gate Avenue, San Francisco
California Society of Designers, Inc.
SCHUMACHER, THOMAS C., JR., Senator Hotel, Room 219, Sacramento
California Trucking Associations, Inc.
SHERMAN, ROBERT M, 14 West 41st Avenue, San Mateo
California Society of Designers, Inc.
STORFER, GEORGE E., 1700 South Wall Street, Los Angeles
Heidelberg Western Sales Company
SWEIGERT, WILLIAM THOMAS, JR., 616 Eye Street, Sacramento
Canners League of California
VIAL, DONALD, Suite 301-2 Senator Hotel, Sacramento
California Labor Federation, AFL-CIO

WARD, BERNARD J., Senator Hotel, Sacramento
City and County of San Francisco
WARD, FREDERICK H., 139 N. Broadway, Los Angeles 12
Los Angeles County Employees Association
League of County Employee Associations
WELLER, FRANK C., El Mirador Hotel, Sacramento
Credit Manager Association of Southern California
WHITAKER, ALFRED A., 3985 McKinley Blvd., Sacramento
California Beverage Retailers Association
WHITMER, HOLLIS J., 2131 University Avenue, Berkeley 4
Corporation Unemployment Tax Service
WOOD, MRS. LYDIA A., 8589 Burton Way, Los Angeles 48
Women's Christian Temperance Union of Southern California
WYMAN, EUGENE L., 118 South Beverly Drive, Beverly Hills
California Association of Chiropodists, Inc.
YOUNG, MARY E., 604 9th Avenue, San Francisco 9
California Parents Association for Child Care Centers

## RESOLUTIONS

The following resolution was offered:

By Messrs. MacBride, Bruce F. Allen, Backstrand, Beaver, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Mrs. Davis, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Porter, Reagan, Rees, Rumford, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Winton:

### House Resolution No. 168

Relative to the thirtieth wedding anniversary of Dolly Mary Helen Smith

WHEREAS, Thirty years ago, on March 27, 1929, Dolly Mary Helen Smith, the efficient and charming Secretary of our Chief Clerk, Arthur A. Ohnimus, entered into the bonds of holy matrimony with Donald Smith; and

WHEREAS, Dolly Smith has always been a loving and faithful wife, a shining example of motherhood, and a true and loyal citizen of the United States and of the State of California; and

WHEREAS, Throughout the entire 30 years of this wonderful marriage Dolly Smith has had a cheerful and sunny disposition, a sweet smile, and a kind word for everyone; and

WHEREAS, Dolly Smith has been blessed with a devoted husband, who has contributed greatly to her happiness by his love, understanding and wisdom, and with a handsome son, Alan; now, therefore, be it

*Resolved by the Assembly of the State of California*, That we, the Members, hereby extend to Dolly Mary Helen Smith and to her fortunate husband, Donald Smith, our warmest felicitations on their thirtieth wedding anniversary, and wish them many more years of connubial bliss and parental joy.

### Request for Unanimous Consent

Mr. MacBride was granted unanimous consent to take up House Resolution No. 168 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Samuel R. Geddes was granted unanimous consent to take up Assembly Bill No. 466, previously passed on file.

### CONSIDERATION OF ASSEMBLY BILL NO. 466

**Assembly Bill No. 466**—An act to add Article 3.5 (commencing with Section 1221) to Chapter 1, of Division 6, of the Military and Veterans Code, relating to the construction of halls, buildings and meeting places by veterans' memorial districts.

Bill read third time.

#### Motion to Amend

Mr. Samuel R. Geddes moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on March 24, 1959, strike out "of", and insert "is added to".

#### Amendment No. 2

On page 1, line 2, strike out "is added to", and insert "of".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 336

Mr. Francis moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 336 was refused passage. (Assembly Journal, page 1845.)

Assembly Bill No. 336 and the motion to reconsider ordered to the unfinished business file.

### RESOLUTIONS

The following resolutions were offered:

By Messrs. MacBride and Z'berg:

#### House Resolution No. 169

Relative to congratulating John McNamara

WHEREAS, The Members of this House have learned with pleasure that John McNamara has been appointed Manager of the Lewiston, Idaho, baseball team; and

WHEREAS, Mr. McNamara has distinguished himself as an outstanding baseball player, starting in his school days with Christian Brothers School, Sacramento Junior College, and Sacramento State College, and continuing into his career as a professional baseball player with the Sacramento Solons and the St. Louis Cardinals, where he played as a catcher for two years; and

WHEREAS, John McNamara has been well and favorably known to members of the California Legislature as an employee of the Legislative Bill Room during the 1959 Regular Session; and

WHEREAS, John McNamara appears to have a long and glowing future in baseball, particularly for one of Irish ancestry; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House wishes John McNamara Godspeed and best wishes in his endeavors as Manager of the Lewiston, Idaho, baseball team this season; and be it further

*Resolved*, That the Assembly of the State of California congratulates the town of Lewiston for acquiring such a distinguished Irish baseball player as John McNamara of Sacramento; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to John McNamara.

Resolution read, and referred to the Committee on Rules.

By Messrs. Bee, Dahl, Miss Donahoe, Messrs. Lowrey, Miller, Garrigus, Nisbet, and Conrad:

#### House Resolution No. 170

Relative to the driver education program

*Resolved by the Assembly of the State of California*, That the Assembly Rules Committee is hereby directed to refer to the appropriate Assembly interim committee for study, the transfer of the driver education program, as presently contained in

Article 6 (commencing at Section 8101) of Chapter 3 of Division 7 of the Education Code as enacted by the Legislature at the 1959 Regular Session, from the Department of Education to the Department of Motor Vehicles. The designated interim committee shall conduct a study of the costs, administrative problems, and other pertinent factors, including the possibility of expanding the program to provide instruction for persons other than school students, and shall report its findings and recommendations to this body during the first week of the 1960 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Messrs. Hegland, Luckel, Schrade, and Crawford:

**House Resolution No. 171**

Relative to the retirement of Oceanside's Fire Chief, Walter Johnson

WHEREAS, It has come to the attention of the Legislature that Walter Johnson has retired from his position as the Fire Chief of the City of Oceanside; and

WHEREAS, This outstanding figure has been one of the best fire chiefs the State of California has ever know; and

WHEREAS, He was born on January 1, 1894, in Chicago, Illinois, and came to California in 1908 when a mere youth of 14 years of age; and

WHEREAS, On April 20, 1919, Walter Johnson and Virgina Everett entered into the bonds of holy matrimony and the couple will soon be celebrating their fortieth wedding anniversary; and

WHEREAS, Walter Johnson has always been a foremost citizen of Oceanside, easily recognizable by his size, his booming voice, flashy car, dark shirt, broad-brimmed hat, and frank manner; and

WHEREAS, Walter Johnson has been a key figure in every important event that has taken place in Oceanside for several years and he has been the personage whose opinion has been constantly sought on many problems because of his famous reputation for being an outspoken and respected authority on water problems, personnel problems, police problems, and local political problems; and

WHEREAS, Walter Johnson has devoted most of his life to serving his community and the State of California, including service as a county fire warden for three years, a deputy state fire marshal, a member of the State Fire Advisory Board for three years, a Past Exalted Ruler of the Oceanside Elks Lodge, a director of the Oceanside Chamber of Commerce, a member of the Masonic Lodge, and a Vice President of the Milk Producers' Association of San Diego County; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Walter Johnson for his outstanding and devoted service to his community and to the people of the State of California and wish him many happy years of retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Walter Johnson, to his daughter, Mrs. Marjorie Penning, to the Mayor of the City of Oceanside, and to the publisher of the *Daily-Blade Tribune* in the City of Oceanside.

Resolution read, and referred to the Committee on Rules.

By Messrs. Conrad and Bane:

**House Resolution No. 172**

Relative to the traffic problem at the terminal points of the Ventura Freeway

WHEREAS, The extension of the Ventura Freeway to Laurel Canyon Boulevard has been recently opened to vehicular traffic; and

WHEREAS, The temporary ending of the freeway at that point has resulted in an extremely hazardous situation on the residential streets now required to handle traffic from and to the freeway; and

WHEREAS, Traffic proceeding to the freeway travels at dangerously high speeds for the neighborhood and encroaches on the rights of residents of the area in the peaceful enjoyment of their property; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body requests the Department of Public Works to investigate the traffic problem at the present terminal point of the Ventura Freeway at Laurel Canyon Boulevard and to take steps, as soon as possible, to remedy the present hazardous situation there; and be it further

*Resolved*, That the department is directed to study the possibility of constructing a new on-ramp to the Ventura Freeway from the state-owned property to the south; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works and the California Highway Commission.

Resolution read, and referred to the Committee on Rules.

By Miss Donahoe and Mr. Williamson:

**House Resolution No. 173**

Relative to the death of Albert S. Goode

WHEREAS, Members of the Assembly were deeply grieved at the passing of Albert S. Goode; and

WHEREAS, Mr. Goode was born in Santa Maria, California, January 26, 1880, and attended the schools in Santa Barbara County and was graduated from the Kern County Union High School; and

WHEREAS, He was a recognized leader in agriculture, dairying and the cattle business, being instrumental in forming the Kern County Cattlemen's Association, and having made substantial contributions in the improvement of the cattle herds of Kern County and in fostering uniform trade laws and uniform grading in the beef and cattle industry; and

WHEREAS, He assisted in the formation of the first dairy organization in this State, in 1934 represented the dairy industry for 11 western states, and for many years served as President of the Fifteenth Agricultural District; and

WHEREAS, In recognition of Mr. Goode's contributions and endeavors the Bakersfield Post No. 26 of the American Legion named him Citizen of the Year in 1950 and in 1953 he was voted Kern Cattleman of the Year; and

WHEREAS, Mr. Goode was affiliated with the Masonic Lodge, the Elks Lodge, and the Bakersfield Rotary Club, and took an active interest in young people and encouraged the activities of the 4H Club and the Future Farmers; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of Albert S. Goode and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his widow, Margaret Goode.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 98**: By Mr. Pattee, and Senator Farr, co-author—Relative to the planting of salmon in the Salinas River.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 38**: By Messrs. Masterson, House, Britschgi, and Pattee—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to local government.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2258**: By Mr. Winton—An act to add Section 5002.7 to the Elections Code, relating to campaign contributions.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2259**: By Mr. Winton—An act to add Section 24849 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2260**: By Mr. Winton—An act to amend Section 23820 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2261**: By Messrs. Z'berg and MacBride, and Senator Rodda, co-author—An act to add Article 10 (commencing with Section 1161) to Chapter 1, Division 4, and to amend Sections 937, 939, 943, 955, 957, 960, 962, 963, 964, and 1484, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Referred to Committee on Education.

**Assembly Bill No. 2262**: By Mr. George E. Brown—An act to amend Section 14055 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2263**: By Mr. Meyers—An act to add Sections 560.5 and 561.5 to the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2264**: By Mr. Meyers—An act to amend Section 661 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2265**: By Mr. Burton—An act to add Section 226.7 to the Elections Code, relating to changes of residence by voters.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2266**: By Mr. Burton—An act to add Section 5406.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2267**: By Mr. Burton—An act to amend Section 3600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2268**: By Mr. Burton—An act to add Section 4606 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2269**: By Mr. Burton—An act to add Section 5307.6 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2270**: By Mr. Burton—An act to add Section 5410.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2271**: By Mr. Burton—An act to amend Section 5800 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2272**: By Mr. Burton—An act to amend Section 5406 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2273**: By Mr. Burton—An act to amend Section 5410 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2274**: By Messrs. Meyers, O'Connell, Burton, Gaffney, Busterud, and Marks—An act to repeal Sections 30605, 30607, and 30608, and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 of, and to add Section 30608 and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 to, the Streets and Highways Code, relating to toll crossings of San Francisco Bay.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2275**: By Messrs. Meyers, Burton, O'Connell, and Gaffney—An act to amend Sections 118, 2190, and 3091.5 of the Welfare and Institutions Code, relating to public assistance records.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2276**: By Messrs. Cunningham and Rumford—An act to add Article 5 (commencing with Section 12050) to Chapter 1, Part 2, Division 3, Title 2 of the Government Code, relating to the establishment and functions of the State Narcotics Commission.

Referred to Committee on Public Health.

**Assembly Bill No. 2277**: By Mr. Britschgi—An act to amend Section 24360.2 of the Health and Safety Code, relating to air pollution control.

Referred to Committee on Agriculture.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Unruh was granted unanimous consent that the following communications be ordered printed in the Journal:

### Communication From Harold T. Johnson

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., March 9, 1959

*Hon. Jess M. Unruh, Chairman*
*Assembly Ways and Means Committee*
*State Capitol, Sacramento*

DEAR JESS: How goes the battle of the budget? I presume you have been very, very busy at this session of the Legislature because I know how important the Chairmanship of the Ways and Means Committee is as to giving of consideration and time to the budget.

Jess, I am writing to you in behalf of the County Service Officers and the Boards of Supervisors in the counties I represent as to the

County Service Offices funds that Governor Brown deleted from the budget. Our smaller counties consider this a very important item and unless it is restored and the counties receive this assistance, I am afraid our County Service Offices will be closed in many of the counties, thereby depriving the veterans of their just consideration on veteran problems.

I certainly miss all the gang around Sacramento and will enjoy my visit there during the Easter recess, I know. Jess, at any time I can be of assistance to you I want you to feel free to call on me. Our office is located in Room 1031 of the New House Office Building.

Sincerely yours,

HAROLD T. (Bizz) JOHNSON, Member of Congress

**Communication From Mr. Unruh**

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 16, 1959

*Hon. Harold T. (Bizz) Johnson*
*House Office Building*
*Washington, D. C.*

DEAR BIZZ: Thank you for your very nice letter.

I suppose you know, the Governor has recommended that the funds to which you refer be eliminated from this year's budget. It is my understanding that these services were provided after World War II because of the vast number of veterans' claims that needed to be processed.

Since the volume of these claims has greatly subsided in the 13 years since World War II. it now seems unnecessary to continue to spend over $1,100,000 of the State's money to recover from the Federal Government what should rightfully belong to our veterans.

I certainly do not mean to be facetious in saying that it seems to me the shoe should be on the other foot and that Congress should take immediate steps to force the Veterans Administration to pay these claims without the necessity for the State to spend thousands of dollars of taxpayers' money to recover what should belong to the veterans anyway.

May I take this opportunity to congratulate you upon your election. I know that you will continue to render to the people of the Second Congressional District the same kind of vigorous leadership which you have given in the California State Senate over the past years.

Sincerely,

JESSE M. UNRUH

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1639**

Mr. Francis was granted unanimous consent that Assembly Bill No. 1639 be withdrawn from the Committee on Criminal Procedure and re-referred to the Committee on Public Utilities and Corporations.

## REPORTS OF STANDING COMMITTEES

### Committee on Public Health

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1515

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1368

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1250

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1130

With amendments with the recommendation: Amend, and re-refer to the committee.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Education reports:

Senate Bill No. 90

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 185
Assembly Bill No. 1265

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

### Committee on Education

ASSEMBLY CHAMBER, March 25, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1349
Assembly Bill No. 662
Assembly Bill No 1198
Assembly Bill No. 1412

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 151

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1469

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 368

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 506

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 327
Senate Bill No. 496

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1104

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 166

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1348
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1332
Assembly Bill No. 1510
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

## ANNOUNCEMENTS

Mr. Backstrand announced a meeting of the Committee on Transportation and Commerce at 1.30 p.m. today in Room 2170.

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Speaker Brown announced that committee meetings scheduled for this afternoon would be held as scheduled.

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Mr. McMillan announced that the Committee on Industrial Relations would meet at 3.45 p.m. this afternoon in Room 4202, as scheduled.

## EXPLANATION OF ABSENCE ON MARCH 26, 1959

I missed a number of roll calls on Thursday morning, March 26, 1959, because of legislative duties elsewhere in the Capitol.

CHARLES W. MEYERS

## ADJOURNMENT

At 11.53 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 30, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY

SIXTY-FIRST CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, March 30, 1959

The Assembly met at 10 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. J. Wesley Pierson, Pastor of the Sierra Arden Community Church:

*God, our Father,* We give thanks for Thy great love for men of every race and nation and we pray that such love may be ours. Give us wisdom to understand people with whom we disagree and insight to perceive the human flaws in our own judgments. As we share the privilege of representing our fellow citizens, may we be worthy of such trust. Lift us above pettiness and self-interest when great issues are at stake. May our deliberations always reflect a profound concern for what is right for our people.

Teach us to work together so that our State and Nation may demonstrate to the world our desire for a brotherhood of mankind living under the Fatherhood of God.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cunningham, seconded by Mr. Beaver, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Chapel, on request of Speaker Brown.

Mr. Hanna, on motion of Mr. Sumner.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hegland, on motion of Mr. Schrade.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Don A. Allen, on request of Speaker Brown.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

## LETTER OF TRANSMITTAL

### Status of Studies re Proposed Route 174 Freeway Between Lincoln Boulevard and Santa Ana Freeway

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, March 24, 1959

*Hon. Arthur A. Ohnimus, Chief Clerk*
*State Assembly, State Capitol*

DEAR MR. OHNIMUS: This is in response to House Resolution No. 68 forwarded with your letter of February 4, 1959, requesting a report from the Department of Public Works on the current status of the studies relative to the proposed Route 174 Freeway between Lincoln Boulevard (State Highway Route 60) and the Santa Ana Freeway.

The California Highway Commission has, since July, 1948, followed a definite procedure in matters pertaining to the adoption of freeway locations. This procedure has been modified by the commission from time to time for the purpose of clarification and of attaining a closer working relationship between the Division of Highways and the local legislative bodies. The currently effective procedure, a copy of which is attached for your information, was adoped by the commission on February 26, 1958.

In conformance with this procedural policy, the State Highway Engineer's representative in Los Angeles, under date of December 10, 1958, notified the City Councils of Los Angeles, Norwalk, Inglewood, Downey and South Gate and the Board of Supervisors of Los Angeles County that studies had been started for a freeway replacement of Legislative Route 174 between Lincoln Boulevard (State Highway Route 60) and the Santa Ana Freeway. The city councils and the board of supervisors were advised that as studies progressed they and their technical staffs would be contacted further to discuss possible locations and to obtain available information regarding local interests. They were also advised that prior to submission of a recommendation to the California Highway Commission, a public meeting or meetings would be held by the Division of Highways for the purpose of securing local reaction as to the community benefits of the freeway proposal.

The intent of this procedure is to give notice to the communities of the start of engineering studies and to solicit their assistance and co-operation in developing a route location that will be most compatible with community interests and planning as well as consistent with traffic service, engineering and economics

There is attached a small map showing in red the existing location of Route 174 Mr G. T. McCoy, State Highway Engineer, has informed me that in making a study of a freeway replacement for this route, several alternates will be given consideration.

On projects of this magnitude, it is conceivable that a period of several years could elapse before the entire route matter can be resolved There is no way of estimating this period at this time The Division of Highways, I am sure, is cognizant of the local interest in the route selection and will attempt to advance the

studies in as reasonable a manner as possible consistent with the complexities involved.

Respectfully,

ROBERT B. BRADFORD, Director of Public Works

Attach.

Above transmitted copy of currently effective procedure and map referred to the Committee on Transportation and Commerce.

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The following resolution was presented by the Chief Clerk from:

Placer County Board of Supervisors, relative to Senate Bill No. 501. Referred to the Committee on Public Health.

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

NEWPORT HARBOR CHAMBER OF COMMERCE
NEWPORT BEACH, March 26, 1959

*California Legislature*
*Sacramento*

GENTLEMEN: It has been reported by Mr. Ferris M. Smith, Chairman of the Aeronautics Committee of the Newport Harbor Chamber of Commerce, that the Legislature of California is considering the abolishment of the California Aeronautics Commission and its staff. It is felt by this Chamber, which speaks for a very large group of businessmen and taxpayers in the Newport Harbor area, that the abolishment of the California Aeronautics Commission would do irreparable damage to the State of California. The work performed by Mr. Clyde P. Barnett, director of said commission, and Mr. William A. Drum, field representative, has been considered outstanding

We respectfully request Members of the Legislature of California to recognize these valuable services and request the Legislature to defeat any legislation which might have the effect of abolishing said commission and its staff, with particular reference to Assembly Bill No. 815.

Yours very truly,

JACK BARNETT, Secretary-Manager

cc: MR EDGAR R. HILL, President
MR. FERRIS M. SMITH

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The following communications were presented by the Chief Clerk from:

Claiborne Powers of Los Angeles, relative to Assembly Bill No. 1000. Referred to the Committee on Revenue and Taxation.

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Julian Bator, Eunice L. Wood, and Kermit S. Knutson of Los Angeles, Vincent A. Carter of Reseda, and Elizabeth S. Olesen of Long Beach, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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W. Jordan of Los Angeles, and Mr. and Mrs. Robert Alford of San Pedro, relative to the budget. Referred to the Committee on Ways and Means.

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Louie Jorgensen of San Diego, relative to fluoridization of water. Referred to the Committee on Public Health.

Mrs. K. Swanberg of South San Francisco, relative to relief to Haiti. Referred to the Committee on Rules.

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C. Prepristis of Anaheim, relative to air pollution. Referred to the Committee on Public Health.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

8125 S. HOOVER AVE.
LOS ANGELES, March 26, 1959

*Mr. Hugh M. Burns, President pro Tempore*
*State Senate, Sacramento*

*and*

*Mr. Ralph M. Brown, Speaker*
*State Assembly, Sacramento*

GENTLEMEN: This is a joint letter to both of you, since I do not know exactly how our Legislature functions in Sacramento.

I wish to bring to your attention the matter of *easy divorces*. Our existing state laws allow the *orgy* that is going on, and I do not believe that there is *anything* that you are now considering that is as important as *the immediate intensive study of what can be done to amend our laws to conform to the Word of the Lord.* And God has said "What God hath put together, let not man put asunder."

Yet, here in the Los Angeles Superior Courts, during the past five and a half months there have been issued *9,500* decrees—that means *19,000* persons have been put asunder"! By the end of a year's tabulation the total will be about 40,000. Just here in Los Angeles County!

Gentlemen, this is a deadly serious matter. I have written about it to many officials —from President Eisenhower down; but up to now I haven't gotten anywhere.

I have charts and data galore on this subject. Would it be possible for a nobody like me to come to Sacramento and present this picture, horrible as it is, to the Legislature? I am not an experienced public speaker, but I *have* spoken about this to groups, and I assure you that I have the facts; and it is highly important, I think, that we begin to consider how we can conform to God's wishes that *there shall be no divorce.*

I have furnished Governor Brown much data on this topic, but he has not bothered to answer me. But that does not make this condition any the less urgent. So I implore the two of you to consider looking at the data that I have collected. Please, in the Name of the Lord!

Very sincerely,

SAMUEL M. SHAGALOFF

*Please see the attached.*

Some time ago, last year, a man in Pasadena shot himself on the day that his wife got a divorce.

Two days ago a man in West Covina strangled his wife with his bare hands because she had filed for her divorce, and the man had gotten on his knees begging her to reconcile, but she wouldn't. And why should she? Out of the 9,500 divorces I mentioned, the women are shedding their spouses at the ratio of five to one against the men shedding theirs.

So they see how easy it is to get divorced here—and one more thing: Just two or three weeks ago, Judge Burke, the Presiding Judge of the Superior Courts, issued an order that hereafter no suit for divorce could be filed without furnishing the address of the defendant. Isn't this a horrible admission of the weakness of the present system?

And the Bible clearly states, in both the Old and New Testaments, that "in the mouth of two, or in the mouth of three, witnesses, shall any matter be established." Yet, in direct disobedience to this Word of the Lord, a woman can go into court, bring along a woman witness (*one*) and the court says "entitled to a divorce"

What is this but practically spitting in the Face of our precious Heavenly Father?

Do you gentlemen begin to see what a mess this is, and *what an honor it would be to Almighty God if the California Legislature announced to the world that it was commencing an immediate study of our existing laws to see what can be done to make them conform to God's wishes?*

God would certainly honor *us* for that. And many other states might catch this idea and do likewise. Of course, the ultimate goal is to *close every divorce court*, but until that happy day arrives, how about us making a start, at least?

I am at your service—please let me hear from you.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to offer and consider a concurrent resolution, at this time.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 99**: By Mr. Miller—Relative to the appearance of the Legislative Counsel as a friend of the Supreme Court of California in *State Board of Education* v. *Levit*, Sac. No. 7057.

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Assembly Concurrent Resolution No. 99 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 99

**Assembly Concurrent Resolution No. 99**—Relative to the appearance of the Legislative Counsel as a friend of the Supreme Court of California in *State Board of Education* v. *Levit*, Sac. No. 7057.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Britschgi, George E. Brown, Burke, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—46.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2278**: By Mr. Shell—An act to add Section 2½ to the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to records.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2279**: By Mr. Bruce F. Allen—An act to amend Section 5012.1 of the Public Resources Code, relating to public utility and other structures in state parks and easements therefor.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2280**: By Mr. Johnson—An act to amend Sections 1505, 1535.7, 1541, 1562, 1564, and 1571 of the Military and Veterans Code, relating to mutual aid for local disaster.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2281**: By Mr. Johnson—An act to add Section 53019 to, to amend Sections 53021 and 53023 of, the Government Code, relating to emergency powers of local agencies.

Referred to Committee on Municipal and County Government.

Speaker pro Tempore Presiding

At 10.14 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 16 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 16 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 16

**Assembly Bill No. 16**—An act to repeal Sections 1460 to 1578, inclusive, and to add Chapter 7 (commencing with Section 1600) to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

Bill read second time.

Motion to Amend

Mr. Miller moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1, 2, and 3 of the title of the printed bill, as amended in the Assembly on March 12, 1959, and insert

"An act to amend Section 1356 and to repeal Sections 1460 to 1475 and 1478 to 1578, inclusive, and to add Chapter 7 (commencing with Section 1500) to Title 10 of Part 3 of the Code of Civil Pro-".

Amendment No. 2

On page 1, line 3, after "to", insert "1475 to 1478 to".

Amendment No. 3

On page 1, line 5, strike out "1600", and insert "1500".

Amendment No. 4

On page 1, line 11, strike out "1600", and insert "1500".

Amendment No. 5

On page 1, line 16, strike out "1601", and insert "1501".

Amendment No. 6

On page 2, line 2, after "public corporation", insert "or utility".

Amendment No. 7

On page 2, line 23, strike out "public corporation,".

Amendment No. 8

On page 2, line 25, after "entity", insert "other than any public corporation or utility".

Amendment No. 9

On page 2, line 31, strike out "1602", and insert "1502".

Amendment No. 10

On page 2, strike out lines 34 to 40, inclusive, and insert

"(a) Any demand, savings, or matured time deposit made in this State with a banking organization, together with any interest or dividends thereon, excluding any reasonable service charges which may lawfully be withheld and which do not exceed those set forth in schedules filed by the banking organization from time to time with the State Controller, unless the owner has, within 15 years:".

Amendment No. 11

On page 2, line 47, strike out "dence", and insert "denced".

Amendment No. 12

On page 3, strike out lines 1 and 2, and insert "thereon, excluding any reasonable service charges which may lawfully be withheld and which do not exceed those set forth in schedules filed by the financial organization from time to time with the State Controller, unless the owner has within 15 years:".

**Amendment No. 13**

On page 3, strike out lines 22 and 23, and insert
"(c) Any sum payable on travelers checks issued in this State by a business association maintaining its principal place".

**Amendment No. 14**

On page 3, line 31, strike out "sums", and insert "sum".

**Amendment No. 15**

On page 3, strike out lines 34 and 35, and insert "not of limitation, drafts, certified checks, and money orders, that has been outstanding for".

**Amendment No. 16**

On page 3, line 37, after "demand," insert "excluding any charges that may lawfully be withheld,".

**Amendment No. 17**

On page 3, line 42, after "other", insert "valuable".

**Amendment No. 18**

On page 3, strike out lines 46 and 47, and insert "nonpayment of rental charges or other reason, that".

**Amendment No. 19**

On page 3, after line 49, insert
"Nothing in this section shall be construed to relate to any instrument held or payable only outside the limits of the United States or payable only in currency other than United States currency, nor to any funds held only in or payable only in a foreign country."

**Amendment No. 20**

On page 4, line 1, strike out "1603", and insert "1503".

**Amendment No. 21**

On page 4, strike out lines 31 to 47, inclusive.

**Amendment No. 22**

On page 4, line 49, strike out "1605", and insert "1504".

**Amendment No. 23**

On page 5, strike out lines 15, 16, 17, and 18, and insert "sociation, owned by a person who has not claimed a dividend presumed abandoned under paragraph (a) of this section, and who has not corresponded in writing with the business association concerning such interest for 15 years following the time such dividend was presumed abandoned, is presumed abandoned if:".

**Amendment No. 24**

On page 5, line 28, strike out "1606", and insert "1505".

**Amendment No. 25**

On page 5, line 34, strike out "1607", and insert "1506".

**Amendment No. 26**

On page 6, strike out line 1, and insert
"1507. Subject to the provisions of Section 1526, all intangible personal property held for the owner".

**Amendment No. 27**

On page 6, strike out lines 6 and 7, and insert
"1508. All intangible personal property, not mentioned in Sections 1502, 1503, 1504, 1505, 1506, and 1507 of this code, including any income or increment".

**Amendment No. 28**

On page 6, line 13, strike out "1610", and insert "1509".

**Amendment No. 29**

On page 6, line 14, strike out "1602, 1605, 1606, 1607, and 1609", and insert "1502, 1504, 1505, 1506, and 1508".

**Amendment No. 30**

On page 6, line 28, strike out "1611", and insert "1510".

**Amendment No. 31**

On page 6, between lines 40 and 41, insert

"(3) In case of unclaimed funds or other personal property removed from a safe deposit box or other repository or agency, reference to all funds and only such other property as has obvious commercial value."

**Amendment No. 32**

On page 6, line 41, strike out "(3)", and insert "(4)".

**Amendment No. 33**

On page 6, line 45, strike out "(4)", and insert "(5)".

**Amendment No. 34**

On page 6, line 48, strike out "(5)", and insert "(6)".

**Amendment No. 35**

On page 7, line 11, after "upon", insert "his own motion or upon".

**Amendment No. 36**

On page 7, line 18, strike out "due", and insert "reasonable".

**Amendment No. 37**

On page 7, strike out lines 28 to 36, inclusive, and insert "erty held for another person which are ascertainable from the available records of the holder, which items of property would have been presumed abandoned if this chapter had been in effect at and after the time such property first became payable, demandable or returnable; provided, that only such moneys which first became unclaimed funds, as that term is defined in this chapter, within three years preceding the effective date of this chapter must be included within the initial report and any other moneys constituting unclaimed funds as thus defined may be included within the initial or any subsequent report and if so included the holder shall be entitled to the protection afforded by Section 1513. All items of property, less proper charges and offsets, which on January 1, 1949, appeared from the available records to be held for another person and were thereafter without notice to the owner or without prior approval of any regulatory or licensing authority of this State transferred or credited by the holder directly to capital or surplus or undivided profits shall be deemed to be subject to the provisions of this chapter and shall be included within the initial report."

**Amendment No. 38**

On page 7, line 37, strike out "1612", and insert "1511".

**Amendment No. 39**

On page 7, line 38, strike out "1611", and insert "1510".

**Amendment No. 40**

On page 8, line 20, strike out "1611", and insert "1510".

**Amendment No. 41**

On page 8, line 36, strike out "1613", and insert "1512".

**Amendment No. 42**

On page 8, strike out lines 37 through 41, inclusive, and insert

"Section 1510 shall within seven months thereof pay or deliver to the State Controller all abandoned property specified in the report, provided that property of no obvious commercial value shall be destroyed or disposed of as provided in Section 1521(b), notwithstanding such property may be specified in the report; and provided further, that if the owner establishes his right to receive any abandoned property to the satisfaction".

**Amendment No. 43**

On page 8, line 42, strike out "1612", and insert "1511".

**Amendment No. 44**

On page 8, line 49, after "abandonment.", insert "The holder of any interest under Section 1504(b) shall deliver a duplicate certificate to the State Controller and no bond shall be required therefor."

**Amendment No. 45**

On page 8, line 50, strike out "1614", and insert "1513".

**Amendment No. 46**

On page 9, line 12, strike out "1615", and insert "1514".

**Amendment No. 47**

On page 9, line 16, strike out "1616", and insert "1515"

**Amendment No. 48**

On page 9, strike out line 24 and insert

"1516. (a) All abandoned property other than money and securities listed on any established stock exchange de-".

**Amendment No. 49**

On page 9, line 30, after "decline", insert "the".

**Amendment No. 50**

On page 10, line 16, strike out "1618", and insert "1517".

**Amendment No. 51**

On page 10, line 17, strike out "1617", and insert "1516".

**Amendment No. 52**

On page 10, line 22, after "the", insert "State".

**Amendment No. 53**

On page 10, line 25, strike out "1620", and insert "1519".

**Amendment No. 54**

On page 10, line 30, before "Controller", insert "State".

**Amendment No. 55**

On page 10, strike out lines 32 to 36, inclusive, and insert

"(4) For payment of the cost incurred by the State Controller covering the purchase of lost instrument indemnity bonds;".

**Amendment No. 56**

On page 10, line 40, before "Controller", insert "State".

**Amendment No. 57**

On page 10, line 49, before "Controller", insert "State".

**Amendment No. 58**

On page 11, line 9, strike out "1619", and insert "1518".

**Amendment No. 59**

On page 11, line 13, strike out "1620", and insert "1519".

**Amendment No. 60**

On page 11, line 23, before "Controller", insert "State".

**Amendment No. 61**

On page 11, strike out lines 25 and 26, and insert "total amount of such claim, but in no event less than ten dollars ($10), for each individual share claimed, as a service".

**Amendment No. 62**

On page 11, line 30, strike out "1621", and insert "1520".

**Amendment No. 63**

On page 11, line 47, strike out "de novo".

**Amendment No. 64**

On page 11, line 50, strike out "1620(b)", and insert "1519(b)".

**Amendment No. 65**

On page 12, line 1, strike out "1622", and insert "1521. (a)".

**Amendment No. 66**

On page 12, between lines 7 and 8, insert

"(b) All property not reportable or deliverable under this chapter for want of obvious commercial value shall be retained by the holder as agent for the State of California until such time as the State Controller shall direct such agent to destroy or otherwise dispose of the property. When the property is destroyed or disposed of in accordance with the State Controller's direction, no action or proceeding shall be brought or maintained against the State or any officer thereof or against the holder as agent or otherwise for or on account of any action of the holder pursuant to this chapter with respect to such property."

**Amendment No. 67**

On page 12, line 8, strike out "1623", and insert "1522".

**Amendment No. 68**

On page 12, line 23, strike out "1624", and insert "1523".

**Amendment No. 69**

On page 12, line 28, strike out "1625", and insert "1524".

**Amendment No. 70**

On page 12, line 39, strike out "1626", and insert "1525".

**Amendment No. 71**

On page 12, line 42, strike out "1627", and insert "1526".

**Amendment No. 72**

On page 12, line 44, strike out the period, and insert "; nor shall this chapter apply to any property in the official custody of a local agency if such property may be transferred to the general fund under the provisions of Sections 50050-50053 of the Government Code."

**Amendment No. 73**

On page 12, line 45, strike out "1628", and insert "1527".

**Amendment No. 74**

On page 12, line 46, strike out "1611(d)", and insert "1510(d)".

**Amendment No. 75**

On page 12, line 48, strike out "1611", and insert "1510".

**Amendment No. 76**

On page 13, strike out lines 7 to 10, inclusive, and insert

"SEC. 3. Notwithstanding the express or implied repeal of any provision of law by enactment of this act, such law shall be deemed effective (as though this act were not enacted) in all particulars expressed by such law concerning escheated or permanently escheated funds or other property paid or delivered to the State or funds or other property in the process of payment or delivery to the State at the time this act becomes effective; provided, that any such funds or other property not permanently escheated at the time this act becomes effective shall be deemed to have been received by the State under Section 2 of this act and may be recovered in the manner prescribed therein. Nor shall any such repeal in any way affect the liability of any holder to who shall have complied with such law prior to its repeal or as such law is deemed effective by the provisions of this section, and such holder shall be exonerated from liability as though this act had not been enacted."

**Amendment No. 77**

On page 13, line 11, strike out "2", and insert "4".

**Amendment No. 78**

On page 13, line 17, strike out "3", and insert "5".

**Amendment No. 79**

On page 13, after line 32, insert

"SEC. 6. Section 1356 of the Code of Civil Procedure is amended to read:

1356. There shall be deducted by the *State* Controller from the amount of any allowed and approved claim filed by any claimant under the provisions of this chapter 1 percent of the total amount of such claim, but in no event less than ~~three~~ *ten* dollars ~~($3)~~ *($10)*, as a service charge for the receipt, accounting for, and management of the money or other property claimed, and for the processing of the claim filed to recover the same. On order of the *State* Controller, the amount of such service charge shall be transferred from the Unclaimed Property Fund to the School Land Fund. The amount of any service charge transferred to the School Land Fund shall be subject to the provisions

of Section 1335 with the same force and effect as if said amount had been paid to the claimant from whose claim such service charge was deducted."

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### Rush Order Placed Upon Printing of Assembly Bill No. 16

Mr. Miller was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 16.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2282:** By Messrs. Burton, Masterson, Elliott, and Hawkins—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2283:** By Mr. Reagan—An act to amend Section 6362 of the Revenue and Taxation Code, relating to exemption from sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2284:** By Mr. George A. Willson—An act to add Section 21156 to the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2285:** By Mr. House—An act to amend Section 811.1 of the Agricultural Code, relating to cantaloupes.

Referred to Committee on Agriculture.

**Assembly Bill No. 2286:** By Mr. House—An act to amend Sections 811 and 829.3 of, and to repeal Section 829.31 of the Agricultural Code, relating to vegetable standards.

Referred to Committee on Agriculture.

**Assembly Bill No. 2287:** By Mr. House—An act to amend Sections 21650 and 21711 of, and to add Section 21650.5 to, the Water Code, relating to irrigation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2288:** By Mr. MacBride—An act to amend Sections 14095 and 14455.5 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 157**—An act to amend Section 25827 of the Government Code, relating to counties;

**Assembly Bill No. 209**—An act to add Section 55529 to and amend Section 55522 and 55523 of the Water Code, relating to county waterworks district bonds;

**Assembly Bill No. 282**—An act to amend Section 22842 of, and to repeal Sections 22844 and 22845 of, the Water Code, relating to irrigation districts containing 500,000 acres or more;

**Assembly Bill No. 360**—An act to amend Section 24228 of the Health and Safety Code, relating to air pollution control districts;

**Assembly Bill No. 361**—An act to amend Section 2d of the Los Angeles County Flood Control Act (Chapter 755, Statutes 1915), relating to the Los Angeles County Flood Control District;

**Assembly Bill No. 363**—An act to amend Section 4238 of, to repeal Section 4239 of, the Education Code, and to amend Section 2561 of, and to repeal Section 2562 of, the Education Code as proposed by Senate Bill No. 2, relating to the fomation of junior college districts;

**Assembly Bill No. 599**—An act to add Section 1.5 to Chapter 2165 of the Statutes of 1957, relating to recreation, park and parkway districts;

**Assembly Bill No. 612**—An act to add Section 5834 1 to the Streets and Highways Code, relating to county maintenance districts;

**Assembly Bill No. 633**—An act to add Section 6623 to the Welfare and Institutions Code, relating to handiwork of state hospital patients;

**Assembly Bill No. 634**—An act to add Section 1125 to the Welfare and Institutions Code, relating to handiwork of Youth Authority inmates;

**Assembly Bill No. 665**—An act to amend Section 2285 of the Health and Safety Code, relating to mosquito abatement districts;

**Assembly Bill No. 1020**—An act to amend Section 46005 of the Water Code, relating to additional preliminary assessments of water storage districts;

And reports the same correctly enrolled, and presented to the Governor on the twenty-sixth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 91**—Relative to augmenting funds of the Joint Interim Committee on the Special Education and Rehabilitation of Handicapped Children and Adults;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of March, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 466
Assembly Bill No. 1400
Assembly Bill No. 1454

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 844
Assembly Bill No. 845
Assembly Bill No. 984
Assembly Bill No. 1415

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1101
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1032
And reports the same correcly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 843
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to the second reading file.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 297
And reports the same correctly re-engrossed (title amendment).

BURKE, Chairman

Assembly Bill No. 297 ordered transmitted to the Senate.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 268
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 28 | Assembly Bill No. 1457 |
| Assembly Bill No. 949 | Assembly Bill No. 1458 |
| Assembly Bill No. 1390 | Assembly Bill No. 1487 |
| Assembly Bill No. 1448 | Assembly Bill No. 1488 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 650
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 203
Assembly Bill No. 1548
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2050
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1000
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 124
With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 49
Assembly Bill No 419
With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

**Committee on Military and Veterans Affairs**

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:
Assembly Bill No. 457
Assembly Bill No. 710
With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CRAWFORD, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:
Assembly Bill No. 938
With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CRAWFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, March 25, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:
Assembly Bill No. 760
With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 261

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1004

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 232

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 988
Assembly Bill No. 806

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, March 30, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 108
Assembly Bill No. 109
Assembly Bill No. 906
Assembly Bill No. 1278
Assembly Bill No. 1283

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 83
Assembly Bill No. 559
Assembly Bill No. 620
Assembly Bill No. 621
Assembly Bill No. 676
Assembly Bill No. 870
Assembly Bill No. 873
Assembly Bill No. 874
Assembly Bill No. 1050
Assembly Bill No. 1378

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 541
Assembly Bill No. 554

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 340

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 327
Assembly Bill No. 817
Assembly Bill No. 896
Assembly Bill No. 1111

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 82
Assembly Bill No. 233
Assembly Bill No. 1058

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bills ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, March 27, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 81

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 27, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1040
Assembly Bill No. 1041
Assembly Bill No. 1522
Assembly Bill No. 1682

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bills ordered to second reading.

NOTE—Later this day, Assembly Bill No. 1682 was re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, March 27, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1172
Assembly Bill No. 1177

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MACBRIDE, Chairman

Above bills ordered to second reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, March 26, 1959

MR SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 886
Assembly Bill No. 877

With the recommendation: Do pass

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 26, 1959

MR SPEAKER: Your Committee on Industrial Relations reports

Assembly Bill No. 317

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

McMILLAN, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 26, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports.

Assembly Bill No. 618

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 26, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 125
Assembly Bill No. 187
Assembly Bill No. 639
Assembly Bill No. 994
Assembly Bill No. 623

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 26, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 67
Assembly Bill No. 387
Assembly Bill No. 1170

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, March 26, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 277

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, March 26, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 243
Senate Bill No. 305
Senate Bill No. 381
Senate Bill No. 382
Senate Bill No. 383
Senate Bill No. 384
Senate Bill No. 385
Senate Bill No. 676
Senate Bill No. 681
Senate Bill No. 685
Senate Bill No. 686
Senate Bill No. 757

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 243**—An act to add Section 106.4 to the Agricultural Code, relating to importation of meat.

Referred to Committee on Agriculture.

**Senate Bill No. 305**—An act to amend Section 5003 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to license plates.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 381**—An act to repeal Section 6210.6 of the Public Resources Code, relating to the granting of rights-of-way for roads and highways over public lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 382**—An act to amend Section 6210 4a of the Public Resources Code, relating to conveyances of state lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 383**—An act to amend Section 7705 of, and to repeal Sections 7701, 7702, 7703, 7704, 7720, 7721, and 7722 of the Public Resources Code, relating to state lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 384**—An act to amend Sections 6505.5 and 6509 of the Public Resources Code, relating to leases of public lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 385**—An act to repeal Sections 7726, 7727, and 7728 of, and to amend Section 7729 of, the Public Resources Code, relating to state lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 676**—An act to add Section 12150.5 to the Fish and and Game Code, relating to hunting accidents.

Referred to Committee on Fish and Game.

**Senate Bill No. 681**—An act to add Section 6705 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the registration of vehicles by servicemen.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 685**—An act to amend Sections 2619, 2705.5 and 2922 of the Revenue and Taxation Code, relating to the delinquent dates of taxes on property.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 686**—An act to amend Section 257 of the Vehicle Code and to amend Section 12512 of, and to amend and renumber Section 12654 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to motor vehicle operator's age limits.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 757**—An act to add Section 16864 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to fire extinguishers carried on school buses.

Referred to Committee on Transportation and Commerce.

### MOTION

Mr. MacBride moved that the bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Belotti seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 984, 1415, 844, 845, 843,** and **1101.**

Assembly Bills Nos. 984, 1415, 844, and 845 ordered to third reading.

Assembly Bill No. 843 ordered to the Consent Calendar.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1376**—An act to amend Sections 160.91, 160.92, 160.93, 160.94, and 160.95 of the Agricultural Code, relating to pest control.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1377**—An act to amend Section 160.6 of the Agricultural Code, relating to licenses for pest control.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

#### Amendment No. 1

On page 2, line 9, of the printed bill, after "proof", insert "consisting of a certified statement by a licensed agricultural aircraft operator".

Bill ordered reprinted, and engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 717**—An act to amend Sections 13006, 13100, and 13101 of, and to add Sections 13006.1 and 13006.2 to, the Government Code, relating to the acquisition of state property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code," insert "and to add Section 11801 to the Insurance Code,".

**Amendment No. 2**

On page 2, line 34, strike out "for highway purposes", and insert "in connection with highway work, or by the San Francisco Port Authority".

**Amendment No. 3**

On page 2, line 40, strike out "for highway purposes", and insert "in connection with highway work, and the San Francisco Port Authority".

**Amendment No. 4**

On page 2, line 44, strike out "for highway purposes", and insert "in connection with highway work or other than the San Francisco Port Authority".

**Amendment No. 5**

On page 3, line 1, strike out "for highway purposes", and insert "in connection with highway work, or by the San Francisco Port Authority".

**Amendment No. 6**

On page 3, between lines 7 and 8, insert

"SEC. 6. Section 11801 is added to the Insurance Code, to read:

11801. The provisions of Article 2 (commencing at Section 13100), Chapter 2, Part 3, Division 3, Title 2 of the Government Code shall not apply to the State Compensation Insurance Fund.

This section shall not be construed as implying that any other provision of law is or is not applicable to the State Compensation Insurance Fund."

**Amendment No. 7**

On page 3, line 8, strike out "SEC. 6.", and insert "SEC. 7."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 155**—An act to amend Section 51 of the Civil Code, relating to rights of citizens to use places of public accommodation or amusement.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 51", and insert "Sections 51, 52, 53, and 54".

**Amendment No. 2**

On page 1, line 3, after "State", insert "regardless of race, color, religion, ancestry, or national origin,".

**Amendment No. 3**

On page 1, after line 12, insert

"SEC. 2. Section 52 of said code is amended to read:

52. Whoever denies to any citizen, except for reasons applicable alike to every race ~~or~~, color, *religion, ancestry, or national origin*, the full accommodations, advantages, facilities, and privileges enumerated in Section 51 of this code, or who aids, or incites, such denial, or whoever makes any discrimination, distinction or restriction on account of color ~~or~~, race, *religion, ancestry, or national origin,* or except for good

cause, applicable alike to citizens of every color ~~or~~, race, *religion, ancestry, or national origin* whatsoever, in respect to the admission of any citizen to, or his treatment in, any inn, hotel, restaurant, eating house, place where ice cream or soft drinks are sold for consumption on the premises, barber shop, bath house, theater, skating rink, public conveyance, or other public place of amusement or accommodation, *including but not limited to those enumerated in this section*, whether such place is licensed or not, or whoever aids or incites such discrimination, distinction or restriction, for each and every such offense is liable in damages in an amount not less than ~~one hundred dollars~~ *five hundred dollars ($500)*, which may be recovered in an action at law brought for that purpose.

SEC. 3. Section 53 of said code is amended to read:

53. It is unlawful for any corporation, person, or association, or the proprietor, lessee, or the agents of either, of any opera house, theater, melodeon, museum, circus, caravan, racecourse, fair or other place of public amusement or entertainment, *including but not limited to those enumerated in this section*, to refuse admittance to any person over the age of 21 years, who presents a ticket of admission acquired by purchase, or who tenders the price thereof for such ticket, and who demands admission to such place. Any person under the influence of liquor, or who is guilty of boisterous conduct, or any person of lewd or immoral character, may be excluded from any such place of amusement.

SEC. 4. Section 54 of said code is amended to read:

54. Any person who is refused admission to any place of amusement contrary to the provisions of the last preceding section, is entitled to recover from the proprietor, lessee, or their agents, or from any such person, corporation, or association, or the directors thereof, his actual damages, and ~~one hundred dollars~~ *five hundred dollars ($500)* in addition thereto."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 594**—An act to amend Sections 51 and 52 of, and to repeal Section 53 and 54 of, the Civil Code, relating to civil rights.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill as amended in Assembly March 24, 1959, strike out lines 3 to 15, inclusive, and insert

"51. All citizens within the jurisdiction of this State are free and equal, and no matter what their race, color, religion, ancestry, or national origin are entitled to the full and equal admittance, accommodations, advantages, facilities, membership, privileges, services or benefits set out, but not limited, by this section:

(a) to all business establishments of every kind whatsoever;

(b) to all schools of every kind whatsoever, except those school organized for the purpose of, and which practice, the furthering of a specific sectarian religious belief;

(c) to the benefits administered or offered by any organization or institution receiving any tax advantage or exemption, or receiving any form of assistance from the Federal Government, or the State of California, or any municipality or any political subdivision of either;

(d) to membership in any and all business or professional organizations formed or maintained primarily for the protection or advancement of the business or professional interests of the members;

(e) to obtain the services of any professional person, group or association licensed or certified by the State of California, any municipality or political subdivision or agency of either."

Amendment No. 2

On page 1, line 17, after "is", insert "condition or limited by law or which is".

Amendment No. 3

On page 2, strike out lines 5 and 6, and insert "of this code."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 642**—An act to amend Section 6301 of the Business and Professions Code, relating to boards of law library trustees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 18, of the printed bill, after "supervisors", insert "at the request of the chairman".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1302**—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72705, 72705.5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

Amendment No. 1

On page 2, line 51, of the printed bill, after the period, insert "Appointments to such positions shall be at step C of the schedule."

Amendment No. 2

On page 3, strike out lines 40 to 42, inclusive, and insert

| | | | | | |
|---|---|---|---|---|---|
| "27 | $246 | $259 | $273 | $288 | $303 |
| 28 | 259 | 273 | 288 | 303 | 319 |
| 29 | 273 | 288 | 303 | 319 | 337 |
| 30 | 288 | 303 | 319 | 337 | 355". |

Amendment No. 3

On page 6, line 26, strike out "42", and insert "43".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1391**—An act to amend Sections 2981 and 2982 of the Civil Code, relating to conditional sales.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

Amendment No. 1

On page 2, line 23, of the printed bill, after "premiums", insert "(except for credit life or disability insurance when the amount thereof is based upon the unpaid balance)".

Amendment No. 2

On page 3, line 15, after the period, insert "Any such cost for credit life or disability insurance based upon the unpaid balance, Item 6, unless included in the time price differential, shall be separately stated on the face of the contract and included in the contract balance."

Amendment No. 3

On page 3, line 24, after "7", insert ", plus any cost for credit life or disability insurance required by Item 4 to be separately stated".

Amendment No. 4

On page 4, strike out line 41, and insert "of five days after such notice is sent, the".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 403**—An act to amend Sections 2201, 3901 and 3904 of the Corporations Code, relating to the sale of all or substantially all of the property and assets of a corporation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 404**—An act to repeal Title 4 (commencing with Section 894) of Part 2 of the Penal Code, to add Title 4 (commencing with Section 888) to Part 2 of the Penal Code, to repeal Section 169 of the Penal Code, to repeal Sections 65.2, 241, 242, and 243 of the Code of Civil Procedure, to repeal Section 12551 of the Government Code, to amend Sections 192, 196, 199, 204, 204b, 204c, 204d, 205, 206, 209, 211, and 238 of the Code of Civil Procedure, to amend Sections 167, 168, and 1326 of the Penal Code, and to amend Section 12552 of the Government Code, relating to grand juries.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 577**—An act to amend Section 1530a of the Probate Code, relating to compromise of claims by guardians.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 257**—An act to amend Section 71083 of the Government Code, relating to municipal and justice courts and judges thereof, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on March 12, 1959, strike out "50", and insert "10".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 401**—An act to amend Sections 1460, 1461, and 1570 of the Probate Code, relating to appointment of guardians for minors and insane and incompetent persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary —Civil, was read, and adopted:

Amendment No. 1

On page 3, line 18, of the printed bill, strike out "expectance", and insert "expectancy".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1181**—An act to amend Section 692 of and add Section 692b to the Code of Civil Procedure, relating to notice of sale of property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 1, of the title of the printed bill, strike out "and add Section 692b *to*".

Amendment No. 2

On page 2, line 22, strike out "default".

Amendment No. 3

On page 2, strike out lines 30 through 41, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 905**—An act to amend Section 1722 of the Elections Code, relating to the municipal elections.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1307**—An act to add Section 3831 to the Elections Code, relating to the general election ballot.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

NOTE—Later this day, Assembly Bill No. 1307 was amended, and removed from the Consent Calendar.

**Assembly Bill No. 1308**—An act to add Section 3947 to the Elections Code, relating to the direct primary election ballot.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 522**—An act to add Section 651.1 to the Insurance Code, relating to insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 1, line 28, of the printed bill, as amended in the Assembly on March 18, 1959, strike out "or on his behalf".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1003**—An act to amend Section 469 of the Vehicle Code, and to amend Sections 21362 and 21404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the reflectorizing of railroad warning approach signs.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 663**—An act to amend Sections 5101, 5132 and 5220 of the Streets and Highways Code and Section 50550 of the Government Code, and to add Section 5103 to the Streets and Highways Code, relating to the installation and sale of electric, telephone, water and gas facilities.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1184**—An act to amend Sections 21010 and 21408 of the Public Utilities Code, relating to aviation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of, and add Sections 5829.1 and 5829 to, the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on March 6, 1959, between lines 23 and 24, insert

"(f) Repay loans over a period not to exceed 20 years."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1284**—An act to add Section 2181.06 to the Welfare and Institutions Code, relating to old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "For purposes of this chapter, the", and insert "To encourage the spouse of a recipient of aid under this chapter to retain or seek employment in order to be self-supporting and to avoid becoming a recipient of public aid, the net".

**Amendment No. 2**

On page 1, line 4, strike out "of a recipient", and insert a comma.

**Amendment No. 3**

On page 1, line 4, strike out "one", and insert "two".

**Amendment No. 4**

On page 1, line 5, strike out "($100)", and insert "($200)".

**Amendment No. 5**

On page 1, line 5, after "month", insert ", after deduction for the expenses incurred in connection with such earnings,".

**Amendment No. 6**

On page 1, line 5, strike out the comma, and insert a period.

**Amendment No. 7**

On page 1, strike out lines 6 and 7, and insert "Where the spouse is engaged in seasonal employment, the estimated annual earnings of the spouse shall be prorated on a monthly basis."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 120**—An act making an appropriation to the Governor for the employment of promotional and job survey specialists.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "making an appropriation to the Governor for the em-"; and strike out all of line 2 of the title, and insert "to add Chapter 2 5 (commencing at Section 3381) to Part 1 of Division 5 of the Welfare and Institutions Code, relating to the employment of visually handicapped persons and making an appropriation therefor."

**Amendment No. 2**

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Chapter 2 5 (commencing at Section 3381) is added to Part 1 of Division 5 of the Welfare and Institutions Code, to read:

CHAPTER 2.5. COMMISSION FOR THE PROMOTION OF EMPLOYMENT OF THE VISUALLY HANDICAPPED

3381. There is in the State Government a Commission for the Promotion of Employment of the Visually Handicapped. The commission shall be composed of three persons, appointed by the Governor, at least one of whom shall be a blind person.

3382. The commission shall work in co-operation with the placement officers for the handicapped of the Department of Employment in the placement of visually handicapped persons.

3383 The commission may employ and fix the compensation, subject to the State Civil Service Law, of such professional, clerical, and other assistants as may be necessary, including promotional and job survey specialists.

3384. The members of the commission shall serve without compensation except that each member shall be paid a per diem of twenty dollars ($20) for each day's attendance at a meeting of the commission. In addition, each member shall be allowed his actual and necessary expenses incurred in the discharge of his duties.

3385. The commission shall terminate on March 31, 1963.

SEC. 2. There is appropriated the sum of seventy thousand dollars ($70,000) from the General Fund to the Commission for the Promotion of Employment of the Visually Handicapped, to enable the commission to carry out its functions under Chapter 2 5 (commencing at Section 3381) of Part 1 of Division 5, of the Welfare and Institutions Code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 617**—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to eligibility for old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "Who", insert "is a citizen of the United States or who".

**Amendment No. 2**

On page 1, line 14, strike out "continuously".

**Amendment No. 3**

On page 1, line 14, strike out "_____", and insert "20".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 961**—An act to amend Section 4002 of the Welfare and Institutions Code, relating to aid to needy disabled.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1394**—An act to amend Section 4500 of the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1515**—An act to add Section 32130.7 to the Health and Safety Code, relating to local hospital districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, between lines 16 and 17, insert

"This section shall remain in effect until October 1, 1961, but the termination of the effectiveness of this section shall not affect the validity of any loan, indebtedness, or obligation incurred, or any agreement entered into, pursuant to this section, prior to October 1, 1961."

**Amendment No. 2**

On page 1, line 3, strike out "A district", and insert "Any district with a hospital licensed to have 254 or more beds, which hospital is located within a county of 800,000 or more population,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1368**—An act to add Section 426.1 to the Health and Safety Code, relating to standards for the quality of air, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 20, 1959, after "beings", insert ", as well as damage to vegetation and interference with visibility".

Amendment No. 2

On page 1, line 14, after "department", insert ", after notice and hearing,".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1250**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

Amendment No. 1

On page 1, line 20, of the printed bill, after "writing", insert "within twenty-four (24) hours, by the pharmacist".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1130**—An act to amend Section 4127 of the Agricultural Code, relating to unfair practices.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Livestock and Dairies, was read, and adopted:

Amendment No. 1

On page 1, line 18, of the printed bill, after "practice", insert ", except when the distributor furnishing the facilities has authorized, in writing, the use of the facilities for the storage of imitation ice cream or imitation ice milk by a distributor of imitation ice cream or imitation ice milk and a copy of such authorization has been filed with the director at the time of its issuance".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

**Assembly Bill No. 1349**—An act to amend Sections 13140 and 13141 of, and to add Sections 13220 and 23867 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Sections 13140 and 13141 of, and".

Amendment No. 2

In line 2 of the title, strike out "Sections 13220 and 23867 to," and insert "Section 13187 to".

**Amendment No. 3**

In line 3 of the title, after "Session", insert ", relating to certificated personnel".

**Amendment No. 4**

On page 1, strike out line 1, and insert

"SECTION 1. Section 13187 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:

13187. It is the policy of the Legislature that certificated personnel employed in administrative positions in the public school system shall have completed a course of study in problems in the identification and education of exceptional children."

**Amendment No. 5**

On page 1, strike out lines 2 to 18, inclusive; and strike out page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 662**—An act to add Section 1825.1 to the Education Code, and Section 940.1 to the Education Code as proposed by Senate Bill No. 2, relating to school district elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1825.1 to the Education Code, and ".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 11, inclusive.

**Amendment No. 4**

On page 1, line 12, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 5**

On page 1, line 13, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 6**

On page 2, line 1, strike out "divided", and strike out line 2, and insert "within the boundaries of the city apportioned between the city and the school districts in the ratio that the total number of offices to be filled and propositions to be voted upon by the electors of the city and the school district or districts, respectively bears to the total number of offices to be filled and propositions submitted. The cost and expense of the election in territory outside of the municipal boundaries shall be borne by the districts affected."

**Amendment No. 7**

On page 2, strike out lines 3 to 8, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1198**—An act to add Section 14694.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to transfer of membership by employees of certain school district retirement plans to the State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "200,000", and insert "300,000".

**Amendment No. 2**

On page 1, line 8, after "1960", insert "to take effect on July 1, 1960,".

**Amendment No. 3**

On page 1, strike out line 13, and insert "Retirement System shall be what it would have been had there been no district retirement salary plan".

**Amendment No. 4**

On page 1, strike out lines 14 to 16, inclusive, and on page 2, strike out line 1, and insert ", and for pur-".

**Amendment No. 5**

On page 2, line 5, strike out "retirement system", and insert "retirement salary plan".

**Amendment No. 6**

On page 2, line 7, strike out "system", and insert "salary plan prior to July 1, 1960,".

**Amendment No. 7**

On page 2, strike out line 9, and insert

"There shall be transferred from the assets of said district retirement salary plan".

**Amendment No. 8**

On page 2, line 10, strike out "tem".

**Amendment No. 9**

On page 2, strike out lines 12 to 28, inclusive, and insert "law, an amount from contributions by the respective employers to the respective district retirement salary plans, equal to the accumulated contributions including interest which would have been credited to him in the State Teachers' Retirement System had he not been a member of the district retirement salary plan, and the employee's contribution, together with credited interest, shall be returned to him.

The total of such assets transferred shall not be greater than the portion of the reserves of such plan which is allocable to such employee as determined by actuarial valuation. In such valuation the portion of the reserves allocable to such employee shall be determined as an amount which bears the same ratio to the total reserves under such plan as the liabilities under the plan or account of such employee bear to the total liabilities under the plan as of the date of July 1, 1960, and the employee shall be".

**Amendment No. 10**

On page 2, line 31, strike out "system's" and insert "salary plan's".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1412**—An act to add Article 11 (commencing at Section 3481) to Chapter 9 of Division 5 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the dissolution of unified school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "any", and insert "After three years from the effective date of its formation, any".

**Amendment No. 2**

On page 2, between lines 8 and 9, insert

"The State Board of Education shall act on the matter within 90 days of the receipt of the plans and recommendations of the county committee."

**Amendment No. 3**

On page 2, strike out lines 9 to 23, inclusive, and insert

"3486. The plans and recommendations of the county committee formulated pursuant to Section 3485 shall include the following:

(a) The description of each elementary school district proposed to be established in the territory of the dissolved unified district.

(b) The inclusion of the territory of the dissolved unified district in a new high school district or in an existing contiguous high school district or districts.

(c) Proposals for the division of property other than real property, funds, and obligations including bonded indebtedness of the unified district among the districts in which the territory is included.

Any real property used for elementary school purposes shall become the property of the elementary district in which it is located following the dissolution. Any real property used for high school or junior high school purposes shall become the property of the high school district in which it is located following the dissolution.

The provisions of Section 21883 notwithstanding, the bonded indebtedness of the unified district shall become the bonded indebtedness of the elementary or high school districts in accordance with the plans and recommendations and shall be considered as bonded indebtedness of such districts for the purposes of determining the limitation of bonded indebtedness under Sections 21801 and 21802 of the this code."

**Amendment No. 4**

On page 2, line 39, strike out "two-thirds", and insert "a majority".

**Amendment No. 5**

On page 2, line 44, after "dissolved", insert ", and the elementary districts and high school district established, or the boundaries of the high school district or districts changed, as the case may be. The effective date of the establishment of any new district shall be as provided in Sections 1601, 1602, and 1603 of this code."

**Amendment No. 6**

On page 3, strike out lines 33 to 36, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1469**—An act to add Section 13955.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "are", and insert "may elect to become".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 368**—An act to add Section 906.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to legal counsel for school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 13, 1959, after "practice", insert "to prepare and conduct school district litigation, or".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 506**—An act to amend Section 1301.1 of the Education Code, and amend Section 1532 of the Education Code, as proposed by Senate Bill No. 2, relating to district superintendents of schools.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

**Senate Bill No. 137**—An act to amend Sections 375.1, 377.1, and 377.6 of the Agricultural Code, relating to poultry.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 174**—An act to add Section 2351 to the Agricultural Code, relating to deposit of funds.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 400**—An act to add Section 5132 to the Agricultural Code, relating to the investment of moneys collected pursuant to the California Beef Council Law.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 178**—An act to amend Sections 12607 and 12611 of the Business and Professions Code, relating to commodities sold in containers.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "Whenever", and insert "Effective January 1, 1960, whenever".

Amendment No. 2

On page 1, line 10, after the period, insert "Whenever the quantity of any commodity sold in a nonrigid container is expressed in terms of measure or volume, such measure or volume of such container for such commodity shall be determined in accordance with regulations established by the director. Whenever any commodity is sold in compressed form the container of such commodity may carry a supplemental statement showing the measure or volume of the commodity in uncompressed form. Any letters, figures or numerals used in such supplemental statement shall not be greater in size, or more conspicuously displayed, than the letters, figures or numerals used in the required statement of quantity. The method of determining the measure or volume of the commodity in uncompressed form may be established by regulations of the director."

Amendment No. 3

On page 1, line 20, strike out the period and insert ", except that the limitation on the actual quantity in excess of stated minimums shall not apply to peat moss, leaf mold, compost, animal manure, mulching materials or similar materials or

mixtures thereof, and for such materials the director may, by regulations, establish reasonable permissible maximums."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

**Senate Bill No. 166**—An act to add Section 1073 to the Civil Code and to add Section 109 to the Probate Code, relating to a grant, devise or bequest to a grantor's or testators own heirs or next of kin.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 212**—An act to repeal Sections 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10, 1435.11, 1435.12, 1435.13, 1435.14, 1435.15, 1435.16, 1435.17, 1435.18, 1435.19, 1435.22, 1435.24, 1435.25, 1435.26, 1435.27, 1435.28, 1435.29, 1435.30, 1435.31, 1435.33, 1435.37, and 1435.39 of the Probate Code, and to amend Sections 1435.1, 1435.2, 1435.3, and 1529 of said code, and to amend and renumber Sections 1435.20, 1435.21, 1435.23, 1435.32, 1435.34, 1435.35, 1435.36, and 1435.38 of said code, and to add Sections 1435.4, 1435.5, 1435.9, 1435.15, 1435.16, 1435.17, and 1435.18 to said code, and to amend Sections 172, 172a, 1242, and 1243 of the Civil Code, and to add Section 172b to said code, relating to transfer and encumbrance of community and homestead property when a spouse is incompetent.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 90**—An act to amend Section 13831.4 of the Education Code, and Section 13515 of the Education Code as proposed by Senate Bill No. 2, relating to teachers' salaries.

Bill read second time, and ordered to third reading.

NOTE: Later this day, Senate Bill No. 90 was placed on this inactive file.

**Senate Bill No. 151**—An act to add Article 5 (commencing with Section 1101) to Chapter 1, Division 2 of the Education Code, relating to governing boards of school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 2, lines 3 and 4, of the printed bill, as amended in the Senate on February 26, 1959, strike out "a majority of the members of the", and insert "two members of the governing board of the school district concerned if a three-member board, four members if a five-member board, five members if a seven-member board and three-fourths (¾) of the members of any other".

**Amendment No. 2**

On page 2, line 6, strike out "five", and insert "two percent (2%) of the".

**Amendment No. 3**

On page 2, line 9, after "shall", insert "conduct a hearing in the district on the matter, and such committee shall be augmented, pursuant to Section 3113, for the purpose of the hearing. At the conclusion of the hearing, the committee shall approve or disapprove the proposal. If the committee approves the proposal it shall".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

**Senate Bill No. 327**—An act to add Section 1507 to the Education Code and Section 10810 to the Education Code, as proposed by Senate Bill No. 2, relating to education.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 496**—An act to add Section 20258 to the Education Code, and Section 265 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to teachers in state college laboratory demonstration elementary schools and in schools under the jurisdiction of the Department of Education, declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1415** and **844.**

**Assembly Bill No. 1376,** subsequent to engrossment.

**Senate Bills Nos. 137, 174, 400,** and **496.**

### SENATE BILL NO. 90 PLACED ON THE INACTIVE FILE

On motion of Mr. Backstrand, Senate Bill No. 90 was ordered placed on the inactive file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### MOTION TO RECONSIDER ASSEMBLY BILL NO. 53 CONTINUED

Mr. Beaver was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 53 be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 229**—An act to amend Section 7717 of the Education Code, and amend Section 19581 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district public works, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 229?

#### Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

#### Amendment No. 2

On page 2, between lines 25 and 26, insert

"For the purposes of this chapter pupils attending grades seven and eight in an elementary district but residing in a high school district which maintains one or more junior high schools shall not be considered in determining or estimating the average daily attendance of the elementary district, unless the elementary district, on the effective date of the amendment to this section enacted at the 1959 Regular Session, maintains grades seven and eight. When such pupils are so considered in

determining or estimating the average daily attendance of the elementary district in making an apportionment to the elementary district, such pupils shall not be considered in determining or estimating average daily attendance of the high school district in making an apportionment to the high school district for junior high school purposes."

**Amendment No. 3**

On page 2, lines 26 and 27, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 4**

On page 3, between lines 19 and 20, insert

"For the purposes of this chapter pupils attending grades seven and eight in an elementary district but residing in a high school district which maintains one or more junior high schools shall not be considered in determining or estimating the average daily attendance of the elementary district, unless the elementary district, on the effective date of the amendment to this section enacted at the 1959 Regular Session, maintains grades seven and eight. When such pupils are so considered in determining or estimating the average daily attendance of the elementary district in making an apportionment to the elementary district, such pupils shall not be considered in determining or estimating average daily attendance of the high school district in making an apportionment to the high school district for junior high school purposes"

**Amendment No. 5**

On page 3, strike out lines 20 to 23, inclusive, and insert

"SEC. 3. Section 2 of this act shall become operative at the same time as the Education Code, as enacted by the Legislature at its 1959 Regular Session, takes effect, at which time Section 7717".

**Amendment No. 6**

On page 2, line 23, of the printed bill, as amended in the Senate on March 19, 1959, strike out "on the effective date of the amendment to this", and strike out all of line 24, and in line 25 strike out "7 and 8", and insert "is maintaining and has continuously maintained grades seven and eight since a date prior to January 1, 1959".

**Amendment No. 7**

On page 3, line 26, strike out "on the effective date of the amendment to this", and strike out all of line 27, and in line 28 strike out "7 and 8", and insert "is maintaining and has continuously maintained grades seven and eight since a date prior to January 1, 1959".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 229 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 229 ordered enrolled.

**Assembly Bill No. 263**—An act to add Section 55336 to the Water Code, relating to the sale of surplus water by county waterworks districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 263?

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "or otherwise dispose of".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 263 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney,

Garrigus, Ernest R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 263 ordered enrolled.

**Assembly Bill No. 752**—An act to amend Sections 24507, 24908, 26241, 26653, and 27281 of, and to add Sections 25057, 25841.5, 25845, 25846, 25847, 25848, 25849, 25904, 26210.5, 26403, 26404, 26405, 26406, 26657, and 26658 to, and to add Article 7 (commencing at Section 26351) to Chapter 7 of Part 1 of Division 10 of, and Article 3 (commencing at Section 27291) to Chapter 10 of Part 1 of Division 10, and Chapter 10.5 (commencing at Section 27401) to Part 1 of Division 10 of, the Public Utilities Code, and to amend Sections 13006, 13507, 14280, 14752, and 15030, and to add Sections 13656, 14065.5, 14069, 14070, 14071, 14072, 14073, 14128, 14259.5, 14502, 14503, 14504, 14505, 14756, and 14757 to, and to add Article 7 (commencing at Section 14390) to Chapter 7 of Part 1 of Division 5, and Article 3 (commencing at Section 15035) to Chapter 10 of Part 1 of Division 5, and Chapter 10.5 (commencing at Section 15050) to Part 1 of Division 5 of the Public Districts Code as proposed by Assembly Bill No. 908, relating to the transit districts in the Counties of Alameda and Contra Costa, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 752?

**Amendment No. 1**

In line 13 of the title of the printed bill, as amended in the Assembly on March 6, 1959, strike out the second "to", and insert "of".

**Amendment No. 2**

In line 17 of the title, strike out "14752,".

**Amendment No. 3**

In line 24 of the title, strike out "Services", and insert "Districts".

**Amendment No. 4**

On page 14, line 39, strike out "said", and insert "the".

**Amendment No. 5**

On page 16, line 1, strike out "Services", and insert "Districts".

**Amendment No. 6**

On page 19, line 47, strike out the first comma.

**Amendment No. 7**

On page 21, line 6, after "Territory", insert "Within or Without City".

**Amendment No. 8**

On page 21, strike out lines 11 to 13, inclusive, and insert "voters of the district any city or unincorporated".

**Amendment No. 9**

On page 21, line 33, after "or", insert "a".

**Amendment No. 10**

On page 22, line 40, after "However", insert a comma.

**Amendment No. 11**

On page 24, line 33, strike out "public", and insert "publish".

**Amendment No. 12**

On page 25, line 47, strike out "signature", and insert "signatures".

**Amendment No. 13**

On page 26, line 23, strike out the first "or".

**Amendment No. 14**

On page 27, line 24, strike out "said".

**Amendment No. 15**

On page 27, line 36, strike out "Sections", and insert "Section".

**Amendment No. 16**

On page 28, line 24, strike out "said", and insert "the".

**Amendment No. 17**

On page 29, line 13, strike out the second "of".

**Amendment No. 18**

On page 29, line 36, strike out "Services", and insert "Districts".

**Amendment No. 19**

On page 29, lines 38 and 39, strike out "Sections 1 to 23, inclusive, added to", and insert "the sections of".

**Amendment No. 20**

On page 29, line 39, strike out "by", and insert "affected by Sections 1 to 23, inclusive, of".

**Amendment No. 21**

On page 29, line 44, strike out "constitution", and insert "constituting".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 752 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.
NOES—None.

Assembly Bill No. 752 ordered enrolled.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 336 CONTINUED

Mr. Francis was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 336 be continued until the next legislative day.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read third time.

**Motion to Amend**

Mr. Collier moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on February 24, 1959, after the period, insert "'Local agency" does not include a school district with an average daily attendance of, or two or more school districts governed by the same governing board with a combined total average daily attendance of, 490,000 or more."

Amendment read.

### Motion to Place on Inactive File

Mr. Biddick moved that Assembly Bill No. 156 be placed on the inactive file.

Mr. Beaver seconded the motion.

Motion carried.

### Assembly Joint Resolution No. 22 Placed on the Inactive File

On motion of Mr. George E. Brown, **Assembly Joint Resolution No. 22** was placed on the inactive file.

**Assembly Bill No. 1317**—An act to amend Sections 14004 and 14406 of the Financial Code, relating to credit unions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 763**—An act to amend Sections 8151 and 8780 of the Fish and Game Code, relating to bait nets.

Bill read third time, and passed by the following vote:

AYES—Bane, Belotti, Britschgi, George E. Brown, Burke, Burton, Coolidge, Crawford, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Holmes, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, and Z'berg—43.

NOES—Bruce F. Allen, Biddick, Bradley, Busterud, Conrad, Crown, Cunningham, Dahl, Davis, Donahoe, Grant, Johnson, Lanterman, Levering, Marks, Munnell, Reagan, Rees, and Shell—19.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker pro Tempore Bee ordered the following list of Pages, all of whom served the Assembly during Easter Week without pay, printed in the Journal:

### EASTER WEEK PAGES

| | |
|---|---|
| Kathleen Allen | Sally Minard |
| Timothy Allen | Dale Brown |
| Hunter Ridenour | David Brown |
| Marjory Garrison | Jimmy Zarzana |
| Fred Klein | Judy Smith |
| Darlene Bailey | Allan Alquist |
| Cassandra Lee Fraser | Cathryne Dunn |
| Gordon Rose | Daniel Dunn |
| Larry Longhofer | Mary Ann Dunn |
| Keith Richards | Rickie Cameron |

Joyce Hinman
Toni Crawford
Ken Ross
Gary Higgins
Robert Hadeler
Candy Frame
William Sieber
John Karl Fraser
Jane Weber
Corky Stalcup
Patrick Francis
Denis Englander
Lori Magnuson
Mike Le Vecke
Paul Gregg
Susan Heald
Mike Christiansen
Franklin Williams
Meggie Zweiback
Jim Morrow
Kenneth Goss
Pat Norton
Jeffery Raimundo
Sandra Ann Neff
Susan Sheldon
Evan Charles Braude
Ann Levering
Yvonne Lunardi
Frank Reshke
Eugene Buchanan
Ed Barros
Cynthia Smith
Jim Goddard
David Mulford
Joann Daba
Bruce Myers
Robin Potmesil
Carl Porter
Tommy Consiglio, Jr.
Gary Barnes
Deborah Park
Lara-Jo Cook
Mearl Cook
Den Bailey
Larry Moranda
Geoffrey Graybill
Keith Yarwood
Judy Marsh
Linda Cypert
Fred Cypert
Marilyn Dillard
Victor Zarzana
Christi L. McLean
William E. Best, Jr.
Juno Justice
Claudia Mellin
Vickie Cameron
Dwayne Cole
Cheryl Crawford
Mark Mohr
Keith Lawson
Bruce Goddard
Mary Jo Kaufman
David Dills
Terry Simonsen
Robert Urban
Jimmy Hahn
Michele Francis
Lawson Legate
Bruce Magnuson
Penny Rolla
Nicky Van Horn
Wesley Ford
Pat Beasley
Fredean Trowbridge
Joan Helland
Charles Patrick Connor
Richard Goss
Kathleen Goss
Diana Elaine Olsen
Thomas Raimundo
William Taylor
Stephen Zweiback
Katherine Wells
Karl Baker
Nancy Lunardi
Jack Wipf
Nancy Ricker
Candy Debs
Ken Goddard
Richard Derr
Stephanie Lynn Thompson
Susan Daba
Michael Potmesil
Judy Rae Natapoff
Bruce V. Reagan, III
Lloyd Thomas Mitchell
Susan Parker
Dana Nance
Teddy Lyons
Marion Babich
Lawrine Di Rocco
Jan Creedon
Rivera Deavereux

Kathy Dunn
Larry Longhofer
Steve McCaffrey
Tracy Schwartz
Ken Ross
Cassandra Fraser
David Morgan
Norma Nordwick
Jan Lowrey
John Biddick
Jeff Thompson
Timmy Allen
Mike Christiansen
Ann Levering
Larry Chapman
Marilyn Dillard
Tom MacBride
Richard Lewis
Nancy Wilson
Sandra Ford
Pam Blair
Linda Perino
Wendy Bush
John Sheibley
John Williamson
Donna Mulford
Sally Williamson
Lon Fury
Kathleen Allen
Terry Simonsen
Lesley Miller
Jimmy Hartley
Karl Baker, Jr.
Terry Williams
Don Mulford
Ann Hartley
Richard Bennett
Meredi Beaver
Laura Magnuson
Chris Sullivan
Mary Sullivan
Douglas Huff
Paul Caidiasminos
Bernadette Mullen
Rusty Alquist
Bob Ford
Marion Babich
Thomas D. Roocly
Trudy Reynolds
Curtis Barmby
Jim Merrill
Sylvia Lyons
Mary V. Thomas
Vincent Thomas, Jr.
Louis Harris
Jim Kiernan
Mary Dunn
Dave Mulford
Jim Goddard
Mary Jane Hammell
Pat Barrigan
Lawson Legate
Frank Reshke
Lloyd Lowrey, Jr.
Wesley Ford
Tom Biddick
Joan Biddick
Kathleen Allen
Evan Charles Braude
Pat Norton
Richard Derr
Peter MacBride
Jeff Taylor
Frank Williams
Carol Darling
Cynthia Smith
Marcia Hansen
Anne Goheen
Jim Thompson
Timmy Lowrey
Pat Mulford
Timmy Lowrey
Kathy Wells
Gordon Rose
Timmy Allen
Patrick Francis
Adele Kornberg
Ginger Hartley
Michele Francis
Janis Williams
Bob Levering
Victor Zarazna
Gary Higgins
Patricia Marr
Bruce Magnuson
Pete Sullivan
Roger Huff
Rene Dokos
Ed Frericks
Pamela Blair
Jack Ford
Gary Barnes

Connie Cannata
Timmy Taylor
Joe Scott
John Prichard
Bill Fisher
Joan Biddick
Robert Taylor
Delilah Schelen
Bruce Unruh
Randy Unruh
John Anderson
Peter MacBride
Stephanie Palmer
Elsie Rumford
John Biddick
Norma Nordwick
Johnny Williamson
David Debs
Richard Lewis
Cynthia Smith
Kelly O'Kane
Pat Marr
Gail Anderson
Tom Roach
David Brown
Judy Marsh
Laurie Scott
Bill Best
Tom Biddick
Dean Taylor
Rod Brooks
Bradey Unruh
Robert Unruh
Linda Unruh
Tom MacBride
Tracy Ann Schwartz
Renee Palmer
David Morgan
Jeff Thompson
Dan Williams
Sally Williamson
Michael Haskins
Pamela Blair
Timmy Lowrey
John Sheebley
Meredi Beaver
Richard Bennett
Dale Brown
Fred Klein

### ASSEMBLY BILL NO. 1682 RE-REFERRED TO COMMITTEE

Speaker pro Tempore Bee announced that Assembly Bill No. 1682 was heard in committee before 30 calendar days had elapsed, and ordered the bill re-referred to the Committee on Revenue and Taxation.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1370**—An act to amend Sections 3009 and 3408 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time.

#### Demand for Previous Question

Messrs. Grant, Dahl, Schrade, Crawford, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bane, Britschgi, George E. Brown, Burton, Coolidge, Dills, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Kennick, McCollister McMillan, Meyers, Munnell, O'Connell, Rumford, Thomas, Waldie, and Williamson—22.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Burke, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Grant, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, George A. Willson, Charles H. Wilson, and Winton—45

**Rush Order Placed Upon Printing of Assembly Bill No. 1412**

Mr. Winton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1412, in order that the bill may be heard in committee today.

**Assembly Bill No. 66**—An act to add Sections 380.13 and 380.14 to, and to repeal Sections 380.11 and 380.12 of, the Agriculture Code, relating to chicken poultry meat and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Speaker Presiding**

At 11.20 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Motion to Amend**

Mr. McCollister moved the adoption of the following amendments:

**Amendment No. 1**

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on March 2, 1959, strike out "and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2, strike out lines 16 to 28, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed, and to retain its place on file.

**Assembly Bill No. 466**—An act to add Article 3.5 (commencing with Section 1221) to Chapter 1, of Division 6, of the Military and Veterans Code, relating to the construction of halls, buildings and meeting places by veterans' memorial districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1454**—An act to amend Section 208.1 of the Vehicle Code and to amend Section 11715 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicle license plates for manufacturers and dealers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 960**—An act to amend Section 18901 of the Government Code, relating to state civil service eligible lists.

Bill read third time, and ordered passed on file, and to retain its place on the next legislative day.

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and ordered passed on file, and to retain its place on the next legislative day.

**Assembly Bill No. 974**—An act to amend Section 20493 of, and to add Section 20496 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Belotti:

### House Resolution No. 174

Relative to congratulating Mr. Chester Goble on the birth of triplet calves

WHEREAS, Humboldt County, long known for its magnificent coastline, is also one of the leading dairy producing areas in the State, and the home of many excellent thoroughbred Jersey and Guernsey herds; and

WHEREAS, On March 8, 1959, the bovine population of Humboldt County was increased in a most extraordinary manner when a Fernbridge, California Guernsey cow gave birth to identical heifer triplets; and

WHEREAS, In cattle, triplets occur only once in approximately 500,000 births, and identical triplets are even rarer; and

WHEREAS, The proud "father" of those three frolicsome and healthy calves is Mr. Chester Goble, one of Humboldt County's leading dairymen and the operator of an efficiently run 60-cow dairy; and

WHEREAS, Mr. Goble was born and reared in Ferndale, Humboldt County, in the heart of the lush Eel River Valley and the site of many dairies; and

WHEREAS, "Father" Goble, in his 25 years as a dairy farmer, has been credited with many outstanding achievements, but none so remarkable as this; and

WHEREAS, Mother Guernsey is recovering quite nicely, considering the complexities necessarily involved in nursing three calves simultaneously; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this house extend to Mr. Chester Goble their sincere congratulations, not only upon his earlier achievements, but upon this latest demonstration of his remarkable abilities as a dairyman, the birth of triplet heifers; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. Chester Goble.

Resolution read, and referred to the Committee on Rules.

By Mr. Porter:

**House Resolution No. 175**

Relative to the California International Trade Fair and Industrial Exposition

WHEREAS, The California International Trade Fair and Industrial Exposition, more familiarly known as Calfair, will be held in the Great Western Exhibit Center in Los Angeles from April 1st through April 12th, 1959; and

WHEREAS, Calfair is a nonprofit event sponsored by the State of California to stimulate a two-way exchange of trade and ideas between the United States and other nations in the world; and

WHEREAS, Calfair fills a long-felt need, not met by other state and local expositions, to give recognition to the growing importance of California's industries, and to display under one roof examples of the thousands of consumer items produced in the State; and

WHEREAS, Special sessions of this exciting and colorful showcase of quality merchandise will be held for professional buyers during the first few days of the exposition, after which the fair will be opened to the general public, with April 5th being designated a special day for Members of the Legislature and other state officials, who are cordially invited to attend the festivities in their honor; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly extend their best wishes for the success of the first California International Trade Fair and Industrial Exposition; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Ned Lewis, Chairman of the Executive Committee of Calfair.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 100:** By Messrs. Gaffney, McCollister, Busterud, Crawford, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Cameron, Collier, Conrad, Coolidge, Crown, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to commending the American Legion on its Fortieth Anniversary.

**Speaker pro Tempore Presiding**

At 11.47 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Request for Unanimous Consent**

Mr. Gaffney was granted unanimous consent to take up Assembly Concurrent Resolution No. 100 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 100

**Assembly Concurrent Resolution No. 100**—Relative to commending the American Legion on its fortieth anniversary.

Resolution read, and adopted.

Resolution ordered printed, and transmitted to the Senate.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Joint Resolution No. 24**: By Mr. Lowrey—Relative to requesting Congress to enact S 910 of the Eighty-Sixth Congress.

Referred to Committee on Rules.

## ANNOUNCEMENT

Mr. MacBride announced that the City and County of Sacramento is giving a party for the Members of the Legislature at the Senator Hotel tomorrow night, and urged the members to attend.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Meyers, Belotti, Gaffney, Backstrand, Burton, Busterud, Marks, and O'Connell:

### House Resolution No. 176

Relative to the death of Margaret Allen Spencer

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Margaret Allen Spencer on February 10, 1959, after an illness of about three months; and

WHEREAS, Margaret Allen Spencer was born and raised in Denver, Colorado, and graduated from the Mercy Hospital Nurses Training School in that city; and

WHEREAS, She practiced as a registered nurse in Denver, Cleveland, New York, and Washington, D. C., prior to coming to San Francisco in 1925; and

WHEREAS, She married John C. Spencer, Assistant General Manager of the California State Automobile Association, in San Francisco in 1926; and

WHEREAS, The Members of the Assembly have also learned that John Spencer is now in the hospital; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly by this resolution pay tribute to the memory of Margaret Allen Spencer and extend their deep sympathy and sincere condolence to her husband on his bereavement; and be it further

*Resolved*, That the Members wish John C. Spencer a speedy recovery and good health in the future; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to John C. Spencer.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, March 26, 1959

MR SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 318
Assembly Bill No. 570

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1376

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 577 | Assembly Bill No. 1184 |
| Assembly Bill No. 961 | Assembly Bill No. 1394 |

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 403 | Assembly Bill No. 1003 |
| Assembly Bill No. 404 | Assembly Bill No. 1307 |
| Assembly Bill No. 905 | Assembly Bill No. 1308 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

### Request for Unanimous Consent

Mr. Crown was granted unanimous consent to take up Assembly Bill No. 1307, at this time, for purpose of amendment, and that the bill be removed from the Consent Calendar.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO 1307

**Assembly Bill No. 1307**—An act to add Section 3831 to the Elections Code, relating to the general election ballot.

Bill read second time.

### Motion to Amend

Mr. Crown moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "3831", and insert "3832".

### Amendment No. 2

On page 1, line 1, strike out "3831", and insert "3832".

### Amendment No. 3

On page 1, line 3, strike out "3831", and insert "3832".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the second reading file.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2289**: By Mr. Bradley—An act to amend Section 162 of and to add Section 162.5 to the Probate Code, relating to income earned during probate.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2290**: By Mr. Bradley—An act to add Chapter 8 (commencing at Section 30200) to Division 3, Title 3 of the Government Code, relating to county accounting procedures.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2291**: By Mr. Bradley—An act to add Section 715.4 to the Civil Code, relating to exclusion of certain trusts from

the rule against perpetutities and the rule against restraints of alienation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2292**: By Messrs. Z'berg and MacBride—An act to amend Section 3308 of the Health and Safety Code, relating to tuberculosis hospitals.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2293**: By Mr. McCollister—An act to amend Section 2210 of the Business and Professions Code, relating to the practice of medicine.

Referred to Committee on Public Health.

**Assembly Bill No. 2294**: By Mr. Belotti—An act to make an appropriation for the construction of a state highway.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2295**: By Mr. Cameron—An act to amend Section 362 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2296**: By Mr. Cameron—An act to amend Section 3042 of the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Public Health.

**Assembly Bill No. 2297**: By Messrs. Kennick, Grant, Luckel, Crawford, Petris, Schrade, and George A. Willson—An act to add Section 20019.3 to the Government Code, relating to State Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2298**: By Mr. Lowrey—An act to amend Section 1051 of the Public Utilities Code, relating to warehousemen.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2299**: By Messrs. Garrigus, Bee, Lunardi, Gaffney, Britschgi, George E. Brown, Busterud, Collier, Cusanovich, DeLotto, Elliott, Kennick, Kilpatrick, Lowrey, Masterson, Miller, Petris, Sedgwick, and George A. Willson—An act to add Section 10853 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to corporal punishment of pupils.

Referred to Committee on Education.

## RE-REFERENCE OF BILLS

Speaker Brown ordered **Senate Bill No. 52** re-referred to the Committee on Ways and Means.

## ADJOURNMENT

At 11.56 a.m., on motion of Mr. Winton, seconded by Mr. Bruce F. Allen, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Tuesday, March 31, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY

SIXTY-SECOND CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, March 31, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Galen Lee Rose, Executive Secretary, Sacramento Council of Churches:

*God, Our Father,* Because this is Thy world and we are Thy children, we turn for guidance, for understanding, for wisdom, to Thee. Through the maze of conflicting interests and diverse points of view, we would be guided to those decisions which will benefit all the people of our State. Bestow that understanding which makes us appreciative of each other even when we disagree. And give us that wisdom which lifts us above the spirit of partisanship and makes us instruments of Thy will. So may Thy blessing rest upon this Assembly in the deliberations and decisions of this day. In Jesus' Name.—AMEN.

**Chief Clerk Arthur A. Ohnimus at the Desk**

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Conrad, seconded by Mr. Shell, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Chapel, on motion of Mr. Shell.

Mr. Hanna for a part of the day, on motion of Mr. Holmes.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Miller, on motion of Mr. George E. Brown.

## PETITIONS

The following petition was presented by the Chief Clerk from:

Mrs. D. P. Gordon of Burlingame, and 50 others, relative to sales tax. Referred to the Committee on Revenue and Taxation.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Mr. and Mrs. A. Straka of San Jacinto, relative to pension legislation. Referred to the Committee on Social Welfare.

## PETITIONS

The following petition was presented by the Speaker from:

R. W. Agnew of Los Angeles, relative to impeachment. Referred to the Committee on Judiciary—Civil.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Joint Resolution No. 25:** By Messrs. Bruce F. Allen, Williamson, Garrigus, Gaffney, Belotti, Biddick, George E. Brown, Burton, Cameron, Cunningham, Mrs. Davis, Mr. DeLotto, Miss Donahoe, Messrs. Elliott, Samuel R. Geddes, House, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to federal construction and operation of the power facilities of the Trinity River Division, Central Valley Project.

Referred to Committee on Water.

**Assembly Bill No. 2300:** By Mr. Charles H. Wilson—An act to amend Section 538 of the Code of Civil Procedure, relating to attachment of property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2301:** By Mr. Bruce F. Allen—An act to amend Section 1111 of the Penal Code, relating to testimony of an accomplice in a criminal case.

Referred to Committee on Criminal Procedure.

**Assembly Concurrent Resolution No. 101:** By Mrs. Davis—Relative to the Upper Sacramento River development projects.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 617
Assembly Bill No. 1469
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1368
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 349
Assembly Bill No. 368
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills returned to second reading file.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 66
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1412
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 889
Assembly Bill No. 1676
Assembly Bill No. 1690
Assembly Bill No. 1693
Assembly Bill No 1711
With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules No. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 1686
Assembly Bill No. 1712
Assembly Bill No 1718
With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1043
Assembly Bill No. 1587

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1412

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1538
Assembly Bill No. 1651

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1112
Assembly Bill No. 1113

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1009

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1644
Assembly Bill No. 1645
Assembly Bill No. 1646
Assembly Bill No. 1647
Assembly Bill No. 1648
Assembly Bill No. 1649
Assembly Bill No. 1650

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1424

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 522
Assembly Bill No. 1307

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 99

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 71
Assembly Bill No. 181
Assembly Bill No. 707
Assembly Bill No. 1212
Assembly Bill No. 1213

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 721

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, March 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 9
Senate Concurrent Resolution No. 28

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, March 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 158
Senate Bill No. 450
Senate Bill No. 284
Senate Bill No. 573
Senate Bill No. 333
Senate Bill No. 725
Senate Bill No. 359
Senate Bill No. 246
Senate Bill No. 380

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 158**—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to unemployment disability compensation hospital benefits.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 284**—An act to amend Section 27641 of the Government Code, relating to the county counsel.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 333**—An act to amend Section 301 of the Education Code, amend Section 601 of the Education Code as proposed by Senate Bill No. 2, and repeal Section 601.1 of the Education Code as proposed by Senate Bill No. 2, relating to county boards of education.

Referred to Committee on Education.

**Senate Bill No. 359**—An act to amend Section 19 of the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of 1952 First Extraordinary Session), relating to annexation of land to the Vallejo Sanitation and Flood Control District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 380**—An act to repeal Articles 3 (commencing at Section 7751), 4 (commencing at Section 7771), and 5 (commencing at Section 7901) of Chapter 4, Part 3, Division 6 of, and Section 7994 of, the Public Resources Code, relating to state lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 450**—An act to amend Section 2353 of the Fish and Game Code, relating to the importation of fish and game.

Referred to Committee on Fish and Game.

**Senate Bill No. 573**—An act to amend Section 1052 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 725**—An act to amend Sections 4715 and 4725 of the Health and Safety Code, relating to the formation and consolidation of county sanitation districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 246**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine in state institutions.

Referred to Committee on Public Health.

## MOTION

Mr. Shell moved that the bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Levering seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1377, 257, 401, 1181, 1307, 522, 349, 1284, 1515, and 368.**

**Senate Bill No. 178.**

Assembly Bill No. 1377 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bills Nos. 257, 401, 1181, and 1515 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 1307, 522, 349, 1284, and 368 ordered to third reading.

Senate Bill No. 178 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 124**—An act to add Section 459.86 to the Vehicle Code, relating to parking privileges for disabled persons.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "459.86 to the Vehicle Code", and insert "22511.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 22511.5 is added to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, to read:

22511.5. Any person who has lost, or has lost the use of, both legs or is so severely disabled as to be unable to move without the aid of a wheelchair shall be allowed to park for unlimited periods in parking zones restricted as to the length of time parking is permitted. This section shall have no application to those zones in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. As a condition to this privilege the vehicle shall display a distinguishing license plate which shall be issued for a vehicle registered to the disabled person, without additional fees, by the Department of Motor Vehicles pursuant to regulations adopted by that department."

#### Amendment No. 3

On page 1 strike out lines 2 to 15, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22413, 31401, 31402, 31403, 31404, 31405, 31406 and 31407 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to amend Section 16854 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on March 9, 1959, strike out lines 46 to 50, inclusive, and insert

"31406. No farm labor bus or farm labor truck used primarily or regularly for the transportation of farm laborers may be operated unless such bus or truck provides at least eighteen (18) inches or more of seat space for each passenger and no such bus or truck may crary more passengers than the maximum number of passengers such bus or truck may accommodate affording each passenger such minimum seat space. The maximum number so determined shall be plainly".

**Amendment No. 2**

On page 2, line 10, strike out "or regularly".

**Amendment No. 3**

On page 2, line 12, strike out "and backrests".

**Amendment No. 4**

On page 2, lines 40 and 41, strike out "or regularly".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 419**—An act to add Chapter 8.5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, line 5, of the printed bill, as amended in the Assembly on March 10, 1959, after "basis.", insert "This definition shall not include service performed by any individual if:

(1) Such service is performed by an individual under the age of 18 in the delivery or distribution of newspapers, shopping news, or magazines, not including delivery or distribution to any point for subsequent delivery or distribution, unless such service is performed by an individual under the age of 18 whose principal occupation is regular full-time work and whose attendance at school is incidental to full-time employment

(2) Such service is performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price, his commission being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1004**—An act to amend Section 604.1 of the Vehicle Code and to amend Section 21652 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to access to public highways from service roads.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 988**—An act to amend Section 709 of the Vehicle Code, and Section 2803 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to unlawfully loaded vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "709 of the Vehicle Code, and Section".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "709 of the Vehicle Code", and insert "2803 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 22, inclusive; and on page 2, strike out lines 1 through 9, inclusive.

**Amendment No. 5**

On page 2, strike out lines 13 and 14; and in line 15 strike out "pursuant to Section 6500 of the Labor Code".

**Amendment No. 6**

On page 2, between lines 19 and 20, insert

"When the unloading or reloading involves a vehicle transporting logs, the traffic officer may direct that the vehicle be driven to such place as the officer selects where equipment is available to permit unloading and reloading without violating any regulation prescribed by the Division of Industrial Safety pursuant to Section 6500 of the Labor Code. The fact that the destination for unloading or reloading is not the scheduled destination of the vehicle shall not, of itself, result in a violation of any law or regulation adopted pursuant to law."

**Amendment No. 7**

On page 2, strike out lines 20 through 24, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 806**—An act to amend Sections 142 and 168 of the Vehicle Code and to amend Sections 350 and 5018 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the registration of vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to amend Sections 142 and 168 of the Vehicle Code and".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "142 of the Vehicle Code", and insert "350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 24, inclusive; strike out all of pages 2 and 3; and on page 4, strike out lines 1 through 12, inclusive.

**Amendment No. 5**

On page 5, strike out lines 9, 10 and 11, and insert

"(o) Any vegetable trailer designed and used for the exclusive purpose of transporting vegetables in bulk from the farms where they are grown and harvested to a packing shed or other place where they are prepared for consumption and use,".

**Amendment No. 6**

On page 5, line 13, strike out "4.", and insert "2."

**Amendment No. 7**

On page 5, strike out lines 21 through 26, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 108**—An act to add Section 14108.5 to the Health and Safety Code, relating to local fire districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 109**—An act to add Section 14108.6 to the Health and Safety Code, relating to local fire districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 906**—An act to amend Sections 8321, 8322, 8323, and 8331 of the Streets and Highways Code, relating to city street vacation proceedings.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1278**—An act to amend Section 30 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the acquisition, use and disposition of property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1283**—An act to amend Section 2808 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 83**—An act to add Section 32401 to the Water Code, relating to county water districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 559**—An act to amend Section 5787 of, and to add Section 5787.01 to, the Public Resources Code, relating to the dissolution of recreation and park districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 620**—An act to amend Section 5180 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 621**—An act to amend Section 5397 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 676**—An act to add Section 1711 to the Streets and Highways Code, relating to agreements between cities and counties for street construction, repair or maintenance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 870**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 873**—An act to amend Section 2312 of the Health and Safety Code, relating to the withdrawal of mosquito abatement funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 874**—An act to amend Sections 2248 and 2851 of the Health and Safety Code, relating to the compensation and expenses of mosquito and pest abatement district board members.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1050**—An act to amend Section 5248 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1378**—An act to add Sections $7\frac{3}{4}$ and $7\frac{5}{6}$ to Chapter 361 of the Statutes of 1915, relating to the Sacramento River West Side Levee District.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 541**—An act to add Section 6523.2 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 554**—An act to add Article 10 (commencing at Section 53900) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to budgets of local governmental bodies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 327**—An act to amend Section 5255 of the Streets and Highways Code, relating to remedies in case of default by contractor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 5254 and".

**Amendment No. 2**

On page 1, line 2 of the title, after "to", insert "bonds of contractors and".

**Amendment No. 3**

On page 1, after line 22, insert

"SEC. 2. Section 5254 of the Streets and Highways Code is amended to read:

5254. All contractors, contracting owners included, shall, at the time of executing any contract for ~~street~~ *the* work, execute either a corporate surety bond or a bond to the satisfaction and approval of the superintendent of streets, with two or more individual sureties and payable to the city, in a sum not less than 25 percent of the amount of the contract, conditioned upon the faithful performance of the contract; and the sureties shall justify before any person competent to administer an oath, in double the amount mentioned in the bond, over and above all statutory exemptions."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 817**—An act to amend Section 25642 of the Govment Code, relating to fire protection.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 12, insert

"Moneys appropriated pursuant to this Section shall not be expended for the provision of structural fire protection."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 896**—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after the period, insert "Until the charter is amended to fix the salary of the county supervisors, they shall receive compensation in the amount of eight thousand four hundred dollars ($8,400) a year."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1111**—An act to add Section 18861 to, and Article 2.5 (commencing at Section 53240) of Chapter 2 of Part 1 of Division

2 of Title 5 of the Government Code, relating to payment of the cost of repairing or replacing property of governmental employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18861 to, and".

Amendment No. 2

In line 2 of the title, strike out the first "of", and insert "to".

Amendment No. 3

On page 1, strike out lines 1 to 10, inclusive.

Amendment No. 4

On page 1, line 11, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 5

On page 1, lines 12 and 13, strike out "said code", and insert "the Government Code".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 82**—An act to amend Sections 6075 and 6077 of the Harbors and Navigation Code, relating to harbor districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "of the Harbors and Navigation Code".

Amendment No. 2

On page 1, line 5, strike out "or use".

Amendment No. 3

On page 1, strike out lines 7 to 11, inclusive, and insert "within the limits of its established boundaries. No such harbor works or facilities shall be so acquired, constructed, owned, operated, controlled, or developed within any port district, chartered port, harbor improvement district, incorporated city, or recreational harbor district without the consent of the district, port, or city."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 233**—An act to amend Section 31520.1 of the Government Code, relating to county employees' retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "first,".

**Amendment No. 2**

On page 2, line 11, strike out "The alternate shall sit on the board when a"; and strike out lines 12 and 13, and insert

"The alternate member shall sit and act in place of the seventh member whenever there is before the board any matter concerning the rights, benefits, privileges, or duties of a safety member of the association from the group described in either Section 31470.2 or 31470.4 and that group does not include the seventh member.

In no matter shall more than seven members of the board sit and act."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1058**—An act to amend Section 31809 of the Government Code, relating to pension determination formulas for members of county retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 31809 of", and insert "Sections 31809 and 31812 of, and to add Section 31809.5 to,".

**Amendment No. 2**

On page 1, line 17, strike out "the first three"; strike out line 18; in line 19, strike out "compensation", and insert "that part of the member's final compensation which does not exceed the monthly equivalent of the maximum annual amount subject to contribution under the federal system".

**Amendment No. 3**

On page 2, strike out lines 7 to 15, inclusive.

**Amendment No. 4**

On page 3, after line 29, insert

"SEC. 2. Section 31809.5 is added to said code, to read:

31809.5. Notwithstanding any other provisions of this chapter, with respect to safety members of a county retirement system pension computations pursuant to Section 31809 shall be made in accordance with the formula contained in subdivision (a) of Section 31809 with respect to service performed prior to such time as the member acquires an insured status under the federal old age and survivors' insurance provisions of the Social Security Act, and in accordance with the formula contained in subdivision (b) of Section 31809 with respect to service performed thereafter.

This section is not applicable to safety members subject to the provisions of Sections 31676.1 or 31695.1.

This section shall not be operative in any county until such time as the board of supervisors shall, by resolution adopted by a four-fifths vote, make the provisions of this section applicable in such county.

SEC. 3. Section 31812 of said code is amended to read:

31812. Each member shall continue to contribute as provided for in Article 6 of this chapter less an amount equal to one-third of that portion of such contribution which is payable with respect to the *amount that is subject to the federal system* ~~first three hundred fifty dollars ($350) monthly wage~~."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 81**—An act to amend Section 209.5 of the Revenue and Taxation Code, relating to the tax exemption of vessels in the process of construction, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1040**—An act to amend Sections 6006 and 6010 of the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 9, 1959, strike out "Sections 6006 and", and insert "Section".

Amendment No. 2

On page 1, strike out lines 1 to 22, inclusive.

Amendment No. 3

On page 2, strike out lines 1 to 25, inclusive.

Amendment No. 4

On page 2, line 26, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 5

On page 2, strike out all of line 33 after "includes"; strike out lines 34 to 52, inclusive, and insert "only transactions found by the board to be in lieu of a transfer of title, exchange, or barter."

Amendment No. 6

On page 3, strike out lines 1 to 3, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1041**—An act to add Section 6021 to the Revenue and Taxation Code, relating to sales taxes in respect to vending machines.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 9, 1959, after line 7, insert "This section shall not be deemed to require payment of sales tax measured by receipts of such operators who lease the machines to exchanges of the Army, Air Force, Navy or Marine Corps which acquire title to and sell the merchandise through the machines to authorized purchasers from such exchanges."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1522**—An act to amend Section 6453.5 of the Revenue and Taxation Code, relating to credits against the sales and use tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6453.5 of", and insert "8732.5 of, and to add Sections 6055 and 6203.5 to, and to repeal Section 6453.5 of,".

**Amendment No. 2**

In line 2 of the title strike out "and use", and insert ", use and use fuel".

**Amendment No. 3**

On page 1, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 6055 is added to the Revenue and Taxation Code to read:

6055. A retailer is relieved from liability for sales tax which became due and payable subsequent to September 30, 1957, insofar as the measure of the tax is represented by accounts which have been found to be worthless and charged off for income tax purposes. If the retailer has previously paid the tax, he may, under rules and regulations prescribed by the board, take as a deduction the amount found worthless and charged off for income tax purposes. If any such accounts are thereafter in whole or in part collected by the retailer, the amount so collected shall be included in the first return filed after such collection and the tax paid with the return.

SEC. 2. Section 6203.5 is added to said code, to read:

6203.5. A retailer is relieved from liability to collect use tax which became due and payable subsequent to September 30, 1957, insofar as the measure of the tax is represented by accounts which have been found to be worthless and charged off for income tax purposes. If the retailer has previously paid the amount of the tax, he may, under rules and regulations prescribed by the board, take as a deduction the amount found worthless and charged off for income tax purposes. If any such accounts are thereafter in whole or in part collected by the retailer, the amount so collected shall be included in the first return filed after such collection and the amount of the tax thereon paid with the return.

SEC. 3. Section 6453.5 of said code is repealed.

SEC. 4. Section 8732.5 of said code is amended to read:

8732.5. ~~In any report filed by a vendor under the provisions of this part the vendor may credit, under rules and regulations prescribed by the board, against the tax shown to be due on the report the amount of use fuel tax previously but subsequent to July 1, 1958, reported and paid on sales of fuel represented by accounts which during the period covered by the report have been found to be worthless and actually charged off for income tax purposes; provided, that, if any such accounts are thereafter in whole or in part collected by the seller, the amount so collected shall be included in the first report filed after such collection and tax paid accordingly. The board may, at its option, require the seller to submit periodical reports listing accounts delinquent for a 90-day period or over.~~ *A vendor is relieved from liability to collect use fuel tax which became due and payable subsequent to July 1, 1958, insofar as the sales of the fuel are represented by accounts*

*which have been found worthless and charged off for income tax purposes. If the vendor has previously paid the amount of the tax, he may, under rules and regulations prescribed by the board, take a credit in such amount. If any such accounts are thereafter in whole or in part collected by the vendor, the gallons of fuel represented by the amounts collected shall be included in the first return filed after such collection and the amount of the tax thereon paid with the return. The board may, at its option, require the seller to submit periodical reports listing accounts delinquent for a 90-day period or over."*

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 2, line 29, of the printed bill, strike out "200 or more", and insert "more than 200".

**Amendment No. 2**

On page 2, line 32, after "State", insert "in a single shipment, the wholesale sales price of which does not exceed two dollars ($2) or the retail rates price of which is not in excess of two dollars and fifty cents ($2.50)".

**Amendment No. 3**

On page 4, line 18, strike out "30007", and insert "30008".

**Amendment No. 4**

On page 7, line 21, after "and", insert "the wholesale sales price of".

**Amendment No. 5**

On page 11, line 44, strike out "and", and insert "in".

**Amendment No. 6**

On page 11, line 45, strike out "discharge", and insert "discharged".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1177**—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211.5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190.1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 9, lines 25 and 26, of the printed bill, strike out "five hundred dollars ($500)", and insert "six hundred dollars ($600)".

**Amendment No. 2**

On page 9, line 28, strike out "five hundred dollars ($500)", and insert "six hundred dollars ($600)".

**Amendment No. 3**

On page 11, line 27, strike out "17211", and insert "17211.5".

**Amendment No. 4**

On page 13, line 25, after "concrete", insert a comma.

**Amendment No. 5**

On page 21, line 15, strike out "of", and insert "or".

**Amendment No. 6**

On page 25, line 5, after "18191", insert a parenthesis.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 886**—An act to add Section 1582.1 to, and to amend Sections 1588, 1588.2 and 1594 of, the Labor Code, relating to employment agency licenses.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 887**—An act to amend Section 1684 of the Labor Code, relating to farm labor contractors.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 877**—An act to amend Labor Code Section 101, relating to payment of court costs by the Division of Labor Law Enforcement.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 618**—An act to add Section 923.2 to, and Chapter 4 (commencing at Section 1960) to Part 7, Division 2 of, the Labor Code, relating to firefighters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1959, strike out "Section 923.2 to, and".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 4 (commencing at Section 1960) is added to Part 7, Division 2 of the Labor Code, to read:

CHAPTER 4. FIREFIGHTERS

1960. Neither the State nor any county, political subdivision, incorporated city, town, nor any other municipal corporation shall prohibit, deny or obstruct the right of firefighters to join any bona fide labor organization of their own choice.

1961. As used in this chapter, the term "employees" means the employees of the fire departments and fire services of the State, counties, cities, cities and counties, districts, and other political subdivisions of the State

1962. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to present grievances and recommendations regarding wages, salaries, hours, and working conditions to the governing body, and to discuss the same with such governing body, through such an organization, but shall not have the right to strike.

1963. The enactment of this chapter shall not be construed as making the provisions of Section 923 of this code applicable to public employees."

**Amendment No. 3**

On page 1, strike out lines 2 to 24, inclusive; and strike out all of page 2.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 318**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to the wages of public employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 12, insert

"Each position in a class compensated in accordance with Section 18853 of the Government Code on May 30, 1956, which has been reclassified on a monthly basis since that date, shall be reinstated to its former classification on an hourly or per diem basis. Commencing on the effective date of this act, persons employed in such positions shall receive the prevailing rate of wages provided for in Section 18853 of the Government Code, less any extra fringe benefits paid by the State as compared to private employment."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 570**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 11, inclusive, and insert

"1950 As used in this chapter.

(a) "Employees" means employees of public utility districts, municipal utility districts, or publicly-owned water and electrical utilities administered under the direction of a board or commission other than the legislative body of the city or county.

(b) "Public agency" means public utility districts, municipal utility districts or publicly-owned water or electrical utilities administered under the direction of a board or commission other than the legislative body of the city or county

(c) "Labor organization" means any bona fide organization or agency or any local unit thereof in which workers participate, directly or by representation, and which exists in whole or in part for the purpose of representation of workers in collective bargaining concerning labor-management disputes, grievances, wages, hours and other conditions of employment.

In no case shall the term "labor organization" include any organization, agency, committee or group which is, directly or indirectly, in whole or in part, financed, interfered with, supported, dominated or controlled by any employer, and any

organization, agency, committee or group which is not affiliated with a national or international labor organization shall have the burden of proving it is bona fide.

(d) "Professional employee" means.

(1) Any employee engaged in work predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work, involving the consistent exercise of discretion and judgment in its performance, and of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes; or

(2) Any employee, who has completed such course of specialized intellectual instruction and study and is performing related work under the supervision of a professional person to qualify himself to become a professional employee as defined in subdivision (c) (1)."

**Amendment No. 2**

On page 3, between lines 15 and 16, insert

"The State Conciliation Service shall not find that any unit is appropriate if such unit includes both professional employees and employees who are not professional unless a majority of such professional employees vote for inclusion in such unit."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 261**—An act to amend Sections 2201, 2208 and 2210.5 of the Streets and Highways Code, relating to financial aid for county highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 232**—An act to add Section 604 14 to the Vehicle Code, and to add Section 23120 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to glasses worn by drivers.

Bill read second time, and ordered to the Consent Calendar.

NOTE—Later this day, Senate Bill No. 232 was removed from the Consent Calendar.

**Senate Bill No. 340**—An act to add Section 6868 to the Harbors and Navigation Code, relating to river port districts.

Bill read second time, and ordered to third reading.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 349** and **1284.**

**Assembly Bill No. 1378,** subsequent to engrossment.

**Senate Bill No. 261.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1499**—An act to amend Section 21114 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments of wages to school district employees.

Bill read third time.

**Motion to Amend**

Mr. George A. Willson moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 21114 of", and insert "add Section 21114.5 to".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 21114.5 is added to the Education Code, to read:

21114.5. In any school district situated wholly or partly within a city containing a population of over 1,900,000 persons, according to the 1950 federal census, as an alternative to the payment procedures prescribed by Section 21114, orders for the payment of wages, and payroll orders for the payment of wages and warrants for the payment of wages of employees employed full time in positions not requiring certification qualifications shall be drawn once each two weeks on days designated in advance by the governing board of the district. Labor performed during each such payroll period shall be paid for not later than the eighth working day of the following payroll period.

The governing board of every school district to which this section is applicable shall make the provisions of this section applicable to the board, whenever a majority of the employees of the district employed full time in positions not requiring certification qualifications petition the board in writing to do so."

**Amendment No. 3**

On page 1, strike out lines 2 to 22, inclusive; and on page 2 strike out lines 1 to 8, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1481**—An act to amend Section 992 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the powers and duties of governing boards of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Mulford, Nisbet, Petris, Porter, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1329**—An act to amend Section 6209 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the instruction of blind adults.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Mulford, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1203**—An act to amend Sections 1208 and 4532 of the Penal Code, relating to the offense of failure of a prisoner released from jail during working hours to return to the jail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Mulford, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1510**—An act to add Section 13055 to the Health and Safety Code, relating to fires.

Bill read third time.

**Speaker pro Tempore Presiding**

At 9.57 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 381**—An act to amend Sections 8851, 8903, and 11204 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66
NOES—None.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 381 was made. *See* page 1944.

**Assembly Bill No. 1332**—An act to amend Section 9530 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read third time.

**Point of Order**

Mr. Charles H. Wilson arose to the following point of order: That Mr. Waldie has closed his debate, so further questions and debate are not in order.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, George E. Brown, Burton, Cameron, Coolidge, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—42.

NOES—Backstrand, Beaver, Bradley, Britschgi, Burke, Collier, Crawford, Cusanovich, Dahl, Francis, Gaffney, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, McCollister, Mulford, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—26.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1264**—An act to add Section 23428.9 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 845**—An act to add Section 8283 to the Fish and Game Code, relating to crabs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1101**—An act to add Chapter 14 (commencing at Section 21951) to Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to testing of students attending private secondary schools, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.
NOES—Coolidge—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.
NOES—Coolidge—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1394**—An act to amend Section 4500 of the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 506**—An act to amend Section 1301.1 of the Education Code, and amend Section 1532 of the Education Code, as proposed by Senate Bill No. 2, relating to district superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Britschgi, George E Brown, Burke, Busterud, Cameron, Collier, Crawford, Cunningham, Cusanovich, Dills, Donahoe, Elliott, Gaffney, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, McCollister, McMillan, Meyers, Pattee, Petris, Porter, Reagan, Rees, Schrade, Thomas, Williamson, and Charles H. Wilson—41.
NOES—Bee, Biddick, Burton, Coolidge, Dahl, Davis, DeLotto, Frew, Garrigus, Samuel R Geddes, Levering, Lowrey, Lunardi, Masterson, Mulford, Nisbet, Rumford, Thelin, Waldie, and Z'berg—20.

Bill ordered transmitted to the Senate.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 217**—An act to amend Sections 28816 and 28958 of, to add Section 29126 1 to, and to repeal Section 28972 of, the Public Utilities Code, and to amend Sections 15771 and 16158 of, to add Section 16456 1 to, and to repeal Section 16182 of, the Public Services Code, relating to the San Francisco Bay Area Rapid Transit District.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.

NOES—None.

~~Bill ordered transmitted to the Senate.~~

NOTE: Later this day, a motion to reconsider Senate Bill No. 133 was made. *See* page 1944.

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 53 WAIVED

Mr. Beaver waived his motion to reconsider the vote whereby Assembly Bill No. 53 was passed.

Assembly Bill No. 53 ordered transmitted to the Senate.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 67**—An act to amend Section 3509 of the Fish and Game Code, relating to training dogs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 67?

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert "if the birds, other than".

**Amendment No. 2**

On page 1, line 10, strike out "injured.", and insert "injured:
(a) Between July 1st and March 31st anywhere in the State.
(b) At any other time in that area designated as Zone B in Section 3276, on approval of the department."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 67 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 67 ordered enrolled.

## ANNOUNCEMENT

Mr. Rumford announced that today was the birthday of Mrs. Vi Britschgi, wife of Assemblyman Carl A. Britschgi, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mrs. Britschgi.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS (RESUMED)

**Assembly Bill No. 1170**—An act to amend Sections 12126, 12151, 12153, 12154, 12155, 12276, 12402, 12405, 12431, 12435, 12464, 12465, 12494, 12495, 12622, 12623, 12624, 12626, 12676, 12682, 12801, 12802, 12803, 12834, 12952, 12977, 12997, 13102, 13103, 13105, 13112, and 13113 of, to repeal Sections 12127, 12401, 12403, 12432, 12433, 12434, 12437, 12438, 12461, 12625, and 12998 of, and to add Sections 12440, 12983, and 12998 to, the Revenue and Taxation Code, relating to insurance taxation, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1170?

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on February 24, 1959, between lines 19 and 20, insert

"The penalty imposed by this section shall not apply as to any insurer required to file a statement and return pursuant to Section 12126 or 12276 for the calendar year 1958, who files such statement and return prior to May 15, 1959."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1170 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—75.
NOES—None.

Assembly Bill No. 1170 ordered enrolled.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 336 CONTINUED

Mr. Francis was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 336 be continued until the next legislative day.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 66**—An act to add Sections 380.13 and 380.14 to, and to repeal Sections 380.11 and 380.12 of, the Agricultural Code, relating to chicken poultry meat.

Bill read third time.

#### Demand for Previous Question

Messrs. Grant, Schrade, Dahl, Ernest R. Geddes, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, Collier, Conrad, Cusanovich, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, House, Lanterman, Lowrey, Lunardi, MacBride, McCollister, Nisbet, Pattee, Porter, Reagan, Shell, Thomas, Williamson, George A. Willson, and Winton—33.

NOES—Don A. Allen, Bee, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Dahl, Elliott, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Multord, O'Connell, Petris, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Charles H. Wilson, and Z'berg—40.

### ASSEMBLY BILLS NOS. 960 AND 1194 RE-REFERRED TO COMMITTEE

Mr. Samuel R. Geddes moved that Assemlby Bill No. 960 be rereferred to the Committee on Civil Service and State Personnel.

Motion carried unanimously.

Mr. Samuel R. Geddes moved that Assembly Bill No. 1194 be rereferred to the Committee on Government Organization.

Mr. Backstrand seconded the motion.

Motion carried unanimously.

#### Speaker Presiding

At 11.20 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 210**—An act to amend Section 1947 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district organization.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—57

NOES—Bruce F. Allen, Belotti, Collier, Cusanovich, Davis, Holmes, Levering, Lowrey, Lunardi, Shell, Sumner, and Thelin—12.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 984**—An act to amend Sections 20655, 20685, 20897, 21100, 21207, 21210, 21251.15 and 21261 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 961**—An act to amend Section 4002 of the Welfare and Institutions Code, relating to aid to needy disabled.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Porter was granted unanimous consent that a committee report relative to House Resolution No. 175 be read, at this time.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 175

With the recommendation: Be adopted.

HAWKINS, Acting Chairman

### Request for Unanimous Consent

Mr. Porter was granted unanimous consent to take up House Resolution No. 175 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 175

By Mr. Porter:

### House Resolution No. 175

Relative to the California International Trade Fair and Industrial Exposition

WHEREAS, The California International Trade Fair and Industrial Exposition, more familiarly known as Calfair, will be held in the Great Western Exhibit Center in Los Angeles from April 1st through April 12th, 1959; and

WHEREAS, Calfair is a nonprofit event sponsored by the State of California to stimulate a two-way exchange of trade and ideas between the United States and other nations in the world; and

WHEREAS, Calfair fills a long-felt need, not met by other state and local expositions, to give recognition to the growing importance of California's industries, and to display under one roof examples of the thousands of consumer items produced in the State, and

WHEREAS, Special sessions of this exciting and colorful showcase of quality merchandise will be held for professional buyers during the first few days of the exposition, after which the fair will be opened to the general public, with April 5th being designated a special day for Members of the Legislature and other state officials, who are cordially invited to attend the festivities in their honor; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly extend their best wishes for the success of the first California International Trade Fair and Industrial Exposition; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Ned Lewis, Chairman of the Executive Committee of Calfair.

Resolution read, and adopted unanimously.

## REQUEST TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 22 FROM INACTIVE FILE

Mr. George E. Brown requested that Assembly Joint Resolution No. 22 be withdrawn from the inactive file and placed upon the third reading file; and that he be permitted to offer amendments to the resolution, at this time.

### Ruling by Speaker

Speaker Brown ordered the resolution placed at the foot of the third reading file pursuant to Rule No 66; and advised Mr. George E. Brown that the resolution could be considered at this time, if unanimous consent were granted.

### Request for Unanimous Consent

Mr. George E. Brown was granted unanimous consent to take up Assembly Joint Resolution No. 22 for purpose of amendment, at this time.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 22

**Assembly Joint Resolution No. 22**—Relative to nuclear weapons test explosions under an adequate inspection system.

Resolution read.

### Motion to Amend

Mr. George E. Brown moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 9, of the printed measure, strike out "four", and insert "seven".

### Amendment No. 2

On page 1, line 23, strike out "now,", and insert "and".

### Amendment No. 3

On page 1, strike out line 24, and insert

"WHEREAS, The sincere and constructive efforts of the National Administration to achieve agreement in this critical area, coupled with its firm and unequivocal stand against totalitarianism wherever it may occur constitutes the world's best hope for achieving a lasting peace; now, therefore, be it".

**Amendment No. 4**

On page 2, line 5, after "That", insert "we recommend that".

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 381

Mr. Lowrey moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 381 was this day passed. (Assembly Journal, page 1936.)

Assembly Bill No. 381 and the motion to reconsider ordered to the unfinished business file.

## MOTION TO RECONSIDER SENATE BILL NO. 133

Mr. Bradley moved to reconsider on the next legislative day the vote whereby Senate Bill No. 133 was this day passed. (Assembly Journal, page 1939.)

Senate Bill No. 133 and the motion to reconsider ordered to the unfinished business file.

## SENATE BILL NO. 232 REMOVED FROM CONSENT CALENDAR

On request of Mr. Winton, Senate Bill No. 232 was ordered removed from the Consent Calendar, and returned to the second reading file.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, March 23, 1959; Tuesday, March 24, 1959; Wednesday, March 25, 1959; Thursday, March 26, 1959; and Friday, March 27, 1959.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 262**—An act to add Section 55109 to the Water Code, relating to investigations and reports regarding proposed county waterworks districts or annexations thereto;

**Assembly Bill No. 324**—An act to amend Section 263 of the Revenue and Taxation Code, relating to the welfare exemption in its application to hospitals, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 748**—An act to amend Section 801.5 of the Agricultural Code, relating to sale of grapes;

**Assembly Bill No. 888**—An act to amend Sections 1010 and 1011 of, and to add Section 1011.5 to, the Agricultural Code, relating to spray residue;

And reports the same correctly enrolled, and presented to the Governor on the thirty-first day of March, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

***Assembly Joint Resolution No. 9***—*Relative to public inspection of crop allotment* records in the State of California;

And reports the same correctly enrolled, and presented to the Secretary of State on the thirty-first day of March, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 120
Assembly Bill No. 1284
Assembly Bill No. 1378

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 16

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1181
Assembly Bill No. 1515

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1377

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 257

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 83
Assembly Bill No. 559
Assembly Bill No 620
Assembly Bill No 621
Assembly Bill No 676
Assembly Bill No 870
Assembly Bill No 873
Assembly Bill No. 874
Assembly Bill No. 877
Assembly Bill No. 886
Assembly Bill No. 887
Assembly Bill No 1050

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 108
Assembly Bill No 109
Assembly Bill No. 906
Assembly Bill No. 1004
Assembly Bill No. 1278
Assembly Bill No. 1283

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1195

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 717

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Government Organization

**Committee on Rules**

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 165

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

HAWKINS, Acting Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Rules reports.

Senate Concurrent Resolution No 38

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

HAWKINS, Acting Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No 9

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

HAWKINS, Acting Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER. Your Committee on Rules reports:

| | |
|---|---|
| House Resolution No 112 | House Resolution No. 169 |
| House Resolution No. 163 | House Resolution No. 171 |
| House Resolution No 164 | House Resolution No. 173 |
| House Resolution No 166 | House Resolution No. 172 |

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

HAWKINS, Acting Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 97

With the recommendation: Be adopted.

HAWKINS, Acting Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No 97
And reports the same correctly engrossed

BURKE, Chairman

Above resolution ordered on file.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 30, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports.
Assembly Bill No. 970
With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:
Senate Bill No. 386
Senate Bill No. 387
Senate Bill No. 390
With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:
Senate Bill No. 388
Senate Bill No. 474
With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:
Assembly Bill No. 1398
With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER. Your Committee on Criminal Procedure reports:

| | |
|---|---|
| Assembly Bill No. 1218 | Assembly Bill No. 367 |
| Assembly Bill No. 268 | Assembly Bill No. 402 |
| Assembly Bill No. 1448 | Assembly Bill No. 1301 |
| Assembly Bill No. 944 | |

With the recommendation: Do pass

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER. Your Committee on Criminal Procedure reports:
Senate Bill No. 512
With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 127

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2 and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 39
Assembly Bill No. 276
Assembly Bill No. 272
Assembly Bill No. 1638
Assembly Bill No. 1067

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bills ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1734

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

NOTE—Later this day, Assembly Bill No. 1734 was re-referred to the Committee on Finance and Insurance. *See* below.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 810

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 895

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

## ASSEMBLY BILL NO. 1734 RE-REFERRED TO COMMITTEE

Speaker Brown announced that Assembly Bill No. 1734 was reported out of committee before the 30-calendar-day period had elapsed, and ordered the bill re-referred to the Committee on Finance and Insurance.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Unruh:

### House Resolution No. 177

Relating to the commendation of Don M. Muchmore

WHEREAS, Don M. Muchmore, Director of the California State Museum of Science and Industry, operated by the Sixth District Agricultural Association in Exposition Park, Los Angeles, has been elected 1959 President of the Western Museums Association following only two years of membership in the organization; and

WHEREAS, The Director of the California Museum of Science and Industry will co-ordinate the year's activities of the Association and direct the annual conference attended by more than 200 delegates from California, Oregon, Washington, Idaho, Nevada, and Arizona; and

WHERAS, Don M. Muchmore has been appointed a National Vice President of the International Science Foundation and is assisting in organizing Foundation centers in San Francisco, Los Angeles, and Sunnyvale, California, and

WHEREAS, The California Museum of Science and Industry has, during the two years Don M Muchmore has directed its operations, established a program that has raised attendance from 460,000 visitors in 1956 to approximately 1,000,000 visitors in 1959 making it the second largest attended Museum of Science and Industry in the United States; and

WHEREAS, As a result of the direction of the Board of Directors of the Sixth District Agricultural Association he has developed a nonprofit foundation, the California Museum Foundation, to obtain private industry support for new exhibits in the California Museum of Science and Industry and has been extremely successful in this respect; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body commend Don M. Muchmore for his outstanding leadership in the field of museumology and museum management as it pertains to the Western Museums Association, private institutions throughout the West, and the California State Museum of Science and Industry, and express their approval of his activities which bring honor, respect, and goodwill to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Don M. Muchmore and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and referred to the Committee on Rules.

By Messrs. Busterud, Marks, Gaffney, and Petris:

**House Resolution No. 178**

Relative to the Pan-Messenian Federation of America and Mr. John G. Kaplanis, its Supreme President

WHEREAS, In these troubled times international friendship and understanding is of utmost importance not only from the standpoint of humanitarian virtue but also to further the growth and development of the free world; and

WHEREAS, This type of friendship and understanding is often most effective when carried on by persons in this Country who truly understand the other nation in question by virtue of their common ancestry and backgrounds; and

WHEREAS, The Pan-Messenian Federation of America, composed of former residents of the Greek province of Messenia, exemplifies the type organization which can best aid in developing this better understanding and friendship among the peoples of other countries and ours; and

WHEREAS, This friendship was concretely demonstrated by the help the Federation gave to the earthquake-torn town of Pyrgos in Greece; and

WHEREAS, King Paul of Greece, through the Greek Consul General in Chicago, marked the outstanding contributions of the Federation and the unceasing devotion of its Supreme President, Mr. John G. Kaplanis, by presenting an award to Mr. Kaplanis; and

WHEREAS, It is most fitting that this recognition should come at this time since San Francisco has just celebrated Greek Independence Day; and

WHEREAS, Such recognition is most justly deserved by Mr. Kaplanis for his many contributions to the Federation and the principles for which it stands, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Pan-Messeniar Federation and its Supreme President, Mr. John G. Kaplanis, are sincerely congratulated for their work and on receiving this award; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed o transmit suitably prepared copies of this resolution to Mr. Kaplanis and to the Pan-Messenian Federation.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Joint Resolution No. 26**: By Messrs. Waldie and Masterson—Relative to the establishment of uniform rules of the road throughout the United States.

Referred to Committee on Rules.

**Assembly Bill No. 2302**: By Mr Bee—An act to amend Sections 1350 and 1352 of the Labor Code, relating to working hours for women.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2303**: By Mr. George A. Willson—An act to amend Section 72604 of the Government Code, relating to the fees of official reporters of municipal courts of judicial districts in Los Angeles County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2304**: By Mr. Cameron—An act to amend Section 5005 of the Business and Professions Code, relating to the State Board of Accountancy.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2305**: By Mr. Belotti—An act to add Sections 1494 and 17654 1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to unified school districts.

Referred to Committee on Education.

**Assembly Bill No. 2306**: By Mr. Biddick—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the granting of a right-of-way for road purposes over land of the Stockton State Hospital.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2307**: By Mr. Pattee—An act to amend Section 509 of the Agricultural Code, relating to milk inspection services and fees.

Referred to Committee on Agriculture.

**Assembly Bill No. 2308**: By Mr. Bradley—An act authorizing the State Lands Commission to exchange the interest of the State in parcels of land in the vicinity of San Francisco Bay for the interest of persons in other parcels of land in the vicinity of San Francisco Bay for the purposes of commerce, navigation and reclamation and the settlement of titles and boundaries and providing for actions against the State to quiet title to the lands exchanged, and authorizing actions to quiet title against the State the lands conveyed by the State pursuant to Chapter 353 of the Statutes of 1955.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2309**: By Mr. Bradley—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2310**: By Messrs. Meyers, Ralph M. Brown, Munnell, Shell, O'Connell, Busterud, Gaffney, Bruce F. Allen, Bane, Beaver, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Coolidge, Crown, Cusanovich, Mrs. Davis, Messrs DeLotto and Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Mulford, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Charles H. Wilson—An act to add Section 100.2a to the Streets and Highways Code, relating to state highways as freeways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2311**: By Messrs. Waldie and Masterson—An act to amend Section 5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), relating to the powers of the district.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2312**: By Mr. O'Connell—An act to repeal Section 2366 of the Fish and Game Code, relating to the transportation of abalones.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2313**: By Mr. Cunningham—An act to amend Section 1902 of the Public Utilities Code, relating to the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2314**: By Mr. Cunningham—An act to amend Section 816.5 of the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2315**: By Messrs. Meyers, MacBride, and Z'berg—An act to add Chapter 6 (commencing with Section 18300), to Part 1, Division 5, Title 2, of the Government Code, relating to medical and hospital care for state employees.

Referred to Committee on Civil Service and State Personnel.

## RE-REFERENCE OF SENATE BILL NO. 151

Speaker Brown ordered Senate Bill No. 151 re-referred to the Committee on Education.

## ADJOURNMENT

At 11 50 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 30 a m., Wednesday, April 1, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY

SIXTY-THIRD CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, April 1, 1959

The Assembly met at 9.30 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O Lord God*, What dost Thou require of us except to do justly, to love mercy, and to walk humbly with Thee? Let our sense of justice lead us to take thought of small business and all little people whose rights and privileges are not represented by lobbies and economic powers. As we love mercy, let our public programs go beyond welfare, detention, and punishment, extending to rehabilitation and reclamation, restoring men to worthy places in our society Since we cannot do these things in our own strength, make us willing to seek Thy help and ready to walk humbly with Thee, through Jesus Christ, our Lord.—AMEN

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Sumner, seconded by Mr. Bradley, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness.

Mr. Chapel, on motion of Mr. Shell

### Chief Clerk Arthur A. Ohnimus at the Desk

## RESOLUTIONS

The following resolution was offered:

By Mr. Beaver:

### House Resolution No. 179

Relative to the posting of highway directional signs

WHEREAS, In the less populous and isolated areas of this State it is often difficult to locate emergency hospital facilities at times when minutes saved may mean lives saved; and

WHEREAS, An occasional directional sign indicating a nearby hospital would be of great benefit to the motoring public at a relatively small expense to the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby requested to place directional signs indicating emergency hospital facilities, whether publicly or privately owned, at such points along State Highways as the department deems appropriate to indicate any hospital having 24-hour emergency treatment available to the general public, having a licensed physician available at all times, and which is in such a mountainous or otherwise remote area as to make alternative facilities difficult to reach; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2316**: By Mr. George A. Willson—An act to amend Section 199 of the Code of Civil Procedure, relating to competency to act as a juror.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2317**: By Mr. Hawkins—An act to amend Section 2183 of the Welfare and Institutions Code, relating to payment of aid under the Old Age Security Law.

Referred to Committee on Social Welfare.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 92**—An act to add Article 6 (comprising Sections 11660 to 11663, inclusive) to Chapter 2, Division 14 of, and to amend Section 11649 of, the Elections Code, relating to interference with initiative, referendum, and recall;

**Assembly Bill No. 125**—An act to amend Sections 3036 and 7151 of the Fish and Game Code, relating to licenses for disabled veterans;

**Assembly Bill No. 187**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and Section 325 of the Fish and Game Code, relating to deer;

**Assembly Bill No. 623**—An act to amend Sections 8026 and 8029 of the Elections Code, relating to the recount of ballots for congressional and legislative offices;

**Assembly Bill No. 639**—An act to amend Sections 781, 784.4, and 784.6 of the Agricultural Code, and to add Section 12604.5 to the Business and Professions Code, relating to fruit, nut and vegetable standards and containers;

**Assembly Bill No. 994**—An act to add Section 8397 to the Fish and Game Code, relating to squid, and declaring the urgency thereof, to take effect immediately.

And reports the same correctly enrolled, and presented to the Governor on the thirty-first day of March, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 594

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 155
Assembly Bill No. 642
Assembly Bill No. 662
Assembly Bill No. 1130
Assembly Bill No. 1198
Assembly Bill No. 1250
Assembly Bill No 1349

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 401

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1302
Assembly Bill No 1391

And reports the same correctly engrossed.

BURKE, Chairman

Above bills referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1499

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 22

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

### Committee on Ways and Means

ASSEMBLY CHAMBER, March 30, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 718
Assembly Bill No. 458
Assembly Bill No. 813

With the recommendation: Do pass

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 487
Assembly Bill No. 1223

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 30, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 245
Assembly Bill No. 316
Assembly Bill No. 653

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, March 24, 1959

MR. SPEAKER. Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 16

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 15

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 608
Assembly Bill No. 1673

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 100
Assembly Bill No. 1713
Assembly Bill No. 1714

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works.

LOWREY, Chairman

Above bills ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 824
Assembly Bill No. 1274

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Fish and Game reports:
Senate Bill No. 446
With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 31, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Senate Concurrent Resolution No. 45

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 45**—Relative to the continuance of the Joint Judiciary Committee on Administration of Justice.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 31, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:
Senate Bill No. 194
Senate Bill No. 419
Senate Bill No. 765

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 194**—An act to add Section 2378.5 to the Business and Professions Code, and Chapter 7 (commencing at Section 1700), Division 2, to the Health and Safety Code, relating to the creation of a Cancer Advisory Council, and the regulation and control of the diagnosis, treatment, and cure of cancer.

Referred to Committee on Public Health.

**Senate Bill No. 419**—An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 765**—An act to add Section 25843 to the Government Code, relating to county government.

Referred to Committee on Municipal and County Government.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, March 31, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Assembly Concurrent Resolution No. 77

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, March 31, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 281
Assembly Bill No. 284
Assembly Bill No. 418
Assembly Bill No. 806

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 31, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 177
Assembly Bill No. 179

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, March 31, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 224
Senate Bill No. 235
Senate Bill No. 298
Senate Bill No 406
Senate Bill No. 407
Senate Bill No. 410
Senate Bill No. 411
Senate Bill No. 413
Senate Bill No 417
Senate Bill No. 420
Senate Bill No 460
Senate Bill No. 549
Senate Bill No. 578
Senate Bill No. 581
Senate Bill No. 689
Senate Bill No. 690
Senate Bill No. 713

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 224**—An act to add Article 5 (commencing with Section 34900) to Chapter 7, Part 1, Division 2, Title 4 of the Government Code, relating to cities.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 235**—An act to amend Section 17 of the Penal Code, relating to the definition of crimes as felonies or misdemeanors.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 298**—An act to add Section 6920 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health.

**Senate Bill No. 406**—An act to amend Section 25663 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 407**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 410**—An act to amend Section 23104 of the Business and Professions Code, relating to alcoholic beverages and insurers.

Referred to Committee on Government Organization.

**Senate Bill No. 411**—An act to amend Sections 24048.2 and 24048.4 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 413**—An act to amend Section 23034 of the Business and Professions Code, relating to stills.

Referred to Committee on Government Organization.

**Senate Bill No. 417**—An act to add Article 1.5 (commencing at Section 23800) to Chapter 5, Division 9 of the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Government Organization.

**Senate Bill No. 420**—An act to amend Sections 25361, 25363 and 25367 of, and to add Section 25370.1 to, the Business and Professions Code, relating to the seizure and disposition of property for violation of the Alcoholic Beverage Control Act.

Referred to Committee on Government Organization.

**Senate Bill No. 460**—An act to repeal Sections 23102 and 23103 of, to add Section 23102 to, and to amend Section 23104.4, 24071 and 24075 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 549**—An act to amend Section 18940 of the Government Code, relating to state civil service examinations.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 578**—An act to add Section 4845.36 to the Health and Safety Code, relating to the withdrawal of territory from a county sanitation district.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 581**—An act to amend Sections 55632 and 55634, and to repeal Section 55633 of the Government Code, relating to supplementary fire and police protection.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 689**—An act to amend Section 1091 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts between county superintendents of schools and school districts.

Referred to Committee on Education.

**Senate Bill No. 690**—An act to amend Section 15958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district supplies.

Referred to Committee on Education.

**Senate Bill No. 713**—An act to amend Section 5707 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior colleges.

Referred to Committee on Education.

### MOTION

Mr. Dills moved that the bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1712, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Bee seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 327, 817, 896, 1111** and **618.**

**Senate Bill No. 232.**

Above Assembly bills ordered to third reading, subsequent to engrossment.

Above Senate bill ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 889**—An act to amend Section 511.3 of the Vehicle Code and to add Section 22413 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the establishing of maximum speed limits by local authorities on streets with a grade in excess of 10 percent.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1676**—An act to amend Sections 11802 and 11803 of the Vehicle Code as enacted by the Legislature in its Vehicle Code as enacted by the Legislature in its 1959 Regular Session, relating to the power to refuse to renew the license of vehicle salesmen and to issue probationary and temporary licenses to such vehicle salesmen and to provide for written demand for hearing.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1690**—An act to amend Sections 4159, 4160, and 14600 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of change of address of vehicle owners and operators.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1693**—An act to amend Section 4002 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to violation of registration requirements.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1711**—An act to add Section 5109 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to issuance of special license plates.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1686**—An act to add Section 13208 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the revocation or suspension of the driving privilege.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1718**—An act to amend Section 11713 of, and to add Sections 11718, 11719, 11720, and 11721 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing and regulation of manufacturers, transporters and dealers of vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1043**—An act to repeal Chapter 9 (commencing at Section 240) of Division 3 of, and to add Chapter 9 (commencing at Section 240) to Division 3 of, the Vehicle Code, and to amend Sections 9263, 9264, and 9551 of, to repeal Chapter 3 (commencing at Section 11500) of Division 5 of, and to add Chapter 3 (commencing at Section 11500) to Division 5 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to automobile wreckers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

### Amendment No. 1

On page 1 of the printed bill, below the words "Introduced by Mr. MacBride", strike out "Department of Motor Vehicles", and insert "State of California Auto Wreckers Association".

### Amendment No. 2

On page 1, lines 1, 2, and 3 of the title, strike out "repeal Chapter 9 (commencing at Section 240) of Division 3 of, and to add Chapter 9 (commencing at Section 240) to Division 3 of, the Vehicle Code, and to".

### Amendment No. 3

On page 1, line 4 of the title, after "Sections", insert "320,".

### Amendment No. 4

On page 1, line 7 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

### Amendment No. 5

On page 1, line 8 of the title, after "wreckers", insert ", dealers, manufacturers and automobile driving schools."

### Amendment No. 6

On page 1, strike out lines 1 and 2.

### Amendment No. 7

Strike out pages 2, 3, 4, 5, 6, 7 and 8.

### Amendment No. 8

On page 9, strike out lines 1 through 12, and insert

"SECTION 1. Section 320 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

320. "Established place of business" is a place actually occupied either continuously or at regular periods by a dealer, manufacturer, automobile wrecker or

automobile driving school where the books and records pertinent to the type of business being conducted are kept. The place of business shall *meet such local zoning ordinance as may be applicable and shall* have an office and in the case of a dealer, manufacturer or automobile wrecker shall have a display, manufacturing or wrecking area, situated on the same property where business peculiar to the type of license issued by the department is or may be transacted. When a room or rooms in a hotel, rooming house, apartment house building, or a part of any single or multiple unit dwelling house be used as an office or offices of an established place of business, such room or rooms shall be devoted exclusively to and occupied for the office or offices of the dealer, manufacturer, automobile wrecker or automobile driving school, shall be located on the ground floor, and shall be so constructed as to provide a direct entrance into such room or rooms from the exterior of the building. A licensee holding more than one type of license issued by the department and conducting more than one type of business from an establishment, as herein defined, shall provide a clear physical division between the types of business for which licensed. The place of business shall be open to inspection of *the premises*, pertinent records and vehicles by any peace officer during business hours"

**Amendment No. 9**

On page 9, line 13, after "SEC.", strike out "3", and insert "2".

**Amendment No. 10**

On page 9, lines 13 and 14, strike out "the Vehicle Code as proposed by Assembly Bill No. 5", and insert "said code".

**Amendment No. 11**

On page 9, line 15, strike out "Any person", and insert "(a) Any automobile wrecker".

**Amendment No. 12**

On page 9, line 22, after the word "documents", insert "and license plate or plates".

**Amendment No. 13**

On page 9, between lines 29 and 30, insert

"(b) Any person other than a licensed automobile wrecker who fails to surrender to the department the documents and license plate or plates as required by Section 11514(b) before dismantling or wrecking a vehicle, shall pay in addition to any other fees due an investigation service fee of five dollars ($5)."

**Amendment No. 14**

On page 9, line 30, after "SEC.", strike out "4", and insert "3".

**Amendment No. 15**

On page 9, line 45, after "SEC.", strike out "5", and insert "4".

**Amendment No. 16**

On page 9, line 50, after "SEC.", strike out "6", and insert "5".

**Amendment No. 17**

On page 10, line 1, after "SEC.", strike out "7", and insert "6".

**Amendment No. 18**

On page 13, line 47, strike out "Notification that", and insert "When".

**Amendment No. 19**

On page 13, line 50, after "ferred", insert "upon application as provided in Section 11501".

**Amendment No. 20**

On page 14, line 5, strike out "person", and insert "licensed automobile wrecker".

**Amendment No. 21**

On page 14, line 7, strike out "and before beginning to wreck or dismantle same,".

**Amendment No. 22**

On page 14, line 9, after "form", insert a comma.

**Amendment No. 23**

On page 14, line 9, after "department", insert "at its headquarters in Sacramento,".

**Amendment No. 24**

On page 14, line 12, strike out "; provided, however, that vehicles acquired under the", and insert a period.

**Amendment No. 25**

On page 14, strike out lines 13, 14 and 15, and insert

"(1) A period of five (5) days shall elapse following the forwarding of the notification before the wrecking or dismantling shall begin, unless earlier permission has been received from the department as provided in subdivision (b) of this section; provided, however, that vehicles acquired under the provisions of Section 3072 or 3073 of the Civil Code shall not be wrecked or dismantled until permission has been received from the department."

**Amendment No. 26**

On page 14, lines 17 and 18, strike out "within 90 days of the taking possession of such vehicle forward", and insert "surrender".

**Amendment No. 27**

On page 14, line 21, after "ownership", insert "; provided, however, that such person shall not dismantle or wreck the vehicle until permission has been received from the department except as provided in subdivision (a) (1) of this section."

**Amendment No. 28**

On page 14, lines 35, 36 and 37, strike out "Said record shall be open to inspection during business hours by any peace officer."

**Amendment No. 29**

On page 14, between lines 40 and 41, insert

"(e) Any person who violates this section is guilty of a misdemeanor. Any person not licensed under the provisions of this chapter who is convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than five days nor more than six months or by a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction by imprisonment in the county jail for not less than 30 days nor more than one year or by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000) or by both such fine and imprisonment."

**Amendment No. 30**

On page 16, line 15, after "company", insert "or its authorized representative".

**Amendment No. 31**

On page 16, strike out lines 36, 37, 38, 39 and 40, and insert

"SEC. 7. 11522. The provisions of this chapter shall not prevent the local authorities of any city, city and county, or county by ordinance within the exercise of the police power of such city, city and county, or county, from imposing local regulations with respect to traffic in loose vehicle parts and vehicle accessories."

**Amendment No. 32**

On page 16, line 41, after "SEC.", strike out "9", and insert "8".

**Amendment No. 33**

On page 16, lines 41 and 42, strike out ", in the manner prescribed by Section 8".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1587**—An act to amend Section 679.3 of the Vehicle Code, and to amend Section 30904 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of V-bars on vehicles transporting hay.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 679.3 of the Vehicle Code, and to".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of V-bars on", and insert ", and to repeal Section 31003 of, the Vehicle Code enacted by the Legislature at the 1959 Regular Session, relating to".

**Amendment No. 3**

On page 1, line 1, strike out "679.3 of the Vehicle Code", and insert "30904 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 23, inclusive; strike out all of page 2; and on page 3, strike out lines 1 through 32, inclusive.

**Amendment No. 5**

On page 3, lines 38 and 39, strike out "with spacing between boards of approximately eight inches".

**Amendment No. 6**

On page 3, lines 42 and 43, strike out "with spacing between each of", and insert ". The spacing between bars shall be".

**Amendment No. 7**

On page 3, strike out lines 46 through 50, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1412**—An act to add Article 11 (commencing at Section 3481) to Chapter 9 of Division 5 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the dissolution of unified school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1538**—An act to add Chapter 10 (commencing at Section 3551) to Division 5 of the Education Code, as enacted by the Legislature at its 1959 Regular Session relating to school district organization, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "of", insert ", to add Section 17305 5 to, and to amend Section 18352 of,".

**Amendment No. 2**

On page 3, strike out line 15, and insert "this chapter the county superintendent of schools at the request of the county committee, and with the approval of the county board of education of each county may annually".

**Amendment No. 3**

On page 3, lines 47 and 48, strike out "School District Organization Study Fund", and insert "county school service fund".

**Amendment No. 4**

On page 4, strike out lines 4 to 18, inclusive, and insert

"SEC. 2. Section 17305 5 is added to said code, to read:

17305 5 In addition there shall be provided such sum as the Superintendent of Public Instruction shall certify as necessary to allocate to county school service funds for the purposes as specified in Article 3 (commencing at Section 3611) of Chapter 10 of Division 5 of this code, but not to exceed two hundred thousand dollars ($200,000) in any fiscal year. The additions to the State School Fund provided by this section shall not be made after the close of the 1962-63 Fiscal Year.

SEC. 3. Section 18352 of said code is amended to read:

18352. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund *such amounts as the budget submitted by the county superintendent of schools and*

approved by the Superintendent of Public Instruction, under Section 18351, shows is necessary, but:

(a) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for supervision of instruction in all grades and classes of elementary school districts which during the next preceding fiscal year had less than 901 units of average daily attendance and in the elementary schools of unified school districts which during the next preceding fiscal year had less than 1,501 units of average daily attendance shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, for such purpose, whichever is the lesser.

(b) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for all other purposes shall not exceed the sum provided by law for such purposes or the amounts shown necessary by such budgets, whichever is the lesser.

(c) The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed, but not in excess of five hundred thousand dollars ($500,000), to reimburse county superintendents of schools for expenses incurred in providing emergency education to pupils and making emergency financial grants to school districts pursuant to the provisions of Section 20105.

(d) The Superintendent of Public Instruction is herewith authorized to withhold from the allowances made pursuant to subdivision (b) of this section such amount as he determines is needed to reimburse county superintendents of schools for the actual and necessary travel expenses incurred in connection with co-operative county publication projects by the county superintendent of schools or members of his staff.

*(e) The Superintendent of Public Instruction shall allow, upon application of the county superintendent of schools, which application has been requested by the county committee on district organization, and approved by the county board of education, the amount he approves as necessary to meet the purposes as specified in Article 3 (commencing at Section 3611) of Chapter 10 of Division 5 of this code. No allowance shall be made under this section after the close of the 1962-63 Fiscal Year."*

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1651**—An act to amend Sections 19552 and 19559 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to State School Building Act of 1952.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 2, lines 20 to 27, of the printed bill, strike out "provisions relating to qualifications, size and development of sites for construction projects, including in such rules regulations relating to school district attendance areas, density of population, pupil enrollment, replacement of existing facilities, availability of utilities, subdivision development and building programs and other items affecting expenditure of funds relating to a construction project.", and insert "after conferring with the Department of Education, a basis for making apportionments, relating such apportionments to cost, size and development of a site; the number of pupils estimated to use such site; the density of population within the attendance area; replacement of existing facilities; availability of utilities; subdivision development within the attendance area; existing and proposed local building construction programs, and other items affecting expenditure of funds relating to a construction project."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1112**—An act to add Section 13203.2 to the Education Code, and Section 13006 to the Education Code as proposed by Senate Bill No. 2, relating to deposits by school districts for traveling expenses.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1113**—An act to add Section 1032 to the Education Code and add Section 817 to the Education Code as proposed by Senate Bill No. 2, relating to payment of the cost of repairing or replacing property of school district employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1644**—An act to amend Section 5504 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to qualifications of teachers conducting high school courses in the elementary schools.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1645**—An act to amend Section 943 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1646**—An act to amend Section 960 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1647**—An act to amend Section 5403 of, and to repeal Section 5404 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to postgraduate courses of study in elementary schools.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1648**—An act to amend Section 6904 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the education of mentally retarded minors.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1649**—An act to amend Section 5662 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposition of tax receipts for support of high school and unified school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1650**—An act to amend Section 5611 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tuition payments for interdistrict attendance of school pupils.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1424**—An act to amend Section 35103 of, and to add Section 35113 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to overwidth implements of husbandry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

Strike out line 2 of the title of the printed bill, as amended in the Assembly on March 23, 1959, and insert "Amend Sections 25803, 35103 and 35104 of the".

**Amendment No. 2**

On page 1, strike out lines 1, 2, and 3, and insert

"SECTION 1. Section 25803 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

25803. (a) All vehicles not otherwise required to be equipped with headlamps, rear lights, or reflectors by this chapter shall during darkness be equipped with at least one lighted lamp exhibiting a white light visible from a distance of 500 feet to the front of the vehicle and with a lamp exhibiting a red light visible from a distance of 500 feet to the rear of the vehicle.

(b) ~~In addition.~~ Such vehicle shall *also* be equipped with an amber reflector on the front near the left side and a red reflector on the rear near the left side The reflectors shall be mounted on the vehicle not lower than 16 inches nor higher than 60 inches above the ground and so designed and maintained as to be visible during darkness from all distances within 500 feet from the vehicle when directly in front of a motor vehicle displaying lawful lighted headlamps undimmed.

*(c) In addition, if such vehicle or the load thereon has a total outside width in excess of 100 inches there shall be displayed during darkness at the left outer extremity at least one amber light visible from a distance of 500 feet to the front, sides and rear. At all other times there shall be displayed at the left outer extremity a red flag or cloth not less than 16 inches square.*

SEC. 2. Section 35103 of said code is amended to read:".

**Amendment No. 3**

On page 3, strike out lines 7 to 12, inclusive, and insert "moved, or towed over a highway. When an implement of husbandry is transported or moved over a highway as a load on another vehicle, if such".

**Amendment No. 4**

On page 3, strike out lines 17 to 36, inclusive, and insert

"SEC. 3. Section 35104 of said code is amended to read:

35104. The limitations as to width do not apply to ~~special mobile equipment, nor to highway construction or maintenance equipment, but tractor trailers. special mobile equipment and highway construction or maintenance equipment shall not exceed a width of 120 inches~~ *the following vehicles except that these vehicles shall not exceed a width of 120 inches:*

*(a) Any trailer or semitrailer, including lift carriers and tip-bed trailers, used exclusively for the transportation of implements of husbandry by farmers or implement dealers*

*(b) Special mobile equipment.*

*(c) Highway construction or maintenance equipment.*

*This section shall have no application to highways which are a part of the National System of Interstate and Defense Highways (as referred to in Section 108 of the Federal-aid Highway Act of 1956) when*

*such application would prevent this State from receiving any federal funds for highway purposes.*''

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 970**—An act to add Section 1765.1 to the Insurance Code, relating to qualifications for surplus line brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "An act", insert "to amend Section 1765 of the Insurance Code as amended by Chapter 4 of the Statutes of 1959 and".

**Amendment No. 2**

In line 2 of the title, after "surplus line brokers", insert "and special lines surplus line brokers".

**Amendment No. 3**

On page 1, between the enacting clause and line 1, insert

''SECTION 1. Section 1765 of the Insurance Code as amended by Chapter 4 of the Statutes of 1959, is amended to read:

1765. Upon application in such form as the commissioner prescribes and subject to the provisions of Sections 1666, 1667 and 1668 of this code, the commissioner shall issue a license authorizing any applicant that is trustworthy and competent to transact an insurance brokerage business in such manner as to safeguard the interest of the insured, to act as a surplus line broker from the date of such license until the first day of July succeeding, on the delivery to the commissioner of a bond to the *people of the* State of California in the sum of ~~five~~ *twenty* thousand dollars ~~($5,000)~~ *($20,000)* ~~with an admitted surety insurer~~ conditioned that said licensee will fully and faithfully comply with the requirements of this chapter~~.~~*, and all applicable provisions of this code. Such bond shall be subject to the provisions of Sections 1662, 1663 and 1664 of this code.*

The commissioner shall charge and collect in advance a fee of fifty dollars ($50) for filing each application for license to act as a surplus line broker.''

**Amendment No. 4**

On page 1, line 1, after the first "Section", strike out "1" and insert "2".

**Amendment No. 5**

On page 1, strike out lines 3 to 20 inclusive; and strike out all of page 2, and insert

"1765.1. In addition to any other statements or reports required by this chapter, the commissioner may also address to any licensee a written request for full and complete information respecting the financial stability, reputation and integrity of any nonadmitted insurer with whom such licensee has dealt or proposes to deal in the transaction of insurance business. The licensee so addressed shall promptly furnish in written or printed form so much of the information requested as he can produce together with a signed statement identifying the same and giving reasons for omissions, if any. After due examination of the information and accompanying statement, the commissioner may, if he believes it to be in the public interest, order such licensee in writing to place no further insurance business on property located or operations conducted within or on the lives of persons residents of this State with such nonadmitted insurer on behalf of any person. Any placement in such nonadmitted insurer made by a licensee after receipt of such order is a violation of this chapter."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1398**—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Sections 3306 and 3332 of, the Welfare and Institutions Code, relating to social security coverage for state employees not covered by a retirement system.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1218**—An act to amend Section 190.1 of the Penal Code, relating to offenses for which the penalty is death or life imprisonment.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 268**—An act to add Section 23102.5 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "vehicle."

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1448**—An act to add Title 4 (commencing with Section 13500) to Part 4 of the Penal Code, relating to standards for recruitment and training of local law enforcement officers, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 944**—An act to amend Section 1550.1 of the Penal Code, relating to hearings in extradition proceedings.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 367**—An act to add Section 752 to the Welfare and Institutions Code, relating to the expunging of juvenile court records and other records relating to wards of the juvenile court.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 402**—An act to repeal Sections 367d and 367e of the Penal Code and to amend Section 502 of the Vehicle Code, all relating to driving a vehicle while under the influence of intoxicating liquor.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1301**—An act to add Section 507 to the Vehicle Code, and to add Section 23118 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving a vehicle under the influence of liquors and drugs.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 127**—An act to amend Section 4004 of the Penal Code, relating to the removal of inmates from county jails.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 39**—An act to add Article 2 (comprising Section 11050) to Chapter 1, Division 10 of the Health and Safety Code, and to amend Section 12025 of the Penal Code, relating to evidence in criminal cases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after the period, insert "This section does not apply to evidence the admission of which would violate the United States Constitution or the California Constitution.

**Amendment No. 2**

On page 1, line 13, before "Except", insert "(a)".

**Amendment No. 3**

On page 2, line 1, before "Firearms", insert "(b)".

**Amendment No. 4**

On page 2, line 5, before "At", insert "(c)".

**Amendment No. 5**

On page 2, line 7, after the period, insert "This subdivision does not apply to evidence the admission of which would violate the United States Constitution or the California Constitution."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 276**—An act to amend Sections 825 and 849 of the Penal Code, relating to arrests.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, as amended in the Assembly on March 11, 1959, strike out "his photograph or"; and strike out line 4, and insert "the photograph or fingerprints of the arrested person are taken, or any of these acts is performed."

**Amendment No. 2**

On page 2, line 46, strike out "and his photograph or fingerprints", and insert "or the photograph or fingerprints of the arrested person".

**Amendment No. 3**

On page 2, line 47, after "acts", insert "is performed".

**Amendment No. 4**

On page 1, line 5, after "Sundays", insert "and holidays".

**Amendment No. 5**

On page 1, line 23, after the comma, insert "or because of any other physical condition beyond the control of the arresting officer, or because of a condition at the place of arrest or en route from such place to the place where the person is to be booked necessitating the exercise by the arresting officer of functions imposed on him by law,".

**Amendment No. 6**

On page 2, line 43, after the comma, insert "or because of any other physical condition beyond the control of the arresting officer, or because of a condition at the

place of arrest or en route from such place to the place where the person is to be booked necessitating the exercise by the arresting officer of functions imposed on him by law.".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 272**—An act to add Article 6 (commencing at Section 11850) to Chapter 7, Division 10, of the Health and Safety Code, relating to registration of narcotic offenders.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "since the first day of July, 1954,"; and strike out lines 8 to 16, inclusive, and insert "after the effective date of this section, is convicted in the State of California of any offense described in Sections 11500, 11501, 11502, 11530, 11555, 11556, 11557 or 11714 of this code, or any person who is then on parole or probation after having been convicted of any of said offenses or any person who is discharged or paroled from a penal institution where he was confined because of the commission of any such offense, or any person who has been since the first day of July, 1957, or is hereafter convicted in any other state of any offense which, if committed or attempted in this State, would have been punishable as a violation of any of said sections of this code, shall within".

**Amendment No. 2**

On page 2, line 6, strike out "or attempt to commit one".

**Amendment No. 3**

On page 2, between lines 24 and 25, insert

"11852. Any person who, after the effective date of this section, is on parole or probation after having been convicted of any offense described in Section 11850, shall immediately be informed of his duty to register under that section by the parole or probation officer having supervision over him, and such officer shall require the person to read and sign such form as may be required by the State Bureau of Criminal Identification and Investigation, stating that the duty of the person to register under this section has been explained to him. The parole or probation officer shall send two copies of the form and the residence address of such person, to the State Bureau of Criminal Identification and Investigation, which bureau shall forward one copy to the appropriate law enforcement agency where the person resides."

**Amendment No. 4**

On page 2, line 25, strike out "11852", and insert "11853".

**Amendment No. 5**

On page 2, line 27, strike out "or attempt to commit".

**Amendment No. 6**

On page 2, line 45, strike out "11853", and insert "11854".

**Amendment No. 7**

On page 3, lines 11 and 12, strike out "this section", and insert "Section 11850".

**Amendment No. 8**

On page 3, line 12, after "thereof", insert ", or of this section,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 1638**—An act to add Sections 269 and 270 to the Harbors and Navigation Code, relating to the use of intoxicating liquor by the operators of powerboats.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 2, line 2, of the printed bill, strike out ", without"; and strike out all of lines 3 and 4, and insert ". Any person convicted of a second or subsequent offense may be granted probation by the court but a condition of such probation shall be that the person convicted shall be required to serve not less than five days in the county jail and pay a fine of not less than two hundred fifty dollars ($250) and no court shall absolve a person who is convicted of a second or subsequent offense from the obligation of spending at least five days of confinement in the county jail and paying a fine of not less than two hundred fifty dollars ($250)."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 1067**—An act to add Section 1958 to the Government Code, relating to the bonding of peace officers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

*In line 2 of the title of the printed bill, strike out "bonding", and insert "insuring".*

**Amendment No. 2**

On page 1, strike out lines 3 to 13, inclusive, and insert

"1958. Every peace officer of a city, county, city and county or any other political subdivision of this State, whether chartered or not chartered, including, but not limited to, police officers, sheriffs, deputy sheriffs, constables and marshals, shall, while so employed, file with his appointing power (or, in the case of an elective officer, with the legislative body of the political subdivision by which he is employed) and thereafter keep in full force and effect, an insurance policy, issued by an insurer entitled to transact business in this State. The policy shall inure to the benefit of persons to whom such officer shall incur personal liability for acts performed in the course of his duty, but shall provide that the insurer shall have no recourse against the peace officer. The minimum amount of such insurance coverage shall not be less than the following:".

**Amendment No. 3**

On page 2, strike out lines 1 to 10, inclusive, and insert

"The premium for such insurance shall be paid by the city, county, city and county or other political subdivision employing such officer.

The legislative body of the city, county, city and county or other political subdivision may institute a system of self-insurance or may procure a master insurance policy for all such peace officers meeting, as to each officer, the requirements set forth above as to individual policies, and the premium for same shall be a proper charge against the treasury of the city, county, city and county or other political subdivision. When a system of self-insurance has been inaugurated or when such a master policy has been procured and is in effect, the requirement in this section of individual policies is inapplicable.

SEC. 2. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 810**—An act to add Section 653j to the Penal Code, relating to the overhearing and recording of communications.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"(e) This section shall not apply to any employee of a public utility engaged in the business of providing service and facilities for telephone or telegraph communications while engaged in the construction, maintenance, conduct or operation of the service or facilities of such public utility, nor to persons making normal use of such service and facilities pursuant to filed tariffs."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 386**—An act to amend Section 1657 of the Insurance Code, relating to the issuance of certificates of convenience.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

Amendment No. 2

On page 1, strike out lines 12 and 13.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 387**—An act to amend Sections 1718 and 12977 of the Insurance Code, relating to penalty fees for late applications to renew production licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

Amendment No. 2

On page 2, strike out lines 33 and 34.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 390**—An act to repeal Section 12970 of, to amend Sections 12973 and 12973.5 of, and to add Sections 12970 and 12970.1 to, the Insurance Code, relating to fees charged by the Insurance Commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2, line 42, of the printed bill, strike out "10973.7", and insert "12973.7".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 388**—An act to amend Section 1775.5 of the Insurance Code, relating to taxes paid on gross premiums by surplus line brokers

Bill read second time, and ordered to third reading.

**Senate Bill No. 474**—An act to amend Section 1061 of the Insurance Code, relating to the audit of proceedings in cases of insolvency and delinquency.

Bill read second time, and ordered to third reading.

**Senate Bill No. 512**—An act to amend the heading of Article 5 (commencing at Section 2045) of Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 2045.1 of said code, relating to the state prison at Soledad.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1676, 1686, 1718, 1398,** and **1448,** subsequent to engrossment.

**Assembly Bills Nos. 1412, 1448,** and **367.**

**Senate Bills Nos. 474** and **512.**

REQUEST FOR UNANIMOUS CONSENT

Mr. Backstrand was granted unanimous consent to take up Assembly Bill No. 1712, passed temporarily on the second reading file at this time.

SECOND READING OF ASSEMBLY BILL NO. 1712

**Assembly Bill No. 1712**—An act to amend Section 22400 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to minimum speeds for vehicles.

Bill read second time.

Motion to Amend

Mr. Backstrand moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 18, insert
"Subdivision (b) of this section shall apply only to vehicles subject to registration."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

### RE-REFERENCE OF ASSEMBLY BILL NO. 1712 PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered Assembly Bill No. 1712 re-referred to the Committee on Ways and Means, subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### MOTION TO RECONSIDER ASSEMBLY BILL NO. 381 WAIVED

Mr. Lowrey waived his motion to reconsider the vote whereby Assembly Bill No. 381 was passed.

Assembly Bill No. 381 ordered transmitted to the Senate.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Lowrey moved that, pursuant to Article IV, Section 2(a) of the Constitution, Assembly Bill No. 2079 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Crawford seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.

NOES—None.

NOTE—Later this day, Assembly Bill No. 2079 was withdrawn from committee and amended. See page 1985.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1499**—An act to amend Section 21114 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments of wages to school district employees.

Bill read third time.

#### Speaker pro Tempore Presiding

At 9.54 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1181**—An act to amend Section 692 of the Code of Civil Procedure, relating to notice of sale of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 257**—An act to amend Section 71083 of the Government Code, relating to municipal and justice courts and judges thereof, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—64.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 522**—An act to add Section 651.1 to the Insurance Code, relating to insurance.

Bill read third time.

**Hon. Charles J. Conrad Presiding**

At 10.04 a.m., Hon. Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins,

Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1515**—An act to add Section 32130.7 to the Health and Safety Code, relating to local hospital districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 368**—An act to add Section 906.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to legal counsel for school districts.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.08 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

**Hon. Ronald Brooks Cameron Presiding**

At 10.09 a.m., Hon. Ronald Brooks Cameron, Member of the Assembly from the Sixtieth District, presiding.

**Demand for Previous Question**

Messrs. Grant, Johnson, Gaffney, Lanterman, and Masterson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Cusanovich, DeLotto, Frew, Gaffney, Ernest R. Geddes, Hanna, Hegland, Johnson, Kennick, Lanterman,

Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Porter, Rees, Schrade, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—42.

NOES—Backstrand, Belotti, Bradley, George E. Brown, Coolidge, Dahl, Dills, Donahoe, Elliott, Samuel R. Geddes, Grant, Hawkins, Holmes, Levering, Lowrey, Mulford, Pattee, Petris, Rumford, Unruh, and Z'berg—21.

Bill ordered transmitted to the Senate.

### Speaker pro Tempore Presiding

At 10.23 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Speaker Presiding

At 10.24 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 83**—An act to add Section 32401 to the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

## VOTES CHANGED, AND NAMES PLACED ON ROLL CALL ON ASSEMBLY BILL NO. 368

Mr. Unruh asked for unanimous consent that he be recorded as voting "No", instead of "Aye" on Assembly Bill No. 368.

Mr Munnell withheld unanimous consent.

### Motion to Change Vote

Mr. Unruh moved that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 368.

### Point of Order

Mr. Munnell arose to the following point of order: That the House is not on the order of business of motions and resolutions.

### Ruling by Speaker

The Speaker ruled the point of order well taken

### Motion to Temporarily Suspend the Rules

Mr. Unruh moved that the Rules be temporarily suspended for the purpose of permitting him to change his vote on Assembly Bill No. 368.

### Point of Order

Mr. Munnell arose to the following point of order: That the House is not on the order of business of motions and resolutions.

### Ruling by Speaker

The Speaker ruled the point of order well taken.

**Votes Changed by Unanimous Consent**

Mr. Unruh was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 368.

Mr. Dills was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 368.

**Names Placed Upon Roll Call**

Mr. Bee was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 368.

Mr. Coolidge was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No 368.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 559**—An act to amend Section 5787 of, and to add Section 5787.01 to, the Public Resources Code, relating to the dissolution of recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 620**—An act to amend Section 5180 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 621**—An act to amend Section 5397 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 676**—An act to add Section 1711 to the Streets and Highways Code, relating to agreements between cities and counties for street construction, repair or maintenance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 870**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Waldie announced that today was the birthday of Mrs. Sala Burton, wife of Assemblyman Phillip Burton, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mrs Burton.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 873**—An act to amend Section 2312 of the Health and Safety Code, relating to the withdrawal of mosquito abatement funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade,

Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 874**—An act to amend Sections 2248 and 2851 of the Health and Safety Code, relating to the compensation and expenses of mosquito and pest abatement district board members.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up Assembly Bill No. 759, out of order, at this time.

**Assembly Bill No. 759**—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Bill read third time.

### Hon. Richard T. Hanna Presiding

At 10.44 a.m., Hon. Richard T. Hanna, Member of the Assembly from the Seventy-fifth District, presiding.

The question being on the passage of the bill.

### Motion to Grant Extra Time for Debate

Mr. Collier moved that Mr. Thelin be granted additional time for questions addressed to Mr. Burton.

Mr. Levering seconded the motion.

Motion carried.

The question being on the passage of the bill.

### Motion to Amend

Mr. Rumford moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 14, of the printed bill, strike out "and to local".

### Amendment No. 2

On page 1, line 15, strike out "hospital districts".

### Amendment No. 3

On page 1, line 18, after "hospital", insert "hospital districts".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### Request for Unanimous Consent

Mr. Crown was granted unanimous consent to take up Assembly Bill No. 1307, out of order, at this time.

**Assembly Bill No. 1307**—An act to add Section 3831 to the Elections Code, relating to the general election ballot.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

## PARLIAMENTARY INQUIRY

Mr. Bradley arose to the following parliamentary inquiry: Is there a rule or directive that all amendments must be prepared by the Legislative Counsel?

### Reply by Acting Speaker

Acting Speaker Hanna replied that there is no rule, but there is a directive.

### Parliamentary Inquiry

Mr. Bradley arose to the following parliamentary inquiry: Then there is such a directive?

### Speaker Presiding

At 11.18 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Reply by Speaker

The Speaker replied that he had directed all secretaries and committee chairmen to have all amendments to bills either prepared by the Legislative Counsel or checked by the Legislative Counsel before presentation; but that this did not apply to amendments offered from the floor during consideration of a bill, since any member has the right to so prepare and offer amendments, and he should not be required to leave the floor or check with the Legislative Counsel if he desired to offer the amendments during the debate on a measure.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Francis was granted unanimous consent to take up his motion to reconsider Assembly Bill No. 336, out of order, at this time.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 336

In compliance with a motion offered on a previous day, Mr. Francis moved that the vote whereby Assembly Bill No. 336 was refused passage be reconsidered.

Assembly Bill No. 336 reconsidered by the following vote:

AYES—Backstrand, Bane, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, McCollister, Meyers, Mulford, Petris, Reagan,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, and George A Willson—49.

NOES—Bruce F. Allen, Don A Allen, Bee, Crawford, Davis, Donahoe, Lowrey, Lunardi, MacBride, Masterson, Miller, Munnell, Nisbet, O'Connell, Rees, Unruh, Waldie, Williamson, Charles H. Wilson, and Z'berg—20.

Assembly Bill No. 336 ordered to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1050**—An act to amend Section 5248 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 541**—An act to add Section 6523.2 to the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 554**—An act to add Article 10 (commencing at Section 53900) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to budgets of local governmental bodies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 81**—An act to amend Section 209.5 of the Revenue and Taxation Code, relating to the tax exemption of vessels in the

process of construction, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 877**—An act to amend Labor Code Section 101, relating to payment of court costs by the Division of Labor Law Enforcement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 97**—Relative to making additional funds available to the Legislative Audit Committee.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan,

Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—Unruh—1

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 22**—Relative to nuclear weapons test explosions under an adequate inspection system.

Resolution read.

**Motion to Amend**

Mr. Busterud moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed measure, strike out lines 12 through 14.

**Amendment No. 2**

On page 2, strike out lines 10 through 13.

Amendments read.

Further consideration of Assembly Joint Resolution No 22 and the amendments by Mr. Busterud continued until the next legislative day.

## MOTION TO RECONSIDER SENATE BILL NO. 133 CONTINUED

Mr. Bradley was granted unanimous consent that his motion to reconsider the vote on Senate Bill No 133 be continued until the next legislative day.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2079 FROM COMMITTEE

Mr. Lowrey was granted unanimous consent that Assembly Bill No. 2079 be withdrawn from the Committee on Natural Resources, Planning, and Public Works for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2079

**Assembly Bill No. 2079**—An act to amend Section 126 of the Government Code, relating to acquisition of lands by the United States.

Bill read second time.

**Motion to Amend**

Mr. Lowrey moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "States", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 3, after line 5, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The extent to which jurisdiction of the State of California applies within federal lands in this State is a matter of the utmost importance in numerous transactions every day. It is imperative that this bill, which, in effect, requires that the will of the people of this State prevail in all territory within the boundaries of this State, to the extent not inconsistent with federal duties, go into effect as early as possible.

Thereby, those laws which the people, through their representatives, have enacted for the public peace, health, and safety will have greater applicability.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

## VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 873

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 873.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Rules reports.

House Resolution No. 178

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 177

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 21

With the recommendation: That the resolution be re-referred to the Committee on Water.

MILLER, Chairman

Above resolution re-referred to the Committee on Water.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 33

With the recommendation: Do pass

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No 1429

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 160
Assembly Bill No. 471
Assembly Bill No. 1452

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 995
Assembly Bill No. 1788

With amendments with the recommendation. Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

NOTE—Later this day, Assembly Bill No. 1788 was ordered re-referred to the Committee on Governmental Efficiency and Economy. *See* page 1990.

**Committee on Government Organization**

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1425

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 717
Assembly Bill No. 1624

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Government Organization reports.

Senate Bill No. 431

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1468

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 640
Assembly Bill No. 1375

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Water**

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No 1717

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1684

With the recommendation. That the bill be re-referred to the Committee on Judiciary—Civil.

PORTER, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1593

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 46

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 49

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 470
Assembly Bill No. 1248
Assembly Bill No. 1428

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 327
Assembly Bill No. 817
Assembly Bill No. 896
Assembly Bill No. 1111

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 618

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 15
Assembly Constitutional Amendment No. 16

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 49
Assembly Bill No. 419

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1398
Assembly Bill No. 1676
Assembly Bill No. 1686
Assembly Bill No. 1718

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 889
Assembly Bill No 1112
Assembly Bill No. 1113
Assembly Bill No. 1690
Assembly Bill No. 1693
Assembly Bill No. 1711

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 402
Assembly Bill No. 944
Assembly Bill No. 1218
Assembly Bill No 1301
Assembly Bill No 1644
Assembly Bill No. 1645
Assembly Bill No. 1646
Assembly Bill No. 1647
Assembly Bill No. 1648
Assembly Bill No. 1649
Assembly Bill No. 1650

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 82
Assembly Bill No. 233
Assembly Bill No. 318
Assembly Bill No 570
Assembly Bill No 806
Assembly Bill No. 988
Assembly Bill No 1058
Assembly Bill No. 1522

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 124
Assembly Bill No. 1040
Assembly Bill No. 1041

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### ASSEMBLY BILL NO. 1788 RE-REFERRED TO COMMITTEE

Speaker Brown announced that Assembly Bill No. 1788 was reported out of committee before the 30-calendar-day period had elapsed; and ordered the bill re-referred to the Committee on Governmental Efficiency and Economy.

### EXPLANATIONS OF ABSENCE

April 1, 1959

I missed a number of roll calls during today's session because I was presenting two bills to the Senate Judiciary Committee for recommendation.

LOUIS FRANCIS

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April 1, 1959

At 10 40 a.m today it was necessary for me to leave the Assembly Chamber to appear before Senate Education Committee to present an important education bill. This caused my being absent from the Assembly floor for the balance of the morning session.

CARLEY V. PORTER

### ADJOURNMENT

At 11.50 a.m., on motion of Mr. Sumner, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 2, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY

SIXTY-FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, April 2, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk Norman Jachens at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God, Most Holy,* Wise and powerful Preserver and Governor of all Thy creatures and all their actions; keep us this day in health of body and soundness of mind, in purity of heart and cheerfulness of spirit, in contentment with our lot and charity with our neighbor; and further all our efforts at lawmaking with Thy divine approval. In our labor, strengthen us; in our pleasure, purify us; in our difficulties, direct us; in our perils, defend us; in our troubles, comfort us; and supply all our needs according to the riches of Thy Grace in Christ Jesus, our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gaffney, seconded by Mr. Busterud, further reading of the Journal of the previous legislative day was dispensed with.

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Chapel, on motion of Mr. Shell.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Mrs. Ruth Simon of Los Angeles, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Mr. and Mrs. W. H. Gehrett of Fresno, relative to legislation. Referred to the Committee on Military and Veterans Affairs.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Busterud, Gaffney, and Marks:

### House Resolution No. 180

Relating to the commendation of William F. McInerney

WHEREAS, William F. McInerney, PBX repairman, Pacific Telephone and Telegraph Company, performed an outstanding feat of humanitarian thoughtfulness, on August 13, 1958, by his rescue of a 16-year-old boy from the Merced River; and

WHEREAS, William F. McInerney, born in San Francisco, September 22, 1916, served with the United States Navy as a shipfitter, 3/c, on a submarine, is married to Ilene McInerney and is the father of two children; and

WHEREAS, On August 13, 1958, while William F. McInerney was vacationing in Yosemite National Park, he noticed a rubber air mattress floating down the Merced River about 20 feet from shore with an arm protruding from the water and lying across the mattress; and

WHEREAS, Bill McInerney immediately raced into the water and rescued the victim; and

WHEREAS, With the help of a friend, Woodrow Roberto, Bill McInerney carried the boy to shore, immediately started artificial respiration and revived the boy, and observing that the boy was ill and in a state of shock, covered him with blankets and massaged his arms and legs; and

WHEREAS, Statements from the witnesses indicated that William F. McInerney undoubtedly saved the boy's life; and

WHEREAS, William F. Inerney has been selected for a Theodore N. Vail Memorial Fund Award in recognition of an outstanding act in an emergency, reflecting the finest traditions of service to the public; and

WHEREAS, This State is indeed fortunate to have citizens of the caliber of William F. McInerney who was skilled and resourceful, and at the same time ever vigilant for the safety and welfare of his fellow man; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends William F. McInerney for his outstanding act of humanitarian thoughtfulness; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to William F. McInerney.

Resolution read, and referred to the Committee on Rules.

By Mr. Samuel R. Geddes:

### House Resolution No. 181

Relative to designating May, 1959, as Senior Citizens' Month

WHEREAS, The well-demonstrated greatness of the State of California is due in large measure to the efforts of those people who are now the senior citizens of California; and

WHEREAS, The blessings of longer life and better health are being made available to our senior citizens while technological progress is making the task of earning a living less toilsome physically and bringing arbitrary retirement to older persons at an age when most of them can and want to continue as productive members of society; and

WHEREAS, Arbitrary retirement tends to minimize the usefulness of older people to their communities and at the same time make it difficult for them to obtain good housing, adequate nourishment, adequate medical care and necessary recreational and educational opportunities because of sharply limited income; and

WHEREAS, The efforts of science will continue to increase the human life span and accelerate the increase in the number of persons surviving into the later years; and

WHEREAS, The foregoing factors make it necessary that proper planning be done to meet the needs and problems of California's senior citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the month of May, 1959, be designated as Senior Citizens' Month; and be it further

*Resolved*, That the efforts of the Governor of the State of California to establish May, 1959, as a fittingly observed Senior Citizens' Month be commended; and be it further

*Resolved*, That the communities of the State of California are urged to mark the importance of Senior Citizens' Month by observances which will acknowledge the contribution made to California's progress by its senior citizens; and be it further

*Resolved*, That the communities of the State of California are urged to stress the importance of the contribution to the welfare and well-being of the entire community, which can be made by the senior citizen; and be it further

*Resolved*, That the people of the State of California are urged to continue in their world-wide recognized leadership in meeting the needs and problems of the senior citizen and in making their communities places where the senior citizen can live out his years in dignity, self-respect, usefulness, and good citizenship; and be it further

*Resolved*, That every state department and agency is urged to give all the necessary encouragement and assistance to the communities of the State in marking Senior Citizens' Month with fitting observances; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Honorable Edmund G. Brown, Governor of the State of California, the Citizens' Advisory Committee on Aging, and that copies be directed to be transmitted to the directors of all state agencies.

Resolution read, and referred to the Committee on Rules.

By Messrs. Bane and Thelin:

**House Resolution No. 182**

Relating to congratulating Mrs. William A. Otwell on being selected "Woman of the Year for 1959" by the Women's Council of Burbank

WHEREAS, Mrs. William A. Otwell has been selected "Woman of the Year for 1959" by the Women's Council of Burbank; and

WHEREAS, Mrs. Otwell has been an inspiration to others in her work for the betterment of her community by working for and encouraging civil achievement, cultural advancement, religious activity and social welfare; and

WHEREAS, Mrs Otwell served as chairman of the Women's Division of Burbank March of Dimes in 1958, area chairman of the Cottey College Fund of the P. E. O., and as a director of the Community Concert Association; and

WHEREAS, Mrs. Otwell is a winner of the "Pro-Teen Award" for her interest in youth; and

WHEREAS, Last year the Otwells were foster parents to a German exchange student who studied here under the Student Exchange Program, while Mrs Otwell's only son is currently with the United States Army in Germany; and

WHEREAS, Mrs. Otwell has established the Robert Van Otwell memorial scholarship fund for an award given each year to a boy and girl at Luther Burbank Junior High School; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members do hereby recognize and acknowlegde the community service of Mrs. William A. Otwell and congratulate her on being selected the "Woman of the Year for 1959" by the Women's Council of Burbank; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Mrs. William A. Otwell and to Mrs. Rawson Davis, President of the Women's Council of Burbank.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 102**: By Messrs. Elliott, Hawkins, McMillan, George E. Brown, Burton, and Rees (Senator Farr, co-author)—Relative to extending congratulations to the California Branch of the National Council of Jewish Women.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 39**: By Mr. Backstrand—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 21 to Article XIII, relating to the exemption of water rights from taxation.

Referred to Committee on Water.

**Assembly Bill No. 2318**: By Mr. Samuel R. Geddes—An act to amend Section 216 of, and to add Section 224.5 to, the Public Utilities Code, relating to the regulation of motor vehicles rental services as public utilities.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2319**: By Messrs. Porter, Belotti, Don A. Allen, Beaver, Collier, Crawford, Cusanovich, Dills, Miss Donahoe, Messrs. Samuel R. Geddes, House, McCollister, Meyers, Munnell, Pattee, Unruh, and Charles H. Wilson—An act to amend Sections 4216 and 4217 of, to repeal Section 4218 of, and to add Sections 4218, 4224, and 4353.6 to, the Agricultural Code, relating to milk and milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2320**: By Mr. Charles H. Wilson—An act to add Section 23958.1 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2321**: By Mr. Crown—An act to add Chapter 4.5 (commencing with Section 1800) to Division 2 of the Business and Professions Code, relating to the creation of a State Board of Dental Technicians Examiners, prescribing its organization, powers, and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2322**: By Mr. MacBride—An act to amend Sections 7005, 7006, 7007 and 7008 of, and to add Sections 7018, 7019 and 7020 to, the Streets and Highways Code, relating to the Street Improvement Act of 1913.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2323**: By Mr. O'Connell—An act to amend Section 5061 of the Business and Professions Code, relating to public accountancy.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2324**: By Mr. Frew—An act to amend Section 108 of the Civil Code, relating to divorce on the ground of incurable insanity.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2325**: By Mr. Frew—An act to repeal Section 40517 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to change of venue for Vehicle Code violations.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2326**: By Messrs. Petris and George A. Willson—An act to amend Section 224 of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2327**: By Mr. George A. Willson—An act to amend Section 13739 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to probationary period for noncertificated school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2328**: By Messrs. Meyers, O'Connell, Gaffney, Burton, Busterud, Marks, and McCollister—An act to add Article 7 (commencing at Section 20940) to Chapter 8, Part 3, Division 5, Title 2 of the Government Code, relating to local members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2329**: By Mr. George E. Brown—An act to add Section 4820 to the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1170**—An act to amend Sections 12126, 12151, 12153, 12154, 12155, 12276, 12402, 12405, 12431, 12435, 12464, 12465, 12494, 12495, 12622, 12623, 12624, 12626, 12676, 12682, 12801, 12802, 12803, 12834, 12952, 12977, 12997, 13102, 13103, 13105, 13112, and 13113 of, to repeal Sections 12127, 12401, 12403, 12432, 12433, 12434, 12437, 12438, 12461, 12625, and 12998 of, and to add Sections 12440, 12983 and 12998 to, the Revenue and Taxation Code, relating to insurance taxation, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the first day of April, 1959, at 12 m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 67**—An act to amend Section 3509 of the Fish and Game Code, relating to training dogs;

**Assembly Bill No. 71**—An act to amend Section 8152 of the Fish and Game Code, relating to sardines, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1212**—An act to add Section 19.5 to the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to district bonds, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1213**—An act to amend Section 17 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to bonds, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 181**—An act to amend Section 2733.5 of the Business and Professions Code, relating to temporary permits for nurses;

**Assembly Bill No. 229**—An act to amend Section 7717 of the Education Code, and amend Section 19581 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district public works, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 263**—An act to add Section 55336 to the Water Code, relating to the sale of surplus water by county waterworks districts;

**Assembly Bill No. 707**—An act to amend Sections 27 and 29 of the Streets and Highways Code, relating to maintenance and construction of highway facilities;

**Assembly Bill No. 752**—An act to amend Sections 24507, 24908, 26241, 26653, and 27281 of, and to add Sections 25057, 25841.5, 25845, 25846, 25847, 25848, 25849, 25904, 26210.5, 26403, 26404, 26405, 26406, 26657, and 26658 to, and to add Article 7 (commencing at Section 26351) to Chapter 7 of Part 1 of Division 10 of, and Article 3 (commencing at Section 27291) to Chapter 10 of Part 1 of Division 10, and Chapter 10.5 (commencing at Section 27401) to Part 1 of Division 10 of, the Public Utilities Code, and to amend Sections 13006, 13507, 14280, 14752, and 15030, and to add Sections 13656, 14065.5, 14069, 14070, 14071, 14072, 14073, 14128, 14259.5, 14502, 14503, 14504, 14505, 14756, and 14757 to, and to add Article 7 (commencing at Section 14390) to Chapter 7 of Part 1 of Division 5, and Article 3 (commencing at Section 15035) to Chapter 10 of Part 1 of Division 5, and Chapter 10.5 (commencing at Section 15050) to Part 1 of Division 5 of the Public Districts Code as proposed by Assembly Bill No. 908, relating to the transit districts in the Counties of Alameda and Contra Costa, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the first day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 99**—*Relative to the appearance of the* Legislative Counsel as a friend of the Supreme Court of California in State Board of Education v. Levit, Sac. No. 7057;

And reports the same correctly enrolled, and presented to the Secretary of State on the first day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1172

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 970

And reports the same correctly engrossed.

BURKE, Chairman

Above bill returned to second reading file.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 759

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Agriculture

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 894
Assembly Bill No. 1643

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 638

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports.

Senate Bill No 600

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1630

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER. Your Committee on Public Health reports:

Assembly Bill No. 1683

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1626
Assembly Bill No. 1634
Assembly Bill No. 1635

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Public Health reports:

Senate Bill No 312
Senate Bill No. 464

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1628

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Public Health reports:

Assembly Bill No 1636

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 378
Assembly Bill No. 1069
Assembly Bill No. 1402

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1434

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 16

With the recommendation: Do pass.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER Your Committee on Judiciary—Civil reports:

Assembly Bill No. 366
Assembly Bill No 1266
Assembly Bill No. 1315
Assembly Bill No. 1529
Assembly Bill No. 1533
Assembly Bill No. 1554
Assembly Bill No. 1557

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 575
Assembly Bill No. 576

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 642
Assembly Bill No 1159
Assembly Bill No. 1201
Assembly Bill No. 1226
Assembly Bill No. 1227
Assembly Bill No. 1241
Assembly Bill No. 1262
Assembly Bill No. 1383
Assembly Bill No. 1391
Assembly Bill No. 1449
Assembly Bill No. 1520
Assembly Bill No. 1556

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 64

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 534
Assembly Bill No. 1504
Assembly Bill No. 1505

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bills ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1734

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No 1321

Has had the same under consideration, and reports the same back with the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Bill ordered filed; and the subject matter ordered referred to the Committee on Rules.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 276
Assembly Bill No. 1424

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1587

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1712

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1177

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Social Welfare

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 107
Assembly Bill No. 1120
Assembly Bill No. 1121
Assembly Bill No. 1122
Assembly Bill No. 1123
Assembly Bill No. 1124
Assembly Bill No. 1125
Assembly Bill No. 1126
Assembly Bill No. 1127
Assembly Bill No 1128
Assembly Bill No. 1129

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 150
Assembly Bill No. 1625

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 244

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 903

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1360
Assembly Bill No. 1361
Assembly Bill No. 1362
Assembly Bill No. 1364

With amendments with the recommendation: Amend, and do pass, as amended.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1363
Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1367

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1689

With amendments with the recomemndation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 1, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1639

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, April 2, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No 29
Senate Concurrent Resolution No. 30

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 24

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed, and to the Consent Calendar.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER. Your Committee on Rules reports:

House Resolution No. 174

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 2, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 144
House Resolution No. 150

With the recommendation: That the resolutions be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolutions re-referred to the Committee on Transportation and Commerce.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 24

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1429
Assembly Bill No. 1593

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 87
Assembly Concurrent Resolution No. 100

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, April 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 184
Assembly Bill No. 250
Assembly Bill No. 251
Assembly Bill No. 254
Assembly Bill No. 492
Assembly Bill No. 502
Assembly Bill No. 704

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, March 31, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 770

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, April 1, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 1108

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, April 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 217

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 456
Senate Bill No. 568
Senate Bill No. 409
Senate Bill No. 667

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 456**—An act to amend Section 538e of the Penal Code, relating to misrepresentation in sales of fire-fighting equipment.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 568**—An act to add Article 5 (commencing at Section 50920) to Chapter 4 of Part 1 of Division 1 of Title 5 of the Government Code, relating to extraterritorial law enforcement activities of local peace officers.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 409**—An act to repeal Section 23783 of the Business and Professions Code, relating to alcoholic beverage licenses.

Referred to Committee on Government Organization.

**Senate Bill No. 667**—An act to amend Section 1364 of the Financial Code, relating to investments.

Referred to Committee on Finance and Insurance.

### Chief Clerk Arthur A. Ohnimus at the Desk

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1223, read the second time, with appropriate actions taken on those bills requiring action.

### Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Will the Sergeant-at-Arms provide copies of the bill for the members' use?

Reply by Speaker

The Speaker replied that copies of the bill have been placed on the members' desks.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Why is Assembly Bill No. 1223 excluded?

Reply by Speaker

The Speaker replied that there are amendments other than the committee amendments to be considered.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Cannot the committee amendments be adopted, and leave the other amendments for consideration later?

Reply by Speaker

The Speaker replied that there are substitute amendments at the desk.

MOTION

Mr. Winton moved that the bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1223, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Bee seconded the motion.

Motion carried unanimously.

CONSIDERATION OF DAILY FILE

BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bill No. 970.**

**Senate Bills Nos. 386, 387,** and **390.**

*Above bills ordered to third reading.*

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 718**—An act to amend Sections 9107, 9108, 9109, 9134 and 10246, and to repeal Sections 9131, 9132 and 9133 of the Government Code, relating to legislative organizations and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 458**—An act to add Section 1024 to the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 813**—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to fees payable by architects, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 487**—An act to amend Section 106 of, and to add Section 401.1 and Part 10 (commencing at Section 5150) of Division 1 to, the Revenue and Taxation Code, relating to the definition and assessment of personal property for purposes of taxation, and the taxation of the use or possession for use of tax-exempt personal property, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 38, of the printed bill, as amended in the Assembly on March 2, 1959, after "roll", insert ", except state assessed property which shall be shown on the board roll,".

**Amendment No. 2**

On page 3, line 12, after "located", insert "and with the State Board of Equalization".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 43, of the printed bill, as amended in the Assembly on March 12, 1959, after the period, insert "Moneys shall be distributed on an equitable basis to the counties that qualify. No county shall receive an amount of the total sum allocated in any one year greater in proportion to the total sum allocated than the ratio of its population to the statewide population, determined by reference to the most recent federal decennial census, plus one thousand dollars."

**Amendment No. 2**

On page 3, line 23, strike out "or withholding of state aid for"; and strike out line 24, and insert "to and withholding from counties of the state aid authorized by this article,".

**Amendment No. 3**

On page 3, line 34, after "same", insert ", as prescribed by law".

**Amendment No. 4**

On page 4, line 15, strike out "municipalities", and insert "counties, cities, and cities and counties".

**Amendment No. 5**

On page 4, between lines 24 and 25, insert

"1805. For the purpose of obtaining funds to support the program authorized by this article, on and after the effective date of this section, there shall be levied an assessment on every fine, penalty, and forfeiture imposed and collected by the courts for criminal offenses, other than the penalty assessment imposed by Section 773 of the Vehicle Code or other penalty assessment imposed by law, in an amount equal to 1 percent of such fine, penalty, or forfeiture.

When any deposit of bail is made for an offense to which this section applies, the person making such deposit shall also deposit a sufficient amount to include the assessment prescribed in this section for forfeited bail. If bail is forfeited, the amount of such assessment shall be transmitted by the clerk of the court to the county treasury and thence to the State Treasury pursuant to this section.

After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the county treasury. It shall then be transmitted to the State Treasury to be deposited in the General Fund. The transmission to the State Treasury shall be carried out in the same manner as fines collected for the State by a county."

**Amendment No. 6**

On page 4, line 25, strike out "_____ dollars ($_____)", and insert "one hundred seventy-five thousand dollars ($175,000)".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 316**—An act to amend Sections 23320, and 23397 of, and to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 27, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "and wine".

**Amendment No. 2**

On page 2, between lines 28 and 29, insert

"(24) On-sale beer and wine license for boats (per boat)_____56.00 per year".

**Amendment No. 3**

On page 2, line 29, strike out "(24)", and insert "(25)".

**Amendment No. 4**

On page 2, line 31, strike out "(25)", and insert "(26)".

**Amendment No. 5**

On page 2, line 37, strike out "(26)", and insert "(27)".

**Amendment No. 6**

On page 2, line 45, strike out "(27)", and insert "(28)".

**Amendment No. 7**

On page 3, line 9, strike out "(28)", and insert "(29)".

**Amendment No. 8**

On page 3, line 14, strike out "(29)", and insert "(30)".

**Amendment No. 9**

On page 3, line 15, strike out "(30)", and insert "(31)".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 653**—An act to amend Section 69599.5 of the Government Code, relating to superior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

In line 1 of the designation of authors in the heading of the printed bill, after "Holmes", insert "(Senator Hollister, Co-author)".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 608**—An act to amend Section 14273 of the Government Code, relating to public works contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "general engineering", and insert "state".

Amendment No. 2

On page 1, line 7, after "license" strike out the comma; and strike out lines 8 and 9, and insert "unless such work is exempt from such licensing requirement by any other provision of law."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1673**—An act to add Section 6008 to the Public Resources Code, relating to sale of state lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "public".

Amendment No. 2

On page 1, between lines 8 and 9, insert

"This section shall not apply to any of the following:

(a) Any transfer of land from one state agency to another state agency for jurisdictional purposes.

(b) Any transfer of title to land to the United States.

(c) Any sale of land made pursuant to sealed, competitive bids."

Amendment No. 3

On page 1, line 9, after "Following", insert "any".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 100**—An act to add Article 4 (commencing at Section 4380) to Chapter 4 of Division 5 of Title 1 of the Government Code, relating to public works and purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and purchases".

Amendment No. 2

On page 1, between lines 8 and 9, insert

"4381. "Resident", when applied to a corporation, means a corporation which has its principal place of business in California whether or not it has incorporated in this State."

Amendment No. 3

On page 1, line 9, strike out "4381", and insert "4382".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1713**—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in event of war or enemy-caused disaster.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "section", and insert "chapter".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1714**—An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "section", and insert "article".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 824**—An act to amend Section 8304 of the Fish and Game Code, relating to abalones.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "eight", and insert "seven and three-quarters".

Amendment No. 2

On page 1, strike out lines 8 to 11, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1274**—An act to amend Section 8222 of the Fish and Game Code, relating to salmon.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "taken by any type of net".

Amendment No. 2

On page 1, line 12, after "State", insert ", except persons on vessels carrying paranzella nets, beam trawls, and otter trawls may possess salmon taken with hook and line".

Amendment No. 3

On page 1, line 13, strike out "Districts 12B and", and insert "District".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1429**—An act to add Chapter 9 (commencing with Section 3120) to Division 4 of Title 1 of the Government Code, relating to air travel insurance of local agency officers and employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 160**—An act to add Section 6545.5 to the Business and Professions Code, relating to the practice of barbering.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 471**—An act to amend Section 7058 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered engrossed

**Assembly Bill No. 1452**—An act to add Section 25509 to the Government Code, relating to Purchasing Agent's Stores Account.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 995**—An act to amend Section 3364 of the Welfare and Institutions Code, relating to purchase of blind-made products by public agencies

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3364", and insert "Sections 3364 and 3365".

Amendment No. 2

On page 1, strike out lines 8 to 11, inclusive, and insert "State, shall be procured".

**Amendment No. 3**

On page 1, after line 12, insert

"All brooms, mops and other commodities which are to be purchased by a school district and which are manufactured by the California Industries for the Blind, are offered for sale at the fair market price as determined by the committee, and meet the specifications required by the school district for such products, shall be procured from California Industries for the Blind.

SEC. 2. Section 3365 of said code is amended to read:

3365. Anything to the contrary notwithstanding, any city or county, political subdivision or district of this State may purchase materials and supplies manufactured by the California Industries for the Blind at the prices fixed therefor by the committee without advertising or calling for bids

*It is the intent of the Legislature to encourage cities, counties, districts, and other poltical subdivisions to purchase products manufactured by the California Industries for the Blind"*

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1425**—An act to add Section 13292.5 to the Government Code, relating to the mishandling of state funds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "or suspected".

**Amendment No. 2**

On page 1, line 8, after "commission", insert ", or of any suspected defalcation of such funds when there is reasonable cause to believe that such defalcation has occurred".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 717**—An act to amend Sections 13006, 13100, and 13101 of, and to add Sections 13006.1 and 13006.2 to, the Government Code, and to add Section 11801 to the Insurance Code, relating to the acquisition of state property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly on March 30, 1959, after "shall", insert "be selected pursuant to an open, nonpromotional, civil service examination, and shall".

**Amendment No. 2**

On page 2, line 29, after "Authority", insert ", or property authorized to be acquired by the State Lands Commission".

**Amendment No. 3**

On page 2, line 36, strike out "and".

**Amendment No. 4**

On page 2, line 36, after "Authority", insert ", and the State Lands Commission".

**Amendment No. 5**

On page 2, line 41, after "Authority", insert ", or the State Lands Commission".

**Amendment No. 6**

On page 2, line 52, after "Authority", insert ", or the State Lands Commission".

**Amendment No. 7**

On page 3, between lines 26 and 27, insert

"All persons transferred from one division or section in the Department of Finance to another division or section in that department to handle a function or to administer a law, the administration of which is transferred to the Department of Finance by this act, shall retain their civil service status and rights, subject to the State Civil Service Act, except as to positions, the duties of which are vested in a position that is exempt from civil service."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1624**—An act to add Part 5 (commencing at Section 17500) to Division 4 of Title 2 of the Government Code, relating to state fiscal affairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "Controller", insert "the State Treasurer,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1717**—An act to make an appropriation for a loan to the South Sutter Water District for the construction of an irrigation project, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 1, lines 7 and 8, of the printed bill, strike out "the rate of 3½ percent per annum", and insert "a rate to be fixed by the department and approved by the Department of Finance, which rate shall be the same as the rate paid by the State in connection with the sale of general obligation bonds at the time of the loan".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1593**—An act to amend Section 40355 of the Water Code, relating to water storage districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 470**—An act to amend Section 7049 of the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 12, 1959, strike out "This", and insert "Where the cost is less than one thousand dollars ($1,000), this".

Amendment No. 2

On page 1, line 10, strike out ", where the cost is less than one thousand dollars ($1,000),".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1248**—An act to add Sections 7032 to the Business and Professions Code, relating to contractors, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 through 10, and insert "lations made by contractors through a system of permits and inspections which are designed to secure compliance with and aid in the enforcement of applicable state and local building laws, or to enforce other local laws necessary for the protection of the public health and safety. Any system of permits".

Amendment No. 2

On page 2, line 11, strike out "There are"; and strike out all of lines 12 and 13, and insert "There".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1428**—An act to add Section 1091.1 to the Government Code, relating to interest of officers in contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "109.1", and insert "1091.1".

Amendment No. 2

On page 1, line 8, strike out "Part", and insert "Chapter".

Amendment No. 3

On page 1, line 9, strike out "11000", and insert "11500".

Amendment No. 4

On page 1, line 9, after the first "of", insert "Part 2 of".

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 446**—An act to amend Sections 3031, 3240, 3242, 3245, 4006, 4751, and to repeal Sections 3243 and 3244 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 33**—An act to add Article 5 commencing with Section 12050 to Chapter 1, Part 2, Division 3, Title 2 of, the Government Code, relating to the protection of consumer interests.

Bill read second time, and ordered to third reading.

**Senate Bill No. 431**—An act to amend Section 16470 of the Government Code, relating to state funds.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out the period, and insert ", State Employees Retirement Fund, Legislators Retirement Fund and Teachers Retirement Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Government Organization.

**Senate Bill No. 46**—An act to amend Sections 35100, 35101, 35102, and 35106 of, to repeal Sections 35107, 35108, 35109, 35110, and 35111 of, to add Sections 35107, 35108, and 35109 to, and to amend and renumber Sections 35112 and 35113 of, the Water Code, relating to California water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 49**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "control", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 7, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Sandy Prairie Project is a project urgently needed to protect the City of Fortuna, lines of communication, and public and private property. State authorization of the project must be obtained immediately to secure available federal funds at the earliest possible date."

Bill ordered reprinted, and returned to the second reading file.

## CONSIDERATION OF ASSEMBLY BILL NO. 1223

**Assembly Bill No. 1223**—An act to amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1172, 1173, 1174, 1178, 1182, 1183, 1185, 1194, 1195, 1195.5, 1197, 1199 of, and to repeal Sections 1191, 1192, and 1193 of, and to add Sections

1205, 1206 and 1207 to, the Labor Code, relating to minimum wages and other terms of employment.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read:

### Amendment No. 1

On page 6, line 17, of the printed bill, as amended in the Assembly on March 23, 1959, between "paid" and "and", insert ", including compensation on a piece rate, commission and other methods of calculation or work of an intermittent or occasional nature;".

### Amendment No. 2

On page 6, line 18, strike out "and lodging shall be valued for", and insert ", lodging and other facilities shall be valued for".

### Amendment No. 3

On page 6, between lines 10 and 11, insert

"(d) A person under the age of 18 engaged in the delivery or distribution of newspapers, shopping news, or magazines, not including delivery or distribution to any point for subsequent delivery or distribution, unless such employment is performed by an individual under the age of 18 whose principal occupation is regular full-time work and whose attendance at school is incidental to full-time employment.

(e) A person engaged in the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price, his commission being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back."

### Amendment No. 4

On page 1, line 15, strike out the period, and insert ", or to fix minimum wages of any adult male employed in agriculture."

### Amendment No. 5

On page 5, line 15, strike out ", except in"; and strike out all of lines 16 and 17, and insert a period.

### Amendment No. 6

On page 6, between lines 10 and 11, insert

"(f) Any individual employed in agriculture."

### Division of the Question

Mr. Hawkins requested a division of the question, and that the two sets of amendments he offered in committee, Amendments Nos. 1 to 3, be considered prior to Amendments Nos. 4 to 6, which were offered in committee by Mr. Lowrey.

Request granted.

### Motion to Postpone Indefinitely

Mr. Lowrey moved that the motion by Mr. Hawkins be postponed indefinitely.

Motion ruled not in order, since there was presently no motion before the House.

### Motion to Postpone Indefinitely

Mr. Lowrey moved that the whole question of consideration of this series of amendments be postponed indefinitely.

Mr. Sumner seconded the motion.

### Parliamentary Inquiry

Mr. Munnell arose to the following parliamentary inquiry: What effect would the motion have, if carried?

Reply by Speaker

The Speaker replied that the amendments would be defeated.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Does not the motion carry the main question with it?

Reply by Speaker

The Speaker read Rule 92 to the Members.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Would the motion then carry the bill with it?

Reply by Speaker

The Speaker replied that it would.

The question being on the motion to postpone indefinitely.

Roll Call Demanded

Messrs. Elliott, Lowrey, and Munnell demanded a roll call.

Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: If this motion carries and kills Assembly Bill No. 1223, will it have any effect on any other bill on second reading?

Reply by Speaker

The Speaker replied that it would not.

The question being on the motion to postpone indefinitely.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Mr. Bruce F. Allen seconded the motion.

Motion carried. Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 471,** subsequent to engrossment.

**Senate Bills Nos. 390** and **33.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 387**—An act to add Section 2898 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the lapsation of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 387?

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to add Section 2898 to the Education Code as enacted by the Legislature at its 1959 Regular Session,".

**Amendment No. 2**

In line 3 of the title, strike out "Bill No. 2,".

**Amendment No. 3**

On page 1, strike out lines 1 through 17, inclusive.

**Amendment No. 4**

On page 2, line 1, strike out "SEC. 2.", and insert "SECTION 1."

**Amendment No. 5**

On page 2, strike out line 2, and insert "enacted by the Legislature at its 1959 Regular Session to read:".

**Amendment No. 6**

On page 2, line 10, after the period, insert "The attendance of pupils in high schools in an adjoining state pursuant to Section 10810 shall be deemed for the purposes of this section to be in high schools established and maintained by the unified district."

**Amendment No. 7**

On page 2, strike out lines 18 to 23, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 387 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69.

NOES—Lowrey—1.

Assembly Bill No 387 ordered enrolled.

**Assembly Bill No. 721**—An act to amend Section 8695 of the Fish and Game Code, relating to gill nets.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 721?

**Amendment No. 1**

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 8695 of the Fish and Game Code is amended to read:

8695. In District 20, gill nets may be used subject to the following restrictions:

(a) They may be used only in state waters in District 20 ~~between Southeast Rock (also known as Church Rock) and Twin Rocks.~~ *on the*

*northerly side of Santa Catalina Island between Long Point and the extreme westerly end of the island.*

(b) They may be used only to take flying fish for bait. Such fish may not be transported out of the State.

(c) They shall not exceed 50 fathoms in length and two fathoms four feet in depth. The length of the meshes shall be between $1\frac{7}{8}$ and $2\frac{1}{8}$ inches."

**Amendment No. 2**

On page 1, strike out lines 2 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 721 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—None.

Assembly Bill No. 721 ordered enrolled.

## MOTION TO RECONSIDER SENATE BILL NO. 133

In compliance with a motion given on a previous day, Mr. Bradley moved that the vote whereby Senate Bill No. 133 was passed be reconsidered.

Senate Bill No. 133 reconsidered by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None

Senate Bill No. 133 ordered returned to the third reading file

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 177**—An act to amend Section 7108 of the Business and Professions Code, relating to contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 177?

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in the Assembly on February 19, 1959, strike out "Reasonable overhead"; and strike out lines 11 and 12

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 177 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister,

McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 177 ordered enrolled.

**Assembly Bill No. 179**—An act to amend Section 7111 of the Business and Professions Code, relating to contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 179?

**Amendment No. 1**

On page 1 of the printed bill, at the end of line 10, insert "written".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 179 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 179 ordered enrolled.

## CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1275**—An act to amend Section 459.2 of the Vehicle Code, and to amend Section 21106 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to establishment of crosswalks by local authorities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1483**—An act to add Section 20450.5 to the Government Code, relating to contracts with the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe,

Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1498**—An act to amend Section 15811 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments for sewers and drains by school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1480**—An act to amend Section 13002 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to travel expenses of school district employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1032**—An act to amend Section 3276 of the Fish and Game Code, relating to fish and game.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1287**—An act to amend Section 54955 of the Government Code, relating to meetings of legislative bodies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 843**—An act to amend Section 8276 of the Fish and Game Code, relating to crabs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 403**—An act to amend Sections 2201, 3901 and 3904 of the Corporations Code, relating to the sale of all or substantially all of the property and assets of a corporation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 404**—An act to repeal Title 4 (commencing with Section 894) of Part 2 of the Penal Code, to add Title 4 (commencing with Section 888) to Part 2 of the Penal Code, to repeal Section 169 of the Penal Code, to repeal Section 65.2, 241, 242, and 243 of the Code of Civil Procedure, to repeal Section 12551 of the Government Code, to amend Sections 192, 196, 199, 204, 204b, 204c, 204d, 205, 206, 209, 211, and 238 of the Code of Civil Procedure, to amend Sections 167,

168, and 1326 of the Penal Code, and to amend Section 12552 of the Government Code, relating to grand juries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 905**—An act to amend Section 1722 of the Elections Code, relating to the municipal elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1308**—An act to add Section 3947 to the Elections Code, relating to the direct primary election ballot.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1003**—An act to amend Section 469 of the Vehicle Code, and to amend Sections 21362 and 21404 of the Vehicle Code, as proposed by Assembly Bill No. 5, relating to the reflectorizing of railroad warning approach signs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 663**—An act to amend Sections 5101, 5132 and 5220 of the Streets and Highways Code and Section 50550 of the Government Code, and to add Section 5103 to the Streets and Highways Code, relating to the installation and sale of electric, telephone, water and gas facilities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1377**—An act to amend Section 160.6 of the Agricultural Code, relating to licenses for pest control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1004**—An act to amend Section 604.1 of the Vehicle Code and to amend Section 21652 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to access to public highways from service roads.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 108**—An act to add Section 14108.5 to the Health and Safety Code, relating to local fire districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 109**—An act to add Section 14108.6 to the Health and Safety Code, relating to local fire districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 906**—An act to amend Sections 8321, 8322, 8323, and 8331 of the Streets and Highways Code, relating to city street vacation proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1278**—An act to amend Section 30 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the acquisition, use and disposition of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister,

McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1283**—An act to amend Section 2808 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—HOUSE RESOLUTIONS

### Consideration of House Resolution No. 172

By Messrs. Conrad and Bane:

### House Resolution No. 172

Relative to the traffic problem at the terminal points of the Ventura Freeway

WHEREAS, The extension of the Ventura Freeway to Laurel Canyon Boulevard has been recently opened to vehicular traffic; and

WHEREAS, The temporary ending of the freeway at that point has resulted in an extremely hazardous situation on the residential streets now required to handle traffic from and to the freeway; and

WHEREAS, Traffic proceeding to the freeway travels at dangerously high speeds for the neighborhood and encroaches on the rights of residents of the area in the peaceful enjoyment of their property; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body requests the Department of Public Works to investigate the traffic problem at the present terminal point of the Ventura Freeway at Laurel Canyon Boulevard and to take steps, as soon as possible, to remedy the present hazardous situation there; and be it further

*Resolved*, That the department is directed to study the possibility of constructing a new on-ramp to the Ventura Freeway from the state-owned property to the south; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works and the California Highway Commission

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 210**—An act to amend Section 3304 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to discontinuance of elementary schools in unified school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 37**—Relative to approving amendments to the charter of the City of Santa Clara, County of Santa Clara, State of California, ratified by the qualified electors of said city at an election held therein on the fourth day of November, 1958.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 482**—An act to amend Sections 8514, 8562, 8564, 8565, 8566, and 8651 of the Business and Professions Code, relating to structural pest control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 166**—An act to add Section 1073 to the Civil Code and to add Section 109 to the Probate Code, relating to a grant, devise or bequest to a grantor's or testators own heirs or next of kin.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 212**—An act to repeal Sections 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, 1435.10, 1435.11, 1435.12, 1435.13, 1435.14, 1435 15, 1435 16, 1435.17, 1435.18, 1435.19, 1435 22, 1435.24, 1435.25, 1435.26, 1435.27, 1435.28, 1435.29, 1435 30, 1435.31, 1435.33, 1435.37, and 1435.39 of the Probate Code, and to amend Sections 1435.1, 1435.2, 1435 3, and 1529 of said code, and to amend and renumber Sections 1435.20, 1435 21, 1435.23, 1435.32, 1435.34, 1435.35, 1435 36, and 1435.38 of said code, and to add Sections 1435.4, 1435.5, 1435 9, 1435.15, 1435.16, 1435 17, and 1435.18 to said code, and to amend Sections 172, 172a, 1242, and 1243 of the Civil Code, and to add Section 172b to said code, relating to transfer and encumbrance of community and homestead property when a spouse is incompetent.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 327**—An act to add Section 1507 to the Education Code and Section 10810 to the Education Code, as proposed by Senate Bill No. 2, relating to education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 178**—An act to amend Sections 12607 and 12611 of the Business and Professions Code, relating to commodities sold in containers.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 38**—Relative to congratulating and expressing appreciation to participants in the revision of the California State Education Code.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Joint Resolution No. 9**—Relative to scrapie disease of sheep.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 336**—An act to add Section 68110 to the Government Code, relating to judges.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, McCollister, Meyers, Mulford, Pattee, Petris, Reagan, Schrade, Sedgwick, Sumner, Thelin, Thomas, and George A. Willson—42.

NOES—Bruce F. Allen, Bee, Britschgi, Cameron, Crawford, Davis, DeLotto, Donahoe, Garrigus, Hanna, House, Levering, Lowrey, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Porter, Rees, Shell, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—29.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1275

Mr. Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1275.

#### Speaker pro Tempore Presiding

At 10.24 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 759**—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Bill read third time.

#### Motion to Amend

Mr. Sumner moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 14, of the printed bill, strike out ", both proprietary and nonprofit,".

#### Amendment No. 2

On page 1, line 17, after "any", insert "private nonprofit hospital or institution or".

Amendments read.

#### Roll Call Demanded

Messrs. Hawkins, Elliott, and Charles H. Wilson demanded a roll call.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Sumner moved a call of the Assembly.

Mr. Holmes seconded the motion.

Motion carried. Time, 10.37 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY
### BY UNANIMOUS CONSENT
### ANNOUNCEMENT

Mr. Cunningham announced that today was the birthday of Mr. Clayton A. Dills, whereupon the Members of the Assembly joined in extending best wishes and birthday congratulations to Mr. Dills.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Sumner was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1400**—An act to add Section 556 to the Welfare and Institutions Code, and to amend Section 1803 of the Vehicle Code

as enacted by the Legislature at the 1959 Regular Session, relating to the jurisdiction of minors involved in traffic offenses.

Bill read third time.

**Amendments Deemed Read**

The following proposed amendments to Assembly Bill No. 1400 were deemed read:

By Mr. O'Connell:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 26, 1959, strike out "556", and insert "573.5".

**Amendment No. 2**

Strike out lines 2 to 6, inclusive, of the title, and insert "Code, relating to minors involved in traffic offenses."

**Amendment No. 3**

On page 1, line 1, strike out "556", and insert "573.5".

**Amendment No. 4**

On page 1, strike out lines 3 to 8, inclusive, and insert

"573.5. Notwithstanding any other provisions of law, when a minor is found guilty of violating any provision of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, excepting violations of Sections 22500, 22502, 22503, 22508, and 22514, relating to the improper parking of vehicles, or of any narcotic offense under Division 10 of the Health and Safety Code, commencing at Section 11000, when the use of a motor vehicle was involved in, or incident to, the commission of the offense, the judge of the juvenile court having jurisdiction of the minor shall prepare and immediately forward to the Department of Motor Vehicles at its office at Sacramento an abstract of the record of the court covering the case in which the minor was so found guilty, which abstract must be certified by the person so required to prepare the same to be true and correct."

**Amendment No. 5**

On page 2, strike out lines 19 to 34, inclusive.

By Mr. Backstrand:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on March 26, 1956, after "felony", insert "or unless, in the case of a misdemeanor, a court having jurisdiction of criminal matters, in which an accusatory pleading charging such misdemeanor is filed, concludes that the person is a fit person for consideration under this chapter, in which event the court shall certify the case to the juvenile court, as provided in Section 826".

By Mr. Meyers:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on March 26, 1959, strike out "violates", and insert "on two or more occasions has been convicted of a violation of".

**Motion to Re-refer**

Mr. Miller moved that Assembly Bill No. 1400 and the amendments be re-referred to the Committee on Criminal Procedure.

Mr. Ernest R. Geddes seconded the motion.

**Inquiry**

Speaker pro Tempore Bee inquired of Mr. Miller if his motion included all three sets of amendments at the desk.

**Reply by Mr. Miller**

Mr. Miller replied that it did

The three sets of amendments were deemed read.

**Motion to Temporarily Suspend Rule No. 106**

Mr. Bruce F. Allen moved that Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Motion ruled not in order, since Rule No. 106 had already been suspended.

**Speaker Presiding**

At 10.52 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. O'Connell, McCollister, Pattee, House, and Schrade demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

Motion carried by the following vote:

AYES—Bruce F. Allen, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Coolidge, Crown, Davis, DeLotto, Donahoe, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—44.

NOES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Gaffney, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Masterson, McCollister, Mulford, Pattee, Reagan, and Thelin—29.

**Name Placed Upon Roll Call**

Mr. Unruh was granted unanimous consent that he be recorded as voting "Aye" on the motion to re-refer Assembly Bill No. 1400.

**Vote Changed Upon Roll Call**

Mr. Francis was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on the motion to re-refer Assembly Bill No. 1400.

**Assembly Bill No. 577**—An act to amend Section 1530a of the Probate Code, relating to compromise of claims by guardians.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1184**—An act to amend Sections 21010 and 21408 of the Public Utilities Code, relating to aviation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Collier, Coolidge, Cusanovich, Dahl, Davis, Dills, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel,

MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Reagan, Shell, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—47.

NOES—George E. Brown, Crawford, Crown, DeLotto, Elliott, Hegland, House, Miller, Munnell, O'Connell, Petris, Rees, Schrade, Unruh, Waldie, and Winton—16.

Bill ordered transmitted to the Senate.

### Explanation of Vote on Assembly Bill No. 1184

Penalties in Assembly Bill No. 1184 are not adequate. We feel also Commission should be abolished.

HEGLAND
SCHRADE
CRAWFORD

## CALL OF THE ASSEMBLY DISPENSED WITH ON SUMNER AMENDMENTS TO ASSEMBLY BILL NO. 759

At 11.18 a.m., on motion of Mr. Sumner, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Sumner to Assembly Bill No. 759 refused adoption by the following vote:

AYES—Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Lanterman, Levering, Luckel, McCollister, Mulford, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Thomas—34.

NOES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—41.

### Speaker pro Tempore Presiding

At 11.20 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Further Consideration of Assembly Bill No. 759

The question being on the passage of the bill.

### Motion to Amend

Mr. Britschgi moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 1, 1959, strike out ", sanitariums, rest homes, homes for the aged".

### Amendment No. 2

On page 1, line 8, strike out "board and lodging in addition to".

### Amendment No. 3

On page 1, line 9, after "surgical," insert "or".

### Amendment No. 4

On page 1, line 9, strike out ", convalescent or aged".

Amendments read.

### Motion to Table Amendments

Mr. Munnell moved that the amendments be laid on the table.

Mr. Unruh seconded the motion.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Britschgi moved a call of the Assembly.

Mr. Lanterman seconded the motion.

Motion carried. Time, 11.26 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO POSTPONE INDEFINITELY THE AMENDMENTS TO ASSEMBLY BILL NO. 1223

At 11.27 a.m., Mr. Lowrey moved that further proceedings under the call of the Assembly be dispensed with.

### Motion to Temporarily Suspend Rule No. 106

Mr. Conrad moved that Rule No 106 be temporarily suspended.

Motion ruled not in order, since Mr. Lowrey's motion takes precedence.

### Parliamentary Inquiry

Mr. Hegland arose to the following parliamentary inquiry: Has the House suspended the Rules in order to proceed with business?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was not necessary, at this time.

### Parliamentary Inquiry

Mr. Belotti arose to the following parliamentary inquiry: What is the question before the House?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the call is being lifted on the motion to postpone indefinitely the consideration of amendments to Assembly Bill No. 1223.

### Parliamentary Inquiry

Mr. Bradley arose to the following parliamentary inquiry: Is it not necessary to suspend a portion of Rule No. 106 in order to proceed with the business of the House, and to lift a call when another call has been ordered?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that a motion to lift a call of the Assembly is in order at any time.

The question being on the motion by Mr. Lowrey, that further proceedings under the call of the Assembly be dispensed with.

Motion carried.

The names of the absentees were called, and the motion that consideration of the amendments to Assembly Bill No. 1223 be postponed indefinitely lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Bradley, Burke, Collier, Cusanovich, Dahl, House, Lanterman, Levering, Lowrey, Reagan, Sedgwick, Shell, Sumner, and Thelin—16.

NOES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—57.

### Speaker Presiding

At 11.30 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the further consideration of the committee amendments to Assembly Bill No. 1223.

### Motion to Temporarily Suspend Rule No. 106

Mr. Bruce F. Allen moved that Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Motion ruled not in order.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Did not my motion to lift the call come immediately after Mr. Britschgi's motion to place a call was carried?

### Reply by Speaker

The Speaker explained the procedure which had been followed, and stated that the House was now on further consideration of the committee amendments to Assembly Bill No. 1223, and that further suspension of Rule No. 106 was not necessary.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Once a call has been placed, unless the Rules are suspended, is not all action stopped until the motion to suspend the Rules has been made and carried?

### Reply by Speaker

The Speaker replied that in order to clarify the question, he would entertain such a motion, at this time.

### Temporary Suspension of Assembly Rule No. 106

Mr. Dills moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Lowrey seconded the motion.

Motion carried unanimously.

The question being on the committee amendments to Assembly Bill No. 1223.

### Motion to Adopt Amendments Nos. 1 and 2

Mr. Hawkins moved that the following amendments be adopted:

### Amendment No. 1

On page 6, line 17, of the printed bill, as amended in the Assembly on March 23, 1959, between "paid" and "and", insert ", including compensation on a piece rate, commission and other methods of calculation or work of an intermittent or occasional nature;".

### Amendment No. 2

On page 6, line 18, strike out "and lodging shall be valued for", and insert ", lodging and other facilities shall be valued for".

Amendments read.

**Parliamentary Inquiry**

Mr. McCollister arose to the following parliamentary inquiry: Did not these amendments come from the committee?

**Reply by Speaker**

The Speaker replied that the amendments had been presented by the committee.

**Parliamentary Inquiry**

Mr. McCollister arose to the following parliamentary inquiry: Is there any conflict in the amendments?

**Reply by Speaker**

The Speaker replied that there was not.

The question being on the adoption of Amendments Nos. 1 and 2.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Has there been a division of the question ordered?

**Reply by Speaker**

The Speaker replied that there had.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Will there be a roll call on each amendment?

**Reply by Speaker**

The Speaker replied that there would, if demanded.

The question being on the adoption of Amendments Nos. 1 and 2.

**Roll Call Demanded**

Messrs. Lowrey, Sumner, and Allen demanded a roll call.

**Parliamentary Inquiry**

Mr. Winton arose to the following parliamentary inquiry: If these amendments are adopted by a roll call vote, is it not true that they cannot be further considered since they are frozen into the bill?

**Reply by Speaker**

The Speaker replied that Rule 69 so provides.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Is the amendment relative to newsboys included in this group of amendments?

**Reply by Speaker**

The Speaker replied that it was not included.

The question being on the adoption of Amendments Nos. 1 and 2.

The roll was called, and the amendments adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—Unruh—1.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Unless the proper motion has been made, will not the bill now have to go to reprint?

**Reply by Speaker**

The Speaker replied that it would not, since this vote was on the first of a group of committee amendments which had been divided into three sets.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Then all three sets must be considered before the bill goes to reprint?

**Reply by Speaker**

The Speaker replied that they would.

**Motion to Adopt Amendment No. 3**

Mr. Hawkins moved the adoption of the following amendment:

**Amendment No. 3**

On page 6, between lines 10 and 11, insert

"(d) A person under the age of 18 engaged in the delivery or distribution of newspapers, shopping news, or magazines, not including delivery or distribution to any point for subsequent delivery or distribution, unless such employment is performed by an individual under the age of 18 whose principal occupation is regular full-time work and whose attendance at school is incidental to full-time employment.

(e) A person engaged in the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price, his commission being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back."

Amendment read.

**Parliamentary Inquiry**

Mr. Busterud arose to the following parliamentary inquiry: Has the Speaker ruled that pursuant to Rule 69, the adoption of these amendments by roll call precludes subsequent consideration of the same sections?

**Reply by Speaker**

The Speaker explained the question before the House.

**Parliamentary Inquiry**

Mr. Busterud arose to the following parliamentary inquiry: Has the Speaker ruled that if these amendments are adopted, no further amendments to the bill can be adopted?

**Reply by Speaker**

The Speaker replied that he was not aware of having made such a ruling.

The question being on the adoption of Amendment No. 3.

**Roll Call Demanded**

Messrs Lowrey, Bruce F Allen, and Bradley demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Bruce F. Allen—1.

### Consideration of Amendments Nos. 4, 5, and 6

#### Amendment No. 4

On page 1, line 15, strike out the period, and insert ", or to fix minimum wages of any adult male employed in agriculture."

#### Amendment No. 5

On page 5, line 15, strike out ", except in"; and strike out all of lines 16 and 17, and insert a period.

#### Amendment No. 6

On page 6, between lines 10 and 11, insert

"(f) Any individual employed in agriculture."

Amendments read.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Since these are my amendments, do I have the right to open and close the debate?

#### Reply by Speaker

The Speaker replied that they were committee amendments, and the chairman of the committee or any member may speak to the question.

#### Motion to Adopt Substitute Amendment

Mr. Hawkins moved the adoption of the following substitute amendment for committee Amendments Nos. 4, 5, and 6.

#### Amendment No. 1

On page 5, lines 16 and 17, of the printed bill, as amended in the Assembly on March 23, 1959, strike out "one dollar ($1)", and insert "ninety cents ($0.90)".

Amendment read.

#### Parliamentary Inquiry

Mr. Sumner arose to the following parliamentary inquiry: Is it permissible for a member to substitute amendments for committee amendments which have been considered by the committee, voted upon, and adopted by the committee?

#### Reply by Speaker

The Speaker replied that the motion is in order, and that the committee can only recommend to the House that amendments be adopted, their adoption or rejection being at the will of the House.

#### Parliamentary Inquiry

Mr. Sumner arose to the following parliamentary inquiry: Then any Member may submit substitute amendments to any bill which has been amended in committee?

#### Reply by Speaker

The Speaker replied that he could, since the bill and the amendments are the property of the House.

The question being on the adoption of the substitute amendment offered by Mr. Hawkins.

**Demand for Previous Question**

Messrs. DeLotto, MacBride, Ernest R. Geddes, Luckel, and Pattee demanded the previous question. Demand sustained.

The question being on the adoption of the substitute amendment.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Since the amendments were originally my amendments, should I not be permitted to close?

**Reply by Speaker**

The Speaker replied that the question is on the substitute amendment, which was offered by Mr. Hawkins.

**Parliamentary Inquiry**

Mr. Hegland arose to the following parliamentary inquiry: If the Hawkins Amendment is adopted, does that mean that the Lowrey Amendments are defeated?

**Reply by Speaker**

The Speaker replied that, if adopted, the Hawkins Amendment would be substituted for committee Amendments Nos. 4, 5, and 6.

The question being on the adoption of the substitute amendment.

**Roll Call Demanded**

Messrs. Lowrey, Bradley, and Bruce F. Allen demanded a roll call.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—46.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Collier, Coolidge, Cunningham, Cusanovich, Dahl, Francis, Grant, Hanna, Hegland, Holmes, House, Lanterman, Levering, Lowrey, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—30.

Bill ordered reprinted, engrossed, and returned to the second reading file.

## EXPLANATIONS OF ABSENCE

April 2, 1959

I was unable to be present today for roll call as it was necessary for me to go to the doctor because of previous illness. I reported to the Assembly at 10 10 a.m.

SETH J. JOHNSON

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April 2, 1959

Shortly after 11.00 a.m. I was called to the Senate side for a conference on pending legislation. This required me to be absent from the Assembly floor for the balance of the morning session.

CARLEY V. PORTER

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Reason for absence during a call of the house:

Attended the funeral of William M. Neep on April 2, 1959, at 10 a.m. Participated as pallbearer.

PAUL J. LUNARDI

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May the record show that I was absent from the Assembly this morning attending to legislative business before the Senate Committee on Finance.

W. BYRON RUMFORD

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TABLE BRITSCHGI AMENDMENTS TO ASSEMBLY BILL NO. 759

At 12.30 p.m., on motion of Mr. Britschgi, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to table the amendments offered by Mr. Britschgi to Assembly Bill No. 759 lost by the following vote:

AYES—Don A. Allen, Bane, Bee, George E. Brown, Burton, Cameron, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Luckel, Lunardi, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—36.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Marks, McCollister, Meyers, Mulford, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Thomas—40.

### Further Consideration of Britschgi Amendments

The question being on the adoption of the amendments offered by Mr. Britschgi.

### Demand for Previous Question

Messrs. Masterson, Lanterman, Pattee, Schrade, and Luckel demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. Britschgi to Assembly Bill No. 759.

### Roll Call Demanded

Messrs. O'Connell, Burton, and Lanterman demanded a roll call. The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. Masterson seconded the motion.

### Roll Call Demanded

Messrs. Dahl, Belotti, and Bruce F. Allen, demanded a roll call.

The roll was called, and the motion for a call of the Assembly lost by the following vote:

AYES—Bee, Biddick, George E. Brown, Burton, Cameron, Coolidge, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Samuel R Geddes, Grant, Hawkins, Kilpatrick, Lowrey, MacBride, Masterson, Meyers, Munnell, O'Connell, Petris, Rees, Rumford, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, and Z'berg—32

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Dills, Ernest R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thomas, George A. Willson, Winton, and Mr. Speaker—43

The names of the absentees were called, and the amendments offered by Mr. Britschgi to Assembly Bill No. 759 were adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Nisbet, Pattee, Porter,

Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, George A. Willson, and Mr. Speaker—41.

NOES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—38.

~~Assembly Bill No. 759 ordered reprinted, and re-engrossed.~~

### Motion to Reconsider Amendments

Mr. Unruh moved to reconsider on the next legislative day the vote whereby the amendments were adopted.

## MOTION TO ADJOURN

Mr. McCollister moved that the Assembly do now adjourn until 9.30 a.m. on Friday, April 3, 1959.

Mr. Collier seconded the motion.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: What effect will the motion to adjourn have on a motion to reconsider the Britschgi Amendments?

### Reply by Speaker

The Speaker replied that the motion to reconsider will stand.

### Parliamentary Inquiry

Mr. Britschgi arose to the following parliamentary inquiry: Has the vote on the amendment been announced?

### Reply by Speaker

The Speaker replied that it had, and that he had at that time ordered the bill reprinted, and engrossed, but that the motion to reconsider takes precedence over that order.

### Motion to Reconsider Amendments to Assembly Bill No. 759 Restated

Mr. Unruh restated his motion that on the next legislative day he would move to reconsider the vote whereby the Britschgi Amendments to Assembly Bill No. 759 were this day adopted.

The question being on the motion to adjourn.

### Roll Call Demanded

Messrs. Levering, Shell, and O'Connell demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Williamson, George A. Willson, and Winton—55

NOES—Bane, Burton, Crown, Elliott, Hawkins, Kilpatrick, MacBride, Munnell, O'Connell, Petris, Schrade, Unruh, Waldie, Charles H. Wilson, and Z'berg—15.

## ADJOURNMENT

At 12 43 p m., the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 3, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

SIXTY-FIFTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, April 3, 1959

The Assembly met at 9 30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Great and Beneficent God,* A vivid portrayal of Kern County reminded many of us last evening of the goodness and abundance of our entire State We confess we sometimes forget to be vibrantly grateful. We thank Thee, O God, for a way of life, for noble traditions and high ideals, for civil and religious liberty, and for all good gifts of the past committed to our charge. Let us share in the faith of James Russell Lowell.

"Our country hath a gospel of her own
To preach and practice before all the world—
The freedom and divinity of man,
The glorious claims of human brotherhood—
* * *
And the soul's fealty to none but God."—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Grant, seconded by Mr Z'berg, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Chapel, on motion of Mr. Sumner.

Mr. MacBride, on motion of Mr. Z'berg.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Sumner.

Mr. George A. Willson, on motion of Mr. House.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Don A. Allen, on request of Speaker Brown.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. Shell, on motion of Mr. Sumner, to attend a committee meeting.

Mr. Lanterman, on motion of Mr. Sumner, to attend a committee meeting.

Mr. Lunardi, on his own request, to attend a meeting at the Department of Water Resources.

## ANNOUNCEMENT

Mr. Collier announced that, upon request of a constituent, he was introducing a bill to preclude minors from entering racetracks, and invited those members who desired to become co-authors to affix their signatures to the bill.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

E. F. Novak, founder, National Tobacco Smokers League, relative to tobacco taxes. Referred to the Committee on Revenue and Taxation.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

STATE OF CALIFORNIA
PUBLIC UTILITIES COMMISSION
April 1, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Capitol Building, Sacramento*

DEAR MR. SPEAKER: Please be advised that Commissioner Everett C. McKeage has been designated by the Public Utilities Commission to appear before all legislative committees in connection with any bill or other measure affecting the commission or in which the commission may be interested, and generally to handle all legislative matters for the commission.

Very truly yours,

C LYN FOX, President

## ASSEMBLY CONCURRENT RESOLUTION NO. 50 WITHDRAWN FROM INACTIVE FILE

Mr. Miller was granted unanimous consent that Assembly Concurrent Resolution No. 50 be withdrawn from the inactive file, and transferred to the third reading file immediately following Assembly Bill No. 718, for consideration today.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Mulford, Dahl, Bee, Marks, Petris, and Crown:

### House Resolution No. 183

Relative to Rabbi William M. Stern

WHEREAS, The month of April, 1959, marks the Twenty-fifth Anniversary of Rabbi William M Stern as the spiritual leader of Temple Sinai, the Reform Jewish Synagogue in Oakland; and

WHEREAS, The event will be celebrated by a special program in conjunction with the religious service at the Temple on Friday, April 3d, which will be attended by representatives from the State, county and city, as well as from the Christian and Jewish clergy, and at which time Rabbi Stern and his wife, Rae, will be presented with a trip to Europe and Israel; and

WHEREAS, On Sunday, April 5th, the Sterns will be further honored by a reception to be held in the social hall adjoining the Temple; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members join with the myriad of friends of Rabbi Stern in congratulating him on his Twenty-fifth Anniversary and wishing him many fruitful and happy years ahead, and be it furthr

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Rabbi Stern.

### Request for Unanimous Consent

Mr. Mulford was granted unanimous consent to take up House Resolution No. 183 without reference to committee or file.

Resolution read, and adopted.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 103**: By Messrs. Luckel, Hegland, and Schrade—Relative to scientific research facilities of the University of California and the state colleges.

Referred to Committee on Rules.

**Assembly Bill No. 2330**: By Mr. Masterson—An act to amend Sections 6710, 6711, and 6712 of the Business and Professions Code, relating to the State Board of Registration for Civil and Professional Engineers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2331**: By Mr. Cameron—An act to amend Sections 8250 and 8825 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health.

**Assembly Bill No. 2332**: By Mr. Francis—An act to amend Section 6012 of the Revenue and Taxation Code, relating to the sales tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2333**: By Mr. Francis—An act to amend Section 6454 of the Revenue and Taxation Code of the State of California, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2334**: By Messrs. Waldie and Masterson—An act to repeal Section 32958 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2335**: By Messrs. Frew and Garrigus—An act to add Section 2790 to the Business and Professions Code, relating to schools offering courses of instruction in nursing.

Referred to Committee on Public Health.

**Assembly Bill No. 2336**: By Mr. Bane (By Request)—An act to add Section 14063.5 to the Education Code as enacted at the 1959 Regular Session, relating to the State Teachers Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2337**: By Mr. Bane (By Request)—An act to amend Section 14055 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to the State Teachers' Retirement System

Referred to Committee on Education.

**Assembly Bill No. 2338**: By Mr. Bruce F. Allen—An act to amend Section 70141.5 of the Government Code, relating to superior court commissioners.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2339**: By Mr. Cusanovich—An act to amend Section 1193 1 of the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2340**: By Mr. Miller—An act to amend Sections 39564, 39565, 39566, and 39567 of the Government Code, relating to weed and rubbish abatement.

Referred to Committee on Agriculture.

**Assembly Bill No. 2341**: By Mr. Busterud—An act to amend Sections 221, 222. 3709, 3709.5, 3712, 5700, 5704, 5901, and 5907 of, to add Sections 3709.6 and 3713 to, and to repeal Section 3713 of, the Elections Code, relating to voting at the direct primary election.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2342**: By Messrs. Collier and George E. Brown—An act to add Section 19660.5 to the Business and Professions Code, relating to horseracing.

Referred to Committee on Government Organization.

**Assembly Bill No. 2343**: By Mr. Thelin—An act to amend Sections 2924 and 2924b of the Civil Code, relating to sales of mortgaged real property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2344**: By Mr. Thelin—An act to amend Section 1243 of the Civil Code, relating to abandonment of homestead.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2345**: By Mr. Thelin—An act to amend Section 1244 of the Civil Code, relating to abandonment of homestead.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2346**: By Mr. Johnson—An act to amend Section 23084 and 23085 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2347**: By Mr. Johnson—An act to amend Section 25630 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2348**: By Mr. Coolidge—An act to repeal Article 1, comprising Sections 3299 to 3306, inclusive, of Chapter 2, Title 2, Part 3 of the Penal Code, and to repeal Sections 3326 and 3331 of said code, and to amend Sections 3320, 3325, 5001, 5075, 5076, and 5077 of said code, and to amend Section 11555 of the Government Code, relating to administration of institutions in the State's Correctional System.

Referred to Committee on Government Organization.

**Assembly Bill No. 2349**: By Mr. Coolidge—An act to add Section 205 to the Business and Professions Code, relating to the funds of the state agencies comprising the Department of Professional and Vocational Standards.

Referred to Committee on Government Organization.

**Assembly Bill No. 2350**: By Mr. Coolidge—An act to amend Sections 6851, 6860, 6861, 6864, 6866, 6867, 6875, 6878, 6885, 6886, 6887, 6888, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6930, 6931, 6948, 6949, 6950, 6951, 6955, and 6956 of the Business and Professions Code, relating to transferring and administration of the law regulating collection agencies from the Office of the Secretary of State to the Department of Professional and Vocational Standards.

Referred to Committee on Government Organization.

**Assembly Bill No. 2351**: By Mr. Britschgi—An act to amend Section 23184 of the Revenue and Taxation Code, relating to taxes imposed on financial corporations.

Referred to Committee on Revenue and Taxation.

**Assembly Constitutional Amendment No. 40**: By Mr. Johnson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX of said Constitution relating to organization and powers of the Alcoholic Beverage Control Appeals Board.

Referred to Committee on Constitutional Amendments.

## RESOLUTIONS

The following resolution was offered.

By Messrs. Marks and Busterud:

### House Resolution No. 184

Relating to commending Robert Samuel

WHEREAS, The Members of the Assembly have been informed that Robert Samuel, a 16-year-old Lowell High School junior, while on a beach picnic at Pedro Valley with his parents recently, dashed into the surf and rescued Ronald Miller; and

WHEREAS, Bob went to the aid of Ronald Miller when he heard Ronald Miller's cries above the roar of the surf; and

WHEREAS, There were many other people on the beach at the time, none of whom volunteered to go into the ocean, it being dangerous at that point with an outcropping of jagged rocks and an undertow; and

WHEREAS, Bob risked his own life by going out among the rocks and against the undertow to rescue Ronald Miller; and

WHEREAS, Bob is a guard on the Lowell High School football team and also recently obtained the honored rank of Eagle Scout in the Boy Scouts of America; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members commend Robert Samuel for his heroic deed of rescue in the face of danger to himself and congratulate him upon his achievements in the Boy Scouts of America; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Robert Samuel, and to Mr. and Mrs. Walter Samuel, his parents.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 77**—Relative to a legislative investigation of the problems in the building alteration, repair and remodeling industry;

And reports the same correctly enrolled, and presented to the Secretary of State on the second day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 281**—An act to add Section 70054.5 to the Government Code, relating to fees of official reporters;

**Assembly Bill No. 284**—An act to amend Section 117p of the Code of Civil Procedure, relating to action in small claims courts;

**Assembly Bill No. 418**—An act to amend Sections 4105.2, 4624, and 4944 of the Education Code, and to amend Sections 1406, 1485, and 3256 of the Education Code as proposed by Senate Bill No. 2, relating to members of school boards;

**Assembly Bill No. 866**—An act to amend Section 752 of the Financial Code, relating to powers of banks and trust companies;

And reports the same correctly enrolled, and presented to the Governor on the second day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1452

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 471
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1043
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, April 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 39 | Assembly Bill No. 1538 |
| Assembly Bill No. 272 | Assembly Bill No. 1638 |
| Assembly Bill No. 810 | Assembly Bill No. 1651 |
| Assembly Bill No. 1067 | Assembly Bill No. 2079 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1428
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1673
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1223
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 1590
With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Senate Bill No. 558
With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 719

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 639

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER. Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1424

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 949

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1709

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 221
Assembly Bill No. 317
Assembly Bill No. 349

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 419
Assembly Bill No. 1116
Assembly Bill No. 1172
Assembly Bill No. 1177

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER Your Committee on Ways and Means reports:

Assembly Bill No. 628

With amendments but without recommendation, and be re-referred to Committee on Transportation and Commerce.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1042

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 117

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 871
Assembly Bill No 872
Assembly Bill No. 1316
Assembly Bill No. 1674

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 622

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 884

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1021
Assembly Bill No. 1202
Assembly Bill No. 1435
Assembly Bill No. 1511
Assembly Bill No. 1765

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 85

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 921
Assembly Bill No. 1091
Assembly Bill No. 1100
Assembly Bill No. 1343
Assembly Bill No. 1671

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 484
Assembly Bill No. 1074
Assembly Bill No. 1475
Assembly Bill No. 1577
Assembly Bill No. 1601

With amendments with the recommendation: Amend, and re-refer to the Committee on *Municipal and County Government*.

BRADLEY, Chairman

Above bills ordered to second reading.

## REPORT ORDERED PRINTED IN JOURNAL

The following letter of transmittal and report were presented by the Speaker, and ordered printed in the Journal:

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, April 2, 1959

*Hon. Ralph Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The Assembly Legislative Representation Committee has met and is herewith submitting a Progress Report for consideration of the Members of the Assembly.

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal.

Respectfully submitted,

MYRON H. FREW, Chairman
CHARLES H. WILSON, Vice Chairman
CARLOS BEE
CHARLES EDWARD CHAPEL
WALTER I. DAHL

## PROGRESS REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Assembly and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and unless good cause to the contrary is shown, every person named in this report is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not

doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

ANDERSON, ALAN G., Sutter Club, Sacramento
Municipal License Tax Association
ANDERSON, VIRGIL P., Senator Hotel, Sacramento
California State Automobile Association
BALDWIN, NORMAN D., 312 Crocker-Anglo Bank Bldg., Sacramento
Licensed Vocational Nurses League of California.
BARTLETT, RICHARD C., 10216 Pangborn Ave., Downey
California School Employees Assoc.
BEEKMAN, JOHN A., 4961 E. Katella, Los Alamitos
Los Alamitos Race Course.
BENNETT, H. B., 306 Adeline St., Oakland
W. T. Rawleigh Co.
BETZENDERFER, MRS. L. BARBARA, 283 El Divisadero Ave., Walnut Creek
American Association of University Women
BILLS, MRS. ESTHER A., Senator Hotel, Sacramento
California State Association of Journeyman Barbers, Hairdressers, Cosmetologists, Masseurs & Proprietors
BOWLER, EDWIN THOMAS, Senator Hotel, Sacramento
Los Angeles Metropolitan Transit Authority
BRENNAN, RAYMOND L., Senator Hotel, Sacramento
Interment Association of California
BRUNS, WALTER E., El Mirador Hotel, Sacramento
Bank of America N. T. & S. A.
BURROW, TREV A., Senator Hotel, Sacramento
California Association of Insurance Agents
BUTLER, MONROE, 550 South Flower St., L. A. 17
The Superior Oil Company
Artists Managers Guild
CAPLES, R. A., 2525 Stockton Blvd., Sacramento
State Building & Construction Trades Council
Building & Construction Trades Council, Sacto. and Yolo Counties
CARR, JAMES K., 2101 K Street, Sacramento
Sacramento Municipal Utility District
CHESHIRE, HARRY V., JR., Senator Hotel, Sacramento
Interinsurance Exchange of the Automobile Club of So. Calif.
CLEWS, BRUCE, Senator Hotel, Sacramento
Automobile Dealers Association of California, Inc.
COHN, ROBERT H., El Mirador Hotel, Sacramento
West Coast Shows, Inc.
CONNER, ELBERT S., Sutter Club, Sacramento
Society of California Accountants.
CONNERS, JAMES M., Rm. 200, 989 Market St., San Francisco
Board of Trade of San Francisco
CRAIG, EDWARD, Senator Hotel, Sacramento
Pacific Lighting Gas Supply Company
DALLIMORE, HOWARD S., 601 California Ave., Bakersfield
Kern County Employees Association
League of County Employees Associations, Inc.

DAVIS, BYRON H., Regis Hotel, Sacramento
Brotherhood of Railway Carmen of America
DEAVERS, BRYAN P., El Mirador Hotel, Sacramento
State Building & Construction Trades Council of Calif.
DIAMOND, NOEL A., 1735 Yosemite Blvd., Modesto
Central Valley Milk Marketing Association
DINKELSPIEL, JOHN WALTON, 405 Montgomery St., San Francisco
California State Sheriffs' Association
DINKELSPIEL, MARTIN J., 405 Montgomery St., San Francisco
California State Sheriffs' Association
DINKELSPIEL, RICHARD C., 405 Montgomery St., San Francisco
California State Sheriffs' Association
DUNN, GORDON G., 735 Industrial Way, San Carlos
Engineering and Grading Contractors Association
EAGLETON, C. M., P. O. Box 346, Williams
Highway Business League
EBERHARD, RAY C., Senator Hotel, Sacramento
California Municipal Utilities Association
EKLUND, NILS O., JR., Sutter Club, Sacramento
Kaiser Industries Corporation
Willys Motors, Inc.
Willys Sales Corporation
Henry J. Kaiser Company
Foothill Electric Corporation
Kaiser Aluminum & Chemical Corporation
Permanente Cement Co.
Kaiser Gypsum Company
Permanente Trucking
Henry J. Kaiser Construction Co.
Kaiser Steel Corp.
Iron Queen Mining Co.
Permanente Steamship Corp.
Kaiser Foundation Health Plan, Inc.
Kaiser Aluminum & Chemical Sales, Inc.
ELDRED, JUDGE RICHARD C., Senator Hotel, Sacramento
Judges, Marshals & Constables Assoc. of California
ELLIS, WILLIAM, Californian Hotel, Sacramento
Railroad Brotherhoods California Legislative Board
FEITEN, FRED C., Senator Hotel, Sacramento
California Motel Association
FENSEL, ALDEN C., 350 Bush St., San Franciso
California State Chamber of Commerce
FILLERUP, O. W., Senator Hotel, Sacramento
California Trucking Association, Inc.
FINELL, MARVIN, 118 S. Beverly Dr., Beverly Hills
California Association of Chiropodists, Inc.
FISCHER, FRED H., 257 S Spring St., Rm. 540, Los Angeles 12
Credit Union Employees Association
FITZSIMMONS, EDWARD R., El Mirador Hotel, Sacramento
General Petroleum Corporation
FORAN, JOHN FRANCIS, Senator Hotel, Sacramento
Farmers Underwriters Association

FOSTER, SYDNEY H., 9809 MacArthur Blvd., Oakland 5
First National Spirit of Freedom Crusade
GILCHRIST, JOHN PARKER, Park Mansions Apartments, Sacramento
Salmon Unlimited
Frozen Desserts Co.
GILLISS, WILLIAM E., Senator Hotel, Sacramento
California Association of Timber Truckers
American Institute of Architects, California Council
Central Valley Thoroughbred Breeders Committee
Chiropractic Institute of California
GRIGGS, ROSCOE W., 1109 9th St., Sacramento
Western Union Telegraph Company
GROEZINGER, LELAND B., Senator Hotel, Sacramento
American Mutual Alliance
California Co. Mutual Insurance Association
Life Insurance Association of America
Occidental Life Insurance Company
Pacific Mutual Life Insurance Company
The Sperry & Hutchinson Company
HAMMETT, F. G., 1109 9th St., Sacramento
Western Union Telegraph Company
HAMMOND, JAMES H., 350 Bush St., San Francisco
California State Chamber of Commerce
HANSON, DONALD E., 235 Broadway, San Diego 1
San Diego Transit System
HARLEY, JAMES A., P. O. Box 222, Martinez
League of County Employee Associations, Inc.
HARRIS, HOMER A., 704 Market Court, Los Angeles 21
Associated Produce Dealers & Brokers of Los Angeles
HENDERSON, WILLON A., El Mirador Hotel, Sacramento
General Petroleum Corporation
HENRY, DONALD K., 1320 N St., Rm. 206, Sacramento
California State Federation of Teachers
HISLOP, JOHN K., 350 Bush St., San Francisco
California State Chamber of Commerce
HOLBROOK, NEIL K., 350 Bush St., San Francisco
California State Chamber of Commerce
JACKSON, EDWARD N., 703 Market St., San Francisco 3
California Association of Collectors, Inc.
JOHNSON, RICHARD, JR., 1400 10th St., Sacramento
Agricultural Council of California
JOHNSON, ROBERTA, Senator Hotel, Sacramento
Fed-Mart Corporation
KANELOS, MRS. RENA M., 2523 Broadway, Sacramento
Capitol City Automobile Dealers Association, Inc.
Independent Auto Dealers Council of California
KEATON, MORGAN, Senator Hotel, Sacramento
California Racing Information Association
Farmers and Merchants Council, Inc.
KESSLER, HOWARD E., Senator Hotel, Sacramento
California Trucking Associations, Inc.

KINGREN, GIBSON, 368 42d St., Oakland 9
Kaiser Foundation Health Plan, Inc.
KLAUS, ARNOLD, 499 W. Broadway, San Diego
San Diego Chamber of Commerce
KNIGHT, T. F., JR, Forum Building, Sacramento
California Manufacturers Association
LANE, JAMES MICHAEL, 2131 University Ave., Berkeley 4
Corporation Unemployment Tax Service
LEFORS, A. O., Room 1301, 926 J Building, Sacramento
California Taxpayers' Association
LEVECKE, J. NEIL, El Mirador Hotel, Sacramento
Public Finance Company
LINDSAY, FRANCIS C., P. O. Box 457, Loomis
California Water Association
LYNCH, JOHN K., Senator Hotel, Sacramento
LaSalle Extension University
LYON, LEROY E., JR., 11th & L Building, Sacramento
California Railroad Association
MACDOUGALL, WILLIAM R., 500 Elks Building, Sacramento
County Supervisors Association of California
MCFARLAND, JOHN P., Senator Hotel, Sacramento
Industrial Indemnity Company
State Farm Insurance Company
Firemen's Fund Insurance Company
National Association of Consumer Organizations
MCNEIL, DUNCAN J., Senator Hotel, Sacramento
City of Los Angeles
MACK, J. D., 1331 T Street, Sacramento
Associated Plumbing Contractors of California
MENDEL, WARREN R., 735 Industrial Way, San Carlos
Engineering and Grading Contractors Association, Inc.
MILLER, HOWARD E., 821 South Pacific Avenue, San Pedro
California Fisheries Council
MORAN, R. J., Senator Hotel, Sacramento
American League of Consulting & Applied Psychologists
MORGAN, LEROY H., 317 South New Avenue, Monterey Park
Citizens Committee for Home Rule
MULLIN, JACK W., Kaiser Building, Oakland
Kaiser Foundation Health Plan, Inc.
Kaiser Aluminum and Chemical Corporation
Kaiser Industries Corporation
Willys Motors, Inc.
Kaiser Steel Corporation
Henry J. Kaiser Company
Permanente Cement Company
MURPHY, THOMAS M., Senator Hotel or El Mirador Hotel, Sacramento
Western Airlines, Inc.
PARK, EDWARD P., Mansion Inn, Sacramento
State Building and Construction Trades Council of California
PHILLIPS, LLOYD A., 11th and L Bldg., Sacramento
California Railroad Association

PONTIUS, H. JACKSON, 117 W. 9th St., Los Angeles 15
California Real Estate Association
RUSSELL, BENJAMIN O., Hall of Records, Martinez
Contra Costa County Employees Associations
SAMSEL, E. L., 151 W. Mission Street, San Jose
California Association of Dairy and Milk Sanitarians
SARGENT, ARTHUR M., 681 Market St., San Francisco 5
California Society of Certified Public Accountants
SCARAMELLA, E. L., P. O. Box 3180, Fresno
Danish Creamery Association
Challenge Cream and Butter Association
SCHUMACHER, THOMAS C., 1325 15th St., Sacramento
California Osteopathic Association
California Osteopathic Hospital Association
SHERWOOD, CLYDE C., 1400 10th St., Sacramento
California Cattlemen's Association
SHULTS, ALBERT J., El Mirador Hotel, Sacramento
Standard Oil Company
SMITH, DAVE, El Mirador Hotel, Sacramento
Los Angeles Motor Car Dealers Association
SMITH, RUSSELL, El Mirador Hotel, Sacramento
Los Angeles Motor Car Dealers Association
Motor Car Dealers Association of Southern California
STALEY, EDWIN J., 693 Sutter Street, San Francisco
California Association for Health, Physical Education and Recreation
STETSON, EARL T., 2423 Magnolia Street, Oakland
Furst-McNess Company
STEWART, W. E , 350 Bush Street, San Francisco
California State Chamber of Commerce
STRATHMAN, S. H., 415 Wilshire Bldgs., Fullerton
California Equipment Dealers Association
STUCKER, DALE E., c/o Western Greyhound Lines, 7th & L, Sacramento
The Greyhound Corporation
TABER, LLOYD W., 2165 56th Avenue, Sacramento
Southern California Thrift and Loan
TAYLOR, MAXIME, 655 Sutter St., San Francisco 2
A-1 Nurses Registry
THURN, ROBERT S., 927 10th St., Sacramento
Southern California Marine Association
TODD, A. RURIC, El Mirador Hotel, Sacramento
Pacific Gas & Electric Company
VANDERLIP, LORAN C , 350 Bush St., San Francisco
California State Chamber of Commerce
VOLLMAYER, KARL A , Senator Hotel, Sacramento
California Library Association
WILDING, CHARLES H., Forum Building, Sacramento
California Manufacturers Association
WILLIAMS, CHET C., 350 Bush St , San Francisco
California State Chamber of Commerce
YOUNGBERG, J. C., El Rancho Hotel, Sacramento
Stone and Youngberg

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 68
Assembly Bill No. 283
Assembly Bill No. 694
Assembly Bill No. 1131
Assembly Bill No. 641

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 78

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 252
Assembly Bill No. 609
Assembly Bill No. 907
Assembly Bill No. 1106
Assembly Bill No. 1107

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 193
Senate Bill No. 399
Senate Bill No. 408
Senate Bill No. 412
Senate Bill No. 570
Senate Bill No. 599
Senate Bill No. 634
Senate Bill No. 726
Senate Bill No. 812

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 193**—An act to amend Section 4500 of the Penal Code, relating to penalties for assaults by prison inmates.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 399**—An act to amend Section 4501 of and to add Section 4501.5 to the Penal Code, relating to assaults by state prison inmates.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 408**—An act to add Section 23087 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 412**—An act to repeal Section 23373 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 570**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Referred to Committee on Agriculture.

**Senate Bill No. 599**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 634**—An act to repeal Section 323 of the Military and Veterans Code, relating to payment of uniform allowances.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 726**—An act to amend Section 255 of the Revenue and Taxation Code, relating to the time within which affidavits of exemption shall be filed.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 812**—An act to amend Section 2732.1 of the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Public Health.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files read the second time, with appropriate actions taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Bee seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE
### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 487, 1223, 608, 1673, 824, 1274, 1425, 470, 1248,** and **1428.**

**Senate Bill No. 49.**

Assembly Bills Nos. 1223, 1673, and 1428, and Senate Bill No. 49 ordered to third reading.

Assembly Bills Nos. 487, 608, 1425, 470, and 1248 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 824 and 1274 ordered to the Consent Calendar, subsequent to engrossment.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 894**—An act to amend Section 14883 of the Health and Safety Code, relating to the abatement of hazardous weeds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1643**—An act to amend Section 12606 of the Business and Professions Code, relating to weights and measures.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1630**—An act to amend Section 2286 of the Business and Professions Code, relating to midwives.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "midwives", and insert "the healing arts".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1683**—An act to amend Section 19369 of the Health and Safety Code, relating to auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 and 16, and insert "Where a trailer park or a".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1626**—An act to repeal Section 2385 of, and to add Article 13 5 (comprising Section 2422) to, the Business and Professions Code, relating to the healing arts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1634**—An act to amend Section 2216 of the Business and Professions Code, relating to the healing arts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1635**—An act to amend Section 2288 of the Business and Professions Code, relating to the healing arts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1628**—An act to add Section 7116 to the Health and Safety Code, relating to autopsies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1636**—An act to repeal Section 533 of the Busi-

Bill read second time.

ness and Professions Code, relating to State Medical Library.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 533', and insert "Article 2 (commencing at Section 525) of Chapter 1 of Division 11".

**Amendment No. 2**

On page 1, line 1, strike out "Section 533", and insert "Article 2 (commencing at Section 525) of Chapter 1 of Division 11"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1434**—An act to amend Sections 541.1 and 1513 of the Probate Code and to add Section 6408.5 to the Financial Code, relating to deposits and investments by executors, administrators, guardians and other fiduciaries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "541.1", insert ", 585, 1405,".

**Amendment No. 2**

On page 2, between lines 22 and 23, insert

"SEC. 2. Section 585 of said code is amended to read:

585 An executor or administrator may deposit any money belonging to the estate with one or more banks within this State *or invest any such money in an account or accounts in one or more insured savings and loan associations*, whereupon he shall be discharged from further care or responsibility therefor until the money is withdrawn by him Unless the money is deposited pursuant to an order, under the provisions of Division 1 of the Financial Code, *or is invested pursuant to an order, under the provisions of Division 2 of the Financial Code*, it may be withdrawn without order of court. *The term "account or accounts in one or more insured savings and loan associations" used in this section has the same meaning as the corresponding term in Section 1431 of the Probate Code.*

SEC. 3 Section 1405 of said code is amended to read:

1405. The superior court shall appoint a general guardian of the person and estate, or person or estate, of minors and insane or incompetent persons, whenever necessary or convenient, and when no guardian has been appointed for the purpose by will or by deed. The court, in its discretion, may appoint more than one guardian, each of whom must give a separate bond, and be governed and liable in all respects as a sole guardian, *or, if the estate does not exceed ten thousand dollars ($10,000), may require that the money in the estate be deposited in a bank or trust company or be invested in an account in an insured savings and loan association subject to withdrawal only upon the order of the court, in which case no bond shall be required of the guardian.* The court shall also confirm an appointment made by will or by deed, whenever requested, upon the same procedure and notice as in the case of appointment by the court. *The term "account in an insured savings and loan association" used in this section has the same meaning as in Section 1431 of the Probate Code.*"

**Amendment No. 3**

On page 2, line 23, strike out "SEC 2.", and insert "SEC 4."

**Amendment No. 4**

On page 2, line 35, strike out "correspond", and insert "corresponding".

**Amendment No. 5**

On page 2, line 37, strike out "SEC. 3.", and insert "SEC. 5."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 16**—An act to amend Section 1356 and to repeal Sections 1460 to 1475 and 1478 to 1578, inclusive, and to add Chapter 7 (commencing with Section 1500) to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 575**—An act to amend Section 1532 of the Probate Code, relating to sales by guardians.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 18, of the printed bill, after "ownership," insert "and the owner or owners of the remaining interests therein join in such sale,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 576**—An act to amend Section 787 of the Probate Code, relating to a sale made upon a credit by an executor or administrator.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, after "ownership," insert "and the owner or owners of the remaining interests therein join in such sale,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 642**—An act to amend Section 6301 of the Business and Professions Code, relating to boards of law library trustees.

Bill read second time, ordered to the Consent Calendar.

**Assembly Bill No. 1159**—An act to amend Section 71601 of the Government Code, relating to justice courts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1201**—An act to amend Section 75060 of the Government Code, relating to the retirement of judges.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1226**—An act to amend Sections 6062, 6062a, 6063, 6063a, 6064, 6065, and 6066 of the Government Code, and Section 782 of the Probate Code, relating to publication of notice.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1227**—An act to amend Section 6021 of the Government Code, relating to newspapers of general circulation.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1241**—An act to amend Section 72622 of the Government Code, relating to the official body of judges of municipal courts established in Los Angeles County.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1262**—An act to amend Section 6341 of the Business and Professions Code, relating to law libraries.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1383**—An act to repeal Sections 71606, 71607, 71608, and 71222 of, and to add Section 68542.5 to, the Government Code, relating to assignment of judges.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1391**—An act to amend Sections 2981 and 2982 of the Civil Code, relating to conditional sales.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1449**—An act to repeal Section 170.5 of the Code of Civil Procedure, relating to peremptory challenges of judges.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1520**—An act to amend Sections 75 and 170 of the Code of Civil Procedure, and Sections 75002, 75003, and 75028 of the Government Code, relating to the assignment of judges.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1556**—An act to amend Sections 74222 and 74223 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the City of Salinas.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 64**—An act to amend Section 24206 of the Education Code, relating to the granting of diplomas widening the completion of courses beyond high school.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "24206 of the Education Code", and insert "29007 of the Education Code, as enacted by the Legislature at its 1959 Regular Session"

**Amendment No. 2**

On page 1, line 1, strike out "24206 of the Education Code is", and insert "29007 of the Education Code as enacted by the Legislature at its 1959 Regular Session is".

**Amendment No. 3**

On page 1, line 3, strike out "24206", and insert "29007".

**Amendment No. 4**

On page 2, line 29, strike out "(i)".

**Amendment No. 5**

On page 2, strike out lines 33 to 38, inclusive, and insert "hereof. If a person, firm, association, partnership or corporation has faculty and educational standards comparable to the faculty and educational standards of institutions which qualify under other subdivisions hereof but offers a course in a field of knowledge or endeavor not given by any such institution, the Superintendent of Public Instruction may, at his discretion, authorize the issuance of any specified diploma based thereon other than a degree and other than a document bearing the word "diploma", provided that he finds that the course furnishes necessary training to reach a professional or a vocational objective and has substantial educational merit. For the purpose of this".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 534**—An act to amend Sections 3802, 3803, 3804, 3806, 3807, 3808, 6194, 6504, 6551, and 6552 of, to amend and renumber Sections 3816, 3817, 3819, 3819.5, 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, and 3829 of, to repeal Sections 3809, 3811, 3814, 3815, 3818, 3830, and 6204 of, and to add Sections 3814, 3815, 3816, 3817, 3818, 3819, 3820, 3821, 3836, 5710.5, and 7016.5 to, the Elections Code, relating to voting at general elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 6 of the title of the printed bill, after "3814," insert "3814.5,".

**Amendment No. 2**

In line 6 of the title, after "3821," insert "3833.5,".

**Amendment No. 3**

On page 3, between lines 24 and 25, insert

"SEC. 8.5. Section 3814.5 is added to said code, to read:

3814.5. Immediately below the bottom line of the boxes containing the party squares, there shall be a box one-half inch high enclosed by a three-point line. This box shall be as long as there are columns for partisan offices, and shall set directly above the box containing the word designating the first general office classification. Within the box shall be printed in heavy faced gothic capital type of 16-point the words "IF YOU VOTE A STRAIGHT TICKET, DO NOT VOTE FOR INDIVIDUALS FOR PARTISAN OFFICES"."

**Amendment No. 4**

On page 8, between lines 43 and 44, insert

"SEC. 28.5. Section 3833.5 is added to said code, to read:

3833.5. On the ballot immediately below the instructions to voters there shall be a box one-half inch high enclosed by a heavy ruled line the same as the border line. The box shall be as long as there are columns for partisan offices, and shall set directly above those columns. Within the box shall be printed in heavy faced gothic capital type of 24-point the words "PARTISAN OFFICES."

The same style of box shall appear over the columns for nonpartisan offices and ballot measures, and within the box in the same style and point size of type shall be printed the word "NONPARTISAN"."

**Amendment No. 5**

In the first ballot facsimile, immediately below the instructions to voters, insert a box one-half inch high enclosed by a heavy ruled line the same as the border line of the ballot, set directly above the first four columns of the ballot, containing the words "PARTISAN OFFICES" in heavy faced gothic capital type of 24-point.

Insert the same style box over the last two columns of the ballot, containing the word "NONPARTISAN" in the same style and point size of type."

**Amendment No. 6**

In the first ballot facsimile, immediately above the box containing the word "STATE" crossing the first four columns of the ballot, insert a box one-half inch high enclosed by a three-point line, containing the words, in heavy faced gothic capital type of 16-point, "IF YOU VOTE A STRAIGHT TICKET, DO NOT VOTE FOR INDIVIDUALS FOR PARTISAN OFFICES".

**Amendment No. 7**

In the second ballot facsimile, immediately below the instructions to voters, insert a box one-half inch high enclosed by a heavy ruled line the same as the border line of the ballot, set directly above the first five columns of the ballot, containing the words "PARTISAN OFFICES" in heavy faced gothic capital type of 24-point.

Insert the same style box over the last two columns of the ballot, containing the word "NONPARTISAN" in the same style and point size of type.

**Amendment No. 8**

In the second ballot facsimile, immediately above the box containing the word "CONGRESSIONAL" and crossing the second through the fifth columns of the ballot, insert a box one-half inch high enclosed by a three-point line, containing the words, in heavy faced gothic capital type of 16-point, "IF YOU VOTE A STRAIGHT TICKET, DO NOT VOTE FOR INDIVIDUALS FOR PARTISAN OFFICES".

**Amendment No. 9**

On page 11, lines 6 and 7, strike out ", except as provided in the following paragraph".

**Amendment No. 10**

On page 11, strike out lines 8 to 15, inclusive, and insert

"In the event a voter places a cross (+) in the party square and also in the squares opposite the names of one or more candidates printed under the title of some other party or in the column designated "Other Candidates", the ballot shall be counted as cast for all of the candidates whose names appear under the party square marked Individual markings shall be disregarded."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 1504**—An act to add Section 577 to the Elections Code, relating to the boundaries of election precincts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "voters", insert "or to change precinct boundaries due to supervisorial, judicial, council districts or ward boundary changes, incorporation of new cities, annexations to cities or exclusion by cities"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 1505**—An act to amend Sections 370 and 370.1 of the Elections Code, relating to indexes of voter registrations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, strike out "A", and insert "In counties having tabulating equipment a".

**Amendment No. 2**

On page 1, line 18, strike out "one-quarter inch", and insert "one line of printing"

**Amendment No. 3**

On page 1, line 19, strike out the second "ending", and insert "starting".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 1734**—An act to amend Sections 11532, 11532.3 and 11532.7 of the Insurance Code, relating to mutualized insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", insert "11529,".

**Amendment No. 2**

On page 1, between the enacting clause and line 1, insert

"SECTION 1. Section 11529 of the Insurance Code is amended to read:

11529. In carrying out any such plan, the insurer may acquire any shares of its own stock by gift, bequest or purchase. Any shares so acquired shall, unless as a result of such acquisition all of the shares of the insurer shall have been acquired, be acquired in trust for the policyholders of the class or classes for whose benefit the plan provides that the stock of the insurer shall be acquired as hereinafter provided. Such shares shall be assigned and transferred on the books of such insurer to three or more trustees appointed by the insurer and approved by the commissioner under a trust agreement approved by the commissioner. Such trustees shall hold such stock in trust until all of the outstanding shares of capital stock of such insurer have been acquired, but for not longer than 30 years with such extensions of not more than five years each as may be granted by the commissioner. Such extensions may be granted by the commissioner if the plan so provides and if in his opinion the plan of acquisition of all of such stock can be completed within a reasonable period. Such trustees shall vote such stock at all corporate meetings at which stockholders have the right to vote. When all of the outstanding shares of capital stock of such insurer have been acquired, all said shares shall be canceled, the certificate of amendment of the insurer's articles of incorporation giving effect thereto shall be filed in accordance with the provisions of Article 3, Chapter 1, Part 8, Division 1, Title 1, of the Corporations Code, and the insurer shall become a nonstock corporation for the profit of its members and such trust shall thereupon terminate. Thereafter such corporation shall be conducted for the mutual benefit, ratably, of its policyholders of the class or classes for whose benefit the stock was acquired and shall~~, upon issuance to it by the commissioner of a certificate of authority,~~ have power to issue nonassessable policies on a reserve basis subject to all provisions of law applicable to incorporated life insurers or life and disability insurers, as the case may be, issuing nonassessable policies on a reserve basis, but shall be

exempt from the provisions of Chapter 7 of Part 2 of Division 2 of this code. Policies so issued may be upon the basis of full or partial participation therein as agreed between the insurer and the insured.

Upon the termination of any such voting trust, either in accordance with its terms or as hereinabove provided, such plan of mutualization shall terminate, unless theretofore completed. Upon such termination, unless the plan of mutualization provides for the disposition of the shares acquired by the insurer under such plan or for the disposition of the proceeds thereof, the shares held by such trustees shall be disposed of in accordance with an order of the superior court of the county in which is located the principal office of such insurer, made upon a verified application of the commissioner."

**Amendment No. 3**

On page 1, line 1, strike out "SECTION 1", and insert "SEC. 2".

**Amendment No. 4**

On page 1, line 17, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 5**

On page 2, line 28, strike out "SEC. 3", and insert "SEC. 4"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 150**—An act to add Section 104.8 to the Welfare and Institutions Code, relating to the administration of public assistance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1625**—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 244**—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026.5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021, 9023, 9024, and 9028.6 to, the Business and Professions Code, relating to the licensing of social workers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 3, line 33, of the printed bill, as amended in the Assembly on March 20, 1959, strike out "may", and insert "shall".

**Amendment No. 2**

On page 3, line 35, strike out "may", and insert "shall".

**Amendment No. 3**

On page 4, line 12, after "worker", insert "for remuneration".

**Amendment No. 4**

On page 4, line 16, strike out "applied for".

**Amendment No. 5**

On page 4, lines 32 and 33, strike out ", and have complied with the requirements of the board".

**Amendment No. 6**

On page 4, lines 36 and 37, strike out ", and have complied with the requirements of the board".

**Amendment No. 7**

On page 4, lines 41 and 42, strike out "and who have complied with the requirements of the board,".

**Amendment No. 8**

On page 4, line 47, strike out "The board may, in lieu"; and strike out lines 48 to 50, inclusive, and insert "Successful completion of a social work examination in a governmental merit system or civil service jurisdiction shall be considered as meeting this requirement."

**Amendment No. 9**

On page 5, line 4, strike out ", or tending to indicate,".

**Amendment No. 10**

On page 5, line 5, after "standing," insert "or".

**Amendment No. 11**

On page 5, lines 6 and 7, strike out "or who does not have an application on file with the board under this chapter,".

**Amendment No. 12**

On page 5, line 43, after "effect", insert ", or who obtain such certificates by October 1, 1960"

**Amendment No. 13**

On page 5, line 45, after "fee", insert ", and, for such purposes, the board shall, until October 1, 1960, continue to register social workers in the manner and under the same conditions as are prescribed in this chapter, as it reads on July 1, 1959".

**Amendment No. 14**

On page 5, line 49, strike out "recognized".

**Amendment No. 15**

On page 7, line 9, strike out "an", and insert "a felony or of any".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1360**—An act to add Section 670.86 to the Vehicle Code, and to add Section 26506 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 670.86 to the Vehicle Code, and to add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "670.86", and insert "26506".

**Amendment No. 4**

On page 1, lines 1 and 2, strike out ", to read" and insert "as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 5**

On page 1, strike out lines 3 to 11, inclusive.

**Amendment No. 6**

On page 2, strike out lines 1 to 5, inclusive, and insert
"The provisions of this section shall not be construed as requiring any device not required under the rules of the Interstate Commerce Commission.
SEC. 2. This act shall become operative on January 1, 1960."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1361**—An act to add Section 670.85 to the Vehicle Code, and to add Section 26505 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 670.85 to the Vehicle Code, and to add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "670.85", and insert "26505".

**Amendment No. 4**

On page 1, lines 1 and 2, strike out ", to read", and insert "as enacted by the Legislature at its 1959 Regular Session, to read".

**Amendment No. 5**

On page 1, strike out lines 3 to 9, inclusive.

**Amendment No. 6**

On page 1, line 13, after "visible", insert "and legible".

**Amendment No. 7**

On page 1, strike out lines 14 to 18, inclusive, and insert
"SEC. 2. This act shall become operative on January 1, 1960."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1362**—An act to amend the headings of Chapter 7 (commencing at Section 670) and Chapter 8 (commencing at Section 687) of Division 10 of, to add Article 2 (commencing at Section 670.80) to Division 10 of, and to add a chapter heading to precede Section 671 of, the Vehicle Code, and to add Article 3 (commencing at Section 26500) to Chapter 3 of Division 12 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes on vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 to 5, inclusive, and insert "An act to add Article"

**Amendment No. 2**

In line 7 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 17, inclusive.

**Amendment No. 4**

On page 2, strike out lines 1 to 13, inclusive; and in line 14, strike out "SEC. 5", and insert "SECTION 1".

**Amendment No. 5**

On page 2, strike out line 16, and insert "enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 6**

On page 2, strike out lines 27 to 31, inclusive, and insert
"SEC. 2. This act shall become operative on January 1, 1960."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1364**—An act to add Section 670.83 to the Vehicle Code, and to add Section 26503 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 670.83 to the Vehicle Code, and to add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "as proposed by Assembly Bill No 5", and insert "as enacted by Chapter 3, Statutes of 1959".

**Amendment No. 3**

On page 1 strike out lines 1 to 17, inclusive, and insert
"SECTION 1. Section 26503 is added to the Vehicle Code as enacted by Chapter 3, Statutes of 1959, to read:".

**Amendment No. 4**

On page 2, line 4, strike out "A means shall be incorporated" and strike out lines 5 to 13, inclusive."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1363**—An act to add Section 670.84 to the Vehicle Code, and to add Section 26504 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1365**—An act to add Section 670.82 to the Vehicle Code, and to add Section 26502 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1366**—An act to add Section 670.81 to the Vehicle Code, and to add Section 26501 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1367**—An act to add Section 670.87 to the Vehicle Code, and to add Section 26507 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1689**—An act to add Section 7615 to the Public Utilities Code, relating to railroads.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "regularly used for the"; and strike out line 5, and insert "or any other facility where railroad equipment, including railroad cars or motive power, is regularly repaired, built, or rebuilt. Such".

**Amendment No. 2**

On page 1, line 7, strike out "repairing railroad cars", and insert "work upon such equipment".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 1639**—An act to amend Section 21407 of, and to add Sections 21407.5, and 21407.6 to, the Public Utilities Code, relating to the use of intoxicating liquor, and drugs by the operators of aircraft.

Bill read second time, ordered engrossed, and to the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 638**—An act to amend Sections 1261 and 1269, Agricultural Code, relating to produce dealers.

Bill read second time, and ordered to third reading.

**Senate Bill No. 600**—An act to amend Section 639 of the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to the Consent Calendar.

**Senate Biill No. 312**—An act to repeal Section 6558 of the Welfare and Institutions Code, relating to appointment of employees by medical superintendent.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

Bill read second time, and ordered to the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1425, 16,** and **1625,** subsequent to engrossment.
**Senate Bill No. 464.**
**Assembly Bill No. 970.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 770**—An act to amend Section 10176 of the Insurance Code, relating to disability insurance policies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 770?

### Amendment No. 1

On page 1, line 9, of the printed bill, strike out "thereof", and insert "of the policy".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 770 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Johnson, Kennick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 770 ordered enrolled.

**Assembly Bill No. 1108**—An act to amend Section 620 of the Agricultural Code, relating to cheese.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1108?

### Amendment No. 1

On page 2, after line 17, of the printed bill, as amended in the Assembly on March 20, 1959, insert

"SEC. 2. Subdivision (d) of Section 620 of the Agricultural Code shall not be construed as prohibiting the use, prior to January 1, 1960, of retailers' stocks of labels on hand, provided such labels are not misleading or deceptive"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1108 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Johnson, Kennick, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 1108 ordered enrolled.

## MOTION TO RECONSIDER BRITSCHGI AMENDMENTS TO ASSEMBLY BILL NO. 759 CONTINUED

Mr. Unruh was granted unanimous consent that his motion to reconsider the vote on the Britschgi Amendments to Assembly Bill No. 759 be continued until the next legislative day.

### Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: Will the motion to reconsider the amendments to Assembly Bill No. 759 come up for consideration later today?

### Reply by Speaker

The Speaker replied that it would not.

### REQUEST BY SPEAKER

Speaker Brown requested that, hereafter when the Assembly stays in session until after the lunch hour, the members endeavor to get back to scheduled committee meetings, even if they have to go without their lunches, since it is difficult for the public to understand why the meetings are not held promptly at 1.30 when they have been scheduled for that hour.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 401**—An act to amend Sections 1460, 1461, and 1570 of the Probate Code, relating to appointment of guardians for minors and insane and incompetent persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 886**—An act to add Section 1582.1 to, and to amend Sections 1588, 1588.2 and 1594 of, the Labor Code, relating to employment agency licenses.

Bill read third time.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: How did this bill get on third reading without being re-referred to the Committee on Ways and Means pursuant to Rule 62?

#### Reply by Speaker

The Speaker inquired to whom the inquiry was addressed.

#### Reply by Mr. Lowrey

Mr. Lowrey replied that his inquiry was addressed to the author, the Speaker, the Legislative Counsel, and the Legislative Auditor in seriatum.

#### Point of Order

Mr. Masterson arose to the following point of order: That if Mr. Lowrey desired to move that the bill be so re-referred, the motion should have been made on second reading, pursuant to Rule 62; and that he is not in order to discuss the propriety of such re-reference, at this time.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

Speaker pro Tempore Presiding

At 10.07 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53.

NOES—Beaver, Bradley, Burke, Collier, Cusanovich, Dahl, Francis, Ernest R. Geddes, Levering, Reagan, and Shell—11.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 887**—An act to amend Section 1684 of the Labor Code, relating to farm labor contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Davis, DeLotto, Dills, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—52.

NOES—Beaver, Bradley, Britschgi, Burke, Cusanovich, Dahl, Francis, Lanterman, Levering, Lowrey, Reagan, Shell, and Thelin—13

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 22**—Relative to nuclear weapons test explosions under an adequate inspection system.

Resolution read.

Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed resolution, after "toward", strike out "the".

Amendment No. 2

On page 2, strike all of lines 10 through 13, and in line 10, insert "*Resolved*, That such a treaty should provide for effective international control over any experimental nuclear explosions designed to provide scientific information for peaceful purposes, in order to prevent improper use of such explosions for other than peaceful purposes."

Amendments read.

Motion to Re-refer

Mr. Levering moved that the resolution and amendments be re-referred to the Committee on Rules.

Point of Order

Mr. Busterud arose to the following point of order: That he had not had the privilege of opening his debate on the amendments, so the motion was not in order, at this time.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

**Motion to Re-refer**

Mr. Levering moved that the resolution and amendments be re-referred to the Committee on Rules.

Mr. Dahl seconded the motion.

**Point of Order**

Mr. Munnell arose to the following point of order: That the House is not on that order of business.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order not well taken.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Is the question a motion that both the resolution and the amendments be re-referred to committee?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Is the question divisible?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the question was not divisible.

**Demand for Previous Question**

Messrs. Grant, Shell, Reagan, Ernest R. Geddes, and Schrade demanded the previous question. Demand sustained.

The question being on the motion that the resolution and the amendments be re-referred to the Committee on Rules.

Motion lost by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Collier, Conrad, Coolidge, Cusanovich, Dahl, Francis, Grant, Johnson Lanterman, Levering, Marks, McCollister, Mulford, Pattee, Reagan, Shell, Sumner, and Thelin—25

NOES—Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Luckel, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, Charles H Wilson, Winton, and Z'berg—42.

The question being on the adoption of the amendments.

Amendments adopted.

Resolution ordered reprinted, and re-engrossed.

**Assembly Bill No. 327**—An act to amend Sections 5254 and 5255 of the Streets and Highways Code, relating to bonds of contractors and remedies in case of default by contractor.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, McMillan,

Meyers, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—58

NOES—Burton, Cameron, Crown, Kilpatrick, Miller, Munnell, O'Connell, Petris, Rees, and Unruh—10.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 896**—An act to amend Section 28104 of the Government Code, relating to compensation for public service in counties of the fourth class.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Johnson, Kennick, Lanterman, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rumford, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, and Z'berg—52.

NOES—Biddick, Bradley, Davis, Hegland, Levering, Lowrey, Rees, Schrade, Shell, and Sumner—10.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1111**—An act to add Article 2.5 (commencing at Section 53240) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to payment of the cost of repairing or replacing property of governmental employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr Speaker—64.

NOES—Backstrand, Collier, Levering, and Reagan—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 618**—An act to add Chapter 4 (commencing at Section 1960) to Part 7, Division 2 of, the Labor Code, relating to firefighters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—Collier, Cusanovich, Dahl, Levering, Reagan, Shell, and Thelin—7.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1644**—An act to amend Section 5504 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to qualifications of teachers conducting high school courses in the elementary schools.

Bill read third time.

**Speaker Presiding**

At 10.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1645**—An act to amend Section 943 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1646**—An act to amend Section 960 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1647**—An act to amend Section 5403 of, and to repeal Section 5404 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to postgraduate courses of study in elementary schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman,

Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1648**—An act to amend Section 6904 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the education of mentally retarded minors.

Bill read third time.

**Motion to Amend**

Mr. Hegland moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 6904 of the Education as enacted by the Legislature at its 1959 Regular Session is amended to read:

6904. The governing board of any elementary or unified school district which has an average daily attendance of 900 or more in the elementary schools of the district, or any high school district which has an average daily attendance of 900 or more shall provide for the education in special training schools or classes of mentally retarded minors residing in the district who come within the provisions of Section 6902 and who are not in attendance upon other special training schools or classes maintained under the provisions of Sections 6901 to 6913, inclusive. ~~The mandatory provisions of the section as they apply to high school districts shall become effective July 1, 1956, but the governing board of any high school district may provide for such education for all or any portion of the mentally retarded minors residing in the high school district prior to said date.~~

The governing board of any elementary or unified school district may provide for the education of mentally retarded minors residing in the district who come within the provisions of Section 6903."

**Amendment No. 2**

On page 1, strike out lines 2 to 20, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1649**—An act to amend Section 5662 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposition of tax receipts for support of high school and unified school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1650**—An act to amend Section 5611 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tuition payments for interdistrict attendance of school pupils.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1218**—An act to amend Section 190.1 of the Penal Code, relating to offenses for which the penalty is death or life imprisonment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles A. Wilson, Winton, Z'berg, and Mr. Speaker—68
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 944**—An act to amend Section 1550.1 of the Penal Code, relating to hearings in extradition proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, and Z'berg—67.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 402**—An act to repeal Sections 367d and 367e of the Penal Code and to amend Section 502 of the Vehicle Code, all relating to driving a vehicle while under the influence of intoxicating liquor.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1301**—An act to add Section 507 to the Vehicle Code, and to add Section 23118 to the Vehicle Code, as proposed by Assembly Bill No. 5, relating to driving a vehicle under the influence of liquors and drugs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Constitutional Amendment No. 16**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article XI thereof, relating to the presentation, consideration and enforcement of claims against chartered counties, cities and counties and cities and against officers, agents and employees thereof.

Resolution read, and ordered passed on file, to retain its place on the next legislative day.

**Assembly Constitutional Amendment No. 15**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article IV, relating to the term of office of Members of the Assembly.

Resolution read.

**Demand for Previous Question**

Messrs. Unruh, Dahl, DeLotto, House, and Hegland demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, and Winton—58

NOES—Bruce F. Allen, Burton, DeLotto, Elliott, Ernest R. Geddes, Levering, Luckel, Masterson, O'Connell, Petris, Unruh, and Mr. Speaker—12.

Resolution ordered transmitted to the Senate

**Assembly Bill No. 718**—An act to amend Sections 9107, 9108, 9109, 9134 and 10246, and to repeal Sections 9131, 9132 and 9133 of the Government Code, relating to legislative organizations and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 50**—Relative to an amendment of the Joint Rules of the Senate and Assembly to provide for the creation of a Joint Committee on Legislative Organization.

Resolution read.

**Motion to Amend**

Mr. Cusanovich moved the adoption of some amendments.

Amendments read.

**Parliamentary Inquiry**

Mr. O'Connell arose to the following parliamentary inquiry: May this measure be considered if copies of the resolution are not on the members' desks?

**Reply by Speaker**

The Speaker replied that copies should be on the members' desks before consideration.

On request of Mr. Miller, further consideration of the resolution was ordered passed on file until copies of the resolution could be placed on the members' desks.

**Assembly Bill No. 458**—An act to add Section 1024 to the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 813**—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to fees payable by architects, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1452**—An act to add Section 25509 to the Government Code, relating to Purchasing Agent's Stores Account.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

## FURTHER CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 50

**Assembly Concurrent Resolution No. 50**—Relative to an amendment of the Joint Rules of the Senate and Assembly to provide for the creation of a Joint Committee on Legislative Organization.

Resolution read.

### Further Consideration of Amendments

### Motion to Amend

Mr. Cusanovich again moved the adoption of the following amendments:

### Amendment No. 1

On page 2 of the printed measure, as amended in the Assembly, March 4, 1959, strike out lines 45 to 48, inclusive.

### Amendment No. 2

On page 2, line 49, strike out "(h)", and insert "(g)".

Amendments read.

### Announcement

Speaker Brown announced that the amendments did not exactly fit the latest amended copy of the resolution.

### Unanimous Consent to Correct Amendments

Speaker Brown was granted unanimous consent that the Chief Clerk be granted permission to correct the amendments to fit the resolution.

**Demand for Previous Question**

Messrs. Grant, Waldie, Masterson, Biddick, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Cusanovich.

**Roll Call Demanded**

Messrs. Collier, Cusanovich, and Bruce F. Allen demanded a roll call.

**Point of Order**

Mr. O'Connell arose to the following point of order: That the demand was not in order since the House was in the middle of a voice vote on the amendments.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, since the vote was not announced, and the demand by three members for a roll call must be recognized.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Bradley, Burke, Collier, Cusanovich, Elliott, Francis, Kennick, Lanterman, Levering, Luckel, McMillan, Nisbet, Reagan, Shell, Thelin, and Z'berg—17

NOES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hegland, House, Marks, Masterson, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—44.

The question being on the adoption of Assembly Concurrent Resolution No. 50.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Lanterman, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Collier Cusanovich, Levering, and Shell—4.

Resolution ordered transmitted to the Senate

## CONSIDERATION OF HOUSE RESOLUTION NO. 137

By Mr. Burton:

**House Resolution No. 137**—Congratulating Hawaii on statehood.

Resolution read.

**Motion to Amend**

Mr. Burton moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the measure, as printed in the Assembly Journal for March 13, 1959, at page 1391, strike out "Congratulating Hawaii on statehood", and insert "Welcoming and congratulating Hawaii as the Fiftieth State in the Union".

**Amendment No. 2**

In line 3, of the sixth "WHEREAS" clause, after "statehood", insert ", by virtue of the approval by the United States Senate on March 3, 1959, and the United States House of Representatives on March 10, 1959, coupled with the signing by the President of the United States on March 18, 1959".

**Amendment No. 3**

In line 3 of the second "*Resolved*" clause, strike out "and the Hawaiian Delegate", and insert "the Honorable Patsy T. Mink, Member of the Hawaiian Senate, and the Honorable Jack Burns, Delegate from Hawaii".

Amendments read, and adopted.

**Members Made Co-authors of House Resolution No. 137**

Mr. Burton was granted unanimous consent that all members so desiring be placed upon House Resolution No. 137, as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

**Consideration of House Resolution No. 137, as Amended**

By Messrs. Burton, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 137**

Welcoming and congratulating Hawaii as the Fiftieth State in the Union

WHEREAS, The Territory of Hawaii has long sought admission to the Union with full privileges of statehood and first class citizenship for its people; and

WHEREAS, This group of islands in the North Pacific Ocean has in recent years become America's vacationland, each year attracting thousands of tourists by its balmy climate, breathtakingly beautiful scenery, and restful way of life; and

WHEREAS, This tropical paradise has attained great commercial importance also with its sugar, pineapple, fishing, and livestock industries; and

WHEREAS, Hawaii's population by recent estimates, exceeds 500,000, with almost half of the inhabitants living in or near Honolulu on the island of Oahu; and

WHEREAS, More than a thousand ships annually clear Honolulu harbor, and daily airplane flights have brought the land of hibiscus and ginger within a few hours' travel from the west coast of the United States; and

WHEREAS, It is with great satisfaction that the people of California have learned that their friendly neighbors across the ocean are to be linked even more closely than before by the ties of statehood, by virtue of the approval by the United States Senate on March 3, 1959, and the United States House of Representatives on March 10, 1959, coupled with the signing by the President of the United States on March 18, 1959; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their heartiest congratulations to the Territory of Hawaii on its admission as the Fiftieth State of the United States of America; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Governor of Hawaii, the Legislature of Hawaii, the Honorable Patsy T. Mink, Member of the Hawaiian Senate, and the Honorable Jack Burns, Delegate from Hawaii to the Congress of the United States.

Resolution read, and adopted unanimously.

### CONSIDERATION OF HOUSE RESOLUTION NO. 165

By Messrs. Dahl, Crown, Petris, Rumford, Mulford, and Bee:

**House Resolution No. 165**—Relative to commending Henry J. Kaiser, Jr.

Resolution read.

#### Motion to Amend

Mr. Dahl moved the adoption of the following amendment:

#### Amendment No. 1

In line 2 of the first "WHEREAS" clause, as printed on page 1761 of the Assembly *Journal for March 25, 1959, after "award", insert "as "Layman of the Year"."*

Amendment read, and adopted.

#### Members Made Co-authors of House Resolution No. 165

Mr. Dahl was granted unanimous consent that all members so desiring be placed upon House Resolution No. 165 as co-authors.

#### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

#### *Consideration of House Resolution No. 165, as Amended*

By Messrs. Dahl, Crown, Petris, Rumford, Mulford, Bee, Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg:

#### House Resolution No. 165

Relative to commending Henry J. Kaiser, Jr.

WHEREAS, The Members of the Assembly have learned that Henry J. Kaiser, Jr., on March 7, 1959, was presented with an award as "Layman of the Year" by the Alameda County Educational Association for outstanding leadership services on behalf of education in California and Alameda County; and

WHEREAS, This award was in tribute to Mr Kaiser's leadership in the Oakland school bond campaign while General Chairman of the Oakland Good Schools Committee, and

WHEREAS, In recognition of Mr Kaiser's national reputation as an authority on problems of public education in America he was invited to be one of the principal speakers on January 27, 1959, before the Conference of the National Association of School Boards held in San Francisco, California; and

WHEREAS, Mr Kaiser has constantly been active in the civic affairs of his community and his State including Chairman of the Oakland Workreation Committee, which provides work and recreation for teenagers during the summer months; member of the Citizens Legislative Advisory Commission; Director of the California Traffic Safety Foundation, Vice President and Director of the East Bay Chapter of the National Safety Council; Trustee of the Multiple Sclerosis Society

of Northern California; and Trustee of the Episcopal Church Divinity School of the Pacific, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members take this occasion to commend Henry J. Kaiser, Jr., for his outstanding contribution on behalf of education in particular and his community's welfare in general; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Henry J. Kaiser, Jr.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 112

By Mr. Ernest R. Geddes:

**House Resolution No. 112**—Relative to congratulating Vincent D. Kennedy.

Resolution read.

### Members Made Co-authors of House Resolution No. 112

Mr. Ernest R. Geddes was granted unanimous consent that all members so desiring be placed upon House Resolution No. 112 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

### Consideration of House Resolution No. 112, as Amended

By Messrs. Ernest R. Geddes, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg:

### House Resolution No. 112

Relative to congratulating Vincent D. Kennedy

WHEREAS, Vincent D. Kennedy did, during the month of February of this year complete the first one-quarter of a century of his period of distinguished service as Managing Director of California Retailers Association; and

WHEREAS, "Vinc," who was born in the shadow of the Capitol and spent his youth in Sacramento, is widely known and loved by a great host of friends and is respected throughout all branches of the State Government because of his service to the State, first as Executive Secretary to Governor C. C. Young and later as Southern California Representative of the California Public Utilities Commission; and

WHEREAS, Vinc is justly proud of his service in "the corner office" during the Young Administration, which was noted for the many public-spirited and eminent men who devoted themselves to the betterment of our great State; and

WHEREAS, From that experience Vinc developed a continuing and deep regard for the welfare of his native California that has always distinguished him among his colleagues; and

WHEREAS, Much favorable attention has been directed to California by the service Vinc has vigorously performed with national organizations on behalf of retailing; and

WHEREAS, Vinc has served faithfully and conscientiously on various federal and state advisory groups, thereby bringing acclaim to his industry and recognition to California; and

WHEREAS, We wish to join with his many friends in extending hearty congratulations upon this happy occasion; now, therefore, be it

*Resolved, by the Assembly of the State of California*, That the Members of the Assembly hereby extend to our good friend Vinc Kennedy our enthusiastic congratulations upon the completion of his first 25 years of service as Managing Director of the California Retailers Association, confidently trusting that he will happily continue as such Director for many years to come; and be it further

*Resolved*, That the Secretary of the Assembly is directed to transmit to Vincent D. Kenendy a suitably prepared copy of this resolution.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 163

By Messrs. Burton and Masterson:

### House Resolution No. 163

Relative to commemorating the Fiftieth Anniversary of radio broadcasting

WHEREAS, The year 1959 marks the Fiftieth Anniversary of radio broadcasting and is an occasion of special significance to the citizens of California, and will be appropriately commemorated in San Jose and San Francisco by festivities and dedicatory ceremonies to be held on April 2d and 3d; and

WHEREAS, Radio broadcasting in its present form, had its birth in San Jose, California, where the first radio broadcasting station in the world was established in 1909, in the form of a small radio station which developed from a humble beginning with a broadcasting area of a few miles to listeners equipped with crystal sets, to become radio Station KQW, and still later, Station KCBS with millions of listeners throughout Northern California; and

WHEREAS, The concept of radio broadcasting to a general public listening audience, in contrast to the use of radio as a means of communication between two geographical points, was first put into practice by the scientist Dr Charles David Herrold, who may rightfully be termed "The Father of Broadcasting"; and

WHEREAS, Dr. Charles David Herrold made his first voice and music radio broadcast sometime in January, 1909, from his "Herrold Station, San Jose", as the facility was known before the days of call letters, which was situated in the Garden City Bank Building in San Jose; where he worked with the assistance of various persons including Mr. Ray Newby, and Mrs Sybil M. True who conducted the first programs in transmission of recorded music and who was undoubtedly the first "disc jockey", and

WHEREAS, Those first broadcasts were among the most exciting events of the period and represented the beginnings of a great industry, and of a cultural medium which has become a part of the lives of everyone; and

WHEREAS, The compilation of the historical facts and data concerning the establishment of the first radio station in San Jose was the result of extensive research by Mr Gordon Greb, Professor of Journalism at San Jose State College, who is chiefly responsible for ascertaining the date of establishment of Charles David Herrold's station; and

WHEREAS, The many festivities planned to commemorate the event will include the placing of a plaque at the site of Dr. Herrold's first station in San Jose, parades, special broadcasts by Station KCBS recalling the times and the beginnings of its predecessor station, as well as numerous other activities; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, by this resolution, joins in the commemoration of the establishment of the first radio broadcasting station and the Fiftieth Anniversary of broadcasting; and extends congratulations and best wishes on the occasion to the management and personnel of Station KCBS, to Professor Gordon Greb for his work in establishing the historical background for the event, and to Mr Ray Newby and Mrs Sybil M. True for the important roles they played in the development of broadcasting; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr Maurie Webster, General Manager of KCBS, Professor Gordon Greb, Mr. Ray Newby, and Mrs. Sybil M. True.

Resolution read, and adopted unanimously.

**Request for Unanimous Consent to Rush Preparation of Engrossed Copy**

Mr. Burton asked for unanimous consent that the Chief Clerk be instructed to rush preparation of one copy of House Resolution No. 163 for presentation today.

Speaker Brown withheld unanimous consent.

## CONSIDERATION OF HOUSE RESOLUTION NO. 164

By Mr. Lowrey:

**House Resolution No. 164**

Congratulating Dr. Emil Mrak

WHEREAS, Dr. Emil M. Mrak, chairman of the Department of Food Technology at the Davis campus of the University of California, was recently appointed Chancellor of the Davis campus; and

WHEREAS, Dr. Mrak, who received his Bachelor of Science, Master of Science, and Doctor of Philosophy degrees at the University of California, has been on the faculty since 1926, becoming Assistant Professor in 1937, Associate Professor in 1945, and Professor of Food Technology and Chairman of the department in 1948; and

WHEREAS, He received the Nicholas Apert Medal for his work in food technology in 1957, was honored by his colleagues last year by being selected faculty research lecturer on the Davis campus, and is presently serving on the important Food Protection Committee of the National Research Council of the National Academy of Sciences; and

WHERFAS, Dr. Mrak has achieved wide renown in the United States for his invaluable services on government food technology projects both during and since World War II, and his numerous articles on research in his particular field of scientific study; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their hearty congratulations to Dr. Emil M. Mrak on his appointment as Chancellor, and wish him success in his new position; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Dr. Mrak.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 166

By Messrs. Bruce F. Allen and Bradley:

**House Resolution No. 166**

Relative to "Teacher Recognition Week"

WHEREAS, The American public school serves as the basic unit of grass-roots democracy and a close bond between the community and its teachers and schools contributes to the strength of democracy; and

WHEREAS, In the daily interaction of teacher, pupil, school and community the most lasting and most vital attitudes are built as bulwarks to our democratic faith; and

WHERFAS, The outstanding successes and achievements of the teaching profession are evident in the unusual teacher contributions to the cultural and social life of the community and the Nation; and

WHEREAS, The teacher is a vital member of the community, a human, sympathetic, skillful individual serving as a molder of youth and the preserver of America's heritage; and

WHEREAS, The essential nobility of the teaching profession is animated by unselfish zeal and devotion and numbers within its ranks men and women of courage, ability and vision; and

WHEREAS, The Santa Clara County School Trustees Association is directing its attention toward creating and strengthening the interest and support of the people in their teachers and schools since such interest and support is an inevitable obligation of citizens in a democracy; and

WHEREAS, In furtherance of this effort, the Santa Clara County School Trustees Association is initiating a "Teacher Recognition Week" program in Santa Clara County during the week April 5–11, 1959, to provide an opportunity for every citizen to discover and to understand more fully the relationship of our schools and teachers to the values from which democracy receives its deepest meaning; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body join with the Santa Clara County Trustees Association in proclaiming April 5–11, 1959, as "Teacher Recognition Week"; and be it further

*Resolved*, That the Assembly approves and commends the project of the Santa Clara County School Trustees Association in this important field of teacher-community relations and pledges full and active support and participation to insure the success of this worthy program

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 169

By Messrs. MacBride and Z'berg:

### House Resolution No. 169

Relative to congratulating John McNamara

WHEREAS, The Members of this House have learned with pleasure that John McNamara has been appointed Manager of the Lewiston, Idaho, baseball team; and

WHEREAS, Mr. McNamara has distinguished himself as an outstanding baseball player, starting in his school days with Christian Brothers School, Sacramento Junior College, and Sacramento State College, and continuing into his career as a professional baseball player with the Sacramento Solons and the St. Louis Cardinals, where he played as a catcher for two years; and

WHEREAS, John McNamara has been well and favorably known to Members of the California Legislature as an employee of the Legislative Bill Room during the 1959 Regular Session, and

WHEREAS, John McNamara appears to have a long and glowing future in baseball, particularly for one of Irish ancestry; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House wishes John McNamara Godspeed and best wishes in his endeavors as Manager of the Lewiston, Idaho, baseball team this season, and be it further

*Resolved*, That the Assembly of the State of California congratulates the town of Lewiston for acquiring such a distinguished Irish baseball player as John McNamara of Sacramento; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to John McNamara.

Resolution read, presented by Mr. Z'berg and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 171

By Messrs. Hegland, Luckel, Schrade, and Crawford:

### House Resolution No. 171

Relative to the retirement of Oceanside's Fire Chief, Walter Johnson

WHEREAS, It has come to the attention of the Legislature that Walter Johnson has retired from his position as the Fire Chief of the City of Oceanside; and

WHEREAS, This outstanding figure has been one of the best fire chiefs the State of California has ever known; and

WHEREAS, He was born on January 1, 1894, in Chicago, Illinois, and came to California in 1908 when a mere youth of 14 years of age; and

WHEREAS, On April 20, 1919, Walter Johnson and Virginia Everett entered into the bonds of holy matrimony and the couple will soon be celebrating their fortieth wedding anniversary; and

WHEREAS, Walter Johnson has always been a foremost citizen of Oceanside, easily recognizable by his size, his booming voice, flashy car, dark shirt, broad-brimmed hat, and frank manner; and

WHEREAS, Walter Johnson has been a key figure in every important event that has taken place in Oceanside for several years and he has been the personage whose opinion has been constantly sought on many problems because of his famous reputation for being an outspoken and respected authority on water problems, personnel problems, police problems, and local political problems; and

WHEREAS, Walter Johnson has devoted most of his life to serving his community and the State of California including service as a county fire warden for three years, a deputy state fire marshal, a member of the State Fire Advisory Board for three years, a Past Exalted Ruler of the Oceanside Elks Lodge, a director of the Oceanside Chamber of Commerce, a member of the Masonic Lodge, and a Vice President of the Milk Producers' Association of San Diego County; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Walter Johnson for his outstanding and devoted service to his community and to the people of the State of California and wish him many happy years of retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Walter Johnson, to his daughter, Mrs. Marjorie Penning, to the Mayor of the City of Oceanside, and to the publisher of the *Daily-Blade Tribune* in the City of Oceanside

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 173

By Miss Donahoe and Mr. Williamson:

### House Resolution No. 173

Relative to the death of Albert S. Goode

WHEREAS, Members of the Assembly were deeply grieved at the passing of Albert S. Goode; and

WHEREAS, Mr. Goode was born in Santa Maria, California, January 26, 1880, and attended the schools in Santa Barbara County and was graduated from the Kern County Union High School; and

WHEREAS, He was a recognized leader in agriculture, dairying and the cattle business, being instrumental in forming the Kern County Cattlemen's Association, and having made substantial contributions in the improvement of the cattle herds of Kern County and in fostering uniform trade laws and uniform grading in the beef and cattle industry; and

WHEREAS, He assisted in the formation of the first dairy organization in this State, in 1934 represented the dairy industry for 11 western states, and for many years served as president of the Fifteenth Agricultural District; and

WHEREAS, In recognition of Mr. Goode's contributions and endeavors the Bakersfield Post 26 of the American Legion named him Citizen of the Year in 1950 and in 1953 he was voted Kern Cattleman of the Year; and

WHEREAS, Mr. Goode was affiliated with the Masonic Lodge, the Elks Lodge, and the Bakersfield Rotary Club, and took an active interest in young people and encouarged the activities of the 4H Club and the Future Farmers; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of Albert S. Goode and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his widow, Margaret Goode.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 178

By Messrs. Busterud, Marks, Gaffney, and Petris:

### House Resolution No. 178

Relative to the Pan-Messenian Federation of America and Mr. John G. Kaplanis, its Supreme President

WHEREAS, In these troubled times international friendship and understanding is of utmost importance not only from the standpoint of humanitarian virtue but also to further the growth and development of the free world; and

WHEREAS, This type of friendship and understanding is often most effective when carried on by persons in this country who truly understand the other nation in question by virtue of their common ancestry and backgrounds; and

WHEREAS, The Pan-Messenian Federation of America, composed of former residents of the Greek province of Messenia, exemplifies the type organization which can best aid in developing this better understanding and friendship among the peoples of other countries and ours; and

WHEREAS, This friendship was concretely demonstrated by the help the Federation gave to the earthquake-torn town of Pyrgos in Greece; and

WHEREAS, King Paul of Greece, through the Greek Consul General in Chicago, marked the outstanding contributions of the Federation and the unceasing devotion of its Supreme President, Mr. John G. Kaplanis, by presenting an award to Mr. Kaplanis; and

WHEREAS, It is most fitting that this recognition should come at this time since San Francisco has just celebrated Greek Independence Day; and

WHEREAS, Such recognition is most justly deserved by Mr. Kaplanis for his many contributions to the Federation and the principles for which it stands; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Pan-Messenian Federation and its Supreme President, Mr John G Kaplanis, are sincerely congratulated for their work and on receiving this award; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Kaplanis and to the Pan-Messenian Federation.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 177

By Mr. Unruh:

**House Resolution No. 177**—Relative to the commendation of Don M. Muchmore.

Resolution read.

### Members Made Co-authors of House Resolution No. 177

Mr. Unruh was granted unanimous consent that all members so desiring be placed upon House Resolution No. 177 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

### Consideration of House Resolution No. 177, as Amended

By Messrs. Unruh, Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, Winton, and Z'berg:

### House Resolution No. 177

Relating to the commendation of Don M Muchmore

WHEREAS, Don M. Muchmore, Director of the California State Museum of Science and Industry, operated by the Sixth District Agricultural Association in Exposition Park, Los Angeles, has been elected 1959 President of the Western Museums Association following only two years of membership in the organization; and

WHEREAS, The Director of the California Museum of Science and Industry will co-ordinate the year's activities of the association and direct the annual conference attended by more than 200 delegates from California, Oregon, Washington, Idaho, Nevada, and Arizona; and

WHEREAS, Don M. Muchmore has been appointed a National Vice President of the International Science Foundation and is assisting in organizing Foundation centers in San Francisco, Los Angeles, and Sunnyvale, California; and

WHEREAS, The California Museum of Science and Industry has, during the two years Don M. Muchmore has directed its operations, established, a program that has raised attendance from 460,000 visitors in 1956 to approximately 1,000,000 visitors in 1959 making it the second largest attended Museum of Science and Industry in the United States; and

WHEREAS, As a result of the direction of the Board of Directors of the Sixth District Agricultural Association he has developed a nonprofit foundation, the California Museum Foundation, to obtain private industry support for new exhibits in the California Museum of Science and Industry and has been extremely successful in this respect; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body commend Don M. Muchmore for his outstanding leadership in the field of museumology and museum management as it pertains to the Western Museums Association, private institutions throughout the West, and the California State Museum of Science and Industry, and express their approval of his activities which bring honor, respect, and goodwill to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Don M. Muchmore and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 174

By Mr. Belotti:

### House Resolution No. 174

Relative to congratulating Mr. Chester Goble on the birth of triplet calves

WHEREAS, Humboldt County, long known for its magnificent coast line, is also one of the leading dairy producing areas in the State, and the home of many excellent thoroughbred Jersey and Guernsey herds; and

WHEREAS, On March 8, 1959, the bovine population of Humboldt County was increased in a most extraordinary manner when a Fernbridge, California Guernsey cow gave birth to identical heifer triplets; and

WHEREAS, In cattle, triplets occur only once in approximately 500,000 births, and identical triplets are even rarer; and

WHEREAS, The proud "father" of those three frolicsome and healthy calves is Mr. Chester Goble, one of Humboldt County's leading dairymen and the operator of an efficiently run 60-cow dairy; and

WHEREAS, Mr. Goble was born and reared in Ferndale, Humboldt County, in the heart of the lush Eel River Valley and the site of many dairies, and

WHEREAS, "Father" Goble, in his 25 years as a dairy farmer, has been credited with many outstanding achievements, but none so remarkable as this; and

WHEREAS, Mother Guernsey is recovering quite nicely, considering the complexities necessarily involved in nursing three calves simultaneously, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend to Mr. Chester Goble their sincere congratulations, not only upon his earlier achievements, but upon this latest demonstration of his remarkable abilities as a dairyman, the birth of triplet heifers; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. Chester Goble.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

## PARLIAMENTARY INQUIRY

Mr. Miller arose to the following parliamentary inquiry: Why were House resolutions reported from the Committee on Rules with the recommendation that they be placed on the Consent Calendar not so placed on the Consent Calendar?

### Reply by Speaker

The Speaker replied that the Joint Rule relative to the Consent Calendar applies only to bills, and that Standing Rule No. 81 applies to House resolutions, so they have been placed on a special file for noncontroversial resolutions.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Lanterman was granted unanimous consent that the following opinions of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILL NO. 487, AS AMENDED MARCH 2, 1959

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 1, 1959

*Hon. Frank Lanterman*
*Assembly Chamber*

**Assembly Bill No. 487, as Amended March 2, 1959: Taxation of Possessory Interests—No. 11523**

*Question*

DEAR MR. LANTERMAN: You ask whether the taxes that would be authorized by Assembly Bill No. 487, as amended on March 2, 1959, would apply to a possessory interest or use of property by a contractor performing work for the State or a county, city or district, as well as for the Federal Government.

*Opinion*

It is our opinion that the answer to this question is "yes."

*Analysis*

The bill would amend Section 106 of the Revenue and Taxation Code to include within the definition of "personal property" all property other than real estate, "including the possession of, claim to, ownership of, or right to the possession of tangible personal property and every legal and equitable interest therein," excepting only certain vessels and aircraft.

The bill would also provide for the imposition of local in-lieu taxes on the use or storage of property as follows (proposed Sec. 5150, R. & T. C.):

> "As provided in this part, a tax may be imposed annually on the use, storage for purposes of use by the assessee, processing or other consumption in this State, by a person in connection with the conduct of a business for profit, of tangible personal property consisting of inventories, raw materials, supplies, or work in process, where any or all interests in such property are exempt from property taxation."

We find nothing in the bill that would exclude a contractor with the State or a local agency thereof from the general impact of any tax authorized by the bill, either on a possessory interest on personal property or on the use or storage of property. On the contrary, the wording throughout the bill is such as to apply without exception to any contractor irrespective of the agency with whom he may contract.

It should also be noted that any tax imposed pursuant to the bill would necessarily have to apply to all persons similarly situated in order to stand up constitutionally (see *Aerojet-General Corporation* v.

*County of Los Angeles* and *General Dynamics Corporation* v. *County of Los Angeles*, 51 AC 2d 59, 66).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Principal Deputy

Two copies to Hon. Thomas J. MacBride pursuant to Joint Rule 34.

### OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILL NO. 487, AS AMENDED APRIL 2, 1959

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 3, 1959

*Hon. Frank Lanterman*
*Assembly Chamber*

**Assembly Bill No. 487, as Amended April 2, 1959: Taxation, Possessory Interests in Personality—No. 11763**

DEAR MR. LANTERMAN: You ask whether the amendments made to Assembly Bill No. 487 in the Assembly on April 2, 1959, would in any way require a modification in the opinion on the bill as amended March 2, 1959, which we gave you on April 1, 1959 (Req. No. 11523). The opinion we gave you was to the effect that Assembly Bill 487 was applicable to persons under contract with the State and other public agencies in California, as well as to federal contractors.

As amended on April 2, 1959, the bill would modify two of its provisions relative to local privilege and use taxes in respects unrelated to the subject of our opinion on April 1, 1959. Therefore, as thus amended, the bill would not require any alteration of the views we expressed in that opinion.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Principal Deputy

Two copies to Hon. Thomas J. MacBride, pursuant to Joint Rule 34.

### WITHDRAWAL AND RE-REFERENCE OF BILLS

Mr. Waldie was granted unanimous consent that Assembly Bills Nos. 2128 and 2129 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Criminal Procedure.

Mr. Burton was granted unanimous consent that Assembly Bill No. 2282 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Social Welfare.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 831 FROM COMMITTEE

Mr. Unruh was granted unanimous consent that Assembly Bill No. 831 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 831

**Assembly Bill No. 831**—An act to amend Section 404 of the Unemployment Code, relating to referees of Appeals Board.

Bill read second time.

**Motion to Amend**

Mr. Unruh moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 10 to 15, inclusive, and insert "at a rate comparable to that of other referees in state service whose duties and responsibilities are comparable, but in no event shall the entrance rate be less than seventy percent (70%) of the salary of a member of the Appeals Board. No referee shall participate in any case in which".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 470
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1717
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 824
Assembly Bill No. 1274
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 487
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1425
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 608
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1248
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 245
Assembly Bill No. 316
Assembly Bill No. 653
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1625
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1159
Assembly Bill No. 1201
Assembly Bill No. 1226
Assembly Bill No. 1227
Assembly Bill No. 1241
Assembly Bill No. 1262
Assembly Bill No. 1383
Assembly Bill No. 1449
Assembly Bill No. 1556
Assembly Bill No. 1626
Assembly Bill No. 1634
Assembly Bill No. 1635
Assembly Bill No. 1639

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 150
Assembly Bill No. 894
Assembly Bill No. 1363
Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1367
Assembly Bill No. 1628
Assembly Bill No. 1643

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:
Assembly Bill No. 1677
With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Industrial Relations reports.
Assembly Bill No. 1147
With the recommendation. That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports.

Assembly Bill No 1146

With the recommendation: That the bill be re-referred to the Committee on Judiciary—Civil.

McMILLAN, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 885

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 189
Assembly Bill No. 318

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 142

With the recommendation: Do pass.

McMILLAN, Chairman

Above bill ordered to second reading.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Francis asked for unanimous consent that 750 additional copies of Assembly Bills Nos. 2249, 2250, 2251, 2252, and 2253 be ordered printed.

Mr. Lowrey withheld unanimous consent for the printing of more than 500 copies of the bills.

### Request for Unanimous Consent

Mr. Francis was granted unanimous consent that 500 additional copies of Assembly Bills Nos. 2249, 2250, 2251, 2252, and 2253 be ordered printed.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 285
Senate Bill No. 377
Senate Bill No. 458
Senate Bill No. 797

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 285**—An act to add Section 5706.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the admission to junior colleges of students over 16 years of age.

Referred to Committee on Education.

**Senate Bill No. 377**—An act to amend Section 1642 of the Welfare and Institutions Code, relating to maternity care.

Referred to Committee on Public Health.

**Senate Bill No. 458**—An act to add Sections 6159 and 6160 to the Elections Code, relating to the approval of voting machines.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 797**—An act to add Sections 3514, 3515, and 3516 to the Fish and Game Code, relating to exotic nonresident game birds.

Referred to Committee on Fish and Game.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 3, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 34
Assembly Bill No. 485
Assembly Bill No. 651
Assembly Bill No. 1105

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 178

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## REQUEST FOR UNANIMOUS CONSENT

Mr. Winton was granted unanimous consent to take up Senate Bill No. 339 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 339

**Senate Bill No. 339**—An act to amend Section 8752 of the Education Code, and amend Section 5602 of the Education Code as proposed by Senate Bill No. 2, relating to junior high schools.

Bill read third time.

### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 19, of the printed bill, strike out "said", and insert "this"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

## RE-REFERENCE OF SENATE BILL NO. 431

Speaker Brown ordered **Senate Bill No. 431** re-referred to the Committee on Government Organization

## ADJOURNMENT

At 12.15 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 6, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY

SIXTY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, April 6, 1959

The Assembly met at 10 a m.
Hon Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lauterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—78

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Gracious God and Father,* Thou dost bring us to the threshold of another week's work, refreshed by a weekend with family, neighbors, and worship in churches of our own choosing Make us glad for the privilege of our labor and may our gratitude be so expressed that.

In the home, it is kindness;
In business, it is honesty;
In society, it is courtesy;
In work, it is thoroughness;
In play, it is fairness;
Toward the fortunate, it is congratulation;
Toward the unfortunate, it is sympathy;
Toward the weak, it is help;
Toward the wicked, it is resistance;
Toward the strong, it is trust;
Toward the penitent, it is forgiveness;
And toward Thee, O God, it is reverence and love.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Johnson, seconded by Mr. Thelin, further reading of the Journal of the previous legislative day was dispensed with.

### LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

Mr. Beaver, on motion of Mr. Sumner.

### COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Sanford J. Ring of Los Angeles, and four others. Relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Mrs. J. M. Brown of Monterey Park, relative to capital punishment. Referred to the Committee on Criminal Procedure.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2352:** By Mr. Bruce F. Allen—An act to add Section 17071.1 to the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2353:** By Mr. Bruce F. Allen—An act to amend Section 17082 of the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2354:** By Mr. Masterson—An act to convey certain tide and submerged lands to the City of Richmond, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2355:** By Mr. Luckel—An act to amend Section 25611 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2356:** By Mr. Thomas—An act to amend Section 30682 of the Streets and Highways Code, relating to the San Pedro-Terminal Island Bridge, and making an appropriation.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2357:** By Mr. Johnson—An act to amend Sections 13145 and 13146 of, and to add Section 13147 to, the Health and Safety Code, relating to the inspection of buildings for the prevention of fire and protection of life and property against fire or panic.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2358:** By Messrs. Garrigus, Frew, DeLotto, Burton, Bee, Biddick, Bradley, Busterud, Cameron, Conrad, Cusanovich, Dahl, Mrs. Davis, Mr. Dills, Miss Donahoe, Messrs. Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lunardi, Masterson, McCollister, McMillan, Meyers, Nisbet, O'Connell, Pattee, Petris, Rees, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, and Z'berg—An act to create the Lincoln Sesquicentennial Commission of California, and to prescribe the powers and duties thereof

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2359:** By Mr. Thomas—An act to amend Section 30682 of the Streets and Highways Code, relating to the financing and construction of a bridge from San Pedro to Terminal Island.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2360:** By Mr. Hanna—An act to amend Section 7045 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2361:** By Messrs. Nisbet, Beaver, and Kennick—An act to amend Section 35201.5 of the Government Code, relating to the annexation of noncontiguous territory owned by the annexing city.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2362:** By Messrs. Munnell, Porter, Thomas, Bane, George E. Brown, Elliott, McMillan, and Petris—An act to add Chapter 1.1 (commencing at Section 142) to Division 1 of, to repeal Article 6 (commencing at Section 2200) of Chapter 1 of Division 3 of, to repeal Article 2 (commencing at Section 3025) of Chapter 1 of Part 1 of Division 5 of, to repeal Article 2 (commencing at Section 3420) and Article 6 (commencing at Section 3480) of Chapter 3 of Part 1 of Division 5 of, and to repeal Sections 1510, 1512, 1526, 1528, 1553, 1554, 1555, 1556, 1556.5, 2012, 2021, 2022, 2023, 2141, 2143, 2181.1, 2185, 2186, 2186.1, 2187, 2188, 2189, 3079.5, 3085, 3087, 3087.1, 3087.2, 3087.3, 3787.5, 3090, 3092, 3406, 3432, 3450, 3463, 3473.2, 4021, 4022, 4023, 4026, 4181.5, 4185, 4188, 4190, 4550, 4600, 4602, 4603, 4604, and 4605 of, the Welfare and Institutions Code, relating to the administration of public assistance, and making an appropriation therefor.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2363:** By Mr. Backstrand (Senator Dilworth, co-author)—An act to add Chapter 2.5 (commencing at Section 32500) to Part 8 of Division 12 of the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately

Referred to Committee on Municipal and County Government

**Assembly Bill No. 2364**: By Messrs. Hegland and Schrade—An act to amend Sections 101, 102, 103, and 112 of, and to add Sections 101.1, 102.1, and 102.2 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Board of Education.

Referred to Committee on Education.

**Assembly Bill No. 2365**: By Messrs. Petris, Bee, Banc, Crawford, Dahl, Masterson, Rumford, Waldie, and Winton—An act to amend Section 1207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to costs of elections of members of the board of education.

Referred to Committee on Education.

**Assembly Bill No. 2366**: By Mr. Winton—An act to amend Sections 580 and 582 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2367**: By Mr. George A. Willson—An act to amend Section 226 of, and to add Section 226r to, the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2368**: By Mr. Coolidge—An act making an appropriation to the State School Fund of amounts constituting surplus from estates of deceased persons in the Unclaimed Property Fund in the State Treasury.

Referred to Committee on Ways and Means.

**Assembly Bill No. 2369**: By Messrs. Kennick and Grant—An act to add Section 13533 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to taxes for group accident and health insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2370**: By Mr. Munnell—An act adding Article 9 (commencing with Section 1318) to Chapter 1 of Title 10 of Part 2 of the Penal Code, relating to the release of defendants on their own recognizance.

Referred to Committee on Criminal Procedure.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1436
Assembly Bill No. 1687
Assembly Bill No. 1041
Senate Bill No. 343

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1521
Assembly Bill No. 1682

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1176

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MACBRIDE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 177**—An act to amend Section 7108 of the Business and Professions Code, relating to contractors;

**Assembly Bill No. 179**—An act to amend Section 7111 of the Business and Professions Code, relating to contractors;

**Assembly Bill No. 184**—An act to amend Section 11 of the Defense Production Act (Statutes 1950, Third Extraordinary Session, Chapter 33), extending the effective date of the act;

**Assembly Bill No. 250**—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 251**—An act to amend Section 266 of the Revenue and Taxation Code, relating to the college exemption, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 254**—An act to amend Section 264 of the Revenue and Taxation Code, relating to the orphanage exemption, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 387**—An act to add Section 2898 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the lapsation of school districts;

**Assembly Bill No. 492**—An act to amend Sections 769, 1228 and 1416 of the Financial Code, relating to investments and loans by banks, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 502**—An act to amend Sections 165 and 165.3 of, and to add Sections 165.7 and 166 to, the Agricultural Code, relating to the possession and confinement of nutria;

**Assembly Bill No. 704**—An act to add Section 6357.4 to the Education Code, and to add Section 20801.5 to the Education Code as proposed by Senate Bill No. 2, relating to school district maximum tax rates;

**Assembly Bill No. 721**—An act to amend Section 8695 of the Fish and Game Code, relating to gill nets;

And reports the same correctly enrolled, and presented to the Governor on the third day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 87**—Relative to tolls on the Carquinez Strait Bridge;

**Assembly Concurrent Resolution No. 100**—Relative to commending the American Legion on its fortieth anniversary;

And reports the same correctly enrolled, and presented to the Secretary of State on the third day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1520
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 717
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, April 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 100
Assembly Bill No. 995
Assembly Bill No. 1624
Assembly Bill No. 1713
Assembly Bill No. 1714
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered re-referred to the committee.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 22
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1648
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1360
Asesmbly Bill No. 1362
Assembly Bill No. 1364
Assembly Bill No. 1434
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 575
Assembly Bill No. 576
Assembly Bill No. 1630
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 64
Assembly Bill No. 831
Assembly Bill No. 1504
Assembly Bill No. 1505
Assembly Bill No. 1683
Assembly Bill No. 1689
Assembly Bill No. 1734
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1636
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files read the second time, with appropriate actions taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Unruh seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1630, 1434, 575, 576, 1360, 1361, 1362,** and **1364.**

Assembly Bills Nos. 1630, 575, and 576 ordered to the Consent Calendar.

Assembly Bills Nos. 1434, 1360, 1362, and 1364 ordered to third reading.

Assembly Bill No. 1361 ordered to third reading, subsequent to engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1590**—An act to add Sections 153 and 154 to the Streets and Highways Code, relating to the erection of signs on freeways.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

On page 1, line 4, of the printed bill, after "having", insert "an established community name and".

#### Amendment No. 2

On page 1, line 5, after "freeway", insert "and near an off-ramp thereof,".

#### Amendment No. 3

On page 1, line 7, after "freeway", strike out the period, and insert "; but this provision shall not be construed to require the designation of more than one business district at any one off-ramp."

#### Amendment No. 4

On page 1, line 13, strike out "tenth", and insert "fraction".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 719**—An act to add Section 1816 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the reporting of traffic violations committed by minors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1424**—An act to amend Sections 25803, 35103 and 35104 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to overwidth implements of husbandry.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in the Assembly on April 1, 1959, after "visible", insert "under normal atmospheric conditions".

Amendment No. 2

On page 2, line 17, strike out "When an implement of hus-".

Amendment No. 3

On page 2, between lines 17 and 18, insert "When an implement of hus-".

Amendment No. 4

On page 2, line 18, after "highway", insert "which is a part of the National System of Interstate and Defense Highways (as referred to in Section 108 of the Federal-aid Highway Act of 1956)".

Amendment No. 5

On page 2, after line 22, insert

"When an implement of husbandry is transported or moved over any other highway as a load on another vehicle, if such load exceeds 120 inches in width, the vehicle and load shall not be operated for a distance in excess of 25 miles from the point of origin of the trip and shall not be operated at a speed in excess of 30 miles per hour."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 949**—An act to amend Section 18370 of, and to add Section 18371 to, the Health and Safety Code, relating to trailer coaches, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 25, 1959, strike out lines 16 through 21, inclusive, and insert

"18371 The Division of Housing shall adopt specific rules and regulations, in accordance with established practices of engineers and designers within the trailer coach industry, for plumbing, heating and electrical equipment contained in those trailer coaches which:".

Amendment No. 2

On page 2, line 22, strike out "Having", and insert "Have".

Amendment No. 3

On page 2, line 24, strike out "Designed", and insert "Are designed".

**Amendment No. 4**

On page 2, line 26, strike out "Not", and insert "Are not".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1709**—An act to amend Section 35407 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to water well drilling and servicing equipment on vehicles.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 221**—An act to add Section 18c to the Penal Code, relating to the death penalty.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, as amended in the Assembly on March 18, 1959, strike out lines 3 to 5, inclusive, and insert

"18c. (a) No death penalty shall be imposed by any court, or be inflicted, upon any person in this State for a period of eight years after the effective date of this section."

**Amendment No. 2**

On page 1, line 6, strike out "In any case in", and insert "If any person is convicted during the eight-year period, referred to in subdivision (a), of any offense for".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means

**Assembly Bill No. 317**—An act to add Section 1773.1 to the Labor Code, relating to per diem wages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, after line 7, of the printed bill, insert

"For the purpose of determining such per diem wages for contracts entered into with the State, the representative of any craft, classification or type of workman needed to execute the contracts entered into with the State shall file with the Department of Industrial Relations copies of the collective bargaining agreements for the particular craft, classification or type of work involved."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of, and add Sections 5829.1 and 5829 to, the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 30, 1959, between lines 27 and 28, insert

"In the event of default the State shall proceed forthwith by means of legal action to recover such defaulted loans."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 419**—An act to add Chapter 8 5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1116**—An act to amend Sections 7493, 7660, 7670, 7675, 7852, 7916, 8126, 8128, 8147, 8148, 8149, 8191, 8307 and the heading of Article 4 (commencing at Section 7916) of Chapter 6 of Part 2 of Division 2 of the Revenue and Taxation Code, to repeal Article 5 (commencing at Section 7751) of Chapter 5 of Part 2 of Division 2 and Section 7981 of said code, and to add thereto Sections 7676, 7711.5, 8149.5 and 8404 and Articles 1.5 (commencing at Section 7861) and 2.5 (commencing at Section 7881) to Chapter 6 of Part 2 of Division 2 of said code, all relating to the motor vehicle fuel license tax.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1177**—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211 5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190 1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 628**—An act to amend Section 703 of the Streets and Highways Code, relating to relocation of utilities in state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 2, 1959, strike out "any utility whether publicly or privately owned to", and insert "a publicly owned utility to".

**Amendment No. 2**

On page 1, lines 5 and 6, strike out "used solely to supply water which facility is".

**Amendment No. 3**

On page 1, between lines 9 and 10, insert

"Whenever the department requires any utility, whether publicly or privately owned, to relocate within a freeway any utility facility used solely to supply water, which facility is lawfully maintained in any freeway which was not a state highway at the time the utility facility was originally installed, the department shall pay the cost of the relocation."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1042**—An act to amend Sections 8707, 8714, 9301, 9776, and 10451, of the Revenue and Taxation Code, relating to the use fuel and motor vehicle transportation license tax laws.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "refund", insert "except as provided in Section 9151".

**Amendment No. 2**

On page 2, line 10, after "refund", insert "except as provided in Section 9151".

**Amendment No. 3**

On page 2, line 25, after "refund", insert "except as provided in Section 10251".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 871**—An act to amend Section 2350 and Section 2351 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and Section 2351".

**Amendment No. 2**

On page 1, line 4, after "city", insert "which is not situated within the district".

**Amendment No. 3**

On page 1, line 4, strike out "incorporation,".

**Amendment No. 4**

On page 1, line 4, strike out ", or otherwise".

**Amendment No. 5**

On page 1, line 5, strike out "subject to", and insert "provided, that notice of the intended withdrawal of such portion of the district shall be given to the district board at least 15 days prior to the adoption of a resolution declaring such portion withdrawn from the district.

Whenever any portion of a district is included within a city by reason of the incorporation of the city, such portion may be withdrawn from the district if the State Department of Public Health certifies that the program of mosquito abatement and gnat control which the city proposes to undertake is at least equal to the program of the district."

**Amendment No. 6**

On page 1, strike out lines 6 to 13, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 872**—An act to amend Section 2330 of, and to add Section 233.6 to, the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out ", or any noncontiguous territory"; strike out line 5; and in line 6, strike out "tional distance as determined by the board,".

**Amendment No. 2**

On page 1, line 7, after the period, insert "Noncontiguous territory may be annexed to a district if the board of supervisors of each county in which a portion of the territory proposed to be annexed is situated determines, by resolution, that such portion of the territory is within a reasonable operational distance of the district."

**Amendment No. 3**

On page 2, line 7, after the first 'the", insert "territory to the".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1316**—An act to amend Sections 34302 and 34304 of the Government Code, relating to the incorporation of cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "2000", and insert "500".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1674**—An act to amend Sections 65503 and 65505 of the Government Code, relating to vote required for change of master plan.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "65505", and insert "65652".

**Amendment No. 2**

In line 2 of the title, after "plan", insert "and precise plan"

**Amendment No. 3**

On page 1, line 3, after "plan", insert ", or of any amendment, extension, or addition to it,"

**Amendment No. 4**

On page 1, line 6, strike out "two-thirds", and insert 'a majority".

**Amendment No. 5**

On page 1, strike out lines 7 to 14, inclusive, and insert

"SEC. 2. Section 65652 of said code is amended to read:

65652. The recommendation of any precise plan or regulation, or of any amendment to it, shall be by resolution of the commission carried by the affirmative votes of not less than ~~two-thirds~~ *a majority* of its total voting members."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 622**—An act to amend Section 5281 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "commencement", insert ", which".

**Amendment No. 2**

On page 1, strike out line 4, and insert "shall not be more than 45 days from the date of the contract,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 884**—An act to add Article 6 (commencing at Section 35400) to Chapter 1, Part 2, Division 2, Title 4, of the Government Code, relating to the annexation of territory to cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, as amended in the Assembly on March 3, 1959, strike out "a contiguous", and insert "such".

**Amendment No. 2**

On page 1, lines 18 and 19, strike out "contiguous", and insert "surrounded".

**Amendment No. 3**

On page 1, line 21, strike out "a contiguous", and insert "the".

**Amendment No. 4**

On page 1, line 22, after "city", insert "which surrounds the territory".

**Amendment No. 5**

On page 2, line 8, strike out "clerk of the legislative bodies of all cities whose"; and strike out all of line 9, and insert "landowners within the territory proposed to be annexed."

**Amendment No. 6**

On page 2, lines 10 and 11, strike out "Any city with boundaries contiguous to the territory sought to be annexed or any", and insert "Any".

**Amendment No. 7**

On page 2, line 13, after "supervisors.", insert "If any protest is filed the supervisors shall hold a public hearing thereon at which time any interested party may present testimony."

Amendment No. 8

On page 2, after line 44, insert

"35412. Territory which first became surrounded by a city subsequent to July 1, 1951, shall not be subject to annexation under the provisions of this article."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1021**—An act to add Chapter 7 (commencing with Section 60200) to Division 1 of Title 6 of the Government Code, relating to destruction of records of special districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1202**—An act to amend Section 25123 of the Government Code, and Section 1651 of the Elections Code, relating to effective date of county ordinances.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1435**—An act to amend Section 5302.6 of the Streets and Highways Code, relating to the Improvement Act of 1911, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1511**—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1765**—An act to add Section 25083 to the Government Code, relating to the canvass of local or special election votes by board of supervisors on regular meeting day.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 921**—An act to repeal Section 26204 of the Government Code, relating to war histories of counties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1091**—An act to amend Section 2422 of the Education Code, Section 1723 of the Education Code, as proposed by Senate Bill No. 2, Section 7920 of the Elections Code, Section 1180 of the Military and Veterans Code, and Section 22229 of the Public Utilities Code, relating to the classification of cities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1100**—An act to add Section 14115 to the Health and Safety Code, relating to local fire protection districts.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1343**—An act to amend Sections 967 and 969 of, and to repeal Chapter 6 (commencing at Section 880) of Part 2 of

Division 1 of the Health and Safety Code, relating to local health districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1671**—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 484**—An act to amend Section 35002.3 of the Government Code, relating to the annexation of territory by cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", to add Section 35200.1 to, and to repeal Sections 35158 and 35326 of".

**Amendment No. 2**

On page 1, between lines 2 and 3, insert

"35002.3. Territory shall not be annexed to a city if as a result of such annexation *(1) unincorporated territory is completely surrounded by the annexing city; (2) unincorporated territory less than one square mile in area is completely surrounded by the annexing city and any other adjacent city or cities; (3)* a strip of unincorporated territory less than 200 feet wide ~~and 300 feet long~~ is created *; or (4) a strip of unincorporated territory consisting solely of a highway or portion thereof is created*.

This section shall apply only to annexation proceedings commenced or instituted after the effective date of this act.

~~This section shall be effective until the ninety-first day after final adjournment of the 1959 Regular Session of the Legislature.~~

SEC. 2. Section 35200.1 is added to said code, to read:

35200.1. When any proceedings for annexation of territory to a city are commenced pursuant to this article, the provisions of Article 1 of this chapter and of this article alone apply.

SEC. 3. Sections 35158 and 35326 of said code are repealed."

**Amendment No. 3**

On page 1, strike out lines 3 to 7, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1074**—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, 760, 1839, 1840, 1841, 1842, 1843 of, and to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the

Statutes of 1949, relating to the assessment and equalization of property for tax purposes.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

### Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", 1839, 1840, 1841, 1842, 1843 of, and," and insert "of,".

### Amendment No. 2

In line 4 of the title after "1838," insert "1839, 1840, 1841, 1842, 1843".

### Amendment No. 3

In line 6 of the title, after "of," insert "and to add Sections 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to,".

### Amendment No. 4

In line 7 of the title, after "relating to", strike out "the".

### Amendment No. 5

In line 8 of the title, strike out "assessment and equalization of".

### Amendment No. 6

In line 8 of the title, strike out "for tax purposes", and insert "taxation".

### Amendment No. 7

On page 2, strike out lines 38 to 50, inclusive, and insert

"SEC. 7. Section 1815 is added to said code, to read:

1815. To enable the board to perform its duties under this article and Sections 9 and 14 of Article XIII of the State Constitution, the board shall make a survey, not less often than triennially, in each county to determine the total full cash value of all locally assessable tangible property as of the lien date for the last equalized roll. As a basis for this determination, the board shall ascertain the full cash value of a sample of locally assessable tangible property sufficient in size and dispersion to insure an adequate representation therein of the several classes of property throughout the county. The board shall for such purposes have access by its duly authorized representatives to all records, public or otherwise of any county assessor. The board shall make surveys each year in no fewer than 18 and no more than 22 counties.

SEC. 8. Section 1816 is added to said code, to read:

1816. As soon as appraisals have been made in any county by the board pursuant to Section 1815, the board shall give the assessor of the county a reasonable opportunity to examine and discuss the appraisals with the board's appraisers.

SEC. 9. Section 1817 is added to said code, to read:

1817. After completing a survey pursuant to Section 1815, the board shall estimate any change that may have occurred in the full cash value of locally assessable tangible property between the lien date of the roll for which the survey was made and the lien date of the current roll. The board shall use as the basis for such estimate data on school enrollment, retail sales, wages, or other factors reasonably indicative of change or lack of change in the total full cash value of the property. The relationship between the total assessed value of the tangible property on the current local roll and the total full cash value of locally assessable tangible property so estimated shall be computed for each county of the State by the third Monday in July of each year. The board shall transmit promptly to each county assessor a statement of its determination relating to his county.

SEC. 10. Section 1818 is added to said code, to read:

1818. The board shall each year prepare tabulations showing for each county the ratio of assessed to full cash value of tangible property subject to local assessment. The tabulations shall show the ratio of assessed to full cash value of individual parcels of such tangible property in the sample of any survey in the county made pursuant to Section 1815, as well as the calculations by which the ratio of assessed to market value of tangible property for the county is determined from the ratios applicable to individual properties within the county. The tabulations shall also show the data used, pursuant to Section 1817, to estimate the total full cash value of the tangible property on the current local roll from the total full cash value of the tangible property on the local roll of a prior year, as well as the statistical methods used to arrive at the determination.

SEC. 11. Section 1819 is added to said code, to read:

1819. As soon as tabulations have been made pursuant to Section 1818, the board shall give the assessor of each county a reasonable opportunity to examine and discuss with the board that portion of the tabulations affecting property in his county.

SEC 12. Section 1820 is added to said code, to read:

1820. No appraisal data relating to individual properties obtained for the purposes of any survey under this chapter shall be made public, and no state or local officer gaining knowledge thereof in any action taken under this chapter shall make any disclosure with respect thereto except as that may be required for the purposes of this chapter. Nothing herein shall prohibit disclosure of appraisal data by the assessor to the assessee of the property to which the data relate.

SEC. 13. Section 1821 is added to said code, to read:

1821. The board shall meet at the State Capital during July and August of each year for the performance of its duties under this article and Sections 1 and 9 of Article XIII of the State Constitution. While so in session, under rules of notice prescribed by the board, it shall equalize the assessment of property as prescribed by law. If the number of such matters to be heard, or the amount of time required to hear them, prevents the board from concluding this session by August 10th, the board may continue its equalization proceedings to and including August 20th, and may defer its final action on the equalization of assessments accordingly, but it shall not hear any matter as to which timely applicaion or notice as not been made or given during July.

SEC. 14. Section 1822 is added to said code, to read:

1822. Equalization by the board of the valuation of taxable property in counties for the purposes of taxation shall be by raising or lowering the value of tangible property entered upon the secured roll by the assessor of the county.

SEC. 15. Section 1823 is added to said code, to read:

1823 If any county, city and county, or municipal corporation desires to secure a review, equalization, or adjustment of the assessment of its property by the board in pursuance of Section 1 of Article XIII of the State Constitution, it shall apply to the board therefor in writing before the third Monday in July, or within two weeks after the completion of the local roll containing such assessment, whichever is the later. The application shall show the facts claimed to require action of the board, and a copy thereof shall be filed with the assessor whose assessment is questioned.

SEC. 16. Section 1824 is added to said code, to read:

1824 The final action of the board in equalizing an assessment or a local roll shall be performed only at the State Capital. When the equalization is completed, the secretary of the board shall transmit to each county auditor and board of supervisors and each city council involved a statement of.

(a) The changes made by the board in the local roll

(b) The per centum to be added to or deducted from the valuation of the roll

This statement is prima facie evidence of the regularity of all proceedings of the board resulting in the action which is the subject matter of the statement

SEC 17 Section 1825 is added to said code, to read

1825 As soon as the auditor receives from the board the statement of its equalization, he shall enter the corresponding changes in a column provided with a proper heading on the roll, counting any fractional sum when more than five dollars ($5) as ten dollars ($10), and ommitting it when five dollars ($5) or less, so that no separate valuation contains a fraction of ten dollars ($10), and he shall add the column to show the total value of the property in the county as corrected by the board.

SEC 18 In making any determinations under Section 1817 of the Revenue and Taxation Code in the years 1960, 1961, and 1962, the board shall use for any county the latest comparable survey previously made by it for the county in lieu of a survey made pursuant to Section 1815 of that code."

**Amendment No. 8**

On page 3, strike out lines 1 to 37, inclusive.

**Amendment No. 9**

On page 3, line 38, strike out "SEC. 12", and insert "SEC. 19".

**Amendment No. 10**

On page 3, line 39, after "1838," insert "1839, 1840, 1841, 1842, 1843,".

**Amendment No. 11**

On page 3, line 43, strike out "13", and insert "20".

**Amendment No. 12**

On page 3, line 44, strike out "the sections", and insert "Sections 753, 754, 755, 756, 757, and 758".

**Amendment No. 13**

On page 3, line 45, strike out "amended or amended and renumbered by", and insert "as they existed prior to the enactment of".

**Amendment No. 14**

On page 3, line 47, strike out "the enactment of", and insert "said".

**Amendment No. 15**

On page 3, line 47, following "1466", strike out the comma, and insert a semicolon.

**Amendment No. 16**

On page 3, line 48, strike out "and that", and insert "that Sections 1831, 1832, 1833, 1834, and 1882.5 as they existed prior to the enactment of Chapter 1466 of the Statutes of 1949 and as amended and renumbered as Sections 1839, 1840, 1842, 1843, and 1841, respectively, by said Chapter 1466 be repealed; that".

**Amendment No. 17**

On page 3, line 49, after "repealed", insert "; and that Sections 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824 and 1825 of the Revenue and Taxation Code added by this act shall constitute Article 1, Chapter 2, Part 3, Division 1, of the Revenue and Taxation Code".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1475**—An act to amend Sections 14400, 14501, 14504, and 14540 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 1 of the title of the printed bill after "of", insert "and add Section 14400.5 to".

**Amendment No. 2**

On page 2 after line 45, insert

"SEC. 5. Section 14400.5 is added to said code to read:

14400.5. Upon the inclusion within a fire protection district of lands declared, pursuant to Article 1 (commencing at Section 4000), Chapter 1, Division 4 of the Public Resources Code to be the primary responsibility of the State for fire protection, the primary fire protection responsibility for such lands shall remain with the State."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1577**—An act amending Sections 31460, 31527, 31602, 31680, 31720.2, 31765, 31765.1, 31780 and 31787 of, repealing Section 31646 of, and adding Sections 31481, 31681.4, and 31739.2, to, the Government Code, relating to county retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "31720.2", and insert "31720".

**Amendment No. 2**

In line 2 of the title, strike out "Section 31646", and insert "Sections 31646 and 31720.2".

**Amendment No. 3**

On page 3, between lines 35 and 36, insert

"SEC. 6.5. Section 31720 of said code is amended to read:

31720. Any member permanently incapacitated for the performance of duty shall be retired for disability regardless of age if, and only if:

(a) His incapacity is a result of injury or disease arising out of and in the course of his employment, or

*(b)* He has completed ~~10~~ *five* years of service .~~; and~~

~~(b) The county, district, or court by which he was employed does not require the passing of a physical examination as a prerequisite to full-time permanent employment in a position in the classified civil service or he is in a position not in the classified civil service or he has passed such an examination.~~"

**Amendment No. 4**

On page 3, strike out lines 36 to 42, inclusive, and insert

"SEC. 7. Section 31720.2 of said code is hereby repealed."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1601**—An act to add Section 27206 to the Government Code, relating to federal tax liens.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 6, inclusive; in line 7 strike out "tificate pursuant to", and insert

"27206. The county recorder may destroy federal tax liens together with any release of said liens eight years after the lien was filed in his office, provided a microfilm copy of each unreleased tax lien has been made and certified in the manner provided for in".

**Amendment No. 2**

On page 1, line 10, after "original", insert "copy of the".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1677**—An act to amend Section 61600 of the Government Code, relating to powers and duties of community service districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, line 6, of the printed bill, after "county", insert "or city".

**Amendment No. 2**

On page 2, line 11, after "county", insert "or city".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 885**—An act to amend Sections 1652 and 1663 of the Labor Code, relating to artists' managers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Sections 1652 and 1663", and insert "add Chapter 4 (commencing at Section 1700) to Part 6, Division 2 and to repeal Sections 1650 to 1663, inclusive,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 4 (commencing at Section 1700) is added to Part 6, Division 2 of the Labor Code, to read:

CHAPTER 4. ARTISTS' MANAGERS

Article 1. Scope and Definitions

1700 As used in this chapter, "person" means any individual, company, society, firm, partnership, association, corporation, manager, or their agents or employees.

1700.1 As used in this chapter:

(a) "Theatrical engagement" means any engagement or employment of a person as an actor, performer, or entertainer in a circus, vaudeville, theatrical, or other entertainment, exhibition, or performance."

(b) "Motion picture engagement" means any engagement, or employment of a person as an actor, actress, director, scenario, or continuity writer, cameraman, or in any capacity concerned with the making of motion pictures.

(c) "Emergency engagement" means an engagement which has to be performed within 24 hours from the time when the contract for such engagement is made.

1700.2. As used in this chapter, "fee" means.

(a) Any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by any person conducting the business of an artists' manager under this chapter.

(b) Any money received by any person in excess of that which has been paid out by him for transportation, transfer of baggage, or board and lodging for any applicant for employment.

(c) The difference between the amount of money received by any person who furnished employees, performers, or entertainers for circus, vaudeville, theatrical or other entertainments, exhibitions, or performances, and the amount paid by him to such employee, performer, or entertainer

1700.3. As used in this chapter:

(a) "License" means a license issued by the Labor Commissioner to carry on the business of an artists' manager under this chapter.

(b) "Licensee" means an artists' manager which holds a valid, unrevoked and unforfeited license under this chapter.

1700.4. An artists' manager is hereby defined to be a person who engages in the occupation of advising, counseling, or directing artists in the development or advancement of their professional careers and who procures, offers, promises or attempts to procure employment or engagements for an artist only in connection with and as a part of the duties and obligations of such person under a contract with such artist by which such person contracts to render services of the nature above mentioned to such artist.

The word "artists" as used herein refers to actors and actresses, rendering services on the legitimate stage and in the production of motion pictures; radio artists; musical artists; musical organizations; directors of legitimate stage, motion picture and radio productions; musical directors, writers; cinematographers; composers, lyricists; arrangers; and other artists and persons rendering professional services in motion picture, theatrical, radio, television and other entertainment enterprises.

Article 2. Licenses

1700.5. No person shall engage in or carry on the occupation of an artists' manager without first procuring a license therefor from the Labor Commissioner. Such license shall be posted in a conspicuous place in the office of the licensee.

1700.6. A written application for a license shall be made to the Labor Commissioner in the form prescribed by him and shall state:

(a) The name and address of the applicant.

(b) The street and number of the building or place where the business of the artists' manager is to be conducted.

(c) The business or occupation engaged in by the applicant for at least two years immediately preceding the date of application.

(d) The names and addresses of all persons, except bona fide employees on stated salaries, financially interested, either as partners, associates or profit sharers, in the operation of the agency in question, together with the amount of their respective interests.

The application must be accompanied by affidavits of at least two reputable residents of the city or county in which the business of the artists' manager is to be conducted that the applicant is a person of good moral character.

1700.7. Upon receipt of an application for a license the Labor Commissioner may cause an investigation to be made as to the character and responsibility of the applicant and of the premises designated in such application as the place in which it is proposed to conduct the business of the artists' manager

1700.8. The commissioner upon proper notice and hearing may refuse to grant a license. The proceedings shall be conducted in accordance with Chapter 5 (commencing at Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code and the commissioner shall have all the power granted therein.

1700.9. No license shall be granted to conduct the business of an artists' manager:

(a) In rooms used for living purposes.

(b) Where boarders or lodgers are kept.

(c) Where meals are served.

(d) Where persons sleep.

(e) In connection with a building or premises where intoxicating liquors are sold or consumed.

(f) In connection with pool halls or soft drink parlors.

(g) To a person whose license has been revoked within three years from the date of application

1700.10. Each license shall run to and including the thirty-first day of March next following the date thereof unless sooner revoked by the Labor Commissioner and may be renewed each year upon the filing of an application for renewal, a renewed bond, and the payment of the annual license fee, but the Labor Commissioner may demand that a new application and bond be submitted.

1700.11. All applications for renewal shall state the names and addresses of all persons, except bona fide employees on stated salaries, financially interested either as partners, associates or profit sharers, in the operation of the artists' manager.

1700.12. A filing fee of twenty-five dollars ($25) shall be paid to the Labor Commissioner at the time the application for issuance of an artists' manager license is filed.

In addition to the filing fee required for application for issuance of an artists manager license, every artists' manager shall pay to the Labor Commissioner annually at the time a license is issued or renewed:

(a) A license fee of fifty dollars ($50).

(b) Twenty-five dollars ($25) for each branch office maintained by the artists' manager in this State.

1700.13. A filing fee of twenty-five dollars ($25) shall be paid to the Labor Commissioner at the time application for consent to the transfer or assignment of an artists' manager license is made but no license fee shall be required upon the assignment or transfer of a license.

The location of an artists' manager shall not be changed without the written consent of the Labor Commissioner.

1700.14. A person may apply for both an employment agency license and an artists' manager license as provided for in this code, and in such event shall pay a single fee for filing an application for such licenses, for the transfer or assignment of such licenses, for such annual licenses or branch office licenses, or for annual renewals thereof, as prescribed in Article 2 (commencing at Section 1581) of Chapter 1, Part 6, Division 2 or as provided in this chapter, whichever is the higher.

1700.15. An artists' manager shall also deposit with the Labor Commissioner, prior to the issuance or renewal of a license, a surety bond in the penal sum of one thousand dollars ($1,000).

1700.16. Such surety bonds shall be payable to the people of the State of California, and shall be conditioned that the person applying for the license will comply with this chapter and will pay all sums due any individual or group of individuals when such person or his representative or agent has received such sums, and will pay all damages occasioned to any person by reason of misstatement, misrepresentation, fraud, deceit, or any unlawful acts or omissions of the licensed artists' manager, or its agents or employees, while acting within the scope of their employment.

1700.17. If any licensee fails to file a new bond with the Labor Commissioner within 30 days after notice of cancellation by the surety of the bond required under Section 1700.15, the license issued to the principal under the bond is suspended until such time as a new surety bond is filed. A person whose license is suspended pursuant to this section shall not carry on the business of an artists' manager during the period of such suspension.

1700 18. All moneys collected for licenses and all fines collected for violations of the provisions of this chapter shall be paid into the State Treasury and credited to the General Fund.

1700.19. Each license shall contain:

(a) The name of the licensee.

(b) A designation of the city, street and number of the house in which the licensee is authorized to carry on the business of an artists' manager.

(c) The number and date of issuance of the license.

1700.20. No license shall protect any other than the person to whom it is issued nor any places other than those designated in the license. No license shall be transferred or assigned to any person unless written consent is obtained from the Labor Commissioner.

1700 21. The Labor Commissioner may revoke or suspend any license when it is shown that:

(a) The licensee or his agent has violated or failed to comply with any of the provisions of this chapter, or

(b) The licensee has ceased to be of good moral character, or

(c) The conditions under which the license was issued have changed or no longer exist

1700 22. Before revoking or suspending any license, the Labor Commissioner shall afford the holder of such license an opportunity to be heard in person or by counsel. The proceedings shall be conducted in accordance with Chapter 5 (commencing at Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted therein

Article 3. Operation and Management

1700.23. Every artists' manager shall submit to the Labor Commissioner a form or forms of contract to be utilized by such artists' manager in entering into written contracts with artists for the employment of the services of such artists' manager by such artists, and secure the approval of the Labor Commissioner thereof Such approval shall not be withheld as to any proposed form of contract unless such proposed form of contract is unfair, unjust and oppressive to the artist. Each such form of contract, except under the conditions specified in Section 1700.44 of this code, shall contain an agreement by the artists' manager to refer any controversy between the artist and the artists' manager relating to the terms of the contract to the Labor Commissioner for adjustment. There shall be printed on the face of the contract in prominent type the following: "This artists' manager is licensed by the Labor Commissioner of the State of California."

1700.24. Every person engaged in the occupation of an artists' manager shall file with the Labor Commissioner a schedule of fees to be charged and collected in the conduct of such occupation, and shall also keep a copy of said schedule posted in a conspicuous place in the office of such artists' manager. Changes in the schedule may be made from time to time, but no change shall become effective until seven days after the date of filing thereof with the Labor Commissioner, and until posted for not less than seven days in a conspicuous place in the office of such artists' manager.

1700.25. Before making any theatrical engagement, other than an emergency engagement, every person doing business as an artists' manager, shall prepare, sign, and keep in his files a verified statement setting forth how long the applicant employer has been engaged in the theatrical business. Such statement shall set forth whether or not the applicant employer has failed to pay salaries or left stranded any companies, in which the applicant employer, and if a corporation, any of its officers or directors, have been financially interested during the five years preceding the date of application and, further shall set forth the names of at least two persons as references. If the applicant is a corporation, the statement shall set forth the names of the officers and directors thereof and the length of time the corporation or any of its officers have been engaged in the theatrical business and the amount of its paid-up capital stock. If any allegation in the statement is made upon information and belief, the person verifying the statement shall set forth the sources of his information and the grounds of his belief. The statement shall be kept for the benefit of any person whose services are sought by any such applicant employer.

1700 26. Every artists' manager shall keep records approved by the Labor Commissioner, in which shall be entered: (1) The name and address of each artist employing such artists' manager; (2) the amount of fee received from such artist; (3) the employment in which such artist is engaged at the time of employing such artists' manager, and the amount of compensation of the artist in such employment, if any, and the employments subsequently secured by such artist during the term of the contract between the artist and the artists' manager, and the amount of compensation received by the artists pursuant thereto; and (4) other informaion which the Labor Commissioner requires.

No artists' manager, his agent or employees, shall make any false entry in any such records.

1700.27. All books, records, and other papers kept pursuant to this chapter by any artists' manager shall be open at all reasonable hours to the inspection of the Labor Commissioner and his agents. Every artists' manager shall furnish to the Labor Commissioner upon request a true copy of such books, records, and papers or any portion thereof, and shall make such reports as the Labor Commissioner prescribes.

1700.28 Every artists' manager shall post in a conspicuous place in the office of such artists' manager a printed copy of this chapter and of such other statutes as may be specified by the Labor Commissioner. Such copies shall also contain the name and address of the officer charged with the enforcement of this chapter. The Labor Commissioner shall furnish to artists' managers printed copies of any statute required to be posted under the provisions of this section.

1700 29. The Labor Commissioner may, in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code, adopt, amend, and repeal such rules and regulations as are reasonably necessary for the purpose of enforcing and administering this chapter and as are not inconsistent with this chapter.

1700.30. No licensee shall sell, transfer or give away any interest in or the right to participate in the profits of the artists' manager without the written consent of the Labor Commissioner. A violation of this section shall constitute a misdemeanor, and shall be punishable by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or imprisonment for not more than 60 days, or both.

1700.31. No artists' manager shall knowingly issue a contract for employment containing any term or condition which, if complied with, would be in violation of law, or attempt to fill an order for help to be employed in violation of law.

1700.32. No artists' manager shall publish or cause to be published any false, fraudulent, or misleading information, representation, notice, or advertisement. All advertisements of an artists' manager by means of cards, circulars, or signs, and in newspapers and other publications, and all letterheads, receipts, and blanks shall be printed and contain the licensed name and address of the artists' manager and the word "artists' manager." No artists' manager shall give any false information or make any false promises or representations concerning an engagement or employment to any applicant who applies for an engagement or employment.

1700 33. No artists' manager shall send or cause to be sent, any woman or minor under the age of 21 years, as an employee to any house of ill fame, to any house or place of amusement for immoral purpose, to places resorted to for the purposes of prostitution, or to gambling houses, the character of which places the artists' manager could have ascertained upon reasonable inquiry

1700 34. No artists' manager shall send any minor under the age of 18 years to any saloon or place where intoxicating liquors are sold to be consumed on the premises.

1700 35. No artists' manager shall knowingly permit any persons of bad character, prostitutes, gamblers, intoxicated persons, or procurers to frequent such place of business.

1700 36. No artists' manager shall accept any application for employment made by or on behalf of any child, or shall place or assist in placing any such child in any employment whatever in violation of Part 4 of this division.

1700 37 A minor cannot disaffirm a contract, otherwise valid, entered into with a duly licensed artists' manager to secure him an engagement as an actor, performer, or entertainer, the blank form of which has been approved by the Labor Commissioner pursuant to Section 1700 22 where such contract has been approved by the superior court of the county where such minor resides or is employed

Such approval may be given by the superior court on the petition of either party to the contract after such reasonable notice to the other party thereto as may be fixed by said court, with opportunity to such other party to appear and be heard.

1700.38. No artists' manager shall knowingly secure employment for an artist in any place where a strike, lockout, or other labor trouble exists, without notifying the artist of such conditions.

1700 39. No artists' manager shall divide fees with an employer, an agent or other employee of an employer

1700 40 In the event that an artists' manager shall collect from an artist a fee or expenses for obtaining employment for the artist, and the artist shall fail to procure such employment, or the artist shall fail to be paid for such employment, such artists' manager shall, upon demand therefor, repay to the artist the fee and expenses so collected Unless repayment thereof is made within forty-eight (48) hours after demand therefor, the artists' manager shall pay to the artist an additional sum equal to the amount of the fee

1700.41. In cases where an artist is sent by an artists' manager beyond the limits of the city in which the office of such artists' manager is located upon the representation of such artists' manager that employment of a particular type will there be available for the artist and the artist does not find such employment available, such artists' manager shall reimburse the artist for any actual expenses

incurred in going to and returning from the place where the artist has been so sent unless the artist has been otherwise so reimbursed.

1700.42. All actions brought in any court against any licensee may be brought in the name of the person damaged upon the bond deposited with the State by the licensee, and may be transferred and assigned as other claims for damages. The amount of damages claimed by plaintiff, and not the penalty named in the bond, determines the jurisdiction of the court in which the action is brought.

1700.43. When a licensee has departed from the State with intent to defraud creditors or to avoid service of summons in an action brought under this chapter, service shall be made upon the surety as prescribed in the Code of Civil Procedure. A copy of the summons shall be mailed to the licensee at the last known post office address of his residence and also at the place where the business of the artists' manager was conducted as shown by the records of the Labor Commissioner. Service is complete as to such licensee, after mailing, at the expiration of the time prescribed by the Code of Civil Procedure for service of summons in the particular court in which suit is brought.

1700.44. In all cases of controversy arising under this chapter the parties involved shall refer the matters in dispute to the Labor Commissioner, who shall hear and determine the same, subject to an appeal within 10 days after determination, to the superior court where the same shall be heard de novo. To stay any award for money, the party aggrieved shall execute a bond approved by the superior court in a sum not exceeding twice the amount of the judgment. In all other cases the bond shall be in a sum of not less than one thousand dollars ($1,000) and approved by the superior court.

1700.45. Notwithstanding Section 1700.43 of the Labor Code and Section 1280 of the Code of Civil Procedure, a provision in a contract providing for the decision by arbitration of any controversy under the contract or as to its existence, validity, construction, performance, nonperformance, breach, operation, continuance, or termination, shall be valid

(a) If the provision is contained in a contract between an artists' manager and a person for whom such artists' manager under the contract undertakes to endeavor to secure employment.

(b) If the provision is inserted in the contract pursuant to any rule, regulation, or contract of a bona fide labor union regulating the relations of its members to an artists' manager.

(c) If the contract provides for reasonable notice to the Labor Commissioner of the time and place of all arbitration hearings, and

(d) If the contract provides that the Labor Commissioner or his authorized representative has the right to attend all arbitration hearings

Except as otherwise provided in this section, any such arbitration shall be governed by the provisions of Title 9 (commencing at Section 1280) of Part 3 of the Code of Civil Procedure.

If there is such an arbitration provision in such a contract, the contract need not provide that the artists' manager agrees to refer any controversy between the applicant and the artists' manager regarding the terms of the contract to the Labor Commissioner for adjustment, and Section 1700.43 shall not apply to controversies pertaining to the contract

1700.46. Any person, or agent or officer thereof, who violates any provision of this chapter is guilty of a misdemeanor, punishable by a fine of not less than twenty-five dollars ($25) nor more than two hundred fifty dollars ($250) or imprisonment for a period of not more than 60 days, or both.

SEC. 2. Sections 1650 to 1663, inclusive, of said code are repealed."

**Amendment No. 3**

On page 1, strike out lines 2 to 22, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 189**—An act to amend Section 3.6 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Ch. 547, Stats. 1957), relating to the Los Angeles Metropolitan Transit Authority.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 3.6", and insert "Sections 3.6 and 4.24".

**Amendment No. 2**

On page 2, line 50, after "protection", insert "Employees shall be free from the interference, restraint or coercion of the authority or its agents, in the designation of such representatives or in self-organization or in other concerted activities for purposes of collective bargaining or other mutual aid or protection."

**Amendment No. 3**

On page 3, line 48, after "bargaining.", insert "The participation of the authority in such hearing shall be limited to the presentation of such factual data and information as the hearing officer shall deem relevant."

**Amendment No. 4**

On page 5, after line 14, insert

"(h) The obligation of the authority to bargain in good faith with a duly designated or certified labor organization and to execute a written collective bargaining agreement with such labor organization covering the wages, hours and working conditions of the employees represented by such labor organization in an appropriate unit, and to comply with the terms thereof shall not be limited or restricted by the provisions of the Government Code or other laws or statutes and the obligation of the authority to bargain collectively shall extend to all subjects of collective bargaining which are or may be proper subjects of collective bargaining with a private employer. Notwithstanding the provisions of the Government Code or other laws or statutes, the authority shall make deductions from wages and salaries of its employees upon receipt of authorization therefor for the payment of union dues, fees or assessments, for the payment of contributions pursuant to any health and welfare plan or pension plan or for any other purpose for which deductions may be authorized by employees of any private employer, where such deductions are pursuant to a collective bargaining agreement with a duly designated or certified labor organization.

SEC. 2. Section 4.24 of said act is amended to read:

Sec. 4.24. ~~The authority may provide for a civil service or retirement system or both, for any or all employees and may provide for the hiring of employees under such a system as may be necessary to carry out the powers of the authority.~~ *The authority may provide for a retirement system; provided, that the adoption, terms and conditions of any retirement system covering employees of the authority represented by a labor organization in accordance with Section 3.6 shall be pursuant to a collective bargaining agreement between such labor organization and the authority.*"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 318**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to the wages of public employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 6 to 12, inclusive, and insert "1950."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 142**—An act to amend Section 800 of the Labor Code, relating to lumber industries.

Bill read second time, and ordered engrossed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 558**—An act to amend Section 346 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

#### Amendment No. 1

In the heading of the printed bill, beneath "Introduced by Senator Christensen", insert

(Co-author: Assemblyman Belotti)

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 639**—An act to amend Section 73 of the Vehicle Code, and to amend Section 285 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of a vehicle dealer.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 117**—An act to add Section 24283 to the Health and Safety Code, relating to air pollution, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 20, 1959, after line 8, insert

"SEC. 3. This act shall be known and may be cited as the Rees-Richards Act."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 85**—An act to amend Section 55916 of the Water Code, relating to county waterworks districts.

Bill read second time, and ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 719**, subsequent to engrossment.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2243

Mr. Miller was granted unanimous consent that Assembly Bill No. 2243 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judicial—Civil.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 68**—An act to add Section 13103 to the Fish and Game Code, relating to fish and game funds.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 68?

### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on February 20, 1959, strike out "sea mammals", and insert "seals and sea lions".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 68 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, George A. Willson, Charles H. Wilson, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 68 ordered enrolled.

**Assembly Bill No. 283**—An act to amend Section 823 of the Penal Code, relating to bail of person arrested on warrant of another county.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 283?

### Amendment No. 1

On page 1, line 17, of the printed bill, after the period, insert "If authorized by the county auditor, the magistrate may deposit the money in a bank account pursuant to Section 68084 of the Government Code, and by check drawn on such bank account transmit the amount of the undertaking to the court at which the defendant is required to appear."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 283 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 283 ordered enrolled.

**Assembly Bill No. 694**—An act to add Section 2327 to the Business and Professions Code, relating to the practice of medicine.

Senate amendments presented by Mr. Bee

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 694?

### Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately".

### Amendment No. 2

On page 1, line 8, strike out "trails", and insert "trials".

Amendment No. 3

On page 1, strike out lines 15 to 17, inclusive; and strike out page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 694 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich Dahl, Davis, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 694 ordered enrolled.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 759 CONTINUED

By unanimous consent, the motion to reconsider the vote on the amendments to Assembly Bill No. 759 was continued until the next legislative day.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 22**—Relative to nuclear weapons test explosions under an adequate inspection system.

Resolution read.

Speaker pro Tempore Presiding

At 10.25 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

Demand for Previous Question

Messrs. Crawford, Charles H. Wilson, Luckel, Pattee, and Dills demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, Britschgi, George E Brown, Burton, Busterud, Cameron, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Schrade, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—44.
NOES—Bruce F. Allen, Backstrand, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Mulford, Pattee, Reagan, Shell, Sumner, and Thelin—24.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 1648**—An act to amend Section 6904 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the education of mentally retarded minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 487**—An act to amend Section 106 of, and to add Section 401.1 and Part 10 (commencing at Section 5150) of Division 1 to, the Revenue and Taxation Code, relating to the definition and assessment of personal property for purposes of taxation, and the taxation of the use or possession for use of tax-exempt personal property, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. MacBride moved the adoption of the following amendment:

### Amendment No. 1

On page 2 of the printed bill as amended in the Assembly on April 2, 1959, between lines 19 and 20, insert

"As used in this part "work in process" consists of the partly finished product of a manufacturer or processor. It does not include tangible personal property which is held by any person other than the owner solely for the purpose of being repaired, overhauled or serviced."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

## MOTION TO SET ASSEMBLY BILL NO. 1223 FOR SPECIAL ORDER

Mr. Hawkins moved that Assembly Bill No. 1223 be made a special order of business for Tuesday, April 7, 1959, at 10 a.m.

Mr. Munnell seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

## MOTION TO PRINT PROPOSED AMENDMENTS IN JOURNAL

Mr. Hawkins moved that the following proposed amendments to Assembly Bill No. 1223 be ordered printed in the Journal.

Mr. Munnell seconded the motion.

Motion carried.

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 1223

### Amendments Proposed by Mr. Bradley

By Mr. Bradley:

### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert ", or the minimum wage of adult men employed as salesmen who are compensated solely by way of commission."

**Amendment No. 2**

On page 6, between lines 25 and 26, insert

"(f) Any person employed as an outside salesman who is compensated solely by way of commission and whose working time is not supervised or controlled."

**Amendments Proposed by Mr. Busterud**

By Mr. Busterud:

**Amendment No. 1**

On page 5, line 49, of the printed bill, as amended in the Assembly on April 2, 1959, after "employed", insert "primarily".

**Amendments Proposed by Mr. Bruce F. Allen**

By Mr. Bruce F. Allen:

**Amendment No. 1**

On page 5, lines 14 and 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "and twenty-five cents ($1.25)", and insert "($1)".

**Amendments Proposed by Mr. Dahl**

By Mr. Dahl:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert 'or, to fix minimum wages for adult males performing services as licensed real estate salesmen or as licensed insurance agents, brokers or solicitors, whose income is based solely on commissions."

**Amendment No. 2**

On page 6, between lines 25 and 26, insert

"(f) Any person performing services as a licensed real estate salesman or as a licensed insurance agent, broker or solicitor, whose income is based solely on commissions."

***Amendments Proposed by Mr. Marks***

NOTE—The amendments by Mr. Marks were not presented for printing in the Journal.

**Amendments Proposed by Mr. Williamson**

By Mr. Williamson:

**Amendment No. 1**

On page 6, line 34, strike out "and", and insert "provided, that such rules and regulations shall not prevent any person employing farm labor in the harvesting of any crop from establishing a system of piecework pay if the rate of pay received by 90 percent of the persons so employed is equal to or greater than the minimum wage fixed by statute or order. The commission may make".

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 608**—An act to amend Section 14273 of the Government Code, relating to public works contracts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1673**—An act to add Section 6008 to the Public Resources Code, relating to sale of state lands.

Bill read third time.

Speaker Presiding

At 11.03 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

By unanimous consent, Assembly Bill No. 1673 was ordered passed on file, and to retain its place on the next legislative day.

**Assembly Bill No. 470**—An act to amend Section 7049 of the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUESTS FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Messrs. Dahl and Marks were granted unanimous consent that amendments which they proposed to offer to Assembly Bill No. 1223 be ordered printed in the Journal immediately following those previously ordered printed therein.

NOTE—The amendments by Mr. Marks were not submitted for printing in the Journal The other amendments appear on pages 2125-2126.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1248**—An act to add Section 7032 to the Business and Professions Code, relating to contractors, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick,

Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1428**—An act to add Section 1091.1 to the Government Code, relating to interest of officers in contracts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 894**—An act to amend Section 14883 of the Health and Safety Code, relating to the abatement of hazardous weeds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1643**—An act to amend Section 12606 of the Business and Professions Code, relating to weights and measures.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

### Assembly Bill No. 150 Placed on the Inactive File

**Assembly Bill No. 150**, on motion of Mr. Elliott, was ordered placed on the inactive file.

**Assembly Bill No. 1363**—An act to add Section 670.84 to the Vehicle Code, and to add Section 26504 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1365**—An act to add Section 670.82 to the Vehicle Code, and to add Section 26502 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1366**—An act to add Section 670.81 to the Vehicle Code, and to add Section 26501 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1367**—An act to add Section 670.87 to the Vehicle Code, and to add Section 26507 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lauterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. Collier was granted unanimous consent to take up further consideration of Assembly Bill No. 1673, at this time.

**Assembly Bill No. 1673**—An act to add Section 6008 to the Public Resources Code, relating to sale of state lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.

NOES—Don A. Allen, Bane, Crawford, Dills, Ernest R. Geddes, Lunardi, Sedgwick, and Sumner—8.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent

Mr. MacBride was granted unanimous consent to take up Assembly Bill No. 160, out of order, at this time.

**Assembly Bill No. 160**—An act to add Section 6545.5 to the Business and Professions Code, relating to the practice of barbering.

Bill read third time.

Motion to Expunge Record and Rescind Action

Mr. Munnell moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 160.

Mr. Meyers seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Sedgwick, Sumner, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—59

NOES—Britschgi, Cameron, Coolidge, Crawford, Hegland, Levering, Pattee, Schrade, Shell, and Thelin—10.

Assembly Bill No. 160 ordered retained on the third reading file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lunardi was granted unanimous consent to offer and consider a House resolution, at this time.

## RESOLUTIONS

The following resolution was offered:

By Mr. Lunardi:

### House Resolution No. 185

Relative to the retirement of L. E. Lonergan

WHEREAS, The Members of the Assembly have learned of the impending retirement on April 11, 1959, of Mr. L. E. Lonergan of Roseville; and

WHEREAS, Mr. Lonergan is rounding out 50 years of service with the Southern Pacific Railroad, having commenced as a machinist apprentice in 1909; and

WHEREAS, During the intervening years he rose to become a master mechanic in 1939, which position he has continued to hold until the present; and

WHEREAS, Mr. Lonergan was a member of the Roseville City Council in 1938 and 1939, and was instrumental in placing city employees under civil service; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Mr. L. E. Lonergan on his forthcoming retirement after 50 years as a railroad man, and wish him many more happy and prosperous years; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Lonergan.

### Request for Unanimous Consent

Mr. Lunardi was granted unanimous consent to take up House Resolution No. 185 without reference to committee or file.

Resolution read, and adopted

## CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 889**—An act to amend Section 511.3 of the Vehicle Code and to add Section 22413 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the establishing of maximum speed limits by local authorities on streets with a grade in excess of 10 percent, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Reagan was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 889.

**Assembly Bill No. 1690**—An act to amend Sections 4159, 4160, and 14600 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of change of address of vehicle owners, and operators.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1693**—An act to amend Section 4002 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to violation of registration requirements.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1711**—An act to add Section 5109 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to issuance of special license plates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1112**—An act to add Section 13203.2 to the Education Code, and Section 13006 to the Education Code as proposed by Senate Bill No. 2, relating to deposits by school districts for traveling expenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1113**—An act to add Section 1032 to the Education Code and add Section 817 to the Education Code as proposed by Senate Bill No. 2, relating to payment of the cost of repairing or replacing property of school district employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 127**—An act to amend Section 4004 of the Penal Code, relating to the removal of inmates from county jails.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1429**—An act to add Chapter 9 (commencing with Section 3120) to Division 4 of Title 1 of the Government Code, relating to air travel insurance of local agency officers and employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1593**—An act to amend Section 40355 of the Water Code, relating to water storage districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 24**—Relative to requesting Congress to enact S 910 of the Eighty-sixth Congress.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Concurrent Resolution No. 29**—Relative to an alternate truck route through the City of Eureka.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 30**—Relative to the improvement of the Redwood Highway.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Hanna directed the attention of the Members of the Assembly to the volume of work being handled by the Stenographic Pool, and stated that requests were being processed in an orderly priority with all available space being used; and with overtime work required on two nights a week by a portion of the staff, and requested that the members co-operate with the staff on priority requests.

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Mr. Coolidge directed attention to the fact that members are sometimes receiving three and four hundred letters a day, so the necessity for this stenographic service is to meet the public's demand for, and interest in legislation.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Williamson was granted unanimous consent that his proposed amendments to Assembly Bill No 1223 be ordered printed in the Assembly Journal immediately following those already ordered printed therein. (Amendments appear on page 2126.)

## POINT OF PERSONAL PRIVILEGE

Mr. Lowrey arose to a point of personal privilege.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R Geddes was granted unanimous consent that he be permitted the use of Room 2170 for tomorrow afternoon at 1.30 p m. for a meeting of the Subcommittee on Education to consider Assembly Bills Nos. 1000 and 1195.

## ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Backstrand announced a meeting of the Committee on Transportation and Commerce at 1.30 p.m. today in Room 2170.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 921
Assembly Bill No. 1091
Assembly Bill No. 1100
Assembly Bill No. 1343
Assembly Bill No. 1671
Assembly Bill No. 1709

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 142
Assembly Bill No. 1021
Assembly Bill No. 1202
Assembly Bill No. 1435
Assembly Bill No. 1511
Assembly Bill No. 1765

BURKE, Chairman

And reports the same correctly engrossed.

Above bills ordered to third reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, March 31, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 990

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bill ordered to second reading.

## ADJOURNMENT

At 12 m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 7, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY

SIXTY-SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, April 7, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk Norman Jachens at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O Father God*, Make our minds to be intent on great ideas. Give us the thrill and the enlargement that are to be found in keeping pace with the great minds of the ages. Save us from easy contentment with small thoughts which cost little and whose rewards are slight. Stir within us some flaming passion for truth, justice, and right. Give us the courage to follow in the tradition of George Washington when he said:

"Let us raise a standard to which the wise and honest can repair. The event is in the hand of God."

We pray for no less noble an effort in this Assembly, through Jesus Christ, our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hawkins, seconded by Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

Chief Clerk Arthur A. Ohnimus at the Desk

## EXPLANATION OF ABSENCE FOR APRIL 6, 1959

I missed several roll calls yesterday morning because of legislative business elsewhere in the Capitol.

CHARLES W. MEYERS

## RESOLUTIONS

The following resolution was offered:

By Messrs. MacBride and Z'berg:

### House Resolution No. 186

Relating to the celebration of the Second Annual Red Mass in Sacramento

WHEREAS, Thursday April 16, 1959, will mark the second annual occurrence in Sacramento of the Red Mass, so called because of the color of the vestments traditionally worn on that occasion; and

WHEREAS, The Red Mass is a special occasion when men of the law, Legislators, Judges, Executives and Lawyers may kneel together in humble supplication that they may do their part aright to protect "liberty and justice for all"; and

WHEREAS, The Red Mass is an honorable tradition, having been celebrated throughout Europe for centuries and in more recent times in the great cities of the United States; the Red Mass in Washington, D. C. having been attended by the President of the United States and the Chief Justice of the United States; and

WHEREAS, The St. Thomas More Society of Sacramento which sponsors the Red Mass in this city has invited all men of the Legislature, Judicial and Executive Branches of the Government and of the Bar, regardless of creed to attend and pray together for God's help in their labors; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body hereby expresses its commendation for the signal tribute paid to the men of the law through the celebration of the Red Mass in Sacramento and express its appreciation for the invitation to participate in this annual event, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the St. Thomas More Society of Sacramento.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Joint Resolution No. 27:** By Messrs. Meyers, O'Connell, Gaffney, Burton, Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to nonstop jet airliner service between San Francisco and New York.

Referred to Committee on Rules.

**Assembly Bill No. 2371:** By Messrs. O'Connell and Waldie—An act to amend Sections 858 and 859 of the Penal Code, relating to notification to parent or guardian of arrest of child or ward.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2372:** By Mr. Masterson—An act to amend Section 10270.6 of the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2373:** By Mr. Masterson—An act to amend Sections 1253, 1262, and 1264 of the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2374:** By Messrs. Hegland, Schrade, Luckel, Crawford, and Masterson—An act to add Section 53064 to the Government Code, relating to publicly-owned public utilities.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2375:** By Messrs. Z'berg and MacBride (Senator Rodda, co-author)—An act to amend Section 69593 of the Government Code, relating to superior court judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2376:** By Mr. Porter—An act to amend Section 3402 of the Education Code, as enacted by the Legislature at the 1959 Regular Session, relating to employees of reorganized school districts.

Referred to Committee on Education.

**Assembly Bill No. 2377:** By Messrs. DeLotto and Ralph M. Brown—An act to amend Section 111 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the State Board of Education.

Referred to Committee on Education.

**Assembly Bill No. 2378:** By Mr. Shell—An act to amend Sections 479 and 626 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2379:** By Mr. Cunningham—An act to add Section 9409 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle registration fees.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2380:** By Mr. DeLotto—An act to amend Sections 2401, 2402, 2403, 2404, 2407, 2408, 2409, 2413, 2414, and 2415 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Referred to Committee on Education.

**Assembly Concurrent Resolution No. 104:** By Mrs. Davis—Relative to Allen Camp Dam and Reservoir.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce, reports:

Assembly Bill No. 1461

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce, reports:

Assembly Bill No. 806

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1587

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 105

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1845
Assembly Bill No. 1848
Assembly Bill No. 1730
Assembly Bill No. 1731

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 49

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 841
Assembly Bill No 992
Assembly Bill No. 1290
Assembly Bill No. 1418
Assembly Bill No. 55
Assembly Bill No. 1045
Assembly Bill No. 1011
Assembly Bill No. 725
Assembly Bill No. 1029
Assembly Bill No. 320
Assembly Bill No. 979
Assembly Bill No. 1242

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 149
Senate Bill No. 202

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1844

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 158

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1530

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1763
Assembly Bill No. 1792
Assembly Bill No. 1793
Assembly Bill No. 1526
Assembly Bill No. 734
Assembly Bill No. 528
Assembly Bill No. 831

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committtee on Engrossment and Enrollment has examined:

Assembly Bill No. 487

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files read the second time, with appropriate actions taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Munnell seconded the motion.

*Motion carried unanimously.*

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1424, 1042, 871, 872, 1316, 1674, 622, 1677, 189,** and **318.**

**Senate Bills Nos. 558** and **117.**

Assembly Bill No. 622 ordered to the Consent Calendar.

Senate Bill Nos. 558 and 117 ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1436**—An act to amend Section 13641 of the Revenue and Taxation Code, relating to inter vivos transfers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1687**—An act to amend Sections 2808, 3357, 3718, 3795, 4104.5, 4105.2, 4106, 4150, 4217, 4803, and 4834.5 of the Revenue and Taxation Code, and to repeal Sections 568 and 4152 thereof, relating to property taxation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1041**—An act to add Section 6021 to the Revenue and Taxation Code, relating to sales taxes in respect to vending machines.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1521**—An act to add Section 6388 to the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

#### Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "and to add Sections 4014 and 4015 to the Vehicle Code as enacted by the Legislature in the 1959 Regular Session, relating to motor vehicles and the taxation of sales or the use thereof."

#### Amendment No. 2

On page 1, strike out lines 3 to 8, inclusive, and insert

"6388 There are exempted from the computation of the amount of the sales tax the gross receipts from the sale to persons of a new motor vehicle for which a special permit has been issued pursuant to Section 4014 of the Vehicle Code.

SEC. 2. Section 4014 is added to the Vehicle Code as enacted by the Legislature in the 1959 Regular Session, to read:

4014. When moved or operated under a permit issued by the department pursuant to this section, registration is not required of:

(a) Any new motor vehicle purchased outside of this State and delivered in California to a nonresident purchaser by the manufacturer of such motor vehicle for removal to the outstate residence of the purchaser.

(b) Any new motor vehicle purchased inside this State and delivered in California to a nonresident purchaser by a dealer of such motor vehicle for removal to the outstate residence of the purchaser.

Such permit shall be valid for not to exceed 30 days from the date of issue and may be in such form as determined by the department. A fee of five dollars ($5) shall be collected by the department for each such permit.

When a dealer makes a retail sale of a new motor vehicle to a nonresident purchaser, the purchaser shall appear in person or by a person exercising his power of attorney at an office of the department and furnish an affidavit attesting that he is the bona fide purchaser or that he is surrendering his power of attorney duly executed by the purchaser of such motor vehicle, together with such other forms as may be required for the issuance of such permit.

SEC. 3. Section 4015 is added to said code, to read

5356. The affidavit required in Section 4014 shall contain the following:

(1) The outstate address of the nonresident purchaser.

(2) That the purchaser is a nonresident of California.

(3) That the motor vehicle is purchased for outstate registration.

(4) That the motor vehicle is not purchased for transfer to a California resident.

(5) Such other information as may be desired by the department."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1682**—An act to add Section 6388 to the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

### Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "and to add Sections 5355 and 5356 to the Vehicle Code as enacted by the Legislature in the 1959 Regular Session, relating to trailer coaches.

### Amendment No. 2

On page 1, strike out lines 3 to 14, inclusive, and insert

"6388. There are exempted from the computation of the amount of the sales tax the gross receipts from the sale to persons of a new trailer coach for which a special permit has been issued pursuant to Section 5355 of the Vehicle Code.

SEC. 2. Section 5355 is added to the Vehicle Code as enacted by the Legislature in the 1959 Regular Session, to read:

5355. When moved or operated under a permit issued by the department pursuant to this section, registration is not required of:

(a) Any new trailer coach purchased outside of this State and delivered in California to a nonresident purchaser by the manufacturer of such trailer coach for removal to the outstate residence of the purchaser.

(b) Any trailer coach purchased inside this State and delivered in California to a nonresident purchaser by a dealer of such trailer coach for removal to outstate residence of purchaser.

Such permit shall be valid for not to exceed 30 days from the date of issue and may be in such form as determined by the department A fee of five dollars ($5) shall be collected by the department for each such permit.

When a dealer makes a retail sale of a new trailer coach to a nonresident purchaser, the purchaser shall appear in person or by a person exercising his power of attorney at an office of the department and furnish an affidavit attesting that he is the bona fide purchaser or that he is surrendering his power of attorney duly executed by the purchaser of such trailer coach, together with such other forms as may be required for the issuance of such permit.

SEC. 3. Section 5356 is added to said code, to read:

5356 The affidavit required in Section 5535 shall contain the following:

(1) The outstate address of the nonresident purchaser.

(2) That the purchaser is a nonresident of California.

(3) That the trailer coach is purchased for outstate registration.
(4) That the trailer coach is not purchased for transfer to a California resident.
(5) Such other information as may be desired by the department."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 990**—An act to add Section 23661.5 to the Business and Professions Code, and to add Section 32110 to the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 19, 1959, strike out "Section 23661.5", and insert "Sections 23661.5 and 23661.6".

**Amendment No. 2**

On page 1, line 4, before the first comma, insert "outside of this State".

**Amendment No. 3**

On page 1, line 6, strike out "the", and insert "such".

**Amendment No. 4**

On page 1, line 7, strike out "wine grower", and insert "producer".

**Amendment No. 5**

On page 1, line 14, strike out "manufacturer, wine grower", and insert "manufacturer".

**Amendment No. 6**

On page 1, between lines 16 and 17, insert
"SEC. 2. Section 23661.6 is added to said code, to read:
23661.6. A licensed wine grower who in the course of business exports wine from this State to another state, may subsequently return to his licensed premises in this State all or any portion of such wine in private vehicles owned or under the control of the wine grower. Any wine so returned shall be subject to the provisions of Section 32175 of the Revenue and Taxation Code."

**Amendment No. 7**

On page 1, line 17, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 8**

On page 1, line 21, strike out "a manufacturer or wine"; and on line 22, strike out "grower", and insert "the wine manufacturer or producer".

Bill ordered reprinted, and re-engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 343**—An act to amend Section 8046 of the Fish and Game Code, relating to privilege taxation of commercial fish packers and processors.

Bill read second time, and ordered to third reading.

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER BRITSCHGI AMENDMENTS TO ASSEMBLY BILL NO. 759 CONTINUED

Mr. Unruh was granted unanimous consent that his motion to reconsider the vote on the Britschgi Amendments to Assembly Bill No. 759 be continued until the next legislative day.

### REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 1172 FOR SPECIAL ORDER

Mr. Munnell was granted unanimous consent that Assembly Bill No. 1172 be made a special order of business for today, April 7, 1959, at 10.10 a.m.

### REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 1177 FOR SPECIAL ORDER

Mr. Munnell was granted unanimous consent that Assembly Bill No. 1177 be made a special order of business for today, April 7, 1959, at 10.20 a.m.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1131**—An act to amend Section 4362 of the Agricultural Code, relating to milk products.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1131?

**Amendment No. 1**

On page 2, line 13, of the printed bill, as amended in the Assembly on March 13, 1959, after "institution", insert ", installation, or facility".

**Amendment No. 2**

On page 2, line 23, after "institution", insert ", installation, or facility".

**Amendment No. 3**

On page 2, line 34, after "tutions", insert ", installation, or facility".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1131 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Miller, Mulford, Munnell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1131 ordered enrolled.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that the Consent Calendar be considered, at this time.

### CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 824**—An act to amend Section 8304 of the Fish and Game Code, relating to abalones.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl,

Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1274**—An act to amend Section 8222 of the Fish and Game Code, relating to salmon.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1626**—An act to repeal Section 2385 of, and to add Article 13.5 (comprising Section 2422) to, the Business and Professions Code, relating to the healing arts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1634**—An act to amend Section 2216 of the Business and Professions Code, relating to the healing arts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1635**—An act to amend Section 2288 of the Business and Professions Code, relating to the healing arts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner,

Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 642**—An act to amend Section 6301 of the Business and Professions Code, relating to boards of law library trustees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1159**—An act to amend Section 71601 of the Government Code, relating to justice courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1201**—An act to amend Section 75060 of the Government Code, relating to the retirement of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1226**—An act to amend Sections 6062, 6062a, 6063, 6063a, 6064, 6065, and 6066 of the Government Code, and Section 782 of the Probate Code, relating to publication of notice.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner,

Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1227**—An act to amend Section 6021 of the Government Code, relating to newspapers of general circulation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1241**—An act to amend Section 72622 of the Government Code, relating to the official body of judges of municipal courts established in Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1262**—An act to amend Section 6341 of the Business and Professions Code, relating to law libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1383**—An act to repeal Sections 71606, 71607, 71608, and 71222 of, and to add Section 68542.5 to, the Government Code, relating to assignment of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford,

Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1391**—An act to amend Sections 2981 and 2982 of the Civil Code, relating to conditional sales.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1449**—An act to repeal Section 170.5 of the Code of Civil Procedure, relating to peremptory challenges of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1520**—An act to amend Sections 75 and 170 of the Code of Civil Procedure, and Sections 75002, 75003, and 75028 of the Government Code, relating to the assignment of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1556**—An act to amend Sections 74222 and 74223 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the City of Salinas.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford,

Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1639**—An act to amend Section 21407 of, and to add Sections 21407.5, and 21407.6 to, the Public Utilities Code, relating to the use of intoxicating liquor, and drugs by the operators of aircraft.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 600**—An act to amend Section 639 of the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 312**—An act to repeal Section 6558 of the Welfare and Institutions Code, relating to appointment of employees by medical superintendent.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 817**—An act to amend Section 25642 of the Government Code, relating to fire protection.

Bill read third time.

**Motion to Amend**

Mr. DeLotto moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on March 31, 1959, between the enacting clause and line 1, insert

"SECTION 1 Section 25642 of the Government Code is amended to read."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Motion to Re-refer Assembly Bill No. 268 to Committee**

Mr. Francis moved that Assembly Bill No. 268 be re-referred to the Committee on Criminal Procedure.

Motion carried unanimously.

**Assembly Bill No. 1628**—An act to add Section 7116 to the Health and Safety Code, relating to autopsies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—53.

NOES—Ernest R. Geddes—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1434**—An act to amend Sections 541.1, 585, 1405, and 1513 of the Probate Code and to add Section 6408.5 to the Financial Code, relating to deposits and investments by executors, administrators, guardians and other fiduciaries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate.

**RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62**

On advice of the Legislative Counsel, and pursuant to Rule No 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 318**, subsequent to engrossment.

**Senate Bills Nos. 558** and **343**.

**REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 419 FOR SPECIAL ORDER**

Mr. Miller was granted unanimous consent that Assembly Bill No. 419 be made a special order of business for Thursday, April 9, 1959, at 10 a.m.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Miller was granted unanimous consent that all proposed amendments to Assembly Bill No. 419, received at the desk by 10 a.m. tomorrow morning, be ordered printed in the Journal.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1116**—An act to amend Sections 7493, 7660, 7670, 7675, 7852, 7916, 8126, 8128, 8147, 8148, 8149, 8191, 8307 and the heading of Article 4 (commencing at Section 7916) of Chapter 6 of Part 2 of Division 2 of the Revenue and Taxation Code, to repeal Article 5 (commencing at Section 7751) of Chapter 5 of Part 2 of Division 2 and Section 7981 of said code, and to add thereto Sections 7676, 7711.5, 8149.5 and 8404 and Articles 1.5 (commencing at Section 7861) and 2.5 (commencing at Section 7881) to Chapter 6 of Part 2 of Division 2 of said code, all relating to the motor vehicle fuel license tax.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66.

NOES—None.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF SPECIAL ORDER

The hour of 10 a.m. having arrived, Assembly Bill No. 1223 was taken up.

**Assembly Bill No. 1223**—An act to amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1172, 1173, 1174, 1178, 1182, 1183, 1185, 1194, 1195, 1195.5, 1197, 1199 of, and to repeal Sections 1191, 1192, and 1193 of, and to add Sections 1205, 1206 and 1207 to, the Labor Code, relating to minimum wages and other terms of employment.

Bill read third time.

#### Request for Unanimous Consent

Mr. Hawkins was granted unanimous consent that all amendments to Assembly Bill No. 1223 be considered before the bill is sent to reprint.

#### Unanimous Consent Withheld

Mr. Sumner withheld unanimous consent.

#### Ruling by Speaker

Speaker Brown ruled the withholding of unanimous consent not in order, at this time, since consent had been granted previously.

**Motion to Reconsider**

Mr. Sumner moved to reconsider the action granting unanimous consent to consider those amendments which have not been printed in the Journal, previous to sending the bill to reprint.

Mr. Beaver seconded the motion.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: What is the procedure which has occurred on this question?

**Reply by Speaker**

The Speaker explained the procedure which had occurred.

**Parliamentary Inquiry**

Mr. Levering arose to the following parliamentary inquiry: Under the Rules, must not any amendment placed across the desk to any bill be recognized and disposed of before the bill can be passed?

**Reply by Speaker**

The Speaker replied that some disposition must be made of amendments presented at the desk before the passage of the bill.

**Parliamentary Inquiry**

Mr. Levering arose to the following parliamentary inquiry: In other words, such amendments must be given preference and considered or disposed of before the bill can go to a final vote, even if their consideration is delayed until another day or week?

**Reply by Speaker**

The Speaker replied in the affirmative.

**Demand for Previous Question**

Messrs. Munnell, Lanterman, Pattee, Unruh, and Dills demanded the previous question. Demand sustained.

The question being on the motion to reconsider the action granting unanimous consent to consider amendments which have not been printed in the Journal prior to reprinting of the bill.

**Roll Call Demanded**

Messrs. O'Connell, Masterson, and Sumner demanded a roll call.

The roll was called, and reconsideration refused by the following vote:

AYES—Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Francis, Frew, Grant, House, Lanterman, Lowrey, Lunardi, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—29.

NOES—Bruce F. Allen, Bee, Biddick, George E. Brown, Burton, Cameron, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Levering, Luckel, MacBride, Masterson, McMillan, Meyers, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—38.

The question being on the passage of the bill

#### Motion to Amend

Mr. Bradley moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert ", or the minimum wage of adult men employed as salesmen who are compensated solely by way of commission."

#### Amendment No. 2

On page 6, between lines 25 and 26, insert

"(f) Any person employed as an outside salesman who is compensated solely by way of commission and whose working time is not supervised or controlled."

Amendments read.

#### Motion to Temporarily Suspend Rules

Mr. Lowrey moved to dispense with the provision of the Rules relative to limiting debate.

Motion ruled not in order, since Mr. Bradley had the floor to open the debate on his amendments.

The question being on the adoption of the amendments by Mr. Bradley.

#### Division of Question

Mr. Hawkins asked for a division of the question.

Request granted.

#### Consideration of Amendment No. 1

#### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert ", or the minimum wage of adult men employed as salesmen who are compensated solely by way of commission."

Amendment No. 1 read.

#### Motion to Table Amendment

Mr. O'Connell moved that Amendment No. 1 be laid on the table.

Mr. Munnell seconded the motion.

#### Roll Call Demanded

Messrs. O'Connell, Munnell, and Bruce F. Allen demanded a roll call.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Bradley moved a call of the Assembly.

Mr. Lowrey seconded the motion.

Motion carried. Time, 10.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### POINT OF ORDER

Mr. Munnell arose to the following point of order: That the hour of 10.10 a.m. having arrived, the special order of business set for that time is before the House.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Hanna seconded the motion.

Motion carried.

### FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1223

#### Point of Order

Mr. Munnell arose to the following point of order: That the hour of 10.10 a.m. having arrived, the special order of business set for that hour, is before the House.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken, since the House was presently considering the divided question of the Bradley Amendments.

#### Consideration of Amendment No. 2 by Mr. Bradley

#### Amendment No. 2

On page 6, between lines 25 and 26, insert

"(f) Any person employed as an outside salesman who is compensated solely by way of commission and whose working time is not supervised or controlled."

Amendment No. 2 by Mr. Bradley read, and adopted.

#### Point of Order

Mr. Munnell arose to the following point of order: That the hour of 10.10 a.m. having arrived, the special order of business set for that hour is before the House.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken since the House has not concluded its consideration of the first special order of business set for today.

#### Consideration of Further Amendments

#### Motion to Amend

Mr. Busterud moved the adoption of the following amendment:

#### Amendment No. 1

On page 5, line 49, of the printed bill, as amended in the Assembly on April 2, 1959, after "employed", insert "primarily".

Amendment read, and adopted.

#### Consideration of Further Amendment

#### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendment:

#### Amendment No. 1

On page 5, lines 14 and 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "and twenty-five cents ($1.25)", and insert "($1)".

Amendment read.

#### Motion to Table Amendment

Mr. Munnell moved that the amendment be laid on the table.

Mr. McMillan seconded the motion.

### Roll Call Demanded

Messrs. Lowrey, Crawford, and Shell demanded a roll call.

The roll was called, and the motion to table carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Biddick, Burton, Busterud, Cameron, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—49.

NOES—Bruce F. Allen, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Cusanovich, Dahl, Francis, Ernest R. Geddes, Hegland, House, Johnson, Lanterman, Lowrey, Luckel, McCollister, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—25.

### Request for Unanimous Consent to Change Vote

Mr. Lunardi asked for unanimous consent that he be recorded as voting "Aye" instead of "No" on the motion to table the amendment offered by Mr. Bruce F. Allen to Assembly Bill No. 1223.

Mr. Levering withheld unanimous consent.

### Motion to Change Vote

Mr. Burton moved that Mr. Lunardi be permitted to change his vote from "No" to "Aye" on the motion to table the amendment offered by Mr. Bruce F. Allen.

Mr. Elliott seconded the motion.

Motion carried.

### Request for Unanimous Consent to Change Vote

Mr. Bane was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on the motion to table the amendment offered by Mr. Bruce F. Allen.

### Request for Unanimous Consent That Names Be Placed on Roll Call

Mr. Marks was granted unanimous consent that he be recorded as voting "Aye," and Mr. Lanterman was granted unanimous consent that he be recorded as voting "No" on the motion to table the amendment offered by Mr. Bruce F. Allen.

### Consideration of Further Amendments
### Motion to Amend

Mr. Dahl moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert "or, to fix minimum wages for adult males performing services as licensed real estate salesmen or as licensed insurance agents, brokers or solicitors, whose income is based solely on commissions."

### Amendment No. 2

On page 6, between lines 25 and 26, insert

"(f) Any person performing services as a licensed real estate salesman or as a licensed insurance agent, broker or solicitor, whose income is based solely on commissions."

Amendments read.

### *Announcement by Speaker*

Speaker Brown announced that the amendments offered by Mr. Dahl conflict with the amendment by Mr. Bradley, which was previously adopted.

**Parliamentary Inquiry**

Mr. Dahl arose to the following parliamentary inquiry: In what way do the amendments conflict?

**Reply by Speaker**

The Speaker replied that Amendment No. 2 affects the same section number.

**Parliamentary Inquiry**

Mr. Dahl arose to the following parliamentary inquiry: Can this conflict be corrected?

**Reply by Speaker**

The Speaker directed the Chief Clerk to ascertain if the conflict could be corrected, and was advised that a change in the section number would remove the conflict.

**Parliamentary Inquiry**

Mr. Dahl arose to the following parliamentary inquiry: Can this correction be made?

**Reply by Speaker**

The Speaker replied that the Rules so provide; and directed the Clerk to correct the section number in Amendment No. 2 from "f" to "g".

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert "or, to fix minimum wages for adult males performing services as licensed real estate salesmen or as licensed insurance agents, brokers or solicitors, whose income is based solely on commissions."

**Amendment No. 2**

On page 6, between lines 25 and 26, insert

"(g) Any person performing services as a licensed real estate salesman or as a licensed insurance agent, broker or solicitor, whose income is based solely on commissions."

Amendments read, as corrected.

**Motion to Table Amendments**

Mr. McMillan moved that the amendments be laid on the table.

Mr. O'Connell seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, Kennick, Kilpatrick, Levering, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—40.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Hegland, House, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—36.

**Name Placed Upon Roll Call**

Mr. McCollister was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on the motion to table the amendments offered by Mr. Dahl.

### Consideration of Further Amendments
### Motion to Amend

Mr. Williamson moved the adoption of the following amendment:

### Amendment No. 1

On page 6, line 34, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "and", and insert "provided, that such rules and regulations shall not prevent any person employing farm labor in the harvesting of any crop from establishing a system of piecework pay if the rate of pay received by 90 percent of the persons so employed is equal to or greater than the minimum wage fixed by statute or order. The commission may make".

Amendment read.

### Speaker pro Tempore Presiding

At 11.04 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendment offered by Mr. Williamson.

### Roll Call Demanded

Messrs. Shell, Ernest R. Geddes, and Collier demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge Crawford, Crown, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—64

NOES—Collier, Conrad, Cusanovich, Dahl, Ernest R. Geddes, Levering, Reagan, and Shell—8.

### Explanation of Vote on Williamson Amendments

Inasmuch as I was absent from the floor addressing a school class at the time of consideration of Assemblyman Williamson's amendments to Assembly Bill No 1223, relative to piecework for agricultural workers, I wish to state I would have voted "Aye" on the amendments.

JEROME R WALDIE

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TABLE BRADLEY AMENDMENT NO. 1 TO ASSEMBLY BILL NO. 1223

At 11.07 a.m., on motion of Mr. Bradley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

### *Motion to Expunge Record and Rescind Action on Amendment No. 1*

Mr. Bradley moved to expunge the record, and rescind the action whereby the Assembly, on this day, tabled his Amendment No. 1 to Assembly Bill No. 1223.

Mr. Lowrey seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

#### Motion to Withdraw Amendment

Mr. Bradley moved that his Amendment No. 1 be withdrawn.

Mr. Miller seconded the motion.

Motion carried unanimously.

### NAME PLACED UPON ROLL CALL ON WILLIAMSON AMENDMENT

Speaker Brown was granted unanimous consent that he be recorded as voting "Aye" on the amendment offered by Mr. Williamson to Assembly Bill No. 1223.

#### Speaker Presiding

At 11.11 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### RECESS

At 11.12 a.m., on motion of Mr. Mulford, the Assembly recessed until 11.23 a.m. in order to meet the National Intercollegiate Basketball Champions of the United States, their coach, Pete Newell; the University of California Straw Hat Band, and the University of California Pom Pom Girls.

### REASSEMBLED

At 11 23 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1223

#### Consideration of Further Amendments

#### Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert ", or to fix minimum wages of any adult male employed in agriculture."

#### Amendment No. 2

On page 5, line 16, strike out ", except in"; and strike out all of lines 17 and 18, and insert a period.

#### Amendment No. 3

On page 6, between lines 25 and 26, insert

"(f) Any individual employed in agriculture."

Amendments read.

#### Point of Order

Mr. Hawkins arose to the following point of order: That these amendments appear to be the same as amendments previously rejected by a roll call vote.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Where, by any roll call, were these amendments ever voted upon other than in the committee?

#### Reply by Speaker

The Speaker replied that the vote on the substitute amendment by Mr. Hawkins, which was adopted on April 2d, was, in effect, a vote upon these amendments.

**Point of Order**

Mr. Lowrey arose to the following point of order: That, pursuant to Rule No. 93, as it appears in the Assembly Journal for February 16th, at page 726, and also pursuant to Senate Rule No. 38, the amendments are in order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Point of Order**

Mr. Lowrey arose to the following point of order: That he has been assured by the Office of the Legislative Counsel that there was no vote taken on the amendments and that they are in order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, and read the second paragraph from Assembly Standing Rule No. 69 to the members.

**Point of Order**

Mr. Lowrey arose to the following point of order: That the amendments considered on second reading were committee amendments, not Lowrey Amendments, and that he was denied the right to speak on the amendments.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Question to House**

Speaker Brown stated that he was submitting the question to the House to decide whether or not the amendments were germane.

**Parliamentary Inquiry**

Mr. O'Connell arose to the following parliamentary inquiry: Is the Speaker submitting the question to the House?

**Reply by Speaker**

The Speaker replied that he was.

**Parliamentary Inquiry**

Mr. O'Connell arose to the following parliamentary inquiry: What is the vote required on the question?

**Reply by Speaker**

The Speaker replied that 41 votes are required to declare the amendments germane.

**Parliamentary Inquiry**

Mr. O'Connell arose to the following parliamentary inquiry: Will this mean a suspension of the Rules?

**Reply by Speaker**

The Speaker replied that it would not.

**Parliamentary Inquiry**

Mr. Biddick arose to the following parliamentary inquiry: Is the question to sustain the decision of the Chair, or to decide whether or not the amendments are germane?

Reply by Speaker

The Speaker replied that the question was on the amendments.

Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Is the question: Are the amendments germane, or is it: Are the amendments in order after a roll call has been taken thereon?

Reply by Speaker

The Speaker replied that the question would be: Are the amendments in order?

Point of Order

Mr. Hawkins arose to the following point of order: That the only recourse Mr. Lowrey has is to appeal from the decision of the Chair.

Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Do the provisions of Rule No. 93 prevent considering the amendments a second time?

Reply by Speaker

The Speaker replied that he had ruled that the amendments had been voted upon by a roll call vote when the substitute amendment by Mr. Hawkins was adopted; and that, pursuant to Rule No. 69, their subsequent consideration is precluded.

Point of Order

Mr. Bruce F. Allen arose to the following point of order: That Rule No. 69 does not of itself prohibit taking up the amendments; and that Rule No. 93 only prohibits taking them up for the second time on the same day, or at the same stage of proceedings; and that this is not the same day nor the same stage of proceedings.

Ruling by Speaker

The Speaker ruled the point of order not well taken, pursuant to Rules Nos. 69 and 95.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is there any record of a roll call vote on the committee amendments?

Reply by Speaker

The Speaker read Rule 95 to the members, and stated that the vote on the amendments was the vote on the substitute motion by Mr. Hawkins.

Parliamentary Inquiry

Mr. Lanterman arose to the following parliamentary inquiry: Is the question before the House: "Are the amendments in order"?

Reply by Speaker

The Speaker replied that he had ruled that they are not, but that he was submitting the question to the House for a decision.

Parliamentary Inquiry

Mr. Lanterman arose to the following parliamentary inquiry: Is the question an appeal from the decision of the Chair?

Reply by Speaker

The Speaker replied that it was not.

**Appeal From Decision of Chair**

In order to clarify the question, Mr. Miller appealed from the decision of the Speaker.

The question being: Shall the decision of the Speaker be sustained?

The roll was called, and the decision of the Speaker was sustained by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.

NOES—Bradley, Frew, and Lowrey—3.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 18, of the printed bill, as amended in the Assembly on April 2, 1959, after "hour", insert ", provided that for piecework in agriculture, the rate shall not be less than a figure which gives all adult employees of an employer doing the same kind of work an average wage of not less than ninety cents ($0.90) an hour".

Amendment read.

**Motion to Table Amendment**

Mr. Burton moved that the amendment be laid on the table.

Mr. Munnell seconded the motion.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Bradley moved a call of the Assembly.

Mr. Backstrand seconded the motion.

Motion carried. Time, 11.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Munnell seconded the motion.

Motion carried unanimously.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1223

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 40, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "lower than the applicable minimum wage", and insert "for adult males different from that".

Amendment read.

**Amendment Withdrawn**

Mr. Bruce F. Allen withdrew his amendment.

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: Is not the amendment the property of the House?

**Reply by Speaker**

The Speaker replied that the amendment had been withdrawn without objection.

**Consideration of Further Amendments**
**Motion to Amend**

Mr. Hawkins moved the adoption of the following amendments:

**Amendment No. 1**

On page 6, line 10, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "person under the age of 18", and insert "minor".

**Amendment No. 2**

On page 6, line 13, strike out the comma, and insert a period.

**Amendment No. 3**

On page 6, line 13, strike out "unless such employment is per-"; and strike out lines 14, 15, and 16.

Amendments read, and adopted.

**Consideration of Further Amendments**
**Motion to Amend**

Mr. Unruh moved the adoption of the following amendment:

**Amendment No. 1**

On page 3, line 23, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "persons", and insert "women and minors".

Amendment read.

**Demand for Previous Question**

Messrs. Burton, Hegland, Luckel, Schrade, and Burke demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Unruh.

Amendment adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Sumner, Thelin, Unruh, Williamson, Winton, Z'berg, and Mr. Speaker—58

NOES—Bane, Burton, Dills, Elliott, Francis, Hawkins, Holmes, Kilpatrick, Levering, McMillan, Munnell, O'Connell, Reagan, Rumford, Shell, Thomas, Waldie, George A. Willson, and Charles H. Wilson—19.

**Vote Changed Upon Roll Call**

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on the Unruh Amendment.

**Name Placed Upon Roll Call**

Mr. Holmes was granted unanimous consent that he be recorded as voting "No" on the Unruh Amendment.

### Consideration of Further Amendments
### Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 2, 1959, strike out the period, and insert ", or to fix minimum wages of any adult male employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, or operated on a sharecrop basis, and which are used exclusively for supply and storing of water for agricultural purposes, or any adult male employed within the area of production, engaged in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products."

#### Amendment No. 2

On page 5, line 16, strike out ", except in"; and strike out all of lines 17 and 18, and insert a period.

#### Amendment No. 3

On page 6, between lines 25 and 26, insert

"(f) Any individual employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, or operated on a sharecrop basis, and which are used exclusively for supply and storing of water for agricultural purposes.

(g) Any individual employed within the area of production, engaged in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products."

Amendments read.

### Point of Order

Mr. O'Connell arose to the following point of order: That these amendments are substantially the same amendments which were ruled out of order this morning.

### Ruling by Speaker

The Speaker ruled the point of order not well taken, and the amendments in order.

### Point of Order

Mr. O'Connell arose to the following point of order: That the amendments, insofar as they pertain to agriculture, are the same amendments, and are not in order.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### Motion to Table Amendments

Mr. O'Connell moved that the amendments be laid on the table.

Mr. Munnell seconded the motion.

### Roll Call Demanded

Messrs. Schrade, Hegland, and House demanded a roll call.

The roll was called, and the motion that the amendments by Mr. Lowrey be laid on the table carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Conrad, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—42.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Francis, Frew, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Lanterman, Lowrey, Luckel, McCollister, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Mr. Speaker—37.

## MOTION THAT CALL OF THE ASSEMBLY BE DISPENSED WITH ON MOTION TO TABLE BRUCE F. ALLEN AMENDMENTS

At 12.23 p.m., Mr. Masterson moved that further proceedings under the call of the Assembly be dispensed with on the motion to table the amendments offered by Mr. Bruce F. Allen.

Mr. Munnell seconded the motion.

Motion lost by the following vote:

AYES—Biddick, Burton, Crown, Davis, DeLotto, Frew, Gaffney, Garrigus, Samuel R. Geddes, Kennick, Kilpatrick, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Porter, Thomas, Unruh, Waldie, Z'berg, and Mr. Speaker—24.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Donahoe, Francis, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Lunardi, Marks, McCollister, Meyers, Mulford, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Williamson, George A. Willson, and Winton—47.

### Point of Order

Mr. Munnell arose to the following point of order: That the hour of 10.10 a.m. having arrived, consideration of Assembly Bill No. 1172, previously set as a special order of business for that time, is before the House.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: If Rule No. 106 is suspended, can the House proceed with the business on the file?

### Reply by Speaker

The Speaker replied that it could.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Unruh moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Munnell seconded the motion.

Motion carried.

## POINT OF ORDER

Mr. Unruh arose to the following point of order: That the House should now proceed with the special order of business set for 10.10 a.m.

### Ruling by Speaker

The Speaker ruled the point of order well taken.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1172 was taken up.

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation, to take effect immediately.

Bill read third time.

**Motion to Set for Special Order**

Mr. Coolidge moved that Assembly Bill No. 1172 be set as a special order of business for May 10, 1959.

Motion ruled not in order, at this time, since Mr. MacBride had not had an opportunity to open his debate on the bill.

The question being on the passage of the bill.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendment:

**Amendment No. 1**

On page 4 of the printed bill, as amended in the Assembly on March 31, 1959, between lines 41 and 42, insert

"30110. All taxes collected pursuant to the provisions of this part shall be conclusively presumed to be direct taxes on the retail consumer, precollected for the purpose of convenience and facility only.

30111. The distributor shall separately state or separately display to the purchaser of any cigarettes or tobacco products the amount of the purchase price representing or attributable to the tax previously paid pursuant to this part on or in respect to the cigarettes or tobacco products."

Amendment read.

**Motion to Table Amendment**

Mr. Winton moved that the amendment be laid on the table.

Mr. Burton seconded the motion.

Motion carried by the following vote:

AYES—Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Gaffney, Garrigus, Ernest R. Geddes, Hegland, House, Johnson, Kennick, Lowrey, Luckel, Lunardi, MacBride, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—41.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Cunningham, Cusanovich, Dahl, Elliott, Francis, Grant, Hawkins, Holmes, Kilpatrick, Lanterman, Levering, Masterson, McCollister, Meyers, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, and Thelin—33.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Gaffney moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on March 31, 1959, strike out "tobacco and tobacco products", and insert "cigarettes".

**Amendment No. 2**

On page 1, line 4, strike out "Tobacco", and insert "Cigarette".

**Amendment No. 3**

On page 1, lines 8 and 9, strike out "Tobacco", and insert "Cigarette".

**Amendment No. 4**

On page 1, strike out lines 19 to 22, inclusive.

**Amendment No. 4.5**

On page 2, strike out lines 1 to 6, inclusive.

**Amendment No. 5**

On page 2, line 7, strike out "30005", and insert "30004".

**Amendment No. 6**

On page 2, line 7, strike out "or 'untaxed tobacco product' ".

**Amendment No. 7**

On page 2, line 8, strike out "or tobacco product",

**Amendment No. 8**
On page 2, line 11, strike out "30006", and insert "30005".

**Amendment No. 9**
On page 2, strike out lines 14 and 15.

**Amendment No. 10**
On page 2, line 16, strike out "30008", and insert "30006".

**Amendment No. 11**
On page 2, line 17, strike out "or tobacco products".

**Amendment No. 12**
On page 2, line 20, strike out "or tobacco products".

**Amendment No. 13**
On page 2, line 21, strike out "or tobacco products".

**Amendment No. 14**
On page 2, strike out lines 26 to 30, inclusive.

**Amendment No. 15**
On page 2, lines 31 and 32, strike out "or tobacco products".

**Amendment No. 16**
On page 2, line 34, strike out "30009", and insert "30007".

**Amendment No. 17**
On page 2, line 35, strike out "or tobacco products".

**Amendment No. 18**
On page 2, lines 36 and 37, strike out "or tobacco products".

**Amendment No. 19**
On page 2, line 39, strike out "30010", and insert "30008".

**Amendment No. 20**
On page 2, line 45, strike out "30011", and insert "30009".

**Amendment No. 21**
On page 2, line 48, strike out "or tobacco products".

**Amendment No. 22**
On page 3, strike out lines 3 to 5, inclusive.

**Amendment No. 23**
On page 3, line 6, strike out "30012", and insert "30010".

**Amendment No. 24**
On page 3, line 8, strike out "or tobacco products".

**Amendment No. 25**
On page 3, line 9, strike out "30013", and insert "30011".

**Amendment No. 26**
On page 3, line 13, strike out "30014", and insert "30012".

**Amendment No. 27**
On page 3, line 15, strike out "or tobacco products".

**Amendment No. 28**
On page 3, lines 27 and 28, strike out "and tobacco products".

**Amendment No. 29**
On page 3, line 29, strike out "the following rates:".

**Amendment No. 30**
On page 3, line 30, strike out "(a) At".

**Amendment No. 31**
On page 3, strike out lines 33 to 35, inclusive.

**Amendment No. 32**
On page 3, line 37, strike out "or tobacco products".

**Amendment No. 33**
On page 3, line 41, strike out "or tobacco products".

**Amendment No. 34**
On page 3, lines 42 and 43, strike out "or tobacco products".

**Amendment No. 35**
On page 3, line 45, strike out "or tobacco products".

**Amendment No. 36**
On page 3, lines 47 and 48, strike out "or tobacco products".

**Amendment No. 37**
On page 3, line 49, strike out "or tobacco products".

**Amendment No. 38**
On page 3, line 52, strike out "or tobacco products".

**Amendment No. 39**
On page 4, line 2, strike out "or tobacco products".

**Amendment No. 40**
On page 4, line 4, strike out "or tobacco products".

**Amendment No. 41**
On page 4, lines 11 and 12, strike out "or tobacco products".

**Amendment No. 42**
On page 4, line 14, strike out "or tobacco products".

**Amendment No. 43**
On page 4, line 17, strike out "or tobacco products".

**Amendment No. 44**
On page 4, lines 21 and 22, strike out "or tobacco products".

**Amendment No. 45**
On page 4, lines 23 and 24, strike out "or tobacco products".

**Amendment No. 46**
On page 4, lines 28 and 29, strike out "or tobacco products".

**Amendment No. 47**
On page 4, line 32, strike out "or tobacco products".

**Amendment No. 48**
On page 4, line 37, strike out "or tobacco products".

**Amendment No. 49**
On page 4, line 45, strike out "or tobacco product".

**Amendment No. 50**
On page 5, lines 3 and 4, strike out "or tobacco products".

**Amendment No. 51**
On page 5, line 5, strike out "following rates:".

**Amendment No. 52**
On page 5, line 6, strike out "(a) At the".

**Amendment No. 53**
On page 5, strike out lines 9 to 11, inclusive.

**Amendment No. 54**
On page 5, lines 16 and 17, strike out "and the wholesale sales price of tobacco products".

**Amendment No. 55**
On page 5, line 27, strike out "or tobacco products".

**Amendment No. 56**

On page 5, lines 28 and 29, strike out "or tobacco products".

**Amendment No. 57**

On page 5, lines 34 and 35, strike out "or tobacco products".

**Amendment No. 58**

On page 7, lines 17 and 18, strike out "or tobacco products".

**Amendment No. 59**

On page 7, lines 21 and 22, strike out "and the wholesale sales price of tobacco products".

**Amendment No. 60**

On page 7, line 42, strike out "or tobacco products".

**Amendment No. 61**

On page 7, line 48, strike out "or tobacco products".

**Amendment No. 62**

On page 7, line 49, strike out "or tobacco products".

**Amendment No. 63**

On page 8, lines 45 and 46, strike out "and amount of tobacco products and the wholesale price thereof,".

**Amendment No. 64**

On page 14, line 30, strike out "or tobacco products".

**Amendment No. 65**

On page 14, line 34, strike out "or tobacco products".

**Amendment No. 66**

On page 14, line 35, strike out "or tobacco products".

**Amendment No. 67**

On page 14, lines 40 and 41, strike out "or tobacco products".

**Amendment No. 68**

On page 14, lines 43 and 44, strike out "or tobacco products".

**Amendment No. 69**

On page 15, line 15, strike out "or tobacco products".

**Amendment No. 70**

On page 15, lines 21 and 22, strike out "or tobacco products".

**Amendment No. 71**

On page 15, line 23, strike out "or tobacco products".

**Amendment No. 72**

On page 15, line 49, strike out "or tobacco products".

**Amendment No. 73**

On page 16, line 11, strike out "Tobacco", and insert "Cigarette".

**Amendment No. 74**

On page 16, line 12, strike out "Tobacco", and insert "Cigarette".

Amendments read.

**Demand for Previous Question**

Messrs. Unruh, Belotti, Ernest R. Geddes, Chapel, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. Gaffney.

**Roll Call Demanded**

Messrs. Dahl, Bee, and Lanterman demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Dills, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Lanterman, Masterson, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, and Thomas—30.

NOES—Don A. Allen, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.

The question being on the passage of the bill.

**Motion to Set Assembly Bill No. 1172 for Special Order**

Mr. Coolidge moved that Assembly Bill No. 1172 be made a special order of business for May 10, 1959.

Mr. Sumner seconded the motion.

**Request to Amend**

Miss Donahoe requested that the date be amended to May 11th.

By unanimous consent of the House, Mr. Coolidge accepted the amendment to his motion.

The question being on the motion that Assembly Bill No. 1172 be made a special order of business for May 11, 1959.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Does the motion require a two-thirds vote?

**Reply by Speaker**

The Speaker replied that Mason's Manual states that postponement of a special order requires only a majority vote.

**Point of Order**

Mr. Unruh arose to the following point of order: That the motion is not a motion to postpone, but is a motion to set as a special order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Point of Order**

Mr. Unruh arose to the following point of order: That under Rule 91, a motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken; since no time certain on May 11th was set.

**Motion to Amend Motion and to Set Assembly Bill No. 1172 for Special Order**

Mr. Unruh moved to amend the motion by Mr. Coolidge, and that Assembly Bill No. 1172 be made a special order of business for today, April 7, 1959, at 1.07 p.m.

**Motion to Table Motion**

Mr. Coolidge moved that the motion to amend be laid on the table.

**Point of Order**

Mr. Unruh arose to the following point of order: That he had not yet opened on his own motion, so Mr. Coolidge did not have the floor to make the motion to table.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Parliamentary Inquiry**

Mr. Charles H. Wilson arose to the following parliamentary inquiry: What would be the effect of the motion by Mr. Unruh?

**Reply by Speaker**

The Speaker replied that its effect would be to amend Mr. Coolidge's motion, and that the House would proceed with the consideration of Assembly Bill No. 1172, at this time.

**Parliamentary Inquiry**

Mr. Coolidge arose to the following parliamentary inquiry: Am I now in order to offer a motion?

**Reply by Speaker**

The Speaker replied that the House was already considering an amendment to a motion by Mr. Coolidge.

**Parliamentary Inquiry**

Mr. Hanna arose to the following parliamentary inquiry: If Mr. Coolidge were to move to table the motion by Mr. Unruh, would it not, in effect, also table the motion by Mr. Coolidge?

**Reply by Speaker**

The Speaker replied that it would.

**Point of Order**

Mr. McCollister arose to the following point of order: That there is no motion to table a motion pending.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Demand for Previous Question**

Messrs. Munnell, Schrade, Luckel, Charles H. Wilson, and Miller demanded the previous question. Demand sustained.

The question being on the motion by Mr. Unruh to amend the motion by Mr. Coolidge so that Assembly Bill No. 1172 be made a special order of business for today at 1.07 p.m.

**Roll Call Demanded**

Messrs Shell, Lanterman, and Levering demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter,

Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—45.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Elliott, Francis, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Marks, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—32.

The question being on the motion by Mr. Coolidge, as amended.

Motion carried.

The question being on the passage of the bill.

### Motion to Grant Extra Time for Debate

Mr. Miller moved that Mr. Hanna be granted five minutes additional time for debate.

Mr. Elliott seconded the motion.

*Motion carried.*

### Demand for Previous Question

Messrs. Burton, Bee, Johnson, Ernest R. Geddes, and Levering demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bee, Biddick, Bradley, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—45.

NOES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Dills, Elliott, Francis, Samuel R Geddes, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Luckel, McCollister, Pattee, Reagan, Schrade, Shell, Sumner, Thelin, Thomas, and George A. Willson—34.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1177 was taken up.

**Assembly Bill No. 1177**—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211.5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190.1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

### Amendment No. 1

On page 3 of the printed bill, strike out lines 11 and 12, and insert "incomes in excess of fifteen thousand dollars ($15,000) and not in excess of forty thousand dollars ($40,000), 7 percent in addition of such excess

Two thousand two hundred seventy-five dollars ($2,275) upon taxable incomes of forty thousand dollars ($40,000); and upon taxable incomes in excess of forty

thousand dollars ($40,000) and not in excess of fifty thousand dollars ($50,000), 8 percent in addition of such excess.

Three thousand seventy-five dollars ($3,075) upon taxable incomes of fifty thousand dollars ($50,000); and upon taxable incomes in excess of fifty thousand dollars ($50,000) and not in excess of sixty thousand dollars ($60,000), 9 percent in addition of such excess.

Three thousand nine hundred seventy-five dollars ($3,975) upon taxable incomes of sixty thousand dollars ($60,000); and upon taxable incomes in excess of sixty thousand dollars ($60,000) and not in excess of seventy thousand dollars ($70,000), 10 percent in addition of such excess.

Four thousand nine hundred seventy-five dollars ($4,975) upon taxable incomes of seventy thousand dollars ($70,000); and upon taxable incomes in excess of seventy thousand dollars ($70,000) and not in excess of eighty thousand dollars ($80,000), 11 percent in addition of such excess.

Six thousand seventy-five dollars ($6,075) upon taxable incomes of eighty thousand dollars ($80,000); and upon taxable incomes in excess of eighty thousand dollars ($80,000) and not in excess of one hundred thousand dollars ($100,000), 12 percent in addition of such excess.

Eight thousand four hundred seventy-five dollars ($8,475) upon taxable incomes of one hundred thousand dollars ($100,000); and upon taxable incomes in excess of one hundred thousand dollars ($100,000) and not in excess of one hundred fifty thousand dollars ($150,000), 13 percent in addition of such excess.

Fourteen thousand nine hundred seventy-five dollars ($14,975) upon taxable incomes of one hundred fifty thousand dollars ($150,000); and upon taxable incomes in excess of one hundred fifty thousand dollars ($150,000) and not in excess of two hundred fifty thousand dollars ($250,000), 14 percent in addition of such excess.

Twenty-eight thousand nine hundred seventy-five dollars ($28,975) upon taxable incomes of two hundred fifty thousand dollars ($250,000); and upon taxable incomes in excess of two hundred fifty thousand dollars ($250,000), 15 percent in addition of such excess."

**Amendment No. 2**

On page 6, strike out lines 1 to 52, inclusive; and on page 7 strike out lines 1 to 38, inclusive, and insert

"17048. Optional tax.

| If the adjusted gross income is over— | But not over— | The tax shall be: Single person (not head of household) | (1) Married person making separate return, or (2) Married couple making joint return (tax is on one-half the amount subject to tax) | Head of household |
|---|---|---|---|---|
| $0 | $1,900 | $0 | $0 | $0 |
| 1,900 | 1,950 | 0 | 0 | 0 |
| 1,950 | 2,000 | 0 | .28 | 0 |
| 2,000 | 2,050 | 0 | .73 | 0 |
| 2,050 | 2,100 | 0 | 1.18 | 0 |
| 2,100 | 2,150 | 0 | 1.63 | 0 |
| 2,150 | 2,200 | 0 | 2.08 | 0 |
| 2,200 | 2,250 | .03 | 2.53 | 0 |
| 2,250 | 2,300 | .48 | 2.98 | 0 |
| 2,300 | 2,350 | 93 | 3.43 | 0 |
| 2,350 | 2,400 | 1.38 | 3.88 | 0 |
| 2,400 | 2,450 | 1.83 | 4.33 | 0 |
| 2,450 | 2,500 | 2.28 | 4.78 | 0 |
| 2,500 | 2,550 | 2.73 | 5.23 | 0 |
| 2,550 | 2,600 | 3.18 | 5.68 | 0 |
| 2,600 | 2,650 | 3 63 | 6.13 | 0 |
| 2,650 | 2,700 | 4.08 | 6.58 | 0 |
| 2,700 | 2,750 | 4 53 | 7.03 | 0 |
| 2,750 | 2,800 | 4.98 | 7.48 | 0 |
| 2,800 | 2,850 | 5.43 | 7.93 | 0 |
| 2,850 | 2,900 | 5.88 | 8.38 | 0 |
| 2,900 | 2,950 | 6.33 | 8 83 | 0 |
| 2,950 | 3,000 | 6.78 | 9.28 | 0 |
| 3,000 | 3,050 | 7.23 | 9.73 | 0 |
| 3,050 | 3,100 | 7.68 | 10.18 | 0 |
| 3,100 | 3,150 | 8.13 | 10.63 | 0 |
| 3,150 | 3,200 | 8.58 | 11 08 | 0 |
| 3,200 | 3,250 | 9.03 | 11.53 | 0 |
| 3,250 | 3,300 | 9.48 | 11 98 | 0 |
| 3,300 | 3,350 | 9.93 | 12.43 | 0 |
| 3,350 | 3,400 | 10.38 | 12.88 | 0 |
| 3,400 | 3,450 | 10 83 | 13.33 | 0 |

| If the adjusted gross income is over— | But not over— | The tax shall be: Single person (not head of household) | (1) Married person making separate return, or (2) Married couple making joint return (tax is on one-half the amount subject to tax) | Head of household |
|---|---|---|---|---|
| $3,450 | $3,500 | $11.28 | $13.78 | $0 |
| 3,500 | 3,550 | 11.73 | 14.23 | 0 |
| 3,550 | 3,600 | 12.18 | 14.68 | 0 |
| 3,600 | 3,650 | 12 63 | 15 13 | 0 |
| 3,650 | 3,700 | 13.08 | 15.58 | 0 |
| 3,700 | 3,750 | 13.53 | 16 03 | 0 |
| 3,750 | 3,800 | 13.98 | 16.48 | 0 |
| 3,800 | 3,850 | 14.43 | 16 93 | 0 |
| 3,850 | 3,900 | 14 88 | 17.38 | 0 |
| 3,900 | 3,950 | 15 33 | 17 83 | 33 |
| 3,950 | 4,000 | 15 78 | 18 28 | .78 |
| 4,000 | 4,050 | 16.23 | 18 73 | 1 23 |
| 4,050 | 4,100 | 16.68 | 19 18 | 1.68 |
| 4,100 | 4,150 | 17 13 | 19 63 | 2 13 |
| 4,150 | 4,200 | 17.58 | 20 08 | 2.58 |
| 4,200 | 4,250 | 18 03 | 20.53 | 3.03 |
| 4,250 | 4,300 | 18 48 | 20.98 | 3 48 |
| 4,300 | 4,350 | 18.93 | 21.43 | 3 93 |
| 4,350 | 4,400 | 19.38 | 21.88 | 4.38 |
| 4,400 | 4,450 | 19.83 | 22 33 | 4 83 |
| 4,450 | 4,500 | 20.28 | 22.78 | 5 28 |
| 4,500 | 4,550 | 20.73 | 23.23 | 5.73 |
| 4,550 | 4,600 | 21.18 | 23.68 | 6 18 |
| 4,600 | 4,650 | 21 63 | 24.13 | 6.63 |
| 4,650 | 4,700 | 22.08 | 24 58 | 7 08 |
| 4,700 | 4,750 | 22.53 | 25 06 | 7.53 |
| 4,750 | 4,800 | 22.98 | 25.96 | 7.98 |
| 4,800 | 4,850 | 23 43 | 26 86 | 8 43 |
| 4,850 | 4,900 | 23 88 | 27.76 | 8.88 |
| 4,900 | 4,950 | 24.33 | 28 66 | 9.33 |
| 4,950 | 4,999.99 | 24.78 | 29 56 | 9 78". |

**Amendment No. 3**

On page 9, line 17, strike out "one thousand five hundred"; and on line 18 strike out "dollars ($1,500)", and insert "two thousand dollars ($2,000)".

**Amendment No. 4**

On page 9, line 20, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

**Amendment No. 5**

On page 9, line 22, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

**Amendment No. 6**

On page 31, line 22, strike out "one"; and on line 23 strike out "thousand five hundred dollars ($1,500)", and insert "two thousand dollars ($2,000)".

**Amendment No. 7**

On page 31, line 25, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

**Amendment No. 8**

On page 31, line 32, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

Amendments read.

**Speaker pro Tempore Presiding**

At 1.40 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Unruh, Schrade, Luckel, Biddick, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. Masterson.

**Roll Call Demanded**

Messrs. MacBride, Dills, and Levering demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Bane, Burke, Burton, Chapel, Collier, Dahl, Davis, Elliott, Francis, Gaffney, Garrigus, Hawkins, Holmes, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Masterson, Munnell, Pattee, Petris, Rumford, Shell, Williamson, and Charles H. Wilson—27.

NOES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Luckel, MacBride, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, and Z'berg—46.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Hawkins moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, as amended, strike out lines 22 and 23, and insert "incomes in excess of fifteen thousand dollars ($15,000), and not in excess of seventeen thousand five hundred dollars ($17,500), 7 percent in addition of such excess.

Seven hundred dollars ($700) upon taxable incomes of seventeen thousand five hundred dollars ($17,500); and upon taxable incomes in excess of seventeen thousand five hundred dollars ($17,500) and not in excess of twenty thousand dollars ($20,000), 8 percent in addition of such excess.

Nine hundred dollars ($900) upon taxable incomes of twenty thousand dollars ($20,000); and upon taxable incomes in excess of twenty thousand dollars ($20,000) and not in excess of twenty-two thousand five hundred dollars ($22,500), 9 percent in addition of such excess.

One thousand one hundred twenty-five dollars ($1,125) upon taxable incomes of twenty-two thousand five hundred dollars ($22,500); and upon taxable incomes in excess of twenty-two thousand five hundred dollars ($22,500) and not in excess of twenty-five thousand dollars ($25,000), 10 percent in addition of such excess.

One thousand three hundred seventy-five dollars ($1,375) upon taxable incomes of twenty-five thousand dollars ($25,000); and upon taxable incomes in excess of twenty-five thousand dollars ($25,000) and not in excess of twenty-seven thousand five hundred dollars ($27,500), 11 percent in addition of such excess.

One thousand six hundred fifty dollars ($1,650) upon taxable incomes of twenty-seven thousand five hundred dollars ($27,500); and upon taxable incomes in excess of twenty-seven thousand five hundred dollars ($27,500) and not in excess of thirty thousand dollars ($30,000), 12 percent in addition of such excess.

One thousand nine hundred fifty dollars ($1,950) upon taxable incomes of thirty thousand dollars ($30,000); and upon taxable incomes in excess of thirty thousand dollars ($30,000) and not in excess of thirty-two thousand five hundred dollars ($32,500), 13 percent in addition of such excess.

Two thousand two hundred seventy-five dollars ($2,275) upon taxable incomes of thirty-two thousand five hundred dollars ($32,500); and upon taxable incomes in excess of thirty-two thousand five hundred dollars ($32,500) and not in excess of thirty-five thousand dollars ($35,000), 14 percent in addition of such excess.

Two thousand six hundred twenty-five dollars ($2,625) upon taxable incomes of thirty-five thousand dollars ($35,000); and upon taxable incomes in excess of thirty-five thousand dollars ($35,000), 15 percent in addition of such excess"

**Amendment No. 2**

On page 3, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 38, *inclusive, and insert*

"17048. Optional tax.

| If the adjusted gross income is over— | But not over— | The tax shall be: Single person (not head of household) | (1) Married person making separate return, or (2) Married couple making joint return (tax is on one-half the amount subject to tax) | Head of household |
|---|---|---|---|---|
| $0 | $1,900 | $0 | $0 | $0 |
| 1,900 | 1,950 | 0 | 0 | 0 |
| 1,950 | 2,000 | 0 | .28 | 0 |
| 2,000 | 2,050 | 0 | .73 | 0 |
| 2,050 | 2,100 | 0 | 1.18 | 0 |
| 2,100 | 2,150 | 0 | 1.63 | 0 |
| 2,150 | 2,200 | 0 | 2.08 | 0 |
| 2,200 | 2,250 | .03 | 2.53 | 0 |
| 2,250 | 2,300 | .48 | 2 98 | 0 |
| 2,300 | 2,350 | .93 | 3.43 | 0 |
| 2,350 | 2,400 | 1.38 | 3 88 | 0 |
| 2,400 | 2,450 | 1.83 | 4 33 | 0 |
| 2,450 | 2,500 | 2.28 | 4.78 | 0 |
| 2,500 | 2,550 | 2.73 | 5 23 | 0 |
| 2,550 | 2,600 | 3.18 | 5.68 | 0 |
| 2,600 | 2,650 | 3.63 | 6.13 | 0 |
| 2,650 | 2,700 | 4.08 | 6.58 | 0 |
| 2,700 | 2,750 | 4.53 | 7.03 | 0 |
| 2,750 | 2,800 | 4 98 | 7 48 | 0 |
| 2,800 | 2,850 | 5.43 | 7 93 | 0 |
| 2,850 | 2,900 | 5.88 | 8 38 | 0 |
| 2,900 | 2,950 | 6.33 | 8 83 | 0 |
| 2,950 | 3,000 | 6.78 | 9.28 | 0 |
| 3,000 | 3,050 | 7.23 | 9 73 | 0 |
| 3,050 | 3,100 | 7 68 | 10.18 | 0 |
| 3,100 | 3,150 | 8 13 | 10.63 | 0 |
| 3,150 | 3,200 | 8.58 | 11 08 | 0 |
| 3,200 | 3,250 | 9.03 | 11.53 | 0 |
| 3,250 | 3,300 | 9 48 | 11.98 | 0 |
| 3,300 | 3,350 | 9.93 | 12 43 | 0 |
| 3,350 | 3,400 | 10.38 | 12.88 | 0 |
| 3,400 | 3,450 | 10.83 | 13.33 | 0 |
| 3,450 | 3,500 | 11.28 | 13.78 | 0 |
| 3,500 | 3,550 | 11.73 | 14.23 | 0 |
| 3,550 | 3,600 | 12.18 | 14.68 | 0 |
| 3,600 | 3,650 | 12.63 | 15.13 | 0 |
| 3,650 | 3,700 | 13.08 | 15.58 | 0 |
| 3,700 | 3,750 | 13.53 | 16.03 | 0 |
| 3,750 | 3,800 | 13.98 | 16 48 | 0 |
| 3,800 | 3,850 | 14.43 | 16 93 | 0 |
| 3,850 | 3,900 | 14 88 | 17.38 | 0 |
| 3,900 | 3,950 | 15.33 | 17.83 | .33 |
| 3,950 | 4,000 | 15.78 | 18 28 | .78 |
| 4,000 | 4,050 | 16 23 | 18.73 | 1 23 |
| 4,050 | 4,100 | 16.68 | 19.18 | 1.68 |
| 4,100 | 4,150 | 17.13 | 19.63 | 2.13 |
| 4,150 | 4,200 | 17.58 | 20.08 | 2 58 |
| 4,200 | 4,250 | 18.03 | 20.53 | 3.03 |
| 4,250 | 4,300 | 18 48 | 20 98 | 3.48 |
| 4,300 | 4,350 | 18 93 | 21.43 | 3 93 |
| 4,350 | 4,400 | 19.38 | 21.88 | 4.38 |
| 4,400 | 4,450 | 19.83 | 22.33 | 4.83 |
| 4,450 | 4,500 | 20.28 | 22.78 | 5.28 |
| 4,500 | 4,550 | 20 73 | 23.23 | 5.73 |
| 4,550 | 4,600 | 21.18 | 23.68 | 6.18 |
| 4,600 | 4,650 | 21 63 | 24 13 | 6.63 |
| 4,650 | 4,700 | 22.08 | 24.58 | 7.08 |
| 4,700 | 4,750 | 22.53 | 25.06 | 7.53 |
| 4,750 | 4,800 | 22.98 | 25.96 | 7.98 |
| 4,800 | 4,850 | 23.43 | 26 86 | 8.43 |
| 4,850 | 4,900 | 23 88 | 27.76 | 8.88 |
| 4,900 | 4,950 | 24.33 | 28.66 | 9.33 |
| 4,950 | 4,999.99 | 24.78 | 29.56 | 9.78". |

**Amendment No. 3**

On page 9, line 17, strike out "one thousand five hundred"; and on line 18 strike out "dollars ($1,500)", and insert "two thousand dollars ($2,000)".

**Amendment No. 4**

On page 9, line 20, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

**Amendment No. 5**

On page 9, line 22, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

**Amendment No. 6**

On page 31, line 22, strike out "one"; and on line 23 strike out "thousand five hundred dollars ($1,500)", and insert "two thousand dollars ($2,000)".

**Amendment No. 7**

On page 31, line 25, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

**Amendment No. 8**

On page 31, line 32, strike out "three thousand dollars ($3,000)", and insert "three thousand five hundred dollars ($3,500)".

Amendments read.

**Demand for Previous Question**

Messrs. Conrad, Lanterman, Schrade, Charles H. Wilson, and Luckel demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. Hawkins.

Amendments refused adoption by the following vote:

AYES—Bane, Burke, Burton, Elliott, Hawkins, Kilpatrick, Masterson, McMillan, Munnell, Petris, Rumford, Thomas, Williamson, and Charles H. Wilson—14

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, Winton, and Z'berg—63.

**Speaker Presiding**

At 2.06 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

**Point of Order**

Mr. Winton arose to the following point of order: That Mr. Collier had exceeded his time for debate.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Motion to Grant Extra Time for Debate**

Mr. Backstrand moved that Mr. Collier be granted an additional three minutes for debate on the bill.

Mr. Shell seconded the motion.

Motion carried.

### Demand for Previous Question

Messrs. Charles H. Wilson, Schrade, Luckel, Pattee, and Miss Donahoe demanded the previous question. Demand sustained.

The question being on the passage of Assembly Bill No. 1177.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.

NOES—Backstrand, Beaver, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Dills, Francis, Samuel R. Geddes, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, Sumner, and Thelin—27.

Bill ordered transmitted to the Senate.

### Explanation of Vote on Assembly Bill No. 1177

Statement on Income Tax

This bill should have been postponed until the Budget is on the floor.

HEGLAND

### VOTE CHANGED ON ROLL CALL ON ASSEMBLY BILL NO. 1172

Mr. Burton was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 1172.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1177

Mr. Dills was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1177.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TABLE BRUCE F. ALLEN AMENDMENTS TO ASSEMBLY BILL NO. 1223

At 2.18 p.m., on motion of Mr. Bradley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that the amendments offered by Mr. Bruce F. Allen to Assembly Bill No. 1223 be laid on the table carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Burton, Busterud, Cameron, Crown, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—43.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Frew, Ernest R. Geddes, Grant, Hegland, House, Johnson, Lanterman, Lowrey, Marks, Masterson, McCollister, Mulford, Nisbet, Pattee, Schrade, Shell, Sumner, and Winton—34.

Assembly Bill No. 1223 ordered reprinted, and re-engrossed.

### LEAVE OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of illness:

Mr. Marks, on motion of Mr. Busterud.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. Lowrey announced a meeting of the Committee on Natural Resources, Planning, and Public Works at 3.30 p.m. this afternoon to hear one bill.

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Mr. Ernest R Geddes announced that the Subcommittee on Education would meet at 2.45 p.m. in Room 2170 to hear Assembly Bill No. 1000, and would later move to another room if necessary to complete the hearing.

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Mrs Davis announced that the meeting of the Committee on Fish and Game, scheduled for this afternoon, would be postponed until 7.30 p.m. this evening in Room 5168.

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Mr. Winton announced that there would be no meeting of the Committee on Government Organization today.

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Mr. Porter announced that the Committee on Water would meet at 3.10 p.m. this afternoon in Room 4202.

## PARLIAMENTARY INQUIRY

Mr. Burton arose to the following parliamentary inquiry: Was the motion to reconsider the Britschgi Amendments to Assembly Bill No. 759 waived?

### Reply by Speaker

The Speaker replied that the motion to reconsider was continued until the next legislative day early this morning.

## EXPLANATION OF ABSENCE

I was off the floor from 9.40 to 10.50 a.m. this morning testifying at a Senate committee hearing.

DON MULFORD

## ADJOURNMENT

At 2.22 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 8, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY

SIXTY-EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, April 8, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Most Merciful Father*, We have erred, and strayed from Thy ways like lost sheep. We have followed too much the devices and desires of our own hearts. We have offended against Thy holy laws. We have left undone those things which we ought to have done; and we have done those things which we ought not to have done; and there is no health in us. But Thou, O Lord, have mercy upon us, miserable offenders. Spare Thou those, O God, who confess their faults Restore Thou those who are penitent; according to Thy promises declared unto mankind in Christ Jesus, our Lord. And grant, O Most Merciful Father, for His sake; that we may hereafter live a godly, righteous, and sober life, to the glory of Thy Holy Name.—AMEN

*(From the Book of Common Prayer)*

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kilpatrick, seconded by Mr. Ernest R. Geddes, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day because of illness:

Mr. Johnson, on motion of Mr. Shell.

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere.

Miss Donahoe, on motion of Mr. Winton.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Winton and Sumner:

### House Resolution No. 187

Relative to memorial or congratulatory resolutions

*Resolved by the Assembly of the State of California*, That Rule No. 81.5 be added to the Permanent Standing Rules of the Assembly, to read:

81.5. With the exception of resolutions relating to Members or former Members of the Legislature, no member shall introduce more than two resolutions in any session which are for the purpose of commendation or congratulation of any person or organization or for the purpose of expressing sympathy, regret, or sorrow upon the death of any person.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 105**: By Mr. Francis—Relative to the imposition of inheritance or other death taxes by chartered cities.

Referred to Committee on Rules.

**Assembly Bill No. 2381**: By Mr. Rees—An act to amend Section 1705 of, and to add Section 1716 to, the Corporations Code, relating to investment companies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2382**: By Mr. Rees—An act to amend Section 4850 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2383**: By Messrs. Francis and Britschgi, and Senator Dolwig, co-author—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2384**: By Mr. Francis—An act to create the Guadalupe Valley Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2385**: By Messrs. Francis, Chapel, Charles H. Wilson, Britschgi, Burke, Kilpatrick, and Pattee, on behalf of the Subcommittee on Corporation Laws of the Assembly Interim Committee on Public Utilities and Corporations—An act to add Division 5 (commencing at Section 30000) to Title 4 of the Corporations Code, relating to the sale of business franchises.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2386**: By Mr. Francis (By Request)—An act to amend Section 26200.5 of the Health and Safety Code, relating to labeling of vitamins.

Referred to Committee on Public Health.

**Assembly Bill No. 2387**: By Mr. Meyers—An act to repeal Section 30608, and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 of, and to add Section 30608 and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 to, the Streets and Highways Code, relating to toll crossings of San Francisco Bay.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2388**: By Messrs. Kennick, Cusanovich, Thelin, and Nisbet—An act to amend Section 21454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic control signals.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2389**: By Mr. Petris—An act to amend Section 6739 of, and to add Sections 6706 and 6707 to, the Business and Professions Code, relating to the practice of engineering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2390**: By Mr. Lunardi and Mrs. Davis—An act to create the Yuba-Bear River Basin Authority, to develop and promote the regulation of the water resources of the Yuba and Bear Rivers watersheds for beneficial use in the Counties of Yuba, Placer, Nevada, Sierra and Sutter, prescribing the authority's powers and duties, providing for its organization, operation and management and authorizing the incurrence of indebtedness, providing for the issuance of bonds, providing for the levy and collection of taxes, and for co-operation and contracts with any entity.

Referred to Committee on Water.

**Assembly Bill No. 2391**: By Mr. Backstrand—An act to amend Sections 117m and 117p of the Code of Civil Procedure, relating to fees in small claims actions.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2392**: By Messrs. Crawford and Hegland—An act to add Section 13187 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to credentials and certification documents of employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2393:** By Messrs. Crawford and Hegland—An act to add Section 20607 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to budgets of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2394:** By Messrs. Crawford and Hegland—An act to add Section 21116 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to warrants and orders of school districts.

Referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1857

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER Your Committee on Criminal Procedure reports:

Assembly Bill No. 708

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1292

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1796

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1728
Assembly Bill No. 1794

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 276
Assembly Bill No. 1715
Assembly Bill No. 1067
Assembly Bill No. 1409
Assembly Bill No. 1252

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1855
Assembly Bill No. 1527
Assembly Bill No. 1528

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Rules reports.

Assembly Concurrent Resolution No. 96

With the recommendation: That the resolution be re-referred to the Committee on Natural Resources, Planning, and Public Works.

MILLER, Chairman

Above resolution re-referred to the Committee on Natural Resources, Planning, and Public Works.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 182

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 36

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 16

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 45

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 184
House Resolution No. 176
House Resolution No. 183
House Resolution No. 179
House Resolution No. 180
House Resolution No. 181

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1077

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1246

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 698

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports

Assembly Bill No. 1571

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1381

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

MEYERS, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 272

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Education**

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1777

With the recommendation: Do pass.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 151

With the recommendation: Do pass.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 1457

With amendments with the recommendation: Amend, and do pass, as amended.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 909

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GARRIGUS, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 1641

Assembly Bill No. 1724

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 64

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 229

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1832
Assembly Bill No. 1831
Assembly Bill No. 1830
Assembly Bill No. 1829
Assembly Bill No. 1828
Assembly Bill No. 1722
Assembly Bill No. 1721
Assembly Bill No. 1720
Assembly Bill No. 1622

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 6, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 828

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 288
Senate Bill No. 447
Senate Bill No. 448
Senate Bill No. 449
Senate Bill No. 451
Senate Bill No. 452

With the recommendation: Do pass.

DAVIS, Chairman

Above bills ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 647
Senate Bill No. 177

With the recommendation: Do pass

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 989

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 189

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Water

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1304
Assembly Bill No. 1872

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 7, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1677
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1674
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1424
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 872
Assembly Bill No 1316
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 871
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1042
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1436
Assembly Bill No. 1687
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1361
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 622
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 534
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Elections and Reapportionment.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 244
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, April 7, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 885
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Industrial Relations.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 484
Assembly Bill No. 1475
Assembly Bill No. 1577
Assembly Bill No. 1601
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1074
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 628
Assembly Bill No. 884
Assembly Bill No. 949
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 221
Assembly Bill No. 349
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 317
Assembly Bill No. 1590
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 318
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No 16
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 990
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 817
Assembly Bill No. 1223
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1788

Mr. Chapel was granted unanimous consent that Assembly Bill No. 1788 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Public Utilities and Corporations.

## ASSEMBLY BILL NO. 150 WITHDRAWN FROM INACTIVE FILE

Assembly Bill No. 150 was withdrawn from the inactive file, and placed upon the third reading file, on request of Mr. Elliott.

## INQUIRY BY SPEAKER

Speaker Brown inquired of Messrs. Conrad and Winton if they desired to take up their amendments to Assembly Bill No. 320 on second reading.

### Reply

Messrs. Conrad and Winton advised the Speaker that their amendments were in technical conflict as to section numbers, and inquired if the Chief Clerk could make the necessary corrections.

### Amendments Ordered Corrected

Speaker Brown stated that, by unanimous consent, the Chief Clerk would be granted permission to correct the amendments by striking out

the conflicting section numbers, and inserting the proper section numbers.

Consent granted.

### SECOND READING OF ASSEMBLY BILL NO. 320 (OUT OF ORDER)

**Assembly Bill No. 320**—An act to repeal Chapter 1 of Division 7 of, to add Chapter 1 to Division 7 of, and to repeal Section 5007 of, the Elections Code, relating to election campaigns, campaign contributions and campaign expenditures, and providing penalties for violations thereof.

Bill read second time.

#### Motion to Amend

Mr. Conrad moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 23, of the printed bill, strike out the first "or", and insert a comma.

#### Amendment No. 2

On page 2, line 25, after "mittee)", insert ", or municipal office in a general law or chartered city".

#### Amendment No. 3

On page 2, between lines 30 and 31, insert

"4503.5. A candidate or nominee for a municipal office need not file a campaign statement if the lawful receipts and expenses of his campaign do not exceed two hundred dollars ($200). However, elected candidates or candidates nominated at a primary election shall file a written declaration to that effect if their campaign receipts and expenses do not exceed two hundred dollars ($200)."

#### Amendment No. 4

On page 4, between lines 34 and 35, insert

"(c) In the case of candidates for municipal offices in a general law or chartered city, the document, or written declaration required in Section 4503.5, shall be filed with the clerk of the city in which the election is held."

#### Amendment No. 5

On page 4, line 35, strike out "(c)", and insert "(d)".

#### Amendment No. 6

On page 4, strike out lines 47 to 51, inclusive.

#### Amendment No. 7

On page 9, line 19, after "statements", insert ", or written declaration as required in Section 4503.5,".

Amendments read, and adopted.

#### Consideration of Further Amendments

#### Motion to Amend

Mr. Winton moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 23, of the printed bill, after "county", insert ", hospital district,".

#### Amendment No. 2

On page 2, between lines 30 and 31, insert

"A candidate for election to the office of director of a hospital district is not subject to the provisions of this chapter if the lawful receipts and expenses of his campaign do not exceed two hundred dollars ($200)."

Amendments read, and adopted.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading file, with the exception of Assembly Bill No. 320, read the second time, with appropriate actions taken on those bills requiring action.

### MOTION

Mr. Winton moved that the balance of the bills on the Asembly and Senate second reading files with the exception of Assembly Bill No. 320, which was considered previously, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. MacBride seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bill was this day on the second reading file:

**Assembly Bill No. 990.**

Above bill ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1461**—An act to amend Sections 305 and 415 of, and to add Section 514 to, the Streets and Highways Code, relating to state highways.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "239", and insert "69".

#### Amendment No. 2

On page 1, line 5, strike out "Santa Clara Street", and insert "Route 68".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 806**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1587**—An act to amend Section 30904 of, and to repeal Section 31003 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles transporting hay.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on April 1, 1959, after line 50, insert

"SEC. 2. Section 31003 of said code is repealed."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1845**—An act to add Section 54906 to the Government Code, relating to highway lighting districts.

Bill read second time. ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1848**—An act to amend Sections 11102, 11104, 11105, 11106, 11107 and 11110 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to driving schools and instructors and licenses issued in connection therewith.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1730**—An act to amend Section 4156 of, and add Section 4464 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to temporary vehicle permits and license plates.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1731**—An act to amend Section 42230 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session relating to refund of fees upon rejection of applications.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22413, 31401, 31402, 31403, 31404, 31405, 31406 and 31407 to, and to amend Section 31400 of, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session and to amend Section 16854 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 9, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "primarily".

**Amendment No. 2**

On page 2, line 21, strike out "primarily".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 841**—An act to amend Section 106 of the Education Code, and Section 108 of the Education Code as proposed by Senate Bill No 2, relating to meetings of the State Board of Education.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 992**—An act to add Sections 4008.2, 4008.3, and 4008 4 to the Business and Professions Code, relating to pharmacy.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1290**—An act to amend Section 109.5 of the Streets and Highways Code, relating to agreements with the United States in connection with state highways.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1418**—An act to amend Section 21115 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts payroll procedure.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1045**—An act to add Section 233 to the Water Code, relating to archaeological investigations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1011**—An act to amend Section 93 of the Streets and Highways Code, relating to maintenance and restoration of public highways.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 725**—An act to amend Section 8742 of, and to add Section 8745.5 to, the Business and Professions Code, relating to land surveying.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1029**—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 979**—An act to add Sections 22015, 22152, 22308 and 22503 to, and to amend Sections 22150 and 22151 of, the Government Code, relating to integration of federal old age and survivors

insurance with the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1242**—An act to add Article 2.6 (commencing at Section 265) to Chapter 2.5 of Division 1 of, and Section 11554.1 to, the Water Code, relating to contracts by the Department of Water Resources for construction of projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1844**—An act to amend Section 14004 of the Financial Code, relating to credit union employee organizations.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1530**—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

### Amendment No. 1

On page 1, line 15, of the printed bill, after "exchanges", insert ", Lloyds insurers, fraternal benefit societies, fraternal fire insurers, grants and annuities societies, insurers holding certificates of exemptions, motor clubs, nonprofit hospital associations, agents, brokers, solicitors, surplus line brokers and special lines surplus line brokers".

### Amendment No. 2

On page 2, strike out lines 1 to 5, inclusive, and insert

"(a) Making, issuing, circulating, or causing to be made, issued or circulated, any estimate, illustration, circular or statement misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon, or making any false or misleading statement as to the dividends or share of surplus previously paid on similar policies, or making any misleading representation or any misrepresentation as to the financial condition of any insurer, or as to the legal reserve system upon which any life insurer operates, or using any name or title of any policy or class of policies misrepresenting the true nature thereof, or making any misrepresentation to any policyholder insured in any company for the purpose of inducing or tending to induce such policyholder to lapse, forfeit, or surrender his insurance."

### Amendment No. 3

On page 2, line 11, after "radio", insert "or television".

### Amendment No. 4

On page 2, strike out lines 36 to 51, inclusive, and insert

"790.04. The commissioner shall have power to examine and investigate into the affairs of every person engaged in the business of insurance in the State in order to determine whether such person has been or is engaged in any unfair method of competition or in any unfair or deceptive act or practice prohibited by Section 790.03 or determined pursuant to this article to be an unfair method of competition or an unfair or deceptive practice in the business of insurance. Such investigation may be conducted pursuant to Article 2 (commencing at Section 11180) of Chapter 2, Part 1, Division 3, Title 2 of the Government Code.

790.05. The commissioner may, after hearing, suspend or revoke the license or certificate of any person engaged in the business of insurance which, after 10 days written notice from the commissioner requiring it to cease and desist, continues to engage in unfair methods of competition and unfair and deceptive acts or practices either as defined in Section 790.03 or as determined by this article. The hearings herein provided shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 (commencing at Section 11500) of Part 1, Division 3, Title 2 of the Government Code, and the commissioner shall have all the powers granted therein."

**Amendment No. 5**

On page 3, strike out lines 1 to 52, inclusive.

**Amendment No. 6**

On page 4, strike out lines 1 to 52, inclusive.

**Amendment No. 7**

On page 5, strike out lines 1 to 52, inclusive.

**Amendment No. 8**

On page 6, strike out lines 1 to 15, inclusive.

**Amendment No. 9**

On page 6, line 18, after "forfeitures", insert ", denials, suspension or revocations of licenses or certificates".

**Amendment No. 10**

On page 6, after line 20, insert

"7590.12 No order to cease and desist issued under this article directed to any person or subsequent administrative or judicial proceeding to enforce the same shall in any way relieve or absolve such person from any administrative action against the license or certificate of such person, civil liability or criminal penalty under the laws of this State arising out of the methods, acts or practices found unfair or deceptive."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1763**—An act to amend Sections 12100, 12200.1 and 12304 of, and to add Section 12200.2 to, the Financial Code, relating to check sellers and cashers, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1792**—An act to amend Section 22480 of the Financial Code, relating to charges on loans made by personal property brokers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1793**—An act to amend Section 22451 of the Financial Code, relating to charges on loans by personal property brokers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1526**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 734**—An act to amend Section 3352 of the Labor Code, and to repeal Chapter 9 (commencing at Section 4250) of Division 4 of, the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 528**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 831**—An act to amend Section 404 of the Unemployment Code, relating to referees of Appeals Board.

Bill read second time, and ordered to third reading.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 105**—An act to amend Section 21880 of, and to add Sections 21822, and 21880.5 to, the Business and Professions Code, relating to brake fluid.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 149**—An act to amend Sections 5053, 5600, 5613, 6006, 6561, 7150, and 8702 of, to add Sections 6413 and 7603.5 to, and to repeal Section 7407 of, the Financial Code, relating to savings and loan associations.

Bill read second time, and ordered to third reading.

**Senate Bill No. 202**—An act to amend Section 205.5 of the Agricultural Code, relating to the State Livestock Sanitary Committee.

Bill read second time, and ordered to third reading.

**Senate Bill No. 158**—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to unemployment disability compensation hospital benefits.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 2710 and 2801 of", and insert "Section 2710 of, and to add Section 2801.1 to,".

#### Amendment No. 2

On page 2, strike out lines 1 to 9, inclusive, and insert

"SEC. 2. Section 2801.1 is added to said code, to read:

2801.1. Except as to individuals disqualified from receiving benefits under Section 2678, confinement in a hospital pursuant to court order or physician's or health officer's certificate shall be equivalent to orders of the individual's physician as required by Section 2801."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 759 WAIVED

Mr. Unruh waived his motion to reconsider the vote whereby the amendments by Mr. Britschgi to Assembly Bill No. 759 were adopted.

Assembly Bill No. 759 ordered reprinted, and re-engrossed.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 990** and **1848**, subsequent to engrossment.

**Assembly Bill No. 831, Senate Bill No. 105**, and **Assembly Bill No. 871.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 641**—An act to amend Section 795 of the Agricultural Code, relating to citrus.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 641?

### Amendment No. 1

On page 2, line 30, of the printed bill, as amended in the Assembly on March 13, 1959, strike out "practical", and insert "practicable".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 641 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 641 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1223**—An act to amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1172, 1173, 1174, 1178, 1182, 1183, 1185, 1194, 1195, 1195.5, 1197, 1199 of, and to repeal Sections 1191, 1192, and 1193 of, and to add Sections 1205, 1206 and 1207 to, the Labor Code, relating to minimum wages and other terms of employment.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.01 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Motion to Grant Extra Time for Debate

Mr. Collier moved that Mr. Bruce F. Allen be granted five minutes additional time for debate on the bill.

Mr. Levering seconded the motion.

Motion carried.

### Demand for Previous Question

Messrs. Elliott, Charles H. Wilson, Hegland, Luckel, and Dills demanded the previous question.

### Roll Call Demanded

Messrs. Belotti, Backstrand, and Lanterman demanded a roll call.

The roll was called, and the demand for the previous question was sustained by the following vote:

AYES—Bane, Bee, Biddick, Burton, Cameron, Crown, Davis, DeLotto, Dills, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hegland, Holmes, Kennick, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell,

Petris, Porter, Rees, Schrade, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—38.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Gaffney, Ernest R. Geddes, Grant, House, Lanterman, Levering, Lowrey, Marks, Mulford, Munnell, Pattee, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, and Unruh—34.

The question being on the passage of the bill.

#### Motion to Grant Extra Time for Debate

Mr. Lowrey moved that Mr. Hawkins be granted three minutes additional time for closing, in order to answer questions.

Mr. Bradley seconded the motion.

Motion carried.

The question being on the passage of the bill.

The roll was called.

#### Request for Unanimous Consent

Because only one roll call was prepared, and because there were numerous requests for copies of the roll call, Speaker pro Tempore Bee asked for unanimous consent to cancel that roll call, and take a new roll call.

Unanimous consent withheld.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Mr. Elliott seconded the motion.

Motion carried. Time, 10.37 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

#### Speaker Presiding

At 10.38 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### ANNOUNCEMENT

Mr. Pattee announced that today was the birthday of Mr. Backstrand, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Backstrand.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Constitutional Amendment No. 16**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article XI thereof, relating to the presentation, consideration and enforcement of claims against

chartered counties, cities and counties and cities and against officers, agents and employees thereof.

Resolution read.

**Motion to Amend**

Mr. Bradley moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 12, of the printed measure, strike out "cities and counties and", and insert "chartered cities and counties, and chartered".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

## ASSEMBLY BILL NO. 487 PLACED ON THE INACTIVE FILE

**Assembly Bill No. 487** was placed upon the inactive file on motion of Mr. MacBride.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1202**—An act to amend Section 25123 of the Government Code, and Section 1651 of the Elections Code, relating to effective date of county ordinances.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1042**—An act to amend Sections 8707, 8714, 9301, 9776, and 10451, of the Revenue and Taxation Code, relating to the use fuel and motor vehicle transportation license tax laws.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

## PARLIAMENTARY INQUIRY

Mr. McCollister arose to the following parliamentary inquiry: Were committee reports read yesterday?

**Reply by Speaker**

The Speaker replied that only those reports which had been received at the time of that order of business were read across the desk yesterday.

## PARLIAMENTARY INQUIRY

Mr. McCollister arose to the following parliamentary inquiry: Where is Assembly Bill No. 64, which was reported out of the Committee on Education yesterday?

### Reply by Speaker

The Speaker replied that the report was read across the desk this morning, and that the bill would be on the second reading file tomorrow.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1677**—An act to amend Section 61600 of the Government Code, relating to powers and duties of community service districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 189**—An act to amend Sections 3.6 and 4.24 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes 1957), relating to the Los Angeles Metropolitan Transit Authority.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—53.

NOES—Beaver, Bradley, Collier, Levering, Reagan, Shell, Sumner, and Thelin—8.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1223

At 10.55 a.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Mr. Levering seconded the motion.

### Point of Order

Mr. Hawkins arose to the following point of order: That the motion is not in order, since there has been no intervening business since the lifting of the call.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

The question being on the motion for a call of the Assembly.

The roll was called.

**Parliamentary Inquiry**

Mr. Hanna arose to the following parliamentary inquiry: Will a majority vote carry the motion?

**Reply by Speaker**

The Speaker replied that a majority vote of the members present would carry the motion.

**Point of Order**

Mr Unruh arose to the following point of order: That the motion is not in order, since it was offered in the middle of the roll call.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Point of Order**

Mr. Unruh arose to the following point of order: That the calling of the absentees had not been completed when the motion was made, so it is not in order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

The vote was announced, and the motion for a call of the Assembly carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Frew, Grant, Hegland, Holmes, House, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Pattee, Reagan, Schrade, Shell, Sumner, Thelin, and George A. Willson—37.

NOES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Crown, Davis, DeLotto, Dills, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Luckel, MacBride, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—33

Time, 11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

## BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Kilpatrick seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1687**—An act to amend Sections 2808, 3357, 3718, 3795, 4104.5, 4105.2, 4106, 4150, 4217, 4803, and 4834.5 of the Revenue

and Taxation Code, and to repeal Sections 568 and 4152 thereof, re lating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Willhamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1041**—An act to add Section 6021 to the Revenue and Taxation Code, relating to sales taxes in respect to vending machines.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68
NOES—Collier, Levering, and George A. Willson—3

Bill ordered transmitted to the Senate

**Assembly Bill No. 1360**—An act to add Section 26506 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Mr Speaker—73.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1361**—An act to add Section 26505 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1362**—An act to add Article 3 (commencing at Section 26500) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to air-brakes on vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1364**—An act to add Section 26503 to the Vehicle Code as enacted by Chapter 3, Statutes of 1959, relating to airbrakes for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1021**—An act to add Chapter 7 (commencing with Section 60200) to Division 1 of Title 6 of the Government Code, relating to destruction of records of special districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1765**—An act to add Section 25083 to the Government Code, relating to the canvass of local or special election votes by board of supervisors on regular meeting day.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown,

Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1424**—An act to amend Sections 25803, 35103 and 35104 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to overwidth implements of husbandry.

Bill read third time.

**Speaker pro Tempore Presiding**

At 11.25 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1674**—An act to amend Sections 65503 and 65652 of the Government Code, relating to vote required for change of master plan and precise plan.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 339**—An act to amend Section 8752 of the Education Code, and amend Section 5602 of the Education Code as proposed by Senate Bill No. 2, relating to junior high schools.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

### MOTION TO RE-REFER SENATE BILL NO. 133 TO COMMITTEE

Mr. Bradley moved that Senate Bill No. 133 be re-referred to the Committee on Municipal and County Government.

Mr. Dahl seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Leverng, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 340**—An act to add Section 6868 to the Harbors and Navigation Code, relating to river port districts.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 232**—An act to add Section 604.14 to the Vehicle Code, and to add Section 23120 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to glasses worn by drivers.

Bill read third time, and presented by Mr. Winton.

#### Speaker Presiding

At 11.45 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Leverng, Luckel, Lunardi, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Petris,

Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Busterud, Dills, Masterson, and Pattee—4.

Bill ordered transmitted to the Senate.

NOTE—Later this day, a motion to reconsider Senate Bill No. 232 was offered. *See* page 2215.

### Vote Changed Upon Roll Call

Mr. Backstrand was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Senate Bill No. 232.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Porter moved that, pursuant to Article IV, Section 2 (a), of the Constitution, Assembly Constitutional Amendment No. 33 may be heard in the Committee on Water on Tuesday, April 14, 1959, and acted upon by the Assembly, before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

NOTE—A motion to reconsider the above action was offered later this day, and withdrawn. *See* page 2215.

## REPORTS OF STANDING COMMITTEES

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2142

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works.

LOWREY, Chairman

### Re-reference of Assembly Bill No. 2142

Speaker Brown announced that Assembly Bill No. 2142 was acted upon and reported out by the committee before the 30-calendar-day period had elapsed, and ordered the bill and the committee amendments re-referred to the Committee on Natural Resources, Planning, and Public Works.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2079

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 41

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 44

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 102

Assembly Concurrent Resolution No. 103

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered engrossed.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1179

Assembly Concurrent Resolution No. 62

With the recommendation: Do pass.

MASTERSON, Chairman

Above bill ordered to second reading.

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 306

Assembly Bill No 1755

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1604

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 113

Assembly Bill No. 702

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1051

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 34**—An act to amend Sections 375.8, 377.8, and 1118 of the Agricultural Code, relating to New York dressed fowl;

**Assembly Bill No. 252**—An act to amend Section 254 7 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 485**—An act to amend Sections 2160.1, 2160 3 and 3044.1 of, and add Section 4160.1 to, the Welfare and Institutions Code, relating to payments to recipients of old age security, aid to needy blind and aid to needy disabled in public medical institutions;

**Assembly Bill No. 609**—An act to amend Sections 170 and 171 of the Vehicle Code and to amend Sections 5005 and 5008 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the fees for issuing special license plates;

**Assembly Bill No. 651**—An act to amend Section 4160 of the Welfare and Institutions Code, relating to aid to the needy disabled;

**Assembly Bill No. 770**—An act to amend Section 10176 of the Insurance Code, relating to disability insurance policies;

**Assembly Bill No. 907**—An act to amend Sections 803, 803.5, 804, 828.45, and 829.2 of the Agricultural Code, relating to standard containers;

**Assembly Bill No. 1105**—An act to amend Sections 103 4, 118, and 118 2 of, and to amend the chapter heading of Chapter 3 (commencing with Section 3400) of Part 1 of Division 5 of, the Welfare and Institutions Code, relating to aid to the blind;

**Assembly Bill No. 1106**—An act to add Section 614.4 to the Agricultural Code, relating to milk and dairy products;

**Assembly Bill No. 1107**—An act to add Section 614.5 to the Agricultural Code, relating to milk and dairy products;

**Assembly Bill No. 1108**—An act to amend Section 620 of the Agricultural Code, relating to cheese;

**Assembly Bill No. 68**—An act to add Section 13103 to the Fish and Game Code, relating to fish and game funds;

**Assembly Bill No. 283**—An act to amend Section 823 of the Penal Code, relating to bail of person arrested on warrant of another county;

**Assembly Bill No. 694**—An act to add Section 2327 to the Business and Professions Code, relating to the practice of medicine;

And reports the same correctly enrolled, and presented to the Governor on the eighth day of April, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 78**—Relative to fire safety in schools;

And reports the same correctly enrolled, and presented to the Secretary of State on the eighth day of April, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1521
Assembly Bill No. 1682

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1730
Assembly Bill No. 1731
Assembly Bill No. 1844
Assembly Bill No. 1845

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1848

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 528
Assembly Bill No. 734
Assembly Bill No. 1526
Assembly Bill No. 1763
Assembly Bill No. 1792
Assembly Bill No. 1793

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Concurrent Resolution No. 102
Assembly Concurrent Resolution No. 103

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 62

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 7
Assembly Bill No. 216
Assembly Bill No. 325
Assembly Bill No. 417
Assembly Bill No. 536
Assembly Bill No. 543
Assembly Bill No. 545
Assembly Bill No. 547
Assembly Bill No. 637
Assembly Bill No. 754

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 151
Assembly Bill No. 481
Assembly Bill No. 482
Assembly Bill No. 531

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Bane was granted unanimous consent to take up House Resolution No. 182, at this time.

### CONSIDERATION OF HOUSE RESOLUTION NO. 182

By Messrs. Bane and Thelin:

**House Resolution No. 182**—Relating to congratulating Mrs. William A. Otwell on being selected "Woman of the Year for 1959" by the Women's Council of Burbank.

Resolution read.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

#### Amendment No. 1

In the second line of the title of the measure, as printed in the Assembly Journal for April 2, 1959, on page 1993, strike out "1959", and insert "1958".

#### Amendment No. 2

In the second line of the first "WHEREAS" clause, strike out "1959", and insert "1958".

#### Amendment No. 3

In the third line of the first *"Resolved"* clause, strike out "1959", and insert "1958".

#### Consideration of House Resolution No. 182, as Amended

By Messrs. Bane and Thelin:

#### House Resolution No. 182

Relating to congratulating Mrs. William A. Otwell on being selected "Woman of the Year for 1958" by the Women's Council of Burbank

WHEREAS, Mrs. William A. Otwell has been selected "Woman of the Year for 1958" by the Women's Council of Burbank; and

WHEREAS, Mrs. Otwell has been an inspiration to others in her work for the betterment of her community by working for and encouraging civil achievement, cultural advancement, religious activity and social welfare; and

WHEREAS, Mrs. Otwell served as Chairman of the Women's Division of Burbank March of Dimes in 1958, Area Chairman of the Cottey College Fund of the P.E.O., and as a Director of the Community Concert Association; and

WHEREAS, Mrs. Otwell is a winner of the "Pro-Teen Award" for her interest in youth; and

WHEREAS, Last year the Otwells were foster parents to a German exchange student who studied here under the Student Exchange Program, while Mrs. Otwell's only son is currently with the United States Army in Germany; and

WHEREAS, Mrs. Otwell has established the Robert Van Otwell Memorial Scholarship Fund for an award given each year to a boy and girl at Luther Burbank Junior High School; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members do hereby recognize and acknowledge the community service of Mrs. William A. Otwell and congratulate her on being selected the "Woman of the Year for 1958" by the Women's Council of Burbank; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit suitably prepared copies of this resolution to Mrs. William A. Otwell and to Mrs. Rawson Davis, President of the Women's Council of Burbank.

Resolution read. as amended, and adopted unanimously.

### MOTION TO RESET SPECIAL ORDER

Mr. Miller moved that the special order of business set for Assembly Bill No. 419 for Thursday, April 9, 1959, at 10 a.m. be continued until 10 a.m. on Tuesday, April 14, 1959.

Mr. Levering seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Miller was granted unanimous consent that all proposed amendments to Assembly Bill No. 419, received at the desk through Monday, April 13th, be ordered printed in the Journal.

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 419 SUBMITTED AS OF APRIL 8, 1959

Pursuant to consent granted to Mr. Miller on April 7th (Assembly Journal, page 2152), the following proposed amendments to Assembly Bill No 419 are printed in the Journal:

### Amendments Proposed by Mr. Miller

By Mr. Miller:

#### Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "voting".

### Amendments Proposed by Mr. Thelin

By Mr. Thelin:

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 47 to 51, inclusive; and strike out all of page 3; and on page 4 strike out lines 1 to 6, and insert

"1139. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or a group of employees shall have the right at any time to present grievances to their employer and to have such grievances adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of a collective bargaining contract or agreement then in effect; provided further, that the bargaining representative has been given opportunity to be present at such adjustment.

(b) The department shall decide in each case whether, in order to assure to employees the fullest freedom in exercising the rights guaranteed by this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof; provided, that the department shall not (1) decide that any unit is inappropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; or (2) decide that any craft unit is appropriate for such purposes on the ground that a different unit has been established by a prior department determination, unless a majority of the employees in the proposed craft unit vote against separate representation or (3) decide that any unit is appropriate for such purposes if it includes, together with other employees, any individual employed as a guard to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises; but no labor organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards.

1140. Whenever a petition shall have been filed, in accordance with such uniform regulations as may be prescribed by the department,

(a) by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees (i) wish to to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in Section 1139(a), or (ii) assert that the individual or labor organization which has been certified or is currently being recognized by their employer as the bargaining representative, is no longer a representative as defined in Section 1139(a) ; or

(b) by an employer, alleging that one or more individuals or labor organizations have presented to him a claim to be recognized as the representative defined in Section 1139(a) ;

The department shall investigate such petition and if it has reasonable cause to believe that a question of representation exists shall provide for an appropriate hearing upon due notice. If the department finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof In any election where none of the choices on the ballot receive a majority, a runoff shall be conducted, the ballot providing for a selection between the two choices receiving the largest and second largest number of valid votes cast in the election. Employees who are engaged in an unlawful strike shall not be entitled to vote in any election provided herein.

1141. In determining whether or not a question of representation exists, the same regulations and rules of decision shall apply irrespective of the identity of the person filing the petition or the kind of relief sought.

1142 After conducting such investigation and election, the department shall, in each case, certify the appropriate labor organization which receives a majority of the votes as the representative defined in Section 1139(a), or certify that the employees have declined to select such a representative. The department shall not again consider a second representation petition or conduct any election in the designated unit, (i) within one (1) year after the date of certification that the employees have declined to select such a representative, or (ii) until the expiration date of a collective bargaining agreement between a labor organization which has been certified as such a representative not to exceed two (2) years from the date of the execution of such collective bargaining agreement.

After the filing of a petition for an election and within the period of the certification or collective bargaining agreement as hereinabove set forth, no labor organization shall engage in striking, picketing or boycotting for the purpose of obtaining a contract, obtaining recognition, or for the solicitation of members with respect to the employees in the designated unit."

**Amendment No. 2**

On page 4, strike out lines 7 to 52, inclusive; and on page 5 strike out lines 1 to 24, inclusive, and insert

"1143 (a) It shall be unlawful, for the purposes of this section, for any labor organization to engage in, or to induce or encourage the employees of any employer to engage in a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is—

(1) forcing or requiring any employer or other self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

(2) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of this act;

(3) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of this act;

(4) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class unless such employer is failing to conform to a certification of the department determining the bargaining representative for employees performing such work. Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this act

(b) Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefor in any court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the

suit, and may in addition petition the department for relief as provided in Section 1147."

**Amendment No. 3**

On page 5, strike out lines 25 to 47, inclusive, and insert

"1144. Any question of labor relations subject to the provisions of the Labor Management Relations Act or the Federal Railway Labor Act shall not be subject to the provisions of this chapter."

**Amendment No. 4**

On page 5, line 48, strike out "1147", and insert "1145".

**Amendment No. 5**

On page 6, line 12, strike out "1148", and insert "1146".

**Amendment No. 6**

On page 6, line 22, strike out "1149", and insert "1147".

**Amendment No. 7**

On page 6, line 28, strike out "1150", and insert "1148".

## MOTION TO RECONSIDER SENATE BILL NO. 232

Mr. Masterson moved to reconsider on the next legislative day the vote whereby Senate Bill No. 232 was this day passed. (Assembly Journal, page 2208.)

## MOTION TO RECONSIDER MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Lowrey moved to reconsider on the next legislative day the vote whereby the constitutional provision was invoked in order that Assembly Constitutional Amendment No. 33 may be heard in the Committee on Water on April 14, 1959, and acted upon by the Assembly before 30 calendar days have elapsed. (Assembly Journal, page 2208.)

**Motion to Reconsider Withdrawn**

Mr. Lowrey withdrew his motion to reconsider.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1223

At 11.58 a.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1223 passed by the following vote:

AYES—Don A Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—44

NOES—Bruce F Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Cusanovich, Dahl, Francis, Ernest R Geddes, Grant, Hanna, Hegland, Holmes, House, Lanterman, Leverng, Lowrey, Luckel, Lunardi, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Winton, and Mr. Speaker—35.

Bill ordered transmitted to the Senate.

## EXPLANATION OF ABSENCE

April 8, 1959

It was necessary for me to be absent during part of the session this morning in order to present four bills to the Senate Judiciary Committee.

LOUIS FRANCIS

## ADJOURNMENT

At 11.59 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 9, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY

SIXTY-NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, April 9, 1959

The Assembly met at 9 30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

Create in us clean hearts, O God, and renew right spirits within us. Like men of old, we need thus to pray, for our spirits become frayed, especially on the days in this Assembly when great issues arise and hard decisions must be made. In the midst of honest differences let there be more light than heat, more firmness than stubbornness, and rather than hard words, more soft answers which turn away wrath. Let each day's debate belong to the day that is gone, and with each new day let us come to our labors with rested bodies and minds, with no rancor remaining. We pray in the name of our Most Gracious Lord and Master.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Unruh, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Crawford, on motion of Mr. House.

Mr Porter, on motion of Mr. Thomas.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Bruce F. Allen, on motion of Mr. Williamson.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Patricia J. Ashworth of Burbank, Clarence S. MacQuord of Sherman Oaks, and Charlie Hostettler of Burbank, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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John D. Meeks of Sacramento, relative to legislation. Referred to the Committee on Military and Veterans Affairs

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

THE CALIFORNIA STATE LIBRARY
SACRAMENTO, April 7, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Enclosed is an invitation to the Open House of the California State Library, on April 13th from 4 p.m. to 8 p.m. in celebration of National Library Week.

I would appreciate having this invitation read as part of the communications of the day on Wednesday, April 8th.

In all sincerity I do hope that Members of the Assembly, their families and friends, will be able to attend.

Sincerely yours,

CARMA R. ZIMMERMAN, State Librarian

Encl.

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., April 3, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR ARTHUR: I thought you would be interested in the information contained in a letter I have received from Acting Secretary of Agriculture True D. Morse in response to my letter of March 11th to the department in which I transmitted a copy of Assembly Joint Resolution No. 10, relative to the establishment in California of a soil and water conservation laboratory.

Secretary Morse states that the Joint Resolution apparently refers to H. R. 2251, introduced by Congressman Moss on January 12th and to S. 905, introduced February 3d by Senator Kuchel and Senator Engle. S. 905 provides for the establishment of four soil and water conservation laboratories, one to be located in the north central area, one in the southeastern area, one in the Great Plains area, and one in the Pacific Coast area. H. R. 2251 is quite similar except that it substituted "State of California" for "Pacific Coast area."

It is my understanding that both Congressional Subcommittees on Agricultural Appropriations requested the Secretary of Agriculture to furnish information as to the needs for soil and water conservation research; that a study group was appointed

by the Secretary for this purpose; and that the Secretary has transmitted the report of the study group's findings to the Chairmen of the aforementioned subcommittees.

If you have any further questions or comments on this matter, please feel free to let me know.

With warm regards,

Sincerely yours,

GLENARD P. LIPSCOMB, Member of Congress

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 188

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars, ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Resolution ordered held at the desk.

By Mr. Miller:

### House Resolution No. 189

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Resolution ordered held at the desk.

By Mr. Pattee:

### House Resolution No. 190

Congratulating the *Monterey Peninsula Herald* on its award

WHEREAS, The *Monterey Peninsula Herald* was recently honored by receiving the C. N. P. A. 1958 Award for General Excellence among California daily newspapers having a circulation of 7,500 or over; and

WHEREAS, This award of the California Newspaper Publishers Association is the one most highly regarded among newspaper publishers in the State, representing as it does the achievement by a newspaper of outstanding performance in all respects; and

WHEREAS, The *Monterey Peninsula Herald* may justly be proud of its distinguished trophy which was won through the diligence and combined efforts of its staff and publisher; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby congratulate the *Monterey Peninsula Herald* on its significant achievement and express their satisfaction with the fine news coverage which the *Herald* is providing for the residents of its community; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Allen Griffin, editor and publisher of the *Monterey Peninsula Herald*.

Resolution read, and referred to the Committee on Rules.

By Messrs. Gaffney, Busterud, Meyers, and Marks:

### House Resolution No. 191

Relative to the death of Mrs. Henry F. Budde

WHEREAS, It was with deepest sorrow that the Members of this body learned of the death of Mrs. Henry F. Budde; and

WHEREAS, Mrs. Budde was born in San Francisco in 1877, the daughter of John A. Christen, who operated a dairy where the Palace of Fine Arts now stands; and

WHEREAS, Louisa A. Christen became Mrs. Henry F. Budde in 1898 and this union was blessed with five children; and

WHEREAS, Henry F. Budde, a German immigrant, and Mrs. Budde established a printing business which, in 1923, brought forth the series of San Francisco neighborhood papers called *The Progress*, and

WHEREAS, Upon her husband's death in 1951, Mrs. Budde became President and Board Chairman of Henry F. Budde Publications, Inc.; and

WHEREAS, The passing of Mrs Budde was deeply felt by her family and many friends in San Francisco and throughout the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly express their deep regret at the death of Mrs. Henry F. Budde and extend condolences to the members of her family and friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Henry J Budde, Fred J. Budde, Alfred F. Budde, Anita Budde, and Margaret Becker, the children of Mrs. Budde.

Resolution read, and referred to the Committee on Rules.

By Messrs. Lowrey and MacBride:

**House Resolution No. 192**

Relative to a crossing of the Sacramento River

WHEREAS, The volume of traffic crossing the Sacramento River on the Capitol Avenue Bridge of the City of Sacramento has long exceeded the safe capacity of that bridge; and

WHEREAS, No adequate alternative route crossing the Sacramento River is available in the vicinity of the City of Sacramento to the motorists of the heavily traveled U. S. Highway 40; and

WHEREAS, Various proposals and studies have been made concerning the construction of a bridge in the vicinity of R Street in Sacramento, but no study has yet been made of the feasibility of constructing a subaqueous crossing of the Sacramento River at that point; now, therefore be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is requested to conduct a study of the feasibility and cost of constructing a subaqueous crossing of the Sacramento River in the vicinity of R Street in the City of Sacramento which is adequate to handle anticipated traffic and to report its findings and recommendations to the Legislature prior to the adjournment of the 1959 Regular Session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Mr. DeLotto announced that he had a bill relative to the taking of fur-bearing animals with bows and arrows ready for introduction, and invited all members who desired to become co-authors to affix their signatures to the bill.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Constitutional Amendment No. 41:** By Mr. MacBride—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to the selection of grand juries.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2395**: By Mr. Biddick (By Request)—An act to amend Sections 759, 760, 761, 762, 763, 764 and 765 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compensation of county superintendents of schools.

Referred to Committee on Education.

**Assembly Bill No. 2396**: By Mr. Britschgi—An act to amend Section 4301 of the Government Code, relating to purchases of American-made materials.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2397**: By Mr. Britschgi—An act to amend Section 637.5 of the Agricultural Code, relating to milk and milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2398**: By Mr. Britschgi—An act to add Chapter 15 (commencing at Section 19890) to Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to state school construction bond issues.

Referred to Committee on Education.

**Assembly Bill No. 2399**: By Mr Bruce F. Allen—An act to add Section 17045.1 to the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2400**: By Messrs. Grant and Kennick—An act relating to certain lands located within the subsidence area of a portion of the Long Beach Harbor District and providing for the extension, amendment and modification of existing contracts, royalty arrangements and other agreements, for the production of oil, gas and other hydrocarbon substances from such lands, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 2401**: By Mr. George A. Willson—An act to amend Section 13739 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to probationary period for noncertificated school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2402**: By Mr Burton—An act to add Chapter 4.5 (commencing with Sec. 1800) to Division 2 of the Business and Professions Code, relating to the creation of a State Board of Dental Technicians Examiners, prescribing its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2403**: By Mr. Bee, Miss Donahoe, Messrs. McMillan, and Lanterman—An act making an appropriation to the Joint Legislative Budget Committee for a study of the organization and functions of the Department of California Highway Patrol.

Referred to Committee on Ways and Means.

**Assembly Bill No. 2404**: By Mr. MacBride—An act to amend Section 199 of, and to add Section 242.1 to, the Code of Civil Procedure, and to amend Section 893 of, and to add Section 908.1 to, the Penal Code, relating to grand jurors.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2405**: By Messrs. Nisbet and Beaver—An act to amend Section 100.2 of the Streets and Highways Code, relating to agreements by local authorities concerning state freeways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2406**: By Messrs. Nisbet and Beaver—An act to amend Section 100.25 of the Streets and Highways Code, relating to street or highway work.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2407**: By Messrs. Waldie, Busterud, and Masterson—An act to amend Section 28741 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2408**: By Mr. Ernest R. Geddes—An act to amend Sections 12205, 12206, 12300.3 and 12301 of the Financial Code, relating to check sellers and cashers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2409**: By Mr. George E. Brown—An act to add Section 1230 to, and to amend Section 19331 of, the Government Code, relating to jury duty.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2410**: By Mr. Lowrey—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2411**: By Messrs. Garrigus, Pattee, DeLotto, and Lowrey—An act to amend Section 4231 of the Agricultural Code, relating to the marketing of dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2412**: By Messrs. Garrigus, Williamson, Frew, Pattee, and Lowrey—An act to add Section 4232 to the Agricultural Code, relating to the marketing of dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2413**: By Messrs. DeLotto and Garrigus—An act to amend Section 4002 of the Fish and Game Code, relating to taking fur-bearing mammals.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2414:** By Messrs Williamson, DeLotto, Garrigus, and Frew—An act to amend Section 2005 of the Fish and Game Code, relating to the taking of fish and game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2415:** By Mr. Bradley—An act to amend Section 35009 of the Government Code, relating to annexation of territory to cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2416:** By Mr. Winton—An act to amend Section 7055 of, and to add Sections 7042.5 and 7058.5 to, the Business and Professions Code, relating to dump truck contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2417:** By Mr. Winton—An act to amend Section 3511 of the Public Utilities Code, relating to the definition of "Highway Carrier."

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2418:** By Mr. Busterud—An act to add Section 6017.5 to the Insurance Code, relating to county mutual insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2419:** By Mr. Busterud—An act to add Section 5050.7 to the Insurance Code, relating to county mutual insurers.

Referred to Committee on Finance and Insurance.

## REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTIONS NOS. 188 AND 189

Mr. Miller was granted unanimous consent to take up House Resolutions Nos. 188 and 189, at this time, without reference to committee or file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 188

By Mr. Miller:

### House Resolution No. 188

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars, ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Resolution read, and adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Cusanovich, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—57.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 189

By Mr. Miller:

### House Resolution No. 189

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Cusanovich, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—58.

NOES—None.

### Speaker pro Tempore Presiding

At 9.57 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 16

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 759

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 49
Assembly Bill No 320
Assembly Bill No 1587

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, April 7, 1959

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports

Senate Bill No 514

With amendments with the recommendation: Amend, and do pass, as amended

BRUCE F ALLEN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 7, 1959

MR. SPEAKER. Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 1336
Assembly Bill No. 1338

With amendments with the recommendation. Amend, and re-refer to the Committee on Manufacturing, Oil, and Mining Industry.

BRUCE F. ALLEN, Chairman

Above bills ordered to second reading.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1749

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 1780

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BELOTTI, Chairman

Above bill ordered to second reading.

**Committee on Agriculture**

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1781

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1152
Assembly Bill No. 1406

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 951
Assembly Bill No. 952
Assembly Bill No. 1140
Assembly Bill No. 1141
Assembly Bill No. 1142
Assembly Bill No. 1143
Assembly Bill No. 1547
Senate Bill No. 206

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1139

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1205
Assembly Bill No 1302
Assembly Bill No. 1497
Assembly Bill No 1500
Assembly Bill No. 1629
Assembly Bill No. 1823
Assembly Bill No. 2065

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills, with the exception of Assembly Bill No. 2065, ordered to second reading.

### Assembly Bill No. 2065 Re-referred to Committee

Speaker pro Tempore Bee announced that Assembly Bill No. 2065 had been heard by, and reported out of the Committee on Judiciary—Civil before the 30-calendar-day period had elapsed, and ordered the bill re-referred to the committee.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1833

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CUNNINGHAM, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1788

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1736
Senate Bill No. 190

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1273

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No 1589

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1532
Assembly Bill No. 1501
Assembly Bill No. 96

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 92

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 662

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1637

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Education reports:

Senate Bill No. 591

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No. 1538

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1537
Assembly Bill No. 1840

With the recommendation: Do pass.

DONAHOE, Chairman

*Above bills ordered to second reading.*

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 93
Assembly Concurrent Resolution No. 97

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, April 8, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 33
Assembly Bill No. 412
Assembly Bill No. 538
Assembly Bill No. 539
Assembly Bill No. 540
Assembly Bill No. 542
Assembly Bill No. 549
Assembly Bill No. 598
Assembly Bill No. 672
Assembly Bill No. 669
Assembly Bill No. 668
Assembly Bill No. 705
Assembly Bill No. 1062
Assembly Bill No. 1512
Assembly Bill No. 1513

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 91
Assembly Bill No. 1214
Assembly Joint Resolution No. 14

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 163
Senate Bill No 167
Senate Bill No. 216
Senate Bill No. 273
Senate Bill No. 274
Senate Bill No. 321
Senate Bill No. 360
Senate Bill No. 394
Senate Bill No. 415
Senate Bill No. 416
Senate Bill No. 457
Senate Bill No 461
Senate Bill No. 463
Senate Bill No. 521
Senate Bill No. 592
Senate Bill No. 612
Senate Bill No. 648
Senate Bill No 684
Senate Bill No. 724

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 163**—An act to amend Section 660 of the Code of Civil Procedure, relating to motions for new trials.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 167**—An act to repeal Sections 2974 and 2975 of, and to add Section 2975 to, the Civil Code, relating to mortgages of personal property or crops to secure future advances.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 216**—An act to amend Sections 632 and 634 of the Code of Civil Procedure, relating to civil actions.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 273**—An act to add Sections 1998, 1998.1, 1998.2, 1998.3, 1998.4 and 1998.5 to the Code of Civil Procedure, relating to subpoena of hospital records.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 274**—An act to add Section 10177 to the Insurance Code, to add Sections 1137, 1137.1, and 1137.2 to the Probate Code, and to amend Section 13724 of the Revenue and Taxation Code, and Section 381 of the Probate Code, relating to testamentary trusts of life insurance proceeds.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 321**—An act to amend Section 13106 of the Government Code, relating to quitclaiming of state-owned easements and rights-of-way.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 360**—An act to add Section 752 to the Welfare and Institutions Code, relating to disposition of wards of the juvenile court.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 394**—An act to amend Sections 26549, 26550 and 26553 of the Health and Safety Code, relating to acquisition of samples prescribed by the California Pure Foods Act.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 415**—An act to amend Section 23905 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 416**—An act to amend Section 23081 and to add 23081.5 to the Business and Professions Code, relating to appeals from decisions of the Department of Alcoholic Beverage Control.

Referred to Committee on Government Organization.

**Senate Bill No. 457**—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in small claims courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 461**—An act to add Chapter 5 (commencing with Section 1300) to Title 5, Part 4, Division 2 of the Civil Code, and to amend Sections 1241, 1242, 1243, and 1265 of said code, and to amend Sections 660 and 663 of the Probate Code, relating to homesteads.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 463**—An act to amend Section 1506 of and to add Section 1507 to the Penal Code, relating to appeals in habeas corpus proceedings.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 521**—An act to amend Section 27281 of the Government Code, relating to documents to be recorded.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 592**—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 612**—An act to amend Section 1100 of the Harbors and Navigation Code, relating to bar pilots.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 648**—An act to amend Section 1505 of the Penal Code, relating to the writ of habeas corpus.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 684**—An act to amend Section 170.6 of the Code of Civil Procedure, relating to disqualification of judges on the ground of prejudice.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 724**—An act to amend Sections 8951 and 8955 of and to add Section 6913.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Referred to Committee on Education.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 108
Senate Bill No. 169
Senate Bill No. 300
Senate Bill No. 322
Senate Bill No. 326
Senate Bill No. 540
Senate Bill No. 590
Senate Bill No. 593
Senate Bill No. 596
Senate Bill No. 642
Senate Bill No. 691
Senate Bill No. 692
Senate Bill No. 693
Senate Bill No. 772
Senate Bill No. 820
Senate Bill No. 834
Senate Bill No. 854

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 10**—An act to add Section 1241.5 to the Water Code, relating to Indian water rights.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 11**—An act to add Chapter 2.5 (commencing at Section 2200) to Part 3 of Division 2 of the Water Code, relating to Indian water rights.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 108**—An act to add Article 4 (commencing at Section 12081) to Chapter 5 of Division 9 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to gate entrances to school grounds.

Referred to Committee on Education.

**Senate Bill No. 169**—An act to amend Section 104.6 of, and to add Section 104.10 to, the Streets and Highways Code, relating to the distribution of rentals from properties held for highway purposes.

Referred to Committeee on Transportation and Commerce.

**Senate Bill No. 300**—An act to amend Section 4574 of the Penal Code, relating to firearms in prisons and other correctional institutions.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 322**—An act to amend Section 16506 of the Government Code, relating to deposit of state funds.

Referred to Committee on Government Organization.

**Senate Bill No. 326**—An act to amend Sections 58850 and 58851 of the Government Code, relating to county boundary commissions.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 540**—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts.

Referred to Committee on Government Organization.

**Senate Bill No. 590**—An act to add Section 19406 to the Government Code, relating to reinstatement rights to the state civil service after military training.

Referred to Committee on Civil Service and State Personnel

**Senate Bill No. 593**—An act to authorize the bringing of a suit against the State of California to quiet title to land sold as salt marsh or tidelands by the State of California, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 596**—An act to amend Section 15502 of the Corporations Code, relating to the formation of limited partnerships.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 642**—An act to add Section 29022 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to integrity of diplomas.

Referred to Committee on Education.

**Senate Bill No. 691**—An act to amend Section 20103 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the county school service fund.

Referred to Committee on Education.

**Senate Bill No. 692**—An act to amend Sections 23057 and 23758 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges and the University of California.

Referred to Committee on Education.

**Senate Bill No. 693**—An act to amend Section 19581 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 772**—An act to amend Section 69844 of, and add Sections 71614.5, and 72050.5 to, the Government Code, relating to the keeping of court records.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 820**—An act to amend Section 17903 of the Education Code as enacted at the 1959 Regular Session, relating to state equalization aid for high school districts.

Referred to Committee on Education.

**Senate Bill No. 834**—An act to add Section 4.5 to, and to amend Section 35 5 of the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), relating to water conservation districts.

Referred to Committee on Water.

**Senate Bill No. 854**—An act to amend Section 986.7 of the Military and Veterans Code, relating to farm and home purchases.

Referred to Committee on Military and Veterans Affairs.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 43

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 43**—Relative to state employee parking facilities.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that all bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1179, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Asssembly Bills Nos. 1587, 49,** and **320.**

Above bills ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1857**—An act to add Sections 1659 and 42006 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver improvement schools.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

#### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 708**—An act to add Chapter 8 (commencing at Section 25701) to Division 20 of the Health and Safety Code, relating to the manufacture and sale of toys.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

#### Amendment No. 1

On page 1, line 11, of the printed bill, after the second "exchange", insert "to any retailer".

#### Amendment No. 2

On page 1, line 12, strike out "bears, contains, or is painted or"; strike out line 13; and in line 14 strike out "stance which renders it injurious to health", and insert "is coated with paints and lacquers containing compounds of lead of which the lead content (calculated as Pb) is in excess of 1 percent of the total weight of the contained solids (including pigments and drier), or soluble compounds of antimony, arsenic, cadmium, mercury, selenium or barium, introduced as such; compounds are considered soluble if quantities in excess of 0.1 percent are dissolved by 5 percent hydrochloric acid after stirring for 10 minutes at room temperature"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 1796**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to convictions for operating motor vehicles while under the influence of intoxicating liquor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 2, line 2, of the printed bill, strike out "10", and insert "7".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1728**—An act to amend Section 4004 of the Penal Code, relating to the release of inmates of county jails.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1794**—An act to add Section 1030 to the Government Code, relating to peace officers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 276**—An act to amend Sections 825 and 849 of the Penal Code, relating to arrests.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1715**—An act to repeal Section 13363 of, and to add Section 13363 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to conviction of a traffic offense in another state.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1067**—An act to add Section 1958 to the Government Code, relating to the insuring of peace officers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1409**—An act to add Section 26206 to the Government Code, relating to rewards for apprehension and conviction of vandals.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1252**—An act to add Sections 853.5 and 853 6 to the Penal Code, relating to ordinance enforcement procedure.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1855**—An act to repeal Section 10131.1 of, and to add Chapter 5 (commencing at Section 10350) to Part 1, Division 4, of the Business and Professions Code; to amend Sections 3081.1, 3081 2, 3081.3, 3081.4, 3081.9 and 3081.93 of the Civil Code; and to amend Sections 25102 and 25102.1 of the Corporations Code, relating to mortgage loans and brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 13, line 19, of the printed bill, strike out "in advance", and insert "not to exceed 30 days in advance".

**Amendment No. 2**

In line 4 of the title, strike out "3081.2,".

**Amendment No. 3**

On page 2, strike out line 13, and insert "real property, or make col-".

**Amendment No. 4**

On page 2, lines 23 and 24, strike out "or guarantees such mortgages or deeds of trust.".

**Amendment No. 5**

On page 4, strike out lines 46 to 48, inclusive, and insert "broker's license to any person who is not a licensed real estate broker."

**Amendment No. 6**

On page 5, line 37, after the word "issued", insert ", except as provided in Sections 10351 and 10352 of this chapter".

**Amendment No. 7**

On page 5, strike out lines 38 to 47, inclusive.

**Amendment No. 8**

On page 5, in line 48, strike out "10368", and insert "10367".

**Amendment No. 9**

On page 5, line 51, strike out "while so employed under such license".

**Amendment No. 10**

On page 6, line 3, strike out "10369", and insert "10368".

**Amendment No. 11**

On page 6, line 8, strike out "10370", and insert "10369".

**Amendment No. 12**

On page 6, line 23, strike out "10371", and insert "10370".

**Amendment No. 13**

On page 9, strike out lines 39 to 43, inclusive, and insert "the application of the corporation for a license."

**Amendment No. 14**

On page 9, strike out lines 48 to 52, inclusive, and insert "tion of the copartnership for a license."

**Amendment No. 15**

On page 10, strike out lines 31 and 32, and insert "required by subdivision (a), (b), (e), (f), (g), (h), (i), or (j) of Section 3081.2: except that the person shall".

**Amendment No. 16**

On page 10, strike out lines 38 to 52, inclusive; and on page 11, strike out lines 1 to 26, inclusive.

**Amendment No. 17**

On page 11, line 27, strike out "5", and insert "4".

**Amendment No. 18**

On page 11, strike out lines 34 and 35, and insert "amount of the note or one hundred twenty dollars ($120), whichever is greater, but in no event to exceed two".

**Amendment No. 19**

On page 13, line 25, strike out "6", and insert "5".

**Amendment No. 20**

On page 13, line 35, strike out "7", and insert "6".

**Amendment No. 21**

On page 13, line 48, strike out "8", and insert "7".

**Amendment No. 22**

On page 14, line 1, strike out "9", and insert "8".

**Amendment No. 23**

On page 14, between lines 16 and 17, insert

"(c) Promissory notes, whether secured or unsecured, and any guarantee thereof, where the notes are not offered to the public, or are not sold to an underwriter for the purpose of resale."

**Amendment No. 24**

On page 14, line 21, strike out "(c)", and insert "(d)".

**Amendment No. 25**

On page 14, line 22, strike out "and any guarantee thereof".

**Amendment No. 26**

On page 14, line 25, strike out "(d)", and insert "(e)".

**Amendment No. 27**

On page 14, line 29, strike out "(e)", and insert "(f)".

**Amendment No. 28**

On page 14, line 30, strike out "any guarantee thereof or".

**Amendment No. 29**

On page 14, line 36, strike out "10", and insert "9".

**Amendment No. 30**

On page 14, lines 40 and 41, strike out "guarantee thereof, or".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1527**—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, strike out "and accidental death and dismemberment".

**Amendment No. 2**

On page 2, line 27, after the period, insert "Such policy may include benefits for accidental death or dismemberment."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1528**—An act to amend Section 10270.55 of the Insurance Code, relating to standard provisions in disability policies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "any", and insert "a".

**Amendment No. 2**

On page 1, line 18, strike out "as used in such section".

**Amendment No. 3**

On page 1, line 19, strike out "who are actively"; strike out line 20; and on page 2, strike out line 1, and insert "of the policyholder.

(c) With".

**Amendment No. 4**

On page 2, line 9, strike out "With respect to a policy", and insert "(d) With respect to a policy".

**Amendment No. 5**

On page 2, strike out line 13; and on line 14 strike out "insurance under a", and insert "(e) Nothing contained herein shall permit a director or a corporate employer to become insured under a group".

**Amendment No. 6**

On page 2, line 16, strike out "No indi-"; strike out line 17; and on line 18 strike out "under the", and insert "(f) Nothing contained herein shall permit an individual proprietor or partner to become insured under a group".

**Amendment No. 7**

On page 2, strike out lines 21 to 25, inclusive, and insert "(g) Nothing contained herein shall permit any employee to become insured under a group policy unless he is an officer, manager, or employee for compensation of the employer to whom a group policy is issued, or of one or more of the individuals, firms, or corporations specified in subdivision (a), or of the association or trustee or trustees specified in subdivision (e), or of the association specified in subdivision (d)."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1077**—An act to amend Section 1228.5 and to add Section 19330.5 of the Government Code, relating to leaves of absence from the state civil service.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill after "Service", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2, after line 7, insert "SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are. The provisions of state law relating to the loan of state employees for service in technical co-operation programs in a foreign country are out-of-date. Currently, the Federal Government frequently contracts with universities to staff technical co-operation programs. Typically, the services of state employees loaned for such staffs are needed for two years. However, not more than a one-year leave of absence can be granted to a state employee who is loaned to a university to perform such services. Under existing law, only when the employee is hired directly by the Federal Government can he be granted a two-year leave of absence. Under the proposed amendment, an appointing power would be able to extend for an additional year any such one-year leave already granted. If this is not permitted, the State of California may lose the services of some valuable employees whose one year of absence will expire within the next few months."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1246**—An act to amend Sections 18020, 18021, 18022, and 18705 of the Government Code and to repeal Section 18024 of the Government Code, relating to hours of work of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

Amendment No. 1

On page 2, line 12, of the printed bill, after "executive", insert ", supervisory".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 698**—An act to amend Section 20930.5 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, after line 11, insert

"SEC. 2. The Amendments to Section 20930.5 enacted by this act shall remain in effect until March 1, 1960, and thereafter shall have no further force and effect."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1381**—An act to amend Section 9359.1 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1777**—An act to add Section 13747.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1457**—An act to amend Section 13317 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to tenure of certificated employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on March 25, 1959, strike out "shall", and insert "may".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1641**—An act to amend Sections 601 and 653 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county boards of education.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 601 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out lines 1 to 19, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 653 of the Education Code is amended to read:".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1724**—An act to amend Sections 9251, 9253, 9604, and 10008 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school textbooks.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "boards of all", and insert "board of each".

**Amendment No. 2**

On page 1, line 8, strike out "districts", and insert "district".

**Amendment No. 3**

On page 1, line 10, strike out "their", and insert "its".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 64**—An act to amend Section 29007 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the granting of diplomas widening the completion of courses beyond high school.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1832**—An act to amend Section 5606 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior high schools.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1831**—An act to amend Section 16519 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school supplies.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1830**—An act to repeal Section 13105 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to licensing of certified school personnel

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1829**—An act to amend Section 5902 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to vocational courses.

Bill read second time, ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1828**—An act to amend Section 5203 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1722**—An act to amend Section 5555 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to evening high school and junior college classes.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1721**—An act to amend Sections 10953, 10954, and 10955 of, and to repeal Section 10956 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to attendance of pupils in the public schools.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1720**—An act to amend Section 31214 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state scholarships.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1622**—An act to amend Sections 1551 and 13566 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to powers and duties of superintendents of school districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 828**—An act to add Chapter 5 (commencing at Section 650) to Division 3 of the Harbors and Navigation Code, and to amend Section 5861 of the Public Resources Code, relating to the operation and equipment of vessels, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on March 3, 1959, strike out "means", and insert "includes".

#### Amendment No. 2

On page 2, line 22, strike out the period, and insert ", but does not include the United States, the State or a municipality or subdivision thereof."

#### Amendment No. 3

On page 3, strike out lines 21 to 28, inclusive, and insert

"(3) Each motorboat of every class when propelled by sail alone shall carry only the combined lantern or separate sidelights as appropriate to its class, and in addition, one white light at the stern so constructed that it shall show an unbroken light over an area of the horizon of twelve points of the compass so fixed as to show the light six points from right aft on each side of the vessel."

**Amendment No. 4**

On page 4, line 13, strike out "conducted pursuant to Section 659".

**Amendment No. 5**

On page 4, strike out lines 42 to 52, inclusive; and on page 5 strike out lines 1 to 9, inclusive.

**Amendment No. 6**

On page 5, lines 16 and 17, strike out "during a period not to exceed 48 hours immediately preceding such regatta or race".

**Amendment No. 7**

On page 5, lines 19 and 20, strike out "during a period not to exceed 48 hours immediately following such regatta or race".

**Amendment No. 8**

On page 5, line 25, after "motorboats," insert "undocumented".

**Amendment No. 9**

On page 6, line 23, strike out the period, and insert ", provided, that such hours shall not apply to such waters of this State as to which prohibited hours for such activities are fixed by local ordinances, laws or regulations enacted pursuant to this chapter"

**Amendment No. 10**

On page 6, lines 26 and 27, strike out "an activity authorized under Section 659", and insert "any one of the following authorized activities on any waters of this State: a regatta, motorboat or other boat race, a marine parade, a tournament or an exhibition".

**Amendment No. 11**

On page 6, in line 33, after the period, insert "The provisions of this subdivision do not apply to collisions of two or more persons on water skis, aquaplanes or similar devices being towed by the same boat."

**Amendment No. 12**

On page 7, line 32, after "(b)", strike out "Any", and insert "Any city, county, city and county, or other political subdivision may, at any time, make special rules and regulations with reference to the operation of vessels on any waters within its territorial limits; and any".

**Amendment No. 13**

On page 7, line 34, after "rules and regulations", insert "by the commission".

**Amendment No. 14**

On page 7, lines 42 and 43, strike out "when there is a conflict in local regulations or where no regulations exist", and insert "where no special rules or regulations exist or when required to establish uniformity in such special rules or regulations as the commission may determine (1) are not uniform under local laws and (2) as to which uniformity is practicable and necessary".

**Amendment No. 15**

On page 11, line 31, after "any", insert "special rules and".

**Amendment No. 16**

On page 11, line 32, strike out "thereto", and insert "to the provisions of subdivisions (b) or (c) of Section 660 of this code".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 647**—An act to amend Section 11200 of, and to add Article 9 9 (commencing at Section 11276) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 989**—An act to create a flood control district to to be called Plumas County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm

waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 7, of the printed bill, as amended in the Assembly on March 12, 1959, strike out lines 3 to 9, inclusive, and insert

"(v) To construct, operate, and maintain works to develop hydroelectric energy as a means of assisting in financing the construction, operation and maintenance of works for other beneficial uses and purposes, and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale of electric energy at retail."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1304**—An act to add Sections 12636 and 12637 to the Water Code, relating to sale of water from state water projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "contracts", insert "a payment of not less than".

Amendment No. 2

On page 1, line 7, after "delivered", insert ", such payment to include any amortization charges to provide a fund for the payment of the principal and interest of any bonds issued and sold to finance the project when such principal and interest becomes due and payable".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1872**—An act to add Section 108 to the Water Code, relating to development of the water resources of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "uses", insert ", including needs of the area in which the water originates,".

**Amendment No. 2**

On page 1, strike out lines 8 to 10, inclusive, and insert "tion."

**Amendment No. 3**

On page 1, line 14, strike out "authorize", and insert "consider the authorization and".

**Amendment No. 4**

On page 1, line 15, strike out ", and the expenditure of state funds for,".

**Amendment No. 5**

On page 1, line 16, after "satisfy", insert "such of".

**Amendment No. 6**

On page 1, line 17, after "watershed", insert "as may be needed at the time the export project is authorized or as will be needed within a reasonable time thereafter".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 2079**—An act to amend Section 126 of the Government Code, relating to acquisition of lands by the United States, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 306**—An act to add Article 4 (commencing at Section 17600) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to barber colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 9, inclusive.

**Amendment No. 2**

On page 1, line 10, strike out "17601", and insert "17600".

**Amendment No. 3**

On page 1, line 14, strike out "17602", and insert "17601".

**Amendment No. 4**

On page 1, line 17, strike out "17603", and insert "17602".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1755**—An act to repeal and add Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, thereby recodifying the law relating to horseracing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, line 5, of the printed bill, strike out ", in addition to the maximum legally".

**Amendment No. 2**

On page 2, line 6, strike out "allowable days,".

**Amendment No. 3**

On page 2, strike out lines 23 and 24.

**Amendment No. 4**

On page 2, line 25, strike out "19412", and insert "19411".

**Amendment No. 5**

On page 2, line 33, strike out "19412.5", and insert "19412".

**Amendment No. 6**

On page 2, strike out lines 45 and 46.

**Amendment No. 7**

On page 2, line 47, strike out "19416", and insert "19415".

**Amendment No. 8**

On page 2, line 49, strike out "19417", and insert "19416".

**Amendment No. 9**

On page 3, line 1, strike out "19418", and insert "19417".

**Amendment No. 10**

On page 3, strike out lines 5 and 6.

**Amendment No. 11**

On page 3, line 37, strike out ", other than author-".

**Amendment No. 12**

On page 3, line 38, strike out "ized salary,".

**Amendment No. 13**

On page 4, line 10, after "reward", insert ", other than authorized salary,".

**Amendment No. 14**

On page 6, line 46, strike out "track", and insert "place, track or inclosure".

**Amendment No. 15**

On page 6, line 52, strike out "track", and insert "place, track or inclosure".

**Amendment No. 16**

On page 8, line 18, strike out "any parimutuel pool", and insert "the parimutuel pools".

**Amendment No. 17**

On page 10, line 12, after "vote", insert "in this State".

**Amendment No. 18**

On page 11, strike out lines 8, 9, 10, and 11.

**Amendment No. 19**

On page 11, between lines 22 and 23, insert

"19537. In each county of the third class, but outside any area lying within 20 miles of the exterior boundary of a county of the second class, the board may allow not to exceed 14 racing days per year."

**Amendment No. 20**

On page 11, line 26, after "25", insert "additional".

**Amendment No. 21**

On page 11, line 27, strike out "19537", and insert "19538".

**Amendment No. 22**

On page 11, line 35, strike out "19538", and insert "19539".

**Amendment No. 23**

On page 11, line 49, strike out "19539", and insert "19540".

**Amendment No. 24**

On page 11, line 50, after "19536", insert ", 19537".

**Amendment No. 25**

On page 12, line 4, strike out "19537", and insert "19538".

**Amendment No. 26**

On page 12, line 5, strike out "19538", and insert "19539".

**Amendment No. 27**

On page 13, line 28, strike out "association", and insert "organization".

**Amendment No. 28**

On page 16, line 32, strike out "total"

**Amendment No. 29**

On page 16, line 33, strike out "pool", and insert "pools".

**Amendment No. 30**

On page 19, line 5, after "to", insert "those".

**Amendment No. 31**

On page 20, between lines 45 and 46, insert

"This section shall be construed as a continuance of the provisions of Section 19620.2 of this code as added by Chapter 1582 of the Statutes of 1957, and not as an additional appropriation from the State College Fund."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1604**—An act to amend Section 25525 of the Government Code, relating to manner of making sale or lease of county-owned real property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 113**—An act to add Section 33049 to the Health and Safety Code, relating to restrictions on the basis of race, color, religion, ancestry, or national origin of the sale, lease, or rental of real property redeveloped and urban renewal under the Community Redevelopment Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 2, line 2, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "legislative body", and insert "community redevelopment agency".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 702**—An act to amend Section 4104 of, to repeal Section 4105 of, and to add Section 4105 to, the Government Code, relating to public works.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert "An act to add Section 4102.5 to the Government Code, relating to".

**Amendment No. 2**

On page 1, strike out lines 1 through 19, inclusive.

Amendment No. 3

On page 2, strike out lines 1 through 10, inclusive, and insert

"SECTION 1. Section 4102.5 is added to the Government Code, to read:

4102.5. The name of the contractor awarded a contract on public works and all of the subcontractors listed to perform work under that contract shall, at the time of the award, be published by the awarding authority in a well-recognized construction trade journal or trade paper published or circulated in the county where the work is to be performed."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1051**—An act to add Section 10143 to the Business and Professions Code, relating to rentals.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, after "rental.", insert "Such contract or receipt shall also conform to the regulations adopted by the commissioner in order to effect disclosure of material information regarding the service to be provided to the prospective tenant."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 151**—An act to add Article 5 (commencing with Section 1101) to Chapter 1, Division 2 of the Education Code, relating to governing boards of school districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 229**—An act to amend Section 10508 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tuition fees for foreign students.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 288**—An act to amend Sections 206, 207, 208, 209, 210, and 217 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read second time, and ordered to third reading.

**Senate Bill No. 447**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 448**—An act to amend Section 4750 of the Fish and Game Code, relating to bear.

Bill read second time, and ordered to third reading.

**Senate Bill No. 449**—An act to amend Section 3081 and to repeal Sections 4761 and 4762 of the Fish and Game Code, relating to the possession of bear meat after the season.

Bill read second time, and ordered to third reading.

**Senate Bill No. 451**—An act to amend Section 1059 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 452**—An act to amend Sections 3083, 3084, 3085 and 3086 of the Fish and Game Code, relating to bonded frozen food locker and cold storage plants, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 177**—An act to add Division 19 (commencing at Section 70000) to the Water Code, relating to levee districts.

Bill read second time, and ordered to third reading.

**Senate Concurrent Resolution No. 44**—Relative to amending the Joint Rules of the Senate and Assembly.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

On page 1 of the printed measure, after line 15, insert

"When an entire code is repealed as part of a codification or recodification or when an entire title, part, division, chapter or article of a code is repealed, the sections comprising such code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type."

Resolution ordered reprinted, and ordered on file.

### SECOND READING OF ASSEMBLY BILL NO. 1179

**Assembly Bill No. 1179**—An act to add Sections 10084, 10085, 10140.5, 10143, 10144, and 10145, 10512.5, 10514.5, and 10514.7 to, and to amend Sections 10131, 10132, 10134, and 10140, 10501, 10502, 10506, and 10512 of, the Business and Professions Code, relating to the Real Estate Commissioner and the business of assisting persons in filing applications for lands owned by the State or Federal Government, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, lines 5 and 6 of the printed bill, as amended in the Assembly on March 19, 1959, strike out "2 (commencing at Section 11500)", and insert "1 (commencing at Section 11000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 1794**, subsequent to engrossment.

**Assembly Bills Nos. 64, 647, 1179**, and **1730.**

Speaker Presiding

At 10.07 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## UNFINISHED BUSINESS

## CONSIDERATION OF DAILY FILE (RESUMED)

## MOTION TO RECONSIDER SENATE BILL NO. 232 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Senate Bill No 232 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 531**—An act to add Sections 4714.5 and 4831.7 to, and to amend Sections 4832 and 4832.5 of, the Health and Safety Code, relating to county sanitation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 531?

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Assembly on March 2, 1959, after the comma, insert "and the district board by resolution has found and declared that the district will be benefited by the annexation and consents thereto,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 531 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 531 ordered enrolled.

## ANNOUNCEMENT

Speaker Brown announced that some of the members have been tearing bills from their bill file books, and stated that this procedure is causing extra work and trouble for the women who place the bills in the books each night; and requested that in the future the members refrain from taking bills out of their bill file books.

## POINTS OF PERSONAL PRIVILEGE

Mr. Lowrey arose on a point of personal privilege.

Mrs. Davis arose on a point of personal privilege.

## STATEMENT BY MRS. DAVIS

Mrs. Davis invited the Members of the Assembly to visit the garage basement and see the adverse conditions under which the women who place the bills in the bill file books are required to work; and stated that these women have not been given sufficient credit for the job they are performing, and should be provided with better working conditions.

## ANNOUNCEMENT

Speaker Brown announced that hereafter the provisions of Rule No. 66 will be enforced, and that any bill which has been twice passed on third reading file, without permission to retain its place having been granted, will be ordered to the inactive file pursuant to the provisions of the rule.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 817**—An act to amend Section 25642 of the Government Code, relating to fire protection.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1511**—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1316**—An act to amend Sections 34302 and 34304 of the Government Code, relating to the incorporation of cities.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 806**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of vehicles.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 841**—An act to amend Section 106 of the Education Code, and Section 108 of the Education Code as proposed by Senate Bill No. 2, relating to meetings of the State Board of Education.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 992**—An act to add Sections 4008.2, 4008.3, and 4008.4 to the Business and Professions Code, relating to pharmacy.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1290**—An act to amend Section 109.5 of the Streets and Highways Code, relating to agreements with the United States in connection with state highways.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1418**—An act to amend Section 21115 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts payroll procedure.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Hon. Bruce Sumner Presiding**

At 10.33 a.m., Hon. Bruce Sumner, Member of the Assembly from the Seventy-fourth District, presiding.

**Assembly Bill No. 1011**—An act to amend Section 93 of the Streets and Highways Code, relating to maintenance and restoration of public highways.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1242**—An act to add Article 2.6 (commencing at Section 265) to Chapter 2 5 of Division 1 of, and Section 11554 1 to, the Water Code, relating to contracts by the Department of Water Resources for construction of projects.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1763**—An act to amend Sections 12100, 12200.1 and 12304 of, and to add Section 12200.2 to, the Financial Code, relating to check sellers and cashers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1792**—An act to amend Section 22480 of the Financial Code, relating to charges on loans made by personal property brokers.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Burton and Cameron—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1793**—An act to amend Section 22451 of the Financial Code, relating to charges on loans by personal property brokers.

Bill read third time.

### Motion to Grant Extra Time for Debate

Mr. Chapel moved that Mr. Burton be granted an additional 10 minutes for debate.

Mr. George E. Brown seconded the motion.

Motion lost.

### Demand for Previous Question

Messrs. Levering, Luckel, Reagan, Lanterman, and Pattee demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge,

Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—68.

NOES—Burton, Cameron, Garrigus, Lunardi, O'Connell, and Z'berg—6.

Bill ordered transmitted to the Senate.

**Speaker Presiding**

At 11.08 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1526**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 734**—An act to amend Section 3352 of the Labor Code, and to repeal Chapter 9 (commencing at Section 4250) of Division 4 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Holmes, Levering, Shell, and Thelin—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 150**—An act to add Section 104.8 to the Welfare and Institutions Code, relating to the administration of public assistance.

Bill read third time.

**Motion to Amend**

Mr. Elliott moved the adoption of the following amendment:

**Amendment No. 1**

On page 1 of the printed bill, after line 9, insert "This section shall be effective on and after October 1, 1961."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

**Assembly Concurrent Resolution No. 62**—Relative to state publications sent to Members of the Legislature.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2307

Mr. Pattee was granted unanimous consent that Assembly Bill No. 2307 be withdrawn from the Committee on Agriculture, and re-referred to the Committee on Livestock and Dairies.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Belotti was granted unanimous consent that he be permitted to offer and consider a concurrent resolution at this time.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 106**: By Mr. Belotti—Approving a new charter for the City of Eureka, a municipal corporation in the County of Humboldt, State of California, ratified by the qualified electors of said city at a special election held therein on the fifth day of March, 1959.

#### Request for Unanimous Consent

Mr. Belotti was granted unanimous consent to take up Assembly Concurrent Resolution No. 106 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 106

**Assembly Concurrent Resolution No. 106**—Approving a new charter for the City of Eureka, a municipal corporation in the County of Humboldt, State of California, ratified by the qualified electors of said city at a special election held therein on the fifth day of March, 1959.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Levering was granted unanimous consent to take up Senate Concurrent Resolution No. 36, at this time.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36

**Senate Concurrent Resolution No. 36**—Relative to the continuance of the Joint Committee on Water Problems.

Resolution read, presented by Mr. Levering, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—76.
NOES—None.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 41

**Senate Concurrent Resolution No. 41**—Relative to making additional funds available to the Legislative Budget Committee, established by Chapter 1667, Statutes of 1951

Resolution read, and presented by Mr. McMillan.

#### Speaker pro Tempore Presiding

At 11 30 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis. DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—70.
NOES—Reagan—1

Resolution ordered transmitted to the Senate.

#### Speaker Presiding

At 11.35 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Masterson was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that 1,000 copies of the Report of the Subcommittee on Public Indebtedness of the Assembly Interim Committee on Revenue and Taxation be printed out of the subcommittee's funds.

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, April 7, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly, and*
*Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: In compliance with the provisions of House Resolution No. 305, directing the Assembly Interim Committee on Revenue and Taxation to investigate, ascertain, study and analyze all facts relative to the subject matter of Assembly Constitutional Amendment No. 46, adopted June 12, 1957 Regular Session of the Legislature, the Subcommittee on Public Indebtedness appointed for this purpose does herewith respectfully submit its report with the findings and recommendations of the committee.

Very truly yours,

S. C. MASTERSON, Chairman
Subcommittee on Public Indebtedness
of the Assembly Interim Committee
on Revenue and Taxation

CARL BRITSCHGI, Member — HERBERT R. KLOCKSIEM, Member
LEVERETTE HOUSE, Member — ALAN PATTEE, Member

### ASSEMBLY BILLS NOS. 481 AND 482 PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

**Assembly Bills Nos. 481** and **482**, on motion of Mr. Lanterman.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 151**—An act to amend Section 13708 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the compensation of members of school district personnel commissions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 151?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "14108", and insert "13708".

**Amendment No. 2**

In line 1 of the title, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "14108", and insert "13708".

**Amendment No. 4**

On page 1, line 3, strike out "14108", and insert "13708".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 151 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering,

Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 151 ordered enrolled.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Constitutional Amendment No. 16**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article XI thereof, relating to the presentation, consideration and enforcement of claims against chartered counties, cities and counties and cities and against officers, agents and employees thereof.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowery, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 1435**—An act to amend Section 5302.6 of the Streets and Highways Code, relating to the Improvement Act of 1911, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Mr. MacBride moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "year", and insert "years".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1436**—An act to amend Section 13641 of the Revenue and Taxation Code, relating to inter vivos transfers.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, and Z'berg—66

NOES—Coolidge, Davis, Levering, Lowrey, Reagan, and Shell—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 725**—An act to amend Section 8742 of, and to add Section 8745.5 to, the Business and Professions Code, relating to land surveying.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr Speaker—69.

NOES—Belotti, Coolidge, and Lowrey—3.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following statement be ordered printed in the Journal:

## STATEMENT OF CHARLES EDWARD CHAPEL, MEMBER OF THE ASSEMBLY, REGARDING ATTEMPTED INTIMIDATION PERTAINING TO LEGISLATION

On or about Thursday, March 26th, at 9.30 a.m., when I was in my office at 4001, State Capitol, Sacramento, California, I received a long distance telephone call. The man at the other end said that he was Mr. Herb Beitel. I then said:

"Where are you telephoning from?" He said:

"From Chicago." I then said:

"Are you Mr. Herb Beitel, Legislative Counsel, National Automatic Merchandising Association, 7 South Dearborn Street, Chicago, Illinois?" He said:

"I am." I then said to my secretary, Mrs. Vera Wells:

"Get on the telephone extension and listen to this conversation." I then said to the man to whom I was talking whom I shall refer to hereafter as Mr. Beitel:

"My secretary is listening to this conversation. Do you wish to proceed?" He then said that he would and he wished to discuss my Assembly bill regarding the licensing of vending machines. I then said:

"Did you receive a copy of a letter from Mr. Perry H. Taft, addressed to Mr. Hertzberg and dated March 16, 1959?" He answered in the affirmative. I then said:

"Are you sure you want to talk to me?" He said he did. I then asked him what he wanted to talk to me about. He said that the proposed license fee of $10 a year on machines operated by a nickel ($0.05 piece) and a license fee of $15 a year for a machine operated by a coin of a larger amount was such a burden on the vending machine business that it would put them out of business I then said to him:

"How many people do you represent?" He replied that he represented about 1,700 people, although it is possible that he said 700 but it sounded to me like 1,700. I asked him if he would put in writing his objections to the bill and give me statistics to show that the proposed license fee was unreasonable if this is possible. He replied that he

wanted to discuss the bill more and he insisted that there is no racketeering in the vending machine business. I then said to him:

"Did you read in the newspapers and did you see on TV the testimony by a Mr. Seedman who testified before the McClellan Committee that he had given Mickey Cohen $10,000 to stay out of the vending machine business?" Mr. Beitel said that he knew about this testimony. I then said:

"In view of this, how can you tell me that there is no racketeering in the vending machine business?" Mr. Beitel then explained that he thought Mr. Seedman paid Mickey Cohen the $10,000 because Seedman was afraid of getting hurt by Mickey Cohen. I then said:

"Do you mean that you believe that Cohen was threatening to kill Seedman if he did not get $10,000?" Mr. Beitel said:

"Well, it amounted to that." I then said:

"Isn't this blackmail?" and Mr. Beitel replied:

"Maybe you would call it that but I just think that Seedman was paying the money so he wouldn't get hurt." Then I said:

"If this is the case, why didn't Seedman report this threat by Mickey Cohen to law enforcement officers such as the district attorney, the grand jury, and the police department?" Mr. Beitel replied:

"I don't think you understand how things operate," or words to that effect. Mr. Beitel then said to me:

"I think you should know that we had a city councilman in Chicago who got interested in this subject. People who did not like what he was doing constantly telephoned and harassed his wife, his family, and him so badly that the councilman was afraid to run for re-election." Mr. Beitel then made some remarks which lead me to believe that he was telling me this story to frighten me. At this, I became angry and said to him:

"I remind you again that this conversation is being listened to by the secretary and if my wife, my family, or I are harassed or bothered in any way, I will have several of your boys thrown in the can." By "can" I meant jail and I believe I explained that to Mr. Beitel. I also told Mr. Beitel that if any of his hoodlums get in my way, I am quite capable of taking care of myself and I resented threats. Mr. Beitel then wanted to know if he could have a copy of the notes taken by the secretary and then I told him he couldn't. He wanted to know what I was going to do about the matter and I told him that I was going to notify the United States Senate Committee on Rackets, the Attorney General of the State of California, various district attorneys and various police chiefs. He again asked for a copy of the transcript of the conversation and I told him that if I had an exact transcript I might let him have it but that I didn't have to. I also told him the whole matter was already under investigation by the State of California.

I told Mr. Beitel that I had been advised by lawyers that Mr. Perry H. Taft has apparently violated Section 9906 of the Government Code which makes it a criminal offense to conduct lobbyist activities without being registered as a lobbyist for the organization represented. Mr. Beitel replied that he was willing to admit that Mr. Perry Taft is and has been, retained as a lawyer for them regarding taxes on vending machines but that Mr. Perry Taft had not yet been paid anything for

his recent activities. I told him that regardless of whether or not Mr. Taft had received his fees as a lawyer that I was advised by lawyers of the State of California that the letter written by Taft to Hertzberg, with a copy to him—Beitel, in itself showed an attempt to influence legislation in a field for which Mr. Taft was not registered as a lobbyist. I explained that this is being referred to the Attorney General and to various District Attorneys. Mr. Beitel insisted again that Mr. Taft was retained on tax matters to represent the vending machine industry and that Mr. Taft had not been paid anything *recently*. I answered that regardless of this, the crime had been committed when the letter was written and mailed in the opinion of lawyers who had been consulted. I am aware that this may be a violation of a law of California but not necessarily a federal offense. The main thing I am emphasizing is that I have been advised repeatedly that there was a threat, or an implied threat, in the telephone call which may, or may not, constitute a federal crime.

The conversation continued until appoximately 9.40 that is, twenty minutes to 10 a.m., at which time I told Mr. Beitel that I was due on the floor of the Assembly at 9 30 a.m., in order to present more material pertaining to the vending machine racket and that I did not care to talk to him anymore. He wanted to continue the conversation but I told him that anything more he wanted to say he would have to put in writing, that all telephone calls to me would be intercepted and monitored, that any packages sent to me would be opened in the presence of witnesses and that any mail from him or from any of his associates would be opened in front of witnesses

CHARLES EDWARD CHAPEL

### REQUEST FOR UNANIMOUS CONSENT TO REMOVE ASSEMBLY BILL NO. 1844 FROM CONSENT CALENDAR

Mr. Ernest R. Geddes was granted unanimous consent that Assembly Bill No. 1844 be removed from the Consent Calendar, and placed on the third reading file.

### ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Bradley announced that the Committee on Municipal and County Government will hold its regular meeting from 1.30 until 3.30 p.m. this afternoon, and will then recess until 8 p m. tonight to complete the calendar of bills set for hearing.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2371

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 2371 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Criminal Procedure.

### MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, March 30, 1959; Tuesday, March 31, 1959; Wednesday, April 1, 1959; Thursday, April 2, 1959; and Friday, April 3, 1959.

## COMMUNICATIONS

The following communication was read by the Speaker, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, April 2, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of State Assembly*
*Assembly Chamber, Sacramento*

DEAR SIR: This is to advise you that as of this day we have deposited $34,000 to the credit of the Legislative Printing Fund, covering receipts from sales of Legislative publications by the Legislative Bill Room for the month of February, 1959.

Very truly yours,

PAUL E. GALLAGHER, State Printer

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1252
Assembly Bill No. 1409
Assembly Bill No. 1715
Assembly Bill No. 1777

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1381
Assembly Bill No. 1604
Assembly Bill No. 1622
Assembly Bill No. 1720
Assembly Bill No 1721
Assembly Bill No. 1722
Assembly Bill No. 1728
Assembly Bill No. 1828
Assembly Bill No. 1829
Assembly Bill No. 1830
Assembly Bill No 1831
Assembly Bill No. 1832

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1794

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1461
Assembly Bill No. 1530

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### Committee on Social Welfare

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 946
Assembly Bill No. 1664
Assembly Bill No. 1665
Assembly Bill No. 1666
Assembly Bill No. 1667

With amendments with the recommendation Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 281
Senate Bill No. 310

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1759
Assembly Bill No. 1768

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BURTON, Chairman

Above bills ordered to second reading.

NOTE—See page 2339 for statement by Mr. Hawkins relative to Assembly Bill No. 1759.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1757

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1417

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 311

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1256
Assembly Bill No. 1824
Assembly Bill No. 1825

With amendments with the recommendation: Amend, and do pass, as amended

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 898
Assembly Bill No. 1752

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1787

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 901
Assembly Bill No 1683
Assembly Bill No 1819
Assembly Bill No. 1821
Assembly Bill No. 1822

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 246
Senate Bill No 298
Senate Bill No. 389
Senate Bill No. 812

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 321

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 8, 1959

MR SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1820
Assembly Bill No. 1631

With the recommendation: Do pass.

RUMFORD, Chairman

Above bills ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, April 9, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1163

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

REES, Chairman

Above bill ordered to second reading.

## ANNOUNCEMENT

Speaker Brown announced that, by unanimous consent, all items passed temporarily on file today would retain their places on file on the next legislative day.

### SENATE BILL NO. 188 RE-REFERRED TO COMMITTEE

Speaker Brown ordered Senate Bill No. 188 re-referred to the Committee on Finance and Insurance.

### EXPLANATION OF ABSENCE

April 9, 1959

I missed a number of roll calls during today's session because I was presenting a couple of my bills to the Senate Judiciary Committee.

LOUIS FRANCIS

### PROPOSED AMENDMENT TO ASSEMBLY BILL NO. 419 SUBMITTED APRIL 9, 1959

Pursuant to consent granted to Mr. Miller on April 8, 1959 (Assembly Journal, page 2213), the following proposed amendment to Assembly Bill No. 419 is printed in the Journal:

**Amendment Proposed by Mr. Miller**

By Mr. Miller:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on March 31, 1959, between lines 33 and 34, insert

"The term "employer" shall not include the State, or any city, city and county, county, public or municipal corporation or district."

### ADJOURNMENT

At 11:48 a.m., on motion of Mr. Munnell, the Speaker declared the Assembly adjourned until 9:30 a.m., Friday, April 10, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-SECOND LEGISLATIVE DAY
SEVENTIETH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, April 10, 1959

The Assembly met at 10 a.m.

Hon Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R Wilbur Simmons:

*All-wise God, Our Father*, We pray for a long, objective look at our beloved State of California. Enable us to see the areas of need as Thou dost see them: masses of humanity in the skid rows of our cities at whose expense the great cheap food supply seems to be in part provided; a society which produces too many criminals, juvenile and adult; a great increasing population in our mental institutions; a tragic divorce rate; too many children for existing school facilities and faculties; public welfare loads which ought not to have to exist; thirsty and potentially productive acres waiting for water. We pray humbly for wisdom to meet the needs in this moment of eternity —AMEN

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Porter, seconded by Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

### LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Bruce F. Allen, on motion of Mr. Williamson.

Mr. Thomas, on motion of Mr. Collier.

Mr. Samuel R. Geddes, on request of Speaker Brown.
Miss Donahoe, on motion of Mr. Winton.
Mr. McMillan, on motion of Mr. Charles H. Wilson.
Mr. Munnell, on motion of Mr. Unruh.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Joint Memorial Resolution by State of Oregon

STATE OF OREGON
HALL OF REPRESENTATIVES
SALEM, April 7, 1959

*Legislative Assembly*
*State Capitol, Sacramento*

GENTLEMEN: I have the honor to transmit House Memorial No 5 urging the President of the United States to review the possibility of additional federal appropriations through the Department of Defense or the Department of the Interior to facilitate planning for both fish and dams.

Very truly yours,

ROBERT B DUNCAN, Speaker
House of Representatives

Encl

Above transmitted resolution referred to the Committee on Fish and Game.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Chapel, Dills, and Charles H. Wilson:

### House Resolution No. 193
Relative to commending Mr. Whitley Collins

WHEREAS, Mr. Whitley Collins, the President of Northrop Corporation since 1954, has been identified with the aircraft industry in California for over 30 years; and

WHEREAS, For several years Mr. Collins has directed the activities of thousands of California people in the field of aircraft development and production with the resulting significant contributions to our national defense; and

WHEREAS, A native of the State of Iowa and a graduate of the University of Pennsylvania, Mr. Collins began his career in the banking business in 1920; and

WHEREAS, In 1929, at the age of 30, he moved to California to become Vice President, General Manager, and a Director of Lockheed Aircraft Corporation at Burbank; and

WHEREAS, He was instrumental in the development of the successful aircraft accessories sales firm of Collins-Powell in Beverly Hills and the Radioplane Company of Van Nuys; and

WHEREAS, Under the able leadership of Mr. Collins the number of personnel at Northrop is twice its World War II peak and the company has completed a multimillion dollar redevelopment program financed mainly with Northrop funds; and

WHEREAS, Mr. Collins is active in numerous other fields including service as a member of the board of trustees, California Institute of Technology; member, Jet Propulsion Laboratory Committee, California Institute of Technology; vice chairman, trustees, trust fund, Los Angeles Council Boy Scouts of America; vice chairman, board of trustees, Claremont Men's College; member, Men's Council, Children's Hospital; director, Los Angeles Y. M. C. A., and other important civic and cultural organizations; and

WHEREAS, Whitley Collins is to be commended for his invaluable service to the people of this State and Nation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends Mr Whitley Collins for his outstanding achievements and leadership in the aircraft industry and for the numerous civic and cultural contributions he has made which directly benefit the people of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit four suitably prepared copies of this resolution to Mr. Whitley Collins.

Resolution read, and referred to the Committee on Rules.

By Mr. Francis:

**House Resolution No. 194**

Relative to the passing of William Ottis Miller

WHEREAS, The Assembly of the State of California has learned with regret of the passing of William Ottis Miller, on April 4, 1959, at Millbrae, California; and

WHEREAS, The people of San Mateo County and of the State have thus lost a citizen who well served his fellows and whose life was, in the best sense, a success; and

WHEREAS, In the course of a notable career, he served in virtually every branch of the administration of justice—as a district attorney, as a municipal court judge, and as a prominent practicing attorney, being a member of the law firm of Miller, Francis, Miller and Osborne in San Mateo, California; and

WHEREAS, A veteran of World War I, he held the position of Judge Advocate of the Millbrae Post of the American Legion, and Commander of the Veterans of Foreign Wars Post in Logansport, Indiana, from which he came to California; and

WHEREAS, He found time, in a busy life, to be an active, productive member of various Masonic lodges, the State Bar, his county bar association and numerous other civic organizations; and

WHEREAS, Of this man it can truly be said that he left this world richer for his presence; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, by this resolution, pays tribute to the memory of William Ottis Miller; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Miller's wife, Mrs. Marguerite P. Miller, and his sons, Mr. Richard S. Miller and Mr. James O. Miller.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2420**: By Mr. Busterud—An act to add Article 9.5 (commencing with Section 7040) to Chapter 5 of Part 1 of Division 2 of the Insurance Code, relating to merger of county mutual fire insurers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2421**: By Mr. Lunardi—An act to add Section 4014 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2422**: By Mr. Burton—An act to amend Section 2163.8 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2423**: By Miss Donahoe—An act to amend Sections 13588 and 13589, and to repeal Section 13590, of the Education Code as enacted at the 1959 Regular Session, relating to classified employees of school districts.

Referred to Committee on Education

**Assembly Bill No. 2424**: By Mr. Levering—An act to amend Section 11715 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles owned by dealers.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2425**: By Messrs. Nisbet, Hegland, Johnson, and Schrade—An act to add Chapter 12 (commencing at Section 6925) to Part 1 of Division 6 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health.

**Assembly Bill No. 2426**: By Messrs. Nisbet, Hegland, Johnson, and Schrade—An act to add Article 4 (commencing at Section 32300) to Chapter 1, Part 8, Division 12 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2427**: By Messrs. Nisbet, Hegland, Johnson, and Schrade—An act to add Article 3 (commencing at Section 14390) to Chapter 11 of Division 6 of the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2428**: By Messrs. Chapel and Rees—An act to amend Section 10203.5 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2429**: By Miss Donahoe—An act to add Section 13655 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Referred to Committee on Education.

**Assembly Bill No. 2430**: By Messrs. Hanna and Sumner—An act to add Article 11.5 (commencing at Section 73750) to Chapter 10, Division 8 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2431**: By Mr. Mulford—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2432**: By Mr. Mulford—An act to amend Section 1525 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2433**: By Messrs. Ralph M. Brown and Winton—An act to amend Section 19538.2 of the Business and Professions Code, and to amend Section 19557 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to horse racing.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2434**: By Mr. Thelin—An act to amend Section 4001 of the Business and Profession Code, relating to membership in the State Board of Pharmacy.

Referred to Committee on Public Health.

**Assembly Bill No. 2435**: By Mr. Winton—An act to add Section 828.01 to the Agricultural Code, relating to standard containers.

Referred to Committee on Agriculture.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1051
Assembly Bill No. 1641
Assembly Bill No. 1724

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 150
Assembly Bill No. 1435

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 113
Assembly Bill No. 1457

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 33
Senate Bill No. 83

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 911
Assembly Bill No. 1284
Assembly Bill No. 1368

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 221

Without recommendation.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1334

With amendments with the recommendation: Amend, and do pass, as amended

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 468
Assembly Bill No. 1169
Assembly Bill No 1487

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No 124

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 949

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 505

With amendments with the recommendation: Amend, and do pass as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No 373
Senate Bill No. 375

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1132
Assembly Bill No. 1738
Assembly Bill No 1742
Assembly Bill No. 1743
Assembly Bill No. 1744
Assembly Bill No. 1167

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1737

With the recommendation: That the bill be re-referred to the Committee on Elections and Reapportionment.

BRADLEY, Chairman

Above bill re-referred to the Committee on Elections and Reapportionment.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 1601

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1098
Assembly Bill No. 1099
Assembly Bill No 1534
Assembly Bill No 1739
Assembly Bill No. 1779

With the recommendation: That the bills be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BRADLEY, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Senate Bill No. 645

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1133

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

NOTE—On April 14, 1959, the record was expunged, and the action rescinded whereby Assembly Bill No. 1146 was reported out of committee on the above report. (See page 2387.)

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 919

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1747
Assembly Bill No. 1746

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 920
Assembly Bill No. 923
Assembly Bill No. 1545
Assembly Bill No. 1161

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 393

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, April 9, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 106

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 869
Assembly Bill No. 1233

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 339

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 125
Senate Bill No. 816

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 125**—An act to add Section 3352.5 to the Revenue and Taxation Code, relating to delinquent tax notices.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 816**—An act to repeal Chapter 6 (commencing at Section 19301) of Division 14, and Sections 19566, 19567, 19569, 19573, 19575, 19578, 19605, 19622, 19652, 19653, and 19659, and to amend Sections 19576, 19595, and 19629, of the Education Code, as enacted by the

Legislature at its 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 46

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 46**—Relative to sea lions.

Referred to Committee on Rules.

## ANNOUNCEMENT

Speaker Brown announced that Mrs. Thomas J. Doyle, the mother of James Doyle, Assembly console operator, had passed away during the night, and on behalf of himself and the other Members of the Assembly, extended deepest sympathy to James Doyle on his bereavement.

Speaker Brown announced further that James Doyle would be given a leave of absence for several days next week to make necessary funeral arrangements.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files read the second time, with appropriate actions taken on those bills requiring action.

## MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Lowrey seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1857, 1796, 1077, 1246, 1457, 1641, 1724, 113, 702, and 1051.**

Assembly Bills Nos. 1857, 1796, 1077, 1246, and 702 ordered to third reading subsequent to engrossment.

Assembly Bills Nos 1457 and 113 ordered to third reading.

Assembly Bills Nos. 1641, 1724, and 1051 ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1336**—An act to amend Section 17045 of, and to add Section 17045.1 to, the Business and Professions Code, relating to unfair trade practices.

Bill read second time.

*Consideration of Committee Amendments*

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 17045.1 to,".

Amendment No. 2

On page 1, line 3, strike out "secret".

Amendment No. 3

On page 1, line 5, strike out "or secretly".

Amendment No. 4

On page 1, line 10, strike out "injured or tends to injure a competitor".

Amendment No. 5

On page 1, strike out lines 13 to 15, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1338**—An act to add Sections 17040.1 and 17043.1 to the Business and Professions Code, relating to unfair trade practices

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Manufacturing, Oil, and Mining Industry, was read, and adopted:

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, strike out "injures or tends to injure a competitor,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 1780**—An act to amend Sections 560 and 561 of the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1781**—An act to amend Sections 819, 828.65, and 829.45 of the Agricultural Code, relating to containers.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "7½", and insert "7¾".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1152**—An act to amend Sections 422 and 423 of the Probate Code, relating to the administration of estates.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1406**—An act to amend Section 753 of, and to add Section 753.1 to, the Code of Civil Procedure, relating to actions for partition of property.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 951**—An act to amend Section 715.3 of the Civil Code, relating to restraints upon alienation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 952**—An act to amend Section 2934a of the Civil Code, relating to the substitution of trustee under trust deed.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1140**—An act to amend Sections 925 and 952 of the Probate Code, relating to vouchers supporting payments by executor or administrator.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1141**—An act to amend Section 780 of the Probate Code, relating to sales of real property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1142**—An act to amend Section 1405 of the Probate Code, relating to guardians.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1143**—An act to amend Section 689b of the Code of Civil Procedure, relating to execution of civil judgments.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1547**—An act to amend Section 1193.2 of the Code of Civil Procedure, relating to claims of liens.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1139**—An act to amend Section 1198.1 of, and to add Section 1198.2 to, the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2, line 15, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1205**—An act to amend Section 1107 of the Code of Civil Procedure, relating to prerogative writs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "Within", and insert "At any time after such service and not later than".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1302**—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72705, 72705.5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 3, line 5, of the printed bill, as amended in the Assembly on March 30, 1959, strike out "42", and insert "41".

**Amendment No. 2**

On page 3, line 7, strike out "40", and insert "39".

**Amendment No. 3**

On page 3, line 9, strike out "37", and insert "36".

**Amendment No. 4**

On page 3, line 11, strike out "35.", and insert
"34. Appointments to said positions shall be step B of said schedule."

**Amendment No. 5**

On page 3, line 13, strike out "34", and insert "33".

**Amendment No. 6**

On page 3, line 15, strike out "32", and insert
"31 Appointment to said positions shall be at step B of said schedule."

**Amendment No. 7**

On page 3, between lines 15 and 16, insert
"The provisions of Section 72705.5 shall apply to positions in this section until July 1, 1961, on which date the basic compensation of each position in this section shall become that fixed by the salary schedule of Section 72705 which is two numbers higher than that which is herein specified for the respective position."

**Amendment No. 8**

On page 4, line 27, after "court," insert "and, at each branch court of three or more divisions, one deputy clerk grade III assigned as office supervisor".

**Amendment No. 9**

On page 5, line 36, strike out "43", and insert "42".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1497**—An act to amend Section 71085 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after "court", insert "; provided, that if there are one or more other municipal courts in the county in which the court is established, the officers and employees of the court shall not be compensated at a rate greater than that provided by law for comparable officers and employees in any other municipal court in the county".

**Amendment No. 2**

On page 1, line 16, after "a", insert "monthly".

**Amendment No. 3**

On page 1, line 20, after "a", insert "monthly".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1500**—An act to add Chapter 9.2 (commencing with Section 73100), to Title 8 of, and to repeal Articles 9, 16, 25, and 30 (commencing at Sections 73640, 73950, 74340, and 74740, respectively) of Chapter 10, of Title 8 of, the Government Code, relating to municipal courts in San Diego County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 to 3, inclusive; and in line 4, strike out "tively) of Chapter 10, of Title 8 of", and insert

"An act to amend Sections 73648, 73650, 73958, 74355, and 74748 of, and to add Article 25.5 (commencing at Section 74361) to Chapter 10, of Title 8 of, and to repeal Sections 73644, 73645, 73954, 73955, 74344, 74345, 74346, 74744, and 74745 of".

**Amendment No. 2**

In line 5 of the title, after "to", insert "the office of marshal of".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Sections 73644 and 73645 of the Government Code are repealed.

SEC. 2. Section 73648 of said code is amended to read:

73648. (a) The clerk ~~or marshal~~ shall, on the effective date of the amendments to this article enacted by the Legislature at the 1957 Regular Session or as soon thereafter as practicable, assign each of his

deputies, attaches, or employees to a position prescribed in this article which is comparable in duties to the position held by such deputy, attache, or employee immediately prior to the effective date of such amendments. Each clerk, ~~marshal,~~ deputy, attache, or employee shall receive the added compensation provided in this article, including increments for continuous service in such prior positions in the court. No further examination or qualification shall be required of deputies, attaches, or employees assigned pursuant to this article.

(b) In addition to the compensation provided in this article the clerk, ~~marshal~~ and attaches of the municipal court shall receive, and they shall be entitled to, the same vacations, sick leaves, leaves of absence and similar privileges and benefits as are now or may hereafter be provided for the employees of the County of San Diego, including the right to participate in any group accident, health or life insurance plan adopted by the board of supervisors of said county. Such privileges and benefits shall be retroactively applied. The judge or a majority of the judges of the municipal court may adopt rules for the conduct of, and personnel privileges to be afforded to, the personnel of their court; or a majority of all of the municipal court judges in the county, convened from time to time by the presiding judge of the municipal court district which embraces the county seat, may adopt uniform rules for such purposes relative to the personnel serving the municipal courts in the county; and for that purpose they may adopt in whole or in part the provisions of any county ordinance applicable to employees of the county, except where the same may be in conflict with any provisions of the State Constitution or laws relating to municipal courts and attaches of such courts. Attaches may be voluntarily transferred from a position in one judicial district to a position in another within the county and promoted or voluntarily demoted from a position in one judicial district to a position in another within the county in substantially the same manner as transfers, demotions and promotions are authorized generally in county departments or between departments of the county.

(c) Notwithstanding the provisions of Section 71183, a person appointed by ~~the~~ ~~marshal~~ ~~or~~ clerk from an eligible list certified by the Civil Service Commission of the County of San Diego to fill a temporary position established pursuant to Section 72150 and employed in such temporary position immediately prior to the ninety-first day after the final adjournment of a regular session of the Legislature, may be appointed by such ~~marshal~~ ~~or~~ clerk to a like permanent position in such ~~marshal's~~ ~~office~~ ~~or~~ clerk's office without further examination, qualification or certification on a civil service eligible list; provided, that the number of such positions in such ~~marshal's~~ ~~office~~ ~~or~~ clerk's office has been increased by the last regular session of the Legislature so as to make such temporary position a permanent position.

(d) Where in the clerk's office ~~or~~ ~~marshal's~~ ~~office~~ titles of positions in effect immediately prior to the ninety-first day after the final adjournment of the 1957 Regular Session of the Legislature are changed, such positions shall be grouped under the titles enumerated in Sections 73642, *and* 73643, ~~73644~~ ~~and~~ ~~73645~~.

SEC. 3. Section 73650 of said code is amended to read:

73650. The compensation of the clerk ~~and marshal~~ of the municipal court and ~~their~~ *his* deputies shall be as follows:

| Schedule | A | B | C |
|---|---|---|---|
| 1 | $300 | $315 | $330 |
| 2 | 360 | 380 | 400 |
| 3 | 445 | 465 | 485 |
| 4 | 590 | 620 | 650 |
| 5 | | | |

(a) Unless otherwise specifically provided, each person appointed to a position enumerated in this article shall, for the first six months of service, receive monthly the rate of compensation specified in Step A of the salary schedule for the position to which he is appointed. Upon the first day of the month following six months' continuous service in a class, such person shall receive monthly the rate of compensation specified in Step B of the salary schedule for the position occupied. On and after the first day of the month following the first 12 months of such service at the rate specified in Step B, such person shall receive monthly the rate of compensation specified in Step C of the salary schedule for the position occupied.

(b) When any person is demoted to another office or position he shall receive the third step rate of salary for the position to which he is demoted, except that if such demotion is due to disciplinary action, the appointing power may indicate any step rate of the lower position which provides compensation not higher than that last previously received by such person.

SEC. ~~4~~. Sections 73954 and 73955 of said code are repealed.

SEC. 5. Section 73958 of said code is amended to read:

73958. (a) The clerk ~~or marshal~~ shall, on the effective date of the amendments to this article enacted by the Legislature at the 1957 Regular Session or as soon thereafter as practicable, assign each of his deputies, attaches, or employees to a position prescribed in this article which is comparable in duties to the position held by such deputy, attache, or employee immediately prior to the effective date of such amendments. Each clerk, ~~marshal,~~ deputy, attache, or employee shall receive the added compensation provided in this article, including increments for continuous service in such prior positions in the court. No further examination or qualification shall be required of deputies, attaches, or employees assigned pursuant to this article.

(b) Notwithstanding any provisions of law to the contrary, in addition to the compensation provided in this article, the clerk, ~~marshal,~~ and attaches of the municipal court shall receive, and they shall be entitled to, the same vacations, sick leaves, and leaves of absence, and similar privileges and benefits as are now or may hereafter be provided for the employees of the County of San Diego, including the right to participate in any group accident, health or life insurance plan adopted by the board of supervisors of said county. Such privileges and benefits shall be retroactively applied.

(c) Notwithstanding the provisions of Section 71183, a person appointed by the ~~marshal or~~ clerk from an eligible list certified by the

Civil Service Commission of the County of San Diego to fill a temporary position established pursuant to Section 72150 and employed in such temporary position immediately prior to the ninety-first day after the final adjournment of a regular session of the Legislature, may be appointed by such ~~marshal or~~ clerk to a like permanent position in such ~~marshal's office or~~ clerk's office without further examination, qualification or certification on a civil service eligible list; provided, that the number of such positions in such ~~marshal's office or~~ clerk's office has been increased by the last regular session of the Legislature so as to make such temporary position a permanent position.

(d) Where in the clerk's office ~~or marshal's office~~ titles of positions in effect immediately prior to the ninety-first day after the final adjournment of the 1957 Regular Session of the Legislature are changed, such positions shall be grouped under the titles enumerated in Sections 73952, *and* 73953, ~~73954 and 73955~~.

SEC. 6. Sections 74344, 74345, and 74346 of said code are repealed.

SEC. 7. Section 74355 of said code is amended to read:

74355. In addition to the compensation provided in this article, the clerks, ~~marshals~~ and other attaches of the municipal court shall receive, and they shall be entitled to the same vacations, sick leaves, leaves of absence and similar privileges and benefits as are now or may hereafter be provided for the employees of the County of San Diego, including the right to participate in any group accident, health or life insurance plan adopted by the board of supervisors of said county. It is further provided that the privileges and benefits hereinbefore provided shall be retroactively applied.

SEC. 8. Article 25.5 (commencing at Section 74361), is added to Chapter 10 of Title 8 of said code, to read:

Article 25.5. Marshal of Municipal Courts in San Diego County

74361. There shall be one marshal for all municipal courts established in judicial districts in San Diego County, who shall be appointed pursuant to this article and who shall receive an annual salary of eleven thousand four hundred dollars ($11,400).

74362. The marshal shall be designated as Marshal of Municipal Courts, San Diego County.

74363. A branch office of the Marshal of Municipal Courts, San Diego County, shall be maintained in each municipal court district.

74364. The marshal shall appoint:

(a) One assistant marshal who shall receive seven hundred fifty dollars ($750) a month.

(b) Three chief deputy marshals who shall receive seven hundred thirteen dollars ($713) a month. (The positions of Marshal in the South Bay Judicial District, El Cajon Judicial District, and the Oceanside Judicial District shall succeed to these positions.)

(c) Two deputy marshals (lieutenant), each of whom shall receive six hundred thirty-five dollars ($635) a month.

(d) Seven deputy marshals (sergeant), each of whom shall receive five hundred seventy-five dollars ($575) a month.

(e) One deputy marshal (female), who shall receive four hundred seventy-five dollars ($475) a month as a beginning salary, with an

increment to four hundred ninety-five dollars ($495) a month after six months' service, and a further increment to five hundred fifteen dollars ($515) a month after an additional one year's service.

(f) Forty-seven senior deputy marshals, each of whom shall receive four hundred seventy-five dollars ($475) a month as a beginning salary, with an increment to four hundred ninety-five dollars ($495) a month after six months' service, and a further increment to five hundred fifteen dollars ($515) a month after an additional one year's service. (The classification of Deputy Marshal II in the El Cajon, South Bay and Oceanside Municipal Judicial Districts shall succeed to these positions.)

(g) Three deputy marshals (cashier) each of whom shall receive four hundred five dollars ($405) a month as a beginning salary, with an increment to four hundred twenty-five dollars ($425) a month after six months' service, and a further increment to four hundred forty-five dollars ($445) a month after an additional year's service.

(h) Five deputy marshals (stenographer) each of whom shall receive three hundred seventy-five dollars ($375) a month as a beginning salary, with an increment to three hundred ninety-five dollars ($395) a month after six months' service, and a further increment to four hundred fifteen dollars ($415) a month after an additional year's service.

(i) Nine deputy marshals (senior clerk) each of whom shall receive three hundred seventy-five dollars ($375) a month as a beginning salary, with an increment to three hundred ninety-five dollars ($395) a month after six months' service, and a further increment to four hundred fifteen dollars ($415) a month after an additional year's service. (The classification of Deputy Marshal I (female clerical) in the El Cajon, South Bay and Oceanside Municipal Judicial Districts shall succeed to these positions.)

(j) One deputy marshal (junior clerk) who shall receive three hundred thirty-five dollars ($335) a month as a beginning salary, with an increment to three hundred fifty-five dollars ($355) a month after six months' service, and a further increment to three hundred seventy-five dollars ($375) a month after an additional year's service.

74365. The judges of all the municipal courts in San Diego County, by a majority vote of their aggregate number, shall select and appoint the marshal, under such organization, rules, and procedure as they adopt or ratify therefor. Said judges may prescribe and regulate by majority vote the organization, policies, rules, and regulations for the conduct of the marshal and his offices, and it shall be their duty and that of the personnel of his offices to be governed thereby. For the purpose of voting to select or appoint the marshal or to prescribe and regulate the organization, policies, rules, and regulations aforesaid, upon five days' written notice, the judges of the municipal courts in judicial districts located in San Diego County shall meet at a time and place designated by the presiding judge of the municipal court of the judicial district in which is included the county seat. If and when, under any provision of law, the municipal court judges in the judicial districts of said county have formally organized to administer all matters jointly affecting their courts, the conduct of such meetings and the

voting thereat shall be pursuant to the rules or bylaws adopted by said judges for that purpose.

74366. The marshal shall possess the rights and powers and perform the duties imposed upon marshals of municipal courts generally. With respect to proceedings in each of the municipal courts established in San Diego County, he shall exercise all powers and perform all duties imposed by law upon the sheriff with respect to proceedings in the superior court.

74367. For the puropses of this article, the appointing authority means the person having the power in the first instance to select the employee from an eligible list provided for that purpose.

74368. The appointing authority may lay off and suspend an employee or employees because of lack of work requiring the service of the existing personnel of such office or department.

74369. All persons holding positions on the ninety-first day after the 1959 Regular Session of the Legislature shall continue in their respective positions without further examination or qualification and at the added compensation provided in this article, including increments for continuous prior service in such positions in the court. Thereafter, any increments earned by additional service in grade shall take effect upon the first day of the month following completion of such required service.

74370. In addition to the compensation provided in this article, the marshals and other attaches of the municipal court shall receive, and they shall be entitled to the same vacations, sick leaves, leaves of absence, retirement, and similar privileges and benefits as are now or may hereafter be provided for the employees of the County of San Diego, including the right to participate in any group accident, health, or life insurance plan adopted by the board of supervisors of said county. It is further provided that the privileges and benefits hereinbefore provided shall be retroactively applied.

SEC. 9. Sections 74744 and 74745 of said code are repealed.

SEC. 10. Section 74748 of said code is amended to read:

74748. (a) The clerk ~~or marshal~~ shall, on the effective date of the amendments to this section enacted by the Legislature at the 1957 Regular Session or as soon thereafter as practicable, assign each of his deputies, attaches, or employees to a position prescribed in this article which is comparable in duties to the poistion held by such deputy, attache, or employee immediately prior to the effective date of such amendments. Each clerk, ~~marshal,~~ deputy, attache, or employee shall receive the added compensation provided in this article, including increments for continuous service in such prior positions in the court. No further examination or qualification shall be required of deputies, attaches, or employees assigned pursuant to this section.

(b) In addition to the compensation provided in this article, the clerk, ~~marshal~~ and attaches of the municipal court shall receive, and they shall be entitled to, the same vacations, sick leaves, and leaves of absence, and similar privileges and benefits as are now or may hereafter be provided for the employees of the County of San Diego, including the right to participate in any group accident, health or life insurance plan adopted by the board of supervisors of said county. Such privileges and benefits shall be retroactively applied.

The judge or a majority of the judges of any municipal court may adopt rules for the conduct of, and personnel privileges to be afforded to, the personnel of their court; or a majority of all of the municipal court judges in the county, convened from time to time by the presiding judge of the municipal court district which embraces the county seat, may adopt uniform rules for such purposes relative to the personnel serving the municipal courts in the county; and for that purpose they may adopt in whole or in part the provisions of any county ordinance applicable to employees of the county, except where the same may be in conflict with any provisions of the State Constitution or laws relating to municipal courts and attaches of such courts. Attaches may be voluntarily transferred from a position in one judicial district to a position in another within the county and promoted or voluntarily demoted from a position in one judicial district to a position in another within the county in substantially the same manner as transfers, demotions and promotions are authorized generally in county departments or between departments of the county.

(c) Notwithstanding the provisions of Section 71183, a person appointed by the ~~marshal or~~ clerk from an eligible list certified by the Civil Service Commission of the County of San Diego to fill a temporary position established pursuant to Section 72150 and employed in such temporary position immediately prior to the ninety-first day after the final adjournment of a regular session of the Legislature, may be appointed by such ~~marshal or~~ clerk to a like permanent position in such ~~marshal's office or~~ clerk's office without further examination, qualification or certification on a civil service eligible list; provided, that the number of such positions in such ~~marshal's office or~~ clerk's office has been increased by the last regular session of the Legislature so as to make such temporary position a permanent position.

(d) Where in the clerk's office ~~or marshal's office~~ titles of positions in effect immediately prior to the ninety-first day after the final adjournment of the 1957 Regular Session of the Legislature are changed, such positions shall be grouped under the titles enumerated in Sections 74742 ; *and* 74743 ; ~~74744 and 74745~~ ."

**Amendment No. 4**

On page 1, strike out lines 2 to 19, inclusive, and strike out all of pages 2 to 4, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1629**—An act to amend Sections 206.5 and 206.7 of the Civil Code, relating to proceedings by adult for release from obligation to support parent.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, strike out "or".

**Amendment No. 2**

On page 2, line 12, after "5", insert ". or Chapter 1 of Part 2 of Division 5".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1823**—An act to amend Section 1241 of the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, of the printed bill, strike out line 25, and insert "public utility district, or a water district"

**Amendment No. 2**

On page 2, line 35, after "utility district," insert "or".

**Amendment No. 3**

On page 2, line 36, strike out "or a hospital district,".

**Amendment No. 4**

On page 2, line 40, after "utility district," insert "or".

**Amendment No. 5**

On page 2, line 41, strike out "or a hospital district,".

**Amendment No. 6**

On page 3, strike out line 3, and insert "district, or a water district, or the in-".

**Amendment No. 7**

On page 3, line 10, after "utility district," insert "or".

**Amendment No. 8**

On page 3, line 11, strike out ", or a hospital district".

**Amendment No. 9**

On page 3, strike out lines 16 and 17, and insert "transit districts, public utility districts, or water districts."

**Amendment No. 10**

On page 3, strike out lines 21 and 22, and insert "transit district, or public utility district, or water district, may not be taken by any other county, city".

**Amendment No. 11**

On page 3, strike out lines 25 and 26, and insert "trict, or public utility district, or water district, while such property is so appropriated and used for".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1788**—An act to amend Section 216 of, and to add Section 244 to, the Public Utilities Code, relating to parking lots

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, after compensation", insert "and does not include such facilities owned by the State or any political subdivision".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 1736**—An act to add Section 940.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1589**—An act to add Section 665.5 to, and to amend Section 5708 of, the Elections Code, relating to election procedure.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out ", and to amend Section 5708 of,".

**Amendment No. 2**

On page 1, line 5, strike out "persons", and insert "inspectors".

**Amendment No. 3**

On page 1, line 7, after "include", insert "(1)".

**Amendment No. 4**

On page 1, line 7, after "voters", insert ", (2) the lawful grounds for challenge, and (3) such other subjects as shall assist the inspectors in carrying out their duties".

**Amendment No. 5**

On page 1, line 8, strike out "a member", and insert "an inspector".

**Amendment No. 6**

On page 1, line 10, after "section", insert ", except that in the case of the emergency disability of a regular inspector, a substitute inspector shall be given such instruction as may be found necessary by the clerk".

**Amendment No. 7**

On page 1, strike out lines 11 to 15, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 1532**—An act to amend Sections 21756, 21810, 21812, 22051, and 22052 of, and to add Section 21800 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 2, line 46, of the printed bill, strike out "isued", and insert "issued".

**Amendment No. 2**

On page 3, line 19, after the period, insert "When the issuance of bonds shall have been authorized pursuant to two or more propositions submitted at the same or different elections, all or any part of said bonds not theretofore issued may be combined and issued and sold as one or more series."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1501**—An act to amend Section 958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 14 to 20, inclusive, and insert "If on the thirtieth day prior to an election only one person has filed as a candidate for each vacancy on the governing board of a unified school district to be filed at that election or no person has filed as a candidate for any such office or offices, and a petition signed by five percent (5%) of the voters requesting that the election be held has not been presented to the county superintendent of schools, having jurisdiction over the district, an election shall not be held."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 96**—An act to amend Sections 29007, 29008, and 29010 of, and to add Sections 29002.1 and 29007.1 to, the Education Code, as enacted by the Legislature at its 1958 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 2, of the printed bill, as amended in the Assembly on March 18, 1959, strike out lines 1 to 6, inclusive, and insert "(d) The document issued for inservice training is a certificate which sets forth the extent of attendance or performance or both in an area of training."

**Amendment No. 2**

On page 2, line 31, strike out "There shall also be filed annually,"; and strike out lines 32 to 41, inclusive

**Amendment No. 3**

On page 2, strike out lines 45 and 46, and insert "operation of a hospital."

**Amendment No. 4**

On page 2, strike out lines 48 and 49, and insert "which is accredited, approved, or licensed by a state board or agency as a school and which".

**Amendment No. 5**

On page 2, line 51, after "board," insert "or agency accrediting,".

**Amendment No. 6**

On page 3, line 1, after "not", insert "customarily granted for the training approved or licensed and which is".

**Amendment No. 7**

On page 3, line 2, after "the", insert "accrediting,".

**Amendment No. 8**

On page 3, strike out lines 17 to 39, inclusive, and insert "(f) A person, firm, association, partnership or corporation authorized by the Superintendent of Public Instruction to issue specified diplomas. Such authorization shall be granted upon a year-to-year basis by the Superintendent of Public Instruction upon the submission of information to him that the courses of instruction, faculty, and educational standards of such applicant will afford students or require of

students a course of education comparable to that being furnished by public schools and colleges or persons, firms, associations, partnerships and corporations offering similar instruction beyond high school and complying with other subdivisions hereof. Where such a comparison of courses cannot be made, the authorization to issue or confer specified diplomas other than degrees shall be granted by the Superintendent of Public Instruction when he determines that the courses of instruction, the faculty and educational standards will provide or require of students a course of education or training necessary to reach a professional or a vocational objective and that the course of education or training has substantial educational merit. Where such a comparison of degree courses cannot be made, the authorization of the Superintendent of Public Instruction to issue or confer degrees shall be granted when all the following are met: Instruction is conducted primarily in residence; the program of study is of customary academic length or content for the degree to be granted; the degree to be granted is a customarily recognized earned degree and will be issued or conferred only upon the completion of a program of studies which the Superintendent of Public Instruction finds has substantial educational merit, and the faculty and educational standards of the institution will provide education appropriate for that degree. For the purpose of this subdivision, the Superintendent of Public Instruction may rely on the findings of an accrediting agency generally accepted by the class of institution concerned, but he shall not rely solely on such findings nor use such findings as the sole criteria for withholding authorization, and shall consider the results of the examination taken pursuant to Business and Professions Code, Section 2941.5 by students of any applicant. The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the superintendent made pursuant to this subdivision."

**Amendment No. 9**

On page 3, line 43, strike out "no", and insert "a".

**Amendment No. 10**

On page 3, line 43, after "corporation", insert "meeting one of the requirements of Section 29007 to issue or grant degrees".

**Amendment No. 11**

On page 3, strike out lines 44 to 46, inclusive, and insert "confer honorary degrees, provided, that the title of the degree is a recognized honorary degree."

**Amendment No. 12**

On page 5, after line 25, insert

"Correspondent schools whose home office is located outside of California need maintain the foregoing records only for persons residing in California."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 662**—An act to add Section 940 1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district elections

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1637**—An act to amend Section 19577 of the Education Code as enacted at the 1959 Regular Session, relating to state school building aid.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1537**—An act to add Section 918 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to co-operative studies by school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1840**—An act to add Section 10055 to the Education Code, as enacted at the 1959 Regular Session, relating to high school textbooks.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 946**—An act to amend Section 3302.5 of the Welfare and Institutions Code, relating to qualifications of managers of the California Industries for the Blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "Blind persons"; and strike out all of lines 8 and 9.

**Amendment No. 2**

On page 1, after line 9, insert

"In the selection of the General Manager of the California Industries for the Blind, and the managers and production superintendents of the production centers of the California Industries for the Blind, the following factors shall be taken into consideration: experience in work with the blind; experience in manufacturing and production methods; and experience in personnel and fiscal management. The above-named personnel shall be selected in accordance with the rules and regulations governing civil service. Blind persons qualifying for such positions shall not be discriminated against for appointment on account of blindness."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1664**—An act to amend Sections 4163 and 4164 of the Welfare and Institutions Code, relating to property qualifications for aid to the needy disabled.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections", and insert "Section".

**Amendment No. 2**

In line 1 of the title, strike out "and 4164 of", and insert "of, and to repeal Section 4164 of,".

**Amendment No. 3**

On page 1, line 3, strike out "No aid under this chapter shall be granted or paid".

**Amendment No. 4**

On page 1, strike out lines 4 to 6, inclusive; and in line 7 strike out "ceeds five thousand dollars ($5,000)."

**Amendment No. 5**

On page 1, line 10, strike out "amended to read:", and insert "repealed."

**Amendment No. 6**

On page 1, strike out lines 11 to 16, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1665**—An act to amend Sections 3047 and 3047.01 of the Welfare and Institutions Code, relating to property qualifications for aid to the needy blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections", and insert "Section".

**Amendment No. 2**

In line 1 of the title, strike out "and 3047.01 of", and insert "of, and to repeal Section 3047.01 of,".

**Amendment No. 3**

On page 1, line 3, strike out "(a) No aid under this chapter shall be granted or".

**Amendment No. 4**

On page 1, strike out lines 4 to 6, inclusive; and in line 7 strike out "exceeds five thousand dollars ($5,000)."

**Amendment No. 5**

On page 1, line 11, strike out "amended to read.", and insert "repealed."

**Amendment No. 6**

On page 1, strike out lines 12 to 17, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1666**—An act to amend Sections 2164 and 2165 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections", and insert "Section".

**Amendment No. 2**

In line 1 of the title, strike out "and 2165 of", and insert "of, and to repeal Section 2165 of,".

**Amendment No. 3**

On page 1, line 3, strike out "No aid under this chapter shall be granted or paid".

**Amendment No. 4**

On page 1, strike out lines 4 to 6, inclusive; and in line 7 strike out "ceeds five thousand dollars ($5,000)."

**Amendment No. 5**

On page 1, line 10, strike out "amended to read:", and insert "repealed."

**Amendment No. 6**

On page 1, strike out lines 11 to 16, inclusive

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1667**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to property qualifications for aid to the partially self-supporting blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "or real".

**Amendment No. 2**

On page 1, line 5, strike out "excluding that occupied as a home, or both,".

**Amendment No. 3**

On page 1, line 10, strike out "real or".

**Amendment No. 4**

On page 1, line 13, strike out "real or".

Bill ordered reprinted, engrossed, and to be re-referred to the Committed on Social Welfare.

**Assembly Bill No. 1759**—An act to amend Section 2226 of the Welfare and Institutions Code, relating to liens for county hospital care.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1768**—An act to amend Section 2180.5 of the Welfare and Institutions Code, relating to the determination of eligibility for old age assistance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1757**—An act to amend Section 2016.5 of the Welfare and Institutions Code, relating to a telephone allowance for recipients of old age assistance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1256**—An act to repeal Chapter 11 (commencing at Section 28600) of Division 21 of, and to add Chapter 11 (commencing at Section 28520) to Division 21 of, the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 2, line 23, of the printed bill, strike out "and gum", and insert "gum, or ice".

**Amendment No. 2**

On page 4, line 41, after "towels", insert "or hot air blowers".

**Amendment No. 3**

On page 16, line 46, strike out "Milk and fluid milk products offered for sale"; and strike out lines 47 through 50, inclusive, and insert "In the case of vending ma-".

**Amendment No. 4**

On page 17, strike out lines 9 through 29, inclusive; and in line 30, strike out "28666, all", and insert "28667. All".

**Amendment No. 5**

On page 17, line 42, strike out "28670", and insert "28668".

**Amendment No. 6**

On page 18, line 1, strike out "28671", and insert "28669".

**Amendment No. 7**

On page 18, line 12, strike out "28672", and insert "28670".

**Amendment No. 8**

On page 18, line 26, strike out "28673", and insert "28671".

**Amendment No. 9**

On page 18, line 40, strike out "28674", and insert "28672".

**Amendment No. 10**

On page 18, line 47, strike out "28675", and insert "28673".

**Amendment No. 11**

On page 18, line 50, strike out "28676", and insert "28674".

**Amendment No. 12**

On page 19, line 8, strike out "28677", and insert "28675".

**Amendment No. 13**

On page 19, line 14, strike out "28678", and insert "28676".

**Amendment No. 14**

On page 19, line 22, strike out "28679", and insert "28677".

**Amendment No. 15**

On page 19, line 25, strike out "28680", and insert "28678".

**Amendment No. 16**

On page 19, line 37, strike out "28681", and insert "28679"

**Amendment No. 17**

On page 19, line 44, strike out "28682", and insert "28680".

**Amendment No. 18**

On page 19, line 49, strike out "28683", and insert "28681".

**Amendment No. 19**

On page 20, line 10, strike out "28684", and insert "28682".

**Amendment No. 20**

On page 8, line 35, after "maintained", insert "hot".

**Amendment No. 21**

On page 8, lines 35 and 36, strike out "in other than natural or refrigerated form", and insert "hot".

**Amendment No. 22**

On page 14, line 7, after "maintained", insert "hot".

**Amendment No. 23**

On page 14, lines 7 and 8, strike out "in other than natural or refrigerated form", and insert "hot".

**Amendment No. 24**

On page 15, line 49, after "maintained", insert "hot".

**Amendment No. 25**

On page 15, lines 49 and 50, strike out "in other than refrigerated or natural state", and insert "hot".

**Amendment No. 26**

On page 21, line 51, strike out "shall", and insert "may".

**Amendment No. 27**

On page 2, line 7, after "vehicles," insert "co-operative arrangements by employees who purchase food or beverages for their own consumption and where no employee is assigned full time to care for or operate equipment used in such arrangement,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1824**—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "to", insert "applicants for, or members of,".

**Amendment No. 2**

On page 1, line 12, after "such", insert "applicants for, or member of, the medical staff or".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1825**—An act to amend Section 32132 of the Health and Safety Code, relating to local hospital districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, lines 11 and 12, of the printed bill, strike out "or minor modifications".

**Amendment No. 2**

On page 1, line 13, after "provided," insert "that".

**Amendment No. 3**

On page 1, line 14, after "requirements", insert ", and such change orders do not total more than five percent of such contract".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 898**—An act to amend Sections 26288, 26289, 26290, 26291, and 26292 of, and to add Section 26290.5 to, the Health and Safety Code, relating to new drugs or devices.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, after line 50, insert

"(4) To products produced by a laboratory licensed under Section 351 of Title III of the Public Health Service Act (Pub Law 410, Chapter 373, 78th Cong.—2d Sess.)."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1752**—An act to amend Sections 427.1 and 427.2 of, to repeal Section 427.3 of, and to add Sections 427.5, 427.6, 427.7, 427.8, and 427.9 to, the Health and Safety Code, relating to alcoholic rehabilitation, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 2, lines 33 and 34, of the printed bill, strike out "approved medical schools", and insert "medical schools approved by the board, as the board is defined by Section 2005 of the Business and Professions Code.".

Bill ordered printed, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1787**—An act to add Chapter 9 (commencing at Section 4065) to Part 1 of Division 5 to the Health and Safety Code, relating to warehouse sanitation

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "9 (commencing at Section 4065) to Part 1 of Division 5", and insert "7.5 (commencing at Section 28350) to Division 21".

**Amendment No. 2**

On page 1, lines 1 and 2, strike out "9 (commencing at Section 4065) is added to Part 1 of Division 5", and insert "7.5 (commencing at Section 28350) is added to Division 21".

**Amendment No. 3**

On page 1, line 5, strike out "9", and insert "7.5".

**Amendment No. 4**

On page 1, line 7, strike out "4065", and insert "28350".

**Amendment No. 5**

On page 1, line 11, strike out "4066", and insert "28351".

**Amendment No. 6**

On page 1, line 12, strike out "insects,".

**Amendment No. 7**

On page 1, line 15, strike out "4067", and insert "28352".

**Amendment No. 8**

On page 1, line 18, strike out "4068", and insert "28353".

**Amendment No. 9**

On page 1, line 20, strike out "4069", and insert "28354".

**Amendment No. 10**

On page 2, line 1, strike out "4070", and insert "28355".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 901**—An act to amend and renumber Section 213 (as added by Chapter 2409, Statutes of 1957) of the Health and Safety Code, relating to section numbers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1683**—An act to amend Section 19369 of the Health and Safety Code, relating to auto and trailer parks.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1819**—An act to amend Section 32130.5 of the Health and Safety Code, relating to local hospital districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1821**—An act to amend Section 32125 of the Health and Safety Code, relating to hospital districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1822**—An act to amend Section 32100 of the Health and Safety Code, relating to local hospital districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1820**—An act to add Section 32135 to the Health and Safety Code, relating to local hospital districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1631**—An act to amend Sections 24360.3 and 24367.11 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1163**—An act to add Section 10640.1 to the Insurance Code, relating to employee health and welfare programs.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 10640.1 to", and insert "amend Section 10641 of, and to add Section 10640.1 to,".

### Amendment No. 2

On page 1, strike out lines 3 to 6, inclusive, and insert

"10640.1. When used in this chapter—

(1) The terms "health and welfare program," "employee health, welfare and pension program," "employee health and welfare program," "employee welfare program," "plan," and "program" shall have a single and uniform meaning.

(2) The term "health and welfare program" means any voluntary or unilateral arrangement of an employer or labor organization or any arrangement between a labor organization and employer, heretofore or hereafter established, expressly providing for funding through the medium of a trust, or pension trust funding through the medium of a contract with an insurance carrier, for the purpose of paying either from principal, or income, or both, of such express trust or through such contract, benefits to or for persons employed in this State, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity, or for insurance or service contracts to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance.

(3) The term "person" means any individual, association, organization, partnership, business trust, or corporation.

(4) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning wages, rates of pay, hours of employment or conditions of work.

(5) The term "employer" includes an association of employers.

(6) The term "employee" includes any natural person who works for any person for compensation.

SEC. 2. Section 10641 of said code is amended to read:

10641. All health and welfare programs, ~~created by, or on account of contracts between labor organizations and employers for the purpose of paying either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance,~~ *including such programs as defined in subdivision 2 of Section 10640.1, which otherwise would be exempt by the provisions of this code, or by a certificate of exemption issued under this code, or by being entitled to a certificate of exemption by any provision of this code,* shall be subject to the *provisions of this chapter and to the* supervision, *regulation, examination* and investigation of the State Insurance Commissioner; provided, when either funds or insurance policies or both are placed with a corporate trustee which is subject to the jurisdiction of the Superintendent of Banks of the State of California, the Board of Governors of the Federal Reserve System or the Comptroller of the Currency of the United States of America, such corporate trustee and such funds and insurance policies or either so held in trust shall not be subject to the *provisions of this chapter, nor to the regulation, examination, investigation or* supervision of the insurance commissioner.

The funds of health and welfare programs shall be used and expended only for the ~~purposes which are validly authorized by the instrument or instruments creating or governing the program.~~ *purposes authorized therein."*

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 514**—An act to amend Sections 3203, 3204, and 3403 of, and to add Section 3407.5 to, the Public Resources Code, relating to oil and gas.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

### Amendment No. 1

On page 3, lines 1 and 2, of the printed bill, strike out "and not recycled or otherwise used in oil-producing operations".

**Amendment No. 2**

On page 3, line 3, following "year", insert "other than gas which is used for recycling or otherwise in oil-producing operations or gas which has been injected and withdrawn from underground storage".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 206**—An act to add Section 117n to the Code of Civil Procedure, relating to appeals from judgments of small claims courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 190**—An act to amend Sections 1672 and 1673 of, and to add Section 1670 1 to, the Elections Code, relating to county ballot measures.

Bill read second time, and ordered to third reading.

**Senate Bill No. 92**—An act to amend Section 5081.5 of the Education Code, and Section 19472 of the Education Code as proposed by Senate Bill No. 2, relating to changes in school districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 591**—An act to amend Section 5208 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the maintenance of automobile driver training classes by school districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 281**—An act to amend Section 6651 of the Welfare and Institutions Code, relating to state hospitals and institutions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 310**—An act to amend Section 7009 of the Welfare and Institutions Code, relating to liability for payment.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 311**—An act to amend Section 5516 of the Welfare and Institutions Code, relating to cost of care.

Bill read second time, and ordered to third reading.

**Senate Bill No. 246**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine in state institutions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 298**—An act to add Section 6920 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 389**—An act to amend Section 11496 of the Insurance Code, relating to incorporation of nonprofit hospitals.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 812**—An act to amend Section 2732 1 of the Business and Professions Code, relating to the practice of nursing.

Bill read second time, and ordered to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1857** and **1757,** subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### MOTION TO RECONSIDER SENATE BILL NO. 232 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Senate Bill No. 232 be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 91**—An act to add Part 4.5 (commencing with Section 1410) to Division 2 of, and to amend Section 56 of, the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because race, religious creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 91?

**Amendment No. 1**

On page 4, lines 40 and 41, of the printed bill, strike out "discriminatory", and insert "unlawful".

**Amendment No. 2**

On page 4, lines 41 and 42, strike out "a discriminatory", and insert "an unlawful".

**Amendment No. 3**

On page 2, between lines 38 and 39, insert

"'Employer' does not include a person with respect to the person's employment of agricultural workers residing on the land where they are employed as farm workers."

**Amendment No. 4**

On page 2, line 41, after "home", insert

"; and it does not include agricultural workers residing on the land where they are employed as farm workers".

**Amendment No. 5**

In line 2 of the title, after "of", insert ", and to amend Section 56 of,".

**Amendment No. 6**

On page 2, line 45, strike out "hereby created a", and insert "in the Division of Fair Employment Practices the"

**Amendment No. 7**

On page 2, lines 49 and 50, strike out "chairman", and insert "Chief of the Division of Fair Employment Practices"

**Amendment No. 8**

On page 4, line 43, strike out "chairman of the commission", and insert "Chief of the Division of Fair Employment Practices"

**Amendment No. 9**

On page 6, after line 47, insert

"SEC. 2. Section 56 of said code is amended to read:

56. The work of the department shall be divided into at least ~~eight~~ *nine* divisions known as the Division of Industrial Accidents, the Division of Industrial Safety, the Division of Housing, the Division of Labor Law Enforcement, *the Division of Fair Employment Practices,* the Division of Industrial Welfare, the Division of Labor Statistics and Research, the Division of Apprenticeship Standards, and the State Compensation Insurance Fund."

**Amendment No. 10**

On page 3, strike out lines 8 and 9, and in line 10, strike out "entire time to the duties of their respective offices", and insert "1416"

**Amendment No. 11**

On page 3, lines 11 and 12, strike out "receive a salary of thirteen thousand five hundred dollars ($13,500) a year", and insert "serve without compensation but shall receive fifty dollars ($50) for each day's actual attendance at meetings of the commission".

**Amendment No. 12**

On page 3, of the printed bill, as amended in the Senate on March 11, 1959, strike out lines 3 and 4, and insert "and one of whom shall be designated as chairman by the Governor. The".

**Amendment No. 13**

On page 3, between lines 14 and 15, insert

"The Governor shall also appoint a Chief of the Division of Fair Employment Practices, who shall be the principal executive officer of the commission."

**Amendment No. 14**

On page 3, strike out line 21, and insert "for each day actually spent in the performance of his duties under this part".

**Amendment No. 15**

On page 5, lines 1 and 2, strike out "Chief of the Division of Fair Employment Practices", and insert "chairman of the commission".

**Amendment No. 16**

On page 4, line 11, strike out "and in specific instances".

**Amendment No. 17**

On page 4, strike out lines 13 and 14, and insert "zens, serving without pay."

**Amendment No. 18**

On page 5, between lines 23 and 24, insert

"No accusation may be filed after the expiration of one year from the date upon which the alleged unlawful employment practice or refusal to co-operate occurred; except that this period may be extended for not to exceed 90 days following the expiration of that year, if a person allegedly aggrieved by an unlawful employment practice first obtained knowledge of the facts of the alleged unlawful employment practice after the expiration of one year from the date of their occurrence."

**Amendment No. 19**

On page 6, between lines 16 and 17, insert

"Any order issued by the commission shall have printed on its face references to the provisions of the Administrative Procedure Act which prescribe the rights of appeal of any party to the proceeding to whose position the order is adverse"

**Amendment No. 20**

On page 3, line 37, of the printed bill, as amended in the Senate on March 18, 1959, strike out "it may deem necessary", and insert "the Legislature authorizes".

**Amendment No. 21**

On page 3, line 39, strike out "such attorneys," and insert "an attorney, and such"

**Amendment No. 22**

On page 4, line 25, after "practice", insert ", unless based upon a bona fide occupational qualification, or, except where based upon applicable security regulations established by the United States or the State of California".

**Amendment No. 23**

On page 5, line 16, strike out "accusation", and insert "complaint".

**Amendment No. 24**

On page 5, line 22, strike out "accusation", and insert "complaint".

**Amendment No. 25**

On page 5, line 25, strike out "accusation", and insert "complaint".

**Amendment No. 26**

On page 5, line 27, strike out "accusation", and insert "complaint".

**Amendment No. 27**

On page 5, strike out line 43, and insert "ten accusation, together with a copy of such complaint, as the same".

**Amendment No. 28**

On page 5, line 45, after "named", insert "in such accusation, hereinafter referred to as "respondent," ".

**Amendment No. 29**

On page 7 of the printed bill, as amended in the Senate on April 6, 1959, between lines 11 and 12, insert "Nothing contained in this act shall be deemed to repeal or affect the provisions of any ordinance relating to such discrimination in effect in any city, city and county, or county at the time this act becomes effective, insofar as proceedings theretofore commenced under such ordinance or ordinances remain pending and undetermined. The respective administrative bodies then vested with the power and authority to enforce such ordinance or ordinances shall continue to have such power and authority, with no ouster or impairment of jurisdiction, until such pending proceedings are completed, but in no event beyond one year after the effective date of this act."

**Amendment No. 30**

On page 5, between lines 12 and 13, insert

"Every member of the commission or its staff who discloses information in violation of the requirements of this section is guilty of a misdemeanor. Such disclosure by an employee subject to civil service shall be cause for disciplinary action under the State Civil Service Act."

Senate amendments read.

**Parliamentary Inquiry**

Mr. Levering arose to the following parliamentary inquiry: Are the only copies of Assembly Bill No. 91 which have been place in the bill book files the copies of the bill, as amended on April 6th?

**Reply by Speaker**

The Speaker replied that only the latest amended copies of the bill must be placed on the desks.

**Parliamentary Inquiry**

Mr. Levering arose to the following parliamentary inquiry: Could not each of the amended copies of a bill be provided when it is on file for consideration?

**Reply by Speaker**

The Speaker replied that the Chief Clerk will instruct the Legislative Bill Room to follow that procedure in the future.

The question being: Shall the Assembly concur in the Senate amendments?

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 91 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford,

O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.

NOES—Bradley, Burke, Chapel, Collier, Cusanovich, Lanterman, Levering, Reagan, Shell, and Thelin—10

Assembly Bill No. 91 ordered enrolled.

**Assembly Bill No. 1214**—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to county funds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1214?

### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 18, 1959, after "for", insert "the use of".

### Amendment No. 2

On page 2, line 40, strike out "and deposit the money in the cash difference fund", and insert "to the person".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1214 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1214 ordered enrolled.

## NOTICE OF INTENTION RELATIVE TO ASSEMBLY BILL NO. 759

Mr. Collier gave notice that on Monday he would oppose any further requests that Assembly Bill No. 759 be passed on file and retain its place on file; and that he would then insist that the bill be either taken up or placed on the inactive file.

### Parliamentary Inquiry

Mr. Bradley arose to the following parliamentary inquiry: Is it not possible for the House to order the bill placed on the inactive file, at this time?

### Reply by Speaker

The Speaker replied that the bill is the property of House.

## MOTION TO SET ASSEMBLY BILL NO. 759 FOR SPECIAL ORDER

Mr. Burton moved that Assembly Bill No. 759 be made a special order of business for Monday, April 13, 1959, at 10 a.m.

### Point of Personal Privilege

Mr Burton arose to speak on a point of personal privilege.

### Motion Withdrawn

Mr. Burton withdrew his motion to set for special order.

#### Request to Pass on File

Mr Burton requested that Assembly Bill No 759 be passed on file, and that it retain its place on file.

#### Motion to Set Assembly Bill No. 759 for Special Order

Mr. Britschgi moved that Assembly Bill No. 759 be made a special order of business for Monday, April 13, 1959, at 11 a.m.

Mr. Levering seconded the motion.

#### Request to Amend

Mr. Winton requested that the motion be amended to set the time for 10.30 a m. instead of for 11 a.m. on Monday.

Messrs. Britschgi and Levering accepted the amendment.

The question being on the motion that Assembly Bill No. 759 be made a special order of business for Monday, April 13, 1959, at 10.30 a.m.

Motion carried by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—64.

NOES—None.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 160**—An act to add Section 6545.5 to the Business and Professions Code, relating to the practice of barbering.

Bill read third time.

#### Demand for Previous Question

Messrs. DeLotto, Biddick, Williamson, Lunardi, and Frew demanded the previous question. Demand sustained

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Don A Allen, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Cunningham, Cusanovich, Davis, DeLotto, Dills, Elliott, Frew, Garrigus, Ernest R Geddes, Grant, Hawkins, House, Kennick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Thelin, Waldie, Williamson, George A Willson, Charles A Wilson, Winton, Z'berg, and Mr. Speaker—53

NOES—Bee, Coolidge, Crawford, Hanna, Hegland, Johnson, Luckel, Pattee, and Schrade—9.

Bill ordered transmitted to the Senate.

### NAMES PLACED UPON ROLL CALL ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 91

#### Request for Unanimous Consent

Mr. Z'berg asked for unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 91.

Mr. Winton withheld unanimous consent.

**Motion**

Mr. Z'berg moved that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 91.

**Request for Unanimous Consent**

Mr. Cunningham asked for unanimous consent that he be recorded as voting "Aye" on the roll call.

Request ruled not in order, at this time.

The question being on the motion by Mr. Z'berg.

**Request for Unanimous Consent**

Mr. Holmes asked for unanimous consent that he be recorded as voting "Aye" on the roll call.

Request ruled not in order, at this time.

The question being on the motion by Mr. Z'berg.

**Request to Amend Motion**

Mr. Winton requested the adoption of the following amendment to the motion by Mr. Z'berg: That Messrs. Holmes, Cunningham, Unruh, O'Connell, and Cameron be permitted to be recorded as voting "Aye"; and that Mr. Chapel be permitted to be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 91.

Amendment accepted by Mr. Z'berg.

**Parliamentary Inquiry**

Mr. Winton arose to the following parliamentary inquiry: Is this motion not, in effect, a suspension of the Rules?

**Reply by Speaker**

The Speaker replied that it was; and would require an affirmative vote of two-thirds of those present.

The question being on the motion that Messrs. Z'berg, Holmes, Cunningham, Unruh, O'Connell, and Cameron be permitted to be recorded as voting "Aye," and that Mr. Chapel be permitted to be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 91.

**Request for Unanimous Consent**

Mr. Lowrey asked for unanimous consent that any other member desiring to vote on the Senate amendments be granted the same privilege.

Request ruled not in order at this time.

The question being on the motion by Mr. Z'berg, as amended.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—61

NOES—Lowrey and Winton—2

**Request for Unanimous Consent**

Mr. Lowrey was granted unanimous consent that every other member who desires to be added to the roll call on concurrence in Senate amendments to Assembly Bill No. 91 be granted that permission.

**Names Placed Upon Roll Call**

Messrs. Burton, Crown, and Sumner were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 91.

**Speaker pro Tempore Presiding**

At 10.23 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Was not my request for unanimous consent to permit members to be recorded as voting on concurrence in Senate amendments to Assembly Bill No. 91 granted?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was.

**Name Placed Upon Roll Call**

Mr. Rees was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 91.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read third time.

**Motion to Amend**

Mr. Lowrey moved the adoption of the following amendments:

**Amendment No. 1**

On page 7 of the printed bill, as amended in the Assembly on February 25, 1959, strike out lines 3 to 8, inclusive

**Amendment No. 2**

On page 7, line 9, strike out "SEC. 4 12", and insert "SEC. 4 11".

Amendments read.

**Motion to Re-refer**

Mr. Porter moved that the bill and the amendments by Mr. Lowrey be re-referred to the Committee on Water.

Mr. Levering seconded the motion.

**Demand for Previous Question**

Messrs. Winton, Schrade, Pattee, MacBride, and Lunardi demanded the previous question. Demand sustained.

The question being on the motion that the bill and the amendments by Mr. Lowrey be re-referred to the Committee on Water.

Motion lost by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Burke, Cameron, Chapel, Collier, Crawford, Dills, Elliott, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Nisbet, Porter, Reagan, Rumford, Schrade, Shell, Thelin, and George A. Willson—30.

NOES—Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Conrad, Crown, Cunningham, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, House, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Rees, Sedgwick, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—41.

The question being on the adoption of the amendments by Mr. Lowrey.

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: Did not Mr. Masterson already speak on the amendment?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that he had not.

**Hon. Augustus F. Hawkins Presiding**

At 11.07 a.m., Hon. Augustus F. Hawkins, Member of the Assembly from the Sixty-second District, presiding.

**Demand for Previous Question**

Messrs. Winton, MacBride, Busterud, Pattee, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Lowrey.

**Roll Call Demanded**

Messrs. Unruh, Schrade, and Hegland demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burton, Chapel, Collier, Davis, DeLotto, Frew, Garrigus, Kilpatrick, Lowrey, Lunardi, MacBride, O'Connell, Williamson, Winton, and Z'berg—15.

NOES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Francis, Gaffney, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, and Charles H. Wilson—54.

The question being on the passage of the bill.

**Motion to Amend**

Mr. Lowrey moved the adoption of the following amendment:

**Amendment No. 1**

On page 4 of the printed bill, as amended in the Assembly on February 25, 1959, strike out lines 33 to 35, inclusive, and insert "bonds."

Amendment read.

**Speaker Presiding**

At 11.15 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendment.

**Offer to Withdraw Amendment**

Mr. Lowrey offered to withdraw his amendment.

**Motion to Table Amendment**

Mr Hanna moved that the amendment be laid on the table

**Roll Call Demanded**

Messrs Lowrey, Kilpatrick, and Chapel demanded a roll call.

**Parliamentary Inquiry**

Mr. O'Connell arose to the following parliamentary inquiry: Did not Mr. Lowrey withdraw his amendment?

**Reply by Speaker**

The Speaker directed the inquiry to Mr. Lowrey.

**Amendment Withdrawn**

Mr. Lowrey stated that he had offered to withdraw the amendment. Amendment withdrawn.

The question being on the passage of the bill.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendment:

**Amendment No. 1**

On page 4, line 33, of the printed bill, as amended in the Assembly on February 25, 1959, strike out "only".

Amendment read.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: If this amendment is adopted, may the Constitution be suspended to permit consideration of the bill without going to reprint?

**Reply by Speaker**

The Speaker replied that it could not.

**Speaker pro Tempore Presiding**

At 11.33 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendment by Mr. O'Connell.

**Roll Call Demanded**

Messrs. Bradley, Kilpatrick, and Holmes demanded a roll call

The roll was called, and the amendment adopted by the following vote:

AYES—Beaver, Bee, Belotti, Biddick, Burton, Busterud, Collier, Conrad, Crown, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Hawkins, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Musterson, McCollister, Meyers, Miller, Mulford, O'Connell, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, Charles H Wilson, Winton, and Z'berg—37.

NOES—Don A. Allen, Backstrand, Bane, Bradley, Britschgi, Burke, Cameron, Chapel, Crawford, Cusanovich, Francis, Ernest R Geddes, Grant, Hanna, Hegland,

Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Nisbet, Pattee, Porter, Reagan, Schrade, Shell, Thelin, and George A. Willson—30.

Bill ordered reprinted, and re-engrossed.

### INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Mr. and Mrs. Gil Morgan, the brother and sister-in-law of Assemblyman Allen Miller, to the Members of the Assembly, who joined in welcoming them upon their visit to the Assembly Chamber.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1045**—An act to add Section 233 to the Water Code, relating to archeological investigations.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT

Mr. Winton announced that, if necessary, the House would work straight through until 1 or 1.30 p.m. today in order to clear the file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1029**—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

On April 24, 1959, the record was expunged, and the action rescinded whereby Assembly Bill No. 1029 was this day passed. *See* page 2850.

**Assembly Bill No. 979**—An act to add Sections 22015, 22152, 22308 and 22503 to, and to amend Sections 22150 and 22151 of, the Government Code, relating to integration of federal old age and survivors insurance with the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 528**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Bill read third time.

### Speaker Presiding

At 11.55 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, Presiding.

### Demand for Previous Question

Messrs. Burton, Charles H. Wilson, Winton, Luckel, and House demanded the previous question. Demand sustained

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Backstrand, Bradley, Levering, and Thelin—4.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Rumford was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 528.

### ANNOUNCEMENT

Speaker Brown requested that the members take up only noncontroversial measures for the rest of this morning; and advised the members that hereafter they should plan on the Assembly being in session on Friday afternoons.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 150**—An act to add Section 104.8 to the Welfare and Institutions Code, relating to the administration of public assistance.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—59

NOES—Beaver, Levering, Reagan, and Sumner—4

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1587**—An act to amend Section 30904 of, and to repeal Section 31003 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles transporting hay.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22413, 31401, 31402, 31403, 31404, 31405, 31406 and 31407 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to amend Section 16854 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1715**—An act to repeal Section 13363 of, and to add Section 13363 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to conviction of a traffic offense in another state.

Bill read third time.

NOTE—Later this day, the record was expunged and the action rescinded on Assembly Bill No. 1715. *See* page 2318.

**Assembly Bill No. 1067**—An act to add Section 1958 to the Government Code, relating to the insuring of peace officers.

Bill read third time.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 32, of the printed bill, as amended in the Assembly on April 1, 1959, after the period, insert "The legislative body of such political subdivision shall have the power to determine the amount of money necessary to be set aside for self-insurance"

Amendment read, and adopted.

**Consideration of Further Amendment**
**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 24, of the printed bill, as amended in the Assembly on April 1, 1959, strike out "acts performed", and insert "intentional torts, including, but not limited to, false arrest, false imprisonment, and assault and battery, committed".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1409**—An act to add Section 26206 to the Government Code, relating to rewards for apprehension and conviction of vandals.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1252**—An act to add Sections 853.5 and 853.6 to the Penal Code, relating to ordinance enforcement procedure.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1777**—An act to add Section 13747.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2079**—An act to amend Section 126 of the Government Code, relating to acquisition of lands by the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Point of Order**

Mr. Burton arose to the following point of order: That copies of the original bill are not on the members' desks, so its consideration should be passed on file.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Point of Order**

Mr. Masterson arose to the following point of order: That copies of the original bill are not on the members' desks, so it is not possible to tell what the amendments are.

**Ruling by Speaker**

The Speaker replied that only the last amended copy of the bill is required to be on the desks.

**Parliamentary Inquiry**

Mr. Masterson arose to the following parliamentary inquiry: Do not the Rules require that all amended copies of the bills be in the file?

**Reply by Speaker**

The Speaker replied that they do not, but that the Chief Clerk had advised the Bill Room to follow that procedure hereafter.

By unanimous consent Assembly Bill No. 2079 was ordered passed on file, and to retain its place.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF HOUSE RESOLUTION NO. 184

By Messrs. Marks and Busterud:

**House Resolution No. 184**

Relating to commending Robert Samuel

WHEREAS, The Members of the Assembly have been informed that Robert Samuel, a 16-year-old Lowell High School junior, while on a beach picnic at Pedro Valley with his parents recently, dashed into the surf and rescued Ronald Miller; and

WHEREAS, Bob went to the aid of Ronald Miller when he heard Ronald Miller's cries above the roar of the surf; and

WHEREAS, There were many other people on the beach at the time, none of whom volunteered to go into the ocean, it being dangerous at that point with an outcropping of jagged rocks and an undertow; and

WHEREAS, Bob risked his own life by going out among the rocks and against the undertow to rescue Ronald Miller; and

WHEREAS, Bob is a guard on the Lowell High School football team and also recently obtained the honored rank of Eagle Scout in the Boy Scouts of America; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Robert Samuel for his heroic deed of rescue in the face of danger to himself and congratulate him upon his achievements in the Boy Scouts of America; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Robert Samuel, and to Mr. and Mrs. Walter Samuel, his parents.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 176

By Messrs. Meyers, Belotti, Gaffney, Backstrand, Burton, Busterud, Marks, and O'Connell:

**House Resolution No. 176**—Paying tribute to the memory of Margaret Allen Spencer.

Resolution read.

### Members Made Co-authors

Mr. Meyers was granted unanimous consent that all members so desiring be placed upon House Resolution No. 176 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67

NOES—None.

### Consideration of House Resolution No. 176, as Amended

By Messrs. Meyers, Belotti, Gaffney, Backstrand, Burton, Busterud, Marks, O'Connell, Don A. Allen, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg:

### House Resolution No. 176

Relative to the death of Margaret Allen Spencer

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Margaret Allen Spencer on February 10, 1959, after an illness of about three months; and

WHEREAS, Margaret Allen Spencer was born and raised in Denver, Colorado, and graduated from the Mercy Hospital Nurses Training School in that city; and

WHEREAS, She practiced as a registered nurse in Denver, Cleveland, New York, and Washington, D. C., prior to coming to San Francisco in 1925; and

WHEREAS, She married John C. Spencer, Assistant General Manager of the California State Automobile Association, in San Francisco in 1926; and

WHEREAS, The Members of the Assembly have also learned that John Spencer is now in the hospital; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly by this resolution pay tribute to the memory of Margaret Allen Spencer and extend their deep sympathy and sincere condolence to her husband on his bereavement; and be it further

*Resolved*, That the Members wish John C. Spencer a speedy recovery and good health in the future; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to John C. Spencer.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 180

By Messrs. Busterud, Gaffney, and Marks:

### House Resolution No. 180

Relating to the commendation of William F. McInerney

WHEREAS, *William F. McInerney, PBX repairman, Pacific Telephone and Telegraph Company*, performed an outstanding feat of humanitarian thoughtfulness, on August 13, 1958, by his rescue of a 16-year-old boy from the Merced River; and

WHEREAS, *William F. McInerney, born in San Francisco, September 22, 1916*, served with the United States Navy as a shipfitter, 3/c, on a submarine, is married to Ilene McInerney and is the father of two children; and

WHEREAS, *On August 13, 1958, while William F. McInerney was vacationing in* Yosemite National Park, he noticed a rubber air mattress floating down the Merced River about 20 feet from shore with an arm protruding from the water and lying across the mattress; and

WHEREAS, Bill McInerney immediately raced into the water and rescued the victim; and

WHEREAS, With the help of a friend, Woodrow Roberto, Bill McInerney carried the boy to shore, immediately started artificial respiration and revived the boy, and observing that the boy was ill and in a state of shock covered him with blankets and massaged his arms and legs; and

WHEREAS, Statements from the witnesses indicated that William F McInerney undoubtedly saved the boy's life; and

WHEREAS, William F McInerney has been selected for a Theodore N. Vail Memorial Fund Award in recognition of an outstanding act in an emergency, reflecting the finest traditions of service to the public; and

WHEREAS, This State is indeed fortunate to have citizens of the caliber of William F. McInerney who was skilled and resourceful, and at the same time ever vigilant for the safety and welfare of his fellow man; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends William F. McInerney for his outstanding act of humanitarian thoughtfulness; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to William F. McInerney.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 186 FROM COMMITTEE

Mr. MacBride was granted unanimous consent that House Resolution No. 186 be withdrawn from the Committee on Rules.

### Request for Unanimous Consent

Mr MacBride was granted unanimous consent to take up House Resolution No. 186 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 186

By Messrs. MacBride and Z'berg:

### House Resolution No. 186

Relating to the celebration of the Second Annual Red Mass in Sacramento

WHEREAS, Thursday, April 16, 1959, will mark the second annual occurrence in Sacramento of the Red Mass, so called because of the color of the vestments traditionally worn on that occasion; and

WHEREAS, The Red Mass is a special occasion when men of the law, Legislators, Judges, Executives and Lawyers may kneel together in humble supplication that they may do their part aright to protect "liberty and justice for all"; and

WHEREAS, The Red Mass is an honorable tradition, having been celebrated throughout Europe for centuries and in more recent times in the great cities of the United States; the Red Mass in Washington, D. C., having been attended by the President of the United States and the Chief Justice of the United States, and

WHEREAS, The St. Thomas More Society of Sacramento which sponsors the Red Mass in this city has invited all men of the Legislature, Judicial and Executive Branches of the Government and of the Bar, regardless of creed to attend and pray together for God's help in their labors, now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body hereby expresses its commendation for the signal tribute paid to the men of the law through the celebration of the Red Mass in Sacramento and express its appreciation for the invitation to participate in this annual event; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the St. Thomas More Society of Sacramento.

Resolution read, and adopted unanimously.

## RESOLUTIONS

The following resolution was offered:

By Mr. Porter (at the request of Miss Donahoe):

### House Resolution No. 195

Relative to congratulating Grace Dreier on her retirement

WHEREAS, The Members of the Assembly have learned of the impending retirement of Mrs. Grace M. Mogle Dreier, the Assistant Superintendent of the Los Angeles City School Districts; and

WHEREAS, Mrs. Dreier, a native Californian, has spent her professional career in the schools of Los Angeles City, having served as an elementary classroom teacher, principal, supervisor, director of curriculum, and assistant superintendent; and

WHEREAS, She holds memberships in many local, state, and national educational organizations, including life memberships in the California Congress of Parents and Teachers, and the General Alumni Associations of the University of Southern California and the University of California at Los Angeles; and

WHEREAS, She was a founder and first president and is now on the board of directors of the Los Angeles Chapter of the National Council of Administrative Women in Education; and

WHEREAS, She has been an active worker in the American Junior Red Cross since the days of World War I, holding many important positions including her present office as chairman of the Los Angeles chapter, and in addition is a member of the board of directors and general chairman of the schools division for the annual fund campaign of the American Red Cross; and

WHEREAS, Mrs. Dreier at present is also serving as Vice President of the Women's Division of the Los Angeles Chamber of Commerce, and is a member of the Order of Eastern Star and the Native Daughters of the Golden West; and

WHEREAS, Her many achievements have been recognized by the inclusion of her name in *Who's Who in California*, and *Who's Who in American Women*; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Grace Dreier on her many years of outstanding service in the public schools of California, and extend their best wishes on her forthcoming retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Dreier.

Request for Unanimous Consent

Mr. Porter, at the request of Miss Donahoe, was granted unanimous consent to take up House Resolution No. 195 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 191 FROM COMMITTEE

Mr. Gaffney was granted unanimous consent that House Resolution No. 191 be withdrawn from the Committee on Rules.

Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up House Resolution No. 191 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 191

By Messrs. Gaffney, Busterud, Meyers, and Marks:

House Resolution No. 191

Relative to the death of Mrs. Henry F. Budde

WHEREAS, It was with deepest sorrow that the Members of this body learned of the death of Mrs. Henry F. Budde; and

WHEREAS, Mrs Budde was born in San Francisco in 1877, the daughter of John A. Christen, who operated a dairy where the Palace of Fine Arts now stands; and

WHEREAS, Louisa A. Christen became Mrs. Henry F. Budde in 1898 and this union was blessed with five children; and

WHEREAS, Henry F. Budde, a German immigrant, and Mrs. Budde established a printing business which, in 1923, brought forth the series of San Francisco neighborhood papers called *The Progress;* and

WHEREAS, Upon her husband's death in 1951, Mrs Budde became President and Board Chairman of Henry F. Budde Publications, Inc.; and

WHEREAS, The passing of Mrs. Budde was deeply felt by her family and many friends in San Francisco and throughout the State; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members of the Assembly express their deep regret at the death of Mrs Henry F. Budde and extend condolences to the members of her family and friends; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Henry J. Budde, Fred J. Budde, Alfred F. Budde, Anita Budde, and Margaret Becker, the children of Mrs. Budde.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS

Request for Unanimous Consent

Mr. Rees was granted unanimous consent to substitute the consideration of Senate Bill No. 117, at this time, for consideration of Senate Bill No. 388, the first item on file.

**Senate Bill No. 117**—An act to add Section 426.5 to the Health and Safety Code, relating to air pollution, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Rees.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House,

Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent

Mr. Conrad was granted unanimous consent to take up Senate Concurrent Resolution No. 44, at this time, upon request of Mr. Miller.

**Senate Concurrent Resolution No. 44**—Relative to amending the Joint Rules of the Senate and Assembly.

Resolution read, presented by Mr. Conrad, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent to take up Assembly Bill No. 759, at this time, for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 759

**Assembly Bill No. 759**—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Bill read third time.

### Motion to Amend

Mr. Burton moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 2, 1959, strike out ", formed under"; strike out line 15; and in line 16, strike out "of the Health and Safety Code".

### Amendment No. 2

On page 1, line 17, after "state," insert "hospital district,".

**Amendment No. 3**

On page 1, line 17, strike out "hospital districts".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1908 FROM COMMITTEE

Mr. Hanna was granted unanimous consent that Assembly Bill No. 1908 be withdrawn from the Committee on Public Health, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1908

**Assembly Bill No. 1908**—An act to add Chapter 10 (commencing at Section 25900) to Division 20 of, and to amend Sections 26244, 26247, 26254, and 26255 of the Health and Safety Code, to amend Sections 1064 and 1096.3 of the Agricultural Code, and to amend Sections 4168 and 4171 of the Business and Professions Code, relating to labeling of containers of dangerous drugs, poisons, and other hazardous substances

Bill read second time.

**Motion to Amend**

Mr. Hanna moved the adoption of the following amendments:

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, strike out "Sections 1064 and 1096.3", and insert "Section 1064".

**Amendment No. 2**

On page 1, line 9, strike out "at the"; and strike out lines 10 to 14, inclusive, and insert "in the English language in a conspicuous place in legible type in contrast by typography, layout, or color with other printed matter on the label"

**Amendment No. 3**

On page 2, strike out lines 1 to 12, inclusive

**Amendment No. 4**

On page 2, line 14, strke out "25903", and insert "25901".

**Amendment No. 5**

On page 2, line 17, strike out "25904", and insert "25902".

**Amendment No. 6**

On page 4, line 1, strike out "The cautionary state-"; strike out line 2; and in line 3 strike out "ing at Section 25900), Division 20 of this code."

**Amendment No. 7**

On page 5, strike out lines 10 to 13, inclusive.

**Amendment No. 8**

On page 5, between lines 17 and 18, insert

"(i) The label does not contain a warning or caution statement which may be necessary and if complied with adequate to prevent injury to living man and other vertebrate animals, vegetation, and useful invertebrate animals."

**Amendment No. 9**

On page 5, strike out lines 18 to 35, inclusive.

**Amendment No. 10**

On page 5, line 36, strike out "SEC. 8", and insert "SEC. 7".

**Amendment No. 11**

On page 5, line 46, strike out "(and no other)".

**Amendment No. 12**

On page 6, line 1, strike out "SEC. 9" and insert "SEC. 8".

**Amendment No. 13**

On page 2, between lines 21 and 22, insert

"25903. Nothing in this chapter shall apply to products produced by a laboratory licensed under Section 351 of Title III of the Public Health Service Act (Pub. Law 410, Chapter 373, 78th Cong.—2d Sess.)."

**Amendment No. 14**

On page 2, line 22, strike out "25095", and insert "25904".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

NOTE—The above amendments have been corrected pursuant to the directive of April 14, 1959. *See* page 2411.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 469 FROM COMMITTEE

Mr. Hanna was granted unanimous consent that Assembly Bill No. 469 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 469

**Assembly Bill No. 469**—An act to add Section 7044.5 to the Business and Professions Code, relating to contractors.

Bill read second time.

**Motion to Amend**

Mr. Hanna moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 7044.5", and insert "Sections 7044.5 and 7054".

**Amendment No. 2**

On page 1, line 4, strike out "a structure", and insert "more than one structure with appurtenances".

**Amendment No. 3**

On page 1, after line 10, insert

"SEC. 2. Section 7054 is added to said code, to read:

7054. This chapter does not apply to a charitable hospital corporation or a nonprofit medical and hospital service corporation lawfully operating under Section 9200 of the Corporations Code which engages in the activities herein regulated incidental to its own business."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1135 FROM COMMITTEE

Mr. Hanna was granted unanimous consent that Assembly Bill No. 1135 be withdrawn from the Committee on Governmental Efficiency and Economy, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1135

**Assembly Bill No. 1135**—An act to amend Section 7050 of the Business and Professions Code, relating to contractors.

Bill read second time.

#### Motion to Amend

Mr. Hanna moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 19, 1959, after "of", insert ", and to add Section 7054 to,".

#### Amendment No. 2

On page 2, line 10, strike out "a structure", and insert "more than one structure with appurtenances".

#### Amendment No. 3

On page 2, line 11, strike out "the structure", and insert "more than one structure with appurtenances".

#### Amendment No. 4

On page 2, after line 12, insert

"SEC. 2 Section 7054 is added to said code, to read:

7054. This chapter does not apply to a charitable hospital corporation or a nonprofit medical and hospital service corporation lawfully operating under Section 9200 of the Corporations Code which engages in the activities herein regulated incidental to its own business."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

### MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 1715

Mr. Lunardi moved to expunge the record, and recind the action whereby the Assembly on this day, passed Assembly Bill No. 1715. (Assembly Journal, page 2308.)

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1715 ordered passed on file, and to retain its place on the third reading file.

### ASSEMBLY BILL NO. 487 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 487,** on request of Mr. MacBride.

### CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1630**—An act to amend Section 2286 of the Business and Professions Code, relating to the healing arts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 575**—An act to amend Section 1532 of the Probate Code, relating to sales by guardians.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 576**—An act to amend Section 787 of the Probate Code, relating to a sale made upon a credit by an executor or administrator.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1709**—An act to amend Section 35407 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to water well drilling and servicing equipment on vehicles.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 921**—An act to repeal Section 26204 of the Government Code, relating to war histories of counties.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1091**—An act to amend Section 2422 of the Education Code, Section 1723 of the Education Code, as proposed by Senate Bill No. 2, Section 7920 of the Elections Code, Section 1180 of the Military and Veterans Code, and Section 22229 of the Public Utilities Code, relating to the classification of cities.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1100**—An act to add Section 14115 to the Health and Safety Code, relating to local fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1343**—An act to amend Sections 967 and 969 of, and to repeal Chapter 6 (commencing at Section 880) of Part 2 of Division 1 of the Health and Safety Code, relating to local health districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1671**—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 622**—An act to amend Section 5281 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1845**—An act to add Section 54906 to the Government Code, relating to highway lighting districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1731**—An act to amend Section 42230 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to refund of fees upon rejection of applications.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

By Mr. Beaver:

**House Resolution No. 179**

Relative to the posting of highway directional signs

WHEREAS, In the less populous and isolated areas of this State it is often difficult to locate emergency hospital facilities at times when minutes saved may mean lives saved; and

WHEREAS, An occasional directional sign indicating a nearby hospital would be of great benefit to the motoring public at a relatively small expense to the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby requested to place directional signs indicating emergency hospital facilities, whether publicly or privately owned, at such points along state highways as the department deems appropriate to indicate any hospital having 24-hour emergency treatment available to the general public, having a licensed physician available at all times, and which is in such a mountainous or otherwise remote area as to make alternative facilities difficult to reach; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

By Mr. Samuel R. Geddes:

**House Resolution No. 181**

Relative to designating May, 1959, as Senior Citizens' Month

WHEREAS, The well-demonstrated greatness of the State of California is due in large measure to the efforts of those people who are now the Senior Citizens of California; and

WHEREAS, The blessings of longer life and better health are being made available to our senior citizens while technological progress is making the task of earning a living less toilsome physically and bringing arbitrary retirement to older persons at an age when most of them can and want to continue as productive members of society; and

WHEREAS, Arbitrary retirement tends to minimize the usefulness of older people to their communities and at the same time make it difficult for them to obtain good housing, adequate nourishment, adequate medical care and necessary recreational and educational opportunities because of sharply limited income; and

WHEREAS, The efforts of science will continue to increase the human life span and accelerate the increase in the number of persons surviving into the later years; and

WHEREAS, The foregoing factors make it necessary that proper planning be done to meet the needs and problems of California's senior citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the month of May, 1959, be designated as Senior Citizens' Month; and be it further

*Resolved*, That the efforts of the Governor of the State of California to establish May, 1959, as a fittingly observed Senior Citizens' Month be commended; and be it further

*Resolved*, That the communities of the State of California are urged to mark the importance of Senior Citizens' Month by observances which will acknowledge the contribution made to California's progress by its senior citizens; and be it further

*Resolved*, That the communities of the State of California are urged to stress the importance of the contribution to the welfare and well-being of the entire community, which can be made by the senior citizen; and be it further

*Resolved*, That the people of the State of California are urged to continue in their world-wide recognized leadership in meeting the needs and problems of the senior citizen and in making their communities places where the senior citizen can live out his years in dignity, self-respect, usefulness, and good citizenship; and be it further

*Resolved*, That every state department and agency is urged to give all the necessary encouragement and assistance to the communities of the State in marking Senior Citizens' Month with fitting observances; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Honorable Edmund G. Brown, Governor of the State

of California, the Citizens' Advisory Committee on Aging, and that copies be directed to be transmitted to the directors of all state agencies.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

**Assembly Concurrent Resolution No. 102**—Relative to extending congratulations to the California Branch of the National Council of Jewish Women.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 103**—Relative to scientific research facilities of the University of California and the state colleges.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 16**—Relative to the Auburn Dam on the American River.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Resolution ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 639**—An act to amend Section 73 of the Vehicle Code, and to amend Section 285 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the definition of a vehicle dealer.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 45**—Relative to the continuance of the Joint Judiciary Committee on Administration of Justice.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None

Resolution ordered transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 1655

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CRAWFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 9, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 1353

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CRAWFORD, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No. 1447

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 619

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER. Your Committee on Revenue and Taxation reports:

Senate Bill No. 242

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No 1800

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER. Your Committee on Revenue and Taxation reports:

Assembly Bill No 1799

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 12
Assembly Bill No. 825
Assembly Bill No. 1380
Assembly Bill No. 167

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1544

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 1546

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 1243

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1827

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bill ordered to second reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Commiittee on Industrial Relations reports:

Assembly Bill No. 1572

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 7**—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to miscegenation;

**Assembly Bill No. 216**—An act to amend Section 55103 of the Water Code, relating to formation of county waterworks districts;

**Assembly Bill No. 325**—An act to amend Section 13672.1 of the Education Code and Section 13456 of the Education Code as proposed by Senate Bill No. 2, relating to leaves of absence of certificated employees of school districts;

**Assembly Bill No. 417**—An act to amend Section 4902 of the Health and Safety Code, relating to sewer maintenance districts;

**Assembly Bill No. 536**—An act to amend Section 6830 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 543**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911;

**Assembly Bill No. 545**—An act to amend Section 6885.8 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 547**—An act to add Section 6801 to the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 637**—An act to amend Section 3000 of the Welfare and Institutions Code, relating to aid to needy blind persons;

**Assembly Bill No. 641**—An act to amend Section 795 of the Agricultural Code, relating to citrus;

**Assembly Bill No. 1131**—An act to amend Section 4362 of the Agricultural Code, relating to milk products;

And reports the same correctly enrolled, and presented to the Governor on the tenth day of April, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 106**—Approving a new charter for the City of Eureka, a municipal corporation in the County of Humboldt, State of California, ratified by the qualified electors of said city at a special election held therein on the fifth day of March, 1959;

And reports the same correctly enrolled, and presented to the Secretary of State on the tenth day of April, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1757
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1857
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 702
Assembly Bill No. 1077
Assembly Bill No. 1246
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1152
Assembly Bill No 1406
Assembly Bill No 1537
Assembly Bill No. 1631
Assembly Bill No. 1736
Assembly Bill No. 1780
Assembly Bill No. 1820
Assembly Bill No 1840

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 901
Assembly Bill No. 951
Assembly Bill No 952
Assembly Bill No. 1140
Assembly Bill No. 1141
Assembly Bill No. 1142
Assembly Bill No. 1143
Assembly Bill No. 1547
Assembly Bill No. 1637
Assembly Bill No. 1759
Assembly Bill No. 1768
Assembly Bill No 1819
Assembly Bill No. 1821
Assembly Bill No 1822

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 698
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 828
Assembly Bill No. 1179
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 667
Assembly Bill No. 1236
Assembly Bill No. 1234

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 4

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

## ANNOUNCEMENT RELATIVE TO COMMITTEE HEARING

Mr. Burton announced that Assembly Bill No. 244 will be heard in the Committee on Social Welfare at 8 p.m. on Tuesday, April 14th.

## ASSEMBLY BILLS NOS. 1759 AND 1768 WITHDRAWN FROM CONSENT CALENDAR

On request of Mr. Winton, Assembly Bills Nos. 1759 and 1768 were ordered removed from the Consent Calendar, and returned to the second reading file.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 196

Relative to adding Rule No. 73.5 to the Permanent Standing Rules of the Assembly, pertaining to Assembly Bills Amended in the Senate

*Resolved by the Assembly of the State of California*, That Rule No. 73.5 is added to the Permanent Standing Rules of the Assembly, to read:

Assembly Bills Amended in Senate

73.5. Whenever an Assembly bill is amended and passed in the Senate, and in the opinion of the Speaker said amendment or amendments effect a substantial substantive change in the bill as first passed by the Assembly, the Speaker may refer the bill to the appropriate Assembly standing committee.

Resolution read, and referred to the Committee on Rules.

By Messrs. Burton, Kilpatrick, Kennick, Ernest R. Geddes, Hawkins, Elliott, and O'Connell:

### House Resolution No. 197

Relative to the adoption of children

WHEREAS, There is now pending in the County of Sacramento a case wherein the County Welfare Department is about to remove a child from the home of foster parents who have provided her with adequate and loving care for the past 13 months; and

WHEREAS, The County Welfare Department has announced that it will not permit the foster parents to adopt such child, without in any manner giving specific grounds for its decision; and

WHEREAS, A petition on the part of the foster parents to adopt the child cannot be heard, under existing law, for a period of six months; and

WHEREAS, If the County Welfare Department is permitted to remove the child, she will be deprived of the home care to which she has been accustomed for at least a six-month period pending the adoption hearing; and

WHEREAS, Immediate investigation into this situation is essential in order that the Legislature may ascertain whether remedial legislation is necessary in such a situation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Standing Committee on Social Welfare is hereby directed to conduct an immediate investigation into the situation described in this resolution, and to report its findings to the Legislature as soon as possible at this present session.

Resolution read, and referred to the Committee on Rules.

## ADJOURNMENT

At 12.45 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 13, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY

SEVENTY-FIRST CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, April 13, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, More ready to speak to us than we are to listen, more ready to command than we are to obey, more ready to guide than we are to follow, Thou knowest our desire to be adequate for the responsibility which is ours to be good legislators, to be approved representatives of our constituents; at the same time to be faithful to the best interests of the entire State; and always to act as good citizens of our Nation. Speak to us, command our hearts, and guide our thoughts that we may be used in this Assembly to build a better world. Then, O God, it will have been good for us to be here—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dahl, seconded by Mr. Backstrand, further reading of the Journal of the previous legislative day was dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Ernest R Geddes, on motion of Mr. Conrad.
Mr. Crown, on motion of Mr. Petris.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

**Resolution by Placer County Board of Supervisors**

PLACER COUNTY, BOARD OF SUPERVISORS
AUBURN, April 10, 1959

*Clerk, California Assembly*
*Sacramento*

DEAR SIR: Enclosed is a certified copy of Resolution No 59-55 of the Placer County Board of Supervisors urging continued support of Senate Bill No 261, providing for continuation of present allocations of federal secondary highway funds to counties

Very truly yours,

L. L. ANDERSON, Chairman
Placer County Board of Supervisors
By EVLYN COOPER
Clerk of the Board of Supervisors

Above transmitted resolution referred to the Committee on Transportation and Commerce.

The following communications were presented by the Chief Clerk from:

Mrs. G. E. Douglas and S. Bright of Los Angeles, relative to capital punishment. Referred to the Committee on Criminal Procedure.

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Mrs. Edna M. Young of Inglewood, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

## PETITIONS

The following petition was presented by the Chief Clerk from:

Muriel R. Seidel of Chino, relative to narcotics legislation. Referred to the Committee on Criminal Procedure.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

9504 Harvard Avenue
Bellflower, April 11, 1959

*To Members of*
*The Assembly and the Senate*
*State of California*

GENTLEMEN, and/or LADIES: We, the people who pay your salaries, have been following the movement by hoodlums, and their political connections, to get capital punishment abolished in California.

We felt that the complaints of (1) law enforcing agents throughout the Land; (2) most churches, both Catholic and Protestant; (3) prominent people such as mayors of our great cities; and (4) lastly, the voters (who elected you) through our open letters to the press, were sufficient media for any such bill to die in the committee; but now that the "eight-year moratorium" has been moved out of the

committee "without recommendation," we are becoming alarmed lest our elected representatives are being bought by the hoodlums with "blood money," looted from the voters via murder, dope, prostitution, blackmail, etc.

To remove the death penalty law for the heinous crimes that are being committed in our midst every day is parallel to tearing down one's house because the roof leaks. Suffice it to say: When our roof leaks, we repair it. Hence, when criminals "leak" through our antiquated and inadequate laws, don't abolish them, repair them!

If you are "committed" to act on this vital legislation, then for God's sake, let the voters decide it!

Honorably yours,

WILLIAM E. COOK, a voter

cc: *Sacramento Bee*
*Sacramento Reporter*
*Los Angeles Times*
*Los Angeles Examiner*

**Letter of Transmittal**
**Resolution by Northern California Peace Officers Association**

SACRAMENTO, April 10, 1959

*Speaker Ralph M. Brown*
*California Assembly*

DEAR MR. SPEAKER As the secretary of the Northern California Peace Officers Association I have been instructed to present copies of the attached resolutions to the Assembly. Could your office have this resolution read into the Daily Journal and also a copy forwarded to the chairman of the committee handling the legislation?

Thanking you on behalf of the entire membership of our organization, I remain,

Your truly,

JAMES DUNN, Secretary-Treasurer
NORTHERN CALIFORNIA PEACE OFFICERS ASSOCIATION
1873 52d St., Sacramento, California

Above transmitted resolution referred to the Committee on Criminal Procedure.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 107**: By Mr. Miller—Relative to the preparation of the Summary Digest.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 108**: By Messrs. MacBride, Z'berg, and Meyers—Relative to merit awards to state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2436**: By Messrs. Petris, Rumford, Crown, and Bee—An act to add Section 19613.9 to the Education Code, and to add Section 16635.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relative to the use of tax funds for capital expenditures for child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2437**: By Mr. Hanna (By Request)—An act to amend Section 4827 of the Business and Professions Code, relating to veterinary medicine.

Referred to Committee on Agriculture.

**Assembly Bill No. 2438**: By Messrs Francis, Chapel, Burke, and Charles H. Wilson—An act to add Article 5 (commencing at Section 1100) to Chapter 5 of Part 1 of Division 1 of the Public Utilities Code, relating to pay television.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2439**: By Messrs. Francis, Chapel, Burke, and Charles H. Wilson (on Behalf of the Subcommittee on Corporation Laws of the Assembly Interim Committee on Public Utilities and Corporations)—An act to add Section 638 to the Penal Code, relating to television broadcasting.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2440**: By Mr. Cunningham—An act to add Section 2399.5 to the Business and Professions Code, relating to the practice of medicine.

Referred to Committee on Public Health.

**Assembly Bill No. 2441**: By Mr. Cameron—An act to amend Section 75025 of, and to add Section 75032.1 to, the Government Code, relating to the retirement of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2442**: By Messrs. Z'berg and MacBride—An act to amend Section 21706 of the Government Code, relating to State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2443**: By Mr. Meyers—An act to amend Section 28791 of the Public Utilities Code, relating to the San Francisco Bay Area Rapid Transit District.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2444**: By Mr. Meyers—An act to amend Section 28790 of the Public Utilities Code, relating to the San Francisco Bay Area Transit District.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2445**: By Messrs. Gaffney, Marks, Busterud, Meyers, and O'Connell, and Senator McAteer, co-author—An act to amend Section 17153 of, and to add Section 17154 to, the Education Code as enacted at the 1959 Regular Session, relating to deposit and control of school district funds.

Referred to Committee on Education.

**Assembly Bill No. 2446**: By Mr. Crown—An act to amend Section 69903 of, and to repeal Section 69895.5 of, the Government Code, relating to superior court employees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2447**: By Messrs. Charles H. Wilson, Chapel, Luckel, Holmes, Britschgi, Burke, Cameron, Cunningham, Hawkins,

and Lunardi—An act to add Section 5.43 to the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to the issuance of bonds.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2448**: By Mr. Charles H. Wilson—An act to add Section 10176.1 to the Insurance Code, relating to insurance policies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2449**: By Mr. Mulford—An act to add Article 1.1 (commencing at Section 26620) to Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code, relating to additional duties of sheriff as ex officio Director of Civil Defense and Disaster.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2450**: By Mr. DeLotto—An act to add Section 6456.5 to the Financial Code, relating to stock of savings and loan associations.

Referred to Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 33**—An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employee's Retirement System, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 412**—An act to repeal Section 5 of Chapter 513 of the Statutes of 1957, to repeal Sections 6814, 6815, 6816, and 6822 of the Education Code; to repeal Sections 11004, 11005.1, 11006.1, and 11052.1 of, and to amend Sections 11005, 11006, and 11052 of, the Education Code as proposed by Senate Bill No. 2, relating to the Public School System, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 539**—An act to amend Section 6464 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 540**—An act to amend Section 6482 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 542**—An act to amend Section 6628 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 668**—An act to amend Section 32009 of the Health and Safety Code, relating to hospital districts;

**Assembly Bill No. 705**—An act to amend Sections 9080.3, 9084.5, and Section 9087, of the Insurance Code, relating to fraternal fire insurance;

**Assembly Bill No. 1512**—An act to amend Section 9740 of the Government Code, relating to compilation of legislative manual;

And reports the same correctly enrolled, and presented to the Governor on the tenth day of April, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 97**—Relative to making additional funds available to the Legislative Audit Committee;

And reports the same correctly enrolled, and presented to the Secretary of State on the tenth day of April, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 151**—An act to amend Section 13708 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the compensation of members of school district personnel commissions;

**Assembly Bill No. 531**—An act to add Sections 4714.5 and 4831.7 to, and to amend Sections 4832 and 4832.5 of, the Health and Safety Code, relating to county sanitation districts;

**Assembly Bill No. 598**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs;

**Assembly Bill No. 538**—An act to amend Section 6585 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 549**—An act to amend Section 6732 of the Health and Safety Code, relating to sanitary districts;

**Assembly Bill No. 669**—An act to add Section 32005.5 to the Health and Safety Code, relating to hospital districts;

**Assembly Bill No. 754**—An act to amend and renumber Section 45308.1 of, and to add Sections 45308.1 and 45308.2 to, the Government Code, relating to investment of city retirement funds;

**Assembly Bill No. 1062**—An act to add Chapter 7 (commencing at Section 12900) to Part 6 of Division 6 of the Water Code, relating to development of water resources of the State;

**Assembly Bill No. 672**—An act to amend Section 13241 of the Public Utilities Code and to amend Section 3835 of the Public Districts Code, relating to the maturity of bonds of municipal utility districts, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1513**—An act to amend Section 9020 of the Government Code, relating to the Legislature; the members, officers, and employees thereof;

And reports the same correctly enrolled, and presented to the Governor on the tenth day of April, 1959, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 93**—Relative to Sabbath School Instructors' Week;

And reports the same correctly enrolled, and presented to the Secretary of State on the tenth day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 55
Assembly Bill No. 759
Assembly Bill No. 1067

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1796

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1824
Assembly Bill No. 1825

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1139
Assembly Bill No. 1781
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 989
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 306 | Assembly Bill No. 1527 |
| Assembly Bill No. 708 | Assembly Bill No. 1528 |
| Assembly Bill No. 1304 | Assembly Bill No. 1872 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1755
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Senate Concurrent Resolution No. 27

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 27**—Relative to informing Members of the Legislature of the actions of state agencies.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 14 | Senate Bill No 771 |
| Senate Bill No. 494 | Senate Bill No. 773 |
| Senate Bill No. 658 | Senate Bill No. 862 |
| Senate Bill No. 703 | Senate Bill No. 868 |
| Senate Bill No. 760 | Senate Bill No. 877 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

**FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)**

The following bills were read the first time:

**Senate Bill No. 14**—An act to amend Sections 1781 and 1782 of the Education Code as enacted at the 1959 Regular Session, relating to the annexation, to school districts, of territory not in an elementary or high school district.

Referred to Committee on Education.

**Senate Bill No. 494**—An act to amend Section 5 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), relating to the Humboldt County Flood Control District.

Referred to Committee on Water.

**Senate Bill No. 658**—An act to amend Section 5006 of the Water Code, relating to the State Water Rights Board.

Referred to Committee on Water.

**Senate Bill No. 703**—An act to add Sections 33201.5, 33730.5, 33748 and 33749 to, to amend Sections 33202, 33231.5, 33502, 33503, 33700, 33701, 33703, 33704, 33730, 33731, 33732, 33736, 33745, 33746, 33747, 33850, and 33980 of, and to repeal Section 33280, Articles 4 (commencing at Section 33530) and 5 (commencing at Section 33560) of Chapter 3 of Part 1 of Division 24, and Section 33982 of, the Health and Safety Code, relating to community redevelopment and urban renewal.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 760**—An act to add Section 50022.9 to the Government Code, relating to the adoption of ordinances by cities.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 771**—An act to amend Section 5127 of the Agricultural Code, relating to California Beef Council fees.

Referred to Committee on Agriculture.

**Senate Bill No. 773**—An act to amend Section 5654 of the Business and Professions Code, relating to landscape architecture.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 862**—An act to add Section 3 1 to, and to amend Sections 20 and 30 of, the Tehama County Flood Control and Water Conservation District Act (Chapter 1280, Statutes of 1957), relating to the Tehama County Flood Control and Water Conservation District.

Referred to Committee on Water.

**Senate Bill No. 868**—An act to amend Section 5681 of, and to add Section 5657 to, the Business and Professions Code, relating to the practice of landscape architecture.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 877**—An act to amend Section 154.5 of the Water Code, relating to the California Water Commission.

Referred to Committee on Water.

### STATEMENT RELATIVE TO CORRECTION OF PRINTED AMENDMENTS TO ASSEMBLY BILL NO. 419

Due to mistakes in copying, the printed version of my proposed amendments to Mr. Miller's bill Assembly Bill No. 419, which appeared in the Daily Journal on April 8th, pages 2213 and 2214, contained two errors and I wish to point them out as follows:

(1) On page 2213 under amendment number 1 Section 1139, subsection (b), subsubsection (2) the word "appropriate" should be "inappropriate"

(2) On page 2214, under amendment number 2, Section 1143, subsection (a), in the third line of the subsection as it appears in the Journal of April 8th, the comma appearing between the word "in" and the word "a" should be stricken.

HOWARD J. THELIN

NOTE—Printer's errors indicated above have been corrected.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1284, read the second time, with appropriate actions taken on those bills requiring action.

### SECOND READING OF ASSEMBLY BILL NO. 1284 (OUT OF ORDER)

**Assembly Bill No. 1284**—An act to add Section 2181.06 to the Welfare and Institutions Code, relating to old age assistance.

Bill read second time.

#### Motion to Amend

Mr. Garrigus moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 30, 1959, strike out "the net earnings of the", and insert "the spouse shall be allowed to retain a sufficient amount of the net earnings to permit a standard of living consistent with that of a self-supporting employed person."

#### Amendment No. 2

On page 1, strike out lines 7 to 10, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### STATEMENT BY MR. HAWKINS RELATIVE TO ASSEMBLY BILL NO. 1759

Mr. Hawkins requested that the record show that Assembly Bill No. 1759 was incorrectly reported out of committee with a recommendation that it be placed on the Consent Calendar (Assembly Journal, page 2262); and stated that he had never made a request that the bill go to the Consent Calendar.

Speaker Brown replied that the committee report was incorrect, and that the bill had been removed from the Consent Calendar, and would appear on third reading file tomorrow.

### REQUEST FOR UNANIMOUS CONSENT

By unanimous consent, all bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1284, were deemed read the second time, with appropriate action taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1781, 1139, 1256, 1824,** and **1825.**

**Senate Bill No. 514.**

Assembly Bills Nos. 1781 and 1139 ordered to the Consent Calendar.

Assembly Bills Nos. 1256, 1824, and 1825 ordered to third reading, subsequent to engrossment

Senate Bill No. 514 ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 911**—An act to amend Sections 14001 and 14057 of, and to add Section 14001.3 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, and to amend Section 20335 of the Government Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1368**—An act to add Section 426.1 to the Health and Safety Code, relating to standards for the quality of air, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 221**—An act to add Section 18c to the Penal Code, relating to the death penalty.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 468**—An act to amend Section 713 of, and repeal Sections 714 and 714.1 of, the Vehicle Code, and to amend Sections 35701 and 35704 of, repeal Section 35706 of, add Section 35706 to, repeal Section 35707 of, add Section 35707 to, and repeal Sections 35708, 35709, 35710, 35711, 35712, 35713, and 35714 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the restricting of highways by counties.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

Strike out lines 1 to 6, inclusive, of the title of the printed bill; and in line 7 of the title, strike out "No. 5", and insert

"An act to add Sections 35717, 35718, 35719, 35720, and 35721 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 35717 is added to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, to read:

35717. Notwithstanding any provision to the contrary, any county may by ordinance prohibit the use of any street, road or highway to be described in the ordinance by any commercial vehicle exceeding a maximum gross weight of 14,000 pounds.

SEC. 2. Section 35718 is added to said code, to read:

35718. No ordinance adopted pursuant to Section 35717 shall be effective until appropriate signs are erected indicating either the streets, roads or highways affected by the ordinance or the streets, roads or highways not affected, as the board of supervisors may determine will best serve to give notice of the ordinance.

SEC. 3. Section 35719 is added to said code, to read:

35719. No ordinance adopted pursuant to Section 35717 shall be effective with respect to any street, road or highway which connects with, or is a continuation of, any street, road or highway of an adjoining county unless the board of supervisors of each county in which the street, road or highway is a through highway, by concurrent action and like limitation, prohibit the use of such street, road or highway pursuant to this section.

SEC. 4. Section 35720 is added to said code, to read:

35720. No ordinance adopted pursuant to Section 35717 shall be effective with respect to:

(a) Any vehicle which is subject to the provisions of Article 2 (commencing at Section 1031) of Chapter 5 of Part 1 of Division 1 of the Public Utilities Code or any farm labor truck or farm labor bus.

(b) Any street, road or highway which is not under the exclusive jurisdiction of the board of supervisors enacting such ordinance, except as otherwise provided in Section 35719, or, in the case of any state highway, until such proposed ordinance has been submitted by the board of supervisors to and approved in writing by the Department of Public Works. In submitting such a proposed ordinance to the department for approval, the board of supervisors shall designate therein, an alternate route or routes for the use of such vehicles which shall remain unrestricted by any local regulation as to weight limits or types of vehicles so long as the ordinance proposed shall remain in effect. The approval of such proposed ordinances by the Department of Public Works shall constitute an approval by the department of such alternate route or routes so designated

(c) Any commercial vehicle coming from an unrestricted street, road or highway having ingress and egress by direct route to and from such restricted streets, roads, and highways when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, roads or highways or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted street, road or highway for which a building permit, if required, has previously been obtained therefor, or vehicles, machinery, or construction equipment used in connection with, the construction, repair or maintenance of such restricted street or public utility facilities located thereon.

(d) Any vehicle operated as an incident to any industrial, commercial or agricultural enterprise conducted upon any such street, road or highway

(e) Any vehicle owned, operated, controlled, or used by a public utility or licensed contractor in connection with the construction, installation, operation, maintenance, or repair of any public utility facilities.

(f) The operation of ambulances or hearses.

SEC. 5. Section 35721 is added to said code, to read:

35721. No ordinance shall be adopted pursuant to Section 35717 except upon notice and hearing in the manner prescribed in this section

Notice of hearing shall be published as prescribed in Section 6064 of the Government Code The notice shall advise all interested parties that they may submit written or oral objections to the proposed action and shall designate a time and place for presentation of such objections. The time for submission of objections shall not expire, and the hearing may not be held, less than 60 days after the first publication of notice The hearing shall be held before the board of supervisors and interested parties shall be afforded an adequate opportunity to be heard with respect to their objections."

**Amendment No. 3**

On page 1, strike out lines 2 to 15, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1169**—An act to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of the Streets and Highways Code, relating to state highways, providing for a California Freeway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "act to", insert "amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 425, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553, 557 and 614 of, to".

**Amendment No. 2**

In line 2 of the title, after "Division 1 of", insert ", and to add Sections 486, 514, 542, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1, 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, and 588 to,".

**Amendment No. 3**

In line 3 of the title, after "Freeway", insert "and Expressway".

**Amendment No. 4**

On page 1, line 4, after "Freeway", insert "and Expressway".

**Amendment No. 5**

On page 1, strike out lines 8, 9 and 10; and on line 11, strike out "1980 traffic.", and insert "struct a statewide system of freeways and expressways and connections thereto without regard to present jurisdiction over the highways, roads, and streets that might be included"

**Amendment No. 6**

On page 1, line 12, after "way", insert "and Expressway".

**Amendment No. 7**

On page 2, line 6, strike out "System", and insert "and Expressway System and deficiencies on connections to the State Highway System".

**Amendment No. 8**

On page 2, line 7, after "Freeway", insert "and Expressway".

**Amendment No. 9**

On page 2, line 8, strike out "of such highways and freeways".

**Amendment No. 10**

On page 2, line 12, after "Freeway", insert "and Expressway".

**Amendment No. 11**

On page 2, line 15, after "freeways", insert "and expressways".

**Amendment No. 12**

On page 2, line 16, after "Freeway", insert "and Expressway".

**Amendment No. 13**

On page 2, line 19, after "Freeway", insert "and Expressway".

**Amendment No. 14**

On page 2, strike out lines 20 through 27, inclusive, and insert "and shall be composed of the following highways:

All of the Federal Interstate Highway System in California except those portions in the City and County of San Francisco described as follows:

(a) Interstate Route No 280 from the San Mateo county line to the Golden Gate Bridge.

(b) Interstate Route No. 480 from Bay and Embarcadero Streets to the Golden Gate Bridge.

(c) Interstate Route No. 80 from Interstate Route No. 280 to State Highway Route 2.

U. S. 6 from:

(a) U. S. 99 near Los Angeles to U. S. 395 near Inyokern.

(b) U. S. 395 near Bishop to the Nevada state line.

U. S. 40 Alternate in its entirety.

U. S. 50 from Sacramento to the Nevada state line.

U. S. 60 from Route 26, the San Bernardino Freeway, to U. S. 99 near Beaumont.

U. S. 95 from U. S. 60 near Blythe to U. S. 66 near Needles.

U. S. 97 in its entirety.
U. S. 99 from:
(a) Brawley to Indio.
(b) Wheeler Ridge south of Bakersfield to Sacramento.
U. S. 99E from Roseville to Red Bluff.
U. S. 101 from:
(a) Los Angeles to south of San Jose.
(b) Route 225 in San Francisco to the San Francisco-Oakland Bay Bridge.
(c) The Golden Gate Bridge to the Oregon state line north of Crescent City.
U. S. 101 Alternate from U. S. 101 near Capistrano Beach to U. S. 101 near Oxnard.
U. S. 101 Bypass from the junction of U. S. 101 south of San Jose to the junction U. S. 101 at Alemany Boulevard in San Francisco.
U. S. 199 in its entirety.
U. S. 299 in its entirety.
U. S. 395 all of the route in California except that portion from Johnstonville to near Ravendale in Lassen County.
U. S. 399 from Ventura to Maricopa.
U. S. 466 from Route 56 north of Morro Bay to Barstow.
Route 3 from Sacramento to Route 98 near North Sacramento.
Route 5 from Hayward to Santa Cruz.
Route 9 from:
(a) Route 79 near Saticoy to Federal Aid Interstate Route 210 near San Fernando.
(b) Federal Aid Interstate Route 210 near Glendora to Route 190.
Route 10 from Route 238 near Coalinga to Sequoia National Park.
Route 11 from Route 75 to Route 53.
Route 12 from Route 286 to Route 2.
Route 13 from Route 109 to Route 23.
Route 15 from U. S. 101 near Ukiah to Interstate Route 80 near Emigrant Gap.
Route 17 from Auburn to Grass Valley.
Route 19 from Federal Aid Interstate Route 5 near Santa Ana to Route 77.
Route 20 from:
(a) Redding to Lassen National Park.
(b) Route 83 near Old Station to Route 29 west of Susanville.
(c) Route 29 near Susanville to Route 73 near Ravendale.
Route 23 from U. S. 395 near Topaz Lake to U. S. 50 near Meyers.
Route 24 from:
(a) Route 4 near Lodi to San Andreas.
(b) Route 23 near Woodfords to the Nevada State line.
Route 25 from Nevada City to Route 83 near Sattley.
Route 26 from Calexico to Route 201.
Route 29 from Red Bluff to Johnstonville, except between Mineral and Morgan Springs.
Route 34 from near Ione to Route 23 near Picketts in Hope Valley.
Route 38 from Route 11 near Mays Junction to Route 37 near Truckee.
Route 40 from Route 13 to Route 23 near Mono Lake. The portion within Yosemite is not a state highway.
Route 41 from Route 138 near Mendota to General Grant National Park.
Route 43 from Newport Beach to Route 31 at Victorville except the portion on the north side of Big Bear Lake.
Route 47 in its entirety
Route 50 from Route 90 to Route 238 near Woodland.
Route 55 from Route 5 to Route 105.
Route 56 from:
(a) U. S. 101 near Las Cruces to U. S. 101 near Pismo.
(b) Route 101 near San Luis Obispo to San Simeon.
(c) Carmel to San Francisco.
(d) U. S. 101 near Richardson Bay to near Valley Ford.
(e) Route 48 to U. S. 101 near Leggett Valley.
Route 57 from:
(a) Route 2 near Santa Maria to Route 238.
(b) Bakersfield to Route 23 near Freeman
Route 58 from Route 238 to Route 4 near Bakersfield.
Route 59 from Route 4 near Gorman to Route 31 near Cajon Pass.
Route 62 from Route 171 near Buena Park to Federal Aid Interstate Route 210.
Route 64 from Route 2 near San Juan Capistrano to Route 26 near Indio.
Route 65 from:
(a) Route 34 near Jackson to Route 11 near Placerville.
(b) Route 18 near Mariposa to Route 125 near Oakhurst.
Route 75 from:
(a) Oakland to Route 4 near Stockton via Walnut Creek and Antioch.
(b) Route 4 near Stockton to Route 249 near Farmington

Route 76 from Route 125 to Huntington Lake.
Route 77 from Route 78 near Temecula to Route 19 near Pomona.
Route 78 from
(a) Route 12 to Route 198.
(b) Route 278 to Route 77 near Temecula.
Route 80 from U. S. 101 west of Santa Barbara to U. S. 101 near Zaca.
Route 82 from Route 20 near Weaverville to Route 3 near Yreka.
Route 87 from Route 21 near Wick's Corner to Route 3 near Chico.
Route 88 from Route 15 near Colusa to Route 47 near Hamilton City.
Route 89 from Route 243 south of Kelseyville to Route 15 near Upper Lake.
Route 104 from Route 1 near Cotati to near Forestville.
Route 105 from Route 56 near Half Moon Bay to Route 5 near Hayward.
Route 107 from Route 5 to Route 56 via the Dumbarton Bridge.
Route 110 from Route 75 near Brentwood to Route 249 near Waterford
Route 114 from Route 68 to Route 5.
Route 115 from junction Routes 5 and 239 near Moorpark Avenue to Route 68 near Story Road.
Route 119 from Paicines to Hollister.
Route 123 from.
(a) Route 32 to Route 4 near Merced.
(b) Route 4 near Merced to Route 249.
Route 125 from Route 33 to Yosemite.
Route 126 from Route 41 near Kerman to Route 125.
Route 127 from Route 23 to Route 31 via Death Valley.
Route 132 from Route 134 near Tulare to Route 249
Route 134 from Route 4 to Route 129.
Route 139 from Route 238 to Route 33.
Route 140 from Route 4 south of Bakersfield to Route 58.
Route 146 from Route 187 east of Brawley to Route 64 near Blythe.
Route 155 from Route 2 near Newbury Park to Route 79 near Fillmore.
Route 161 from Route 2 to Federal Aid Interstate Route 210.
Route 162 from Route 158 to Route 61.
Route 164 from Route 60 near Torrance to Route 158 near Lawndale
Route 165 from San Pedro to Route 4 in Los Angeles
Route 168 from south of Route 172 to Federal Aid Interstate Route 210.
Route 170 from
(a) Route 60 to Route 158.
(b) Route 26 to Federal Aid Interstate Route 210
Route 174 from Route 158 to Route 166.
Route 175 from Route 158 to Route 43 in Santa Ana Canyon.
Route 184 from Route 60 to Route 43.
Route 187 from:
(a) Route 146 east of Brawley to Route 26 near Brawley.
(b) Route 26 near Brawley to Route 26 near Indio via the north shore of Salton Sea.
(c) Route 64 near Palm Desert to Route 26 near Whitewater.
(d) Route 26 near Whitewater to Route 43 near Lucerne Valley via Morongo Valley.
Route 194 from Route 64 near Hemet to Route 26 near Beaumont.
Route 195 from Route 2 to Route 77.
Route 200 from Route 2 to Jamacha Road.
Route 201 from Route 26 to Route 187 east of Brawley.
Route 212 from Route 23 to near the San Bernardino County line.
Route 226 from Route 258 near San Leandro to Route 5.
Route 235 from
(a) Route 5 in Oakland to Route 75 near Lafayette.
(b) Route 75 near Lafayette to Route 75 near Concord.
Route 239 from Route 2 south of San Jose to 5.
Routes 6, 8, 18, 22, 32, 39, 48, 49, 51, 53, 54, 61, 66, 69, 74, 79, 83, 86, 91, 97, 99, 103, 106, 108, 109, 113, 117, 118, 122, 129, 135, 143, 151, 153, 156, 159, 160, 167, 171, 172, 176, 179, 185, 190, 192, 193, 196, 197, 198, 205, 206, 207, 208, 210, 221, 225, 227, 228, 229, 232, and 237 in their entirety and Routes 243 to and including 288 in their entirety."

**Amendment No. 15**

On pages 3, 4, 5, strike out the maps shown thereon.

**Amendment No. 16**

On page 5, strike out lines 1 through 14, inclusive.

**Amendment No. 17**

On page 5, line 15, strike out "255", and insert "254".

**Amendment No. 18**

On page 5, line 17, after "Freeway", insert "and Expressway".

**Amendment No. 19**

On page 5, line 19, after "way", insert "and Expressway"

**Amendment No. 20**

On page 6, line 2, after "freeway", insert "or an expressway".

**Amendment No. 21**

On page 6, line 7, strike out "256", and insert "255".

**Amendment No. 22**

On page 6, line 10, after "Freeway", insert "and Expressway".

**Amendment No. 23**

On page 6, line 12, after "Freeway", insert "and Expressway".

**Amendment No. 24**

On page 6, line 13, strike out "257" and insert "256".

**Amendment No. 25**

On page 6, line 13, after "Freeway", insert "and Expressway".

**Amendment No. 26**

On page 6, after line 25, insert

"257. For the purpose of this article only, and to distinguish between the terms "freeway" and "expressway", the word "freeway" shall mean a divided arterial highway for through traffic with full control of access and with grade separations at intersections, while the word "expressway" shall mean an arterial highway for through traffic which may have partial control of access, but which may or may not be divided or have grade separations at intersections.

*SEC. 2. Section 306 of said code is amended to read:*

306. Route 6 is from:

(a) ~~Sacramento to~~ Route 7 *to Sacramento*.

(b) Route ~~8~~ *49* near Napa to Route ~~90~~ *7* near ~~Winters~~ *Davis*.

*SEC. 3 Section 320 of said code is amended to read:*

320. Route 20 is from *:*

*(a)* Route 1 near Arcata to Lassen National Park via Weaverville and Redding.

*(b) Route 83 near Old Station to Route 29 west of Susanville.*

*(c) Route 29 near Susanville to Route 73 near Ravendale.*

*SEC. 4. Section 332 of said code is amended to read:*

332 Route 32 is from ~~:~~

~~(a) A point on Route 1 between Merced and Madera to Route 2 near Gilroy, via Pacheco Pass.~~

~~(b)~~ Route 56 near Watsonville to Route ~~2~~ *249* ~~in Santa Clara Valley~~ *near Sharon* via Hecker Pass *and Pacheco Pass*.

*SEC. 5. Section 351 of said code is amended to read:*

351 Route 51 is from Route ~~104~~ *56* near ~~Sebastopol~~ *Valley Ford* to Route 8 near ~~Sears Point~~ *Sonoma* via Santa Rosa.

*SEC. 6 Section 362 of said code is amended to read:*

362. Route 62 is from ~~:~~

~~(a)~~ Route 171 near Buena Park to ~~Route 2 near La Habra.~~

~~(b) Route 26 in West Covina to~~ Route 61 via ~~Pine Flats in~~ San Gabriel Canyon.

*SEC. 7. Section 365 of said code is amended to read:*

365. Route 65 is from:

(a) Auburn to Sonora via Placerville, Diamond Springs, El Dorado, Jackson, San Andreas and Angels.

(b) Route 40 near Moccasin Creek to Route ~~18~~ *125* near ~~Mariposa~~ *Oakhurst*.

*SEC. 8. Section 369 of said code is amended to read:*

369. Route 69 is from:

(a) ~~Route 1 near San Rafael to Point San Quentin.~~

~~(b)~~ San Jose to the Richmond-San Rafael Bridge Toll Plaza *including a connection to Route 5 near Warm Springs*.

*(b) Point San Quentin to Route 56 near Point Reyes Station.*

*SEC. 9. Section 374 of said code is amended to read:*

374. Route 74 is from ~~:~~

~~(a) A point on Route 8 near the Napa Y~~ *Route 6 near Napa* to Route 7 near Cordelia via Vallejo and Benicia including a connection from Vallejo to Route 7 near the Carquinez Bridge.

*SEC. 10. Section 382 of said code is amended to read:*

382. Route 82 is from ~~Etna Mills~~ *Route 20 near Weaverville* to Montague.

*SEC. 11. Section 388 of said code is amended to read:*

388. Route 88 is from:

(a) Route ~~45~~ *15* near ~~Glenn~~ *Colusa* to Route 47 near Hamilton City.

(b) Route 15 near Sycamore to Route 87 near Knights Landing.

*SEC. 12. Section 397 of said code is amended to read:*

397. Route 97 is from Route 4 near Stockton to Route 54 near Waite's Station *including a connection to Route 34 south of Ione.*

*SEC. 13. Section 407 of said code is amended to read:*

407. Route 107 is from:

*(a) Route 56 to a point near Sunol on the highway described in subdivision (b) of this section.*

~~(a)~~ *(b)* Route ~~75~~ *108* near ~~Walnut Creek~~ *Scotts Corners* to Route ~~108~~ *75* near ~~Scotts Corners~~ *Walnut Creek*.

~~(b) A point near Sunol, on the highway described in subdivision (a) of this section, to Route 68 near Palo Alto.~~

~~(c) Route 68 near Redwood City to Route 55 via Woodside.~~

*SEC. 14. Section 408 of said code is amended to read:*

408. Route 108 is from Route 5 near Mission San Jose to Route ~~5~~ *75* near ~~Livermore~~ *Brentwood*.

*SEC. 15. Section 409 of said code is amended to read:*

409. Route 109 is from Route ~~1~~ *238* ~~at Modesto northerly~~ *near Crows Landing* to Route 13 between Salida and Riverbank.

*SEC. 16. Section 410 of said code is amended to read:*

410. Route 110 is from Route ~~5~~ *75* near ~~Tracy~~ *Brentwood* to Route 65 via Modesto, *including a connection to Route 238 southwest of Vernalis.*

*SEC. 17. Section 415 of said code is amended to read:*

415. Route 115 is from *:*

*(a) The intersection of Route 5 and Route 239 near Moorpark Avenue to Route 68 near Story Road.*

*(b)* Route ~~5~~ *68* near San Jose to Mount Hamilton.

*SEC. 18. Section 422 of said code is amended to read:*

422. Route 122 is from Route ~~41~~ *238* ~~at~~ *near* Gustine to Route 4 ~~at~~ *near* Merced ~~via the John C. Fremont Ford Road~~.

*SEC. 19. Section 435 of said code is amended to read:*

435. Route 135 is from *:*

*(a)* ~~Route 10 near Hanford, thence southerly in the vicinity of Corcoran and via Sun Rise City to~~ *T* he junction of Route 33 and Route 139 near Waseo *to Route 10 near Hanford*.

*(b) The Kings County line north of Hanford to Route 4 near Selma.*

*SEC. 20. Section 440 of said code is amended to read:*

Route 140 is from:

(a) Taft to Route 4 near Greenfield.

(b) Route 4 south of Bakersfield to Route 58 ~~via Arvin~~.

*SEC. 21. Section 446 of said code is amended to read:*

~~446~~. Route 146 is from:

(a) ~~County line near Palo Verde~~ *Route 187 east of Brawley* to Route 64 near Blythe.

(b) Route 64 near Blythe to Route 58 near Needles.

(c) Route 58 west of Needles northerly to the Nevada state line.

*SEC 22. Section 453 of said code is amended to read:*

453. Route 153 is from Hueneme to Route 9 near Somis ~~via Oxnard and Camarillo~~.

*SEC. 23. Section 456 of said code is amended to read:*

456. Route 156 is from Route 60 ~~near Topanga Beach~~ *northwest of Santa Monica* to Route ~~9~~ *4* near ~~Chatsworth~~ *Tunnel Station*.

*SEC. 24. Section 460 of said code is amended to read:*

460. Route 160 is from Route ~~2~~ *158 near Inglewood* to Route ~~162~~ *2* in ~~the Hollywood area,~~ Los Angeles.

*SEC. 25. Section 467 of said code is amended to read:*

467. Route 167 is from Route 165 in San Pedro to ~~Huntington Drive~~ *Route 9 in Pasadena* via Long Beach, and including a bridge, with at least four lanes, from San Pedro at or near Boschke Slough to Terminal Island.

*SEC. 26. Section 470 of said code is amended to read:*

470. Route 170 is from Route 60 near Seal Beach to Route ~~26~~ *9* near ~~West Covina~~ *Duarte*.

*SEC. 27. Section 476 of said code is amended to read:*

476. Route 176 is from Route ~~62~~ *174* near ~~La Habra~~ *Norwalk* to Route 43 in Santa Ana Canyon ~~via Brea~~.

*SEC. 28. Section 486 is added to said code, to read:*

*486. Route 186 is from Route 194 to Route 19 near Moreno.*

*SEC. 29. Section 487 of said code is amended to read:*

487. Route 187 is from:

(a) Route 26 near Whitewater to *Route 43 near Lucerne Valley via* Morongo Valley.

(b) Route 26 near Whitewater to Route 64 near *Palm Desert* ~~Indian Wells~~.

(c) Route 26 near Indio via ~~Mecca and~~ the north shore of Salton Sea, to Route 26 near Brawley.

(d) Route 26 near Brawley to Route 27 near Holtville.

(e) Route 27 near Holtville to Route 202 near Bonds Corners.

*SEC. 30. Section 492 of said code is amended to read:*

492. Route 192 is from Route 77 ~~via Euclid Avenue~~ to Route 190 ~~in~~ *near* Upland.

*SEC 31. Section 493 of said code is amended to read:*

493. Route 193 is from Route 43 ~~at~~ *near* Conora ~~northerly~~ to Route ~~19~~ *31 near Devore*.

*SEC. 32. Section 494 of said code is amended to read:*

494. Route 194 is from Route ~~19~~ *78* ~~near Moreno~~ *east of Temecula* to Route ~~78~~ *26* near ~~Aguanga~~ *Beaumont* via *the vicinity of* Hemet.

*SEC. 33 Section 506 of said code is amended to read:*

506. Route 206 is from ~~Route 69, the East Shore Highway,~~ *Route 257 near Emeryville* to Route 75 ~~, via Ashby Avenue including that portion of the San Francisco-Oakland Bay Bridge approaches (on the Alameda County end) not included in Routes 5 and 69~~ *near Lake Temescal*.

*SEC. 24. Section 614 of said code is amended and renumbered to read:*

~~614~~ *510*. Route 210 is from *:*

*(a)* Route 28 near Canby to the Oregon line near ~~Merrill~~ *Hatfield*.

*(b) A point on the highway specified in subdivision (a) of this section near Hatfield to Route 72 near Dorris.*

*SEC. 35. Section 514 is added to said code, to read:*

*514. Route 214 is from Route 239 near Woodside to Route 68 at the Harbor Boulevard Interchange in Redwood City.*

*SEC. 36 Section 521 of said code is amended to read:*

521. Route 221 is from *Route 60 northwest of* the Los Angeles International Airport to ~~a point on Route 165, the Harbor Freeway, between Santa Barbara Avenue and Florence Avenue~~ *Route 170*.

*SEC. 37. Section 528 of said code is amended to read:*

528. Route 228 is ~~a connection between Route 5 and Route 69~~ *from Route 258* near San Lorenzo *to Route 5 near Hayward*.

*SEC. 38. Section 529 of said code is amended to read:*

529. Route 229 is ~~a connection between Route 68 and Route 2~~ *from Route 56 near Pacifica to Route 68* near San Bruno.

*SEC. 39. Section 553 of said code is amended and renumbered to read:*

~~553.~~ *535*. Route 235 is from:

(a) A connection with Route 69 near 42d Avenue to a connection with Route 5 near High Street in Oakland.

(b) From Route ~~227 near the intersection of Park Boulevard, Oakland.~~ *5 in Oakland* to Route 75 near Lafayette.

*(c) From Route 75 near Lafayette to Route 75, described in Section 375(a), near Concord.*

*SEC. 40. Section 557 of said code is amended and renumbered to read:*

~~557~~ *537*. Route 237 is ~~Junipero Serra Boulevard as it exists and as it was constructed by Joint Highway District No. 10 from its junction with State Highway Route No. 56 in Daly City, to the present terminus of said highway in the City of San Bruno.~~

~~Upon the effective date of this section, the Joint Highway District No. 10 shall be dissolved in accordance with the provisions of Chapter 20 of Part 1 of Division 16 of the Streets and Highways Code, and all property, assets, and liabilities of said district shall become the property of the State.~~ *from Route 239 near San Bruno to Route 68 near Millbrae.*

SEC. 41. Section 588 is added to said code, to read:

588. Route 288 is from Route 3 to Route 249 near Fair Oaks.

SEC. 42. Section 543.1 is added to said code, to read:

543.1. Route 243 is from Route 89 south of Kelseyville to Route 49 near Lower Lake.

SEC. 43. Section 544 is added to said code, to read:

544. Route 244 is from Route 7 near Vacaville to Route 6 near Berryessa Reservoir.

SEC. 44. Section 545 is added to said code, to read:

545. Route 245 is from Route 232 near Catlett to Route 87 near Tudor.

SEC. 45. Section 546 is added to said code, to read:

546. Route 246 is from Route 238 near Elkhorn to Route 17 near Auburn.

SEC. 46. Section 547.1 is added to said code, to read:

547.1. Route 247 is from Route 4 near Elk Grove to Route 246 near Antelope.

SEC. 47. Section 548 is added to said code, to read:

548. Route 248 is from Route 238 near Sacramento to Route 247 south of Route 54.

SEC. 48 Section 549 is added to said code, to read:

549 Route 249 is from Route 10 near Exeter to Route 17 near Roseville on a route along the easterly side of the San Joaquin Valley to be selected by the California Highway Commission, which route may include all or portions of any existing state highway route or routes.

SEC 49. Section 550 is added to said code, to read:

550. Route 250 is from Route 104 near Forestville to Route 1.

SEC. 50. Section 551 is added to said code, to read:

551. Route 251 is from Route 1 near Greenbrae to Route 69 near Point San Quentin.

SEC. 51. Section 552 is added to said code, to read:

552. Route 252 is from Route 69 near Nicasio to Route 1 near Novato.

SEC. 52. Section 553.1 is added to said code, to read:

553.1. Route 253 is from:

(a) Route 68 near the south city limits of San Francisco to Route 224 near the San Francisco-Oakland Bay Bridge.

(b) Route 68 near Alemany Boulevard to the route described in subdivision (a) of this section.

SEC. 53. Section 554 is added to said code, to read:

554. Route 254 is from:

(a) Route 235 to Route 75 near Orinda.

(b) Route 75 near Orinda to Route 69 in Richmond via San Pablo.

SEC. 54 Section 555 is added to said code, to read:

555. Route 255 is from Route 235 near Burton to Route 107 near Alamo.

SEC. 55. Section 556.1 is added to said code, to read:

556.1. Route 256 is from Route 75 near Walnut Creek to Route 75 near Pittsburg.

SEC. 56. Section 557.1 is added to said code, to read:

557.1. Route 257 is from Route 69 near West Grand Avenue in Oakland to Route 69 near Albany.

SEC. 57. Section 558.1 is added to said code, to read:

558.1. Route 258 is from:

(a) Route 107 near Newark to Route 226 near San Leandro.

(b) Route 226 near the Oakland International Airport to Route 5.

SEC. 58. Section 559.1 is added said code, to read:

559.1. Route 259 is a connection between Route 105 and Route 5 near Castro Valley.

SEC. 59. Section 560.1 is added to said code, to read:

560.1. Route 260 is from Route 238 to Route 4 north of the Calaveras River.

SEC. 60. Section 561 is added to said code, to read:

561. Route 261 is from Route 238 near French Camp to Route 4.

SEC. 61. Section 562 is added to said code, to read:

562. Route 262 is from Asilomar Beach State Park to Route 56.

SEC. 62. Section 563 is added to said code, to read:

563. Route 263 is from Route 119 near Paicines to Route 41 near Mendota.

SEC. 63. Section 564 is added to said code, to read:

564. Route 264 is from Route 238 to Route 4 south of Greenfield.

SEC. 64. Section 565 is added to said code, to read:

565. Route 265 is from Route 60 near Malibu Beach to Route 4 south of San Fernando.

SEC. 65. Section 566 is added to said code, to read:

566. Route 266 is from Route 9 near Sunland to Route 58, including a connection to Route 61 north of La Canada.

SEC. 66. Section 567 is added to said code, to read:

567. Route 267 is from Route 59 to Route 266 near the San Bernardino county line.

SEC. 67. Section 568 is added to said code, to read:

568. Route 268 is from Route 59 to Route 43.

SEC. 68. Section 569 is added to said code, to read:

569. Route 269 is from Route 61 to Route 23 south of Palmdale.

SEC. 69. Section 570 is added to said code, to read:

570. Route 270 is from Terminal Island to Route 173.

SEC. 70. Section 571 is added to said code, to read:

571. Route 271 is a connection between Route 170 and Route 168 near Pico Rivera.

SEC. 71. Section 572 is added to said code, to read:

572. Route 272 is from Route 19 near City of Industry to Route 26 near Pomona.

SEC. 72. Section 573 is added to said code, to read:

573. Route 273 is from Route 60 near Huntington Beach to Route 179 near Santa Ana.

SEC. 73. Section 574 is added to said code, to read:

574. Route 274 is from Route 77 near Chino to Route 190 near Upland.

SEC. 74. Section 575 is added to said code, to read:

575. Route 275 is from Route 26 to Route 190 near Mountain View Avenue.

SEC. 75. Section 576 is added to said code, to read:

576. Route 276 is from Route 78 east of Riverside to Route 193 south of Devore.

SEC. 76. Section 577 is added to said code, to read:

577. Route 277 is from Route 78 east of Temecula to Route 64 east of Anza.

SEC. 77. Section 578 is added to said code, to read:

578. Route 278 is from Route 2 north of La Jolla to Route 198.

SEC. 78. Section 579 is added to said code, to read:

579. Route 279 is from Route 2 east of La Jolla to Route 198 near Santee.

SEC. 79. Section 580 is added to said code, to read:

580. Route 280 is from Route 2 near Sweetwater River to Route 12 near El Cajon.

SEC. 80. Section 581 is added to said code, to read:

581. Route 281 is from Route 2 near the south end of San Diego Bay to east of United States Naval Auxiliary Air Station, Brown Field.

SEC. 81. Section 582 is added to said code, to read:

582. Route 282 is from:

(a) Route 281 near United States Naval Auxiliary Air Station, Brown Field, to Route 198 near La Mesa.

(b) Route 198 near La Mesa to Route 277.

SEC. 82. Section 583 is added to said code, to read:

583. Route 283 is from:

(a) Route 241 near the north city limits of National City to Route 2.

(b) Route 2 to Route 77 near United States Naval Air Station, Miramar.

SEC. 83. Section 584 is added to said code, to read:

584. Route 284 is from Route 2 to Route 241 via Switzer Canyon.

SEC. 84. Section 585 is added to said code, to read:

585. Route 285 is from Route 241 south of Route 200 to Route 282 near Sweetwater Reservoir.

SEC. 85. Section 586 is added to said code, to read:

586. Route 286 is from Sunset Cliffs Boulevard near Mission Bay southeasterly to Route 2.

SEC. 86. Section 587 is added to said code, to read:

587. Route 287 is from Route 5 to Route 56 via Ocean Street, Second Street and *Chestnut* Street in Santa Cruz.

SEC. 87. It is the purpose of the Legislature in extending lengths of routes presently in the State Highway System and in adding routes to the State Highway System in this act that additional mileage be incorporated into the State Highway System in order that said mileage may become a part of the California Freeway *and Expressway* System. There shall be no expenditures made on the extensions of state highways added by this act or on any state highways added by this act other than planning, design, maintenance, right-of-way acquisition and right-of-way clearance until the 1963-64 Fiscal Year."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1487**—An act to add Section 9561 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Section 10857 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Assembly on March 25, 1959, after "dealer", insert "if the vehicle registration fee is paid within 10 days of taking possession and if a transfer of registration to the legal owner or licensed dealer is applied for during that time".

**Amendment No. 2**

On page 1, line 14, after "dealer", insert "if the license fee is paid within 10 days of taking possession and if a transfer of registration to the legal owner or licensed dealer is applied for during that time".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1334**—An act to amend Section 640 of the Vehicle Code and to amend Section 25260 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the display of red lights on sanitation district vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 640 of the Vehicle Code and to amend"; and strike out all of line 2; and on line 3 strike out "Bill No. 5", and insert "add Section 25265 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 2**

In line 3 of the title, strike out "red".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 25265 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read:

25265. Repair vehicles of county sanitation districts necessarily parked other than adjacent to the curb in a highway for purposes of repairing sanitation district facilities, may be equipped with amber lights displayed to the front, sides and rear, but these lights shall not be lighted when headlamps are lighted."

**Amendment No. 4**

On page 1, strike out lines 2 through 19, inclusive; and on page 2, strike out lines 1 through 32, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 124**—An act to add Section 22511.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to parking privileges for disabled persons.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1132**—An act to amend Section 14820 of the Health and Safety Code, relating to annexations to fire protection districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1738**—An act to amend Section 25536 of the Government Code, relating to leasing of county real property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1742**—An act to amend Section 1750 of, and to add Section 1778 to, the Government Code, relating to resignations and vacancies of public employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1743**—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1744**—An act to amend Sections 9168, 9169, 9201, and 9211 of the Public Resources Code, relating to soil conservation districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1167**—An act to amend Section 37208 of the Government Code, relating to city budgetary procedure.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1601**—An act to add Section 27206 to the Government Code, relating to federal tax liens.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1133**—An act to amend Section 35305 of the Government Code, relating to the annexation of uninhabited territory to cities.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1146**—An act to add Section 228 to the Labor Code, relating to jury duty.

NOTE—On April 14, 1959, the record was expunged, and the action rescinded whereby Assembly Bill No. 1146 was this day read the second time. *See* page 2387.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, and to amend Section 23010.1 of the Government Code and Section 4050 of the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 9, 1959, strike out the first "Section", and insert "Sections".

**Amendment No. 2**

In line 3 of the title, after "23010.1", insert "and 38611".

**Amendment No. 3**

On page 3, between lines 7 and 8, insert

"Upon inclusion within an active authority of lands declared, pursuant to Article 1 (commencing at Section 4000), Chapter 1, Division 4 of the Public Resources Code, to be the responsibility of the State for fire protection, the fire protection responsibility for timbered brush and grass lands shall remain with the State."

**Amendment No. 4**

On page 10, line 10, after "13880," insert "the same standards shall be used in determining".

**Amendment No. 5**

On page 10, line 11, strike out ", shall in each instance,"; strike out lines 12 to 15, inclusive, and insert "as are used to determine the compensation of employees of the county in which the authority is situated."

**Amendment No. 6**

On page 11, line 24, strike out "having", and insert "with a population in excess of four million persons which has".

**Amendment No. 7**

On page 17, line 7, after "by", insert "a four-fifths vote of".

**Amendment No. 8**

On page 18, line 11, strike out "two-thirds", and insert "majority".

**Amendment No. 9**

On page 18, line 18, strike out "two-thirds", and insert "majority".

**Amendment No. 10**

On page 18, lines 26 and 27, strike out "two-thirds", and insert "majority".

**Amendment No. 11**

On page 18, line 35, strike out "two-thirds", and insert "majority".

**Amendment No. 12**

On page 20, between lines 2 and 3, insert

"SEC. 3. Section 38611 of said code is amended to read:

38611. The legislative body of a city organized under general law shall establish a fire department for the city. The fire department shall be under the charge of a chief who shall have had previous training and experience as a fireman. The other members of the fire department shall consist of paid firemen or such companies of volunteer firemen as the legislative body may determine. The city legislative body *shall fix and pay the compensation of the chief and other paid firemen.*

Notwithstanding the provisions of this section, and of subdivision (e) of Section 36501, no general law city shall be required to appoint or elect a fire chief or establish a fire department if such city is included within the boundaries of an established fire protection district *or an active metropolitan fire protection authority.*"

**Amendment No. 13**

On page 20, line 3, strike out "3", and insert "4".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1747**—An act to amend Section 9006 of the Welfare and Institutions Code, relating to community mental health services.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, in line 9, after the word "be", insert "a superior court judge or".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1746**—An act to amend Sections 1162 and 1169 of, and to add Sections 1173.5 and 1178.5 to, the Streets and Highways Code, relating to permanent road divisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "tions 1173.5 and", and insert "tion".

**Amendment No. 2**

On page 2, line 18, strike out "or", and insert "and".

**Amendment No. 3**

On page 2, strike out all of lines 21 to 28, inclusive

**Amendment No. 4**

On page 2, line 29, strike out "4", and insert "3".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 6, line 14, of the printed bill, after the second "of", insert "three or".

**Amendment No. 2**

On page 6, line 15, after "members", insert "to be".

**Amendment No. 3**

On page 6, line 19, strike out "the three", and insert "the terms of the first elected board of directors shall be determined as follows:

(a) If the petition or resolution proposing the formation of a district specifies a board of directors composed of three members the nominee receiving the highest vote shall be considered as having been elected for a three-year term and the nominees receiving the second and third largest number of votes shall be considered as having been elected for terms of two years and one year respectively.

(b) If the petition or resolution proposing the formation of a district specifies a board of directors composed of five members the two nominees receiving the largest and second largest number of votes shall be considered as having been elected for three-year terms, the two nominees receiving the third and fourth largest number of votes shall be considered as having been elected for two-year terms, and the nominee receiving the fifth largest number of votes shall be considered as having been elected for a one-year term.

14052.1. Subsequent to the formation of a district with a board of directors consisting of three elected members or the consolidation of two or more districts, if, by petition of 50 or more electors or by unanimous resolution of the district board, it is proposed to increase the number of directors from three to five, the district board shall, upon receipt of such petition or upon adoption of such resolution, call a special election on the proposition of such change, such election to be held concurrently with the next general district election. If a majority of the votes cast are in favor of the proposition, the board of supervisors shall, at their next meeting, appoint two new directors, one of whom shall serve for a three-year term and the other for a two-year term."

**Amendment No. 4**

On page 6, strike out lines 20 to 25, inclusive.

**Amendment No. 5**

On page 6, strike out lines 30 to 43, inclusive, and insert

"14054. The terms of office of the first elected members of the district board, or of a consolidated district board, shall run until the third Tuesday of April of the first, second and third years next succeeding their election, except that if the first district board or a consolidated district board is elected within less than six months before the first Tuesday of April their terms shall run until the third Tuesday of April of the second, third and fourth years next succeeding their election. The directors shall hold office until their successors shall be elected or appointed and qualified.

14055. On the first Tuesday of April of the year next succeeding the first election or if the first district board or consolidated district board is elected within less than six months before the first Tuesday of April, then on the first Tuesday of April of the second year succeeding the first election, and on the first Tuesday of April of every year thereafter, an election shall be held for the election of the required number of members of the district board who shall take office on the third Tuesday in the same month and shall hold office for the term of three years, or until their successors are elected or appointed and qualified."

**Amendment No. 6**

On page 8 of the printed bill, between line 20 and 21, insert

"(i) To acquire and construct facilities for the development, transmission, storage, and distribution of water where necessary or convenient for the purpose of providing fire protection."

**Amendment No. 7**

On page 10, between lines 4 and 5, insert

"14110.1. Notwithstanding the provisions of Section 14110 the district board may by ordinance adopt a fire prevention code by reference in the same manner as legislative bodies of local agencies are authorized to adopt primary and secondary codes by reference pursuant to Sections 50022.1 to 50022.8, inclusive, of the Government Code, and for the purposes of such sections of the Government Code the district board shall be deemed a legislative body and the district shall be deemed a local agency.

No penalty clauses or sanctions contained in any fire prevention code adopted by reference pursuant to this section shall be effective.

Every person who violates any provision of an ordinance adopted pursuant to this section or of a fire prevention code adopted by reference in such ordinance is guilty of a misdemeanor.

14110.2. The district board may provide by ordinance for the issuance of citations for violations of district ordinances in the same manner as a county, city, or city and county is authorized to so provide by Chapter 5b (commencing at Section 853.1), Title 3, Part 2 of the Penal Code."

**Amendment No. 8**

On page 10, strike out lines 42 to 49, inclusive, and insert

"14117. The district board may authorize the use of the apparatus, equipment, and fire-fighting force of the district for the purpose of extinguishing any fire occurring outside the territory of the district, upon such terms and conditions as the district board may prescribe."

**Amendment No. 9**

On page 14, strike out lines 4 to 52, inclusive, and on page 15, strike out lines 1 to 36, inclusive, and insert

"14166. Whenever the district board deems it necessary for the district to incur a general obligation bonded indebtedness for (a) the acquisition, construction, completion, or repair of any or all improvements, works, or property mentioned in this chapter, or (b) the funding or refunding of any outstanding indebtedness of the district, including premiums, if any be payable, the district board shall, by resolution, so declare and call an election to be held in the district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district.

14167 The resolution shall state:

(a) The purpose for which the proposed debt is to be incurred, which may include expenses of the proceedings for the authorization, issuance, and sale of the bonds

(b) The amount of debt to be incurred.

(c) The maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 30 years.

(d) The maximum rate of interest to be paid, which shall not exceed 6 percent per annum, payable semiannually, except that interest for the first year may be payable at the end of the year.

(e) The measure to be submitted to the voters.

(f) The date upon which an election shall be held for the purpose of authorizing the bonded indebtedness to be incurred.

(g) The designation of the precincts, the location of the polling places, and the names of the officers selected to conduct the election.

14168. Notice of the holding of the election shall be given by publishing the resolution calling the election pursuant to Section 6066 of the Government Code in at least one newspaper published in the district. The first publication shall be at least two weeks prior to the date of the election. If there is no newspaper published in the district, the resolution shall be posted in three public places in the district not less than two weeks prior to the date of the election. No other notice of the election need be given

14169. At the election any qualified and registered elector residing within the district may vote The returns of the election shall be made, the votes canvassed, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code governing elections in general law cities, except as in this chapter otherwise provided

14170 No irregularities or informalities in conducting the election shall invalidate the election, if the election shall have been otherwise fairly conducted

14171. If from the returns it appears that more than two-thirds of the votes cast upon the measure were in favor of and assented to the incurring of the general obligation bonded indebtedness, then the district board may, by resolution, at such time or times as it deems proper, issue bonds of the district for the whole or any part of the amount of the indebtedness so authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of the bonds authorized shall have been issued.

14172 The full amount of bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed 30 years from the date of each series, respectively

14173. The district board shall, by resolution, prescribe the form of the bonds and the form of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five years from the date of the bonds or the date of the bonds of each series, respectively.

14174 The bonds shall bear interest at a rate, or rates, not to exceed six percent per annum, payable semiannually, except that interest for the first year may be payable at the end of the year.

14175. The district board may also provide for the call and redemption of bonds prior to maturity at such time and prices and upon such other terms as it may specify A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon

14176 The denomination of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one hundred dollars ($100)

14177 The principal and interest shall be payable in lawful money of the United States at the office of the county treasurer or at such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

14178 The bonds shall be dated, numbered consecutively, and be signed by the presiding officer of the district and the county treasurer. The interest coupons of such bonds shall be signed by the county treasurer of said district All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures on said bonds shall be manually affixed

If any officer whose signature appears on any bonds or coupons ceases to be an officer before the delivery of the bonds to the purchaser, the signature either on the bonds or the coupons, or on both, is nevertheless valid and sufficient for all purposes the same as if the officer had remained in office until the delivery of the bonds, and the signature upon the coupons of the person who is county treasurer at the date of the bonds is valid although the bonds themselves may be attested by a different person who is county treasurer at the time of delivery of the bonds.

14179. Before selling the bonds or any part thereof the board shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible

bidder. If no bids are received or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

14180. All premiums and accrued interest received shall be deposited with the county treasurer in a special bond service fund to be used for the payment of principal of and interest on the bonds, and the remainder of the proceeds of the bonds shall be placed to the credit of the proper improvement fund and applied exclusively to the purpose and object recited in the proposition; provided, however, that when the purpose and object have been accomplished any moneys remaining in the improvement fund shall be transferred to the special bond service fund. When the purpose and object have been accomplished and all principal and interest on the bonds have been paid, any balance of money then remaining shall be transferred to the general fund of the district.

14181. Any general obligation bonds issued by a district are hereby given the same force, value, and use as bonds issued by any city and the bonds and the interest thereon shall be exempt from all taxation within the State of California.

14182. The district shall not incur a bonded indebtedness exceeding 10 percent of the assessed value of all the taxable property in the district.

14183. After the incurring of any general obligation indebtedness, whether evidenced by bonds, notes, or other similar evidences of indebtedness, and annually thereafter until such indebtedness is paid or until there is a sum in the county treasury in a special bond service fund set apart for that purpose sufficient to meet all payments of principal of and interest on such indebtedness as it becomes due, the district board shall cause a tax to be levied, as herein provided, sufficient to pay such interest and principal as will become due before the proceeds of a tax levied at the next general tax levy will be available. The tax shall be in addition to all other taxes levied for the district and shall be collected in the same manner and at the same time as county taxes."

**Amendment No. 10**

On page 15, line 37, strike out "14175", and insert "14184".

**Amendment No. 11**

On page 15, line 42, strike out "14176", and insert "14185".

**Amendment No. 12**

On page 18, after line 32, insert

"14221. Territory excluded or withdrawn from the district shall continue to be subject to taxation for the payment of the principal of and interest on any indebtedness, whether evidenced by bonds, notes, or other similar evidences of indebtedness and for all other obligations of the district outstanding at the time of adoption by the district board of the order ordering withdrawal or exclusion as fully as though the territory had not been withdrawn or excluded; and for the purpose of discharging the indebtedness and interest thereon and other obligations, the territory shall be considered a part of the district the same as though not withdrawn or excluded, and all provisions which could have been used to compel the payment by the withdrawn or excluded territory of its portion of the indebtedness and interest thereon and other obligations had the withdrawal or exclusion not occurred can be used to compel the payment on the part of the withdrawn or excluded territory of the portion for which it is liable."

**Amendment No. 13**

On page 19, after line 2, insert

"14255. Upon the dissolution of the district all the funds of the district remaining on hand shall be divided between any city and county in the proportion that the total assessed value of the real property of the territory of the district in the city and without the city bears to the total assessed value of the real property within the district prior to dissolution, as determined by the last equalized assessment roll of the county or counties.

14526. Upon dissolution of a district, the territory of the district shall continue to be subject to taxation for the payment of the principal of and interest on any indebtedness, whether evidenced by bonds, notes, or other similar evidences of indebtedness and for all other obligations of the district outstanding at the time of adoption of the order ordering dissolution as fully as though the district has not been dissolved; and all provisions which could have been used to compel the payment by the territory of the district of said indebtedness and interest thereon and other obligations had the dissolution not occurred can be used to compel the payment on the part of the territory of the dissolved district."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 923**—An act to amend Sections 35120 and 35121 of the Government Code, relating to annexation procedure.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, between lines 11 and 12, insert "The city shall provide forms of protest petitions and the affidavit required by this section to owners of property within the territory."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1545**—An act to amend Section 194 of the Streets and Highways Code and Section 11005 of the Revenue and Taxation Code, relating to municipal population determinations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 194", and insert "Sections 194, 194.1 and 194.2".

**Amendment No. 2**

On page 2, line 7, after "SEC. 2.", insert "Section 194.1 of said code is amended to read:

194.1. Any city or city and county whose population has been increased substantially since the last federal census may apply to the United States Bureau of Census to determine the increase in population. Upon receipt from the bureau of its determination of population, the city or city and county shall file a certified copy of the determination with the department and the Controller.

All allocations under Section 194 and all payments under Section 11005 of the Revenue and Taxation Code for any allocation subsequent to the filing of the determination shall be based upon the population so determined. The respective departments in making the computations required by these sections shall add to the total population of all cities and cities and counties all increases of population shown by the determination over the population of the last federal census. For the purposes of this paragraph, a written or telegraphic certification from the Director of the Census to the department and the Controller of the determination of population may be accepted by the department and the Controller in lieu of the filing by the city or city and county of the certified copy of the determination.

The cost of any investigation by the United States Bureau of Census is a proper charge against the city or city and county applying therefor and shall be paid by it to the bureau

*After January 1, 1960, no city or city and county may apply to the United States Bureau of Census to determine the increase in population more than twice in a period between decennial censuses.*

This section does not apply to counties.

SEC. 3. Section 194.2 of said code is amended to read:

194.2. On and after July 1, 1958, any city or city and county whose population has been increased substantially since the last federal census may apply to the Department of Finance to estimate the increase in population. The department may make the estimate if in the opinion of the department there is available adequate information upon which to base the estimate. Upon completion of the estimate, the Department of Finance shall file a certified copy thereof with the department and the Controller.

All allocations under Section 194 and all payments under Section 11005 of the Revenue and Taxation Code for any allocation subsequent to the filing of the estimate shall be based upon the population so estimated if the increase in population is 5 percent or more of the population as determined by the last federal census. The respective departments, in making the computations required by these sections, shall add to the total population of all cities and cities and counties all increases of population shown by the estimate.

The Department of Finance may assess a reasonable charge, not to exceed the actual cost thereof, for the preparation of population estimates pursuant to this section, which is a proper charge against the city or city and county applying therefor. The amount received shall be deposited in the State Treasury as a reimbursement to be credited to the appropriation from which the expenditure is made.

~~After January 1, 1960, no city or city and county may apply to the United States Bureau of Census to determine the increase in population more than twice in a period between decennial censuses.~~

*No population estimates shall be made between April 1, 1960 and the release of the 1960 federal census figures by the United States Bureau of Census. Subsequent to the release of the 1960 federal census figures, population estimates conducted pursuant to this section shall not be applied for more frequently than once in every calendar year.*

*The 5 percent limitation contained in the second paragraph of this section shall not apply to estimates made subsequent to the 1960 federal census.*

This section does not apply to counties.

SEC. 4."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1161**—An act to add Section 65805 to the Government Code, relating to city zoning ordinances.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "may", insert "at any time after the commencement of annexation proceedings".

**Amendment No. 2**

On page 1, strike out lines 8 to 15, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1353**—An act to amend Sections 1176 and 1178 of, and to add Sections 1177.5 and 1177.6 to, the Military and Veterans Code, relating to veterans' memorial districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1447**—An act to amend Sections 58853, 58854, 58857, 58859 and 58860 of the Government Code, relating to change of boundaries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, between lines 9 and 10, insert "This chapter does not apply to proposals concerning special assessment districts formed for the purpose of providing various municipal and county improvements."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 619**—An act to add Section 11550.5 to the Business and Professions Code, relating to the charging of fees in connection with the filing of tentative subdivision maps

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "one dollar ($1)", and insert "two dollars ($2)".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1800**—An act to amend Section 255 of the Revenue and Taxation Code, relating to exemption from property taxation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1799**—An act to add Section 6394 to the Revenue and Taxation Code, relating to sales tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6394", and insert "6375".

**Amendment No. 2**

In line 2 of the title, strike out "tax", and insert "and use taxes".

**Amendment No. 3**

On page 1, line 1, strike out "6394", and insert "6375".

**Amendment No. 4**

On page 1, strike out lines 3 to 10, inclusive, and insert

"6375. There are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use, or other consumption in this State of, tangible personal property made, prepared, assembled or manufactured by organizations formed and operated for charitable purposes qualifying for the exemption provided by Section 214 of the Revenue and Taxation Code known as the "welfare exemption," which are engaged in the relief of poverty and distress, and make the sales as a matter of assistance to the purchasers."

Bill ordered reprinted, and engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 12**—An act to amend Section 19485 1 of the Business and Professions Code, relating to horseracing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 17, insert

"The provisions of this section shall not apply to licensees conducting horseracing meetings at the California State Fair and Exposition or at district or county fairs."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 825**—An act to add Section 17214.3 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on March 9, 1959, after line 9, insert

"No exemption shall be allowed pursuant to this section in the case (a) of any person who claims a personal exemption as a married individual or as the head of a household by virtue of his marriage to the recipient of aid or the inclusion of the latter as a member of his household, or (b) of any person who claims the recipient of aid as his dependent for the purpose of the dependency exemption "

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1380**—An act to add Section 8655 to the Revenue and Taxation Code, relating to exemption from the use fuel tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "act", insert "to amend Section 8101 of, and".

**Amendment No. 2**

In line 1 of the title, after "8655 to", insert a comma.

**Amendment No. 3**

On page 1, line 4, after "vehicle", insert "or other equipment".

**Amendment No. 4**

On page 1, line 6, after "operated", insert "and used exclusively".

**Amendment No. 5**

On page 1, line 7, after "agency", insert "in responding to emergency fire calls and in combating fires"

**Amendment No. 6**

On page 1, after line 7, insert

"SEC. 2. Section 8101 of said code is amended to read:

8101. The following persons who have paid a license tax for motor vehicle fuel, either directly or to the vendor from whom it was purchased, or indirectly by the adding of the amount of the tax to the price of the fuel, shall be reimbursed and repaid the amount of the tax:

(a) Any person who buys and uses the motor vehicle fuel for purposes other than in motor vehicles operated upon the public highways of the State

(b) Any person who exports the motor vehicle fuel for use outside of this State. Motor vehicle fuel carried from this State in the fuel tank of a motor vehicle is not deemed to be exported from this State unless the motor vehicle fuel becomes subject to tax as an "import" under the laws of the destination state.

(c) Any employee of the United States who buys the motor vehicle fuel and uses it exclusively in the transportation of rural free delivery mail and special delivery mail.

(d) Any person who sells the motor vehicle fuel to the Armed Forces of the United States for use in ships or aircraft or for use outside this State, under circumstances that would have entitled him to an exemption from the payment of the license tax under Section 7401 had he been the distributor of this fuel

*(e) Any county, city and county, city, district or other political subdivision or public agency of this State who buys the motor vehicle fuel for use in any motor vehicle or other equipment owned by it when operated and used exclusively by a fire company or department of such political subdivision or public agency in responding to emergency fire calls and in combating fires"*

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 167**—An act to amend Sections 25663 and 25663a of the Revenue and Taxation Code, relating to bank and corporation taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 25663 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 25663a of the Revenue and Taxation Code is amended to read:".

**Amendment No. 3**

On page 2, line 1, strike out "three", and insert "four".

**Amendment No. 4**

On page 2, after line 4, insert

"The amendment of this section made at the 1959 Regular Session of the Legislature does not constitute a change in, but is declaratory of, the pre-existing law."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1544**—An act to amend Section 36522 of the Government Code, relating to monthly financial reports in general law cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "as the case may be", and insert "if that office has been established by ordinance".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1546**—An act to amend Sections 36936.1, 51508 and 51511 of the Government Code, relating to city ordinances and resolutions fixing the amount of revenue to be raised by taxation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 5 of the printed bill, after "rate", insert "or the amount of revenue required to be raised by taxation".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1243**—An act to add Section 35005.1 to the Government Code, relating to firemen.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "35005.1", and insert "53292".

**Amendment No. 2**

On page 1, line 1, strike out "35005.1", and insert "53292".

**Amendment No. 3**

On page 1, strike out lines 3 to 12, inclusive, and insert

"53292. Whenever a fire protection district or city fire department is dissolved or the area it serves is decreased by reason of a consolidation, merger, incorporation or annexation, and the fire protection district or city fire department taking over the duties of the dissolved or decreased district or department decides to hire additional firemen, it shall give first choice for the positions to be filled to firemen employed by the dissolved or decreased district or department. As nearly as possible such employees who are hired shall be given positions with a rank comparable to that which they held in the dissolved or decreased district or department. No employee shall be hired who is over the mandatory retirement age of the fire protection district or city fire department which is taking over the duties of the dissolved or decreased district or department."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1827**—An act to amend Section 2615.5 and 2910.7 of the Revenue and Taxation Code, relating to the payment of property taxes, including the tax bills and tax receipts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, strike out "in lieu of the foregoing", and insert ", if said person other than the assessee so consents".

**Amendment No. 2**

On page 2, line 6, strike out "enevelope", and insert "envelope"

**Amendment No. 3**

On page 2, line 10, after the period insert "The duplicate copy of the tax bill shall state "Information copy only—do not pay." "

**Amendment No. 4**

On page 2, line 34, strike out "in lieu of the foregoing", and insert ", if said person other than the assessee so consents".

**Amendment No. 5**

On page 2, line 41, after the period, insert "The duplicate copy of the tax bill shall state "Information copy only—do not pay." "

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1572**—An act to amend Section 6404.2, relating to orders of the Division of Industrial Safety on pressure vessels.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out '6404.2," and insert '26458 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session,".

**Amendment No. 2**

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 26458 is added to the Vehicle Code, to read:

26458 No order or regulation of the Division of Industrial Safety shall be applicable to airbrake tanks of an unfired pressure vessel type, used in connection with motor vehicles if such vessels meet the requirements of the standards of the Society of Automotive Engineers."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 1759**—An act to amend Section 2226 of the Welfare and Institutions Code, relating to liens for county hospital care.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1768**—An act to amend Section 2180.5 of the Welfare and Institutions Code, relating to the determination of eligibility for old age assistance

Bill read second time, and ordered to third reading.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 33**—An act to add Article 5 (commencing with Section 12050) to Chapter 1, Part 2, Division 3, Title 2 of, the Government Code, relating to the protection of consumer interests.

Bill read second time, and ordered to third reading.

**Senate Bill No. 83**—An act to amend Section 12 of Chapter 1971 of the Statutes of 1957 and to amend Section 325 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered to third reading.

**Senate Bill No. 505**—An act to amend Sections 21460 and 21803 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to highway signs and markings.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

#### Amendment No. 1

On page 2, line 50, of the printed bill, as amended in the Senate on March 11, 1959, after "white", insert "or yellow".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 373**—An act to amend Section 26907 of the Government Code, relating to the destruction of auditors' records.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 375**—An act to amend Sections 29010, 29011, 29041 and 29061 of the Government Code, relating to county budget and tax levy procedures.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 645**—An act to add Sections 14.5 and 14.6 to Chapter 523 of the Statutes of 1867-1868, relating to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 30, 1868.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on March 20, 1959, after line 18, insert

"Whenever the board of supervisors abandons any street, road, lane, or alley, as provided in this section, the owner of any town lot or parcel of land abutting thereon may at any time thereafter present to the Superior Court Judge of the county a verified petition requesting the conveyance in fee to such owner of the portion thereof abutting on his lot and to the center line of such street, road, lane, or alley. The petition shall concisely state the fact of abandonment, that the claimant is in possession of the abandoned portion, and that the claimant is entitled to possession thereof as against all other persons, to the best of his knowledge and belief There

shall be attached to the petition a copy of so much of the plat of the town site as will fully exhibit the particular lot or parcel of land owned by the claimant, together with the abuttals for which a deed is requested. The petition may include more than one request for such a deed if the claimant owns more than one lot or parcel of land to which this section applies The petition shall be delivered to the clerk of the court

At the expiration of 90 days after the delivery of the petition, if there shall have been no adverse claim filed in the meantime, the said judge shall make, execute, acknowledge and deliver to the claimant, or to his, her, or their heirs, administrators, or assigns, a good and sufficient deed of the premises described in the petition of the claimant originally filed. Upon the recording of such deed the lands so conveyed by it shall be deemed to be a portion of the lot or parcel of land upon which they abut Any subsequent conveyance of the lot or parcel of land shall constitute a conveyance of such abuttals unless they are expressly excluded in the instrument of conveyance

Nothing in this section shall be construed as preventing the owner of a lot or parcel of land from commencing and prosecuting to final judgment an action to quiet title in such owner to that portion of an abandoned street, road, lane, or alley abutting thereon."

Bill ordered reprinted, and to the Consent Calendar.

**Senate Bill No. 242**—An act to amend Section 4655.2 of the Revenue and Taxation Code, relating to the distribution of unsecured taxes.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 885

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 602

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 570

With the recommendation: Do pass.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 10, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 680
Assembly Bill No. 681

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee or Ways and Means:

**Assembly Bill No. 1256,** subsequent to engrossment.

**Senate Bill No. 514.**

**Assembly Bill No. 702.**

### REMARKS ON CONDITION OF FILE

Mr. Collier spoke on the condition of the file.

### ASSEMBLY BILL NO. 1728 PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 1728,** on motion of Mr. Collier.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### MOTION TO RECONSIDER SENATE BILL NO. 232 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Senate Bill No. 232 be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Joint Resolution No. 14**—Relative to civil defense.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 14?

**Amendment No. 1**

On page 1 of the printed measure, strike out lines 1 through 18, inclusive, and insert

"WHEREAS, The development of new methods of warfare has subjected the civilian population of the United States to increasing risks in the event of an attack on this Country; and

WHEREAS, With weapons now available an enemy nation could launch an attack on virtually any sector of the United States; and

WHEREAS, The protection and orderly relief of the civilian population in event of attack has thus become a problem that cannot be met solely by the states and local governments; and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 14 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None

Assembly Joint Resolution No. 14 ordered enrolled.

**Assembly Bill No. 869**—An act to add Section 25844 to the Government Code, relating to weather data.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 869?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "25843", and insert "25844".

**Amendment No. 2**

On page 1, line 1, strike out "25843", and insert "25844".

**Amendment No. 3**

On page 1, line 3, strike out "25843", and insert "25844".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 869 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67

NOES—None.

Assembly Bill No. 869 ordered enrolled.

**Assembly Bill No. 1233**—An act to amend Sections 1711, 1712, 1722, and 1771 of the Elections Code, relating to municipal initiative and referendum measures.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1233?

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out ", and to repeal Section 1717 of,".

**Amendment No. 2**

On page 2, strike out line 13.

**Amendment No. 3**

On page 2, line 14, strike out "4", and insert "3".

**Amendment No. 4**

On page 2, line 29, strike out "5", and insert "4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1233 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1233 ordered enrolled.

**Assembly Bill No. 4**—An act to amend Sections 74341, 74343, and 74345 of, and to add Section 74346.5 to, the Government Code, relating

to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 4?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 74346.5 to,".

**Amendment No. 2**

On page 2, strike out lines 4 to 7, inclusive.

**Amendment No. 3**

On page 2, strike out line 8 and insert
"(f) Twenty deputy clerks IV, each of".

**Amendment No. 4**

On page 2, strike out line 12, and insert
"(g) Twenty deputy clerks III, each of".

**Amendment No. 5**

On page 2, strike out line 16, and insert
"(h) Twenty-four deputy clerks III, each of whom".

**Amendment No. 6**

On page 2, line 20, strike out "(j)", and insert "(i)".

**Amendment No. 7**

On page 3, between lines 2 and 3, insert
"SEC. 4. Section 74346.5 is added to said code, to read:
74346.5. There shall be one court interpreter, who shall be a deputy clerk, to be appointed by a majority of the judges of the court, who shall receive a salary of ---------."

**Amendment No. 8**

On page 3, line 3, strike out "SEC. 4.", and insert "SEC. 5."

**Amendment No. 9**

On page 3, line 6, of the printed bill as amended in the Senate on March 31, 1959, strike out "--------- dollars", and insert "four hundred fifteen dollars ($415)"

**Amendment No. 10**

On page 3, strike out line 7.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 4 by the following vote:

AYES—Holmes, Miller, and Schrade—3.
NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOTE—For Conference Committee appointed by Speaker *see* page 2375.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1435**—An act to amend Section 5302.6 of the Streets and Highways Code, relating to the Improvement Act of 1911, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.28 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

### POINT OF ORDER

Mr. Winton arose to the following point of order: That the hour of 10.30 a.m., having arrived, the special order of business is before the House.

#### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

### CONSIDERATION OF SPECIAL ORDER

The hour of 10.30 a.m., having arrived, Assembly Bill No. 759 was taken up.

**Assembly Bill No. 759**—An act to add Chapter 9 (commencing at Section 1151) to Part 3, Division 2 of the Labor Code, relating to hospital and institutional employees.

Bill read third time.

#### Demand for Previous Question

Messrs. Garrigus, Charles H. Wilson, Hanna, Holmes, and Grant demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. Masterson seconded the motion.

Motion carried. Time, 11.03 a.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Meyers seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read third time.

#### Speaker Presiding

At 11.09 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

#### Speaker pro Tempore Presiding

At 11.24 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

#### Demand for Previous Question

Messrs. Hegland, Schrade, Luckel, Johnson, and Cusanovich demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—62.

NOES—Don A. Allen, Burke, Chapel, Collier, Crawford, Francis, Samuel R. Geddes, Holmes, Kilpatrick, Levering, Lowrey, Luckel, Munnell, Reagan, and Shell—15.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 320**—An act to repeal Chapter 1 of Division 7 of, to add Chapter 1 to Division 7 of, and to repeal Section 5007 of, the Elections Code, relating to election campaigns, campaign contributions and campaign expenditures, and providing penalties for violations thereof.

Bill read third time

**Parliamentary Inquiry**

Mr. Winton arose to the following parliamentary inquiry: Are there amendments at the desk?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that there were none.

The question being on the passage of the bill.

**Speaker Presiding**

At 11.45 a.m., Hon. Ralph M. Brown, Speaker of the Assembly presiding.

**Demand for Previous Question**

Messrs. Rees, Luckel, Cusanovich, Unruh, and House demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—Don A. Allen, Levering, Masterson, and Thelin—4

Bill ordered transmitted to the Senate.

**Name Placed Upon Roll Call**

Mr. Johnson was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 320.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 759

At 11.53 a.m., on motion of Mr. Burton, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 759 refused passage by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Hawkins, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Rumford, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Z'berg—33.

NOES—Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Donahoe, Francis, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Nisbet, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Williamson, and Winton—42.

NOTE—Later this day, a motion to reconsider Assembly Bill No. 759 was offered *See* page 2375.

**Explanation of Vote**

I voted "No" on Assembly Bill No. 759 because the author rejected proposed amendments by Mr. Sumner which would have forbidden strikes or lockouts during the arbitration period, and because I am opposed in principle to the use of arbitration in labor disputes except as provided in collective bargaining agreements.

JOHN A. BUSTERUD

*See also* page 2417 for an explanation of vote by Mr. Dills

## ANNOUNCEMENT

Mr. Unruh announced that this afternoon's meeting of the Subcommittee on Unemployment Compensation Disability had been canceled.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1256

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1787

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1133
Assembly Bill No. 1800

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1132
Assembly Bill No 1167
Assembly Bill No. 1353
Assembly Bill No. 1738
Assembly Bill No. 1742
Assembly Bill No. 1743
Assembly Bill No. 1744

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1535 FROM COMMITTEE

Mr. Gaffney was granted unanimous consent that Assembly Bill No. 1535 be withdrawn from the Committee on Social Welfare, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1535

**Assembly Bill No. 1535**—An act to amend Sections 3084 and 3087.2 of, and to add Sections 3084.2 and 3025.1 to, the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read second time.

### Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the title of the printed bill, strike out "Sections 3084.2 and 3025.1", and insert "Section 3084.2".

**Amendment No. 2**

On page 2, line 29, strike out "(subject"; and strike out lines 30 to 37, inclusive, and insert ", but in no event shall the additional amount granted pursuant to this section exceed twenty-five dollars ($25) or cause a total grant under this chapter with respect to any recipient of more than one hundred fifty dollars ($150)."

**Amendment No. 3**

On page 2, line 38, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1536 FROM COMMITTEE

Mr. Gaffney was granted unanimous consent that Assembly Bill No. 1536 be withdrawn from the Committee on Social Welfare for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1536

**Assembly Bill No. 1536**—An act to amend Sections 3472 and 3481 of, and to add Sections 3472.2 and 3420.1 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, and making an appropriation therefor.

Bill read second time.

**Motion to Amend**

Mr. Gaffney moved the adoption of the following amendments:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Sections 3472.2 and 3420.1", and insert "Section 3472.2".

**Amendment No. 2**

On page 2, line 45, strike out "(subject to"; strike out all of lines 46 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert ", but in no event shall the additional amount granted pursuant to this section exceed twenty-five dollars ($25) or cause a total grant under this chapter with respect to any recipient of more than one hundred fifty dollars ($150)."

**Amendment No. 3**

On page 3, line 3, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 4

The Speaker appointed Messrs. Crawford, Hegland, and Schrade as a Committee on Conference concerning Assembly Bill No. 4.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 759

Mr. Burton moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 759 was this day refused passage. (Assembly Journal, page 2373.)

## ADJOURNMENT

At 11.57 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 14, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY

SEVENTY-SECOND CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER

Tuesday, April 14, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God*, We believe that Thou didst lead our fathers to these shores that they might lay here the foundations of civil and religious liberty. Deliver us, Our Father, from taking our heritage for granted; enable us to see that liberty is not license; and help us as a people that we may not be too prosperous to be humble, too complacent to be penitent, or too selfish to serve. Open our eyes that we may continue to see Thy unfolding purpose in history and give to each one of us some humble part in its fulfillment, through Jesus Christ, our Lord.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Don A. Allen, seconded by Mr. Winton.

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Pattee, on motion of Mr. Backstrand.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Luckel, Schrade, Crawford, and Hegland:

### House Resolution No. 198

Relative to the passing of Samuel Wilder King

WHEREAS, The Members of this House have been deeply shocked and grieved to learn of the passing of Samuel Wilder King, former Governor of Hawaii, on March 24, 1959, just a few days after the fruition of his life-long battle for the admission to statehood of his beloved island territory; and

WHEREAS, Governor King was not only Hawaii's first island-born Chief Executive, holding office from 1953 to 1957, but was, as well, the first person of Hawaiian descent to serve in that high position; and

WHEREAS, The executive and leadership abilities of this man were early recognized when, after attending Hawaiian schools, he was one of the select group appointed to the United States Naval Academy at Annapolis, where he was a classmate of our esteemed colleague, Captain Frank Luckel; and

WHEREAS, After a decade of distinguished service for the United States Navy aboard ships based in the San Diego area, Samuel Wilder King returned to his beloved island home and began a life-long battle to secure the admission of Hawaii as a state; and

WHEREAS, Starting his long career in territorial politics as a member of the Board of Supervisors in Honolulu, he was subsequently elected Territorial Delegate to Congress in 1934, and, because of his outstanding service to the citizens of Hawaii, was re-elected three times; and

WHEREAS, In 1942, heeding the call of duty when his Nation's very life was threatened by the Japanese attack on Pearl Harbor and subsequent events, Samuel Wilder King, at the age of 56, gave up his congressional seat to volunteer his services to the United States Navy; and

WHEREAS, While serving with the wartime Navy his sterling character, his understanding and friendly personality and his ability to command quickly won for him the respect and devotion of all those with whom he served; and

WHEREAS, After his discharge at the end of World War II with the rank of Captain, Governor King returned to the leadership of the struggle for Hawaiian statehood, heading the Islands' 1950 Constitutional Convention, which drafted the document under which Hawaii assumed statehood; and as well the Hawaii Statehood Commission, the group which had long led the battle to make the Islands a state; and

WHEREAS, Second only to his affection for his beloved Hawaii, Governor King had always possessed a deep feeling of love and kinship for the people of California, and was last in this State during the summer of 1956, when he attended a reunion of his Annapolis class in the City of San Diego; and

WHEREAS, Throughout almost one-half a century of dedicated service to the United States Navy and to his beloved island home, Governor King was a pillar of strength, a man whose great courage, rare ability, outstanding leadership and sincere devotion to duty made him indispensable to the political progress of the Territory of Hawaii; and

WHEREAS, To mourn his passing and to receive the heartfelt sympathy of all, he leaves his widow, Mrs. Pauline King; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House pay tribute to the memory of a great American, Samuel Wilder King, and convey to his bereaved widow thir most sincere condolences; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mrs. Pauline King.

Resolution read, and referred to the Committee on Rules.

By Messrs. Chapel and Charles H. Wilson:

### House Resolution No. 199

Relative to commending Lloyd P. Hamilton

WHEREAS, After more than a quarter of a century of active newspaper work in the Southland, Lloyd P. Hamilton has retired as editor of the *Inglewood Citizen;* and

WHEREAS, Characteristic of the community-wide appreciation of Hamilton's contribution to Inglewood was the *Inglewood Daily News* editorial published before his retirement urging that Mr Hamilton be awarded the American Legion Post 188 Community Service Award; and

WHEREAS, Mr. Hamilton was in fact awarded a Community Service Award presented along with a number of personal gifts at a special banquet at the Inglewood

Country Club hosted by no less than 20 community organizations headed by the Inglewood Chamber of Commerce as a sincere expression of their great appreciation for his loyal service to his home community ; and

WHEREAS, He was born in Terre Haute, Indiana, on January 15, 1882, the eldest son of the late William A and Clara B. Hamilton, his father an Indiana pioneer of pre-Revolutionary Pennsylvania stock who had served as state president of the Sons of the American Revolution ; and

WHEREAS, Before World War I he spent considerable time traveling and reporting in Belgium, France, and Germany and then became assistant secretary of the American Chamber of Commerce in Berlin ; and

WHEREAS, His vast newspaper experience included service in the following capacities: staff member of the *Christian Science Monitor*, where his linguistic ability served him on the waterfront, reporting shipping news before the days of radio ; court reporter for the old *Los Angeles Express;* in an editorial capacity for the *Santa Monica Outlook, Monrovia Daily News*, and the *Pomona Bulletin*, in which capacity he was the first to urge the establishment of the Los Angeles County Fair in that city ; city editor of the *Santa Barbara Morning Press* in which capacity he gained national recognition and a courtesy Associated Press byline by scooping the newspaper world in covering the famous 1922 destroyer flotilla disaster on a rocky point near Santa Barbara ; editor of the *Californian ;* assistant editor of the State page and Centinela Valley correspondent for the *Los Angeles Times ;* news editor of the *Inglewood Daily News ;* then editor of the *Inglewood Citizen* until retirement, after which he had a column in the *Inglewood Daily News* called "Every Day" ; and

WHEREAS, Lloyd P. Hamilton has constantly been noted for his community service, including life membership in the teenage club Gunga-Din of Hawthorne received for aiding its establishment, member of the Inglewood School Board, honorary member of the Inglewood 20-30 Club, the Junior Chamber of Commerce, the Inglewood Realty Board, and actively participating in the Senior Chamber of Commerce where he has served for years on that organization's Historical Committee and its Publicity and Advertising Committee ; and

WHEREAS, It is only fitting that the Members of this body take this means of recognizing this outstanding California citizen who has distinguished himself in so many fields and capacities ; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Lloyd P. Hamilton for his outstanding contributions to the advancement and enlightenment of mankind ; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit 10 suitably prepared copies of this resolution to Assemblyman Chapel.

Resolution read, and referred to the Committee on Rules.

By Messrs. Miller and Rees :

**House Resolution No. 200**

Relative to insurance practices in the cancellation of policies

WHEREAS, It has been alleged that great inequities are prevalent today due to the practice of many insurance companies of cancelling policies in an arbitrary manner ; and

WHEREAS, The Members of the Assembly believe that the present practices of insurance companies in this regard should be investigated in order to determine the need for legislation on this matter ; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the interim committee on Finance and Insurance, if established, is hereby authorized and directed to ascertain, study and analyze all facts relative to the subject matter of this resolution and to the desirability of or necessity for legislation in that field, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation ; and be it further

*Resolved*, That if no interim committee on Finance and Insurance be established that the Committee on Rules is directed to assign to an appropriate interim committee for study the subject matter of this resolution and to perform the duties described above in that regard.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered :

**Assembly Joint Resolution No. 28**: By Mr. Britschgi—Relative to a congressional investigation of unnecessary sonic booms in populated areas in California.

**Request for Unanimous Consent**

Mr. Britschgi was granted unanimous consent to take up Assembly Joint Resolution No. 28 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 28

**Assembly Joint Resolution No. 28:** By Messrs. Britschgi, Bruce F. Allen, Don A. Allen, Beaver, Belotti, Ralph M. Brown, Burke, Busterud, Chapel, Conrad, Cusanovich, DeLotto, Elliott, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—Relative to a congressional investigation of unnecessary sonic booms in populated areas in California.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Conrad, Cusanovich, DeLotto, Elliott, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—41.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

**Members Made Co-authors of Assembly Joint Resolution No. 28**

Mr. Britschgi was granted unanimous consent that all members voting on the resolution be placed upon Assembly Joint Resolution No. 28 as co-authors.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Joint Resolution No. 29:** By Mr. Britschgi—Relative to the dredging of Redwood City Harbor.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 30:** By Messrs. Luckel, Schrade, Hegland, and Crawford—Relative to servicemen's and veterans' survivor benefits.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 31:** By Messrs. Waldie, Burton, Lunardi, Masterson, and Lowrey—Relative to a Pacific Northwest Intertie.

Referred to Committee on Rules.

**Assembly Bill No. 2451:** By Mr. Lunardi—An act to amend Section 54309 of, and to add Sections 54309.1 and 54516.3 to, the Government Code, relating to the issuance of revenue bonds by local agencies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2452**: By Mr. Lunardi—An act to add Section 7016.5 to the Elections Code, relating to the counting of ballots.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2453**: By Messrs. Hegland and Schrade—An act to add Section 53608 to the Government Code, and Section 17203.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the investment of public funds and money.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2454**: By Messrs. Grant and Kennick—An act to amend Section 22408 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2455**: By Mr. Hanna—An act to amend Section 12101 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the attendance of pupils at public schools.

Referred to Committee on Education.

**Assembly Bill No. 2456**: By Messrs. Hanna and Sumner—An act to add Section 20567.4 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2457**: By Mr. Rees—An act to amend Section 24051.1 of the Financial Code relating to exemptions from the California Small Loan Law.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2458**: By Messrs. Rees and Unruh—An act to add Chapter 3 (commencing at Section 24375) to Division 20 of the Health and Safety Code, relating to the State Air Pollution Board.

Referred to Committee on Government Organization.

**Assembly Bill No. 2459**: By Mr. Rees—An act to add Section 10276 to the Insurance Code, relating to group disability insurances.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2460**: By Messrs. Porter and Grant—An act to amend Section 24302 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Referred to Committee on Education.

**Assembly Bill No. 2461**: By Messrs. Grant, Kennick, and Porter—An act to amend Section 24207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Referred to Committee on Education.

**Assembly Bill No. 2462**: By Mr. Lowrey—An act to amend Section 357 1 of the Agricultural Code, relating to the slaughter of cattle.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2463:** By Messrs. Meyers, O'Connell, Burton, Busterud, and Marks—An act to add Section 75.6 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2464:** By Messrs. Meyers, O'Connell, Burton, Gaffney, Belotti, Busterud, and Marks—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2465:** By Messrs. Meyers, O'Connell, Burton, Gaffney, Belotti, Busterud, and Marks—An act to add Section 118.5 to the Streets and Highways Code, relating to sale of land by the Highway Department.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2466:** By Mr. Backstrand—An act to add Section 1631 to the Civil Code, relating to dancing instruction.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2467:** By Messrs. Waldie and Biddick—An act to amend Section 170.6 of the Code of Civil Procedure, relating to disqualification of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2468:** By Mr. Waldie—An act to amend Section 10126 of the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health.

**Assembly Bill No. 2469:** By Miss Donahoe—An act to add Section 20567.4 to, and to amend Sections 20583, 21704, and 22301 of, the Government Code, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2470:** By Mr. Rumford—An act to amend Section 35400 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the length of semitrailers.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2471:** By Mr. Mulford—An act to add Section 5005.7 to the Elections Code, relating to ballot measures.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2472:** By Mr. Mulford—An act to amend Section 9359.8 of the Government Code, relating to Legislators' Retirement Law.

Referred to Committee on Rules.

**Assembly Bill No. 2473:** By Mr. DeLotto—An act to add Article 9 (commencing at Section 29199) to Chapter 1 of Division 3 of Title 3 of the Government Code, relating to county investment boards.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2474:** By Mr. Don A. Allen—An act to amend Section 1009 of the Fish and Game Code, relating to access for public hunting or fishing.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2475:** By Messrs. Sumner and Hanna, and Senator Murdy, co-author—An act to amend Section 7100 of the Financial Code, relating to loans by savings and loan associations.

Referred to Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 91**—An act to add Part 4.5 (commencing with Section 1410) to Division 2 of, and to amend Section 56 of, the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, religious creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees;

**Assembly Bill No. 393**—An act to amend Section 8276 of the Fish and Game Code, relating to crabs;

**Assembly Bill No. 667**—An act to add Sections 10109, 10110, and 10111 to the Streets and Highways Code, relating to domestic water supply improvements under the Municipal Improvement Act of 1913;

**Assembly Bill No. 1214**—An act to amend Sections 29370, 29371, 29372, 29373, 29374, 29375, 29376, 29377, 29378, and 29379 of the Government Code, relating to county funds;

**Assembly Bill No. 1234**—An act to amend Section 9900 of, and to repeal Sections 9912, 9913, 9914, 9916, and 9917 of, the Elections Code, relating to municipal elections;

**Assembly Bill No. 1236**—An act to amend Section 26802 of the Government Code, relating to the duties of a registrar of voters;

And reports the same correctly enrolled, and presented to the Governor on the thirteenth day of April, 1959, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1497
Assembly Bill No. 1589
Assembly Bill No. 1629
Assembly Bill No 1664

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1205
Assembly Bill No. 1336
Assembly Bill No. 1338

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1135
Assembly Bill No. 1302

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 96

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 469
Assembly Bill No. 898
Assembly Bill No. 946

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1163
Assembly Bill No. 1501
Assembly Bill No. 1532

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1855

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1665
Assembly Bill No 1666
Assembly Bill No 1667
Assembly Bill No. 1752
Assembly Bill No. 1788
Assembly Bill No. 1823

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 686
Senate Bill No. 757

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1962

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1963
Assembly Bill No. 1043

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1876

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2034

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER. Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1965

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER. Your Committee on Transportation and Commerce reports:

Assembly Bill No. 628

With amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports

Assembly Bill No. 1352

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Fisher, Miller, and Farr as a Committee on Conference concerning:

**Assembly Bill No. 4**—An act to amend Sections 74341, 74343, and 74345 of, and to add Section 74346.5 to, the Government Code, relating to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files read the second time, with appropriate actions taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Samuel R. Geddes seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1284, 1334, 1747, 1746, 1447, 1799, 1544, 1243,** and **1827.**

**Senate Bills Nos. 505** and **645.**

Assembly Bill No. 1284 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 1334, 1747, 1746, 1243, and 1827 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 1799 and 1544 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bill No. 645 ordered to the Consent Calendar.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 885**—An act to add Chapter 4 (commencing at at Section 1700) to Part 6, Division 2 and to repeal Sections 1650 to 1663, inclusive, of the Labor Code, relating to artists' managers.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

On page 3, line 6, of the printed bill, as amended in the Assembly on April 6, 1959, strike out "person", and insert "persons".

**Amendment No. 2**

On page 5, line 33, strike out "1700.44", and insert "1700.45".

**Amendment No. 3**

On page 7, line 47, strike out "1700.22", and insert "1700.23".

**Amendment No. 4**

On page 9, line 3, strike out "1700.43", and insert "1700.44".

**Amendment No. 5**

On page 9, line 30, strike out "1700.43", and insert "1700.44".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 602**—An act to add Section 923.5 to the Labor Code, relating to public employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "and political subdivisions", and insert "political subdivisions and agencies".

**Amendment No. 2**

On page 1, strike out line 6, and insert "with organizations composed of employees other than policemen or deputy sheriffs; subject to the limitations of the Constitution and laws of the State and the provisions contained in the charter and applicable ordinances and regulations of said cities, counties, political subdivisions and agencies."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 570**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by employees.

Bill read second time, and ordered to third reading.

## RECORD EXPUNGED, ACTION RESCINDED ON ASSEMBLY BILL NO. 1146

Speaker Brown was granted unanimous consent to expunge the record, and rescind the action whereby Assembly Bill No. 1146 was reported out of the Committee on Municipal and County Government on April 10, 1959 (Assembly Journal, page 2271), and read the second time on April 13, 1959 (Assembly Journal, page 2353).

## ASSEMBLY BILL NO. 1446 RETURNED TO COMMITTEE

The Speaker announced that Assembly Bill No. 1446 was at the desk without a committee report, and ordered the bill returned to the Committee on Municipal and County Government.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No 62, the Speaker ordered the following bill re-referred to the Committee on Ways and Means:

**Assembly Bill No. 570.**

## MOTION TO RECONSIDER SENATE BILL NO. 232 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Senate Bill No. 232 be continued until the next legislative day.

## CONSIDERATION OF CONSENT CALENDAR (BY UNANIMOUS CONSENT)

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1381**—An act to amend Section 9359.1 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1832**—An act to amend Section 5606 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior high schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1831**—An act to amend Section 16519 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school supplies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1830**—An act to repeal Section 13105 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to licensing of certified school personnel

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1829**—An act to amend Section 5902 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to vocational courses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1828**—An act to amend Section 5203 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1722**—An act to amend Section 5555 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to evening high school and junior college classes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1721**—An act to amend Sections 10953, 10954, and 10955 of, and to repeal Section 10956 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to attendance of pupils in the public schools

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1720**—An act to amend Section 31214 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state scholarships

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1622**—An act to amend Sections 1551 and 13566 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to powers and duties of superintendents of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1604**—An act to amend Section 25525 of the Government Code, relating to manner of making sale or lease of county-owned real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1641**—An act to amend Section 653 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county boards of education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1724**—An act to amend Sections 9251, 9253, 9604, and 10008 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school textbooks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1051**—An act to add Section 10143 to the Business and Professions Code, relating to rentals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 951**—An act to amend Section 715.3 of the Civil Code, relating to restraints upon alienation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 952**—An act to amend Section 2934a of the Civil Code, relating to the substitution of trustee under trust deed.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1140**—An act to amend Sections 925 and 952 of the Probate Code, relating to vouchers supporting payments by executor or administrator.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1141**—An act to amend Section 780 of the Probate Code, relating to sales of real property

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1142**—An act to amend Section 1405 of the Probate Code, relating to guardians.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1143**—An act to amend Section 689b of the Code of Civil Procedure, relating to execution of civil judgments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1547**—An act to amend Section 1193 2 of the Code of Civil Procedure, relating to claims of liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 662**—An act to add Section 940.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1637**—An act to amend Section 19577 of the Education Code as enacted at the 1959 Regular Session, relating to state school building aid.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 901**—An act to amend and renumber Section 213 (as added by Chapter 2409, Statutes of 1957) of the Health and Safety Code, relating to section numbers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1683**—An act to amend Section 19369 of the Health and Safety Code, relating to auto and trailer parks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1819**—An act to amend Section 32130.5 of the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1821**—An act to amend Section 32125 of the Health and Safety Code, relating to hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1822**—An act to amend Section 32100 of the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 229**—An act to amend Section 10508 of the Education Code as enacted by the Legislature at its 1959 Regular Session relating to tuition fees for foreign students.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 206**—An act to add Section 117n to the Code of Civil Procedure, relating to appeals from judgments of small claims courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 92**—An act to amend Section 5081.5 of the Education Code, and Section 19472 of the Education Code as proposed by Senate Bill No. 2, relating to changes in school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel,

Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 281**—An act to amend Section 6651 of the Welfare and Institutions Code, relating to state hospitals and institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 310**—An act to amend Section 7009 of the Welfare and Institutions Code, relating to liability for payment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 246**—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine in state institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 298**—An act to add Section 6920 to the Health and Safety Code, relating to sanitary districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel,

Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 389**—An act to amend Section 11496 of the Insurance Code, relating to incorporation of nonprofit hospitals.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 812**—An act to amend Section 2732.1 of the Business and Professions Code, relating to the practice of nursing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 276**—An act to amend Sections 825 and 849 of the Penal Code, relating to arrests.

Bill read third time.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Francis moved a call of the Assembly.

Motion carried. Time, 10.17 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Francis seconded the motion.

Motion carried unanimously.

### NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1381

Messrs. O'Connell, McCollister, Hanna, MacBride, Rumford, Backstrand, Mrs. Davis, and Mr. Dahl were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1381.

### MOTION TO SET ASSEMBLY BILL NO. 221 FOR SPECIAL ORDER

Mr McMillan moved that Assembly Bill No. 221 be made a special order of business for Tuesday, April 21, 1959, at 10 a.m.

Mr. DeLotto seconded the motion.

Motion carried by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None

### POINT OF ORDER

Mr. Winton arose to the following point of order: That the hour having arrived, the special order of business is before the House.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

### CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 419 was taken up.

**Assembly Bill No. 419**—An act to add Chapter 8.5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read third time.

#### Request for Unanimous Consent

By unanimous consent, it was agreed that all proposed amendments to Assembly Bill No. 419 be considered before sending the bill to reprint if any amendments be adopted.

#### Speaker pro Tempore Presiding

At 10.24 a.m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Motion to Grant Extra Time for Debate

Mr. Shell moved that Mr. Miller be granted 10 minutes additional time for debate on the bill.

Mr. Charles H. Wilson seconded the motion.

Motion carried.

### Proposed Amendment Withdrawn

Mr. Miller withdrew his proposed Amendment No. 1, which was printed in the Assembly Journal for April 8, 1959, at page 2213.

### Consideration of Further Amendments

### Motion to Amend

Mr. Thelin moved the adoption of the following amendment:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 47 to 51, inclusive; strike out all of page 3; and on page 4, strike out lines 1 to 6, and insert

"1139. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or a group of employees shall have the right at any time to present grievances to their employer and to have such grievances adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of a collective bargaining contract or agreement then in effect; provided further, that the bargaining representative has been given opportunity to be present at such adjustment.

(b) The department shall decide in each case whether, in order to assure to employees the fullest freedom in exercising the rights guaranteed by this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof; provided, that the department shall not (1) decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit, or (2) decide that any craft unit is inappropriate for such purposes on the ground that a different unit has been established by a prior department determination, unless a majority of the employees in the proposed craft unit vote against separate representation or (3) decide that any unit is inappropriate for such purposes if it includes, together with other employees, any individual employed as a guard to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises; but no labor organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards

1140. Whenever a petition shall have been filed, in accordance with such uniform regulations as may be prescribed by the department,

(a) by an employee or group of employees or any individual or labor organization acting in their behalf alleging that a substantial number of employees (i) wish to be represented for collective bargaining and that their employer declines to recognize their representative as the representative defined in Section 1139(a), or (ii) assert that the individual or labor organization which has been certified or is currently being recognized by their employer as the bargaining representative, is no longer a representative as defined in Section 1139(a); or

(b) by an employer, alleging that one or more individuals or labor organizations have presented to him a claim to be recognized as the representative defined in Section 1139(a);

The department shall investigate such petition and if it has reasonable cause to believe that a question of representation exists shall provide for an appropriate hearing upon due notice. If the department finds upon the record of such hearing that such a question of representation exists, it shall direct an election by secret ballot and shall certify the results thereof. If any election where none of the choices on the ballot receive a majority, a runoff shall be conducted, the ballot providing for a selection between the two choices receiving the largest and second largest number of valid votes cast in the election. Employees who are engaged in an unlawful strike shall not be entitled to vote in any election provided herein.

1141. In determining whether or not a question of representation exists, the same regulations and rules of decision shall apply irrespective of the identity of the person filing the petition or the kind of relief sought.

1142. After conducting such investigation and election, the department shall, in each case, certify the appropriate labor organization which receives a majority of the votes as the representative defined in Section 1139(a), or certify that the employees have declined to select such a representative. The department shall not again consider a second representation petition or conduct any election in the designated unit, (i) within one (1) year after the date of certification that the employees have declined to select such a representative, or (ii) until the expiration date of a collective bargaining agreement between a labor organization which has been certified as such a representative not to exceed two (2) years from the date of the execution of such collective bargaining agreement.

After the filing of a petition for an election and within the period of the certification or collective bargaining agreement as hereinabove set forth, no labor organization shall engage in striking, picketing or boycotting for the purpose of obtaining a contract, obtaining recognition, or for the solicitation of members with respect to the employees in the designated unit."

Amendment read.

### Motion to Grant Extra Time for Debate

Mr. Burton moved that Mr. Thelin be granted five minutes additional time for debate.

Mr. Collier seconded the motion.

Motion carried.

The question being on the adoption of the amendment by Mr. Thelin.

### Motion to Table Amendment

Mr. Munnell moved that the amendment be laid on the table.

Mr. Gaffney seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—48.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Coolidge, Cusanovich, Francis, Ernest R Geddes, Grant, Johnson, Lanterman, Levering, Marks, Mulford, Reagan, Shell, Sumner, and Thelin—24.

### Speaker Presiding

At 11.05 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## INTRODUCTION OF GUESTS

Mr Hawkins introduced Miss Patricia Williams, one of the contestants for the title of Miss Sacramento, to the Members of the Assembly.

Mr. George A. Willson introduced Mrs. Ernest Debs of Los Angeles and Miss Jane Russell, television and motion picture star, to the Members of the Assembly.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 419
## CONSIDERATION OF FURTHER AMENDMENTS

### Motion to Amend

Mr. Thelin moved the adoption of the following amendment:

### Amendment No. 2

On page 4, strike out lines 7 to 52, inclusive; and on page 5 strike out lines 1 to 24, inclusive, and insert

"1143. (a) It shall be unlawful, for the purposes of this section, for any labor organization to engage in, or to induce or encourage the employees of any employer

to engage in a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is—

(1) forcing or requiring any employer or other self-employed person to join any labor or employer organization or any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person;

(2) forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of this act;

(3) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of this act;

(4) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization, or in another trade, craft, or class unless such employer is failing to conform to a certification of the department determining the bargaining representative for employees performing such work Nothing contained in this subsection shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this act

(b) Whoever shall be injured in his business or property by reason of any violation of subsection (a) may sue therefore in any court having jurisdiction of the parties, and shall recover the damages by him sustained and the cost of the suit, and may in addition petition the department for relief as provided in Section 1147."

Amendment read.

**Motion to Table Amendment**

Mr. Charles H. Wilson moved that the amendment be laid on the table.

Mr. Unruh seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—52.

NOES—Bruce F. Allen, Backstrand, Belotti, Bradley, Burke, Cusanovich, Dahl, Francis, Ernest R. Geddes, Lanterman, Levering, Mulford, Reagan, Shell, and Thelin—15.

**Proposed Amendments Withdrawn**

Mr. Thelin withdrew his proposed Amendments Nos. 3, 4, 5, 6, and 7, which appear on page 2215 of the Assembly Journal for April 8, 1959.

**Consideration of Further Amendments**
**Motion to Amend**

Mr. Miller moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on March 31, 1959, between lines 33 and 34, insert

"The term "employer" shall not include the State, or any city, city and county, county, public or municipal corporation or district."

Amendment read, and adopted.

**Consideration of Further Amendments**
**Motion to Amend**

Mr. Mulford moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, line 35, of the printed bill, as amended in the Assembly on March 31, 1959, strike out the period, and insert "; provided, further, no firm, person, corporation or association shall be precluded from maintaining an action in a proper court for an injunction enjoining violent, mass, or other unlawful picketing, or picketing for an unlawful purpose, and neither shall any person, firm, corporation or association be precluded from maintaining in a proper court an action for damages arising out of such violent, mass or unlawful picketing or picketing for an unlawful purpose"

Amendment read.

**Motion to Table Amendment**

Mr. Crown moved that the amendment be laid on the table.

Mr Gaffney seconded the motion.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Biddick, Britschgi, George E Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—49.

NOES—Bruce F. Allen, Backstrand, Belotti, Bradley, Burke, Chapel, Collier, Cusanovich, Dahl, Francis, Ernest R. Geddes, Johnson, Lanterman, Levering, Marks, Meyers, Mulford, Reagan, Shell, and Thelin—20.

**Consideration of Further Amendments**
**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "voting".

Amendment read.

**Motion to Table Amendment**

Mr. Crawford moved that the amendment be laid on the table.

Mr. Crown seconded the motion.

Motion carried by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Frew, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Masterson, Miller, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—47.

NOES—Bruce F. Allen, Bradley, Britschgi, Burke, Burton, Dahl, Elliott, Francis, Gaffney, Ernest R. Geddes, Johnson, Lanterman, Meyers, O'Connell, Shell, and Thelin—16

**Consideration of Further Amendments**
**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendment:

**Amendment No. 1**

On page 4, line 3, of the printed bill, as amended in the Assembly on March 31, 1959, strike out ", picketing or boycotting for"; and strike out lines 4 to 6, inclusive, and insert "or picketing for the purpose of obtaining a collective bargaining agreement or obtaining recognition as the exclusive bargaining representative with respect to the workers in the designated unit."

Amendment read.

**Demand for Previous Question**

Messrs Biddick, MacBride, Munnell, Unruh, and Z'berg demanded the previous question. Demand sustained.

The question being on the adoption of the amendment offered by Mr. O'Connell.

**Roll Call Demanded**

Messrs. O'Connell, Meyers, and Shell demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Britschgi, Burton, Busterud, Elliott, Gaffney, Hawkins, Kilpatrick, Marks, McMillan, Meyers, and O'Connell—12.

NOES—Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Levering, Luckel, Lunardi, MacBride, Masterson, Miller, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—57.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

On page 4, line 49, of the printed bill, as amended in the Assembly on March 31, 1959, after "shall", insert "submit a panel of names of impartial persons from which panel the said labor organizations shall select an arbitrator who shall".

**Amendment No. 2**

On page 4, line 51, after "under", insert "(b) and".

**Amendment No. 3**

On page 4, line 52, strike out "department", and insert "arbitrator".

**Amendment No. 4**

On page 5, line 2, strike out "and shall consider any", and insert a comma.

**Amendment No. 5**

On page 5, line 4, after "affiliated," insert "and historical bargaining practices and patterns in the industry involved,".

**Amendment No. 6**

On page 5, strike out line 7, and insert "Upon the submission of the subject".

**Amendment No. 7**

On page 5, lines 8 and 9, strike out "in (a) or (b) above", and insert "herein".

Amendments read.

**Demand for Previous Question**

Messrs. Waldie, Belotti, Winton, Munnell, and Dills demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. O'Connell.

**Roll Call Demanded**

Messrs. Britschgi, Busterud, and Belotti demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Britschgi, Burton, Busterud, Coolidge, Gaffney, Marks, Meyers, O'Connell, and Sumner—10.

NOES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills,

Donahoe, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Masterson, Miller, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—51.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

On page 5, line 40, of the printed bill, as amended in the Assembly on March 31, 1959, before "Subject", insert "Labor organizations shall be secure in their right to negotiate terms or conditions of labor or employment with employers and in the right to engage peaceably in concerted activities for purposes of collective bargaining, solicitation of membership, advertising wages, hours and working conditions, or any other mutual aid or protection."

**Amendment No. 2**

On page 5, strike out lines 41 to 47, inclusive, and insert ", neither the public policy of the State nor any provision of this Labor Code shall be interpreted or applied to restrain, prevent or interfere with said rights of labor organizations."

Amendments read.

**Demand for Previous Question**

Messrs. Petris, Crawford, Chapel, House, and Hanna demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. O'Connell.

**Roll Call Demanded**

Messrs. Meyers, Burton, and Dills demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Britschgi, Burton, Elliott, Gaffney, Hawkins, Meyers, and O'Connell—8.

NOES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnsen, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Miller, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—59.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Ernest R. Geddes moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 1 to 6, inclusive, and insert

"1138. In the interpretation of this chapter, the following definitions shall govern:

(a) The term "employee" shall include any employee of an employer, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person in his home, or any individual employed by his parent or spouse, or any individual having the status of an independent contractor, or any individual employed as a supervisor, or any individual employed by any other person who is not an employer as herein defined. This definition shall not include service performed by any individual if.".

**Amendment No. 2**

On page 2, strike out lines 25 to 46, inclusive, and insert

"(b) The term "employer" includes any person acting as an agent of an employer, directly or indirectly, but shall not include the State of California or any political subdivision thereof, or any corporation or association operating a hospital

if no part of the net earnings inures to the benefit of any private shareholder or individual, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(c) The term "labor organization" means any bona fide organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; provided, however, that any organization financed in whole or in part, interfered with, dominated or controlled by an employer or any employer association, shall not be deemed to be a bona fide labor organization.

(d) The term "person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(e) The term "department" means the Department of Industrial Relations of the State of California."

Amendments read.

**Division of Question**

Mr. Ernest R. Geddes called for a division of the question.

Request granted.

**Consideration of Amendment No. 1**

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 1 to 6, inclusive, and insert

"1138. In the interpretation of this chapter, the following definitions shall govern

(a) The term "employee" shall include any employee of an employer, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person in his home, or any individual employed by his parent or spouse, or any individual having the status of an independent contractor, or any individual employed as a supervisor, or any individual employed by any other person who is not an employer as herein defined. This definition shall not include service performed by any individual if:".

Amendment No. 1 read.

**Demand for Previous Question**

Messrs. Munnell, Dills, Schrade, Luckel, and Hegland demanded the previous question. Demand sustained.

The question being on the adoption of Amendment No. 1 offered by Mr. Ernest R. Geddes.

**Roll Call Demanded**

Messrs. Shell, Levering, and Lanterman demanded a roll call.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Mr. Meyers seconded the motion.

Motion carried. Time, 12.08 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. MacBride seconded the motion.

Motion carried unanimously.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 419

## FURTHER CONSIDERATION OF AMENDMENTS

### Consideration of Amendment No. 2 by Mr. Ernest R. Geddes

### Amendment No. 2

On page 2, strike out lines 25 to 46, inclusive, and insert

"(b) The term "employer" includes any person acting as an agent of an employer, directly or indirectly, but shall not include the State of California or any political subdivision thereof, or any corporation or association operating a hospital if no part of the net earnings inures to the benefit of any "private shareholder or individual, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(c) The term "labor organization" means any bona fide organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; provided, however, that any organization financed in whole or in part, interfered with, dominated or controlled by an employer or any employer association, shall not be deemed to be a bona fide labor organization.

(d) The term "person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(e) The term "department" means the Department of Industrial Relations of the State of California."

Amendment No. 2 read.

### Amendment Withdrawn

Mr. Ernest R. Geddes withdrew his Amendment No. 2.

### Consideration of Further Amendments

### Motion to Amend

Mr. Reagan moved the adoption of the following amendments:

### Amendment No. 1

On page 3 of the printed bill as amended in the Assembly on March 31, 1959, strike out lines 36 to 51, inclusive, and insert

"1143. After conducting such investigation and election, the department shall, in each case, certify the appropriate labor organization which receives a majority of the votes as the exclusive representative of the workers in the designated unit, or certify that the employees have declined to select such a representative. The department shall not again consider a second representation petition or conduct any election in the designated unit within a period of one (1) year after the date of such certification that the employees have declined to select such a representative, or until the expiration of a collective bargaining agreement between a labor organization which has been certified as such representative not to exceed two (2) years from the date of the execution of such collective bargaining agreement or any renewal thereof."

### Amendment No. 2

On page 4, line 2, strike out "other".

Amendments read.

### Division of Question

Mr. Reagan called for a division of the question.

Request granted.

### Consideration of Amendment No. 1

### Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 36 to 51, inclusive, and insert

"1143. After conducting such investigation and election, the department shall, in each case, certify the appropriate labor organization which receives a majority of the votes as the exclusive representative of the workers in the designated unit, or certify that the employees have declined to select such a representative. The department shall not again consider a second representation petition or conduct any election in the designated unit within a period of one (1) year after the date of such certification that the employees have declined to select such a representative,

or until the expiration of a collective bargaining agreement between a labor organization which has been certified as such representative not to exceed two (2) years from the date of the execution of such collective bargaining agreement or any renewal thereof."

Amendment No. 1 read.

**Motion to Table Amendment**

Mr. O'Connell moved that the amendment be laid on the table.

Mr. Munnell seconded the motion.

**Roll Call Demanded**

Messrs. Shell, Levering, and Reagan demanded a roll call.

The roll was called, and the motion to table carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—45.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Chapel, Coolidge, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Johnson, Lanterman, Levering, Mulford, Reagan, Shell, Thelin, and George A. Willson—21.

**Consideration of Amendment No. 2**

**Amendment No. 2**

On page 4, line 2, strike out "other".

Amendment No. 2 read.

**Motion to Table Amendment**

Mr. Rees moved that the amendment be laid on the table.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.

NOES—Backstrand, Bradley, Burke, Chapel, Coolidge, Cusanovich, Dahl, Ernest R. Geddes, Johnson, Lanterman, Levering, Mulford, Reagan, Shell, and Thelin—15.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Reagan moved the adoption of the following amendments:

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 11 to 16, inclusive, and insert

"1141. The department shall determine in each case whether the unit appropriate for the purposes of collective bargaining shall be a single employer unit or a multiple employer unit, and whether it shall be a craft unit, plant unit, or subdivision thereof; provided, that the department shall not decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; and provided further that the department shall not decide that any unit is appropriate for such purposes if such unit includes both supervisory employees and employees who are not supervisors."

**Amendment No. 2**

On page 3, line 30, strike out the period; strike out lines 31 to 35, inclusive, and insert ", and in no case shall a person who has engaged in unlawful acts in connection with the said strike, lockout or work stoppage, be deemed eligible to participate in any election conducted.

In any election the employee shall have the choice of voting for the union of his choice, or for no union. When none of the choices on the ballot receive a majority,

a runoff shall be conducted, the ballot providing for a selection between the two choices receiving the largest and second largest number of valid votes cast in the election."

Amendments read.

**Division of Question**

Mr. Reagan called for a division of the question.

Request granted.

**Consideration of Amendment No. 1**

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 11 to 16, inclusive, and insert

"1141. The department shall determine in each case whether the unit appropriate for the purposes of collective bargaining shall be a single employer unit or a multiple employer unit, and whether it shall be a craft unit, plant unit, or subdivision thereof; provided, that the department shall not decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; and provided, further, that the department shall not decide that any unit is appropriate for such purposes if such unit includes both supervisory employees and employees who are not supervisors."

Amendment No. 1 read.

**Motion to Table Amendment**

Mr. George A. Willson moved that the amendment be laid on the table.

Mr. DeLotto seconded the motion.

Motion carried by the following vote:

AYES—Bane, Bee, George E. Brown, Burton, Busternd, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—50.

NOES—Bruce F. Allen, Bradley, Burke, Chapel, Collier, Cusanovich, Dahl, Ernest R. Geddes, Johnson, Lanterman, Levering, Mulford, Reagan, Shell, and Thelin—15.

**Consideration of Amendment No. 2**

**Amendment No. 2**

On page 3, line 30, strike out the period; strike out lines 31 to 35, inclusive, and insert ", and in no case shall a person who has engaged in unlawful acts in connection with the said strike, lockout or work stoppage, be deemed eligible to participate in any election conducted.

In any election the employee shall have the choice of voting for the union of his choice, or for no union. When none of the choices on the ballot receive a majority, a runoff shall be conducted, the ballot providing for a selection between the two choices receiving the largest and second largest number of valid votes cast in the election."

Amendment No. 2 read.

**Motion to Table Amendment**

Mr. Lunardi moved that the amendment be laid on the table.

Mr. Waldie seconded the motion.

Motion carried by the following vote:

AYES—Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—46.

NOES—Bruce F. Allen, Bradley, Burke, Chapel, Collier, Cusanovich, Dahl, Ernest R. Geddes, Johnson, Lanterman, Levering, Marks, Masterson, Mulford, Reagan, Sedgwick, Shell, and Thelin—18.

#### Name Placed Upon Roll Call

Mr Bee was granted unanimous consent that he be recorded as voting "Aye" on the motion to table Amendment No. 2 by Mr. Reagan.

#### Consideration of Further Amendments
#### Motion to Amend

Mr. Thelin moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 6 to 18, inclusive, and insert

"1137 It is the public policy of the State of California that employees shall have full freedom of association, self-organization, and to bargain collectively through representatives of their own choosing, that the majority of employees in an appropriate unit shall have the right to select or to decline to select a collective bargaining agent or representative by a majority vote, that a labor organization selected as a collective bargaining representative by a majority of the employees in such appropriate unit shall have the exclusive right to represent the employees in such unit; and a jurisdictional strike as herein defined is unlawful."

Amendment read.

#### Motion to Table Amendment

Mr. DeLotto moved that the amendment be laid on the table.

Mr. Frew seconded the motion.

Motion carried by the following vote:

AYES—Bane, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—50

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Burke, Chapel, Collier, Coolidge, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Johnson, Lanterman, Levering, Mulford, Reagan, Sedgwick, Shell, and Thelin—21.

### STATEMENT BY MR. MILLER

Mr. Miller arose to make a statement.

#### Point of Order

Mr. Bruce F. Allen arose to the following point of order: That there is nothing before the House.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken, since Mr. Miller was recognized for the purpose of lifting a call of the Assembly.

#### Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Is the question debatable?

#### Reply by Speaker

The Speaker replied that it was not.

#### Inquiry

Speaker Brown inquired of Mr. Miller if he desired to be recognized to lift the call.

Mr Miller stated that he did not, at this time.

#### Request for Unanimous Consent to Temporarily Suspend Rules

Mr. Unruh asked for unanimous consent that the Rules be temporarily suspended for the purpose of permitting Mr. Miller to speak on the condition of the file.

Mr. Sumner withheld unanimous consent.

#### Motion to Temporarily Suspend the Rules

Mr. Unruh moved that the Rules be temporarily suspended for the purpose of permitting Mr. Miller to speak for two minutes on the condition of the file.

Motion carried.

### REMARKS ON CONDITION OF FILE

Mr. Miller spoke on the condition of the file.

#### Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Miller was not speaking to the condition of the file.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ERNEST R. GEDDES AMENDMENT TO ASSEMBLY BILL NO. 419

At 12.34 p.m., Mr. Miller moved to dispense with further proceedings under the call of the Assembly.

Mr. Ernest R. Geddes seconded the motion.

The names of the absentees were called, and Amendment No. 1 offered by Mr. Ernest R. Geddes to Assembly Bill No. 419 refused adoption by the following vote:

AYES—Bruce F. Allen, Backstraud, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Frew, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Lunardi, Marks, Mulford, Nisbet, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—37.

NOES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Luckel, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—41.

Assembly Bill No. 419 ordered reprinted, and re-engrossed

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 276

At 12.39 p.m., Mr. Francis moved to dispense with further proceedings under the call of the Assembly.

Mr. Munnell seconded the motion.

The names of the absentees were called, and Assembly Bill No. 276 passed by the following vote:

AYES—Backstrand, Bane, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Collier, Conrad, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Hanna, Hawkins, House, Johnson, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McMillan, Meyers,

Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, and Z'berg—47

NOES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Chapel, Coolidge, Dahl, Davis, Dills, Donahoe, Samuel R. Geddes, Grant, Kennick, Lowrey, Luckel, Lunardi, Miller, Mulford, Reagan, Rees, Williamson, and Charles H. Wilson—22

Assembly Bill No. 276 ordered transmitted to the Senate

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE

Mr. Masterson gave notice, pursuant to Rule No. 101, that on the second legislative day he would move to withdraw Assembly Bill No. 520 from the Committee on Social Welfare

## REQUEST FOR UNANIMOUS CONSENT

Mr. Meyers was granted unanimous consent to take up Assembly Bill No. 1077 for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 1077

**Assembly Bill No. 1077**—An act to amend Section 1228.5 and to add Section 19330.5 of the Government Code, relating to leaves of absence from the State Civil Service, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. Meyers moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1959, after "1228.5", insert "of,".

### Amendment No. 2

In line 1 of the title strike out "of", and insert "to,".

### Amendment No. 3

On page 1, line 11, strike out "of", and insert "is added to".

### Amendment No. 4

On page 1, line 11, strike out "is added".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## REQUEST FOR UNANIMOUS CONSENT TO CORRECT AMENDMENTS TO ASSEMBLY BILL NO. 1908

Mr. Hanna was granted unanimous consent that the Chief Clerk be granted permission to make necessary corrections to the amendments to Assembly Bill No. 1908, as adopted on April 10, 1959 (Assembly Journal, pages 2316-2317) in order that the amendments will fit the bill.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 27

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No 26

With the recommendation: That the resolution be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 43

With the recommendation: That the resolution be re-referred to the Committee on Ways and Means.

MILLER, Chairman

Above resolution re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 46

With the recommendation: That the resolution be re-referred to the Committee on Fish and Game.

MILLER, Chairman

Above resolution re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No 6

With the recommendation. That the resolution be re-referred to the Committee on Elections and Reapportionment.

MILLER, Chairman

Above resolution re-referred to the Committee on Elections and Reapportionment.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 193
House Resolution No. 194

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No 116
Senate Bill No 671
Senate Bill No. 247

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1710
Assembly Bill No. 269
Assembly Bill No. 1850

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1926

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1775
Assembly Bill No. 1776

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

O'CONNELL, Chairman

Above bills ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER. Your Committee on Finance and Insurance reports:

Assembly Bill No. 964

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No 436

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1054

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 2009

With the recommendation: Do pass, and to inactive file.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1084

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER Your Committee on Education reports:

Assembly Bill No. 1928

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2047

Assembly Bill No. 1462

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bills re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1083

Assembly Bill No. 1929

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2006

With amendments with the recommendation: Amend, and re-refer to the Committee on Civil Service and State Personnel.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No 139

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3 the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1420

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports.

Assembly Bill No 1903

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports.

Assembly Bill No. 1890
Assembly Bill No. 1891

With amendments with the recommendation: Amend, and do pass, as amended

MEYERS, Chairman

Above bills ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Education reports

Assembly Bill No. 2037

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1446

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Rules reports.

House Resolution No. 187

With amendments but without recommendation.

MILLER, Chairman

Above resolution ordered on file.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1284

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1799

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to Consent Calendar.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1243
Assembly Bill No. 1334
Assembly Bill No. 1746
Assembly Bill No. 1747

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1447

And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1827
And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1544
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 825
Assembly Bill No. 1487
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 12
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1535
Assembly Bill No. 1536
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 167
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined·
Assembly Bill No. 1380
Assembly Bill No. 1500
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No 468
Assembly Bill No 619
Assembly Bill No. 923
Assembly Bill No. 1161
And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1546
Assembly Bill No. 1572

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills re-referred to committee.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 27

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

## EXPLANATION OF VOTE ON ASSEMBLY BILL NO. 759

April 14, 1959

I am recorded as voting "Aye" on Assembly Bill No. 759 which appears on page 2373 of the Assembly Journal of April 13, 1959

I returned to the Assembly Chamber after talking long distance while the roll call was in progress and was misinformed as to the bill being voted upon. Had I been properly apprised, I would have voted "No" on this bill.

CLAYTON A. DILLS

## EXPLANATIONS OF ABSENCE

I was in Senate Elections Committee from 10 a m. until 12.20 p.m. today.

CHARLES J. CONRAD

April 14, 1959

I was off the floor at a Senate committee conference and missed some roll calls.

DON MULFORD

Bills scheduled for hearing in Senate committees necessitated my being absent from Assembly roll call from 9.30 to 10.40 a.m , April 14, 1959.

DOROTHY M. DONAHOE

## MOTION TO RECONSIDER LAPSED

The motion to reconsider the vote on Assembly Bill No. 759 lapsed.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

The following changes in times for committee meetings were announced:

*Today—*

At 2.15 p.m., instead of at 1.30 p.m.—
Water, in Room 4202.

At 2 p.m , instead of at 1.30 p m. –
Subcommittee on Assembly Bill No. 1000, in Room 2170.

At 1.45 p.m , instead of at 1.30 p.m.—
Natural Resources, Planning, and Public Works, in Room 2196.
Government Organization, in Room 5168.

At 4.15 p m., instead of 3.45 p.m.—
Fish and Game, in Room 5168.

Mr. Busterud announced that there would be no meeting of the Committee on Constitutional Amendments today.

## ADJOURNMENT

At 12.45 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 15, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY

SEVENTY-THIRD CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, April 15, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God*, Days turn into weeks and weeks into months, and in these legislative halls it will be easy to become weary in well-doing Amendments pointing to essential change may seem less imperative; the fine line of discriminating thought may be harder to achieve; the party line may be too easy to follow; the "Daily File" may not seem too interesting or important on a given day; the fight for the right as we see it may seem to be just not worth the effort. We find in ourselves, O God, an instinct to finish the course; we would keep the faith a day at a time; finally, we would be able to say, "I have finished the work Thou gavest me to do."—**AMEN.**

### READING OF THE JOURNAL DISPENSED WITH

Further reading of the Journal of the previous legislative day was dispensed with, on motion of Mr. Chapel, seconded by Mr. George E. Brown.

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Porter, on request of Speaker Brown.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Shell, on motion of Mr. Dahl.

Mr Miller, on motion of Mr. George E. Brown.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

1420 New York Drive
Altadena, April 13, 1959

*Arthur A. Ohnimus, Chief Clerk*
*Assembly, State Capitol, Sacramento*

DEAR SIR: Just a few words of thanks to you and the gentlemen of the State Legislature for the beautiful scroll in resolution form, honoring my grandmother, Mrs Mary Rapp of San Mateo.

Words cannot express the thrill I received upon opening the package a short while ago. "Nana," as Mary Rapp was known to most everyone, would have been most pleased to know that she was so honored by her adopted State. Now, thanks to you gentlemen, a new family heirloom will be added to our possessions.

Most sincerely yours,

FRANCES R. DENIKE
(Mrs. Robert H.)

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The following communications were presented by the Chief Clerk from:

Mr. Benjamin M. Perry, relative to pensions. Referred to the Committee on Social Welfare.

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Louis Greenfield of Alhambra, relative to legislation. Referred to the Committee on Finance and Insurance.

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Mrs. Rayonette C. Adams Brown, relative to capital punishment and other legislation. Referred to the Committee on Criminal Procedure.

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Penn Eding of Palo Alto, relative to taking of seal lions. Referred to Committee on Fish and Game.

## RESOLUTIONS

The following resolution was offered:

By Mr. Chapel:

### House Resolution No. 201

Relating to the passing of Cameron L. Lillie

WHEREAS, The Members of the Assembly have been deeply grieved to learn of the passing of Mr. Cameron L. Lillie, the husband of Justice Mildred L. Lillie of the District Court of Appeal; and

WHEREAS, Mr. Lillie was born in New York City and attended De Salle Military Institute and New York University; and

WHEREAS, After moving to California, Cameron Lillie obtained his law degree from Southwestern University in Los Angeles; and

WHEREAS, He subsequently served as an Assistant United States Attorney in Los Angeles from 1944 to 1949, and, while serving in that office, he met Justice Lillie, then an attorney, and they were married on March 18, 1947; and

WHEREAS, Mr. Lillie was active in professional and fraternal affairs, being a member of the Los Angeles Bar Association, the California Bar Association and the American Bar Association, and serving as Exalted Ruler of Elks Lodge 99 in 1955; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House hereby express their grief on the passing of Mr. Cameron L Lillie, and extend to Justice Lillie their sincere condolences; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Justice Mildred L. Lillie.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2476**: By Messrs. Crawford, Schrade, and Hegland—An act to amend Sections 73649, 73959 and 74749 of the Government Code, relating to the payment of official reporters in the municipal courts in San Diego County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2477**: By Mr Bradley—An act to add Chapter 5 (commencing at Section 51900) to Part 2 of Division 1 of Title 5 of the Government Code, relating to metropolitan municipal service authorities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2478**: By Mr. Bee—An act to amend Sections 814.1, and 828.6 of the Agricultural Code, relating to standard containers.

Referred to Committee on Agriculture.

**Assembly Bill No. 2479**: By Messrs. Waldie and Masterson—An act to amend Section 5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617 of the Statutes of 1951) relating to the Contra Costa County Flood Control and Water Conservation District.

Referred to Committee on Water.

**Assembly Bill No. 2480**: By Mr. Dahl—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2481**: By Messrs. Kilpatrick, Johnson, Ernest R. Geddes, and Miss Donahoe—An act to amend Section 2877 of the Penal Code, relating to handiwork articles made by prisoners.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2482**: By Messrs. Hegland and Schrade—An act to repeal Sections 5398, 5399, 5400 of, and Chapter 10 (commencing at Section 6590) of Part 5 of Division 7 of, the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2483**: By Mr Cunningham—An act making an appropriation for allocations to counties and cities for the construction of grade protections.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2484**: By Mr. Miller—An act to add Section 32221.1 to the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Public Health.

**Assembly Bill No. 2485**: By Miss Donahoe—An act to amend Section 13583 of, and to add Sections 13590.1, 13590 2, and 13590.3 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2486**: By Miss Donahoe—An act to add Sections 13603, 13651.1, and 13651.2 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Referred to Committee on Education.

**Assembly Bill No. 2487**: By Mr. Williamson, Miss Donahoe, and Mr. Garrigus—An act to amend Section 13275 of, to add Section 12915 to, and to repeal Sections 917, 13276, 13584, and 13585 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public school employees.

Referred to Committee on Education.

**Assembly Bill No. 2488**: By Mr. Bradley—An act to add Chapter 14 (commencing at Section 27750) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2489**: By Mr. George E. Brown—An act to add Section 204.1 to the Welfare and Institutions Code, relating to county hospital care.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2490**: By Mr. Francis—An act to add Section 40519 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to procedure in Vehicle Code violation cases.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2491**: By Mr. Francis—An act to amend Section 1269b of the Penal Code, relating to bail.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2492**: By Mr. Francis—An act to add Chapter 5C (commencing with Section 853.6) to Title 3, Part 2, of the Penal Code, relating to citations for misdemeanors under state law.

Referred to Committee on Criminal Procedure.

**Assembly Constitutional Amendment No. 42**: By Mr. Britschgi—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article IX thereof, relating to education.

Referred to Committee on Constitutional Amendments.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 869**—An act to add Section 25844 to the Government Code, relating to weather data:

**Assembly Bill No. 1233**—An act to amend Sections 1711, 1712, 1722, and 1771 of the Elections Code, relating to municipal initiative and referendum measures;

And reports the same correctly enrolled, and presented to the Governor on the fourteenth day of April, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 14**—Relative to civil defense;

And reports the same correctly enrolled, and presented to the Secretary of State on the fourteenth day of April, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 419
Assembly Bill No. 1077

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1908

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Health.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 919

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1545

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

### Committee on Education

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 579
Assembly Bill No 114
Assembly Bill No. 345
Assembly Bill No 1672
Assembly Bill No. 1514

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 1919

With amendments with the recommendation: Amend, and do pass, as amended.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 1336
Assembly Bill No. 1337
Assembly Bill No 1338

With the recommendation: That the bills be re-referred to the Committee on Judiciary—Civil.

BRUCE F. ALLEN, Chairman

Above bills re-referred to the Committee on Judiciary—Civil.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 380
Senate Bill No. 381
Senate Bill No 382
Senate Bill No 383
Senate Bill No 384
Senate Bill No. 385

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 499

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 100

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

LOWREY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1303

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 137
Senate Bill No. 496

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1529

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 13, 1959

MR. SPEAKER: Your Committee on Ways and Means reports

Assembly Bill No. 140
Assembly Bill No 839
Assembly Bill No. 565
Assembly Bill No. 828
Assembly Bill No. 16
Assembly Bill No. 367
Assembly Bill No. 844
Assembly Bill No 1376
Assembly Bill No 1378
Assembly Bill No 1412
Assembly Bill No. 1676
Assembly Bill No 1686

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1906

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 802
Assembly Bill No. 826
Assembly Bill No 1818

With amendments with the recommendation. Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No 676

With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1956

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2011

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1580

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1662

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 50
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No. 102

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, April 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 212
Assembly Bill No. 231
Assembly Bill No. 275
Assembly Bill No. 568
Assembly Bill No. 1208
Assembly Bill No. 1323

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 153
Assembly Bill No. 208
Assembly Bill No. 490
Assembly Bill No. 500
Assembly Bill No. 683
Assembly Bill No. 718
Assembly Bill No. 966
Assembly Bill No. 1235

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No 117

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 44
Senate Bill No. 250
Senate Bill No. 336
Senate Bill No. 372
Senate Bill No. 392
Senate Bill No. 439
Senate Bill No. 837

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 44**—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 250**—An act to amend Section 7746 of the Education Code, and Section 19631 of the Education Code as proposed by Senate Bill No 2, relating to the repayment of state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 336**—An act to amend Section 10612 of the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health.

**Senate Bill No. 372**—An act to add Section 2830 to, to repeal Sections 25, 953, 2750, 3709.5, 6310, 7970.5, 7972, and 7972.5 of, to repeal Chapter 1 (commencing at Section 2000) of Division 5 of, to repeal Article 2 (commencing at Section 3870) of Chapter 2 of Division 6 of, and to amend Sections 3002, 3709, 3711, 6207, 6208, 7001, 7051, 7970, 7971, 8720, and 10050 of, the Elections Code, relating to the selection of delegates to party conventions.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 392**—An act to amend Section 28126 of the Health and Safety Code, relating to license fees for cold storage plants.

Referred to Committee on Public Health.

**Senate Bill No. 439**—An act to amend Section 402.5 of the Revenue and Taxation Code, relating to the assessment of property used for agricultural, airport or recreational purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 837**—An act to amend Section 10202.7 of the Insurance Code, relating to group life insurance for trade associations.

Referred to Committee on Finance and Insurance

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 14, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 99
Senate Bill No. 164
Senate Bill No. 165
Senate Bill No. 249
Senate Bill No. 299
Senate Bill No. 621
Senate Bill No. 635
Senate Bill No. 680
Senate Bill No. 748
Senate Bill No. 783
Senate Bill No. 817
Senate Bill No. 880

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 99**—An act to amend Section 410 of the Code of Civil Procedure, relating to service of process.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 164**—An act to amend Sections 659, 663a, and 953d of the Code of Civil Procedure, relating to procedure after trial in civil cases.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 165**—An act to repeal Sections 715.1, 770, 771, 774, 775 and 777 of, to amend Sections 715.3, 716, and 724 of, and to add Section 771 to, the Civil Code, relating to future interests in property.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 249**—An act to amend Section 19615 of the Education Code, as proposed by Senate Bill No. 2, relating to the repayment of state school building aid.

Referred to Committee on Education.

**Senate Bill No. 299**—An act to amend Section 4573 of the Penal Code, relating to narcotics in prisons and other correctional institutions.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 621**—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act, Chapter 1405 of the Statutes of 1951, relating to flood control and water conservation in Santa Clara County, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government

**Senate Bill No. 635**—An act to add Section 242a to the Code of Civil Procedure, relating to grand juries.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 680**—An act to amend Sections 4, 5, 17, 24, 29, and 35 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to water supply in Orange County.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 748**—An act to amend Section 12 of the Alameda County Flood Control and Water Conservation District Act, relating to the levy and collection of taxes and assessments, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 783**—An act to add Section 8162 1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to exemption from courses in physical education.

Referred to Committee on Education.

**Senate Bill No. 817**—An act to amend Section 17801 of the Education Code as enacted at the 1959 Regular Session, relating to basic state aid for high schools.

Referred to Committee on Education.

**Senate Bill No. 880**—An act to add Section 6.1 to the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats 1951), relating to land acquired for district purposes.

Referred to Committee on Water

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files, with the exception of Assembly Bills Nos. 1710, 1850, and 2009, deemed read the second time, with appropriate action taken on those bills requiring action.

### SECOND READING OF ASSEMBLY BILL NO. 1710 (OUT OF ORDER)

**Assembly Bill No. 1710**—An act to amend Sections 23102, 23103, and 23105 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to drunken and reckless driving, and operating vehicles under the influence of narcotic drugs.

Bill read second time.

#### Motion to Amend

Mr. Backstrand moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 4, of the printed bill, after "23102.", insert "(a)".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

### SECOND READING OF ASSEMBLY BILL NO. 1850 (OUT OF ORDER)

**Assembly Bill No. 1850**—An act to amend Section 1227 of the Penal Code, relating to executions of judgments of death.

Bill read second time.

#### Motion to Amend

Mr. O'Connell moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "has", and insert "was".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

SECOND READING OF ASSEMBLY BILL NO. 2009 (OUT OF ORDER)

**Assembly Bill No. 2009**—An act to amend Sections 23603, 23604, 23605, 23607, 23608, 23609, 23610, 23651, 23652, 23653, 23657, 23701, 23703, 23706, 23707, 23751, 23752, 23753, 23754, 23757, 23760, 23761, 23801, 23803, 23851, 23852, 23853, 23854, 23855, 23856, 23858, 23859, 23860, 23862, 23863, 23864, 23865, 23866, 23901, 23902, 23903, 23951, 23952, 23953, 24051, 24052, 24053, 24101, 24102, 24103, 24104, 24201, 24202, 24203, 24204, 24205, 24206, 24208, 24209, 24210, 24251, 24252, 24254, 24255, 24256, 24301, 24302, 24305, 24308, 24312, 24313, 24315, 24351, 24352, 24353, 24354, 24452, 24453, 24454, 24502, 24581, 24582, 24601, 24651, 24701, 24702, 24703, 24753, 24754, 24853, 24854, 24952, and 24954 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read second time.

Motion to Place on Inactive File

Mr. Hanna moved that Assembly Bill No. 2009 be placed on the inactive file, subsequent to engrossment.

Motion carried.

MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files with the exception of Assembly Bills Nos. 1710, 1850, and 2009, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Samuel R. Geddes seconded the motion.

Motion carried unanimously.

CONSIDERATION OF DAILY FILE

BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 885** and **602.**

Assembly Bill No 885 ordered to the Consent Calendar, subsequent to re-engrossment.

Assembly Bill No. 602 ordered to third reading, subsequent to engrossment.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1962**—An act to amend Sections 729 03 and 729.15 of, and to add Sections 729.17, 729.18, 729.19 and 729 20 to, the Vehicle Code, and to amend Sections 31602 and 31614 of, and to add Sections 31616, 31617, 31618 and 31619 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 2, line 1, of the printed bill, after "owner", insert ", or authorized agent of the owner,"

**Amendment No. 2**

On page 4, line 2, after "sives", insert ", and he shall prepare and deliver to the Department of the California Highway Patrol, for distribution to persons engaged in the transportation of explosives, maps which clearly indicate the routes, as established by the public hearings, which are to be used for the transportation of explosives".

**Amendment No. 3**

On page 4, line 3, after "stops", insert ", safe parking places,".

**Amendment No. 4**

On page 4, lines 34 and 35, strike out "one thousand dollars ($1,000)", and insert "not more than five hundred dollars ($500)".

**Amendment No. 5**

On page 4, line 35, strike out "one year", and insert "not more than six months".

**Amendment No. 6**

On page 5, line 4, after "owner", insert ", or authorized agent of the owner,".

**Amendment No. 7**

On page 7, line 5, after "explosives", insert ", and he shall prepare and deliver to the Department of the California Highway Patrol, for distribution to persons engaged in the transportation of explosives, maps which clearly indicate the routes, as established by the public hearings, which are to be used for the transportation of explosives".

**Amendment No. 8**

On page 7, line 7, after "stops", insert ", safe parking places,".

**Amendment No. 9**

On page 7, lines 38 and 39, strike out "one thousand dollars ($1,000)", and insert "not more than five hundred dollars ($500)".

**Amendment No. 10**

On page 7, line 39, strike out "one year", and insert "not more than six months".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1963**—An act to add Sections 12403, 12404, and 12405 to the Health and Safety Code, relating to explosives.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1043**—An act to amend Sections 320, 9263, 9264, and 9551 of, to repeal Chapter 3 (commencing at Section 11500) of Division 5 of, and to add Chapter 3 (commencing at Section 11500) to Division 5 of, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to automobile wreckers, dealers, manufacturers and automobile driving schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1276**—An act to amend Section 445.2 of the Vehicle Code, and to amend Sections 11105, 11106 and 11107 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 445.2 of the Vehicle Code, and to".

**Amendment No. 2**

In line 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "445.2 of the Vehicle Code", and insert "11105 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 19, inclusive; strike out all of page 2; and on page 3, strike out lines 1 and 2.

**Amendment No. 5**

On page 3, line 3, after "11105.", insert "(a)".

**Amendment No. 6**

On page 3, between lines 12 and 13, insert

"(b) The department may issue a probationary license and certificate subject to conditions to be observed by the licensee in the exercise of the privilege granted. The conditions to be attached to the exercise of the privilege shall not appear on the face of the license or certificate but shall be such as may, in the judgment of the department, be in the public interest and suitable to the qualifications of the applicant as disclosed by the application and investigation by the department of the information contained therein.

(c) Upon notification of death of an operator of a driving school the department may issue a certificate of convenience to the executor, executrix, administrator or administratrix of the estate of a deceased holder of a validly outstanding certificate to conduct a driving school, or if no executor, executrix, administrator or administratrix has been appointed, and until a certified copy of an order making such appointment is filed with the department, to the widow or other heir otherwise entitled to conduct the business of the deceased, permitting such person to conduct the driving school for a period of one year from and after the date of death, and necessary one year renewals thereafter pending, but not later than, disposal of the business and qualification of the vendee of the business or such surviving widow or heir for a license certificate to conduct a driving school under the provisions of this division. The department may restrict or condition the certificate and attach to the exercise of the privilege thereunder such terms and conditions as in its judgment the protection of the public requires"

**Amendment No. 7**

On page 3, line 13, strike out "3", and insert "2".

**Amendment No. 8**

On page 3, line 25, strike out "4", and insert "3".

**Amendment No. 9**

On page 4, strike out lines 19 through 24, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

**Assembly Bill No. 2034**—An act to amend Section 16023 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to deposit of security following a vehicle accident.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted·

**Amendment No. 1**

On page 1, line 15, of the printed bill, after the period, insert "A bond or its equivalent, as referred to herein, shall mean a bond or its equivalent conditioned for disbursement in a manner provided in Section 16026."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1965**—An act to amend Sections 13350, 13361, 13364, 17703, 17704, and 17705 of, and to repeal Section 13365 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of drivers of motor vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 628**—An act to amend Section 703 of the Streets and Highways Code, relating to relocation of utilities in state highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on April 6, 1959, strike out lines 10 and 11, and insert

"Whenever the department requires any privately-owned utility to relocate within a freeway any".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 269**—An act to add Section 502.2 to the Vehicle Code, and Section 23102.2 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to chemical tests of vehicle drivers for intoxication.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1926**—An act to amend Section 1203.1 of the Penal Code, relating to probation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 1, line 13, strike out "three", and insert "five".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1775**—An act to amend Section 1195 of the Penal Code, relating to bail.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1776**—An act to amend Sections 1278, 1287, 1458, and 1459 of the Penal Code, relating to undertakings of bail.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 964**—An act to repeal Sections 1653 and 1654 of the Insurance Code, relating to producers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after the word "Code," insert "as enacted by the Legislature at the 1959 Regular Session,".

Amendment No. 2

On page 1, strike out lines 3, 4, and 5.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1054**—An act to amend Section 10279.8 of the Business and Professions Code, relating to real estate and business opportunity licenses.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1084**—An act to amend Section 14645 of the Education Code, and Section 14376 of the Education Code as proposed by Senate Bill No. 2, relating to the employment after retirement of certificated employees by school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 14645 of the Education Code, and".

Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

Amendment No. 3

On page 1, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 14376 of the Education Code is amended to read:"

Amendment No. 4

On page 2, strike out lines 7 and 8, and insert "a substitute in a position requiring certification qualifications".

Amendment No. 5

On page 2, strike out lines 25 to 30, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1928**—An act to amend Section 13133 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to standards for issuance of teaching credentials

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1083**—An act to amend Section 13092 of the Education Code, and Section 13320 of the Education Code as proposed by Senate Bill No. 2, relating to the employment of certificated employees by school districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1929**—An act to amend Section 16051, and to repeal Section 16055, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to sale or lease of school real property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2006**—An act to add Section 18973.1 to the Government Code, relating to promotional civil service examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil service and State Personnel, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "full-time", and insert "permanent".

Amendment No. 2

On page 1, lines 4 and 5, strike out "for the period commencing September 16, 1940," and insert "from the time of commencement of employment".

Amendment No. 3

On page 1, line 10, after the comma, insert "or who was so deferred by reason of his occupation with the State of California,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 139**—An act to add Section 19391 to the Government Code, relating to state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "thereafter", and insert "within six months after being placed upon said list".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1903**—An act to amend Section 18950 of the Government Code, relating to promotion in the State Civil Service.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1890**—An act to amend Section 1157.1 of the Government Code, relating to payroll deductions for public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1891**—An act to amend Section 22201 of the Government Code, relating to combination of retirement and social security plans.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 22201 of", and insert "add Section 22155 to".

Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 22155 is added to the Government Code, to read:

22155. Whenever on the request of the governing body of a public agency a retirement system has been divided pursuant to this article, the board, on the request of the governing body, shall execute in conformity with Section 218 Social Security Act and applicable federal regulations a modification to the agreement providing for transfer to the system as defined in Section 22009.1 (k) (1) created by the division, the position of any member included in the system as defined in Section 22009.1 (k) (2) who requests such transfer pursuant to Section 218(d)(6)(F) of the Social Security Act and board rules."

Bill ordered reprinted and engrossed.

**Assembly Bill No. 2037**—An act to add Section 14377 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deductions of group insurance premiums from teachers' retirement allowances.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "premiums", insert "or dues or other charges of any plan of health and welfare benefits, as defined in Section 53200 of the Government Code".

Amendment No. 2

On page 1, line 7, strike out "of a premium".

**Amendment No. 3**

On page 1, strike out lines 8 and 9, and insert "such premiums, dues or other charges under any such policy or plan, unless the active and retired persons enrolled under such policy or".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1446**—An act to add Sections 35500.1 and 35550.1 to the Government Code, relating to exclusion of territory from cities.

Bill read second time, and ordered engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 686**—An act to amend Section 257 of the Vehicle Code and to amend Section 12512 of, and to amend and renumber Section 12654 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to motor vehicle operator's age limits.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, strike out lines 1, 2 and 3 of the title of the printed bill, and insert "An act to amend Sections 12509 and 12512 of the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session,"

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 12509 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

12509. Any person who is *over the age of 15 years and 6 months* ~~otherwise qualified for the issuance of a driver's license unless prohibited under Section 12511 of this code~~ may apply to the department for an instruction permit. The department for good cause may issue to the applicant an instruction permit which shall entitle the applicant while having the permit in his immediate possession to drive a motor vehicle upon the highways for a period not exceeding six months when accompanied by, and under the immediate supervision of, a licensed driver 18 years of age or over, but the applicant need not be so accompanied when operating a motorcycle. The department may further restrict the permits as it may determine to be appropriate to assure the safe operation of a motor vehicle by the permittee.

SEC. 2. Section 12512 of said code is amended to read:".

**Amendment No. 3**

On page 1, strike out lines 2 through 18, inclusive; and on page 2, strike out lines 1 through 10, inclusive.

**Amendment No. 4**

On page 2, line 11, strike out "otherwise provided in this code", and insert "provided in Sections 12513 and 12514".

**Amendment No. 5**

On page 2, strike out lines 13 through 22, inclusive, and insert "16 years".

**Amendment No. 6**

On page 2, strike out lines 24 through 42, inclusive.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 757**—An act to add Section 16864 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to fire extinguishers carried on school buses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 25, 1959, strike out "16864", and insert "16865".

**Amendment No. 2**

On page 1, line 1, strike out "16864", and insert "16865".

**Amendment No. 3**

On page 1, line 4, strike out "16864", and insert "16865".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 116**—An act to add Section 1631 to the Civil Code, and to add 653d to the Penal Code, relating to sales of mining equipment.

Bill read second time, and ordered to third reading.

**Senate Bill No. 671**—An act to add Sections 305.2 and 744.1 to the Vehicle Code, and to add Sections 1816 and 13367 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to traffic violations committed by minors.

Bill read second time, and ordered to third reading.

**Senate Bill No. 247**—An act to amend Section 1370 of the Penal Code, relating to verdict as to insanity of defendant.

Bill read second time, and ordered to third reading.

**Senate Bill No. 436**—An act to amend Sections 21200, 21201, and 21208 of the Financial Code, and Sections 343 and 11108 of the Penal Code, and to add Section 21208 to the Financial Code, relating to pawnbrokers.

Bill read second time, and ordered to third reading.

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER SENATE BILL NO. 232

In compliance with a notice given on a previous day, Mr. Masterson moved that the vote whereby Senate Bill No. 232 was passed be reconsidered

Senate Bill No. 232 reconsidered by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—62.

NOES—None.

## FURTHER CONSIDERATION OF SENATE BILL NO. 232

**Senate Bill No. 232**—An act to add Section 604.14 to the Vehicle Code, and to add Section 23120 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to glasses worn by drivers.

Bill read third time.

### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

### Amendment No. 1

On page 1, strike out lines 1, 2 and 3 of the title of the printed bill, and insert "An act to add Section 373 to the Penal Code, relating to the manufacture, sale, and wearing of glasses."

### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 373 is added to the Penal Code, to read:

373. No glasses having a temple width of one-half inch or more, any part of the temple of which extends below the horizontal center of the lens so as to interfere with or obstruct lateral vision, shall be manufactured, sold, either at wholesale or retail, or used while operating a motor vehicle, except upon the written prescription of a licensed physician and surgeon or optometrist

The violation of this section constitutes a misdemeanor."

### Amendment No. 3

On page 1, strike out lines 2 through 17, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## MOTION TO SET ASSEMBLY BILL NO. 419 FOR SPECIAL ORDER

Mr. Thelin moved that Assembly Bill No. 419 be made a special order of business for Thursday, April 16, 1959, at 10 a.m.

Mr. Francis seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 885** and **1043**, subsequent to re-engrossment.

**Assembly Bill No. 2009**, subsequent to engrossment.

**Senate Bills Nos. 671** and **436**.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 142**—An act to amend Section 800 of the Labor Code, relating to lumber industries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2079**—An act to amend Section 126 of the Government Code, relating to acquisition of lands by the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read.

### Hon. Jack A. Beaver Presiding

At 10.10 a.m., Hon. Jack A. Beaver, Member of the Assembly from the Seventy-third District, presiding.

### Demand for Previous Question

Messrs Belotti, Luckel, Crawford, Ernest R. Geddes, and Reagan demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—63.
NOES—Burton and Gaffney—2.

### Vote Changed

Mr Gaffney was granted unanimous consent that he be recorded as voting "No," instead of "Aye," on the urgency clause on Assembly Bill No. 2079.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford,

Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—68
NOES—Burton and Gaffney—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1844**—An act to amend Section 14004 of the Financial Code, relating to credit union employee organizations.

Bill read third time.

**Motion to Amend**

Mr. Ernest R. Geddes moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, of the printed bill, strike out lines 3 to 9, inclusive, and insert
"14004. Nonprofit associations, which are formed for the mutual benefit and protection of credit unions, by credit unions organized under this division, or under the provisions of the statutes of the United States applicable to credit unions or any nonprofit association formed by bona fide employees of credit unions, may use the words "credit" and "union" in the name or title designating any such association"

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1796**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to convictions for operating motor vehicles while under the influence of intoxicating liquor.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—63.
NOES—Bradley, Conrad, Levering, and Reagan—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1077**—An act to amend Section 1228.5 and to add Section 19330.5 of the Government Code, relating to leaves of absence from the State Civil Service, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier,

Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1246**—An act to amend Sections 18020, 18021, 18022 and 18705 of the Government Code and to repeal Section 18024 of the Government Code, relating to hours of work of state employees.

Bill read third time.

**Speaker Presiding**

At 10.43 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1457**—An act to amend Section 13317 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to tenure of certificated employees of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 113**—An act to add Section 33049 to the Health and Safety Code, relating to restrictions on the basis of race, color, religion, ancestry, or national origin of the sale, lease, or rental of real property redeveloped and urban renewal under the Community Redevelopment Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi,

MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1780**—An act to amend Sections 560 and 561 of the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.

NOES—Winton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1152**—An act to amend Sections 422 and 423 of the Probate Code, relating to the administration of estates.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—Belotti, Davis, Hegland, Lowrey, Luckel, Lunardi, McCollister, and Schrade—8.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 1152 was offered. *See* page 2458.

**Assembly Bill No. 1406**—An act to amend Section 753 of, and to add Section 753.1 to, the Code of Civil Procedure, relating to actions for partition of property.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.55 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1736**—An act to add Section 940.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1840**—An act to add Section 10055 to the Education Code, as enacted at the 1959 Regular Session, relating to high school textbooks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1820**—An act to add Section 32135 to the Health and Safety Code, relating to local hospital districts.

Bill read third time.

**Motion to Amend**

Mr. Hegland moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "32135", and insert "32136".

**Amendment No. 2**

On page 1, line 1, strike out "32135", and insert "32136".

**Amendment No. 3**

On page 1, line 3, strike out "32135", and insert "32136".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1631**—An act to amend Sections 24360.3 and 24367.11 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 487**—An act to amend Section 106 of, and to add Section 401.1 and Part 10 (commencing at Section 5150) of Division 1 to, the Revenue and Taxation Code, relating to the definition and assessment of personal property for purposes of taxation, and the taxation of the use or possession for use of tax-exempt personal property, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Mr. Bane moved the adoption of the following amendments:

**Amendment No. 1**

Strike out lines 1 to 4, inclusive, of the title of the printed bill, as amended in the Assembly on April 6, 1959, and insert "An act to add Section 107.6 to the Revenue and Taxation Code, relating to".

**Amendment No. 2**

In line 5 of the title, strike out "taxation, and".

**Amendment No. 3**

In line 5 of the title, strike out "of the use or possession for use".

**Amendment No. 4**

In line 6 of the title, strike out "tax-exempt".

**Amendment No. 5**

In lines 6 and 7 of the title, strike out ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 6**

On page 1, line 1, strike out "106 of", and insert "107.6 is added to".

**Amendment No. 7**

On page 1, line 2, strike out "is amended", and insert a comma.

**Amendment No. 8**

On page 1, between lines 2 and 3, insert

"107.6. The possession of, claim to or right to the possession of any general purpose machinery or equipment of a kind used by the taxpayer in the ordinary course of his trade or business, but not of a kind which would properly be stock in trade of the taxpayer or included in the inventory of the taxpayer at the close of the taxable year or held by the taxpayer presumably for sale to customers in the ordinary course of his trade or business, or otherwise deliverable to a customer as an end item, is hereby declared to be personal property within the meaning of Section 14 of Article XIII of the Constitution of the State of California."

**Amendment No. 9**

On page 1, strike out lines 3 to 6, inclusive; and strike out pages 2, 3, 4 and 5, inclusive.

Amendments read.

**Point of Order**

Mr. MacBride arose to the following point of order: That Mr. Bane was speaking to the bill, and not to the amendments.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken.

**Parliamentary Inquiry**

Mr. Bane arose to the following parliamentary inquiry: Whose time is being consumed by the questions being asked by Mr. MacBride?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that Mr. Bane should continue with his debate, and that the members could ask questions later, on their own time.

**Parliamentary Inquiry**

Mr. Marks arose to the following parliamentary inquiry: What portion of the bill is affected by the amendments offered by Mr. Bane?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that Mr. Bane has explained the amendments.

**Point of Order**

Charles H. Wilson arose to the following point of order: That the amendments have not been read in full, so the specific line and page numbers affected by the amendments are not available for the members to follow.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken; and directed the Clerk to read the amendments in full.

Amendments read in full.

**Additional Time for Debate**

By unanimous consent, Mr. Bane was granted five minutes additional time for debate on the amendments.

The question being on the adoption of the amendments offered by Mr. Bane.

**Speaker Presiding**

At 11.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Crawford, Luckel, DeLotto, Busterud, and Pattee demanded the previous question. Demand sustained.

The question being on the adoption of the amendments offered by Mr. Bane.

## MEMBERS EXCUSED FOR BALANCE OF DAY

By unanimous consent, the following members were granted leaves of absence for the balance of the legislative day, for the purpose of attending a meeting of the Liaison Committee on Education and the Regents of the University of California in Los Angeles:

Miss Donahoe, Messrs. Ralph M. Brown, Sedgwick, Winton, and MacBride.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 487

### Further Consideration of Amendments by Mr. Bane

The question being on the adoption of the amendments by Mr. Bane.

### Speaker pro Tempore Presiding

At 12.01 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Roll Call Demanded

Messrs. Charles H. Wilson, Dahl, and Bradley demanded a roll call.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Bane moved a call of the Assembly.

Mr. Holmes seconded the motion.

Motion carried. Time, 12.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### Speaker Presiding

At 12.05 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: Would a request to be added to a roll call be in order?

### Reply by Speaker

The Speaker replied that it would.

### Parliamentary Inquiry

Mr. Lanterman arose to the following parliamentary inquiry: Has Rule No. 106 been suspended to proceed?

### Reply by Speaker

The Speaker replied that it was not necessary to suspend the rule, at this time.

## VOTES CHANGED ON ROLL CALL ON ASSEMBLY BILL NO. 1152

Messrs. McCollister and Belotti were granted unanimous consent that they be recorded as voting "No" instead of "Aye" on Assembly Bill No. 1152.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, April 6, 1959; Tuesday, April 7, 1959; Wednesday, April 8, 1959; Thursday, April 9, 1959; and Friday, April 10, 1959.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Busterud was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that the Report of the Subcommittee on Traffic Accident Consequences be held at the desk pending a Rules Committee decision relative to its printing.

LETTER OF TRANSMITTAL

April 15, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. ALLEN: In accordance with your directive and in pursuance of the provisions of House Resolution No. 192 of the 1957 General Session of the California Legislature, your Subcommittee on Traffic Accident Consequences herewith submits its report.

Contained herein are the subcommittee's findings and recommendations which resulted from its various meetings and public hearings.

The subcommittee wishes to express its appreciation to Professor John W. Cowee, Vice Chairman of the Department of Business Administration, University of California, for his kind assistance in gathering background material for the subcommittee and his devoted work during subcommittee meetings; and to Robert Zimmerman, Legislative Intern, who prepared the report of the subcommittee. The subcommittee also wishes to thank the various officials from the Department of Motor Vehicles and representatives of the insurance industry, who assisted us greatly in this study.

Respectfully submitted,

JOHN A. BUSTERUD, Chairman
Subcommittee on Traffic
Accident Consequences
RALPH M BROWN
S. C. MASTERSON
JOHN A. O'CONNELL
WILLIAM BIDDICK, JR.
RICHARD T. HANNA
ALLEN MILLER
BRUCE SUMNER

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. MacBride was granted unanimous consent that the following letters of transmittal and the Report of the Subcommittee on Marketing and Trade Practices of the Assembly Interim Committee on Judiciary be ordered printed in the Journal:

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
Sacramento, March, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*and Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Enclosed is the Report of the Subcommittee on Marketing and Trade Practices of the Assembly Interim Committee on Judiciary relating to California's antitrust and unfair practices laws.

During the interim this subcommittee studied the possibility of strengthening the California Cartwright Act and Unfair Practices Act. Also, the subcommittee investigated problems faced by the Attorney General's Office in enforcing these laws. The subcommittee held one

hearing on November 17 and 18, 1958. The results of this study are set out in the report.

Respectfully submitted,

BRUCE F. ALLEN, Chairman

### SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 10, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*State Capitol, Sacramento*

DEAR MR. ALLEN: Pursuant to your directive and in conformance with the provisions of House Resolution No. 224 of the 1957 General Session, the Subcommittee on Marketing and Trade Practices herewith submits its report on California's antitrust and unfair practice laws.

The subcommittee studied two major topics in the field of monopolistic and discriminatory practices during the 1957-59 interim: The substantive adequacy of the Cartwright Act and the Unfair Practices Act and the problems involved in enforcing these laws for the benefit of the California public.

The subcommittee sets forth its findings and recommendations relating to the matters studied in this report.

Respectfully submitted,

THOMAS J. MACBRIDE, Chairman
Subcommittee on Marketing
and Trade Practices
BRUCE F. ALLEN
PHILLIP BURTON
GEORGE G. CRAWFORD
*Dissenting in most part of report*
LOUIS FRANCIS
S. C. MASTERSON
ALLEN MILLER
BRUCE SUMNER
*With reservations*
HOWARD J. THELIN
JESSE M. UNRUH

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## REPORT OF SUBCOMMITTEE ON MARKETING AND TRADE PRACTICES

# I. ENFORCEMENT OF CALIFORNIA'S ANTITRUST AND UNFAIR PRACTICES LAWS

### A. BACKGROUND

Assembly Bill No. 14 (1958 Second Extraordinary Session) asked for an appropriation of one hundred thousand dollars ($100,000) to the State Department of Justice for investigation of alleged illegal trade practices and matters pertinent thereto. This bill was referred to the Assembly Interim Committee on Judiciary for interim study.

The Subcommittee on Marketing and Trade Practices, appointed by Interim Judiciary Committee Chairman Bruce F. Allen to study and analyze all facts relating to or affecting marketing and trade practices, combinations in restraint of trade, gasoline price wars, price fixing, price discrimination, and all matters and agreements in any way bearing upon or relating thereto, held a hearing in Sacramento on November 17 and 18, 1958, at which testimony was taken regarding the marketing practices of the petroleum industry.

### B. FINDINGS

Clarence A. Linn, Chief Assistant Attorney General, testified at the hearing that the Attorney General's Office needed more money and personnel to adequately enforce the state antitrust laws—the Cartwright Act (Business and Professions Code 16700-16758) and the Unfair Practices Act (Business and Professions Code 17000-17101). He stated that there was a need for more enforcement and that the office was not equipped to handle the many complaints that it received, not only in the field of gasoline price wars but in other areas, such as bread, dry cleaning, and laundry as well. He said that at the present time the office was only able to handle one-man jobs, thus avoiding or only giving superficial consideration to larger problems that could affect the economy of the State. In Mr. Linn's opinion, a staff of lawyers, investigators, and secretaries would be necessary to provide adequate enforcement machinery for violations of the State's antitrust laws.

Several suggestions were made to the subcommittee as to how to organize a staff for enforcement of the state antitrust laws. The first called for the creation of a special section within the Attorney General's Office. This would be an administrative change and could be accomplished by the Attorney General without necessity of further statutory authorization. A second proposal called for the establishment of a California trade commission, an agency separate from the Attorney General's Office similar to the Federal Trade Commission. Such a commission would have the power to institute investigations into alleged unfair trade practices, to make findings of fact, and to issue orders to cease and desist. It would be headed by commissioners appointed by the Governor with the advice and consent of the Senate.

A letter dated February 16, 1959, from Clarence A. Linn, written for Attorney General Stanley Mosk, stated:

> "It is our opinion that the enforcement of the Cartwright Act and other statutes prohibiting unfair practices can best be improved by providing additional staff within the Attorney General's

Office as it is presently constituted. This could be accomplished by earmarking an appropriation to be expended for this purpose. * * * The Attorney General could then set up an antitrust and trade law enforcement section in the same manner as sections such as tax, government law, criminal law, etc., are now set up and administered in the office. Greater flexibility will be accomplished in this way and intra-office empire building will be avoided."

The letter further stated that a separate and independent trade commission "sounds intriguing" but deferred stating whether the Attorney General's Office favored or opposed the idea.

In addition to the aforementioned, the letter of February 16th presented a "rough estimate" of the amount believed necessary to staff an antitrust division within the Office of the Attorney General, as follows:

| | |
|---|---|
| 1 Asst. Attorney General Grade I | $15,000 |
| 3 Deputy Attorney General Grade IV | 43,200 |
| 6 Deputy Attorney General Grade I or II, to act as research attorneys, investigators, accountants, and economists | 51,120 |
| 5 Legal Stenographers at $4,700 | 23,500 |

The total amount is an estimated $132,820.

The letter also set out a rough estimate of the amount believed necessary to staff a proposed California trade commission, as follows:

| | |
|---|---|
| 1 chairman | $18,000 |
| 3 members | 16,500 |
| 1 administrative assistant | 15,000 |
| 1 secretary | 12,000 |
| 4 clerical staff at $4,700 | 18,000 |
| 8 research attorneys, 2 for each commissioner | 70,160 |
| 4 secretaries, one for each commissioner | 18,800 |
| 6 lawyers, investigators, or economists | 51,120 |
| space, furniture, equipment, etc. | |

The total amount is an estimated $220,380. The letter concludes, "The initial cost of the commission will be greater than that of a section in the Attorney General's Office because it will have to be independently staffed at the beginning and will not be able to lean on any existing organization, while a section in the Attorney General's Office can lean on a going organization for help from time to time."

### C. RECOMMENDATIONS

The subcommittee recommends that a separate section be established within the Attorney General's Office for the purpose of antitrust and trade law enforcement and that sufficient funds be appropriated by the Legislature to provide adequate staffing in order to insure proper enforcement of the Cartwright Act and other statutes prohibiting unfair trade practices in California. The subcommittee further recommends that special consideration and further study be given to the creation of a California Trade Commission.

## II. AMENDMENT OF THE UNFAIR PRACTICES ACT

### A. BACKGROUND

The Subcommittee on Marketing and Trade Practices of the Assembly Interim Committee on Judiciary also received testimony at its November 17 and 18, 1958 hearing concerning the effectiveness of the California Unfair Practices Act (Business and Professions Code 17000-17101) in eliminating unfair trade practices in the State.

### B. FINDINGS

The purpose of the Unfair Practices Act is "* * * to safeguard the public against the creation or perpetuation of monopolies and to foster and encourage competition, by prohibiting unfair, dishonest, deceptive, destructive, fraudulent, and discriminatory practices by which fair and honest competition is destroyed or prevented."[1]

The Unfair Practices Act makes three practices illegal:

1. *Locality discriminations* are unlawful when they are done by any person engaged in the production, manufacture, distribution or sale of any article or product of general use or consumption, with the *intent* to destroy the competition of any regular established dealer in such article or product, or with the *intent* to prevent the competition of any person who in good faith intends and attempts to become such dealer.[2] A locality discrimination is defined as "* * * a discrimination between different sections, communities or cities or portions thereof, or between different locations in such sections, communities, cities or portions thereof in this State, by selling or furnishing an article or product, at lower price in one section, community or city, or any portion thereof, or in one location in such section, community, or city or any portion thereof, than in another."[3]

Section 17040 is applicable only when the locality discrimination is done with the intent to destroy competition or with the intent to prevent a person from becoming a competitor. It does *not* cover locality discrimination done with the intent to substantially lessen competition or to create a monopoly, nor does it cover locality discriminations that in fact destroy or substantially lessen competition, create or tend to create a monopoly or prevent or tend to prevent a person from becoming a competitor regardless of intent.

2. *Sales at less than cost* are unlawful when made with the *intent* to injure competitors or destroy competition.[4] The practice of using any article or product as a "loss leader" is also illegal.[5] Section 17043 does *not* cover sales at less than cost that are made with the intent to substantially lessen competition or create a monopoly nor does it cover sales at less than cost that in fact destroy or substantially lessen competition or create or tend to create a monopoly regardless of intent.

3. *Secret payment or allowance of rebates, refunds, commissions, or unearned discounts,* or secretly extending to certain purchasers special services or privileges not extended to all purchasers purchasing upon like terms and conditions, to the injury of a competitor and where such payment or allowance tends to destroy competition, is unlawful.[6] This section only applies to the extension of secret rebates, *etc.*, that *in fact* cause both injury to a competitor and tend to destroy competition. It does *not* cover the extension of secret rebates, *etc.*, which in fact destroy

or substantially lessen competition or create or tend to create a monopoly, nor does it cover the extension of secret rebates, *etc.*, with the intent to injure a competitor, destroy or substantially lessen competition or create a monopoly.

At the hearing, Miles J. Rubin, Deputy Attorney General, testified that the Unfair Practices Act could be made more effective if acts done with either the intent to destroy competition or acts done that result in a substantial lessening of competition or tendency to monopolize, regardless of intent, be made illegal This would, he stated, bring the California statute more in line with the federal Robinson-Patman Act and would eliminate the necessity of proving intent in every case, an almost impossible task in some instances He said, "Whether the intent is there or not, the result is just as bad."

In a letter dated February 20, 1959, written for Attorney General Stanley Mosk, Chief Assistant Attorney General Clarence A. Linn stated, "I am convinced that the proposed amendments eliminating the necessity for intent are constitutional and would have no reluctance in defending the statute." The amendments referred to would make it illegal to engage in locality discriminations, sales at less than cost, or secret rebates, *etc.*, when said acts were done with the intent to destroy or substantially lessen competition, create a monopoly, or injure competitors, or when said acts have the effect of destroying or substantially lessening competition or creating or tending to create a monopoly regardless of the presence of intent.

Another possible amendment to Section 17045 is to eliminate the word "secret" from the prohibition At present, the payment of a rebate, refund, commission, or unearned discount, or the extension of special services or privileges to certain purchasers and not to others, must be done secretly. It appears that when the intent or effect of such payment is to destroy or substantially lessen competition or create or tend to create a monopoly, the fact that the payment is secret or not makes little difference. The result is just as bad whether the payment is done secretly or openly.

### C. RECOMMENDATIONS

The subcommittee recommends that the Unfair Practices Act be amended as follows:

1. *Locality discriminations.*

a. Section 17040 of the Business and Professions Code be amended to read:

> 17040. It is unlawful for any person engaged in the production, manufacture, distribution or sale of any article or product of general use or consumption *to create locality discrimination* with *the* intent to destroy *or substantially lessen* the competition of any regular established dealer in such article or product, *to create a monopoly in such article or product*, or to prevent the competition of any person who in good faith, intends and attempts to become such dealer ~~to create locality discriminations~~.
>
> Nothing in this section prohibits the meeting in good faith of a competitive price.

b. Section 17040.1 be added to the Business and Professions Code, to read:

17040.1. It is unlawful for any person engaged in the production, manufacture, distribution, or sale of any article or product of general use or consumption to create locality discriminations which destroy or substantially lessen the competition of any regular established dealer in such article or product, which create or tend to create a monopoly in such article or product, or which prevent or tend to prevent the competition of any person who in good faith, intends and attempts to become such dealer.

Nothing in this section prohibits the meeting in good faith of a competitive price.

2. *Sales at less than cost.*

a. Section 17043 of the Business and Professions Code be amended to read:

17043. It is unlawful for any person engaged in business within this State to sell any article or product at less than the cost thereof to such vendor, or to give away any article or product, for the purpose of injuring ~~or~~, destroying *or substantially lessening* competition, *or creating a monopoly*.

b. Section 17043.1 be added to the Business and Professions Code, to read:

17043.1. It is unlawful for any person engaged in business within this State to sell any article or product at less than the cost thereof to such vendor, or to give away any article or product, if such sale or giving away destroys or substantially lessens competition, or creates or tends to create a monopoly.

3. *Secret rebates, refunds, commissions or unearned discounts.*

a. Section 17045 of the Business and Professions Code be amended to read:

17045. The ~~secret~~ payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or ~~secretly~~ extending to certain purchasers special services or privileges not extended to all purchasers purchasing on like terms and conditions, ~~to the injury of a competitor and where such payment or allowance tends to destroy~~

---

**FOOTNOTES**

[1] Business and Professions Code, Section 17001.

[2] **Section 17040. Locality discriminations: Meeting competitive price.** [*Creation of locality discriminations unlawful.*] It is unlawful for any person engaged in the production, manufacture, distribution or sale of any article or product of general use or consumption, with intent to destroy the competition of any regular established dealer in such article or product, or to prevent the competition of any person who in good faith, intends and attempts to become such dealer, to create locality discrimination

[*Meeting competitive price.*] Nothing in this section prohibits the meeting in good faith of a competitive price.

[3] Business and Professions Code, Section 17031

[4] **Section 17043. Sales at less than cost.** It is unlawful for any person engaged in business within this State to sell any article or product at less than the cost thereof to such vendor, or to give away any article or product, for the purpose of injuring competitors or destroying competition

[5] Business and Professions Code, Section 17044

[6] **Section 17045. Secret rebates, refunds, commissions or unearned discounts.** The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or secretly extending to certain purchasers special services or privileges not extended to all purchasers purchasing upon like terms and conditions, to the injury of a competitor and where such payment or allowance tends to destroy competition, is unlawful.

~~competition,~~ *where such payment, allowance, services or privilege destroys or substantially lessens competition, or creates or tends to create a monopoly,* is unlawful.

b. Section 17045.1 be added to the Business and Professions Code, to read:

17045.1. The payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or extending to certain purchasers special services or privileges not extended to all purchasers purchasing upon like terms and conditions with the intent to injure a competitor, to destroy or substantially lessen competition, or to create a monopoly is unlawful.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Sumner was granted unanimous consent that he be permitted to speak on the condition of the file.

### REMARKS ON CONDITION OF THE FILE

Mr Sumner spoke on the condition of the file.

Mr. Unruh spoke on the condition of the file.

### ANNOUNCEMENT

Speaker Brown announced that the Assembly would be in session as late as necessary on Friday in order to complete the file; and advised the Members to be prepared for a possible late session on that day.

### CALL OF THE ASSEMBLY DISPENSED WITH ON BANE AMENDMENTS TO ASSEMBLY BILL NO. 487

At 12.12 p.m., Mr. Bane moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and the amendments offered by Mr. Bane to Assembly Bill No. 487 refused adoption by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bradley, Britschgi, George E. Brown, Burke, Busterud, Coolidge, Crawford, Cusanovich, Dahl, Francis, Hanna, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Marks, Masterson, McCollister, Pattee, Petris, Reagan, Sedgwick, Sumner, Thelin, Waldie, and Williamson—32.

NOES—Bruce F. Allen, Bee, Belotti, Biddick, Burton, Chapel, Collier, Conrad, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Kennick, Lowrey, Luckel, Lunardi, MacBride, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Rees, Rumford, Schrade, Thomas, Unruh, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—43.

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 487

The question being on the passage of Assembly Bill No. 487.

#### Motion to Set for Special Order

Mr Collier moved that Assembly Bill No. 487 be made a special order of business for Thursday, April 16, 1959, at 10.15 a.m.

Mr. MacBride seconded the motion.

Motion carried by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1054
Assembly Bill No 1083
Assembly Bill No. 1775
Assembly Bill No. 1776
Assembly Bill No. 1903
Assembly Bill No. 1929
Assembly Bill No. 1965

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 269
Assembly Bill No 1446
Assembly Bill No 1928
Assembly Bill No 1963

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 885

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 602

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 920

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1047

With amendments with the recommendation. Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER. Your Committee on Government Organization reports

Assembly Bill No. 1194
Assembly Bill No. 1342
Assembly Bill No. 1815
Assembly Bill No. 2031

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14 1959

MR SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1097
Assembly Bill No. 1865

With amendments with the recommendation. Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER Your Committee on Government Organization reports:

Senate Bill No 431

With the recommendation Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 203

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER Your Committee on Government Organization reports:

Assembly Bill No. 1725

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Water

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER. Your Committee on Water reports:

Assembly Bill No 1313

With amendments with the recommendation: Amend, and do pass, as amended

LUNARDI, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No 1063

With the recommendation Do pass.

LUNARDI, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No 2007

With amendments with the recommendation: Amend, and re-refer to the Committee on Water

LUNARDI, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1770

With the recommendation Do pass.

*Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee* recommends that the above bill be placed on the Consent Calendar.

LUNARDI, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: *Your Committee on Water reports:*

Assembly Bill No. 1691

With amendments with the recommendation: Amend, and do pass, as amended.

LUNARDI, Vice Chairman

Above bill ordered to second reading.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1152

Mr. Meyers moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1152 was this day passed. (Assembly Journal, page 2443.)

Assembly Bill No. 1152, and the motion to reconsider, ordered to the unfinished business file.

## ADJOURNMENT

At 12.23 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a m , Thursday, April 16, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY

SEVENTY-FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, April 16, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Merciful God*, We are assembled to help bring some lasting benefits to humanity; for instance, we seek to encourage the prevention of such dread diseases as heart and cancer. We pray especially for two great public servants: the President of the United States, and for the man who has worked tirelessly as Secretary of State, and now can work no more. These dread diseases are no respecters of persons. We are not exempt, nor are those we love, nor is any stranger. Make us alert to support every measure which builds health and strength in public and private life, we pray in the name of one who has been called the Great Physician, even Jesus Christ—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with, on motion of Mr. Holmes, seconded by Mrs. Davis.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Burton, Kilpatrick, Ernest R. Geddes, O'Connell, Elliott, Hawkins, and Kennick:

### House Resolution No. 202

Relative to the adoption of children

WHEREAS, There is now pending in the County of Sacramento a case wherein the County Welfare Department is about to remove a child from the home of foster parents who have provided her with adequate and loving care for the past 13 months; and

WHEREAS, The County Welfare Department has announced that it will not permit the foster parents to adopt such child, without in any manner giving specific grounds for its decision; and

WHEREAS, A petition on the part of the foster parents to adopt the child cannot be heard, under existing law, for a period of six months; and

WHEREAS, If the County Welfare Department is permitted to remove the child, she will be deprived of the home care to which she has been accustomed for at least a six-month period pending the adoption hearing; and

WHEREAS, Immediate investigation into this situation and an investigation into adoption procedures and practices in this State are essential in order that the Legislature may ascertain whether remedial legislation is necessary in such a situation; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1 The Assembly Standing Committee on Social Welfare is hereby created and authorized and directed to ascertain, study and analyze all facts relating to social welfare and the administration by the State and counties of the social welfare program, including adoption procedures and practices and any and all other matters relating to the administration of the social welfare programs including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of members of the Standing Committee on Social Welfare of the 1959 Regular Session. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legisalture, including any recess, but not after final adjournment, with authority to file a final report not later than the last legislative day of this session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

Resolution read, and referred to the Committee on Rules.

By Messrs. Waldie and Masterson:

### House Resolution No. 203

Relative to the Walnut Creek-Martinez Freeway

WHEREAS, There is presently scheduled for completion a freeway between Walnut Creek and Martinez; and

WHEREAS, This freeway will pass in the vicinity of the City of Concord, a rapidly developing area in Contra Costa County; and

WHEREAS, The City of Concord is one of the largest population areas served by this freeway but will not have adequate access to this new freeway in all directions; and

WHEREAS, The lack of adequate access to the freeway will operate to retard the dynamic progress of the City of Concord; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is requested to review the freeway approaches planned for the freeway between Walnut Creek and Martinez and to take such steps as are necessary to assure that the people of the City of Concord are afforded direct and adequate access to the freeway; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this request to each member of the California Highway Commission and to the Department of Public Works

Resolution read, and referred to the Committee on Rules.

By Mr. Ernest R. Geddes:

**House Resolution No. 204**

Relative to the observance of Secretaries' Week

WHEREAS, The American secretary is performing important roles in commerce, industry and government; and striving to improve her skills and abilities; and

WHEREAS, The American secretary's aim is for continued education to elevate the standards of secretarial performance by uniting with women who are engaged in the secretarial profession for mutual benefit; and

WHEREAS, The last full week in April is set aside each year by the Secretary of Commerce to honor all American secretaries; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Legislature hereby proclaims the week of April 19th to April 25th to be Secretaries' Week, and April 22d to be Secretaries' Day throughout the State of California and commends it to the attention of business and the secretary alike to pay tribute to the "First Lady of American Business" by honoring all secretaries for their services to the community and to the State; and be it further

*Resolved*, That the Secretary of the Assembly is directed to transmit a suitably prepared copy of this resolution to the President of the California Division, National Secretaries' Association (International), Miss Dorine George; and to the California Chairman of Secretaries' Week, for the National Secretaries' Association (International), Mrs. Laura Harrington.

**Request for Unanimous Consent**

Mr. Ernest R. Geddes was granted unanimous consent to take up House Resolution No. 204 without reference to committee or file.

Resolution read, and adopted unanimously.

**Members Made Co-authors of House Resolution No. 204**

Mr. Ernest R. Geddes was granted unanimous consent that all members so desiring be placed upon the illuminated copy of House Resolution No. 204 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Mr Speaker—49.

NOES—None.

By Mr. Miller:

**House Resolution No. 205**

Relative to consideration of bills on the floor of the Assembly

*Resolved by the Assembly of the State of California*, That Rule No. 65.5 is added to the Permanent Standing Rules of the Assembly, to read.

65.5. No bill may be considered or acted upon on the floor of the Assembly unless and until a copy of the printed bill as introduced and

a printed copy of each amended form of the bill has been placed upon the desks of the members.

Resolution read, and referred to the Committee on Rules.

### PARLIAMENTARY INQUIRY

Mr. Britschgi arose to the following parliamentary inquiry: When will it be in order to take up and offer amendments to Assembly Bill No. 202?

#### Reply by Speaker

The Speaker advised Mr. Britschgi that the resolution was not yet at the desk.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Britschgi asked for unanimous consent to take up a resolution considered by and reported out of the Committee on Rules this morning.

The Speaker advised Mr. Britschgi that the resolution was not yet at the desk.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Constitutional Amendment No. 43**: By Mr. Burton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16 of Article XIII thereof, relating to the taxation of banks.

Referred to Committee on Constitutional Amendments.

**Assembly Joint Resolution No. 32**: By Messrs. Bruce F. Allen and Williamson—Relative to ratifying the Fourteenth Amendment to the Constitution of the United States.

Referred to Committee on Rules.

**Assembly Bill No. 2493**: By Mr. Waldie—An act to add Article 6 (commencing at Section 18081) to Chapter 1 of Division 9 of the Education Code, relating to school district contracts.

Referred to Committee on Education.

**Assembly Bill No. 2494**: By Mr. Waldie—An act to add Section 989.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the powers of school district governing boards.

Referred to Committee on Education.

**Assembly Bill No. 2495**: By Mr. Waldie—An act to add Section 19571.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

**Assembly Bill No. 2496**: By Mr. Waldie—An act to add Section 4831.7 to, and to amend Sections 4832 and 4832.5 of, the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2497:** By Mr. McMillan—An act to amend Section 10607 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to suspension of pupils.

Referred to Committee on Education.

**Assembly Bill No. 2498:** By Mr. Hanna—An act to add Sections 27708, 27709, and 27710 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to library districts in unincorporated towns and villages.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2499:** By Mr. Coolidge—An act to amend Sections 5010 and 5010.5 of the Public Resources Code, relating to the Department of Natural Resources, and providing for abolishment of the State Beach and Park Fund.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2500:** By Mr. Coolidge—An act to amend Sections 19620.1 and to repeal Section 19620.2 of the Business and Professions Code, relating to state funds, and abolishing the State College Fund.

Referred to Committee on Education.

**Assembly Bill No. 2501:** By Mr. Coolidge—An act to amend Sections 16431 and 16432 of the Business and Professions Code, relating to itinerant merchants and abolishing the Itinerant Merchants Fund.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2502:** By Mr. Coolidge—An act to repeal Sections 897 and 898 of the Military and Veterans Code, relating to state funds and abolishing the Veterans' Dependents' Education Fund.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2503:** By Mr. Coolidge—An act to amend the article heading of Article 5d (commencing at Section 996 13) of Chapter 6 of Division 4 of the Military and Veterans Code, to amend Sections 996.13, 996.15 and 996.19, and to repeal Sections 996.16 and 996.20 thereof, relating to military and veterans affairs and abolishing the Veterans Affairs Construction Fund.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2504:** By Mr. Coolidge—An act to repeal Chapter 611 of the Statutes of 1943; to repeal Sections 5 and 6 of Chapter 541 of the Statutes of 1913; to repeal Sections 8 and 9 of Chapter 161 of the Statutes of 1925; to repeal Sections 4 and 5 of the "University of California Building Bond Act," an initiative measure adopted by the people at the General Election held on November 3, 1914; to repeal Sections 6 and 7 of Chapter 313 of the Statutes of 1927; to repeal Sections 5 and 6 of Chapter 383 of the Statutes of 1909; and to repeal Sections 5 and 6 of Chapter 404 of the Statutes of 1915, relating to state funds, and abolishing certain special funds.

Referred to Committee on Government Organization.

**Assembly Bill No. 2505**: By Mr. Coolidge—An act to amend Sections 6816 and 6992 and to repeal Sections 6816.1, 6816.3, and 6816.7 of the Public Resources Code, relating to the State Lands Act Fund and appropriations therefrom.

Referred to Committee on Government Organization.

**Assembly Bill No. 2506**: By Mr. Burton—An act to amend Section 3403 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2507**: By Mr. Burton—An act to amend Section 2224 of the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Referred to Committee on Social Welfare

**Assembly Bill No. 2508**: By Mr. Burton—An act to amend Section 3403 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2509**: By Mr. Burton—An act to amend Section 4552 of the Welfare and Institutions Code, relating to medical services to public assistance recipients, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2510**: By Messrs. Burton, O'Connell, Crown, Cameron, Unruh, and Waldie—An act to add Section 1420.6 to the Labor Code, relating to fair employment practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2511**: By Mr. Burton—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to county responsibility for the payment of old age assistance.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2512**: By Messrs. Collier, Levering, Lanterman, and Cusanovich—An act to amend Section 2163.3 of the Welfare and Institutions Code, relating to property of old age assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2513**: By Mr. Frew (By Request)—An act to amend and renumber Sections 160.1, 160 15, 160.16, 160 2, 160.3, 160 4, 160.5, 160.6, 160.65, 160.7, 160.8, and 160.9 of, amend Sections 160.91, 160.92, and 160.94 of, add Article 1 5 (commencing with Section 160.05), an article heading preceding Section 160.20, and Article 1.7 (commencing with Section 160.40) to Chapter 1a, Division 2 of the Agricultural Code, relating to pest control and making an appropriation therefor.

Referred to Committee on Agriculture.

**Assembly Bill No. 2514:** By Mr. Rees—An act to repeal Article 2 (commencing at Sec. 65030) of Chapter 1, Title 7 of the Government Code, relating to the State Conservation and Planning Board.

Referred to Committee on Government Organization.

**Assembly Bill No. 2515:** By Mr. Rees—An act to amend Section 65060 of the Government Code, relating to regional planning.

Referred to Committee on Government Organization.

**Assembly Bill No. 2516:** By Mr. Rees—An act to amend Section 65020 of the Government Code, relating to the Local Planning Advisory Committee.

Referred to Committee on Government Organization.

**Assembly Bill No. 2517:** By Mr. Rees—An act to amend Section 65026 of, and to add Section 65027 to, the Government Code, relating to public works projects.

Referred to Committee on Government Organization.

**Assembly Bill No. 2518:** By Mr. Rees—An act to amend Section 65004 and 65020 of the Government Code, relating to state and local planning.

Referred to Committee on Government Organization.

**Assembly Bill No. 2519:** By Mr. Rees—An act to amend Section 65021 of, and to add Section 65021.1 to the Government Code, relating to planning.

Referred to Committee on Government Organization.

**Assembly Bill No. 2520:** By Messrs. Unruh, Munnell, Crown, Rees, Bane, George E. Brown, Burton, O'Connell, Petris, Waldie, and George A. Willson—An act to amend Section 5556 of, and to add Section 5556.5 to, the Elections Code, relating to the time for voting.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2521:** By Mr. Bradley—An act to add Chapter 4.5 (commencing with Section 26970) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2522:** By Messrs. Elliott, Collier, Cusanovich, and Hawkins—An act to amend Section 3167 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to unification of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2523:** By Mr. Beaver—An act to add Section 31051 to the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2524:** By Mr. Holmes—An act to amend Section 28121 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2525**: By Mr. Miller—An act to amend Section 75030.5 of the Government Code, relating to the retirement of judges.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2526**: By Messrs. Ralph M. Brown and Bruce F. Allen—An act to amend Section 415 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2527**: By Mr. Winton—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2528**: By Mr. Francis—An act to add Section 557 to the Insurance Code, relating to insurance claims.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2529**: By Mr. Francis—An act to add Section 816 to the Insurance Code, relating to insurance adjusters.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2530**: By Mr. Lowrey (At the request of State Board of Equalization)—An act to amend Sections 7401 and 8101 of Part 2, Division 2 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

## REMARKS ON CONDITION OF THE FILE

Mr. Miller spoke on the condition of the file.

## REQUEST FOR UNANIMOUS CONSENT TO CONTINUE SPECIAL ORDER ON ASSEMBLY BILL NO. 419

Mr. Miller was granted unanimous consent that the special order set for Assembly Bill No. 419 be continued until 10.30 a.m. this morning.

## RESOLUTIONS

The following resolution was offered:

By Mr. Nisbet and Miss Donahoe:

### House Resolution No. 206

Relative to congratulating Mrs. Nora Parker Coy

WHEREAS, On June 30 of this year Mrs. Nora Parker Coy, Director of Extended Day, San Bernardino Valley College, is retiring, thereby bringing to an end a 36-year career in education, 35 years of which have been spent in the public schools of California; and

WHEREAS, Mrs. Coy was born in Tulare, California, was educated in the schools and universities of this State, graduating from San Bernardino High School, attending the University of Southern California and Stanford University, from which she received her Bachelor of Arts degree in 1915 and a Master of Arts degree in English in 1932; and

WHEREAS, Mrs. Coy in addition did graduate work at Columbia University, Claremont College, and the University of Southern California; and

WHEREAS, Mrs. Coy served as a classroom teacher for nine years before rising, in 1933, to the administration of the fourth ranking program of junior college adult education in the entire State; and

WHEREAS, Mrs. Coy, in addition to her school administration work, has served on numerous local, state, and national professional organizations, and helped to organize

the San Bernardino Business and Professional Women's Club and served as its first president; and

WHEREAS, Her close touch with the community and with the changing educational needs of individuals and society itself have been major contributions to the success of adult education at San Bernardino Valley College and in the San Bernardino area; and

WHEREAS, Mrs. Coy's buoyant enthusiasm for the daily tasks of administration have in the truest sense given inspiration to all who have known and worked with her; and

WHEREAS, Mrs. Coy has always been keenly, deeply, perceptive of people and their problems and generous and appreciative of work well done and was a tireless worker, often at her desk until well after midnight; and

WHEREAS, Of this vigorous and beloved member of the community it can truly be said that while there can be a successor to her, there can never be a replacement of her; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly take this opportunity to pay tribute to Mrs Nora Parker Coy upon her retirement as Director of Extended Day, San Bernardino Valley College, and to extend their best wishes to her for her future happiness; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Mrs Nora Parker Coy.

Resolution read, and referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 117 | Assembly Bill No. 837 |
| Assembly Bill No. 168 | Assembly Bill No. 877 |
| Assembly Bill No. 495 | Assembly Bill No. 893 |
| Assembly Bill No. 507 | Assembly Bill No. 965 |
| Assembly Bill No 533 | Assembly Bill No 1254 |
| Assembly Bill No. 566 | Assembly Bill No. 1255 |
| Assembly Bill No. 613 | Assembly Bill No 1263 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 654

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, April 15, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 44

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 107 | Senate Bill No. 695 |
| Senate Bill No. 170 | Senate Bill No. 746 |
| Senate Bill No. 233 | Senate Bill No. 769 |
| Senate Bill No. 270 | Senate Bill No. 781 |
| Senate Bill No. 335 | Senate Bill No. 792 |
| Senate Bill No. 437 | Senate Bill No. 806 |
| Senate Bill No. 466 | Senate Bill No. 807 |
| Senate Bill No. 522 | Senate Bill No. 836 |
| Senate Bill No. 563 | Senate Bill No. 838 |
| Senate Bill No. 565 | |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 107**—An act to add Chapter 8 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to carbon tetrachloride.

Referred to Committee on Public Health.

**Senate Bill No. 170**—An act making an appropriation for the Santa Clara River Flood Control Project, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 233**—An act to repeal Chapter 4 (commencing at Section 6961) of Part 2, Division 6 of, to amend Section 6991 of, and to add Section 6996 to, the Public Resources Code, relating to state streams, lakes, and lands.

Referred to Committee on Water.

**Senate Bill No. 270**—An act to amend Section 1632 of the Welfare and Institutions Code, relating to tuberculosis tests.

Referred to Committee on Public Health.

**Senate Bill No. 335**—An act to amend Section 10036 of the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health.

**Senate Bill No. 437**—An act to add Section 35010 to the Government Code, and to amend Section 731a of the Code of Civil Procedure, relating to county zoning for airport purposes.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 466**—An act to amend Section 868 of the Welfare and Institutions Code, relating to audit of the books and accounts of the probation officer.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 522**—An act to add Section 5785.05 to the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 563**—An act to add Section 25509 to the Water Code, relating to assessment of land by irrigation districts.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to

repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 695**—An act to amend Section 15959 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district purchases.

Referred to Committee on Education.

**Senate Bill No. 746**—An act to add Section 70045.4 to the Government Code, relating to superior court reporters of Trinity County.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 769**—An act to amend Section 8205 of the Government Code, relating to notary public.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 781**—An act to amend Sections 81 and 82 of the Agricultural Code, relating to fairs.

Referred to Committee on Agriculture.

**Senate Bill No. 792**—An act to amend Sections 10851, 10852 and the heading of Article 8 (commencing with Section 10851) of Chapter 1 of Division 9, and to add a new Section 10851 and Section 10853 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to hazing.

Referred to Committee on Education.

**Senate Bill No. 806**—An act to amend Section 10203.7 of the Insurance Code, relating to group life insurance for agents.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 807**—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 836**—An act to amend Section 10203.5 of the Insurand Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 838**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1710
Assembly Bill No. 1850
Assembly Bill No. 1890
Assembly Bill No. 1891
Assembly Bill No. 1926

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1820
Assembly Bill No. 1844

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1169

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2009

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Agriculture**

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 243

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 570

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1471

With amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 766
Assembly Bill No. 1581
Assembly Bill No. 1603

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 475

With the recommendation: Do pass.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 959
Assembly Bill No. 1652
Assembly Bill No. 1678

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 104
Senate Bill No. 265
Senate Bill No. 280
Senate Bill No. 356
Senate Bill No. 357
Senate Bill No. 358

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 132

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1975

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1909
Assembly Bill No. 1914
Assembly Bill No. 1887
Assembly Bill No. 1888
Assembly Bill No. 1773
Assembly Bill No. 1901
Assembly Bill No. 1902

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1931

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports.

Assembly Bill No. 1016
Assembly Bill No. 2013
Assembly Bill No. 946
Assembly Bill No. 1665
Assembly Bill No. 1667

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1910
Assembly Bill No. 1911
Assembly Bill No. 1912
Assembly Bill No. 1913

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 122

With the recommendation: That the bill be re-referred to the Committee on Finance and Insurance.

BIDDICK, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1397

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER. Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1205

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 749

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 347

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 925
Assembly Bill No. 1155
Assembly Bill No. 1269
Assembly Bill No 1302
Assembly Bill No. 1356
Assembly Bill No. 1387
Assembly Bill No 1491
Assembly Bill No 1493
Assembly Bill No. 1497
Assembly Bill No. 1519
Assembly Bill No. 1584
Assembly Bill No. 1585
Assembly Bill No. 1586
Assembly Bill No. 1782

With the recommendation: Do pass.

Pursant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No 360

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1733
Assembly Bill No. 1191
Assembly Bill No 1999

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1145

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 272

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, April 16, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 17
Assembly Joint Resolution No. 18

With the recommendation: That the resolutions be re-referred to the Committee on Military and Veterans Affairs.

MILLER, Chairman

Above resolutions re-referred to the Committee on Military and Veterans Affairs.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 1
Assembly Joint Resolution No. 29

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 101
Assembly Concurrent Resolution No. 104

With the recommendation: That the resolutions be re-referred to the Committee on Water.

MILLER, Chairman

Above resolutions re-referred to the Committee on Water.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 98

With the recommendation: That the resolution be re-referred to the Committee on Fish and Game.

MILLER, Chairman

Above resolution re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 190

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 198
House Resolution No. 199

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

**Committee on Public Health**

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 377

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1250
Assembly Bill No. 1797

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1403

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1694

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Joint Resolution No. 33**: By Messrs. Meyers, Belotti, Biddick, Sumner, Don A. Allen, Crawford, Hegland, House, Luckel, Munnell, Nisbet, and Schrade, and Senators Fisher and Beard, co-authors—Relative to the International Outfall Sewer.

Referred to Committee on Rules.

## SECOND READING OF ASSEMBLY BILL NO. 367 (OUT OF ORDER)

**Assembly Bill No. 367**—An act to add Section 752 to the Welfare and Institutions Code, relating to the expunging of juvenile court records and other records, relating to wards of the juvenile court.

Bill read second time.

### Motion to Amend

Mr. Kennick moved the adoption of the following amendment:

### Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on March 11, 1959, after "turpitude", insert "and that rehabilitation has been attained to the satisfaction of the court,".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

## AMENDMENTS TO ASSEMBLY BILL NO. 1956 RULED NOT IN ORDER

Speaker Brown advised Mr. Pattee that the committee amendments to Assembly Bill No. 1956 did not fit the bill.

### Assembly Bill No. 1956 Held on File

Mr. Pattee was granted unanimous consent that Assembly Bill No. 1956 be held on the second reading file, pending clarification of the committee amendments to the bill.

## AMENDMENTS TO ASSEMBLY BILL NO. 1815 CORRECTED BY UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that the Chief Clerk be authorized and instructed to make necessary technical corrections in the amendments to Assembly Bill No. 1815.

## SECOND READING OF ASSEMBLY BILL NO. 1815 (OUT OF ORDER)

**Assembly Bill No. 1815**—An act to amend Sections 23360 and 23362 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out "23360", and insert "23358, 23360, 23361,".

### Amendment No. 2

On page 1, lines 1 and 2, strike out "Section 23360 of the Business and Professions Code is", and insert "Section 23358 of the Business and Professions Code is amended to read:

23358. Licensed wine growers, *notwithstanding any other provisions of this division*, may also sell wine *and brandy* to any person holding a license authorizing the sale of wine ~~and may also sell wine~~ *or brandy and* to consumers ~~in quantities of 52 gallons or less per sale~~ for consumption off the premises where sold.

SEC. 2. Section 23360 of said code is".

### Amendment No. 3

On page 1, line 3, after "manufacturers", insert ", notwithstanding any other provisions of this division,".

### Amendment No. 4

On page 1, line 4, after "brandy", insert "and wine to consumers".

### Amendment No. 5

On page 1, line 5, after "brandy", insert "and wine".

### Amendment No. 6

On page 1, strike out lines 6 to 15, inclusive, and insert

"SEC. 3. Section 23361 of said code is amended to read:

23361. A person holding a brandy manufacturer's license may *also* sell grape brandy, fruit brandy, or spirits of wine to licensed wine growers for use by the latter in the production of wine and the production or manufacturing of alcohol for the United States Government ~~only~~, and ~~not for~~ beverage ~~purposes~~ *brandy for sale to consumers for consumption off the premises*.

SEC. 4. Section 23362 of said code is amended to read:

23362. Notwithstanding any other provisions of this division, a licensed wine grower or brandy manufacturer may be issued and may hold an offsale general license ~~for the premises for which he holds a wine grower's or brandy manufacturer's license and for any branch~~

~~office maintained by the wine grower or brandy manufacturer~~. *The issuance of such offsale general licenses shall be subject to the pertinent provisions of Article 2 of Chapter 5 of this division. Nothing in this division shall be construed to be retroactive or to affect the right of a licensed wine grower or brandy manufacturer to hold, renew or transfer any offsale general license held by such licensed wine grower or brandy manufacturer on the thirtieth day of September, 1959.*"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files, with the exception of Assembly Bills Nos. 367, 1956, and 1815, deemed read the second time, with appropriate action taken on those bills requiring action.

### MOTION

Mr. Britschgi moved that all bills on the Assembly and Senate second reading files, with the exception of Assembly Bills Nos. 367, 1956, and 1815, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1962, 2034, 1710, 1850, 1926, 964, 1084, 139, 1890,** and **1891.**

**Senate Bills Nos. 686** and **757.**

Assembly Bill No. 1962 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 1710, 1850, 1926, 1890, and 1891 ordered to third reading.

Assembly Bills Nos. 2034, 964, 1084, and 139 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bills Nos. 686 and 757 ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 579**—An act to add Sections 14000, 14002.8, 14002.9, 14002.10, 14028, 14029, 14071.1, 14071.2, 14071.3, 14071.4, and 14074 to, and to amend Sections 1017, 14001, 14002, 14002.5, 14003, 14004, 14005, 14026, 14051, 14052, and 14071 of, the Education Code, to add Section 20567.4 to, and to amend Sections 20583, 21704, and 22301 of, the Government Code, to add Sections 13580, 13590.1, 13590.2, 13590.3, 13603, 13604, 13651.1, 13651.2, 13651.3, 13651.4, and 13655 to, and to amend Sections 917, 13581, 13583, 13588, 13582, 13591, 13592,

13601, 13621, 13622, and 13651 of, the Education Code as proposed by Senate Bill No. 2, relating to school district employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 to 10, inclusive; and in line 11, strike out "Code as proposed by Senate Bill No. 2", and insert
"An act to amend Sections 13581, 13582, 13592, 13601, 13621, 13622, and 13651 of, and to add Sections 13580, 13604, 13651.3 and 13651.4 to, the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 2**

On page 1, strike out lines 1 to 4, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert
"SECTION 1. Section 13580 is added to the Education Code, immediately preceding Section 13581 thereof, to read:".

**Amendment No. 3**

On page 2, strike out lines 12 to 17, inclusive; and in line 18, strike out "Section 13714.", and insert "Articles 1 to 4, inclusive, of this chapter (commencing at Section 13580) shall apply to all classified employees of a school district; except these provisions shall not apply to employees who are members of the classified service as defined in Article 5 (commencing at Section 13701) of this chapter unless otherwise provided in this chapter."

**Amendment No. 4**

On page 2, strike out lines 21 to 31, inclusive, and insert
"SEC. 2. Section 13581 of said code is amended to read:".

**Amendment No. 5**

On page 2, line 35, after "shall", insert ", except where Article 5 (commencing at Section 13701) of this chapter applies,".

**Amendment No. 6**

On page 3, line 2, after "employed", insert "and paid".

**Amendment No. 7**

On page 3, line 3, after "than", insert "75 percent of".

**Amendment No. 8**

On page 3, between lines 3 and 4, insert "Part-time playground positions, full-time day students employed part time, apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment, shall not be a part of the classified service."

**Amendment No. 9**

On page 3, strike out lines 4 to 52, inclusive; strike out all of pages 4 to 6, inclusive; and on page 7, strike out lines 1 to 24, inclusive, and insert
"SEC. 3. Section 13582 of said code is amended to read:".

**Amendment No. 10**

On page 7, lines 27 and 28, strike out "of the public school systems.", and insert "and other positions not requiring certification qualifications of the school district, except those persons employed as a part of a personnel commission staff as provided in Article 5 (commencing at Section 13701) of this chapter.
This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 11**

On page 7, strike out lines 29 to 51, inclusive; and on page 8, strike out lines 1 to 42, inclusive, and insert
"SEC. 4. Section 13592 of said code is amended to read:".

**Amendment No. 12**

On page 8, line 44, strike out "and Sections 13581 to 13756, inclusive", and insert "or Articles 1 to 4, inclusive, of this chapter (commencing at Section 13580)".

**Amendment No. 13**

On page 9, between lines 19 and 20, insert
"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 14**

On page 9, strike out lines 20 to 29, inclusive, and insert
"SEC. 5. Section 13601 of said code is amended to read:".

**Amendment No. 15**

On page 9, lines 32 and 33, strike out "in the classified service of the school district", and insert "a part of the classified service and other employees not requiring certification qualifications".

**Amendment No. 16**

On page 9, strike out lines 35 to 52, inclusive; and on page 10, strike out lines 1 to 43, inclusive, and insert
"SEC. 6. Section 13604 is added to said code, to read:".

**Amendment No. 17**

On page 10, line 44, after the second "orders", insert "and warrants".

**Amendment No. 18**

On page 10, line 46, after "drawn", insert "at least".

**Amendment No. 19**

On page 10, after line 52, insert
"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 20**

On page 11, strike out lines 1 to 13, inclusive, and insert
"SEC. 7. Section 13621 of said code is amended to read:".

**Amendment No. 21**

On page 11, between lines 22 and 23, insert
"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 22**

On page 11, strike out lines 23 to 32, inclusive, and insert
"SEC. 8. Section 13622 of said code is amended to read:".

**Amendment No. 23**

On page 11, between lines 38 and 39, insert
"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 24**

On page 11, strike out lines 39 to 49, inclusive; and on page 12, strike out lines 1 and 2, and insert
"SEC. 9. Section 13651 of said code is amended to read:".

**Amendment No. 25**

On page 12, line 10, after "sence", insert "and vacations, with or without pay,".

**Amendment No. 26**

On page 12, between lines 11 and 12, insert
"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 27**

On page 12, strike out lines 12 to 52, inclusive; strike out all of page 13; and on page 14, strike out lines 1 to 29, inclusive, and insert
"SEC. 10. Section 13651.3 is added to said code, to read:".

**Amendment No. 28**

On page 14, line 41, strike out "the amount", and insert "whether leave granted under this section shall be with or without pay and, if with pay, the amount, if any,".

**Amendment No. 29**

On page 14, strike out lines 46 and 47, and insert

"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 30**

On page 14, strike out lines 48 to 52, inclusive; and on page 15, strike out lines 1 to 12, inclusive, and insert

"SEC. 11. Section 13651.4 is added to said code, to read:".

**Amendment No. 31**

On page 15, line 14, strike out "a public", and insert "any".

**Amendment No. 32**

On page 15, line 18, strike out "and such leave shall not", and insert "nor shall such leave".

**Amendment No. 33**

On page 15, line 23, strike out "wife", and insert "spouse".

**Amendment No. 34**

On page 15, between lines 25 and 26, insert

"This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 5 (commencing at Section 13701) of this chapter."

**Amendment No. 35**

On page 15, strike out lines 26 to 50, inclusive; and strike out all of pages 16 to 18, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 114**—An act to amend Section 20301 of the Education Code, relating to state colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "20301", and insert "23601".

**Amendment No. 2**

In line 1 of the title after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "20301", and insert "23601".

**Amendment No. 4**

On page 1, line 3, strike out "20301", and insert "23601".

**Amendment No. 5**

On page 1, line 12, strike out "related research", and insert "such research as is compatible with their functions and appropriate to the facilities and programs of the colleges".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 345**—An act to add Chapter 13 (commencing at Section 21901) to Division 10 of the Education Code, and to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as proposed by Senate Bill No. 2, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert "An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to".

**Amendment No. 2**

On page 1, strike out lines 1 to 8, inclusive; strike out all on pages 2 and 3; and on page 4 strike out lines 1 to 3, inclusive, and insert "SECTION 1. Chapter 3.5 (commencing at Section 31230) is added to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 3**

On page 5, line 21, strike out "one hundred dollars ($100)", and insert "seventy-five dollars ($75)".

**Amendment No. 4**

On page 5, between lines 49 and 50, insert "31238. The University of California and any state college may obtain reimbursement from the State Scholarship Commission for all payments made to award winners under the program for scholarships for the study of agriculture. Applications for reimbursement shall be filed after the end of a fiscal year for reimbursement of all payments during that fiscal year."

**Amendment No. 5**

On page 5, strike out lines 50, 51, and 52; and on page 6, strike out lines 1 to 4, inclusive.

**Amendment No. 6**

On page 6, line 5, strike out "4", and insert "2".

**Amendment No. 7**

On page 6, strike out lines 10 and 11; and in line 12, strike out "posed by Senate Bill No. 2", and insert "sions of Chapter 3.5 of Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 8**

On page 6, line 15, strike out "those chapters", and insert "that chapter".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1672**—An act to add Section 14356.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "years", insert "and who retires at age 65 or over".

**Amendment No. 2**

On page 1, after line 7, insert "The provisions of this section shall apply to those persons who have retired prior to the effective date of this section and to those persons who retire subsequent thereto."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1514**—An act to add Section 20210 to the Education Code, as enacted by the Legislature at its 1959 Regular Session,

relating to the support of junior colleges, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "add", insert "Section 7240 to the Education Code and".

**Amendment No. 2**

In line 4 of the title after "therefor", insert ", and declaring the urgency thereof to take effect immediately".

**Amendment No. 3**

On page 1, line 1, strike out "20210", and insert "7240".

**Amendment No. 4**

On page 1, between lines 1 and 2, insert "to read:

7240. The special tax required by Section 7232 to be levied shall not be levied upon taxable property in any territory included in a newly formed junior college district, during the first fiscal year for which the district is effective for all purposes, or in a unified district during the first fiscal year in which a junior college is operated by the district or in any territory annexed to a junior college district, during the first fiscal year for which the annexation is effective for all purposes, if the rate of junior college district tax levied upon taxable property in such territory during such year for all junior college purposes exclusive of bond interest and redemption, equals or exceeds the rate of tax which would be levied on taxable property in such territory under Section 7232 if this section were not in existence. The county auditor shall, on or before September 25th of such year, determine and report to the county superintendent of schools the amount which would be raised if the tax prescribed by Section 7232 were levied in such territory during such year. The county superintendent of schools shall forthwith report the amount to the Superintendent of Public Instruction, who shall forthwith certify such amount to the State Controller. The State Controller shall, on or before November 25th of such year, draw his warrant upon the General Fund, in the amount certified, payable to the county treasurer from the money appropriated by this section for such year. The county treasurer shall deposit the amount in the junior college tuition fund, and the amount shall be apportioned under this article (commencing at Section 7231) in the same manner as if it were the proceeds of the tax levied under Section 7232.

If the rate of the junior college district tax levied upon taxable property in such territory during such year for all junior college purposes, exclusive of bond interest and redemption, is less than the rate of tax which would be levied on taxable property in such territory in such year under Section 7232 if this section were not in existence, the board of supervisors at the time of levying the tax prescribed by Section 7232, shall levy in such territory, in lieu of the special tax prescribed by Section 7232, a special tax at a rate equal to the difference between the rate of tax levied under Section 7232 and the rate of district tax levied in the territory for all junior college purposes, exclusive of bond interest and redemption. When collected the tax shall be paid into the county treasury and placed in the junior college tuition fund The county auditor shall, on or before September 25th of such year, determine and report to the county superintendent of schools the difference between the amount which would have been raised in such territory in such year if a special tax had been levied in such territory pursuant to Section 7232, and the amount which actually was or will be raised in such year from the levy of the special tax required by this paragraph. The county superintendent of schools shall forthwith report the amount to the Superintendent of Public Instruction, who shall forthwith certify such amount to the State Controller. The State Controller shall, on or before November 25th of such year, draw his warrant upon the General Fund, in the amount certified, payable to the county treasurer from the money appropriated by this section for such year. The county treasurer shall deposit the amount in the junior college tuition fund and the amount shall be apportioned under this article (commencing at Section 7231) in the same manner as if it were the proceeds of the tax levied under Section 7232.

There is hereby appropriated from the General Fund each year, commencing with the 1959-1960 Fiscal Year, to the Superintendent of Public Instruction, the total of the amounts reported to him by each county superintendent of schools pursuant to this section, to be expended pursuant to this section.

SEC. 2. Section 20210 is added to the Education Code,".

**Amendment No. 5**

On page 1, line 8, after "purposes," insert "or in a unified district during the first fiscal year in which a junior college is operated by the district".

**Amendment No. 6**

On page 3, after line 5, insert

"SEC. 3. Section 2 of this act becomes operative at the same time as the Education Code as enacted by the Legislature at its 1959 Regular Session takes effect, at which time Section 7240 added to the Education Code by Section 1 of this act is repealed.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The county superintendent of schools is required to certify to the board of supervisors and to the county auditor, not later than the twentieth day of July, the total of the amount which must be raised by a county without a county junior college, to pay the local share of the cost of educating junior college pupils residing in the county and not in a junior college district. The special tax required must be included in the tax levy made for the year by the board of supervisors.

One or more junior college districts have recently been formed, and in order for them to be able to avail themselves of the advantages provided by this act, it is essential that the act take effect immediately, rather than on the ninety-first day following the adjournment of the 1959 Regular Session, in order that the new procedures may be effective prior to the date on which the special county tax procedures must otherwise become operative."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1919**—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 6827 of", and insert "add Section 6501.3 to, and to amend Section 6827 of,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 6501.3 is added to the Public Resources Code, to read:

6501.3. Any interests in lands, or lands in fee simple, acquired by the commission or by any department, board, or other commission, of the State by purchase, donation, lease, condemnation, or otherwise, may be made available to any lessee of the State by the commission or the department, board, or other commission of the State, for the purposes contained in this chapter and upon such terms and conditions as may be determined by the state agency acquiring the land.

SEC. 2. Section 6827 of said code is".

**Amendment No. 3**

On page 2, strike out lines 37 to 39, inclusive.

**Amendment No. 4**

On page 2, line 42, strike out "and gas".

**Amendment No. 5**

On page 2, line 43, after "and", insert "a royalty of not less than 16⅔ percent as specified in the invitation to bid on dry gas, natural gasoline, and other products extracted and saved from the gas produced under such lease, except gas used for lease use or reinjection into the leased lands. The commission shall".

**Amendment No. 6**

On page 2, line 45, after "of", insert "oil".

**Amendment No. 7**

On page 2, strike out lines 51 and 52; and on page 3, strike out lines 1 and 2, and insert "less than 16⅔ percent, on oil, to be paid on the".

**Amendment No. 8**

On page 3, line 3, strike out "and gas per well per day".

**Amendment No. 9**

On page 3, line 3, after the comma, insert "and a royalty of not less than 16⅔ percent as specified in the invitation to bid on dry gas, natural gasoline, and other products extracted and saved from the gas produced under such lease, except gas used for lease use or reinjection into the leased lands,".

Bill ordered reprinted and engrossed.

**Assembly Bill No. 499**—An act to add Section 5006.2 to the Public Resources Code, relating to state parks.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1303**—An act to amend Section 2 of Chapter 73 of the Statutes of the 1958 First Extraordinary Session and Sections 3110, 3340 and 3411 of the Public Resources Code, relating to oil and gas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on March 19, 1959, after "of", insert ", and to add Section 3340.5 to,".

**Amendment No. 2**

On page 2, between lines 33 and 34, insert

"SEC. 4. Section 3340.5 is added to said code, to read:

3340.5. Notwithstanding the provisions of Section 3340, the sections referred to therein, or any other law, the department may, in estimating the amount necessary to carry on its functions under this article and fixing rates of charges against operators, include amounts sufficient to produce a balance of two hundred fifty thousand dollars ($250,000) over and above costs of administration and enforcement of the provisions of this article, to be used to repay, over such period of time and in such installments as the department determines to be feasible, the amount transferred to the Subsidence Abatement Fund from the Investment Fund by Section 2 of Chapter 73 of the 1958 First Extraordinary Session.

The provisions of this section shall apply to the charges assessed and levied in March of 1959, and to the charges assessed and levied in each year thereafter until the repayment of the amount transferred to the Subsidence Abatement Fund from the Investment Fund is completed."

**Amendment No. 3**

On page 2, line 34, strike out "SEC. 4", and insert "SEC. 5".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1529**—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 140**—An act to add Section 233 to the Water Code, relating to water projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 839**—An act to amend Sections 18901, 18902, 18903, 18904, 18905, 18906, 18907, 18908, and to add Sections 18906.3 and 18906.4 to the Health and Safety Code, relating to the State Building Standards Commission, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 565**—An act to amend Sections 4119, 4124, 6403, 6700, and 6801 of, to add Sections 6403.1, 6403.2, and 6403.3 to, and to repeal Sections 6202, 6303, 6400, 6401, 6402, 6408, 6409, and 6802 of, the Corporations Code, relating to foreign corporations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 828**—An act to add Chapter 5 (commencing at Section 650) to Division 3 of the Harbors and Navigation Code, and to amend Section 5861 of the Public Resources Code, relating to the operation and equipment of vessels, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 16**—An act to amend Section 1356 and to repeal Sections 1460 to 1475 and 1478 to 1578, inclusive, and to add Chapter 7 (commencing with Section 1500) to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 844**—An act to amend Section 8371 of the Fish and Game Code, relating to striped bass.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1376**—An act to amend Sections 160.91, 160.92, 160.93, 160.94, and 160.95 of the Agricultural Code, relating to pest control.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1378**—An act to add Sections $7\frac{3}{4}$ and $7\frac{5}{6}$ to Chapter 361 of the Statutes of 1915, relating to the Sacramento River West Side Levee District.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1412**—An act to add Article 11 (commencing at Section 3481) to Chapter 9 of Division 5 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the dissolution of unified school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1676**—An act to amend Sections 11802 and 11803 of the Vehicle Code as enacted by the Legislature in its 1959 Regular Session, relating to the power to refuse to renew the license of vehicle salesmen and to issue probationary and temporary licenses to such vehicle salesmen and to provide for written demand for hearing.

Bill read second time, and ordered to third reading

**Assembly Bill No. 1686**—An act to add Section 13208 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the revocation or suspension of the driving privilege.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1906**—An act to repeal Section 10710 of the Fish and Game Code, relating to razor clams.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 802**—An act to add Chapter 3 (commencing with Section 13200) to Division 10 of the Fish and Game Code, relating to accounting by the Department of Fish and Game.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 10 and 11, and insert "13201. In establishing the appropriate programs or activities for this system, consideration shall be given the following".

**Amendment No. 2**

On page 2, between lines 8 and 9, insert "(e) General administration."

**Amendment No. 3**

On page 2, line 22, after "quarter", insert "and shall submit such report to the Assembly and Senate Standing Committees on Fish and Game when the Legislature is in session, or to the respective interim committees when the Legislature is not in session".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 826**—An act to amend Section 8305 of the Fish and Game Code, relating to abalones.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 8318 to,".

**Amendment No. 2**

On page 1, line 10, after "mark", insert "pursuant to Section 8318".

**Amendment No. 3**

On page 1, after line 10, insert "SEC. 2. Section 8318 is added to said code, to read:

8318. The commission shall issue revokable permits to take abalone for commercial purposes in those portions of Districts 7 and 10 designated in Section 8305 whenever such taking will not biologically harm the abalone resource of the area. The taking of abalone under the permit shall be subject to such regulations as the commission may prescribe as necessary to properly protect the resource. Such permits may be revoked whenever continued taking of abalone in the area will biologically harm the resource.

The commission may provide by regulation for every vessel operating under such a permit to be accompanied by an employee of the department to act as an observer and the permittee shall pay the salary and expenses of such observer."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 1818**—An act to amend Sections 8150, 8155, 8157 and 8158 of, and to repeal Section 8154 of, the Fish and Game Code, relating to sardines.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, between lines 7 and 8, insert

"This section does not prohibit the taking or possessing of sardines in loads or lots of fish taken for bait or sale or consumption as fresh fish between March 1st and June 30th if 10 percent or less by weight are sardines."

**Amendment No. 2**

On page 1, line 13, strike out "960", and insert "816".

**Amendment No. 3**

On page 2, line 8, strike out "960", and insert "816".

**Amendment No. 4**

On page 2, after line 10, insert

"SEC. 6. This act shall be effective until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature and thereafter shall have no force or effect."

**Amendment No. 5**

On page 2, lines 4 and 5, strike out "loads or lots of fish taken by or for a packer pursuant to Section 8151,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 2011**—An act to add Section 22458.1 to the Financial Code, relating to credit life insurance in connection with loans made by personal property brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, strike out "1962", and insert "1959".

**Amendment No. 2**

On page 2, line 31, strike out "sixty cents ($0.60)", and insert "forty-five cents ($0.45)".

**Amendment No. 3**

On page 2, line 33, strike out "fifty cents ($0.50)", and insert "thirty-five cents ($0.35)".

**Amendment No. 4**

On page 2, line 38, strike out "1962", and insert "1959".

**Amendment No. 5**

On page 2, line 41, strike out "1962", and insert "1959".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1580**—An act to add Article 5.9 (commencing with Section 799.1), Chapter 1, Part 2, Division 1, and Section 10270.505 to the Insurance Code, relating to the regulation of credit life and credit disability insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, between lines 33 and 34, insert

"In case of group life insurance for which no separate premium or other payment for the insurance is made or charged to the debtor, the certificate may, in lieu of setting forth the name or names of the debtor, indicate them by reference to the note or other instrument executed by the debtor or debtors in evidence of the debt or obligation and may, in connection with the description of the coverage and the exceptions, limitations and restrictions, indicate the amount and term thereof by a statement in substance that the amount of insurance is limited at all times to the unpaid balance of the indebtedness or to a specified limit if a limit is provided in the group policy, whichever is the lesser amount, and the term expires with the discharge of the indebtedness."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1662**—An act to add Section 704.3 to the Insurance Code, relating to the reserves of disability insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 704.3 to", and insert "Article 13.5 (commencing at Section 997) to Chapter 1, Part 2, Division 1 of".

**Amendment No. 2**

On page 1, line 1, strike out "Section 704.3 is added to", and insert "Article 13.5 (commencing at Section 997) is added to Chapter 1, Part 2, Division 1 of".

**Amendment No. 3**

On page 1, between lines 2 and 3, insert

"Article 13.5. Disability Insurance Reserves

997. (a) For statement purposes as defined in Article 10, for insolvency calculations as defined in Article 13, and for the valuation of the liabilities of insurers for all other purposes, every admitted insurer shall maintain an active life reserve which shall place a sound value on its liabilities under all disability policies and which shall not be less than the reserve according to the standards set forth in regulations issued by the commissioner and, in no event, less in the aggregate than the pro rata gross unearned premium reserve for such policies. The promulgation of such regulations by the commissioner or any changes or amendments thereof shall be in accordance with the procedure provided in Chapter 4 of Part 1, Division 3, Title 2 of the Government Code.

Subsections (b), (c) and (d) of this section shall control the amounts of reserves and liabilities, other than for specific claim losses, upon all individual disability policies until the effective date of regulations issued by the commissioner as provided in the next preceding paragraph. Such regulations, in lieu of subsections (b), (c) and (d) of this section, shall control the amounts of such reserves and liabilities during the time such regulations continue in force. In the event such regulations shall cease to be in effect, such reserves and liabilities again shall be controlled by subsections (b), (c) and (d) of this section during the time no such regulations shall be in force.

(b) Every admitted insurer which issues one or more of the following three types of individual disability policies shall maintain a reserve not less than the minimum reserve required under the provisions of this subsection (b):

(1) Policies which are guaranteed renewable for life or to a specified age at guaranteed premium rates.

(2) Policies which are guaranteed renewable for life or to a specified age but under which the insurer has reserved the right to change the scale of premiums

(3) Policies, other than those described in type (1) of subsection (c), in which the insurer has reserved the right to cancel or to refuse renewal for one or more reasons, but has agreed implicitly or explicitly that, prior to a specified time or age, it will not cancel or decline renewal solely because of deterioration of health after issue.

During the period within which the renewability of the policy is guaranteed or the insurer's right to cancel the policy or to refuse renewal thereof is limited, the minimum reserve shall be an amount computed on the basis of two-year preliminary term tabular mean reserves employing the following assumptions.

Mortality: 1958 Commissioners Standard Ordinary Table or 1941 Commissioners Standard Ordinary Table or American Men Ultimate Table.

Interest: 3½ percent.

Morbidity or other contingency:

Disability due to Accident and Sickness—Conference Modification of Class (3) Disability Table (1926).

Hospital Expense Benefits due to Accident and Sickness—1956 Inter-company Hospital Table

Surgical Expense Benefits due to Accident and Sickness—1956 Inter-company Surgical Table.

For other benefits not specified above, each company shall establish reserves that place a sound value on the liabilities under such benefit.

Such mean reserves shall be diminished or offset by appropriate credit for the valuation net deferred premiums In no event, however, shall the aggregate reserves for all policies valued on the mean reserved basis, diminished by any credit for deferred premiums, be less than the gross pro rata unearned premiums under such policies.

Negative reserves for any benefit may be offset against positive reserves for other benefits in the same individual or family policy, but if all benefits of such policy collectively develop a negative reserve, credit shall not be taken for such amount

(c) Every admitted insurer which issues one or more of the following types of individual disability policies shall maintain the minimum unearned premium reserve required under the provisions of this subsection (c):

(1) Selected group disability policies issued under or subject to an agreement that, except for stated reasons, the insurer will not cancel or refuse to renew the coverage of individual insureds prior to a specified age unless all coverage under the same group is terminated

(2) Any type of individual disability policy not included in one of the three types described in subdivision (b) and not included in type (1) of this subsection (c).

The minimum unearned premium reserve shall be the pro rata unearned portion of gross premiums in force and, subject to the limitations contained in Sections 922.2 to 922.8 inclusive, shall be reduced by premiums paid or credited for risks reinsured in solvent insurers.

(d) Provided the reserve on all policies to which the method or basis is applied is not less in the aggregate than the required amount determined according to the applicable standards specified in subsections (b) and (c), an insurer may use any reasonable assumptions as to the interest rate, mortality rates or the rates of morbidity or other contingency, and may introduce an assumption as to the voluntary termination of policies Also, subject to the preceding conditions, the insurer may employ methods other than the methods stated in subsections (b) and (c) in determining a sound value of its liabilities under such policies, including but not limited to the following: (1) the use of mid-terminal reserves in addition to either the gross pro rata unearned premium reserves described in subsection (c) or the net pro rata unearned premium reserve; (2) optional use of either the level premium, the one-year preliminary term or the two-year preliminary term method; (3) prospective valuation on the basis of actual gross premiums with reasonable allowance for future expense, (4) the use of approximations such as those involving age groupings, groupings of several years of issue, average amounts of indemnity; (5) the computation of the reserve for one policy benefit as a percentage of, or by other relation to, the aggregate policy reserves, exclusive of the benefit or benefits so valued, (6) the use of a composite annual claim cost for all or any combination of the benefits included in the policies valued

For statement purposes the net reserve liability for active lives may be shown as the mean reserve with offsetting asset items for net unpaid and deferred premiums or it may be shown as the excess of the mean reserve over the amount of net unpaid and deferred premiums, or, regardless of the underlying method of calculation, it may be divided between the gross pro rata unearned premium reserve and a balancing item for the 'additional reserve.'"

**Amendment No. 4**

On page 1, strike out lines 3 to 22, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1047**—An act to amend Sections 10026, 10131, 10132, 10134, 10252, 10252.5, 10253, 10253.5, 10255 and 10305 of, and to add Sections 10027 and 10085 to, the Business and Professions Code, relating to definition of brokers, agents and salesmen and advance fee charges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "property", insert ", other than in a newspaper of general circulation,".

**Amendment No. 2**

On page 1, lines 9 and 10, strike out "other than a newspaper of general circulation", and insert "or soliciting borrowers or lenders for, or to negotiate loans on, business opportunities or real estate".

**Amendment No. 3**

On page 5, after line 37, insert

"SEC. 14. The Legislature finds the necessity for the enactment of the legislation contained in Chapter 1678, Statutes 1955 and in this act to be as follows:

That since 1948 a number of individuals and corporate entities, hereafter for convenience referred to as advance fee promoters, some operating with their principal or main offices in California, have themselves and through their high-pressure salesmen and agents, engaged in the business of appraising the property, making false and fraudulent misrepresentations to the owners, lessees or renters of property, hereafter for convenience referred to as owners, for the purpose of inducing the owners to entrust money to, or to execute agreements to pay money to the promoters to be utilized by the promoters for promised services, such as advertising on a national scale in newspapers, magazines and radio, distribution of brochures, and to establish contact with brokers and to locate and find prospective buyers, in order to promote the sale, lease, rental or exchange of the property of the owners; that said promoters often misrepresent that there will be no charge for their services unless and until the property is sold to a buyer found by them but that an "advance fee," deposit or retainer is required from, or charged against, the owner, all of which will be used to pay the cost of promotional advertising and which will be deducted from the sales commission when the property is eventually sold; that the said promises are made by the promoters with no intent of making a bona fide effort to render such service, and with the intent to render merely token services; and the effectiveness and efficiency of their service is grossly misrepresented by the promoters.

That the aforesaid activities are commonly referred to as the advance fee business.

Newspapers and magazines of general circulation have not been found to engage in the aforesaid reprehensible practices.

That as a result of the aforesaid practices thousands of owners, both within and outside of California, have been deceived and defrauded by said promoters, and have lost millions of dollars.

That said promoters have sought to shield their activities under the guise of operating as mere finders or locators of buyers, or as being engaged exclusively in the advertising or publishing business, and to claim that they are not operating as real estate or business opportunity brokers or salesmen.

To protect the aforesaid owners of property, as well as the general public, and to insure the general welfare, it is necessary to subject the advance fee business to regulation and to limit the persons or entities who engage in the advance fee business to those of proven honesty and integrity, and to establish a fiduciary relationship between the promoters and the owners by requiring that they be licensed as business opportunity brokers and salesmen, and to require them to account to their principals for the expenditure of the funds entrusted to them.

Recently persons engaged in the advanced fee promotion business have switched to the lending field from the selling field, and have applied the same modus operandi to inducing persons to sign advance fee contracts on the representation that the advance fee operator will aid and assist them to secure loans on their personal or real property, or both. These are often called "advance fee lenders" as distinguished from their prototype, the "advance fee seller." Each is equally in need of regulation and licensing."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "or the State of California".

**Amendment No. 2**

On page 1, line 12, after "homes", insert ", and veterans homes maintained by the State of California".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1342**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 2, of the printed bill, strike out lines 22 to 28, inclusive, and insert "With respect to Leland Stanford Junior University, the provisions of this section shall not apply to the sale, giving away, exposing for sale or serving of alcoholic beverages by any licensee under the Alcoholic Beverage Control Act (commencing at Section 23000, Business and Professions Code) in any premises for which a license is issued and in effect on September 15, 1959."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2031**—An act to repeal Section 24755 of, and to add Sections 24749 and 24755 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, lines 11 and 12, of the printed bill, strike out ", and enter into fair trade contracts".

**Amendment No. 2**

On page 2, line 14, strike out "consumer", and insert "retail".

**Amendment No. 3**

On page 2, line 18, strike out "consumer", and insert "retail".

**Amendment No. 4**

On page 2, line 30, after "area.", insert "Any person filing such schedule shall cause such schedule to be published in a manner which will result in each retailer affected by such schedule being advised of the contents of such schedule prior to the effective date thereof."

**Amendment No. 5**

On page 2, strike out lines 31 to 38, inclusive.

**Amendment No. 6**

On page 2, line 39, strike out "(d)", and insert "(c)".

**Amendment No. 7**

On page 2, line 43, after "except", insert "that prices filed for a brand, size or type not included in a schedule in effect at the time such brand, size or type is filed, and"

**Amendment No. 8**

On page 2, between lines 49 and 50, insert

"No minimum retail price schedule shall be filed wherein the retailer's invoice tax-paid cost of acquisition or the retailer's invoice tax-paid replacement cost exceeds 80 percent of the minimum retail price filed with the department

The words "tax-paid cost" or "tax-paid replacement cost" shall mean the retailer's cost under the provisions of Section 24756.

The department shall reject any price schedule which does not comply with this subdivision."

**Amendment No. 9**

On page 2, line 50, strike out "(e)", and insert "(d)".

**Amendment No. 10**

On page 3, strike out lines 4 to 9, inclusive.

**Amendment No. 11**

On page 3, line 10, strike out "(g)", and insert "(e)".

**Amendment No. 12**

On page 3, line 21, strike out "(h)", and insert "(f)".

**Amendment No. 13**

On page 3, line 26, strike out "(i)", and insert "(g)".

**Amendment No. 14**

On page 3, line 26, strike out "consumer", and insert "retail".

**Amendment No. 15**

On page 3, line 27, strike out "consumer", and insert "retail".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1097**—An act to add Section 25660.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "proof", and insert "evidence"

**Amendment No. 2**

On page 1, line 6, strike out "any reasonable person", and insert "reasonable persons".

**Amendment No. 3**

On page 1, line 7, strike out "is", and insert "may be".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1865**—An act to amend Section 24071 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 20, of the printed bill, after "transfer", insert "upon compliance with Section 24073".

**Amendment No. 2**

On page 1, following line 22, insert "The regular transfer fee provided in Section 24070 shall be due and payable upon the subsequent transfer of 25 percent of the stock in a corporation to which a license has been transferred by a licensee or his spouse pursuant to this section."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 203**—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1313**—An act to transfer money from the General Fund to the California Water Fund for the development of water resources of the State.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 6, insert

"SEC. 2. This act shall become operative commencing with the 1960-1961 Fiscal Year."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1063**—An act to amend Section 1256 of, to add Part 1.5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to, the Water Code, relating to the California Water Plan.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2007**—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary co-ordination of releases of water from reservoirs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 2, line 31, of the printed bill, after the period, insert
"No action, however, shall be brought against an owner or its agents or employees for the recovery of damages caused by releases of water from any reservoir pursuant to the recommendations of the department."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1770**—An act to add Section 34704.1 to the Water Code, relating to officers of California water districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1691**—An act to amend Sections 1, 2, 3.2, 3.4, 4.1, 4.11, 5, 5.1, 7.1, 10, 13, 14, 14.1, 15, 16, and 17 of, to amend and renumber Sections 5.3, 14.3, 30, 32, 33, 34, 35, 36, 37, and 38 of, to add Sections 4.12 and 4.13 to, and to repeal Sections 5.4, 5.5, 5.6, 5.7, 13.1, 14.2, 15.1, 15.2, 15.3, 15.4, 18, 19, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11, 19.13, 19.14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19.21, 20, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 21, 21.1, 22, 23, 24, 25, 26, 27, 28 and 29 of the Placer County Water Agency Act (Chapter 1234, Statutes of 1957), relating to the Placer County Water Agency, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 1, of the printed bill, after "Agency", insert "Act".

**Amendment No. 2**

On page 2, lines 17 and 18, strike out "and transmission facilities", and insert "facilities; facilities devoted exclusively to the transmission of power for use by the agency in operating its property".

**Amendment No. 3**

On page 3, between lines 48 and 49, insert
"No action in eminent domain to acquire property or interests therein outside the boundaries of the County of Placer shall be commenced unless the board of supervisors of each affected county has consented to such acquisition by resolution."

**Amendment No. 4**

On page 4, strike out lines 6 to 8, inclusive, and insert "Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale of electric energy at retail, or the Federal or State Government."

**Amendment No. 5**

On page 4, between lines 26 and 27, insert
"SEC. 8.5. Section 4.14 is added to said act, to read:
Sec. 4.14. When authorized by the board the agency shall have the power to borrow money with repayment to commence at a future date from revenues of the agency."

**Amendment No. 6**

On page 13, lines 38 and 39, strike out "transmission".

**Amendment No. 7**

On page 13, line 39, after "energy", insert "; and facilities devoted exclusively to the transmission of power for use by the agency in operating its property".

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 380**—An act to repeal Articles 3 (commencing at Section 7751), 4 (commencing at Section 7771), and 5 (commencing at Section 7901) of Chapter 4, Part 3, Division 6 of, and Section 7994 of, the Public Resources Code, relating to state lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 381**—An act to repeal Section 6210.6 of the Public Resources Code, relating to the granting of rights-of-way for roads and highways over public lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 382**—An act to amend Section 6210.4a of the Public Resources Code, relating to conveyances of state lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 383**—An act to amend Section 7705 of, and to repeal Sections 7701, 7702, 7703, 7704, 7720, 7721, and 7722 of the Public Resources Code, relating to state lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 384**—An act to amend Sections 6505.5 and 6509 of the Public Resources Code, relating to leases of public lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 385**—An act to repeal Sections 7726, 7727, and 7728 of, and to amend Section 7729 of, the Public Resources Code, relating to state lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 137**—An act to amend Sections 375.1, 377.1, and 377.6 of the Agricultural Code, relating to poultry.

Bill read second time, and ordered to third reading.

**Senate Bill No. 496**—An act to add Section 20258 to the Education Code, and Section 265 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to teachers in state college laboratory demonstration elementary schools and in schools under the jurisdiction of the Department of Education, declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 676**—An act to add Section 12150.5 to the Fish and Game Code, relating to hunting accidents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "12150.5", and insert "12151.5".

**Amendment No. 2**

On page 1, line 1, strike out "12150.5", and insert "12151.5".

**Amendment No. 3**

On page 1, line 3, strike out "12150.5", and insert "12151.5".

**Amendment No. 4**

On page 1, line 4, after "being", insert ", or domestic animal belonging to another,".

Bill ordered reprinted, and to be re-referred to the Committee on Fish and Game.

**Senate Bill No. 431**—An act to amend Section 16470 of the Government Code, relating to state funds.

Bill read second time, and ordered to third reading.

**REQUEST FOR UNANIMOUS CONSENT**

Mr. Thomas was granted unanimous consent to take up Senate Bill No. 446, out of order, for purpose of amendment.

**CONSIDERATION OF SENATE BILL NO. 446**

**Senate Bill No. 446**—An act to amend Sections 3031, 3240, 3242, 3245, 4006, 4751, and to repeal Sections 3243 and 3244 of the Fish and Game Code, relating to licenses.

Bill read third time.

**Motion to Amend**

Mr. Thomas moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Senate on March 18, 1959, strike out "citizen of the United States", and insert "resident of this State".

**Amendment No. 2**

On page 1, line 6, strike out "who is a resident of this State,".

**Amendment No. 3**

On page 1, line 8, strike out "citizen of the United States", and insert "resident of this State".

**Amendment No. 4**

On page 1, line 9, strike out "who is a resident of this State,".

**Amendment No. 5**

On page 1, line 11, strike out "citizen of the United States," and insert "person".

**Amendment No. 6**

On page 1, strike out lines 13 and 14; and on line 15, strike out "(c)", and insert "(d)".

**Amendment No. 7**

On page 2, after line 20, insert

"SEC. 8. This act shall become operative on July 1, 1960."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Britschgi was granted unanimous consent to take up Senate Bill No. 202, out of order, for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 202

**Senate Bill No. 202**—An act to amend Section 205.5 of the Agricultural Code, relating to the State Livestock Sanitary Committee.

Bill read third time.

#### Motion to Amend

Mr. Britschgi moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in Senate March 10, 1959, strike out "Sanitary", and insert "Health".

#### Amendment No. 2

On page 1, line 4, strike out "sanitary", and insert "health".

#### Amendment No. 3

On page 1, line 8, strike out "Sanitary", and insert "Health".

#### Amendment No. 4

On page 1, line 14, strike out "sanitary", and insert "health".

#### Amendment No. 5

On page 1, line 22, strike out "Sanitary", and insert "Health".

#### Amendment No. 6

On page 1, line 23, strike out "sanitary", and insert "health".

#### Amendment No. 7

On page 2, line 3, strike out "Sanitary", and insert "Health".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1964 FROM COMMITTEE

Mr. Johnson was granted unanimous consent that Assembly Bill No. 1964 be withdrawn from the Committee on Public Health for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1964

**Assembly Bill No. 1964**—An act to repeal Sections 12000 and 12113 of, to amend Sections 12000.5, 12002, 12100, 12101, 12102, 12103, 12104, 12107, 12108, 12109, 12111.5, 12112, 12114, 12115, 12190, 12304, 12350, and 12402 of, and to add Sections 12000, 12101.5, 12105.5, 12107.5, 12113, and 12301.5 to, the Health and Safety Code, relating to explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, after "12109," insert "12110,".

#### Amendment No. 2

In line 5 of the title, after "12107.5," insert "12109.5,".

**Amendment No. 3**

On page 4, line 23, strike out "and".

**Amendment No. 4**

On page 4, line 25, after "resale," insert "and to persons desiring to receive any amount of other types of gunpowder for sporting purposes,".

**Amendment No. 5**

On page 4, line 47, strike out "Every", and insert "Except as otherwise provided in Section 12109.5, every".

**Amendment No. 6**

On page 4, line 49, strike out "quintuplicate", and insert "quadruplicate".

**Amendment No. 7**

On page 4, line 51, strike out "and to the chief having the responsibility"; on page 5, strike out line 1, and in line 2 strike out "which the explosives are to be used".

**Amendment No. 8**

On page 5, line 7, after "explosives", insert "and shall be kept on file for a period of not less than three years".

**Amendment No. 9**

On page 5, line 7, strike out "The State Fire Marshal may, by regula-"; strike out lines 8 to 13, inclusive, and insert

"The form of the record of sale or transaction shall be prescribed by the State Fire Marshal."

**Amendment No. 10**

On page 5, between lines 13 and 14, insert

"SEC. 15.1. Section 12109.5 is added to said code, to read:

12109.5. When the permit to receive explosives indicates that the intended area of use of the explosives is other than that area in which the permittee or his agent receives the explosives, the person selling or otherwise disposing of the explosives shall, in addition to complying with the provisions of Section 12109, immediately send a copy of the record of sale to the chief in the area where the explosives are received by the permittee or his agent.

SEC. 15.2. Section 12110 of said code is amended to read:

12110 Every person who sells, gives away, delivers, or otherwise disposes of explosives shall keep an accurate journal or record book in which shall be noted at the time it is made, each sale, delivery, gift, or other disposition of an explosive made by him, whether in the course of business or otherwise. *Such journal or record book shall be kept on file for a period of not less than three years.*

*If the record of sale required by Section 12109 contains the information specified in Section 12111, such record of sale shall be considered as meeting the requirements of this section for a journal or record book.*"

**Amendment No. 11**

On page 5, line 20, after "12109," insert "12109.5,".

**Amendment No. 12**

On page 5, line 28, after "12109," insert "12109.5,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1680 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 1680 be withdrawn from the Committee on Civil Service and State Personnel, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1680

**Assembly Bill No. 1680**—An act to add Section 20814 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

**Motion to Amend**

Mr. Miller moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 9356.3 and".

**Amendment No. 2**

On page 1, after line 10, insert

"SEC. 2. Section 9356 3 is added to said code, to read:

9356 3. Any member elected to fill an unexpired term of office as Member of the Legislature, whose time of service in such capacity amounts to more than one-half of the full term for that office, shall receive credit for service for the full term of office if he makes contributions therefor to the Legislators' Retirement Fund. Such contributions shall be in an amount equal to 4 percent of the compensation he would have received as legislator during the remainder of the term."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 215

Mr. Masterson was granted unanimous consent that Senate Bill No. 215 be withdrawn from the Committee on Governmental Efficiency and Economy and re-referred to the Committee on Municipal and County Government.

## ASSEMBLY JOINT RESOLUTION NO. 29 WITHDRAWN FROM ENGROSSMENT

Mr. Britschgi was granted unanimous consent that Assembly Joint Resolution No. 29 be withdrawn from the Committee on Engrossment and Enrollment.

**Request for Unanimous Consent**

Mr. Britschgi was granted unanimous consent to take up Assembly Joint Resolution No. 29 without reference to file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 29

**Assembly Joint Resolution No. 29**—Relative to dredging of Redwood City Harbor.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Bustrud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Winton—66.

NOES—None.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Porter announced that today was the birthday of Mr. Vincent Thomas, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Thomas.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1962, 139,** and **499,** subsequent to engrossment.

**Senate Bill No. 757.**

## REPORTS OF STANDING COMMITTEES

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports.

Assembly Bill No 1968

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1222

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports

Assembly Bill No. 1697

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 814

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Rules

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 202

With the recommendation: That the resolution be re-referred to the Committee on Social Welfare

MILLER, Chairman

Above resolution re-referred to the Committee on Social Welfare

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1962

And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE CONTINUED

Mr. Masterson was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 520 from the Committee on Social Welfare be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 153**—An act to amend Section 10493 of the Insurance Code, relating to insurance for participants in municipal playground activities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 153?

### Amendment No. 1

On page 2, line 14, of the printed bill, strike out "(a)", and insert "(A)".

### Amendment No. 2

On page 2, line 17, strike out "(b)", and insert "(B)".

The Assembly concurred in Senate amendments to Assembly Bill No. 153 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Assembly Bill No. 153 ordered enrolled.

**Assembly Bill No. 208**—An act to add Sections 13001.6 and 13831.2 to, and to repeal Sections 13831.2, 13831.3, 13831.4 and 13831.5 of, the Education Code, and to add Sections 13254.5 and 13513 to, and to repeal Sections 13513, 13514, 13515 and 13516 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the employment of teachers by school districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 208?

### Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and to add Section 13257.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session".

### Amendment No. 2

On page 1, between lines 18 and 19, insert

"SEC. 2. Section 13257.5 is added to the Education Code as enacted by the Legislature at the 1959 Regular Session, to read:

13257.5. The employment of all persons in positions requiring certification qualifications by governing boards of school districts prior to the effective date of this section and the payment of compensation by school districts for all services heretofore rendered by such persons is hereby authorized, ratified, confirmed and validated; provided, all of the following conditions have been met:

(a) Each such person has heretofore filed or registered with the appropriate agency not later than 90 days after the date fixed by the governing board of the

district for the commencement of his services, a valid certification document authorizing him to serve in the position in which he was employed.

(b) The application for such certification document was made to the issuing authority not later than 90 days after the date fixed by the governing board of the district for the commencement of his services.

SEC. 3 Section 2 of this act shall become operative at the same time as the Education Code as enacted by the Legislature at its 1959 Regular Session takes effect, at which time Section 13001.6 added to the Education Code by Section 1 of this act is repealed."

**Amendment No. 3**

On page 1, line 19, strike out "2", and insert "4".

**Amendment No. 4**

In line 1 of the title of the printed bill, as amended in the Senate on March 12, 1959, strike out "Section 13001.6 to", and insert "Sections 13001.6 and 13831.2 to, and to repeal Sections 13831.2, 13831.3, 13831.4 and 13831.5 of,".

**Amendment No. 5**

In line 2 of the title, strike out "Section 13257.5 to", and insert "Sections 13254.5 and 13513 to, and to repeal Sections 13513, 13514, 13515 and 13516 of".

**Amendment No. 6**

In line 3 of the title, strike out "Legisdature", and insert "Legislature".

**Amendment No. 7**

On page 1, after line 18, insert

"SEC. 2. Sections 13831.2, 13831.3, 13831.4 and 13831.5 of said code are repealed.

SEC 3. Section 13831.2 is added to said code, to read:

13831.2. Notwithstanding any other provision of law, if, prior to the effective date of this section, payment of the salary of any person employed in a position requiring certification qualification has been withheld because the certification document of such person was not in force for the period such salary was earned and the credentials of such person have been renewed or properly approved for issuance within 90 days after the end of such period, the district may pay the person the amount of salary withheld."

**Amendment No. 8**

On page 2, line 1, strike out "2. Section 13257.5", and insert "4. Section 13254.5".

**Amendment No. 9**

On page 2, line 4, strike out "13257.5", and insert "13254.5".

**Amendment No. 10**

On page 2, between lines 19 and 20, insert

"SEC. 5. Sections 13513, 13514, 13515 and 13516 of said code are repealed.

SEC. 6. Section 13513 is added to said code, to read:

13513. Notwithstanding any other provision of law, if, prior to the effective date of this section, payment of the salary of any person employed in a position requiring certification qualification has been withheld because the certification document of such person was not in force for the period such salary was earned and the credentials of such person have been renewed or properly approved for issuance within 90 days after the end of such period, the district may pay the person the amount of salary withheld."

**Amendment No. 11**

On page 2, strike out lines 20 to 24, inclusive, and insert

"SEC. 7. Sections 4 to 6, inclusive, of this act shall become operative at the same time as the Education Code, as enacted by the Legislature at its 1959 Regular Session, at which time Sections 13001.6 and 13831.2 of the Education Code as added by Sections 1 and 3 of this act are repealed."

**Amendment No. 12**

On page 2, line 25, strike out "4", and insert "8".

**Amendment No. 13**

On page 1, line 11, of the printed bill, as amended in the Senate on March 23, 1959, strike out "90", and insert "95".

**Amendment No. 14**

On page 2, line 2, strike out "90", and insert "95".

**Amendment No. 15**

On page 2, line 14, strike out "90", and insert "95".

**Amendment No. 16**

On page 2, line 28, strike out "90", and insert "95".

**Amendment No. 17**

On page 2, line 33, strike out "90", and insert "95".

**Amendment No. 18**

On page 2, line 45, strike out "90", and insert "95".

The Assembly concurred in Senate amendments to Assembly Bill No. 208 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 208 ordered enrolled.

**Assembly Bill No. 490**—An act to amend Sections 2804, 2808 and 2810 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 490?

**Amendment No. 1**

On page 2, line 19, of the printed bill, after "way", insert "and easements necessary in connection with such improvement".

**Amendment No. 2**

On page 2, lines 19 and 20, strike out "and capacity rights in existing sewers".

The Assembly concurred in Senate amendments to Assembly Bill No. 490 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—75.

NOES—None.

Assembly Bill No. 490 ordered enrolled.

**Assembly Bill No. 683**—An act to add Section 1744.1 to the Code of Civil Procedure, relating to children's courts of conciliation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 683?

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "appoint", insert ", with the consent and approval of the board of supervisors,".

**Amendment No. 2**

On page 2 of the printed bill, as amended in the Senate on April 1, 1959, after line 9, insert

"The superior court or board of supervisors may, at any time, abolish any or all positions created pursuant to this section."

The Assembly concurred in Senate amendments to Assembly Bill No. 683 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Assembly Bill No. 683 ordered enrolled.

**Assembly Bill No. 718**—An act to amend Sections 9107, 9108, 9109, 9134 and 10246, and to repeal Sections 9131, 9132 and 9133 of the Government Code, relating to legislative organizations and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 718?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on March 4, 1959, in line 13, following the period, insert "Any action of the committee shall require an affirmative vote of not less than a majority of the Senate members and a majority of the Assembly members of the committee."

The Assembly concurred in Senate amendment to Assembly Bill No. 718 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 718 ordered enrolled.

**Assembly Bill No. 966**—An act to amend Section 11624 of, and to add Section 11624.5 to, the Insurance Code, relating to commissions on insurance placed with the California Automobile Assigned Risk Plan, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 966?

**Amendment No. 1**

On page 2, line 10, of the printed bill, as amended in the Assembly on March 18, 1959, strike out "and commission payments".

The Assembly concurred in Senate amendment to Assembly Bill No 966 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Assembly Bill No. 966 ordered enrolled.

**Assembly Bill No. 1235**—An act to amend Sections 9750, 9754.1, 9755, 9756, 9760, 9801, 9850, 9912, 11101, 11119, and 11120 of, the Elections Code, relating to municipal elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1235?

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on March 20, 1959, after "newspaper", insert "of general circulation".

**Amendment No. 2**

On page 1, line 22, after "newspaper", insert "of general circulation".

**Amendment No. 3**

On page 2, line 33, after "newspaper", insert "of general circulation"

The Assembly concurred in Senate amendments to Assembly Bill No 1235 by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75
NOES—None.

Assembly Bill No. 1235 ordered enrolled.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 487 was taken up.

**Assembly Bill No. 487**—An act to amend Section 106 of, and to add Section 401.1 and Part 10 (commencing at Section 5150) of Division 1 to, the Revenue and Taxation Code, relating to the definition and assessment of personal property for purposes of taxation, and the taxation of the use or possession for use of tax-exempt personal property, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read.

### Speaker pro Tempore Presiding

At 10.29 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the urgency clause.

### Demand for Previous Question

Messrs. Munnell, Charles H. Wilson, Luckel, Chapel, and Unruh demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

### Speaker Presiding

At 10.50 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the urgency clause.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. MacBride moved a call of the Assembly.

Mr. Munnell seconded the motion.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1152 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1152 be continued until the next legislative day.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 419 was taken up.

**Assembly Bill No. 419**—An act to add Chapter 8.5 (commencing with Section 1137) to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read third time.

### Motion to Amend

Mr. Ernest R. Geddes moved the adoption of the following amendments:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 14, 1959, between lines 21 and 22, insert

"(3) Such service is performed by an individual as an employee on a farm where there is agreement between the employee and the employer that wages include a daily, weekly, or monthly payment in cash or such payment plus food and lodging or living accommodations."

**Amendment No. 2**

On page 2, between lines 21 and 22, insert
"(4) Such service is performed by an individual in the domestic service of any family or person in his home, or any individual employed by his parent or spouse."

**Amendment No. 3**

On page 2, between lines 21 and 22, insert
"Such service is performed by an individual employed as a supervisor, or any individual employed by any other person who is not an employer as herein defined."

**Amendment No. 4**

On page 2, between lines 21 and 22, insert
"Such service is performed by an individual having status as an independent contractor."

**Amendment No. 5**

On page 2, line 33, strike out "or district.", and insert ", district or any corporation or association operating a hospital if no part of the net earnings insures to the benefit of any private shareholder."

Amendments read.

**Division of Question**

Mr. Ernest R. Geddes called for a division of the question.

Request granted.

**Consideration of Amendment No. 1**

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on April 14, 1959, between lines 21 and 22, insert
"(3) Such service is performed by an individual as an employee on a farm where there is agreement between the employee and the employer that wages include a daily, weekly, or monthly payment in cash or such payment plus food and lodging or living accommodations."

Amendment No. 1 read.

**Motion to Table Amendment**

Mr. Burton moved that the amendment be laid on the table.

**Roll Call Demanded**

Messrs. Burke, Conrad, and Schrade demanded a roll call.

The roll was called, and the motion to table lost by the following vote:

AYES—Burton, Collier, Conrad, DeLotto, Elliott, Hawkins, Lunardi, MacBride, McMillan, Miller, Munnell, O'Connell, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Winton—18.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Donahoe, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Schrade, Sedgwick, Shell, Sumner, Thomas, Williamson, and Mr. Speaker—51.

**Demand for Previous Question**

Messrs. Grant, Bee, Belotti, Luckel, and Unruh demanded the previous question. Demand sustained.

The question being on the adoption of Amendment No. 1.

**Roll Call Demanded**

Messrs. Conrad, Lanterman, and Burke demanded a roll call.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Mr. Rumford seconded the motion.

Motion carried. Time, 11 12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## PARLIAMENTARY INQUIRY

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Would a motion to re-refer a bill be in order at this time?

### Reply by Speaker

The Speaker replied that it would not, since further consideration of the special order was before the House.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 419

## FURTHER CONSIDERATION OF AMENDMENTS BY MR. ERNEST R. GEDDES

### *Consideration of Amendment No. 2*

### Amendment No. 2

On page 2, between lines 21 and 22, insert

"(4) Such service is performed by an individual in the domestic service of any family or person in his home, or any individual employed by his parent or spouse."

Amendment No. 2 read.

### Speaker pro Tempore Presiding

At 11.15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of Amendment No. 2.

Amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Burke, Chapel, Conrad, Cusanovich, Ernest R. Geddes, Hegland, House, Johnson, Lanterman, Lowrey, Luckel, Marks, McCollister, Meyers, Mulford, Pattee, Porter, Reagan, Schrade, Sedgwick, Sumner, and Thelin—27.

NOES—Don A. Allen, Bane, Bee, George E. Brown, Burton, Busterud, Collier, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, Masterson, McMillan, Miller, Munnell, O'Connell, Petris, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—38.

### Amendments Nos. 3 and 4 Withdrawn

Mr. Ernest R. Geddes was granted consent to withdraw Amendments Nos. 3 and 4.

### *Consideration of Amendment No. 5*

### Amendment No. 5

On page 2, line 33, strike out "or district.", and insert ", district or any corporation or association operating a hospital if no part of the net earnings insures to the benefit of any private shareholder."

Amendment No. 5 read.

Amendment No. 5 refused adoption by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Bradley, Burke, Chapel, Coolidge, Crawford, Dahl, Francis, Ernest R. Geddes, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Mulford, Reagan, Schrade, Sedgwick, and Shell—22.

NOES—Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Kennick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Rumford, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—45.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 872**—An act to amend Section 2330 of, and to add Section 233.6 to, the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 487

At 11.28 a.m., Mr. MacBride moved to dispense with further proceedings under the call of the Assembly.

Mr. Unruh seconded the motion.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 487 was adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—Bane, Beaver, Bradley, Britschgi, Busterud, Crawford, Cusanovich, Dahl, Hanna, Holmes, Lanterman, Levering, Lunardi, Marks, Masterson, Mulford, Nisbet, Pattee, Reagan, Sedgwick, Shell, Sumner, Thelin, and Waldie—24.

The question being on the passage of Assembly Bill No. 487.

**Speaker Presiding**

At 11.29 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Rees, Rumford, Schrade, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Bane, Beaver, Bradley, Britschgi, Busterud, Crawford, Dahl, Holmes, Lanterman, Levering, Lunardi, Marks, Masterson, Nisbet, Pattee, Reagan, Sedgwick, Shell, Sumner, Thelin, and Waldie—21.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 487 was offered. *See* page 2512.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ERNEST R. GEDDES AMENDMENT NO. 1 TO ASSEMBLY BILL NO. 419

At 11.30 a.m., Mr. Miller moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Amendment No. 1 offered by Mr. Ernest R. Geddes to Assembly Bill No. 419 refused adoption by the following vote:

AYES—Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Chapel, Coolidge, Crawford, Dahl, Davis, Donahoe, Francis, Frew, Ernest R. Geddes, Samuel R Geddes, Hegland, House, Lanterman, Levering, Lowrey, Luckel, Lunardi, McCollister, Mulford, Nisbet, Pattee, Schrade, Sedgwick, Shell, and Mr. Speaker—33.

NOES—Bruce F. Allen, Don A. Allen, Bane, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Gaffney, Garrigus, Grant, Hanna, Hawkins, Johnson, Kennick, Kilpatrick, MacBride, Marks, Masterson, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—45.

**Further Consideration of Assembly Bill No. 419**

The question being on the passage of Assembly Bill No. 419.

**Points of Personal Privilege**

Mr. Lowrey arose on a point of personal privilege.

Mr. Miller arose on a point of personal privilege.

Mr. Ernest R. Geddes arose on a point of personal privilege.

**Demand for Previous Question**

Messrs. Hanna, Shell, Levering, Schrade, and Hegland demanded the previous question. Demand sustained.

The question being on the passage of the bill.

**Motion to Grant Extra Time for Debate**

Mr. O'Connell moved that Mr. Miller be granted five minutes additional time for his closing debate on the bill.

Mr. Winton seconded the motion.

Motion carried.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A Allen, Bane, Britschgi, George E. Brown, Burton, Cameron, Chapel, Crawford, Crown, Cunningham, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—44.

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Collier, Coolidge, Cusanovich, Dahl, Davis, Donahoe, Francis, Ernest R. Geddes, Hegland, Holmes, House, Johnson, Lanterman, Levering, Marks, McCollister, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—34.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 419 was offered. *See* page 2512.

**Explanation of Vote on Assembly Bill No. 419**

Basically we voted against Assembly Bill No 419 because agriculture is important to our county, and this bill was written without taking into account the unique problems of agriculture.

SHERIDAN HEGLAND
JACK SCHRADE

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 2352, 2353, AND 2399

Mr. Bruce F. Allen was granted unanimous consent that Assembly Bills Nos. 2352, 2353, and 2399 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary—Civil.

## ANNOUNCEMENT

Mr. Winton announced that the Assembly would be in session all day tomorrow if necessary, in order to clear up the file.

## WITHDRAWAL AND RE-REFERENCE OF BILLS

Mr. Nisbet was granted unanimous consent that Assembly Bill No. 2425 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Municipal and County Government.

Mr. Coolidge was granted unanimous consent that Assembly Bill No. 2499 be withdrawn from the Committee on Natural Resources, Planning, and Public Works, and re-referred to the Committee on Government Organization.

Mr. Coolidge was granted unanimous consent that Assembly Bill No. 2500 be withdrawn from the Committee on Education, and re-referred to the Committee on Government Organization.

Mr. Coolidge was granted unanimous consent that Assembly Bill No. 2501 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Government Organization.

Mr. Coolidge was granted unanimous consent that Assembly Bills Nos. 2502 and 2503 be withdrawn from the Committee on Military and Veterans Affairs, and re-referred to the Committee on Government Organization.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 419

Mr. Bruce F. Allen moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 419 was this day passed. (Assembly Journal, pages 2510-2511.)

Assembly Bill No. 419 and the motion to reconsider ordered to the unfinished business file.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 487

Mr. Masterson moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 487 was this day passed. (Assembly Journal, page 2510.)

Assembly Bill No. 487 and the motion to reconsider ordered to the unfinished business file.

## REPORTS OF STANDING COMMITTEES

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1456
Assembly Bill No. 1503
Assembly Bill No. 1589
Senate Bill No. 342

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1455

With the recommendation: Do pass.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1505

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1984
Assembly Bill No. 1987
Assembly Bill No. 1985
Assembly Bill No. 1816

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1988
Assembly Bill No. 1754
Assembly Bill No. 1981
Assembly Bill No. 1983

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR SPEAKER: Your Committee on Education reports:

Senate Bill No. 689
Senate Bill No. 690
Senate Bill No 713

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1982
Assembly Bill No. 1986
Assembly Bill No. 1989

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, April 15, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No 1664
Assembly Bill No 1666
Assembly Bill No. 1774
Assembly Bill No 2014

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 14, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 244

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1535
Assembly Bill No. 1536

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2015

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER. Your Committee on Ways and Means reports:

Assembly Bill No 830

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 192

With the recommendation: That the resolution be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

**Committee on Public Health**

ASSEMBLY CHAMBER, April 15, 1959

MR. SPEAKER: Your Committee on Public Health reports

Assembly Bill No. 1908

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 131
Assembly Bill No. 1684

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 499

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1770

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 1

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1063
Assembly Bill No. 1529
Assembly Bill No. 1906

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 964
Assembly Bill No. 1084
Assembly Bill No. 2034
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 139
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 628
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2037
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1876
Assembly Bill No. 2006
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1542 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 1542 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1542

**Assembly Bill No. 1542**—An act to add Section 75035 to, and to amend Section 75070 of, the Government Code, relating to the Judges' Retirement System.

Bill read second time.

#### Motion to Amend

Mr. Miller moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 75035 to, and to amend Section 75070 of," and insert "Article 3.6 (commencing at Section 75075) to Chapter 11 of Title 8 of, and to add Section 75103.1 to,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Article 3.6 is added to Chapter 11 of Title 8 of the Government Code, to read:

Article 3.6. Benefits Payable

75075. Any judge hereafter retiring pursuant to the provisions of Section 72025 or Section 75060 may elect to receive the benefits accorded by this Article (a) if he retires prior to attaining the age of 70 years, or (b) regardless of age at retirement, if he is a judge on the effective date of this article and (1) retires within five years after said effective date or (2) if not eligible to retire within said five-year period, he retires within two years after he attains eligibility

Election to receive the benefits accorded by this article is made by filing written notice thereof with the Secretary of State at or prior to retirement.

75076. A judge who qualifies, as prescribed in Section 75075, to receive the benefits accorded by this article shall receive a retirement allowance equal to 65 percent of the salary payable, at the time payment of the allowance falls due, to the judge holding the judicial office to which he was last elected or appointed; except that if upon retirement a judge has received credit for 20 or more years of service rendered prior to the expiration of the time within the judge is eligible to elect to receive the benefits accorded by this article and for which he has contributed to the Judges' Retirement Fund his retirement allowance shall equal 75 percent of such salary. If he retires pursuant to Section 75025, the allowance is payable during the remainder of his life; if pursuant to Section 75060, it is payable as provided in Section 75060.6

75077. The surviving spouse of a judge who qualifies, as prescribed in Section 75075, to receive the benefits accorded by this article and who dies during retirement shall receive, until death or remarriage, an allowance equal to one-half of the retirement allowance that would be payable to the judge were he living and receiving the benefits accorded by this article. In such a case no payment shall be made pursuant to Section 75104.5

75078. The allowance to the judge and to his surviving spouse under this article shall be paid by the State at the times and in the manner provided for the payment of salaries of Justices of the Supreme Court

75079. When a judge elects and becomes entitled to receive the benefits accorded by this article he does not have the right to select an optional settlement under the provisions of Article 3.5 of this chapter

SEC. 2. Section 75103.1 is added to said code, to read:

75103.1. The Legislature reserves the right to increase the rates of contribution prescribed by Sections 75101 to 75103, inclusive, in such amounts as it may find appropriate."

**Amendment No. 3**

On page 1, strike out lines 2 to 12, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Lunardi was granted unanimous consent to take up Assembly Bill No. 1715, for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 1715

**Assembly Bill No. 1715**—An act to repeal Section 13363 of, and to add Section 13363 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to conviction of a traffic offense in another state.

Bill read third time.

**Motion to Amend**

Mr. Lunardi moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "or nonresident of this State", and insert "of this State or of any nonresident of this State who has been issued a California driver's license".

**Amendment No. 2**

On page 1, line 16, strike out "or nonresident", and insert "of this State or of any nonresident of this State who has been issued a California driver's license".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE AND SET HOUSE RESOLUTION No. 202 FOR HEARING

Mr. Burton asked for unanimous consent to hold a special meeting of the Committee on Social Welfare at 2 p.m. tomorrow in Room 4164, and to permit the hearing of House Resolution No. 202 at that time without a three-day notice.

Mr. Crawford withheld unanimous consent.

### Motion to Temporarily Suspend the Rules

Mr. Burton moved that the Rules be temporarily suspended for the purpose of permitting a special meeting of the Committee on Social Welfare at 2 p.m. tomorrow afternoon, April 17, 1959, in Room 4164; and for permitting the hearing of House Resolution No. 202, at that time, without the three-day notice.

Mr. Elliott seconded the motion.

### Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: Does the three-day rule apply to House resolutions?

### Reply by Speaker

The Speaker replied that it applies only to bills.

### Motion Withdrawn

Mr. Burton withdrew his motion.

## ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Burton announced that the Committee on Social Welfare would meet in Room 2196 at 2 p.m. tomorrow afternoon, April 17, 1959, to hear House Resolution No. 202, if the Assembly is not in session at that time.

## ADJOURNMENT

At 12.11 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 17, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY

SEVENTY-FIFTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, April 17, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Most Gracious God*, Thou who seest our intentions as well as our actions, and hearest the longing of our hearts as well as our words, strengthen the fiber of our wills so that we need not be ashamed when our thoughts stand revealed and our work is made known. Give us that clarity of mind which can hold an image of truth through the strain of one day's responsibilities. Keep us from fear of any eyes but Thine, O Lord. So may laws ultimately passed truly reflect the convictions of our minds and the purposes of our lives, through Jesus Christ, our Lord.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with, on motion of Mr. Rumford.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Winton.

Mr. Sumner, on motion of Mr. Shell.

Mr. Levering, on motion of Mr. Shell.

Mr. Reagan, on motion of Mr. Shell.

The following members were granted leave of absence for the day, and desired to waive their per diem:

Mr. Busterud, on motion of Mr. Biddick.

Mr. Burton, on request of Speaker Brown.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Anna May Hull of Sacramento, relative to legislation. Referred to the Committee on Industrial Relations.

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A resolution by the San Benito County Board of Supervisors, relative to designating U.S. 101 as "El Camino Real." Referred to the Committee on Transportation and Commerce.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

STATE EMPLOYEES BUILDING CORPORATION
SACRAMENTO, April 16, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN BROWN: You and your fellow Assemblymen are cordially invited to attend the ground-breaking ceremonies of the new California State Employees Association—Credit Union No. 1 office building. The ceremony will take place on Thursday, April 23d, at 2.00 p.m., on the lot adjacent to 1100 "O" Street.

We would appreciate your publishing this notice in the Journal in order that your fellow Assemblymen will be aware of the ceremonies.

We know you have a busy schedule, however, since the site is only one block from the Capitol, we hope you can find time to attend. Governor Brown and various state and county officials have been invited. We are looking forward to seeing you at our ground-breaking ceremonies.

Sincerely,

ALBERT C. RICKSECKER, Secretary

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2531**: By Mr. Biddick—An act to add Division 1 (commencing at Section 25101) to Title 4, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code, relating to the Uniform Securities Act.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2532**: By Mr. Waldie—An act to amend Section 139 of the Civil Code, relating to support of spouse and children.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2533:** By Messrs Waldie and Masterson—An act to amend Section 70047 of the Government Code, relating to superior court reporters.

Referred to Committee on Judiciary—Civil

**Assembly Bill No. 2534:** By Mr. Hanna—An act to amend Section 23606 of, and to add Chapter 2.5 (commencing at Section 23681) to Division 18 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the state college faculty.

Referred to Committee on Education.

**Assembly Bill No. 2535:** By Mr. Burton—An act to amend Section 10203 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 212**—An act to add Section 25699 to the Government Code, relating to county water resources committees and boards;

**Assembly Bill No. 231**—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings;

**Assembly Bill No. 275**—An act to amend Section 717.1 of the Code of Civil Procedure, relating to proceedings supplemental to execution;

**Assembly Bill No. 568**—An act to amend Sections 3051a and 3068 of the Civil Code, relating to liens;

**Assembly Bill No. 1208**—An act to add Section 23394.5 to the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 1323**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages;

And reports the same correctly enrolled, and presented to the Governor on the sixteenth day of April, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 50**—Relative to an amendment of the Joint Rules of the Senate and Assembly to provide for the creation of a Joint Committee on Legislative Organization;

**Assembly Concurrent Resolution No. 84**—Relative to acquisition of land in the City of Newport Beach for a state park;

**Assembly Concurrent Resolution No. 102**—Relative to extending congratulations to the California branch of the National Council of Jewish Women;

And reports the same correctly enrolled, and presented to the Secretary of State on the sixteenth day of April, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1715

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, April 14, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 335

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 94
Assembly Bill No. 1130

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BELOTTI, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 1932
Assembly Bill No. 1933

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BELOTTI, Chairman

Above bills ordered to second reading.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, April 16, 1959

MR SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 428

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

CRAWFORD, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, April 16, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 206

*With the recommendation: Be adopted.*

MILLER, Chairman

Above resolution ordered on file.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 316
Assembly Bill No. 115
Assembly Bill No. 831
Assembly Bill No. 1228

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 174
Senate Bill No. 390
Senate Bill No. 400
Senate Bill No 343
Senate Bill No. 558

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 1104
Assembly Bill No. 1176

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1848
Assembly Bill No. 1081
Assembly Bill No. 1636
Assembly Bill No. 1712
Assembly Bill No 1425
Assembly Bill No. 471
Assembly Bill No. 970
Assembly Bill No. 1007
Assembly Bill No. 871
Assembly Bill No. 1718
Assembly Bill No. 317
Assembly Bill No. 1459
Assembly Bill No. 719

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 105

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 1487
Assembly Bill No. 1488

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Concurrent Resolution No. 13

With the recommendation: Be adopted.

BACKSTRAND, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 468

With amendments with the recommendation. Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 649

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1328

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 1620
Assembly Bill No. 2002

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1545
Assembly Bill No 1546
Assembly Bill No. 2050

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1095

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 17, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1144
Assembly Bill No. 1998
Assembly Bill No. 2049

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 141
Senate Bill No. 284
Senate Bill No. 359
Senate Bill No. 521
Senate Bill No. 581

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1049
Assembly Bill No. 1785

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 920
Assembly Bill No. 1074

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 375
Assembly Bill No. 1916

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 919

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 464

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 595
Senate Bill No. 657
Senate Bill No. 864
Senate Bill No. 886
Senate Bill No. 943

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 595**—An act to amend Section 15525 of the Corporations Code, relating to limited partnerships.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 657**—An act to amend Section 1086 of the Water Code, relating to the State Water Rights Board power to subpoena witnesses.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 864**—An act to amend Sections 8991 and 8994 of the Revenue and Taxation Code, relating to liens under the use fuel tax.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 886**—An act to amend Sections 24404 and 25401 of the Revenue and Taxation Code, relating to the deductions of farmers co-operatives for bank and corporation tax purposes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 943**—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

### SECOND READING OF ASSEMBLY BILL NO. 1956 (OUT OF ORDER)

**Assembly Bill No. 1956**—An act to amend Sections 1719, 1751, and 1887 of the Insurance Code, relating to insurance licenses.

Bill read second time.

#### Request for Unanimous Consent

Mr. Pattee was granted unanimous consent to withdraw the committee amendments to Assembly Bill No. 1956, and to substitute corrected amendments therefor.

#### Motion to Amend

Mr. Pattee moved the adoption of the following substitute amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "1719," insert "1724,".

#### Amendment No. 2

On page 1, between lines 11 and 12, insert

"SEC. 2. Section 1724 of said code is amended to read:

1724. Except as provided in Section ~~1703~~ *1701*, the holder of a certificate of convenience pending examination, and, in the case of an organization, any person named on its certificate of convenience, may not transact personal or controlled insurance as the same is defined in Insurance Code Sections 760 and 760.5, whichever is applicable, nor receive commissions thereon."

#### Amendment No. 3

On page 1, line 12, strike out "SEC. 2.", and insert "SEC. 3."

#### Amendment No. 4

On page 2, line 14, strike out "SEC. 3.", and insert "SEC. 4."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1956, deemed read the second time, with appropriate action taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1956, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Pattee seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1919, 1303, 367, 1580, 1097, 1865, 1313,** and **1691.**

Assembly Bills Nos. 1919, 1580, 1097, 1865, 1313, and 1691, subsequent to engrossment.

Assembly Bills Nos. 1303 and 367, subsequent to re-engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1471**—An act to add Article 4 (commencing at Section 98.1) to Chapter 3 of Division 1, to repeal Sections 92, 92.1, 92.4, 92.5, 92.6, 92.9, and 94.6 of, and to amend Sections 92.8 and 94.5 of the Agricultural Code, to repeal Sections 19622, 19622.5, 19622.7, 19623, 19624, 19624.5, 19626.5, and to amend Sections 19626 and 19628 of the Business and Professions Code, relating to fairs.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "to repeal Sections 92, 92.1, 92.4,"; strike out lines 3 to 7, inclusive, of the title, and insert "to amend Sections 70, 73, 76, 86, 86.5, 87, 87.5, 88, 88.6, 91, 92, 92.5, 92.6, 92.7, 92.8 and 94.6 of, and to repeal Section 72 of the Agricultural Code, and to amend Sections 19622, 19624, 19626, 19626.5, and 19628 of the Business and Professions Code, relating to fairs."

#### Amendment No. 2

On page 1, strike out lines 9 and 10, and insert "by the governor. The members shall serve without compensation but shall be reimbursed for their necessary traveling expenses and other expenses incurred in the performance of their official duties."

#### Amendment No. 3

On page 2, line 34, strike out "made to, or be".

#### Amendment No. 4

On page 2, line 35, strike out "expenditure or".

**Amendment No. 5**

On page 2, line 42, after "need", insert "In determining actual need, the commission shall take into consideration all of the following:

(a) The type and class of agricultural, including livestock, industrial and natural resources exhibited and the amount of premiums paid in accordance with the approved premium list of such fair.

(b) Whether the fair is regional in nature, offers a special feature for agriculture, livestock or industry, or is a sectional fair limiting exhibits to the region in which the fair is held, and such other characteristics and factors as the committee deems necessary.

(c) The ratio of attendance at the fair to the population of the area served by it

(d) The efficiency of management, including operational procedures, revenue from sources other than the State, quality of exhibits and community interest in such fair.

(e) The extent and nature of interim utilization of fair property as promoted by the fair management.

(f) The need of the fair for money from state sources."

**Amendment No. 6**

On page 2, strike out lines 43 and 44, and insert

"SEC. 2. Section 70 of the Agricultural Code is amended to read:

70. The California State Fair and Exposition is a state institution ~~within the Department of Finance~~, and consists of a board of directors of 14 members.

SEC. 3. Section 72 of said code is repealed.

SEC. 4. Section 73 of said code is amended to read:

73. The board of directors of the California State Fair and Exposition, subject to the approval of the ~~Department of Finance~~ *California State Fair Commission*, shall provide for and manage an annual fair or exposition in Sacramento County of the industries and industrial products of this State and commercial products exported and imported through the ports of this State. Such fair shall be designated as the California State Fair and Exposition. In any year during which an international exposition, conducted in whole or in part under the auspices of the State and endorsed by the United States Government, is held within the State of California, and the board of directors of the California State Fair and Exposition deems it inexpedient to hold a State Fair, the funds available for State Fair purposes for that year only may be expended with the approval of the ~~Department of Finance~~ *California State Fair Commission*, in co-operation with the management of said exposition to provide for a proper exhibition of the industries of California at such exposition.

SEC. 5. Section 76 of said code is amended to read:

76. All moneys received by the board of directors of the California State Fair and Exposition shall be reported at least once a month to the State Controller and said money together with all money heretofore or hereafter appropriated to said society shall be placed in the State Treasury to the credit of the State Fair Fund, which fund is hereby created. Any money appropriated from the State Agricultural Society Contingent Fund shall be payable from the State Fair Fund.

All money in said fund is hereby appropriated without regard to fiscal years, to be expended in accordance with the law for the support of the activities of the board of directors of the California State Fair and Exposition in conducting the California State Fair and Exposition, including construction and improvements and, with the approval

of the ~~Department of Finance~~ *California State Fair Commission*, the purchase of land in connection therewith.

SEC. 6. Section 86 of said code is amended to read:

86. Each district agricultural association is a state institution. Each association by its name as perpetual succession, may have a seal, be sued and, with the approval of the ~~Department of Finance~~ *California State Fair Commission*, may:

(a) Contract, and sue.

(b) Purchase, acquire, hold, sell, exchange or convey any interest in real or personal property and beautify or improve such property.

(c) Lease, let or grant licenses for the use of its real estate or personal property or any portion thereof to any person or public body for whatever purpose may be approved by the board of directors and the ~~Department of Finance~~ *California State Fair Commission*.

(d) Use or manage its real estate or personal property or any part thereof for any or all of the foregoing purposes jointly with any lessee, sublessee or licensee, or otherwise use or manage said property in connection with such lease, sublease or license heretofore or hereinafter made or granted.

(e) Lease or let its real property for public park, recreational, or playground purposes.

(f) Rent or permit the use of its premises for purposes beneficial to the agricultural industry, including but not limited to the holding of sales or auctions of cattle or other livestock.

(g) Contract with any county or county fair association for holding a fair jointly with the same. Such joint fair shall constitute a district fair of the association.

(h) Do any and all things necessary to carry out the above powers and the objects and purposes for which the association is formed.

SEC. 7. Section 86.5 of said code is amended to read:

86.5. In addition to any other power granted by this article, the Sixth District Agricultural Association, with the approval of the ~~Department of Finance~~ *California State Fair Commission*, may build, construct, and maintain and operate a sports stadium or stadia, a sports arena or sports pavilion or other building for holding sports events, athletic contests, contests of skill, exhibitions, spectacles and other public meetings, and may lease, let, or grant licenses for their use.

SEC. 8. Section 87 of said code is amended to read:

87. The board of directors may, with the approval of the ~~Department of Finance~~ *California State Fair Commission*:

(a) Fix the term of office, the amount of bond, salary and prescribe the duties of the secretary and of the treasurer.

(b) Manage the affairs of the association.

(c) Make all necessary by-laws, rules and regulations for the government of the association.

(d) Arrange for and conduct or cause or by contract permit to be conducted by any other individual, institution, corporation or association, upon its property at such time as they may deem advisable, any activity, notwithstanding other provisions of the code.

(e) Delegate, as it may deem advisable, to its officers or employees any of the powers vested in the board under subdivisions (b) and (d)

of this section. Any such delegation of powers may be revoked at any time.

An agricultural association shall not lease its racetrack, for running races of horses, to any private person, firm or corporation except to a national or international exposition or its affiliated corporations or associations for the period of time now permitted by law for fairs. The provisions of this subdivision shall not apply to existing leases or extensions or renewals thereof.

SEC. 9. Section 87.5 of said code is amended to read:

87.5. (a) Any district agricultural association and any county may jointly construct a building to constitute a war memorial and to be used for any purpose for which real property of a district agricultural association may be used.

(b) The buildings or war memorials may be constructed and managed under such terms and conditions as may be agreed upon by the directors of the association with the approval of the ~~Department of Finance~~ *California State Fair Commission* and the board of supervisors of the county, and shall be owned and used jointly by the association and county.

(c) Any construction work done pursuant to any such agreement shall be performed in accordance with and subject to the provisions of the State Contract Act.

SEC. 10. Section 88 of said code is amended to read:

88. The proceeds of the sale of any interest in real property owned by any association shall be paid into the Fair and Exposition Fund in the State Treasury. The amount paid into such fund under the provisions of this section shall be available for expenditure by the association, with the approval of the ~~State Department of Finance~~ *California State Fair Commission*, for permanent improvements for fair purposes on the property of the association or the purchase of equipment for fair purposes, or the acquisition or purchase of real property, including costs of appraisal, or other incidental costs, to be used as sites for such permanent improvements. Said funds or any portion thereof which are not expended within three years after being so paid into the State Treasury as provided in this section shall be added to and become a part of the amount available under paragraph (c) of Section 19626 of the Business and Professions Code for permanent improvements upon the property of the State, citrus, county, or district agricultural associations for fair purposes, or the purchase of equipment for fair purposes, or the acquisition or purchase of real property, including costs of appraisal or other incidental costs, to be used as sites for such permanent improvements, in such amounts as may be allocated by executive order of the ~~State Director of Finance~~ *California State Fair Commission*. The execution of any lease, easement, or agreement for the extraction of any oil, or gas from lands owned or controlled by a district agricultural association is not a sale of an interest of real property within the meaning of this section. All revenues received by any association pursuant to any such lease,

easement, or agreement for the extraction of oil or gas shall be paid into the General Fund in the State Treasury.

SEC. 11. Section 88.6 of said code is amended to read:

88.6. When the board of directors of a district agricultural association shall, by resolution, adopted by vote of two-thirds of all its members, have found and determined that the public interest and necessity require the acquisition of any buildings or improvements situated on property owned by said association, in trust or otherwise, or of any outstanding rights to such property, such association may, with the approval of the ~~Department of Finance~~ *California State Fair Commission*, acquire such buildings, improvements or outstanding rights by condemnation.

The use by such association of its property shall be considered a more necessary public use than the use thereof by any grantee, lessee or licensee for the purposes specified in Section 86 of this chapter.

SEC. 12. Section 91 of said code is amended to read:

91. The directors of each district agricultural association shall annually make to the ~~Department of Finance~~ *California State Fair Commission* such report as such department may direct.

SEC. 13. Section 92 of said code is amended to read:

92. The ~~Department of Finance~~ *California State Fair Commission* ~~shall~~ *may* apportion any money appropriated by the State for the encouragement of county, district or combined county and district fairs to the various agricultural fairs on the basis of the amount which each fair actually paid in premiums for agricultural, horticultural, mineral and livestock exhibits, and exhibits of domestic arts, agricultural mechanics and industrial education made or manufactured for other than commercial purposes in each year. The money so apportioned shall be paid to the several counties and district agricultural associations as soon as such apportionment is determined.

The ~~Department of Finance~~ *California State Fair Commission*, out of any money on hand to be apportioned, may advance to any county or district agricultural association, for the purpose of paying premiums, at any time during the year, any portion of the money to which, in the opinion of the ~~Director of Finance~~ *California State Fair Commission*, the county or district agricultural association will become entitled for that year. The county or district agricultural association shall deposit such money in a separate bank account approved by the ~~Director of Finance~~ *California State Fair Commission* in accordance with the provisions of Section 16506 of the Government Code. Such money may be expended for premiums, capital outlay, including purchase of land, construction, improvements, equipment, for the acquisition, installation, maintenance, and operation of recreational facilities at fairgrounds of the county or district agricultural associations or support of county or district agricultural association fairs pursuant to a budget submitted to, and approved by, the ~~Department of Finance~~ *California State Fair Commission* subject to the provisions of Sections 13320 to 13324, inclusive, of the Government Code.

All sums expended from such moneys for construction and improvements by counties shall be subject to the provisions of Sections 25450 to 25463, inclusive, of the Government Code. The county auditor or

secretary of any such fair desiring to share in any such appropriation shall file with the ~~Department of Finance~~ *California State Fair Commission* on or before December 31st, of each year, a sworn statement setting forth the actual amount paid for premiums by such fair held in that year.

Six thousand dollars ($6,000) shall be the maximum base of allocation paid any fair for its first year of operation, and thereafter in each subsequent year in which a fair is held the maximum base of allocation shall increase by 10 percent over the maximum base for the year in which a fair was last held.

In the event the premiums paid during any year in which a fair is held are less than the maximum base of allocation for that year, the base of allocation for that year shall be the premiums so paid during such year. For any fair operated prior to 1933 which received, or was qualified to receive, money from appropriations for the support of agricultural fairs, the basis may be increased 10 percent for each year in which a fair was held from the time the fair was first held, except that if no fair was held by the county or district for a period of five or more years the percentage of increase shall apply only from the first fair held after said period. Any fair may pay premiums in an amount greater than that used as the base of apportionment to it.

The ~~Department of Finance~~ *California State Fair Commission* shall prescribe rules and regulations for the judging of exhibits, and the maximum amount of premiums which may be offered and paid for all classes, sections, and types of exhibits. Said rules and regulations and the maximum amount of premiums which may be offered and paid shall be exempt from the provisions of Section 11380 of the Government Code but may be filed with the Secretary of State under the provisions of Section 11385 of the Government Code. No fair shall receive any apportionment of funds under this section unless it complies with such rules and regulations.

No allotment from the apportionment herein provided shall be made for more than one fair in any one year in any county or district. The fact that a county or district contracts one with the other or with a county fair association to hold an agricultural fair shall not bar it from receiving a proper proportion of the moneys herein appropriated, except that no county or district may hold a joint or combined fair and receive an allotment of money under the provisions of this section. No fair for which a separate appropriation is made by the State shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural fairs. On or after January 1, 1943, allotments from the appropriation herein provided shall be made only to district agricultural associations or counties which received allotments under this section on the basis of the premiums paid at fairs held during the calendar year 1941 except that: (1) A district agricultural association which did not receive an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941 may receive an allotment as provided in this section unless a county whose area lies in whole or in part within the boundaries of the agricultural district received an allotment under this section on the basis of the premiums paid at a

fair held during the calendar year 1941; (2) Solano County may receive an allotment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district comprising Solano County received an allotment during the calendar year 1941; (3) Marin County may receive an allotment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district of which Marin County is a part received an allotment during the calendar year 1941; (4) Santa Cruz County may receive an allotment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district comprising Santa Cruz County received an allotment during the calendar year 1941; (5) Merced and Madera Counties may each receive an allotment although those counties held no fairs in the calendar year 1941 and the agricultural associations of the agricultural districts comprising Merced and Madera Counties each received an allotment during the calendar year 1941; (6) a district agricultural association which did not receive an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941, may receive an allotment as provided in this section; provided, the board of supervisors of each county, whose area lies in whole or in part within the boundaries of the agricultural district and which received an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941, shall by resolution announce its intention to permanently discontinue the holding of fairs for which the county would be eligible to participate in the allocation from the appropriation herein provided. A certified copy of said resolution shall be filed with the ~~Department of Finance~~ *California State Fair Commission*. Upon adoption of said resolution by the board of supervisors, and the filing thereof as herein provided, the county referred to shall no longer be eligible to receive allotments under this section and the district agricultural association which becomes eligible to receive an allotment due to the adoption of said resolution shall, for the purpose of determining the maximum base of allocation for said association, be entitled to receive credit for the fairs previously held by said county and said fairs shall be considered as fairs held by the association in calculating the maximum base for said association as provided herein. Within one year from and after the date said resolution is adopted, the county shall pay to said district agricultural association the unexpended balance of any moneys previously apportioned to said county under this section. Notwithstanding the foregoing provisions of this paragraph a district agricultural association of a district created subsequent to January 1, 1943, may receive an allotment as provided in this section.

The ~~Department of Finance~~ *California State Fair Commission*, in its discretion, may at any time examine the books and records of any fair to determine the correctness of any statement or report filed with ~~the Department of Finance~~ *it*.

SEC. 14 Section 92.5 of said code is amended to read:

92.5 In the event the audited total of eligible premiums paid by any fair in any year differs from the total set forth in the sworn state-

ment filed with the ~~Department of Finance~~ *California State Fair Commission* under Section 92 of the Agricultural Code, the amount of the apportionment made to such fair for such year under Section 92 shall be recalculated on the basis of the audited total of eligible premiums paid multiplied by the factor used in calculating the original apportionment. If the recalculated apportionment is less than the original apportionment, the amount of such difference shall be returned to the Fair and Exposition Fund and be added to and become a part of the funds appropriated for the encouragement of agricultural fairs under subdivision (b) of Section 19624 of the Business and Professions Code, during the fiscal year in which said difference is returned to said fund.

SEC. 15. Section 92.6 of said code is amended to read:

92.6. Every agency conducting a fair for which an apportionment is sought under the provisions of Section 92 shall file a detailed statement of its operations in the previous calendar year with the ~~Department of Finance~~ *California State Fair Commission* on or before the twentieth day of January in each year. The content and form of such statement shall be prescribed by said ~~department~~ *commission*.

SEC. 16. Section 92.7 of said code is amended to read:

92.7. There is hereby created the Fairs Classification Committee which shall consist of the following:

(a) The Director of Finance or a person nominated by him ~~who shall be an employee of the Department of Finance, excluding employees in the Division of Fairs and Expositions of said department~~.

(b) The ~~Chief of the Division of Fairs and Expositions~~ *Chairman of the California State Fair Commission* or person nominated by him who is an employee of the ~~said division~~ *commission*.

(c) Seven members consisting of one member from each of the following areas:

Area 1. Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, and Sierra Counties.

Area 2. Butte, Yuba, Sutter, Glenn, Colusa, Yolo, Sacramento, and Solano Counties.

Area 3. Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, and Marin Counties.

Area 4. El Dorado, Amador, Calaveras, Tuolumne, Mariposa, Nevada, and Placer Counties.

Area 5. San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern Counties.

Area 6. San Francisco, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, and San Luis Obispo Counties.

Area 7. Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, San Bernardino, Inyo, Mono, Alpine, and Riverside Counties.

In each area and prior to November 15th of each even-numbered year the board of directors of each district agricultural association and the board of supervisors of each county in which a county fair is conducted shall appoint one person as its representative at the meetings hereinafter provided for and shall notify the ~~Chief of the Division of Fairs and Expositions~~ *California State Fair Commission* of the name and address of the person so appointed.

In January of each odd-numbered year the ~~Chief of the Division of Fairs and Expositions~~ *California State Fair Commission* shall fix a time and place of meeting in each area and shall notify the representatives appointed in said area of such time and place. The ~~chief~~ *chairman*, or an employee of the ~~division~~ *commission* designated by him, shall preside at each such meeting. At the meeting, the representatives appointed in the area shall select one person who shall become a member of the Fairs Classification Committee and who shall serve as such until his successor is selected and qualifies.

(d) One Member of the Senate and one Member of the Assembly, appointed in accordance with the rules of the respective houses, shall meet with and participate in the affairs of said Fairs Classification Committee to the extent that such participation is not incompatible with their respective positions as Members of the Legislature. Said Senator and Member of the Assembly shall constitute a legislative investigating committee on the subject of agricultural fairs and shall have all the powers conferred upon such a committee by the Joint Rules of the Senate and the Assembly as said rules exist from time to time.

The members of the Fairs Classification Committee shall serve without compensation for their services as such members but may be reimbursed for their traveling expenses from any money available for the support of such committee."

**Amendment No. 7**

On page 2, line 45, strike out "SEC. 3.", and insert "SEC. 17."

**Amendment No. 8**

On page 2, line 47, after "year.", insert "It shall review the statements of operation filed by the several fairs pursuant to Section 92.6."

**Amendment No. 9**

On page 3, line 22, strike out "Director of Finance", and insert "California State Fair Commission".

**Amendment No. 10**

On page 3, strike out lines 24 to 38, inclusive, and insert

"SEC. 18 Section 94.6 of said code is amended to read:

94.6. Associations mentioned in Section 94 of this code and citrus fruit fairs eligible to receive allocations under Section 19624 of the Business and Professions Code shall file a detailed statement of operations in the previous calendar year with the ~~Department of Finance~~ *California State Fair Commission* on or before the twentieth day of January in each year. The content and form of such statement shall be prescribed by said ~~department~~ *commission*.

SEC. 19. Section 19622 of the Business and Professions Code is amended to read:

19622. There is hereby annually appropriated out of the fund the following: (i) two hundred fifty thousand dollars ($250,000) for the support of the California State Fair; (ii) two hundred fifty thousand dollars ($250,000) for the support of the Los Angeles County Fair; (iii) two hundred fifty thousand dollars ($250,000) for the support of 1-A District Agricultural Association; (iv) one hundred twenty-five thousand dollars ($125,000) for the support of the 48th District Agricultural Association; (v) fifteen thousand dollars ($15,000) to the

Sixth District Agricultural Association of the State of California, for the purpose of holding a permanent exposition and exhibition of all citrus products and of all of the industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view of improving, exploiting, encouraging and stimulating such industries, resources and products, and for the support of the buildings and grounds and other property of the Sixth District Agricultural Association; provided, that no fee shall be charged for admission to the permanent exposition and exhibition for which the appropriation is made by this subdivision; and (vi) one hundred twenty-five thousand dollars ($125,000) during each of the 1957-58 and 1958-59 Fiscal Years, which notwithstanding any other provision of this section shall be available in accordance with Section 16304 of the Government Code, to the Sixth District Agricultural Association of the State of California, for the purpose of holding an annual industrial and trade exposition to demonstrate and promote the trade and industrial progress of the State by means of displays of the industrial products and techniques of the State, such other displays and exhibits as will illustrate the importance of trade and industry as a vital factor in California's economy and California's standing as an important industrial state, and such other activities as will encourage and stimulate further development of trade and industry in this State.

The money heretofore or hereafter apportioned to the Los Angeles County Fair under this section may be expended for the payment of premiums and, with the approval of the ~~Department of Finance~~ *California State Fair Commission*, for capital outlay, including purchase of land, construction, improvements, equipment, support, and maintenance for such fair.

All money heretofore or hereafter appropriated to the California State Fair, the Los Angeles County Fair, the Sixth District Agricultural Association, citrus fruit fairs as defined in Section 94 of the Agricultural Code, and the 1-A District Agricultural Association under the provisions of this article except money allocated by the ~~Director of Finance~~ *California State Fair Commission* for fair purposes under the provisions of Section 19626 of the Business and Professions Code, shall be exempt from the provisions of Section 16304 of the Government Code, and shall remain available for expenditure from year to year until expended.

SEC. 20. Section 19624 of said code is amended to read:

19624. The first balance of the fund is hereby annually appropriated as follows:

(a) Five percent for payment to and use of those certain fruit fairs defined in Section 94 of the Agricultural Code, but not to district agricultural associations, district or county fairs, for the purpose of conducting and carrying on annually citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State.

Of said 5 percent, one hundred fifty thousand dollars ($150,000) thereof is appropriated and allocated annually to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of 160,000 as shown by the last federal census, according to population, and if there be

but one of such fairs held in counties having a population in excess of 160,000 then the whole of said one hundred fifty thousand dollars ($150,000) is appropriated and allocated to and for the use of such citrus fruit fair. The balance of said 5 percent is appropriated and allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code (if any there be), held in counties having a population of less than 160,000 and to those other citrus fruit fairs and expositions in such counties having a population of less than 160,000 which have been conducted and carried on annually for not less than 20 years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California; each such citrus fruit fair held in counties having a population of less than 160,000 shall receive thirty thousand dollars ($30,000) each year. The balance of the 5 percent remaining after the foregoing appropriations and allocations shall revert to and become a part of said first balance of the fund.

(b) Forty percent for the encouragement of county, district, or combined county and district agricultural fairs (exclusive of the State Fair, the Los Angeles County Fair, the Sixth District Agricultural Association and citrus fruit fairs) to be apportioned by and expended under the supervision of the ~~Department of Finance~~ *California State Fair Commission* in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law but no such county, district or combined county and district agricultural fair shall receive a sum greater than sixty-five thousand dollars ($65,000) under Section 92 of the Agricultural Code in any one year.

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code."

**Amendment No. 11**

On page 3, line 39, strike out "SEC. 6.", and insert "SEC. 21."

**Amendment No. 12**

On page 3, line 47, strike out the period, and insert a semicolon

**Amendment No. 13**

On page 3, between lines 47 and 48, insert

"(c) The remainder, in such amounts as may be approved by the State Public Works Board and allocated by the California State Fair Commission in its discretion, for permanent improvements for fair purposes upon the property of the State or any county, district agricultural association, citrus fruit fair and exposition as defined in Section 94 of the Agricultural Code, or other citrus fruit fair and exposition qualified to receive an allocation under subdivision (a) of Section 19624, or for the purchase of equipment for fair purposes, or the acquisition or purchase of real property, including costs of appraisal

and incidental costs, to be used as sites for such permanent improvements.

SEC. 22. Section 19626.5 of said code is amended to read:

19626 5. Notwithstanding any other provision of law Agricultural District 1A may, with the approval of the ~~Department of Finance~~ *California State Fair Commission*, expend any money, now or hereafter available for expenditure by it, for construction, repairs and equipment."

**Amendment No. 14**

On page 4, line 8, strike out "SEC. 7.", and insert "SEC. 23."

**Amendment No. 15**

On page 4, line 14, after "code", insert ", and allocations by executive order of the California State Fair Commission for permanent improvements for fair purposes under paragraph (c) of Section 19626 of this code, the date of such executive order to be deemed to be the date when the appropriation became available."

**Amendment No. 16**

On page 4, line 20, after "Code.", insert "Allocations for permanent improvements for fair purposes under Section 19626 of this code shall be available to defray expenditures lawfully incurred prior to the date of the executive order, if the executive order so provides. Upon reversion an allocation made by the California State Fair Commission for permanent improvements for fair purposes under Section 19626 of this code shall revert to and become a part of the appropriation from which the allocation was made."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

**Assembly Bill No. 766**—An act to amend Section 5093 of the Business and Professions Code and to amend Section 5084 of the Business and Professions Code as proposed by Senate Bill No. 104, relating to accountants.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1581**—An act to repeal Chapter 1071 and Section 1 of Chapter 1072 of the Statutes of 1957, and to repeal Section 15849 of the Government Code, relating to the sale of the new site for the California State Fair and Exposition.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1603**—An act to add Section 5527 to the Business and Professions Code, relating to the practice of architecture.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 959**—An act to amend Section 18941 of the Government Code, relating to nonsalaried assistants to the State Personnel Board.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1652**—An act to amend Section 17829 of the Health and Safety Code, relative to housing.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1678**—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1909**—An act to amend Section 740 of the Welfare and Institutions Code, relating to care of wards of the juvenile court.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1914**—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1887**—An act to amend Section 103.1 of the Welfare and Institutions Code, relating to the administration of public assistance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1888**—An act to amend Section 123 of the Welfare and Institutions Code, relating to reports of the Department of Social Welfare.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1773**—An act to amend Section 2165d of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1901**—An act to add Section 2180.7 to the Welfare and Institutions Code, relating to applicants for old age security.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1902**—An act to add Section 3082.2 to the Welfare and Institutions Code, relating to applicants for aid to needy blind.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1931**—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance recipients.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, lines 18 and 19, of the printed bill, strike out "under Chapter 1 (commencing at Section 2000) of Division 3 of this code".

**Amendment No. 2**

On page 1, line 20, strike out "or other good cause".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1016**—An act to amend Section 667.1 of the Welfare and Institutions Code, relating to the establishment of schools in county juvenile halls.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2013**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to public assistance payments.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 946**—An act to amend Section 3302.5 of the Welfare and Institutions Code, relating to qualifications of managers of the California Industries for the Blind.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1665**—An act to amend Section 3047 of, and to repeal Section 3047.01 of, the Welfare and Institutions Code, relating to property qualifications for aid to the needy blind.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1667**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to property qualifications for aid to the partially self-supporting blind.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1397**—An act to add Sections 69957, 69958, 69959, 72196, 72197, and 72198 to the Government Code, relating to official reporters of the superior court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, after the period, insert "Such assignment shall be made only for the services of the reporter in criminal cases before the municipal court."

**Amendment No. 2**

On page 2, line 5, strike out "forthwith".

**Amendment No. 3**

On page 2, line 8, after "court", insert "; provided, however, that no such termination shall be effected until after the conclusion of the services of the reporter in the municipal court in any particular trial or hearing theretofore commenced therein and to which the reporter has been assigned, except upon the mutual consent of the district attorney and the attorney for the defendant".

**Amendment No. 4**

On page 2, line 14, after "court", insert "in criminal cases".

**Amendment No. 5**

On page 2, line 31, strike out ", any"; strike out all of lines 32 to 36, inclusive, and insert "no additional compensation shall be paid to such reporter for any service rendered by him while assigned to the municipal court; provided, however, that any official reporter of the superior court assigned to a municipal court situated at a place other than the situs of the superior court in which said reporter regularly serves shall receive mileage from said superior court to the municipal court to which he has been assigned, and return, for each day, or fraction thereof, during which said superior court reporter serves in the municipal court; the rate for mileage so allowed shall be that fixed and paid to county employees generally."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1205**—An act to amend Section 1107 of the Code of Civil Procedure, relating to prerogative writs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "At any time after such service and not later than five days after the", and insert "Within five days after service and"

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 749**—An act making an appropriation to the State Department of Social Welfare for home studies in connection with the adoption of foreign-born children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, lines 6 and 7, of the printed bill, strike out "Public Law 316 enacted by the Eighty-fifth Congress of the United States", and insert "federal law".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 925**—An act to amend Section 1557.1 of the Probate Code, relating to the purchase of realty.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1155**—An act to add Section 1953f.5 to the Code of Civil Procedure, relating to competency of business records as evidence.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1269**—An act to add Section 337a to the Code of Civil Procedure, relating to the statute of limitations on certain types of contracts and book accounts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1302**—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72705, 72705.5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1356**—An act to amend Sections 72640, 72645, 72646, 72647, 72649, and 72650 of the Government Code, relating to the office of marshal of municipal courts, Los Angeles County.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1387**—An act to add Section 3448 to Title 3, Part 2, Division 4 of the Civil Code, relating to assignments for the benefit of creditors.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1491**—An act to add Section 169.2 to the Civil Code, relating to earnings and accumulations after an interlocutory judgment of divorce.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1493**—An act to amend Section 1032.5 of the Code of Civil Procedure, relating to jury expenses.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1497**—An act to amend Section 71085 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1519**—An act to amend Section 29320 of the Government Code, relating to a revolving fund for the superior court.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1584**—An act to add Section 555 to the Probate Code, relating to deposits of money in lieu of bonds.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1585**—An act to add Section 771.5 to the Probate Code, relating to the sale of subscription rights without prior court approval.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1586**—An act to amend Sections 676, 677 and 680½ of the Code of Civil Procedure, relating to undertakings in actions to set aside fraudulent transfers and conveyances.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1782**—An act to amend Section 74642, to amend and renumber Sections 74643 and 74644, and to add Section 74644.1 to, the Government Code, relating to the municipal court established in a district embracing the City of Santa Barbara.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1733**—An act to add Section 69749.1 to the Government Code, relating to sessions of the superior court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 9 and 10, and insert "ticle."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1191**—An act to amend Section 92 of, and to add Section 109 to, the Civil Code, relating to grounds for divorce.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 16, of the printed bill, after "deficiency", insert "caused by brain damage".

**Amendment No. 2**

On page 1, line 16, strike out "general", and insert "complete".

**Amendment No. 3**

On page 1, line 17, after "normal", insert "basic".

**Amendment No. 4**

On page 1, line 18, after "marriage", insert "and has existed for a continuous period of at least three years immediately preceding the filing of the action".

**Amendment No. 5**

On page 1, line 18, after "satisfied", insert "by competent evidence".

**Amendment No. 6**

On page 1, line 19, strike out "is likely to", and insert "will".

**Amendment No. 7**

On page 2, line 13, after "counsel", insert "or public defender".

**Amendment No. 8**

On page 2, line 15, after "sel", insert "or public defender".

**Amendment No. 9**

On page 2, line 17, after "sel", insert "or public defender".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1999**—An act to amend Section 1147 of the Probate Code, relating to public administrators.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "470,000", and insert "270,000".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1145**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on March 13, 1959, strike out lines 40 to 46, inclusive, and insert

"(h) Any seller who wishes a buyer to give to the seller, or to the party who will be legal owner of the vehicle, notice of change of address, may, as a condition of the sale, require the buyer to sign, in duplicate, a statement, physically separate from the conditional sale contract, reading substantially as follows:

"READ THIS STATEMENT CAREFULLY!

"In consideration of the sale to me of a (year, make and motor number of vehicle), I agree to notify (name of person to be notified) at (street address or post office box number) in (city or town), State of California, of my new address within 60 days after I change my residence. I understand that the laws of the State of California provide that my failure to give such notice will, in the event I also fail to make payments as agreed for two consecutive months, be evidence of fraudulent intent which may be used in the courts.

(Signature of buyer)"

All printed portions of the statement shall be in 10-point or larger type. The seller shall keep the original of such statement and give the carbon copy duplicate to the buyer. If this form has been signed by the buyer, and the buyer fails to give notice of change of address provided for in the form and also fails to make payments as agreed for two consecutive months, and if such form is introduced in evidence, failure to give the notice provided by the form shall be prima facie evidence of

fraudulent intent of the buyer in removing the property at the time he changed his residence, in any action or proceeding in the courts of this State in which intent of the buyer in removing the property is an issue."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1250**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1797**—An act to add Section 320 to the Agricultural Code, and Section 26528 to the Health and Safety Code, relating to illegal possession or use of sulfur dioxide.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1403**—An act to add Chapter 7.5 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to atomic energy development and radiation protection

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 3, line 12, of the printed bill, after "State", insert "and the cities and counties".

**Amendment No. 2**

On page 3, between lines 18 and 19, insert

"The departments and agencies of the State which are concerned with atomic energy and radiation, their various applications and uses, and the cities and counties, shall keep the co-ordinator currently informed as to their activities and programs relating to atomic energy and radiation."

**Amendment No. 3**

On page 3, line 39, after 'agencies", insert "and the cities and counties".

**Amendment No. 4**

On page 4, line 5, after "information", insert "and recommendations".

**Amendment No. 5**

On page 4, lines 17 and 18, strike out "and a recommended program for meeting this need".

**Amendment No. 6**

On page 4, line 19, strike out "A recommended", and insert "The need for a".

**Amendment No. 7**

On page 4, line 24, after "protection", insert ", particularly with regard to rules, regulations and safety standards relating to radiation usage and exposure".

**Amendment No. 8**

On page 5, strike out lines 23 to 25, inclusive, and insert

"25764. The council shall evaluate the programs of the several state departments and agencies and advise and make recommendations to the Governor bearing on the development of state policy in the field of atomic energy development and radiation protection."

**Amendment No. 9**

On page 6, strike out lines 6 and 7, and insert "Protection and shall be made available to state departments and agencies, city and county governments, and the public."

**Amendment No. 10**

On page 5, strike out lines 14 and 15; and in line 16, strike out "their successors.", and insert

"25761. Of the members first appointed four shall be appointed by the Governor to serve a term which shall expire on October 1, 1960, and five shall be appointed to serve a term which shall expire on October 1, 1961. Thereafter all members shall be appointed for terms of two years, except that members appointed to fill vacancies prior to the expiration of a term shall be appointed for the remainder of such term."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1694**—An act to amend Section 11200 of the Health and Safety Code, relating to exempt narcotics.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1968**—An act to add Section 680.1 to the Streets and Highways Code, relating to the removal and relocation of utilities upon state highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "pole, pole".

**Amendment No. 2**

On page 1, strike out line 5.

**Amendment No. 3**

On page 1, line 6, strike out "structures or facilities", and insert "pipe or pipeline".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1222**—An act to add Chapter 3.5 (commencing at Section 6450) to Part 11 of Division 1 of Title 1 of the Corporations Code, relating to foreign corporations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 2, line 2, of the printed bill, as amended in the Assembly on March 20, 1959, after "State", insert ", if such activities are carried on from outside this State by such foreign lending institution".

**Amendment No. 2**

On page 2, strike out lines 3 to 14, inclusive, and insert

"(2) The ownership of any such loans and the enforcement of any such loans by trustee's sale, judicial process or deed in lieu of foreclosure or otherwise.

(3) The modification, renewal, extension, transfer or sale of such loans, or the acceptance of additional or substitute security therefor, or the full or partial release of the security therefor, or the acceptance of substitute or additional obligors thereon, if such activities are carried on from outside this State by such lending institution."

**Amendment No. 3**

On page 2, strike out lines 19 and 20, and insert "State, which is not a subsidiary or parent of such foreign lending institution and is not under common management or control with such foreign lending institution, to".

**Amendment No. 4**

On page 2, line 30, strike out the second "of", and insert "or".

**Amendment No. 5**

On page 2, lines 32 and 33, strike out "and the maintenance, repair and renting or leasing of".

**Amendment No. 6**

On page 2, lines 37 and 38, strike out "(other than merely as lessor thereof pending disposition thereof)".

**Amendment No. 7**

On page 3, line 17, strike out "for such designation and"; strike out all of lines 18 to 20, inclusive, and insert a period.

**Amendment No. 8**

On page 3, line 22, after the second "in", insert "subparagraphs (1) to (7) of".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1697**—An act to add Sections 301.5, 820.5, 2240, 6410, and 6411 to the Corporations Code, relating to the government of corporations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 301.5, 820.5, 2240, 6410, and 6411", and insert "Section 2240".

**Amendment No. 2**

On page 1, line 6, strike out "301.5", and insert "2240".

**Amendment No. 3**

On page 1, strike out line 8, and insert

"2240. Notwithstanding any other provisions of law, in any publicly-owned corporation having its principal place of business in this State it shall be unlawful for any person to commit either of the following acts:

(a) To solicit any proxy or consent or authorization in respect to the voting shares of such a corporation by any means whatsoever, or to permit the use of his name in connection with such solicitation, in contravention of the rules and regulations of the commissioner of corporations.

(b) To give a proxy, consent or authorization with respect to any share held by a broker or dealer for the account of a customer in contravention of the rules and regulations of the commissioner of corporations.

As used in this section "publicly-owned corporation" means any corporation whose shares are held by 50 or more persons.

The commissioner, in the public interest, shall establish such rules and regulations as are necessary or appropriate for the protection of shareholders, or to otherwise carry out the purposes and provisions of this section."

**Amendment No. 4**

On page 1, strike out lines 9 to 14, inclusive; strike out all of pages 2 and 3.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 1456**—An act to amend Sections 5901 and 5931 of the Elections Code, relating to absent voters.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1503**—An act to add Section 376 to the Elections Code, relating to voter statistics.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1589**—An act to add Section 665.5 to the Elections Code, relating to election procedure.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1455**—An act to add Section 5906.5 to the Elections Code, relating to absent voters.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1505**—An act to amend Sections 370 and 370.1 of the Elections Code, relating to indexes of voter registrations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Assembly on April 3, 1959, strike out "In counties"; strike out lines 18 and 19; and in line 20, strike out "names of voters ending", and insert "A space of not less than one-quarter inch or one line of printing shall be left between the names of voters beginning".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1988**—An act to add Section 27271 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county free libraries.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1754**—An act to amend Section 16657 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to board of recreation commissioners and providing compensation and traveling expenses of members thereof.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1981**—An act to amend Sections 7201 and 7210 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school libraries affiliating with county libraries.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1983**—An act to add Section 27000 to Article 1, of Chapter 1, of Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public libraries.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1982**—An act to amend Sections 7203 and 7211 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district libraries.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1986**—An act to amend Section 27201 of, and to add Section 27201.5 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county librarians.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1989**—An act to amend Section 27401 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to municipal libraries.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1664**—An act to amend Section 4163 of, and to repeal Section 4164 of, the Welfare and Institutions Code, relating to property qualifications for aid to the needy disabled.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 10, 1959, after "owned", insert "but not occupied as a home".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1666**—An act to amend Section 2164 of, and to repeal Section 2165 of, the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 10, 1959, strike out "assistance", and insert "security".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1774**—An act to amend Section 2160.9 of the Welfare and Institutions Code, relating to the computation of old age assistance grants

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "assistance", and insert "security".

Amendment No. 2

On page 1, line 13, after the period, insert "For the purpose of this section, casual income or the value of inconsequential assistance furnished without charge to the recipient by another shall not be deducted from his grant."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2014**—An act to amend Section 2142.5 of the Welfare and Institutions Code, relating to medical needs of old age assistance recipients.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "the cost or".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 244**—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026.5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021, 9023, 9024, and 9028.6 to, the Business and Professions Code, relating to the licensing of social workers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on April 3, 1959, strike out "age, or sex", and insert ", age, sex, or blindness or other physical handicap".

**Amendment No. 2**

On page 5, between lines 30 and 31, insert

"This chapter shall also not apply to any social worker, officer, employee, or volunteer of a nonprofit California corporation which is engaged in legislative activities."

**Amendment No. 3**

On page 5, line 40, strike out "may", and insert "shall".

**Amendment No. 4**

On page 6, line 4, strike out "social", and insert "tax supported or voluntary, health, welfare, or educational".

**Amendment No. 5**

On page 6, line 12, strike out "may", and insert "shall".

**Amendment No. 6**

On page 6, line 50, strike out "The action of the board upon the acceptance and re-"; and strike out lines 51 and 52.

**Amendment No. 7**

On page 7, between lines 8 and 9, insert

"The action of the board upon the acceptance or rejection of applicants and the grading of examinations is final and not subject to review, other than that provided in Section 9011."

**Amendment No. 8**

On page 7, line 13, after "turpitude", insert "to such an extent that in his activities as a social worker he is likely to endanger the health, welfare, or safety of the public".

**Amendment No. 9**

On page 7, line 43, after "blind", insert "or otherwise physically handicapped".

**Amendment No. 10**

On page 7, line 45, after "worker," insert "solely".

**Amendment No. 11**

On page 7, line 46, after "blind", insert "or otherwise physically handicapped".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1535**—An act to amend Sections 3084 and 3087.2 of, and to add Section 3084.2 to, the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, as amended in the Assembly on April 13, 1959, after "($25)", insert "per month".

**Amendment No. 2**

On page 2, line 28, after "($150)", insert "per month".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1536**—An act to amend Sections 3472 and 3481 of, and to add Section 3472.2 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 2, line 44, of the printed bill, as amended in the Assembly on April 13, 1959, after "($25)", insert "per month".

**Amendment No. 2**

On page 2, line 46, after "($150)", insert "per month".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2015**—An act to amend Section 2018 of the Welfare and Institutions Code, relating to recipients of old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, lines 10 and 11, of the printed bill, strike out "more than one".

**Amendment No. 2**

On page 1, line 12, after "recipient", insert "and the cost of the item does not exceed said ceiling price".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 830**—An act to add Chapter 4 (commencing at Section 600) to Division 3 of the Harbors and Navigation Code, and to amend Section 5861 of the Public Resources Code, relating to the registration of vessels.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on March 3, 1959, strike out the period, and insert ", and making an appropriation therefor."

**Amendment No. 1.5**

On page 1, line 20, strike out "means", and insert "includes".

**Amendment No. 2**

On page 2, line 1, strike out "It does not include"; and strike out all of lines 2 to 5, inclusive.

**Amendment No. 3**

On page 2, line 37, strike out "on", and insert "using"

**Amendment No. 4**

On page 2, line 49, after "an", insert "initial".

**Amendment No. 5**

On page 2, line 49, after "division", insert "or authorized agent".

**Amendment No. 6**

On page 3, lines 1 and 2, strike out "three dollars ($3)", and insert "five dollars ($5)"

**Amendment No. 7**

On page 3, line 26, strike out "with fee", and insert "accompanied by a fee of three dollars ($3)".

**Amendment No. 8**

On page 3, line 28, strike out "an original", and insert "the initial".

**Amendment No. 9**

On page 3, line 44, after the period, insert "The commission may do any act or enter into any contract or agreement desirable in carrying out the purposes of this chapter."

**Amendment No. 10**

On page 3, line 49, strike out "or discontinued", and insert ", discontinued or extended".

**Amendment No. 11**

On page 3, line 51, strike out "in the same manner"; and strike out line 52, and insert "on forms and in the manner set forth by the commission. The fee for renewal shall be three dollars ($3) and shall accompany the request for such renewal."

**Amendment No. 12**

On page 4, line 4, after the period, insert "The certificate of number initially awarded to an owner under Sections 604(a) and 604(c) shall continue in full force and effect for a period of three years from the date of the owner's birthday next occurring after the date the certificate of number is issued."

**Amendment No. 13**

On page 4, strike out lines 5 to 8, inclusive, and insert

"(1) If the initial application for number is not received by the division on or before the date set by the commission a penalty of one-half the fee shall be assessed. If a certificate of number is not renewed on or before the date on which it expires a penalty of one-half the fee shall be assessed."

**Amendment No. 14**

On page 4, between lines 35 and 36, insert

"(n) A fee of one dollar ($1) shall be charged for a copy of certificate of number, certificate of ownership, or any application filed with the division pursuant to this chapter.

(o) Fees received pursuant to this chapter are appropriated to the division for payment of refunds of money received or collected in the payment of fees, permits, or services whenever the fee, permit or service cannot lawfully be issued or rendered to the applicant, and in cases where the payment in whole or in part represents overpayment or payment in duplicate."

**Amendment No. 15**

On page 4, line 49, strike out "vessel whose owner is", and insert "public vessel of".

**Amendment No. 16**

On page 5, line 9, after the period, insert "Undocumented vessels propelled solely by oars, paddles, or electric motors are exempt from the provisions of this chapter."

**Amendment No. 17**

On page 7, line 18, strike out "Section 5861 of the Public Resources Code is", and insert "The sum of six hundred thousand dollars ($600,000) is hereby appropriated from the General Fund to the Department of Natural Resources for the support of the Division of Small Craft Harbor Commission for the purposes of this chapter, including refunds.

SEC. 3. Section 5861 of the Public Resources Code is".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1908**—An act to add Chapter 10 (commencing at Section 25900) to Division 20 of, and to amend Sections 26244, 26247, 26254, and 26255 of the Health and Safety Code, to amend Section 1064 of the Agricultural Code, and to amend Sections 4168 and 4171 of the Business and Professions Code, relating to labeling of containers of dangerous drugs, poisons, and other hazardous substances.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "legible type in contrast by", and insert "type of conspicuous size in contrast to the".

**Amendment No. 2**

On page 1, line 16, strike out "with", and insert "of the".

**Amendment No. 3**

On page 2, line 21, strike out "harmful", and insert "highly toxic".

**Amendment No. 4**

On page 2, between lines 27 and 28, insert

"25905 The provisions of this chapter shall become operative January 1, 1960"

**Amendment No. 5**

On page 6, after line 20, insert

"SEC. 9. This act shall become operative January 1, 1960."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 131**—An act to repeal Section 72053 of, and to add Section 72053 to, the Government Code, relating to expenses of clerks, deputy clerks, commissioners and court reporters of municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 6, 1959, strike out "shall", and insert "may".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1684**—An act to amend Section 16½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relating to the condemnation of property by the Los Angeles County Flood Control District.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "con-clusive", and insert "prima facie".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

SECOND READING OF SENATE BILLS

**Senate Bill No. 243**—An act to add Section 106.4 to the Agricultural Code, relating to importation of meat.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 570**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Bill read second time, and ordered to third reading.

**Senate Bill No. 475**—An act to amend Section 3000 of, and to add Section 3000.5 to, the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Bill read second time, and ordered to third reading.

**Senate Bill No. 104**—An act to amend Sections 5001, 5002, 5003, 5009, 5100, and 5102 of, and to amend and renumber Sections 5015, 5016, 5017, 5018, 5018.5, 5019, 5020, 5020.5, 5021, 5022, 5030, 5031, 5032, 5033, 5033.5, 5034, 5050, 5051, 5052, 5053, 5054, 5060, 5061, 5062, 5063, 5063.5, 5064, 5065, 5066, 5080, 5080.5, 5081, 5083, 5090, 5091, 5092, 5093, 5094, 5095, 5096, 5097, 5098, 5104, 5105, 5106, 5107, 5108, 5115, 5116, 5117, 5130, 5131, 5132, and 5133 of, and to add Sections 5031, 5032, 5033, 5034, 5035, 5053, 5054, 5073, 5075, 5076, 5084, and 5088 to, and the titles of Article 2 (commencing at Section 5030), Article 3 (commencing at Section 5050), Article 4 (commencing at Section 5070), Article 5 (commencing at Section 5080), Article 6 (commencing at Section 5100), Article 7 (commencing at Section 5120), and Article 8 (commencing at Section 5130), to Chapter 1 of Division 3 of, and to repeal Sections 5082, 5082.5, and 5082.6 of, and the titles of Article 2

(commencing at Section 5015), Article 3 (commencing at Section 5030), Article 4 (commencing at Section 5050), Article 5 (commencing at Section 5060), Article 6 (commencing at Section 5080), Article 7 (commencing at Section 5090), Article 8 (commencing at Section 5100), Article 9 (commencing at Section 5115), Article 10 (commencing at Section 5130) of Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 265**—An act to amend Section 1744 of the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 280**—An act to amend Section 1219.5 of the Agricultural Code, to amend Section 6062 of the Harbors and Navigation Code, to amend Sections 5740.19 and 5790.26 of the Health and Safety Code, and to amend Section 2354.1 of the Welfare and Institutions Code, relating to the keeping of business records by public accountants.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 356**—An act to amend Sections 2054 and 2073 of the Harbors and Navigation Code, relating to the San Francicso Harbor.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 357**—An act to amend Section 1705.5 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 358**—An act to add Section 2078 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 132**—An act to amend Section 5093 of the Business and Professions Code, and to amend Section 5083 of the Business and Professions Code as proposed by Senate Bill No. 104, relating to accountancy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted.

Amendment No. 1

On page 3, line 6, of the printed bill, after "5093", insert "of the Business and Professions Code as".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 347**—An act to add Section 1255b to the Code of Civil Procedure, relating to eminent domain and the allowance of interest after an order is made letting the plaintiff into possession.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 360**—An act to add Section 752 to the Welfare and Institutions Code, relating to disposition of wards of the juvenile court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code", insert 'and to add Section 227q to the Civil Code".

**Amendment No. 2**

In line 2 of the title, strike out "disposition of wards of the juvenile court", and insert 'custody of children, declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, after line 18, insert

"SEC 2 Section 227q is added to the Civil Code, to read:

227q Any person desiring to adopt a child who has been relinquished to a county adoption agency and who has not been placed for adoption within six months following such relinquishment, may petition the superior court to terminate the jurisdiction of the agency over the child and to permit the petitioner to adopt the child The petition shall be verified and shall state the reasons for the proposed termination of the agency's jurisdiction

If it appears that the best interests of the child may be promoted by granting the petition, the court shall order that a hearing be held within 10 days after the filing of the petition and shall prescribe how and to whom notice of the hearing shall be given If the court finds for the petitioner, it shall grant the relief requested

SEC 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Cases now exist in which a county adoption agency is demanding return of a child from a foster home, though the child has been in the foster home for a *substantial period and has received tender and loving care from its foster parents*, and though the county adoption agency will announce no reason for its action It is harmful for a child to be shunted about from home to home, and this should be avoided if at all possible. At the present time, if a child is relinquished to a county adoption agency and is not placed for adoption, no person has an adequate remedy to provide a permanent home for the child, since there is nothing to prevent the adoption agency, at its unlimited discretion, from removing a child from a foster home This act provides this remedy, and it is imperative to prevent irreparable harm, that this act go into immediate effect."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 272**—An act to amend Sections 480 and 1802 of the Probate Code and Sections 106, 1581, 1586 and 1587 of the Financial Code, relating to conservatorship.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "ward", insert "or conservatee".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 377**—An act to amend Section 1642 of the Welfare and Institutions Code, relating to maternity care.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 342**—An act to amend Sections 571.5 and 571 6 of the Elections Code, relating to election precincts

Bill read second time, and ordered to the Consent Calendar

**Senate Bill No. 689**—An act to amend Section 1091 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts between county superintendents of schools and school districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 690**—An act to amend Section 15958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district supplies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 713**—An act to amend Section 5707 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior colleges.

Bill read second time, and ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1580, 1581, 1603, 1678, 1888,** and **1773,** subsequent to engrossment.

**Assembly Bills Nos. 1665** and **1667.**

**Senate Bills Nos. 243, 475, 357,** and **358.**

### ANNOUNCEMENT

Speaker Brown directed the attention of the members to page 9 of the Assembly Daily File; and announced that Assembly Constitutional Amendments Nos. 26 and 33, there shown for hearing in the Committee on Ways and Means at 1.30 p.m. on Monday, will instead be heard in the Committee on Water on Monday night, April 20, 1959, at 7.30 p.m.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2279

Mr. Bruce F. Allen was granted unanimous consent that Assembly Bill No. 2279 be withdrawn from the Committee on Public Utilities and Corporations, and re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

### PARLIAMENTARY INQUIRY

Mr Marks arose to the following parliamentary inquiry: Why must Senate Bill No. 475 be re-referred to the Committee on Ways and Means?

#### Reply by Speaker

The Speaker replied that the Office of the Legislative Counsel has listed the bill as requiring such re-reference.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE CONTINUED

Mr. Masterson was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 520 from the Committee on Social Welfare be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1152 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1152 be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 419 CONTINUED

Mr. Bruce F. Allen was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 419 be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 487 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 487 be continued until the next legislative day.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1844**—An act to amend Section 14004 of the Financial Code, relating to credit union employee organizations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, George E. Brown, Burke, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McMillan, Mulford, Munnell, Pattee, Porter, Rumford, Schrade, Sedgwick, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—43.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1537**—An act to add Section 918 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to co-operative studies by school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Britschgi, George E. Brown, Burke, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Donahoe, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Porter, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—47.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1820**—An act to add Section 32136 to the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Chapel, Collier, Coolidge, Crawford,

Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Winton, Z'berg, and Mr. Speaker—53.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1824**—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts.

Bill read third time.

**Motion to Amend**

Mr. Hegland moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on April 10, 1959, after "sessions", insert "during regular or special meetings".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1825**—An act to amend Section 32132 of the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 911**—An act to amend Sections 14001 and 14057 of, and to add Section 14001.3 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to amend Section 20335 of the Government Code, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**RECESS**

At 10 a.m., Speaker Brown declared the Assembly at recess until 10.12 a.m., to hear the Pacific Union a cappella choir, the members of which were the guests of Mr. Samuel R. Geddes.

## REASSEMBLED

At 10.12 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1368**—An act to add Section 426.1 to the Health and Safety Code, relating to standards for the quality of air, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read.

### Speaker pro Tempore Presiding

At 10 15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—65

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1133**—An act to amend Section 35305 of the Government Code, relating to the annexation of uninhabited territory to cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1800**—An act to amend Section 255 of the Revenue and Taxation Code, relating to exemption from property taxation.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1759**—An act to amend Section 2226 of the Welfare and Institutions Code, relating to liens for county hospital care.

Bill read third time.

### Demand for Previous Question

Messrs. Unruh, Dahl, Belotti, Biddick, and Marks demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Mr. Elliott seconded the motion.

Motion carried. Time, 10.46 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell moved that Assembly Rule No 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Garrigus seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1768**—An act to amend Section 2180.5 of the Welfare and Institutions Code, relating to the determination of eligibility for old age assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bee, Belotti, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Mas-

terson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1284**—An act to add Section 2181.06 to the Welfare and Institutions Code, relating to old age assistance.

Bill read third time.

**Motion to Amend**

Mr. Garrigus moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on April 13, 1959, after "self-supporting", insert ", tax paying,".

**Amendment No. 2**

On page 1, line 6, strike out "the spouse shall be allowed to"; strike out all of lines 7 to 9, inclusive, and insert "the net earnings of the spouse, up to the amount of two hundred dollars ($200) per month, after deduction for the expenses incurred in connection with such earnings, shall not be considered community property."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1334**—An act to add Section 25265 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the display of lights on sanitation district vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1746**—An act to amend Sections 1162 and 1169 of, and to add Section 1178.5 to, the Streets and Highways Code, relating to permanent road divisions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1447**—An act to amend Sections 58853, 58854, 58857, 58859 and 58860 of the Government Code, relating to change of boundaries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1243**—An act to add Section 53292 to the Government Code, relating to firemen.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1827**—An act to amend Section 2615.5 and 2910.7 of the Revenue and Taxation Code, relating to the payment of property taxes, including the tax bills and tax receipts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 187

By Messrs. Winton and Sumner:

**House Resolution No. 187**—Relative to memorial or congratulatory resolutions.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

In the last line of the measure, as printed in the Assembly Journal for April 8, 1959, at page 2182, after the period, insert "Resolutions introduced prior to the effective date of this rule shall not be counted in computing whether the limitations imposed by this rule have been reached or exceeded."

**House Resolution No. 187, as Amended**

By Messrs. Winton and Sumner:

**House Resolution No. 187**

Relative to memorial or congratulatory resolutions

*Resolved by the Assembly of the State of California*, That Rule 81.5 be added to the Permanent Standing Rules of the Assembly, to read

81.5. With the exception of resolutions relating to members or former members of the Legislature, no member shall introduce more than two resolutions in any session which are for the purpose of commendation or congratulation of any person or organization or for the purpose of expressing sympathy, regret, or sorrow upon the death of any person. Resolutions introduced prior to the effective date of this rule shall not be counted in computing whether the limitations imposed by this rule have been reached or exceeded.

Resolution ordered printed in the Journal, as amended; and to retain its place on file on the next legislative day.

**Assembly Bill No. 1963**—An act to add Sections 12403, 12404, and 12405 to the Health and Safety Code, relating to explosives.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

**MOTION TO SET ASSEMBLY BILL NO. 269 FOR SPECIAL ORDER**

Mr. Francis moved that Assembly Bill No. 269 be made a special order of business for Monday, April 20, 1959, at 11 a.m.

Mr. Bruce F. Allen seconded the motion.

**Substitute Motion to Re-refer**

Mr. Unruh moved, as a substitute motion, that Assembly Bill No. 269 be re-referred to the Committee on Criminal Procedure.

Motion ruled not in order.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: By what rule is the motion not in order?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that Rule No. 82, relative to priority of motions, applies.

**Substitute Motion to Set for Special Order**

Mr. Unruh moved, as a substitute motion, that Assembly Bill No. 269 be made a special order of business for June 18, 1959.

Mr. Crown seconded the motion.

**Parliamentary Inquiry**

Mr. Ernest R. Geddes arose to the following parliamentary inquiry: Is it not prohibited by the Rules to take up the bill at that time?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the Constitution sets June 19th as the last day the Assembly can meet to consider bills.

**Parliamentary Inquiry**

Mr. Bradley arose to the following parliamentary inquiry: Is the motion debatable?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was debatable only as to the propriety of setting the bill as a special order.

**Substitute Motion Withdrawn**

Mr. Unruh withdrew his substitute motion.

The question being on the motion that Assembly Bill No. 269 be made a special order of business for Monday, April 20, 1959, at 11 a.m.

Motion carried by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Rumford, Schrade, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, and Z'berg—56.

NOES—Crown and Unruh—2.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1928**—An act to amend Section 13133 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to standards for issuance of teaching credentials.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1446**—An act to add Sections 35500.1 and 35550.1 to the Government Code, relating to exclusion of territory from cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1890**—An act to amend Section 1157.1 of the Government Code, relating to payroll deductions for public employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1891**—An act to add Section 22155 to the Government Code, relating to combination of retirement and social security plans.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1529**—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 140**—An act to add Section 233 to the Water Code, relating to water projects.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, De Lotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 839**—An act to amend Sections 18901, 18902, 18903, 18904, 18905, 18906, 18907, 18908, and to add Sections 18906.3 and 18906.4 to the Health and Safety Code, relating to the State Building Standards Commission, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 565**—An act to amend Sections 4119, 4124, 6403, 6700, and 6801 of, to add Sections 6403.1, 6403.2, and 6403.3 to, and to repeal Sections 6202, 6303, 6400, 6401, 6402, 6408, 6409, and 6802 of, the Corporations Code, relating to foreign corporations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell,

Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 828**—An act to add Chapter 5 (commencing at Section 650) to Division 3 of the Harbors and Navigation Code, and to amend Section 5861 of the Public Resources Code, relating to the operation and equipment of vessels, declaring the urgency thereof, to take effect immediately.

**Urgency Clause**

Urgency read.

**Speaker Presiding**

At 11.23 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 16**—An act to amend Section 1356 and to repeal Sections 1460 to 1475 and 1478 to 1578, inclusive, and to add Chapter 7 (commencing with Section 1500) to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Thelin—1.

Bill ordered transmitted to the Senate.

### ASSEMBLY BILL NO. 844 PLACED ON THE INACTIVE FILE

On motion of Mr. O'Connell, **Assembly Bill No. 844** was placed on the inactive file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1376**—An act to amend Sections 160.91, 160.92, 160.93, 160.94, and 160.95 of the Agricultural Code, relating to pest control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1378**—An act to add Sections $7\frac{3}{4}$ and $7\frac{5}{6}$ to Chapter 361 of the Statutes of 1915, relating to the Sacramento River West Side Levee District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1412**—An act to add Article 11 (commencing at Section 3481) to Chapter 9 of Division 5 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the dissolution of unified school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1686**—An act to add Section 13208 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the revocation or suspension of the driving privilege.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—61.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1906**—An act to repeal Section 10710 of the Fish and Game Code, relating to razor clams.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1063**—An act to amend Section 1256 of, to add Part 1.5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to, the Water Code, relating to the California Water Plan.

Bill read third time.

Bill ordered passed on file, and to retain its place.

**Assembly Joint Resolution No. 1**—Relative to military closures.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Beaver—1.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 193

By Messrs. Chapel, Dills, and Charles H. Wilson:

### House Resolution No. 193

Relative to commending Mr. Whitley Collins

WHEREAS, Mr. Whitley Collins, the President of Northrop Corporation since 1954, has been identified with the aircraft industry in California for over 30 years; and

WHEREAS, For several years Mr. Collins has directed the activities of thousands of California people in the field of aircraft development and production with the resulting significant contributions to our national defense; and

WHEREAS, A native of the State of Iowa and a graduate of the University of Pennsylvania, Mr. Collins began his career in the banking business in 1920; and

WHEREAS, In 1929, at the age of 30, he moved to California to become Vice President, General Manager, and a Director of Lockheed Aircraft Corporation at Burbank; and

WHEREAS, He was instrumental in the development of the successful aircraft accessories sales firm of Collins-Powell in Beverly Hills and the Radioplane Company of Van Nuys; and

WHEREAS, Under the able leadership of Mr. Collins the number of personnel at Northrop is twice its World War II peak and the company has completed a multi-million dollar redevelopment program financed mainly with Northrop funds, and

WHEREAS, Mr. Collins is active in numerous other fields including service as a member of the board of trustees, California Institute of Technology; member, Jet Propulsion Laboratory Committee, California Institute of Technology; vice chairman, trustees, trust fund, Los Angeles Council, Boy Scouts of America; vice chairman, board of trustees, Claremont Men's College; member, Men's Council, Children's Hospital; director, Los Angeles Y. M. C. A., and other important civic and cultural organizations; and

WHEREAS, Whitley Collins is to be commended for his invaluable service to the people of this State and Nation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends Mr. Whitley Collins for his outstanding achievements and leadership in the aircraft industry and for the numerous civic and cultural contributions he has made which directly benefit the people of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Whitley Collins.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 194

By Mr. Francis:

### House Resolution No. 194

Relative to the passing of William Ottis Miller

WHEREAS, The Assembly of the State of California has learned with regret of the passing of William Ottis Miller, on April 4, 1959, at Millbrae, California; and

WHEREAS, The people of San Mateo County and of the State have thus lost a citizen who well served his fellows and whose life was, in the best sense, a success; and

WHEREAS, In the course of a notable career, he served in virtually every branch of the administration of justice—as a district attorney, as a municipal court judge, and as a prominent practicing attorney, being a member of the law firm of Miller, Francis, Miller and Osborne in San Mateo, California; and

WHEREAS, A veteran of World War I, he held the position of Judge Advocate of the Millbrae Post of the American Legion, and Commander of the Veterans of Foreign Wars Post in Logansport, Indiana, from which he came to California; and

WHEREAS, He found time, in a busy life, to be an active, productive member of various Masonic lodges, the State Bar, his county bar association and numerous other civic organizations; and

WHEREAS, Of this man it can truly be said that he left this world richer for his presence; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, by this resolution, pays tribute to the memory of William Ottis Miller; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Miller's wife, Mrs. Marguerite P. Miller, and his sons, Mr. Richard S. Miller and Mr. James O. Miller.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 190

By Mr. Pattee:

### House Resolution No. 190

Congratulating the *Monterey Peninsula Herald* on its award

WHEREAS, The *Monterey Peninsula Herald* was recently honored by receiving the C. N. P. A. 1958 Award for General Excellence among California daily newspapers having a circulation of 7,500 or over; and

WHEREAS, This award of the California Newspaper Publishers Association is the one most highly regarded among newspaper publishers in the State, representing as it does the achievement by a newspaper of outstanding performance in all respects; and

WHEREAS, The *Monterey Peninsula Herald* may justly be proud of its distinguished trophy which was won through the diligence and combined efforts of its staff and publisher; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby congratulate the *Monterey Peninsula Herald* on its significant achievement and express their satisfaction with the fine news coverage which the *Herald* is providing for the residents of its community; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Allen Griffin, editor and publisher of the *Monterey Peninsula Herald*.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 198

By Messrs. Luckel, Schrade, Crawford, and Hegland:

### House Resolution No. 198

Relative to the passing of Samuel Wilder King

WHEREAS, The Members of this House have been deeply shocked and grieved to learn of the passing of Samuel Wilder King, former Governor of Hawaii, on March 24, 1959, just a few days after the fruition of his life-long battle for the admission to statehood of his beloved island territory; and

WHEREAS, Governor King was not only Hawaii's first island-born Chief Executive, holding office from 1953 to 1957, but was, as well, the first person of Hawaiian descent to serve in that high position; and

WHEREAS, The executive and leadership abilities of this man were early recognized when, after attending Hawaiian schools, he was one of the select group appointed to the United States Naval Academy at Annapolis, where he was a classmate of our esteemed colleague, Captain Frank Luckel; and

WHEREAS, After a decade of distinguished service for the United States Navy aboard ships based in the San Diego area, Samuel Wilder King returned to his beloved island home and began a life-long battle to secure the admission of Hawaii as a state; and

WHEREAS, Starting his long career in territorial politics as a member of the Board of Supervisors in Honolulu, he was subsequently elected Territorial Delegate to Congress in 1934, and, because of his outstanding service to the citizens of Hawaii, was re-elected three times; and

WHEREAS, In 1942, heeding the call of duty when his Nation's very life was threatened by the Japanese attack on Pearl Harbor and subsequent events, Samuel Wilder King, at the age of 56, gave up his congressional seat to volunteer his services to the United States Navy; and

WHEREAS, While serving with the wartime Navy his sterling character, his understanding and friendly personality and his ability to command quickly won for him the respect and devotion of all those with whom he served; and

WHEREAS, After his discharge at the end of World War II with the rank of Captain, Governor King returned to the leadership of the struggle for Hawaiian statehood, heading the Islands' 1950 Constitutional Convention, which drafted the document under which Hawaii assumed statehood; and as well the Hawaii Statehood Commission, the group which had long led the battle to make the Islands a state; and

WHEREAS, Second only to his affection for his beloved Hawaii, Governor King had always possessed a deep feeling of love and kinship for the people of California, and was last in this State during the summer of 1956, when he attended a reunion of his Annapolis class in the City of San Diego; and

WHEREAS, Throughout almost one-half a century of dedicated service to the United States Navy and to his beloved island home, Governor King was a pillar of strength, a man whose great courage, rare ability, outstanding leadership and sincere

devotion to duty made him indispensable to the political progress of the Territory of Hawaii; and

WHEREAS, To mourn his passing and to receive the heartfelt sympathy of all, he leaves his widow, Mrs Pauline King; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House pay tribute to the memory of a great American, Samuel Wilder King, and convey to his bereaved widow their most sincere condolences; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mrs. Pauline King.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 199

By Messrs. Chapel and Charles H. Wilson:

### House Resolution No. 199

Relative to commending Lloyd P. Hamilton

WHEREAS, After more than a quarter of a century of active newspaper work in the southland, Lloyd P. Hamilton has retired as editor of the *Inglewood Citizen;* and

WHEREAS, Characteristic of the community-wide appreciation of Hamilton's contribution to Inglewood was the *Inglewood Daily News* editorial published before his retirement urging that Mr. Hamilton be awarded the American Legion Post 188 Community Service Award; and

WHEREAS, Mr. Hamilton was in fact awarded a Community Service Award presented along with a number of personal gifts at a special banquet at the Inglewood Country Club hosted by no less than 20 community organizations headed by the Inglewood Chamber of Commerce as a sincere expression of their great appreciation for his loyal service to his home community; and

WHEREAS, He was born in Terre Haute, Indiana, on January 15, 1882, the eldest son of the late William A. and Clara B. Hamilton, his father an Indiana pioneer of pre-Revolutionary Pennsylvania stock who had served as State President of the Sons of the American Revolution; and

WHEREAS, Before World War I he spent considerable time traveling and reporting in Belgium, France, and Germany and then became assistant secretary of the American Chamber of Commerce in Berlin; and

WHEREAS, His vast newspaper experience included service in the following capacities: staff member of the *Christian Science Monitor*, where his linguistic ability served him on the waterfront, reporting shipping news before the days of radio; court reporter for the old *Los Angeles Express;* in an editorial capacity for the *Santa Monica Outlook*, *Monrovia Daily News*, and the *Pomona Bulletin*, in which capacity he was the first to urge the establishment of the Los Angeles County Fair in that city; city editor of the *Santa Barbara Morning Press* in which capacity he gained national recognition and a courtesy Associated Press by-line by scooping the newspaper world in covering the famous 1922 destroyer flotilla disaster on a rocky point near Santa Barbara; editor of the *Californian;* assistant editor of the State page and Centinela Valley correspondent for the *Los Angeles Times*, news editor of the *Inglewood Daily News;* then editor of the *Inglewood Citizen* until retirement, after which he had a column in the *Inglewood Daily News* called "Every Day"; and

WHEREAS, Lloyd P. Hamilton has constantly been noted for his community service, including life membership in the teenage club Gunga-Din of Hawthorne received for aiding its establishment, member of the Inglewood School Board, honorary member of the Inglewood 20-30 Club, the Junior Chamber of Commerce, the Inglewood Realty Board, and actively participating in the Senior Chamber of Commerce where he has served for years on that organization's Historical Committee and its Publicity and Advertising Committee; and

WHEREAS, It is only fitting that the members of this body take this means of recognizing this outstanding California citizen who has distinguished himself in so many fields and capacities; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Lloyd P. Hamilton for his outstanding contributions to the advancement and enlightenment of mankind; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit 10 suitably prepared copies of this resolution to Assemblyman Chapel.

Resolution read, and adopted unanimously.

## CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

**CONSENT CALENDAR—ASSEMBLY BILLS**

**Assembly Bill No. 1781**—An act to amend Sections 819, 828.65, and 829.45 of the Agricultural Code, relating to containers

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1139**—An act to amend Section 1198.1 of, and to add Section 1198.2 to, the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 124**—An act to add Section 22511.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to parking privileges for disabled persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1132**—An act to amend Section 14820 of the Health and Safety Code, relating to annexations to fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1738**—An act to amend Section 25536 of the Government Code, relating to leasing of county real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1742**—An act to amend Section 1750 of, and to add Section 1778 to, the Government Code, relating to resignations and vacancies of public employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1743**—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1744**—An act to amend Sections 9168, 9169, 9201, and 9211 of the Public Resources Code, relating to soil conservation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1167**—An act to amend Section 37208 of the Government Code, relating to city budgetary procedure.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1601**—An act to add Section 27206 to the Government Code, relating to federal tax liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1353**—An act to amend Sections 1176 and 1178 of, and to add Sections 1177 5 and 1177.6 to, the Military and Veterans Code, relating to veterans' memorial districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1799**—An act to add Section 6375 to the Revenue and Taxation Code, relating to sales and use taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1544**—An act to amend Section 36522 of the Government Code, relating to monthly financial reports in general law cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 27**—Relative to nonstop jet airliner service between San Francisco and New York.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 1965**—An act to amend Sections 13350, 13361, 13364, 17703, 17704, and 17705 of, and to repeal Section 13365 of, the

Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of drivers of motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1775**—An act to amend Section 1195 of the Penal Code, relating to bail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1776**—An act to amend Sections 1278, 1287, 1458, and 1459 of the Penal Code, relating to undertakings of bail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1054**—An act to amend Section 10279.8 of the Business and Professions Code, relating to real estate and business opportunity licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1083**—An act to amend Section 13092 of the Education Code, and Section 13320 of the Education Code as proposed by Senate Bill No 2, relating to the employment of certificated employees by school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1929**—An act to amend Section 16051, and to repeal Section 16055, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to sale or lease of school real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1903**—An act to amend Section 18950 of the Government Code, relating to promotion in the State Civil Service.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 373**—An act to amend Section 26907 of the Government Code, relating to the destruction of auditors' records.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 375**—An act to amend Sections 29010, 29011, 29041 levy procedures.

Bill read third time, and passed by the following vote:
and 29061 of the Government Code, relating to county budget and tax

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 242**—An act to amend Section 4655.2 of the Revenue and Taxation Code, relating to the distribution of unsecured taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 645**—An act to add Sections 14.5 and 14.6 to Chapter 523 of the Statutes of 1867-1868, relating to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled "An act for the relief of the inhabitants of cities and towns upon the public lands," approved March 30, 1868.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills,

Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 232**—An act to add Section 604.14 to the Vehicle Code, and to add Section 23120 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to glasses worn by drivers.

Bill read third time, and presented by Mr. Winton.

### Motion to Re-refer

Mr O'Connell moved that Senate Bill No. 232 be re-referred to the Committee on Criminal Procedure.

Mr. Elliott seconded the motion.

Motion lost by the following vote:

AYES—Bane, George E. Brown, Cameron, Collier, Crown, Elliott, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, Lowrey, Luckel, Marks, McMillan, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Thelin, Unruh, Charles H Wilson, and Z'berg—25.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Burke, Chapel, Conrad, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hegland, House, Lanterman, Lunardi, Masterson, Mulford, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, and Winton—37.

The question being on the passage of the bill.

### Motion to Expunge Record and Rescind Action on Senate Bill No. 232

Mr. Winton moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 232.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Chapel, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Cameron, Coolidge, Dahl, and Pattee—4

The question being on the passage of the bill.

### Motion to Re-refer

Mr. Winton moved that the bill be re-referred to the Committee on Transportation and Commerce.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Mas-

terson, McMillan, Meyers, Miller, Mulford, Munnell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—George E. Brown, Kilpatrick, O'Connell, Pattee, and Unruh—5.

**Senate Bill No. 388**—An act to amend Section 1775.5 of the Insurance Code, relating to taxes paid on gross premiums by surplus line brokers.

Bill read third time, and presented by Mr. Rees.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 386**—An act to amend Section 1657 of the Insurance Code as enacted by the Legislature at its 1959 Regular Session, relating to the issuance of certificates of convenience.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 387**—An act to amend Sections 1718 and 12977 of the Insurance Code as enacted by the Legislature at its 1959 Regular Session, relating to penalty fees for late application, to renew production licenses.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 46**—An act to amend Sections 35100, 35101, 35102, and 35106 of, to repeal Sections 35107, 35108, 35109, 35110, and 35111 of, to add Sections 35107, 35108, and 35109 to, and to amend and renumber Sections 35112 and 35113 of, the Water Code, relating to California water districts.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 49**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Belotti.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 638**—An act to amend Sections 1261 and 1269, Agricultural Code, relating to produce dealers.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 149**—An act to amend Sections 5053, 5600, 5613, 6006, 6561, 7150, and 8702 of, to add Sections 6413 and 7603.5 to, and

to repeal Section 7407 of, the Financial Code, relating to savings and loan associations.

Bill read third time, and presented by Mr. DeLotto.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 202**—An act to amend Section 205.5 of the Agricultural Code, relating to the State Livestock Sanitary Committee.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 151**—An act to add Article 2.5 (commencing with Section 977) to Chapter 1, Division 4 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to governing boards of school districts

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E Brown, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—62

NOES—Beaver, Bradley, Masterson, and Winton—4.

Bill ordered transmitted to the Senate.

**Senate Bill No. 288**—An act to amend Sections 206, 207, 208, 209, 210, and 217 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read third time, and presented by Mr. DeLotto.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 447**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Bill read third time, and presented by Mr. DeLotto

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 448**—An act to amend Section 4750 of the Fish and Game Code, relating to bear

Bill read third time, and presented by Mr. DeLotto.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, House Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie Williamson, Winton, Z'berg, and Mr. Speaker—64.

NOES—Crawford and Hegland—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 449**—An act to amend Section 3081 and to repeal Sections 4761 and 4762 of the Fish and Game Code, relating to the possession of bear meat after the season.

Bill read third time, and presented by Mr. DeLotto.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney Garrigus, Ernest R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—56

NOES—Samuel R. Geddes, Lanterman, Lowrey, and Shell—4.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Schrade was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 449.

**Senate Bill No. 451**—An act to amend Section 1059 of the Fish and Game Code, relating to licenses.

Bill read third time, and presented by Mr. DeLotto.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 452**—An act to amend Sections 3083, 3084, 3085 and 3086 of the Fish and Game Code, relating to bonded frozen food locker and cold storage plants, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. DeLotto.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, Winton, and Z'berg—63.
NOES—Unruh—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, Winton, and Z'berg—63.
NOES—Unruh—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 190**—An act to amend Sections 1672 and 1673 of, and to add Section 1670.1 to, the Elections Code, relating to county ballot measures.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford,

Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 591**—An act to amend Section 5208 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the maintenance of automobile driver training classes by school districts.

Bill read third time, and presented by Mr. Gaffney.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, and Z'berg—65
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 177**—An act to add Division 19 (commencing at Section 70000) to the Water Code, relating to levee districts.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day a motion to reconsider Senate Bill No. 177 was offered. *See* page 2592.

**Senate Bill No. 311**—An act to amend Section 5516 of the Welfare and Institutions Code, relating to cost of care.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

### SENATE BILL NO. 83 PLACED ON THE INACTIVE FILE

On motion of Mrs. Davis, **Senate Bill No. 83** was placed on the inactive file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 505**—An act to amend Sections 21460 and 21803 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to highway signs and markings.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 116**—An act to add Section 1631 to the Civil Code, and to add 653d to the Penal Code, relating to sales of mining equipment

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 247**—An act to amend Section 1370 of the Penal Code, relating to verdict as to insanity of defendant.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 686**—An act to amend Sections 12509 and 12512 of the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to motor vehicle operator's age limits.

Bill read third time, and presented by Mr. Unruh.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Cameron, Chapel, Collier, Conrad,

Coolidge, Crawford, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Dahl—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 496**—An act to add Section 20258 to the Education Code, and Section 265 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to teachers in state college laboratory demonstration elementary schools and in schools under the jurisdiction of the Department of Education, declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Mr. Belotti.

**Urgency Clause**

Urgency clause read, and adopted by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 431**—An act to amend Section 16470 of the Government Code, relating to state funds.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 446**—An act to amend Sections 3031, 3240, 3242, 3245, 4006, 4751, and to repeal Sections 3243 and 3244 of the Fish and Game Code, relating to licenses.

Bill read third time, and presented by Mr. Thomas.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 388**—An act to amend Section 1775.5 of the Insurance Code, relating to taxes paid on gross premiums by surplus line brokers.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 500**—An act to add Title 2 (commencing with Section 1801) to Part 4, Division 3, of the Civil Code, relating to credit and installment sales of goods and services.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 500?

### Amendment No. 1

On page 2, line 34, of the printed bill, as amended in the Assembly on February 26, 1959, after "use", insert "or the providing of insurance".

### Amendment No. 2

On page 7, in line 39, after "seller", insert ", and which would be cut off by assignment,".

### Amendment No. 3

On page 16, lines 50 and 51, strike out "If the goods were sold at private sale the", and insert "The".

### Amendment No. 4

On page 2, line 27, strike out "complying", and insert "governed by".

### Amendment No. 5

On page 7, line 41, strike out "who", and insert "whether or not he".

### Amendment No. 6

On page 13, line 7, strike out "law", and insert "this title".

**Amendment No. 7**

On page 13, line 18, after "seller", insert ", except as may otherwise be required by law".

**Amendment No. 8**

On page 17, line 49, strike out "October 1, 1959", and insert "January 1, 1960. This title shall not affect the validity of any agreement made prior to the effective date of this act."

**Amendment No. 9**

On page 2, line 29, of the printed bill, as amended in the Senate on March 25, 1959, strike out "with".

**Amendment No. 10**

On page 2, line 31, after "labor and services," insert "for other than a commercial or business use,".

**Amendment No. 11**

On page 2, lines 35 and 36, strike out "for other than a commercial or business use".

**Amendment No. 12**

On page 6, line 8, strike out "1731", and insert "1668".

**Amendment No. 13**

On page 8, lines 29 and 30, strike out "substantially equal in amount".

**Amendment No. 14**

On page 15, line 19, strike out "October 1, 1959", and insert "January 1, 1960"

**Amendment No. 15**

On page 15, line 21, strike out "October 1, 1959", and insert "January 1, 1960"

**Amendment No. 16**

On page 15, line 36, after "be", strike out "the", and insert "a".

**Amendment No. 17**

On page 9, line 13, after "shall", insert "not".

**Amendment No. 18**

On page 9, line 14, strike out "only".

**Amendment No. 19**

On page 9, lines 16 and 17, strike out "credits and charges are entered."

**Amendment No. 20**

On page 9, line 16, after "payments," insert "credits, charges and the unpaid balance is entered."

**Amendment No. 21**

On page 2, line 27, after "include", insert "boats with a cash sale price exceeding two thousand five hundred dollars ($2,500) or aircraft, and their auxiliary equipment, nor".

**Amendment No. 22**

On page 7, line 11, strike out "on an assignee".

**Amendment No. 23**

On page 7, line 12, after "sale", insert "or agrees not to assert against an assignee such a claim or defense other than as provided in Section 1804.2".

**Amendment No. 24**

On page 7, line 49, strike out "10", and insert "15".

**Amendment No. 25**

On page 15, line 34, of the printed bill, as amended in the Senate on April 2, 1959, strike out "suit", and insert "collection".

**Amendment No. 26**

On page 15, strike out line 48, and insert

"1812.1. In addition to any existing exemption under any other provisions of law, the"

**Amendment No. 27**

On page 2, line 27, strike out "boats with a cash sale price exceeding two thousand"; strike out all of line 28; and on line 29, strike out "equipment, nor".

**Amendment No. 28**

On page 3, line 1, strike out "but"; strike out all of lines 2 to 6, inclusive, and insert a period.

**Amendment No. 29**

On page 1, lines 10 and 11, of the printed bill, as amended in the Senate on April 9, 1959, strike out "Retail Installment Sales Law", and insert "Unruh Act".

The Assembly concurred in Senate amendments to Assembly Bill No. 500 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 500 ordered enrolled.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1759

At 12.53 p.m., on motion of Mr. Hawkins, further proceedings under call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1759 refused passage by the following vote:

AYES—Don A Allen, Bane, Britschgi, George E Brown, Cameron, Chapel, Coolidge, Crown, Cunningham, Dills, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Kennick, Kilpatrick, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, George A. Willson, and Charles H. Wilson—35.

NOES—Bruce F. Allen, Backstrand, Beaver, Biddick, Bradley, Burke, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Garrigus, Ernest R. Geddes, Hegland, House, Johnson, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, Winton, and Z'berg—36.

### Motion to Reconsider Assembly Bill No. 1759

Mr. Hawkins moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1759 was this day refused passage.

Assembly Bill No. 1759 and the motion to reconsider ordered to the unfinished business file.

## MOTION TO RECONSIDER SENATE BILL NO. 177

Mr. Bradley gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 177 was this day passed. (Assembly Journal, page 2587.)

Senate Bill No 177 and the motion to reconsider ordered to the unfinished business file.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Elliott was granted unanimous consent to hold a special meeting of the Committee on Social Welfare in Room 2196, at 2 p.m. this afternoon. Subject, House Resolution No. 202.

**Point of Order**

Mr. Winton arose to the following point of order: That unanimous consent is not necessary in order to hear a House resolution.

**Ruling by Speaker**

The Speaker ruled that consent to hold a special committee meeting is required.

## REPORT ORDERED PRINTED IN JOURNAL

Speaker Brown ordered the following letter of transmittal and report printed in the Journal:

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, April 17, 1959

*Hon. Ralph Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The Assembly Legislative Representation Committee has met and is herewith submitting a Progress Report for consideration of the Members of the Assembly.

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal.

Respectfully submitted,

MYRON H. FREW, Chairman
Assembly Committee on
Legislative Representation
CHARLES H. WILSON, Vice Chairman
CARLOS BEE
CHARLES EDWARD CHAPEL
WALTER I. DAHL

## PROGRESS REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Assembly and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and unless good cause to the contrary is shown, every person named in this report is entitled to have this committee grant to him a certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

BLACKMAN, E O., 1022 E. Garvey, Monterey Park
California Dump Truck Owners Association

BOYD, S. CHARLES, El Mirador Hotel, Sacramento
Santa Clara County Farm Bureau

CALLAGHAN, JOHN, 1307 Teneight Way, Sacramento
California Forest Protective Association

CORSON, E. O., 1011 Heinz Avenue, Berkeley 10
Agricultural Pest Control Association, Inc.

DAVIS, J. ALLEN, Senator Hotel, Sacramento
Automobile Club of Southern California
Interinsurance Exchange of the Automobile Club of Southern California

GARLAND, GORDON H., Senator Hotel, Sacramento
Salyer Land Co.
Peoples Ditch Co.
Last Chance Water Ditch Co.
Lemoore Canal and Irrigation Co.

GILMAN, DON E., 530 West 6th Street, Los Angeles 14
Kelco Company

KADOYAMA, MITSURU, 4334 MacArthur Blvd., Oakland
California Life Insurance Company

KEESLING, FRANCIS V., JR., 605 Market Street, San Francisco 5
West Coast Life Insurance Co.

KNORP, ALBERT F., 4871 Alta Drive, Sacramento
Roadside Business Association

KRONICK, STANLEY W., 926 J Building, Sacramento
Placer County Water Agency

MITCHELL, DONALD A., Forum Bldg., Sacramento
California Chiropractic Association

MOSKOVITZ, ADOLPH, 926 J Building, Sacramento
Placer County Water Agency

NIELSEN, ERWIN C., 57 E. Santa Clara St., San Jose
Northern California Mortgage Brokers Association

OLSHEN, A. C., 605 Market Street, San Francisco 5
West Coast Life Insurance Company

REDWINE, KENT H., El Mirador Hotel, Sacramento
Hollywood Radio and Television Institute

SMITH, FRED C., 1320 N Street, Apt. 202, Sacramento
Federated Fire Fighters of California

SMITH, H. A., P. O. Box 2437 Terminal Annex, Los Angeles
Standard Oil of California

SWEIGERT, WILLIAM THOMAS, JR., 616 Eye Street, Sacramento
California Association of Public School Business Officials

SWAIN, ROY M., O.D., 926 J Building, Sacramento
California Optometric Association

SWEENEY, WILLIAM R., 700 Forum Building, Sacramento
Industrial Catering and Mobile Lunch Service Association

TAYLOR, WALLER, II, 523 West Sixth Street, Los Angeles 14
American Express Company

VOLK, ROBERT H., 523 West Sixth Street, Los Angeles 14
American Express Company

WILHELM, R. KEN, 1092 No. First Street, San Jose
Santa Clara County Farm Bureau

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1097
Assembly Bill No. 1313
Assembly Bill No. 1580
Assembly Bill No. 1865

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bills Nos. 1097, 1313, and 1865 ordered to third reading.

Assembly Bill No. 1580 re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 367
Assembly Bill No. 1303

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1919

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1691

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 17, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1581
Assembly Bill No. 1603
Assembly Bill No 1678
Assembly Bill No. 1773
Assembly Bill No 1888

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 925
Assembly Bill No 959
Assembly Bill No. 1155
Assembly Bill No. 1269
Assembly Bill No 1356
Assembly Bill No. 1387
Assembly Bill No. 1456
Assembly Bill No. 1491
Assembly Bill No 1493
Assembly Bill No. 1503
Assembly Bill No. 1519
Assembly Bill No. 1584
Assembly Bill No. 1585
Assembly Bill No. 1586
Assembly Bill No 1652
Assembly Bill No. 1782
Assembly Bill No. 1797
Assembly Bill No. 1887
Assembly Bill No. 1901
Assembly Bill No. 1902
Assembly Bill No. 1914
Assembly Bill No. 1982
Assembly Bill No. 1986
Assembly Bill No. 1989

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 766
Assembly Bill No. 1455
Assembly Bill No 1694
Assembly Bill No. 1754
Assembly Bill No. 1983
Assembly Bill No. 1988
Assembly Bill No. 2013

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 114
Assembly Bill No. 802
Assembly Bill No. 826
Assembly Bill No. 1342
Assembly Bill No. 1542

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1194

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1662
Assembly Bill No 1672
Assembly Bill No. 1680
Assembly Bill No 1818

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 1401

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, April 17, 1959

MR SPEAKER: Your Committee on Industrial Relations reports.

Senate Bill No 493

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1149

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR SPEAKER: Your Committee on Industrial Relations reports

Assembly Bill No. 604

With amendments with the recommendation Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No 1967

With the recommendation. That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1572

With the recommendation: That the bill be re-referred to the Committee on Transportation and Commerce.

McMILLAN, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 390

Assembly Bill No 1729

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, April 17, 1959

MR SPEAKER Your Committee on Municipal and County Government reports:

Assembly Bill No. 2051

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1726

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1173

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Nisbet was granted unanimous consent to take up House Resolution No. 206 without reference to file.

### CONSIDERATION OF HOUSE RESOLUTION NO. 206

By Mr. Nisbet and Miss Donahoe:

**House Resolution No. 206**

Relative to congratulating Mrs. Nora Parker Coy

WHEREAS, On June 30th of this year, Mrs. Nora Parker Coy, Director of Extended Day, San Bernardino Valley College, is retiring, thereby bringing to an end a 36-year career in education, 35 years of which have been spent in the public schools of California; and

WHEREAS, Mrs Coy was born in Tulare, California, was educated in the schools and universities of this State, graduating from San Bernardino High School, attending the University of Southern California and Stanford University, from which she received her Bachelor of Arts degree in 1915 and a Master of Arts degree in English in 1932; and

WHEREAS, Mrs. Coy in addition did graduate work at Columbia University, Claremont College, and the University of Southern California; and

WHEREAS, Mrs. Coy served as a classroom teacher for nine years before rising, in 1933, to the administration of the fourth ranking program of junior college adult education in the entire State; and

WHEREAS, Mrs. Coy, in addition to her school administration work, has served on numerous local, state, and national professional organizations, and helped to organize the San Bernardino Business and Professional Women's Club and served as its first president; and

WHEREAS, Her close touch with the community and with the changing educational needs of individuals and society itself have been major contributions to the success of adult education at San Bernardino Valley College and in the San Bernardino area; and

WHEREAS, Mrs. Coy's buoyant enthusiasm for the daily tasks of administration have in the truest sense given inspiration to all who have known and worked with her; and

WHEREAS, Mrs. Coy has always been keenly, deeply, perceptive of people and their problems and generous and appreciative of work well done and was a tireless worker, often at her desk until well after midnight; and

WHEREAS, Of this vigorous and beloved member of the community it can be truly said that while there can be a successor to her, there can never be a replacement of her; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly take this opportunity to pay tribute to Mrs. Nora Parker Coy upon her retirement as Director of Extended Day, San Bernardino Valley College, and to extend their best wishes to her for her future happiness; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Mrs. Nora Parker Coy.

Resolution read, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1698 FROM COMMITTEE

Mr. Winton was granted unanimous consent that Assembly Bill No. 1698 be withdrawn from the Committee on Governmental Efficiency and Economy, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1698

**Assembly Bill No. 1698**—An act to add Chapter 3 (commencing with Section 17750) to Part 3 of Division 7 of the Business and Professions Code, relating to the regulation, registration, and bonding of trading stamp companies.

Bill read second time.

**Motion to Amend**

Mr. Winton moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 36 to 52, inclusive; on page 3, strike out lines 1 to 13, inclusive, and insert

"17753 If a company fails to redeem any of its trading stamps, any rightful holder of such trading stamps may file a complaint with the Secretary of State within three months after such failure to redeem. The complaint shall be accompanied by the unredeemed stamps

Upon the filing of any complaint or complaints involving the alleged failure of a trading stamp company to redeem trading stamps, the Secretary of State shall request the trading stamp company in writing by certified mail, mailed to the company's last address of record with the Secretary of State, to redeem the trading stamps in cash on or before 10 days from the date on which the request is mailed.

If the amount demanded is paid, the Secretary shall make an equitable distribution of the amount to the persons who filed pursuant to this section, and shall forthwith forward the redeemed stamps to the trading stamp company

If the trading stamp company fails to redeem the trading stamps within the specified time, the secretary shall publish notice of such fact in three consecutive publications of one or more newspapers of general circulation published in the Cities of Sacramento, San Francisco and Los Angeles, and therein advise that any additional claim may be filed with him, together with the trading stamps upon which the claim is based, within three months after the date of the first such publication. Retailers in possession of trading stamps for issuance to their customers shall also be deemed rightful holders entitled to make such claims. If any person fails to file a claim with the secretary within such three months period, the secretary shall thereupon be relieved of further duty or action hereunder on behalf of such person until such time as complaints involving the alleged default of the trading stamp company to redeem trading stamps have been again filed with the secretary.

The publication shall also give notice of the time and place that the secretary will hold a hearing to consider any evidence concerning the alleged default of the trading stamp company.

Within 30 days after the expiration of the claim period prescribed in this section, the secretary shall notify the trading stamp company in writing by certified mail, mailed to the company's last address of record with the secretary, and the surety on company's bond in writing by certified mail, mailed to the address shown on the bond inviting it to appear at a hearing before the secretary to present any relevant evidence concerning the trading stamp company's alleged failure to redeem the trading stamps.

If at any such hearing, which may be held at any time after 20 days from the date notification is mailed, the secretary finds that the trading stamp company has defaulted in the redemption of its trading stamps, the secretary shall demand cash payment from the company in an amount sufficient to satisfy all valid claims filed with him.

If the amount demanded is paid within 10 days of the making of the demand, the secretary shall make an equitable distribution of the amount to persons who filed pursuant to this section and shall forthwith forward the redeemed stamps to the trading stamp company.

If the amount demanded is not paid within 10 days of the making of the demand, the secretary shall bring an action in a court of competent jurisdiction against the trading stamp company and its surety to recover, on behalf of the complainants, the value of the unredeemed stamps.

The costs incurred by the secretary in performing the duties set forth in this section shall constitute a proper charge against the trading stamp company which has defaulted, or, in the event of the trading stamp company's failure to pay, against the bond filed by that company, and shall constitute a prior claim against such company or such bond, except that in no event shall the surety be liable for such charge and all other valid claims as an aggregate in excess of the principal sum of the bond."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**SENATE BILL NO. 676 RE-REFERRED TO COMMITTEE**

Speaker Brown ordered Senate Bill No. 676 re-referred to the Committee on Fish and Game.

## EXPLANATION OF ABSENCE

My reason for absent voting on measures before this body this date is due to presentations of bills in behalf of my constituents before Senate committees.

PAULINE L. DAVIS

## ADJOURNMENT

At 1 p.m., on motion of Mr. Winton, seconded by Mr. Shell, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 20, 1959.

RALPH M. BROWN, Speaker

ELEANOR K DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY

SEVENTY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, April 20, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lauterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Most Gracious God, Our Father,* We cannot begin another week in any better way than to pray. Family and friends have helped to restore our spirits, and now, O God, we are ready for the most important week of our lives. We have never brought so much experience to any other week. All of our past life has been preparation for this moment. The issues are great, demanding our undivided attention; pressure groups, party policies, and clamoring constituents, notwithstanding May we work in the strong conviction that it is better to be right than to be Assemblyman, and that, while we may be expendable, right principles can never be dispensed with.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative days was dispensed with, on motion of Mr. Busterud, seconded by Mr. Marks.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Cunningham, on request of Speaker pro Tempore Bee.

## LEAVE OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence from 12.05 p.m. on, if the Assembly is in session at that hour, because of legislative business elsewhere:

Mr. Ernest R. Geddes, on his own request.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Albert Krueger of Los Angeles, Larry E. Gallego of Escondido, Rev. M. S. Krietzky of Lynwood, and Gerald F. Hill of Los Angeles, relative to legislation. Referred to the Committee on Public Health.

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W. B. Fennel of San Francisco, relative to legislation. Referred to the Committee on Ways and Means.

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Milton R. Lund of Santa Cruz, relative to legislation. Referred to the Committee on Municipal and County Government.

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Mrs. Betty Beck of Glendale, relative to vaccination of dogs. Referred to the Committee on Public Health.

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Renoir of California, Inc., of Los Angeles, by Curtis Freiler, Secretary-Treasurer, relative to state hospitals. Referred to the Committee on Social Welfare.

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Thomas Price of Los Angeles, relative to court procedure. Referred to the Committee on Judiciary—Civil.

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Betty Cooper and Mrs. Teresa Flynn of Los Angeles, relative to Assembly Bill No. 2165. Referred to the Committee on Public Health.

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Congressman Harlan Hagen of Washington, D. C., acknowledging receipt of Assembly Joint Resolution No. 9, and enclosing a copy of a letter he had sent to Secretary of Agriculture Ezra T. Benson. Referred to the Committee on Rules.

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Congressman Glenard P. Lipscomb of Washington, D. C., acknowledging receipt of Assembly Joint Resolution No. 9, and advising the House that he had forwarded the resolution to Secretary of Agriculture Ezra T. Benson. Referred to the Committee on Rules.

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, April 15, 1959

*Hon. Arthur A. Ohnimus*
*State Assembly, State Capitol*

DEAR MR. OHNIMUS: This will supplement my letter of April 8, 1959, wherein I acknowledged receipt of a copy of Assembly Concurrent Resolution No. 87 adopted by the Legislature on April 1, 1959.

This resolution requests the California Toll Bridge Authority to extend commuter rates to trucks of the type commonly referred to as half-ton and three-quarter-ton pickups, with the further condition that such rates shall be restricted to those pickups performing the same function as passenger automobiles and shall not be applicable to those engaged in transporting property. The resolution recognizes the restrictions of Article V of the Resolution of the California Toll Bridge Authority authorizing the creation of an issue of not exceeding 80 million dollars Carquinez Strait Bridges Toll Bridge Revenue Bonds. By the terms of that article the initial toll schedule, or any authorized modifications thereof, cannot be reduced unless the authority can meet the following conditions:

1. The proposed new rates when applied to actual traffic for the preceding 12-month period must produce revenues sufficient in amount to equal the cost of operating the bridges plus 120 percent of the annual interest and minimum sinking fund payments, plus required payments for the reserve fund.
2. The reserve fund established by Article VI of the resolution must equal at least six million dollars, or 10 percent of the principal amount of bonds outstanding, whichever is less.
3. The authority must furnish to the fiscal agent a certificate in such detail as the fiscal agent requires, setting forth the facts called for above.

In the normal situation, the effect of such a covenant is to prevent reductions in tolls for a period of one year from the date on which a toll facility is opened to public traffic. In the case of the Carquinez Strait Bridges, it would appear that this covenant can well operate to prevent reductions for a period well in excess of one year. This is so since the California Toll Bridge Authority is presently contemplating the issuance of an additional 34 million dollars in bonds under the terms of the Carquinez Strait Bridges Resolution. Thus, the requirements imposed by Article V cannot be met, even upon the expiration of one year from the date of opening of the additional Carquinez Bridge. This being the case, any action by the authority to reduce tolls in the manner provided by Article V would constitute a breach of its contract with the bondholders.

In addition to the legal inability of the authority to undertake the toll reductions requested by Assembly Concurrent Resolution No. 87, there are certain practical problems of administration presented by the proposal. The determination of which pickups would be entitled to commuter rates and which would not can easily result in a great deal of argument and ill will For example, it is not possible to tell by looking at the vehicle whether a pickup is a three-quarter-ton or a one-ton. The license plate would furnish no assistance since exemption from weight fees and the use of private passenger plates is not restricted to trucks of the pickup type.

These are some of the problems in connection with implementing the request of the Legislature which we most respectfully call to your attention.

Respectfully,

ROBERT B. BRADFORD, Director of Public Works,
Secretary and Member,
California Toll Bridge Authority

## RESOLUTIONS

The following resolutions were offered:

By Mr. MacBride:

### House Resolution No. 207

Relating to the retirement of Mr. Clyde W. Rust, Sr.

WHEREAS, The 44 years of devoted state service given by Mr. Clyde W. Rust, Sr., will terminate in retirement on April 30, 1959; and

WHEREAS, During his distinguished career, commencing on July 7, 1913, Mr. Rust rose from office boy to Division Superintendent in the Division of Highways. Taking time out to serve his country with the United States military forces in France and Germany from 1917 to 1919, he resumed his state service in the District III office,

performing in the capacities of Assistant Resident Engineer, Office and Field Draftsman, Resident Engineer and, since January 1, 1930, as Highway Superintendent, District III, Sacramento Maintenance Territory; and

WHEREAS, In addition, Clyde W. Rust has been active in civic and community affairs as a charter member of the California State Employees' Association, Life Member of the Society for Crippled Children and Adults, and as a member of the State Highway Employees' Association, the American Legion, the Veterans of World War I, the Masonic Lodge, Scottish Rite, Ben Ali Temple, Sacramento Lodge No. 6, B. P. O. E., and the Quarter Century Club; and

WHEREAS, Mr. Rust, with the able and loving assistance of his wife, Mae, has raised two fine children, a son and a daughter, and Mr. and Mrs. Rust are now the proud grandparents of two, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Mr. Clyde W. Rust, Sr., for his long and devoted service to this State, and wish him the greatest happiness in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Rust.

Resolution read, and referred to the Committee on Rules.

By Messrs. Britschgi, Francis, Bruce F. Allen, Bee, Bradley, Dahl, McCollister, Mulford, and Rumford:

**House Resolution No. 208**

Relative to commemorating the San Francisco catastrophe of 1906

WHEREAS, This year marks the fifty-third anniversary of the dreadful disaster which practically destroyed the City of San Francisco in the year 1906; and

WHEREAS, The extent and amount of the destruction was so great as to appall the stoutest hearts; and

WHEREAS, The people of this great community, animated by the dauntless and indomitable spirit of the pioneers, spared neither time nor strength nor money in rebuilding a mighty metropolis upon the ruins and ashes of the city they had loved and lost; and

WHEREAS, Throughout the years the people of the City and County of San Francisco continue to give fresh evidence of their vision and their courage; now, therefore, be it

*Resolved by the Assembly of the State of California*, That we hereby record our unbounded admiration of the city which as Bret Harte truly said, "serene, indifferent of fate thou sittest at the western gate"; and be it further

*Resolved*, That we congratulate the people of San Francisco on their convincing demonstration of courage, pride, and patriotism, and their exemplification of the rugged energy and fortitude engendered by their heritage from their pioneer forebears, and be it further

*Resolved*, That we extend our hearty congratulations on their successful past, with an equal measure of good wishes for their successful future; and be it further

*Resolved*, That suitable copies of this resolution be forwarded by the Chief Clerk of the Assembly to His Honor Mayor George Christopher and the San Francisco Board of Supervisors.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Bill No. 2536**: By Mr. DeLotto—An act to repeal Section 2746 of, to repeal Article 8 (commencing at Section 2790) of Chapter 2 of Division 5 of, to amend Sections 2575 and 2747 of, and to add Chapter 2.5 (commencing at Section 2920) to Division 5 of, the Elections Code, relating to political parties.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2537**: By Mr. Winton—An act to add Section 202.3 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Speaker pro Tempore Presiding**

At 10.10 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2538**: By Mr. Marks (By Request)—An act to add Section 26659 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to removal of parked vehicles constituting a private nuisance.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2539**: By Mr. DeLotto—An act to add Chapter 5 (commencing at Section 3000) to Division 2 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the creation of a Motor Vehicle Department Advisory Board and making an appropriation therefor.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2540**: By Messrs. Johnson, Backstrand, Luckel, Chapel, Bane, Dills, Frew, Gaffney, Kennick, Lunardi, Nisbet, Petris, Rumford, and Thelin—An act to repeal Sections 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 25261, and 25264, of, to add Sections 160, 165, 170, 175, 180 and 2417 to, and to amend Sections 2416 and 21806 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2541**: By Mr. Crawford—An act to amend Section 22406 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of trucks and truck tractors.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2542**: By Mr. Crown—An act to repeal Section 73076, to amend Sections 73086, 73092, 73084.1, 73084.2, 73084.3, 73084.4, 73085.1, 73085.2, 73085.3, 73085.4, 73085.5, 73085.6, 73088, 73089 and 73090 of, and to add Sections 73076, 73093, 73094 and 73095 to, the Government Code, relating to Municipal Courts in Alameda County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2543**: By Mr. Bradley—An act to amend Sections 2005, 3007, 3652, 4332, 4600, 8212, 8373 and 12006 of, to amend and renumber Section 4187 (as added by Ch. 1496, Stats. 1957), of and to repeal Sections 8216 and 8437 of, the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2544**: By Mr. Lunardi—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2545**: By Mr. Masterson—An act to amend Section 33935 of the Health and Safety Code, relating to investments of housing authorities.

Referred to Committee on Public Health.

**Assembly Bill No. 2546**: By Messrs. Rumford, Dahl, Backstrand, Belotti, and Meyers—An act to amend Section 16102 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the storage of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2547**: By Mr. Samuel R. Geddes—An act to add Section 25209 to the Government Code, relating to the correction of deeds of real property.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2548**: By Mr. Samuel R. Geddes—An act to amend Sections 17041 and 17048 and to repeal Part 1 (commencing at Section 6001) and Part 1.5 (commencing at Section 7200) of Division 2 of the Revenue and Taxation Code, relating to sales, use and personal income taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2549**: By Mr. Crawford—An act to add Section 146b to the Penal Code, relating to simulating official inquiries.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2550**: By Mr. Crawford—An act to amend Section 19057 of, and to add Sections 19057.5 and 19060 to, the Government Code, relating to state civil service appointments.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2551**: By Mr. Shell—An act to repeal Section 213 of the Health and Safety Code, and to add Section 34.8 to the Agricultural Code, relating to kosher meat.

Referred to Committee on Government Organization.

**Assembly Bill No. 2552**: By Mr. O'Connell—An act to amend Section 12704 of the Business and Professions Code, relating to weights and measures.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2553**: By Mr. Bradley—An act to amend Sections 7302, 7306, 7308, 7309.5, 7315, 7332, 7342, 7370, 7376, 7383, 7394, 7394.1, 7396.6, 7398.5, 7420, and 7442 of, and to amend and renumber the titles of Article 6 (commencing at Section 7370), Article 7 (commencing at Section 7380), Article 8 (commencing at Section 7390), Article 9 (commencing at Section 7410), Article 10 (commencing at Section 7420), Article 11 (commencing at Section 7425), and Article 12 (commencing at Section 7435) of Chapter 10 of Division 3 of, and to add Section 7394.6 to, and to repeal Sections 7331, 7333, 7334, 7341, 7343, 7344, 7345, and 7421 of, and Article 5 (commencing at Section

7360) of Chapter 10 of Division 3 of, the Business and Professions Code, relating to cosmetology.

Referred to Committee on Government Organization.

**Assembly Bill No. 2554**: By Mr. Bradley (By Request)—An act to amend Sections 1, 2, 4, 5, 6, 7, and 8 of, to repeal Section 3, and to add Sections 3, 6.1, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 to, Chapter 78 of the Statutes of 1935, relating to annexations and to the formation of municipal water districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2555**: By Messrs. Masterson and Waldie—An act to amend Section 28105 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2556**: By Messrs. Masterson and Waldie—An act to amend Section 14455.1 of, and to add Section 14455 11 to, the Health and Safety Code, relating to commissioners of county fire protection districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2557**: By Mr. Masterson—An act to add Section 14201.5 to and to amend Section 13815 of the Education Code as enacted at the 1959 Regular Session, relating to contributions to the Retirement Annuity Fund of the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2558**: By Messrs. Masterson and Waldie—An act to amend Section 65951 of the Government Code, relating to zoning.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2559**: By Mr. Hawkins—An act to add Section 8403 to the Government Code, relating to the administration of programs for the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2560**: By Mr. Hawkins—An act to add Section 8402 to the Government Code, relating to the administration of programs for the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2561**: By Mr. Dahl—An act to add Section 172.6 to the Penal Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2562**: By Mr. Dahl—An act to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2563:** By Mr. Dahl—An act to add Section 23119 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the operation of a vehicle while under the influence of intoxicating liquor.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2564:** By Messrs. Marks, Gaffney, Busterud, O'Connell, Burton, and Meyers—An act to amend Section 70050.5 of the Government Code, relating to compensation for superior court reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2565:** By Mr. Backstrand, and Senator Dilworth co-author—An act to amend Sections 10 and 28½h of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923), relating to the Palo Verde Irrigation District.

Referred to Committee on Water.

**Assembly Bill No. 2566:** By Mr. Britschgi—An act to add Section 13533 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payroll deductions for teachers' professional orginzations' dues.

Referred to Committee on Education.

### PARLIAMENTARY INQUIRY

Mr. Unruh arose to the following parliamentary inquiry: Are bills on the second reading file approved before they are re-referred to the Committee on Ways and Means?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the bills are first read the second time, and then re-referred to the committee, if, pursuant to opinion of the Legislative Counsel, they have been listed for such re-reference.

#### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: May amendments, offered by a parent committee and adopted by the Assembly on the second reading of the bill, be subsequently taken out?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that they could, if they were not adopted by a roll call vote.

#### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Then, if the amendments have not been adopted by a roll call vote on the second reading, they may be taken out later?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the amendments are the property of the House and their disposition would be at the will of the House.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Hanna:

### House Resolution No. 209

Relating to the commendation of Lt. Malcolm Carpenter

WHEREAS, Navy Lt. Malcolm Carpenter, of Garden Grove, California, has been selected as one of the first seven United States Mercury astronauts; and

WHEREAS, In order to be selected as one of the United States' first spacemen, it was necessary for Lt. Carpenter to undergo rigorous and grueling tests and examinations, including the endurance of isolation, acceleration, heat, cold, noise, vibration and psychological and stress evaluation; and

WHEREAS, Lt. Malcolm Carpenter is not the first pioneer in his family, his great-grandmother having arrived in Colorado by prairie schooner; and

WHEREAS, We can, indeed, be proud of Lt. Carpenter and the other men who have been selected as our first spacemen in that they will represent us in the continuation of the pioneering and venturing into the unknown which has brought the United States to the heights it has achieved, and will now carry us forward into the unknown but tantalizing future; and

WHEREAS, Lt. Carpenter is the husband of Rene Carpenter and the father of four children; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California commends and congratulates Lt. Malcolm Carpenter in being chosen to train for man's first orbital excursion into space; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Lt. Malcolm Carpenter.

Resolution read, and referred to the Committee on Rules.

By Messrs. Mulford and Winton:

### House Resolution No. 210

Relative to the creation of the Assembly Interim Committee on Governmental Organization

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Interim Committee on Governmental Organization is hereby created and authorized and directed to appoint a subcommittee to ascertain, study and analyze all facts relating to the acquisition of the land and the construction of the building presently occupied by the State Department of Public Health in Berkeley, California, and the present policies with regard to the use of the building, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Governmental Organization.

3 The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than the last legislative day of this session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Mr. Mulford:

**House Resolution No. 211**

Relative to congratulating Mr. Carrol M. "Ky" Ebright

WHEREAS, Mr. Carroll M. "Ky" Ebright, the varsity rowing coach at the University of California for the past 35 years, will soon retire from that position; and

WHEREAS, During his regime his crews have won three of the last six Olympic eight-oared championships for the United States and six national intercollegiate championships; and

WHEREAS, Mr. Ebright was elected to the Helms Athletic Foundation "Rowing Hall of Fame" in 1956 and has been selected twice, in 1949 and in 1957, for the award of "An Outstanding Contribution to the Sport of Rowing in the United States" by the Joint Committee on Rowing Awards, Poughkeepsie, New York, making him the only man who has ever twice been so chosen; and

WHEREAS, His record and interest in rowing have benefited not only his University and State but the entire Nation as well; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Carrol M. "Ky" Ebright is sincerely congratulated by the Legislature on his truly great career as a crew coach and leader of young men and that the ultimate in happiness and good health be his in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Ebright.

Resolution read, and referred to Committee on Rules.

By Miss Donahoe and Mr. Miller:

**House Resolution No. 212**

Relative to AV-EK Empire Water Day

WHEREAS, Residents of the Antelope Valley-East Kern water basin area have labored industriously for the past five years in the field of educating themselves with problems concerning water, both in their area and in California's statewide water problems as a whole; and

WHEREAS, The first phases of the Investigation of Alternative Aqueduct Systems to Serve Southern California by the Department of Water Resources of the State of California envision delivery of supplemental water to this selfsame area by 1971 through the East Branch of the Southern California Aqueduct System; and

WHEREAS, The Antelope Valley-East Kern Water Basin Association, Incorporated, is an organization of citizens banded together to work for the cause of supplemental water and the common good of their area of some 2,000 square miles, located in the high desert portions of parts of the Counties of Kern and Los Angeles; and

WHEREAS, The Board of Directors of the Antelope Valley-East Kern Water Basin Association, meeting in regular session, March 31, 1959, did, in fact, act on requests made to that body, that they schedule a public celebration on June 6, 1959, for the express purpose of adequately dramatizing the major accomplishment in their efforts in obtaining supplemental water; and

WHEREAS, This day-long celebration has now been scheduled for June 6, 1959, and said event has been appropriately named, AV-EK Empire Water Day; and

WHEREAS, It will be a day-long affair with activities in every community lying within the boundaries of the basin area; and

WHEREAS, The residents of the Antelope Valley-East Kern water basin should indeed be recognized for their outstanding leadership, their spirit of self-help, and their sincere spirit and assistance to officials of the Department of Water Resources, State of California, and assistance to the various legislative committees on water problems; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly extend their congratulations to the residents of the Antelope Valley-East Kern water basin area, and to the officers, directors and members of the Antelope Valley-East Kern Water Basin Association, Inc., and the best wishes of the Members are extended to them on the occasion of AV-EK Empire Water Day, June 6, 1959; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the office of the Antelope Valley-East Kern Water Basin Association.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

**House Resolution No. 213**

Relative to the consideration of resolutions on the Consent Calendar

*Resolved by the Assembly of the State of California*, That Rule No. 81 of the Permanent Standing Rules of the Assembly is amended to read:

81. House resolutions and concurrent resolutions that do not require a recorded roll call vote, such as resolutions of congratulations or sympathy, shall ~~be listed under a separate heading in the printed Daily File. They shall be considered for adoption under that order of business, or at any other time as determined by the Speaker.~~ *, when reported out of any standing committee with a do pass recommendation, be placed by the Chief Clerk on the Consent Calendar. All such resolutions that are reported out of committee with a recommendation of do pass as amended shall be placed by the Chief Clerk on the Consent Calendar following the adoption of the committee amendments. Such resolutions shall be considered in the same manner as uncontested bills pursuant to the provisions of Joint Rules 22.2 and 22.3.*

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Social Welfare

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

House Resolution No. 202

With amendments with the recommendation: Amend, and be adopted, as amended.

ELLIOTT, Vice Chairman

Above resolution ordered on file.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1981

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1909

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 579

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1514
Assembly Bill No. 1815
Assembly Bill No. 2007
Assembly Bill No. 2011

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1964

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Health.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1047

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, April 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 345

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1284
Assembly Bill No. 1824

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1774
Assembly Bill No. 2014

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 20, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 244
Assembly Bill No. 1205
Assembly Bill No. 1505
Assembly Bill No. 1664
Assembly Bill No. 1666
Assembly Bill No. 1908

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1397
Assembly Bill No. 1684
Assembly Bill No. 2015

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 131
Assembly Bill No. 1222
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 749
Assembly Bill No. 1403
Assembly Bill No. 1968
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 830
Assembly Bill No. 1535
Assembly Bill No. 1536
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

## RESOLUTIONS

The following resolution was offered:

By Mr. Charles H. Wilson:

### House Resolution No. 214

Relating to congratulating the A Cappella Chorus of Pepperdine College

WHEREAS, Pepperdine College, in Los Angeles, has an outstanding A Cappella Chorus, which is devoted to the highest standards of choral literature; and

WHEREAS, The chorus, which is directed by Mr Richard C. Palm, makes a unique cultural contribution to the Southwestern Los Angeles area and to its community by performing the works of accomplished contemporary composers, as well as the traditional standard works in choral music; and

WHEREAS, The chorus makes frequent tours throughout California and the surrounding states, enabling many hundreds of persons to partake of its musical offerings; and

WHEREAS, At 12 o'clock noon, on March 5, 1959, the chorus appeared in concert in the Rotunda of the State Capitol, in Sacramento; and

WHEREAS, The chorus performed in such an outstanding fashion and so captivated the audience that its appearance will long be remembered; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California congratulates and highly commends the Pepperdine College A Cappella Chorus for the distinguished musical performance which it presented in the Rotunda of the State Capitol and for the outstanding cultural contribution which it makes to its community and the southwestern Los Angeles area; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr Richard C. Palm, the Director of the Chorus, as a token of the appreciation of the Legislature of the State of California for the Chorus performance.

Resolution read, and referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 257

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, April 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 691

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, April 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 8
Assembly Joint Resolution No. 29

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, April 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 812
Assembly Bill No. 1073

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 50
Senate Concurrent Resolution No. 51

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

**Senate Concurrent Resolution No. 50**—Approving an amendment to the charter of the City of Porterville, a municipal corporation in the County of Tulare, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1959.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 51**—Approving an amendment to the charter of the City of San Bernardino, County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the seventeenth day of March, 1959.

Referred to Committee on Rules.

Speaker Presiding

At 10.24 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, *April 17, 1959*

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 153
Senate Bill No. 433
Senate Bill No. 467
Senate Bill No. 513
Senate Bill No. 601
Senate Bill No. 627
Senate Bill No. 770
Senate Bill No. 775
Senate Bill No. 851
Senate Bill No. 852
Senate Bill No. 863
Senate Bill No. 949
Senate Bill No. 973

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 153**—An act to add Section 152 to the Streets and Highways Code, relating to fire protection on freeways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 433**—An act to add Article 2 (commencing at Section 20678) to Chapter 3.2 of Division 10 of the Education Code, and to add Article 4.5 (commencing at Section 24856) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to a branch facility of Los Angeles State College.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 467**—An act to amend Sections 1300 and 1320 of the Business and Professions Code, relating to clinical laboratory technology.

Referred to Committee on Public Health.

**Senate Bill No. 513**—An act to amend Section 19031 of the Business and Professions Code, relating to the Bureau of Furniture and Bedding Inspection.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 601**—An act to amend Section 1300 of and to add Sections 1300.5 and 1311 to the Insurance Code, relating to reciprocal and interinsurance contracts.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 627**—An act to amend Section 8950 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 770**—An act to amend Sections 10161, 10163, 10164, 10165, 10489.2 and to add Section 10163.5 to the Insurance Code, relating to insurance mortality tables.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 775**—An act to amend Sections 9505, 9512, 9533.5, 9540, 9540.51, 9541, 9542, 9550, and 9580 of, to amend and renumber

Section 9505.1 of, and to add Sections 9505 1 and 9546 to, the Business and Professions Code, relating to cleaning, dyeing and pressing.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 851**—An act to add Sections 192 and 4015 to the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to vehicles designed or capable of being used for fire fighting purposes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 852**—An act to add Section 2224.5 to the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Referred to Committee on Social Welfare.

**Senate Bill No. 863**—An act to amend Section 2163.8 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 949**—An act to amend Section 4809 of the Business and Professions Code, relating to veterinary medicine.

Referred to Committee on Agriculture.

**Senate Bill No. 973**—An act to repeal Section 4786.5 of, and to add Section 4786.5 to, the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

## MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Sumner seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1397, 1205, 1222, 1505, 1664, 1666, 1774, 2014, 244, 2015, 1908, 131,** and **1684.**

**Senate Bills Nos. 132** and **272.**

Assembly Bills Nos. 1397, 1222, 2015, 131, and 1684, and Senate Bills Nos. 132 and 272 ordered to the Consent Calendar.

Assembly Bills Nos. 1205, 1505, 1664, 1666, 1774, 2014, 244, and 1908 ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 94**—An act to amend Section 4231 of the Agricultural Code, relating to milk.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 4243.5 to,".

### Amendment No. 2

On page 1, line 20, strike out "In", and insert

"In establishing any such maximum charges for such transportation services, the director shall base such maximum charges upon the rates charged for actual or similar services by highway carriers, as the term "highway carriers" is defined in Section 3511 of the Public Utilities Code."

### Amendment No. 3

On page 2, strike out lines 1 to 5, inclusive, and insert

"SEC. 2. Section 4243.5 is added to said code, to read:

4243.5. Whenever any contract between a distributor and a producer for the purchase of fluid milk, fluid skim milk or fluid cream provides that the charges for the hauling thereof shall be paid, in whole or in part, by the producer, and such hauling is done by the distributor either directly or through an agent or by any person contracting with, or designated by, such distributor for such hauling, the director may, and upon the written request of the producer or the written request of any association representing the producer or producers, shall investigate the rates, terms and conditions involved in such hauling in order to determine whether such rates, terms and conditions are in compliance with Section 4231 of this code."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1130**—An act to amend Section 4127 of the Agricultural Code, relating to unfair practices.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 30, 1959, strike out line 3, and insert

"4127. The giving of any milk, cream, dairy products, services, money, or articles of any kind except to bona fide charities for the purpose of securing or retaining the milk, cream or dairy products business of any wholesale customer or consumer is an unfair practice; provided, however, that nothing herein shall be construed to prohibit a distributor of frozen dairy products for reasonable compensation as provided in Section 4138, from furnishing a wholesale customer with, and maintaining such refrigeration facilities as shall be reasonably necessary for the storage and preservation of the frozen dairy products distributed by such distributor to such wholesale customer; provided further, that the use of said refrigeration facilities by any person for the storage or preservation of any product other than the frozen dairy products distributed to said wholesale customer by the distributor furnishing such facilities is an unfair practice, except when the distributor furnishing said refrigeration facilities does not manufacture or distribute imitation ice cream or imitation ice milk and has authorized, in writing, the use of said refrigeration facilities for the storage and preservation of imitation ice cream or imitation ice milk sold to said wholesale customer by another vendor and a copy of such authorization has been filed with the director prior to the use of said refrigeration facilities for such purpose. Frozen dairy

products as used herein and in Section 4138 shall mean any frozen products manufactured in a milk products plant, and imitation ice cream, imitation ice milk and water ices, sold by the distributor furnishing said refrigeration facilities.

Nothing in this section shall be applicable to a manufacturer of imitation ice cream or imitation ice milk who is not also a distributor as the term "distributor" is defined in Section 4102 of this code."

**Amendment No. 2**

On page 1, strike out lines 4 to 26, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1932**—An act to amend Section 4354 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 19 to 23, inclusive, and insert "4273. At the time of giving such notice the director shall mail with such notice to each person to whom such notice is required to be given a written statement showing:

(a) Whether such hearing is held at the instance of the director or in response to written request;

(b) The purpose and scope of such hearing;

(c) A summary of changes in economic conditions which have been determined by the director in connection with the hearing prior to giving notice thereof;

(d) The proposed minimum prices for fluid milk, fluid cream, or both, together with any other provisions which the director then has under consideration or may then propose to establish for such marketing area, based upon such investigation, cost surveys or examinations, or a statement that the director has not, prior to giving notice of the hearing, formulated any such proposed minimum prices or other provisions.

A record of any and all hearings held by the director, pursuant to this article, shall be made and filed in the office of the director and shall, at all times, be available to inspection by any interested person."

**Amendment No. 2**

On page 2, strike out lines 1 to 24, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

**Assembly Bill No. 1933**—An act to amend Section 4361 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Livestock and Dairies, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 14 and 15, and insert "or payments, allowances or credits made or given for, or in connection with, the return of containers or other property, unless such payment, allowance or credit is a repayment of a deposit or charge, in excess of the price established by the director under the provisions of this article, paid by a wholesale customer, or by a consumer, for the return of such containers or other property."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

**Assembly Bill No. 316**—An act to amend Sections 23320, and 23397 of, and to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 3, line 33, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "and wine".

**Amendment No. 2**

On page 3, line 34, strike out "and wine".

**Amendment No. 3**

On page 3, line 38, strike out "and wine".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 115**—An act to add Section 24002 to the Education Code as enacted at the 1959 Regular Session, relating to state colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, lines 12 and 13, of the printed bill, as amended in the Assembly on February 20, 1959, strike out "board or the president, as the case may be," and insert "president".

**Amendment No. 2**

On page 1, lines 19 and 20, strike out "board or the president, as the case may be," and insert "president".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 831**—An act to amend Section 404 of the Unemployment Code, relating to referees of Appeals Board.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 3, 1959, after "Unemployment", insert "Insurance".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1228**—An act to amend Section 73821 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 20, 1959, strike out "Section 73821", and insert "Sections 73821, 73822, and 73823".

**Amendment No. 2**

On page 1, after line 6, insert

"SEC. 2. Section 73822 of said code is amended to read:

73822. There shall be one clerk who shall receive a minimum salary of ~~three hundred eighty-two dollars ($382)~~ *four hundred dollars ($400)* monthly, with annual increments of ~~eighteen dollars ($18),~~ nineteen dollars ($19), twenty dollars ($20), ~~and~~ twenty-one dollars ($21), *and twenty-two dollars ($22)* to a maximum of four hundred *eighty-two dollars ($482)* ~~sixty dollars ($460)~~ monthly.

SEC. 3. Section 73823 of said code is amended to read:

73823. The clerk may appoint:

(a) One assistant clerk who shall receive a minimum salary of ~~three hundred thirty-three dollars ($333)~~ *three hundred forty-nine dollars ($349)* monthly, with annual increments of ~~sixteen dollars ($16),~~ sixteen dollars ($16), seventeen dollars ($17), ~~and~~ eighteen dollars ($18) *and nineteen dollars ($19)* to a maximum of ~~four hundred dollars ($400)~~ *four hundred nineteen dollars ($419)* monthly.

(b) ~~Two~~ *Three* deputy clerks who shall be court clerks and each of whom shall receive a minimum salary of ~~three hundred eighteen dollars ($318)~~ *three hundred thirty-three dollars ($333)* monthly, with annual increments of ~~fifteen dollars ($15),~~ sixteen dollars ($16), sixteen dollars ($16), ~~and~~ seventeen dollars ($17) *and eighteen dollars ($18)* to a maximum of ~~three hundred eighty-two dollars ($382)~~ *four hundred dollars ($400)* monthly.

(c) Two deputy clerks each of whom shall receive a minimum salary of ~~two hundred ninety dollars ($290)~~ *three hundred four dollars ($304)* monthly, with annual increments of ~~fourteen dollars ($14),~~ fourteen dollars ($14), fifteen dollars ($15), ~~and~~ sixteen dollars ($16) *and sixteen dollars ($16)* to a maximum of ~~three hundred forty-nine dollars ($349)~~ *three hundred sixty-five dollars ($365)* monthly.

(d) Four deputy clerks each of whom shall receive a minimum salary of ~~two hundred fifty-three dollars ($253)~~ *two hundred sixty-five dollars ($265)* monthly, with annual increments of ~~twelve dollars ($12),~~ twelve dollars ($12), thirteen dollars ($13), ~~and~~ fourteen dollars ($14) *and fourteen dollars ($14)* to a maximum of ~~three hundred four dollars ($301)~~ *three hundred eighteen dollars ($318)* monthly.

(e) ~~Two~~ *Three* deputy clerks each of whom shall receive a minimum salary of two hundred *fifty-three dollars ($253)* ~~forty-two dollars ($212)~~ monthly, with annual increments of ~~eleven dollars ($11),~~ twelve dollars ($12), twelve dollars ($12), ~~and~~ thirteen dollars ($13) *and fourteen dollars ($14)* to a maximum of ~~two hundred ninety dollars ($290)~~ *three hundred four dollars ($304)* monthly.

Upon the effective date of this section, the incumbent officers and attaches shall each retain the same salary step in the salary range made applicable to his position by this section as he occupied under the superseded salary range. For the purpose of determining the right to

subsequent annual increments, however, the anniversary date shall be the date the officer or attache was first appointed to the position in which the increment is sought."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1104**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to reader funds and educational scholarships awarded to potentially self-supporting blind persons

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1176**—An act to amend Sections 13406, 13407, 15207 and 15208, and to repeal Section 13989, of the Revenue and Taxation Code, relating to inheritance and gift taxation, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1848**—An act to amend Sections 11102, 11104, 11105, 11106, 11107 and 11110 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to driving schools and instructors and licenses issued in connection therewith.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1636**—An act to repeal Article 2 (commencing at Section 525) of Chapter 1 of Division 2 of the Business and Professions Code, relating to State Medical Library.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1425**—An act to add Section 13292.5 to the Government Code, relating to the mishandling of state funds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 970**—An act to amend Section 1765 of the Insurance Code as amended by Chapter 4 of the Statutes of 1959 and to add Section 1765.1 to the Insurance Code, relating to qualifications for surplus line brokers and special lines surplus line brokers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 871**—An act to amend Section 2350 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 317**—An act to add Section 1773.1 to the Labor Code, relating to per diem wages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 719**—An act to add Section 1816 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the reporting of traffic violations committed by minors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1081**—An act to add Article 11.5 (commencing at Section 9171) to Chapter 7 of Division 4 of the Education Code, and to add Chapter 5 (commencing at Section 551) to Division 2 of the

Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the acceptance of the provisions and benefits of the "National Defense Education Act of 1958," approved September 2, 1958, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1712**—An act to amend Section 22400 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to minimum speeds for vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 471**—An act to amend Section 7058 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1007**—An act to repeal Sections 9142 and 9143 of the Education Code and Sections 6210 and 6211 of the Education Code as enacted by the Legislature at its 1959 Regular Session, and to add Article 8 (commencing at Section 3366) to Chapter 2, Part 1, Division 5 of the Welfare and Institutions Code, relating to opportunity work centers for the blind, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1718**—An act to amend Section 11713 of, and to add Sections 11718, 11719, 11720, and 11721 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing and regulation of manufacturers, transporters and dealers of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1459**—An act to add Section 24311.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to resignations of state college employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1487**—An act to add Section 9561 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Section 10857 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on April 13, 1959, strike out "or a licensed dealer".

**Amendment No. 2**

On page 1, line 7, strike out "10", and insert "30".

**Amendment No. 3**

On page 1, lines 8 and 9, strike out "the legal owner or licensed dealer", and insert "a new owner".

**Amendment No. 4**

On page 1, line 15, strike out "or a licensed dealer".

**Amendment No. 5**

On page 1, line 16, strike out "10", and insert "30".

**Amendment No. 6**

On page 1, line 17, strike out "the legal owner or licensed dealer", and insert "a new owner".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1488**—An act to amend Section 18001 of, and to add Section 18001.1 to, the Health and Safety Code, relating to vehicles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on March 25, 1959, following "car," insert "as used in this part, is a vehicle,".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 468**—An act to add Sections 35717, 35718, 35719, 35720, and 35721 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the restricting of highways by counties.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on April 13, 1959, strike out lines 7 to 9, inclusive, and insert "road or highway by any commercial vehicle exceeding a maximum gross weight of 14,000 pounds if, by accepted engineering standards, the street, road or highway cannot support such vehicle."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 649**—An act to add Chapter 4 (commencing at Section 30900) to Division 17 of the Streets and Highways Code, relating to the financing, construction, operation, and maintenance of a tube across San Francisco Bay for rapid transit facilities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "add Chapter 4 (commencing at Section 30900) to Division 17 of", and insert "amend the heading of Chapter 2 (commencing at Section 30600) of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of, Division 17 of, and to amend Sections 30608 and 30609 of,".

**Amendment No. 2**

Strike out lines 3 and 4 of the title, and insert "the construction of a San Francisco-Oakland Rapid Transit Tube, and making an appropriation."

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. The heading of Chapter 2 (commencing at Section 30600) of Division 17 of the Streets and Highways Code is amended to read:

CHAPTER 2. PARTICULAR *HIGHWAY* CROSSINGS

SEC. 2. Section 30608 of the Streets and Highways Code is amended to read:

30608. Pending the issuance and sale of bonds secured by the tolls of the San Francisco-Oakland Bay Bridge for the financing of the ~~Southern Crossing~~ *rapid transit tube* specified in Article ~~2~~ *5* of this chapter, the authority shall continue to fix and the department shall collect tolls at substantially the same rates as in effect January 1, ~~1955~~ *1959*. Revenues therefrom shall continue to be devoted to fulfilling any obligations of the authority pursuant to any bond indenture or statute in effect on said date, and any surplus revenues shall be held and invested as authorized by law for assistance in the financing of the ~~Southern Crossing~~ *rapid transit tube* or such other purpose as may be authorized or provided by law. *Subsequent to the issuance of the aforesaid bonds for the financing of the aforesaid rapid transit tube, the authority and the department shall fix and collect such rates of tolls as are necessary to comply with the obligations assumed by the authority in connection with the issuance of such bonds and the requirements of Article 5 (commencing at Section 30770).*

*SEC. 3. Section 30609 of the Streets and Highways Code is amended to read:*

30609. Subject to the limitations hereinafter prescribed and under the provisions of Chapter 1 of this division, the department may make such revisions of, and improvements or alterations to, the San Francisco-Oakland Bay Bridge, its approaches, connections and other appurtenances, including the terminal building in San Francisco, as are deemed desirable and necessary by the department to permit the use of the entire San Francisco-Oakland Bay Bridge for traffic. Such revisions may include work necessary for the routing of traffic in one direction on each deck of the bridge.

The department may use for such purposes any funds now on hand from the revenues of the San Francisco-Oakland Bay Bridge, and the future revenues of the bridge accruing up to July 1, 1961, or so much thereof as may be necessary, over and above those required to repay the State Highway Fund as required by Sections 30605 and 30607, and to provide the costs of maintenance, operation, insurance and other expenses of the San Francisco-Oakland Bay Bridge.

In the event bonds are ~~to be~~ issued for the construction of the ~~Southern Crossing~~ *rapid transit tube* to be secured by the revenues of the San Francisco-Oakland Bay Bridge, the authority may provide for the completion of the work on the San Francisco-Oakland Bay Bridge from the proceeds of bonds to be included in such an issue or it may reserve from the revenues which would secure such a bond issue sufficient revenues to complete the work. ~~To the greatest extent found~~

~~feasible by the department in planning and conducting the work to be carried out, but without delaying the ultimate completion thereof, the department shall so plan and conduct the work as to permit the rails on the San Francisco-Oakland Bay Bridge to remain in place as long as possible so as to minimize the interruption of transbay rail transportation.~~"

SEC. 4. Article 5 (commencing at Section 30770) is added to Chapter 2 of Division 17 of the Streets and Highways Code, to read:

Article 5. San Francisco-Oakland Rapid Transit Tube

30770. It is hereby declared to be the policy of the Legislature to take the action necessary to relieve effectively the vehicular congestion on the San Francisco-Oakland Bay Bridge and to thus insure the free-flowing movement of people and goods between the east and the west side of San Francisco Bay to provide a main link in a system of rapid transit designed to ultimately serve the peoples of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

Further, the Legislature finds that the relief of vehicular congestion on the San Francisco-Oakland Bay Bridge can be obtained most efficiently and at the least cost in public funds and with the greatest promotion and accommodation of commerce and navigation through providing an underwater rapid transit tube connecting the east and west sides of San Francisco Bay accommodating facilities for rapid transit which will co-ordinate with and supplement the San Francisco-Oakland Bay Bridge, relieve congestion thereon and make possible the most efficient and economical movement of persons, property and traffic across San Francisco Bay.

30771. As used in this article:

(a) "District" means the San Francisco Bay Area Rapid Transit District.

(b) "Rapid transit tube" means a subaqueous tube across San Francisco Bay between the City and County of San Francisco and the County of Alameda, its approaches and fixed transit facilities, including but not limited to ventilation towers and equipment, tracks and electrical distribution, control, lighting and communication systems for the accommodaton of rail rapid transit. The San Francisco terminus of the underwater portion of such rapid transit tube shall be located westward of the shoreline of San Francisco Bay as close thereto as may be reasonably practicable between Howard and Jackson Streets in the City and County of San Francisco. The Alameda County terminus shall be the Southern Pacific mole or as close thereto as may be reasonably practicable.

(c) "Approaches" means all facilities between each of the aforesaid termini and the first station thereafter for the discharge of passengers.

(d) "Authority" means the California Toll Bridge Authority.

(e) "Department" means the Department of Public Works.

30772. The department is authorized and directed to use the sum of seven hundred fifty thousand dollars ($750,000), or so much thereof as may be necessary, from the Revenue Fund of the San Francisco-Oakland Bay Bridge for preliminary engineering work including but

not limited to surveys, plans, estimates of costs, specifications and other engineering expenses for the construction of a rapid transit tube.

No use of such funds shall be made nor construction of the rapid transit tube commenced, however, unless or until the federal law permits the authority to collect tolls upon the existing San Francisco-Oakland Bay Bridge for the purpose of paying the costs of engineering and planning, including the aforesaid engineering expenses, and the construction of such rapid transit tube.

It is hereby declared to be the intent of the Legislature that the aforesaid preliminary engineering work shall be commenced as soon as the federal law permits the collection of tolls upon the existing Bay Bridge for the aforesaid purpose and that construction of the rapid transit tube shall commence as soon as possible after the completion of the aforesaid engineering work and the approval by the voters of the issuance of general obligation bonds referred to in Section 30775.

30773. The authority and the department shall give full consideration to the recommendations of the district with respect to features of the rapid transit tube including but not limited to the following:

(a) Exact locations of the termini and approaches.

(b) Alignment.

(c) Facilities to be accommodated and installed.

30774. Upon determining the locations of the termini and approaches and the alignment to the satisfaction of the district, the authority shall apply promptly to the appropriate officials of the Federal Government and any other government or agency or instrumentality thereof, or political subdivision for any necessary permission to construct the rapid transit tube.

30775. The authority shall issue revenue bonds pursuant to the California Toll Bridge Authority Act (Chapter 1 (commencing at Section 30000) of this division) for the construction of the rapid transit tube and the department shall construct the rapid transit tube; but the issuance of revenue bonds shall be contingent upon, and shall be accomplished promptly after, the approval by the voters of the district of a proposition for the issuance of general obligation bonds of the district to finance acquisition or construction of such transit facilities as the board of directors of the district, whose determination shall be final, determines to be a substantial regional rapid transit system that should be acquired or constructed pursuant to Section 28764 of the Public Utilities Code at the time the rapid transit tube is constructed.

30776. All the provisions of the California Toll Bridge Authority Act (Chapter 1 (commencing at Section 30000) of this division) applicable to toll highway crossings shall apply to the activities of the department and the authority in connection with the rapid transit tube insofar as they are not inconsistent with the provisions of this article. The provisions of said act shall not apply to the district and shall not require or permit the fixing of a toll by the department or the authority for the use of the rapid transit tube. The district shall have the sole and exclusive right to the use of the rapid transit tube in the absence of an agreement betweent the district and any other party for any use

by such other party on payment of appropriate compensation to the district.

30777. The authority and the department are authorized and directed to do any and all things pursuant to law necessary to finance, construct and complete the rapid transit tube provided for in this article.

30778. The annual tolls and revenues of the San Francisco-Oakland Bay Bridge or so much thereof as may be necessary after provision for the payment in full of all annual costs of maintenance, operation, insurance and other expenses of the San Francisco-Oakland Bay Bridge, and after payment or provision for payment in full of all the costs of revisions, improvements and alterations referred to in and subject to the limitations of Section 30609, shall be pledged and used to finance and pay for the cost of construction of the rapid transit tube, including but not limited to payment of the principal of, and interest and premiums, if any, on, and provision for security of, the revenue bonds of the authority issued pursuant to this article. The costs of the approaches of the rapid transit tube, including but not limited to the portion of all financing costs attributable to such approaches, shall be reimbursed to the authority by the district from any excess of passenger fares received by the district attributable to passage through the rapid transit tube over and above any and all costs incurred by the district in connection with its transportation of passengers through the rapid transit tube. No other payments shall be required of the district for the use of the rapid transit tube.

30779. The construction of the rapid transit tube shall precede the construction of any additional crossing of San Francisco Bay, financed in whole or in part by the tolls or revenues of the San Francisco-Oakland Bay Bridge, providing, however, that if by November 30, 1962, the voters of the district have not approved the issuance of general obligation bonds of the district for the construction of a regional rapid transit system, the provisions of this section and Sections 30775, 30777, and 30778 shall be of no further force or effect.

30780. The rapid transit tube shall be repaired, maintained and operated, and insured against such risks and in such amount as the district deems proper by or at the expense of the district.

30781. The Legislature finds that the rapid transit tube would further the promotion and accommodation of commerce and navigation."

**Amendment No. 4**

On page 1, strike out lines 2 to 15, inclusive; and on page 2, strike out lines 1 to 22, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

**Assembly Bill No. 1328**—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out "prohibited instruction in"

**Amendment No. 2**

On page 1, line 3, after "8453.", insert "No publication of a sectarian, partisan, or denominational character, shall be distributed in any school, except that nothing herein shall restrict the development and use of school library collections."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1620**—An act to amend Section 25103 of the Government Code, relating to signing resolutions, ordinances and records of board of supervisors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after the comma, insert "except that the original copy thereof, or the copy thereof filed in the office of the clerk of the board, shall bear the personal signature of the chairman,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2002**—An act to amend Sections 5780.1, 5780.13, 5780 16, 5781.3, 5781.4, 5781.6, 5781.13, 5781.14, 5782.5, 5784.5, 5785.4, 5787, and 5787 3 of, and to amend and renumber Sections 5781.9, 5781 10, 5781.11, 5781.12, 5781.15, 5781 16, 5781 17, 5781.18, and 5781 19 of the Public Resources Code, relating to recreation and park districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out the first "and".

**Amendment No. 2**

In line 5 of the title, after "of," insert "to repeal Section 5784 22 of, and to add Sections 5782.21, 5784 22, and 5787.01 to,".

**Amendment No. 3**

On page 2, lines 34 and 35, strike out "or authorities,".

**Amendment No. 4**

On page 2, line 35, strike out "or authorities".

**Amendment No. 5**

On page 4, line 13, strike out "Of", and insert "If".

**Amendment No. 6**

On page 5, line 32, after "SEC 18." insert "Section 5782 21 is added to said code, to read:

5782 21 The board of directors may make and enforce all rules, regulations, and bylaws necessary for the administration, government, and protection of the property, improvements, and facilities under its management or belonging to the district.

SEC. 19."

**Amendment No. 7**

On page 6, line 9, strike out "SEC. 19", and insert "SEC. 20".

**Amendment No. 8**

On page 6, between lines 15 and 16, insert

"SEC. 21. Section 5784.22 of said code is repealed.

SEC. 22. Section 5784.22 is added to said code, to read:

5784.22. The district may acquire all necessary and proper lands and facilities, or any portion thereof, by means of a plan to borrow money or by purchase on contract. The amount of indebtedness to be incurred shall not exceed an amount equal to the anticipated tax income for a two-year period, and all such indebtedness shall be repaid in approximately equal annual installments during a period not to exceed five years from the date on which it is incurred and shall bear interest at a rate not exceeding 6 percent per annum payable annually or semiannually or in part annually and in part semiannually. Each such indebtedness shall be authorized by a resolution adopted by the affirmative votes of at least four-fifths of the members of the district board and shall be evidenced by a promissory note or contract signed by at least four-fifths of the members of the district board. At the time of making the general tax levy after incurring each such indebtedness and annually thereafter until such indebtedness is paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on such indebtedness as they become due, a tax shall be levied and collected sufficient to pay the interest on such indebtedness and such part of the principal as will become due before the proceeds of a tax levied at the next general tax levy will be available. The indebtedness authorized to be incurred by this section shall be in addition to, and the provisions of this section shall not apply to, any bonded indebtedness authorized by vote of the electors."

**Amendment No. 9**

On page 6, line 16, strike out "SEC. 20", and insert "SEC. 23".

**Amendment No. 10**

On page 6, strike out lines 22 to 24, inclusive; and in line 25 strike out "(b)", and insert

"SEC. 24. Section 5787 of said code is amended to read:

5787."

**Amendment No. 11**

On page 6, line 32, strike out "SEC. 22", and insert "SEC. 25".

**Amendment No. 12**

On page 6, after line 44, insert

"SEC. 26. Section 5787.01 is added to said code, to read:

5787.01. As an alternative method of dissolution, the governing body of the district may by resolution duly adopted, and in the absence of a petition by the registered voters, order an election to determine whether or not the district shall be dissolved."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1545**—An act to amend Sections 194, 194.1 and 194.2 of the Streets and Highways Code and Section 11005 of the Revenue and Taxation Code, relating to municipal population determination.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1546**—An act to amend Sections 36936.1, 51508 and 51511 of the Government Code, relating to city ordinances and resolutions fixing the amount of revenue to be raised by taxation.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2050**—An act to add Section 12.2 to the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1144**—An act to add Article 3 (commencing at Section 35050) to Chapter 1 of Part 4 of Division 13 of the Water Code, relating to elections in California water districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1998**—An act to add Section 25366.5 to the Government Code, relating to disposition of assets of special districts upon dissolution.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2049**—An act to add Article 3 (commencing at Section 4170) to Chapter 3 of Division 7 of the Harbors and Navigation Code, relating to the development, improvement or maintenance of ports, harbors, and tidelands by counties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1049**—An act to amend Section 27491 of the Government Code, relating to duties and powers of coroner.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, strike out "investigate or cause to be investigated," and insert "determine".

**Amendment No. 2**

On page 1, lines 11 and 12, strike out "For the purpose of such investigation", and insert "In order to make such determination".

**Amendment No. 3**

On page 2, line 2, after "retain", insert "only such".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1785**—An act to repeal Section 24400 of, and to add Section 24400 to, the Health and Safety Code, relating to dangerous excavations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "repeal Section 24400 of, and to add Section 24400 to," and insert "add Section 24404 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 3, inclusive, and insert
"SECTION 1. Section 24404 is added to the Health and Safety Code, to read:".

**Amendment No. 3**

On page 1, line 4, strike out "24400", and insert "24404".

**Amendment No. 4**

On page 1, line 7, after "earth", insert ", including, but not limited to, irrigation canals,".

**Amendment No. 5**

On page 1, line 11, after the period, insert "The ordinance shall not, however, be applicable to excavations of a temporary nature made in the course of construction, renovation, or demolition, or such excavations which are places of employment. The Division of Industrial Safety, Department of Industrial Relations, has jurisdiction over such excavations under Division 5 (commencing at Section 6300) of the Labor Code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 24, line 15, of the printed bill, as amended in the Assembly on April 13, 1959, after the period, insert "The petition shall also specify one of the methods prescribed by Section 14051 of selecting the board of directors of the district If the method specified is the election of the board of directors, the petition shall either specify that the board shall be composed of three members or of five members."

**Amendment No. 2**

On page 24, line 47, strike out "the district board or of".

**Amendment No. 3**

On page 24, line 48, after "the", insert "fire department or".

**Amendment No. 4**

On page 24, line 48, after "district", insert ". Reorganization shall not affect or impair the status or rights of the governing body of the fire department or district if the petition for reorganization specifies that the district board should be selected in the manner prescribed by subdivision (c) of Section 14051".

**Amendment No. 5**

On page 24 line 48, after the second "of", insert "three or".

**Amendment No. 6**

On page 24, line 48, after "directors", insert ", as prescribed in the petition for reorganization,".

**Amendment No. 7**

On page 24, line 49, strike out "3", and insert "4".

**Amendment No. 8**

On page 24, line 50, strike out "14041", and insert "14051".

**Amendment No. 9**

On page 24, line 50, strike out "general", and insert "district".

**Amendment No. 10**

On page 24, line 51, strike out "November", and insert "April".

**Amendment No. 11**

On page 24, line 51, after the second "the", insert "fire department or".

**Amendment No. 12**

On page 25, line 1, strike out "3", and insert "4".

**Amendment No. 13**

On page 25, line 34, strike out "Upon", and insert "The district board may on its own motion, or upon".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1074**—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Sections 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 3, line 3, of the printed bill, as amended in the Assembly on April 6, 1959, after "otherwise", insert a comma.

**Amendment No. 2**

On page 3, line 34, strike out "market", and insert "full cash".

**Amendment No. 3**

On page 4, line 16, strike out "or notice as", and insert "has".

**Amendment No. 4**

On page 4, line 17, strike out "or given during July".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 375**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1916**—An act to add Section 25210.78i to the Government Code, relating to county service areas.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, and to amend Sections 23010 1 and 38611 of the Government Code and Section 4050 of the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 6, lines 20 and 21, of the printed bill, as amended in the Assembly on April 13, 1959, strike out "and executive", and insert "a".

**Amendment No. 2**

On page 8, line 50, strike out "an executive", and insert ", if a".

**Amendment No. 3**

On page 8, line 51, after "secretary", insert "is appointed, the compensation of the secretary".

**Amendment No. 4**

On page 9, line 8, strike out "executive".

**Amendment No. 5**

On page 9, line 15, strike out "executive".

**Amendment No. 6**

On page 11, line 17, strike out "executive".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1401**—An act to add Section 43648.1 and 43652.2 to, and to amend Section 43652 of, the Government Code, relating to limited obligation bonds, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "43648.1 and 43652.2", and insert "43401 and 43648.1".

**Amendment No. 2**

In line 2 of the title, strike out "43652", and insert "43652.1".

**Amendment No. 3**

In line 3 of the title, after "bonds", insert "and the deposit and use of sales and use tax funds".

**Amendment No. 4**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 43401 is added to the Government Code, to read:

43401. All moneys received from sales and use taxes shall be paid into the general fund, or into such special fund or funds for such purpose or purposes as shall be established by ordinance.

SEC. 2. Section 43648.1 is added to said code, to read:".

**Amendment No. 5**

On page 1, strike out lines 11 to 18, inclusive, and insert

"SEC. 3. Section 43652.1 of said code is amended to read:

43652.1. Such bonds may be issued for the *acquisition,* installation, construction or improving of any or all works or improvements ~~mentioned in the Improvement Act of 1911~~ *of a public nature,* and the acquisition of lands and easements therefor, excepting those ~~mentioned in subdivisions (h), (i) and (l)~~ *for the supply or distribution of water, gas or electricity other than street lighting.*"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1149**—An act to amend Section 204 of the Labor Code, relating to payment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "on Friday", and insert "on days designated in advance by the employer as the regular pay days but not later than the seventh day following the end of the pay period in which the labor was performed".

Amendment No. 2

On page 1, line 15, strike out "or any agent of the employee".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 604**—An act to amend Sections 1172 and 1391 of the Labor Code, relating to the employment of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the period, and insert "who are engaged in agricultural work or the processing or packing of fruits or vegetables."

Bill ordered reprinted, engrossed, and to be filed, as amended, the subject matter to be referred to Rules Committee for assignment to proper interim committee.

**Assembly Bill No. 390**—An act to add Section 222 to the Revenue and Taxation Code, relating to the exemption of household furniture from taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "All household furniture", and insert "Household furniture up to the amount of five hundred dollars ($500)".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1729**—An act to add Part 20 (commencing at Section 37000) to Division 2 of the Revenue and Taxation Code, relating to the licensing of vending machines and the taxation of their ownership.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, strike out line 1, and insert "37003. (a) "Vending machine" and "machine" include every".

**Amendment No. 2**

On page 2, line 3, strike out "(a)", and insert figure "(1)".

**Amendment No. 3**

On page 2, line 4, after "thing", strike out "or".

**Amendment No. 4**

On page 2, line 5, strike out "(b)", and insert "(2)".

**Amendment No. 5**

On page 2, after line 10 insert

"(b) "Vending machine" and "machine" do not include any mechanical device the operation of which depends upon the insertion therein of a coin or other thing representative of value which provides a service of any kind, or any of the following mechanical devices the operation of which depends upon the insertion therein of a coin or other thing representative of value:

(1) Pay telephones.
(2) Pay toilets.
(3) Pay laundromats.
(4) Parking meters.
(5) Television and appliance pay meters.
(6) Gas or electric pay meters."

**Amendment No. 6**

On page 2, strike out lines 36 to 38, inclusive, and insert

"CHAPTER 2.5. EXEMPTIONS

37020. There is exempted from the provisions of this part the ownership of any mechanical device operated by a coin or other thing of value in the denomination or amount of not more than one cent ($0.01) which dispenses any thing other than amusement of any kind, music, or music and a moving picture, or a moving picture."

**Amendment No. 7**

On page 4, after line 21, insert

"37039. Nothing contained in this part shall permit the licensing or use of any vending machine for any purpose which is prohibited by any law of this State."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 2051**—An act to amend Sections 9, 10, 13.1, 13.4, and 13.5 of, and to add Sections 3.6 and 13.15 to, the Sonoma County Flood Control and Water Conservation District Act (Ch. 994, Stats. 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, lines 15 and 16, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "two thousand five hundred dollars ($2,500)".

**Amendment No. 2**

On page 2, strike out line 48, and insert "two thousand five hundred dollars ($2,500), without advertising".

**Amendment No. 3**

On page 3, strike out lines 4 to 7, inclusive.

**Amendment No. 4**

On page 5, lines 16 and 17, strike out "existing or authorized prior to such withdrawal", and insert "and discharge of contractual obligations existing or authorized prior to such withdrawal, except that land removed from one zone and attached to another zone pursuant to the authority of Section 13 15 of this act may be relieved of liability for assessment for discharge of contractual obligations other than bonded indebtedness of the zone from which said land is so removed by such boundary adjustment".

**Amendment No. 5**

On page 6, strike out lines 38 to 40, inclusive, and insert "this act notwithstanding any defect in or lack of ability to obtain such broad powers for such zones through said proceedings heretofore had; provided that the zone".

**Amendment No. 6**

On page 6, line 49, insert

"Zone No. 1-A, Laguna-Mark West. That land within the County of Sonoma, State of California, comprising and contained within substantially all of the watershed tributary to the Russian River through Mark West Creek and/or the Laguna de Santa Rosa together with certain neighboring closely abutting land thereto, said zone being more particularly described in "Sonoma County Flood Control and Water Conservation District, Zone No. 1-A, Laguna-Mark West" description of boundaries recorded in the office of the County Recorder of Sonoma County in Official Records Book 1662 beginning at page 3, Sonoma County Records.

Zone No. 2-A, Petaluma Basin. That land within the County of Sonoma, State of California, comprising and contained within substantially all of the watershed tributary to San Pablo Bay through Petaluma Creek otherwise known as Petaluma River together with certain neighboring closely abutting land thereto, said zone being more particularly described in "Sonoma County Flood Control and Water Conservation District, Zone No. 2-A, Petaluma Basin" description of boundaries recorded in the office of the County Recorder of Sonoma County in Official Records Book 1662 beginning at page 8, Sonoma County Records.

Zone No. 5-A, Lower Russian River. That land within the County of Sonoma, State of California, comprising and contained within substantially all of the watershed tributary to the Russian River downstream from State Highway 101 bridge at Healdsburg together with certain neighboring closely abutting lands thereof excluding the lands tributary to the Russian River through Mark West Creek and Laguna de Santa Rosa and through Dry Creek, said zone being more particularly described in "Sonoma County Flood Control and Water Conservation District, Zone No. 5-A, Lower Russian River" description of boundaries recorded in the office of the County Recorder of Sonoma County in Official Records Book 1662 beginning at page 14, Sonoma County Records.

Zone No. 7-A, North Coastal. Substantially all of the watershed tributary directly to the Pacific Ocean which lies within the County of Sonoma, State of California, northerly of the mouth of the Russian River together with certain neighboring closely abutting land thereto but excluding substantially all land tributary to the Russian River, said zone being more particularly described in "Sonoma County Flood Control and Water Conservation District, Zone No. 7-A, North Coastal" description of boundaries recorded in the office of the County Recorder of Sonoma County in Official Records Book 1662 beginning at page 19, Sonoma County Records.

Zone No. 8-A, SouthCoastal. Substantially all of the watershed tributary directly to the Pacific Ocean which lies within the County of Sonoma, State of California, southerly of the mouth of the Russian River together with certain neighboring closely abutting land thereto but excluding substantially all land tributary to the Russian River, said zone being more particularly described in "Sonoma County Flood Control and Water Conservation District, Zone No. 8-A, South Coastal" description of boundaries recorded in the office of the County Recorder of Sonoma County in Official Records Book 1662 beginning at page 21, Sonoma County Records.

In connection with each of the foregoing zones, the board of directors of Sonoma County Flood Control and Water Conservation District may by resolution, upon certification of the chief engineer of said district to the effect that fifty percent (50%) or more of the area of a particular parcel of land in one ownership lies within another of the foregoing zones instead of the zone within which it has theretofore been contained and upon request for adjustment of zone boundaries made by the owners of record of such parcel, subdivide said parcel and appropriately adjust the boundaries of said zones to include within each the land lying within the principal watersheds thereof or transfer the entire parcel into the zone within which more than fifty percent (50%) of the area of such parcel is contained notwithstanding any other provision of this act

In connection with each of the foregoing zones, the board of directors of Sonoma County Flood Control and Water Conservation District may by resolution, upon certification of the chief engineer of said district to the effect that all of the area of a particular parcel of land in one ownership lies outside of the watershed of the zone within which it is contained and upon request of the owner of record thereof that said land be excluded from such zone, exclude said land from said zone notwithstanding any other provision of this act."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1726**—An act to amend Section 26108 of the Government Code, relating to compensation and traveling expenses of the members of a county board of trade or county chamber of commerce.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "commerce", insert "established under Section 26104".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1173**—An act to amend Sections 19485, 19485.1, 19597, 19620.1 and 19627, and to repeal Section 19627.1, of the Business and Professions Code, relating to revenue derived from horse racing, to take effect immediately.

Bill read second time, and ordered engrossed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 428**—An act to amend Section 702 of the Military and Veterans Code, relating to salaries and expenses of the Division of Farm and Home Purchases, Department of Veterans Affiars.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 174**—An act to add Section 2351 to the Agricultural Code, relating to deposit of funds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 400**—An act to add Section 5132 to the Agricultural Code, relating to the investment of moneys collected pursuant to the California Beef Council Law.

Bill read second time, and ordered to third reading.

**Senate Bill No. 558**—An act to amend Section 346 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 390**—An act to repeal Section 12970 of, to amend Sections 12973 and 12973.5 of, and to add Sections 12970 and 12970.1 to, the Insurance Code, relating to fees charged by the Insurance Commissioner.

Bill read second time, and ordered to third reading.

**Senate Bill No. 343**—An act to amend Section 8046 of the Fish and Game Code, relating to privilege taxation of commercial fish packers and processors.

Bill read second time, and ordered to third reading.

**Senate Bill No. 105**—An act to amend Section 21880 of, and to add Sections 21822, and 21880.5 to, the Business and Professions Code, relating to brake fluid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 4, 1959, strike out "Section 21880", and insert "Sections 21822 and 21880".

**Amendment No. 2**

In lines 1 and 2 of the title, strike out "Sections 21822, and", and insert "Section".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 141**—An act to amend Section 6 of the Del Norte County Flood Control District Act (Chapter 166 of the Statutes of 1955), relating to the powers of the Del Norte County Flood Control District.

Bill read second time, and ordered to third reading.

**Senate Bill No. 284**—An act to amend Section 27641 of the Government Code, relating to the county counsel.

Bill read second time, and ordered to third reading.

**Senate Bill No. 359**—An act to amend Section 19 of the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of 1952 First Extraordinary Session), relating to annexation of land to the Vallejo Sanitation and Flood Control District, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 521**—An act to amend Section 27281 of the Government Code, relating to documents to be recorded.

Bill read second time, and ordered to third reading.

**Senate Bill No. 581**—An act to amend Sections 55632 and 55634, and to repeal Section 55633 of the Government Code, relating to supplementary fire and police protection.

Bill read second time, and ordered to third reading.

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, line 40, of the printed bill, after "uses", insert "or for religious ceremonies".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 493**—An act to amend Section 1696 3 of the Labor Code, relating to transportation of farm laborers.

Bill read second time, and ordered to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1664, 1666, 1774,** and **244.**

### ASSEMBLY BILL NO. 156 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 156,** on request of Mr. Biddick.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE CONTINUED

Mr. Masterson was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 520 from the Committee on Social Welfare be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1152 WAIVED

Mr. Meyers waived his motion to reconsider the vote whereby Assembly Bill No. 1152 was passed.

Assembly Bill No. 1152 ordered transmitted to the Senate.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 654**—An act to amend Section 74641 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 654?

**Amendment No. 1**

In line 1 of the designation of authors in the heading of the printed bill, after "Holmes", insert "(Senator Hollister, co-author)".

The Assembly concurred in Senate amendment to Assembly Bill No. 654 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 654 ordered enrolled.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 419 CONTINUED

Mr. Bruce F. Allen was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 419 be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1759 CONTINUED

Mr. Hawkins was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1759 be continued until the next legislative day.

### MOTION TO RECONSIDER SENATE BILL NO. 177

In compliance with a motion given on a previous day, Mr. Bradley moved that the vote whereby Senate Bill No. 177 was passed be reconsidered.

Senate Bill No. 177 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Senate Bill No. 177 ordered to third reading.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 487 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 487 be continued until the next legislative day.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1715**—An act to repeal Section 13363 of, and to add Section 13363 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to conviction of a traffic offense in another state.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1067**—An act to add Section 1958 to the Government Code, relating to the insuring of peace officers.

Bill read third time.

#### Motion to Re-refer to Committee

Mr. Beaver moved that the bill be re-referred to the Committee on Municipal and County Government.

Mr Dahl seconded the motion.

**Demand for Previous Question**

Messrs. Burton, Luckel, Johnson, Holmes, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Beaver moved a call of the Assembly.

Mr. Burke seconded the motion.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1824**—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1284**—An act to add Section 2181.06 to the Welfare and Institutions Code, relating to old age assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1747**—An act to amend Section 9006 of the Welfare and Institutions Code, relating to community mental health services.

Bill read third time.

**Motion to Amend**

Mr. McCollister moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, after line 16, of the printed bill, as amended in the Assembly on April 13, 1959, insert

"The chairman of a board of supervisors may designate a member of the board of supervisors to serve in his stead as a member of the advisory board."

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and to retain its place on file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 187

By Messrs. Winton and Sumner:

**House Resolution No. 187**

Relative to memorial or congratulatory resolutions

*Resolved by the Assembly of the State of California*, That Rule 81.5 be added to the Permanent Standing Rules of the Assembly, to read:

81.5. With the exception of resolutions relating to Members or former Members of the Legislature, no Member shall introduce more than two resolutions in any session which are for the purpose of commendation or congratulation of any person or organization or for the purpose of expressing sympathy, regret, or sorrow upon the death of any person. Resolutions introduced prior to the effective date of this rule shall not be counted in computing whether the limitations imposed by this rule have been reached or exceeded.

Resolution read.

**Demand for Previous Question**

Messrs. Crawford, Schrade, Luckel, Ernest R. Geddes, and House demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote:

AYES—Don A. Allen, Bee, George E. Brown, Busterud, Coolidge, Dahl, Davis, DeLotto, Garrigus, Grant, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Miller, Munnell, Petris, Rees, Rumford, Sumner, Thelin, Unruh, Winton, and Mr. Speaker—25.

NOES—Bruce F. Allen, Backstrand, Belotti, Britschgi, Burke, Burton, Cameron, Chapel, Collier, Crawford, Cusanovich, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, O'Connell, Porter, Reagan, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—45.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 269 was taken up.

**Assembly Bill No. 269**—An act to add Section 502.2 to the Vehicle Code, and Section 23102.2 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to chemical tests of vehicle drivers for intoxication.

Bill read third time.

**Speaker pro Tempore Presiding**

At 11.20 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Motion to Grant Extra Time for Debate**

Mr. Bradley moved that Mr. Francis be granted five minutes additional time for debate.

Mr. Britschgi seconded the motion.

Motion lost.

The question being on the passage of the bill.

**Motion to Re-refer to Committee**

Mr. Crawford moved that the bill be re-referred to the Committee on Criminal Procedure.

Mr. Petris seconded the motion.

**Speaker Presiding**

At 11.43 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Hanna, Schrade, Luckel, Unruh, and Munnell demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

Motion carried by the following vote:

AYES—Don A. Allen, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burton, Cameron, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.

NOES—Bruce F. Allen, Bane, Biddick, Bradley, Burke, Busterud, Chapel, Conrad, Coolidge, Francis, Garrigus, Ernest R. Geddes, Johnson, Lanterman, Lowrey, Mulford, Reagan, Schrade, Shell, and Thelin—20.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 1067

At 12.46 p.m., Mr. Beaver moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and the motion that Assembly Bill No. 1067 be re-referred to the Committee on Municipal and County Government lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, DeLotto, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Holmes, Johnson, Lanterman, Levering, Lowrey, Lunardi, McCollister, Mulford, Nisbet, Pattee, Porter, Reagan, Sedgwick, Shell, Sumner, Thelin, Williamson, and Winton—37.

NOES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Davis, Dills, Donahoe, Elliott, Francis, Gaffney, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Z'berg—40

**Further Consideration of Assembly Bill No. 1067**

The question being on the passage of Assembly Bill No. 1067.

**Demand for Previous Question**

Messrs. Hegland, Schrade, Crawford, Masterson, and Unruh demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Don A. Allen, Bane, Belotti, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Elliott, Francis, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, MacBride, Masterson, Meyers, O'Connell, Petris, Rumford, Thomas, Waldie, Williamson, George A. Willson, and Mr. Speaker—26.

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, McMillan, Mulford, Munnell, Nisbet, Pattee, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Charles H. Wilson, Winton, and Z'berg—47.

### Motion to Reconsider Assembly Bill No. 1067

Mr. O'Connell moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1067 was this day refused passage.

### Motion to Take Up Reconsideration

Mr. Bradley moved that the motion to reconsider Assembly Bill No. 1067 be taken up, at this time.

Motion lost by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Donahoe, Frew, Gaffney, Garrigus, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Lunardi, Marks, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—41.

NOES—Bane, Belotti, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, DeLotto, Elliott, Francis, Samuel R. Geddes, Hawkins, Kilpatrick, Luckel, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—33.

Assembly Bill No. 1067 and the motion to reconsider ordered to the unfinished business file.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2237

Mr. Lowrey was granted unanimous consent that Assembly Bill No. 2237 be withdrawn from the Committee on Livestock and Dairies, and re-referred to the Committee on Agriculture.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1826 FROM COMMITTEE

Mr. Biddick was granted unanimous consent that Assembly Bill No. 1826 be withdrawn from the Committee on Fish and Game for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1826

**Assembly Bill No. 1826**—An act to add Article 4 (commencing at Section 7350) to Chapter 2, Part 2, Division 6 of the Fish and Game Code, relating to the use of minnows, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 6, of the printed bill, after "species", insert ", except carp,".

Amendment No. 2

On page 1, strike out line 9, and insert "in which they are native population, except as provided in subdivision (e) of Section 5.2 of Title 14 of the California Administrative Code, as of January 1, 1959."

Amendment No. 3

On page 1, after line 20, insert

"SEC. 3. This act shall be operative from May 1, 1959, to October 31, 1961, inclusive, and thereafter shall have no force or effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 1826

Mr. Biddick asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1826.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1268 FROM COMMITTEE

Mr. Hanna was granted unanimous consent that Assembly Bill No. 1268 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1268

**Assembly Bill No. 1268**—An act to amend Section 1193 1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Motion to Amend

Mr. Hanna moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, strike out line 27, and insert "ment".

Amendment No. 2

On page 2, line 29, strike out "particular portion of the work", and insert "completed subcontract"

Amendment No. 3

On page 2, lines 33 and 34, strike out "labor or the furnishing of materials, or both, for such portion of the work", and insert "the subcontract".

Amendment No. 4

On page 2, strike out line 38, and insert "subcon-"

Amendment No. 5

On page 2, lines 50 and 51, strike out "particular portion of the original contract covered by said direct contract", and insert "subcontract".

Amendment No. 6

On page 3, lines 20 and 21, strike out "particular portions of a work of improvement", and insert "a subcontract"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

## VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 1067

Mr. Johnson was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1067.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 375
Assembly Bill No. 1104
Assembly Bill No. 1173
Assembly Bill No. 1176
Assembly Bill No. 1916

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1144
Assembly Bill No. 1998
Assembly Bill No 2049

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2031

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1145

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 117**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control;

**Assembly Bill No. 153**—An act to amend Section 10493 of the Insurance Code, relating to insurance for participants in municipal playground activities;

**Assembly Bill No. 168**—An act to amend Section 352 of the Code of Civil Procedure, relating to the statute of limitations;

**Assembly Bill No. 208**—An act to add Sections 13001.6 and 13831.2 to, and to repeal Sections 13831.2, 13831.3, 13831.4 and 13831.5 of, the Education Code and to add Sections 13254.5 and 13513 to, and to repeal Sections 13513, 13514, 13515 and 13516 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the employment of teachers by school districts, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 490**—An act to amend Sections 2804, 2808 and 2810 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931;

**Assembly Bill No. 495**—An act to amend Section 9535 of the Education Code, and amend Section 8801 of the Education Code as proposed by Senate Bill No. 2, relating to county school service fund library services;

**Assembly Bill No. 533**—An act to amend Section 1225 of the Government Code, relating to the authority of legislators to administer and certify oaths;

**Assembly Bill No. 683**—An act to add Section 1744.1 to the Code of Civil Procedure, relating to children's courts of conciliation;

**Assembly Bill No. 718**—An act to amend Sections 9107, 9108, 9109, 9134 and 10246, and to repeal Sections 9131, 9132 and 9133 of the Government Code, relating to legislative organizations and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 965**—An act to amend Section 1592 of the Insurance Code, relating to alien insurers;

**Assembly Bill No. 966**—An act to amend Section 11624 of, and to add Section 11624.5 to, the Insurance Code, relating to commissions on insurance placed with the California Automobile Assigned Risk Plan, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1235**—An act to amend Sections 9750, 9754.1, 9755, 9756, 9760, 9801, 9850, 9912, 11101, 11119 and 11120 of, the Elections Code, relating to municipal elections;

**Assembly Bill No. 507**—An act to amend Section 4902.05 of, and to repeal Section 4902.1 of, the Education Code; and amend Section 3113 of, and to repeal Section 3117 of, the Education Code as proposed by Senate Bill No. 2, relating to the reorganization of school districts;

**Assembly Bill No. 566**—An act to amend Sections 3632 and 3672 of the Corporations Code, relating to amendments to articles of incorporation;

**Assembly Bill No. 613**—An act to amend Sections 28156 and 28156.1 of the Government Code, relating to compensation for public service in counties of the fifty-sixth class;

**Assembly Bill No. 837**—An act to amend Sections 16771 and 16772 of the Government Code, relating to state bonds;

**Assembly Bill No. 877**—An act to amend Labor Code Section 101, relating to payment of court costs by the Division of Labor Law Enforcement;

**Assembly Bill No. 893**—An act to amend Section 14736 of the Education Code, and amend Section 14674 of the Education Code as proposed by Senate Bill No. 2, relating to district retirement boards;

**Assembly Bill No. 1254**—An act to amend Section 1053 of the Fish and Game Code, relating to duplicate licenses;

**Assembly Bill No. 1255**—An act to amend Section 16731 of the Government Code, relating to the registration of state bonds;

**Assembly Bill No. 1263**—An act to amend Section 5252 of the Financial Code, relating to actions by the Savings and Loan Commissioner on applications filed with him, and declaring the urgency therof, to take effect immediately,

And reports the same correctly enrolled, and presented to the Governor on the twentieth day of April, 1959, at 10 a.m.

BURKE, Chairman

## SENATE BILL NO. 360 RE-REFERRED TO COMMITTEE

Speaker Brown ordered **Senate Bill No. 360** re-referred to the Committee on Judiciary—Civil.

## ADJOURNMENT

At 12.06 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 21, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

### 1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

**SIXTY-NINTH LEGISLATIVE DAY**

**SEVENTY-SEVENTH CALENDAR DAY**

**(Saturdays and Sundays Excepted)**

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, April 21, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Help us, O God,* "It just won't come right." We have often said so, seeking words to match our thoughts. So it is, even with this prayer. So it is with the first draft of bills, with amendments, and yet the laws are not all that we would like them to be. "It just won't come right," we have said looking at the affairs of State, Nation, and the world. Remind us, our Father, that as Thy spirit strives to make our lives and hearts more perfect, that even Thou dost find that "It just won't come right." That explains so much. God, help us, each one, to become right within.—AMEN.

**Chief Clerk Arthur A. Ohnimus at the Desk**

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Winton, seconded by Mr. DeLotto.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for a part of the day, in order to appear before Senate committees, and present their bills:

Mr. Pattee, on his own request.
Mr. Mulford, on his own request.
Mr. Backstrand, on request of Speaker Brown.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Reagan, on motion of Mr. Shell.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Water Resources Bulletin No. 70—Orange County Land and Water Use Survey, 1957

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, April 17, 1959

*Hon. Arthur A. Ohnimus*
*Clerk of the Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: I have the honor to transmit herewith for the information of the California State Assembly, Department of Water Resources Bulletin No. 70, entitled "Orange County Land and Water Use Survey, 1957", dated January, 1959.

Orange County is experiencing a rapid growth in population and a corresponding transformation from an agricultural to an urban economy. The Department of Water Resources, under its responsibility to carry on continuing investigations of the water problems of the State, has analyzed the effect of this changing economy on Orange County's water requirements.

With Southern California's economy closely geared to available water supplies, inventories such as the one presented in this report are playing an increasingly important role. The data derived from this and other land and water use surveys are fundamental to determining the time when additional water supplies will be needed and the planning and construction of projects to assure the satisfaction of these water demands.

Sincerely,

HARVEY O. BANKS, Director

Attach.

Above transmitted report referred to the Committee on Water.

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The following communication was presented by the Speaker, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION
STATE CAPITOL, SACRAMENTO, April 20, 1959

*Speaker of the Assembly*
*Assembly Chamber*
*State Capitol, Sacramento*

DEAR SIR: The following named person is eligible for accreditation as a representative of the radio-television at the 1959 General Session of the Legislature:

KCRA-TV: Edward L. Sweetman

SQUIRE BEHRENS, President
Capitol Correspondents Association

## CONFIRMATION OF RADIO-TELEVISION REPRESENTATIVE

By unanimous consent, the representative of radio-television, as recommended by the Capitol Correspondents Association of California, was confirmed.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

### Letter of Transmittal

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
OFFICE OF THE SECRETARY AND TREASURER
April 20, 1959

*The Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR SPEAKER BROWN: Pursuant to your request, I am sending you copies of the resolution adopted by the State Board of Education and The Regents of the University of California, meeting in joint session on April 15, 1959, setting forth "Joint Board Policies Relative to New Campuses."

Sincerely,

ROBERT M. UNDERHILL

### Resolution of State Board of Education and the Regents of the University of California

April 15, 1959

### Joint Board Policies Relative to New Campuses

WHEREAS, By legislative and other official action, additional campuses of higher education have been approved for state colleges in Alameda, Stanislaus, Orange, and North Bay counties, and for University campuses in San Diego, Southeast Los Angeles-Orange and South Central Coast counties; and

WHEREAS, The present fiscal condition of the State threatens delay in providing expansion of facilities and institutions necessary to accomodate the projected enrollments for state-supported higher education in California; and

WHEREAS, Protracted delay in beginning these new centers will force upon existing institutions excessive congestion and over-expansion and will deprive qualified young Californians of a full measure of learning and student life; therefore, be it

*Resolved*, That the joint boards declare that:

(1) The new campuses already approved for the state colleges and the University should be placed in operation as soon as the fiscal condition of the State will permit;

(2) The boards will continue, both individually and jointly through the Liaison Committee, to re-assess "priorities for the establishment of new public institutions" as provided in the resolution adopted by the State Board of Education on December 17, 1958, and by The Regents of the University of California on December 19, 1958;

(3) For new campuses both already approved and to be approved in the future, the State should adopt a policy of early site acquisition for those assigned the highest priority in order to make possible proper community planning, to forestall high acquisition costs, and to avoid delays after construction money becomes available;

(4) No new state colleges or campuses of the University, other than those already approved, shall be established until adequate Junior College facilities have been provided, the determination of adequacy to be based on studies made under the direction of the Liaison Committee of the State Board of Education and The Regents of the University of California;

(5) (a) The principles enunciated on pages v and vi of the *Study of the Need for Additional Centers of Public Higher Education in California*, approved by both boards, shall continue to be accepted as a basis for further planning by both boards; (copy of these principles attached to this resolution).

(b) These principles and any subsequent modifications approved by both boards shall guide each board in determining priorities for new campuses and the timetable for future acquisition of sites;

(c) No new campus for the state colleges or for the University of California, other than those already approved, shall be established without prior approval of both boards;

(d) The Governor and the State Legislature be requested to approve only those bills and appropriation items which conform to this understanding.

(6) Following the submission to the Legislature of the master plan for higher education in California, to be prepared in accordance with Assembly Concurrent Resolution No. 88, if enacted in the 1959 Regular Session of the Legislature, the above agreements shall be re-appraised by The Regents and the State Board of Education.

(SEAL)

Attest:
ROBERT M. UNDERHILL
Secretary of The Regents of the
University of California

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 109**: By Mr. Frew—Approving an amendment to the charter of the City of Porterville, a municipal corporation in the County of Tulare, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1959.

Referred to Committee on Rules.

**Assembly Bill No. 2567**: By Messrs. Cameron and Munnell—An act to add Section 7745.5 to the Education Code, and to add Section 19630.5 to the Education Code as enacted at the 1959 Regular Session, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Assembly Bill No. 2568**: By Mr. Kilpatrick (By request of Los Angeles County Counsel)—An act to amend Sections 1505, 1541, 1562, 1564, and 1571 of the Military and Veterans Code, relating to disaster preparedness and relief.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2569**: By Messrs. O'Connell, Charles H. Wilson, Elliott, and Hawkins—An act to add Section 119.7 to the Welfare and Institutions Code, relating to county welfare directors.

Referred to Committee on Social Welfare.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Constitutional Amendment No. 26
Assembly Constitutional Amendment No. 33

With the recommendation: Be adopted.

PORTER, Chairman

Above resolutions ordered engrossed.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1787

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 757

With amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 990
Assembly Bill No. 1730

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1433

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1747

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1471
Assembly Bill No. 1733
Assembly Bill No. 1931
Assembly Bill No. 1999

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1191
Assembly Bill No. 1697
Assembly Bill No. 1698
Assembly Bill No. 1956

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1826

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Fish and Game.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 863

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, April 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 35

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, April 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 13
Senate Bill No. 241
Senate Bill No. 271
Senate Bill No. 351
Senate Bill No. 393
Senate Bill No. 426
Senate Bill No. 427
Senate Bill No. 432
Senate Bill No. 533
Senate Bill No. 623
Senate Bill No. 628
Senate Bill No 637
Senate Bill No. 694
Senate Bill No. 728
Senate Bill No. 741
Senate Bill No. 753
Senate Bill No. 774
Senate Bill No. 790
Senate Bill No. 899
Senate Bill No. 905
Senate Bill No. 956
Senate Bill No. 971

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 13**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 241**—An act to amend and renumber Section 2047 of the Penal Code, relating to rules and regulations governing conduct of prisoners.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 271**—An act to add Sections 24100 1, 24101.2, 24101.3 and 24101.4 to, and to amend Section 24108 of the Health and Safety Code, relating to health, sanitation, and safety in water sports and recreation.

Referred to Committee on Public Health.

**Senate Bill No. 351**—An act to repeal Article 4, comprising Sections 1154 to 1164, inclusive, of Chapter 3, Title 4, Part 4, Division 2 of the Civil Code, and to add Article 4, comprising Sections 1154 to 1165, inclusive, to Chapter 3, Title 4, Part 4, Division 2 of the Civil Code, relating to gifts of money and securities to minors.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 393**—An act to amend Section 28361 of the Health and Safety Code, relating to canneries.

Referred to Committee on Public Health.

**Senate Bill No. 426**—An act to amend Section 16111 of the Education Code, and Section 10652 of the Education Code as proposed by Senate Bill No. 2, relating to tuition fees for veterans' children.

Referred to Committee on Education.

**Senate Bill No. 427**—An act to amend Sections 890, 891, 894 and 895 of, and to add Section 896.1 to the Military and Veterans Code, relating to educational assistance to veterans' dependents.

Referred to Committee on Education.

**Senate Bill No. 432**—An act to add Section 996.21 to the Military and Veterans Code, relating to facilities and buildings of the Department of Veterans Affairs.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 533**—An act to add Sections 7307.5 and 7372.5 to the Business and Professions Code, relating to cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 623**—An act to amend Sections 20040, 20081, 20082, 20083, 20085 and 20086 of, to repeal Section 20084 of, and to add Sections 20082.5 and 20084 to, the Water Code, relating to supervision of districts.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 628**—An act to amend Section 8952 of, and to add Section 8953 to, the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 637**—An act to add Section 1241.7 to the Water Code, relating to water appropriated for gold mining purposes.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 694**—An act to amend Section 3358 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to charges for use of school property.

Referred to Committee on Education.

**Senate Bill No. 728**—An act to add Section 11689 to the Health and Safety Code, relating to evidence in criminal actions and proceedings involving narcotic laws.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 741**—An act to add Section 804.2 to the Agricultural Code, relating to shipment of pears outside the State.

Referred to Committee on Agriculture.

**Senate Bill No. 753**—An act to add Section 12707.6 to the Business and Professions Code, relating to public weighmasters.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 774**—An act to amend Section 9102 of the Government Code, relating to legislative offices.

Referred to Committee on Rules.

**Senate Bill No. 790**—An act to amend Section 2245.5 of the Business and Professions Code, relating to prechiropody education of applicants for chiropodist's certificates.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 899**—An act to amend Section 13444 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to dismissal of school district employees.

Referred to Committee on Education.

**Senate Bill No. 905**—An act to amend Sections 445 and 531 of, and to add Sections 531.1 and 1061.1 to, the Revenue and Taxation Code all relating to property taxation and providing for the assessment of property.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 956**—An act to amend Section 1421 of the Health and Safety Code, relating to hospitals and nursing homes.

Referred to Committee on Public Health.

**Senate Bill No. 971**—An act to amend Section 1352 of the Labor Code, relating to hours of employment of women and minors.

Referred to Committee on Industrial Relations.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 26
Assembly Constitutional Amendment No. 33
And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2083
Assembly Bill No. 2020
With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Senate Bill No. 507
With the recommendation: Do pass, as amended.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 2105
Assembly Bill No. 1564
Assembly Bill No. 2081
Assembly Bill No. 2082
Assembly Bill No. 2156
Assembly Bill No. 2157

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 681
Senate Bill No. 305

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 72

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1997

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering appropriate action taken on all bills on the Assembly and Senate second reading files.

## MOTION

Mr. Marks moved that appropriate action be deemed taken on all bills on the Assembly and Senate second reading files.

Mr. Gaffney seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 94, 1130, 1487, 1488, 468, 1620, 2002, 919, 1401, 2051** and **1726.**

**Senate Bill No. 105.**

Assembly Bills Nos. 94, 1620, 2002, 1401, 2051, and 1726 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 1130, 468, 919, subsequent to re-engrossment.

Assembly Bills Nos. 1487 and 1488 ordered to the Consent Calendar, subsequent to re-engrossment.

Assembly Bill No. 2051 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bill No. 105 ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means.

**Assembly Bill No. 94**, subsequent to engrossment.

**Assembly Bills Nos. 468** and **919**, subsequent to re-engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE CONTINUED

Mr. Masterson was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 520 from the Committee on Social Welfare be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 419

In compliance with a motion given on a previous day, Mr. Bruce F. Allen moved that the vote whereby Assembly Bill No. 419 was passed be reconsidered.

#### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Is it the ruling of the Chair that a member can be recognized at a specific time?

#### Reply by Speaker

The Speaker replied that the members are listed in the order that they make their requests, and that a member can, upon request, be placed at the bottom of the list, but that no member can expect to be recognized at a specific time.

#### Demand for Previous Question

Messrs. Charles H. Wilson, Ernest R. Geddes, Burke, Luckel, and House demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Mr. Lanterman seconded the motion.

Motion carried. Time, 10.20 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Ernest R. Geddes moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Winton seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 812**—An act to amend Section 35541 of the Health and Safety Code, and to amend Section 2 of Chapter 1246, Statutes 1955, relating to temporary housing projects.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 812?

#### Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 6, 1959, strike out "said code", and insert "the Health and Safety Code".

The Assembly concurred in Senate amendment to Assembly Bill No. 812 by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Munnell, O'Connell, Rees, Rumford, Schrade, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 812 ordered enrolled.

**Assembly Bill No. 1073**—An act to amend Section 190 of the Streets and Highways Code, relating to the allocation of funds to grade separation projects, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1073?

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 20, 1959, after "projects", insert "declaring the urgency thereof, to take effect immediately".

#### Amendment No. 2

On page 3, after line 7, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There are within this State numerous streets and highways which cross railroad tracks at extremely dangerous and hazardous points. At such points the construction of railway grade separation structures, by their very nature and purpose a safety device, would result in the saving of life and property. The value of human life, the suffering of injured persons, and damage to property requires that these projects not be delayed. This act would facilitate the construction of such grade crossing projects."

Senate amendments read.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

The question being: Shall the Assembly concur in the Senate amendments?

The Assembly concurred in Senate amendments to Assembly Bill No. 1073 by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 1073 ordered enrolled.

### Name Placed Upon Roll Call

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause in the Senate amendments to Assembly Bill No. 1073.

## CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2034**—An act to amend Section 16023 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to deposit of security following a vehicle accident.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 964**—An act to repeal Sections 1653 and 1654 of the Insurance Code, as enacted by the Legislature at the 1959 Regular Session, relating to producers' licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1084**—An act to amend Section 14376 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the employment after retirement of certificated employees by school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1770**—An act to add Section 34704.1 to the Water Code, relating to officers of California water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 959**—An act to amend Section 18941 of the Government Code, relating to nonsalaried assistants to the State Personnel Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1652**—An act to amend Section 17829 of the Health and Safety Code, relative to housing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1909**—An act to amend Section 740 of the Welfare and Institutions Code, relating to care of wards of the juvenile court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1914**—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1887**—An act to amend Section 103.1 of the welfare and Institutions Code, relating to the administration of public assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1901**—An act to add Section 2180.7 to the Welfare and Institutions Code, relating to applicants for Old Age Security.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1902**—An act to add Section 3082.2 to the Welfare and Institutions Code, relating to applicants for aid to needy blind.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 925**—An act to amend Section 1557.1 of the Probate Code, relating to the purchase of realty.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1155**—An act to add Section 1953f.5 to the Code of Civil Procedure, relating to competency of business records as evidence.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1269**—An act to add Section 337a to the Code of Civil Procedure, relating to the statute of limitations on certain types of contracts and book accounts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1302**—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72705, 72705.5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1356**—An act to amend Sections 72640, 72645, 72646, 72647, 72649, and 72650 of the Government Code, relating to the office of marshal of municipal courts, Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes,

Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1387**—An act to add Section 3448 to Title 3, Part 2, Division 4 of the Civil Code, relating to assignments for the benefit of creditors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1491**—An act to add Section 169.2 to the Civil Code, relating to earnings and accumulations after an interlocutory judgment of divorce.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1493**—An act to amend Section 1032.5 of the Code of Civil Procedure, relating to jury expenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1497**—An act to amend Section 71085 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1519**—An act to amend Section 29320 of the Government Code, relating to a revolving fund for the superior court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1584**—An act to add Section 555 to the Probate Code, relating to deposits of money in lieu of bonds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson. Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1585**—An act to add Section 771.5 to the Probate Code, relating to the sale of subscription rights without prior court approval.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1586**—An act to amend Sections 676, 677 and 680½ of the Code of Civil Procedure, relating to undertakings in actions to set aside fraudulent transfers and conveyances.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1782**—An act to amend Section 74642, to amend and renumber Sections 74643 and 74644, and to add Section 74644.1 to, the Government Code, relating to the municipal court established in a district embracing the City of Santa Barbara.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1250**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1797**—An act to add Section 320 to the Agricultural Code, and Section 26528 to the Health and Safety Code, relating to illegal possession or use of sulfur dioxide.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1456**—An act to amend Sections 5901 and 5931 of the Elections Code, relating to absent voters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1503**—An act to add Section 376 to the Elections Code, relating to voter statistics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1589**—An act to add Section 665.5 to the Elections Code, relating to election procedure.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1982**—An act to amend Sections 7203 and 7211 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1986**—An act to amend Section 27201 of, and to add Section 27201.5 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county librarians.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1989**—An act to amend Section 27401 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to municipal libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 380**—An act to repeal Articles 3 (commencing at Section 7751), 4 (commencing at Section 7771), and 5 (commencing at Section 7901) of Chapter 4, Part 3, Division 6 of, and Section 7994 of, the Public Resources Code, relating to state lands

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 381**—An act to repeal Section 6210.6 of the Public Resources Code, relating to the granting of rights-of-way for roads and highways over public lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 382**—An act to amend Section 6210.4a of the Public Resources Code, relating to conveyances of state lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 383**—An act to amend Section 7705 of, and to repeal Sections 7701, 7702, 7703, 7704, 7720, 7721, and 7722 of the Public Resources Code, relating to state lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 384**—An act to amend Sections 6505.5 and 6509 of the Public Resources Code, relating to leases of public lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 385**—An act to repeal Sections 7726, 7727, and 7728 of, and to amend Section 7729 of, the Public Resources Code, relating to state lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 104**—An act to amend Sections 5001, 5002, 5003, 5009, 5100, and 5102 of, and to amend and renumber Sections 5015, 5016, 5017, 5018, 5018.5, 5019, 5020, 5020.5, 5021, 5022, 5030, 5031, 5032, 5033, 5033.5, 5034, 5050, 5051, 5052, 5053, 5054, 5060, 5061, 5062, 5063, 5063.5, 5064, 5065, 5066, 5080, 5080.5, 5081, 5083, 5090, 5091, 5092, 5093, 5094, 5095, 5096, 5097, 5098, 5104, 5105, 5106, 5107, 5108, 5115, 5116, 5117, 5130, 5131, 5132, and 5133 of, and to add Sections 5031, 5032, 5033, 5034, 5035, 5053, 5054, 5073, 5075, 5076, 5084, and 5088 to, and the titles of Article 2 (commencing at Section 5030), Article 3 (commencing at Section 5050), Article 4 (commencing at Section 5070), Article 5 (commencing at Section 5080), Article 6 (commencing at Section 5100), Article 7 (commencing at Section 5120), and Article 8 (commencing at Section 5130), to Chapter 1 of Division 3 of, and to repeal Sections 5082, 5082.5, and 5082.6 of, and the titles of Article 2 (commencing at Section 5015), Article 3 (commencing at Section 5030), Article 4 (commencing at Section 5050), Article 5 (commencing at Section 5060), Article 6 (commencing at Section 5080), Article 7 (commencing at Section 5090), Article 8 (commencing at Section 5100), Article 9 (commencing at Section 5115), Article 10 (commencing at Section 5130) of Chapter 1 of Division 3 of, the Business and Professions Code, relating to accountants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 265**—An act to amend Section 1744 of the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 280**—An act to amend Section 1219.5 of the Agricultural Code, to amend Section 6062 of the Harbors and Navigation Code, to amend Sections 5740.19 and 5790.26 of the Health and Safety Code, and to amend Section 2354.1 of the Welfare and Institutions Code, relating to the keeping of business records by public accountants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 356**—An act to amend Sections 2054 and 2073 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 347**—An act to add Section 125b to the Code of Civil Procedure, relating to eminent domain and the allowance of interest after an order is made letting the plaintiff into possession.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 377**—An act to amend Section 1642 of the Welfare and Institutions Code, relating to maternity care.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 342**—An act to amend Sections 571.5 and 571.6 of the Elections Code, relating to election precincts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 221 was taken up.

**Assembly Bill No. 221**—An act to add Section 18c to the Penal Code, relating to the death penalty.

Bill read third time.

### Speaker pro Tempore Presiding

At 10 30 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Motion to Grant Extra Time for Debate**

Mr. Charles H. Wilson moved that Mr. McMillan be granted 10 minutes additional time for debate.

Mr. Shell seconded the motion.

Motion carried.

The question being on the passage of the bill.

**Motion to Grant Extra Time for Debate**

Mr. Collier moved that Mr. McMillan be granted five minutes additional time for debate.

Mr. Johnson seconded the motion.

Motion carried.

The question being on the passage of the bill.

**Motion to Grant Extra Time for Debate**

Mr. Pattee moved that Mr. McMillan be granted two minutes additional time for debate.

Mr. Levering seconded the motion.

Motion carried.

**Speaker Presiding**

At 11 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Mr. Crown, Miss Donahoe, Messrs. Cunningham, Ernest R. Geddes, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. McMillan moved a call of the Assembly.

Mr. Biddick seconded the motion.

**Roll Call Demanded**

Messrs. Dahl, Schrade, and Bruce F. Allen demanded a roll call.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Bruce F. Allen, Bradley, Dahl, Ernest R. Geddes, Lanterman, and Luckel—6.

Time, 11.53 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 419

At 11.54 a.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 419 was refused reconsideration by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Donahoe, Francis, Ernest R. Geddes, Grant, Holmes, Johnson, Lanterman, Levering, Lowrey, Marks, McCollister, Mulford, Nisbet, Pattee, Schrade, Sedgwick, Shell, Sumner, and Thelin—34.

NOES—Don A. Allen, Bane, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—45.

Assembly Bill No. 419 ordered transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 201

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 32

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 107

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 205

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 50

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

**Committee on Education**

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2160
Assembly Bill No. 1992

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2008

With amendments with the recommendation. Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1458

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 108

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR SPEAKER. Your Committee on Education reports:

Assembly Bill No. 1514

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2101
Assembly Bill No. 2140
Assembly Bill No. 2087

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 20, 1959

MR SPEAKER: Your Committee on Education reports.

Assembly Bill No. 2137

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, April 21, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports.

Assembly Bill No. 415
Assembly Bill No. 2152

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 433

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports.

Senate Bill No. 136
Senate Bill No. 230
Senate Bill No. 282

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1802

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1886
Assembly Bill No. 2019

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 266

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER Your Committee on Criminal Procedure reports:

Assembly Bill No. 1407

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2072

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

| | |
|---|---|
| Assembly Bill No. 1390 | Assembly Bill No. 2040 |
| Assembly Bill No. 1852 | Assembly Bill No. 2041 |
| Assembly Bill No. 2038 | Assembly Bill No. 2042 |
| Assembly Bill No. 2039 | Assembly Bill No. 2043 |

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 500**—An act to add Title 2 (commencing with Section 1801) to Part 4, Division 3, of the Civil Code, relating to credit and installment sales of goods and services;

And reports the same correctly enrolled, and presented to the Governor on the twenty-first day of April, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1487
Assembly Bill No. 1488

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1130

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1401

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1620

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1726
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 115
Assembly Bill No. 831
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 316
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 919
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1228
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 468
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 94
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 390
Assembly Bill No. 604
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No. 390 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 604 ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 920
Assembly Bill No. 1074
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Municipal and County Government.

### ITEMS ON UNFINISHED BUSINESS FILE CONTINUED

Speaker Brown was granted unanimous consent that all items remaining on the unfinished business file be continued until the next legislative day.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 1916**—An act to add Section 25210.78i to the Government Code, relating to county service areas.

Bill read third time.

#### Motion to Amend

Mr. Bee moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 9, of the printed bill, after "storage", insert a comma.

#### Amendment No. 2

On page 1, line 11, after "storage", insert a comma.

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

### PARLIAMENTARY INQUIRY

Mr. Charles H. Wilson arose to the following parliamentary inquiry: What happened to Item 17 on file?

#### Reply by Speaker

The Speaker replied that, since the item was quite controversial, it had been continued until the next legislative day.

### ANNOUNCEMENTS

Mrs. Davis announced that the Committee on Fish and Game would meet in Room 4202 on adjournment of the Committee on Water.

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Mr. Unruh announced that the Committee on Ways and Means would hold night meetings on the Budget starting tomorrow night at 8 p.m. in Room 4202.

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Mr. Ernest R. Geddes announced that the Subcommittee to Consider Assembly Bill No. 1000 would hold what is probably its final meeting at 1.30 p.m. this afternoon.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 221

At 12.05 p.m., Mr. McMillan moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 221 refused passage by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Hanna, Hawkins, Kennick, Kilpatrick, Masterson, McMillan, Meyers, Miller, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Winton—35.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Mulford, Nisbet, Pattee, Porter, Schrade, Sedgwick, Shell, Thelin, Charles H. Wilson, Z'berg, and Mr. Speaker—43.

### Motion to Expunge Record and Rescind Action on Assembly Bill No. 221

Mr. McMillan moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 221.

Mr. O'Connell seconded the motion.

Motion lost by the following vote:

AYES—Don A. Allen, Bane, George E. Brown, Burton, Cameron, DeLotto, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Kennick, Masterson, McMillan, Meyers, Miller, O'Connell, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Winton—27

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Francis, Ernest R. Geddes, Grant, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Mulford, Nisbet, Pattee, Petris, Schrade, Sedgwick, Shell, Sumner, Thelin, and Charles H. Wilson—45.

### Motion to Reconsider Assembly Bill No. 221

Mr. McMillan moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 221 was this day refused passage.

Assembly Bill No. 221 and the motion to reconsider ordered to the unfinished business file.

## SENATE BILL NO. 464 RE-REFERRED TO COMMITTEE

Speaker Brown ordered Senate Bill No. 464 re-referred to the Committee on Ways and Means.

## ADJOURNMENT

At 12.07 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 22, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY

SEVENTY-EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, April 22, 1959

The Assembly met at 9 30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*We thank Thee, O God,* for the privilege given to this Assembly to make decisions on issues of far-reaching import. We are grateful for men of sincere convictions who are able advocates for their opinions. We believe, our Father, that good laws can only be achieved by strong and courageous lawmakers; men who are not concerned with whether their position is popular; men who keep no weather eye out for personal advantage or advancement; men who, above all else, take counsel with their own consciences and seek to enact God's laws in human society. O God, send us such men and leaders to shape our future.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. MacBride, seconded by Mr. Reagan.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

**Brief—State Board of Education vs. Bert W. Levit**

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE
SACRAMENTO, April 17, 1959

*Mr Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*California State Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Knowing your special interest in the litigation which has recently been filed against me by the State Board of Education in connection with the budgetary restriction imposed by the Legislature on the printing of certain textbooks, I am taking the liberty of handing you a copy of the brief just filed by me in the Supreme Court of California.

In view of the fact that the Attorney General is representing the State Board of Education, and in pursuance of my firm intention to vigorously defend the legislative control over appropriations, I have employed special counsel of distinct ability, Mr. Macklin Fleming of Los Angeles. His fee for handling this matter will be $2,500, which I consider to be a very reasonable charge.

In my opinion the question involved is not without difficulty from a legal aspect, but I anticipate a successful outcome Even if the precise method of limitation of the appropriation used by the Legislature in this case is not upheld by the court, the opinion should clarify the problem and chart the future course by which the Legislature may retain its fiscal control in this area

Yours very truly,

BERT W. LEVIT, Director of Finance

Above transmitted brief referred to the Committee on Education.

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The following resolution was presented by the Chief Clerk from:

Los Angeles County Grand Jury, by C F. Van de Water, foreman, relative to adding judges to Los Angeles Superior Court. Referred to the Committee on Judiciary—Civil.

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The following communication was presented by the Chief Clerk from:

G McKane of San Leandro, relative to withholding of state income tax from wages. Referred to Committee on Revenue and Taxation.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Luckel, Crawford, Hegland, and Schrade:

### House Resolution No. 215

Relative to the passing of Adolph Muehleisen

WHEREAS, The Members of the Assembly of the State of California have received the saddening news of the recent death at the age of 77 of Mr. Adolph Muehleisen of San Diego; and

WHEREAS, Mr Muehleisen had resided in San Diego since 1900 and served his community and his State in many ways during his long lifetime, including service as Chairman of the Republican County Central Committee, Commissioner of the California State Building in the Pacific International Exposition in San Diego in 1935, and member of the California Fish and Game Commission from 1935 to 1940; and

WHEREAS, Adolph Muehleisen was a 50-year member of San Diego Lodge 35, F & A M, a charter member and past potentate of Al Bahr Shrine Temple, a member of San Diego Chapter 61 of the Royal Arch Masons, a 33d degree Scottish Rite member, a member of the San Diego Commandery 25, Knights Templar, and San Diego Conclave 62, Order of the Red Cross of Constantine, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby join in expressing their grief at the passing of Adolph Muehleisen and the loss to the State of California of this outstanding citizen; and, be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mrs. Vesta C. Muehleisen, widow of Adolph Muehleisen.

Resolution read, and referred to the Committee on Rules.

By Mr. George E. Brown:

**House Resolution No. 216**

Relative to congratulating the Los Angeles Lodge No. 601 of the Brotherhood of Railway Carmen of America, A. F. L.-C. I. O., on the twenty-fifth anniversary of the issuance of its charter

WHEREAS, Los Angeles Lodge No. 601 of the Brotherhood of Railway Carmen of America, A. F. L.-C. I. O., has recently noted the occasion of the twenty-fifth anniversary of the issuance of its charter which occurred on March 19, 1934; and

WHEREAS, Lodge No. 601 has compiled an outstanding record in the field of industrial relations, and has expanded from a humble beginning with a membership of 12 persons to an organization representing approximately 800 active members employed with three major railway systems—the Southern Pacific Company, the Harbor Belt Line, and the San Diego, Arizona and Eastern Railway; and

WHEREAS, Lodge No. 601 is recognized as an outstanding example of democracy in unionism and has always accorded equal rights to all persons, and counts among its membership individuals of virtually every race, nationality, religion, and political belief; and

WHEREAS, Lodge No. 601 has not only been singularly successful in bringing about for its members improved conditions of employment, job security, the opportunity to learn a trade, and the multitude of other advantages attendant upon membership, but has contributed materially to the welfare of the community and has been an active participant in political and legislative activities directed toward enhancement of the welfare of all persons; and

WHEREAS, Lodge No. 601 is noted for the outstanding on-the-job training program it has provided for apprentices, in connection with which special efforts have in the past been directed toward assisting veterans returning from military service who presently comprise a very substantial portion of the membership of the lodge; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly congratulates Lodge No. 601 of the Brotherhood of Railway Carmen of America on the occasion of the twenty-fifth anniversary of the issuance of its charter, and commends that organization on the outstanding record it has compiled during the past quarter-century; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to James L. Comorre, President of Los Angeles Lodge No. 601 of the Brotherhood of Railway Carmen of America, A. F. L.-C. I. O., to Patrick A. Comorre, the Vice Chairman, to Irving Sarnoff, Chairman of the Lodge's legislative committee, and to C. M. Gibbons, the General Vice President of the Lodge.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time.

**Assembly Bill No. 2570**: By Messrs. Z'berg and MacBride—An act to add Section 31557.2 to the Government Code, relating to the retirement of public officers and employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government

**Assembly Bill No. 2571**: By Mr. Cameron—An act to add Sections 31681.6 and 31739.4 to the Government Code, relating to county retirement systems.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2572**: By Messrs. Samuel R. Geddes and Thomas—An act to amend Sections 11557 and 11559 of the Government Code, relating to the salary of the Chief of the Division of Industrial Safety.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2573**: By Mr. O'Connell—An act to add Section 28435 to the Health and Safety Code, relating to crab meat.

Referred to Committee on Fish and Game.

**Assembly Bill No. 2574**: By Messrs. Waldie and Masterson—An act to add Section 31807 to, and to repeal Section 31807 of, the Government Code, relating to county employees' retirement.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2575**: By Mr. Williamson and Miss Donahoe—An act to amend Sections 41305 and 41725 of, to add Sections 39925, 41307, 41308 and 41555 to, and to repeal Section 39925 of, the Water Code, relating to water storage districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2576**: By Mr. DeLotto—An act to amend Sections 7304, 7401, 7452, 7481 and 8651 of the Revenue and Taxation Code, relating to the motor vehicle and use fuel taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2577**: By Mr. DeLotto—An act to add Chapter 12 (commencing at Section 8451) to Part 2 of Division 2 of, the Revenue and Taxation Code, relating to a county motor vehicle fuel tax.

Referred to Committee on Revenue and Taxation.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 8**—Relative to the selection of the City of Antioch as a site for an experimental saline water conversion plant;

**Assembly Joint Resolution No. 29**—Relative to the dredging of Redwood City Harbor;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-first day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 257**—An act to amend Section 71083 of the Government Code, relating to municipal and justice courts and judges thereof, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 654**—An act to amend Section 74641 of the Government Code, relating to municipal courts;

**Assembly Bill No. 691**—An act to amend Section 11567 of, and to add Sections 11594 and 11618 to, the Business and Professions Code, relating to subdivision maps;

And reports the same correctly enrolled, and presented to the Governor on the twenty-first day of April, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2002
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 32
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 107
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2051
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1916
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1268
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 649
Assembly Bill No. 1049
Assembly Bill No. 1149
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1328
Assembly Bill No. 1720
Assembly Bill No. 1785
Assembly Bill No. 1932
Assembly Bill No. 1933
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1060

Assembly Bill No. 1841

With amendments with the recommendation Amend, and re-refer to the Committee on Civil Service and State Personnel.

MEYERS, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1961

With the recommendation That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

MEYERS, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports

Assembly Bill No. 1568

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 20, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports.

Assembly Bill No. 1957

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill ordered to second reading

**Committee on Natural Resources, Planning, and Public Works**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1551

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 593

With the recommendation Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2142

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2058

With the recommendation: Do pass

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 834

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 21, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 81
Assembly Bill No. 194
Assembly Bill No 201
Assembly Bill No. 243
Assembly Bill No. 293
Assembly Bill No 355
Assembly Bill No 373
Assembly Bill No. 383
Assembly Bill No. 616
Assembly Bill No. 723
Assembly Bill No 750
Assembly Bill No. 991
Assembly Bill No. 993
Assembly Bill No. 996
Assembly Bill No. 997
Assembly Bill No 1032
Assembly Bill No. 1327
Assembly Bill No. 1644
Assembly Bill No. 1647
Assembly Bill No. 1648
Assembly Bill No 1650

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 21, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No 180
Assembly Bill No. 615
Assembly Bill No. 763
Assembly Bill No 883
Assembly Bill No. 999
Assembly Bill No. 1038
Assembly Constitutional Amendment No. 21

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file

SENATE CHAMBER, April 21, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 46
Senate Bill No. 49
Senate Bill No. 151
Senate Bill No. 202
Senate Bill No. 386
Senate Bill No 387
Senate Bill No. 431
Senate Bill No. 446
Senate Bill No. 505
Senate Bill No. 645
Senate Bill No 686

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 21, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 15

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Joint Resolution No. 15**—Relative to the assignment of the construction of fleet ballistic missile submarines.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 21, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

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|---|---|
| Senate Bill No. 323 | Senate Bill No. 819 |
| Senate Bill No. 397 | Senate Bill No. 823 |
| Senate Bill No. 453 | Senate Bill No. 829 |
| Senate Bill No. 483 | Senate Bill No. 878 |
| Senate Bill No. 617 | Senate Bill No. 887 |
| Senate Bill No. 714 | Senate Bill No. 900 |
| Senate Bill No. 761 | Senate Bill No. 906 |
| Senate Bill No. 763 | Senate Bill No. 919 |
| Senate Bill No. 764 | Senate Bill No. 969 |
| Senate Bill No. 766 | Senate Bill No. 999 |
| Senate Bill No. 818 | Senate Bill No. 1141 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 323**—An act to repeal Section 65334 of the Government Code, relating to the appointment of area planning commission members.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 397**—An act to amend Section 11011 of the Government Code, relating to lands under the jurisdiction of state agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 453**—An act to amend Section 2 of the Fish and Game Code, relating to regulations on fish and game.

Referred to Committee on Fish and Game.

**Senate Bill No. 483**—An act to amend Section 16475 of the Government Code, relating to special fund investments, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 617**—An act to add Section 6211 to the Public Resources Code, relating to sale of state lands, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 714**—An act to amend Section 14376 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the employment of retired teachers.

Referred to Committee on Education.

**Senate Bill No. 761**—An act to amend Section 24051 of the Government Code, relating to inventories of county property.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 763**—An act to add Section 31116 to the Government Code, relating to county civil service systems.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 764**—An act to amend Sections 31470.6 and 31558.5 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 766**—An act to add Section 5254.5 to the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 818**—An act to amend Section 17851 of the Education Code as enacted at the 1959 Regular Session, relating to basic state aid for junior college districts.

Referred to Committee on Education.

**Senate Bill No. 819**—An act to amend Section 17667 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to high school and junior college foundation programs.

Referred to Committee on Education.

**Senate Bill No. 823**—An act to repeal the article heading of Article 3 (commencing at Section 12253), Chapter 6, Division 9 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compulsory full-time education.

Referred to Committee on Education.

**Senate Bill No. 829**—An act to amend Section 26453 of the Vehicle Code as enacted at the 1959 Regular Session of the Legislature, relating to the maintenance of vehicle brakes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 878**—An act to add Chapter 20 (commencing at Section 5400) to Division 6 of the Agricultural Code, relating to the fish industry.

Referred to Committee on Fish and Game.

**Senate Bill No. 887**—An act to add an article heading and to add Article 2 (commencing with Section 25580), to Chapter 6 of Part 2, Division 2, Title 3 of the Government Code, relating to parks and recreation.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 900**—An act to amend Section 1801 of the Military and Veterans Code, relating to fraudulent representations or solicitations.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 906**—An act to repeal Section 11 of Chapter 33 of the Statutes of 1956, First Extraordinary Session, relating to state and local planning.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 919**—An act to add Section 5260.5 to the Welfare and Institutions Code, relating to support of persons committed to state homes.

Referred to Committee on Social Welfare.

**Senate Bill No. 969**—An act to add Section 25537 to the Government Code, relating to county government.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 999**—An act to create the Mariposa County Water Agency, prescribing its powers and duties, provided for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collections of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1141**—An act making an appropriation for the repair of the Sacramento River levee in the vicinity of Collinsville, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2578**: By Messrs. Britschgi, House, and Hegland—An act to add Chapter 15 (commencing at Section 19951) to Division 14 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts public works and the financing thereof.

Referred to Committee on Education.

**Assembly Bill No. 2579**: By Mr. Britschgi—An act to add Section 6462.1 to the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Municipal and County Government.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2340

Mr. Miller was granted unanimous consent that Assembly Bill No 2340 be withdrawn from the Committee on Agriculture, and re-referred to the Committee on Municipal and County Government.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Z'berg seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE
### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1787**—An act to add Chapter 7.5 (commencing at Section 28350) to Division 21 of the Health and Safety Code, relating to warehouse sanitation.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

#### Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on April 10, 1959, after "stored", insert "for others than the owners of the enclosure".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 990**—An act to add Sections 23661.5 and 23661.6 to the Business and Professions Code, and to add Section 32110 to the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1730**—An act to amend Section 4156 of, and add Section 4464 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to temporary vehicle permits and license plates.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1433**—An act to amend Sections 19620, 19624, and 19629 of, and to repeal Sections 19621, 19622, 19622.5, 19622.7, 19623, 19624, 19625, 19626, 19627.3, and 19628 of, the Business and Professions Code, to amend Sections 88, 92.1, 92.5, 94, 94.5, and 94.6 of the Agricultural Code, to amend Section 25902 of the Government Code, and to repeal Section 25903 of the Government Code, relating to state revenues.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, ~~and adopted:~~

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "19624", and insert "19627".

**Amendment No. 2**

On page 1, line 4, after "board", insert ", except that part of the license fee required by Section 19485 in excess of 4 percent of the gross amount of money handled in the parimutuel pool,".

**Amendment No. 3**

On page 1, strike out line 9, and insert

"SEC. 2. Section 19627 of said code is amended to read:

19627. All of the license fees for conducting horse racing meetings not payable into the ~~Fair and Exposition~~ *General* Fund under this article shall be paid as follows: During each fiscal year there shall be paid into the Wildlife Restoration Fund, which fund is hereby created and all of the money in which is hereby appropriated to carry out the provisions of the Wildlife Conservation Act of 1947, seven hundred fifty thousand dollars ($750,000). The remainder of said license fees except as it otherwise provided by this article shall be paid into the General Fund in the State Treasury."

**Amendment No. 4**

On page 1, strike out lines 10 to 15, inclusive; and on page 2, strike out lines 1 to 37, inclusive.

~~Bill ordered reprinted, and engrossed.~~

NOTE—Later this day, the above action on the committee amendments to Assembly Bill No. 1433 was rescinded. *See* page 2704.

**Assembly Bill No. 2083**—An act to amend Section 21451 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic signals.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2020**—An act to amend Section 488.5 of the Vehicle Code, and to amend Section 20014 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of vehicle accident reports.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2105**—An act to amend Section 25259 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to lights.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1564**—An act to amend Section 603 of the Vehicle Code, and to amend Section 21113 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the penalty for unauthorized stopping of vehicles on municipal or educational property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2081**—An act to amend Section 21756 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to passing trolley coaches.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2082**—An act to amend Section 21804 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to entering highways.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2156**—An act to amend Section 22100 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the turning of vehicles at intersections.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2157**—An act to amend Section 5354 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of trailer coaches.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 72**—An act to add Section 820.7 to the Streets and Highways Code, relating to federal aid for highways in urban areas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "820.7", and insert "143.3".

**Amendment No. 2**

In line 2 of the title, strike out "federal aid for highways", and insert "city streets and county roads".

**Amendment No. 3**

On page 1, line 1, strike out "820.7", and insert "143.3".

**Amendment No. 4**

On page 1, strike out lines 3 to 14, inclusive, and insert

"143.3. The commission and the department may include in the annual budget prepared under Section 143.1 amounts not to exceed the equivalent of the amounts made available by the Federal Government under Section 102(a) of the Federal-Aid Highway Act of 1956 for projects on extensions of federal-aid primary or federal-aid secondary highways within urban areas for allocation to cities or counties for the construction of city streets or county roads within urban areas.

Upon the written request of any city or county, the commission and the department may include an allocation for the city or county in the next succeeding annual budget. Not more than five hundred thousand dollars ($500,000) shall be allocated for such purpose to any city or county in any one year. Any amounts allocated to a city or county shall be paid from the State Highway Fund and shall be included in the computation of compliance with the requirements of Sections 188 and 188.4. No allocation shall be made to a city or county for any project unless the city or county has made provision, to the satisfaction of the commission and the department, for the expenditure on such project of amounts from any other sources available for such purpose at least equal to the amounts to be allocated by the commission and the department.

The projects for which funds are made available pursuant to this section may be constructed by the local agency or agencies concerned, or, by agreement between the local agency or agencies and the department, the department may acquire the necessary rights-of-way in the name of the local agency or agencies, and perform all other acts to complete the project. Construction work by the department shall be subject to the State Contract Act. Agreements between the department and local agencies are authorized relative to the handling and accounting of funds, including the making

of advancements so as to permit prompt payment for the work accomplished, and relative to any other phase of the work."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1997**—An act to add Section 35114 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to width of loads.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "beehives which"; strike out all of lines 7, 8 and 9, and insert "beehives."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2160**—An act to amend Sections 13150, 16625 and 16626 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to employees and child care centers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 13150, 16625 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out lines 1 to 15, inclusive; and on page 2, strike out lines 1 to 50, inclusive.

**Amendment No. 3**

On page 3, strike out lines 1 and 2, and insert

"SECTION 1. Section 16626 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:

16626. Each person employed by a school district in a position requiring a child care permit for the care and guidance of children or in the supervision of the child care program, shall be deemed to be employed in a position requiring certification qualifications, but shall not be entitled to membership in the State Teachers' Retirement System or in any district retirement system for employees in positions requiring certification qualifications.

Each other person employed by a district in a child".

**Amendment No. 4**

On page 3, line 4, strike out "in a position not requiring a credential".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1992**—An act to amend Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320, 13322, and 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 3, line 35, of the printed bill, after "13443.", insert "(a)".

**Amendment No. 2**

On page 3, line 44, before "Upon", insert "(b)".

**Amendment No. 3**

On page 3, line 47, strike out "The"; strike out line 48; and in line 49, strike out "pupils thereof"

**Amendment No. 4**

On page 3, line 51, after the period, insert "This subdivision does not apply to the employees or governing boards of districts to which Section 13444 applies."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 2008**—An act to add Section 21804.1 to the Education Code, as enacted at the 1959 Regular Session, relating to school district bonding capacity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "district", insert "with a combined average daily attendance of 300,000 or more".

**Amendment No. 2**

On page 1, line 7, after the comma, insert "the governing board, by resolution, may provide that".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1458**—An act to amend Sections 950 and 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school district elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on March 25, 1959, strike out "may", and insert "shall".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2101**—An act to add Section 14699 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to district retirement salary plans.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2140**—An act to add Section 15008 to the Education Code as enacted at the 1959 Regular Session, relating to school site acquisitions.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2087**—An act to add Section 7141.5 to the Education Code, and to add Section 17252 to the Education Code as enacted at the 1959 Regular Session, relating to the duties of county superintendents of schools and county auditors in respect to state apportionments for school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2137**—An act to amend Section 9256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited acts of public school employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 415**—An act to amend Sections 318, 319, 320, 708, 978, 979, 991, 1028, 1556, 1558, 1562, 1585, 1956, 2054, 2055, 2902, 3004, and 3254 of, to add Sections 20, 930.5, and 1179.5 to, to add an Article heading to Article 2 of Chapter 2, Part 1, Division 1 of, to, and to repeal Section 138 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2152**—An act to amend Section 7172 of the Financial Code, relating to loans by savings and loan associations.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 433**—An act to repeal Section 327 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1802**—An act to add Section 1633.5 to the Insurance Code, relating to insurance licensing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "herein be the exclusive regulations relating to the conduct of insurance business by persons licensed to act in any of the capacities defined".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1886**—An act to amend Sections 18200, 18207, 18406.1, 18412, 18413, 18614, 18616, 18668, and 18669 of the Financial Code, to add Sections 18200.1, 18200.2, 18200.3, 18200.4, 18200.5,

18200.6, 18203.5 18205.5, 18607.1, 18617.1, 18625, 18626, 18668.1, 18668.2, 18818, 18818.1, and 18818.2 to said code, to add an article heading to Chapter 3 of Division 7, to add an article heading and new Article 2 (commencing with Section 18420) to Chapter 3 of Division 7 of said code, to add Chapter 6 (commencing with Section 18850) to Division 7 of said code, and to repeal Sections 18204, 18206, 18404, 18414, 18415, and 18818 of said code, relating to industrial loan companies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, after "18607.1," insert "18610.5,".

**Amendment No. 2**

In line 10 of the title strike out "18204, 18206,".

**Amendment No. 3**

On page 2, lines 22 and 23, strike out "and other financial institutions".

**Amendment No. 4**

On page 3, line 28, after "incorporated", insert "or commencing business".

**Amendment No. 5**

On page 3, line 33, after "opening", insert "or commencing business in".

**Amendment No. 6**

On page 3, line 37, strike out "Chapter 2", and insert "Section 18203.5".

**Amendment No. 7**

On page 3, strike out lines 44 and 45.

**Amendment No. 8**

On page 4, line 52, after "unqualified", insert "written".

**Amendment No. 9**

On page 6, between lines 16 and 17, insert

"18427.1. The provisions of Sections 18421, 18422, 18423, 18424, 18425, and 18427 of said code shall not affect branch offices which are opened and operating prior to September 18, 1959."

**Amendment No. 10**

On page 6, between lines 27 and 28, insert

"After a branch office has been closed or discontinued it may not be reopened without the approval of the commissioner and compliance with Section 18205.5.

SEC. 18.5. Section 18610.5 is added to said code, to read:

18610.5. At the time of furnishing a report under Section 18610 every industrial loan company shall publish a condensed statement of its financial condition, at least once, in some newspaper of general circulation published in the city or town where its principal place of business is located, or, if no newspaper is published in such city or town, then in some newspaper of general circulation published in the county where its principal place of business is located. The published statement shall set forth such information and be in such form as may be required by the commissioner."

**Amendment No. 11**

On page 6, line 42, strike out "loan", and insert "loans".

**Amendment No. 12**

On page 6, line 47, strike out "found to exist in the banking business".

**Amendment No. 13**

On page 7, line 10, strike out "18200(a)", and insert "18200.3(d)".

**Amendment No. 14**

On page 7, line 45, strike out "any", and insert "all".

**Amendment No. 15**

On page 8, line 1, after "and", insert "secured loans or obligations of any person as primary obligor made or held by a company".

**Amendment No. 16**

On page 8, line 42, strike out "bonds", and insert "banks".

**Amendment No. 17**

On page 9, strike out line 11, and insert "that it is unsound or unsafe for it to transact".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2019**—An act to add Section 14804.1 to the Financial Code, relating to credit unions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 4 and 5, and insert "14805 and 14806 any credit union or credit unions may purchase, acquire and hold outstanding shares of a".

**Amendment No. 2**

On page 1, strike out line 11, and insert "credit union or credit unions."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1407**—An act to amend Sections 640, 653h and 653i of the Penal Code and to add Section 631*l* to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 653j to the Penal Code, relating".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 653j is added to the Penal Code, to read:

653j. (a) Every person who, intentionally and without the consent of a party to a confidential communication, eavesdrops upon or records, by means of any electronic or mechanical amplifying or recording device, such confidential communication, whether such communication is carried on among such parties in the presence of one another or by means of a telegraph, telephone or other device, except a radio, is guilty of a misdemeanor.

(b) The term "person" includes an individual, business association, partnership, corporation, or other legal entity, and an individual acting or purporting to act for or on behalf of any government or subdivision thereof, whether federal, state, or local, but excludes an individual known by all parties to a confidential communication to be overhearing or recording such communication or an individual acting under the direction of a party to the confidential communication.

(c) As used in this section, "confidential communication" means a communication not made in such circumstances that the parties thereto may reasonably expect that the communication may be overheard or recorded, and, specifically, it does not

include a communication made in a public gathering or in any legislative, judicial, executive or administrative proceeding open to the public.

(d) Except as proof in a suit or prosecution for violation of this section, no evidence obtained as a result of eavesdropping upon or recording a confidential communication in violation of this section shall be admissible in any judicial, administrative, legislative or other proceeding.

(e) This section shall not apply to any public utility engaged in the business of providing communications services and facilities, or to the officers, employees or agents thereof, where the overhearing is for the purpose of construction, maintenance, conduct or operation of the services and facilities of such public utility, or to the normal use of the services and facilities furnished by such public utility pursuant to its tariffs.

(f) This section shall not be construed to repeal Section 640 or Section 653h or to render lawful any act which is unlawful under either of those sections.

(g) As used in this section, "electronic or mechanical amplifying device" does not include a hearing aid used by a person who is hard of hearing."

**Amendment No. 3**

On page 1, strike out lines 2 to 16, inclusive; and strike out pages 2 and 3.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 2072**—An act to amend Sections 603 and 604 of the Welfare and Institutions Code, relating to probation committees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 757**—An act to add Section 16864 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to fire extinguishers carried on school buses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Senate on March 25, 1959, after "with", insert "one or more".

**Amendment No. 2**

On page 1, line 6, after "Underwriters", insert ", Underwriters' Laboratories Incorporated,".

**Amendment No. 3**

On page 1, line 6, after "any", insert "other".

**Amendment No. 4**

On page 1, lines 7 and 8, strike out "and approved by the Superintendent of Public Instruction".

**Amendment No. 5**

On page 1, strike out lines 10 to 14, inclusive; and in line 15, strike out "school authorities", and insert

"Each school bus shall be equipped with one or more fire extinguishers with an aggregate rating of at least 8-B,C units, as rated by the Underwriters' Laboratories Incorporated."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 507**—An act to add Section 30705 to, and to amend Section 30701 of, the Streets and Highways Code, relating to the Benicia-Martinez Ferry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out the second comma.

**Amendment No. 2**

On page 1, line 14, strike out "sode", and insert "code".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 681**—An act to add Section 6705 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the registration of vehicles by servicemen.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 305**—An act to amend Section 5003 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to license plates.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 108**—An act to add Article 4 (commencing at Section 12081) to Chapter 5 of Division 9 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to gate entrances to school grounds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 136**—An act to amend Section 145 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

**Senate Bill No. 230**—An act to amend Sections 3370, 3371, and 3372 of the Financial Code, relating to loans by banks to officers, directors, or employees thereof.

Bill read second time, and ordered to third reading.

**Senate Bill No. 282**—An act to amend Section 766 and to repeal Section 767 of the Financial Code, relating to loans and investments by banks and trust companies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 266**—An act to amend Section 108 of the Insurance Code, relating to classes of insurance.

Bill read second time, and ordered to the Consent Calendar.

**RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62**

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2087** and **415**, subsequent to engrossment.

**Senate Bill No. 305.**

**REQUEST FOR UNANIMOUS CONSENT**

Speaker Brown was granted unanimous consent that Assembly Bill No. 1433 be recalled from the printer.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 4**—An act to amend Sections 74341, 74343, and 74345 of, and to add Section 74346.5 to, the Government Code, relating to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

In lines 4 and 5 of the title of the printed bill, as amended in the Senate on April 9, 1959, strike out ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 2, line 12, strike out "III" and insert "II".

**Amendment No. 3**

On page 2, line 52, after "($415)", insert "per month".

**Amendment No. 4**

On page 3, strike out lines 1 to 9, inclusive.

| | |
|---|---|
| HUGO FISHER | GEORGE G. CRAWFORD |
| GEORGE MILLER | JACK SCHRADE |
| FRED S FARR | SHERIDAN N HEGLAND |
| Senate Committee on Conference | Assembly Committee on Conference |

Conference report adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE CONTINUED

Mr. Masterson was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 520 from the Committee on Social Welfare be continued until the next legislative day.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1759 CONTINUED

Mr. Hawkins was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1759 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 863**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 863?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "necessary or convenient".

The Assembly concurred in Senate amendment to Assembly Bill No. 863 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 863 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Rees was granted unanimous consent to take up further consideration of Assembly Bill No. 1433.

## REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 1433

Mr. Rees was granted unanimous consent to rescind the action whereby the Assembly, on this day, adopted committee amendments to Assembly Bill No. 1433, and the bill was ordered reprinted and engrossed (Assembly Journal, pages 2693-2694).

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1433

**Assembly Bill No. 1433**—An act to amend Sections 19620, 19624, and 19629 of, and to repeal Sections 19621, 19622, 19622.5, 19622.7, 19623, 19624, 19625, 19626, 19627.3, and 19628 of, the Business and Professions Code, to amend Sections 88, 92.1, 92.5, 94, 94.5, and 94.6 of the Agricultural Code, to amend Section 25902 of the Government Code, and to repeal Section 25903 of the Government Code, relating to state revenues.

Bill read second time.

### Consideration of Committee Amendments

The question being on the adoption of the committee amendments.

### Request for Unanimous Consent

Mr. Rees was granted unanimous consent to substitute a corrected amendment for the committee amendments.

### Motion to Amend

Mr. Rees moved the adoption of the following substitute amendment:

Amendment No. 1

On page 1, line 4, after "board", insert ", other than the fees payable into the Wildlife Restoration Fund pursuant to Section 19627,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 221

In compliance with a motion given on a previous day, Mr. McMillan moved that the vote whereby Assembly Bill No. 221 was refused passage be reconsidered.

### Point of Order

Mr. McMillan arose to the following point of order: That Mr MacBride was not speaking to the question.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### Demand for Previous Question

Messrs. Levering, Schrade, Reagan, Lanterman, and Dahl, demanded the previous question Demand sustained.

The question being on the motion to reconsider.

Assembly Bill No. 221 refused reconsideration by the following vote:

AYES—Bane, Bee, Biddick, George E. Brown, DeLotto, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Kennick, Kilpatrick, Masterson, McMillan, Meyers, Miller, Munnell, Petris, Porter, Rees, Rumford, Waldie, Charles H. Wilson, and Z'berg—26.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Grant, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, George A. Willson, Winton, and Mr. Speaker—40.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 487

In compliance with a motion given on a previous day, Mr. Masterson moved that the vote whereby Assembly Bill No. 487 was passed be reconsidered.

### Demand for Previous Question

Messrs. Charles H. Wilson, Ernest R. Geddes, Bee, Collier, and Biddick demanded the previous question Demand sustained.

The question being on the motion to reconsider.

Assembly Bill No. 487 refused reconsideration by the following vote:

AYES—Bane, Beaver, Bradley, Busterud, Chapel, Coolidge, Crawford, Cusanovich, Dahl, Frew, Gaffney, Garrigus, Hanna, Levering, Lunardi, Marks, Masterson, McMillan, Mulford, Nisbet, Pattee, Reagan, Sedgwick, Shell, Sumner, Thelin, and Waldie—27.

NOES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Collier, Conrad, Crown, Cunningham, Davis, Delotto, Donahoe, Elliott, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Thomas, George A. Willson, Charles H Wilson, Winton, Z'berg and Mr. Speaker—45.

Assembly Bill No. 487 ordered transmitted to the Senate.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

**House Resolution No. 217**—Relative to Governor Brown's Birthday.

Resolution read.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 217 without reference to committee or file.

**Members Made Co-authors of House Resolution No. 217**

Mr. Miller was granted unanimous consent that all members so desiring be placed upon House Resolution No. 217 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

**Consideration of House Resolution No. 217, as Amended**

By Messrs. Miller, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 217**

Relative to Governor Brown's Birthday

WHEREAS, In the press of state business the Members of the Legislature neglected to take official note of the birthday of Governor Edmund G. "Pat" Brown; and

WHEREAS, Yesterday, April 21, 1959, marked the fifty-fourth anniversary of Pat's entrance into this world in San Francisco in 1905; and

WHEREAS, The arrival of Pat failed to create anywhere near the sensation that the San Andreas Fault produced the following year, but nevertheless Pat, undaunted, grew up, went to school, practiced law, entered politics, and has since made more headlines than the earthquake of 1906 ever did; and

WHEREAS, Everyone, regardless of his political beliefs, will agree that Pat is a loyal native son and a hard worker who is trying to keep California prosperous and progressive and a State we can all be proud of; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members take this occasion to extend to Governor "Pat" Brown a belated but hearty "Happy Birthday" greeting, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Governor Brown.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1710**—An act to amend Sections 23102, 23103, and 23105 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to drunken and reckless driving, and operating vehicles under the influence of narcotic drugs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1926**—An act to amend Section 1203 1 of the Penal Code, relating to probation.

Bill read third time. and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles A. Wilson, Winton, and Z'berg—62.
NOES—Reagan—1.

Bill ordered transmitted to the Senate.

### Speaker pro Tempore Presiding

At 10.34 a.m , Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 1676**—An act to amend Sections 11802 and 11803 of the Vehicle Code as enacted by the Legislature in its 1959 Regular Session, relating to the power to refuse to renew the license of vehicle salesmen and to issue probationary and temporary licenses to such vehicle salesmen and to provide for written demand for hearing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1710

Mr. Chapel was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1710.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1063**—An act to amend Section 1256 of, to add Part 1.5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to, the Water Code, relating to the California Water Plan.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1919**—An act to add Section 6501.3 to, and to amend Section 6827 of, of the Public Resources Code, relating to oil and gas leases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 203**—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

### Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

### Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on March 26, 1959, after "onsale", insert "and off-sale".

Amendment read.

### Appeal From Decision of Chair

Mr. Lowrey moved to appeal from the decision of the Chair.

### Substitute Motion to Expunge Record and Rescind Action on Vote

Mr. Burton moved to expunge the record, and rescind the action on the voice vote on the amendments.

Mr. Winton seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Gaffney, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Williamson, George A. Willson, Winton, and Z'berg.—53.
NOES—Bane, Cameron, Crown, Elliott, Hanna, Holmes, Petris, Rees, Sumner, Unruh, and Waldie—11.

The question being on the adoption of the amendments.

**Roll Call Demanded**

Messrs. Lowrey, Reagan, and Lanterman demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Backstrand, Beaver, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Mulford, Munnell, Nisbet, Porter, Reagan, Schrade, Shell, Thelin, Thomas, and Z'berg—34.

NOES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crown, Dills, Gaffney, Luckel, Marks, McCollister, Meyers, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—30

~~Bill ordered reprinted, and re-engrossed.~~

NOTE—Later this day, a motion to reconsider the amendments to Assembly Bill No. 203 was made *See* page 2724.

**Assembly Bill No. 1747**—An act to amend Section 9006 of the Welfare and Institutions Code, relating to community mental health services.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Dills, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1303**—An act to amend Section 2 of Chapter 73 of the Statutes of the 1958 First Extraordinary Session and Sections 3110, 3340 and 3411 of, and to add Section 3340.5 to, the Public Resources Code, relating to oil and gas.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 367**—An act to add Section 752 to the Welfare and Institutions Code, relating to the expunging of juvenile court records and other records relating to wards of the juvenile court

Bill read third time.

**Speaker Presiding**

At 11:16 a.m. Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Crown, Ernest R. Geddes, Cunningham, House, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.

NOES—Bradley, Britschgi, Chapel, Conrad, Coolidge, Ernest R. Geddes, Hegland, Holmes, Levering, Lowrey, Luckel, Reagan, Schrade, and Shell—14.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1097**—An act to add Section 25660.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—60.

NOES—Levering—1.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1691**—An act to amend Sections 1, 2, 3.2, 3.4, 4.1, 4.11, 5, 5.1, 7.1, 10, 13, 14, 14.1, 15, 16, and 17 of, to amend and renumber Sections 5.3, 14.3, 30, 32, 33, 34, 35, 36, 37, and 38 of, to add Sections 4.12 and 4.13 to, and to repeal Sections 5.4, 5.5, 5.6, 5.7, 13.1, 14.2, 15.1, 15.2, 15.3, 15.4, 18, 19, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11, 19.13, 19.14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19.21, 20, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 21, 21.1, 22, 23, 24, 25, 26, 27, 28 and 29 of the Placer County Water Agency Act (Chapter 1234, Statutes of 1957), relating to the Placer County Water Agency, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Mr. Lunardi moved the adoption of the following amendments:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on April 16, 1959, strike out lines 12 and 13; and in line 14, strike out "property", and insert "and transmission facilities".

**Amendment No. 2**

On page 11, line 8, after "production," insert "transmission".

**Amendment No. 3**

On page 11, line 9, strike out "; and facilities"; and strike out lines 10 and 11, and insert a period.

Amendments read.

**Point of Order**

Mr. Burton arose to the following point of order: That Mr. Lanterman's questions are not in order.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken.

#### Demand for Previous Question

Messrs. Levering, Dahl, DeLotto, Charles H. Wilson, and Holmes demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

#### Roll Call Demanded

Messrs. Reagan, Levering, and Burke demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—57.

NOES—Beaver, Crawford, Dahl, Ernest R. Geddes, Levering, Luckel, Mulford, Reagan, Schrade, Shell, and Sumner—11.

Bill ordered reprinted, and re-engrossed.

### VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 1097

Mr. Mulford was granted unanimous consent that he be recorded as voting "Aye", instead of "No" on Assembly Bill No. 1097.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 766**—An act to amend Section 5093 of the Business and Professions Code and to amend Section 5084 of the Business and Professions Code as proposed by Senate Bill No. 104, relating to accountants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1016**—An act to amend Section 667.1 of the Welfare and Institutions Code, relating to the establishment of schools in county juvenile halls.

Bill read third time.

#### Motion to Re-refer to Committee

Mr. Pattee moved that the bill be re-referred to the Committee on Education.

Mr. Dahl seconded the motion.

**Motion to Amend Motion**

Mr. Pattee moved to amend his motion to re-refer the bill to the Committee on Municipal and County Government.

Mr. Dahl, his second, accepted the amendment to the motion.

Motion carried.

**Substitute Motion to Re-refer**

Mr. Gaffney moved, as a substitute motion, that the bill be re-referred to the Committee on Education.

**Roll Call Demanded**

Messrs Backstrand, Dahl, and Z'berg demanded a roll call.

The roll was called, and the substitute motion lost by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Donahoe, Elliott, Gaffney, Ernest R Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Mulford, Nisbet, Pattee, Porter, Reagan, Schrade, Shell, Sumner, Thelin, and George A. Willson—40.

NOES—Bane, Biddick, Bradley, George E. Brown, Burton, Conrad, Crown, Davis, DeLotto, Dills, Francis, Frew, Garrigus, Samuel R. Geddes, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—35.

**Motion for Call of the Assembly**

Mr. Gaffney moved a call of the Assembly on his substitute motion.

Motion ruled not in order, since the vote had already been announced.

The question being on the motion that the bill be re-referred to the Committee on Municipal and County Government.

The roll was called, and the motion lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Donahoe, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Pattee, Porter, Reagan, Schrade, Shell, Sumner, Thelin, and George A. Willson—34

NOES—Bane, Belotti, Biddick, George E. Brown, Burton, Conrad, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—41.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bane, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Samuel R Geddes, Grant, Hawkins, House, Kennick, Lowrey Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.

NOES—Beaver, Britschgi, Crawford, Dahl, Gaffney, Ernest R. Geddes, Johnson, Levering, Pattee, Reagan, Schrade, Shell, Sumner, and Thelin—14.

Bill ordered transmitted to the Senate.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 110**: By Mr. Thelin—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of April, 1959.

### Request for Unanimous Consent

Mr. Thelin was granted unanimous consent to take up Assembly Concurrent Resolution No. 110 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 110

**Assembly Concurrent Resolution No. 110**—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### Rush Order Placed Upon Printing of Assembly Concurrent Resolution No. 110

Mr. Thelin was granted unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 110.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1015 FROM COMMITTEE

Mr. Crown was granted unanimous consent that Assembly Bill No. 1015 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1015

**Assembly Bill No. 1015**—An act to repeal Sections 4451 and 4452 of the Labor Code, and to amend Sections 4453, 4455 and 4460 of the Labor Code, relating to workmen's compensation.

Bill read second time.

### Motion to Amend

Mr. Crown moved the adoption of the following amendments:

### Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, of the title, and insert

"An act to amend Sections 3601, 4453, 4455, 4460, 4553, 4554, 4600, 4601, 4650, 4656, 4658, 4659, 4701, and 4702 of, and to add Sections 4553.1 and 4555.5 to, the Labor Code, relating to workmen's compensation."

**Amendment No. 2**

On page 1, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 51, inclusive, and insert

"SECTION 1 Section 3601 of the Labor Code is amended to read:

3601. *(a)* Where the conditions of compensation exist, the right to recover such compensation, pursuant to the provisions of this division is, except as provided in Section 3706, the exclusive remedy ~~against the employer~~ for ~~the~~ injury or death *of an employee against the employer or against any other employee of the employer acting within the scope of his employment, except that an employee, or his dependents in the event of his death, shall, in addition to the right to compensation against the employer, have a right to bring an action at law for damages against such other employee, as if this division did not apply, in the following cases:*

*(1) When the injury or death is proximately caused by the willful and unprovoked physical act of aggression of such other employee.*

*(2) When the injury or death is proximately caused by the intoxication of such other employee.*

*(3) When the injury or death is proximately caused by an act of such other employee which evinces a reckless disregard for the safety of the employee injured, and a calculated and conscious willingness to permit injury or death to such employee.*

*(b) An act which will not sustain an independent action for damages against such other employee under subsections (1), (2), or (3) of subdivision (a) of this section may nevertheless be the basis of a finding of serious and willful misconduct under Section 4553 or 4553.1, if (1) such other employee is established to be one through whom the employer may be charged under Section 4553; (2) such act of such other employee shall be established to have been the proximate cause of the injury or death; and (3) such act is established to have been of a nature, kind, and degree sufficient to support a finding of serious and willful misconduct under Section 4553 or 4553.1.*

*(c) In no event, either by legal action or by agreement whether entered into by such other employee or on his behalf, shall the employer be held liable, directly or indirectly, for damages awarded against, or for a liability incurred by such other employee under subsections (1), (2), or (3) or subdivision (a) of this section.*

*(d) No employee shall be held liable, directly or indirectly, to his employer, for injury or death of a co-employee except where the injured employee or his dependents obtain a recovery under subdivision (a) of this section.*

SEC. 2. Section 4453 of said code is amended to read:

4453. In computing average annual earnings for the purposes of temporary disability indemnity only, the average weekly earnings shall be taken at not less than ~~twenty-three dollars and eight cents ($23.08)~~ *thirty dollars and seventy-seven cents ($30.77)* nor more than ~~seventy-six dollars and ninety-three cents ($76.93)~~ *one hundred dollars ($100)*. In computing average annual earnings for purposes of permanent disability indemnity, the average weekly earnings shall be taken at not less than ~~twenty-three dollars and eight cents ($23.08)~~ *thirty dollars and seventy-seven cents ($30.77)* nor more than ~~sixty-one dollars and~~

~~fifty-four cents ($61.54)~~ *eighty dollars and seventy-seven cents ($80.77)* . Between these limits the average weekly earnings, except as provided in Sections 4456 to 4459, shall be arrived at as follows:

(a) Where the employment is for 30 or more hours a week and for five or more working days a week, the average weekly earnings shall be 95 percent of the number of working days a week times the daily earnings at the time of the injury.

(b) Where the employee is working for two or more employers at or about the time of the injury, the average weekly earnings shall be taken as 95 percent of the aggregate of such earnings from all employments computed in terms of one week; but the earnings from employments other than the employment in which the injury occurred shall not be taken at a higher rate than the hourly rate paid at the time of the injury.

(c) If the earnings are at an irregular rate, such as piecework, or on a commission basis, or are specified to be by the week, month, or other period, then the average weekly earnings mentioned in subdivision (a) above shall be taken as 95 percent of the actual weekly earnings averaged for such period of time, not exceeding one year, as may conveniently be taken to determine an average weekly rate of pay.

(d) Where the employment is for less than 30 hours per week, or where for any reason the foregoing methods of arriving at the average weekly earnings cannot reasonably and fairly be applied, the average weekly earnings shall be taken at 95 percent of the sum which reasonably represents the average weekly earning capacity of the injured employee at the time of his injury, due consideration being given to his actual earnings from all sources and employments.

SEC. 3. Section 4455 of said code is amended to read:

4455. If the injured employee is under 21 years of age, and his incapacity is permanent, his average weekly earnings shall be deemed, within the limits fixed in Section 4453, to be the weekly sum which under ordinary circumstances he would probably be able to earn at the age of 21 years, in the occupation in which he was employed at the time of the injury or in any occupation to which he would reasonably have been promoted if he had not been injured. If such probable earnings at the age of 21 years cannot reasonably be determined, his average weekly earnings shall be taken at ~~sixty-one dollars and fifty-four cents ($61.51)~~ *eighty dollars and seventy-seven cents ($80.77)* .

SEC. 4. Section 4460 of said code is amended to read:

4460. For the purpose of computing the temporary disability indemnity payable to any employee who sustains an original injury causing temporary disability, the maximum average weekly earnings shall be taken at ~~seventy-six dollars and ninety-three cents ($76.93)~~ *one hundred dollars ($100)* . For the purpose of computing the permanent disability indemnity payable to any employee who sustains an original injury causing permanent disability, the maximum average weekly earnings shall be taken at ~~sixty-one dollars and fifty-four cents ($61.54)~~ *eighty dollars and seventy-seven cents ($80.77)* .

Every computation made pursuant to this section as last amended shall be made only with reference to temporary disability or such permanent disability resulting from an original injury sustained after

the act last amending this section becomes effective; provided, however, that all rights presently existing under this section shall be continued in force.

SEC. 5. Section 4553 of said code is amended to read:

4553. The amount of compensation otherwise recoverable shall be increased one-half where the employee is injured by reason of the serious and willful misconduct of any of the following:

(a) The employer, or his managing representative.

(b) If the employer is a partnership, on the part of one of the partners or a managing representative or general superintendent thereof.

(c) If the employer is a corporation, on the part of an executive, managing officer, or general superintendent thereof.

But such increase of award shall in no event exceed ~~three thousand seven hundred fifty dollars (\$3,750)~~ *seven thousand five hundred dollars ($7,500); together with costs and expenses incident to procurement of such award, not to exceed two hundred fifty dollars ($250)*.

SEC. 6. Section 4553.1 is added to said code, to read:

4553.1. In order to support a holding of serious and willful misconduct by an employer based upon violation of a safety order, the commission must specifically find:

(1) That the safety order was established as having been known to a particular identified and named person or persons, either the employer or a representative of the employer designated by Section 4553;

(2) That the violation was established to have been committed by a particular identified and named person or persons, either the employer or a representative of the employer designated by Section 4553;

(3) That the condition making the safety order applicable at the time of the injury or death was established to have been known to a particular identified and named person or persons, either the employer or a representative of the employer designated by Section 4553;

(4) The specific manner in which the order was violated; and

(5) That the violation of such safety order did proximately cause the injury or death, and the specific manner in which the violation constituted such proximate cause.

SEC. 7. Section 4554 of said code is amended to read:

4554. In case of the willful failure by an employer to secure the payment of compensation, the amount of compensation otherwise recoverable for injury or death as provided in this division shall be increased 10 percent ~~, but such increase of award shall in no event exceed one thousand dollars (\$1,000)~~. Failure of the employer to secure the payment of compensation as provided in Article 1 *(commencing at Section 3700)* of Chapter 4 of Part 1 of this division is prima facie evidence of willfulness on his part.

SEC. 8. Section 4555.5 is added to said code, to read:

4555.5. Whenever a petition to reduce an award, based upon a permanent disability rating which has become final, is denied, the commission may order the petitioner to pay to the injured employee all costs incident to the furnishing of X-rays, laboratory services, medical reports, and medical testimony incurred by such employee in connection with the proceeding on such petition.

SEC. 9. Section 4600 of said code is amended to read:

4600. Medical, surgical, and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches, and apparatus, including artificial members, which is reasonably required to cure or relieve from the effects of the injury shall be provided by the employer. In the case of his neglect or refusal reasonably to do so, the employer is liable for the reasonable expense incurred by or on behalf of the employee in providing treatment.

In accordance with the rules of practice and procedure of the commission, the employee, or the dependents of a deceased employee, shall be reimbursed for expenses reasonably, actually, and necessarily incurred for X-rays, laboratory fees, ~~and~~ medical reports, *and medical testimony to* ~~required to successfully~~ prove a contested claim. *The reasonableness of and necessity for incurring such expenses to prove a contested claim shall be determined with respect to the time when such expenses were actually incurred. Expenses of medical testimony shall be presumed reasonable if in conformity with the fee schedule charges provided for impartial medical experts appointed by the commission.*

*Where at the request of the employer, the employer's insurance carrier, the commission, or any commissioner or referee, the employee submits to examination by a physician, he shall be entitled to receive in addition to all other benefits herein provided all reasonable expenses of transportation, meals and lodging incident to reporting for such examination, together with one day of temporary disability indemnity for each day of wages lost in submitting to such an examination.*

SEC. 10. Section 4601 of said code is amended to read:

4601. If the employee so requests, the employer shall tender him one change of physicians. ~~and shall~~ *Upon request of the employee for a change of physicians, 14 days shall be the maximum amount of time permitted by law for the employer or insurance carrier to* nominate at least three additional practicing physicians competent to treat the particular case; ~~or as many as are available if three cannot reasonably be named,~~ from among whom the employee may choose. *In the event the employee is not so notified, the employee may select a physician of his choice and the employer or insurance carrier shall be liable to pay the reasonable cost of treatment.* The employee is also entitled, in any serious case, upon request, to the services of a consulting physician ~~provided by the employer~~ *of his own choice at the expense of the employer*. All of such treatment shall be at the expense of the employer.

SEC. 11. Section 4650 of said code is amended to read:

4650. If an injury causes temporary disability, a disability payment shall be made for one week in advance as wages on the eighth day after the injured employee leaves work as a result of the injury; provided, that in case the injury causes disability of more than 49 days *or necessitates hospitalization* the disability payment shall be made from the first day the injured employee leaves work *or is hospitalized* as result of the injury. If the injury causes permanent disability, a disability payment shall be made for one week in advance as wages on the eighth day after the injury becomes permanent or the date of last payment for temporary disability, whichever date first occurs.

SEC. 12. Section 4656 of said code is amended to read:

4656. Aggregate disability payments for a single injury causing temporary disability shall not extend ~~beyond~~ *for more than* 240 *compensable* weeks *within a period of five years* from the date of the injury.

SEC. 13. Section 4658 of said code is amended to read:

4658. If the injury causes permanent disability, the percentage of disability to total disability shall be determined and the disability payment computed and allowed according to the following schedule:

| Percentage of permanent disability incurred | Number of weeks for which 65 percent of average weekly earnings allowed | Percentage of average weekly earnings allowed for remainder of life after period for which 65 percent of average weekly earnings allowed |
|---|---|---|
| 1 | 4 | 0 |
| 10 | 40 | 0 |
| 20 | 80 | 0 |
| 30 | 120 | 0 |
| 40 | 160 | 0 |
| 50 | 200 | 0 |
| 60 | 240 | 0 |
| 70 | 280 | ~~10~~ *15* |
| 80 | 320 | ~~20~~ *30* |
| 90 | 360 | ~~30~~ *45* |
| 100 | 400 | ~~40~~ *60* |

SEC. 14. Section 4659 of said code is amended to read:

4659. The payment for permanent disabilities intermediate to those fixed by the foregoing schedule shall be computed and allowed as follows:

(a) Sixty-five percent of the average weekly earnings for four weeks for each 1 percent of disability.

(b) If 70 percent or over, ~~1~~ *1.5* percent of the average weekly earnings for each 1 percent of disability in excess of 60 percent to be paid during the remainder of life, after payment for the maximum number of weeks specified in the foregoing schedule has been made.

SEC. 15. Section 4701 of said code is amended to read:

4701. Where an injury causes death, either with or without disability, the employer shall be liable, in addition to any other benefits provided by this division, for:

(a) Reasonable expenses of the employee's burial, not exceeding ~~four~~ *six* hundred dollars ~~($400)~~ *($600)*.

(b) A death benefit, to be allowed to the dependents when the employee leaves any person dependent upon him for support.

SEC. 16. Section 4702 of said code is amended to read:

4702. Except as provided in the next paragraph, the death benefit in cases of total dependency, when added to all accrued disability indemnity, shall be the sum of ~~twelve~~ *seventeen* thousand *five hundred* dollars ~~($12,000)~~ *($17,500)* except in the case of a surviving widow and one or more dependent minor children, in which case the death

benefit shall be ~~increased 25 percent, but not to exceed fifteen~~ *twenty* thousand *five hundred* dollars ~~($15,000)~~ *($20,500)* and except as otherwise provided in Sections 4553 and 4554. In cases of partial dependency the death benefit shall be a sum equal to four times the amount annually devoted to the support of the dependents by the employee, not to exceed the sum of ~~twelve~~ *fifteen* thousand dollars ~~($12,000)~~ *($15,000)* . The death benefit in all cases shall be paid in installments in the same manner and amounts as temporary disability indemnity, payments to be made at least twice each calendar month, unless the commission otherwise orders.

Disability indemnity shall not be deducted from the death benefit and shall be paid in addition to the death benefit when the original injury resulting in death occurs after the effective date of the amendment to this section adopted at the 1949 Regular Session of the Legislature.

Every computation made pursuant to this section shall be made only with reference to death resulting from an original injury sustained after this section as amended during the ~~1957~~ *1959* Regular Session of the Legislature becomes effective; provided, however, that all rights presently existing under this section shall be continued in force."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bradley asked for unanimous consent to take up Assembly Bill No. 2002 for purpose of a title amendment.

Speaker Brown advised Mr. Bradley that the amendment could be offered upon passage of the bill.

Mr. Bradley withdrew his request.

## ANNOUNCEMENT

Messrs. Bradley and Bruce F. Allen announced that the prunes and prune juice distributed to the offices of the members yesterday with their compliments, were just two of the fine products grown and processed in Santa Clara County.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, April 13, 1959; Tuesday, April 14, 1959; Wednesday, April 15, 1959; Thursday, April 16, 1959; and Friday, April 17, 1959.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 728

Mr. O'Connell was granted unanimous consent that Senate Bill No. 728 be withdrawn from the Committee Judiciary—Civil, and re-referred to the Committee on Criminal Procedure.

### ASSEMBLY BILL NO. 1029 RECALLED FROM SENATE

Mr. Masterson was granted unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1029 to the Assembly for further consideration.

### ANNOUNCEMENT

Mr. Beaver announced that invitations for the San Bernardino County dinner would soon be in the mail; and urged the members to save the evening of May 20th for this occasion.

### REPORTS OF STANDING COMMITTEES

#### Committee on Fish and Game

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 802

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 826
Assembly Bill No. 1818

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DAVIS, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 450
Senate Bill No. 676
Senate Bill No. 797

With the recommendation: Do pass.

DAVIS, Chairman

Above bills ordered to second reading.

#### Committee on Government Organization

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1342

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 599

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1154

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2109

With amendments with the recommendation. Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1194
Assembly Bill No. 1815
Assembly Bill No. 2089

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WINTON, Chairman

Above bills ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1859

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1734

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1578

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 476
Assembly Bill No. 1701

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 604

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1528

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

**Committee on Natural Resources, Planning, and Public Works**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2163

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works.

LOWREY, Chairman

Above bill ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1930

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 192
Assembly Bill No. 1422
Assembly Bill No. 1591
Assembly Bill No. 1661
Assembly Bill No. 1866

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 251

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 213

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1698

With the recommendation: Do pass.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 18

With the recommendation: Do pass.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 278
Senate Bill No. 773
Senate Bill No. 868

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1755

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1704
Assembly Bill No. 2004

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, April 21, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1826

With amendments with the recommendation: Amend, and do pass, as amended.

DAVIS, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 51

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 207
House Resolution No. 208
House Resolution No. 209
House Resolution No. 211
House Resolution No. 212
House Resolution No. 214

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 30

With the recommendation: That the resolution be re-referred to the Committee on Military and Veterans Affairs.

MILLER, Chairman

Above resolution re-referred to the Committee on Military and Veterans Affairs.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1564
Assembly Bill No 2072
Assembly Bill No. 2081
Assembly Bill No. 2082
Assembly Bill No. 2105
Assembly Bill No. 2137
Assembly Bill No. 2152
Assembly Bill No. 2156
Assembly Bill No. 2157

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 433
Assembly Bill No. 2020
Assembly Bill No. 2083
Assembly Bill No. 2101
Assembly Bill No 2140

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 415
Assembly Bill No. 2087

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

**MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 203**

Mr. Biddick moved to reconsider on the next legislative day the vote whereby the amendments to Assembly Bill No. 203 were this day adopted (Assembly Journal, page 2709).

Assembly Bill No. 203 and the motion to reconsider ordered placed on the unfinished business file.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and read:

### Veto Message Relative to Assembly Bill No. 598

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 22, 1959

*To the Honorable Members of the Assembly*
*State of California*
*Sacramento*
*Greetings:*

I am returning, herewith, without my signature,

**Assembly Bill No. 598** entitled "An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs".

My objections to this bill are as follows:

The general purpose of the bill is to provide for transfer of real property taxes to the unsecured roll in lieu of cancellation when such property is acquired by tax exempt public agencies in negotiated transactions. In condemnation cases the bill provides for proration of such taxes.

My objections to the bill are not concerned with its merits, but with a technical defect in Section 3, rendering the bill unintelligible in the form enacted, and with a defect in the proration formula, in that it does not provide for disposition, by cancellation, of the public agency's portion of the tax obligation.

These deficiencies in the form of the bill as enacted by the Legislature have been discussed with the author. It is my understanding that he will introduce a new bill that will correct errors in draftsmanship, and prescribe a workable formula for proration of the tax obligation in condemnation cases.

I am, therefore, returning Assembly Bill No. 598 without my signature.

Respectfully submitted,

EDMUND G. GROWN, Governor

Assembly Bill No. 598 ordered to unfinished business.

### Veto Message Relative to Assembly Bill No. 33

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 21, 1959

*To the Honorable Members of the Assembly*
*State of California*
*Sacramento*
*Greetings:*

I am returning, herewith, without my signature,

**Assembly Bill No. 33** entitled: "An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately".

My objections to this bill are as follows:

This bill would make inoperative the compulsory retirement provisions of the State Employees' Retirement System until the ninety-first day after final adjournment of this session of the Legislature. If legislation is enacted at this session providing for survivorship benefits as a part of the State System, or providing for the integration of the State Employees' Retirement System with the Federal Old Age and Survivors Insurance Program, this period would be extended.

The principle of compulsory retirement at age 70 has long been an established part of the State Employees' Retirement System, and is, I believe, an essential part of any retirement system.

There are bills now pending before the Legislature which would either provide survivors benefits as a part of the State System, or provide for the integration of the State System with the Federal System. Either alternative involves a large additional expenditure of general funds, which has not been budgeted, and which has not been funded as a part of the program of additional taxes which I have requested the Legislature to enact.

Similar legislation was enacted at the last General Session of the Legislature (Statutes of 1957, Chapter 357). A proposal for integration of the State and Federal Systems, included therein, was thereafter overwhelmingly rejected by vote of the state employees. As a net result of that enactment, certain state employees were employed for additional periods after the mandatory retirement age. To enact the present measure into law would again permit certain employees to serve an additional period of time beyond the mandatory retirement age, irrespective as to

whether any legislation now being considered is adopted by this session of the Legislature providing for survivor benefits.

To approve this measure would encourage legislation every two years of a similar nature solely for the purpose of extending the mandatory retirement age.

I am, therefore, returning Assembly Bill No. 33 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 33 ordered to unfinished business.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 233

Speaker Brown ordered Senate Bill No. 233 withdrawn from the Committee on Water, and re-referred to the Committee on Natural Resources, Planning, and Public Works.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, April 21, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 489

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 489**—An act to add Section 16653 to the Government Code, relating to the redemption of state bonds and bond coupons, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

**Assembly Bill No. 2580**: By Mr. Hegland—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

Referred to Committee on Revenue and Taxation.

### EXPLANATION OF ABSENCE

April 22, 1959

It was necessary for me to be absent from the Assembly Chamber for part of this morning's session because I had a bill to present to the Senate Committee on Judiciary.

LOUIS FRANCIS

### ADJOURNMENT

At 12.07 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 23, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY

SEVENTY-NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, April 23, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Eternal God,* If in jest we suggest that looking at the men of this Assembly, we ought to be moved in sympathy to pray for the people of the State, let us in dead earnestness, as we look at the people, be moved to pray for their elected representatives. So much is expected; so many and strange demands are made. How can one man represent diverse elements, or be responsible for opposing interests, or agree to demands for which there is no money? Give to those who are thus called to do the impossible, spiritual graces unlimited and unending, through Jesus Christ, our Lord.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Miller, seconded by Mr. Thelin.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Esther Jones of Los Angeles, relative to vivisection. Referred to the Committee on Public Health.

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Mrs. F. G. Shaw of Oakland, relative to the Emerald Bay Bridge. Referred to the Committee on Transportation and Commerce.

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L. N. Jones of San Jose, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Mrs. Willa F. Painter and family, of Hollywood, relative to vaccination of dogs. Referred to the Committee on Public Health.

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Guy B. Blood, Santa Clara County Airmen Association, San Jose; Robert W. Reid, Spanflow Dusting Co., San Jose; and Howard R. White, Garden City Aero, San Jose, relative to taxation of aircraft Referred to the Committee on Revenue and Taxation.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 111**: By Messrs. Gaffney, Marks, Busterud, Meyers, Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—Relative to the passing of E. D. Coblentz.

### Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up Assembly Concurrent Resolution No. 111 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 111

**Assembly Concurrent Resolution No. 111**—Relative to the passing of E. D. Coblentz.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 112:** By Mr. Hawkins—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the seventh day of April, 1959.

Referred to Committee on Rules.

**Assembly Bill No. 2581:** By Messrs. Meyers, O'Connell, Gaffney, Marks, Burton, and Busterud—An act to amend Sections 4150 and 4159 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of the color of vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2582:** By Messrs. Meyers, Gaffney, Marks, Busterud, Britschgi, and Francis—An act to amend Section 30608 of the Streets and Highways Code, relating to San Francisco-Oakland Bay Bridge tolls, and making an appropriation.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2583:** By Mr. Coolidge—An act to add Chapter 8 (commencing at Section 10700) to Part 1 of Division 4 of the Business and Professions Code, relating to a State Board of Registration of Professional Appraisers, prescribing its organization, powers, and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2584:** By Mr. Coolidge—An act to amend Section 987.15 of the Military and Veterans Code, relating to veterans' farm and home purchases.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2585:** By Mr. Bee—An act to amend Sections 1044 and 15802 of the Education Code as enacted at the 1959 Regular Session, and to amend Sections 1956 and 53056 of the Government Code, relating to insurance coverage for school districts.

Referred to Committee on Education.

**Assembly Bill No. 2586:** By Mr. Bee—An act to amend Section 5580 of the Business and Professions Code, relating to the practice of architecture, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2587:** By Mr. Biddick—An act to amend Sections 74802, 74803, 74804, and 74805 of the Government Code, relating to the municipal court district embracing the City of Stockton

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2588**: By Mr. Winton—An act to add Section 13144.1 to the Health and Safety Code, relating to dissemination of information by the State Fire Marshal.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2589**: By Mr. Bruce F. Allen—An act to amend Section 1944 of the Labor Code, relating to employment of aliens.

Referred to Committee on Education.

**Assembly Bill No. 2590**: By Mr. McMillan—An act to add Chapter 6 (commencing with Section 31551) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tax-supported schools conferring diplomas, degrees, or certificates evidencing the completion of a course of study beyond high school.

Referred to Committee on Education.

**Assembly Bill No. 2591**: By Messrs. Bruce F. Allen and Z'berg—An act to add Section 12902 to the Water Code, relating to state water projects.

Referred to Committee on Water.

**Assembly Bill No. 2592**: By Messrs. Bruce F. Allen and Williamson—An act to add Section 16759 to the Business and Professions Code, relating to restraints of trade.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2593**: By Messrs. Bruce F. Allen and Williamson—An act to amend Section 16750 of the Business and Professions Code, relating to restraints of trade.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2594**: By Messrs. Bruce F. Allen and Williamson—An act to add Section 17087 to the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2595**: By Messrs. Bruce F. Allen and Williamson—An act to amend Sections 16752 and 16753 of the Business and Professions Code, relating to restraints of trade.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2596**: By Mr. Lunardi, and Senator Brown, coauthor—An act to amend Section 17703 of, and to add Section 17704 to, the Education Code as enacted at the 1959 Regular Session, relating to apportionment of funds to school districts from the State School Fund.

Referred to Committee on Education.

**Assembly Bill No. 2597**: By Mr. Cunningham—An act to amend Sections 74012, 74013, 74014, 74015, 74015.5, 74018, 74019, 74882, 74883, 74884, 74885, 74885.5, 74888 and 74889 of the Government Code, relating to the municipal courts established in a district embracing the City

of Oxnard and Port Hueneme and in a district embracing the City of Ventura.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2598**: By Mr. Backstrand—An act to amend Sections 74130 and 74131 of the Government Code, relating to municipal courts in Riverside County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2599**: By Mr. MacBride—An act to amend Sections 8200, 8201, 8203, 8203.1, 8203.5, 8207, 8209, 8212, 8213, and 8216 of, and to repeal Section 8205.1 of, the Government Code, relating to notaries public.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2600**: By Messrs. Grant and Kennick, and Senator Richards, co-author—An act to amend Section 1 of Chapter 102, Statutes of 1925, an act entitled "An act granting certain tideland and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 2601**: By Mr. Thelin—An act to amend Section 7057 of the Public Resources Code, relating to oil and gas leases.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 2602**: By Mr. Thelin—An act to amend Section 2924b of the Civil Code, relating to notice of default or sale under a deed of trust or mortgage.

Referred to Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 812**—An act to amend Section 35541 of the Health and Safety Code, and to amend Section 2 of Chapter 1246, Statutes 1955, relating to temporary housing projects;

**Assembly Bill No. 1073**—An act to amend Section 190 of the Streets and Highways Code, relating to the allocation of funds to grade separation projects, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the twenty-second day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1691

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, April 21 1959

MR SPEAKER: Your Committee on Government Organization reports.

Assembly Bill No. 1624

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 773
Assembly Bill No. 774
Assembly Bill No. 775
Assembly Bill No. 776
Assembly Bill No. 777
Assembly Bill No. 778
Assembly Bill No. 779
Assembly Bill No. 780
Assembly Bill No. 781
Assembly Bill No. 782
Assembly Bill No. 783
Assembly Bill No. 784
Assembly Bill No. 785
Assembly Bill No. 786
Assembly Bill No. 787
Assembly Bill No. 788
Assembly Bill No. 789
Assembly Bill No. 790
Assembly Bill No 791
Assembly Bill No 792
Assembly Bill No. 793
Assembly Bill No. 794
Assembly Bill No. 795
Assembly Bill No. 796
Assembly Bill No 798
Assembly Bill No. 799
Assembly Bill No. 801
Assembly Bill No. 848
Assembly Bill No. 849
Assembly Bill No. 850
Assembly Bill No. 851
Assembly Bill No. 853
Assembly Bill No. 854
Assembly Bill No. 855
Assembly Bill No. 856
Assembly Bill No. 857
Assembly Bill No. 858
Assembly Bill No. 1078
Assembly Bill No. 1151
Assembly Bill No. 1153
Assembly Bill No. 1270
Assembly Bill No. 1562
Assembly Bill No. 1563
Assembly Bill No. 1629
Assembly Bill No 2067
Assembly Bill No. 2136

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 132
Assembly Bill No. 684
Assembly Bill No. 1309
Assembly Bill No. 1310
Assembly Bill No. 1500
Assembly Bill No. 2065

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports.

Assembly Bill No. 1836

With the recommendation Do pass.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 444
Assembly Bill No 594
Assembly Bill No 689
Assembly Bill No. 1733
Assembly Bill No 405
Assembly Bill No. 406
Assembly Bill No. 408
Assembly Bill No. 409

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR SPEAKER: Your Committee on Judiciary— Civil reports:

Assembly Bill No 1542

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 525

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

| | |
|---|---|
| Senate Bill No. 30 | Senate Bill No. 60 |
| Senate Bill No. 35 | Senate Bill No. 61 |
| Senate Bill No. 37 | Senate Bill No. 62 |
| Senate Bill No 39 | Senate Bill No 159 |
| Senate Bill No 59 | Senate Bill No. 551 |

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR SPEAKER. Your Committee on Judiciary—Civil reports.

Senate Bill No. 78
Senate Bill No. 79
Senate Bill No 286

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, April 22, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 332

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 772

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER. Your Committee on Elections and Reapportionment reports:

Senate Joint Resolution No. 6

With the recommendation: Be adopted.

CROWN, Chairman

Above resolution ordered on file.

**Committee on Agriculture**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1471

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

SAMUEL R. GEDDES, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2131

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2104

With amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

**Committee on Public Utilities and Corporations**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2060

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1727

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Rules**

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 33

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 215
House Resolution No. 216

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 110

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 15

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 61
Assembly Bill No. 199
Assembly Bill No. 200
Assembly Bill No. 238
Assembly Bill No. 242
Assembly Bill No. 311
Assembly Bill No. 312
Assembly Bill No. 356
Assembly Bill No. 386
Assembly Bill No. 596
Assembly Bill No. 638
Assembly Bill No. 674
Assembly Bill No. 832
Assembly Bill No. 955
Assembly Bill No. 1052
Assembly Bill No. 1055
Assembly Bill No. 1118
Assembly Bill No. 1434

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 211
Assembly Bill No. 258
Assembly Bill No. 350
Assembly Bill No. 917
Assembly Bill No. 1030

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 104

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 35
Senate Concurrent Resolution No. 40

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Concurrent Resolution No. 35**—Relative to the landscaping of the Carmel-Monterey Freeway.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 40**—Relative to predatory animal control.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 5
Senate Bill No. 480
Senate Bill No. 484
Senate Bill No. 613
Senate Bill No. 675
Senate Bill No. 727
Senate Bill No. 983

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 5**—An act to amend Section 8352 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel Fund and making an appropriation thereof.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 480**—An act to amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 435, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553, 557 and 614 of, to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of and to add Sections 486, 514, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588 and 589 to, the Streets and Highways Code, relating to state highways, providing for a California Freeway and Expressway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 484**—An act to amend Section 13943.5 of the Government Code, relating to the discharge of state agencies from accountability for collection of taxes, licenses, fees, or money owing to the State.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 613**—An act to add Article 4.5 (commencing with Section 19501) to Chapter 4, Division 8 of the Business and Professions Code, relating to the licensing and regulation of persons selling or offering to sell information predicting the outcome of horse races.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 675**—An act to amend Sections 2079 and 6019 of the Insurance Code, relating to the standard form fire insurance policy.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 727**—An act to add Section 23014 to the Government Code, relating to the establishment of county revolving funds to finance district improvements.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 983**—An act to amend Section 814 3 of the Agricultural Code, relating to lettuce containers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, April 22, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR SIR: I am returning herewith Assembly Bill No. 1029 as requested by your honorable body.

Very truly yours,

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Assembly Bill No. 1029 ordered to unfinished business file

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

## MOTION

Mr. Biddick moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr Coolidge seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1433, 1997, 2008, 1458,** and **1802.**

**Senate Bill No. 507.**

Assembly Bills Nos. 1433, 2008, and 1802 ordered to third reading, subsequent to engrossment.

Assembly Bill No. 1997 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bill No. 1458 ordered to the Consent Calendar, subsequent to re-engrossment.

Senate Bill No. 507 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1060**—An act to amend Sections 18021.5 and 18023 of the Government Code, relating to overtime for state employees.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 18021.5 and 18023", and insert "Section 18021.5".

#### Amendment No. 2

In line 2 of the title, after "employees", insert ", and making an appropriation therefor".

#### Amendment No. 3

On page 1, between lines 2 and 3, insert

"18021.5. The State Personnel Board shall provide the extent to which, and the method by which, ordered overtime or overtime in times of critical emergency is compensated. The board may provide for cash compenastion at a rate not to exceed one and one-half times the regular rate of pay, and the rate may vary within a class depending upon the conditions of work, or the board may provide for compensating time off. The provisions made under this section shall be based on the practices of private industry and other public employment, the needs of state service and internal relationships."

#### Amendment No. 4

On page 1, line 3, strike out "18021.5."; in line 12, strike out "Overtime"; and strike out lines 13 to 16, inclusive.

#### Amendment No. 5

On page 2, strike out lines 1 to 15, inclusive.

#### Amendment No. 6

On page 2, line 16, strike out "3", and insert "2".

#### Amendment No. 7

On page 2, line 16, insert "two hundred sixty-seven thousand".

#### Amendment No. 8

On page 2, line 17, insert "267,000".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1841**—An act to amend Section 20361 of the Government Code, relating to employees' retirement system.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "20361", and insert "20804.5".

**Amendment No. 2**

On page 1, line 1, strike out "20361", and insert "20804.5".

**Amendment No. 3**

On page 1, strike out lines 3 to 21, inclusive, and insert

"20804.5. Any member shall receive current service credit: (a) for the time which was spent by him in the employment of the State or contracting agency prior to becoming a member of this system and after persons employed in his status were eligible for membership in this system and (b) for the part-time service which was spent by him in the employment of the State or contracting agency prior to becoming a member, and while excluded from membership because serving on a part-time basis *or because of his failure to exercise his right of election of membership under either Section 20360 or 20361 of this code*, if, at any time prior to retirement, he elects to pay, and pays, into the retirement fund, by lump sum payment or by installments over a period not to exceed 60 months subject to minimum payments fixed by the board, normal contributions for such time prior to becoming a member computed by applying the rate of contribution applicable to him at the time he first became a member of this system to the compensation earnable by him at that time, together with interest on such contributions or on the unpaid balance if such contributions are paid by installments, from October 1, 1953, or from the date on which he first became a member of this system, whichever is later, until paid.

This section shall not apply to the employees of any contracting agency nor to any such agency unless and until the contracting agency elects to be subject to its provisions by amendment to its contract with the board, made as provided in Section 20461.5, or by express provision in its contract with the board."

**Amendment No. 4**

On page 2, strike out lines 1 to 6, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1957**—An act to add Section 20933.5 to the Government Code, relating to State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 20933.5", and insert "Sections 20933.5 and 20814".

**Amendment No. 2**

On page 1, after line 9, insert

"SEC. 2. Section 20814 is added to said code, to read:

20814. In computing the amount of service to be credited to a member who is entitled to credit under this part for service as an elective officer, a year of service shall be credited for each year of tenure in such office. A person serving in such office shall be deemed to be serving on a full-time rather than a part-time basis for all purposes of this part."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2142**—An act to add Part 2.3 (commencing at Section 18897) to Division 13 of the Health and Safety Code, relating to organized camps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "participating", and insert "participant".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2058**—An act to amend Section 11500 of the Water Code, relating to the powers of the Department of Water Resources.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 802**—An act to add Chapter 3 (commencing with Section 13200) to Division 10 of the Fish and Game Code, relating to accounting by the Department of Fish and Game.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1342**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1154**—An act to amend Section 19539.5 of the Business and Professions Code, relating to horse racing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 9, insert

"The amendment of this section made at the 1959 Regular Session of the Legislature shall not be applied to deprive any nonquarter horse racing association of racing days which such association was using during 1958 and 1959 or of the number of Saturdays allocated to such association during 1958 and 1959."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2109**—An act to add Article 6.5 (commencing at Section 53800) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relative to the issuance of building certificates by local public agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 11, inclusive, and on page 2 strike out lines 1 to 3, inclusive, and insert

"53800. The following terms whenever used in this article have the meanings given in this section except where the context clearly indicates otherwise:

(a) "Local agency" means any county, city, or city and county which is a contracting agency under the State Employees' Retirement System, as defined in Section 20010.

(b) "Board" means the legislative body of the local agency

(c) "Investing agency" means the State Employees' Retirement System, as defined by Section 20004

(d) "Construction" includes the extension, enlargement, repair, renovation, restoration, improvement, and equipping of any public building.

(e) "Public building" includes any structure, building, facility, or work which a local agency is authorized to construct and automobile parking lots, landscaping, and other facilities, including equipment, incidental to the use of any building, and also includes the site thereof, and any easements or rights of way appurtenant thereto or necessary for its full use

(f) "Acquire" includes purchase, condemnation, lease, and gift

(g) "Cost of a public building" includes, but is not limited to, the cost of all real estate, properties, rights, and easements acquired, the cost of construction of public buildings and equipment of them, all financing charges, interest prior to, during and for a period of six months after construction, engineering, architects' and legal expenses, including the cost of plans, specifications, and surveys, estimates of cost and revenues, administrative expenses, and such other expenses as are necessary or incident to the financing of public buildings, or to determine the feasibility or practicability of any public buildings and the condemnation of property necessary for use of, or in connection with, any public building

(h) "Property" includes all property, real, personal or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of this part"

**Amendment No. 2**

On page 2, line 4, strike out "53803", and insert "53801".

**Amendment No. 3**

On page 2, line 14, strike out "53804", and insert "53802".

**Amendment No. 4**

On page 2, line 18, strike out "53805", and insert "53803".

**Amendment No. 5**

On page 2, line 20, strike out "53806", and insert "53804".

**Amendment No. 6**

On page 2, line 23, strike out "53807", and insert "53805".

**Amendment No. 7**

On page 2, line 26, strike out "53808", and insert "53806"

**Amendment No. 8**

On page 2, line 36, strike out "53809", and insert "53807".

**Amendment No. 9**

On page 2, line 46, strike out "53810", and insert "53808".

**Amendment No. 10**

On page 3, line 13, strike out "53811", and insert "53809".

**Amendment No. 11**

On page 3, line 28, strike out "53812", and insert "53810".

**Amendment No. 12**

On page 3, line 42, strike out "53813", and insert "53811".

**Amendment No. 13**

On page 4, line 35, strike out "53814", and insert "53812".

**Amendment No. 14**

On page 4, line 35, strike out "53813", and insert "53811".

**Amendment No. 15**

On page 5, line 8, strike out "53813", and insert "53811".

**Amendment No. 16**

On page 5, line 12, strike out "53815", and insert "53813".

**Amendment No. 17**

On page 5, line 20, strike out "53816", and insert "53814".

**Amendment No. 18**

On page 5, line 41, strike out "or revenue bonds".

**Amendment No. 19**

On page 5, line 44, strike out "or revenue bonds".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1815**—An act to amend Sections 23358, 23360, 23361, and 23362 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2089**—An act to amend Section 23104 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1859**—An act to amend Section 1176 of the Insurance Code, relating to mortgage loan investments.

Bill read second time.

***Consideration of Committee Amendments***

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 22, of the printed bill, after "exceeds", insert "75 percent if made upon the kind of property and improvements referred to in (b) (1) above or at no time exceeds".

**Amendment No. 2**

On page 2, line 1, after "property", insert ", if other than referred to in (b) (1) above,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1734**—An act to amend Sections 11529, 11532, 11532.3 and 11532.7 of the Insurance Code, relating to mutualized insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 2, lines 13 and 14, of the printed bill, as amended in the Assembly on April 3, 1959, strike out ", but shall be exempt from the provisions of Chapter 7 of Part 2 of Division 2 of this code".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1578**—An act to add Section 1253 1 to the Unemployment Insurance Code, relating to eligibility for unemployment compensation benefits, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "any day of which", and insert "which, for not exceeding two working days,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 476**—An act to amend Section 316 of the Unemployment Insurance Code, relating to publication of information.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after "information", insert "employee".

**Amendment No. 2**

On page 1, line 10, after "English", insert "and separately in Spanish in such number as the director may determine."

**Amendment No. 3**

On page 1, strike out line 11.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1701**—An act to add Section 655 to the Unemployment Insurance Code, relating to excluded services.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 4, and insert "by a professional athlete who is neither a citizen of nor a resident of the United States or any state when he comes to the State".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1528**—An act to amend Section 10270.55 of the Insurance Code, relating to standard provisions in disability policies.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2, line 13, of the printed bill, as amended in the Assembly on April 9, 1959, strike out "or", and insert "of".

**Amendment No. 2**

On page 2, line 33, strike out "(e)", and insert "(c)".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2163**—An act to amend Sections 50704, 51323, 53000, and 53042 of, and to add Section 53005 to, the Water Code, relating to reclamation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Sections 50704, 51323, 53000, and 53042 of, and to add Section 53005 to," and insert "Section 50704 of".

**Amendment No. 2**

On page 1, strike out lines 9 to 16, inclusive; and on page 2, strike out lines 1 to 29, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1930**—An act to add Article 9 (commencing at Section 8690) to Chapter 14 of Division 3 of the Business and Professions Code, relating to maintaining of financial responsibility by structural pest control operators.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 2, line 18, of the printed bill, after "unlicensed", insert "or licensed".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 192**—An act to amend Section 1071.4 of the Agricultural Code, and to amend Sections 8562, 8620, 8652, and 8674 of, to add Sections 8516, 8538, 8539, 8540, and 8572 to, and Article 6.5 (commencing at Section 8615) to Chapter 14 of Division 3 of, and to repeal Sections 8516 and 8517 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on March 12, 1959, strike out "amend Section 1071.4 of the Agricultural Code, and to".

**Amendment No. 2**

On page 1, strike out lines 3 to 18, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Sections 8516 and 8517 of the Business and Pro-"

**Amendment No. 3**

On page 2, line 12, strike out "3", and insert "2".

**Amendment No. 4**

On page 2, line 17 strike out "4", and insert "3".

**Amendment No. 5**

On page 2, line 22, strike out "5", and insert "4".

**Amendment No. 6**

On page 2, strike out lines 28 to 32, inclusive.

**Amendment No. 7**

On page 2, line 33, strike out "6", and insert "5".

**Amendment No. 8**

On page 2, line 38, strike out "7", and insert "6".

**Amendment No. 9**

On page 3, line 15, strike out "group or groups", and insert "branch or branches".

**Amendment No. 10**

On page 3, line 27, strike out "8", and insert "7".

**Amendment No. 11**

On page 4, line 4, after "structures", insert "by direction of the person ordering the inspection".

**Amendment No. 12**

On page 4, lines 30 and 31, strike out "or his successors,".

**Amendment No. 13**

On page 4, lines 39 and 40, strike out ", or his successors".

**Amendment No. 14**

On page 4, line 45, strike out ", or his successors".

**Amendment No. 15**

On page 5, strike out lines 17 and 18, and insert "work. Such documents shall indicate specifically whether all of the recommended work as set forth in the inspection report was completed, or, if not, shall indicate specifically which recommendations were not completed."

**Amendment No. 16**

On page 5, line 32, strike out "contract", and insert "guarantee".

**Amendment No. 17**

On page 5, line 50, strike out "9", and insert "8".

**Amendment No. 18**

On page 6, line 14, strike out "10", and insert "9".

**Amendment No. 19**

On page 6, line 22, strike out "11", and insert "10".

**Amendment No. 20**

On page 6, line 36, strike out "12", and insert "11".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1422**—An act to add Chapter 20 (commencing with Section 9800) to Division 3 of the Business and Professions Code, relating to the regulation and licensing of interior designers and decorators, creating a State Board of Interior Designers and Decorators, prescribing their powers and duties, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In lines 4 and 5 of the title of the printed bill, strike out "a State Board of Interior Designers and Decorators", and insert "an Interior Designers and Decorators Examining Committee".

**Amendment No. 2**

On page 2, strike out lines 44 to 47, inclusive, and insert

"9813. The board shall employ and make available to the committee within the limits of the funds received by the board all personnel necessary, including an executive secretary, to carry out the provisions of this chapter. The board shall make all expenditures necessary to carry out the provisions of this chapter. The board may accept contributions to effectuate the purposes of this chapter. All personnel made available to the committee by the board shall carry out their duties under the direction of the committee."

**Amendment No. 3**

On page 3, line 20, strike out "board", and insert "examining committee".

**Amendment No. 4**

On page 3, line 27, strike out "board", and insert "examining committee".

**Amendment No. 5**

On page 3, line 29, strike out "board", and insert "examining committee".

**Amendment No. 6**

On page 3, line 36, strike out "or", and insert "and".

**Amendment No. 7**

On page 3, line 43, after "rooms or", insert "the interior of".

**Amendment No. 8**

On page 3, line 44, after "thereof.", insert "The practice of interior designing and decorating does not include the designing, engineering, or supervision of construction of buildings."

**Amendment No. 9**

On page 3, strike out lines 50 to 52, inclusive, and insert " "interior designer" or "interior decorator" without having".

**Amendment No. 10**

On page 4, line 10, after "Division 3", insert ", nor to any individual, partnership, or corporation practicing architecture as provided in Sections 5537 and 5538, provided that such individual, partnership, or corporation shall not advertise or hold himself out to the public as an interior designer and decorator".

**Amendment No. 11**

On page 4, between lines 10 and 11, insert

"9836. A contractor who holds a license to engage in business or to act in the capacity of a contractor in this State under the provisions of Chapter 9 (commencing at Section 7000), Division 3, or of any other provision regulating contracting, insofar as he engages in the business or acts in the capacity of such a contractor is exempt from the licensing provisions of this chapter.

9837. Every home furnishing sales establishment operating under the terms of a valid business license in this State and every home furnishing sales person employed in such an establishment is exempt from the licensing provisions of this chapter if not advertised or held out to the public as an "interior designer" or interior decorator" or "interior designer and decorator"."

**Amendment No. 12**

On page 4, line 18, strike out "board", and insert "examining committee".

**Amendment No. 13**

On page 4, line 21, strike out ' board", and insert "examining committee".

**Amendment No. 14**

On page 4, strike out lines 26 and 27, and insert

"(b) Two years in a school accredited by the committee in a course of interior designing and decorating.

(c) At least three years of diversified experience in interior designing and decorating acceptable to the committee provided that up to two additional years study in a school approved by the committee may be credited as such experience."

**Amendment No. 15**

On page 4, line 29, strike out "board", and insert "examining committee".

**Amendment No. 16**

On page 4, line 33, strike out "board", and insert "examining committee".

**Amendment No. 17**

On page 4, line 40, after "practice", insert "for at least two years".

**Amendment No. 18**

On page 4, line 48, strike out "board", and insert "examining committee".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1591**—An act to add Sections 4102.5, 4102.6, and 4102.7 to the Government Code, relating to subcontract bidding on public work or improvements.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "4102.5, 4102.6, and 4102.7", and insert "4102.2, 4102.4, 4102.6, 4102.7, 4102.8, 4102.10, and 4109".

**Amendment No. 2**

On page 1, line 1, strike out "4102.5", and insert "4102.2".

**Amendment No. 3**

On page 1, strike out lines 3 to 14, inclusive, and insert

"4102.2. Any subcontractor submitting a subcontract bid to a general contractor with respect to the construction of any public work or improvement shall prepare an original and at least two copies of such bid. The subcontractor or his representative shall subscribe on the original and all copies of the bid the figure representing the total bid, or if there is no total bid, the figure representing the individual bids made therein, and a statement to the effect that such figure is the same on all copies as on the original.

The subcontractor shall furnish the original bid to the general contractor at least 48 hours prior to the time set by the awarding authority for the opening of the general contractor's bid and shall furnish the awarding authority with at least one such copy of the bid in a sealed envelope with the name of the subcontractor and his address, and the name of the general contractor to whom the bid was submitted, clearly contained on the outside thereof at least 48 hours prior to the time set for the bid opening, obtaining from the awarding authority a receipt showing the date and time of delivery of such copy thereto. The subcontractor shall retain at least one such copy in his files.

SEC. 2. Section 4102.4 is added to said code, to read:

4102.4. Any general contractor submitting a bid to the awarding".

**Amendment No. 4**

On page 1, line 16, strike out "such", and insert "the original".

**Amendment No. 5**

On page 2, strike out lines 4 to 16, inclusive, and insert

"SEC. 3. Section 4102.6 is added to said code, to read:

4102.6. The awarding authority, upon awarding the bid to a general contractor, shall open that contractor's subcontractors' bids. If the subcontractors' bids conform with the figures contained in the general contractor's bid, the contract shall be awarded to the general contractor. If they do not conform or if the subcontractor was unable to obtain the bond provided for in Section 4109, the general contractor shall be given the option of doing the work himself or selecting another subcontractor's bid from among those who submitted bids on the contract, except that there shall be no increase in cost to the awarding authority.

If a subcontractor's bid does not conform and the general contractor substitutes another subcontractor whose bid conforms as provided in this section, the subcontractor whose bid does not conform, if he is responsible for the difference between the original bid and the copy thereof, shall be liable to the general contractor for any difference between the figure contained in his bid to the general contractor and the bid accepted as a substitute by the general contractor, if the latter bid is greater.

When the awarding authority has awarded the contract, it shall return the remaining bids of the subcontractors to such subcontractors unopened.

SEC. 4. Section 4102.7 is added to said code, to read:

4102.7 Any general con-".

**Amendment No. 6**

On page 2, strike out lines 25 to 28, inclusive, and insert

"SEC. 5 Section 4102.8 is added to said code, to read:

4102.8 The subcontractor may withdraw the bid he has submitted to the general contractor and to the awarding authority at any time prior to 12 hours before the general bid opening. If a bid is withdrawn, the subcontractor may not submit another bid on the contract.

SEC. 6 Section 4102.10 is added to said code, to read:

4102.10 The general contractor or a subcontractor, or both, responsible for a difference between the original bid and the copy thereof, submitted to the awarding authority, shall be subject to disciplinary action by the Contractors' State License Board pursuant to Article 7 (commencing at Section 7090) of Chapter 9, Division 3, of the Business and Professions Code, except that he shall be required to complete any public contract outstanding at the time the action of the board is effective.

SEC. 7 Section 4109 is added to said code, to read:

4109 Whenever a subcontractor furnishes to the awarding authority as provided in Section 4102.2 a copy of a bid made to a general contractor, such subcontractor shall also furnish the awarding authority with a bidder's bond executed by an admitted surety insurer, made payable to the general contractor. The bond shall be in an amount of at least 10 percent of the bid."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1661**—An act to add Chapter 9.7 (commencing at Section 7250) to Division 3 of the Business and Professions Code, relating to the creation of a State Board of Control of Blind-made Products, prescribing its organization, powers and duties, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, line 1, of the printed bill, strike out "five", and insert "three".

**Amendment No. 2**

On page 2, line 2, after the period, insert "No officer or employee of the Department of Education, of the California Industries for the Blind, or of an organization or seller of blind-made products shall be appointed to the board."

**Amendment No. 3**

On page 2, strike out lines 4 and 5, and insert "pire as follows: one member, June 1, 1961; one member, June 1, 1962; and one member June 1,".

**Amendment No. 4**

On page 2, line 14, strike out "_____", and insert "ten dollars ($10)".

**Amendment No. 5**

On page 2, line 38, after "blind", insert ", as defined in Section 7250.1,".

**Amendment No. 6**

On page 2, line 39, after "chapter", insert ", nor shall any licensee employ any person to sell such products without first having paid to the board the registration fee required by this chapter for each such salesman".

**Amendment No. 7**

On page 2, line 45, after "blind", insert ", as defined in Section 7250.1,".

**Amendment No. 8**

On page 4, strike out lines 3 to 8, inclusive, and insert

"7255. On or before the first day of January of each year each licensee shall pay to the board the annual license renewal fee required by this chapter and shall at the same time pay to the board the annual registration renewal fee rquired by this chapter for each salesman in his employ at that time, except that a person who is issued a license within 30 days of the end of the calendar year, or who employs a salesman within such period, is exempt from the payment of the annual license renewal fee, or the annual registration renewal fee for such salesman, for the succeeding year."

**Amendment No. 9**

On page 4, line 9, strike out "fee", and insert "fees required by this chapter"

**Amendment No. 10**

On page 4, line 13, strike out "fee", and insert "fees".

**Amendment No. 11**

On page 4, line 14, strike out "fee", and insert "fees".

**Amendment No. 12**

On page 4, strike out lines 28 to 30, inclusive, and insert

"(a) The license application fee is ten dollars ($10).
(b) The annual license renewal fee is ten dollars ($10).
(c) The salesman registration fee is fifteen dollars ($15).
(d) The annual salesman registration renewal fee is fifteen dollars ($15).
(e) The delinquency fee is one-half of the renewal fee."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1866**—An act to add Sections 11375 and 11376 to the Government Code, relating to administrative rules and regulations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Sections 11375 and 11376 to", and insert "amend Sections 11380, 11422, 11422.1, and 11423 of".

**Amendment No. 2**

On page 1, strike out lines 1 to 18, inclusive

**Amendment No. 3**

On page 2, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 11380 of the Government Code is amended to read:

11380. Every state agency shall:

(a) Transmit to the department for filing with the Secretary of State *and with the Rules Committee of each House of the Legislature* a certified copy of every regulation adopted by it except one which:

(1) Establishes or fixes rates, prices or tariffs.

(2) Relates to the use of public works, including streets and highways, under the jurisdiction of any state agency when the effect of such order is indicated to the public by means of signs or signals.

(3) Is directed to a specifically named person or to a group of persons and does not apply generally throughout the State.

(b) Transmit to the department for filing with the Secretary of State *and with the Rules Committee of each House of the Legislature* a certified copy of every order of repeal of a regulation required to be filed under subdivision (a) of this section.

(c) Deliver to the department at the time of transmittal for filing a regulation or order of repeal ~~two~~ *four* duplicate copies of the regulation or order of repeal together with a citation of the authority pursuant to which it or any part thereof was adopted.

SEC. 2. Section 11422 of said code is amended to read:

11422. A regulation or an order of repeal required to be filed with the Secretary of State shall become effective on the thirtieth day after the date of filing unless:

(a) Otherwise specifically provided by the statute pursuant to which the regulation or order of repeal was adopted, in which event it becomes effective on the day prescribed by such statute.

(b) It is a regulation prescribing an agency's organization or procedure, in which event it shall become effective upon filing or upon any later date specified by the state agency in a written instrument filed with, or as part of, the regulation or order of repeal.

(c) It is an emergency regulation or order of repeal adopted pursuant to subdivision (b) of Section 11421, in which case the finding and the statement of the facts constituting the emergency shall be filed with the Secretary of State *and with the Rules Committee of each House of the Legislature* together with the emergency regulation or order of repeal, which shall, in that event only, become effective upon filing or upon any later date specified by the state agency in a written instrument filed with, or as part of, the regulation or order of repeal.

(d) A later date is prescribed by the state agency in a written instrument filed with, or as part of, the regulation or order of repeal.

SEC. 3. Section 11422.1 of said code is amended to read:

11422.1. No regulation adopted as an emergency shall remain in effect more than 120 days unless the adopting agency has complied with Sections 11423, 11424, and 11425, prior to the adoption of the emergency regulation, or has, within said 120-day period, given notice of the adoption of the emergency regulation in a manner substantially similar to that required for the proposed adoption of a regulation and has afforded interested persons the opportunity to present statements, arguments, or contentions in a manner substantially similar to that required by Section 11425. The agency shall, prior to the expiration of the 120-day period, transmit to the department for filing with the Secretary of State *and with the Rules Committee of each House of the Legislature*, a certification that either Sections 11423, 11424, and 11425 were complied with prior to adoption, or that compliance was had with this section within the said period. Failure to so certify shall constitute a repeal of the emergency regulation.

SEC. 4. Section 11423 of said code is amended to read:

11423. At least 30 days prior to the adoption, amendment, or repeal of a regulation, notice of the proposed action shall be:

(a) Published in such newspaper of general circulation, trade or industry publication, as the state agency shall prescribe.

*(b) Filed with the Rules Committee of each House of the Legislature.*

~~(b)~~ *(c)* Mailed to every person who has filed a request for notice thereof with the state agency.

~~(c)~~ *(d)* In cases in which the state agency is within a state department, mailed or delivered to the director of such department.

~~(d)~~ *(e)* When appropriate in the judgment of the state agency, (1) mailed to any person or group of persons whom the agency believes to be interested in the proposed action and, (2) published in such additional form and manner as the state agency shall prescribe.

Where the form or manner of notice is prescribed by statute in any particular case, in addition to filing and mailing notice as required herein, the notice shall be published, posted, mailed, filed or otherwise publicized as prescribed by that statute.

The failure to mail notice to any person as provided in this section shall not invalidate any action taken by a state agency pursuant to this article. The provisions of Article 5 of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to the publication of newspaper notices under this section."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1698**—An act to add Chapter 3 (commencing with Section 17750) to Part 3 of Division 7 of the Business and Professions Code, relating to the regulation, registration, and bonding of trading stamp companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1755**—An act to repeal and add Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, thereby recodifying the law relating to horse racing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 3, line 21 of the printed bill, as amended in the Assembly on April 9, 1959, strike out "1961", and insert "1959".

**Amendment No. 2**

On page 3, line 22, strike out "1962", and insert "1960".

**Amendment No. 3**

On page 3, line 22, strike out "1963", and insert "1961".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1704**—An act to amend Section 9575 of the Business and Professions Code, relating to dry cleaning, and making an appropriation therefor.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2004**—An act to add Section 9006.1 to the Welfare and Institutions Code, relating to meetings of local mental health advisory boards

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1826**—An act to add Article 4 (commencing at Section 7350) to Chapter 2, Part 2, Division 6 of the Fish and Game Code, relating to the use of minnows, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

On page 1, of the printed bill, as amended in the Assembly on April 20, 1959, strike out lines 6 to 8, inclusive; and in line 9, strike out "7351", and insert "7350".

Amendment No. 2

On page 1, line 12, strike out ", as of", and insert "on".

Amendment No. 3

On page 1, line 14, strike out "7352", and insert "7351"

Bill ordered reprinted, and re-engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 593**—An act to authorize the bringing of a suit against the State of California to quiet title to land sold as salt marsh or tidelands by the State of California, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 834**—An act to add Section 4 5 to, and to amend Section 35 5 of the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), relating to water conservation districts.

Bill read second time, and ordered to third reading

**Senate Bill No. 450**—An act to amend Section 2353 of the Fish and Game Code, relating to the importation of fish and game.

Bill read second time, and ordered to third reading.

**Senate Bill No. 676**—An act to add Section 12150 5 to the Fish and Game Code, relating to hunting accidents

Bill read second time, and ordered to third reading.

**Senate Bill No. 797**—An act to add Sections 3514, 3515, and 3516 to the Fish and Game Code, relating to exotic nonresident game birds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 599**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Senate Bill No. 604**—An act to amend Sections 1227, 1228, 1316, 1413 and 1416, and to repeal Section 1414, of the Financial Code, relating to loans.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 3, between lines 8 and 9, of the printed bill, insert

"(c) The loan is one in which the Small Business Administration co-operates through agreements to participate on an immediate or deferred basis under the Small Business Act, as amended."

**Amendment No. 2**

On page 4, after line 24, insert

"(c) The loan is one in which the Small Business Administration co-operates through agreements to participate on an immediate or deferred basis under the Small Business Act, as amended."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

**Senate Bill No. 213**—An act to add Section 17531.1 to the Business and Professions Code, relating to packaging of unassembled toys.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Senate on February 27, 1959, strike out "retail", and insert "sale to".

**Amendment No. 2**

On page 1, line 6, strike out "sale, or who sells such toys," and insert "any retailer,".

**Amendment No. 3**

On page 1, line 7, strike out "and in all advertisements of such toys."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 18**—An act to amend Sections 1091 and 36526 of, to add Sections 1091.5 and 36526.5 to, and to repeal Section 1092.5 of, the Government Code, relating to conflicts of interests of public officers.

Bill read second time, and ordered to third reading.

**Senate Bill No. 278**—An act to amend Section 963 of the Welfare and Institutions Code, relating to juvenile homes and camps.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 773**—An act to amend Section 5654 of the Business and Professions Code, relating to landscape architecture.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 868**—An act to amend Section 5681 of, and to add Section 5657 to, the Business and Professions Code, relating to the practice of landscape architecture.

Bill read second time, and ordered to the Consent Calendar.

## UNFINISHED BUSINESS

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1759

In compliance with a motion given on a previous day, Mr. Hawkins moved that the vote whereby Assembly Bill No. 1759 was refused passage be reconsidered.

### Speaker pro Tempore Presiding

At 9.57 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Demand for Previous Question

Messrs. Chapel, Crawford, Johnson, Charles H. Wilson, and Luckel demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Mr. Thomas seconded the motion.

Motion carried. Time, 10.18 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

## BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. DeLotto seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS (RESUMED)

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 180**—An act to amend Sections 675, 687, 7014, 7131, 7134, 7135, 7607, 7608, and 9102 of the Elections Code, relating to tally sheets.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 180?

### Amendment No. 1

In line 2 of the title of the printed bill, strike out "9102, 9850 and 9917", and insert "and 9102".

**Amendment No. 2**

On page 3, strike out lines 7 to 19, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 180 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Assembly Bill No. 180 ordered enrolled.

**Assembly Bill No. 763**—An act to amend Sections 8151 and 8780 of the Fish and Game Code, relating to bait nets.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 763?

**Amendment No. 1**

On page 1, lines 15 and 16, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "sardine season", and insert "the season specified in Section 8151".

**Amendment No. 2**

On page 1, line 16, after "taken", insert "or possessed".

**Amendment No. 3**

On page 2, line 1, strike out "19A".

**Amendment No. 4**

On page 2, line 3, after "(b)", insert "In District 19A between October 1st and and December 31st.
(c)".

The Assembly concurred in Senate amendments to Assembly Bill No. 763 by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—Bruce F. Allen—1.

Assembly Bill No. 763 ordered enrolled.

**Assembly Bill No. 883**—An act to amend Sections 57, 70, 331, 332, 3031, 4006, 4332, 4751, and 7149 of the Fish and Game Code, relating to fish and game.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 883?

**Amendment No. 1**

On page 2, lines 32 and 33 of the printed bill, as amended in the Assembly on March 16, 1959, strike out "Sections 800 or", and insert "Section".

**Amendment No. 2**

On page 2, lines 36 and 37, strike out "resident of this State", and insert "individual".

**Amendment No. 3**

On page 2, line 37, strike out "and to any"; strike out lines 38 and 39, and insert a period.

**Amendment No. 4**

On page 3, line 2, strike out "resident of this State", and insert "person".

**Amendment No. 5**

On page 3, strike out lines 7 to 11, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 883 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.
NOES—None.

Assembly Bill No. 883 ordered enrolled.

**Assembly Bill No. 1038**—An act to amend Sections 643a and 643b of the Penal Code, relating to the protection of blind and partially blind people.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1038?

**Amendment No. 1**

*On page 1, lines 4 and 5, of the printed bill, strike out "contract", and insert* "contact".

The Assembly concurred in Senate amendment to Assembly Bill No. 1038 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—73.
NOES—None.

Assembly Bill No. 1038 ordered enrolled.

**Assembly Constitutional Amendment No. 21**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ of, and adding Section 1¼a to, Article XIII, relating to the exemption of property from taxation on account of military service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 21?

**Amendment No. 1**

In line 4 of the title of the printed measure, after "of", insert ", and adding Section 1¼a to,".

**Amendment No. 2**

On page 1, strike out lines 7 and 8, and insert "amended as follows:
First—That Section 1¼ of Article XIII thereof is amended to read:".

**Amendment No. 3**

On page 2, strike out lines 25 to 50, inclusive, and insert
"Second—That Section 1¼a is added to Article XIII thereof to read:
Sec 1¼a. The Legislature may exempt from taxation, in whole or in part, the property, constituting a home, of every resident of this State who, by reason of his military or naval service, is qualified for the exemption provided in Section 1¼ of this article, without regard to any limitation contained therein on the value of property owned by such person or his wife, and who, by reason of a permanent and total service-connected disability incurred in such military or naval service due to the loss, or loss of use, as the result of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, has received assistance from the Government of the United States in the acquisition of such property; except that such exemption shall not extend to more than one home nor exceed five thousand dollars ($5,000) for any person or for any person and his spouse. This exemption shall be in lieu of the exemption provided in Section 1¼ of this article.
Where such totally disabled person sells or otherwise disposes of such property and thereafter acquires, with or without the assistance of the Government of the United States, any other property which such totally disabled person occupies habitually as a home, the exemption allowed pursuant to the first paragraph of this section shall be allowed to such other property."

**Amendment No. 4**

On page 1, line 6, of the printed measure, as amended in the Senate on April 6, 1959, after "be", insert "amended as follows:".

**Amendment No. 5**

On page 1, line 8, strike out "thereof is", and insert "be".

**Amendment No. 6**

On page 2, line 49, strike out "is", and insert "be".

**Amendment No. 7**

On page 2, line 49, strike out "thereof".

The Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 21 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Assembly Constitutional Amendment No. 21 ordered enrolled.

## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 598**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to cancelling of uncollected taxes, penalties, or costs.

Governor's message stating his objections read previously.

**Speaker Presiding**

At 10.23 a.m., Hon. Ralph M. Brown, Speaker of the Assembly presiding.

The question being: Shall Assembly Bill No. 598 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Hegland was granted unanimous consent that he be permitted to offer a motion to invoke the constitutional provision relative to Assembly Bill No. 2580.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Hegland moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 2580 may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 33**—An act to repeal Section 20987 of, and to add Section 20987 to, the Government Code, relating to the compulsory age for retirement under the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 33 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bradley, Chapel, Dahl, Francis, Gaffney, Marks, McCollister, Reagan, Shell, Sumner, and Thelin—14.

NOES—Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Frew, Ernest R. Geddes, Grant, Hanna,

Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Mulford, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—55.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 1759

At 10.38 a.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1759 was reconsidered by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, George E. Brown, Burton, Cameron, Chapel, Coolidge, Crown, Cunningham, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Kennick, Kilpatrick, Lowrey, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—43.

NOES—Bruce F. Allen, Backstrand, Beaver, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Garrigus, Hegland, House, Johnson, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Nisbet, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, and Winton—36.

Assembly Bill No. 1759 ordered to third reading.

### LEAVE OF ABSENCE FOR PART OF THE DAY

At 10.40 a.m., Mr. Thomas was granted leave of absence for the balance of the day, to attend a meeting of the Toll Bridge Authority.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### MOTION TO WITHDRAW ASSEMBLY BILL NO. 520 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Masterson moved that Assembly Bill No. 520 be withdrawn from the Committee on Social Welfare.

#### Substitute Motion to Withdraw and Re-refer

Mr. Unruh moved, as a substitute motion, that Assembly Bill No. 520 be withdrawn from the Committee on Social Welfare, and re-referred to the Committee on Municipal and County Government.

Mr. Chapel seconded the motion.

#### Demand for Previous Question

Messrs. Dahl, Bee, Lanterman, Shell, and Levering demanded the previous question. Demand sustained

The question being on the substitute motion to withdraw and re-refer. Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, Holmes, House, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—57.

NOES—George E. Brown, Burton, Elliott, Francis, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, McMillan, Miller, Munnell, O'Connell, Rumford, and Z'berg—14.

### MOTION TO RECONSIDER AMENDMENT TO ASSEMBLY BILL NO. 203

In compliance with a notice given on a previous day, Mr. Biddick moved that the vote whereby the amendment offered by Mr. Lowrey to Assembly Bill No. 203 was adopted be reconsidered.

Amendment reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Cameron, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Holmes, Kennick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—49.

NOES—Beaver, Burke, Chapel, Collier, Crawford, Cusanovich, Elliott, Frew, Garrigus, Ernest R. Geddes, Hawkins, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, Nisbet, Reagan, Schrade, Shell, and Thelin—23.

Assembly Bill No. 203 ordered to third reading.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 615**—An act to repeal Section 12511 of, to add Section 12511 to, and to amend Section 12815 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver's licenses.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 615?

**Amendment No. 1**

On page 2, line 2, of the printed bill, as amended in the Assembly on March 2, 1959, after "possession", insert "or otherwise under his control".

The Assembly concurred in Senate amendment to Assembly Bill No. 615 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 615 ordered enrolled.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2058** and **1704**, subsequent to engrossment.

**Assembly Bills Nos. 802** and **1698**, subsequent to re-engrossment.

**Senate Bill No. 507.**

### REQUEST FOR UNANIMOUS CONSENT

Mr. Porter was granted unanimous consent to offer a motion to invoke the constitutional provision relative to Senate Bill No. 1141.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Porter moved that, pursuant to Article IV, Section 2 (a), of the Constitution, Senate Bill No. 1141 may be heard in committee and acted upon by the Assembly before 30 calendar days have elapsed.

Mr. Collier seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74.

NOES—None.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2073 FROM COMMITTEE

Mr. Z'berg was granted unanimous consent that Assembly Bill No. 2073 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2073

**Assembly Bill No. 2073**—An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment compensation benefits.

Bill read second time.

#### Motion to Amend

Mr. Z'berg moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1253 of", and insert "Sections 1253 and 1281 of, and to repeal Section 1277 of,".

#### Amendment No. 2

On page 1, strike out lines 20 and 21, and insert

"(e) He conducted a search for suitable work in accordance with".

#### Amendment No. 3

On page 1, after line 23, insert

"SEC. 2. Section 1277 of said code is repealed.

~~1277. Wages paid prior to the filing of a valid claim and not used in the computation of the award may be used for the purpose of computing the amount of any other award only if within the 12-month period following the date of the filing of the valid claim the individual was paid sufficient wages to meet the eligibility requirements of Section 1281. This section is not applicable to the computation of an award for disability benefits but the establishment of a valid claim for disability benefits shall not constitute a valid claim for unemployment compensation benefits unless the claimant has sufficient wages to entitle the claimant to an award under this section.~~

SEC. 3. Section 1281 of said code is amended to read:

1281. (a) An individual cannot establish a valid claim or a benefit year during which any benefits are payable unless he has during his

base period been paid wages for employment by employers of not less than six hundred dollars ($600). ~~If more than 75 percent of his base period wages were paid during a single calendar quarter, he is not eligible for unemployment compensation benefits unless his total wages during the base period are not less than 30 times his weekly benefit amount, or not less than seven hundred fifty dollars ($750), whichever is lower.~~

(b) The maximum amount of unemployment compensation benefits payable to an individual during any one benefit year shall be 26 times his weekly benefit amount but in no case shall the total amount of such benefits payable be more than one-half the total wages paid to the individual during his base period. If the benefit is not a multiple of one dollar ($1) it shall be computed to the next higher multiple of one dollar ($1).

(c) For the purpose of this section and Section 1280, "wages" include wages due to any individual but unpaid within the time limit provided by law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

### ANNOUNCEMENT

Speaker Brown announced that the House would remain in session tomorrow until the file has been completed.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1850**—An act to amend Section 1227 of the Penal Code, relating to executions of judgments of death.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

### INTRODUCTION OF GUEST

Speaker Brown introduced Mrs. Myrtle Crawford of Coronado, the mother of Assemblyman George G. Crawford, to the Members of the Assembly, who joined in welcoming her on her visit to the Assembly Chamber.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1865**—An act to amend Section 24071 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Speaker pro Tempore Presiding

At 11.18 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—Beaver—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1313**—An act to transfer money from the General Fund to the California Water Fund for the development of water resources of the State.

Bill read third time.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Does not Rule 62 apply to this bill?

Point of Order

Mr. Masterson arose to the following point of order: That any question or motion pursuant to Rule 62, should have been raised on second reading, and would not be in order at this time.

Reply and Ruling by Speaker pro Tempore

The Speaker pro Tempore read from an opinion of the Legislative Counsel; and advised the members that the bill transfers moneys from one fund to another, so Rule 62 does not apply.

Motion to Re-refer

Mr. Levering moved that the bill be re-referred to the Committee on Ways and Means.

Mr. Chapel seconded the motion.

Speaker Presiding

At 11.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Rees, Johnson, Luckel, Schrade, and Charles H. Wilson demanded the previous question.

Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Should not the author of the bill be permitted to speak on the motion?

Reply by Speaker

The Speaker replied that Mr. Rees was recognized because he was next on the list to speak.

**Point of Order**

Mr. Levering arose to the following point of order: That he, being the author of the motion to re-refer, should be permitted to speak.

**Ruling by Speaker**

The Speaker ruled that the question before the House was not on the motion to re-refer, but on the demand for previous question.

**Point of Order**

Mr. Sumner arose to the following point of order: That, according to agreement with the Speaker pro Tempore, Mr. Bruce F. Allen should be permitted to speak on the motion.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, since Mr. Rees was next in order on the list for recognition; and his demand for the previous question, if sustained, would preclude further debate except by the author of the motion.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Will I not be permitted to speak on the motion?

**Reply by Speaker**

The Speaker replied that he would not, unless the demand for the previous question was either withdrawn, or, at the will of the House, refused.

**Demand for Previous Question Withdrawn**

Mr. Rees, with the consent of Messrs. Johnson, Luckel, Schrade, and Charles H. Wilson, withdrew the demand for the previous question.

**Demand for Previous Question**

Messrs. Rees, Pattee, Charles H. Wilson, Schrade, and Hanna demanded the previous question. Demand sustained.

The question being on the motion that Assembly Bill No. 1313 be re-referred to the Committee on Ways and Means.

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Belotti, Biddick, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Shell, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Bruce F. Allen, Beaver, Bee, Burton, Crawford, Garrigus, Hegland, House, McCollister, Rumford, Schrade, Sedgwick, Sumner, and Williamson—14

**Statement Regarding Assembly Bill No. 1313**

We have tied up too much money already for water development without providing equitable distribution to the south.

We should appropriate no more money from the General Fund or from a southern natural resource to any project which gives preference to a small northern area and 10 percent of the population of California.

CHARLES EDWARD CHAPEL
VERNON KILPATRICK

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Assembly Bill No. 1173, out of order, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 1173

**Assembly Bill No. 1173**—An act to amend Sections 19485, 19485.1, 19597, 19620.1 and 19627, and to repeal Section 19627.1, of the Business and Professions Code, relating to revenue derived from horse racing, to take effect immediately.

Bill read third time

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", 19620.1 and 19627", and insert "and 19620.1".

#### Amendment No. 2

On page 3, strike out lines 5 to 16, inclusive.

#### Amendment No. 3

On page 3, line 17, strike out "SEC. 6", and insert "SEC. 5".

#### Amendment No. 4

On page 3, line 18, strike out "SEC. 7", and insert "SEC. 6".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

### ANNOUNCEMENT

Mr. Winton announced that, because of the number of bills on file, the members should be prepared for a full working day tomorrow.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Coolidge was granted unanimous consent that Senate Bill No. 272 be withdrawn from the Consent Calendar, and placed upon the third reading file.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Rumford was granted unanimous consent to take up Assembly Bill No. 2013, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2013

**Assembly Bill No. 2013**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to public assistance payments

Bill read third time.

#### Motion to Amend

Mr. Rumford moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 29, of the printed bill, after "underpayment", insert "or denial".

#### Amendment No. 2

On page 2, line 31, after "the", insert "applicant or".

#### Amendment No. 3

On page 2, line 31, strike out "receives a lesser amount than that", and insert "does not receive the amount"

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Coolidge was granted unanimous consent to take up Senate Bill No. 272 for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 272

**Senate Bill No. 272**—An act to amend Sections 480 and 1802 of the Probate Code and Sections 106, 1581, 1586 and 1587 of the Financial Code, relating to conservatorship.

Bill read third time.

#### Motion to Amend

Mr. Coolidge moved the adoption of the following amendment:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 17, 1959, after "106," insert "1580,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### ANNOUNCEMENTS

Mr. Rees announced that the reception for Senator Humphrey had been canceled because the Senator had been called back to Washington.

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Mr. Crawford announced that there would be no meeting of the Committee on Military and Veterans Affairs this afternoon; and that the bills set for hearing today would be rescheduled for hearing next week.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 123 FROM COMMITTEE

Mr. Elliott gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 123 from the Committee on Ways and Means.

#### Point of Order

Mr. Unruh arose to the following point of order: That the notice is not in order since Assembly Bill No. 123 is an appropriation bill, and cannot be considered before the Budget Bill is enacted.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Bradley was granted unanimous consent to take up Senate Bill No. 177 for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 177

**Senate Bill No. 177**—An act to add Division 19 (commencing at Section 70000) to the Water Code, relating to levee districts.

Bill read third time.

#### Motion to Amend

Mr. Bradley moved the adoption of the following amendment:

#### Amendment No. 1

On page 10, after line 45, of the printed bill, as amended in the Senate on March 2, 1959, insert

"CHAPTER 9. DISSOLUTION

70280. A district may be dissolved in the manner provided in Chapter 4 (commencing with Section 58950) of Division 1, Title 6 of the Government Code."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1541

Mr. Petris was granted unanimous consent to rescind the action whereby the Assembly, on March 24, 1959 (Assembly Journal, page 1725), ordered Assembly Bill No. 1541 filed, and the subject matter referred to the Committee on Rules.

#### Request for Unanimous Consent to Re-refer to Committee

Mr. Petris was granted unanimous consent that Assembly Bill No. 1541 be re-referred to the Committee on Transportation and Commerce.

### MEMBER EXCUSED FOR BALANCE OF DAY

At 12.01 p.m., Mr. Holmes was granted unanimous consent that he be excused for the balance of the legislative day, because of legislative business elsewhere.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Sumner was granted unanimous consent to take up Senate Bill No. 284 for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 284

**Senate Bill No. 284**—An act to amend Section 27641 of the Government Code, relating to the county counsel.

Bill read third time.

#### Motion to Amend

Mr. Sumner moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, after line 5 of the printed bill, insert

"A county counsel in office on the effective date of the amendment to this section enacted at the 1959 Regular Session who was appointed for a fixed term shall nonetheless serve at the pleasure of the board of supervisors rather than for the fixed term for which he was appointed."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### MOTION TO SET SENATE CONCURRENT RESOLUTION NO. 13 FOR SPECIAL ORDER

Mr. Lunardi moved that Senate Concurrent Resolution No. 13 be made a special order of business for Friday, April 24, 1959, at 11 a.m.

#### Motion Withdrawn

Mr. Lunardi withdrew his motion.

**Request for Unanimous Consent to Set Senate Concurrent Resolution No. 13 for Special Order**

Mr. Lunardi asked for unanimous consent that Senate Concurrent Resolution No. 13 be made a special order of business for Monday, April 27, 1959, at 11 a.m.

**Request Withdrawn**

Mr. Lunardi withdrew his request.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. O'Connell was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 500 copies of the Report on Loyalty Oaths of the Subcommittee on Constitutional Rights of the Assembly Interim Committee on Judiciary be ordered printed as a separate document:

### LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, April 9, 1959

*Hon. Ralph M. Brown, Speaker of the Assembly*
*and Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Enclosed is the Report on Loyalty Oaths of the Subcommittee on Constitutional Rights of the Assembly Interim Committee on Judiciary.

The loyalty oath issue is a controversial one. It is treated in this report in a comprehensive and balanced manner, and deserves the thoughtful attention of the Legislature.

Respectfully submitted,

BRUCE F. ALLEN, Chairman

### SUBCOMMITTEE LETTER OF TRANSMITTAL

April 2, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. ALLEN: Pursuant to your directive and in conformance with the provisions of House Resolution No. 224 of the 1957 General Session, the Subcommittee on Constitutional Rights herewith submits its report on loyalty oaths.

Three members of the subcommittee, Messrs. O'Connell, Burton, and Masterson, believe that the loyalty oath should be repealed and the traditional oath of allegiance restored for public employees. Their reasons are stated in Part One of the report.

The remaining three members of the subcommittee, Messrs. Busterud, Crawford, and Thelin, believe that the loyalty oath should be retained,

revising its application, where necessary, to meet constitutional requirements. Their reasons are stated in Part Two of the report.

Respectfully submitted,

JOHN A. O'CONNELL,
Subcommittee Chairman
S. C. MASTERSON
HOWARD J. THELIN
PHILLIP BURTON
JOHN A. BUSTERUD
GEORGE G. CRAWFORD

## REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILLS NOS. 1173 AND 1176 FOR SPECIAL ORDER

Mr. MacBride asked for unanimous consent that Assembly Bill No. 1173 be made a special order of business for Friday, April 24, 1959, at 10 a.m.; and that Assembly Bill No. 1176 be made a special order of business for Friday, April 24, 1959, at 10.15 a.m.

Speaker Brown withheld unanimous consent because there were not 54 members present.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Thelin was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILL NO. 419

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 31, 1959

*Hon. Joseph C. Shell*
*Assembly Chamber*

*Assembly Bill No. 419: Labor Organization Representation—No. 11378*

*Question*

DEAR MR. SHELL: You have asked if the provisions of Assembly Bill No. 419, as amended in Assembly March 10, 1959, would prevent the courts from enjoining, on the petition of the employer involved, unlawful mass or violent picketing or picketing for an unlawful objective when such picketing is done by only one labor organization in connection with a claim by the labor organization that it represents a given unit of workers.

*Opinion*

We are of the opinion that the provisions of Assembly Bill No. 419 would not prevent the courts from enjoining any picketing that is presently unlawful on the petition of the employer involved, when such picketing is done by only one labor organization in connection with a claim of representation of a given unit of workers where no other labor organization has been previously certified by the department as the exclusive representative of such workers.

*Analysis*

Briefly, the provisions of Assembly Bill No. 419, as amended March 10, 1959, provide a system whereby a labor organization claiming to

represent a unit of workers may petition the Department of Industrial Relations to have the department hold an election to determine if such workers desire to have that labor organization represent them, and if the department determines that an election would be appropriate, to conduct such an election. If a majority of the workers vote in favor of the labor organization, the department certifies that organization as the exclusive representative of that unit of workers (Secs. 1139 to 1142,* incl.).

The bill states that such certification by the department shall have two results:

(1) The department is foreclosed, for at least one year, from considering a petition from another labor organization, claiming that that labor organization does or should represent that unit of workers; and

(2) It prohibits, for at least one year, any other labor organization from engaging in striking, picketing or boycotting the employer for the purpose of obtaining a contract, obtaining recognition, or for the solicitation of members with respect to the workers in that designated unit of workers (Sec. 1142).

We find nothing in these provisions which purports to either prevent or allow the courts to enjoin, on the petition of the employer involved, picketing of the type which has been declared to be unlawful in the cases of *Garmon* v. *San Diego Building Trades Council,* 49 Cal. 2d 595; *Southern California Iron and Steel Co* v. *Amalgamated Assn. of Iron, Steel and Tin Workers,* 186 Cal. 604; *Steiner* v. *Long Beach Oil Workers,* 19 Cal. 2d 676, when such picketing is done by only one labor organization in connection with a claim of representation where no other labor organization has been previously certified by the department.

Assembly Bill No. 419 also provides a system for the arbitration and mediation of jurisdictional strikes which are defined as any concerted refusal to perform work for an employer or any striking, picketing, boycotting or work stoppage arising out of a controversy between two or more labor organizations as to which of them has or should have the exclusive right to have its members perform work for an employer. Since the question states that there is only one labor organization claiming to represent the designated unit of workers, the provisions of Assembly Bill No. 419 relative to jurisdictional strikes would not be applicable.

Other than the provisions relating to jurisdictional strikes and those relating to the procedure of certifying a labor organization as the exclusive representative of a given unit of workers, the only remaining provisions of Assembly Bill No. 419 which could affect the ability of a court to enjoin the type of picketing found in the question are Sections 1145 and 1146.

Section 1145 reads as follows:

> "The provisions of this chapter shall be exclusive with respect to the establishment and determination of all rights, duties and remedies concerning representation and claims to jurisdiction and nothing in this chapter shall be deemed to authorize any action in any court or administrative agency of this State, other than as provided herein * * *"

* Section citations refer to sections of the Labor Code as proposed to be added by Assembly Bill No. 419.

If this section is construed to mean that an employer shall have only those remedies provided for by the bill in all situations relative to representation and claims to jurisdiction, then the courts would not be able to grant an injunction to prohibit such picketing on the petition of the employer where there is no jurisdictional strike or where no other labor organization has been previously certified as the exclusive representative of that unit of workers by the department pursuant to the provisions of the bill, as these are the only two areas in which a remedy is provided by the bill. It is, however, our opinion that Section 1145 is not to be construed in this manner, but rather that Section 1145 is to be construed as meaning that where there is a jurisdictional strike situation or where another labor organization has been previously certified by the department as the exclusive representative of that unit of workers pursuant to the provisions of the bill, and which certification is still in effect, the provisions of the bill shall be exclusive with respect to the determination of all rights, duties and remedies concerning representation and claims to jurisdiction, and is to be construed as not being exclusive in all other situations. We feel that this conclusion is supported by two factors. First, Section 1139, in providing for the initiation of the election and certification procedure, states:

> "If a question of representation exists, any labor organization * * * *may* file a representation petition * * *" (Emphasis added.)

It is our opinion that the use of the permissive word "may" rather than the mandatory "shall" indicates that the election and certification procedure is not to be the sole way in which questions of representation may be determined in a nonjurisdictional strike situation. This is further borne out by a second factor which is Section 1146, which reads, in part:

> "* * * Subject to the prohibitions and provisions above set forth the provisions of this chapter shall not be interpreted or applied to restrain, prevent, or interfere with the rights of labor organizations to negotiate terms or conditions of labor or employment with employers or to engage in concerted activities for collective bargaining, solicitation of membership, advertising wages, hours, hours and working conditions, or any other mutual aid or protection."

It is our opinion that these two factors indicate that the election and certification procedure is not to be the sole method for determining claims of representation in the nonjurisdictional strike situation, but rather that such procedure is one method that a labor organization may use to establish its claims to represent a given unit of workers, leaving the organization free to pursue any other methods, such as picketing, striking and boycotting, as such labor organizations presently lawfully engage in. It should be noted here that this is not to be construed as meaning that a labor organization may engage in any form of picketing which is presently unlawful under the law. Thus it is our opinion that Section 1145 is not to be construed as meaning that the provisions of the bill are exclusive in all situations involving

claims of representation and jurisdiction, but rather they are exclusive only where there is a jurisdictional strike or where another labor organization has been previously certified by the department as the exclusive representative of that unit of workers pursuant to the provisions of the bill, and which certification is still in effect. It follows therefore, that if the provisions of the bill are applicable and exclusive only in these two situations, the remedies provided for in the bill are likewise applicable and exclusive only in these two situations.

Thus Section 1145 would not, in our opinion, affect the ability of a court, upon the petition of the employer involved, to enjoin unlawful mass or violent picketing or picketing for an unlawful objective when such picketing is done by only one labor organization in connection with a claim of representation of a given unit of workers where no other labor organization has been previously certified by the department as the exclusive representative of such workers.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RICHARD T. WILSDON, Deputy

Two copies to Hon. Allen Miller,
pursuant to Joint Rule 34.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Concurrent Resolution No. 88
Assembly Bill No. 913

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above resolution ordered on file.
Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1000

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1932
Assembly Bill No. 1933

With the recommendation: Do pass.

BELOTTI, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2149

With the recommendation: Do pass.

BELOTTI, Chairman

Above bill ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Social Welfare reports

Assembly Bill No 2044

With amendments with the recommendation Amend, and do pass, as amended

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Social Welfare reports.

Assembly Bill No 1994

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1993

With the recommendation: Do pass

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2046

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 22, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2045

With the recommendation: Do pass, and be re-refeired to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 22, 1959

MR SPEAKER: Your Committee on Social Welfare reports

Assembly Bill No. 145

Assembly Bill No. 1837

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bills ordered to second reading.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, April 22, 1959

MR. SPLAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1884

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading

### Committee on Public Health

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Assembly Bill No. 898
Assembly Bill No. 1253
Assembly Bill No. 1627

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1964

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Assembly Bill No. 2005

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2001

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1752

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 194

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1931

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, April 23, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1704
Assembly Bill No. 2058
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 2004
Assembly Bill No. 2089
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1787
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 33
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1433
Assembly Bill No 1802
Assembly Bill No. 2008
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 23, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1458
Assembly Bill No. 1997
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

**ADJOURNMENT**

At 12.06 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 24, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, April 24, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

### PRAYER

Quorum present.

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Great and Good God*, Let no one consider himself good merely on the basis of things he does not do, for that is only to be good for nothing. To be good for something, on the basis of deeds done, that is our prayer today. Grant us a goodness which breaks out into kindness; a courage which scorns the risk of criticism; a faithfulness to duty which enables us to be effective. Make us to be salty characters, something like those whom Jesus described as "the salt of the earth," and let there be such light in the lives of those assembled here that we may merit His further word, "Ye are the light of the world."—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Busterud, seconded by Mr. Gaffney.

### LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Shell.

Mr. Johnson, on motion of Mr. Shell.

Mr. Lanterman, on motion of Mr. Shell.
Mr. Charles H. Wilson, on motion of Mr. Shell.
Mr. Levering, on motion of Mr. Shell.
Mr. Shell, on his own request.
Mr. Thomas, on motion of Mr. Porter.
Mr. Francis, on motion of Mr. Britschgi.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Busterud was granted unanimous consent that the following results of a poll taken in the Twenty-second Assembly District be ordered printed in the Journal:

### RESULTS OF POLL IN TWENTY-SECOND ASSEMBLY DISTRICT

ASSEMBLY, CALIFORNIA LEGISLATURE
April 23, 1959

*Hon. Ralph M. Brown, Speaker of the Assembly*
*Assembly, California Legislature*

DEAR MR. SPEAKER: Some time ago I polled a representative cross-section of both Republicans and Democrats in the 22d Assembly District with respect to many of the critical issues facing the Legislature this year.

This poll is now completed, and I believe the Members of the Legislature will find the results very interesting:

| | (Response in percentages) | |
|---|---|---|
| 1. Governor Brown flatly warns that adoption of his administration's two billion two hundred million dollar budget will result in a 250 million dollar state deficit next year with the present tax structure. Shall we meet this problem by: | | |
| a. Reducing or eliminating state functions of doubtful value without jeopardizing essential state services? | Yes 94% | No 6% |
| b. Using the Investment Fund, (accumulated from state oil reserves) and various other state surplus funds to balance the General Fund budget? | Yes 77% | No 23% |
| c. Voting new taxes asked by the Brown administration? | Yes 28% | No 72% |
| 2. If a cut in state services should prove necessary, which of the following budget items would you prefer be cut? | | |
| a. Highways | Yes 28% | No 72% |
| b. State buildings | Yes 70% | No 30% |
| c. Schools and colleges | Yes 10% | No 90% |
| d State and county fairs | Yes 92% | No 8% |
| e. Veterans' exemptions and services | Yes 65% | No 35% |
| f. State beaches and parks | Yes 58% | No 42% |

(Response in percentages)

3. Which, if any, of the following proposals for increased state spending should be turned down?
   a. Pay raises for state employees ..... Yes 59% No 41%
   b. Higher pay differentials for college teachers Yes 32% No 68%
   c. Increases in welfare programs ..... Yes 57% No 43%
   d. Proposed creation of a new state planning agency for "economic development" ..... Yes 76% No 24%
4. If new taxes prove necessary, which of the following would you approve?
   a. Increase in personal income tax? ..... Yes 19% No 81%
   b. Increase in corporate and bank income tax? Yes 71% No 29%
   c. Increase in inheritance tax? ..... Yes 43% No 57%
   d. Enactment of a severance tax on natural resources, such as oil? ..... Yes 76% No 24%
   e. Increase in the beer tax? ..... Yes 76% No 24%
   f. Enactment of a cigarette tax? ..... Yes 75% No 25%
   g. Increase in the horse racing tax? ..... Yes 94% No 6%
5. Should there be more (76 percent) or less (24 percent) local control over freeway route selections?
6. Do you favor development of an efficient mass rapid transit system for the Bay area? ..... Yes 89% No 11%
7. Do you feel that gas tax revenues can properly be diverted to aid rapid transit construction, on the theory that such facilities will reduce highway congestion? ..... Yes 73% No 27%
8. The Subcommittee on Traffic Accident Consequences, of which I am chairman, has introduced legislation to require "uninsured motorist coverage" to be included in all automobile liability policies, to protect against uninsured drivers. Do you favor such legislation? ..... Yes 71% No 29%
   Would you favor establishing a state fund from which to pay claims against uninsured motorists? ..... Yes 26% No 74%
9. Do you favor reducing the age for voting from 21 years to 18 years? ..... Yes 31% No 74%
10. Do you favor retention of the present provisions of our Constitiution which require a loyalty oath of public officials? ..... Yes 71% No 29%
11. Do you favor creation of a Golden Gate Authority to take over and operate all Bay area bridges and other transportation? ..... Yes 50% No 50%

Sincerely yours,

JOHN A. BUSTERUD
Assemblyman, 22d District

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

H. C. Schultz of Huntington Park, relative to taxation. Referred to the Committee on Revenue and Taxation.

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Mario Busalacchi of San Francisco, relative to legislation. Referred to the Committee on Military and Veterans Affairs.

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Parker Scott of Los Angeles, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

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The following resolution was presented by the Speaker:

From Sonoma County Taxpayers' Association, by Robert H. Meyer, President, resolution relative to Senate Bill No. 576. Referred to the Committee on Transportation and Commerce.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Don A. Allen was granted unanimous consent that the following memorandum be ordered printed in the Journal:

### MEMORANDUM

**By Don A. Allen, Sr., Assemblyman, 63d District**

April 20, 1959

During the past year, it was my good fortune to have been a participant in a training course for high-level management analysts. The panel consisted of 30 members: attorneys, controllers, personnel directors, auditors, general and plant managers.

One of the principal subjects under study was the effect of legislative and governmental decisions or regulations and their impact on the general welfare of the State.

All of the study data was taken from printed records obtained from the various state agencies. Therefore, the subjects to follow were only cursory and partial and have as their purpose further suggested interim study by the proper committees of either house of the Legislature.

Some of the material studied at that time is attached, because I felt it might be of reference interest to all members. From these exhibits many of the following questions were brought forth, which I shall discuss from the field notes:

The first exhibit shows the number of bills introduced from 1899 to the present date in both houses of the Legislature. It also shows the action of the Governor and the final disposition. (It does not deal with the voluminous amount of house resolutions, joint resolutions, or constitutional amendments.)

It is interesting to note the relationship of the number of bills introduced showing their impact over the control of the cost of government.

During the checking process, the results showed that a great majority of these bills called for new services of one form or another, imposing the cost on either state or local government. Too often, many of the costs were hidden and could only be found by implication.

Many of the bills created functions to deal with a temporary situation only. However, once having been activated, many of them remain. It was believed by many of the panel members that it is due to this method that a great deal of unnecessary governmental activities are still being performed and growing.

Many of the participants on the panel believed that, through this method, many governmental functions are sold to the public by empire-building bureaucrats. It was the feeling of all that here is a fertile field for a realistic study by a committee or committees.

In previous years, many of the bills were introduced in behalf of industry, labor, and the general public, as a result of some need for correction or clarification.

Comparisons in this field brought to light a new trend in the type of legislation being introduced in the past few sessions of the Legislature. Most of it appears to be introduced in behalf of or through the various governmental agencies.

Various estimates were made. Such estimates have been as high as 96 percent coming either from city, county, school board levels, or from departmental heads of the State Government.

It was estimated by a large percentage of those on the panel that less than 3 percent of the legislation of the last three sessions was introduced by business, labor, professions, or the general citizenry.

The addition of new and novel duties, of the changing of methods that has taken place within the legislation introduced in recent years, imposes a tremendous amount of extra costs upon business within this State, in addition to the taxes collected.

Another marked phase is the defensive positions that labor, management and the professions now find themselves in. Many of the laws being advocated are unquestionably presented by many of the department heads of several governmental agencies seeking more and more control over business, labor, and others.

It was the feeling that sooner or later the millennium would arrive; that labor and management would find themselves hand in hand as allies fighting for their very lives within this State. One very blunt member had this to say: "The end result will find the State with one hell of a lot of tax-deeded industrial properties on its hands one of these days."

Many of the panel members are active in the field of wage administration, or in the managerial field in one way or another. They were quick to note the tremendous rise in the number of state employees since 1935.

Serious study and attention should be directed to this rapid growth, especially over the past five years. Immediate attention must be directed to the projected amount of employees for the next two years.

It was felt that the acquisition of these employees had been so greatly accelerated that their introduction into the tables of organization of the State Government was not conducive to real efficiency. It was felt that the training programs within the State, such as those that were examined briefly, were not sufficient in their scope to properly train and obtain the most efficient results from these employees.

The wage structure of the State was examined. Its five-range program raised many questions. While its original intent was to furnish some sort of incentive, it appeared to work in the reverse. Most state employees are hired on the first step or range, which is 11 percent below the prevailing wage. After one year's service, the employee reaches the second range, which is 5½ percent below the prevailing wage. Artisan classes have four ranges. The third step or third range is actually the prevailing wage, occurring after three years of service.

This brought about a discussion as to whether or not, under the present and past competition for skilled workmen, the State actually recruited the top-flight employee.

It was the unanimous opinion that, while it had for its purpose, no doubt, some compensation for training, this method of compensation did not accelerate rapidly enough; the step raises were automatic and certainly not merit.

It was the feeling that this method of hiring would pick an employee's pocket for the first two years. The end result could well be that when the employee finally reached the prevailing wage, he might become a malcontent. To the extent that when he went into the final two steps (5½ percent the fourth year and to a full 11 percent above the beginning rate after the fifth year, this might well result in a payment on inefficiency.

It appears to defeat its original intent of serving as an incentive. This should call for a thorough study by proper committees.

A considerable portion of the study and discussion was devoted to the structure of the Legislature itself. The panel quickly noted the rapid turnover of membership in the Assembly, while the length of service in the Senate appeared to be longer. This can be noted from the attached charts over the last 20 years, 1939 to 1959. Studies made from 1899 to 1938 show the turnover in the Assembly and the Senate was considerably slower during that period.

During the past 20 years, the attached exhibits show that the membership of the Assembly changes almost once every five years. That the membership of the Senate has turned over two and one-half times during the same period.

The record taken from the 1959 Handbook shows the length of service of the Assembly. Forty-four members have four or less years of service, or there are 64 members with 10 or less years of service. Sixteen members have from 12 to 24 years of service. (Note the attached chart showing distribution.)

The record of turnover occurring in the Assembly shows two distinct phases. The most serious phase, is the overwhelming majority that have

quit. Most of these voluntary separations occur after one or two terms. In the main, most of those former members interviewed stated their reason for quitting was a matter of personal economics.

Secondary, the search of its membership for other political office. Over the past 20 years, 15 Members of the Assembly have been elected to the United States Congress. Approximately 20 members have received other elective positions. Five have been elected from the State Senate.

While the turnover in the Assembly has been quite rapid, the record plainly shows it has not been due to defeat of former members.

Only 15 Members of the present Assembly were elected to this body by defeating incumbents. Six of those occurred this last election. Sixty-five of the present Members of the Assembly were elected to fill vacancies caused by one form or another, other than the defeat of the incumbent.

Due to the inclination of Senators to serve longer periods of time, their compensation being the same as Members of the Assembly, the question was raised as to whether or not the four-year term was a factor.

This led to a discussion of the possibility of a state election being held wherein all elective state officers would appear on the ballot simultaneously. It would provide for the election of the Governor, Controller, Secretary of State, Treasurer, 40 Members of the Senate, and the 80 Members of the Assembly. Whether or not any savings could be had under this method was problematical. However, it is worthy of consideration.

Many advantages of the four-year term were discussed. Some of the major advantages appeared to be the elimination of the constant campaigning by Members of the Assembly. It was felt that the great number of bills introduced in the past were for the purposes of publicity.

Then, too, it would resolve a possible conflict between the Senate and the Assembly by precluding any opportunity for a so-called "free ride" by any Member of the Assembly to oppose a Senator because all would have to seek re-election at the same time. It would also separate the state elections from the national elections, with some notable exceptions.

One of the most challenging suggestions made during this discussion (if a four-year term were to be adopted), was the possibility of a general law session on the odd-numbered years. The method suggested would provide for a bill introduction period of 60 days, prohibiting skeleton measures.

The Legislature would recess for a period of 60 days. The then constituted committees would thereafter hold meetings throughout the state in major populated areas. The bills being the complete property of the House, it would then be the duty of the chairman to set all bills. It would be the duty of each author to present his bill before each audience.

It was felt that this would eliminate some of the old perennials that have haunted the Legislature for years. After such hearings, all findings and reports would be made to the Legislature. This would give real meaning to the committee system.

This idea was projected by two of the members of the panel only. It is the feeling of this writer that it would be a traveling carnival. However, others may have different opinions.

The 30 members of this group concurred without question that immediate and conclusive steps should be taken to first resolve the question of a full- or part-time legislative body.

They view this Legislature as a board of directors of a two billion-dollar-plus corporation. They were appalled at the tremendous turnover of the membership, especially as it occurs in the Assembly. The question was frequently asked, "What would be the dire results to any private corporation if such a turnover of its policy-makers was similar to that of the State?"

On the matter of compensation, the panel found, by comparison, the net salary of the present Legislature was below that paid to the members of the territorial Legislature 110 years ago.

Further comparisons showed that the City of Los Angeles pays the Foreman of Dogcatchers $677 per month, Streetsweeper (Motor) $545 per month, while Assemblymen and Senators receive $500 per month.

For the sake of re-emphasis, it was the feeling of the panel that, first, a determination must be made as to whether or not the Legislature should be full- or part-time.

If it is to be full-time, compensation should be fixed, carefully taking into consideration the sacrifice of private practice and business. If it is to be part-time, such considerations must also be made.

While the Mangore Study that was made by the Citizens' Advisory Committee, was the first known study made of the Legislature and was considered good in the direction it took, however, it was felt that it was not all-inclusive.

It should be followed by a full and comprehensive study for comparative evaluation by another agency. Such firms as E. O. Griffinhaugan and Associates, and other nationally known firms were discussed.

It was recommended that one of these firms be engaged forthwith. This should be done while the Legislature is actually in session, so that time and motion studies could be made first-hand and on the ground floor.

As I stated in the beginning of this memorandum, these are some of the questions raised by others. It is my purpose in submitting them to you that if, in your opinion, something should be done about it, it is up to you. If not, I still hope that some of the exhibits can be used by you to a good advantage.

Respectfully submitted,

DON A. ALLEN, SR.
Assemblyman, 63d District

## RECORD OF LEGISLATION 1899—1958

| Session | Bills introduced: Senate | Bills introduced: Assembly | Bills introduced: Total | Bills passed both houses | Approved by Governor |
|---|---|---|---|---|---|
| 1899 | 751 | 1,015 | 1,766 | 409 | 223 |
| 1901 | 664 | 881 | 1,545 | 413 | 201 |
| 1903 | 927 | 976 | 1,903 | 502 | 391 |
| 1905 | 888 | 1,180 | 2,068 | 745 | 612 |
| 1907 | 949 | 1,039 | 1,988 | 773 | 538 |
| 1909 | 1,254 | 1,451 | 2,705 | 878 | 726 |
| 1911 | 1,290 | 1,588 | 2,878 | 932 | 753 |
| 1913 | 1,783 | 2,139 | 3,922 | 1,132 | 699 |
| 1915 | 1,269 | 1,608 | 2,877 | 996 | 771 |
| 1917 | 1,203 | 1,473 | 2,676 | 1,036 | 803 |
| 1919 | 761 | 1,118 | 1,879 | 886 | 669 |
| 1921 | 986 | 1,363 | 2,349 | 1,152 | 915 |
| 1923 | 750 | 1,378 | 2,128 | 932 | 479 |
| 1925 | 833 | 1,318 | 2,151 | 999 | 480 |
| 1927 | 897 | 1,294 | 2,191 | 1,107 | 898 |
| 1929 | 890 | 1,196 | 2,086 | 1,106 | 891 |
| 1931 | 962 | 1,959 | 2,921 | 1,316 | 1,220 |
| 1933 | 1,226 | 2,443 | 3,669 | 1,162 | 1,059 |
| 1935 | 1,134 | 2,502 | 3,636 | 1,113 | 855 |
| 1937 | 1,165 | 2,927 | 4,092 | 1,356 | 933 |
| 1939 | 1,292 | 2,883 | 4,175 | 1,398 | 1,124 |
| 1941 | 1,349 | 2,663 | 4,012 | 1,422 | 1,264 |
| 1943 | 1,116 | 2,015 | 3,131 | 1,293 | 1,137 |
| 1945 | 1,307 | 2,233 | 3,540 | 1,640 | 1,527 |
| 1947 | 1,593 | 2,725 | 4,318 | 1,754 | 1,575 |
| 1948 | 54 | 94 | 148 | 41 | 38 |
| 1949 | 1,660 | 3,180 | 4,840 | 1,713 | 1,603 |
| 1950 | 15 | 7 | 22 | 6 | 6 |
| 1951 | 1,843 | 3,460 | 5,303 | 1,896 | 1,765 |
| 1952 | 10 | 27 | 37 | 14 | 14 |
| 1953 | 1,989 | 3,533 | 5,522 | 2,088 | 1,895 |
| 1954 | 9 | 24 | 33 | 13 | 10 |
| 1955 | 2,010 | 3,831 | 5,841 | 2,103 | 1,966 |
| 1956 | 89 | 85 | 174 | 84 | 82 |
| 1957 | 4,183 | 2,680 | 6,863 | 2,669 | 2,424 |
| 1958 | 91 | 183 | 274 | 121 | 117 |
| Total | 39,192 | 60,471 | 99,663 | 37,200 | 30,663 |
| Average | 1,088.66 | 1,679.75 | 2,768.42 | 1,033.33 | 851.75 |

## FISCAL AND EMPLOYEE TRENDS

### State of California—1924 to 1960

| Fiscal year ending June 30th | Total revenues | Total expenditures | Number of employees |
|---|---|---|---|
| # 1924 * | $69,251,366 | $65,329,600 | (No accurate records until 1935) |
| 1925 * | 69,251,366 | 65,329,600 | |
| 1926 * | 86,381,500 | 81,249,600 | |
| 1927 * | 86,381,500 | 81,249,600 | |
| 1928 * | 108,107,750 | 98,567,400 | |
| 1929 * | 108,107,750 | 98,567,400 | |
| 1930 * | 114,643,388 | 114,168,650 | |
| 1931 * | 123,410,677 | 120,841,258 | |
| 1932 * | 111,646,806 | 128,834,473 | |
| 1933 * | 99,511,329 | 123,543,883 | |
| 1934 * | 135,849,767 | 159,416,774 | |
| 1935 * | 165,175,412 | 166,725,152 | 18,286 |
| 1936 * | 195,208,357 | 202,289,499 | 20,307 |
| 1937 * | 232,405,468 | 219,160,669 | 23,480 |
| 1938 * | 255,694,877 | 243,537,449 | 27,176 |
| 1939 ‡ | 251,484,298 | 286,489,117 | 27,645 |
| 1940 * | 267,120,128 | 282,749,168 | 30,504 |
| 1941 * | 296,499,290 | 273,865,218 | 31,071 |
| 1942 * | 341,426,105 | 257,945,759 | 30,634 |
| 1943 * | 363,739,715 | 250,860,757 | 28,476 |
| 1944 * | 394,744,786 | 262,471,531 | 27,933 |
| 1945 * | 416,384,402 | 306,489,666 | 27,848 |

## FISCAL AND EMPLOYEE TRENDS—Continued

### State of California—1924 to 1960

| *Fiscal year ending June 30th* | *Total revenues* | *Total expenditures* | *Number of employees* |
|---|---|---|---|
| 1946* | $496,846,907 | $342,174,655 | 32,246 |
| 1947 * | 604,933,827 | 469,680,103 | 38,715 |
| 1948 | 722,718,609 | 657,725,532 | 49,315 |
| 1949 | 841,600,157 | 883,324,599 | 52,088 |
| 1950 | 844,254,921 | 1,054,837,833 | 53,276 |
| 1951 | 994,042,745 | 1,006,339,354 | 54,098 |
| 1952 | 1,086,343,736 | 1,068,071,510 | 57,405 |
| 1953 | 1,150,849,708 | 1,176,719,052 | 60,388 |
| 1954 | 1,271,447,495 | 1,381,400,475 | 64,643 |
| 1955 | 1,433,824,048 | 1,422,451,674 | 68,555 |
| 1956 | 1,577,917,406 | 1,532,811,456 | 74,621 |
| 1957 | 1,732,467,456 | 1,833,695,075 | 80,665 |
| 1958 | 1,750,928,862 | 1,891,436,098 † | 88,665 |
| 1959 (estimated) | 1,853,789,808 | 2,054,961,121 † | 103,800-B |
| 1960 (proposed) | 1,906,925,100 | 2,188,377,635 † | 110,556-B |

* Bienniums divided in halves to arrive at fiscal year data Annual budget year started 1948.
† These figures do not include expenditures from borrowings which amount to $49,463,503 for 1958, $160,537,635 for 1959, and $93,623,207 for 1960.
‡ Deficit $36,986,897.
B—Shown in budget
(Statistics taken from records of Legislative Analyst, State Controller's Office, and State Personnel Board.)
# Governors' Budgets were not introduced before 1923.

### Length of Service of Members Serving in the Assembly as of March 15, 1959 (as shown in the Handbook)

| | *Years* |
|---|---|
| Hawkins | 24 |
| Kilpatrick | 20 |
| Lowrey | 18 |
| McCollister | 18 |
| Thomas | 18 |
| Ralph M. Brown | 16 |
| Dills | 16 |
| Gaffney | 16 |
| McMillan | 16 |
| Burke | 14 |
| Ernest R. Geddes | 14 |
| *Don A. Allen | 13 |
| Collier | 12 |
| Conrad | 12 |
| Elliott | 12 |
| Luckel | 12 |
| *Grant | 10 |
| Levering | 10 |
| Meyers | 10 |
| Rumford | 10 |
| Porter | 10 |
| Belotti | 8 |
| Chapel | 8 |
| Lanterman | 8 |
| Munnell | 8 |
| Bruce F. Allen | 6 |
| Backstrand | 6 |
| Coolidge | 6 |
| Davis | 6 |
| Donahoe | 6 |
| Samuel R. Geddes | 6 |
| Masterson | 6 |
| Bradley | 6 |
| Dahl | 6 |
| Shell | 6 |
| Miller | 6 |
| Beaver | 4 |
| Bee | 4 |
| Cunningham | 4 |
| Hegland | 4 |
| Holmes | 4 |
| Johnson | 4 |
| Nisbet | 4 |
| O'Connell | 4 |
| Pattee | 4 |
| Rees | 4 |
| Schrade | 4 |
| Unruh | 4 |
| Charles H. Wilson | 4 |
| MacBride | 3 |
| Sedgwick | 3 |
| Francis | 3 |
| Hanna | 3 |
| Cusanovich | 2 |
| Biddick | 2 |
| Britschgi | 2 |
| Burton | 2 |
| Busterud | 2 |
| Crawford | 2 |
| Crown | 2 |
| Frew | 2 |
| House | 2 |
| Sumner | 2 |
| Thelin | 2 |
| Winton | 2 |
| Mulford | 2 |
| *Reagan | 2 |

*Jan. 5, 1959*

Lunardi
Z'berg
Waldie
Petris
Marks
DeLotto
Garrigus
Williamson
Bane
Kennick
George E. Brown
Cameron
George A. Willson

* Broken service.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 72
Assembly Bill No. 1407
Assembly Bill No. 1992
Assembly Bill No. 2019
Assembly Bill No. 2160

And reports the same correctly engrossed.

**BURKE, Chairman**

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 194**—An act to amend Section 7970 of, and to repeal Sections 7970.5 and 7971.5 of the Elections Code, relating to primary election returns;

**Assembly Bill No. 201**—An act to amend Section 1180 of the Military and Veterans Code, relating to law governing elections to establish memorial districts;

**Assembly Bill No. 243**—An act to amend Sections 3871 and 3925 of the Elections Code, relating to ballot composition;

**Assembly Bill No. 293**—An act to amend Section 11052 of the Elections Code, relating to recall;

**Assembly Bill No. 355**—An act to amend Section 1609 of the Elections Code, relating to county initiative;

**Assembly Bill No. 616**—An act to amend Section 2540 of the Elections Code, relating to the qualification of political parties;

**Assembly Bill No. 723**—An act to amend Section 35550 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to weight of vehicles;

**Assembly Bill No. 750**—An act to amend Section 205 5 of the Revenue and Taxation Code, and providing for the effective date thereof, relating to the veterans' property tax exemption;

**Assembly Bill No. 863**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911;

**Assembly Bill No. 991**—An act to amend Section 4168 of the Business and Professions Code, relating to the practice of pharmacy;

**Assembly Bill No. 996**—An act to amend Sections 23222a, 24670, 25102, 25551, 25663, 25673, 25674, 26074, 26131, and 26281 of, and to add Sections 25401b, 25905, 25962.2, 26073c and 26080.4 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts, to take effect immediately;

**Assembly Bill No. 997**—An act to amend Section 24532 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, associations, and Massachusetts trusts;

**Assembly Bill No. 1032**—An act to amend Section 3276 of the Fish and Game Code, relating to fish and game;

**Assembly Bill No. 1648**—An act to amend Section 6904 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the education of mentally retarded minors;

**Assembly Bill No. 1650**—An act to amend Section 5611 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to tuition payments for interdistrict attendance of school pupils;

**Assembly Bill No. 35**—An act to amend Section 502 of the Agricultural Code, relating to approved milk inspection service;

**Assembly Bill No. 81**—An act to amend Section 209.5 of the Revenue and Taxation Code, relating to the tax exemption of vessels in the process of construction, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 373**—An act to repeal Section 13041 of the Education Code and Section 13285 of the Education Code as proposed by Senate Bill No. 2, relating to teachers of beginners;

**Assembly Bill No. 383**—An act to amend Sections 5621 and 5627 of the Elections Code, relating to challenges of voters;

**Assembly Bill No. 993**—An act to amend Section 4035 of the Business and Professions Code, relating to the practice of pharmacy;

**Assembly Bill No. 1327**—An act to add Section 1153 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to destruction of returns;

**Assembly Bill No. 1644**—An act to amend Section 5504 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to qualifications of teachers conducting high school courses in the elementary schools;

**Assembly Bill No. 1647**—An act to amend Section 5403 of, and to repeal Section 5404 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to postgraduate courses of study in elementary schools;

And reports the same correctly enrolled, and presented to the Governor on the twenty-third day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 110**—Approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of April, 1959;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-third day of April, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1173
Assembly Bill No. 2013

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1764

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 22, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1037
Assembly Bill No. 1492

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 453

With the recommendation: That the bill be re-referred to the Committee on Education.

UNRUH, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 366
Assembly Bill No. 1266
Assembly Bill No. 1557

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 188

With the recommendation. Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 647
Assembly Bill No. 1228
Assembly Bill No. 1448

With the recommendation Do pass

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1554

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

House Resolution No. 150
House Resolution No. 192

With the recommendation: Be adopted.

BACKSTRAND, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2126
Assembly Bill No. 2084
Assembly Bill No. 2085
Assembly Bill No. 2107

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2012

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 413

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 23, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 664

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 483
Assembly Bill No. 1049

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 947
Assembly Bill No 1012
Assembly Bill No. 1013
Assembly Bill No. 1092
Assembly Bill No. 1640
Assembly Bill No. 1702
Assembly Bill No. 1976
Assembly Bill No. 2028
Assembly Bill No. 2066
Assembly Bill No. 2112
Assembly Bill No. 2154

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1090
Assembly Bill No. 1204
Assembly Bill No. 2010
Assembly Bill No. 2018

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1166
Assembly Bill No. 1753

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 922
Assembly Bill No. 1751

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1856

With *amendments with the recommendation*: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 484

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No. 2024

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1905

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 319

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 592

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 760
Senate Bill No. 765

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 568

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## RESOLUTIONS

The following resolution was offered:

By Mr. Lanterman:

### House Resolution No. 218

WHEREAS, Theodore Payne, world renowned horticulturist, pioneer California nurseryman and seed specialist, was born in England June 19, 1872, and arrived in Los Angeles June 28, 1893, 66 years ago; and

WHEREAS, He established nurseries throughout Southern California, became noted for his special study of Eucalyptus, collected and shipped seeds throughout the United States; and

WHEREAS, He began a lifetime search and development of wildflowers and native plants and shrubs, issued the first California wildflower catalogue in 1906, laid out and planted the five acre "wild garden" at Exposition Park, Los Angeles, with over 262 species; and

WHEREAS, He selected the site for Santa Ana Botanic Garden in 1922, and served for 20 years on the advisory council, has trained many botanists and horticulturists; and

WHEREAS, During his 65-year career as a California horticulturist he has introduced into cultivation over 400 species of California wildflowers and native plants and made them available for general use, and has received many honors in recognition of this public service; and

WHEREAS, He has under way at this time three major projects culminating a lifetime of dedication to horticulture, development of a California Native Plant Section of Descanso Gardens, La Canada, California, compiling a history of each species of California native plants, and establishing a foundation for their preservation; now, therefore, be it

*Resolved*, That the Assembly of the California State Legislature hereby congratulates Theodore Payne, horticulturist extraordinary, on his lifetime of service to beauty and nature, and commends him for his contribution to the fame and glory of his adopted State; and, be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Theodore Payne.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Biddick was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILL NO. 29

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 23, 1959

*Hon. William Biddick, Jr.*
*Assembly Chamber*

**Assembly Bill No. 29: Church Exemption—No. 12874**

*Question*

DEAR M. BIDDICK: You have asked whether Assembly Bill No. 29, as enacted, and now Chapter 25 of the Statutes of 1959, is constitutional.

*Opinion*

It is our opinion that the bill is constitutional.

*Analysis*

Assembly Bill No. 29, as enacted, amends Section 262 of the Revenue and Taxation Code to require the cancellation or refund of any tax, or penalty or interest thereon, for any fiscal year commencing in 1958 on property as to which the "church exemption" for such fiscal year was available.

The "church exemption" is granted by Section 1½ of Article XIII of the State Constitution with respect, generally, to property used solely and exclusively for religious worship.

In addition to the requirements set forth in Section 1½ of Article XIII for the application of the exemption, the Legislature has prescribed as an additional condition for its obtainment, the filing of an

affidavit between noon of the first Monday in March and 5 p.m. of the last Monday in May, showing compliance with the section (R. & T C. 254, 255, 260).

It appears from the statement of facts in the urgency clause of the bill that the bill was enacted in order to extend the benefits of the church exemption to churches which inadvertently failed to file the affidavit in support of the exemption for a fiscal year commencing in 1958 within the time allowed.

Inasmuch as taxes have already become due and payable for the Fiscal Year 1958-59, it might be contended that the bill violates the gift prohibition in Section 31 of Article IV of the State Constitution. This contention, however, could be met on the ground that the bill serves a public purpose in providing for a cancellation or refund.

Legislation which serves a public purpose is not inconsistent with the gift prohibition in Section 31 of Article IV (see *County of Los Angeles* v. *Jones* (1936), 6 Cal. 2d 695, 704-707; *County of San Diego* v. *Hammond* (1936), 6 Cal. 2d 709, 720-727; and *California Employment Stabilization Commission* v. *Payne* (1947), 31 Cal. 2d 210, 216-217).

The very fact that the church exemption is granted by the Constitution is evidence that it serves a public purpose.

It seems to us that it is equally consistent with the Constitution to grant the exemption retroactively, which is the effect of Assembly Bill No. 29, as it is to grant it prospectively, as normally. The more so when it is considered that nothing more would thereby be relinquished than would have been in the first instance, and that the effect is like treatment for all taxpayers similarly situated (see *Gartner* v. *Roth* (1945), 26 Cal. 2d 184, 189-190; *Allen* v. *Franchise Tax Board* (1952), 39 Cal. 2d 109, 112-113).

Thus we are of the opinion that Assembly Bill No. 29 as enacted is constitutional.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD F. NOWAK, Deputy

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 113**: By Messrs. Bee, Francis, Gaffney, Grant, Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, O'Connell, Pattee,

Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Charles H. Wilson, and Winton—Relative to the appointment of a music committee.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 114:** By Mr. Frew—Relative to street and highway funds.

Referred to Committee on Rules.

**Assembly Bill No. 2603:** By Mr. McMillan—An act to add Section 20852 to the Business and Professions Code, relating to the dispensing of petroleum products.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Assembly Bill No. 2604:** By Mr. Bane—An act to add Section 21663 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trucks weighing over 6,000 pounds.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2605:** By Messrs. Masterson and Waldie—An act to amend Section 28105 of the Government Code, relating to the salary of the supervisors of counties of the fifth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2606:** By Mr. Masterson—An act to amend 526 of, to add Sections 631.7, 631.8 and 664 to, and to repeal Section 559 of the Agricultural Code, relating to milk products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2607:** By Messrs. O'Connell, Waldie, Kilpatrick, Burton, Crown, and Petris—An act to add Section 812 to Chapter 4, Title 3, Part 2 of the Penal Code, relating to arrest warrants.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2608:** By Mr. Beaver—An act to add Section 604.5 to the Labor Code, relating to railroads.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2609:** By Mr. Hanna—An act to amend Section 25251 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle warning lights.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2610:** By Messrs. Crown, Francis, Mulford, Dahl, Bee, Petris, and Rumford—An act to amend Section 6 of Chapter 2374, Statutes of 1957, relating to inclusion of certain officers and employees of the University of California in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2611:** By Messrs. Burton, Masterson, O'Connell, Elliott, Bane, Biddick, George E. Brown, Cameron, Crown, Garrigus, Kennick, McMillan, Munnell, Nisbet, Petris, Waldie, and Charles H. Wilson—An act to add Section 5005.1 to, to amend Section 5005.5 of,

the Elections Code, and to add Section 45b to the Civil Code, relating to misrepresentation in election campaigns.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2612**: By Mr. Burton—An act to add Section 54.5 to Part 2 of Division 1 of the Civil Code, relating to discriminatory acts by persons engaged in occupations licensed by the State.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2613**: By Messrs Bruce F. Allen and Bradley—An act to add Article 12.5 (commencing at Section 73790) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2614**: By Mr. Lunardi—An act to add Article 10.8 (commencing at Section 70030) to Chapter 5, Title 8 of the Government Code, relating to superior court reporters in Nevada County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2615**: By Messrs. Bradley and Bruce F. Allen—An act to repeal Article 3 (commencing at Section 73390) of Chapter 10, Title 8, of the Government Code and to add Article 26.5 (commencing at Section 74550) to Chapter 10, Title 8, of the Government Code, relating to municipal court districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2616**: By Messrs. Bradley and Bruce F. Allen—An act to amend Sections 74660, 74662, and 74663 and to add Section 74665 to the Government Code, relating to municipal court districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2617**: By Messrs. Bradley and Bruce F. Allen—An act to add Article 32.5 (commencing at Section 74820) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2618**: By Messrs. Bradley and Bruce F. Allen—An act to amend Sections 74040, 74042, and 74043, and to add Sections 74046, 74047, 74048, 74049, 74050, and 74051 to the Government Code, relating to municipal court districts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2619**: By Mr. Backstrand—An act to amend Sections 4250 and 4252 of the Penal Code, relating to blood donations by prisoners.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2620**: By Mr. Lowrey—An act to amend Section 2787 of the Penal Code, relating to prison camps.

Referred to Committee on Criminal Procedure.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 4**—An act to amend Section 74341, 74343, and 74345 of, and to add Section 74346.5 to, the Government Code, relating to the municipal court in a district embracing the City of San Diego, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 4 ordered enrolled.

SENATE CHAMBER, April 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 27

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 118
Assembly Bill No. 713
Assembly Bill No. 714

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 74
Assembly Bill No. 288
Assembly Bill No. 508
Assembly Bill No. 1192
Assembly Bill No. 1394

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 145
Senate Bill No. 780
Senate Bill No. 902
Senate Bill No. 907
Senate Bill No. 922
Senate Bill No. 946
Senate Bill No. 986

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 145**—An act to add Section 1393 to the Water Code, relating to permits to appropriate water.

Referred to Committee on Water.

**Senate Bill No. 780**—An act making an appropriation for the City Creek Flood Control Project, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Senate Bill No. 902**—An act to add Section 591 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "street" or "highway."

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 907**—An act to amend Sections 8620, 8650, 8681, 10500, 10506, 10600.5 and 10607 of the Streets and Highways Code, relating to improvements.

Referred to Committee on Transportation and Commerce

**Senate Bill No. 922**—An act to amend Section 305 1 of the Vehicle Code and to amend Section 13358 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to suspension and revocation of privilege of minor to operate motor vehicle.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 946**—An act to amend Section 25643 of the Government Code, relating to excepting property from county tax levy for structural fire protection.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 986**—An act to amend Section 817 of the Public Utilities Code, relating to regulation of public utilities.

Referred to Committee on Public Utilities and Corporations.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 65 FROM COMMITTEE

Mr. McCollister was granted unanimous consent that Assembly Bill No. 65 be withdrawn from the Committee on Livestock and Dairies for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 65

**Assembly Bill No. 65**—An act to add Chapter 20 (commencing with Section 6000) to Division 6 of the Agricultural Code, relating to the California Poultry Promotion Council.

Bill read second time.

#### Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

#### Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of the title strike out "to Division 6", and insert "An act to amend Section 5304.5".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 5304.5 of the Agricultural Code is amended to read:

5304.5. Within 45 days after the effective date of this chapter, the director shall prepare a list of producers. To enable the director to prepare an accurate list, the director is authorized to require all buyers, receivers or other handlers of such products to file with him the correct names and address of all producers from whom they bought, received or handled such products during the preceding calendar year. The

director shall also issue press releases for state circulation requesting all producers who market their own production to file their names and addresses with the director, and the director shall include the names of any producers so received upon the list.

From the reports filed by buyers, receivers and handlers and from the other sources specified in this section, the director shall prepare a list of producers and, for the purposes of carrying on the assent procedures required in this act, such list shall constitute a complete and conclusive list of producers in this State.

When such list has been prepared, the director shall prepare and mail to all producers a ballot form and summarization of the provisions of this chapter and its intents and purposes, together with a self-addressed stamped envelope.

The ballot shall be in the following form:

BALLOT OF CALIFORNIA POULTRY PROMOTION COUNCIL

Shall campaigns of research, advertising, publicity, and education become effective on behalf of California grown and raised poultry, eggs, and poultry products as provided for in the California Poultry Promotion Council Law, Chapter 19, Division 6, of the Agricultural Code.

Yes_____ No_____

Signature of producer_____

Address of producer_____

The director shall prescribe the period during which producers may file their ballots which in no case shall be less than fifteen (15) days nor longer than sixty (60) days. Each producer shall be entitled to one vote. At the close of such assent period the director shall cause the assents and dissents to be counted, and, if he finds that the proposal submitted in the ballot has been assented to by fifty-one percent (51%) or more of the producers *who return ballots* ~~whose names appear upon the conclusive list~~, the action shall be deemed final and all other provisions of this chapter shall go into full force and effect.

Should less than 51 percent of such ~~total number of~~ producers *who return ballots* fail to assent, the director shall not proceed under this chapter. Such failure shall not preclude the circulation of a new summarization and a new ballot at some future time as deemed appropriate by the director; provided, however, that if the promotion program authorized by this act is not activated prior to January 31, 1961, this entire chapter shall expire and automatically stand repealed. In any event, unless renewed or extended by legislative act, this entire chapter shall expire and stand repealed on October 1, 1965.''

**Amendment No. 3**

On page 1, strike out lines 2 to 25, inclusive; and strike out all of pages 2 to 10, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1555 FROM COMMITTEE

Mr. McCollister was granted unanimous consent that Assembly Bill No. 1555 be withdrawn from the Committee on Livestock and Dairies for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1555

**Assembly Bill No. 1555**—An act to add Section 1102.6 to the Agricultural Code, relating to egg standards.

Bill read second time.

#### Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert "1102.6. No eggs, or containers of eggs, shall be sold at retail in this State as a fresh product of this State, whether or not such eggs are processed or packed in this State, unless the eggs and all eggs in the containers have actually been grown and raised in California."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

### REQUEST FOR UNANIMOUS CONSENT TO RE-REFER SENATE BILL NO. 137 TO COMMITTEE

Mr. McCollister was granted unanimous consent that Senate Bill No. 137 be re-referred to the Committee on Livestock and Dairies.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1000, deemed read the second time, with appropriate action taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 1000, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Miller seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2142, 1154, 1734, 1578, 476, 1701, 1930, 1755, and 1826.**

**Senate Bill No. 213.**

Assembly Bill No. 2142 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bills Nos. 1578 and 1755 ordered to the Consent Calendar, subsequent to re-engrossment.

Assembly Bills Nos. 1154, 476, 1701, 1930, and 1826 ordered to third reading, subsequent to engrossment.

Assembly Bill No 1734 ordered to third reading, subsequent to re-engrossment.

Senate Bill No. 213 ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1624**—An act to add Part 5 (commencing at Section 17500) to Division 4 of Title 2 of the Government Code, relating to state fiscal affairs.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 2, 1959, after "affairs", insert ", and making an appropriation".

#### Amendment No. 2

On page 1, line 11, after "Controller" insert a comma.

#### Amendment No. 3

On page 1, line 11, strike out the second comma after "Treasurer", and insert "the State Director of Finance,".

#### Amendment No. 4

On page 2, line 30, strike out "may", and insert "shall".

#### Amendment No. 5

On page 2, line 31, after "tary", insert ", who may not be a person then in the executive or legislative branch of the State Government".

#### Amendment No. 6

On page 2, line 32, strike out "may", and insert "shall".

#### Amendment No. 7

On page 2, between lines 34 and 35, insert

"17540.1. The commission may, subject to the approval of the State Fiscal Advisory Board, enter into a contract with a qualified private consultant firm, a qualified research association, or a qualified foundation, to make a comprehensive study necessary to enable the commission to carry out its functions pursuant to this chapter."

#### Amendment No. 8

On page 3, line 6, strike out "supplement,".

#### Amendment No. 9

On page 3, line 11, after "and", insert "may".

#### Amendment No. 10

On page 3, line 13, after "board", insert ", or may, in lieu of filling such positions, contract with a qualified organization, as provided in Section 17540.1, to accomplish the study".

#### Amendment No. 11

On page 3, line 14, strike out "overall".

**Amendment No. 12**

On page 3, after line 33, insert

"SEC. 2. There is hereby appropriated out of the General Fund, to the commission established under Chapter 2 (commencing with Section 17520) of Part 5, Division 4, Title 2, Government Code, for purposes of said chapter, the sum of two hundred fifty thousand dollars ($250,000)."

**Amendment No. 13**

On page 3, line 7, of the printed bill, as amended in Assembly April 2, 1959, after "Analyst," insert "the Auditor General".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 773**—An act to codify Section 12 of Chapter 29, 1956 First Extraordinary Session, by repealing said section, and by adding Article 8 (commencing with Section 16419) to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, relating to the Investment Fund.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 774**—An act to codify the Klamath River Basin Compact by adding Part 6 (commencing with Section 5900) to Division 2 of the Water Code, and to repeal Chapter 113 of the Statutes of 1957, and Chapter 2.5 (commencing with Section 8110) of Division 1 of Title 2 of the Government Code, relating to the Klamath River Basin.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 775**—An act to codify Section 6 of Chapter 184 of the Statutes of 1957, by repealing said section, and by adding Section 18212 to the Financial Code, relating to capital and surplus of industrial loan companies.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 776**—An act to codify Chapter 1473 of the Statutes of 1957 by repealing Section 1, thereof and by adding Section 1153.1 to the Agricultural Code, relating to the establishment of a market news service in the Klamath Basin.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 777**—An act to codify Chapter 992 of the Statutes of 1945 by repealing said act, and by adding Article 3 (commencing with Section 13410) to Chapter 4 of Part 3, Division 3, Title 2 of the Government Code, relating to the purchase and acquisition of surplus property from the Federal Government or its agencies.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 778**—An act to codify Chapter 1739, Statutes of 1953 by repealing said chapter, and adding Chapter 6.5 (commencing with Section 1230) to Part 1, Division 1 of the Public Utilities Code,

relating to allocation to counties, cities, and cities and counties for the construction of grade crossing protections, and making an appropriation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 779**—An act to maintain the Government Code by amending Sections 13210, 13212, and 13213 thereof, relating to state burial grounds.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 780**—An act to codify Sections 7, 7.1, and 7.2 of Chapter 20 of the Statutes of 1946, First Extraordinary Session, by amending Sections 6 and 7 and repealing Sections 7.1 and 7.2, and by adding Part 7.5 (commencing with Section 15490) to Division 3 of Title 2 of the Government Code, relating to the State Allocation Board.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 781**—An act to maintain the Agricultural Code by amending Sections 375.6, 1014, 1071.4 and 4273 thereof, and by repealing Sections 83 and 207.6 thereof, relating to the plant and animal industry and the products thereof.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 782**—An act to maintain the Business and Professions Code by amending Sections 2457.5 and 9575 thereof, and by repealing Sections 202.5, 6060.5, 6060.8, and 6061 thereof, relating to the regulation and protection of licensed professions and business enterprises, and making an appropriation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 783**—An act to maintain the Civil Code by amending Sections 1172 and 3081.1 thereof, and by repealing Section 2924½ thereof, relating to instruments affecting property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 784**—An act to maintain the Code of Civil Procedure by amending Sections 13a, 89, 112, 196.1, 689d, and 690.27 thereof, relating to proceedings in civil cases including the organization, jurisdiction, and administration of courts of justice, and the procedure in civil actions and special proceedings of a civil nature.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 785**—An act to maintain the Education Code by amending Sections 1825, 4105.5, 5001, 14641, 18366, and 22674 thereof, and by repealing Section 7714.2 thereof, and by amending Sections 939,

1409, 17151, 14372, 15716, and 27874, and repealing Section 19578, of the Education Code as proposed by Senate Bill No. 2, relating to institutions of learning, including the establishment, maintenance, government, and operation of schools and libraries.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 786**—An act to maintain the Fish and Game Code by amending Sections 10828 and 10841 thereof, by amending and renumbering Sections 8317 and 19031 thereof, and by repealing Article 9 (commencing with Section 8100) of Chapter 1, Part 3, Division 6, and Sections 8308, 8309, 8310, 8311, 8312, 8313, 8314, 8315, and 8316, thereof, relating to fish and game.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 787**—An act to maintain the Government Code by amending Sections 9141, 9320, 9357.2, 9360.3, 11290, 12541, 13373, 16305.6, 16742, 16480.1, 50532, 51300, and the heading of Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5, thereof, and by amending and renumbering Part 10 (commencing with Section 15750) of Division 3, Title 2, Article 4 (commencing with Section 34870) of Chapter 7, Part 1, Division 2, Title 4, Chapter 12 (commencing with Section 55300) of Part 2, Division 2, Title 5, and Chapter 4 (commencing with Section 61930) of Part 7, Division 2, Title 6, thereof, and by repealing Article 2.5 (commencing with Section 21000) of Chapter 8, Part 3, Division 5, Title 2, and Sections 31671.2 and 75030, relating to the government of public agencies within this State.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 788**—An act to maintain the Health and Safety Code by amending Sections 4121, 4186.30, 4805, 8741, 14219, 14240, 14254, and 24351.3, and by repealing Section 33280 thereof, relating to health and safety.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 789**—An act to maintain the Insurance Code by amending Sections 1802.71 and 10270 thereof, and by repealing Sections 947 and 11580.1 thereof, relating to insurance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 790**—An act to maintain the Labor Code by amending Section 1397.5 thereof, relating to the employment of minors.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 791**—An act to maintain the Military and Veterans Code, by amending Section 1180 thereof, relating to memorial districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 792**—An act to maintain the Penal Code by amending Section 1227 thereof, and by repealing Sections 23, 438, and 441 thereof, relating to crimes and punishment.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 793**—An act to maintain the Public Utilities Code by amending Sections 22229, 24503, 24531, 24532, 24533, 24534, and 24535 thereof, relating to the organization and powers of districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 794**—An act to maintain the Revenue and Taxation Code by amending Sections 3552.42 and 3730 thereof, by amending and renumbering Article 2.5 (commencing with Section 1011) of Chapter 5, Part 4, Division 2 thereof, and by repealing Chapter 2 (commencing with Section 28201) of Part 12, Division 2 thereof, relating to taxation and the raising of revenue.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 795**—An act to maintain the Streets and Highways Code by amending Sections 6611, 27001, 27002, 27003, and 27004 thereof, relating to public ways and all appurtenances thereto.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 796**—An act to maintain the Vehicle Code by amending Sections 142, 694, and 739.1 thereof, and by repealing Section 422.7 thereof, and by amending Sections 142, 694, and 739.1 thereof, and by repealing Section 422.7 thereof, and by amending Sections 35108 and 40513 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicles and vehicular traffic.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 798**—An act to maintain the Welfare and Institutions Code, by amending Sections 156.1, 163, 5400, 6557, 6564, and 6723 thereof, relating to the administration of, and commitment of persons to, the Department of Mental Hygiene.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 799**—An act to maintain the Welfare and Institutions Code by amending Section 2181 1 thereof, relating to aid to aged persons.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 801**—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405 of the Statutes of 1951), relating to flood control and water conservation in Santa Clara County.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 848**—An act to amend and renumber Section 103.7 (as added by Chapter 1068, Statutes of 1957) of the Welfare and Institutions Code, relating to public assistance recipients.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 849**—An act to amend and renumber Section 21661 (as added by Chapter 2154, Statutes of 1957), and the title of Part 6 5 of Division 13 and Sections 36500 to 36509, inclusive (as added by Chapter 1487, Statutes of 1957), of the Water Code, relating to districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 850**—An act to amend and renumber Section 6403 (added by Stats. 1947, Ch. 887) of the Public Resources Code, relating to the powers and duties of the State Lands Commission with respect to the reservation of mineral deposits in state lands.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 851**—An act to repeal Section 186 (as amended by Chapter 2424, Statutes of 1957) of the Water Code, relating to State Water Rights Board.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 853**—An act to amend and renumber Sections 20495 (as added by Chapter 1155, Statutes of 1957), 37395 (as added by Chapter 1475, Statutes of 1957), and 70045 9 (as added by Chapter 1786, Statutes of 1957) of the Government Code, relating to local governmental operations.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 854**—An act to repeal Sections 21152 (as added by Chapter 65, Statutes of 1957), 21152 (as added by Chapter 936, Statutes of 1957), 21153 (as added by Chapter 936, Statutes of 1957), 69505 (as added by Chapter 1045, Statutes of 1957), and 73650 (as

added by Chapter 65, Statutes of 1957) of the Government Code, relating to public employment.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 855**—An act to amend and renumber Section 4187 (as added by Chapter 2017, Statutes of 1957) of the Fish and Game Code, relating to special hunting permits.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 856**—An act to repeal Section 1354 (as added by Chapter 1037, Statutes of 1957) of the Fish and Game Code, relating to Archibald Lake Public Fishing and Recreation Area.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 857**—An act to amend and renumber Section 24206 (as added by Chapter 1275, Statutes of 1957) of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 858**—An act to amend and renumber Section 96 (as added by Chapter 1471, Statutes of 1957) of the Agricultural Code, relating to insurance for horserace meetings.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1078**—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims court counterclaims or cross-complaints.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1151**—An act to amend Section 539 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1153**—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1270**—An act to amend Sections 553 and 946 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1629**—An act to amend Sections 206.5 and 206.7 of the Civil Code, relating to proceedings by adult for release from obligation to support parent.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2067**—An act to amend Section 74265 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2136**—An act to amend Section 784 of the Code of Civil Procedure, relating to partition sales of property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 132**—An act to amend Section 72069 of the Government Code, relating to the fee for preparing copies of records of municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after the period, insert "The person requesting a copy may specify whether he wishes a photographic or nonphotographic copy, and if there are facilities for preparation of the type of copy he requests, he shall be furnished such type of copy."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 684**—An act to amend Section 73781 of, and to add Section 73781.5 to, the Government Code, relating to reporters of the Municipal Court of the Central Judicial District of Marin County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on March 6, 1959, strike out "Section 73781.5", and insert "Sections 70045.3 and 73781.5".

**Amendment No. 2**

In the title, strike out lines 3 and 4, and insert "relating to court reporters in Marin County."

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 70045.3 is added to the Government Code, to read:

70045.3. In any county having a population of over 85,000 and under 95,000, as determined by the 1950 federal census, the fee for reporting testimony and proceedings in contested cases is thirty-five dollars ($35) a day, and the fee for reporting each default or uncontested action or proceeding is seven dollars ($7) If more than four defaults or uncontested matters in conjunction with any contested case are reported in a day, the fee is thirty-five dollars ($35) a day.

SEC. 2 Section 73781 of said code is".

**Amendment No. 4**

On page 1, line 14, after "official", insert "superior".

**Amendment No. 5**

On page 2, line 5, after "official", insert "superior".

**Amendment No. 6**

On page 2, line 24, after "Sec." strike out "2", and insert "3".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1309**—An act to amend Sections 73602 and 73603 of the Government Code, relating to the municipal court in the Cities of Daly City and South San Francisco.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 73603", and insert ", 73603 and 73605".

**Amendment No. 2**

On page 1, strike out lines 3 to 16, inclusive; and on page 2, strike out lines 1 to 27, inclusive, and insert

"73602. Clerk: Compensation. There shall be one clerk who shall receive a salary of five hundred and forty-nine dollars ($549) a month, a semi-annual increment of thirty-two dollars ($32) and annual increments thereafter of thirty-three dollars ($33), thirty-five dollars ($35) and thirty-seven dollars ($37) to a maximum of six hundred and eighty-six dollars ($686) a month.

SEC. 2. Section 73603 of said code is amended to read:

73603. The clerk may appoint:

(a) One chief deputy clerk who shall receive a salary of four hundred thirty-nine dollars ($439) a month, a semiannual increment of twenty-five dollars ($25) and annual increments thereafter of twenty-seven dollars ($27), twenty-eight dollars ($28) and thirty dollars ($30) to a maximum of five hundred forty-nine dollars ($549) a month.

(b) Two deputy clerks, grade III, each of whom shall receive a salary of three hundred seventy-one dollars ($371) a month, a semiannual increment of twenty-one dollars ($21) and annual increments thereafter of twenty-three dollars ($23), twenty-four dollars ($24)

and twenty-five dollars ($25) to a maximum of four hundred sixty-four dollars ($464) a month.

(c) Four deputy clerks, grade II, each of whom shall receive a salary of three hundred thirty-two dollars ($332) a month, a semi-annual increment of nineteen dollars ($19) and annual increments thereafter of twenty dollars ($20), twenty-one dollars ($21) and twenty-three dollars ($23) to a maximum of four hundred and fifteen dollars ($415) a month.

(d) Four deputy clerks, grade I, each of whom shall receive a salary of two hundred ninety-seven dollars ($297) a month, a semiannual increment of seventeen dollars ($17) and annual increments thereafter of eighteen dollars ($18), nineteen dollars ($19) and twenty dollars ($20) to a maximum of three hundred seventy-one dollars ($371) a month.

SEC. 3. Section 73605 of said code is amended to read:

73605. Notwithstanding the provisions of Article 4 of Chapter 8 of this title and the provisions of this article, and *only* in order to equalize the compensation of employees of the municipal court with the compensation paid to county employees with commensurate duties and responsibilities, upon recommendation of the clerk of the court with the approval of the judges of the court and the Board of Supervisors of the County of San Mateo, ~~an~~ officer *s* ~~or an~~ *and* attache *s* of the court, whether appointed under the provisions of this article or under Article 4 of Chapter 8 of this title, may be paid any compensation ; *in excess of those specified in Section 73603,* ~~which is within the ranges and increments set forth in this article, in excess of or less than the maximum to which such employee would otherwise be entitled,~~ provided, that any such salary adjustment shall not extend longer than ninety (90) days after the adjournment of the next general session of the Legislature."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1310**—An act to amend Sections 73522 and 73523 of the Government Code, relating to the municipal court in the Cities of Burlingame and San Mateo.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 73523", and insert ", 73523 and 73525"

**Amendment No. 2**

On page 1, strike out lines 3 to 6, inclusive, and insert

"73522. Clerk: Compensation. There shall be one clerk who shall receive a salary of five hundred and forty-nine dollars ($549) a month, a semi-annual increment of thirty-two dollars ($32) and annual increments thereafter of thirty-three dollars ($33), thirty-five dollars ($35) and thirty-seven dollars ($37) to a maximum of six hundred and eighty-six dollars ($686) a month."

**Amendment No. 3**

On page 1, line 11, strike out "and annual increments", and insert ", a semiannual increment".

**Amendment No. 4**

On page 1, line 12, after "($25)", insert "and annual increments thereafter of".

**Amendment No. 5**

On page 1, strike out lines 18 to 20, inclusive; on page 2, strike out lines 1 to 23, inclusive, and insert

"(b) Two deputy clerks, grade III, each of whom shall receive a salary of three hundred seventy-one dollars ($371) a month, a semiannual increment of twenty-one dollars ($21) and annual increments thereafter of twenty-three dollars ($23), twenty-four dollars ($24) and twenty-five dollars ($25) to a maximum of four hundred sixty-four dollars ($464) a month.

(c) Four deputy clerks, grade II, each of whom shall receive a salary of three hundred thirty-two dollars ($332) a month, a semiannual increment of nineteen dollars ($19) and annual increments thereafter of twenty dollars ($20) twenty-one dollars ($21) and twenty-three dollars ($23) to a maximum of four hundred fifteen dollars ($415) a month.

(d) Four deputy clerks, grade I, each of whom shall receive a salary of two hundred ninety-seven dollars ($297) a month, a semiannual increment of seventeen dollars ($17) and annual increments thereafter of eighteen dollars ($18), nineteen dollars ($19) and twenty dollars ($20) to a maximum of three hundred seventy-one dollars ($371) a month.

SEC. 3. Section 73525 of said code is amended to read:

73525. Notwithstanding the provisions of Article 4 of Chapter 8 of this title and the provisions of this article, and *only* in order to equalize the compensation of employees of the municipal court with the compensation paid to county employees with commensurate duties and responsibilities, upon recommendation of the clerk of the court with the approval of the judges of the court and the Board of Supervisors of the County of San Mateo, ~~an~~ officer *s* ~~or an~~ *and* attache *s* of the court, whether appointed under the provisions of this article or under Article 4 of Chapter 8 of this title, may be paid any compensation *, in excess of those specified in Section 73523,* ~~which is within the ranges and increments set forth in this article, in excess of or less than the maximum to which such employee would otherwise be entitled,~~ provided, that any such salary adjustment shall not extend longer than ninety (90) days after the adjournment of the next general session of the Legislature."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1500**—An act to amend Sections 73648, 73650, 73958, 74355, and 74748 of, and to add Article 25.5 (commencing at Section 74361) to Chapter 10, of Title 8 of, and to repeal Sections 73644, 73645, 73954, 73955, 74344, 74345, 74346, 74744, and 74745 of, the Government Code, relating to the office of marshal of municipal courts in San Diego County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 4, line 48, of the printed bill, as amended in the Assembly on April 10, 1959, after the period, insert "The present marshal of the San Diego Judicial District shall succeed to this position."

**Amendment No. 2**

On page 6, between lines 4 and 5, insert

"(k) One court matron, who shall also serve as court probation officer, to be appointed by the judges of the court, who shall receive three hundred ninety-five dollars ($395) a month as a beginning salary with an increment to four hundred fifteen dollars ($415) a month after six months' service, and a further increment to four hundred thirty-five dollars ($435) a month after an additional one year's service."

**Amendment No. 3**

On page 6, line 5, strike out "The", and insert "Whenever any vacancy occurs after the effective date of this section, the".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "reporter", insert "shall be paid an annual salary of nine thousand six hundred dollars ($9,600),".

**Amendment No. 2**

On page 1, line 6, after "be", insert "paid twenty-five dollars ($25) a day for the days he actually is on duty under order of the court."

**Amendment No. 3**

On page 1, strike out lines 8 to 11, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1836**—An act to add Section 11580.2 to the Insurance Code, relating to uninsured motorist coverage.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 444**—An act to amend Section 10177 of the Business and Professions Code, relating to real estate licenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 35, of the printed bill, strike out "Refused", and insert "Willful or persistent refusal".

**Amendment No. 2**

On page 2, line 35, strike out "denied", and insert "deny".

**Amendment No. 3**

On page 2, line 36, strike out "withheld", and insert "withhold".

**Amendment No. 4**

On page 2, line 38, strike out "discriminated", and insert "discriminates".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 594**—An act to amend Sections 51 and 52 of, and to repeal Sections 53 and 54 of, the Civil Code, relating to civil rights

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 7, of the printed bill, as amended in the Assembly on March 30, 1959, after "belief", insert ", insofar as the facilities of any such school so organized and following such practice are made available primarily to persons who subscribe to such belief"

**Amendment No. 2**

On page 2, line 8, after "the", insert "charitable".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 689**—An act to add Article 4 (commencing with Section 570) to Chapter 6 of Division 1 of the Insurance Code, relating to actions against insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Article 4 (commencing with Section 570) to"; strike out lines 2 and 3, and insert "amend Section 704 of the Insurance Code, relating to suspension of certificate of convenience of an insurer."

**Amendment No. 2**

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 704 of the Insurance Code is amended to read:

704. The commissioner may suspend the certificate of authority of an insurer for not exceeding one year whenever he finds, after proper hearing following notice, that such insurer engages in any of the following practices:

(a) Conducting its business fraudulently.

(b) Not carrying out its contracts in good faith

(c) Habitually and as a matter of ordinary practice and custom compelling claimants under policies, *or judgment creditors of the insured,* to either accept less than the amount due under the terms of the policies or resort to litigation against such insurer to secure the payment of the amount due

The order of suspension shall prescribe the period of such suspension.

The proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted therein."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1733**—An act to add Section 69749.1 to the Gov-

Bill read second time.

ernment Code, relating to sessions of the superior court.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 17, 1959, strike out "69749.1", and insert "69749.2".

**Amendment No. 2**

In line 2 of the title, before the period, insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, line 1, strike out "69749.1", and insert "69749.2"

**Amendment No. 4**

On page 1, strike out line 3, and insert

"69749.2. Except in those cities in which sessions of the superior court are required by law to be held and in which sessions were being held on the effective date of this session, no sessions of the superior court shall be held prior to the ninety-first day after the adjournment of the 1959 Session of the Legislature in any city meeting the requirements of this article.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The public peace, health and safety are dependent upon the establishment of sufficient courts for the convenient and timely administration of justice. County officers, and judges of the superior courts, are charged with the responsibility of providing the most reasonable and efficient facilities and personnel possible for the efficient and timely administration of justice within their respective counties, consistent with their responsibility to the electors and taxpayers thereof for the costs thereof. The solution of these problems is very complex and difficult in the counties affected by this act, because of the tremendous influx of population and the accelerated growth and development therein. Satisfactory solution of these problems in such counties cannot be effected without the benefit of the final action of the Legislature on legislation being considered at this session of the Legislature affecting the jurisdiction and sessions of the superior court, the jurisdiction and abolition of courts inferior thereto, the officers and attaches thereof, and other legislation affecting such courts and the costs of maintenance thereof."

**Amendment No. 5**

On page 1, strike out lines 4 to 10, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 405**—An act to add Division 3.5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 21, of the printed bill, as amended in the Assembly on March 24, 1959, after the comma, insert "chartered".

**Amendment No. 2**

On page 1, line 21, after the second "and", insert "chartered".

**Amendment No. 3**

On page 2, line 1, after "to", insert "causes of action founded on contract against".

**Amendment No. 4**

On page 2, line 1, strike out "county", and insert "city and county".

**Amendment No. 5**

On page 2, line 1, after "or", insert "chartered".

**Amendment No. 6**

On page 2, line 1, strike out the second "a", and insert "an applicable".

**Amendment No. 7**

On page 2, line 20, after "4", insert "(commencing with Section 3201)".

**Amendment No. 8**

On page 2, between lines 43 and 44, insert

"(k) Claims for the recovery of penalties or forfeitures made pursuant to Article 1 of Chapter 1 of Part 7 of Division 2 of the Labor Code (commencing at Section 1720)."

**Amendment No. 9**

On page 2, line 51, strike out "Sections 715 and 720 are", and insert "Section 716 is".

**Amendment No. 10**

On page 3, lines 1 and 2, strike out "authorize the inclusion", and insert "include".

**Amendment No. 11**

On page 3, line 7, after the period, insert "The written agreement may incorporate by reference claim provisions set forth in a specifically identified ordinance or resolution theretofore adopted by the governing body."

**Amendment No. 12**

On page 3, line 11, strike out "any claim", and insert "claims".

**Amendment No. 13**

On page 3, line 11, strike out "714", and insert "715".

**Amendment No. 14**

On page 3, line 12, strike out "Sections 715 and 720 are", and insert "Section 716 is".

**Amendment No. 15**

On page 3, line 25, after "name", insert "and post office address".

**Amendment No. 16**

On page 3, line 26, strike out "residence or business", and insert "post office".

**Amendment No. 17**

On page 3, line 26, strike out "of", and insert "to which".

**Amendment No. 18**

On page 3, line 27, after "claim", insert "desires notices to be sent".

**Amendment No. 19**

On page 3, strike out line 39, and insert ", and the amend-".

**Amendment No. 20**

On page 3, line 45, strike out "sixty (60)", and insert "fifty (50)".

**Amendment No. 21**

On page 3, strike out lines 46 and 47, and insert "sented, give written notice of".

**Amendment No. 22**

On page 3, strike out line 49, and insert "sions therein.

Such notice may be given by mailing it to the address, if any, stated in the claim as the address to which the person presenting the claim desires notices to be sent. If no such address is stated in the claim, the notice may be mailed to the address, if any, of the claimant as stated in the claim.

The governing body may not take action on".

**Amendment No. 23**

On page 3, line 50, strike out "ten (10)", and insert "twenty (20)".

**Amendment No. 24**

On page 4, strike out lines 14 and 15, and insert "sented fails to state either an address to which the person presenting the claim desires notices to be sent or an address of the claimant."

**Amendment No. 25**

On page 4, line 17, strike out "personally".

**Amendment No. 26**

On page 4, strike out lines 18 and 19, and insert "or auditor thereof within the period of time prescribed by Section 715 or".

**Amendment No. 27**

On page 4, line 20, strike out "sending", and insert "mailing".

**Amendment No. 28**

On page 4, lines 21 and 22, strike out "by mail postmarked".

**Amendment No. 29**

On page 4, line 22, strike out "such one hundredth day", and insert "the last day of such period".

**Amendment No. 30**

On page 4, strike out lines 27 to 33, and insert

"715. A claim relating to a cause of action for physical injury to the person or death shall be presented as provided in Section 714 not later than the one hundredth day after the accrual of the cause of action. A claim relating to any other cause of action shall be presented as provided in Section 714 not later than one year after the accrual of the cause of action.

For the purpose of computing the time limit prescribed by this section, the date of accrual of a cause of action to which a claim relates is the date upon which the cause of action would be deemed to have accrued within the meaning of the statute of limitations which would be applicable thereto if the claim were being asserted against a defendant other than a local public entity."

**Amendment No. 31**

On page 4, line 34, strike out "715", and insert "716".

**Amendment No. 32**

On page 4, line 37, strike out "714", and insert "715".

**Amendment No. 33**

On page 4, line 50, strike out "714", and insert "715".

**Amendment No. 34**

On page 5, strike out line 6, and, in line 7, strike out "the", and insert "717. The".

**Amendment No. 35**

On page 5, line 7, strike out "the", and insert "a".

**Amendment No. 36**

On page 5, line 22, after "section", insert "rejecting a claim in whole or in part".

**Amendment No. 37**

On page 5, line 30, strike out "717", and insert "718".

**Amendment No. 38**

On page 5, line 31, after "claim", insert "relating to a cause of action for physical injury to the person or death".

**Amendment No. 39**

On page 5, line 32, strike out "716", and insert "717".

**Amendment No. 40**

On page 5, line 34, after the period, insert "If the governing body of the local public entity fails or refuses to act on a claim relating to any other cause of action in such manner within such period the claimant may, at his option, treat the failure or refusal to act as rejection of the claim on the eightieth day."

**Amendment No. 41**

On page 5, line 35, strike out "718", and insert "719".

**Amendment No. 42**

On page 5, line 46, after "tained", insert "against such entity".

**Amendment No. 43**

On page 6, strike out lines 4 to 21, inclusive.

**Amendment No. 44**

On page 6, line 22, strike out "721", and insert "720".

**Amendment No. 45**

On page 6, line 23, after "action", insert "for physical injury to the person or death"

**Amendment No. 46**

On page 6, line 24, after "commenced", insert "(a)".

**Amendment No. 47**

On page 6, line 24, strike out "one year", and insert "six months".

**Amendment No. 48**

On page 6, line 25, strike out the period, and insert "or (b) within one year from the date on which the cause of action would be deemed to have accrued within the meaning of the statute of limitations which would be applicable thereto if the claim were being asserted against a defendant other than a local public entity, whichever is later.

Any suit brought against a local public entity on any other cause of action for which this chapter requires a claim to be presented must be commenced within one year after the date of rejection of the claim."

**Amendment No. 49**

On page 6, line 26, strike out "722", and insert "721".

**Amendment No. 50**

On page 6, line 43, strike out "714", and insert "715".

**Amendment No. 51**

On page 6, lines 43 and 44, strike out "Sections 715 and 720", and insert "Section 716".

**Amendment No. 52**

On page 7, line 3, strike out "721", and insert "720".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 406**—An act to repeal Article 2 (commencing with Section 1980) of Chapter 6 of Division 4 of Title 1, Part 1 (commencing with Section 16000) of Division 4 of Title 2, and Sections 2003 and 53053 of the Government Code, to add Chapters 1 (commencing with Section 600) and 3 (commencing with Section 800) to Division 3.5 of Title 1 of the Government Code, and to amend Section 53052 of the Government Code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 3, line 37, of the printed bill, as amended in the Assembly on March 20, 1959, strike out "Section 400", and insert "Sections 17000 to 17003, inclusive,".

**Amendment No. 2**

On page 4, line 13, strike out "Section 400", and insert "Sections 17000 to 17003, inclusive,".

**Amendment No. 3**

On page 4, line 20, strike out "Section 400", and insert "Sections 17000 to 17003, inclusive,"

**Amendment No. 4**

On page 4, line 26, strike out "Section 400", and insert "Sections 17000 to 17003, inclusive,".

**Amendment No. 5**

On page 5, lines 39 and 40, strike out "Section 400", and insert "Sections 17000 to 17003, inclusive,".

**Amendment No. 6**

On page 5, line 49, strike out "Section 400", and insert "Sections 17000 to 17003, inclusive,".

**Amendment No. 7**

On page 6, line 2, after "3.5", insert "of Title 1".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 408**—An act to amend Sections 37201 and 39586 of the Government Code, relating to claims against cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "code", insert ", except as provided therein,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 409**—An act to amend Section 1007 of the Education Code, Sections 6370 and 6960 of the Harbors and Navigation Code, Section 14164 of the Health and Safety Code, Sections 5553 and 5784.19 of the Public Resources Code, Section 21782 of the Streets and Highways Code and Section 56117 of the Water Code; to repeal Sections 61628, 61630, and 61631 of the Government Code, Sections 4817, 5617, and 6096 of the Health and Safety Code, Sections 16682, 16683, 16684, 16685, 16686, Article 5a (commencing with Section 12830) of Chapter 6 of Division 6 and Article 6 (commencing with Section 29060) of Chapter 6 of Part 2 of Division 10 of the Public Utilities Code, Sections 22727, 22728, 22729, 31084, 31085, 31086, 31087, 35752, 35753, and 35754 of the Water Code; and to add Article 1.5 (commencing with Section 1018) to Chapter 1 of Division 2, Article 5 (commencing with Section 21658) to Chapter 10 of Division 10, Article 2.5 (commencing with Section 22360) to Chapter 4 of Division 11, Article 3.5 (commencing with Section 22680) to Chapter 5 of Division 11 and Article 8.5 (commencing with Section 22980) to Chapter 6 of Division 11 of the Education Code, Section 61628 to the Government Code, Chapter 4 (commencing with Section 5790) to Part 1.5 of Division 8, Chapter 3.5 (commencing with Section 5905) to Part 2 of Division 8, Chapter 3.5 (commencing with Section 6095) to Part 3 of Division 8 and Article 3 (commencing with Section 6680) to Chapter 5 of Part 5 of Division 8 of the Harbors and Navigation Code, Sections 954, 4817, 5617, 4665.6, 6096, 14163.5, Article 5.5 (commencing with Section 2320) to Chapter 5 of Division 3, Article 4.5 (commencing with Section 2880) to Chapter 8 of Division 3, Article 4.5 (commencing with Section 4130) to Chapter 1 of Part 2 of Division 5, Article 5.5 (commencing with Section 4185.1) to Chapter 1.5 of Part 2 of Division 5, Article 5.5 (commencing with Section 5745) to Chapter 9 of Part 3 of Division 5, Article 8 (commencing with Section 6805) to Chapter 7 of Part 1 of Division 6, Article 5 (commencing with Section 9010) to Chapter 8 of Part 4 of Division 8, Article 6.5 (commencing with Section 14363) to Chapter

1a of Part 3 of Division 12, Article 7.1 (commencing with Section 14488) to Chapter 2 of Part 3 of Division 12, Article 4.1 (commencing with Section 20115) to Chapter 1 of Part 1 of Division 14, Article 2.5 (commencing with Section 24232) to Chapter 2 of Division 20, Article 16 (commencing with Section 24374) to Chapter 2.5 of Division 20, Chapter 7 (commencing with Section 32492) to Division 23, Article 6 (commencing with Section 33340) to Chapter 2 of Part 1 of Division 24 and Article 6 (commencing with Section 34380) to Chapter 1 of Part 2 of Division 24 of the Health and Safety Code, Article 2.5 (commencing with Section 1209) to Chapter 1 of Division 6 of the Military and Veterans Code, Section 5553.5, Article 3 (commencing with Section 9420) to Chapter 4 of Division 9 and Article 1.5 (commencing with Section 11520) to Chapter 7 of Division 10 of the Public Resources Code, Section 16682, Article 5a (commencing with Section 12830) to Chapter 6 of Division 6, Article 6 (commencing with Section 29060) to Chapter 6 of Part 2 of Division 10, Chapter 4.5 (commencing with Section 22601) to Part 2 of Division 9 and Article 9 (commencing with Section 25951) to Chapter 6 of Part 1 of Division 10 of the Public Utilities Code, Sections 31867, 33550, 35707, Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16, Chapter 9.5 (commencing with Section 8230) to Part 2 of Division 9, Chapter 11.5 (commencing with Section 19190) to Part 4 of Division 14, Chapter 15.5 (commencing with Section 25360) to Part 1 of Division 16 and Chapter 13.5 (commencing with Section 26225) to Part 2 of Division 16 of the Streets and Highways Code, Sections 8991, 22727, 31084, 35752, 44457, Article 4 5 (commencing with Section 50145) to Chapter 2 of Part 1 of Division 15 and Chapter 4 (commencing with Section 55720) to Part 4 of Division 16 of the Water Code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, strike out "21782", and insert "27182".

**Amendment No. 2**

In line 64 of the title strike out "11.5", and insert "10.5".

**Amendment No. 3**

On page 4, line 11, strike out "Section", and insert "Sections".

**Amendment No. 4**

On page 13, line 23, strike out "11.5", and insert "10.5".

**Amendment No. 5**

On page 13, line 26, strike out "11.5", and insert "10.5".

**Amendment No. 6**

On page 14, line 34, strike out the first and second commas.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2131**—An act to repeal Section 814.4 of, and to amend Section 828 of, the Agricultural Code, relating to vegetable standards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and to amend Section 828 of," and insert "to add Section 814.4 to, and to amend Section 828.7 of,".

**Amendment No. 2**

On page 1, between lines 2 and 3, insert

"SEC. 2. Section 814.4 is added to said code, to read:

814.4. "Closed" or "lidded" as applied to containers of head lettuce means (1) in the case of fiberboard containers that the opening is completely covered, except for necessary ventilation openings, with material of similar quality and strength to the adjoining portion of the container and as required in Section 814.3, and (2) in the case of nailed wooden, wirebound, or other containers, that 40 percent or more of the opening is covered with material similar to that used in the construction of the sides of said container, securely attached to the top."

**Amendment No. 3**

On page 1, line 3, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 4**

On page 1, line 11, strike out "slat", and insert "slats".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2104**—An act to add Section 94.7 to the Agricultural Code, relating to fairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "authorization, license, or permit", and insert "business license".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

**Assembly Bill No. 2060**—An act to amend Section 54309 of the Government Code, relating to the issuance of revenue bonds by local agencies.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Concurrent Resolution No. 88**—Relative to higher education.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed measure, strike out lines 15 to 20, inclusive, and insert "port on the subject of this resolution to the State Board of Education and the Regents of the University of California, and the State Board of Education and the Regents of the University of California are requested to report on the subject of this resolution to the Legislature at its 1960 Regular Session within three days of the convening thereof; and be it".

Resolution ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 913**—An act to amend Section 14641 of the Education Code, and Section 14372 of the Education Code as proposed by Senate Bill No. 2, relating to State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 14641 of the Education Code, and Section 14372 of", and insert "Sections 14310, 14311, and 14372 of, and to add Section 14372.1 to,".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 23, inclusive; and on page 2, strike out lines 1 to 39, inclusive, and insert

"SECTION 1. Section 14310 of the Education Code is amended to read:

14310. If any person retired pursuant to this article (commencing at Section 14301) is re-employed, after complying with the requirements in Section 14309, in a status requisite to membership in the Retirement System or in any teaching capacity in a public school, or if any person retired for disability ceases to be incapacitated, his retirement allowance shall cease, *and he shall be reinstated to membership in the Retirement System*.

SEC. 2. Section 14311 of said code is amended to read:

14311. The Retirement Board may require any beneficiary who has been retired for disability and who has not attained the age of 58 years, to undergo a medical examination. If the examination, together with other available information, shows to the satisfaction of the Retirement Board that he is no longer incapacitated, his retirement allowance shall cease, *and he shall be reinstated to membership in the Retirement System*.

SEC. 3. Section 14372 of said code is amended to to read:".

**Amendment No. 4**

On page 2, line 42, strike out the comma, and insert "and the prior and subsequent retirements were either both for service or disability or if the prior retirement was for service and the subsequent retirement is for disability,".

**Amendment No. 5**

On page 3, strike out lines 4 and 5, and insert "retirement system; other-".

**Amendment No. 6**

On page 3, lines 15 and 16, strike out "and prior retirements were", and insert "retirement is".

**Amendment No. 7**

On page 3, strike out lines 35 and 36, and insert "under the retirement system;".

**Amendment No. 8**

On page 3, strike out lines 46 to 51, inclusive, and insert

"SEC. 4. Section 14372.1 is added to said code, to read:

14372.1. When a member who has been retired for disability and has thereafter re-entered membership in the retirement system and subsequently retires for service, he shall not receive the full retirement annuities specified in subdivision (b) of Section 14355 but shall receive (1) an annuity, based upon his credited service and salary from the date of reinstatement to the date of his subsequent retirement and calculated under Section 14355, plus (2) annuities equal to the annuities he received next preceding his reinstatement, adjusted according to any change in the provisions governing the calculation of retirement allowances made after such reinstatement and applicable to allowances being paid at the date of the change, or, if less, annuities based on the same salary and service which were the basis of the annuities he received next preceding the reinstatement but calculated under Section 14355 on the basis of an age, taken to the preceding completed quarter year, and determined by deducting from his age at his subsequent retirement, the aggregate time during which he was under retirement; provided, that such subsequent retirement occurs before he renders after his reinstatement, at least one year of service credited under the Retirement System; otherwise, plus (3) annuities based on the same salary and service as that upon which the annuities he received next preceding the reinstatement were based, but calculated under Section 14355 on the basis of an age, taken to the preceding completed quarter year, and determined by deducting from his age at his subsequent retirement, the aggregate time during which he was under retirement, except that such adjusted age shall not be less than 55. If the member renders five years of service after his re-entry into membership, the salary earnable by him after his re-entry shall be used in the calculation of benefits due for service rendered prior to such re-entry into membership.

Such a member likewise shall not receive the full retirement salary specified in subdivision (a) of Section 14355 but shall receive (1) a retirement salary, based upon his credited service from the date of reinstatement to the date of his subsequent retirement, and calculated under Section 14355, plus (2) a retirement salary equal to the retirement salary he received next preceding his reinstatement, adjusted according to any change in the provisions governing the calculation of retirement allowances made after such reinstatement and applicable to allowances being paid at the date of the change, or, if less, a retirement salary based on the same service which was the basis of the retirement salary he received next preceding such reinstatement but calculated under Section 14355 on the basis of an age, taken to the preceding completed quarter year, and determined by deducting from his age at his subsequent retirement, the aggregate time during which he was under retirement; provided, that such subsequent retirement occurs before he renders after his re-entry, at least one year of service credited under the Retirement System, otherwise, plus (3) a retirement salary based on the same service as that upon which the retirement salary he received next preceding said re-entry was based, but calculated under Section 14355 on the basis of an age, taken to the preceding completed quarter year, and determined by deducting from his age at his subsequent retirement, the aggregate time during which he was under retirement, except that such adjusted age shall not be less than 55."

Bill ordered reprinted, engrossed, and to be re-refererd to the Committee on Education.

**Assembly Bill No. 1932**—An act to amend Section 4354 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1933**—An act to amend Section 4361 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2149**—An act to amend Section 4101 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2044**—An act to add Section 2302.1 to the Welfare and Institutions Code, relating to institutions and boarding homes for the aged.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1, of the title of the printed bill, strike out "Section", and insert "Sections 1620.2 and".

**Amendment No. 2**

In lines 2 and 3, of the title, strike out "for the aged".

**Amendment No. 3**

On page 1, of the printed bill, strike out lines 3 to 10, inclusive, and insert

"2302.1. The State Department of Social Welfare shall maintain in each of its office locations a central file of information accessible to the public on each facility licensed directly by the department pursuant to provisions of this chaper. Each duly approved licensing agency delegated by the department to inspect and license facilities under this chapter shall also maintain a central file of information accessible to the public on each facility licensed by said agency.

The information maintained by the department and each duly approved licensing agency shall be kept as current as possible and among other things shall include the location, the type of facility, the capacity for which the facility is licensed, the price range for the services rendered and other pertinent information deemed to be essential by the department.

SEC. 2. Section 1620.2 is added to said code, to read:

1620.2. The State Department of Social Welfare shall maintain in each of its office locations a central file of information accessible to the public on each facility licensed directly by the department pursuant to provisions of this chapter. Each duly approved licensing agency delegated by the department to inspect and license facilities under this chapter shall also maintain a central file of information accessible to the public on each facility licensed by said agency.

The information maintained by the department and each duly approved licensing agency shall be kept as current as possible and among other things shall include the location, the type of facility, the capacity for which the facility is licensed, the price range for the services rendered and other pertinent information deemed to be essential by the department."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1994**—An act to amend Section 2220.5 of the Welfare and Institutions Code, relating to the termination of old age assistance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1993**—An act to amend Sections 141.5 and 2183 of the Welfare and Institutions Code, relating to public assistance warrants.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 145**—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "two hundred fifty dollars ($250)", and insert "five hundred dollars ($500)".

**Amendment No. 2**

On page 1, between lines 12 and 13, insert

"(d) An interment space, crypt or niche intended for the interment of the applicant or recipient of aid.

(e) Funds placed in trust for funeral or burial expenses to the extent that such funds do not exceed the sum of five hundred dollars ($500)."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1837**—An act to amend Section 2164 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, lines 3 to 6, of the printed bill, strike out "No aid under this chapter shall be granted or paid to any person who owns real property the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds five thousand dollars ($5,000)."

Amendment No. 2

On page 1, line 8, between the first "the" and "needs", insert "current or future".

Amendment No. 3

On page 1, lines 9 and 10, strike out "Sale shall not be considered a form of utilization.", and insert "No applicant or recipient shall be required to dispose of property through a division of the parcel of land on which the home is located if such division will alter or impair access to the home property or other property rights which are used in the functioning of the home."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1884**—An act to amend Section 552 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 552 of", and insert "add Section 559.1 to".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 559.1 is added to the Agricultural Code, to read:

559.1. Notwithstanding any other provisions of this division, a nonallergic wholesome milk substitute may be manufactured in any milk products plant subject to conditions prescribed by the director, and upon obtaining a special permit issued by the director after proper investigation."

Amendment No. 3

On page 1, strike out lines 3 to 22, inclusive.

Amendment No. 4

On page 2, strike out lines 1 to 7, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 898**—An act to amend Sections 26288, 26289, 26290, 26291, and 26292 of, and to add Section 26290.5 to, the Health and Safety Code, relating to new drugs or devices.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "been filed with the board an application", and insert "*become effective an application filed with the board*".

**Amendment No. 2**

On page 3, between lines 34 and 35, insert

"(e) The statement referred to in subdivision (d) is kept by the expert and complete records showing the date, quantity and batch or code mark (if any) of each such shipment and delivery.

(f) All records and statements referred to in subdivision (d) and (e) are made available by the expert for inspection upon the request of any agent of the board at any reasonable hour until three years after the introduction of such shipment or delivery into intrastate commerce."

**Amendment No. 3**

On page 3, strike out lines 35 to 41, inclusive, and insert

"(2) To a drug or device sold in this State at any time prior to the effective date of this chapter, or to a drug introduced into interstate commerce at any time prior to the enactment of the federal act.

(3) To any drug which is licensed under the Federal Virus, Serum, and Toxin Act of March 4, 1913 (37 Stat. 832), or Chapter 4 (commencing at Section 1600) of Division 2 of this code."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1253**—An act to amend Section 12024.5 of the Business and Professions Code, to amend Sections 28702, 28717 of, and to add Sections 28710.5 and 28727 to, the Health and Safety Code, relating to frozen food locker plants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 20, 1959, strike out "Section 12024.5 of the Business and Professions Code, to amend Sections", and insert "Sections 28700,".

**Amendment No. 2**

In line 3 of the title, strike out "Sections 28710.5 and 28727", and insert "Section 28710.5".

**Amendment No. 3**

On page 1, strike out lines 1 to 20, inclusive.

**Amendment No. 4**

On page 2, between lines 40 and 41, insert

"SECTION 1. Section 28700 of the Health and Safety Code is amended to read:

28700. When used in this chapter, unless the context otherwise requires:

(a) "Food" means any article used by man for food, drink, confectionery or condiment, or which enters into the composition thereof, whether simple, blended, mixed or compounded.

(b) "Locker" means the individual sections or compartments of a capacity of not to exceed 25 cubic feet in the locker room of a frozen food locker plant.

(c) "Frozen food locker plant" means an establishment in which space in such individual lockers is rented, leased or loaned to individuals, firms or corporations, for the storage of food for their own use and which is artificially cooled for the purpose of preserving such food, *or in which, for compensation directly or indirectly, meat or meat products are cut, wrapped, and frozen to be delivered for frozen storage by the ultimate consumer*. The term includes service locker plant, storage locker plant and branch locker plant.

(d) "Service locker plant" means a frozen food locker plant in which patrons' foods are prepared or packaged by the operator of such plant before such foods are placed in the lockers for storage.

(e) "Storage locker plant" means a frozen food locker plant, the operator of which does not prepare or package the foods of patrons.

(f) "Branch locker plant" means a frozen food locker plant in any location or establishment artificially cooled in which space in individual lockers are rented, leased or loaned to individuals, firms or corporations for the storage of food for their own use after preparation for storage in a central or parent plant.

(g) "Frozen" means food frozen in a room or compartment in which the temperature is plus 5 degrees F. or lower.

(h) "Temperature" means the average air temperature in refrigerated rooms.

(i) "Department" means the State Department of Public Health.

(j) "Operator" means any person, firm or corporation operating or maintaining a frozen food locker plant."

**Amendment No. 5**

On page 2, strike out lines 48 to 50, inclusive, and insert

"28710.5. Prior to the delivery to the consumer, all meat or meat products shall be sharp frozen at a temperature of minus 10 degrees Fahrenheit in still air or zero degrees Fahrenheit in blast air."

**Amendment No. 6**

On page 3, line 6, strike out "the contents"; strike out line 7, and insert "the product and identifying the processor."

**Amendment No. 7**

On page 3, strike out lines 8 to 30, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1627**—An act to add Sections 651.3 and 651.5 to the Business and Professions Code, relating to persons engaged in the healing arts professions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "persons engaged in".

**Amendment No. 2**

On page 1, lines 9 and 10, strike out "disseminate or cause or permit to be disseminated", and insert "advertise or cause or permit to be advertised".

**Amendment No. 3**

On page 1, strike out lines 19, 20, and 21; strike out page 2, and insert

"651.5. It shall be a violation of Section 651.3 of this code for any person, in any way connected with the ownership, leasing, renting, management, operation, maintenance, tenancy, or occupancy of any building or structure, or group of related buildings or structures, to cause or permit any advertising in any manner or form which represents to the general public, or any part thereof, that commodities or services may be procured by the general public, or any part thereof, from any line or lines of business maintained in said building or structure, or group of related buildings or structures, at prices which are at a discount, or at a percentage, or otherwise less than prices regularly and usually charged for such commodities, or services, by other persons, associations, corporations, or line or lines of business engaged in the sale of said commodities or services to the general public, or any part

thereof, if in such building or structure or in any one or more of such group of related buildings or structures there is located any office, or line of business conducted pursuant to and under any license issued in accordance with the provisions of Division 2 of this code or any initiative act referred to in said division."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1964**—An act to repeal Sections 12000 and 12113 of, to amend Sections 12000.5, 12002, 12100, 12101, 12102, 12103, 12104, 12107, 12108, 12109, 12111.5, 12112, 12114, 12115, 12190, 12304, 12350, and 12402 of, and to add Sections 12000, 12101.5, 12105.5, 12107.5, 12113, and 12301.5 to, the Health and Safety Code, relating to explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2005**—An act to amend Section 13114, of, to amend and renumber Section 13114.5 of, and to add Sections 13114.1, 13114.2, 13114.3, 13114.4, 13114.5, 13117, and 13147 to, the Health and Safety Code, relating to fire protection.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2001**—An act to amend Section 8250 of the Health and Safety Code, relating to cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "(a) and".

Amendment No. 2

On page 1, line 9, strike out the semicolon; strike out lines 10 to 12, inclusive, and insert a period.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1752**—An act to amend Sections 427.1 and 427.2 of, to repeal Section 427.3 of, and to add Sections 427.5, 427.6, 427.7, 427.8, and 427.9 to, the Health and Safety Code, relating to alcoholic rehabilitation, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 10, 1959, strike out lines 29 and 30, and insert "of cities."

Bill ordered reprinted, engrossed, to be filed, and the subject matter to be referred to the Committee on Rules for assignment to the proper interim committee.

**Assembly Bill No. 1931**—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance recipients.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 17, 1959, after "illness", insert "or other good cause".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 30**—An act to add Section 690.235 to the Code of Civil Procedure, relating to exemptions from attachment and execution.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 35**—An act to amend Section 36507 of the Government Code, relating to filing the oath of office by city officers

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 37**—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from small claims courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 39**—An act to add Section 117jj to the Code of Civil Procedure, relating to appeals from small claims courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 59**—An act to add Section 1952.2 to the Code of Civil Procedure, relating to disposition of exhibits.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 60**—An act to add Section 1952.1 to the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 61**—An act to amend Section 1013a of the Code of Civil Procedure, relating to proof of service by mail.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 62**—An act to amend Section 581d of the Code of Civil Procedure, relating to the dismissal of an action.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 159**—An act to amend Sections 1853 and 1901 of the Probate Code, relating to conservatorship.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 551**—An act to amend Sections 74502, 74503, 74504 and 74504.5 of the Government Code, relating to the Municipal Court in the City and County of San Francisco.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 78**—An act to amend Section 2924b of the Civil Code, relating to the use of certified mail for notices of default and sale under deeds of trust or mortgages.

Bill read second time, and ordered to third reading.

**Senate Bill No. 79**—An act to add Section 17 to the Civil Code, to add Section 11 to the Code of Civil Procedure, to amend Section 8 of the Corporations Code, to amend Section 13 of the Education Code, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code, and to amend Section 10 of the Vehicle Code, relating to the use of certified mail.

Bill read second time, and ordered to third reading.

**Senate Bill No. 286**—An act to add Section 72074 of the Government Code, relating to the duties of the clerks of the municipal courts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 332**—An act to amend Sections 26002, 26003, 26004, 26005, 26006, 26007, 26008, 26009, 26010, 26011, 26012, 26013, 26015, and 26016 of, and to add Section 26014.1 to, the Corporations Code, relating to fees under the Corporate Securities Law, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "Three", and insert "Two".

Amendment No. 2

On page 2, line 11, after "($5,000,000)", insert "and not exceeding ten million dollars ($10,000,000)".

Amendment No. 3

On page 2, between lines 11 and 12, insert

"(6) One five-hundredth of 1 percent of such amount in excess of ten million dollars ($10,000,000)."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 772**—An act to amend Section 69844 of, and add Sections 71614.5, and 72050.5 to, the Government Code, relating to the keeping of court records.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on April 3, 1959, after "date", insert "or failure to enter the order, judgment, or decree within the time specified in this section".

Amendment No. 2

On page 1, line 8, strike out "impair", and insert "affect".

**Amendment No. 3**

On page 1, line 11, strike out "Every judge of a justice court", and insert "The clerk of every justice court, or the judge if there be no clerk,".

**Amendment No. 4**

On page 1, line 16, after "date", insert "or failure to enter the order, judgment, or decree within the time specified in this section".

**Amendment No. 5**

On page 1, line 16, strike out "impair", and insert "affect".

**Amendment No. 6**

On page 1, line 24, after "date", insert "or failure to enter the order, judgment, or decree within the time specified in this section".

**Amendment No. 7**

On page 1, line 24, strike out "impair", and insert "affect".

Bill ordered reprinted, and returned to the second reading file, to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 194**—An act to add Section 2378.5 to the Business and Professions Code, and Chapter 7 (commencing at Section 1700), Division 2, to the Health and Safety Code, relating to the creation of a Cancer Advisory Council, and the regulation and control of the diagnosis, treatment, and cure of cancer.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 6, line 33, of the printed bill, as amended in the Senate on March 13, 1959, after "1720.", insert "All hearings authorized by this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code.
1721."

**Amendment No. 2**

On page 3, line 12, after "preparation," insert "efficacy,"

**Amendment No. 3**

On page 6, line 9, after "cancer.", insert "Nothing in this section shall abridge the existent rights of the press."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**CONSIDERATION OF ASSEMBLY BILL NO. 1000**

**Assembly Bill No. 1000**—An act to amend Sections 1504, 5153, 5154, 5154.5, 5202, 6911, 6941, 6944, 7001, 7018.1, 7032, 7032.1, 7034, 7035.1, 7036, 7037.2, 7038, 7041, 7042, 7043, 7044, 7075, 7081, 7091, 7092.1, 7096, 7097, 7101.1, 7101.2, 7102.1, 7102.2, 7103.1, 7103.2, 7106, 7121, 7121.1, and 10208, of, to repeal Sections 7037, 7037.1, 7094, 7095, 7109.2, 7109.21, 7109.22 and 9176.1 of, and to add Sections 5154.6, 6999, 7000.15, 7000.17, 7000.18, 7000.41, 7033.1, 7037, 7037.01, 7037.02, 7037.1, 7083, 7091.1, 7091.2, 7093.1, 7095.1, 7096.2, 7106.1, 7109.01, 7109.2, and 7121.3 to, and adds Article 9.5 (commencing at Section 7078) and Article 11.2 (commencing at Section 7099) to Chapter 15, Division 3 of, the Education Code, to amend Sections 8109, 10808, 11301, 11401, 11404, 13525.1, 17301.1, 17303.1, 17305, 17306.1, 17308, 17352, 17402,

17403 1, 17405.1, 17411.1, 17503.1, 17614, 17616.1, 17655 1, 17656.1, 17658.1, 17660 1, 17661.1, 17665.1, 17666 1, 17702.1, 17751.1, 17801.1, 17851 1, 17901.1, 17903 1, 17951.1, 18060 1, 18102, 18103, 18152, 18153, 18202, 18203, 18251, 18352.1, 18355 1, 18356.1, 18357 1, 18358.1, 18401.1, 18451.1, 18452.1, 18453.1, 18455 1, 18456.1, and 18460 1 of, to repeal Sections 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17663.1, 17664, 17664 1, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17905 1, 17906, 17906.1, 17951, 17952, 18003, 18005, 18005.1, 18006, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to add Sections 17300, 17305.1, 17404.5, 17602.5, 17602.6, 17602.7, 17606.5, 17657.1, 17663, 17663 5, 17663.7, 17664, 17704, 17903.2, 17904.2, 17901.1 17901.5, 17906.2, 18001.5, 18003, and 18253, and to add Article 6 5 (commencing at Section 17871) to Chapter 3 of Division 14 of, and Article 8 5 (commencing at Section 17970) to Chapter 3 of Division 14 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Motion to Re-refer

Mr. Collier moved that the bill be re-referred to the Committee on Education.

Mr. Cusanovich seconded the motion.

### Request for Unanimous Consent

Speaker Brown was granted unanimous consent that the committee amendments be considered before further consideration of the motion to re-refer the bill to the Committee on Education.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 20, 1959, strike out "5154 5, 5202, 6911", and insert "5202".

#### Amendment No. 2

In line 2 of the title, strike out "6941, 6944,".

#### Amendment No. 3

In line 4 of the title, strike out "7097,".

#### Amendment No. 4

In line 5 of the title, strike out "7106,".

#### Amendment No. 5

In line 5 of the title, after "7121.1," insert "9191, 9192,".

#### Amendment No. 6

In line 7 of the title, strike out "5154.6".

#### Amendment No. 7

In line 8 of the title, strike out "7000.15, 7000 17, 7000.18, 7000 41,".

#### Amendment No. 8

In line 9 of the title, after "7037.1," insert "7038.1,".

**Amendment No. 9**

In line 10 of the title, strike out "7106.1,".

**Amendment No. 10**

In lines 10 and 11 of the title, strike out "and adds Article 9.5 (commencing at Section 7078) and", and insert "and to add".

**Amendment No. 11**

In line 13 of the title, after "Sections", insert "6354".

**Amendment No. 12**

In line 14 of the title, strike out "11301, 11401, 11404,".

**Amendment No. 13**

In line 14 of the title, strike out "17305,".

**Amendment No. 14**

In line 19 of the title, strike out "18251,"

**Amendment No. 15**

In line 21 of the title, after "Sections", insert "6354,".

**Amendment No. 16**

In line 30 of the title, strike out "17305.1,".

**Amendment No. 17**

In lines 30 and 31 of the title, strike out "17602.5, 17602.6, 17602.7, 17606.5,".

**Amendment No. 18**

In line 31 of the title, after "17664," insert "17666.2,".

**Amendment No. 19**

Strike out lines 33 and 34, of the title, and insert "and".

**Amendment No. 20**

In line 35 of the title, strike out "sion 14 of, and"

**Amendment No. 21**

On page 2, strike out lines 21 to 26, inclusive, and insert "of Public Instruction, two hundred one dollars and seventy-one cents ($201.71).".

**Amendment No. 22**

On page 3, line 16, strike out "and sixteen cents ($3.16)", and insert "and six cents ($3.06)".

**Amendment No. 23**

On page 3, strike out lines 28 to 38, inclusive, and insert

"(d) Seven dollars and sixty-four cents ($7.64) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section 7018.1, and Articles 12, 13, and 14 (commencing at Sections 7101.1, 7102.1, and 7103.1, respectively), Chapter 15 of this division

(e) Eleven dollars and two cents ($11.02) multiplied by the total average daily attendance"

**Amendment No. 24**

On page 3, strike out lines 44 to 48, inclusive, and insert

"(f) One hundred seventy-four dollars and thirty-nine cents ($174.39) multiplied by the average daily attendance during the preceding".

**Amendment No. 25**

On page 4, lines 12 and 13, strike out", supplemental basic,".

**Amendment No. 26**

On page 4, strike out lines 20 to 50, inclusive; and on page 5, strike out lines 1 to 18, inclusive.

**Amendment No. 27**

On page 5, line 19, strike out "SEC. 5", and insert "SEC. 3".

**Amendment No. 28**

On page 6, strike out lines 29 to 52, inclusive; on page 7, strike out lines 1 to 52, inclusive; and on page 8, strike out lines 1 and 2

**Amendment No. 29**

On page 8, line 3, strike out "SEC. 9", and insert "SEC. 4".

**Amendment No. 30**

On page 9, strike out lines 21 to 51, inclusive; on page 10, strike out lines 1 to 52, inclusive; and on page 11, strike out lines 1 to 10, inclusive.

**Amendment No. 31**

On page 11, line 11, strike out "SEC. 14", and insert "SEC. 5".

**Amendment No. 32**

On page 12, line 1, strike out "SEC. 15", and insert "SEC. 6".

**Amendment No. 33**

On page 12, line 27, strike out "SEC. 16", and insert "SEC. 7".

**Amendment No. 34**

On page 12, line 34, strike out "seven hundred fifty dollars ($5,750)", and insert "six hundred twenty-five dollars ($5,625)".

**Amendment No. 35**

On page 12, line 42, strike out "five hundred dollars ($11,500)", and insert "two hundred fifty dollars ($11,250)".

**Amendment No. 36**

On page 12, lines 49 and 59, strike out "seventeen thousand two hundred fifty dollars ($17,250)", and insert "sixteen thousand eight hundred seventy-five dollars ($16,875)".

**Amendment No. 37**

On page 13, line 6, strike out "twenty-three thousand dollars ($23,000)", and insert "twenty-two thousand five hundred dollars ($22,500)".

**Amendment No. 38**

On page 13, line 7, strike out "SEC. 17", and insert "SEC. 8".

**Amendment No. 39**

On page 13, line 16, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 40**

On page 13, line 24, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 41**

On page 14, line 25, strike out "SEC. 18", and insert "SEC. 9".

**Amendment No. 42**

On page 15, line 30, strike out "SEC. 19", and insert "SEC. 10".

**Amendment No. 43**

On page 15, line 39, strike out "seven hundred fifty dollars ($5,750)", and insert "six hundred twenty-five dollars ($5,625)".

**Amendment No. 44**

On page 15, line 46, strike out "five hundred dollars ($11,500)", and insert "two hundred fifty dollars ($11,250)".

**Amendment No. 45**

On page 16, lines 1 and 2, strike out "seventeen thousand two hundred fifty dollars ($17,250)", and insert "sixteen thousand eight hundred seventy-five dollars ($16,875)".

**Amendment No. 46**

On page 16, line 9, strike out "twenty-three thousand dollars ($23,000)", and insert "twenty-two thousand five hundred dollars ($22,500)".

**Amendment No. 47**

On page 16, line 10, strike out "SEC. 20", and insert "SEC. 11".

**Amendment No. 48**

On page 16, line 19, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 49**

On page 16, line 28, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 50**

On page 16, line 29, strike out "SEC. 21", and insert "SEC. 12".

**Amendment No. 51**

On page 16, line 39, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 52**

On page 16, line 48, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 53**

On page 16, line 49, strike out "SEC. 22", and insert "SEC. 13".

**Amendment No. 54**

On page 16, line 50, strike out "SEC. 23", and insert "SEC. 14".

**Amendment No. 55**

On page 18, line 7, strike out "SEC. 24", and insert "SEC. 15".

**Amendment No. 56**

On page 18, line 17, strike out "SEC. 25", and insert "SEC. 16".

**Amendment No. 57**

On page 18, line 28, strike out "SEC. 26", and insert "SEC. 17".

**Amendment No. 58**

On page 18, line 29, strike out "SEC. 27", and insert "SEC. 18".

**Amendment No. 59**

On page 18, line 36, strike out "thirty-four thousand eight hundred dollars ($34,800)", and insert "thirty-three thousand three hundred dollars ($33,300)".

**Amendment No. 60**

On page 18, lines 40 and 41, strike out "thirty-nine thousand nine hundred dollars ($39,900)", and insert "thirty-eight thousand four hundred dollars ($38,400)".

**Amendment No. 61**

On page 18, lines 45 and 46, strike out "forty-five thousand dollars ($45,000)", and insert "forty-three thousand five hundred dollars ($43,500)".

**Amendment No. 62**

On page 18, lines 50 and 51, strike out "fifty thousand one hundred dollars ($50,100)", and insert forty-eight thousand six hundred dollars ($48,600)".

**Amendment No. 63**

On page 19, lines 4 and 5, strike out "fifty-five thousand two hundred dollars ($55,200)", and insert "fifty-three thousand seven hundred dollars ($53,700)".

**Amendment No. 64**

On page 19, lines 9 and 10, strike out "sixty thousand three hundred dollars ($60,300)", and insert "fifty-eight thousand eight hundred dollars ($58,800)".

**Amendment No. 65**

On page 19, lines 14 and 15, strike out "sixty-five thousand four hundred dollars ($65,400)", and insert "sixty-three thousand nine hundred dollars ($63,900)".

**Amendment No. 66**

On page 19, lines 19 and 20, strike out "seventy thousand five hundred dollars ($70,500)", and insert "sixty-nine thousand dollars ($69,000)".

**Amendment No. 67**

On page 19, lines 24 and 25, strike out "seventy-five thousand six hundred dollars ($75,600)", and insert "seventy-four thousand one hundred dollars ($74,100)".

**Amendment No. 68**

On page 19, lines 29 and 30, strike out "eighty thousand seven hundred dollars ($80,700)", and insert "seventy-nine thousand two hundred dollars ($79,200)".

**Amendment No. 69**

On page 19, lines 34 and 35, strike out "eighty-five thousand eight hundred dollars ($85,800)", and insert "eighty-four thousand three hundred dollars ($84,300)".

**Amendment No. 70**

On page 19, lines 39 and 40, strike out "ninety thousand nine hundred dollars ($90,900)", and insert "eighty-nine thousand four hundred dollars ($89,400)".

**Amendment No. 71**

On page 19, lines 44 and 45, strike out "ninety-six thousand dollars ($96,000)", and insert "ninety-four thousand five hundred dollars ($94,500)".

**Amendment No. 72**

On page 19, line 52, strike out "SEC. 28", and insert "SEC. 19".

**Amendment No. 73**

On page 20, line 4, strike out "thirty dollars ($330)", and insert "twenty-five dollars ($325)".

**Amendment No. 74**

On page 20, line 5, strike out "SEC. 29", and insert "SEC. 20".

**Amendment No. 75**

On page 20, line 6, after "For", insert "the Fiscal Years 1959-1960, and 1960-1961, for".

**Amendment No. 76**

On page 20, line 10, strike out "eighty dollars ($480)", and insert "twenty-five dollars ($425)".

**Amendment No. 77**

On page 20, between lines 10 and 11, insert

"SEC. 20.5. Section 7038.1 is added to said code, to read:

7038.1. For the Fiscal Year 1961-1962 and each fiscal year thereafter, for each junior college district, he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections 6961 and 6971, subject to the provisions of Section 7149, by four hundred and ninety-five dollars ($495)".

**Amendment No. 78**

On page 20, line 39, strike out "SEC. 30", and insert "SEC. 21".

**Amendment No. 79**

On page 20, lines 50 and 51, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 80**

On page 20, line 52, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 81**

On page 21, line 8, strike out "SEC. 31", and insert "SEC. 22".

**Amendment No. 82**

On page 21, line 18, strike out "thirty dollars ($230)" and insert "twenty-five dollars ($225)".

**Amendment No. 83**

On page 21, lines 19 and 20, strike out "forty dollars ($240)" and insert "thirty-five dollars ($235)".

**Amendment No. 84**

On page 21, line 21, strike out "SEC. 32", and insert "SEC. 23".

**Amendment No. 85**

On page 21, lines 30 and 31, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 86**

On page 21, line 32, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)"

**Amendment No. 87**

On page 21, line 33, strike out "SEC. 33", and insert "SEC. 24"

**Amendment No. 88**

On page 21, line 40, strike out "thirty dollars ($330)", and insert "twenty-five dollars ($325)".

**Amendment No. 89**

On page 21, line 41, strike out "SEC. 34", and insert "SEC. 25".

**Amendment No. 90**

On page 21, strike out lines 42 and 43, and insert "7075. The Superintendent of Public In-".

**Amendment No. 91**

On page 21, strike out line 47, and insert "year.
Beginning with the Fiscal Year 1961-1962, average daily attendance for the purposes of this section shall be computed under".

**Amendment No. 92**

On page 22, strike out lines 19 to 32, inclusive.

**Amendment No. 93**

On page 22, line 33, strike out "SEC. 36", and insert "SEC. 26".

**Amendment No. 94**

On page 22, strike out line 43, and insert
"(c) Thirty-three cents ($0.33) in a junior college district for the Fiscal Years 1959-1960 and 1960-1961, and twenty-four cents ($0.24) for the Fiscal Year 1961-1962 and each fiscal year thereafter."

**Amendment No. 95**

On page 24, line 32, strike out "SEC. 36.5", and insert "SEC. 27".

**Amendment No. 96**

On page 26, line 1, strike out "five dollars ($305)", and insert "dollars ($300)".

**Amendment No. 97**

On page 26, line 5, strike out "fifteen dollars ($315)", and insert "ten dollars ($310)".

**Amendment No. 98**

On page 26, line 12, strike out "SEC. 36.6", and insert "SEC. 28".

**Amendment No. 99**

On page 27, line 12, strike out "SEC. 37", and insert "SEC. 29".

**Amendment No. 100**

On page 28, line 24, strike out "SEC. 38", and insert "SEC. 30".

**Amendment No. 101**

On page 28, line 32, strike out "four hundred dollars ($400)", and insert "three hundred ninety-five dollars ($395)".

**Amendment No. 102**

On page 28, lines 34 and 35, strike out "ten dollars ($410)", and insert "five dollars ($405)".

**Amendment No. 103**

On page 29, line 1, strike out "SEC 39", and insert "SEC 31".

**Amendment No. 104**

On page 29, strike out lines 25 to 49, inclusive.

**Amendment No. 105**

On page 30, line 1, strike out "SEC. 40", and insert "SEC. 32".

**Amendment No. 106**

On page 30, lines 13 and 14, strike out "and, if the district is eligible, five dollars ($5) in state supplemental basic aid,".

**Amendment No. 107**

On page 30, line 32, strike out "SEC 41", and insert "SEC. 33".

**Amendment No. 108**

On page 30, line 33, strike out "1959-1960", and insert "1961-1962".

**Amendment No. 109**

On page 30, line 39, strike out "$410", and insert "$425".

**Amendment No. 110**

On page 31, lines 3 and 4, strike out "1959-1960", and insert "1961-1962".

**Amendment No. 111**

On page 31, strike out lines 5 to 12, inclusive, and insert "district, in the following percentages of the amount by which the amount computed under (2) above exceeds the amount computed under (1) above in the 1961-1962 Fiscal Year and the four fiscal years immediately succeeding.".

**Amendment No. 112**

On page 31, between lines 17 and 18, insert:

"If the amount computed under (2) above is less than the amount computed under (1) above, the Superintendent of Public Instruction shall, beginning with the Fiscal Year 1961-1962, reduce the allowance to the junior college district, in the following percentages of the amount by which the amount computed under (2) above is less than the amount computed under (1) above in the 1961-1962 Fiscal Year and in the four fiscal years immediately succeeding.

| | | |
|---|---|---|
| (1) | 1961-1962 | 20 percent |
| (2) | 1962-1963 | 40 percent |
| (3) | 1963-1964 | 60 percent |
| (4) | 1964-1965 | 80 percent |
| (5) | 1965-1966, and after | 100 percent". |

**Amendment No. 113**

On page 31, line 26, strike out "SEC. 42", and insert "SEC. 34".

**Amendment No. 114**

On page 31, line 27, strike out "SEC. 43", and insert "SEC. 35".

**Amendment No. 115**

On page 31, lines 28 and 29, strike out "and no state supplemental basic aid".

**Amendment No. 116**

On page 31, line 48, strike out "twenty-four cents ($0.24)", and insert "thirty-three cents ($0.33)".

**Amendment No. 117**

On page 31, between lines 49 and 50, insert

"(c) For purposes of allowances for the Fiscal Year 1961-1962 and for the fiscal years following, not less than sixty cents ($0.60) if an elementary district, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of less than 301, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of 301 or more, and twenty-four cents ($0.24) if a junior college district."

**Amendment No. 118**

On page 31, line 50, strike out "SEC. 44", and insert "SEC. 36".

**Amendment No. 119**

On page 32, line 3, strike out ", state supplemental basic aid,".

**Amendment No. 120**

On page 32, lines 9 and 10, strike out ", state supplemental basic aid,".

**Amendment No. 121**

On page 32, lines 16 and 17, strike out ", state supplemental basic aid,".

**Amendment No. 122**

On page 32, line 22, strike out ", state supplemental basic aid,".

**Amendment No. 123**

On page 32, lines 34 and 35, strike out "and state supplemental basic aid".

**Amendment No. 124**

On page 32, line 36, strike out "8, and 9.5", and insert "and 8".

**Amendment No. 125**

On page 32, line 44, strike out "SEC. 45", and insert "SEC. 37"

**Amendment No. 126**

On page 33, line 20, strike out "SEC. 46", and insert "SEC. 38".

**Amendment No. 127**

On page 33, line 36, strike out "SEC. 47", and insert "SEC 39".

**Amendment No. 128**

On page 34, line 5, strike out "SEC. 48", and insert "SEC. 40".

**Amendment No. 129**

On page 34, line 14, strike out "SEC 49", and insert "SEC. 41".

**Amendment No. 130**

On page 34, line 24, strike out "SEC. 50", and insert "SEC. 42".

**Amendment No. 131**

On page 34, line 32, strike out "SEC. 51", and insert "SEC 43".

**Amendment No. 132**

On page 34, strike out lines 41 to 50, inclusive; and on page 35, strike out lines 6 to 17, inclusive.

**Amendment No. 133**

On page 35, line 18, strike out "SEC. 54", and insert "SEC. 44".

**Amendment No. 134**

On page 35, line 25, strike out "SEC. 55", and insert "SEC. 45".

**Amendment No. 135**

On page 35, line 27, strike out "SEC. 56", and insert "SEC. 46".

**Amendment No. 136**

On page 35, lines 39 and 40, strike out ", state supplemental basic aid,".

**Amendment No. 137**

On page 35, lines 43 and 44, strike out ", state supplemental basic aid".

**Amendment No. 138**

On page 36, line 6, strike out "SEC. 57", and insert "SEC. 47".

**Amendment No. 139**

On page 36, line 12, strike out "9.5,".

**Amendment No. 140**

On page 36, line 15, strike out "SEC. 58", and insert "SEC. 48".

**Amendment No. 141**

On page 36, lines 27 and 28, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 142**

On page 36, line 29, strike out "SEC 59", and insert "SEC. 49".

**Amendment No. 143**

On page 36, line 40, strike out "twenty dollars ($320)", and insert "twenty-five dollars ($325)".

**Amendment No. 144**

On page 36, after line 50, insert

"SEC. 49.3. Section 9191 of said code is amended to read:

9191. Adults enrolled in all classes, except classes maintained in English and citizenship for foreigners and classes in elementary subjects, where no charge of any kind shall be made, may be required by the governing board of the district maintaining the class to pay a tuition ~~not to exceed the cost of maintaining~~ *for* such classes.

SEC. 49.7. Section 9192 of said code is repealed.

~~9192. The charge per pupil shall not exceed the estimated cost to the district per pupil for maintaining the class.~~"

**Amendment No. 145**

On page 37, line 1, strike out "SEC. 59.3", and insert "SEC. 50".

**Amendment No. 146**

On page 37, line 12, strike out "59.4", and insert "51".

**Amendment No. 147**

On page 37, line 13, strike out "59.5", and insert "52".

**Amendment No. 148**

On page 37, line 21, strike out "60", and insert "53".

**Amendment No. 149**

On page 37, line 22, strike out "61", and insert "54"

**Amendment No. 150**

On page 37, strike out lines 35 to 40, inclusive, and insert "Instruction, two hundred one dollars and seventy-one cents ($201.71)."

**Amendment No. 151**

On page 38, line 2, strike out "62", and insert "54.5"

**Amendment No. 152**

On page 38, line 3, strike out "63", and insert "55".

**Amendment No. 153**

On page 38, lines 19 and 20, strike out "sixteen cents ($3.16)", and insert "six cents ($3.06)".

**Amendment No. 154**

On page 38, strike out line 32, and insert "Section 18060.

(d) Seven dollars and sixty-four cents ($7.64) multiplied by the total average daily attendance credited to all kindergarten, elementary, high school and junior college schools in the State and to county school tuition funds during the preceding school year, for the purposes of Section 18060, and Articles 11, 12, and 13 (and Sections 18101 to 18106, inclusive, Sections 18151 to 18156, inclusive, and Sections 18201 to 18206, inclusive), Chapter 3 of this division."

**Amendment No. 155**

On page 38, strike out lines 33 to 40, inclusive.

**Amendment No. 156**

On page 38, strike out lines 49 to 52, inclusive, and insert

"(e) Eleven dollars and two cents ($11.02)".

**Amendment No. 157**

On page 39, strike out lines 8 to 12, inclusive, and insert

"(f) One hundred seventy-three dollars and seventy-eight cents ($173.78) multiplied by the average daily attendance".

**Amendment No. 158**

On page 39, lines 30 and 31, strike out ", supplemental basic,".

**Amendment No. 159**

On page 39, strike out lines 39 to 52, inclusive; and on page 40, strike out lines 5 to 34, inclusive.

**Amendment No. 160**

On page 40, line 35, strike out "SEC. 66", and insert "SEC. 56".

**Amendment No. 161**

On page 41, strike out lines 47 to 52, inclusive; on page 42, strike out lines 1 to 52, inclusive; and on page 43, strike out lines 1 to 20, inclusive

**Amendment No. 162**

On page 43, line 21, strike out "SEC. 70", and insert "SEC. 57".

**Amendment No. 163**

On page 44, strike out lines 37 to 52, inclusive; on page 45, strike out lines 1 to 52, inclusive; and on page 46, strike out lines 1 to 27, inclusive.

**Amendment No. 164**

On page 46, line 28, strike out "SEC. 75", and insert "SEC. 58".

**Amendment No. 165**

On page 46, line 29, strike out "SEC. 76", and insert "SEC. 59".

**Amendment No. 166**

On page 47, line 20, strike out "SEC. 77", and insert "SEC. 60".

**Amendment No. 167**

On page 47, line 21, strike out "SEC. 78", and insert "SEC. 61".

**Amendment No. 168**

On page 47, line 51, strike out "SEC. 79", and insert "SEC. 62".

**Amendment No. 169**

On page 48, line 1, strike out "SEC. 80", and insert "SEC. 63".

**Amendment No. 170**

On page 48, lines 9 and 10, strike out "seven hundred fifty dollars ($5,750)", and insert "six hundred twenty-five dollars ($5,625)".

**Amendment No. 171**

On page 48, lines 18 and 19, strike out "five hundred dollars ($11,500)", and insert "two hundred fifty dollars ($11,250)".

**Amendment No. 172**

On page 48, lines 27 and 28, strike out "seventeen thousand two hundred fifty dollars ($17,250)", and insert "sixteen thousand eight hundred seventy-five dollars ($16,875)".

**Amendment No. 173**

On page 48, lines 36 and 37, strike out "twenty-three thousand dollars ($23,000)", and insert "twenty-two thousand five hundred dollars ($22,500)".

**Amendment No. 174**

On page 48, line 39, strike out "SEC. 81", and insert "SEC 64".

**Amendment No. 175**

On page 48, line 40, strike out "SEC. 82", and insert "SEC. 65".

**Amendment No. 176**

On page 48, line 50, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 177**

On page 49, lines 6 and 7, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 178**

On page 49, line 9, strike out "SEC. 83", and insert "SEC. 66".

**Amendment No. 179**

On page 50, line 14, strike out "SEC. 84", and insert "SEC. 67".

**Amendment No. 180**

On page 50, line 15, strike out "SEC. 85", and insert "SEC 68".

**Amendment No. 181**

On page 50, lines 25 and 26, strike out "seven hundred fifty dollars ($5,750)", and insert "six hundred twenty-five dollars ($5,625)".

**Amendment No. 182**

On page 50, line 34, strike out "five hundred dollars ($11,500)", and insert "two hundred fifty dollars ($11,250)"

**Amendment No. 183**

On page 50, strike out lines 42 and 43, and insert "sixteen thousand eight hundred seventy-five dollars ($16,875)."

**Amendment No. 184**

On page 50, strike out line 51, and insert "twenty-two thousand five hundred dollars ($22,500)."

**Amendment No. 185**

On page 51, line 2, strike out "SEC. 86", and insert "SEC 69".

**Amendment No. 186**

On page 51, line 3, strike out "SEC. 87", and insert "SEC. 70".

**Amendment No. 187**

On page 51, line 14, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 188**

On page 51, lines 23 and 24, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 189**

On page 51, line 26, strike out "SEC. 88", and insert "SEC. 71".

**Amendment No. 190**

On page 51, line 27, strike out "SEC. 89", and insert "SEC. 72".

**Amendment No. 191**

On page 51, line 39, strike out "thirty dollars ($230)", and insert 'twenty-five dollars ($225)".

**Amendment No. 192**

On page 51, line 49, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 193**

On page 51, line 51, strike out "SEC. 90", and insert "SEC. 73".

**Amendment No. 194**

On page 52, line 1, strike out "SEC. 91", and insert "SEC. 74".

**Amendment No. 195**

On page 53, line 10, strike out "SEC. 92", and insert "SEC. 75".

**Amendment No. 196**

On page 53, line 20, strike out "SEC. 93", and insert "SEC. 76".

**Amendment No. 197**

On page 53, line 32, strike out "SEC. 94", and insert "SEC. 77".

**Amendment No. 198**

On page 53, line 34, strike out "SEC. 95", and insert "SEC. 78".

**Amendment No. 199**

On page 53, line 41, strike out "thirty-four thousand eight hundred dollars ($34,800)", and insert "thirty-three thousand three hundred dollars ($33,300)".

**Amendment No. 200**

On page 53, lines 45 and 46, strike out "thirty-nine thousand nine hundred dollars ($39,900)", and insert "thirty-eight thousand four hundred dollars ($38,400)".

**Amendment No. 201**

On page 53, lines 50 and 51, strike out "forty-five thousand ($45,000)", and insert "forty-three thousand five thousand dollars ($43,500)".

**Amendment No. 202**

On page 54, lines 4 and 5, strike out "fifty thousand one hundred dollars ($50,100)", and insert "forty-eight thousand six hundred dollars ($48,600)".

**Amendment No. 203**

On page 54, lines 9 and 10, strike out "fifty-five thousand two hundred dollars ($55,200)", and insert "fifty-three thousand seven hundred dollars ($53,700)".

**Amendment No. 204**

On page 54, lines 14 and 15, strike out "sixty thousand three hundred dollars ($60,300)", and insert "fifty-eight thousand eight hundred dollars ($58,800)".

**Amendment No. 205**

On page 54, lines 19 and 20, strike out "sixty-five thousand four hundred dollars ($65,400)", and insert "sixty-three thousand nine hundred dollars ($63,900)".

**Amendment No. 206**

On page 54, lines 24 and 25, strike out "seventy thouasnd five hundred dollars ($70,500)", and insert "sixty-nine thousand dollars ($69,000)".

**Amendment No. 207**

On page 54, lines 29 and 30, strike out "seventy-five thousand six hundred dollars ($75,600)", and insert "seventy-four thousand one hundred dollars ($74,100)".

**Amendment No. 208**

On page 54, lines 34 and 35, strike out "eighty thousand seven hundred dollars ($80,700)", and insert "seventy-nine thousand two hundred dollars ($79,200)".

**Amendment No. 209**

On page 54, lines 39 and 40, strike out "eighty-five thousand eight hundred dollars ($85,800)", and insert "eighty-four thousand three hundred dollars ($84,300)".

**Amendment No. 210**

On page 54, lines 44 and 45, strike out "ninety thousand nine hundred dollars ($90,900)", and insert "eighty-nine thousand four hundred dollars ($89,400)".

**Amendment No. 211**

On page 54, lines 49 and 50, strike out "ninety-six thousand dollars ($96,000)", and insert "ninety-four thousand five hundred dollars ($94,500)".

**Amendment No. 212**

On page 55, line 5, strike out "SEC. 96", and insert "SEC. 79".

**Amendment No. 213**

On page 55, line 6, strike out "SEC. 97", and insert "SEC. 79.5".

**Amendment No. 214**

On page 55, line 20, strike out "thirty dollars ($330)", and insert "twenty-five dollars ($325)".

**Amendment No. 215**

On page 55, line 22, strike out "SEC. 98", and insert "SEC. 80".

**Amendment No. 216**

On page 55, line 23, strike out "SEC. 99", and insert "SEC. 81".

**Amendment No. 217**

On page 55, line 25, after "For", insert "the Fiscal Years 1959-1960 and 1960-1961, for".

**Amendment No. 218**

On page 55, lines 29 and 30, strike out "eighty dollars ($480)", and insert "twenty-five dollars ($425)".

**Amendment No. 219**

On page 55, between lines 30 and 31, insert

"SEC. 81.5. Section 17666.2 is added to said code, to read:

17666.2. For the Fiscal Year 1961-1962 and for each fiscal year thereafter, for each junior college district, he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections 11451 and 11501, subject to the provisions of Section 17611, by four hundred ninety-five dollars ($495)."

**Amendment No. 220**

On page 56, line 1, strike out "SEC. 99.5", and insert "SEC. 82".

**Amendment No. 221**

On page 56, line 2, strike out "SEC. 100", and insert "SEC. 82.5".

**Amendment No. 222**

On page 56, line 16, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 223**

On page 56, lines 17 and 18, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 224**

On page 56, line 26, strike out "SEC. 101", and insert "SEC. 83".

**Amendment No. 225**

On page 56, line 27, strike out "SEC. 102", and insert "SEC. 84".

**Amendment No. 226**

On page 56, lines 39 and 40, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 227**

On page 56, lines 41 and 42, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 228**

On page 56, line 44, strike out "SEC. 103", and insert "SEC. 85".

**Amendment No. 229**

On page 56, line 45, strike out "SEC. 104", and insert "SEC. 86".

**Amendment No. 230**

On page 57, line 5, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 231**

On page 57, line 7, strike out "forty dollars ($240)", and insert "thirty-five dollars ($235)".

**Amendment No. 232**

On page 57, line 9, strike out "SEC. 105", and insert "SEC. 87".

**Amendment No. 233**

On page 57, line 10, strike out "SEC. 106", and insert "SEC. 88".

**Amendment No. 234**

On page 57, line 18, strike out "thirty dollars ($330)", and insert "twenty-five dollars ($325)".

**Amendment No. 235**

On page 57, line 20, strike out "SEC. 107", and insert "SEC 89".

**Amendment No. 236**

On page 57, line 21, strike out "SEC. 108", and insert "SEC. 90".

**Amendment No. 237**

On page 57, strike out lines 23 and 24 and insert
"17851. The Superintendent of".

**Amendment No. 238**

On page 57, strike out line 28, and insert "preceding fiscal year.
Beginning with the Fiscal Year 1961-1962, average daily attendance for the purpose of this section shall be".

**Amendment No. 239**

On page 58, strike out lines 6 to 19, inclusive.

**Amendment No. 240**

On page 58, line 20, strike out "SEC. 110", and insert "SEC. 91".

**Amendment No. 241**

On page 58, line 21, strike out "SEC. 111", and insert "SEC. 92".

**Amendment No. 242**

On page 58, strike out lines 37 and 38, and insert
"(c) Thirty-three cents ($0.33) in a junior college district for the Fiscal Years 1959-1960 and 1960-1961, and twenty-four cents ($0.24) for the Fiscal Year 1961-1962 and each fiscal year thereafter."

**Amendment No. 243**

On page 58, line 40, strike out "SEC. 112", and insert "SEC. 93".

**Amendment No. 244**

On page 58, line 41, strike out "SEC. 113" and insert "SEC. 94".

**Amendment No. 245**

On page 60, line 18, strike out "two hundred ninety-three dollars ($293)", and insert "three hundred dollars ($300)".

**Amendment No. 246**

On page 60, lines 21 and 22, strike out "two hundred ninety-five dollars ($295)", and insert "three hundred ten dollars ($310)".

**Amendment No. 247**

On page 60, line 30, strike out "SEC. 113.1", and insert "SEC. 95".

**Amendment No. 248**

On page 61, line 31, strike out "SEC. 113.5", and insert "SEC. 95.5".

**Amendment No. 249**

On page 62, line 42, strike out "SEC. 114", and insert "SEC 96".

**Amendment No. 250**

On page 62, line 43, strike out "SEC 115", and insert "SEC. 97".

**Amendment No. 251**

On page 63, line 5, strike out "four hundred dollars ($400)", and insert "three hundred ninety-five dollars ($395)".

**Amendment No. 252**

On page 63, line 8, strike out "ten dollars ($410)", and insert "five dollars ($405)".

**Amendment No. 253**

On page 63, line 28, strike out "SEC. 116", and insert "SEC 98".

**Amendment No. 254**

On page 64, line 1, strike out "SEC. 116.5", and insert "SEC 99".

**Amendment No. 255**

On page 64, line 2, strike out "SEC 116.6", and insert "SEC 100"

**Amendment No. 256**

On page 64, strike out lines 11 and 12, inclusive, and insert "($125) as basic state aid and the "

**Amendment No. 257**

On page 64, lines 23 and 24, strike out "forty dollars ($240)", and insert "twenty dollars ($220)"

**Amendment No. 258**

On page 64, line 30, strike out "SEC 117", and insert "SEC. 101".

**Amendment No. 259**

On page 64, lines 42 and 43, strike out "and, if the district is eligible, five dollars ($5) in state supplemental basic aid."

**Amendment No. 260**

On page 65, line 5, strike out "118", and insert "101.5"

**Amendment No. 261**

On page 65, line 6, strike out "1959-1960", and insert "1961-1962".

**Amendment No. 262**

On page 65, line 12, strike out "ten dollars ($410)", and insert "twenty-five dollars ($425)".

**Amendment No. 263**

On page 65, lines 29 and 30, strike out "1959-1960", and insert "1961-1962".

**Amendment No. 264**

On page 65, strike out lines 31 to 38, inclusive, and insert "trict in the following percentages of the amount by which the amount computed under (2) above exceeds the amount computed under (1) above in the 1961-1962 Fiscal Year and the four fiscal years succeeding."

**Amendment No. 265**

On page 65, between lines 43 and 44, insert

"If the amount computed under (2) above is less than the amount computed under (1) above, the Superintendent of Public Instruction shall, beginning with the Fiscal Year 1961-1962, reduce the allowance to the junior college district, in the following percentages of the amount by which the amount computed under (2) above is less than the amount computed under (1) above in the 1961-1962 Fiscal Year and in the four fiscal years immediately succeeding:

(1) 1961-1962 ---------- 20 percent
(2) 1962-1963 ---------- 40 percent
(3) 1963-1964 ---------- 60 percent
(4) 1964-1965 ---------- 80 percent
(5) 1965-1966, and after ---------- 100 percent"

**Amendment No. 266**

On page 66, line 1, strike out "119", and insert "102".

**Amendment No. 267**

On page 66, line 3, strike out "120", and insert "103",

**Amendment No. 268**

On page 66, lines 4 and 5, strike out "and no state supplemental basic aid".

**Amendment No. 269**

On page 66, line 24, strike out "twenty-four cents ($0.24)", and insert "thirty-three cents ($0.33)".

**Amendment No. 270**

On page 66, between lines 25 and 26, insert:

"(c) For purposes of allowances for the Fiscal Year 1961-1962 and for the fiscal years following, not less than sixty cents ($0.60) if an elementary district, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of less than 301, fifty cents ($0.50) if a high school district with a total average daily attendance during the preceding fiscal year of 301 or more, and twenty-four cents ($0.24) if a junior college district"

**Amendment No. 271**

On page 66, line 26, strike out "121", and insert "104".

**Amendment No. 272**

On page 66, line 33, strike out ", state supplemental basic aid,".

**Amendment No. 273**

On page 66, lines 39 and 40, strike out ", state supplemental basic aid,".

**Amendment No. 274**

On page 66, lines 46 and 47, strike out ", state supplemental basic aid,".

**Amendment No. 275**

On page 66, line 52, strike out ", state supplemental basic aid,".

**Amendment No. 276**

On page 67, line 11, strike out "and state supplemental basic aid".

**Amendment No. 277**

On page 67, line 13, strike out ", 17801, or 17871", and insert "or 17801".

**Amendment No. 278**

On page 67, line 21, strike out "122", and insert "105".

**Amendment No. 279**

On page 67, line 37, strike out "123", and insert "106".

**Amendment No. 280**

On page 68, line 3, strike out "124", and insert "107".

**Amendment No. 281**

On page 68, line 26, strike out "125", and insert "107.5".

**Amendment No. 282**

On page 68, line 36, strike out "126", and insert "108".

**Amendment No. 283**

On page 68, line 46, strike out "127", and insert "109".

**Amendment No. 284**

On page 69, line 3, strike out "128", and insert "109.5".

**Amendment No. 285**

On page 69, strike out lines 12 to 33, inclusive.

**Amendment No. 286**

On page 69, line 34, strike out "SEC. 131", and insert "SEC. 110".

**Amendment No. 287**

On page 69, line 40, strike out "SEC. 132", and insert "SEC. 111".

**Amendment No. 288**

On page 69, line 42, strike out "SEC. 133", and insert "SEC. 112".

**Amendment No. 289**

On page 70, lines 2 and 3, strike out ", state supplemental basic aid,".

**Amendment No. 290**

On page 70, lines 6 and 7, strike out ", state supplemental basic aid,".

**Amendment No. 291**

On page 70, line 21, strike out "SEC. 134", and insert "SEC. 113".

**Amendment No. 292**

On page 70, line 32, strike out "SEC. 135", and insert "SEC. 114".

**Amendment No. 293**

On page 70, line 33, strike out "SEC. 136", and insert "SEC. 115".

**Amendment No. 294**

On page 70, line 49, strike out "thirty dollars ($230)", and insert "twenty-five dollars ($225)".

**Amendment No. 295**

On page 71, line 1, strike out "137", and insert "116".

**Amendment No. 296**

On page 71, line 13, strike out "twenty dollars ($320)", and insert "twenty-five dollars ($325)".

**Amendment No. 297**

On page 71, line 24, strike out "137.5", and insert "117".

**Amendment No. 298**

On page 71, between lines 34 and 35, insert

"SEC. 117.3. Section 6353 of said code is amended to read:

6353. Adults enrolled in all classes, except classes maintained in English and citizenship for foreigners and classes in elementary subjects, where no charge of any kind shall be made, may be required by the governing board of the district maintaining the class to pay a tuition ~~not to exceed the cost of maintaining~~ *for* such classes.

SEC. 118. Section 6354 of said code is repealed.

~~6354. If the board of supervisors refuses or neglects to make the tax levy pursuant to this article, the levy shall be made by the county auditor.~~"

**Amendment No. 299**

On page 71, line 35, strike out "137.8", and insert "118.5".

**Amendment No. 300**

On page 71, line 36, strike out "138", and insert "119".

**Amendment No. 301**

On page 71, line 41, strike out "139", and insert "119.5".

**Amendment No. 302**

On page 72, line 11, strike out "140", and insert "120".

**Amendment No. 303**

On page 72, line 29, strike out "140.5", and insert "121".

**Amendment No. 304**

On page 73, line 4, strike out "141", and insert "122".

**Amendment No. 305**

On page 73, line 14, strike out "142", and insert "123".

**Amendment No. 306**

On page 73, line 44, strike out "143", and insert "124".

**Amendment No. 307**

On page 76, line 22, strike out "144", and insert "125".

**Amendment No. 308**

On page 76, line 37, strike out "145", and insert "126".

**Amendment No. 309**

On page 76, line 48, strike out "146", and insert "127"

**Amendment No. 310**

On page 77, line 12, strike out "147", and insert "127.5".

**Amendment No. 311**

On page 77, line 20, strike out "148", and insert "128"

**Amendment No. 312**

On page 77, line 38, strike out "149", and insert "129".

**Amendment No. 313**

On page 78, line 2, strike out "150", and insert "130"

**Amendment No. 314**

On page 78, line 12, strike out "151", and insert "131".

**Amendment No. 315**

On page 78, line 29, strike out "152", and insert "131.5"

**Amendment No. 316**

On page 78, line 41, strike out "153", and insert "132".

**Amendment No. 317**

On page 79, strike out line 23, and insert
"SEC. 133. Sections 52 to 132, inclusive, of this act shall".

**Amendment No. 318**

On page 79, line 27, strike out "59.3", and insert "51"

**Amendment No. 319**

On page 79, line 28, strike out "155", and insert "134"

**Amendment No. 320**

On page 79, line 34, strike out "156", and insert "135".

**Amendment No. 321**

On page 79, line 37, strike out "157", and insert "136".

**Amendment No. 322**

On page 79, line 43, strike out "158", and insert "137".

Amendments read, and adopted.

**Further Consideration of Motion to Re-refer**

The question being on the motion by Mr. Collier that Assembly Bill No. 1000 be re-referred to the Committee on Education.

**Speaker pro Tempore Presiding**

At 10.05 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Crawford, Pattee, George E. Brown, Rumford, and DeLotto demanded the previous question. Demand sustained.

The question being on the motion that the bill be re-referred to the Committee on Education.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Winton moved a call of the Assembly.

Mr. Collier seconded the motion.

Motion carried. Time, 10.16 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton moved that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Bradley seconded the motion.

Motion carried unanimously.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 476, 1930, 2149,** and **2005,** subsequent to engrossment

**Assembly Bill No. 1964,** subsequent to re-engrossment.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Ernest R. Geddes was granted unanimous consent that the following Report of the Subcommittee on Assembly Bill No. 1000 be ordered printed in the Journal:

### REPORT OF THE ASSEMBLY COMMITTEE ON EDUCATION SUBCOMMITTEE ON ASSEMBLY BILL NO. 1000

Wednesday, April 22, 1959

*Honorable Members of the*
*Assembly Committee on Education:*

During the April 1 double session hearing on Assembly Bills Nos. 1000 and 1195, a number of amendments were offered to Assembly Bill No. 1000. Since these amendments were substantive and proposed both fiscal and policy changes they were referred to your subcommittee appointed by the Chair. Assembly Bill No. 1195, which is a bill continuing in effect the provisions of Assembly Bill No. 3045 which expire June 30, 1959, was also referred to this subcommittee without amendments.

Your subcommittee reports as follows:

Three hearings were held and careful consideration given to the subject matter. Various interested persons were heard as well as representatives of the Department of Education and the Department of Finance.

Our recommendations are:

That Assembly Bill No. 1195 be referred back to committee and held on file in order that it may be available should Assembly Bill No. 1000 fail to secure legislative approval.

That the revised amendments to Assembly Bill No 1000 be adopted and the bill, as amended, be re-referred to Ways and Means Committee.

The above recommendation is the summary of amendments referred with Assembly Bill No 1000 for study and action taken

The following amendments were referred to the subcommittee for study with the bill by the Education Committee:

Amendment No. 1, by Mrs. Davis
Provides that no change be made in the present formula affecting grants from Federal Government on Federal Forest land.

Amendment No. 2, by Mr. Porter
Provides that amount provided by State Department of Education be increased by $10 for basic and equilization aid.

Amendment No. 3, by Mr. Porter
Provides that the present formula with respect to Public Law 874 money be retained rather than formula recommended by State Department of Education.

Amendment No. 4, State Department of Finance
These amendments would reduce the amounts proposed in various sections of the bill as proposed by the State Department of Education to amounts recommended by the Governor with the raising of A. D. A. basic aid to the constitutional amount of $120 for Adult Education.

With respect to the above amendments, the subcommittee recommends against Amendment No. 2, by Mr. Porter, which would increase the total allocation by $10 per A. D. A.

It is also recommended that Amendment No. 4 be modified to accomplish the following:

(1) No change in the present formula for treatment of Federal Aid money, Forest Land or P.L. 874 and miscellaneous income.

(2) Modification of the Department of Finance proposed amendments to provide that no district shall receive less allocation for adult education than under present law.

(3) That the proposed amendments of the Department of Finance as modified by the above be adopted.

(4) That a further amendment be adopted making it permissive for a district to make a uniform charge for adult education courses for those not presently exempted by law rather than charges in individual cases which present a serious accounting problem.

It is further recommended that the problem of the distribution of federal funds and miscellaneous income be made the object of an interim study and, also, a like study be made on the overall effect of the support of adult education on the finances of the districts affected.

Your subcommittee recommends that the proposal to lengthen the school year and the method of calculation of A. D. A. allocations as proposed by the State Department of Education be studied by an interim committee. In making this recommendation we point out that in Assembly Bill No. 1000 as originally submitted it is not proposed that this change in the law become effective until 1960 This subject has a direct relation to greater utilization of school plant but an analysis of the impact on each school district must be studied as well as the increased cost, not only to the State, but to local taxpayers.

Your subcommittee appreciates the faithful attendance of Dr. Wallace Hall of the Department of Education and Mr. Roy Bell of the Department of Finance and their staff members who assisted. We also express apreciation to Mr. Kunzie from the Office of the Legislative Counsel and to Mr. Sexton, our committee consultant, and Miss Hansen, our efficient secretary.

As chairman of the subcommittee, I personally wish to thank the members, Miss Donahoe and Mr. Collier, Mr. Hanna and Mr. Winton for their faithful attendance, which was often under the trying circumstances of short lunch hours and conflict with other committees. On their behalf, I respectfully submit this report.

ERNEST R. GEDDES
Chairman, Education Subcommittee on
Assembly Bill No. 1000

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 999**—An act to amend Sections 17734, 18003, 18004, 18007, 18167, 18802, 19051, and 19053.7 of the Revenue and Taxation Code, relating to personal income taxes.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 999?

**Amendment No. 1**

On page 2, line 20, of the printed bill, as amended in the Assembly on March 16, 1959, strike out "18077", and insert "18007".

The Assembly concurred in Senate amendment to Assembly Bill No. 999 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 999 ordered enrolled.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson asked for unanimous consent that Mr. Sedgwick be excused for the balance of the day, because of legislative business elsewhere.

Request ruled out of order while the Assembly is under a call.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 917**—An act to amend Section 9601.2 of the Education Code, and Section 6806 of the Education Code as proposed by Senate Bill No. 2, relating to contracts for education of physically handicapped minors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 917?

### Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on March 11, 1959, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

The Assembly concurred in Senate amendment to Assembly Bill No. 917 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—58

NOES—None.

Assembly Bill No. 917 ordered enrolled.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 1029

Mr. Masterson moved to expunge the record, and rescind the action whereby the Assembly on April 15, 1959 (Assembly Journal, page 2447), approved the Assembly Journal for April 10, 1959; and whereby the Assembly on April 10, 1959 (Assembly Journal, page 2306), passed Assembly Bill No. 1029.

Mr. Burton seconded the motion.

Motion carried by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Conrad, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lowery, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—59.

NOES—Cameron—1.

### Motion to Place on Inactive File

Mr Masterson moved that Assembly Bill No. 1029 be placed on the inactive file.

Motion carried.

## CONSIDERATION OF DAILY FILE
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1030**—An act to amend and renumber Section 591 of, and to add Section 739.6 to, the Vehicle Code, and to amend Section 41102 of, and to add Section 41103 to, the Vehicle Code as

enacted by the Legislature at the 1959 Regular Session, relating to procedure for violations involving unattended vehicles, declaring the urgency thereof, to go into effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1030?

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on March 18, 1959, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 2**

In line 5 of the title, after "vehicles", insert ", declaring the urgency thereof, to go into effect immediately".

**Amendment No. 3**

On page 3, lines 1 and 2, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 4, after line 24, insert

"SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

The enforcement and administration of the provisions of the Vehicle Code by law enforcement agencies is by its very nature a matter concerning the public peace, health and safety. There presently exists no practical procedure whereby certain violations of law involving unattended vehicles, may be prosecuted This bill provides such a procedure and must go into effect immediately to permit enforcement of the existing law"

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments?

The Assembly concurred in Senate amendments to Assembly Bill No. 1030 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None

Assembly Bill No. 1030 ordered enrolled.

**Assembly Bill No. 258**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to the commencement of aid payments to applicants for public assistance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 258?

**Amendment No. 1**

On page 3, line 3, of the printed bill, as amended in the Assembly on February 27, 1959, after the second "the", insert "period of".

The Assembly concurred in Senate amendment to Assembly Bill No. 258 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 258 ordered enrolled.

## INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Mr. and Mrs. Andrew J. Schrade of North Hollywood, the brother and sister-in-law of Assemblyman Jack Schrade, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber.

**Assembly Bill No. 1691**—An act to amend Sections 1, 2, 3.2, 3.4, 4.1, 4.11, 5, 5.1, 7.1, 10, 13, 14, 14.1, 15, 16, and 17 of, to amend and renumber Sections 5.3, 14.3, 30, 32, 33, 34, 35, 36, 37, and 38 of, to add Sections 4.12 and 4.13 to, and to repeal Sections 5.4, 5.5, 5.6, 5.7, 13.1, 14.2, 15.1, 15.2, 15.3, 15.4, 18, 19, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11, 19.13, 19.14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19.21, 20, 20.1, 20.2, 20 3, 20.4, 20.5, 20.6, 20.7, 20.8, 21, 21.1, 22, 23, 24, 25, 26, 27, 28 and 29 of the Placer County Water Agency Act (Chapter 1234, Statutes of 1957), relating to the Placer County Water Agency, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Reagan—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford,

Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—Reagan—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2013**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to public assistance payments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 946**—An act to amend Section 3302.5 of the Welfare and Institutions Code, relating to qualifications of managers of the California Industries for the Blind.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1694**—An act to amend Section 11200 of the Health and Safety Code, relating to exempt narcotics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.
NOES—Beaver, Kennick, and Lowrey—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1455**—An act to add Section 5906.5 to the Election Code, relating to absent voters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1988**—An act to add Section 27271 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county free libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1754**—An act to amend Section 16657 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to board of recreation commissioners and providing compensation and traveling expenses of members thereof.

Bill read third time.

**Speaker Presiding**

At 10.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1981**—An act to amend Sections 7201 and 7210 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school libraries affiliating with county libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1983**—An act to add Section 27000 to Article 1, of Chapter 1, of Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sumner, Thelin, Unruh, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

## INTRODUCTION OF GUESTS

Miss Donahoe introduced Mr. and Mrs. Harley Eckert of San Diego, the sister and brother-in-law of Speaker pro Tempore Bee, and Mrs. Bee, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber.

## ANNOUNCEMENT

Miss Donahoe announced that yesterday was the birthday of Mrs. Carlos Bee, whereupon the members joined in extending best wishes and birthday greetings to Mrs. Bee.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1205**—An act to amend Section 1107 of the Code of Civil Procedure, relating to prerogative writs.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2014**—An act to amend Section 2142.5 of the Welfare and Institutions Code, relating to medical needs of old age assistance recipients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1104**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to reader funds and educational scholarships awarded to potentially self-supporting blind persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1397**—An act to add Sections 69957, 69958, 69959, 72196, 72197, and 72198 to the Government Code, relating to official reporters of the superior court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1222**—An act to add Chapter 3.5 (commencing at Section 6450) to Part 11 of Division 1 of Title 1 of the Corporations Code, relating to foreign corporations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2015**—An act to amend Section 2018 of the Welfare and Institutions Code, relating to recipients of old age assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 131**—An act to repeal Section 72053 of, and to add Section 72053 to, the Government Code, relating to expenses of clerks, deputy clerks, commissioners and court reporters of municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1684**—An act to amend Section 16½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relating to the condemnation of property by the Los Angeles County Flood Control District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1545**—An act to amend Sections 194, 194.1 and 194.2 of the Streets and Highways Code and Section 11005 of the Revenue and Taxation Code, relating to municipal population determinations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes,

Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1546**—An act to amend Sections 36936.1, 51508 and 51511 of the Government Code, relating to city ordinances and resolutions fixing the amount of revenue to be raised by taxation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2050**—An act to add Section 12.2 to the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1144**—An act to add Article 3 (commencing at Section 35050) to Chapter 1 of Part 4 of Division 13 of the Water Code, relating to elections in California water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1998**—An act to add Section 25366.5 to the Government Code, relating to disposition of assets of special districts upon dissolution.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2049**—An act to add Article 3 (commencing at Section 4170) to Chapter 3 of Division 7 of the Harbors and Navigation Code, relating to the development, improvement or maintenance of ports, harbors, and tidelands by counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1487**—An act to add Section 9561 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Section 10857 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1488**—An act to amend Section 18001 of, and to add Section 18001.1 to, the Health and Safety Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2051**—An act to amend Sections 9, 10, 13.1, 13.4, and 13.5 of, and to add Sections 3.6 and 13.15 to, the Sonoma County Flood Control and Water Conservation District Act (Ch. 994, Stats. 1949), relating to the Sonoma County Flood Control and Water Conservation District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2105**—An act to amend Section 25259 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to lights.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1564**—An act to amend Section 603 of the Vehicle Code, and to amend Section 21113 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the penalty for unauthorized stopping of vehicles on municipal or educational property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2081**—An act to amend Section 21756 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to passing trolley coaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes,

Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2082**—An act to amend Section 21804 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to entering highways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2156**—An act to amend Section 22100 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the turning of vehicles at intersections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2157**—An act to amend Section 5354 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of trailer coaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2137**—An act to amend Section 9256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited acts of public school employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2152**—An act to amend Section 7172 of the Financial Code, relating to loans by savings and loan associations

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2072**—An act to amend Sections 603 and 604 of the Welfare and Institutions Code, relating to probation committees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 132**—An act to amend Section 5093 of the Business and Professions Code, and to amend Section 5083 of the Business and Professions Code as proposed by Senate Bill No. 104, relating to accountancy.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 428**—An act to amend Section 702 of the Military and Veterans Code, relating to salaries and expenses of the Division of Farm and Home Purchases, Department of Veterans Affairs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 493**—An act to amend Section 1696.3 of the Labor Code, relating to transportation of farm laborers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 50**—Approving an amendment to the charter of the City of Porterville, a municipal corporation in the County of Tulare, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 681**—An act to add Section 6705 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the registration of vehicles by servicemen.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 266**—An act to amend Section 108 of the Insurance Code, relating to classes of insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 51**—Approving an amendment to the charter of the City of San Bernardino, County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the seventeenth day of March, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Resolution ordered transmitted to the Senate.

## REMARKS ON CONDITION OF THE FILE

Mr. Gaffney spoke on the condition of the file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1848**—An act to amend Sections 11102, 11104, 11105, 11106, 11107 and 11110 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to driving schools and instructors and licenses issued in connection therewith.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade,

Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1636**—An act to repeal Article 2 (commencing at Section 525) of Chapter 1 of Division 2 of the Business and Professions Code, relating to State Medical Library.

Bill read third time.

### Hon. Frank P. Belotti Presiding

At 11.05 a.m., Hon. Frank P. Belotti, Member of the Assembly from the First District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Burton and Williamson—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1425**—An act to add Section 13292.5 to the Government Code, relating to the mishandling of state funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—O'Connell—1.

Bill ordered transmitted to the Senate.

### Explanation of Vote on Assembly Bill No. 1425

In my opinion Assembly Bill No. 1425 is loosely drawn and might be interpreted to make even simple negligence a misdemeanor. Agreed that the reports required under the bill should be made, but it seems to me that the penalty for failure to do so should be no more than grounds for dismissal from state service.

JOHN A. O'CONNELL

**Assembly Bill No. 970**—An act to amend Section 1765 of the Insurance Code as amended by Chapter 4 of the Statutes of 1959 and to add Section 1765.1 to the Insurance Code, relating to qualifications for surplus line brokers and special lines surplus line brokers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 871**—An act to amend Section 2350 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 317**—An act to add Section 1773.1 to the Labor Code, relating to per diem wages.

Bill read third time.

**Speaker Presiding**

At 11.18 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 719**—An act to add Section 1816 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the reporting of traffic violations committed by minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1081**—An act to add Article 11.5 (commencing at Section 9171) to Chapter 7 of Division 4 of the Education Code, and to add Chapter 5 (commencing at Section 551) to Division 2 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the acceptance of the provisions and benefits of the "National Defense Education Act of 1958," approved September 2, 1958, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69

NOES—Reagan—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Reagan—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1712**—An act to amend Section 22400 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to minimum speeds for vehicles.

Bill read third time.

**Speaker pro Tempore Presiding**

At 11 25 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 471**—An act to amend Section 7058 of the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1007**—An act to repeal Sections 9142 and 9143 of the Education Code and Sections 6210 and 6211 of the Education Code as enacted by the Legislature at its 1959 Regular Session, and to add Article 8 (commencing at Section 3366) to Chapter 2, Part 1, Division 5 of the Welfare and Institutions Code, relating to opportunity work centers for the blind, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Winton announced that the Assembly would work until 1 p.m., without lunch, in order to complete the business on the file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1718**—An act to amend Section 11713 of, and to add Sections 11718, 11719, 11720, and 11721 to, the Vehicle Code as

enacted by the Legislature at the 1959 Regular Session, relating to the licensing and regulation of manufacturers, transporters and dealers of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1459**—An act to add Section 24311.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to resignations of state college employees.

Bill read third time

**Hon. Charles J. Conrad Presiding**

At 11.35 a.m., Hon. Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—68
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 375**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—69.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A Willson, Winton, and Z'berg—69

NOES—None.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent

Mr. Hanna was granted unanimous consent to take up Assembly Bill No. 1908, out of order, at this time.

**Assembly Bill No. 1908**—An act to add Chapter 10 (commencing at Section 25900) to Division 20 of, and to amend Sections 26244, 26247, 26254, and 26255 of the Health and Safety Code, to amend Section 1064 of the Agricultural Code, and to amend Sections 4168 and 4171 of the Business and Professions Code, relating to labeling of containers of dangerous drugs, poisons, and other hazardous substances

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, and Z'berg—71.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1916**—An act to add Section 25210.78i to the Government Code, relating to county service areas.

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, *Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,* Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—70.

NOES—None

Bill ordered transmitted to the Senate.

### CONSIDERATION OF HOUSE RESOLUTION NO. 202

By Messrs. Burton, Kilpatrick, Ernest R. Geddes, O'Connell, Elliott, Hawkins, and Kennick:

**House Resolution No. 202**—Relative to the adoption of children

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In lines 2 and 3 of the second "WHEREAS" clause of House Resolution No. 202, as it appears on page 2460 of the Assembly Journal of April 16, 1959, strike out ", without in any manner giving specific grounds for its decision".

Further consideration of the resolution, as amended, passed temporarily on file.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1130**—An act to amend Section 4127 of the Agricultural Code, relating to unfair practices.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Brutschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, and Z'berg—63.
NOES—None.

Bill ordered transmitted to the Senate.

### Speaker Presiding

At 11.44 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent to take up further consideration of House Resolution No. 202.

## FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 202

By Messrs. Burton, Kilpatrick, Ernest R. Geddes, O'Connell, Elliott, Hawkins, and Kennick:

### House Resolution No. 202

Relative to the adoption of children

WHEREAS, There is now pending in the County of Sacramento a case wherein the County Welfare Department is about to remove a child from the home of foster parents who have provided her with adequate and loving care for the past 13 months; and

WHEREAS, The County Welfare Department has announced that it will not permit the foster parents to adopt such child; and

WHEREAS, A petition on the part of the foster parents to adopt the child cannot be heard, under existing law, for a period of six months; and

WHEREAS, If the County Welfare Department is permitted to remove the child, she will be deprived of the home care to which she has been accustomed for at least a six-month period pending the adoption hearing; and

WHEREAS, Immediate investigation into this situation and an investigation into adoption procedures and practices in this State are essential in order that the Legislature may ascertain whether remedial legislation is necessary in such a situation; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Standing Committee on Social Welfare is hereby created and authorized and directed to ascertain, study and analyze all facts relating to social welfare and the administration by the State and counties of the social welfare program, including adoption procedures and practices and any and all other matters relating to the administration of the social welfare programs including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of members of the Standing Committee on Social Welfare of the 1959 Regular Session. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than the last legislative day of this session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

Resolution read.

### Demand for Previous Question

Messrs. Lunardi, Hegland, Luckel, Dahl, and Cusanovich demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

The roll was called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. O'Connell seconded the motion.

Motion lost.

The vote was announced, and House Resolution No. 202 refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Belotti, George E. Brown, Burke, Burton, Cameron, Chapel, Coolidge, DeLotto, Elliott, Frew, Garrigus, Hawkins, Kennick, Kilpatrick, Lunardi, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Porter, Unruh, Waldie, and Williamson—28

NOES—Backstrand, Beaver, Bee, Bradley, Britschgi, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Donahoe, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Luckel, MacBride, Marks, Mulford, Nisbet, Pattee, Petris, Reagan, Schrade, Sumner, Thelin, George A. Willson, Z'berg, and Mr. Speaker—33.

### Motion to Expunge Record and Rescind Action

Mr. Elliott moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No. 202.

Mr. Hawkins seconded the motion.

### Parliamentary Inquiry

Mr. Burton arose to the following parliamentary inquiry: Is the motion to expunge and rescind the action on the resolution or on the motion for a call of the Assembly?

**Reply by Speaker**

The Speaker replied that the motion pertained to the vote on the resolution.

The question being on the motion to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No. 202.

Motion lost by the following vote:

AYES—Don A. Allen, Bane, Biddick, George E. Brown, Burke, Burton, Cunningham, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Kennick, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Rees, Rumford, Waldie, Williamson, Winton, and Z'berg—31.

NOES—Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Grant, Hegland, House, Kilpatrick, Luckel, Lunardi, Marks, McCollister, Nisbet, Pattee, Petris, Porter, Reagan, Schrade, Sumner, Thelin, George A. Willson, and Mr. Speaker—35.

## ANNOUNCEMENT

Messrs. Garrigus and DeLotto announced that the raisins, presented to the Members of the Assembly this morning, with their compliments, were grown and processed in Fresno County.

## RESIGNATION OF MEMBER FROM COMMITTEE

Mr. Kilpatrick resigned from the Committee on Social Welfare.

## PERSONAL PRIVILEGE STATEMENT

Since it is the determination of this body the Legislature has no business in local social welfare problems pursuant to state law and administered by State Department of Social Welfare, I renew my request that I not be required to longer serve on the Social Welfare Committee.

With regrets to the members of the Social Welfare Committee and without reflection on them.

VERNON KILPATRICK

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1620**—An act to amend Section 25103 of the Government Code, relating to signing resolutions, ordinances and records of board of supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2002**—An act to amend Sections 5780.1, 5780.13, 5780.16, 5781.3, 5781.4, 5781.6, 5781.13, 5781.14, 5782.5, 5784.5, 5785.4, and 5787 of, to amend and renumber Sections 5781.9, 5781.10, 5781.11, 5781 12, 5781.15, 5781.16, 5781.17, 5781 18, 5781.19, and 5783.3 of, to repeal Section 5784 22 of, and to add Sections 5782.21, 5784.22, and 5787.01 to, the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

**Motion to Amend Title**

Mr. Bradley moved the adoption of the following amendment to the title:

**Amendment No. 1**

In line 5 of the title of the printed bill, as amended in the Assembly on April 20, 1959, strike out "5783.3", and insert "5787.3".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 1401**—An act to add Sections 43401 and 43648 1 to, and to amend Section 43652.1 of the Government Code, relating to limited obligation bonds and the deposit and use of sales and use tax funds, declaring the urgency thereof, to take effect immediately

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—65
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1726**—An act to amend Section 26108 of the Government Code, relating to compensation and traveling expenses of

the members of a county board of trade or county chamber of commerce.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, DeLotto, Dills, Elliott, Frew, Gaffney Garrigus, Hawkins, Hegland, House, Kennick, Kilpatrick, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Unruh, Waldie, Williamson, George A. Willson, and Winton—44

NOES—Beaver, Bee, Collier, Cunningham, Cusanovich, Dahl, Davis, Ernest R. Geddes, Grant, Luckel, Lunardi, Reagan, and Rumford—13.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 32**—Relative to ratifying the Fourteenth Amendment to the Constitution of the United States.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 107**—Relative to the preparation of the Summary Digest.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 205

By Mr Miller:

### House Resolution No. 205

Relative to consideration of bills on the floor of the Assembly

*Resolved by the Assembly of the State of California*, That Rule No 65.5 is added to the Permanent Standing Rules of the Assembly, to read:

65.5. No bill may be considered or acted upon on the floor of the Assembly unless and until a copy of the printed bill as introduced and a printed copy of each amended form of the bill has been placed upon the desks of the members.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant,

Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 990**—An act to add Sections 23661.5 and 23661.6 to the Business and Professions Code, and to add Section 32110 to the Revenue and Taxation Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1730**—An act to amend Section 4156 of, and add Section 4464 to, the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to temporary vehicle permits and license plates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2020**—An act to amend Section 488.5 of the Vehicle Code, and to amend Section 20014 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of vehicle accident reports.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62

NOES—Beaver, Coolidge, Crawford, Hegland, Schrade, and Waldie—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2101**—An act to add Section 14699 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to district retirement salary plans.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2140**—An act to add Section 15008 to the Education Code as enacted at the 1959 Regular Session, relating to school site acquisitions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Crawford, Hegland, Luckel, and Schrade—4.

Bill ordered transmitted to the Senate.

**Name Placed Upon Roll Call**

Mr. Schrade was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 2140.

**Assembly Bill No. 433**—An act to repeal Section 327 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—68.
NOES—None.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No 433 was made. *See* page 2885.

**Assembly Bill No. 2008**—An act to add Section 21804.1 to the Education Code, as enacted at the 1959 Regular Session, relating to school district bonding capacity.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1802**—An act to add Section 1633.5 to the Insurance Code, relating to insurance licensing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1342**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Thelin, Waldie, Williamson, George A. Willson, Winton, and Z'berg—50

NOES—Coolidge, Dills, Elliott, Samuel R. Geddes, Hawkins, Hegland, Lowrey, Lunardi, McMillan, Munnell, Rumford, and Mr. Speaker—12

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Dills was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 1342.

## CONSIDERATION OF HOUSE RESOLUTION NO. 201

By Mr. Chapel:

### House Resolution No. 201

Relating to the passing of Cameron L. Lillie

WHEREAS, The Members of the Assembly have been deeply grieved to learn of the passing of Mr. Cameron L. Lillie, the husband of Justice Mildred L. Lillie of the District Court of Appeal; and

WHEREAS, Mr. Lillie was born in New York City and attended De Salle Military Institute and New York University; and

WHEREAS, After moving to California, Cameron Lillie obtained his law degree from Southwestern University in Los Angeles; and

WHEREAS, He subsequently served as an Assistant United States Attorney in Los Angeles from 1944 to 1949, and, while serving in that office, he met Justice Lillie, then an attorney, and they were married on March 18, 1947; and

WHEREAS, Mr. Lillie was active in professional and fraternal affairs, being a member of the Los Angeles Bar Association, the California Bar Association and the American Bar Association, and serving as Exalted Ruler of Elks Lodge 99 in 1955; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House hereby express their grief on the passing of Mr. Cameron L. Lillie, and extend to Justice Lillie their sincere condolences; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Justice Mildred L. Lillie.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 207

By Mr MacBride:

### House Resolution No. 207

Relating to the retirement of Mr. Clyde W. Rust, Sr.

WHEREAS, The 44 years of devoted state service given by Mr. Clyde W. Rust, Sr, will terminate in retirement on April 30, 1959; and

WHEREAS, During his distinguished career, commencing on July 7, 1913, Mr Rust rose from office boy to Division Superintendent in the Division of Highways Taking time out to serve his Country with the United States military forces in France and Germany from 1917 to 1919, he resumed his state service in the District III office, performing in the capacities of Assistant Resident Engineer, Office and Field Draftsman, Resident Engineer and, since January 1, 1930, as Highway Superintendent, District III, Sacramento Maintenance Territory; and

WHEREAS, In addition, Clyde W. Rust has been active in civic and community affairs as a Charter Member of the California State Employees' Association, Life Member of the Society for Crippled Children and Adults, and as a member of the State Highway Employees' Association, the American Legion, the Veterans of World War I, the Masonic Lodge, Scottish Rite, Ben Ali Temple, Sacramento Lodge No 6, B. P. O. E., and the Quarter Century Club; and

WHEREAS, Mr Rust, with the able and loving assistance of his wife, Mae, has raised two fine children, a son and a daughter, and Mr. and Mrs. Rust are now the proud grandparents of two, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Mr. Clyde W. Rust, Sr., for his long and devoted service to this State, and wish him the greatest happiness in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Rust.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 208

By Messrs. Britschgi, Francis, Bruce F. Allen, Bee, Bradley, Dahl, McCollister, Mulford, and Rumford:

### House Resolution No. 208

Relative to commemorating the San Francisco catastrophe of 1906

WHEREAS, This year marks the fifty-third anniversary of the dreadful disaster which practically destroyed the City of San Francisco in the year 1906; and

WHEREAS, The extent and amount of the destruction was so great as to appall the stoutest hearts, and

WHEREAS, The people of this great community, animated by the dauntless and indomitable spirit of the pioneers, spared neither time nor strength nor money in rebuilding a mighty metropolis upon the ruins and ashes of the city they had loved and lost, and

WHEREAS, Throughout the years the people of the City and County of San Francisco continue to give fresh evidence of their vision and their courage; now, therefore, be it

*Resolved by the Assembly of the State of California*, That we hereby record our unbounded admiration of the city which as Bret Harte truly said, "serene, indifferent of fate thou sittest at the western gate"; and be it further

*Resolved*, That we congratulate the people of San Francisco on their convincing demonstration of courage, pride, and patriotism, and their exemplification of the rugged energy and fortitude engendered by their heritage from their pioneer forebears; and be it further

*Resolved*, That we extend our hearty congratulations on their successful past, with an equal measure of good wishes for their successful future; and be it further

*Resolved*, That suitable copies of this resolution be forwarded by the Chief Clerk of the Assembly to His Honor Mayor George Christopher and the San Francisco Board of Supervisors.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 209

By Mr. Hanna:

### House Resolution No. 209

Relating to the commendation of Lt. Malcolm Carpenter

WHEREAS, Navy Lt. Malcolm Carpenter, of Garden Grove, California, has been selected as one of the first seven United States Mercury astronauts; and

WHEREAS, In order to be selected as one of the United States' first space men, it was necessary for Lt. Carpenter to undergo rigorous and gruelling tests and examinations, including the endurance of isolation, acceleration, heat, cold, noise, vibration and psychological and stress evaluation; and

WHEREAS, Lt Malcolm Carpenter is not the first pioneer in his family, his great-grandmother having arrived in Colorado by prairie schooner; and

WHEREAS, We can, indeed, be proud of Lt. Carpenter and the other men who have been selected as our first space men in that they will represent us in the continuation of the pioneering and venturing into the unknown which has brought the United States to the heights it has achieved, and will now carry us forward into the unknown but tantalizing future; and

WHEREAS, Lt. Carpenter is the husband of Rene Carpenter and the father of four children; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California commends and congratulates Lt. Malcolm Carpenter in being chosen to train for man's first orbital excursion into space; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Lt. Malcolm Carpenter.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 211

By Mr. Mulford:

### House Resolution No. 211

Relative to congratulating Mr. Carrol M. "Ky" Ebright

WHEREAS, Mr. Carrol M. "Ky" Ebright, the varsity rowing coach at the University of California for the past 35 years, will soon retire from that position; and

WHEREAS, During his regime his crews have won three of the last six Olympic eight-oared championships for the United States and six national intercollegiate championships; and

WHEREAS, Mr. Ebright was elected to the Helms Athletic Foundation "Rowing Hall of Fame" in 1956 and has been selected twice, in 1949 and in 1957, for the award of "An Outstanding Contribution to the Sport of Rowing in the United States" by the Joint Committee on Rowing Awards, Poughkeepsie, New York, making him the only man who has ever twice been so chosen; and

WHEREAS, His record and interest in rowing have benefited not only his university and state but the entire Nation as well, now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Carrol M. "Ky" Ebright is sincerely congratulated by the Legislature on his truly great career as a crew coach and leader of young men and that the ultimate in happiness and good health be his in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Ebright.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 212

By Miss Donahoe and Mr. Miller:

### House Resolution No. 212

Relative to AV-EK Empire Water Day

WHEREAS, Residents of the Antelope Valley-East Kern water basin area have labored industriously for the past five years in the field of educating themselves with problems concerning water, both in their area and in California's statewide water problems as a whole; and

WHEREAS, The first phases of the Investigation of Alternative Aqueduct Systems to Serve Southern California by the Department of Water Resources of the State of California envision delivery of supplemental water to this selfsame area by 1971 through the East Branch of the Southern California Aqueduct System; and

WHEREAS, The Antelope Valley-East Kern Water Basin Association, Incorporated, is an organization of citizens banded together to work for the cause of supplemental water and the common good of their area of some 2,000 square miles, located in the high desert portions of parts of the Counties of Kern and Los Angeles; and

WHEREAS, The Board of Directors of the Antelope Valley-East Kern Water Basin Association, meeting in regular session, March 31, 1959, did, in fact, act on requests made to that body, that they schedule a pubic celebration on June 6, 1959, for the express purpose of adequately dramatizing the major accomplishment in their efforts in obtaining supplemental water; and

WHEREAS, This day-long celebration has now been scheduled for June 6, 1959, and said event has been appropriately named, AV-EK Empire Water Day; and

WHEREAS, It will be a day-long affair with activities in every community lying within the boundaries of the basin area; and

WHEREAS, The residents of the Antelope Valley-East Kern water basin should indeed be recognized for their outstanding leadership, their spirit of self-help, and their sincere spirit and assistance to officials of the Department of Water Resources, State of California, and assistance to the various legislative committees on water problems; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly extend their congratulations to the residents of the Antelope Valley-East Kern water basin area, and to the officers, directors and members of the Antelope Valley-East Kern Water Basin Association, Inc., and the best wishes of the Members are extended to them on the occasion of AV-EK Empire Water Day, June 6, 1959; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the office of the Antelope Valley-East Kern Water Basin Association.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 214

By Mr. Charles H. Wilson:

### House Resolution No. 214

Relating to congratulating the A Cappella Chorus of Pepperdine College

WHEREAS, Pepperdine College, in Los Angeles, has an outstanding a cappella chorus, which is devoted to the highest standards of choral literature; and

WHEREAS, The chorus, which is directed by Mr. Richard C. Palm, makes a unique cultural contribution to the Southwestern Los Angeles area and to its community by performing the works of accomplished contemporary composers, as well as the traditional standard works in choral music; and

WHEREAS, The chorus makes frequent tours throughout California and the surrounding states, enabling many hundreds of persons to partake of its musical offerings; and

WHEREAS, At 12 o'clock noon, on March 5, 1959, the chorus appeared in concert in the Rotunda of the State Capitol, in Sacramento; and

WHEREAS, The chorus performed in such an outstanding fashion and so captivated the audience that its appearance will long be remembered; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California congratulates and highly commends the Pepperdine College a cappella chorus for the distinguished musical performance which it presented in the Rotunda of the State Capitol and for the outstanding cultural contribution which it makes to its community and the Southwestern Los Angeles area; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Richard C. Palm, the director of the chorus, as a token of the appreciation of the Legislature of the State of California for the chorus performance.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 215

By Messrs. Luckel, Crawford, Hegland, and Schrade:

### House Resolution No. 215

Relative to the passing of Adolph Muehleisen

WHEREAS, The Members of the Assembly of the State of California have received the saddening news of the recent death at the age of 77 of Mr. Adolph Muehleisen of San Diego; and

WHEREAS, Mr. Muehleisen had resided in San Diego since 1900 and served his community and his State in many ways during his long lifetime, including service as Chairman of the Republican County Central Committee, Commissioner of the California State Building in the Pacific International Exposition in San Diego in 1935, and member of the California Fish and Game Commission from 1935 to 1940; and

WHEREAS, Adolph Muehleisen was a 50-year member of San Diego Lodge 35, F. & A. M., a charter member and past potentate of Al Bahr Shrine Temple, a member of San Diego Chapter 61 of the Royal Arch Masons, a 33d degree Scottish Rite member, a member of the San Diego Commandery 25, Knights Templar, and San Diego Conclave 62, Order of the Red Cross of Constantine; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby join in expressing their grief at the passing of Adolph Muehleisen and the loss to the State of California of this outstanding citizen; and, be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mrs. Vesta C. Muehleisen, widow of Adolph Muehleisen.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 216

By Mr. George E. Brown:

### House Resolution No. 216

Relative to congratulating the Los Angeles Lodge No. 601 of the Brotherhood of Railway Carmen of America, A. F. L.-C. I. O., on the twenty-fifth anniversary of the issuance of its charter

WHEREAS, Los Angeles Lodge No. 601 of the Brotherhood of Railway Carmen of America, A. F. L.-C. I. O., has recently noted the occasion of the twenty-fifth anniversary of the issuance of its charter which occurred on March 19, 1934; and

WHEREAS, Lodge No. 601 has compiled an outstanding record in the field of industrial relations, and has expanded from a humble beginning with a membership of 12 persons to an organization representing approximately 800 active members employed with three major railway systems—the Southern Pacific Company, the Harbor Belt Line, and the San Diego, Arizona and Eastern Railway; and

WHEREAS, Lodge No. 601 is recognized as an outstanding example of democracy in unionism and has always accorded equal rights to all persons, and counts among its membership individuals of virtually every race, nationality, religion, and political belief; and

WHEREAS, Lodge No. 601 has not only been singularly successful in bringing about for its members improved conditions of employment, job security, the opportunity to learn a trade, and the multitude of other advantages attendant upon membership, but has contributed materially to the welfare of the community and has been an active participant in political and legislative activities directed toward enhancement of the welfare of all persons; and

WHEREAS, Lodge No. 601 is noted for the outstanding on-the-job training program it has provided for apprentices, in connection with which special efforts have in the past been directed toward assisting veterans returning from military service who presently comprise a very substantial portion of the membership of the lodge; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly congratulates Lodge No. 601 of the Brotherhood of Railway Carmen of America on the occasion of the twenty-fifth anniversary of the issuance of its charter, and commends that organization on the outstanding record it has compiled during the past quarter-century; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to James L. Comorre, President of Los Angeles Lodge No. 601 of the Brotherhood of Railway Carmen of America, A. F. L.-C. I. O., to Patrick A. Comorre, the Vice Chairman, to Irving Sarnoff, Chairman of the Lodge's legislative committee, and to C. M. Gibbens, the General Vice President of the Lodge.

Resolution read, and adopted unanimously.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 177**—An act to add Division 19 (commencing at Section 70000) to the Water Code, relating to levee districts.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, Winton, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

### MOTION TO SET SENATE BILL NO. 33 FOR SPECIAL ORDER

Mr. Hanna moved that Senate Bill No. 33 be made a special order of business for Monday, April 27, 1959, at 10 a.m.

Mr. Hanna withdrew his motion, and requested that the bill retain its place on file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 570**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Bill read third time, and presented by Mr. Frew.

Further consideration of the bill ordered passed on file.

**Senate Bill No. 689**—An act to amend Section 1091 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts between county superintendents of schools and school districts.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton Z'berg and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 690**—An act to amend Section 15958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district supplies.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Reagan, Rees, Rumford Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton Z'berg and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 713**—An act to amend Section 5707 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior colleges.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton Z'berg and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 1000 TO COMMITTEE

At 12.59 p.m., Mr. Winton moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and the motion that Assembly Bill No. 1000 be re-referred to the Committee on Education lost by the following vote:

AYES—Bruce F. Allen, Beaver, Bradley, Burke, Busterud, Collier, Coolidge, Cusanovich, Dahl, Elliott, Gaffney, Hawkins, Kennick, Lowrey, Marks, Meyers, Mulford, Nisbet, O'Connell, Sumner, and Thelin—21.
NOES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Cameron, Chapel, Conrad, Crawford, Davis, DeLotto, Dills, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Kilpatrick, Luckel, Lunardi, Masterson, McCollister, McMillan, Miller, Munnell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—46.

Assembly Bill No. 1000 ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

### ANNOUNCEMENTS

Speaker Brown announced that the Assembly had passed 95 measures today.

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Speaker Brown announced that the members should expect an afternoon session on next Friday.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2118 FROM COMMITTEE

Mrs. Davis was granted unanimous consent that Assembly Bill No. 2118 be withdrawn from the Committee on Water for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2118

**Assembly Bill No. 2118**—An act to create a flood control district to be called Lassen County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

#### Motion to Amend

Mrs. Davis moved the adoption of the following amendment:

#### Amendment No. 1

On page 7 of the printed bill, strike out lines 5 to 11, inclusive, and insert

"(v) To construct, operate, and maintain works to develop hydroelectric energy as a means of assisting in financing the construction, operation and maintenance of works for other beneficial uses and purposes, and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale of electric energy at retail."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 433

Mr. Bradley moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 433 was this day passed (Assembly Journal, page 2877).

Assembly Bill No. 433 and the motion to reconsider ordered to the unfinished business file.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1734
Assembly Bill No. 1826

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1578
Assembly Bill No. 2142

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1957
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 476
Assembly Bill No. 1154
Assembly Bill No. 1701
Assembly Bill No. 1930
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill Nos. 476 and 1930 re-referred to the Committee on Ways and Means.

Assembly Bill Nos. 1154 and 1701 ordered to third reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1528
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:
Assembly Bill No. 2111
With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 1719
With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 1559
Assembly Bill No. 1560
Assembly Bill No. 1561
With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 1040
With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2068

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 567
Senate Bill No 685

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports

Assembly Bill No. 923

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 825

With amendments with the recommendation: Be amended; and the bill be filed as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bill ordered to second reading.

## LEAVE OF ABSENCE FOR BALANCE OF THE DAY

The following member was granted leave of absence for the balance of the day, because of legislative business elsewhere:

Mr. Sedgwick, on motion of Mr. Masterson.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 389 | Assembly Bill No. 915 |
| Assembly Bill No. 535 | Assembly Bill No. 1033 |
| Assembly Bill No. 551 | Assembly Bill No 1202 |
| Assembly Bill No 552 | Assembly Bill No 1274 |
| Assembly Bill No 824 | Assembly Bill No. 1645 |
| Assembly Bill No 889 | Assembly Bill No 1646 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 24, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 119 | Senate Bill No. 378 |
| Senate Bill No. 301 | Senate Bill No. 996 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 119**—An act to amend Section 8759 of the Education Code and Section 5608 of the Education Code as proposed by Senate Bill No. 2, relating to tuition charges for interdistrict attendance of public school pupils.

Referred to Committee on Education.

**Senate Bill No. 301**—An act to repeal Section 10826 of the Fish and Game Code, relating to Game Refuge 1-J.

Referred to Committee on Fish and Game.

**Senate Bill No. 378**—An act to add Section 7702.1 to the Fish and Game Code, relating to commercial fishing, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Senate Bill No. 996**—An act to add Section 7214 to, and to repeal Section 7214 of, the Business and Professions Code, relating to guide dogs for the blind.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, April 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 53

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 53**—Relative to Serra Day.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, April 23, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 54
Senate Concurrent Resolution No. 55

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Concurrent Resolution No. 54**—Relative to congratulating St. Mary's College on the dedication of its former campus as a historical landmark.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 55**—Approving a certain amendment to the Charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the fourteenth day of April, 1959.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, CALIFORNIA LEGISLATURE, April 24, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR SIR: I am directed to request your honorable body to return to the Senate Assembly Bill No. 1394 for further consideration by the Senate.

Very truly yours,

J. A. BEEK, Secretary of the Senate

## ASSEMBLY BILL NO. 1394 RETURNED TO SENATE

Speaker Brown was granted unanimous consent that Assembly Bill No. 1394 be withdrawn from the unfinished business file, and returned to the Senate.

## SENATE BILL NO. 604 RE-REFERRED TO COMMITTEE

Speaker Brown ordered **Senate Bill No. 604** re-referred to the Committee on Finance and Insurance.

## ADJOURNMENT

At 1.04 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 27, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-THIRD LEGISLATIVE DAY

EIGHTY-FIRST CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, April 27, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*All-wise God, Our Father,* We do not know what another week will bring forth, what tests will be made upon our wisdom and patience. We pray only that we may be guided; and when guidance comes that we may recognize it, and accept it and not be surprised that we had not already thought of it, for Thy ways are not our ways and Thy thoughts are not our thoughts. Make us attentive to all the thoughts about us, for we never can predict the voice in which Thou wilt speak, and it may be where we least expect it. Speak, Lord, for Thy servants in this Assembly would hear Thy voice.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mrs. Davis, seconded by Mr. Rumford.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hegland, on motion of Mr. Schrade.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Opal T. and Wade F. Sonne of Taft, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Marie K. Swanson and Alice Amburgey of Los Angeles, relative to vaccination of dogs Referred to the Committee on Public Health.

---

Mrs. Nell B. Price of Pasadena, relative to vivisection. Referred to the Committee on Public Health.

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The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C., April 23, 1959

*Mr Arthur A. Ohnimus*
*Chief Clerk, Assembly*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of April 7, 1959, transmitting a copy of the Assembly Joint Resolution No 9 adopted by the California State Legislature on March 25, 1959, relative to public inspection of crop allotment records in the State of California.

Our general policy is to make all records, not required by law to be kept confidential, available for inspection in each ASC county office. In some cases, however, the information is not made public until after a stated time. For example, the amount of any payment or loan to a farmer is not made public until 30 days after the amount has been received by him.

The basis for determining which acreage allotment and marketing quota records may be made public is contained in the Agricultural Adjustment Act of 1938, as amended. In this connection, Section 362 of the act provides in part as follows:

"All acreage allotments, and the farm marketing quotas established for farms in a county or other local administrative area shall, in accordance with regulations of the Secretary, be made and kept freely available for public inspection in such county or other local administrative areas."

Section 373 (c) of the same act provides:

"All data reported to or acquired by the Secretary pursuant to this section shall be kept confidential by all officers and employees of the Department, and only such data so reported or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing under this title."

Section 344 (j) of the same act provides:

"Notwithstanding any other provision of this Act, State and county committees shall make available for inspection by owners or operators of farms receiving cotton acreage allotments all records pertaining to cotton acreage allotments and marketing quotas."

In formulating our regulations on availability of allotment records, we have complied with the above-cited provisions The acreage allotments and marketing quotas established for each farm are available in ASC county offices to anyone; all records pertaining to cotton acreage allotments are available to cotton farmers; but other records acquired in connection with the administration of acreage allotment and marketing quota programs are available only in a suit or administrative hearing with respect thereto.

Sincerely yours,

MARVIN L. McLAIN, Assistant Secretary

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**

**Resolution by State of New Hampshire Relative to State's Taxation of Personal Income**

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO, April 23, 1959

*Mr Arthur A Ohnimus*
*Chief Clerk of the Assembly*
*Capitol Building, Sacramento*

DEAR SIR: I am enclosing a copy of a concurrent resolution from the State of New Hampshire.

Sincerely,

FRANK M. JORDAN, Secretary of State

Encl.

Above transmitted resolution referred to the Committee on Revenue and Taxation.

## INTRODUCTION OF GUEST

Mr. Backstrand introduced Mr. Paul Ames of Riverside County, recently named the Outstanding Farmer of the United States.

## ANNOUNCEMENTS

Speaker Brown announced that:

Through April 24th, the end of the sixteenth week and 72 legislative days in session, total measures introduced which have to be acted upon by each house is:

| | |
|---|---|
| Assembly measures | 2,810 |
| Senate measures | 1,400 |
| Total | 4,210 |

Through Friday, April 24th, the Assembly has passed:

| | |
|---|---|
| Assembly measures | 914 |
| Senate measures | 137 |
| Total | 1,051 |

Mr. Sumner announced that Mr. Beaver and the BBJ Ranch had been named the World's Champion Orange Growers at the National Orange Show in San Bernardino; whereupon the Members of the Assembly joined in extending their congratulations to Mr. Beaver.

Mr. DeLotto announced that Fresno County is again the leading agricultural county in the Nation; and that the number one crop in value was grapes.

## RESOLUTIONS

The following resolutions were offered:

By Mr Hanna:

**House Resolution No. 219**

Relating to the inspection of the Disneyland monorail system

WHEREAS, Disneyland has installed a monorail system of international reputation; and

WHEREAS, Disneyland has indicated a desire to assist in rapid transit and smog problems, and

WHEREAS, The use of the monorail system of transportation as an aid to solving the rapid transit problems of the State's metropolitan areas is worthy of study by the Legislature; and

WHEREAS, Invitations have been issued by Disneyland to the Legislature to view and inspect the monorail system prior to the time when it goes into operation at a time when international engineers are available to explain the mechanical operation of the system, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Speaker of the Assembly is directed to appoint a five-man committee to investigate and inspect the new monorail system at Disneyland and report its findings to the Legislature; and be it further

*Resolved*, The sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of this committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the Contingent Fund and disbursed, after certification by the Chief Clerk of the Assembly, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Messrs. Masterson, Waldie, Biddick, Lunardi, Bee, Crown, Dahl, Mulford, Petris, and Rumford:

**House Resolution No. 220**

Relative to the solving of the water problems of the East Bay area

WHEREAS, The increasing population and the rapidly expanding economy of the East Bay area of the State require additional water supplies to meet its needs; and

WHEREAS, The East Bay Municipal Utility District, a public service agency, had for many years made plans for the transport of these needed water supplies from the watershed of the Mokelumne River within the Counties of Amador and Calaveras, and had requested the State of California to assign to it certain state filings on these waters; and

WHEREAS, In their best judgment and in the interests of their citizens, these counties and the County of San Joaquin engaged in litigation to forestall the assignment of state filings to the East Bay Municipal Utility District until such time as the counties could be assured that the interests of their citizens and their own economies were properly and adequately protected; and

WHEREAS, By mutual agreement the East Bay Municipal Utility District and the counties have provided that the East Bay Municipal Utility District grant to the Counties of Amador and Calaveras each the sum of two million dollars ($2,000,000) to be used for the future development of water supplies in these counties, and the State reserve to these two counties certain amounts of water for the beneficial use within these counties, and has assured the County of San Joaquin an adequate supply of water; and

WHEREAS, As a result of this mutual agreement, the counties have dismissed their litigation, thus enabling the East Bay Municipal Utility District to proceed with its plan for meeting the needs of the communities it serves; and

WHEREAS, The State Director of Water Resources at all times extended his advice and co-operation to all parties and approved the agreement which was reached, and

WHEREAS, The arrangement meets the needs of the counties of origin as well as those of the area needing and additional water supply without recourse to legislation or the use of state funds or credit, thus establishing a pattern for mutual co-operation in the development and utilization of the State's water resources; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Counties of Amador, Calaveras and San Joaquin, the East Bay Municipal Utility District and the State Director of Water Resources be commended for their diligence, patience and success in the settlement of the problem presented, and their great contribution to the public interest in making possible the development of these water resources to serve the needs of the counties wherein the water originates and those essential to the further development of the area served by the East Bay Municipal Utility District; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Counties of Amador, Calaveras and San Joaquin, the East Bay Municipal Utility District and the Director of the State Department of Water Resources.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Constitutional Amendment No. 44**: By Messrs. Reagan, Dahl, Thelin, Levering, Beaver, Burke, Chapel, Crawford, Cusanovich, Ernest R. Geddes, Johnson, Lanterman, and Mulford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 22 to Article XIII thereof, relating to property taxation.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2621**: By Mr. Gaffney—An act to amend Section 42271 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to expenditures of the Department of Motor Vehicles and the Department of the California Highway Patrol.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2622**: By Mr. Gaffney—An act to amend Sections 12804, 12805, and 12808 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to testing applicants, licensing, and grounds for withholding issuance of drivers' licenses.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2623**: By Messrs. McMillan, George E Brown, Don A. Allen, Hanna, Rees, and Unruh—An act to amend Section 3.4 of the Los Angeles Metropolitan Transit Authority Act (Chapter 547 of the Statutes of 1957), relating to the Los Angeles Metropolitan Transit Authority.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2624**: By Mr. Z'berg—An act to add Chapter 12 (commencing at Section 7000) to Division 7 of Title 1 of the Government Code, relating to the design of the Governor's mansion, and making an appropriation therefor.

Referred to Committee on Government Organization.

**Assembly Bill No. 2625**: By Mr. Lowrey—An act to amend Section 26700 and 26706 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to equipment of implements of husbandry.

Referred to Committeee on Agriculture.

**Assembly Bill No. 2626**: By Mr Backstrand, and Senator Dilworth, co-author—An act to amend Section 4102 and 4124 of the Penal Code, relating to county industrial farms and road camps.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2627**: By Messrs Kilpatrick, Chapel, Burke, Lowrey, Don A. Allen, Bane, George E. Brown, Cameron, Collier, Cusanovich, Elliott, Hanna, Hawkins, Hegland, Miller, Porter, Reagan, Schrade, Thelin, and George A. Willson (By request of Los Angeles

County Counsel)—An act to amend Section 25359 of the Government Code, relating to the working of county jail prisoners.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2628**: By Mr. Britschgi—An act to amend Section 18655 of the Financial Code, relating to charges on loans made by industrial loan companies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2629**: By Mr. Lunardi—An act to create the Amador County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, and providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity.

Referred to Committee on Water.

**Assembly Bill No. 2630**: By Messrs. Hawkins and Elliott—An act to add Section 13333.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to certificated employees of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2631**: By Messrs. Beaver and Nisbet—An act to add Section 71604.1 to the Government Code, relating to constables.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2632**: By Mr. Sumner—An act to amend Section 117j of the Code of Civil Procedure, relating to unlawful detainer proceedings in small claims court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2633**: By Mr. Sumner—An act to amend Sections 1500 and 1590 of the Probate Code, relating to guardianship.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2634**: By Messrs. Sumner and Hanna—An act to amend Section 25643 of the Government Code, relating to county fire protection tax levy.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2635**: By Messrs. Chapel, Porter, McMillan, Don A. Allen, and George A. Willson—An act to amend Sections 3.1, 3.3, and 3.6 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Referred to Committee on Water.

**Assembly Bill No. 2636**: By Messrs. Schrade, Hegland, Crawford, and Luckel—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Referred to Committee on Water.

**Assembly Bill No. 2637**: By Mr. Waldie—An act to amend Section 5202 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2638**: By Messrs. Crawford and Schrade—An act to add Section 71273 to the Government Code, relating to municipal and justice courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2639**: By Mr. Elliott—An act to amend Section 13460 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compensation of school district employees.

Referred to Committee on Education.

**Assembly Bill No. 2640**: By Messrs Grant and Kennick—An act to add Section 1958 to the Government Code, relating to liability of municipal court attaches.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2641**: By Mr. McCollister—An act to add Section 26154 to the Government Code, relating to county assistance to elementary school districts having a redevelopment agency or housing authority within its boundaries.

Referred to Committee on Education.

**Assembly Bill No. 2642**: By Mr. McCollister—An act to amend Section 10202 of the Insurance Code, relating to employees' groups covered by group life policies.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2643**: By Mr. Petris—An act to amend Sections 8045 and 8046 of the Fish and Game Code, relating to the imposition of privilege taxes on fish packers and processors.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2644**: By Mr. Petris—An act to add Sections 8057, 8058, 8059, 8060, 8061, 8062, 8063, 8064, 8065, 8066, 8067, 8068, 8069, and 8070 to the Fish and Game Code, relating to the payment of privilege taxes and claims and suits for refund.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2645**: By Messrs. Miller and Cusanovich—An act authorizing the Director of Finance to sell a parcel of land owned by the State in the County of Los Angeles, and making an appropriation.

Referred to Committee on Ways and Means.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Porter:

### House Resolution No. 221

Relative to congratulating Edith M. Clark

WHEREAS, Retiring on March 1, 1959, Miss Edith M. Clark ended a 27-year "tour of duty" with the Los Angeles City School System; and

WHEREAS, Born in Willard, Ohio, Miss Clark undertook her early education in schools in Willard, then at the University of Cincinnati, and finally at the University of Southern California, where she received a Master's degree; and

WHEREAS, After spending 11 years in the teaching profession in Ohio, Miss Clark moved to California to become, in 1932, an instructor at Los Angeles City College; and

WHEREAS, While at Los Angeles City College she held such positions as Instructor of Womens' Physical Education, Assistant Dean of Women, Dean of Students, and, in December, 1948, became the Acting President of the Nation's largest junior college; and

WHEREAS, In 1950, Miss Clark was promoted by the Board of Education to the position of Assistant Superintendent in charge of junior colleges for the Los Angeles System, a position she retained until her retirement March 1, 1959; and

WHEREAS, In addition to the outstanding performance rendered as a teacher and administrator, Miss Clark has been active in numerous professional, civic, and social organizations, and

WHEREAS, Miss Edith M. Clark, who is often referred to as the "first lady" of the Los Angeles Junior College District, has performed her various jobs admirably, to the benefit of thousands of students of the Los Angeles area, and all of the people of this State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body congratulate Miss Edith M. Clark on the occasion of her retirement from the School System of this State and take this opportunity to wish her a long and relaxed vacation which she has so honestly earned; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Miss Edith M. Clark.

Resolution read, and referred to the Committee on Rules.

By Mr. Porter:

### House Resolution No. 222

Relating to congratulating E. Manfred Evans

WHEREAS, The Assembly of the State of California has learned of the retirement of E. Manfred Evans from his position as Assistant Superintendent in Charge of Adult Education of the Los Angeles City Schools, after a career of 35 years of outstanding service in the field of education and in public service, and

WHEREAS, E. Manfred Evans was born in the State of Wisconsin, but moved to California, where he was to spend the major part of his life, and was educated at Hollywood High School and the University of Southern California; and

WHEREAS, E. Manfred Evans served in the Air Force during World War I, and thereafter began his career in the field of education as an attendance officer, advancing from there to the positions of enrollment officer, teacher, Principal of the Metropolitan Evening High School, Supervisor of Adult Education, and finally to the position of Assistant Superintendent; and

WHEREAS, In addition to his work in the Los Angeles City School System, he contributed his exceptional talents to a variety of other endeavors, serving from 1943 to 1944 as Chief of the Division of Adult Education in the State Department of Education, in 1949 as Vice President of the Adult Education Association of the United States and President of the California Association of Adult Education Administrators, and in 1950 on Special Mission to Germany and as President of the National Association of Public School Educators which he was instrumental in organizing; and

WHEREAS, E. Manfred Evans' career was centered principally in the field of adult education where his achievements manifest what was perhaps his dominant purpose in life, the improvement of the lot of his fellow man generally, in making it possible for every adult in his community to receive the education necessary to make him a more skillful worker, a more efficient business or industrial manager, a better homemaker and parent, a participating citizen and a leader in community affairs; and

WHEREAS, E. Manfred Evans exerted a profound influence on the stature of adult education in the field of education generally, thereby improving the lot and well-being of thousands of his fellow citizens, enhancing the welfare of his State and Nation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, on the occasion of the retirement of E. Manfred Evans, joins his multitude of friends in extending congratulations and commendations on the outstanding record of achievement he has compiled during his lifetime of service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to E Manfred Evans.

Resolution read, and referred to the Committee on Rules.

By Mr. Porter:

**House Resolution No. 223**

Relative to congratulating Dr Howard A. Campion

WHEREAS, February 27, 1959, marked the retirement of Dr. Howard A. Campion, after 34 years of outstanding service to the educational system of the State and the City of Los Angeles, and

WHEREAS, Born in Faribault, Minnesota, Doctor Campion received his early education in Minnesota and Wisconsin and completed his education in California, attending the University of California at Los Angeles and the University of Southern California where, in 1941, he received the degree of Doctor of Education; and

WHEREAS, From 1923 to 1925, Doctor Campion served as Assistant Supervisor in charge of vocational teacher training at the University of California at Los Angeles, and in 1925 commenced his career with the Los Angeles City Schools as the first principal of Frank Wiggins Trade School (now Los Angeles Trade-Technical Junior College), a position he held until 1934; and

WHEREAS, In 1934, he was elected Assistant Superintendent of the Los Angeles City Schools and served in that capacity until 1949 when he was made Associate Superintendent of the Division of Extension and Higher Education; and

WHEREAS, Doctor Campion has successfully led the Division of Extension and Higher Education, a program which encompasses seven junior colleges, 27 adult schools and 100,000 students; and

WHEREAS, In spite of the burdens of his professional career, Doctor Campion has contributed his time and energy to many other civic and cultural endeavors to the great benefit of the people of the State and Los Angeles; and

WHEREAS, Doctor Campion has well earned the extended vacation upon which he is currently engaged as a result of his recent retirement; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body congratulate Dr. Howard A Campion on the event of his retirement from the Public School System of this State and wish that his retirement will be long and enjoyed to the fullest extent; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Howard A. Campion.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 61**—An act appropriating funds for acquisition of additions to Mt. Tamalpais State Park and declaring the urgency thereof, to take effect immediately,

**Assembly Bill No. 180**—An act to amend Sections 675, 687, 7014, 7131, 7134, 7135, 7607, 7608, and 9102 of the Elections Code, relating to tally sheets;

**Assembly Bill No. 200**—An act to amend Sections 30291, 30756, 30762, 30763, 30771, and 30815 of the Water Code, relating to elections in county water districts;

**Assembly Bill No. 238**—An act to repeal Section 655.5 of the Elections Code, relating to precinct boards;

**Assembly Bill No. 242**—An act to amend Section 14058 of the Health and Safety Code, relating to nomination of fire commissioners;

**Assembly Bill No. 311**—An act to amend Sections 2609 and 2632 of the Elections Code, relating to nominations;

**Assembly Bill No. 312**—An act to amend Sections 2610, 3080 and 3082 of the Elections Code, relating to verification deputies,

**Assembly Bill No. 356**—An act to amend Section 682 of the Elections Code, relating to change in polling place;

**Assembly Bill No. 386**—An act to amend Section 264.1 of, and to add Section 26085 to, the Agricultural Code, relating to diseased animals, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 596**—An act to amend Section 2935 of the Business and Professions Code, relating to psychologists;

**Assembly Bill No. 615**—An act to repeal Section 12511 of, to add Section 12511 to, and to amend Section 12815 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver's licenses;

**Assembly Bill No. 638**—An act to amend Section 762 9 of the Agricultural Code, relating to canning tomato inspection fees;

**Assembly Bill No. 763**—An act to amend Sections 8151 and 8780 of the Fish and Game Code, relating to bait nets;

**Assembly Bill No. 832**—An act to amend Sections 14740.4, 14740 5, and 14740 6 of the Education Code, and Sections 14683, 14684, and 14685 of the Education Code as proposed by Senate Bill No. 2, relating to school district retirement systems;

**Assembly Bill No. 883**—An act to amend Sections 57, 70, 331, 332, 3031, 4006, 4332, 4751, and 7149 of the Fish and Game Code, relating to fish and game;

**Assembly Bill No. 955**—An act to amend Sections 13404 and 13405 of the Education Code, and to amend Sections 13364 and 13365 of the Education Code as proposed by Senate Bill No 2, relating to teachers' institutes;

**Assembly Bill No. 1038**—An act to amend Sections 643a and 643b of the Penal Code, relating to the protection of blind and partially blind people;

**Assembly Bill No. 1055**—An act to amend Sections 11000 and 11535 of the Business and Professions Code, relating to subdivisions;

**Assembly Bill No. 1118**—An act to amend Section 713 of the Vehicle Code and to amend Section 35704 of, and to add Section 35716 to, the Vehicle Code as proposed by Assembly Bill No 5, relating to contractors subject to city ordinances decreasing vehicle weight limits;

**Assembly Bill No. 1434**—An act to amend Sections 541.1, 585, 1405, and 1513 of the Probate Code and to add Section 6408.5 to the Financial Code, relating to deposits and investments by executors, administrators, guardians and other fiduciaries;

**Assembly Bill No. 199**—An act to amend Section 5781 10 of the Public Resources Code, relating to election of directors of recreation and park districts;

**Assembly Bill No. 674**—An act to add Section 2014 to the Business and Professions Code, relating to chiropody;

**Assembly Bill No. 1052**—An act to add Section 11018.1 to the Business and Professions Code, relating to subdivisions;

And reports the same correctly enrolled, and presented to the Governor on the twenty-fourth day of April, 1959, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 15**—Relative to atomic energy and radiation protection;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

***Assembly Constitutional Amendment No. 21***—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¾ of, and adding Section 1¾a to, Article XIII, relating to the exemption of property from taxation on account of military service.

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1836
Assembly Bill No. 1993

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2005
Assembly Bill No. 2149

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 773
Assembly Bill No. 774
Assembly Bill No. 775
Assembly Bill No. 776
Assembly Bill No. 777
Assembly Bill No. 778
Assembly Bill No 779
Assembly Bill No. 780
Assembly Bill No. 781
Assembly Bill No. 782
Assembly Bill No. 783
Assembly Bill No. 784
Assembly Bill No. 785
Assembly Bill No. 786
Assembly Bill No. 787
Assembly Bill No. 788
Assembly Bill No. 789
Assembly Bill No. 790
Assembly Bill No. 791
Assembly Bill No. 792
Assembly Bill No. 793
Assembly Bill No. 794
Assembly Bill No. 795
Assembly Bill No. 796
Assembly Bill No. 798
Assembly Bill No. 799
Assembly Bill No. 801
Assembly Bill No 848
Assembly Bill No. 849
Assembly Bill No. 850
Assembly Bill No. 851
Assembly Bill No 853

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 854
Assembly Bill No. 855
Assembly Bill No. 856
Assembly Bill No. 858
Assembly Bill No 1078
Assembly Bill No 1151
Assembly Bill No. 1153
Assembly Bill No. 1270
Assembly Bill No. 1562
Assembly Bill No. 1563
Assembly Bill No. 1994
Assembly Bill No. 2060
Assembly Bill No. 2067
Assembly Bill No. 2136

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 24, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 192

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, April 24, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1060
Assembly Bill No. 1591
Assembly Bill No. 1841
Assembly Bill No. 1859
Assembly Bill No 1866
Assembly Bill No. 2073
Assembly Bill No. 2163

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1624

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 2002

And reports the same correctly re-engrossed. (Title amendment.)

BURKE, Chairman

Assembly Bill No. 2002 ordered transmitted to the Senate.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1755

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 857

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 684

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 132

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1752

And reports the same correctly re-engrossed.

BURKE, Chairman

~~Above bill ordered filed, and the subject matter referred to the Committee on Rules for assignment to the proper interim committee.~~

On May 14, 1959, the Assembly rescinded the above action relative to Assembly Bill No. 1752. *See* page 3673.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1931

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 2044
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1500
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 1309 | Assembly Bill No. 2001 |
| Assembly Bill No 1310 | Assembly Bill No. 2065 |
| Assembly Bill No. 1884 | Assembly Bill No. 2131 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

## MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Porter seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 132, 684, 1309, 1310, 1500, 2065, 2131, 2044, 1884, 2001,** and **1931.**

**Senate Bill No. 332.**

Assembly Bill No. 2044 and Senate Bill No. 332 ordered to third reading.

Assembly Bills Nos. 132, 684, 1309, 1310, 1500, 2065, 2131, 1884, 2001, and 1931 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1764**—An act to add Section 224.5 to, and to amend Section 225 of, the Labor Code, relating to wage deductions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "sustained by the employer", and insert "to the employer's tools or equipment".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 1037**—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, lines 16 and 17, of the printed bill, strike out "one hundred dollars ($100)", and insert "seventy-five dollars ($75)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1492**—An act to amend Sections 640, 645, and 646 of the Probate Code, relating to the administration of estates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "five thousand", and insert "three thousand five hundred".

**Amendment No. 2**

On page 1, line 9, strike out "($5,000)", and insert "($3,500)".

**Amendment No. 3**

On page 1, line 20, strike out "five thousand", and insert "three thousand five hundred".

**Amendment No. 4**

On page 1, line 20, strike out "($5,000)", and insert "($3,500)".

**Amendment No. 5**

On page 2, line 6, strike out "subejct", and insert "subject".

**Amendment No. 6**

On page 2, line 25, strike out "five thousand", and insert "three thousand five hundred".

**Amendment No. 7**

On page 2, line 26, strike out "($5,000)", and insert "($3,500)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 366**—An act to amend Section 72602 of the Government Code, relating to municipal courts in Los Angeles County.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1266**—An act to amend Section 73431 of the Government Code, relating to judges of the municipal court established in the district embracing the City of Bakersfield.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1557**—An act to add Article 13.5 (commencing at Section 73840) to Chapter 10, Division 8 of the Government Code, relating to municipal courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 647**—An act to amend Section 11200 of, and to add Article 9.9 (commencing at Section 11276) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1228**—An act to amend Sections 73821, 73822, and 73823 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1448**—An act to add Title 4 (commencing with Section 13500) to Part 4 of the Penal Code, relating to standards for recruitment and training of local law enforcement officers, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1554**—An act to amend Sections 73075, 73081 and 73084 of, and to add Sections 73084.5 and 73090.1 to, the Government Code, relating to municipal court districts in Alameda County.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

In line 3 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

#### Amendment No. 2

On page 2, after line 20, insert

"SEC. 6. This act is an urgency measure necessary for the immediately preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to provide for the staffing of the newly established municipal court in the Fremont-Newark-Union City Judicial District, which came into existence under the California Constitution when the population of the district increased to over 40,000, and to prevent delay in the administration of justice in such district it is necessary that this act take effect immediately."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2126**—An act to add Section 22519 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the regulation of off-street parking facilities by local authorities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2084**—An act to amend Section 22651 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to removal of vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2085**—An act to amend Section 4000 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration for vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2107**—An act to amend Section 26709 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mirrors.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2012**—An act to amend Sections 16053, 16081, 16082, 16456, and 16457 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle financial responsibility laws.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "16081,".

Amendment No. 2

On page 2, strike out lines 41 through 50, inclusive; and on page 3, line 1, strike out "SEC. 5.", and insert "SEC. 4."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 413**—An act to amend the title of Division 11d (commencing at Section 729.01) of, and Sections 729.02, 729.03, 729.04, 729.05, 729.07, 729.08, 729.10, 729.11, 729.12, 729.13, 729.14, 729.15, and 729.16 of and to add Section 729.015 to, the Vehicle Code, and to amend the title of Division 14 (commencing at Section 31600) of, and Sections 31601, 31602, 31603, 31604, 31606, 31607, 31609, 31610, 31611, 31612, 31613, 31614, and 31615 of, and to add Section 3600.5 to, the Vehicle Code, as proposed by Assembly Bill No. 5, relating to the transportation of radioactive materials.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill; and in line 5 of the title, strike out "Vehicle Code, and", and insert "An act".

**Amendment No. 2**

In line 6 of the title after "Sections", insert "27903, 27904,".

**Amendment No. 3**

In line 8 of the title after "of," insert "to repeal Sections 31616 and 31617, as added by Assembly Bill No. 1962, of,".

**Amendment No. 4**

In line 8 of the title, strike out "Section 31600.5", and insert "Sections 31600.5, 31600.7, 31616, and 31617".

**Amendment No. 5**

In line 9 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 6**

On page 1, strike out lines 1 to 13, inclusive; strike out pages 2, 3, 4, 5, 6, 7; and on page 8, strike out lines 1 to 6, inclusive.

**Amendment No. 7**

On page 8 between lines 6 and 7, insert

"SECTION 1. Section 27903 of the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, is amended to read:

27903. No person shall operate any vehicle transporting any explosive substance, poisonous gases, flammable liquids, ~~or~~ liquefied petroleum gases, *or radioactive materials* unless at the time of such transportation there is displayed upon each side and the rear of the exterior of the vehicle a sign upon which shall appear the word "explosives," or "poisonous gases," or "flammables," *or "radioactive materials,"* whichever may correctly designate the cargo, in letters not less than three inches in height upon a background of sharply contrasting color.

SEC. 2. Section 27904 of said code is amended to read:

27904. Section 27903 does not apply if each vehicle transporting the explosive, poisonous, or flammable cargo has prominently displayed on each side and the rear of the vehicle a trademark, trade name, other designating mark, or a legend, substantially descriptive of the type of cargo of the vehicle and generally known to the public as being applied to the explosive substance, poisonous gases, flammable liquids, or liquefied petroleum gases.

*Section 27903 also does not apply to any vehicle transporting radioactive materials exempted from the packaging, marking, and labeling requirements of the Interstate Commerce Commission or to any vehicle transporting radioactive materials if the transportation of such radioactivities is exempted from the provisions of Section 27903 in regulations adopted by the State Fire Marshal pursuant to Section 31600.7."*

**Amendment No. 8**

On page 8, line 7, strike out "16", and insert "3".

**Amendment No. 9**

On page 8, lines 8 and 9, strike out "the Vehicle Code, as proposed by Assembly Bill No. 5," and insert "said code".

**Amendment No. 10**

On page 8, line 14, strike out "17", and insert "4".

**Amendment No. 11**

On page 8, between lines 31 and 32, insert

"SEC. 5. Section 31600.7 is added to said code, to read:

31600.7. The State Fire Marshal may adopt, in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code, reasonable rules and regulations, which, in the judgment of the State Fire Marshal, may promote the safe transportation of radioactive materials."

**Amendment No. 12**

On page 8, line 32, strike out "18", and insert "6".

**Amendment No. 13**

On page 9, line 1, strike out "19", and insert "7".

**Amendment No. 14**

On page 9, line 10, after "owner", insert ", or authorized agent of the owner,".

**Amendment No. 15**

On page 9, line 19, strike out the period, and insert ", or unless the use of the highway is required to permit the vehicle to proceed to, and return from, a point designated as an inspection stop pursuant to this division.

(c) It is a misdemeanor for the driver of any vehicle transporting explosives or radioactive materials to stop at any place not designated as a safe stopping place unless the vehicle is disabled or except when necessary to avoid conflict with other traffic or to comply with the orders of a peace officer or an official traffic control device. A safe stopping place is any location designated by the State Fire Marshal where the driver may stop for food, fuel, or other necessary reasons and any location designated by the Department of the California Highway Patrol or the State Fire Marshal as an inspection spot for purposes of this division."

**Amendment No. 16**

On page 9, strike out lines 20 to 41, inclusive.

**Amendment No. 17**

On page 9, line 42, strike out "(c)", and insert "(d)".

**Amendment No. 18**

On page 9, line 46, strike out "20", and insert "8".

**Amendment No. 19**

On page 10, line 12, strike out "21", and insert "9"

**Amendment No. 20**

On page 10, line 24, strike out "22", and insert "10".

**Amendment No. 21**

On page 10, line 46, strike out "23", and insert "11".

**Amendment No. 22**

On page 11, line 11, strike out "24", and insert "12".

**Amendment No. 23**

On page 11, line 25, strike out "25", and insert "13".

**Amendment No. 24**

On page 11, line 31, strike out "(1)", and insert "(a)".

**Amendment No. 25**

On page 11, line 33, strike out "(2)", and insert "(b)".

**Amendment No. 26**

On page 11, line 39, strike out "(3)", and insert "(c)".

**Amendment No. 27**

On page 11, line 42, strike out "(4)", and insert "(d)".

**Amendment No. 28**

On page 11, line 46, strike out "(5)", and insert "(e)".

**Amendment No. 29**

On page 12, line 1, strike out "26", and insert "14".

**Amendment No. 30**

On page 12, line 9, strike out "27", and insert "15".

**Amendment No. 31**

On page 12, line 29, strike out "28", and insert "16".

**Amendment No. 32**

On page 13, line 1, strike out "29", and insert "17".

**Amendment No. 33**

On page 13, line 29, strike out "or radioactive materials".

**Amendment No. 34**

On page 13, lines 29 and 30, strike out "or radioactive materials".

**Amendment No. 35**

On page 13, line 34, strike out "or radioactive materials".

**Amendment No. 36**

On page 13, line 50, strike out "maps", and insert "list of safe stopping places".

**Amendment No. 37**

On page 14 between lines 4 and 5, insert

"(j) No person shall operate any vehicle transporting radioactive materials unless the radioactive materials are loaded in accordance with the regulations adopted by the State Fire Marshal pursuant to Section 31600.7 for the loading of the type of radioactive materials being transported."

**Amendment No. 38**

On page 14, line 5, strike out "30", and insert "18".

**Amendment No. 39**

On page 14, strike out lines 15 to 23, inclusive, and insert

"SEC. 19. Section 31616 of said code, as added by Assembly Bill No. 1962 of the 1959 Regular Session, is repealed.

SEC. 20. Section 31616 is added to said code, to read:

31616. The State Fire Marshal, after public hearings with the officials having the responsibility for the prevention and suppression of fire in communities through which routes for the transporting of explosives or radioactive materials pass, representatives of transportation companies concerned, explosives manufacturers where the routes are to be for the transportation of explosives, processors and users of radioactive materials where the routes are to be for the transportation of radioactive materials, and the Department of the California Highway Patrol shall, by regulation, designate the routes in this State which are to be used for the transportation of explosives and the routes which are to be used for the transportation of radioactive materials, and he shall prepare and deliver to the Department of the California Highway Patrol, for distribution to persons engaged in the transportation of explosives or radioactive materials, maps which clearly indicate the routes, as established by the public hearings, which are to be used for the transportation of explosives or radioactive materials. The routes for the transportation of radioactive materials may be the same as the routes for the transportation of explosives. The State Fire Marshal shall prepare a list of locations of required inspection stops, safe parking places, and safe stopping places and shall revise the list to keep it current. The list shall be delivered to the California Highway Patrol in suitable form for distribution to persons engaged in the transportation of explosives or radioactive materials.

SEC. 21. Section 31617 of said code, as added by Assembly Bill No. 1962 of the 1959 Regular Session, is repealed.

SEC. 22. Section 31617 is added to said code, to read:

31617. In the event of an emergency, the State Fire Marshal is authorized to suspend or change any designated route for the transportation of explosives or radioactive materials or to temporarily designate new or additional routes for such transportation. The State Fire Marshal shall, unless the nature of the emergency makes it impracticable to do so, consult with local fire officials in the area or areas affected and with the California Highway Patrol before making any such changes or new designations. If the changes or new designations are made before they can be discussed with those officials, the State Fire Marshal shall immediately notify the appropriate officials of his action.

The change in or new designation of routes shall not be effective for more than 30 days from the date of such action, unless the State Fire Marshal determines that the change or new designation should become permanent, in which case the State Fire Marshal shall, within the 30-day period, initiate action to make the change or new designation permanent in accordance with the provisions of Section 31616 and in which case the emergency change or designation shall remain in effect until superseded by a regulation of the State Fire Marshal."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 664**—An act to amend Section 27300 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to safety belts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 2, after line 12, of the printed bill, as amended in the Assembly March 23, 1959, insert

"The department shall establish specifications or requirements for safety belts and their installation and such specifications or requirements shall not be lower in standard than those specifications or requirements for safety belts established by the Civil Aeronautics Administration Technical Standard Orders for Safety Belts and Safety Harnesses."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1049**—An act to amend Section 27491 of the Government Code, relating to duties and powers of coroner.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 947**—An act to amend Section 65652 of the Government Code, relating to the adoption by counties and cities of precise plans and regulations

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1012**—An act to add Section 29722 to the Government Code, relating to claims of contractors on local public works.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1013**—An act to add Section 53024 to the Government Code, relating to contract payments on local public works.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1092**—An act to amend Section 607f of the Civil Code, Sections 9361, 9363, 14004, 18002, and 18003 of the Education Code, and Sections 6601, 6603, 13591, 15802, and 15803 of the Education Code, as proposed by Senate Bill No 2, relating to classification of cities.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1640**—An act to amend Sections 10407, 10503, and 10600 of the Streets and Highways Code, relating to the Municipal Improvement Act of 1913.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1702**—An act to amend Section 34312 of the Government Code, relating to the boundaries of new cities.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1976**—An act to add Section 32300.2 to, and to amend Sections 32303, 32304, and 32312 of, the Health and Safety Code, relating to local hospital districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2028**—An act to amend Section 34311 of the Government Code, relating to organization of new cities.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2066**—An act to amend Section 14151 of the Health and Safety Code, relating to local fire districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2112**—An act to amend Section 23010 of, and to add Sections 23010.2 and 25210.6 to, the Government Code, relating to loans by counties.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2154**—An act to add Sections 2923, 2924, 2925, and 2926 to the Revenue and Taxation Code and to add Section 17.1 to the San Bernardino County Flood Control Act (Ch. 73, Stats. 1939), relating to the collection of unsecured taxes.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1090**—An act to add Sections 20007, 20144, and 20302 to, and Article 5 (commencing at Section 20350) to Chapter 2, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1204**—An act to repeal Part 2 (commencing at Section 20500) of Division 14 of the Health and Safety Code, and to add Section 38638 to the Government Code, relating to police protection at public meetings.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2010**—An act to add Section 20568.1 to, and to amend Sections 26965, 26966 and 26967 of, the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2018**—An act to amend Section 197.8 of the Streets and Highways Code, relating to city street project contracts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1166**—An act to amend Section 19 of the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of 1952 First Extraordinary Session), relating to annexation of land to

the Vallejo Sanitation and Flood Control District, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "Section", and insert "Sections".

**Amendment No. 2**

On page 1, strike out line 11, and insert "ing Chapter 1 (commencing at Section 58000) of Division 1 of Title 6 of the Government Code and amend-".

**Amendment No. 3**

On page 2, between lines 7 and 8, insert

"The requisite number of petitioners required under Section 58231 of the Government Code may be, (a) if such petitioners are landowners, that number of persons owning more than one-half of the area of land sought to be annexed or excluded or (b), alternatively, if there are at least 12 electors residing on the land, and the petitioners are electors, that number of persons constituting a majority of such electors.

The requisite number of petitioners required under Section 58238 of the Government Code shall be, (a) if the petitioners are landowners, that number of persons owning more than one-fourth of the area of land sought to be annexed or excluded or (b), alternatively, if there are at least 12 electors residing on the land, and the petitioners are electors, that number of persons constituting one-fourth of the electors. However, no election shall be called under Section 58238 if there are less than 12 electors residing on the land, but instead the board shall determine the matter as provided in Section 58237 of the Government Code

Whenever the district annexes land situated in a county other than Solano County, the board of supervisors, county assessor, county tax collector, and county auditor of the county in which the additional land is situated shall have all of the powers and duties in relation to the making, equalizing and collection of taxes for district purposes which are given to the same county officials of Solano County by Sections 16 and 17.

The taxes of the district levied in any county other than Solano County shall be collected at the same time and in the same manner as county taxes When collected, the amount shall be paid to the Treasurer of Solano County and shall be held by him in the fund provided for in Section 16."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1753**—An act to repeal Chapter 2 (commencing at Section 4659), Chapter 8 (commencing at Section 5500), Chapter 9 (commencing at Section 5700), and Chapter 10 (commencing at Section 5900) of Part 3, Division 5 of the Health and Safety Code, and the Municipal Sewer District Act of 1939 (Ch. 24, Stats. 1939), and all acts and parts of acts amendatory thereof and supplementary thereto, relating to sewer and sanitation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 5 of the title of the printed bill, strike out "and the Municipal Sewer District Act of 1939"; strike out line 6 of the title; and in line 7 thereof, strike out "amendatory thereof and supplementary thereto,".

**Amendment No. 2**

On page 1, line 5, strike out "and the Municipal Sewer District Act of 1939 (Chapter"; strike out line 6; and in line 7, strike out "thereof and supplementary thereto,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 922**—An act to add Section 24010 to the Government Code, relating to county officers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill after "attorney", insert ", auditor,".

**Amendment No. 2**

On page 1, line 9, after "separately.", insert "When offices have been consolidated under Chapter 7 (commencing at Section 24300) of Part 1, Division 2, Title 3 of this code, the question shall be presented on the ballot in such a way as to permit the electors to vote on the consolidated office."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1751**—An act to amend Section 11601 of the Business and Professions Code, relating to subdivisions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "subdivisions", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 17, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There is presently an unprecedented population growth within the State and within the cities therein. With it has come an urgent need for housing and adequate commercial and industrial facilities in order to maintain a high level of employment and standards of living. This need has been countered by a tremendous increase in the number of both large and small parcels of land which are being subdivided every day throughout the State. It has also resulted in the greatly expanded use of laws which provide for certain improvements to be constructed pursuant to special assessments which are collected as taxes, thus enabling more rapid development than might otherwise be possible. The use of these laws and the ability to keep pace with growth has, however, been seriously restricted by the present requirement that a bond be filed or money paid in the full amount of such assessment before the final subdivision map may be recorded, notwithstanding the bondholder has already accepted the land as his sole source of security prior thereto. Bonds for a 10- to 25-year obligation may only be obtained from a few insurance companies and at prohibitive cost. It is necessary that subdivisions be able to develop as rapidly and economically as possible in order to assure the continued orderly development of the State."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1856**—An act to add Article 12 (commencing at Section 20240) to Chapter 1 of Division 10 of the Education Code, and to add Chapter 5 (commencing at Section 23530) to Division 17 of the Education Code as enacted at the 1959 Regular Session, relating to municipal services afforded the University of California by the City of Berkeley, and declaring the urgency thereof to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, line 4, of the printed bill, strike out "shall", and insert "may".

**Amendment No. 2**

On page 2, line 5, after "city", insert "an amount not to exceed".

**Amendment No. 3**

On page 2, line 12, strike out "shall", and insert "may".

**Amendment No. 4**

On page 2, line 13, after "city", insert "an amount not to exceed".

**Amendment No. 5**

On page 2, line 18, strike out "shall", and insert "may".

**Amendment No. 6**

On page 2, line 19, after "city", insert "an amount not to exceed".

**Amendment No. 7**

On page 2, line 47, strike out "shall", and insert "may".

**Amendment No. 8**

On page 2, line 48, after "city", insert "an amount not to exceed".

**Amendment No. 9**

On page 3, line 3, strike out "shall", and insert "may".

**Amendment No. 10**

On page 3, line 4, after "city", insert "an amount not to exceed".

**Amendment No. 11**

On page 3, line 9, strike out "shall", and insert "may".

**Amendment No. 12**

On page 3, line 10, after "city", insert "an amount not to exceed".

**Amendment No. 13**

On page 3, between lines 16 and 17, insert

"SEC. 3. Section 2 of this act shall become operative at the same time as the Education Code as enacted by the Legislature at its 1959 Regular Session takes effect, at which time Article 12 (commencing at Section 20240), Chapter 1, Division 10 of the Education Code, as added by Section 1 of this act, is repealed."

**Amendment No. 14**

On page 3, line 17, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 484**—An act to amend Section 35002.3, to add Section 35200.1 to, and to repeal Sections 35158 and 35326 of the Government Code, relating to the annexation of territory by cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 6, 1959, strike out ", to add Section 35200.1 to.".

**Amendment No. 2**

In line 3 of the title, strike out the first "of".

**Amendment No. 3**

On page 1, line 5, strike out "(2) unincorporated"; strike out all of lines 6 and 7; and in line 8, strike out "cities; (3)", and insert "(2)".

**Amendment No. 4**

On page 1, line 9, strike out "is created; or (4)", and insert "and more than 300 feet long is created; or (3)".

**Amendment No. 5**

On page 1, between lines 16 and 17, insert

"SEC. 2. Sections 35158 and 35326 of said code are repealed."

**Amendment No. 6**

On page 1, strike out lines 17 to 20, inclusive; and on page 2, strike out lines 1 and 2.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2024**—An act to amend Section 58854 of the Government Code, relating to information furnished by proponents to the boundary commission for clarification of boundary changes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert

"An act to amend Section 35002 of the Government Code, relating to annexations to cities."

**Amendment No. 2**

On page 1, line 1, strike out "58854", and insert "35002".

**Amendment No. 3**

On page 1, strike out lines 3 to 16, inclusive, and insert

"35002. No petition seeking the annexation of territory to a city shall be circulated or filed, nor shall any public officer accept any such petition for filing, nor shall any legislative body initiate proceedings to annex on its own motion, until a written description of the proposal for the annexation of territory to a city has been filed with the secretary of the boundary commission of the county and the boundary commission has prepared, or caused to be prepared, a report to the proponents upon the annexation proposal with respect to the definiteness and certainty of the proposed boundaries, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory and other similar matters affecting the proposed boundaries.

*At the time of filing the proposal for the annexation with the boundary commission, the proponents shall file with the county clerk or registrar of voters, if such latter office has been established, a map of the proposal area. The map shall show the street address of each parcel of property which is nearest the proposal area boundary on every street crossing the boundary.*

*If at the hearing set by the legislative body of the city the boundaries of the proposal area are changed by such body, the proponents shall within 10 days after the final date set by law for the boundary commission to report its findings on such changes, furnish the county clerk or registrar of voters a revised map showing such changes and the street address of parcels of property which are nearest the changes in the proposal area boundary.*

Notice of receipt of a proposal for the annexation of territory to any city shall be given within 10 days after the filing thereof by the clerk of the boundary commission to the legislative bodies of all cities the territorial limits of which lie within three miles of any of the territory proposed to be annexed. Such notice shall be given by mail addressed to the legislative bodies of the cities entitled thereto and shall in general terms indicate the area proposed to be annexed. Failure to give such notice shall not operate to invalidate an annexation proceeding.

If the boundary commission does not report upon the annexation proposal within 20 days after the written description thereof is filed with the secretary of the boundary commission, the annexation proposal shall be deemed correct.

If an annexation proceeding is initiated pursuant to the Annexation Act of 1913, the written description of the proposal for the annexation of territory shall be filed with the secretary of the boundary commission after Section 35106 has been complied with and before the petition for annexation is circulated."

**Amendment No. 4**

On page 2, strike out lines 1 to 13, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 319**—An act to add Article 2.5, comprising Sections 35580 to 35587, inclusive, to Chapter 2, Part 2, Division 2, Title 4, of the Government Code, relating to the withdrawal of agricultural land from cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out ", comprising Sections 35580 to 35587, inclusive", and insert "(commencing at Section 35580)"

**Amendment No. 2**

In lines 3 and 4 of the title, strike out "agricultural land", and insert "territory".

On April 28, 1959, Assembly Journal, pages 2972 and 2973, the following amendment was ordered corrected. *See* pages 2972-2973 for the amendment, as corrected.

**Amendment No. 3**

On page 2, strike out lines 3 to 38, inclusive, and insert

"35581. Territory, consisting of tracts of land totaling in all not less than 500 acres, the outer boundaries of which are contiguous to the boundaries of any city for a distance of not less than 200 feet, shall be excluded from such city pursuant to this article.

35582. The owner of such tract, or the owners of 51 percent of the total area of such tracts may petition the board of supervisors of the county in which such tract or tracts are situated for the exclusion of such tracts from the city.

35583. The petition shall contain a description of the territory proposed to be excluded, signed by the owner or owners thereof, and shall indicate the city from which it is proposed to exclude such lands.

35584. The board of supervisors of the county in which such territory is situated shall examine the said petition and if the board finds that the county boundaries commission has made a proper examination as to the definiteness and certainty of the boundaries thereof and that the territory contains over 500 acres and is contiguous to the boundaries of the city from which it is sought to be excluded for a distance of at least 200 feet, shall cause the clerk of the board of supervisors to publish notice of the proposed exclusion in the county pursuant to Section 6061 of this code. The notice shall contain a description of the territory proposed to be excluded, and announce the time and place objections shall be heard. The clerk shall mail a copy of such notice to the legislative body of the city whose boundaries are proposed to be affected by the exclusion at least 10 days prior to the day set for hearing.

35585. The board of supervisors shall at the time and place fixed in the notice, hear all persons interested in the petition and may continue the hearing from time to time, but not for more than 45 days in all. If the board finds the petition to have been circulated according to law, and that the petition contains the signatures of owners representing 51 percent of the total area within the territory sought to be

excluded, it shall, by order entered upon its minutes, exclude from the city all of the territory described in the petition.

35586. Within 10 days thereafter, the clerk of the board shall certify and transmit a copy of the order of the board of supervisors to the Secretary of State and the legislative body of the city.

35587. The certified copy of the order of exclusion shall be filed by the Secretary of State. From the date of such filing, exclusion of the territory from the city is complete and it ceases to be a part of the city."

Bill ordered reprinted, engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2111**—An act to add Section 29333 to the Government Code, relating to county revolving funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 2

On page 1, line 11, after "county", insert "The officer charged with administering the fund shall obtain a receipt for each disbursement and periodically shall file such receipts with the county auditor or controller to obtain reimbursement to the fund"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1719**—An act to add Section 202.6 to the Revenue and Taxation Code, relating to the exemption from taxation of property used exclusively for the public schools.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1559**—An act to add Section 2509.1 to the Revenue and Taxation Code, relating to the collection of property taxes.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1560**—An act to amend Section 4149 of the Revenue and Taxation Code, relating to redemption of any parcel of tax-sold or tax-deeded property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1561**—An act to amend Section 4102 of the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1610**—An act to amend Section 6010 of the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 3, line 1, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "The", and insert "When performed outside this State or when the customer gives a resale certificate pursuant to Article 3 of Chapter 2 of this part, the".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2068**—An act to amend Sections 1141, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109 and 3110, and to repeal Sections 3106.5, 3111, and 3112, of the Revenue and Taxation Code, relating to vessels.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 3, line 39, of the printed bill, strike out "this section", and insert "Section 3104".

**Amendment No. 2**

On page 4, strike out lines 20 and 21, and insert

"(c) A public vessel of the United States.

(d) A vessel of a state, a subdivision of a state, or a municipality of a state."

**Amendment No. 3**

On page 4, line 22, strike out "(d)", and insert "(e)".

**Amendment No. 4**

On page 4, line 23, strike out "(e)", and insert "(f)".

**Amendment No. 5**

On page 4, line 36, after "annually", insert ", unless sooner terminated, discontinued, canceled, or surrendered pursuant to regulations prescribed by the board. Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of the same".

**Amendment No. 6**

On page 4, line 36, strike out "A new certificate"; and strike out lines 37 to 39, inclusive.

**Amendment No. 7**

On page 4, line 48, strike out "subdivisions (a) and (b) of".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 923**—An act to amend Sections 35120 and 35121 of the Government Code, relating to annexation procedure.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on April 13, 1959, after the period, insert "A metes and bounds description shall not be required

if the property can be otherwise described in a manner sufficient to identify it on the last equalized assessment roll."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 825**—An act to add Section 17214.3 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in the Assembly on April 13, 1959, strike out "exemption", and insert "deduction".

Bill ordered reprinted, re-engrossed, and to be filed, as amended, and the subject matter referred to the Committee on Rules.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 188**—An act to amend Section 73771 of the Government Code, relating to the municipal court in the Central Judicial District of Marin County.

Bill read second time, and ordered to third reading.

**Senate Bill No. 592**—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Bill read second time, and ordered to third reading.

**Senate Bill No. 760**—An act to add Section 50022.9 to the Government Code, relating to the adoption of ordinances by cities.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 765**—An act to add Section 25843 to the Government Code, relating to county government.

Bill real second time, and ordered to the Consent Calendar.

**Senate Bill No. 568**—An act to add Article 5 (commencing at Section 50920) to Chapter 4 of Part 1 of Division 1 of Title 5 of the Government Code, relating to extraterritorial law enforcement activities of local peace officers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, line 4, of the printed bill, as amended in the Senate on March 30, 1959, strike out "Section 3600 of the Labor Code notwithstanding.".

**Amendment No. 2**

On page 2, line 6, after the period, insert "Any injury, disability or death incurred under the circumstances described in this section shall be deemed to have arisen out

of and been sustained in the course of employment for purposes of workmen's compensation and all other benefits"

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 567**—An act to add Section 2192.1 to the Revenue and Taxation Code, relating to the effect of tax.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 685**—An act to amend Sections 2619, 2705.5 and 2922 of the Revenue and Taxation Code, relating to the delinquent dates of taxes on property.

Bill read second time, and ordered to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2044, 1884, 778,** and **782.**

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 123 CONTINUED

Mr. Elliott was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 123 from the Committee on Social Welfare be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 74**—An act to add Section 5006.5 and 5006.6 to the Education Code, relating to election campaigns.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 74?

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 13, 1959, strike out "Section 5006.5", and insert "Sections 5006.5 and 5006.6".

#### Amendment No. 2

On page 1, after line 15, insert

"SEC. 2. Section 5006.6 is added to said code, to read

5006.6. Every person is guilty of a misdemeanor who, while a candidate for public office, with intent to mislead the electors in connection with his campaign for nomination or election to such office, represents, by his own statements or conduct, that he is the incumbent of such office when such is not the case. Any violation of this section may be enjoined in a civil action brought by the person who is in fact the incumbent of such office at the time such violation occurs."

The Assembly concurred in Senate amendments to Assembly Bill No. 74 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Cusanovich, Dahl, Davis, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rumford, Sedgwick, Shell, Sumner Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—54.

NOES—None.

~~Assembly Bill No. 74 ordered enrolled.~~

NOTE—Later this day, a motion to reconsider the vote on the Senate amendments to Assembly Bill No. 74 was offered; and still later in the day, the motion was waived. *See* pages 2933 and 2934

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 433

In compliance with a motion given on a previous day, Mr. Bradley moved that the vote whereby Assembly Bill No. 433 was passed be reconsidered.

### Hon. Augustus F. Hawkins Presiding

At 10.25 a.m., Hon. Augustus F. Hawkins, Member of the Assembly from the Sixty-second District, presiding

The question being on the motion to reconsider.

Assembly Bill No. 433 refused reconsideration by the following vote:

AYES—Backstrand, Beaver, Belotti, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Cusanovich, Dahl, Ernest R. Geddes, Holmes, Johnson, Lanterman, Levering, Mulford, Reagan, Shell, Sumner, and Thelin—21

NOES—Bruce F. Allen, Don A. Allen, Bee, Biddick, Burton, Busterud, Conrad, Crawford, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—48

Assembly Bill No. 433 ordered transmitted to the Senate.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 211**—An act to amend Sections 18350, 18355, and 18444 of, and to add Section 18350.5 to, the Health and Safety Code, relating to auto and trailer parks and tent camps.

The question being "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 211?"

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly March 20, 1959, strike out "18001, 18002,".

### Amendment No. 2

On page 1, strike out all of lines 1 to 21, inclusive

### Amendment No. 3

On page 2, line 1, strike out "SEC. 3", and insert "SECTION 1"

### Amendment No. 4

On page 2, line 8, strike out the second "and", and on line 9, strike out "mobile home parks".

### Amendment No. 5

On page 2, line 10, strike out "trailers," and insert "and"

### Amendment No. 6

On page 2, line 10, strike out "and mobile homes"

### Amendment No. 7

On page 2, line 23, strike out "SEC. 4", and insert "SEC. 2".

**Amendment No. 8**

On page 2, line 24, strike out "and mobile home parks".

**Amendment No. 9**

On page 2, line 26, strike out "and mobile homes".

**Amendment No. 10**

On page 2, line 29, strike out "SEC. 5", and insert "SEC. 3".

**Amendment No. 11**

On page 2, line 38, strike out "SEC. 6", and insert "SEC. 4".

**Amendment No. 12**

On page 2, line 3, of the printed bill, as amended in the Senate on April 20, 1959, strike out "said code", and insert "the Health and Safety Code".

The Assembly concurred in Senate amendments to Assembly Bill No. 211 by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None

Assembly Bill No. 211 ordered enrolled.

**Assembly Bill No. 1192**—An act to amend Sections 5781.10 and 5781.12 of, and to add Sections 5781.20, 5781.21, 5781.22, 5781.23, 5781.24, 5781.25, and 5781.26 to, the Public Resources Code, relating to recreation and park districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1192?

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on March 12, 1959, strike out "fifty-fourth", and insert "sixtieth".

**Amendment No. 2**

On page 1, line 4, strike out ", at 12 o'clock noon,".

The Assembly concurred in Senate amendments to Assembly Bill No. 1192 by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—67.
NOES—None.

Assembly Bill No. 1192 ordered enrolled.

**Speaker Presiding**

At 10 37 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### PARLIAMENTARY INQUIRY

Mr. Britschgi arose to the following parliamentary inquiry: Is there any rule which prohibits the placement of urgency measures on the Consent Calendar?

#### Reply by Speaker

The Speaker replied that there was no such rule.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 288**—An act to amend Sections 4501, 4552 and 4553 of the Welfare and Institutions Code, relating to medical care for recipients of aid to the disabled.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 288?

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "4501 and 4552", and insert "4501, 4552 and 4553".

#### Amendment No. 2

On page 2, after line 23, insert

"SEC. 3. Section 4553 of said code is amended to read:

4553 In advance of each quarter the State Department of Social Welfare shall certify to the Controller the estimated amount to be transferred pursuant to Section 4552.

The State Controller shall transfer the amount of the estimated required premium deposits, as reduced by the amount estimated to be received from the Federal Government, from the General Fund to the Medical Care Premium Deposit Fund. In like manner the State Controller shall transfer from the Social Welfare Federal Fund to the Medical Care Premium Deposit Fund those funds which are received from the Federal Government to be expended for medical care in behalf of public assistance recipients *Such transfers from the Social Welfare Federal Fund shall be equal to three dollars ($3) for each adult recipient and one dollar and fifty cents ($1.50) for each child recipient for whom federal funds are received*

The amounts to be transferred to the Medical Care Premium Deposit Fund shall be increased or decreased by the sums by which transfers for any previous quarter were smaller or larger than the amount of premium deposits determined to have been required under Section 4552"

#### Amendment No. 3

On page 2 of the printed bill, as amended in the Senate on March 25, 1959, after line 41, insert

"SEC. 4 This act shall become operative October 1, 1959."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 288 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 288 ordered enrolled.

### APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Bane, Collier, Lanterman, Crown, Nisbet, and Rees as a Select Committee to escort to the rostrum six of Hawaii's most beautiful girls

### RECESS

At 10.40 a.m., Speaker Brown declared the Assembly at recess until 10.45 a.m. to hear from Miss Barbara Vierra, former "Miss Hawaii"; and to meet Misses Rennette Wright, Paulme DeSilva, Jude Ing, Hatsue Han, and Helen Kuoha, goodwill representatives of the new State of Hawaii, who presented Hawaiian leis to Speaker Brown.

### REASSEMBLED

At 10 45 a m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1759**—An act to amend Section 2226 of the Welfare and Institutions Code, relating to liens for county hospital care.

Bill read third time.

#### Speaker pro Tempore Presiding

At 10.50 a.m., Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding

#### Demand for Previous Question

Messrs Charles H. Wilson, Schrade, Luckel, Holmes, and Pattee demanded the previous question Demand sustained.

The question being on the passage of the bill.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Mr. Elliott seconded the motion.

Motion carried. Time, 11 16 a m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY
### BY UNANIMOUS CONSENT

#### Speaker Presiding

At 11 17 a m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 203**—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

### Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

### Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on March 26, 1959, after "onsale", insert "and off-sale".

Amendment read.

### Roll Call Demanded

Messrs. Wilson, Crawford, and Schrade demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Backstrand, Beaver, Burke, Chapel, Collier, Conrad, Crawford, Cusanovich, Davis, Donahoe, Elliott, Garrigus, Ernest R. Geddes, Hawkins, House, Kilpatrick, Levering, Lowrey, Masterson, Munnell, Nisbet, Porter, Reagan, Schrade, Shell, Thelin, Thomas, and Williamson—28

NOES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Coolidge, Crown, Cunningham, DeLotto, Francis, Frew, Gaffney, Samuel R. Geddes, Hanna, Johnson, Kennick, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Z'berg—41.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Burton, Chapel, Collier, Coolidge, Cusanovich, Lunardi, O'Connell, and Sumner—8

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1505**—An act to amend Sections 370 and 370.1 of the Elections Code, relating to indexes of voter registrations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1176**—An act to amend Sections 13406, 13407, 15207 and 15208, and to repeal Section 13989, of the Revenue and

Taxation Code, relating to inheritance and gift taxation, to take effect immediately.

Bill read third time.

### Request for Unanimous Consent

Speaker Brown was granted unanimous consent that certain experts from the Department of Finance be permitted to sit at Mr. MacBride's desk during consideration of his tax bills.

### Notice Served

Mr. Levering served notice that he would offer an amendment to the Rules which would prevent any person, including former Members of the Assembly, from entering the floor of the Assembly during session without permission of the House.

### Demand for Previous Question

Messrs. Waldie, Schrade, Luckel, Pattee, and Biddick demanded the previous question. Demand sustained.

The question being on the passage of the bill.

### Point of Personal Privilege

Mr. Shell arose on a point of personal privilege.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Kennick, Lowrey, Luckel Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—46

NOES—Backstrand, Beaver, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Francis, Samuel R Geddes, Holmes, House, Johnson, Lanterman, Levering, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, Sumner, and Thelin—27.

Bill ordered transmitted to the Senate.

### Parliamentary Inquiry

Mr. Chapel arose to the following parliamentary inquiry: How many votes are required for passage of the tax bills?

### Reply by Speaker

The Speaker replied that 41 "aye" votes are necessary for passage.

**Assembly Bill No. 1173**—An act to amend Sections 19485, 19485.1, 19597 and 19620.1, and to repeal Section 19627.1, of the Business and Professions Code, relating to revenue derived from horse racing, to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. Charles H. Wilson moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, after "19485.1," insert "19538,".

### Amendment No. 2

On page 2, between lines 27 and 28, insert

"SEC. 2.5. Section 19538 of said code is amended to read:

19538. The board may grant not to exceed five additional racing days to each licensee during any one meeting, to be conducted as charity days by such licensee for the purpose of distribution of the net proceeds therefrom and hereinafter defined

to beneficiaries through the distributing agent, as provided herein. The board shall require that the licensee of such meeting shall conduct such charity day racing and shall furnish its plant, facilities and all personnel and property necessary for the conduct of racing on the charity days as a condition of the issuance of a license to the licensee for the meeting. All racing officials required by law or regulation to serve in connection with the meeting shall also serve, without further authority or designation, in their respective capacities and at the same rate of compensation in connection with the charity day racing

On such charity days the income from all operations carried on in connection with or resulting from the conduct of racing on such days, including income for parimutuel wagering, admissions, parking, program sales and concessions shall be income from operations on such charity days. *On such charity days the license fees provided for in Sections 19485 and 19485.1 shall not be paid but the licensee shall deduct an equivalent amount from the total handled in the parimutuel pools on such days and the amounts so deducted shall be added to and become a part of the gross income from operations on such charity days.* From the gross income from such operations on charity days there shall be deducted only the expenses incurred because of the conduct of racing on such days, but no deduction shall be made by the licensee for any overhead expenses or for expenses of the licensee which would be incurred irrespective of the conduct of the charity days racing The balance of such income after such deductions is herein designated as charity days' net proceeds and shall be paid by such licensee to a distributing agent selected and qualified in accordance with Section 19538.1 hereof. No profit shall be made, either directly or indirectly, from such charity days' operations by the licensee of the meeting.

Amendments read.

**Roll Call Demanded**

Messrs. Charles H. Wilson, Hawkins, and Schrade demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Don A Allen, Backstrand, Belotti, Britschgi, Burke, Chapel, Collier, Coolidge, Cunningham, Cusanovich, Dahl, Dills, Francis, Gaffney, Samuel R. Geddes, Grant, Hawkins, Johnson, Lanterman, Levering, Marks, McCollister, Pattee, Reagan, Schrade, Shell, Thelin, and Charles H Wilson—28.

NOES—Bruce F Allen, Bane, Beaver, Bee, Biddick, Bradley, George E. Brown, Burton, Busterud, Conrad, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Hanna, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—48.

The question being on the passage of the bill.

**Point of Personal Privilege**

Mr. Sumner arose to a point of personal privilege.

Speaker Brown ruled that Mr. Sumner was not speaking to a point of personal privilege.

**Demand for Previous Question**

Messrs Rees, Schrade, Luckel, Ernest R. Geddes, and Burton demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bane, Bee, Biddick, Bradley, George E. Brown, Burton, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—44.

NOES—Don A. Allen, Backstrand, Beaver, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Dills, Francis, Samuel R. Geddes, Hawkins, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, Sumner, Thelin, and Charles H. Wilson—32.

Bill ordered transmitted to the Senate.

### EXPLANATION OF VOTE ON ASSEMBLY BILLS NOS. 1176 AND 1173

I voted no on these bills, because I am against any tax increases until it can be proved to my satisfaction that they are absolutely necessary. In the absence of the budget this cannot be proved.

L. M. BACKSTRAND
ALAN G. PATTEE

### EXPLANATION OF VOTE ON ASSEMBLY BILL NO. 1173

In the event that new taxes become necessary, we feel that increased taxes on horse racing are justified. However, we voted "No" on Assembly Bill No. 1173 because we also feel that until the budget is presented to the Assembly for passage it cannot be determined what additional taxes may be required to carry on the necessary functions of government.

MILTON MARKS
JOHN A. BUSTERUD

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1729 FROM COMMITTEE

Mr. Chapel was granted unanimous consent that Assembly Bill No. 1729 be withdrawn from the Committee on Revenue and Taxation for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1729

**Assembly Bill No. 1729**—An act to add Part 20 (commencing at Section 37000) to Division 2 of the Revenue and Taxation Code, relating to the licensing of vending machines and the taxation of their ownership.

Bill read second time.

#### Motion to Amend

Mr. Chapel moved the adoption of the following amendments:

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 20, 1959, strike out lines 1 to 26, inclusive, and insert

"37003. "Vending machine" and "machine" mean any mechanical device

(a) The operation of which depends upon the insertion of a coin or other thing representative of value in the denomination of five cents ($0.05) or more; and

(b) Which dispenses or vends amusement of any kind, music, music and a moving picture, or a moving picture, or which is used or operated for dispensing or vending amusement of any kind, music, music and a moving picture, or a moving picture."

#### Amendment No. 2

On page 2, line 27, strike out "37005", and insert "37004".

#### Amendment No. 3

On page 2, strike out lines 31 to 43, inclusive, and insert

"37015. For the privilege of engaging in the business of keeping, maintaining or operating any vending machine, an annual tax is hereby imposed on the person so engaged at the rate of ten dollars ($10) per year for each vending machine so kept, maintained or operated."

#### Amendment No. 4

On page 3, strike out lines 1 to 8, inclusive.

#### Amendment No. 5

On page 3, line 14, strike out "owner of a machine kept or operated", and insert "person who engages in or conducts the business of keeping, maintaining or operating a vending machine".

#### Amendment No. 6

On page 3, line 17, strike out "becomes the owner of", and insert "engages in or conducts the business of keeping, maintaining or operating"

Amendment No. 7

On page 5, line 15, strike out "owns", and insert "engages in or conducts the business of keeping, maintaining or operating".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Rush Order Placed Upon Printing of Assembly Bill No. 1729

Mr. Chapel was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1729.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 330 FROM COMMITTEE

Mr. Hanna was granted unanimous consent that Assembly Bill No. 330 be withdrawn from the Committee on Public Utilities and Corporations for purpose of amendment, and that the bill be re-referred to the committee.

Consideration of Assembly Bill No. 330

**Assembly Bill No. 330**—An act to add Section 6018 to the Public Utilities Code, relating to public utilities.

Bill read second time.

Motion to Amend

Mr. Hanna moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6018", and insert "6002.5".

Amendment No. 2

On page 1, line 1, strike out "6018", and insert "6002.5".

Amendment No. 3

On page 1, line 3, strike out "6018", and insert "6002.5".

Amendment No. 4

On page 1, line 4, after "utility", insert "or public district to make an excavation, fill, or obstruction in order".

Amendment No. 5

On page 1, line 6, strike out "the excavation, fill or obstruction on".

Amendment No. 6

On page 1, strike out line 8, and insert "public utility or public district shall agree that upon the receipt".

Amendment No. 7

On page 1, line 12, after "will", insert ", within such reasonable time as shall be specified by the city,".

Amendment No. 8

On page 1, line 15, strike out "them", and insert "it".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

## MOTION TO SET ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33 FOR SPECIAL ORDER

Mr Porter moved that Assembly Constitutional Amendment No. 33 be made a special order of business for Tuesday, April 28, 1959, at 10 a m.

Motion carried by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

## MOTION TO SET ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26 FOR SPECIAL ORDER

Mr. Bruce F. Allen moved that Assembly Constitutional Amendment No. 26 be made a special order of business for Tuesday, April 28, 1959, at 10.15 a m.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75

NOES—None.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 366
Assembly Bill No. 947
Assembly Bill No. 1012
Assembly Bill No. 1013
Assembly Bill No. 1092
Assembly Bill No. 1266
Assembly Bill No. 1557
Assembly Bill No. 1640
Assembly Bill No. 1702
Assembly Bill No. 1719
Assembly Bill No. 1976
Assembly Bill No. 2028
Assembly Bill No. 2066
Assembly Bill No. 2112
Assembly Bill No. 2154

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 27, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1090
Assembly Bill No. 1204
Assembly Bill No 1559
Assembly Bill No. 1560
Assembly Bill No. 1561
Assembly Bill No. 2010
Assembly Bill No 2018
Assembly Bill No. 2084
Assembly Bill No 2085
Assembly Bill No. 2107
Assembly Bill No. 2126

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1015
And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1661
Assembly Bill No. 1886
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 88
And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Education.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2109
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Government Organization.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kilpatrick was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO FOSTER HOMES AND ADOPTION

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 26, 1959

*Hon. Vernon Kilpatrick*
*Assembly Chamber*

**Foster Homes and Adoption—No. 13397**

DEAR MR. KILPATRICK: You have submitted to us three questions which we will answer in series:

*Question No. 1*

Is there a state interest in foster homes and adoption, and, if so, when did the State assume such interest.

*Opinion No. 1*

In our opinion, there is a state interest in foster homes and adoption The first adoption law was enacted in 1870, whereas the State has licensed foster homes for children since at least 1925.

*Analysis No. 1*

The State occupies the position of parens patriae and in that capacity has a continuing interest in the welfare of minor children within its

borders. It has been held by the courts that it is unquestionably a function of this power, as well as the duty of the State, to guide its helpless young, and it is competent for the Legislature to provide for the protection of children (*In re Weber,* 149 Cal. 392).

The Legislature has full power to regulate the adoption of children (*Estate of Stevens,* 83 Cal. 322; *Estate of Calhoun,* 44 Cal. 2d 378). Not only is the adoption law contained in the Civil Code purely of statutory origin, but the State licenses all agencies, public or private, which place children for adoption (W. & I. C. Secs. 1620, 1640). The first adoption law was enacted in 1870 (Stats. 1870, p. 530).

The State, through the State Department of Social Welfare, also licenses and regulates persons and organizations engaged in providing foster homes for children, although the state department is authorized to delegate this function to counties and cities (W. & I. C. Secs. 1620, 1622). This licensing function has existed since at least 1925 (See Stats. 1925, Ch. 18).

*Question No. 2*

To what extent does the State contribute to the foster home and adoption programs?

*Opinion and Analysis No. 2*

The State pays all administrative costs of the adoption program, after deducting such amounts as are paid in the way of fees by prospective adoptive parents (W. & I. C. Sec. 1641).

With respect to foster homes, the State pays each county or city which undertakes to license or regulate such homes on behalf of the State $65 for each new or renewal license granted (W. & I. C. Sec. 1622). The State does not pay for the costs of care for children placed in a licensed home, although the aid to needy children program is available for such children if they are qualified (W. & I. C. Secs. 1511, 1557).

*Question No. 3*

Did House Resolution No. 202 exceed the authority of the Assembly?

*Opinion No. 3*

In our opinion, House Resolution No. 202 did not exceed the authority of the Assembly.

*Analysis No. 3*

House Resolution No. 202 (Assembly Journal, p. 2460) directs the Assembly Standing Committee on Social Welfare to "ascertain, study and analyze all facts relating to social welfare and the administration by the State and counties of the social welfare program, including adoption procedures and practices and any and all other matters relating to the administration of the social welfare programs including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution. * * *"

There is no question as to the authority of each house of the Legislature to create committees, by resolution, to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control. This authority is expressly conferred on both houses

of the Legislature by Article IV, Section 37 of the State Constitution. Since the subject of social welfare, as well as adoptions, are unquestionably subjects within the scope of legislative regulation or control, it would follow that the Assembly would not exceed its authority by adopting House Resolution No. 202.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD K. PURCELL, Deputy

## ASSEMBLY BILL NO. 1578 WITHDRAWN FROM CONSENT CALENDAR

Mr. Bradley was granted unanimous consent that Assembly Bill No. 1578 be withdrawn from the Consent Calendar and placed on the third reading file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Busterud was granted unanimous consent to take up Assembly Bill No. 1836 for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 1836

**Assembly Bill No. 1836**—An act to add Section 11580.2 to the Insurance Code, relating to uninsured motorist coverage.

Bill read third time.

### Motion to Amend

Mr. Busterud moved the adoption of the following amendment:

### Amendment No. 1

On page 3, line 9, of the printed bill, strike out "Chapter", and insert "Division".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

## MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 74

Mr. Burton moved to reconsider on the next legislative day the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 74. (Assembly Journal, page 2921)

Assembly Bill No. 74 and the motion to reconsider Senate amendments thereto ordered to the unfinished business file.

NOTE—Later this day, the above motion to reconsider was waived. *See* page 2934.

### Parliamentary Inquiry

Mr. Winton arose to the following parliamentary inquiry: Is the House on the order of business of motions and resolutions?

### Reply by Speaker

The Speaker replied that it was.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1759

At 12.22 p.m., Mr. Hawkins moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 1759 refused passage by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, George E. Brown, Burton, Chapel, Coolidge, Crown, Cunningham, Dills, Elliott, Francis, Frew, Gaffney, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, MacBride, McCollister, McMillan, Meyers, Munnell, O'Connell, Pattee, Porter, Rumford, Thomas, Unruh, George A. Willson, Charles H. Wilson, and Mr. Speaker—35.

NOES—Bruce F. Allen, Backstrand, Beaver, Biddick, Bradley, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Garrigus, Hanna, House, Johnson, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, Miller, Mulford, Nisbet, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, Winton, and Z'berg—40.

### SENATE BILLS NOS. 772 AND 194 RE-REFERRED TO COMMITTEE

Speaker Brown ordered the following bills re-referred to committee:

**Senate Bill No. 772** to the Committee on Judiciary—Civil.

**Senate Bill No. 194** to the Committee on Ways and Means.

### MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 74 WAIVED

Mr. Burton waived his motion to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 74 (Assembly Journal, pages 2921 and 2933).

Assembly Bill No. 74 ordered enrolled.

### EXPLANATION OF ABSENCE

April 27, 1959

I missed certain roll calls this morning because I was attending to legislative duties elsewhere in the Capitol.

CHARLES W. MEYERS

### ADJOURNMENT

At 12.23 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 28, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY

EIGHTY-SECOND CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, April 28, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk Norman Jachens at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, Give to this Assembly an ideal of public service which is as broad as the needs of all California citizens. When the day-by-day routine settles down to a test of private perseverance and endurance, keep our eyes on the stars, and our feet on the ground of practical affairs, and may we find Thee, O God, in both places. Let nothing ever shatter the high purposes which we bring to the work of this Assembly. Even though our ideas do not prevail, and we sometimes feel helpless and frustrated, comfort us with the knowledge that no good effort is ever without some good effect, and that it is better to fail in a cause which must ultimately win, than to succeed in a program which is doomed to ultimate failure. Thy will be done, O God, now or later.—AMEN.

### READING OF THE JOURNAL DISPENSED WITH

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Backstrand, seconded by Mr. Mulford.

### LEAVES OF ABSENCE FOR A PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere

Mr. Cusanovich, on motion of Mr. Shell.

Mr. Shell, on his own request.

### COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Wade F. Sorme of Taft, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

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Henry A. Schult of Los Angeles, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Frew was granted unanimous consent that the following communication be ordered printed in the Journal:

### COMMUNICATION FROM COMMITTEE ON LEGISLATIVE REPRESENTATION

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, April 21, 1959

*Hon. Stanley Mosk*
*The Attorney General*
*Library and Courts Building, Sacramento*

DEAR GENERAL MOSK: As Chairman of the Special Assembly Committee on Legislative Representation I have been instructed by the committee to refer to you, as Chief Law Officer of the State and as the officer having direction and control of the State Bureau of Criminal Identification and Investigation the matters set forth below. Assemblyman Charles Edward Chapel, a member of this committee, has presented this material to the committee Before deciding whether to investigate these matters the committee desires to have your views as to whether the laws relating to influencing legislation (Gov. C. Secs. 9900-9911) or any other laws have been violated under such circumstances as to make criminal prosecution likely. The committee does not want to interfere in any way with any law enforcement proceeding which may result from the facts set forth herein.

The incident which gives rise to this request is reflected in three communications published in the Assembly Journal. The first of these is a letter written by Perry Taft, printed on pages 1712 and 1713 of the Assembly Journal for March 23, 1959, in which the author specifies he is interested in Assembly Bill No 1729 "because of my interest in the measure as California tax counsel for the National Automatic Merchandising Association," and in which he in effect solicits the initiation of a letter-writing campaign to defeat the bill.

The second communication is a letter to Assemblyman Chapel printed on page 1830 of the Assembly Journal for March 26, 1959. This letter

declares that Perry Taft was not registered as a legislative advocate for anyone except the Association of Casualty and Surety Companies.

The third communication is a statement of Assemblyman Chapel which is printed in the Assembly Journal for April 9, 1959, at pages 2258 to 2260, inclusive.

Copies of each of the Journals referred to above are enclosed for your convenience. The members of the committee recognize that you will be faced with the necessity of securing additional facts from various sources, and that this may take some time. However, they would appreciate being advised as to the results of your investigation at the earliest possible date.

Sincerely yours,

MYRON H. FREW, Chairman
Assembly Committee on
Legislative Representation

Encls.

## RESOLUTIONS

The following resolution was offered:

By Mr. Conrad:

### House Resolution No. 224

Relating to Dr. Max Nussbaum

WHEREAS, The life and achievements of Dr. Max Nussbaum are so extraordinary as to have been the subject of the nationally televised show "This Is Your Life" on April 22, 1959, the Eve of Passover; and

WHEREAS, The Eve of Passover was appropriately chosen as the occasion for honoring Doctor Nussbaum in view of his participation in a modern-day exodus from Nazi Germany that in some ways paralleled the great biblical exodus which preceded the first Passover; and

WHEREAS, Doctor Nussbaum was born in Roumania on April 4, 1910, with a rabbinical heritage, for his father, grandfather and other forebears were rabbis; and

WHEREAS, He followed in their footsteps, studying for the rabbinate at the rabbinical seminary in Breslau, Germany, and earning his way through the Universities of Breslau and Wurzburg, and receiving the degree of Doctor of Philosophy; and

WHEREAS, Doctor Nussbaum was ordained a rabbi in 1936, and gave aid and comfort to his people in that capacity at the risk of his life during the period of Nazi persecution and oppression in Germany; and

WHEREAS, He was instrumental in assisting many of the oppressed and persecuted in escaping from Nazi Germany; and

WHEREAS, After many harrowing experiences and under threat of arrest and death, Doctor Nussbaum himself escaped the Nazis and migrated to the United States, where in 1942 he was appointed Rabbi of Temple Israel in Hollywood, California; and

WHEREAS, Doctor Nussbaum was the cornerstone in the establishment of the Hollywood Inter-Faith Forum, which has done much to increase understanding and co-operation among various religious groups, and

WHEREAS, Doctor Nussbaum has performed a leading role in raising funds for and serving in various ways the people of all faiths, and

WHEREAS, In his own faith Doctor Nussbaum became Chairman of the National Executive Council of the Zionist Organization of America, the National Vice President of the American Jewish Congress, and a director of the United Israel Appeal; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Dr. Max Nussbaum is an outstanding example of the type of citizen of which this State can be justly proud and that this body commends Doctor Nussbaum for his outstanding career as religious leader, humanitarian and spearhead of inter-faith understanding and co-operation; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Dr. Max Nussbaum of Hollywood, California.

Resolution read, and referred to the Committee on Rules

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 115**: By Mr. Waldie—Relative to the construction of a freeway through the City of Concord.

Referred to Committee on Rules.

**Assembly Bill No. 2646**: By Messrs. Lanterman and Miller—An act to add Article 4.5 (commencing at Section 1110) to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to conflicts of interest in the performance of official duties by Members of the Legislature and legislative employees

Referred to Committee on Government Organization.

**Assembly Bill No. 2647**: By Mr Lowrey—An act to repeal Article 5 (commencing at Sec. 35300), Chapter 1, Part 2, Division 2, Title 4 of the Government Code, relating to annexation of uninhabited territory by cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2648**: By Mr. Lowrey—An act to amend Section 10752 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to schools.

Referred to Committee on Education.

**Assembly Bill No. 2649**: By Mr. Levering—An act to amend Section 20901 of the Education Code as enacted at the 1959 Regular Session and Section 26906.1 of the Government Code, relating to the impounding of disputed tax revenues.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2650**: By Mr. Waldie—An act to amend Section 537 of the Penal Code, relating to defrauding innkeepers.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2651**: By Messrs. Pattee and House—An act to add Sections 813.6, and 828.61 to the Agricultural Code, relating to fruit, nut, and vegetable standards.

Referred to Committee on Agriculture.

**Assembly Bill No. 2652**: By Mr. Bee—An act to add Section 19605.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State School Aid Building Law of 1952.

Referred to Committee on Education.

**Assembly Bill No. 2653**: By Mr. Charles H. Wilson—An act to add Section 21251.6 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2654**: By Messrs. Cunningham and Bane—An act to add Section 6508.5 to the Business and Professions Code, relating to the practice of barbering

Referred to Committee on Public Health.

**Assembly Bill No. 2655**: By Messrs. Waldie and Masterson—An act to amend Sections 1030 and 1256 of the Unemployment Insurance Code, relating to Unemployment Insurance Code.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2656**: By Messrs. Elliott, Charles H. Wilson, Hawkins, Chapel, Don A. Allen, Bane, George E. Brown, Burton, Kilpatrick, and Thomas—An act to amend Section 25351.3 of the Government Code, relating to powers and duties of boards of supervisors.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2657**: By Messrs. Meyers, O'Connell, Gaffney, Busterud, Burton, and Marks—An act to amend Section 870 of the Welfare and Institutions Code, relating to wards of the juvenile court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2658**: By Mr. Mulford—An act to amend Section 1944 of the Labor Code, relating to public works and public agencies.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2659**: By Mr. Marks—An act to add Section 409 to the Revenue and Taxation Code, relating to the assessment of inventories

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2660**: By Messrs. Marks, Busterud, Hawkins, Elliott, Biddick, Burton, Gaffney, Meyers, O'Connell, and Sedgwick—An act to amend Section 2181 of the Welfare and Institutions Code, relating to relatives' responsibility under the Old Age Security Law.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2661**: By Mr. Miller—An act making an appropriation to pay the expenses of Members of the Assembly, to take effect immediately.

Referred to Committee on Rules.

**Assembly Bill No. 2662**: By Messrs. Rees, Johnson, Porter, Unruh, Bane, George E. Brown, Chapel, Cusanovich, Elliott, Kennick, McMillan, Miller, and George A. Willson, and Senator Richards, co-author—An act to add Sections 110, 4167, 4310 and 6053 to, to amend Section 4750 of, and to add Articles 2.5 (commencing at Section 27175) and 2.6 (commencing at Section 27250) to Chapter 5 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the prevention of air pollution by motor vehicles.

Referred to Committee on Public Health.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 389**—An act to amend Section 4184 of the Fish and Game Code, relating to bears;

**Assembly Bill No. 535**—An act to add Section 13831.7 to the Education Code, and to add Section 13516.5 to the Education Code as proposed by Senate Bill No. 2, relating to the salaries of certificated employees of school districts;

**Assembly Bill No. 551**—An act to amend Section 24005 of the Government Code, relating to vacations of county employees;

**Assembly Bill No. 552**—An act to amend Section 53205.1 of the Government Code, relating to premium payments by local agencies from public funds;

**Assembly Bill No. 714**—An act to add Section 30.2 to, and to amend Section 1300.10 of, the Agricultural Code, relating to the floriculture and nursery products industries, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 889**—An act to amend Section 511.3 of the Vehicle Code and to add Section 22413 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the establishing of maximum speed limits by local authorities on streets with a grade in excess of 10 percent, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 915**—An act to amend Section 13061 of the Education Code, and Section 13302 of the Education Code as proposed by Senate Bill No. 2, relating to special lectures;

**Assembly Bill No. 917**—An act to amend Section 6806 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to contracts for education of physically handicapped minors;

**Assembly Bill No. 1033**—An act to amend Section 3044 of, and to repeal Section 9481 of, the Elections Code, relating to municipal elections;

**Assembly Bill No. 1646**—An act to amend Section 960 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections;

**Assembly Bill No. 118**—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896 and 2899 of, and to repeal Sections 2674, 2742, 2794 and 2795 of, the Elections Code, relating to partisan candidates;

**Assembly Bill No. 258**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to the commencement of aid payments to applicants for public assistance.

**Assembly Bill No. 713**—An act to add Section 19622.8 to the Business and Professions Code, relating to the 48th District Agricultural Association, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 824**—An act to amend Section 8304 of the Fish and Game Code, relating to abalones;

**Assembly Bill No. 999**—An act to amend Sections 17734, 18003, 18004, 18007, 18167, 18802, 19051, and 19053.7 of the Revenue and Taxation Code, relating to personal income taxes;

**Assembly Bill No. 1202**—An act to amend Section 25123 of the Government Code, and Section 1051 of the Elections Code, relating to effective date of county ordinances,

**Assembly Bill No. 1274**—An act to amend Section 8222 of the Fish and Game Code, relating to salmon;

**Assembly Bill No. 1645**—An act to amend Section 943 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections;

And reports the same correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

**Assembly Joint Resolution No. 27**—Relative to nonstop jet airliner service between San Francisco and New York,

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-seventh day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined,

| | |
|---|---|
| Assembly Bill No. 405 | Assembly Bill No. 898 |
| Assembly Bill No. 406 | Assembly Bill No. 1253 |
| Assembly Bill No. 594 | Assembly Bill No. 1733 |

And reports the same correctly re engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 27, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 65
Assembly Bill No. 145
Assembly Bill No 408
Assembly Bill No. 444
Assembly Bill No. 689
Assembly Bill No. 913
Assembly Bill No 1555

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 664

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1836

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1000

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 825
Assembly Bill No 1729

And reports the same correctly re-engrossed

BURKE, Chairman

Assembly Bill No 825 ordered filed, and the subject matter referred to the Committee on Rules for assignment to the appropriate interim committee for study.

Assembly Bill No. 1729 re-referred to the Committee on Revenue and Taxation.

## Committee on Ways and Means

ASSEMBLY CHAMBER, April 27, 1959

MR SPEAKER Your Committee on Ways and Means reports:

Senate Bill No 514
Senate Bill No 671

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1420
Assembly Bill No 1571

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 64
Assembly Bill No. 715
Assembly Bill No. 868
Assembly Bill No. 885
Assembly Bill No. 1179
Assembly Bill No. 1787
Assembly Bill No. 1794

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1469

With amendments with the recommendation: Be amended; that the bill be filed, as amended, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2071
Assembly Bill No. 2124

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2216

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2086
Assembly Bill No. 2099
Assembly Bill No. 2121
Assembly Bill No. 2122
Assembly Bill No. 2205
Assembly Bill No. 2206

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1843

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Senate Bill No 232

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1871

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports.

Assembly Bill No. 670
Assembly Bill No. 2054

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports.

Senate Bill No 57
Senate Bill No. 456

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 202
Assembly Bill No. 708

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No 235
Senate Bill No. 148

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1958

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 193
Assembly Bill No. 197
Assembly Bill No. 226
Assembly Bill No. 842
Assembly Bill No. 860
Assembly Bill No. 916
Assembly Bill No. 956
Assembly Bill No. 1201
Assembly Bill No. 1510
Assembly Bill No. 1763

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 111

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 159
Assembly Bill No. 237
Assembly Bill No. 241
Assembly Bill No. 341
Assembly Bill No. 597
Assembly Bill No. 712
Assembly Bill No. 753
Assembly Bill No. 904
Assembly Bill No. 1277
Assembly Bill No. 1280
Assembly Bill No. 1343

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 27, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 28

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, April 22, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 1006

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 1006**—An act to amend Section 1066 of the Public Utilities Code, relating to carrier rates.

Referred to Committee on Public Utilities and Corporations.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 24, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 86
Senate Bill No. 316
Senate Bill No. 317
Senate Bill No. 318
Senate Bill No. 319
Senate Bill No. 487
Senate Bill No. 577
Senate Bill No. 607
Senate Bill No. 715
Senate Bill No. 716
Senate Bill No. 835
Senate Bill No. 865
Senate Bill No. 1007

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 86**—An act to add Section 7717.6 to the Education Code, and Section 19588.1 to the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Referred to Committee on Education

**Senate Bill No. 316**—An act to amend Section 11274 of the Government Code, relating to general administrative costs.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 317**—An act to add Section 13012 to the Government Code, relating to approvals or authorizations by the director or the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 318**—An act to amend Sections 15857 and 15859 of the Government Code, relative to the aquisition of real property by the State

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 319**—An act to repeal Section 12198 of the Government Code, relating to recording official bonds

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 487**—An act to amend Section 12304 of the Government Code, relating to the organization and administration of the Office of the State Treasurer, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 577**—An act to amend and renumber Section 8961.3 of, and to add Section 8961.3 to, the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 607**—An act to amend Section 6154 of the Elections Code, relating to voting machines.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 715**—An act to amend Section 24001 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to gifts to state colleges.

Referred to Committee on Education.

**Senate Bill No. 716**—An act to amend Section 17201 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to accounting procedures of school districts.

Referred to Committee on Education.

**Senate Bill No. 835**—An act to add Section 4746.1 to the Health and Safety Code, relating to certificates of indebtedness of a county sanitation district.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 865**—An act to add Sections 12814 and 12815 to the Public Utilities Code, relating to the addition of fluorine and fluorine compounds to public water supplies by municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1007**—An act to create the Guadalupe Valley Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

Referred to Committee on Municipal and County Government.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 24, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 58

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 58**—Relative to approving amendments to the charter of the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fourteenth day of April, 1959.

Referred to Committee on Rules.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering appropriate action taken on all bills on the Assembly and Senate second reading files.

## MOTION

Mr. Winton moved that appropriate action be deemed taken on all bills on the Assembly and Senate second reading files.

Mr. Munnell seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1037, 1492, 1554, 2012, 664, 1166, 1753, 922, 1751, 2111, 1040,** and **923.**

**Senate Bill No. 568.**

Assembly Bills Nos. 1037, 1492, 1554, 922, 1751, and 2111 ordered to third reading, subsequent to engrossment.

Assembly Bill No. 664 ordered to third reading.

Assembly Bills Nos. 2012, 1166, and 1753 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bills Nos. 923 and 1040 ordered to the Consent Calendar, subsequent to re-engrossment.

Senate Bill No. 568 ordered to third reading.

## ANNOUNCEMENT

Speaker Brown announced that, unless the members make the proper motions to continue their items on file, their notices of motion to withdraw or motions to reconsider will lapse, and other items might lose their places on file.

## ASSEMBLY BILL NO. 602 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 602,** on motion of Mr. McMillan

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read third time.

#### Motion to Amend

Mr. Collier moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on February 24, 1959, after the period, insert "'Local agency" does not include a school district with an average daily attendance of, or two or more school districts governed by the same governing board with a combined total average daily attendance of 490,000 or more."

Amendment read.

#### Amendment Withdrawn

Mr. Collier withdrew his amendment.

The question being on the passage of the bill.

#### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on February 24, 1959, strike out "or a county", and insert ", a county, or the San Francisco Port Authority".

**Amendment No. 2**

On page 2, line 21, after "schools", insert "and unless the city or county planning commission has adopted a master plan".

**Amendment No. 3**

On page 2, line 30, after the period, insert "Building ordinances and zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, or transmission of water or electrical energy by a local agency."

**Amendment No. 4**

On page 3, after line 24, insert

"The decision by the Local Planning Advisory Committee may be reviewed by a court of competent jurisdiction.

In lieu of an appeal to the Local Planning Advisory Committee, the aggrieved local agency may commence an action in the superior court of the county whose zoning ordinance is involved or of the county in which is situated the city whose zoning ordinance is involved seeking a review of the act or determination of the county or city

53094. The provisions of this article shall prevail over Section 15004 of the Education Code and over Sections 65551 to 65554, inclusive, of the Government Code."

Amendments read.

**Motion to Re-refer**

Mr. Bruce F. Allen moved that the bill, with the amendments, be re-referred to the Committee on Education.

Mr. Elliott seconded the motion.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly

Motion carried Time, 10 13 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## REPORTS OF STANDING COMMITTEES

**Committee on Education**

ASSEMBLY CHAMBER, April 27, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 96

With amendments with the recommendation Amend, and re-refer to the Committee on Education

DONAHOE, Chairman

Above bill ordered to second reading.

**Request for Unanimous Consent**

Miss Donahoe was granted unanimous consent that Assembly Bill No. 96 be read the second time, at this time.

## SECOND READING OF ASSEMBLY BILL NO. 96 (BY UNANIMOUS CONSENT)

**Assembly Bill No. 96**—An act to amend Sections 29007, 29008, and 29010 of, and to add Sections 29002.1 and 29007.1 to, the Education Code, as enacted by the Legislature at its 1958 Regular Session, relating to educational institutions and the issuance of diplomas and honorary

diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 10, 1959, strike out "1958", and insert "1959".

### Amendment No. 2

On page 3, line 22, after the period, insert "In no event shall this subdivision be construed as authorizing an institution to issue or confer a diploma which purports to be a degree of associate, bachelor, master, doctor, or fellow in any field of knowledge or endeavor whatsoever."

### Amendment No. 3

On page 3, strike out lines 46 to 52, inclusive; and on page 4, strike out lines 1 to 35, inclusive, and insert

"(f) A person, firm, association, partnership or corporation authorized by the Superintendent of Public Instruction to issue specified diplomas. Such permission shall be granted upon a year-to-year basis by the Superintendent of Public Instruction upon the submission of information to him that the courses of instruction, and the faculty or requirements of such applicant will afford students or require of students a course of education comparable to that being furnished by persons, firms, associations, partnerships and corporations offering similar instruction and complying with other subdivisions hereof. For the purpose of this subdivision, the Superintendent of Public Instruction may rely on the findings of an accrediting agency generally accepted by the class of institution concerned and shall consider the results of the examination taken pursuant to Business and Professions Code, Section 2941.5 by students of any applicant. The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the superintendent made pursuant to this subdivision."

### Amendment No. 4

On page 5, line 33, strike out "Correspondent", and insert "Correspondence"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

### Rush Order Placed Upon Printing of Assembly Bill No. 96

Miss Donahoe was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 96.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF CONSENT CALENDAR (BY UNANIMOUS CONSENT)

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1997**—An act to add Section 35114 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to width of loads.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1458**—An act to amend Sections 950 and 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school district elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1815**—An act to amend Sections 23358, 23360, 23361, and 23362 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2089**—An act to amend Section 23104 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2004**—An act to add Section 9006.1 to the Welfare and Institutions Code, relating to meetings of local mental health advisory boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 33**—Relative to the international outfall sewer.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 2142**—An act to add Part 2.3 (commencing at Section 18897) to Division 13 of the Health and Safety Code, relating to organized camps.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1755**—An act to repeal and add Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, thereby recodifying the law relating to horse racing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate

**Statement of Legislative Intent re Assembly Bill No. 1755—Ralph M. Brown, Winton and Bradley**
**As Amended in Assembly April 23, 1959**

In recodifying the "Horse Racing Law" it is not the intention of the Legislature to make any substantive changes whatsoever in the existing law cited as Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code. The restatement of these sections is merely intended to clarify the present law.

RALPH M. BROWN

**Assembly Bill No. 773**—An act to codify Section 12 of Chapter 29, 1956 First Extraordinary Session, by repealing said section, and by adding Article 8 (commencing with Section 16419) to Chapter 2, Part 2, Division 4.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 774**—An act to codify the Klamath River Basin Compact by adding Part 6 (commencing with Section 5900) to Division 2 of the Water Code, and to repeal Chapter 113 of the Statutes of 1957, and Chapter 2.5 (commencing with Section 8110) of Division 1 of Title 2 of the Government Code, relating to the Klamath River Basin.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 775**—An act to codify Section 6 of Chapter 184 of the Statutes of 1957, by repealing said section, and by adding Section

18212 to the Financial Code, relating to capital and surplus of industrial loan companies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 776**—An act to codify Chapter 1473 of the Statutes of 1957 by repealing Section 1, thereof and by adding Section 1153.1 to the Agricultural Code, relating to the establishment of a market news service in the Klamath Basin

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 777**—An act to codify Chapter 992 of the Statutes of 1945 by repealing said act, and by adding Article 3 (commencing with Section 13410) to Chapter 4 of Part 3, Division 3, Title 2 of the Government Code, relating to the purchase and acquisition of surplus property from the Federal Government or its agencies

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 779**—An act to maintain the Government Code by amending Sections 13210, 13212, and 13213 thereof, relating to state burial grounds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks,

Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 780**—An act to codify Sections 7, 7.1, and 7.2 of Chapter 20 of the Statutes of 1946, First Extraordinary Session, by amending Sections 6 and 7 and repealing Sections 7.1 and 7.2, and by adding Part 7.5 (commencing with Section 15490) to Division 3 of Title 2 of the Government Code, relating to the State Allocation Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 781**—An act to maintain the Agricultural Code by amending Sections 375.6, 1014, 1071.4 and 4273 thereof, and by repealing Sections 83 and 207.6 thereof, relating to the plant and animal industry and the products thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 783**—An act to maintain the Civil Code by amending Sections 1172 and 3081 1 thereof, and by repealing Section 2924½ thereof, relating to instruments affecting property.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 784**—An act to maintain the Code of Civil Procedure by amending Sections 13a, 89, 112, 196.1, 689d, and 690.27

thereof, relating to proceedings in civil cases including the organization, jurisdiction, and administration of courts of justice, and the procedure in civil actions and special proceedings of a civil nature.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 785**—An act to maintain the Education Code by amending Sections 1825, 4105.5, 5001, 14641, 18366, and 22674 thereof, and by repealing Section 7714.2 thereof, and by amending Sections 939, 1409, 17151, 14372, 15716, and 27874, and repealing Section 19578, of the Education Code as proposed by Senate Bill No. 2, relating to institutions of learning, including the establishment, maintenance, government, and operation of schools and libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 786**—An act to maintain the Fish and Game Code by amending Sections 10828 and 10841 thereof, by amending and renumbering Sections 8317 and 19031 thereof, and by repealing Article 9 (commencing with Section 8100) of Chapter 1, Part 3, Division 6, and Sections 8308, 8309, 8310, 8311, 8312, 8313, 8314, 8315, and 8316, thereof, relating to fish and game.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 787**—An act to maintain the Government Code by amending Sections 9141, 9320, 9357.2, 9360 3, 11290, 12541, 13373, 16305 6, 16742, 16480.1, 50532, 51300, and the heading of Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5, thereof, and by amending and renumbering Part 10 (commencing with Section

15750) of Division 3, Title 2, Article 4 (commencing with Section 34870) of Chapter 7, Part 1, Division 2, Title 4, Chapter 12 (commencing with Section 55300) of Part 2, Division 2, Title 5, and Chapter 4 (commencing with Section 61930) of Part 7, Division 2, Title 6, thereof, and by repealing Article 2.5 (commencing with Section 21000) of Chapter 8, Part 3, Division 5, Title 2, and Sections 31671.2 and 75030, relating to the government of public agencies within this State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 788**—An act to maintain the Health and Safety Code by amending Sections 4121, 4186.30, 4805, 8741, 14219, 14240, 14254, and 24351.3, and by repealing Section 33280 thereof, relating to health and safety.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 789**—An act to maintain the Insurance Code by amending Sections 1802.71 and 10270 thereof, and by repealing Sections 947 and 11580.1 thereof, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 790**—An act to maintain the Labor Code by amending Section 1397.5 thereof, relating to the employment of minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks,

Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 791**—An act to maintain the Military and Veterans Code, by amending Section 1180 thereof, relating to memorial districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 792**—An act to maintain the Penal Code by amending Section 1227 thereof, and by repealing Sections 23, 438, and 441 thereof, relating to crimes and punishment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 793**—An act to maintain the Public Utilities Code by amending Sections 22229, 24503, 24531, 24532, 24533, 24534, and 24535 thereof, relating to the organization and powers of districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 794**—An act to maintain the Revenue and Taxation Code by amending Sections 3552.42 and 3730 thereof, by amending and renumbering Article 2.5 (commencing with Section 10111) of Chapter 5, Part 4, Division 2 thereof, and by repealing Chapter 2 (commencing with Section 28201) of Part 12, Division 2 thereof, relating to taxation and the raising of revenue.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 795**—An act to maintain the Streets and Highways Code by amending Sections 6611, 27001, 27002, 27003, and 27004 thereof, relating to public ways and all appurtenances thereto.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 796**—An act to maintain the Vehicle Code by amending Sections 142, 694, and 739.1 thereof, and by repealing Section 422.7 thereof, and by amending Sections 142, 694, and 739.1 thereof, and by repealing Section 422.7 thereof, and by amending Sections 35108 and 40513 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicles and vehicular traffic.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 798**—An act to maintain the Welfare and Institutions Code, by amending Sections 156.1, 163, 5400, 6557, 6564, and 6723 thereof, relating to the administration of, and commitment of persons to, the Department of Mental Hygiene.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 799**—An act to maintain the Welfare and Institutions Code by amending Section 2181.1 thereof, relating to aid to aged persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 801**—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405 of the Statutes of 1951), relating to flood control and water conservation in Santa Clara County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 848**—An act to amend and renumber Section 103.7 (as added by Chapter 1068, Statutes of 1957) of the Welfare and Institutions Code, relating to public assistance recipients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 849**—An act to amend and renumber Section 21661 (as added by Chapter 2154, Statutes of 1957), and the title of Part 6.5 of Division 13 and Sections 36500 to 36509, inclusive (as added by Chapter 1487, Statutes of 1957), of the Water Code, relating to districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks,

Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 850**—An act to amend and renumber Section 6403 (added by Stats. 1947, Ch. 887) of the Public Resources Code, relating to the powers and duties of the State Lands Commission with respect to the reservation of mineral deposits in state lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 851**—An act to repeal Section 186 (as amended by Chapter 2424, Statutes of 1957) of the Water Code, relating to State Water Rights Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 853**—An act to amend and renumber Sections 20495 (as added by Chapter 1155, Statutes of 1957), 37395 (as added by Chapter 1475, Statutes of 1957), and 70045.9 (as added by Chapter 1786, Statutes of 1957) of the Government Code, relating to local governmental operations

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 854**—An act to repeal Sections 21152 (as added by Chapter 65, Statutes of 1957), 21152 (as added by Chapter 936, Statutes of 1957), 21153 (as added by Chapter 936, Statutes of 1957),

69505 (as added by Chapter 1045, Statutes of 1957), and 73650 (as added by Chapter 65, Statutes of 1957) of the Government Code, relating to public employment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 855**—An act to amend and renumber Section 4187 (as added by Chapter 2017, Statutes of 1957) of the Fish and Game Code, relating to special hunting permits.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 856**—An act to repeal Section 1354 (as added by Chapter 1037, Statutes of 1957) of the Fish and Game Code, relating to Archibald Lake Public Fishing and Recreation Area.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 857**—An act to amend and renumber Section 24206 (as added by Chapter 1275, Statutes of 1957) of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 858**—An act to amend and renumber Section 96 (as added by Chapter 1471, Statutes of 1957) of the Agricultural Code, relating to insurance for horse race meetings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1078**—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims court counterclaims or cross-complaints.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1151**—An act to amend Section 539 of the Code of Civil Procedure, relating to attachments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1153**—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1270**—An act to amend Sections 553 and 946 of the Code of Civil Procedure, relating to attachments.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1629**—An act to amend Sections 206 5 and 206 7 of the Civil Code, relating to proceedings by adult for release from obligation to support parent.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2067**—An act to amend Section 74265 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2136**—An act to amend Section 784 of the Code of Civil Procedure, relating to partition sales of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2060**—An act to amend Section 54309 of the Government Code, relating to the issuance of revenue bonds by local agencies

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1994**—An act to amend Section 22205 of the Welfare and Institutions Code, relating to the termination of old age assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 278**—An act to amend Section 963 of the Welfare and Institutions Code, relating to juvenile homes and camps.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 773**—An act to amend Section 5654 of the Business and Professions Code, relating to landscape architecture.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 868**—An act to amend Section 5681 of, and to add Section 5657 to, the Business and Professions Code, relating to the practice of landscape architecture.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 30**—An act to add Section 690.235 to the Code of Civil Procedure, relating to exemptions from attachment and execution.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 35**—An act to amend Section 36507 of the Government Code, relating to filing the oath of office by city officers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 37**—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from small claims courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 39**—An act to add Section 117jj to the Code of Civil Procedure, relating to appeals from small claims courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 59**—An act to add Section 1952.2 to the Code of Civil Procedure, relating to disposition of exhibits.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 60**—An act to add Section 1952.1 to the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 61**—An act to amend Section 1013a of the Code of Civil Procedure, relating to proof of service by mail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 62**—An act to amend Section 581d of the Code of Civil Procedure, relating to the dismissal of an action.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 159**—An act to amend Sections 1853 and 1901 of the Probate Code, relating to conservatorship.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 551**—An act to amend Sections 74502, 74503, 74504 and 74504.5 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Constitutional Amendment No. 33 was taken up.

**Assembly Constitutional Amendment No. 33**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Resolution read.

#### Speaker pro Tempore Presiding

At 10.14 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

#### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendment:

#### Amendment No. 1

On page 2 of the printed measure, strike out lines 3 to 25, inclusive.

Amendment read.

#### Demand for Previous Question

Messrs. Pattee, Lanterman, George E. Brown, Dills, and Williamson demanded the previous question. Demand sustained.

The question being on the adoption of the amendment.

#### Speaker Presiding

At 11.08 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendment.

#### Roll Call Demanded

Messrs. Bruce F Allen, Levering, and Reagan demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Biddick, Bradley, Burton, Busterud, Davis, Samuel R. Geddes, Lunardi, Masterson, Pattee, Rumford, and Z'berg—12.
NOES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick,

Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Porter, Reagan, Rees, Schrade, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr Speaker—61

The question being on the adoption of the resolution.

**Motion to Amend**

Mr. Z'berg moved the adoption of the following amendment.

**Amendment No. 1**

On page 2, line 30, of the printed measure, after the period, insert "No contract for the sale and delivery of water or electric energy made available by a state project shall become effective unless and until it has been ratified by the Legislature, by a concurrent resolution adopted by a majority of all members elected to each house, unless the requirement of such ratification has been waived by the Legislature, by a concurrent resolution adopted by a majority of all members elected to each house, prior to the execution of the contract."

Amendment read.

**Demand for Previous Question**

Messrs. Lanterman, Ernest R. Geddes, Levering, Crawford, and House demanded the previous question Demand sustained.

The question being on the adoption of the amendment.

**Roll Call Demanded**

Messrs. Lowrey, Schrade, and Levering demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Biddick, Burton, Busterud, Davis, Francis, Frew, Samuel R Geddes, Lowrey, Lunardi, Masterson, Pattee, Rumford, Waldie, Winton, and Z'berg—15.

NOES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E Brown, Burke, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Dills, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H Wilson, and Mr Speaker—58

**Name Placed Upon Roll Call**

Mr. Charles H. Wilson was granted unanimous consent that he be recorded as voting "No" on the amendment offered by Mr. Z'berg.

The question being on the adoption of the resolution.

**Demand for Previous Question**

Messrs. Rees, Lanterman, Levering, Reagan, and Pattee demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Williamson, George A Willson Charles H Wilson, Winton, and Mr. Speaker—63

NOES—Bruce F. Allen, Biddick, Bradley, Burton, Busterud, Coolidge, Davis, Samuel R Geddes, Lowrey, Lunardi, Masterson, O'Connell, Pattee, Waldie, and Z'berg—15.

Resolution ordered transmitted to the Senate.

### Vote Changed Upon Roll Call

Mr. Frew was granted unanimous consent that he be recorded as voting "Aye," instead of "No" on Assembly Constitutional Amendment No. 33.

### Explanation of Votes on Assembly Constitutional Amendment No. 33

We, the undersigned, are voting for this amendment in the hope only that by starting some measure to further debate in the Senate and finally in free conference a just and honorable solution may be found.

This constitutional amendment will not give to Southern California equal rights to water, and should not be finally passed in its present form

VERNON KILPATRICK
HAROLD K. LEVERING
GEORGE E. BROWN
CHARLES EDWARD CHAPEL

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Constitutional Amendment No. 26 was taken up.

**Assembly Constitutional Amendment No. 26**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Resolution read.

### Motion to Amend

Mr. Z'berg moved the adoption of the following amendment:

### Amendment No. 1

On page 1, line 19, of the printed measure, after the period, insert "No contract for sale and delivery of water or electric energy made available by a state project shall become effective unless and until it has been ratified by the Legislature, by a concurrent resolution adopted by a majority of all members elected to each house, unless the requirement of such ratification has been waived by the Legislature, by a concurrent resolution adopted by a majority of all members elected to each house, prior to the execution of the contract"

Amendment read.

### Roll Call Demanded

Messrs. Levering, Lowrey, and Biddick demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Biddick, Burton, Busterud, Davis, DeLotto, Francis, Samuel R. Geddes, Grant, Lowrey, Lunardi, O'Connell, Rumford, Waldie, Winton, and Z'berg—15

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Thelin, Thomas, Unruh, Williamson, George A. Willson, and Charles H. Wilson—57

The question being on the adoption of the resolution.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Motion carried. Time, 11.42 a.m.

The Speaker directed the Sergant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2083**—An act to amend Section 21451 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic signals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68

NOES—Burton, Elliott, O'Connell, and Rumford—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1433**—An act to amend Sections 19620, 19624, and 19629 of, and to repeal Sections 19621, 19622, 19622.5, 19622.7, 19623, 19624, 19625, 19626, 19627.3, and 19628 of, the Business and Professions Code, to amend Sections 88, 92.1, 92.5, 94, 94.5, and 94.6 of the Agricultural Code, to amend Section 25902 of the Government Code, and to repeal Section 25903 of the Government Code, relating to state revenues.

Bill read third time.

#### Motion to Set Assembly Bill No. 1433 for Special Order

Mr. Rees moved that Assembly Bill No. 1433 be made a special order of business for Wednesday, April 29, 1959, at 10.30 a.m.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

**Assembly Bill No. 1734**—An act to amend Sections 11529, 11532, 11532.3 and 11532.7 of the Insurance Code, relating to mutualized insurers

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—70

NOES—Burton, Samuel R. Geddes, O'Connell, and Unruh—4

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO CORRECT AMENDMENTS

Mr. Don A. Allen was granted unanimous consent that the Minute Clerk be authorized to correct the amendments to Assembly Bill No. 319 as they appear in the Assembly Journal for April 27, 1959, at pages 2916 and 2917, to conform with the following corrected copy supplied by the Legislative Counsel's Office and Mr. Allen:

### Amendments to Assembly Bill No. 319

### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", comprising Sections 35580 to 35587, inclusive", and insert "(commencing at Section 35580)"

### Amendment No. 2

In lines 3 and 4 of the title, strike out "agricultural land", and insert "territory".

### Amendment No. 3

On page 2, strike out lines 3 to 38, inclusive and insert

"35581. Territory, consisting of tracts of land totaling in all not less than 500 acres, the outer boundaries of which are contiguous to the boundaries of any city for a distance of not less than 200 feet, shall be excluded from such city pursuant to this article.

35582. Upon receipt of a petition for the alteration of the boundaries by the exclusion of a part of the territory thereof, containing a description of the territory, and signed by not less than one-fourth of the registered electors residing within the territory proposed to be excluded, the legislative body of the city from which the territory is proposed to be excluded shall submit the question to the electors of the territory at a special election to be held for that purpose. Except as otherwise provided, the election shall be conducted pursuant to the Elections Code provisions relating to municipal elections.

35583. The legislative body shall give notice of the election by publication in a newspaper printed and published in the city once each week for the four weeks prior to the election. The notice shall

(a) State distinctly the proposition to be submitted.

(b) Describe specifically the boundaries of the territory proposed to be altered.

(c) Designate the territory by some appropriate name by which it may be referred to upon the ballots.

(d) Instruct the electors how to vote on the proposition.

35584. Upon the ballots used at the election shall be printed the words: "Shall (insert the name given the territory in the notice of election) be excluded from the city of (stating name of city)?".

35585. If the majority of the votes cast in the territory is against exclusion, an election for the exclusion of the same territory shall not be held again within one year from the date of the election.

35586. If the majority of the votes cast in the territory is for exclusion, by an order entered upon its minutes, the legislative body shall cause its clerk to transmit to the Secretary of State a certified abstract of the vote showing the number of electors voting and the number of votes cast for and against exclusion.

35587. The Secretary of State shall file the abstract and transmit certificates of filing to the clerk of the city legislative body, and the board of supervisors of the county in which the city is situated.

35588. The clerk of the legislative body conducting the election shall file the affidavit of completion.

35589. From the date of filing such abstract by the Secretary of State the alteration of boundaries is complete, and the territory ceases to be a part of the city from which it was excluded.

35590. This article does not relieve any part of the territory from liability for the debts contracted by the city prior to the exclusion From time to time the excluding city shall levy and collect from the excluded territory its just proportion of liability for any payment on the principal and interest of such debts.

35591. No petition seeking the exclusion of territory from a city shall be circulated or filed, nor shall any public officer accept any such petition for filing, nor shall any legislative body initiate proceedings to exclude on its own motion, until the proposal for the exclusion of territory from a city has been submitted to and reported upon to the proponents by the boundary commission of the county with respect to the definiteness and certainty of the proposed boundaries

If the boundary commission does not report upon the petition or proceeding within 20 days after it is submitted to it, the petition or proceeding shall be deemed correct.

35592 Unless the boundary commission shall find that the territory sought to be excluded is at some point contiguous to the boundaries of the city from which it is sought to be excluded for a distance of not less than 200 feet, and that the territory sought to be excluded contains not less than 500 acres, it shall report that the boundaries are not correct"

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2134 FROM COMMITTEE

Mr George A Willson was granted unanimous consent that Assembly Bill No 2134 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2134

**Assembly Bill No. 2134**—An act to repeal Sections 69894, 69898, 69899, 69899 5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892 1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 69894 2, 69894.3 and 69894 4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population.

Bill read second time.

### Motion to Amend

Mr. George A. Willson moved the adoption of the following amendments:

### Amendment No. 1

On page 3, line 6, of the printed bill, at the head of the two columns of numbers on the right of the page, insert "Schedule Number".

### Amendment No. 2

On page 3, strike out lines 12 and 13

### Amendment No. 3

On page 4, strike out lines 1 and 2.

### Amendment No. 4

On page 4, line 50, strike out "The court may upon the effec-"; and strike out lines 51 and 52.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 494 FROM COMMITTEE

Mr. Unruh was granted unanimous consent that Assembly Bill No. 494 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 494

**Assembly Bill No. 494**—An act to amend Section 2627 of the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Bill read second time.

#### Motion to Amend

Mr. Unruh moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2627 of", and insert "Sections 2655, 3007, 3266, 3270, and 3271 of, to repeal Article 4 (comprised of Section 3101 to 3104, inclusive) of Chapter 5 of Part 2 of Division 1 of, and to add Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of,".

#### Amendment No. 2

On page 1, line 1, strike out "2627", and insert "2655".

#### Amendment No. 3

On page 1, between lines 2 and 3, insert

"2655. *(a)* An individual's "weekly benefit amount" shall be the amount appearing in Column B in the table set forth in this ~~section~~ *subdivision* on the line of which in Column A of such table there appears the wage bracket containing the amount of wages paid to such individual for employment by employers during the quarter of his disability base period in which such wages were the highest.

| A<br>Amount of wages in highest quarter | B<br>Weekly benefit amount |
|---|---|
| $75- $149.99 | $10 |
| 150- 174.99 | 11 |
| 175- 199.99 | 12 |
| 200- 224.99 | 13 |
| 225- 249.99 | 14 |
| 250- 274.99 | 15 |
| 275- 299.99 | 16 |
| 300- 324.99 | 17 |
| 325- 349 99 | 18 |
| 350- 374.99 | 19 |
| 375- 399.99 | 20 |
| 400- 424.99 | 21 |
| 425- 449.99 | 22 |
| 450- 474.99 | 23 |
| 475- 499.99 | 24 |
| 500- 524.99 | 25 |
| 525- 549.99 | 26 |
| 550- 574.99 | 27 |
| 575- 599.99 | 28 |

| A<br>Amount of wages in highest quarter | B<br>Weekly benefit amount |
|---|---|
| $600- $624.99 | $29 |
| 625- 649.99 | 30 |
| 650- 674 99 | 31 |
| 675- 699.99 | 32 |
| 700- 724.99 | 33 |
| 725- 749 99 | 34 |
| 750- 774.99 | 35 |
| 775- 799.99 | 36 |
| 800- 824.99 | 37 |
| 825- 849.99 | 38 |
| 850- 874.99 | 39 |
| 875- 899.99 | 40 |
| 900- 924.99 | 41 |
| 925- 949.99 | 42 |
| 950- 974.99 | 43 |
| 975- 999.99 | 44 |
| 1,000- 1,024.99 | 45 |
| 1,025- 1,049.99 | 46 |
| 1,050- 1,074.99 | 47 |
| 1,075- 1,099.99 | 48 |
| 1,100- 1,124.99 | 49 |
| 1,125 ~~and over~~ - *1,149.99* | 50 |
| *1,150- 1,174.99* | *51* |
| *1,175- 1,199.99* | *52* |
| *1,200- 1,224.99* | *53* |
| *1,225- 1,249.99* | *54* |
| *1,250- 1,274.99* | *55* |
| *1,275- 1,299.99* | *56* |
| *1,300- 1,324.99* | *57* |
| *1,325- 1,349.99* | *58* |
| *1,350- 1,374.99* | *59* |
| *1,375- 1,399.99* | *60* |
| *1,400- 1,424.99* | *61* |
| *1,425- 1,449.99* | *62* |
| *1,450- 1,474.99* | *63* |
| *1,475- 1,499.99* | *64* |
| *1,500 and over* | *65* |

*(b)* For the purpose of this section, when an individual has been paid remuneration which would be taxable except for the three thousand dollars ($3,000) limitation on taxable wages in effect prior to January 1, 1958, or the three thousand six hundred dollars ($3,600) limitation in effect after December 31, 1957, the "quarter of his base period in which his wages were the highest" may be determined by allocating to any quarter of the calendar year falling within the base period that portion of the taxable wages which is equal to the amount of remuneration paid to him in that quarter or ~~one thousand one hundred twenty-five dollars ($1,125),~~ *one thousand five hundred dollars ($1,500)*, whichever is the lesser. The term "remuneration" as used in this section means taxable wages as well as wages which would be taxable except for the

three thousand dollars ($3,000) or the three thousand six hundred dollars ($3,600) limitation on taxable wages. *This subdivision shall not apply to wages paid on and after January 1, 1959.*

SEC. 2 Chapter 3.5 (commencing with Section 2851) is added to Part 2 of Division 1 of said code, to read.

CHAPTER 3.5. PRORATED BENEFITS

2851. Benefits to individuals whose employment has terminated or who are in noncovered employment at the time their period of disability commences and who are otherwise eligible for benefits under this part shall be payable from the Disability Fund.

2852. The cost of benefits paid under Section 2851 shall be prorated as provided in Section 3266

SEC. 3. Section 3007 of said code is amended to read:

3007. *(a)* In addition to the amount of worker contributions collected under this division during the calendar years 1944 and 1945 and heretofore deposited or invested in the obligations of the Unemployment Trust Fund, an amount equal to that sum multiplied by the annual average rate of interest received on the Unemployment Trust Fund for the periods subsequent to May 21, 1946, may also be requisitioned from the Unemployment Trust Fund and deposited in the Disability Fund to augment the amounts available for ~~expenditure for the same purposes, except that no~~ *the payment of disability benefits. No* portion thereof shall be used for expenses of administration.

*(b) As of December 31, 1960, and as of December 31st of each succeeding calendar year, the director shall annually requisition from the Unemployment Trust Fund the amount of interest credited to that fund for that calendar year which was based on worker contributions collected during 1944 and 1945 and on deposit in such fund. The director shall deposit the amount so requisitioned in the Disability Fund to augment the amounts available for the payment of disability benefits. No portion thereof shall be used for expenses of administration.*

*(c)* In no event shall the total amount requisitioned from the Unemployment Trust Fund for the purposes of this part, including interest or other earnings, be in excess of the amount of worker contributions collected under this division and deposited or invested in the obligations of the Unemployment Trust Fund as provided by Public Law 719 of the Seventy-ninth Congress.

SEC. 4 Article 4 (comprised of Sections 3101 to 3104, inclusive) of Chapter 5 of Part 2 of Division 1 of said code is hereby repealed.

SEC. 5. Section 3266 of said code is amended to read:

3266. ~~The proportionate share as determined by authorized regulations of benefits paid from the Disability Fund pursuant to Section 3263 for a disability which commenced while an employee was wholly or partially covered under an approved voluntary plan shall be assessed against the employer responsible for benefits under such plan.~~

*(a) (1) As of December 31, 1960, and as of the close of each succeeding calendar year, the director shall determine the amount of benefit payments made under Section 2851 during that calendar year which were attributable to base period wages exempt under Section 3252 paid by employers covered by voluntary plans on the date on which the period of disability commenced.*

*(2) The amount determined under subdivision (a) (1) shall be reduced by an amount equal to the sum of the amount requisitioned for that calendar year under subdivision (b) of Section 3007 and an amount equal to the worker contributions collected during the period May 21, 1946 to November 30, 1946 multiplied by the annual average interest or other earnings on all investments of the Disability Fund, multiplied by the ratio that the amount determined under subdivision (a) (1) bears to all benefits paid during that calendar year under Section 2851.*

*(3) The amount determined under subdivision (a) (2) shall be prorated to each employer who had a voluntary plan in effect during any portion of that calendar year in the ratio that the wages which were exempt under Section 3252 paid by him during the calendar year bears to the total of all such exempt wages paid by all employers during that year.*

*(4) The amount prorated under subdivision (a) (3) shall be assessed against the employer, subject to the provisions of Section 3259.*

*(b) In no event shall any assessment under this section exceed two-tenths of 1 percent (0.2%) of the wages which were exempt under Section 3252 paid by the employer, or twice the percentage ratio which the assessment for the preceding calendar year bears to the wages which were exempt under Section 3252 paid by the employer for the preceding calendar year, whichever is greater.*

*(c)* The provisions of Part 1 of this division with respect to the assessment and collection of contributions shall apply to assessments provided by this section, except that interest shall not accrue until 30 days after notice of assessment The amounts of such assessments collected by the director under this section shall be deposited in the Disability Fund.

SEC. 6. Section 3270 of said code is amended to read.

3270. The provisions of Section 3254(h) and 3255(h), dealing with substantial selection of risks adverse to the Disability Fund shall be inoperative during the calendar years 1954, 1955, 1956, 1957, 1958, ~~and~~ 1959 *, 1960, and 1961*.

SEC. 7. Section 3271 of said code is amended to read:

3271. Until January 1, ~~1960.~~ *1962*, the ~~commission~~ *director* shall approve any amendment to a voluntary plan adjusting the provisions thereof as to periods after the effective date of the amendment as to which ~~it~~ *he* finds that the plan as amended will conform to the standards set forth in Section 3254 and that either of the following exist

(a) A majority of the employees covered by the plan have consented in writing to the amendment.

(b) All of the employees covered by the plan who are adversely affected by the amendment have consented in writing to the amendment.

(c) The insurer of such plan, if any, has certified to the director that notice of the amendment either separately or as a part of a new certificate or statement of coverage, has, at least 10 days prior to the effective date of the proposed amendment, been delivered to the employer for distribution to his employees within 10 days thereafter and has further certified that such notice specifically included notification to the employees covered by the plan of their right to withdraw from the plan.

Nothing contained in this section is intended to deny or limit the right of the director to make regulations supplementary thereto, nor on the general subject of requirements for amendments of voluntary plans subsequent to January 1, ~~1960~~ *1962*.

SEC. 8. The amendments of Section 2655 of the Unemployment Insurance Code made by Section 1 of this act shall become operative with respect to periods of disability commencing on and after January 1, 1960, and the provisions of said section of said code in effect prior to such amendments shall continue to be applicable with respect to periods of disability commencing prior to January 1, 1960.

SEC. 9. The amendments of Section 3266 of the Unemployment Insurance Code made by Section 5 of this act shall become operative with respect to periods of disability commencing on and after January 1, 1960.

SEC. 10. The repeal of Article 4 (comprising Sections 3101 through 3104) of Chapter 5 of Part 2 of Division 1 of the Unemployment Insurance Code by Section 4 of this act shall become operative with respect to periods of disability commencing on and after January 1, 1959, and the provisions of said article of said code in effect prior to such repeal shall continue to be applicable with respect to periods of disability commencing prior to January 1, 1959. The repeal of said article of said code shall not affect the authority of the Director of Employment to make charges for benefits pursuant to the provisions of Section 3101, to make and collect assessments pursuant to the provisions of Section 3103, and to make credits pursuant to the provisions of Sections 3102 and 3104 of said code with respect to the calendar year 1958 as the provisions of said sections existed prior to such repeal. The amounts of such assessments collected by the Director of Employment pursuant to Section 3103 of said code for the calendar year 1958 shall be deposited in the Disability Fund."

**Amendment No. 4**

On page 1, strike out lines 3 through 20.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2603

Speaker Brown was granted unanimous consent that Assembly Bill No. 2603 be withdrawn from the Committee on Manufacturing, Oil, and Mining Industry and re-referred to the Committee on Governmental Efficiency and Economy.

## REPORTS OF STANDING COMMITTEES

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 590

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No 2062
Assembly Bill No 2153
Assembly Concurrent Resolution No. 108

With amendments with the recommendation: Amend, and re-refer to the Committee on Civil Service and State Personnel.

MEYERS, Chairman

Above bills ordered to second reading.
Above resolution ordered on file.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1841

With the recommendation Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 549

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER. Your Committee on Finance and Insurance reports:

Assembly Bill No. 1859
Assembly Bill No 1956

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No 837

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1259

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 515
Assembly Bill No. 1528
Assembly Bill No. 1662
Assembly Bill No. 1886
Assembly Bill No. 2019

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 806
Senate Bill No. 807
Senate Bill No. 836
Senate Bill No 652

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1015

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 1795

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

REES, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 1855

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance

REES, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 2177

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2207

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 579

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 27, 1959

MR SPEAKER. Your Committee on Education reports:

Assembly Bill No. 1532
Assembly Bill No. 114

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 15

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 27

With the recommendation: Be adopted

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 218

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 53
Senate Concurrent Resolution No. 54
Senate Concurrent Resolution No. 55

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 112

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

| | |
|---|---|
| Assembly Bill No. 922 | Assembly Bill No. 1554 |
| Assembly Bill No. 1037 | Assembly Bill No. 1751 |
| Assembly Bill No. 1492 | Assembly Bill No. 2111 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1166
Assembly Bill No. 1753
Assembly Bill No. 2012

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1837

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 923
Assembly Bill No. 1040

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 409
Assembly Bill No. 1422
Assembly Bill No 1627
Assembly Bill No. 2104
Assembly Bill No. 2118

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 484

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2128

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26

At 11.54 a.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Unruh moved a call of the Assembly.

Motion carried. Time, 11.54 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### PARLIAMENTARY INQUIRY

Mr. O'Connell arose to the following parliamentary inquiry:

Since that portion of Rule 106 which prevents the placing of a second call of the Assembly was not suspended, can another call of the Assembly be placed?

#### Reply by Speaker

The Speaker replied that the Rule was suspended some time ago.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 156 TO COMMTTEE

At 11.58 a.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Assembly Bill No. 156, with the amendments by Mr. Biddick, be re-referred to the Committee on Education lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Burke, Cameron, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Ernest R. Geddes, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, McCollister, McMillan, Mulford, Munnell, Pattee, Porter, Reagan, Schrade, Shell, Sumner, and Winton—38

NOES—Don A. Allen, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Crown, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, MacBride, Marks, Masterson, Meyers, Miller, Nisbet, O'Connell, Petris, Rees, Rumford, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—38.

#### Vote Changed Upon Roll Call

Mr. Kilpatrick was granted unanimous consent that he be recorded as voting "Aye," instead of "No" on the motion to re-refer.

#### Parliamentary Inquiry

Mrs. Davis arose to the following parliamentary inquiry: Why was her name not called among the list of absentees?

#### Reply by Speaker

The Speaker replied that she was recorded as voting "Aye" on the motion, so her name was not called.

#### Further Consideration of Assembly Bill No. 156
#### Further Consideration of Amendments by Mr. Biddick

The question being on the adoption of the amendments offered by Mr. Biddick to Assembly Bill No. 156.

Amendments adopted.

Bill ordered reprinted, and re-engrossed.

#### Vote Changed Upon Roll Call on Assembly Constitutional Amendment No. 33

Mr. Mulford was granted unanimous consent that he be recorded as voting "Aye," instead of "No" on Assembly Constitutional Amendment No. 33.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 123 FROM COMMITTEE CONTINUED

Mr. Elliott was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 123 from the Committee on Social Welfare be continued until the next legislative day.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 508**—An act to amend Section 11100 of, and add Sections 11102 and 11121 to, the Elections Code, relating to municipal recall elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 508?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 2, 1959, strike out the second "Section", and insert "Sections".

**Amendment No. 2**

In line 2 of the title, after "11102", insert "and 11121 ".

**Amendment No. 3**

On page 1, line 14, after "chapter", insert ", except as provided in Section 11121".

**Amendment No. 4**

On page 1, after line 14, insert

"SEC. 3. Section 11121 is added to said code, to read:

11121. If the officer sought to be recalled dies more than 40 days prior to the election, the period for filing nomination papers to succeed the officer shall be extended to the twenty-fifth day prior to the election

If the officer sought to be recalled resigns prior to the election, and at the close of the period for filing nomination papers only one person has been nominated for the office or no person has been nominated for the office, an election shall not be held. In such case the governing body of the city shall appoint to the office the person nominated, or, if no person has been nominated, shall appoint any qualified person"

The Assembly concurred in Senate amendments to Assembly Bill No. 508 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 508 ordered enrolled.

**Assembly Bill No. 350**—An act to amend Section 6800 of, and to add Section 6807.5 to, the Elections Code, relating to electronic and electromechanical tabulation of ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 350?

**Amendment No. 1**

In line 1 of the title of the printed bill after "of", insert ", to add Section 6804 to, and to repeal Sections 6804, 6805, and 6806 of,".

**Amendment No. 2**

On page 1, strike out lines 3 and 4, and insert

"6800. This chapter applies only in counties ~~containing 20 or more Assembly districts~~ *in which the board of supervisors provides, by resolution, that it shall apply.*

SEC. 2. Sections 6804, 6805, and 6806 of said code are repealed.

SEC. 3. Section 6804 is added to said code, to read:

6804. The State Commission on Voting Machines shall prescribe the procedure to be followed in tabulating ballots by means of any type of mechanical, electrical, electromechanical or electronic tabulating device approved by it, which procedure shall apply under this chapter. The procedure shall be devised to insure accuracy in tabulation."

**Amendment No. 3**

In line 1 of the title of the printed bill, as amended in the Senate on March 19, 1959, after "of," insert "and".

**Amendment No. 4**

In line 1 of the title, strike out "6804", and insert "6807.5".

**Amendment No. 5**

In lines 2 and 3 of the title, strike out "and to repeal Sections 6804, 6805, and 6806 of,".

**Amendment No. 6**

On page 1, strike out lines 7 and 8.

**Amendment No. 7**

On page 1, line 9, strike out "3", and insert "2".

**Amendment No. 8**

On page 1, line 9, strike out "6804", and insert "6807.5".

**Amendment No. 9**

On page 1, line 10, strike out "6804", and insert "6807.5"

The Assembly concurred in Senate amendments to Assembly Bill No. 350 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr. Speaker—74.

NOES—None

Assembly Bill No. 350 ordered enrolled.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26

At 12.07 p m., Mr. Unruh moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Constitutional Amendment No. 26 adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hegland, House, Kennick, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

NOES—Don A. Allen, Burke, Chapel, Collier, Davis, Elliott, Samuel R. Geddes, Hawkins, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Masterson, Reagan, Rees, Thelin, Waldie, and Z'berg—21.

Assembly Constitutional Amendment No. 26 ordered transmitted to the Senate.

#### Explanation of Vote on Assembly Constitutional Amendment No. 26

I changed my vote on Assembly Constitutional Amendment No. 26, Item 2 on Special Order, from "Aye" to "No" as a protest against Mr Bruce F Allen's "No" vote on Assembly Constitutional Amendment No. 33, Item No 1 on Special Order. It had been my understanding that it was generally agreed both bills should be passed from the committee and passed from the Assembly to the Senate.

FRANK LANTERMAN

### MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Wednesday, April 15, 1959; Monday, April 20, 1959; Tuesday, April 21, 1959; Wednesday, April 22, 1959; Thursday, April 23, 1959; and Friday, April 24, 1959.

### ASSEMBLY BILL NO. 1931 WITHDRAWN FROM CONSENT CALENDAR

Mr Bradley was granted unanimous consent that Assembly Bill No. 1931 be withdrawn from the Consent Calendar, and placed on the third reading file.

### EXPLANATION OF ABSENCE

April 28, 1959

I missed a number of roll calls during this morning's session because I had to present a bill to the Senate Transportation Committee.

LOUIS FRANCIS

### ANNOUNCEMENTS OF COMMITTEE MEETINGS

Speaker Brown announced that the committee meetings scheduled for this date, as set forth in the Daily File and Daily History, would be held as scheduled.

### ADJOURNMENT

At 12 10 p.m , on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 29, 1959.

RALPH M BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY

EIGHTY-THIRD CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, April 29, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Gracious God,* We pause to ask, what good are we doing here in this Assembly? Those who have left their mark on history have been, for the most part, those who have sought to lift the common man, whom Thou, O God, must love, having made so many. Help us not to be impatient that so much time and effort seem to be concerned with various needy segments of our society; enable us to see that here is our burden and our privilege, our chance to lift some load and carry more than our own weight. Make us honest enough not to pretend to love Thee whom we have not seen, if we love not these, our needy brethren, whom we have seen.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Miss Donahoe, seconded by Mr. Samuel R. Geddes.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Hanna.

Mr. Miller, on motion of Mr. George E. Brown.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Charles H. Wilson, on motion of Mr. Pattee.

## PETITIONS

The following petition was presented by the Chief Clerk from:

Mrs. Lucile Ward of San Diego, and 36 others, relative to sales tax. Referred to the Committee on Revenue and Taxation.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D C, April 24, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR ARTHUR: As I wrote you on April 13th, I referred a copy of Assembly Joint Resolution No. 9, relative to public inspection of crop allotment records in the State of California, to Secretary of Agriculture Benson, asking for his comments on the matter.

I am enclosing, for your information, a copy of the letter just received from the Department of Agriculture in reply to my inquiry.

With all good wishes,

Sincerely,

GLENARD P. LIPSCOMB, Member of Congress

Encl.

DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C., April 23, 1959

*Hon. Glenard P. Lipscomb*
*House of Representatives*

DEAR CONGRESSMAN LIPSCOMB: This is in reply to your letter of April 13, 1959, to which was attached a copy of the Assembly Joint Resolution No. 9 adopted by the California State Legislature on March 25, 1959, relative to public inspection of crop allotment records in the State of California.

Our general policy is to make all records, not required by law to be kept confidential, available for inspection in each ASC county office. In some cases, however, the information is not made public until after a stated time. For example, the amount of any payment or loan to a farmer is not made public until 30 days after the amount has been received by him.

The basis for determining which acreage allotment and marketing quota records may be made public is contained in the Agricultural Adjustment Act of 1938, as amended. In this connection, Section 362 of the act provides in part as follows:

"All acreage allotments, and the farm marketing quotas established for farms in a county or other local administrative area shall, in accordance with regulations of the Secretary, be made and kept freely available for public inspection in such county or other local administrative areas."

Section 373 (c) of the same act provides

"All data reported to or acquired by the Secretary pursuant to this section shall be kept confidential by all officers and employees of the Department, and only such data so reported or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing under this title."

Section 344 (j) of the same act provides:

"Notwithstanding any other provision of this Act, State and county committees shall make available for inspection by owners or operators of farms receiving cotton acreage allotments all records pertaining to cotton acreage allotments and marketing quotas."

In formulating our regulations on availability of allotment records, we have complied with the above-cited provisions. The acreage allotments and marketing quotas established for each farm are available in ASC county offices to anyone; all records pertaining to cotton acreage allotments are available to cotton farmers; but other records acquired in connection with the administration of acreage allotment and marketing quota programs are available only in a suit or administrative hearing with respect thereto.

If we may be of further assistance to you in this matter, please let us know. The copy of the Assembly Joint Resolution No. 9 is returned herewith.

Sincerely yours,

MARVIN L. McLAIN, Assistant Secretary

Encl.

## RESOLUTIONS

The following resolutions were offered:

By Mr Levering:

### House Resolution No. 225

Relative to admitting persons to the Assembly Chamber

WHEREAS, Assembly Standing Rule No. 38 clearly provides that, except for members, no person admitted to the Assembly Chamber while the House is in session shall engage in influencing the passage or defeat of legislation; and

WHEREAS, Former Members of the Legislature, and other public officials and employees admitted to the Assembly Chamber as guests, have ignored this requirement in recent months; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Rule No. 38.5 is hereby added to the Assembly Standing Rules to read:

38.5. No public officer or employee shall be admitted to the Assembly Chamber while the Assembly is in session as a guest or otherwise, except upon invitation of the Assembly as a whole.

As used in this section, the term "public official or employee" includes:

(1) former Members of the Legislature during such times as they hold public office or employment, either State or local in nature;

(2) all other public officers or employees, either State or local, except present Members, officers, attaches and employees of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Mulford:

### House Resolution No. 226

Relative to the 60th anniversary of the Veterans of Foreign Wars

WHEREAS, The Veterans of Foreign Wars, an organization chartered by the Congress of the United States, and composed of America's finest fighting men who have served in every war or expedition in which this Nation has participated since the Spanish-American War, will observe its Sixtieth Anniversary during 1959; and

WHEREAS, The Veterans of Foreign Wars has devoted its services to disabled comrades-in-arms, the widows and orphans of deceased veterans as well as all our citizens and has worked to keep America strong from within as well as from without, as evidence of its love of fellow man and Country; and

WHEREAS, This group of overseas veterans continues to support its Country in peace by annually sponsoring and successfully carrying out over 800,000 different community service projects, all designed to improve communities, states and the Nation; and

WHEREAS, The Veterans of Foreign Wars has diligently sought to rid this country of all communists and other subversives and their philosophies, and has tirelessly sought to bring to the fore the patriotism which smothers the communist threat; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Legislature of the State of California congratulates the Veterans of Foreign Wars on the occasion of its Sixtieth Anniversary and commends that organization for its many services to the Nation.

Resolution read, and referred to the Committee on Rules.

By Messrs. Johnson, Don A. Allen, Shell, Conrad, Bane, Beaver, Bee, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Crawford, Cusanovich, Elliott, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Miller, Munnell, Nisbet, Porter, Reagan, Rees, Schrade, Sumner, Thelin, Thomas, Unruh, George A. Willson, and Charles H. Wilson:

**House Resolution No. 227**

Relative to congratulating Mr Joseph J. Micciche

WHEREAS, The year 1959 marks the twenty-fifth anniversary of the broadcast of election returns by Joseph J. Micciche over radio and television stations in the Los Angeles area for coverage throughout the State, and

WHEREAS, These broadcasts have become a public institution, eagerly awaited on election night by millions of voters and hundreds of candidates; and

WHEREAS, Mr. Micciche has also been in public service for 25 years and is currently the Acting Director of the Office of Civil Defense for the City of Los Angeles; and

WHEREAS, With the sincerity of a devoted public servant, Mr Micciche has provided extensive coverage to local, state and national issues and candidates, giving recognition to those candidates running for local, state or national offices; and

WHEREAS, These broadcasts are the most unique and interesting of their type in the United States because of the dramatic and colorful manner in which Mr Micciche highlights the various contests and results with fairness and accuracy; and

WHEREAS, These broadcasts are carried continuously on the air from the time the polls close until the election results are conclusive; and

WHEREAS, Mr Micciche's remarkable endurance through these exclusive broadcasts, occasionally running up to nine hours continuously, have made these broadcasts one of the most favorite of all voters and candidates; and

WHEREAS, These broadcasts have become the main and authoritative source for candidates and voters to learn of the results and, or trend of an election; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Legislature of California honors and congratulates Joseph J Micciche most heartily for broadcasting election returns to the people of California for the past 25 years and offers him its good wishes for the continuation of this outstanding public service which has done so much to stimulate interest in good government throughout the West.

Resolution read, and referred to the Committee on Rules.

By Messrs. Hawkins and Charles H. Wilson:

**House Resolution No. 228**

Relative to an interim committee study of railroad transportation needs and policies

WHEREAS, Railroad transportation continues to be a vital factor in the growth and development of the Pacific Coast and is an inseparable link in the movement of freight and passengers; and

WHEREAS, It is desirable to maintain this service at its highest peak in relationship with other modes of transportation and consistent with the needs of our industries and people; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Utilities and Corporations is hereby directed to study all phases of railroad transportation needs and policies, including, but not limited to, the following factors:

(1) Rates and taxation policies.
(2) Safety rules and regulations.
(3) Duplicating, branch and feeder lines
(4) Discontinuance of service no longer deemed profitable.

(5) Encouragement of passenger travel
(6) Employment losses by rail employees.
(7) Diversion of tonnage to other methods of transportation.

and be it further

*Resolved*, That that committee is directed to report its findings and recommendations to the Legislature at its 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 116**: By Messrs. DeLotto, Elliott, Ernest R. Geddes, Hawkins, George E. Brown, Chapel, Garrigus, Lowrey, Munnell, Rees, and Unruh—Relative to the anniversary of the Cinco de Mayo.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 45**: By Messrs. Chapel, Burke, Shell, Don A. Allen, Backstrand, George E. Brown, Collier, Cusanovich, Dahl, Dills, Elliott, Ernest R. Geddes, Grant, Hawkins, Johnson, Lanterman, Levering, Lunardi, Pattee, Reagan, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to ineligibility of legislators to certain offices.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 46**: By Messrs. Coolidge, Bradley, Lanterman, and Charles H. Wilson, and Senators Miller, Collier, Christensen, and Murdy, co-authors—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article XI, Section 9 of Article XIII, and the first paragraph of Section 14 of Article XIII, and by adding Section $14\frac{1}{5}$ to Article XIII thereof, relating to property taxation.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 47**: By Messrs. Busterud, Hanna, Marks, O'Connell, Bruce F. Allen, Chapel, Sedgwick, Sumner, Waldie, and Winton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the appointments by the Governor to fill vacancies in the superior and municipal courts.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2663**: By Mr. George A. Willson—An act to add Section 72654 to the Government Code, relating to the Los Angeles municipal court attaches.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2664**: By Mr. Lunardi—An act to amend Section 16676 of the Government Code, relating to remittances to state fiscal agents by the Treasurer.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2665**: By Mr Belotti—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Del Norte, State of California.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2666**: By Mr. Masterson—An act to amend Section 8016 of the Business and Professions Code, relating to shorthand reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2667**: By Mr. Masterson—An act to amend Section 8016 of the Business and Professions Code, relating to shorthand reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2668**: By Mr. Masterson—An act to amend Section 8021 of the Business and Professions Code, relating to shorthand reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2669**: By Mr Masterson—An act to amend Section 8023 of the Business and Professions Code, relating to shorthand reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2670**: By Mr. Masterson—An act to amend Section 8020 of the Business and Professions Code, relating to shorthand reporters.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2671**: By Messrs. Hawkins and Elliott—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211.5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190.1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2672**: By Messrs. Hawkins and Elliott—An act to provide for a commission for the investigation and study of state and local taxation, defining its powers and duties, and making an appropriation.

Referred to Committee on Rules.

**Assembly Bill No. 2673**: By Mr. Sumner (By Request)—An act to add Section 15009.5 to the Corporations Code and to amend Section 446 of the Code of Civil Procedure, relating to partnership suits.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2674**: By Messrs Coolidge, Bradley, Lanterman, and Charles H. Wilson, and Senators Miller, Collier, Christensen, and Murdy, co-authors—An act to amend Sections 401 and 753 of, to amend and renumber Sections 755, 756, 758, 759, and 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Sections 165, 761, 1611.5, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1821.5, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2675**: By Messrs. Sumner and Hanna—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2676**: By Messrs. Meyers, O'Connell, Busterud, Burton, and Marks—An act to repeal Sections 143.1, 143.15, and 143.2 of, and to amend Sections 183, and 823 of, the Streets and Highways Code, relating to the expenditure of money in the State Highway Fund.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2677**: By Messrs Meyers and O'Connell—An act to add Section 23366.1 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2678**: By Messrs. Burton, O'Connell, Gaffney, Hawkins, Bane, Elliott, McMillan, Meyers, and Charles H. Wilson—An act to amend Section 4552 of the Welfare and Institutions Code, relating to medical services to public assistance recipients, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2679**: By Mr. Samuel R Geddes—An act to add Chapter 3, consisting of Section 35300, to Part 3 of Division 24 of the Health and Safety Code, relating to housing projects for the elderly.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2680**: By Messrs. Rees, Munnell, Charles H. Wilson, Don A. Allen, Bane, Beaver, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Elliott, Ernest R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, McMillan, Miller, Nisbet, Porter, Reagan, Schrade, Sumner, Thelin, Thomas, and George A. Willson—An act to amend Section 188 of the Streets and Highways Code, relating to the State Highway Fund.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2681**: By Mr DeLotto—An act to add Section 6055 to the Revenue and Taxation Code, relating to collection of the sales tax.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2682**: By Mr. Ernest R. Geddes—An act to amend Section 13324, and to repeal Section 13317, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to preservation of tenure rights once obtained.

Referred to Committee on Education.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 74**—An act to add Sections 5006.5 and 5006.6 to the Elections Code, relating to election campaigns;

**Assembly Bill No. 211**—An act to amend Sections 18350, 18355, and 18444 of, and to add Section 18350.5 to, the Health and Safety Code, relating to auto and trailer parks and tent camps;

**Assembly Bill No. 288**—An act to amend Sections 4501, 4552 and 4553 of the Welfare and Institutions Code, relating to medical care for recipients of aid to the disabled;

**Assembly Bill No. 1030**—An act to amend and renumber Section 591 of, and to add Section 739.6 to, the Vehicle Code, and to amend Section 41102 of, and to add Section 41103 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to procedure for violations involving unattended vehicles, declaring the urgency thereof, to go into effect immediately;

**Assembly Bill No. 1192**—An act to amend Sections 5781.10 and 5781.12 of, and to add Sections 5781.20, 5781.21, 5781.22, 5781.23, 5781.24, 5781.25, and 5781.26 to, the Public Resources Code, relating to recreation and park districts;

And reports the same correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 413

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 330
Assembly Bill No. 2068

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 319
Assembly Bill No. 1764
Assembly Bill No. 2024

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No. 319 ordered filed, and the subject matter referred to the Committee on Rules

Assembly Bills Nos. 1764 and 2024 re-referred to committee.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1856
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 96
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Assembly Bill No. 1404
With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Assembly Bill No. 146
Assembly Bill No. 1422
Assembly Bill No. 1661
With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Senate Bill No. 703
With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports.
Senate Bill No. 612
With the recommendation: Do pass.
Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:
Assembly Bill No. 1939
Assembly Bill No. 1944
With the recommendation: Do pass, as amended
Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1935
Assembly Bill No 1936
Assembly Bill No. 1937
Assembly Bill No. 1938
Assembly Bill No. 1940
Assembly Bill No. 1941
Assembly Bill No. 1942
Assembly Bill No. 1943
Assembly Bill No. 1945
Assembly Bill No. 1946
Assembly Bill No. 1947
Assembly Bill No 1948

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No 1949
Assembly Bill No. 1950
Assembly Bill No. 1951
Assembly Bill No. 1952
Assembly Bill No. 1953
Assembly Bill No. 1954
Assembly Bill No. 1955

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER. Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1867

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1713
Assembly Bill No. 1714

With the recommendation: Do pass.

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 580

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No 637

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1803

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 177

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 27, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 123

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 123**—An act to amend Section 650 of the Streets and Highways Code, relating to the naming of state highway routes.

Referred to Committee on Transportation and Commerce.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 161
Senate Bill No. 219
Senate Bill No. 304
Senate Bill No. 629
Senate Bill No. 630
Senate Bill No. 631
Senate Bill No. 632
Senate Bill No. 633
Senate Bill No. 782
Senate Bill No. 786
Senate Bill No. 845
Senate Bill No. 890
Senate Bill No. 993
Senate Bill No. 1074

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 161**—An act to amend Section 1054.1 of the Code of Civil Procedure, relating to continuances in judicial and administrative proceedings.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 219**—An act to amend Section 1326 of the Penal Code, relating to subpoenas in criminal cases.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 304**—An act to add Article 6 (commencing with Section 12060) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, to provide for Co-ordinator of Atomic Activities

in the Office of the Governor, to provide for co-ordination of development and regulatory activities of the peaceful uses of atomic energy, to create an official advisory council thereon, and a public citizens' advisory committee.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 629**—An act to amend Section 8963 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 630**—An act to amend Section 8961.2 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 631**—An act to amend Section 8961.3 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 632**—An act to amend Section 8961 of the Health and Safety Code, relating to public cemetery districts.

Referred to Committee on Public Health.

**Senate Bill No. 633**—An act to amend Section 8961 4 of the Health and Safety Code, relating to burial rates.

Referred to Committee on Public Health.

**Senate Bill No. 782**—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 786**—An act to amend Section 1269b of the Penal Code, relating to the acceptance of bail.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 845**—An act to amend Section 148.1 of the Penal Code, relating to false reports of the secreting of bombs and explosives.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 890**—An act to amend Section 633 of the Agricultural Code, relating to cultured buttermilk.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 993**—An act to amend Section 25526 of the Government Code, relating to sale or lease of county real property.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1074**—An act to amend Section 1050 of the Penal Code, relating to continuances in criminal cases, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Criminal Procedure.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 17

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Joint Resolution No. 17**—Relative to legislation concerning wilderness areas.

Referred to Committee on Rules.

## ANNOUNCEMENT

Mr. Lowrey announced that Commander John B. Cooke, former Member of the Assembly, was taken seriously ill while on his way to Seattle, and that he is presently in the Madigan Hospital, Ward 19A, at Fort Lewis, Washington; and requested that all of the members who know Commander Cooke write to him at that address.

## CHIEF CLERK INSTRUCTED TO WRITE LETTER

Speaker Brown requested that the Chief Clerk be instructed to write a letter to Commander John B. Cooke expressing the best wishes of all of the Members of the Assembly for his speedy recovery from illness.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

## MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Belotti seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1420**—An act to amend Section 18853 of the Government Code, relating to state civil service.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1571**—An act to amend Section 21365.5 of the Government Code, relating to benefits payable on the death of a member eligible to retire under the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 64**—An act to amend Section 29007 of the Education Code, as enacted by the Legislature at its 1959 Regular Session,

relating to the granting of diplomas widening the completion of courses beyond high school.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 715**—An act to add Section 17556 to the Education Code as enacted at the 1959 Regular Session, relating to apportionments for schools from the State School Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 868**—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 885**—An act to add Chapter 4 (commencing at Section 1700) to Part 6, Division 2 and to repeal Sections 1650 to 1663, inclusive, of the Labor Code, relating to artists' managers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1179**—An act to add Sections 10084, 10085, 10140.5, 10143, 10144, and 10145, 10512.5, 10514.5, and 10514.7 to, and to amend Sections 10131, 10132, 10134, and 10140, 10501, 10502, 10506, and 10512 of, the Business and Professions Code, relating to the Real Estate Commissioner and the business of assisting persons in filing applications for lands owned by the State or Federal Government, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1787**—An act to add Chapter 7.5 (commencing at Section 28350) to Division 21 of the Health and Safety Code, relating to warehouse sanitation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1794**—An act to add Section 1030 to the Government Code, relating to peace officers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1469**—An act to add Section 13955.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "district", insert "or by a county superintendent of schools".

Bill ordered reprinted, re-engrossed, and to be filed, and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2216**—An act to amend Section 73 of the Streets and Highways Code, relating to relinquishment of state highways.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 16 to 19, inclusive, and insert "council, as the case may be. Upon receipt of such notice and prior to the expiration of the 90-day period, the board of supervisors or the city council, as the case may be, may request in writing a public hearing by the commission to hear any objections and, upon such request, the commission may proceed with relinquishment only after such public hearing held at least 15 days after written notice thereof to the county or city. Where the".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2086**—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2099**—An act to amend Section 21662 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mountain driving.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2121**—An act to amend Sections 21457 and 21802 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing red signals.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2122**—An act to add Section 22520 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the stopping of vehicles on freeways.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2205**—An act to amend Section 22502 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to parking.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2206**—An act to amend Section 555 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to sidewalks.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1843**—An act to amend Section 18009 of the Health and Safety Code, relating to trailer coaches.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 18009 of", and insert "add Section 18372 to".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 18372 is added to the Health and Safety Code, to read:

18372. Any trailer coach which meets the standards prescribed by the Division of Housing, Department of Industrial Relations, pursuant to Section 18370, shall not be required to comply with any local ordinances prescribing requirements for plumbing, heating, and electrical equipment installed in trailer coaches"

**Amendment No. 3**

On page 1, strike out lines 2 to 21, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1871**—An act to amend Section 3075 of the Penal Code, relating to the county board of parole commissioners.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

On page 1, line 11, after the period, insert "In addition the public member shall be entitled to per diem at such rate as may be provided by the board of supervisors. The public member shall hold office for a term of four years which shall commence on the date of his appointment, and he shall serve until the appointment and qualification of his successor."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 670**—An act to add Article 7 (commencing at Section 2048) to Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 5003 of said code, relating to the establishment and functions of the California Correctional Institution at Tehachapi.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2054**—An act to add Chapter 6 (commencing with Section 12550) to Title 2, Part 4, of the Penal Code, relating to firearms.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 202**—An act to amend Section 1385 of the Penal Code, relating to dismissal of criminal actions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, after "upon", insert "noticed".

**Amendment No. 2**

On page 1, line 9, strike out "the prosecuting attorney", and insert "its own or of any party and in the furtherance of justice".

**Amendment No. 3**

On page 1, line 12, after "defendants", insert "; provided, however, that no such order may be made as to an allegation of fact which, if admitted or found to be true, would change the penalty for the crime from what the penalty would be if such facts were not alleged and admitted or proved to be true, except upon motion of the district attorney".

**Amendment No. 4**

On page 1, strike out lines 13 to 15, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 708**—An act to add Chapter 8 (commencing at Section 25701) to Division 20 of the Health and Safety Code, relating to the manufacture and sale of toys.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, as amended in the Assembly on April 9, 1959, strike out "whereby it may"; strike out lines 4 and 5, and insert a period

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 2177**—An act to amend Sections 16401, 16404, and 16406 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sale of personal property of school districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2207**—An act to amend Sections 1363 and 1433 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school board meetings.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 579**—An act to amend Sections 13581, 13582, 13592, 13601, 13621, 13622, and 13651 of, and to add Sections 13580, 13604, 13651.3 and 13651.4 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 14 of the title of the printed bill, as amended in the Assembly on April 16, 1959, strike out "and 13651.4", and insert "13651.4, and 13739.1".

**Amendment No. 2**

On page 8, line 43, after "ter", insert ", other than to a district or districts governed by the same governing board in which the combined average daily attendance of all districts is in excess of 400,000. In such district or districts in which the combined average daily attendance of all districts is in excess of 400,000, no minimum age limit shall be established for employment in the classified service and any maximum age limit which is established by the governing board of the district shall be not less than 65 years of age and not more than the compulsory retirement age for such employment as provided herein".

**Amendment No. 3**

On page 17, after line 39, insert

"SEC. 12 Section 13739.1 is added to said code, to read:

13739.1. The permanent classification of any employee who is classified as a permanent employee under the provisions of this article (commencing with Section 13701) shall cease at the close of the fiscal year in which the employee reaches the age of 65 years. The employee shall, however, be continued in employment in accordance with the provisions of Articles 1 to 4, inclusive, (commencing with Section 13580), of this chapter, except that in a school district or districts, governed by the same governing board, in which the combined average daily attendance of all districts is in excess of 400,000, the employment of such an employee beyond the close of the fiscal year in which he reaches the age of 65 years shall be at the discretion of the governing board of the district. The governing board may terminate at its pleasure the services of an employee who is employed or continued in employment beyond the fiscal year in which he reaches the age of 65 years. Employment beyond age 65 shall be in accordance with rules for such employment approved by the Board of Education and the Personnel Commission of the district."

Bill ordered reprinted, and re-engrossed

**Assembly Bill No. 1532**—An act to amend Sections 21756, 21810, 21812, 22051, and 22052 of, and to add Section 21800 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "upon", and insert "as soon as possible following".

**Amendment No. 2**

On page 1, line 17, strike out "the time or"; strike out lines 18 to 21 inclusive, and insert "the total amount of bonds to be sold. The resolution may also".

**Amendment No. 3**

On page 2, line 28, after "to", insert "price or".

**Amendment No. 4**

On page 2, line 29, after "and", insert "without further authorization from the governing board,".

**Amendment No. 5**

On page 2, between lines 30 and 31, insert

"For the purpose of determining whether or not a bid exceeds the maximum acceptable interest rate, the interest rate of that bid shall be deemed to be the interest rate resulting from the total net interest cost arrived at by computing the total amount of interest which the district would be required to pay from the date of

the bonds to the respective maturity dates thereof at the rate or rates specified in the bid and by deducting therefrom any premium bid."

**Amendment No. 6**

On page 3, line 5, after "The", insert "board of supervisors at the direction of".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 114**—An act to amend Section 23601 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on April 16, 1959, strike out line 3, and insert

"23601. A primary function of the state colleges is the training of teachers. The state colleges shall".

**Amendment No. 2**

On page 1, line 5, strike out the semicolon, and insert " Other functions of the state colleges are:".

**Amendment No. 3**

On page 1, line 6, strike out "teaching,".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1859**—An act to amend Section 1176 of the Insurance Code, relating to mortgage loan investments.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1956**—An act to amend Sections 1719, 1724, 1751, and 1887 of the Insurance Code, relating to insurance licenses.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1259**—An act to add Section 3864 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 515**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1528**—An act to amend Section 10270.55 of the Insurance Code, relating to standard provisions in disability policies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1662**—An act to add Article 13.5 (commencing at Section 997) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to the reserves of disability insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1886**—An act to amend Sections 18200, 18207, 18406.1, 18412, 18413, 18614, 18616, 18668 and 18669 of the Financial Code, to add Sections 18200.1, 18200.2, 18200.3, 18200.4, 18200.5,

18200.6, 18203.5, 18205.5, 18607.1, 18610.5, 18617.1, 18625, 18626, 18668.1, 18668.2, 18818, 18818.1, and 18818.2 to said code, to add an article heading to Chapter 3 of Division 7, to add an article heading and new Article 2 (commencing with Section 18420) to Chapter 3 of Division 7 of said code, to add Chapter 6 (commencing with Section 18850) to Division 7 of said code, and to repeal Sections 18404, 18414, 18415, and 18818 of said code, relating to industrial loan companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2019**—An act to add Section 14804.1 to the Financial Code, relating to credit unions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1015**—An act to repeal Sections 4451 and 4452 of the Labor Code, and to amend Sections 4453, 4455 and 4460 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1855**—An act to repeal Section 10131.1 of, and to add Chapter 5 (commencing at Section 10350) to Part 1, Division 4, of the Business and Professions Code; to amend Sections 3081.1, 3081.3, 3081.4, 3081.9 and 3081.93 of the Civil Code; and to amend Sections 25102 and 25102.1 of the Corporations Code, relating to mortgage loans and brokers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

#### Amendment No. 1

On page 2, line 12, of the printed bill, as amended in the Assembly on April 9, 1959, strike out "in whole or in part".

#### Amendment No. 2

On page 5, line 9, strike out "surety".

#### Amendment No. 3

On page 5, line 9, after the comma, insert "issued by an admitted, corporate surety insurer,".

#### Amendment No. 4

On page 5, line 11, strike out "with one or more sureties approved by the commis-".

#### Amendment No. 5

On page 5, strike out all of line 12.

#### Amendment No. 6

On page 5, line 13, strike out "amount in the aggregate".

#### Amendment No. 7

On page 5, line 16, after the period, insert "Applicant shall also file and maintain with the commissioner a fidelity bond, issued by an admitted corporate surety insurer, in a principal amount that is at all times equal to total aggregate amount of all moneys held for the account of others at any one time. The minimum amount of such fidelity bond to be maintained by any licensee under this chapter shall be twenty-five thousand dollars ($25,000). Said fidelity bond shall be in favor of licensee and shall provide recovery of any loss of such funds held by others by said licensee arising out of defalcation or theft."

#### Amendment No. 8

On page 12, line 31, strike out "Agree to service said loan by collecting", and insert "Collect the".

**Amendment No. 9**

On page 12, strike out lines 36 and 37.

**Amendment No. 10**

On page 12, strike out lines 38, 39 and 40, and insert

"3. Advance not to exceed six monthly installments if necessary to keep a first loan current in order to enable a loan secured by a second mortgage or deed of trust to be foreclosed."

**Amendment No. 11**

On page 12, line 41, strike out "5", and insert "4".

**Amendment No. 12**

On page 12, line 42, after "instructions," insert "to instruct a trustee to foreclose a deed of trust,".

**Amendment No. 13**

On page 12, line 45, strike out "6", and insert "5".

**Amendment No. 14**

On page 12, strike out lines 47 and 48, and insert

"6. Accept in advance and pay interest on money to be loaned by a lender subject to the approval or disapproval by him of the terms and conditions of the promissory note and the security therefor, or to be used as the purchase price for a promissory note secured by a mortgage or deed of trust on real property subject to the approval or disapproval by the purchaser of the terms and conditions of the promissory note and the security therefor."

**Amendment No. 15**

On page 14, line 5, strike out "whether unsecured or".

**Amendment No. 16**

On page 14, line 15, strike out "in whole or in part".

**Amendment No. 17**

On page 14, line 23, strike out "in whole or in part".

**Amendment No. 18**

On page 14, line 27, after the comma, insert "only as set forth and limited to the provisions of paragraph (d) of Section 3081.3,".

**Amendment No. 19**

On page 14, line 28, after "Commissioner", insert ", and when such note is not sold to an underwriter".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2062**—An act to add Sections 20230.5, 20750.13, 20750.23, 20750.33, and 20750.43 to, and to add Article 6 (commencing with Section 21380), to Chapter 9, Part 3, Division 5, Title 2 of, the Government Code, relating to State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 2, line 36, strike out "Sections 21382 and 21383", and insert "Section 21382".

**Amendment No. 2**

On page 3, line 19, strike out "ninety dollars ($190)", and insert "eighty dollars ($180)".

**Amendment No. 3**

On page 3, line 20, strike out "fifty-five dollars ($255)", and insert "fifty dollars ($250)".

**Amendment No. 4**

On page 3, line 25, strike out "ninety-five ($95)", and insert "ninety dollars ($90)".

**Amendment No. 5**

On page 3, line 36, strike out "ninety-five dollars ($95)", and insert "ninety dollars ($90)".

**Amendment No. 6**

On page 3, line 38, strike out "ninety dollars ($190)", and insert "eighty dollars ($180)".

**Amendment No. 7**

On page 3, line 41, strike out "fifty-five dollars ($255)", and insert "fifty dollars ($250)".

**Amendment No. 8**

On page 3, line 50 and 51, strike out "ninety-five dollars ($95)", and insert "ninety dollars ($90)".

**Amendment No. 9**

On page 4, lines 3 and 4, strike out "sixty-five dollars ($65)", and insert "seventy dollars ($70)".

**Amendment No. 10**

On page 4, lines 13, strike out "ninety-five dollars ($95)", and insert "ninety dollars ($90)".

**Amendment No. 11**

On page 4, strike out lines 23 to 47, inclusive.

**Amendment No. 12**

On page 4, line 48, strike out "21384", and insert "21383".

**Amendment No. 13**

On page 5, line 3, strike out "21385", and insert "21384".

**Amendment No. 14**

On page 5, line 4, strike out ", or the"; and strike out lines 5 and 6.

**Amendment No. 15**

On page 5, lines 8 and 9, strike out "or the continued allowance, as the case may be,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 2153**—An act to add Sections 20004.5, 20004.6, 20014 6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601.5, 20750.6, 20988, 20989, 21251 14, 22152 and 22213, to add Chapter 6.5 (commencing at Section 20780), to Part 3, Division 5, Title 2, of, to amend Sections 22009.1, 22013, and 22210 of, and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2, of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 3, line 38, of the printed bill, after "account.", insert "If said contract is or has been amended to provide for the payment of retroactive employee and employer contributions in the manner provided in this section, it may be further amended to provide that the amount by which (1) the total normal contributions of each member for the period subsequent to the effective date of coverage under the federal system less the total normal contributions which would have been credited to the account of such member had the reduced rate of contribution provided in the amended contract with the public agency been in effect from and after the aforesaid date of coverage exceeds (2) the employee federal contributions for such member for the period after said date of coverage shall be paid to such member"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Concurrent Resolution No. 108**—Relative to merit awards to state employees.

Resolution read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

Amendment No. 1

On page 3, between lines 29 and 30 of the printed measure, insert

"WHEREAS, An award of one hundred fifty dollars ($150) has already been made to George Tsumura, Franchise Tax Board, for a suggestion that results in annual savings of two thousand six hundred sixty-six dollars ($2,666) by recommending that lower paid clerical personnel prepare tax forms used in auditing income tax returns, rather than having them prepared by auditors at higher salary rates; and

WHEREAS, An award of one hundred fifty dollars ($150) has already been made to Murrie J Gray, Department of Motor Vehicles, for a suggestion that results in annual savings of ten thousand two hundred forty-one dollars ($10,241) by proposing a revised procedure which eliminates proofreading and checking of drivers' licenses by the Reproduction Section and resulted in the elimination of two clerical positions formerly assigned to this activity; and".

Amendment No. 2

On page 3, lines 32 and 33, strike out "two hundred thousand four hundred ninety dollars ($200,490)", and insert "two hundred thirteen thousand three hundred ninety-seven dollars ($213,397)".

Amendment No. 3

On page 4, line 3, strike out "and be it further".

Amendment No. 4

On page 4, between lines 3 and 4, insert

"George Tsumura, one hundred sixteen dollars ($116);
Murrie J. Gray, eight hundred seventy-four dollars ($874); and be it further"

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 2128**—An act to amend Section 11619 of the Health and Safety Code, relating to forfeiture of vehicles for narcotics violations.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "of reasonable investigation which", and insert "setting forth the facts constituting his investigation, which affidavit".

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 514**—An act to amend Sections 3203, 3204, and 3403 of, and to add Section 3407.5 to, the Public Resources Code, relating to oil and gas.

Bill read second time, and ordered to third reading.

**Senate Bill No. 671**—An act to add Sections 305.2 and 744.1 to the Vehicle Code, and to add Sections 1816 and 13367 to the Vehicle Code

as proposed by Assembly Bill No. 5, relating to traffic violations committed by minors.

Bill read second time, and ordered to third reading.

**Senate Bill No. 232**—An act to add Section 604.14 to the Vehicle Code, and to add Section 23120 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to glasses worn by drivers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on April 15, 1959, strike out "373 to the Penal Code", and insert "23120 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 2**

In line 5 of the title, strike out "manufacture, sale, and".

**Amendment No. 3**

In line 6 of the title, after "glasses", insert "by drivers".

**Amendment No. 4**

On page 1, strike out lines 2 to 10, inclusive, and insert

"SECTION 1. Section 23120 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read:

23120. No person shall operate a motor vehicle while wearing glasses having a temple width of one-half inch or more if any part of such temple extends below the horizontal center of the lens."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 57**—An act to amend Section 12077 of the Penal Code, relating to records of pistol or revolver sales.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 456**—An act to amend Section 538e of the Penal Code, relating to misrepresentation in sales of fire-fighting equipment.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 235**—An act to amend Section 17 of the Penal Code, relating to the definition of crimes as felonies or misdemeanors.

Bill read second time, and ordered to third reading.

**Senate Bill No. 148**—An act to amend Section 1269b of the Penal Code, relating to bail and deposits instead of bail.

Bill read second time, and ordered to third reading.

**Senate Bill No. 837**—An act to amend Section 10202.7 of the Insurance Code, relating to group life insurance for trade associations.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 806**—An act to amend Section 10203.7 of the Insurance Code, relating to group life insurance for agents.

Bill read second time, and ordered to third reading.

**Senate Bill No. 807**—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read second time, and ordered to third reading.

**Senate Bill No. 836**—An act to amend Section 10203.5 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered to third reading.

**Senate Bill No. 652**—An act to add Section 516 to the Public Resources Code, relating to vessel insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 590**—An act to add Section 19406 to the Government Code, relating to reinstatement rights to the state civil service after military training.

Bill read second time, and ordered to the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 670**, subsequent to engrossment.

**Assembly Bills Nos. 1662, 1886,** and **1015,** subsequent to re-engrossment.

**Senate Bill No. 652.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 123 FROM COMMITTEE CONTINUED

Mr. Elliott was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 123 from the Committee on Social Welfare be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 237**—An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 237?

### Amendment No. 1

On page 3, line 7, of the printed bill, as amended in the Assembly on March 6, 1959, strike out "If", and insert "After".

### Amendment No. 2

On page 3, line 7, after "vacancy", insert "occurring".

**Amendment No. 3**

On page 3, line 8, after the comma, insert "receives his certificate of election, and takes his oath of office,".

The Assembly concurred in Senate amendments to Assembly Bill No. 237 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, Winton, Z'berg and Mr. Speaker—53.
NOES—None

Assembly Bill No. 237 ordered enrolled.

**Assembly Bill No. 159**—An act to add Section 19828 to the Health and Safety Code, relating to contractors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 159?

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on March 5, 1959, strike out "and classification".

**Amendment No. 2**

On page 1, lines 4 and 5, of the printed bill, as amended in the Senate on April 1, 1959, strike out "certifying", and insert "which he has prepared and signed stating".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 159 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—55
NOES—None.

Assembly Bill No. 159 ordered enrolled

**Assembly Bill No. 241**—An act to amend Section 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to election notice to voters

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 241?

**Amendment No. 1**

Strike out line 1 of the title of the printed bill, as amended in the Assembly on March 6, 1959, and insert "An act to amend".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 23, inclusive.

**Amendment No. 4**

On page 2, strike out lines 1 and 2, and insert
"SECTION 1. Section 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 5**

On page 2, strike out line 20, and insert "schools."

**Amendment No. 6**

On page 2, strike out lines 24 to 29, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 241 by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—61.

NOES—None

Assembly Bill No. 241 ordered enrolled.

**Assembly Bill No. 597**—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens by public agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 597?

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "foreigner.", and insert "noncitizen."

**Amendment No. 2**

On page 2, line 12, strike out "foreigner.", and insert "noncitizen."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 597 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 597 ordered enrolled.

**Assembly Bill No. 753**—An act to add Section 14057.5 to, and to amend Section 14058 of the Health and Safety Code, relating to local fire districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 753?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "to", insert "add Section 14057.5 to, and to".

**Amendment No. 2**

On page 1, after line 10, insert

"SEC. 2. Section 14057.5 is added to said code, to read.

14057.5. The district board shall publish notice pursuant to Section 6066 of the Government Code that nomination petitions may be received. Notice shall be published at least seven days prior to the final date for receiving petitions."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 753 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford,

Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 753 ordered enrolled.

**Assembly Bill No. 1343**—An act to amend Sections 967 and 969 of, and to repeal Chapter 6 (commencing at Section 880) of Part 2 of Division 1 of the Health and Safety Code, relating to local health districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1343?

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "one-half of its qualified electors voting", and insert "a majority of the votes cast".

**Amendment No. 2**

On page 1, line 10, strike out "one-half", and insert "a majority".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1343 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 1343 ordered enrolled.

**Assembly Bill No. 1280**—An act to amend Section 15955 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts by school district governing boards.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1280?

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "vendor", insert "or lessor".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1280 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1280 ordered enrolled.

**Assembly Joint Resolution No. 28**—Relative to a congressional investigation of unnecessary sonic booms in populated areas of California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 28?

**Amendment No. 1**

On page 2, line 20, of the printed measure, strike out ", in isolated instances,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 28 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Joint Resolution No. 28 ordered enrolled.

**Assembly Bill No. 712**—An act to amend Section 3800 of the Labor Code, relating to construction permits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 712?

**Amendment No. 1**

On page 1, line 24, of the printed bill, strike out "certifying", and insert "which he has prepared and signed stating".

**Amendment No. 2**

On page 2, lines 3 and 4, strike out "certifying", and insert "stating".

**Amendment No. 3**

On page 2, line 3, strike out "classification and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 712 by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 712 ordered enrolled.

**Assembly Bill No. 1277**—An act to add Section 54907 to the Government Code, relating to the filing of statements and maps and plats for tax purposes by cities on annexation or change in boundaries, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1277?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1959, strike out "54906", and insert "54907".

**Amendment No. 2**

On page 1, line 1, strike out "54906", and insert "54907".

**Amendment No. 3**

On page 1, line 9, strike out "54906", and insert 54907".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1277 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1277 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 590 FROM COMMITTEE

Mr. Munnell was granted unanimous consent that Assembly Bill No. 590 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 590

**Assembly Bill No. 590**—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Motion to Amend**

Mr. Munnell moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, strike out the title, and insert

"An act to repeal Sections 633, 709, and 1027 of, to amend Sections 135, 634, 705, 930, 978, 979, 982, 1279, and 1280 of, and to add Section 608 to, the Unemployment Insurance Code, relating to unemployment insurance."

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 135 of the Unemployment Insurance Code is amended to read:

135. "Employing unit," means any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company, corporation whether domestic or foreign, and the receiver, trustee in bankruptcy, trustee or successor thereof, and the legal representative of a deceased person, *and any public housing administration agency whether operated by state or local governmental subdivisions, this State, and every governmental entity as defined in subdivision (a) of Section 608*, which has, or subsequent to January 1, 1936, had, in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this division.

SEC. 2. Section 608 is added to said code, to read:

608. (a) For the purpose of this section, the term "governmental entity" means political subdivisions or instrumentalities of this State, the Regents of the University of California, and instrumentalities of one or more political subdivisions of this State.

(b) Effective on and after January 1, 1960, "employment" shall, for the purposes of this division, include services performed in the employ of the State of California and in the employ of any governmental entity. The State of California and every governmental entity shall be deemed to be an employer within the meaning of this division for the purpose of determining an individual's rights to benefits. The State Controller shall be considered the employer of persons performing services in the employ of the State and the comparable officer for each governmental entity shall be considered the employer of persons performing services in the employ of the governmental entity, for the purpose of performing the duties with respect to worker contributions prescribed by this division.

(c) In lieu of the contributions required of employers, the State and each governmental entity shall pay into the Unemployment Fund in the State Treasury at the times and in the manner provided in subdivision (d) of this section, an amount equal to the additional cost to the Unemployment Fund of the benefits paid with respect to state employment and employment for the governmental entity. The State shall pay its contribution, hereinafter referred to as the "State's contribution," from the General Fund and from each special fund Benefits otherwise payable irrespective of this section shall be charged to employers' accounts in accordance with other sections of this division, but the additional cost to the Unemployment Fund of the benefits paid pursuant to this section shall be borne solely by the State or by the appropriate governmental entity. If benefits are based on wages paid from two or more state funds, or by two or more governmental entities, or from one or more state funds and by one or more governmental entities, the benefits shall be borne by each of the state funds or governmetal entities in the proportion that the total wages paid to the individual in employment from each state fund or by each governmental entity bears to the total wages paid to the individual in employment from all state funds and by all governmental entities during the base period. "Total wages paid" as used in this subdivision includes taxable wages as well as wages which would be taxable except for the limitation on taxable wages provided under Section 930.

(d) In making the payments prescribed by subdivision (c) of this section, there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from the General Fund, from each special fund in the State Treasury, and from each governmental entity under this section for each calendar month, reduced or increased by any sum by which he finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the fund. Such estimates may be made upon the basis of such statistical

sampling, or other method as may be agreed upon by the State Controller and the director.

Upon making such determination, the director shall certify to the State Controller the amount so determined with respect to each such fund, which is hereby appropriated, and shall also certify to the comparable officer of each governmental entity the amount determined with respect to it On order of the State Controller, the State's contribution from the General Fund and from each special fund, pursuant to the determination, shall be transferred to the Unemployment Fund in the State Treasury. The contributions due from the governmental entities shall be paid to the Unemployment Fund by the appropriate governmental entity.

There is hereby appropriated monthly from the General Fund and from each special fund in the State Treasury an amount equal to the State's contribution payable from each such fund pursuant to this section.

(e) The director may require from each state agency, as the term "state agency" is defined in Section 11000 of the Government Code and from each governmental entity, such employment, financial, statistical, or other information and reports, properly verified, as may be deemed necessary by the director to carry out his duties under this division, which shall be filed with the director at the time and in the manner prescribed by him.

(f) The director may tabulate and publish information obtained pursuant to this section in statistical form and may divulge the name of the state agency or governmental entity.

(g) Each state agency and governmental entity shall keep such work records as may be prescribed by the director for the proper administration of this division.

(h) For the purposes of this section, with respect to unemployment compensation benefits an individual shall be entitled to credit for wages paid for service in the employ of the State of California and governmental entities for periods prior to the effective date of this section which shall constitute "wages for employment by employers," but shall not be entitled to such credit with respect to disability benefits. The State's contribution and contributions from the appropriate governmental entities shall be required as to the additional cost to the Unemployment Fund for credits allowed under this subdivision.

(i) Except as inconsistent with the provisions of this section, the provisions of this division and authorized regulations shall apply to any matter arising pursuant to this section.

SEC. 3. Section 633 of said code is repealed.

~~633. Except as provided in Sections 605 and 709, "employment" does not include service performed in the employ of a state, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions.~~

SEC. 4. Section 634 of said code is amended to read:

634. "Employment" does not include : ~~service~~

*(a) Services* performed *prior to January 1, 1960,* in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or

educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation *; and*

*(b) Services performed after December 31, 1959, by an individual as a duly ordained priest, clergyman, pastor or minister of religion or by a religious (such as a monk, friar or nun).*

SEC. 5. Section 705 of said code is amended to read:

705. An elective coverage agreement approved by the director pursuant to any section of this article may be terminated as of January 1st of any calendar year only if the agreement has been in effect for two calendar years and if the employing unit ~~, or the State, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions, or department or unit thereof,~~ on or before the thirty-first day of January of that year, has filed with the director a written application for termination.

SEC. 6. Section 709 of said code is repealed.

~~709. The State, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions may file with the director a written election to become an employer subject to this division for not less than two calendar years, or to have any of its departments or units become employers subject to this division for not less than two calendar years, and to have the services performed by its employees constitute employment subject to this division for such period. It shall post and maintain printed notices of such election on its premises, as prescribed by authorized regulations. If the director finds that a majority of the employees to be affected by the election to become an employer have voted in favor thereof, such State, political subdivision thereof, instrumentality, or department or unit thereof shall, upon the written approval of the election by the director, become an employer subject to this division to the same extent as other employers, and services performed by its employees shall constitute employment subject to this division.~~

~~This section shall not apply to employees holding civil service or permanent tenure positions.~~

SEC. 7. Section 930 of said code is amended to read:

930. "Wages" does not include remuneration in excess of three thousand dollars ($3,000) paid to an individual by an employer during any calendar year, with respect to employment. *After December 31, 1959, "wages" does not include remuneration in excess of three thousand six hundred dollars ($3,600) paid to an individual during any calendar year, with respect to employment.* If an employer during any calendar year acquires substantially all the property used in a trade or business of another employer, or used in a separate unit of a trade or business of such other employer, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of the employer from whom the property was acquired, then, for the purpose

of determining whether the acquiring employer has paid remuneration with respect to employment in excess of three thousand dollars ($3,000) to such individual during such calendar year *or three thousand six hundred dollars ($3,600) paid to such individual during any calendar year after December 31, 1959*, any remuneration with respect to employment paid to such individual by the employer from whom the property was acquired during such calendar year and prior to such acquisition shall be considered as having been paid by the acquiring employer. As used in this section "remuneration" does not include the remuneration referred to in Sections 931, 932, 933, 934, 935, 936, 937, and 938.

SEC. 8 Section 978 of said code is amended to read:

978. *If, on December 31, 1960, the balance in the Unemployment Fund is less than 6.7 percent, and* after December 31, 19~~57~~ *60, whenever the balance in the Unemployment Fund on December 31st of any calendar year is less than 6.2 percent, of the wages in employment subject to this part paid during the 12-month period ending upon the computation date immediately preceding such December 31st,* employers shall pay into the Unemployment Fund contributions *for the succeeding calendar year* upon all wages with respect to employment at the following rates.

If, as of the computation date the employer's net balance of reserve equals or exceeds that percentage of his average base payroll which appears on any line in Column 1 of the following table, but is less than that percentage of his average base payroll which appears on the same line in Column 2 of that table, his contribution rate shall be the figure appearing on that same line in Column 3 of that table.

| Line | Column 1 | Column 2 | Column 3 (Contribution rate) |
|---|---|---|---|
| *1* | *0 %* | *7.0%* | *3.0%* |
| ~~1~~ *2* | ~~0~~ *%* 7.0% | 7.5% | 2.7% |
| ~~2~~ *3* | 7.5% | 8.0% | 2.5% |
| ~~3~~ *4* | 8.0% | 8.5% | 2.5% |
| ~~4~~ *5* | 8.5% | 9.0% | 2.3% |
| ~~5~~ *6* | 9.0% | 9.5% | 2.0% |
| ~~6~~ *7* | 9.5% | 10.0% | 1.8% |
| ~~7~~ *8* | 10.0% | 10.5% | 1.5% |
| ~~8~~ *9* | 10.5% | 11.0% | 1.3% |
| ~~9~~ *10* | 11.0% | 12.0% | 1.0% |
| ~~10~~ *11* | 12.0% | 13.0% | 0.9% |
| ~~11~~ *12* | 13.0% | 14.0% | 0.8% |
| ~~12~~ *13* | 14.0% | 15.0% | 0.7% |
| ~~13~~ *14* | 15.0% | 16.0% | 0.6% |
| ~~14~~ *15* | 16.0% | 17.0% | 0.5% |
| ~~15~~ *16* | 17.0% | 18.0% | 0.4% |
| ~~16~~ *17* | 18.0% | 100 *% or more* | 0.3% |

SEC. 9. Section 979 of said code is amended to read:

979. *If, on December 31, 1960, the balance in the Unemployment Fund equals or exceeds 6.7 percent, and* after December 31, 19~~47~~ *60*,

whenever the balance in the Unemployment Fund on December 31st of any calendar year equals *or exceeds* ~~7.1~~ *6.2* percent, of the wages in employment subject to this part paid during the 12-month period ending upon the computation date immediately preceding such December 31st, employers shall pay into the Unemployment Fund contributions for the succeeding calendar year upon all wages with respect to employment at the following rates.

If, as of the computation date, the employer's net balance of reserve equals or exceeds that percentage of his average base payroll which appears on any line in Column 1 of the following table, but is less than that percentage of his average base payroll which appears on the same line in Column 2 of that table, his contribution rate shall be the figure appearing on that same line in Column 3 of that table.

| Line | Reserve balance Column 1 | Column 2 | Contribution rate Column 3 |
|---|---|---|---|
| *1* | *0 %* | *5½%* | *3.0%* |
| ~~1~~ *2* | ~~0 %~~ *5½%* | 6 % | 2.7% |
| ~~2~~ *3* | 6 % | 6½% | 2.5% |
| ~~3~~ *4* | 6½% | 7 % | 2.3% |
| ~~4~~ *5* | 7 % | 7½% | 2.1% |
| ~~5~~ *6* | 7½% | 8 % | 1.9% |
| ~~6~~ *7* | 8 % | 8½% | 1.7% |
| ~~7~~ *8* | 8½% | 9 % | 1.5% |
| ~~8~~ *9* | 9 % | 9½% | 1.3% |
| ~~9~~ *10* | 9½% | 10 % | 1.1% |
| ~~10~~ *11* | 10 % | 10½% | 0.9% |
| ~~11~~ *12* | 10½% | 11 % | 0.7% |
| ~~12~~ *13* | 11 % | 11½% | 0.5% |
| ~~13~~ *14* | 11½% | ~~12%~~ *100 % or more* | 0.3% |
| ~~14~~ | ~~12 %~~ | ~~12½%~~ | ~~0.1%~~ |
| ~~15~~ | ~~12½%~~ | ~~100 % or more~~ | ~~0 %~~ |

SEC. 10. Section 982 of said code is amended to read:

982. No employer shall be eligible for a contribution rate of less than ~~2.7~~ *3* percent for any rating period unless his reserve account has been subject to benefit charges during the period of 12 complete consecutive calendar quarters ending on the computation date for that rating period and he is qualified under Section 978 or 979.

SEC. 11. Section 1027 of said code is repealed.

~~1027. The maximum amount of benefits chargeable against employers' accounts by reason of unemployment compensation benefits paid to any one individual for any one benefit year shall not be in excess of 18 times the weekly benefit amount of that individual for that benefit year.~~

SEC. 12. Section 1279 of said code is amended to read:

1279. Each individual eligible under this chapter who is unemployed in any week shall be paid with respect to that week an unemployment compensation benefit in an amount equal to his weekly benefit amount less the amount of wages in excess of ~~three dollars ($3)~~

*twelve dollars ($12)* payable to him for services rendered during that week. The benefit payment, if not a multiple of one dollar ($1), shall be computed to the next higher multiple of one dollar ($1). For the purpose of this section only "wages" includes any and all compensation for personal services whether performed as an employee or as an independent contractor.

SEC. 13. Section 1280 of said code is amended to read:

1280. An individual's "weekly" benefit amount" is the amount appearing in Column B in the following table opposite that wage bracket in Column A which contains the amount of wages paid to the individual for employment by employers during the quarter of his base period in which his wages were the highest.

| A<br>Amount of wages in highest quarter | B<br>Weekly benefit amount |
|---|---|
| $150– $179.99 | $10 |
| 180– 209.99 | 11 |
| 210– 239.99 | 12 |
| 240– 269.99 | 13 |
| 270– 299.99 | 14 |
| 300– 329.99 | 15 |
| 330– 359.99 | 16 |
| 360– 389.99 | 17 |
| 390– 419.99 | 18 |
| 420– 449.99 | 19 |
| 450– 479.99 | 20 |
| 480– 509.99 | 21 |
| 510– 539.99 | 22 |
| 540– 569.99 | 23 |
| 570– 599.99 | 24 |
| 600– 629.99 | 25 |
| 630– 659.99 | 26 |
| 660– 689.99 | 27 |
| 690– 719.99 | 28 |
| 720– 749.99 | 29 |
| 750– 779.99 | 30 |
| 780– 809.99 | 31 |
| 810– 839.99 | 32 |
| 840– 879.99 | 33 |
| 880– 919.99 | 34 |
| 920– 959.99 | 35 |
| 960– 999.99 | 36 |
| 1,000–1,039.99 | 37 |
| 1,040–1,079.99 | 38 |
| 1,080–1,119.99 | 39 |
| 1,120 ~~and over~~ *–1,159.99* | 40 |
| *1,160–1,199.99* | *41* |
| *1,200–1,239.99* | *42* |
| *1,240–1,279.99* | *43* |

| A<br>Amount of wages in highest quarter | B<br>Weekly benefit amount |
|---|---|
| *$1,280–1,319.99* | *$44* |
| *1,320–1,359.99* | *45* |
| *1,360–1,399.99* | *46* |
| *1,400–1,439.99* | *47* |
| *1,440–1,479.99* | *48* |
| *1,480–1,519.99* | *49* |
| *1,520–1,564.99* | *50* |
| *1,565–1,609.99* | *51* |
| *1,610–1,654.99* | *52* |
| *1,655–1,699.99* | *53* |
| *1,700–1,744.99* | *54* |
| *1,745 and over* | *55* |

For the purposes of this section, when an individual has been paid remuneration which would be taxable except for the three thousand dollars ($3,000) limitation on taxable wages *or the three thousand six hundred dollars ($3,600) limitation on taxable wages in calendar years after December 31, 1959*, the "quarter of his base period in which his wages were the highest" may be determined by allocating to any quarter of the calendar year falling within the base period that portion of the taxable wages which is equal to the amount of remuneration paid to him in that quarter or one thousand ~~one hundred twenty dollars ($1,120)~~ *seven hundred forty-five dollars ($1,745)*, whichever is the lesser. The term "remuneration" as used in this section means taxable wages as well as wages which would be taxable except for the three thousand dollars ($3,000) limitation on taxable wages *or the three thousand six hundred dollars ($3,600) limitation on taxable wages in calendar years after December 31, 1959*.

SEC. 14. The additional weekly benefit amounts authorized by the amendment to Section 1280 of the Unemployment Insurance Code effected by this act, shall be payable only to eligible individuals filing new claims on and after the ninety-first day following the adjournment of the 1959 Regular Session of the Legislature.

SEC. 15. The provisions of Sections 978 and 979 of the Unemployment Insurance Code as they existed prior to amendment by this act, shall continue to remain applicable to contributions to be paid for the calendar year 1960.

SEC. 16. The limitation on the maximum amount of benefits chargeable against employers' accounts provided for in Section 1027 of the Unemployment Insurance Code, as it existed prior to repeal thereof by this act, shall remain effective with respect to charges for benefits paid during benefit years commencing prior to the effective date of this act. Said limitation will not be applicable to benefits paid in any benefit year commencing on and after the effective date of this act.

SEC. 17. No right or cause of action founded upon any provision of law amended or repealed by this act as the provision existed prior to such amendment or repeal, as the case may be, shall be abolished or impaired by this act.

SEC. 18. The provisions of Sections 608 and 634 of the Unemployment Insurance Code as added and amended respectively at the 1959 Regular Session by this act shall apply to new claims for unemployment compensation benefits filed on and after January 1, 1960, and to periods of disability commencing on and after January 1, 1960, when the claimant is otherwise eligible for unemployment compensation disability benefits.

SEC. 19. The amendment to Section 705 of the Unemployment Insurance Code and the repeal of Section 709 of said code by this act shall be effective on January 1, 1960, on which date all elections for coverage under said Section 709 shall terminate. The termination of such elections for coverage shall not affect any individual's right to benefits under said code established by new claims for unemployment compensation benefits filed prior to January 1, 1960, nor rights to disability benefits based on wages paid covered by an elective coverage agreement pursuant to said Section 709, and such rights are hereby preserved."

**Amendment No. 3**

On page 1, strike out lines 2 to 21, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2134
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 112
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 156
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:
Assembly Bill No. 1411
With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR SPEAKER: Your Committee on Fish and Game reports.

Assembly Bill No 1922

With amendments with the recommendation Amend, and do pass, as amended.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Fish and Game reports.

Senate Concurrent Resolution No. 46

With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1707

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DAVIS, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 2236

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No 1973

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER. Your Committee on Government Organization reports:

Assembly Bill No. 2031

Assembly Bill No. 2184

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER Your Committee on Water reports:

Assembly Bill No. 1872

Senate Bill No. 135

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2118

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2234

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2007

With the recommendation: That the bill be re-referred to the Committee on Judiciary—Civil.

PORTER, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1141

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1305
Assembly Bill No. 1863
Assembly Bill No. 1847

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bills ordered to second reading.

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 4

With amendments with the recommendation: Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

### Committee on Rules

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 220
House Resolution No. 221
House Resolution No. 222
House Resolution No. 223
House Resolution No. 224

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

HAWKINS, Acting Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 31

With the recommendation: That the resolution be re-referred to the Committee on Public Utilities and Corporations.

HAWKINS, Acting Chairman

Above resolution re-referred to the Committee on Public Utilities and Corporations.

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER. Your Committee on Rules reports.

Assembly Concurrent Resolution No 113

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

HAWKINS, Acting Chairman

Above resolution ordered engrossed.

### Speaker pro Tempore Presiding

At 10.05 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Lowrey was granted unanimous consent that the following letter be ordered printed in the Journal:

## COMMUNICATION FROM STATE BOARD OF EQUALIZATION

OFFICE OF STATE BOARD OF EQUALIZATION
STATE OF CALIFORNIA
SACRAMENTO, April 24, 1959

*Hon. Lloyd W. Lowrey*
*Assemblyman, Third District*
*State Capitol, Sacramento*

DEAR MR. LOWREY: Several weeks ago, you requested from Mr. Travis and myself information concerning exemption of public utilities from sales and use tax. Since there is no specific exemption of public utilities from the 3 percent state tax, we assume that you are interested in the 1 percent local tax exemption under the provisions of the Bradley-Burns Uniform Local Sales and Use Tax Law.

As you know, the Bradley-Burns Law permits counties and cities to enact local tax ordinances which are administered under contracts with the Board of Equalization. Such ordinances are required to contain two separate special exemptions not found in the State Sales and Use Tax Law. The first of these is an exemption from *sales* tax and applies only where the purchaser is the operator of a common carrier or a waterborne vessel and the property is to be used or consumed in the operation of such common carrier or waterborne vessel. The second exemption is one from *use* tax and applies only if the purchaser is a public utility regulated by the California Public Utilities Commission and will use the property directly in the transmission of communications, the transportation of persons or property, the generation, transmission or distribution of electricity, or the manufacture, transmission, or distribution of gas.

Those companies which can qualify for both the common carrier sales tax exemption and the public utility use tax exemption are able to purchase merchandise free of local tax. Examples of companies which qualify are railroads, intercity bus lines, some airlines, some truck companies, and a small number of water carriers. The principal reasons that some of the carriers do not qualify for those exemptions are either that the company is engaged exclusively in interstate or foreign commerce and is, therefore, not regulated by the Public Utilities Commission, or that the company is regulated by the Public Utilities Commission but not as a public utility.

Among the types of businesses which might qualify for the public utility use tax exemption, but not for the common carrier sales tax exemption, are electric, gas, and telephone companies. The local sales tax will apply to purchases by such companies unless a purchase is made from a retailer whose place of business is in one of eight counties (seven after July 1, 1959, which will account for only around 3½ percent of all sales subject to the state tax) which do not have a state-administered local tax in effect, or if the purchase is made under a contract which provides that the merchandise will be shipped to the purchaser from an out-of-state point with title passing at the out-of-state point.

It is interesting to note that at the time the Bradley-Burns Law was under consideration by the Legislature, and the public utility use tax exemption was inserted, a major reason advanced in favor of the exemption was the large bookkeeping expense which would be necessary to determine the place of use of the vast quantities of merchandise purchased by the large utilities for use in their far-flung systems We have had several examples, however, of public utilities apparently attempting to vary their normal purchasing practices in order to take advantage of the exemption. In some instances, the utilities attempt to provide for shipment from a point outside California, with title passing at the out-of-state shipping point, whereas, before the Bradley-Burns Law, the utility might have been content to have the merchandise shipped from a point in California. Many of their purchases are made from large national firms which have offices and warehouses both in California and elsewhere. We have noted one case where a public utility attempted to alter what would normally be considered a construction contract to provide that the contractor would sell the materials to the public utility with title passing at an out-of-state shipping point, and the utility would then hire the contractor to install the materials at a site in California.

It is difficult to measure the amount of state-administered local use tax which is lost to conforming counties and cities by reason of the public utilities exemption provided by the existing statute. No provision has been made for accumulating that information in our records We have, however, made a study based upon an analysis of tax returns filed for reporting periods ended December 31, 1958, together with an examination of records of recognized major suppliers of electric, gas, and telephone companies. The data so obtained indicate that the local use tax exemption enjoyed by public utilities is not less than $1,250,000 per year. The maximum figure could be in excess of $2,000,000.

It is even more difficult to measure the amount of local sales and use tax which is lost to local jurisdictions by reason of the exemption from county sales tax and city sales and use taxes provided the operators of common carriers and waterborne vessels. Nevertheless, we have compared the total local sales tax base of all conforming jurisdictions with the State's base in the same counties from the inception of the program in each county. Under this approach, we established that the local bases are approximately 2½ percent lower than the State's base in the same counties. While this difference is not entirely attributable to these two exemptions, we have every reason to believe that at least three-fourths

of the difference is directly attributable to the exemptions discussed herein. Consequently, we suspect that the loss of local sales tax revenue resulting from these exemptions presently amounts to at least $3,000,000 a year and could possibly be as high as $4,000,000 annually.

We trust that the above information is that which you require. Please inform us if we can be of further assistance.

Respectfully yours,

RONALD B. WELCH, Assistant Executive Secretary

cc: Mr. Dixwell L. Pierce
Mr. Harry L. Say

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1701**—An act to add Section 655 to the Unemployment Insurance Code, relating to excluded services.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1826**—An act to add Article 4 (commencing at Section 7350) to Chapter 2, Part 2, Division 6 of the Fish and Game Code, relating to the use of minnows, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.
NOES—Beaver, Burton, DeLotto, Garrigus, Lanterman, Pattee, Reagan, Shell, Sumner, and Williamson—10.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.
NOES—Beaver, Burton, DeLotto, Garrigus, Lanterman, Pattee, Reagan, Shell, Sumner, and Williamson—10.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1836**—An act to add Section 11580.2 to the Insurance Code, relating to uninsured motorist coverage.

Bill read third time.

**Motion to Re-refer**

Mr. Unruh moved that the bill be re-referred to the Committee on Finance and Insurance.

Mr. Levering seconded the motion.

**Demand for Previous Question**

Messrs. Rees, Schrade, Crawford, Johnson, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

Motion lost by the following vote:

AYES—Beaver, Bee, Cameron, Chapel, Collier, Crown, DeLotto, Donahoe, Samuel R. Geddes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, McMillan, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Shell, Unruh, George A. Willson, and Winton—28.

NOES—Bruce F. Allen, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Dahl, Davis, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Hawkins, Hegland, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, and Williamson—37.

The question being on the passage of the bill.

**Speaker Presiding**

At 10 50 a m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Burton, Crawford, Hanna, Dills, and Biddick demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Bane, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—61.

NOES—Beaver, Bee, Levering, Reagan, Rees, Shell, Unruh, and Winton—8.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF CONSENT CALENDAR (BY UNANIMOUS CONSENT)

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 132**—An act to amend Section 72069 of the Government Code, relating to the fee for preparing copies of records of municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 684**—An act to amend Section 73781 of, and to add Sections 70045.3 and 73781.5 to, the Government Code, relating to court reporters in Marin County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1309**—An act to amend Sections 73602, 73603 and 73605 of the Government Code, relating to the municipal court in the Cities of Daly City and South San Francisco.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1310**—An act to amend Sections 73522, 73523 and 73525 of the Government Code, relating to the municipal court in the Cities of Burlingame and San Mateo.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1500**—An act to amend Sections 73648, 73650, 73958, 74355, and 74748 of, and to add Article 25.5 (commencing at Section 74361) to Chapter 10, of Title 8 of, and to repeal Sections

73644, 73645, 73954, 73955, 74344, 74345, 74346, 74744, and 74745 of, the Government Code, relating to the office of marshal of municipal courts in San Diego County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2131**—An act to repeal Section 814.4 of, to add Section 814.4 to, and to amend Section 828.7 of, the Agricultural Code, relating to vegetable standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2001**—An act to amend Section 8250 of the Health and Safety Code, relating to cemeteries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2126**—An act to add Section 22519 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the regulation of off-street parking facilities by local authorities.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2084**—An act to amend Section 22651 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to removal of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2085**—An act to amend Section 4000 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration for vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstraud, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2107**—An act to amend Section 26709 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mirrors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1090**—An act to add Sections 20007, 20144, and 20302 to, and Article 5 (commencing at Section 20350) to Chapter 2, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1204**—An act to repeal Part 2 (commencing at Section 20500) of Division 14 of the Health and Safety Code, and to add Section 38638 to the Government Code, relating to police protection at public meetings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2010**—An act to add Section 20568.1 to, and to amend Sections 26965, 26966 and 26967 of, the Water Code, relating to irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2018**—An act to amend Section 197.8 of the Streets and Highways Code, relating to city street project contracts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1559**—An act to add Section 2509.1 to the Revenue and Taxation Code, relating to the collection of property taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1560**—An act to amend Section 4149 of the Revenue and Taxation Code, relating to redemption of any parcel of tax-sold or tax-deeded property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1561**—An act to amend Section 4102 of the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 760**—An act to add Section 50022.9 to the Government Code, relating to the adoption of ordinances by cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 765**—An act to add Section 25843 to the Government Code, relating to county government.

NOTE—Later this day, the record was expunged, and the action rescinded on Senate Bill No. 765. *See* page 3040.

**Senate Bill No. 567**—An act to add Section 2192.1 to the Revenue and Taxation Code, relating to the effect of tax.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 685**—An act to amend Sections 2619, 2705.5, and 2922 of the Revenue and Taxation Code, relating to the delinquent dates of taxes on property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1433 was taken up.

**Assembly Bill No. 1433**—An act to amend Sections 19620, 19624, and 19629 of, and to repeal Sections 19621, 19622, 19622.5, 19622.7,

19623, 19624, 19625, 19626, 19627.3, and 19628 of, the Business and Professions Code, to amend Sections 88, 92.1, 92.5, 94, 94.5, and 94.6 of the Agricultural Code, to amend Section 25902 of the Government Code, and to repeal Section 25903 of the Government Code, relating to state revenues.

Bill read third time.

**Demand for Previous Question**

Messrs. Crown, Lanterman, Reagan, Burke, and Schrade, demanded the previous question.

Demand for previous question sustained by the following vote:

AYES—Beaver, Bee, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Backstrand, Belotti, Elliott, Lowrey, Pattee, and Williamson—6

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Winton—56

NOES—Backstrand, Bee, Belotti, Biddick, Coolidge, Cunningham, Davis, Donahoe, Samuel R. Geddes, Lowrey, Lunardi, MacBride, McCollister, Nisbet, Pattee, Schrade, Sedgwick, Williamson, Z'berg, and Mr. Speaker—20.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 218

By Mr. Lanterman:

**House Resolution No. 218**

WHEREAS, Theodore Payne, world renowned horticulturist, pioneer California nurseryman and seed specialist, was born in England June 19, 1872, and arrived in Los Angeles June 28, 1893, 66 years ago; and

WHEREAS, He established nurseries throughout Southern California, became noted for his special study of Eucalyptus, collected and shipped seeds throughout the United States; and

WHEREAS, He began a lifetime search and development of wildflowers and native plants and shrubs, issued the first California wildflower catalogue in 1906, laid out and planted the five acre "wild garden" at Exposition Park, Los Angeles, with over 262 species, and

WHEREAS, He selected the site for Santa Ana Botanic Garden in 1922, and served for 20 years on the Advisory Council, has trained many botanists and horticulturists; and

WHEREAS, During his 65-year career as a California horticulturist he has introduced into cultivation over 400 species of California wildflowers and native plants and made them available for general use, and has received many honors in recognition of this public service, and

WHEREAS, He has under way at this time three major projects culminating a lifetime of dedication to horticulture, development of a California Native Plant section of Descanso Gardens, La Canada, California, compiling a history of each species of California Native Plants, and establishing a foundation for their preservation; now, therefore, be it

*Resolved*, That the Assembly of the California State Legislature hereby congratulates Theodore Payne, horticulturist extraordinary, on his lifetime of service to

beauty and nature, and commends him for his contribution to the fame and glory of his adopted State; and, be it further

*Resolved*. That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Theodore Payne.

Resolution read, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Crown asked for unanimous consent to take up further consideration of Assembly Bill No. 1015, at this time, for purpose of amendment.

Speaker Brown advised Mr. Crown that the bill had been ordered re-referred to the Committee on Ways and Means pursuant to Rule No. 62, and that the amendment could be presented in the committee.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1932**—An act to amend Section 4354 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read third time

#### Speaker pro Tempore Presiding

At 11.28 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1933**—An act to amend Section 4361 of the Agriculture Code, relating to fluid milk and fluid cream.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—66

NOES—Burton and Mulford—2.

Bill ordered transmitted to the Senate.

#### Vote Changed Upon Roll Call

Mr. Backstrand was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 1933.

**Assembly Bill No. 1993**—An act to amend Sections 141.5 and 2183 of the Welfare and Institutions Code, relating to public assistance warrants.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—57.

NOES—Bruce F. Allen, Backstrand, Bradley, Davis, Grant, Lanterman, Levering, Lowrey, Mulford, Shell, and Thelin—11.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 150

By Messrs. Belotti and Meyers:

### House Resolution No. 150

Relating to a study of highway safety markings

WHEREAS, The high speed of vehicles and the crowded conditions on the highways of this State makes good driver visibility increasingly important; and

WHEREAS, The visibility of the white line normally used to indicate the division of vehicle lanes is of prime importance, especially in times of inclement, hazy or foggy weather when other guiding points are obscure; and

WHEREAS, Improvement of the visibility of the white dividing line would result in the saving of lives and the prevention of injury to persons and property; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is hereby directed to conduct a study as follows:

1. The department shall study the feasibility of, and the cost of, maintaining white dividing lines of reflectorizing paint.

2. The study shall include a consideration of those areas in this State having peculiar local problems of visibility.

3. The department shall submit its report to the Legislature at the 1960 Regular Session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 192

By Messrs. Lowrey and MacBride:

### House Resolution No. 192

Relative to a crossing of the Sacramento River

WHEREAS, The volume of traffic crossing the Sacramento River on the Capitol Avenue Bridge of the City of Sacramento has long exceeded the safe capacity of that bridge; and

WHEREAS, No adequate alternative route crossing the Sacramento River is available in the vicinity of the City of Sacramento to the motorists of the heavily traveled U. S. Highway 40; and

WHEREAS, Various proposals and studies have been made concerning the construction of a bridge in the vicinity of R Street in Sacramento, but no study has yet been made of the feasibility of constructing a subaqueous crossing of the Sacramento River at that point; now, therefore be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is requested to conduct a study of the feasibility and cost of constructing a subaqueous crossing of the Sacramento River in the vicinity of R Street in the City of Sacramento which is adequate to handle anticipated traffic and to report

its findings and recommendations to the Legislature prior to the adjournment of the 1959 Regular Session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works

Resolution read, and adopted

## SENATE BILL NO. 765 RECALLED FROM SENATE

Mr. Hegland was granted unanimous consent that the Chief Clerk be directed to request the Senate to return Senate Bill No 765.

Senate Bill No. 765 was returned to the Chief Clerk by the Senate

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 765

Mr. Hegland was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 765 (Assembly Journal, page 3036).

### Parliamentary Inquiry

Mr. Hanna arose to the following parliamentary inquiry: Was not this bill on the Consent Calendar for the second legislative day today?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was; and that it had been passed when the Consent Calendar was considered

### Parliamentary Inquiry

Mr. Elliott arose to the following parliamentary inquiry. Will the bill be returned to the Consent Calendar?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it would not; but, that with the consent of the House, it would be ordered placed on the third reading file.

By unanimous consent, Senate Bill No. 765 was ordered placed on the third reading file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 366**—An act to amend Section 72602 of the Government Code, relating to municipal courts in Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 647**—An act to amend Section 11200 of, and to add Article 9 9 (commencing at Section 11276) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1228**—An act to amend Sections 73821, 73822, and 73823 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

### Speaker Presiding

At 11.53 a.m., Hon. Ralph M Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1448**—An act to add Title 4 (commencing with Section 13500) to Part 4 of the Penal Code, relating to standards for recruitment and training of local law enforcement officers, and making an appropriation.

Bill read third time

### Demand for Previous Question

Messrs Ernest R. Geddes, Masterson, Johnson, Belotti, and Burke demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson,

McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Shell and Unruh—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

Bill read third time.

**Motion to Amend**

Mr. Lanterman moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 21, of the printed bill, as amended in the Assembly on March 23, 1959, after "of", insert "Section".

**Amendment No. 2**

On page 2, line 3, after "area", insert ", but primarily upon county highways,".

**Amendment No. 3**

On page 2, after line 6, insert
"In such enforcement work, the sheriff shall comply with all laws, rules, regulations, policies, and operational procedures prescribed and provided in accordance with law to effectuate the uniform enforcement and administration of such traffic laws throughout the State."

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed

**Assembly Bill No. 1931**—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance recipients.

Bill read third time.

**Motion to Amend**

Mr. Luckel moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on April 24, 1959, strike out "partially", and insert "potentially".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

## ANNOUNCEMENTS

Mr. Biddick announced that the Committee on Transportation and Commerce would witness a demonstration of the operation of radar this afternoon; and invited all interested members to attend the demonstration, for which transportation would be provided at 5.15 p.m. in the basement garage.

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Mr. Chapel announced that a picture relative to rackets and racket-busting, which is on information gained from the McClellan Committee's investigations, would be shown on Television Channels 5 and 10 at 10 p.m. tonight.

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Mr. Meyers announced that Assembly Bill No. 1974, relative to water pollution, has been set for hearing in the Committee on Natural Resources, Planning, and Public Works for Tuesday, May 5th, at 1.30

p.m., in Room 2196; and invited anyone who has proposed amendments to the bill to contact him before that time in an attempt to work out any problems which may occur.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1259
Assembly Bill No. 1420
Assembly Bill No. 2207

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2054
Assembly Bill No. 2086
Assembly Bill No. 2099
Assembly Bill No. 2121
Assembly Bill No 2122
Assembly Bill No. 2177
Assembly Bill No. 2205
Assembly Bill No 2206

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 670

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 113

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 494

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

## EXPLANATION OF ABSENCE

April 29, 1959

I missed several rollcalls this morning because I was presenting a bill to a Senate subcommittee.

HOWARD J. THELIN

## ADJOURNMENT

At 12.06 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 30, 1959.

RALPH M. BROWN

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-SIXTH LEGISLATIVE DAY

EIGHTY-FOURTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, April 30, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God, Source of All Being,* Thou hast not created our world, set it spinning, and gone off and forgotten it. As we remember that, our labors in this Assembly take on a new dimension, for we know that a power greater than man is moving in the direction of a more perfect order. There is always a chance that Thou wilt include some word or thought of ours as Thou dost shape eternity. We may not see the connection, but we may believe it is there, if we have opened our hearts to the prompting of Thy Holy Spirit. Use us, in Thy divine plan, we humbly pray.—AMEN.

**Chief Clerk Arthur A. Ohnimus at the Desk**

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Beaver, seconded by Mr. Burke.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Cunningham, on motion of Mr. Miller.

The following members were granted leave of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Shell.

Mr. Grant, on motion of Mr. Sumner.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Percy Tseko of Gardena, relative to legislation. Referred to the Committee on Governmental Efficiency and Economy.

---

William K. Bitten of El Monte, relative to the Cancer Bill. Referred to the Committee on Public Health.

---

Mrs. E. M. Hopkins of Los Angeles, relative to Senate Bill No. 279. Referred to the Committee on Agriculture.

A resolution by the Los Angeles City Council, relative to old age security coverage for noncitizens. Referred to the Committee on Social Welfare.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Backstrand:

### House Resolution No. 229

Relating to congratulating Irwin Schuman

WHEREAS, Irwin Schuman has been an important and valuable member of the Palm Springs community for almost a quarter of a century; and

WHEREAS, Mr. Schuman by virtue of his business acumen has built up the Chi Chi Club from a tiny restaurant to the second biggest night club west of the Mississippi; and

WHEREAS, He was recently the recipient of the First Annual Palm Springs Good Citizen Award for 1959 at a banquet on October 20, 1958, attended by Villagers and celebrities, civic officials and Palm Springs merchants, former associates and old friends, who gathered to pay him honor for all of the things he has done for Palm Springs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Mr. Irwin Schuman for his long and devoted service to his city and his community and for his deserved receipt of the Palm Springs Good Citizen Award for 1959; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Schuman.

Resolution read, and referred to the Committee on Rules.

By Mr. House:

### House Resolution No. 230

Relative to the First Baptist Church of El Centro

WHEREAS, On June 14, 1959, the First Baptist Church of El Centro will celebrate its fiftieth anniversary; and

WHEREAS, The First Baptist Church of El Centro has long been a strong force and guiding light within the community of El Centro; and

WHEREAS, For 50 years the First Baptist Church of El Centro, located at Seventh and Orange Streets, has faithfully served its people; and

WHEREAS, The First Baptist Church of El Centro under the present leadership of Doctor William D. Lawrence, continues to devote itself, not only to the needs of its members, but to the welfare of the entire community; and

WHEREAS, The First Baptist Church of El Centro has, over the course of the past 50 years, made a significant contribution of the furtherance of Christianity, morality, and religion within this State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body extends its greetings and congratulations to the First Baptist Church of El Centro, California, upon the occasion of its fiftieth anniversary of service in the Name of the Lord; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the congregation and minister of the First Baptist Church of El Centro.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 117**: By Mr. Gaffney—Relative to the Twenty-fifth Anniversary of the California Council of the Blind.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 118**: By Miss Donahoe, Messrs. Sedgwick, Ernest R. Geddes, Bee, Collier, Hanna, and Hegland—Relative to commending the State Board of Education and the Board of Regents of the University of California.

Referred to Committee on Rules

**Assembly Concurrent Resolution No. 119**: By Mr. Frew—Relative to approving amendments to the charter of the City of Tulare, a municipal corporation in the County of Tulare, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1959.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 120**: By Messrs. Francis and Britschgi, and Senator Dolwig, co-author—Relative to approving amendment to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the seventh day of April, 1959.

Referred to Committee on Rules.

**Assembly Constitutional Amendment No. 48**: By Messrs. Gaffney, Chapel, Samuel R. Geddes, Meyers, Belotti, Britschgi, Mrs. Davis, Mr. DeLotto, Miss Donahoe, Messrs. Garrigus, Grant, Marks, Masterson, Munnell, Rumford, Waldie, and Williamson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1¼a to Article XIII thereof, relating to tax exemption for the blind.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2683**: By Messrs. Gaffney, Busterud, and Marks—An act to amend Section 30608 of the Streets and Highways Code, relating to San Francisco Bay Bridge tolls, and making an appropriation.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2684**: By Mr. Gaffney—An act to repeal Sections 30605, 30607, and 30608, and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 of, and to add Section 30608 and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 to, the Streets and Highways Code, relating to toll crossings of San Francisco Bay.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2685**: By Mr. Lowrey—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans.

Referred to Committee on Education.

**Assembly Bill No. 2686**: By Mr. Z'berg—An act to amend Section 7612 of the Public Utilities Code, relating to railroad equipment.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2687**: By Mr. Winton—An act to add Section 576.5 to the Agricultural Code, relating to imitation dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2688**: By Mr. Winton—An act to amend Sections 12505 and 12657 of the Health and Safety Code, relating to fireworks.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2689**: By Mr. Backstrand—An act to add Section 25265 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing lights for levee maintenance vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2690**: By Messrs. MacBride and Z'berg—An act to amend Sections 2, 4.2, 6.3, 8.3, 9, 10.1, 11.1, 11.6, 11.7, 11.9, 11.12, and 11.13 of, to add Sections 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31 to, and to repeal Section 4.4 of, the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952 (1st Ex. Sess.)), relating to the powers of the agency.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2691**: By Mr. MacBride—An act to add Chapter 10 (commencing at Section 19850) to Part 3 of Division 13 of the Health and Safety Code, relating to emergency illumination in buildings used by the public.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2692**: By Mr. Ernest R. Geddes—An act to add Section 14699 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to district retirement salary plans.

Referred to Committee on Education.

**Assembly Bill No. 2693**: By Mr. Charles H. Wilson—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Referred to Committee on Public Utilities.

**Assembly Bill No. 2694**: By Messrs. Hawkins, McMillan, George E. Brown, Busterud, Elliott, Porter, Thomas, and Charles H. Wilson—An act to add Section 561 to the Welfare and Institutions Code, relating to unclaimed bicycles and toys.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2695**: By Mr. Winton—An act to amend Section 2284 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

**Assembly Bill No. 2696**: By Mr. Frew—An act to amend Section 6501 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health.

**Assembly Bill No. 2697**: By Mr. Charles H. Wilson—An act to add Chapter 12.5 (commencing with Section 25100) to Division 9 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2698**: By Mr. Petris—An act to add Section 12419.4 to the Government Code, relating to liens for amounts owing to the State.

Referred to Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolution was offered:

By Mr. Z'berg:

### House Resolution No. 231

Relative to the retirement of Mr. O. H. Close

WHEREAS, Mr. O. H. Close, one of the original members of the Youth Authority and its first chairman, retired on December 31, 1958, from the position as a member of the Authority which he had held continuously since 1941; and

WHEREAS, A recognized pioneer in developing youth correctional programs, his courageous action in doing away with the whipping post at the Preston School of Industry led the way toward the development of the present humane approach to corrections throughout California; and

WHEREAS, Mr. Close, who is a graduate of Stanford University, was the principal of the San Juan Union High School from 1914 to 1920, except for one year during World War I when he was in the United States Army, and from 1920 to 1945 he was the Superintendent of the Preston School of Industry at Ione. He has been a member of the Board of Corrections since 1944, and

WHEREAS, The President of the National Conference of Juvenile Agencies in 1940 and the President of the Western Probation and Parole Association in 1957, Mr. Close has also served as the chairman of the delinquency prevention section of the Commonwealth Club of San Francisco; and

WHEREAS, Mr. Close is active in many civic organizations, including the Boy Scouts of America, the Lincoln Christian Center, the California Junior Museum, the Sacramento Youth Employment Organization, the Westminister Presbyterian Church, and the downtown Sacramento Kiwanis Club, the Masonic Lodge and York Rite bodies, and the Ben Ali Shrine, in Sacramento; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California do hereby congratulate Mr. O. H. Close upon

his retirement as a member of the Youth Authority and extend to him their highest commendation for his exemplary and devoted service to the people of this State and their sincere and hearty good wishes for a long and active life; and, be it further

*Resolved*, That the Chief Clerk is directed to prepare and transmit a suitable prepared copy of this resolution to Mr. O. H. Close.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 2128
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1871
Assembly Bill No 2216
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 483
Assembly Bill No. 1931
And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1469
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules.

### Committee on Agriculture

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER. Your Committee on Agriculture reports:
Senate Bill No 949
Senate Bill No. 781
With the recommendation: Do pass.
Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Senate Bill No. 771
With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Agriculture reports.

Assembly Bill No. 2103

With amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2237
Assembly Bill No. 2277
Assembly Bill No. 2176

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2185
Assembly Bill No. 2186

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1810
Assembly Bill No. 1849

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 360
Senate Bill No. 461
Senate Bill No. 273

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 37
Assembly Bill No. 1271
Assembly Bill No. 1346
Assembly Bill No. 1426
Assembly Bill No. 1517
Assembly Bill No. 1558
Assembly Bill No. 1875
Assembly Bill No. 2033
Assembly Bill No. 2063
Assembly Bill No. 2217
Assembly Bill No. 2180

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 797
Assembly Bill No. 1465
Assembly Bill No. 1798
Assembly Bill No. 2007
Assembly Bill No. 2249

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 27
Senate Bill No. 163
Senate Bill No. 164
Senate Bill No. 165
Senate Bill No. 541
Senate Bill No. 595

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1853

With the recommendation. That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1642
Assembly Bill No. 1733
Assembly Bill No. 1883

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1741
Assembly Bill No. 2179

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 31
Assembly Bill No. 1405
Assembly Bill No. 1970

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 98
Senate Bill No. 167
Senate Bill No. 275

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1351
Assembly Bill No. 1502

With the recommendation: Do pass.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1508
Assembly Bill No. 534

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Bill No. 326

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

CROWN, Chairman

Above bill ordered to second reading.

**Committee on Public Utilities and Corporations**

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 846

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1689

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2218
Assembly Bill No. 1788

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 1555

*Has had the same under consideration, and reports the same back with amendments* with the recommendation: Amend, and do pass, as amended.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 137

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2263
Assembly Bill No. 2264

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BELOTTI, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 8
Assembly Bill No. 23
Assembly Bill No. 274
Assembly Bill No. 362
Assembly Bill No. 454
Assembly Bill No. 879
Assembly Bill No. 881
Assembly Bill No. 914
Assembly Bill No. 998
Assembly Bill No. 1178
Assembly Bill No. 1357
Assembly Bill No. 1515
Assembly Bill No. 1593

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 29, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 132

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, April 29, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 359
Assembly Bill No. 488
Assembly Bill No. 954

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, April 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 4
**Senate Bill No. 209**
Senate Bill No. 376
**Senate Bill No. 398**
Senate Bill No 470
Senate Bill No. 471
Senate Bill No. 534
Senate Bill No 572
Senate Bill No. 655
Senate Bill No. 708
Senate Bill No. 711
Senate Bill No. 884
Senate Bill No. 920
Senate Bill No. 925
Senate Bill No. 1024

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 4**—An act to amend Section 10500 of the Water Code, relating to the development, utilization, and conservation of the water resources of the State.

Referred to Committee on Water.

**Senate Bill No. 209**—An act to add Chapter 9 (commencing with Section 1151), to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Referred to Committee on Industrial Relations.

**Senate Bill No. 376**—An act to add Section 10607 to the Health and Safety Code, relating to access of newspapermen to vital statistics records.

Referred to Committee on Public Health.

**Senate Bill No. 398**—An act to amend and renumber Section 96, as added by Chapter 1471 of the Statutes of 1957, of the Agricultural Code, relating to horse race meetings at state and agricultural district fairs.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 470**—An act to add Section 46179 to, and to amend Section 46202 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Senate Bill No. 471**—An act to add Section 45559 to, and Chapter 6 (commencing at Section 45800) to Part 8 of Division 14 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Senate Bill No. 534**—An act to amend Section 7049 of, and to add Sections 7026.3 and 7085 to, the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 572**—An act to amend Sections 1408 and 1410 of the Health and Safety Code, relating to the regulation of hospitals and other institutions providing care for the infirm.

Referred to Committee on Public Health.

**Senate Bill No. 655**—An act to amend Section 14 of the Orange County Flood Control Act (Chapter 723, Statutes of 1927), relating to maximum tax rates and use of revenues.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 708**—An act to amend Sections 61403, 61430, and 61432 of the Government Code, relating to elections in community services district.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 711**—An act to amend Sections 2181, 3088, and 3474 of, and to add Section 4189.5 to, the Welfare and Institutions Code, relating to relatives' responsibility requirements.

Referred to Committee on Social Welfare.

**Senate Bill No. 884**—An act to amend Section 112 of the Code of Civil Procedure, relating to jurisdiction of justice courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 920**—An act to amend Section 740 of the Welfare and Institutions Code, relating to supervision of wards of the juvenile court by probation officers.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 925**—An act to amend Section 884 of the Welfare and Institutions Code, relating to medical care of persons before the juvenile court.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1024**—An act to repeal Section 10126 of the Health and Safety Code, relating to vital statistics.

Referred to Committee on Public Health.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2216, 1871, 579,** and **2128.**

**Senate Bill No. 232.**

Assembly Bill No. 579 ordered to third reading, subsequent to re-engrossment.

Assembly Bill No. 2128 ordered to third reading.

Assembly Bills Nos. 2216 and 1871 ordered to the Consent Calendar.

Senate Bill No. 232 ordered to third reading.

### INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

### MOTION

Mr. Winton moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr Bradley seconded the motion.

Motion carried unanimously.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1404**—An act making an appropriation for support of the Office of Atomic Energy Development and Radiation Protection.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Office of Atomic Energy Development and Radiation Protection", and insert "Department of Public Health".

#### Amendment No. 2

On page 1, line 1, strike out "_____ dollars ($_____)", and insert "thirty-two thousand dollars ($32,000)".

#### Amendment No. 3

On page 1, line 2, after "Fund", insert "in augmentation of Item 201 of the Budget Act of 1959".

#### Amendment No. 4

On page 1, strike out lines 3 and 4, and insert "the Department of Public Health, to be used for the purposes specified in Article 8 (commencing at Section 25780) of Chapter 7.5 of Division 20 of the Health and Safety Code, as proposed by Assembly Bill No. 1403 of the 1959 Regular Session."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 146**—An act to amend Section 7030 of the Business and Professions Code, relating to contractors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 11, insert

"The provisions of this section requiring the imposition of a minimum penalty shall not be applicable to a defendant who was licensed as a contractor prior to the time he committed the offense for which he was convicted and who failed to continue his license in force through inadvertence or mistake."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1422**—An act to add Chapter 20 (commencing with Section 9800) to Division 3 of the Business and Professions Code, relating to the regulation and licensing of interior designers and decorators, creating an Interior Designers and Decorators Examining Committee, prescribing their powers and duties, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 3, between lines 16 and 17, of the printed bill, as amended in the Assembly on April 23, 1959, insert

"9818. Whenever any person has engaged in or is about to engage in any act or practice which constitutes or which will constitute an offense against this chapter, the superior court of any county, on application of the board, may issue an injunction or other appropriate order restraining such act or practice.

The proceedings authorized by this section shall be in accordance with the provisions contained in Chapter 3 (commencing at Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, except that no undertaking or bond shall be required."

**Amendment No. 2**

On page 3, line 17, strike out "9818", and insert "9819".

**Amendment No. 3**

On page 3, line 20, strike out "9819", and insert "9820"

**Amendment No. 4**

On page 3, line 30, strike out "9820", and insert "9821"

**Amendment No. 5**

On page 6, line 30, after "for", insert "each examination as".

**Amendment No. 6**

On page 6, between lines 32 and 33, insert

"(b) The original fee for interior designer and decorator's license is not less than ten dollars ($10) nor more than twenty-five dollars ($25) "

**Amendment No. 7**

On page 6, line 33, strike out "(b)", and insert "(c)".

**Amendment No. 8**

On page 6, line 36, strike out "(c)", and insert "(d)".

**Amendment No. 9**

On page 6, line 42, strike out "(d)", and insert "(e)".

**Amendment No. 10**

On page 6, between lines 43 and 44, insert

"(f) The reinstatement fee is not less than twenty dollars ($20) nor more than fifty dollars ($50).

9863. The board shall give written notice to a licensee 30 days in advance of the regular renewal date and shall give written notice by registered mail 90 days in advance of the expiration of the fifth year that a renewal fee has not been paid

If the renewal fee is not paid for five or more years, the board may require an examination before reinstating a license, except that no examination shall be required as a condition for reinstatement if the original license was issued without an examination No examination shall be required for reinstatement if the license was forfeited solely by reason of nonpayment of the renewal fee if such nonpayment was for less than five years"

**Amendment No. 11**

On page 3, line 36, of the printed bill, as amended in the Assembly on April 23, 1959, strike out "1960", and insert "1961".

**Amendment No. 12**

On page 4, line 10, strike out "interior designer and decorator", and insert "'interior designer and decorator" or "interior designer" or "interior decorator"'".

**Amendment No. 13**

On page 4, strike out lines 20 and 21, and insert "tise itself as an "interior designer and decorator" or "interior designer" or "interior decorator"'"

**Amendment No. 14**

On page 4, line 33, strike out "or held out to the public".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1661**—An act to add Chapter 9.7 (commencing at Section 7250) to Division 3 of the Business and Professions Code, relating to the creation of a State Board of Control of Blind-made Products, prescribing its organization, powers and duties, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on April 23, 1959, between lines 15 and 16, insert

"7250 3. This chapter shall not apply to stores which purchase products for resale therein from the California Industries for the Blind."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1939**—An act to add Sections 19035 9 and 19035.10 to the Business and Professions Code, relating to proceedings of the California Advisory Board of Furniture and Bedding

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "All", and insert "Except as otherwise provided by law, all".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1944**—An act to add Sections 8919.1 and 8919.2 to the Business and Professions Code, relating to proceedings of the Yacht and Ship Brokers Commission.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out the period, and insert ", except that the commission may hold executive sessions to:

(a) Deliberate on the decision to be reached upon the evidence introduced in a proceeding conducted in accordance with Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2 of the Government Code.

(b) Prepare, approve, grade, or administer examinations."

**Amendment No. 2**

On page 1, line 7, strike out "All", and insert "Except as otherwise provided by law, all".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1935**—An act to add Sections 2.1 and 2.2 to Chapter 124 of the Statutes of 1955, relating to proceedings of the California Olympic Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1936**—An act to add Sections 1325 and 1326 to the Fish and Game Code, relating to proceedings of the Wildlife Conservation Board.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1937**—An act to add Sections 1710 and 1711 to the Harbors and Navigation Code, relating to proceedings of the San Francisco Port Authority.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1938**—An act to add Sections 3.11 and 3.12 to Chapter 1508 of the Statutes of 1947, relating to proceedings of the San Francisco World Trade Center Authority.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1940**—An act to add Sections 21217 and 21218 to the Public Utilities Code, relating to proceedings of the California Aeronautics Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1941**—An act to amend Section 16480.1 of the Government Code, relating to proceedings of the Pooled Money Investment Board.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1942**—An act to amend Section 20023 of, and to add Section 20034 to, the Water Code, relating to proceedings of the California Districts Securities Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1943**—An act to add Sections 9065.1 and 9065.2 to the Public Resources Code, relating to proceedings of the State Soil Conservation Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1945**—An act to add Sections 731 and 732 to the Fish and Game Code, relating to proceedings of the Marine Research Committee.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1946**—An act to add Sections 8609 and 8610 to the Public Resources Code, relating to proceedings of the Recreation Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1947**—An act to add Sections 13007 and 13008 to the Water Code, relating to proceedings of the State Water Pollution Control Board.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1948**—An act to add Sections 31007 and 31008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Western Interstate Commission for Higher Education.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1949**—An act to add Sections 14106 and 14107 to the Fish and Game Code, relating to proceedings of the Pacific Marine Fisheries Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1950**—An act to add Sections 65020.1 and 65020.2 to the Government Code, relating to proceedings of the Local Planning Advisory Committee.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1951**—An act to add Sections 2604 and 2605 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Reciprocity Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1952**—An act to add Sections 5863 and 5864 of the Public Resources Code, relating to proceedings of the Small Craft Harbors Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1953**—An act to add Sections 3804 and 3805 to the Harbors and Navigation Code, relating to proceedings of the Board of Harbor Commissioners for Humboldt Bay.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1954**—An act to amend Section 4364 of the Public Resources Code, relating to proceedings of the Advisory Committee on Reforestation Methods and Procedures.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1955**—An act to add Sections 26007 and 26008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the board of governors of the California Maritime Academy.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1803**—An act to amend Section 18661 of the Financial Code, relating to industrial loan companies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, lines 13 and 14, of the printed bill, strike out "seven hundred fifty dollars ($750)", and insert "one thousand dollars ($1,000)".

**Amendment No. 2**

On page 2, lines 5 and 6, strike out "seven hundred fifty dollars ($750)", and insert "one thousand dollars ($1,000)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1867**—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 7 to 19, inclusive, and insert "aster. Any such appointee may be replaced by the appointing member at any time and for any reason."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1713**—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in event of war or enemy-caused disaster.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1714**—An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 580**—An act to add Sections 26803.5, 71271, 71272 to the Government Code, relating to preservation of superior, municipal, and justice court records.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

**Amendment No. 1**

In lines 1, 2 and 3 of the title of the printed bill, strike out "Sections 26803.5, 71271, 71272 to the Government Code, relating to the preservation of superior, municipal, and justice court records.", and insert "Section 26803.5 to the Government Code, relating to the preservation of superior court records."

**Amendment No. 2**

On page 1, line 4, strike out "judgment", and insert "civil judgment or probate decree".

**Amendment No. 3**

On page 1, between lines 8 and 9, insert

"Such copies may be prepared by micro-photograph, photograph, carbon copy, or other duplicating process approved by the secretary. The county clerk shall make a copy of all judgments or minutes or actions of the superior court filed prior to the effective date of this section and forward them to the secretary for preservation in a safe place. Copies of such prior records shall be prepared and forwarded to the secretary in a manner ordered by the secretary

The provisions of this section shall be mandatory upon the clerks of all counties having a population of 300,000 or more. The clerk of any county having a population of less than 300,000 may elect to file such documents with the secretary.

On or before July 1, 1960, every county clerk required by this section to deposit documents with the secretary shall begin to prepare and deposit all current documents received by the county clerk. On or before July 1, 1963, every county clerk required by this section to deposit documents with the secretary shall have prepared and deposited copies of all prior documents."

**Amendment No. 4**

On page 1, strike out lines 9 to 15, inclusive; and strike out all of page 2.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1411**—An act to add Section 1126 to the Fish and Game Code, relating to planting trout.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, after "time.", insert "The department shall also, insofar as practicable, make such plants after sundown and, in areas where plantings are made periodically, avoid making successive plants on the same day of the week or month."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 1922**—An act to amend Section 8373 of the Fish and Game Code, relating to sale of fish.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, strike out "black bass, spotted bass, calico bass,".

**Amendment No. 2**

On page 1, lines 4 and 5, strike out "golden croaker, California whiting,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2236**—An act to amend Section 3800 of the Fish and Game Code, relating to nonprotected birds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1973**—An act to amend Section 172b of the Penal Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2031**—An act to repeal Section 24755 of, and to add Sections 24749 and 27455 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on April 16, 1959, strike out lines 49 to 51, inclusive, and insert "retailer's per bottle tax-paid cost of acquisition when purchased in a single original case or the retailer's per bottle tax-paid replacement cost when purchased in a single original case exceeds 80 percent of the minimum retail price per bottle, except that in retail case sales to consumers the retail single original case price shall not exceed 90 percent of such costs."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2184**—An act to amend Section 323 of the Military and Veterans Code, relating to allowances for uniforms.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal"

**Amendment No. 2**

On page 1, strike out line 2, and insert "is hereby repealed."

**Amendment No. 3**

On page 1, strike out lines 3 through 15, inclusive; and strike out all of page 2

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1872**—An act to add Section 108 to the Water Code, relating to development of the water resources of the State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2118**—An act to create a flood control district to be called Lassen County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 7, line 12, of the printed bill, as amended in the Assembly on April 24, 1959, after "sale", insert "or use".

**Amendment No. 2**

On page 7, line 13, strike out "at retail".

**Amendment No. 3**

On page 3, after line 52, insert

"Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

Whenever a majority of the employees in a unit appropriate for collective bargaining indicate a desire to be represented by a labor organization, the district, upon determining as provided in this subsection that such labor organization represents the employees in the appropriate unit, shall enter into a written contract with the accredited representative of such employees governing wages, salaries, hours and working conditions.

In case of a dispute over wages, salaries, hours or working conditions which is not resolved by negotiations in good faith between the district and the labor organization, upon the agreement of both, the district and the labor organization may submit the dispute to the decision of the majority of an arbitration board, and the decision of the majority of such arbitration board shall be final.

The arbitration board shall be composed of two representatives of the district, and two representatives of the labor organization, and they shall endeavor to agree upon the selection of the fifth member. If they are unable to agree, the names of five persons experienced in labor arbitration shall be obtained from the Supervisor of Conciliation of the Division of Conciliation, Department of Industrial Relations. The labor organization and the district shall, alternately, strike a name from the list so supplied, and the name remaining after the labor organization and the district have stricken four names, shall be designated as the arbitrator. The labor organization and the district shall determine by lot who shall first strike from the list. The decision of a majority of the arbitration board shall be final and binding upon the parties thereto The expenses of arbitration shall be borne equally by the parties Each party shall bear his own costs.

No contract or agreement shall be made with any labor organization, association, group, or individual, or be assumed under the provisions of this chapter, where such organization, association, group, or individual denies membership to or in any manner discriminates against any employee on the grounds of race, creed, color, or sex; except that such organization may preclude from membership any individual who advocates the overthrow of the government by force or violence. The district shall not discriminate in regard to employment against any person because of his race, creed, or color

If there is a question whether a labor organization represents a majority of employees or whether the proposed unit is or is not appropriate, such matters shall be submitted to the State Conciliation Service for disposition. The State Conciliation Service shall promptly hold a public hearing after due notice to all interested parties and shall thereupon determine the unit or units appropriate for the purposes of collective bargaining. In making such determination and in establishing rules and regulations governing petitions, the conduct of hearings and elections, the State Conciliation Service shall be guided by relevant federal law and administrative practice, including but not limited to the self-determination rights accorded crafts or classes in the Labor Management Relations Act, 1947, and the Railway Labor Act.

The State Conciliation Service shall provide for an election to determine the question of representation and shall certify the results to the parties. Any certification of a labor organization to represent or act for the employees in any collective bargaining unit shall not be subject to challenge on the grounds that a new substantial question of representation within such collective bargaining unit exists until the lapse of one year from the date of certification or the expiration of any collective bargaining agreement, whichever is later; except that no collective bargaining agreement shall be construed to be a bar to representation proceedings for a period of more than two years."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2234**—An act to add Sections 12627.3 and 12627.4 to the Water Code, relating to water seepage and erosion.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "beneficiaries".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1305**—An act to add Section 12588 to the Water Code, relating to state-authorized flood control and water conservation projects.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 12588", and insert "Sections 12588 and 12589".

**Amendment No. 2**

On page 1, line 3, strike out "produced", and insert "sold".

**Amendment No. 3**

On page 1, strike out lines 4 through 10, inclusive, and insert "state project shall be set by the department at a price which meets the requirements of Section 11455 with consideration being given to the cost of competitive or alternative power for the same type of service. Power shall be offered by the department to preference customers pursuant to Section 11626 at the price so set.

SEC. 2. Section 12589 is added to said code, to read:

12589 The department may from time to time revise any contract prices established under Section 12588 to reflect changes in the cost of operation and maintenance of the state water project, increases in plant dependable capacity, and the demand for peak power in the area served"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1863**—An act to create a flood control district to be called Sierra County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 7 of the printed bill, strike out lines 7 to 13, inclusive, and insert

"(v) To construct, operate, and maintain works to develop hydroelectric energy as a means of assisting in financing the construction, operation and maintenance of

works for other beneficial uses and purposes, and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale of electric energy at retail."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1847**—An act to create the Nevada County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Nevada County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, between lines 20 and 21, insert

"No action in eminent domain to acquire property or interests therein outside the boundaries of the County of Nevada shall be commenced unless the board of supervisors of each affected county has consented to such a acquisition by resolution."

**Amendment No. 2**

On page 3, line 49, after "retail", insert ", or the Federal or State Government".

**Amendment No. 3**

On page 6, between lines 29 and 30, insert

"SEC. 23.5. When authorized by the board the agency shall have the power to borrow money with repayment to commence at a future date from revenues of the agency."

**Amendment No. 4**

On page 11, strike out lines 18 and 19, and insert "pursuant to the Revenue Bond Law of 1941, Chapter 6 (commencing at Section 54300) of Division 2 of Title 5 of the Government Code, except as otherwise provided in this act. However, notwithstanding the provisions of Government Code Section 54310, the board shall have the power, subject to the limitations of Section 11, to borrow money and issue revenue bonds for, and to define "enterprise" to include, systems, plants, works or undertakings for the generation, production, transmission and sale of hydroelectric energy."

**Amendment No. 5**

On page 3, between lines 33 and 34, insert

"SECTION 9.5. (a) Employees shall have the right to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

(b) Whenever a majority of the employees in a unit appropriate for collective bargaining indicate a desire to be represented by a labor organization, the agency, upon determining as provided in subsection (f) of this section that such labor organization represents the employees in the appropriate unit, shall enter into a written contract with the accredited representatives of such employees governing wages, salaries, hours and working conditions.

(c) In case of a dispute over wages, salaries, hours or working conditions which is not resolved by negotiations in good faith between the agency and the labor organization, upon the agreement of both, the employing public agency and the labor organization may submit the dispute to the decision of the majority of an arbitration board, and the decision of the majority of such arbitration board shall be final.

(d) The arbitration board shall be composed of two representatives of the agency, and two representatives of the labor organization, and they shall endeavor to agree upon the selection of the fifth member. If they are unable to agree, the names of five persons experienced in labor arbitration shall be obtained from the Supervisor of

Conciliation of the Division of Conciliation, Department of Industrial Relations. The labor organization and the agency shall, alternately, strike a name from the list so supplied, and the name remaining after the labor organization and the agency have stricken four names, shall be designated as the arbitrator. The labor organization and the agency shall determine by lot who shall first strike from the list. The decision of a majority of the arbitration board shall be final and binding upon the parties thereto. The expenses of arbitration shall be borne equally by the parties. Each party shall bear his own costs.

(e) No contract or agreement shall be made with any labor organization, association, group, or individual, or be assumed under the provisions of this chapter, where such organization, association, group, or individual denies membership to or in any manner discriminates against any employee on the grounds of race, creed, color or sex; except that such organization may preclude from membership any individual who advocates the overthrow of the government by force or violence. The agency shall not discriminate in regard to employment against any person because of his race, creed, or color.

(f) If there is a question whether a labor organization represents a majority of employees or whether the proposed unit is or is not appropriate, such matters shall be submitted to the State Conciliation Service for disposition. The State Conciliation Service shall promptly hold a public hearing after due notice to all interested parties and shall thereupon determine the unit or units appropriate for the purposes of collective bargaining. In making such determination and in establishing rules and regulations governing petitions, the conduct of hearings and elections, the State Conciliation Service shall be guided by relevant federal law and administrative practice, including but not limited to the self-determination rights accorded crafts or classes in the Labor Management Relations Act, 1947, and the Railway Labor Act.

The State Conciliation Service shall provide for an election to determine the question of representation and shall certify the results to the parties. Any certification of a labor organization to represent or act for the employees in any collective bargaining unit shall not be subject to challenge on the grounds that a new substantial question of representation within such collective bargaining unit exists until the lapse of one year from the date of certification or the expiration of any collective bargaining agreement, whichever is later; except that no collective bargaining agreement shall be construed to be a bar to representation proceedings for a period of more than two years."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Constitutional Amendment No. 4**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 38 to Article IV, by repealing Section 25⅝ of Article IV, by amending Section 25¾ of Article IV, by repealing the third and fourth paragraphs of Section 6 of Article IX, and by repealing Article XXVI thereof, relating to expenditure of state funds.

Resolution read.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

#### Amendment No. 1

In line 5 of the title of the printed measure, strike out "by repealing the third"; strike out all of line 6; and in line 7, strike out "repealing Article XXVI thereof,".

#### Amendment No. 2

On page 2, strike out lines 31, 32 and 33.

Resolution ordered reprinted, and engrossed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 703**—An act to add Sections 33201.5, 33730.5, 33748 and 33749 to, to amend Sections 33202, 33231.5, 33502, 33503, 33700, 33701, 33703, 33704, 33730, 33731, 33732, 33736, 33745, 33746, 33747,

33850, and 33980 of, and to repeal Section 33280, Articles 4 (commencing at Section 33530) and 5 (commencing at Section 33560) of Chapter 3 of Part 1 of Division 24, and Section 33982 of, the Health and Safety Code, relating to community redevelopment and urban renewal.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out "33701,".

**Amendment No. 2**

In line 9 of the title, after "renewal", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 2, line 25, after "area", insert "for a period of two years thereafter".

**Amendment No. 4**

On page 3, between lines 44 and 45, insert

"Each assessee whose property would be subject to acquisition by purchase or condemnation under the plan shall be sent a statement to that effect attached to his notice of the hearing. Alternatively, a list or map of all properties which would be subject to acquisition by purchase or condemnation under the plan may be mailed to assessees with the notices of hearing."

**Amendment No. 5**

On page 3, strike out lines 45 to 50, inclusive; and on page 4, strike out lines 1 to 15, inclusive.

**Amendment No. 6**

On page 5, line 31, strike out "blight", and insert "the project area is a blighted area".

**Amendment No. 7**

On page 5, lines 32 and 33, strike out "exists within the project area".

**Amendment No. 8**

On page 5, lines 38 and 39, strike out ", as to each parcel in separate ownership,".

**Amendment No. 9**

On page 6, after line 52, insert

"Amendments to a plan adopted pursuant to this section shall be recorded in compliance with Section 27295 of the Government Code as promptly as practicable following adoption by the legislative body."

**Amendment No. 10**

On page 7, after line 36, insert

"SEC. 24 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The redevelopment of blighted areas is being unnecessarily delayed and property in project areas subjected to possible condemnation but not actually condemned for long periods of time by the present cumbersome procedure required by law. This act provides a shorter procedure for the benefit of property in project areas.

In order that projects that are urgently needed for the protection of the public peace, health, and safety may be undertaken without further delay, it is imperative that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 612**—An act to amend Section 1100 of the Harbors and Navigation Code, relating to bar pilots.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 637**—An act to add Section 1241.7, Water Code, relating to water appropriated for gold mining purposes.

Bill read second time, and ordered to the Consent Calendar.

**Senate Concurrent Resolution No. 46**—Relative to sea lions.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

On page 1, line 24, of the printed measure, strike out "of not more than 5,000 mammals", and insert "necessary to prevent excessive depredation; and be it further".

Amendment No. 2

On page 1, strike out line 25; and on page 2, strike out lines 1 and 2.

Resolution ordered reprinted, and to be re-referred to the Committee on Fish and Game.

**Senate Bill No. 135**—An act to amend Sections 4999, 5000, 5003, and 5004 of the Water Code, relating to recordation of water extractions and diversions.

Bill read second time, and ordered to third reading.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1713** and **1714.**

**Senate Bill No. 637.**

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 123 FROM COMMITTEE CONTINUED

Mr. Elliott was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 123 from the Committee on Social Welfare be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 341**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 341?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on February 20, 1959, strike out "person", and insert "persons".

**Amendment No. 2**

On page 1, line 6, strike out "either".

**Amendment No. 3**

On page 1, line 7, strike out "a".

**Amendment No. 4**

On page 1, line 4, of the printed bill, as amended in the Senate on April 1, 1959, after "expense," insert "in the presence of a public officer or employee,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 341 by the following vote:

AYES—Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Cusanovich, Davis, Delotto, Elliott, Francis, Frew, Gaffney, Garrigus, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Porter, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—42.

NOES—Bruce F. Allen, Crawford, Thelin, and Winton—4.

Assembly Bill No. 341 ordered enrolled.

**Assembly Bill No. 904**—An act to amend Section 6826 of the Public Resources Code, relating to administration and control of state lands.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 904?

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 7, inclusive; and in line 8, strike out "The commission, however," and insert

"6826. The commission".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 904 by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Hegland, House, Johnson, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 904 ordered enrolled.

## REPORTS OF STANDING COMMITTEES

### Committee on Public Health

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 898

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Senate Bill No. 392

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 973

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 271

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2029

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2146

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 579

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2409

Mr. George E. Brown was granted unanimous consent that Assembly Bill No. 2409 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Municipal and County Government.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 192 FROM COMMITTEE

Miss Donahoe was granted unanimous consent that Assembly Bill No. 192 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 192

**Assembly Bill No. 192**—An act to amend Sections 8562, 8620, 8652, and 8674 of, to add Sections 8516, 8538, 8539, 8540, and 8572 to, and Article 6.5 (commencing at Section 8615) to Chapter 14 of Division 3

of, and to repeal Sections 8516 and 8517 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

**Motion to Amend**

Miss Donahoe moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 52, of the printed bill, as amended in the Assembly on April 23, 1959, strike out "by direction of the person ordering the inspection".

**Amendment No. 2**

On page 4, line 44, strike out "premises"; strike out lines 45 and 46, and insert "premises No quotation, estimate, or bid shall be made for the control or prevention of wood destroying organisms, and no statement regarding the presence or absence of wood destroying organisms shall be made on an existing structure unless such a field report is made and registered"

**Amendment No. 3**

On page 6, line 13, strike out "a citizen of the United States".

**Amendment No. 4**

On page 6, between lines 37 and 38, insert

"Salesman's permit ..... 5.00 10.00"

**Amendment No. 5**

On page 6, line 38, strike out ".20", and insert ".05".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Speaker pro Tempore Presiding**

At 9.55 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**THIRD READING OF ASSEMBLY BILLS**

**Assembly Bill No. 1266**—An act to amend Section 73431 of the Government Code, relating to judges of the municipal court established in the district embracing the City of Bakersfield.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Gaffney, Garrigus, Ernest R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A Willson, Charles H. Wilson, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1049**—An act to amend Section 27491 of the Government Code, relating to duties and powers of coroner.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan,

Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 947 Placed on the Inactive File**

The following bill was placed upon the inactive file:

**Assembly Bill No. 947,** on motion of Mr. Biddick.

**Assembly Bill No. 1012**—An act to add Section 29722 to the Government Code, relating to claims of contractors on local public works.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, House, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1013**—An act to add Section 53024 to the Government Code, relating to contract payments on local public works.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1092**—An act to amend Section 607f of the Civil Code, Sections 9361, 9363, 14004, 18002, and 18003 of the Education Code, and Sections 6601, 6603, 13591, 15802, and 15803 of the Education Code, as proposed by Senate Bill No. 2, relating to classification of cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1640**—An act to amend Sections 10407, 10503, and 10600 of the Streets and Highways Code, relating to the Municipal Improvement Act of 1913.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2028**—An act to amend Section 34311 of the Government Code, relating to organization of new cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A Willson, Charles H Wilson, Z'berg, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2066**—An act to amend Section 14151 of the Health and Safety Code, relating to local fire districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Waldie, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—63
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2112**—An act to amend Section 23010 of, and to add Sections 23010.2 and 25210.6 to, the Government Code, relating to loans by counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2154**—An act to add Sections 2923, 2924, 2925, and 2926 to the Revenue and Taxation Code and to add Section 17.1 to the San Bernardino County Flood Control Act (Ch. 73, Stats. 1939), relating to the collection of unsecured taxes.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Z'berg, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1578**—An act to add Section 1253 1 to the Unemployment Insurance Code, relating to eligibility for unemployment compensation benefits, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Mr. Bradley moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on April 23, 1959, after "in", insert "any day of which".

**Amendment No. 2**

On page 1, line 6, strike out "which, for not exceeding two working days,".

**Amendment No. 3**

On page 1, line 7, strike out the colon, and insert "there has been a death in his immediate family."

**Amendment No. 4**

On page 1, strike out lines 8 and 9.

Amendments read.

**Demand for Previous Question**

Messrs. Munnell, Dills, Z'berg, Burke, and Johnson, demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

Amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Beaver, Bradley, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Francis, Hegland, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Mulford, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and George A Willson—29

NOES—Don A Allen, Bane, Bee, Biddick, Burton, Busterud, Cameron, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, and Z'berg—38.

The question being on the passage of the bill.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford,

Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Burke and Levering—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Burke and Levering—2.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Speaker pro Tempore Bee announced that Monday, May 4th, is the last day for introducing bills without the consent of the House.

### Parliamentary Inquiry

Mr Elliott arose to the following parliamentary inquiry: Can not bills be introduced after that date with 60 votes for such introduction?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the Joint Rules so provide.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1719**—An act to add Section 202.6 to the Revenue and Taxation Code, relating to the exemption from taxation of property used exclusively for the public schools.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1037**—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

Bill read third time.

### Speaker Presiding

At 10.33 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Request for Unanimous Consent**

Mr. Hanna asked for unanimous consent to refer back to Item 59 on file.

Speaker Brown withheld unanimous consent, at this time, and asked that Mr. Hanna renew his request when the file has been completed.

**Assembly Bill No. 1492**—An act to amend Sections 640, 645, and 646 of the Probate Code, relating to the administration of estates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1554**—An act to amend Sections 73075, 73081 and 73084 of, and to add Sections 73084.5 and 73090.1 to, the Government Code, relating to municipal court districts in Alameda County, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr. Speaker—70.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick,

Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 664**—An act to amend Section 27300 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to safety belts.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10 44 a.m , Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

**Speaker Presiding**

At 10.49 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Marks, Schrade, Ernest R. Geddes, Dills, and Biddick demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Belotti, Biddick, Bradley, George E. Brown, Burton, Chapel, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, Meyers, Munnell, Nisbet, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—44.
NOES—Don A. Allen, Backstrand, Beaver, Bee, Britschgi, Burke, Busterud, Collier, Conrad, Coolidge, Cusanovich, Dills, House, Lanterman, Levering, Lowrey, Luckel, McMillan, Pattee, Reagan, Shell, Thelin, Unruh, and Charles H. Wilson—24.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 922**—An act to add Section 24010 to the Government Code, relating to county officers.

Bill read third time.

**Speaker pro Tempore Presiding**

At 11.04 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Bradley moved a call of the Assembly.

Mr. Schrade seconded the motion.

Motion carried. Time, 11.11 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1751**—An act to amend Section 11601 of the Business and Professions Code, relating to subdivisions, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2111**—An act to add Section 29333 to the Government Code, relating to county revolving funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1931**—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance recipients.

Bill read *third time*, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1420**—An act to amend Section 18853 of the Government Code, relating to state civil service.

Bill read *third time, and passed by the following vote:*

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 64**—An act to amend Section 29007 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the granting of diplomas widening the completion of courses beyond high school.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 715**—An act to add Section 17556 to the Education Code as enacted at the 1959 Regular Session, relating to apportionments for schools from the State School Fund

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—59.
NOES—Bruce F. Allen, Belotti, Coolidge, Davis, Levering, Lowrey, and Shell—7.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 868**—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 885**—An act to add Chapter 4 (commencing at Section 1700) to Part 6, Division 2 and to repeal Sections 1650 to 1663, inclusive, of the Labor Code, relating to artists' managers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1179**—An act to add Sections 10084, 10085, 10140.5, 10143, 10144, and 10145, 10512.5, 10514.5, and 10514.7 to, and to amend Sections 10131, 10132, 10134, and 10140, 10501, 10502, 10506, and 10512 of, the Business and Professions Code, relating to the Real Estate Commissioner and the business of assisting persons in filing applications for lands owned by the State or Federal Government, declaring the urgency thereof, to take effect immediately

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1959, strike out "10143", and insert "10143.5".

Amendment No. 2

In line 2 of the title strike out "10145.".

Amendment No. 3

On page 3, line 42, strike out "10143", and insert "10143.5".

Amendment No. 4

On page 3, line 43, strike out "10143", and insert "10143.5".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1787**—An act to add Chapter 7.5 (commencing at Section 28350) to Division 21 of the Health and Safety Code, relating to warehouse sanitation.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1794**—An act to add Section 1030 to the Government Code, relating to peace officers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2207**—An act to amend Sections 1363 and 1433 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school board meetings.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 515**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation.

Bill read third time.

**Demand for Previous Question**

Messrs. Pattee, Reagan, Crawford, House, and Busterud demanded the previous question Demand sustained.

**Speaker Presiding**

At 11.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Chapel, Levering, Reagan, Shell, and Thelin—5.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1528**—An act to amend Section 10270.55 of the Insurance Code, relating to standard provisions in disability policies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1154**—An act to amend Section 19539.5 of the Business and Professions Code, relating to horse racing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68

NOES—Levering and Shell—2

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 220

By Messrs. Masterson, Waldie, Biddick, Lunardi, Bee, Crown, Dahl, Mulford, Petris, and Rumford:

**House Resolution No. 220**

Relative to the solving of the water problems of the East Bay area

WHEREAS, The increasing population and the rapidly expanding economy of the East Bay area of the State require additional water supplies to meet its needs; and

WHEREAS, The East Bay Municipal Utility District, a public service agency, had for years made plans for the transport of these needed water supplies from the watershed of the Mokelumne River within the Counties of Amador and Calaveras, and had requested the State of California to assign to it certain State filings on these waters; and

WHEREAS, In their best judgment and in the interests of their citizens, these counties and the County of San Joaquin engaged in litigation to forestall the assignment of State filings to the East Bay Municipal Utility District until such time as the counties could be assured that the interests of their citizens and their own economies were properly and adequately protected; and

WHEREAS, By mutual agreement the East Bay Municipal Utility District and the counties have provided that the East Bay Municipal Utility District grant to the Counties of Amador and Calaveras each the sum of two million dollars to be used for the future development of water supplies in these counties, and the State reserve to these two counties certain amounts of water for the beneficial use within these counties, and has assured the County of San Joaquin an adequate supply of water, and

WHEREAS, As a result of this mutual agreement, the counties have dismissed their litigation, thus enabling the East Bay Municipal Utility District to proceed with its plan for meeting the needs of the communities it serves; and

WHEREAS, The State Director of Water Resources at all times extended his advice and co-operation to all parties and approved the agreement which was reached; and

WHEREAS, The arrangement meets the needs of the counties of origin as well as those of the area needing an additional water supply without recourse to legislation or the use of state funds or credit, thus establishing a pattern for mutual co-operation in the development and utilization of the State's water resources; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Counties of Amador, Calaveras and San Joaquin, the East Bay Municipal Utility District and the State Director of Water Resources be commended for their diligence, patience and success in the settlement of the problem presented, and their great contribution to the public interest in making possible the development of these water resources to serve the needs of the counties wherein the water originates and those essential to the further development of the area served by the East Bay Municipal Utility District; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Counties of Amador, Calaveras and San Joaquin, the East Bay Municipal Utility District and the Director of the State Department of Water Resources.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 221

By Mr. Porter:

### House Resolution No. 221

Relative to congratulating Edith M. Clark

WHEREAS, Retiring on March 1, 1959, Miss Edith M. Clark ended a 27-year "tour of duty" with the Los Angeles City School System; and

WHEREAS, Born in Willard, Ohio, Miss Clark undertook her early education in schools in Willard, then at the University of Cincinnati, and finally at the University of Southern California, where she received a Master's degree; and

WHEREAS, After spending 11 years in the teaching profession in Ohio, Miss Clark moved to California to become, in 1932, an instructor at Los Angeles City College; and

WHEREAS, While at Los Angeles City College she held such positions as Instructor of Women's Physical Education, Assistant Dean of Women, Dean of Students, and, in December, 1948, became the Acting President of the Nation's largest junior college; and

WHEREAS, In 1950, Miss Clark was promoted by the Board of Education to the position of Assistant Superintendent in charge of junior colleges for the Los Angeles System, a position she retained until her retirement March 1, 1959; and

WHEREAS, In addition to the outstanding performance rendered as a teacher and administrator, Miss Clark has been active in numerous professional, civic, and social organizations; and

WHEREAS, Miss Edith M. Clark, who is often referred to as the "first lady" of the Los Angeles Junior College District, has performed her various jobs admirably, to the benefit of thousands of students of the Los Angeles area, and all of the people of this State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body congratulate Miss Edith M. Clark on the occasion of her retirement from the school system of this State and take this opportunity to wish her a long and relaxed vacation which she has so honestly earned; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Miss Edith M. Clark.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 222

By Mr. Porter:

### House Resolution No. 222

Relating to congratulating E. Manfred Evans

WHEREAS, The Assembly of the State of California has learned of the retirement of E. Manfred Evans from his position as Assistant Superintendent in charge of Adult Education of the Los Angeles City Schools, after a career of 35 years of outstanding service in the field of education and in public service; and

WHEREAS, E. Manfred Evans was born in the State of Wisconsin, but moved to California, where he was to spend the major part of his life, and was educated at Hollywood High School and the University of Southern California; and

WHEREAS, E. Manfred Evans served in the Air Force during World War I, and thereafter began his career in the field of education as an attendance officer, advancing from there to the positions of enrollment officer, teacher, Principal of the Metropolitan Evening High School, Supervisor of Adult Education, and finally to the position of Assistant Superintendent; and

WHEREAS, In addition to his work in the Los Angeles City School System, he contributed his exceptional talents to a variety of other endeavors, serving from 1943 to 1944 as Chief of the Division of Adult Education in the State Department of Education, in 1949 as Vice President of the Adult Education Association of the United States and President of the California Association of Adult Education Administrators, and in 1950 on Special Mission to Germany and as President of the National Association of Public School Educators which he was instrumental in organizing, and

WHEREAS, E. Manfred Evans' career was centered principally in the field of adult education where his achievements manifest what was perhaps his dominant purpose in life, the improvement of the lot of his fellow man generally, in making it possible for every adult in his community to receive the education necessary to make him a more skillful worker, a more efficient business or industrial manager, a better homemaker and parent, a participating citizen and a leader in community affairs; and

WHEREAS, E. Manfred Evans exerted a profound influence on the stature of adult education in the field of education generally, thereby improving the lot and well-being of thousands of his fellow citizens, enhancing the welfare of his State and Nation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, on the occasion of the retirement of E. Manfred Evans, joins his multitude of friends in extending congratulations and commendations on the outstanding record of achievement he has compiled during his lifetime of service, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to E. Manfred Evans

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 223

By Mr. Porter:

### House Resolution No. 223

Relative to congratulating Dr. Howard A. Campion

WHEREAS, February 27, 1959, marked the retirement of Dr. Howard A. Campion, after 34 years of outstanding service to the educational system of the State and the City of Los Angeles; and

WHEREAS, Born in Faribault, Minnesota, Doctor Campion received his early education in Minnesota and Wisconsin and completed his education in California, attending the University of California at Los Angeles and the University of Southern California where, in 1941, he received the degree of Doctor of Education; and

WHEREAS, From 1923 to 1925, Doctor Campion served as Assistant Supervisor in charge of vocational teacher training at the University of California at Los Angeles, and in 1925 commenced his career with the Los Angeles City Schools as the first principal of Frank Wiggins Trade School (now Los Angeles Trade-Technical Junior College), a position he held until 1934, and

WHEREAS, In 1934, he was elected Assistant Superintendent of the Los Angeles City Schools and served in that capacity until 1949 when he was made Associate Superintendent of the Division of Extension and Higher Education; and

WHEREAS, Doctor Campion has successfully led the Division of Extension and Higher Education, a program which encompasses seven junior colleges, 27 adult schools and 100,000 students; and

WHEREAS, In spite of the burdens of his professional career, Doctor Campion has contributed his time and energy to many other civic and cultural endeavors to the great benefit of the people of the State and Los Angeles; and

WHEREAS, Doctor Campion has well earned the extended vacation upon which he is currently engaged as a result of his recent retirement; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body congratulate Dr. Howard A. Campion on the event of his retirement from the Public School System of this State and wish that his retirement will be long and enjoyed to the fullest extent; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Howard A. Campion.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 224

By Mr. Conrad:

### House Resolution No. 224

Relating to Dr. Max Nussbaum

WHEREAS, The life and achievements of Dr. Max Nussbaum are so extraordinary as to have been the subject of the nationally televised show "This Is Your Life" on April 22, 1959, the Eve of Passover; and

WHEREAS, The Eve of Passover was appropriately chosen as the occasion for honoring Doctor Nussbaum in view of his participation in a modern-day exodus from Nazi Germany that in some ways paralleled the great biblical exodus which preceded the first Passover; and

WHEREAS, Doctor Nussbaum was born in Roumania on April 4, 1910, with a rabbinical heritage, for his father, grandfather and other forebears were rabbis; and

WHEREAS, He followed in their footsteps, studying for the rabbinate at the rabbinical seminary in Breslau, Germany, and earning his way through the Universities of Breslau and Wurzburg, and receiving the degree of Doctor of Philosophy; and

WHEREAS, Doctor Nussbaum was ordained a rabbi in 1936, and gave aid and comfort to his people in that capacity at the risk of his life during the period of Nazi persecution and oppression in Germany; and

WHEREAS, He was instrumental in assisting many of the oppressed and persecuted in escaping from Nazi Germany; and

WHEREAS, After many harrowing experiences and under threat of arrest and death, Doctor Nussbaum himself escaped the Nazis and migrated to the United States, where in 1942 he was appointed Rabbi of Temple Israel in Hollywood, California; and

WHEREAS, Doctor Nussbaum was the cornerstone in the establishment of the Hollywood Inter-Faith Forum, which has done much to increase understanding and co-operation among various religious groups; and

WHEREAS, Doctor Nussbaum has performed a leading role in raising funds for and serving in various ways the people of all faiths; and

WHEREAS, In his own faith Doctor Nussbaum became Chairman of the National Executive Counsel of the Zionist Organization of America, the National Vice President of the American Jewish Congress, and a director of the United Israel Appeal; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Dr. Max Nussbaum is an outstanding example of the type of citizen of which this State can be justly proud and that this body commends Doctor Nussbaum for his outstanding career as religious leader, humanitarian and spearhead of interfaith understanding and co-operation; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Dr. Max Nussbaum of Hollywood, California.

Resolution read, and adopted unanimously.

## ANNOUNCEMENT

Mr. Winton announced that he would move to adjourn until 9 a.m. tomorrow morning as soon as the work at the desk was completed.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 922

At 11.53 a.m., Mr. Bradley moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 922 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, House, Kennick, Lanterman, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Pattee, Porter, Rees, Sedgwick, Sumner, Thelin, Thomas, Unruh, Charles H. Wilson, Winton, and Z'berg—42.

NOES—Backstrand, Bane, Beaver, Bee, Belotti, Burton, Crawford, Crown, Davis, Donahoe, Elliott, Samuel R. Geddes, Hawkins, Hegland, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, McMillan, Nisbet, O'Connell, Petris, Reagan, Schrade, Shell, Waldie, Williamson, George A. Wilson, and Mr. Speaker—30.

Bill ordered transmitted to the Senate.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 121**: By Messrs Chapel, Dills, and Charles H. Wilson, co-authors—Relative to approving charter amendments to the charter of the City of Inglewood, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1959.

#### Request for Unanimous Consent

Mr. Chapel was granted unanimous consent to take up Assembly Concurrent Resolution No. 121 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 121

**Assembly Concurrent Resolution No. 121**—Relative to approving charter amendments to the charter of the City of Inglewood, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Wilson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 28 FROM COMMITTEE

Mr. Crawford was granted unanimous consent that Assembly Bill No 28 be withdrawn from the Committee on Criminal Procedure for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 28

**Assembly Bill No. 28**—An act to amend Sections 11502, 11712, 11713, and 11714 of the Health and Safety Code, and Section 1385 of the Penal Code, relating to narcotic violations.

Bill read second time.

#### Motion to Amend

Mr. Crawford moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 25, 1959, strike out "Sections 11502, 11712, 11713, and 11714", and insert "Section 11713".

#### Amendment No. 2

In lines 2 and 3 of the title, strike out "and Section 1305 of the Penal Code,".

#### Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 11713 of the Health and Safety Code is amended to read:

11713. Any person convicted under this division for transporting, selling, furnishing, administering, or giving away, or offering to transport, sell, furnish, administer, or give away, any narcotics, shall be punished by imprisonment ~~in the county jail for not more than one year, or~~ in the state prison from five years to life *; provided, that following conviction if the court finds that the convicted person is addicted to the use of narcotics, the court may suspend the execution of such a sentence on condition that the convicted person serve a term of not less than 90 days nor more than one year in the county jail and thereafter be placed on probation for a period of not less than two years nor more than five years subject to the conditions contained in Section 11722 of this code*.

If such a person has been previously convicted of any offense described in this division or has been previously convicted of any offense under the laws of any other state or of the United States which if committed in this State would have been punishable as an offense described in this division, the previous conviction shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or is admitted by the defendant, he shall be imprisoned in a state prison from 10 years to life."

#### Amendment No. 4

On page 1, strike out lines 2 to 24, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Miss Donahoe was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO CHILD CARE CENTER PERSONNEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 29, 1959

*Hon. S. C. Masterson*
*Assembly Chamber*

*Child Care Center Personnel (Assembly Bill No. 579 as Amended April 16, 1959)—No. 13722*

*Question*

DEAR MR. MASTERSON. You ask whether Assembly Bill No 579, as amended April 16, 1959, places "teachers" in child care centers in the same category as cafeteria workers in child care centers.

*Opinion*

No. The two types of employees are already in the same legal category —that of noncertificated employees. The bill would affect all noncertificated employees by requiring the establishment in each district of a classified service consisting of all noncertificated employees, except those in part-time and certain other types of positions.

*Analysis*

Section 19611 of the Education Code* provides:

> "Each person employed by a school district in a child care center under the provisions of this chapter shall be deemed for all purposes, including retirement, to be a person employed by the school district in a position not requiring certification qualifications, except that he shall not be subject to the provisions of Article 5 of Chapter 13 of Division 7 of this code."

Hence, under the present existing law all persons employed in a child care center are noncertificated employees of a school district, except that such employees are not subject to the merit system established by any district for noncertificated employees. This noncertificated status applies to all child care center employees whether they are employed for cafeteria duties or duties which involve the direct supervision of the children admitted to the center, that is as "teachers." A person who is employed in a child care center to supervise the children and who may actually have teacher training and be qualified for employment as a teacher is nonetheless a noncertificated employee and is, under the existing law, deemed to be a noncertificated employee with the same status, for the purposes of the Education Code, as a cafeteria worker or any other noncertificated employee except that child care center employees are not subject to district merit systems. Such a person does not, for the purposes of the Education Code, have the status of a certificated employee such as a

* Sec 16626 of Education Code, as enacted at 1959 Reg Sess

person employed by a district to teach in the regular day schools of the district.

Hence, where the Education Code provides that a certain provision is applicable to certificated employees, that provision does not now apply to any person employed in a child care center, whether as a cafeteria worker, as a supervisor or "teacher" of the children in the center; when the code provides that a certain provision applies to noncertificated employees, those provisions apply to all child care center employes (except the district merit system provision) whether the child care center employee is a cafeteria worker or a "teacher."

Assembly Bill No. 579 provides in part that the governing board of a school district shall employ persons for positions not requiring certification qualifications (noncertificated employees) and shall classify the employees and the positions, and that such employees and positions shall be known as the classified service. The bill would exempt certain types of employees from the classified service. (Sec. 13581, to be added by Assembly Bill No. 579). The main effect of this provision is to establish a "classified service" consisting of all noncertificated employees except substitutes and short term employees, part-time playground employees, part-time student employees, and apprentices and professional experts employed on a temporary basis for a specific project.

In our opinion the bill would affect the "teachers" (that is, the persons employed to supervise the children) in a child care center to the same extent and on the same basis as it would affect child care center cafeteria workers or any other noncertificated employee of a school district. The child care center cafeteria workers and "teachers" and all of the noncertificated district employees would, under the bill, be included in the classified service of the employing district if they do not fall within one of the excluded classes of employees.

Hence the bill would not *place* the child care center "teachers" in the same category as the cafeteria workers. The two types of employees are already in the same legal category—that of noncertificated school district employee. The bill would affect all noncertificated employees on the same basis.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By BARBARA COCHRANE CALAIS, Deputy

Two copies to Hon. Dorothy M. Donahoe pursuant to Joint Rule No. 34.

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON INTRODUCTION OF AN ASSEMBLY CONCURRENT RESOLUTION

Mr. Gaffney was granted unanimous consent to expunge the record, and rescind the action whereby an Assembly concurrent resolution, offered by Mr. Gaffney, was this day introduced.

## RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

**House Resolution No. 232**—Relative to the One Hundredth Anniversary of the founding of the University of San Francisco.

### Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up House Resolution No. 232 without reference to committee or file.

### Members Made Co-authors of House Resolution No. 232

Mr. Gaffney was granted unanimous consent that all members so desiring be placed upon House Resolution No. 232 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

### Consideration of House Resolution No. 232

By Messrs. Gaffney, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg:

### House Resolution No. 232

Relative to the One Hundredth Anniversary of the founding of the University of San Francisco

WHEREAS, The University of San Francisco was founded on April 30, 1859, and is now celebrating its Centennial Anniversary; and

WHEREAS, Originally incorporated as St. Ignatius College, this fine University has risen to a place of eminence among institutions of higher learning in this State; and

WHEREAS, The University is recognized throughout the Country for its advanced techniques in education, as witnessed by its excellent program in labor-management relations, in its instruction courses in foreign languages, and its fine teacher, business administration and law programs; and

WHEREAS, The dedication of the Jesuit Fathers to the instruction of youth is renowned throughout the world and is exemplified in the highest degree at the University of San Francisco; and

WHEREAS, This State is justly proud of having within its borders such an institution as the University of San Francisco, and the University is to be commended for the contributions it has made to the welfare of the State during the one hundred years of its existence, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly take this means to congratulate the University of San Francisco on its Centennial Anniversary, and to express the Legislature's admiration of the University's achievements; and be it further,

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Rev John Connolly, S. J, President of the University of San Francisco

Resolution read, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2229 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 2229 be withdrawn from the Committee on Public Utilities and Corporations, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2229

**Assembly Bill No. 2229**—An act to amend Sections 452, 726, 730 and 3502 of, and to repeal Sections 731 and 3663 of, the Public Utilities Code, relating to the regulation of common carrier rates.

Bill read second time.

#### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 3502", and insert ", 3502, 3662, and 3666".

#### Amendment No. 2

On page 2, strike out lines 9 to 17, inclusive, and insert

"No carrier as defined in the Public Utilities Act or in the Highway Carriers' Act shall be required to establish or maintain rates at a particular level to protect the revenue or traffic of another carrier as defined in either of said acts."

#### Amendment No. 3

On page 2, line 40, strike out "shall", and insert "may".

#### Amendment No. 4

On page 3, strike out lines 12 to 20, inclusive, and insert

"Nothing in the Highway Carriers' Act shall be construed to prohibit any carrier as therein defined from establishing and charging lower than a maximum reasonable rate for the transportation of property when the needs of commerce or public interest require. No carrier as defined in the Public Utilities Act or in the Highway Carriers' Act shall be required to establish or maintain rates at a particular level to protect the revenue or traffic of another carrier as defined in either of said acts."

#### Amendment No. 5

On page 3, between lines 20 and 21, insert

"SEC. 5. Section 3662 of said code is amended to read:

3662. The commission ~~shall,~~ *may, after hearing,* upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, *sufficient* and nondiscriminatory maximum or minimum or maximum and minimum rates to be charged by any highway permit carrier for the transportation of property and for accessorial service performed by it.

~~In establishing or approving such rates the commission shall give due consideration to the cost of all the transportation services performed, including length of haul, any additional transportation service performed, or to be performed, to, from, or beyond the regularly established termini of common carriers or of any accessorial service, the value of the commodity transported, and the value of the facility reasonably necessary to perform the transportation service.~~

SEC. 6. Section 3666 of said code is amended to read:

3666. If any highway carrier other than a common carrier desires to perform any transportation or accessorial service at a lesser rate than the minimum established rates, ~~the commission shall, upon finding that the proposed rate is reasonable, authorize the lesser rate.~~ *the carrier may file with the commission in such form as may be required by it a*

*statement naming such rates, which shall be kept open by the commission to public inspection. The commission may, either upon complaint or upon its own initiative on reasonable notice by appropriate order before the effectiveness of said rates, direct that the use of such new rates be suspended and a hearing held to determine the lawfulness thereof The period of suspension shall not extend more than 120 days beyond the time when the rate or rates would otherwise go into effect unless the commission extends the period of suspension for a further period not exceeding six months. Any new rates not so suspended shall become effective on the expiration of 30 days from the time of filing thereof with the commission or such lesser time as the commission may grant, subject to the power of the commission, after a hearing had on its own motion or upon complaint, to alter or modify them.''*

**Amendment No. 6**

On page 3, line 21, strike out "SEC. 5.", and insert "SEC. 7."

**Amendment No. 7**

On page 3, line 22, strike out "SEC. 6.", and insert "SEC. 8."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

## NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 664

Messrs. Charles H. Wilson and McMillan were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 664.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 4**—An act to amend Sections 74341, 74343, and 74345 of, and to add Section 74346.5 to, the Government Code, relating to the municipal court in a district embracing the City of San Diego,

**Assembly Bill No. 193**—An act to amend Section 7972, and to repeal Section 7972.5 of the Elections Code, relating to election returns;

**Assembly Bill No. 197**—An act to amend Sections 2500 and 7920 of the Elections Code, relating to city elections;

**Assembly Bill No. 226**—An act to amend Sections 51360, 51361, 51362, and 51364 of the Water Code, relating to reclamation district operation and maintenance assessments;

**Assembly Bill No. 842**—An act to amend Sections 911.23, 913, 914, 914.9, and 918.1 of the Agricultural Code, relating to agricultural and vegetable seeds;

**Assembly Bill No. 860**—An act to amend Section 16091 of the Education Code, and Section 10651 of the Education Code as proposed by Senate Bill No. 2, relating to the provision for readers to assist blind students;

**Assembly Bill No. 916**—An act to amend Section 12051 of the Education Code, and Section 13112 of the Education Code as proposed by Senate Bill No. 2, relating to certification documents;

**Assembly Bill No. 1201**—An act to amend Section 75060 of the Government Code, relating to the retirement of judges;

**Assembly Bill No. 1510**—An act to add Section 13055 to the Health and Safety Code, relating to fires;

**Assembly Bill No. 1763**—An act to amend Sections 12100, 12200.1 and 12304 of and to add Section 12200.2 to the Financial Code, relating to check sellers and cashers, and declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the thirtieth day of April, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 111**—Relative to the passing of E D. Coblentz;

And reports the same correctly enrolled, and presented to the Secretary of State on the thirtieth day of April, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 30, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1935
Assembly Bill No. 1936
Assembly Bill No. 1937
Assembly Bill No. 1938
Assembly Bill No. 1940
Assembly Bill No. 1941
Assembly Bill No. 1942
Assembly Bill No. 1943
Assembly Bill No. 1945
Assembly Bill No. 1946
Assembly Bill No. 1947
Assembly Bill No. 1948
Assembly Bill No. 1949
Assembly Bill No. 1950
Assembly Bill No. 1951
Assembly Bill No 1952
Assembly Bill No. 1953
Assembly Bill No. 1954
Assembly Bill No. 1955

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1973
Assembly Bill No. 2236

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1571

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 108

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 114
Assembly Bill No. 708
Assembly Bill No. 1532

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 202
Assembly Bill No 1843

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1419

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 345

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 1899

With amendments with the recommendation: Amend, and do pass, as amended

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Concurrent Resolution No 88

With the recommendation: Be adopted.

DONAHOE, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1328

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Education reports

Senate Bill No. 724

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No. 1862

Assembly Bill No. 2022

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 816

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No 1501

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No 1516
Assembly Bill No 169
Assembly Bill No 1198
Assembly Bill No. 2225
Assembly Bill No. 96

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading

**Committee on Water**

ASSEMBLY CHAMBER, April 28, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1221

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No 1882

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2228

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Social Welfare reports.

Senate Bill No S63

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 1837

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Social Welfare reports.

Assembly Bill No. 2233

With amendments with the recommendation. Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Bill No. 774

With the recommendation Do pass.

MILLER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 58

With the recommendation. Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, April 30, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 226

House Resolution No. 227

With the recommendation. Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1617

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BIDDICK, Chairman

Above bill ordered to second reading.

## EXPLANATIONS OF ABSENCE

April 30, 1959

I missed several roll calls this morning because I was attending to legislative duties elsewhere in the Capitol.

CHARLES W. MEYERS

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I was called into the Governor's office at 11 a m. April 30th, on a conference.

SETH J. JOHNSON

## EXPLANATION OF ABSENCE ON APRIL 29TH

I missed several roll calls on Wednesday, April 29th, because I was presenting a bill before a Senate Committee.

CHARLES W. MEYERS

## ADJOURNMENT

At 12.07 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a m., Friday, May 1, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY

EIGHTY-FIFTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, May 1, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God of our changing years,* In a day when many scientific creations are obsolete before they are off the drawing boards, and when new laws and regulations are constantly required to keep pace with industry and changing customs, we thank Thee for moral principles and spiritual laws which change not Help us to see, however, that new conditions make new applications of Christian truth imperative. Make clear to each of us that change and growth are the laws of our spiritual lives, especially, our Father, to so many of us whose religious training, for the most part, stopped with childhood. Keep us growing, changing, ever praying.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Sedgwick, seconded by Mr. Shell.

## QUORUM CALL OF THE ASSEMBLY

Mr. Coolidge moved a quorum call of the Assembly.

Mr. Shell seconded the motion.

Motion carried. Time, 9.06 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### Parliamentary Inquiry

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Is it possible to excuse a member after a call has been placed?

### Reply by Speaker

The Speaker replied that the Rules provide that no member may be excused while the House is under a call.

### Point of Order

Mr. Charles H. Wilson arose to the following point of order: That there is a quorum present.

### Ruling by Speaker

The Speaker ruled the point of order well taken.

### Call of the Assembly Dispensed With on Quorum Call

At 9 09 a.m., pursuant to the point of order by Mr. Charles H. Wilson, the Speaker declared that a quorum was present, and further proceedings under the call of the Assembly were dispensed with.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Shell.

Mr. Pattee, on motion of Mr Charles H. Wilson.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Ida Springer of Los Angeles, relative to Assembly Bill No. 1350. Referred to the Committee on Ways and Means.

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Rolf Kirby of West Covina, relative to Assembly Bill No. 1174. Referred to the Committee on Revenue and Taxation.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 4
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered returned to second reading file.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1179
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1939
Assembly Bill No. 1944
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1404
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1855
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2062
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 159**—An act to add Section 19828 to the Health and Safety Code, relating to contractors;

**Assembly Bill No. 241**—An act to amend Section 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to election notice to voters;

**Assembly Bill No. 350**—An act to amend Section 6800 of, and to add Section 6807.5 to, the Elections Code, relating to electronic and electromechanical tabulation of ballots;

**Assembly Bill No. 508**—An act to amend Section 11100 of, and add Sections 11102 and 11121 to, the Elections Code, relating to municipal recall elections;

**Assembly Bill No. 712**—An act to amend Section 3800 of the Labor Code, relating to construction permits;

**Assembly Bill No. 753**—An act to add Section 14057.5 to, and to amend Section 14058 of the Health and Safety Code, relating to local fire districts;

**Assembly Bill No. 956**—An act to amend Section 13104 of the Education Code, and to amend Section 13337 of the Education Code as proposed by Senate Bill No. 2, relating to employment and classification of personnel by public school districts;

**Assembly Bill No. 1277**—An act to add Section 54907 to the Government Code, relating to the filing of statements and maps and plats for tax purposes by cities on annexation or change in boundaries, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1343**—An act to amend Sections 967 and 969 of, and to repeal Chapter 6 (commencing at Section 880) of Part 2 of Division 1 of the Health and Safety Code, relating to local health districts;

And reports the same correctly enrolled, and presented to the Governor on the thirtieth day of April, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 28**—Relative to a congressional investigation of unnecessary sonic booms in populated areas in California;

And reports the same correctly enrolled and presented to the Secretary of State on the thirtieth day of April, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 94
Assembly Bill No. 244
Assembly Bill No. 468
Assembly Bill No. 499
Assembly Bill No. 919
Assembly Bill No 1603
Assembly Bill No. 1962
Assembly Bill No. 2087
Assembly Bill No. 316
Assembly Bill No. 1580

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 243
Senate Bill No. 305
Senate Bill No 357
Senate Bill No. 358
Senate Bill No. 757

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2110

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 139

With amendments with the recommendation: Amend, and re-refer to the Committee on Civil Service and State Personnel.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No 5

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER. Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1572

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER. Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1920

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, April 30, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 72

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports.

Assembly Bill No. 2144
Assembly Bill No 1764

With the recommendation: Do pass

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports.

Assembly Bill No. 2302
Assembly Bill No. 1382
Assembly Bill No. 631

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER. Your Committee on Ways and Means reports:

Senate Bill No. 475

With amendments with the recommendation Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 1, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports.

Senate Bill No. 170

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BRADLEY, Chairman

Above bill re-referred to the Committee on Ways and Means

### Speaker pro Tempore Presiding

At 9.10 a.m , Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1939, 1944, 1803, 580, 1922, 2031, 2184, 2118, and 2234.**

**Assembly Constitutional Amendment No. 4.**

Assembly Bills Nos. 1803, 580, 1922, 2184, and 2234 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 2031 and 2118 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 1939 and 1944 ordered to the Consent Calendar.

Assembly Constitutional Amendment No. 4 ordered on file.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2103**—An act to add Part 8 (commencing at Section 7900) to Division 5 of the Labor Code, relating to carnivals and circuses.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

#### Amendment No. 1

On page 1, line 6, of the printed bill, strike out "a", and insert "an annual".

#### Amendment No. 2

On page 1, line 8, strike out "If a carnival or circus", and insert "Notwithstanding the provisions of Sections 6317 and 6318, if a carnival".

#### Amendment No. 3

On page 1, line 10, after "no", insert "further".

#### Amendment No. 4

On page 1, lines 10 and 11, strike out "for its operation", and insert "affecting health and safety".

#### Amendment No. 5

On page 1, line 12, strike out "or circus".

#### Amendment No. 6

On page 1, line 13, strike out "local inspection", and insert "the termination of its license affecting health and safety unless authorized by the division."

#### Amendment No. 7

On page 1, between lines 13 and 14, insert

"7901. A "carnival," for the purposes of this part, is a combination of mechanical riding devices, sideshows, games of science and skill, which are operated as a unit and travel from county to county and city to city and operate in at least five such localities annually and are operated for pecuniary gain."

**Amendment No. 8**

On page 1, line 14, strike out "7901.", and insert "7902."

**Amendment No. 9**

On page 1, lines 17 and 18, strike out "7902. The division shall, within 30 days after the date of the filing of the application, issue a license to the applicant", and insert

"7903. The division shall issue a license to the applicant within a reasonable time".

**Amendment No. 10**

On page 1, line 19, strike out "or circus".

**Amendment No. 11**

On page 2, line 1, strike out "or circus".

**Amendment No. 12**

On page 2, line 7, strike out "or circus".

**Amendment No. 13**

On page 2, line 13, strike out "or circus".

**Amendment No. 14**

On page 2, between lines 13 and 14, insert

"7904. The division shall be guided in the issuance of a license by the recommendations of the State Fire Marshal relating to fire protection in the establishment, maintenance, and operation of a carnival and to the recommendations of the Department of Public Health relating to health and sanitation in the maintenance and operation of a carnival."

**Amendment No. 15**

On page 2, line 14, strike out "7903.", and insert "7905."

**Amendment No. 16**

On page 2, line 18, strike out "7904.", and insert "7906."

**Amendment No. 17**

On page 2, line 19, strike out "or circus".

**Amendment No. 18**

On page 2, line 21, strike out "7902", and insert "7903".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

**Assembly Bill No. 2237**—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2277**—An act to amend Section 24360.2 of the Health and Safety Code, relating to air pollution control.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2176**—An act to amend Section 626 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2185**—An act relating to the transfer and repayment of certain state funds with respect to the loan made on the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945, and in this connection amending Section 2 of Chapter 1505 of the Statutes of 1945.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 2, line 10, of the printed bill, after "Fund", insert "for the portion thereof earned prior to the transfer or transfers provided for in Section 1 of Assembly Bill No. 2185 of the 1959 Regular Session containing the amendment of this section, and into the Motor Vehicle Transportation Tax Fund as to the balance".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2186**—An act to amend Section 4850 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to issuance of vehicle license plates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 4850", and insert "Sections 4850 and 5200"

**Amendment No. 2**

On page 1, strike out lines 1 through 10, and insert

"SECTION 1. Section 4850 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session as amended to read:

4850. The department upon registering a vehicle shall issue to the owner two suitable license plates or devices for a motor vehicle, other than a motorcycle, and one suitable license plate or device for all other vehicles required to be registered under this code. The plates or devices shall identify the vehicles for which they are issued for the period of their validity.

*Effective January 1, 1960, the department upon registering a vehicle shall issue to the owner a suitable license plate or device for each vehicle required to be registered under this code. The plate or device shall identify the vehicle for which it is issued for the period of its validity.*

SEC. 2. Section 5200 of said code is amended to read:

5200. When two license plates are issued by the department for a vehicle, they shall be attached to the vehicle for which they were issued, one in the front and the other in the rear. When one license plate is issued for use upon a vehicle, it shall be attached to the rear thereof.

*Effective January 1, 1960, a license plate issued by the department for a vehicle, shall be attached to the rear of the vehicle for which it is issued.*"

Bill ordered reprinted and engrossed.

**Assembly Bill No. 1810**—An act to add Article 5 (commencing with Section 33955) to Chapter 5, Part I, Division 24 of the Health and Safety Code, relating to community redevelopment and urban renewal plans and bonds.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, strike out lines 45 to 51, inclusive.

Bill ordered reprinted and engrossed.

**Assembly Bill No. 1849**—An act to amend Section 17454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to service of process on nonresident vehicle operators.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "mailing", insert "either by certified or registered mail, addressee only, return receipt requested,".

**Amendment No. 2**

On page 1, line 9, after the period, insert "Service shall be effective as of the day the return receipt is received from the director's office."

Bill ordered reprinted and engrossed.

**Assembly Bill No. 37**—An act to amend Section 75080 of the Government Code, relating to employment of retired judges.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1271**—An act to amend Section 709 of the Probate Code, relating to the filing of claims with an executor or administrator.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1346**—An act to repeal Chapter 13.5 (commencing at Section 26250) of Part 2 of Division 2 of Title 3 of the Government Code, relating to preservation of newspapers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1426**—An act to amend Section 1858.56 of the Civil Code, relating to warehousemen's liens.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1517**—An act to amend Section 12900 of the Corporations Code, relating to co-operative corporations.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1558**—An act to amend Section 68540 of the Government Code, relating to assignment of judges.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1875**—An act to amend Sections 72706 and 72708 of the Government Code, relating to the officers and attaches of municipal courts in Los Angeles County.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2033**—An act to add Section 69891.6 to the Government Code, relating to secretaries of superior court judges.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2063**—An act to amend Section 69 of the Civil Code and Section 10350 of the Health and Safety Code, relating to marriage licenses and certificates of registry of marriage.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2217**—An act to amend Sections 73772 and 73773 of the Government Code, relating to municipal courts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2180**—An act to amend Sections 74182, 74183, 74184 and 74185 and to repeal Section 74186 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 797**—An act to maintain the Water Code by amending Sections 163, 401, 2603, 11581, 12640, 26328, the heading of Article 9.5 (commencing with Section 11260) of Chapter 2, Part 3, Division 6, and the heading of Article 4 (commencing with Section 55610) of Chapter 2, Part 4, Division 16 thereof, and by amending and renumbering the heading of Article 9.6 (commencing with Section 11270) of Chapter 2, Part 3, Division 6 thereof, and by repealing Section 154.5 thereof, relating to the control, utilization, and distribution of water.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "163," insert "251,".

**Amendment No. 2**

In line 2 of the title after "12640," insert "12868, 12874,".

**Amendment No. 3**

On page 1, between lines 8 and 9, insert

"SEC. 1.5. Section 251 of said code is amended to read:

251. The declaration of the director, supported by a resolution of the ~~State Water Board~~ *California Water Commission* or its successor, shall be conclusive evidence:

(a) Of the public necessity of such proposed public improvement

(b) That such real property or interest therein is necessary therefor.

(c) That such proposed public improvement is planned or located in a manner which will be most compatible with the greatest public good and the least private injury.

**Amendment No. 4**

On page 2, line 35, after "SEC. 8.", insert "Section 12868 of said code is amended to read:

12868. The State shall pay the costs of lands, easements and rights-of-way for projects described in subsection (b) of Section 12865 only if, or to the extent that:

(a) The Secretary of Agriculture and local organizations have agreed on a plan for works of improvement pursuant to Public Law 566, Eighty-third Congress, Second Session.

(b) Local organizations have given the required assurances to the Secretary of Agriculture that they will:

(1) Acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with federal assistance;

(2) Assume such proportionate share of the cost of installing any works of improvement involving federal assistance as may be determined by the secretary to be equitable in consideration of anticipated benefits from such improvements;

(3) Make arrangements satisfactory to the secretary for defraying costs of operating and maintaining such works of improvement, in accordance with regulations presented by the Secretary of Agriculture;

(4) Acquire, or provide assurance that landowners have acquired, such water rights, pursuant to state law, as may be needed in the installation and operation of the work of improvement.

(5) Obtain agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than 50 per centum of the lands situated in the drainage area above each retention reservoir to be installed with federal assistance.

(c) The Secretary of Agriculture has determined that the benefits to be derived from the proposed works of improvement will exceed the cost.

(d) The Secretary of Agriculture has transmitted a copy of the plan and justification therefor to the Congress through the President and, where applicable, to the Secretary of the Interior and the Secretary of the Army, as required by said Public Law 566.

(e) The department finds in its judgment that the benefits of the proposed works of improvement for an entire project will reasonably exceed the costs thereof. Cost figures based upon a reconnaissance-type survey may be used for such purpose providing the ~~board~~ *California Water Commission* finds that all elements of cost reasonably appear to be included and the cost figures appear reasonably accurate for the purpose of supporting a finding that total costs will be less than the total benefits.

(f) The department recommends to the Legislature that an appropriation of funds be made for the project for reallocation for payment of the costs of lands, easements and rights-of-way which it finds have already been incurred or which it is anticipated will be incurred during the next fiscal year.

SEC. 9. Section 12874 of said code is amended to read:

12874. Money appropriated to the department for reallocation to local organizations shall be reallocated to local organizations upon

order of the department after application therefor has been made to it by such local organizations showing the necessity, purpose and use to be made of the money or showing that such organizations have made necessary advances or incurred obligations for the purpose of expediting projects for which the allocation is made and giving such other information as the ~~board~~ *California Water Commission* may require. Such application may be filed with or as a part of the application for recommendation to the Legislature for appropriation of funds. Expenditures of the reallocated sums shall be reported to the department as and when required by it. The reports shall give such information as the department may require.

SEC. 10."

**Amendment No. 5**

On page 2, line 42, strike out "SEC. 9", and insert "SEC. 11".

**Amendment No. 6**

On page 2, line 49, strike out "SEC. 10", and insert "SEC. 12".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1465**—An act to amend Sections 6340 and 6361 of the Business and Professions Code, relating to county law libraries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out "may", and insert "shall".

**Amendment No. 2**

On page 1, line 13, after "trustees", insert ", except that the board of supervisors may provide such quarters when the board of law library trustees has sufficient funds, over and above those necessary for operation and maintenance expenses, to provide its own quarters".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1798**—An act to add Section 72005 to the Government Code, relating to judges of municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 and 4, and insert

"72005. When a judge of a municipal court requests and secures the written consent of a judge of another municipal court in the same county to sit in the court of the requesting judge, the requesting judge may make a written request to the Chairman of the Judicial Council setting forth such facts and requesting the assignment of the consenting judge to sit in such municipal court. Upon the making of such written request to the Chairman of the Judicial Council, the Chairman of the Judicial Council shall be deemed to have assigned the judge of such other municipal court to sit as a judge of the court of the requesting judge. The Chairman of the Judicial Council may at any time revoke the assignment and the revocation shall become effective when written notice thereof is received by the assigned judge.

A judge assigned, pursuant to this section, to sit as a judge of another municipal court within the same".

**Amendment No. 2**

On page 1, line 9, strike out "attending", and insert "assigned".

**Amendment No. 3**

On page 1, line 10, strike out "which he so attends", and insert "to which he is so assigned".

**Amendment No. 4**

On page 1, line 14, strike out "attending", and insert "assigned".

**Amendment No. 5**

On page 1, line 15, strike out "attending", and insert "assigned".

**Amendment No. 6**

On page 1, strike out line 18, and insert
"A judge assigned pursuant to this".

**Amendment No. 7**

On page 1, after line 22, insert
"A judge of a municipal court who is disqualified to act in any action or proceeding under Section 170.6 of the Penal Code or any other law shall not make a request to the Judicial Council pursuant to this section for the assignment of a judge to try the cause or hear the matter with respect to which the disqualification arises."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2007**—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary co-ordination of releases of water from reservoirs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 44, of the printed bill, as amended in the Assembly on April 16, 1959, after the period, insert "No such recommendations, however, shall be admissible as evidence in any action brought against an owner, or its agencies or employees, who does not follow such recommendations, for the recovery of damages caused by the release of water from its reservoir or reservoirs."

**Amendment No. 2**

On page 2, line 45, after "feasible", insert "and it is compatible with the primary purpose of the reservoir"

**Amendment No. 3**

On page 3, between lines 11 and 12, insert
"No such records or report or other information shall be required of an owner with respect to a reservoir which is not reasonably accessible because of conditions of terrain or weather."

**Amendment No. 4**

On page 3, strike out lines 21 to 25, inclusive, and insert a period.

**Amendment No. 5**

On page 3, line 29, strike out "and punishable as provided in this article".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2249**—An act to add Chapter 7.5 commencing with Section 310.01 to Title 9 of Part 1 of the Penal Code, and to amend the heading to Chapter 8 of Title 9 of Part 1 of said code, and to repeal Sections 311, 312, 313, and 314 of, and to add Sections 311 and 311.1

to said code, and to add Section 535 to the Code of Civil Procedure, relating to obscene and indecent exposure, materials, and performances.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 6 of the printed bill, between lines 21 and 22, insert
"As used in this section, "obscene" has the meaning provided by subdivision (b) of Section 310 01."

Amendment No. 2

On page 7, line 18, after "charged", insert
"; provided, that if the person against whom such cause of action is alleged to exist files with the court a written agreement to refrain from the activity alleged to give rise to such cause of action, pending trial of the issues, such temporary writ of injunction shall not issue".

Amendment No. 3

On page 7, line 22, after "trial", insert
"; provided, that if such person has, pursuant to subdivision (c) filed an agreement to desist from the activity sought to be enjoined, pending trial of the issues, the trial shall not be held earlier than five days after joinder of issue".

Amendment No. 4

On page 8, after line 7, insert
"(j) This section does not apply to a newspaper of general circulation or a motion picture theatre licensed to operate by a city or county."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1642**—An act to amend Section 71180 of the Government Code, relating to judges of justice and municipal courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1733**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1883**—An act to amend Section 72757 of the Government Code, relating to municipal courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1741**—An act to amend Sections 74701, 74702, and 74703 of the Government Code, relating to the Santa Rosa Municipal Court.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "74701, 74702," and insert "74702"

**Amendment No. 2**

On page 1, strike out lines 1 to 25, inclusive; on page 2, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 74702 of the Government Code is amended to read:

74702. There shall be one clerk who shall receive a salary of three hundred ninety-two dollars ($392) monthly with annual increments of eighteen dollars ($18), nineteen dollars ($19), twenty dollars ($20), and twenty-one dollars ($21) to a maximum of four hundred seventy dollars ($470).

SEC. 2. Section 74703 of said code is amended to read:

74703. The clerk may appoint:

(a) One assistant clerk who shall receive a minimum salary of three hundred forty-one dollars ($341) monthly with annual increments of sixteen dollars ($16), seventeen dollars ($17), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of four hundred ten dollars ($410).

(b) Three deputy clerks grade III, each of whom shall receive a minimum salary of three hundred eleven dollars ($311) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17) to a maximum of three hundred seventy-four dollars ($374) monthly.

(c) Three deputy clerks grade II, each of whom shall receive a minimum salary of two hundred eighty-four dollars ($284) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred forty-one dollars ($341) monthly

(d) Three deputy clerks grade I, each of whom shall receive a minimum salary of two hundred forty-seven dollars ($247) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13) to a maximum of two hundred ninety-seven dollars ($297) monthly."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2179**—An act to amend Sections 73871, 73872, 73873, and 73874 of, and to add Sections 73873.1 and 73874.1 to, the Government Code, relating to officers and attaches of the municipal court of North Sacramento.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "seven hundred dollars ($700)", and insert "six hundred fifty dollars ($650)".

**Amendment No. 2**

On page 2, strike out lines 4 to 9, inclusive.

**Amendment No. 3**

On page 2, line 10, strike out "(b) Two", and insert "(a) Three".

**Amendment No. 4**

On page 2, line 15, strike out "(c)", and insert "(b)".

**Amendment No. 5**

On page 2, strike out line 20; in line 21, strike out "seven in number", and insert "(c) Three deputy clerks".

**Amendment No. 6**

On page 2, lines 37 and 38, strike out "six hundred fifty dollars ($650)", and insert "six hundred dollars ($600)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1351**—An act to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2753, 3925, 3926, and 3946 of the Elections Code,

relating to elections, and providing that county and municipal offices shall be partisan offices.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1502**—An act to amend Section 373 of the Elections Code, relating to indexes of registrations of voters.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 846**—An act to amend Section 4.4 of, and to add Section 2.14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1689**—An act to add Section 7615 to the Public Utilities Code, relating to railroads.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 3, 1959, strike out "repaired, built, or", and insert "built,".

Amendment No. 2

On page 1, line 8, after "built", insert ", or maintained".

Amendment No. 3

On page 1, between lines 12 and 13, insert

"This section shall not apply to any facilities necessary to effect repairs of equipment required by Section 4 of the Act of April 14, 1910 (36 Stat. 299; Title 45, Sec. 13, U. S. C.)."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 1555**—An act to add Section 1102.6 to the Agricultural Code, relating to egg standards.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on April 24, 1959, strike out "at retail".

Amendment No. 2

On page 1, line 9, strike out "fresh".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2263**—An act to add Sections 560.5 and 561.5 to the Agricultural Code, relating to milk and dairy products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 560 5 and", and insert "Section".

**Amendment No. 2**

On page 1, line 1, strike out "560 5", and insert "561.5".

**Amendment No. 3**

On page 1, strike out lines 3 to 17, inclusive, and insert

"561.5. Diabetic and dietetic ice cream and diabetic and dietetic ice milk are frozen milk products which purport to be or are represented for special dietary use by man as the means of regulating intake of protein, fat, carbohydrate or calories for dietary management in the control of disease. Such products shall not contain any added sugar, but shall otherwise conform to all applicable provisions of this division relating to ice cream and ice milk and shall be advertised, labeled and sold in accordance with regulations promulgated by the director."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2264**—An act to amend Section 661 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "diatetic", and insert "dietetic".

**Amendment No. 2**

On page 2, line 8, after "pounds", insert ", or part thereof, over and above the first 100,000 pounds".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 898**—An act to amend Sections 26288, 26289, 26290, 26291, and 26292 of, and to add Section 26290.5 to, the Health and Safety Code, relating to new drugs or devices.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2029**—An act to amend Section 16900 of the Health and Safety Code, relating to gas appliances.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 2, line 5, of the printed bill, strike out the semicolon, and insert a comma.

**Amendment No. 2**

On page 2, line 6, after "vented", insert a comma

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2146**—An act to amend Section 15151 of the Health and Safety Code, relating to housing.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1419**—An act to amend Section 71140 of the Government Code, relating to the qualifications of municipal court judges.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary —Civil, was read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "any", and insert "one successive".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 345**—An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 5, line 14, of the printed bill, as amended in the Assembly on April 16, 1959, strike out ", no".

Amendment No. 2

On page 5, strike out lines 15 to 17, inclusive, and insert "an additional fifty dollars ($50) to be paid each month for the school term;".

Amendment No. 3

On page 5, line 20, strike out "first one-half of a", and insert "preceding month of the".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1899**—An act to amend Sections 31213 and 31214 and to repeal Section 31219 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to competitive scholarships.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "and 31214 and to repeal Section 31219", and insert ", 31214, and 31219".

**Amendment No. 2**

On page 2, strike out line 16, and insert:

"SEC 3. Section 31219 of said code is amended to read:

31219. The provisions of this chapter (commencing at Section ~~31219~~ *31201*) shall remain in effect until ~~July 1, 1962~~ *July 1, 1964*, and thereafter shall have no further force or effect."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1328**—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1862**—An act to amend Section 13737 of the Education Code, as enacted by Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2022**—An act to amend Section 20803 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to tax rates of school districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1501**—An act to amend Section 958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 2, line 1, of the printed bill, as amended in the Assembly on April 10, 1959, after the comma, insert "and no other election is to be held in the district at the same time as the election to fill any such vacancy,".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1516**—An act to add Sections 24305, 24305.1, and 24305.2 to, and to repeal Section 24305 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to rejection of probationary state college employees

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, after the period, insert "Where the reasons for the rejection of the probationary academic employee relate to his failure to demonstrate merit, efficiency, or fitness, the president of the college, or his authorized representative, shall deliver to the employee a written notice of his failure at least 90 days prior to the date of service of the notice of intention not to recommend

reappointment, specifying the nature of the failure with such particularity as to furnish the employee an opportunity to correct such failure. In the absence of such notice, the notice of intention not to recommend reappointment shall be ineffective."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 169**—An act to amend Sections 9652 and 9653 of, and to add Section 9654 to the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "9652 and 9653", and insert "6851, 6852, and 6853".

**Amendment No. 2**

In line 2 of the title, strike out "9654 to, the Education Code", and insert "6854 and 6855 to, the Education Code as enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 6851 of the Education Code is amended to read:

6851 Whenever a school district maintains a school or classes at a tuberculosis or polio ward, hospital or sanatorium established and maintained by a county or group of counties, any minor or adult who has been admitted to such ward, hospital or sanatorium is, if otherwise qualified, eligible to attend such school or classes but shall be deemed to be, for the purposes of this code, a resident of the school district in which he resided prior to his admission to such tuberculosis or polio ward, hospital or sanatorium.

The minimum school day for such classes is 180 minutes. Whenever two or more districts are authorized and operate such schools or classes the governing boards of the districts may jointly employ personnel to administer and conduct the programs.

*The school district maintaining the school shall, no later than 10 days following the date of enrollment of a student who resides in another school district under this section, notify the district of residence of the student's enrollment.*

SEC. 2. Section 6852 of said code is amended to read:

6852. *The cost for a school year of educating any minor or adult who attends such a school or class and who is deemed to be a resident of the district in which he resided prior to his admission to such tuberculosis or polio ward, hospital, or sanatorium shall be paid by* the school district of which any such minor or adult is a resident ~~shall at the close of each school year pay~~ to the district maintaining a school or class in which such minor or adult is enrolled *pursuant to this article* ~~the cost of educating such minor or adult during the school year~~. The cost shall be determined by dividing the total current expenditures of the school district during such school year for the maintenance of such school or classes, less all apportionments from the State or allocations

from the Federal Government on account of such school or classes, by the total number of units of average daily attendance in such school or classes during such school year.

Minors in such schools or classes shall be apportioned excess cost apportionments for handicapped minors as stated elsewhere in this code.

The Superintendent of Public Instruction shall adopt standards and regulations relating to administration, attendance, accounting and counseling in hospital schools and classes.

SEC. 3. Section 6853 of said code is amended to read:

6853. *Not later than July 15th of each year*, the district maintaining such school or classes shall forward its claim to the district of residence, *for the cost of educating minors or adults who are residents of such district during the preceding school year*, and the governing board of such district shall upon the receipt thereof pay such claim.

SEC. 4. Section 6854 is added to said code, to read:

6854. The governing board of the district to whom the claim prescribed by Section 6853 is presented may include in its budget the amount necessary to pay the claim, and if the amount is included in the budget the board of supervisors shall levy a school district tax to raise the amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied.

SEC. 5. Section 6855 is added to said code, to read:

6855. The governing board of any school district maintaining a school or classes at a tuberculosis or polio ward, hospital or sanatorium, may include in its budget the amount necessary to maintain such school or classes, and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied."

**Amendment No. 4**

On page 1, strike out lines 2 to 21, inclusive; and on page 2, strike out lines 1 to 39, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1198**—An act to add Section 14694.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to transfer of membership by employees of certain school district retirement plans to the State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, as amended in the Assembly on March 30, 1959, strike out line 3; in line 4, strike out "membership in a", and insert

"14694.5. An election shall be held before July 1, 1960, on the discontinuance of the".

**Amendment No. 2**

On page 1, strike out lines 8 to 11, inclusive, and insert "ing board Each active employee of the district or districts in a position requisite for membership in such district retirement salary plan shall be eligible to vote at such election. The governing board of the district or districts shall conduct the election and if at the election

a majority of the active employees of the district or districts in positions requisite for membership in such district retirement salary plan favor the discontinuance of the plan, the plan shall be discontinued on July 1, 1960, and as of such date all active employees of the district or districts in positions requisite for membership in such district retirement salary plan shall become members of the State Teachers' ".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 2225**—An act to add Section 13653.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence for noncertificated school district employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill strike out "13653.1", and insert "13006"

Amendment No. 2

In line 3 of the title strike out "noncertificated"

Amendment No. 3

In line 1, strike out "13653.1", and insert "13006"

Amendment No. 4

In line 3, strike out "13653.1", and insert "13006"

Amendment No. 5

On page 1, line 5, after "qualifications", insert "and employees in positions requiring certification qualifications".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 96**—An act to amend Sections 29007, 29008, and 29010 of, and to add Sections 29002.1 and 29007.1 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, line 42, of the printed bill, as amended in the Assembly on April 28, 1959, after "is", insert "not".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1221**—An act to add Section 12587 to the Water Code, relating to state construction of flood control and water conservation projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "12587", and insert "235".

Amendment No. 2

On page 1, line 1, strike out "12587", and insert "235".

Amendment No. 3

On page 1, strike out line 3; in line 4, strike out "article, the State", and insert "235. The department".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1882**—An act to amend Section 2020.01 of the Welfare and Institutions Code, relating to lump sum income of old age assistance applicants and recipients.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "which has accrued over a period of two or more months"

Amendment No. 2

On page 1, strike out line 14, and insert "by the recipient which has accrued over a period of two or more months as an accumulation of earnings or benefits of a recurring type."

Amendment No. 3

On page 2, strike out lines 1 to 5, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2228**—An act to amend Section 7059 of the Welfare and Institutions Code, relating to defective or psychopathic delinquents.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1837**—An act to amend Section 2164 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 24, 1959, strike out "Real", and insert

"2164. No aid under this chapter shall be granted or paid to any person who owns real property the assessed value of which as assessed by the county assessor, less all encumbrances thereon of record, exceeds five thousand dollars ($5,000) Real".

Amendment No. 2

On page 1, lines 8 and 9, strike out "current or future".

Amendment No. 3

On page 1, line 9, after the period, insert "Sale shall not be required as a form of utilization."

Amendment No. 4

On page 1, strike out lines 10 to 15, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2233**—An act to amend Sections 4000, 4005, 4020, 4022, 4160, 4162, 4182, 4189, 4501, and 4552 of, to add Sections 4001, 4003, 4006, 4007, 4020.1, 4145, 4162.1, 4163.7, and 4189.1 to, and to repeal Sections 4003, 4006, 4007, 4025, and 4145 of, the Welfare and Institutions Code, relating to aid to the permanently and totally disabled and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

On page 4 of the printed bill, between lines 2 and 3, insert

"In any case where the amount of income and resources of a recipient of aid under this chapter when added to the aid granted under this section does not equal his actual need, an additional amount of aid shall be granted, but in no event shall the additional amount granted exceed twenty-five dollars ($25) per month or cause a total grant under this chapter with respect to any recipient of more than one hundred thirty-five dollars ($135) per month."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 1617**—An act to amend Section 690 24 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"690.24. One motor".

Amendment No. 2

On page 1, line 4, strike out the comma, and insert "of a value".

Amendment No. 3

On page 1, lines 4 and 5, strike out "five hundred dollars ($500)", and insert "three hundred fifty dollars ($350)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

SECOND READING OF SENATE BILLS

**Senate Bill No. 949**—An act to amend Section 4809 of the Business and Professions Code, relating to veterinary medicine.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 781**—An act to amend Sections 81 and 82 of the Agricultural Code, relating to fairs.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 771**—An act to amend Section 5127 of the Agricultural Code, relating to California Beef Council fees.

Bill read second time, and ordered to third reading.

**Senate Bill No. 360**—An act to add Section 752 to the Welfare and Institutions Code, relating to disposition of wards of the juvenile court.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 17, 1959, strike out "752", and insert "753".

Amendment No. 2

On page 1, line 1, strike out "752", and insert "753".

Amendment No. 3

On page 1, line 3, strike out "752", and insert "753".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 461**—An act to add Chapter 5 (commencing with Section 1300) to Title 5, Part 4, Division 2 of the Civil Code, and to amend Sections 1241, 1242, 1243, and 1265 of said code, and to amend Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary —Civil, were read, and adopted:

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in the Senate on April 1, 1959, after "Code", insert "where one or more spouses is incompetent".

Amendment No. 2

On page 2, line 48, strike out "A", and insert "Except as provided in Chapter 2A (commencing with Section 1435.1) of Division 4 of the Probate Code where one or both spouses are incompetent, a".

Amendment No. 3

On page 2, line 48, strike out "a declaration", and insert a colon.

Amendment No. 4

On page 2, between lines 48 and 49, insert

"1. A declaration of abandonment executed and acknowledged by the husband and wife, jointly or by separate instruments, if the claimant is married.

2. A declaration of abandonment or a conveyance by the claimant if unmarried.

3. A declaration of abandonment or a conveyance by the grantee named in a conveyance by which one spouse conveys the homestead to the other spouse without expressly reserving his homestead rights.

4. A conveyance or conveyances by both spouses as provided in Section 1242.

5. By the claimant alone in the case of a married person's separate homestead."

Amendment No. 5

On page 2, strike out lines 49 to 52, inclusive; and on page 3, strike out lines 1 to 3, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 273**—An act to add Sections 1998, 1998.1, 1998.2, 1998.3, 1998.4 and 1998.5 to the Code of Civil Procedure, relating to subpoena of hospital records

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 3, 1959, after "hospital", insert "or hospital in an institution under the jurisdiction of the Department of Corrections".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 27**—An act to amend Section 409 of the Code of Civil Procedure, relating to notice of pendency of actions affecting title to real property.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 163**—An act to amend Section 660 of the Code of Civil Procedure, relating to motions for new trials.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 164**—An act to amend Sections 659, 663a, and 953d of the Code of Civil Procedure, relating to procedure after trial in civil cases

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 165**—An act to repeal Sections 715.1, 770, 771, 774, 775 and 777 of, to amend Sections 715.3, 716, and 724 of, and to add Section 771 to, the Civil Code, relating to future interests in property.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 541**—An act to amend Sections 74692 and 74693 of the Government Code, relating to the officers and attaches of the municipal courts established in districts in Santa Cruz County.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 595**—An act to amend Section 15525 of the Corporations Code, relating to limited partnerships.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 98**—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "20" and insert "14".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 167**—An act to repeal Sections 2974 and 2975 of, and to add Section 2975 to, the Civil Code, relating to mortgages of personal property or crops to secure future advances.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill as amended in the Senate on March 20, 1959, strike out "secured", and insert "outstanding".

Amendment No. 2

On page 1, line 12, strike out "excluding amounts", and insert "without regard to advances".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 275**—An act to amend Sections 682.1 and 682.2 of the Code of Civil Procedure, relating to writs of execution.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on March 20, 1959, after line 18, insert

"SEC. 3. This act becomes operative on January 1, 1960."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 326**—An act to amend Sections 58850 and 58851 of the Government Code, relating to county boundary commissions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 137**—An act to amend Sections 375.1, 377.1, and 377.6 of the Agricultural Code, relating to poultry.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 392**—An act to amend Section 28126 of the Health and Safety Code, relating to license fees for cold storage plants.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 973**—An act to repeal Section 4786.5 of, and to add Section 4786.5 to, the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, of the printed bill, strike out line 10, and insert "an urgency health measure to avert an emergency threat to the public health and safety, the fact of

such recommendation and a finding that such a threat to the public health and safety exists is".

**Amendment No. 2**

On page 1, line 17, strike out "March 31, 1962", and insert "March 1, 1961".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 271**—An act to add Sections 24100.1, 24101.2, 24101.3 and 24101.4 to, and to amend Section 24108 of the Health and Safety Code, relating to health, sanitation, and safety in water sports and recreation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Senate on April 17, 1959, strike out "superintendent", and insert "superintend".

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

**Senate Bill No. 724**—An act to amend Sections 8951 and 8955 of and to add Section 6913.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on April 2, 1959, strike out "Sections 8951 and", and insert "Section 8951 of, to repeal Section".

**Amendment No. 2**

In line 2 of the title, strike out "Section 6913.1", and insert "Sections 6913.1 and 18352.2".

**Amendment No. 3**

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 8955 of the Education Code as enacted by the Legislature at its 1959 Regular Session, is hereby repealed:

~~8955. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded minors who come within the provisions of Section 6902 and for rental of property by the county superintendent of schools for special training schools or classes for such minors. Also, the county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the board of supervisors, on or before July 15th of each year, the amount of money required to be raised for the education of mentally retarded minors who come within the provisions of Section 6903. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the~~

~~total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.~~

~~The board of supervisors shall at the time of levying other county taxes levy a county tax for the education of mentally retarded minors who come within the provisions of Section 6902 upon the taxable property of the county sufficient to produce the amount required and may increase such tax in such amount as will produce the amount required for the education of mentally retarded minors who come within the provisions of Section 6903. The amount received from this tax shall be deposited in the county school service fund.~~

SEC. 2. Section 6913.1 is added to said code, to read:

6913.1. The maximum rate of school district tax for any school year is hereby increased by such amount as the governing board of any school district required to provide educational services or facilities for mentally retarded minors who come within the provisions of Sections 6902 and 6903 may include in its budget and the board of supervisors shall levy a school district tax necessary to raise such amount No amounts shall be included in its budget for the purchase or improvement of school sites or the construction of school buildings.

In districts where the average daily attendance in the elementary schools is less than 901, the tax authorized by this section shall not exceed 10 cents ($0.10) per one hundred dollars ($100) assessed valuation. If such 10-cent ($0.10) tax provides insufficient funds to meet the payment required by the county superintendent of schools for the education of mentally retarded minors pursuant to Section 8951, the county superintendent shall be reimbursed from funds withheld pursuant to Section 18352.2.

If at the end of any school year there remains an unencumbered balance derived from the revenue of the increase in the tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year required or authorized by Sections 6901 to 6913, inclusive, and in Sections 8951 to 8956, inclusive."

**Amendment No. 4**

On page 1, line 9, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 5**

On page 1, after line 23, insert

"Any elementary or unified school district which has an average daily attendance of less than 901 in elementary schools of the district, with the approval of the county superintendent of schools, may establish and maintain special training schools or classes for mentally retarded minors who come within the provisions of Section 6902."

**Amendment No. 6**

On page 2, between lines 23 and 24, insert

"Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them. The district shall pay to the county school service fund of the county in which the district is located all costs of the education of such minors which are in excess of the amounts apportioned from the State School Fund for the average daily attendance of such minors."

**Amendment No. 7**

On page 2, strike out lines 24 to 44, inclusive, and insert

"SEC. 4. Section 18352.2 is added to said code, to read:

18352.2. In making a withholding pursuant to subdivision (c) of Section 18352 or 18352.1, whichever is in effect, the Superintendent of Public Instruction may also withhold such amounts as he determines needed to reimburse county superintendents of schools for expenses incurred in providing emergency education to pupils and making emergency financial grants to school districts pursuant to Section 6913.1.

The amount withheld pursuant to this section, when added to the amount withheld pursuant to subdivision (c) of Section 18352 or 18352.1, whichever is in effect, shall not exceed the total amount prescribed in such subdivision (c)."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

**Senate Bill No. 816**—An act to repeal Chapter 6 (commencing at Section 19301) of Division 14, and Sections 19566, 19567, 19569, 19573, 19575, 19578, 19605, 19622, 19652, 19653, and 19659, and to amend Sections 19576, 19595, and 19629, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read second time, and ordered to third reading.

**Senate Bill No. 863**—An act to amend Section 2163.8 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, as amended in the Senate on April 10, 1959, strike out "needed for transportation".

**Amendment No. 2**

On page 1, line 5, strike out "A"; and strike out all of lines 6 to 9, inclusive

Bill ordered reprinted, and to be re-referred to the Comimttee on Social Welfare.

**Senate Bill No. 774**—An act to amend Section 9102 of the Government Code, relating to legislative offices.

Bill read second time, and ordered to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 488**—An act to add Section 20596.1 to, and to amend Section 20601 of, the Education Code; to add Section 24556.5 to, and to amend Section 24561 of, the Education Code as proposed by Senate Bill No. 2, relating to the State College Revenue Bond Act of 1947.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 488?

Amendment No. 1

On page 3, line 3, of the printed bill, strike out "20556.5", and insert "24556.5".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 488 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, MacBride, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Reagan, Schrade, Shell, Sumner, Williamson, George A. Willson, and Mr. Speaker—44.
NOES—None.

Assembly Bill No. 488 ordered enrolled.

## CALL OF THE ASSEMBLY

Mr. Coolidge moved a call of the Assembly.

Mr. DeLotto seconded the motion.

Motion carried. Time 9.14 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Busterud was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1557**—An act to add Article 13.5 (commencing at Section 73840) to Chapter 10, Division 8 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce, F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, and Mr. Speaker—52
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1571**—An act to amend Section 21365.5 of the Government Code, relating to benefits payable on the death of a member eligible to retire under the State Employees' Retirement System

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi,

MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2019**—An act to add Section 14804.1 to the Financial Code, relating to credit unions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2236**—An act to amend Section 3800 of the Fish and Game Code, relating to nonprotected birds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, Petris, Reagan, Schrade, Sedgwick, Shell, Williamson, George A. Willson, Charles H Wilson, and Mr Speaker—44.
NOES—Ernest R. Geddes, MacBride, and Munnell—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1872**—An act to add Section 108 to the Water Code, relating to development of the water resources of the State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Schrade, Sedgwick, Sumner, Thelin, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—58
NOES—None.

Bill ordered transmitted to the Senate.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1571

Mr. Gaffney was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1571.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 88**—Relative to higher education.

Resolution read.

**Demand for Previous Question**

Messrs. Masterson, Schrade, Charles H. Wilson, Johnson, and Kennick demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 226

By Mr. Mulford:

**House Resolution No. 226**

Relative to the Sixtieth Anniversary of the Veterans of Foreign Wars

WHEREAS, The Veterans of Foreign Wars, an organization chartered by the Congress of the United States, and composed of America's finest fighting men who have served in every war or expedition in which this Nation has participated since the Spanish-American War, will observe its Sixtieth Anniversary during 1959; and

WHEREAS, The Veterans of Foreign Wars has devoted its services to disabled comrades-in-arms, the widows and orphans of deceased veterans as well as all our citizens and has worked to keep America strong from within as well as from without, as evidence of its love of fellow man and country; and

WHEREAS, This group of overseas veterans continues to support its Country in peace by annually sponsoring and successfully carrying out over 800,000 different community service projects, all designed to improve communities, states and the Nation; and

WHEREAS, The Veterans of Foreign Wars has diligently sought to rid this country of all communists and other subversives and their philosophies, and has tirelessly sought to bring to the fore the patriotism which smothers the communist threat; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Legislature of the State of California congratulates the Veterans of Foreign Wars on the occasion of its Sixtieth Anniversary and commends that organization for its many services to the Nation.

Resolution read, and adopted unanimously.

**Members Made Co-authors of House Resolution No. 226**

Mr. Mulford was granted unanimous consent that all members so desiring be placed upon the illuminated copy of House Resolution No. 226 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

**Speaker Presiding**

At 9.42 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 580, 2234,** and **37,** subsequent to engrossment.

**Assembly Bills Nos. 2031, 2118,** and **898,** subsequent to re-engrossment.

**Senate Bill No. 774.**

**Assembly Bill No. 2216.**

### CONSIDERATION OF HOUSE RESOLUTION NO. 227

By Messrs. Johnson, Don A. Allen, Shell, Conrad, Bane, Beaver, Bee, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Crawford, Cusanovich, Elliott, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Miller, Munnell, Nisbet, Porter, Reagan, Rees, Schrade, Sumner, Thelin, Thomas, Unruh, George A. Willson, and Charles H. Wilson:

#### House Resolution No. 227

Relative to congratulating Mr. Joseph J. Micciche

WHEREAS, The year 1959 marks the twenty-fifth anniversary of the broadcast of election returns by Joseph J. Micciche over radio and television stations in the Los Angeles area for coverage throughout the State; and

WHEREAS, These broadcasts have become a public institution, eagerly awaited on election night by millions of voters and hundreds of candidates; and

WHEREAS, Mr. Micciche has also been in public service for 25 years and is currently the Acting Director of the Office of Civil Defense for the City of Los Angeles; and

WHEREAS, With the sincerity of a devoted public servant, Mr. Micciche has provided extensive coverage to local, state and national issues and candidates, giving recognition to those candidates running for local, state or national offices, and

WHEREAS, These broadcasts are the most unique and interesting of their type in the United States because of the dramatic and colorful manner in which Mr. Micciche highlights the various contests and results with fairness and accuracy; and

WHEREAS, These broadcasts are carried continuously on the air from the time the polls close until the election results are conclusive; and

WHEREAS, Mr Micciche's remarkable endurance through these exclusive broadcasts, occasionally running up to nine hours continuously, have made these broadcasts one of the most favorite of all voters and candidates; and

WHEREAS, These broadcasts have become the main and authoritative source for candidates and voters to learn of the results and, or trend of an election; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Legislature of California honors and congratulates Joseph J Micciche most heartily for broadcasting election returns to the people of California for the past 25 years and offer him its good wishes for the continuation of this outstanding public service which has done so much to stimulate interest in good government throughout the West.

Resolution read, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTION NO. 116 FROM COMMITTEE

Mr. DeLotto was granted unanimous consent that Assembly Concurrent Resolution No. 116 be withdrawn from the Committee on Rules for consideration, at this time.

#### Request for Unanimous Consent

Mr. DeLotto was granted unanimous consent to take up Assembly Concurrent Resolution No. 116 without reference to file.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 116

**Assembly Concurrent Resolution No. 116**—Relative to the anniversary of the Cinco de Mayo.

Resolution read.

**Request for Unanimous Consent to Temporarily Suspend the Rules**

Mr DeLotto was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting members to be added as co-authors of Assembly Concurrent Resolution No. 116.

**Members Made Co-authors of Assembly Concurrent Resolution No. 116**

Mr. DeLotto was granted unanimous consent that all members so desiring be made co-authors of Assembly Concurrent Resolution No. 116.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

**Request for Unanimous Consent**

Mr. DeLotto was granted unanimous consent to take up Assembly Concurrent Resolution No. 116, as amended, without reference to reprint or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 116

**Assembly Concurrent Resolution No. 116**—Relative to the Anniversary of Cinco de Mayo.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 570**—An act to amend Section 1038 of the Agricultural Code, relating to agricultural mineral sales.

Bill read third time, and presented by Mr. Frew.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—65.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 174**—An act to add Section 2351 to the Agricultural Code, relating to deposit of funds.

Bill read third time, and presented by Mr. Sumner.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott,

Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr. Speaker—70.

NOES—Masterson—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 558**—An act to amend Section 346 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 343**—An act to amend Section 8046 of the Fish and Game Code, relating to privilege taxation of commercial fish packers and processors.

Bill read third time, and presented by Mr. Thomas.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 141**—An act to amend Section 6 of the Del Norte County Flood Control District Act (Chapter 166 of the Statutes of 1955), relating to the powers of the Del Norte County Flood Control District.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don. A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 284**—An act to amend Section 27641 of the Government Code, relating to the county counsel.

Bill read third time, and presented by Mr. Hanna.

**Speaker pro Tempore Presiding**

At 9.56 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. O'Connell, Schrade, House, Burke, and Dahl, demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—62.

NOES—Backstrand, Crawford, Gaffney, Ernest R. Geddes, Kilpatrick, and O'Connell—6

Bill ordered transmitted to the Senate.

**Speaker Presiding**

At 10.13 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Senate Bill No. 359**—An act to amend Section 19 of the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of 1952 First Extraordinary Session), relating to annexation of land to the Vallejo Sanitation and Flood Control District, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Samuel R. Geddes.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris,

Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 521**—An act to amend Section 27281 of the Government Code, relating to documents to be recorded.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 581**—An act to amend Sections 55632 and 55634, and to repeal Section 55633 of the Government Code, relating to supplementary fire and police protection.

Bill read third time, and presented by Mr Williamson

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69
NOES—House—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 105**—An act to amend Sections 21822 and 21880 of, and to add Section 21880.5 to, the Business and Professions Code, relating to brake fluid.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 108**—An act to add Article 4 (commencing at Section 12081) to Chapter 5 of Division 9 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to gate entrances to school grounds.

Bill read third time, and presented by Mr. Johnson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 136**—An act to amend Section 145 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and presented by Mr. Thomas.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 230**—An act to amend Sections 3370, 3371, and 3372 of the Financial Code, relating to loans by banks to officers, directors, or employees thereof.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanetrman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—Bruce F. Allen, Beaver, Levering, and Reagan—4.

Bill ordered transmitted to the Senate.

**Senate Bill No. 282**—An act to amend Section 766 and to repeal Section 767 of the Financial Code, relating to loans and investments by banks and trust companies

Bill read third time, and presented by Mr. House.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Levering and Reagan—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 593**—An act to authorize the bringing of a suit against the State of California to quiet title to land sold as salt marsh or tidelands by the State of California, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. O'Connell.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 834**—An act to add Section 4 5 to, and to amend Section 35.5 of the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), relating to water conservation districts.

Bill read third time, and presented by Mr. Frew.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas,

Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—75.
NOES—None.

Bill ordered transmitted to the Senate.

### MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY

At 10.31 a.m., Mr. Winton moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

### APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Munnell (Chairman), Bee, Rees, Belotti, and Winton as a Select Committee to escort the Honorable John Kennedy to the rostrum.

### RECESS

At 10.30 a.m., on motion of Mr. Winton, the Assembly recessed until 10.37 a.m.

### REASSEMBLED

At 10.37 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### RESOLUTIONS

The following resolutions were offered:

By Mr. Francis:

**House Resolution No. 233**

Relative to congratulating Elsa McGinn and John L. McGinn on their Fifty-fifth Wedding Anniversary

WHEREAS, Mrs. Elsa McGinn, a distinguished citizen of San Mateo County, and Mr John L. McGinn, a former district attorney of Fairbanks, Alaska, marked their Fifty-fifth Wedding Anniversary, and

WHEREAS, The occasion of this anniversary is a seasonable time to recall the many years of dedicated public service which Mrs McGinn has contributed to San Mateo County, the State, and the Nation; and

WHEREAS, In 1920 Mrs. McGinn was elected to the City Council of San Mateo by the highest vote ever cast for that office and served as the city's first woman mayor; and

WHEREAS, Her public service also includes federal appointment as head of the civil defense organization of San Mateo County during World War I, a member of the Board of Managers of the Agnew State Hospital, a member of the San Mateo City Planning Commission, serving as chairman and secretary, and service as a member of the San Mateo County Health and Welfare Board, and

WHEREAS, In addition to Mrs McGinn's public service she managed a happy and contented family home and raised two children; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly extends congratulations to Mr. and Mrs. McGinn on their Fifty-fifth Wedding Anniversary and commends Mrs. McGinn for her long years of dedicated public service; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. and Mrs. John L. McGinn.

Resolution read, and referred to the Committee on Rules.

By Messrs. Francis, Belotti, Britschgi, Grant, Backstrand, Beaver, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Ernest R Geddes, Holmes, Johnson, Lanterman, Levering,

Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, and Thelin:

**House Resolution No. 234**

Relating to veterans and their dependents

WHEREAS, The State of California, by the enactment of Section 699.5 of the Military and Veterans Code in 1943, instituted a program of assisting war veterans and their dependents in pursuit of their governmental benefits, and has continued this program since that date; and

WHEREAS, The Veterans Administration, as a branch of the Federal Government, cannot prosecute claims against itself and the Veterans Administration cannot and should not be allowed to act as prosecutor, judge and jury; and

WHEREAS, No veteran's benefits are automatically adjudicated, necessitating filing of claims, supported by carfeully compiled evidence and representation before constituted authority or boards by accredited representative of veteran's choice from veterans' organizations empowered by the Congress of the United States to act as the veteran's qualified and accredited attorney-in-fact before the Veterans Administration; and

WHEREAS, The State of California since the inception of this legislation has under agreement reimbursed the veterans' organizations under contract with the State for services rendered for the mutual benefit of State and veteran in the recovery of millions of dollars, which has contributed greatly to the general welfare of needy veterans and their dependents and in turn to the general economy of our State; and

WHEREAS, The State of California has in furtherance of this legislation also contributed to the counties of this State which maintain county service officers in administering provisions of state law in assisting veterans in recovery of just benefits due from the Federal Government as the result of military service in the armed forces of the United States in defense of our Nation; and

WHEREAS, Appropriations to continue these vital services to veterans and their dependents are not contained in the Budget Bill for the 1959-1960 Fiscal Year, now pending before the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That such services for veterans and their dependents be continued and implemented by appropriations therefor in the current Budget Bill.

Resolution read, and referred to the Committee on Rules.

By Mr. Pattee:

**House Resolution No. 235**

Relating to fund-raising drives

WHEREAS, In the interests of the general public health, there exist numerous and separate fund-raising agencies; and,

WHEREAS, By reason of the numerous and separate fund-raising drives and agencies, there results a duplication of efforts, energy and a waste of money to carry on the campaigns of the respective agencies; and,

WHEREAS, Certain state fund-raising agencies are trying to dictate to local and county units, the manner and method of raising funds, and the use and distribution thereof, without giving the interested persons of the community a voice therein; and,

WHEREAS, Numerous disputes and conflicts have arisen, and will continue to arise in the future, causing infinite harm to the cause of all health and social agencies to the effect that public esteem for such agencies will sink lower and lower, now, therefore, be it

*Resolved by the Assembly of the State of California*, That in the best interest of the public health and welfare, it is hereby declared to the public policy of this State, that a policy of home rule be allowed, permitting a local community, or county unit of fund-raising agencies to decide for itself, the best manner and method to raise funds to support needed services and all state fund-raising agencies are hereby advised and instructed to cease and desist from forcing or coercing any local, community, or county unit from participating in any United Fund or Community Fund Drive; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to all statewide fund-raising agencies in the State of California

Resolution read, and referred to the Committee on Rules.

By Messrs. Grant and Kennick:

**House Resolution No. 236**

Relative to congratulating Dr. Peter Victor Peterson upon his retirement as President of Long Beach State College

WHEREAS, June 30, 1959, will be a memorable day in the life of Dr. Peter Victor Peterson, as it is on this date that he will retire as President of Long Beach State College, a position he has held since 1949; and

WHEREAS, Doctor Peterson has devoted his entire life to furthering the education of the youth of this Country, his career in this field having commenced as Superintendent of Schools in Clarksville, Iowa, in 1917; and

WHEREAS, Hampton, Iowa, was the birthplace of Doctor Peterson, on February 11, 1892; and

WHEREAS, He undertook his education in Iowa and California and received the Bachelor's Degree from Iowa State Teachers College in 1917, the Master's Degree from Stanford University in 1921, and the Doctor's Degree from Stanford in 1930; and

WHEREAS, Doctor Peterson's illustrious career as an educator included positions as an instructor of chemistry at Iowa State Teachers College, 1919-1920; at Santa Maria High School and Junior College, 1921-1922, Professor of chemistry and chairman of the natural science department at San Jose State College, 1922-1947; Dean of professional education, San Jose State College, 1946-1947; Acting President of Los Angeles State College, 1947-1949; and the President of Long Beach State College since 1949; and

WHEREAS, In spite of the enviable record as an educator and administrator, Doctor Peterson has devoted his time and energy to many other worthwhile civic, cultural, and educational groups, including the West Coast School for Nature Study, California State Committee for the Study of Elementary and Secondary Science Programs, San Jose City Planning Commission, California State Scholarship Commission, American Chemistry Society, Long Beach Chamber of Commerce, Y. M. C. A. and Rotarians; and

WHEREAS, Doctor Peterson's wife, Mary, and his three children, Peter, John and Eleanor, can be justly proud of the outstanding achievements and contributions he has made in the field of education for the benefit of the people of this State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body extend their heartiest congratulations to Dr. Peter Victor Peterson on the occasion of his retirement from a long and very distinguished career as an administrator and educator in the schools of this State, to the great advantage of his students and all the people; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Doctor Peterson, the members of his family, and Long Beach State College

**Request for Unanimous Consent**

Mr. Grant was granted unanimous consent to take up House Resolution No. 236 without reference to committee or file

Resolution read, and adopted unanimously.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Concurrent Resolution No. 122**: By Mr. Lunardi (Coauthored by Senator Cameron)—Relative to congratulating the City of Roseville.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 123**: By Mr. Bradley—Relative to expenses of the Joint Interim Committee on Law Revision.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 124**: By Messrs. DeLotto and Garrigus (Co-authored by Senator Burns)—Relative to transferring the site of the California State Fair to Fresno.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 125**: By Mr. Miller—Relative to study by the Judicial Council of automobile accident litigation.

Referred to Committee on Rules.

**Assembly Bill No. 2699**: By Messrs. Samuel R. Geddes, Z'berg, Meyers, Miss Donahoe, and Mr. Thomas—An act to add Chapter 10 (commencing at Section 13810) to Part 3 of Division 3 of Title 2 of the Government Code, relating to a program of medical and hospital care for state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2700**: By Mr. Backstrand and Senator Dilworth, co-author—An act to amend Section 349.1 of the Code of Civil Procedure, relating to improvement districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2701**: By Messrs. Dahl and Backstrand—An act to amend Sections 7, 350, 1503, 2101, 2105, 2259, 2400, 5017, 5750, 6850, 6851, 9264, 9703, 11801, 12514, 13350, 13953, 14100, 17700, 20013, 21058, 21457, 21460, 21464, 22107, 22510, 24001, 24600, 24604, 24610, 25251, 25501, 25651, 25800, 26116, 30069, 30800, 30801, 31009, 31608, 31610, 35414, 35713, 35714, 35790, 40516, 42050 of, to amend and renumber Section 25789 of, to amend the headings preceding Sections 9700 and 9800 of, and to repeal Sections 40308, 40309, and 40310 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to technical changes in the Vehicle Code as recodified.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2702**: By Messrs Dahl, Mulford, and Rumford—An act to add Section 28338 to the Health and Safety Code, relating to the sale of bread.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2703**: By Mr. Holmes—An act to add Chapter 3 (commencing at Section 12120) to Part 4 of Division 2 of the Insurance Code, relating to warranty insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2704**: By Mr. Cameron—An act to amend and renumber Section 21153 of, and to add Section 21153 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to void warrants of school districts.

Referred to Committee on Education.

**Assembly Bill No. 2705**: By Mr. Pattee—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2706:** By Mr. MacBride—An act to add Chapter 6 (commencing at Section 28000) to Division 12 of, and to amend Section 40150 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle inspections.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2707:** By Mr. MacBride—An act to amend Section 2802 of, and to add Section 40152 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle inspections.

Referred to Committee on Transportation and Commerce.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 484

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 804
Assembly Bill No. 1889
Assembly Bill No. 2059

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1670
Assembly Bill No. 2214

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 1785

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2167

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1805

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No 725

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 545

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Joint Resolution No. 26

With amendments with the recommendation . Amend, be adopted, as amended.

BACKSTRAND, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, April 30, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1876

With amendments with the recommendation: Amend, and do pass, as amended

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1803
Assembly Bill No 1922
Assembly Bill No. 2184

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1351
Assembly Bill No 1502
Assembly Bill No 1642
Assembly Bill No. 1883
Assembly Bill No 2146
Assembly Bill No. 2228

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1271
Assembly Bill No. 1346
Assembly Bill No. 1426
Assembly Bill No. 1517
Assembly Bill No. 1558
Assembly Bill No. 1862
Assembly Bill No. 1875
Assembly Bill No. 2022
Assembly Bill No. 2033
Assembly Bill No. 2063
Assembly Bill No. 2176
Assembly Bill No. 2180
Assembly Bill No. 2217
Assembly Bill No. 2237
Assembly Bill No. 2277

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to Consent Calendar.

ASSEMBLY CHAMBER, May 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2234

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2031

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 37

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2118

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 580

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2153

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1079

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 160 | Assembly Bill No. 1041 |
| Assembly Bill No. 176 | Assembly Bill No. 1360 |
| Assembly Bill No 273 | Assembly Bill No. 1362 |
| Assembly Bill No 600 | Assembly Bill No 1454 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, April 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, April 30, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 583 | Assembly Bill No. 1003 |
| Assembly Bill No. 643 | Assembly Bill No. 1361 |

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

## RECESS

At 10.41 a.m., on motion of Mr. Winton, the Assembly recessed until 10.50 a.m. to hear from United States Senator John Kennedy of Massachusetts, who was presented by Mr. Munnell.

## REASSEMBLED

At 10.50 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

### Request for Unanimous Consent

Mr. Hanna was granted unanimous consent to take up Senate Bill No. 33, out of order, at this time.

**Senate Bill No. 33**—An act to add Article 5 (commencing with Section 12050) to Chapter 1, Part 2, Division 3, Title 2 of, the Government Code, relating to the protection of consumer interests.

Bill read third time, and presented by Mr. Hanna.

**Demand for Previous Question**

Messrs. Masterson, MacBride, Burke, Schrade, and Z'berg demanded the previous question.

**Roll Call Demanded**

Messrs. Levering, Bruce F. Allen, and Chapel demanded a roll call.

The roll was called, and the demand for previous question ruled not sustained.

**Parliamentary Inquiry**

Mr. McCollister arose to the following parliamentary inquiry: Was not the vote sufficient to sustain the demand for the previous question?

**Reply by Speaker**

The Speaker replied that it was, and that the ruling should be that the demand was sustained by the following vote:

AYES—Don A. Allen, Bane, Biddick, George E Brown, Burke, Burton, Cameron, Collier, Davis, DeLotto, Dills, Donahoe, Frew, Ernest R Geddes, Samuel R Geddes, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Nisbet, O'Connell, Schrade, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—35.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Busterud, Chapel, Coolidge, Cusanovich, Dahl, Francis, Gaffney, Grant, Johnson, Lanterman, Levering, Marks, Mulford, Petris, Reagan, Rumford, Sedgwick, Sumner, and Thelin—24.

**Motion to Expunge Record and Rescind Action on Previous Question**

Mr. Hanna moved to expunge the record, and rescind the action on the demand for the previous question.

Motion ruled not in order.

**Motion to Grant Extra Time for Debate**

Mr. Burton moved that Mr. Hanna be granted 10 minutes additional time for debate.

Motion ruled not in order.

**Parliamentary Inquiry**

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Do not the Rules provide that no member, other than the member who is presenting a bill, may speak after the previous question has been ordered?

**Reply by Speaker**

The Speaker replied that the Rules do so provide.

**Parliamentary Inquiry**

Mr. Lanterman arose to the following parliamentary inquiry: Is not the sole purpose of the demand for the previous question to close the debate on a measure?

**Reply by Speaker**

The Speaker replied in the affirmative.

**Parliamentary Inquiry**

Mr. Hanna arose to the following parliamentary inquiry: Then I have the floor to close the debate on the bill, but not to make a motion?

**Reply by Speaker**

The Speaker replied in the affirmative.

**Parliamentary Inquiry**

Mr. Chapel arose to the following parliamentary inquiry: Whose time will be consumed by the asking of a question?

**Reply by Speaker**

The Speaker replied that the question would be on Mr. Hanna's time.

The question being on the passage of the bill.

NOTE—Later this day, a motion to reconsider the vote on Senate Bill No. 33 was offered. *See* page 3157.

On May 4, 1959, the above motion to reconsider was waived, and the record was expunged, and the action rescinded whereby Senate Bill No. 33 was this day passed (Assembly Journal, page 3223).

**Senate Bill No. 450**—An act to amend Section 2353 of the Fish and Game Code, relating to the importation of fish and game.

Bill read third time, and presented by Mr. Don A. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Speaker pro Tempore Presiding**

At 11.15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Senate Bill No. 676**—An act to add Section 12151.5 to the Fish and Game Code, relating to hunting accidents.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 797**—An act to add Sections 3514, 3515, and 3516 to the Fish and Game Code, relating to exotic nonresident game birds.

Bill read third time, and presented by Mr. Thomas.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 599**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Mr. McMillan.

**Motion to Amend**

Mr. Ernest R. Geddes moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate on April 1, 1959, in line 7, after "offsale", insert "or onsale".

**Amendment No. 2**

On page 1, line 9, strike out "offsale".

**Amendment No. 3**

On page 1, line 19, strike out "offsale".

Amendments read.

**Amendments Withdrawn**

Mr. Ernest R. Geddes withdrew his amendments.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—60.

NOES—Bruce F. Allen and Beaver—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 18**—An act to amend Sections 1091 and 36526 of, to add Sections 1091.5 and 36526.5 to, and to repeal Section 1092.5 of, the Government Code, relating to conflicts of interests of public officers.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto,

Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 272**—An act to amend Sections 480 and 1802 of the Probate Code and Sections 106, 1581, 1586 and 1587 of the Financial Code, relating to conservatorship.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 213**—An act to add Section 17531.1 to the Business and Professions Code, relating to packaging of unassembled toys.

Bill read third time, and presented by Mr. Busterud.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 78**—An act to amend Section 2924b of the Civil Code, relating to the use of certified mail for notices of default and sale under deeds of trust or mortgages.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 79**—An act to add Section 17 to the Civil Code, to add Section 11 to the Code of Civil Procedure, to amend Section 8 of the Corporations Code, to amend Section 31 of the Education Code as enacted by the Legislature at the 1959 Regular Session, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code, and to amend Section 10 of the Vehicle Code, and to add Section 29 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of certified mail.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Busterud was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 79.

**Senate Bill No. 286**—An act to add Section 72074 of the Government Code, relating to the duties of the clerks of the municipal courts.

Bill read third time, and presented by Mr. Z'berg.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

## INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Mrs. Mabel Barnhardt, the mother of Assemblyman Allen Miller, to the Members of the Assembly, and announced that yesterday was her seventy-sixth birthday, whereupon the members joined in extending best wishes and birthday congratulations to Mrs. Barnhardt.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 332**—An act to amend Sections 26002, 26003, 26004, 26005, 26006, 26007, 26008, 26009, 26010, 26011, 26012, 26013, 26015, and 26016 of, and to add Section 26014.1 to, the Corporations Code, relating to fees under the Corporate Securities Law, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Biddick.

### Speaker Presiding

At 11.43 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins,

Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—65

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 188**—An act to amend Section 73771 of the Government Code, relating to the municipal court in the Central Judicial District of Marin County.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 592**—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Bill read third time, and presented by Mr. Marks.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 568**—An act to add Article 5 (commencing at Section 50920) to Chapter 4 of Part 1 of Division 1 of Title 5 of the Government Code, relating to extraterritorial law enforcement activities of local peace officers.

Bill read third time, and presented by Mr. Kennick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 15**—Relative to the assignment of the construction of fleet ballistic missile submarines.

Resolution read, and presented by Mr. Samuel R. Geddes.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 27**—Relative to informing Members of the Legislature of the actions of state agencies.

Resolution read, presented by Mr. Samuel R. Geddes, and adopted.

Resolution ordered transmitted to the Senate.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1976**—An act to add Section 32300.2 to, and to amend Sections 32303, 32304, and 32312 of, the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## MOTION TO WITHDRAW ASSEMBLY BILL NO. 123 FROM COMMITTEE WAIVED

Mr. Elliott waived his notice of motion to withdraw Assembly Bill No. 123 from the Committee on Social Welfare.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 954**—An act to amend Section 1242 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 954?

### Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to amend Sec-".

### Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No 2", and insert "enacted by the Legislature at its 1959 Regular Session".

### Amendment No. 3

On page 1, strike out lines 1 to 18, inclusive, on page 2, strike out lines 1 and 2, and insert

"SECTION 1. Section 1242 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:".

### Amendment No. 4

On page 2, between lines 10 and 11, insert

"When such a vacancy occurs between February 1st and June 30th, inclusive, of a school year, the county superintendent of schools having jurisdiction with the approval of the county board of education shall appoint an eligible person to hold the office for the unexpired term or until June 30th of the next succeeding school year, whichever occurs first At the regular election for governing board members held in such succeeding school year, in addition to filling the offices of members whose terms are expiring, an election shall be held to fill the vacancy for the remainder of the unexpired term."

### Amendment No. 5

On page 2, strike out lines 11 to 24, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 954 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—66.

NOES—None.

Assembly Bill No. 954 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1179**—An act to add Sections 10084, 10085, 10140.5, 10143.5, 10144, 10512 5, 10514.5, and 10514 7 to, and to amend Sections 10131, 10132, 10134, 10140, 10501, 10502, 10506, and 10512 of, the Business and Professions Code, relating to the Real Estate Commissioner and the business of assisting persons in filing applications for lands owned by the State or Federal Government, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

**MOTION TO RECONSIDER SENATE BILL NO. 33**

Mr. Lanterman moved to reconsider on the next legislative day the vote whereby Senate Bill No. 33 was this day passed (Assembly Journal, page 3150).

Senate Bill No. 33 and the motion to reconsider ordered to the unfinished business file.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067 CONTINUED**

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1067 be continued until the next legislative day.

**CONSIDERATION OF CONSENT CALENDAR (BY UNANIMOUS CONSENT)**

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

**CONSENT CALENDAR—ASSEMBLY BILLS**

**Assembly Bill No. 2012**—An act to amend Sections 16053, 16082, 16456, and 16457 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle financial responsibility laws.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1166**—An act to amend Section 19 of the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of 1952 First Extraordinary Session), relating to annexation of land to the Vallejo Sanitation and Flood Control District, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1753**—An act to repeal Chapter 2 (commencing at Section 4659), Chapter 8 (commencing at Section 5500), Chapter 9 (commencing at Section 5700), and Chapter 10 (commencing at Section 5900) of Part 3, Division 5 of the Health and Safety Code, relating to sewer and sanitation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1040**—An act to amend Section 6010 of the Revenue and Taxation Code, relating to sales and use taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills,

Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 923**—An act to amend Sections 35120 and 35121 of the Government Code, relating to annexation procedure.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 112**—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the seventh day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 2086**—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2099**—An act to amend Section 21662 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mountain driving.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2121**—An act to amend Sections 21457 and 21802 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing red signals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2122**—An act to add Section 22520 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the stopping of vehicles on freeways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride. Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2205**—An act to amend Section 22502 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to parking.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2206**—An act to amend Section 555 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to sidewalks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2054**—An act to add Chapter 6 (commencing with Section 12550) to Title 2, Part 4, of the Penal Code, relating to firearms.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. **Geddes, Grant, Hanna, Hawkins,** Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2177**—An act to amend Sections 16401, 16404, and 16406 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sale of personal property of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1859**—An act to amend Section 1176 of the Insurance Code, relating to mortgage loan investments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1956**—An act to amend Sections 1719, 1724, 1751, and 1887 of the Insurance Code, relating to insurance licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 113**—Relative to the appointment of a music committee.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Resolution transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Concurrent Resolution No. 53**—Relative to Serra Day.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris,

Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 54**—Relative to congratulating St. Mary's College on the dedication of its former campus as a historical landmark.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 55**—Approving a certain amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the fourteenth day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 57**—An act to amend Section 12077 of the Penal Code, relating to records of pistol or revolver sales

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 456**—An act to amend Section 538e of the Penal Code, relating to misrepresentation in sales of fire-fighting equipment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 837**—An act to amend Section 10202.7 of the Insurance Code, relating to group life insurance for trade associations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 590**—An act to add Section 19406 to the Government Code, relating to reinstatement rights to the state civil service after military training.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Winton announced that he would move to adjourn until 10 a.m. on Monday, May 4th, as soon as the desk work was completed.

## COMMENDATION OF MEMBERS

Mr. Winton commended and congratulated the Members upon the volume of business transacted this morning.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1923 FROM COMMITTEE

Mr. Thomas was granted unanimous consent that Assembly Bill No. 1923 be withdrawn from the Committee on Fish and Game for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1923

**Assembly Bill No. 1923**—An act to amend Section 8836 of the Fish and Game Code, relating to trawl nets in Districts 17, 18, and 118.5.

Bill read second time.

#### Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, strike out lines 4 to 8, inclusive, of the printed bill, and insert "in waters not less".

#### Amendment No. 2

On page 1, line 12, after "districts", insert "except that in the portion of District 118.5 which lies between a line drawn east and west through Point Arguello and a line drawn north and south through Point Goleta, such nets may be used in waters not less than two nautical miles from the nearest point of land on the mainland shore".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 500 copies of the Report of the Subcommittee on Police Administration of the Assembly Interim Committee on Judiciary be ordered printed as a separate document:

### LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, May 1, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*and Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Enclosed is the report of the Subcommittee on Police Administration of the Assembly Interim Committee on Judiciary relating to the selection and training of law enforcement personnel in California cities and counties. During the interim the subcommittee investigated the manner in which cities and counties select and train their law enforcement personnel and studied proposals that were offered to raise the minimum standards that these agencies require of their officers. The subcommittee held one hearing on October 14 and 15, 1957. The results of this study are set out in the report.

Respectfully submitted,

BRUCE F. ALLEN, Chairman

### SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, April 14, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*State Capitol, Sacramento*

DEAR MR. ALLEN: Pursuant to your directive and in conformance with the provisions of House Resolution No. 224 of the 1957 General Session, the Subcommittee on Police Administration herewith submits its report on Minimum Standards for Law Enforcement Personnel.

The subcommittee studied the area of the selection and training of law enforcement personnel in cities and counties in the State of California and sets forth its findings and recommendations relating thereto in this report.

Respectfully submitted,

GEORGE G. CRAWFORD, Chairman
Subcommittee on Police Administration
CLARK L. BRADLEY
PHILLIP BURTON
CASPAR W. WEINBERGER
ROBERT W. CROWN
LOUIS FRANCIS
S. C. MASTERSON
JOHN A. O'CONNELL
HOWARD J. THELIN

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following letters of transmittal be ordered printed in the Journal, and that 500 copies of the Report of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary be ordered printed as a separate document:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 16, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Assembly Chamber, Sacramento*

DEAR MR. SPEAKER: The testimony and evidence submitted have been summarized and reduced to the most valuable and significant essence and accompany this letter.

We herewith transmit to you, in accordance with House Resolution No. 224 of the 1957 Regular Session of the State Legislature, the final report of the activities of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary.

Respectfully submitted,

BRUCE F. ALLEN, Chairman

## SUBCOMMITTEE LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, March 16, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. ALLEN: Pursuant to your directive and in conformance with the provisions of House Resolution No. 224 of the 1957 General Session, the Subcommittee on Pornographic Literature herewith submits its report.

The subcommittee has held extensive hearings during the interim period on the subject of obscene and pornographic literature and pictures. We sincerely invite and urge you, the Members of the Assembly Interim Committee on Judiciary, the Members of the Legislature, and the public to join with the subcommittee in sponsoring and enacting legislation in this important field.

Respectfully submitted,

LOUIS FRANCIS, Chairman
Subcommittee on Pornographic Literature

March 13, 1959

I hereby accept in part the attached report of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary.

RICHARD T. HANNA

March 13, 1959

I hereby accept the attached report of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary.

LOUIS FRANCIS, Chairman
HOWARD J. THELIN

The law at the time of the writing of this report, outlaws the selling of obscene publications. If objectionable material is sold, it is not because of a weakness of the law, but because the present law is not being enforced, and the present law certainly should be enforced. I respectfully feel that censoring material which is not clearly obscene invites a loss of our cherished American freedom. There is a tendency in this report to increase the power of law enforcement officers to censor; past experience would dictate that such censorship would vary considerably from community to community. The publication of "hard core" obscenity is already outlawed, and I am not in favor of any relaxation of this present law. It would seem clear that the best recourse against borderline material is good reading habits encouraged by a healthy family background. To do otherwise, is to invite much censorship where it is not required and to encourage legislative invasion into local areas. There is nothing at the present time to prevent cities from passing ordinances as they see fit to cover activities in this field

ROBERT W. CROWN

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 213 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 213 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 213

**Assembly Bill No. 213**—An act to amend Sections 4751 and 4753 of, and to add Sections 4756 and 4757 to, the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Sections 4756 and 4757 to,".

#### Amendment No. 2

On page 2, line 2, strike out the period, and insert "; provided, that either (a) the previous disability or impairment affected a hand, an arm, a foot, a leg, or an eye, and the permanent disability resulting from the subsequent injury affects the opposite and corresponding member, and such latter permanent disability is equal to 5 percent or more of total, or (b) the permanent disability resulting from the subsequent injury, when considered alone and without regard to or adjustment for the occupation or the age of the employee, is equal to 35 percent or more of total."

#### Amendment No. 3

On page 2, strike out lines 3 to 9, inclusive.

#### Amendment No. 4

On page 2, lines 10 and 11, strike out ", as amended by Chapter 2061 of the Statutes of 1957,".

#### Amendment No. 5

On page 2, strike out lines 29 to 49, inclusive.

#### Amendment No. 6

On page 3, strike out lines 1 to 20, inclusive, and insert

"All cases under this section and under Section 4751 shall be governed by the terms of this section and Section 4751 as in effect on the date of the particular subsequent injury."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1494 FROM COMMITTEE

Mr. Busterud was granted unanimous consent that Assembly Bill No. 1494 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1494

**Assembly Bill No. 1494**—An act to amend Section 227 of the Civil Code, relating to adoptions.

Bill read second time.

#### Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 5, of the printed bill, after "that", insert "if the adoptive parent is then commissioner or enlisted in the military service, or auxiliary thereof, of the United States, or of any of its allies, or in the American Red Cross, so that it is impossible or impracticable, because of such person's absence from the State of California, or otherwise, for the person to make such appearance in person, and the circumstances are established by satisfactory evidence, the appearance may be made for such person by his or her counsel, commissioned and empowered in writing so to do and which power of attorney may be incorporated in the petition for adoption

The appearance of any other person or persons desiring to adopt a child, or of the child, or of such person or persons and the child at the final hearing of the petition for adoption may be made by his or her counsel, commissioned and empowered in writing so to do; provided, all of the following conditions are found by the court to exist:

(a) Petitioners were physically present in this State and the child was physically present in their home at the time of the filing of the petition;

(b) The person appearing by counsel left the State for good cause prior to the final hearing of the petition, will be outside the State for a substantial period of time, and it will be impossible or impracticable for him or her to return to this State for the final hearing; and

(c) Such person was interviewed by the agency responsible for the study of the case, and appeared in person before the court at a preliminary hearing of the petition, after due notice of such preliminary hearing was given to the agency responsible for the study. The court may grant such preliminary hearings for this purpose.

In all such cases, the agency responsible for the study shall appear at the final hearing to represent the interests of the child."

#### Amendment No. 2

On page 1, strike out lines 15 and 16.

#### Amendment No. 3

On page 2, strike out lines 1 to 8, inclusive.

#### Amendment No. 4

On page 2, line 9, strike out "petition for adoption."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### PARLIAMENTARY INQUIRY

Mr. Bradley arose to the following parliamentary inquiry: Since Item 186, Assembly Bill No. 1166 on the Consent Calendar, contains an urgency clause, should there be another roll call on this item?

#### Reply by Speaker

The Speaker replied that the record will show that appropriate action was taken.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time

**Assembly Bill No. 2708**: By Mr. Luckel—An act to add Section 98.5 to the Labor Code, relating to the Division of Labor Law Enforcement.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2709**: By Mr. Chapel—An act to add Section 726.5 to the Public Utilities Code, relating to the regulation of rates by the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2710**: By Mr. Beaver—An act to amend Section 35201.5 of the Government Code, relating to the annexation of noncontiguous territory owned by the annexing city.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2711**: By Mr. Beaver—An act to amend Section 35201.5 of the Government Code, relating to the annexation of noncontiguous territory owned by the annexing city.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2712**: By Messrs O'Connell, Waldie, and Burton —An act to repeal Section 647 of, and to add Section 647 to, the Penal Code, relating to criminal offenses.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2713**: By Messrs. Petris, Waldie, and Crown—An act to amend Section 12771 of, and to add Sections 12771.1, 12771.2, 12771.3, and 12771.4 to, the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2714**: By Mr. Lowrey—An act to amend Sections 15275 and 15279 of the Government Code, relating to the Communications Advisory Board.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2715**: By Messrs. Hanna, Williamson, Masterson, Lunardi, Bruce F. Allen, Miss Donahoe, Messrs. McMillan, and George A. Willson—An act making an appropriation in augmentation of the appropriation for the support of the Department of Justice, for investigation and prosecution of alleged illegal trade practices, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2716**: By Messrs. Bruce F. Allen, Sumner, Beaver, Luckel, Backstrand, Collier, Cusanovich, Dahl, Francis, Levering, Reagan, Shell, Thelin, Thomas, and Williamson—An act to repeal Section 6106.1 of, and to add Section 6106 1 to, the Business and Professions Code, relating to causes for the disbarment or suspension of attorneys.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2717**: By Messrs. Chapel, Charles H. Wilson, Thomas, Porter, Beaver, Dills, Elliott, Francis, Grant, and Unruh—An act to add Chapter 5.5 (commencing at Section 54280) to Part 1 of Division 2 of Title 5 of the Government Code, relating to conversion of sea water.

Referred to Committee on Water.

**Assembly Bill No. 2718**: By Mr. Unruh—An act to add Article 4 (commencing at Section 11760), Chapter 3, Part 3, Division 2, of the Insurance Code, relating to workmen's compensation insurance advisers.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2719**: By Messrs. Bradley and Bruce F. Allen—An act to amend Section 30031 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tax exemption for the Leland Stanford Junior University.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2720**: By Mr. Elliott (By Request)—An act to amend Section 11563 of the Government Code relating to salaries of state officers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2721**: By Messrs. Crawford, Schrade, and Hegland—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2722**: By Mr. Burke—An act to amend Section 30507 of the Water Code, relating to county water districts.

Referred to Committee on Water.

**Assembly Bill No. 2723**: By Mr. Petris—An act to add Section 488 to the Insurance Code, relating to termination of insurance policies due to default in payment of premiums, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2724**: By Mr. Miller—An act to add Section 68073.5 to the Government Code, relating to courts.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2725**: By Mr. Busterud—An act to amend and renumber Sections 213 (as added by Chapter 2409, Statutes of 1957) of the Health and Safety Code, relating to kosher meats.

Referred to Committee on Public Health.

**Assembly Bill No. 2726**: By Mr. Biddick—An act to amend Section 4850 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2727**: By Messrs. Dills, Lanterman, Luckel, Cunningham, Backstrand, Bane, Belotti, Burke, Conrad, Cusanovich, Mrs. Davis, Miss Donahoe, Messrs. Garrigus, Ernest R. Geddes, Grant, Hegland, House, Johnson, Lowrey, McCollister, Meyers, Mulford, Nisbet, Pattee, Porter, Rumford, Schrade, Thomas, and Charles H Wilson—An act to amend Section 11713 of the Health and Safety Code, relating to penalties for narcotic offenses.

Referred to Committee on Public Health.

**Assembly Bill No. 2728**: By Mr. Belotti—An act to add Section 27306 to the Streets and Highways Code, relating to revenues of bridge and highway districts.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2729**: By Mr. Chapel—An act to add Part 24 (commencing at Section 39000) to Division 2 of the Revenue and Taxation Code, relating to the licensing of cigarette vending machines and the taxation for the privilege of engaging in the business of keeping, maintaining or operating such machines.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2730**: By Mr. Burton—An act to amend Section 2181.05 of the Welfare and Institutions Code, relating to relative's responsibility under the Old Age Security Law.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2731**: By Mr. Biddick—An act to add Section 11680.5 to the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health.

**Assembly Bill No. 2732**: By Messrs. MacBride, Munnell, Marks, Busterud, and Biddick—An act to add Section 5754 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the sale of vehicles to minors.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2733**: By Mr. Rumford—An act to add Section 11332 to the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health.

**Assembly Bill No. 2734**: By Messrs. Charles H. Wilson and Belotti —An act to add Section 4232 to the Agricultural Code, relating to dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2735**: By Messrs. Kilpatrick and Chapel—An act to add Article 7.6 (commencing at Section 1566) to Chapter 1 of Division 7 of the Military and Veterans Code, relating to radioactive contamination.

Referred to Committee on Public Health.

**Assembly Bill No. 2736**: By Messrs. Kilpatrick and Elliott—An act to amend Section 6902 of the Government Code, relating to vending stands for the blind.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2737**: By Messrs. Hegland, Schrade, Luckel, Crawford, Backstrand, and Belotti—An act to amend Section 27900 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to signs displayed on vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2738**: By Messrs. Chapel, Rumford, Cunningham, Johnson, and Dills—An act to add Section 11723 to the Health and Safety Code, relating to narcotics addicts.

Referred to Committee on Public Health.

**Assembly Bill No. 2739**: By Mr. Francis—An act to add Section 23118 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, and to add Section 21415 to the Public Utilities Code, relating to persons intoxicated in or about vehicles or aircraft.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2740**: By Mr. Francis—An act to amend Section 19581 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State School Building Aid Law of 1952.

Referred to Committee on Education.

**Assembly Bill No. 2741**: By Messrs. Gaffney, Thomas, O'Connell, and Burton—An act to amend and renumber Section 7601 of, and to add Sections 7601, 7602, 7603, 7604, 7605, 7606, 7607, 7608 and 7609 to the Labor Code, relating to maritime industrial safety.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2742**: By Messrs. Burton, Coolidge, O'Connell, Kilpatrick, Chapel, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Kennick, Miller, Nisbet, Petris, and Z'berg—An act to amend Section 2025 of the Welfare and Institutions Code, relating to old age assistance grants.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2743**: By Messrs. Nisbet, Hegland, and Kennick—An act to add Sections 5426.7, 5426.8, 5785.6, and 5785.7 to the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2744**: By Messrs Meyers, MacBride, Z'berg, Belotti, and Samuel R. Geddes—An act to amend Section 19574 of the Government Code, relating to punitive actions against state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2745**: By Messrs. Meyers, MacBride, Z'berg, Belotti, and Samuel R. Geddes—An act to repeal Sections 20895 and 20896 of, and to add Section 20895 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2746**: By Messrs. Meyers, Z'berg, Samuel R. Geddes, and MacBride—An act to add Section 21367 52 to the Government Code, relating to benefits payable upon the death of a retired person while receiving a retirement allowance under the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2747**: By Messrs. Meyers, Z'berg, Belotti, and MacBride—An act to add Section 19589 to the Government Code, relating to the state civil service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2748**: By Messrs. Meyers, Z'berg, Belotti, and Samuel R. Geddes—An act to amend Section 20012 of the Government Code, relating to state retirement systems.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2749**: By Messrs. Meyers and MacBride—An act to amend Section 6050 of the Penal Code, relating to the appointment of wardens and superintendents of state prisons.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2750**: By Messrs. Meyers, MacBride, and Z'berg—An act to amend Section 20860.5 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2751**: By Mr. Francis (By Request)—An act to amend Sections 1253, 1277, and 1281 of the Unemployment Insurance Code, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2752**: By Messrs. Meyers, Rees, Busterud, Burton, Belotti, Gaffney, Hegland, Marks, Munnell, Nisbet, O'Connell, and Sumner—An act to add Article 6 (commencing at Section 210) to Chapter 1 of Division 1 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2753**: By Messrs. Grant and Kennick—An act to add Section 25550.5 to the Government Code, relating to the transfer by a county of a local park to a city.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2754**: By Mr. Busterud—An act to add Section 3929.6 to the Elections Code, relating to ballot designations following the reapportionment of legislative districts.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2755**: By Mr. Dahl—An act to add Section 35717 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle weight limits in cities.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2756**: By Messrs. Waldie, Petris, Crown, Crawford, MacBride, and O'Connell—An act to amend Sections 11610, 11612, 11614, 11619, 11621, and 11622 of, and to repeal Section 11620 of the Health and Safety Code, relating to the forfeiture of vehicles for the unlawful transportation, depositing, concealment, and possession of narcotics.

Referred to Committee on Criminal Procedure.

## RESOLUTIONS

The following resolution was offered:

By Mr. Backstrand:

### House Resolution No. 237

Relating to the Idyllwild Bear Festival

WHEREAS, A most significant period in California's history is that of its existence as the Bear Flag Republic in 1846; and

WHEREAS, The first flag of this republic carried the symbol of the California Grizzly Bear; and

WHEREAS, Ursus Californicus (the California Grizzly Bear) not only adorned the first flag of California, but has since become the symbol of our great State, appearing on the Great Seal of this State, and has been traditionally used by many great institutions of California as their symbol, including the University of California; and

WHEREAS, Chapter 1140 of the Statutes of 1953 declared the state animal of California to be the California Grizzly Bear; and

WHEREAS, The Idyllwild Chamber of Commerce has for the past three years annually celebrated the Idyllwild Bear Festival at which proper recognition and acclaim is given to this magnificant symbol of California's greatness; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Idyllwild Chamber of Commerce and all other contributors to the Idyllwild Bear Festival are commended for their initiative and enterprise in annually commemorating the state animal of California at the Idyllwild Bear Festival; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to the Idyllwild Chamber of Commerce

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1522

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 688

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 390
Assembly Bill No 1523

With the recommendation: That the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports

Assembly Bill No. 2061

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1729

With amendments with the recommendtaion: Be amended; and that the subject matter be referred to the Committee on Rules for assignment to the propert interim committee for study.

MACBRIDE, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1148
Assembly Bill No. 315

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, April 29, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1504

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 1, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 192
Assembly Bill No. 1661

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 28
Assembly Bill No. 1422

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 146
Assembly Bill No. 1305
Assembly Bill No. 1411

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 47

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 47**—Relative to the study of a state highway route.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, April 30, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 236 | Senate Bill No. 730 |
| Senate Bill No. 510 | Senate Bill No. 733 |
| Senate Bill No. 582 | Senate Bill No. 889 |
| Senate Bill No 669 | Senate Bill No. 972 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 236**—An act to add Section 27459 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the use of snow-tread tires on vehicles.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 510**—An act to amend Sections 5324 and 5325 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee Governmental Efficiency and Economy.

**Senate Bill No. 582**—An act to add Part 4 (commencing at Section 24100) to Division 9 of the Public Utilities Code, and to add Part 6.5 (commencing at Section 11800) to Division 2 of the Revenue and Taxation Code, relating to the licensing and registration of aircraft and the taxation of the privilege of operating the same, providing for the administration thereof, and appropriating the revenue derived therefrom.

Referred to Committee Governmental Efficiency and Economy.

**Senate Bill No. 669**—An act to repeal Article 6 (commencing at Section 54150), and to add Article 6 (commencing at Section 54150), to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to the repair and restoration of property damaged or destroyed by storms or floods.

Referred to Committee on Water.

**Senate Bill No. 730**—An act to amend Section 393 of the Military and Veterans Code, relating to defense of criminal charges against members of the National Guard.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 733**—An act to amend Section 9575.6 of the Business and Professions Code, relating to the State Board of Dry Cleaners, and making an appropriation, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 889**—An act to add Article 2.5 (commencing at Section 1357) to Chapter 5, Part 2, Division 2 of, and to amend Section 1360 of, the Water Code, relating to the State Water Rights Board.

Referred to Committee on Water.

**Senate Bill No. 972**—An act to amend Section 2156 of the Streets and Highways Code, relating to county road deficiency reports.

Referred to Committee on Transportation and Commerce.

### SENATE BILL NO. 703 AND SENATE CONCURRENT RESOLUTION NO. 46 RE-REFERRED TO COMMITTEE

Speaker Brown ordered **Senate Bill No. 703** re-referred to the Committee on Governmental Efficiency and Economy, and **Senate Concurrent Resolution No. 46** to the Committee on Fish and Game.

### EXPLANATION OF ABSENCE

May 1, 1959

I was off the floor on legislative business and missed some roll calls today.

DON MULFORD

### ADJOURNMENT

At 12.08 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 4, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-EIGHTH LEGISLATIVE DAY

EIGHTY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, May 4, 1959

The Assembly met at 10 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God of our Founding Fathers*, If, in meeting deadlines, or for other reasons we are ever inclined to neglect prayer, remind us that during a crisis in the Constitutional Convention Benjamin Franklin spoke these words: "We have been assured, sir, in the sacred writings, that except the Lord build a house they labor in vain that build it. I firmly believe this; and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel. I therefore beg leave to move that henceforth prayers asking the assistance of heaven and its blessings on our deliberations be held in this Assembly every morning before we proceed to business."

Give to us in 1959 that same sense of the necessity and the power of prayer. —AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Gaffney, seconded by Mr. Marks.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Porter, on motion of Mr. Thomas.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Elsie Nichols of Sunland, relating to social welfare (Assembly Bill No. 1076). Referred to the Committee on Social Welfare.

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Mrs Rosey Reed of Palmdale, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

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Mr. and Mrs. Lee Shindler of Anaheim and 13 others, relative to trading stamps Referred to Committee on Governmental Efficiency and Economy.

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Helen Galvan of San Francisco, relative to Assembly Bill No. 2319. Referred to the Committee on Livestock and Dairies.

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A. L. Miller, M.D., Director, Office of Saline Water, U. S. Department of the Interior, relative to the consideration of the City of Antioch as a prospective site for a demonstration plant. Referred to the Committee on Water.

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M. E. Bonnifield, City Clerk of the City of Cloverdale, enclosing a resolution relative to the taxation of motor vehicle fuel Referred to the Committee on Revenue and Taxation.

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

C. M. GOETHE
SACRAMENTO, May 1, 1959

*Mr. Arthur A. Ohnimus, Clerk*
*California State Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS Thank you very much indeed for the two copies of the resolution.

It is difficult to find words to express my very deep appreciation of your so thoughtfully remembering my birthday.

Gratefully,

C. M. GOETHE

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., April 27, 1959

*Mr. Arthur Ohnimus*
*California State Legislature*
*State Capitol, Sacramento*

DEAR ARTHUR: I am enclosing herewith a letter from Assistant Secretary of Agriculture Marvin McLain with respect to my inquiry of the Secretary based on Assembly Resolution No. 9.

I trust that this information is valuable to the Assembly.

Sincerely,

HARLAN HAGEN, Member of Congress

Encl.

DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C., April 24, 1959

*Hon. Harlan Hagen*
*House of Representatives*

DEAR CONGRESSMAN HAGEN: This is in reply to your letter of April 13, 1959, with reference to Assembly Resolution No 9 passed by the Assembly and Senate of the California State Legislature relative to public inspection of crop allotment records in the State of California.

Our general policy is to make all records, not required by law to be kept confidential, available for inspection in each ASC county office. In some cases, however, the information is not made public until after a stated time. For example, the amount of any payment or loan to a farmer is not made public until 30 days after the amount has been received by him.

The basis for determining which acreage allotment and marketing quota records may be made public is contained in the Agricultural Adjustment Act of 1938, as amended. In this connection, Section 362 of the act provides in part as follows:

> "All acreage allotments, and the farm marketing quotas established for farms in a county or other local administrative area shall, in accordance with regulations of the Secretary, be made and kept freely available for public inspection in such county or other local administrative areas."

Section 373(c) of the same act provides:

> "All data reported to or acquired by the Secretary pursuant to this section shall be kept confidential by all officers and employees of the Department, and only such data so reported or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing under this title."

Section 344 (j) of the same act provides:

> "Notwithstanding any other provision of this Act, State and county committees shall make available for inspection by owners or operators of farms receiving cotton acreage allotments all records pertaining to cotton acreage allotments and marketing quotas."

In formulating our regulations on availability of allotment records, we have complied with the above-cited provisions. The acreage allotments and marketing quotas established for each farm are available in ASC county offices to anyone; all records pertaining to cotton acreage allotments are available to cotton farmers; but other records acquired in connection with the administration of acreage allotment and marketing quota programs are available only in a suit or administrative hearing with respect thereto.

If we may be of further assistance to you in this matter, please let us know.

Sincerely yours,

MARVIN L McLAIN, Assistant Secretary

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STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, April 30, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of State Assembly*
*Assembly Chamber, Sacramento*

DEAR SIR: This is to advise you that as of this day we have deposited $20,000 to the credit of the Legislative Printing Fund, covering receipts from sales of legislative publications by the Legislative Bill Room for March and April, 1959.

Very truly yours,

PAUL E. GALLAGHER, State Printer

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

**Assembly Constitutional Amendment No. 49**: By Mr. Meyers—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31d, relating to the creation of the California Farm and Home Authority.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 50**: By Mr. Meyers—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 5, 6, and 27 of Article IV, relating to the Legislature, and providing for reapportionment of assembly and congressional districts to conform thereto.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 51**: By Mr. Meyers—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8½ of Article XI thereof, relating to cities and cities and counties.

Referred to Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 52**: By Mr. Charles H. Wilson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 9 of Article XIII thereof, relating to property taxation.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2757**: By Mr. Grant—An act to amend Sections 185 and 11806 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle dealers and salesmen.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2758**: By Mr. Grant—An act to amend Sections 2100, and 2106 of, to repeal Section 2108 of, and to add Section 2108 to, the Health and Safety Code, relating to pet birds.

Referred to Committee on Public Health.

**Assembly Bill No. 2759**: By Mr. Meyers—An act to amend Section 3051a of the Civil Code and Section 425 of the Vehicle Code, relating to possessory liens.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2760**: By Mr. Meyers—An act to add Chapter 8 (commencing at Section 890) to Division 1 of the Streets and Highways Code, relating to construction, maintenance and operation of off-street drag strips.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2761**: By Mr. Meyers—An act to add Chapter 5 (commencing at Section 3980), to Part 1, Division 5 of the Health and Safety Code, relating to business establishments.

Referred to Committee on Public Health.

**Assembly Bill No. 2762**: By Mr. Meyers—An act to add Article 4.7 (consisting of Section 198) to Division 1 of Title 1 of the Government Code, relating to state lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2763**: By Mr. Meyers—An act to amend Sections 6, 7, 8, 11, 12, 13, and 14 of, to add Sections 6 5 and 24.5 to, and to repeal Sections 9 and 10 of the San Francisco-San Mateo Consolidation

Act of 1929 (Chapter 784 of the Statutes of 1929), relating to the annexation of territory located in the County of San Mateo to the City and County of San Francisco.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2764:** By Mr. Pattee—An act to amend Sections 1711 and 1712 of the Insurance Code, relating to insurance agents.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2765:** By Mr. Winton—An act to amend Section 5201 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays and observances.

Referred to Committee on Education.

**Assembly Bill No. 2766:** By Mr. Winton—An act to add Section 154.8 to the Agricultural Code, relating to noxious weeds.

Referred to Committee on Agriculture.

**Assembly Bill No. 2767:** By Mr. Winton—An act to amend Section 15352 of the Education Code as enacted at the 1959 Regular Session, relating to school districts.

Referred to Committee on Education.

**Assembly Bill No. 2768:** By Mr. Masterson—An act to add Chapter 7.5 (commencing at Section 3200) to Division 2 of the Business and Professions Code, relating to creating the Board of X-ray Technician Examiners of the State of California, prescribing its organization, powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2769:** By Mr. Masterson—An act to amend Section 20751 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to school district tax rates.

Referred to Committee on Education.

**Assembly Bill No. 2770:** By Mr. Conrad—An act to amend Section 14058 of, and to add Section 14057.5 to, the Health and Safety Code, and to amend Section 5781.10 of the Public Resources Code, relating to district elections.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2771:** By Mr. Ernest R. Geddes—An act to amend Section 13832 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2772:** By Messrs. DeLotto, Chapel, Luckel, Burton, George E. Brown, Dills, Elliott, Ernest R. Geddes, Hawkins, Kilpatrick, Masterson, McMillan, Miller, Munnell, and Thomas—An act to add Section 26109 to the Government Code, relating to advertisement of counties by private organizations

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2773:** By Messrs. Thelin, Mulford, Marks, and Grant—An act to add Chapter 8 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to ambulance safety.

Referred to Committee on Public Health.

**Assembly Bill No. 2774:** By Mr. Backstrand—An act to amend Section 1306 of the Penal Code, relating to bail.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2775:** By Mr. Backstrand, and Senator Dilworth, co-author—An act to amend Sections 74132, 74133, 74134, 74135 and 74137 of the Government Code, relating to the municipal court in Riverside County.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2776:** By Mr. Dahl—An act to amend Sections 1024 and 1174 of the Probate Code, and to amend Section 2225 of, and to add Sections 3088.3 and 3474.3 to, the Welfare and Institutions Code, relating to liens on the property of welfare recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2777:** By Mr. Lunardi—An act to create the El Dorado County Water agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, providing for the levy and collection of taxes for the paymnet of general district expenses and for co-operation and contracts with any entity.

Referred to Committee on Water.

**Assembly Bill No. 2778:** By Mr. Lunardi—An act to amend Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2779:** By Mr. Dahl—An act to add Section 35790 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to permits for vehicles of an excessive size or weight.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2780:** By Mr. George E. Brown—An act to amend Section 6745 of the Business and Professions Code, relating to the practice of engineering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2781:** By Mr. George E. Brown—An act to add Section 204b of the Labor Code, relating to weekly payment of wages.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2782**: By Mr George E. Brown—An act to amend Section 690.11 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2783**: By Mr. George E. Brown—An act to amend Section 190.1 of the Penal Code, relating to criminal actions.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2784**: By Mr. George E. Brown—An act to add Chapter 2.5 (commencing at Section 650) to Part 2 of Division 2 of, and to amend Section 2350 of, the Labor Code, relating to safety and working conditions.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2785**: By Messrs. Marks and McMillan (By Request)—An act to amend Section 2933.5 of the Business and Professions Code, relating to the practice of psychology.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2786**: By Messrs Z'berg and Meyers—An act to amend Section 20630 of the Government Code, relating to member contributions under the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2787**: By Mr. Z'berg—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in small claims actions.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2788**: By Mr. Nisbet—An act to add Section 33281 to the Health and Safety Code, relating to eminent domain proceedings by redevelopment agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2789**: By Mr. George A. Willson—An act to add Section 27166 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county free libraries.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2790**: By Mr. Hawkins—An act to add Section 328 to the Unemployment Insurance Code, relating to unemployment caused by racial or religious discrimination.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2791**: By Mr. Hawkins—An act to add Section 6932 to the Business and Professions Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2792:** By Messrs. Hawkins, Backstrand, Elliott, Pattee, and Porter—An act to add Section 4574 to the Elections Code, relating to campaign expenditures

Referred to Committee on Elections and Reapportionment.

**Speaker pro Tempore Presiding**

At 10.20 a.m , Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2793:** By Messrs. Hawkins and Elliott—An act to amend Section 4162 of, and to add Section 4189.1 to, the Welfare and Institutions Code, relating to aid to the needy disabled.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2794:** By Mr. Hawkins—An act to add Section 653a to the Penal Code and to repeal Chapter 8 (commencing at Section 6850), Division 3, of the Business and Professions Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2795:** By Mr. Hawkins—An act making an appropriation, relating to fair employment practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2796:** By Mr. Hawkins—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2797:** By Mr. Hawkins—An act to add Section 17500.2 to the Business and Professions Code, relating to advertising.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2798:** By Mr. Elliott—An act to add Section 13469.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence of certificated employees.

Referred to Committee on Education.

**Assembly Bill No. 2799:** By Mr. Johnson—An act to add Part 4 (commencing at Section 14450) to Division 3 of Title 1 of the Corporations Code, relating to real estate and business opportunity publishers.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2800:** By Mr. Hawkins—An act to add Part 4 to Division 13 of the Health and Safety Code, relating to prevention and elimination of practices of discrimination in publicly assisted housing against persons because of race, religion, color, national origin or ancestry, creating a State Commission on Discrimination in Housing, defining its functions, powers, and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2801**: By Mr DeLotto—An act to amend Sections 1400, 1401, 1404, 1405, 1407, 1408, 1411, and 1415 of, and to add Sections 1401.1 and 1422 to, the Health and Safety Code, to amend Sections 2350 and 2356 of, and to repeal Chapter 2 (commencing at Section 2300), of Division 3 of, the Welfare and Institutions Code, relating to the regulation of hospitals and other institutions providing care for the infirm.

Referred to Committee on Public Health.

**Assembly Bill No. 2802**: By Mrs. Davis—An act to add Section 236 to the Water Code, relating to water resources development.

Referred to Committee on Water.

**Assembly Bill No. 2803**: By Mr. Z'berg—An act to amend Section 834 of the Corporations Code, relating to derivative actions by corporate shareholders.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2804**: By Mr. Bruce F. Allen—An act to repeal Section 258 of the Probate Code and to add Chapter 4 (commencing at Section 259 50) to Division 2 to said code, relating to disposition of estates of, and proceeds of insurance on, the lives of victims of homicide.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2805**: By Mr Belotti—An act to amend Section 4135 of the Agricultural Code, relating to the marketing of dairy products.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2806**: By Mr. Sedgwick—An act to amend Sections 803, 803 5, and 828.4 of the Agricultural Code, relating to agricultural containers.

Referred to Committee on Agriculture.

**Assembly Constitutional Amendment No. 53**: By Mr. Bane—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 6 and 27 of Article IV thereof, relating to the reapportionment of legislative districts.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2807**: By Mr. Miller (By Request)—An act to amend Section 11713 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the closing of vehicle dealers on Sundays.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2808**: By Mr. Chapel—An act to amend Section 1051 of the Public Utilities Code, relating to warehousemen.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2809**: By Mr Chapel—An act to add Section 639 to the Penal Code, relating to interference with the activities of the National Guard.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2810**: By Mr. Bradley—An act to add Section 214 2 to the Revenue and Taxation Code, relating to the welfare exemption from taxation.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2811**: By Mr. Bradley—An act to add Section 33281 to the Health and Safety Code, relating to the payment of the cost of relocating or removing public utility facilities to accommodate redevelopment.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2812**: By Mr. Chapel—An act to amend Sections 5513 and 6002 of the Financial Code, relating to savings and loan associations.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2813**: By Messrs. Garrigus, Sumner, Hanna, McCollister, and Frew—An act to add Article 5 (commencing at Section 380.20) to Chapter 3, Division 3, of the Agricultural Code, and to amend Section 12022 of the Business and Professions Code, relating to poultry meat.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2814**: By Mr. Burton—An act to add Section 378 to the Elections Code, relating to voting statistics.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2815**: By Mr. Burton—An act to add Section 379 to the Elections Code, relating to voter registrations.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2816**: By Mr. Burton—An act to add Section 8142 to the Elections Code, relating to the compilation of returns of the Secretary of State.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2817**: By Mr. Burton—An act to add Section 56 to the Elections Code, relating to election returns.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2818**: By Mr. Burton—An act to amend Section 653h of the Penal Code, relating to interception of communications.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2819**: By Mr. Burton—An act to add Section 7515 to the Business and Professions Code, relating to the interception of communications.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2820:** By Mr. Biddick—An act to amend Section 688 of the Code of Civil Procedure, relating to execution of judgements.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2821:** By Mr. Biddick—An act to add Article 11.5 to Chapter 10, Title 8, of the Government Code, relating to Lodi Municipal Court.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2822:** By Mr. Hegland (By Request)—An act to amend Sections 4986.5 and 4986.6 of the Revenue and Taxation Code, relating to taxes on real property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2823:** By Messrs. Hegland, Crawford, Schrade, and Luckel—An act to add Section 4335 to the Government Code, relating to purchases by public agencies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2824:** By Messrs. Porter, Winton, Beaver, and Sumner—An act to add Section 11202 to the Water Code, relating to the acquisition of property for recreational purposes, and making an appropriation.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2825:** By Mr. Lowrey—An act to amend Sections 7202 and 7203 of the Revenue and Taxation Code, relating to uniform local sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2826:** By Mr. Lowrey—An act to amend Sections 7202 and 7203 of, and to repeal Sections 6353, 6368 and 6385 of, the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2827:** By Mr. Levering—An act to amend Section 20134 of the Government Code, relating to information available from retirement systems.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2828:** By Mr. Samuel R. Geddes (At request of California Blind Concessionaires Association)—An act to amend Sections 6900 and 6902 of the Government Code, relating to vending stands for the blind.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2829:** By Mr. Samuel R. Geddes (At request of California Blind Concessionaires Association)—An act to amend Sections 6902 and 6907 of the Government Code, relating to vending stands for the blind.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2830**: By Mr. Samuel R. Geddes (At request of California Blind Concessionaires Association)—An act to add Section 6910 to the Government Code, relating to vending stands for the blind.

Referred to Committee on Civil Service and State Personnel.

**Assembly Constitutional Amendment No. 54**: By Mr. Burton—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to indebtedness of public agencies.

Referred to Committee on Constitutional Amendments.

**Assembly Joint Resolution No. 34**: By Mr. Lowrey—Relative to the Long Range Program for the National Forests.

Referred to Committee on Rules.

**Assembly Bill No. 2831**: By Messrs. Busterud, Marks, Biddick, and Masterson—An act to amend Section 33236 of the Health and Safety Code, relating to redevelopment agencies.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2832**: By Messrs. Busterud, Marks, Biddick, and Sumner—An act to amend Section 37361 of the Government Code, relating to cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2833**: By Mr. Rees—An act to add Section 10201 5 to, and to amend Section 10202.8 of, the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2834**: By Messrs. Rees, Bruce F. Allen, Bradley, Hegland, Nisbet, Schrade, and Winton—An act to add Sections 9067, 9068, 9069, 9070, and 9070.5 to the Public Resources Code, relating to emergency food production soil reserves.

Referred to Committee on Agriculture.

**Assembly Bill No. 2835**: By Mr. Rees—An act to amend Section 65004 of, to repeal Article 2 (commencing at Section 65030) of Chapter 1, Title 7 of, to add Section 65008 to, and to add Article 2 (commencing at Section 65030) to Chapter 1, Title 7 of, the Government Code, relating to state and local planning.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2836**: By Mr. Rees—An act to amend Section 1853, Insurance Code, relating to insurance rating and advisory organizations.

Referred to Committee on Finance and Insurance.

**Assembly Bill No. 2837**: By Mr. Rees—An act to amend Sections 65004 and 65020 of the Government Code, relating to the Planning Advisory Committee.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2838**: By Mr. Rees—An act to amend Sections 12002.1, 12200 and 12200.5 of, and to add Section 12002.2 to, the Financial Code, relating to licenses under the Check Sellers and Cashers Law.

Referred to Committee on Finance and Insurance.

## RESOLUTIONS

The following resolution was offered:

By Mr. Burton:

### House Resolution No. 238

Relative to Home Rule for the District of Columbia

WHEREAS, There are 826,000 federal taxpaying residents in the District of Columbia, our Nation's Capital, who have long lacked any voice in the Government of the District of Columbia in which they live; and

WHEREAS, The taxpaying residents of the District of Columbia are without even a voteless delegate to represent them in the halls of Congress; and

WHEREAS, The United States Senate has, during the last decade, four times passed legislation granting home rule to the residents of the District of Columbia; and

WHEREAS, Such legislation has four times been killed in the District of Columbia Committee and the Rules Committee of the House of Representatives; and

WHEREAS, It is a matter of grave injustice to deny American citizens the right even to govern themselves as to matters of local interest, and particularly so when they are obliged to bear the costs of such government, now, therefore, be it

*Resolved by the Assembly of the Senate of California*, That this body favors legislation to grant home rule to the District of Columbia; and be it further

*Resolved*, That this body urges the Members of the California Delegation in the House of Representatives of the United States to sign a discharge petition to bring a bill granting home rule to the District of Columbia onto the floor of the House of Representatives in the event that such a bill is again approved by the Senate and bottled up in either the District of Columbia Committee or the Rules Committee of the House of Representatives; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2839**: By Messrs. Z'berg, Meyers, and Samuel R. Geddes—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens in government service.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2840**: By Messrs Z'berg, Meyers, and Samuel R. Geddes—An act to amend Section 18103 of the Government Code, relating to unpaid sick leave for state employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2841**: By Messrs. Z'berg, Meyers, and Samuel R. Geddes—An act to amend Section 19530 of the Government Code, relating to layoff of state civil service employees.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2842**: By Messrs. Z'berg, Meyers, and Samuel R. Geddes—An act to amend Section 21027 of the Government Code, relating to State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2843**: By Mr. Meyers—An act to amend Section 18702 of the Government Code, relating to civil service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2844**: By Mr. Meyers—An act to amend Section 18703 of the Government Code, relating to civil service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2845**: By Mr. Meyers—An act to add Article 3 (commencing with Section 65080) to Chapter 3 of Title 7 of the Government Code, relating to the San Francisco Bay Area Planning Agency.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2846**: By Messrs. Petris, Bane, Crawford, and House—An act to add Chapter 14 (commencing at Section 1420) to Title 10, Part 2 of the Penal Code, relating to disposition of unclaimed money held by a district attorney.

Referred to Committee on Municipal and County Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 8**—An act to amend Section 653k of the Penal Code, relating to switch-blade knives;

**Assembly Bill No. 237**—An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations;

**Assembly Bill No. 274**—An act to add Section 43.4 to the Civil Code, relating to causes of action for fraudulent promises to marry or cohabit;

**Assembly Bill No. 341**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons;

**Assembly Bill No. 362**—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and widows of veterans;

**Assembly Bill No. 597**—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens by public agencies;

**Assembly Bill No. 879**—An act to add Section 638 to the Penal Code, relating to equipment employing roentgen rays;

**Assembly Bill No. 1178**—An act to add Article 8 (commencing at Section 10251) to Chapter 4 of Division 8 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposal of old high school textbooks;

**Assembly Bill No. 1280**—An act to amend Section 15955 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to contracts by school district governing boards;

**Assembly Bill No. 1515**—An act to add Section 32130.7 to the Health and Safety Code, relating to local hospital districts, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the first day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

| | |
|---|---|
| Assembly Bill No. 1617 | Assembly Bill No. 2179 |
| Assembly Bill No. 1741 | Assembly Bill No. 2263 |
| Assembly Bill No. 1882 | Assembly Bill No. 2264 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1419
Assembly Bill No. 1810
Assembly Bill No. 1849
Assembly Bill No. 1899
Assembly Bill No 2185
Assembly Bill No 2186

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1501
Assembly Bill No. 1555
Assembly Bill No. 1837

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1863
Assembly Bill No. 1867
Assembly Bill No. 2229

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 345

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1847

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Water.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, May 1, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2580

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MacBRIDE, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 1475

With amendments with the recommendation: Amend, and do pass, as amended

BRADLEY, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 845
Assembly Bill No. 690
Assembly Bill No. 1014
Assembly Bill No 1275
Assembly Bill No. 1906

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 1, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 1317

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 61

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 61**—Relative to approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-first day of April, 1959.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 1, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 38
Senate Bill No. 302

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time.

**Senate Bill No. 38**—An act to amend Section 73561 of the Government Code, relating to the number of judges in the municipal court in the district embracing the Cities of Carmel and Monterey

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 302**—An act to amend Section 10826 of the Fish and Game Code, relating to Game Refuge 1-J

Referred to Committee on Fish and Game.

### REQUEST FOR UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2185, 2186, 1810, 1849, 1741, 2179, 1555, 2263, 2264, 1419, 1899, 1501, 1882, 1837,** and **1617.**

**Senate Bills Nos. 98, 167, 275,** and **973.**

Assembly Bills Nos. 2185, 2186, 1810, 1849, 1555, 1899, 1501, and 1837 ordered to third reading.

Assembly Bills Nos 1741, 2179, 2263, 2264, 1419, 1882, and 1617 ordered to the Consent Calendar.

Senate Bills Nos. 98, 167, 275, and 973 ordered to the Consent Calendar.

NOTE—Later this day, Senate Bill No. 973 was removed from the Consent Calendar, and ordered to the third reading file. *See* page 3225.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 94**—An act to amend Section 4231 of, and to add Section 4243.5 to, the Agricultural Code, relating to milk.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 244**—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026.5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021, 9023, 9024, and 9028.6 to, the Business and Professions Code, relating to the licensing of social workers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 468**—An act to add Sections 35717, 35718, 35719, 35720, and 35721 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the restricting of highways by counties.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 499**—An act to add Section 5006.2 to the Public Resources Code, relating to state parks.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, and to amend Sections 23010.1 and 38611 of the Government Code and Section

4050 of the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1603**—An act to add Section 5527 to the Business and Professions Code, relating to the practice of architecture.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1962**—An act to amend Sections 729.03 and 729.15 of, and to add Sections 729.17, 729.18, 729.19 and 729.20 to, the Vehicle Code, and to amend Sections 31602 and 31614 of, and to add Sections 31616, 31617, 31618 and 31619 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2087**—An act to add Section 7141.5 to the Education Code, and to add Section 17252 to the Education Code as enacted at the 1959 Regular Session, relating to the duties of county superintendents of schools and county auditors in respect to state apportionments for school districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 316**—An act to amend Sections 23320, and 23397 of, and to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1580**—An act to add Article 5.9 (commencing with Section 7991), Chapter 1, Part 2, Division 1, and Section 10270.505 to the Insurance Code, relating to the regulation of credit life and credit disability insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2110**—An act to amend Section 69955 of the Government Code, relating to the reporting notes taken by court reporters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 16, of the printed bill, strike out "then", and insert "in a criminal case".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 139**—An act to add Section 19391 to the Government Code, relating to state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Assembly on April 15, 1959, after the second "of", insert "Parts 1 and 2 of".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1572**—An act to amend Section 26458 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to orders of the Division of Industrial Safety on pressure vessels.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1920**—An act to add Section 150 to the Streets and Highways Code, relating to state freeways.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 72**—An act to add Section 143.3 to the Streets and Highways Code, relating to city streets and county roads in urban areas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1, line 22, of the printed bill, as amended in the Assembly on April 22, 1959, before the period, insert "which would qualify as extensions of federal-aid secondary highways. The design standards of such projects shall be such as would qualify the project for the expenditure of such federal funds".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2144**—An act to add Section 86 6 to the Agricultural Code, relating to district agricultural associations.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1764**—An act to add Section 224 5 to, and to amend Section 225 of, the Labor Code, relating to wage deductions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2302**—An act to amend Sections 1350 and 1352 of the Labor Code, relating to working hours for women.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "barbershop,".

**Amendment No. 2**

On page 2, line 11, after "cosmetologists", insert "or barbers".

**Amendment No. 3**

On page 2, line 12, strike out "course of beauty treatment", and insert "service in process".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 1382**—An act to amend Section 1779 of the Labor Code, relating to fees for placing persons in public work.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 1779 of the Labor", and insert "add Section 19681.5 to the Government".

**Amendment No. 2**

On page 1, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 19681.5 is added to the Government Code, to read:

19681.5. It is unlawful for any person to charge, collect, or attempt to charge or collect, *directly or indirectly, a fee or valuable consideration for registering any* persons for employment by the State or any of its departments, agencies, boards, or bureaus, or for giving information as to where such employment may be procured, or for placing, assisting in placing, or attempting to place, any person in such state *employment, whether the person is to work in the state civil service, in a position* exempt from civil service, or in a temporary position where work is done directly for the State or any of its departments, agencies, boards or bureaus."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 631**—An act to add Section 923.1 to the Labor Code, relating to privileges and immunities of employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1959, strike out "Section 923.1 to", and insert "Chapter 5 (commencing at Section 1970 to Part 7, Division 2 of,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 5 (commencing at Section 1970) is added to Part 7, Division 2 of the Labor Code, to read:

CHAPTER 5. PUBLIC EMPLOYEES ORGANIZATION

1970. Neither the State, nor any county, city, city and county, district, or other political subdivision of the State shall prohibit, deny or obstruct the right of public employees to join any bona fide employee association or bona fide labor organization *of their own choice.*

1971. As used in this chapter, the term "public employees" means employees of the State, counties, cities, cities and counties, districts, and other political subdivisions of the State.

1972. *Public employees shall have the right to self-organization, to form, join, or* assist employee associations or labor organizations, to present grievances and recommendations regarding wages, salaries, hours, and working conditions to the governing

body, and to discuss the same with such governing body, through such association or organization, but shall not have the right to strike.

1973. No employee of the State or county, or political subdivision or agency thereof, city or town, or municipal corporation shall be compelled to join or remain a member of an employee association or labor organization.

1974. The enactment of this chapter shall not be construed as making the provisions of Section 923 of this code applicable to public employees."

**Amendment No. 3**

On page 1, strike out lines 2 to 15, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 484**—An act to amend Section 35002.3 and to repeal Sections 35158 and 35326 of the Government Code, relating to the annexation of territory by cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 804**—An act to amend Section 25253 of the Government Code, relating to county boards of supervisors.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1889**—An act to add Section 53064 to the Government Code, relating to local agencies reimbursing employees for damaged property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2059**—An act to amend Section 26361 of the Government Code, relating to revenue bonds for county improvements, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1670**—An act to amend Sections 4742.1 and 4755 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections", and insert "Section".

**Amendment No. 2**

In line 1 of the title, strike out "and 4755".

**Amendment No. 3**

On page 1, strike out lines 15 to 22, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2214**—An act to amend Section 6026 of the Water Code, relating to the regulation of dams.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out "and the term 'reser-"; strike out lines 12 to 16, inclusive, and insert "as limited by the provisions of Sections 6003 and 6004, and the term "reservoir" as used in this section and in Section 6025 shall mean reservoir which contains the water impounded by such a dam and its appurtenant works This part shall not prevent a city or county from adopting ordinances regulating, supervising, or providing for the regulation or supervision of dams and reservoirs that (a) are not within the State's jurisdiction, or (b) are not subject to regulation by another public agency or body."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2167**—An act to amend Section 26504 of the Government Code, relating to funds received by district attorneys.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "auditor who"; strike out all of line 11, and insert "treasurer upon a deposit permit issued by the auditor."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1805**—An act to amend Section 31727.4 of the Government Code, relating to county employees' retirement.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 31727.4 of the Government Code is amended to read:

31727.4. Upon retirement of any member for service-connected disability, he shall receive an annual retirement allowance payable in monthly installments, equal to one-half of his final compensation. Notwithstanding any other provisions of this chapter, any member upon retirement for service-connected disability shall receive a current service pension or a current service pension combined with a prior service pension purchased by the contributions of the county or district sufficient which when added to the service retirement annuity will equal one-half of his final compensation, or, if qualified for a service retirement, he shall receive his service retirement allowance if such allowance is greater but in no event shall it exceed the limitation as set forth in Section 31676.1 as it now reads or may hereafter be amended to read. *The provisions of this section shall also apply to any permanent employee who becomes disabled for service-connected causes prior to the first day of the calendar month when he would normally become a member.*"

**Amendment No. 2**

On page 1 strike out lines 2 to 19, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1876**—An act to amend Sections 11105, 11106 and 11107 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 15, 1959, after "Sections", insert "11104,".

**Amendment No. 2**

On page 1, line 1, strike out "11105", and insert "11104".

**Amendment No. 3**

On page 1, between lines 3 and 4, insert

"11104. Every person in order to qualify as an instructor for a driving school shall meet the following requirements:

(a) Be of good moral character.

(b) Pass such examination as the department shall require on traffic laws, safe driving practices, operation of motor vehicles, and qualifications of teacher.

(c) Be physically able to safely operate a motor vehicle and to train others in the operation of motor vehicles.

(d) Hold a valid California drivers' license, *and not be on probation to the department as a negligent operator*.

(e) Pay to the department an application fee of ~~ten~~ *twenty* dollars ~~($10)~~ *($20)*.

*(f) On and after January 1, 1960, be 21 years of age or older.*

*(g) The qualifying requirements referred to in this section shall be met within one year from the date of application for a license or a new application, examination, and fee shall be required.*

SEC. 2. Section 11105 of said code is amended to read:".

**Amendment No. 4**

On page 3, line 36, strike out "2", and insert "3".

**Amendment No. 5**

On page 3, line 47, strike out "3", and insert "4".

Bill ordered reprinted, and re-engrossed.

**Assembly Joint Resolution No. 26**—Relative to the establishment of uniform rules of the road throughout the United States.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed measure, strike out "and"; strike out lines 10 through 14, inclusive; and on line 15, strike out "tions and vehicle size limitations;".

**Amendment No. 2**

On page 1, strike out lines 18 through 21, inclusive, and insert "fully urges the Council of State Governments to encourage each state to adopt a nationwide uniform system of traffic rules and a uniform system of".

Amendment No. 3

On page 2, strike out lines 1 through 4, inclusive.

Amendment No. 4

On page 2, line 6, strike out "each Senator"; strike out lines 7 and 8, and insert "the Council of State Governments"

Resolution ordered reprinted, and engrossed.

**Assembly Bill No. 1079**—An act to amend Section 37902 of the Government Code, relating to public projects of general law cities.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "exceeds two thousand five hundred dollars ($2,500), it shall".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1522**—An act to amend Section 8732.5 of, and to add Sections 6055 and 6203.5 to, and to repeal Section 6453.5 of, the Revenue and Taxation Code, relating to credits against the sales, use and use fuel tax.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 688**—An act to add Sections 32008 and 32009 to the Revenue and Taxation Code, relating to alcoholic beverage taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the period, and insert ", and when said tax is paid by any other person, such payment shall be considered as an advance payment and shall be added to the price of the alcoholic beverage and recovered from the ultimate consumer or user. Any person selling at retail distilled spirits in the package shall state or separately display to the purchaser the amount of the purchase price representing or attributable to the tax previously paid pursuant to this part on or in respect to packaged distilled spirits; and any person selling at retail alcoholic beverages other than packaged distilled spirits may separately state or separately display to the purchaser the amount of the purchase price representing or attributable to the tax previously paid pursuant to this part on or in respect to such alcoholic beverages The provisions of this section shall in no way affect the method of collection of such taxes as provided by this part"

Amendment No. 2

On page 1, strike out lines 7 to 12, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2061**—An act to amend Section 14345 of the Revenue and Taxation Code, relating to inheritance taxation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1729**—An act to add Part 20 (commencing at Section 37000) to Division 2 of the Revenue and Taxation Code, relating to the licensing of vending machines and the taxation of their ownership.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 3, line 4, of the printed bill, as amended in the Assembly on April 27, 1959, strike out "ten dollars ($10)", and insert "six dollars and fifty cents ($6.50)".

Bill ordered reprinted, re-engrossed, and to be filed, and the subject matter to be referred to the Committee on Rules.

**Assembly Bill No. 1148**—An act to add Sections 2897.1, 2898.1 and 2898.2 to the Elections Code, relating to the demise of a candidate before the printing of a primary or general election ballot.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "2897 1, 2898 1, and 2898 2", and insert "7933.5, 7933.6, 7933 7, and 7933.8".

**Amendment No. 2**

In line 2 of the title, strike out "before the"; strike out line 3 of the title, and insert "for public office."

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 7933 5 is added to the Elections Code, to read:

7933 5 Whenever a candidate whose name appears upon the ballot at a general election dies after the hour of 12 01 a m. of the thirty-ninth day before the election and before the time of the closing of the polls on the day of the election, the votes cast for such deceased candidate shall be counted in determining the results of the election for the office for which the decedent was a candidate If the deceased candidate receives the majority of the votes cast for the office the office shall thereupon become vacant

SEC 2. Section 7933.6 is added to said code, to read:

7933 6. When the office becoming vacant by virtue of the provisions of Section 7933.5 is in either house of the Legislature, the Governor shall at once issue a writ of election to fill the vacancy as provided by Section 1773 of the Government Code; provided, however, that the election under and by virtue of the writ of election shall be held not more than 100 days following the date of the general election

SEC 3. Section 7933.7 is added to said code, to read:

7933.7. When the office becoming vacant by virtue of the provisions of Section 7933.5 is a county office or an office within a judicial district within a county, the board of supervisors of the county in which the vacancy exists shall at once call a special election to fill the vacancy. The special election so called shall be held not more than 100 days following the date of the general election.

SEC 4. Section 7933 8 is added to said code, to read:

7933 8 Special elections called under the provisions of Sections 7933 6 and 7933 7 shall be subject to the provisions of Chapter 2 of Division 3 of this code (commencing with Section 1000)."

**Amendment No. 4**

On page 1, strike out lines 2 to 19, inclusive; and strike out page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 315**—An act to amend Sections 26, 951, 2792, 2799, 2807, 2842, 3946, and 10050 of, and to repeal Section 2792.1 of, the Elections Code, relating to elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "2842," insert "2894,".

**Amendment No. 2**

On page 1, line 18, strike out "Thursday in September", and insert "Saturday in January".

**Amendment No. 3**

On page 2, lines 27 and 28, strike out "Thursday in September of the then current", and insert "Saturday in January of the succeeding".

**Amendment No. 4**

On page 2, line 37, strike out "Thursday", and insert "Saturday".

**Amendment No. 5**

On page 2, line 44, strike out "Thursday in September", and insert "Saturday in January of the succeeding year".

**Amendment No. 6**

On page 3, line 8, strike out "Thursday in September", and insert "Saturday in January".

**Amendment No. 7**

On page 3, line 19, strike out "second", and insert "third"

**Amendment No. 8**

On page 3, line 19, strike out "September", and insert "January"

**Amendment No. 9**

On page 3, strike out lines 20 to 24, inclusive; and in line 25 strike out "fied", and insert "primary".

**Amendment No. 10**

On page 3, lines 27 and 28, strike out "for carrying on the campaign of the party"

**Amendment No. 11**

On page 3, between lines 28 and 29, insert

"SEC. 7. Section 2894 of said code is amended to read:

2894. Vacancies permitted to be filled may, in the case of legislative offices, be filled by the ~~newly~~ ~~elected~~ county central committee or committees of the party in which the vacancy occurs, in the county or counties comprising the legislative district of the deceased or disqualified candidate. In the case of all other district or state offices requiring party nomination, except congressional offices, the vacancies may be filled by the ~~newly~~ ~~selected~~ state central committee of such party

Vacancies permitted to be filled may, in the case of congressional offices, be filled by those members of the ~~newly~~ ~~selected~~ state central committee of the party, who reside in the congressional district in which the vacancy occurs, acting together with the ~~newly~~ ~~elected~~ ~~members~~ of the county central committee or committees of the party residing in such congressional district."

**Amendment No. 12**

On page 3, line 29, strike out "SEC. 7", and insert "SEC. 8".

**Amendment No. 13**

On page 5, line 1, strike out "SEC. 8", and insert "SEC 9".

**Amendment No. 14**

On page 5, line 16, strike out "SEC. 9", and insert "SEC. 10".

**Amendment No. 15**

On page 5, after line 16, insert

"SEC. 11. Members and officers of state and county central committees formed in the year 1958 shall continue as such until the first meetings of the new committees in January of 1961."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 1504**—An act to add Section 577 to the Elections Code, relating to the boundaries of election precincts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on April 3, 1959, after "add", insert "or subtract".

**Amendment No. 2**

On page 1, line 6, strike out "growth", and insert "change".

**Amendment No. 3**

On page 1, line 8, after "judicial," insert "or"

**Amendment No. 4**

On page 1, line 8, after "district", strike out "or".

**Amendment No. 5**

On page 1, line 9, strike out "ward".

Bill ordered reprinted, and re-engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 243**—An act to add Section 106.4 to the Agricultural Code, relating to importation of meat.

Bill read second time, and ordered to third reading.

**Senate Bill No. 305**—An act to amend Section 5003 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to license plates.

Bill read second time, and ordered to third reading.

**Senate Bill No. 357**—An act to amend Section 1705.5 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time, and ordered to third reading

**Senate Bill No. 358**—An act to add Section 2078 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time, and ordered to third reading

**Senate Bill No. 757**—An act to add Section 16864 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to fire extinguishers carried on school buses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 5**—An act to amend Section 8352 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel Fund and making an appropriation thereof.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 475**—An act to amend Section 3000 of, and to add Section 3000.5 to, the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, line 10, of the printed bill, as amended in the Senate on March 13, 1959, after the period, insert "Nothing in this section or in subdivision (d) of Section 3000 shall authorize the authority to pay any of the costs of construction."

Bill ordered reprinted, and returned to the second reading file

**Senate Bill No. 725**—An act to amend Sections 4715 and 4725 of the Health and Safety Code, relating to the formation and consolidation of county sanitation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 4, and insert "signed by 5 percent of the voters registered in the district if the district contains less than 2001 registered voters, or by 2 percent of the registered voters, but not less than 100 registered voters, if the district contains 2001, or more, registered voters,".

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

**Senate Bill No. 545**—An act to amend Sections 9, 12, 27, 27.1, and to add Sections 16.3, 16.4, 17.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 20, 1959, after "27," insert "and".

**Amendment No. 2**

In line 2 of the title, after "16.4," insert "and".

**Amendment No. 3**

On page 1, lines 15 and 16, strike out for each attendance at the meetings of the board fifty dollars ($50)", and insert "compensation in an amount not to exceed fifty dollars ($50) for each attendance at the meetings of the board, which amount shall be fixed from time to time by the board of directors".

**Amendment No. 4**

On page 6, line 43, strike out "A district may", and insert "To".

**Amendment No. 5**

On page 6, line 45, strike out ". The District", and insert "and".

**Amendment No. 6**

On page 7, line 9, after "manner.", insert "The second sentence of Section 33 of this act shall not be applicable to this subdivision."

**Amendment No. 7**

On page 7, line 10, strike out "A district may", and insert "To".

**Amendment No. 8**

On page 7, line 14, after "department.", insert "The second sentence of Section 33 of this act shall not be applicable to this subdivision."

**Amendment No. 9**

On page 7, line 18, strike out "16.2 and", and insert "16 or 16.2 and, if the improvement district is formed under Section 16, may repay the district from the proceeds of the sale of bonds authorized for such purposes, or if the improvement district is formed under Section 16.2 may,".

**Amendment No. 10**

On page 7, line 19, strike out "may".

**Amendment No. 11**

On page 7, line 31, after "ordinance", insert "shall be adopted only after adoption of a resolution setting forth the particular schedule or schedules of charges proposed to be established by ordinance and after notice and hearing in the manner prescribed in Section 27.1 and".

**Amendment No. 12**

On page 8, line 4, strike out ", after the sale of said bonds, will be", and insert "after the sale of said bonds are".

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2185, 2263, 2264,** and **1899.**

**Assembly Bill No. 2144,** subsequent to engrossment.

**Senate Bill No. 5.**

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2661 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 2661 be withdrawn from the Committee on Rules.

**Speaker Presiding**

At 10:45 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Request to Consider and Act on Bill Within 30 Calendar Days

Pursuant to Joint Rule No. 10.8, I request permission that Assembly Bill No. 2661 may be acted upon by the Assembly before 30 calendar days have elapsed following the date it was introduced.

ALLEN MILLER

The above request transmitted to the Committee on Rules.

### Request Approved

The above request was approved by the following members of the Committee on Rules.

ALLEN MILLER, Chairman
CHARLES J. CONRAD
AUGUSTUS F. HAWKINS
RICHARD T. HANNA
E. G. NISBET
HAROLD T. SEDGWICK
JACK SCHRADE

### Motion to Invoke Constitutional Provision

Mr. Miller moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 2661 may be acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None

## CONSIDERATION OF ASSEMBLY BILL NO. 2661

**Assembly Bill No. 2661**—An act making an appropriation to pay the expenses of Members of the Assembly, to take effect immediately.

Bill read second time.

## RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Miller:

*Resolved*, That Assembly Bill No. 2661 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

**Assembly Bill No. 2661**—An act making an appropriation to pay the expenses of Members of the Assembly, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1067

In compliance with a motion given on a previous day, Mr. O'Connell moved that the vote whereby Assembly Bill No. 1067 was refused passage be reconsidered.

Assembly Bill No. 1067 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Bradley, Britschgi, Coolidge, Cusanovich, Dahl, Ernest R Geddes, Levering, McCollister, Reagan, and Shell—10.

The question being on the passage of the bill.

#### Motion to Re-refer to Committee

Mr. O'Connell moved that Assembly Bill No. 1067 be re-referred to the Committee on Criminal Procedure.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Conrad, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—57.

NOES—Chapel, Cusanovich, Dahl, Holmes, Levering, McCollister, and Shell—7.

#### Name Placed Upon Roll Call on Motion to Reconsider

Mr. Johnson was granted unanimous consent that he be recorded as voting "Aye" on the motion to reconsider Assembly Bill No. 1067.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 583**—An act to amend Sections 1101, 1102.1, and 1104.1 of the Agricultural Code, relating to egg standards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 583?

#### Amendment No. 1

On page 1, line 1 of the title, of the printed bill, strike out "Section 1101", and insert "Sections 1101 and 1102.1".

**Amendment No. 2**

On page 2, following line 34, insert

"SEC. 2. Section 1102.1 of said code is amended to read

1102.1. The tolerances for eggs in any container or bulk lot as determined by count, of the quality grades "Grade AA," "Grade A" and "Grade B," shall be as follows:

(a) "Grade AA". Eggs of this grade may contain 5 percent of eggs which are not sound; and 10 precent of the eggs may be of the quality "Grade A."

(b) "Grade A": Eggs of this grade may contain 5 percent of eggs which are not reasonably clean or sound; 10 percent of the eggs may be of the quality "Grade B."

(c) "Grade B": Eggs of this grade may contain 15 percent of eggs which are not reasonably clean or sound or of Grade C; provided that the total percentage of Grade C eggs shall not exceed 5 percent.

*No part of the tolerances for eggs provided in this section shall be allowed for eggs with the shell cracked to the extent that the contents of the egg exude to the outside surface of the shell*"

**Amendment No. 3**

In line 1 of the title of the printed bill, as amended in the Senate on March 25, 1959, strike out "and 1102.1", and insert ", 1102.1, and 1104.1".

**Amendment No. 4**

On page 2, after line 50, insert:

"SEC. 3. Section 1104.1 of said code is amended to read:

1104.1. It is unlawful to sell eggs of the quality grade of "Grade C" to retailers ~~or~~, consumers, *restaurants, institutions or labor camps* except as provided in the tolerance for Grade B eggs as provided in Section 1102.1, subsection (c)."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 583 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Assembly Bill No. 583 ordered enrolled.

**Assembly Bill No. 1003**—An act to amend Sections 21362 and 21404 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the reflectorizing of railroad warning approach signs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1003?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 469 of the Vehicle Code, and to".

**Amendment No. 2**

In line 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "469 of the Vehicle Code", and insert "21362 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session."

**Amendment No. 4**

On page 1, strike out lines 3 through 21, inclusive, and on page 2, strike out lines 1 through 4, inclusive.

**Amendment No. 5**

On page 2, line 10, strike out "3", and insert "2".

**Amendment No. 6**

On page 2, line 12, strike out "metal".

**Amendment No. 7**

On page 2, strike out lines 27 through 32, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1003 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Assembly Bill No. 1003 ordered enrolled.

**Assembly Bill No. 1361**—An act to add Section 26505 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to airbrakes for vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill to 1361?

**Amendment No. 1**

On page 1, line 14, of the printed bill, as amended in the Assembly on April 3, 1959, strike out "five pounds", and insert "ten percent of the actual pressure".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1361 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Assembly Bill No. 1361 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1259**—An act to add Section 3864 to the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2128**—An act to amend Section 11619 of the Health and Safety Code, relating to forfeiture of vehicles for narcotics violations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1973**—An act to amend Section 172b of the Penal Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64
NOES—Coolidge, Davis, Hegland, and Lowrey—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1803**—An act to amend Section 18661 of the Financial Code, relating to industrial loan companies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burton, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1922**—An act to amend Section 8373 of the Fish and Game Code, relating to sale of fish.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2184**—An act to repeal Section 323 of the Military and Veterans Code, relating to allowances for uniforms.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1642**—An act to amend Section 71180 of the Government Code, relating to judges of justice and municipal courts.

Bill read third time.

**Motion to Amend**

Mr. Winton moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 71180.3 to,".

**Amendment No. 2**

In line 2 of the title strike out "and municipal courts", and insert "courts, and declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, line 4, strike out "and any"; strike out lines 5 and 6; and in line 7 strike out "which the justice court is situated".

**Amendment No. 4**

On page 1, line 11, after "office", insert "for the remainder of the unexpired term of his predecessor and".

**Amendment No. 5**

On page 1, strike out lines 14 to 17, inclusive; and on page 2, strike out lines 1 to 12, inclusive.

**Amendment No. 6**

On page 2, after line 18, insert

"SEC. 2. Section 71180.3 is added to said code, to read:

71180.3. Any vacancy in the office of judge of a justice court shall be filled by appointment by the board of supervisors of the county in which the justice court is situated, but no vacancy shall be deemed to exist in any such office before the time fixed in Section 71080 for the selection of the judges of such court and the time fixed by law for their qualification. The appointee shall hold office until his successor is elected and qualifies.

A successor to such appointee shall be elected at the next general state election after the first day of January next succeeding the occurrence of the vacancy, unless the vacancy occurs in a year in which a general state election is held at which a person is elected, in the same manner as he would have been elected had the vacancy not occurred, to fill the office for the ensuing full six-year term and such person actually qualifies and takes office at the commencement of the term for which he was elected. The elected successor shall hold office for the duration of the unexpired term of the person originally creating the vacancy, unless the election at which the successor is elected is the election at which, had the vacancy not occurred, a person would have been elected to the office of judge for a full six-year term, in which case the elected successor shall hold for the full six-year term and until his successor is elected and qualifies.

If the office to which any person so appointed was not previously occupied, he shall hold office until his successor is elected at the general state election next succeeding the occurrence of the vacancy and qualifies. No successor to such appointee shall be elected at any election held within 10 months of the date of the occurrence of the vacancy.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The administration of justice in the State is being delayed with loss to the people of the State due to unfilled vacancies existing in many of the justice courts of the State. This bill will aid in the filling of these vacancies to the benefit of the State as a whole."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1733**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—Bee—1.

**Name Placed Upon Roll Call**

Mr. Bee was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 1733.

**Vote Changed Upon Roll Call**

Mr. Bee was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on the urgency clause to Assembly Bill No. 1733.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—Bee—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1883**—An act to amend Section 72757 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 846**—An act to amend Section 4.4 of, and to add Section 2.14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.
NOES—Burton, Ernest R. Geddes, Lowrey, Masterson, Munnell, and Waldie—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1328**—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

Bill read third time.

#### Bill Placed on Inactive File

On request of Mr. Ernest R. Geddes, Assembly Bill No. 1328 was ordered placed on the inactive file.

**Assembly Bill No. 2228**—An act to amend Section 7059 of the Welfare and Institutions Code, relating to defective or psychopathic delinquents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1871**—An act to amend Section 3075 of the Penal Code, relating to the county board of parole commissioners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1935**—An act to add Sections 2.1 and 2.2 to Chapter 124 of the Statutes of 1955, relating to proceedings of the California Olympic Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1936**—An act to add Sections 1325 and 1326 to the Fish and Game Code, relating to proceedings of the Wildlife Conservation Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1937**—An act to add Sections 1710 and 1711 to the Harbors and Navigation Code, relating to proceedings of the San Francisco Port Authority.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1938**—An act to add Sections 3.11 and 3.12 to Chapter 1508 of the Statutes of 1947, relating to proceedings of the San Francisco World Trade Center Authority.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1940**—An act to add Sections 21217 and 21218 to the Public Utilities Code, relating to proceedings of the California Aeronautics Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1941**—An act to amend Section 16480.1 of the Government Code, relating to proceedings of the Pooled Money Investment Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1942**—An act to amend Section 20023 of, and to add Section 20034 to, the Water Code, relating to proceedings of the California Districts Securities Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes,

Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1943**—An act to add Sections 9065.1 and 9065.2 to the Public Resources Code, relating to proceedings of the State Soil Conservation Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1945**—An act to add Sections 731 and 732 to the Fish and Game Code, relating to proceedings of the Marine Research Committee.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1946**—An act to add Sections 8609 and 8610 to the Public Resources Code, relating to proceedings of the Recreation Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1947**—An act to add Sections 13007 and 13008 to the Water Code, relating to proceedings of the State Water Pollution Control Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1948**—An act to add Sections 31007 and 31008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Western Interstate Commission for Higher Education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1949**—An act to add Sections 14106 and 14107 to the Fish and Game Code, relating to proceedings of the Pacific Marine Fisheries Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1950**—An act to add Sections 65020.1 and 65020.2 to the Government Code, relating to proceedings of the Local Planning Advisory Committee.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis,

DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1951**—An act to add Sections 2604 and 2605 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Reciprocity Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1952**—An act to add Sections 5863 and 5864 to the Public Resources Code, relating to proceedings of the Small Craft Harbors Commissions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1953**—An act to add Sections 3804 and 3805 to the Harbors and Navigation Code, relating to proceedings of the Board of Harbor Commissioners for Humboldt Bay.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1954**—An act to amend Section 4364 of the Public Resources Code, relating to proceedings of the Advisory Committee on Reforestation Methods and Procedures.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1955**—An act to add Sections 26007 and 26008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the board of governors of the California Maritime Academy.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 612**—An act to amend Section 1100 of the Harbors and Navigations Code, relating to bar pilots.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 58**—Relative to approving amendments to the charter of the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fourteenth day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2146**—An act to amend Section 15151 of the Health and Safety Code, relating to housing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—59.
NOES—Collier, Cusanovich, Holmes, Lowrey, and Luckel—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1702**—An act to amend Section 34312 of the Government Code, relating to the boundaries of new cities.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1502**—An act to amend Section 373 of the Elections Code, relating to indexes of registrations of voters

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnel, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 359**—An act to amend Section 7 of the Penal Code, relating to the definition of "book."

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 359?

**Amendment No. 1**

On page 3, line 22, of the printed bill, after "acts", insert "following an arrest".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 359 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes,, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 359 ordered enrolled.

## MOTION TO RECONSIDER SENATE BILL NO. 33 WAIVED

Mr. Lanterman waived his motion to reconsider the vote whereby Senate Bill No. 33 was passed.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 33

Mr. Unruh moved to expunge the record, and rescind the action whereby the Assembly, on May 1, 1959 (Assembly Journal, page 3150), passed Senate Bill No. 33.

Mr. Hanna seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charlse H. Wilson, Winton, Z'berg, and Mr Speaker—66.

NOES—Burton, Cameron, Elliott, Holmes, and Masterson—5

Senate Bill No. 33 ordered to third reading.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 643**—An act to add Section 3008 to the Fish and Game Code, relating to dogs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 643?

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Assembly on March 13, 1959, strike out "Local ordinances"; and strike out lines 9 and 10.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 643 by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Assembly Bill No. 643 ordered enrolled.

## ANNOUNCEMENT

Mr. Winton announced that, since today was the last day for the "free" introduction of bills, the Assembly would remain in session in order to complete the introduction of all bills ready for introduction today; and requested that those members who have bills for introduction present them at the desk as soon as possible.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2731

Mr. Biddick was granted unanimous consent that Assembly Bill No. 2731 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Criminal Procedure.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1978 FROM COMMITTEE

Mr. Thomas was granted unanimous consent that Assembly Bill No. 1978 be withdrawn from the Committee on Fish and Game for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1978

**Assembly Bill No. 1978**—An act to amend Section 8395 of the Fish and Game Code, relating to sale or purchase of surf perch.

Bill read second time.

### Motion to Amend

Mr. Thomas moved the adoption of the following amendment:

### Amendment No. 1

On page 1, line 5, of the printed bill, after "15th.", insert "South of a line drawn east and west through Point Arguello, barred surfperch, redtail surfperch, and calico surfperch may not be taken for commercial purposes. Surfperch of these three species which have been taken north of the line during the open season and shipped south of the line may be sold or purchased under such regulations as the commission may prescribe."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

### Rush Order Placed Upon Printing of Assembly Bill No. 1978

Mr. Thomas was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1978.

## SENATE BILL NO. 973 WITHDRAWN FROM CONSENT CALENDAR

Mr. Bradley was granted unanimous consent that Senate Bill No. 973 be withdrawn from the Consent Calendar, and placed on the third reading file.

## REPORTS OF STANDING COMMITTEES

### *Committee on Engrossment and Enrollment*

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2061
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 804
Assembly Bill No. 1889
Assembly Bill No. 1920
Assembly Bill No. 2059
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2144
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1689
Assembly Bill No. 2007
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 797
Assembly Bill No. 1494
Assembly Bill No. 1798
And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1221
Assembly Bill No. 1465
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 213
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 96
Assembly Bill No. 1198
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Education.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 169
Assembly Bill No. 1516
Assembly Bill No 2225
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Education.

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1923
Assembly Bill No. 2029
And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2233
And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2249
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:
Assembly Bill No. 2171
With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2847**: By Mr. O'Connell—An act to amend Section 309 of, and to add Section 309.5 to, the Public Utilities Code, relating to public utilities examiners.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2848**: By Messrs. Petris, Waldie, and Crown—An act to add Division 5.8 (commencing with Section 5900) to the Public Resources Code, relating to the California Youth Corps.

Referred to Committee on Government Organization.

**Assembly Bill No. 2849**: **By Mr. O'Connell**—An act to amend Section 3542 and Section 3666 of the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2850**: By Mr. McMillan—An act to repeal Sections 644, 3047, 3047.5, 3048, 3048.5 as added by Chapter 934, Statutes of 1945, 3048.5 as added by Chapter 1381, Statutes of 1947, and 3050 of the Penal Code, relating to habitual criminals.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2851**: By Mr. McMillan—An act to add Article 2.1 (commencing at Section 35575) to Chapter 2 of Part 2 of Division 2 of Title 4 of the Government Code, relating to exclusion of territory from cities.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2852**: By Mr. Britschgi—An act to repeal Article 10 (commencing at Section 4350), Chapter 17, Division 6, of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

**Assembly Bill No. 2853**: By Mr MacBride—An act to amend Sections 2600, 3803, 3806, and 3809 of, and to add Chapter 2.5 (commencing at Section 2925) to Division 5 of, the Elections Code, relating to the selection of partisan candidates.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2854**: By Mr. Crown—An act to add Section 217 to the Revenue and Taxation Code, relating to personal property tax exemption for disabled individuals.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2855**: By Mr. Burton—An act making an appropriation to the Governor for a comprehensive study of the administration of social welfare programs.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2856**: By Mr. Unruh—An act to add Chapter 2 (commencing at Section 1670) to Part 6 of Division 2 of the Labor Code, relating to the licensing and regulation of consultants to management on executive selection.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2857**: By Mr. Backstrand—An act to amend Section 820 of the Streets and Highways Code, relating to federal aid on

public highways, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2858**: By Mr. Collier (By Request)—An act to add Sections 55529, 55530, 55531 and 55680 to the Water Code, relating to county waterworks districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Assembly Bill No. 2859**: By Messrs. George E. Brown and Chapel—An act to add Section 8403 to the Government Code, relating to organizations for public assistance recipients.

Referred to Committee on Social Welfare.

**Assembly Bill No. 2860**: By Messrs. O'Connell and Burton—An act to amend Section 11626 of the Water Code, relating to contracts for the sale of electric power and water entered into by the Department of Water Resources.

Referred to Committee on Water.

**Assembly Bill No. 2861**: By Messrs. O'Connell and Burton—An act to add Chapter 6 (commencing at Section 12950) to Part 6, Division 6 of the Water Code, relating to state water development projects.

Referred to Committee on Water.

**Assembly Bill No. 2862**: By Mr. Munnell, Miss Donahoe, and Mr. Ernest R. Geddes—An act to add Section 13471 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence for certificated employees.

Referred to Committee on Education.

**Assembly Bill No. 2863**: By Mr. Johnson—An act to amend Section 204 of the Government Code, relating to witness fees.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2864**: By Messrs. DeLotto and Garrigus—An act to amend Section 987.15 of the Military and Veterans Code, relating to veterans' farm and home purchases.

Referred to Committee on Military and Veterans Affairs.

**Assembly Bill No. 2865**: By Messrs. Kilpatrick and Chapel—An act to add Section 346 to the Water Code, relating to state water projects.

Referred to Committee on Water.

**Assembly Constitutional Amendment No. 55**: By Messrs. Kilpatrick, Chapel, George E. Brown, Holmes, Don A. Allen, Backstrand, Burke, Cameron, Cunningham, Cusanovich, Elliott, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Levering, Luckel, McMillan, Reagan, Shell, Thelin, Thomas, George A. Willson, and Charles H. Wilson—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 5 to Article XIV thereof, relating to water.

Referred to Committee on Water.

**Assembly Constitutional Amendment No. 56**: By Mr. Kilpatrick—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 25 to Article XIII thereof, relating to exemption from taxation.

Referred to Committee on Constitutional Amendments.

**Assembly Bill No. 2866**: By Mr. Kilpatrick (By Request)—An act to add Section 2154 to the Revenue and Taxation Code, relating to limitation of rate of taxes on improvements and personal property.

Referred to Committee on Revenue and Taxation.

**Assembly Bill No. 2867**: By Messrs. Kilpatrick and Chapel—An act to add Chapter 12 (commencing at Section 6950) to Division 7 of Title 1 of the Government Code, relating to the preservation and safekeeping of essential public records.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 2868**: By Messrs. Kilpatrick and Chapel—An act to add Section 3700.5 to the Elections Code, relating to the direct primary election.

Referred to Committee on Elections and Reapportionment.

**Assembly Bill No. 2869**: By Messrs. Hawkins and Elliott: An act for the transfer of funds from the Investment Fund to the General Fund.

Referred to Committee on Ways and Means.

**Assembly Bill No. 2870**: By Mr. Mulford—An act to add Chapter 6 (commencing at Section 23550) to Division 17 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to municipal services afforded by the City of Albany in connection with facilities maintained by the University of California.

Referred to Committee on Education.

**Assembly Bill No. 2871**: By Mr. Johnson—An act to add Section 16055 to the Government Code, relating to liability of the State for injuries resulting from defective condition of highways.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2872**: By Messrs. Rumford, Munnell, Johnson, Hanna, Dahl, Grant, Kennick, McMillan, and Thelin—An act to add Section 426.7 to the Health and Safety Code and Chapter 6 (commencing at Section 28000) to Division 12 of the Vehicle Code as enacted at the 1959 Regular Session, relating to air pollution.

Referred to Committee on Public Health.

**Assembly Bill No. 2873**: By Mr. Rumford—An act to amend Section 2144 of the Business and Professions Code, relating to emergency medical treatment.

Referred to Committee on Public Health.

**Assembly Bill No. 2874**: By Messrs. Williamson and Bruce F. Allen —An act to amend Section 17024 of the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2875**: By Mr. Unruh—An act to amend and renumber Section 6737.1 of, and to repeal Section 6737 of, the Business and Professions Code, relating to the practice of engineering.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2876**: By Mr. MacBride—An act to amend Section 602 of the Penal Code, relating to trespass.

Referred to Committee on Criminal Procedure.

**Assembly Bill No. 2877**: By Mr. Cunningham—An act to amend Section 6001 of the Public Utilities Code and Section 26001 of the Government Code, relating to the granting of franchises.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2878**: By Mr. O'Connell—An act to add Article 4.5 (commencing with Section 2430) to Chapter 1, Part 9, Division 2 of the Labor Code, relating to sanitary facilities.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2879**: By Mr. Z'berg—An act to amend Section 24 of the Water Code, relating to water.

Referred to Committee on Water.

**Assembly Bill No. 2880**: By Messrs. Marks, Waldie, Sumner, Unruh, and Gaffney—An act to add Section 115.5 to the Business and Professions Code, relating to licenses.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2881**: By Mr. Cusanovich—An act to add Section 17205 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the transportation of school district money to and from banks.

Referred to Committee on Education.

**Assembly Bill No. 2882**: By Mr. Lanterman—An act to add Section 1098 to the Government Code, relating to incompatible activities of public officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2883**: By Mr. Lanterman—An act to amend Section 1090 of the Government Code, relating to contracts in which public officers have an interest.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2884**: By Mr. Lanterman—An act to add Section 1098 to the Government Code, relating to participation in the enactment of legislation in which a member of the Legislature has a personal interest.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2885**: By Mr. Lanterman—An act to add Section 1099 to the Government Code, relating to conflicts of interests in the performance of official duties by public officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2886**: By Mr. Lanterman—An act to add Section 673.1 to the Vehicle Code and Section 27156 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to mufflers.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2887**: By Mr. Lanterman—An act to amend the title of Chapter 4 (commencing at Section 645) of Division 10, and Sections 645, 646, 647, 652, 653, 654, 655, 656, and 657 of, the Vehicle Code, and to amend Section 24006 of, and to add Sections 27156, 27157, 27158, and 27159 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to equipment of motor vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2888**: By Mr. McCollister—An act appropriating funds for acquisition of additions to Mt. Tamalpais State Park and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

**Assembly Bill No. 2889**: By Mr. Francis—An act to add Section 21415 to the Public Utilities Code, relating to persons intoxicated in or about aircraft.

Referred to Committee on Public Utilities and Corporations.

**Assembly Bill No. 2890**: By Messrs. Gaffney, Marks, and Thomas—An act to amend Section 60.5 of the Labor Code, relating to the Division of Industrial Safety.

Referred to Committee on Industrial Relations.

**Assembly Bill No. 2891**: By Messrs. Gaffney, Thomas, and Marks—An act to add Section 18807 to the Government Code, relating to maritime engineers.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2892**: By Messrs. Gaffney and Marks—An act to add Section 20898 to the Government Code, relating to absence from state service.

Referred to Committee on Civil Service and State Personnel.

**Assembly Bill No. 2893**: By Messrs. Gaffney, Marks, and Busterud—An act to add Section 26311 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to air brakes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2894**: By Mr. Gaffney—An act to add Section 7071.4 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2895**: By Mr. Elliott—An act to amend Section 6887 of the Business and Professions Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2896**: By Messrs. Meyers, O'Connell, Belotti, Gaffney, and Burton—An act to add Section 23117 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of dangerous insects and reptiles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2897**: By Messrs. Meyers, Burton, O'Connell, and Gaffney—An act to add Section 415a to the Penal Code, relating to operating a motor vehicle business on Sunday.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2898**: By Messrs. Meyers, O'Connell, Burton, Bane, Gaffney, Marks, and Z'berg—An act to add Chapter 5 (commencing at Section 11900) to Division 5 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of motor vehicle repair businesses.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2899**: By Messrs. Meyers, O'Connell, Busterud, Gaffney, Burton, and Marks—An act to add Section 104.11 to the Streets and Highways Code, relating to property acquired for state highway purposes.

Referred to Committee on Transportation and Commerce

**Assembly Bill No. 2900**: By Messrs Meyers, O'Connell, Gaffney, Marks, Burton, and Busterud—An act to add Section 515 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2901**: By Messrs. Meyers, O'Connell, Gaffney, Busterud, Burton, and Marks—An act to add Section 188.5 to the Streets and Highways Code, relating to funds for highway purposes

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2902**: By Messrs Meyers, Burke, Belotti, Francis, Don A. Allen, Dills, Gaffney, Hanna, Johnson, and Sumner—An act to add Section 23405 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Assembly Bill No. 2903**: By Mr. Meyers—An act making an appropriation to the Board of State Harbor Commissioners for San Francisco Harbor for state support of fireboats of the City and County of San Francisco.

Referred to Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2904**: By Messrs. Meyers, Belotti, O'Connell, Z'berg, Burton, Busterud, and Gaffney—An act making an appropriation for studies and investigations of pollution in the Sacramento River.

Referred to Committee on Public Health.

**Assembly Bill No. 2905**: By Mr. Francis—An act to amend Section 27491 of the Government Code, relating to the duties of coroner.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2906**: By Messrs. MacBride, Z'berg, Bruce F. Allen, Beaver, Backstrand, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Cunningham, Dahl, Mrs. Davis, Mr. Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Johnson, Kennick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Reagan, Sedgwick, Shell, Sumner, Waldie, and Winton—An act to amend Sections 2893 and 2894 of, and to add Section 2901 to, the Elections Code, relating to the filling of vacancies in legislative offices.

Referred to Committee on Elections and Reapportionment.

## ANNOUNCEMENT

Mr. Ernest R. Geddes announced that he has not introduced, and does not intend to introduce a so-called "Dove Bill."

## PARLIAMENTARY INQUIRY

Mr. Sumner arose to the following parliamentary inquiry: How many bills may a member introduce after today?

### Reply by Speaker

The Speaker replied that there is no constitutional limitation upon the number of bills which may be introduced after today; but that the Joint Rules provide that they may be introduced only with the approval of the Rules Committee and with the consent of the Assembly.

### Parliamentary Inquiry

Mr. Winton arose to the following parliamentary inquiry: Does not the consent of the Assembly for the introduction of bills after today require a two-thirds vote?

### Reply by Speaker

The Speaker replied that it does.

## RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 360, 461,** and **273** to the Committee on Judiciary—Civil.

**Senate Bill No. 271** to the Committee on Public Health.

**Senate Bill No. 724** to the Committee on Education.

**Senate Bill No. 863** to the Committee on Social Welfare.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

**Assembly Bill No. 2907**: By Mr Bane—An act to add Division 9 (commencing with Section 9000) to the Welfare and Institutions Code, relating to marriage and its preservation.

Referred to Committee on Judiciary—Civil.

**Assembly Bill No. 2908**: By Mr. Gaffney—An act to amend Section 14355 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to State Teachers' Retirement System.

Referred to Committee on Education.

**Assembly Bill No. 2909**: By Mr. Gaffney—An act to add Section 104.12 to the Streets and Highways Code, relating to state highway property.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2910**: By Mr. Gaffney—An act to add Section 2417 to the Vehicle Code as enacted at the 1959 Regular Session, relating to disabled vehicles.

Referred to Committee on Transportation and Commerce.

**Assembly Bill No. 2911**: By Mr. Gaffney—An act to add Section 22009.5 to the Government Code, relating to federal old age and survivors insurance.

Referred to Committee on Social Welfare.

### EXPLANATIONS OF ABSENCE

May 4, 1959

I was absent from the Chambers for the early part of this morning's session because I had to present one of my bills to the Senate Public Utilities Committee.

LOUIS FRANCIS

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I was called from the floor at 11.30 a.m. to meet with Governor Brown.

LLOYD W. LOWREY

### ADJOURNMENT

At 12.29 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 5, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

SEVENTY-NINTH LEGISLATIVE DAY

EIGHTY-SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, May 5, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Gracious God,* We would see all of life, and see it whole. We confess that for the sake of comfort and clarity we have too often divided life into compartments, separating religion from politics, and humanitarianism from economic practice. We have occasionally relegated religion to one day in seven, and have sometimes seemed to feel that tenderness is weakness except in the area of the home and family. Enable us to see that there is no spot in society where love and truth are not needed, and that there is no compartment in our own lives which is immune, and that the darker the corner, the greater is the need for Thy light and love.—AMEN.

Chief Clerk Arthur A. Ohnimus at the Desk

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. DeLotto, seconded by Mr. Lunardi.

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Cameron, on motion of Mr. Petris.

### LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Grant, on motion of Mr. Marks.

### COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Mrs. D. J. Morris of Torrance, and 10 others, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

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John W. McFarland, General Manager, East Bay Municipal Utility District, expressing appreciation for House Resolution No. 220. Referred to the Committee on Rules.

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The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**
**State Water Right Applications for Unappropriated Water, Assignments Thereof, Reservations for the Counties of Origin, and Other Related Matters**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, May 1, 1959

*Hon. Arthur A. Ohnimus*
*Clerk of the Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: I have the honor to transmit herewith for the information of the California State Assembly a copy of the report of the Department of Water Resources entitled, "State Water Right Applications for Unappropriated Water, Assignments Thereof, Reservations for the Counties of Origin, and Other Related Matters," dated January, 1959. This report includes matters pertinent to applications filed by the State of California pursuant to Part 2, Division 6 of the Water Code.

Sincerely,

HARVEY O. BANKS, Director

Above transmitted report referred to the Committee on Water.

### RESOLUTIONS

The following resolution was offered:

By Mr. Lunardi:

**House Resolution No. 239**

Relative to a study of the Lake Tahoe fish resource

WHEREAS, Lake Tahoe at one time supported very large populations of native game fishes, consisting principally of the Lahontan cutthroat trout (*Salmo clarkii henshawi*) and the mountain whitefish (*Coregonus williamsoni*). The cutthroat trout were sufficiently numerous to support an important commercial fishery, with thousands of pounds shipped from the lake annually. Both the cutthroat trout and the whitefish have now disappeared completely from the lake; and

WHEREAS, All indications are that game fish are far less abundant in Lake Tahoe than they once were, both in numbers and in weight. The causes of the apparent decline in abundance are not known and are difficult even to guess on the basis of available information; and

WHEREAS, It also appears that Lake Tahoe, because of its great area and volume, combined with a rapidly increasing resident population and great numbers of summer visitors, offers a tremendous opportunity for development of sport fisheries; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Department of Fish and Game is requested to make a thorough and extensive study to discover some means of producing good fishing in Lake Tahoe at a reasonable cost. This study shall include the testing of the most promising management methods, and an analysis of the physical and biological changes which have taken place. In order to obtain this objective, the following should be done:

(a) Determine the approximate production of game fish in past years, from an analysis of published records, and the present production of the lake, by creel census. The purpose here would be to get some idea of the potential fish production, and how much of it is now being realized.

(b) Test the possibilities of stocking large numbers of trout of various strains.

(c) Study the interrelationships of game and forage species, and the food chains of the game fish, with the hope of finding possibilities for introducing new forage species which would increase the production of game fish.

(d) Test the importance of lake tributaries to the sport fisheries. The lake tributaries provide some trout and forage species with a place to spawn. With increasing use of water it may be difficult to maintain suitable flows in the tributaries.

(e) Carry out chemical and limnological sampling as necessary to provide a clear picture of the interrelationships of the fishes present and various facets of their environment; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the State Department of Fish and Game

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1642

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Joint Resolution No. 26

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1978

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 590

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2075

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2113

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1541
Assembly Bill No. 2454

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Assembly Bill No. 1541 ordered to second reading.

**Assembly Bill No. 2454 Returned to Committee**

Speaker Brown announced that Assembly Bill No. 2454 was reported out of committee before 30 calendar days after its introduction, and ordered the bill returned to the Committee on Transportation and Commerce.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 480

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 851

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 708

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2253
Assembly Bill No. 202

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 895
Assembly Bill No. 1009
Assembly Bill No. 1031
Assembly Bill No. 1229
Assembly Bill No. 1315

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 175

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1256
Assembly Bill No. 1015
Assembly Bill No. 1061

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 653
Assembly Bill No. 1369
Assembly Bill No. 1704

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 507

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 573

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to an Interim Subcommittee of Ways and Means, to be made the subject for interim study.

UNRUH, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1026
Assembly Bill No 1027
Assembly Bill No. 1077
Assembly Bill No. 1622
Assembly Bill No. 1652
Assembly Bill No. 1721
Assembly Bill No. 1722
Assembly Bill No. 1829
Assembly Bill No 1830
Assembly Bill No. 1831
Assembly Bill No. 1832

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 112
Assembly Concurrent Resolution No. 116
Assembly Concurrent Resolution No. 121
Assembly Concurrent Resolution No 103

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, May 4, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day has stricken from file.

Assembly Bill No. 896

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 1526

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 43
Senate Bill No. 51
Senate Bill No. 72
Senate Bill No. 74
Senate Bill No. 245
Senate Bill No. 306
Senate Bill No. 337
Senate Bill No. 465
Senate Bill No. 488
Senate Bill No. 515
Senate Bill No. 536
Senate Bill No 537
Senate Bill No. 647
Senate Bill No 702
Senate Bill No. 759
Senate Bill No. 799
Senate Bill No. 826
Senate Bill No 827
Senate Bill No 840
Senate Bill No. 847
Senate Bill No. 869
Senate Bill No. 883
Senate Bill No 897
Senate Bill No. 913
Senate Bill No. 924
Senate Bill No. 967
Senate Bill No. 992
Senate Bill No. 994
Senate Bill No 1002
Senate Bill No. 1081

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 43**—An act to add Chapter 5 5 (commencing with Section 13480) to Part 3, Division 3, Title 2 of the Government Code,

and to amend Section 11555 of said code, relating to the establishment of an economic development agency in the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 51**—An act to amend Section 221 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

**Senate Bill No. 72**—An act to amend Section 73731 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 74**—An act to amend Section 30350 of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the San Mateo-Hayward and Dumbarton Bridges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 245**—An act to amend Section 11200 of, and to add Article 9.1 (commencing at Section 11252) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project.

Referred to Committee on Water.

**Senate Bill No. 306**—An act to add Sections 31408.5, 30700.5, and 30748.5 to the Water Code, relating to county water districts.

Referred to Committee on Water.

**Senate Bill No. 337**—An act to amend Section 26495 of the Health and Safety Code, relating to misbranding of foods.

Referred to Committee on Public Health.

**Senate Bill No. 465**—An act to add Section 1202b to the Penal Code, relating to youthful offenders.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 488**—An act to amend Section 16486 of the Government Code, relating to the sale or transfer of bonds by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 515**—An act to add Sections 2020.003, 3084.05, and 4604.5 to, and to repeal Section 4576 of, the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Referred to Committee on Social Welfare.

**Senate Bill No. 536**—An act to repeal Chapter 22 (commencing at Section 7920) of Division 3 of the Education Code, and Chapter 7 (commencing at Section 19351) of Division 14 of the Education Code as proposed by Senate Bill No. 2, relating to the School Bond Retirement Fund.

Referred to Committee on Education.

**Senate Bill No. 537**—An act to repeal Article 5.5 (commencing at Section 16407) of Chapter 2 of Part 2 of Division 4 of Title 2 of, and to add Section 14275.5 to the Government Code, relating to state public works projects, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

**Senate Bill No. 647**—An act to amend Section 11380.1 of the Government Code, relating to the designation by the Secretary of State of style and form to be used in filing regulations.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 702**—An act to add Section 94.5 to the Penal Code, and to add Sections 69507 and 72006 to the Government Code, relating to fees and gratuities for performing marriage.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 759**—An act to amend Section 200 of the Code of Civil Procedure, relating to persons exempt from liability to act as jurors.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 799**—An act to amend Section 980 of the Military and Veterans Code, relating to the definition of term "veteran."

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 826**—An act to amend and renumber Section 8356 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to work experience education.

Referred to Committee on Education.

**Senate Bill No. 827**—An act to amend Section 19481 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 840**—An act to amend Section 69895 of the Government Code, relating to the secretary and assistant secretaries of the superior court in counties having a population of less than 2,000,000 but more than 750,000.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 847**—An act to amend Section 1871 of the Code of Civil Procedure, relating to compensation of court-appointed medical expert witnesses.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 869**—An act to add Sections 20014.4, 20017.4 and 21363.4 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 883**—An act to amend Section 170 of the Code of Civil Procedure, relating to judicial actions or proceedings.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 897**—An act to amend Section 771 of the Insurance Code, relating to insurance in connection with sales and loans.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 913**—An act to add Section 4280.2 to the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 924**—An act to add Section 1195.1 to the Military and Veterans Code, relating to election of officers in memorial districts.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 967**—An act to amend Section 69900 of the Government Code, relating to superior court employees.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 992**—An act to add Article 4 (commencing at Section 69640) to Chapter 5 of Title 8 of the Government Code, and to amend Section 69741 of the Government Code, relating to superior courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 994**—An act to amend Section 490 of the Agricultural Code, relating to milk and milk products.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 1002**—An act to amend Section 12052 of the Penal Code, relating to the issuance of licenses to carry concealed firearms.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1081**—An act to amend Section 2303 of the Welfare and Institutions Code, relating to boarding homes and institutions for aged persons.

Referred to Committee on Social Welfare.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and read:

### Veto Message Concerning Assembly Bill No. 863

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1959

*To the Honorable Members of the Assembly*
*State of California*
*Sacramento*

GREETINGS: I am returning, herewith, without my signature,

**Assembly Bill No. 863** entitled: "An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911."

My objections to this bill are as follows:

The purpose of this measure is to clarify the fact that attorney's fees in proceedings under the Improvement Act of 1911 are properly includable as "incidental expenses."

I have previously approved another bill (Assembly Bill No. 543, now Chapter 158) amending the same section of the 1911 Improvement Act. The changes in the law made by Assembly Bill No. 543 were not incorporated in Assembly Bill No. 863 when it was under consideration by the Legislature, so the present measure cannot be approved without nullifying the amendments made by the bill previously approved

I have no objection to the present bill on its merits, and my veto is based solely upon the failure of Assembly Bill No. 863 to include the changes in Streets and Highways Code Section 5024 previously made by Assembly Bill No. 543. The deficiencies in the form of Assembly Bill No. 863, as enacted by the Legislature, have been discussed with the author. He has stated that he will introduce legislation that will correct the errors in draftsmanship inherent in the measure which I am disapproving.

I am, therefore, returning Assembly Bill No. 863 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 863 ordered to the unfinished business file.

**Veto Message Concerning Assembly Bill No. 242**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1959

*To the Honorable Members of the Assembly*
*State of California*
*Sacramento*

GREETINGS: I am returning, herewith, without my signature,

**Assembly Bill No. 242** entitled: "An act to amend Section 14058 of the Health and Safety Code, relating to nomination of fire commissioners."

My objections to this bill are as follows:

Assembly Bill No. 242 would amend Section 14058 of the Health and Safety Code, which now provides that if on the fortieth day prior to a general election in a recreation and park district only one person has been nominated for each of the positions to be filled at the election, or no person has been nominated, and a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the district board, an election shall not be held. The bill would change the time for making these determinations from the fortieth to the fifty-fourth day before the election.

If the bill is enacted, the provision relating to the circulation of a petition will become meaningless, since there would be *no time between the final date for filing nomination papers and the determination of whether or not an election shall be held in which to circulate such a petition.*

This discrepancy has been discussed with the author, and he concurs in the objections herein set forth.

I am, therefore, returning Assembly Bill No. 242 without my signature

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 242 ordered to the unfinished business file.

**Veto Message Concerning Assembly Bill No. 199**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1959

*To the Honorable Members of the Assembly*
*State of California*
*Sacramento*

GREETINGS: I am returning, herewith, without my signature,

**Assembly Bill No. 199** entitled: "An act to amend Section 5781.10 of the Public Resources Code, relating to election of directors of recreation and park districts"

My objections to this bill are as follows:

Assembly Bill No. 199 would amend Section 5781.10 of the Public Resources Code, which now provides that if on the sixteenth day prior to a general election in a recreation and park district only one person has been nominated for each of the positions to be filled at the election, or no person has been nominated, and a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the district board, an election shall not be held. The bill would change the time for making these determinations from the sixteenth to the sixtieth day before the election

If the bill is enacted, the provision relating to the circulation of a petition will become meaningless, since there would be *no time between the final date for filing nomination papers and the determination of whether or not an election shall be held in which to circulate such a petition.*

This discrepancy has been discussed with the author and he concurs in the objections herein set forth.

I am, therefore, returning Assembly Bill No. 199 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 199 ordered to the unfinished business file.

**Veto Message Concerning Assembly Bill No. 753**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1959

*To the Honorable Members of the Assembly*
*State of California*
*Sacramento*

GREETINGS: I am returning, herewith, without my signature,

**Assembly Bill No. 753** entitled: "An act to add Section 14057.5 to, and to amend Section 14058 of the Health and Safety Code, relating to local fire districts".

My objections to this bill are as follows:

Assembly Bill No. 753 would amend Section 14058 of the Health and Safety Code, which now provides that if on the fortieth day prior to a general election in a recreation and park district only one person has been nominated for each of the positions to be filled at the election, or no person has been nominated, and a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the district board, an election shall not be held. The bill would change the time making these determinations from the fortieth to the fifty-fourth day before the election.

If the bill is enacted, the provision relating to the circulation of a petition will become meaningless, since there would be *no time between the final date for filing nomination papers and the determination of whether or not an election shall be held in which to circulate such a petition.*

This discrepancy has been discussed with the author, and he concurs in the objections herein set forth.

I am, therefore, returning Assembly Bill No. 753 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 753 ordered to the unfinished business file.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2110, 1670, 2214, 1876, 1079, 688,** and **1504.**

**Senate Bills Nos. 475** and **725.**

Assembly Bills Nos. 2110, 1670, and 2214 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bills Nos. 1876 and 1504 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 1079 and 688 ordered to third reading, subsequent to engrossment.

Senate Bill No. 475 ordered to third reading.

Senate Bill No. 725 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2580**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

#### Amendment No. 1

On page 2, line 13, of the printed bill, after "4986.", insert "(1)".

#### Amendment No. 2

On page 2, line 24, strike out "On the", and insert "(2) (a) On".

#### Amendment No. 3

On page 2, line 47, strike out "In", and insert

"If any property described in this subdivision is acquired by a negotiated purchase and sale after the lien date but prior to the commencement of the fiscal year for which current taxes are a lien on the property, the amount of such current taxes shall not be transferred to the unsecured roll, and neither the person from whom the property was acquired nor the public agency shall be liable for the payment of such taxes. If, however, the property is so acquired after the commencement of the fiscal year for which the current taxes are a lien on the property, that portion only of such current taxes, together with any allocable penalties and costs thereon, which are properly allocable to that part of the fiscal year which ends on the day before the date of acquisition of the property, shall be transferred to the unsecured roll and be collectible from the person from whom the property was acquired. The portion of such taxes, together with any penalties and costs thereon, which are allocable to that part of the fiscal year which begins on the date of the acquisition of the property, shall not be transferred to the unsecured roll nor be collectible either from the person from whom the property was acquired nor from the public agency.

In".

#### Amendment No. 4

On page 2, strike out line 50, and insert

"(b) If at the time exemption from sale attaches to land or im-".

#### Amendment No. 5

On page 2, line 52, after "court", insert "in an eminent domain proceeding".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1475**—An act to amend Sections 14400, 14501, 14504, and 14540 of and add Section 14400.5 to the Health and Safety Code, relating to fire protection districts.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 6, 1959, after "chapter", insert ", but not including any commercial forest land which is timbered land declared to be the responsibility of the State for fire protection by Article 1 (commencing at Section 4000), Chapter 1, Division 4 of the Public Resources Code".

#### Amendment No. 2

On page 2, strike out lines 7 through 29, inclusive, and insert "within a city by annexation such portion may be withdrawn from the district. The legislative body of the city may within one year after the annexation proceedings are complete provide by resolution that such territory shall be withdrawn from the district. Such withdrawal shall be effective on the date fixed by the legislative body of the city,

which date shall not be more than two years after the annexation proceedings are complete. Where the withdrawal is effective on or before February 1st of the fiscal year the district shall furnish fire protection services to the territory until the first day of July next succeeding. Where the withdrawal is effective subsequent to February 1st of the fiscal year and where the territory is subject to district taxation and assessment the district shall furnish fire protection services to the territory until the thirtieth day of June of the fiscal year next succeeding.

If the portion of the district included within a city by annexation is not withdrawn within two years after the annexation is complete, it may be withdrawn thereafter only pursuant to provisions of Article 12 (commencing at Section 14560), Chapter 2, Part 3, Division 12 of the Health and Safety Code, or by the adoption of a measure authorizing such withdrawal by a majority of the voters at a city election held pursuant to the provisions of Part 2 (commencing at Section 9480), Division 11 of the Elections Code."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2171**—An act to amend Section 6080 of the Harbors and Navigation Code, relating to harbor districts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "three", and insert "one".

#### Amendment No. 2

On page 1, line 5, strike out "($3,000)", and insert "($1,000)".

Bill ordered reprinted, and engrossed.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 1876,** subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1317**—An act to amend Sections 14004, 14406, and 14502 of the Financial Code, relating to credit unions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1317?

#### Amendment No. 1

On page 1, line 7, of the printed bill, after "formed", insert "for the mutual benefit and protection of credit union employees".

#### Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Assembly on March 24, 1959, after "14004", strike out "and 14406 of the Finan-", and insert ", 14406 and 14502 of the Finan-".

#### Amendment No. 3

On page 3, after line 6, insert

"SEC. 3 Section 14502 of said code is amended to read:

14502. No credit union shall make any loan or extension of credit without the written approval of a majority of the members of the credit committee. *The committee may, with the approval of the board of directors, appoint one or more loan officers who shall be authorized to approve loan applications within the limits*

*set by the credit committee, but in no event to exceed the sum of one thousand dollars ($1,000) and the unpledged shares of the borrorer for any one loan. Such loan officer must be a member of the credit union and may, but need not be, a member of the credit committee or an officer or director of the credit union. Such loan officers shall not also have the power to approve membership applications. The credit committee shall be provided with a record of each loan approved or not approved by any loan officer within seven (7) days of such approval or disapproval."*

**Amendment No. 4**

On page 3, line 15, of the printed bill, as amended in the Senate on April 24, 1959, strike out "and", and insert "plus".

**Amendment No. 5**

On page 3, line 16, after "one loan", insert "; provided, however, that in any credit union with assets of less than one hundred thousand dollars ($100,000) no loan officer shall be authorized to approve any loan in excess of the unsecured loan limit as provided herein, plus the unpledged shares of the borrowing member".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1317 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 1317 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Constitutional Amendment No. 4**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 38 to Article IV, by repealing Section $25\frac{5}{8}$ of Article IV, by amending Section $25\frac{3}{4}$ of Article IV, relating to expenditure of state funds.

Resolution read.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Should I request to be excused, at this time, for a dental appointment at 10.30 a.m., in the event a call of the Assembly is ordered on this measure?

**Reply by Speaker**

The Speaker replied that, if necessary, he would be issued a pass for that purpose.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—Bruce F. Allen, Ernest R. Geddes, Hanna, Hawkins, and O'Connell—5.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 1642**—An act to amend Section 71180 of, and to add Section 71180.3 to, the Government Code, relating to judges of justice courts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

## POINTS OF PERSONAL PRIVILEGE

Mr. Ernest R. Geddes arose to a point of personal privilege.

Mr. Luckel arose to a point of personal privilege.

## ANNOUNCEMENT RELATIVE TO DOVE BILL

Messrs. Ernest R. Geddes and Luckel requested that the record show that they have not introduced and do not intend to introduce a Dove Bill at this session of the Legislature

**Statement by Mr. Belotti**

Mr. Belotti stated that the Report of the Interim Committee on Fish and Game states exactly the stand taken by Messrs. Ernest R. Geddes and Luckel; and that the report so states that they have no intention of introducing a Dove Bill at this session.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2186**—An act to amend Sections 4850 and 5200 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to issuance of vehicle license plates.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant,

Hawkins, Hegland, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, and Mr. Speaker—56.

NOES—Bruce F. Allen, Backstrand, Chapel, Collier, Ernest R. Geddes, Samuel R. Geddes, Kilpatrick, Petris, and Sumner—9.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1810**—An act to add Article 5 (commencing with Section 33955) to Chapter 5, Part I, Division 24 of the Health and Safety Code, relating to community redevelopment and urban renewal plans and bonds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—Reagan—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1849**—An act to amend Section 17454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to service of process on nonresident vehicle operators.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1501**—An act to amend Section 958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read third time.

### Hon. Howard J. Thelin Presiding

At 10.08 a.m., Hon. Howard J. Thelin, Member of the Assembly from the Forty-third District, presiding.

The question being on the passage of the bill.

### Motion to Re-refer

Mr. Hegland moved that the bill be re-referred to the Committee on Education.

Mr. Bradley seconded the motion.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Was there a second to the motion?

**Reply by Acting Speaker**

Acting Speaker Thelin replied that the motion was seconded by Mr. Bradley.

**Point of Order**

Mr. Hegland arose to the following point of order: That he had not had an opportunity to open debate on his motion.

**Ruling by Acting Speaker**

Acting Speaker Thelin ruled the point of order not well taken.

The question being on the motion to re-refer.

Motion lost by the following vote:

AYES—Bradley, George E. Brown, Burton, Crawford, Davis, DeLotto, Garrigus, Hegland, Kilpatrick, Levering, MacBride, Masterson, Munnell, Schrade, and Thelin—15.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Busterud, Chapel, Collier, Coolidge, Cusanovich, Dahl, Donahoe, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, Marks, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, and Z'berg—47.

The question being on the passage of the bill.

By unanimous consent, Assembly Bill No. 1501 was ordered passed on file, and to retain its place on file.

**Assembly Bill No. 1837**—An act to amend Section 2164 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read third time.

**Speaker Presiding**

At 10.47 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Waldie, Burke, Luckel, Johnson, and Z'berg demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Belotti, Biddick, George E. Brown, Burton, Collier, Coolidge, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—42.

NOES—Beaver, Bradley, Burke, Chapel, Dahl, Holmes, Johnson, Lanterman, Levering, MacBride, Marks, Mulford, Reagan, Sedgwick, Shell, Sumner, and Thelin—17.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 94**—An act to amend Section 4231 of, and to add Section 4243.5 to, the Agricultural Code, relating to milk.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller,

Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—70.
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 1555**—An act to add Section 1102.6 to the Agricultural Code, relating to egg standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 468**—An act to add Sections 35717, 35718, 35719, 35720, and 35721 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the restricting of highways by counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 499**—An act to add Section 5006 2 to the Public Resources Code, relating to state parks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1603**—An act to add Section 5527 to the Business and Professions Code, relating to the practice of architecture.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson,

Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1962**—An act to amend Sections 729.03 and 729.15 of, and to add Sections 729.17, 729.18, 729.19 and 729.20 to, the Vehicle Code, and to amend Sections 31602 and 31614 of, and to add Sections 31616, 31617, 31618 and 31619 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of explosive, declaring the urgency thereof, to take effect immediately.

Bill read third time

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2087**—An act to add Section 7141.5 to the Education Code, and to add Section 17252 to the Education Code as enacted at the 1959 Regular Session, relating to the duties of county superintendents of schools and county auditors in respect to state apportionments for school districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 316**—An act to amend Sections 23320, and 23397 of, and to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—69.
NOES—Coolidge—1.

Bill ordered transmitted to the Senate

## ANNOUNCEMENT

Mr. Dahl announced that today was the birthday of Speaker pro Tempore Bee, whereupon the Members of the Assembly joined in extending their best wishes and birthday greetings to Mr. Bee.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1580**—An act to add Article 5.9 (commencing with Section 799.1), Chapter 1, Part 2, Division 1, and Section 10270.505 to the Insurance Code, relating to the regulation of credit life and credit disability insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1572**—An act to amend Section 26458 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to orders of the Division of Industrial Safety on pressure vessels.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

**Motion to Amend Title**

Mr. Cusanovich moved the adoption of the following amendments to the title:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1959, strike out "amend", and insert "add".

**Amendment No. 2**

In line 1 of the title strike out "of", and insert "to".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 484**—An act to amend Section 35002.3 and to repeal Sections 35158 and 35326 of the Government Code, relating to the annexation of territory by cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 26**—Relative to the establishment of uniform rules of the road throughout the United States.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

Bill read third time.

**Motion to Amend**

Mr. Lanterman moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in the Assembly on April 29, 1959, after "State", insert ", and he shall file copies of all reports of accident investigations made by his deputies with the California Highway Patrol within five days after the completion of such reports".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 579**—An act to amend Sections 13581, 13582, 13592, 13601, 13621, 13622, and 13651 of, and to add Sections 13580, 13604, 13651.3, 13651.4, and 13739.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1764**—An act to add Section 224.5 to, and to amend Section 225 of, the Labor Code, relating to wage deductions.

Bill read third time.

**Demand for Previous Question**

Messrs. Waldie, Masterson, Ernest R. Geddes, George E. Brown, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—54.
NOES—Beaver, Bradley, Burke, Chapel, Collier, Crawford, Cusanovich, Dahl, Ernest R. Geddes, Lanterman, Levering, Reagan, Shell, and Thelin—14

Bill ordered transmitted to the Senate.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1939**—An act to add Sections 19035.9 and 19035.10 to the Business and Professions Code, relating to proceedings of the California Advisory Board of Furniture and Bedding.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1944**—An act to add Sections 8919.1 and 8919.2 to the Business and Professions Code, relating to proceedings of the Yacht and Ship Brokers Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2237**—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2277**—An act to amend Section 24360.2 of the Health and Safety Code, relating to air pollution control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick,

Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2176**—An act to amend Section 626 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1271**—An act to amend Section 709 of the Probate Code, relating to the filing of claims with an executor or administrator.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1346**—An act to repeal Chapter 13.5 (commencing at Section 26250) of Part 2 of Division 2 of Title 3 of the Government Code, relating to preservation of newspapers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1426**—An act to amend Section 1858.56 of the Civil Code, relating to warehousemen's liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1517**—An act to amend Section 12900 of the Corporations Code, relating to co-operative corporations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1558**—An act to amend Section 68540 of the Government Code, relating to assignment of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1875**—An act to amend Sections 72706 and 72708 of the Government Code, relating to the officers and attaches of municipal courts in Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2033**—An act to add Section 69891.6 to the Government Code, relating to secretaries of superior court judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2063**—An act to amend Section 69 of the Civil Code and Section 10350 of the Health and Safety Code, relating to marriage licenses and certificates of registry of marriage

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2217**—An act to amend Sections 73772 and 73773 of the Government Code, relating to municipal courts

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2180**—An act to amend Sections 74182, 74183, 74184 and 74185 and to repeal Section 74186 of the Government Code, relating to the officers and attaches of the municipal court established in a district embracing the City of Sacramento.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1862**—An act to amend Section 13737 of the Education Code, as enacted by Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House Johnson Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2022**—An act to amend Section 20803 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to tax rates of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 949**—An act to amend Section 4809 of the Business and Professions Code, relating to veterinary medicine

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris,

Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 781**—An act to amend Sections 81 and 82 of the Agricultural Code, relating to fairs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 27**—An act to amend Section 409 of the Code of Civil Procedure, relating to notice of pendency of actions affecting title to real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 163**—An act to amend Section 660 of the Code of Civil Procedure, relating to motions for new trials.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 164**—An act to amend Sections 659, 663a, and 953d of the Code of Civil Procedure, relating to procedure after trial in civil cases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 165**—An act to repeal Sections 715.1, 770, 771, 774, 775 and 777 of, to amend Sections 715.3, 716, and 724 of, and to add Section 771 to, the Civil Code, relating to future interests in property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 541**—An act to amend Sections 74692 and 74693 of the Government Code, relating to the officers and attaches of the municipal courts established in districts in Santa Cruz County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 595**—An act to amend Section 15525 of the Corporation Code, relating to limited partnerships.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 326**—An act to amend Sections 58850 and 58851 of the Government Code, relating to county boundary commissions.

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 137**—An act to amend Sections 375.1, 377.1, and 377.6 of the Agricultural Code, relating to poultry.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 392**—An act to amend Section 28126 of the Health and Safety Code, relating to license fees for cold storage plants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76

NOES—None

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 85**—An act to amend Section 55916 of the Water Code, relating to county waterworks districts

Bill read third time, and presented by Mr. Holmes

Bill passed by the following vote·

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller,

Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

### MOTION TO SET SENATE BILL NO. 33 FOR SPECIAL ORDER

Mr. Hanna moved that Senate Bill No. 33 be made a special order of business for Wednesday, May 6, 1959, at 10 10 a.m.

Mr. Lanterman seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

### MOTION TO SET SENATE CONCURRENT RESOLUTION NO. 13 FOR SPECIAL ORDER

Mr. Lunardi moved that Senate Concurrent Resolution No. 13 be made a special order of business for Wednesday, May 6, 1959, at 10 20 a.m.

Mr. Sumner seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 400**—An act to add Section 5132 to the Agricultural Code, relating to the investment of moneys collected pursuant to the California Beef Council Law.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Biddick was granted unanimous consent that Senate Bill No. 275 be withdrawn from the Consent Calendar, and placed upon the third reading file.

#### Request for Unanimous Consent

Mr. Biddick was granted unanimous consent to take up Senate Bill No. 275, at this time, for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 275

**Senate Bill No. 275**—An act to amend Sections 682.1 and 682.2 of the Code of Civil Procedure, relating to writs of execution.

Bill read third time.

#### Motion to Amend

Mr. Biddick moved the adoption of the following amendment:

#### Amendment No. 1

On page 3, line 14, of the printed bill, as amended in the Assembly on May 1, 1959, after "of", insert "levy of".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the third reading file.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2249

NOTE—On May 6, 1959, the record was expunged and the action rescinded whereby Assembly Bill No. 2249 was this day withdrawn from committee and re-referred. (*See* Assembly Journal, pages 3309-3310).

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2158 FROM COMMITTEE

Mr. Masterson was granted uninmous consent that Assembly Bill No. 2158 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2158

**Assembly Bill No. 2158**—An act to add Sections 2805 and 2805.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 2805.1", and insert "2805.1, 2805.2, 2805.3, and 2805.4".

#### Amendment No. 2

On page 2, between lines 3 and 4, insert
"(c) The plan for substitution provides for the inclusion of future employees."

#### Amendment No. 3

On page 2, line 4, strike out "(c)", and insert "(d)".

#### Amendment No. 4

On page 2, line 20, strike out "an adjustment", and insert "such equitable adjustments as may be necessary for payments of hospital benefits made on extended liability claims, workers' refunds and".

**Amendment No. 5**

On page 2, line 29, strike out "be utilized in determining", and insert "determine".

**Amendment No. 6**

On page 2, line 30, strike out "under Section 2805".

**Amendment No. 7**

On page 2, line 33, after "certified", insert ", notwithstanding any provisions of this code to the contrary,".

**Amendment No. 8**

On page 2, line 36, after "benefits", insert a comma.

**Amendment No. 9**

On page 2, line 36, strike out "to assist in", and insert "by the employer or employees covered by the substituted hospital benefits to".

**Amendment No. 10**

On page 2, strike out lines 37 and 38, and insert "the cost of the benefits."

**Amendment No. 11**

On page 2, after line 38, insert

"SEC. 3. Section 2805.2 is added to said code, to read:

2805.2. For purposes of Section 2805.1 the allowance for substitution of benefits shall be treated as part of the contribution made by employees covered by the state-administered portion of the unemployment compensation disability program.

SEC. 4. Section 2805.3 is added to said code, to read.

2805.3. The director may withdraw his approval of substitution if he finds that there is danger that the substituted benefits will not be provided, that the conditions required for approval under Section 2805 no longer exist, or for other good cause shown. The director shall give notice of his intention to withdraw approval of substitution to the employer, employee group, and the organization providing the substituted benefits. The notice shall state the effective date and the reason for the withdrawal. The employer, employee group or organization providing the substituted benefits may, within 10 days from the mailing or personal service of the notice, appeal to the Appeals Board. The 10-day period may be extended for good cause The Appeals Board may prescribe by regulation the time, manner, method and procedure through which it may determine appeals under this section. The director may change or stay the effective date of his withdrawal of approval.

SEC. 5. Section 2805.4 is added to said code, to read:

2805.4. Except as otherwise provided by Sections 2805, 2805.1, 2805.2 and 2805.3, the provisions and definitions of Part 1 and Part 2 of this division apply to said sections in the same manner and to the same extent as they apply to the unemployment compensation disability weekly benefits of employees having a right to receive substituted hospital benefits. Section 3258 does not apply to said sections."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Johnson was granted unanimous consent that the following report be ordered printed in the Journal:

## REPORT OF ADVISORY COMMITTEE ON MOTOR VEHICLE LEGISLATION

May 1, 1959

**Advisory Committee on Motor Vehicle Legislation**

Attached hereto is the approved report and recommendations of the Special Subcommittee on Automotive Smog Control. The Automotive Smog Control Committee, which was appointed at the request of several Members of the Legislature, held a number of meetings with experts in the fields of air pollution, research, and automotive manufacturing who were invited to make presentations and offer suggestions

for the reduction of air contaminants being emitted from motor vehicles.

Those participating in the presentation of information to the committee included:

P. C. Ackerman, Vice President, Chrysler Corp.
C. A. Chayne, Vice President, General Motors Corp.
V. G. Raviolo, Special Assistant to Vice President, Engineering, Ford Motor Co.
Carl E. Burke, Director, Automotive Engineering, American Motors.
J. M. Campbell, Scientific Director, General Motors Corp.
J. M. Chandler, Section Supervisor of Test Engineering, Ford Motor Co.
C. M. Heinen, Assistant Chief Engineer, Chemical, Chrysler Corp.
George Fennimore, Thompson, Ramo, Woolridge Corp.
Smith Griswold, Air Pollution Control Officer, Los Angeles Air Pollution Control District
Benjamin Linsky, Air Pollution Control Officer, Bay Area Air Pollution Control District
Dr. Larry Faith, Director, Air Pollution Foundation
Dr. William Clausen, Technical Advisor, Private Truck Owners Bureau of California, Vice Chairman, Technical Subcommittee of Automotive Smog Control Committee
Kenneth Kipp, Senior Research Engineer, California Research Corp.
Hugh McPherson, Division Supervisor, Fuels, California Research Corp.
John Maga, Chief, Air Sanitation, State Department of Public Health.

The committee appreciates the time and effort devoted by the above-named individuals in the presentation of material necessary to the formulation of the attached report and recommendations.

Sincerely,

ALAN G. ANDERSON, Chairman
Automotive Smog Control Committee

## ADVISORY COMMITTEE ON MOTOR VEHICLE LEGISLATION
## AUTOMOTIVE SMOG CONTROL COMMITTEE

Following are some of the major points brought out by the several technical men during the course of subcommittee meetings:

*Motor Vehicle as "Smog" Contributor*

There is fairly general agreement that the motor vehicle is the principal source of hydrocarbons and oxides of nitrogen which form smog in the Los Angeles area. It was stated that automobiles and trucks constitute 80 percent of the problem in the Los Angeles area. In Los Angeles the motor vehicle produces about 95 percent of the olefinic hydrocarbons in the air and 65 percent of the nitric oxides. It was further stated that it will be impossible to control smog without controlling the motor vehicle. The problem is less than 80 percent of the pollution problem in the Bay area only because there are other sources not yet controlled as in Los Angeles. Only one qualification might be added to the statement of general agreement about the contribution

which the motor vehicle makes to air pollution. The automobile manufacturers concede that the motor vehicle is the principal uncontrolled source of air pollution in the Los Angeles area, but feel that the relative importance of automobile emissions in other areas may be different from the situation in the Los Angeles area. They point out, apparently with some justification, that research of the same magnitude as in Los Angeles has not been carried on in other locations. It would seem reasonable to assume that if hydrocarbons and oxides of nitrogen are irritating to crops and human beings in one location, they would be similarly irritating in other locations. Any difference in results might be due to differences in quantity or concentrations of such pollutants.

*Effects Upon Health*

There is also general agreement that the long-term effects of "smog" upon public health are indefinite. There is presently no conclusive evidence regarding the health problem.

It is known, of course, that smog affects the senses of human beings by producing eye irritation and some other discomforts, but the question of whether there is actual health impairment, the extent of any such impairment, and the concentrations of air pollutants which might result in actual health impairment have not been determined.

*Need for Research*

It was urged by practically every expert in the field that additional research be conducted both on the precise nature of smog and on the medical or health aspects of smog. It is clear that there are many technical questions in both of these fields which have yet to be answered.

*Establishing Standards for Maximum Concentrations of Certain Air Pollutants*

It is generally agreed that the first step which can be taken toward alleviating the smog problem would be the establishment of standards governing the maximum concentrations of certain air pollutants.

This initial step is far from simple because we are dealing not only with the pollutants which might be emitted from the exhaust of a single motor vehicle, but also with the entire atmosphere of a particular area —which might be called "the community air."

As an illustration, carbon monoxide is a part of the motor vehicle exhaust. For a person to be exposed to this emission in a closed garage for a limited period of time would prove fatal. On the other hand, adverse effects of carbon monoxide are not noticeable in the Los Angeles Basin area even though there are millions of cars operated there. What, then, should be the standard applicable to emissions of carbon monoxide from a motor vehicle?

What, also, should be the standards applicable to emissions of hydrocarbons and oxides of nitrogen which produce objectionable results only at certain times and in the presence of sunlight?

During subcommittee meetings it was stated that as of the present time, no group could sit down and establish satisfactory standards concerning emissions from automobile exhausts. However, it was generally agreed that the State Department of Public Health should undertake the research and other basic work necessary to develop such standards as soon as possible on the basis of present knowledge.

*Motor Vehicle Exhaust Control Devices*

It was pointed out that there are several devices in the preliminary stages of development. There is one device which is better than 90 percent effective in removing hydrocarbons from motor vehicle exhausts. However, this device must have additional developmental engineering and testing.

There are problems to overcome in developing a satisfactory device—such problems as excessive heat, maintenance, noise, odor, as well as cost. It was also stated that future devices will undoubtedly be developed that will make the present devices obsolete. Such is the status of present devices.

*Inspection of Motor Vehicles*

It was indicated that if any devices are installed upon motor vehicles to control emission of air pollutants, such devices would have to be inspected periodically to determine their effectiveness. This, of course, contemplates devices of a type which have been developed thus far, although future research might develop a device which would last the life of the car. At the present time the experts are hopeful of a device which would be at least 90 percent effective in removing hydrocarbons for 30,000 miles of operation without replacement, although catalysts, if required, might require replacement every 12,000 miles.

Some experts feel that the technical problems of heat, odor, warm-up time, etc. can be solved but look upon the establishment of an inspection system as perhaps the most difficult problem of all.

This is because an inspection program aimed at testing of hydrocarbon or other exhaust emissions would create problems completely new and never before encountered in any inspection system. There would, for example, be the initial problem of manufacturing testing equipment to be used in inspection stations. Such equipment is not now available in the quantities which would be required. The establishment of inspection stations, training of personnel and obtaining of proper equipment to test and inspect approximately eight and a half or nine million vehicles in the State of California is unquestionably a major problem and would be extremely costly. Some doubt the effectiveness of an inspection system.

*Maintenance of Motor Vehicles*

There was also discussion of a "tune-up" or maintenance program for motor vehicles; possibly coupled with an inspection system to check proper maintenance of all vehicles.

All of the problems attendant with establishment of an inspection system, of course, would be present if such a program were undertaken.

As to the effectiveness of such a program, estimates made by the various experts ranged from 10 percent to 30 percent reduction of hydrocarbon emission. This was described as the maximum reduction which could be hoped for under a semiannual system of inspection.

While proper maintenance of a vehicle may help in reducing the smog forming exhaust emissions, to make any appreciable improvement would entail in some instances complete replacement of a vehicle's electrical system, replacement of battery and various other major

tuneup adjustments. There is no assurance that such a tuneup would last and be effective for more than perhaps a month or six weeks.

*Geographic Problems*

It was brought out in subcommittee discussion that there are many problems which arise because of variations in the air pollution problem among various sections of the State. This is applicable to the setting of standards, the use or requirement of a device and the general problem of the health effects of air pollution.

It was pointed out that metropolitan areas which contain perhaps 80 percent of the population of the State are facing a problem at the present time, that there is also the problem of crop damage in the more rural areas and that it may be merely a matter of time before the problem becomes more acute in outlying sections of the State.

All experts seemed to agree that the problem should be attacked at least upon a large regional basis and preferably upon a statewide basis.

## RECOMMENDATIONS

1. That additional research be continued with reference to the precise nature of emissions from motor vehicle exhaust which may contribute to air pollution, and more particularly, to eye irritation, plant damage and reduced visibility. It is recognized that additional research is also necessary with reference to the long-range effects of automobile exhaust emissions upon public health.

2. That the State Department of Public Health be requested to establish standards for maximum allowable concentrations of the various components of motor vehicle exhaust emissions as necessary to alleviate the acute effects of air pollution, including but not limited to, eye irritation, plant damage and the acute effects upon health.

3. That the State Department of Motor Vehicles be requested to undertake a study of all aspects of a system of inspection of motor vehicles to determine air contaminants in exhaust emissions. This study should include:

(a) A study of the feasibility, administration, enforcement, testing equipment and procedures, cost and effectiveness of such a system on both a regional and statewide basis.

(b) The establishment and operation of a "prototype" testing station for the testing of a limited number of motor vehicles for the purpose of developing and perfecting proper procedures for the testing of vehicle exhaust emissions.

(c) The establishment of "pilot" testing stations after approved devices are available and before such devices are required on all motor vehicles, for the purpose of testing the effectiveness of such devices as well as to reappraise the procedures, feasibility, cost and effectiveness of an inspection system, as related to the devices then available.

4. That sufficient funds be appropriated from the State General Fund to carry out the foregoing recommendations.

5. That the Advisory Committee on Motor Vehicle Legislation continue in existence the Subcommittee on Automotive Smog Control

to pursue further investigation of the subject matter and co-operate to the maximum extent possible with the Legislature and other public and private agencies working toward solution of the automotive air pollution problem.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Conrad:

### House Resolution No. 240

Relative to the commendation of Wade E Bennett

WHEREAS, May 8, 1959, marks the conclusion of Wade E. Bennett's term as President of the Hollywood Chamber of Commerce; and

WHEREAS, Mr. Bennett has had a career of distinguished public service which will long be remembered by the people of Hollywood, and

WHEREAS, He has devoted much of his time and energy to such worthy organizations as the Muscular Dystrophy Association and the Crippled Children's Society, and has served as Commissioner for the Civil Defense Committee of Los Angeles; and

WHEREAS, His presidency of the Hollywood Chamber of Commerce has been a markedly successful one; now therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends and congratulates Wade E Bennett on his fine record of service on behalf of the people of his community; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Wade E. Bennett

Resolution read, and referred to the Committee on Rules.

By Mr. Mulford:

### House Resolution No. 241

Relative to commending the American Legion

WHEREAS, The American Legion is nationally recognized as one of America's most outstanding patriotic organizations; and

WHEREAS, The high ideals and morals and the devotion to public service of the members of the American Legion have constantly focused public attention upon that organization; and

WHEREAS, Among the 34 public service projects conducted by the American Legion are such especially noteworthy activities as juvenile rehabilitation and youth services; and

WHEREAS, The American Legion, Department of California, will hold its statewide convention in Hollywood on June 24 through 28, 1959; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to commend the American Legion on the praiseworthy program of public service conducted by that organization and to congratulate the members for maintaining the high standards of the American Legion; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the American Legion Headquarters, Department of California, in San Francisco.

Resolution read, and referred to the Committee on Rules.

By Miss Donahoe:

### House Resolution No. 242

Commending the State Board of Education and the Board of Regents of the University of California

WHEREAS, The State Board of Education and the Board of Regents of the University of California on April 15, 1959, jointly adopted the following resolution:

"RESOLUTION OF STATE BOARD OF EDUCATION AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

April 15, 1959

Joint Board Policies Relative to New Campuses

"WHEREAS, by legislative and other official action, additional campuses of higher education have been approved for State Colleges in Alameda, Stanislaus, Orange, and North Bay counties, and for University campuses in San Diego, Southeast Los Angeles-Orange and South Central Coast counties; and

"WHEREAS, the present fiscal condition of the State threatens delay in providing expansion of facilities and institutions necessary to accommodate the projected enrollments for state-supported higher education in California; and

'WHEREAS, protracted delay in beginning these new centers will force upon existing institutions excessive congestion and over-expansion and will deprive qualified young Californians of a full measure of learning and student life;

"THEREFORE, BE IT RESOLVED that the joint Boards declare that:

"(1) The new campuses already approved for the State Colleges and the University should be placed in operation as soon as the fiscal condition of the State will permit;

"(2) The Boards will continue, both individually and jointly through the Liaison Committee, to reassess 'priorities for the establishment of new public institutions' as provided in the resolution adopted by the State Board of Education on December 17, 1958, and by The Regents of the University of California on December 19, 1958;

"(3) For new campuses both already approved and to be approved in the future, the State should adopt a policy of early site acquisition for those assigned the highest priority in order to make possible proper community planning, to forestall high acquisition costs, and to avoid delays after construction money becomes available,

'(4) No new State Colleges or campuses of the University, other than those already approved, shall be established until adequate Junior College facilities have been provided, the determination of adequacy to be based on studies made under the direction of the Liaison Committee of the State Board of Education and The Regents of the University of California;

"(5) (a) The principles enunciated on pages v and vi of the Study of the Need for Additional Centers of Public Higher Education in California, approved by both Boards, shall continue to be accepted as a bases for further planning by both Boards, (Copy of these principles attached to this Resolution).

"(b) These principles and any subsequent modifications approved by both Boards shall guide each Board in determining priorities for new campuses and the timetable for future acquisition of sites;

"(c) No new campuses for the State Colleges or for the University of California, other than those already approved, shall be established without prior approval of both Boards;

"(d) The Governor and the State Legislature be requested to approve only those bills and appropriation items which conform to this understanding.

"(6) Following the submission to the Legislature of the master plan for higher education in California, to be prepared in accordance with Assembly Concurrent Resolution No. 88, if enacted in the 1959 regular session of the Legislature, the above agreements shall be re-appraised by The Regents and the State Board of Education."

"Principles Underlying the Joint Staff Report Entitled the Need for Additional Centers of Public Higher Education in California

"1 The expansion of existing institutions and the establishment of new ones should depend on the optimum use of the state's resources for higher education in relation to the greatest relative need both geographically and functionally.

"2. Differentiation of functions so far as possible of the three segments of public higher education, namely the junior colleges, the state colleges, and the University of California, is imperative if unnecessary and wasteful duplication is to be avoided. This principle has been confirmed by the approval of the State Board of Education and The Regents of the University of California of the recommendation in the Restudy of the Needs of California in Higher Education which reads as follows:

"'. . . that the junior colleges continue to take particular responsibility for technical curriculums, the state colleges for occupational curriculums, and the University of California for graduate and professional education and research.'

'3. The assumption that adequate junior college facilities will be provided through local initiative and state assistance prior to the establishment of additional state college or University campuses is basic to the state college and University enrollment estimates in this report

"4. The financing of new publicly supported institutions should be such that it interferes in no way with the needs, including necessary improvement or expansion, of existing ones.

"5. In order that a possible new institution may serve the greatest number of eligible students, it should be placed near the center of the population served by it.

"6. Extension of publicly supported institutions to the degree that the continued operation of private ones long in existence and seemingly serving the community well is jeopardized, is not in the public interest."

now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly commends the members of the State Board of Education and the Board of Regents of the University of California for their fine work and co-operation in respect to the problems presently confronting higher education; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the State Board of Education and the Board of Regents.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 631
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Industrial Relations.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1148
Assembly Bill No. 1382
Assembly Bill No. 1805
Assembly Bill No. 2167
Assembly Bill No. 2302
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 139
Assembly Bill No. 1729
And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bill No. 139 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 1729 ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1079
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1876
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1504
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 72
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 688

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1670
Assembly Bill No. 2110
Assembly Bill No. 2214

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2103

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Agriculture.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 22**—Relative to nuclear weapons test explosions under an adequate inspection system;

**Assembly Joint Resolution No. 24**—Relative to requesting Congress to enact S. 910 of the Eighty-sixth Congress;

And reports the same correctly enrolled, and presented to the Secretary of State on the fifth day of May, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 23**—An act to validate school district acts, proceedings, and bonds, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 454**—An act to amend Sections 6914, 6915, and 6916 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to advance apportionment of state aid to school districts;

**Assembly Bill No. 881**—An act to amend Section 3475 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents;

**Assembly Bill No. 904**—An act to amend Section 6826 of the Public Resources Code, relating to administration and control of state lands;

**Assembly Bill No. 914**—An act to amend Sections 7231, 7232, 7235, 7236, and 7239 of, and to add Sections 7231.1 and 7240 to, the Education Code, and to amend Sections 20201, 20202, 20205, 20206, and 20209 of, and to add Sections 20201.1 and 20210 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to junior college tuition, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 998**—An act to amend Sections 17206, 17208, 17854, 18009, 18552, 18586, 18586.2, 18586.3, 18588, 18806, 19053, and 19062 of, to add Sections 17746, 18551.1, 18694, 18695, 19062.10, and 19408 to, and to repeal Section 18010 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately;

**Assembly Bill No. 1357**—An act to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to bonds of school districts;

**Assembly Bill No. 1593**—An act to amend Section 40355 of the Water Code, relating to water storage districts;

**Assembly Bill No. 160**—An act to add Section 6545.5 to the Business and Professions Code, relating to the practice of barbering;

**Assembly Bill No. 176**—An act to repeal Sections 31031 and 31031.5 of, and to add Section 31031 to, the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 273**—An act to amend Section 633 of the Vehicle Code, and Section 24404 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to spotlamps on vehicles;

**Assembly Bill No. 488**—An act to add Section 20596.1 to, and to amend Section 20601 of, the Education Code; to add Section 24556.5 to, and to amend Section 24561 of, the Education Code as proposed by Senate Bill No. 2, relating to the State College Revenue Bond Act of 1947;

**Assembly Bill No. 954**—An act to amend Section 1242 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts;

**Assembly Bill No. 1041**—An act to add Section 6021 to the Revenue and Taxation Code, relating to sales taxes in respect to vending machines;

**Assembly Bill No. 1360**—An act to add Section 26506 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to airbrakes for vehicles;

**Assembly Bill No. 1362**—An act to add Article 3 (commencing at Section 26500) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to airbrakes on vehicles;

**Assembly Bill No. 1454**—An act to amend Section 11715 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle license plates for manufacturers and dealers;

And reports the same correctly enrolled, and presented to the Governor on the fifth day of May, 1959, at 11 a.m.

BURKE, Chairman

### Committee on Rules

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 119
Assembly Concurrent Resolution No. 120

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 14
Senate Joint Resolution No. 17

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 229
House Resolution No. 230
House Resolution No. 231
House Resolution No. 233
House Resolution No. 237

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 196

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1164
Assembly Bill No. 2011

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1543

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 667
Senate Bill No. 604

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 36

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

REES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Education**

ASSEMBLY CHAMBER, May 4, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 358
Assembly Bill No. 2299

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Education repoits:

Senate Bill No. 285

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1651

With amendments with the recommendation· Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 792
Senate Bill No. 693
Senate Bill No. 642
Senate Bill No. 783

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 691
Senate Bill No. 692

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1992

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2141

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 14

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1801

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No 981
Assembly Bill No. 1597
Assembly Bill No 1600
Assembly Bill No. 2006

With amendments with the recommendation: Amend, and re-refer to the Committee on Civil Service and State Personnel.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1596

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1598
Assembly Bill No. 1599

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2284
Assembly Bill No. 2297
Assembly Concurrent Resolution No. 108

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MEYERS, Chairman

Above bills ordered to second reading.
Above resolution ordered to the Consent Calendar.

## EXPLANATIONS OF ABSENCE

It was necessary that I leave the floor at 10.30 a.m. this morning for an emergency dental appointment.

LLOYD W. LOWREY

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May 5, 1959

I missed some roll calls during this morning's session because I had to present a bill to the Senate Transportation Committee.

LOUIS FRANCIS

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I was in Senate Elections Committee from 10-11.50 a.m., May 5, 1959.

CHARLES J. CONRAD

## RE-REFERENCE OF SENATE BILL NO. 545

The Speaker ordered **Senate Bill No. 545** re-referred to the Committee on Municipal and County Government.

## ADJOURNMENT

At 11.55 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 6, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTIETH LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, May 6, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk Norman Jachens at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Ever-present God,* We seek immediate attention to our prayer for we think we can afford only a few moments, and, please, God, answer our prayer instantly. If you have any word of guidance for us, speak promptly, but, please, God, do not expect promptness from us. Carelessly some of us waste the time of others who must wait in committee and on Assembly floor while we get ourselves organized. You know our excuses: the telephone, an office visitor, we just couldn't make it on time. We mean we could have, but did not. Forgive our self-deception and our lack of courtesy to others. Help us, O God, to be present and ready for every duty, and thank you, God, for your prompt attention.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Charles H. Wilson, seconded by Mr. Kennick.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Crawford, on motion of Mr. Schrade.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., April 30, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk, State Assembly*
*State Capitol, Sacramento*

DEAR MR OHNIMUS: As a member of the California delegation in the House of Representatives, Congressman John Moss received a copy of Assembly Joint Resolution No. 9 on public inspection of crop allotment records in the State of California.

The staff of the House Government Information Subcommittee, of which Congressman Moss is chairman, has undertaken an initial investigation of the matter set forth in the resolution, but additional details are needed to complete the staff work.

Federal Agriculture Department officials contend that all crop allotment records and documents maintained by the department in California are available to state officials and the general public. The only restriction to which the federal officials would admit is in connection with crop loan payments made to farmers. Even this information, they state, is made public 30 days after the financial transaction.

To complete our investigation, we need to know, specifically, what crop allotment records and documents have been refused to members of the public and newspaper representatives. If you can provide this information from the records of the Legislature, or refer this request to someone who can provide specific details, it will be helpful to the subcommittee's investigation.

Sincerely,

SAMUEL J. ARCHIBALD, Staff Administrator

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., May 1, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of April 27th together with copies of Assembly Joint Resolutions Nos. 15, 27, and 29

In connection with the resolution on the nonstop jet airliner service between San Francisco and New York, the other day I appeared before the Civil Aeronautics Board in behalf of this application.

Sincerely yours,

HAROLD T. (BIZZ) JOHNSON, Member of Congress

## PETITIONS

The following petition was presented by the Chief Clerk from:

Helen Ervin Schroerlucke of Santa Monica, and 19 others, relative to the Chiropractic Act. Referred to the Committee on Public Health.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Gerald L. Berger of Contra Costa, relative to social security for state employees. Referred to the Committee on Civil Service and State Personnel.

Mrs. M. Blumfield of North Hollywood, relative to the vaccination of dogs. Referred to the Committee on Public Health.

**Chief Clerk Arthur A. Ohnimus at the Desk**

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 483
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2171
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 119
Assembly Concurrent Resolution No. 120
And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 315
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Elections and Reapportionment.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER. Your Committee on Manufacturing, Oil, and Mining Industry reports:
Assembly Bill No. 2279
With the recommendation: Do pass
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:
Assembly Bill No. 2311
With the recommendation. Do pass.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2280

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2117

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 11

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 10

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 522

With the recommendation: That the bill be re-referred to the Committee on Municipal and County Government.

LOWREY, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, May 6, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 999

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER. Your Committee on Criminal Procedure reports:

Senate Bill No. 193

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Government Organization reports.

Senate Bill No. 44
Senate Bill No. 406
Senate Bill No. 407
Senate Bill No 408
Senate Bill No. 411
Senate Bill No. 412
Senate Bill No. 413
Senate Bill No. 415
Senate Bill No. 416
Senate Bill No. 417
Senate Bill No 419
Senate Bill No. 420
Senate Bill No. 460

With the recommendation: Do pass.

*Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.*

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2309

Without recommendation.

WINTON, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No 2187
Assembly Bill No. 2201
Assembly Bill No. 2348

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2209
Assembly Bill No 2210
Assembly Bill No. 2211
Assembly Bill No. 2224
Assembly Bill No 2260
Assembly Bill No. 2349

With the recommendation: Do pass.

WINTON, Chairman

Above bills ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 5, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 154
Assembly Bill No. 327
Assembly Bill No. 527
Assembly Bill No. 1042
Assembly Bill No. 1792
Assembly Bill No 1828
Assembly Bill No. 1865
Assembly Bill No 2661

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 5, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 189
Assembly Bill No. 655
Assembly Bill No 663
Assembly Bill No. 700
Assembly Bill No 734
Assembly Bill No. 1364
Assembly Bill No. 1365
Assembly Bill No 1480
Assembly Bill No. 1793
Assembly Constitutional Amendment No 5

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 105
Senate Bill No. 272
Senate Bill No. 284
Senate Bill No. 332
Senate Bill No. 558
Senate Bill No. 568
Senate Bill No. 676

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 59

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 59**—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 476

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 476**—An act to amend Section 7300 of, and to repeal Sections 7301 and 7309 of, and to add Sections 7301 and 7309 to, the Welfare and Institutions Code, relating to the Langley Porter Neuropsychiatric Institute.

Referred to Committee on Social Welfare.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 126**: By Mr. Mulford—Relative to approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the seventh day of April, 1959.

Referred to Committee on Rules.

## INQUIRY BY SPEAKER

Speaker Brown inquired if any member had an objection to considering the bills on the Assembly and Senate second reading files deemed read the second time, with appropriate action taken on those bills requiring action.

### MOTION

Mr. Bee moved that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

Mr. Rumford seconded the motion.

Motion carried unanimously.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2580, 1475,** and **2171.**

Assembly Bill No. 1475 ordered to third reading, subsequent to re-engrossment.

Assembly Bill No. 2171 ordered to third reading.

Assembly Bill No. 2580 ordered to the Consent Calendar, subsequent to re-engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2075**—An act to amend Section 12814 of, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the examination of drivers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2113**—An act to add Section 40807 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to speed of vehicles.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1541**—An act to amend Section 291 of the Vehicle Code, and to amend Section 13200 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to the suspension of drivers' licenses by courts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 291 of the Vehicle Code, and to".

#### Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

#### Amendment No. 3

On page 1, line 1, strike out "291 of the Vehicle Code", and insert "13200 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session"

#### Amendment No. 4

On page 1, strike out lines 3 through 16, inclusive.

**Amendment No. 5**

On page 1, line 18, after "Division 11", insert "(commencing at Section 21000)".

**Amendment No. 6**

On page 2, line 1, after "code", insert "found to have been committed in connection with an accident, of a violation of Section 23103, or of a violation of any provision of this code relating to the speed of a vehicle,".

**Amendment No. 7**

On page 2, line 2, strike out "upon a finding that the violation has"; strike out line 3; and on line 4, strike out "the safety of persons or property and".

**Amendment No. 8**

On page 2, strike out lines 11 through 15, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 708**—An act to add Chapter 8 (commencing at Section 25701) to Division 20 of the Health and Safety Code, relating to the manufacture and sale of toys.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2253**—An act to add Section 535 to the Code of Civil Procedure, relating to injunctions against the preparation and distribution of obscene matter.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, after "charged", insert "; provided, that if the person against whom such cause of action is alleged to exist files with the court a written agreement to refrain from the activity alleged to give rise to such cause of action, pending trial of the issues, such temporary writ of injunction shall not issue".

**Amendment No. 2**

On page 2, line 30, after "trial", insert "; provided, that if such person has, pursuant to subdivision (c) filed an agreement to desist from the activity sought to be enjoined, pending trial of the issues, the trial shall not be held earlier than five days after joinder of issue".

**Amendment No. 3**

On page 3, after line 14, insert

"(j) This section does not apply to any newspaper of general circulation or any motion picture theatre licensed to operate by a city or county."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 202**—An act to amend Section 1385 of the Penal Code, relating to dismissal of criminal actions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 29, 1959, strike out "amend Section 1385 of the Penal Code", and insert "add Section 11718 to the Health and Safety Code".

**Amendment No. 2**

In line 2 of the title, after "dismissal of", insert "allegations of prior offenses in".

**Amendment No. 3**

In line 2 of the title, after "actions", strike out the period, and insert "for violation of the narcotic laws."

**Amendment No. 4**

On page 1, beginning in line 1 after "SECTION 1." strike out everything through line 13, and insert "Section 11718 is added to the Health and Safety Code, to read:

11718 In any criminal proceeding for violation of any provision of this division no allegation of fact which, if admitted or found to be true, would change the penalty for the offense charged from what the penalty would be if such fact were not alleged and admitted or proved to be true may be dismissed by the court or stricken from the accusatory pleading except upon motion of the district attorney."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 895**—An act to amend Sections 20016 and 20334 of, and to add Section 21363.3 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1009**—An act to add Section 188 to the Education Code, and Section 369 to the Education Code as proposed by Senate Bill No. 2, relating to establishment by the State Board of Education of a School Library Consultant Service in the State Department of Education, and making an appropriation therefor.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1031**—An act to amend Sections 69592 and 69748.1 of the Government Code, relating to the superior court.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1229**—An act to amend Section 69604 of the Government Code, relating to the superior courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1315**—An act to amend Section 69582 of the Government Code, relating to superior courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 175**—An act to amend Section 69599 of the Government Code, relating to superior court judges of San Mateo County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 4, insert

"SEC. 2. On October 1, 1959, the Governor shall appoint one judge in addition to the five judges now holding office. The other additional judge shall be appointed by the Governor on July 1, 1960."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1256**—An act to repeal Chapter 11 (commencing at Section 28600) of Division 21 of, and to add Chapter 11 (commencing at Section 28520) to Division 21 of, the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 19, of the printed bill, as amended in the Assembly on April 10, 1959, after "sale", insert "at retail".

**Amendment No. 2**

On page 2, line 19, after "away", insert ", but not including bakery delivery vehicles which are used exclusively to carry bakery products in sealed packages which are subject to the provisions of Section 28235".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1015**—An act to repeal Sections 4451 and 4452 of the Labor Code, and to amend Sections 4453, 4455 and 4460 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

In the caption of the printed bill, as amended in the Assembly on April 22, 1959, after "Crown," insert "(Senator Regan, co-author),".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1061**—An act to amend Sections 20100, 20100.1, 20101, 20102, and 20104 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the Board of Administration.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on March 19, 1959, strike out lines 10 and 11, and insert

"(c) The President of the university or other individual as the regents of the university may designate."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 653**—An act to amend Section 69599.5 of the Government Code, relating to superior courts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1369**—An act to amend Sections 69580 and 73075 of the Government Code, relating to courts in Alameda County.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1704**—An act to amend Section 9575 of the Business and Professions Code, relating to dry cleaning, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1164**—An act to repeal Section 3 of Chapter 2167 of the Statutes of 1957, relating to employee health and welfare programs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "1957," insert "to amend Sections 10643 and 10649 of, to repeal Section 10647 of, and to add Section 10647 to the Insurance Code,".

**Amendment No. 2**

On page 1, after line 2, insert

"SEC. 2. Section 10643 of the Insurance Code is amended to read:

10643. *Whenever* ~~The~~ *the* commissioner *shall have reason to believe that any health and welfare program is being operated in a manner contrary to the rights and interests of the beneficiaries of such program he shall* ~~may~~ examine any *such* ~~employee health and welfare~~ program as provided in Section 733 of this code ~~as often as he deems necessary, but he shall do so at least once in every three years; provided, however, that wherever an employee health and welfare program is audited by a certified public accountant or a public accountant, the commissioner may, in his discretion, dispense with his examination if he is satisfied with the report of such accountant~~. *All examinations shall be at the expense of the person or organization examined, except that examinations may be at the expense of the State in the discretion of the commissioner. The costs and expenses of all such examinations shall be paid from the Insurance Fund in the State Treasury but shall be charged to and collected from the person or organization examined. The amounts so charged for the costs or examinations shall be a debt owed to the State and shall have the same preferences as other tax obligations owed to the State of California.*

SEC. 3. Section 10649 of said code is amended to read:

10649. The management of every health and welfare program shall make an annual *financial* report *available* to every employer contributing to the program ~~who requests a report~~ and to every employee covered by the program ~~who requests the report~~, the report to be known as the annual *financial* report of the program.

SEC. 4. Section 10647 of said code is repealed.

~~10647. Each health and welfare program shall file an annual report with the commissioner, who shall by rule and regulation provide for the time of filing, the form, and content of such report.~~

SEC. 5. Section 10647 is added to said code, to read:

10647. The commissioner shall charge and collect in advance for registration of a health and welfare program, five dollars ($5) plus an amount computed according to the number of persons eligible to benefits under the program as follows:

| | | |
|---|---|---|
| (1) | Over 24 but less than 50 | $5 |
| (2) | Over 49 but less than 150 | 10 |
| (3) | Over 149 but less than 300 | 15 |
| (4) | Over 299 but less than 500 | 20 |
| (5) | Over 499 but less than 750 | 30 |
| (6) | Over 749 but less than 1,000 | 40 |
| (7) | Over 999 | 50". |

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2011**—An act to add Section 22458.1 to the Financial Code, relating to credit life insurance in connection with loans made by personal property brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on April 16, 1959, after "Sections", insert "22004,".

**Amendment No. 2**

On page 1, strike out line 10, and, in line 11, strike out "ance", and insert "not in excess of that permitted by subdivision (d) of this section".

**Amendment No. 3**

On page 1, line 15, after "22480", insert "or in accordance with the formula approved by the Commissioner of Insurance pursuant to Section 779.14 of the Insurance Code, whichever would result in a greater rebate to the borrower"

**Amendment No. 4**

On page 2, strike out lines 18 to 33, inclusive, and insert

"(d) The amount charged to the borrower for such insurance shall not exceed the amount provided in (1) or (2) following, whichever is less:

(1) the premium rate filed with the Commissioner of Insurance for the coverage provided pursuant to Article 5.9 of Chapter 1, Part 2, Division 1 of the Insurance Code and which has not been disapproved by him, or

(2) fifty cents ($0.50) per year per one hundred dollars ($100) of indebtedness (and in the same proportion for longer or shorter maturities and larger or smaller amounts) or such different maximum as shall have been fixed by the Commissioner of Insurance by a valid and effective regulation adopted on or after December 31, 1960 and applicable to all licensees under the Personal Property Broker Law"

**Amendment No. 5**

On page 2, line 34, strike out "1959", and insert "1960".

**Amendment No. 6**

On page 2, strike out lines 39 to 52, inclusive; and on page 3, strike out line 1, and insert "insured borrowers together with data from which the amounts at risk may be calculated, the sum of the total charges collected by such licensees for such insurance and data as to the actual costs to such licensees for providing and servicing such insurance (excluding any sums paid to or received from insurance companies) for each of the 12 months during each of the preceding years being reported upon The Commissioner of Insurance shall study the data so furnished by the Commissioner of Corporations together with any trend factors established by other California

credit life insurance experience and shall promulgate and establish a general regulation fixing the maximum which may be charged for such insurance by licensees hereunder having due regard to the relation of the total amount of death claims paid to the amounts at risk during the same period, and a reasonable margin for contingencies and cost and compensation to licensees for providing and servicing such insurance, plus the premium taxes payable on the probable premiums to be charged by insurers, plus the probable, but not unreasonable, mark-up to be added by insurers to the risk cost. Any such changed maxi-".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1543**—An act to add Section 1265 to Article 1 of Chapter 5 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 358**—An act to add Section 13237 to the Education Code and Section 13561.1 to the Education Code as proposed by Senate Bill No. 2, relating to lunch periods for teachers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education were read, and adopted:

**Amendment No. 1**

Strike out line 1 of the title of the printed bill, as amended in the Assembly on February 18, 1959, and insert "An act to add Sec-".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 25, inclusive; on page 2, strike out lines 1 to 8, inclusive, and insert

"SEC. 1. Section 13561.1 is added to the Education Code, as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 4**

On page 2, strike out lines 20 to 35, inclusive.

**Amendment No. 5**

On page 2, strike out lines 38 to 43, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2299**—An act to add Section 10853 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to corporal punishment of pupils.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "may", and insert "shall".

**Amendment No. 2**

On page 1, line 6, after "corporal", insert "or other".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1651**—An act to amend Section 5611 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tuition payments for interdistrict attendance of school pupils.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on April 1, 1959, strike out lines 5 and 6, and insert

"(a) By mutual agreement with the Department of Education, establish such rules and regulations".

**Amendment No. 2**

On page 2, line 8, strike out "for", and insert "in".

**Amendment No. 3**

On page 2, line 15, strike out "conflict with", and insert "excess of".

**Amendment No. 4**

On page 2, strike out lines 18 to 33, inclusive.

**Amendment No. 5**

On page 2, line 34, strike out "(d)", and insert "(c)".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1992**—An act to amend Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320, 13322, and 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2141**—An act to add Section 27253.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the use of county libraries by nonresidents.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1801**—An act to repeal Sections 11501, 11502, 11712, 11713 and 11714 of, and to amend Sections 11500, 11530, 11557, 11715.5 and 11715.6 of, and to add Sections 1103.1, 11501, 11502, 11503, 11531, 11532 to the Health and Safety Code and to add a new Article 2.5 (commencing with Section 11540) to Chapter 5 of Division 10 of said code, relating to narcotics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure were read, and adopted:

**Amendment No. 1**

In line 6 of the title of the printed bill, after "narcotics", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 5, after line 25, insert

"SEC. 14. The provisions of this act shall become operative on July 1, 1959.

SEC. 15. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The amendments to the Health and Safety Code that are made by this act are designed to clarify the law relating to narcotic offenses and to facilitate the enforcement thereof. The protection of the public against narcotic offenders is of vital and immediate importance, and it is essential that the changes made in the law by this act become effective at the earliest possible date."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 981**—An act to amend Sections 20750.1, 20750.2, 20750.3 and 20750.4 and to repeal Sections 20750.112, 20750.15, 20750.22, 20750.25, 20750.32, 20750.35, 20750.42, and 20750.45 of the Government Code, relating to the State's contributions under the State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and".

**Amendment No. 2**

In line 2 of the title, after "20750.4", insert ", 21251.1, 21253, and 20130".

**Amendment No. 3**

In lines 4 and 5 of the title, strike out "the State's contributions under".

**Amendment No. 4**

In line 5 of the title, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

**Amendment No. 5**

On page 1, line 5, strike out "9.16", and insert "8.18".

**Amendment No. 6**

On page 1, line 10, strike out "29.32", and insert "19.61".

**Amendment No. 7**

On page 1, line 16, strike out "7.78", and insert "10 16".

**Amendment No. 8**

On page 2, line 3, strike out "15.97", and insert "14.17".

**Amendment No. 9**

On page 2, between lines 6 and 7, insert

"SEC. 9. Section 21251.1 of said code is amended to read:

21251.1. The current service pension for a state miscellaneous member, for a prison member, or for a local miscellaneous member who is an employee of a contracting agency which is subject to the provisions of this section, is a pension derived from the contributions of the State, or of the contracting agency, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction of one-sixtieth of his final compensation set forth opposite

his age at retirement, taken to the preceding completed quarter year, in the following table in the column applicable to his sex, multiplied by the number of years of current service except service in a category of membership other than that of a state miscellaneous member, prison member, or local miscellaneous member, with which he is entitled to be credited at retirement:

| Age of retirement | Fraction | | | |
|---|---|---|---|---|
| | ~~Men~~ | *Men* | ~~Women~~ | *Women* |
| 55 | ~~.7381968~~ | *.725357* | ~~.7606902~~ | *.740718* |
| 55¼ | ~~.7492146~~ | *.736896* | ~~.7708974~~ | *.751649* |
| 55½ | ~~.7602324~~ | *.748435* | ~~.7811046~~ | *.762580* |
| 55¾ | ~~.7712502~~ | *.759974* | ~~.7913118~~ | *.773511* |
| 56 | ~~.7822692~~ | *.771513* | ~~.8015202~~ | *.784443* |
| 56¼ | ~~.7942086~~ | *.784034* | ~~.8125086~~ | *.796281* |
| 56½ | ~~.8061480~~ | *.796555* | ~~.8234970~~ | *.808119* |
| 56¾ | ~~.8180874~~ | *.809076* | ~~.8344851~~ | *.819957* |
| 57 | ~~.8300286~~ | *.821597* | ~~.8454756~~ | *.831797* |
| 57¼ | ~~.8420850~~ | *.835205* | ~~.8573508~~ | *.844643* |
| 57½ | ~~.8559414~~ | *.848813* | ~~.8692260~~ | *.857489* |
| 57¾ | ~~.8688978~~ | *.862421* | ~~.8811012~~ | *.870335* |
| 58 | ~~.8818560~~ | *.876031* | ~~.8929770~~ | *.883182* |
| 58¼ | ~~.8959632~~ | *.890847* | ~~.9058191~~ | *.897152* |
| 58½ | ~~.9100701~~ | *.905663* | ~~.9186618~~ | *.911122* |
| 58¾ | ~~.9241776~~ | *.920479* | ~~.9315042~~ | *.925092* |
| 59 | ~~.9382848~~ | *.935298* | ~~.9443184~~ | *.939065* |
| 59¼ | ~~.9537132~~ | *.951473* | ~~.9582612~~ | *.954298* |
| 59½ | ~~.9691416~~ | *.967648* | ~~.9721740~~ | *.969531* |
| 59¾ | ~~.9815700~~ | *.983823* | ~~.9860868~~ | *.984764* |
| 60 | ~~1.0000000~~ | *1.000000* | ~~1.0000000~~ | *1.000000* |
| 60¼ | ~~1.0136196~~ | *1.014867* | ~~1.0132404~~ | *1.015470* |
| 60½ | ~~1.0272390~~ | *1.029734* | ~~1.0264806~~ | *1.030940* |
| 60¾ | ~~1.0108581~~ | *1.044601* | ~~1.0397208~~ | *1.046410* |
| 61 | ~~1.0514790~~ | *1.059471* | ~~1.0529628~~ | *1.061880* |
| 61¼ | ~~1.0686912~~ | *1.075001* | ~~1.0668486~~ | *1.078222* |
| 61½ | ~~1.0829034~~ | *1.090531* | ~~1.0807344~~ | *1.094564* |
| 61¾ | ~~1.0971156~~ | *1.106061* | ~~1.0946202~~ | *1.110906* |
| 62 | ~~1.1113284~~ | *1.121594* | ~~1.1085072~~ | *1.127249* |
| 62¼ | ~~1.1263086~~ | *1.137943* | ~~1.1232018~~ | *1.144624* |
| 62½ | ~~1.1412888~~ | *1.154292* | ~~1.1378961~~ | *1.161999* |
| 62¾ | ~~1.1562690~~ | *1.170641* | ~~1.1525910~~ | *1.179374* |
| 63 | ~~1.1712492~~ | *1.186991* | ~~1.1672862~~ | *1.196752* |
| 63¼ | ~~1.1870412~~ | *1.204289* | ~~1.1828850~~ | *1.215338* |
| 63½ | ~~1.2028332~~ | *1.221587* | ~~1.1984838~~ | *1.233924* |
| 63¾ | ~~1.2186252~~ | *1.238885* | ~~1.2140826~~ | *1.252510* |
| 64 | ~~1.2344172~~ | *1.256186* | ~~1.2296820~~ | *1.271098* |
| 64¼ | ~~1.2511902~~ | *1.274615* | ~~1.2462540~~ | *1.291085* |
| 64½ | ~~1.2679632~~ | *1.293044* | ~~1.2628260~~ | *1.311072* |
| 64¾ | ~~1.2847362~~ | *1.311473* | ~~1.2793980~~ | *1.331059* |
| 65 and over | ~~1.3015110~~ | *1.329903* | ~~1.2959700~~ | *1.351046* |

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on July 1, ~~1951~~ *1959*, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendments to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

SEC. 10. Section 21253 of said code is amended to read:

21253. The prior service pension for a state miscellaneous member, or for a local miscellaneous member who is an employee of a contracting agency which is subject to the provision of this section, is an annual pension derived from the contributions of the State, or of the contracting agency, equal to the sum of the following:

(a) The fraction of one-sixtieth of his final compensation set forth opposite his age at retirement, taken to the preceding completed quarter year, in the following table in the column applicable to his sex, multiplied by the number of years of prior service, except service in a category of membership other than that of a state miscellaneous, local miscellaneous or prison member, with which he is entitled to be credited at retirement:

| Age of retirement | Fraction | | | |
|---|---|---|---|---|
| | ~~Men~~ | *Men* | ~~Women~~ | *Women* |
| 55 | ~~.7017684~~ | *.696711* | ~~.7395834~~ | *.730732* |
| 55¼ | ~~.7139652~~ | *.709122* | ~~.7505238~~ | *.741964* |
| 55½ | ~~.7261620~~ | *.721533* | ~~.7614642~~ | *.753196* |
| 55¾ | ~~.7383588~~ | *.733944* | ~~.7724046~~ | *.764428* |
| 56 | ~~.7505568~~ | *.746358* | ~~.7833456~~ | *.775661* |
| 56¼ | ~~.7639476~~ | *.759979* | ~~.7952004~~ | *.787878* |
| 56½ | ~~.7773384~~ | *.773600* | ~~.8070552~~ | *.800095* |
| 56¾ | ~~.7907292~~ | *.787221* | ~~.8189100~~ | *.812312* |
| 57 | ~~.8011200~~ | *.800845* | ~~.8307660~~ | *.824531* |
| 57¼ | ~~.8188530~~ | *.815831* | ~~.8436690~~ | *.837854* |
| 57½ | ~~.8335860~~ | *.830817* | ~~.8565720~~ | *.851177* |
| 57¾ | ~~.8483190~~ | *.845803* | ~~.8694750~~ | *.864500* |
| 58 | ~~.8630520~~ | *.860789* | ~~.8823780~~ | *.877823* |
| 58¼ | ~~.8792988~~ | *.877316* | ~~.8961336~~ | *.892390* |
| 58½ | ~~.8955456~~ | *.893843* | ~~.9101892~~ | *.906957* |
| 58¾ | ~~.9117924~~ | *.910370* | ~~.9245448~~ | *.921524* |
| 59 | ~~.9280404~~ | *.926898* | ~~.9386004~~ | *.936092* |
| 59¼ | ~~.9460302~~ | *.945173* | ~~.9539502~~ | *.952069* |
| 59½ | ~~.9640200~~ | *.963448* | ~~.9693000~~ | *.968046* |
| 59¾ | ~~.9820098~~ | *.981723* | ~~.9846498~~ | *.984023* |
| 60 | ~~1.0000000~~ | *1.000000* | ~~1.0000000~~ | *1.000000* |

| Age of retirement | Fraction | | | |
|---|---|---|---|---|
| | ~~Men~~ | *Men* | ~~Women~~ | *Women* |
| 60¼ | ~~1.0138218~~ | *1.015130* | ~~1.0134126~~ | *1.015733* |
| 60½ | ~~1.0276434~~ | *1.030260* | ~~1.0268850~~ | *1.031466* |
| 60¾ | ~~1.0411650~~ | *1.045390* | ~~1.0403274~~ | *1.047199* |
| 61 | ~~1.0552878~~ | *1.060522* | ~~1.0537710~~ | *1.062934* |
| 61¼ | ~~1.0700946~~ | *1.076828* | ~~1.0682496~~ | *1.080055* |
| 61½ | ~~1.0849014~~ | *1.093134* | ~~1.0827282~~ | *1.097176* |
| 61¾ | ~~1.0997082~~ | *1.109440* | ~~1.0972068~~ | *1.114297* |
| 62 | ~~1.1145168~~ | *1.125746* | ~~1.1116872~~ | *1.131421* |
| 62¼ | ~~1.1304750~~ | *1.143375* | ~~1.1273562~~ | *1.150091* |
| 62½ | ~~1.1464332~~ | *1.161004* | ~~1.1430252~~ | *1.168761* |
| 62¾ | ~~1.1623914~~ | *1.178633* | ~~1.1586942~~ | *1.187431* |
| 63 | ~~1.1783508~~ | *1.196265* | ~~1.1743644~~ | *1.206102* |
| 63¼ | ~~1.1955060~~ | *1.215355* | ~~1.1913198~~ | *1.226509* |
| 63½ | ~~1.2126612~~ | *1.234445* | ~~1.2082752~~ | *1.246916* |
| 63¾ | ~~1.2298164~~ | *1.253535* | ~~1.2252306~~ | *1.267323* |
| 64 | ~~1.2469722~~ | *1.272626* | ~~1.2421878~~ | *1.287733* |
| 64¼ | ~~1.2655020~~ | *1.293376* | ~~1.2605082~~ | *1.310094* |
| 64½ | ~~1.2840318~~ | *1.314126* | ~~1.2788286~~ | *1.332455* |
| 64¾ | ~~1.3025616~~ | *1.334876* | ~~1.2971490~~ | *1.354816* |
| 65 and over | ~~1.3210932~~ | *1.355626* | ~~1.3154694~~ | *1.377178* |

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on July 1, ~~1951~~ *1959*, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members.

(b) In respect to prior service consisting of service other than as a state miscellaneous, local miscellaneous or prison member, the pension computed pursuant to the provisions for computation of prior service of members of the category in which the prior service was rendered.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

SEC. 11. Section 20130 of said code is amended to read:

20130. Upon the basis of any or all of such investigation, valuation, and determination, the board shall adopt such mortality, service and other tables and interest rate as it deems necessary, and make such revision in rates of contribution of members as it deems necessary to provide the benefits for which the rates for normal contributions are required to be calculated.

No adjustment shall be included in the new rates for time prior to the effective date of such revision.

*A change in interest rate adopted by the board shall not apply to any election of a member to deposit or redeposit contributions, including interest, filed prior to the date such change was placed into effect."*

**Amendment No. 10**

On page 2, line 7, strike out "9", and insert "12".

**Amendment No. 11**

On page 2, line 7, strike out "October", and insert "July".

**Amendment No. 12**

On page 2, after line 7, insert

"SEC. 13. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The quadrennial valuation conducted by the Board of Administration for the period ending June 30, 1959, discloses an experience under the system requiring adjustment in the State's rate of contribution to the State Employees' Retirement System. In order that the adjusted rates may be placed into effect July 1, 1959, it is necessary that this act take effect immediately."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1597**—An act to add Section 20390.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill strike out lines 3 to 5, inclusive, and insert

"20390 1. When any state member of this system is found guilty of a felony in the discharge of the duties of his public office or employment, involving the acceptance or giving, or offering to accept or give, any bribe, the embezzlement of public money, extortion, theft of public money, perjury, or conspiracy to commit any of such crimes, the board shall conduct an investigation and shall hold a hearing for the purpose of determining whether, in the light of all factors, the offense is of such a nature as to justify termination of his membership in this system. If the board determines that he shall cease to be a member, his accumulated contributions".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1600**—An act to add Section 20390.2 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 3, and insert

"20390 2. When any state member of this system is charged".

**Amendment No. 2**

On page 1, line 4, after "felony", insert "involving the accepting or giving, or offering to accept or give, any bribe, the embezzlement of public money, extortion, theft of public money, perjury, or conspiracy to commit any of such crimes,".

**Amendment No. 3**

On page 1, line 5, strike out "who".

**Amendment No. 4**

On page 1, line 6, after "justice," insert "the board shall conduct an investigation and shall hold a hearing for the purpose of determining whether, in the light of all factors, the offense charged is of such a nature as to justify suspension of his membership in this system. If the board so determines, he".

**Amendment No. 5**

On page 1, line 12, strike out "act", and insert "section".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 2006**—An act to add Section 18973.1 to the Government Code, relating to promotional civil service examinations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Assembly on April 15, 1959, strike out "State of California", and insert "California Highway Patrol".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1598**—An act to add Section 9355.15 to the Government Code, relating to the Legislators' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert "9355.15. Any member of this system who is found guilty of a felony in the discharge of the duties of his public office or employment, involving the accepting or giving, or offering to accept or give, any bribe, the embezzlement of public money, extortion, theft of public funds, perjury, or conspiracy to commit any of said crimes, ceases to be a member of this system. His accumulated contributions shall".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1599**—An act to add Section 9355.16 to the Government Code, relating to the Legislators' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "felony", insert "involving the accepting or giving, or offering to accept or give, any bribe, the embezzlement of public money, extortion, theft of public funds, perjury, or conspiracy to commit any of said crimes,".

**Amendment No. 2**

On page 1, line 11, strike out "act", and insert "section"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2284**—An act to add Section 21156 to the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2297**—An act to add Section 20019.3 to the Government Code, relating to State Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 851**—An act to add Sections 192 and 4015 to the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to vehicles designed or capable of being used for fire fighting purposes.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 507**—An act to add Section 30705 to, and to amend Section 30701 of, the Streets and Highways Code, relating to the Benicia-Martinez Ferry.

Bill read second time, and ordered to third reading.

**Senate Bill No. 667**—An act to amend Section 1364 of the Financial Code, relating to investments.

Bill read second time, and ordered to third reading.

**Senate Bill No. 604**—An act to amend Sections 1227, 1228, 1316, 1413 and 1416, and to repeal Section 1414, of the Financial Code, relating to loans.

Bill read second time, and ordered to third reading.

**Senate Bill No. 285**—An act to add Section 5706.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the admission to junior colleges of students over 16 years of age.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

### Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate on April 2, 1959, strike out "is", and insert "its".

### Amendment No. 2

On page 1, line 21, strike out "The district main-"; strike out line 22; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

**Senate Bill No. 792**—An act to amend Sections 10851, 10852 and the heading of Article 8 (commencing with Section 10851) of Chapter 1 of Division 9, and to add a new Section 10851 and Section 10853 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to hazing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 2, of the printed bill, following line 23, insert

"If he has reason to believe that a forfeiture should be declared under this section, the Attorney General or the district attorney of any county or city and county may institute a special proceeding in the superior court to establish such forfeiture Any funds so forfeited shall be deposited in the State Treasury and credited to the State School Fund."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 693**—An act to amend Section 19581 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 2, lines 20 and 21, of the printed bill, strike out "(Sections 19551 to 19689, inclusive)".

**Amendment No. 2**

On page 2, line 25, strike out the period, and insert ", unless the elementary district, is maintaining and has continuously maintained grades seven and eight since a date prior to January 1, 1959. When such pupils are so considered in determining or estimating the average daily attendance of the elementary district in making an apportionment to the elementary district, such pupils shall not be considered in determining or estimating average daily attendance of the high school district in making an apportionment to the high school district for junior high school purposes."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 642**—An act to add Section 29022 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to integrity of diplomas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "foster", and insert "encourage".

Bill ordered reprinted, and returned to the second reading file

**Senate Bill No. 783**—An act to add Section 8162.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to exemption from courses in physical education.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Senate on April 13, 1959, after "any", insert "senior or four-year high school".

**Amendment No. 2**

On page 1, line 5, strike out "14 of", and insert "12 in"

**Amendment No. 3**

On page 1, line 7, strike out "Sections 8160 and 8161", and insert "Section 8160".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 691**—An act to amend Section 20103 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the county school service fund.

Bill read second time, and ordered to third reading.

**Senate Bill No. 692**—An act to amend Sections 23057 and 23758 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges and the University of California.

Bill read second time, and ordered to third reading.

**Senate Bill No. 14**—An act to amend Sections 1781 and 1782 of the Education Code as enacted at the 1959 Regular Session, relating to the annexation, to school districts, of territory not in an elementary or high school district.

Bill read second time, and ordered to the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2075** and **2113**, subsequent to engrossment.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bee was granted unanimous consent to offer and consider a congratulatory House resolution without reference to committee or file.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is there not a regular procedure for congratulatory resolutions?

### Reply by Speaker

The Speaker replied that the Rules provide for such procedure.

### Request for Unanimous Consent

Mr. Bee was granted unanimous consent to hold the resolution temporarily for additional signatures before introduction.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1526**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1526?

**Amendment No. 1**

On page 3, line 7, of the printed bill, after "2.", strike out the balance of line 7 and all of lines 8, 9, 10, and 11, and insert "Nothing in this act, as it amends the

introductory paragraph of Section 10202 S, shall be construed so as to broaden the scope of the type of employer who may participate in a trust."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1526 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Masterson, McMillan, Miller, Mulford, Nisbet, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Z'berg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1526 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

Bill read third time.

### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

### Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 28, 1959, between lines 33 and 34, insert

"53094. Notwithstanding any other provisions of this article, the governing board of a school district, by vote of two-thirds of its members, may render a city or county zoning ordinance inapplicable to such school district. The board shall, within 10 days, notify the city or county concerned of such action. If such governing board has taken such action the city or county may commence an action in the superior court of the county whose zoning ordinance is involved or in which is situated the city whose zoning ordinance is involved, seeking a review of such action of the governing board of the school district to determine whether it was arbitrary and capricious. The city or county shall cause a copy of the complaint to be served on the board. If the court determines that such action was arbitrary and capricious, it shall declare it to be of no force and effect, and the zoning ordinance in question shall be applicable to such school district."

### Amendment No. 2

On page 3, line 34, strike out "53094", and insert "53095".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Bee, Crown, Dahl, Miss Donahoe, Messrs. Mulford, Petris, and Rumford:

### House Resolution No. 243

Relating to the retirement of Mrs Louise Beyer Gridley

WHEREAS, Mrs. Louise Beyer Gridley is retiring this year from the position of Executive Secretary of the Bay Section of the California Teachers Association after a long and distinguished career; and

WHEREAS, Mrs. Gridley has served as the State Director of the National Education Association, as one of the two teacher members of the State Teachers Retirement Board, on the Investment Board of the Retirement System, and as Chairman of the State Retirement Committee; and

WHEREAS, When she assumed her position as Executive Secretary, the membership of the Bay Section was 15,146, and the staff of the Executive Secretary consisted of two clerical workers, and now such membership is 26,045 and such staff is composed of 8 clerical assistants, all housed in a new headquarters building with a service program for its members second to none in the State; and

WHEREAS, Mrs. Gridley has also been a successful mathematics teacher, as is demonstrated by the fact that many of her former students have gained renown as the result of her instruction; and

WHEREAS, Upon her retirement Mrs. Gridley will have completed a career most worthy of emulation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mrs. Louise Beyer Gridley is commended for her many years of devoted service to her profession and her community, and that she enjoy nothing but happiness and good health in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Gridley.

### Request for Unanimous Consent

Mr. Bee was granted unanimous consent to take up House Resolution No. 243 without reference to committee or file.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 753**—An act to add Section 14057.5 to, and to amend Section 14058 of the Health and Safety Code, relating to local fire districts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 753 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Chapel, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—54.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

Bill read third time.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Lanterman moved a call of the Assembly.

Motion carried. Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY
## BY UNANIMOUS CONSENT
## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 244**—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026.5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021, 9023, 9024, and 9028.6 to, the Business and Professions Code, relating to the licensing of social workers.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.07 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Motion to Amend

Messrs. Hegland, Schrade, Luckel, and Miss Donahoe moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 17, 1959, strike out "political affiliation,".

### Amendment No. 2

On page 7, line 10, strike out "to such an extent that in his activities as a"; strike out lines 11 and 12, and insert a period.

### Amendment No. 3

On page 7, between lines 16 and 17, insert

"(c) He advocates the overthrow of the government by force and violence or other unlawful means."

### Amendment No. 4

On page 7, line 17, strike out "(c)", and insert "(d)".

Amendments read.

On request of Mr. Burton, the amendments were read again slowly.

### Parliamentary Inquiry

Mr. Z'berg arose to the following parliamentary inquiry: Is it possible to divide the question?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the question is divisible.

### Division of Question

Mr. Z'berg asked for a division of the question.

### Parliamentary Inquiry

Mr. Hegland arose to the following parliamentary inquiry: Is the request in the form of a motion?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was not, and read Rule No. 98 to the members.

### Parliamentary Inquiry

Mr. Levering arose to the following parliamentary inquiry: Will it be possible to vote on all of the amendments before reprinting the bill?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that that was the usual procedure, and, without objection, it would be followed in this instance.

**Consideration of Amendment No. 1**

**Amendment No. 1**

On page 1, line 14, of the printed bill, as amended in the Assembly on April 17, 1959, strike out "political affiliation,".

Amendment read.

**Demand for Previous Question**

Messrs. Hawkins, Schrade, Luckel, Johnson, and Chapel demanded the previous question. Demand sustained.

The question being on the adoption of the Amendment No. 1.

**Roll Call Demanded**

Messrs. Levering, Shell, and Burke demanded a roll call.

The roll was called, and Amendment No. 1 adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, and Williamson—52.

NOES—George E. Brown, Burton, Elliott, O'Connell, Waldie, and Z'berg—6.

**Explanation of Vote on Amendment No. 1**

My reason for a "No" vote on Amendment No. 1 to Assembly Bill No. 244 today is as follows:

Assembly Bill No. 244 before amendment today provided that revocation of a social worker's license shall be administered without regard to race, color, creed, political affiliation, national origin, etc. By removing the words "political affiliation" courts could possibly determine that the Legislature intended that political affiliation could be considered grounds for suspension or revocation of licenses.

EDWIN L. Z'BERG

**Consideration of Amendment No. 2**

**Amendment No. 2**

On page 7, line 10, strike out "to such an extent that in his activities as a"; strike out lines 11 and 12, and insert a period.

Amendment read.

**Roll Call Demanded**

Messrs. Dahl, Lowrey, and Shell demanded a roll call.

The roll was called, and Amendment No. 2 adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, and Z'berg—56.

NOES—Burton, Elliott, and O'Connell—3.

**Consideration of Amendment No. 3**

**Amendment No. 3**

On page 7, between lines 16 and 17, insert

"(c) He advocates the overthrow of the government by force and violence or other unlawful means."

Amendment read.

**Roll Call Demanded**

Messrs. Shell, Dahl, and Lowrey demanded a roll call.

The roll was called, and Amendment No. 3 adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Williamson, Charles H. Wilson, and Z'berg—54.

NOES—George E. Brown, Burton, Elliott, Hawkins, O'Connell, and Waldie—6.

**Consideration of Amendment No. 4**

**Amendment No. 4**

On page 7, line 17, strike out "(c)", and insert "(d)".

Amendment read.

**Roll Call Demanded**

Messrs. Dahl, Lowrey, and Chapel demanded a roll call.

The roll was called, and Amendment No. 4 adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovcih, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, and Z'berg—62.

NOES—None.

Assembly Bill No. 244 ordered reprinted, and re-engrossed.

**CONSIDERATION OF SPECIAL ORDER**

The hour having arrived, Senate Bill No. 33 was taken up

**Senate Bill No. 33**—An act to add Article 5 (commencing with Section 12050) to Chapter 1, Part 2, Division 3, Title 2 of, the Government Code, relating to the protection of consumer interests.

Bill read third time, and presented by Mr. Hanna.

**Speaker Presiding**

At 10.33 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

**Demand for Previous Question**

Messrs. O'Connell, Burke, Schrade, Charles H. Wilson, and Lanterman demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—47.

NOES—Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Cusanovich, Dahl, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Pattee, Reagan, Schrade, Shell, Sumner, and Thelin—25.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Concurrent Resolution No. 13 was taken up.

**Senate Concurrent Resolution No. 13**—Relative to State Highway Route 38 (Sign Route 89) around Emerald Bay.

Resolution read, and presented by Mr. Lunardi.

### Motion to Re-refer

Mr. Unruh moved that the bill be re-referred to the Committee on Ways and Means.

Mr. Gaffney seconded the motion.

### Demand for Previous Question

Messrs. Biddick, Schrade, Luckel, Johnson, and Z'berg demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

Motion carried by the following vote:

AYES—Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Collier, Conrad, Coolidge Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Backstrand, Bane, Britschgi, George E. Brown, Burton, Cameron, Chapel, Crown, Dills, Elliott, Francis, Frew, Grant, Hawkins, Lunardi, Masterson, Sedgwick, Thomas, and Charles H. Wilson—19.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 483

At 11.24 a.m., Mr. Lanterman moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 483 passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—54.

NOES—Backstrand, Beaver, Bradley, Britschgi, Burton, Cameron, Chapel, Coolidge, Crawford, Gaffney, Hegland, Holmes, Luckel, Lunardi, Munnell, Nisbet, O'Connell, Schrade, Sumner, Thelin, Waldie, and Z'berg—22.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2249

Mr. Francis asked for unanimous consent to expunge the record, and rescind the action whereby, on May 5, 1959 (Assembly Journal, page

3266), Assembly Bill No. 2249 was ordered withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Criminal Procedure.

Mr. Crown withheld unanimous consent.

### Motion to Expunge Record and Rescind Action on Withdrawal and Re-reference of Assembly Bill No. 2249

Mr. Francis moved to expunge the record, and rescind the action whereby on May 5, 1959 (Assembly Journal, page 3266), Assembly Bill No. 2249 was ordered withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Criminal Procedure.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Crown, Munnell, Petris, Unruh, and Waldie—5.

Assembly Bill No. 2249 ordered returned to the Committee on Judiciary—Civil.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2061**—An act to amend Section 14345 of the Revenue and Taxation Code, relating to inheritance taxation.

Bill read third time.

### Speaker pro Tempore Presiding

At 11.32 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1079**—An act to amend Section 37902 of the Government Code, relating to public projects of general law cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman,

Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—Coolidge, Holmes, and Mulford—3

Bill ordered transmitted to the Senate.

**Assembly Bill No. 688**—An act to add Sections 32008 and 32009 to the Revenue and Taxation Code, relating to alcoholic beverage taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—Ernest R. Geddes—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1504**—An act to add Section 577 to the Elections Code, relating to the boundaries of election precincts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—Lowrey and Unruh—2.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 229

By Mr. Backstrand:

### House Resolution No. 229

Relative to congratulating Irwin Schuman

WHEREAS, Irwin Schuman has been an important and valuable member of the Palm Springs community for almost a quarter of a century; and

WHEREAS, Mr Schuman by virtue of his business acumen has built up the Chi Chi Club from a tiny restaurant to the second biggest night club west of the Mississippi, and

WHEREAS, He was recently the recipient of the First Annual Palm Springs Good Citizen Award for 1959 at a banquet on October 20, 1958, attended by Villagers and celebrities, civic officials and Palm Springs merchants, former associates and old friends, who gathered to pay him honor for all of the things he has done for Palm Springs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Mr Irwin Schuman for his long and devoted service to his city and his community and for his deserved receipt of the Palm Springs Good Citizen Award for 1959; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Schuman

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 230

By Mr. House:

**House Resolution No. 230**

Relative to the First Baptist Church of El Centro

WHEREAS, On June 14, 1959, the First Baptist Church of El Centro will celebrate its Fiftieth Anniversary; and

WHEREAS, The First Baptist Church of El Centro has long been a strong force and guiding light within the community of El Centro; and

WHEREAS, For 50 years the First Baptist Church of El Centro, located at Seventh and Orange Streets, has faithfully served its people; and

WHEREAS, The First Baptist Church of El Centro under the present leadership of Doctor William D. Lawrence, continues to devote itself, not only to the needs of its members, but to the welfare of the entire community; and

WHEREAS, The First Baptist Church of El Centro has, over the course of the past 50 years, made a significant contribution of the furtherance of Christianity, morality, and religion within this State; now, therefore, be it

*Resolved by the Assembly of the State of California,* That this body extends its greetings and congratulations to the First Baptist Church of El Centro, California, upon the occasion of its Fiftieth Anniversary of service in the Name of the Lord; and be it further

*Resolved,* That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the congregation and Minister of the First Baptist Church of El Centro.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 231

By Mr. Z'berg:

**House Resolution No. 231**

Relative to the retirement of Mr. O. H. Close

WHEREAS, Mr. O. H. Close, one of the original members of the Youth Authority and its first chairman, retired on December 31, 1958, from the position as a member of the Authority which he had held continuously since 1941; and

WHEREAS, A recognized pioneer in developing youth correctional programs, his courageous action in doing away with the whipping post at the Preston School of Industry led the way toward the development of the present humane approach to corrections throughout California; and

WHEREAS, Mr. Close, who is a graduate of Stanford University, was the principal of the San Juan Union High School from 1914 to 1920, except for one year during World War I when he was in the United States Army, and from 1920 to 1945 he was the Superintendent of the Preston School of Industry at Ione. He has been a member of the Board of Corrections since 1944; and

WHEREAS, The President of the National Conference of Juvenile Agencies in 1940 and the President of the Western Probation and Parole Association in 1957, Mr. Close has also served as the Chairman of the Delinquency Prevention Section of the Commonwealth Club of San Francisco; and

WHEREAS, Mr. Close is active in many civic organizations, including the Boy Scouts of America, the Lincoln Christian Center, the California Junior Museum, the Sacramento Youth Employment Organization, the Westminster Presbyterian Church, and the downtown Sacramento Kiwanis Club, the Masonic Lodge and York Rite bodies, and the Ben Ali Shrine, in Sacramento; now, therefore, be it.

*Resolved by the Assembly of the State of California,* That the Members of the Assembly of the State of California do hereby congratulate Mr. O. H. Close upon his retirement as a member of the Youth Authority and extend to him their highest commendation for his exemplary and devoted service to the people of this State and their sincere and hearty good wishes for a long and active life; and, be it further

*Resolved,* That the Chief Clerk is directed to prepare and transmit a suitably prepared copy of this resolution to Mr. O. H. Close.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 233

By Mr. Francis:

**House Resolution No. 233**

Relative to congratulating Elsa McGinn and John L. McGinn on their Fifty-fifth Wedding Anniversary

WHEREAS, Mrs. Elsa McGinn, a distinguished citizen of San Mateo County, and Mr. John L. McGinn, a former district attorney of Fairbanks, Alaska, marked their Fifty-fifth Wedding Anniversary; and

WHEREAS, The occasion of this anniversary is a seasonable time to recall the many years of dedicated public service which Mrs. McGinn has contributed to San Mateo County, the State, and the Nation; and

WHEREAS, In 1920 Mrs. McGinn was elected to the City Council of San Mateo by the highest vote ever cast for that office and served as the city's first woman mayor; and

WHEREAS, Her public service also includes federal appointment as head of the civil defense organization of San Mateo County during World War I, a member of the Board of Managers of the Agnew State Hospital, a member of the San Mateo City Planning Commission, serving as chairman and secretary, and service as a member of the San Mateo County Health and Welfare Board; and

WHEREAS, In addition to Mrs. McGinn's public service she managed a happy and contented family home and raised two children; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly extends congratulations to Mr. and Mrs. McGinn on their Fifty-fifth Wedding Anniversary and commends Mrs. McGinn for her long years of dedicated public service; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. and Mrs. John L. McGinn.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 237

By Mr. Backstrand:

### House Resolution No. 237

Relating to the Idyllwild Bear Festival

WHEREAS, A most significant period in California's history is that of its existence as the Bear Flag Republic in 1846; and

WHEREAS, The first flag of this republic carried the symbol of the California Grizzly Bear; and

WHEREAS, Ursus Californicus (the California Grizzly Bear) not only adorned the first flag of California, but has since become the symbol of our great State, appearing on the Great Seal of this State, and has been traditionally used by many great institutions of California as their symbol, including the University of California; and

WHEREAS, Chapter 1140 of the Statutes of 1953 declared the state animal of California to be the California Grizzly Bear; and

WHEREAS, The Idyllwild Chamber of Commerce has for the past three years annually celebrated the Idyllwild Bear Festival at which proper recognition and acclaim is given to this magnificent symbol of California's greatness; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Idyllwild Chamber of Commerce and all other contributors to the Idyllwild Bear Festival are commended for their initiative and enterprise in annually commemorating the state animal of California at the Idyllwild Bear Festival; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to the Idyllwild Chamber of Commerce

Resolution read, and adopted unanimously.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF GOVERNOR'S VETOES

**Assembly Bill No. 242**—An act to amend Section 14058 of the Health and Safety Code, relating to nomination of fire commissioners.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 242 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Crawford, and Holmes—2.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto,

Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

**Assembly Bill No. 199**—An act to amend Section 5781.10 of the Public Resources Code, relating to election of directors of recreation.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 199 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

**Assembly Bill No. 863**—An act to amend Section 5024 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 863 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

## CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the first item on the Consent Calendar.

### Speaker Presiding

At 11.50 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Inquiry by Speaker

The Speaker inquired if any member had an objection to any item on the Consent Calendar, and no objections were heard.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 1741**—An act to amend Sections 74702 and 74703 of the Government Code, relating to the Santa Rosa Municipal Court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2179**—An act to amend Sections 73871, 73872, 73873, and 73874 of, and to add Sections 73873.1 and 73874.1 to, the Government Code, relating to officers and attaches of the municipal court of North Sacramento.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1419**—An act to amend Section 71140 of the Government Code, relating to the qualifications of municipal court judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1882**—An act to amend Section 2020.01 of the Welfare and Institutions Code, relating to lump sum income of old age assistance applicants and recipients

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1617**—An act to amend Section 690.24 of the Code of Civil Procedure, relating to exemptions from attachment and execution.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1920**—An act to add Section 150 to the Streets and Highways Code, relating to state freeways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 804**—An act to amend Section 25253 of the Government Code, relating to county boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1889**—An act to add Section 53064 to the Government Code, relating to local agencies reimbursing employees for damaged property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2059**—An act to amend Section 26361 of the Government Code, relating to revenue bonds for county improvements, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1522**—An act to amend Section 8732.5 of, and to add Sections 6055 and 6203.5 to, and to repeal Section 6453.5 of, the Revenue and Taxation Code, relating to credits against the sales, use and use fuel tax.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell,

Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 98**—An act to amend Section 631 of the Code of Civil Procedure, relating to waiver of jury trial.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 167**—An act to repeal Sections 2974 and 2975 of, and to add Section 2975 to, the Civil Code, relating to mortgages of personal property or crops to secure future advances.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to offer and consider a House resolution, at this time.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 244

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necesary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 244 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

By Mr. Hawkins:

**House Resolution No. 245**

WHEREAS, It is essential that the people and especially the children of this State become well versed in the ideals, principles and precepts of our American form of government; and

WHEREAS, The State requires the teaching of government as a course of study in our schools; and

WHEREAS, "The Legislature of California" written by Chief Clerk Arthur A. Ohnimus, and published by the Assembly, sets forth in a comprehensive and succinct manner a detailed and lucid description of the procedure employed by the California Legislature and pertinent information relating to the history and Constitution of the State of California and has proven to be a particularly valuable aid to those teaching the required courses in State Government; and

WHEREAS, Important Constitutional and procedural changes in California's legislative process have occurred as a result of the adoption of Proposition No. 9 by the people at the November 4, 1958, General Election; and

WHEREAS, The supply of "The Legislature of California" of California is now depleted and will soon be exhausted and there are a large number of requests from our schools and students of government for copies of this publication; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Chief Clerk of the Assembly be requested to revise, augment and make current the publication entitled "The Legislature of California" and have it printed in book form; and be it further

*Resolved,* That the Chief Clerk is authorized to distribute copies of this publication upon request of the Members of the Assembly, not to exceed fifty copies to any one member, and to schools and students in such number as may be determined by the Chief Clerk; and be it further

*Resolved,* That the cost of the printing of this publication be charged to and payable from the Legislative Printing Fund.

Resolution read, and referred to the Committee on Rules.

By Mr. Belotti:

**House Resolution No. 246**

Relative to the use of wood products in the construction of school and other public buildings

WHEREAS, Local school districts and other tax-supported institutions have a solemn responsibility to take all appropriate steps to strengthen the economy of the area in which they are located and to display a pride in the products of local industry; and

WHEREAS, An outstanding example of this concept was revealed when the Pacific Union School District, in Humboldt County, through the encouragement of full participation and co-operation by local citizens and local industry, recently completed the erection of an economical, beautiful and engineeringly sound all-wood elementary school, constructed of structural fir with plywood sub-flooring and roof sheathing, redwood siding and wood fiber acoustical tile; and

WHEREAS, Such buildings when constructed of wood not only display a beauty and warmth obtainable only through the use of this product of nature, but are, in addition, structurally sound, especially from the standpoint of earthquake protection, and meet all state standards for the construction of schools and other public buildings; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House hereby requests that the State Department of Education and the Division of Architecture give serious consideration to the wider use of wood and wood products in the construction of school and other public buildings; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Superintendent of Public Instruction and to the State Architect.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 6, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2141
Assembly Bill No. 2284
Assembly Bill No. 2297

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 895
Assembly Bill No. 1009
Assembly Bill No. 1031
Assembly Bill No. 1229
Assembly Bill No. 1315

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2075
Assembly Bill No. 2113

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1475

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1572

And reports the same correctly re-engrossed (Title Amendment).

BURKE, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2580

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2158

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 600**—An act to amend Sections 7068 and 7122 of, and to add Sections 7068.1, 7068.2, 7068.3, and 7122.5 to the Business and Professions Code, relating to contractors;

**Assembly Bill No. 690**—An act to amend Section 6731 of the Business and Professions Code, relating to the practice of engineering;

**Assembly Bill No. 845**—An act to add Section 8283 to the Fish and Game Code, relating to crabs;

**Assembly Bill No. 1014**—An act to amend Section 19574.5 of the Government Code, relating to leave of absence for state civil service employee while charges are investigated;

**Assembly Bill No. 1275**—An act to amend Section 459.2 of the Vehicle Code, and to amend Section 21106 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to establishment of crosswalks by local authorities;

**Assembly Bill No. 1906**—An act to repeal Section 10710 of the Fish and Game Code, relating to razor clams;

And reports the same correctly enrolled, and presented to the Governor on the sixth day of May, 1959, at 10 a.m.

BURKE, Chairman

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 838

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1399

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 494

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, May 5, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1978

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 573

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1923

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Concurrent Resolution No. 98

With the recommendation: Be adopted.

DAVIS, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 98

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

### Committee on Fish and Game

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1924
Assembly Bill No. 1977

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DAVIS, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 438

With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 717

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill ordered to second reading.

**Committee on Water**

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Joint Resolution No. 21

With amendments with the recommendation: Amend, and be adopted, as amended

PORTER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 989
Assembly Bill No. 1863
Senate Bill No. 780

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 658

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 494
Senate Bill No. 880

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1847

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2242

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 163
Assembly Bill No. 395
Assembly Bill No. 469
Assembly Bill No. 1281
Assembly Bill No. 1347

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 304
Senate Bill No. 534
Senate Bill No. 703

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 995
Assembly Bill No. 1766
Assembly Bill No. 2304

With the recommendation: Do pass

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1866

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 8
Senate Bill No. 509

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 40

With the recommendation: That the resolution be re-referred to the Committee on Fish and Game.

MILLER, Chairman

Above resolution re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 61

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 235

With the recommendation: That the resolution be re-referred to the Committee on Municipal and County Government.

MILLER, Chairman

Above resolution re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 238
House Resolution No. 242
House Resolution No. 240

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 239

With the recommendation: That the resolution be re-referred to the Committee on Fish and Game.

MILLER, Chairman

Above resolution re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 234

With the recommendation: That the resolution be re-referred to the Committee on Ways and Means.

MILLER, Chairman

Above resolution re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 115

With the recommendation: That the resolution be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 105

With the recommendation: That the resolution be re-referred to the Committee on Municipal and County Government.

MILLER, Chairman

Above resolution re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 219

With amendments with the recommendation: Amend, and be adopted, as amended

MILLER, Chairman

Above resolution ordered on file.

**Committee on Constitutional Amendments**

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 38

With amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

BUSTERUD, Chairman

Above resolution ordered on file.

## RESOLUTIONS

The following resolution was offered:

By Messrs. O'Connell, Burton, Gaffney, and Meyers:

### House Resolution No. 247

Relative to the Seventy-fifth Birthday of Harry S. Truman

WHEREAS, On May 8th of this year, Harry S. Truman, ex-President of the United States, will celebrate his Seventy-fifth Birthday; and

WHEREAS, Harry S. Truman has rendered many and great services to the Nation as a Member of the United States Senate, as Vice President of the United States and as President of the United States; and

WHEREAS, To mark the occasion of his birthday, Mr. Truman will speak to persons attending birthday parties in his honor all across the Nation through the use of closed circuit television; and

WHEREAS, Members of the Democratic Party in San Francisco will meet in the Civic Auditorium on Friday, May 8th, at 8 in the evening in honor of Mr. Truman and to hear and see his television broadcast; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend to Harry S. Truman their congratulations on the occasion of his Seventy-fifth Birthday; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Harry S. Truman.

### Request for Unanimous Consent

Mr. O'Connell was granted unanimous consent to take up House Resolution No. 247 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1530 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 1530 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1530

**Assembly Bill No. 1530**—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Bill read second time.

### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

### Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 8, 1959, strike out lines 31 to 41, inclusive, and insert

"790.05. Whenever the commissioner shall have reason to believe that any such person has been engaged or is engaging in this State in any unfair method of competition or any unfair or deceptive act or practice defined in Section 790.03, and that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person an order to show cause containing a statement of the charges in that respect and a notice of a hearing thereon to be held at a time and place fixed therein, which shall not be less than 30 days after the service thereof, for the purpose of determining whether the commissioner should issue an order to such person to cease and desist such methods, acts or practices or any of them.

If the charges or any of them are found to be justified the commissioner shall issue and cause to be served upon such person an order requiring such person to cease and desist from engaging in such methods, acts, or practice as have been found to be unfair or deceptive.

Such hearing shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 (commencing at Section 11500) of Part 1, Division 3, Title 2 of the Government Code, and the commissioner shall have all the powers granted therein.

Such person shall be entitled to have such proceedings and such order reviewed by means of any remedy provided by Section 12940 of this code or by said Administrative Procedure Act.

790.06. (a) Whenever the commissioner shall have reason to believe that any person engaged in the business of insurance is engaging in this State in any method of competition or in any act or practice in the conduct of such business which is not defined in Section 790.03 and that such method is unfair or that such act or practice is unfair or deceptive and that a proceeding by him in respect thereto would be in the interest of the public, he may issue and serve upon such person an order to show cause containing a statement of the methods, acts or practices alleged to be unfair or deceptive and a notice of hearing thereon to be held at a time and place fixed therein, which shall not be less than 30 days after the service thereof, for the purpose of determining whether the alleged methods, acts or practices or any of them should be declared to be unfair or deceptive within the meaning of this article.

The hearings provided by this section shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 (commencing at Section 11500) of Part 1, Division 3, Title 2 of the Government Code, and the commissioner shall have all the powers granted therein. If the alleged methods, acts, or practices or any of them are found to be unfair or deceptive within the meaning of this article the commissioner shall issue and service upon said person his written report so declaring.

(b) If such report charges a violation of this article and if such method of competition, act or practice has not been discontinued, the commissioner may, through the Attorney General of this State, at any time after 30 days after the service of of such report cause a petition to be filed in the superior court of this State within the county wherein the person resides or has his principal place of business, to enjoin and restrain such person from engaging in such method, act or practice. The court shall have jurisdiction of the proceeding and shall have power to make and enter appropriate orders in connection therewith and to issue such writs as are ancillary to its jurisdiction or are necessary in its judgment to prevent injury to public pendente lite.

(c) A transcript of the proceedings before the commissioner, including all evidence taken and the report and findings shall be filed with such petition. If either party shall apply to the court for leave to adduce additional evidence and shall show, to the satisfaction of the court, that such additional evidence is material and there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commissioner, the court may order such additional evidence to be taken before the commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commissioner may modify his findings of fact or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings with the return of such additional evidence.

(d) If the court finds that the method of competition complained of is unfair or that the act or practice complained of is unfair or deceptive, that the proceeding by the commissioner with respect thereto is to the interest of the public and that the findings of the commissioner are supported by the weight of the evidence, it shall issue its order enjoining and restraining the continuance of such method of competition, act or practice.

790.07. Whenever the commissioner shall have reason to believe that any person has violated a cease and desist order issued pursuant to Section 790.05 or a court order issued pursuant to Section 790.06, after such order has become final, and while such order is still in effect, the commissioner may, after a hearing at which it is determined that such violation was committed, order such person to forfeit and pay to the State of California a sum not to exceed fifty dollars ($50), which may be recovered in a civil action, except that, if such violation is found to be willful, the amount of such penalty may be a sum not to exceed five hundred dollars ($500).

For any subsequent violation of such cease and desist order or of such court order, while any such order is still in effect, the commissioner may, after hearing, suspend or revoke the license or certificate of such person for a period not exceeding one year. Provided, however, no such proceeding shall be based upon such subsequent violation unless the same was committed or continued after the date on which the order imposing the penalty pursuant to the preceding paragraph became final.

The hearings provided by this section shall be conducted in accordance with said Administrative Procedure Act, and the commissioner shall have all the powers granted therein.

Such person shall be entitled to have such proceedings and the order of the commissioner thereon reviewed by means of any remedy provided by Section 12940 of this code or by said Administrative Procedure Act."

**Amendment No. 2**

On page 7, line 4, strike out "790.11", and insert "790.08".

**Amendment No. 3**

On page 7, line 10, strike out "790.12", and insert "790 09".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: ~~Monday, April 27, 1959;~~ Tuesday, April 28, 1959; Wednesday, April 29, 1959; Thursday, April 30, 1959; and Friday, May 1, 1959.

NOTE—On May 14, 1959, the action was rescinded whereby the Assembly Journal for Monday, April 27, 1959, was this day approved. (Assembly Journal, page 3673.)

## EXPLANATIONS OF ABSENCE

I was absent from the Assembly Chamber from 10 a.m. until 11.10 a.m. attending a conference with the Local Allocations Board.

ERNEST R. GEDDES

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May 6, 1959

I missed some roll calls during this morning's session because I had to present a couple of my bills to the Senate Education Committee and the Senate Judiciary Committee.

LOUIS FRANCIS

## ADJOURNMENT

At 11.54 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, May 7, 1959,

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-FIRST LEGISLATIVE DAY

EIGHTY-NINTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, May 7, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R Wilbur Simmons:

*We Thank Thee, God,* For the privilege of praying in this Assembly, which, when mentioned, usually brings from the public the quick reaction, "they need it." Can it be, Our Father, that our work is so important that we do greatly need the power of prayer? Does the public really have a sense of the pressures under which legislators work: importunate lobbyists, anxious and critical constituents, worthy opponents, rest and sleep in short supply? Sustain these lawmakers, we pray Thee, our Father, through weary days, for just laws are hard to produce, and it is difficult to be fair to all concerned. Hear our prayer for these Thy good and faithful public servants.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Frew, seconded by Mr. Winton.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Porter, on motion of Mr. Winton.

Mr. Miller, on motion of Mr. George E. Brown.

## LEAVES OF ABSENCE FOR A PART OF THE DAY

The following member was granted leave of absence of a part of the day, because of legislative business in the Senate:

Mr. Crawford, on motion of Mr. Schrade.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

CALIFORNIA STATE POLYTECHNIC COLLEGE
SAN LUIS OBISPO, May 4, 1959

*To the Honorable Members of the California State Assembly*
*Care of: Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol Building, Sacramento*

I would be remiss in both appreciation and courtesy if I did not take some means to let the Members of the California State Assembly know something of the degree to which I was touched by their resolution in honor of my 25 years at California State Polytechnic College. It is an inspiring thing to have one's efforts appreciated and particularly by those whose judgment and opinions one values and respects.

The Assembly, in co-operation with the Senate of the State of California, have made possible the great advancements in California's field of higher education. You have found the means of meeting the costs and have always been sympathetic to the tradition of free higher education.

My appreciation, therefore, goes forward not only for your heartwarming resolution concerning my work at California State Polytechnic College, but for your co-operation through the years.

Sincerely yours,

JULIAN A. McPHEE, President

### Traffic Problem at Temporary Terminal of Ventura Freeway

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, May 1, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk, Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Reference is made to your letter of April 3, 1959, transmitting a copy of House Resolution No. 172, adopted by the Assembly on April 2, 1959, regarding the traffic problem at the temporary terminal of the Ventura Freeway.

The Division of Highways has had under study the traffic conditions at the temporary termination of the Ventura Freeway at Radford Avenue and Laurel Canyon Boulevard. Preparations are presently under way in co-operation with the City of Los Angeles for the immediate installation of a signal system at the intersection of Sarah Street and Laurel Canyon Boulevard.

The Division of Highways is also preparing plans for the construction of an eastbound on-ramp from Laurel Canyon Boulevard, as suggested in the House Resolution.

The interchange between the freeway and Laurel Canyon Boulevard-Radford Avenue was designed in co-operation with the City of Los Angeles to conform to the city's plan for street development, and as agreed upon between the City of Los Angeles and the State in the freeway agreement executed on May 23, 1955. Radford Avenue at that time was planned to be developed as a secondary city street, and in December, 1956, the City Planning Commission took official action to make Radford Avenue a secondary city street. Radford Avenue has not been improved and is presently closed north of the freeway. It is our understanding that the city has now abandoned plans to develop Radford Avenue as a secondary city street.

Subject to the concurrence of the city, it is the intent of the Division of Highways to initially construct an eastbound on-ramp and ultimately a westbound off-ramp between the freeway and Laurel Canyon Boulevard. Construction of the eastbound on-ramp from Laurel Canyon Boulevard should provide relief to the traffic condition on Sarah Street. The later construction of the westbound off-ramp to Laurel Canyon Boulevard will provide a revised plan which will conform to the present street plan of the City of Los Angeles.

Respectfully,

ROBERT B. BRADFORD, Director of Public Works

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To: Chief Clerk of the Assembly.*

In accordance with the provisions of Joint Rule No. 8 3, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed.

### Digest of Bill

Adds Sec. 86.7, Ag. C.

Authorizes establishing of Space Age Museum by the 1a District Agricultural Association.

EDWARD M. GAFFNEY

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Social Welfare

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 711

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 852

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2275

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 145

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

| | |
|---|---|
| Assembly Bill No. 797 | Assembly Bill No. 2164 |
| Assembly Bill No. 1798 | Assembly Bill No. 2168 |
| Assembly Bill No. 2026 | Assembly Bill No. 2169 |
| Assembly Bill No. 2123 | Assembly Bill No. 2174 |
| Assembly Bill No. 2125 | Assembly Bill No. 2338 |
| Assembly Bill No. 2134 | Assembly Bill No. 1138 |

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2249

With the recommendation: That the bill be re-referred to the Committee on Criminal Procedure.

BIDDICK, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2316

With amendments with the recommendation: Amend, and do pass, as amended

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

| | |
|---|---|
| Assembly Bill No. 685 | Assembly Bill No 2116 |
| Assembly Bill No 2114 | Assembly Bill No 2115 |

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 265
Assembly Bill No. 405

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1999
Assembly Bill No. 2108

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 216
Senate Bill No. 463
Senate Bill No. 648
Senate Bill No. 684
Senate Bill No. 772

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 359**—An act to amend Section 7 of the Penal Code, relating to the definition of "book";

**Assembly Bill No. 1830**—An act to repeal Section 13105 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to licensing of certified school personnel;

And reports the same correctly enrolled, and presented to the Governor on the sixth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 103**—Relative to scientific research facilities of the University of California and the state colleges;

**Assembly Concurrent Resolution No. 112**—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the seventh day of April, 1959;

**Assembly Concurrent Resolution No. 116**—Relative to the anniversary of the Cinco de Mayo;

And reports the same correctly enrolled, and presented to the Secretary of State on the sixth day of May, 1959, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 156
Assembly Bill No 244

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1244

Has had the same under consideration, and reports the same back with amendments with the recommendation. Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: *Your Committee on Public Utilities and Corporations reports:*

Assembly Bill No. 2318

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2208

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2227

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2313
Assembly Bill No. 2314

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 611
Assembly Bill No. 2241

With amendments with the recommendation. Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 219

With the recommendation: Do pass.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2132
Assembly Bill No. 220

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 175
Assembly Bill No. 1598
Assembly Bill No. 1599
Assembly Bill No. 2299

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

### SECOND READING OF SENATE BILL NO. 412 (OUT OF ORDER)

**Senate Bill No. 412**—An act to repeal Section 23373 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

#### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 1, of the printed bill, before "Section", insert "SECTION 1."

Amendment read, and adopted.

Bill ordered reprinted, and returned to the second reading file.

### SECOND READING OF SENATE BILL NO. 420 (OUT OF ORDER)

**Senate Bill No. 420**—An act to amend Sections 25361, 25363 and 25367 of, and to add Section 25370.1 to, the Business and Professions Code, relating to the seizure and disposition of property for violation of the Alcoholic Beverage Control Act.

Bill read second time.

#### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, line 44, of the printed bill, strike out "Chapter 1 (com-"; strike out line 45, and insert "Chapter 6 5 (commencing at Section 3067) of Title 14 of Part 4 of Division 3 of the Civil Code".

Amendment read, and adopted.

Bill ordered reprinted, and returned to the second reading file.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files, with the exception of Senate Bills Nos. 412 and 420, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 175, 1256, 1015, 1061, 358, 2299, 1801, 1598,** and **1599.**

**Senate Bills Nos. 792, 693, 642,** and **783.**

Assembly Bills Nos. 175, 2299, 1598, and 1599 ordered to third reading.

Assembly Bills Nos. 1256, 1015, 1061, and 358 ordered to third reading, subsequent to re-engrossment.

Assembly Bill No. 1801 ordered to third reading, subsequent to engrossment.

Senate Bills Nos. 792, 693, 642, and 783 ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2279**—An act to amend Section 5012.1 of the Public Resources Code, relating to public utility and other structures in state parks and easements therefor.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2311**—An act to amend Section 5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), relating to the powers of the district.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2280**—An act to amend Sections 1505, 1535.7, 1541, 1562, 1564, and 1571 of the Military and Veterans Code, relating to mutual aid for local disaster.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2309**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2187**—An act to amend Section 19331 of the Government Code and to amend Sections 389, 395, 395.01, and 395.03 of the Military and Veterans Code, relating to temporary military leaves for public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

Amendment No. 1

On page 3, line 9, of the printed bill, strike out "14", and insert "15".

Amendment No. 2

On page 3, line 12, after "pay", insert ", other than for travel, quarters, subsistence, or other allowances paid in addition to basic pay,"

Amendment No. 3

On page 3, line 13, strike out "14-day", and insert "15-day".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2201**—An act providing for the transfer of state funds, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive.

**Amendment No. 2**

On page 1, strike out line 10.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2348**—An act to repeal Article 1, comprising Sections 3299 to 3306, inclusive, of Chapter 2, Title 2, Part 3 of the Penal Code, and to repeal Sections 3326 and 3331 of said code, and to amend Sections 3320, 3325, 5001, 5075, 5076, and 5077 of said code, and to amend Section 11555 of the Government Code, relating to administration of institutions in the State's Correctional System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 to 7 of the title of the printed bill, and insert

"An act to amend Sections 3301, 3302, 3305, 3306, and 3320 of, and to add Section 3320.5 to, the Penal Code, relating to the Department of Corrections and agencies therein."

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 3301 of the Penal Code is amended to read:

3301. The Board of Trustees consists of ~~five~~ *two* members appointed by the Governor, ~~three of whom~~ *who* shall be women *and one member of the Adult Authority as designated by the chairman of the Adult Authority from time to time*.

SEC. 2. Section 3302 of said code is amended to read:

3302. The terms of office of the members of the board *appointed prior to the effective date of the amendments to this section enacted at the 1959 Session of the Legislature shall expire on the effective date of this section and thereafter the two women members' terms* shall expire as follows: ~~Two on March 15, 1955, one on March 15, 1956, and two on March 15, 1957~~ *One on March 15, 1961, and one on March 15, 1963*. Their successors shall hold office for terms of four years and until the appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor. Members shall be eligible for reappointment.

SEC. 3 Section 3305 of said code is amended to read:

3305. The *women members of the board of* trustees shall be entitled to their reasonable expenses, including traveling expenses, incurred in the discharge of their duties.

In addition they shall be entitled to a per diem of fifty dollars ($50) per day for not to exceed ten (10) days in any month for attendance upon meetings of the trustees, *Adult Authority,* of the Board of Corrections.

SEC. 4. Section 3306 of said code is amended to read:

3306. The board of trustees may meet and transact business in panels. Each panel shall consist of at least *one member of the Adult Authority and* ~~two~~ *one of the women* members of the board of trustees.

*The member of the Adult Authority and one* ~~two~~ *of the women* members *of the board* shall constitute a quorum for the transaction of business. No action shall be valid unless concurred in by a majority vote of those present.

SEC. 5. Section 3320 of said code is amended to read:

3320. The superintendent shall be a woman, who shall have immediate charge and management of the institution, subject to the control of the department. The department may employ other assistants, officers, and employees for the institution.

The ~~board~~ *department* shall employ such parole officers and other employees as may be necessary to supervise female prisoners on parole.

SEC. 6. Section 3320.5 is added to said code, to read:

3320.5. The rights of the officers and employees employed by the board who, prior to the effective date of this section, were included in the State Civil Service System shall not be affected by the amendments to Section 3320 enacted at the 1959 Regular Session of the Legislature and their rights shall continue to be retained by them pursuant to the State Civil Service Act."

**Amendment No. 3**

On page 1, strike out lines 2 to 17; on page 2, strike out lines 1 to 51; and on page 3, strike out lines 1 to 39.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2209**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2210**—An act to amend Section 25665 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2211**—An act to amend Section 25661 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2224**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2260**—An act to amend Section 23820 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2349**—An act to add Section 205 to the Business and Professions Code, relating to the funds of the state agencies comprising the Department of Professional and Vocational Standards.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1399**—An act to amend Sections 3306 and 3332 of the Welfare and Institutions Code, to amend Sections 135 and 633

of, and to add Section 605.5 to the Unemployment Insurance Code, relating to unemployment compensation benefits and unemployment compensation disability benefits for employees of certain public agencies, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 4, lines 4 and 5, of the printed bill, strike out "sixteen thousand dollars ($16,000)", and insert "one thousand eight hundred dollars ($1,800)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 494**—An act to amend Sections 2655, 3007, 3266, 3270, and 3271 of, to repeal Article 4 (comprised of Section 3101 to 3104, inclusive) of Chapter 5 of Part 2 of Division 1 of, and to add Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 28, 1959, strike out "3007,".

**Amendment No. 2**

On page 3, line 25, strike out "period of disability", and insert "disability benefit period".

**Amendment No. 3**

On page 3, strike out lines 30 through 52; and on page 4, strike out lines 1 through 7.

**Amendment No. 4**

On page 4, line 8, strike out "SEC. 4", and insert "SEC. 3".

**Amendment No. 5**

On page 4, line 11, strike out "5", and insert "4".

**Amendment No. 6**

On page 4, lines 23 and 24, strike out "period of disability", and insert "disability benefit period".

**Amendment No. 7**

On page 4, lines 27 and 28, strike out "requisitioned for that calendar year under subdivision (b) of Section 3007", and insert "of interest credited to the Unemployment Trust Fund for that calendar year which was based on worker contributions collected during 1944 and 1945 and on deposit in such fund".

**Amendment No. 8**

On page 5, line 5, strike out "6", and insert "5".

**Amendment No. 9**

On page 5, line 10, strike out "7", and insert "6".

**Amendment No. 10**

On page 5, line 36, strike out "8", and insert "7".

**Amendment No. 11**

On page 5, line 43, strike out "9", and insert "8".

**Amendment No. 12**

On page 5, line 44, strike out "5", and insert "4".

**Amendment No. 13**

On page 5, line 45, strike out "periods of disability", and insert "disability benefit periods".

**Amendment No. 14**

On page 5, line 47, strike out "10", and insert "9".

**Amendment No. 15**

On page 5, line 49, strike out "4", and insert "3".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1978**—An act to amend Section 8395 of the Fish and Game Code, relating to sale or purchase of surf perch.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1923**—An act to amend Section 8836 of the Fish and Game Code, relating to trawl nets in Districts 17, 18, and 118.5.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "District", and insert "Districts 18 and".

Bill ordered reprinted, re-engrossed, and the bill to be filed, as amended; and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 438**—An act to amend Section 311 of the Fish and Game Code, relating to salmon fishing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 9; and in line 10, strike out "and shank of the hook", and insert "only one point".

**Amendment No. 2**

On page 1, lines 18 and 19, strike out "or larger than one-half inch".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

**Assembly Bill No. 717**—An act to amend Sections 13006, 13100, and 13101 of, and to add Sections 13006.1 and 13006.2 to, the Government Code, and to add Section 11801 to the Insurance Code, relating to the acquisition of state property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Joint Resolution No. 21**—Relative to state-federal relations in water development.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed measure, strike out lines 12 to 15, inclusive.

**Amendment No. 2**

On page 2, line 11, strike out "and development".

**Amendment No. 3**

On page 2, line 12, strike out "resources", and insert "rights".

Resolution ordered reprinted, and engrossed.

**Assembly Bill No. 989**—An act to create a flood control district to be called Plumas County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 7, line 17, of the printed bill, as amended in the Assembly on April 9, 1959, after "sale", insert "or use".

**Amendment No. 2**

On page 7, line 18, strike out "at retail".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1863**—An act to create a flood control district to be called Sierra County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and too save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 7, line 14, of the printed bill, as amended in the Assembly on April 30, 1959, after "sale", insert "or use".

**Amendment No. 2**

On page 7, line 15, strike out "at retail".

Bill ordered reprinted, and re-engrossed

**Assembly Bill No. 1847**—An act to create the Nevada County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Nevada County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 3, line 50, of the printed bill, as amended in the Assembly on April 30, 1959, strike out "shall", and insert "may".

**Amendment No. 2**

On page 5, line 23, after "sale", insert "or use".

**Amendment No. 3**

On page 5, line 24, after "energy", strike out "at retail".

**Amendment No. 4**

On page 6, lines 33 and 34, strike out "to the works of the agency".

**Amendment No. 5**

On page 6, strike out lines 44 to 48, inclusive, and insert "their usefulness."

**Amendment No. 6**

On page 13, between lines 44 and 45, insert

"There shall be no encroachment or overlapping by the agency of water applications, water rights, or proposed projects for the development of water for irrigation and domestic uses and electric energy of any municipality, public district, or public agency now or hereafter established in or partially within the limits of the agency. Revenues from electric energy shall be used by the agency for the benefit of the entire agency, and no financial obligation shall be placed upon the areas within the boundaries of any municipality, public district, or public agency now or hereafter established in or partially within the limits of the agency for the purpose of flood control, reclamation, conservation, storage, distribution, sale, use, or development of water or electric energy unless a direct benefit is derived by the lands located therein."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 2242**—An act relating to the dissolution of the Santa Clara Valley Water Conservation District and the addition of the area thereof to the Santa Clara Flood Control and Water Conservation District, and in this connection to add Sections 3.4, 3.5, and 3.6 to the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951).

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 5 of the title of the printed bill, strike out "and 3.6 to", and insert "3 6, and 3 7 to, and to amend Section 4 of,".

**Amendment No. 2**

On page 2, after line 19, insert

"SEC. 5. Section 3 7 is added to said act, to read:

Sec. 3.7. The zone of the district established by Sec. 3.4 of this act shall replace the Santa Clara Valley Water Conservation District as a member agency of the Santa Clara-Alameda-San Benito Water Authority. The board of supervisors of the district shall appoint a director to represent said zone in accordance with the provisions of the Santa Clara-Alameda-San Benito Water Authority Act.

SEC. 6. Section 4 of said act is amended to read:

Sec. 4. The ~~primary~~ objects and purposes of this act are to provide for the control of the flood and storm waters of the district and the flood and storm waters of streams that have their sources outside the district, but which streams and flood waters flow into the district and to protect from such flood or storm waters the public highways, life and property in the district, and the watercourses and watersheds of streams flowing into the district ~~:~~ *, and*

~~Incidental to such primary objects and purposes, it is the object and purpose of this act~~ to provide for the conservation of flood and storm waters for beneficial and useful purposes by spreading, storing, retaining, and causing such waters to percolate into the soil within the district, or to save and conserve in any manner all or any of such waters, and to increase, and prevent the waste or diminution of the water supply in the district, and to obtain, retain and reclaim drainage,

storm, flood or other waters from any sources, within or without the watershed in which the district is located for beneficial use within the district."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 163**—An act to add Section 4302.6 to the Government Code, relating to the purchase, by public agencies, of printing presses not manufactured in the United States.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "4302.6. The provisions of this article do not apply to the purchase of printing presses of *rotary gripper system or single revolution design, which are purchased* exclusively for use in schools and colleges for educational purposes; provided, however, that if printing presses of rotary gripper system or single revolution design are manufactured within the United States that only such presses as are manufactured in the United States shall be purchased."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 395**—An act to amend Section 2933.5 of the Business and Professions Code, relating to psychologists.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 2933.5", and insert "Section 2933.5 and 2949".

**Amendment No. 2**

On page 1, after line 13, insert

"SEC. 2. Section 2949 of said code is amended to read:

2949. ~~For a period of two years from the effective date of this chapter the~~ *The* committee shall waive the examination and the board shall grant a certificate to any applicant who complies with the following:

(a) Who is a resident of this State or who has been employed principally in this State for at least two years;

(b) Meets the requirements of subdivisions (1), (2), (3), (6), and (7) of Section 2941;

(c) Who has any one of the following:

(1) Received a doctorate degree in psychology or in educational psychology or has had training in psychology deemed equivalent by the committee from the University of California, Stanford University, the University of Southern California, or an institution approved by the committee as offering a comparable program and who in addition has had three years of professional experience ~~of a type considered qualifying by the committee~~.

(2) Received a master's degree in psychology or in educational psychology or has had training in psychology deemed equivalent by the committee from the University of California, Stanford University, the University of Southern California, or an institution approved by the committee as offering a comparable program and in addition has had five years of professional experience ~~of a type considered qualifying by the committee~~.

(3) Received a bachelor's degree from the University of California, Stanford University, the University of Southern California, or an institution approved by the committee as offering a comparable program or training deemed equivalent by the committee and in addition has had 15 years of professional experience ~~of a type considered qualifying by the committee~~.

(4) Any person who has met the requirements, passed an examination for, and has been duly appointed to and is employed as a psychologist under a federal, state, county, city and county, or municipal civil service system prior to July 1, 1959, or holds a valid school psychologist credential issued by the State Board of Education prior to July 1, 1959, shall be granted a certificate without examination.

All professional experience ~~of the type considered qualifying by the committee~~ under the provisions of this section shall have been accumulated no later than July 1, 1959. *The committee shall not require that the professional experience set forth in this section be acquired subsequent to the attainment of a degree.*"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 469**—An act to add Sections 7044.5 and 7054 to the Business and Professions Code, relating to contractors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "incidental to its own business", and insert ", provided that such activities are limited to remodeling, repairing, and maintaining facilities owned or leased by any such corporation and utilized for purposes of or incidental to its own operations".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1281**—An act to amend Sections 6701, 6734, 6735, 6738, 6740, 6741, 6744, 6745, 6752, 6756.2, and 6787 of, to amend and renumber Sections 6703, 6704, and 6705 of, to add Sections 6702, 6703, 6703.5, 6704, 6705, 6706, and 6737.2 to, and to repeal Sections 6702 and 6731 of, the Business and Professions Code, relating to the practice of engineering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, strike out the second comma.

**Amendment No. 2**

On poge 2, line 13, strike out "operation", and insert "operational".

**Amendment No. 3**

On page 2, line 44, after "as", insert ", for fixed works,".

**Amendment No. 4**

On page 3, strike out lines 1 and 2, and insert "Any person registered as a civil engi-".

**Amendment No. 5**

On page 4, line 18, strike out "in training", and insert "in-training".

**Amendment No. 6**

On page 5, strike out lines 25 to 52, inclusive; on page 6, strike out lines 1 to 23, inclusive, and insert

"6738. (a) A corporation may furnish civil, electrical or mechanical engineering services in its name in this State provided:

(1) Each such corporation furnishing engineering services shall be qualified to do business in this State.

(2) A registered professional engineer is the corporate officer in charge of the engineering practice of the corporation.

(3) Each such corporation shall annually file a statement with the board on or before the thirty-first day of January of each succeeding calendar year, setting forth the names of the professional engineer or engineers designated by the directors of the corporation, to manage or control the engineering practice of the corporation. In the event any change in the name or names of any professional engineer so designated shall occur after the date specified for filing such annual statement with the board, the corporation shall, within thirty (30) days after any such change, notify the board in writing thereof.

(4) All civil, electrical and mechanical engineering plans, specifications and reports are prepared by or under the direct supervision of an engineer registered in the relevant branch of engineering, who shall sign or stamp with his seal such plans, specifications and reports.

(b) A partnership may furnish civil, electrical or mechanical engineering services provided:

(1) A registered civil, electrical or mechanical engineer is a partner in charge of the engineering practice of the partnership and registered in the relevant branch of engineering furnished by the partnership.

(2) All civil, electrical and mechanical engineering plans, specifications and reports are prepared by or under the direct supervision of an engineer registered in the relevant branch of engineering, who shall sign or stamp with his seal such plans, specifications and reports.

(3) The partnership name shall contain only the name or names of partners registered by the board in the branch of professional engineering, or as an architect, and any holding out by such partnership of any individual or individuals to the public as a member of such partnership shall clearly and specifically designate the license status of such individual or individuals.

(c) This chapter does not prevent or prohibit an individual, corporation, partnership, firm or other entity engaged in any line of business other than the practice of civil, electrical or mechanical engineering, from employing a registered civil, electrical or mechanical engineer to perform civil, electrical or mechanical engineering services incidental to the conduct of his or its business."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1347**—An act to amend Sections 7302, 7306, 7308, 7309.5, 7315, 7323, 7332, 7342, 7370, 7383, 7396.6, 7398.5, 7420, and 7442 of, and to amend and renumber the titles of Article 6 (commencing at Section 7370), Article 7 (commencing at Section 7380), Article 8 (commencing at Section 7390), Article 9 (commencing at Section 7410), Article 10 (commencing at Section 7420), Article 11

(commencing at Section 7425), and Article 12 (commencing at Section 7435) of Chapter 10 of Division 3 of, and to repeal Sections 7331, 7333, 7334, 7341, 7343, 7344, 7345, and 7421 of, and Article 5 (commencing at Section 7360) of Chapter 10 of Diviison 3 of, the Business and Professions Code, relating to cosmetology.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "7323,".

**Amendment No. 2**

In line 2 of the title, strike out "7370, 7383,".

**Amendment No. 3**

Strike out lines 3 to 8, inclusive, of the title; in line 9 of the title, strike out "Division 3 of, and to repeal Sections 7331," and insert "and to repeal Sections".

**Amendment No. 4**

Strike out lines 10 and 11 of the title, and insert "and 7421 of, the Business".

**Amendment No. 5**

On page 2, line 52, strike out "thirty dollars ($30)", and insert "twenty-five dollars ($25)".

**Amendment No. 6**

On page 3, strike out lines 6 to 12, inclusive.

**Amendment No. 7**

On page 3, line 13, strike out "8", and insert "6".

**Amendment No. 8**

On page 3, line 16, strike out "at any meeting"; strike out line 17; and in line 18, strike out "nation,".

**Amendment No. 9**

On page 3, line 38, strike out "9", and insert "7".

**Amendment No. 10**

On page 3, line 40, strike out "10", and insert "8".

**Amendment No. 11**

On page 4, strike out lines 15 to 49, inclusive.

**Amendment No. 12**

On page 5, strike out lines 3 to 7, inclusive.

**Amendment No. 13**

On page 5, line 9, strike out "18", and insert "9".

**Amendment No. 14**

On page 5, line 35, strike out "19", and insert "10".

**Amendment No. 15**

On page 6, strike out lines 1 to 11, inclusive.

**Amendment No. 16**

On page 6, line 13, strike out "22", and insert "11".

**Amendment No. 17**

On page 7, strike out lines 2 to 12, inclusive.

**Amendment No. 18**

On page 7, line 14, strike out "26", and insert "12".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 995**—An act to amend Sections 3364 and 3365 of the Welfare and Institutions Code, relating to purchase of blind-made products by public agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1766**—An act to amend Sections 1360, 1368, 1369, 3103, and 18150 and to repeal Sections 1192, 3108, and 3109 of the Government Code, and to repeal Section 2842.5 of the Elections Code, relating to oaths of office.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2304**—An act to amend Section 5005 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1866**—An act to amend Sections 11380, 11422, 11422.1, and 11423 of the Government Code, relating to administrative rules and regulations.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Constitutional Amendment No. 38**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to local government.

Resolution read.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

#### Amendment No. 1

On page 2, line 15, of the printed measure, strike out "asset", and insert "assent".

#### Amendment No. 2

On page 2, line 25, after "the", insert "votes cast by the".

#### Amendment No. 3

On page 2, line 26, strike out "vote", and insert "are".

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 11**—An act to add Chapter 2.5 (commencing at Section 2200) to Part 3 of Division 2 of the Water Code, relating to Indian water rights.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 10**—An act to add Section 1241.5 to the Water Code, relating to Indian water rights.

Bill read second time, and ordered to third reading.

**Senate Bill No. 999**—An act to create the Mariposa County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing

the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collections of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, strike out "and transmission facilities", and insert "facilities; facilities devoted exclusively to the transmission of power for use by the agency in operating its property".

**Amendment No. 2**

On page 3, line 16, after "depreciation", insert a comma

**Amendment No. 3**

On page 5, line 21, after "constructed", insert "in compliance with any applicable laws and".

**Amendment No. 4**

On page 6, line 32, strike out "exclusively".

**Amendment No. 5**

On page 13, line 14, after "valuation", insert ", exclusive of amounts necessary for interest in redemption of any bonds voted within such zone".

**Amendment No. 6**

On page 13, line 36, strike out "Officer", and insert "Office"

**Amendment No. 7**

On page 15, line 4, strike out "sixty percent (60%)", and insert "two-thirds".

**Amendment No. 8**

On page 16, strike out line 44, and insert "and sale of hydroelectric energy; and facilities devoted exclusively to the transmission of power for use by the agency in operating its property."

**Amendment No. 9**

On page 18, between lines 6 and 7, insert

"SEC. 18.1. The agency may borrow money with repayment thereof to commence at a future date from revenues of the agency."

**Amendment No. 10**

On page 18, line 12, after "water", insert "and hydroelectric power generation".

**Amendment No. 11**

On page 18, line 17, after "to", insert "hydroelectric power generation".

**Amendment No. 12**

On page 19, line 3, after "control", insert ", hydroelectric power generation,".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 193**—An act to amend Section 4500 of the Penal Code, relating to penalties for assaults by prison inmates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, as amended in the Senate on March 12, 1959, after the period, insert "For the purpose of computing the days elapsed between the commission of the assault and the death of the person assaulted, the whole of the day on which the assault was committed shall be counted as the first day."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 44**—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 406**—An act to amend Section 25663 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 407**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 408**—An act to add Section 23087 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 411**—An act to amend Sections 24048.2 and 24048.4 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 413**—An act to amend Section 23034 of the Business and Professions Code, relating to stills.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 415**—An act to amend Section 23905 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 416**—An act to amend Section 23081 and to add 23081.5 to the Business and Professions Code, relating to appeals from decisions of the Department of Alcoholic Beverage Control.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 417**—An act to add Article 1.5 (commencing at Section 23800) to Chapter 5, Division 9 of the Business and Professions Code, relating to alcoholic beverage licenses.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 419**—An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 460**—An act to repeal Sections 23102 and 23103 of, to add Section 23102 to, and to amend Section 23104.4, 24071 and 24075 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 838**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 9, 1959, strike out "amend Section 10202.8 of", and insert "add Section 10202.82 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 10202.82 is added to the Insurance Code, to read:

10202.82. The term "employees" as used in subdivision (a) of Section 10202.8 includes individual proprietors and partners of an employer which is an individual proprietor or partnership The term "employer" as used in Section 102020.8 includes any self-employed member of a labor union whether or not there are persons employed by him"

Amendment No. 3

On page 1, strike out lines 2 to 24, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 6, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

**Senate Bill No. 573**—An act to amend Section 1052 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 780**—An act making an appropriation for the City Creek Flood Control Project, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "General Fund", and insert "Flood Control Fund of 1946".

Amendment No. 2

On page 1, lines 13 and 14, strike out "General Fund", and insert "Flood Control Fund of 1946".

Amendment No. 3

On page 1, line 18, after "and", insert "shall be".

Amendment No. 4

On page 1, line 19, strike out "General Fund", and insert "Flood Control Fund of 1946".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 658**—An act to amend Section 5006 of the Water Code, relating to the State Water Rights Board.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 494**—An act to amend Section 5 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), relating to the Humboldt County Flood Control District.

Bill read second time, and ordered to third reading.

**Senate Bill No. 880**—An act to add Section 6.1 to the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to land acquired for district purposes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 304**—An act to add Article 6 (commencing with Section 12060) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, to provide for a Co-ordinator of Atomic Activities in the Office of the Governor, to provide for co-ordination of development and regulatory activities of the peaceful uses of atomic energy, to create an official advisory council thereon, and a public citizens' advisory committee.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

#### Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Senate on March 26, 1959, strike out "regulatory".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 534**—An act to amend Section 7049 of, and to add Sections 7026.3 and 7085 to, the Business and Professions Code, relating to contractors.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and to amend Section 7049 of the Business and Professions Code as proposed by Assembly Bill No. 470".

#### Amendment No. 2

On page 2, after line 12, insert

"SEC. 4. Section 7049 of the Business and Professions Code as proposed by Assembly Bill No. 470 is amended to read:

7049. Where the cost is less than one thousand dollars ($1,000), this chapter does not apply to any construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation districts, or to farming, dairying, agriculture, viticulture, horticulture, or stock or poultry raising, or clearing or other work upon land including, but not limited to, land leveling except when performed by a licensee under this chapter

*The provisions of this section shall not be construed as applying to or affecting the business of drilling, digging, boring, or otherwise constructing, deepening, repairing, reperforating, or abandoning water wells.*

SEC. 5. Section 4 of this act shall become operative only if the amendments to Section 7049 of the Business and Professions Code as proposed by Assembly Bill No. 470 are enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as Assembly Bill No. 470 takes effect; at which time Section 2 of this act is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 703**—An act to add Sections 33201.5, 33730.5, 33748 and 33749 to, to amend Sections 33202, 33231.5, 33502, 33503, 33700, 33701, 33703, 33704, 33730, 33731, 33732, 33736, 33745, 33746, 33747, 33850, and 33980 of, and to repeal Section 33280, Articles 4 (commencing at Section 33530) and 5 (commencing at Section 33560) of Chapter 3 of Part 1 of Division 24, and Section 33982 of, the Health and Safety Code, relating to community redevelopment and urban renewal.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 30, 1959, after "33231.5," insert "33331,".

**Amendment No. 2**

In line 3 of the title, before "33703", insert "33701,".

**Amendment No. 2a**

In line 4 of the title after "33980", insert "and to amend the heading of Chapter 3 and the heading of Article 3 of Chapter 3, Part 1, Division 24".

**Amendment No. 3**

On page 2, line 5, strike out "filed", and insert "recorded".

**Amendment No. 4**

On page 3, between lines 6 and 7, insert

"SEC. 6 1. Section 33331 of said code is amended to read:

33331. If one agency is designated, it shall obtain the report and recommendation of the planning commission of each community on the redevelopment plan and its conformity to the master or general plan of each community before presenting the ~~tentative redevelopment plan or the~~ redevelopment plan to the respective legislative bodies for adoption.

SEC. 6.2. The heading of Chapter 3, Part 1, Division 24 of said code is amended to read:

CHAPTER 3. PRELIMINARY ~~AND TENTATIVE~~ REDEVELOPMENT PLANS

SEC. 6 3. The heading of Article 3, Chapter 3, Part 1, Division 24 of said code is amended to read:

Article 3. Selection of Project Area and Formulation of Preliminary Plans ~~and Tentative Plans~~ ".

**Amendment No. 5**

On page 3, line 12, strike out "include the analysis in its report to the legislative body", and insert "submit the same to the legislative body with the redevelopment plan".

**Amendment No. 6**

On page 3, line 13, strike out "33560.", and insert "33711."

**Amendment No. 7**

On page 3, between lines 42 and 43, insert

"SEC. 10. Section 33701 of said code is amended to read:

33701. Every redevelopment plan shall provide for participation in the redevelopment of property in the project area by the owners of all or part of such property if the owners agree to participate in the redevelopment in conformity with the redevelopment plan adopted by the legislative body for the area. ~~This section does not prohibit the owners from submitting an alternative plan pursuant to this part.~~

With respect to each redevelopment project, each agency shall, within a reasonable time ~~after the~~ *before its* adoption of the ~~tentative~~ *redevelopment* plan ~~and before the adoption of the final plan,~~ adopt and make available for public inspection rules to implement the operation of this section in connection with the plan."

**Amendment No. 8**

On page 4, line 52, strike out "protests", and insert "objections".

**Amendment No. 9**

On page 5, line 1, strike out "protests", and insert "the objections".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 8**—An act to add Section 34315.5 to the Health and Safety Code, relating to housing authorities.

Bill read second time, and ordered to the Consent Calendar

**Senate Bill No. 509**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the conveyance of property of the Agnews State Hospital.

Bill read second time, and ordered to the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2279,** subsequent to engrossment.

**Senate Bills Nos. 417** and **509.**

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 57
Assembly Bill No. 676
Assembly Bill No. 727
Assembly Bill No. 843
Assembly Bill No. 870
Assembly Bill No. 873
Assembly Bill No. 874
Assembly Bill No 992
Assembly Bill No. 1116
Assembly Bill No. 1196
Assembly Bill No. 1264
Assembly Bill No. 1329
Assembly Bill No. 1436
Assembly Bill No. 1687
Assembly Bill No. 1963

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 32

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, May 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 58
Assembly Bill No. 59
Assembly Bill No. 401
Assembly Bill No. 404
Assembly Bill No. 675
Assembly Bill No. 682
Assembly Bill No. 1587

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 6, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 315
Senate Bill No. 369
Senate Bill No. 502
Senate Bill No 575
Senate Bill No. 784
Senate Bill No. 793
Senate Bill No. 830
Senate Bill No. 831
Senate Bill No. 891
Senate Bill No. 893
Senate Bill No. 908
Senate Bill No. 911
Senate Bill No. 930
Senate Bill No. 1080
Senate Bill No. 1084

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 315**—An act to amend Section 26060 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the officers and employees of the California Maritime Academy.

Referred to Committee on Education.

**Senate Bill No. 369**—An act to amend Section 851 of the Public Utilities Code, relating to the disposition of property by public utilities.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 502**—An act to add Section 6309 to the Public Resources Code, relating to salvage operations on tide and submerged lands.

Referred to Committee on Ways and Means.

**Senate Bill No. 575**—An act to amend Section 6214 of the Public Resources Code, relating to fees payable to the State Lands Commission.

Referred to Committee on Ways and Means.

**Senate Bill No. 784**—An act to amend Section 75081 of the Government Code, relating to the assignment of retired judges.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 793**—An act to amend Section 4365 of the Labor Code, relating to workman's compensation for disaster service workers.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 830**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle air and vacuum brakes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 831**—An act to amend Section 405 of, and to add Section 12520 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the issuance of junior permits for the operation of motor-driven cycles.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 891**—An act to add Section 11.5 to the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057, Statutes of 1955), relating to the Santa Barbara Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 893**—An act to amend Sections 68540, 68540.5, and 68541 of, and to add Sections 68547 and 75082 to, the Government Code, relating to judges.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 908**—An act to amend Section 12027 of the Penal Code, relating to concealed carrying of firearms.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 911**—An act to amend Section 12076 of the Penal Code, relating to the sale of concealable firearms.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 930**—An act to add Sections 72196 and 72197 to the Government Code, relating to traffic commissioners in municipal courts.

Referred to Committee on Judicial—Civil.

**Senate Bill No. 1080**—An act to amend Section 2300 of the Welfare and Institutions Code, relating to boarding homes and institutions for aged persons.

Referred to Committee on Social Welfare.

**Senate Bill No. 1084**—An act to amend Sections 1629.5 and 2312 of the Welfare and Institutions Code, and to amend Section 1418.5 of the Health and Safety Code, relating to boarding homes and institutions for children, and aged and infirm persons.

Referred to Committee on Social Welfare.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 189**—An act to amend Sections 3.6, 3.9 and 4.24 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes 1957), relating to the Los Angeles Metropolitan Transit Authority.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 189?

### Amendment No. 1

In line 1, of the title of the printed bill, after "3.6", insert ", 3.9".

### Amendment No. 2

On page 3, strike out lines 50 to 52, inclusive, and insert "bargaining. In mak-".

### Amendment No. 3

On page 5, between lines 39 and 40, insert

"SEC. 2. Section 3.9 of said act is amended to read:

Sec. 3.9. The authority *shall be subject to Chapter 9 (commencing at Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code* ~~may act at any regular meeting or special meeting called pursuant to such rules and regulations as the authority may adopt and may act without a meeting by an instrument in writing signed by all members of the authority. The authority may adopt such rules and regulations as it deems advisable with respect to the conduct of its own affairs~~."

### Amendment No. 4

On page 5, line 40, strike out "SEC. 2", and insert "SEC. 3".

### Amendment No. 5

On page 2, line 48, strike out "Employees shall be"; strike out lines 49 through 52, inclusive; and on page 3, line 1, strike out "tion.", and insert "It is declared to be in the public interest that the authority shall not express any preference for one union over another."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 189 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Marks, Masterson, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 189 ordered enrolled.

**Assembly Bill No. 1364**—An act to add Section 26503 to the Vehicle Code as enacted by Chapter 3, Statutes of 1959, relating to airbrakes for vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1364?

### Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on April 3, 1959, after "setting.", insert "The department may by regulation prescribe a higher maximum opening pressure for air pressure systems designed for, and capable of safely operating with, pressure safety valves with a higher opening pressure."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1364 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Conrad, Coolidge, Dahl, Davis, DeLotto, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Marks, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H Wilson, and Mr. Speaker—47.
NOES—None.

Assembly Bill No. 1364 ordered enrolled.

**Assembly Bill No. 1365**—An act to add Section 26502 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to airbrakes for vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1365?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 670.82 to the Vehicle Code, and to add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out line 1, and insert
"SECTION 1. Section 26502 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read:
26502. When the foot valve is fully open, final brake chamber pressure at the furthermost axle shall not be more than 10 percent below the maximum available air reservoir pressure."

**Amendment No. 4**

On page 1, strike out lines 2 through 20, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1365 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Conrad, Coolidge, Dahl, Davis, DeLotto, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Masterson, Mulford, Nisbet, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 1365 ordered enrolled.

**Assembly Bill No. 1480**—An act to amend Section 13002 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to travel expenses of school district employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1480?

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 and 8, and insert "board. The board may authorize an advance of funds to cover such necessary traveling expense. Such advance shall be repaid or adjusted upon filing of a regular claim for the

actual and necessary traveling expenses incurred. The governing board may direct any".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1480 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Masterson, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1480 ordered enrolled.

**Assembly Bill No. 1793**—An act to amend Section 22451 of the Financial Code, relating to charges on loans by personal property brokers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1793?

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "three", and insert "two".

**Amendment No. 2**

On page 1, line 9, strike out "($300)", and insert "($200)".

**Amendment No. 3**

On page 1, line 11, strike out "three", and insert "two".

**Amendment No. 4**

On page 1, line 12, strike out "($300)", and insert "($200)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1793 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Conrad, Coolidge, Cusanovich, Dahl, DeLotto, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Masterson, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—50.
NOES—None.

Assembly Bill No. 1793 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.03 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Schrade, Luckel, Crawford, DeLotto, and Shell demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Biddick moved a call of the Assembly.

Motion carried. Time, 10.21 a.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Constitutional Amendment No. 5**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 5?

#### Amendment No. 1

On page 2, line 4, of the printed measure, as amended in the Assembly on February 20, 1959, after "convicted of", insert "treason,".

#### Amendment No. 2

In line 2 of the title of the printed measure, as amended in the Senate on February 26, 1959, strike out "proposed", and insert "propose".

#### Amendment No. 3

On page 2, line 6, strike out "infamous crime", and insert "felony".

#### Amendment No. 4

On page 2, line 8, strike out "hereafter".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 5 by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr Speaker—61

NOES—Bradley, Dahl, Lowrey, Reagan, Shell, and Thelin—6

Assembly Constitutional Amendment No. 5 ordered enrolled

## ANNOUNCEMENT

Mr. Conrad announced that today was the birthday of Mr. Ernest R. Geddes, whereupon the members of the Assembly joined in extending best wishes and birthday congratulations to Mr. Geddes.

## SELECT COMMITTEE

Mr. Hanna was granted unanimous consent that he and Mr. Sumner be permitted to escort Miss Ann Bruederle to the rostrum.

## MOTION TO RECESS

At 10 24 a.m., Mr. Hanna moved that the Assembly do now recess for five minutes to meet Miss Ann Bruederle.

Mr. Sumner seconded the motion.

### Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: Can the Assembly recess while under a call?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the Rules do not permit a recess while the House is under a call.

### Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Hanna was granted unanimous consent that the Rules be temporarily suspended for the purpose of recessing while under a call of the Assembly.

### Recess

At 10.25 a.m., on motion of Mr. Hanna, the Assembly recessed until 10.31 a.m., to meet and hear from Miss Ann Bruederle, winner of a public school essay contest.

## REASSEMBLED

At 10 31 a.m , the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Speaker Brown was granted unanimous consent that the following remarks by Miss Ann Bruederle be ordered printed in the Journal:

## WHAT WE EXPECT OF OUR LEGISLATIVE REPRESENTATIVES

### By Miss Ann Bruederle

Since few of us are fortunate enough to know our representative personally, we must judge his merits solely on his record and on the principles he esteems and defends. A man of outstanding character and ability is required to meet the qualifications of a lawmaker whose most insignificant acts and inactions are viewed and evaluated by a critical society.

In this Country the will of the people is the foundation upon which the entire governmental structure is built. As a result, the primary function of a legislator is to carry out the wishes expressed by the voters through bills and resolutions. He must not only satisfactorily solve the immediate problems confronting him, but also anticipate those in the future.

The representative's first responsibility is to the people of his district. As their spokesman, he must be willing to contribute his full time and effort to their betterment. It is his duty to take a firm stand and prompt

action on the issue after first carefully weighing the evidence. He should at all times place the ultimate good of the people above the pettiness of party politics.

No matter how good his proposals may be, the legislator will accomplish nothing if he does not possess diplomacy and tact. In order to win the sympathies of his opponents, the legislator's arguments must be clear, concise, and factual. He should concede a point if he is proven wrong, but never a principle.

A representative can compromise nearly everything but his integrity. High principles should be so firmly a part of his nature that he is virtually impenetrable to the temptations and corruption presented by public life.

The legislator who can pass these requirements will do his share to give us a good government. Our job is to co-operate with him.

ANN BRUEDERLE, Age 17
La Habra High School, 12th Grade

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1351**—An act to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2753, 3925, 3926, and 3946 of the Elections Code, relating to elections, and providing that county and municipal offices shall be partisan offices.

Bill read third time.

### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

### Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 3946 of", and insert "3946, and 9759 of, and to add Section 9805 to,".

### Amendment No. 2

On page 11, after line 19, insert

"SEC. 11. Section 9759 of said code is amended to read:

9759. Each nomination paper shall be accompanied by a verified statement of the candidate that he will accept the nomination, and also accept the office in the event of his election. Such statement shall contain a blank space wherein the candidate shall be required to fill in his name in the manner in which he wishes the same to appear on the ballot, *his party affiliation*, and also the designation which he wishes to have under his name on the ballot, which designation shall conform to one of the designations permitted under the provisions of this code relating to the forms of ballots generally.

SEC. 12. Section 9805 is added to said code, to read:

9805. There shall be printed following the name of each candidate on the ballot the party affiliation of that candidate as shown in the verified statement filed by the candidate pursuant to Section 9759 of this code."

Amendments read, and refused adoption.

### Bill Ordered to Inactive File

On request of Mr. O'Connell, Assembly Bill No. 1351 was ordered placed on the inactive file.

### Hon. Milton Marks Presiding

At 10.35 a.m., Hon. Milton Marks, Member of the Assembly from the Twenty-first District, presiding.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, and to

amend Sections 23010.1 and 38611 of the Government Code and Section 4050 of the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read third time.

**Motion to Amend**

Mr. Bradley moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1959, strike out the second "and".

**Amendment No. 2**

In line 3 of the title, strike out the first "and", and insert a comma.

**Amendment No. 3**

In line 3 of the title, after "38611", insert ", 55606, 55607, 55608, and 55609".

**Amendment No. 4**

In line 3 of the title, strike out the second "and", and insert ", to amend Section 4006 of, and to repeal".

**Amendment No. 5**

In line 4 of the title, after "of", insert a comma.

**Amendment No. 6**

On page 3, line 14, after "timbered", insert a comma.

**Amendment No. 7**

On page 3, line 15, after the period, insert "The authority shall have the fire protection responsibility for structures in the area."

**Amendment No. 8**

On page 6, between lines 36 and 37, insert

"13845. An authority may enter into co-operative agreements and contracts with the State in accordance with the provisions of Sections 55606 to 55609, inclusive, of the Government Code and Section 4006 of the Public Resources Code. The power granted to an authority by this section is in addition to any other power which it may have to enter into co-operative agreements or contracts with the State."

**Amendment No. 9**

On page 16, strike out lines 41 to 52, inclusive; on page 17, strike out lines 1 to 16, inclusive, and insert

"13945. The governing body of any incorporated area within the geographical boundaries of an active authority, by virtue of Chapter 2 (commencing at Section 13805) of this part, may, by a majority vote of the members of the governing body, call an election for the purpose of submitting to the voters of the incorporated area, or to the voters of any portion of the incorporated area, a proposal that the incorporated area, or the portion designated, be embraced and included within the active authority. The election shall be conducted and held in accordance with the provisions of Part 2 (commencing at Section 9480) of Division 11 of the Elections Code.

13946. If a majority of the voters voting at the election vote in favor of the proposal, the incorporated area, or designated portion, shall be embraced and included within the active authority upon the filing of a certified copy of the result of the election with the Secretary of State together with a certified copy of a resolution by the board of the authority approving the inclusion of such territory within the active authority, and a certified copy of an agreement between the governing body of the city and board of the authority specifying the basis upon which the property and funds of the authority shall be divided between the city and the authority, if the portion of the incorporated area to be included within the active authority is subsequently withdrawn from the authority.

13947. An agreement between the governing body of a city and the board of an authority regarding the disposition of the property and funds of the authority if the incorporated area is withdrawn from the authority may be revised, from time to time, with the consent of the parties and by filing a certified copy of the revised agreement with the Secretary of State."

**Amendment No. 10**

On page 17, strike out lines 24 and 25, and insert "The adoption of such an ordinance shall have the same effect as the approval by the voters of a proposal submitted to them by the governing body of the city pursuant to Section 13945."

**Amendment No. 11**

On page 20, between lines 10 and 11, insert

"SEC. 4. Section 55606 of said code is amended to read:

55606. The board of supervisors may contract with the State, through the Division of Forestry, for the performance by the State Forester, his deputies, and assistants of functions for the prevention or suppression of fires within the county.

*The board of an active metropolitan fire protection authority may contract with the State, through the Division of Forestry, for the performance by the State Forester, his deputies, and assistants of functions for the prevention or suppression of fires within the authority.*

SEC. 5. Section 55607 of said code is amended to read:

55607. The Division of Forestry may contract with the county for the performance by the county fire warden, his deputies, and assistants of functions for the prevention or suppression of fires within the county. *The Division of Forestry may also contract with an active metropolitan fire protection authority for the performance by the personnel of the authority of functions for the prevention or suppression of fires within the authority.*

SEC. 6. Section 55608 of said code is amended to read:

55608. When a contract has been made *between the State Forester and a county*, the State Forester or the county fire warden may exercise the same powers and duties within the county for the prevention and suppression of fires which by state or local law is conferred upon such officers.

*When a contract has been made between the State Forester and an active metropolitan fire protection authority, the State Forester or the personnel of the authority may exercise the same powers and duties within the authority for the prevention and suppression of fires which by state law or ordinance or resolution of the board of the authority is conferred upon such officers.*

SEC. 7. Section 55609 of said code is amended to read:

55609. The contract between ~~the~~ *a* county *or an active metropolitan fire protection authority* and the State may provide for the duties, directions, and salaries of such personnel upon the terms agreed upon.

SEC. 8. Section 4006 of the Public Resources Code is amended to read:

4006. Whenever any county, municipality ~~or~~, district, *or active metropolitan fire protection authority* makes an appropriation for the prevention and suppression of forest fires or any other fires on any lands within the county, municipality ~~or~~, district, *or authority*, or for the protection and forest management of any lands over which the county, municipality ~~or~~, district, *or authority* has jurisdiction, or for reforestation or afforestation on lands within the county, municipality, or district the State Forester may, with the approval of the Department of Finance, enter into co-operative agreements with such county, municipality ~~or~~, district, *or authority* for such purposes, on such terms and under such considerations as he deems wise."

**Amendment No. 12**

On page 20, strike out line 11, and insert

"SEC. 9. Section 4050 of said code is repealed.

~~4050. (a) The board of supervisors of any county shall have power to provide by ordinance that such county elects to assume responsibility for the prevention and suppression of all fires on all land in such county, exclusive of lands owned or controlled by the Federal Government or any agency thereof and exclusive of lands within the exterior boundaries of incorporated cities and inclusive of those areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the State. After the effective date of the contract hereinafter referred to, such county shall have and exercise all the duty, power, authority and responsibility for the prevention and suppression of all fires on all land in such county, exclusive of lands owned or controlled by the Federal Government or any agency thereof and exclusive of lands within the exterior boundaries of incorporated cities, and inclusive of those areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the State, which is vested in the Department of Natural Resources, the Division of Forestry or the State Board of Forestry, and such power, duty, authority and responsibility shall be assumed by the county for the duration of the contract.~~

~~(b) The State Board of Forestry shall classify all lands within the area of the State in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the State into types of land based on cover, beneficial use of water from watersheds, probable damage from erosion, and fire risks and hazards, and shall determine the intensity of protection to be given to each such type of land. A plan for adequate state-wide fire protection of such areas shall be prepared by the State Board of Forestry in which all land in each type shall be assigned the same intensity of protection; and the estimated cost thereof shall be determined. In the preparation of budgets for fire protection the total funds available or estimated to be available shall be allocated to the areas to be protected in conformance to such fire protection plan, and if the funds so available are less than the estimated adequate cost of such plan the Board of Forestry shall determine whether the intensities of fire protection shall be reduced or withdrawn, maintaining uniform consideration for all lands in each type. In those counties assuming responsibility under subdivision (a) of this section for fire protection and suppression of the lands thus classified within the respective counties, there shall be budgeted sums to be allocated to those counties at least equal to the direct cost of fire protection thus determined to include the salaries and wages of suppression crews and lookouts and maintenance of fire-fighting facilities.~~

~~(c) The State Forester shall, with the approval of the Department of Finance, annually enter into a contract with any county which enacts an ordinance as provided in subdivision (a) of this section, and any such contract shall provide for payment to such county, as compensation for the assumption of the duty, power, authority and responsibility for fire protection and suppression as provided in this section of such sum as may be specifically allocated in the appropriation made by the~~

~~Legislature for that purpose or if no specific appropriation is made therefor then the sum allocated for expenditure in such county under the provisions of subdivision (b) of this section.~~

~~Nothing herein contained shall be construed to deprive the Department of Natural Resources of the power and duty to require that the money paid by said department under said contract to such county shall be expended by said county for fire prevention and suppression in that area the protection of which is assumed by said county under subdivision (a) hereof.~~

~~(d) Said county shall also be entitled to any allocation of moneys received by the State of California under the provisions of the Clarke-McNary Act. being a public law of the United States of America passed June 7, 1924 (Ch. 348, 43 Stat. 653), which reimbursement may be provided for by any statute of this State.~~''

**Amendment No. 13**

On page 20, strike out lines 12 to 52, inclusive; and strike out pages 21 and 22.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1475**—An act to amend Sections 14400, 14501, 14504, and 14540 of and add Section 14400.5 to the Health and Safety Code, relating to fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 244**—An act to amend Sections 9000, 9002.5, 9005, 9006, 9009, 9010, 9011, 9012, 9014, 9016, 9022, 9025, 9026, 9026.5, 9027, 9028, 9028.5, 9030, 9035, and 9036 of, to repeal Sections 9002, 9020, 9021, and 9024 of, and to add Sections 9002, 9017, 9020, 9021, 9023, 9024, and 9028 6 to, the Business and Professions Code, relating to the licensing of social workers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Burton—1.

Bill ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 156

At 10.55 a.m., Mr. Biddick moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 156 passed by the following vote:

AYES—Don A. Allen, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Coolidge, Crown, Dahl, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Grant, Holmes, House, Kennick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Sedgwick, Thelin, Waldie, Williamson, George A Willson, Charles H. Wilson, and Z'berg—41.

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Burke, Cameron, Chapel, Conrad, Crawford, Cunningham, Cusanovich, Davis, Dills, Elliott, Francis, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kilpatrick, Levering, Luckel, McCollister, McMillan, Munnell, Pattee, Schrade, Shell, Sumner, Thomas, and Winton—35.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2171**—An act to amend Section 6080 of the Harbors and Navigation Code, relating to harbor districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

#### Speaker pro Tempore Presiding

At 10.59 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 708**—An act to add Chapter 8 (commencing at Section 25701) to Division 20 of the Health and Safety Code, relating to the manufacture and sale of toys

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 244

Mr. Mulford was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 244.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 895**—An act to amend Sections 20016 and 20334 of, and to add Section 21363.3 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

#### Assembly Bill No. 1009 Placed on Inactive File

On request of Mr. Ernest R. Geddes, Assembly Bill No. 1009 was ordered placed on the inactive file.

**Assembly Bill No. 1031**—An act to amend Sections 69592 and 69748.1 of the Government Code, relating to the superior court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1229**—An act to amend Section 69604 of the Government Code, relating to the superior courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1315**—An act to amend Section 69582 of the Government Code, relating to superior courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 653**—An act to amend Section 69599.5 of the Government Code, relating to superior courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1369**—An act to amend Sections 69580 and 73075 of the Government Code, relating to courts in Alameda County.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1704**—An act to amend Section 9575 of the Business and Professions Code, relating to dry cleaning, and making an appropriation therefor.

Bill read third time.

### Parliamentary Inquiry

Speaker pro Tempore Bee inquired of Mr. Lanterman: Does this bill require a letter from the Governor?

**Reply by Mr. Lanterman**

Mr. Lanterman, author of the bill, replied that the bill does not, in effect, make an appropriation, so a letter would not be required.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1543**—An act to add Section 1265 to Article 1 of Chapter 5 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Levering, Reagan, and Thelin—3.

Bill ordered transmitted to the Senate.

**Explanation of Vote**

I was absent from the Assembly floor during consideration of Assembly Bill No. 1543 relating to unemployment insurance The reason for my absence was to meet with the Sutter County Board of Supervisors in reference to water problems.

Had I been present, I would have voted "Yea."

PAUL J. LUNARDI

**Assembly Bill No. 1992**—An act to amend Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320, 13322, and 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—64.

NOES—Davis, House, Lowrey, and Winton—4.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 98**—Relative to the planting of salmon in the Salinas River.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF HOUSE RESOLUTION NO. 219

By Mr. Hanna:

**House Resolution No. 219**—Relating to the inspection of the Disneyland monorail system.

Resolution read.

#### Speaker Presiding

At 11.35 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

#### Consideration of Committee Amendments

The following amendments proposed by the Committee on Rules, were read, and adopted:

#### Amendment No. 1

In the measure, as printed in the Assembly Journal for April 27, 1959, on page 2894, in lines 3 and 4 of the first "*Resolved*" clause, strike out "; and be it further", and insert a period.

#### Amendment No. 2

Strike out the last "*Resolved*" clause.

#### Consideration of House Resolution No. 219, as Amended

By Mr. Hanna:

#### House Resolution No. 219

Relating to the inspection of the Disneyland monorail system

WHEREAS, Disneyland has installed a monorail system of international reputation; and

WHEREAS, Disneyland has indicated a desire to assist in rapid transit and smog problems; and

WHEREAS, The use of the monorail system of transportation as an aid to solving the rapid transit problems of the State's metropolitan areas is worthy of study by the Legislature; and

WHEREAS, Invitations have been issued by Disneyland to the Legislature to view and inspect the monorail system prior to the time when it goes into operation at a time when international engineers are available to explain the mechanical operation of the system; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Speaker of the Assembly is directed to appoint a five-man committee to investigate and inspect the new monorail system at Disneyland and report its findings to the Legislature.

Resolution read, as amended, and adopted unanimously.

### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 655**—An act to repeal Sections 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, and 2010 of, to amend Sections 1851 and 2021 of, and to add Section 2001 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district organization.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 655?

#### Amendment No. 1

In the title of the printed bill, strike out lines 1 to 6, inclusive, and insert "An act to repeal Sections 2001,".

#### Amendment No. 2

In line 9 of the title, strike out "as proposed by Senate Bill No. 2", and insert "as enacted by the Legislature at its 1959 Regular Session".

#### Amendment No. 3

On page 1, strike out lines 1 to 15, inclusive; and on page 2, strike out lines 1 to 15, inclusive.

**Amendment No. 4**

On page 2, line 16, strike out "SEC. 7", and insert "SECTION 1".

**Amendment No. 5**

On page 1, line 17, strike out "said proposed code", and insert "the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 6**

On page 2, line 18, strike out "8", and insert "2".

**Amendment No. 7**

On page 2, line 18, strike out "proposed".

**Amendment No. 8**

On page 2, line 28, strike out "9", and insert "3".

**Amendment No. 9**

On page 2, line 28, strike out "proposed".

**Amendment No. 10**

On page 2, line 38, strike out "10", and insert "4".

**Amendment No. 11**

On page 2, line 38, strike out "proposed".

**Amendment No. 12**

On page 2, strike out lines 44 to 51, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 655 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 655 ordered enrolled.

**Assembly Bill No. 663**—An act to amend Sections 5101, 5132 and 5220 of the Streets and Highways Code and Section 50550 of the Government Code, and to add Section 5103 to the Streets and Highways Code, relating to the installation and use of electric and telephone facilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 663?

**Amendment No. 1**

In lines 5 and 6 of the title of the printed bill, as amended in the Assembly on February 27, 1959, strike out "sale of electric, telephone, water and gas", and insert "use of electric and telephone".

**Amendment No. 2**

On page 2, line 16, strike out "or other communications", and insert "service".

**Amendment No. 3**

On page 2, lines 50 and 51, strike out ", telephone, water or gas", and insert "or telephone".

**Amendment No. 4**

On page 3, line 2, strike out "shall", and insert "may".

**Amendment No. 5**

On page 3, line 4, strike out "shall", and insert "may".

**Amendment No. 6**

On page 3, strike out lines 17 to 23, inclusive, and insert

"(d) That after the confirmation of the assessment, the public utility or public agency shall have exclusive possession, control, and use of the work or improvement as long as the public utility or public agency uses the work or improvement to render to the lands within the assessment district the services intended to be furnished by the work or improvement."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 663 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—70.

NOES—Bruce F. Allen, Burton, Lowrey, and Masterson—4.

Assembly Bill No. 663 ordered enrolled.

**Vote Changed Upon Roll Call**

Mr. Burton was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on concurrence in Senate amendments to Assembly Bill No. 663.

**Assembly Bill No. 700**—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 700?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 13, 1959, strike out "20852, 20894, 20895", and insert "20894".

**Amendment No. 2**

On page 2, strike out lines 1 to 12, inclusive.

**Amendment No. 3**

On page 2, line 13, after "SEC.", strike out "3", and insert "2".

**Amendment No. 4**

On page 2, line 18, strike out "actual", and insert "minimum".

**Amendment No. 5**

On page 2, strike out line 24, and insert

"(c) The use of any numerals in such a manner that they are not represented to be or can-".

**Amendment No. 6**

On page 2, strike out lines 27 to 34, inclusive.

**Amendment No. 7**

On page 2, line 35, after "SEC.", strike out "5", and insert "3".

**Amendment No. 8**

On page 2, line 37, strike out "Sections 20894 and 20895", and insert "Section 20894".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 700 by the following vote:

AYES—Backstrand, DeLotto, Garrigus, Ernest R. Geddes, Hanna, Masterson, Williamson, Charles H. Wilson, and Winton—9.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Z'berg, and Mr. Speaker—66.

**Assembly Bill No. 734**—An act to amend Section 3352 of the Labor Code and to repeal Chapter 9 (commencing at Section 4250) of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 734?

**Amendment No. 1**

In line 2 of the title of the printed bill, after the first "of", insert "Part 1 of".

**Amendment No. 2**

On page 2, line 28, after "of", insert "Part 1 of"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 734 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Willamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—None.

Assembly Bill No. 734 ordered enrolled.

## VOTE CHANGED UPON ROLL CALL ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 700

Mr. Bee was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on concurrence in Senate amendments to Assembly Bill No. 700.

## CONSIDERATION OF HOUSE RESOLUTION NO. 242

By Miss Donahoe:

**House Resolution No. 242**

*Commending the State Board of Education and the Board of Regents of the University of California*

WHEREAS, The State Board of Education and the Board of Regents of the University of California on April 15, 1959, jointly adopted the following resolution:

"RESOLUTION OF STATE BOARD OF EDUCATION AND THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

April 15, 1959

Joint Board Policies Relative to New Campuses

"WHEREAS, by legislative and other official action, additional campuses of higher education have been approved for State Colleges in Alameda, Stanislaus, Orange, and North Bay counties, and for University campuses in San Diego, Southeast Los Angeles-Orange and South Central Coast counties; and

"WHEREAS, the present fiscal condition of the State threatens delay in providing expansion of facilities and institutions necessary to accommodate the projected enrollments for state-supported higher education in California; and

"WHEREAS, protracted delay in beginning these new centers will force upon existing institutions excessive congestion and over-expansion and will deprive qualified young Californians of a full measure of learning and student life;

"THEREFORE, BE IT RESOLVED that the joint Boards declare that.

"(1) The new campuses already approved for the State Colleges and the University should be placed in operation as soon as the fiscal condition of the State will permit;

"(2) The Boards will continue, both individually and jointly through the Liaison Committee, to reassess 'priorities for the establishment of new public institutions' as provided in the resolution adopted by the State Board of Education on December 17, 1958, and by The Regents of the University of California on December 19, 1958;

"(3) For new campuses both already approved and to be approved in the future, the State should adopt a policy of early site acquisition for those assigned the highest priority in order to make possible proper community planning, to forestall high acquisition costs, and to avoid delays after construction money becomes available;

"(4) No new State Colleges or campuses of the University, other than those already approved, shall be established until adequate Junior College facilities have been provided, the determination of adequacy to be based on studies made under the direction of the Liaison Committee of the State Board of Education and The Regents of the University of California;

"(5) (a) The principles enunciated on pages v and vi of the Study of the Need for Additional Centers of Public Higher Education in California, approved by both Boards, shall continue to be accepted as a bases for further planning by both Boards; (Copy of these principles attached to this Resolution).

"(b) These principles and any subsequent modifications approved by both Boards shall guide each Board in determining priorities for new campuses and the timetable for future acquisition of sites;

"(c) No new campus for the State Colleges or for the University of California, other than those already approved, shall be established without prior approval of both Boards;

"(d) The Governor and the State Legislature be requested to approve only those bills and appropriation items which conform to this understanding.

"(6) Following the submission to the Legislature of the master plan for higher education in California, to be prepared in accordance with Assembly Concurrent Resolution No. 88, if enacted in the 1959 Regular Session of the Legislature, the above agreements shall be re-appraised by The Regents and the State Board of Education.

"Principles Underlying the Joint Staff Report Entitled the Need for Additional Centers of Public Higher Education in California

"1. The expansion of existing institutions and the establishment of new ones should depend on the optimum use of the state's resources for higher education in relation to the greatest relative need both geographically and functionally.

"2. Differentation of functions so far as possible of the three segments of public higher education, namely the junior colleges, the state colleges, and the University of California, is imperative if unnecessary and wasteful duplication is to be avoided. This principle has been confirmed by the approval of the State Board of Education and The Regents of the University of California of the recommendation in the Restudy of the Needs of California in Higher Education which reads as follows:

"'. . . that the junior colleges continue to take particular responsibility for technical curriculums, the state colleges for occupational curriculums, and the University of California for graduate and professional education and research.'

"3. The assumption that adequate junior college facilities will be provided through local initiative and state assistance prior to the establishment of additional state college or University campuses is basic to the state college and University enrollment estimates in this report.

"4. The financing of new publicly supported institutions should be such that it interferes in no way with the needs, including necessary improvement or expansion, of existing ones.

"5. In order that a possible new institution may serve the greatest number of eligible students, it should be placed near the center of the population served by it.

"6. Extension of publicly supported institutions to the degree that the continued operation of private ones long in existence and seemingly serving the community well is jeopardized, is not in the public interest."

now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly commends the members of the State Board of Education and the Board of Regents of the University of California for their fine work and co-operation in respect to the problems presently confronting higher education; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the State Board of Education and the Board of Regents.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 240

By Mr. Conrad:

**House Resolution No. 240**

Relative to the commendation of Wade E. Bennett

WHEREAS, May 8, 1959, marks the conclusion of Wade E. Bennett's term as President of the Hollywood Chamber of Commerce; and

WHEREAS, Mr. Bennett has had a career of distinguished public service which will long be remembered by the people of Hollywood; and

WHEREAS, He has devoted much of his time and energy to such worthy organizations as the Muscular Dystrophy Association and the Crippled Children's Society, and has served as Commissioner for the Civil Defense Committee of Los Angeles; and

WHEREAS, His presidency of the Hollywood Chamber of Commerce has been a markedly successful one; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends and congratulates Wade E. Bennett on his fine record of service on behalf of the people of his community; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Wade E. Bennett.

Resolution read, and adopted unanimously.

## ANNOUNCEMENT

Mr. Winton announced that the Assembly would remain in session tomorrow until the business on the file has been completed, and advised the members to be prepared for a late session if it is required.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 689
Assembly Bill No. 2300

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 241

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

HAWKINS, Acting Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 246
House Resolution No. 245

With the recommendation: Be adopted.

HAWKINS, Acting Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 124

With the recommendation: That the resolution be re-referred to the Committee on Agriculture.

HAWKINS, Acting Chairman

Above resolution re-referred to the Committee on Agriculture.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 34

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

HAWKINS, Acting Chairman

Above resolution ordered engrossed.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2093

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Agriculture

ASSEMBLY CHAMBER, May 7, 1959

MR SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 279

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1996

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

SAMUEL R. GEDDES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2172

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2285

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2286

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Senate Bill No. 467
Senate Bill No. 270
Senate Bill No. 335
Senate Bill No. 336
Senate Bill No. 393

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2221

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 956
Senate Bill No. 271

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2293

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1110

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1885
Assembly Bill No. 2246

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 6, 1959

MR SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1660
Assembly Bill No. 2331

With amendments with the recommendation. Amend, and do pass, as amended.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 631

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER. Your Committee on Public Health reports:

Assembly Bill No. 1253
Assembly Bill No. 2276
Assembly Bill No. 2335
Assembly Bill No. 1627

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1422
Assembly Bill No. 2181
Assembly Bill No. 2213

With the recommendation. That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Education**

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 13
Senate Bill No. 426
Senate Bill No. 427

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2208
Assembly Bill No. 2327

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 169

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 453

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2175
Assembly Bill No. 96

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 695
Senate Bill No 249
Senate Bill No. 250
Senate Bill No. 820
Senate Bill No. 817

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1697

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 358
Assembly Bill No. 1015
Assembly Bill No. 1061

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2279

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 34
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2311
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1256
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 7, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1541
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 1766 | Assembly Bill No. 2260 |
| Assembly Bill No. 2209 | Assembly Bill No. 2280 |
| Assembly Bill No. 2210 | Assembly Bill No. 2304 |
| Assembly Bill No. 2211 | Assembly Bill No. 2309 |
| Assembly Bill No. 2224 | Assembly Bill No. 2349 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1801
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

**Committee on Agriculture**

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Agriculture reports:
Assembly Bill No. 2102
Assembly Bill No 2103
With amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2319

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No 2076
Assembly Bill No. 2077

With amendments with the recommendation: Amend, and re-refer to the committee

BELOTTI, Chairman

Above bills ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1268

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bill ordered to second reading.

## RE-REFERENCE OF ASSEMBLY BILL NO. 2093

Mr. George A. Willson was granted unanimous consent that Assembly Bill No. 2093 and the committee amendments be re-referred to the Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolution was offered:

By Mr. Lunardi:

### House Resolution No. 248

Relative to congratulating the City of Roseville

WHEREAS, It has come to the attention of the Members of the Legislature that this month of April 1959 marks the Fiftieth Anniversary of the City of Roseville; and

WHEREAS, Over 50 years ago Roseville was a quiet little village slumbering peacefully beside the foothills of the Sierra Nevada Mountains; and

WHEREAS, The announcement in 1906 that the Southern Pacific Railroad was to move its terminal from Rocklin to Roseville magically transformed the community into a beehive of activity; and

WHEREAS, When the rapidly growing town was incorporated in April of 1909 Roseville was well on its way to becoming a first class city; and

WHEREAS, During the past 50 years the city has made numerous strides along the path of progress, thanks to a succession of civil minded city fathers and to the spirit of co-operation and enterprise of the people of Roseville; and

WHEREAS, Today Roseville is the largest and most industrialized community in Placer County and is one of the most progressive cities in the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Legislature extend congratulations to the City of Roseville on the occasion of its Fiftieth Anniversary; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to the Honorable George A Buljan, Mayor of the City of Roseville, and to Hon. David C. Koester, City Manager

Resolution read, and referred to the Committee on Rules.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1867 FROM COMMITTEE

Mr. Kilpatrick was granted unanimous consent that Assembly Bill No. 1867 be withdrawn from the Committee on Natural Resources, Planning, and Public Works for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1867

**Assembly Bill No. 1867**—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Bill read second time.

#### Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

#### Amendment No. 1

On page 3, line 12, of the printed bill, as amended in the Assembly on April 30, 1959, after "shall", insert "take the oath of office and shall".

Amendment read, and adpoted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

### REPORTS OF STANDING COMMITTEES

#### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 192

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bill ordered to second reading.

### RE-REFERENCE OF SENATE BILL NO. 285

Speaker Brown ordered Senate Bill No. 285 re-referred to the Committee on Education.

### EXPLANATION OF ABSENCE

May 7, 1959

I missed some roll calls this morning because it was necessary for me to be off the floor attending to legislative duties elsewhere.

CHARLES W. MEYERS

### ADJOURNMENT

At 11.50 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 8, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-SECOND LEGISLATIVE DAY

NINETIETH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, May 8, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. Hartzell Cobbs, Pastor of the First Christian Church of Modesto:

*Dear God, Our Father,* We thank Thee for every opportunity that life affords to us. At this time we thank Thee for self-government, and we ask that these who have been entrusted with their great responsibility will see the importance of time, that they shall never forget that people count, and that integrity in life is the only way for good government. Bless this day to each of us. May at the close we may be able to say "it has been good to live." Through Christ, AMEN.

### ANNOUNCEMENT

Speaker Brown announced that Reverend Hartzell Cobbs is a former Chaplain of the Idaho State Senate.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Williamson, seconded by Mr. Waldie.

### LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Thomas, on motion of Mr. Winton.

Mr. Francis, on request of Speaker pro Tempore Bee.

### LEAVES OF ABSENCE FOR PART OF DAY

The following member was granted leave of absence from 11 a.m. today, because of legislative business elsewhere:

Mr. Kilpatrick, on his own request.

### SENATE BILL NO. 406 REMOVED FROM CONSENT CALENDAR

On request of Mr. Kennick, Senate Bill No. 406 was ordered removed from the Consent Calendar, and placed on the inactive file.

NOTE—Later this day, Senate Bill No. 406 was returned to the Consent Calendar. *See* page 3459.

### COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Edward B. Esterley of La Habra, relative to severance taxes. Referred to the Committee on Revenue and Taxation.

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Ethel Myska of San Diego, relative to conciliation clinics, and enclosing newspaper clippings. Referred to the Committee on Judiciary—Civil.

### RESOLUTIONS

The following resolutions were offered:

By Mr. Lowrey and Mrs. Davis:

**House Resolution No. 249**

Relative to water rights applications

WHEREAS, Large amounts of power will be required for pumping in the State Water Plan and the power revenues can be used to assist in the repayment of state water projects; and

WHEREAS, The California Oregon Power Company and the Pacific Gas and Electric Company have filed with the State Water Rights Board various and conflicting applications to appropriate water from the McCloud River and several of its tributaries in Shasta and Siskiyou Counties for the purpose of producing between 500,000 and 800,000 h.p. of hydroelectric power, said applications being identified as Nos. 14622, 14785, 15717, 15718, 15719 and 16553; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature (1) request the State Water Rights Board to hold in abeyance the issuance of any permits or licenses pursuant to Applications 14622, 14785, 15717, 15718, 15719 and 16553 until the Department of Water Resources shall have informed the Legislature whether the public interest would be better served by state construction of the power plants which are the subject of these applications as a part of the State Water Plan, and (2) request the Department of Water Resources to investigate the feasibility of state construction of these power plants as a part of the State Water Plan and report thereon to the Legislature; and be it further

*Resolved*, that the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Water Rights Board, and the Department of Water Resources.

Resolution read, and referred to the Committee on Rules.

By Mr. Frew:

**House Resolution No. 250**

Relative to congratulating the Visalia *Times-Delta* Newspaper

WHEREAS, It has come to the attention of the Members of the Assembly that on June 25, 1959, the oldest newspaper in the San Joaquin Valley will celebrate its one hundredth anniversary of service to the people of Tulare County; and

WHEREAS, During that century of publication, the *Times-Delta*, by its excellent news coverage of world and local events, has made the community which it serves one of the best informed communities in the San Joaquin Valley; and

WHEREAS, On the twenty-fifth of June the newspaper will publish a Golden Century Edition devoted to the story, from the oxcart era to the nuclear age, of the colorful history of the region served by the paper; and

WHEREAS, This special publication will be the first centennial edition of any newspaper in the San Joaquin Valley and the largest single edition ever published in Tulare County; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly extend congratulations to the Visalia *Times-Delta* Newspaper on the occasion of its one hundredth anniversary; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Robert M. Speidel, the editor and publisher of the Visalia *Times-Delta*.

Resolution read, and referred to the Committee on Rules.

By Mr. Busterud:

**House Resolution No. 251**

Relative to safety in sports

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Governmental Efficiency and Economy is authorized and directed to study and investigate safety conditions in sports, in particular, but not limited to, skiing, skilifts, and conditions on ski slopes, and the desirability of or necessity for legislation, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 202
Assembly Bill No. 1530
Assembly Bill No. 1651
Assembly Bill No. 2006
Assembly Bill No 2011

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 981
Assembly Bill No. 1164
Assembly Bill No. 1597
Assembly Bill No 1600
Assembly Bill No. 2253

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports.

Assembly Joint Resolution No. 17
Assembly Joint Resolution No. 18

With the recommendation: Be adopted

CRAWFORD, Chairman

Above resolutions ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 17
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 21
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:
Senate Bill No. 433
With the recommendation: Do pass.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CRAWFORD, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Assembly Bill No. 166 | Assembly Bill No. 1698 |
| Assembly Bill No. 415 | Assembly Bill No. 1773 |
| Assembly Bill No 476 | Assembly Bill No. 1884 |
| Assembly Bill No. 986 | Assembly Bill No. 1888 |
| Assembly Bill No. 1219 | Assembly Bill No. 1957 |
| Assembly Bill No. 1220 | Assembly Bill No. 1964 |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Ways and Means reports.
Assembly Bill No. 1417
Assembly Bill No. 1533
With the recommendation Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No. 436
With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Senate Bill No. 902
Senate Bill No. 153
With the recommendation: Do pass.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1843

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1489

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

House Resolution No. 144

With the recommendation: Be adopted.

BACKSTRAND, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 7, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1681

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 169

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2074
Assembly Bill No. 2093

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 1345
Assembly Bill No. 2281
Assembly Bill No. 2288
Assembly Bill No. 1444

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1058

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 1442
Assembly Bill No. 1570
Assembly Bill No. 2254
Assembly Bill No. 2278
Assembly Bill No. 2306

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

BRADLEY, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No 2167

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER Your Committee on Municipal and County Government reports:

Assembly Bill No. 920

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER Your Committee on Municipal and County Government reports:

Assembly Bill No 520

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2244
Assembly Bill No. 2290

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1893
Assembly Bill No. 1896
Assembly Bill No. 2292
Assembly Bill No. 2354
Assembly Bill No. 2409

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Assembly Bills Nos. 1893, 1896, 2292, and 2354 ordered to second reading.

### Assembly Bill No. 2409 Returned to Committee

Speaker Brown announced that Assembly Bill No. 2409 was reported out of committee before 30 calendar days after its introduction had elapsed and ordered the bill returned to the Committee on Municipal and County Government

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

## BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1399, 494, 989,** and **1863.**

**Senate Bills Nos. 999, 193, 412, 420,** and **780.**

Assembly Bill No. 1399 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 494, 989, and 1863 ordered to third reading, subsequent to re-engrossment.

Senate Bills Nos 999, 193, 420, and 780 ordered to third reading.

Senate Bill No. 412 ordered to the Consent Calendar.

## CONSIDERATION OF DAILY FILE

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2275**—An act to amend Sections 118, 2190, and 3091.5 of the Welfare and Institutions Code, relating to public assistance records.

Bill read second time, and ordered engrossed, and to the Consent Calendar

**Assembly Bill No. 145**—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly, on April 24, 1959, strike out lines 8 to 10, inclusive

### Amendment No. 2

On page 1, line 11, strike out "(b)", and insert "(a)".

### Amendment No. 3

On page 1, line 12, strike out "(c)", and insert "(b)".

### Amendment No. 4

On page 1, strike out lines 14 to 18, inclusive, and insert

"(c) Insurance policies; an interment space, crypt, or niche intended for the interment of the applicant or recipient, and funds placed in trust for funeral or

burial expenses; the aggregate value of which does not exceed the sum of five hundred dollars ($500). For the purpose of this subdivision, insurance policies shall be valued on the basis of their cash surrender value."

**Amendment No. 5**

On page 1, line 19, after "withhold", insert "emergency".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 797**—An act to maintain the Water Code by amending Sections 163, 251, 401, 2603, 11581, 12640, 12868, 12874, 26328, the heading of Article 9.5 (commencing with Section 11260) of Chapter 2, Part 3, Division 6, and the heading of Article 4 (commencing with Section 55610) of Chapter 2, Part 4, Division 16 thereof, and by amending and renumbering the heading of Article 9.6 (commencing with Section 11270) of Chapter 2, Part 3, Division 6, thereof, and by repealing Section 154.5 thereof, relating to the control, utilization, and distribution of water.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1798**—An act to add Section 72005 to the Government Code, relating to judges of municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2026**—An act to amend Section 74263 of the Government Code, relating to San Bernardino municipal court district and sheriff's duties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2123**—An act to add Section 40311 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to appearance in court for traffic violations.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2125**—An act to amend Section 13355 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to revocation of vehicle operating privileges of juveniles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2134**—An act to repeal Sections 69894, 69898, 69899, 69899.5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892.1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 69894.2, 69894.3 and 69894.4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2164**—An act to amend Sections 13308, 13309, 15111 and 15112 of the Revenue and Taxation Code, relating to adopted children.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2168**—An act to add Section 373.1 to the Code of Civil Procedure, relating to guardians ad litem.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2169**—An act to amend Section 1120 of, and add Section 1120.1 to, the Probate Code, relating to testamentary trusts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2174**—An act to amend Sections 89 and 112 of the Code of Civil Procedure, relating to municipal and justice courts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2338**—An act to amend Section 70141.5 of the Government Code, relating to superior court commissioners.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1138**—An act to amend Section 537.5 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2316**—An act to amend Section 199 of the Code of Civil Procedure, relating to competency to act as a juror.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "three", and insert "four".

**Amendment No. 2**

On page 1, strike out lines 18 and 19, and insert "of cases in a court".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 685**—An act to add Section 74705 to the Government Code, relating to reporters of the Santa Rosa Municipal Court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 74705", and insert "Sections 70047.5 and 74705".

**Amendment No. 2**

In line 2 of the title, strike out "reporters of the Santa Rosa Municipal Court.", and insert "court reporters."

**Amendment No. 3**

On page 1, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 70047.5 is added to the Government Code, to read:

70047.5. In a county with a population of 99,000 and not over 104,000, as determined by the 1950 Federal Census, each official reporter shall be paid thirty dollars ($30) a day for the days he actually is on duty under order of the court.

SEC. 2. Section 74705 is added to said code, to read:

74705. Official reporters of the municipal court, appointed pursuant to Section 72194, shall be county employees. In lieu of any other compensation provided by law for their services in reporting testimony and proceedings in the court, they shall receive thirty dollars ($30) a day for the days they are actually on duty under order of the court."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2114**—An act to amend Sections 73582, 73583, 73584, 73585, and 73586 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 5 to 11, inclusive, and insert "hundred eighty-one dollars ($481) a month with annual increments of twenty-four dollars ($24), twenty-five dollars ($25), twenty-six dollars ($26), and twenty-eight dollars ($28) a month to a maximum of five hundred eighty-four dollars ($584) a month."

**Amendment No. 2**

On page 1, strike out lines 16 to 23, inclusive; strike out all of page 2, and insert

"(a) One court clerk who shall receive a minimum salary of four hundred eighty-one dollars ($481) a month with annual increments of twenty-four dollars ($24), twenty-five dollars ($25), twenty-six dollars ($26), and twenty-eight dollars ($28) a month to a maximum of five hundred eighty-four dollars ($584) a month.

(b) One chief deputy clerk who shall receive a minimum salary of three hundred forty-one dollars ($341) a month with annual increments of seventeen dollars ($17), eighteen dollars ($18), nineteen dollars ($19), and twenty dollars ($20) a month to a maximum salary of four hundred fifteen dollars ($415) a month.

(c) Two deputy clerks, each of whom shall receive a minimum salary of three hundred twenty-five dollars ($325) a month with annual increments of sixteen dollars ($16), seventeen dollars ($17), eighteen dollars ($18) and nineteen dollars ($19) a month to a maximum of three hundred ninety-five dollars ($395) a month.

(d) One deputy clerk who shall receive a minimum salary of two hundred eighty-one dollars ($281) a month with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16) a month to a maximum salary of three hundred forty-one dollars ($341) a month.

SEC. 3. Section 73584 of said code is amended to read:

73584. There shall be one marshal who shall be the present incumbent of the office of constable of the Concord Judicial District, and who shall receive a minimum salary of six hundred forty-four dollars ($644) a month with annual increments of thirty-two dollars ($32), thirty-four dollars ($34), thirty-five dollars ($35), and thirty-seven dollars ($37) a month to a maximum salary of seven hundred eighty-two dollars ($782) a month.

SEC. 4. Section 73585 of said code is amended to read:

73585. The marshal may fill as many of the following positions at the indicated monthly salaries as he deems necessary for the proper administration of justice:

(a) One deputy marshal who shall receive a minimum salary of four hundred thirty-six dollars ($436) a month with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) a month to a maximum salary of five hundred thirty dollars ($530) a month.

(b) One deputy marshal who shall be an intermediate typist-clerk, and who shall receive a minimum salary of three hundred twenty-five dollars ($325) a month

with annual increments of sixteen dollars ($16), seventeen dollars ($17), eighteen dollars ($18), and nineteen dollars ($19) a month to a maximum salary of three hundred ninety-five dollars ($395) a month."

**Amendment No. 3**

On page 3, line 7, strike out "forty-three dollars ($743)", and insert "ten dollars ($710)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2116**—An act to amend Sections 74612, 74613, and 74614 of the Government Code, relating to San Pablo Municipal Court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 6, and insert "One clerk of the court, four hundred eighty-one dollars ($481), five hundred five dollars ($505), five hundred thirty dollars ($530), five hundred fifty-six dollars ($556), five hundred eighty-four dollars ($584);

One courtroom clerk, four hundred eighty-one dollars ($481), five hundred five dollars ($505), five hundred thirty dollars ($530), five hundred fifty-six dollars ($556), five hundred eighty-four dollars ($584);

One chief deputy clerk, three hundred forty-one dollars ($341), three hundred fifty-eight dollars ($358), three hundred seventy-six dollars ($376), three hundred ninety-five dollars ($395), four hundred fifteen dollars ($415);

Two intermediate typist-clerks, three hundred twenty-five dollars ($325), three hundred forty-one dollars ($341), three hundred fifty-eight dollars ($358), three hundred seventy-six dollars ($376), three hundred ninety-five dollars ($395);

One typist-clerk, two hundred eighty-one dollars ($281), two hundred ninety-five dollars ($295), three hundred ten dollars ($310), three hundred twenty-five dollars ($325), three hundred forty-one dollars ($341).

One court reporter, seven hundred ten dollars ($710), which shall be in lieu of any other compensation provided by law for his services in reporting testimoney and proceedings in the court, and who shall be an attache of said court eligible for membership in the County Employees Retirement Association of Contra Costa County for which purpose his salary shall be deemed his entire compensation.

SEC. 2. Section 74613 of said code is amended to read:

74613. There shall be one marshal. His monthly salary shall be in the following range six hundred forty-four dollars ($644), six hundred seventy-six dollars ($676), seven hundred ten dollars ($710), seven hundred forty-five dollars ($745), seven hundred eighty-two dollars ($782).

SEC 3. Section 74614 of said code is amended to read:

74614 The marshal may fill as many of the following positions at the indicated monthly salaries as he deems necessary for the proper administration of justice.

Two deputy marshals, four hundred thirty-six dollars ($436), four hundred fifty-eight dollars ($458), four hundred eighty-one dollars ($481), five hundred five dollars ($505), five hundred thirty dollars ($530);

One intermediate typist-clerk, three hundred twenty-five dollars ($325), three hundred forty-one dollars ($341), three hundred fifty-eight dollars ($358), three hundred seventy-six dollars ($376), three hundred ninety-five dollars ($395)."

**Amendment No. 2**

On page 1, strike out lines 7 to 25, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2115**—An act to amend Sections 74082, 74083, 74084, 74085, 74086, and 74087 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 3, and insert

"74082. There shall be one clerk who shall receive a minimum salary of six hundred seventy-six dollars ($676) monthly with annual increments of thirty-four dollars ($34), thirty-five dollars ($35), thirty-seven dollars ($37), and thirty-nine dollars ($39) a month to a maximum salary of eight hundrd twenty-one dollars ($821) a month.

SEC. 2. Section 74083 of said code is amended to read:

74083. The clerk shall appoint:

(a) One chief deputy, who shall receive a minimum salary of five hundred five dollars ($505) a month with annual increments of twenty-five dollars ($25), twenty-six dollars ($26), twenty-eight dollars ($28), and twenty-nine dollars ($29) a month to a maximum salary of six hundred thirteen dollars ($613) a month.

(b) Three deputy clerks who shall be court clerks, each of whom shall receive a minimum salary of four hundred eighty-one dollars ($481) a month with annual increments of twenty-four dollars ($24), twenty-five dollars ($25), twenty-six dollars ($26), and twenty-eight dollars ($28) a month to a maximum of five hundred eighty-four dollars ($584) a month.

(c) Eight deputy clerks, (grade II), each of who shall receive a minimum salary of three hundred twenty-five dollars ($325) a month with annual increments of sixteen dollars ($16), seventeen dollars ($17), eighteen dollars ($18), and nineteen dollars ($19) a month to a maximum of three hundred ninety-five dollars ($395) a month.

(d) Three deputy clerks, each of whom shall receive a minimum salary of two hundred eighty-one dollars ($281) a month with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16) a month to a maximum of three hundred forty-one dollars ($341) a month. Within six months from the effective date of this section, notwithstanding any other provision of this code, the civil service commission of the county shall prescribe the working hours, duties and responsibilities of all deputies, attaches, and employees of the clerk's office, including those of the clerk.

SEC. 3. Section 74084 of said code is amended to read:

74084. There shall be one marshal who shall receive a minimum salary of six hundred seventy-six dollars ($676) a month with annual increments of thirty-four dollars ($34), thirty-five dollars ($35), thirty-seven dollars ($37), and thirty-nine dollars ($39) a month to a maximum of eight hundred twenty-one dollars ($821) a month.

Notwithstanding any other provision of law if the office of marshal becomes vacant by reason of death, resignation, or expiration of term, the marshal shall be appointed by a majority of the judges. The marshal so appointed or reappointed shall receive a salary of eight hundred twenty-one dollars ($821) a month. For the purposes of Section 31982 the entrance into service shall be deemed the effective date of the marshal's appointment or reappointment

SEC. 4. Section 74085 of said code is amended to read:

74085. The marshal shall appoint:

(a) One chief deputy marshal who shall be paid a minimum salary of five hundred five dollars ($505) a month with annual increments of twenty-five dollars ($25), twenty-six dollars ($26), twenty-eight dollars ($28), and twenty-nine dollars ($29) a month to a maximum of six hundred thirteen dollars ($613) a month, and who shall be first in authority under the marshal and shall take care of all nightwork.

(b) Five deputy marshals, each of whom shall be paid a minimum salary of four hundred thirty-six dollars ($436) a month with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) a month to a maximum of five hundred thirty dollars ($530) a month.

(c) One deputy marshal, who shall be a senior clerk, and who shall receive a minimum salary of three hundred seventy-six dollars ($376) a month with annual increments of nineteen dollars ($19), twenty dollars ($20), twenty-one dollars ($21), and twenty-two dollars ($22) a month to a maximum of four hundred fifty-eight dollars ($458) a month.

(d) One deputy marshal, who shall be an intermediate typist-clerk, and who shall receive a minimum salary of three hundred twenty-five dollars ($325) a month with annual increments of sixteen dollars ($16), seventeen dollars ($17), eighteen dollars ($18), and nineteen dollars ($19) a month to a maximum of three hundred ninety-five dollars ($395) a month. The primary duties of such deputy shall be the processing of all types of legal documents which are to be served by the marshal's office and the bookkeeping in connection with the receipt and disbursement of any and all funds in connection with said process.

(e) One deputy marshal, who shall be a typist-clerk, and who shall receive a minimum salary of two hundred eighty-one ($281) a month with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen ($16) a month to a maximum of three hundred forty-one dollars ($341) a month.

(f) Ten deputies who shall be custodians at the fee allowed by law for keeping property. They shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered."

**Amendment No. 2**

On page 1, strike out lines 4 to 23, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 44, inclusive.

**Amendment No. 3**

On page 3, line 51, strike out "forty-three dollars ($743)", and insert "ten dollars ($710)".

**Amendment No. 4**

On page 4, line 10, strike out "thirty-nine dollars ($39)", and insert "thirty-seven dollars ($37)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 265**—An act to amend Sections 576 and 578 of, to add Section 575.1 to, and to repeal Sections 577 and 578.1 of, the Welfare and Institutions Code, relating to juvenile court referees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, lines 7 and 8, of the printed bill, strike out "at a minimum starting salary of not less than eight hundred dollars ($800) per month".

**Amendment No. 2**

On page 1, strike out lines 14 and 15.

**Amendment No. 3**

On page 1, line 16, strike out "(d)", and insert "(c)".

**Amendment No. 4**

On page 2, line 4, strike out "(e)", and insert "(d)".

**Amendment No. 5**

On page 2, between lines 7 and 8, insert

"(e) Persons appointed as referee shall have a broad background in and ability for appraisal of juvenile law offenders and delinquency, the circumstances of delinquency, and evaluation of the individual's progress towards reformation. Insofar as practicable the referee shall have experience and interest in youth correctional work as well as experience and background in one of the following fields of correction: Sociology, law, education or probation."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 405**—An act to add Division 3.5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 3, lines 31 and 32, of the printed bill, as amended in the Assembly on April 24, 1959, strike out "and has been rejected in whole or in part".

**Amendment No. 2**

On page 4, strike out lines 48 and 49, and insert

"715. A claim relating to a cause of action for death or for physical injury to the person or to personal property shall be presented as provided in".

**Amendment No. 3**

On page 5, lines 7, 8, and 9, strike out "which would be applicable thereto if the claim were being asserted against a defendant other than a local public entity".

**Amendment No. 4**

On page 6, strike out lines 1 to 10, inclusive.

**Amendment No. 5**

On page 6, line 11, strike out "719", and insert "718".

**Amendment No. 6**

On page 6, strike out lines 48 to 52, inclusive.

**Amendment No. 7**

On page 7, strike out lines 1 to 9, inclusive, and insert

"719. Any suit brought against a local public entity on a cause of action for which this chapter requires a claim to be presented must be commenced within the period of time prescribed by the statute of limitations which would be applicable thereto if the claim were being asserted against a defendant other than a local public entity."

**Amendment No. 8**

On page 7, line 10, strike out "721", and insert "720".

**Amendment No. 9**

On page 7, line 39, strike out "720", and insert "719".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1999**—An act to amend Section 1147 of the Probate Code, relating to public administrators.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2108**—An act to amend Section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1244**—An act to amend Section 7532 of the Public Utilities Code, relating to railroads.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "discontinuance", insert ", transfer, or consolidation of facilities".

**Amendment No. 2**

On page 1, line 4, strike out "line of", and insert "line, facility, or function of a".

Bill ordered reprinted, engrossed, and to be filed, as amended; and the subject matter to be referred to the Committee on Rules.

**Assembly Bill No. 2298**—An act to amend Section 1051 of the Public Utilities Code, relating to warehousemen.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1051", and insert "Sections 1051 and 1052".

**Amendment No. 2**

On page 1, line 5, strike out "in any city or city and county of this State".

**Amendment No. 3**

On page 1, lines 11 and 12, strike out "in any such city or city and county".

**Amendment No. 4**

On page 1, after line 21, insert

"SEC. 2. Section 1052 of said code is amended to read:

1052. No such certificate shall be required by any warehouseman as to storage or warehouse space actually operated in good faith on ~~August 2, 1927.~~ *September 1, 1959,* under tariffs and schedules of such warehouseman lawfully on file with the commission.

Any right, privilege, franchise, or permit held, owned, or obtained by any warehouseman may be sold, assigned, leased, transferred, or inherited as other property, only upon authorization by the commission. The commission may, with or without hearing, issue the certificate as prayed for, or refuse to issue it, or issue it for the partial exercise only of the privilege sought, and may attach to the exercise of the rights granted by the certificate such terms and conditions, as in its judgment, the public convenience and necessity requires."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 2227**—An act to amend Sections 3505 and 3511 of, and to repeal Chapter 2 (commencing at Section 3901) of Division 2 of, the Public Utilities Code, relating to highway carriers and city carriers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2313**—An act to amend Section 1902 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2314**—An act to amend Section 816.5 of the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 611**—An act to add Article 8.5 (commencing at Section 2860) to Chapter 2 of Division 5 of the Elections Code, relating to the endorsement of candidates at primary elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 19, inclusive.

**Amendment No. 2**

On page 2, line 1, strike out "2861", and insert "2860".

**Amendment No. 3**

On page 2, line 1, strike out "any party committee", and insert "a state central committee or county central committee of a political party".

**Amendment No. 4**

On page 2, strike out lines 4 to 7, inclusive, and insert

"2861. No organization, committee, council, or other group that includes as part of its own name the name of a qualified political party, or any variation of that name, shall represent that its endorsement of candidates at the direct primary election is the official endorsement of the political party the name of which it bears."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment

**Assembly Bill No. 2241**—An act to add Section 11655 to the Elections Code, relating to the circulation of election petitions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "petitions", insert ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 6, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

The practice of placing on the ballot initiative, referendum, and recall measures originating from petitions containing signatures procured by circulators who are paid by the proponents on the basis of the signatures secured, constitutes an imposition on the electors and an interference with the normal democratic processes, which are designed to give the electorate an opportunity to pass upon proposed legislation sponsored by petitioners who are conscientiously convinced of the merit of such legislation. It is essential for the protection of the voters that such practice be stopped at the earliest possible time, and since this act would accomplish that result, that it go into immediate effect."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 219**—An act to add Sections 6801.5 and 6802.5 to the Elections Code, relating to electronic counting.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2132**—An act to amend Sections 8571 and 8701 of, and to add Section 8701.5 to the Elections Code, relating to election contests.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "contests", insert ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, line 6, after the period, insert "If the court finds a tie vote, the governing body of the county or city, within 30 days after receipt of a verified petition by either candidate, shall call a special election to determine which candidate shall be elected. The special election shall be conducted in the same manner as prescribed for other special elections in such county or city, except that only the names of the candidates involved shall be printed on the ballot."

**Amendment No. 3**

On page 2, after line 7, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Under existing law there is no procedure prescribed for determining an election contest involving the election of a member of a board of supervisors where the court determines that the candidates have received an equal number of votes. Due to the fact that there are now cases pending involving such a situation, it is essential that such a procedure be established at the earliest possible time. Since this act would establish the necessary procedure, it is essential that it go into immediate effect."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 220**—An act to add Sections 5931.3 and 5931.8 to the Elections Code, relating to absent voters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 5931.3 and", and insert "Section".

**Amendment No. 2**

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 5931.8 is added to the Elections Code, to read:".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 689**—An act to amend Section 704 of the Insurance Code, relating to suspension of certificate of convenience of an insurer.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 22, of the printed bill, as amended in the Assembly on April 24, 1959, after "or", insert "liability".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2300**—An act to amend Section 538 of the Code of Civil Procedure, relating to attachment of property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2, line 2, of the printed bill, strike out "one hundred fifty dollars ($150).", and insert "seventy-five dollars ($75)."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2172**—An act to amend Section 73 of, and to add Section 86.2 to, the Agricultural Code, relating to fairs.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2285**—An act to amend Section 811.1 of the Agricultural Code, relating to cantaloupes.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2286**—An act to amend Sections 811 and 829.3 of and to repeal Section 829.31 of the Agricultural Code, relating to vegetable standards.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "growth", strike out the comma.

**Amendment No. 2**

In line 1 of the title, after "811," insert "828.55,".

**Amendment No. 3**

On page 2, between lines 16 and 17, insert

"SEC. 2. Section 828.55 of said code is amended to read:

| | | | | | |
|---|---|---|---|---|---|
| 828.55. | 39 | Standard cantaloupe crate | 12 | 12 | 21⅞ or 22⅛ |
| | 40 | Pony cantaloupe crate | 11 | 11 | 21⅞ or 22⅛ |
| | 41 | Jumbo cantaloupe crate | 13 | 13 | 21⅞ or 22⅛ |
| | 42 | Cantaloupe crate | 13¼ | 13 | 22¼ |
| | 43 | Cantaloupe container | *9 or 9½* | 13 | *21⅞ or* 22 |
| | 44 | Cantaloupe container | 9 or 10 | 13 | 22 or 22⅛ |
| | 44A | Special cantaloupe crate | 12½ | 14½ | 21⅝". |

**Amendment No. 4**

On page 2, line 17, strike out "SEC. 2.", and insert "SEC 3."

**Amendment No. 5**

On page 2, line 32, strike out "SEC. 3.", and insert "SEC. 4."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2221**—An act to amend Sections 10605 and 10606 of the Health and Safety Code, relating to vital statistics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 10607 to,".

**Amendment No. 2**

On page 1, after line 15, insert

"SEC. 3. Section 10607 is added to said code, to read:

10607. No fee shall be charged any publisher or editor of, or reporter employed by, a newspaper of general circulation or a news service to inspect, in the course and scope of his position or employment, any certificate of live birth, fetal death, or marriage, or any other certificate required by this division to be filed in the Office of the State Registrar or the office of any local registrar or county recorder, or any index of such certificates."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2293**—An act to amend Section 2210 of the Business and Professions Code, relating to the practice of medicine.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1110**—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1660**—An act to amend Section 3077 of the Business and Professions Code, relating to the practice of optometry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 2, line 39, of the printed bill, strike out ", removal, or abandonment".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2331**—An act to amend Sections 8250 and 8825 of the Health and Safety Code, relating to cemeteries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and 8825", and insert ", 8825, 8826, 8827, and 8828".

**Amendment No. 2**

On page 2, line 4, strike out "and im-"; strike out lines 5 to 8, inclusive, and insert ", trees, and shrubbery, but shall not have the right to remove any monument or marker, except to reset the same in a proper manner."

**Amendment No. 3**

On page 2, after line 12, insert

"SEC. 3. Section 8826 of said code is amended to read:

8826. The resolution for abandonment adopted under the provisions of this chapter shall specify and declare that at any time after the expiration of 60 days after the first publication of notice of declaration of intended abandonment, the city or county in which the cemetery is located ~~will~~ *may* remove copings ~~and improvements and provide for the placement, level with the ground, of all small markers and monuments having a surface of less than 500 square inches, so long as the buried portions contain no engraving~~, *trees, and shrubbery*. Notice shall be given to all persons interested therein by publication in a newspaper of general circulation published in the county *or city*. Publication shall be pursuant to Section 6064 of the Government Code.

SEC. 4. Section 8827 of said code is amended to read:

8827. After the publication mentioned in Section 8826 of this code and after the expiration of the 60 days specified in the notice, the city or county may remove the existing copings ~~and improvements and provide for the placement, level with the ground, of all small markers and monuments having a surface of less than 500 square inches, so long as the buried portions contain no engraving~~, *trees, and shrubbery*.

SEC. 5. Section 8828 of said code is amended to read:

8828. After the work *which the governing body, in its discretion, finds necessary and practicable* has been completed, the governing body shall immediately thereafter, by resolution, dedicate such abandoned cemetery as a pioneer memorial park and forthwith cause to be erected a suitable central memorial honoring those who have been interred in the cemetery."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1253**—An act to amend Sections 28700, 28702, 28717 of, and to add Section 28710.5 to, the Health and Safety Code, relating to frozen food locker plants

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 2, line 43, of the printed bill, as amended in the Assembly on April 24, 1959, after "($25)", insert ", except that no fee shall be required where the only service, as defined under Section 28700, is that for compensation, directly or indirectly, meat or meat products are cut, wrapped, and frozen in an establishment to be delivered for frozen storage by the ultimate consumer".

**Amendment No. 2**

On page 2, line 52, after "air.", insert "This section shall not apply to the sale of retail cuts of meat."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2276**—An act to add Article 5 (commencing with Section 12050) to Chapter 1, Part 2, Division 3, Title 2 of the Government Code, relating to the establishment and functions of the State Narcotics Commission.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Article 5 (commencing with Section 12050) to"; strike out lines 2, 3, and 4 of the title, and insert "Sections 11723, 11724, 11725, and 11726 to the Health and Safety Code, relating to the rehabilitation and supervision of narcotic addicts, and making an appropriation therefor."

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 11723 is added to the Health and Safety Code, to read:

11723. The rehabilitation of narcotic addicts and their supervision while on probation or parole is a matter of statewide concern. It is the policy of the State to encourage each county and city and county to maintain adequate and effective supervision over persons granted probation or parole pursuant to this article. The granting of financial assistance by the State to county and city and county governments which maintain such standards in accordance with this article is hereby declared to be a state purpose.

SEC. 2. Section 11724 is added to said code, to read:

11724. There is in the State Government a Drug Addiction Commission composed of a representative of the Department of Justice, of the Department of Corrections and of the Department of Youth Authority, and two persons to be appointed for a term of two years by the Attorney General, one of whom shall be a sheriff and the other a chief probation officer of a county or city and county. Members of the commission shall serve without compensation, but shall be reimbursed for the necessary expenses incurred in the performance of their duties as members of the commission. The commission shall determine and establish, as a standard for use in giving effect to this article, the number of persons granted probation or parole under this article who can be supervised by one probation or parole officer with an effectiveness calculated to prevent a renewal or continuation of their addiction to narcotics

SEC. 3. Section 11725 is added to said code, to read:

11725. The Department of Justice may enter into a contract with any county or city and county which undertakes thereby to maintain the standard of probation and parole supervision over addicts established by the commission as herein provided. Such contracts shall provide for the granting of financial assistance by the State for the purpose of maintaining such standard of probation and parole supervision over addicts by the county or city and county, except that the State's contribution shall not exceed either (a) 50 percent of the actual cost of such supervision, including transportation but exclusive of administrative and overhead expense or (b) the additional cost of maintaining such standard of supervision, including transportation but exclusive of administrative and overhead expense, over and above the cost of supervision by the county or city and county of persons granted probation or parole otherwise than as provided by this article, whichever is greater, and in no event shall the State's contribution exceed the sum of one hundred fifty dollars ($150) annually per person under such supervision. Such contract shall also provide for payment by the State of the costs of the drugs and physicians' services involved in the administering of tests pursuant to Section 11722.

SEC. 4. Section 11726 is added to said code, to read:

11726. The Department of Justice shall provide for such studies and research as may be necessary to evaluate the functional efficacy of this article as a method of treatment, rehabilitation and control of narcotic addicts and the use of diagnostic drugs in such treatment. The department shall submit a report to the Legislature concerning the effect of this article in operation at the commencement of each session of the Legislature

SEC. 5. There is hereby appropriated to the Department of Justice out of the General Fund in the State Treasury the sum of one hundred thousand dollars ($100,000) to be expended during the 1959-60 Fiscal Year, for studies, research and contracts for the maintenance of probation and parole supervision standards for addicts as provided in Sections 11723 to 11726, inclusive, of the Health and Safety Code."

**Amendment No. 3**

On page 1, strike out lines 2 to 20, inclusive; and strike out page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2335**—An act to add Section 2790 to the Business and Professions Code, relating to schools offering courses of instruction in nursing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 2790 to", and insert "Article 7 (commencing at Section 675) to Chapter 1 of Division 2 of".

**Amendment No. 2**

On page 1, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Article 7 (commencing at Section 675) is added to Chapter 1 of Division 2 of the Business and Professions Code, to read:

Article 7. Nursing

675. Every person, firm, association, partnership, or corporation offering a course of instruction in any".

**Amendment No. 3**

On page 1, line 5, strike out "school", and insert "course of instruction".

**Amendment No. 4**

On page 1, line 7, strike out "graduation from", and insert "completion of".

**Amendment No. 5**

On page 1, line 9, strike out "school", and insert "course of instruction".

**Amendment No. 6**

On page 1, line 10, strike out "graduation therefrom", and insert "completion thereof".

**Amendment No. 7**

On page 1, line 13, strike out "type", and insert "bold face type, and in no event less than 2 points larger than the type in any other portion of the notice or contract,".

**Amendment No. 8**

On page 1, line 15, after "deposit", insert "or other payment".

**Amendment No. 9**

On page 1, line 18, strike out "school", and insert "course of instruction".

**Amendment No. 10**

Strike out page 2, and insert

"676. The provisions contained in this article shall not apply to inservice training programs given in institutions for the purpose of qualifying persons to work therein, to public schools, to private schools or institutions offering advanced nursing education to registered nurses or vocational nurses licensed in the United States, or to schools conducted by any recognized church or denomination for the purpose of training the adherents of such church or denomination in the care of the sick in accordance with its religious tenents.

677. Every person, firm, association, partnership, or corporation subject to the provisions of this article shall maintain records for at least three years, which records shall be open to inspection by investigators of the Board of Nurse Examiners and the Board of Vocational Nurse Examiners and by peace officers acting in their official capacity.

The records shall include the names and addresses of the persons admitted to the course of instruction and a copy of any written contract signed by such a person or, if no contract is signed, a copy of the written notice given to such person.

A correspondence school whose home office is located outside of this State need maintain the foregoing records only for persons residing in this State

678 The failure to give the notice required by this article shall make any contract entered into between the parties null and void.
679 Any person, firm, association, partnership, or corporation who violates this article is guilty of a misdemeanor."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health

**Assembly Bill No. 1627**—An act to add Sections 651.3 and 651.5 to the Business and Professions Code, relating to the healing arts professions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 24, 1959, strike out "and 651.5", and insert ", 3029 and 3030".

**Amendment No. 2**

On page 1, strike out line 19, and insert
"SEC. 2. Section 3029 is added to said code, to read:
3029. The board may by rule or regulation adopt, amend, or repeal rules of professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the profession.
The adoption, amendment, or repeal of such rules or regulations shall be made in accordance with the provisions of Chapter 4 (commencing at Section 11370) of Part 1 of Division 3 of Title 2 of the Government Code.
Every person who holds a certificate to practice optometry in this State shall be governed and controlled by the rules of professional conduct adopted by the board.
SEC. 3. Section 3030 is added to said code, to read:
3030 The rules of professional conduct adopted by the board shall be printed as a part of the application blanks for registration and for renewals thereof, and every applicant shall subscribe thereto when making an application."

**Amendment No. 3**

Strike out all of page 2.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2208**—An act to amend Section 15957 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district contracts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2327**—An act to amend Section 13739 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to probationary period for noncertificated school district employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 169**—An act to amend Sections 6851, 6852, and 6853 of, and to add Section 6854 and 6855 to, the Education Code as enacted at the 1959 Regular Session, relating to school districts.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 453**—An act to repeal Section 7018.1 of, and to add Section 7018.1 to, the Education Code, to repeal Section 18060 of, and to amend and renumber Section 18060.1 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to allowances to local school districts for transportation of pupils, declaring the urgency thereof to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in the Assembly on February 27, 1959, strike out "blind", and insert "partially seeing, blind, hard of hearing".

**Amendment No. 2**

On page 1, line 13, after "classes", insert "or integrated programs where the services of a qualified special teacher are provided".

**Amendment No. 3**

On page 1, line 16, strike out the second "the"; strike out lines 17 to 19, inclusive; and on page 2, strike out lines 1 and 2, and insert "integrated programs of instruction for children handicapped in vision and hearing where the services of a qualified special teacher are provided, or on the special day classes."

**Amendment No. 4**

On page 2, line 6, strike out "blind", and insert "partially seeing, blind, hard of hearing".

**Amendment No. 5**

On page 2, line 9, after "classes", insert "or integrated programs where the services of a qualified special teacher are provided".

**Amendment No. 6**

On page 2, strike out lines 13 to 17, inclusive, and insert "integrated programs of instruction for children handicapped in vision and hearing where the services of a qualified special teacher are provided, or on the special day classes."

**Amendment No. 7**

On page 2, line 18, after the first "program", insert "of instruction for children handicapped in vision or hearing".

**Amendment No. 8**

On page 2, line 19, after "which", insert "such".

**Amendment No. 9**

On page 2, line 21, strike out "the continuing services of a", and insert "supplementary teaching services of a full time".

**Amendment No. 10**

On page 2, line 23, strike out the comma, and insert a period, and strike out "said special teacher"; strike out lines 24 to 27, inclusive, and insert "Such supplementary teaching services may include instruction in the appropriate tool skills, the provision of special materials and use of appropriate special equipment, and counseling and guidance necessary to enable children handicapped in vision and hearing to benefit fully from their instruction."

**Amendment No. 11**

On page 2, line 38, strike out "blind", and insert "partially seeing, blind, hard of hearing".

**Amendment No. 12**

On page 2, line 45, strike out "the special day classes"; strike out lines 46 and 47, and insert "integrated programs of instruction for children handicapped in vision and hearing where the services of a qualified special teacher are provided, or on the special day classes."

**Amendment No. 13**

On page 2, line 51, strike out "blind", and insert "partially seeing, blind, hard of hearing".

**Amendment No. 14**

On page 3, strike out lines 7 to 9, inclusive, and insert "such pupils on integrated programs of instruction for children handicapped in vision and hearing where the services of a qualified special teacher are provided, or on the special day classes."

**Amendment No. 15**

On page 3, line 10, after the first "program", insert "of instruction for children handicapped in vision or hearing".

**Amendment No. 16**

On page 3, line 11, after "which", insert "such".

**Amendment No. 17**

On page 3, line 13, strike out "the continuing services of a", and insert "supplementary teaching services of a full time".

**Amendment No. 18**

On page 3, line 15, strike out the comma and insert a period, and strike out "said special teacher"; strike out lines 16 to 19, inclusive, and insert "Such supplementary teaching services may include instruction in appropriate tool skills, the provision of special materials and the use of appropriate special equipment, and counseling and guidance necessary to enable children handicapped in vision and hearing to benefit fully from their instruction"

**Amendment No. 19**

On page 3, lines 33 and 34, strike out "physically handicapped and mentally retarded pupils", and insert "children handicapped in vision and hearing".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2175**—An act to amend Section 16652 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to community recreation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 16652", and insert "Sections 16652 and 16653".

**Amendment No. 2**

On page 2, after line 10, insert

"Playgrounds, outdoor playing fields or courts, swimming pools, and camps, with necessary equipment and appurtenances for their operation, under the jurisdiction of a governing board of a public authority used for community recreation shall be considered recreation centers within the meaning of this chapter (commencing at Section 16651) whether or not they may be used primarily for other purposes.

SEC. 2. Section 16653 of said code is amended to read:

16653. The governing body of every public authority may (a) organize, promote, and conduct programs of community recreation, (b) establish systems of playgrounds and recreation, and (c) acquire, *construct*, improve, maintain, and operate recreation centers within or without the territorial limits of the public authority.

No events for which an admission price is charged shall be held pursuant to this chapter (commencing at Section 16651), except amateur athletic contests, demonstrations, or exhibits and other educational and noncommercial events."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 96**—An act to amend Sections 29007, 29008, and 29010 of, and to add Sections 29002.1 and 29007.1 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating

to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 1, 1959, strike out "29008, and 29010", and insert "29010, 29011, and 29017".

### Amendment No. 2

On page 2, strike out lines 14 to 30, inclusive, and insert

"(a) An educational institution at the time of the issuance of a diploma has accreditation of the course upon which the diploma is based by the applicable national accrediting agency recognized by the U. S. Department of Health, Education, and Welfare, Office of Education, or is accredited by a regional accrediting agency recognized by the U. S. Department of Health, Education, and Welfare, Office of Education, or the educational institution is listed as an institution of higher education in the latest edition of Part 3 of the education directory entitled, "Higher Education" issued by the Department of Health, Education, and Welfare, Office of Education; provided, that the educational institution has filed with the Superintendent of Public Instruction an affidavit by the president of the institution stating that the institution is so accredited or recognized, or the educational institution has been authorized to issue a degree under subdivision (f) for four consecutive years and subject to review under subdivision (f) every five years by the Superintendent of Public Instruction."

### Amendment No. 3

On page 3, strike out lines 10 to 28, inclusive, and insert

"(f) A person, firm, association, partnership or corporation authorized by the Superintendent of Public Instruction to issue specified diplomas. Such authorization shall be granted upon a year-to-year basis by the Superintendent of Public Instruction upon the submission of information to him that the courses of instruction, faculty, and educational standards of such applicant will afford students or require of students a course of education comparable to that being furnished by public schools and colleges or persons, firms, associations, partnerships and corporations offering similar instruction beyond high school and complying with other subdivisions hereof. Where such a comparison of courses cannot be made, the authorization to issue or confer specified diplomas other than degrees shall be granted by the Superintendent of Public Instruction when he determines that the courses of instruction, the faculty and educational standards will provide or require of students a course of education or training necessary to reach a professional or a vocational objective and that the course of education or training has substantial educational merit. Where such a comparison of degree courses cannot be made, the authorization of the Superintendent of Public Instruction to issue or confer degrees shall be granted when all the following are met: Instruction is conducted primarily in residence; the program of study is of customary academic length or content for the degree to be granted; the degree to be granted is a customarily recognized earned degree and will be issued or conferred only upon the completion of a program of studies which the Superintendent of Public Instruction finds has substantial educational merit; and the faculty and educational standards of the institution will provide education appropriate for that degree. For the purpose of this subdivision, the Superintendent of Public Instruction may rely on the findings of an accrediting agency generally accepted by the class of institution concerned, but he shall not rely solely on such findings nor use such findings as the sole criteria for withholding authorization, and shall consider the results of the examination taken pursuant to Business and Professions Code, Section 2941.5 by students of any applicant. The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the superintendent made pursuant to this subdivision."

### Amendment No. 4

On page 3, strike out lines 35 to 52, inclusive; and on page 4, strike out lines 1 to 3, inclusive.

### Amendment No. 5

On page 4, line 4, strike out "SEC. 5.", and insert "SEC. 4."

**Amendment No. 6**

On page 4, after line 24, insert

"SEC. 5. Section 29011 of said code is amended to read:

29011. ~~The Superintendent of Public Instruction shall make such investigations as are necessary to determine whether or not there has been compliance with the provisions of this article (commencing at Section 29001), and shall report the facts of violations of this article (commencing at Section 29001) to the Attorney General for the institution of such proceedings as the Attorney General may deem necessary. The Superintendent of Public Instruction shall annually, on or before the first Monday in January, report to the Governor and to each house of the Legislature, concerning investigations made pursuant to this article (commencing at Section 29001).~~ (a) The Superintendent of Public Instruction and the Attorney General shall take cognizance of the fact that both have definite duties and responsibilities under the provisions of this article (commencing at Section 29001).

(b) The Superintendent of Public Instruction shall report any information concerning possible violations of this article (commencing at Section 29001) to the Attorney General.

(c) The Attorney General shall make such investigations as are necessary to determine whether or not there has been compliance with the provisions of this article (commencing at Section 29001).

SEC. 6. Section 29017 of said code is amended to read:

29017. ~~The Attorney General shall take action to enforce the provisions of this article (commencing at Section 29001).~~ *The Attorney General is hereby authorized to take such actions as are necessary, including the obtaining of injunctive relief, to enforce the provisions of this article (commencing at Section 29001).*"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1697**—An act to add Section 2240 to the Corporations Code, relating to the government of corporations.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 17, 1959, strike out "Section 2240", and insert "Sections 2240, 2241, 2242, and 2243".

**Amendment No. 2**

On page 1, line 10, after "corporation", insert "incorporated under the general profit corporation law of California or under any general profit corporation law and".

**Amendment No. 3**

On page 1, line 12, after "acts", insert "in the State of California".

**Amendment No. 4**

On page 2, between lines 4 and 5, insert

"SEC. 3 Section 2241 is added to said code, to read:

2241. The rules adopted by the commissioner may, among other things, exclude corporations which solicit proxies pursuant to other laws, state or federal, which, in his opinion, require proper information to be furnished shareholders and adequately protect their rights.

SEC. 4. Section 2242 is added to said code, to read:

2242. Each "publicly owned corporation" shall hold a meeting of shareholders at least once in each calendar year and shall prepare and send to each shareholder of record a written notice of said meeting and a proxy statement.

SEC. 5. Section 2243 is added to said code, to read:

2243 A filing fee of twenty-five dollars ($25) shall be paid to the Commissioner of Corporations and deposited by him in the General Fund for each proxy statement filed with the commissioner pursuant to a regulation adopted under Section 2240 of this code."

**Amendment No. 5**

On page 1, line 17, after "corporations", insert "adopted pursuant to the provisions of this section".

**Amendment No. 6**

On page 1, line 21, after "corporations", insert "adopted pursuant to the provisions of this section".

**Amendment No. 7**

On page 2, strike out lines 1 to 3, inclusive, and insert

"The commissioner, in the public interest or for the protection of investors, shall establish such rules and regulations as are necessary or appropriate to carry out the pur-".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 2102**—An act to add Section 95.5 to the Agricultural Code, relating to fairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out the first "or circus".

**Amendment No. 2**

On page 1, line 4, strike out the second "or circus".

**Amendment No. 3**

On page 1, line 5, strike out "or circus".

**Amendment No. 4**

On page 1, strike out lines 9 to 18, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

**Assembly Bill No. 2103**—An act to add Part 8 (commencing at Section 7900) to Division 5 of the Labor Code, relating to carnivals and circuses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "or circus".

**Amendment No. 2**

On page 1, line 8, strike out "Notwithstanding"; and strike out lines 9 to 16, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Agriculture.

**Assembly Bill No. 2076**—An act to add Article 3 (commencing at Section 1120) to Chapter 8, Division 5, of the Agricultural Code, relating to poultry quality.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 6, and insert

"1120. As used in this article:

(a) "Poultry" means domesticated chickens and turkeys to be used for human food

(b) "Poultry Meat" means the carcass of poultry or any part thereof except the giblets, but shall not include live poultry or processed poultry meat.

(c) "Marked" means plainly, legibly and conspicuously labeled, stamped, tagged, stenciled, or branded to show the grade of poultry meat as prescribed by regulations.

(d) "Mislabeled" means the placing, or presence, of any false, deceptive or misleading, mark, tag, brand, design, inscription, statement, billing, invoice, placard, sign or other descriptive designation relating to grade.

(e) "Processed" or "Processing" means (1) the commercial manufacturing of products of poultry meat by any method of cooking, and (2) the cutting up into pieces smaller than the customary parts, such as necks, breasts, wings, backs, legs, thighs, or similar and identifiable portions of the carcass.

(f) "Producer" means any person who is engaged in the business of growing (that is, feeding and caring for) poultry, some of which is marketed as poultry meat, for a period of three weeks or more for the purpose of increasing the size and weight of such poultry.

(g) "Poultry Plant" means any place where poultry is slaughtered, dressed or drawn, or any place where poultry meat is cut up, recut, packed or repacked or otherwise prepared for human food.

1121. It is unlawful to pack, repack, cut up, recut, offer for sale, advertise for sale or sell poultry meat within this State, unless (a) each carcass or its wrapper or (b) each container of cut-up poultry meat or poultry parts is graded as to quality and is clearly and conspicuously marked with the full, correct and unabbreviated designation of grade as provided in this article and in regulations adopted hereunder

Such official quality grades may be either the federal grades for poultry as established and published by the United States Department of Agriculture, or official California state grades established by the director, or the official grades of any other state found by the director to be equivalent to such federal or California state grades.

1122. The director is authorized to established official California state grades and adopt rules and regulations for carrying out the provisions of this article after public hearing held in accordance with Chapter 4 (commencing with Section 11370), Part 1, Division 3 of Title 2 of the Government Code. Any California state grades shall be based upon the federal grades for poultry established by the United States Department of Agriculture.

1123 (a) It is unlawful to advertise the sale of poultry meat in any newspaper or publication or on any sign, placard or by any other means, unless such advertising includes the full, correct and unabbreviated designation of the grade, as provided in this article, of the product being advertised. Such designations of grade used in such advertising shall be in bold-face type or other conspicuous letters and at least one-half the size of the letters or figures used to designate the price.

(b) It is unlawful to mislabel any carcass, package, container or display of poultry meat as to grade.

1124 Notwithstanding the provisions of this article:

(a) Individual carcasses of poultry meat or packages of cut-up poultry or poultry parts prepared for use by institutions, public eating houses or for processing as defined in this article or for cutting up and repackaging for retail sale, and packaged in shipping containers holding several carcasses or packages of such poultry, need not be marked with the official grade if each such container is clearly and conspicuously marked with the proper grade designation, and of such intended use, in letters at least one-half inch in height and on a surface so as to be readily visible to the purchaser

(b) Poultry parts when displayed for sale to consumers in bulk without being packaged or wrapped, shall be segregated as to grade and shall be designated as to proper grade or grades upon a placard clearly identifying the poultry parts designated thereby in a clear and conspicuous manner readily visible to the purchaser.

(c) Cut-up poultry meat consisting of all of the parts of a carcass, prepared, packaged and offered for sale shall be from only one grade. Containers of poultry

parts of different grades shall be marked to indicate the grade and the quantity of each

1125. The director shall enforce the provisions of this article where any poultry meat is packed, repacked, cut up or recut. The director and the commissioners of each county under the supervision of the director shall enforce the provisions of this article where any poultry meat is offered for sale or sold.

All enforcing officers may enter and inspect any place or conveyance where any poultry or poultry meat, as defined in this article, is produced, slaughtered, prepared, packed, repacked, cut up, recut, stored, delivered for shipment, loaded, shipped, transported or sold, and may inspect all such poultry and poultry meat and the containers thereof, and may take for inspection such representative samples of such products and containers as may be necessary to determine whether or not this article has been violated.

Any enforcing officer may, while enforcing the provisions of this article, seize or hold as evidence all or any part of any lot of poultry meat found to be in violation of this article as may in his judgment be necessary to obtain the conviction of the party he knows or believes has violated or is violating any of the provisions of this article.

1126. Any lot of poultry meat which is not in compliance in all respects with the provisions of this article and rules and regulations issued hereunder, is hereby declared to be a public nuisance. Any enforcing officer, if he has reason to believe that any such lot is not in compliance, may hold such lot pending proceedings to condemn and abate such nuisance in accordance with the procedures set forth in Section 785, applicable to fruits, nuts and vegetables.

1127. The provisions of this article do not apply to:

(a) Poultry meat derived from poultry which is slaughtered on the premises where produced and which poultry meat (1) is sold by the producer thereof at retail on such premises, or (2) is sold at retail by the producer thereof off of such premises, either direct to consumers at their homes or at a retail stand operated by such producer in a farmers' market, or (3) is sold by the producer thereof on or off the premises where produced, to retail stores or public eating houses. As used in this subdivision, "producer" includes only individual producers who do not employ, except in unforeseeable exigencies, any person other than members of their immediate families.

(b) Poultry meat derived from poultry which is slaughtered, dressed and sold on the premises where produced for purposes other than resale, when the entire poultry meat output of the producer of such poultry is so sold.

1128. Any violation of this article is a misdemeanor, punishable by a fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) for each violation.

1129. Any person operating a poultry plant in this State shall pay to the director an assessment of two cents ($.02) per 100 pounds of poultry meat which is slaughtered, dressed or drawn, cut up, recut, packed, packaged or repacked or otherwise prepared for human food in any such plant. The amount of such assessment shall be based upon the ready-to-cook weight or the New York dressed weight. Only one assessment shall be payable on any lot of poultry meat.

The director shall promulgate and adopt rules and regulations for the reporting and collecting of such assessments."

**Amendment No. 2**

On page 1, strike out lines 7 to 22, inclusive.

**Amendment No. 3**

On page 2, strike out lines 1 to 15, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

**Assembly Bill No. 2077**—An act to add Article 3.5 (commencing at Section 1130) to Chapter 8, Division 5 of the Agricultural Code, relating to the sale of poultry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, after "poultry", insert ", and making an appropriation therefor".

Amendment No. 2

On page 2, following line 21, insert
"SEC 2. There is hereby appropriated out of the General Fund in the State Treasury the sum of forty thousand dollars ($40 000) for the administration of this act."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

**Assembly Bill No. 1268**—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Assembly on April 20, 1959, after "subdivision," insert "the owner or".

Amendment No. 2

On page 2, line 27, strike out "by his original contract with the owner", and insert "by an original contract between the owner and the contractor"

Amendment No. 3

On page 5, after line 23, insert
"(1) Nothing in this section relating to subsidiary notices of completion and the time for filing liens in relation thereto shall be construed to affect the time for filing notices of claims or statements of claims pursuant to Sections 1190 1 and 1192 1 of this code"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 192**—An act to amend Sections 8562, 8620, 8652, and 8674 of, to add Sections 8516, 8538, 8539, 8540, and 8572 to, and Article 6.5 (commencing at Section 8615) to Chapter 14 of Division 3 of, and to repeal Sections 8516 and 8517 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 4, line 21, of the printed bill, as amended in the Assembly on April 30, 1959, after "registered", insert "as required by Section 8615.17".

Bill ordered reprinted, re-engrossed, to be filed as amended, and the subject matter to be referred to the Committee on Rules.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 711**—An act to amend Sections 2181, 3088, and 3474 of, and to add Section 4189.5 to, the Welfare and Institutions Code, relating to relatives' responsibility requirements.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 4, line 49, of the printed bill, as amended in the Senate on April 24, 1959, strike out "20", and insert "25".

Amendment No. 2

On page 4, line 51, strike out "and", and insert a comma.

Amendment No. 3

On page 4, line 52, after "taxes", insert ", expenses necessary to produce income, including the cost of transportation to and from work, meals eaten at work, and union dues, and the cost of tools, equipment, and uniforms".

Amendment No. 4

On page 7, line 34, strike out "and", and insert a comma.

Amendment No. 5

On page 7, line 35, after "taxes", insert ", expenses necesary to produce income, including the cost of transportation to and from work, meals eaten at work, and union dues, and the cost of tools, equipment, and uniforms".

Amendment No. 6

On page 9, line 26, strike out "and", and insert a comma.

Amendment No. 7

On page 9, line 27, after "taxes", insert ". expenses necessary to produce income, including the cost of transportation to and from work, meals eaten at work, and union dues, and the cost of tools, equipment, and uniforms".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 852**—An act to add Section 2224.5 to the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Senate on April 16, 1959, strike out "except as provided in Section 2181.05 of this code".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 216**—An act to amend Sections 632 and 634 of the Code of Civil Procedure, relating to civil actions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 463**—An act to amend Section 1506 of and to add Section 1507 to the Penal Code, relating to appeals in habeas corpus proceedings.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 648**—An act to amend Section 1505 of the Penal Code, relating to the writ of habeas corpus.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 684**—An act to amend Section 170.6 of the Code of Civil Procedure, relating to disqualification of judges on the ground of prejudice.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 772**—An act to amend Section 69844 of, and add Sections 71614.5, and 72050.5 to, the Government Code, relating to the keeping of court records.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 279**—An act to add Sections 13392.3, 13392.4, 13392.5, and 13392.6 to the Government Code, relating to slaughter, or purchase or sale of slaughtered animals, by state agencies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 467**—An act to amend Sections 1300 and 1320 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 270**—An act to amend Section 1632 of the Welfare and Institutions Code, relating to tuberculosis tests.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 335**—An act to amend Section 10036 of the Health and Safety Code, relating to vital statistics.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 336**—An act to amend Section 10612 of the Health and Safety Code, relating to vital statistics.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 393**—An act to amend Section 28361 of the Health and Safety Code, relating to canneries.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 956**—An act to amend Section 1421 of the Health and Safety Code, relating to hospitals and nursing homes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "authority to inspect license," and insert "the authority to verify compliance with this chapter, investigate unlicensed facilities, inspect licensed facilities,".

**Amendment No. 2**

On page 1, line 14, strike out "of", and insert "as interpreted by".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 271**—An act to add Sections 24100.1, 24101.2, 24101.3 and 24101.4 to, and to amend Section 24108 of the Health and Safety Code, relating to health, sanitation, and safety in water sports and recreation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In the second line of the title, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "Section", and insert "Sections 24107 and".

**Amendment No. 2**

On page 2, after line 11, insert

"SEC. 6. Section 24107 of said code is amended to read:

24107. Any nuisance maintained in violation of this article may be abated or enjoined in an action brought by a local ~~board of health~~ *health officer*, or the state department, or it may be summarily abated in the manner provided by law for the summary abatement of other public nuisances dangerous to health."

**Amendment No. 3**

On page 2, line 12, strike out "SEC. 6", and insert "SEC. 7"

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 631**—An act to amend Section 8961.3 of the Health and Safety Code, relating to public cemetery districts.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1959, strike out "amend Section 8961.3 of", and insert "add Section 8961.8 to".

**Amendment No. 2**

On page 1 strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 8961.8 is added to the Health and Safety Code, to read:

8961.8. Any district may construct, acquire, and maintain a mausoleum if there is no private mausoleum in the district. No mausoleum constructed or acquired by a district shall contain more than 15 crypts.

A district shall not construct or acquire more than one mausoleum at a time and shall not construct or acquire an additional mausoleum if any mausoleum of the district contains a crypt which has not been subscribed for or remains unsold."

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

**Senate Bill No. 13**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 426**—An act to amend Section 16111 of the Education Code, and Section 10652 of the Education Code as proposed by Senate Bill No. 2, relating to tuition fees for veterans' children.

Bill read second time, and ordered to third reading.

**Senate Bill No. 427**—An act to amend Sections 890, 891, 894 and 895 of, and to add Section 896.1 to the Military and Veterans Code, relating to educational assistance to veterans' dependents.

Bill read second time, and ordered to third reading.

**Senate Bill No. 695**—An act to amend Section 15959 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district purchases.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 249**—An act to amend Section 19615 of the Education Code, as proposed by Senate Bill No. 2, relating to the repayment of state school building aid.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 250**—An act to amend Section 7746 of the Education Code, and Section 19631 of the Education Code as proposed by Senate Bill No. 2, relating to the repayment of state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 820**—An act to amend Section 17903 of the Education Code as enacted at the 1959 Regular Session, relating to state equalization aid for high school districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 817**—An act to amend Section 17801 of the Education Code as enacted at the 1959 Regular Session, relating to basic state aid for high schools.

Bill read second time, and ordered to the Consent Calendar.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 700

The Speaker appointed Messrs. MacBride, Williamson, and Bruce F. Allen as a Committee on Conference concerning Assembly Bill No. 700.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 286

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 98
Senate Bill No. 167

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 6, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 69

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 69**—Relative to approving amendments to the charter of the City of Vallejo, County of Solano, State of California, ratified by the qualified electors of the city at an election held therein on the seventh day of April, 1959.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 71

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 71**—Relative to the speedy recovery of Ruth Boyd, Secretary of the Senate Judiciary Committee.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 7, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 143
Senate Bill No. 814
Senate Bill No. 959
Senate Bill No. 977
Senate Bill No. 981

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 143**—An act to add Section 856 to the Fish and Game Code, and to amend Section 817 of the Penal Code, relating to members of the Wildlife Protection Branch of the Department of Fish and Game.

Referred to Committee on Fish and Game.

**Senate Bill No. 814**—An act to add Section 1193 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 959**—An act to amend Section 10504 of the Water Code, relating to the appropriation of water.

Referred to Committee on Water.

**Senate Bill No. 977**—An act to amend Section 1461 of the Probate Code, relating to appearance of alleged insane or incompetent person at hearing for appointment of guardian.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 981**—An act to amend Sections 8938, 8947, and 8954 of, to add Sections 8965 and 8966 to, and to repeal Sections 8965 and 8966 of, the Business and Professions Code, relating to yacht and ship brokers.

Referred to Committee on Governmental Efficiency and Economy.

## RESOLUTIONS

The following resolution was offered:

By Mr. Hawkins:

### House Resolution No. 252

Relative to amending bills

*Resolved by the Assembly of the State of California*, That Rule No. 70 of the Permanent Standing Rules of the Assembly is amended to read:

70. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

*No amendments to a bill offered from the floor, except committee amendments reported with bills and amendments offered with a motion to amend and re-refer a bill to committee, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the members.*

Before debate four copies of the proposed amendment must be delivered to the clerk's desk ~~and one copy made available to the author of the bill~~. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

Resolution read, and referred to the Committee on Rules.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 1399**, subsequent to engrossment.

**Assembly Bills Nos. 494, 989**, and **1863**, subsequent to re-engrossment.

**Senate Bills Nos. 999, 780, 279, 393, 13**, and **427**.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 401**—An act to amend Sections 1460, 1461, and 1570 of the Probate Code, relating to appointment of guardians for minors and insane and incompetent persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 401?

**Amendment No. 1**

On page 1, of the printed bill, as amended in the Assembly on March 30, 1959, strike out lines 15 and 16, inclusive, and insert

"1461. Any relative or friend may file a verified petition".

**Amendment No. 2**

On page 2, line 11, after "mailed", insert "by the petitioner".

**Amendment No. 3**

On page 2, line 52, strike out "or of any person interested"; and on page 3, line 1, strike out "in his estate, in expectancy or otherwise"

The Assembly concurred in Senate amendments to Assembly Bill No. 401 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, DeLotto, Donahoe, Elliott, Frew, Garrigus, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, and Mr Speaker—51.

NOES—None.

Assembly Bill No. 401 ordered enrolled.

**Assembly Bill No. 404**—An act to repeal Title 4 (commencing with Section 894) of Part 2 of the Penal Code, to add Title 4 (commencing with Section 888) to Part 2 of the Penal Code, to repeal Section 169 of the Penal Code, to repeal Sections 65.2, 241, 242, and 243 of the Code of Civil Procedure, to repeal Section 12551 of the Government Code, to amend Sections 192, 196, 199, 204, 204b, 204c, 204d, 205, 206, 209, 211, and 238 of the Code of Civil Procedure, to amend Sections 167, 168, and 1326 of the Penal Code, and to amend Section 12552 of the Government Code, relating to grand juries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 404?

**Amendment No. 1**

On page 6, line 4, of the printed bill, strike out "held", and insert "help".

**Amendment No. 2**

On page 16, line 40, after "Code", insert a comma.

The Assembly concurred in Senate amendments to Assembly Bill No. 404 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Cusanovich, DeLotto, Donahoe, Elliott, Frew, Garrigus, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 404 ordered enrolled.

**Assembly Bill No. 1587**—An act to amend Section 30904 of, and to repeal Section 31003 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles transporting hay.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1587?

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in the Assembly on April 8, 1959, strike out "It is"; and strike out lines 14 and 15.

The Assembly concurred in Senate amendment to Assembly Bill No. 1587 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Garrigus, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 1587 ordered enrolled.

## EXPLANATION OF ABSENCE

Mr. Crawford was granted unanimous consent that the record show that the following members were absent from the floor for a part of this morning in order to attend a meeting of the Committee on Civil Service and State Personnel:

Messrs. Meyers, Z'berg, Crawford, Samuel R. Geddes, McCollister, Burke, and MacBride.

## ANNOUNCEMENTS

Speaker Brown announced that the Legislative Bill Room has renewed its request that no bills be removed from the bill file books.

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Speaker Brown announced that in accordance with Joint Rule 23, June 9th will be the last day when Assembly bills may be passed by the Assembly without consent of the Speaker and 60 votes.

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Speaker Brown directed the attention of the Members to the Daily File which shows some Assembly bills set for hearings on June 9th and for later dates.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 58**—An act to convey certain tide and submerged lands to the City of Mill Valley, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 58?

**Amendment No. 1**

On page 2, between lines 14 and 15 of the printed bill, as amended in the Assembly on February 26, 1959, insert "Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise granted by said city under the

Franchise Act of 1937, and any such franchise shall be effective with respect to said lands when title thereo passes to said city hereunder."

**Amendment No. 2**

On page 2, between lines 47 and 48, insert

"(g) That within 10 years from the effective date of this act said lands shall be substantially improved by said county without expense to the State, and if the State Lands Commission determines that the county has failed to improve said lands as herein required, all right, title, and interest of said county in and to all lands granted by this act shall cease and said lands shall revert and rest in the State."

**Amendment No. 3**

On page 3, in line 12, of the printed bill, as amended in the Senate on April 23, 1959, strike out "county", and insert "city".

**Amendment No. 4**

On page 3, in line 14, strike out "county", and insert "city".

**Amendment No. 5**

On page 3, in line 15, strike out "county", and insert "city".

The Assembly concurred in Senate amendments to Assembly Bill No. 58 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—62.

NOES—None.

Assembly Bill No. 58 ordered enrolled.

**Assembly Bill No. 59**—An act to convey certain tide and submerged lands to the County of Marin, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 59?

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on March 6, 1959, between lines 45 and 46, insert

"(g) That within 10 years from the effective date of this act said lands shall be substantially improved by said county without expense to the State, and if the State Lands Commission determines that the county has failed to improve said lands as herein required, all right, title, and interest of said county in and to all lands granted by this act shall cease and said lands shall revert and rest in the State"

The Assembly concurred in Senate amendment to Assembly Bill No. 59 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 59 ordered enrolled.

**Speaker pro Tempore Presiding**

At 9.52 a m., Hon. Carlos Bee. Speaker pro Tempore of the Assembly, presiding.

## ASSEMBLY BILL NO. 919 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 919**, on motion of Mr. Bradley.

## CONSIDERATION OF HOUSE RESOLUTION NO. 196

By Mr. Miller:

**House Resolution No. 196**

Relative to adding Rule No. 73.5 to the Permanent Standing Rules of the Assembly, pertaining to Assembly Bills Amended in the Senate

*Resolved by the Assembly of the State of California*, That rule No. 73.5 is added to the Permanent Standing Rules of the Assembly to read:

Assembly Bill Amended in Senate

73.5. Whenever an Assembly Bill is amended and passed in the Senate, and in the opinion of the Speaker said amendment or amendments effect a substantial substantive change in the bill as first passed by the Assembly, the Speaker may refer the bill to the appropriate Assembly standing committee.

Resolution read.

**Demand for Previous Question**

Messrs. Levering, Burke, Schrade, Ernest R. Geddes, and Backstrand demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Motion carried. Time, 10.24 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 175**—An act to amend Section 69599 of the Government Code, relating to superior court judges of San Mateo County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant,

Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Votes Changed Upon Roll Call**

Messrs. Holmes and Hanna were granted unanimous consent that they be recorded as voting "Aye" instead of "No" on Assembly Bill No. 175.

**Assembly Bill No. 1256**—An act to repeal Chapter 11 (commencing at Section 28600) of Division 21 of, and to add Chapter 11 (commencing at Section 28520) to Division 21 of, the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.

NOES—Garrigus, Lowrey, McCollister, and Rees—4.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider the vote on Assembly Bill No. 1256 was made. *See* page 3461.

**Assembly Bill No. 1015**—An act to repeal Sections 4451 and 4452 of the Labor Code, and to amend Sections 4453, 4455 and 4460 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Burke, Levering, Reagan, Shell, and Thelin—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1061**—An act to amend Sections 20100, 20100.1, 20101, 20102, and 20104 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the Board of Administration.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 358**—An act to add Section 13561.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to lunch periods for teachers.

Bill read third time.

**Motion to Amend**

Mr. Elliott moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 25, of the printed bill, as amended in the Assembly on May 6, 1959, strike out ", voluntary members of parent-teachers associations,".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1801**—An act to repeal Sections 11501, 11502, 11712, 11713 and 11714 of, and to amend Sections 11500, 11530, 11557, 11715.5 and 11715.6 of, and to add Sections 1103.1, 11501, 11502, 11503, 11531, 11532 to the Health and Safety Code and to add a new Article 2.5 (commencing with Section 11540) to Chapter 5 of Division 10 of said code, relating to narcotics, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1598**—An act to add Section 9355.15 to the Government Code, relating to the Legislators' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown,

Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1599**—An act to add Section 9355.16 to the Government Code, relating to the Legislators' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2280**—An act to amend Sections 1505, 1535.7, 1541, 1562, 1564, and 1571 of the Military and Veterans Code, relating to mutual aid for local disaster.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

## ASSEMBLY BILL NO. 2309 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 2309**, on motion of Mr. Bradley.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2209**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

### Motion to Amend

Mr. Kennick moved the adoption of the following amendments:

### Amendment No. 1

On page 1 of the printed bill strike out line 1, and insert

"SECTION 1. Section 25658 of the Business and Professions Code is amended to read:

25658. (a) Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverages to any person under the age of 21 years is guilty of a misdemeanor.

(b) Any person under the age of 21 years who purchases any alcoholic beverage, or any person under the age of 21 years who consumes any alcoholic beverage in any on-sale premises, *is guilty of a misdemeanor and shall be punished by a fine of* not less than one hundred dollars ($100), *no part of which shall be suspended.*

(c) Any on-sale licensee who knowingly permits a person under the age of 21 years to consume any alcoholic beverage in the on-sale premises, whether or not the licensee has knowledge that the person is under the age of 21 years, is guilty of a misdemeanor."

**Amendment No. 2**

On page 1, strike out lines 2 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2210**—An act to amend Section 25665 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2211**—An act to amend Section 25661 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2224**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Hegland and Lowrey—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2260**—An act to amend Section 23820 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.
NOES—Burke, Conrad, Coolidge, Crawford, Ernest R. Geddes, Hegland, Lanterman, Levering, Lowrey, Luckel, Mulford, Rumford, Schrade, and Thelin—14.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 196

At 11.10 a.m., on motion of Mr. Miller, further proceedings under the call of the Assembly were dispensed with.

### Motion to Expunge Record and Rescind Action on House Resolution No. 196

Mr. Miller moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No. 196.

Mr. Kilpatrick seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

### Motion to Re-refer

Mr. Miller moved that House Resolution No. 196 be re-referred to the Committee on Rules.

Mr. Gaffney seconded the motion.

Motion carried unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2349**—An act to add Section 205 to the Business and Professions Code, relating to the funds of the state agencies comprising the Department of Professional and Vocational Standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 995**—An act to amend Sections 3364 and 3365 of the Welfare and Institutions Code, relating to purchase of blind-made products by public agencies.

Bill read third time.

**Motion to Amend**

Mr. Elliott moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 16, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "are", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2304**—An act to amend Section 5005 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Speaker Presiding**

At 11.16 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)

## CONSIDERATION OF HOUSE RESOLUTION NO. 246

By Mr. Belotti:

**House Resolution No. 246**

Relative to the use of wood products in the construction of school and other public buildings

WHEREAS, Local school districts and other tax-supported institutions have a solemn responsibility to take all appropriate steps to strengthen the economy of the area in which they are located and to display a pride in the products of local industry; and

WHEREAS, An outstanding example of this concept was revealed when the Pacific Union School District, in Humboldt County, through the encouragement of full participation and co-operation by local citizens and local industry, recently completed the erection of an economical, beautiful and engineeringly sound all-wood elementary school, constructed of structural fir with plywood subflooring and roof sheathing, redwood siding and wood fiber acoustical tile; and

WHEREAS, Such buildings when constructed of wood not only display a beauty and warmth obtainable only through the use of this product of nature, but are, in addition, structurally sound, especially from the standpoint of earthquake protection, and meet all state standards for the construction of schools and other public buildings; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House hereby requests that the State Department of Education and the Division of Architecture give serious consideration to the wider use of wood and wood products in the construction of school and other public buildings; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Superintendent of Public Instruction and to the State Architect.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 245

By Mr. Hawkins:

### House Resolution No. 245

WHEREAS, It is essential that the people and especially the children of this State become well versed in the ideals, principles and precepts of our American form of government; and

WHEREAS, The State requires the teaching of government as a course of study in our schools; and

WHEREAS, "The Legislature of California" written by Chief Clerk Arthur A. Ohnimus, and published by the Assembly sets forth in a comprehensive and succinct manner a detailed and lucid description of the procedure employed by the California Legislature and pertinent information relating to the history and Constitution of the State of California and has proven to be a particularly valuable aid to those teaching the required courses in State Government; and

WHEREAS, Important Constitutional and procedural changes in California's legislative process have occurred as a result of the adoption of Proposition No 9 by the people at the November 4, 1958, General Election; and

WHEREAS, The supply of "The Legislature of California" is now depleted and will soon be exhausted and there are a large number of requests from our schools and students of government for copies of this publication; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be requested to revise, augment and make current the publication entitled "The Legislature of California" and have it printed in book form; and be it further

*Resolved*, That the Chief Clerk is authorized to distribute copies of this publication upon request of the Members of the Assembly, not to exceed 50 copies to any one member, and to schools and students in such number as may be determined by the Chief Clerk; and be it further

*Resolved*, That the cost of the printing of this publication be charged to and payable from the Legislative Printing Fund.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 21

**Assembly Joint Resolution No. 21**—Relative to state-federal relations in water development.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—Burton—1.

Resolution ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 675**—An act to add Section 4121.1 to the Health and Safety Code, relating to garbage disposal districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 675?

### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "otherwise", and insert "other circumstances which would be detrimental to the public health, safety or welfare of the inhabitants of the district".

The Assembly concurred in Senate amendment to Assembly Bill No. 675 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Assembly Bill No. 675 ordered enrolled.

## CONSIDERATION OF HOUSE RESOLUTION NO. 241

By Mr. Mulford:

**House Resolution No. 241**—Relative to commending the American Legion.

Resolution read.

### Members Made Co-authors of House Resolution No. 241

Mr. Mulford was granted unanimous consent that all members so desiring be placed upon House Resolution No. 241 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

### Consideration of House Resolution No. 241, as Amended

By Messrs. Mulford, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna,

Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 241**

Relative to commending the American Legion

WHEREAS, The American Legion is nationally recognized as one of America's most outstanding patriotic organizations; and

WHEREAS, The high ideals and morals and the devotion to public service of the members of the American Legion have constantly focused public attention upon that organization; and

WHEREAS, Among the 34 public service projects conducted by the American Legion are such especially noteworthy activities as juvenile rehabilitation and youth services; and

WHEREAS, The American Legion, Department of California, will hold its statewide convention in Hollywood on June 24 through 28, 1959; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to commend the American Legion on the praiseworthy program of public service conducted by that organization and to congratulate the members for maintaining the high standards of the American Legion; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the American Legion Headquarters, Department of California, in San Francisco.

Resolution read, and adopted unanimously.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 390**—An act to repeal Section 12970 of, to amend Sections 12973 and 12973.5 of, and to add Sections 12970 and 12970.1 to, the Insurance Code, relating to fees charged by the Insurance Commissioner.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 6**—Relative to more than two terms for the President of the United States.

Resolution read, and presented by Mr. Winton.

**Motion to Amend**

Mr. Conrad moved the adoption of the following amendment:

**Amendment No. 1**

**On page 1 of the printed bill, strike out lines 16 to 20.**

Amendment read, and refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Ernest R. Geddes, Grant,

Holmes, Johnson, Lanterman, Levering, Marks, Mulford, Pattee, Reagan, Shell, Sumner, and Thelin—26.

NOES—Beaver, Bee, Biddick, George E. Brown, Burton, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hawkins, Hegland, House, Kennick, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—40.

**Demand for Previous Question**

Messrs. Biddick, DeLotto, Dahl, MacBride, and Unruh demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, House, Kennick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—44.

NOES—Backstrand, Beaver, Belotti, Bradley, Burke, Busterud, Chapel, Conrad, Coolidge, Cusanovich, Dahl, Ernest R. Geddes, Grant, Holmes, Johnson, Levering, Luckel, Marks, Mulford, Pattee, Reagan, Sedgwick, Shell, Sumner, and Thelin—25.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Speaker pro Tempore Bee announced that he was presenting a resolution requesting that the facilities at Squaw Valley be converted for educational purposes after the Olympic Games have been held; and invited all members who desired to become co-authors to come to his desk to affix their signatures.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 514**—An act to amend Sections 3203, 3234, and 3403 of, and to add Section 3407.5 to, the Public Resources Code, relating to oil and gas.

Bill read third time, and presented by Mr. Shell.

**Speaker pro Tempore Presiding**

At 12.06 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 671**—An act to add Sections 305.2 and 744.1 to the Vehicle Code, and to add Sections 1816 and 13367 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to traffic violations committed by minors.

Bill read third time, and presented by Mr. Nisbet.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 235**—An act to amend Section 17 of the Penal Code, relating to the definition of crimes as felonies or misdemeanors.

Bill read third time, and presented by Mr. Crawford.

### Speaker Presiding

At 12.15 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

### *Point of Order*

Mr. Burton arose to the following point of order: That Messrs. Bruce F. Allen and Crawford were not speaking to the question.

### Ruling by Speaker

The Speaker ruled the point of order well taken.

### Demand for Previous Question

Messrs. Burton, Dahl, Dills, DeLotto, and Bradley demanded the previous question. Demand sustained.

The question being on the passage of the bill.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is a motion to strike from the file debatable?

### Reply by Speaker

The Speaker replied that there was no such motion before the House.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Would a motion to send the bill to a conference committee consisting of one Senator and two Assemblymen be in order?

### Reply by Speaker

The Speaker replied that it would not.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna,

Hawkins, Hegland, Johnson, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—52.
NOES—Don A. Allen, Beaver, Bradley, Conrad, Davis, Samuel R. Geddes, Levering, Lowrey, Reagan, and Charles H. Wilson—10.

Bill ordered transmitted to the Senate.

**Senate Bill No. 148**—An act to amend Section 1269b of the Penal Code, relating to bail and deposits instead of bail.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 806**—An act to amend Section 10203.7 of the Insurance Code, relating to group life insurance for agents.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 807**—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 836**—An act to amend Section 10203.5 of the Insurance Code, relating to group life insurance.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 232**—An act to add Section 23120 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the wearing of glasses by drivers.

Bill read third time, and presented by Mr. Winton.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 29, 1959, after "lens", insert "so as to interfere with lateral vision".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 135**—An act to amend Sections 4999, 5000, 5003, and 5004 of the Water Code, relating to recordation of water extractions and diversions.

Bill read third time, and presented by Mr. Hanna.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Coolidge moved a call of the Assembly.

Motion carried. Time, 12.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 771**—An act to amend Section 5127 of the Agricultural Code, relating to California Beef Council fees.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Levering, Luckel, Lunardi, MacBride, Marks,

Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.
NOES—Lowrey—1

Bill ordered transmitted to the Senate.

**Senate Bill No. 816**—An act to repeal Chapter 6 (commencing at Section 19301) of Division 14, and Sections 19566, 19567, 19569, 19573, 19575, 19578, 19605, 19622, 19652, 19653, and 19659, and to amend Sections 19576, 19595, and 19629, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 243**—An act to add Section 106.4 to the Agricultural Code, relating to importation of meat.

Bill read third time, and presented by Mr. Sedgwick.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 305**—An act to amend Section 5003 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to license plates.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 357**—An act to amend Section 1705.5 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read third time, and presented by Mr. Marks.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew,

Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 358**—An act to add Section 2078 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read third time, and presented by Mr. Gaffney.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate

## CONSIDERATION OF CONSENT CALENDAR

The Speaker announced that the next roll call would be on the first item on the Consent Calendar.

### Inquiry by Speaker

Speaker Brown inquired if any member had an objection to any item on the Consent Calendar.

### Parliamentary Inquiry

Mr. Masterson arose to the following parliamentary inquiry: Has the constitutional provision been invoked as it pertains to Assembly Bill No. 2580, Item No. 188, on the Consent Calendar?

### Reply by Speaker

The Speaker replied that the constitutional provision was invoked on April 23d. (Assembly Journal, page 2758.)

No objection to any item on the Consent Calendar was raised.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2110**—An act to amend Section 69955 of the Government Code, relating to the reporting notes taken by court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1670**—An act to amend Section 4742.1 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2214**—An act to amend Section 6026 of the Water Code, relating to the regulation of dams.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 119**—Relative to approving amendments to the charter of the City of Tulare, a municipal corporation in the County of Tulare, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 120**—Relative to approving amendments to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the seventh day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills,

Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 108**—Relative to merit awards to state employees.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 2580**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2141**—An act to add Section 27253 5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the use of county libraries by nonresidents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2284**—An act to add Section 21156 to the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2297**—An act to add Section 20019.3 to the Government Code, relating to State Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 238

By Mr. Burton:

**House Resolution No. 238**

Relative to Home Rule for the District of Columbia

WHEREAS, There are 826,000 federal taxpaying residents in the District of Columbia, our Nation's Capital, who have long lacked any voice in the government of the District of Columbia in which they live; and

WHEREAS, The taxpaying residents of the District of Columbia are without even a voteless delegate to represent them in the halls of Congress; and

WHEREAS, The United States Senate has, during the last decade, four times passed legislation granting home rule to the residents of the District of Columbia; and

WHEREAS, Such legislation has four times been killed in the District of Columbia Committee and the Rules Committee of the House of Representatives; and

WHEREAS, It is a matter of grave injustice to deny American citizens the right even to govern themselves as to matters of local interest, and particularly so when they are obliged to bear the costs of such government; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body favors legislation to grant home rule to the District of Columbia; and be it further

*Resolved*, That this body urges the Members of the California delegation in the House of Representatives of the United States to sign a discharge petition to bring a bill granting home rule to the District of Columbia onto the floor of the House of

Representatives in the event that such a bill is again approved by the Senate and bottled up in either the District of Columbia Committee or the Rules Committee of the House of Representatives; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 725**—An act to amend Sections 4715 and 4725 of the Health and Safety Code, relating to the formation and consolidation of county sanitation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 14**—Relative to federal highway legislation.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Joint Resolution No. 17**—Relative to legislation concerning wilderness areas.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 851**—An act to add Sections 192 and 4015 to the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to vehicles designed or capable of being used for fire fighting purposes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 14**—An act to amend Sections 1781 and 1782 of the Education Code as enacted at the 1959 Regular Session, relating to the annexation, to school districts, of territory not in an elementary or high school district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 61**—Relative to approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-first day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Biddick moved that, pursuant to Article IV, Section 2(a), of the Constitution, Assembly Bill No. 2531 may be acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—69.

NOES—None.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2531 FROM COMMITTEE

Mr. Biddick was granted unanimous consent that Assembly Bill No. 2531 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2531

**Assembly Bill No. 2531**—An act to add Division 1 (commencing at Section 25101) to Title 4, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code, relating to the Uniform Securities Act.

Bill read second time.

#### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

#### Amendment No. 1

In the title of the printed bill, strike out lines 2 to 4, inclusive, and insert "Title 4 of, to amend Sections 4113, 4119, 10250, 10703, 13205, 27000, 27001, 27002 and 28006 of, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code; to amend Sections 14250, 18050, 18600, 18601, 18603, 18606, 18607, 18801, 18806 and 18813 of the Financial Code; to amend Sections 33915 and 33916 of the Health and Safety Code; and to amend Section 1220 of the Agricultural Code, relating to the Uniform Securities Act."

#### Amendment No. 2

On page 8, line 11, strike out "Chapter 5", and insert "the provisions of the Administrative Procedure Act, Chapter 5 (commencing with Section 11500)".

#### Amendment No. 3

On page 14, strike out lines 22 to 29, inclusive, and insert

"(c) Any security offered in any transaction (i) where the aggregate amount at which the securities are to be offered to the public does not exceed three hundred thousand dollars ($300,000) during any period of twelve consecutive months, or (ii) where the offer is directed by the offeror to not more than 25 persons in this State (other than those designated in Section 25402(b)(8)) during any period of 12 consecutive months, whether or not the offerer or any of the offerees is then present in this State, may be registered under this section and the registration".

#### Amendment No. 4

On page 15, line 33, strike out "Three", and insert "Two".

#### Amendment No. 5

On page 15, line 37, strike out the period, and insert "and not exceeding ten million dollars ($10,000,000) ;".

#### Amendment No. 6

On page 15, between lines 37 and 38, insert

"(F) One five hundredths of 1 percent of such amount in excess of ten million dollars ($10,000,000)."

**Amendment No. 7**

On page 20, line 16, strike out "(1)".

**Amendment No. 8**

On page 20, strike out lines 19 and 20, and insert "or have been offered in accordance with the provisions of the Administrative Procedure Act, Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all of the powers granted thereunder."

**Amendment No. 9**

On page 22, line 14, strike out "(j)", and insert "(k)".

**Amendment No. 10**

On page 23, line 3, after "stock", insert ", if an assessment is collectible by action,"

**Amendment No. 11**

On page 23, line 27, strike out "(k)", and insert "(*l*)".

**Amendment No. 12**

On page 23, line 32, strike out "(*l*)", and insert "(m)".

**Amendment No. 13**

On page 23, line 49, strike out "(m)", and insert "(n)".

**Amendment No. 14**

On page 24, line 1, strike out "(n)", and insert "(o)".

**Amendment No. 15**

On page 24, strike out line 47, and insert "or of any Canadian province and the security, or any security of the same class, has been reg-".

**Amendment No. 16**

On page 25, line 4, strike out "Any", and insert "Promissory notes, whether secured or unsecured, and any guarantee thereof, where the notes are not offered to the public, or any".

**Amendment No. 17**

On page 25, strike out lines 41 and 42, and insert "(1) Any nonissuer transaction not involving any public offering, whether effected through a broker-dealer or not;".

**Amendment No. 18**

On page 26, line 14, strike out "required", and insert "requires".

**Amendment No. 19**

On page 26, line 51, after "including", insert "(A) a statement of the maximum and the minimum proposed offering prices, the maximum underwriting and selling discounts or commissions, the maximum and minimum conversion rates, call prices, and other matters dependent upon the offering price, and (B)".

**Amendment No. 20**

On page 28, lines 9 and 10, strike out "This act shall be administered by the Division of Corporations", and insert

"There is in the State Government, a Division of Corporations, which shall administer the provisions of this division".

**Amendment No. 21**

On page 28, line 14, strike out "of nineteen thousand dollars ($19,000)", and insert "as fixed in the Government Code".

**Amendment No. 22**

On page 29, between lines 13 and 14, insert

"(h) Neither the commissioner nor any of his assistants, clerks, or deputies shall be interested as a director, officer, shareholder, member, agent, or employee in any company which, during the period of his association with the Division of Corporations, (a) was registered or applied for registration as a broker-dealer, agent, or investment adviser under Chapter 2 (commencing with Section 25201) of this division, or (b) applied for or secured the registration of securities under Chapter 3 (commencing with Section 25301) of this division.

(i) No commissioner and no person who acts as a deputy commissioner in supervising the organization, reorganization, merger, or rehabilitation of any corporation under any law of this State shall, for a period of two years from and after the effective date of such organization, reorganization, merger, or rehabilitation, become an officer or director of, or serve as an officer or director of, or serve in any position

of gain or profit in, any corporation formed in whole or in part of the assets or funds, or any part of the assets or funds, of such corporation.

Every person violating this subdivision is guilty of a public offense punishable by a fine not exceeding five thousand dollars ($5,000), or by imprisonment in a state prison not exceeding five years or in a county jail not exceeding one year, or by both such fine and imprisonment."

**Amendment No. 23**

On page 29, line 14, strike out "(h)", and insert "(j)".

**Amendment No. 24**

On page 32, strike out lines 17 to 44, inclusive, and insert

"25411. Every order, decision, license, or other official act of the commissioner is subject to judicial review in accordance with law."

**Amendment No. 25**

On page 33, line 22, strike out "rules and".

**Amendment No. 26**

On page 33, line 23, after the period, insert "All rules shall be made, amended or rescinded in accordance with the provisions of the Administrative Procedure Act, Chapter 4 (commencing with Section 11370) of Part 1 of Division 3 of Title 2 of the Government Code."

**Amendment No. 27**

On page 36, between lines 34 and 35, insert

"SEC. 2. Section 4113 of said code is amended to read:

4113. The executed agreement, or an executed counterpart thereof, to which shall be attached a certificate executed by the Commissioner of Corporations to the effect that a ~~permit has been issued~~ *registration statement is effective* or that in his opinion a ~~permit~~ *registration* is not required under the provisions of the ~~Corporate Securities Law~~ *Uniform Securities Act*, and the respective certificate of each constituent corporation and of the surviving corporation shall be separately filed with the Secretary of State, and shall thereupon become effective, and the several parties thereto shall be one corporation. Neither the agreement nor any certificate shall be filed, however, until there has been filed with the Secretary of State by or on behalf of each corporation taxed under the Bank and Corporation Franchise Tax Act, the existence of which is terminated by the merger or consolidation, the certificate of satisfaction of the Franchise Tax Board that all taxes imposed by said act have been paid or secured.

SEC. 3. Section 4119 of said code is amended to read:

4119. If the consolidated or surviving corporation be a domestic corporation, the agreement and certificate of such corporation as well as the certificate of each constituent domestic corporation shall be filed in the Office of the Secretary of State and thereupon the consolidation or merger shall be effective as to any such domestic corporation. There shall be attached to the agreement a certificate executed by the Commissioner of Corporations to the effect that a ~~permit has been issued~~ *registration statement is effective* or that in his opinion no ~~permit~~ *registration* is required under the provisions of the ~~Corporate Securities Law~~ *Uniform Securities Act*. Each constituent foreign corporation which is qualified for the transaction of intrastate business in this State shall file in the Office of the Secretary of State a copy of the agreement, certificate or other instrument filed in the state or place of its incorporation for the purpose of effecting the consolidation or merger and each such document shall be certified by the public officer having official custody of the original. Copies of the agreement shall be filed as provided in Section 4114.

If the consolidated or surviving corporation be a foreign corporation, each constituent, consolidated or surviving foreign corporation which is qualified for the transaction of intrastate business in this State shall file in the Office of the Secretary of State a copy of the agreement, certificate or other document filed in the state of its incorporation for the purpose of effecting the consolidation or merger and each such document shall be certified by the public officer having official custody of the original. A certificate executed by the Commissioner of Corporations to the effect that a ~~permit has been issued~~ *registration statement is effective* or that in his opinion no ~~permit~~ *registration* is required under the provisions of the ~~Corporate Securities Law~~ *Uniform Securities Act* shall be attached to the copy of the agreement, certificate or other document presented to the Office of the Secretary of State for filing. Each constituent domestic corporation shall file in the Office of the Secretary of State a copy of the agreement, certificate or other document filed by the consolidated or surviving foreign corporation in the state of its incorporation for the purpose of effecting the consolidation or merger which copy shall be certified by the public officer having official custody of the original, or, in lieu thereof, an executed counterpart of the agreement or certificate executed by such domestic corporation for the purpose of effecting the consolidation or merger, and thereupon the consolidation or merger shall be effective as to such domestic corporation. Copies of such agreement, certificate or other document shall be filed by each qualified foreign corporation and by each constituent domestic corporation as provided in Section 4114.

SEC. 4. Section 10250 of said code is amended to read:

10250. (a) Any corporation organized under the provisions of or for the purposes set forth in Part 2 or Part 3 of this division may, if authorized so to do by its articles of incorporation, establish one or more common trust funds for the purpose of furnishing investments to such corporation or to any church, parish, congregation, society, chapel, mission, religious, beneficial, charitable or educational institution affiliated with it, or to any organization, society or corporation holding funds or property for the benefit of any of the foregoing, or holding funds for the purpose of supporting a bishop, priest, religious pastor, or teacher or any building or buildings used by or owned by any of the foregoing, whether holding such funds or property as fiduciary or otherwise. Notwithstanding the provisions of any general or special law in any way limiting the right of any of the foregoing or the officers or directors thereof, as fiduciary or otherwise, to invest funds held by them, it shall be lawful for any of the foregoing to invest any or all of their funds or property in shares or interests of such common trust fund or trust funds; provided, that, in the case of funds or property held as fiduciary, such investment is not prohibited by the wording of the will, deed or other instrument creating such fiduciary relationship.

(b) The directors or trustees of any such common trust fund, or trust funds, so organized, may employ such officers or agents as they think best, define their duties, and fix their compensation. They may also appoint a trust company or bank as custodian of the trust estate

and may employ an investment adviser or advisers, define their duties, and fix their compensation.

(c) The directors or trustees of any such common trust fund, or trust funds, shall pay ratably among the holders of shares or beneficial certificates then outstanding, semiannual dividends which shall approximately equal, in each fiscal year, the net income of the trust, or trusts.

(d) The provisions of the ~~Corporate Securities Act~~ *Uniform Securities Act* shall not apply to the creation, administration, or termination of common trust funds created hereunder, nor to participation therein.

SEC. 5. Section 10703 of said code is amended to read:

10703. If, when, and during such times as public agencies or individuals duly authorized to represent them and act in their behalf constitute a majority of the incorporators or of the directors and are entitled to exercise a majority of the voting power of a nonprofit corporation pursuant to this part:

(a) The ~~Corporate Securities Law~~ *Uniform Securities Act* shall not apply to the memberships nor to membership certificates issued by the corporation; and

(b) The corporation shall be exempt from payment of any taxes under the Bank and Corporation Tax Law (Part 11 of Division 2 of the Revenue and Taxation Code), except as provided in Article 2 of Chapter 4 thereof.

SEC. 6. Section 13205 of said code is amended to read:

13205. No association is subject in any manner to the terms of the ~~Corporate Securities Law~~ *Uniform Securities Act* and all associations may issue their membership certificates or stock or other securities as provided in this division without the necessity of ~~any permit from the Commissioner of Corporations~~ *registering the same under the Uniform Securities Act*.

SEC. 7. Section 27000 of said code is amended to read:

27000. Unless the provisions or the context otherwise indicates, and except as expressly otherwise provided in this chapter, words used in this division have the meanings prescribed in Chapter ~~1 of the Corporate Securities Law (Sections 25000 to 25014, inclusive)~~ *4 of the Uniform Securities Act, Section 25401*.

SEC. 8. Section 27001 of said code is amended to read:

27001. As used in this division "security" includes all of the things enumerated in Section ~~25008~~ *25401 (1)* and also includes shares, stock, and investment certificates as defined in the Building and Loan Association Act.

SEC. 9. Section 27002 of said code is amended to read:

27002. As used in this division, "individual" includes every natural person, domestic or foreign private corporation, nonprofit corporation, unincorporated association, company, partnership of whatever kind, syndicate, joint stock company, trustee, protective committee, depositors' league, and other similar organization however described; but "individual" does not include any of the following persons:

(a) Any licensed practicing attorney rendering or performing services in connection with the practice of law.

(b) Any ~~person holding a broker's or investment counsel's certificate then in effect issued by the commissioner.~~ *registered broker-dealer or investment adviser* rendering or performing services as such.

(c) Any ~~holder of a permit then in effect, granted by the commissioner under the Corporate Securities Law, permitting the issue~~ *person filing a registration statement ordered effective under the Uniform Securities Act covering the issuance* of certificates of deposit.

SEC. 10. Section 28006 of said code is amended to read:

28006. A beneficial interest issued by a retirement system shall be exempt from the provisions of the ~~Corporate Securities Law~~ *Uniform Securities Act*.

SEC. 11. Section 14250 of the Financial Code is amended to read:

14250. The ~~Corporate Securities Law~~ *Uniform Securities Act* of the State relating to the necessity of ~~obtaining a permit authorizing the sale and issue of~~ *registering* securities does not apply to the sale and issue of membership shares, certificates for funds, and other securities, by credit unions organized under this division.

SEC. 12. Section 18050 of said code is amended to read:

18050. Corporations subject to this division are subject to the provisions and regulations of the ~~Corporate Securities Law~~ *Uniform Securities Act*, Division 1, Title 4, of the Corporations Code.

SEC. 13. Section 18600 of said code is amended to read:

18600. An industrial loan company's ~~application for a permit to issue securities~~ *registration statement* shall set forth, in addition to the information required by the ~~Corporate Securities Law~~ *Uniform Securities Act*:

(a) The addresses of all offices at which business is proposed to be transacted.

(b) The names, residence addresses and business addresses of all officers and directors.

(c) The names and addresses of subscribers to its capital stock, the amount of capital stock subscribed, the amount paid thereon, the balance due, and copies of the subscription agreements.

(d) Statements as to the experience, character, general fitness, and financial responsibility of the officers, directors and managers.

SEC. 14. Section 18601 of said code is amended to read:

18601. At the time of filing ~~an application for a permit to issue securities~~ *a registration statement*, the applicant shall file with the commissioner a bond in the sum of one thousand dollars ($1,000), to be approved by the commissioner in which the applicant is the obligor, with one or more sureties approved by the commissioner, whose liability as sureties need not exceed that amount in the aggregate.

SEC. 15. Section 18603 of said code is amended to read:

18603. The bond shall be conditioned that the obligor will faithfully conform to and abide by the provisions of this division and of the ~~Corporate Securities Law~~ *Uniform Securities Act*, and of all rules and regulations made by the commissioner under either this division or the ~~Corporate Securities Law~~ *Uniform Securities Act*. The bond shall be conditioned that the obligor shall pay to the State and to any person all money that becomes due or owing to the State or to such person from the obligor under the provisions of this division or of the ~~Corporate Securities Law~~ *Uniform Securities Act*.

SEC. 16. Section 18606 of said code is amended to read:

18606. In addition to the duty of the commissioner to examine the ~~application~~ *registration statement* pursuant to the provisions of the ~~Corporate Securities Law~~ *Uniform Securities Act*, he shall investigate the matters and facts required by this article to be set forth in the ~~application for a permit to issue securities~~ *registration statement* and conduct such further investigation as he deems necessary.

SEC. 17. Section 18607 of said code is amended to read:

18607. If the commissioner finds that the financial responsibility, experience, character, and general fitness of the applicant, and of the officers and directors thereof, are not such as to command the confidence of the community and to warrant the belief that the business will be operated honestly, fairly, and efficiently within the purposes of this division, he shall ~~deny the application and refuse the permit~~ *issue a stop order denying effectiveness to the registration statement*.

SEC. 18. Section 18801 of said code is amended to read.

18801. Nothing in this division shall be construed as affecting in any manner the power or discretion of the commissioner under the ~~Corporate Securities Law~~ *Uniform Securities Act* or any other law of this State to do any of the following:

(a) ~~Issue a permit~~ *Order a registration statement effective* authorizing any company to issue and dispose of choses in action, including certificates of investment to be used in connection with loan transactions, in such amount and upon such terms and conditions as he may provide in such ~~permit~~ *registration statement or orders issued in connection therewith*.

(b) Impose such conditions as he deems necessary to the issuance of such securities.

(c) Establish such rules and regulations as are reasonable or necessary to insure the disposition of the proceeds of securities in the manner and for the purpose provided in such ~~permit~~ *registration statement*.

(d) Amend, alter, or revoke for cause any ~~permit issued by him~~ *registration statement ordered effective by him*.

(e) Refuse to ~~issue any permit~~ *order a registration statement effective* or otherwise authorize the issuance of securities.

SEC. 19. Section 18806 of said code is amended to read:

18806. The commissioner may order any industrial loan company to desist from any conduct which he finds in violation of this division, or of the ~~Corporate Securities Law~~ *Uniform Securities Act*, or the rules of the commissioner made pursuant to this division or the ~~Corporate Securities Law~~ *Uniform Securities Act*.

SEC. 20. Section 18813 of said code is amended to read:

18813. The commissioner may amend, alter, revoke, or suspend any ~~permit~~ *registration statement* to issue securities if he finds any fact or condition which, if it had existed at the time of filing the ~~application for the permit~~ *registration statement*, would have warranted the commissioner in refusing to ~~issue the permit~~ *order the registration statement effective*.

SEC. 21. Section 33915 of the Health and Safety Code is amended to read:

33915. No agency shall sell, offer for sale, negotiate for the sale of, or take subscriptions for any bonds of its own issue, to, with, or from

the public, until it has first ~~applied for and secured from the Commissioner of Corporations a permit authorizing it to do so~~ *filed a registration statement with the Commissioner of Corporations and secured an order declaring the registration statement effective*.

SEC. 22. Section 33916 of said code is amended to read:

33916. The ~~application~~ *registration statement* shall be ~~made~~ *filed* and ~~the permit issued~~ *declared effective* pursuant to reasonable regulations therefor which the commissioner may adopt and amend from time to time. The commissioner shall ~~issue the permit~~ *order the registration statement effective* if he finds that the project is financially sound and that the sale of the bonds would not be unfair, unjust, or inequitable to the purchasers. The provisions of the ~~Corporate Securities Law~~ *Uniform Securities Act*, not inconsistent with this part, are incorporated herein, insofar as they relate to ~~applications for permits and the issuance of permits~~ *registration of securities* required by this section.

SEC. 23. Section 1220 of the Agricultural Code is amended to read:

1220. No corporation organized or existing under or by virtue of the terms and provisions of this chapter shall be subject in any manner to the terms of the ~~corporate securities act of the State as approved May 18, 1917, or as amended,~~ *Uniform Securities Act,* and any and all corporations organized under and by virtue of the terms of this chapter may and shall issue their membership certificates or stock or other securities as provided herein without the necessity of ~~any permit from the commissioner of corporations~~ *registration under the Uniform Securities Act*."

**Amendment No. 28**

On page 36, line 35, strike out "2", and insert "24"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed, and to be re-referred to the Committee on Judiciary—Civil.

## ASSEMBLY BILL NO. 169 REMOVED FROM CONSENT CALENDAR

Mr. Bruce F. Allen was granted unanimous consent that Assembly Bill No. 169 be withdrawn from the Consent Calendar.

## CONSIDERATION OF ASSEMBLY BILL NO. 169

**Assembly Bill No. 169**—An act to amend Sections 6851, 6852, and 6853 of, and to add Section 6854 and 6855 to, the Education Code as enacted at the 1959 Regular Session, relating to school districts.

Bill read second time.

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendment

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "this", and insert "his".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the second reading file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 438 FROM COMMITTEE

Mr. Sedgwick was granted unanimous consent that Assembly Bill No. 438 be withdrawn from the Committee on Fish and Game for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 438

**Assembly Bill No. 438**—An act to amend Section 311 of the Fish and Game Code, relating to salmon fishing.

Bill read second time.

#### Motion to Amend

Mr. Sedgwick moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1959, strike out lines 8 to 16, inclusive, and insert

"It is unlawful to use or possess any gaff hook or any hook with more than one point within 100 feet of that portion of the Feather River upstream on the Feather River from areas designated as salmon spawning areas up to the junction of Middle and South Forks and up the North Fork to the Pacific Gas and Electric Company Big Bend Powerhouse during the time such downstream salmon spawning areas are closed to salmon fishing under Section 310."

#### Amendment No. 2

On page 1, lines 18 and 19, strike out "or larger than one-half inch".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 349

Mr. Rees was granted unanimous consent that Senate Bill No. 349 be withdrawn from the Committee on Finance and Insurance, and re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1157 FROM COMMITTEE

Mr. Crawford was granted unanimous consent that Assembly Bill No. 1157 be withdrawn from the Committee on Public Health, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1157

**Assembly Bill No. 1157**—An act to amend Section 27491 of, and to add Section 27491.1 to, the Government Code, and to add Section 7116 to the Health and Safety Code, relating to coroners' investigations.

Bill read second time.

#### Motion to Amend

Mr. Crawford moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 27491 of, and to".

#### Amendment No. 2

In line 2 of the title, after the first "to", strike out the comma.

#### Amendment No. 3

In lines 2 and 3 of the title, strike out "and to add Section 7116 to the Health and Safety Code,".

**Amendment No. 4**

On page 1, strike out lines 1 to 18, inclusive; on page 2, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 27491.1 is added to the Government Code, to read:".

**Amendment No. 5**

On page 2, strike out lines 17 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2796

Mr. Hawkins was granted unanimous consent that Assembly Bill No. 2796 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Industrial Relations.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 43

Mr. Masterson was granted unanimous consent that Senate Bill No. 43 be withdrawn from the committee on Governmental Efficiency and Economy, and re-referred to the Committee on Government Organization.

## SENATE BILL NO. 90 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Senate Bill No. 90**, on request of Mr. Backstrand.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RE APPOINTMENT OF LEGISLATORS TO ELECTIVE OFFICES

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 5, 1959

*Hon. Charles Edward Chapel*
*Assembly Chamber*

**Appointment of Legislators to Elective Offices—No. 13751**

DEAR MR. CHAPEL: You have asked us to compile a list of provisions in the Constitutions of other states which prohibit the Governor from appointing a Member of the Legislature to another elective office.

The following states have constitutional provisions prohibiting the appointment by the Governor of a Member of the Legislature to an elective office:

Arizona
Arkansas
Colorado
Georgia
Illinois
Michigan
Minnesota
Montana
New Mexico
North Dakota
Oklahoma
Pennsylvania
South Dakota
Tennessee
Wyoming

The following states have constitutional provisions prohibiting the appointment by the Governor of a Member of the Legislature to an elective office which has been created or the emoluments of which have been increased during his term:

| | |
|---|---|
| Alaska | New York |
| Delaware | Ohio |
| Florida | Texas |
| Louisiana | Utah |
| Maryland | Washington |
| Missouri | Wisconsin |
| New Jersey | |

The text of the pertinent provisions of the constitutions of the states referred to hereinabove are set forth below:

*Alaska* (Art. II, Sec. 5)

"During the term for which elected and for one year thereafter, no legislator may be nominated, elected, or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of Governor, Secretary of State, or Member of Congress."

*Arizona* (Art. 4, Pt. 2, Sec. 5)

"No member of the Legislature, during the term for which he shall have been elected or appointed shall be eligible to hold any other office or be otherwise employed by the State of Arizona, or any county or incorporated city or town thereof. This prohibition shall not extend to the office of school trustee, nor to employment as a teacher or instructor in the public school system."

*Arkansas* (Art. 5, Sec. 10)

"No Senator or Representative shall, during the term for which he shall have been elected, be appointed or elected to any civil office under this State."

*Colorado* (Art. V, Sec. 8)

"No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this State. * * *"

*Delaware* (Art. 2, Sec. 14)

"No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this State which shall have been created, or the emoluments of which shall have been increased during such time."

*Florida* (Art. III, Sec. 5)

"No Senator or member of the House of Representatives shall during the time for which he was elected, be appointed, or elected to any civil office under the Constitution of the State that has been created, or the emoluments whereof have been increased during such time."

*Georgia* (Art. III, Sec. IV, Par. VII)

"* * * nor shall any Senator, or Representative, after his qualification as such, be elected by the General Assembly, or appointed by the Governor, either with or without the advice and consent of the Senate, to any office or appointment having any emolument annexed thereto, during the time for which he shall have been elected."

*Illinois* (Art. 4, Sec. 15)

"No person elected to the General Assembly shall receive any civil appointment within this State from the Governor, the Governor and Senate, or from the General Assembly, during the term for which he shall be elected. * * *"

*Louisiana* (Art. III, Sec. 12)

"No senator or representative shall, during the term for which he was elected, nor for one year thereafter, be apointed or elected to any civil office of profit in this State which may have been created, or the emoluments of which may have been increased, by the Legislature during the time such senator or representative was a member thereof."

*Maryland* (Art. III, Sec. 17)

"No Senator or Delegate, after qualifying as such, notwithstanding he may thereafter resign, shall during the whole period of time for which he was elected, be eligible to any office, which shall have been created, or the salary, or profits of which shall have been increased, during such term."

*Michigan* (Art. V, Sec. 7)

"No person elected a member of the Legislature shall receive any civil appointment within this State or to the Senate of the United States from the Governor, except notaries public, or from the Governor and Senate, from the Legislature, or any other state authority, during the term for which he is elected."

*Minnesota* (Art. IV, Sec. 9)

"No senator or representative shall, during the time for which he is elected, hold any office under the authority of the United States or the State of Minnesota, except that of postmaster."

*Missouri* (Art. III, Sec. 12)

"During the term for which he was elected no senator or representative shall accept any appointive office or employment under this state which is created or the emoluments of which are increased during such term. This section shall not apply to members of the organized militia, of the reserve corps and of school boards, and notaries public."

*Montana* (Art. V, Sec. 7)

"No senator or representative shall, during the term for which he shall have been elected, be appointed to any civil office under this state. * * *"

*New Jersey* (Art. IV, Sec. V, par. 1)

"No member of the Senate or General Assembly shall, during the time for which he was elected, be nominated or appointed by the Governor or by the Legislature in joint meeting, to any civil office under the authority of this State, which shall have been created, or the emoluments whereof shall have been increased, during such time."

*New Mexico* (Art. IV, Sec. 28)

"No member of the legislature shall, during the term for which he was elected, be appointed to any civil office in the state, nor shall he within one year thereafter be appointed to any civil office created, or the emoluments of which were increased during such term * * *."

*New York* (Art. III, Sec. 7)

"No member of the legislature shall, during the time for which he or she was elected, receive any civil appointment from the governor, the governor and the senate, the legislature or from any city government, to an office which shall have been created, or the emoluments whereof have been increased during such time."

*North Dakota* (Art. II, Sec. 39)

"No member of the legislative assembly shall, during the term for which he was elected, be appointed or elected to any civil office in this state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected; nor shall any member receive any civil appointment from the governor, or governor and senate, during the term for which he shall have been elected."

*Ohio* (Art. II, Sec. 19)

"No Senator or Representative shall, during the term for which he shall have been elected, or for one year thereafter, be appointed to any civil office under this State, which shall be created or the emoluments of which, shall have been increased, during the term, for which he shall have been elected."

*Oklahoma* (Art. V, Sec. 23)

"No member of the Legislature shall, during the term for which he was elected, be appointed or elected to any office or commission in the State, which shall have been created, or the emoluments of which shall have been increased, during his term of office, nor shall any member receive any appointment from the Governor, the Governor and Senate, or from the Legislature, during the term for which he shall have been elected * * *."

*Pennsylvania* (Art. II, Sec. 6)

"No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under the Commonwealth * * *"

*South Dakota* (Art. III, Sec. 12)

"No member of the legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the state which shall have been created, or the emoluments of which shall have been increased during the term for which he was elected, nor shall any member receive any civil appointment from the governor, the governor and senate, or from the legislature during the term for which he shall have been elected * * *"

*Tennessee* (Art. II, Sec. 10)

"No Senator or Representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointment of which is vested in the Executive or the General Assembly, except to the office of trustee of a literary institution."

*Texas* (Art. III, Sec. 18)

"No Senator or Representative shall, during the term for which he may be elected, be eligible to any civil office of profit under this State, which shall have been created, or the emoluments of which may have been increased during such term * * *"

*Utah* (Art. VI, Sec. 7)

"No member of the Legislature, during the term for which he was elected, shall be appointed or elected to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected."

*Washington* (Art. II, Sec. 13)

"No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected."

*Wisconsin* (Art. IV, Sec. 12)

"No member of the legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected."

*Wyoming* (Art. 3, Sec. 8)

"No senator or representative shall, during the term for which he was elected, be appointed to any civil office under the state . . ."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

## SENATE BILL NO. 406 RETURNED TO CONSENT CALENDAR AND SENATE BILL NO. 460 PLACED ON INACTIVE FILE

Mr. Nisbet was granted unanimous consent that Senate Bill No. 406 be returned to the Consent Calendar (*See* page 3386); and that Senate Bill No. 460 be withdrawn from the Consent Calendar, and placed on the inactive file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 213 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 213 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 213

**Assembly Bill No. 213**—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Motion to Amend

Mr. O'Connell moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 1, 1959, after "disability", insert ", when considered alone and without regard to, or adjustment for, the occupation or age of the employee,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

### ASSEMBLY BILL NO. 1189 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 1189**, on request of Mr. Porter.

### SENATE BILL NO. 494 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 494**, on motion of Mr. Belotti.

### ANNOUNCEMENT

Mr. Waldie announced that tomorrow will be the birthday of Mr. Harold T. Sedgwick, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Sedgwick.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT LIST OF LEGISLATIVE ADVOCATES

Mr. Frew was granted unanimous consent that 1,000 copies of the List of Legislative Advocates and Organizations be ordered printed as a separate document.

### REQUEST FOR UNANIMOUS CONSENT TO BECOME CO-AUTHOR OF HOUSE RESOLUTION NO. 249

Mrs. Davis was granted unanimous consent that she be made a co-author of House Resolution No. 249.

### ANNOUNCEMENTS

Mr. Hawkins announced that today was the birthday of Mrs. Marie Porter, the wife of Assemblyman Carley V. Porter, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mrs. Porter.

Mr. Lowrey announced that a meeting of the subcommittee to hear the Water Pollution Control Bill (Assembly Bill No. 1974) would be held in Room 2170 at 8.15 p.m., on Monday, May 11th, and invited all members to attend the meeting.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1256

Mr. Lowrey moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1256 was this day passed (Assembly Journal, page 3426).

### CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 135

At 1.07 p.m., Mr. Coolidge moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

#### Statement by Mr. Coolidge

Mr. Coolidge stated his reasons for placing a call of the Assembly on Senate Bill No. 135, and stated that hereafter he would urge the placing of a call of the Assembly the first thing in the morning each Friday.

#### Motion to Print in Journal

Mr. Johnson moved that the remarks by Mr. Coolidge be reduced to writing, and printed in the Journal.

Motion ruled not in order while in the middle of a roll call.

The names of the absentees were called, and Senate Bill No. 135 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles A. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

#### Names Placed Upon Roll Call

Messrs. MacBride, Dills, Nisbet, and Porter were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 135.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 1138 | Assembly Bill No. 2208 |
| Assembly Bill No. 2026 | Assembly Bill No. 2275 |
| Assembly Bill No. 2123 | Assembly Bill No. 2285 |
| Assembly Bill No. 2125 | Assembly Bill No. 2293 |
| Assembly Bill No. 2164 | Assembly Bill No. 2313 |
| Assembly Bill No. 2168 | Assembly Bill No. 2314 |
| Assembly Bill No. 2169 | Assembly Bill No. 2327 |
| Assembly Bill No. 2174 | Assembly Bill No. 2338 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 219
Assembly Bill No. 1110
Assembly Bill No. 2108
Assembly Bill No. 2172
Assembly Bill No. 2227

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1399

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1863

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1847

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 919

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 438

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 989

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 583**—An act to amend Sections 1101, 1102.1, and 1104.1 of the Agricultural Code, relating to egg standards;

**Assembly Bill No. 643**—An act to add Section 3008 to the Fish and Game Code, relating to dogs;

**Assembly Bill No. 1003**—An act to amend Sections 21362 and 21404 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the reflectorizing of railroad warning approach signs;

**Assembly Bill No. 1026**—An act to amend Section 17072 of the Government Code, relating to canceled warrants;

**Assembly Bill No. 1027**—An act to amend Section 11255 of the Government Code, relating to payments between state agencies and between appropriations;

**Assembly Bill No. 1077**—An act to amend Section 1228.5 of, and to add Section 19330.5 to, the Government Code, relating to leaves of absence from the State Civil Service, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1317**—An act to amend Sections 14004, 14406 and 14502 of the Financial Code, relating to credit unions;

**Assembly Bill No. 1361**—An act to add Section 26505 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to airbrakes for vehicles;

**Assembly Bill No. 1622**—An act to amend Sections 1551 and 13566 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to powers and duties of superintendents of school districts;

**Assembly Bill No. 1652**—An act to amend Section 17829 of the Health and Safety Code, relating to housing;

**Assembly Bill No. 1721**—An act to amend Sections 10953, 10954, and 10955 of, and to repeal Section 10956 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to attendance of pupils in the public schools;

**Assembly Bill No. 1722**—An act to amend Section 5555 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to evening high school and junior college classes;

**Assembly Bill No. 1829**—An act to amend Section 5902 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to vocational courses;

**Assembly Bill No. 1831**—An act to amend Section 16519 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school supplies;

**Assembly Bill No. 1832**—An act to amend Section 5606 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to junior high schools;

And reports the same correctly enrolled, and presented to the Governor on the eighth day of May, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 121**—Approving charter amendments to the charter of the City of Inglewood, a municipal corporation in the County of Los Angeles, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1959;

And reports the same correctly enrolled, and presented to the Secretary of State on the eighth day of May, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 154**—An act to add Section 25100.5 to the Government Code, relating to the clerk of the board of supervisors in counties of over 2,000,000 population;

**Assembly Bill No. 327**—An act to amend Sections 5254 and 5255 of the Streets and Highways Code, relating to bonds of contractors and remedies in case of default by contractor;

**Assembly Bill No. 527**—An act to add Chapter 5 (commencing at Section 31585) to Part 6 of Division 12 of the Water Code, relating to county water districts;

**Assembly Bill No. 1042**—An act to amend Sections 8707, 8714, 9301, 9776, and 10451 of the Revenue and Taxation Code, relating to the use of fuel and motor vehicle transportation license tax laws;

**Assembly Bill No. 1526**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance;

**Assembly Bill No. 1792**—An act to amend Section 22480 of the Financial Code, relating to charges on loans made by personal property brokers;

**Assembly Bill No. 1828**—An act to amend Section 5203 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays;

**Assembly Bill No. 1865**—An act to amend Section 24071 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 2661**—An act making an appropriation to pay the expenses of Members of the Assembly, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the eighth day of May, 1959, at 10 a.m.

BURKE, Chairman

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 133

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 437
Senate Bill No. 906

With the recommendation: Do pass.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2230
Assembly Bill No. 2287

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 321

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 215
Senate Bill No. 680
Senate Bill No. 748
Senate Bill No. 766
Senate Bill No. 835
Senate Bill No. 887
Senate Bill No. 946

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2023

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 7, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 170

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 607
Assembly Bill No. 631

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 2161

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

McMILLAN, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2145

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1518

With amendments with the recommendation Amend, and do pass, as amended

McMILLAN, Chairman

Above bill ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 590

With amendments with the recommendation. Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1165
Assembly Bill No. 2322

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1171

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MACBRIDE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1175

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MACBRIDE, Chairman

Above bill ordered to second reading.

## RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 838** to the Committee on Finance and Insurance.

**Senate Bills Nos. 304, 534,** and **703** to the Committee on Governmental Efficiency and Economy.

## EXPLANATION OF ABSENCE

Any and all absent voting record due to appearances before the Senate committees.

PAULINE DAVIS

## ADJOURNMENT

At 1.12 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 11, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-THIRD LEGISLATIVE DAY

NINETY-FIRST CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, May 11, 1959

The Assembly met at 10 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God*, Give to every man a progressive list of loyalties: first, to himself, and he cannot then be false to any man; then to his family, as given to him for economic support and loving care; to his electorate, more than to the people of another district; to his section of the State, if the State be divided into sections with differing interests; to his State, above any other; to his Nation, more than any other, even the "old country"; to groups of nations, united in support of freedom and democracy; to the people of this planet, more than any other planet, as yet. Grant that such loyalties may never conflict with each other, for we are increasingly one community, one family under Thee, O God.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Bruce F. Allen, seconded by Mr. Williamson.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Porter, on motion of Mr. Shell.

Mr. Crawford, on motion of Mr. Shell.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Bradley, on motion of Mr. Shell.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Legislative Council for Unification of Fire Services, relative to Assembly Bill No. 19. Referred to the Committee on Municipal and County Government.

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South Los Angeles Legislative Counsel, relative to Assembly Bill No. 919. Referred to the Committee on Municipal and County Government.

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Mrs Zelma Sims of Sacramento, relative to divorce. Referred to the Committee on Judiciary—Civil.

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The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**

**Supplement to Report on 1956 Co-operative Study Program Water Use and Water Rights Along Sacramento River and in Sacramento-San Joaquin Delta on Methods of Analysis**

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, May 6, 1959

*Hon. Arthur A. Ohnimus*
*Clerk of the Assembly*
*State Capitol, Sacramento*

DEAR MR OHNIMUS: Transmitted herewith for the information of the California State Assembly is a copy of the report entitled "Supplement to Report on 1956 Co-operative Study Program Water Use and Water Rights Along Sacramento River and Sacramento-San Joaquin Delta on Methods of Analysis," dated March, 1959.

The information contained in this report will be useful in the negotiations now under way which are aimed at reaching an agreement on water rights along the Sacramento River and in the delta.

Sincerely,

HARVEY O. BANKS, Director

Attach.

Above transmitted report referred to the Committee on Water.

## PETITIONS

The following petition was presented by the Chief Clerk from:

Earl E. Waller of Mountain View, and 28 others, relative to Senate Bill No. 172. Referred to the Committee on Natural Resources, Planning, and Public Works.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To: Chief Clerk of the Assembly.*

In accordance with the provisions of Joint Rule No. 8.3, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed.

### Digest of Bill

Adds Secs. 20784 and 20785, B. & P. C.

Makes it unlawful to sell or offer for sale, gasoline or diesel fuel which does not meet prescribed specifications.

CHARLES H. WILSON

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Lowrey:

### House Resolution No. 253

Relative to congratulating Senator Kuchel and Senator Engle for their efforts in behalf of the San Luis Project

WHEREAS, The San Luis Project is a vital unit of the facilities needed to provide an adequate water supply to the citizens of this State, the early completion of which is essential to the continued development of California; and

WHEREAS, Our two able United States Senators, Senator Thomas H. Kuchel and Senator Clair Engle, both former Members of the State Legislature, have joined in a true spirit of nonpartisanship and have devoted their complete and untiring efforts to the securing of funds in the current federal budget for construction funds for this project; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly express their sincere appreciation for the marvelous demonstration of co-operation by Senator Kuchel and Senator Engle and wish the Senators continued success in their valiant fight to provide federal funds which are necessary to assist this State in the development of one of its most critical and needed water projects; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Senator Thomas H. Kuchel and Senator Clair Engle.

Resolution read, and referred to the Committee on Rules.

By Mr. Cameron:

### House Resolution No. 254

Relating to congratulating the California Society of Certified Public Accountants

WHEREAS, The California Society of Certified Public Accounts, which was organized and incorporated in 1909, will celebrate its Fiftieth Anniversary beginning with its fiscal year June 1, 1959; and

WHEREAS, During the past half century, the number of certified public accountants in California has grown from a meager 85 in 1909 to over 7,600 in 1959; and

WHEREAS, Because of the highly specialized and technical services which he renders, the certified public accountant has become increasingly important to the business and financial community in this State and an integral part of the proper functioning of our state and local governments; now therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House take this opportunity to express their sincere congratulations to the California Society of Certified Public Accountants on the occasion of its Fiftieth Anniversary of service to the people of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Arthur M. Sargent, Executive Director, and to Claude R. Giles, President, of the California Society of Certified Public Accountants.

Resolution read, and referred to the Committee on Rules.

By Messrs. Gaffney and Samuel R. Geddes:

**House Resolution No. 255**

Relative to the Twenty-fifth Anniversary of the California Council of the Blind

WHEREAS, The Members of the Assembly have learned with great pleasure that the California Council of the Blind is celebrating its Twenty-fifth Anniversary this year; and

WHEREAS, The California Council of the Blind was founded in 1934 by Dr. Newel Perry and, after continued growth, now consists of 42 clubs and affiliated organizations, spread throughout the length and breadth of this State, extending from San Diego, in the south, to Chico, in the north; and

WHEREAS, This public-spirited group, as the only statewide organization operated by the blind and open to all blind persons, has worked unstintingly to improve the well-being of blind persons and to educate the public concerning their capabilities; and

WHEREAS, The council, in an effort to extend its good works beyond the limits of California, was active in the formation of the National Federation of the Blind, and is a charter member of that organization; and

WHEREAS, Under its motto, "A Hand Up Not a Hand Out," the council during White Cane Week, May 15th to 21st, is conducting a drive to raise funds for the advancement of its efforts to aid and rehabilitate blind persons; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly extend to the California Council of the Blind, on the occasion of its Twenty-fifth Anniversary, their deep-felt congratulations on a job well done, and their sincere good wishes for the continued success of this public spirited group in the work that lies ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Russell Kletzing, President of the California Council of the Blind, and to Dr. Newel Perry, Founder and First President.

Resolution read, and referred to the Committee on Rules.

By Mr. Cusanovich:

**House Resolution No. 256**

WHEREAS, Some 11 years ago the Studio City Rotary Club sent food packages to children in the City of Lyons, France; and

WHEREAS, These children, whose fathers had been captured and killed while in the service of the Resistance, were Jacques Bongars de Vaudeleau, Michael Pasteur, Roger Sandonat, Louis Michaud, and Bernadette Pasteur; and

WHEREAS, During the summer of 1959, Reverend Harley Wright Smith will travel to Lyons, France, to honor the children and their fathers who died in the name of freedom; and

WHEREAS, The four Rotary Clubs of Lyons, France, will join in honoring these children and their fathers who died so that their children might live in a free world; and

WHEREAS, It is important that we continually strengthen the great and sincere feeling of friendship which has always prevailed between France and the United States and their peoples; and

WHEREAS, It can well be said that "Men who die for freedom any place die for freedom everywhere," and thus it is indeed appropriate that we join in honoring the children whose fathers died for our own freedom as well as that of their children and their country; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commemorates the memory of all those brave men who died in the service of the Resistance in France during World War II; and be it further

*Resolved*, That this body congratulate the Studio City Rotary Club and the Rotary Clubs of Lyons, France, for their contribution to international friendship; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this Resolution to the Primary Rotary Club of Lyons, France, the Rotary Club of Studio City and to Jacques Bongars de Vaudeleau, Michael Pasteur, Roger Sandonat, Louis Michaud, and Bernadette Pasteur.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

**Assembly Concurrent Resolution No. 127**: By Mr. Crown—Relative to reports of the department encampments or conventions of the United Spanish-American war veterans.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 128**: By Messrs. Lunardi, Chapel, Bane, Mrs. Davis, Messrs. Bee, Belotti, Biddick, George E. Brown, Crown, Cunningham, DeLotto, Frew, Garrigus, Samuel R. Geddes, MacBride, Masterson, Miller, Waldie, Winton, and Z'berg, Co-authored by Senators Teale, Brown, Berry, and Cameron—Relative to planning in Mother Lode and adjacent areas.

Referred to Committee on Rules.

**Assembly Concurrent Resolution No. 129**: By Messrs. Hegland, Grant, and Winton (By Request of Senators Dilworth, Donnelly, and Grunsky)—Relative to printing the Education Code.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 594

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, May 6, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 1148

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 57**—An act to amend Section 8 of the Corporations Code, to add Section 11 to the Code of Civil Procedure, to amend Section 31 of the Education Code as enacted by the Legislature at the 1959 Regular Session, to amend Section 8 of the Financial Code, to amend Section 8 of the Labor Code, to add Section 5 to the Probate Code, to amend Section 8 of the Public Utilities Code, to amend Section 10 of the Vehicle Code, and to add Section 29 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to the use of certified mail;

**Assembly Bill No. 655**—An act to repeal Sections 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, and 2010 of, to amend Sections 1851 and 2021 of, and to add Section 2001 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district organization;

**Assembly Bill No. 676**—An act to add Section 1711 to the Streets and Highways Code, relating to agreements between cities and counties for street construction, repair or maintenance;

**Assembly Bill No. 727**—An act to amend Sections 8751 and 8765 of the Business and Professions Code, relating to land surveying;

**Assembly Bill No. 843**—An act to amend Section 8276 of the Fish and Game Code, relating to crabs;

**Assembly Bill No. 870**—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts;

**Assembly Bill No. 873**—An act to amend Section 2312 of the Health and Safety Code, relating to the withdrawal of mosquito abatement funds;

**Assembly Bill No. 874**—An act to amend Sections 2248 and 2851 of the Health and Safety Code, relating to the compensation and expenses of mosquito and pest abatement district board members;

**Assembly Bill No. 992**—An act to add Sections 4008.2, 4008.3, and 4008.4 to the Business and Professions Code, relating to pharmacy;

**Assembly Bill No. 1196**—An act to amend Sections 4703, 4704, 4705, 4706, 4707, 4708, 4709, 4710, 4711, and 4713 of, and to add Sections 4702.5 and 4713.5 to, the Revenue and Taxation Code, relating to the distribution of property tax levies and assessments;

**Assembly Bill No. 1264**—An act to add Section 23428.9 to the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 1329**—An act to amend Section 6209 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the instruction of blind adults;

**Assembly Bill No. 1364**—An act to add Section 26503 to the Vehicle Code, as enacted by Chapter 3, Statutes of 1959, relating to airbrakes for vehicles;

**Assembly Bill No. 1436**—An act to amend Section 13641 of the Revenue and Taxation Code, relating to inter vivos transfers;

**Assembly Bill No. 1480**—An act to amend Section 13002 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to travel expenses of school district employees;

**Assembly Bill No. 1963**—An act to add Sections 12403, 12404, and 12405 to the Health and Safety Code, relating to explosives;

And reports the same correctly enrolled, and presented to the Governor on the eighth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Constitutional Amendment No. 5**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote;

**Assembly Joint Resolution No. 32**—Relative to ratifying the Fourteenth Amendment to the Constitution of the United States;

And reports the same correctly enrolled, and presented to the Secretary of State on the eighth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 358
Assembly Bill No. 995
Assembly Bill No. 2209

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 18

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 220
Assembly Bill No. 1660
Assembly Bill No. 2132
Assembly Bill No. 2316
Assembly Bill No. 2331

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 685
Assembly Bill No. 2114
Assembly Bill No 2115
Assembly Bill No. 2116
Assembly Bill No 2221
Assembly Bill No. 2286
Assembly Bill No. 2300

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 689

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 469
Assembly Bill No. 1867
Assembly Bill No. 1923

And reports the same correctly re-engrossed

BURKE, Chairman

Assembly Bills Nos. 469 and 1867 re-referred to committee.

Assembly Bill No. 1923 ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Constitutional Amendment No. 38

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 163
Assembly Bill No. 395
Assembly Bill No. 2187
Assembly Bill No 2201
Assembly Bill No. 2242
Assembly Bill No. 2348

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 717

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, May 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1281
Assembly Bill No 1347

And reports the same correctly engrossed.

BURKE. Chairman

Above bills ordered re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 494
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Assembly Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, May 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 294
Assembly Bill No. 384
Assembly Bill No. 1002
Assembly Bill No. 1004
Assembly Bill No. 1367
Assembly Bill No. 1377
Assembly Bill No. 1545
Assembly Bill No. 1630
Assembly Bill No. 1634
Assembly Bill No. 1643
Assembly Bill No. 1693
Assembly Bill No. 1781
Assembly Bill No. 1916

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:
Assembly Bill No. 1635
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 8, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Rattigan, Short, and Cobey as a Committee on Conference concerning:

**Assembly Bill No. 700**—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Senate Concurrent Resolution No. 73

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 73**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for

and ratified by the qualified electors of said city at the general municipal election held therein on the twenty-first day of April, 1959.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 8, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 150
Senate Bill No. 320
Senate Bill No. 479
Senate Bill No. 583
Senate Bill No. 787
Senate Bill No. 855
Senate Bill No. 910
Senate Bill No. 1022
Senate Bill No. 1043
Senate Bill No. 1057
Senate Bill No. 1069
Senate Bill No. 1082
Senate Bill No. 1127

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 150**—An act to repeal Section 8183 of, and amend Sections 8184, 8185, 8186, 8187, and 8189 of, the Fish and Game Code, relating to anchovies.

Referred to Committee on Fish and Game.

**Senate Bill No. 320**—An act to amend Section 8727 of, and to add Section 8730.5 to the Business and Professions Code, relating to planimetric or topographic mapping and ground surveys necessary therefor.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 479**—An act to amend Section 427 of the Streets and Highways Code, relating to Highway Route 127.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 583**—An act to amend Section 1067 of the Probate Code, relating to estates of deceased persons.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 787**—An act to amend Sections 22162 and 23196 of the Water Code, relating to irrigation districts.

Referred to Committee on Water.

**Senate Bill No. 855**—An act to amend Section 607 of, and to add Section 609.5 to, the Probate Code, and to add Section 14773.5 to the Revenue and Taxation Code, relating to inheritance tax appraisers.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 910**—An act to amend Section 103.3 of the Welfare and Institutions Code, relating to adjustments for overpayments of public assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1022**—An act to add Section 473 5 to, and to amend Section 637.1 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 1043**—An act to amend Section 777.1 of the Insurance Code, relating to free insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 1057**—An act to add Section 4601.5 to the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Referred to Committee on Public Health.

**Senate Bill No. 1069**—An act to add Section 2020.1 to the Welfare and Institutions Code, relating to old age assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1082**—An act to add Sections 1620.7 and 2313 to the Welfare and Institutions Code, and to add Section 1423 to the Health and Safety Code, relating to the placement of children, aged and infirm persons in boarding and nursing homes and institutions.

Referred to Committee on Social Welfare.

**Senate Bill No. 1127**—An act to amend Section 1148.2 of the Agricultural Code, relating to labeling of nursery stock.

Referred to Committee on Agriculture.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Garrigus and DeLotto:

### House Resolution No. 257

Relating to the Fiftieth Anniversary of the newspaper, "*Asbarez*"

WHEREAS, "*Asbarez*," one of the Nation's truly outstanding Armenian newspapers, is celebrating its Fiftieth Anniversary on the twenty-fourth of May; and

WHEREAS, "*Asbarez*" is the largest, oldest and most widely read Armenian newspaper in California; and

WHEREAS, This excellent publication has always interpreted the rich cultural heritage of Armenia for the benefit of the American tradition; and

WHEREAS, "*Asbarez*" has always striven to encourage Armenians in California to realize the highest ideals of American citizenship; and

WHEREAS, "*Asbarez*" has functioned effectively within the finest principles of American journalism in gathering and reporting news; and

WHEREAS, Many Americans of Armenian ancestry have joined together to celebrate the Fiftieth Anniversary of this fine newspaper; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House do hereby join together in extending their heartiest congratulations to the Armenian newspaper "*Asbarez*" on the occasion of its Fiftieth Anniversary and their best wishes for many more years of successful publication; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to the editor and to each member of the staff of the newspaper "*Asbarez*."

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Mr Conrad was granted unanimous consent to take up Assembly Bill No. 2132, out of order, for purpose of amendment.

### SECOND READING OF ASSEMBLY BILL NO. 2132 (OUT OF ORDER)

**Assembly Bill No. 2132**—An act to amend Sections 8571 and 8701 of, and to add Section 8701.5 to the Elections Code, relating to election contests.

Bill read second time.

#### Motion to Amend

Mr. Conrad moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 8, 1959, strike out "Section", and insert "Sections 8571.5 and".

#### Amendment No. 2

On page 1, line 6, strike out "If", and insert
"SEC. 2. Section 8571.5 is added to said code to read:
8571.5. If".

#### Amendment No. 3

On page 1, line 8, strike out "30", and insert "15".

#### Amendment No. 4

On page 1, line 10, after the second "be", insert "held within 30 days after its call and shall be".

#### Amendment No. 5

On page 1, between lines 13 and 14, insert
"This section shall cease to be operative on May 1, 1960."

#### Amendment No. 6

On page 1, line 14, strike out "SEC. 2", and insert "SEC. 3".

#### Amendment No. 7

On page 2, line 7, strike out "SEC. 3", and insert "SEC. 4".

#### Amendment No. 8

On page 2, line 14, strike out "SEC. 4", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files, with the exception of Assembly Bill No. 2132, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rules No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2316, 685, 2114, 2116, 2115, 220, 689, 2300, 2286, 2221, 1660, 2331**, and **169**.

**Senate Bills Nos. 852, 956**, and **271**.

Assembly Bills Nos. 2316, 220, 1660, and 2331 ordered to third reading.

Assembly Bill No. 169 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 685, 2114, 2116, 2115, 2300, 2286, 2221, and 689 ordered to the Consent Calendar.

Senate Bills Nos. 852, 956, and 271 ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 166**—An act to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 415**—An act to amend Sections 318, 319, 320, 708, 978, 979, 991, 1028, 1556, 1558, 1562, 1585, 1956, 2054, 2055, 2902, 3004, and 3254 of, to add Sections 20, 930.5, and 1179.5 to, to add an Article heading to Article 2 of Chapter 2, Part 1, Division 1 of, to, and to repeal Section 138 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 476**—An act to amend Section 316 of the Unemployment Insurance Code, relating to publication of information.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 986**—An act to add Sections 7058.5, 7059, 7060, and 7061 to the Public Resources Code, relating to production of oil, gas or other hydrocarbons.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1219**—An act to add Section 7062 to the Public Resources Code, relating to the production of oil, gas or other hydrocarbons.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1220**—An act to add Section 7054.5 to, and to amend Section 7052 of, the Public Resources Code, relating to oil, gas, and mineral leases by public agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1698**—An act to add Chapter 3 (commencing with Section 17750) to Part 3 of Division 7 of the Business and Professions Code, relating to the regulation, registration, and bonding of trading stamp companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1773**—An act to amend Section 2165d of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1884**—An act to add Section 559.1 to the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1888**—An act to amend Section 123 of the Welfare and Institutions Code, relating to reports of the Department of Social Welfare.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1957**—An act to add Sections 20933.5 and 20814 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1964**—An act to repeal Sections 12000 and 12113 of, to amend Sections 12000.5, 12002, 12100, 12101, 12102, 12103, 12104, 12107, 12108, 12109, 12111.5, 12112, 12114, 12115, 12190, 12304, 12350, and 12402 of, and to add Sections 12000, 12101.5, 12105.5, 12107.5, 12113, and 12301.5 to, the Health and Safety Code, relating to explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1417**—An act to amend Sections 1510 and 1557 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1533**—An act to amend Section 69586 of the Government Code, relating to the Superior Court in Los Angeles County.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1843**—An act to add Section 18372 to the Health and Safety Code, relating to trailer coaches.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1489**—An act to amend Section 710.3 of the Vehicle Code, and to amend Section 35790 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to trailer coaches.

Bill read second time.

*Consideration of Committee Amendments*

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 710.3 of the Vehicle Code, and to".

Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

Amendment No. 3

On page 1, strike out lines 1 to 21, inclusive; on page 2, strike out lines 1 to 49, inclusive, and insert

"SEC. 1. Section 35790 of the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, is amended to read:".

Amendment No. 4

On page 3, strike out line 2, and insert "cial or annual permit in writing authorizing the applicant to move any".

Amendment No. 5

On page 3, line 6, strike out "The"; and strike out all of line 7.

Amendment No. 6

On page 3, line 13, strike out "the", and insert "a special".

**Amendment No. 7**

On page 3, strike out lines 18 to 20, inclusive, and insert
"The application for an annual permit shall specifically describe the power unit to be used to tow the overwidth trailers and the particular highways over which the permit to operate is requested. The annual permit".

**Amendment No. 8**

On page 3, line 22, strike out "department", and insert "public agency".

**Amendment No. 9**

On page 3, line 25, strike out "the trailer coach described", and insert "a trailer coach".

**Amendment No. 10**

On page 3, strike out line 37, and insert
"2. Any trailer coach to be moved shall".

**Amendment No. 11**

On page 3, line 39, strike out "a", and insert "any".

**Amendment No. 12**

On page 3, line 44, after "Works", insert "or local authority".

**Amendment No. 13**

On page 3, line 48, after "coach", insert "or power unit".

**Amendment No. 14**

On page 4, line 2, strike out "special".

**Amendment No. 15**

On page 4, strike out lines 10 to 14, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 1681**—An act to add Section 22658 to, and to amend Section 22851 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the removal of vehicles from private property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill after "property", insert "devoted to industrial or commercial uses".

**Amendment No. 2**

On page 1, line 10, strike out "22815", and insert "22851".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2074**—An act to amend Section 6060 of the Business and Professions Code, relating to admission to practice law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "one month", and insert "two months".

Amendment No. 2

On page 1, lines 11 and 12, strike out "and continuing to and including the date of his admission".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2093**—An act to amend Section 26827 of the Government Code, relating to fees of county clerk.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the second "For"; strike out lines 8 to 13, inclusive; and in line 14, strike out "son, the fee is six dollars ($6)."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1345**—An act to add Section 5303 to the Government Code and to amend Sections 5302 and 29917 of the Government Code, Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, Section 55525 of the Water Code, Section 4790 of the Health and Safety Code and Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), all relating to signatures and countersignatures on bonds of public bodies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2281**—An act to add Section 53019 to, to amend Sections 53021 and 53023 of, the Government Code, relating to emergency powers of local agencies.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2288**—An act to amend Sections 14095 and 14455.5 of the Health and Safety Code, relating to fire protection districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1444**—An act to amend Sections 11535 and 11551.5 of the Business and Professions Code, relating to subdivisions.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1058**—An act to amend Sections 31809 and 31812 of, and to add Section 31809.5 to, the Government Code, relating to pension determination formulas for members of county retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 31, 1959, strike out lines 1 and 2, and insert "An act to add Section 31809.5 to the Gov-".

**Amendment No. 2**

On page 1, strike out lines 1 to 23, inclusive; strike out all of page 2; on page 3, strike out lines 1 to 33, inclusive, and insert

"SECTION 1. Section 31809.5 is added to the Government Code, to read:".

**Amendment No. 3**

On page 4, strike out lines 1 to 6, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1442**—An act to amend Section 909 of the Streets and Highways Code, relating to county highway construction equipment contracts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1570**—An act to amend Section 25528 of the Government Code, relating to the sale or lease of county real property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2254**—An act to add Section 71602.5 to the Government Code, relating to consolidation of offices in counties of the twentieth class.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2278**—An act to add Section 2½ to the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to records.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2306**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the granting of a right-of-way for road purposes over land of the Stockton State Hospital.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2167**—An act to amend Section 26504 of the Government Code, relating to funds received by district attorneys.

Bill read second time, and ordered re-engrossed, and to the Consent Calendar.

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 4, line 28, of the printed bill, as amended in the Assembly on April 20, 1959, after the period, insert "The district shall have the fire protection responsibility for structures in the area"

**Amendment No. 2**

On page 5, line 22, strike out "not less than".

**Amendment No. 3**

On page 5, line 22, after "five", insert "or eleven".

**Amendment No. 4**

On page 10, line 26, strike out "previously adopted by the board of"; strike out lines 27 and 28, and insert "adopted by the board of supervisors of any county, or the city council of any city, in which a part of the district is located."

**Amendment No. 5**

On page 13, line 45, strike out "county's share of the".

**Amendment No. 6**

On page 18, line 52, strike out "if such excluded territory is"; and on page 19, line 1, strike out "not annexed to or otherwise included within a city, and".

**Amendment No. 7**

On page 19, line 12, strike out "one year", and insert "two years".

**Amendment No. 8**

On page 19, line 13, strike out "one year", and insert "two years".

**Amendment No. 9**

On page 19, lines 14 and 15, strike out "pursuant to Section 14215 or".

**Amendment No. 10**

On page 20, between lines 3 and 4, insert

"For the purpose of this section, "fire station property" means all of the real and personal property which comprises a fire station at the time of the withdrawal of the territory from a district, including, but not limited to, the fire trucks and other equipment assigned to the station."

**Amendment No. 11**

On page 20, line 13, strike out "25", and insert "20".

**Amendment No. 12**

On page 20, line 14, strike out "the districts", and insert "any district".

**Amendment No. 13**

On page 20, line 16, strike out "25", and insert "20".

**Amendment No. 14**

On page 20, line 17, after "voters", insert "of any district".

**Amendment No. 15**

On page 20, line 18, after "election", insert "in such district".

**Amendment No. 16**

On page 20, line 21, after the period, insert "If a majority of the voters voting at each election which is held vote in favor of the consolidation, the board of supervisors may, by resolution, declare the districts consolidated. No district in which a majority of the voters voting vote against the consolidation shall be included in a consolidation. The board of supervisors may, by resolution, declare the remaining districts consolidated, or may abandon the proceedings for the consolidation."

**Amendment No. 17**

On page 20, strike out lines 22 to 32, inclusive, and insert

"14220. If the method of selection of the members of the board of directors of each district which is consolidated is the same, that method of selection shall be the

method of selection of the board of directors of the consolidated district. If the method of selection of the members of the board of directors of two or more districts which are consolidated is different, the board of supervisors shall call and hold an election, in accordance with the provisions of Part 2 (commencing at Section 9480) of Division 11 of the Elections Code, in the consolidated district for the purpose of submitting to the voters of the consolidated district, the method of selection of the members of the board of directors, together with the nominees for the members of an elective board. The members of an elective board shall be determined and hold office as prescribed in Article 4 (commencing at Section 14051)."

**Amendment No. 18**

On page 20, after line 49, insert

"14222. Upon the filing required by Section 58268 of the Government Code, and in addition to the provisions of Section 58269 of the Government Code, the consolidated district shall succeed to all the funds and other property, and be subject to all the indebtedness, bonded or otherwise, of the consolidated districts.

14223. Upon the consolidation of two or more districts, the employees of each district consolidated shall be blanketed into the employment of the consolidated district. The relative standing with respect to seniority and position of all employees blanketed into the employment of the consolidated district shall be determined upon the basis of their position and the seniority credits to which each such employee was entitled by virtue to his prior service in the districts."

**Amendment No. 19**

On page 21, line 36, strike out "has", and insert "had".

**Amendment No. 20**

On page 10, line 50, after "citations", insert "by the chief of the fire department of the district, or his duly authorized agent,".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 520**—An act to amend Section 1552.2 of the Welfare and Institutions Code, relating to the payment of aid to needy children in mismanagement cases.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Assembly on March 6, 1959, after the period, insert "Appropriate services shall be provided for the purpose of assisting families in the solution of problems of mismanagement to the end that such families will become self-maintaining and self-managing."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2244**—An act to amend Section 19a and add Section 19b to the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to drainage districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 20, of the printed bill, strike out "February".

**Amendment No. 2**

On page 2, line 4, strike out "February".

Amendment No. 3

On page 2, line 20, strike out "a February general", and insert "such district".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2290**—An act to add Chapter 8 (commencing at Section 30200) to Division 3, Title 3 of the Government Code, relating to county accounting procedures.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "and".

Amendment No. 2

On page 1, line 7, strike out "standard".

Amendment No. 3

On page 1, strike out lines 11, 12, and 13.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1893**—An act to add Section 31681.3 to the Government Code, relating to an increase in retirement allowances payable to retired members under the County Employees Retirement Law of 1937.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill after "system", insert "or of a superseded system".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1896**—An act to add Division 3 (commencing at Section 63000) to Title 6 of the Government Code, relating to metropolitan multipurpose districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "multipurpose districts", and insert "service districts".

Amendment No. 2

On page 1, line 4, strike out "Multipurpose", and insert "Metropolitan Service".

Amendment No. 2.5

On page 1, line 6, strike out "Multipurpose", and insert "Service".

Amendment No. 3

On page 1, line 12, strike out "a primary", and insert "an".

**Amendment No. 4**

On page 1, strike out lines 16 and 17, and insert "cies."

**Amendment No. 5**

On page 1, strike out lines 19 to 22, inclusive; and on page 2, strike out lines 1 to 3, inclusive.

**Amendment No. 6**

On page 2, line 4, strike out "(c)", and insert "(a)".

**Amendment No. 7**

On page 2, line 7, strike out "(d)", and insert "(b)".

**Amendment No. 8**

On page 2, line 10, strike out "every".

**Amendment No. 9**

On page 2, line 11, strike out "(e)", and insert "(c)".

**Amendment No. 10**

On page 2, line 15, strike out "(f)", and insert "(d)".

**Amendment No. 11**

On page 2, line 18, strike out "(g)", and insert "(e)".

**Amendment No. 12**

On page 2, lines 19 and 20, strike out "and their cities to establish a metropolitan multipurpose", and insert ", or portions of one or more counties, and the cities included therein, to establish a metropolitan service".

**Amendment No. 13**

On page 2, between lines 22 and 23, insert

"(f) The problems of metropolitan areas vary and the solution for one may not be applicable to another."

**Amendment No. 14**

On page 2, line 28, strike out "multipurpose", and insert "service".

**Amendment No. 15**

On page 2, line 35, strike out "multipurpose", and insert "service".

**Amendment No. 16**

On page 2, line 37, strike out "multipurpose", and insert "service".

**Amendment No. 17**

On page 2, line 43, strike out "multipurpose", and insert "service".

**Amendment No. 18**

On page 2, line 47, after "counties", insert ", or portions of one or more counties,".

**Amendment No. 19**

On page 3, line 2, strike out "or petition".

**Amendment No. 20**

On page 3, line 3, strike out "(1)".

**Amendment No. 21**

On page 3, strike out lines 9 to 14, inclusive.

**Amendment No. 22**

On page 3, line 15, strike out "and petition".

**Amendment No. 23**

On page 3, line 16, strike out "16", and insert "63016".

**Amendment No. 24**

On page 3, line 17, after "counties", insert "or a description of the portions thereof".

**Amendment No. 25**

On page 3, line 20, after "functions", insert "or any portion thereof".

**Amendment No. 25.5**

On page 3, line 25, strike out "18.", and insert "63018."

**Amendment No. 25.10**

On page 3, line 26, after "counties", insert ", all or any portion of which are to be included therein,".

**Amendment No. 25.15**

On page 3, line 30, after "functions", insert "or any portion thereof".

**Amendment No. 26**

On page 3, lines 42 and 43, strike out "Multipurpose", and insert "Service".

**Amendment No. 27**

On page 4, strike out lines 1 to 7, inclusive.

**Amendment No. 28**

On page 4, line 10, strike out "but", and insert "said district shall be established to perform the function or functions or any portion thereof for which a majority vote shall have been cast; but if such electors".

**Amendment No. 29**

On page 5, line 34, strike out "two", and insert "and three".

**Amendment No. 30**

One page 5, line 36, strike out ", and one member shall be appointed by a ma-"; strike out lines 37 to 39, inclusive, and insert a period.

**Amendment No. 31**

On page 5, line 41, strike out "three", and insert "two" .

**Amendment No. 32**

On page 5, line 41, strike out "One member", and insert "Two members".

**Amendment No. 33**

On page 5, line 42, strike out "the", and insert "each".

**Amendment No. 34**

On page 5, line 43, strike out "members, one member", and insert "members. Three members".

**Amendment No. 35**

On page 5, line 44, strike out "in the"; strike out all of lines 45 to 48, inclusive, and insert "in each county."

**Amendment No. 36**

On page 5, line 50, strike out "two members", and insert "one member".

**Amendment No. 37**

On page 6, line 1, strike out "members and one member", and insert "members. Two members".

**Amendment No. 38**

On page 6, line 3, strike out "the county", and insert "each county".

**Amendment No. 39**

On page 6, line 7, strike out the comma; strike out lines 8 and 9; and in line 10, strike out "in any county,".

**Amendment No. 40**

On page 6, strike out lines 12 to 17, inclusive.

**Amendment No. 41**

On page 6, line 18, strike out "63045.", and insert "63044."

**Amendment No. 42**

On page 6, line 20, strike out "except that the term of office of a successor"; strike out lines 21 and 22; and in line 23, strike out "mittee shall be as set forth in Section 44".

**Amendment No. 43**

On page 6, line 26, strike out "63046.", and insert "63045."

**Amendment No. 44**

On page 6, line 27, strike out "for a period of more than three months".

**Amendment No. 45**

On page 6, line 34, strike out "63047.", and insert "63046."

**Amendment No. 46**

On page 6, line 39, strike out "Each member of the council appointed jointly by a"; strike out lines 40 and 41; and in line 42, strike out "majority vote of the city selection committee"

**Amendment No. 47**

On page 6, line 45, strike out "63048", and insert "63047."

**Amendment No. 48**

On page 6, line 48, strike out "63049.", and insert "63048."

**Amendment No. 49**

On page 7, line 1, strike out "63050.", and insert "63049."

**Amendment No. 50**

On page 7, line 8, strike out "63051.", and insert "63050."

**Amendment No. 51**

On page 7, line 11, strike out "63052.", and insert "63051."

**Amendment No. 52**

On page 7, line 14, strike out "63053.", and insert "63052."

**Amendment No. 53**

On page 7, line 16, strike out "63054. The", and insert "63053. If the area to be included consists of five or more counties, the".

**Amendment No. 54**

On page 7, line 21, strike out "63055.", and insert "63054."

**Amendment No. 55**

On page 7, line 21, strike out "four", and insert "eight".

**Amendment No. 56**

On page 7, line 25, strike out "63056.", and insert "63055."

**Amendment No. 57**

On page 7, line 27, strike out ", plus a compensation of fifty dollars ($50) for"; strike out lines 28 to 30, inclusive, and insert a period

**Amendment No. 58**

On page 7, line 31, strike out "63057", and insert "63056".

**Amendment No. 59**

On page 7, line 35, strike out "63058", and insert "63057".

**Amendment No. 60**

On page 7, line 46, strike out "and zoning".

**Amendment No. 61**

On page 7, strike out lines 51 and 52; on page 8, strike out lines 1 to 4, inclusive, and insert

"(6) Regional parks.
(7) Civil defense.
(8) Metropolitan administrative planning and co-ordination in local affairs."

**Amendment No. 62**

On page 8, line 10, strike out "and zoning".

**Amendment No. 63**

On page 8, line 48, strike out "and zoning".

**Amendment No. 64**

On page 10, strike out lines 13 to 28, inclusive.

**Amendment No. 65**

On page 10, line 29, strike out "63065", and insert "63064".

**Amendment No. 66**

On page 10, line 50, strike out "63066", and insert "63065".

**Amendment No. 67**

On page 11, line 10, strike out "63067", and insert "63066".

**Amendment No. 68**

On page 11, line 13, strike out "63068", and insert "63067"

**Amendment No. 69**

On page 11, line 36, strike out "63069", and insert "63068".

**Amendment No. 70**

On page 11, line 45, strike out "63070", and insert "63069".

**Amendment No. 71**

On page 12, line 6, strike out "63071", and insert "63070".

**Amendment No. 72**

On page 12, line 12, strike out "63072", and insert "63071".

**Amendment No. 73**

On page 12, line 17, strike out "63073", and insert "63072".

**Amendment No. 74**

On page 12, line 19, strike out "63074", and insert "63073".

**Amendment No. 75**

On page 12, line 20, after "council", insert "is a misdemeanor and".

**Amendment No. 76**

On page 12, line 22, strike out "63075", and insert "63074,"

**Amendment No. 77**

On page 12, line 25, strike out "63076", and insert "63075".

**Amendment No. 78**

On page 12, line 47, strike out "63077", and insert "63076".

**Amendment No. 79**

On page 12, line 48, strike out "63077", and insert "63076".

**Amendment No. 80**

On page 13, line 12, strike out "78.", and insert "63077."

**Amendment No. 81**

On page 13, line 31, strike out "63079", and insert "63078".

**Amendment No. 82**

On page 13, line 47, strike out "63080", and insert "63079".

**Amendment No. 83**

On page 13, line 48, strike out "of parks and parkway," and insert "of regional parks,".

**Amendment No. 84**

On page 13, strike out line 50; in line 51, strike out "drives, boulevards," and insert "system of regional public parks, playgrounds, beaches,".

**Amendment No. 85**

On page 14, line 3, strike out "cause such parkways, scenic"; strike out lines 4 and 5; and on line 6, strike out "planted, repaired, and otherwise improved, and may".

**Amendment No. 86**

On page 14, lines 10 and 11, strike out "parkway, scenic drive, boulevard,".

**Amendment No. 87**

On page 14, line 11, after "controlled by", insert "the State or".

**Amendment No. 88**

On page 14, strike out lines 17 to 52, inclusive, and insert

"63080. A district, when authorized to perform the function of metropolitan administrative planning and co-ordination in municipal affairs, may provide centralized specialized services, promote co-operation between member agencies, realign territorial jurisdictions by mutual consent of the member agencies, develop minimum

standards, and conduct periodic review of conformance to minimum standards in connection with one or more of the following local affairs:

(a) Police protection
(b) Fire protection
(c) Health service
(d) Streets and highways
(e) Traffic regulation
(f) Building regulation
(g) Library service
(h) Recreation and parks
(i) City planning
(j) Such other local affairs as the member agencies agree to undertake

63081. The provision of centralized specialized services may include but not be limited to such services as: central records and fingerprint files, police and fire training, police and fire communication, scientific police investigations, arson investigation, health laboratories, and vital records and statistics.

63082. The promotion of co-operation between member agencies may include, but not be limited to such services as reciprocal service agreements, development of such area-wide master plans as are appropriate to the various municipal affairs enumerated in Section 63081, and the development of mutual assistance plans to meet major problems of an unusual nature.

63083. The development of minimum standards may include, but not be limited to, such services as: minimum uniform standards for major streets and county roads and for traffic control devices; uniform fire code; minimum fire prevention program; minimum uniform health standards; and minimum uniform building and related technical codes; as well as such periodic revisions which might be required by the introduction of new techniques, materials and equipment

63084. In the event that the activities of the district are limited to metropolitan administrative planning and co-ordination in municipal affairs as specified in Sections 63081 to 63084, the district may be designated as a metropolitan municipal district."

**Amendment No. 89**

On page 15, line 1, strike out "63086", and insert "63085".

**Amendment No. 90**

On page 15, line 4, strike out "63087", and insert "63086".

**Amendment No. 91**

On page 15, line 9, strike out "63088", and insert "63087".

**Amendment No. 92**

On page 15, line 13, after "function", insert ", or any portion of any function.".

**Amendment No. 93**

On page 15, after line 15, insert

"63088. Whenever a district has been designated as a metropolitan service district, the governing body thereof shall declare its intention to use the services of existing agencies capable of rendering any necessary specialized services in effectuating such district's powers and responsibilities, wherever possible, instead of setting up a separate organization unit of its own for such purpose."

**Amendment No. 94**

On page 16, line 20, strike out "The person appointed"; and strike out all of lines 21 to 30, inclusive.

**Amendment No. 95**

On page 17, line 16, after "council.", insert "He shall prepare the annual budget of the district; submit said budget to the council for its consideration and adoption; and upon adoption of the budget, shall be responsible for its execution."

**Amendment No. 96**

On page 20, line 18, after "county", insert ", or any portion thereof,".

**Amendment No. 97**

On page 20, line 35, after "counties", insert ", or the city councils of the cities,".

**Amendment No. 98**

On page 20, line 37, after "resolution", insert "or resolutions".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2292**—An act to amend Section 3308 of the Health and Safety Code, relating to tuberculosis hospitals.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 3310 to,".

**Amendment No. 2**

On page 1, line 6, strike out "Prior"; strike out lines 7 to 10, inclusive; and in line 11 strike out "of the quarterly expenses of the hospital."

**Amendment No. 3**

On page 1, after line 17, insert

"SEC. 2. Section 3310 is added to said code, to read:

3310. Prior to the beginning of each quarter of the year an estimate of the amount required to operate the hospital for the subsequent quarter may be sent by the hospital central committee to the board of supervisors of each county, together with a claim for the county's proportionate share of the quarterly expenses of the hospital, and, upon approval of the board of supervisors, the county shall pay such claim."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2354**—An act to convey certain tide and submerged lands to the City of Richmond, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, line 17, of the printed bill, strike out "45° 01' 04.4"" and insert "44° 59'".

**Amendment No. 2**

On page 3, between lines 35 and 36, insert

"Parcel No. 3—Lots 28, 29, 30, and 31 of Section 30, Township 1 North, Range 4 West, Mount Diablo Base, State Tide Lands in the City of Richmond, Contra Costa County.

Parcel No. 4—Those portions of Lots 3, 4, and 5 of Section 32, and that portion of Lot 31 of Section 29, lying within the city limits of the City of Richmond, County of Contra Costa, all in Township 1, Range 4 West, Mount Diablo Base, State Tide Lands."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2230**—An act to amend Sections 12845 and 12846 of the Public Utilities Code, and to amend Sections 2864 and 2865 of the Public Districts Code, as proposed by Assembly Bill No. 908, relating to municipal utility districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "buildings", and insert "office buildings, warehouses, and garages".

Amendment No. 2

On page 1, line 17, strike out "building", and insert "office building, warehouse, or garage".

Amendment No. 3

On page 2, line 20, strike out "buildings", and insert "office buildings, warehouses, and garages".

Amendment No. 4

On page 2, lines 28 and 29, strike out "building", and insert "office building, warehouse, or garage".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2287**—An act to amend Sections 21650 and 21711 of, and to add Section 21650.5 to, the Water Code, relating to irritation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 21650 and 21711", and insert "Section 21711".

Amendment No. 2

On page 1, strike out lines 1 to 13, inclusive, and insert
"SECTION 1. Section 21650.5 is added to the Water Code, to read:".

Amendment No. 3

On page 1, line 14, before "In", insert "21650.5."

Amendment No. 4

On page 1, line 17, strike out "first", and insert "second".

Amendment No. 5

On page 1, line 18, strike out "February", and insert "March".

Amendment No. 6

On page 2, between lines 11 and 12, insert
"Notwithstanding the provisions of Section 21101, whenever a runoff election is required by this section, the candidate declared elected shall take office at noon on the regular monthly meeting day of the board in April next following his election, but his term shall expire at noon on the regular monthly meeting day of the board **in March in the fourth year after his election.**"

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2023**—An act to add Article 11 (commencing at Section 11640) to Chapter 2 of Part 2 of Division 4 of the Business and Professions Code, relating to subdivision maps.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "are", and insert "prior to the effective date have been".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2145**—An act to amend Sections 35450, 35451, 35452, 35453, 35456 and 35457 of the Government Code, relating to the annexation of territory to cities.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "article", insert "if the annexation of such highway or highways will not result in the creation of an island of unincorporated territory completely surrounded by incorporated territory".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1518**—An act to add Section 2442 to the Labor Code, relating to general health provisions.

Bill read second time

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "shall", and insert "may, after a hearing,".

Amendment No. 2

On page 1, line 5, after "in", insert "subdivision (a) of".

Amendment No. 3

On page 1, strike out lines 8 to 10, inclusive, and insert "or domiciled for the convenience of the employer."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 590**—An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 29, 1959, strike out "Section 608", and insert "Sections 608 and 609".

Amendment No. 2

On page 3, between lines 49 and 50, insert

"SEC. 2.5. Section 609 is added to said code, to read:

609. For years beginning after December 31, 1959, any employer which is a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for

the prevention of cruelty to children or animals, may elect to pay its contributions to the Unemployment Fund under this part, either in the same manner as required by this part of employers other than those subject to the provisions of Section 608, or in accordance with the following procedure:

(a) By paying, in lieu of the contributions otherwise required of employers, at the times and in the manner provided in subdivision (b) of this section, an amount equal to the additional cost to the Unemployment Fund of the benefits paid with respect to unemployment of an individual which benefits would be charged to such employees account pursuant to Section 1026.

(b) The payments prescribed by subdivision (a) of this section shall be paid to the Unemployment Fund by way of reimbursement in such sums as the director may determine. During, and following the close of, the benefit year of any individual whose base period included services performed in the employ of the employer, the director may from time to time, assess the employer for the contributions actually due or estimated by the director to be due for benefits paid to the individual and properly chargeable to the employer. Any assesment may include the total of amounts due or estimated to be due for benefits paid to all individuals for claims based upon base-period employment with the employer. The director shall reduce any assessment by the amount by which any prior assessment exceeded the amount actually payable at that time, and shall increase any assessment by the amount by which any prior assessment was less than the amount actually payable at that time. The director shall give employers written notice of the assessments. Assessments must be paid within 30 days after the date of mailing of the notice of assessment. Upon failure to pay any assessment authorized by this subdivision the employer shall become subject to, and the director have power to proceed to collect contributions due, under the provisions of Article 8 (commencing at Section 1126) of Chapter 4 of this part, and pursuant to Chapter 7 (commencing at Section 1701) of this part. The assessment made under this section shall be deemed to be the assessment required by any of the assessment and collection procedures in this code which are utilized by the director to obtain reimbursement of the Unemployment Fund for amounts due under this section.

The election of the employer respecting the manner in which tax contributions to the Unemployment Fund shall be made under this section shall be made in writing submitted to the department no later than 90 days prior to the beginning of any year. If no election to the contrary is submitted it will be presumed that the employer has elected to pay contributions under subdivision (a) of this section Any election made under this section shall be effective for no less than one calendar year, and until an election to pay contributions under the alternative method beginning with a subsequent calendar year has been properly submitted."

**Amendment No. 3**

On page 5, line 4, after "individual", insert "by an employer".

**Amendment No. 4**

On page 7, line 27, after "1280." insert "(a)".

**Amendment No. 5**

On page 8, line 34, insert "(b)" preceding the word "For".

**Amendment No. 6**

On page 8, lines 36 to 38, strike out "or the three thousand six hundred dollars ($3,600) limitation on taxable wages in calendar years after December 31, 1959".

**Amendment No. 7**

On page 8, line 48, strike out "or the three thousand six"; strike out lines 49 through 50, and insert ". This subdivision shall not apply to wages paid on and after January 1, 1959."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1165**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, lines 7 and 8, of the printed bill, strike out "four thousand five hundred dollars ($4,500)", and insert "two thousand five hundred dollars ($2,500)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2322**—An act to amend Sections 7005, 7006, 7007 and 7008 of, and to add Sections 7018, 7019 and 7020 to, the Streets and Highways Code, relating to the Street Improvement Act of 1913.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "surveyor", insert "or other county official designated by the board of supervisors".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1175**—An act to amend Sections 23151, 23153, 23184, 23186, 23501, 23771, 24349, 24350, 24355 of, and to add Sections 24351, 24352, 24353, 24354, 24356, 24356.1 and 24575.1 to the Revenue and Taxation Code, relating to bank and corporation taxes, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "23186," insert "23333,".

**Amendment No. 2**

In line 2 of the title, after "24355", insert ", 25552 and 25552b".

**Amendment No. 2.5**

On page 2, line 40, strike out "11", and insert "9.5".

**Amendment No. 3**

On page 3, between lines 4 and 5, insert

"SEC. 4.5. Section 23333 of said code is amended to read:

23333. A taxpayer subject to Section 23186 shall, if it dissolves or withdraws prior to the date the rate is determined under Section 23186, pay a tax under the preceding paragraph at the maximum rate prescribed by said Section 23186; if the rate is subsequently determined to be less than the maximum prescribed by Section 23186, a refund shall, within thirty (30) days of such determination, be made as prescribed by Article 1 of Chapter 22; that part of the tax thus determined which is in excess of ~~four~~ *5.5* percent ~~(4%)~~ shall be collected as a demand for second installment under Article 3 of Chapter 19."

**Amendment No. 4**

On page 9, between lines 27 and 28, insert

"SEC. 16 5. Section 25552 of said code is amended to read:

25552. In the case of taxpayers subject to the tax imposed by Article 3 of Chapter 2, there shall be due and payable, on or before the fifteenth day of the third month following the close of the income year, from each such taxpayer as a first installment of the tax a percentage of its net income as disclosed by its return, which is equal to that percentage of the net income of corporations subject to the tax imposed by Article 2 of Chapter 2 which is required to be paid to this State as a franchise tax according to or measured by net income. The first installment of the tax on financial corporations shall not be less than the minimum tax of ~~$25~~ *one hundred dollars ($100)*.

SEC. 17. Section 25552b of said code is amended to read:

25552b. The sum of the first and second installments, provided for in Sections 25552 and 25552a, shall not exceed ~~8~~ *9.5* percent of the net income of each such taxpayer subject to the tax imposed by Article 3 of Chapter 2. The offset provided for in Sections 23185 to 23185b, inclusive, shall be applied to the second installment.

SEC. 18. The provisions of this act effecting changes in the computation of taxes shall be applied in the computation of taxes for all income years ending after December 31, 1958. Provided, however, that in the case of banks and financial corporations the maximum rate provided for by Section 23186 determined upon the basis of net income of corporations taxable under Section 23151 for the calendar year 1958 or fiscal years ended during such calendar year shall not exceed 8 percent. Banks and corporations whose income year began prior to January 1, 1959, and ends on or before November 30, 1959, shall compute their tax by applying the rate in effect as of December 31, 1958, and the rate provided for by this act on and after such date, to their net income for the entire year in accordance with the method prescribed by Section 24251. In determining net income, the depreciation deduction shall be determined as if the bank or corporation's income year began January 1, 1959.

If a corporation's income year ended on or before the effective date of this act the minimum tax shall be twenty-five dollars ($25); if its income year ends after such date the minimum tax shall be one hundred dollars ($100).

Any tax, for a taxable year specified in this act, in addition to that disclosed by the return, made necessary solely by amendments to this act, shall accrue on January 1, 1959, and shall be due and payable within 10 days from the date of notice and demand from the Franchise Tax Board, or on or before the fifteenth day of the ninth month following the close of the income year as defined in Section 23042, whichever is later. If not so paid, interest shall be added thereto in the manner provided by Section 25901. Such tax shall not be considered a deficiency assessment within the meaning of Article 1 of Chapter 20 (commencing with Section 25661)."

**Amendment No. 5**

On page 9, line 28, strike out "SEC. 17", and insert "SEC. 19".

Bill ordered reprinted, engrossed, and to be re-ferred to the Committee on Ways and Means.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 433**—An act to amend Section 20363 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 436**—An act to amend Sections 21200, 21201, and 21208 of the Financial Code, and Sections 343 and 11108 of the Penal Code, and to add Section 21208 to the Financial Code, relating to pawnbrokers.

Bill read second time and ordered to third reading.

**Senate Bill No. 902**—An act to add Section 591 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "street" or "highway."

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 153**—An act to add Section 152 to the Streets and Highways Code, relating to fire protection on freeways.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 169**—An act to amend Section 104.6 of, and to add Section 104.10 to, the Streets and Highways Code, relating to the distribution of rentals from properties held for highway purposes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

On page 1, line 7, of the printed bill, strike out "four", and insert "two".

#### Amendment No. 2

On page 1, line 8, strike out "$4,500", and insert "$2,500".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 437**—An act to add Section 35010 to the Government Code, and to amend Section 731a of the Code of Civil Procedure, relating to county zoning for airport purposes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 906**—An act to repeal Section 11 of Chapter 33 of the Statutes of 1956, First Extraordinary Session, relating to state and local planning.

Bill read second time, and ordered to third reading.

**Senate Bill No. 321**—An act to amend Section 13106 of the Government Code, relating to quitclaiming of state-owned easements and rights-of-way.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 215**—An act to amend Sections 6075 and 6077 of the Harbors and Navigation Code, relating to harbor districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 680**—An act to amend Sections 4, 5, 17, 24, 29, and 35 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to water supply in Orange County.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 748**—An act to amend Section 12 of the Alameda County Flood Control and Water Conservation District Act, relating to the levy and collection of taxes and assessments, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 766**—An act to add Section 5254.5 to the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 835**—An act to add Section 4746.1 to the Health and Safety Code, relating to certificates of indebtedness of a county sanitation district.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 887**—An act to add an article heading and to add Article 2 (commencing with Section 25580), to Chapter 6 of Part 2, Division 2, Title 3 of the Government Code, relating to parks and recreation.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 946**—An act to amend Section 25643 of the Government Code, relating to excepting property from county tax levy for structural fire protection.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 170**—An act making an appropriation for the Santa Clara River Flood Control Project, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2306**, subsequent to engrossment.

**Senate Bills Nos. 153, 169**, and **906.**

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 682**—An act to amend Sections 58241, 61128, 61230, and 61823 of the Government Code, Sections 3533, 4659, 5418, and 8127 of the Streets and Highways Code, Sections 1808, 2285, 2341,

2832, 14750, 14815, 14825, 14827, 32004.6, 32004.8 and 33573 of the Health and Safety Code, and Sections 9304, 9313, 9316, and 9713 of the Public Resources Code, relating to recordation of instruments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 682?

**Amendment No. 1**

On page 3, line 16, of the printed bill, strike out "six months", and insert "one year".

**Amendment No. 2**

On page 3, line 17, after "board", insert "or within 90 days after the completion of the work, whichever first occurs".

The Assembly concurred in Senate amendments to Assembly Bill No. 682 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Grant, Hanna, Hegland, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 682 ordered enrolled.

## ANNOUNCEMENT

Speaker Brown announced that at noon on Wednesday, May 13th, the annual picture of the Members of the Legislature for the Real Estate Magazine would be taken at the west entrance to the Capitol.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1501**—An act to amend Section 958 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read third time.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Pattee moved a call of the Assembly.

Mr. Backstrand seconded the motion.

Motion carried. Time, 10.23 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY
## BY UNANIMOUS CONSENT
## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that, for the balance of the session, no guests in the balcony be introduced.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2299**—An act to add Section 10853 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to corporal punishment of pupils.

Bill read third time.

#### Speaker pro Tempore Presiding

At 10.33 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—67.
NOES—Bruce F. Allen, Burton, Munnell, and Rumford—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2209**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 995**—An act to amend Sections 3364 and 3365 of the Welfare and Institutions Code, relating to purchase of blind-made products by public agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2108**—An act to amend Section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—Busterud, Gaffney, Marks, Meyers, and O'Connell—5

Bill ordered transmitted to the Senate.

**Assembly Bill No. 219**—An act to add Sections 6801.5 and 6802.5 to the Elections Code, relating to electronic counting.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2172**—An act to amend Section 73 of, and to add Section 86 2 to, the Agricultural Code, relating to fairs

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—63.
NOES—Beaver, Burton, Coolidge, Davis, Ernest R. Geddes, Masterson, and Mulford—7.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 2172 was made. *See* page 3503.

**Assembly Joint Resolution No. 17**—Relative to memorializing Congress to enact a bill to provide assistance to the states in the construction, modernization, additions, and improvements of domiciliary and

hospital buildings of state veterans' homes by a grant to subsidize, in part, the capital outlay cost.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Coolidge, House, Levering, Reagan, and Sumner—5.

Resolution ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Crown asked for unanimous consent that Mr. Cunningham be granted leave of absence for the day, because of legislative business elsewhere.

Request ruled not in order while the House is under a call.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Joint Resolution No. 18**—Relative to memorializing Congress to increase federal aid to state veterans' homes.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—Levering, McMillan, and Reagan—3.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 144

By Messrs. Kennick and Thomas:

### House Resolution No. 144
Relating to the Seaside Freeway

WHEREAS, The State Legislature in 1958 (Ch. 74, Stats. 1958 1st Ex.) added to Route 167 a connection between the Harbor Freeway (Route 165) in San Pedro and the Long Beach Freeway (Route 167) in Long Beach; and

WHEREAS, This new highway will include a bridge to be constructed between San Pedro and Terminal Island as well as a bridge between Terminal Island and Long Beach; and

WHEREAS, Traffic and transportation problems in the harbor area of Los Angeles County daily become more serious and necessitate the early construction of this connecting highway as a freeway, including the construction of the San Pedro-Terminal Island Bridge and a bridge to replace the existing pontoon bridge over Cerritos Channel; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the California Highway Commission is requested to declare the added portion of Route 167 which will connect the Harbor Freeway and the Long Beach Freeway to be a freeway, to be known as the Seaside Freeway, and to determine the location and boundaries of the Seaside Freeway, and to allocate funds for the earliest possible construction of the Seaside Freeway; and be it further

*Resolved*, That the Department of Public Works is requested to make a feasibility study of the construction of the San Pedro-Terminal Island Bridge, and of a bridge to replace the existing pontoon bridge over Cerritos Channel, out of money in the State Highway Fund; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the Department of Public Works.

Resolution read, and adopted.

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 232**—An act to add Section 23120 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the wearing of glasses by drivers.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lundardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 475**—An act to amend Section 3000 of, and to add Section 3000.5 to, the Harbors and Navigation Code, relating to the San Francisco Port Authority.

Bill read third time, and presented by Mr. Burton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

### PARLIAMENTARY INQUIRY

Mr. Unruh arose to the following parliamentary inquiry: How am I recorded on the roll call on Assembly Bill No. 2172?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that Mr. Unruh was recorded as voting "Aye."

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2172

Mr. Unruh moved to reconsider on the next legislaitve day the vote whereby Assembly Bill No. 2172 was this day passed (Assembly Journal, page 3501).

Assembly Bill No. 2172 and the motion to reconsider ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 667**—An act to amend Section 1364 of the Financial Code, relating to investments.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 691**—An act to amend Section 20103 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the county school service fund.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 692**—An act to amend Sections 23057 and 23758 of of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges and the University of California.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 642**—An act to add Section 29022 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to integrity of diplomas.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills Donahoe, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 783**—An act to add Section 8162.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to exemption from courses in physical education.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—64
NOES—DeLotto, Mulford, Munnell, Sedgwick, Sumner, Thelin, and Unruh—7.

Bill ordered transmitted to the Senate.

**Senate Bill No. 880**—An act to add Section 6 1 to the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to land acquired for district purposes.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

### VOTES CHANGED UPON ROLL CALL ON SENATE BILL NO. 783

Messrs. Busterud and Marks were granted unanimous consent that they be recorded as voting "Aye" instead of "No" on Senate Bill No. 783.

### NAME PLACED UPON ROLL CALL ON SENATE BILL NO. 783

Mr. Biddick was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 783.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 193**—An act to amend Section 4500 of the Penal Code, relating to penalties for assaults by prison inmates.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Gedes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

### Vote Changed Upon Roll Call

Mr. Bane was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Senate Bill No. 193.

### Name Placed Upon Roll Call

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 193.

**Senate Bill No. 426**—An act to amend Section 16111 of the Education Code, and Section 10652 of the Education Code as proposed by Senate Bill No. 2, relating to tuition fees for veterans' children.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 90**—An act to amend Section 13831.4 of the Education Code, and Section 13515 of the Education Code as proposed by Senate Bill No. 2, relating to teachers' salaries.

Bill read third time.

### Motion to Re-refer

Mr. Backstrand moved that Senate Bill No. 90 be re-referred to the Committee on Education.

Motion carried unanimously.

### Speaker Presiding

At 11.20 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2311**—An act to amend Section 5 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), relating to the powers of the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1978**—An act to amend Section 8395 of the Fish and Game Code, relating to sale or purchase of surf perch.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1866**—An act to amend Sections 11380, 11422, 11422.1, and 11423 of the Government Code, relating to administrative rules and regulations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 34**—Relative to the long range program for the national forests.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 11**—An act to add Chapter 2.5 (commencing at Section 2200) to Part 3 of Division 2 of the Water Code, relating to Indian water rights.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 44**—An act to amend Section 24074 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 406**—An act to amend Section 25663 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 407**—An act to add Section 24209 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 408**—An act to add Section 23087 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 411**—An act to amend Sections 24048.2 and 24048.4 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 413**—An act to amend Section 23034 of the Business and Professions Code, relating to stills.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 415**—An act to amend Section 23905 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 416**—An act to amend Section 23081 and to add 23081.5 to the Business and Professions Code, relating to appeals from decisions of the Department of Alcoholic Beverage Control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 419**—An act to amend Section 25660 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 573**—An act to amend Section 1052 of the Fish and Game Code, relating to licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 658**—An act to amend Section 5006 of the Water Code, relating to the State Water Rights Board.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 8**—An act to add Section 34315.5 to the Health and Safety Code, relating to housing authorities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

## COMMENDATION OF MEMBERS

Speaker Brown commended and congratulated the Members of the Assembly upon the volume of business transacted this morning.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2227**—An act to amend Sections 3505 and 3511 of, and to repeal Chapter 2 (commencing at Section 3901) of Division 2 of, the Public Utilities Code, relating to highway carriers and city carriers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick,

Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 765**—An act to add Section 25843 to the Government Code, relating to county government.

Bill read third time.

#### Motion to Amend

Mr. Hegland moved the adoption of the following amendment:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on March 30, 1959, strike out lines 9 and 10, and insert "individual shall receive awards to exceed twenty dollars ($20) in value during any fiscal year."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2227

Mr. Lowrey was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 2227.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 420**—An act to amend Sections 25361, 25363 and 25367 of, and to add Section 25370.1 to, the Business and Professions Code, relating to the seizure and disposition of property for violation of the Alcoholic Beverage Control Act.

Bill read third time, and presented by Mr. Biddick.

NOTE—On May 15, 1959, the record was expunged, and the action rescinded whereby Senate Bill No. 420 was this day passed (Assembly Journal, page 3742).

**Senate Bill No. 757**—An act to add Section 16864 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to fire extinguishers carried on school buses.

Bill read third time, and presented by Mr. Nisbet.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker.—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 275**—An act to amend Sections 682.1 and 682 2 of the Code of Civil Procedure, relating to writs of execution.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—70.
NOES—None.

Bill ordered transmitted to the Senate.

## SENATE BILL NO. 507 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 507,** on motion of Mr. Masterson.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 604**—An act to amend Sections 1227, 1228, 1316, 1413 and 1416, and to repeal Section 1414, of the Financial Code, relating to loans.

Bill read third time.

### Motion to Amend

Mr. Cunningham moved the adoption of the following amendment:

### Amendment No. 1

On page 3, line 41, of the printed bill, as amended in the Assembly on April 23, 1959, strike out "lease", and insert "least".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 286**—An act to add Article 2.5 (commencing at Section 4470), to Chapter 4, Part 2, Division 5 of the Health and Safety Code, relating to fishing in water supplies and recreational uses in the surrounding area.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 286?

### Amendment No. 1

On page 2, line 29, of the printed bill, as amended in the Assembly on March 12, 1959, after "tion", insert ", or if the agency is a municipal corporation at the next general municipal election,".

### Amendment No. 2

On page 2, strike out lines 13 to 25, inclusive.

**Amendment No. 3**

On page 2, line 17, of the printed bill, as amended in the Senate on March 24, 1959, strike out "im-", and insert "improvements necessary or convenient for such public fishing and recreational uses, an estimate of the annual cost of maintenance and operation of the plan, and a recommendation as to the manner in which the plan may be financed

After completion of the co-ordinated plan the governmental agency shall promptly make application to the State Department of Public Health for an amendment to its water supply permit, which would allow the opening of the body of water to public fishing and the surrounding land area for other recreational use pursuant to the co-ordinated plan."

**Amendment No. 4**

On page 3, strike out lines 14 to 26, inclusive.

**Amendment No. 5**

On page 2 of the printed bill as amended in the Senate on March 31, 1959, strike out lines 6, 7, and 8, and insert "make and file with said board of supervisors an estimate of the cost of preparing a co-ordinated plan for public fishing in said body of water and other recreational uses in the surrounding land area. Said board of supervisors thereupon may deposit with the governmental agency owning said body of water the amount of such estimate not exceeding two thousand five hundred dollars ($2,500), and the governmental agency owning said body of water thereupon shall proceed promptly with and complete such co-ordinated plan. In event the cost of preparing such plan shall be less than the amount deposited by said board of supervisors, the excess shall be repaid by the governmental agency owning the body of water to the board of supervisors which made such deposit. Such plan may provide for".

**Amendment No. 6**

On page 1 of the printed bill, as amended in the Senate on April 16, 1959, after line 9, insert

" "Body of water" means a reservoir or lake.

"Owned" means owned or controlled".

The Assembly concurred in Senate amendments to Assembly Bill No. 286 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67

NOES—Levering and Reagan—2.

Assembly Bill No. 286 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 413 FROM COMMITTEE

Mr. Chapel was granted unanimous consent that Assembly Bill No. 413 be withdrawn from the Committee on Transportation and Commerce, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 413

**Assembly Bill No. 413**—An act to amend the title of Division 14 (commencing at Section 31600) of, and Sections 27903, 27904, 31601, 31602, 31603, 31604, 31606, 31607, 31609, 31610, 31611, 31612, 31613, 31614, and 31615 of, to repeal Sections 31616 and 31617, as added by Assembly Bill No. 1962 of, and to add Sections 31600.5, 31600.7, 31616, and 31617 to, the Vehicle Code, enacted by the Legislature at the 1959 Regular Session, relating to the transportation of radio-active materials.

Bill read second time.

**Motion to Amend**

Mr. Chapel moved the adoption of the following amendments:

**Amendment No. 1**

In lines 5 and 6 of the title of the printed bill, as amended in the Assembly on April 27, 1959, strike out "the title of Division 14 (commencing at Section 31600) of, and".

**Amendment No. 2**

In line 6 of the title strike out the second comma, and insert "and".

**Amendment No. 3**

In line 7 of the title strike out ", 31601, 31602, 31603, 31604, 31606, 31607, 31609,"; strike out lines 8 to 11, inclusive, of the title, and insert "of, and to add Division 14.5 (commencing at Section 33000) to,".

**Amendment No. 4**

On page 8, line 28, strike out "exempted from the packaging, mark-"; strike out lines 29 and 30; in line 31 strike out "terials if the transportation of such radioactivities", and insert "if the transportation of such radioactive materials".

**Amendment No. 5**

On page 8, line 33, strike out "31600.7", and insert "33001".

**Amendment No. 6**

On page 8, line 33, after the period, insert "In no event shall the regulations adopted by the State Fire Marshal be more restrictive than those of the Interstate Commerce Commission."

**Amendment No. 7**

On page 8, strike out line 34, and insert

"SEC. 3 Division 14.5 (commencing at Section 33000) is added to said code, to read:

DIVISION 14.5. TRANSPORTATION OF RADIOACTIVE MATERIALS

33000. For the purposes of this division only, the term "radioactive materials" shall include any material or combination of materials that spontaneously emits ionizing radiation not exempted from the packaging, marking, and labeling requirements of the Interstate Commerce Commission and such other materials as are designated by regulations adopted from time to time by the State Fire Marshal in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code, after he has considered changes in the materials exempted from the packaging, marking, and labeling requirements of the Interstate Commerce Commission, as materials which the protection of life and property require to be considered radioactive materials for the purposes of this division. In no event shall the regulations adopted by the State Fire Marshal be more restrictive than those of the Interstate Commerce Commission.

33001. The State Fire Marshal may adopt, in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code, reasonable regulations, which, in the judgment of the State Fire Marshal, may promote the safe transportation of radioactive materials. In no event shall the regulations adopted by the State Fire Marshal be more restrictive than those of the Interstate Commerce Commission.

33002. A violation of any regulation adopted by the State Fire Marshal pursuant to Section 33001 is a misdemeanor."

**Amendment No. 8**

On 8, strike out lines 35 to 52, inclusive; and strike out pages 9, 10, 11, 12, 13, 14, 15, and 16.

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Rush Order Placed Upon Printing of Assembly Bill No. 413**

Mr. Chapel was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 413.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1501

At 11.37 a.m., Mr. Pattee moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

#### Motion to Expunge Record and Rescind Action on Assembly Bill No. 1501

Mr. Pattee moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 1501.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69.

NOES—None.

#### Assembly Bill No. 1501 Placed on the Inactive File

On motion of Mr. Pattee, Assembly Bill No. 1501 was placed upon the inactive file.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 1256 CONTINUED

Mr. Lowrey was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1256 be continued until the next legislative day.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1496 FROM COMMITTEE

Mr. Busterud was granted unanimous consent that Assembly Bill No. 1496 be withdrawn from the Committee on Revenue and Taxation for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1496

**Assembly Bill No. 1496**—An act to add Section 6068.5 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Bill read second time.

#### Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 6068.5 to the Revenue and Taxation Code, relating to the sales and use tax law", and insert "amend Section 10901 of the Revenue and Taxation Code, relating to taxation".

#### Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 10901 of the Revenue and Taxation Code is amended to read:

10901. Whenever the department erroneously collects any license fee not required to be paid under this part, the amount shall be refunded to the person paying it

upon application therefor made within *either of the following periods of time, whichever is lesser: (a)* One year after the date *the applicant discovers the erroneous collection. (b) Two years after the date* of the payment."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1249 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 1249 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1249

**Assembly Bill No. 1249**—An act to amend Section 6947 of, and add Section 6946.5 to, the Business and Professions Code, and to add Section 426c to the Code of Civil Procedure, relating to actions by assignees for collection.

Bill read second time.

#### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, lines 4 and 5 of the printed bill, strike out "such licensee shall append to his complaint", and insert "no default judgment shall be ordered until such licensee files".

#### Amendment No. 2

On page 1, line 9, strike out "appended to the complaint", and insert "so filed".

#### Amendment No. 3

On page 1, line 11, after "a", insert "default".

#### Amendment No. 4

On page 2, lines 19 and 20, strike out "such licensee shall append to his complaint", and insert "no default judgment shall be rendered until such licensee files".

#### Amendment No. 5

On page 2, line 24, strike out "appended to the complaint", and insert "so filed".

#### Amendment No. 6

On page 2, line 26, after "a", insert "default".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1897 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 1897 be withdrawn from the Committee on Social Welfare, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1897

**Assembly Bill No. 1897**—An act to amend Sections 2020.002 and 2025 of the Welfare and Institutions Code, relating to old age assistance grants, and making an appropriation.

Bill read second time.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 19, of the printed bill, after "increases", insert "or decreases".

**Amendment No. 2**

On page 2, line 1, after "State", insert "above or below the amount being paid on November 1, 1958, or above or below the amount payable as a result of any such increase or decrease".

**Amendment No. 3**

On page 2, line 4, strike out "this article", and insert "Section 2020".

**Amendment No. 4**

On page 2, line 5, after "creased", insert "or decreased".

**Amendment No. 5**

On page 2, line 5, after "increase", insert "or decrease".

**Amendment No. 6**

On page 2, line 6, strike out "; provided, that the"; strike out lines 7 and 8, and insert ", but in no event shall the total aid granted under Section 2020, as modified by this section, be less than ninety dollars ($90) per month".

**Amendment No. 7**

On page 2, line 11, strike out "increase", and insert "change".

**Amendment No. 8**

On page 2, line 12, after "Government", insert ", whether increase or decrease,".

**Amendment No. 9**

On page 2, line 13, strike out "increase", and insert "change".

**Amendment No. 10**

On page 2, line 14, strike out "this grant", and insert "the maximum grant prescribed in Section 2020, within the limits established by this section".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Biddick was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of hearing Senate Bill No. 349 in the Committee on Judiciary—Civil on Wednesday, May 13, 1959, at 2.30 p.m.

## VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 2108

Mr. Meyers was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 2108.

## ANNOUNCEMENT RELATIVE TO SUBCOMMITTEE MEETINGS

Mr. Rees announced that there would be no meetings of the Finance and Insurance Subcommittees on Unemployment Compensation Disability and Unemployment Insurance today

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 96
Assembly Bill No. 145
Assembly Bill No 192
Assembly Bill No. 213
Assembly Bill No. 405
Assembly Bill No. 1253
Assembly Bill No. 1268

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills, with the exception of Assembly Bill No. 192, re-referred to committee.

Assembly Bill No. 192 ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 265
Assembly Bill No. 1244
Assembly Bill No. 2175

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bills Nos. 265 and 2175 re-referred to committee.

Assembly Bill No. 1244 ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1345
Assembly Bill No. 1417
Assembly Bill No. 1444
Assembly Bill No. 1533
Assembly Bill No. 2281
Assembly Bill No. 2288

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1442
Assembly Bill No. 1570
Assembly Bill No. 2254
Assembly Bill No. 2278

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2306

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 11, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 453

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports.

Assembly Bill No. 2302

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney, Busterud, Marks, O'Connell, Burton, and Meyers:

### House Resolution No. 258

Relative to commending Shirley O'Neill

WHEREAS, In the tragedy that marked the loss of Albert Kogler on May 7, 1959, the heroic action of Miss Shirley O'Neill stands out as a brilliant example of faith and courage; and

WHEREAS, When Albert Kogler was attacked by a shark while swimming in the waters of the Golden Gate, his companion, Shirley O'Neill, after returning to shore and getting a line from a fisherman, plunged back into the bloody waters and swam to his aid; and

WHEREAS, Miss O'Neill was successful in returning Albert Kogler to shore and continued to administer aid to him; and

WHEREAS, The unselfish valor and brave spirit exhibited by Miss O'Neill, a student at San Francisco State College, deserves the recognition and praise of the people of this State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California takes this opportunity to commend the courageous action of Miss Shirley O'Neil on May 7, 1959; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Miss Shirley O'Neill.

Resolution read, and referred to the Committee on Rules.

## RE-REFERENCE OF SENATE BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 631** to the Committee on Public Health.

**Senate Bill No. 711** to the Committee on Ways and Means.

## EXPLANATIONS OF ABSENCE

May 11, 1959

It was necessary for me to be absent during most of this morning's session in order to present a bill before the Senate Public Utilities Committee.

LOUIS FRANCIS

May 11, 1959

Any and all absent voting record today was due to attending to legislative duties elsewhere in the Capitol

CHARLES W. MEYERS

## ADJOURNMENT

At 11.43 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 12, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-FOURTH LEGISLATIVE DAY

NINETY-SECOND CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, May 12, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

**Chief Clerk Arthur A. Ohnimus at the Desk**

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Eternal God*, Whose creation continues in our labors, direct us to solutions to great problems such as taxation and water development to which we will give assent, though never completely satisfied We pray that history may deal gently with the decisions that are made, that the doors of opportunity may be kept open, and that all good and essential things may be achieved for the greatest possible number of people. May incentive for personal effort be provided for every human being, and may industry and agriculture be so encouraged that research, experiment, and new capital outlay will continue to bring new blessings to all our people. We pray in the spirit of Jesus Christ, our Lord —AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Rumford, seconded by Mr. Coolidge

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hanna, on motion of Mr. George A. Willson.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 169
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 1697
Assembly Bill No. 2103
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 611
Assembly Bill No. 2076
Assembly Bill No. 2102
Assembly Bill No. 2241
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2077
Assembly Bill No. 2276
Assembly Bill No. 2298
Assembly Bill No. 2335
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 438
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Fish and Game.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1157
Assembly Bill No. 2531
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Senate Concurrent Resolution No. 43
With amendments with the recommendation: Amend, and be adopted, as amended.

UNRUH, Chairman

Above resolution ordered on file.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 165

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 2424
Assembly Bill No. 2388

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 123

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 972
Senate Bill No. 829

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 398
Assembly Bill No. 399

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 520
Assembly Bill No. 2132

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills returned to second reading file.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2368

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2216
Assembly Bill No. 2005
Assembly Bill No. 650
Assembly Bill No. 802
Assembly Bill No. 670
Assembly Bill No. 1886
Assembly Bill No. 2037
Assembly Bill No. 1096

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2031
Assembly Bill No. 1930
Assembly Bill No. 349

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1535
Assembly Bill No. 1536

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No 194
Senate Bill No. 652
Senate Bill No. 774

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 570

With the recommendation: That the bill be re-referred to the Committee on Industrial Relations.

UNRUH, Chairman

Above bill re-referred to the Committee on Industrial Relations.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2074
Assembly Bill No. 2093
Assembly Bill No. 2230
Assembly Bill No. 2287

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1627

And reports the same correctly re-engossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Health.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 31
Assembly Bill No. 1405

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 253

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1428
Assembly Bill No. 1483
Assembly Bill No 1641
Assembly Bill No. 1840
Assembly Bill No. 1928
Assembly Bill No 1929
Assembly Bill No. 2152

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 119
Assembly Concurrent Resolution No. 120

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, May 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1287

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 74

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 74**—Relative to adding Joint Rule No. 10.9 to the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 106
Senate Bill No. 379
Senate Bill No. 473
Senate Bill No 478
Senate Bill No. 552
Senate Bill No. 560
Senate Bill No. 584
Senate Bill No. 682
Senate Bill No. 742
Senate Bill No. 747
Senate Bill No. 756
Senate Bill No. 828
Senate Bill No. 881
Senate Bill No. 916
Senate Bill No. 928
Senate Bill No. 940
Senate Bill No. 957
Senate Bill No. 989
Senate Bill No. 1058
Senate Bill No. 1075
Senate Bill No. 1087
Senate Bill No 1110

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 106**—An act to add Division 19 (commencing at Section 65000) to the Water Code, relating to state assistance to local agencies in areas affected by state-financed water resource construction projects.

Referred to Committee on Water.

**Senate Bill No. 379**—An act to amend Sections 8011 and 8014 of the Fish and Game Code, relating to receipts for fish, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

**Senate Bill No. 473**—An act to add Sections 12585.1 and 12750.1 to, and to amend Section 12639 of, the Water Code, relating to flood control projects.

Referred to Committee on Water.

**Senate Bill No. 478**—An act to add Section 21292.25 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 552**—An act to amend Section 2211 of the Streets and Highways Code, relating to the apportionment of federal aid for secondary highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 560**—An act to amend Section 110.5 of, and to add Section 110.7 to the Business and Professions Code, relating to charges to state agencies for services performed by the Division of Administrative Procedure, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 584**—An act to amend Section 9595 of, to add Section 18708 to, the Education Code, to amend Section 9155 of, and to add Section 16409 to, the Education Code, as proposed by Senate Bill No. 2, relating to published materials prepared by a county superintendent of schools or school district.

Referred to Committee on Education.

**Senate Bill No. 682**—An act to add Section 3136 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county-wide school districts.

Referred to Committee on Education.

**Senate Bill No. 742**—An act to amend Sections 937, 938, 939, 943, 987, 1231, 1301, 1302, 1303, 1407, 1485, 1487, 3258, and 3259, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Referred to Committee on Education.

**Senate Bill No. 747**—An act to amend Section 1 of Chapter 657 of the Statutes of 1911, relating to tidelands and submerged lands in the City of Oakland, County of Alameda.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 756**—An act to add Section 9020.1 to and Chapter 5.1 (commencing at Section 9520) to Division 9 of the Public Resources Code, relating to soil conservation districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 828**—An act to amend Section 13121 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the certification of school employees.

Referred to Committee on Education.

**Senate Bill No. 881**—An act to amend Section 23 of the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to flood control in Santa Clara County.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 916**—An act to add Section 16522 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Referred to Committee on Education.

**Senate Bill No. 928**—An act to add Chapter 1.8 (commencing at Section 148) to Division 1 of the Welfare and Institutions Code, relating to the acquisition and disposition of salvageable personal property for charitable purposes.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 940**—An act to amend Section 2302 of, and to repeal Section 2311 of, the Welfare and Institutions Code, relating to boarding homes and institutions for the aged.

Referred to Committee on Social Welfare.

**Senate Bill No. 957**—An act to add Section 50 to the Education Code, as enacted at the 1959 Regular Session, relating to the Department of Education.

Referred to Committee on Education.

**Senate Bill No. 989**—An act to amend Section 28111 of the Government Code, relating to compensation for public service in a county of the eleventh class.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1058**—An act to amend Section 14376 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Bill No. 1075**—An act to amend Section 13824 of, and to add Sections 13824.1, 13824.2, and 13824.3 to, the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Bill No. 1087**—An act to add Section 8961.5 to the Health and Safety Code, relating to public cemetery districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

**Senate Bill No. 1110**—An act to amend Sections 21351 and 21352 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to revolving funds of school districts.

Referred to Committee on Education.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 64
Senate Concurrent Resolution No. 65
Senate Constitutional Amendment No. 23

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Concurrent Resolution No. 64**—Relative to hearing officers in the Division of Administrative Procedure.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Concurrent Resolution No. 65**—Relative to the long-suffering of the American people at the hands of press agents promoting special weeks.

Referred to Committee on Rules.

**Senate Constitutional Amendment No. 23**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV as proposed by Resolution Chapter 184 of the Statutes of 1951 and by repealing Section 22 of Article IV as proposed by Resolution Chapter 220 of the Statutes of 1951, relating to the deletion of obsolete or superseded provisions affecting appropriations.

Referred to Committee on Constitutional Amendments.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 910

On request of Speaker Brown, Mr. Mulford was granted unanimous consent that Senate Bill No. 910 be withdrawn from the Committee on Social Welfare, and re-referred to the Committee on Municipal and County Government.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2132, 1681, 2074, 2093, 520, 2244, 2290, 2230, 2287, 2023, 2145, 1518, 590, 1165,** and **2322.**

**Senate Bill No. 133.**

Assembly Bills Nos. 520 and 2132 ordered to third reading.

Assembly Bills Nos. 1681, 2244, 2290, 2023, 2145, 1518, 1165, and 2322 ordered to third reading, subsequent to engrossment.

Assembly Bill No 590 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 2074, 2093, 2230, and 2287 ordered to the Consent Calendar.

Senate Bill No. 133 ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 594**—An act to amend Sections 51 and 52 of, and to repeal Sections 53 and 54 of, the Civil Code, relating to civil rights.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, as amended, strike out all of lines 11, 12, 13, 14, 15, 16.

#### Amendment No. 2

On page 1, line 11, insert

"(b) To all schools which primarily offer business or vocational training;".

#### Amendment No. 3

On page 1, lines 18 and 19, after "any", strike out "tax advantage or exemption, or receiving any form of assistance".

#### Amendment No. 4

On page 1, line 18, after "any", insert "direct subvention".

#### Amendment No. 5

On page 2, line 3, after "(d)", strike out "To membership in", and insert "In".

#### Amendment No. 6

On page 2, line 4, after "maintained", insert "by licensees of the State of California".

**Amendment No. 7**

On page 2, line 7, after "(e)", strike out "To obtain the services of".

**Amendment No. 8**

On page 2, line 7, after "(e)", insert "From".

**Amendment No. 9**

On page 2, line 12, after "or", strike out "which is denied, for good cause, and".

**Amendment No. 10**

On page 1, line 7, after "out", strike out ", but not limited,".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1148**—An act to add Sections 7933.5, 7933.6, 7933.7, and 7933.8 to the Elections Code, relating to the demise of a candidate for public office.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 4, 1959, strike out "Sections 7933.5, 7933.6, 7933.7, and 7933.8", and insert "Section 7933.5".

**Amendment No. 2**

On page 1, strike out lines 13 to 20, inclusive; and strike out all of page 2.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2302**—An act to amend Sections 1350 and 1352 of the Labor Code, relating to working hours for women.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 4, 1959, strike out "Sections 1350 and 1352", and insert "Section 1352".

**Amendment No. 2**

On page 1, strike out lines 1 to 12, inclusive, and insert
"SECTION 1. Section 1352 of the Labor Code is amended to read:".

**Amendment No. 3**

On page 2, line 11, strike out the period, and insert ", but not to exceed sixty (60) consecutive minutes."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Industrial Relations.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2290** and **1518**, subsequent to engrossment.

**Assembly Bill No. 590**, subsequent to re-engrossment.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1635**—An act to amend Section 2288 of the Business and Professions Code, relating to the healing arts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1635?

### Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, strike out ", including pediatrics".

The Assembly concurred in Senate amendment to Assembly Bill No. 1635 by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Marks, Miller, Mulford, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—41.

NOES—None.

Assembly Bill No. 1635 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Williamson was granted unanimous consent that Senate Bill No. 835 be withdrawn from the Consent Calendar, and placed upon the third reading file, for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 835

**Senate Bill No. 835**—An act to add Section 4746.1 to the Health and Safety Code, relating to certificates of indebtedness of a county sanitation district.

Bill read third time.

### Motion to Amend

Mr. Williamson moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 24, 1959, between the enacting clause and line 1, insert

"SECTION 1. Section 4746.1 is added to the Health and Safety Code, to read:".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the third reading file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Lowrey was granted unanimous consent to take up House Resolution No. 253 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 253

By Mr. Lowrey:

### House Resolution No. 253

Relative to congratulating Senator Kuchel and Senator Engle for their efforts in behalf of the San Luis Project

WHEREAS, The San Luis Project is a vital unit of the facilities needed to provide an adequate water supply to the citizens of this State, the early completion of which is essential to the continued development of California; and

WHEREAS, Our two able United States Senators, Senator Thomas H. Kuchel and Senator Clair Engle, both former Members of the State Legislature, have joined in

a true spirit of nonpartisanship and have devoted their complete and untiring efforts to the securing of funds in the current federal budget for construction funds for this project; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly express their sincere appreciation for the marvelous demonstration of cooperation by Senator Kuchel and Senator Engle and wish the Senators continued success in their valiant fight to provide federal funds which are necessary to assist this State in the development of one of its most critical and needed water projects; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Senator Thomas H. Kuchel and Senator Clair Engle.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2316**—An act to amend Section 199 of the Code of Civil Procedure, relating to competency to act as a juror

Bill read third time.

### Speaker pro Tempore Presiding

At 9 50 a.m., Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, MacBride, Marks, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 220**—An act to add Section 5931.8 to the Elections Code, relating to absent voters.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1660**—An act to amend Section 3077 of the Business and Professions Code, relating to the practice of optometry.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68
NOES—Collier and Rees—2

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2331**—An act to amend Sections 8250, 8825, 8826, 8827, and 8828 of the Health and Safety Code, relating to cemeteries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 166**—An act to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 415**—An act to amend Sections 318, 319, 320, 708, 978, 979, 991, 1028, 1556, 1558, 1562, 1585, 1956, 2054, 2055, 2902, 3004, and 3254 of, to add Sections 20, 930.5, and 1179.5 to, to add an Article heading to Article 2 of Chapter 2, Part 1, Division 1 of, to, and to repeal Section 138 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

### Inquiry by Speaker pro Tempore

Speaker pro Tempore Bee inquired of Mr. Rees if a letter from the Governor was required for Assembly Bill No. 415.

### Reply by Mr. Rees

Mr. Rees replied that he would get an opinion from the Legislative Counsel relative to the question, but would like to have the bill go to a vote, at this time.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto,

Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 476**—An act to amend Section 316 of the Unemployment Insurance Code, relating to publication of information.

Bill read third time.

**Speaker Presiding**

At 10.15 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—Thelin—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 986**—An act to add Sections 7058.5, 7059, 7060, and 7061 to the Public Resources Code, relating to production of oil, gas or other hydrocarbons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—Coolidge—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1219**—An act to add Section 7062 to the Public Resources Code, relating to the production of oil, gas or other hydrocarbons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter,

Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1698**—An act to add Chapter 3 (commencing with Section 17750) to Part 3 of Division 7 of the Business and Professions Code, relating to the regulation, registration, and bonding of trading stamp companies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1773**—An act to amend Section 2165d of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1884**—An act to add Section 559.1 to the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1888**—An act to amend Section 123 of the Welfare and Institutions Code, relating to reports of the Department of Social Welfare.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1957**—An act to add Sections 20933.5 and 20814 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1964**—An act to repeal Sections 12000 and 12113 of, to amend Sections 12000.5, 12002, 12100, 12101, 12102, 12103, 12104, 12107, 12108, 12109, 12111.5, 12112, 12114, 12115, 12190, 12304, 12350, and 12402 of, and to add Sections 12000, 12101.5, 12105.5, 12107.5, 12113, and 12301.5 to, the Health and Safety Code, relating to explosives, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister,

McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1533**—An act to amend Section 69586 of the Government Code, relating to the Superior Court in Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1345**—An act to add Section 5303 to the Government Code and to amend Sections 5302 and 29917 of the Government Code, Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session, Section 55525 of the Water Code, Section 4790 of the Health and Safety Code and Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), all relating to signatures and countersignatures on bonds of public bodies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1256

In compliance with a motion given on a previous day, Mr. Grant, on request of Mr. Lowrey, moved that the vote whereby Assembly Bill No. 1256 was passed be reconsidered.

Assembly Bill No. 1256 reconsidered by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

### Assembly Bill No. 1256 Placed on the Inactive File

On motion of Mr. Grant, Assembly Bill No. 1256 was ordered placed upon the inactive file.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2172

In compliance with a motion given on a previous day, Mr. Unruh moved that the vote whereby Assembly Bill No. 2172 was passed be reconsidered.

#### Demand for Previous Question

Messrs. Crawford, Schrade, Luckel, Ernest R. Geddes, and Burke demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

Assembly Bill No. 2172 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Kennick, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—57.

NOES—Kilpatrick, McCollister, Pattee, and Charles H. Wilson—4.

Assembly Bill No. 2172 ordered returned to the third reading file.

### ASSEMBLY BILL NO. 358 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 358**, on motion of Mr. Elliott.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1189**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read third time.

#### Motion to Amend

Mr. Porter moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 16, 1959, strike out "493 and 494 of the Agricultural"; strike out lines 2 to 4, inclusive, and insert "4216 and 4217 of, to repeal Section 4218 of, and to add Sections 4218, 4224, and 4353.6 to, the Agricultural Code, relating to milk and milk products."

#### Amendment No. 2

On page 1, line 1, insert

"SECTION 1. Section 4216 of the Agricultural Code is amended to read:

4216. "Distributor" means any person, whether or not such person is a producer or an association of producers, who purchases ~~or~~ *and processes, packages or otherwise physically* handles, *or who processes, packages or otherwise physically handles without purchasing,* fluid milk or fluid cream *which is subsequently sold* ~~for sale, including brokers, agents, co-partnerships, co-operative corporations and incorporated and unincorporated associations~~ *to other distributors, or retail*

*stores, or places for consumption on the premises, or consumers.* The definition of "distributor" shall not include any of the following: (1) any retail store ~~that is not engaged in processing and packaging fluid milk or fluid cream~~ ; (2) any ~~establishment where fluid milk or fluid cream is sold only~~ *place* for consumption on the premises ~~that is not engaged in processing and packaging fluid milk or fluid cream~~ ; (3) any person owned or controlled by one or more retail stores, or owned or controlled by one or more ~~establishments where fluid milk or fluid cream is sold~~ *places* for consumption on the premises, which person is not actively and directly engaged in the processing and packaging of fluid milk or fluid cream; (4) any producer who delivers fluid milk or fluid cream only to a distributor; *(5) any distributor in respect to his transactions involving fluid milk, fluid cream or both made in the capacity of a retail store, as defined in Section 4218, or in the capacity of a place for consumption on the premises as defined in Section 4224. A person who purchases from a distributor, but does not process, package or otherwise physically handle, fluid milk or fluid cream or both, and who resells such fluid milk or fluid cream or both to a retail store or to a place for consumption on the premises, shall also be deemed to be a retail store, or a place for consumption on the premises, as the case may be, in respect to the purchase of such fluid milk or fluid cream or both by such person from a distributor.*

SEC. 2. Section 4217 of said code is amended to read:

4217. "Producer-distributor" means any person who is both a producer and a distributor of fluid milk or fluid cream. For the purpose of this chapter a producer-distributor shall be deemed to be a producer in any transaction involving the delivery of fluid milk or fluid cream produced by him to a distributor and shall be deemed to be a distributor in any transaction *involving fluid milk, fluid cream or both which is within the definition of "distributor" in Section 4216 of this code* ~~involving the delivery of fluid milk or fluid cream to a person who is not a distributor as defined in this article~~ .

SEC. 3. Section 4218 of said code is repealed.

~~4218. "Retail store" means any person or persons owning or operating a retail grocery store, restaurant, confectionery, or other similar business, where fluid milk or fluid cream is sold to the general public for consumption off the premises.~~

SEC. 4. Section 4218 is added to said code, to read:

4218. "Retail store" means any person with the exception hereafter provided, who sells fluid milk or fluid cream to a consumer for consumption off the immediate premises of the business location occupied by such person. The definition of "retail store" shall not include (1) a distributor who sells fluid milk or fluid cream to a consumer by home delivery; (2) a producer-distributor or distributor who sells fluid milk or fluid cream to a consumer at the dairy ranch where such fluid milk or fluid cream is produced, processed and packaged, and who in addition sells no other products at such ranch except dairy products as the term "dairy products" is defined in Section 4101 of this code, and products produced at such ranch A person is a "retail store" as herein provided whether his sale of fluid milk or fluid cream to a consumer is made from a store, restaurant, confectionery, processing plant, depot, vending machine, mobile unit or otherwise.

SEC. 5. Section 4224 is added to said code, to read:

4224. "Place for consumption on the premises" means any person, including governmental agencies, operating a restaurant, confectionery, cafeteria, commissary, club, hotel, school, hospital, institution, food manufacturing or processing plant, or any business operation similar to any of the foregoing, who buys fluid milk or fluid cream or both for consumption or use in the conduct of such business operation, or for resale to consumers for consumption of such fluid milk or fluid cream or both by such consumers on the premises occupied by such person in the conduct of his business operation.

SEC. 6. Section 4353.5 is added to said code, to read:

4353.5. Sales of fluid milk or fluid cream or both by retail stores to consumers shall constitute, for all purposes under this chapter, a single method of distribution. Except as provided in Section 4357 of this code, minimum retail prices established by the director for such method of distribution within any marketing area shall be uniform without variation between different retail stores or different groups of retail stores in such area."

**Amendment No. 3**

On page 1, strike out lines 2 to 18, inclusive.

**Amendment No. 4**

On page 2, strike out lines 14 to 28, inclusive.

Amendments read.

**Demand for Previous Question**

Messrs Ernest R. Geddes, Shell, Schrade, Lanterman, and Cunningham demanded the previous question Demand sustained.

The question being on the adoption of the amendments offered by Mr. Porter.

**Point of Personal Privilege**

Mr. Masterson arose to a point of personal privilege.

The question being on the adoption of the amendments by Mr. Porter.

**Roll Call Demanded**

Messrs. Porter, Beaver, and Schrade demanded a roll call.

The roll was called. and the amendments adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—58.

NOES—Backstrand, Biddick, Britschgi, Burton, Busterud, House, Lowrey, Masterson, O'Connell, Pattee, Petris, Rees, Thelin, Charles H. Wilson, and Z'berg—15.

~~Bill ordered reprinted, and re-engrossed.~~

NOTE—Later this day, a motion to reconsider the vote on the Porter Amendments was made. *See* page 3568.

## PARLIAMENTARY INQUIRY

Mr. Burton arose to the following parliamentary inquiry: Must a bill into which an expenditure of money has been amended be referred to the Committee on Ways and Means?

### Reply by Speaker

The Speaker replied that he would await an opinion of the Legislative Counsel before making a ruling.

## MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11.10 a.m., Mr. Shell was granted unanimous consent that he and Messrs. Burke, Coolidge, Thomas, and House be excused, for the purpose of attending a meeting of the Joint Tax Committee.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1220**—An act to add Section 7054.5 to, and to amend Section 7052 of, the Public Resources Code, relating to oil, gas, and mineral leases by public agencies.

Bill read third time.

### Motion to Amend

Mr. Sumner moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 19, 1959, between lines 9 and 10, insert

"When any public agency mentioned in Section 7056 has the right to designate *drill sites or areas for the production of oil, gas or other hydrocarbons from tide* or submerged lands pursuant to leases, operating agreements, other agreements, or modifications or amendments thereof, which are otherwise authorized by law, then such public agencies must first obtain the approval of the State Lands Commission before designating such drill sites or areas. Such designation and approval shall, as far as possible, conform to the legal requirements, policies and regulations applicable to the development of state-owned or controlled tide or submerged lands *for the production of oil, gas or other hydrocarbons.*"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2281**—An act to add Section 53019 to, to amend Sections 53021 and 53023 of, the Government Code, relating to emergency powers of local agencies.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1999**—An act to amend Section 1147 of the Probate Code, relating to public administrators.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstraud, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.
NOES—Mulford and Charles H Wilson—2.

Bill ordered transmitted to the Senate.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 213**—An act to add Section 17531.1 to the Business and Professions Code, relating to packaging of unassembled toys.

Bill read third time.

### Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 23, 1959, strike out "original".

### Amendment No. 2

On page 1, line 8, after "case.", insert "If children's toys are packaged outside this State, the first wholesaler, jobber, distributor, or other person who has possession, or control of the toys in the course of distribution or marketing of such toys for sale to any retailer shall clearly state on the outside of the package that the toy is unassembled if such is the case."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 765**—An act to add Section 25843 to the Government Code, relating to county government.

Bill read third time, and presented by Mr. Hegland.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 973**—An act to repeal Section 4786.5 of, and to add Section 4786.5 to the Health and Safety Code, relating to county sanitation districts.

Bill read third time, and presented by Mr. Sumner.

### Motion to Re-refer

Mr. Masterson moved that the bill be re-referred to the Committee on Municipal and County Government.

Mr. Lanterman seconded the motion.

**Demand for Previous Question**

Messrs. Dahl, Schrade, Luckel, Cunningham, and Dills demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Masterson moved a call of the Assembly.

Mr. Holmes seconded the motion.

Motion carried. Time, 11:42 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 170**—An act making an appropriation for the Santa Clara River Flood Control Project, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Cunningham.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 170:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 10, 1959

*To the Honorable Members of the Assembly*
*Sacramento*

GENTLEMEN:

**Senate Bill No. 170,** "An act making an appropriation for the Santa Clara River Flood Control Project, declaring the urgency thereof, to take effect immediately",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No. 170 as an emergency measure

Respectfully,

EDMUND G. BROWN, Governor

Recommendation of the Governor read.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

The question being on the passage of Senate Bill No. 170.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

## THIRD READING OF ASSEMBLY BILLS (RESUMED) (OUT OF ORDER)

**Assembly Bill No. 2288**—An act to amend Sections 14095 and 14455.5 of the Health and Safety Code, relating to fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1444**—An act to amend Sections 11535 and 11551.5 of the Business and Professions Code, relating to subdivisions.

Bill read third time.

### Motion to Amend

Mr. Cunningham moved the adoption of the following amendment:

### Amendment No. 1

On page 1, line 20, of the printed bill, strike out "meets", and insert ' meet".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

## ANNOUNCEMENT

Mr. Winton announced that he would move to adjourn as soon as the call of the Assembly was lifted and the business at the desk was completed.

## SENATE BILL NO. 693 RE-REFERRED TO COMMITTEE

Mr. Backstrand was granted unanimous consent that Senate Bill No. 693 be withdrawn from the third reading file, and re-referred to the Committee on Education.

### ASSEMBLY BILL NO. 2134 REMOVED FROM CONSENT CALENDAR

Mr. George A. Willson was granted unanimous consent that Assembly Bill No. 2134 be withdrawn from the Consent Calendar, and placed on the third reading file.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1321 FROM COMMITTEE

Mr Charles H. Wilson gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1321 from the Committee on Livestock and Dairies.

NOTE—Later this day, the above notice of motion was amended to read to withdraw from the Committee on Rules. *See* page 3561.

### ASSEMBLY BILLS NOS. 342 AND 344 WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bills Nos. 342** and **344**, on request of Mr. Francis.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 189**—An act to amend Sections 3.6, 3.9 and 4.24 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes 1957), relating to the Los Angeles Metropolitan Transit Authority;

**Assembly Bill No. 663**—An act to amend Sections 5101, 5132 and 5220 of the Streets and Highways Code and Section 50550 of the Government Code, and to add Section 5103 to the Streets and Highways Code, relating to the installation and use of electric and telephone facilities;

**Assembly Bill No. 734**—An act to amend Section 3352 of the Labor Code and to repeal Chapter 9 (commencing at Section 4250) of Part 1 of Division 4 of the Labor Code, relating to workmen's compensation;

**Assembly Bill No. 1116**—An act to amend Sections 7493, 7660, 7670, 7675, 7852, 7916, 8126, 8128, 8147, 8148, 8149, 8191, 8307 and the heading of Article 4 (commencing at Section 7916) of Chapter 6 of Part 2 of Division 2 of the Revenue and Taxation Code, to repeal Article 5 (commencing at Section 7751) of Chapter 5 of Part 2 of Division 2 and Section 7981 of said code, and to add thereto Sections 7676, 7711.5, 8149.5 and 8404 and Articles 1.5 (commencing at Section 7861) and 2.5 (commencing at Section 7881) to Chapter 6 of Part 2 of Division 2 of said code, all relating to the motor vehicle fuel license tax;

**Assembly Bill No. 1365**—An act to add Section 26502 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to airbrakes for vehicles;

**Assembly Bill No. 1687**—An act to amend Sections 2808, 3357, 3718, 3795, 4104.5, 4105.2, 4106, 4150, 4217, 4803 and 4834.5 of the Revenue and Taxation Code, and to repeal Sections 568 and 4152 thereof, relating to property taxation;

**Assembly Bill No. 1793**—An act to amend Section 22451 of the Financial Code, relating to charges on loans by personal property brokers;

And reports the same correctly enrolled, and presented to the Governor on the twelfth day of May, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1518
Assembly Bill No. 2290

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1165
Assembly Bill No. 1681
Assembly Bill No. 2023
Assembly Bill No. 2145
Assembly Bill No. 2244
Assembly Bill No. 2322

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 590

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 12, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 413
Assembly Bill No. 920

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2292

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

**Committee on Education**

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1864

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 694
Senate Bill No. 819
Senate Bill No. 823
Senate Bill No. 818

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2423
Assembly Bill No. 2429
Assembly Bill No 2365
Assembly Bill No. 2377

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No. 2225

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2017

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

NOTE—Later this day, Assembly Bill No. 2017 was read the second time, and amended.

### Committee on Rules

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 249

With the recommendation: That the resolution be re-referred to the Committee on Water.

MILLER, Chairman

Above resolution re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 47

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 71

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 126

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 126

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Rules

ASSEMBLY CHAMBER, May 12, 1959

MR SPEAKER: Your Committee on Rules reports·

House Resolution No. 248
House Resolution No. 250

With the recommendation· Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 11, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 963

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2428

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

REES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2073

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

REES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports.

Senate Bill No. 943

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1044

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR SPEAKER· Your Committee on Finance and Insurance reports:

Assembly Bill No. 1530

With the recommendation: Do pass

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2420

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1579
Assembly Bill No. 2408

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2371

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 299
Senate Bill No. 300
Senate Bill No. 786
Senate Bill No. 241

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 838
Assembly Bill No. 2301

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2370
Assembly Bill No. 2053

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 1074

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 399

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2380
Assembly Bill No. 2398

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2062

With amendments with the recommendation: Amend, and re-refer to the Committee on Civil Service and State Personnel.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2006

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bill ordered to second reading.

**Committee on Legislative Representation**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Legislative Representation reports:

Assembly Bill No. 2151

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

FREW, Chairman

Above bill ordered to second reading.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 981
Assembly Bill No. 1600
Assembly Bill No. 1597

With the recommendation: Do pass.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1060

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill re-referred to the Committee on Ways and Means.

### REQUEST FOR UNANIMOUS CONSENT

Miss Donahoe was granted unanimous consent that Assembly Bill No. 2017, reported out of committee today, be read the second time, at this time.

### SECOND READING OF ASSEMBLY BILL NO. 2017 (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2017**—An act to amend Section 16562 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to use of school property for public purposes.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

#### Amendment No. 1

On page 1, line 8, of the printed bill, strike out "; provided, however,"; strike out lines 9 to 11, inclusive, and insert "which charge shall not be less than the full fair rental value of all the property so used."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

#### Rush Order Placed Upon Printing of Assembly Bill No. 2017

Miss Donahoe was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2017.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1680 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 1680 be withdrawn from the Committee on Civil Service and State Personnel for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1680

**Assembly Bill No. 1680**—An act to add Sections 9356.3 and 20814 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

#### Motion to Amend

Mr. Miller moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 16, 1959, strike out "Sections 9356.3 and 20814", and insert "Section 9356.3".

#### Amendment No. 2

In lines 2 and 3 of the title, strike out "State Employees' Retirement System", and insert "Legislators' Retirement System".

#### Amendment No. 3

On page 1, strike out lines 1 to 11, inclusive, and insert
"SECTION 1. Section 9356.3 is added to the Government Code, to read:".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

### SENATE BILL NO. 852 WITHDRAWN FROM CONSENT CALENDAR

Mr. Burton requested that Senate Bill No. 852 be withdrawn from the Consent Calendar.

Senate Bill No. 852 ordered returned to the second reading file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1174 FROM COMMITTEE

Mr. MacBride was granted unanimous consent that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1174

**Assembly Bill No. 1174**—An act to add Part 15 (commencing at Section 33000) to Division 2 of the Revenue and Taxation Code, imposing a tax for the privilege of producing or severing oil or gas from beneath the soil and waters of this State, making an appropriation, to take effect immediately.

Bill read second time.

#### Motion to Amend

Mr. MacBride moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "33000", and insert "33001".

#### Amendment No. 2

Strike out line 4 of the title, and insert "from the earth in this State, and imposing compensating taxes on the refining of oil or distribution of gas with respect to oil or gas produced or severed from the earth outside this State, making an".

#### Amendment No. 3

On page 1, strike out lines 1 to 18, inclusive; strike out all of pages 2 to 15, inclusive, and insert

"SECTION 1 Part 15 (commencing at Section 33001) is added to Division 2 of the Revenue and Taxation Code, to read:

PART 15. SEVERANCE TAX

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

33001. This part is known and may be cited as the "Severance Tax Law."

33002 Unless the context otherwise requires, the definitions set forth in this chapter govern the construction of this part

33003. "Person" includes any individual, firm, copartnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district, or other political subdivision of the State, or any other group or combination acting as a unit.

33004. "Oil" means crude oil, condensate, or other mineral oil produced or recovered from the earth as a liquid, regardless of specific gravity.

33005 "Gas" means natural gas and casinghead gas and any petroleum gas or vapor taken from the earth, regardless of whether produced from a well producing only gas or from a well also producing oil or any other product

33006 "Producer" means any person owning, controlling, managing or leasing any oil well or gas well, and any person who produces or severs oil or gas from the earth in any manner in this State, including any person owning any royalty or other interest in any oil or gas taken from the earth in this State, or the proceeds of any such oil or gas, whether produced by him or by some other person, either by lease, contract or otherwise.

33007. "Operator" means

(a) the producer in actual charge of production operations,

(b) a refiner of oil, and

(c) a distributor of gas to consumers.

33008. (a) "Production" or "produced" means, in the case of oil, the total gross amount of oil produced and saved, including that attributable to royalty or other interests. Allowance shall be made for any reasonable and bona fide deduction for basic sediment and water, and for correction of temperature to 60 degrees Fahrenheit.

(b) "Production" or "produced" means, in the case of gas, the total gross amount of gas produced and saved, including that attributable to royalty or other interests. For the purposes of this part, a "cubic foot of gas" or "standard cubic foot of gas" means the amount of gas contained in one cubic foot of space at a standard pressure base of 14.65 pounds per square inch absolute, and at a standard temperature base of 60 degrees Fahrenheit. Whenever the conditions of pressure and temperature differ from the above standard, conversion of the volume from these conditions to the standard conditions shall be made in accordance with the ideal gas laws, corrected for deviation.

33009. "Severing" means extracting or withdrawing any oil or gas from the earth in this State, whether such extraction or withdrawal is by natural flow, mechanically enforced flow, pumping or any other means.

33010. (a) "Value," for purposes of the tax imposed by Section 33021, means the market value at the wellhead at the time of severance. If the oil or gas is not sold at the time of severance, or, if sold, the transaction is not indicative of such market value, the board shall determine the value of the oil or gas, and the value so determined by it shall be presumed to be correct.

(b) "Value," for purposes of the tax imposed by Section 33031, means the market value of the oil at the time and place of the refining operation; provided, however, that a higher value shall not be attributed to oil produced outside this State than the average value at the wellhead of oil of like kind and quality produced in this State. Any determination of value made by the board for purposes of Section 33031 shall be presumed to be correct.

(c) "Value," for purposes of the tax imposed by Section 33041, means the market value of the gas at the time and place at which it enters into a local distribution system or a line for delivery to a consumer or consumers; provided, however, that a higher value shall not be attributed to gas produced outside this State than the average value at the wellhead of gas of like kind and quality produced in this State. Any determination of value made by the board for purposes of the tax imposed by Section 33041 shall be presumed to be correct.

(d) If it be judicially determined that any value determined by the board for oil or gas produced outside this State is higher than is authorized by law, the refiner of the oil or the distributor of the gas shall be relieved of liability for any tax imposed under this part only to the extent that the value so determined is in excess of that which might legally be determined.

33011. "In this State" means within the exterior limits of the State of California, and includes all territory within such limits owned by or ceded to the United States of America.

## CHAPTER 2. IMPOSITION OF TAX

### Article 1. Tax on Producers of Oil or Gas

33021. For the privilege of engaging in the business of producing or severing oil or gas from the earth in this State, a tax is hereby imposed upon every person so engaged at the rate of 2 percent of the value of the oil or gas produced or severed and saved.

33022. In determining the value of natural gas for the purposes of Section 33021, there shall be deducted from the amount of natural gas severed any amount thereof that the operator returns to the earth for repressuring purposes to increase the recovery of oil or gas or which is reasonably necessary for and is used in the severing operation.

33023. The tax imposed by Section 33021 shall become effective July 1, 1959, shall be paid at the time and in the manner hereinafter provided, and shall be in addition to any and all other taxes.

33024. The tax imposed by Section 33021 is imposed upon each producer of oil or gas in respect to his interest in the oil or gas, or the proceeds therefrom, at the time of severance. The operator shall collect or withhold from each producer the amount of the tax due with respect to the oil or gas produced or severed by the operator and shall return and remit all taxes payable for himself and the other producers in accordance with this part.

33025. In the event that the oil or gas produced or severed is sold to any person under a contract requiring the purchaser to make payments directly to those owning any royalty or other interest in the oil or gas, or the proceeds therefrom, the purchaser shall be regarded as the operator as respects the requirement of the collection or withholding of the tax from the producers and the return and remittance of the tax to the board. Nothing contained herein shall be construed as relieving the producer in actual charge of production operations from liability for payment of the entire amount of the tax.

33026. The tax required to be collected or withheld by the operator from each producer constitutes a debt owed by the operator to this State and the operator shall be personally liable for the payment of any amount of tax required to be collected by him in the event of his failure to collect or withhold as required herein.

Article 2 Tax on Refiners of Oil

33031. For the privilege of engaging in the business of refining oil in this State, a tax is hereby imposed upon every person so engaged at the rate of 2 percent of the value of the oil refined.

33032. The tax imposed by Section 33031 shall not apply with respect to any oil as to which the tax imposed by Section 33021 is applicable.

33033 The tax imposed by Section 33031 shall not apply with respect to any oil produced or severed from the earth, irrespective of the place of production or severance, prior to July 1, 1959.

33034. The tax imposed by Section 33031 shall become effective July 1, 1959, shall be paid at the time and in the manner hereinafter provided, and shall be in addition to any and all other taxes.

Article 3. Tax on Distributors of Gas

33041. For the privilege of distributing gas in this State to consumers, whether for industrial, commercial, residential or other purposes, a tax is hereby imposed upon every person so engaged at the rate of 2 percent of the value of the gas

33042. The tax imposed by Section 33041 shall not apply with respect to any gas as to which the tax imposed by Section 33021 is applicable.

33043. The tax imposed by Section 33041 shall not apply with respect to any gas produced or severed from the earth, irrespective of the place of production or severance, prior to July 1, 1959.

33044 The tax imposed by Section 33041 shall become effective July 1, 1959, shall be paid at the time and in the manner hereinafter provided, and shall be in addition to any and all other taxes.

CHAPTER 3. PERMITS

33051. It shall be unlawful after June 30, 1959, for any person to act as an operator in this State without first securing a permit as prescribed herein.

An application for a permit shall be made to the board upon a form prescribed by the board. The application shall be signed by the applicant individually if a natural person; in the case of an association or partnership, by a member or partner thereof, and in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority.

33052. At the time of making an application for each permit, the applicant shall pay to the board a permit fee of five dollars ($5).

33053. Upon the payment of such permit fee and compliance with other requirements imposed herein, the board shall issue to each applicant a permit to act as an operator.

33054. A permit is not assignable and shall be valid only for the person in whose name it is issued. A separate permit shall be obtained to act as an operator for:

(a) The producing or severing of oil or gas;

(b) The refining of oil; or

(c) The distributing of gas to consumers

33055. A permit issued under this chapter shall be valid and effective without further payment of fees until suspended or revoked by the board

33056. Whenever the holder of a permit fails to comply with any provision of this part or any rule or regulation of the board prescribed and adopted under this part, the board upon hearing, after giving the holder 10 days' notice in writing of the time and place of the hearing to show cause why his permit should not be revoked, may revoke or suspend the permit. The notice may be served personally or by mail in the manner prescribed for the service of a notice of a deficiency determination.

A fee of five dollars ($5) shall be collected by the board for the renewal or issuance of a permit to an operator whose permit has been previously suspended or revoked.

33057. Any person who acts as an operator in this State without a permit, or after a permit has been suspended or revoked, and each officer of any corporation which so acts, is guilty of a misdemeanor.

CHAPTER 4. DETERMINATIONS

Article 1. Returns and Payments

33061. The taxes imposed by this part are due and payable monthly on or before the twentieth day of the month following the calendar month in which:

(a) Oil or gas is produced or severed;

(b) Oil is refined; or

(c) Gas is distributed to consumers.

33062. Every operator shall on or before the twentieth day of August, 1959, and on or before the twentieth day of every month thereafter, file with the board on forms prescribed by the board a return showing such information as the board may require to carry out the purposes of this part.

33063. The operator shall transmit with each return a remittance payable to the board for the amount of taxes due, including the amount required to be collected or withheld.

33064. If the board deems it necessary in order to insure the payment of the taxes imposed by this part, or to facilitate the administration of this part, it may require returns and payment of the taxes to be made for other than monthly periods.

33065. The board for good cause may extend for not to exceed one month the time for making any return required by this part. The extension may be granted at any time, provided that a request therefor is filed with the board within or prior to the period for which the extension may be granted.

33066 Any person to whom an extension is granted shall pay, in addition to the tax, interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the tax would otherwise have been due to the date of payment.

Article 2. Deficiency Determinations

33071. If the board is not satisfied with a return filed or the amount of taxes paid by or on behalf of any person, it may compute and determine the amount required to be paid upon the basis of the facts contained in the return or upon the basis of any information within, or that may come into, its possession. One or more deficiency determinations may be made of the amount due for one or for more than one month. When a business is discontinued a determination may be made at any time thereafter, within the periods specified in Section 33077, as to liability arising out of that business, irrespective of whether the determination is issued prior to the due date of the liability as otherwise specified in this part.

33072. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the twentieth day after the close of the month for which the determination is made until the date of payment.

33073. In making a determination the board may offset overpayments for any month or months together with interest on the overpayments against underpayments for another month or months, against penalties, and against interest on underpayments.

33074. If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this part or authorized rules and regulations, a penalty of 10 percent of the amount of the determination shall be added thereto.

33075. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this part or authorized rules and regulations, a penalty of 25 percent of the amount of the determination shall be added thereto.

33076. The board shall give to the person written notice of its determination. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the person at his address as it appears in the records of the board, but the service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time for any reason.

33077. Except in the case of fraud, intent to evade the tax, or failure to make a return, every notice of a deficiency determination shall be given within three years after the date when the amount should have been reported.

Article 3. Determinations Where No Return

33081 If a return is not made the board shall make an estimate of the amount due from any person liable for the tax. The estimate shall be made for the month or months in respect to which a return was not made and shall be based upon any information available to the board. The board shall add to the estimated amount a penalty equal to 10 percent thereof. One or more determinations may be made for one or for more than one month.

33082. In making a determination the board may offset overpayments for any month or months, together with interest on the overpayments, against underpayments for another month or months and against interest and penalties on the underpayments.

33083. Every such determination thus made, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent a month, or fraction thereof, from the twentieth day after the close of the month for which the tax is imposed until the date of payment.

33084. If the failure of a person to file a return is due to fraud or an intent to evade the tax, a penalty of 25 percent of the amount required to be paid by the person, exclusive of penalties, shall be added thereto in addition to the 10 percent penalty provided in Section 33081.

33085 Promptly after making its determination the board shall give to the person against whom the determination is made written notice of its estimate and determination, and of the penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 4. Jeopardy Determinations

33091 If the board believes that the collection of any amount of tax due from any person under this part will be jeopardized by delay, it shall thereupon make a determination of the amount, noting that fact upon the determination. The amount determined is immediately due and payable.

33092. If the amount specified in the determination is not paid within 10 days after service of notice thereof upon the person against whom the determination is made, the determination becomes final at the expiration of that period unless a petition for redetermination is filed within the 10 days, and the delinquency penalty and interest provided in Article 6 of this chapter shall attach to the amount specified.

33093. The person against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Article 5 of this chapter. He shall, however, file the petition for redetermination with the board within 10 days after the service upon him of notice of the determination. The person shall at the time of filing the petition for redetermination deposit with the board such security as it may deem necesary to insure compliance with this part. The security may be sold by the board at public sale if it becomes necessary in order to recover any amount due under this part. Notice of the sale may be served upon the person who deposited the security personally or by mail in the same manner as prescribed for service of notice of a deficiency determination. Upon any such sale, the surplus, if any, above the amount due under this part shall be returned to the person who deposited the security.

Article 5. Redeterminations

33101. Any person against whom a determination is made under Articles 2 or 3 of this chapter may petition for a redetermination within 30 days after service upon the person of notice thereof. If a petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period.

33102 If a petition for redetermination is filed within the 30-day period, the board shall reconsider the determination and, if the person has so requested in his petition, shall grant him an oral hearing and give him 10 days' notice of the time and place of the hearing. The board may continue the hearing from time to time as may be necessary.

33103. The order or decision of the board upon a petition for redetermination becomes final 30 days after mailing of notice thereof.

33104. All determinations made by the board under Articles 2 or 3 of this chapter are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, shall be added thereto.

33105 Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 6. Interest and Penalties

33111 Any person who fails to pay any tax, except taxes determined by the board under Article 2 or 3 of this chapter, within the time required shall pay a penalty of 10 percent of the amount of the tax, in addition to the tax, plus interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the tax became due and payable until the date of payment.

CHAPTER 5. COLLECTION OF TAX

Article 1. Security for Tax

33116. The board whenever it deems necessary to insure compliance with this part may require any person subject thereto to deposit with it such security as the board may determine. The amount of security shall be fixed by the board but shall not be greater than twice the estimated monthly liability of the person for the tax, ascertained in such manner as the board may deem proper. The total amount of security required of any person shall never be less than one hundred dollars ($100) or more than one hundred thousand dollars ($100,000). Within the limitations prescribed herein the board may increase or reduce the amount of security at any time.

33117. The security shall be in the form of a bond or bonds executed by the person from whom the tax or taxes imposed under this part are required to be paid as principal, and a corporation such as mentioned in Section 1056 of the Code of Civil Procedure in this State as surety, in such form as the board prescribes, payable to the people of the State of California conditioned upon the payment of all taxes, penalties, and other obligations of the person arising under this part.

33118. In lieu of a bond a person, under such conditions as the board may prescribe, may deposit with the State Treasurer an amount of lawful money equivalent to the amount of the bond or bonds or he may deposit bonds or other obligations of the United States, the State of California, or any county or city and county of this State of an actual market value not less than the amount of the bond or bonds fixed by the board.

33119. Upon receipt of a certificate of the board setting forth the amount of a person's delinquencies, the State Treasurer shall pay to the board the amount so certified from the money deposited with him by the person or from the amounts received from the sale of bonds or other obligations deposited with the Treasurer by the person. Securities deposited with the State Treasurer which have a prevailing market price may be sold by him for the purposes of this section at private sale at a price not lower than the prevailing market price thereof.

Article 2. Notice to Withhold

33121. If any person is delinquent in the payment of the amount required to be paid by him or in the event a determination has been made against him which remains unpaid the board may, not later than three years after the payment became delinquent, give notice thereof personally or by registered mail to all persons, including any officer or department of the State or any political subdivision or agency of the State, having in their possession or under their control any credits or other personal property belonging to the delinquent, or person against whom a determination has been made which remains unpaid, or owing any debts to the delinquent or such person. In the case of any state officer, department or agency, the notice shall be given to such officer, department or agency prior to the time it presents the claim of the delinquent taxpayer to the State Controller.

33122. After receiving the notice the persons so notified shall neither transfer nor make any other disposition of the credits, other personal property, or debts in their possession or under their control at the time they receive the notice until the board consents to a transfer or disposition or until 60 days elapse after the receipt of the notice, whichever period expires the earlier

33123. All persons so notified shall forthwith after receipt of the notice advise the board of all such credits, other personal property, or debts in their possession, under their control, or owing by them. If such notice seeks to prevent the transfer or other disposition of a deposit in a bank or other credits or personal property in the possession or under the control of a bank, the notice to be effective shall be delivered or mailed to the branch or office of such bank at which such deposit is carried or at which such credits or personal property is held.

33124. If, during the effective period of the notice to withhold, any person so notified makes any transfer or disposition of the property or debts required to be withheld hereunder, to the extent of the value of the property or the amount of the debts thus transferred or paid he shall be liable to the State for any indebtedness due under this part from the person with respect to whose obligation the notice was given if solely by reason of such transfer or disposition the State is unable to recover the indebtedness of the person with respect to whose obligation the notice was given.

Article 3. Suit for Tax

33131. At any time within three years after any amount of tax becomes due and payable the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State

33132. In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required

33133. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the determination of the tax, of the delinquency of the amount of tax, interest, and penalty set forth, and of compliance by the board with all provisions of this part in relation to the computation and determination of the tax.

Article 4. Lien of Tax

33136. The amounts required to be paid by any person under this part together with interest and penalties shall be satisfied first in any of the following cases:

(a) Whenever the person is insolvent.

(b) Whenever the person makes a voluntary assignment of his assets.

(c) Whenever the estate of the person in the hands of executors, administrators, or heirs is insufficient to pay all the debts due from the deceased.

(d) Whenever the estate and effects of an absconding, concealed, or absent person *required to pay any amount under this part are levied upon by process of law*

This section does not give the State a preference over any recorded lien which attached prior to the date when the amounts required to be paid became a lien

The preference given to the State by this section shall be subordinate to the preferences given to claims for personal services by Section 1204 and 1206 of the Code of Civil Procedure.

33137. If any amount required to be paid to the State under this part is not paid when due, the board may within three years after the amount is due file for record in the office of any county recorder a certificate specifying the amount, interest, and penalty due, the name and address as it appears on the records of the board of the person liable for the same, and the fact that the board has complied with all provisions of this part in the determination of the amount required to be paid. From the time of the filing for record, the amount required to be paid together with interest

and penalty constitutes a lien upon all real property in the county owned by the person or afterwards and before the lien expires acquired by him. The lien has the force, effect, and priority of a judgment lien and shall continue for 10 years from the time of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within 10 years from the date of the filing of the certificate or within 10 years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property in such county for 10 years unless sooner released or otherwise discharged.

33138. The board may at any time release all or any portion of the property subject to any lien provided for in this part from the lien or subordinate the lien to other liens and encumbrances if it determines that the amount, interest, and penalties are sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the collection of the amount, interest, and penalties.

33139. A certificate by the board to the effect that any property has been released from the lien or that the lien has been subordinated to other liens and encumbrances shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate.

Article 5. Warrant for Collection of Tax

33141. At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, the board or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the State under this part. The warrant shall be directed to any sheriff, marshal, or constable and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution

33142. The board may pay or advance to the sheriff, marshal or constable, the same fees, commissions, and expenses for his services as are provided by law for similar services pursuant to a writ of execution. The board, and not the court, shall approve the fees for publication in a newspaper.

33143. The fees, commissions, and expenses are the obligation of the person required to pay any amount under this part and may be collected from him by virtue of the warrant or in any other manner provided in this part for the collection of the tax.

Article 6. Judgment for Tax

33146. If any amount required to be paid to the State under this part is not paid when due, the board may within three years after the amount is due, file in the office of the county clerk of Sacramento County, or any county, a certificate specifying the amount required to be paid, interest and penalty due, the name and address as it appears on the records of the board of the person liable, the compliance of the board with this part in relation to the determination of the amount required to be paid, and a request that judgment be entered against the person in the amount required to be paid, together with interest and penalty as set forth in the certificate.

33147. The county clerk immediately upon the filing of the certificate shall enter a judgment for the people of the State of California against the person in the amount required to be paid, together with interest and penalty as set forth in the certificate. The county clerk may file the judgment in a loose-leaf book entitled, "Special Judgments for Severance Tax."

33148 An abstract of the judgment or a copy may be filed for record with the county recorder of any county. From the time of the filing the amount required to be paid together with interest and penalty set forth constitutes a lien upon all the real property in the county owned by the person liable or afterward and before the lien expires acquired by him. The lien has the force, effect, and priority of a judgment lien and shall continue for 10 years from the date of the judgment so entered by the county clerk unless sooner released or otherwise discharged. The lien may within 10 years from the date of the judgment or within 10 years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record in the office of the county recorder of any county an abstract or copy of the judgment and from the time of such filing the lien shall be extended to the real property in such county for 10 years unless sooner released or otherwise discharged.

33149. Execution shall issue upon the judgment upon request of the board in the same manner as execution may issue upon other judgments, and sales shall be held under such execution as prescribed in the Code of Civil Procedure.

Article 7. Miscellaneous Provisions

33151. The remedies of the State provided for in this chapter are cumulative, and no action taken by the board or Attorney General constitutes an election by the State to pursue any remedy to the exclusion of any other remedy for which provision is made in this part.

33152. In all the proceedings under this chapter the board may act on behalf of the people of the State of California.

CHAPTER 6. OVERPAYMENTS AND REFUNDS

Article 1. Claim for Refund

33161. If the board determines that any amount not required to be paid under this part has been paid more than once or has been erroneously or illegally collected or computed, the board shall set forth that fact in its records and certify to the State Board of Control the amount collected in excess of the amount legally due and the person from whom it was collected or by whom it was paid. If approved by the State Board of Control, the excess amount collected or paid shall be credited on any amounts then due and payable from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, executors, or assigns.

In the case, however, of a determination by the State Board of Equalization that an amount not exceeding one hundred dollars ($100) was not required to be paid under this part, the State Board of Equalization, without obtaining approval of the State Board of Control, may credit such amount on any amounts then due and payable under this part from the person by whom the amount was paid and shall refund the balance to the person or his successors, administrators or executors.

33162. No refund shall be allowed or approved after three years from the twentieth day after the close of the monthly period for which the overpayment was made, or, with respect to a determination made under Chapter 4 of this part, after six months from the date the determination becomes final, or after six months from the date of overpayment, whichever period expires the later, unless a claim therefor is filed with the board within such period. No credit shall be approved or allowed after the expiration of such period unless a claim for credit is filed with the board within such period.

33163. Every claim for refund or credit shall be in writing and shall state the specific grounds upon which it is founded.

33164. Failure to file a claim within the time prescribed in this article constitutes a waiver of all demands against the State on account of the overpayment

33165. Within 30 days after disallowing any claim in whole or in part, the board shall serve written notice of its action on the claimant in the manner prescribed for the service of a notice of a deficiency determination.

33166. Interest shall be computed, allowed, and paid upon any overpayment of any amount of tax at the rate of one-half of 1 percent per month from the twentieth day of the calendar month following the monthly period for which the overpayment was made, but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount being refunded or credited

The interest shall be paid:

(a) In the case of a refund, to the twentieth day of the calendar month following the date upon which the claimant is notified by the board that a claim may be filed or the date upon which the claim is certified to the State Board of Control, whichever date is the earlier

(b) In the case of a credit, to the same date as that to which interest is computed on the tax or amount against which the credit is applied.

33167. If the board determines that any overpayment has been made intentionally or by reason of carelessness, it shall not allow any interest thereon.

Article 2. Suit for Refund

33171. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this part of any tax or any amount of tax required to be collected.

33172. No suit or proceeding shall be maintained in any court for the recovery of any amount alleged to have been erroneously or illegally determined or collected unless a claim for refund or credit has been duly filed.

33173. Within 90 days after the mailing of the notice of the board's action upon a claim for refund or credit, the claimant may bring an action against the board on the grounds set forth in the claim in a court of competent jurisdiction in any city or county in the State in which the Attorney General has an office for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed.

33174. If the board fails to mail notice of its action on a claim within six months after the claim is filed, the claimant may, prior to the mailing of notice by the board of its action on the claim, consider the claim disallowed and bring an action against the board on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment.

33175. Failure to bring a suit or an action within the time specified in this article constitutes a waiver of all demands against the State on account of an alleged overpayment.

33176. If judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any amounts due from the plaintiff under this part, and the balance of the judgment shall be refunded to the plaintiff. In any judgment interest shall be allowed at the rate of 6 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment or to a date preceding the date of the refund warrant by not more than 30 days, the date to be determined by the board.

33177. A judgment shall not be rendered in favor of the plaintiff in any action brought against the board to recover any amount paid when the action is brought by or in the name of an assignee of the person making the payment or by any person other than the person making the payment.

### Article 3. Recovery of Erroneous Refunds

33181. The board may recover any refund or part thereof which is erroneously made and any credit or part thereof which is erroneously allowed in an action brought in a court of competent jurisdiction in any city or county in this State in which the Attorney General has an office, in the name of the people of the State of California.

33182. The Attorney General shall prosecute the action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings.

### Article 4. Cancellations

33191. If any amount in excess of one hundred dollars ($100) has been illegally determined, the board shall set forth in its records and certify to the State Board of Control the amount determined in excess of the amount legally due and the person against whom the determination is made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board. If an amount not exceeding one hundred dollars ($100) has been illegally determined, the board without certifying the fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board.

## CHAPTER 7 ADMINISTRATION

33201. The board shall enforce the provisions of this part and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this part. The board may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

33202. The board may employ accountants, auditors, investigators, assistants, and clerks necessary for the efficient administration of this part and may designate representatives to conduct hearings or perform any other duties imposed by this part or other laws of this State upon the board.

33203. Every operator and producer and every person dealing in or transporting oil or gas shall keep such records, receipts, charts, invoices, and other pertinent papers and information with respect to producing, severing, refining, transporting, or distributing oil or gas in such form as the board may require.

33204. The board or its representatives may examine the books, papers, records, files, meters, charts, and equipment of any operator or producer or any other person or any department or office of the State to verify the accuracy of any return made, or, if no return is made, to ascertain and determine the amount required to be paid under this part.

33205. Every transporter of oil or gas within, into, or out of this State shall be required to furnish the board such information relative to the transportation of such oil or gas as the board may require. The board or its representatives may examine and inspect bills of lading, waybills, or other similar documents and such books and records as may relate to the transportation of oil or gas in the hands of the transporter; provided, however, that in the case of a common carrier using bills of lading or waybills prescribed or approved by the Interstate Commerce Commission, such common carrier shall only be required to keep the usual records at an office or offices in this State where such records are customarily kept.

33206. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth as disclosed in any report, or to permit any report or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person. However, the Governor may, by general or special order, authorize examination of the records maintained by the board under this part, by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person.

Nothing in this section shall prevent the board from exchanging with officials of other states information concerning interstate transportation of oil or gas.

Any violation of this section is a misdemeanor and is punishable by a fine not exceeding one thousand dollars ($1,000), by imprisonment not exceeding one year, or by both, in the discretion of the court

CHAPTER 8. DISPOSITION OF PROCEEDS

33211. All amounts required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. The board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Severance Tax Fund, which fund is hereby created

33212 All money deposited in the Severance Tax Fund under this part shall, upon order of the State Controller, be drawn therefrom for refunds under his part or be transferred to the General Fund of this State.

CHAPTER 9. VIOLATIONS

33221. Any person who fails or refuses to file any return required to be made pursuant to this part, or who fails or refuses to furnish a supplemental return or other data required by the board, or who renders a false or fraudulent return, is guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars ($500) for each offense.

33222 Any person required to make, render, sign, or verify any return who makes any false or fraudulent return with intent to defeat or evade the assessment or determination required by law to be made, is guilty of a misdemeanor He shall for each offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000), or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment, in the discretion of the court.

33223 Any violation of the provisions of this part, except as otherwise provided herein, is a misdemeanor and is punishable as such.

SEC. 2 If any provision of this act is declared unconstitutional or invalid, for any reason, the remainder of the act shall not thereby be invalidated but shall remain in full force and effect

SEC. 3 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect "

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

## SENATE REQUESTED TO RETURN SENATE BILL NO. 420

Mr. Biddick was granted unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 420 for further consideration.

## REQUEST FOR UNANIMOUS CONSENT

Mr Charles H. Wilson was granted unanimous consent that his notice of motion to withdraw Assembly Bill No 1321 from committee (Assembly Journal, page 3545) be corrected to withdrawal from the Committee on Rules, instead of from Livestock and Dairies.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1321 FROM COMMITTEE

Mr Charles H. Wilson gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1321 from the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Mr George A. Willson was granted unanimous consent to take up Assembly Bill No. 2134 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2134

**Assembly Bill No. 2134**—An act to repeal Sections 69894, 69898, 69899, 69899.5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892.1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 69894.2, 69894.3 and 69894.4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population.

Bill read third time.

#### Motion to Amend

Mr. George A. Willson moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, lines 37 and 38, of the printed bill, as amended in the Assembly on April 28, 1959, strike out "eight hundred seventy-five dollars ($875)", and insert "nine hundred seventy-five dollars ($975)".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to third reading.

### REMARKS ON CONDITION OF FILE

Mr. Unruh spoke on the condition of the file.

### WITHDRAWAL AND RE-REFERANCE OF ASSEMBLY BILLS NOS. 2667, 2668, 2669, AND 2670

Mr. Masterson was granted unainmous consent that Assembly Bills Nos. 2667, 2668, 2669 and 2670 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Governmental Efficiency and Economy.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER SENATE BILL NO. 973

At 11.58 a.m., Mr. Masterson moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called.

#### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Sumner moved a call of the Assembly.

Mr. Bruce F. Allen seconded the motion.

Motion lost.

The vote was announced, and the motion that Senate Bill No. 973 be re-referred to the Committee on Municipal and County Government carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Dills, Francis, Frew, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Waldie, George A. Willson, and Charles H. Wilson—41.

NOES—Bruce F. Allen, Beaver, Burton, Cameron, Chapel, Coolidge, Crown, Cunningham, DeLotto, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Kilpatrick, MacBride, Marks, Mulford, Munnell, Porter, Rees, Rumford, Sumner, Thelin, Unruh, Williamson, Winton, Z'berg, and Mr. Speaker—31.

**Motion to Reconsider Re-reference of Senate Bill No. 973**

Mr. Sumner moved to reconsider on the next legislative day the vote whereby Senate Bill No. 973 was this day re-referred to the Committee on Municipal and County Government.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Chapel:

**House Resolution No. 259**

Relative to the transportation of radioactive materials

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Transportation and Commerce is hereby authorized and requested to study and investigate all facts relating to the need for additional legislation relating to the transportation of radioactive materials and report to the Legislature thereon at the 1961 Regular Session, including therein its conclusions and recommendations for legislation, if any.

Resolution read, and referred to the Committee on Rules.

By Mr. Francis:

**House Resolution No. 260**

Relative to the *Advance-Star*

WHEREAS, The *Advance-Star* has recently won two high statewide awards in the 1958 better newspaper contests sponsored by the California Newspaper Publishers Association; and

WHEREAS, These awards consist of a first-place trophy for best typography among all nondaily newspapers in California having a circulation of over 3,000, and a special merit award in the same classification for general excellence; and

WHEREAS, The typography trophies are awarded mainly on the appearance of the newspaper—the type faces and how they are used, as well as the expertness of the mechanical processes that combine to form the finished product which greets the reader's eye; and

WHEREAS, The general excellence award is based on the thoroughness of news, sports and women's section coverage, the way stories are written and arranged on the pages, the quality and use of pictures, the mechanical perfection, and the advertising content; and

WHEREAS, One of the carriers of the *Advance-Star and Green Sheet*, Albert Bedrosian, has recently received an award as one of the six outstanding newsboys in the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Publisher James A. Wood and Editor John M. Hubbard of the *Advance-Star and Green Sheet* on receiving their awards and commend them for their public service in providing a high quality newspaper for their area of the State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Publisher James A. Wood and Editor John M. Hubbard.

Resolution read, and referred to the Committee on Rules.

By Mr. Francis:

**House Resolution No. 261**

Congratulating Albert Bedrosian

WHEREAS, Albert Bedrosian is a fourteen-year-old ninth grade student at Serra High School in San Mateo; and

WHEREAS, Albert was named the most outstanding newspaper carrier in Burlingame in 1957 and received a trophy in 1958 for being the most outstanding of all carriers of the *Advance-Star and Green Sheet;* and

WHEREAS, He was recently honored as one of the six outstanding newsboys out of the 62,000 carriers throughout California; and

WHEREAS, Albert is looking forward to a career as a criminologist and regularly saves money he earns from his *Advance-Star and Green Sheet* route to help finance his college education; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Albert Bedrosian on his recent outstanding achievement and well-deserved award,

commend him for his admirable industry and ambition, and wish him even greater success in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to Albert Bedrosian.

Resolution read, and referred to the Committee on Rules.

By Mr. Conrad:

**House Resolution No. 262**

Relating to Mr. DeWitt McCann

WHEREAS, July 1, 1959, will mark the retirement of DeWitt McCann from the presidency of the Studio City Chamber of Commerce, and

WHEREAS, For the past three years Mr. McCann has served the Chamber of Commerce and the community at large in a devoted and unselfish manner; and

WHEREAS, The occasion of Mr. McCann's retirement will be marked with honors from the City and County of Los Angeles in recognition of his outstanding abilities; and

WHEREAS, DeWitt McCann, a native of Missouri, has been employed by Republic Studios for 25 years, rising to the position of editorial supervisor, and has during his career received statewide commendation for his volunteer activities relating to the early completion of the Ventura freeway and other valley freeways, and as President of the "Valley Association for Freeways"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes the occasion of the retirement of Mr. DeWitt McCann from the presidency of the Studio City Chamber of Commerce to commend Mr. McCann on his life of outstanding achievement and service to his community and to the people of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mr. DeWitt McCann.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 130**: By Messrs. Lunardi, MacBride, Backstrand, Bane, DeLotto, Dills, Pattee, and Winton—Relative to State Highway Route 38 (Sign Route 89) around Emerald Bay.

Referred to Committee on Rules.

## MESSAGES FROM THE GOVERNOR

The following veto messages from the Governor were received, and read:

**Veto Message Concerning Assembly Bill No. 159**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 11, 1959

*To the Honorable Members of the Assembly*
*State of California, Sacramento*

GREETINGS. I am returning, herewith, without my signature,

**Assembly Bill No. 159** entitled: "An act to add Section 19828 to the Health and Safety Code, relating to contractors"

My objections to this bill are as follows:

Assembly Bill No. 159 adds Health and Safety Code Section 19828, prohibiting the issuance of building permits by cities or counties unless the applicant submits a statement to the effect that he is licensed by the State as a contractor or is exempt from such licensing.

I have no objection to the bill on its merits. However, it is in conflict with Assembly Bill No. 712, also passed by the Legislature and now before me for consideration. Assembly Bill No. 712 adds a similar prohibition to Labor Code Section 3800, which is part of the Workmen's Compensation Law of the State. The Labor

Code section contains an exemption, as to permits for work costing $100 or less, which would automatically become applicable in the event Assembly Bill No. 712 is approved, thereby creating the conflict.

This discrepancy between the two bills, which are intended to accomplish the same purpose, has been discussed with Assemblyman MacBride, who is the author of both bills, and he concurs in the objection herein set forth

I am, therefore, returning Assembly Bill No. 159 without my signature

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 159 ordered to the unfinished business file.

**Veto Message Concerning Assembly Bill No. 237**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 12, 1959

*To the Honorable Members of the Assembly*
*State of California, Sacramento*

GREETINGS. I am returning, herewith, without my signature,

**Assembly Bill No. 237** entitled: "An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations."

My objections to this bill are as follows:

This bill attempts to clarify the law to insure that a candidate, successful in a special election to fill an unexpired term at the primary election, can use the new designation of his office on the general election ballot. However, in drafting the amendments to the present law this intent is not carried out, and the wording of the present proposal would actually deny the successful candidate the right to use the new designation.

This discrepancy has been discussed with Assemblyman Conrad, the author of the bill, and he concurs in the objections herein set forth.

I am, therefore, returning Assembly Bill No. 237 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 237 ordered to the unfinished business file.

**Veto Message Concerning Assembly Bill No. 341**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 12, 1959

*To the Honorable Members of the Assembly*
*State of California, Sacramento*

GREETINGS: I am returning, herewith, without my signature,

**Assembly Bill No. 341** entitled: "An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons".

My objections to this bill are as follows:

This bill would permit a prisoner immediately upon his booking to make not less than three completed telephone calls.

I am advised by those who maintain our jails that the enactment of this bill would increase costs for personnel who should be present during such telephone calls, as well as the time consumed by employees in logging the calls.

In Los Angeles County the installation of additional facilities to comply with the terms of this bill would decrease available jail facilities badly needed because of present overcrowding.

In addition, the enactment of this legislation would result in delays in transporting prisoners from outlying areas to the central jail in Los Angeles County

However, I believe in the principle of the measure, and I would not be adverse to approving a similar measure limited to one such telephone call.

I understand the author has a bill which could be amended to accomplish this purpose—to-wit, Assembly Bill No. 342, now on the Assembly Inactive File

I am, therefore, returning Assembly Bill No. 341 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 341 ordered to the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Frew was granted unanimous consent that the following letter of transmittal and report be ordered printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, May 12, 1959

*Hon. Ralph Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The Assembly Legislative Representation Committee has met and is herewith submitting a Progress Report for consideration of the Members of the Assembly.

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal.

Respectfully submitted,

MYRON H. FREW, Chairman
Assembly Committee on
Legislative Representation
CHARLES H. WILSON, Vice Chairman
CARLOS BEE
CHARLES EDWARD CHAPEL
WALTER I. DAHL

Encl.

### PROGRESS REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Assembly and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and unless good cause to the contrary is shown, each of the persons named in this report is entitled to have this committee grant to him a certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

ALLEN, JAMES H., 213 W. Seventh Street, Los Angeles 14
California Check Cashers & Sellers Association

ALTMAN, HAROLD N., 2124 Weller Way, Sacramento
National Association of Optometrists

BALDWIN, NORMAN D., 312 Crocker-Anglo Bank Bldg., Sacramento
Union Interchange Inc.
Universal Interchange Inc.

BLEIFELD, SIDNEY, 416 W. Eighth Street, Los Angeles 14
Cash and Carry Dairy Association of California

BREED, ARTHUR H., JR., 310 Fifteenth Street, Oakland 12
San Francisco Bar Pilots

BRUNN, MCKNIGHT, 707 Latham Square Bldg., Oakland 21
Alameda County Lettuce Growers, Packers & Shippers

CONNOLLY, ARTHUR H., JR., 220 Bush Street, San Francisco
Roadside Business Association

DEVANNEY, JANET W. (MRS.), Hotel Senator, Sacramento
California Cosmetic Association

FLEURY, GORDON A., 926 J Building, Sacramento
California State Employees Association
California Society of Psychiatric Technicians

FOSTER, HUGH M., JR., Hotel Senator, Sacramento
Pacific Finance Corporation

GARROD, EDNA MAY (MRS.), El Mirador Hotel
Cupertino Sanitary District

GILCHRIST, JOHN P., 15th and N Streets, Sacramento
Imperial Ice Cream Co.

GUPTA, RUTH CHURCH, 2237 Chestnut Street, San Francisco
Committee to Save the Sea Lions

HUNTER, RAY, 2223 Fulton Street, Berkeley 4
California Farm Bureau Federation

JESSUP, JOHN R , 1109 Ninth Street, Sacramento
Western Union Telegraph Co. (The)

JOHNSON, ROBERTA, Hotel Senator
Butler & Hegner

KENNEDY, ANTHONY J., 635 Forum Building, Sacramento
Schenley Industries, Inc.

KOPP, CHARLES L., Senator Hotel
Pacific Finance Corporation

KULL, OLEN I., El Mirador Hotel, Sacramento
Household Finance Corporation

LANNING, MRS. JESSIE I , 10 Nile Street, Bakersfield
Kern County Property Owners Association

LUETHY, FRANK G., 2708 Clay Street, North Sacramento 15
International Brotherhood of Boilermakers

MCGOWAN, WILLIAM, California Hotel, Sacramento
Los Angeles Firemen's Relief Association

MALLICOAT, ROBERT R., California Hotel, Sacramento
Los Angeles Firemen's Relief Association

MASAOKA, JOE GRANT, 640 Brannan Street, San Francisco 7
California State Florists' Association

MITCHELL, DONALD A., 431 Forum Building, Sacramento
Olivetti Office Machines Co.

MUNRO, RUSSELL S., 5329 Caleb Avenue, Sacramento
Associated Merchants & Y. M. Edmonds Ltd.
Fountain Freezer Association

REILLY, JAMES J., El Mirador Hotel, Sacramento
National Automatic Sprinkler & Fire Control Assoc.

REYNOLDS, ROBERT F., Senator Hotel, Sacramento
American Marine Exploration Co., Inc.

SCHIAVENZA, JOHN T., 701 Thirteenth Street, Oakland 12
California Conference of Machinists

SELIG, GAIL B., Senator Hotel, Sacramento
California Cosmetic Association

SPENCER, J. C., Hotel Senator, Sacramento
California State Automobile Association

STECK, EMIL JR., Senator Hotel, Sacramento
Dairy Institute of California

STOOPS, CLYNE E., Senator Hotel, Sacramento
Corporation Unemployment Tax Service

WALTERS, MERTON A., 1918 Grove Street, Oakland 12
International Brotherhood of Electrical Workers

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1189

Mr. Biddick moved to reconsider on the next legislative day the vote whereby the amendments offered by Mr. Porter to Assembly Bill No. 1189 were this day adopted (Assembly Journal, page 3540).

Assembly Bill No. 1189 and the motion to reconsider ordered to the unfinished business file.

## EXPLANATIONS OF ABSENCE

I was on the Senate side of the House till 10.10 a.m., this morning, which is the reason for by absence on the floor of the Assembly.

JAMES L. HOLMES

I was out of the Assembly on other legislative business this a.m. from 10.30 to 11.15.

SETH J. JOHNSON

## ADJOURNMENT

At 12.03 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 13, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-FIFTH LEGISLATIVE DAY

NINETY-THIRD CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, May 13, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Legislative Interim Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Banc, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, Thou who dost see in secret, surely Thou dost know who does the work behind the public scenes. We pray, today, for those in office and home, and all legislative aides, whose loyal efforts add greatly to the comfort, convenience, and effectiveness of lawmakers The spotlight of public attention, favorable or unfavorable, does not break for them the possible monotony of days, which have now become cluttered and crowded. The end of the session is in sight, but we cannot see the end of the work to be done. We pray, our Father, for a spirit of teamwork, kindness and consideration on every hand, and a deep conviction of the value of our labors, begun, continued, and ended with Thee.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Burke, seconded by Mr. Backstrand.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Coolidge, on request of Speaker Brown.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Jo Ann Wacht of Los Angeles, relative to Assembly Bill No. 1179. Referred to the Committee on Governmental Efficiency and Economy.

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The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

UNIVERSITY OF CALIFORNIA
OFFICE OF THE CHANCELLOR
DAVIS, May 11, 1959

*Hon Arthur A Ohnimus*
*State Capitol, Sacramento*

MY DEAR MR. OHNIMUS: This will acknowledge receipt of Assembly Concurrent Resolution No 103, which was received with your covering letter of May 7th.

I am particularly interested in this bill as I am one of those persons affected since I will be retired on July 1st after 45 years of service with the University. The University has graciously put facilities at my disposal, and I expect to continue research work with a great deal of pleasure.

Sincerely,

STANLEY B. FREEBORN, Chancellor

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THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
OFFICE OF THE CHAIRMAN OF THE BOARD
BERKELEY, May 11, 1959

*Mr Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR MR OHNIMUS: Thank you for sending me a copy of Assembly Concurrent Resolution No. 103, adopted by the California Legislature on May 4, 1959.

I shall bring it to the attention of the Regents at the next meeting.

The effective use of the scientific talent to be found among the ranks of those who have retired from active service on the staffs of academic and research institutions is a matter of great interest to the University.

Yours very sincerely,

DONALD H. McLAUGHLIN

cc: President Kerr
Mr. Thomas J. Cunningham
Miss Marjorie Woolman

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., May 9, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*State Capitol, Sacramento*

DEAR SIR: This is grateful acknowledgement of a copy of an engrossed resolution, adopted by the California Legislature, 1959 Session, congratulating Hawaii on its admission as the Fiftieth State of the Union.

On behalf of the people of Hawaii, and personally, I extend heartfelt thanks to the elected members of the people of the great State of California for their gracious expression of welcome The people of California, by their active interest and participation in the effort to achieve Statehood for Hawaii, made a substantial contribution toward its accomplishment. Hawaii's people, who have long felt a close affinity to the people of California, are particularly appreciative of the part you have played in this historic event.

Mahalo nui loa!

Warmest personal regards. May the Almighty be with you and yours always and in all ways.

Sincerely,

JOHN A. BURNS, Member of Congress

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1220
Assembly Bill No. 1444
Assembly Bill No. 2134
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 594
Assembly Bill No. 1148
And reports the same correctly re-engrossed

BURKE, Chairman

Above bills returned to second reading file.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1680
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2302
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Industrial Relations.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2017
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Education.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1058
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1175
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1249
Assembly Bill No. 1489
Assembly Bill No. 1496
Assembly Bill No. 1893
Assembly Bill No. 1897
Assembly Bill No 2354

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 12, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 16**—Relative to the Auburn Dam on the American River;

And reports the same correctly enrolled, and presented to the Secretary of State on the twelfth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 58**—An act to convey certain tide and submerged lands to the City of Mill Valley, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof;

**Assembly Bill No. 59**—An act to convey certain tide and submerged lands to the County of Marin, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof;

**Assembly Bill No. 294**—An act to amend Sections 7039, 7040, 7041, 7042 and 7043 of the Elections Code, relating to eight-member precinct canvassing board;

**Assembly Bill No. 401**—An act to amend Sections 1460, 1461, and 1570 of the Probate Code, relating to appointment of guardians for minors and insane and incompetent persons;

**Assembly Bill No. 404**—An act to repeal Title 4 (commencing with Section 894) of Part 2 of the Penal Code, to add Title 4 (commencing with Section 888) to Part 2 of the Penal Code, to repeal Section 169 of the Penal Code, to repeal Sections 65.2, 241, 242, and 243 of the Code of Civil Procedure, to repeal Section 12551 of the Government Code, to amend Sections 192, 196, 199, 204, 204b, 204c, 204d, 205, 206, 209, 211, and 238 of the Code of Civil Procedure, to amend Sections 167, 168, and 1326 of the Penal Code, and to amend Section 12552 of the Government Code, relating to grand juries;

**Assembly Bill No. 675**—An act to add Section 4121.1 to the Health and Safety Code, relating to garbage disposal districts;

**Assembly Bill No. 1367**—An act to add Section 670.87 to the Vehicle Code, and to add Section 26507 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to airbrakes for vehicles;

**Assembly Bill No. 1377**—An act to amend Section 160.6 of the Agricultural Code, relating to licenses for pest control;

**Assembly Bill No. 1587**—An act to amend Section 30904 of, and to repeal Section 31003 of, the Vehicle Code enacted by the Legislature at the 1959 Regular Session, relating to vehicles transporting hay;

**Assembly Bill No. 1630**—An act to amend Section 2286 of the Business and Professions Code, relating to the healing arts,

**Assembly Bill No. 1634**—An act to amend Section 2216 of the Business and Professions Code, relating to the healing arts,

**Assembly Bill No. 1781**—An act to amend Sections 819, 828.65, and 829.45 of the Agricultural Code, relating to containers;

**Assembly Bill No. 286**—An act to add Article 2.5 (commencing at Section 4470), to Chapter 4, Part 2, Division 5 of the Health and Safety Code, relating to fishing in water supplies and recreational uses in the surrounding area;

**Assembly Bill No. 384**—An act to amend Section 2743.5 of the Elections Code, relating to the election of nonpartisan officers;

**Assembly Bill No. 682**—An act to amend Sections 58241, 61128, 61230, and 61823 of the Government Code, Sections 3533, 4659, 5418, and 8127 of the Streets and Highways Code, Sections 1808, 2285, 2341, 2832, 14750, 14815, 14825, 14827, 32004.6, 32004.8 and 33573 of the Health and Safety Code, and Sections 9304, 9313, 9316, and 9713 of the Public Resources Code, relating to recordation of instruments;

**Assembly Bill No. 1002**—An act to amend Section 82 of the Elections Code, relating to presidential voting for new residents;

**Assembly Bill No. 1004**—An act to amend Section 604.1 of the Vehicle Code, and to amend Section 21652 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to access to public highways from service roads;

**Assembly Bill No. 1545**—An act to amend Sections 194, 194.1 and 194.2 of the Streets and Highways Code and Section 11005 of the Revenue and Taxation Code, relating to municipal population determinations;

**Assembly Bill No. 1643**—An act to amend Section 12606 of the Business and Professions Code, relating to weights and measures;

**Assembly Bill No. 1693**—An act to amend Section 4002 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to violation of registration requirements;

And reports the same correctly enrolled, and presented to the Governor on the twelfth day of May, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 2400

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2163

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 233

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1407

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1960

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER. Your Committee on Finance and Insurance reports:

Assembly Bill No. 2158

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 11, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 158

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

**Committee on Government Organization**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2320
Assembly Bill No. 2355

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2348
Assembly Bill No. 2350

With the recommendation. Do pass.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2189

With the recommendation: That the bill be re-referred to the Committee on Revenue and Taxation.

WINTON, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No 377
Assembly Bill No. 2190
Assembly Bill No. 2191
Assembly Bill No. 2192
Assembly Bill No. 2342

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

WINTON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2155
Assembly Bill No. 2196

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 322

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 540

With the recommendation: Do pass.

Pursuant to the provisions fo Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WINTON, Chairman

Above bill ordered to second reading.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 378

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1411

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DAVIS, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 438

Assembly Bill No. 2413

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 2414

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DAVIS, Chairman

Above bill ordered to second reading.

**Committee on Water**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 862

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Concurrent Resolution No. 101 Assembly Joint Resolution No. 23
Assembly Concurrent Resolution No. 104 Assembly Joint Resolution No. 25

With the recommendation: Be adopted.

PORTER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1592

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 306

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 146

With the recommendation: That the bill be re-referred to the Committee on Criminal Procedure

MASTERSON, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, May 12, 1959

MR SPEAKER Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1548 Assembly Bill No. 1791
Assembly Bill No 1633 Assembly Bill No. 2138

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1135
Assembly Bill No. 2245

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 163

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 158
Assembly Bill No. 1018
Assembly Bill No. 1591
Assembly Bill No. 1904
Assembly Bill No. 2586
Assembly Bill No. 2100

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

(NOTE—Later this day, Assembly Bill No. 2586 was returned to committee. *See* page 3632.)

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 398
Senate Bill No. 534

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 12, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2308

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

MASTERSON, Chairman

Above bill ordered to second reading

**Committee on Rules**

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No 254
House Resolution No. 255
House Resolution No. 256
House Resolution No 257
House Resolution No 262

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 73
Senate Concurrent Resolution No. 35

With the recommendation Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No 12

With the recommendation · Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 258

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 74

With amendments with the recommendation. Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 127

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 59

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 252

With amendments with the recommendation. Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Water

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1305

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER. Your Committee on Rules, pursuant to Joint Rule No. 8.3, after an examination of the proposed bill, has determined that there exists an urgent need for its introduction, and recommends that introduction of the proposed bill be permitted.

The title of the bill proposed by Mr. Charles H. Wilson reads as follows:

An act to add Sections 20784 and 20785 to the Business and Professions Code, relating to gasoline and diesel fuel.

Request approved by the Assembly Rules Committee on May 13, 1959.

MILLER, Chairman

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 23
Assembly Joint Resolution No. 25

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 101
Assembly Concurrent Resolution No 104
Assembly Concurrent Resolution No. 127

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 703

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bill ordered to second reading.

**Committee on Constitutional Amendments**

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 38

With amendments with the recommendation: Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 1

With amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

BUSTERUD, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No 31

With amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

BUSTERUD, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No 40

With amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

BUSTERUD, Chairman

Above resolution ordered on file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 12, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 108
Assembly Bill No. 382
Assembly Bill No. 614
Assembly Bill No. 725
Assembly Bill No. 805
Assembly Bill No. 813
Assembly Bill No. 839
Assembly Bill No. 841
Assembly Bill No 901
Assembly Bill No. 906
Assembly Bill No. 921
Assembly Bill No. 961
Assembly Bill No. 974
Assembly Bill No. 1011
Assembly Bill No. 1091
Assembly Bill No. 1250
Assembly Bill No 1278
Assembly Bill No 1290
Assembly Bill No. 1383
Assembly Bill No 1457
Assembly Bill No. 1498
Assembly Bill No. 1649
Assembly Bill No. 1677
Assembly Bill No. 1694
Assembly Bill No. 1901
Assembly Bill No 1902
Assembly Bill No 2014
Assembly Bill No. 2015

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 12, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 148
Assembly Bill No 292
Assembly Bill No 428
Assembly Bill No. 630
Assembly Bill No. 833
Assembly Bill No 1001
Assembly Bill No 1160
Assembly Bill No 1286
Assembly Bill No 1487
Assembly Bill No. 1488
Assembly Bill No. 1631

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 193
Senate Bill No. 232
Senate Bill No. 275
Senate Bill No. 390
Senate Bill No. 475
Senate Bill No. 514
Senate Bill No. 725

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 12, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as title amended:

Assembly Bill No. 1528

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE, CALIFORNIA LEGISLATURE
May 12, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*Sacramento*

DEAR SIR: I am returning herewith copy of Senate Bill No 420 as requested by your honorable body, for further consideration by the Assembly.

Very truly yours,

J. A. BEEK, Secretary of the Senate

Senate Bill No. 420 ordered to the unfinished business file.

SENATE CHAMBER, May 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 168
Senate Bill No. 171
Senate Bill No. 354
Senate Bill No. 366
Senate Bill No. 391
Senate Bill No. 472
Senate Bill No. 501
**Senate Bill No. 566**
Senate Bill No. 614
Senate Bill No. 735
Senate Bill No. 876
Senate Bill No. 952
Senate Bill No. 960
Senate Bill No. 962
Senate Bill No. 990
Senate Bill No. 1011
Senate Bill No 1016
**Senate Bill No. 1086**
Senate Bill No. 1102

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 168**—An act to amend Sections 605, 607 and 608 of the Probate Code, relating to the appointment of appraisers.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 171**—An act to add Section 12648 2 to, and to amend Section 12657 of the Water Code, relating to flood protection.

Referred to Committee on Water.

**Senate Bill No. 354**—An act to repeal Section 2 of Chapter 1820 of the Statutes of 1955 and to repeal and add Article 7 (commencing with Section 12580) to Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code, relating to state supervision and enforcement of certain charitable trusts and similar relationships, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 366**—An act to add Section 378 to the Education Code, and to add Section 817 to the Education Code as proposed by Senate Bill No. 2, relating to county superintendents of schools.

Referred to Committee on Education.

**Senate Bill No. 391**—An act to amend Section 26516.7 of the Health and Safety Code, relating to the manufacturing, importation, and sale of foods.

Referred to Committee on Public Health.

**Senate Bill No. 472**—An act to add Sections 46206, 46207, 46208, 46209, and 46210 to, to amend Sections 46225 and 46280 of, and to repeal Sections 46228 and 46229 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Senate Bill No. 501**—An act to amend Section 3300 of the Health and Safety Code, relating to the state tuberculosis subsidy.

Referred to Committee on Ways and Means.

**Senate Bill No. 566**—An act to amend Section 6150 of, and to add Sections 6150.5 and 6159 to, the Elections Code, relating to the State Commission on Voting Machines and Vote Tabulating Devices.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 614**—An act to amend Sections 1050 and 1382 of, and to repeal Section 681a of, the Penal Code, relating to the time within which a criminal prosecution must be brought to trial.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 735**—An act to add Section 30610 to the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 876**—An act to add Section 1060.5 to the Government Code, relating to the office of the State Fair Employment Practice Commission.

Referred to Committee on Ways and Means.

**Senate Bill No. 952**—An act to amend Section 12201 of the Penal Code, relating to machineguns.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 960**—An act to add Section 10505.5 to the Water Code, relating to the appropriation of water.

Referred to Committee on Water.

**Senate Bill No. 962**—An act to add Section 1390.5 to the Water Code, relating to the appropriation of water.

Referred to Committee on Water.

**Senate Bill No. 990**—An act to amend Sections 35501 and 35507 of the Government Code, relating to exclusion of territory from a municipality.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1011**—An act to add Part 2.5 (commencing at Section 34601) to Division 24 of the Health and Safety Code, relating to community redevelopment and housing.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1016**—An act to amend Sections 73433 and 73433.5 of the Government Code, relating to the municipal court in a district embracing the City of Bakersfield.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1086**—An act to add Section 31110.1 to the Government Code, relating to payment of compensation and expenses to members of a county civil service commission.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 1102**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to co-operation

and contracts between private entities and the United States with respect to water development.

Referred to Committee on Water.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 594** and **1148.**

Above bills ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 165**—An act to add Section 469 to the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2424**—An act to amend Section 11715 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles owned by dealers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2388**—An act to amend Section 21454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic control signals.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 398**—An act to amend Sections 254.6, 257, 257.2, and 257.4 of, and to repeal Section 254.5 of, the Vehicle Code, and to amend Sections 12512, 12513, 12514, and 12650 of, and to repeal Section 12507 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to age limits for vehicle drivers' licenses.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 254.6, 257, 257.2, and 257.4 of, and"; and strike out line 2 of the title.

#### Amendment No. 2

In line 3 of the title, after "of," insert "to add Section 13367 to,".

#### Amendment No. 3

In lines 4 and 5 of the title, strike out "as proposed by Assembly Bill No. 5", and insert "as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, line 1, strike out "254.5 of the Vehicle Code", and insert "12507 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 5**

On page 1, strike out lines 2 through 16, inclusive; strike out all of pages 2 and 3; on page 4 strike out lines 1 through 9, inclusive, and on line 10 strike out "7.", and insert "2."

**Amendment No. 6**

On page 4, line 11, strike out "otherwise provided in this code", and insert "provided in Sections 12513 and 12514".

**Amendment No. 7**

On page 4, line 13, after "years", insert "except that any minor 16 years of age who has successfully completed a course in automobile driver training maintained pursuant to Article 6 (commencing at Section 8101) of Chapter 3 of Division 7 of the Education Code in a secondary school or private or parochial school of the secondary level, or has successfully completed the prescribed course in classroom instruction in driver education in such a school, together with a minimum of six hours of behind the wheel driver training with a state licensed driver school, may be issued an operator's license".

**Amendment No. 8**

On page 4, line 19, strike out "8.", and insert "3."

**Amendment No. 9**

On page 4, line 22, strike out "16", and insert "15".

**Amendment No. 10**

On page 5, line 6, strike out "9.", and insert "4."

**Amendment No. 11**

On page 5, line 30, strike out "10.", and insert "5."

**Amendment No. 12**

On page 5, line 31, strike out "16 years", and insert "15 years and 6 months".

**Amendment No. 13**

On page 5, strike out line 33; on line 34 strike out "Division 5", and insert "Article 6 (commencing at Section 8101) of Chapter 3 of Division 7".

**Amendment No. 14**

On page 5, after line 47, insert

"SEC. 6. Section 13367 is added to said code, to read:

13367. The department shall revoke the privilege of any person younger than 18 years of age upon conviction of two offenses against the provisions of this code involving the operation of a moving vehicle and shall not thereafter issue a driver's license to that person until he reaches the age of 18 years."

**Amendment No. 15**

Strike out all of page 6.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 399**—An act to amend Section 10206 of the Education Code, and to amend Section 8107 of the Education Code as proposed by Senate Bill No. 2, relating to automobile driver training in the public schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 10206 of the Education Code, and to".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "10206 of the Education Code", and insert "8107 of the Education Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 15, inclusive.

**Amendment No. 5**

On page 2, line 4, strike out "16 years", and insert "15 years and 6 months".

**Amendment No. 6**

On page 2, strike out lines 6 through 10, inclusive

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 2368**—An act making an appropriation to the State School Fund of amounts constituting surplus from estates of deceased persons in the Unclaimed Property Fund in the State Treasury.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "making an appropriation to the State School", and insert "providing for the transfer to the General".

**Amendment No. 2**

On page 1, strike out lines 5 to 8, inclusive, and insert "ceased persons, shall be transferred by the Controller to the General Fund."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2216**—An act to amend Section 73 of the Streets and Highways Code, relating to relinquishment of state highways.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2005**—An act to amend Section 13114, of, to amend and renumber Section 13114.5 of, and to add Sections 13114.1, 13114.2, 13114.3, 13114.4, 13114.5, 13117, and 13147 to, the Health and Safety Code, relating to fire protection.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 650**—An act to amend Sections 151 and 153 of the Water Code, relating to the California Water Commission.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 802**—An act to add Chapter 3 (commencing with Section 13200) to Division 10 of the Fish and Game Code, relating to accounting by the Department of Fish and Game.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 670**—An act to add Article 7 (commencing at Section 2048) to Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 5003 of said code, relating to the establishment and functions of the California Correctional Institution at Tehachapi.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1886**—An act to amend Sections 18200, 18207, 18406.1, 18412, 18413, 18614, 18616, 18668 and 18669 of the Financial Code, to add Sections 18200.1, 18200.2, 18200.3, 18200.4, 18200.5, 18200.6, 18203.5, 18205.5, 18607.1, 18610.5, 18617.1, 18625, 18626, 18668.1, 18668.2, 18818, 18818.1, and 18818.2 to said code, to add an article heading to Chapter 3 of Division 7, to add an article heading and new Article 2 (commencing with Section 18420) to Chapter 3 of Division 7 of said code, to add Chapter 6 (commencing with Section 18850) to Division 7 of said code, and to repeal Sections 18404, 18414, 18415, and 18818 of said code, relating to industrial loan companies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2037**—An act to add Section 14377 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deductions of group insurance premiums from teachers' retirement allowances.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1096**—An act to add Section 234 to, and to repeal Section 12605 of, the Water Code, relating to weather modification.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2031**—An act to repeal Section 24755 of, and to add Sections 24749 and 27455 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Assembly on April 30, 1959, after "the", strike out "retail", and insert "retailers".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1930**—An act to add Article 9 (commencing at Section 8690) to Chapter 14 of Division 3 of the Business and Professions Code, relating to maintaining of financial responsibility by structural pest control operators.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 23, 1959, after "issue", insert "or renew".

**Amendment No. 2**

On page 1, strike out lines 8 and 9, and insert "chapter unless the applicant shall have filed with the board written evidence of an insurance policy or a bond as specified in this article, being in effect at the time of the issuance or renewal of the license Such written evidence shall include a provision that the board shall be given a ten (10) day notice by the insurance company or bonding company should the policy or bond be canceled or changed during the policy or bond period in such a manner as to affect the written evidence."

**Amendment No. 3**

On page 1, strike out lines 12 to 17, inclusive, and insert "maintains such insurance policy or bond as specified in this article."

**Amendment No. 4**

On page 2, strike out line 1, and insert
"8692 An "insurance policy" as used in this article means a contract".

**Amendment No. 5**

On page 2, line 2, strike out "carrier", and insert "company".

**Amendment No. 6**

On page 2, line 3, strike out "which insures the"; strike out lines 4 to 17, inclusive, and insert "or one issued by a non-admitted carrier whose activities in this State are controlled by the Surplus Line Association, which insures the policyholder against loss from legal liability for damages as a result of an accident due to participation in any control, prevention, or repair activities which require a license under this chapter. The insurance policy shall provide minimum limits of twenty-five thousand dollars ($25,000) for any one loss due to bodily injury, sickness or disease, including death at any time resulting therefrom, sustained by any person or persons, and twenty-five thousand dollars ($25,000) minimum for any one loss due to injury or destruction of property, including the loss of use thereof.

8693 In lieu of the insurance policy specified above an applicant for a license or renewal of a license may file with the board a bond issued by a surety company admitted to do business in this State in the penalty of twenty-five thousand dollars ($25,000) or in lieu thereof provide positive proof of the posting of a cash bond with the State of California as obligee."

**Amendment No. 7**

On page 2, line 18, strike out "8695", and insert "8694".

**Amendment No. 8**

On page 2, line 19, after "required", insert "insurance".

**Amendment No. 9**

On page 2, line 20, after "additional", insert "insurance".

**Amendment No. 10**

On page 2, line 21, strike out "8696", and insert "8695".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499.6 of, and add Sections 5829.1 and 5829 to, the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 10, of the printed bill, as amended in the Assembly on April 6, 1959, strike out "exclusively".

**Amendment No. 2**

On page 2, line 12, strike out "the sole".

**Amendment No. 3**

On page 2, line 36, strike out "exclusively".

**Amendment No. 4**

On page 2, line 38, strike out "the sole".

**Amendment No. 5**

On page 2, line 47, strike out "sole".

**Amendment No. 6**

On page 3, strike out line 14, and insert "for payment of the following in the order set forth:".

**Amendment No. 7**

On page 3, line 26, after "agreement", strike out "any", and insert "a requirement that installments of principal and interest on money owed the State shall be paid from gross revenues prior to any other expenditures from such revenues and any other".

**Amendment No. 8**

On page 3, line 29, after the period, insert "No loan of funds shall be made to any city, county or district unless such loan is approved by the commission as conforming to the policies established by the commission. Such contracts or agreements shall not be effective until approved by the Department of Natural Resources and the Department of Finance. The Department of Finance as part of their review shall give consideration to the economic feasibility of the project based on information provided by the division."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1535**—An act to amend Sections 3084 and 3087.2 of, and to add Section 3084.2 to, the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 17, 1959, after "3084", insert ", 3084.1,".

**Amendment No. 2**

On page 2, between lines 13 and 14, insert

"SEC. 2. Section 3084.1 of said code is amended to read:

3084.1. If, when, and during such times as the United States Government increases or decreases its contributions in assistance of the needy blind in this State above or below the amount payable on ~~November 1, 1956~~ *October 1, 1958*, the amount of the grant of aid provided in this chapter shall be increased or decreased by an amount equal to such increase or decrease by the United States Government, but in no event shall the total aid granted to any needy blind person under this chapter be ~~more than one hundred ten dollars ($110) nor~~ less than ninety-nine dollars ($99) per month *; provided, that the portion of any increase which is not a whole dollar or multiple thereof may be disregarded*.

It is the intent of the Legislature that should the Federal Government require that any increase in assistance to the blind in this State granted by it after November 1, 1956, be considered necessary to meet medical or health needs of the applicant or recipient, such increase shall be considered necessary to meet such medical or health needs."

**Amendment No. 3**

On page 2, line 14, strike out "SEC. 2", and insert "SEC 3".

**Amendment No. 4**

On page 2, line 23, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1536**—An act to amend Sections 3472 and 3481 of, and to add Section 3472.2 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 17, 1959, after "3472", insert ", 3472.1,".

**Amendment No. 2**

On page 2, between lines 30 and 31, insert

"SEC. 2. Section 3472.1 of said code is amended to read:

3472.1. If, when, and during such times as the amount of the grant of aid to the needy blind provided by Chapter 1 of this part is increased or decreased, pursuant to Section 3084.1, the amount of the grant of aid to partially self-supporting blind residents provided by this chapter shall be increased or decreased by an amount equal to such increase or decrease in the grant of aid to needy blind persons, but in no event shall the total aid granted under this chapter to any recipient be ~~more than one hundred ten dollars ($110) nor~~ less than ninety-nine dollars ($99) per month.

It is the intent of the Legislature that should the Federal Government require that any increase in assistance to the needy blind in this State granted by it after November 1, 1956, be considered necessary to meet medical or health needs of the applicant or recipient, an increase in aid to the partially self-supporting blind resulting therefrom shall be considered necessary to meet the medical or health needs of applicants or recipients."

**Amendment No. 3**

On page 2, line 31, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 4**

On page 2, line 40, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 31**—An act to amend Section 69600 of the Government Code, relating to the superior court judges for the County of Santa Clara.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1405**—An act to amend Section 74701 of the Government Code, relating to the superior court judges for the County of

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1864**—An act to add Section 9257 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the use of textbooks prescribed by the State Board of Education.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "9257 to", insert ", and to amend Sections 9255, 10008, and 10155 of,".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 9255 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:

9255. Any city, county, city and county, or district superintendent of schools or any principal of any elementary or secondary school under his charge, ~~who refuses or neglects to require the use of the series of the textbooks prescribed by the State Board of Education or~~ who shall require any pupil except pupils in classes for adults or junior colleges, to purchase any supplementary book or books for the pupil's use in the school is guilty of a misdemeanor.

SEC. 2. Section 10155 of said code is amended to read:

10155. Any publisher of school textbooks, or any agent of any publisher, ~~or any member of any high school board or public school official in the State~~ who violates any of the provisions of Sections 9901 to 10202, inclusive, is guilty of a misdemeanor. ~~Any member of a high school board or public school official~~ *Any member of any high school board or public school official in the State who violates any of the provisions of Sections 9901 to 9959, inclusive, 10006, 10007 and 10009 to 10202, inclusive, is guilty of a misdemeanor and* shall, ~~in addition to any other penalty~~ be removed from his official position.

SEC. 3. Section 10008 of said code is amended to read:

10008. Whenever a book has been removed from the list by action of the State Board of Education, ~~it shall be illegal for any~~ *a* high school district ~~to~~ *shall not* purchase copies of the book or ~~to~~ continue the use of the book in high schools in the district, beyond the close of the current school year.

SEC. 4. Section 9257 is added to said code, to".

**Amendment No. 3**

On page 1, line 6, strike out "9255, 10155," and insert "9252,".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 2429**—An act to add Section 13655 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2423**—An act to amend Sections 13588 and 13589, and to repeal Section 13590, of the Education Code as enacted at the 1959 Regular Session, relating to classified employees of school districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2365**—An act to amend Section 1207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to costs of elections of members of the board of education.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2377**—An act to amend Section 111 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the State Board of Education.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2225**—An act to add Section 13006 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence for school district employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 963**—An act to amend Section 10643 of, and to add Sections 10656 and 10657 to, the Insurance Code, relating to health and welfare programs, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out line 2; and in line 3, strike out "welfare programs", and insert ", 10657, and Article 4 (commencing at Section 11760), Chapter 3, Part 3, Division 2 to, the Insurance Code, relating to powers of the Insurance Commissioner".

**Amendment No. 2**

On page 3, between lines 9 and 10, insert

"SEC. 4. Article 4 (commencing at Section 11760) is added to Chapter 3, Part 3, Division 2 of the Insurance Code, to read:

Article 4 Workmen's Compensation Insurance Advisers

11760. A workmen's compensation insurance adviser is a person who for a fee or compensation of any kind, paid by or derived from any source other than an insurer, advises, purports to advise, or offers to advise any employer or prospective employer with respect to workmen's compensation insurance or the obtaining of such insurance, or with respect to operations under a certificate of consent to self-insure under Chapter 4 (commencing at Section 3700), Part 1, Division 4 of the

Labor Code, or relating to the relative merits of either as compared with any other alternative. This definition does not include the following persons or activities:

(a) Active members of the State Bar of California

(b) Licensed insurance agents, brokers or solicitors while lawfully acting within the scope of their respective licenses.

(c) Any person who has passed all of the qualifying examinations necessary to become an associate of the Casualty Actuarial Society or the Society of Actuaries.

(d) Any salaried office employee of one employer or of one employer and his affiliates who, as a part of and not as his sole duty, advises his employer with respect to such employer's workmen's compensation coverage, if neither the employer nor any of his affiliates receives compensation by reason of such advice and if the employee receives no compensation therefor other than the regular salary paid to him by his employer

11761. No person shall act or offer to act as a workmen's compensation insurance adviser except pursuant to the provisions of this article and under and pursuant to a valid and effective license issued by the commissioner under this article. A violation of this section is a misdemeanor.

11762. The provisions of Sections 1643, 1644, 1646, 1647, 1650 and 1651 of Article 3 (commencing at Section 1631), Sections 1652, 1655, 1656, 1657 and 1661 of Article 4 (commencing at Section 1652), Sections 1662, 1663, and 1664 of Article 5 (commencing at Section 1662), Sections 1666 to 1669, inclusive, of Article 6 (commencing at Section 1666), Section 1702 of Article 9 (commencing at Section 1702), Sections 1708, 1710, and 1712 of Article 10 (commencing at Section 1708), Sections 1717 and 1718 of Article 11 (commencing at Section 1716), Sections 1725, 1728, 1729, 1730 and 1736 of Article 12 (commencing at Section 1724), and Sections 1737, 1738, 1739, 1742 and 1743 of Article 13 (commencing at Section 1737), of Chapter 5, Part 2, Division 1, insofar as these sections apply to govern insurance brokers and their licensing and are not inconsistent with the provisions of this article (commencing at Section 11760), shall govern licensees and licensing under this article; in addition:

(a) The fee for filing an application for license under this article shall be fifty dollars ($50) for each license year in the license term of the license applied for;

(b) The proof of qualifications for a license under this article shall include the taking and satisfactorily passing of the qualifying examination required by Section 11763; and

(c) The records required to be maintained by the person licensed under this article, in lieu of those required to be kept under Section 1727, shall be of all business transacted under authority of the license showing persons to whom advise was given, the consideration received therefor, a brief statement or summary of the advice given, and an explanation of the publications, tracts, studies and other *materials and information on which the advice given was based.*

(d) The bond required of a licensee under this article shall be in the amount of two thousand dollars ($2,000) and the total aggregate liability on such bond shall be limited to such amount. Such bond shall indemnify any person who may be damaged by any fraudulent act or conduct of the licensee in connection with his activities as a licensee under this article.

11763. Except as provided in Section 11765, the applicant is required to take and pass a qualifying examination prescribed by the commissioner. Such examination shall be of such nature and scope as to enable the commissioner to determine whether the applicant has such practical and theoretical knowledge of the provisions of this code, workmen's compensation insurance and practices and the problems related thereto as to qualify him to advise others with respect to such subject. The commissioner shall charge and collect a fee of ten dollars ($10) for filing application to take such examination.

11764. In addition to the other grounds pursuant to Article 13 (commencing at Section 1737), Chapter 5, Part 2, Division 1 of the Insurance Code, for which the commissioner may suspend or revoke a license under this article, the commissioner may suspend or revoke such license if the licensee violates any provision of this article or any of the laws of this State regulating workmen's compensation insurance, or if he advises any other person to violate any such laws.

11765. A person not licensed as an insurance agent or broker who is actively in the business of advising with respect to workmen's compensation insurance on the effective date of this article may, on filing application for license under this article, paying the fee therefor, and otherwise proving his qualifications for such license to the satisfaction of the commissioner, receive a license under this article without taking or passing the examination otherwise required by Section 11763."

**Amendment No. 3**

On page 3, line 10, strike out "4", and insert "5".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1044**—An act to amend Sections 3701 and 3703 of the Labor Code, relating to workmen's compensation insurance and security.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1530**—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2420**—An act to add Article 9.5 (commencing with Section 7040) to Chapter 5 of Part 1 of Division 2 of the Insurance Code, relating to merger of county mutual fire insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 8 to 18, inclusive, and insert "The plan and agreement by which any such merger is to be effected shall be submitted to the commissioner who shall examine the same and may require such provisions to be inserted in the agreement and such actions to be taken in connection with the merger (including but not limited to: (1) the terms of the merger, (2) the terms of the notice of the vote by the members of each such insurer on the merger, and (3) the manner and form of voting thereon by the members of each such insurer) as he may deem necessary in order that the transaction shall be mutually fair and equitable between the respective members and policyholders of the companies parties to the merger. The commissioner shall not approve any such plan and agreement if the articles of incorporation or by-laws of any insurer party to the merger have been amended within one year prior to the date of filing of such plan and agreement with the commissioner.

7041. When any such plan and agreement shall have been approved by the commissioner, with changes, if any required by him, the same shall be approved by a vote of not less than two-thirds of the members voting at a meeting of the members of each such insurer involved at which there shall be present in person or by proxy at least 10 percent of the members entitled to vote.

7042. If the vote is in the affirmative a certified copy of all proceedings relating to the proposed merger shall be filed with the commissioner. If the commissioner finds that the proceedings have been in accordance with the law and his requirements he shall issue his certificate approving the plan and agreement and the merger shall become effective when such certificate, the agreement and any other documents required by law have been filed with the Secretary of State"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1579**—An act to add Article 1.5 (commencing at Section 685) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance retaliatory laws.

Bill read second time, and ordered engrossed

**Assembly Bill No. 2408**—An act to amend Sections 12205, 12206, 12300 3 and 12301 of the Financial Code, relating to check sellers and cashers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2371**—An act to amend Sections 858 and 859 of the Penal Code, relating to notification to parent or guardian of arrest of child or ward.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2370**—An act adding Article 9 (commencing with Section 1318) to Chapter 1 of Title 10 of Part 2 of the Penal Code, relating to the release of defendants on their own recognizance

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2053**—An act to amend Section 145 of the Penal Code, relating to offenses of public officer with respect to arrested persons.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2380**—An act to amend Sections 2401, 2402, 2403, 2404, 2407, 2408, 2409, 2413, 2414, and 2415 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 2, line 16, of the printed bill, strike out "may", and insert "shall".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2398**—An act to add Chapter 15 (commencing at Section 19890) to Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to state school construction bond issues.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "any".

**Amendment No. 2**

On page 1, line 13, strike out "and", and insert a comma.

**Amendment No. 3**

On page 1, strike out lines 14 to 20, inclusive, and insert "school buildings and related facilities, and the purchase of furniture and equipment, may instruct the State Treasurer to include in the bonds, or any of them, provisions permitting their call and redemption at the option of the State prior to their maturity and indicating the price at which such bonds shall be subject to redemption; and it shall be the duty of the State Treasurer to comply therewith. No bonds shall be subject to call or redemption prior to maturity unless they contain a recital to that effect"

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2062**—An act to add Sections 20230.5, 20750.13, 20750.23, 20750.33, and 20750.43 to, and to add Article 6 (commencing with Section 21380), to Chapter 9, Part 3, Division 5, Title 2 of, the Government Code, relating to State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 29, 1959, strike out "20230.5, 20750.13, 20750.23, 20750.33,"; strike out lines 2 and 3, and insert "20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20230.5, 20497, 20498, 20601.5, 20750.13, 20750.23, 20750.33, 20750.43, 20989, 21251.14, 21293.5, 21364.7, 22152, 22153, and 22213 of; to add Chapter 6.5 (commencing at Section 20780) to Part 3, Division 5, Title 2 of; to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of; to amend Section 22009.1, 22013, 22210 of; and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2 of;".

**Amendment No. 2**

In line 5 of the title, after "System", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 20004.5 is added to the Government Code, to read:

20004.5. "Federal system" means the old age, survivors, and disability insurance provisions of the Social Security Act.

SEC. 2. Section 20004.6 is added to said code, to read:

20004.6. "Federal-state agreement" means the agreement or any modification thereof now, heretofore, or hereafter executed by the board pursuant to Section 218 of Title II of the Social Security Act.

SEC. 3. Section 20014.6 is added to said code, to read:

20014.6. The provisions of this part applicable to state miscellaneous members shall apply to warden and forestry members who become members or re-enter membership after the system is divided pursuant to Section 22152, or who elect in such division to be included in the federal system, or who elect at that time not to be included in the federal system but to be subject to this section. Any warden or forestry member who becomes subject under this section to provisions applicable to state miscellaneous members shall be deemed to have been subject to such provisions with respect to all of his warden and forestry service. Any change in the contribution rate of such member resulting from application of such provisions shall apply only with respect to compensation for services rendered after the date of execution of the modification to the federal-state agreement including state members in the federal system.

Notwithstanding any provision of this section to the contrary, all warden and forestry members shall continue subject to all provisions of this part providing for industrial death benefits and for retirement for industrial disability for warden and forestry members.

SEC. 4. Section 20031.5 is added to said code, to read:

20031.5. "Employee federal contributions" means those contributions required of employees under the federal system with respect to wages paid to individuals who perform services in employment in any

coverage group included in the federal-state agreement, at the rate of taxes imposed on employees by Section 2101 of the Internal Revenue Code for the respective calendar years set forth therein.

SEC. 5. Section 20031 6 is added to said code, to read:

20031.6. "Employer federal contributions" means those contributions required of employers under the federal system with respect to wages paid to individuals who perform services in employment in any coverage group included in the federal-state agreement, at the rate of taxes imposed on employers by Section 3111 of the Internal Revenue Code for the respective calendar years set forth therein.

SEC. 6. Section 20124.5 is added to said code, to read:

20124.5. The board may require a member to provide evidence of his entitlement to benefits under the federal system.

SEC. 7. Section 20497 is added to said code, to read:

20497. Any contract entered into under this part between the board and a public agency may be amended to, and any new contract may, provide a modification of benefits and adjustment of employee contribution rates under this part as may be agreed to by the board; provided, that the federal-state agreement is or, in case of a new contract, has been, modified to include in the federal system employees of the agency in positions covered by this system.

Amendments to a contract under this section shall be made in the manner prescribed in this part for approval of contracts except that an election among employees shall not be required.

This section shall not apply to contracts under Chapter 4.5 or contracts subject to Section 20493.

SEC. 8. Section 20498 is added to said code, to read:

20498. If the effective date of coverage under the federal system of members who are employees of a contracting agency under the State Employees' Retirement System is prior to the time employee federal contributions are first deducted from the salaries and wages of such employees and a reduced benefit is provided with respect to service from and after said effective date of coverage, retroactive employee and employer contributions may be paid on the contracting agency's election in the manner provided in this section.

Employee and employer federal contributions for such retroactive period shall be paid from the State Employees' Retirement Fund and charged to the account of the employer. There shall be transferred to the employer account from the member's accumulated contributions an amount equal to employee federal contributions charged to the account of the employer for such member. The amount so transferred shall not exceed the difference between the total normal contributions of the member and the normal contributions which would have been credited to his account had the reduced rate of contribution provided in the amended contract with the public agency been in effect from and after the effective date of coverage

The amount by which such retroactive employee contributions for a member charged to the account of the employer exceeds the amount transferred from the employee account shall constitute an indebtedness of the member to the employer and a lien on any salary or wages payable to such employee or on his account. If said contract is or has

been amended to provide for the payment of retroactive employee and employer contributions in the manner provided in this section, it may be further amended to provide that the amount by which (1) the total normal contributions of each member for the period subsequent to the effective date of coverage under the federal system less the total normal contributions which would have been credited to the account of such member had the reduced rate of contribution provided in the amended contract with the public agency been in effect from and after the aforesaid date of coverage exceeds (2) the employee federal contributions for such member for the period after said date of coverage shall be paid to such member.

This section shall apply to the county superintendent of schools as a contracting agency without election.

SEC. 9. Section 20601.5 is added to said code, to read:

20601.5. The normal rate of contribution, as otherwise established pursuant to this article, for a member whose services are included in coverage of the federal system shall be reduced by one-third, as applied to that part of compensation, for such services rendered after date of execution of the modification of the federal-state agreement including such services in the federal system, which does not exceed the monthly equivalent of the maximum annual amount subject to contributions under the federal system at the time services for which the compensation is paid are rendered.

This section shall apply to state miscellaneous members. It shall also apply to local miscellaneous members who are included in the system under Chapter 4.5 or who are employees of a school district subject to Section 20493 other than one whose employees who are members are covered under the federal system when this section becomes effective. It shall apply to local miscellaneous members who are employees of any other contracting agency which elects to be subject hereto by amendment to its contract made at the time it includes its employees who are members of the system in the federal system or by appropriate contract provision in case of a new contract if employees becoming members under such contract are or currently will be included in the federal system. Contract amendments under this section shall be made in the manner provided for approval of new contracts except that an election among employees shall not be required.

SEC. 10. Chapter 6.5 (commencing at Section 20780) is added to Part 3, Division 5, Title 2 of said code, to read:

CHAPTER 6.5. FEDERAL CONTRIBUTIONS

20780. Every state member covered by the federal-state agreement providing coverage under the federal system for such member shall be liable for employee federal contributions.

20781. Employee federal contributions shall be withheld by the state department or agency that disburses funds in payment of salaries and wages to such members. Such department or agency shall transmit to the board all such employee federal contributions and employer federal contributions, together with all wage, contribution and other reports required to fulfill the obligations of the State under the federal system. Such agencies and departments are hereby authorized to correct errors and to make any and all adjustments with respect to all

covered employees and to the funds from which salary and wage payments and contributions are made as may be required to fulfill the obligations of the State under the federal system or in compliance with any of the provisions of this part.

20782 From the General Fund in the State Treasury there shall be transferred from time to time, to the Old Age and Survivors Insurance Revolving Fund the amount of employer federal contributions for those state members covered by the agreement whose compensation is paid from either:

(a) The General Fund.

(b) Funds of or funds appropriated to the university.

(c) The Vocational Education Fund, the Vocational Rehabilitation Fund, or any other fund received, in whole or in part, as a donation to the State under restrictions preventing its use for the payment of employer federal contributions.

(d) Moneys in the Water Resources Revolving Fund, where such moneys were derived from an appropriation from the General Fund.

(e) The Senate Contingent Fund or the Assembly Contingent Fund.

20783. From each other fund in the State Treasury there shall be transferred from time to time to the Old Age and Survivors Insurance Revolving Fund the amount of employer federal contributions for those state employees covered by the agreement whose compensation is paid from that fund and in respect to which compensation the employer's federal contribution is not required to be made from the General Fund.

20784. The board shall certify to the Controller from time to time the total amount of employer federal contributions required to meet the obligations of the State under the federal system with respect to wages paid to state and university employees and payable from the general and each other fund in the State Treasury, and the Controller shall thereupon transfer such employer federal contributions from each such fund, respectively to the Old Age and Survivors Insurance Revolving Fund.

20785. There is hereby appropriated the amount necessary from the funds designated, to provide, (a) the payments required by this chapter to be made by the State to the Old Age and Survivors Insurance Revolving Fund, which payments are declared to be continuing obligations of the State, (b) the amounts payable pursuant to Sections 20786, 20787, 20788, and (c) in addition thereto the sum of _____ dollars ($_____) from the General Fund to the Department of Finance for the purpose of administering the provisions for inclusion of state members in the federal system, to be allocated by the Director of Finance in such amounts as he may determine in augmentation of the support appropriations of the University of California, the State Controller and the Board of Administration of the State Employees' Retirement System made by the Budget Act of 1959; provided, however, that the Director of Finance may return to this portion of the appropriation by executive order any sum thus allocated and may reallocate such sums as herein provided and amounts thus allocated or reallocated shall, for accounting purposes, be deemed to be augmentations and increases of the support appropriations of the agencies and for the fiscal years herein specified.

20786. Employee federal contributions required of state and university employees with respect to salaries and wages paid for services rendered after the effective date of coverage of such employees under the federal system and prior to the time employee federal contributions are first deducted from the salaries and wages of such employees, shall be paid from the State Employees' Retirement Fund to the Old Age and Survivors Insurance Revolving Fund. Such employee federal contributions shall be charged in the accounts of the state system to the State's accumulated contributions for current service and shall be regarded as a loan to each such employee and shall be a lien on any salaries or wages payable to the employee and on any amounts payable by the state system to the employee or on his account. Said loan shall be repaid by the employee as follows:

(a) Such employee federal contributions with respect to employees who were members of the state system during the period extending from the effective date of coverage under the federal system until the time employee federal contributions are first deducted from the salaries and wages of such employees shall be deducted from the member's accumulated contributions made with respect to services performed during said period and which are to his credit in the state system, to the extent that such contributions are in excess of what they would have been had the contributions to the state system during said period been made as provided in Section 20601.5, disregarding interest.

(b) Such employee federal contributions as are not deductible from member's accumulated contributions in the state system as provided in subdivision (a) of this section shall be repaid by the employee by one cash payment to the state system or by payroll deductions during current employment or any subsequent employment of such employee extending over a period determined by the board and subject to minimum payments as determined by the board. The agency making such payroll deductions shall remit to the board monthly all amounts so withheld and shall file with the board appropriate information relating thereto. All such repayments shall be remitted by the board to the State Employees' Retirement Fund and shall be credited in the accounts of the state system to the account to which the loan was charged.

For the purposes of this section, upon termination of an employee's service and pending a determination of the amount to be repaid, the amount of retroactive employee federal contributions to be repaid by an employee may be estimated and such estimated amount shall be withheld from any refund of accumulated retirement contributions or salaries and wages payable to such employee.

20787. The board shall certify to the State Controller the total amount of employee federal contributions required for retroactive coverage under the federal system and the Controller shall thereupon transfer such amount from the State Employees' Retirement Fund to the Old Age and Survivors Insurance Revolving Fund.

20788. Employer federal contributions required with respect to salaries and wages paid on or before the execution date of the modification of the agreement set forth in Section 22210 of this code for services rendered after the effective date of coverage of state and university employees, shall be paid from the State Employees' Retirement Fund

to the Old Age and Survivors Insurance Revolving Fund and shall be charged in the accounts of the state system to the State's or the public agency's accumulated contributions for current service, as the case may be.

The board shall certify to the State Controller the total amount of employer federal contributions required for retroactive coverage under the federal system and the Controller shall thereupon transfer such amount from the State Employees' Retirement Fund to the Old Age and Survivors Insurance Revolving Fund.

SEC. 11. Section 20989 is added to said code, to read:

20989. During the effective period of this section, the compulsory retirement provisions of this article relating to local miscellaneous members shall be inoperative as to such members under Chapter 4.5 (commencing at Section 20580).

This section shall remain in effect until the first day of the second month following that in which the modification to the federal-state agreement including such members in the federal system is executed, or, in the event coverage procedures are concluded without inclusion of such members in the federal system, upon such conclusion.

SEC. 12. Section 21251.14 is added to said code, to read:

21251.14. The fraction of final compensation, for purposes of calculating the current service pension under Section 21251.1 based on service in any period after the effective date of coverage of a member under the federal system, shall be reduced from 1/60 to 1/90 as applied to that part of the member's final compensation which does not exceed the monthly equivalent of the maixmum annual amount subject to contribution under the federal system during such period. Any change in such maximum amount shall affect allowances based on service after the date of such change only.

This section shall apply to state miscellaneous members. It shall also apply to local miscellaneous members who are included in the system under Chapter 4.5 (commencing at Section 20580) or who are employees of a school district subject to Section 20493 other than one whose employees who are members are covered under the federal system when this section becomes effective. It shall apply to local miscellaneous members who are employees of any other contracting agency electing to be subject hereto by amendment to its contract made at the time it includes its employees who are members of the system in the federal system or by appropriate contract provision in case of a new contract if employees becoming members under such contract are, or currently will be included in the federal system. Contract amendments under this section shall be made in the manner provided for approval of new contracts except that an election among employees shall not be required.

SEC. 13. Part 3.5 (commencing at Section 21600), Division 5, Title 2, of the Government Code is repealed.

SEC. 14. Section 22009.1 of said code is amended to read:

22009.1. "Retirement system" includes:

(a) A pension, annuity, retirement or similar fund or system established by a public agency and covering only positions of that agency.

(b) The State Employees' Retirement System with respect only to employees of the State and employees of the University of California in positions covered by that system.

(c) The State Employees' Retirement System with respect to employees of all school districts in positions covered under each contract entered into by a county superintendent of schools and the system.

(d) The State Teachers' Retirement System with respect to all employees in positions covered by that system except employees of a public agency having any employees in positions covered by such system who are also in positions covered by a local retirement system for the retirement of teachers, or for membership in which public school teachers are eligible, operated by city, city and county, county or other public agency or combination of public agencies of the State.

(e) The Legislators' Retirement System with respect to all employees in positions covered by that system.

(f) The Judges' Retirement System with respect to all employees in positions covered by that system.

(g) The Pension and Retiring Annuities System of the University of California only with respect to all employees in positions covered by that system.

(h) The San Francisco City and County Employees' Retirement System with respect to all employees in positions covered by that system.

(i) Any other retirement system with respect only to employees of any two or more of the public agencies having employees in positions covered by such system, as designated by the board and with regard to which the board authorizes conduct of a referendum.

(j) Except as otherwise provided in subdivisions (b) through (i) above, any retirement system with respect to employees of each of the public agencies having employees in positions covered by the system.

(k) Each division or part of a retirement system as defined in subdivisions (a), *(b)*, (c), (g), (h), (i), and (j) of this section, which is divided pursuant to this chapter into two parts:

(1) The part composed of the positions of members of such system who desire coverage under the federal system

(2) The part composed of the positions of members of such system who do not desire coverage under the federal system.

SEC. 15. Section 22013 of said code is amended to read:

22013. "Policeman" as used in this part includes members of the California Highway Patrol, sheriffs, undersheriffs, deputy sheriffs, marshals and deputy marshals, and any other employee *of a public agency other than the State or University of California* in a position designated as a policeman's position by the board; provided, any such position named herein or as may be designated by the board, is not contrary to any definition, ruling or regulation issued by the federal agency relating to the term "policeman" for the purposes of Section 218(d) (5) (A) of the Social Security Act.

SEC. 16. Section 22152 is added to said code, to read:

22152. Subject to the conditions herein prescribed, the board shall divide the retirement system defined in subdivision (b) of Section 22009.1. The procedure for division shall be in accordance with this

article except that the election among the members shall be held on the date set for the division, and the division shall not be concluded unless a majority of the members eligible to vote cast ballots in the election and a majority of those members voting vote in favor of the division. The date for the division shall be set by the board so as to permit modification of the agreement to include services of members in positions covered by such system no later than December 31, 1959.

SEC. 17. Section 22153 is added to said code, to read:

22153. Subject to the conditions provided herein, the board shall divide each of the retirement systems as defined in subdivision (c) of Section 22009.1 The procedure for the division shall be in accordance with this article except that a single election shall be held among all eligible members of all of said retirement systems on the date set for the division, and none of said systems shall be divided unless a majority of all members of all said systems eligible to vote cast ballots in the election and a majority of such members voting vote in favor of the division. The date for said division shall be set by the board so as to permit modification of the agreement to include services of members in positions covered by such systems no later than December 31, 1959.

SEC. 18. Section 22210 of said code is amended to read:

22210. Notwithstanding any other provisions of this part, the board shall execute a modification of the agreement in conformity with the provisions of Section 218 of the Social Security Act and applicable federal regulations adopted pursuant thereto, to include *services in positions covered by the retirement system as defined in Section 22009.1 (k)(1) established by division of the retirement system defined in Section 22009.1(b) of this part upon completion of the division as directed in Section 22152. The modification shall be executed no later than December 31, 1959, and shall include all eligible members, with coverage as of January 1, 1956.* ~~the services of all state employees and employees of the University of California in positions covered by the State Employees' Retirement System except services in any class or classes of elective positions when a majority of the eligible retirement system employees of the State and the university in positions covered by such system at a referendum conducted by the board pursuant to Article 2 of this chapter and Section 218(d) of the Social Security Act have voted in favor of inclusion in the federal system.~~

~~Such modification shall also include the services of all employees of the State and employees of the University of California including the services of those state and university employees who are ineligible to be members of any retirement system and who are in positions not covered by any retirement system, but shall not include the services of any state or university employees in any class or classes of elective positions, or in positions covered by the Judges' Retirement System, the Legislators' Retirement System, the State Teachers' Retirement System, or the Pension and Retiring Annuities System of the University of California.~~

SEC. 19. Section 22213 is added to said code, to read:

22213 Notwithstanding any other provision of this part, the board shall execute a modification of the agreement in conformity with the provisions of Section 218 of the Social Security Act and applicable federal regulations adopted pursuant thereto, to include the services of

members in positions covered by each of the retirement systms as defined in Section 22009(k)(1) established by divisions of the retirement systems defined in Section 22009.1(b) upon completion of said divisions as directed by Section 22152. The modification shall be executed no later than December 31, 1959, and shall include all eligible members, with coverage effective January 1, 1956.

SEC. 20. Section 21293.5 is added to said code, to read:

21293.5. The disability retirement allowance of a state member who retires for industrial disability and who is credited with service as a member of the system, compensation for which was also subject to contribution under the federal system, shall be reduced by the amount of any retirement or disability benefit he is entitled to receive under the federal system. The reduction shall apply only during such time as he is entitled to receive the benefit under the federal system and shall not exceed the amount of the allowance derived from contributions of the State.

SEC. 21. Section 21364.7 is added to said code, to read:

21364.7. The special death benefit payable if the deceased was a state member who was credited with service, compensation for which was subject to contribution under the federal system, shall be reduced during such time as his survivor or survivors are entitled to receive a survivor benefit under the federal system. The reduction shall be in the amount of the benefit to which there is entitlement under the federal system; provided, however, that it shall not exceed the amount of the benefit derived from contributions of the State.

SEC. 22. Section 20230.5 is added to said code, to read:"

**Amendment No. 4**

On page 1, line 13, strike out "SEC. 2.", and insert "SEC. 23."

**Amendment No. 5**

On page 1, line 19, strike out "SEC. 3.", and insert "SEC. 24."

**Amendment No. 6**

On page 2, line 3, strike out "SEC. 4.", and insert "SEC. 25."

**Amendment No. 7**

On page 2, line 9, strike out "SEC. 5.", and insert "SEC. 26."

**Amendment No. 8**

On page 2, line 15, strike out "SEC. 6.", and insert "SEC. 27."

**Amendment No. 9**

On page 4, between lines 11 and 12, insert

"This section shall not apply to any member whose service is included in the federal system."

**Amendment No. 10**

On page 4, strike out lines 37 to 43, inclusive, and insert

"21383. When the survivor is entitled to receive a monthly allowance under Section 21365.5 or as a special death benefit provided by Article 5 of this chapter and at the same time is entitled to receive a survivor allowance of lesser amount, such other monthly allowance shall be reduced by the amount of the survivor allowance paid. If the survivor allowance is the greater, it shall be paid in lieu of such other allowance."

**Amendment No. 11**

On page 4, strike out lines 44 to 52, inclusive, and insert

"SEC. 28. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In 1958 Congress adopted amendments to the Social Security Act providing new procedures for coverage of public agencies in the Old Age and Survivors Insurance

Program. In order that the public agencies of the State may take advantage of these procedures at the earliest possible time it is necessary that this act take effect immediately."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 2006**—An act to add Section 18973.1 to the Government Code, relating to promotional civil service examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 6, 1959, strike out "or who was"; strike out line 11; and in line 12, strike out "fornia,".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2151**—An act to amend Section 9900 of the Government Code, relating to regulations of legislative representation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 981**—An act to amend Sections 20750.1, 20750.2, 20750.3, 20750.4, 21251.1, 21253, and 20130 and to repeal Sections 20750.112, 20750.15, 20750.22, 20750.25, 20750.32, 20750.35, 20750.42, and 20750.45 of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1600**—An act to add Section 20390.2 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1597**—An act to add Section 20390.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

**Senate Concurrent Resolution No. 43**—Relative to state employee parking facilities.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed measure, as amended in the Senate on April 1, 1959, between lines 37 and 38, insert "that a system of fees shall be established and maintained which is designed to meet as nearly as is feasible to do so the total statewide cost of developing and operating the parking facilities;".

Resolution ordered reprinted, and ordered on file.

**Senate Bill No. 123**—An act to amend Section 650 of the Streets and Highways Code, relating to the naming of state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 972**—An act to amend Section 2156 of the Streets and Highways Code, relating to county road deficiency reports.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 829**—An act to amend Section 26453 of the Vehicle Code as enacted at the 1959 Regular Session of the Legislature, relating to the maintenance of vehicle brakes.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 194**—An act to add Section 2378.5 to the Business and Professions Code, and Chapter 7 (commencing at Section 1700), Division 2, to the Health and Safety Code, relating to the creation of a Cancer Advisory Council, and the regulation and control of the diagnosis, treatment, and cure of cancer.

Bill read second time, and ordered to third reading.

**Senate Bill No. 652**—An act to add Section 516 to the Public Resources Code, relating to vessel insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 774**—An act to amend Section 9102 of the Government Code, relating to legislative offices.

Bill read second time, and ordered to third reading.

**Senate Bill No. 694**—An act to amend Section 3358 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to charges for use of school property.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 823**—An act to repeal the article heading of Article 3 (commencing at Section 12253), Chapter 6, Division 9 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compulsory full-time education.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 819**—An act to amend Section 17667 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to high school and junior college foundation programs.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 818**—An act to amend Section 17851 of the Education Code as enacted at the 1959 Regular Session, relating to basic state aid for junior college districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 943**—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 3212 of", and insert "add Section 3212.2 to".

**Amendment No. 2**

On page 1, strike out lines 1 to 22, inclusive.

**Amendment No. 3**

On page 2, strike out lines 1 to 15, inclusive, and insert "SECTION 1. Section 3212.2 is added to the Labor Code, to read: 3212.2."

**Amendment No. 4**

On page 2, line 24, strike out "hernia,".

**Amendment No. 5**

On page 2, line 25, strike out "or pneumonia,".

**Amendment No. 6**

On page 2, line 28, strike out "hernia, heart trouble or pneumonia", and insert "heart trouble".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 299**—An act to amend Section 4573 of the Penal Code, relating to narcotics in prisons and other correctional institutions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 300**—An act to amend Section 4574 of the Penal Code, relating to firearms in prisons and other correctional institutions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 786**—An act to amend Section 1269b of the Penal Code, relating to the acceptance of bail.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 241**—An act to amend and renumber Section 2047 of the Penal Code, relating to rules and regulations governing conduct of prisoners.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1074**—An act to amend Section 1050 of the Penal Code, relating to continuances in criminal cases, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 399**—An act to amend Section 4501 of and to add Section 4501.5 to the Penal Code, relating to assaults by state prison inmates.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Senate on March 12, 1959, strike out "an assault", and insert "a battery".

Amendment No. 2

On page 1, line 14, after "year", insert "nor more than three years"

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

**Senate Bill No. 852**—An act to add Section 2224.5 to the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Bill read second time, and ordered to third reading.

## PARLIAMENTARY INQUIRY

Mr. Collier arose to the following parliamentary inquiry: Was Item 73 on file passed on file temporarily?

Reply by Speaker

The Speaker replied that it was.

## ASSEMBLY BILL NO. 1256 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1256**, on request of Mr. Grant.

## SENATE CONCURRENT RESOLUTION NO. 71 RE-REFERRED TO COMMITTEE

Mr. Beaver was granted unanimous consent that Senate Concurrent Resolution No. 71 be withdrawn from the Consent Calendar, and re-referred to the Committee on Rules.

## ASSEMBLY BILL NO. 2275 REMOVED FROM CONSENT CALENDAR

Mr. Mulford was granted unanimous consent that Assembly Bill No. 2275 be removed from the Consent Calendar, and placed on the third reading file.

## ASSEMBLY BILL NO. 2026 REMOVED FROM CONSENT CALENDAR

Mr. Beaver was granted unanimous consent that Assembly Bill No 2026 be removed from the Consent Calendar, and placed on the third reading file.

## ANNOUNCEMENT

Speaker Brown announced that hereafter motions and miscellaneous amendments to bills would be called for under Item No. 10 on the Assembly Order of Business, instead of immediately prior to adjournment.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1583 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 1583 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee

### CONSIDERATION OF ASSEMBLY BILL NO. 1583

**Assembly Bill No. 1583**—An act to amend Section 75104.5 of the Government Code, relating to the Judges' Retirement System.

Bill read second time.

#### Motion to Amend

Mr. Miller moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 75104.5 of", and insert "add Section 75060.4 to".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 75060.4 is added to the Government Code, to read:

75060.4. For the purpose of Sections 75060 and 75060.6, the commission on qualifications provided by Section 26 of Article VI shall be deemed to consist of the Chief Justice of the Supreme Court, or, if such office be vacant, the Acting Chief Justice, and of the Attorney General, and of a third member, who shall be:

(a) If the judge sought to be retired is a justice of the Supreme Court, the presiding justice who has served longest as such upon any of the district courts of appeal.

(b) If the judge sought to be retired is a justice of a district court of appeal or a judge of a superior or municipal court, the presiding justice of the district court of appeal of the district in which the judge sought to be retired serves, or, if there be two or more such presiding justices, the one who has served the longer as such.

If two or more presiding justices designated in this section shall have served terms of equal length, they shall choose the one who is to be a member of the commission on qualifications by lot, whenever occasion for action arises."

#### Amendment No. 3

On page 1, strike out lines 2 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 169**—An act to amend Sections 6851, 6852, and 6853 of, and to add Section 6854 and 6855 to, the Education Code as enacted at the 1959 Regular Session, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, George E. Brown, Burke, Busterud, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Pattee, Petris, Porter, Schrade, Shell, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

#### Name Placed Upon Roll Call

Mr. Luckel was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 169.

**Assembly Bill No. 1220**—An act to add Section 7054.5 to, and to amend Section 7052 of, the Public Resources Code, relating to oil, gas, and mineral leases by public agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, George E. Brown, Burke, Busterud, Crawford, Dahl, Davis, DeLotto, Donahoe, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1681**—An act to add Section 22658 to, and to amend Section 22851 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the removal of vehicles from private property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Burke, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 520**—An act to amend Section 1552.2 of the Welfare and Institutions Code, relating to the payment of aid to needy children in mismanagement cases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—55.
NOES—Bane, Burton, Elliott, and Hawkins—4.

Bill ordered transmitted to the Senate.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 165, 1530, 981, 1600,** and **1597,** subsequent to re-engrossment.

**Assembly Bills Nos. 2423** and **1579,** subsequent to engrossment.

**Senate Bills Nos. 123** and **241.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILL (RESUMED)

**Assembly Bill No. 2244**—An act to amend Section 19a and add Section 19b to the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to drainage districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2145**—An act to amend Sections 35450, 35451, 35452, 35453, 35456 and 35457 of the Government Code, relating to the annexation of territory to cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—61.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2134**—An act to repeal Sections 69894, 69898, 69899, 69899.5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892.1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 69894.2, 69894.3 and 69894.4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 248

By Mr. Lunardi:

### House Resolution No. 248

Relative to congratulating the City of Roseville

WHEREAS, It has come to the attention of the Members of the Legislature that this month of April 1959 marks the Fiftieth Anniversary of the City of Roseville; and

WHEREAS, Over 50 years ago Roseville was a quiet little village slumbering peacefully beside the foothills of the Sierra Nevada Mountains; and

WHEREAS, The announcement in 1906 that the Southern Pacific Railroad was to move its terminal from Rocklin to Roseville magically transformed the community into a beehive of activity; and

WHEREAS, When the rapidly growing town was incorporated in April of 1909 Roseville was well on its way to becoming a first class city, and

WHEREAS, During the past 50 years the city has made numerous strides along the path of progress, thanks to a succession of civil minded city fathers and to the spirit of cooperation and enterprise of the people of Roseville; and

WHEREAS, Today Roseville is the largest and most industrialized community in Placer County and is one of the most progressive cities in the State of California, now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Legislature extend congratulations to City of Roseville on the occasion of its Fiftieth Anniversary; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to the Honorable George A. Buljan, Mayor of the City of Roseville, and to Hon David C. Koester, City Manager.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 250

By Mr. Frew:

### House Resolution No. 250

Relative to congratulating the Visalia *Times-Delta* newspaper

WHEREAS, It has come to the attention of the Members of the Assembly that on June 25, 1959, the first newspaper in the San Joaquin Valley will celebrate its One Hundredth Anniversary of service to the people of Tulare County; and

WHEREAS, During that century of publication the *Times-Delta*, by its excellent news coverage of world and local events, has made the community which it serves one of the best informed communities in the San Joaquin Valley; and

WHEREAS, On the twenty-fifth of June the newspaper will publish a Golden Century Edition devoted to the story, from ox cart era to the nuclear age, of the colorful history of the region served by the paper; and

WHEREAS, This special publication will be the first centennial edition of any newspaper in the San Joaquin Valley and the largest single edition ever published in Tulare County; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly extend congratulations to the Visalia *Times-Delta* Newspaper on the occasion of its One Hundredth Anniversary; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr Robert M. Speidel, the editor and publisher of the Visalia *Times-Delta*

Resolution read, and adopted unanimously.

## ASSEMBLY BILL NO. 2221 REMOVED FROM CONSENT CALENDAR

Mr Petris was granted unanimous consent that Assembly Bill No 2221 be withdrawn from the Consent Calendar, and placed on the third reading file.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 797**—An act to maintain the Water Code by amending Sections 163, 251, 401, 2603, 11581, 12640, 12868, 12874, 26328, the heading of Article 9.5 (commencing with Section 11260) of Chapter 2, Part 3, Division 6, and the heading of Article 4 (commencing with Section 55610) of Chapter 2, Part 4, Division 16 thereof, and by amending and renumbering the heading of Article 9.6 (commencing with Section 11270) of Chapter 2, Part 3, Division 6 thereof,

and by repealing Section 154.5 thereof, relating to the control, utilization, and distribution of water.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1798**—An act to add Section 72005 to the Government Code, relating to judges of municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2123**—An act to add Section 40311 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to appearance in court for traffic violations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2125**—An act to amend Section 13355 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to revocation of vehicle operating privileges of juveniles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2164**—An act to amend Sections 13308, 13309, 15111 and 15112 of the Revenue and Taxation Code, relating to adopted children.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2168**—An act to add Section 373.1 to the Code of Civil Procedure, relating to guardians ad litem.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2169**—An act to amend Section 1120 of, and add Section 1120.1 to, the Probate Code, relating to testamentary trusts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2174**—An act to amend Sections 89 and 112 of the Code of Civil Procedure, relating to municipal and justice courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2338**—An act to amend Section 70141.5 of the Government Code, relating to superior court commissioners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1138**—An act to amend Section 537.5 of the Code of Civil Procedure, relating to attachments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2313**—An act to amend Section 1902 of the Public Utilities Code, relating to the Public Utilities Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2314**—An act to amend Section 816.5 of the Public Utilities Code, relating to public utilities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2285**—An act to amend Section 811.1 of the Agricultural Code, relating to cantaloupes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2293**—An act to amend Section 2210 of the Business and Professions Code, relating to the practice of medicine.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2208**—An act to amend Section 15957 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district contracts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2327**—An act to amend Section 13739 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to probationary period for noncertificated school district employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner,

Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 685**—An act to add Sections 70047.5 and 74705 to the Government Code, relating to court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2114**—An act to amend Sections 73582, 73583, 73584, 73585, and 73586 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2116**—An act to amend Sections 74612, 74613, and 74614 of the Government Code, relating to San Pablo Municipal Court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2115**—An act to amend Sections 74082, 74083, 74084, 74085, 74086, and 74087 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride,

Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 689**—An act to amend Section 704 of the Insurance Code, relating to suspension of certificate of convenience of an insurer.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2300**—An act to amend Section 538 of the Code of Civil Procedure, relating to attachment of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2286**—An act to amend Sections 811 and 829.3 of and to repeal Section 829.31 of the Agricultural Code, relating to vegetable standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1843**—An act to add Section 18372 to the Health and Safety Code, relating to trailer coaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad,

Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1442**—An act to amend Section 909 of the Streets and Highways Code, relating to county highway construction equipment contracts.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1570**—An act to amend Section 25528 of the Government Code, relating to the sale or lease of county real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2254**—An act to add Section 71602 5 to the Government Code, relating to consolidation of offices in counties of the twentieth class.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2278**—An act to add Section $2\frac{1}{2}$ to the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to records.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2167**—An act to amend Section 26504 of the Government Code, relating to funds received by district attorneys.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 216**—An act to amend Sections 632 and 634 of the Code of Civil Procedure, relating to civil actions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 463**—An act to amend Section 1506 of and to add Section 1507 to the Penal Code, relating to appeals in habeas corpus proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 648**—An act to amend Section 1505 of the Penal Code, relating to the writ of habeas corpus.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 684**—An act to amend Section 170.6 of the Code of Civil Procedure, relating to disqualification of judges on the ground of prejudice.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 772**—An act to amend Section 69844 of, and add Sections 71614.5, and 72050.5 to, the Government Code, relating to the keeping of court records.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 467**—An act to amend Sections 1300 and 1320 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner,

Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 270**—An act to amend Section 1632 of the Welfare and Institutions Code, relating to tuberculosis tests.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 335**—An act to amend Section 10036 of the Health and Safety Code, relating to vital statistics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 336**—An act to amend Section 10612 of the Health and Safety Code, relating to vital statistics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to Senate.

**Senate Bill No. 695**—An act to amend Section 15959 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district purchases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to Senate.

**Senate Bill No. 249**—An act to amend Section 19615 of the Education Code, as proposed by Senate Bill No 2, relating to the repayment of state school building aid.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to Senate.

**Senate Bill No. 250**—An act to amend Section 7746 of the Education Code, and Section 19631 of the Education Code as proposed by Senate Bill No. 2, relating to the repayment of state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 820**—An act to amend Section 17903 of the Education Code as enacted at the 1959 Regular Session, relating to state equalization aid for high school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott,

Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 817**—An act to amend Section 17801 of the Education Code as enacted at the 1959 Regular Session, relating to basic state aid for high schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 956**—An act to amend Section 1421 of the Health and Safety Code, relating to hospitals and nursing homes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 271**—An act to add Sections 24100.1, 24101.1, 24101.2, 24101.3, and 24101.4 to, and to amend Sections 24107 and 24108 of, the Health and Safety Code, relating to health, sanitation, and safety in water sports and recreation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 433**—An act to amend Section 20363 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 902**—An act to add Section 591 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the definition of "street" or "highway."

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 321**—An act to amend Section 13106 of the Government Code, relating to quitclaiming of state-owned easements and rights-of-way.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 215**—An act to amend Sections 6075 and 6077 of the Harbors and Navigation Code, relating to harbor districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 680**—An act to amend Sections 4, 5, 17, 24, 29, and 35 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to water supply in Orange County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 748**—An act to amend Section 12 of the Alameda County Flood Control and Water Conservation District Act, relating to the levy and collection of taxes and assessments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 766**—An act to add Section 5254.5 to the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 887**—An act to add an article heading and to add Article 2 (commencing with Section 25580), to Chapter 6 of Part 2, Division 2, Title 3 of the Government Code, relating to parks and recreation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 946**—An act to amend Section 25643 of the Government Code, relating to excepting property from county tax levy for structural fire protection.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 792**—An act to amend Sections 10851, 10852 and the heading of Article 8 (commencing with Section 10851) of Chapter 1 of Division 9, and to add a new Section 10851 and Section 10853 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to hazing.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill ordered passed on file, and to retain its place on file on the next legislative day.

**Senate Bill No. 412**—An act to repeal Section 23373 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 436**—An act to amend Sections 21200, 21201, and 21208 of the Financial Code, and Sections 343 and 11108 of the Penal Code, and to add Section 21208 to the Financial Code, relating to pawnbrokers.

Bill read third time, and presented by Mr. Williamson.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Williamson moved a call of the Assembly.

Motion carried. Time, 10.34 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.
NOES—None.

Bill ordered transmitted to the Senate.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 835**—An act to add Section 4746.1 to the Health and Safety Code, relating to certificates of indebtedness of a county sanitation district.

Bill read third time, and presented by Mr. Williamson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 47**—Relative to the study of a state highway route.

Resolution read, and presented by Mr. Holmes.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 604**—An act to amend Sections 1227, 1228, 1316, 1413 and 1416, and to repeal Section 1414, of the Financial Code, relating to loans.

Bill read third time, and presented by Mr. Cunningham.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 237**—An act to amend Sections 3819 and 3929 of the Elections Code, relating to occupational designations.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 237 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.
NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

## MOTION TO RECONSIDER RE-REFERENCE OF SENATE BILL NO. 973 CONTINUED

Mr. Sumner was granted unanimous consent that his motion to reconsider the vote on the re-reference of Senate Bill No. 973 to committee be continued until the next legislative day.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1189 CONTINUED

Mr. Biddick was granted unanimous consent that his motion to reconsider the vote on the Porter Amendments to Assembly Bill No. 1189 be continued until the next legislative day.

## ASSEMBLY BILL NO. 1417 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 1417**, on motion of Mr. McMillan.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2132**—An act to amend Sections 8571 and 8701 of, and to add Sections 8571.5 and 8701.5 to the Elections Code, relating to election contests, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—78.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House,

Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2023**—An act to add Article 11 (commencing at Section 11640) to Chapter 2 of Part 2 of Division 4 of the Business and Professions Code, relating to subdivision maps.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1165**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2322**—An act to amend Sections 7005, 7006, 7007 and 7008 of, and to add Sections 7018, 7019 and 7020 to, the Streets and Highways Code, relating to the Street Improvement Act of 1913.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 159**—An act to add Section 19828 to the Health and Safety Code, relating to contractors.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 159 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

## VOTE CHANGED UPON ROLL CALL ON SUSTAINING OF VETO TO ASSEMBLY BILL NO. 237

Messrs. Crown and Cunningham, and Miss Donahoe were granted unanimous consent that they be recorded as voting "No," instead of "Aye" on the roll call sustaining the Governor's veto to Assembly Bill No. 237.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1287**—An act to amend Sections 54955 and 54957 of the Government Code, relating to meetings of legislative bodies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1287?

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 19, 1959, strike out lines 13 and 14; and in line 15, strike out "then a", and insert "special meetings. A".

### Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on May 1, 1959, strike out "Section 54955", and insert "Sections 54955 and 54957".

### Amendment No. 3

On page 1, after line 25, insert

"SEC. 2. Section 54957 of said code is amended to read:

54957. Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding executive sessions *during a regular or special meeting* to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints or charges brought against such officer or employee by another public officer, person or employee unless such officer or employee requests a public hearing. The legislative body also may exclude from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body."

The Assembly concurred in Senate amendments to Assembly Bill No. 1287 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel,

Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.

NOES—None.

Assembly Bill No. 1287 ordered enrolled.

## ASSEMBLY BILL NO. 2586 RETURNED TO COMMITTEE

Speaker Brown announced that Assembly Bill No. 2586 was reported out of committee before 30 calendar days after its introduction had elapsed (Assembly Journal, page 3577), and ordered the bill returned to the Committee on Governmental Efficiency and Economy.

## ANNOUNCEMENT

Speaker Brown announced that the group picture of the Members of the Assembly would be taken at the West Entrance to the Capitol at 12 noon today.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Bane:

### House Resolution No. 263

Relative to the Golden State Freeway

WHEREAS, An agreement covering a portion of the Golden State Freeway was entered into between the City of Los Angeles and the Department of Public Works of the State of California; and

WHEREAS, The Los Angeles County Regional Planning Commission's master plan of riding and hiking trails shows the Tujunga Trail crossing the proposed freeway in the vicinity of Truesdale Street; and

WHEREAS, The Tujunga Trail connects Griffith Park to Hansen Park Dam and then joins the California State Riding and Hiking Trail System; and

WHEREAS, The freeway agreement between the City of Los Angeles and the Department of Public Works does not provide for an equestrian undercrossing for the Tujunga Trail; and

WHEREAS, The Los Angeles city council has indicated that it deems an equestrian undercrossing necessary and has declared its intention to provide for the improvement of the Tujunga Trail; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the California Highway Commission is requested to consider amending the Golden State Freeway agreement with the City of Los Angeles to provide for an equestrian undercrossing for the Tujunga Trail in the vicinity of Truesdale Street; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to each of the members of the California Highway Commission.

Resolution read, and referred to the Committee on Rules.

By Mr. Charles H. Wilson:

### House Resolution No. 264

WHEREAS, Pursuant to Joint Rule No. 8.3, the Assembly Rules Committee has determined that there exists an urgent need for the introduction of a bill proposed by Mr. Charles H Wilson, the title of which reads as follows:

An act to add Sections 20784 and 20785 to the Business and Professions Code, relating to gasoline and diesel fuel.

*Be it Resolved by the Assembly of the State of California*, That permission to introduce such proposed bill be granted.

Above resolution ordered on the unfinished business file.

## PARLIAMENTARY INQUIRY

Mr. Levering arose to the following parliamentary inquiry: What is the status of Assembly Bill No. 1766, Item 74 on the third reading file?

### Reply by Speaker

The Speaker replied that the bill had been ordered passed on file, and to retain its place on file.

### Notice of Intention

Mr. Levering gave notice that, unless Assembly Bill No. 1766 was taken up tomorrow he would move that the bill be set as a special order of business.

## REMARKS ON CONDITION OF FILE

Mr. Winton spoke on the condition of the file.

## COMMENDATION OF MEMBERS

Speaker Brown commended the members upon their diligence and the volume of business transacted this day, and announced that the file has been cleared up to date.

## ANNOUNCEMENT

Mr. Chapel announced that the Assembly Journal for Monday, May 8, 1959 (pages 3455 to 3459), contains an analysis by the Legislative Counsel of the laws of 28 states relative to the appointment of legislators to elective offices, and requested that the members read this interesting information.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 10**—An act to add Section 1241.5 to the Water Code, relating to Indian water rights.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

## ASSEMBLY BILL NO. 1328 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1328**, on request of Mr. Ernest R. Geddes.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 131:** By Messrs. Hegland, Grant, and Winton (At Request of Senators Dilworth, Donnelly, and Grunsky)—Relative to the publication of copies of the new Education Code.

Referred to Committee on Rules.

## ANNOUNCEMENT

Mr. Bane announced that today was the birthday of Mr. Don A. Allen, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Allen.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO 436

At 11.07 a.m., Mr. Williamson moved to dispense with further proceedings under the call of the Assembly.

Mr. DeLotto seconded the motion.

Motion carried.

The names of the absentees were called, and Senate Bill No. 436 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Biddick, Britschgi, George E. Brown, Burke, Chapel, Conrad, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Grant, Hanna, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Pattee, Petris, Porter, Reagan, Rumford, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, and Winton—45

NOES—Beaver, Belotti, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Cunningham, Davis, Elliott, Gaffney, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Holmes, House, Kilpatrick, Lowrey, MacBride, Marks, Miller, Mulford, Munnell, Nisbet, O'Connell, Rees, Schrade, Shell, Unruh, and Z'berg—32.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 342**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H Wilson, Z'berg, and Mr. Speaker—71.

NOES—Bruce F. Allen—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 344**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Bill read third time.

**Demand for Previous Question**

Messrs. Dahl, Ernest R. Geddes, Schrade, Johnson, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of this bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Britschgi, George E. Brown, Burton, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Masterson, McMillan, Meyers, Mulford, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—51.

NOES—Bruce F. Allen, Burke, Busterud, Crawford, Donahoe, Samuel R. Geddes, Grant, Hanna, Lowrey, MacBride, Marks, Miller, Munnell, Nisbet, Reagan, Thelin, Unruh, and Winton—18.

Bill ordered transmitted to the Senate.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday May 4, 1959; Tuesday, May 5, 1959; Wednesday, May 6, 1959; Thursday, May 7, 1959; and Friday, May 8, 1959.

## EXPLANATIONS OF ABSENCE

May 13, 1959

I missed many roll calls during this morning's session because I had to present a bill before the Senate Governmental Efficiency Committee.

LOUIS FRANCIS

May 13, 1959

I missed several roll calls this morning due to appearing before a Senate Committee.

CHARLES W. MEYERS

May 13, 1959

I was absent from the Assembly Chamber part of this morning's session because I had to present one of my bills before a Senate committee.

TOM BANE

## ADJOURNMENT

At 11.25 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, May 14, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-SIXTH LEGISLATIVE DAY

NINETY-FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, May 14, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by Rev. I. E. Metcalf, Chaplain of the Senate:

*Our Father*, as we begin today's work we would remember the rich treasure of culture and achievement we have received from the past, for

"We are the owners of the sphere,
Of the seven stars of the solar year,
Of Caesar's hand and Plato's brain,
Of Lord Christ's heart and Shakespeare's strain."

Grant us to so work at our tasks, and live out our days, that we, too, may create something that will add to the values that make life good.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Cunningham, seconded by Mr. Reagan.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 349
Assembly Bill No. 1930
Assembly Bill No. 2006
Assembly Bill No. 2031

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1579
Assembly Bill No. 2423

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 31
Assembly Bill No. 1405
Assembly Bill No. 2053
Assembly Bill No. 2370
Assembly Bill No. 2408

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1044
Assembly Bill No. 2365
Assembly Bill No. 2371
Assembly Bill No. 2377
Assembly Bill No. 2388
Assembly Bill No. 2424
Assembly Bill No. 2429

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 119**—Approving amendments to the charter of the City of Tulare, a municipal corporation in the County of Tulare, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1959;

**Assembly Concurrent Resolution No. 120**—Approving amendments to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the seventh day of April, 1959;

And reports the same correctly enrolled, and presented to the Secretary of State on the thirteenth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1428**—An act to add Section 1091.1 to the Government Code, relating to interest of officers in contracts;

**Assembly Bill No. 1483**—An act to add Section 20450.5 to the Government Code, relating to contracts with the State Employees' Retirement System;

**Assembly Bill No. 1635**—An act to amend Section 2288 of the Business and Professions Code, relating to the healing arts;

**Assembly Bill No. 1641**—An act to amend Section 653 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county boards of education;

**Assembly Bill No. 1840**—An act to add Section 10055 to the Education Code, as enacted at the 1959 Regular Session, relating to high school textbooks;

**Assembly Bill No. 1916**—An act to add Section 25210.78i to the Government Code, relating to county service areas;

**Assembly Bill No. 1928**—An act to amend Section 13133 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to standards for issuance of teaching credentials;

**Assembly Bill No. 1929**—An act to amend Section 16051, and to repeal Section 16055, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to sale or lease of school real property;

**Assembly Bill No. 2152**—An act to amend Section 7172 of the Financial Code, relating to loans by savings and loan associations;

And reports the same correctly enrolled, and presented to the Governor on the thirteenth day of May, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Social Welfare

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 145

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Agriculture

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2166

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 741

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2435

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2102
Assembly Bill No 2103

With the recommendation: That the bills be re-referred to the Committee on Industrial Relations.

SAMUEL R. GEDDES, Chairman

Above bills re-referred to the Committee on Industrial Relations.

### Committee on Social Welfare

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2282

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2233

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 103

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2076
Assembly Bill No. 2412

With the recommendation: Do pass.

BELOTTI, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2307

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2077

With the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BELOTTI, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 99
Senate Bill No. 274

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2375

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1881

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 344

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 273
Senate Bill No. 349
Senate Bill No. 351
Senate Bill No. 352
Senate Bill No. 635
Senate Bill No. 657
Senate Bill No. 769

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 265
Assembly Bill No. 1494
Assembly Bill No. 1934
Assembly Bill No. 2021
Assembly Bill No. 2220
Assembly Bill No. 2289
Assembly Bill No. 2291

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1191
Assembly Bill No. 1249
Assembly Bill No. 1484
Assembly Bill No. 2007

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 72
Senate Bill No. 702

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1705
Assembly Bill No. 2339
Assembly Bill No. 2367
Assembly Bill No. 2430

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2151

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1174
Assembly Bill No. 1896

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 399

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2368

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2380

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1535
Assembly Bill No. 1536

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

| | |
|---|---|
| Assembly Bill No. 304 | Assembly Bill No. 1612 |
| Assembly Bill No. 1146 | Assembly Bill No. 1613 |
| Assembly Bill No. 1319 | Assembly Bill No. 1614 |
| Assembly Bill No. 1608 | Assembly Bill No. 1615 |
| Assembly Bill No. 1610 | Assembly Bill No. 1616 |
| Assembly Bill No. 1611 | Assembly Bill No. 1618 |

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2241

With the recommendation: Do pass.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 666
Assembly Bill No. 696
Assembly Bill No. 2341

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 205

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Bill No. 607
Senate Bill No. 458

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Bill No. 565

With amendments with the recommendation. Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1917
Senate Bill No. 1006

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2374

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 330
Assembly Joint Resolution No. 31

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.
Above resolution ordered on file.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No. 438
Senate Bill No. 865

With amendments with the recommendation Amend, and do pass, as amended.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

### Committee on Public Health

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 582

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 1253
Assembly Bill No. 2276
Assembly Bill No. 2335

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2434
Assembly Bill No. 1627
Assembly Bill No. 2386

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 337

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No 1024

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 572

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, May 14, 1959

MR SPEAKER Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2366

With amendments with the recommendation: Amend, and re-refer to the committee.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, May 14, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No 128

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 14, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No 65

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 14, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No 260

House Resolution No. 261

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 129

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1465

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

### *Committee on Education*

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2395

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

GARRIGUS, Vice Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1595
Assembly Bill No. 2376

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 21.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 75

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1675
Assembly Bill No. 1692

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2017
Assembly Bill No. 2160

With amendments with the recommendation: Amend, and do pass, as amended.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 724

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1594

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1532

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 13, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2486

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

GARRIGUS, Vice Chairman

**Assembly Bill No. 2486 Returned to Committee**

Speaker Brown announced that Assembly Bill No. 2486 was reported out of committee before 30 calendar days after its introduction had elapsed, and ordered the bill returned to the Committee on Education.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, May 13, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 353

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 369
Assembly Bill No. 559
Assembly Bill No. 657
Assembly Bill No. 774
Assembly Bill No. 775
Assembly Bill No. 776
Assembly Bill No. 777
Assembly Bill No. 779
Assembly Bill No. 780
Assembly Bill No. 781
Assembly Bill No. 783
Assembly Bill No 784
Assembly Bill No. 785
Assembly Bill No. 786
Assembly Bill No. 787
Assembly Bill No. 788
Assembly Bill No. 789
Assembly Bill No. 790
Assembly Bill No. 791
Assembly Bill No. 792
Assembly Bill No. 1628
Assembly Bill No. 793
Assembly Bill No. 794
Assembly Bill No. 795
Assembly Bill No 796
Assembly Bill No. 798
Assembly Bill No. 799
Assembly Bill No. 801
Assembly Bill No 816
Assembly Bill No. 848
Assembly Bill No. 849
Assembly Bill No 850
Assembly Bill No. 851
Assembly Bill No. 853
Assembly Bill No. 854
Assembly Bill No 855
Assembly Bill No. 856
Assembly Bill No. 857
Assembly Bill No 858
Assembly Bill No. 1049
Assembly Bill No. 1499

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 642
Senate Bill No. 765
Senate Bill No. 783

J. A. BEEK, *Secretary of the Senate*
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 49
Assembly Bill No. 195
Assembly Bill No 227
Assembly Bill No. 236
Assembly Bill No. 357
Assembly Bill No. 1186
Assembly Bill No. 1101

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE, CALIFORNIA LEGISLATURE, May 13, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*Sacramento*

DEAR SIR: I have been directed to request your honorable body to return Assembly Bill No. 614 to the Senate for further consideration by the Senate.

Very truly yours,

J. A. BEEK, Secretary of the Senate

## ASSEMBLY BILL NO. 614 ORDERED RETURNED TO SENATE

Mr. Bradley was granted unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 614 from the Committee on Engrossment and Enrollment, and return it to the Senate pursant to the above request.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 11
Senate Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Constitutional Amendment No. 11**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4e to Article VI thereof, relating to the appellate jurisdiction of the district courts of appeal.

Referred to Committee on Constitutional Amendments.

**Senate Joint Resolution No. 24**—Relative to timber on national forest lands.

~~Referred to Committee on Natural Resources, Planning, and Public Works.~~

NOTE—Later this day the reference of Senate Joint Resolution No. 24 to committee was rescinded. *See* page 3672.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 13, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 710
Senate Bill No. 719
Senate Bill No. 904
Senate Bill No. 1068
Senate Bill No. 1143
Senate Bill No. 1156

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 710**—An act to add Article 9 (commencing at Section 50230) to Chapter 1, Part 1, Division 1, Title 5 of the Government Code, relating to abandoned excavations.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 719**—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

**Senate Bill No. 904**—An act to add Section 7615 to the Public Utilities Code, relating to railroad equipment.

Referred to Committee on Industrial Relations.

**Senate Bill No. 1068**—An act creating the Mojave-Antelope Water Agency and prescribing its boundaries, organization, operation, management, financing and other powers and duties of the agency.

Referred to Committee on Water.

**Senate Bill No. 1143**—An act to amend Section 533 of the Public Utilities Code, relating to safety inspection of common carriers.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1156**—An act to amend Sections 821.55, 822, 823.7, and 829.6 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Referred to Committee on Agriculture.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent that consideration of Senate Concurrent Resolution No. 74, Item 49 on the Senate second reading file, be temporarily passed on file.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files, with the exception of Senate Concurrent Resolution No. 74, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2368, 2031, 1930, 349, 2380, 2398,** and **2006.**

**Senate Bills Nos. 943** and **399.**

Assembly Bills Nos. 2368, 2031, 1930, 349, and 2006 ordered to third reading.

Assembly Bill No. 2380 ordered to the Consent Calendar.

Assembly Bill No. 2398 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bill No. 943 ordered to third reading.

Senate Bill No. 399 ordered to the Consent Calendar.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2400**—An act relating to certain lands located within the subsidence area of a portion of the Long Beach Harbor District and providing for the extension, amendment and modification of existing contracts, royalty arrangements and other agreements, for the production of oil, gas and other hydrocarbon substances from such lands, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

#### Amendment No. 1

On page 2, line 3, of the printed bill, after "necessary", strike out ", and".

**Amendment No. 2**

On page 2, strike out lines 36 and 37, and insert "nated, known, and described as Parcel "A," recorded August 15, 1947, in Book 24847 at page 252, Parcels "W," "X," "Y," and "Z," recorded March 29, 1939, in Book 16537 at page 8, in Book 16526 at page 38, in Book 16446 at page 343 and in Book 16512 at page 109, respectively; as Parcel "Z-1," recorded January 9, 1942, in Book 19076 at page 50; and as Parcel "J," recorded December 18, 1944, in Book 21499 at page 196, all in the Official Records in the office of the County Recorder of Los Angeles County."

**Amendment No. 3**

On page 3, strike out lines 4 to 6, inclusive; and in line 7 strike out "area."

**Amendment No. 4**

On page 3, line 9, strike out "such lands", and insert "the lands within the boundaries of the Long Beach Harbor District where there has been subsidence endangering life, property, and health".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2163**—An act to amend Sections 50704, 51323, 53000, and 53042 of, and to add Section 53005 to, the Water Code, relating to reclamation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

**Amendment No. 1**

On page 1, in lines 5 and 6 of the printed bill, as amended in the Assembly on April 23, 1959, strike out ", as defined in Section 104 of the Revenue and Taxation Code,".

**Amendment No. 2**

On page 1, between lines 8 and 9, insert

"If the land in the district is assessed to 500 or more different individual, joint, or corporate owners, is located entirely within one county, has a total acreage within the district of 3,750 acres, or less, and has a total assessed valuation of land, mineral rights, and improvements in excess of one million dollars ($1,000,000), all as shown by the next preceding county tax roll of the county in which the district is located, each owner in the district may vote at any election in person or by proxy, and may cast one vote for each dollar's worth of real estate, as defined in Section 104 of the Revenue and Taxation Code, owned by him in the district, as determined from the next preceding tax roll of the county in which the district is situated."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Assembly Bill No. 1407**—An act to add Section 653j to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 2, line 19, of the printed bill, as amended in the Assembly on April 22, 1959, after "640", insert a comma; and in line 20, strike out "or Section 653h", and insert "Section 653h or 653i".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1960**—An act to add Section 2708.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "is", strike out the balance of that line; and strike out all of lines 4, 5, 6, and insert "entitled to receive unemployment compensation disability benefits reduced by the amount of temporary workmen's compensation received for any day under Section 2629 of this code, it shall not be necessary that he obtain a certificate of a physician as required by Section 2708 to receive the reduced amount of disability benefits for such day, provided that the claimant submits evidence to the department of receipt of temporary disability benefits under a workmen's compensation law for such day.

SEC. 2. The provisions of Section 2708.1 of the Unemployment Insurance Code as added by Section 1 of this act shall become operative with respect to periods of disability commencing on and after January 1, 1960."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2158**—An act to add Sections 2805, 2805.1, 2805.2, 2805.3, and 2805.4 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

**Amendment No. 1**

On page 2, line 17, of the printed bill, as amended in the Assembly on May 5, 1959, after "refunds", insert ", administrative expenses".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2320**—An act to add Section 23958.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2355**—An act to amend Section 25611 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2348**—An act to amend Sections 3301, 3302, 3305, 3306, and 3320 of, and to add Section 3320.5 to, the Penal Code, relating to the Department of Corrections and agencies therein.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2350**—An act to amend Sections 6851, 6860, 6861, 6864, 6866, 6867, 6875, 6878, 6885, 6886, 6887, 6888, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6930, 6931, 6948, 6949, 6950, 6951, 6955, and 6956 of the Business and Professions Code, relating to transferring and administration of the law regulating collection agencies from the Office of the

Secretary of State to the Department of Professional and Vocational Standards.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2155**—An act to amend Sections 23816, 23821, and 23954.5 of, and to add Section 24072.3 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "2,000", and insert "1,500".

**Amendment No. 2**

On page 1, line 11, strike out "2,000", and insert "1,500".

**Amendment No. 3**

On page 2, line 13, strike out "2,000", and insert "1,500".

**Amendment No. 4**

On page 2, lines 23 and 24, strike out "ten thousand dollars ($10,000)", and insert "six thousand dollars ($6,000)".

**Amendment No. 5**

On page 2, lines 29 and 30, strike out "seventy-five hundred dollars ($7,500)", and insert "four thousand five hundred dollars ($4,500)".

**Amendment No. 6**

On page 3, lines 6 and 7, strike out "five thousand dollars ($5,000)", and insert "two thousand five hundred dollars ($2,500)".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2196**—An act to repeal Division 7 commencing with Section 8600 of the Public Resources Code, relating to public recreation and providing for abolishing the Recreation Commission and the Office of Director of Recreation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "of", insert ", and to add Section 503.5 to,".

**Amendment No. 2**

In line 4 of the title, after "Recreation", insert ", and making an appropriation".

**Amendment No. 3**

On page 1, after line 10, insert

"SEC. 3. Section 503.5 is added to said code, to read:

503.5. The director shall appoint a consultant on recreation who is technically trained and has adequate experience in the field of public recreation. The consultant on recreation shall receive an annual salary of eleven thousand four hundred dollars ($11,400). It shall be his duty to advise the director on matters of public recreation and to co-ordinate any activities of the department with other federal, state and local agencies in the field of public recreation. He shall perform such other duties and functions as may be imposed by law or by order of the director.

SEC. 4. There is hereby appropriated to the Department of Natural Resources from the General Fund the sum of twenty-five thousand dollars ($25,000) for additional support of the department in carrying out the provisions of this act."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 438**—An act to amend Section 311 of the Fish and Game Code, relating to salmon fishing.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2413**—An act to amend Section 4002 of the Fish and Game Code, relating to taking fur-bearing mammals.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2414**—An act to amend Section 2005 of the Fish and Game Code, relating to the taking of fish and game.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Fish and Game, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "2", and insert "3".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1592**—An act to create a flood control district to be called Siskiyou County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "consisting of all the", and insert "and the boundaries and territory of the district are as follows:
All of that".

**Amendment No. 2**

On page 1. line 5, strike out "thereof.", and insert "thereof, exclusive of the area in Siskiyou County within the Upper Klamath River Basin, as delineated on the Official Map of the Upper Klamath River Basin approved September 6, 1956, and made a part of the Klamath River Basin Compact between the States of Oregon and California, ratified by said states on April 17, 1957."

**Amendment No. 3**

On page 9, between lines 34 and 35, insert

"SEC. 8.5. Land may be annexed to the district on petition of 10 percent of the qualified electors in the area to be annexed in the manner provided in Article 8 (commencing with Section 58230) Chapter 1, Division 1, Title 6 of the Government Code. An election on such annexation shall be held if 30 percent or more of the qualified voters in the area to be annexed protest such annexation."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1135**—An act to amend Section 7050 of, and to add Section 7054 to, the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2245**—An act to add Section 986.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to executive sessions to consider school sites.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 163**—An act to add Section 4302.6 to the Government Code, relating to the purchase, by public agencies, of printing presses not manufactured in the United States.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 158**—An act to add Section 7032 to the Business and Professions Code, relating to contractors' licenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on February 26, 1959, after "contractor", insert ", when such person has obtained a license in the city or county which he lists as his principal place of business if that city or county requires a license from such person".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1018**—An act to amend Sections 5054, 5055, 5055.1, 5057, 5058.2, 7726, 7727, 7727.1, 7727.2, 7729, 7731.2 and 7779 of, and to repeal Sections 5056 and 7728 of, the Education Code, and to amend Sections 19430, 19431, 19432, 19434, 19438, 19601, 19602, 19603, 19604, 19607, 19613 and 19663 of, and to repeal Sections 19433 and 19606 of, the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 to 7, inclusive, of the title of the printed bill, and insert "An act to repeal Sections 19430, 19431, 19432, 19433, 19434, 19601, 19602, 19603, 19604, 19606, and 19607 of, to add Sections 19430, 19431, 19432, 19433, 19601, 19602, 19603 and 19604 to, and to amend Sections 19438, 19613, and 19663 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state school".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 19430 of the Education Code as enacted by the Legislature at its 1959 Regular Session is hereby repealed.

~~19430. On or before the first day of January of each fiscal year, the State Controller shall compute for each grade level of a district for which an apportionment has been made during any preceding fiscal year the amount that would be produced by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of assessed valuation for the current fiscal year within the district. Such amount is designated as the "first computation."~~

SEC. 2. Section 19431 of said code is hereby repealed.

~~19431. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine and certify to the State Controller the amount raised and to be raised by the district during the current fiscal year for the repayment of principal and interest on that portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the making of the first apportionment to said district under the provisions of this chapter (Sections 19401 to 19486, inclusive), which amount is designated as the "second computation." The Director of Finance shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level. When one or more additional apportionments have been made to a grade level of a school district, conditioned upon the issuance and sale of additional bonds of the district, the Director of Finance shall determine and include in his certificate the amount raised and to be raised by the district during the current fiscal year for the payment of principal and interest on that portion of the additional bonded indebtedness of the district that was incurred for each such grade level as a condition to receiving such additional apportionment, and such amount so certified shall be included in the "second computation," as herein defined.~~

SEC. 3. Section 19432 of said code is hereby repealed.

~~19432. If the Director of Finance determines in any fiscal year that the amount certified to the State Controller as the "second computation" during the next preceding fiscal year is more or less than the amount actually raised by the district for the repayment of principal and interest of the bonded indebtedness referred to in Section 19431, then the Director of Finance shall add to, or subtract from, the amount computed as the "second computation" for the current fiscal year, as the case may require, an amount equal to the difference between the amount actually~~

~~raised by the district for the repayment of such bonded indebtedness and the amount so certified by the Director of Finance.~~

SEC. 4. Section 19433 of said code is hereby repealed.

~~19433. With respect to each grade level of a district referred to in Sections 19430 and 19431, the amount of the "second computation" which is not in excess of one-third of the "first computation" is hereby designated as the "third computation."~~

SEC. 5. Section 19434 of said code is hereby repealed.

~~19434. On or before the first day of January of each fiscal year, the State Controller shall compute the "annual" repayment, if any, due from each district during the next succeeding fiscal year as herein provided. If, for any grade level of a district, the amount, if any, by which the second computation exceeds the third computation is greater than the first computation, the amount of such excess, herein called a "negative difference," shall be disregarded, and no reimbursement shall be due the State from such district with respect to such grade level during the next succeeding fiscal year. If, for any grade level of a district, the amount of the first computation is greater than the amount, if any, by which the second computation exceeds the third computation, the amount of such excess, herein called a "positive difference," shall constitute the amount of reimbursement due the State from such district with respect to such grade level during the next succeeding fiscal year. The sum of the "positive differences" so computed for all grade levels having a "positive difference" within each district is herein designated as the "annual repayment" of such district.~~

SEC. 6. Section 19430 is added to said code, to read:

19430. The following definitions apply to the computations and determinations required to be made under Sections 19431, 19432, and 19433, and they apply with respect to each grade level of a district for which grade level an apportionment has become final during any preceding fiscal year.

(a) "Forty-cent tax amount" means the amount that would be produced by a tax of forty cents ($0.40) on each one hundred dollars ($100) of assessed valuation, excluding the assessed valuation of solvent credits and other intangible property, for the current fiscal year within the district;

(b) "Thirty-cent tax amount" means the amount that would be produced by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of such assessed valuation; and

(c) "Ten-cent tax amount" means the amount that would be produced by a tax of ten cents ($0.10) on each one hundred dollars ($100) of such assessed valuation.

(d) "Eligible bonded debt service" means the amount raised and to be raised by the district during the current fiscal year for the repayment of principal and interest on the portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the date of the first final apportionment for such grade level to said district under the provisions of this chapter, computed as provided in Section 19431.

SEC. 7. Section 19431 is added to said code, to read:

19431. On or before the first day of December of each fiscal year, the Director of Finance shall determine for each grade level and certify

to the State Controller the eligible bonded debt service for the district, as follows:

(a) He shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level. When one or more additional apportionments have been made to a grade level of a school district, conditioned upon the issuance and sale of additional bonds of the district, the Director of Finance shall determine and include in the eligible bonded debt service and in his certificate the amount raised and to be raised by the district during the current fiscal year for the payment of principal and interest on that portion of the additional bonded indebtedness of the district that was incurred for each such grade level as a condition to receiving such additional apportionment.

(b) If the Director of Finance determines in any fiscal year that the amount certified to the State Controller as the eligible bonded debt service during the last preceding fiscal year is more than the amount actually raised by the district for the repayment of principal and interest of the bonded indebtedness referred to in subdivision (d) of Section 19430 and subdivision (a) of this section, then the Director of Finance shall subtract from the amount determined as the eligible bonded debt service for the current fiscal year an amount equal to the difference between the amount actually raised by the district during the preceding fiscal year for the repayment of such bonded indebtedness and the amount so certified by the Director of Finance.

(c) If the Director of Finance determines in any fiscal year that the amount certified to the State Controller as the eligible bonded debt service during the last preceding fiscal year is less than the amount actually raised by the district for the repayment of principal and interest of the bonded indebtedness referred to in subdivision (d) of Section 19430 and subdivision (a) of this section, then the Director of Finance shall add to the amount determined as the eligible bonded debt service for the current fiscal year an amount equal to the difference between the amount actually raised by the district during the preceding fiscal year for the repayment of such bonded indebtedness and the amount so certified by the Director of Finance

SEC. 8. Section 19432 is added to said code, to read:

19432. On or before the first day of January of each fiscal year, the State Controller shall compute for each grade level of a district for which grade level an apportionment has become final during any preceding fiscal year the 40-cent tax amount, the 30-cent tax amount and the 10-cent tax amount.

SEC. 9. Section 19433 is added to said code, to read:

19433. On or before the first day of January of each fiscal year the State Controller shall determine the annual repayment, if any, to be due from each district during the next succeeding fiscal year, as follows:

(a) If, for any grade level of a district, the amount of the eligible bonded debt service exceeds the 40-cent tax amount, no annual repayment shall be due the State from such district with respect to such grade level during the next succeeding fiscal year.

(b) If, for any grade level of a district, the 40-cent tax amount is greater than the eligible bonded debt service, the amount of such excess shall constitute the annual repayment due the State with respect to such grade level during the next succeeding fiscal year; except that if the eligible bonded debt service is less than the 10-cent tax amount, the annual repayment shall equal the 30-cent tax amount.

(c) The total repayment from each district is the sum of the annual repayments determined for each grade level of the district under this section.

SEC. 10. Section 19438 of said code is amended to read:

19438. (a) Upon request of the district, the Controller shall use in computing the ~~"first computation"~~ *"40-cent, 30-cent, and 10-cent tax amounts"* under Section ~~19430~~ *19432* the difference between the total assessed valuation of property in a district as shown on the equalized assessment roll for the current fiscal year and the assessed valuation of property as shown on the equalized assessment roll for the current fiscal year, in excess of 2 percent of such total assessed valuation, with respect to which revenues of the district taxes levied in the 1954-1955 Fiscal Year, or thereafter, have been impounded by the county auditor pursuant to Section 20901. If such a request is received prior to August 1, 1955, with respect to the impounding of revenues of taxes levied during the 1954-1955 Fiscal Year, the Controller shall recompute the annual repayment of the district due during the 1955-1956 Fiscal Year on the basis of such reduced assessed valuation, and, on or before September 1, 1955, notify the officers and board referred to in Section 19442 of such recomputed annual repayment for the 1955-1956 Fiscal Year, and of the recomputed amount to be deducted from the State School Fund apportionment to such district during the 1955-1956 Fiscal Year.

(b) Whenever, after July 1, 1955, the county auditor notifies the Superintendent of Public Instruction and the Controller of the release of impounded tax revenues to the school district, the Controller shall add to the annual repayment of the district, for the first fiscal year or second fiscal year next succeeding that in which such notification of release was made, that amount by which the annual repayment of the district for a previous fiscal year was reduced by reason of the exclusion of assessed valuation with respect to tax revenues impounded and thereafter released.

(c) The amount of annual repayment and deduction, increased or reduced as required by this section, shall be the amount deducted by the Controller for the purposes of Sections 19436, 19442, and 19443 for the fiscal year in which such increase or reduction occurs.

(d) If a request is received from a school district and an annual repayment reduced pursuant to subdivision (a) hereof, Section 19437 shall not apply with respect to any tax revenues to which subdivision (a) applies.

SEC. 11. Section 19601 of said code is hereby repealed.

~~19601. On or before the first day of January of each fiscal year, the State Controller shall compute for each grade level of a district for which an apportionment has been made and has become final during any preceding fiscal year the amount that would be produced by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of assessed~~

~~valuation, excluding the assessed valuation of solvent credits and other intangible property, for the current fiscal year within the district. Such amount is designated as the "first computation."~~

SEC. 12. Section 19602 of said code is hereby repealed.

~~19602. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine for each such grade level and certify to the State Controller the amount raised and to be raised by the district during the current fiscal year for the repayment of principal and interest on that portion of the bonded indebtedness of the district that was incurred for the grade level prior to the making of the conditional apportionment plus that portion which the board, in the conditional apportionment, required the district to incur prior to the date on which the first apportionment made to said district under the provisions of this chapter (Sections 19551 to 19589, inclusive) became final, which amount is designated as the "second computation." The Director of Finance shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level. When one or more additional apportionments have been made to a grade level of a school district, conditioned upon the issuance and sale of additional bonds of the district. or upon the requirement that the proceeds of bonds issued and sold be contributed for the purposes of the application for which the apportionment is made, the Director of Finance shall determine and include in his certificate the amount raised and to be raised by the district during the current fiscal year for the payment of principal and interest on that portion of the additional bonded indebtedness of the district that was incurred for each such grade level as a condition to receiving such additional apportionment or which was incurred for bonds issued and sold, the proceeds of which were required to be contributed for purposes for which the apportoinment was made, and such amount so certified shall be included in the "second computation," as herein defined.~~

SEC. 13. Section 19603 of said code is hereby repealed.

~~19603. If an apportionment has been made to a district for a grade level for which the district also received an apportionment pursuant to Chapter 8 (Sections 19401 to 19486, inclusive), the Controller shall determine the amount of the positive difference, if any, due from the district during the next succeeding fiscal year for such grade level as required by Chapter 8 (Sections 19401 to 19486, inclusive) and such amount shall be included by the Controller in the second computation.~~

SEC. 14. Section 19604 of said code is hereby repealed.

~~19604. If the Director of Finance determines in any fiscal year that the amount certified to the State Controller as the "second computation" during the next preceding fiscal year is more or less than the amount actually raised by the district for the repayment of principal and interest of the bonded indebtedness referred to in Section 19602, then the Director of Finance shall add to, or subtract from, the amount computed as the "second computation" for the current fiscal year, as the case may require, an amount equal to the difference between the~~

~~amount actually raised by the district for the repayment of such bonded indebtedness and the amounts so certified by the Director of Finance.~~

SEC. 15. Section 19606 of said code is hereby repealed.

~~19606. With respect to each grade level of a district referred to in Sections 19601 and 19602, the amount of the "second computation" which is not in excess of one-third of the "first computation" is hereby designated as the "third computation."~~

SEC. 16. Section 19607 of said code is hereby repealed.

~~19607. On or before the first day of January of each fiscal year, the State Controller shall compute the "annual" repayment, if any, due from each district during the next succeeding fiscal year as herein provided. If, for any grade level of a district, the amount, if any, by which the second computation exceeds the third computation is greater than the first computation, the amount of such excess, herein called a "negative difference," shall be disregarded, and no reimbursement shall be due the State from such district with respect to such grade level during the next succeeding fiscal year. If, for any grade level of a district, the amount of the first computation is greater than the amount, if any, by which the second computation exceeds the third computation, the amount of such excess, herein called a "positive difference," shall constitute the amount of reimbursement due the State from such district with respect to such grade level during the next succeeding fiscal year. The sum of the "positive difference" so computed for all grade levels having a "positive difference" within each district is herein designated as the "annual repayment" of such district.~~

SEC 17. Section 19601 is added to said code, to read:

19601. The following definitions apply to the computation and determinations required to be made under Sections 19602, 19603, and 19604 of this code, and they apply with respect to each grade level of a district for which grade level an apportionment has become final during any preceding fiscal year.

(a) "Forty-cent tax amount" means the amount that would be produced by a tax of forty cents ($0.40) on each one hundred dollars ($100) of assessed valuation, excluding the assessed valuation of solvent credits and other intangible property, for the current fiscal year within the district;

(b) "Thirty-cent tax amount" means the amount that would be produced by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of such assessed valuation; and

(c) "Ten-cent tax amount" means the amount that would be produced by a tax of ten cents ($0.10) on each one hundred dollars ($100) of such assessed valuation

(d) "Eligible bonded debt service" means the amount raised and to be raised by the district during the current fiscal year for the repayment of principal and interest on the portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the making of the first apportionment for such grade level to said district under the provisions of this chapter computed as provided in Section 19602 plus the amount of the annual repayment under Chapter 8 (Section 19401 to 19486, inclusive).

SEC. 18. Section 19602 is added to said code, to read:

19602. On or before the first day of December of each fiscal year, the Director of Finance shall determine for each grade level and certify to the State Controller the eligible bonded debt service for the district, as follows:

(a) He shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level. When one or more additional apportionments have been made to a grade level of a school district, conditioned upon the issuance and sale of additional bonds of the district or upon the requirement that the proceeds of bonds issued and sold be contributed for the purposes of the application for which the apportionment is made, the Director of Finance shall determine and include in the eligible bonded debt service and in his certificate the amount raised and to be raised by the district during the current fiscal year for the payment of principal and interest on that portion of the additional bonded indebtedness of the district that was incurred for each such grade level as a condition to receiving such additional apportionment or which was incurred for bonds issued and sold, the proceeds of which were required to be contributed for purposes for which the apportionment was made.

(b) If the Director of Finance determines in any fiscal year that the amount certified to the State Controller as the eligible bonded debt service during the last preceding fiscal year is more than the amount actually raised by the district for the repayment of principal and interest of the bonded indebtedness referred to in subdivision (d) of Section 19601 and subdivision (a) of this section, then the Director of Finance shall subtract from the amount determined as the eligible bonded debt service for the current fiscal year an amount equal to the difference between the amount actually raised by the district during the preceding fiscal year for the repayment of such bonded indebtedness and the amount so certified by the Director of Finance.

(c) If the Director of Finance determines in any fiscal year that the amount certified to the State Controller as the eligible bonded debt service during the last preceding fiscal year is less than the amount actually raised by the district for the repayment of principal and interest of the bonded indebtedness referred to in subdivision (d) of Section 19601 and subdivision (a) of this section, then the Director of Finance shall add to the amount determined as the eligible bonded debt service for the current fiscal year an amount equal to the difference between the amount actually raised by the district during the preceding fiscal year for the repayment of such bonded indebtedness and the amount so certified by the Director of Finance.

(d) If an apportionment has been made to a district for a grade level for which the district also received an apportionment pursuant to Chapter 8 (Sections 19401 to 19486, inclusive), the Controller shall determine the amount of the annual repayment, if any, due from the district during the next succeeding fiscal year for such grade level as required by Chapter 8 (Sections 19401 to 19486, inclusive) and such amount shall be included by the Controller in the eligible bonded debt service of the district for that grade level.

SEC. 19. Section 19603 is added to said code, to read:

19603. On or before the first day of January of each fiscal year, the State Controller shall compute for each grade level of a district for which grade level an apportionment has become final during any preceding fiscal year the 40-cent tax amount, the 30-cent tax amount and the 10-cent tax amount.

SEC. 20. Section 19604 is added to said code, to read:

19604. On or before the first day of January of each fiscal year the State Controller shall determine the annual repayment, if any, to be due from each district during the next succeeding fiscal year, as follows:

(a) If, for any grade level of a district, the amount of the eligible bonded debt service exceeds the 40-cent tax amount, no annual repayment shall be due the State from such district with respect to such grade level during the next succeeding fiscal year.

(b) If, for any grade level of a district, the 40-cent tax amount is greater than the eligible bonded debt service, the amount of such excess shall constitute the annual repayment due the State with respect to such grade level during the next succeeding fiscal year; except that if the eligible bonded debt service is less than the 10-cent tax amount, the annual repayment shall equal the 30-cent tax amount.

(c) The total repayment for each district is the sum of the annual repayments determined for each grade level of the district under this section."

**Amendment No. 3**

On page 1, strike out lines 2 to 15, inclusive; strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11; and on page 12, strike out lines 1 to 7, inclusive, and insert "SEC. 21. Section 19613 of said code is amended to read:".

**Amendment No. 4**

On page 12, strike out line 48, and insert "SEC 22. Section 19663 of said code is amended".

**Amendment No. 5**

On page 13, line 6, strike out "19606, 19607", and insert "19603, 19604".

**Amendment No. 6**

On page 13, strike out lines 11 to 16, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1591**—An act to add Sections 4102.2, 4102.4, 4102.6, 4102.7, 4102.8, 4102.10, and 4109 to the Government Code, relating to subcontract bidding on public work or improvements.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 23, 1959, strike out "4102.10, and 4109", and insert "and 4102 10".

**Amendment No. 2**

On page 3, line 14, strike out "not".

**Amendment No. 3**

On page 3, line 15, after "authority", insert ", and the subcontractor shall perform the work, but the failure to submit to the awarding authority a copy of the bid as required by this chapter shall be a cause for disciplinary action pursuant to the law regulating the practice of contracting (Chapter 9, commencing at Section 7000, Division 3, of the Business and Professions Code)".

**Amendment No. 4**

On page 3, strike out lines 36 to 43, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1904**—An act to add Chapter 20 (commencing at Section 9800) to Division 3 of the Business and Professions Code, relating to the creation of a California State Board of Building Designers, prescribing its organization, powers and duties, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out "California State Board", and insert "Bureau".

**Amendment No. 2**

On page 2, line 6, strike out "may", and insert "shall".

**Amendment No. 3**

On page 2, strike out line 7, and insert

"9804. "Bureau" refers to the Bureau of Building Designers.
9805. "Registrar" refers to the Registrar of the Bureau of Building Designers.
9806. "Board" refers to the California Advisory Board of".

**Amendment No. 4**

On page 2, line 9, strike out "9805", and insert "9807".

**Amendment No. 5**

On page 2, strike out lines 22 to 32, inclusive; and on page 3, strike out lines 1 to 27, inclusive, and insert

"9810. There is in the Department of Professional and Vocational Standards a Bureau of Building Designers under the control of the Registrar of the Bureau of Building Designers.

9811. The registrar shall be appointed and his compensation shall be fixed by the Director of Professional and Vocational Standards in accordance with the State Civil Service Act (Part 2 (commencing at Section 18500) of Division 5 of Title 2 of the Government Code).

The duty of enforcing and administering this chapter is vested in the registrar and he is responsible to the director therefor.

9812. In accordance with the State Civil Service Act (Part 2 (commencing at Section 18500) of Division 5 of Title 2 of the Government Code) the director may appoint and fix the compensation of such inspectors, investigators and other personnel as may be necessary for the administration of this chapter.

9813. Except as qualified by this chapter the registrar has all the powers and duties of a head of a department under Chapter 2 (commencing at Section 11150) of Part 1 of Division 3 of Title 2 of the Government Code.

9814. With the approval of the director, the registrar may adopt rules and regulations necessary for the administration of this chapter and declaring the policy of the bureau.

9815. All rules and regulations shall become effective not earlier than 30 days after approval by the director, and upon compliance with the procedure provided in Chapter 4 (commencing at Section 11370) of Part 1 of Division 3 of Title 2 of the Government Code.

9816. There is in the bureau a California Advisory Board of Building Designers, which consists of five members appointed by the Governor.

9817 Three members of the board shall be persons actively engaged in the business of building designing.

9818. Each member of the board shall have been a citizen and a resident of the State of California for at least five years immediately preceding his appointment, and shall be at least 30 years of age and of good character

9819 Members of the board shall be appointed for a term of four years and they shall hold office until the appointment and qualification of their successors

The terms of the members first appointed to the board shall expire as follows: one member, June 30, 1960; one member, June 30, 1961; one member, June 30, 1962; and two members, June 30, 1963.

Vacancies occurring in the membership of the board for any cause shall be filled by appointment for the balance of the unexpired term

No member shall serve more than two terms of office.

9820. The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty.

9821. The board shall meet in January, April, July and October of each year, and at such other times as it may determine

Three members shall constitute a quorum for the transaction of business

The board shall elect from its members, each for a term of one year, a chairman and a vice chairman, and may appoint such committees as it deems necessary to carry out its duties.

9822 The registrar shall serve ex officio as the secretary of the board, but shall not be a member of the board.

9823. Each member of the board shall serve without compensation except that he shall be reimbursed for his traveling expenses necessarily incurred in the performance of his duties.

9824. The board shall:

(a) Inquire into the needs of the building designing industry, the functions of the bureau and the matter of the policy thereof, and make such recommendations with respect thereto as, after consideration, may be deemed important and necessary for the welfare of the State and the welfare of the building designing industry

(b) Confer and advise with the director as to how the bureau may best serve the State, the public, and the building designing industry.

(c) Consider and make appropriate recommendations on its own initiative as to changes in, or additions to or deletions of rules and regulations which the chief has adopted as, after consideration, may be deemed important and necessary.

(d) Consider the method of conduct of examinations.

(e) Consider and make appropriate recommendations in all matters submitted to it by the director or the registrar.

(f) Confer and advise with the registrar in the preparation of any rules and regulations to be adopted, amended or repealed.

(g) Assist the registrar in the collection of such necessary information and data as the registrar may deem necessary to the proper administration of this chapter."

**Amendment No. 6**

On page 5, line 17, strike out "board on the form prescribed by it", and insert "registrar on the form prescribed by him".

**Amendment No. 7**

On page 5, line 20, strike out "board", and insert "registrar".

**Amendment No. 8**

On page 5, line 22, strike out "board", and insert "registrar".

**Amendment No. 9**

On page 5, line 24, strike out "board", and insert "registrar".

**Amendment No. 10**

On page 5, strike out lines 39 and 40.

**Amendment No. 11**

On page 5, line 41, strike out "9854", and insert "9853".

**Amendment No. 12**

On page 5, line 42, strike out "board", and insert "registrar".

**Amendment No. 13**

On page 5, strike out lines 44 to 46, inclusive, and insert "chapter, the registrar shall issue a certificate to the applicant showing that the person named therein passed".

**Amendment No. 14**

On page 5, strike out line 50, and insert

"9854. The registrar may deny or refuse to issue a certificate".

**Amendment No. 15**

On page 6, line 3, strike out "9856", and insert "9855".

**Amendment No. 16**

On page 6, line 6, strike out "9857", and insert "9856".

**Amendment No. 17**

On page 6, line 9, strike out "of the board", and insert "adopted pursuant to this chapter".

**Amendment No. 18**

On page 6, strike out line 12, and insert
"9857. The registrar may on his own motion, and shall upon".

**Amendment No. 19**

On page 6, line 19, strike out "9859", and insert "9858".

**Amendment No. 20**

On page 6, line 23, strike out "board", and insert "registrar".

**Amendment No. 21**

On page 6, line 24, strike out "9860", and insert "9859".

**Amendment No. 22**

On page 6, line 25, strike out "board", and insert "registrar".

**Amendment No. 23**

On page 6, line 27, strike out "board", and insert "registrar".

**Amendment No. 24**

On page 6, line 31, strike out "board may at its", and insert "registrar may at his"

**Amendment No. 25**

On page 6, line 33, strike out "9861", and insert "9860".

**Amendment No. 26**

On page 6, line 36, strike out "9862", and insert "9861".

**Amendment No. 27**

On page 6, line 40, strike out "9863", and insert "9862".

**Amendment No. 28**

On page 6, line 44, strike out "9864", and insert "9863".

**Amendment No. 29**

On page 6, line 47, strike out "9865", and insert "9864".

**Amendment No. 30**

On page 6, line 50, strike out "9866", and insert "9865".

**Amendment No. 31**

On page 7, line 1, strike out "9867", and insert "9866".

**Amendment No. 32**

On page 7, line 8, strike out "9868", and insert "9867".

**Amendment No. 33**

On page 7, line 18, strike out "board it", and insert "registrar he".

**Amendment No. 34**

On page 7, line 19, strike out "board", and insert "registrar".

**Amendment No. 35**

On page 7, line 20, strike out "it", and insert "he".

**Amendment No. 36**

On page 7, line 21, strike out "it", and insert "he".

**Amendment No. 37**

On page 7, line 29, strike out "board", and insert "registrar".

**Amendment No. 38**

On page 7, line 32, strike out "9868.5", and insert "9868".

**Amendment No. 39**

On page 7, line 34, strike out "board", and insert "registrar".

**Amendment No. 40**

On page 7, line 50, strike out "three dollars ($3)", and insert "ten dollars ($10)".

**Amendment No. 41**

On page 8, line 7, strike out "board", and insert "registrar".

**Amendment No. 42**

On page 8, line 14, strike out "board", and insert "registrar".

**Amendment No. 43**

On page 8, line 25, strike out "board", and insert "registrar".

**Amendment No. 44**

On page 8, line 30, strike out "California State Board", and insert "Bureau".

**Amendment No. 45**

On page 8, line 32, strike out "California State Board", and insert "Bureau".

**Amendment No. 46**

On page 8, line 35, strike out "board", and insert "bureau".

**Amendment No. 47**

On page 8, line 46, strike out "board", and insert "registrar".

**Amendment No. 48**

On page 8, line 47, strike out "board", and insert "registrar".

**Amendment No. 49**

On page 8, line 48, strike out "board", and insert "registrar".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2100**—An act to add Section 12025.5 to the Business and Professions Code, relating to containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 19, inclusive, and insert

"12025.5. Whenever any commodity or any container is ordered off sale under the provisions of Section 12211 or Section 12606.1 of this division, the sealer shall cause the commodity or container affected by such off sale order to be identified by a tag or other suitable device with the words "off sale." No person shall remove or obliterate any such tag or device placed upon such commodity or container or in any way dispose of such commodity or container before it has been released in writing by the sealer or as otherwise provided in this section.

By order of the justice, municipal, or superior court of the city or county within which the commodity or container is ordered off sale, the commodity or container so marked shall be condemned and destroyed or released upon such conditions as the court may impose to insure against their use in violation of this division. The contents of any condemned container shall be returned to the owner thereof if he furnishes proper facilities for such return."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2308**—An act authorizing the State Lands Commission to exchange the interest of the State in parcels of land in the vicinity of San Francisco Bay for the interest of persons in other parcels of land in the vicinity of San Francisco Bay for the purposes of commerce, navigation and reclamation and the settlement of titles and boundaries and providing for actions against the State to quiet title to the lands exchanged, and authorizing actions to quiet title against the State the lands conveyed by the State pursuant to Chapter 353 of the Statutes of 1955.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, following line 34, insert

"SEC. 4. The exchange herein authorized shall be deemed a compromise agreement entered into under Division 6 of the Public Resources Code as said term is used in Section 6401 of the Public Resources Code and the provisions of Chapter 5, Part 1, Division 6 of the Public Resources Code shall not be applicable thereto."

**Amendment No. 2**

On page 2, line 35, strike out "4", and insert "5".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1305**—An act to add Sections 12588 and 12589 to the Water Code, relating to state-authorized flood control and water conservation projects.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 30, 1959, strike out "state-authorized".

**Amendment No. 2**

On page 1, line 11, after "shall", insert ", and rates for such power sold from a project of a political subdivision may, at the request of the political subdivision,".

**Amendment No. 3**

On page 1, lines 12 and 13, strike out "with consideration being given to the cost", and insert "and is based upon the price".

**Amendment No. 4**

On page 1, line 14, after "Power", insert "sold from a state project".

**Amendment No. 5**

On page 1, line 21, after "project," insert "or a project of any political subdivision thereof, at the request of such political subdivision,".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Water.

**Assembly Constitutional Amendment No. 38**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to local government.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted:

**Amendment No. 1**

On page 2, line 42, of the printed measure, as amended in the Assembly on May 7, 1959, after "charter," insert "and any municipal utility district to the extent authorized by law which has owned and operated an electric distribution system for at least 10 years and which has a population of 25,000 or more may".

Resolution ordered reprinted, and re-engrossed.

**Assembly Constitutional Amendment No. 31**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to searches and seizures.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed measure, strike out "a narcotic or", and insert "evidence of the commission of a narcotics offense, including but not limited to, narcotics, opium pipes, and hypodermic needles or other paraphernalia used to administer narcotics, or a".

**Amendment No. 2**

On page 1, lines 19 and 20, strike out "by reason of illegality of its seizure", and insert "because of the manner in which it was seized".

**Amendment No. 3**

On page 1, line 20, after the period, insert "This section shall not be construed to prohibit the Legislature from enacting legislation permitting introduction of evidence seized within the curtilage of a dwelling house, regardless of the manner in which it was obtained."

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article IX of said Constitution, relating to education.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted:

**Amendment No. 1**

On page 2, line 14, of the printed measure, strike out "in each fiscal"; strike out lines 15 to 20, inclusive, and insert "to a newly".

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

**Assembly Constitutional Amendment No. 40**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX of said Constitution relating to organization and powers of the Alcoholic Beverage Control Appeals Board.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

On page 3, line 6, of the printed measure, strike out "five", and insert "three".

Amendment No. 2

On page 3, line 10, after "The", insert "members of the board may be removed from office by the Governor, and the".

Amendment No. 3

On page 3, strike out lines 15 to 21, inclusive.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 233**—An act to repeal Chapter 4 (commencing at Section 6961) of Part 2, Division 6 of, to amend Section 6991 of, and to add Section 6996 to, the Public Resources Code, relating to state streams, lakes, and lands.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 158**—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to unemployment disability compensation hospital benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted.

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 8, 1959, after line 10, insert

"SEC. 3. The amendment to Section 2710 of, and the addition of Section 2801.1 to the Unemployment Insurance Code made by this act shall become operative with respect to periods of disability commencing on and after January 1, 1960, and the provisions of Sections 2710 and 2801 of said code in effect prior to such amendment and addition shall continue to be applicable with respect to periods of disability commencing prior to January 1, 1960."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

**Senate Bill No. 322**—An act to amend Section 16506 of the Government Code, relating to deposit of state funds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 540**—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 378**—An act to add Section 7702.1 to the Fish and Game Code, relating to commercial fishing, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 862**—An act to add Section 3.1 to, and to amend Sections 20 and 30 of, the Tehama County Flood Control and Water Conservation District Act (Chapter 1280, Statutes of 1957), relating to the Tehama County Flood Control and Water Conservation District.

Bill read second time, and ordered to third reading.

**Senate Bill No. 306**—An act to add Sections 31408.5, 30700.5, and 30748.5 to the Water Code, relating to county water districts.

Bill read recond time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on April 20, 1959, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, after line 6, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Provisions of this act are necessary to permit negotiations with the United States for aid to this district in carrying out acts essential to the public health and welfare and since such negotiations must be completed in 60 days it is necessary that this act be in effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Water.

**Senate Bill No. 398**—An act to amend and renumber Section 96, as added by Chapter 1471 of the Statutes of 1957, of the Agricultural Code, relating to horse race meetings at state and agricultural district fairs.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 534**—An act to amend Section 7049 of, and to add Sections 7026.3 and 7085 to, the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 703**—An act to add Sections 33201.5, 33730.5, 33748 and 33749 to, to amend Sections 33202, 33231.5, 33502, 33503, 33700, 33701, 33703, 33704, 33730, 33731, 33732, 33736, 33745, 33746, 33747, 33850, and 33980 of, and to repeal Section 33280, Articles 4 (commencing at Section 33530) and 5 (commencing at Section 33560) of Chapter

3 of Part 1 of Division 24, and Section 33982 of, the Health and Safety Code, relating to community redevelopment and urban renewal.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

On page 4, line 9, of the printed bill, as amended in the Assembly on May 7, 1959, after the period, insert "The notice shall be mailed both by first class mail and by certified mail with return receipt requested."

#### Amendment No. 2

On page 6, line 30, after the period, insert "The notice shall be mailed both by first class mail and by certified mail with return receipt requested."

Bill ordered reprinted, and returned to the second reading file.

### REFERENCE OF SENATE JOINT RESOLUTION NO. 24 RESCINDED

Speaker Brown was granted unanimous consent to rescind his action whereby Senate Joint Resolution No. 24 was ordered referred to committee (Assembly Journal, page 3649).

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Senate Joint Resolution No. 24 without reference to committee or file.

### CONSIDERATION OF SENATE JOINT RESOLUTION NO. 24

**Senate Joint Resolution No. 24**—Relative to timber on national forest lands.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—58.

NOES—None.

Resolution ordered transmitted to the Senate.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2398**, subsequent to engrossment.

**Senate Bills Nos. 398** and **534.**

### MOTION TO RESCIND ACTION ON ASSEMBLY BILL NO. 1752

Mr. Bradley moved to rescind the action of the Committee on Public Health recommending that Assembly Bill No. 1752 be filed, and the subject matter referred to the Committee on Rules; that the bill be

returned to the file and the subject matter taken from the committee; and that the bill be amended and re-referred to the Committee on Public Health.

Speaker Brown ruled the motion not in order.

### REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1752

Mr. Bradley was granted unanimous consent to rescind the action whereby the Assembly, on May 6, 1959 (Assembly Journal, page 3328), approved the Assembly Journal for April 27, 1959, and on April 27, 1959 (Assembly Journal, page 2902), ordered Assembly Bill No 1752 filed, and the subject matter referred to the Committee on Rules.

NOTE—Later this day, Assembly Bill No. 1752 was amended, and ordered to be re-referred to committee. *See* page 3698.

### ANNOUNCEMENT RELATIVE TO DAILY FILE

Speaker Brown announced that there was a printer's error at page 52 of the Assembly Daily File; and that Assembly Bill No. 342, which appears as Item 90 on the Assembly third reading file today, was passed and transmitted to the Senate yesterday; and that Assembly Bill No. 2275, which should appear on the third reading file today was omitted from printing thereon.

Speaker Brown stated further that this error was definitely not an error of the Assembly desk.

#### Assembly Bill No. 2275 Ordered Restored to File, and Assembly Bill No. 342 Removed From File

Speaker Brown ordered Assembly Bill No. 342 removed from the Assembly third reading file, and Assembly Bill No. 2275 restored to its proper place on the Assembly third reading file.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 74, at this time.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 74

**Senate Concurrent Resolution No. 74**—Relative to adding Joint Rule 10.9 to the Joint Rules of the Senate and Assembly.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

On page 1, line 12, of the printed measure, after "house", insert ", except that such bills shall not be heard by any committee or acted upon by either house until 15 calendar days have elapsed following the date each bill was first introduced".

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Senate Concurrent Resolution No. 74 without reference to reprint or file.

### Consideration of Senate Concurrent Resolution No. 74, as Amended

**Senate Concurrent Resolution No. 74**—Relative to adding Joint Rule No. 10.9 to the Joint Rules of the Senate and Assembly.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 341**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 341 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—Burton, Crown, Masterson, and Sumner—4.
NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Crawford, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—57.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1321 FROM COMMITTEE WAIVED

Mr. Charles H. Wilson waived his notice of motion to withdraw Assembly Bill No. 1321 from the Committee on Rules

## MOTION TO RECONSIDER RE-REFERENCE OF SENATE BILL NO. 973

In compliance with a motion given on a previous day, Mr. Sumner moved that the vote whereby Senate Bill No. 973 was re-referred to the Committee on Municipal and County Government be reconsidered.

### Demand for Previous Question

Messrs. Schrade, Luckel, DeLotto, Ernest R. Geddes, and Johnson demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

Re-reference of Senate Bill No. 973 reconsidered by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant,

Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Rees, Rumford, Sumner, Thelin, Thomas, Unruh, Winton, and Z'berg—47.

NOES—Don A. Allen, Belotti, Bradley, Britschgi, George E. Brown, Busterud, Collier, Crawford, Dahl, Francis, Hegland, Johnson, Levering, Luckel, Masterson, Meyers, Pattee, Porter, Reagan, Schrade, Shell, Waldie, Williamson, and George A. Willson—24.

Senate Bill No. 973 ordered to the third reading file.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1189

In compliance with a motion given on a previous day, Mr. Biddick moved that the vote whereby the Porter Amendments to Assembly Bill No. 1189 were adopted be reconsidered.

### Parliamentary Inquiry

Mr. Biddick arose to the following parliamentary inquiry: Would a point of order relative to whether or not the amendments are germane be in order at this time?

### Reply by Speaker

The Speaker replied that the only question before the House, at this time, was the motion to reconsider, and that the point of order would be in order after the motion was disposed with.

### Motion to Set Motion to Reconsider Amendments to Assembly Bill No. 1189 for Special Order

Mr. Munnell moved that the motion to reconsider the vote on the Porter Amendments to Assembly Bill No. 1189 be made a special order of business for Monday, May 18, 1959, at 11 a.m.

### Parliamentary Inquiry

Mr. Britschgi arose to the following parliamentary inquiry: Since I am a co-author of Assembly Bill No. 1189 as it was originally introduced, am I still a co-author of the bill with the Porter Amendments included?

### Reply by Speaker

The Speaker replied that Mr. Britschgi would remain a co-author until his name has been removed by amendment.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is the question before the House the motion to set for special order?

### Reply by Speaker

The Speaker replied that it was.

The question being on the motion to set for special order.

Motion lost by the following vote:

AYES—Don A. Allen, Backstrand, Belotti, Biddick, George E. Brown, Busterud, Chapel, Coolidge, Crown, DeLotto, Donahoe, Elliott, Frew, Gaffney, Grant, Hanna, Hawkins, Johnson, Kennick, Kilpatrick, MacBride, Marks, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—41.

NOES—Bruce F. Allen, Bane, Beaver, Bee, Britschgi, Burke, Burton, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Garrigus, Ernest R. Geddes, Hegland, Holmes, House, Lanterman, Levering, Lowrey, Luckel, Lunardi, Masterson, McCollister, Miller, Pattee, Reagan, Schrade, Shell, Thelin, George A. Willson, and Charles H. Wilson—36.

**Name Placed Upon Roll Call**

Mr. Hanna was granted unanimous consent that he be recorded as voting "Aye" on the motion to set for special order.

**Demand for Previous Question**

Messrs. Crawford, Bradley, Burke, Reagan, and Samuel R. Geddes demanded the previous question Demand sustained.

The question being on the motion to reconsider the vote on the Porter Amendments to Assembly Bill No. 1189.

Reconsideration refused by the following vote:

AYES—Backstrand, Bee, Biddick, Britschgi, Burton, Busterud, Conrad, Garrigus, Hanna, Hawkins, Holmes, House, Lanterman, Levering, Lowrey, Masterson, Miller, O'Connell, Pattee, Petris, Rees, Rumford, Shell, Thelin, Waldie, Charles H. Wilson, and Winton—27.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Munnell, Porter, Reagan, Schrade, Sedgwick, Sumner, Thomas, Unruh, Williamson, George A. Willson, Z'berg, and Mr. Speaker—52.

**Name Placed Upon Roll Call**

Mr. Meyers was granted unanimous consent that he be recorded as voting "No" on the motion to reconsider.

**Motion**

Mr. McCollister moved that the Speaker declare that the amendments are germane to the bill.

**Point of Order**

Mr. Burton arose to the following point of order: That the motion is not in order, and that the proper procedure would be to raise a point of order relative to the amendments.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Point of Order**

Mr. McCollister arose to the following point of order: That the amendments are germane to the bill.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: Should not the House now proceed to the next item on the file?

**Reply by Speaker**

The Speaker replied that a point of order relative to the amendments had been raised.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: Since the vote on the motion to reconsider the amendments had been announced, should not the House immediately take up the next item on the file?

**Reply by Speaker**

The Speaker replied that a point of order relative to the amendments was in order, at this time.

**Point of Order**

Mr. McCollister arose to the following point of order: That his point of order is in order, at this time.

**Ruling by Speaker**

The Speaker ruled that the point of order should be rephrased, since all amendments are considered to be germane unless a point of order that they are not germane is raised.

**Point of Order**

Mr. McCollister arose to the following point of order: That the Porter Amendments to Assembly Bill No. 1189 are not germane to the bill.

**Point of Order**

Mr. Unruh arose to the following point of order: That the amendments have been disposed of, and the point of order should have been made when the amendments were considered.

**Point of Order**

Mr. Charles H. Wilson arose to the following point of order: That the bill has not been reprinted as amended, so the amendments are still with the House.

**Parliamentary Inquiry**

Mr Porter arose to the following parliamentary inquiry: Would not Mr McCollister be in order to make a motion or raise a point of order tomorrow or as long as the bill is in the control of the House?

**Reply by Speaker**

The Speaker replied that he would.

**Parliamentary Inquiry**

Mr. Bradley arose to the following parliamentary inquiry: Is there a motion before the House?

**Reply by Speaker**

The Speaker replied that there was no motion, but that there was a point of order by Mr. McCollister pending.

**Parliamentary Inquiry**

Mr. Hanna arose to the following parliamentary inquiry: Under the Joint Rules, cannot such a point of order be raised at any time?

**Reply by Speaker**

The Speaker replied that, by Joint Rule, it could be raised in the Senate.

**Point of Order**

Mr. Hawkins arose to the following point of order: That Mason's Manual, Section 241, page 187, which provides in part that "a point of order, such as that the amendments now in the bill are not germane, may be raised so long as the bill or proposition is within the control of the body" applies in this instance.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

The question being on the point of order by Mr. McCollister that the Porter Amendments to Assembly Bill No. 1189 are not germane to the bill.

**Point of Order Submitted to the House for Decision**

Speaker Brown submitted the point of order to the House; and stated that when the presiding officer submits a question to the House for its decision, the question is open to debate, because the decision of the House is not subject to appeal.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: What will be the effect on the amendments if the House rules the amendments not germane, since the House has voted the amendments into the bill, and later refused to reconsider that vote?

**Reply by Speaker**

The Speaker replied that if the House votes that the amendments are not germane, they will be removed from the bill.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Would not a vote that the amendments are not germane reverse the vote relative to their reconsideration?

**Reply by Speaker**

The Speaker replied that the amendments would stay in the bill if they are ruled germane; but that they would be taken out if the House rules that they are not germane.

**Parliamentary Inquiry**

Mr. McCollister arose to the following parliamentary inquiry: How will the question be put, and will an "Aye" or a "No" vote rule that the amendments are germane?

**Reply by Speaker**

The Speaker replied that, according to Mason's Manual (Rule 401, paragraph 5) an "Aye" vote would rule the amendments germane, and a "No" vote would rule them not germane.

**Parliamentary Inquiry**

Mr. Porter arose to the following parliamentary inquiry: Is it not true that the question is not a motion by Mr. McCollister, but is on a point of order by Mr. McCollister which the Chair has submitted to the House for decision?

**Reply by Speaker**

The Speaker replied that this was correct.

**Parliamentary Inquiry**

Mr. Porter arose to the following parliamentary inquiry: Whatever action the House takes will decide the question of whether or not the amendments are germane?

**Reply by Speaker**

The Speaker replied that the House will rule on the amendments.

**Parliamentary Inquiry**

Mr. Porter arose to the following parliamentary inquiry: How many votes are required?

**Reply by Speaker**

The Speaker replied that a majority vote would decide the question.

The question being: Are the Porter Amendments to Assembly Bill No. 1189 germane to the bill?

**Motion to Continue Consideration**

Mr. Unruh moved that the question be continued until Monday.

Mr. Munnell seconded the motion.

**Inquiry by Speaker**

Speaker Brown inquired if Mr. Unruh desired to set a time certain.

**Reply by Mr. Unruh**

Mr. Unruh replied that he did not desire to set for a time certain.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: Will not the motion by Mr. Unruh require only 41 votes if it is not set to a time certain?

**Reply by Speaker**

The Speaker replied that it would require 41 votes.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Does this motion take precedence over a point of order?

**Reply by Speaker**

The Speaker replied that it has the effect of continuing the consideration of the point of order, which has been submitted to the House.

**Point of Order**

Mr. Bruce F. Allen arose to the following point of order: That under Rule 91, a motion to postpone to a time certain shall be deemed and treated as a special order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken, since a time certain was not set.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: A motion to postpone until Monday is not to set to a time certain?

**Reply by Speaker**

The Speaker replied that the motion is to continue the question until Monday on the regular order of business; and no time certain has been set for such consideration on that date.

The question being on the motion to continue the question until Monday.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Burton, Busterud, Chapel, Conrad, Coolidge, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, House, Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—46.

NOES—Beaver, Bradley, Britschgi, George E. Brown, Burke, Collier, Crawford, Cusanovich, Dahl, Davis, Dills, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Lunardi, McCollister, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, and Winton—30.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Biddick was granted unanimous consent that the following opinions of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO RETAIL PRICES FOR MILK

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 16, 1959

*Hon. Alan Short*
*Senate Chamber*

**Retail Prices for Milk—No. 12103**

*Question*

DEAR SENATOR SHORT: You have asked whether Assembly Bill No. 2319 is constitutional.

*Opinion*

In our opinion a question of reasonable classification is presented by the bill. The validity of the classification depends upon whether sufficient facts exist to justify the classification.

*Analysis*

Assembly Bill No. 2319 defines "distributor" in the following language:

> " 'Distributor' means any person, whether or not such person is a producer or an association of producers, who purchases and processes, packages or otherwise physically handles, or who processes, packages or otherwise physically handles without purchasing, fluid milk or fluid cream which is subsequently sold to other distributors, or retail stores, or places for consumption on the premises, or consumers. The definition of 'distributor' shall not include any of the following: (1) any retail store; (2) any place for consumption on the premises; (3) any person owned or controlled by one or more retail stores, or owned or controlled by one or more places for consumption on the premises, which person is not actively and directly engaged in the processing and packaging of fluid milk or fluid cream; (4) any producer who delivers fluid milk or fluid cream only to a distributor; (5) any distributor in respect to his transactions involving fluid milk, fluid cream or both made in the capacity of a retail store, as defined in Section 4218, or in the capacity of a place for consumption on the premises as defined in Section 4224. A person who purchases from a distributor, but does not process, package or otherwise physically handle, fluid milk or fluid cream or both, and who resells such fluid milk or fluid cream or both to a retail store or to a place for consumption on the premises, shall also be deemed to be a retail store, or a place for consumption on the premises, as the case may be, in respect to the purchase of such fluid milk or fluid cream or both by such person from a distributor."

The bill defines "retail store" in the following language:

> " 'Retail store' means any person with the exceptions hereafter provided, who sells fluid milk or fluid cream to a consumer

for consumption off the immediate premises of the business location occupied by such person The definition of 'retail store' shall not include (1) a distributor who sells fluid milk or fluid cream to a consumer by home delivery; (2) a producer-distributor or distributor who sells fluid milk or fluid cream to a consumer at the dairy ranch where such fluid milk or fluid cream is produced, processed and packaged, and who in addition sells no other products at such ranch except dairy products as the term 'dairy products' is defined in Section 4101 of this code, and products produced at such ranch. A person is a 'retail store' as herein provided whether his sale of fluid milk or fluid cream to a consumer is made from a store, restaurant, confectionery, processing plant, depot, vending machine, mobile unit or otherwise."

Assembly Bill No. 2319 adds Section 4353 5 to the Agricultural Code. This section provides that the sales of fluid milk or fluid cream or both by retail stores to consumers shall constitute a single method of distribution and that except as provided in Section 4357 of the Agricultural Code minimum retail prices established for such method of distribution within any marketing area shall be uniform without variation between different retail stores or different groups of retail stores (Section 4357 of the Agricultural Code relates to special distribution costs and is not related to the pricing provisions of the bill).

The bill affects the retail prices of fluid milk and fluid cream and relates primarily to two types of retail prices. One is the so-called "cash and carry" price for milk * sold at the dairy farm where it is produced, processed and packaged. The other type of retail price is the so-called "F.O.B. plant" price. This is the price at which milk is sold by the distributor at a milk products plant at which it is processed, packaged or handled. We understand that both the cash and carry price and the F.O.B. plant price, when established, are lower than the retail price established for sales at retail stores. Apparently this price differential is based upon different methods of distribution.

Under the bill, the cash and carry operator will be allowed to sell at the cash and carry price to consumers at the dairy farm where the milk is produced only if no other products other than dairy and farm products are sold.

An F.O.B. plant would fall within the definition of a retail store as contained in the bill where the plant is not located upon the dairy ranch and since the bill requires that minimum retail prices be uniform without variation between retail stores, the effect of the bill would be to eliminate the F.O.B. plant price at retail for milk sold at processing plants.

The effect of the bill in this regard can best be shown by specific examples.

"A" owns and operates a dairy ranch. "A" processes the milk on the ranch and sells it at retail to consumers at the ranch. Under the present law a cash and carry price could be established which is lower than the retail price established for sales at retail stores. Under the

* All references to milk would also apply to fluid cream where minimum prices are established for fluid cream

bill "A" can sell at such established lower cash and carry price only where the products sold at the dairy ranch are dairy products and products produced at the dairy ranch.

"B" is a processor and distributor. He processes the milk and sells it at retail at the processing plant. Under the bill this operation is defined as a retail store and the operator would be required to charge the minimum retail store price, thus eliminating the F.O.B. plant price.

The bill would appear to raise a question of valid classification since it would permit a special minimum retail sales price for the producer-processor-distributor who sells at retail (cash and carry dairy) but not for the processor-distributor who sells at retail (F.O.B. plant operation).

Section 11 of Article I of the State Constitution requires that all laws of a general nature shall have a uniform operation. A statute is uniform in its operation if it applies alike to all persons or objects within a class founded upon some natural, intrinsic, or constitutional distinction (*Jersey Maid Milk Products Co.* v. *Brock* (1939), 13 Cal. 2d 620, 639, 640). In exercising its power to classify, the Legislature has a wide discretion and the presumptions are in favor of the validity of the legislative determination and will not be overthrown unless it is palpably arbitrary ( *In re Schmolke* (1926), 199 Cal. 42).

The only distinction we can see between one who produces, processes, and sells fluid milk or fluid cream to consumers at retail at the dairy ranch, and one who processes and sells at the processing plant, is that in the latter case the fluid milk or cream must be transported from the place where produced to the place where it is sold. However, it is our understanding that, due to the operation of provisions of the existing law, the producer rather than the distributor bears the cost of transporting the milk or cream from the producer to the distributor (subd. (b) of Sec. 4204, and subd. (e) of Sec. 4280, Ag. C.). Thus, this distinction as to transportation would not seem to justify applying a different minimum retail sales price in the two situations.

Unless sufficient facts exist to justify the different treatment of the so-called cash and carry operation and the F.O B. plant operation, the courts would hold the classification effected by the bill to be invalid.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDSEL W. HAWS, Deputy

Two copies to Hon. Carley V. Porter, pursuant to Joint Rule 34.

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO GERMANENESS OF AMENDMENTS TO ASSEMBLY BILL NO. 1189

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 13, 1959

*Hon. Alan Short*
*Senate Chamber*

**Germaneness—No. 14959**

*Question*

DEAR SENATOR SHORT: You have asked whether the amendments to Assembly Bill No. 1189 adopted in the Assembly May 12, 1959, are germane. The amendments in question deleted the provisions of the

bill, as amended in Assembly March 16, 1959, and substituted therefor the provisions of Assembly Bill No. 2319.

*Opinion*

While the question is one for decision by the Assembly and the Senate in the final analysis, it is our opinion that the amendments would probably be held not to be germane under either the Assembly Rules or the Joint Rules.

*Analysis*

Questions of germaneness are to be determined by examining the original title of the bill proposed to be amended. In the case of Assembly Bill No. 1189, as amended in Assembly March 16, 1959, such title reads:

> "An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products."

Both the relating clause of the title and the subject matter of the two code sections amended relate to the same subject, namely, the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products. It is our opinion, therefore, that this is the subject of the bill.

Assembly Bill No. 2319, however, relates to the marketing of fluid milk and fluid cream, containing several provisions of a substantive nature in this respect. Thus, this bill relates to certain of the activities which would be regulated by the persons whose qualifications are affected by Assembly Bill No. 1189, and does not relate to such qualifications in any manner.

Assembly Standing Rule No. 94 provides, in part, as follows:

> "94. No amendment to any bill * * * shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.
> "* * * ."

We think that amendments which would delete the provisions of Assembly Bill No. 1189 and substitute therefor the provisions of Assembly Bill No. 2319 relate to "a different subject," are intended to "accomplish a different purpose" and require "a title essentially different from the original title" of the bill.

While the House must make the decision itself in the final analysis, we think that these amendments would probably be held not to comply with Rule No. 94.

If no point of order is raised under the Assembly Rules, you ask whether the amendments could be held germane under the provisions of Joint Rule No. 9. This rule is far more liberal than the Assembly rule and provides:

> "9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration."

Again, however, we think that the amendments do not "relate to the same subject as the original bill." Thus, while either of the houses

must make the decision itself in the final analysis, we think that the amendments would probably be held to violate Joint Rule No. 9.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to Hon. Carley V. Porter, pursuant to Joint Rule No. 34.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Lowrey was granted unanimous consent that the following telegram from United States Senator Thomas H. Kuchel be ordered printed in the Journal:

#### Telegram From Senator Thomas H. Kuchel

WASHINGTON, D. C., May 13, 1959

*Hon. Lloyd W. Lowrey, Member of the Assembly*
*State Capitol, Sacramento*

I send to you, indeed, to every Member of the State Assembly, my grateful thanks for their generous resolution. California's future will be limitless when our basic problem of water is solved, as it will be solved through the efforts of our State and our Federal Governments, working together in complete good will to fulfill our people's needs Senator Engle and I are glad to work together in matters affecting California.

With my best wishes and kindest regards,

Sincerely,

THOMAS H KUCHEL, United States Senator

### ASSEMBLY BILL NO. 1189 ORDERED REPRINTED AND RE-ENGROSSED

Speaker Brown was granted unanimous consent that Assembly Bill No. 1189 be ordered reprinted, and re-engrossed.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: How can the bill be sent to reprint?

#### Reply by Speaker

The Speaker replied that the question is on the germaneness, and not on the amendments; and that the bill is still within the control of the body (Mason's Manual, Section 241).

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 292**—An act to amend Section 9483 of the Elections Code, relating to county election services to cities and districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 292?

#### Amendment No. 1

On page 1, line 16, of the printed bill, as introduced January 14, 1959, strike out the first "The", and insert

"Unless other arrangements satisfactory to the county have been made the".

The Assembly concurred in Senate amendment to Assembly Bill No. 292 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 292 ordered enrolled.

**Assembly Bill No. 428**—An act to amend Sections 31809 and 31813 of the Government Code, relating to the County Employees' Retirement Law of 1937, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 428?

**Amendment No. 1**

On page 4 of the printed bill, between lines 7 and 8, insert

"All refunds made under this section prior to the effective date of the amendments to this section enacted at the 1959 Regular Session of the Legislature are hereby validated and confirmed."

**Amendment No. 2**

On page 3, line 40 of the printed bill, as amended in the Senate on April 15, 1959, after "than", insert "the accumulated contributions resulting from".

**Amendment No. 3**

On page 3, line 47, after "than", insert "the accumulated contributions resulting from".

**Amendment No. 4**

On page 3, lines 51 and 52, strike out "with interest thereon".

The Assembly concurred in Senate amendments to Assembly Bill No. 428 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 428 ordered enrolled.

**Assembly Bill No. 630**—An act to convey certain tide and submerged lands to the City of San Leandro, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 630?

**Amendment No. 1**

On page 2, line 44, of the printed bill, as amended in the Assembly on February 26, 1959, strike out Marin", and insert "Alameda".

**Amendment No. 2**

On page 2, strike out lines 50 to 52, inclusive; on page 3, strike out lines 1 to 16, inclusive, and insert

"(a) That said lands shall be used by said city and its successors for purposes in which there is a general statewide interest, as follows.

(1) For the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips,

quays, and other utilities, facilities, buildings, works, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation.

(2) For the establishment, improvement and conduct of an airport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, maintenance and operation thereon of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and other utilities, facilities, buildings, structures, works and appliances necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(3) For public recreation purposes, and for the establishment, improvement and conduct of utilities, facilities, structures, buildings, works and appliances necessary or convenient for the promotion and accommodation of public recreation.

(b) Said city, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, not exceeding 50 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 50 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor and airport and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not intertere with commerce or navigation, provided, however,"

**Amendment No. 3**

On page 3, on line 38, of the printed bill, as amended in the Senate on March 26, 1959, after "1957", strike out the period, and insert "; and provided, further, that nothing contained in this paragraph (b) shall be deemed to affect the validity or term of any franchise granted by said city under the Franchise Act of 1937, and any such franchise shall be effective with respect to said lands when the title thereto passes to said city hereunder."

**Amendment No. 4**

On page 4, between lines 5 and 6, of the printed bill, as amended in the Senate on April 1, 1959, insert

"(g) That within 10 years from the effective date of this act said lands shall be substantially improved by said city without expense to the State, and if the State Lands Commission determines that the city has failed to improve said lands as herein required, all right, title, and interest of said city in and to all lands granted by this act shall cease and said lands shall revert and rest in the State."

The Assembly concurred in Senate amendments to Assembly Bill No. 630 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74

NOES—None.

Assembly Bill No. 630 ordered enrolled.

**Assembly Bill No. 833**—An act to amend Section 2804 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 833?

**Amendment No. 1**

On page 2, line 4, of the printed bill, strike out "appear to be such upon the assessor's roll", and insert a comma.

**Amendment No. 2**

On page 2, line 6, after "body", insert ", appear to be such upon the assessor's roll or, in the case of transfers of land, or parts thereof, subsequent to the date upon which the last assessor's roll was prepared, appear to be such on the records in the county assessor's office which the county assessor will use to prepare the next ensuing assessor's roll".

**Amendment No. 3**

On page 2, line 7, after "roll", insert "or such records".

The Assembly concurred in Senate amendments to Assembly Bill No. 833 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 833 ordered enrolled.

**Assembly Bill No. 1001**—An act to amend Section 132 and to repeal Section 132.5 of the Elections Code, relating to absent registration.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1001?

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "tion", insert ", which shall be in duplicate,".

**Amendment No. 2**

On page 2, line 1, strike out "electors", and insert "each elector".

The Assembly concurred in Senate amendments to Assembly Bill No. 1001 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 1001 ordered enrolled.

**Assembly Bill No. 1286**—An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Chula Vista in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, the construction and maintenance of improvements thereon, and the disposition and expenditure of revenue therefrom, and reserving rights to the State and repealing Chapter 120

of the Statutes of 1925, Chapter 1847 of the Statutes of 1947 and Chapter 593 of the Statutes of 1953.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1286?

**Amendment No. 1**

On page 3, between lines 6 and 7, of the printed bill, insert

"These lands are held upon the express condition that within 10 years from the effective date of this act said lands shall be substantially improved by the city without expense to the State, and if the State Lands Commission determines that the city has failed to improve said lands as herein required, all right, title, and interest of said city in and to all lands granted by this act shall cease and said lands shall revert and rest in the State."

The Assembly concurred in Senate amendment to Assembly Bill No. 1286 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Assembly Bill No. 1286 ordered enrolled.

**Assembly Bill No. 1487**—An act to add Sections 9561 and 9562 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Sections 10857 and 10858 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1487?

**Amendment No. 1**

On page 1, line 1, of the title of the printed bill as amended in the Assembly on April 20, 1959, strike out "Section 9561", and insert "Sections 9561 and 9562".

**Amendment No. 2**

On page 1, line 3, of the title, strike out "Section 10857", and insert "Sections 10857 and 10858".

**Amendment No. 3**

On page 1, between lines 9 and 10, insert

"SEC. 2. Section 9562 is added to the Vehicle Code as enacted at the 1959 Regular Session, to read:

9562. When a transferee of a vehicle applies for transfer of registration as is provided for in Section 5902 and it is determined by the department that registration penalties accrued prior to the purchase of the vehicle, and that the transferee was not cognizant of the nonpayment of registration fees for the current or prior years, and the transferor or registered owner of record whereabouts is unknown, the department may waive the registration penalties upon payment of the registration fee due."

**Amendment No. 4**

On page 1, line 10, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 5**

On page 1, after line 18, insert

"SEC. 4. Section 10758 is added to the Revenue and Taxation Code to read:

10858. When a transferee of a vehicle applies for transfer of registration as is provided for in Section 5902 of the Vehicle Code, and it is determined by the department that vehicle license fee penalties accrued prior to the purchase of the vehicle, and that the transferee was not cognizant of the nonpayment of the vehicle license fee for the current or prior years, and the transferor or registered owner of record

whereabouts is unknown, the Department of Motor Vehicles may waive the vehicle license fee penalties upon payment of the vehicle license fees due."

NOTE—On May 15, 1959, the record was expunged and the action rescinded whereby the Senate amendments to Assembly Bill No. 1487 were concurred in (*See* pages 3741 and 3770).

**Assembly Bill No. 1488**—An act to amend Section 18001 of, and to add Section 18001.1 to, the Health and Safety Code, relating to vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1488?

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on April 20, 1959, after "ment," insert "and".

The Assembly concurred in Senate amendment to Assembly Bill No. 1488 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Assembly Bill No. 1488 ordered enrolled.

**Assembly Bill No. 1631**—An act to amend Sections 24360.3 and 24367.11 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1631?

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "similar", and insert "identical".

**Amendment No. 2**

On page 1, line 8, of the printed bill, strike "similar", and insert "identical".

The Assembly concurred in Senate amendments to Assembly Bill No. 1631 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76
NOES—None.

Assembly Bill No. 1631 ordered enrolled.

**Assembly Bill No. 1528**—An act to amend Section 10270.55 of the Insurance Code, relating to group disability insurance policies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1528?

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 23, 1959, strike out "standard provisions in", and insert "group".

**Amendment No. 2**

In line 2 of the title, after "disability", insert "insurance".

The Assembly concurred in Senate amendments to Assembly Bill No. 1528 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80

NOES—None.

Assembly Bill No. 1528 ordered enrolled.

## CONSIDERATION OF HOUSE RESOLUTION NO. 264

By Mr. Charles H. Wilson:

**House Resolution No. 264**

WHEREAS, Pursuant to Joint Rule No 8.3, the Assembly Rules Committee has determined that there exists an urgent need for the introduction of a bill proposed by Mr. Charles H. Wilson, the title of which reads as follows:

An act to add Sections 20784 and 20785 to the Business and Professions Code, relating to gasoline and diesel fuel.

*Be it Resolved by the Assembly of the State of California*, That permission to introduce such proposed bill be granted.

Resolution read.

**Hon. Richard H. McCollister Presiding**

At 11.48 a.m., Hon Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

**Speaker Presiding**

At 11.54 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Parliamentary Inquiry**

Mr. Winton arose to the following parliamentary inquiry: Are 60 votes required for adoption of this resolution?

**Reply by Speaker**

The Speaker read Joint Rule No. 8.3, paragraph (c), to the members, and stated that an affirmative vote of two-thirds of the elected members, or 54 votes, would be required.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Belotti, Biddick, Burke, Burton, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Porter, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, and Mr. Speaker—54

NOES—Beaver, Bradley, Busterud, Crawford, Dahl, Ernest R. Geddes, Luckel, Miller, and Sumner—9.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

**Assembly Bill No. 2912**: By Messrs. Charles H. Wilson, Lanterman, and Reagan—An act to add Sections 20784 and 20785 to the Business and Professions Code, relating to gasoline and diesel fuel.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

## APPOINTMENT OF SPECIAL COMMITTEE

Pursuant to the provisions of House Resolution No. 219, Speaker Brown appointed Messrs. Hanna, Backstrand, Busterud, McMillan, and Charles W. Wilson as the Committee to Investigate and Inspect the New Monorail System at Disneyland.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Hawkins was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO PERSONS ADMITTED TO ASSEMBLY FLOOR

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 7, 1959

*Hon. Augustus F. Hawkins*
*Assembly Chamber*

**Persons Admitted to Assembly Floor—Assembly Rule 38—No. 14669**

*Questions*

DEAR MR. HAWKINS: You have asked the following three questions concerning Assembly Standing Rule 38, relative to persons admitted to the floor of the Assembly:

1. Does it include state employees other than those employed by the Legislature?
2. Does it include constitutional officers?
3. Does it include state, county, and city officials who seek passage or defeat of legislation on the floor of the Assembly?

*Opinion*

In our opinion the answer to each of your questions is "yes."

*Analysis*

Assembly Standing Rule 38 reads as follows:

"38. No person other than Members, officers, attaches, employees of the Legislature, former Members of the Legislature, and accredited members of the press shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted upon presentation of a guest card of said member countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued. No person required to register pursuant to Section 9906 of the Government Code shall, under any circumstances be admitted to the Assembly Chamber while the Assembly is in session.

"All guests shall be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards. Neither any person mentioned in this rule or any other person shall engage in influencing the passage or defeat of legislation in the Assembly Chamber; provided, that this sentence is not applicable to Members of the Legislature."

First, it is clear that the rule prohibits the admission to the floor without a guest card of any state employee or constitutional officer of the State except the members themselves and the officers, attaches and employees of the Legislature, unless the particular person involved is a former Member of the Legislature. It is also clear that no county or city official may be admitted to the floor without a guest card unless he is a former Member of the Legislature.

The rule permits any person to be admitted to the floor as a guest of a member upon presentation of a properly signed guest card but in no event permits admission of legislative advocates registered as such pursuant to state law.

Further, the rule definitely prohibits any persons, except members, who are in the Assembly Chamber for any reason from there engaging in influencing the passage or defeat of legislation.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

## REMARKS ON CONDITION OF THE FILE

Mr. Backstrand spoke on the condition of the file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Assembly Bill No. 1110 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 1110

**Assembly Bill No. 1110**—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Bill read third time.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

#### Amendment No. 2

In line 1 of the title, after "34327.5", insert "and 34327.6".

#### Amendment No. 3

On page 1, between lines 8 and 9, insert

"SEC. 2. Section 34327.6 is added to said code, to read:

34327.6. All funds of housing authorities not subject to audit by a federal agency shall be subject to audit by the State Department of Finance at the expense of the housing authority."

#### Amendment No. 4

On page 1, line 9, strike out "SEC. 2", and insert "SEC. 3".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### ASSEMBLY BILL NO. 358 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 358,** on request of Mr. Elliott.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 498 FROM COMMITTEE

Mr. Waldie was granted unanimous consent that Assembly Bill No. 498 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 498

**Assembly Bill No. 498**—An act to amend Sections 3858, 3860, 3861, and 3862 of the Labor Code, relating to workmen's compensation.

Bill read second time.

#### Motion to Amend

Mr. Waldie moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, strike out line 1 of the title, and insert

"An act to amend Sections 3854, 3858, 3859, and 3861 of, to repeal Sections 3856, 3860, and 3863 of, and to add Sections 3856 and 3860 to, the".

#### Amendment No. 2

On page 1, strike out lines 1 to 23, inclusive; on page 2, strike out lines 1 to 35, inclusive, and insert

"SECTION 1. Section 3854 of the Labor Code is amended to read:

3854. If the action is prosecuted by the employer alone, evidence of any amount which the employer has paid or become obligated to pay by reason of the injury or death of the employee is admissible, and

such expenditures or liability shall be considered as proximately resulting from such injury or death in addition to any other items of damage proximately resulting therefrom. ~~After recouping himself for such special damages, together with a reasonable attorney's fee fixed by the court, which shall be based solely upon the services rendered by the employer's attorney in effecting recovery for the benefit of the employee, the employer shall pay any excess to the injured employee or other person entitled thereto.~~

SEC. 2. Section 3856 of said code is repealed.

~~3856. The court shall first apply, out of the entire amount of any judgment for any damage recovered by the employee, a sufficient amount to reimburse the employer for the amount of his expenditures for compensation. If the employer has not joined in the action or has not brought action, or if his action has not been consolidated, the court, on his application shall allow, as a first lien against the entire amount of any judgment for any damages recovered by the employee, the amount of the employer's expenditures for compensation; provided, however, that where the employer has failed to join in said action and to be represented therein by his own attorney, or where the employer has not made arrangements with the employee's attorney to represent him in said action, the court shall fix a reasonable attorney's fee, which shall be fixed as a share of the amount actually received by the employer, to be paid to the employee's attorney on account of the service rendered by him in effecting recovery for the benefit of the employer, which said fee shall be deducted from any amounts due to the employer.~~

SEC. 3. Section 3856 is added to said code, to read:

3856. In the event of suit against such third party:

(a) If the action is prosecuted by the employer alone, the court shall first order paid from any judgment for damages recovered the reasonable litigation expenses incurred in preparation and prosecution of such action, together with a reasonable attorney's fee which shall be based solely upon the services rendered by the employer's attorney in effecting recovery both for the benefit of the employer and the employee. After the payment of such expenses and attorney's fees, the court shall apply out of the amount of such judgment an amount sufficient to reimburse the employer for the amount of his expenditure for compensation together with any amounts to which he may be entitled as special damages under Section 3852 and shall order any excess paid to the injured employee or other person entitled thereto.

(b) If the action is prosecuted by the employee alone, the court shall first order paid from any judgment for damages recovered the reasonable litigation expenses incurred in preparation and prosecution of such action, together with a reasonable attorney's fee which shall be based solely upon the services rendered by the employee's attorney in effecting recovery both for the benefit of the employee and the employer. After the payment of such expenses and attorney's fee the court shall, on application of the employer, allow as a first lien against the amount of such judgment for damages, the amount of the employer's expenditure for compensation together with any amounts to which he may be entitled as special damages under Section 3852.

(c) If the action is prosecuted both by the employee and the employer, in a single action or in consolidated actions, and they are represented by the same agreed attorney or by separate attorneys, the court shall first order paid from any judgment for damages recovered, the reasonable litigation expenses incurred in preparation and prosecution of such action or actions, together with reasonable attorneys' fees based solely on the services rendered for the benefit of both parties where they are represented by the same attorney, and where they are represented by separate attorneys, based solely upon the service rendered in each instance by the attorney in effecting recovery for the benefit of the party represented. After the payment of such expenses and attorneys' fees the court shall apply out of the amount of such judgment for damages an amount sufficient to reimburse the employer for the amount of his expenditures for compensation together with any other amounts to which he may be entitled as special damages under Section 3852.

(d) The amount of reasonable litigation expenses and the amount of attorneys' fees under subdivisions (a), (b), and (c) of this section shall be fixed by the court. Where the employer and employee are represented by separate attorneys they may propose to the court, for its consideration and determination, the amount and division of such expenses and fees.

SEC. 4. Section 3858 of said code is amended to read:

3858. After *payment of litigation expenses and attorneys' fees fixed by the court pursuant to Section 3856 and* payment of the employer's lien, the employer shall be relieved from the obligation to pay further compensation to or on behalf of the employee under this division up to the entire amount of the balance of the judgment, if satisfied, without any deduction. No satisfaction of such judgment in whole or in part, shall be valid without giving the employer notice and a reasonable opportunity to perfect and satisfy his lien.

SEC. 5. Section 3859 of said code is amended to read:

3859. No release or settlement of any claim under this chapter *as to either the employee or the employer* is valid without the written consent of both ~~employer and employee~~. The consent of both the employer and employee filed in court in writing together with the approval of the court, is sufficient in any action or proceeding where such approval is required by law.

SEC. 6. Section 3860 of said code is repealed.

~~3860. No release or settlement under this chapter is valid and binding without notice to both employer and employee and opportunity to the employer to recover the amount of compensation he had paid or become obligated to pay. The entire amount of such settlement, or of any settlement without suit, is subject to the employer's full claim for reimbursement for his compensation expenditures and liability; provided, however, that where the employer has not prosecuted any claim or action in his own behalf or has failed to join and participate in the prosecution of any action presented by the employee or has not made arrangements with the employee's attorney to represent him in the prosecution of said action or claim, the commission shall fix a reasonable attorney's fee, which shall be fixed as a share of the amount actually received by the employer, to be paid to the employee's attorney on~~

~~account of the services rendered by him in effecting a recovery for the benefit of the employer, which said fee shall be deducted from any amounts due to the employer.~~

SEC. 7. Section 3860 is added to said code, to read:

3860. (a) No release or settlement under this chapter, with or without suit, is valid or binding as to any party thereto without notice to both the employer and the employee, with opportunity to the employer to recover the amount of compensation he has paid or become obligated to pay and any special damages to which he may be entitled under Section 3852, and opportunity to the employee to recover all damages he has suffered and with provision for determination of expenses and attorney's fees as herein provided.

(b) The entire amount of such settlement, with or without suit, is subject to the employer's full claim for reimbursement for compensation, he has paid or become obligated to pay and any special damages to which he may be entitled under Section 3852, together with expenses and attorney fees, if any, subject to the limitations in this section set forth.

(c) Where settlement is effected, with or without suit, solely through the efforts of the employee's attorney, then prior to the reimbursement of the employer, as provided in subdivision (b) hereof, there shall be deducted from the amount of the settlement the reasonable expenses incurred in effecting such settlement, including costs of suit, if any, together with a reasonable attorney's fee to be paid to the employee's attorney, for his services in securing and effecting settlement for the benefit of both the employer and the employee.

(d) Where settlement is effected, with or without suit, solely through the efforts of the employer's attorney, then, prior to the reimbursement of the employer as provided in subdivision (b) hereof, there shall be deducted from the amount of the settlement the reasonable expenses incurred in effecting such settlement, including costs of suit, if any, together with a reasonable attorney's fee to be paid to the employer's attorney, for his services in securing and effecting settlement for the benefit of both the employer and the employee.

(e) Where both the employer and the employee are represented by the same agreed attorney or by separate attorneys in effecting a settlement, with or without suit, prior to reimbursement of the employer, as provided in subdivision (b) hereof, there shall be deducted from the amount of the settlement the reasonable expenses incurred by both the employer and the employee or on behalf of either, including costs of suit, if any, together with reasonable attorneys' fees to be paid to the respective attorneys for the employer and the employee, based upon the respective services rendered in securing and effecting settlement for the benefit of the party represented. In the event both parties are represented by the same attorney, by agreement, the attorney's fee shall be based on the services rendered for the benefit of both.

(f) The amount of expenses and attorneys' fees referred to in this section shall, on settlement of suit, or on any settlement requiring court approval, be set by the court. In all other cases these amounts shall be set by the commissioner. Where the employer and the employee are represented by separate attorneys they may propose to the court or

the commission, for consideration and determination, the amount and division of such expenses and fees.

SEC. 8. Section 3861 of said code is amended to read:

3861. The commission is empowered to and shall allow, as a credit to the employer to be applied against his liability for compensation, such amount of any recovery by the employee for his injury, either by settlement or after judgment, as has not theretofore been applied ~~to reimburse the employer, or has not been applied~~ to the payment of ~~an attorney's fee to the employee's attorney~~ *expenses or attorneys' fees*, pursuant to the provisions of Sections 3856, *3858*, and 3860 of this code, *or has not been applied to reimburse the employer*.

SEC. 9. Section 3863 of said code is repealed

~~3863. No provision of this chapter shall be deemed to impair the right of the employee and his attorney to contract as between themselves for attorney's fees to be paid by the employee for prosecuting any action or claim against any person other than the employer.~~

SEC. 10. The amendments of Sections 3854, 3858, 3859, and 3861 of the Labor Code, the repeal of Sections 3856, 3860, and 3863, and the addition of Sections 3856 and 3860 to said code by the 1959 Regular Session of the Legislature shall apply only to causes of action arising subsequent to their effective date, and all rights presently existing under these sections shall be continued in force."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2904

Mr. Meyers was granted unanimous consent that Assembly Bill No. 2904 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Natural Resources, Planning, and Public Works.

### REQUEST FOR UNANIMOUS CONSENT

Mr Grant was granted unanimous consent to take up Assembly Bill No. 1256 for purpose of amendment, at this time.

### CONSIDERATION OF ASSEMBLY BILL NO. 1256

**Assembly Bill No. 1256**—An act to repeal Chapter 11 (commencing at Section 28600) of Division 21 of, and to add Chapter 11 (commencing at Section 28520) to Division 21 of, the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Bill read third time.

#### Motion to Amend

Mr. Grant moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, lines 19 and 20, of the printed bill, as amended in the Assembly on May 6, 1959, strike out "establishments", and insert "establishment".

#### Amendment No. 2

On page 1, line 20, strike out "whether private"; and on page 2, line 1, strike out "or public,".

Amendment No. 3

On page 2, line 4, strike out "members.".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1752

**Assembly Bill No. 1752**—An act to amend Sections 427.1 and 427.2 of, to repeal Section 427.3 of, and to add Sections 427.5, 427.6, 427.7, 427.8, and 427.9 to, the Health and Safety Code, relating to alcoholic rehabilitation, and making an appropriation.

Bill read second time.

Motion to Amend

Mr. Bradley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 24, 1959, strike out "Sections 427.1 and 427.2", and insert "Section 427.1".

Amendment No. 2

On page 1, strike out lines 10 to 19, inclusive.

Amendment No. 3

On page 1, line 20, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 4

On page 2, line 1, strike out "SEC. 4.", and insert "SEC. 3."

Amendment No. 5

On page 2, line 25, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 6

On page 2, line 31, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 7

On page 2, line 38, strike out "SEC. 7," and insert "SEC. 6."

Amendment No. 8

On page 2, line 44, strike out "SEC. 8.", and insert "SEC. 7."

Amendment No. 9

On page 2, line 47, strike out "SEC. 9.", and insert "SEC. 8."

Amendment No. 10

On pge 3, lines 2 and 3, strike out ", including the establishment of new local programs".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Health.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2360 FROM COMMITTEE

Mr. Hanna was granted unanimous consent that Assembly Bill No. 2360 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2360

**Assembly Bill No. 2360**—An act to amend Section 7045 of the Business and Professions Code, relating to contractors.

Bill read second time.

**Motion to Amend**

Mr. Hanna moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, strike out lines 7 through 10, inclusive, of the printed bill, and insert "the total aggregate costs of the installation are in excess of one hundred dollars ($100) and the installation requires the work of one or more specialty contractors which are classified as such by the rules and regulations of the board the installation shall not be exempt under this section."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Reagan was granted unanimous consent that he be made a co-author of Assembly Bill No. 2912, which was introduced today.

## REPORTS OF STANDING COMMITTEES

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No 128
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 129
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2320
Assembly Bill No. 2355
Assembly Bill No. 2413
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2245
Assembly Bill No 2350
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2398
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means

## EXPLANATION OF ABSENCE

May 14, 1959

I was absent from the Assembly floor from 9.30 a.m. to 10.00 a.m. because of a conference with Senator Holmdahl on Assembly Bill No. 487.

TOM BANE

## ADJOURNMENT

At 12.06 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 15, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-SEVENTH LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, May 15, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by the Honorable Richard T. Hanna, Member of the Assembly, from the Seventy-fifth District:

*Our Heavenly Father,* We Thy children, gather within this Assembly Hall upon a new day to turn our efforts again to the business of government for the people of California. We come to our tasks as Thou hast made us—in Thy image and with a spark of the divine. We are mindful Thou hast told us—that as man is, God once was; and as God is, man may become; and because of these things, we aspire to and seek perfection. Yet we are made mortal, in and of a mortal world that is too much with us, late and soon; and, because of these things, we are prone to error and destined to imperfection.

Lord, we ask this day Thy divine guidance and inspiration so that all of us may rise a little higher towards our aspirations.

We seek also to share one with another the help and sustaining power of our different strengths; our diverse talents and our divided skills, to the end that none of us fall too far into error.

May this day's work be worthy of the day, we pray, in the Name of Jesus Christ.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Bane, seconded by Mr. Ernest R. Geddes.

### LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Dills, on motion of Mr. McCollister.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Miss Donahoe, on motion of Mr. Winton.

Mr. Reagan, on request of Speaker Brown.

Mr. Pattee, on motion of Mr. Charles H. Wilson.

Mr. Dahl, on request of Speaker Brown.

### LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, in order to attend a meeting of the Park Commission:

Mr. Coolidge, on his own request.

### COMMUNICATIONS

The following letters of transmittal were presented by the Speaker and ordered printed in the Journal:

### JOINT LETTER OF TRANSMITTAL

THE UNIVERSITY OF CALIFORNIA
BERKELEY, April 27, 1959

*To: Hon. Glenn M. Anderson*
*President of the Senate*
*Hon. Ralph M. Brown*
*Speaker of the Assembly*

**Joint Letter of Transmittal, Senate Concurrent Resolution No. 33**

We have the honor to present herewith plans and budgets required for basic research and field studies, dealing with all phases of mining and the mineral industries, prepared by the State Division of Mines of the State Department of Natural Resources and the University of California, as required by Senate Concurrent Resolution No. 33.

These reports outline the plans for conducting research and field studies on mineral utilization, beneficiation of ores, commodity research, petrographic and mineralogic research, mining methods, mines and mine problems, co-ordination and dissemination of information relating to the mineral industry of California, the creation of devices and methods for locating new ore bodies, the devising of cheaper and better methods of concentrating ores, the finding of new uses for presently unused minerals found in California, and plans for basic and applied research in geology, geochemistry, geophysics, mining and mineral production, beneficiation, extraction, utilization and technical economic analyses of these processes as they apply to upland and offshore mineral resources.

Attached also are separate letters from the University of California and the Department of Natural Resources which express the objectives and viewpoints of the University and the State Division of Mines.

Respectfully submitted,

CLARK KERR
President, University of California
DEWITT NELSON
Director, Department of Natural Resources

cc: Senator Randolph Collier
Senator Stanley Arnold
Senator Edwin J. Regan
Senator Charles Brown

## LETTER OF TRANSMITTAL

THE UNIVERSITY OF CALIFORNIA
BERKELEY, April 27, 1959

*To: Hon. Glenn M. Anderson*
*President of the Senate*
*Hon. Ralph M. Brown*
*Speaker of the Assembly*

### Letter of Transmittal, Senate Concurrent Resolution No. 33

The University of California recognizes the importance of mineral production as a source of new wealth to the State. The University can best serve the needs of the State through a program of basic research, co-ordinated with the training of graduate students in the field of mineral sciences. Before the latent mineral wealth of the State can be exploited, a substantial amount of basic research on the properties of minerals and on the methods of separating them will have to be done. Furthermore, one of the main functions of the University will be to supply mineral engineers with advanced training in scientific principles and technological methods who will be able to cope with the increasingly more difficult problems of extracting the mineral wealth from the earth. The University will thus co-ordinate basic research and graduate training in the mineral industry field, for the ultimate benefit of the State.

To implement this research program it is believed that an Institute of Minerals Research should be established at Berkeley, since the University's center of instruction and research in this field is located on that campus. If and when such an institute is established, a statewide committee would be appointed to assure intercampus co-operation in this area by making the facilities of the institute available to all qualified staff members within the University regardless of campus.

The University has been requested by the Governor to defer the funding of many of its urgent items for the academic year 1959-60. Therefore, while recognizing the great importance of research in the field of

mineral science, the funding of this should take priority behind many of the urgent items that have already been deferred.

Respectfully submitted,

CLARK KERR
President, University of California

cc: Senator Randolph Collier
Senator Stanley Arnold
Senator Edwin J. Regan
Senator Charles Brown

Above transmitted report referred to the Joint Committee on the Legislative Reference Library.

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The following resolution was presented by the Speaker, and ordered printed in the Journal:

**Resolution by State Board of Education**

STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION
SACRAMENTO, May 12, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR SPEAKER BROWN: The following resolution was adopted by the State Board of Education at its meeting held at San Fernando Valley State College on May 9, 1959:

*Resolved*, That the State Board of Education looks with disfavor upon the necessity of state college presidents having to depend upon financial contributions from private sources to defray the cost of community service functions incidental to their official duties, and

*Resolved*, That the Legislature be requested to appropriate funds in amounts and under conditions to provide a practical solution to the problem of these expenditures imposed on state college presidents.

Sincerely yours,

ROY E. SIMPSON
Secretary and Executive Officer
State Board of Education

## REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

Pursuant to Joint Rule No. 10.8, I request permission that Assembly Bill No. 2865 may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed following the date it was introduced.

VERNON KILPATRICK

The above request referred to the Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. Britschgi:

**House Resolution No. 265**

Relative to price differentials in the retail sales of fluid milk

WHEREAS, The Department of Agriculture in its marketing orders has established minimum retail prices for fluid milk sold to consumers at processing plants and dairy farms in various marketing areas in this State; and

WHEREAS, The minimum retail prices established for sales at processing plants and dairy farms are below the minimum retail prices established for retail stores, and it appears that additional requests for such price differentials will be made by operators of processing plants and dairy farms; and

WHEREAS, The price differentials in the minimum retail prices have presented multiple problems and disturbances in the production, processing and distribution of fluid milk which cause, or tend to cause, instability in the milk industry; and

WHEREAS, In order to carry out the policy of this State in promoting, fostering and encouraging the orderly production, processing and marketing of milk, it is necessary that the Legislature, through an appropriate interim committee, study the problems and disturbances arising from price differentials in the minimum retail prices of milk; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Agriculture is requested not to establish any additional minimum retail prices for the sales of fluid milk at processing plants and dairy farm outlets which are below the minimum retail prices established for retail stores, until the problems arising from price differentials in minimum retail sales have been studied by an appropriate interim committee and the committee has reported thereon to the Legislature; and be it further

*Resolved*, That a copy of this resolution be transmitted to the Director of the Department of Agriculture.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1583
Assembly Bill No. 1864
Assembly Bill No 2420

And reports the same correctly engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 963

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 570

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

McMILLAN, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2294

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2383

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports

Senate Bill No. 236
Senate Bill No. 907

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 413
Assembly Bill No. 1809
Assembly Bill No. 1927
Assembly Bill No. 2421

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 74
Senate Bill No. 830

With amendments with the recommendation: Amend, and do pass, as amended

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 232
Assembly Bill No. 256
Assembly Bill No. 968
Assembly Bill No. 969
Assembly Bill No. 1569
Assembly Bill No. 1573
Assembly Bill No. 1574
Assembly Bill No. 1575
Assembly Bill No. 1892
Assembly Bill No. 1969
Assembly Bill No. 2334
Assembly Bill No. 2410

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 761
Senate Bill No. 764

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1341

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1058
Assembly Bill No. 2292

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 1074

With the recommendation: That the bill be re-referred to the Committee on Revenue and Taxation.

BRADLEY, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 2170
Assembly Bill No. 2425
Assembly Bill No 2426
Assembly Bill No. 2427

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 854

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CRAWFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 1700

With amendments with the recommendation: Amend, and do pass, as amended.

CRAWFORD, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 15, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1577
Assembly Bill No. 1805

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1576
Assembly Bill No. 1804
Assembly Bill No. 2363

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1807
Assembly Bill No. 2240
Assembly Bill No. 2409

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 969

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 621

With amendments with the recommendation Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1894

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1605

With the recommendation: Do pass.

MacBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 726

With the recommendation: Do pass.

MacBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 886

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1414

With amendments with the recommendation. Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 864

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1811

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1279

With amendments with the recommendation: Amend, and do pass, as amended:

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 1
Assembly Constitutional Amendment No 31
Assembly Constitutional Amendment No. 40

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions re-referred to the Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1110
Assembly Bill No. 1189
Assembly Bill No. 1256

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2400

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2062

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 398

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2100
Assembly Bill No. 2155
Assembly Bill No. 2196
Assembly Bill No. 2360

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 158
Assembly Bill No. 1305
Assembly Bill No. 1591
Assembly Bill No. 1752
Assembly Bill No. 2163

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 618

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District;

And appointed Senators Gibson, Cameron, and Byrne, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 271
Senate Bill No. 412
Senate Bill No. 604
Senate Bill No. 757
Senate Bill No 772
Senate Bill No. 835
Senate Bill No. 956

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files, with the exception of Senate Bills Nos. 99 and 273, be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1407, 1960, 2158, 2414,** and **2308.**

**Senate Bill No. 703.**

Assembly Bills Nos. 1407 and 2158 ordered to third reading, subsequent to re-engrossment.

Assembly Bill No. 1960 ordered to the Consent Calendar, subsequent to re-engrossment.

Assembly Bills Nos. 2414 and 2308 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bill No. 703 ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 145**—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2166**—An act to amend Section 810.52 of the Agricultural Code, relating to asparagus.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2435**—An act to add Section 828 01 to the Agricultural Code, relating to standard containers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2282**—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2233**—An act to amend Sections 4000, 4005, 4020, 4022, 4160, 4162, 4182, 4189, 4501, and 4552 of, to add Sections 4001, 4003, 4006, 4007, 4020.1, 4145, 4162.1, 4163.7, and 4189.1 to, and to repeal Sections 4003, 4006, 4007, 4025, and 4145 of, the Welfare and Institutions Code, relating to aid to the permanently and totally disabled and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 1, 1959, strike out "4000, 4005, 4020, 4022, 4160, 4162,", and insert "4166 and".

**Amendment No. 2**

In line 2 of the title, strike out ", 4189, 4501, and 4552".

**Amendment No. 3**

In line 2 of the title, strike out "4001, 4003", and insert "4003.5".

**Amendment No. 4**

In line 3 of the title, strike out "4007", and insert "4009".

**Amendment No. 5**

In line 3 of the title, strike out "4145, 4162.1", and insert "4146".

**Amendment No. 6**

In line 4 of the title, strike out "4003, 4006, 4007, 4025, and 4145", and insert "4006 and 4025".

**Amendment No. 7**

In line 6 of the title, strike out "and making an appropriation".

**Amendment No. 8**

On page 1, strike out lines 1 to 18, inclusive; on page 2, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 4003.5 is added to the Welfare and Institutions Code, to read:".

**Amendment No. 9**

On page 2, line 6, strike out "4003", and insert "4003.5".

**Amendment No. 10**

On page 2, strike out lines 12 to 20, inclusive.

**Amendment No. 11**

On page 2, line 21, strike out "SEC. 6", and insert "SEC. 2".

**Amendment No. 12**

On page 2, line 22, strike out "SEC. 7", and insert "SEC. 3".

**Amendment No. 13**

On page 2, strike out line 32, and insert

"SEC. 4. Section 4009 is added to said code, to read:

4009. The cost of hospitalization furnished by a county to a recipient of aid under this chapter shall not constitute a lien upon any personal property or personal effects of such recipient, or against an interment plot as defined in Section 7022 of the Health and Safety Code."

**Amendment No. 14**

On page 2, strike out lines 33 to 52, inclusive; and on page 3, strike out lines 1 to 15, inclusive.

**Amendment No. 15**

On page 3, line 16, strike out "SEC. 11", and insert "SEC. 5".

**Amendment No. 16**

On page 3, strike out lines 28 to 33, inclusive.

**Amendment No. 17**

On page 3, line 34, strike out "SEC. 13", and insert "SEC. 6".

**Amendment No. 18**

On page 3, strike out line 35.

**Amendment No. 19**

On page 3, line 36, strike out "SEC. 15", and insert "SEC. 7".

**Amendment No. 20**

On page 3, line 36, strike out "4145", and insert "4146".

**Amendment No. 21**

On page 3, line 37, strike out "4145" and insert "4146".

**Amendment No. 22**

On page 4, strike out lines 1 to 43, inclusive.

**Amendment No. 23**

On page 4, line 44, strike out "SEC. 19", and insert "SEC. 8".

**Amendment No. 24**

On page 4, between lines 47 and 48, insert

"SEC. 9. Section 4166 of said code is amended to read:

4166. *The value of the following property shall be excluded in determining eligibility under this chapter:*

*(a) Personal jewelry, personal effects, home furnishings, and other property used to provide, equip, and maintain a home for the recipient.*

*(b) Any property right which is not available for the use of or expenditure by or in behalf of the recipient.*

*(c) Equipment and material which is necessary to implement a rehabilitation or self care plan for the recipient.*

*(d) A motor vehicle needed for transportation of the recipient.* ~~For the purposes of this chapter the term personal property shall not include the value of personal effects of the applicant or recipient. Personal effects include clothing, furniture, household equipment, foodstuffs, fuel and personal jewelry.~~"

**Amendment No. 25**

On page 4, line 48, strike out "SEC. 20", and insert "SEC. 10".

**Amendment No. 26**

On page 5, strike out lines 6 to 36, inclusive.

**Amendment No. 27**

On page 5, line 37, strike out "SEC. 22.", and insert "SEC. 11."

**Amendment No. 28**

On page 5, strike out lines 42 to 51, inclusive; and on page 6 strike out lines 1 to 25, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means

**Assembly Bill No. 103**—An act to amend Section 4020 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 13, 1959, strike out "Section", and insert "Sections".

**Amendment No. 2**

In line 1 of the title, after "4020", insert ", 4160, and 4162"

**Amendment No. 3**

On page 1, strike out line 3, and insert

"4020. If the board of supervisors is satisfied that the applicant is entitled to aid under the provisions of this chapter, it shall, without delay, issue an order therefor.

The amount of aid to which any applicant shall be".

**Amendment No. 4**

On page 1, strike out lines 7 and 8, and insert "sources, one hundred ten dollars ($110) per month. The sum of one hundred ten dollars ($110) is presumed to be sufficient to enable an applicant to meet his basic needs under this chapter."

**Amendment No. 5**

On page 1, line 10, strike out "that amount", and insert "one hundred ten dollars ($110) per month".

**Amendment No. 6**

On page 1, line 11, strike out "the maximum amount"; strike out all of line 12; and in line 13 strike out "Part 1 of Division 5 of this code", and insert "one hundred ten dollars ($110) per month".

**Amendment No. 7**

On page 1, strike out lines 17 to 20, inclusive, and insert

"In any case where the amount of income and resources of a recipient of aid under this chapter when added to the aid granted under this section does not equal his actual need, an additional amount of aid shall be granted, but in no event shall the additional amount granted exceed twenty-five dollars ($25) per month or cause a total grant under this chapter with respect to any recipient of more than one hundred thirty-five dollars ($135) per month."

**Amendment No. 8**

On page 1, after line 25, insert

"SEC. 2. Section 4160 of said code is amended to read:

4160. Aid shall be granted under this chapter to any needy disabled person who comes within all of the following descriptions:

(a) Who has attained the age of 18 years.

(b) *Who has become disabled while a resident of this State.* ~~Who is a citizen of the United States or who has resided continuously in the United States since January 1, 1932, provided, that aid shall not be granted to any alien who has been convicted of an overt act against the Government of the United States, provided further, that any noncitizen who applies for aid under this chapter shall declare under oath that he desires to become a citizen of the United States and shall annually thereafter submit evidence that he is proceeding diligently within the limits of his ability to qualify for citizenship.~~

(c) *Who became disabled while a nonresident of the State but who* resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application.

(d) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

(e) Who is not at the time of receiving such aid a patient in an institution for tuberculosis or mental disease, a patient in a medical institution as the result of a diagnosis of tuberculosis or psychosis, an inmate of a public institution of a custodial (nonmedical), penal, or correctional character, or an inmate of a federal medical institution. Any such inmate or patient, however, may make an application for aid under this chapter and have his application investigated and acted upon without delay, in the same manner as applications of other persons are acted upon, while he is such an inmate or patient, and, if he is otherwise qualified under the terms of this chapter, such application shall be approved. The aid shall be granted to him from the first day of the month in which the determination is made that he is eligible, but in no event shall the aid commence prior to the date of the application. The applicant may remain an inmate or patient until he receives his first monthly payment, whereupon he shall cease to be such inmate or patient.

(f) Who is not receiving adequate support from a husband or wife, or parent, or child able and responsible under the laws of this State to furnish such support.

SEC. 3. Section 4162 of said code is amended to read:

4162. No aid under this chapter shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds ~~six~~ *one thousand two* hundred dollars ~~($600)~~ *($1,200)*."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 2076**—An act to add Article 3 (commencing at Section 1120) to Chapter 8, Division 5, of the Agricultural Code, relating to poultry quality.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2412**—An act to add Section 4232 to the Agricultural Code, relating to the marketing of dairy products.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1881**—An act to amend Sections 14000 and 14001 of the Fish and Game Code, relating to the Pacific Marine Fisheries Compact.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "Alaska," insert "Hawaii,".

**Amendment No. 2**

On page 5, line 19, after "Alaska", insert ", the State of Hawaii,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 265**—An act to amend Sections 576 and 578 of, to add Section 575.1 to, and to repeal Sections 577 and 578.1 of, the Welfare and Institutions Code, relating to juvenile court referees.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1494**—An act to amend Section 227 of the Civil Code, relating to adoptions.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1934**—An act to amend Sections 72709, 72710 and 72712 of the Government Code, relating to court reporters in the Municipal Court, Los Angeles Judicial District.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2021**—An act to amend Section 3107 of the Government Code, relating to oaths of allegiance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2220**—An act to amend Sections 396 and 399 of the Code of Civil Procedure, relating to payment of costs and fees on transfer of action to another court.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2289**—An act to amend Section 162 of and to add Section 162.5 to the Probate Code, relating to income earned during probate.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2291**—An act to add Section 715.4 to the Civil Code, relating to exclusion of certain trusts from the rule against perpetuities and the rule against restraints of alienation.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1191**—An act to amend Section 92 of, and to add Section 109 to, the Civil Code, relating to grounds for divorce.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1249**—An act to amend Section 6947 of, and to add Sections 6946.5 to, the Business and Professions Code, and to add Section 426c to the Code of Civil Procedure, relating to actions by assignees for collection.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1484**—An act to amend Section 3287 of the Civil Code, relating to interest as damages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2007**—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary coordination of releases of water from reservoirs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2241**—An act to add Section 11655 to the Elections Code, relating to the circulation of election petitions, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 205**—An act to amend Sections 3818, 3830, 3925, 3941, and 3946 of the Election Code, relating to office designations on election ballots.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "3818," insert "3819,".

**Amendment No. 2**

In line 1 of the title, after "3925,", insert "3929,".

**Amendment No. 3**

On page 2, strike out line 1, and insert

"SEC. 2. Section 3819 of said code is amended to read:

3819. Except in cases provided for by Section 26 of Article VI of the Constitution, immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

(a) Words designating the city, county, district, *federal*, or state office which the candidate then holds

In addition to the foregoing, Members of the Senate of the State of California may use either of the following designations: "State Senator, _____ District, California Legislature" or "Member of California Senate, _____ District," or any other appropriate designation, the blanks to be filled with the appropriate district number.

Members of the Assembly may use either of the following designations: "Assemblyman, _____ District, California Legislature" or "Member of the Assembly, _____ District, California Legislature," or any other appropriate designation, the blanks to be filled with the appropriate district number.

(b) If the candidate be a candidate for the same office which he then holds, and only in that event, the word "incumbent."

(c) Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate. No candidate shall assume a designation which would mislead the voters

In all cases words so used shall be printed in eight-point roman bold-face capitals and lower-case type.

SEC 3. Section 3830 of saide code is amended to read:".

**Amendment No. 4**

On page 4, line 1, strike out "SEC. 3", and insert "SEC. 4".

**Amendment No. 5**

On page 4, between lines 16 and 17, insert

"SEC. 5. Section 3929 of said code is amended to read:

3929. Immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

(a) Words designating the city, county, district, *federal*, or state office which the candidate then holds.

In addition to the foregoing, Members of the Senate of the State of California may use either of the following designations: "State Senator, _____ District, California Legislature" or "Member of California Senate, _____ District," or any other appropriate designation, the blanks to be filled with the appropriate district number.

Members of the Assembly may use either of the following designations: "Assemblyman, _____ District, California Legislature" or "Member of the Assembly, _____ District, California Legislature," or any other appropriate designation, the blanks to be filled with the appropriate district number.

(b) If the candidate be a candidate for the same office which he then holds, and only in that event the word "incumbent"

(c) Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate. Notwithstanding any other provision of law, if upon checking the nomination paper the officer in charge of the election finds the wording to be different than that upon the registration affidavit, he shall notify the candidate by registered mail, return receipt requested. The candidate shall within three days from the date of receipt of the notice appear before the officer and reregister to conform with the request for the designation that appears on his nomination paper. If the candidate does not appear within three days the officer shall leave the designation under his name blank (no designation).

No candidate shall assume a designation which would mislead the voters The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, prior to the closing date of nominations for the general election, requests in writing a different designation which he then has the option to use under Section 3819 of this code

*Any candidate at the direct primary election who is elected at a special election held to fill a vacancy in the office for which he is a candidate or in any other office, and who receives his certificate of election and takes his oath of office, may use any appropriate designation as set forth in Section 3819 on the general election ballot, regardless of the designation he may have used on the direct primary election ballot.*

In all cases words so used shall be printed in 8-point roman boldface capitals and lower-case type."

**Amendment No. 6**

On page 4, line 17, strike out "SEC. 4", and insert "SEC. 6".

**Amendment No. 7**

On page 4, line 25, strike out "SEC 5", and insert "SEC. 7".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1917**—An act to amend Section 1062 and to repeal Section 3546 of the Public Utilities Code, relating to highway carriers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2374**—An act to add Section 53064 to the Government Code, relating to publicly owned public utilities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

*On page 1, after line 13, of the printed bill, insert*

"This section does not apply to an increase in a rate of charge which is made solely to increase revenue for the purpose of maintaining a required interest rate on bonds pursuant to any provision of law or any contractual obligations."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 330**—An act to add Section 6002.5 to the Public Utilities Code, relating to public utilities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 27, 1959, strike out "public utilities", and insert "installations in streets, roads, and highways".

**Amendment No. 2**

In line 1 of the title, strike out "6002.5 to the Public Utilities", and insert "687.5 to the Streets and Highways".

**Amendment No. 3**

On page 1, line 1, strike out "6002.5", and insert "687.5".

**Amendment No. 4**

On page 1, lines 1 and 2, strike out "Public Utilities", and insert "Streets and Highways".

**Amendment No. 5**

On page 1, line 3, strike out "6002.5", and insert "687.5".

**Amendment No. 6**

On page 1, lines 4 and 5, strike out "public utility or public district", and insert "permittee".

**Amendment No. 7**

On page 1, line 10, strike out "public utility or public district", and insert "permittee".

**Amendment No. 8**

On page 1, line 15, after the comma, insert "county, or city and county,".

**Amendment No. 9**

On page 1, line 20, after the period, insert "This section shall not be applicable to any public utility possessing a franchise from a city, county, or city and county which provides for the installation of the facilities of such utility in the streets, roads or highways of such city, county, or city and county."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committe on Public Utilities and Corporations.

**Assembly Joint Resolution No. 31**—Relative to a Pacific Northwest Intertie.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporation, were read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed measure, strike out "Ill-conceived, premature", and insert "Premature".

**Amendment No. 2**

On page 1, line 12, after "action", insert "is".

**Amendment No. 3**

On page 1, lines 15 and 16, strike out "will eliminate the possibility of", and insert "which might interfere with the maximum".

**Amendment No. 4**

On page 1, line 16, strike out "much as in the Hells Canyon case,"; strike out line 17; and in line 18, strike out "natural resources", and insert "in the State of California".

**Amendment No. 5**

On page 2, lines 2 and 3, strike out "Affairs' Subcommittee on Irrigation and Reclamation", and insert "Affairs".

**Amendment No. 6**

On page 2, lines 10 and 11, strike out "subcommittee", and insert "committee".

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 582**—An act to amend Sections 25000, 25001, 25002, 25004 and 25007 of the Health and Safety Code, relating to chemical toilets.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2434**—An act to amend Section 4001 of the Business and Professions Code, relating to membership in the State Board of Pharmacy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "two", and insert "one".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 1627**—An act to add Sections 651.3, 3029 and 3030 to the Business and Professions Code, relating to the healing arts professions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 8, 1959, strike out "and 3030", and insert ", 3030 and 3031".

**Amendment No. 2**

On page 2, after line 32, insert

"SEC. 4. Section 3031 is added to said code, to read:

3031. Except as provided in Sections 3129 and 3130, nothing contained in Sections 3029 and 3030 shall be construed as authorizing the board to adopt, amend, or repeal rules of professional conduct relating to price fixing or advertising of commodities."

**Amendment No. 3**

On page 1, line 14, after "person", insert "when those commodities or services are furnished in connection with the professional practice or business for which he is licensed".

Bill ordered reprintd, re-engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2386**—An act to amend Section 26200.5 of the Health and Safety Code, relating to labeling of vitamins.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "5,000", and insert "50,000".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2366**—An act to amend Sections 580 and 582 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "or imitation ice milk", and insert ", imitation ice milk, or mixes for such products".

Amendment No. 2

On page 1, line 4, strike out "handled", and insert "packaged".

Amendment No. 3

On page 1, line 8, strike out "handled", and insert "packaged".

Amendment No. 4

On page 1, strike out lines 13 and 14

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

**Assembly Bill No. 1465**—An act to amend Sections 6340 and 6361 of the Business and Professions Code, relating to county law libraries.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "may", and insert "need not".

Amendment No. 2

On page 1, line 14, after "trustees", insert "determines it".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1595**—An act to add Article 3.5 (commencing at Section 5920) to Chapter 6 of Division 6 of Part 2 of the Education Code as enacted at the 1959 Regular Session, relating to evening study halls in high schools.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2376**—An act to amend Section 3402 of the Education Code, as enacted by the Legislature at the 1959 Regular Session, relating to employees of reorganized school districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 75**—An act to add Section 5721 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the education of pupils at junior college.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 4, 1959, strike out "7521", and insert "5721".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1705**—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, after line 14, insert

"This section shall not apply where the mortgagee, beneficiary under a deed of trust, or the assignee of either, is a bank or savings and loan association licensed or operating under provisions of a state or federal law."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2339**—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 3, line 12, of the printed bill, strike out the semicolon and insert a period; and strike out lines 13 to 16, inclusive.

Amendment No. 2

On page 4, line 14, after the word "co-owners", strike out the period, and insert ", and provided further than any notice of completion signed by a successor in interest shall recite the names and addresses of his transferor or transferors."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2367**—An act to amend Section 226 of, and to add Section 226r to, the Civil Code, relating to the adoption of children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out ", and to add Section 226r to,".

**Amendment No. 2**

On page 2, strike out lines 10 to 15, inclusive, and insert

"(e) The state of health of the petitioners.

(f) The history of any conviction involving moral turpitude of either petitioner."

**Amendment No. 3**

On page 3, lines 21 and 22, strike out "under the first paragraph of this section".

**Amendment No. 4**

On page 4, strike out lines 34 to 50, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2430**—An act to add Article 11.5 (commencing at Section 73750) to Chapter 10, Division 8 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out line 4, and insert

"(b) Three deputy clerks, grade IV (division heads), each of whom shall receive a minimum salary of four hundred seventeen dollars ($417) monthly with annual increments of twenty-three dollars ($23), twenty-four dollars ($24), twenty-five dollars ($25), and twenty-seven dollars ($27) to a maximum of five hundred sixteen dollars ($516) monthly.

(c) One deputy clerk, grade III (courtroom clerk) who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly.

(d) Two deputy clerks, grade II (cashier, bookkeeper), each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20) to a maximum of three hundred seventy-five dollars ($375) monthly.

(e) Three deputy clerks, grade I (general clerical duties), each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred fifty-five dollars ($355) monthly.

73754 There shall be one marshal who shall receive a monthly salary of seven hundred dollars ($700). The marshal may appoint:

(a) Three deputy marshals, grade II (field deputies), each of whom shall receive a minimum salary of four hundred seventeen dollars ($417) monthly with annual increments of twenty-three dollars ($23), twenty-four dollars ($24), twenty-five dollars ($25), and twenty-seven dollars ($27) to a maximum of five hundred sixteen dollars ($516) monthly.

(b) One deputy marshal, grade I (bailiff), who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly

(c) One chief clerk (clerical supervisor) who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly.

(d) One clerk, grade II (bookkeeper), who shall receive a minimum salary of three hundred three dollars ($303) monthly with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20) to a maximum of three hundred seventy-five dollars ($375) monthly.

(e) Three clerks, grade I (general clerical duties), each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred fifty-five dollars ($355) monthly."

**Amendment No. 2**

On page 2, strike out lines 5 to 51, inclusive; and on page 3, strike out lines 1 to 18, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1675**—An act to add Sections 13837, 13838, 14256, 14257, 14258, 14259, and 14260 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the providing of survivor allowances in the State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "14257,".

**Amendment No. 2**

In line 2 of the title, after "to", insert ", and to amend Section 14216 of,".

**Amendment No. 3**

On page 2, line 5, strike out "Sections 14256 and 14257", and insert "Section 14256".

**Amendment No. 4**

On page 2, between lines 13 and 14, insert

"SEC. 3. Section 14216 of said code is amended to read:

14216. The State shall contribute annually to the Teachers' Retirement Fund an amount, determined actuarially, which shall equal the sum of:

(a) An amount equal to so much of the benefits to be paid from the Permanent Fund during that year as is not provided by the Permanent Fund contributions based on service after July 1, 1944, of the members receiving such benefits, plus interest at a rate or rates declared annually by the Retirement Board, and by the contributions of employing agencies during that year.

(b) An amount equal to so much of the benefits to be paid from the Retirement Annuity Fund during that year, as is not provided by the accumulated annuity contributions of the members receiving such benefits, and by the contributions of employing agencies during that year.

*(c) An amount equal to so much of the survivor benefits to be paid from the Permanent Fund as are in excess of the accumulated contributions and interest in that fund which are not required for the future payment of annuities, refunds and death benefits.*"

**Amendment No. 5**

On page 2, line 14, strike out "3", and insert "4".

**Amendment No. 6**

On page 3, strike out lines 45 to 51, inclusive; and on page 4, strike out lines 1 to 11, inclusive.

**Amendment No. 7**

On page 4, line 13, strike out "Sections", and insert "Section".

**Amendment No. 8**

On page 4, lines 13 and 14, strike out "and 14257".

**Amendment No. 9**

On page 4, line 27, strike out "Sections 14256 and 14257," and insert "Section 14256".

**Amendment No. 10**

On page 4, line 28, strike out "the Retirement Anuity Fund, and", and insert "accumulated contributions and interest in the Permanent Fund which are not required for the future payment of annuities, refunds and death benefits. Such allowances".

**Amendment No. 11**

On page 4, line 30, strike out "or retired person".

**Amendment No. 12**

On page 5, strike out lines 6 to 8, inclusive, and insert "Option 3, provided that only a surviving spouse who was married to the retired person at least one year prior to retirement, or such person's child who is under age 18 and who, if adopted, was adopted at least one year prior to retirement, or such person's dependent parent".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1692**—An act to amend Section 13207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to revocation of certification documents whenever the holder has been convicted of certain sex offenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, strike out "who has heretofore been convicted or who is hereafter".

**Amendment No. 2**

On page 1, line 10, after "convicted", insert "after the effective date of the amendment of this section made at the 1959 Regular Session of the Legislature".

**Amendment No. 3**

On page 1, line 11, strike out "the", and insert "such".

**Amendment No. 4**

On page 1, line 15, strike out "the", and insert "such".

**Amendment No. 5**

On page 1, line 15, strike out "hereafter".

**Amendment No. 6**

On page 1, line 16, strike out "hereafter".

**Amendment No. 7**

On page 2, strike out lines 1 to 11, inclusive, and insert

"The board may forthwith suspend any credential, life diploma, or document issued by the board to any person convicted prior to the effective date of the amendment to this section made at the 1959 Regular Session of the Legislature of any sex offense as defined in Section 12912, and, if such conviction has theretofore become final or if the imposition of sentence has been suspended the board, upon ascertaining such fact, may forthwith revoke any credential, life diploma or document issued to such person

Any suspension or revocation of a credential, life diploma or document by the board prior to the effective date of the amendment to this section enacted at the 1959 Regular Session of the Legislature is hereby confirmed and validated, except that in cases wherein judicial review of such action by the board is pending on said date the board may, on such conditions as it deems just and in the public interest, set aside its original resolution of suspension or revocation and thereupon may consider and may readopt or amend such original resolution in such cases pursuant to

the authority granted by this section as amended at the 1959 Regular Session of the Legislature."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 2017**—An act to amend Section 16562 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to use of school property for public purposes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on May 12, 1959, after "value", insert ", as determined by the governing board of the district,".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2160**—An act to amend Section 16626 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to employees in child care centers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 3, of the printed bill, as amended in the Assembly on April 22, 1959, after line 13, insert

"The provisions of Section 13525, Section 13525.1 or Section 13526 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, shall not apply to employees in child care centers.

Notwithstanding any other provisions of law, a district may lay off such an employee at any time during the school year for lack of work or lack of funds or may provide for his employment for not to exceed 90 days in any one school year on an intermittent basis which shall not be deemed probationary service. The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff.

Service performed prior to the effective date of this section shall not be included in computing the service required as a prerequisite for attainment of, or eligibility to, classification as a permanent child care center employee.

Probationary employees who have been employed by a district in a position requiring a child care permit for the care and guidance of children or in the supervision of the child care program for three complete consecutive school years prior to the effective date of this section may be dismissed in accordance with the provisions of Section 13444.

Other probationary employees in positions requiring such permits may be dismissed in accordance with the provisions of Section 13443."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1594**—An act to add Section 817 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the academic education of inmates in state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "schools", insert "of a county in which the institution or facility is located, or of a county contiguous to such county".

Amendment No. 2

On page 1, line 8, strike out "The county"; and strike out lines 9 to 12, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1532**—An act to amend Sections 21756, 21810, 21812, 22051, and 22052 of, and to add Section 21800 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district bonds.

Bill read second time, and ordered to the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 741**—An act to add Section 804.2 to the Agricultural Code, relating to shipment of pears outside the State.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 274**—An act to add Section 10177 to the Insurance Code, to add Sections 1137, 1137.1, and 1137.2 to the Probate Code, and to amend Section 13724 of the Revenue and Taxation Code, and Section 381 of the Probate Code, relating to testamentary trusts of life insurance proceeds.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Senate on March 25, 1959, strike out "but nothing herein contained shall"; and strike out all of line 2, and insert "but nothing herein contained shall impair the right of a duly appointed trustee thereafter to recover such proceeds from the person or persons to whom so paid"

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 344**—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, following the period, insert "Such proportionate share shall be based upon the population of the State in comparison to that of other states"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 349**—An act to add Division 5, comprising Sections 30000 through 30010, to Title 4 of the Corporations Code, relating to fiduciary security transfers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 351**—An act to repeal Article 4, comprising Sections 1154 to 1164, inclusive, of Chapter 3, Title 4, Part 4, Division 2 of the Civil Code, and to add Article 4, comprising Sections 1154 to 1165, inclusive, to Chapter 3, Title 4, Part 4, Division 2 of the Civil Code, relating to gifts of money and securities to minors.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 352**—An act to amend Sections 1653, 1672, 1677, 1680, 1683, 1685, and 1689 of, to repeal Sections 1661 and 1681 of, and to add Sections 1661, 1672.5, 1681, 1683.5, 1691, and 1692 to, the Code of Civil Procedure, relating to the enforcement of duties of support.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 635**—An act to add Section 242a to the Code of Civil Procedure, relating to grand juries.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 657**—An act to amend Section 1086 of the Water Code, relating to the State Water Rights Board power to subpoena witnesses.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 769**—An act to amend Section 8205 of the Government Code, relating to notary public.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 72**—An act to amend Section 73731 of the Government Code, relating to municipal courts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 73731", and insert "Sections 73731, 73732, 73733, 73734, 73735, 73992, 73993, and 73994".

#### Amendment No. 2

On page 1, after line 3, insert

"SEC. 2. Section 73732 of said code is amended to read:

73732. There shall be one clerk who shall receive a minimum *salary* of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($545)~~ *($608)* monthly with annual increments of ~~thirty~~ *thirty-three* dollars ~~($30)~~ *($33)*, ~~thirty-three~~ *thirty-six* dollars ~~($33)~~ *($36)*, ~~thirty-three~~ *thirty-eight* dollars ~~($33)~~ *($38)*, and ~~thirty-six~~ *forty* dollars ~~($36)~~ *($40)* to a maximum of ~~six~~ *seven* hundred ~~seventy-seven~~ *fifty-five* dollars ~~($677)~~ *($755)* monthly.

SEC. 3. Section 73733 of said code is amended to read:

73733. The clerk may appoint:

(a) One chief deputy clerk, who shall receive a minimum salary of four hundred ~~forty~~ *eighty-nine* dollars ~~($440)~~ *($489)* monthly with annual increments of ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)*, ~~twenty-five~~ *twenty-nine* dollars ~~($25)~~ *($29)*, ~~twenty-seven~~ *thirty* dollars ~~($27)~~ *($30)*, and ~~twenty-nine~~ *thirty-three* ~~($29)~~ *($33)* to a maximum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($545)~~ *($608)* monthly.

(b) Three deputy clerks grade ~~IV~~ *V* (division heads), each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~seventy-five~~ *seventeen* dollars ~~($375)~~ *($417)* monthly with annual increments of ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty-two~~ *twenty-four* dollars ~~($22)~~ *($24)*, ~~twenty-three~~ *twenty-five* dollars ~~($23)~~ *($25)*, and ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~sixty-four~~ *sixteen* dollars ~~($461)~~ *($516)* monthly.

(c) Six deputy clerks grade ~~III~~ *IV* (courtroom ~~clerk~~ clerks, chief bookkeeper ~~or chief cashier~~), each of whom shall receive a minimum salary of three hundred ~~thirty-seven~~ *ninety-five* dollars ~~($337)~~ *($395)* monthly with annual increments of ~~eighteen~~ *twenty-two* dollars ~~($18)~~ *($22)*, ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty~~ *twenty-four* dollars ~~($20)~~ *($24)*, and ~~twenty-two~~ *twenty-five* dollars ~~($22)~~ *($25)* to a maximum of four hundred ~~seventeen~~ *eighty-nine* dollars ~~($417)~~ *($489)* monthly.

*(d) One deputy clerk grade III (assistant division head), who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly.*

~~(d)~~ *(e)* ~~Five~~ *Seven* deputy clerks grade II ( ~~stenographer, assistant bookkeeper or assistant cashier~~ *cashiers, stenographers, section leaders* ), each of whom shall receive a minimum salary of ~~two~~ *three* hundred ~~eighty-eight~~ *three* dollars ~~($288)~~ *($303)* monthly with annual increments of ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, eighteen dollars ($18), and ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)* to a maximum of three hundred ~~fifty-five~~ *seventy-five* dollars ~~($355)~~ *($375)* monthly.

~~(e)~~ *(f)* ~~Ten~~ *Nineteen* deputy clerks grade I (general clerical duties), each of whom shall receive a minimum salary of two hundred ~~seventy-three~~ *eighty-eight* dollars ~~($273)~~ *($288)* monthly with annual increments of fifteen dollars ($15), ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and eighteen dollars ($18) to a maximum of three hundred ~~thirty-seven~~ *fifty-five* dollars ~~($337)~~ *($355)* monthly.

*(g) One telephone operator who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of twelve dollars ($12), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16) to a maximum of three hundred nineteen dollars ($319) monthly.*

SEC. 4. Section 73734 of said code is amended to read:

73734. There shall be one marshal who shall receive a monthly salary of ~~seven~~ *eight* hundred dollars ~~($700)~~ *($800)*.

SEC. 5. Section 73735 of said code is amended to read:

73735. The marshal may appoint:

(a) ~~One assistant marshal~~ Two supervising deputy marshals who shall receive a minimum salary of four hundred ~~forty~~ *sixty-four* dollars ~~($440)~~ *($464)* monthly with annual increments of ~~twenty-four~~ *twenty-five* dollars ~~($424)~~ *($25)*, ~~twenty-five~~ *twenty-seven* dollars ~~($425)~~ *($27)*, ~~twenty-seven~~ *twenty-nine* dollars ~~($427)~~ *($29)*, and ~~twenty-nine~~ *thirty* dollars ~~($429)~~ *($30)* to a maximum of five hundred ~~forty-five~~ *seventy-five* dollars ~~($545)~~ *($575)* monthly.

(b) ~~Eight~~ *Eleven* deputy marshals grade II ~~(field deputies)~~, each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly with annual increments of ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, and ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~eighty-nine~~ *sixteen* dollars ~~($489)~~ *($516)* monthly.

(c) ~~Three~~ *Five* deputy marshals grade I ~~(bailiffs)~~, each of whom shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($464)~~ *($489)* monthly.

(d) One chief clerk, ~~clerical supervisor,~~ who shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)* ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($464)~~ *($489)* monthly.

(e) One clerk grade II (bookkeeper), who shall receive a minimum salary of three hundred ~~nineteen~~ *thirty-seven* dollars ~~($319)~~ *($337)* monthly with annual increments of eighteen dollars ($18), ~~eighteen~~ twenty dollars ~~($418)~~ *($20)*, twenty dollars ($20), and ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)* to a maximum of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly.

(f) ~~Four~~ *Seven* clerks grade I ~~(general clerical duties)~~, each of whom shall receive a minimum salary of two hundred ~~seventy-three~~ *eighty-eight* dollars ~~($273)~~ *($288)* monthly with annual increments of fifteen dollars ($15), ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and eighteen dollars ($18) to a maximum of three hundred ~~thirty-seven~~ *fifty-five* dollars ~~($337)~~ *($355)* monthly.

SEC. 6. Section 73992 of said code is amended to read:

73992. There shall be one clerk who shall receive a minimum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($545)~~ *($608)* monthly with annual increments of ~~thirty~~ *thirty-three* dollars ~~($30)~~ *($33)*, ~~thirty-three~~ *thirty-six* dollars ~~($33)~~ *($36)*, ~~thirty-three~~ *thirty-eight* dollars ~~($33)~~ *($38)*, and ~~thirty-six~~ *forty* dollars ~~($36)~~ *($40)* to a maximum of ~~six~~ *seven* hundred ~~seventy-seven~~ *fifty-five* dollars ~~($677)~~ *($755)* monthly.

SEC. 7. Section 73993 of said code is amended to read:

73993. The clerk may appoint:

(a) One chief deputy clerk, who shall receive a minimum salary of four hundred ~~forty~~ *eighty-nine* dollars ~~($110)~~ *($489)* monthly with annual increments of ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)*, ~~twenty-five~~ *twenty-nine* dollars ~~($25)~~ *($29)*, ~~twenty-seven~~ *thirty* dollars ~~($27)~~ *($30)*, and ~~twenty-nine~~ *thirty-three* dollars ~~($29)~~ *($33)* to a maximum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($515)~~ *($608)* monthly.

(b) ~~Three~~ *Four* deputy clerks, grade ~~IV~~ *V* (general civil and small claims deputies), each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~seventy-five~~ *seventeen* dollars ~~($375)~~ *($417)* monthly with annual increments of ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty-two~~ *twenty-four* dollars ~~($22)~~ *($24)*, ~~twenty-three~~ *twenty-five* dollars ~~($23)~~ *($25)*, and ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~sixty-four~~ *sixteen* dollars ~~($464)~~ *($516)* monthly.

(c) ~~Four~~ *Three* deputy clerks, grade ~~III~~ *IV* (courtroom ~~clerk~~ *clerks*, ~~chief bookkeeper or chief cashier~~ *supervisor traffic division*), each of whom shall receive a minimum salary of three hundred ~~thirty-seven~~ *ninety-five* dollars ~~($337)~~ *($395)* monthly with annual increments of ~~eighteen~~ *twenty-two* dollars ~~($18)~~ *($22)*, ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty~~ *twenty-four* dollars ~~($20)~~ *($24)*, and ~~twenty-two~~ *twenty-five* dollars ~~($22)~~ *($25)* to a maximum of four hundred ~~seventeen~~ *eighty-nine* dollars ~~($117)~~ *($489)* monthly.

(d) ~~Five~~ *Two* deputy clerks, grade ~~II~~ *III* (~~stenographers, assistant bookkeeper, or assistant cashier~~ *chief bookkeeper, chief cashier*), each of whom shall receive a minimum salary of ~~two~~ *three* hundred ~~eighty-eight~~ *fifty-five* dollars ~~($288)~~ *($355)* monthly with annual increments of ~~fifteen~~ *twenty* dollars ~~($18)~~ *($20)*, ~~sixteen~~ *twenty* dollars ~~($16)~~ *($20)*, ~~eighteen~~ *twenty-two* dollars ~~($18)~~ *($22)*, ~~eighteen~~ *twenty-three* dollars ~~($18)~~ *($23)* to a maximum of ~~three~~ *four* hundred ~~fifty-five~~ *forty* dollars ~~($355)~~ *($440)* monthly.

(e) ~~Seven~~ *Four* deputy clerks, grade ~~I~~ *II* (~~general clerical duties~~ *assistant cashiers, assistant bookkeeper, calendar clerk*), each of whom shall receive a minimum salary of ~~two~~ *three* hundred ~~seventy-three~~ *three* dollars ~~($273)~~ *($303)* monthly with annual increments of ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~fifteen~~ *eighteen* dollars ~~($15)~~ *($18)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)* to a maximum of three hundred ~~thirty-seven~~ *seventy-five* dollars ~~($337)~~ *($375)* monthly.

*(f) Seven deputy clerks, grade I (general clerical duties), each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred fifty-five dollars ($355) monthly.*

SEC. 8. Section 73994 of said code is amended to read:

73994. There shall be one marshal who shall receive a monthly salary of ~~seven~~ *eight* hundred dollars ~~($700)~~ *($800)*. The marshal may appoint:

(a) One ~~assistant marshal~~ *supervising deputy marshal* who shall receive a monthly salary of four hundred ~~forty~~ *sixty-four* dollars ~~($440)~~

*($464)* monthly with annual increments of ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)*, ~~twenty-seven~~ *twenty-nine* dollars ~~($27)~~ *($29)*, and ~~twenty-nine~~ *thirty* dollars ~~($29)~~ *($30)* to a maximum of five hundred ~~forty-five~~ *seventy-five* dollars ~~($515)~~ *($575)* monthly.

(b) Six deputy marshals, grade II (field deputies) each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly with annual increments of ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, and ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~eighty-nine~~ *sixteen* dollars ~~($489)~~ *($516)* monthly.

(c) ~~Three~~ *Two* deputy marshals, grade I (bailiffs), each of whom shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($461)~~ *($489)* monthly.

(d) One chief clerk ~~(clerical supervisor)~~ who shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($464)~~ *($489)* monthly.

(e) One clerk, grade II (bookkeeper), who shall receive a minimum salary of three hundred ~~nineteen~~ *thirty-seven* dollars ~~($319)~~ *($337)* monthly with annual increments of eighteen dollars ($18), ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)*, twenty dollars ($20), and ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)* to a maximum of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly.

(f) Four clerks, grade I ~~(general clerical duties)~~, each of whom shall receive a minimum salary of two hundred ~~seventy-three~~ *eighty-eight* dollars ~~($273)~~ *($288)* monthly with annual increments of fifteen dollars ($15), ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and eighteen dollars ($18) to a maximum of three hundred ~~thirty-seven~~ *fifty-five* dollars ~~($337)~~ *($355)* monthly."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 702**—An act to add Section 94.5 to the Penal Code, and to add Sections 69507 and 72006 to the Government Code, relating to fees and gratuities for performing marriage.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

**On page 1, line 4, of the printed bill, as amended in the Senate on April 29, 1959, strike out "asks for or".**

**Amendment No. 2**

On page 1, line 8, strike out "request or".

**Amendment No. 3**

On page 1, line 14, strike out "request for or".

**Amendment No. 4**

On page 1, line 17, strike out "request for or".

**Amendment No. 5**

On page 1, line 20, strike out "a request for or", and insert "an".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 607**—An act to amend Section 6154 of the Elections Code, relating to voting machines.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 458**—An act to add Sections 6159 and 6160 to the Elections Code, relating to the approval of voting machines.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on April 9, 1959, strike out "88, 2400,".

**Amendment No. 2**

In line 2 of the title, strike out "7207, 7609,".

**Amendment No. 3**

In line 3 of the title, after "7847,", insert "and".

**Amendment No. 4**

In line 3 of the title, strike out ", 8001, 8002, 8003, 8004, 8005,"; strike out all of line 4 of the title; and in line 5 of the title, strike out "8501, 8530, 8531, 8602, and 8603".

**Amendment No. 5**

Strike out lines 6 to 8, inclusive, of the title, and insert "7802, 7808, and 7849 to, to add Chapter 4.5 (commencing at Section 7650) to Division 9 of, to repeal Chapter 5 (commencing at Section 7700) of Division 9 of,".

**Amendment No. 6**

In line 10 of the title, strike out "7807, 8133, and 8135", and insert "and 7807".

**Amendment No. 7**

On page 1, strike out lines 1 to 13, inclusive.

**Amendment No. 8**

On page 2, strike out line 19, and insert
"SECTION 1. Section 5931 of the Elections Code is amended to read:".

**Amendment No. 9**

On page 2, lines 40 and 41, strike out "envelope the clerk shall deposit the envelope", and insert "return envelope containing the identification envelope the clerk shall compare the voter's signature on the identification envelope with that appearing on his duplicate affidavit of registration and, if they compare, shall deposit the identification envelope".

**Amendment No. 10**

On page 2, line 42, after the period, insert "An identification envelope shall in no event be opened before the time for canvassing absent voter ballots."

**Amendment No. 11**

On page 2, line 43, strike out "SEC. 6", and insert "SEC. 2".

**Amendment No. 12**

On page 2, line 48, strike out "SEC. 7", and insert "SEC. 3".

**Amendment No. 13**

On page 3, line 12, after "clerk", insert "shall compare the voter's signature on the identification envelope with that appearing on his duplicate affidavit of registration and, if they compare,".

**Amendment No. 14**

On page 3, strike out lines 19 to 32, inclusive, and insert
"SEC. 4. Chapter 4.5 (commencing at Section 7650) is added to Division 9 of said code, to read.

CHAPTER 4.5. SEMIOFFICIAL CANVASS

7650. This chapter applies to all statewide elections, including the primary and general elections.

7651. The county clerk shall conduct a semiofficial canvass by compiling the returns as shown on the result of the votes cast turned in to him after the precinct boards have completed their canvass at the polls. He shall continue the semiofficial canvass without adjournment until all precincts are accounted for.

7652. Upon the expiration of each two hours following the commencement of the semiofficial canvass until the expiration of 12 hours; of each six hours for the next 12 hours; and thereafter each 12 hours, the county clerk shall transmit the returns to the Secretary of State in the manner prescribed by him, for:

(a) All candidates voted for in more than one county.

(b) All candidates voted for wholly within one county for the following offices:

(1) State Assembly.

(2) State Senate.

(3) Representatives in Congress.

(4) Members of the State Board of Equalization.

(c) In presidential years, all persons voted for at the presidential primary or for electors of President and Vice-President of the United States, depending on the election involved.

(d) Statewide ballot measures.

7653. The Secretary of State, commencing with the first returns received by him from the county clerks, shall compile the returns for the offices and measures mentioned in Section 7652, which compilation shall be continued without adjournment until completed.

SEC. 5. Chapter 5 (commencing at Section 770) of Division 9 of said code is repealed."

**Amendment No. 15**

On page 3, line 33, strike out "SEC. 10", and insert "SEC. 6".

**Amendment No. 16**

On page 3, line 36, strike out "SEC. 11", and insert "SEC. 7".

**Amendment No. 17**

On page 3, line 39, strike out "continuous and without adjourn-"; strike out all of lines 40 and 41, and insert
"continued daily until completed."

**Amendment No. 18**

On page 3, line 42, strike out "SEC. 12", and insert "SEC. 8".

**Amendment No. 19**

On page 4, line 1, strike out "SEC. 13", and insert "SEC. 9".

**Amendment No. 20**

On page 4, line 17, strike out "SEC. 14", and insert "SEC 10".

**Amendment No. 21**

On page 4, between lines 23 and 24, insert

"SEC. 11 Section 7808 is added to said code, to read.

7808. The county clerk as soon as he has completed the canvass of all absent voter ballots shall report his findings to the Secretary of State as to the offices and measures prescribed in Section 7652. The county clerk shall also immediately make public the results of the absentee vote canvass as to all offices and measures appearing upon the ballot."

**Amendment No. 22**

On page 4, line 24, strike out "SEC 15", and insert "SEC. 12".

**Amendment No. 23**

On page 4, line 28, strike out "SEC. 16", and insert "SEC. 13".

**Amendment No. 24**

On page 4, line 32, strike out ", and compare the"; strike out lines 33 and 34, and insert a period.

**Amendment No. 25**

On page 4, line 35, strike out "SEC. 17", and insert "SEC. 14".

**Amendment No. 26**

On page 4, line 46, strike out "SEC. 18", and insert "SEC. 15".

**Amendment No. 27**

On page 4, strike out lines 47 and 48; in line 49, strike out "it", and insert "7842. The board".

**Amendment No. 28**

On page 5, line 2, after the period, insert "A challenge may also be interposed upon the ground that the ballot was not received within the time prescribed by law."

**Amendment No. 29**

On page 5, line 3, strike out "SEC. 19", and insert "SEC. 16".

**Amendment No. 30**

On page 5, line 10, strike out "SEC. 20", and insert "SEC. 17".

**Amendment No. 31**

On page 5, line 14, strike out "SEC 21", and insert "SEC. 18".

**Amendment No. 32**

On page 5, line 17, strike out "original", and insert "duplicate".

**Amendment No. 33**

On page 5, line 24, strike out "SEC. 22", and insert "SEC. 19".

**Amendment No. 34**

On page 5, line 30, strike out "SEC. 23", and insert "SEC. 20".

**Amendment No. 35**

On page 5, line 36, strike out "SEC. 24", and insert "SEC. 21".

**Amendment No. 36**

On page 5, strike out lines 40 to 50, inclusive; and strike out all of pages 6 to 10, inclusive.

**Amendment No. 37**

On page 11, strike out lines 1 to 25, inclusive.

**Amendment No. 38**

On page 11, line 26, strike out "SEC. 47", and insert "SEC. 22".

**Amendment No. 39**

On page 11, line 27, strike out "7807, 8133, and 8135", and insert "and 7807".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionments.

**Senate Bill No. 1006**—An act to amend Section 1066 of the Public Utilities Code, relating to carrier rates.

Bill read second time, and ordered to third reading.

**Senate Bill No. 438**—An act to add Sections 21641 and 21642 to the Public Utilities Code, relating to airspace hazards.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Senate on March 20, 1959, after the period, insert "This section is not applicable to the construction of any structure if the Federal Communications Commission is required to approve the height of the structure or if the height of the structure is required to be approved under the Federal Aviation Act of 1958 (Public Law 85-726, 72 Stat 731)."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 865**—An act to add Sections 12814 and 12815 to the Public Utilities Code, relating to the addition of fluorine and fluorine compounds to public water supplies by municipal utility districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1959, strike out "and 12815", and insert ", 12815, and 12816".

Amendment No. 2

On page 2, line 3, strike out ", and no other notice of the election need be given".

Amendment No. 3

On page 2, between lines 6 and 7, insert

"SEC. 3. Section 12816 is added to said code, to read:

12816. At least 90 days prior to the election provided for in Section 12815, notice of the election shall be published within the district. At least 30 days prior to such an election sample ballots together with ballot pamphlets containing printed arguments for and against the proposition to be voted upon shall be mailed to each registered voter within the district. The arguments for and against the proposition to be voted upon shall be prepared by the known proponents and the opponents, respectively, of the proposition."

Amendment No. 4

On page 2, line 7, strike out "3", and insert "4".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 337**—An act to amend Section 26495 of the Health and Safety Code, relating to misbranding of foods.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1024**—An act to repeal Section 10126 of the Health and Safety Code, relating to vital statistics.

Bill read second time, and ordered to third reading.

**Senate Bill No. 724**—An act to amend Sections 8951 and 8955 of and to add Section 6913.1 to the Education Code, as enacted by the

Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the title of the printed bill, as amended in the Assembly on May 1, 1959, after "6913.1", insert ", 8955, 8955.1".

**Amendment No. 2**

On page 2, line 26, strike out "and 6903".

**Amendment No. 3**

On page 2, strike out lines 32 to 40, inclusive.

**Amendment No. 4**

On page 3, line 43, beginning with "The", strike out through "minors." on line 48.

**Amendment No. 5**

On page 3, between lines 48 and 49, insert

"SEC. 4. Section 8955 is added to said code, to read:

8955. The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a tax for the education of mentally retarded minors who come within the provisions of Section 6902 and for the rental of property and the purchase of equipment by the county superintendent of schools for special training schools and classes for such minors. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools (1) the total of any balances remaining to be expended for this purpose, (2) the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors who come within the provisions of Section 6902 and by adding to the result the amount required for rental of property and purchase of equipment.

The county auditor and the county board of supervisors shall determine the tax necessary to produce the amount certified when levied upon the taxable property of all the districts under the jurisdiction of the county superintendent of schools which during the preceding fiscal year had less than 901 units of average daily attendance in the elementary schools of the district. The board of supervisors shall at the time of levying other county taxes add the tax so determined to the other taxes levied for each school district which had during the preceding fiscal year less than 901 units of average daily attendance in the elementary schools of the district, except that the tax added shall not exceed ten cents ($0.10) for each one hundred dollars ($100) of assessed valuation and shall be added notwithstanding the provisions of Sections 20751 or 20803.

The county superintendent of schools shall adjust the budget of the district to reflect the amount to be received from the tax and the transfer of the same amount to the county school service fund. The amount received from the tax shall be transferred to the county school service fund by the county auditor upon the order of the county superintendent of schools.

In the event the amount received from the tax levied is less than the amount certified by the county superintendent of schools the difference shall, with the approval of the Superintendent of Public Instruction, be paid the county superintendent of schools from funds withheld pursuant to Section 18352.2.

SEC. 5. Section 8955.1 is added to said code, to read:

8955.1 The county superintendent of schools shall, with the approval of the county board of education, certify to the county auditor and the county board of supervisors, on or before July 15th of each year, the amount of money required to be raised by a county tax for the education of mentally retarded minors who come within the provisions of Section 6903 and for rental of property by the county superintendent of schools for special training schools or classes for such minors. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of such mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.

The board of supervisors may, at the time of levying other county taxes, levy a county tax for the education of mentally retarded minors who come within the provisions of Section 6903 upon the taxable property of the county sufficient to produce the amount required. The amount received from this tax shall be deposited in the county school service fund"

**Amendment No. 6**

On page 4, line 18, strike out "4", and insert "6".

Bill ordered reprinted, and to be re-referred to the Committee on Education.

**Senate Bill No. 353**—An act to add Chapter 6, comprising Sections 5500 through 5506, to Division 6 of Title 1 of the Government Code, relating to facsimile signatures or seals on public obligations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "add", insert "Section 5303 to, to add".

**Amendment No. 2**

In line 2 of the title after the second "of", insert ", and to amend Sections 5302 and 29917 of".

**Amendment No. 3**

In line 2 of the title after "Code", strike out the comma and insert "; to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session; to amend Section 55525 of the Water Code; to amend Section 4790 of the Health and Safety Code; and to amend Section 7 of the Los Angeles County Flood Control Act (Ch. 755 of the Statutes of 1915);"

**Amendment No. 4**

In line 3 of the title after "to", insert "signatures, countersignatures, and"

**Amendment No. 5**

On page 1, strike out line 1, and insert

"SECTION 1. Section 5303 is added to the Government Code, to read:

5303. Whenever under any law of this State, or under the provisions of any ordinance, resolution or order, bonds of any public body are required or permitted to be signed or countersigned manually by any public officer who is permitted by law to have a deputy, such bonds may be signed or countersigned on behalf of such officer by any deputy of such officer who has been authorized by such officer in writing so to sign or countersign.

SEC. 2. Section 5302 of said code is amended to read:

5302. Wherever any statute requires that any bond issued by a public body be signed, *manually* by two or more officers or other individuals, all such signatures and countersignatures may be printed, lithographed, engraved, or otherwise mechanically reproduced *except that one of said signatures or countersignatures to such bonds shall be manually affixed. Any such signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of this code*

SEC. 3. Chapter 6, comprising Sections 5500 through".

**Amendment No. 6**

On page 1, lines 11 and 12, strike out "this State or by any of its departments, agencies, or instrumentalities, or by".

**Amendment No. 7**

On page 1, line 19, after "mitted", insert ", or any deputy of such official who has been authorized by such official in writing to affix the official's signature".

**Amendment No. 8**

On page 2, after line 39, insert

"SEC. 4. Section 29917 of said code is amended to read:

29917 The bonds shall be signed by the chairman of the board of supervisors or by such other member thereof as the board of supervisors shall, by resolution

adopted by a four-fifth vote of all its members, authorize and designate for that purpose, and also signed by the treasurer or auditor of the county, and shall be countersigned by the clerk thereof. The coupons of said bonds shall be signed by the treasurer or auditor. All such signatures and countersignatures may be printed, lithographed, engraved, or otherwise mechanically reproduced *except that one of said signatures or countersignatures to said bonds shall be manually affixed. Any such signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of the Government Code.*

SEC. 5. Section 21809 of the Education Code is amended to read:

21809. The board of supervisors by an order entered upon its minutes shall prescribe the form of the bonds and of the interest coupons attached thereto, if any. Said bonds shall be signed by the chairman of the board of supervisors, or by such other member thereof as the board of supervisors shall, by resolution adopted by a four-fifths vote of all its members, authorize and designate for that purpose, and also signed by the treasurer or auditor of the county, and shall be countersigned by the clerk thereof. The coupons of said bonds shall be signed by the treasurer or auditor. All such signatures and countersignatures may be printed, lithographed, engraved, or otherwise mechanically reproduced *except that one of said signatures or countersignatures to said bonds shall be manually affixed. Any such signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of the Government Code.* All expense incurred for the preparation, sale, and delivery of the school bonds including the preparation of the certified copy of the transcript for the successful bidder is a legal charge against the funds of the school district issuing the bonds.

SEC. 6. Section 55525 of the Water Code is amended to read:

55525. The bonds shall be signed by the chairman of the board and countersigned by the auditor of the county, and the seal of the county shall be affixed thereto. All such signatures and countersignatures, *except one*, may be printed, lithographed, engraved, or otherwise mechanically reproduced. *Any such signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of the Government Code.*

SEC. 7. Section 4790 of the Health and Safety Code is amended to read:

4790. The bonds shall be signed by the chairman of the district board, and countersigned by the auditor of the district, and the seal of the district board shall be affixed. The interest coupons of the bonds shall be numbered consecutively and signed by the auditor of the district. All such signatures and countersignatures may be printed, lithographed, engraved, or otherwise mechanically reproduced *except that one of said signatures or countersignatures to said bonds shall be manually affixed. Any such signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of the Government Code.*

SEC. 8. Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915) is amended to read:

SEC. 7. The said board of supervisors shall, subject to the provisions of this act, prescribe by ordinance the form of said bonds, and of the interest coupons attached thereto. Said bonds shall be payable substantially in the following manner: A part to be determined by said board, and which shall not be less than one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place to be fixed by said board, and designate in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The bonds shall be issued in such denominations as the said board of supervisors may determine, except that no bonds shall be of a less denomination than one hundred dollars ($100), nor of a greater denomination than one thousand dollars ($1,000), except that on issues in which the amounts to be matured annually are scheduled in amounts of five thousand dollars ($5,000) or multiples thereof, the board of supervisors may provide that the purchaser may, at his option, and at the time of the submission of his bid, request that bonds in the denomination of five thousand dollars ($5,000) or multiples thereof be issued in lieu of the equivalent amounts of bonds of lesser denomination, and shall be payable on the day and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of 6 per centum per annum, and shall be payable semiannually, and said bonds shall be signed by the chairman of the board of supervisors, and countersigned by the auditor of said Los Angeles County, and the seal of said district shall be affixed thereto. Such signatures and countersignatures may be printed, lithographed, engraved, or otherwise mechanically reproduced. *except that one of said signatures or countersignatures to said bonds shall be manually affixed. Any such*

*signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of the Government Code.* The interest coupons of said bonds shall be numbered consecutively and signed by the auditor of said Los Angeles County by his engraved or lithographed signature. In case any such officer whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds."

Bill ordered reprinted, and to be placed on the Consent Calendar.

## SECOND READING OF SENATE BILL NO. 99

**Senate Bill No. 99**—An act to amend Section 410 of the Code of Civil Procedure, relating to service of process.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary —Civil, was read, and adopted:

#### Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on March 31, 1959, strike out "the face of".

### Consideration of Further Amendments (by Unanimous Consent)

### Motion to Amend

Mr. Biddick moved the adoption of the following amendment:

#### Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on March 31, 1959, strike out lines 34 and 35, and insert

"SEC. 2. This act shall become operative on".

Amendment read, and adopted.

Bill ordered reprinted, and returned to the second reading file.

## SECOND READING OF SENATE BILL NO. 273

**Senate Bill No. 273**—An act to add Sections 1998, 1998.1, 1998.2, 1998.3, 1998.4 and 1998.5 to the Code of Civil Procedure, relating to subpoena of hospital records.

Bill read second time.

### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 45, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "1998.3, and".

#### Amendment No. 2

On page 2, line 45, after "1998.4", insert ", and 1998.5".

#### Amendment No. 3

On page 3, line 10, after "hospital", insert "or hospital in an institution under the jurisdiction of the Department of Corrections".

Amendments read, and adopted.

Bill ordered reprinted, and returned to the second reading file.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2158, 2076,** and **2007,** subsequent to re-engrossment.

**Assembly Bills Nos. 2308, 2435, 2282, 1881,** and **2007,** subsequent to engrossment.

**Senate Bills Nos. 741** and **607.**

### ASSEMBLY BILL NO. 1487 ORDERED RECALLED FROM ENROLLMENT

Mr. Grant was granted unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 1487 from the Committee on Engrossment and Enrollment.

Assembly Bill No. 1487 returned from enrollment.

### MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1487

Mr. Grant moved to expunge the record, and rescind the action whereby the Assembly on May 14, 1959, (Assembly Journal, pages 3688 and 3689), concurred in Senate amendments to Assembly Bill No. 1487.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Winton moved a call of the Assembly.

Mr. Grant seconded the motion.

Motion carried. Time, 9.43 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### ASSEMBLY BILL NO. 2151 WITHDRAWN FROM CONSENT CALENDAR

Mr. DeLotto was granted unanimous consent that Assembly Bill No. 2151 be withdrawn from the Consent Calendar, and placed on the third reading file.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 420

Mr. Biddick moved to expunge the record, and rescind the action whereby the Assembly, on May 11, 1959 (Assembly Journal, page 3512), passed Senate Bill No. 420.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—None.

### Bill Placed on the Inactive File

On motion of Mr. Biddick, Senate Bill No. 420 was ordered placed on the inactive file.

### Speaker pro Tempore Presiding

At 9.50 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 195**—An act to amend Sections 293, 293.5, 295, and 296 of, and to repeal Section 296.5 of, and to add Section 293.1 to, the Elections Code, relating to the cancellation of voter registrations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 195?

### Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on March 13, 1959, after "notice", insert ", by means of a double post card prepaid by the clerk,".

### Amendment No. 2

On page 2, line 23, after "stating", insert "on one of the post cards".

### Amendment No. 3

On page 2, line 30, strike out "have notified", and insert "notify".

### Amendment No. 4

On page 2, line 30, after "writing", insert "on the post card attached".

### Amendment No. 5

In line 2 of the title, after "of," insert "and to add Section 293.1 to,".

### Amendment No. 6

On page 2, after line 51, insert

"SEC. 6. Section 293.1 is added to said code, to read.

293.1. On and after January 1, 1962, the county clerk shall cancel the registration of a person who did not vote at the preceding general election only if the person also did not vote at the preceding direct primary election. The procedure prescribed in Section 295 shall be followed in respect to direct primary elections, and the notice required by Section 296 to be mailed to the voter whose registration is canceled shall state that his registration has been canceled because he did not vote at either the last direct primary or general election."

### Amendment No. 7

On page 2, line 34, of the printed bill, as amended in the Senate on May 8, 1959, after "fact", insert "either in person,".

**Amendment No. 8**

On page 2, line 34, after "writing", insert ", or".

The Assembly concurred in Senate amendments to Assembly Bill No. 195 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, DeLotto, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—50.

NOES—Davis, Gaffney, Unruh, and Waldie—4.

Assembly Bill No. 195 ordered enrolled.

**Assembly Bill No. 236**—An act to amend Sections 84 and 89 of, and to add Sections 82.5, 82.6, 92, and 93 to the Elections Code, relating to presidential voting for new residents.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 236?

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on March 6, 1959, strike out "Notwithstanding the provisions of Section 132, if", and insert "If".

The Assembly concurred in Senate amendment to Assembly Bill No. 236 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 236 ordered enrolled.

**Assembly Bill No. 227**—An act to amend Sections 55330 and 55916 of and to add Section 55335 to the Water Code, relating to the powers of county waterworks districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 227?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 5, 1959, after "An act to", insert "amend Section 55330 of and to".

**Amendment No. 2**

On page 1, line 1, after "SECTION 1.", insert "Section 55330 of the Water Code is amended to read:

55330. A district may provide for the supplying of the inhabitants of the district with water for irrigation, domestic, *industrial*, or fire protection *purposes, through facilities of the district or other facilities, including but not limited to facilities of private water companies, mutual water companies, and private water systems within the district*, and *may provide* for the development and conservation of water supplies for those purposes.

SEC. 2."

**Amendment No. 3**

In line 1 of the title of the printed bill, as amended in the Senate on April 1, 1959, strike out "Section 55330", and insert "Sections 55330 and 55916".

**Amendment No. 4**

On page 1 line 14, after "basins", and before the comma, insert "within the same county".

**Amendment No. 5**

On page 1, lines 17 and 18, strike out "sell or otherwise dispose of", and insert "and sell".

**Amendment No. 6**

On page 1, after line 23, insert

"SEC. 3. Section 55916 of said code is amended to read:

55916. The board may upon the dissolution of the district convey all or any portion of the property of the dissolved district and all or any portion of the property which was acquired for the district to any ~~irrigation district or city~~ *municipal or other public corporation or district authorized to own and operate a water system* which includes within its boundaries, *or to any two or more of such entities which together include within their boundaries,* at least three-fourths of the land constituting the district prior to its dissolution, for the use and benefit of the land. The conveyance may be made without compensation for the property conveyed. "Property" as used in this section includes ditches, canals, pipelines, pumping plants, equipment, funds and all other property both personal and real."

The Assembly concurred in Senate amendments to Assembly Bill No. 227 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 227 ordered enrolled.

**Assembly Bill No. 357**—An act to amend Sections 1615, 1717, 1907, and 11062 of the Elections Code, relating to arguments on ballot measures.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 357?

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on March 6, 1959, strike out "county", and insert "ballot".

The Assembly concurred in Senate amendment to Assembly Bill No. 357 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 357 ordered enrolled.

**Assembly Bill No. 1186**—An act to amend Section 11001 of the Health and Safety Code, relating to narcotics.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1186?

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly on March 16, 1959, strike out "and opiate".

**Amendment No. 2**

On page 2, strike out lines 38 to 40, inclusive.

**Amendment No. 3**

On page 2, line 41, strike out "(s)", and insert "(r)".

**Amendment No. 4**

On page 2, line 43, strike out "(t)", and insert "(s)".

**Amendment No. 5**

On page 2, line 45, strike out "(u)", and insert "(t)".

**Amendment No. 6**

On page 2, line 48, strike out "(v)", and insert "(u)".

**Amendment No. 7**

On page 3, line 1, strike out "(w)", and insert "(v)".

**Amendment No. 8**

On page 3, strike out lines 4 and 5.

**Amendment No. 9**

On page 3, line 6, strike out "(y)", and insert "(w)".

**Amendment No. 10**

On page 3, line 9, strike out "(z)", and insert "(x)".

**Amendment No. 11**

On page 3, line 12, strike out "(aa)", and insert "(y)".

**Amendment No. 12**

On page 3, line 15, strike out "(bb)", and insert "(z)".

**Amendment No. 13**

On page 3, line 17, strike out "(cc)", and insert "(aa)".

**Amendment No. 14**

On page 3, line 19, strike out "(dd)", and insert "(bb)".

**Amendment No. 15**

On page 3, line 21, strike out "(ee)", and insert "(cc)".

**Amendment No. 16**

On page 3, line 24, strike out "(ff)", and insert "(dd)".

**Amendment No. 17**

On page 3, line 26, strike out "(gg)", and insert "(ee)".

**Amendment No. 18**

On page 3, line 29, strike out "(hh)", and insert "(ff)".

**Amendment No. 19**

On page 3, line 31, strike out "(ii)", and insert "(gg)".

**Amendment No. 20**

On page 3, line 33, strike out "(jj) Any", and insert "(hh) Anileridine. "Anileridine" shall mean any".

**Amendment No. 21**

On page 3, line 35, strike out "(kk) Any", and insert "(ii) Morpheridine. "Morpheridine" shall mean any".

**Amendment No. 22**

On page 3, line 37, strike out "(*ll*) Any", and insert "(jj) Palfium. "Palfium" shall mean any".

**Amendment No. 23**

On page 3, line 39, strike out "(mm)", and insert "(kk)".

**Amendment No. 24**

On page 3, line 41, strike out "(nn)", and insert "(*ll*)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1186 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Untuh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1186 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1148**—An act to add Section 7933.5 to the Elections Code, relating to the demise of a candidate for public office.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2216**—An act to amend Section 73 of the Streets and Highways Code, relating to relinquishment of state highways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2005**—An act to amend Section 13114 of, to amend and renumber Section 13114.5 of, and to add Sections 13114.1, 13114.2, 13114.3, 13114.4, 13114.5, 13117, and 13147 to, the Health and Safety Code, relating to fire protection.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Crawford, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus,

Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 650**—An act to amend Sections 151 and 153 of the Water Code, relating to the California Water Commission.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Unruh announced that Assembly Bill No. 800, the Budget Bill, was passed out of the Committee on Ways and Means last night.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 802**—An act to add Chapter 3 (commencing with Section 13200) to Division 10 of the Fish and Game Code, relating to accounting by the Department of Fish and Game.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2037**—An act to add Section 14377 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deductions of group insurance premiums from teachers' retirement allowances.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell,

Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1096**—An act to add Section 234 to, and to repeal Section 12605 of, the Water Code, relating to weather modification.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Collier, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1405**—An act to amend Section 74701 of the Government Code, relating to the Santa Rosa Municipal Court.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2225**—An act to add Section 13006 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence for school district employees.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2408**—An act to amend Sections 12205, 12206, 12300.3 and 12301 of the Financial Code, relating to check sellers and cashers.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott,

Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2370**—An act adding Article 9 (commencing with Section 1318) to Chapter 1 of Title 10 of Part 2 of the Penal Code, relating to the release of defendants on their own recognizance.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69.
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 2053**—An act to amend Section 145 of the Penal Code, relating to offenses of public officer with respect to arrested persons.

Bill read third time.

### Point of Personal Privilege

Mr. Crawford arose on a point of personal privilege.

### Speaker Presiding

At 10.24 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Garrigus, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Z'berg—46.
NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Cameron, Conrad, Crawford, Frew, Gaffney, Ernest R Geddes, House, Johnson, Kennick, Mulford, Munnell, Nisbet, Thelin, George A. Willson, Winton, and Mr. Speaker—21.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1256**—An act to repeal Chapter 11 (commencing at Section 28600) of Division 21 of, and to add Chapter 11 (commencing at Section 28520) to Division 21 of, the Health and Safety Code, relating to sanitation and health requirements for restaurants, itinerant restaurants, vehicles, and vending machines.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2221**—An act to amend Sections 10605 and 10606 of, and to add Section 10607 to, the Health and Safety Code, relating to vital statistics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—60.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 258

By Messrs. Gaffney, Busterud, Marks, O'Connell, Burton, and Meyers:

**House Resolution No. 258**—Relative to commending Shirley O'Neill.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

Between the first and second "*Resolved*" clauses of the resolution, as printed on page 3520 of the Assembly Journal for May 11, 1959, insert

"*Resolved*, That the Assembly respectfully recommends that Miss Shirley O'Neill be awarded the Carnegie Medal for heroism; and be it further".

### Consideration of House Resolution No. 258, as Amended

By Messrs. Gaffney, Busterud, Marks, O'Connell, Burton, and Meyers:

### House Resolution No. 258

Relative to commending Shirley O'Neill

WHEREAS, In the tragedy that marked the loss of Albert Kogler on May 7, 1959, the heroic action of Miss Shirley O'Neill stands out as a brilliant example of faith and courage; and

WHEREAS, When Albert Kogler was attacked by a shark while swimming in the waters of the Golden Gate, his companion, Shirley O'Neill, after returning to shore and getting a line from a fisherman, plunged back into the bloody waters and swam to his aid; and

WHEREAS, Miss O'Neill was successful in returning Albert Kogler to shore and continued to administer aid to him; and

WHEREAS, The unselfish valor and brave spirit exhibited by Miss O'Neill, a student at San Francisco State College, deserves the recognition and praise of the people of this State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California takes this opportunity to commend the courageous action of Miss Shirley O'Neill on May 7, 1959; and be it further

*Resolved*, That the Assembly respectfully recommends that Miss Shirley O'Neill be awarded the Carnegie Medal for heroism; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Miss Shirley O'Neill.

Resolution read, and adopted unanimously.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 101**—Relative to the Upper Sacramento River development projects.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 104**—Relative to Allen Camp Dam and Reservoir.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 127**—Relative to reports of the department encampments or conventions of the United Spanish-American war veterans.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate

### CONSIDERATION OF HOUSE RESOLUTION NO. 252

By Mr. Hawkins:

**House Resolution No. 252**—Relative to amending bills.

Resolution read.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read:

#### Amendment No. 1

In line 5 of Rule 70, as proposed to be amended by the measure as printed on page 3421 of the Assembly Journal for May 8, 1959, strike out "and", and insert a comma.

#### Amendment No. 2

In line 6, after "committee," insert "amendments adding or deleting a total of not more than 10 words, or amendments previously printed in the Journal,".

#### Amendment No. 3

In line 8, after the period, insert "If a copy of amendments adding or deleting a total of 10 words or less is not placed on the desks of the members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the clerk prior to debate."

#### Point of Order

Mr. Hawkins arose to the following point of order: That the question is on the amendments and not on the adoption of the resolution, and the members should speak to that question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

The question being on the adoption of the amendments.

Amendments adopted.

**House Resolution No. 252, as Amended**

By Mr. Hawkins:

**House Resolution No. 252**

Relative to amending bills

*Resolved by the Assembly of the State of California*, That Rule No. 70 of the Permanent Standing Rules of the Assembly is amended to read:

70. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

*No amendments to a bill offered from the floor, except committee amendments reported with bills, ~~and~~ amendments offered with a motion to amend and re-refer a bill to committee, amendments adding or deleting a total of not more than 10 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the members. If a copy of amendments adding or deleting a total of 10 words or less is not placed on the desks of the members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the clerk prior to debate.*

Before debate four copies of the proposed amendment must be delivered to the clerk's desk ~~and one copy made available to the author of the bill~~. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

House Resolution No. 252 ordered passed on file.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**Assembly Bill No. 1328**—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

Bill read third time.

**Motion to Amend**

Mr. Ernest R. Geddes moved the adoption of the following amendment:

**Amendment No. 1**

*On page 1 of the printed bill, as amended in the Assembly on April 20, 1959, in line 4, after "distributed", insert "or used for sectarian, partisan, or denominational purposes".*

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2031**—An act to repeal Section 24755 of, and to add Sections 24749 and 27455 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

#### Motion to Amend

Mr. Rees moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, line 47, of the printed bill, as amended in the Assembly on April 30, 1959, strike out "80 per-"; strike out lines 48 to 50, inclusive, and insert "90 percent of the minimum retail price filed with the department."

Amendment read.

#### Amendment Ruled Not in Order

Speaker Brown ruled the amendment by Mr. Rees out of order.

#### Request for Unanimous Consent

Mr. Rees was granted unanimous consent that he be permitted to have the amendment corrected, and that the bill be temporarily passed on file.

NOTE—Later this day, the above amendment was withdrawn *See* page 3761.

**Assembly Bill No. 349**—An act to amend Sections 5828 and 6499 6 of, and add Sections 5829.1 and 5829 to, the Public Resources Code, relating to loans and agreements for small craft harbor planning and construction.

Bill read third time.

#### Speaker pro Tempore Presiding

At 10.53 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2006**—An act to add Section 18973 1 to the Government Code, relating to promotional civil service examinations.

Bill read third time.

#### Motion to Expunge Record and Rescind Action on Assembly Bill No. 2006

Mr. Nisbet moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2006, and that the bill be re-referred to the Committee on Civil Service and State Personnel.

Mr. Elliott seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Busterud, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—Burton—1.

Assembly Bill No. 2006 re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 2348**—An act to amend Sections 3301, 3302, 3305, 3306, and 3320 of, and to add Section 3320.5 to, the Penal Code, relating to the Department of Corrections and agencies therein.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2350**—An act to amend Sections 6851, 6860, 6861, 6864, 6866, 6867, 6875, 6878, 6885, 6886, 6887, 6888, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6930, 6931, 6948, 6949, 6950, 6951, 6955, and 6956 of the Business and Professions Code, relating to transferring and administration of the law regulating collection agencies from the Office of the Secretary of State to the Department of Professional and Vocational Standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1135**—An act to amend Section 7050 of, and to add Section 7054 to, the Business and Professions Code, relating to contractors.

Bill read third time.

**Demand for Previous Question**

Messrs. Schrade, Ernest R. Geddes, House, Luckel, and Unruh demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Chapel, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Francis, Gaffney, Garrigus, Samuel R. Geddes, Grant,

Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, and Z'berg—49.

NOES—Beaver, Belotti, Busterud, Cameron, Coolidge, Ernest R Geddes, Lanterman, Lowrey, MacBride, Marks, Mulford, Munnell, Rees, Shell, Sumner, Unruh, and Winton—17.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 1135 was made. *See* page 3776.

**Assembly Bill No. 2245**—An act to add Section 986.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to executive sessions to consider school sites.

Bill read third time.

Motion to Re-refer

Mr Ernest R. Geddes moved that the bill be re-referred to the Committee on Education.

Mr. Lowrey seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—65.

NOES—Lunardi—1.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY CONCURRENT RESOLUTION NO. 127

Mr. Gaffney was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No. 127

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 353**—An act to add Section 13561.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to lunch periods for teachers.

Bill read third time.

Speaker Presiding

At 11.50 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.

NOES—Levering and Shell—2

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 254

By Mr. Cameron:

### House Resolution No. 254

Relating to congratulating the California Society of Certified Public Accountants

WHEREAS, The California Society of Certified Public Accountants, which was organized and incorporated in 1909, will celebrate its Fiftieth Anniversary beginning with its fiscal year June 1, 1959; and

WHEREAS, During the past half century, the number of certified public accountants in California has grown from a meager 85 in 1909 to over 7,600 in 1959; and

WHEREAS, Because of the highly specialized and technical services which he renders, the certified public accountant has become increasingly important to the business and financial community in this State and an integral part of the proper functioning of our state and local governments; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House take this opportunity to express their sincere congratulations to the California Society of Certified Public Accountants on the occasion of its Fiftieth Anniversary of service to the people of this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Arthur M. Sargent, Executive Director, and to Claude R. Giles, President, of the California Society of Certified Public Accountants.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 255

By Messrs. Gaffney and Samuel R. Geddes:

### House Resolution No. 255

Relative to the Twenty-fifth Anniversary of the California Council of the Blind

WHEREAS, The Members of the Assembly have learned with great pleasure that the California Council of the Blind is celebrating its Twenty-fifth Anniversary this year; and

WHEREAS, The California Council of the Blind was founded in 1934 by Dr. Newel Perry and, after continued growth, now consists of 42 clubs and affiliated organizations, spread throughout the length and breadth of this State, extending from San Diego, in the south, to Chico, in the north; and

WHEREAS, This public spirited group, as the only statewide organization operated by the blind and open to all blind persons, has worked unstintingly to improve the well-being of blind persons and to educate the public concerning their capabilities; and

WHEREAS, The council, in an effort to extend its good works beyond the limits of California, was active in the formation of the National Federation of the Blind, and is a charter member of that organization; and

WHEREAS, Under its motto, "A Hand Up Not a Hand Out," the council during White Cane Week, May 15th to 21st, is conducting a drive to raise funds for the advancement of its efforts to aid and rehabilitate blind persons; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly extend to the California Council of the Blind, on the occasion of its Twenty-fifth Anniversary, their deep-felt congratulations on a job well done, and their sincere good wishes for the continued success of this public spirited group in the work that lies ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Russell Kletzing, President of the California Council of the Blind, and to Dr. Newel Perry, Founder and First President

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 256

By Mr. Cusanovich:

### House Resolution No. 256

WHEREAS, Some 11 years ago the Studio City Rotary Club sent food packages to children in the City of Lyons, France; and

WHEREAS, These children, whose fathers had been captured and killed while in the service of the Resistance, were Jacques Bongars de Vaudeleau, Michael Pasteur, Roger Sandonat, Louis Michaud, and Bernadette Pasteur; and

WHEREAS, During the summer of 1959, Reverend Harley Wright Smith will travel to Lyons, France to honor the children and their fathers who died in the name of freedom, and

WHEREAS, The four Rotary Clubs of Lyons, France will join in honoring these children and their fathers who died so that their children might live in a free world; and

WHEREAS, It is important that we continually strengthen the great and sincere feeling of friendship which has always prevailed between France and the United States and their peoples; and

WHEREAS, It can well be said that "Men who die for freedom any place die for freedom everywhere," and thus it is indeed appropriate that we join in honoring the children whose fathers died for our own freedom as well as that of their children and their country; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commemorates the memory of all those brave men who died in the service of the Resistance in France during World War II; and be it further

*Resolved*, That this body congratulate the Studio City Rotary Club and the Rotary Clubs of Lyons, France for their contribution to international friendship; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this resolution to the Primary Rotary Club of Lyons, France, the Rotary Club of Studio City and to Jacques Bongars de Vaudeleau, Michael Pasteur, Roger Sandonat, Louis Michaud, and Bernadette Pasteur.

Resolution read and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 257

By Messrs. Garrigus and DeLotto:

### House Resolution No. 257

Relating to the Fiftieth Anniversary of the newspaper, "*Asbarez*"

WHEREAS, "*Asbarez*", one of the Nation's truly outstanding Armenian newspapers, is celebrating its Fiftieth Anniversary on the twenty-fourth of May; and

WHEREAS, "*Asbarez*" is the largest, oldest and most widely read Armenian newspaper in California; and

WHEREAS, This excellent publication has always interpreted the rich cultural heritage of Armenia for the benefit of the American tradition; and

WHEREAS, "*Asbarez*" has always striven to encourage Armenians in California to realize the highest ideals of American citizenship; and

WHEREAS, "*Asbarez*" has functioned effectively within the finest principles of American journalism in gathering and reporting news; and

WHEREAS, Many Americans of Armenian ancestry have joined together to celebrate the Fiftieth Anniversary of this fine newspaper; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House do hereby join together in extending their heartiest congratulations to the Armenian newspaper "*Asbarez*" on the occasion of its Fiftieth Anniversary and their best wishes for many more years of successful publication; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to the editor and to each member of the staff of the newspaper "*Asbarez*".

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 262

By Mr. Conrad:

### House Resolution No. 262

Relating to Mr. DeWitt McCann

WHEREAS, June 1, 1959, will mark the retirement of DeWitt McCann from the presidency of the Studio City Chamber of Commerce; and

WHEREAS, For the past three years Mr. McCann has served the Chamber of Commerce and the community at large in a devoted and unselfish manner; and

WHEREAS, The occasion of Mr. McCann's retirement will be marked with honors from the City and County of Los Angeles in recognition of his outstanding abilities; and

WHEREAS, DeWitt McCann, a native of Missouri, has been employed by Republic Studios for 25 years, rising to the position of editorial supervisor, and has during his career received statewide commendation for his volunteer activities relating to the early completion of the Ventura freeway and other valley freeways, and as President of the "Valley Association for Freeways"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes the occasion of the retirement of Mr. DeWitt McCann from the presidency of the Studio City Chamber of Commerce to commend Mr. McCann on his life of outstanding achievement and service to his community and to the people of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mr. DeWitt McCann.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 260

By Mr. Francis:

### House Resolution No. 260

Relative to the *Advance-Star*

WHEREAS, The *Advance-Star* has recently won two high statewide awards in the 1958 better newspaper contests sponsored by the California Newspaper Publishers Association; and

WHEREAS, These awards consist of a first-place trophy for best typography among all nondaily newspapers in California having a circulation of over 3,000, and a special merit award in the same classification for general excellence; and

WHEREAS, The typography trophies are awarded mainly on the appearance of the newspaper—the type faces and how they are used, as well as the expertness of the mechanical processes that combine to form the finished product which greets the reader's eye; and

WHEREAS, The general excellence award is based on the thoroughness of news, sports and women's section coverage, the way stories are written and arranged on the pages, the quality and use of pictures, the mechanical perfection, and the advertising content; and

WHEREAS, One of the carriers of the *Advance-Star and Green Sheet*, Albert Bedrosian, has recently received an award as one of the six outstanding newsboys in the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Publisher James A. Wood and Editor John M. Hubbard of the *Advance-Star and Green Sheet* on receiving their awards and commend them for their public service in providing a high quality newspaper for their area of the State, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Publisher James A. Wood and Editor John M. Hubbard.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 261

By Mr. Francis:

### House Resolution No. 261

Congratulating Albert Bedrosian

WHEREAS, Albert Bedrosian is a fourteen-year-old ninth grade student at Serra High School in San Mateo; and

WHEREAS, Albert was named the most outstanding newspaper carrier in Burlingame in 1957 and received a trophy in 1958 for being the most outstanding of all carriers of the *Advance-Star and Green Sheet*; and

WHEREAS, He was recently honored as one of the six outstanding newsboys out of the 62,000 carriers throughout California; and

WHEREAS, Albert is looking forward to a career as a criminologist and regularly saves money he earns from his *Advance-Star and Green Sheet* route to help finance his college education; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Albert Bedrosian on his recent outstanding achievement and well-deserved award, commend him for his admirable industry and ambition, and wish him even greater success in the years ahead; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to Albert Bedrosian.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1110**—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Bill read third time.

Motion to Amend

Mr. Masterson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 14, 1959, strike out "authority", and insert "federal agency"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1444**—An act to amend Sections 11535 and 11551.5 of the Business and Professions Code, relating to subdivisions.

Bill read third time.

Motion to Amend

Mr. Cunningham moved the adoption of the following amendments:

Amendment No. 1

On page 1, of the printed bill, as amended in the Assembly on May 12, 1959, strike out lines 19 and 20, and insert "(iv) the lot design meets the approval of the governing body, and (v) the water supply is adequate to meet the standards established by ordinance of the governing body."

Amendment No. 2

On page 1, line 25, after "supply", insert "under the standards established by ordinance,".

Amendment No. 3

On page 2, line 13, after "supply", insert "under the standards established by ordinance".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 594**—An act to amend Sections 51 and 52 of, and to repeal Sections 53 and 54 of, the Civil Code, relating to civil rights.

Bill read third time.

Demand for Previous Question

Messrs. House, DeLotto, Burke, Schrade, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of this bill

Bill passed by the following vote:

AYES—Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Cameron, Crown, Cunningham, DeLotto, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Zberg, and Mr Speaker—45

NOES—Backstrand, Bradley, Britschgi, Burke, Chapel, Conrad, Cusanovich, Ernest R Geddes, Grant, House, Lanterman, Levering, Luckel, Schrade, Shell, Thelin, and George A Willson—17

Bill ordered transmitted to the Senate

**Assembly Bill No. 31**—An act to amend Section 69600 of the Government Code, relating to the superior court judges for the County of Santa Clara.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2275**—An act to amend Sections 118, 2190, and 3091.5 of the Welfare and Institutions Code, relating to public assistance records.

Bill read third time.

Motion to Amend

Mr. Meyers moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 26, of the printed bill, strike out "partially", and insert "potentially".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2026**—An act to amend Section 74263 of the Government Code, relating to San Bernardino municipal court district and sheriff's duties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2368**—An act providing for the transfer to the General Fund of amounts constituting surplus from estates of deceased persons in the Unclaimed Property Fund in the State Treasury.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2031

**Assembly Bill No. 2031**—An act to repeal Section 24755 of, and to add Sections 24749 and 27455 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

### Rees Amendment Withdrawn

Mr. Rees withdrew his amendment, which he had offered previously, and which he had received permission to have corrected (Assembly Journal, page 3753).

The question being on the passage of the bill.

### Hon. Charles J. Conrad Presiding

At 12.28 p.m., Hon. Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

The question being on the passage of the bill

### Motion to Amend

Mr. Busterud moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 45, of the printed bill, as amended in the Assembly on May 13, 1959, strike out "80", and insert "83".

Amendment read, and refused adoption by the following vote:

AYES—Burton, Busterud, Davis, Lowrey, MacBride, Marks, Miller, Mulford, Munnell, O'Connell, Thelin, and Unruh—12
NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Masterson, McMillan, Meyers, Nisbet, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—50.

The question being on the passage of the bill

### Motion to Re-refer

Mr. Rees moved that the bill be re-referred to the Committee on Government Organization.

Mr. Burton seconded the motion.

### Point of Personal Privilege

Mr. Rees arose on a point of personal privilege.

### Demand for Previous Question

Messrs. Ernest R. Geddes, Luckel, Schrade, Hegland, and Johnson, demanded the previous question. Demand sustained.

The question being on the motion to re-refer

### Speaker Presiding

At 12.47 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion to re-refer.

Motion lost by the following vote:

AYES—Burton, MacBride, Miller, Mulford, Rees, Thelin, and Unruh—7.

NOES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—56

**Demand for Previous Question**

Messrs. Levering, Shell, Schrade, Luckel, and Cusanovich demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—62.

NOES—Burton, MacBride, Miller, Rees, and Unruh—5.

Bill ordered transmitted to the Senate

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2074**—An act to amend Section 6060 of the Business and Professions Code, relating to admission to practice law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2093**—An act to amend Section 26827 of the Government Code, relating to fees of county clerk.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2230**—An act to amend Sections 12845 and 12846 of the Public Utilities Code, and to amend Sections 2864 and 2865 of the Public Districts Code, as proposed by Assembly Bill No. 908, relating to municipal utility districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2287**—An act to amend Section 21711 of, and to add Section 21650.5 to, the Water Code, relating to irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 126**—Relative to approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the seventh day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 2424**—An act to amend Section 11715 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles owned by dealers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2388**—An act to amend Section 21454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic control signals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2429**—An act to add Section 13655 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2365**—An act to amend Section 1207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to costs of elections of members of the board of education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2377**—An act to amend Section 111 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the State Board of Education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1044**—An act to amend Section 3701 and 3703 of the Labor Code, relating to workmen's compensation insurance and security.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2371**—An act to amend Sections 858 and 859 of the Penal Code, relating to notification to parent or guardian of arrest of child or ward.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Concurrent Resolution No. 69**—Relative to approving amendments to the charter of the City of Vallejo, County of Solano, State of California, ratified by the qualified electors of the city at an election held therein on the seventh day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 972**—An act to amend Section 2156 of the Streets and Highways Code, relating to county road deficiency reports.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 829**—An act to amend Section 26453 of the Vehicle Code as enacted at the 1959 Regular Session of the Legislature, relating to the maintenance of vehicle brakes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 694**—An act to amend Section 3358 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to charges for use of school property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 823**—An act to repeal the article heading of Article 3 (commencing at Section 12253), Chapter 6, Division 9 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compulsory full-time education

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 819**—An act to amend Section 17667 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to high school and junior college foundation programs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 818**—An act to amend Section 17851 of the Education Code as enacted at the 1959 Regular Session, relating to basic state aid for junior college districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 299**—An act to amend Section 4573 of the Penal Code, relating to narcotics in prisons and other correctional institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 300**—An act to amend Section 4574 of the Penal Code, relating to firearms in prisons and other correctional institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis,

DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 786**—An act to amend Section 1269b of the Penal Code, relating to the acceptance of bail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 73**—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the twenty-first day of April, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 35**—Relative to the landscaping of the Carmel-Monterey Freeway.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Joint Resolution No. 12**—Relative to co-operation between federal and local agencies.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Lowrey announced that Commander John B. Cooke has been removed to the Oak Knoll Naval Hospital, and that Sunday will be his birthday.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 129**—Relative to printing the Education Code.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Resolution ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1160**—An act to add Article 8.5 (commencing with Section 58250) to Chapter 1 of Division 1 of Title 6 of the Government Code, relating to withdrawal of territory annexed to a city.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1160?

### Amendment No. 1

On page 1, line 16, of the printed bill, after "services", insert "of"

### Amendment No. 2

On page 1, strike out line 17, and insert "district are being performed by the city in substantially the same manner as they are being provided by ".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1160 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant,

Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Assembly Bill No. 1160 ordered enrolled.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 133

The Speaker appointed Mr Samuel R. Geddes, Mrs. Davis, and Mr. Z'berg as a Committee on Conference concerning Senate Bill No 133.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1487

At 12.59 p.m., on motion of Mr Winton, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the record was expunged, and the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1487 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—72

NOES—None.

## FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1487

**Assembly Bill No. 1487**—An act to add Sections 9561 and 9562 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Sections 10857 and 10858 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1487?

### Amendment No. 1

On page 1, line 1, of the title of the printed bill as amended in the Assembly on April 20, 1959, strike out "Section 9561", and insert "Sections 9561 and 9562".

### Amendment No. 2

On page 1, line 3, of the title of the bill, strike out "Section 10857", and insert "Sections 10857 and 10858".

### Amendment No. 3

On page 1, between lines 9 and 10, insert

"SEC. 2 Section 9562 is added to the Vehicle Code as enacted at the 1959 Regular Session, to read:

9562. When a transferee of a vehicle applies for transfer of registration as is provided for in Section 5902 and it is determined by the department that registration penalties accrued prior to the purchase of the vehicle, and that the transferee was not cognizant of the nonpayment of registration fees for the current or prior years, and the transferor or registered owner of record whereabouts is unknown, the department may waive the registration penalties upon payment of the registration fee due."

**Amendment No. 4**

On page 1, line 10, strike out "SEC 2", and insert "SEC. 3".

**Amendment No. 5**

On page 1, after line 18, insert

"SEC 4 Section 10758 is added to the Revenue and Taxation Code to read:

10858. When a transferee of a vehicle applies for transfer of registration as is provided for in Section 5902 of the Vehicle Code, and it is determined by the department that vehicle license fee penalties accrued prior to the purchase of the vehicle, and that the transferee was not cognizant of the nonpayment of the vehicle license fee for the current or prior years, and the transferor or registered owner of record whereabouts is unknown, the Department of Motor Vehicles may waive the vehicle license fee penalties upon payment of the vehicle license fees due."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1487 by the following vote:

AYES—Bradley and Winton—2

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—64

**Appointment of Committee on Conference Concerning Assembly Bill No. 1487**

The Speaker appointed Messrs Grant, Bradley, and Cunningham as a Committee on Conference concerning Assembly Bill No. 1487.

## ANNOUNCEMENT

Mr. Burton announced that today was the sixth birthday of Jill Waldie, the daughter of Assemblyman and Mrs. Jerome R. Waldie, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Miss Jill.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2462 FROM COMMITTEE

Mr. Lowrey was granted unanimous consent that Assembly Bill No. 2462 be withdrawn from the Committee on Livestock and Dairies, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2462

**Assembly Bill No. 2462**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle.

Bill read second time.

**Motion to Amend**

Mr. Lowrey moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 17 of the printed bill, strike out "removal of the entrails", and insert "complete removal of the viscera, head and feet".

**Amendment No. 2**

On page 1, line 19, after "plants.", insert "The skinning, splitting, and quartering of such cattle at the licensed frozen food locker plant shall not require a slaughterer's license, and the frozen food locker plant shall not be subject to the inspection service required by Article 1 (commencing at Section 301), of Chapter 1, Division 3 of this Code in the skinning, splitting and quartering of such cattle.

The plant operator shall maintain a record of every transaction involving uninspected meat for a period of five years. The record shall show the name of the producer of the cattle and the number of carcasses delivered by the producer."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1974 FROM COMMITTEE

Mr. Meyers was granted unanimous consent that Assembly Bill No. 1974 be withdrawn from the Committee on Natural Resources, Planning, and Public Works, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1974

**Assembly Bill No. 1974**—An act to amend Sections 13002, 13022, 13025, 13041, 13042, 13052, 13054, 13055, and 13060 of, to add Sections 13000.1, 13000.2, 13000.3, 13000.4, 13020 1, 13022 1, 13026, 13052 1, 13054.1, 13054.2, 13054.3, 13054.4, 13054.5, 13054 6, 13054.7, 13054.8, 13055.1, 13055.2, 13065 to, and to add Article 4 (commencing at Section 13080) to Chapter 4 of Division 7 of, the Water Code, and to add Section 5652 to the Fish and Game Code, relating to water pollution.

Bill read second time.

#### Motion to Amend

Mr. Meyers moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "13002," insert "13005,".

#### Amendment No. 2

In line 1 of the title, after "13042," insert "13050,".

#### Amendment No. 3

In line 2 of the title, strike out "and 13060", and insert "13060, and 13063"

#### Amendment No. 4

In line 3 of the title, strike out "13000.4, 13020.1, 13022.1, 13026", and insert "13020.1, 13022.1".

#### Amendment No. 5

In lines 4 and 5 of the title, strike out "13054.6, 13054 7, 13054.8, 13055.1, 13055.2, 13065 to," and insert "and 13055.1 to, to repeal Sections 13061, 13061 5, and 13062 of,".

#### Amendment No. 6

In lines 7 and 8 of the title, strike out "add Section 5652 to the Fish and Game", and insert "amend Section 5460 of the Health and Safety"

#### Amendment No. 7

On page 2, strike out lines 3 to 7, inclusive, and insert "use."

#### Amendment No. 8

On page 2, line 11, strike out "numerous".

#### Amendment No. 9

On page 2, strike out lines 12 to 14, inclusive; and in line 15, strike out "uses."

#### Amendment No. 10

On page 2, line 18, strike out the period; strike out lines 19 to 23, inclusive; and in line 24, strike out "a privilege, not a right, and such disposal", and insert "and"

**Amendment No. 11**

On page 2, strike out lines 27 to 34, inclusive; and in line 35, strike out "SEC. 5.", and insert

"SEC. 3. Section 13000.3 is added to said code, to read:

13000.3. The regional and state boards in exercising any power granted in this division shall conform to the policies of this chapter.

SEC. 4."

**Amendment No. 12**

On page 2, strike out lines 39 to 41, inclusive, and insert "industrial wastes. No regional board, by pre-".

**Amendment No. 12.5**

On page 2, line 42, after "requirements," insert "shall".

**Amendment No. 13**

On page 2, lines 42 and 43, strike out "prescribing higher quality", and insert "revising".

**Amendment No. 14**

On page 2, line 44, after "to", insert "the".

**Amendment No. 15**

On page 2, line 46, strike out "those", and insert "the".

**Amendment No. 15.5**

On page 2, between lines 46 and 47, insert

"SEC. 5. Section 13005 of said code is amended to read:

13005. "State board" means the State Water Pollution Control Board

"Regional board" means any regional water pollution control board created pursuant to this division.

"Person" as used in this division also includes any city, county or district.

"Sewage" means any and all waste substance, liquid or solid, associated with human habitation, or which contains or may be contaminated with human or animal excreta or excrement, offal, or any feculent matter.

"Industrial waste" means any and all liquid or solid waste substance, not sewage, from any producing, manufacturing or processing operation of whatever nature.

"Waters of the State" means any waters, surface or underground, including saline waters, within the boundaries of the State as defined and described in Section 1 of Article XXI of the Constitution and as given greater precision in Sections 170, 171, and 172 of the Government Code.

"Contamination" means an impairment of the quality of the waters of the State by sewage or industrial waste to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease. "Contamination" shall include any equivalent effect resulting from the disposal of sewage or industrial waste, whether or not waters of the State are affected.

"Pollution" means an impairment of the quality of the waters of the State by sewage or industrial waste to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic, industrial, agricultural, navigational, recreational or other beneficial use, or which does adversely and unreasonably affect the ocean waters and bays of the State devoted to public recreation.

"Nuisance" means damage to any community by odors or unsightliness resulting from unreasonable practices in the disposal of sewage or industrial wastes.

"District attorney," as used in this division, means "county counsel" with respect to any county having such an officer and "city attorney" with respect to any city and county having such an officer *as to all matters except the prosecution of crimes.*"

**Amendment No. 16**

On page 3, strike out lines 30 to 47, inclusive, and insert "and is not being corrected, shall refer the condition to any state agency having jurisdiction."

**Amendment No. 17**

On page 4, line 1, strike out "SEC. 11.", and insert "SEC. 10."

**Amendment No. 18**

On page 4, line 15, after "person", insert ", not employed by any governmental agency, from a responsible organization".

**Amendment No. 19**

On page 4, line 18, strike out "SEC. 11.5", and insert "SEC. 11".

**Amendment No. 20**

On page 4, line 34, after "SEC. 12.", insert "Section 13050 of said code is amended to read:

13050. Each regional board shall:

(a) Establish an office.

(b) Select one of its members as chairman at the first regular meeting held each year.

(c) Appoint an executive officer ~~and fix his~~ *whose* salary *shall be as determined under the State Civil Service Act* ~~at a sum not to exceed nine hundred seventy dollars ($970) per month~~.

(d) Employ such other assistants as may be determined necessary to assist the executive officer.

SEC. 13."

**Amendment No. 21**

On page 5, line 1, strike out "accordance with the legislative policy", and insert "conformity with the policies".

**Amendment No. 22**

On page 5, lines 2 and 3, strike out "and the statewide policies prescribed by the state board".

**Amendment No. 23**

On page 5, line 16, strike out "SEC 13", and insert "SEC. 14".

**Amendment No. 24**

On page 5, line 17, strike out "and", and insert "preliminary to".

**Amendment No. 25**

On page 5, lines 18 and 19, strike out "and be guided by".

**Amendment No. 26**

On page 5, line 24, strike out "SEC. 14", and insert "SEC. 15".

**Amendment No. 27**

On page 5, line 44, strike out "SEC. 15", and insert "SEC. 16".

**Amendment No. 28**

On page 6, line 8, strike out "SEC. 16", and insert "SEC. 17".

**Amendment No. 29**

On page 6, strike out lines 10 to 18, inclusive; and line 19, strike out "SEC 17.", and insert "bearing in mind threats to the public health, the aquatic habitat, and other beneficial uses, need not prescribe requirements for waste discharges which utilize the full assimilation capacities of the receiving waters

SEC. 18."

**Amendment No. 30**

On page 6, strike out lines 23 to 29, inclusive; and in line 30, strike out "13054.5.", and insert

"SEC. 19. Section 13054.4 is added to said code, to read

13054.4."

**Amendment No. 31**

On page 6, strike out line 36, and in line 37, strike out "13054.6.", and insert "SEC. 20. Section 13054.5 is added to said code, to read:

13054.5."

**Amendment No. 32**

On page 6, strike out lines 50 to 52, inclusive; on page 7, strike out lines 1 to 15, inclusive; and in line 16, strike out "SEC 23", and insert "SEC 21"

**Amendment No. 33**

On page 7, line 23, strike out "SEC. 24", and insert "SEC. 22".

**Amendment No. 34**

On page 7, strike out lines 27 to 37, inclusive; and in line 38, strike out "SEC 26", and insert "SEC. 23".

**Amendment No. 35**

On page 7, line 39, strike out "it appears to a regional board", and insert "a regional board finds".

Amendment No. 36

On page 7, line ~~43~~, strike out "may order a hearing on"; strike out lines ~~44~~ to 49, inclusive, and insert "shall issue an order to cease and desist and direct that those persons, firms, or corporations not complying with the requirements, comply forthwith.

SEC. 24. Section 13061 of said code is repealed.

~~13061. Hearings held under the provisions of this article shall be conducted, as nearly as practicable in accordance with the provisions of Title 2, Division 3, Part 1, Chapter 5 of the Government Code and the regional board shall have all powers granted therein as an agency of the State.~~

SEC. 25. Section 13061.5 of said code is repealed.

~~13061.5. Notwithstanding any provision of subdivision (c) of Section 11505 of the Government Code, the accusation initiating any hearing held under the provisions of this article may be served by registered mail addressed to the respondent at his or its place of business or residence; provided further, that if the respondent is a nonresident individual or a foreign corporation, service may be effected in the manner prescribed by Section 1018 of the Code of Civil Procedure.~~

SEC. 26 Section 13062 of said code is repealed.

~~13062. After hearing, the board shall make its findings as to whether pollution or nuisance is existing or threatening. If the board finds affirmatively, it shall thereupon order correction.~~

SEC. 27. Section 13063 of said code is amended to read:

13063. Upon failure of any person or persons to comply with any such *cease and desist* order of the ~~regional~~ board ~~or state board~~, the board issuing the order shall certify the facts to the district attorney for the county in which the discharge originates, whereupon such district attorney shall petition the superior court in and for that county for the issuance of an injunction restraining such person or persons from continuing *the discharge in violation of the requirements* ~~any activity causing or threatening a pollution or nuisance~~. The court shall thereupon issue an order directing the person to appear before the court and show cause why the injunction should not be issued. Thereafter the court shall have judisdiction of the matter, and proceedings thereon shall be conducted in the same manner as in any other action brought for an injunction. The court shall receive in evidence the order of the ~~regional~~ board. ~~or state board, any transcript of the proceedings before the regional board or the state board,~~ *evidence as to the validity and reasonableness of the board's requirements as previously established,* and such further evidence as the court in its discretion deems proper.

When complaint is made to the Attorney General that the district attorney of any county has not performed a duty devolving upon him by the provisions of this division or is not proceeding with due diligence or in the proper manner in the performance of the duty, the Attorney General shall make an investigation. If he finds the charge to be true, the Attorney General shall diligently prosecute the action to secure the issuance of an injunction restraining the person or persons who have failed to comply with any such order of the ~~regional~~ board

~~or state board~~ from continuing *the discharge in violation of the requirements* ~~any activity causing or threatening a pollution or a nuisance~~, and in such case he shall have the powers and duties of the district attorney."

Amendment No. 37

On page 8, strike out lines 16 to 24, inclusive, and insert

"SEC. 29. Section 5460 of the Health and Safety Code is amended to read:

5460. The state department or local health officer may issue a peremptory order requiring the abatement of a contamination, and shall immediately furnish to the proper regional board a report of information and data relating thereto.

Coincident with issuing such order ~~the director or local health officer may~~, or if any order or regulation is not complied with, *the director or local health officer may* ~~shall~~ bring and prosecute an action for an injunction in the superior court of the county in which the contamination occurs."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1135

Mr. Coolidge moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1135 was this day passed (Assembly Journal, page 3755).

Assembly Bill No. 1135 and the motion to reconsider ordered to the unfinished business file.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 904

Mr. Cunningham was granted unanimous consent that Senate Bill No. 904 be withdrawn from the Committee on Industrial Relations, and re-referred to the Committee on Public Utilities and Corporations.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1358 FROM COMMITTEE

Mr. MacBride was granted unanimous consent that Assembly Bill No. 1358 be withdrawn from the Committee on Governmental Efficiency and Economy, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1358

**Assembly Bill No. 1358**—An act to add Chapter 20 (commencing at Section 9800) to Division 3 of the Business and Professions Code, relating to professional inspectors, and making an appropriation therefor.

Bill read second time.

Motion to Amend

Mr. MacBride moved the adoption of the following amendments:

Amendment No. 1

On page 1, of the printed bill, after line 16, insert

"9801.1. "Structures" as used in this chapter means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in a definite manner or any fixed engineering construction work."

**Amendment No. 2**

On page 2, line 3, insert
"9803. "Major construction projects" as used in this chapter includes but is not limited to buildings such as schools, hospitals, public buildings, bridges, fixed engineering works, wharves, piers, dams, Types I and II as defined in the 1958 edition of the Uniform Building Code published by the International Conference of Building Officials, and military projects."

**Amendment No. 3**

On page 2, line 8, strike out "five", and insert "seven".

**Amendment No. 4**

On page 2, line 10, strike out "two", and insert "three".

**Amendment No. 5**

On page 2, line 12, strike out "two", and insert "three".

**Amendment No. 6**

On page 2, line 18, after "1962", insert ", and two members January 15, 1963".

**Amendment No. 7**

On page 3, line 36, strike out "or".

**Amendment No. 8**

On page 3, line 37, strike out "Inspector" ", and insert "Inspector," or "Professional Inspector In-training," ".

**Amendment No. 9**

On page 4, strike out lines 13 to 19, inclusive.

**Amendment No. 10**

On page 4, strike out lines 37 to 39, inclusive, and insert "least two years of inspection experience."

**Amendment No. 11**

On page 4, between lines 44 and 45, insert
"(d) Shall have had at least six years of construction inspection experience, two years of which shall have been performed as an inspector in responsible charge of inspection of major construction projects, including but not limited to architectural structure, electrical, mechanical and fixed engineering projects."

**Amendment No. 12**

On page 4, line 46, after "shall", insert "have received a high school education or the equivalent thereof in formal schooling and actual experience, and shall also".

**Amendment No. 13**

On page 4, strike out lines 47 to 52, inclusive, and insert
"(a) Have been a journeyman building trades craftsman for at least four years, at least two years of which were as a building trades craftsman foreman; and, in addition, have had at least two years of service as a building inspector."

**Amendment No. 14**

On page 5, strike out line 1, and insert
"(b) Have been a journeyman building trades craftsman for at least four".

**Amendment No. 15**

On page 5, line 4, strike out "(d)", and insert "(c)".

**Amendment No. 16**

On page 5, between lines 5 and 6, insert
"(d) Shall have had at least six years experience in any field of inspection relating to building trades or fixed engineering works with any inspection agency, either public or private."

**Amendment No. 17**

On page 5, line 7, after "shall", insert "have received a high school education or the equivalent thereof in formal schooling and actual experience, and shall also".

**Amendment No. 18**

On page 5, strike out lines 8 and 9.

**Amendment No. 19**

On page 5, line 10, strike out "(b)", and insert "(a)".

**Amendment No. 20**

On page 5, line 14, strike out "(c)", and insert "(b)".

**Amendment No. 21**

On page 5, line 17, strike out "(d)", and insert "(c)".

**Amendment No. 22**

On page 5, line 20, after "shall", insert "have received a high school education or the equivalent thereof in formal schooling and actual experience, and shall also".

**Amendment No. 23**

On page 5, strike out lines 22 to 25, inclusive.

**Amendment No. 24**

On page 5, line 26, strike out "(b)", and insert "(a)".

**Amendment No. 25**

On page 5, line 31, strike out "(c)", and insert "(b)".

**Amendment No. 26**

On page 5, line 35, strike out "(d)", and insert "(c)".

**Amendment No. 27**

On page 5, strike out lines 37 to 52, inclusive; on page 6, strike out lines 1 to 18, inclusive, and insert

"9845. A candidate for certificate as a professional inspector in-training shall have received a high school education or the equivalent thereof in formal schooling or actual experience, and shall also meet one of the following requirements:

(a) Have had at least one year of experience in the building and construction trades, and one year of inspection experience in the building or construction trades.

(b) Have had at least two years experience in inspection in the building or construction trades

Any such certificate issued shall become invalid when the holder either qualifies as a professional inspector as provided in Section 9842, 9843, or 9844 of this chapter, or on the twentieth day of June of the sixth year after the date of issuance thereof if such holder has not by that time qualified for and received his certificate as a professional inspector. A professional inspector in-training must perform his services under the general supervision of a professional inspector or the equivalent thereof.

9846. The board may, from time to time, establish additional categories of inspectors and provide for the qualifications thereof as may be determined expedient and necessary.

9847 The board shall ascertain by written examination that an applicant is qualified for a certificate of the type for which he has applied by his knowledge and understanding of the work performed by inspectors in the field covered by the certificate.

9848. If the applicant's examination is satisfactory, and if the board shall find that the applicant is of good moral character, upon the payment of the certificate fee fixed by this chapter, the secretary shall issue a certificate to the applicant, signed by the president and the secretary, sealed with the seal of the board, showing that the person named therein passed the examination and is entitled to practice as a designated type of professional inspector in this State, in accordance with the provisions of this chapter.

9849. The board may deny or refuse to issue a certificate to an applicant upon proof of the commission by the applicant of any act or omission which would constitute grounds for disciplinary action under this chapter if committed by a licensee.

9850. The board shall keep a record of the names and addresses of all certificate holders and such additional personal data as the board may require. A proper index and record of each certificate issued shall be kept by the board. The certificate shall contain the name of the person to whom issued and his birthplace and age

9851. Certificates to practice as a professional inspector shall remain in full force until revoked or suspended for cause, as provided in this chapter.

9852. A duplicate certificate to practice as a professional inspector in place of one which has been lost, destroyed, or mutilated shall be issued upon proper application, subject to the rules and regulations of the board. A duplicate certificate fee fixed by this chapter shall be charged for the issuance of such duplicate certificate."

**Amendment No. 28**

On page 6, strike out line 30, and insert "six months after discovery of the act or omission alleged as the ground for".

**Amendment No. 29**

On page 6, line 31, strike out "except that", and insert "and".

**Amendment No. 30**

On page 6, line 33, strike out "two years", and insert "six months".

**Amendment No. 31**

On page 9, line 25, strike out "a", and insert "an official or employer charged with the responsibility of directing inspection activities in any of the categories provided for in this act, or as a".

**Amendment No. 32**

On page 9, strike out line 26, and insert "at least four years within the last 10 years next preceding the effective date of this act as a supervisory inspector, shall be entitled".

**Amendment No. 33**

On page 9, line 27, strike out "principal professional", and insert "professional construction".

**Amendment No. 34**

On page 9, between lines 28 and 29, insert

"9890.1. Notwithstanding any other provisions of this chapter, any person holding a position upon the effective date of this chapter as a building inspector, electrical inspector, plumbing inspector or mechanical inspector, or any field of inspection provided for by this act, shall be entitled to receive without examination a professional inspector's certificate in the appropriate inspectors classification, if he files an application therefor."

**Amendment No. 35**

On page 9, line 30, strike out "five", and insert "seven".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1960
Assembly Bill No. 2414

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to the Consent Calendar

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1595
Assembly Bill No. 1934
Assembly Bill No. 2021
Assembly Bill No. 2166
Assembly Bill No. 2220
Assembly Bill No. 2289
Assembly Bill No. 2291
Assembly Bill No. 2376

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 38

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 582
Assembly Bill No. 1484
Assembly Bill No. 1917
Assembly Bill No. 2412

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 15, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2282
Assembly Bill No. 2435

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2158

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 15, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2308

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 108**—An act to add Section 14108.5 to the Health and Safety Code, relating to local fire districts;

**Assembly Bill No. 382**—An act to amend Sections 5721 and 5722 of the Elections Code, relating to assisted voters;

**Assembly Bill No. 725**—An act to amend Section 8742 of, and to add Section 8745.5 to, the Business and Professions Code, relating to land surveying;

**Assembly Bill No. 805**—An act to amend Section 147 of the Streets and Highways Code, relating to mass transportation facilities on state highways;

**Assembly Bill No. 813**—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to fees payable by architects, to take effect immediately;

**Assembly Bill No. 841**—An act to amend Section 106 of the Education Code, and Section 108 of the Education Code as proposed by Senate Bill No 2, relating to meetings of the State Board of Education;

**Assembly Bill No. 901**—An act to amend and renumber Section 213 (as added by Chapter 2409, Statutes of 1957) of the Health and Safety Code, relating to section numbers;

**Assembly Bill No. 974**—An act to amend Section 20493 of, and to add Section 20496 to, the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 1290**—An act to amend Section 109.5 of the Streets and Highways Code, relating to agreements with the United States in connection with state highways;

**Assembly Bill No. 1457**—An act to amend Section 13317 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to tenure of certificated employees of school districts;

**Assembly Bill No. 1498**—An act to amend Section 15811 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments for sewers and drains by school districts;

**Assembly Bill No. 1649**—An act to amend Section 5662 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the disposition of tax receipts for support of high school and unified school districts;

**Assembly Bill No. 1677**—An act to amend Section 61600 of the Government Code, relating to powers and duties of community service districts;

**Assembly Bill No. 1901**—An act to add Section 2180.7 to the Welfare and Institutions Code, relating to applicants for old age security;

**Assembly Bill No. 1902**—An act to add Section 3082.2 to the Welfare and Institutions Code, relating to applicants for aid to needy blind;

**Assembly Bill No. 2014**—An act to amend Section 2142.5 of the Welfare and Institutions Code, relating to medical needs of old age assistance recipients;

**Assembly Bill No. 2015**—An act to amend Section 2018 of the Welfare and Institutions Code, relating to recipients of old age assistance;

**Assembly Bill No. 839**—An act to amend Sections 18901, 18902, 18903, 18904, 18905, 18906, 18907, 18908 and to add Sections 18906.3 and 18906.4 to the Health and Safety Code, relating to the State Building Standards Commission, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 906**—An act to amend Sections 8321, 8322, 8323, and 8331 of the Streets and Highways Code, relating to city street vacation proceedings;

**Assembly Bill No. 921**—An act to repeal Section 26204 of the Government Code, relating to war histories of counties;

**Assembly Bill No. 961**—An act to amend Section 4002 of the Welfare and Institutions Code, relating to aid to needy disabled;

**Assembly Bill No. 1011**—An act to amend Section 93 of the Streets and Highways Code, relating to maintenance and restoration of public highways;

**Assembly Bill No. 1091**—An act to amend Section 2422 of the Education Code, Section 1723 of the Education Code, as proposed by Senate Bill No. 2, Section 7920 of the Elections Code, Section 1180 of the Military and Veterans Code, and Section 22229 of the Public Utilities Code, relating to the classification of cities;

**Assembly Bill No. 1250**—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions;

**Assembly Bill No. 1278**—An act to amend Sections 54955 and 54957 of the Government Code, relating to meetings of legislative bodies;

**Assembly Bill No. 1287**—An act to amend Sections 54955 and 54957 of the Government Code, relating to meetings of legislative bodies;

**Assembly Bill No. 1383**—An act to repeal Sections 71606, 71607, 71608, and 71222 of, and to add Section 68542.5 to, the Government Code, relating to assignment of judges;

**Assembly Bill No. 1694**—An act to amend Section 11200 of the Health and Safety Code, relating to exempt narcotics;

And reports the same correctly enrolled, and presented to the Governor on the fifteenth day of May, 1959, at 11 a.m.

BURKE, Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 14, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 78

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 78**—Relative to congratulating the people of Solano County upon the occasion of the first delivery of water from the Monticello Dam.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, May 15, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*Sacramento*

DEAR SIR: I have been directed to request your honorable body to return to the Senate Senate Bill No. 537 for further consideration by the Senate.

Very truly yours,

J. A. BEEK, Secretary of the Senate

Above request ordered to the unfinished business file.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Marks, Busterud, Meyers, Biddick, and Gaffney:

### House Resolution No. 266

Relative to the dangers to small children from plastic food and garment bags

WHEREAS, It has come to the attention of the Members of this Assembly that at least 20 small children have suffocated in the United States in the first three months of this year in plastic food or garment bags; and

WHEREAS, According to the Journal of the American Medical Association, the friction created as a small child pulls the plastic bag over his head causes an electrostatic charge which plasters the filmy material lightly to his mouth and nose; and

WHEREAS, While there have as yet been no reported deaths from this cause in California, such plastic bags are a constant danger to the welfare of the children of this State; and

WHEREAS, The California Dry Cleaners Association held an emergency meeting in Berkeley on May 14th to determine how best to eliminate this source of danger, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Board of Dry Cleaners and the State Department of Public Health be hereby urged to confer with the various interested groups, including those from the industries involved, to see what can be done to remedy the dangers caused by such plastic bags and to report to this Assembly if legislation is needed; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a copy of this resolution to the State Board of Dry Cleaners and to the State Department of Public Health.

Resolution read, and referred to the Committee on Rules.

By Messrs. Charles H. Wilson, Johnson, Bane, George E. Brown, Burke, Cameron, Collier, Cusanovich, Elliott, Ernest R. Geddes, Hawkins, Kilpatrick, Levering, Miller, Munnell, Porter, Shell, Thelin, Thomas, Unruh, and George A. Willson:

### House Resolution No. 267

Relating to the commendation of Ralph P. Merritt

WHEREAS, Ralph P. Merritt was born in Rio Vista, California, educated in the public schools of Oakland and graduated from the University of California; and

WHEREAS, Mr. Merritt has had a long career of outstanding success in the fields of commerce, business, and agriculture and has served as a director of the Chamber of Commerce of the State of California and of the United States; and

WHEREAS, Mr. Merritt held several important positions in connection with the war effort during World War I and World War II; and

WHEREAS, Ralph P. Merritt was one of the leaders in securing the formation of the Los Angeles Metropolitan Transit Authority, recognizing the need for modern mass transportation in the Los Angeles area; and

WHEREAS, He served as General Manager of the Los Angeles Metropolitan Transit Authority from 1952 to 1956 and as a member of the Los Angeles Metropolitan Transit Authority from 1955 to 1956; and

WHEREAS, Upon reorganization of the Los Angeles Metropolitan Transit Authority in September of 1957, he became Executive Director of the Los Angeles Metropolitan Transit Authority; and

WHEREAS, Mr. Merritt has announced his resignation as Executive Director of the Los Angeles Metropolitan Transit Authority, and

WHEREAS, Mr. Merritt's contribution to the formulation of plans and development of the Los Angeles Metropolitan Transit Authority has indeed been an important benefit for the Los Angeles area; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Mr. Ralph P. Merritt for his outstanding career in the fields of endeavor which he has undertaken, and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this resolution to Mr. Ralph P. Merritt and to Miss Lois Wright, his loyal and efficient secretary.

Resolution read, and referred to the Committee on Rules.

By Messrs. Meyers, Burton, O'Connell, Busterud, Gaffney, Marks, and Belotti:

**House Resolution No. 268**

Relative to the commendation of Reverend Donal F Forrester, C.S.P.

WHEREAS, On Sunday, May 17, 1959, a solemn offering of the Holy Sacrifice of the Mass, at the Church of the Good Shepherd located at Broadway and 207th Street in New York City, will commemorate the Twenty-fifth Anniversary of the ordination to the priesthood of Reverend Donal Francis Forrester, C S P.; and

WHEREAS, Father Don, as he is affectionately known to thousands of San Franciscans and other Catholics has enjoyed an unusual record of achievement during his quarter century as a member of the Order of the Paulist Fathers; and

WHEREAS, Reverend Forrester is a native New Yorker, and a graduate of Fordham University of New York, and the Catholic University of Washington, D C.; and

WHEREAS, Twenty-five years ago Reverend Forrester was ordained by the great Cardinal of Charity, Patrick Hayes; and

WHEREAS, As a young priest and outstanding athlete, he directed the Catholic Youth Organization in New York; and

WHEREAS, During World War II he served with distinction as a chaplain in North Africa, Sicily, Italy, and France and during the Korean War he did duty on the islands of Tirk and Mayguana; and

WHEREAS, Reverend Forrester spent many years as the administrator in charge of the St Mary's Chinese Mission at Old St Mary's Church in San Francisco, and while there he further developed the famed St Mary's Chinese Girls Drum Corps, which now is a national institution; and

WHEREAS, Reverend Forrester has been a prominent member of the Press and Union League Club of San Francisco, and

WHEREAS At the present time he is ably directing the Catholic Information Center in Mobile, Alabama; and

WHEREAS, Reverend Donal Francis Forrester has, during his 25 years as a Catholic Priest, been a credit to his Church, his Order, and his Country; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Reverend Donal Francis Forrester on his outstanding career as a priest of the Catholic Church and for the outstanding contributions that he has made to San Francisco, to California, and to the Nation; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Reverend William Michell, Superior General, C.S P., New York City, and Reverend John E McGarity, C S P, Pastor, Old St. Mary's Church, San Francisco, and Reverend Donal F. Forrester, C S.P., Paulist Fathers, Mobile, Alabama.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 132**: By Mr Miller—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

## EXPLANATION OF VOTE

May 15, 1959

I was on the Senate side this morning on business pertaining to my bills, and missed some roll calls.

DON MULFORD

## ADJOURNMENT

At 1.08 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 18, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-EIGHTH LEGISLATIVE DAY

NINETY-SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, May 18, 1959

The Assembly met at 10 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*We Praise Thee, O God,* For Assemblymen who, working together these many weeks, have revealed qualities essential to the making of good laws: for forthrightness and industry, for concern about the opinions of others and a capacity to stand alone, for willingness to follow and ability to lead, for shining integrity and for warmth of friendliness. Is there a man who has not felt himself to be used by ulterior forces, sometimes abused, forsaken, betrayed, misrepresented, let down by those expected to stand by? Lift up our hearts, we pray Thee, and remind us that minorities have wrought the great changes of history, and that Thou canst use all who are willing to seek and do Thy will.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Levering, seconded by Mr. Shell

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Charles H. Wilson, on motion of Mr. Pattee (for today and tomorrow).

Mr. Thomas, on request of Speaker Brown.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

SAN FERNANDO VALLEY STATE COLLEGE
OFFICE OF THE PRESIDENT
NORTHRIDGE, May 12, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, Legislature of California*
*State Capitol, Sacramento*

DEAR MR OHNIMUS: I have received your note of May 7th and the enclosed Resolution No 103 I believe the proposition which you suggest is a proper subject for discussion by the State College Presidents of California at one of their future meetings

I am glad you raised the issue of facilities for research, since this has been a project discussed numerous times by the Presidents and other constitutent bodies of the State Colleges of California. As you probably know, we have no part of the assigned responsibilities of members of our teaching staff devoted to research at present. Therefore, our type of institution will not reflect the kinds of facilities for staff research that may be found in institutions where research is an integral part of the mission of the college.

Undoubtedly, a proposition such as you mention will require some funds These may be hard to come by in the light of present pressures.

Sincerely yours,

RALPH PRATOR, President

cc: Dr. J. Burton Vasche
President Glenn Dumke
President Malcolm Love
President John Wahlquist

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The following communications were presented by the Chief Clerk from:

Mrs. Homer Gibson of Chino, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

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A. V. Aldrich of Long Beach, relative to taxes. Referred to the Committee on Revenue and Taxation.

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The following resolution was presented by the Chief Clerk from:

The City Council of the City of Los Angeles, relative to an overall statewide plan for a "California Freeway System." Referred to the Committee on Transportation and Commerce.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1407
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1110
Assembly Bill No 1328
Assembly Bill No. 1444
Assembly Bill No. 2275
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1594
Assembly Bill No. 2374
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 2017
Assembly Bill No. 2160
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 1881
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined
Assembly Bill No. 498
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 75
Assembly Bill No. 103
Assembly Bill No. 330
Assembly Bill No. 1627
Assembly Bill No. 2233
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1692
Assembly Bill No. 1705
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2339
Assembly Bill No. 2366
Assembly Bill No. 2367

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 369**—An act to amend Section 514 of the Penal Code, relating to embezzlement;

**Assembly Bill No. 559**—An act to amend Section 5787 of, and to add Section 5787.01 to, the Public Resources Code, relating to the dissolution of recreation and park districts;

**Assembly Bill No. 657**—An act to amend Section 71140.1 of the Government Code, relating to attaches of municipal courts, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 775**—An act to codify Section 6 of Chapter 184 of the Statutes of 1957, by repealing said section, and by adding Section 18212 to the Financial Code, relating to capital and surplus of industrial loan companies;

**Assembly Bill No. 776**—An act to codify Chapter 1473 of the Statutes of 1957 by repealing Section 1 thereof and by adding Section 1153.1 to the Agricultural Code, relating to the establishment of a market news service in the Klamath Basin;

**Assembly Bill No. 777**—An act to codify Chapter 992 of the Statutes of 1945 by repealing said act, and by adding Article 3 (commencing with Section 13410) to Chapter 4 of Part 3, Division 3, Title 2 of the Government Code, relating to the purchase and acquisition of surplus property from the Federal Government or its agencies;

**Assembly Bill No. 779**—An act to maintain the Government Code by amending Sections 13210, 13212, and 13213 thereof, relating to state burial grounds;

**Assembly Bill No. 780**—An act to codify Sections 7, 7.1, and 7.2 of Chapter 20 of the Statutes of 1946, First Extraordinary Session, by amending Sections 6 and 7 and repealing Sections 7.1 and 7.2, and by adding Part 7.5 (commencing with Section 15490) to Division 3 of Title 2 of the Government Code, relating to the State Allocation Board;

**Assembly Bill No. 781**—An act to maintain the Agricultural Code by amending Sections 375.6, 1014, 1071.4, and 4273 thereof, and by repealing Sections 83 and 207.6 thereof, relating to the plant and animal industry and the products thereof;

**Assembly Bill No. 783**—An act to maintain the Civil Code by amending Sections 1172 and 3081.1 thereof, and by repealing Section 2924½ thereof, relating to instruments affecting property;

**Assembly Bill No. 784**—An act to maintain the Code of Civil Procedure by amending Sections 13a, 89, 112, 1961, 689d, and 690.27 thereof, relating to proceedings in civil cases including the organization, jurisdiction, and administration of courts of justice, and the procedure in civil actions and special proceedings of a civil nature;

**Assembly Bill No. 785**—An act to maintain the Education Code by amending Sections 1825, 4105.5, 5001, 14641, 18366, and 22674 thereof, and by repealing Section 7714.2 thereof, and by amending Sections 939, 1409, 17151, 14372, 15716, and 27874, and repealing Section 19578, of the Education Code as proposed by Senate Bill No. 2, relating to institutions of learning, including the establishment, maintenance, government, and operation of schools and libraries;

**Assembly Bill No. 786**—An act to maintain the Fish and Game Code by amending Sections 10828 and 10841 thereof, by amending and renumbering Sections 8317 and 19031 thereof, and by repealing Article 9 (commencing with Section 8100) of Chapter 1, Part 3, Division 6, and Sections 8308, 8309, 8310, 8311, 8312, 8313, 8314, 8315, and 8316, thereof, relating to fish and game;

And reports the same correctly enrolled, and presented to the Governor on the fifteenth day of May, 1959, at 3 p.m.

BURKE, Chairman

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 480

With amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR SPEAKER: Your Committee on Ways and Means reports.

Assembly Bill No. 903
Assembly Bill No. 938

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER. Your Committee on Ways and Means reports:

Assembly Bill No. 494
Assembly Bill No. 1258
Assembly Bill No. 2118
Assembly Bill No. 2185
Assembly Bill No. 2234
Assembly Bill No. 2263
Assembly Bill No. 2264

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 14, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 261
Senate Bill No. 464
Senate Bill No. 1141

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 424

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2354

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 351
Assembly Bill No. 766
Assembly Bill No. 1054
Assembly Bill No. 1190
Assembly Bill No. 2060
Assembly Bill No. 2131

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1156

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 22
Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Constitutional Amendment No. 22**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 5, 18 and 23 of Article IV, Sections 4.5, 17 and 22 of Article V, Section 2 of Article IX, Section 7 of Article X, Section 9 of Article XIII and Section 20 of Article XX, by repealing Section 19 of Article V, Section 1, 2, 3, 4, 5 and 6 of Article X, Sections 3, 10, 11 and 12 of Article XXII, and by adding a new Section 3 to Article XXII, relating to the elimination of obsolete or superseded constitutional provisions affecting state officers and agencies.

Referred to Committee on Constitutional Amendments.

**Senate Concurrent Resolution No. 32**—Relative to a study to be made of problems arising from automobile accident litigation.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 7
Senate Bill No. 244
Senate Bill No. 346
Senate Bill No. 588
Senate Bill No. 641
Senate Bill No. 722
Senate Bill No. 785
Senate Bill No. 824
Senate Bill No. 871
Senate Bill No. 873
Senate Bill No. 923
Senate Bill No. 926
Senate Bill No. 1009
Senate Bill No 1093

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 7**—An act to amend Section 172a of the Penal Code, relating to sale or gift of intoxicating liquors near certain universities.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 244**—An act to add Article 3 (commencing at Section 160.97) to Chapter 1A of Division 2 of, and to repeal Section 160.96 of, the Agricultural Code, relating to pest control.

Referred to Committee on Agriculture.

**Senate Bill No. 346**—An act to add Section 1247b to the Code of Civil Procedure, relating to evidence in eminent domain proceedings.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 588**—An act to amend Sections 70, 73, and 79 of, and to add Sections 69.5, 70.1, 70.5, 70.7, and 73.5 to, the Civil Code, and to amend Section 10350 of the Health and Safety Code, relating to marriage.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 641**—An act to amend Section 86 of the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Agriculture.

**Senate Bill No. 722**—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 785**—An act to amend Section 689b of the Code of Civil Procedure, relating to attachment and execution

Referred to Committee on Judiciary—Civil

**Senate Bill No. 824**—An act to amend and renumber the heading of Chapter 4 (commencing at Section 16951), Division 13 of the Education Code, as enacted by the Legislature at its 1959 Regular Session.

Referred to Committee on Education.

**Senate Bill No. 871**—An act to add Section 10504.1 to the Water Code, relating to appropriation of water.

Referred to Committee on Water.

**Senate Bill No. 873**—An act to amend Sections 10504 and 10505 of and to add Sections 10504.2, 10504.5, and 10507 to, the Water Code, relating to applications for the appropriation of unappropriated water.

Referred to Committee on Water.

**Senate Bill No. 923**—An act to repeal Sections 863, 864, 865, and 866 of, and to add Sections 863, 864, 865, 866, and 866.5 to, and to amend Sections 867 and 868 of, the Welfare and Institutions Code, relating to reimbursement of counties for their cost of care and maintenance of juvenile court wards.

Referred to Committee on Social Welfare.

**Senate Bill No. 926**—An act to amend Section 728 of the Welfare and Institutions Code, relating to arrest of minors.

Referred to Committee on Social Welfare.

**Senate Bill No. 1009**—An act to amend Section 814 of the Agricultural Code, relating to vegetable standards.

Referred to Committee on Agriculture.

**Senate Bill No. 1093**—An act to repeal Sections 172, 172a, 172b, 172d, and 172.5 of the Penal Code, and to amend Section 23789 of, and to add Section 23789.5 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all bills on the Assembly and Senate second reading files be now deemed read the second time, and that appropriate action be taken on those bills requiring action.

## CONSIDERATION OF DAILY FILE

## BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 205, 2374, 1465, 2017, 2160,** and **1594.**

**Senate Bills Nos. 99, 274, 273, 438, 865,** and **353.**

Assembly Bill No. 205 ordered to third reading, subsequent to engrossment. NOTE—Later this day, Assembly Bill No. 205 was amended. *See* page 3807.

Assembly Bill No. 1465 ordered to third reading, subsequent to reengrossment.

Assembly Bills Nos. 2017 and 2160 ordered to third reading.

Assembly Bills Nos. 2374 and 1594 ordered to the Consent Calendar.

Senate Bills Nos. 99, 274, and 353 ordered to the Consent Calendar.

Senate Bills Nos. 273, 438, and 865 ordered to third reading.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 570**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by employees.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

#### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "water and".

#### Amendment No. 2

On page 1, line 17, after "county.", insert "'Employees" shall not include employees of irrigation districts"

#### Amendment No. 3

On page 1, line 19, strike out "water or".

**Amendment No. 4**

On page 1, line 21, after "county.", insert " "Public agency" shall not include irrigation districts."

**Amendment No. 5**

On page 2, line 8, strike out ", and any"; strike out lines 9 to 11, inclusive, and insert a period.

**Amendment No. 6**

On page 2, line 35, strike out the period, and insert ", but shall not have the right to strike."

**Amendment No. 7**

On page 2, line 43, strike out the period, and insert ", but the terms of such contract shall be subject to the limitations placed upon public agencies by the Constitution and the laws of the Sate and the provisions contained in the charter and applicable ordinances and regulations of the city, county or district in which the public agency is located."

**Amendment No. 8**

On page 4, line 10, after "district", insert ", municipal utility district,".

**Amendment No. 9**

On page 4, line 11, strike out "water or".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2383**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert "points in the County of San Mateo or in the City and County of San Francisco on the west side of the Bay and points in the County of Alameda on the east side of the Bay, including the study of a crossing between a point in the vicinity of Sierra Point in the County of San Mateo on the west side of the Bay and a point in the vicinity of Roberts Landing in the County of Alameda on the east side of the Bay. To complete such studies, the department is authorized to use the additional sum of one hundred fifty thousand dollars ($150,000), or so much thereof as may be necessary, from the Revenue Fund of the San Francisco-Oakland Bay Bridge. Only so much of said sum shall, however, be expended as the California Toll Bridge Authority determines will not jeopardize the improvement of the San Mateo-Hayward Bridge in the event that such improvement is financed by use of tolls and revenues of the San Francisco-Oakland Bay Bridge accruing and to accrue up to December 31, 1962."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 413**—An act to amend Sections 27903 and 27904 of, and to add Division 14.5 (commencing at Section 33000) to, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of radioactive materials.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1809**—An act to amend Section 576 of, and to repeal Section 686 of, the Vehicle Code, and to amend Section 22452 of, and to repeal Section 22455 of, the Vehicle Code as proposed by Assembly Bill No. 5, relating to the stopping of vehicles at railroad grade crossings.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1927**—An act to add Section 21369 to, and to amend Section 21403 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle speed signs.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2421**—An act to add Section 4014 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration of vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 232**—An act to repeal Sections 31734, 31735, and 31736 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 256**—An act to amend Section 31625 of, and to add Section 31625.1 to, the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 968**—An act to repeal Article 8 (commencing at Section 32080) of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the retirement of county peace officers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 969**—An act to amend Section 31760.1 of the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1569**—An act to amend Section 31671 of the Government Code, relating to retirement for county employees.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1573**—An act to amend Sections 31461.1, 31558.1, 31620.1, 31630.1, 31639.15, 31700, 31701, 31721.5, and 31780.5 of the Government Code, relating to retirement systems.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1574**—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1575**—An act to amend Sections 31652, 31652.2 and 31726 of the Government Code, relating to county retirement systems.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1892**—An act to repeal Section 31805, and to add Sections 31805.1, 31815, 31816, and 31816.1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1969**—An act to amend Section 31801 and to repeal Section 22306 of the Government Code, relating to the participation of policemen and firemen in federal old age and survivors' insurance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2334**—An act to repeal Section 32958 of the Water Code, relating to county water districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2410**—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1341**—An act to add Section 31664.5 to the Government Code, relating to retirement of county employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1058**—An act to add Section 31809.5 to the Government Code, relating to pension determination formulas for members of county retirement systems.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2292**—An act to amend Section 3308 of, and to add Section 3310 to, the Health and Safety Code, relating to tuberculosis hospitals.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1700**—An act to add Sections 1012.1 and 1035.1 to, to amend Sections 1035, 1037, 1038, 1039, and 1041 of, and to repeal Section 1040 of, the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Military and Veterans Affairs, were read, and adopted:

**Amendment No. 1**

On page 2, line 15, of the printed bill, after "home", insert "or by will executed thereafter, leaving such property to the spouse, dependent children, or dependent father or mother".

**Amendment No. 2**

On page 2, line 24, after "home", insert ", except to the extent that such will disposes of the money or property to the spouse, dependent children, or dependent father or mother of the veteran".

**Amendment No. 3**

On page 2, line 31, after "mother", insert "pursuant to a will or".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1577**—An act amending Sections 31460, 31527, 31602, 31680, 31720, 31765, 31765.1, 31780 and 31787 of, repealing Sections 31646 and 31720.2 of, and adding Sections 31481, 31681.4, and 31739.2, to, the Government Code, relating to county retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 3, line 7, of the printed bill, as amended in the Assembly on April 6, 1959, after "1955," insert "or such other date prior to January 1, 1955, as the board of supervisors in any county shall specify by resolution,".

**Amendment No. 2**

On page 3, line 45, after "1955," insert "or such other date prior to January 1, 1955, as the board of supervisors in any county shall specify by resolution,".

**Amendment No. 3**

On page 5, after line 48, insert

"The provisions of this section shall also apply to any employee who dies as the result of injury of disease arising out of and in the course of his employment prior to the first day of the calendar month when he would normally become a member."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1805**—An act to amend Section 31727.4 of the Government Code, relating to county employees' retirement.

Bill read second time.

**Consideration of Committee Amendments**

The following amentment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 18, of the printed bill, as amended in the Assembly on May 4, 1959, strike out "permanent".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1576**—An act to add Section 31727.6 to the Government Code, relating to retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 31727.6 to", and insert "amend Section 31592 of, and to add Sections 31592.2 and 31726.6 to,".

**Amendment No. 2**

In line 1, after "Section 1.", insert "Section 31592 of the Government Code is amended to read:

31592. ~~Interest~~ ~~earned~~ *Earnings of* ~~on~~ the retirement fund during any year in excess of the total interest credited to contributions *and reserves* during such year shall remain in the fund as a reserve against deficiencies in interest ~~earned~~ *earnings* in other years, losses on investments and other contingencies, *except as provided in Section 31592.2.*

SEC. 2. Section 31592.2 is added to the Government Code, to read:

31592.2. In any county in which Section 31676.1 applies, earnings of the retirement fund during any year in excess of the total interst credited to contributions and reserves during such year shall remain in the fund as a reserve against deficiencies in interest earnings in other years, losses on investments, and other contingencies, except that when such surplus exceeds one percent of the total assets of the retirement system, the board may transfer all or any part of such surplus in excess of one percent of the said total assets into county advance reserves.

SEC. 3."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1804**—An act to amend Section 31787 of the Government Code, relating to county employees' retirement.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "or permanent employee".

**Amendment No. 2**

On page 1, line 8, after "not," insert "the surviving spouse, if any, otherwise the guardian of such child may elect".

**Amendment No. 3**

On page 1, line 9, after "31780," insert "that".

**Amendment No. 4**

On page 1, line 11, strike out "a monthly", and insert "in equal monthly installments, an annual".

**Amendment No. 5**

On page 1, line 12, strike out the comma.

**Amendment No. 6**

On page 1, line 12, after "the", insert "member's".

**Amendment No. 7**

On page 1, line 13, strike out "of the member or permanent employee".

**Amendment No. 8**

On page 1, line 16, strike out "or permanent employee".

**Amendment No. 9**

On page 1, after line 18, insert

"The provisions of this section shall also apply to any employee who dies as a result of injury or disease arising out of and in the course of his employment prior to the first day of the calendar month when he would normally become a member."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2363**—An act to add Chapter 2.5 (commencing at Section 32500) to Part 8 of Division 12 of the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 3, line 15, of the printed bill, strike out "35230", and insert "32530".

**Amendment No. 2**

On page 3, line 18, strike out "35231", and insert "32531"

**Amendment No. 3**

On page 3, line 24, strike out "35232", and insert "32532".

**Amendment No. 4**

On page 3, line 30, strike out "35233", and insert "32533".

**Amendment No. 5**

On page 3, line 33, strike out "35234", and insert "32534".

**Amendment No. 6**

On page 3, line 36, strike out "35235", and insert "32535".

**Amendment No. 7**

On page 3, line 42, strike out "35236", and insert "32536".

**Amendment No. 8**

On page 3, line 46, strike out "35237", and insert "32537".

**Amendment No. 9**

On page 4, line 3, strike out "35240", and insert "32540".

**Amendment No. 10**

On page 4, line 7, strike out "35241", and insert "32541".

**Amendment No. 11**

On page 4, line 19, strike out "35242", and insert "32542".

**Amendment No. 12**

On page 4, line 23, strike out "35243", and insert "32543".

**Amendment No. 13**

On page 4, line 28, strike out "35244", and insert "32544".

**Amendment No. 14**

On page 4, line 40, strike out "35245", and insert "32545".

**Amendment No. 15**

On page 4, line 44, strike out "35246", and insert "32546".

**Amendment No. 16**

On page 4, line 51, strike out "35247", and insert "32547".

**Amendment No. 17**

On page 5, line 7, strike out "35250", and insert "32550".

**Amendment No. 18**

On page 5, line 11, strike out "35251", and insert "32551".

**Amendment No. 19**

On page 5, line 15, strike out "35252", and insert "32552".

**Amendment No. 20**

On page 5, line 18, strike out "35253", and insert "32553".

**Amendment No. 21**

On page 5, line 28, strike out "35254", and insert "32554".

**Amendment No. 22**

On page 5, line 36, strike out "35260", and insert "32560".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1807**—An act to amend Section 31734 of the Government Code, relating to county employees' retirement.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 31734", and insert "repeal Sections 31734, 31735, and 31736".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 31734 of the Government Code is repealed.

~~31734. If a disability beneficiary, prior to attaining age 55, engages in a gainful occupation not in the county service or if he re-enters the county service in a capacity ineligible for membership in the retirement system, the board shall reduce the amount of his retirement allowance to an amount which, when added to the compensation earned by him in such occupation, does not exceed the amount of the final compensation on the basis of which his retirement allowance was determined. If the earning capacity of the beneficiary is further altered, the board may alter his retirement allowance to an amount which does not exceed the amount upon which he was originally retired, but which, subject to such limitation, equals, when added to the compensation earned by him, the amount of his final compensation on the basis of which his retirement allowance was determined. When such a disability beneficiary reaches age 55, his retirement allowance shall be made equal to the amount upon which he was originally retired and shall not again be modified for any cause.~~

SEC. 2. Section 31735 of said code is repealed.

~~31735. As a condition of receiving his retirement allowance, each disability beneficiary under age 55 shall file with the board a written statement in a form prescribed by it, that he has not during the preceding month engaged in any gainful occupation except as stated. The statement may be in the form of an endorsement on the warrant~~

~~delivered to the beneficiary in payment of the allowance. If the statement discloses that he has received compensation from a gainful occupation in an amount and from a source which requires a reduction of his retirement allowance, the deduction shall be made from the next allowance.~~

SEC. 3. Section 31736 of said code is repealed.

~~31736. If any disability beneficiary knowingly and wilfully makes any false statement with regard to his earnings, he forfeits all rights and interest of any character under this chapter, except as provided in Section 31737.~~"

**Amendment No. 3**

On page 1, strike out lines 2 to 17, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2240**—An act to add Section 35012 to the Government Code, relating to cities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 35012", and insert "Sections 35012 and 35013".

**Amendment No. 2**

On page 1, after line 21, insert

"SEC. 2. Section 35013 is added to said code, to read:

35013. Territory within three miles of the territorial limits of a city other than the annexing city, may not be annexed pursuant to Article 5 unless the consent of the legislative body of such other city is first obtained. Consent to annexations within three miles of its territorial limits may be given by a legislative body prior to the commencement of annexation proceedings in an agreement executed pursuant to Section 35012.

Proof of the mailing of a notice, pursuant to Section 35002, by the clerk of the boundary commission to cities, the territorial limits of which lie within three miles of territory proposed for annexation pursuant to Article 5, shall create a rebuttable presumption that the territory proposed for annexation is within three miles of another city."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2409**—An act to add Section 1230 to, and to amend Section 19331 of, the Government Code, relating to jury duty.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert

"1230. The governing body of a city, county, city and county, or political subdivision of the State may grant leaves of absence to employees to appear as a witness in court other than as a litigant, to serve on a jury, or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. The governing body may grant such

leaves of absence with pay up to the amount of the difference between the employee's regular earnings and any amount he receives for jury or witness fees."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 1894**—An act to amend Section 31591 of, and to add Section 31781.2 to, the Government Code, relating to retirement allowances payable under the County Employees Retirement Law of 1937.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 28 to 34, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1605**—An act to amend Section 2110 of the Streets and Highways Code, relating to Highway Users Tax Fund.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1414**—An act to amend Section 12256 of the Revenue and Taxation Code, relating to insurance taxation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "2.00", and insert "2.15".

**Amendment No. 2**

On page 1, line 14, strike out "1.65", and insert "1.95".

**Amendment No. 3**

On page 1, line 15, strike out "1.30", and insert "1.75".

**Amendment No. 4**

On page 1, line 16, strike out ".95", and insert "1.55".

**Amendment No. 5**

On page 1, line 17, strike out ".60", and insert "1.35".

**Amendment No. 6**

On page 1, line 18, strike out ".25", and insert "1.00".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1811**—An act to add Section 2635 to the Revenue and Taxation Code, relating to the taxation of possessory interests.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "an", and insert "a mutually".

Amendment No. 2

On page 1, strike out lines 12 to 18, inclusive, and insert

"Where such premises are subsequently occupied by any other person having a leasehold interest therein, such other person shall be liable for so much of the taxes on the possessory interest for that year as is proportionate to that part of the tax year which commences with the date of such other party's occupation of the premises and ends at midnight of the day on which such occupancy terminates."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1279**—An act to amend Section 22 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to contracts for improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "five hundred dollars ($5,500)", and insert "dollars ($5,000)".

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 236**—An act to add Section 27459 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the use of snow-tread tires on vehicles.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 907**—An act to amend Sections 8620, 8650, 8681, 10500, 10506, 10600.5 and 10607 of the Streets and Highways Code, relating to improvements.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 74**—An act to amend Section 30350 of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the San Mateo-Hayward and Dumbarton Bridges, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 3, lines 16 and 17, of the printed bill, as amended in the Senate on May 1, 1959, strike out "July 1, 1963", and insert "December 31, 1962".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 830**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle air and vacuum brakes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "of a type approved by the de-"; strike out line 11; and in line 12, strike out "when tested with a laboratory test gauge, shall be", and insert "of a type prescribed by the department,".

**Amendment No. 2**

On page 1, line 13, strike out ", shall be ", and insert "and".

**Amendment No. 3**

On page 1, line 14, strike out ", and shall be", and insert "accurate within 10 percent of the actual pressure, and".

**Amendment No. 4**

On page 1, strike out lines 16, 17 and 18; on page 2, strike out lines 1 through 7, inclusive, and insert

"(b) A visible or audible low air pressure warning signal of a type prescribed by the department which shall give a satisfactory warning when the air pressure drops to 60 pounds or less per square inch. A gauge indicating pressure shall not satisfy this requirement.

(c) A governor on the air compressor with cut-in and cut-out pressures adjusted so that the maximum pressure in the air system and the minimum cut-in pressure shall be within limitations prescribed by the department. In adopting regulations specifying such pressures, the department shall consider the safe operating capacities of the various airbrake systems which are now or may be used on motor vehicles and shall be guided by the designed capabilities of those systems.

(d) The department shall not adopt regulations more restrictive than any applicable regulations adopted by the Interstate Commerce Commission or than any applicable standards adopted by the Society of Automotive Engineers for equipment required by this section."

**Amendment No. 5**

On page 2, line 8, strike out "26527", and insert "26526".

*Bill ordered reprinted, and returned to the second reading file.*

**Senate Bill No. 761**—An act to amend Section 24051 of the Government Code, relating to inventories of county property.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 764**—An act to amend Sections 31470.6 and 31558.5 of the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 854**—An act to amend Section 986.7 of the Military and Veterans Code, relating to farm and home purchases.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 969**—An act to add Section 25537 to the Government Code, relating to county government.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Senate on April 17, 1959, before the period, insert ", the term of the executed lease shall not exceed one year, and the lease is not renewable".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 621**—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act, Chapter 1405 of the Statutes of 1951, relating to flood control and water conservation in Santa Clara County, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", to repeal Section 7 of, and to add Section 7 to.".

Amendment No. 2

On page 1, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 7 of the Santa Clara County Flood Control and Water Conservation District Act, Chapter 1405 of the Statutes of 1951, is repealed.

~~Sec. 7. The Board of Supervisors of Santa Clara County shall be and is hereby designated as, and empowered to act as, ex officio the Board of Supervisors of the Santa Clara County Flood Control and Water Conservation District. As used elsewhere in this act the terms "board" and "board of supervisors" mean the Board of Supervisors of the Santa Clara County Flood Control and Water Conservation District.~~

~~All ordinances, resolutions and other legislative sets for said district shall be adopted by said board of supervisors, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Santa Clara.~~

SEC. 2. Section 7 is added to said act, to read:

Sec. 7. The Board of Directors of the Santa Clara Valley Water Conservation Dsitriet shall be and is hereby designated as, and empowered to act as ex officio the Board of Supervisors of the Santa Clara Flood Control and Water Conservation District. As used elsewhere in this act the terms "board" and "board of supervisors" mean the Board of Supervisors of the Santa Clara County Flood Control and Water Conservation District.

Upon the effective date of this section the Board of Directors of the Santa Clara Valley Water Conservation District shall succeed to all of the powers, duties, rights, and responsibilities of the Board of Supervisors of Santa Clara County with respect to the Santa Clara County Flood Control and Water Conservation District.

The Board of Directors of the Santa Clara Valley Water Conservation District shall, with respect to all matters relative to the Santa Clara County Flood Control and Water Conservation District, be governed by this act.

All ordinances, resolutions, and other legislative acts for the Santa Clara County Flood Control and Water Conservation District Act shall be adopted by said board of supervisors and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions, or other legislative acts for the Santa Clara Valley Water Conservation District.

SEC. 3. Section 14 of said act is amended to read:".

**Amendment No. 3**

On page 4, line 1, strike out "2", and insert "4".

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

**Senate Bill No. 726**—An act to amend Section 255 of the Revenue and Taxation Code, relating to the time within which affidavits of exemption shall be filed.

Bill read second time, and ordered to third reading.

**Senate Bill No. 886**—An act to amend Sections 24404 and 25401 of the Revenue and Taxation Code, relating to the deductions of farmers' co-operatives for bank and corporation tax purposes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 2, line 5, of the printed bill, as amended in the Senate on April 10, 1959, after "amounts", insert ", whether or not derived from patronage,".

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

**Senate Bill No. 864**—An act to amend Sections 8991 and 8994 of the Revenue and Taxation Code, relating to liens under the use fuel tax.

Bill read second time, and ordered to the Consent Calendar.

**RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62**

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1594.**

**Assembly Bill No. 413**, subsequent to re-engrossment.

**Senate Bills Nos. 438** and **236.**

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22414, 31401, 31402, 31403, 31404, 31405, 31406 and 31407 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 49?

### Amendment No. 1

On page 2, line 12, of the printed bill, as amended in the Assembly on April 8, 1959, after "used", insert "primarily or regularly".

### Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1959, strike out "22413", and insert "22414".

### Amendment No. 3

In line 4 of the title, strike out "and to amend Section"; strike out line 5; and in line 6 strike out "at the 1959 Regular Session".

### Amendment No. 4

On page 2, line 7, strike out "22413", and insert "22414".

### Amendment No. 5

On page 2, line 8, strike out "22413", and insert "22414".

### Amendment No. 6

On page 4, strike out lines 11 to 20, inclusive.

### Amendment No. 7

On page 2, line 25, of the printed bill, as amended in the Senate, on April 23, 1959, after "trucks", insert ", other than two axle trucks weighing less than 3,000 pounds,".

### Amendment No. 8

In the heading of the printed bill, as amended in the Senate on May 7, 1959, below "Introduced by Mr. Pattee", insert

"(Co-authored by Senator Farr)"

### Amendment No. 9

On page 2, line 4, strike out "person", and insert "farm labor contractor or person employed by a farm labor contractor".

### Amendment No. 10

On page 2, line 6, after "chauffeur's license", insert ". No other person shall operate a farm labor truck or a farm labor bus unless he has in his possession a valid chauffeur's license".

The Assembly concurred in Senate amendments to Assembly Bill No. 49 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—59.

NOES—None.

Assembly Bill No. 49 ordered enrolled.

**Assembly Bill No. 618**—An act to add Chapter 4 (commencing at Section 1960) to Part 7, Division 2 of, the Labor Code, relating to firefighters.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 618?

**Amendment No. 1**

On page 1, line 20, of the printed bill, as amended in the Assembly on March 31, 1959, strike out the period, and insert ", or to recognize a picket line of a labor organization while in the course of the performance of their official duties."

The Assembly concurred in Senate amendment to Assembly Bill No. 618 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis DeLotto, Dills, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 618 ordered enrolled.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1135 CONTINUED

Mr. Coolidge was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 1135 be continued until the next legislative day.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Elliott was granted unanimous consent to take up further consideration of Assembly Bill No. 205 and that the bill be considered engrossed. *See also* page 3792.

## SECOND READING OF ASSEMBLY BILL NO. 205

**Assembly Bill No. 205**—An act to amend Sections 3818, 3830, 3925, 3941, and 3946 of the Elections Code, relating to office designations on election ballots.

Bill read second time.

**Motion to Amend**

Mr. Elliott moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 15, 1959, strike out line 15, and insert

"*SEC. 2. Section 3819 of said code is amended to read:*

3819. Except in cases provided for by Section 26 of Article VI of the Constitution, immediately under the name of each candidate and not separated therefrom by any line may appear, at the option of the candidate, one of the following designations:

(a) Words designating the city, county, district, *federal*, or state office which the candidate then holds.

In addition to the foregoing, Members of the Senate of the State of California may use either of the following designations: "State Senator, _____ District, California Legislature" or "Member of California Senate, _____ District," or any other appropriate designation, the blanks to be filled with the appropriate district number.

Members of the Assembly may use either of the following designations: "Assemblyman, _____ District, California Legislature" or "Member of the Assembly, _____ District, California Legislature," or any other appropriate designation, the blanks to be filled with the appropriate district number.

(b) If the candidate be a candidate for the same office which he then holds, and only in that event, the word "incumbent."

(c) Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate. Notwithstanding any other provision of law, if upon checking the nomination paper the officer in charge of the election finds the wording to be different than that upon the registration affidavit, he shall notify the candidate by registered mail, return receipt requested. The candidate shall within three days from the date of mailing appear before the officer and reregister to conform with the request for the designation that appears on his nomination paper. If the candidate does not appear within three days the officer shall leave the designation under his name blank (no designation). No candidate shall assume a designation which would mislead the voters.

In all cases words so used shall be printed in eight-point roman bold-face capitals and lower-case type."

**Amendment No. 2**

On page 1, strike out lines 16 to 24, inclusive; and on page 2, strike out lines 1 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Joint Resolution No. 23**—Relative to the Trinity River Project.

Resolution read.

**Speaker pro Tempore Presiding**

At 10.20 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Dahl, Reagan, Ernest R. Geddes, Backstrand, and DeLotto demanded the previous question Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Collier, Crown, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—43.

NOES—Backstrand, Bradley, Burke, Busterud, Chapel, Coolidge, Crawford, Cusanovich, Dahl, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, and Sumner—25.

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 25**—Relative to federal construction and operation of the power facilities of the Trinity River Division, Central Valley Project.

Resolution read.

**Demand for Previous Question**

Messrs. Hawkins, Z'berg, DeLotto, Schrade, and Hegland demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Speaker Presiding

At 11 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Collier, Crown, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Unruh, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—44.

NOES—Backstrand, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Coolidge, Crawford, Cusanovich, Dahl, Ernest R. Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—28.

Resolution ordered transmitted to the Senate.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY JOINT RESOLUTION NO. 23

Mr. Porter was granted unanimous consent that he be recorded as voting "Aye" on Assembly Joint Resolution No. 23.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1189**—An act to amend Sections 4216 and 4217 of, to repeal Section 4218 of, and to add Sections 4218, 4224, and 4353.6 to, the Agricultural Code, relating to milk and milk products.

The question being on the point of order by Mr. McCollister that the Porter Amendments are not germane to the bill; which point of order was submitted by the Speaker to the House for decision, and continued until today by a vote of the House.

Parliamentary Inquiry

Mr. Winton arose to the following parliamentary inquiry: How will the question be put?

Reply by Speaker

The Speaker replied that the question will be whether the amendments are germane; and that an "Aye" vote will rule them germane and a "No" vote will rule them not germane.

Demand for Previous Question

Messrs. Schrade, Hegland, Luckel, Hanna, and Johnson demanded the previous question.

Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: What is the vote required to declare the amendments germane?

Reply by Speaker

The Speaker replied that an affirmative vote of a majority of those present is necessary.

Point of Order

Mr. Biddick arose to the following point of order: That the previous question has not been put.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

Demand for previous question put, and sustained.

The question being whether the amendments are germane to the bill.

The roll was called.

**Motion for Call of the Assembly**

Pending the announcement of the vote, Mr. Biddick moved a call of the Assembly.

**Motion Withdrawn**

Mr. Biddick withdrew his motion.

The names of the absentees were called, and the Porter Amendments were ruled not germane to Assembly Bill No. 1189 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dills, Elliott, Francis, Gaffney, Hegland, Johnson, Kennick, Kilpatrick, Luckel, Marks, McCollister, McMillan, Meyers, Mulford, Porter, Reagan, Schrade, Shell, Williamson, and George A. Willson—31

NOES—Backstrand, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Crown, DeLotto, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Lowrey, Lunardi, Masterson, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Sedgwick, Thelin, Unruh, Waldie, and Winton—34.

Speaker Brown ruled that the Porter Amendments be removed from Assembly Bill No. 1189, and that the bill be reprinted, re-engrossed, and returned to the third reading file.

**Statement by Speaker**

The question as to whether the Porter Amendments were germane to Assembly Bill No. 1189 was submitted by the Speaker to the body for decision on advice pursuant to Rule No. 245, subdivision 1, of Mason's Legislative Manual, and therefor the Speaker should not vote on this question

As soon as the body votes, the Speaker then acts on the body's decision or advice, which was done in this case.

RALPH M. BROWN

**Explanation of Vote on Amendments**

In view of the opinion of the Legislative Counsel, I voted the amendments to Assembly Bill No. 1189 are not germane.

ERNEST R. GEDDES

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2319

Mr. Porter moved that Assembly Bill No. 2319 be withdrawn from filing, and the subject matter be withdrawn from the Committee on Rules, and that the bill be re-referred to the Committee on Livestock and Dairies.

Mr. Schrade seconded the motion.

Motion carried.

**Point of Order**

Mr. O'Connell arose to the following point of order: That the bill is not in the Committee on Rules.

**Ruling by Speaker**

The Speaker ruled that the motion is still in order.

**Point of Order**

Mr. O'Connell arose to the following point of order: Is there any effect to the motion, since the bill is not in the Committee on Rules, but ordered filed, and the subject matter referred?

Ruling by Speaker

The Speaker ruled that the motion was in order.

Point of Order

Mr. Holmes arose to the following point of order: That the bill may be withdrawn and re-referred.

Ruling by Speaker

The Speaker ruled the point of order well taken.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2412**—An act to add Section 4232 to the Agricultural Code, relating to the marketing of dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1191**—An act to amend Section 92 of, and to add Section 109 to, the Civil Code, relating to grounds for divorce.

Bill read third time.

Speaker pro Tempore Presiding

At 11.18 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on April 17, 1959, strike out "and".

Amendment No. 2

On page 1, line 22, after "indefinitely", insert ", and (4) the incompetent spouse is, at the time of filing of the action, a resident of this State".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## NAME PLACED UPON ROLL CALL ON GERMANENESS OF AMENDMENTS TO ASSEMBLY BILL NO. 1189

Mr. Marks was granted unanimous consent that he be recorded as voting "Aye" on whether the amendments to Assembly Bill No. 1189 are germane to the bill.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1249**—An act to amend Section 6947 of, and to add Sections 6946.5 to, the Business and Professions Code, and to add Section 426c to the Code of Civil Procedure, relating to actions by assignees for collection.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

## VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 2412

Mr. Burton was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 2412.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1484**—An act to amend Section 3287 of the Civil Code, relating to interest as damages.

Bill read third time.

### Motion to Amend

Mr. Mulford moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 9, of the printed bill, strike out the second "of", and insert "from".

### Amendment No. 2

On page 1, line 12, strike out "this", and insert "the".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2241**—An act to add Section 11655 to the Elections Code, relating to the circulation of election petitions, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read.

### Demand for Previous Question

Messrs. Garrigus, DeLotto, Burke, Masterson, and Ernest R. Geddes demanded the previous question Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Lunardi, MacBride, Marks,

Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—54

NOES—Backstrand, Bradley, Britschgi, Burke, Collier, Dahl, Davis, Elliott, Francis, Ernest R. Geddes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, McCollister, Mulford, Reagan, Shell, Thelin, and Mr. Speaker—22.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—54

NOES—Backstrand, Bradley, Britschgi, Burke, Collier, Dahl, Davis, Elliott, Francis, Ernest R. Geddes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, McCollister, Mulford, Reagan, Shell, Thelin, and Mr. Speaker—22.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider the vote on Assembly Bill No. 2241 was made. *See* page 3820.

### Speaker Presiding

At 11.53 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## ITEMS PASSED ON FILE

By unanimous consent, Speaker Brown ordered that all items which were temporarily passed on file this morning retain their places on file on the next legislative day.

## POINT OF PERSONAL PRIVILEGE

Mr. Burton arose on a point of personal privilege.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Hegland was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO LOCAL INDEBTEDNESS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 18, 1959

*Hon. Sheridan N. Hegland*
*Assembly Chamber*

### Local Indebtedness—No. 15196

*Question*

DEAR MR. HEGLAND: You have asked whether the Legislature can enact legislation which would be applicable to chartered as well as general law cities and counties:

1. To prohibit such agencies from using a lease-purchase arrangement to construct or acquire capital outlay items.
2. To require such agencies to obtain approval by a majority vote of the electorate before issuing revenue bonds.

*Opinion*

In our opinion, both statutes would be applicable to chartered counties, but would probably not be applicable to chartered cities. However, in view of the ever-changing concept of what constitutes a municipal affair, we should note the possibility that a court might decide otherwise particularly in respect to applicability of the lease-purchase statute to cities.

*Analysis*

The constitutional provisions relating to city and county charters are different. Section 7½ of Article XI of the Constitution provides that any county may frame a charter for its own government consistent with and subject to the Constitution, and that general laws shall be superseded by the charter as to matters for which, under Section 7½ it is competent to make provision in the charter and for which provision is made therein. Since we find no provision in the Constitution which authorizes a county to provide in its charter for its methods and procedures for financing items of capital outlay, we believe that statutes prohibiting use of lease-purchase agreements or requiring approval of the electorate for the issuance of revenue bonds would be applicable to chartered counties.

A city charter, on the other hand, may contain a provision that the city shall have power over its own municipal affairs (Art XI, Secs. 6 and 8), and when this "home rule" provision is in the charter, the applicability of a statute prohibiting lease-purchase agreements or requiring approval of the electorate for the issuance of revenue bonds would depend on whether the method of financing the acquisition of public property is a matter of statewide concern, or is a "municipal affair." The courts have not attempted to formulate an exact definition of "municipal affairs," but generally speaking, the term refers to the internal business affairs of the city (34 Cal. Jur. 2d 748).

The issuance of bonds in the sum of $75,000 for the completion and repair of an existing wharf has been held to be a municipal affair (*Long Beach* v. *Boynton* (1911) 17 Cal. App. 290) as has been the issuance of bonds for a schoolhouse (*Law* v. *San Francisco* (1904) 144 Cal. 384), and charter provisions relating to such bonded indebtedness prevail over inconsistent state laws If a lease-purchase agreement were of the type already approved by California courts, with the liability confined to each installment as it falls due, and with each year's payment limited to the consideration actually furnished that year (See *City of Los Angeles* v. *Offner* (1942) 19 Cal. 2d 483), such agreement would probably be upheld as to a chartered city as being a municipal affair. However, under particular circumstances a court might hold that the financial stability of its cities is a matter of statewide concern and that if the Legislature has prohibited lease-purchase agreements, the prohibition extends to chartered cities as well as to general law cities. As was stated by the court in *Pacific Telephone and Telegraph Company* v. *San Francisco* (1959) 51 A.C. 767, 772, "the constitutional concept of municipal affairs is not a fixed or static quality. It changes with the changing conditions upon which it is to operate. What may at one time have been a matter of local concern may at a later time become a matter of state concern controlled by the general laws of the State."

As for the matter of requiring the approval of the voters for the issuance of revenue bonds, such bonds are generally issued in connection with the acquisition of a public utility. The acquisition of a public utility, such as a water system, is a municipal affair and the fact that some service is afforded in territory outside the city does not render the acquisition of the utility any the less a municipal affair (*South Pasadena* v. *Pasadena Land and Water Company* (1908), 152 Cal. 579, at 594; *Sawyer* v. *City of San Diego* (1956), 138 Cal. App. 2d 652 at 657-8). In the Pasadena case, above, the outside territory to be supplied by the chartered city included territory in another city.

In view of these cases and the ones upholding the issuance of bonds as a municipal affair (see above), it is our opinion that the matter of issuing revenue bonds to acquire a public utility would be held to be a municipal affair, and a state law requiring approval of the voters before the bonds could be issued would not be applicable to a chartered city. Here too, however, it is conceivable that changing conditions might cause a court to rule it applicable.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By (MRS.) ROSE WOODS, Deputy

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2473 FROM COMMITTEE

Mr. DeLotto was granted unanimous consent that Assembly Bill No. 2473 be withdrawn from the Committee on Municipal and County Government for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2473

**Assembly Bill No. 2473**—An act to add Article 9 (commencing at Section 29199) to Chapter 1 of Division 3 of Title 3 of the Government Code, relating to county investment boards.

Bill read second time.

### Motion to Amend

Mr. DeLotto moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 7, of the printed bill, strike out "Each county may have", and insert "The board of supervisors in any county may by resolution establish".

### Amendment No. 2

On page 1, after line 19, insert

"29201. Any interest or other income from funds invested under the plan shall, after deducting from such income an amount sufficient to defray the costs of managing, investing or otherwise administering such funds, be distributed to each local agency having funds in the county treasury in proportion to the ratio which the funds of the local agency invested by the investment board bears to the total of the funds in the county treasury invested by the board."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 232
Assembly Bill No. 256
Assembly Bill No 968
Assembly Bill No. 969
Assembly Bill No 1569
Assembly Bill No 1573
Assembly Bill No. 1574
Assembly Bill No. 1575
Assembly Bill No. 1809
Assembly Bill No. 1892
Assembly Bill No. 1927
Assembly Bill No. 1969
Assembly Bill No. 2334
Assembly Bill No. 2410
Assembly Bill No. 2421

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1341
Assembly Bill No. 1605

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 18, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1592

And reports the same correctly engrossed.

BURKE. Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1675
Assembly Bill No 2386
Assembly Bill No 2430
Assembly Bill No 2434
Assembly Bill No. 2462

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: *Your Committee on Engrossment and Enrollment has examined:*

**Assembly Bill No. 848**—An act to amend and renumber Section 103 7 (as added by Chapter 1068, Statutes of 1957) of the Welfare and Institutions Code, relating to public assistance recipients,

**Assembly Bill No. 849**—An act to amend and renumber Section 21661 (as added by Chapter 2154, Statutes of 1957), and the title of Part 6 5 of Division 13 and Sections 36500 to 36509, inclusive (as added by Chapter 1487, Statutes of 1957), of the Water Code, relating to districts;

**Assembly Bill No. 850**—An act to amend and renumber Section 6403 (added by Stats. 1947, Ch. 887) of the Public Resources Code, relating to the powers and duties of the State Lands Commission with respect to the reservation of mineral deposits in state lands;

**Assembly Bill No. 851**—An act to repeal Section 186 (as amended by Chapter 2424, Statutes of 1957) of the Water Code, relating to State Water Rights Board;

**Assembly Bill No. 853**—An act to amend and renumber Sections 20495 (as added by Chapter 1155, Statutes of 1957), 37395 (as added by Chapter 1475, Statutes of 1957), and 70045 9 (as added by Chapter 1786, Statutes of 1957) of the Government Code, relating to local governmental operations;

**Assembly Bill No. 854**—An act to repeal Sections 21152 (as added by Chapter 65, Statutes of 1957), 21152 (as added by Chapter 936, Statutes of 1957), 21153 (as added by Chapter 936, Statutes of 1957), 69505 (as added by Chapter 1045, Statutes of 1957), and 73650 (as added by Chapter 65, Statutes of 1957) of the Government Code, relating to public employment;

**Assembly Bill No. 855**—An act to amend and renumber Section 4187 (as added by Chapter 2017, Statutes of 1957) of the Fish and Game Code, relating to special hunting permits;

**Assembly Bill No. 856**—An act to repeal Section 1354 (as added by Chapter 1037, Statutes of 1957) of the Fish and Game Code, relating to Archibald Lake Public Fishing and Recreation Area;

**Assembly Bill No. 857**—An act to amend and renumber Section 24206 (as added by Chapter 1275, Statutes of 1957) of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 858**—An act to amend and renumber Section 96 (as added by Chapter 1471, Statutes of 1957) of the Agricultural Code, relating to insurance for horse race meetings;

**Assembly Bill No. 1049**—An act to amend Section 27491 of the Government Code, relating to duties and powers of coroner;

**Assembly Bill No. 1499**—An act to add Section 21114.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to payments of wages to school district employees;

**Assembly Bill No. 1628**—An act to add Section 7116 to the Health and Safety Code, relating to autopsies,

**Assembly Bill No. 787**—An act to maintain the Government Code by amending Sections 9141, 9320, 9357.2, 9360.3, 11290, 12541, 13373, 16305.6, 16472, 16480.1, 50532, 51300, and the heading of Chapter 6 (commencing with Section 54300), Part 1, Division 2, Title 5, thereof, and by amending and renumbering Part 10 (commencing with Section 15750) of Division 3, Title 2, Article 4 (commencing with Section 34870) of Chapter 7, Part 1, Division 2, Title 4, Chapter 12 (commencing with Section 55300) of Part 2, Division 2, Title 5, and Chapter 4 (commencing with Section 61930) of Part 7, Division 2, Title 6, thereof, and by repealing Article 2.5 (commencing with Section 21000) of Chapter 8, Part 3, Division 5, Title 2, and Sections 31671.2 and 75030, relating to the government of public agencies within this State;

**Assembly Bill No. 788**—An act to maintain the Health and Safety Code by amending Sections 4121, 4186.30, 4805, 8741, 14219, 14240, 14254, and 24351.3, and by repealing Section 33280 thereof, relating to health and safety;

**Assembly Bill No. 789**—An act to maintain the Insurance Code by amending Sections 1802.71 and 10270 thereof, and by repealing Sections 947 and 11580.1 thereof, relating to insurance;

**Assembly Bill No. 790**—An act to maintain the Labor Code by amending Section 1307.5 thereof, relating to the employment of minors;

**Assembly Bill No. 791**—An act to maintain the Military and Veterans Code, by amending Section 1180 thereof, relating to memorial districts;

**Assembly Bill No. 792**—An act to maintain the Penal Code by amending Section 1227 thereof, and by repealing Sections 23, 438, and 441 thereof, relating to crimes and punishment;

**Assembly Bill No. 793**—An act to maintain the Public Utilities Code by amending Sections 22229, 24503, 24531, 24532, 24533, 24534, and 24535, thereof, relating to the organization and powers of districts;

**Assembly Bill No. 794**—An act to maintain the Revenue and Taxation Code by amending Sections 35242 and 37.30 thereof, by amending and renumbering Article 2.5 (commencing with Section 10111) of Chapter 5, Part 4, Division 2 thereof, and by repealing Chapter 2 (commencing with Section 28201) of Part 12, Division 2 thereof, relating to taxation and the raising of revenue,

**Assembly Bill No. 795**—An act to maintain the Streets and Highways Code by amending Sections 6611, 27001, 27002, 27003, and 27004 thereof, relating to public ways and all appurtenances thereto;

**Assembly Bill No. 796**—An act to maintain the Vehicle Code by amending Sections 142, 694, and 739.1 thereof, and by repealing Section 422.7 thereof, and by amending Sections 35108 and 40513 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to vehicles and vehicular traffic;

**Assembly Bill No. 798**—An act to maintain the Welfare and Institutions Code, by amending Sections 156.1, 163, 5400, 6557, 6564, and 6723 thereof, relating to the administration of, and commitment of persons to, the Department of Mental Hygiene;

**Assembly Bill No. 799**—An act to maintain the Welfare and Institutions Code by amending Section 2181.1 thereof, relating to aid to aged persons,

**Assembly Bill No. 801**—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405 of the Statutes of 1951), relating to flood control and water conservation in Santa Clara County;

**Assembly Bill No. 816**—An act to amend Sections 16305.5 and 16480 and to repeal Section 16305.6 of the Government Code, relating to money in treasury trust accounts and the investment thereof;

And reports the same correctly enrolled, and presented to the Governor on the eighteenth day of May, 1959, at 11 a.m.

BURKE, Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Joint Resolution No. 25**—Relative to the establishment of naval restricted area for a missile range in Santa Barbara County.

Referred to Committee on Rules.

## REQUEST TO CONSIDER AND ACT ON BILL WITHIN 30 CALENDAR DAYS

Pursuant to Joint Rule No. 10.8, I request permission that Assembly Bill No. 2827 may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed following the date it was introduced.

HAROLD K. LEVERING

The above request referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Elliott was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO TENURE OF CERTIFICATED EMPLOYEES OF SCHOOL DISTRICTS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 14, 1959

*Hon. Edward E. Elliott*
*Assembly Chamber*

**Tenure of Certificated Employees of School Districts—No. 14993**

*Question*

DEAR MR. ELLIOTT: You have asked us whether Assembly Bill No. 1457, as amended in Assembly April 9, 1959, would impair any tenure rights which certificated employees of school districts now have.

*Opinion*

In our opinion the bill would not impair any tenure rights of certificated employees.

*Analysis*

Assembly Bill No. 1457, as amended in Assembly April 9, 1959, amends Section 13317 of the Education Code, as enacted at the 1959 Regular Session.

Section 13317 provides as follows:

"Any certificated employee having permanent classification in any district who is transferred from the district to another district, the governing board of which is composed of the same persons as the first district, shall retain the permanent classification in the district in which the permanent classification has been attained, until permanent classification has been attained in the district to which he is transferred."

This section would be amended by Assembly Bill No. 1457, as amended in Assembly April 9, 1959, to read:

"Any certificated employee having permanent classification in a district, who is granted a leave of absence and transfers to another district which is under the supervision of the same chief administrative officer or district superintendent as the district from which the employee is on leave, may acquire permanent classification in the district to which he transferred if he is employed for a second year in that district, at which time his permanent classification in the district from which he transferred shall expire."

Although the bill revises the provisions relating to the transfer of a certificated employee from one district to another, we believe that the employee's tenure rights will be unaffected. Under Section 13317 as it now reads, the transferring employee retains his permanent classification in the district from which he transfers until he acquires permanent classification in the new district. Under the section as amended by Assembly Bill No. 1457, this provision would not be changed since the employee would not lose his permanent classification in the district from which he transferred until he acquired a permanent classification in the new district. Therefore, we would conclude that the bill does not impair any tenure rights of a certificated employee of a school district.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By FRED G. WILLIAMS, Deputy

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 269

Relative to hearings and actions on bills

*Resolved by the Assembly of the State of California*, That pursuant to Joint Rule No. 10.9 of the Joint Rules of the Senate and Assembly, Section 2(a) of Article IV of the Constitution and Joint Rule No. 10.8 of the Joint Rules of the Senate and Assembly are hereby dispensed with for the purpose of permitting hearings in committees and action by the Assembly on the following bills and constitutional amendments; except, that such bills and constitutional amendments shall not be heard by any committee or acted upon by the Assembly until 15 calendar days have elapsed following the date each bill or constitutional amendment was first introduced:

Assembly Bills Nos. 2536 to 2912, inclusive.

Assembly Constitutional Amendments Nos. 44 to 56, inclusive.

Resolution read, and referred to the Committee on Rules.

By Messrs. McMillan, Masterson, Holmes, and Levering:

**House Resolution No. 270**

Relative to the Hearst Ranch at San Simeon

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session, all facts and circumstances relating to the operation and management of the Hearst Ranch at San Simeon as a State Park, including but not limited to the cost of operation and maintenance, the treatment of visitors, and all other facts leading to a determination and recommendation as to whether the continued operation of the park is in the public interest.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 133**: By Messrs. Bee, Ernest R. Geddes, Gaffney, Dahl, George E. Brown, Chapel, Miss Donahoe, Messrs. Elliott, Hawkins, and Miller—Relative to the use of Squaw Valley facilities for educational purposes.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Sumner was granted unanimous consent to take up Senate Bill No. 973, at this time, for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 973

**Senate Bill No. 973**—An act to repeal Section 4786.5 of, and to add Section 4786.5 to, the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

### Motion to Amend

Mr. Sumner moved the adoption of the following amendment:

### Amendment No. 1

On page 1, of the printed bill, as amended in the Assembly on May 1, 1959, after line 21, insert

"This section shall be applicable only to districts located within the County of Orange.

The Legislature finds and declares that special problems of sanitation exist in the County of Orange due to the extremely rapid growth in population and the rapid opening of large new tracts of land to residential development and further finds and declares that in areas of Orange County serious difficulties involving sewage overflow and other related problems have arisen which threaten the health of Orange County residents.

These problems are not, however, common to all areas of the State in which county sanitation districts are located. It is therefore, hereby declared that a general law cannot be made applicable and that the enactment of this section as a special law is necessary to effectuate the solution of problems which threaten the health of the residents of Orange County."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2241

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2241 was this day passed (Assembly Journal, page 3813).

Assembly Bill No. 2241 and the motion to reconsider ordered to the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Busterud was granted unanimous consent to take up Senate Bill No. 213, at this time, for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 213

**Senate Bill No. 213**—An act to add Section 17531.1 to the Business and Professions Code relating to packaging of unassembled toys.

Bill read third time.

#### Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 12, 1959, after "toys", insert "in this State"

#### Amendment No. 2

On page 1, line 10, strike out "clearly state on", strike out lines 11 and 12, and insert "not further distribute or market such toys if they are unassembled unless and until the outside of each package which contains any such toys clearly states that the toys are unassembled."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

### EXPLANATIONS OF ABSENCE

May 18, 1959

I missed some roll calls during this morning's session because I had to present a bill to the Senate Public Utilities Committee.

LOUIS FRANCIS

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May 18, 1959

I was absent from the Assembly Chamber today attending the Senate Finance Committee.

WILLIAM BYRON RUMFORD

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I was delayed returning Monday, May 18th, until 11 15 a m. due to late plane schedule. It was necessary for me to be in Kern County on legislative business May 15th, 16th, and 17th.

Had I been present earlier I would have voted in support of Assembly Joint Resolution No. 23.

DOROTHY M. DONAHOE

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May 18, 1959

I was absent from the Assembly Chamber this morning from 10 00 a m. until 10.20 a m. due to a conference with Senator Arnold on Assembly Bill No. 487.

TOM BANE

### RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 344** to the Committee on Ways and Means.

**Senate Bills Nos. 72** and **702** to the Committee on Judiciary—Civil.

**Senate Bill No. 565** to the Committee on Elections and Reapportionment.

**Senate Bill No. 724** to the Committee on Education.

## ADJOURNMENT

At 11.58 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 19, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

EIGHTY-NINTH LEGISLATIVE DAY

NINETY-SEVENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, May 19, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Assistant Clerk Norman Jachens at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, Deliver us from physical weariness, emotional exhaustion, mental tiredness. In the midst of the demands of this day make our minds to be hosts to ideas that are truly important and significant; let us give audience to those who have something of value to say to us; make us too busy to give attention to trivial matters. Endow us with the memory of the wisdom of the past, imagination enough to visualize the results of contemplated action, and conscience to distinguish between truth and error. May all these powers of ours be renewed in daily dedication to public service and to Thee, O God, to whom we are ultimately responsible.—AMEN

Chief Clerk Arthur A. Ohnimus at the Desk

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Holmes, seconded by Mr. Pattee.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. O'Connell, on request of Speaker Brown.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Charles H. Wilson, on motion of Mr. Pattee.

## LEAVES OF ABSENCE FOR PART OF DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere, attending a meeting of the Senate Committee on Transportation:

Mr. Backstrand, on request of Speaker Brown.

## COMMUNICATIONS

The following telegram was presented by the Chief Clerk from:

Claude Jinkerson, Secretary, Grocery Clerk's Union, Local 648 of San Francisco, relative to Assembly Bill No. 590. Referred to the Committee on Ways and Means.

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The following communication was presented by the Chief Clerk from:

James T. Ramey, Executive Director, Joint Committee on Atomic Energy, Washington, D. C., relative to Assembly Joint Resolution No. 15, and enclosing a press release by United States Senator Anderson, and an outline of public hearings on federal-state relationships scheduled for May 19-22, and May 25-26, 1959. Referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 134**: By Mr. Holmes—Relative to approving certain amendments to the charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 5, 1959.

### Request for Unanimous Consent

Mr. Holmes was granted unanimous consent to take up Assembly Concurrent Resolution No. 134 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 134

**Assembly Concurrent Resolution No. 134**—Relative to approving certain amendments to the charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 5, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, George E. Brown, Burke, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe,

Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Marks, McCollister, McMillan, Pattee, Porter, Reagan, Rumford, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—47.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

## PETITIONS

The following petitions were presented Mr. George E. Brown from:

Arvilla Jackson of Los Angeles, and 199 others, relative to unemployment. Referred to the Committee on Rules

## REQUEST FOR UNANIMOUS CONSENT

Mr. Collier was granted unanimous consent that action on the report of the Committee on Ways and Means relative to Assembly Bill No. 1171 be held temporarily on file. *See* pages 3826 and 3842 for subsequent actions.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2363

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1465

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1191

Assembly Bill No. 1484

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 18, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1189

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1018

Assembly Bill No 1974

And reports the same correctly re-engrossed

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1358
Assembly Bill No. 1904
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 31
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to committee.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 18, 1959

MR SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No. 5
With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No. 637
With the recommendation: That the bill be re-referred to the Committee on Water

UNRUH, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 18, 1959

MR SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 782
Assembly Bill No. 1662
Assembly Bill No. 1713
Assembly Bill No. 1714
Assembly Bill No. 1899
With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No 1171
With the recommendation: Do pass

UNRUH, Chairman

Pursuant to unanimous consent granted to Mr. Collier previously, action on the above report and bill was passed temporarily on file.

NOTE—For subsequent action on Assembly Bill No. 1171, *see* page 3842.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 1468
With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 590

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1414
Assembly Bill No. 1807
Assembly Bill No. 2240
Assembly Bill No 2409
Assembly Bill No. 2473

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 570

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2383

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 2379
Assembly Bill No 399

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2526

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2078

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Concurrent Resolution No. 115

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2454
Assembly Bill No. 2463

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 922

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 398

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 119

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 913

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2461
Assembly Bill No. 2487

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2445
Assembly Bill No. 2469

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2522
Assembly Bill No. 2485
Assembly Bill No. 2495

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2455

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 869

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2442

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 139
Assembly Bill No. 1680
Assembly Bill No. 1874
Assembly Bill No. 2135
Assembly Bill No. 2062
Assembly Bill No. 1873

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 423

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 213

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 770
Senate Bill No. 601

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2475
Assembly Bill No. 2381
Assembly Bill No. 414

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2457
Assembly Bill No 2450
Assembly Bill No. 2448

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 259

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 623

With the recommendation: That the bill be re-referred to the Committee on Water.

REES, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2528

With the recommendation: That the bill be re-referred to the Committee on Criminal Procedure.

REES, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 963

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER Your Committee on Finance and Insurance reports:

Assembly Bill No. 2369

With amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

REES, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Rules reports.

Assembly Bill No. 2472

With the recommendation: That the bill be re-referred to the Committee on Civil Service and State Personnel.

MILLER, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 268
House Resolution No. 263
House Resolution No. 266
House Resolution No. 267

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 265

With the recommendation: That the resolution be re-referred to the Committee on Livestock and Dairies.

MILLER, Chairman

Above resolution re-referred to the Committee on Livestock and Dairies.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 269

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER Your Committee on Rules reports:

Assembly Concurrent Resolution No. 131
Assembly Concurrent Resolution No. 132

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 78

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2011

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 1806

With amendments with the recommendation. Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 5, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1047

With amendments with the recommendation. Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 2405
Assembly Bill No. 2406

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bills ordered to second reading.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 205, 1700, 1577, 1805, 1576, 1804, 2363, 1894, 1811,** and **1279.**

**Senate Bills Nos. 74, 830,** and **969.**

Assembly Bills Nos. 205, 1700, 1811, and 1279, ordered to third reading, subsequent to engrossment.

Assembly Bill No. 2363 ordered to the Consent Calendar.

Assembly Bills Nos. 1577 and 1805 ordered to the Consent Calendar, subsequent to re-engrossment.

Assembly Bills Nos. 1576, 1804, and 1894, ordered to the Consent Calendar, subsquent to engrossment.

Senate Bills Nos. 74 and 830 ordered to third reading.

Senate Bill No. 969 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 903**—An act to add Section 75082 to the Government Code, relating to retired judges acting as referees.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "75082", and insert "75083".

#### Amendment No. 2

On page 1, line 1, strike out "75082", and insert "75083".

#### Amendment No. 3

On page 1, line 3, strike out "75082", and insert "75083".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 938**—An act to amend Sections 1563 and 1576, Military and Veterans Code, relating to preparation for and mitigation of disasters and damage caused by disasters.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, line 13, of the printed bill, after the period, insert "State personnel, equipment and facilities may be used to clear and dispose of debris on private property only after the Governor finds: (a) that such use is for a state purpose; (b) that such use is in the public interest serving the general welfare of the State; and (c) that such personnel, equipment and facilities already are in the disaster area."

#### Amendment No. 2

On page 2, line 5, after the period, insert "State personnel, equipment and facilities may be used to clear and dispose of debris on private property only after the Governor finds: (a) that such use is for a state purpose; (b) that such use is in the public interest serving the general welfare of the State; and (c) that such personnel, equipment and facilities already are in the disaster area."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 494**—An act to amend Sections 2655, 3266, 3270, and 3271 of, to repeal Article 4 (comprised of Sections 3101 to 3104, inclusive) of Chapter 5 of Part 2 of Division 1 of, and to add Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1258**—An act to amend Sections 980, 1521, 1528, 1529, 1532, 1534, 1555, 1556, and 1558, of and to add Section 1528.5 to Article 2 of Chapter 6 of Part 1 of Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2118**—An act to create a flood control district to be called Lassen County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2185**—An act relating to the transfer and repayment of certain state funds with respect to the loan made to the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945, and in this connection amending Section 2 of Chapter 1505 of the Statutes of 1945.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2234**—An act to add Sections 12627.3 and 12627.4 to the Water Code, relating to water seepage and erosion.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2263**—An act to add Section 561.5 to the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2264**—An act to amend Section 661 of the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 424**—An act to amend Section 25450 4 of the Government Code, relating to contracts for the construction, alteration or repair of county buildings.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, strike out lines 6 and 7, and insert "five thousand dollars ($5,000), exclusive of the estimated cost of ma-".

**Amendment No. 2**

On page 1, line 8, strike out "25457", and insert "25457 4".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2354**—An act to convey certain tide and submerged lands to the City of Richmond, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 11, 1959, after "intersection of", insert "courses numbers 6 and 258 of the".

#### Amendment No. 2

On page 1, line 15, strike out "Numbers 6 and 258, respectively"

#### Amendment No. 3

On page 1, line 18, strike out "Lands", and insert "Land".

#### Amendment No. 4

On page 1, line 21, strike out "20", and insert "22".

#### Amendment No. 5

On page 1, line 21, strike out "Meander of the Water Front", and insert "course".

#### Amendment No. 6

On page 2, strike out lines 28 to 52, inclusive; on page 3, strike out lines 1 to 29, inclusive, and insert

"Parcel No. 2—Lots 17½ and 32, Section 25, Township 1 North, Range 5 West, Mount Diablo Base and Meridian."

Bill ordered reprinted, and re-engrossed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 480**—An act to amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 435, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553, 557 and 614 of, to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of and to add Sections 486, 514, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1, 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, and 589 to, the Streets and Highways Code, relating to state highways, providing for a California Freeway and Expressway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

#### Amendment No. 1

In line 2 of the caption of the printed bill, as amended in the Senate on April 20, 1959, after "Shaw", insert "(Co-authors, Assemblymen Backstrand, Belotti, Ralph M. Brown, Chapel, Gaffney, and MacBride)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 261**—An act to amend Sections 2201, 2208 and 2210.5 of the Streets and Highways Code, relating to financial aid for county highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1141**—An act making an appropriation for the repair of the Sacramento River levee in the vicinity of Colliusville, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 1700** subsequent to engrossment.

**Senate Bills Nos. 74** and **830.**

### MESSAGES FROM THE SENATE

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 516 | Assembly Bill No. 984 |
| Assembly Bill No. 941 | Assembly Bill No. 1262 |
| Assembly Bill No. 1684 | Assembly Bill No. 1765 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 107
Assembly Concurrent Resolution No. 113

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Berry, Dolwig, and Johnson as a Committee on Conference concerning:

**Assembly Bill No. 1487**—An act to add Sections 9561 and 9562 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Sections 10857 and 10858 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 74

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS. Chief Assistant Secretary

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 77
Senate Joint Resolution No. 23

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Concurrent Resolution No. 77**—Relative to the continuance of the Joint Interim Committee on the Education and Rehabilitation of Handicapped Children and Adults.

Referred to Committee on Rules.

**Senate Joint Resolution No. 23**—Relative to Chambers Lodge Post Office.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 76
Senate Bill No. 455
Senate Bill No. 516
Senate Bill No 707
Senate Bill No. 832
Senate Bill No. 866
Senate Bill No. 1010
Senate Bill No. 1092

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 76**—An act to add Chapter 6 (commencing at Section 1600) to Division 2 of the Fish and Game Code, relating to the Prado Dam Recreational Area and providing for its acquisition and management.

Referred to Committee on Fish and Game.

**Senate Bill No. 455**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailers used to haul fruits, olives, grapes, or nuts.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 516**—An act to amend Sections 2780, 6200, 6203, 6204, 6205, 6206, 6207, and 6208 and to repeal Section 6202 of, and to add Sections 5067, 6201 and 6202 to, the Penal Code, relating to institutions under the jurisdiction of the Department of Corrections.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 707**—An act to add Chapter 11.5 (commencing at Section 26120) to Part 2 of Division 2, of Title 3 of the Government Code, relating to county historical societies.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 832**—An act to amend Section 350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 866**—An act to amend Section 1 of Chapter 515 of the Statutes of 1919, relating to tidelands and submerged lands in the City of Emeryville, County of Alameda.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Senate Bill No. 1010**—An act to amend Section 814.1 of the Agricultural Code, relating to vegetable standards.

Referred to Committee on Agriculture.

**Senate Bill No. 1092**—An act to add Sections 5721 and 5722 to, and to amend Section 10506 of, the Education Code as enacted at the 1959 Regular Session, relating to tuition fees for nonresident junior college students.

Referred to Committee on Education.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 148**—An act to add Section 1010 to the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 148?

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "8045 to the Education Code and Section".

### Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session of the Legislature".

### Amendment No. 3

On page 1, strike out lines 1 to 16, inclusive; on page 2, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 1010 is added to the Education Code as enacted at the 1959 Regular Session of the Legislature, to read:".

### Amendment No. 4

On page 2, line 8, after "district", insert "situated in a county with a population of 228,309 or more".

### Amendment No. 5

On page 2, strike out lines 27 to 33, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 148 by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Lowrey, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Pattee, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 148 ordered enrolled.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 537

With the recommendation: That the bill be returned to the Senate.

UNRUH, Chairman

## SENATE BILL NO. 537 ORDERED RETURNED TO SENATE

Miss Donahoe was granted unanimous consent that the Chief Clerk be instructed to return Senate Bill No. 537 to the Senate pursuant to its request and the committee recommendation.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 1135

In compliance with a motion given on a previous day, Mr. Coolidge moved that the vote whereby Assembly Bill No. 1135 was passed be reconsidered.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Coolidge moved a call of the Assembly.

Motion carried. Time, 9.56 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY
## BY UNANIMOUS CONSENT
## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1156**—An act to amend Section 230 of the Elections Code, relating to the form of the affidavit of registration.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1156?

### Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert

"For transfer or change of name

I am registered under the name of _____ in _____ Assembly District, _____ precinct in said county and request that said registration be canceled."

The Assembly concurred in Senate amendment to Assembly Bill No. 1156 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins,

Hegland, House, Johnson, Kilpatrick, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1156 ordered enrolled.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Coolidge was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1444**—An act to amend Sections 11535 and 11551.5 of the Business and Professions Code, relating to subdivisions.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kilpatrick, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, George A. Willson, Winton, Z'berg and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 670**—An act to add Article 7 (commencing at Section 2048) to Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 5003 of said code, relating to the establishment and functions of the California Correctional Institution at Tehachapi.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kilpatrick, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, George A. Willson, Z'berg, and Mr Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF HOUSE RESOLUTION NO. 252

By Mr. Hawkins:

**House Resolution No. 252**—Relative to amending bills.

Resolution read.

#### Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

#### Amendment No. 1

In lines 6 and 7 of Rule No. 70 as proposed to be amended by the measure as printed on page 3752 of the Assembly Journal for May 15, 1959, strike out "amendments adding or deleting", and insert "amendments deleting any number of words, amendments adding".

#### Amendment No. 2

In line 7 strike out "10", and insert "25".

**Amendment No. 3**

In line 10, strike out "or deleting a total of 10", and insert "a total of 25".

Amendments read, and adopted.

**House Resolution No. 252, as Amended**

By Mr. Hawkins:

**House Resolution No. 252**

Relative to amending bills

*Resolved by the Assembly of the State of California*, That Rule No. 70 of the Permanent Standing Rules of the Assembly is amended to read:

70. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

*No amendments to a bill offered from the floor, except committee amendments reported with bills, ~~and~~ amendments offered with a motion to amend and re-refer a bill to committee, ~~amendments adding or deleting~~ amendments deleting any number of words, amendments adding a total of not more than ~~10~~ 25 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the members. If a copy of amendments adding ~~or deleting a total of 10~~ a total of 25 words or less is not placed on the desks of the members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the clerk prior to debate.*

Before debate four copies of the proposed amendment must be delivered to the clerk's desk ~~and one copy made available to the author of the bill~~. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

Resolution, as amended, ordered passed on file, and to retain its place on file on the next legislative day.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1328**—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

Bill read third time.

**Hon. Jerome R. Waldie Presiding**

At 10.14 a.m., Hon. Jerome R. Waldie, Member of the Assembly from the Tenth District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Nisbet, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, George A. Willson, Winton, and Mr. Speaker—53.

NOES—Bruce F. Allen, Bradley, Coolidge, Lanterman, Levering, Lowrey, Mulford, Reagan, and Shell—9.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1930**—An act to add Article 9 (commencing at Section 8690) to Chapter 14 of Division 3 of the Business and Professions Code, relating to maintaining of financial responsibility by structural pest control operators.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1191**—An act to amend Section 92 of, and to add Section 109 to, the Civil Code, relating to grounds for divorce.

Bill read third time.

### Demand for Previous Question

Messrs. Garrigus, Crawford, Lanterman, Williamson, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Biddick moved a call of the Assembly.

Motion carried. Time, 10.40 a.m.

The acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### Speaker Presiding

At 10.41 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### MOTION TO RE-REFER ASSEMBLY BILL NO. 1171 TO COMMITTEE

Mr. Collier moved that Assembly Bill No. 1171 be re-referred to the Committee on Ways and Means.

Mr. Bruce F. Allen seconded the motion.

### Point of Order

Mr. Crawford arose to the following point of order: That Mr. Burton was not speaking to the question:

### Ruling by Speaker

The Speaker ruled the point of order well taken.

#### Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Conrad was not speaking to the question.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

#### Demand for Previous Question

Messrs. DeLotto, MacBride, Busterud, Schrade, and Luckel demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

#### Points of Personal Privilege

Miss Donahoe arose on a point of personal privilege.

Mr. Munnell arose on a point of personal privilege.

The question being on the motion that Assembly Bill No. 1171 be re-referred to the Committee on Ways and Means.

#### Roll Call Demanded

Messrs. Munnell, MacBride, and Gaffney demanded a roll call.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Bruce F. Allen, Belotti, Bradley, Burke, Busterud, Collier, Conrad, Cusanovich, Dahl, Holmes, Lanterman, Levering, Luckel, Reagan, Schrade, Shell, Sumner, and Thelin—18.

NOES—Don A. Allen, Backstrand, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Chapel, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—53

Assembly Bill No. 1171 ordered to second reading.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1484**—An act to amend Section 3287 of the Civil Code, relating to interest as damages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Rees, Schrade, Shell, Thelin, Thomas, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—Bradley—1

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1917**—An act to amend Section 1062 and to repeal Section 3546 of the Public Utilities Code, relating to highway carriers.

Bill read third time.

**Motion to Re-refer**

Mr. Williamson moved that the bill be re-referred to the Committee on Transportation and Commerce.

Mr. Gaffney seconded the motion.

**Demand for Previous Question**

Messrs. Sumner, Ernest R. Geddes, Kilpatrick, Schrade, and McMillan demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

**Motion Withdrawn**

With the consent of his second, Mr. Williamson withdrew his motion to re-refer.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Schrade, Luckel, Hegland, and Johnson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Francis, Frew, Ernest R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, and Mr. Speaker—47.

NOES—Bruce F. Allen, Beaver, Biddick, Bradley, George E. Brown, Burton, Cameron, Coolidge, Davis, DeLotto, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Levering, Lowrey, Lunardi, McMillan, Rees, Williamson, Winton, and Z'berg—23

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1191

At 11.37 a.m., Mr. Biddick moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

**Motion to Expunge Record and Rescind Action on Assembly Bill No. 1191**

Mr. Biddick moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 1191.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

**Motion to Re-refer to Committee**

Mr. Biddick moved that Assembly Bill No. 1191 be re-referred to the Committee on Judiciary—Civil.

Motion carried.

## UNFINISHED BUSINESS (OUT OF ORDER)
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2241 CONTINUED

Mr. Lowrey was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2241 be continued until the next legislative day.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2151**—An act to amend Section 9900 of the Government Code, relating to regulation of legislative representation.

Bill read third time, and refused passage by the following vote:

AYES—Don A. Allen, Backstrand, Bee, Britschgi, Chapel, Collier, Dahl, Frew, Holmes, Johnson, Kennick, Levering, Meyers, Nisbet, Pattee, Porter, Thelin, and Thomas—18.

NOES—Bruce F. Allen, Bane, Beaver, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, McMillan, Miller, Mulford, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—46

NOTE—Later this day, a motion to reconsider the vote on Assembly Bill No. 2151 was made. *See* page 3859.

### Motion to Expunge Record and Rescind Action on Assembly Bill No. 2151

Mr. Meyers moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2151.

Mr. Britschgi seconded the motion.

The roll was called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Meyers moved a call of the Assembly.

Motion lost.

The names of the absentees were called, and the motion to expunge the record, and rescind the action on Assembly Bill No. 2151 lost by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Francis, Frew, Garrigus, Samuel R. Geddes, Holmes, Kennick, Lunardi, McMillan, Meyers, Nisbet, Pattee, Petris, Porter, Rumford, Thomas, Williamson, George A. Willson, Winton, and Mr. Speaker—32.

NOES—Bruce F. Allen, Beaver, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Davis, Gaffney, Ernest R. Geddes, Grant, Hegland, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Miller, Mulford, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, and Z'berg—35.

## ASSEMBLY BILL NO. 145 REMOVED FROM CONSENT CALENDAR

Mr. Bradley requested that Assembly Bill No. 145 be removed from the Consent Calendar.

By unanimous consent, Assembly Bill No. 145 was ordered placed on the third reading file.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2380**—An act to amend Sections 2401, 2402, 2403, 2404, 2407, 2408, 2409, 2413, 2414, and 2415 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

Name Placed Upon Roll Call

Mr. George E. Brown was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2380.

**Assembly Bill No. 2320**—An act to add Section 23958.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 2355**—An act to amend Section 25611 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 438**—An act to amend Section 311 of the Fish and Game Code, relating to salmon fishing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2413**—An act to amend Section 4002 of the Fish and Game Code, relating to taking fur-bearing mammals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 163**—An act to add Section 4302.6 to the Government Code, relating to the purchase, by public agencies, of printing presses not manufactured in the United States.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 128**—Relative to planning in Mother Lode and adjacent areas.

Resolution read, and adopted.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 1960**—An act to add Section 2708.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2414**—An act to amend Section 2005 of the Fish and Game Code, relating to the taking of fish and game.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2166**—An act to amend Section 810.52 of the Agricultural Code, relating to asparagus.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 265**—An act to amend Sections 576 and 578 of, to add Section 575.1 to, and to repeal Sections 577 and 578.1 of, the Welfare and Institutions Code, relating to juvenile court referees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1494**—An act to amend Section 227 of the Civil Code, relating to adoptions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1934**—An act to amend Sections 72709, 72710 and 72712 of the Government Code, relating to court reporters in the Municipal Court, Los Angeles Judicial District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2021**—An act to amend Section 3107 of the Government Code, relating to oaths of allegiance

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2220**—An act to amend Sections 396 and 399 of the Code of Civil Procedure, relating to payment of costs and fees on transfer of action to another court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2289**—An act to amend Section 162 of and to add Section 162 5 to the Probate Code, relating to income earned during probate.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2291**—An act to add Section 715 4 to the Civil Code, relating to exclusion of certain trusts from the rule against perpetuities and the rule against restraints of alienation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1595**—An act to add Article 3 5 (commencing at Section 5920) to Chapter 6 of Division 6 of Part 2 of the Education Code as enacted at the 1959 Regular Session, relating to evening study halls in high schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2376**—An act to amend Section 3402 of the Education Code, as enacted by the Legislature at the 1959 Regular Session, relating to employees of reorganized school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1532**—An act to amend Sections 21756, 21810, 21812, 22051, and 22052 of, and to add Section 21800 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district bonds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 399**—An act to amend Section 4501 of and to add Section 4501.5 to the Penal Code, relating to assaults by state prison inmates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 233**—An act to repeal Chapter 4 (commencing at Section 6961) of Part 2, Division 6 of, to amend Section 6991 of, and to add Section 6996 to, the Public Resources Code, relating to state streams, lakes, and lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 540**—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 378**—An act to add Section 7702.1 to the Fish and Game Code, relating to commercial fishing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud. Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 65**—Relative to the long-suffering of the American people at the hands of the press agents promoting special weeks

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 349**—An act to add Division 5, comprising Sections 30000 through 30010, to Title 4 of the Corporations Code, relating to fiduciary security transfers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 351**—An act to repeal Article 4, comprising Sections 1154 to 1164, inclusive, of Chapter 3, Title 4, Part 4, Division 2 of the Civil Code, and to add Article 4, comprising Sections 1154 to 1165, inclusive, to Chapter 3, Title 4, Part 4, Division 2 of the Civil Code, relating to gifts of money and securities to minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 352**—An act to amend Sections 1653, 1672, 1677, 1680, 1683, 1685, and 1689 of, to repeal Sections 1661 and 1681 of, and to add Sections 1661, 1672.5, 1681, 1683.5, 1691, and 1692 to, the Code of Civil Procedure, relating to the enforcement of duties of support.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 635**—An act to add Section 242a to the Code of Civil Procedure, relating to grand juries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 657**—An act to amend Section 1086 of the Water Code, relating to the State Water Rights Board power to subpoena witnesses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 769**—An act to amend Section 8205 of the Government Code, relating to notary public.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 458**—An act to add Sections 6159 and 6160 to the Elections Code, relating to the approval of voting machines.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 337**—An act to amend Section 26495 of the Health and Safety Code, relating to misbranding of foods.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Speaker Brown announced that hereafter, if possible, the Consent Calendar for the First Legislative Day, as it appears in the Daily File, will contain digests of all bills which have been amended before being placed upon the Consent Calendar; and stated that, at the suggestion of Mr. Lanterman, this procedure was agreed upon by the Speaker, Mr. Miller, and Mr. Kleps.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1279
Assembly Bill No. 1811

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1700

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1577
Assembly Bill No 1805

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1576
Assembly Bill No. 1804

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 292**—An act to amend Section 9483 of the Elections Code, relating to county election services to cities and districts;

**Assembly Bill No. 428**—An act to amend Sections 31809 and 31813 of the Government Code, relating to the County Employees Retirement Law of 1937, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 774**—An act to codify the Klamath River Basin Compact by adding Part 6 (commencing with Section 5900) to Division 2 of the Water Code, and to repeal Chapter 113 of the Statutes of 1957, and Chapter 2.5 (commencing with Section 8110) of Division 1 of Title 2 of the Government Code, relating to the Klamath River Basin;

**Assembly Bill No. 833**—An act to amend Section 2804 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931;

**Assembly Bill No. 1001**—An act to amend Section 132 and to repeal Section 132.5 of the Elections Code, relating to absent registration,

**Assembly Bill No. 1286**—An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Chula Vista in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, the construction and maintenance of improvements thereon, and the disposition and expenditure of revenue therefrom, and reserving rights to the State and repealing Chapter 120 of the Statutes of 1925, Chapter 184 of the Statutes of 1947 and Chapter 593 of the Statutes of 1953,

**Assembly Bill No. 1488**—An act to amend Section 18001 of, and to add Section 18001.1 to, the Health and Safety Code, relating to vehicles;

**Assembly Bill No. 1528**—An act to amend Section 10270.55 of the Insurance Code, relating to group disability insurance policies;

**Assembly Bill No. 1631**—An act to amend Sections 24360.3 and 24367.11 of the Health and Safety Code, relating to the Bay Area Air Pollution Control District;

**Assembly Bill No. 195**—An act to amend Sections 293, 293.5, 295, and 296 of, and to repeal Section 296.5 of, and to add Section 293.1 to, the Elections Code, relating to the cancellation of voter registrations;

**Assembly Bill No. 227**—An act to amend Sections 55330 and 55916 of and to add Section 55335 to the Water Code, relating to the powers of county waterworks districts;

**Assembly Bill No. 236**—An act to amend Sections 84 and 89 of, and to add Sections 82.5, 82.6, 92 and 93 to the Elections Code, relating to presidential voting for new residents,

**Assembly Bill No. 357**—An act to amend Sections 1615, 1717, 1907, and 11062 of the Elections Code, relating to arguments on ballot measures;

**Assembly Bill No. 1160**—An act to add Article 8.5 (commencing with Section 58250) to Chapter 1 of Division 1 of Title 6 of the Government Code, relating to withdrawal of territory annexed to a city;

And reports the same correctly enrolled, and presented to the Governor on the nineteenth day of May, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 115
And reports the same correctly engrossed.

BURKE, *Chairman*

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 131
Assembly Concurrent Resolution No. 132
And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up House Resolution No. 269 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 269

By Mr. Miller:

### House Resolution No. 269

Relative to hearings and actions on bills

*Resolved by the Assembly of the State of California*, That pursuant to Joint Rule 10.9 of the Joint Rules of the Senate and Assembly, Section 2(a) of Article IV of the Constitution and Joint Rules 10.8 of the Joint Rules of the Senate and Assembly are hereby dispensed with for the purpose of permitting hearings in committees and action by the Assembly on the following bills and constitutional amendments; except, that such bills and constitutional amendments shall not be heard by any committee or acted upon by the Assembly until 15 calendar days have elapsed following the date each bill or constitutional amendment was first introduced:

Assembly Bills Nos. 2536 to 2912, inclusive.

Assembly Constitutional Amendments Nos. 44 to 56, inclusive.

Resolution read, and adopted by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—78.

NOES—None.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2380

Mr. Kilpatrick was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2380.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 1135

At 12 m., on motion of Mr. Coolidge, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1135 was reconsidered by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, McMillan, Mulford,

Munnell, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thelin, Waldie, George A. Willson, and Winton—47.

NOES—Bruce F. Allen, Don A. Allen, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, Kennick, Kilpatrick, Masterson, Meyers, Miller, Nisbet, Porter, Thomas, Unruh, Williamson, and Z'berg—24.

### Further Consideration of Assembly Bill No. 1135

**Assembly Bill No. 1135**—An act to amend Section 7050 of, and to add Section 7054 to, the Business and Professions Code, relating to contractors.

Bill read third time.

### Motion to Amend

Mr. Coolidge moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "one structure", and insert "two structures".

### Amendment No. 2

On page 1, line 8, strike out "one structure", and insert "two structures".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## ANNOUNCEMENT

Mr. Samuel R. Geddes invited the Members of the Assembly to a tour of Travis Air Force Base on May 27th, and announced that at 4 p.m. on that date buses will be available for transportation to and from the field.

## SENATE BILL NO. 494 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Senate Bill No. 494**, on request of Mr. Belotti.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2385

Mr. Francis was granted unanimous consent that Assembly Bill No. 2385 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Public Utilities and Corporations.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R. Geddes was granted unanimous consent to take up Senate Bill No. 792 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 792

**Senate Bill No. 792**—An act to amend Sections 10851, 10852 and the heading of Article 8 (commencing with Section 10851) of Chapter 1 of Division 9, and to add a new Section 10851 and Section 10853 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to hazing.

Bill read third time.

#### Motion to Amend

Mr. Ernest R. Geddes moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on May 6, 1959, after "State", insert "; but the term "hazing" does not include customary athletic events or other similar contests or competitions".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Was Item 37 on file continued?

#### Reply by Speaker

The Speaker replied that it was.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151

Mr. Meyers moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2151 was this day refused passage (Assembly Journal, page 3845).

Assembly Bill No. 2151 and the motion to reconsider ordered to the unfinished business file.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2258

Mr. Winton was granted unanimous consent that Assembly Bill No. 2258 be withdrawn from the Committee on Elections and Reapportionment, and re-referred to the Committee on Government Organization.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Elliott was granted unanimous consent that the following proposed amendments to Senate Bill No 703 be ordered printed in the Journal:

### PROPOSED AMENDMENTS TO SENATE BILL NO. 703

By Mr. Elliott:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 14, 1959, after "Sections", insert "33049,".

#### Amendment No. 2

On page 7, between lines 24 and 25, insert

"SEC. 23. Section 33049 is added to said code, to read:

33049. It is hereby declared to be the policy of the State that in undertaking community redevelopment or urban renewal projects under this part (commencing at Section 33000) there shall be no discrimination because of race, color, religion, national origin, or ancestry."

#### Amendment No. 3

On page 7, line 25, strike out "23", and insert "24".

#### Amendment No. 4

On page 7, line 30, strike out "24", and insert "25".

## RESOLUTIONS

The following resolution was offered:

By Mr. Belotti:

### House Resolution No. 271

Relating to the passing of Fred J. Moore

WHEREAS, The Members of this House have learned with profound grief of the passing, in Eureka on May 9, 1959, at the age of 72, of a former Member of this House, Mr. Fred J. Moore; and

WHEREAS, Mr. Moore, a lifelong resident of Humboldt County who was born in Arcata on October 25, 1886, was for many years a leader in the Northern California insurance industry; and

WHEREAS, This man, in addition to his fine professional reputation, also gave freely of his time and was extremely active in church, community, school and fraternal affairs in the Eureka area; and

WHEREAS, Fred J. Moore, Sr., was elected to the Assembly of the State of California in 1922, and served with distinction for one term; and

WHEREAS, This man is the father of Humboldt County Clerk, Fred J. Moore, Jr., of Dr Herbert Moore of Arcata, and of former star athlete and Arcata High School Athletic Director, Francis Moore; and

WHEREAS, In addition to his three sons he leaves his widow, Mrs. Bertha F. Moore; a brother, Verne E. Moore; a sister, Mrs. Lila M. Bruner, and a multitude of friends and relatives to mourn his passing; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend their sincere condolences to the bereft widow and other members of the family of Fred J. Moore; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this Resolution to Mrs. Bertha F. Moore, Mr. Verne E. Moore, Mrs. Lila M. Bruner, Mr. Fred J. Moore, Jr., Dr. Herbert Moore, and Mr. Francis Moore.

Resolution read, and referred to the Committee on Rules.

## RE-REFERENCE OF BILLS

Speaker Brown ordered the following bills re-referred to committee:

**Senate Bill No. 621** to the Committee on Municipal and County Government.

**Senate Bill No. 886** to the Committee on Revenue and Taxation.

## EXPLANATION OF ABSENCE

I was absent from the Assembly Chamber from 9.30 to 10 this morning as I was presenting my bill, Assembly Bill No. 1690, before the Senate Transportation Committee.

TOM BANE

## ADJOURNMENT

At 12.09 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 20, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETIETH LEGISLATIVE DAY

NINETY-EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, May 20, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Our Father, God.* If ever we have wondered why we got involved in lawmaking challenge our mood with the wisdom of these words: "This is the true joy of life, the being used for a purpose recognized by yourself as a mighty one; the being thoroughly worn out before you are thrown on the scrapheap; the being a force of Nature instead of a feverish, selfish little clod of ailments and grievances complaining that the world will not devote itself to making you happy." *

Enable us to be not merely a force of Nature, but a power for good, a power for Thee, O God.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Thelin, seconded by Mr. Schrade.

* From *Man and Superman*, by G B. Shaw.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mrs. Davis, on motion of Miss Donahoe.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. MacBride, on request of Mr. Z'berg.
Mr. Z'berg, on his own request.
Mr. Garrigus, on motion of Mr. DeLotto.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Abraham Binneweg, Jr., of Oakland, relative to courts and arrests under the Vehicle Code. Referred to the Committee on Judiciary—Civil.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 135**: By Mr. Bradley—Relative to the California Law Revision Commission.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 205

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2449

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1490

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 891

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No 172

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

LOWREY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 793

With the recommendation: That the bill be re-referred to the Committee on Finance and Insurance.

LOWREY, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1867

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1974

With amendments with the recommendation: Amend, and do pass, as amended

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2390

With amendments with the recommendation. Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 1847

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 171
Senate Bill No. 341
Senate Bill No. 669
Senate Bill No. 889

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Water reports.

Assembly Bill No. 1221
Assembly Bill No. 1592

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Water reports.

Assembly Bill No. 6

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1725

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Government Organization**

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2109
Assembly Bill No. 2155

With the recommendation: Do pass.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER. Your Committee on Government Organization reports:

Assembly Bill No. 2147
Assembly Bill No. 2527

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Government Organization reports.

Assembly Bill No. 1207

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

WINTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1431
Assembly Bill No. 2516
Assembly Bill No. 2519

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Government Organization reports.

Senate Bill No 409

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER. Your Committee on Government Organization reports:

Senate Bill No. 43

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2357

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 21

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DAVIS, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Concurrent Resolution No. 40

With the recommendation: Be adopted.

DAVIS, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 143

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 878

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DAVIS, Chairman

Above bill ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 675

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2420

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, May 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1669

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2249

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 219

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2481
Assembly Bill No. 2491
Assembly Bill No. 2492

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1035

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 483

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 733
Senate Bill No 775

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 306
Assembly Bill No. 469
Assembly Bill No. 2358

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1661

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No 2433

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2466

With the recommendation: That the bill be re-referred to the Committee on Judiciary—Civil.

MASTERSON, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 19, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 800

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports.

Assembly Constitutional Amendment No. 29

With amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

BUSTERUD, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 1

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 40

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 98

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, May 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 124
Assembly Bill No. 142
Assembly Bill No. 381
Assembly Bill No. 528
Assembly Bill No. 620
Assembly Bill No. 912
Assembly Bill No. 944
Assembly Bill No. 953
Assembly Bill No. 964
Assembly Bill No. 972
Assembly Bill No. 973
Assembly Bill No. 975
Assembly Bill No. 977
Assembly Bill No. 979
Assembly Bill No. 980
Assembly Bill No. 982
Assembly Bill No. 1025
Assembly Bill No 1066
Assembly Bill No. 1109
Assembly Bill No 1159
Assembly Bill No. 1205
Assembly Bill No. 1293
Assembly Bill No. 1359
Assembly Bill No. 1381
Assembly Bill No. 1406
Assembly Bill No 1412
Assembly Bill No. 1418
Assembly Bill No. 1511
Assembly Bill No. 1520
Assembly Bill No. 1701
Assembly Bill No. 1777
Assembly Bill No. 1802
Assembly Bill No. 1815
Assembly Bill No. 1859
Assembly Bill No. 1891
Assembly Bill No. 1933
Assembly Bill No. 1956
Assembly Bill No. 1981
Assembly Bill No 1983
Assembly Bill No 1994
Assembly Bill No. 2001
Assembly Bill No 2019
Assembly Bill No 2101

J A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 55 | Assembly Bill No. 1111 |
| Assembly Bill No. 109 | Assembly Bill No. 1112 |
| Assembly Bill No. 372 | Assembly Bill No. 1113 |
| Assembly Bill No. 458 | Assembly Bill No. 1363 |
| Assembly Bill No. 554 | Assembly Bill No 1401 |
| Assembly Bill No. 572 | Assembly Bill No. 1691 |
| Assembly Bill No. 910 | Assembly Bill No. 1720 |
| Assembly Bill No. 918 | Assembly Bill No. 1932 |
| Assembly Bill No 927 | Assembly Bill No. 2008 |
| Assembly Bill No. 1045 | Assembly Joint Resolution No. 1 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills and resolution ordered to unfinished business file.

SENATE CHAMBER, May 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 72

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 72**—Relative to statutes of the Legislature which are treated as unconstitutional based upon administrative interpretation alone.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this days adopted:

Senate Joint Resolution No. 22
Senate Concurrent Resolution No. 70

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Joint Resolution No. 22**—Relative to a world fair in 1963.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 70**—Relative to a world fair in 1963.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 338
Senate Bill No. 609
Senate Bill No. 650
Senate Bill No. 762
Senate Bill No. 805
Senate Bill No. 825
Senate Bill No. 853
Senate Bill No. 857
Senate Bill No. 939
Senate Bill No 1013
Senate Bill No. 1027
Senate Bill No. 1028
Senate Bill No. 1029
Senate Bill No. 1062
Senate Bill No 1073
Senate Bill No. 1120
Senate Bill No. 1128
Senate Bill No. 1174
Senate Bill No. 1204

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 338**—An act to amend Section 26470 of, and to add Sections 26465, 26466, and 26542.1 to, the Health and Safety Code, relating to foods, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

**Senate Bill No. 609**—An act to amend Section 6535.1 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 650**—An act to add Article 4 (commencing at Section 21625) to Chapter 9 of Division 8 of the Business and Professions Code, relating to the reporting of transactions involving identifiable secondhand tangible personal property.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 762**—An act to add Section 957.5 to the Streets and Highways Code, relating to the abandonment of streets and highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 805**—An act to add Article 3 6 (commencing at Section 75075) to Chapter 11 of Title 8 of, and to add Sections 75103.1, 75106.5 and 75109 to, the Government Code, relating to judges' retirement.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 825**—An act to amend Section 13855 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to teachers' retirement.

Referred to Committee on Education.

**Senate Bill No. 853**—An act to amend Sections 5000, 5001, 5002, 5020.5, 5032, 5033, 5091, 5092, 5093, 5096, 5098, and 5132 of, and to add Section 5030.5 to, the Business and Professions Code, and to amend Sections 5001, 5002, 5020.3, 5020.5, 5032, 5033, 5035, 5084, 5091, 5092, 5096 and 5098 of the Business and Professions Code as proposed to be

amended, added, and renumbered by Senate Bill No. 104, relating to the practice of accountancy.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 857**—An act to add Section 6900 to the Labor Code, relating to safety in employment.

Referred to Committee on Industrial Relations.

**Senate Bill No. 939**—An act to amend Section 5701 of, and to add Sections 5710, 5711, 5712, and 5713 to, the Welfare and Institutions Code, relating to private mental institutions.

Referred to Committee on Social Welfare.

**Senate Bill No. 1013**—An act to amend Section 4 of Chapter 2092, Statutes of 1957, relating to barriers for salinity and flood control purposes.

Referred to Committee on Water.

**Senate Bill No. 1027**—An act to amend Sections 25608 and 25852 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deaf and blind pupils.

Referred to Committee on Social Welfare.

**Senate Bill No. 1028**—An act to amend Sections 27365, 27561 and 28256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to libraries.

Referred to Committee on Education.

**Senate Bill No. 1029**—An act to amend Sections 31219 and 31251 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to scholarships.

Referred to Committee on Education.

**Senate Bill No. 1062**—An act to add Sections 2300.1, 2300.2, 2300.3, and 2300.4 to, and to amend Section 2301 of, the Welfare and Institutions Code, relating to the regulation of institutions and boarding homes for aged persons.

Referred to Committee on Social Welfare.

**Senate Bill No. 1073**—An act to add Section 26310 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to truck and trailer brakes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1120**—An act to amend Section 28127 of the Government Code, relating to compensation of county supervisors.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1128**—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1174**—An act to add Sections 20990, 22154, and 22214 to the Government Code, relating to participation in the Federal Old Age, Survivors and Disability Insurance Program by employees of school districts declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1204**—An act to amend Section 12901 of the Water Code, relating to water projects.

Referred to Committee on Water.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Munnell was granted unanimous consent that Assembly Bill No. 590 be held on the second reading file temporarily.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 903, 938, 424,** and **2354.**

Assembly Bills Nos. 903, 938, and 424 ordered to third reading, subsequent to engrossment.

Assembly Bill No 2354 ordered to third reading, subsequent to reengrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 782**—An act to maintain the Business and Professions Code by amending Sections 2457.5 and 9575 thereof, and by repealing Sections 202.5, 6060.5, 6060 8, and 6061 thereof, relating to the regulation and protection of licensed professions and business enterprises, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1662**—An act to add Article 13.5 (commencing at Section 997) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to the reserves of disability insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1713**—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in event of war or enemy-caused disaster.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1714**—An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1899**—An act to amend Sections 31212, 31214, and 31219 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to competitive scholarships.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1171**—An act to amend Section 32151 of the Revenue and Taxation Code, relating to the taxation of alcoholic beverages, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2379**—An act to add Section 9409 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle registration fees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 399**—An act to amend Section 8107 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to automobile driver training in the public schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2454**—An act to amend Section 22408 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "vehicle", insert "other than a trailer coach".

Amendment No. 2

On page 1, line 7, strike out "50", and insert "45".

Amendment No. 3

On page 1, line 8, after "code", insert "When the vehicle drawn is a trailer coach the maximum speed shall not at any time exceed 50 miles per hour."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 2463**—An act to add Section 75.6 to the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "of", insert "the city council or board of supervisors of".

Amendment No. 2

On page 1, line 4, strike out "construct a scale", and insert "provide a".

Amendment No. 3

On page 1, line 4, after "model", strike out "of", and insert "showing generally the type of design proposed as to".

Amendment No. 4

On page 1, line 9, after the period, insert "Details of interchanges and grade separations need not be shown on the model."

Amendment No. 5

On page 1, after line 9, insert
"Any funds expended for the construction of such models shall come from funds in the State Highway Fund allocated for highway construction purposes."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 398**—An act to amend Sections 12512, 12513, 12514, and 12650 of, to add Section 13367 to, and to repeal Section 12507 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to age limits for vehicle drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in the Assembly on May 13, 1959, after "license.", insert "Where behind-the-wheel driver training is not available in the public, private or parochial schools of secondary level within the school district and no state-licensed driver school is available within the school district, the school superintendent may certify on a form provided by the department to the absence of such behind-the-wheel training facilities and to the completion of six hours of behind-the-wheel driver training given by any other licensed driver over the age of 21 years Such certificate will be accepted by the department in lieu of evidence of completion of a course in behind-the-wheel training only "

Amendment No. 2

On page 6, line 5, strike out "shall", and insert "may".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 913**—An act to amend Sections 14310, 14311, and 14372 of, and to add Section 14372.1 to, the Education Code enacted by the Legislature at its 1959 Regular Session, relating to State Teachers' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2461**—An act to amend Section 24207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert "However, an academic teaching and administrative employee who reaches the age of 70 years, if mentally and physically sound, may be employed from year to year without tenure, for the good of the service, at the discretion of a state college president"

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2487**—An act to amend Section 13275 of, to add Section 12915 to, and to repeal Sections 917, 13276, 13584, and 13585 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public school employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, after "technician", insert "under the order of a physician and surgeon".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2445**—An act to amend Section 17153 of, and to add Section 17154 to, the Education Code as enacted at the 1959 Regular Session, relating to deposit and control of school district funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2469**—An act to add Section 20567.4 to, and to amend Sections 20583, 21704, and 22301 of, the Government Code, relating to school district employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2522**—An act to amend Section 3167 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to unification of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3167", and insert "Sections 3167, 3254, and 3255".

Amendment No. 2

On page 2, line 12, strike out "at the election", and insert "on the proposition".

Amendment No. 3

On page 2, after line 26, insert

"SEC. 2. Section 3254 of said code is amended to read:

3254. No member of the governing board of any component district of a unified school district shall be a member of the governing board of the unified school district unless elected thereto *; except that when a unified school district is formed pursuant to this chapter which includes a city school district having a city board of education as provided under Section 1203 of this code, the unified school district shall be governed by said city board of education and the governing board members thereof shall continue in office for the remainder of their terms as elected pursuant to the provisions of Section 1203.*

SEC. 3. Section 3255 of said code is amended to read.

3255. Upon the formation of a unified school district, *except as otherwise provided in this article,* the county superintendent of schools having jurisdiction shall call and set the date for an election for the purpose of electing the governing board of the district. Such call shall be issued not later than the fourth Friday of January next succeeding the formation of the district. The election shall be called, held, and conducted as are elections for members of governing boards of elementary school districts."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2485**—An act to amend Section 13583 of, and to add Sections 13590.1, 13590.2, and 13590.3 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 9 and 10; and in line 11 strike out "to exceed four years", and insert "governing board may make the contract renewable from year to year".

**Amendment No. 2**

On page 2, line 1, after "board", insert "of a district to which Section 13303 or 13304 applies".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2495**—An act to add Section 19571.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 1, line 16, of the printed bill, after "the", strike out "cost", and insert "total bid on items accepted".

**Amendment No. 2**

On page 1, line 16, after "exceeds the", insert "total".

**Amendment No. 3**

On page 1, line 17, after "standards", insert "for such items as".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2455**—An act to amend Section 12101 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the attendance of pupils at public schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "session", insert "unless such residence is in a high school district with an average daily attendance of 100 or less".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 2442**—An act to amend Section 21706 of the Government Code, relating to State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 423**—An act to repeal Section 5100.5 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "repeal Section 5100.5 of", and insert "add Section 4754.5 to".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 4754.5 is added to the Labor Code, to read:

4754.5. Nothing in this article shall impair the right of the Attorney General to release by compromise any claims brought under the provisions of this article. Such compromise and release agreement shall be submitted by the Attorney General to the Department of Finance for its review and recommendation prior to the filing thereof with the commission. No such compromise and release agreement is valid unless it is approved by the commission or a panel thereof; however, the provisions of Sections 5000 to 5004, inclusive, of this code, shall not apply to such compromise and release agreements."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance

**Assembly Bill No. 213**—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2475**—An act to amend Section 7100 of the Financial Code, relating to loans by savings and loan associations.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2381**—An act to amend Section 1705 of, and to add Section 1716 to, the Corporations Code, relating to investment companies, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 414**—An act to amend Section 3260 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2457**—An act to amend Section 24051.1 of the Financial Code, relating to exemptions from the California Small Loan Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "shall".

**Amendment No. 2**

On page 1, line 14, after "plan", insert a comma.

**Amendment No. 3**

On page 1, line 15, after "agreements", insert "; or whereby the organization issuing such cards shall be enabled to extend credit to its members".

**Amendment No. 4**

On page 1, line 19, strike out "additional".

**Amendment No. 5**

On page 2, line 6, strike out "obligations", and insert "charges".

**Amendment No. 6**

On page 2, line 7, after "persons", insert ", corporations or associations".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2450**—An act to add Section 6456 5 to the Financial Code, relating to stock of savings and loan association.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "6456.5 to", insert ", and to amend Section 8108 of".

**Amendment No. 2**

On page 2, after line 9, insert

"SEC. 2. Section 8108 of said code is amended to read:

8108. Except as provided in Section 8109 no shareholder or certificate holder whose shares or investment certificates are pledged as security for a loan from the association issuing such shares or investment certificates may make a withdrawal or give any valid notice of intention to withdraw such shares or investment certificates ~~until the indebtedness for which the shares or investment certificates are security is fully paid.~~ *if, after giving effect to such withdrawal or the withdrawal contemplated by such notice, the principal amount of such loan would be greater than is permitted by Section 7157.*"

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2448**—An act to add Section 10176.1 to the Insurance Code, relating to insurance policies

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "issued", insert "or renewed".

**Amendment No. 2**

On page 1, line 5, strike out ", if any,".

**Amendment No. 3**

On page 1, line 6, strike out "Chapter _____", and insert "Chapter 138".

**Amendment No. 4**

On page 1, line 7, after "issued", insert "or renewed".

**Amendment No. 5**

On page 1, line 10, strike out "Chapter _____", and insert Chapter 138".

**Amendment No. 6**

On page 1, line 11, after "issued", insert "or renewed"

**Amendment No. 7**

On page 1, line 13, strike out ", if any".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 963**—An act to amend Section 10643 of, and to add Sections 10656, 10657, and Article 4 (commencing at Section 11760), Chapter 3, Part 3, Division 2 to, the Insurance Code, relating to powers of the Insurance Commissioner, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, as amended in the Assembly on May 13, 1959, strike out lines 1 and 2; and in line 3, strike out ", 10657, and", and insert "An act to add".

**Amendment No. 2**

In line 4 of the title, strike out the first comma, and insert "to".

**Amendment No. 3**

In line 5 of the title, strike out "to," and insert "of".

**Amendment No. 4**

Strike out lines 6 and 7 of the title, and insert "to workmen's compensation insurance advisers."

**Amendment No. 5**

On page 1, strike out lines 1 to 17, inclusive; strike out page 2; and on page 3, strike out lines 1 to 9, inclusive.

**Amendment No. 6**

On page 3, line 10, strike out "SEC. 4", and insert "SECTION 1".

**Amendment No. 7**

On page 5, strike out lines 3 to 48, inclusive; and strike out page 6.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2369**—An act to add Section 13533 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to taxes for group accident and health insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "insurance and", and insert "insurance or".

**Amendment No. 2**

On page 1, after line 9, insert "If at the end of any school year there remains an unencumbered balance derived from the revenues of the increase in the tax rate hereby provided, such balance shall be used exclusively in the following fiscal year for the expenditures of the school district during that fiscal year authorized by this section."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 2011**—An act to add Section 22458.1 to the Financial Code, relating to credit life insurance in connection with loans made by personal property brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 6, 1959, after the first "to", insert "amend Section 22050 of, and to".

**Amendment No. 2**

In line 2 of the title, strike out "credit life insurance in connection with loans made by".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. *Section 22050 of the Financial Code is amended to read:*

22050. This division does not apply to any person doing business under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions, *small business investment companies,* or licensed pawnbrokers.

SEC. 2. Section 22458.1 is added to said code,".

**Amendment No. 4**

On page 2, line 51, strike out "1960", and insert "1961".

**Amendment No. 5**

On page 3, line 1, strike out "1960", and insert "1961".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1806**—An act to amend Sections 3212, 3212.5, and 3212.6 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Sections 3212, 3212.5, and 3212.6 of", and insert "add Section 3212.3 to".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 3212.3 is added to the Labor Code, to read.

3212.3. The presumptions provided in Sections 3212, 3212.5 and 3212.6, together with all the benfits, limitations and restrictions contained therein, shall apply equally and with similar effect to marshals, deputy marshals and other members of a marshal's office, and to any inspector or investigator in any district attorney's office who is regularly employed and paid as such an inspector or investigator."

Amendment No. 3

On page 1, strike out lines 2 to 23, inclusive; and strike out all of pages 2 and 3.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1047**—An act to amend Sections 10026, 10131, 10132, 10134, 10252, 10252.5, 10253, 10253.5, 10255 and 10305 of, and to add Sections 10027 and 10085 to, the Business and Professions Code, relating to definition of brokers, agents and salesmen and advance fee charges.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly on April 16, 1959, after "therefrom", insert "for the benefit of the agent".

Amendment No. 2

On page 5, line 19, strike out "advance fee".

Amendment No. 3

On page 5, strike out lines 45 and 46, and insert
"That not all individuals nor corporate entities who receive advance fees engage in the aforesaid practices. Many are long established and legitimate businesses."

Amendment No. 4

On page 6, line 12, after "as", insert "real estate or".

Amendment No. 5

On page 5, lines 21 and 22, strike out "high-pressure".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2405**—An act to amend Section 100.2 of the Streets and Highways Code, relating to agreements by local authorities concerning state freeways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "contemplated", and insert "proposed".

Amendment No. 2

On page 1, line 10, after "highway", insert ", or proposed street or highway upon development,".

Amendment No. 3

On page 2, line 4, strike out "subserve", and insert "serve".

Amendment No. 4

On page 2, line 6, strike out "contemplated", and insert "proposed".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2406**—An act to amend Section 100.25 of the Streets and Highways Code, relating to street or highway work.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "contracting agencies", and insert "department".

**Amendment No. 2**

On page 1, line 9, strike out "contemplated", and insert "proposed".

**Amendment No. 3**

On page 1, after line 15, insert

"The department shall construct such connections only after the proposed city streets are improved."

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 5**—An act to amend Section 8352 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel Fund and making an appropriation thereof.

Bill read second time, and ordered to third reading.

**Senate Bill No. 922**—An act to amend Section 305.1 of the Vehicle Code and to amend Section 13358 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to suspension and revocation of privilege of minor to operate motor vehicle.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 119**—An act to amend Section 8759 of the Education Code and Section 5608 of the Education Code as proposed by Senate Bill No. 2, relating to tuition charges for interdistrict attendance of public school pupils.

Bill read second time, and ordered to the Consent Calendar

**Senate Bill No. 869**—An act to add Sections 20014.4, 20017.4 and 21363.4 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 770**—An act to amend Sections 10161, 10163, 10164, 10165, 10489.2 and to add Section 10163.5 to the Insurance Code, relating to insurance mortality tables.

Bill read second time, and ordered to third reading.

**Senate Bill No. 601**—An act to amend Section 1300 of and to add Sections 1300.5 and 1311 to the Insurance Code, relating to reciprocal and interinsurance contracts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 259**—An act to amend Section 1226 of the Financial Code, relating to loan limits of commercial banks.

Bill read second time, and ordered to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 414,** subsequent to engrossment.

**Senate Bill No. 869.**

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1101**—An act to add Chapter 14 (commencing at Section 21951) to Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to testing of students attending public and private schools, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1101?

**Amendment No. 1**

On page 1, between lines 12 and 13, of the printed bill, as amended in the Assembly on March 26, 1959, insert "Where the seventh and eighth grades of a privately operated school system maintaining both elementary and secondary grades are included in a school of the system consisting of grades one to eight, inclusive, such seventh and eighth grades shall be considered as secondary grades and as part of the secondary schools of the same system maintaining grades 9 to 12, inclusive."

**Amendment No. 2**

On page 2, line 20, after the period, insert "Where the seventh and eighth grades of a privately operated school system maintaining both elementary and secondary grades are included in a school of the system consisting of grades one to eight, inclusive, such seventh and eighth grades shall be considered as secondary grades and a part of the secondary schools of the same system maintaining grades 9 to 12, inclusive."

**Amendment No. 3**

On page 1, line 9, of the printed bill, as amended in the Senate on April 23, 1959, strike out "a secondary school", and insert "any public or private school".

**Amendment No. 4**

On page 2, line 4, strike out "secondary".

**Amendment No. 5**

On page 2, line 24, strike out "a secondary school", and insert "any public or private school".

**Amendment No. 6**

On page 2, line 35, strike out "secondary".

**Amendment No. 7**

In lines 5 and 6 of the title of the printed bill, as amended in the Senate on May 6, 1959, strike out "private secondary", and insert "public and private".

**Amendment No. 8**

On page 1, strike out line 5, and insert

"GRADES SEVEN TO TWELVE".

**Amendment No. 9**

On page 1, strike out lines 11 to 16, inclusive; and on page 2, strike out lines 1 to 3, inclusive.

**Amendment No. 10**

On page 2, line 5, after "education", insert ", as defined in Section 21951".

**Amendment No. 11**

On page 2, line 10, strike out "secondary education classes", and insert "grades seven to twelve, inclusive,".

**Amendment No. 12**

On page 2, strike out line 20, and insert

"GRADES SEVEN TO TWELVE".

**Amendment No. 13**

On page 2, line 25, strike out "A"; and strike out lines 26 to 34, inclusive

**Amendment No. 14**

On page 2, line 36, after "education", insert ", as defined in Section 30101".

**Amendment No. 15**

On page 2, line 41, strike out "secondary education classes", and insert "grades seven to twelve, inclusive,".

**Amendment No. 16**

On page 3, line 2, strike out "private secondary", and insert "public and private".

**Amendment No. 17**

On page 3, line 16, strike out "the secondary schools", and insert "grades seven to twelve, inclusive, in the public and private schools"

**Amendment No. 18**

On page 3, line 20, strike out "private secondary", and insert "public and private".

The question being: Shall the Assembly concur in the above Senate amendments to Assembly Bill No. 1101?

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Hegland moved a call of the Assembly.

Mr. Conrad seconded the motion

Motion carried. Time, 9.47 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 1487**—An act to add Sections 9561 and 9562 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Sections 10857 and 10858 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 2, line 12, of the printed bill, as amended in the Senate on May 6, 1959, strike out "10758", and insert "10858".

| | |
|---|---|
| DOLWIG | GRANT |
| JOHNSON | CUNNINGHAM |
| BERRY | BRADLEY |
| Senate Committee on Conference | Assembly Committee on Conference |

Conference Committee report adopted by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, DeLotto, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—51.

NOES—None.

### ASSEMBLY BILL NO. 1029 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1029,** on request of Mr. Masterson.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2827 FROM COMMITTEE

Mr. Levering was granted unanimous consent that Assembly Bill No. 2827 be withdrawn from the Committee on Civil Service and State Personnel for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2827

**Assembly Bill No. 2827**—An act to amend Section 20134 of the Government Code, relating to information available from retirement systems.

Bill read second time.

#### Motion to Amend

Mr. Levering moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 14026 of the Education Code as enacted by the Legislature at its 1959 Regular Session, and to add Section 75005 to the Government Code".

#### Amendment No. 2

On page 1, line 18, after "receiving", insert "or will be entitled to receive at the time of his retirement".

#### Amendment No. 3

On page 1, after line 18, insert

"SEC. 2. Section 75005 is added to said code, to read:

75005. Upon the request of any state officer, or publisher or editor of, or reporter employed by, any newspaper of general circulation, news service, radio or television news media, the requester shall be informed as to whether a particular person is contributing or has contributed to the Judges' Retirement Fund, the total amount of his contributions, and the amount of retirement allowance he is receiving or will be entitled to receive at the time of his retirement.

SEC. 3. Section 14026 of the Education Code is amended to read:

14026. Data filed by any member or beneficiary with the Retirement Board is confidential. *Except as herein provided, no* ~~No~~ official or employee who has access to the individual records shall divulge any information concerning such records to any person other than the member to whom the information relates or his authorized representative, the governing board of the school district or agency by which he is

employed, or any state department or agency. They shall be used by the Retirement Board for the sole purpose of carrying into effect the provisions of this chapter (commencing with Section 13801). The information shall not be open to inspection by anyone except the Retirement Board and its officers and employees, and any person authorized by the Legislature to make inspections.

*Upon the request of any state officer, or publisher or editor of, or reporter employed by, any newspaper of general circulation, news service, radio or television news media, the requester shall be informed as to whether a particular person is a member of the system, the total amount of his contributions, and the amount of retirement allowance he is receiving or will be entitled to receive at the time of his retirement"*

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2553 FROM COMMITTEE

Mr. Bradley was granted unanimous consent that Assembly Bill No. 2553 be withdrawn from the Committee on Government Organization for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2553

**Assembly Bill No. 2553**—An act to amend Sections 7302, 7306, 7308, 7309.5, 7315, 7332, 7342, 7370, 7376, 7383, 7394, 7394.1, 7396.6, 7398.5, 7420, and 7442 of, and to amend and renumber the titles of Article 6 (commencing at Section 7370), Article 7 (commencing at Section 7380), Article 8 (commencing at Section 7390), Article 9 (commencing at Section 7410), Article 10 (commencing at Section 7420), Article 11 (commencing at Section 7425), and Article 12 (commencing at Section 7435) of Chapter 10 of Division 3 of, and to add Section 7394.6 to, and to repeal Sections 7331, 7333, 7334, 7341, 7343, 7344, 7345, and 7421 of, and Article 5 (commencing at Section 7360) of Chapter 10 of Division 3 of, the Business and Professions Code, relating to cosmetology.

Bill read second time.

#### Motion to Amend

Mr. Bradley moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "7302, 7306, 7308, 7309.5, 7315,".

#### Amendment No. 2

On page 1, strike out lines 1 to 6, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 6, inclusive, and insert

"SECTION 1 Section 7331 of the Business and Professions Code is repealed."

#### Amendment No. 3

On page 3, line 12, strike out "7", and insert "2".

#### Amendment No. 4

On page 3, line 36, strike out "8", and insert "3".

**Amendment No. 5**
On page 3, line 49, strike out "9", and insert "4".

**Amendment No. 6**
On page 4, line 9, strike out "10", and insert "5".

**Amendment No. 7**
On page 4, line 14, strike out "11", and insert "6".

**Amendment No. 8**
On page 4, line 38, strike out "12", and insert "7".

**Amendment No. 9**
On page 4, line 48, strike out "13", and insert "8".

**Amendment No. 10**
On page 5, line 3, strike out "14", and insert "9".

**Amendment No. 11**
On page 5, line 7, strike out "15", and insert "10".

**Amendment No. 12**
On page 5, line 9, strike out "16", and insert "11".

**Amendment No. 13**
On page 5, line 15, strike out "17", and insert "12".

**Amendment No. 14**
On page 5, line 27, strike out "18", and insert "13".

**Amendment No. 15**
On page 5, line 43, strike out "19", and insert "14".

**Amendment No. 16**
On page 5, line 49, strike out "20", and insert "15"

**Amendment No. 17**
On page 6, line 7, strike out "21", and insert "16".

**Amendment No. 18**
On page 6, line 13, strike out "22", and insert "17".

**Amendment No. 19**
On page 6, line 26, strike out "23", and insert "18".

**Amendment No. 20**
On page 6, line 35, strike out "24", and insert "19".

**Amendment No. 21**
On page 6, line 44, strike out "25", and insert "20".

**Amendment No. 22**
On page 7, line 18, strike out "26", and insert "21"

**Amendment No. 23**
On page 7, line 32, strike out "27", and insert "22".

**Amendment No. 24**
On page 7, line 38, strike out "28", and insert "23".

**Amendment No. 25**
On page 7, line 44, strike out "29", and insert "24".

**Amendment No. 26**
On page 8, line 28, strike out "30", and insert "25"

**Amendment No. 27**
On page 8, line 33, strike out "31", and insert "26"

**Amendment No. 28**

On page 8, line 39, strike out "32", and insert "27".

**Amendment No. 29**

On page 8, line 45, strike out "33", and insert "28".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Senate Bill No. 865, at this time, for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 865

**Senate Bill No. 865**—An act to add Sections 12814, 12815, and 12816 to the Public Utilities Code, relating to the addition of fluorine and fluorine compounds to public water supplies by municipal utility districts.

Bill read third time.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Senate on May 15, 1959, strike out lines 9 to 17, inclusive, and insert:

"12816. At least 90 days prior to the election provided for in Section 12815, notice of the election shall be published within the district. Any voter or group of voters may, not less than 60 days prior to such election, prepare and file with the county clerk of the county containing the largest number of voters within the district an argument for or against the proposition to be submitted. The argument shall not be greater than 300 words in length. If more than one argument for or more than one argument against the proposition is filed within the time permitted the clerk shall select one of the arguments for printing. No more than three signatures shall appear with any argument. The clerk of each county in the district shall mail, or cause to be mailed, to each registered voter in that county in the district one copy of the argument for and one copy of the argument against the proposition. Such arguments shall be mailed with the sample ballot."

Amendment read, and adopted.

Bill ordered reprinted and to third reading.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT ADDITIONAL COPIES OF REPORT

Mr. McMillan asked for unanimous consent that 500 additional copies of the Report of the Interim Committee on Industrial Relations be ordered printed.

Speaker Brown ordered the request referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE (RESUMED)

## BILLS PLACED ON THE INACTIVE FILE

The following bills were placed upon the inactive file:

**Assembly Bill No. 1766**, on motion of Mr. O'Connell.

**Assembly Bill No. 2172**, on motion of Mr. Pattee.

## CONSIDERATION OF HOUSE RESOLUTION NO. 252

By Mr. Hawkins:

**House Resolution No. 252**

Relative to amending bills

*Resolved by the Assembly of the State of California*, That Rule No. 70 of the Permanent Standing Rules of the Assembly is amended to read:

70. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

No amendments to a bill offered from the floor, except committee amendments reported with bills, amendments offered with a motion to amend and re-refer a bill to committee, amendments deleting any number of words, amendments adding a total of not more than 25 words, or amendments previously printed in the Journal, shall be in order unless and until a copy of the proposed amendments has been placed upon the desks of the members. If a copy of amendments adding a total of 25 words or less is not placed on the desks of the members, it shall be made available to the author of the bill, and the amendments shall be read in their entirety by the clerk prior to debate.

Before debate four copies of the proposed amendment must be delivered to the clerk's desk. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as he may determine to be necessary.

Resolution read.

### Speaker pro Tempore Presiding

At 9.57 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

### Request for Unanimous Consent

Mr. Bruce F. Allen was granted unanimous consent that, if adopted, the provisions of House Resolution No. 252 do not affect the proceedings of the House on this day.

### Parliamentary Inquiry

Mr. Sumner arose to the following parliamentary inquiry: Where does the final amended copy of the resolution appear?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it appears at page 3841 of the Assembly Journal for May 19th.

The question being on the adoption of the resolution.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Mr. Elliott seconded the motion.

Motion carried. Time, 10.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted uanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### INTRODUCTION OF GUESTS

Mr. DeLotto introduced Mr. J. E. O'Niell, Fresno's Citizen of the Year, and Mrs. O'Niell to the Members of the Assembly.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1465**—An act to amend Sections 6340 and 6361 of the Business and Professions Code, relating to county law libraries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, DeLotto, Dills, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, O'Connell, Pattee, Petris, Porter, Rees, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—57.

NOES—Bee, Crawford, Dahl, Hegland, Luckel, Mulford, Rumford, and Schrade—8.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2017**—An act to amend Section 16562 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to use of school property for public purposes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Bruce F. Allen was granted unanimous consent that the motion to reconsider Assembly Bill No. 2241 be considered, at this time.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2241

In compliance with a motion given on a previous day, Mr. Lowrey moved that the vote whereby Assembly Bill No. 2241 was passed be reconsidered

#### Demand for Previous Question

Messrs. Ernest R. Geddes, Unruh, Masterson, Pattee, and Miss Donahoe demanded the previous question. Demand sustained

The question being on the motion to reconsider.

**Speaker Presiding**

At 10.40 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion to reconsider.

Assembly Bill No. 2241 refused reconsideration by the following vote:

AYES—Backstrand, Bradley, Collier, Dahl, Dills, Frew, Kilpatrick, Lanterman, Levering, Lowrey, McCollister, Mulford, Reagan, Shell, and Thelin—15.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—56.

Assembly Bill No. 2241 ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 252

At 10.45 a.m., Mr. Hawkins moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and House Resolution No. 252 adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Schrade, Thelin, Thomas, Charles H. Wilson, Z'berg, and Mr. Speaker—47.

NOES—Beaver, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Coolidge, Dahl, Frew, Ernest R. Geddes, Grant, Holmes, House, Levering, Masterson, Munnell, Petris, Reagan, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, and Winton—26

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2160**—An act to amend Section 16626 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to employees in child care centers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr Speaker—69.

NOES—Beaver—1

Bill ordered transmitted to the Senate.

**Vote Changed Upon Roll Call**

Mr. Beaver was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 2160.

**Names Placed Upon Roll Call**

Messrs. Hawkins and Elliott were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2160.

**Assembly Bill No. 1341**—An act to add Section 31664.5 to the Government Code, relating to retirement of county employees.

Bill read third time, and presented by Mr. Johnson.

Hon. Dorothy M. Donahoe Presiding

At 11 a.m., Hon. Dorothy M. Donahoe, Member of the Assembly from the Thirty-eighth District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—57.

NOES—Bruce F. Allen, Bradley, Burke, Coolidge, Dahl, Ernest R. Geddes, Lanterman, Levering, Mulford, Reagan, Shell, and Thelin—12.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1605**—An act to amend Section 2110 of the Streets and Highways Code, relating to Highway Users Tax Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—73.

NOES—Winton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 205**—An act to amend Sections 3818, 3830, 3925, 3941, and 3946 of the Elections Code, relating to office designations on election ballots.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1811**—An act to add Section 2635 to the Revenue and Taxation Code, relating to the taxation of possessory interests.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills,

Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—Burton—1

Bill ordered transmitted to the Senate.

**Speaker Presiding**

At 11 13 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 1279**—An act to amend Section 22 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to contracts for improvements.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1258**—An act to amend Sections 980, 1521, 1528, 1529, 1532, 1534, 1555, 1556, and 1558, of and to add Section 1528.5 to Article 2 of Chapter 6 of Part 1 of Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2234**—An act to add Sections 12627.3 and 12627.4 to the Water Code, relating to water seepage and erosion.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford,

Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Sumner—1.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 131**—Relative to the publication of copies of the new Education Code.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 145**—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

**Name Placed Upon Roll Call**

Mr. Munnell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 145.

**Assembly Concurrent Resolution No. 132**—Relative to amending the Joint Rules of the Senate and Assembly.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

**Name Placed Upon Roll Call**

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" on Assembly Concurrent Resolution No. 132.

### CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1101

At 11.27 a.m., Mr. Hegland moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No 1101 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Willamson, George A. Willson, Charles H Wilson, Winton, and Mr. Speaker—70

NOES—None

Assembly Bill No 1101 ordered enrolled.

### INTRODUCTION OF GUESTS

Mr. Lowrey introduced Dr. D. A. Scholefield and Mr. R. Chappell of England to the Members of the Assembly, who welcomed them upon their visit to the Assembly Chamber.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1886**—An act to amend Sections 18200, 18207, 18406.1, 18412, 18413, 18614, 18616, 18668 and 18669 of the Financial Code, to add Sections 18200.1, 18200.2, 18200.3, 18200.4, 18200.5, 18200.6, 18203.5, 18205.5, 18607.1, 18610.5, 18617.1, 18625, 18626, 18668.1, 18668.2, 18818, 18818.1, and 18818.2 to said code, to add an article heading to Chapter 3 of Division 7, to add an article heading and new Article 2 (commencing with Section 18420) to Chapter 3 of Division 7 of said code, to add Chapter 6 (commencing with Section 18850) to Division 7 of said code, and to repeal Sections 18404, 18414, 18415, and 18818 of said code, relating to industrial loan companies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Constitutional Amendment No. 38**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to local government.

Resolution read.

#### Motion to Amend

Messrs. Hegland, Schrade, Luckel, and Crawford moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 15, of the printed measure, as amended in the Assembly on May 7, 1959, strike out "60", and insert "66⅔".

#### Amendment No. 2

On page 2, line 18, strike out "60", and insert "66⅔".

Amendments read.

Further consideration of Assembly Constitutional Amendment No. 38 and the amendments continued until the next legislative day.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent that the following report of the Committee on Rules be read:

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Rules reports:
Senate Joint Resolution No. 22
Senate Concurrent Resolution No. 70
With the recommendation: Be adopted.

MILLER, Chairman

#### Request for Unanimous Consent to Consider Senate Joint Resolution No. 22 and Senate Concurrent Resolution No. 70

Mr. Miller asked for unanimous consent to take up Senate Joint Resolution No. 22 and Senate Concurrent Resolution No. 70 without reference to file.

Mr. Unruh withheld unanimous consent.

#### Motion to Temporarily Suspend the Rules

Mr. Miller moved that the Rules be temporarily suspended for the purpose of taking up Senate Joint Resolution No. 22 and Senate Concurrent Resolution No. 70 without reference to file.

Mr. Schrade seconded the motion.

Motion for temporary suspension of the Rules carried.

### CONSIDERATION OF SENATE JOINT RESOLUTION NO. 22

**Senate Joint Resolution No. 22**—Relative to a World Fair in 1963.

Resolution read, and presented by Mr. Miller.

#### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is the question on the motion to suspend the Rules?

#### Reply by Speaker

The Speaker replied that the question was on the resolution.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Were the Rules suspended?

**Reply by Speaker**

The Speaker replied that they were.

The question being on the adoption of the resolution.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Belotti, Britschgi, George E. Brown, Burke, Chapel, Collier, Conrad, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Francis, Gaffney, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Luckel, MacBride, Meyers, Miller, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, George A. Willson, Charles H Wilson, and Z'berg—42

NOES—Bruce F. Allen, Bane, Bee, Biddick, Bradley, Burton, Busterud, Cameron, Coolidge, Crown, Elliott, Frew, Garrigus, Grant, Kennick, Levering, Marks, Masterson, McMillan, Mulford, Munnell, Nisbet, O'Connell, Petris, Thelin, Unruh, Waldie, Williamson, and Winton—29.

~~Resolution ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Senate Joint Resolution No. 22 was made *See* page 3903.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 70 CONTINUED

On request of Mr. Miller, consideration of Senate Concurrent Resolution No. 70 was continued until the next legislative day.

## RE-REFERENCE OF ASSEMBLY BILL NO. 590

Speaker Brown ordered Assembly Bill No 590, with the proposed committee amendments, re-referred to the Committee on Ways and Means.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, April 27, 1959; Monday, May 11, 1959; Tuesday, May 12, 1959; Wednesday, May 13, 1959; Thursday, May 14, 1959; and Friday, May 15, 1959.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

| | |
|---|---|
| Assembly Bill No. 414 | Assembly Bill No. 2442 |
| Assembly Bill No 2381 | Assembly Bill No. 2475 |

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No. 414 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 2381, 2442, and 2475 ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined.

| | |
|---|---|
| Assembly Bill No 1171 | Assembly Bill No. 2445 |
| Assembly Bill No 2379 | Assembly Bill No 2469 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1135

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1894

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 424
Assembly Bill No 903
Assembly Bill No 938

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2354

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committe on Engrossment and Enrollment has examined:

**Assembly Bill No. 49**—An act to add Sections 322, 323, 12519, 22414, 31401, 31402, 31403, 31404, 31405, 31406 and 31407 to, and to amend Section 31400 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm labor vehicles;

**Assembly Bill No. 618**—An act to add Chapter 4 (commencing at Section 1960) to Part 7, Division 2 of, the Labor Code, relating to firefighters;

**Assembly Bill No. 766**—An act to amend Section 5093 of the Business and Professions Code and to amend Section 5084 of the Business and Professions Code as proposed by Senate Bill No 104, relating to accountants;

**Assembly Bill No. 1054**—An act to amend Section 10279.8 of the Business and Professions Code, relating to real estate and business opportunity licenses;

**Assembly Bill No. 1186**—An act to amend Section 11001 of the Health and Safety Code, relating to narcotics,

**Assembly Bill No. 1190**—An act to amend Sections 7003, 7007 and 7008, and to repeal Sections 7005 and 7006 of the Elections Code, relating to canvass at precincts;

**Assembly Bill No. 2060**—An act to amend Section 54309 of the Government Code, relating to the issuance of revenue bonds by local agencies;

**Assembly Bill No. 2131**—An act to repeal Section 814 4 of, to add Section 814 4 to, and to amend Section 828.7 of, the Agricultural Code, relating to vegetable standards;

And reports the same correctly enrolled, and presented to the Governor on the twentieth day of May, 1959, at 11 a m.

BURKE, Chairman

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Marks, Busterud, Gaffney, O'Connell, Burton, and Meyers:

### House Resolution No. 272

Relative to the death of Lloyd W. Dinkelspiel

WHEREAS, The Members of the Assembly were deeply grieved to learn of the recent death of the noted San Francisco attorney and civic leader, Lloyd W Dinkelspiel, and

WHEREAS, Mr. Dinkelspiel, a graduate of Stanford University and Harvard Law School, and President of the San Francisco Bar Association in 1943, was a senior partner in the law firm of Heller, Ehrman, White, and McAuliffe; and

WHEREAS, He twice served his Country in time of war, as an infantryman in World War I, and as a major at Wright Air Field in World War II, for which he was awarded the Legion of Merit and promotion to lieutenant colonel; and

WHEREAS, He was long active in church, civic, and welfare work, as first president of the Jewish Community Center, as president from 1938 to 1943 of Congregation Emanu-El, and as a director of the Community Chest, the San Francisco Red Cross, and the California State Chamber of Commerce; and

WHEREAS, From 1953 to 1958 he was president of the Stanford University board of trustees, and at the time of his death was national president of the Jewish Welfare Board, and a member of both the Stanford University board of trustees, and the Stanford Research Institute board of directors; and

WHEREAS, By the passing of this distinguished and dedicated leader who gave so generously of his strength and wisdom for the betterment of his fellow men the State, as well as his community, has suffered an irreparable loss; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby express their deep regret at the passing of Lloyd W. Dinkelspiel and extend their sincere condolences to his family and many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his widow, Mrs. Anna Dinkelspiel, his daughter, Mrs. William H. Green, and his son, Mr. Lloyd W. Dinkelspiel, Jr.

Resolution read, and referred to the Committee on Rules.

By Mr. Bee:

**House Resolution No. 273**

Relative to the employment of minors

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session, all facts and circumstances relating to the hiring and employment of minors by tax exempt institutions which engage in profit-making business activities and recommendations as to the desirability or necessity for legislation in this field

Resolution read, and referred to the Committee on Rules.

By Messrs. Ernest R. Geddes and Lunardi:

**House Resolution No. 274**

Relating to Daffodil Hill

WHEREAS, In addition to the historical spots and scenes of natural beauty of the Mother Lode Country there is the added attraction of Daffodil Hill in Amador County; and

WHEREAS, In the Spring of each year thousands of visitors from California and from other states journey to Daffodil Hill to feast their eyes and thrill to the sight of thousands of daffodils of varied kinds and hues blooming on the slopes of this mountain ranch; and

WHEREAS, The J. E. McLaughlin family, owners of Daffodil Hill, have developed this project over the years and with true western hospitality make visitors welcome to enter the property free of any charge whatever and have never commercialized their project and do not intend to do so; and

WHEREAS, The press of Sacramento and the Bay area each year at the proper season call the attention of their readers to the opportunity of viewing the beauty of Daffodil Hill, with the result that the number of visitors is increasing; and

WHEREAS, There is no marking on any of the roads and highways to direct motorists to Daffodil Hill near Volcano; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Division of Highways be requested to place directional signs to Daffodil Hill at Fiddletown, the Fiddletown turn-off in Pinegrove, and in Sutter Creek; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the State Division of Highways.

Resolution read, and referred to the Committee on Rules.

By Messrs. Burton, Waldie, Hawkins, O'Connell, Don A. Allen, Biddick, George E. Brown, Cameron, Crown, Cunningham, Elliott, Frew,

Samuel R. Geddes, Meyers, Munnell, Petris, Rumford, Thomas, Unruh, Williamson, and Charles H. Wilson:

**House Resolution No. 275**

Relative to anti-lynching legislation

WHEREAS, The recent lynching of a prisoner in Mississippi has outraged supporters of law and order in all states of our Country; and

WHEREAS, The incident has demonstrated that the problem of lynch mob action is still very real; and

WHEREAS, Federal legislation rendering any participation in lynch mob action an offense against the United States would make a substantial contribution toward discouraging any such incidents in the future; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body urges the Congress of the United States to make lynching and participation in lynch mob action a felony under the laws of the United States; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Member of Congress from California.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT

Mr. Nisbet announced that, through the courtesy of the San Bernardino County Board of Trade and the legislators from that county, Mr. Beaver and Mr. Nisbet, a generous sample of a unique product of their area, in which they all take a just pride, has been placed on the desk of each member.

Mr. Nisbet further announced that the San Bernardino County reception and dinner will be held around the pool on the second floor of the El Mirador Hotel at 6.30 p m. tonight.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following proposed amendments to Assembly Bill No. 1110 be ordered printed in the Journal:

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 1110

By Mr. Bruce F. Allen:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "repeal", and insert "amend".

**Amendment No. 2**

On page 1, line 9, after the period, insert "This section is not intended, and shall not be construed, to prohibit prosecution and conviction for a violation of any law of this State."

**Amendment No. 3**

On page 1, line 12, strike out "subject to audit", and insert "audited".

**Amendment No. 4**

On page 1, strike out line 15, and insert

"SEC. 3. Section 928a of the Penal Code is amended to read

928a. The grand jury shall have full and complete authority, at any time, to examine the books, records and accounts of any housing authority in the county and to investigate the operations of any such housing authority and to report as to the facts they have found, with such recommendations as they may deem proper and fit.

In making such examination, the grand jury shall have all the powers granted by Section 928 of this code, and any expenses incurred shall be paid from the same fund and in the same manner as expenses incurred under Section 928 of this code.

*Nothing in this section shall authorize the grand jury to investigate funds and operations which are subject to the control of the Federal Government.*"

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2359 FROM COMMITTEE

Mr. Thomas was granted unanimous consent that Assembly Bill No. 2359 be withdrawn from the Committee on Transportation and Commerce, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2359

**Assembly Bill No. 2359**—An act to amend Section 30682 of the Streets and Highways Code, relating to the financing and construction of a bridge from San Pedro to Terminal Island.

Bill read second time.

#### Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 11, of the printed bill, strike out "three million five hundred thousand dollars ($3,500,000)", and insert "two million dollars ($2,000,000)".

#### Amendment No. 2

On page 2, line 20, strike out "three million five hundred thousand dollars ($3,500,000)", and insert "two million dollars ($2,000,000)".

#### Amendment No. 3

On page 2, strike out lines 35 to 41, inclusive, and insert "Five-ninths from the State Highway Fund, two-ninths from the funds mentioned in subdivision (b) and two-ninths from the amounts mentioned in subdivision (c). Additional necessary amounts".

#### Amendment No. 4

On page 2, line 42, before the period, insert "upon resolution of the California Highway Commission".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2600 FROM COMMITTEE

Mr. Grant was granted unanimous consent that Assembly Bill No. 2600 be withdrawn from the Committee on Manufacturing, Oil, and Mining Industry for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2600

**Assembly Bill No. 2600**—An act to amend Section 1 of Chapter 102, Statutes of 1925, an act entitled "An act granting certain tideland and submergd lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Bill read second time

#### Motion to Amend

Mr. Grant moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, of the title, and insert

"An act relating to the further use and development of certain tide and submerged lands heretofore conveyed in trust to the City of Long Beach, and providing for the government, management and control thereof."

**Amendment No. 2**

On page 1, strike out lines 1 to 18, inclusive.

**Amendment No. 3**

On page 2, strike out lines 1 to 32, inclusive.

**Amendment No. 4**

On page 3, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. As used in this act, "tide and submerged lands" means those certain tide and submerged lands heretofore conveyed to the City of Long Beach upon certain trusts and conditions by Chapter 676, Statutes of 1911, Chapter 102, Statutes of 1925 and Chapter 158, Statutes of 1935.

SEC. 2. Without limiting in any way the scope or generality of the uses and purposes heretofore authorized and prescribed in paragraph (a) of Section 1 of each of the respective acts hereinabove referred to, but in addition thereto, said city, or its successors, may devote so much of said tide and submerged lands as it finds is not required for and will not interfere with the uses and purposes so authorized and prescribed in each of said paragraphs (a), to such further use and development as will, in its finding, yield maximum profits to be used by said city in the furtherance of the trust uses and purposes. The city may, in devoting such property to any such additional use or development, as provided in this section, enter into agreements, contracts or leases with respect thereto; provided, (1) that no such agreement, contract or lease shall be for a term exceeding 50 years, subject, however, to the right of renewal thereof by the city for a further term not to exceed 25 years; and (2) that all such agreements, contracts or leases shall be made upon competitive bids after such public advertising, inviting proposals or bids therefor, as said city, or its successors, deem sufficient. Any such agreement, contract or lease shall be awarded to the person whose bid will yield the aforesaid maximum profits, taking into consideration the proposed term.

SEC. 3. The limitation as to term and the requirement of competitive bidding, as provided in Section 2 above, shall not be applicable to, nor be construed as any limitation upon the power of the city to commit any of said tide and submerged lands, or portions thereof, to unit or co-operative agreements for the development and operation of all or a part or parts of the oil and gas field in which such lands are located. The power of the city to drill for, develop, extract, process, take, remove or dispose of oil, gas or other hydrocarbon substances from the tide and submerged lands, including the power to commit said lands, or portions thereof, to unit or co-operative agreements, and the obligation of the city with respect to the accounting for and disposition of the revenues received by said city from the sale of oil, gas and other hydrocarbon substances derived from said tide and submerged lands or as a result of unit or co-operative development of said lands with other lands, shall be exercised in accordance with the provisions of the charter of said city and the provisions of statutory law applicable thereto."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1897 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 1897 be withdrawn from the Committee on Social Welfare for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1897

**Assembly Bill No. 1897**—An act to amend Sections 2020.002 and 2025 of the Welfare and Institutions Code, relating to old age assistance grants, and making an appropriation.

Bill read second time.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on May 11, 1959, strike out "pursuant to Section 2020 of this code".

**Amendment No. 2**

On page 1, strike out line 8.

**Amendment No. 3**

On page 1, lines 12 and 13, strike out "except as provided by Section 2020 of this chapter".

**Amendment No. 4**

On page 1, line 23, after "2020", insert "and Section 2020.002".

**Amendment No. 5**

On page 2, line 10, after "2020", insert "and Section 2020.002".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Social Welfare.

## MOTION TO RECONSIDER SENATE JOINT RESOLUTION NO. 22

Mr. Unruh moved to reconsider on the next legislative day the vote whereby Senate Joint Resolution No. 22 was this day adopted (Assembly Journal, page 3897).

Senate Joint Resolution No. 22 and the motion to reconsider ordered to the unfinished business file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Meyers was granted unanimous consent to take up House Resolution No. 268, at this time.

## CONSIDERATION OF HOUSE RESOLUTION NO. 268

By Messrs. Meyers, Burton, O'Connell, Busterud, Gaffney, Marks, and Belotti:

**House Resolution No. 268**

Relative to the commendation of Reverend Donal F. Forrester, C.S.P.

WHEREAS, On Sunday, May 17, 1959, a solemn offering of the Holy Sacrifice of the Mass, at the Church of the Good Shepherd located at Broadway and 207th Street in New York City, will commemorate the twenty-fifth anniversary of the ordination to the priesthood of Reverend Donal Francis Forrester, C.S.P.; and

WHEREAS, Father Don, as he is affectionately known to thousands of San Franciscans and other Catholics has enjoyed an unusual record of achievement during his quarter century as a member of the Order of the Paulist Fathers; and

WHEREAS, Reverend Forrester is a native New Yorker, and a graduate of Fordham University of New York, and Catholic University of Washington, D. C.; and

WHEREAS, Twenty-five years ago Reverend Forrester was ordained by the great Cardinal of Charity, Patrick Hayes; and

WHEREAS, As a young priest and outstanding athlete, he directed the Catholic Youth Organization in New York; and

WHEREAS, During World War II he served with distinction as a chaplain in North Africa, Sicily, Italy, and France and during the Korean War he did duty on the islands of Tirk and Mayguana; and

WHEREAS, Reverend Forrester spent many years as the administrator in charge of the St. Mary's Chinese Mission at Old St. Mary's Church in San Francisco, and while there he further developed the famed St. Mary's Chinese Girls Drum Corps, which now is a national institution; and

WHEREAS, Reverend Forrester has been a prominent member of the Press and Union League Club of San Francisco; and

WHEREAS, At the present time he is ably directing the Catholic Information Center in Mobile, Alabama; and

WHEREAS, Reverend Donal Francis Forrester has, during his 25 years as a Catholic Priest, been a credit to his Church, his Order, and his Country; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Reverend Donal Francis Forrester on his outstanding career as a priest of the Catholic Church and for the outstanding contributions that he has made to San Francisco, to California, and to the Nation; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Reverend William Michell, Superior General,

C.S.P., New York City, and Reverend John E McGarity, C S.P , Pastor, Old St Mary's Church, San Francisco, and Reverend Donal F. Forrester, C.S.P , Paulist Fathers, Mobile, Alabama.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 267

By Messrs. Charles H. Wilson, Johnson, Bane, George E. Brown, Burke, Cameron, Collier, Cusanovich, Elliott, Ernest R. Geddes, Hawkins, Kilpatrick, Levering, Miller, Munnell, Porter, Shell, Thelin, Thomas, Unruh, and George A. Willson:

### House Resolution No. 267

Relating to the commendation of Ralph P. Merritt

WHEREAS, Ralph P. Merritt was born in Rio Vista, California, educated in the public schools of Oakland and graduated from the University of California; and

WHEREAS, Mr. Merritt has had a long career of outstanding success in the fields of commerce, business, and agriculture and has served as a director of the Chamber of Commerce of the State of California and of the United States; and

WHEREAS, Mr. Merrittt held several important positions in connection with the war effort during World War I and World War II; and

WHEREAS, Ralph P. Merritt was one of the leaders in securing the formation of the Los Angeles Metropolitan Transit Authority, recognizing the need for modern mass transportation in the Los Angeles area; and

WHEREAS, He served as General Manager of the Los Angeles Metropolitan Transit Authority from 1952 to 1956 and as a member of the Los Angeles Metropolitan Transit Authority from 1955 to 1956; and

WHEREAS, Upon reorganization of the Los Angeles Metropolitan Transit Authority in September of 1957, he became Executive Director of the Los Angeles Metropolitan Transit Authority; and

WHEREAS, Mr. Merritt has announced his resignation as Executive Director of the Los Angeles Metropolitan Transit Authority; and

WHEREAS, Mr. Merritt's contribution to the formulation of plans and development of the Los Angeles Metropolitan Transit Authority has indeed been an important benefit for the Los Angeles area; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Mr. Ralph P. Merritt for his outstanding career in the fields of endeavor which he has undertaken; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this resolution to Mr. Ralph P. Merritt and to Miss Lois Wright, his loyal and efficient secretary.

Resolution read, and adopted unanimously

## RE-REFERENCE OF SENATE BILL NO. 480

Speaker Brown ordered **Senate Bill No. 480** re-referred to the Committee on Ways and Means.

## EXPLANATIONS OF ABSENCE

May 20, 1959

It was necessary for me to be absent during most of this morning's session in the chamber because I had to present one of my bills to the Senate Governmental Efficiency Committee.

LOUIS FRANCIS

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I was in the Senate Lounge on Senate Bill No. 565 from 11 a.m. to 11.53 a.m. today.

CHARLES J. CONRAD

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May 20, 1959

I was absent from the Assembly Chamber from 9.30 a.m. to 10 a.m. today as I was presenting two of my bills before the Senate Education Committee.

TOM BANE

## ADJOURNMENT

At 12.02 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m. Thursday, May 21, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-FIRST LEGISLATIVE DAY

NINETY-NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, May 21, 1959

The Assembly met at 9 30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God and Father of us all*, We are assembled as those who bear responsibility for the public, for all the public, with whom we would be identified in the spirit of words once expressed by a great-hearted man:

"While there is a lower class, I am in it,
While there is a criminal element, I am of it,
While there is a soul in jail, I am not free."

May it be said of us, as it was once spoken of the poet Whittier, that his chief glory was "not that he could speak inspired words, but that he spoke them for the despised, the helpless, and the dumb, for those too ignorant to honor him, too poor to reward him." We make our prayer in the name of the compassionate Christ.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. George A. Willson.

## LEAVES OF ABSENCE FOR A PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. MacBride, on request of Speaker Brown.

Mr. Coolidge, on request of Speaker Brown.

Mr. Porter, on motion of Mr. Thomas.

Mr. Frew, on motion of Mr. Garrigus.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

SAN JOSE STATE COLLEGE
OFFICE OF THE PRESIDENT
SAN JOSE, May 12, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*Capitol Building, Sacramento*

DEAR MR. OHNIMUS: I appreciated receiving from you a copy of Assembly Concurrent Resolution No. 103. This resolution deals with an extremely important and timely subject.

We are greatly pleased that the Legislature has authorized the use of our facilities by retired scientists for the pursuit of scientific endeavors. This is a most appropriate use of our facilities and I am sure that a considerable amount of significant research and study will be done at the state college and university campuses.

Sincerely,

JOHN T. WAHLQUIST

1535 HESS ROAD
REDWOOD CITY, May 18, 1959

*Members of the Assembly*
*California State Legislature, Sacramento*
*To the Attention of Hon. Louis Francis, 25th District*

GENTLEMEN: We deeply appreciate the honor and tribute paid to the memory of our beloved husband and father, William I. Farmer, by Members of the House of the California State Assembly in the passage of Assembly House Resolution No. 146 and will always treasure the copies transmitted to us. Thank you for this gesture.

Very sincerely,

RACHEL J. FARMER
ELIZABETH FARMER LONG
WILLIAM HUGHES FARMER

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The following communication was presented by the Speaker and ordered printed in the Journal:

BRIEFLY—

To make a very long story short, in November, 1956, I went to the Welfare Department in San Francisco to apply for old age security. A clerk would not allow me to apply and walked to the back but in my full view and phoned. She then stood around back doing nothing and saying nothing for over 20 minutes and then said a few words which ended the interview.

The theory is that she phoned saboteurs who had me illegally kidnapped and taken to an insane asylum prison without trial or hearing in a devious manner which intended to hide the illegal action from thoughts that the Welfare Department had anything to do with it. She was shot and killed on January 16, 1959, by a man she presumably did the same to. There I finally got a *state* welfare worker to send for the old age pension papers which were filled out and mailed.

The Welfare Department then *again illegally* prevented me from getting the pension by mailing a fake statement to this state agent falsely saying that they contacted Blum Advertising Agency, Mission near 4th, San Francisco, and were told that I never worked there. After I left the asylum prison I wrote Blum's. They said no one inquired and did not deny I worked there for years.

On the basis of this false statement, pray that you will ask the Legislature to issue an order to San Francisco County to mail me the maximum amount of the pension each month to allow me to have said mail forwarded to frustrate saboteurs trying to false imprison again, thereby relieving me of indescribably extremely much

worry, fear, anxiety, grief; and to have the first check comply with the law by including the retroactive sum from January 30, 1957, which was the date I was finally allowed to apply, but only through pressure of the state agent. The Legislature should be advised that an early judgment is in order due to the great need of this petitioner who is 77 and living on borrowed time and borrowed money.

I have mailed thousands of these letters to attorneys but nearly all failed to even reply.

The theory is that the San Francisco Welfare Department is operated as a political patronage enterprise. I am wondering as to the legality of instigating a general strike, a taxpayers' no tax payment strike and so forth against San Francisco County if necessary.

If interested in a secret technique which pays you your money back in full every time your horses lose and also pays you in full every time they win please let me know. Same bets. Same money. No other bets. Unbelievable but true.

Sincerely,

JOHN RISAGNO
General Delivery
San Ysidro, California

Postcript—

If you will not handle, please mail this back so that I can mail it to someone else. Also the envelope so that I can check something.

Thank you.

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The following communications were presented by the Chief Clerk from:

Louis Brown of San Francisco, relative to crime and unemployment. Referred to the Committee on Criminal Procedure.

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Mrs. Marie Dawson of Project City, and five others, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

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Zerlina B. Lewis of Omaha, Nebraska, relative to Assembly Bill No. 1174. Referred to the Committee on Revenue and Taxation.

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Abraham Binneweg, Jr., of Oakland, relative to traffic courts. Referred to the Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 148**—An act to add Section 1010 to the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to school districts;

**Assembly Bill No. 516**—An act to amend Section 1431 of the Probate Code, relating to claims of minors;

**Assembly Bill No. 630**—An act to convey certain tide and submerged lands to the City of San Leandro, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof;

**Assembly Bill No. 941**—An act to amend Section 68546 of the Government Code, relating to court attaches;

**Assembly Bill No. 984**—An act to amend Sections 20055, 20685, 20897, 21100, 21207, 21251.15 and 21261 of the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 1156**—An act to amend Section 230 of the Elections Code, relating to the form of the affidavit of registration;

**Assembly Bill No. 1684**—An act to amend Section 16½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), relating to the condemnation of property by the Los Angeles County Flood Control District;

**Assembly Bill No. 1765**—An act to add Section 25083 to the Government Code, relating to the canvass of local or special election votes by board of supervisors on regular meeting day;

And reports the same correctly enrolled, and presented to the Governor on the twentieth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 107**—Relating to the preparation of the Summary Digest;

**Assembly Concurrent Resolution No. 113**—Relative to the appointment of a music committee;

And reports the same correctly enrolled, and presented to the Secretary of State on the twentieth day of May, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 158
Assembly Bill No. 2360

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 405
Assembly Bill No. 406
Assembly Bill No. 407
Assembly Bill No. 408
Assembly Bill No. 409
Assembly Bill No. 410
Assembly Bill No. 2339
Assembly Bill No. 2476
Assembly Bill No. 2533

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 168
Senate Bill No. 461
Senate Bill No. 782

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 56
Assembly Bill No. 1705
Assembly Bill No. 1708
Assembly Bill No. 2143

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1336
Assembly Bill No. 2532
Assembly Bill No. 2353

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1337
Assembly Bill No. 1338
Assembly Bill No. 1476
Assembly Bill No. 2399

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2430

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 72
Senate Bill No. 884

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Bill No. 565

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER. Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 758

With the recommendation: Do pass.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 198

With amendments with the recommendation: Amend, and re-refer to the Committee on Elections and Reapportionment.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Bill No. 566

With the recommendation: Do pass.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1697

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2248

With amendments with the recommendation: Amend, and do pass, as amended.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 330

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2298

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1565

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 14

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Public Health

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 376
Senate Bill No. 627

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2440

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 391

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER. Your Committee on Public Health reports:

Assembly Bill No. 1627

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2165

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

RUMFORD, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Health reports.

Assembly Bill No. 2296

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 105
Assembly Bill No. 2317
Assembly Bill No. 2507

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 171

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No 476

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2512

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 103

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Social Welfare reports.

Senate Bill No. 515

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR SPEAKER: Your Committee on Social Welfare reports.

Senate Bill No. 919

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No 2509
Assembly Bill No. 2506
Assembly Bill No. 467
Assembly Bill No. 152

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bills ordered to second reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, May 19, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 395
Assembly Bill No. 578
Assembly Bill No. 1281
Assembly Bill No. 1591
Assembly Bill No. 1904
Assembly Bill No. 2416
Assembly Bill No. 2417

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER. Your Committee on Education reports:

Assembly Bill No. 2486

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 714

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1692
Assembly Bill No 2175

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 285
Senate Bill No. 724

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1198

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 86

With amendments with the recommendation: Amend, and do pass, as amended

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 96

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 100

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No 60
Assembly Concurrent Resolution No. 130
Assembly Concurrent Resolution No 123

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, May 21, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 270
House Resolution No. 273
House Resolution No. 151
House Resolution No 274

With the recommendation: Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 913
Senate Bill No. 1022

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BELOTTI, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No 2462

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 994

With amendments with the recommendation: Amend, and do pass, as amended

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No 2397

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Agriculture

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 1127

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1470

With amendments with the recommendation: Amend, and re-refer to the Committee on Agriculture.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2478

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2531

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 96

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Public Health

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2484

With amendments with the recommendation: Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, May 20, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2520

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 1487**—An act to add Sections 9561 and 9562 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Sections 10857 and 10858 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 1487 ordered enrolled.

SENATE CHAMBER, May 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 34

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, May 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1674

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, May 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 379 | Assembly Bill No. 985 |
| Assembly Bill No. 951 | Assembly Bill No. 1218 |
| Assembly Bill No. 952 | Assembly Bill No. 1342 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 203 | Assembly Bill No 1193 |
| Assembly Bill No. 397 | Assembly Bill No. 1455 |
| Assembly Bill No. 614 | Assembly Bill No. 1836 |
| Assembly Bill No. 660 | Assembly Bill No. 2089 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 14
Senate Concurrent Resolution No. 62

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Constitutional Amendment No. 14**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of, and by adding Sections

1b, 1c, 10b, and 26a to, Article VI of said Constitution, relating to the administration of justice, including removal and retirement of judges, the membership and duties of the Commission on Judicial Qualifications, Judicial Council, and State Bar, and the renaming of the Commission on Qualifications.

Referred to Committee on Constitutional Amendments.

**Senate Concurrent Resolution No. 62**—Relative to city streets and county roads.

Referred to Committee on Rules.

**Chief Clerk Arthur A. Ohnimus at the Desk**

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 20, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 176
Senate Bill No. 485
Senate Bill No. 538
Senate Bill No. 542
Senate Bill No. 712
Senate Bill No. 734
Senate Bill No. 754

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 176**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 485**—An act to amend Section 16302.1 of, and to repeal Section 13145 of, the Government Code, and to amend Sections 19052, 19053, 19053.9, 26072, and 26073 of the Revenue and Taxation Code, relating to the disposition of overpayments of taxes, fees, and other revenues collected by state agencies.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 538**—An act to amend Sections 12800, 12803, 12826, and 12829, to repeal Article 2 (commencing at Section 12810) of Chapter 3, Part 6, Division 6, and to amend and renumber the title of Article 3 (commencing at Section 12825) of Chapter 3, Part 6, Division 6, of the Water Code, relating to the Flood Control Fund of 1946, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Senate Bill No. 542**—An act to amend Sections 16838, 16839, 16840, 16841, and 16843 of the Education Code, and Sections 12408, 12409, 12410, 12411, and 12413 of the Education Code as proposed by Senate Bill No. 2, and Section 700 of the Welfare and Institutions Code, relating to insubordinate or disorderly school children.

Referred to Committee on Education.

**Senate Bill No. 712**—An act to amend Sections 2016, 2019, 2020, 2021, 2024, 2025, 2026, 2030, 2032, 2033 and 2034 of, and to add Sections 1991.1, 1991.2 and 2023 to, the Code of Civil Procedure, relating to depositions and discovery.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 734**—An act to amend Section 108 of the Civil Code, relating to divorce on the ground of incurable insanity.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 754**—An act to add Section 730.05a to the Civil Code, relating to the inclusion in the Uniform Principal and Income Law of provisions concerning the distribution of net probate income.

Referred to Committee on Judiciary—Civil.

## REMARKS ON CONDITION OF FILE

Mr. Collier spoke on the condition of the file.

## ANNOUNCEMENT

Speaker Brown announced that the printer had made an error relative to Assembly Bill No. 800, which appears as Item 42 on page 35 of the Assembly Daily File; and directed that the committee action be corrected to read: "Do pass, as amended," instead of "Do pass. To Consent Calendar."

Speaker Brown stated further that this definitely was not an error by the Assembly desk.

## PARLIAMENTARY INQUIRY

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Does not Assembly Bill No. 800 return to the second reading file pursuant to Rule No. 69?

### Reply by Speaker

The Speaker replied that it will appear on second reading tomorrow pursuant to Rule No. 69.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Frew was granted unanimous consent that Assembly Bill No. 2292 be removed from the Consent Calendar, and placed on the third reading file.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 398, 2461, 2487, 2522, 2485, 2495, 2457, 2450, 2448, 2011, 1047, 2405,** and **2406.**

Assembly Bills Nos. 2522, 2485, 2495, 2405, and 2406 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos 398, 2011, and 1047 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 2461, 2487, 2457, 2450, and 2448 ordered to the Consent Calendar, subsequent to engrossment.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2449**—An act to add Article 11 (commencing at Section 26620) to Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code, relating to additional duties of sheriff as ex officio Director of Civil Defense and Disaster.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Natural Resources, Planning, and Public Works, was read, and adopted:

#### Amendment No. 1

On page 2, after line 17, of the printed bill, insert

"26625. This article shall apply only to counties with a population of 700,000 or more."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1490**—An act to add Section 5003.4 to the Public Resources Code, relating to the State Park System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1867**—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1974**—An act to amend Sections 13002, 13005, 13022, 13025, 13041, 13042, 13050, 13052, 13054, 13055, 13060, and 13063 of, to add Sections 13000.1, 13000.2, 13000.3, 13020.1, 13022.1, 13052.1, 13054.1, 13054.2, 13054.3, 13054.4, 13054.5, and 13055.1 to, to repeal Sections 13061, 13061.5, and 13062 of, and to add Article 4 (commencing at Section 13080) to Chapter 4 of Division 7 of, the Water Code, and to amend Section 5460 of the Health and Safety Code, relating to water pollution.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

#### Amendment No. 1

On page 3, lines 50 and 51, of the printed bill, as amended in the Assembly on May 15, 1959, strike out "sufficiently detailed to provide adequate quality standards".

#### Amendment No. 2

On page 4, lines 5 and 6, strike out "and be guided by".

#### Amendment No. 3

On page 4, strike out line 19, and in line 20, strike out "13055.2", and insert "13054.1, 13054.2, 13054.5, 13055".

#### Amendment No. 4

On page 7, lines 33 and 34, strike out "prescribe requirements for waste discharges which utilize the full", and insert "authorize the utilization of the full waste".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2390**—An act to create the Yuba-Bear River Basin Authority, to develop and promote the regulation of the water resources of the Yuba and Bear Rivers watersheds for beneficial use in the Counties of Yuba, Placer, Nevada, Sierra and Sutter, prescribing the authority's powers and duties, providing for its organization, operation and management and authorizing the incurrence of indebtedness providing for the issuance of bonds, providing for the levy and collection of taxes, and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, after "roads", insert a comma.

**Amendment No. 2**

On page 3, line 12, strike out "herein", and insert "therein".

**Amendment No. 3**

On page 4, line 13, strike out the period at the end of the line, and insert ", or the Federal or State Government."

**Amendment No. 4**

On page 6, line 49, after "water", strike out "for", and insert "or".

**Amendment No. 5**

On page 12, line 45, strike out the semicolon at the end of the line, and strike out all of lines 46 and 47 except the period at the end

**Amendment No. 6**

On page 13, line 16, strike out "agency", and insert "authority".

**Amendment No. 7**

On page 15, line 3, strike out "(f)", and insert "(p)".

**Amendment No. 8**

On page 15, line 34, strike out "Said bonds and the", and strike out all of lines 35, 36, 37, and 38.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 1847**—An act to create the Nevada County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Nevada County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on May 7, 1959, strike out lines 39 to 51, inclusive.

**Amendment No. 2**

Strike out all of page 4; and on page 5, strike out lines 1 to 7, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1221**—An act to add Section 235 to the Water Code, relating to state construction of flood control and water conservation projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1592**—An act to create a flood control district to be called Siskiyou County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 6**—An act to amend Section 10500 of the Water Code, relating to the development, utilization, and conservation of the water resources of the State.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1725**—An act to add Chapter 2 8 (commencing at Section 8150) to Division 1 of Title 2 of the Government Code, relating to the Capitol Building and Planning Commission, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 3, lines 15 and 16, of the printed bill, strike out "one hundred thousand dollars ($100,000)", and insert "fifteen thousand dollars ($15,000)".

**Amendment No. 2**

On page 3, line 18, strike out "twenty-five thousand dollars ($25,000)", and insert "fifteen thousand dollars ($15,000)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2109**—An act to add Article 6.5 (commencing at Section 53800) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relative to the issuance of building certificates by local public agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2155**—An act to amend Sections 23816, 23821, and 23954.5 of, and to add Section 24072.3 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2147**—An act to amend Section 24072.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2527**—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1431**—An act to amend Section 25600 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 25600 of", and insert "add Section 25600.1 to".

#### Amendment No. 2

On page 1, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 25600.1 is added to the Business and Professions Code, to read:

25600.1. In any printed advertisement in which retail alcoholic beverage prices are advertised which contains any reference to free goods, gifts, or premiums, the advertisement shall state that no free goods, gifts, or premiums can legally be given, directly or indirectly, in conjunction with the sale of alcoholic beverages. A first violation of this section shall be grounds for a warning to be given by the Department of Alcoholic Beverage Control, and further violation of this section shall be grounds for the suspension or revocation of the license, but shall not be a misdemeanor."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2516**—An act to amend Section 65020 of the Government Code, relating to the Local Planning Advisory Committee.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 65004 and".

#### Amendment No. 2

In line 2 of the title, strike out "Local".

**Amendment No. 3**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 65004 of the Government Code is amended to read:

65004. "Committee" *as used in this chapter* means the ~~Local~~ Planning Advisory Committee.

SEC. 2. Section 65020 of said code is amended to read:".

**Amendment No. 4**

On page 1, line 3, after "assistance to", insert "State and".

**Amendment No. 5**

On page 1, line 5, after "to", insert "State and".

**Amendment No. 6**

On page 1, line 5, strike out "Local".

**Amendment No. 7**

On page 1, line 18, strike out "is the policy-making body to provide", and insert "shall provide advice and".

**Amendment No. 8**

On page 1, line 19, after "to", insert "the State Office of Planning in".

**Amendment No. 9**

On page 2, line 1, strike out "or", and insert "and".

**Amendment No. 10**

On page 2, line 2, strike out "policies and advice", and insert "advice and guidance".

**Amendment No. 11**

On page 2, line 2, strike out "department", and insert "office".

**Amendment No. 12**

On page 2, lines 3 and 4, strike out "specifies through its policies", and insert "shall specify".

**Amendment No. 13**

On page 2, lines 5 and 6, strike out "Director of Finance", and insert "State Office of Planning".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2519**—An act to amend Section 65021 of, and to add Section 65021.1 to the Government Code, relating to planning.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 65021 of, and to add Section 65021.1 to" and insert "Sections 65004 and 65021 of, and to add Sections 65008 and 65021.1 to, and to add Article 2 (commencing at Section 65030) to Chapter 1, Title 7 of, and to repeal Article 2 (commencing at Section 65030) of Chapter 1, Title 7 of,".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 65004 of the Government Code is amended to read:

65004. "Committee" *as used in this chapter* means the ~~Local~~ Planning Advisory Committee.

SEC. 2. Section 65008 is added to said code, to read:

65008. "Office" as used in this chapter means the State Office of Planning.

SEC. 3. Section 65021 of said code is amended to read:".

**Amendment No. 3**

On page 1, line 4, strike out "Department of Finance", and insert "office".

**Amendment No. 4**

On page 2, line 21, after "trends" insert ", in co-operation with, and utilizing the physical development plans as prepared by state, local, regional and federal agencies,".

**Amendment No. 5**

On page 2, line 24, after "regarding", insert "the State's".

**Amendment No. 6**

On page 2, line 25, strike out "comprise:", and insert "include by discussion and agreement between the agencies involved, the projects and other improvement proposals of the departments and divisions of State Government, the projects and improvements proposed by the Federal Government, and the major aspects of master or general plans of regional and local agencies of government."

**Amendment No. 7**

On page 2, line 26, strike out "(1) A", and insert "The State Development Plan shall further include, and consist of, a".

**Amendment No. 8**

On page 2, line 28, strike out "to, a statement citing the principal findings of fact"; strike out lines 29 to 32, inclusive, and insert "to:

(1) A statement including principal findings of fact and delineating physical growth and development problem and potentialities of the State;

(2) A statement of the major objectives and principles and a summary of the proposals expressed in the plan;".

**Amendment No. 9**

On page 2, line 33, strike out "(2)", and insert "(3)".

**Amendment No. 10**

On page 2, line 43, strike out the period, and insert "; and

(4) Recommendations concerning the need for, and the proposed general location of, major public and private works and facilities, which works or facilities or reservations of land and water therefor, by reason of their function, size, extent, legal status, or for any other cause, are of state concern; or the authorization, location or construction of which are legally within the province or jurisdiction of state agencies or officials, or which for any other cause are appropriate subjects for inclusion in the State Development Plan."

**Amendment No. 11**

On page 2, strike out lines 44 to 47, inclusive, and insert

"(i) Upon completion, the State Development Plan shall be printed by the State Printing Office as a public document.

The Planning Officer shall first transmit a copy of the plan to the Director of Finance. The director shall transmit the plan, together with his comments and recommendations, to the Governor. The Governor shall review and, upon his approval, shall transmit the plan together with his comments to the President pro Tempore of the Senate and to the Speaker of the Assembly and shall file a copy of the plan, together with his comments and recommendations, with the Secretary of State The Legislature may, by appropriate resolution, adopt the plan in principle. The Planning Officer shall transmit the plan, together with the comments and recommendations of the Governor, to each state department, board or agency, to appropriate federal agencies and to the chief executive officer of each county and city in the State."

**Amendment No. 12**

On page 3, between lines 4 and 5, insert

"(k) Shall, in preparing the State Development Plan, or any part thereof, and in preparing, from time to time, revisions, amendments, extensions or additions to said plan, seek the cooperation and advice of any officer, department, agency or instrumentality of State Government, and may seek such advice and cooperation from any educational or research institution or organization, whether public or private, and of civic groups or private persons or organizations.

(*l*) Shall, in order to assist in the preparation of the State Development Plan, encourage at all times the correlation of project planning by state agencies, and the formation of local and regional planning agencies and the correlation of their long-range planning programs and efforts.

(m) May call conferences of representatives of federal, state, regional and local agencies for the purpose of developing, or for the purpose of reviewing or revising the State Development Plan by discussion and agreement."

**Amendment No. 13**

On page 3, strike out lines 5 to 18, inclusive, and insert

"SEC 4 Section 65021.1 is added to said code, to read:

65021 1. Each state department, board or agency shall participate in the preparation of the State Development Plan or revisions thereof, and shall give consideration thereto in the planning of projects and other improvements under its jurisdiction, but such duty to consider said plan shall not operate to circumscribe the authority of such department, board or agency.

SEC. 5 Article 2 (commencing at Section 65030) of Chapter 1, Title 7 of said code is repealed.

SEC. 6. Article 2 (commencing at Section 65030) is added to Chapter 1, Title 7 of said code, to read:

Article 2. State Office of Planning

65030. It is declared to be the policy of the State and the intent of the Legislature to provide an agency in the State Government, of an advisory nature, which agency shall be a co-ordinating agency for the Governor, functioning through the Director of Finance, and an advisory agency to the Legislature. This agency shall have particular responsibility for:

(a) The preparation, maintenance and periodic revision of a comprehensive state development plan.

(b) The co-ordination of public works programs undertaken by state agencies.

(c) The provision of planning assistance to local, district and regional planning agencies and to other public agencies upon request.

(d) The undertaking of such other physical planning and co-ordinating studies and activities as will implement the policies and intent of the Legislature as herein set forth.

65031. The State Office of Planning is hereby established in the Department of Finance, and said office shall be under the direct control of a Planning Officer.

65032. The State Office of Planning through the Director of Finance shall:

(a) Prepare, maintain, regularly review and revise a comprehensive, long-range, general plan for the physical growth and development of the State in cooperation with, and utilizing the physical development plans as prepared by, state, local regional and federal agencies, which plan shall be known as the State Development Plan.

(b) Assist the Budget Division of the Department of Finance in the preparation of the capital improvement section of the annual budget and a long-term capital improvement program.

(c) Act as a research agency responsible for the coordination of basic studies and investigation of the resources of the State and of existing and emerging developmental problems, and for the undertaking of such studies when necessary

(d) Act as a central repository for state, federal, regional and local research studies, plans and project proposals relating to the existing and future physical growth and development of the State and to the conservation, use and development of its resources.

(e) Encourage the formation and proper functioning of local and regional planning agencies.

(f) Accept and allocate or expend grants and gifts from any source, public or private, for the purposes of state participation in state, regional and local planning.

(g) Act as the principal staff agency to the Governor and the Director of Finance in matters concerning the physical growth and development of the State and its resources and, in this capacity, undertake special studies and investigations, submit reports and render advice to the Governor and the Director of Finance whenever requested

(h) Provide information to, and co-operate with, the Legislature, or any of its committees or officers in connection with studies and matters relevant to the physical growth and development of the State and its resources.

65033 For the purpose of administering this article, the Director of Finance shall appoint and fix the salary of a Planning Officer in accordance with Article XXIV of the Constitution.

65034 Under the direction of the Director of Finance, the Planning Officer shall perform all duties, exercise all powers, assume and discharge all responsibilities and carry out and effect all purposes vested by law in the office.

65035. The Planning Officer may, with the approval of the Director of Finance, contract for professional or consultant services in connection with the work of the office.

65036. The Planning Officer, or his designated representative, shall also act as, and exercise the powers and duties of, the administrative secretary of the Planning Advisory Committee.

65037. In addition to the foregoing the Planning Officer shall also:

(a) In co-operation with regional and local agencies, review information, reports and data which relate to state planning.

(b) Hold hearings whenever he deems it necessary on matters of state planning, after notice to interested parties.

(c) Attend meetings and conferences of or between planning agencies at all levels of government, including federal and interstate agencies, in the interests of intergovernmental planning co-operation."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2357**—An act to amend Sections 13145 and 13146 of, and to add Section 13147 to, the Health and Safety Code, relating to the inspection of buildings for the prevention of fire and protection of life and property against fire or panic.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "Section 13147", and insert "Sections 13146.3 and 13146.5".

**Amendment No. 2**

On page 2, line 3, strike out "13147", and insert "13146.3".

**Amendment No. 3**

On page 2, line 4, strike out "13147", and insert "13146.3".

**Amendment No. 4**

On page 2, line 5, after "district", insert "and his authorized representatives".

**Amendment No. 5**

On page 2, line 8, after "Marshal", insert "and his authorized representatives".

**Amendment No. 6**

On page 2, line 11, after "district", insert "and his authorized representatives".

**Amendment No. 7**

On page 2, after line 11, insert

"SEC. 4. Section 13146.5 is added to said code, to read:

13146.5. The provisions of Sections 13145, 13146 and 13146.3 shall, so far as practicable, be carried out at the local level by persons who are regular full-time members of a regularly organized fire department of a city, county, or fire protection district, and shall not be carried out by other persons pursuant to Section 34004 of the Government Code."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2420**—An act to add Article 9.5 (commencing with Section 7040) to Chapter 5 of Part 1 of Division 2 of the Insurance Code, relating to merger of county mutual fire insurers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2, line 7, of the printed bill, as amended in the Assembly on May 13, 1959, strike out "articles of incorporation or".

**Amendment No. 2**

On page 2, strike out lines 26 to 34, inclusive.

**Amendment No. 3**

On page 2, line 35, strike out "7044", and insert "7043".

**Amendment No. 4**

On page 2, line 41, strike out "7045", and insert "7044".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1669**—An act to add Section 653m to the Penal Code, relating to electronic eavesdropping.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, before "Every", insert "(a)".

**Amendment No. 2**

On page 1, line 6, strike out "or temporary".

**Amendment No. 3**

On page 1, line 6, after the second comma, insert "without consent of the person entitled to possession of such premises at the time of such act,".

**Amendment No. 4**

On page 1, line 7, strike out "felony", and insert "misdemeanor".

**Amendment No. 5**

On page 1, after line 7, insert

"(b) The term "person" includes an individual, business association, partnership, corporation, or other legal entity, and an individual acting or purporting to act for or on behalf of any government or subdivision thereof, whether federal, state, or local, but excludes an individual known by all parties to a conversation to be overhearing or recording such conversation.

(c) Except as proof in a suit or prosecution for violation of this section, no evidence obtained as a result of eavesdropping upon or recording conversation in violation of this section shall be admissible in any judicial, administrative, legislative or other proceeding.

(d) This section shall not apply to any public utility engaged in the business of providing communications services and facilities, or to the officers, employees or agents thereof, where the overhearing is for the purpose of construction, maintenance, conduct or operation of the services and facilities of such public utility, or to the normal use of the services and facilities furnished by such public utility pursuant to its tariffs.

(e) This section shall not be construed to repeal Section 640 or Section 653h or to render lawful any act which is unlawful under either of those sections.

(f) As used in this section, "electronic device" does not include a hearing aid used by a person who is hard of hearing."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 2249**—An act to add Chapter 7 5 (commencing with Section 310.01 to Title 9 of Part 1 of the Penal Code, and to amend the heading to Chapter 8 of Title 9 of Part 1 of said code, and to repeal Sections 311, 312, 313, and 314 of, and to add Sections 311 and 311.1 to, said code, and to add Section 535 to the Code of Civil Procedure, relating to obscene and indecent exposure, materials, and performances.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 3, line 32, of the printed bill, as amended in the Assembly on May 1, 1959, after "judge", insert "; provided, that if there are fewer than three superior court judges in the county, the panel shall consist of all of the superior court judges in that county".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 2481**—An act to amend Section 2877 of the Penal Code, relating to handiwork articles made by prisoners.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2491**—An act to amend Section 1269b of the Penal Code, relating to bail.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2492**—An act to add Chapter 5C (commencing with Section 853.6) to Title 3, Part 2, of the Penal Code, relating to citations for misdemeanors under state law.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 306**—An act to add Article 4 (commencing at Section 17600) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to barber colleges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 469**—An act to add Sections 7044.5 and 7054 to the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2358**—An act to create the Lincoln Sesquicentennial Commission of California, and to prescribe the powers and duties thereof.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2433**—An act to amend Section 19538 2 of the Business and Professions Code, and to amend Section 19557 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to horse racing.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

(Item 4)

**Amendment No. 1**

On page 2, line 13, of the printed bill, strike out "432,000", and insert "1,069,593".

(Item 7)

**Amendment No. 2**

On page 2, line 19, strike out "43,200", and insert "45,600".

(Item 8)

**Amendment No. 3**

On page 2, line 24, strike out "156,000", and insert "655,950".

(Item 13)

**Amendment No. 4**

On page 3, line 13, strike out "82,508", and insert "90,808".

**Amendment No. 5**

On page 3, line 17, strike out "39,515", and insert "47,815".

**Amendment No. 6**

On page 3, line 19, strike out "82,508", and insert "90,808".

(Item 16)

**Amendment No. 7**

On page 3, line 28, strike out "786,733", and insert "793,573".

(Item 17)

**Amendment No. 8**

On page 3, line 29, strike out "220,336", and insert "213,496".

(Item 23)

**Amendment No. 9**

On page 3, line 47, after "13320", strike out the comma.

(Item 25)

**Amendment No. 10**

On page 4, line 4, after "13320", strike out the comma.

(Item 27)

**Amendment No. 11**

On page 4, strike out lines 12 to 18, inclusive.

(Item 28)

**Amendment No. 12**

On page 4, line 21, strike out "65,631", and insert "74,513".

**Amendment No. 13**

On page 4, line 24, strike out "43,796", and insert "52,400".

**Amendment No. 14**

On page 4, line 26, strike out "21,835", and insert "22,113".

**Amendment No. 15**

On page 4, line 28, strike out "65,631", and insert "74,513".

(Item 29)

**Amendment No. 16**

On page 4, line 34, strike out "341,790", and insert "338,470".

**Amendment No. 17**

On page 4, line 38, strike out "232,169", and insert "228,849".

**Amendment No. 18**

On page 4, line 40, strike out "1,001,090", and insert "997,770".

**Amendment No. 19**

On page 4, line 43, strike out "341,790", and insert "338,470".

(Item 31)

**Amendment No. 20**

On page 4, line 47, strike out "2,508,963", and insert "2,489,879".

**Amendment No. 21**

On page 5, line 3, strike out "2,332,278", and insert "2,313,755".

**Amendment No. 22**

On page 5, line 5, strike out "434,898", and insert "434,337".

**Amendment No. 23**

On page 5, line 7, strike out "2,767,176", and insert "2,748,092".

**Amendment No. 24**

On page 5, line 10, strike out "2,508,963", and insert "2,489,879".

(Item 34)

**Amendment No. 25**

On page 5, line 37, strike out "8,014,368", and insert "8,021,641".

**Amendment No. 26**

On page 5, line 41, strike out "2,515,724", and insert "2,522,997".

**Amendment No. 27**

On page 5, line 43, strike out "8,750,595", and insert "8,757,868".

**Amendment No. 28**

On page 5, line 46, strike out "8,014,368", and insert "8,021,641".

(Item 39)

**Amendment No. 29**

On page 6, line 45, after "Administration" strike out the comma.

**Amendment No. 30**

On page 6, line 48, strike out "2,625,870", and insert "2,657,737".

**Amendment No. 31**

On page 7, line 3, strike out "2,022,779", and insert "2,049,501".

**Amendment No. 32**

On page 7, line 5, strike out "612,251", and insert "617,396".

**Amendment No. 33**

On page 7, line 7, strike out "2,510,030", and insert "2,666,897".

**Amendment No. 34**

On page 7, line 10, strike out "2,625,870", and insert "2,657,737".

(Item 43)

**Amendment No. 35**

On page 7, line 32, strike out "3,811,914", and insert "3,807,510".

**Amendment No. 36**

On page 7, line 34, strike out "2,776,066", and insert "2,771,662".

**Amendment No. 37**

On page 7, line 39, strike out "3,895,614", and insert "3,891,210".

**Amendment No. 38**

On page 7, line 42, strike out "3,811,914", and insert "3,807,510".

(Item 45)

**Amendment No. 39**

On page 8, line 7, strike out "4,957,665", and insert "4,950,012".

**Amendment No. 40**

On page 8, line 9, strike out "3,351,340", and insert "3,349,049".

**Amendment No. 41**

On page 8, line 11, strike out "2,024,620", and insert "2,060,748".

**Amendment No. 42**

On page 8, line 12, strike out "127,875", and insert "138,945".

**Amendment No. 43**

On page 8, line 14, strike out "5,503,835", and insert "5,548,742".

**Amendment No. 44**

On page 8, line 15, strike out "546,170", and insert "598,730".

**Amendment No. 45**

On page 8, line 17, strike out "4,957,665", and insert "4,950,012".

(Item 46)

**Amendment No. 46**

On page 8, line 20, strike out "3,719,124", and insert "3,730,917".

**Amendment No. 47**

On page 8, line 22, strike out "2,370,969", and insert "2,378,388".

**Amendment No. 48**

On page 8, line 24, strike out "1,630,435", and insert "1,688,914".

**Amendment No. 49**

On page 8, line 25, strike out "78,680", and insert "93,728".

**Amendment No. 50**

On page 8, line 27, strike out "4,080,084", and insert "4,161,030".

**Amendment No. 51**

On page 8, line 28, strike out "360,960", and insert "430,113".

**Amendment No. 52**

On page 8, line 30, strike out "3,719,124", and insert "3,730,917".

(Item 47)

**Amendment No. 53**

On page 8, line 33, strike out "5,813,462", and insert "5,783,221".

**Amendment No. 54**

On page 8, line 35, strike out "3,390,748", and insert "3,362,680".

**Amendment No. 55**

On page 8, line 37, strike out "2,830,783", and insert "2,881,818".

**Amendment No. 56**

On page 8, line 38, strike out "121,496", and insert "135,356".

**Amendment No. 57**

On page 8, line 40, strike out "6,343,027", and insert "6,379,854".

**Amendment No. 58**

On page 8, line 41, strike out "529,565", and insert "596,633".

**Amendment No. 59**

On page 8, line 43, strike out "5,813,462", and insert "5,783,221".

(Item 48)

**Amendment No. 60**

On page 8, line 46, strike out "5,243,856", and insert "5,269,815".

**Amendment No. 61**

On page 9, line 3, strike out "3,227,060", and insert "3,253,455".

**Amendment No. 62**

On page 9, line 5, strike out "2,200,976", and insert "2,286,468".

**Amendment No. 63**

On page 9, line 6, strike out "58,080", and insert "78,492".

**Amendment No. 64**

On page 9, line 8, strike out "5,486,116", and insert "5,618,415".

**Amendment No. 65**

On page 9, line 9, strike out "242,260", and insert "348,600".

**Amendment No. 66**

On page 9, line 11, strike out "5,243,856", and insert "5,269,815".

(Item 49.5)

**Amendment No. 67**

On page 9, after line 24, insert

"49.5—For support of Northern California Conservation Center, Department of Corrections, in accordance with the following schedule.. 94,274

Schedule:

| | |
|---|---|
| (a) Salaries and wages | 74,103 |
| (b) Operating expenses and equipment | 62,895 |
| (c) Inmate pay-work projects | 12,114 |
| Total of schedule | 149,112 |
| Less estimated reimbursements | 54,838 |
| Net appropriation | 94,274". |

(Item 50)

**Amendment No. 68**

On page 9, line 27, strike out "1,361,043", and insert "1,349,264".

**Amendment No. 69**

On page 9, line 29, strike out "865,830", and insert "857,022".

**Amendment No. 70**

On page 9, line 31, strike out "509,419", and insert "506,448".

**Amendment No. 71**

On page 9, line 34, strike out "1,381,249", and insert "1,369,470".

**Amendment No. 72**

On page 9, line 37, strike out "1,361,043", and insert "1,349,264".

(Item 53)

**Amendment No. 73**

On page 10, line 16, strike out "3,279,986", and insert "3,248,736".

**Amendment No. 74**

On page 10, line 18, strike out "2,383,776", and insert "2,368,026".

**Amendment No. 75**

On page 10, line 20, strike out "904,010", and insert "888,510".

**Amendment No. 76**

On page 10, line 22, strike out "3,287,786", and insert "3,256,536".

**Amendment No. 77**

On page 10, line 25, strike out "3,279,986", and insert "3,248,736".

(Item 61)

**Amendment No. 78**

On page 11, line 40, strike out "1,203,070", and insert "1,192,674".

**Amendment No. 79**

On page 11, line 42, strike out "928,107", and insert "917,711".

**Amendment No. 80**

On page 11, line 46, strike out "1,229,170", and insert "1,218,774".

**Amendment No. 81**

On page 11, line 49, strike out "1,203,070", and insert "1,192,674".

(Item 64)

**Amendment No. 82**

On page 12, line 25, strike out "884,559", and insert "879,926".

**Amendment No. 83**

On page 12, line 27, strike out "596,029", and insert "591,396".

**Amendment No. 84**

On page 12, line 31, strike out "898,459", and insert "893,826".

**Amendment No. 85**

On page 12, line 34, strike out "884,559", and insert "879,926".

(Item 66)

**Amendment No. 86**

On page 12, line 49, strike out "844,085", and insert "835,695".

**Amendment No. 87**

On page 13, line 3, strike out "667,943", and insert "659,553".

**Amendment No. 88**

On page 13, line 7, strike out "853,080", and insert "844,690".

**Amendment No. 89**

On page 13, line 10, strike out "844,085", and insert "835,695".

(Item 67)

**Amendment No. 90**

On page 13, line 17, strike out "2,934,233", and insert "3,056,027".

**Amendment No. 91**

On page 13, line 19, strike out "2,995,621", and insert "2,980,725".

**Amendment No. 92**

On page 13, line 21, strike out "996,312", and insert "975,002".

**Amendment No. 93**

On page 13, line 23, strike out "3,991,933", and insert "3,955,727".

**Amendment No. 94**

On page 13, line 26, strike out "972,400", and insert "814,400".

**Amendment No. 95**

On page 13, line 31, strike out "2,934,233", and insert "3,056,027".

(Item 72)

**Amendment No. 96**

On page 14, strike out lines 2 to 5, inclusive.

(Item 73)

**Amendment No. 97**

On page 14, line 8, strike out "2,309,593", and insert "2,306,593".

**Amendment No. 98**

On page 14, line 12, strike out "3,245,112", and insert "3,242,112"

**Amendment No. 99**

On page 14, line 14, strike out "5,031,207", and insert "5,028,207".

**Amendment No. 100**

On page 14, line 20, strike out "2,309,593", and insert "2,306,593".

**(Item 74)**

**Amendment No. 101**

On page 14, line 28, after "Education", strike out the comma

**Amendment No. 102**

On page 14, line 30, strike out "728,878", and insert "759,133".

**Amendment No. 103**

On page 14, line 32, strike out "559,173", and insert "580,113".

**Amendment No. 104**

On page 14, line 34, strike out "176,330", and insert "185,645".

**Amendment No. 105**

On page 14, line 36, strike out "735,503", and insert "765,758".

**Amendment No. 106**

On page 14, line 39, strike out "728,878", and insert "759,133".

**(Item 75)**

**Amendment No. 107**

On page 14, line 42, strike out "134,301", and insert "279,524".

**Amendment No. 108**

On page 14, line 44, strike out "104,052", and insert "238,694".

**Amendment No. 109**

On page 14, line 46, strike out "30,249", and insert "76,510".

**Amendment No. 110**

On page 14, line 48, strike out "134,301", and insert "315,204".

**Amendment No. 111**

On page 14, after line 48, insert

| | |
|---|---|
| "Less estimated reimbursements | 35,680 |
| Net appropriation | 279,524 |

In making this appropriation it is the intent of the Legislature to restrict the instructional program to upper division education courses leading to an elementary teaching credential."

**(Item 76)**

**Amendment No. 112**

On page 14, line 50, strike out "2,862,582", and insert "2,836,122 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 113**

On page 15, line 5, strike out "469,932", and insert "474, 682".

**Amendment No. 114**

On page 15, line 7, strike out "3,226,033", and insert "3,230,783".

**Amendment No. 115**

On page 15, line 8, strike out "363,451", and insert "394,661".

**Amendment No. 116**

On page 15, line 10, strike out "2,862,582", and insert "2,836,122".

**(Item 78)**

**Amendment No. 117**

On page 15, line 23, strike out "4,218,048", and insert "4,143,358 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 118**

On page 15, line 27, strike out "758,112", and insert "763,162".

**Amendment No. 119**

On page 15, line 29, strike out "5,011,387", and insert "5,016,437".

**Amendment No. 120**

On page 15, line 30, strike out "793,339", and insert "873,079".

**Amendment No. 121**

On page 15, line 32, strike out "4,218,048", and insert "4,143,358".

**(Item 80)**

**Amendment No. 122**

On page 15, line 46, strike out "2,250,956", and insert "2,236,256 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 123**

On page 15, line 50, strike out "416,192", and insert "417,242".

**Amendment No. 124**

On page 15, line 52, strike out "2,497,961", and insert "2,499,011".

**Amendment No. 125**

On page 16, line 2, strike out "247,005", and insert "262,755".

**Amendment No. 126**

On page 16, line 4, strike out "2,250,956", and insert "2,236,256".

**(Item 81)**

**Amendment No. 127**

On page 16, line 6, strike out "5,177,346", and insert "5,032,851 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 128**

On page 16, line 8, strike out "5,279,158", and insert "5,218,313".

**Amendment No. 129**

On page 16, line 10, strike out "942,319", and insert "938,459".

**Amendment No. 130**

On page 16, line 12, strike out "6,221,477", and insert "6,156,772".

**Amendment No. 131**

On page 16, line 13, strike out "1,044,131", and insert "1,123,921".

**Amendment No. 132**

On page 16, line 15, strike out "5,177,346", and insert "5,032,851".

**(Item 82)**

**Amendment No. 133**

On page 16, line 18, strike out "5,345,642", and insert "5,280,782 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 134**

On page 16, line 22, strike out "923,063", and insert "933,063".

**Amendment No. 135**

On page 16, line 24, strike out "6,380,918", and insert "6,390,918".

**Amendment No. 136**

On page 16, line 25, strike out "1,035,276", and insert "1,110,136".

**Amendment No. 137**

On page 16, line 27, strike out "5,345,642", and insert "5,280,782".

**(Item 83)**

**Amendment No. 138**

On page 16, line 29, strike out "134,301", and insert "221,988".

**Amendment No. 139**

On page 16, line 31, strike out "104,052", and insert "197,908".

**Amendment No. 140**

On page 16, line 33, strike out "30,249", and insert "39,660".

**Amendment No. 141**

On page 16, line 35, strike out "134,301" and insert "237,568".

**Amendment No. 142**

On page 16, after line 35, insert

| | |
|---|---|
| Less estimated reimbursements | 15,580 |
| Net appropriation | 221,988 |

In making this appropriation it is the intent of the Legislature to restrict the instructional program to upper division education courses leading to an elementary teaching credential."

**(Item 84)**

**Amendment No. 143**

On page 16, line 37, strike out "3,275,629", and insert "3,223,519 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 144**

On page 16, line 41, strike out "582,184", and insert "586,934".

**Amendment No. 145**

On page 16, line 43, strike out "3,859,163", and insert "3,863,913".

**Amendment No. 146**

On page 16, line 44, strike out "583,534", and insert "640,394".

**Amendment No. 147**

On page 16, line 46, strike out "3,275,629", and insert "3,223,519".

**(Item 85)**

**Amendment No. 148**

On page 16, line 48, strike out "5,549,893", and insert "5,511,273 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 149**

On page 17, line 5, strike out "889,334", and insert "899,334".

**Amendment No. 150**

On page 17, line 7, strike out "6,468,328" and insert "6,478,328".

**Amendment No. 151**

On page 17, line 8, strike out "918,435", and insert "967,055".

**Amendment No. 152**

On page 17, line 10, strike out "5,549,893", and insert "5,511,273".

**(Item 86)**

**Amendment No. 153**

On page 17, line 13, strike out "2,430,420", and insert "2,402,030 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 154**

On page 17, line 17, strike out "577,996", and insert "582,746".

**Amendment No. 155**

On page 17, line 19, strike out "2,813,427", and insert "2,818,177".

**Amendment No. 156**

On page 17, line 20, strike out "383,007", and insert "416,147".

**Amendment No. 157**

On page 17, line 22, strike out "2,430,420", and insert "2,402,030".

**(Item 87)**

**Amendment No. 158**

On page 17, line 24, strike out "6,396,081", and insert "6,352,241 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 159**

On page 17, line 28, strike out "1,270,663", and insert "1,275,413".

**Amendment No. 160**

On page 17, line 30, strike out "7,954,648", and insert "7,959,398".

**Amendment No. 161**

On page 17, line 31, strike out "1,558,567", and insert "1,607,157".

**Amendment No. 162**

On page 17, line 33, strike out "6,396,081", and insert "6,352,241".

**(Item 88)**

**Amendment No. 163**

On page 17, line 35, strike out "8,729,517", and insert "8,725,097 and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 164**

On page 17, line 39, strike out "1,417,472", and insert "1,416,972".

**Amendment No. 165**

On page 17, line 41, strike out "10,082,481", and insert "10,081,981".

**Amendment No. 166**

On page 17, line 42, strike out "1,352,964", and insert "1,356,884".

**Amendment No. 167**

On page 17, line 44, strike out "8,729,517", and insert "8,725,097".

**(Item 89)**

**Amendment No. 167.5**

On page 17, line 50, after "schedule", insert "and in addition thereto any amounts collected for fees for parking facilities".

**Amendment No. 168**

On page 18, line 5, strike out "1,225,354", and insert "1,232,104".

**Amendment No. 169**

On page 18, line 7, strike out "7,113,788", and insert "7,120,538".

**Amendment No. 170**

On page 18, line 10, strike out "724,628", and insert "798,708".

**Amendment No. 171**

On page 18, line 12, strike out "3,008,942", and insert "2,941,612".

**(Item 90)**

**Amendment No. 172**

On page 18, line 16, strike out "3,008,942", and insert "2,941,612"

**(Item 91)**

**Amendment No. 173**

On page 18, line 21, strike out "410,866", and insert "406,251".

**Amendment No. 174**

On page 18, line 23, strike out "395,658", and insert "391,566".

**Amendment No. 175**

On page 18, line 25, strike out "194,146", and insert "193,623".

**Amendment No. 176**

On page 18, line 27, strike out "589,804", and insert "585,189".

**Amendment No. 177**

On page 18, line 30, strike out "410,866", and insert "406,251".

**(Item 103)**

**Amendment No. 178**

On page 20, line 51, strike out "88,664,652", and insert "89,793,871".

(Item 105)

**Amendment No. 179**

On page 21, line 8, strike out "Accounting", and insert "Accountancy".

(Item 112)

**Amendment No. 180**

On page 22, line 12, strike out "2,871,123", and insert "3,104,142".

**Amendment No. 181**

On page 22, line 14, strike out "2,895,559", and insert "3,103,578".

**Amendment No. 182**

On page 22, line 16, strike out "1,059,285", and insert "1,084,285".

**Amendment No. 183**

On page 22, line 18, strike out "3,954,844", and insert "4,187,863".

**Amendment No. 184**

On page 22, line 35, strike out "2,871,123", and insert "3,104,142".

(Item 117)

**Amendment No. 185**

On page 22, line 47, strike out "11,458,000", and insert "11,676,063".

**Amendment No. 186**

On page 23, line 3, strike out "13,093,773", and insert "13,159,174".

**Amendment No. 187**

On page 23, line 5, strike out "2,545,806" and insert "2,673,530".

**Amendment No. 188**

On page 23, line 7, strike out "15,639,579", and insert "15,832,704"

**Amendment No. 189**

On page 23, line 8, strike out "—4,181,579", and insert "4,156,641".

**Amendment No. 190**

On page 23, line 10, strike out "11,458,000", and insert "11,676,063".

(Item 118)

**Amendment No. 191**

On page 23, line 16, strike out "1,161,283", and insert "1,142,911".

**Amendment No. 192**

On page 23, line 18, strike out "775,754", and insert "774,754".

**Amendment No. 193**

On page 23, line 20, strike out "1,937,037", and insert "1,917,665".

**Amendment No. 194**

On page 23, line 29, strike out "912,911", and insert "893,539".

(Item 120)

**Amendment No. 195**

On page 23, line 37, strike out "912,911", and insert "893,539".

(Item 124)

**Amendment No. 196**

On page 24, line 27, strike out "2,130,107", and insert "2,083,607".

(Item 125)

**Amendment No. 197**

On page 24, line 33, strike out "424,000", and insert "377,500".

(Item 128)

**Amendment No. 198**

On page 24, strike out lines 49 to 52, inclusive; and on page 25, strike out lines 2 and 3.

(Item 129)

**Amendment No. 199**

On page 25, line 7, strike out "988,468", and insert "1,015,468".

**Amendment No. 200**

On page 25, line 11, strike out "396,551", and insert "423,551".

**Amendment No. 201**

On page 25, line 13, strike out "1,024,839", and insert "1,051,839".

**Amendment No. 202**

On page 25, line 16, strike out "988,468", and insert "1,015,468".

(Item 130)

**Amendment No. 203**

On page 25, line 18, strike out "6,632,852", and insert "6,726,681".

**Amendment No. 204**

On page 25, line 20, strike out "5,667,185", and insert "5,721,939".

**Amendment No. 205**

On page 25, line 22, strike out "965,667", and insert "1,004,742".

**Amendment No. 206**

On page 25, line 24, strike out "6,632,852", and insert "6,726,681".

(Item 132)

**Amendment No. 207**

On page 25, line 42, strike out "28,162,109", and insert "27,239,887".

**Amendment No. 208**

On page 25, line 44, strike out "19,938,127", and insert "19,323,329".

**Amendment No. 209**

On page 25, line 46, strike out "8,453,522", and insert "8,146,098".

**Amendment No. 210**

On page 25, line 48, strike out "28,391,649", and insert "27,469,427".

**Amendment No. 211**

On page 25, line 51, strike out "28,162,109", and insert "27,239,887".

(Item 134)

**Amendment No. 212**

On page 26, line 34, strike out "9,217,673", and insert "9,196,263".

**Amendment No. 213**

On page 26, line 38, strike out "1,963,432", and insert "1,941,932".

**Amendment No. 214**

On page 26, line 40, strike out "9,284,281", and insert "9,262,781".

**Amendment No. 215**

On page 26, line 43, strike out "9,217,763", and insert "9,196,263".

(Item 135)

**Amendment No. 215.5**

On page 26, line 44, strike out "support of", and insert "the establishment and support of offices in San Francisco, Los Angeles and Fresno for the".

(Item 139)

**Amendment No. 216**

On page 27, line 31, strike out "5,598,505", and insert "5,705,791".

**Amendment No. 217**

On page 27, line 33, strike out "4,943,922", and insert "5,005,884".

**Amendment No. 218**

On page 27, line 35, strike out "1,430,434", and insert "1,475,758".

**Amendment No. 219**

On page 27, line 37, strike out "6,374,356", and insert "6,481,642".

**Amendment No. 220**

On page 27, line 40, strike out "5,598,505", and insert "5,705,791".

**(Item 140)**

**Amendment No. 221**

On page 27, line 43, strike out "635,116", and insert "500,116".

**(Item 143)**

**Amendment No. 222**

On page 28, line 5, strike out "3,682,703", and insert "3,730,944".

**Amendment No. 223**

On page 28, line 7, strike out "2,870,987", and insert "2,936,685".

**Amendment No. 224**

On page 28, line 9, strike out "993,161", and insert "975,704".

**Amendment No. 225**

On page 28, line 11, strike out "3,864,148", and insert "3,912,389".

**Amendment No. 226**

On page 28, line 18, strike out "3,682,703", and insert "3,730,944".

**(Item 148)**

**Amendment No. 227**

On page 29, line 7, strike out "677,222", and insert "666,230".

**Amendment No. 228**

On page 29, line 9, strike out "669,903", and insert "658,911".

**Amendment No. 229**

On page 29, line 13, strike out "766,674", and insert "755,682".

**Amendment No. 230**

On page 29, line 20, strike out "677,222", and insert "666,230".

**(Item 149)**

**Amendment No. 231**

On page 29, line 23, strike out "1,747,105", and insert "1,746,105".

**Amendment No. 232**

On page 29, line 27, strike out "298,087", and insert "297,087".

**Amendment No. 233**

On page 29, line 29, strike out "1,760,125", and isnert "1,759,125".

**Amendment No. 234**

On page 29, line 32, strike out "1,747,105", and insert "1,746,105".

**(Item 150)**

**Amendment No. 235**

On page 29 line 34, after "California", strike out the comma, and insert "at"

**(Item 151)**

**Amendment No. 236**

On page 29. line 44, strike out "8,804,400", and insert "8,784,723".

**Amendment No. 237**

On page 29, line 46, strike out "6,900.368", and insert "6,885,746".

**Amendment No. 238**

On page 29 line 48, strike out "2,001,678", and insert "1,996,623".

**Amendment No. 239**

On page 29, line 50, strike out "8,902,046", and insert "8,882,369".

**Amendment No. 240**

On page 30, line 4, strike out "8,804,400", and insert "8,784,723".

(Item 153)

**Amendment No. 241**

On page 30, line 17, strike out "11,118,997", and insert "11,083,655".

**Amendment No. 242**

On page 30, line 19, strike out "8,593,061", and insert "8,563,253".

**Amendment No. 243**

On page 30, line 21, strike out "2,719,223", and insert "2,713,689".

**Amendment No. 244**

On page 30, line 23, strike out "11,312,284", and insert "11,276,942".

**Amendment No. 245**

On page 30, line 26, strike out "11,118,997", and insert "11,083,655".

(Item 154)

**Amendment No. 246**

On page 30, line 28, strike out "5,347,798", and insert "5,342,043".

**Amendment No. 247**

On page 30, line 30, strike out "3,913,699", and insert "3,908,203".

**Amendment No. 248**

On page 30, line 32, strike out "1,501,155", and insert "1,500,896".

**Amendment No. 249**

On page 30, line 34, strike out "5,414,854", and insert "5,409,099".

**Amendment No. 250**

On page 30, line 37, strike out "5,347,798", and insert "5,342,043".

(Item 156)

**Amendment No. 251**

On page 30, line 50, strike out "7,337,039", and insert "7,324,353".

**Amendment No. 252**

On page 31, line 3, strike out "5,545,518", and insert "5,534,526".

**Amendment No. 253**

On page 31, line 5, strike out "1,878,954", and insert "1,877,260".

**Amendment No. 254**

On page 31, line 7, strike out "7,424,472", and insert "7,411,786".

**Amendment No. 255**

On page 31, line 10, strike out "7,337,039", and insert "7,324,353".

(Item 157)

**Amendment No. 256**

On page 31, line 12, strike out "5,738,418", and insert "5,736,509".

**Amendment No. 257**

On page 31, line 16, strike out "1,437,494", and insert "1,435,585".

**Amendment No. 258**

On page 31, line 18, strike out "5,799,362", and insert "5,797,453".

**Amendment No. 259**

On page 31, line 21, strike out "5,738,418", and insert "5,736,509".

(Item 158)

**Amendment No. 260**

On page 31, line 23, strike out "9,887.137", and insert "9,859,852".

**Amendment No. 261**

On page 31, line 25, strike out "7,679,466", and insert "7,657,482".

**Amendment No. 262**

On page 31, line 27, strike out "2,312,711", and insert "2,307,410".

**Amendment No. 263**
On page 31, line 29, strike out "9,992,177", and insert "9,964,892".

**Amendment No. 264**
On page 31, line 32, strike out "9,887,137", and insert "9,859,852".

**(Item 159)**
**Amendment No. 265**
On page 31, line 34, strike out "9,131,530", and insert "9,100,497".

**Amendment No. 266**
On page 31, line 36, strike out "7,225,161", and insert "7,198,983".

**Amendment No. 267**
On page 31, line 38, strike out "1,994,890", and insert "1,990,035".

**Amendment No. 268**
On page 31, line 40, strike out "9,220,051", and insert "9,189,018".

**Amendment No. 269**
On page 31, line 43, strike out "9,131,530", and insert "9,100,497".

**(Item 160)**
**Amendment No. 270**
On page 31, line 45, strike out "8,383,115", and insert "8,371,605".

**Amendment No. 271**
On page 31, line 47, strike out "6,469,872", and insert "6,468,570".

**Amendment No. 272**
On page 31, line 49, strike out "1,984,110", and insert "1,973,902".

**Amendment No. 273**
On page 31, line 51, strike out "8,453,982", and insert "8,442,472".

**Amendment No. 274**
On page 32, line 4, strike out "8,383,115", and insert "8,371,605".

**(Item 162)**
**Amendment No. 275**
On page 32, line 17, strike out "7,319,341", and insert "7,317,279".

**Amendment No. 276**
On page 32, line 21, strike out "1,595,449", and insert "1,593,387".

**Amendment No. 277**
On page 32, line 23, strike out "7,413,471", and insert "7,411,409"

**Amendment No. 278**
On page 32, line 26, strike out "7,319,341", and insert "7,317,279".

**(Item 163)**
**Amendment No. 279**
On page 32, line 28, strike out "5,993,772", and insert "5,991,704".

**Amendment No. 280**
On page 32, line 32, strike out "1,314,549", and insert "1,312,481".

**Amendment No. 281**
On page 32, line 34, strike out "6,043,388", and insert "6,041,320".

**Amendment No. 282**
On page 32, line 37, strike out "5,993,772", and insert "5,991,704".

**(Item 164)**
**Amendment No. 283**
On page 32, line 39, strike out "8,731,251", and insert "8,728,911".

**Amendment No. 284**
On page 32, line 43, strike out "1,802,186", and insert "1,799,846".

**Amendment No. 285**

On page 32, line 45, strike out "8,829,005", and insert "8,826,665".

**Amendment No. 286**

On page 32, line 48, strike out "8,731,251", and insert "8,728,911".

**(Item 165.1)**

**Amendment No. 287**

On page 33, after line 23, insert

| | | |
|---|---|---|
| "165.1—For maintenance of California Cadet Corps, Military Department, in accordance with the following schedule | | 202,241 |
| Schedule: | | |
| (a) Salaries and wages | 77,719 | |
| (b) Operating expenses and equipment | 124,522 | |
| Total of schedule | 202,241". | |

**(Item 169)**

**Amendment No. 288**

On page 34, line 14, after "of", insert "$".

**(Item 170)**

**Amendment No. 289**

On page 34, line 25, strike out "8,585,103", and insert "8,605,799".

**Amendment No. 290**

On page 34, line 27, strike out "5,141,851", and insert "5,149,289".

**Amendment No. 291**

On page 34, line 29, strike out "4,027,536", and insert "4,040,794".

**Amendment No. 292**

On page 34, line 31, strike out "9,169,387", and insert "9,190,083".

**Amendment No. 293**

On page 34, line 34, strike out "8,585,103", and insert "8,605,799".

**(Item 176)**

**Amendment No. 294**

On page 35, line 13, strike out "366,559", and insert "377,953".

**Amendment No. 295**

On page 35, line 15, strike out "490,152", and insert "500,268".

**Amendment No. 296**

On page 35, line 17, strike out "90,777", and insert "92,055".

**Amendment No. 297**

On page 35, line 19, strike out "580,929", and insert "592,323".

**Amendment No. 298**

On page 35, line 22, strike out "366,559", and insert "377,953".

**(Item 178)**

**Amendment No. 299**

On page 35, line 40, strike out "7,174,727", and insert "7,073,669".

**Amendment No. 300**

On page 35, line 42, strike out "4,746,301", and insert "4,654,651".

**Amendment No. 301**

On page 35, line 44, strike out "2,611,580", and insert "2,602,172".

**Amendment No. 302**

On page 35, line 46, strike out "7,357,881", and insert "7,256,823".

**Amendment No. 303**

On page 35, line 49, strike out "7,174,727", and insert "7,073,669".

(Item 179)

**Amendment No. 304**

On page 36, strike out lines 2 to 5, inclusive, and insert

"179—For roadside rests, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund, in accordance with the following schedule ..... 27,345

Schedule:

| | |
|---|---|
| (a) Operation and maintenance of roadside rests | 12,500 |
| (b) Feasibility studies for 16 additional roadside rests | 14,845 |
| Total of schedule | 27,345". |

(Item 181)

**Amendment No. 305**

On page 36, line 15, strike out "251,000", and insert "150,000".

(Item 182)

**Amendment No. 306**

On page 36, line 18, strike out "15,406,234", and insert "16,641,218".

**Amendment No. 307**

On page 36, line 20, strike out "12,991,062", and insert "13,541,094".

**Amendment No. 308**

On page 36, line 22, strike out "5,446,034", and insert "6,130,986".

**Amendment No. 309**

On page 36, line 24, strike out "18,437,096", and insert "19,672,080".

**Amendment No. 310**

On page 36, line 27, strike out "15,406,234", and insert "16,641,218".

(Item 187)

**Amendment No. 311**

On page 37, lines 30 and 31, strike out "Chapter 3 of Division 4", and insert "Sections 4451 through 4459".

**Amendment No. 312**

On page 37, line 31, strike out "35,000", and insert "20,000".

(Item 191)

**Amendment No. 313**

On page 37, line 47, strike out "in accordance with the"; and strike out all of line 48.

**Amendment No. 314**

On page 38, line 2, strike out "are", and insert

", in accordance with the following schedule ..... 566,625".

**Amendment No. 315**

On page 38, strike out lines 3 and 4.

(Item 196)

**Amendment No. 316**

On page 39, lines 5 and 6, strike out "Small Craft Harbors Commission", and insert "Division of Small Craft Harbors, Department of Natural Resources".

(Item 198)

**Amendment No. 317**

On page 39, strike out lines 20 through 26, and insert

"198—For operation of the United States Soil Conservation Service Nursery located at Pleasanton, Division of Soil Conservation, Department of Natural Resources, under cooperative agreement with the United States Soil Conservation Service, payable from the Soil Conservation Development Fund ..... 35,000".

(Item 201)

**Amendment No. 318**

On page 39, line 50, strike out "6,968,197", and insert "7,291,565".

**Amendment No. 319**

On page 40, line 3, strike out "6,392,790", and insert "6,581,527".

**Amendment No. 320**

On page 40, line 5, strike out "2,870,988", and insert "3,045,609".

**Amendment No. 321**

On page 40, line 7, strike out "9,263,778", and insert "9,627,136".

**Amendment No. 322**

On page 40, line 10, strike out "286,377", and insert "326,367".

**Amendment No. 323**

On page 40, line 15, strike out "6,968,197", and insert "7,291,565".

**(Item 203)**

**Amendment No. 324**

On page 40, strike out lines 21 to 32, inclusive.

**(Item 203.5)**

**Amendment No. 325**

On page 40, after line 32, insert

| | | |
|---|---|---|
| "203.5—For support of State Building Standards Commission, Division of Architecture, Department of Public Works, in accordance with the following schedule | | 21,110 |
| Schedule: | | |
| (a) Salaries and Wages | 14,305 | |
| (b) Operating Expenses and Equipment | 6,805 | |
| Total of schedule | 21,110". | |

**(Item 207)**

**Amendment No. 326**

On page 41, line 13, strike out "3,190,044", and insert "3,177,366".

**Amendment No. 327**

On page 41, line 15, strike out "2,599,389", and insert "2,605,833".

**Amendment No. 328**

On page 41, line 17, strike out "592,155", and insert "573,033".

**Amendment No. 329**

On page 41, line 19, strike out "3,191,544", and insert "3,178,866".

**Amendment No. 330**

On page 41, line 22, strike out "3,190,044", and insert "3,177,366".

**(Item 208)**

**Amendment No. 331**

On page 41, line 25, strike out "113,854", and insert "118,914"

**Amendment No. 332**

On page 41, line 29, strike out "23,802", and insert 28,862".

**Amendment No. 333**

On page 41, line 31, strike out "113,854", and insert "118,914".

**(Item 212)**

**Amendment No. 334**

On page 42, line 20, strike out "1,210,132", and insert "1,807,408".

**Amendment No. 335**

On page 42, line 22, strike out "1,268,672", and insert "1,852,008".

**Amendment No. 336**

On page 42, line 24, strike out "263,660", and insert "445,008".

**Amendment No. 337**

On page 42, line 26, strike out "1,532,332", and insert "2,297,016".

**Amendment No. 338**

On page 42, line 27, strike out "322,200", and insert "489,608".

**Amendment No. 339**

On page 42, line 29, strike out "1,210,132", and insert "1,807,408".

**(Item 214)**

**Amendment No. 340**

On page 42, line 45, strike out "1,401,998", and insert "1,401,498".

**Amendment No. 341**

On page 42, line 49, strike out "514,969", and insert "514,469".

**Amendment No. 342**

On page 42, line 51, strike out "1,543,768", and insert "1,543,268".

**Amendment No. 343**

On page 43, line 8, strike out "1,401,998", and insert "1,401,498".

**(Item 215)**

**Amendment No. 344**

On page 43, line 12, strike out "453,039", and insert "721,673".

**Amendment No. 345**

On page 43, line 14, strike out "355,064", and insert "541,844".

**Amendment No. 346**

On page 43, line 16, strike out "98,325", and insert "180,179".

**Amendment No. 347**

On page 43, line 18, strike out "453,389", and insert "722,023".

**Amendment No. 348**

On page 43, line 21, strike out "453,039", and insert "721,673".

**(Item 218.5)**

**Amendment No. 349**

On page 43, after line 45, insert

"218.5—For purchase, installation and operation of tabulating and addressing equipment, Department of Professional and Vocational Standards, to be expended for monies deposited pursuant to Sections 400 through 405 of the Business and Professions Code in the Professional and Vocational Standards Fund which the Director of the Department of Professional and Vocational Standards finds is not required for the purposes of said sections.... 140,000".

**(Item 220)**

**Amendment No. 350**

On page 44, line 15, strike out "79,983", and insert "75,752".

**Amendment No. 351**

On page 44, line 17, strike out "130,836", and insert "135,067".

**(Item 222)**

**Amendment No. 352**

On page 44, line 33, strike out "145,297", and insert "142,597".

**Amendment No. 353**

On page 44, line 35, strike out "95,948", and insert "94,248".

**Amendment No. 354**

On page 44, line 37, strike out "49,349", and insert "48,349".

**Amendment No. 355**

On page 44, line 39, strike out "145,297", and insert "142,597".

**(Item 224)**

**Amendment No. 356**

On page 45, line 2, after "from", insert "the".

**Amendment No. 357**

On page 45, line 3, strike out "43,838", and insert "42,838".

**Amendment No. 358**

On page 45, line 7, strike out "20,150", and insert "19150".

**Amendment No. 359**

On page 45, line 9, strike out "43838", and insert "42,838".

**(Item 225)**

**Amendment No. 360**

On page 45, line 13, strike out "75,057", and insert "73,057".

**Amendment No. 361**

On page 45, line 15, strike out "35,169", and insert "34,763".

**Amendment No. 362**

On page 45, line 17, strike out "39,888", and insert "38,294".

**Amendment No. 363**

On page 45, line 19, strike out "75,057", and insert "73,057".

**(Item 226)**

**Amendment No. 364**

On page 45, line 23, strike out "308,376", and insert "305,376"

**Amendment No. 365**

On page 45, line 25, strike out "195,656", and insert "191,064".

**Amendment No. 366**

On page 45, line 27, strike out "112,720", and insert "114,312".

**Amendment No. 367**

On page 45, line 29, strike out "308,376", and insert "305,376".

**(Item 228)**

**Amendment No. 368**

On page 45, line 45, strike out "158,569", and insert "156,569".

**Amendment No. 369**

On page 45, line 47, strike out "104,025", and insert "106,025".

**(Item 230)**

**Amendment No. 370**

On page 46, line 14, strike out "135,287", and insert "134,022"

**Amendment No. 371**

On page 46, line 16, strike out "86,801", and insert "88,066".

**(Item 232)**

**Amendment No. 372**

On page 46, lines 30 and 31, after the comma, strike out "Department of Professional and Vocational Standards,".

**Amendment No. 373**

On page 46, line 34, strike out "326,159", and insert "317,647".

**Amendment No. 374**

On page 46, line 36, strike out "227,844", and insert "223,332".

**Amendment No. 375**

On page 46, line 38, strike out "98,315", and insert "94,315".

**Amendment No. 376**

On page 46, line 40, strike out "326,159", and insert "317,647".

**(Item 234)**

**Amendment No. 377**

On page 46, line 47, strike out "18,628", and insert "17,628".

**Amendment No. 378**

On page 47, line 5, strike out "13,047", and insert "12,047".

**Amendment No. 379**

On page 47, line 7, strike out "18,628". and insert "17,628".

**(Item 235)**

**Amendment No. 380**

On page 47, line 13, strike out "175,748", and insert "172,748".

**Amendment No. 381**

On page 47, line 15, strike out "195,572", and insert "198,572".

**(Item 238)**

**Amendment No. 382**

On page 47, line 46, strike out "133,196", and insert "132,401".

**Amendment No. 383**

On page 47, line 48, strike out "94,797", and insert "95,592".

**(Item 240)**

**Amendment No. 384**

On page 48, line 14, strike out "276,310", and insert "274,810".

**Amendment No. 385**

On page 48, line 18, strike out "100,378", and insert "98,878".

**Amendment No. 386**

On page 48, line 20, strike out "276,310", and insert "274,810".

**(Item 244)**

**Amendment No. 387**

On page 49, line 5, strike out "64,500", and insert "71,500".

**Amendment No. 388**

On page 49, line 7, strike out "34,849", and insert "40,081".

**Amendment No. 389**

On page 49, line 9, strike out "29,651", and insert "31,419".

**Amendment No. 390**

On page 49, line 11, strike out "64,500" and insert "71,500".

**(Item 248)**

**Amendment No. 391**

On page 49, line 47, strike out "3,080,540", and insert "3,095,055".

**Amendment No. 392**

On page 50, line 3, strike out "4,622,564", and insert "4,578,668".

**Amendment No. 393**

On page 50, line 5, strike out "1,011,414", and insert "1,110,636".

**Amendment No. 394**

On page 50, line 7, strike out "5,633,978", and insert "5,689,304".

**Amendment No. 395**

On page 50, line 13, strike out "2,480,938", and insert "2,521,749".

**Amendment No. 396**

On page 50, line 15, strike out "3,080,540", and insert "3,095,055".

**(Item 249)**

**Amendment No. 397**

On page 50, line 18, strike out "2,480,938", and insert "2,521,749".

**(Item 250)**

**Amendment No. 398**

On page 50, line 22, strike out "3,116,544".

**Amendment No. 399**

On page 50, line 26, after "the", strike out "1958-59", and insert "1959-60".

**Amendment No. 400**

On page 50, line 28, insert "3,051,744".

**Amendment No. 401**

On page 50, line 30, strike out "3,529,075", and insert "3,439,075".

**Amendment No. 402**

On page 50, line 32, strike out "1,504,806", and insert "1,486,806".

**Amendment No. 403**

On page 50, line 34, strike out "5,033,881", and insert "4,925,881".

**Amendment No. 404**

On page 50, line 39, strike out "1,747,337", and insert "1,704,137".

**Amendment No. 405**

On page 50, line 41, strike out "3,116,544", and insert "3,051,744".

**(Item 252)**

**Amendment No. 406**

On page 51, line 5, strike out "237,061", and insert "322,575".

**Amendment No. 407**

On page 51, line 7, strike out "297,807", and insert "365,561".

**Amendment No. 408**

On page 51, line 9, strike out "84,828", and insert "102,588".

**Amendment No. 409**

On page 51, line 11, strike out "382,635", and insert "468,149".

**Amendment No. 410**

On page 51, line 20, strike out "237,061", and insert "322,575".

**(Item 255)**

**Amendment No. 411**

On page 51, lines 33 and 34, strike out "Article 2 of Chapter 6 of Division 4", and insert "Sections 981 through 981.7".

**Amendment No. 412**

On page 51, line 35, strike out "2,970,000", and insert "2,720,000".

**(Item 255.5)**

**Amendment No. 413**

On page 51, after line 35, insert

"255.5—For veterans' claims and rights service, Department of Veterans Affairs, to be expended under the provisions of Section 699.5 of the Military and Veterans Code---------- 596,700".

**(Item 256)**

**Amendment No. 414**

On page 51, lines 40 and 41, strike out "Article 2 of Chapter 4 of Division 4", and insert "Sections 981 through 981.7".

**(Item 260)**

**Amendment No. 415**

On page 52, line 24, strike out "5,700,222", and insert "5,643,378".

**Amendment No. 416**

On page 52, line 27, strike out "10,778,581", and insert "10,925,145".

**Amendment No. 417**

On page 52, line 29, strike out "5,785,576", and insert "5,357,659".

**Amendment No. 418**

On page 52, line 31, strike out "16,564,157", and insert "16,282,804".

**Amendment No. 419**

On page 52, line 36, strike out "4,277,781", and insert "4,373,851".

**Amendment No. 420**

On page 52, line 37, strike out "6,586,154", and insert "6,265,575".

**Amendment No. 421**

On page 52, line 39, strike out "5,700.222", and insert "5,643,378".

**(Item 261)**

**Amendment No. 422**

On page 53, line 2, after "installation", strike out the comma.

**Amendment No. 423**

On page 53, lines 19 and 20, strike out "2, 3, and 4 of Chapter 686, Statutes of 1935", and insert "340 through 342 of the Water Code".

**Amendment No. 424**

On page 53, line 23, after "to", strike out "$10,000", and insert "$15,000".

**(Item 262)**

**Amendment No. 425**

On page 53, line 31, strike out "4,277,781", and insert "4,373,851".

**(Item 263)**

**Amendment No. 426**

On page 53, line 36, strike out "320,441", and insert "70,441".

**Amendment No. 427**

On pages 53, line 38, strike out all of line 38.

**Amendment No. 428**

On page 53, line 39, strike out "(b)", and insert "(a)".

**Amendment No. 429**

On page 53, line 41, strike out "320,441", and insert "70,441".

**(Item 269)**

**Amendment No. 430**

On page 54, line 36, strike out "693,242", and insert "665,242".

**Amendment No. 431**

On page 54, line 43, strike out "74,826", and insert "102,826".

**Amendment No. 432**

On page 54, line 45, strike out "693,242", and insert "665,242".

**(Item 270)**

**Amendment No. 433**

On page 54, line 51, strike out "Division 4 and 4.5", and insert "Sections 3201 through 6002 and Sections 610 through 6149".

**(Item 273)**

**Amendment No. 434**

On page 55, line 22, strike out "81,065", and insert "241,358".

**Amendment No. 435**

On page 55, line 24, strike out "66,565", and insert "181,790".

**Amendment No. 436**

On page 55, after line 24, insert

"(b) Accountancy Fund ..... 24".

**Amendment No. 437**

On page 55, line 25, strike out "(b)", and insert "(c)".

**Amendment No. 438**

On page 55, line 25, strike out "7", and insert "10,033".

**Amendment No. 439**

On page 55, after line 25, insert

| | |
|---|---|
| "(d) Contractors License Fund | 1 |
| (e) State Fair Fund | 250 |
| (f) Fair and Exposition Fund available for capital outlay purposes under paragraph (c) of Section 19626, Business and Professions Code | 10,014". |

**Amendment No. 440**

On page 55, line 26, strike out "(c)", and insert "(g)".

**Amendment No. 441**

On page 55, line 27, strike out "20", and insert "2,220".

**Amendment No. 442**

On page 55, line 28, strike out "(d)", and insert "(h)".

**Amendment No. 443**

On page 55, line 28, strike out "7,063", and insert "16,557".

**Amendment No. 444**

On page 55, after line 28, insert

| | |
|---|---|
| "(i) Insurance Fund | 42". |

**Amendment No. 445**

On page 55, line 29, strike out "(e)", and insert "(j)".

**Amendment No. 446**

On page 55, line 29, strike out "3,128", and insert "4,409".

**Amendment No. 447**

On page 55, line 30, strike out "(f)", and insert "(k)".

**Amendment No. 448**

On page 55, line 30, strike out "3,938", and insert "9,014".

**Amendment No. 449**

On page 55, line 31, strike out "(g)", and insert "(l)".

**Amendment No. 450**

On page 55, line 32, strike out "44", and insert "140".

**Amendment No. 451**

On page 55, after line 32, insert

| | |
|---|---|
| "(m) Pharmacy Board Contingent Fund | 1". |

**Amendment No. 452**

On page 55, line 33, strike out "(h)", and insert "(n)".

**Amendment No. 453**

On page 55, line 33, strike out "23", and insert "74".

**Amendment No. 454**

On page 55, after line 33, insert

| | |
|---|---|
| "(o) Judges Retirement Fund | 865 |
| (p) Purchasing Revolving Fund | 24 |
| (q) San Francisco Harbor Improvement Fund | 1,527". |

**Amendment No. 455**

On page 55, line 34, strike out "(i)", and insert "(r)".

**Amendment No. 456**

On page 55, after line 34, insert

| | |
|---|---|
| "(s) Unemployment Administration Fund | 592 |
| (t) Funds in the possession of or under the control of the 1A District Agricultural Association | 441 |
| (u) Funds in the possession of or under the control of the 7th District Agricultural Association | 2,358 |
| (v) Funds in the possession of or under the control of the 38th District Agricultural Association | 705". |

**Amendment No. 457**

On page 55, line 36, strike out "81,065", and insert "241,358".

**(Item 276)**

**Amendment No. 458**

On page 56, after line 20, insert ", exclusive of constitutional officers,".

**Amendment No. 459**

On page 56, line 23, strike out "12,953,135", and insert "12,946,185".

**(Item 283)**

**Amendment No. 460**

On page 59, line 5, strike out "290,300", and insert "252,940".

**Amendment No. 461**

On page 59, line 8, strike out "290,300", and insert "252,940".

**Amendment No. 462**

On page 59, line 10, strike out "290,300", and insert "252,940".

**(Item 284)**

**Amendment No. 463**

On page 59, line 15, strike out "114,965", and insert "81,135".

**Amendment No. 464**

On page 59, line 17, strike out "114,965", and insert "81,135".

**Amendment No. 465**

On page 59, line 19, strike out "114,965", and insert "81,135".

**(Item 286)**

**Amendment No. 466**

On page 59, line 33, strike out "77,490", and insert "71,255".

**Amendment No. 467**

On page 59, line 35, strike out "77,490", and insert "71,255".

**Amendment No. 468**

On page 59, line 37, strike out "77,490", and insert "71,255".

**(Item 287)**

**Amendment No. 469**

On page 59, line 41, strike out "87,114", and insert "79,614".

**Amendment No. 470**

On page 59, line 43, strike out "87,114", and insert "79,614".

**Amendment No. 471**

On page 59, line 45, strike out "87,114", and insert "79,614".

**(Item 289)**

**Amendment No. 472**

On page 60, line 21, strike out "88,725", and insert "93,605".

**Amendment No. 473**

On page 60, line 23, strike out "88,725", and insert "93,605".

**Amendment No. 474**

On page 60, line 25, strike out "88,725", and insert "93,605".

**(Items 292.1—292.2)**

**Amendment No. 475**

On page 61, after line 6, insert

| | |
|---|---|
| "292.1—For capital outlay, Northern California Conservation Center and Branches, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund | 14,640 |
| Schedule: | |
| (a) Minor projects | 14,640 |
| Total of schedule | 14,640 |

292.2—For capital outlay, Northern California Conservation Center and Branches, Department of Corrections, in accordance with the following schedule, payable from the State Construction Program Fund ..... 3,960,014

Schedule:

| | |
|---|---|
| (a) Site acquisition | 220,000 |
| (b) Working drawings | 525,000 |
| (c) Site development | 650,000 |
| (d) Equipment | 525,000 |
| (e) Construct centers | 2,040,014 |
| Total of schedule | 3,960,014". |

(Item 299)

**Amendment No. 476**

On page 62, line 15, strike out "463,150", and insert "663,150".

**Amendment No. 477**

On page 62 after line 22, insert

"(e) Replace ditch with pipeline ..... 200,000".

**Amendment No. 478**

On page 62, line 24, strike out "463,150", and insert "663,150".

(Item 316)

**Amendment No. 479**

On page 66, line 19, strike out "service", and insert "science"

(Item 318)

**Amendment No. 480**

On page 66, line 45, strike out "475,150", and insert "497,800".

**Amendment No. 481**

On page 66, line 50, strike out "182,350", and insert "205,000".

**Amendment No. 482**

On page 66, line 52, strike out "475,150", and insert "497,800".

(Item 321.5)

**Amendment No. 483**

On page 67, after line 36, insert

"321.5—For capital outlay, Orange County State College, in accordance with the following schedule, payable from the State Construction Program Fund ..... 500,000

Schedule:

| | |
|---|---|
| (a) Land acquisition | 500,000 |
| Total of schedule | 500,000". |

(Item 322)

**Amendment No. 484**

On page 67, line 40, strike out "226,860", and insert "224,060".

**Amendment No. 485**

On page 67, line 45, strike out "118,800", and insert "116,000".

**Amendment No. 486**

On page 67, line 47, strike out "226,860", and insert "224,060"

(Item 325)

**Amendment No. 487**

On page 68, line 33, after "drawings", strike out "—", and insert "for".

(Item 329)

**Amendment No. 488**

On page 69, line 33, strike out "1,340,650", and insert "1,324,050"

**Amendment No. 489**

On page 69, line 35, strike out "1,016,600", and insert "1,000,000".

**Amendment No. 490**

On page 69, line 44, strike out "1,340,650", and insert "1,324,050".

(Item 331)

**Amendment No. 491**

On page 70, line 12, strike out "4,213,130", and insert "3,894,130".

**Amendment No. 492**

On page 70, line 15, strike out "2,378,000", and insert "2,059,000".

**Amendment No. 493**

On page 70, line 31, strike out "4,213,130", and insert "3,894,130".

(Item 333)

**Amendment No. 494**

On page 71, line 11, strike out "3,957,450", and insert "3,935,450".

**Amendment No. 495**

On page 71, line 38, strike out "80,400", and insert "58,400".

**Amendment No. 496**

On page 72, line 5, strike out "3,957,450", and insert "3,935,450".

(Item 340)

**Amendment No. 497**

On page 73, line 23, strike out "1,078,700", and insert "780,450".

**Amendment No. 498**

On page 73, strike out all of lines 25 through 28.

**Amendment No. 499**

On page 73, line 29, strike out "(c)", and insert "(a)".

**Amendment No. 500**

On page 73, line 30, strike out "(d)", and insert "(b)".

**Amendment No. 501**

On page 73, line 32, strike out "(e)", and insert "(c)".

**Amendment No. 502**

On page 73, strike out all of lines 34 through 36.

**Amendment No. 503**

On page 73, line 37, strike out "(g)", and insert "(d)".

**Amendment No. 504**

On page 73, line 39, strike out "(h)", and insert "(e)".

**Amendment No. 505**

On page 73, line 41, strike out "(i)", and insert "(f)".

**Amendment No. 506**

On page 73, line 43, strike out "1,078,700", and insert "780,450".

(Item 341)

**Amendment No. 507**

On page 73, line 47, strike out "17,308,013", and insert "17,046,782".

**Amendment No. 508**

On page 73, line 51, after "acquisition", insert "for".

**Amendment No. 509**

On page 74, strike out lines 4 through 7.

**Amendment No. 510**

On page 74, line 8, strike out "(f)", and insert "(d)".

**Amendment No. 511**

On page 74, after line 8, insert

"(e) Acquisition of California Farm Bureau Federation Building—Berkeley ---------- 350,000".

**Amendment No. 512**

On page 74, line 9, strike out "(g)", and insert "(f)".

**Amendment No. 513**

On page 74, line 11, strike out "(h)", and insert "(g)".

**Amendment No. 514**

On page 74, strike out lines 13 through 15, inclusive.

**Amendment No. 515**

On page 74, line 16, strike out "(j)", and insert "(h)".

**Amendment No. 516**

On page 74, line 18, strike out "(k)", and insert "(i)".

**Amendment No. 517**

On page 74, line 20, strike out "(*l*)", and insert "(j)".

**Amendment No. 518**

On page 74, line 22, strike out "(m)", and insert "(k)".

**Amendment No. 519**

On page 74, line 24, strike out "(n)", and insert "(*l*)".

**Amendment No. 520**

On page 74, line 27, strike out "(o)", and insert "(m)".

**Amendment No. 521**

On page 74, after line 28, insert

"(n) Land acquisition for laboratory unit 4—La Jolla 172,000

(o) Preliminary and working drawings for institute of technology and engineering—La Jolla 450,000".

**Amendment No. 522**

On page 74, strike out lines 33 through 35.

**Amendment No. 523**

On page 74, line 36, strike out "(s)", and insert "(r)".

**Amendment No. 524**

On page 74, line 39, strike out "(t)", and insert "(s)".

**Amendment No. 525**

On page 74, line 41, strike out "150,840", and insert "191,631".

**Amendment No. 526**

On page 74, line 42, strike out "(u)", and insert "(t)".

**Amendment No. 527**

On page 74, line 45, strike out "(v)", and insert "(u)".

**Amendment No. 527.5**

On page 74, line 48, strike out "(w)", and insert "(v)".

**Amendment No. 528**

On page 74, strike out lines 51 and 52; and on page 75, strike out lines 2 and 3.

**Amendment No. 529**

On page 75, line 4, strike out "(y) Construct and equip", and insert "(w) Alter existing facilities to serve".

**Amendment No. 530**

On page 75, line 7, strike out "(z)", and insert "(x)".

**Amendment No. 531**

On page 75, line 9, strike out "404,800", and insert "656,000".

**Amendment No. 532**

On page 75 after line 9, insert

"(y) Construct utilities and site development on west medical campus—Los Angeles Medical Center 332,000".

**Amendment No. 533**

On page 75, line 10, strike out "(aa)", and insert "(z)".

**Amendment No. 534**

On page 75, line 15, strike out "(bb)", and insert "(aa)".

**Amendment No. 535**

On page 75, line 17, strike out "(cc)", and insert "(bb)".

**Amendment No. 536**

On page 75, line 20, strike out "(dd)", and insert "(cc)".

**Amendment No. 537**

On page 75, line 22, strike out "(ee)", and insert "(dd)".

**Amendment No. 538**

On page 75, line 25, strike out "(ff)", and insert "(ee)".

**Amendment No. 539**

On page 75, line 28, strike out "(gg)", and insert "(ff)".

**Amendment No. 540**

On page 75, line 30, strike out "(hh)", and insert "(gg)".

**Amendment No. 541**

On page 75, line 33, strike out "(ii)", and insert "(hh)".

**Amendment No. 542**

On page 75, line 35, strike out "(jj)", and insert "(ii)".

**Amendment No. 543**

On page 75, line 38, strike out "(kk)", and insert "(jj)".

**Amendment No. 544**

On page 75, line 41, strike out "(*ll*)", and insert "(kk)".

**Amendment No. 545**

On page 75, line 44, strike out "(mm)", and insert "(*ll*)".

**Amendment No. 546**

On page 75, after line 45, insert

"(*mm*) *Construct classroom and office unit 2—*
Santa Barbara ..... 1,006,000
(nn) Land acquisition—Statewide ..... 1,650,000".

**Amendment No. 547**

On page 75, line 47, strike out "17,308,013", and insert "17,046,782".

**Amendment No. 548**

On page 75, strike out lines 48 through 51; and on page 76, strike out lines 2 and 3.

(Item 341.1)

**Amendment No. 549**

On page 76, after line 3, insert

"341.1—For capital outlay, University of California, payable from the unexpended and unencumbered balance of any money in the Fair and Exposition Fund which is available for expenditure pursuant to subdivision (b) of Section 19626 of the Business and Professions Code ..... 4,440,442".

(Item 342)

**Amendment No. 550**

On page 76, line 16, strike out "Construction", and insert "Construct".

(Item 343)

**Amendment No. 551**

On page 76, line 28, strike out "118,759", and insert "63,869".

**Amendment No.552**

On page 76, line 31, strike out "46,898", and insert "13,711".

**Amendment No. 553**

On page 76, line 33, strike out "29,911", and insert "8,208".

**Amendment No. 554**

On page 76, line 36, strike out "118,759", and insert "63,869".

**Amendment No. 555**

On page 76, line 37, strike out "Provide", and insert "provided".

**(Item 344)**

**Amendment No. 556**

On page 76, line 43, strike out "1,546,320", and insert "1,612,210".

**Amendment No. 557**

On page 77, line 10, strike out "89,000", and insert "100,000".

**Amendment No. 558**

On page 77, after line 10, insert

"(f) Equip state building annex—San Francisco ____ 33,187
(g) Equip state building—Oakland _____ 21,703".

**Amendment No. 559**

On page 77, line 12, strike out "1,546,320", and insert "1,612,210".

**(Item 345)**

**Amendment No. 560**

On page 77, strike out lines 13 through 24.

**(Item 346)**

**Amendment No. 561**

On page 77, line 31, strike out "782,400", and insert "732,600".

**Amendment No. 562**

On page 77, line 33, strike out "Addition", and insert "Construct addition".

**Amendment No. 563**

On page 77, line 33, strike out "740,400", and insert "690,600".

**Amendment No. 564**

On page 77, line 36, strike out "782,400", and insert "732,600".

**(Item 346.5)**

**Amendment No. 565**

On page 77, after line 36, insert

"346.5—For capital outlay, county, district agricultural association and citrus fruit fairs, allocable by the Department of Finance in such amounts as may be approved by the State Public Works Board _____ 3,858,078

provided, however, that none of the moneys appropriated by this item shall be available for expenditure unless legislation is enacted at the 1959 General Session of the Legislature discontinuing the deposit or payment of any revenue into the Fair and Exposition Fund."

**(Item 347)**

**Amendment No. 566**

On page 77, line 47, strike out "Construction", and insert "Construct".

**(Item 349)**

**Amendment No. 567**

On page 78, line 19, after "California", strike out the comma, and insert "at".

**(Item 350)**

**Amendment No. 568**

On page 78, line 30, after "California", strike out the comma, and insert "at".

**(Item 362)**

**Amendment No. 569**

On page 81, line 5, strike out "1,630,700", and insert "1,609,800".

**Amendment No. 570**

On page 81, line 10, strike out "476,900", and insert "456,000".

**Amendment No. 571**

On page 81, line 17, strike out "1,630,700", and insert "1,609,800".

(Item 369)

**Amendment No. 572**

On page 82, line 40, after "Equip", strike out the comma.

**Amendment No. 573**

On page 82, line 45, strike out "6,700", and insert "66,700".

(Item 372)

**Amendment No. 574**

On page 83, line 22, strike out "37,400", and insert "33,300".

**Amendment No. 575**

On page 83, strike out all of line 24.

**Amendment No. 576**

On page 83, line 25, strike out "(b)", and insert "(a)".

**Amendment No. 577**

On page 83, line 27, strike out "37,400", and insert "33,300".

(Item 373)

**Amendment No. 578**

On page 83, line 31, strike out "16,700", and insert "4,100".

**Amendment No. 579**

On page 83, strike out all of line 33.

**Amendment No. 580**

On page 83, line 34, strike out "(b)", and insert "(a)".

**Amendment No. 581**

On page 83, line 37, strike out "16,700", and insert "4,100".

(Item 374)

**Amendment No. 582**

On page 83, line 47, after "drawings", strike out the comma.

(Item 377)

**Amendment No. 583**

On page 84, strike out lines 42 and 43, inclusive, and insert

"(b) D. L. Bliss State Park: Campground development ---------- 127,600".

**Amendment No. 584**

On page 84, line 45, strike out "149,499", and insert "258,709".

**Amendment No. 585**

On page 85, strike out lines 4 and 5, inclusive, and insert

"(h) New Brighton Beach State Park: Campground development ---------- 64,000".

**Amendment No. 586**

On page 85, strike out lines 6 and 7, inclusive, and insert

"(i) Pismo Beach State Park: Campground development ---------- 109,210".

**Amendment No. 587**

On page 85, line 9, strike out "80,661", and insert "63,661".

**Amendment No. 588**

On page 85, line 13, strike out "86,500", and insert "20,500".

**Amendment No. 589**

On page 85, line 17, strike out "251,543", and insert "456,093".

**Amendment No. 590**

On page 85, line 25, strike out "543,877", and insert "492,709".

**(Item 377.1)**

**Amendment No. 591**

On page 85, after line 27, insert

"377.1—Of the amount appropriated by Item 400 (h), of the Budget Act of 1956, $75,000 is hereby made available for expenditure by the Division of Beaches and Parks, Department of Natural Resources, for construction, improvements, repairs and equipment, Columbia Historic State Park."

**(Item 378)**

**Amendment No. 592**

On page 85, lines 28 and 29, strike out "Department of Natural Resources, Division of Forestry", and insert "Division of Forestry, Department of Natural Resources".

**Amendment No. 593**

On page 85, line 31, strike out "429,343", and insert "452,073".

**Amendment No. 594**

On page 85, line 35, strike out "392,468", and insert "415,198".

**Amendment No. 595**

On page 85, line 37, strike out "429,343", and insert "452,073".

**(Item 379)**

**Amendment No. 596**

On page 85, line 41, strike out "1,502,242", and insert "4,276,836".

**Amendment No. 597**

On page 85, line 44, strike out "80,000", and insert "130,000".

**Amendment No. 598**

On page 86, after line 17, insert

| | |
|---|---|
| "(m) Construct Mountain Home Conservation Camp | 489,942 |
| (n) Equip Mountain Home Conservation Camp | 128,728 |
| (o) Construct Don Lugo Conservation Camp | 464,451 |
| (p) Equip Don Lugo Conservation Camp | 169,685 |
| (q) Construct mobile trailer conservation camps | 734,841 |
| (r) Equip mobile trailer conservation camps | 305,145 |
| (s) Construct addition to High Rock Conservation Camp | 20,000 |
| (t) Equip addition to High Rock Conservation Camp | 18,490 |
| (u) Construct addition to Iron Mine Conservation Camp | 18,366 |
| (v) Equip addition to Iron Mine Conservation Camp | 18,490 |
| (w) Construct addition to Miramonte Conservation Camp | 20,000 |
| (x) Equip addition to Miramonte Conservation Camp | 18,490 |
| (y) Construct addition to Morena Conservation Camp | 17,140 |
| (z) Equip addition to Morena Conservation Camp | 18,490 |
| (aa) Construct addition to Parlin Fork Conservation Camp | 4,500 |
| (bb) Equip addition to Parlin Fork Conservation Camp | 17,681 |
| (cc) Construct addition to Magalia Conservation Camp | 5,000 |
| (dd) Equip addition to Magalia Conservation Camp | 18,490 |
| (ee) Construct addition to Slack Canyon Conservation Camp | 5,000 |
| (ff) Equip addition to Slack Canyon Conservation Camp | 18,490 |
| (gg) Construct addition to Oak Glen Conservation Camp | 5,000 |
| (hh) Equip addition to Oak Glen Conservation Camp | 18,490 |
| (ii) Repairs and alterations of Los Gatos Canyon Conservation Camp | 20,000 |
| (jj) Equip Los Gatos Canyon Conservation Camp | 169,685". |

**Amendment No. 599**

On page 86, line 19, strike out "1,502,242", and insert "4,276,836".

**(Item 380)**

**Amendment No. 600**

On page 86, line 30, after "_____", insert "31,400" .

**(Item 382)**

**Amendment No. 601**

On page 87, strike out lines 4 and 5, inclusive; and on page 87, line 6, strike out "1962".

**Amendment No. 602**

On page 87, line 6, strike out "4,195,981", and insert "4,125,402".

**(Item 383)**

**Amendment No. 603**

On page 87, line 16, strike out "10,668,000", and insert "27,972,000".

**Amendment No. 604**

On page 87, line 19, strike out "1,302,000", and insert "3,906,000".

**Amendment No. 605**

On page 87, line 24, strike out "3,300,000 ', and insert "18,000,000".

**Amendment No. 606**

On page 87, line 27, strike out "10,668,000", and insert "27,972,000".

**(Item 384)**

**Amendment No. 607**

On page 87, line 37, strike out "7,914,000", and insert "8,013,000".

**Amendment No. 608**

On page 87, strike out line 41, and insert

"Airpoint Reservoir_____ 330,000".

**Amendment No. 609**

On page 87, line 50, strike out "7,914,000", and insert "8,013,000".

**(Item 384.1)**

**Amendment No. 610**

On page 87, after line 50, insert

"384.1—For surveys of, negotiations for, and acquisition of, rights-of-way, easements, and property, including other expenses and equipment in connection therewith, for the Pacheco Pass Tunnel, as authorized by Section 11260 of the Water Code, Department of Water Resources, payable from the Investment Fund_____ 100,000".

**(Item 385)**

**Amendment No. 611**

On page 88, line 3, strike out "United States", and insert "Federal Government".

**(Item 386)**

**Amendment No. 612**

On page 88, line 11, after "Feather River,", insert "as authorized by Section 11260 of the Water Code,".

**(Item 388)**

**Amendment No. 613**

On page 88, line 42, strike out "United States", and insert "Federal Government".

**Amendment No. 614**

On page 88, line 44, strike out "including", and insert "which may include".

**Amendment No. 615**

On page 88, line 45, strike out "applied nuclear".

**Amendment No. 616**

On page 89, line 3, strike out "Nuclear engineering", and insert "Engineering".

(Item 388.1)

**Amendment No. 617**

On page 89, after line 11, insert

"388.1—For construction, improvements and equipment, including other expenses in connection therewith, and for surveys of, negotiations for, and acquisition of, rights-of-way, easements and property, including other expenses and equipment in connection therewith, as authorized by Section 11260 of the Water Code, in accordance with the following schedule, Department of Water Resources, payable from the Investment Fund ..... 13,562,000

Schedule:

| | |
|---|---|
| (a) Rights-of-way, easements and property for Oroville Dam and Reservoir and related facilities | 4,868,000 |
| (b) Construction, improvements and equipment for tunnels 2 and 3 on the Western Pacific relocation and grading between tunnels 2 and 3 and tunnels 3 and 4 | 8,694,000 |
| Total of schedule | 13,562,000". |

(Item 390)

**Amendment No. 618**

On page 89, line 25, strike out "Article 2, Chapter 2, Part 6, Division 6," and insert "Sections 12648 through 12663".

**Amendment No. 619**

On page 89, lines 28 and 29, strike out "United States", and insert "Federal Government".

**Amendment No. 620**

On page 89, line 29, after 'the", strike out "United States", and insert "Federal Government".

(Item 391.1)

**Amendment No. 621**

On page 90, after line 12, insert

"391.1—For capital outlay, state college dormitories and parking facilities, to be allocated by the Department of Finance to state colleges, payable from the State Construction Program Fund... 1,420,725 and in addition there is hereby appropriated for transfer to and for the purposes of this item that part of the unexpended amounts as indicated from Budget Act of 1957, Item 447, $225,190; Item 448.1, $243,600; Item 449.1, $254,600; Item 450.1, $191,260; Item 451.1, $115,200; Item 452.1, $219,250; Item 453.1, $1,033,300; Item 454.1, $707,800; Item 455.1, $514,000; Item 456.1, $919,925."

(Item 392)

**Amendment No. 622**

On page 90, strike out all of lines 18 to 21, inclusive.

(Item 393)

**Amendment No. 623**

On page 90, strike out lines 26 to 32, inclusive, and insert

"393—For transfer by the State Controller from the General Fund to the Capital Outlay and Savings Fund during the 1959-60 Fiscal Year when and if ordered by the Department of Finance, and in such amount or amounts as the Department of Finance finds to be necessary for capital outlay purposes, not to exceed..... 7,731,861".

(Item 394)

**Amendment No. 624**

On page 91, lines 13 and 14, strike out "Chapter 11, Division 9", and insert "Sections 19601 through 19618".

**Amendment No. 625**

On page 91, line 15, strike out "4,805,574", and insert "4,751,912".

(Item 396)

**Amendment No. 626**

On page 91, line 19, after "purchasing", strike out the comma.

**Amendment No. 627**

On page 91, line 21, strike out "10,378,142", and insert "9,999,942".

**Amendment No. 628**

On page 91, line 25, strike out "10,349,842", and insert "9,971,642".

**Amendment No. 629**

On page 91, line 27, strike out "10,423,142", and insert "10,044,942".

**Amendment No. 630**

On page 91, line 30, strike out "10,378,142", and insert "9,999,942".

**Amendment No. 631**

On page 91, line 32, after "purchasing", strike out the comma.

**Amendment No. 632**

On page 91, after line 39, insert

"The Department of Finance shall establish a procedure which will indicate any cases in which the numbers and estimated costs of textbooks represented in printing orders placed during the 1959-60 Fiscal Year vary from the amounts contained in the budget schedule submitted by the Department of Education upon which this item of appropriation is based, and the Department of Finance shall unallot all amounts which are made available because of such differences Upon presentation of need, the Department of Finance may reallot such funds as it finds necessary It shall report all such actions to the Joint Legislative Budget Committee prior to January 1, 1960."

(Item 397)

**Amendment No. 633**

On page 91, line 47, strike out "3,024,700", and insert "2,485,190".

(Item 400)

**Amendment No. 634**

On page 92, strike out all of line 12; and on line 13, strike out "of the Health and Safety Code".

**Amendment No. 635**

On page 92, lines 14 and 15, strike out "thirty-five", and insert "forty-seven".

**Amendment No. 636**

On page 92, line 16, after "3300", insert "and 3301".

(Item 401)

**Amendment No. 637**

On page 92, lines 21 and 22, strike out "Article 2 of Chapter 2 of Part 1 of Division 1", and insert "Sections 249 through 271"

**Amendment No. 638**

On page 92, line 23, strike out "5,236,895", and insert "5,231,895".

(Item 403)

**Amendment No. 639**

On page 93, strike out lines 40 to 52, inclusive; and on page 94, strike out lines 2 to 8, inclusive, and insert

"403—For subsidies to local agencies for the control of mosquitoes as provided by Sections 2425 and 2426 of the Health and Safety Code, Department of Public Health ..... 400,000

provided, that a minimum of $25,000 shall be available for research, and further provided, that allocation of this appropriation shall not be made to any local agency, unless such agency has experienced human mosquito-borne diseases to an extent which constitutes a public health menace, as certified by the Director of the State Department of Public Health Be it further provided, that no more than $6,000 may be allocated to a single mosquito abatement agency unless said agency shall first appropriate a sum of money not less than that represented by a rate of fifteen cents ($0.15) on each one hundred dollars ($100) of assessed valuation of the taxable property in the mosquito abatement agency."

(Item 403.1)

**Amendment No. 640**

On page 94, of the printed bill, after line 8, insert

"403.1—For subsidies to local districts for the control of gnats as provided by Sections 2425 and 2426 of the Health and Safety Code, Department of Public Health ..... 20,000

Provided, that the Department of Public Health shall not allocate any of the money appropriated by this item to a local district unless and until money equal to or in excess of the amount proposed to be allocated by the department to the local district shall be made available by the local district for expenditure for the purpose for which the allocation is to be made, to the end that any sums allocated by the department shall be matched by like or greater amounts from sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government."

(Item 405)

**Amendment No. 641**

On page 94, line 25, strike out "Division 6, Part 6", and insert "Sections 12570 through 12896".

**Amendment No. 642**

On page 94, line 31, strike out "7,573,000", and insert "7,688,000".

**Amendment No. 643**

On page 95, after line 25, insert

"(j) Sandy Prairie Project as authorized by Section 12713 of the Water Code ..... 115,000".

**Amendment No. 644**

On page 95, line 27, strike out "7,573,000", and insert "7,688,000".

(Item 405.1)

**Amendment No. 645**

On page 95, after line 30, insert

"405.1—For allocation to the Department of Water Resources for reallocation in accordance with Article 4 of Chapter 2 of Part 6 of Division 6 of the Water Code, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State, for the Rheem Creek Project, a small flood control project as authorized in said Article 4, payable from the Flood Control Fund of 1946 ..... 210,000

The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1962. No reallocation shall be made until the Department of Water Resources finds in its judgment that the benefits of the proposed works of improvement will exceed the cost thereof and that the project plan appears to be the most economical project plan, considering construction costs, lands, easements, and rights of way costs, and costs of operation and maintenance, nor until the local organizations affected give assurances that they will maintain and operate the projects after completion in such manner as will accomplish the purposes for which the projects were authorized and constructed, and as may be required by the Secretary of the Army and the Department of Water Resources, and that the local organizations will hold and save the State of California free from damages or claims due to the construction, installation or operation of the project."

(Item 406)

**Amendment No. 646**

On page 95, line 33, strike out "Chapter 4 of Part 6 of Division 6", and insert "Sections 12601 through 12612".

**Amendment No. 647**

On page 95, lines 38 and 39, strike out "Chapter 4", and insert "sections".

(Item 408)

**Amendment No. 648**

On page 96, line 36, strike out "12,828,578", and insert "13,153,578".

(Item 410)

**Amendment No. 649**

On page 97, line 6, strike out "State".

(Item 411.5)

**Amendment No. 650**

On page 97, after line 24, insert

"411.5—For contributions to counties toward the compensation and expenses of county service officers, Department of Veterans Affairs, to be expended in accordance with Section 972 of the Military and Veterans Code---------- 500,000".

(Item 413)

**Amendment No. 651**

On page 97, lines 33 and 34, strike out "Division 4", and insert "Sections 3201 through 6002".

(Item 414)

**Amendment No. 652**

On page 98, lines 9 and 10, strike out "Article 13, Chapter 2 of Part 1 of Division 2", and insert "Sections 950 through 966".

(Item 417.1)

**Amendment No. 653**

On page 99, line 28, strike out "206,288", and insert "190,608".

(Sec. 3.1)

(Sec. 3.2)

**Amendment No. 654**

On page 100, after line 39, insert

"SEC. 3. The amounts appropriated by Items 77 and 79 in Section 2 of this act and Items 312, 315 and 334 in Section 2.1 of this act, payable from the State College Fund shall be payable from the General Fund if the deposit or payment of any revenue into the State College Fund is discontinued by any legislation enacted at the 1959 General Session of the Legislature.

SEC. 3.2. The unexpended balances of the amounts appropriated by Items 35, 89, 106, 107, 108, 122, 128, 137, 177 and 210 in Section 2 of this act and Items 280, 341.1, 345 and 346 in Section 2.1 of this act, payable from the Fair and Exposition Fund, shall be payable from the General Fund on the operative date of any legislation enacted at the 1959 General Session of the Legislature discontinuing the deposit or payment of any revenue into the Fair and Exposition Fund."

(Sec. 4)

**Amendment No. 655**

On page 100, line 40, strike out "and equipment".

(Sec. 8)

**Amendment No. 656**

On page 102, lines 8 and 9, strike out "payable from the Capital Outlay and Savings Fund,".

**Amendment No. 657**

On page 102, strike out all of lines 12 to 19, inclusive.

**Amendment No. 658**

On page 102, after line 21, insert

"Fresno State College, Item 315, Budget Act of 1953".

**Amendment No. 659**

On page 103, after line 18, insert

"Sixth District Agricultural Association
Item 361.1, Budget Act of 1956
Item 361.2, Budget Act of 1956".

**Amendment No. 660**

On page 103, strike out all of lines 28 and 29.

(Sec. 8.7)

**Amendment No. 661**

On page 103, after line 31, insert

"SEC. 8.7. From the amount appropriated by Item 400 of the Budget Act of 1956, the sum of $200,000, shown as subdivision (oo) of the schedule in that item

as available for expenditure for acquisition of real property for Mount Diablo State Park, is hereby reappropriated for acquisition of real property for the Frank's Tract area for a state aquatic park project, subject to the same terms and conditions applicable to the appropriation as provided in Item 400 of the Budget Act of 1956."

(Sec. 9)

Amendment No. 662

On page 103, line 38, after "Finance", insert "after the reappropriation provision of Item 391 1 of this act".

(Sec. 10)

Amendment No. 663

On page 103, after line 47, insert

"Item 356 (b), Budget Act of 1957
Item 397, Budget Act of 1957
Item 408, Budget Act of 1958".

(Sec. 12)

Amendment No. 664

On page 104, strike out lines 1 to 5, inclusive, and insert

"SEC. 12. The amount appropriated by Item 432, Budget Act of 1958, for transfer from the General Fund to the Capital Outlay and Savings Fund shall be limited to the amount or amounts ordered to be transferred by the Department of Finance which it finds are necessary for capital outlay purposes, provided, however, that the amounts so transferred shall not exceed in the aggregate the sum of $13,768,464."

(Sec. 13)

Amendment No. 665

On page 104, line 8, strike out "$1,940.88", and insert "$1,994.57".

Amendment No. 666

On page 104, line 10, strike out "$5,310.08", and insert "$5,524.83".

(Sec. 16)

Amendment No. 667

On page 104, line 29, strike out ", less any pre-"; and strike out all of line 30.

(Sec. 22)

Amendment No. 668

On page 105, strike out all of lines 46 to 51, inclusive.

(Sec. 26)

Amendment No. 669

On page 107, line 36, strike out "1958-59", and insert "1959-60".

Bill ordered reprinted, and engrossed.

**Assembly Constitutional Amendment No. 29**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2 6 to Article XIII, relating to the assessment of property used for recreational purposes.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "property used exclusively for", and insert "real property consisting of one parcel of 10 acres or more and used exclusively for nonprofit".

Amendment No. 2

On page 1, line 11, after "use.", insert "He may, however, take into consideration the existence of any mines, minerals and quarries in the property, including, but not limited to oil, gas and other hydrocarbon substances."

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 891**—An act to add Section 11.5 to the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057, Statutes of 1955), relating to the Santa Barbara Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 171**—An act to add Section 12648.2 to, and to amend Section 12657 of the Water Code, relating to flood protection.

Bill read second time, and ordered to third reading.

**Senate Bill No. 341**—An act to add Sections 35909, 35910 and 35911 to the Water Code, relating to California water districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 669**—An act to repeal Article 6 (commencing at Section 54150), and to add Article 6 (commencing at Section 54150), to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to the repair and restoration of property damaged or destroyed by storms or floods.

Bill read second time, and ordered to third reading.

**Senate Bill No. 889**—An act to add Article 2.5 (commencing at Section 1357) to Chapter 5, Part 2, Division 2 of, and to amend Section 1360 of, the Water Code, relating to the State Water Rights Board.

Bill read second time, and ordered to third reading.

**Senate Bill No. 409**—An act to repeal Section 23783 of the Business and Professions Code, relating to alcoholic beverage licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 43**—An act to add Chapter 5 5 (commencing with Section 13480) to Part 3, Division 3, Title 2 of the Government Code, and to amend Section 11555 of said code, relating to the establishment of an economic development agency in the Department of Finance.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on April 9, 1959, between lines 40 and 41, insert

"(g) Conduct such studies as are necessary to determine how the effectiveness of this agency can be improved."

#### Amendment No. 2

On page 3, line 41, strike out "(g)", and insert "(h)".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 143**—An act to add Section 856 to the Fish and Game Code, and to amend Section 817 of the Penal Code, relating to members of the Wildlife Protection Branch of the Department of Fish and Game.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 878**—An act to add Chapter 20 (commencing at Section 5400) to Division 6 of the Agricultural Code, relating to the fish industry.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on April 17, 1959, between lines 47 and 48, insert

"5403.1 (a) Within 45 days after the effective date of this chapter, the director shall prepare a list of handlers as defined in Section 5402 for use in carrying out procedures prescribed in this chapter. To enable the director to prepare a complete list of handlers, the director is authorized to require all persons who operated as handlers in the 12-months period next preceding the effective date of this chapter to file with him a statement properly certified showing: (1) the correct name and address of such handler; (2) the gross dollar volume of sales of fish and shell fish during said 12-months period.

(b) The information contained in the individual reports of handlers filed with the director pursuant to the provisions of this section shall not be made public by the director in such form, but the information contained in such reports may be prepared in combined form for use by the director, his agents, or other interested persons, in the formulation, administration and enforcement of a marketing order, or may be made available pursuant to court order, but shall not be made available to any one for private purposes. Such list shall constitute a complete and conclusive list of the handlers of fish and seafood in this State for the purposes of the written assent provided for in this section.

(c) The director shall prepare a summary statement of the provisions of this chapter and mail it to all handlers whose names appear on the list of handlers and give these handlers an opportunity to file written assents to the effectuation of the provisions of this chapter.

(d) The director shall not make effective the promotion, research and other provisions of this chapter unless and until the director finds that such programs are assented to in writing by not less than fifty-one percent (51%) of the handlers by number and who handled not less than sixty-five percent (65%) of the gross dollar volume of sales of fish and shell fish handled within this State by all handlers qualified to assent; or if he finds that effectuation is assented to by not less than sixty-five percent (65%) of the handlers by number who handle not less than fifty-one percent (51%) of the gross dollar volume of sales of fish and shell fish by all handlers qualified to assent. Gross dollar volume of sales, as used herein, shall be based upon the gross dollar volume of sales of all handlers obtained by the director pursuant to subdivision (a) of this section.

(e) The period for filing written assents shall not be less than 15 days nor longer than 60 days."

### Amendment No. 2

On page 4, lines 47 and 48, strike out "seafood primarily from the standpoint of food for human consumption".

### Amendment No. 3

On page 6, line 24, strike out "two (2)", and insert "one (1)".

### Amendment No. 4

On page 7, after line 34, insert

"5419. If any section, sentence, clause or part of this chapter is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this chapter. The Legislature hereby declares that it would have passed this chapter and each section, sentence, clause and part thereof despite the fact that one or more sections, sentences, clauses or parts thereof may be declared unconstitutional."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 675**—An act to amend Sections 2079 and 6019 of the Insurance Code, relating to the standard form fire insurance policy.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2, of the printed bill, as amended in the Senate on April 21, 1959, strike out lines 19 to 27, inclusive.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 219**—An act to amend Section 1326 of the Penal Code, relating to subpoenas in criminal cases.

Bill read second time, and ordered to third reading

**Senate Bill No. 483**—An act to amend Section 16475 of the Government Code, relating to special fund investments, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 2, of the printed bill, strike out lines 30 to 34, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 733**—An act to amend Section 9575.6 of the Business and Professions Code, relating to the State Board of Dry Cleaners, and making an appropriation, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 775**—An act to amend Sections 9505, 9512, 9533.5, 9540, 9540.51, 9541, 9542, 9550, and 9580 of, to amend and renumber Section 9505.1 of, and to add Sections 9505.1 and 9546 to, the Business and Professions Code, relating to cleaning, dyeing and pressing.

Bill read second time, and ordered to the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2495, 2450, 1490,** and **2358,** subsequent to engrossment.

**Assembly Bills Nos. 2011, 1047, 1867, 1221,** and **1592,** subsequent to re-engrossment.

**Senate Bills Nos. 171, 669,** and **733.**

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2088 FROM COMMITTEE

Mr. Marks was granted unanimous consent that Assembly Bill No. 2088 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2088

**Assembly Bill No. 2088**—An act to add Section 12606.2 to the Business and Professions Code, relating to containers.

Bill read second time.

#### Motion to Amend

Mr. Marks moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 12606.2 to the Business and Professions", and insert "Chapter 11 (commencing at Section 25950) to Division 20 of the Health and Safety".

#### Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Chapter 11 (commencing at Section 25950) is added to Division 20 of the Health and Safety Code, to read:

CHAPTER 11. PLASTIC BAGS

25950. No bag made of any plastic material which is large enough to fit over a child's head shall be used, after January 1, 1960, by any retail store as a container for products delivered to purchasers, or by a dry cleaner or other retail business establishment to package articles delivered to customers, unless there is printed upon such bag in clear legible type the following: "WARNING—THIS BAG CAN SUFFOCATE A CHILD."

25951. As used in this chapter, "a bag large enough to fit over a child's head" means any bag which, when open, has an opening larger than 25 square inches or a capacity of more than 125 cubic inches.

25952. Any violation of this chapter is a misdemeanor."

#### Amendment No. 3

On page 1 strike out lines 3 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

### ANNOUNCEMENT

Speaker Brown announced that at 11 a.m. this morning, nine former Speakers of the Assembly would be presented to the Members.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 21, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2359
Assembly Bill No. 2454
Assembly Bill No. 2463

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1490
Assembly Bill No. 2358

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 6
Assembly Bill No. 2481
Assembly Bill No. 2491
Assembly Bill No. 2492

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2147
Assembly Bill No. 2433
Assembly Bill No. 2527

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2448
Assembly Bill No. 2450
Assembly Bill No. 2457
Assembly Bill No. 2461
Assembly Bill No. 2487

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bills Nos. 2448, 2457, 2461, and 2487 ordered to the Consent Calendar.

Assembly Bill No. 2450 re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2485
Assembly Bill No. 2522

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 398
Assembly Bill No. 1047
Assembly Bill No. 2011

And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bill No. 398 ordered to third reading.

Assembly Bills Nos. 1047 and 2011 re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2405
Assembly Bill No 2406
Assembly Bill No. 2495
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bills Nos. 2405 and 2406 ordered to third reading.

Assembly Bill No. 2495 re-referred to the Committee on Ways and Means.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 55?

### Amendment No. 1

On page 6 of the printed bill, as amended in the Assembly on April 10, 1959, strike out lines 8 to 23, inclusive.

### Amendment No. 2

On page 19, line 12, strike out "chapter.", and insert 'Chapter, provided, however, that if within 90 days after the effective date of this act, a petition is filed with the board of supervisors of Yuba County, the agency may be dissolved in the following manner Upon the filing of the petition with the board signed by qualified electors of Yuba County equal in number to 10 percent of all the votes cast in the county for all candidates for Governor at the last preceding general election at which a Governor was elected, the board shall submit the question of dissolution of the agency to the agency electors. The question of dissolution shall be submitted at a special election held for that purpose not later than the ninetieth day after filing of the petition with the secretary of the board.

If a majority of the votes favor dissolution, the board shall by resolution dissolve the agency. The board shall file a certified copy of the resolution with the Secretary of State and for record in the office of the county recorder. Thereupon the agency is dissolved for all purposes"

### Speaker pro Tempore Presiding

At 9.50 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 55?

The Assembly concurred in Senate amendments to Assembly Bill No. 55 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Crawford, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford,

Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—51.
NOES—Davis and Lowrey—2.

Assembly Bill No. 55 ordered enrolled.

**Assembly Bill No. 554**—An act to add Article 10 (commencing at Section 53900) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to budgets of local governmental bodies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 554?

**Amendment No. 1**

On page 1, line 20, of the printed bill, as amended in the Assembly on March 23, 1959 after "utility districts," insert "transit districts,".

The Assembly concurred in Senate amendment to Assembly Bill No. 554 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane Beaver, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 554 ordered enrolled.

**Assembly Bill No. 910**—An act to amend Section 14370 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state teachers' disability annuity.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 910?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 14640 of the Education Code, and".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 18, inclusive; on page 2, strike out lines 1 to 25, inclusive, and insert
"SECTION 1. Section 14370 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 3, strike out lines 14 to 19, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 910 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 910 ordered enrolled.

**Assembly Bill No. 918**—An act to amend Section 14411 of, and to repeal Sections 14110 and 14412 of the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 918?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on March 20, 1959, strike out "as".

Amendment No. 2

On page 3, line 42, strike out "14112", and insert "14412".

The Assembly concurred in Senate amendments to Assembly Bill No. 918 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 918 ordered enrolled.

**Assembly Bill No. 1111**—An act to add Article 2.5 (commencing at Section 53240) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to payment of the cost of repairing or replacing property of governmental employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1111?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 31, 1959, in line 21, after "property", insert "or prostheses".

The Asssembly concurred in Senate amendment to Assembly Bill No. 1111 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1111 ordered enrolled.

**Assembly Bill No. 1112**—An act to add Section 13007 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to deposits by school districts for traveling expenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1112?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13203.2 to the Education Code, and".

**Amendment No. 2**

In line 2 of the title, strike out "13006", and insert "13007".

**Amendment No. 3**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 1 to 10, inclusive, and insert
"SECTION 1. Section 13007 is added to the Education Code, to read:".

**Amendment No. 5**

On page 1, line 11, strike out "13006", and insert "13007".

**Amendment No. 6**

On page 1, strike out lines 17 to 22, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1112 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1112 ordered enrolled.

**Assembly Bill No. 1113**—An act to add Section 817 to the Education Code as enacted at the 1959 Regular Session, relating to payment of the cost of repairing or replacing property of school district employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1113?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1032 to the Education Code and add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 13, inclusive, and insert
"SECTION 1. Section 817 is added to the Education Code, to read:".

**Amendment No. 4**

On page 1, line 16, after "property", insert "or prostheses".

**Amendment No. 5**

On page 2, strike out lines 1 to 6, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1113 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner,

Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 1113 ordered enrolled.

**Assembly Bill No. 1363**—An act to add Section 26504 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to airbrakes for vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1363?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 670.84 to the Vehicle Code, and to add".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "670.84 is added to the Vehicle Code", and insert "26504 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 10, inclusive.

**Amendment No. 5**

On page 1, lines 13 and 14, strike out "will not exceed 120 pounds per square inch. The", and insert "and the".

**Amendment No. 6**

On page 1, strike out line 15, and insert "shall be within limits prescribed by the department. In adopting regulations specifying such pressures the department shall consider the safe operating capacities of the various airbrake systems which are now or may be used on motor vehicles and shall be guided by the designed capabilities of those systems. The department shall not adopt regulations more restrictive than any applicable regulations adopted by the Interstate Commerce Commission or than any applicable standard adopted by the Society of Automotive Engineers"

**Amendment No. 7**

On page 1, strike out lines 16 through 21, inclusive.

**Amendment No. 8**

On page 1, line 19, of the printed bill, as amended in the Senate on April 28, 1959, strike out "cafe", and insert "safe".

**Amendment No. 9**

On page 2 strike out lines 3 to 6, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1363 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 1363 ordered enrolled.

**Assembly Bill No. 1691**—An act to amend Sections 1, 2, 3.2, 3.4, 4.1, 4.11, 5, 5.1, 7.1, 10, 13, 14, 14 1, 15, 16, and 17 of, to amend and renumber Sections 5.3, 14 3, 30, 32, 33, 34, 35, 36, 37, and 38 of, to add Sections 4 12 and 4.13 to, and to repeal Sections 5.4, 5.5, 5.6, 5.7, 13.1, 14 2, 15.1, 15.2, 15.3, 15.4, 18, 19, 19.1, 19 2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11, 19.13, 19 14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19.21, 20, 20.1, 20 2, 20.3, 20 4, 20.5, 20.6, 20.7, 20.8, 21, 21.1, 22, 23, 24, 25, 26, 27, 28 and 29 of the Placer County Water Agency Act (Chapter 1234, Statutes of 1957), relating to the Placer County Water Agency, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1691?

**Amendment No. 1**

On page 11, line 35, of the printed bill, as amended in the Assembly on April 22, 1959, strike out "; provided, however, that Sec-"; and strike out lines 36 and 37, and insert a period.

The Assembly concurred in Senate amendment to Assembly Bill No. 1691 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

Assembly Bill No. 1691 ordered enrolled.

**Assembly Bill No. 1720**—An act to amend Section 31214 of, and to add Sections 31214.1 and 31214.2 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state scholarships.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1720?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Sections 31214.1 and 31214.2 to,".

**Amendment No. 2**

On page 1, after line 22, insert

"SEC. 2. Section 31214.1 is added to said code, to read.

31214.1 Notwithstanding the provisions of Section 31214, the award may be renewed for the first four years of full-time college attendance following high school graduation, as defined by the State Scholarship Commission.

SEC. 3. Section 31214.2 is added to said code, to read:

31214.2 In any instance where the State Scholarship Commission shall deem necessary, a competitive scholarship may be granted for a single semester or quarter or for two quarters of an academic year, and the award payment therefor shall be prorated accordingly."

**Amendment No. 3**

On page 2, line 6 of the printed bill, as amended in the Senate on April 22, 1959, strike out "renewed for", and insert "granted and renewed during".

The Assembly concurred in Senate amendments to Assembly Bill No 1720 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1720 ordered enrolled.

**Assembly Bill No. 1932**—An act to amend Section 4354 of the Agricultural Code, relating to fluid milk and fluid cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1932?

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, as amended in the Assembly on April 20, 1959, strike out "conditions which have been determined", and insert "factors to the extent such changes have been ascertained".

The Assembly concurred in Senate amendment to Assembly Bill No. 1932 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1932 ordered enrolled.

**Assembly Bill No. 2008**—An act to add Section 21804.1 to the Education Code, as enacted at the 1959 Regular Session, relating to school district bonding capacity.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2008?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 22, 1959, after "resolution", insert "filed with the county auditor".

The Assembly concurred in Senate amendment to Assembly Bill No. 2008 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Dahl, Davis, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2008 ordered enrolled.

**Assembly Joint Resolution No. 1**—Relative to military closures.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No 1?

Amendment No. 1

On page 2, line 12, of the printed resolution, strike out the period following "States", and insert ", and to the Interstate Co-operation Committee of the California Senate."

The Assembly concurred in Senate amendment to Assembly Joint Resolution No. 1 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Joint Resolution No. 1 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rumford was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO THE HEALING ARTS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 17, 1959

*Hon. William Byron Rumford*
*Assembly Chamber*

**The Healing Arts—No. 15056**

*Question*

DEAR MR. RUMFORD: You have directed our attention to Assembly Bill No. 1627, as amended in Assembly May 8, 1959, relating to optometry. You ask if under Section 3029, contained therein, the State Board of Optometry could adopt a rule requiring an optometrist who maintains his office in a department store to move such office.

*Opinion And Analysis*

Section 3029, as proposed to be added to the Business and Professions Code by the bill in question, authorizes the board to adopt rules and regulations appropriate to the establishment and maintenance of a high standard of integrity and dignity in the profession. Specifically what is meant by "high standard of integrity and dignity in the profession" is not stated. However, in *Estate of Gordon* (1904), 142 Cal. 125, at 131-132, the Supreme Court sanctioned a definition of the word " 'integrity' for the purposes of a Civil Code section as 'soundness of moral principle and character, as shown by a person's dealing with others, in the making and performance of contracts, in fidelity and honesty in the discharge of trusts. In short, it is used as a synonym

for probity, honesty, and uprightness in business relations with others.' "

Webster's New International Dictionary, Second Edition, defines the word "dignity" in part as meaning the state, character or quality of being worthy or honorable. Thus we believe that pursuant to the authority contained in Section 3029 the board could adopt rules directed to maintaining honest and upright relations between an optometrist and his patients.

We note that the State Board of Accountancy has power to adopt rules of professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the practice of accountancy (Sec. 5021, B. & P. C.). Pursuant to this authority, that board has adopted rules relating to the confidential relationship between an accountant and his client, fee splitting, incompatible businesses, and soliciting of clients (see 16 Cal. Adm. Code, Secs. 54 to 66).

In view of the fact that it has been customary for optometrists to practice in department stores we believe it would be difficult to justify a rule of professional conduct, on the ground of maintaining a high standard of integrity and dignity in the profession, which would prohibit an optometrist from practicing in such an establishment. Thus, while it is not certain, we do not believe that the authority under the proposed section would permit the board to adopt a rule requiring an optometrist presently practicing in a department store to move his office therefrom.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By (MRS.) ANN MACKEY, Deputy

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 372**—An act to add Section 855.1 to the Education Code, as enacted at the 1959 Regular Session of the Legislature, relating to leaves of absences of employees of county superintendent of schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 372?

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "376.1 to the Education and Section".

### Amendment No. 2

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session of the Legislature".

### Amendment No. 3

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 855.1 is added to the Education Code as enacted at the 1959 Regular Session to read:".

Amendment No. 4

On page 1, line 12, after "qualifications", insert "in the same manner and to the same extent as is permitted of school district governing boards by Section 13651".

Amendment No. 5

On page 1, strike out lines 13 to 18, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 372 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 372 ordered enrolled.

**Assembly Bill No. 458**—An act to add Section 1024 to the Military and Veterans Code, relating to the Veterans' Home of California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 458?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "it sees fit", and insert "may be required".

Amendment No. 2

On page 1, line 3, of the printed bill as amended in the Senate on May 13, 1959, strike out "as".

The Assembly concurred in Senate amendments to Assembly Bill No. 458 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 458 ordered enrolled.

**Assembly Bill No. 572**—An act to amend Section 19582 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school building aid.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 572?

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 18, 1959, after line 16, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature."

The Assembly concurred in Senate amendment to Assembly Bill No. 572 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney,

Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 572 ordered enrolled.

**Assembly Bill No. 927**—An act to add Section 201a to, and to amend Section 225 of, the Code of Civil Procedure, relating to trial juries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 927?

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "empower", and insert "adopt written rules and regulations establishing a procedure whereby".

**Amendment No. 2**

On page 1, line 6, after "county", insert "may be empowered".

The Assembly concurred in Senate amendments to Assembly Bill No. 927 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 927 ordered enrolled.

**Assembly Bill No. 1401**—An act to add Sections 43401 and 43648.1 to, and to amend Section 43652.1 of the Government Code, relating to limited obligation bonds and the deposit and use of sales and use tax funds, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1401?

**Amendment No. 1**

On page 2, line 10, of the printed bill, as amended in the Assembly on April 20, 1959, strike out the comma.

**Amendment No. 2**

On page 2, line 11, strike out "excepting those", and insert "except".

The Assembly concurred in Senate amendments to Assembly Bill No. 1401 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1401 ordered enrolled.

### MOTION TO RECONSIDER SENATE JOINT RESOLUTION NO. 22

In compliance with a motion given on a previous day, Mr. Unruh moved that the vote whereby Senate Joint Resolution No. 22 was adopted be reconsidered.

#### *Demand for Previous Question*

Messrs. Ernest R. Geddes, Meyers, Dahl, Samuel R. Geddes, and Schrade demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

Senate Joint Resolution No. 22 reconsidered by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68.
NOES—Don A. Allen, Holmes, and Schrade—3.

Senate Joint Resolution No. 22 ordered on file.

### SENATE CONCURRENT RESOLUTION NO. 70 PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file:

**Senate Concurrent Resolution No. 70,** on motion of Mr. Miller.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1135**—An act to amend Section 7050 of, and to add Section 7054 to, the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.
NOES—Beaver, Cameron, Cusanovich, and Lowrey—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 903**—An act to add Section 75083 to the Government Code, relating to retired judges acting as referees.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—Lowrey and Williamson—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 938**—An act to amend Sections 1563 and 1576, Military and Veterans Code, relating to preparation for and mitigation of disasters and damage caused by disasters.

Bill read third time.

**Speaker Presiding**

At 10.36 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Bee and Lowrey—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 424**—An act to amend Section 25450.4 of the Government Code, relating to contracts for the construction, alteration or repair of county buildings.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—61.

NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1713**—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in event of war or enemy-caused disaster.

Bill read third time.

**Motion to Amend**

Mr. Kilpatrick moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 33, of the printed bill, as amended in the Assembly on April 2, 1959, after "by", insert "Section".

**Amendment No. 2**

On page 2, line 35, after "under", insert "Section".

**Amendment No. 3**

On page 2, line 37, after "under", insert "Section".

**Amendment No. 4**

On page 2, line 38, after "under", insert "Section".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1899**—An act to amend Sections 31212, 31214, and 31219 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to competitive scholarships.

Bill read third time.

**Motion to Amend**

Mr. Crawford moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, line 7, of the printed bill, as amended in the Assembly on May 1, 1959, strike out the second "an", and insert "a four-year".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2445**—An act to amend Section 17153 of, and to add Section 17154 to, the Education Code as enacted at the 1959 Regular Session, relating to deposit and control of school district funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2469**—An act to add Section 20567.4 to, and to amend Sections 20583, 21704, and 22301 of, the Government Code, relating to school district employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

## ASSEMBLY BILL NO. 1969 REMOVED FROM CONSENT CALENDAR

Mr. Williamson was granted unanimous consent that Assembly Bill No. 1969 be removed from the Consent Calendar, and placed upon the third reading file.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

**CONSENT CALENDAR—ASSEMBLY BILLS**

**Assembly Bill No. 2374**—An act to add Section 53064 to the Government Code, relating to publicly owned public utilities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1809**—An act to amend Section 576 of, and to repeal Section 686 of, the Vehicle Code, and to amend Section 22452 of, and to repeal Section 22455 of the Vehicle Code as proposed by Assembly Bill No 5, relating to the stopping of vehicles at railroad grade crossings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1927**—An act to add Section 21369 to, and to amend Section 21403 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle speed signs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2421**—An act to add Section 4014 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick,

Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 232**—An act to repeal Sections 31734, 31735, and 31736 of the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 256**—An act to amend Section 31625 of, and to add Section 31625.1 to, the Government Code, relating to the County Employees' Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 968**—An act to repeal Article 8 (commencing at Section 32080) of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the retirement of county peace officers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 969**—An act to amend Section 31760.1 of the Government Code, relating to the retirement of county employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1569**—An act to amend Section 31671 of the Government Code, relating to retirement for county employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1573**—An act to amend Sections 31461.1, 31558.1, 31620.1, 31630.1, 31639.15, 31700, 31701, 31721.5, and 31780.5 of the Government Code, relating to retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1574**—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1575**—An act to amend Sections 31652, 31652.2 and 31726 of the Government Code, relating to county retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1892**—An act to repeal Section 31805, and to add Sections 31805.1, 31815, 31816, and 31816.1 to, the Government Code, relating to the County Employees Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2334**—An act to repeal Section 32958 of the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2410**—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1058**—An act to add Section 31809.5 to the Government Code, relating to pension determination formulas for members of county retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1577**—An act amending Sections 31460, 31527, 31602, 31680, 31720, 31765, 31765.1, 31780 and 31787 of, repealing Sections 31646 and 31720.2 of, and adding Sections 31481, 31681.4, and 31739.2, to, the Government Code, relating to county retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1805**—An act to amend Section 31727.4 of the Government Code, relating to county employees' retirement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1576**—An act to amend Section 31592 of, and to add Sections 31592.2 and 31726.6 to, the Government Code, relating to retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1804**—An act to amend Section 31787 of the Government Code, relating to county employees' retirement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2363**—An act to add Chapter 2.5 (commencing at Section 32500) to Part 8 of Division 12 of the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1894**—An act to amend Section 31591 of, and to add Section 31781.2 to, the Government Code, relating to retirement allowances payable under the County Employees Retirement Law of 1937.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 115**—Relative to the construction of a freeway through the City of Concord.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

By Mr. Bane:

**House Resolution No. 263**

Relative to the Golden State Freeway

WHEREAS, An agreement covering a portion of the Golden State Freeway was entered into between the City of Los Angeles and the Department of Public Works of the State of California; and

WHEREAS, The Los Angeles County Regional Planning Commission's master plan of riding and hiking trails shows the Tujunga Trail crossing the proposed freeway in the vicinity of Truesdale Street; and

WHEREAS, The Tujunga Trail connects Griffith Park to Hansen Park Dam and then joins the California State Riding and Hiking Trail System; and

WHEREAS, The freeway agreement between the City of Los Angeles and the Department of Public Works does not provide for an equestrian undercrossing for the Tujunga Trail, and

WHEREAS, The Los Angeles city council has indicated that it deems an equestrian undercrossing necessary and has declared its intention to provide for the improvement of the Tujunga Trail, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the California Highway Commission is requested to consider amending the Golden State Freeway agreement with the City of Los Angeles to provide for an equestrian undercrossing for the Tujunga Trail in the vicinity of Truesdale Street; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to each of the members of the California Highway Commission

Resolution read and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

By Messrs Marks, Busterud, Meyers, Biddick, and Gaffney:

**House Resolution No. 266**

Relative to the dangers to small children from plastic food and garment bags

WHEREAS, It has come to the attention of the Members of this Assembly that at least 20 small children have suffocated in the United States in the first three months of this year in plastic food or garment bags, and

WHEREAS, According to the Journal of the American Medical Association, the friction created as a small child pulls the plastic bag over his head causes an electrostatic charge which plasters the filmy material lightly to his mouth and nose; and

WHEREAS, While there have as yet been no reported deaths from this cause in California, such plastic bags are a constant danger to the welfare of the children of this State; and

WHERLAS, The California Dry Cleaners Association held an emergency meeting in Berkeley on May 14 to determine how best to eliminate this source of danger; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Board of Dry Cleaners and the State Department of Public Health be hereby urged to confer with the various interested groups, including those from the industries involved, to see what can be done to remedy the dangers caused by such plastic bags and to report to this Assembly if legislation is needed; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a copy of this resolution to the State Board of Dry Cleaners and to the State Department of Public Health.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 99**—An act to amend Section 410 of the Code of Civil Procedure, relating to service of process.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 274**—An act to add Section 10177 to the Insurance Code, to add Sections 1137, 1137.1, and 1137.2 to the Probate Code, and to amend Section 13724 of the Revenue and Taxation Code, and Section 381 of the Probate Code, relating to testamentary trusts of life insurance proceeds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 353**—An act to add Section 5303 to, to add Chapter 6, comprising Sections 5500 through 5506, to Division 6 of Title 1 of, and to amend Sections 5302 and 29917 of the Government Code; to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session; to amend Section 55525 of the Water Code; to amend Section 4790 of the Health and Safety Code; and to amend Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915); relating to signatures, countersignatures, and facsimile signatures or seals on public obligations.

Bill read third time.

NOTE—On May 22, 1959, the record was expunged, and the action rescinded whereby Senate Bill No. 353 was this day passed. *See* page 4076.

**Senate Bill No. 907**—An act to amend Sections 8620, 8650, 8681, 10500, 10506, 10600.5 and 10607 of the Streets and Highways Code, relating to improvements.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 761**—An act to amend Section 24051 of the Government Code, relating to inventories of county property.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 764**—An act to amend Sections 31470 6 and 31558.5 of the Government Code, relating to the retirement of county employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 854**—An act to amend Section 986.7 of the Military and Veterans Code, relating to farm and home purchases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 864**—An act to amend Sections 8991 and 8994 of the Revenue and Taxation Code, relating to liens under the use fuel tax.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 969**—An act to add Section 25537 to the Government Code, relating to county government.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 78**—Relative to congratulating the people of Solano County upon the occasion of the first delivery of water from the Monticello Dam.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

## ANNOUNCEMENT

Miss Donahoe announced that sacks of Kern County long white potatoes had been placed in the offices of the members through the courtesy of Miss Donahoe and Mr. Williamson, and the Kern County Potato Growers.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1662**—An act to add Article 13.5 (commencing at Section 997) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to the reserves of disability insurers.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.47 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. O'Connell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1662.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 213**—An act to add Section 17531.1 to the Business and Professions Code, relating to packaging of unassembled toys.

Bill read third time, and presented by Mr. Busterud.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick,

Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 243**—An act to add Section 106.4 to the Agricultural Code, relating to importation of meat.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 973**—An act to repeal Section 4786.5 of, and to add Section 4786.5 to, the Health and Safety Code, relating to county sanitation districts.

Bill read third time, and presented by Mr. Sumner.

Bill passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—62.
NOES—Beaver, Bradley, Crawford, Francis, Hegland, Lowrey, Luckel, and Schrade—8

Bill ordered transmitted to the Senate.

**Senate Bill No. 792**—An act to amend Sections 10851, 10852 and the heading of Article 8 (commencing with Section 10851) of Chapter 1 of Division 9, and to add a new Section 10851 and Section 10853 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to hazing.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

### NAMES PLACED UPON ROLL CALL ON SENATE BILL NO. 973

Messrs. Hanna and Holmes were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 973.

#### Speaker Presiding

At 11 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### PRESENTATION OF FORMER SPEAKERS OF THE ASSEMBLY

Speaker Ralph M. Brown presented the following former Speakers of the Assembly to the Members of the Assembly: Edgar C. Levey (1927-1932); Edward Craig (1935-1936); William Moseley Jones (1937-1938); Paul Peek (1939); Gordon Garland (1940-1942); Charles W. Lyon (1943-1946); Sam L. Collins (1947-1952); James W. Silliman (1953-1954), and L. H. Lincoln (1955-1958).

Walter J. Little (1933-1934) was not present.

### ANNOUNCEMENT

Speaker Brown announced that the Members of the Assembly were invited to a reception for the former Speakers of the Assembly which would be held at the Hotel El Mirador this evening.

#### Speaker pro Tempore Presiding

At 11.18 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 437**—An act to add Section 35010 to the Government Code, and to amend Section 731a of the Code of Civil Procedure, relating to county zoning for airport purposes.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

### INTRODUCTION OF GUESTS

The following former Members of the Assembly were presented:

J. Ward Casey (1953 to 1956 Sessions), presented by Speaker pro Tempore Bee.

Albert M. King (1943 and 1945 Sessions), presented by Speaker pro Tempore Bee.

Lawrence H. Wilson (1909 and 1911 Sessions), presented by Mr. Samuel R. Geddes.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Concurrent Resolution No. 43**—Relative to state employee parking facilities.

Resolution read, and presented by Mr. George E. Brown.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate

**Senate Bill No. 194**—An act to add Section 2378.5 to the Business and Professions Code, and Chapter 7 (commencing at Section 1700), Division 2, to the Health and Safety Code, relating to the creation of a Cancer Advisory Council, and the regulation and control of the diagnosis, treatment, and cure of cancer.

Bill read third time, and presented by Mr. Rumford.

### Demand for Previous Question

Messrs. George A. Willson, Johnson, Crawford, Holmes, and Pattee demanded the previous question Demand sustained.

The question being on the passage of the bill.

### Request to Yield Time

Mr. Rumford asked for unanimous consent to yield three minutes of his closing time for debate to Mr. Ernest R. Geddes.

Mr. McMillan objected, and Mr. Ernest R. Geddes withdrew his request to speak on the bill.

### Speaker Presiding

At 11.57 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Francis, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Bradley, Burton, Collier, Elliott, Garrigus, Hanna, Holmes, House, McMillan, Nisbet, and Thomas—11.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2809 FROM COMMITTEE

Mr. Chapel was granted unanimous consent that Assembly Bill No. 2809 be withdrawn from the Committee on Military and Veterans Affairs, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2809

**Assembly Bill No. 2809**—An act to add Section 639 to the Penal Code, relating to interference with the activities of the National Guard.

Bill read second time.

#### Motion to Amend

Mr. Chapel moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill strike out lines 2 and 3, and insert "639. Any person who has been notified in writing by the Adjutant General of the State California that such person is following a course of action which".

#### Amendment No. 2

On page 1, line 7, after the comma, insert "and who continues such violation after written notice from the Adjutant General,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military and Veterans Affairs.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2458 FROM COMMITTEE

Mr. Rees was granted unanimous consent that Assembly Bill No. 2458 be withdrawn from the Committee on Government Organization for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2458

**Assembly Bill No. 2458**—An act to add Chapter 3 (commencing at Section 24375) to Division 20 of the Health and Safety Code, relating to the State Air Pollution Board

Bill read second time.

#### Motion to Amend

Mr Rees moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 11, of the printed bill, after "Health", insert "or his designated representative".

#### Amendment No. 2

On page 1, line 11, after "Vehicles", insert "or his designated representative".

#### Amendment No. 3

On page 2, strike out lines 9 to 11, inclusive, and insert "24380 The Governor shall appoint an Executive Officer, who shall be exempt from civil service and shall receive a salary of _____ The Executive Officer shall have charge of the staff employed by the board. The board may authorize the Executive Officer to exercise its power to employ and fix the compensation, in accordance with law, of necessary professional, clerical and other assistants."

#### Amendment No. 4

On page 2, strike out lines 15 to 20, inclusive.

Amendment No. 5

On page 2, lines 30 and 31, strike out "of the various state agencies", and insert "and air pollution projects of the various state agencies and departments and co-operate with them, and shall co-operate with the State Director of Public Health with regard to the standards which the director is required to determine under Section 426 5 of this code".

Amendment No. 6

On page 2, line 33, after "State", insert "and shall co-ordinate such testing stations with local testing stations of air pollution control districts".

Amendment No. 7

On page 2, line 34, after "may", insert ", in co-operation with local air pollution control districts,".

Amendment No. 8

On page 2, strike out lines 35 to 40, inclusive, and insert "regard to safe levels of air pollution."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

## WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 2139

Mr. Britschgi was granted unanimous consent that Assembly Bill No. 2139 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Criminal Procedure.

## EXPLANATIONS OF ABSENCE

May 21, 1959

I missed a number of roll calls during this morning's session because I had to present two of my bills to the Senate Judiciary Committee.

LOUIS FRANCIS

May 21, 1959

I was absent from the Assembly Chamber early this morning because it was necessary for me to attend to legislative duties elsewhere.

CHARLES W. MEYERS

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW AND RE-REFER SENATE BILL NO. 910

Mr. Burton asked for unanimous consent that Senate Bill No. 910 be withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Social Welfare.

### Points of Personal Privilege

Mr. Mulford arose on a point of personal privilege.

Mr. Hawkins arose on a point of personal privilege.

Speaker Brown spoke on a point of personal privilege.

### Parliamentary Inquiry

Mr. Masterson arose to the following parliamentary inquiry: Is the bill at the desk?

### Reply by Speaker

The Speaker replied that the bill is in committee.

### Parliamentary Inquiry

Mr. Hanna arose to the following parliamentary inquiry: If the bill stays where it is, or it is reported out and placed on the file, is it still not subject to a motion to re-refer?

### Reply by Speaker

The Speaker replied that the motion could be made in either case.

### Parliamentary Inquiry

Mr. Munnell arose to the following parliamentary inquiry: Is the House on Item 10 of the Assembly order of business?

### Reply by Speaker

The Speaker replied that it was not.

### Motion to Re-refer

Mr. Munnell moved that Senate Bill No 910 be withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Social Welfare.

Mr. Elliott seconded the motion.

### Motion to Adjourn

Mr. Schrade moved that the Assembly do now adjourn.

Mr. Chapel seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Mulford, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, and Mr. Speaker—40.

NOES—Bane, Biddick, George E Brown, Burton, Cameron, Crown, Elliott, Francis, Gaffney, Garrigus, Hawkins, Kennick, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—28.

## ADJOURNMENT

At 12 13 p.m., the Speaker declared the Assembly adjourned until 10 a.m., Friday, May 22, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-SECOND LEGISLATIVE DAY

ONE HUNDREDTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, May 22, 1959

The Assembly met at 10 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Most Merciful God,* Why do we take this time for prayer? It is doubtless good to be quiet for a moment, but not worthwhile, actually, unless we sense Thy holy presence here. And, if for the moment, why not the whole day through? Is it not good to be reminded that because a man has religion, the way he votes may be influenced thereby? Is it not encouraging, Our Father, to hear it suggested that conscience should be our guide, provided the conscience be trained and kept sensitive to truth and right? O God, we pray Thee, take Thy rightful place in every single thing we think and say and do this day.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Schrade.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Porter, on motion of Mr. Thomas.

Miss Donahoe, on request of Speaker Brown.

Mr. Unruh, on request of Speaker Brown.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for the afternoon session, because of legislative business elsewhere:

Mr. Holmes, on motion of Mr. Hanna.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

M. Golden and Love Hyde of San Bernardino, relative to social security for state employees. Referred to the Committee on Civil Service and State Personnel.

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The following communication was presented by the Chief Clerk from:

Louise E. Wheeler of Bloomington, relative to social security for state employees. Referred to the Committee on Civil Service and State Personnel.

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Abraham Binneweg, Jr., of Oakland, relative to traffic laws. Referred to the Committee on Transportation and Commerce.

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The following resolution was presented by the Chief Clerk from:

A joint resolution by the Legislature of the State of Wisconsin, relative to an evaluation of the age requirements for eligibility for old-age and survivors benefits. Referred to the Committee on Social Welfare.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To: Chief Clerk of the Assembly:*

In accordance with the provisions of Joint Rule No. 8.3, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed.

### Digest of Bill

Amends Sec. 2635, Elec. C.

Provides that write-in votes cast for a person at the direct primary election must, in order to be considered, equal in number 1 percent of the total party registration in the district or area, instead of 1 percent of all votes cast for the office at the last preceding general election.

GEORGE E. BROWN

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## RESOLUTIONS

The following resolution was offered:

By Mr. Hanna:

### House Resolution No. 276

Relative to Bert J. Abraham, owner of the *Anahcim Gazette*

WHEREAS, The *Anaheim Gazette*, the oldest weekly newspaper in California, has recently been purchased by the veteran newspaperman, Mr. Bert J Abraham; and

WHEREAS, Mr. Abraham, who was born in Omaha, Nebraska, has for many years been rendering a public service to his adoptive State of California by providing excellent news coverage for the people of his community; and

WHEREAS, He began his long and illustrious career in the newspaper profession as a member of the advertising department of the *Long Beach Sun*; and

WHEREAS, Before becoming the new owner and publisher of the *Anaheim Gazette* Mr. Abraham was the successful publisher of newspapers in Pittsburg and Bellflower, California; and

WHEREAS, In addition to his achievements in the field of journalism he is a past president of the California Newspapers Association, has served under both Governor Knight and Governor Brown as the able representative of the press on the California State Fair and Exposition Board, and at present is secretary of the California Press Association; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Bert J. Abraham on his outstanding record as a newspaper publisher, and extend to him best wishes for the future as publisher of the *Anaheim Gazette*; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of the resolution to Mr. Abraham.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1713
Assembly Bill No. 1899

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 800

And reports the same correctly engrossed.

BURKE, Chairman

Above bill returned to second reading file.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 60
Assembly Concurrent Resolution No. 123
Assembly Concurrent Resolution No. 130

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 423
Assembly Bill No. 1806
Assembly Bill No 2455

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2827

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 963
Assembly Bill No. 1897

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2600

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 730
Senate Bill No. 900
Senate Bill No. 924

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CRAWFORD, Chairman

Above bills ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2366

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1489
Assembly Bill No. 2544
Assembly Bill No. 2546

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 479

With the recommendation Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2454

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2541
Assembly Bill No. 2552

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2540

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1000

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR SPEAKER. Your Committee on Ways and Means reports:

Assembly Bill No. 755
Assembly Bill No. 747
Assembly Bill No. 345
Assembly Bill No. 831

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR SPEAKER Your Committee on Ways and Means reports

Assembly Bill No. 1175

Without recommendation.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 13

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 2302

With the recommendation: Do pass.

McMILLAN, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1750
Assembly Bill No. 2524

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Concurrent Resolution No. 105

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BRADLEY, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 1007

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2409

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 522
Senate Bill No. 746
Senate Bill No. 989
Senate Bill No. 993

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No. 2240

With the recommendation. Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER Your Committee on Municipal and County Government reports:

Assembly Bill No 1896

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No 2361
Assembly Bill No 2488

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2453
Assembly Bill No. 2482

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER Your Committee on Municipal and County Government reports.

Assembly Bill No 2521

With amendments with the recommendation. Amend, and re-refer to the Committee on Municipal and County Government

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports

Assembly Bill No. 2451

With amendments with the recommendation: Amend, and do pass as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 2340

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

## Committee on Rules

ASSEMBLY CHAMBER, May 21, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 170

With amendments with the recommendation: Amend, and be adopted, as amended

MILLER, Chairman

Above resolution ordered on file.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 971

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER. Your Committee on Industrial Relations reports:

Senate Bill No. 719

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 2796

With amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McMILLAN, Chairman

Above bill orderd to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER. Your Committee on Industrial Relations reports:

Assembly Bill No. 1382

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bill orderd to second reading.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1550
Assembly Bill No 1682

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 658
Assembly Bill No. 1860

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2223

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No 905

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2351

With amendments, but without recommendation.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2130
Assembly Bill No. 2530

With the recommendation: That the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No 439

With the recommendation. Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1414

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2222

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No 484
Senate Bill No. 563
Senate Bill No 886

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bills ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 21, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2701

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1119

With the recommendation: That the bill be re-referred to the Committee on Criminal Procedure.

MACBRIDE, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 21, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to sustain the veto of the Governor affecting Senate Bill No. 284, notwithstanding the objections of the Governor as stated in his message of May 19th set forth below:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 19, 1959

*To the Honorable Members of the Senate*
*of the State of California:*

I am returning, herewith, without my signature,

**Senate Bill No. 284**, entitled: "An act to amend Section 27641 of the Government Code, relating to the county counsel."

My objections to this bill are as follows:

This bill would amend Section 27641 of the Government Code which now provides that a county counsel shall be appointed for a four-year term. The amendment would strike this provision and provide that the county counsel shall "serve at the pleasure of the board of supervisors."

The county counsel represents the county and special districts within the county on civil matters. He is obligated to render *objective* legal services on behalf of the people of his county without being subject to being summarily dismissed if his opinions do not concur with those held by a majority of the board of supervisors.

The Legislature, in creating the office of county counsel, wisely adopted a four-year term in order that the independence of the county counsel could be insured. This has been the law since 1941. There is no compelling reason why it should be changed now.

I am, therefore, returning Senate Bill No. 284 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

J. A. BEEK, Secretary of the Senate

Senate Bill No. 284 ordered to the unfinished business file.

SENATE CHAMBER, May 20, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*Sacramento*

DEAR SIR: I have been directed to request your honorable body to return to the Senate, Senate Bill No. 621 for further consideration by the Senate.

Very truly yours,

J. A. BEEK, Secretary of the Senate

Above request ordered to the unfinished business file.

### ASSEMBLY BILL NO. 152 RE-REFERRED TO COMMITTEE

Mr. Elliott was granted unanimous consent that Assembly Bill No. 152 and the committee amendments be re-referred to the Committee on Social Welfare.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2449, 1974, 1847, 1725, 2357,** and **800.**

**Senate Bills Nos. 43, 878,** and **675.**

Assembly Bill No. 800 ordered to third reading.

Assembly Bill No. 2449 and 1725 ordered to third reading, subsequent to engrossment.

Assembly Bill Nos. 1974 and 1847 ordered to third reading, subsequent to re-engrossment.

Assembly Bill No. 2357 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bill No. 878 ordered to the Consent Calendar.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 158**—An act to add Section 7032 to the Business and Professions Code, relating to contractors' licenses.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 14, 1959, strike out "county,".

#### Amendment No. 2

On page 1, line 5, after "any", insert "business".

#### Amendment No. 3

On page 1, strike out line 7, and insert "has obtained a business license in the city or city and county of".

#### Amendment No. 4

On page 1, line 8, after "or", insert "city and".

#### Amendment No. 5

On page 1, line 9, after "a", insert "business".

Bill ordered reprinted and re-engrossed.

**Assembly Bill No. 2360**—An act to amend Section 7045 of the Business and Professions Code, relating to contractors.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 14, 1959, strike out lines 11 and 12; and in line 13, strike out "of", and insert "the installation requires work costing more than one hundred dollars ($100) by".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 405**—An act to add Division 3.5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 406**—An act to repeal Article 2 (commencing with Section 1980) of Chapter 6 of Division 4 of Title 1, Part 1 (commencing with Section 16000) of Division 4 of Title 2, and Sections 2003 and 53053 of the Government Code, to add Chapters 1 (commencing with Section 600) and 3 (commencing with Section 800) to Division 3.5 of Title 1 of the Government Code, and to amend Section 53052 of the Government Code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 407**—An act to repeal Sections 29700, 29700.1, 29701, 29702, 29703, 29704, 29705, 29707, 29711, 29713, 29714, 29714.1, 29715, 29716, 29720, to add Sections 29700 and 29706, to renumber Section 29719, to renumber and amend Sections 29706, 29708, 29709, 29710, 29712, 29717, 29718, 29721 and to amend Sections 29741, 29744 and 29748 of the Government Code, and to amend Section 439.56 of the Agricultural Code and Section 945 of the Military and Veterans Code, all relating to claims against counties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 408**—An act to amend Sections 37201 and 39586 of the Government Code, relating to claims against cities.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 409**—An act to amend Section 1007 of the Education Code, Sections 6370 and 6960 of the Harbors and Navigation Code, Section 14164 of the Health and Safety Code, Sections 5553 and 5784.19 of the Public Resources Code, Section 27182 of the Streets and Highways Code and Section 56117 of the Water Code; to repeal Sections 61628, 61630, and 61631 of the Government Code, Sections 4817, 5617, and 6096 of the Health and Safety Code, Sections 16682, 16683, 16684, 16685, 16686, Article 5a (commencing with Section 12830) of Chapter 6 of Division 6 and Article 6 (commencing with Section 29060) of Chapter 6 of Part 2 of Division 10 of the Public Utilities Code, Sections 22727, 22728, 22729, 31084, 31085, 31086, 31087, 35752, 35753 and 35754 of the Water Code; and to add Article 1.5 (commencing with Section 1018) to Chapter 1 of Division 2, Article 5 (commencing with Section 21658) to Chapter 10 of Division 10, Article 2.5 (commencing with Section 22360) to Chapter 4 of Division 11, Article 3 5 (commencing with Section 22680) to Chapter 5 of Division 11 and Article 8 5 (commencing with Section 22980) to Chapter 6 of Division 11 of the Education Code, Section 61628 to the Government Code, Chapter 4 (commencing with Section 5790) to Part 1.5 of Division 8, Chapter 3.5 (commencing with Section 5905) to Part 2 of Division 8, Chapter 3.5 (commencing with Section 6095) to Part 3

of Division 8 and Article 3 (commencing with Section 6680) to Chapter 5 of Part 5 of Division 8 of the Harbors and Navigation Code, Sections 954, 4817, 5617, 4665.6, 6096, 14163.5, Article 5.5 (commencing with Section 2320) to Chapter 5 of Division 3, Article 4.5 (commencing with Section 2880) to Chapter 8 of Division 3, Article 4.5 (commencing with Section 4130) to Chapter 1 of Part 2 of Division 5, Article 5.5 (commencing with Section 4185.1) to Chapter 1.5 of Part 2 of Division 5, Article 5.5 (commencing with Section 5745) to Chapter 9 of Part 3 of Division 5, Article 8 (commencing with Section 6805) to Chapter 7 of Part 1 of Division 6, Article 5 (commencing with Section 9010) to Chapter 8 of Part 4 of Division 8, Article 6.5 (commencing with Section 14363) to Chapter 1a of Part 3 of Division 12, Article 7.1 (commencing with Section 14488) to Chapter 2 of Part 3 of Division 12, Article 4.1 (commencing with Section 20115) to Chapter 1 of Part 1 of Division 14, Article 2.5 (commencing with Section 24232) to Chapter 2 of Division 20, Article 16 (commencing with Section 24374) to Chapter 2 5 of Division 20, Chapter 7 (commencing with Section 32492) to Division 23, Article 6 (commencing with Section 33340) to Chapter 2 of Part 1 of Division 24 and Article 6 (commencing with Section 34380) to Chapter 1 of Part 2 of Division 24 of the Health and Safety Code, Article 2 5 (commencing with Section 1209) to Chapter 1 of Division 6 of the Military and Veterans Code, Section 5553 5, Article 3 (commencing with Section 9420) to Chapter 4 of Division 9 and Article 1.5 (commencing with Section 11520) to Chapter 7 of Division 10 of the Public Resources Code, Section 16682, Article 5a (commencing with Section 12830) to Chapter 6 of Division 6, Article 6 (commencing with Section 29060) to Chapter 6 of Part 2 of Division 10, Chapter 4.5 (commencing with Section 22601) to Part 2 of Division 9 and Article 9 (commencing with Section 25951) to Chapter 6 of Part 1 of Division 10 of the Public Utilities Code, Sections 31867, 33550, 35707, Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16, Chapter 9.5 (commencing with Section 8230) to Part 2 of Division 9, Chapter 10.5 (commencing with Section 19190) to Part 4 of Division 14, Chapter 15.5 (commencing with Section 25360) to Part 1 of Division 16 and Chapter 13.5 (commencing with Section 26225) to Part 2 of Division 16 of the Streets and Highways Code, Sections 8991, 22727, 31084, 35752, 44457, Article 4.5 (commencing with Section 50145) to Chapter 2 of Part 1 of Division 15 and Chapter 4 (commencing with Section 55720) to Part 4 of Division 16 of the Water Code, relating to claims against the State, local public entities and public officers and employees.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 410**—An act to amend Section 3 of Chapter 349 of the Statutes of 1873-74, Section 9 of Chapter 201 of the Statutes of 1895, Section 11 of Chapter 310 of the Statutes of 1905, Section 19 of the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 53 of the Solvang Municipal Improvement District Act (Chapter 1635, Statutes of 1951), Section 53 of the Fairfield-Suisun Sewer District Act (Chapter 303, Statutes of 1951), Section 53 of the Montalvo Municipal Improvement District Act (Chapter 549, Statutes of 1955), and Section 11 of the Lower San Joaquin Levee District Act

(Chapter 1075, Statutes of 1955); to add Section 3.1 to Chapter 349 of the Statutes of 1873-74, Section 9.5 to Chapter 63 of the Statutes of 1880, Section 12.5 to Chapter 158 of the Statutes of 1885, Section 49.5 to the Drainage Act of 1903 (Chapter 238, Statutes of 1903), Section 46.5 to Chapter 25 of the Statutes of 1907, Section 19.1 to the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 8.5 to Chapter 99 of the Statutes of 1913, Section 8.5 to Chapter 361 of the Statutes of 1915, Section 29.5 to the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), Section 34.5 to the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), Section 3.1 to the Orange County Flood Control District Act (Chapter 723, Statutes of 1927), Section 20.5 to the American River Flood Control District Act Chapter 808, Statutes of 1927), Section 10.5 to Chapter 641 of the Statutes of 1931, Section 21.1 to the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), Section 20.5 to the Orange County Water District Act (Chapter 924, Statutes of 1933), Section 8 is added to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), Section 15.1 is added to the Monterey Peninsula Airport District Act (Chapter 52, Statutes of 1941), Section 135.5 to the California Water Storage and Conservation District Act (Chapter 1253, Statutes of 1941), Section 15.5 to the County Water Authority Act (Chapter 545, Statutes of 1943), Section 17.5 to the San Diego County Flood Control District Act (Chapter 1372, Statutes of 1945), Section 2.5 to the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of the First Extraordinary Session of 1952), Section 9.5 to the Contra Costa County Storm Drainage District Act (Chapter 1532, Statutes of 1953), Section 11.5 to the Fresno Metropolitan Flood Control Act (Chapter 503, Statutes of 1955), and Section 48 to the Santa Clara-Alameda-San Benito Water Authority Act (Chapter 1289, Statutes of 1955); and to repeal and add Section 20 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), Section 14½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), Section 6.1 of the Metropolitan Water District Act (Chapter 429, Statutes of 1927), Section 13 of the Ventura County Flood Control Act (Chapter 44, Statutes of the Fourth Extraordinary Session of 1944), Section 31 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), Section 15 of the Riverside County Flood Control and Water Conservation District Act (Chapter 1122, Statutes of 1945), Section 8.1 of the Santa Barbara County Water Agency Act (Chapter 1501, Statutes of 1945), Section 30 of the San Luis Obispo County Flood Control and Water Conservation District Act (Chapter 1294, Statutes of 1945), Section 30 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699, Statutes of 1947), Section 8 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), Section 8 of the Mendocino Flood Control and Water Conservation District Act (Chapter 995, Statutes of 1949), Section 29 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275, Statutes of 1949), Section 30 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951), Section 30 of the Napa County Flood Control and Water Conservation

District Act (Chapter 1449, Statutes of 1951), Section 34 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544, Statutes of 1951), Section 30 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), Section 15 of the Kings River Conservation District Act (Chapter 931, Statutes of 1951), Section 8.1 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656, Statutes of 1951), Section 8 of the Yolo County Flood Control and Water Conservation District Act (Chapter 1657, Statutes of 1951), Section 8.1 of the Sacramento County Water Agency Act (Chapter 10, Statutes of the First Extraordinary Session of 1952), Section 29 of the Marin County Flood Control and Water Conservation District Act (Chapter 666, Statutes of 1953), Section 34 of the San Benito County Water Conservation and Flood Control District Act (Chapter 1598, Statutes of 1953), Section 8 of the Morrison Creek Flood Control District Act (Chapter 1771, Statutes of 1953), Section 31 of the Del Norte County Flood Control District Act (Chapter 166, Statutes of 1955), Section 31 of the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057, Statutes of 1955), Section 154 of the Santa Cruz County Flood Control and Water Conservation District Act (Chapter 1489, Statutes of 1955), Section 20 of the Contra Costa County Water Agency Act (Chapter 518, Statutes of 1957) and Section 4.23 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes of 1957), relating to claims against the State, local public entities and public officers and employees.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2339**—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2476**—An act to amend Sections 73649, 73959 and 74749 of the Government Code, relating to the payment of official reporters in the municipal courts in San Diego County.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2533**—An act to amend Section 70047 of the Government Code, relating to superior court reporters.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 56**—An act to amend Sections 199 and 241 of the Code of Civil Procedure, relating to the selection of grand juries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "amend Sections 199 and 241 of the Code of Civil Procedure", and insert 'add Section 902.5 to the Penal Code, and to amend Sections 910, 911, and 939.5 of said code as added by Assembly Bill No. 404 of the 1959 Regular Session".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 902.5 is added to the Penal Code, to read:

902.5. (a) Whenever, pursuant to the preceding provisions of this article a list of prospective grand jurors is selected, or when, in a county in which judges make nominations for grand jurors, such nominations have been made, such list or the names of the nominees shall immediately be published in a newspaper of general circulation in the county, or if there be none, then a newspaper of general circulation in an adjacent county, together with a statement that challenges to the jurors may be made for good cause pursuant to Section 902.5 of the Penal Code, and that the challenges may be filed, with the presiding or senior judge of the superior court, whose name and office location shall be stated, within one week after the date of publication

(b) Within one week after the publication of notice required by subdivision (a), any bona fide adult resident of the county may file with the judge named in the notice an affidavit alleging that a prospective grand juror named in the notice has such personal interests, describing them, that affiant believes that such person will not act impartially and without prejudice in carrying out a substantial part of the duties of a grand juror. The judge with whom the affidavit is filed shall cause the matter to set for hearing and shall cause notice thereof of at least five days to be given to the affiant and the challenged prospective juror The hearing shall be conducted by a panel of three judges of the superior court designated by the presiding *judge, or, if there are three or fewer judges of the superior court, then by all the* members of the court The panel of judges shall rule whether or not it is true that the challenged prospective juror in fact could not act impartially and without prejudice with respect to a substantial portion of the duties of a grand juror. If it determines that he cannot act impartially and without prejudice with respect to a substantial portion of the duties of a grand juror, he is thereby disqualified from serving as a grand juror.

SEC. 2. Section 910 of said code as added by Assembly Bill No. 404 of the 1959 Regular Session is amended to read:

910. No challenge shall be made or allowed to the panel from which the grand jury is drawn, nor to an individual grand juror, except when made by the court for want of qualification, as prescribed in Section 909 *or unless made by a resident of the county pursuant to Section 902.5.*

SEC. 3. Section 911 of said code as added by said bill is amended to read:

911. The following oath shall be taken by each member of the grand jury: "I will support the Constitution of the United States and of the State of California, and all laws made in pursuance thereof and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this State, committed or triable within this county, of which the grand jury shall have or can obtain legal evidence. I will keep my own counsel, and that of my fellow grand jurors and of the government, and will not, except when required in the due course of judicial proceedings, disclose the testimony of any witness examined before the grand jury, nor anything which I or any other grand juror may have said, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. *I will take no part in the investigation or consideration of, or action upon, any matter before the grand jury when I have, with respect to such matter, such state of mind as will prevent me from acting impartially and without prejudice. If I am in a position to receive any special benefit or suffer any special detriment from action by the grand jury in any matter before it, I will first inform the other members of the grand jury of such special interest.* I will present no person through malice, hatred or ill will, nor leave any unpresented through fear, favor, or affection, or for any reward, or the promise or hope thereof; but in all my presentments I will present the truth, the whole truth, and nothing but the truth, according to the best of my skill and understanding, so help me God."

SEC. 4. Section 939.5 of said code as added by said bill is amended to read:

939.5. Before considering a charge against any person *or any other matter before the grand jury*, the foreman of the grand jury shall state to those present the matter to be considered and the person, *if any*, to be charged with an offense in connection therewith He shall direct any member of the grand jury who has a state of mind in reference to the case or to either party which will prevent him from acting impartially and without prejudice to the substantial rights of the party, *or who is in a position to gain special benefit or suffer special detriment from action that may be taken by the grand jury*, to retire Any violation of this section by the foreman or any member of the grand jury is punishable by the court as a contempt

*In any matter before the grand jury, if a member of the grand jury believes that another member has a special interest in the matter, in that he is in a position to gain special benefit or suffer special detriment from action that may be taken by the grand jury, or that such other member has such a state of mind with reference to the matter as will prevent him from acting impartially and without prejudice, the member having such belief may challenge the other member to retire from all participation of the matter. If the challenged member does not retire, the challenging*

*member may then advise the foreman of the challenge and the refusal of the challenged member to retire, whereupon it shall be the duty of the foreman immediately to convene the full grand jury at a meeting to consider the matter of the challenge. At such meeting, after opportunity for all members to be heard, the members shall, by ballot, vote on the question whether the challenged member must retire. If a majority of the members vote in favor of such member's retirement, he shall immediately retire from any participation in investigation, consideration, or action in the matter."*

**Amendment No. 3**

On page 1, strike out lines 2 to 22, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1705**—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read and adopted:

**Amendment No. 1**

On page 1, line 16, of the printed bill, as amended in the Assembly on May 15, 1959, after "bank", insert ", life insurance company,"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1708**—An act to amend Section 1861a of the Civil Code, relating to liens of keepers of apartment houses, apartments, cottages, and bungalow courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1861a", and insert "Sections 1861a and 1862".

**Amendment No. 2**

On page 2, strike out lines 38 to 52, inclusive; on page 3, strike out lines 1 to 8, inclusive, and insert

"(c) Table and kitchen furniture, including one refrigerator, washing machine, sewing machine, stove; bedroom furniture, one overstuffed chair, one davenport, one dining table and chairs, and also all tools, instruments, clothing and books used by the tenant or guest in gaining a livelihood; beds, bedding and bedsteads, oil paintings and drawings drawn or painted by any member of the family of the tenant or guest, and any family portaits and their necessary frames.

(d) All other household, table or kitchen furniture not expressly mentioned in paragraph (c), including but not limited to radios, television sets, phonographs, records, automobiles that may be stored on the premises except so much of any such articles as may be reasonably sufficient to satisfy the lien provided for by this section, and provided further that such lien shall be secondary to the claim of any prior bona

fide holder of a chatel mortgage on and the rights of a conditional seller of such articles, other than the tenant or guest.

SEC. 2. Section 1862.2 of said code is amended to read:

1862. Whenever any trunk, carpet bag, valise, box, bundle, baggage or other personal property has heretofore come, or shall hereafter come into the possession of the keeper of any hotel, inn, or any boarding or lodging house, ~~furnished~~ apartment house or ~~furnished~~ bungalow court and has remained or shall remain unclaimed for the period of six months, such keeper may proceed to sell the same at public auction, and out of the proceeds of such sale may retain the charges for storage, if any, and the expenses of advertising and sale thereof;

But no such sale shall be made until the expiration of four weeks from the first publication of notice of such sale in a newspaper published in or nearest the city, town, village, or place in which said hotel, inn, boarding or lodging house, ~~furnished~~ apartment house or ~~furnished~~ bungalow court is situated. Said notice shall be published once a week, for four successive weeks, in some newspaper, daily or weekly, of general circulation, and shall contain a description of each trunk, carpet bag, valise, box, bundle, baggage, or other personal property as near as may be; the name of the owner, if known; the name of such keeper, and the time and place of sale;

An the expenses incurred for advertising shall be a lien upon such property in a ratable proportion, according to the value of such piece of property, or thing, or article sold;

And in case any balance arising from said sale shall not be claimed by the rightful owner within one week from the day of sale, the same shall be paid into the treasury of the county in which such sale took place; and if the same be not claimed by the owner thereof, or his legal representatives, within one year thereafter, the same shall be paid into the general fund of said county."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2143**—An act to amend Section 3440 of the Civil Code, relating to fraudulent transfers of property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 14 to 16, inclusive, and insert

(g) A transfer by a person or a partnership to a corporation of which such person or partnership or the partnership are or are to become holders of not less than 50 percent of the voting stock, or by a parent corporation to a subsidiary corporation, or by a subsidiary corporation to a parent corporation, or by one corporation to another corporation both of which corporations are owned or controlled by substantially the same shareholders, provided that, in each such case, a bill of sale or other instrument of transfer, containing or having attached thereto an agreement by the transferee assuming all of the liabilities of the transferor existing at the date of such transfer, is recorded in the office of the county recorder of each county where the property transferred is located, and where the transferor resides if the transferor is a resident of this State or in the case of a transferor which is a partnership or corporation, where the partnership or corporation has its principal place of business in this State.

(b) A transfer of personal property if:
(1) Said personal property is leased back to the transferor immediately following said transfer
(2) The transferor (lessee) or the transferee (lessor) records at least 10 days before the date of the transfer and leaseback in the office of the county recorder in the county or counties in which the personal property is situated, a notice of the intended transfer and leaseback which states the name and address of the transferor (lessee) and transferee (lessor). The notice shall contain a general statement of the character of the personal property intended to be transferred and leased back, and show the date when and place where the transaction is to be consummated.
(3) The transferor (lessee) or the transferee (lessor) publishes a copy of the notice pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the judicial district in which the personal property is situated, if there is one, and if there is none in the judicial district, then in a newspaper of general circulation in the county embracing the judicial district. The publication shall be completed not less than five days before the date of the intended transfer and leaseback."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1336**—An act to amend Section 17045 of the Business and Professions Code, relating to unfair trade practices.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2532**—An act to amend Section 139 of the Civil Code, relating to support of spouse and children.

Bill read second time, and ordered engrossed

**Assembly Bill No. 2353**—An act to amend Section 17082 of the Business and Professions Code, relating to unfair trade practices.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2430**—An act to add Article 11.5 (commencing at Section 73750) to Chapter 10, Division 8 of the Government Code, relating to municipal courts

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 15, 1959, after "to", insert "amend Sections 73732, 73733, 73734, 73735, 73902, 73903, and 73904 of, and".

**Amendment No. 2**

On page 1, strike out lines 1 and 2 and insert:

"SECTION 1. Section 73732 of the Government Code is amended to read:

73732 There shall be one clerk who shall receive a minimum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($515)~~ *($608)* monthly with annual increments of ~~thirty~~ *thirty-three* dollars ~~($30)~~ *($33)*, ~~thirty-three~~ *thirty-six* dollars ~~($33)~~ *($36)*, ~~thirty-three~~ *thirty-eight* dollars ~~($33)~~ *($38)*, and ~~thirty-six~~ *forty* dollars ~~($36)~~ *($40)* to a maximum of ~~six~~ *seven* hundred ~~seventy-seven~~ *fifty-five* dollars ~~($677)~~ *($755)* monthly.

SEC. 2. Section 73733 of said code is amended to read:

73733. The clerk may appoint:

(a) One chief deputy clerk, who shall receive a minimum salary of four hundred ~~forty~~ *eighty-nine* dollars ~~($410)~~ *($489)* monthly with

annual increments of ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)*, ~~twenty-five~~ *twenty-nine* dollars ~~($25)~~ *($29)*, ~~twenty-seven~~ *thirty* dollars ~~($27)~~ *($30)*, and ~~twenty-nine~~ *thirty-three* dollars ~~($29)~~ *($33)* to a maximum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($545)~~ *($608)* monthly.

(b) Three deputy clerks grade ~~IV~~ *V* (division heads), each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~seventy-five~~ *seventeen* dollars ~~($375)~~ *($417)* monthly with annual increments of ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty-two~~ *twenty-four* dollars ~~($22)~~ *($24)*, ~~twenty-three~~ *twenty-five* dollars ~~($23)~~ *($25)*, and ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~sixty-four~~ *sixteen* dollars ~~($464)~~ *($516)* monthly.

(c) Six deputy clerks grade ~~III~~ *IV* (courtroom ~~clerk~~ *clerks*, chief bookkeeper ~~, or chief cashier~~), each of whom shall receive a minimum salary of three hundred ~~thirty-seven~~ *ninety-five* dollars ~~($337)~~ *($395)* monthly with annual increments of ~~eighteen~~ *twenty-two* dollars ~~($18)~~ *($22)*, ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty~~ *twenty-four* dollars ~~($20)~~ *($24)*, and ~~twenty-two~~ *twenty-five* dollars ~~($22)~~ *($25)* to a maximum of four hundred ~~seventeen~~ *eighty-nine* dollars ~~($417)~~ *($489)* monthly.

*(d) One deputy clerk grade III (assistant division head), who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly.*

~~(d)~~ *(e)* ~~Five~~ *Seven* deputy clerks grade II (~~stenographer, assistant bookkeeper or assistant cashier~~ *cashiers, stenographers, section leaders*), each of whom shall receive a minimum salary of ~~two~~ *three* hundred ~~eighty-eight~~ *three* dollars ~~($288)~~ *($303)* monthly with annual increments of ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, eighteen dollars ($18), and ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)* to a maximum of three hundred ~~fifty-five~~ *seventy-five* dollars ~~($355)~~ *($375)* monthly.

~~(e)~~ *(f)* ~~Ten~~ *Nineteen* deputy clerks grade I (general clerical duties), each of whom shall receive a minimum salary of two hundred ~~seventy-three~~ *eighty-eight* dollars ~~($273)~~ *($288)* monthly with annual increments of fifteen dollars ($15), ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and eighteen dollars ($18) to a maximum of three hundred ~~thirty-seven~~ *fifty-five* dollars ~~($337)~~ *($355)* monthly.

*(g) One telephone operator who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16) to a maximum of three hundred nineteen dollars ($319) monthly.*

SEC. 3. Section 73734 of said code is amended to read:

73734. There shall be one marshal who shall receive a monthly salary of ~~seven~~ *eight* hundred dollars ~~($700)~~ *($800)*.

SEC. 4. Section 73735 of said code is amended to read:

73735. The marshal may appoint:

(a) ~~One assistant marshal~~ *Two supervising deputy marshals* who shall receive a minimum salary of four hundred ~~forty~~ *sixty-four* dollars ~~($410)~~ *($464)* monthly with annual increments of ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)*, ~~twenty-seven~~ *twenty-nine* dollars ~~($27)~~ *($29)*, and ~~twenty-nine~~ *thirty* dollars ~~($29)~~ *($30)* to a maximum of five hundred ~~forty-five~~ *seventy-five* dollars ~~($515)~~ *($575)* monthly.

(b) ~~Eight~~ *Eleven* deputy marshals grade II ~~(field deputies)~~, each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly with annual increments of ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, and ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~eighty-nine~~ *sixteen* dollars ~~($489)~~ *($516)* monthly.

(c) ~~Three~~ *Five* deputy marshals grade I ~~(bailiffs)~~, each of whom shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($22)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($461)~~ *($489)* monthly

(d) One chief clerk, ~~clerical supervisor,~~ who shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($461)~~ *($489)* monthly.

(e) One clerk grade II (bookkeeper), who shall receive a minimum salary of three hundred ~~nineteen~~ *thirty-seven* dollars ~~($319)~~ *($337)* monthly with annual increments of eighteen dollars ($18), ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)*, twenty dollars ($20), and ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)* to a maximum of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly

(f) ~~Four~~ *Seven* clerks, grade I ~~(general clerical duties)~~, each of whom shall receive a minimum salary of two hundred ~~seventy-three~~ *eighty-eight* dollars ~~($273)~~ *($288)* monthly with annual increments of fifteen dollars ($15), ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and eighteen dollars ($18) to a maximum of three hundred ~~thirty-seven~~ *fifty-five* dollars ~~($337)~~ *($355)* monthly.

SEC. 5. Article 11.5 (commencing at Section 73750) is added to Chapter 10, Division 8 of said code, to''.

**Amendment No. 3**

On page 3, between lines 6 and 7, insert:

''SEC. 6. Section 73992 of said code is amended to read:

73992. There shall be one clerk who shall receive a minimum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($515)~~ *($608)* monthly with annual increments of ~~thirty~~ *thirty-three* dollars ~~($30)~~ *($33)*, ~~thirty-three~~ *thirty-six* dollars ~~($33)~~ *($36)*, ~~thirty-three~~ *thirty-eight* dollars

~~($33)~~ *($38)*, and ~~thirty-six~~ *forty* dollars ~~($36)~~ *($40)* to a maximum of ~~six~~ *seven* hundred ~~seventy-seven~~ *fifty-five* dollars ~~($677)~~ *($755)* monthly.

SEC. 7. Section 73993 of said code is amended to read:

73993. The clerk may appoint:

(a) One chief deputy clerk, who shall receive a minimum salary of four hundred ~~forty~~ *eighty-nine* dollars ~~($440)~~ *($489)* monthly with annual increments of ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)*, ~~twenty-five~~ *twenty-nine* dollars ~~($25)~~ *($29)*, ~~twenty-seven~~ *thirty* dollars ~~($27)~~ *($30)*, and ~~twenty-nine~~ *thirty-three* dollars ~~($29)~~ *($33)* to a maximum of ~~five~~ *six* hundred ~~forty-five~~ *eight* dollars ~~($515)~~ *($608)* monthly.

(b) ~~Three~~ *Four* deputy clerks, grade ~~IV~~ *V* (general civil and small claims deputies), each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~seventy-five~~ *seventeen* dollars ~~($375)~~ *($417)* monthly with annual increments of ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty-two~~ *twenty-four* dollars ~~($22)~~ *($24)*, ~~twenty-three~~ *twenty-five* dollars ~~($23)~~ *($25)*, and ~~twenty-four~~ *twenty-seven* dollars ~~($24)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~sixty-four~~ *sixteen* dollars ~~($464)~~ *($516)* monthly.

(c) ~~Four~~ *Three* deputy clerks, grade ~~III~~ *IV* (courtroom ~~clerk~~ *clerks*, ~~chief~~ ~~bookkeeper~~ ~~or~~ ~~chief~~ ~~cashier~~ *supervisor traffic division*), each of whom shall receive a minimum salary of three hundred ~~thirty-seven~~ *ninety-five* dollars ~~($337)~~ *($395)* monthly with annual increments of ~~eighteen~~ *twenty-two* dollars ~~($18)~~ *($22)*, ~~twenty~~ *twenty-three* dollars ~~($20)~~ *($23)*, ~~twenty~~ *twenty-four* dollars ~~($20)~~ *($24)*, and ~~twenty-two~~ *twenty-five* dollars ~~($22)~~ *($25)* to a maximum of four hundred ~~seventeen~~ *eighty-nine* dollars ~~($417)~~ *($489)* monthly.

(d) ~~Five~~ *Two* deputy clerks, grade ~~II~~ *III* (~~stenographer, assistant bookkeeper, or assistant cashier~~ *chief bookkeeper, chief cashier*), each of whom shall receive a minimum salary of ~~two~~ *three* hundred ~~eighty-eight~~ *fifty-five* dollars ~~($288)~~ *($355)* monthly with annual increments of ~~fifteen~~ *twenty* dollars ~~($15)~~ *($20)*, ~~sixteen~~ *twenty* dollars ~~($16)~~ *($20)*, ~~eighteen~~ *twenty-two* dollars ~~($18)~~ *($22)*, and ~~eighteen~~ *twenty-three* dollars ~~($18)~~ *($23)* to a maximum of ~~three~~ *four* hundred ~~fifty-five~~ *forty* dollars ~~($355)~~ *($440)* monthly.

(e) ~~Seven~~ *Four* deputy clerks, grade ~~I~~ *II* (~~general clerical duties~~ *assistant cashiers, assistant bookkeeper, calendar clerk*), each of whom shall receive a minimum salary of ~~two~~ *three* hundred ~~seventy-three~~ *three* dollars ~~($273)~~ *($303)* monthly with annual increments of ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~fifteen~~ *eighteen* dollars ~~($15)~~ *($18)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)* to a maximum of three hundred ~~thirty-seven~~ *seventy-five* dollars ~~($337)~~ *($375)* monthly.

*(f) Seven deputy clerks, grade I (general clerical duties), each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred fifty-five dollars ($355) monthly.*

SEC. 8. Section 73994 of said code is amended to read:

73994. There shall be one marshal who shall receive a monthly salary of ~~seven~~ *eight* hundred dollars ~~($700)~~ *($800)*. The marshal may appoint:

(a) One ~~assistant marshal~~ *supervising deputy marshal* who shall receive a minimum salary of four hundred ~~forty~~ *sixty-four* dollars ~~($440)~~ *($464)* monthly with annual increments of ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)*, ~~twenty-seven~~ *twenty-nine* dollars ~~($27)~~ *($29)*, and ~~twenty-nine~~ *thirty* dollars ~~($29)~~ *($30)* to a maximum of five hundred ~~forty-five~~ *seventy-five* dollars ~~($545)~~ *($575)* monthly.

(b) Six deputy marshals, grade II (field deputies), each of whom shall receive a minimum salary of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly with annual increments of ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($22)~~ *($24)*, ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)*, and ~~twenty-five~~ *twenty-seven* dollars ~~($25)~~ *($27)* to a maximum of ~~four~~ *five* hundred ~~eighty-nine~~ *sixteen* dollars ~~($489)~~ *($516)* monthly.

(c) ~~Three~~ *Two* deputy marshals, grade I (bailiffs), each of whom shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($23)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($464)~~ *($489)* monthly

(d) One chief clerk ~~(clerical supervisor)~~ who shall receive a minimum salary of three hundred ~~seventy-five~~ *ninety-five* dollars ~~($375)~~ *($395)* monthly with annual increments of ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)*, ~~twenty-two~~ *twenty-three* dollars ~~($22)~~ *($23)*, ~~twenty-three~~ *twenty-four* dollars ~~($22)~~ *($24)*, and ~~twenty-four~~ *twenty-five* dollars ~~($24)~~ *($25)* to a maximum of four hundred ~~sixty-four~~ *eighty-nine* dollars ~~($464)~~ *($489)* monthly.

(e) One clerk, grade II (bookkeeper), who shall receive a minimum salary of three hundred ~~nineteen~~ *thirty-seven* dollars ~~($319)~~ *($337)* monthly with annual increments of eighteen dollars ($18), ~~eighteen~~ *twenty* dollars ~~($18)~~ *($20)*, twenty dollars ($20), and ~~twenty~~ *twenty-two* dollars ~~($20)~~ *($22)* to a maximum of ~~three~~ *four* hundred ~~ninety-five~~ *seventeen* dollars ~~($395)~~ *($417)* monthly.

(f) Four clerks, grade I ~~(general clerical duties)~~, each of whom shall receive a minimum salary of two hundred ~~seventy-three~~ *eighty-eight* dollars ~~($272)~~ *($288)* monthly with annual increments of fifteen dollars ($15), ~~fifteen~~ *sixteen* dollars ~~($15)~~ *($16)*, ~~sixteen~~ *eighteen* dollars ~~($16)~~ *($18)*, and eighteen dollars ($18) to a maximum of three hundred ~~thirty-seven~~ *fifty-five* dollars ~~($337)~~ *($355)* monthly."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 758**—An act to add Section 2802.5 to the Elections Code, relating to state central committees of political parties.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 198**—An act to amend Sections 2890 and 11553 of the Elections Code, relating to ballots and documents connected with elections.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "2890", insert ", 3702,".

**Amendment No. 2**

On page 1, between lines 5 and 6, insert

"SEC. 2. Section 3702 of said code is amended to read:

3702. This paper shall be watermarked with a design, to be furnished by the Secretary of State, so that the watermark shall be plainly discernible on the outside of the ballot when folded according to law. The design shall be kept secret from all persons not engaged in the preparation, printing, or distribution of the paper or ballots, until the day of election. The design shall be changed for each general election, and the same design shall not be used again at any general election within the space of five years; but at any special or local election, paper marked with the design used at the previous election may be used.

*The paper shall be of such thickness as to insure secret voting, so that the stampings or writings marked or written by the voter cannot be seen from the reverse side of the paper under conditions existing in places where voting is done.*"

**Amendment No. 3**

On page 1, line 6, strike out "SEC. 2", and insert SEC. 3".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

**Assembly Bill No. 1697**—An act to add Sections 2240, 2241, 2242, and 2243 to the Corporations Code, relating to the government of corporations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 2, line 13, of the printed bill, as amended in the Assembly on May 8, 1959, after "commissioner", insert "shall exclude corporations which solicit proxies pursuant to the Securities Exchange Act of 1934 and".

Bill ordered reprinted, re-engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2248**—An act to amend Sections 3572 and 3574 of the Public Utilities Code, relating to regulation of highway carriers by the Public Utilities Commission.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 7 to 9, inclusive, and insert "perform the proposed service, otherwise".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2298**—An act to amend Sections 1051 and 1052 of the Public Utilities Code, relating to warehousemen.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1565**—An act to add Part 4 to Division 9 of the Public Utilities Code, to provide for the giving of security by owners and operators of aircraft involved in accidents, to provide for administration thereof; and to provide penalties for violation of any provisions of this act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "to add Part 4 to", and insert "to amend Section 21401 of, and to add Part 4 (commencing at Section 24200) to,".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 21401 of the Public Utilities Code is amended to read:

21401. Sovereignty in the space above the land and waters of this State rests in the State, except where granted to and assumed by the United States pursuant to a constitutional grant from the people of the State.

*The operation of aircraft in such space is a privilege subject to the laws of this State.*

SEC. 2. Part 4 (commencing at Section 24200) is added to Division 9 of said code, to read:".

**Amendment No. 3**

On page 3, between lines 23 and 24, insert

"(e) Any aircraft operated by an operator subject to the provisions of Article 2 (commencing at Section 16091) of Chapter 1a of Division 2 of the Agricultural Code."

**Amendment No. 4**

On page 3, between lines 33 and 34, insert

"24219. *Nothing in this part shall be construed as authorizing the State to license the operators of aircraft.*"

**Amendment No. 5**

On page 4, line 52, strike out "one hundred dollars ($100)", and insert "four hundred dollars ($400)".

**Amendment No. 6**

On page 6, lines 10 and 11, strike out "one hundred dollars ($100)", and insert "four hundred dollars ($400)".

**Amendment No. 7**

On page 11, lines 4 and 5, strike out "one hundred dollars ($100)", and insert "four hundred dollars ($400)".

**Amendment No. 8**

On page 12, line 13, strike out "ten thousand dollars ($10,000)", and insert "one thousand dollars ($1,000)".

**Amendment No. 9**

On page 12, line 22, strike out "ten thousand dollars ($10,000)", and insert "one thousand dollars ($1,000)".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 14**—An act to amend Section 575 of the Code of Civil Procedure, relating to pretrial conferences.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, after the period insert "No pretrial conference shall be held except on request of an attorney for a party to the case, which must be filed with the memorandum to set the case for trial, or on request of a judge of the court in which the case is pending. A pretrial conference must be held prior to the date of trial indicated in the memorandum to set the case for trial."

Bill ordered reprinted, engrossed, and to be filed, as amended, and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2440**—An act to add Section 2399.5 to the Business and Professions Code, relating to the practice of medicine.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2296**—An act to amend Section 3042 of the Business and Profession Code, relating to the practice of optometry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert "and to add Chapter 5.4 (commencing with Section 2540) to Division 2 of".

**Amendment No. 2**

In line 2 of the title, strike out "the practice of optometry", and insert "prescription lenses".

**Amendment No. 3**

On page 1, line 13, strike out "qualified".

**Amendment No. 4**

On page 1, line 17, strike out "No"; and strike out all of lines 18 to 20, inclusive.

**Amendment No. 5**

On page 1, after line 24, insert

"SEC. 2. Chapter 5.4 (commencing with Section 2540) is added to Division 2 of said code, to read:

CHAPTER 5.4. PRESCRIPTION LENSES

2540. No person other than a physician and surgeon or optometrist may measure the powers or range of human vision or determine the accommodative and refractive status of the human eye or the scope of its functions in general or prescribe ophthalmic or contact lenses.

2541. A prescription lens is any device ordered by a physician and surgeon or optometrist, that alters or changes the visual powers of the human eye, including, but not limited to, ophthalmic and contact lenses.

2542. Only a physician and surgeon or optometrist in connection with the fitting of a prescription lens or lenses, may utilize the service of a registered dispensing optician acting on the advice, supervision and responsibility of such physician and surgeon or optometrist.

2543. No one other than a physician and surgeon, optometrist or registered dispensing optician as provided in this chapter may dispense, sell or furnish prescription lenses.

2544. A technician in the office of a physician and surgeon or optometrist acting under the direct responsibility and supervision of the physician and surgeon or optometrist may fit prescription lenses."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 105**—An act to add Section 4167 to the Welfare and Institutions Code, relating to the transfer of real property by recipients of aid to the needy disabled

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2317**—An act to amend Section 2183 of the Welfare and Institutions Code, relating to payment of aid under the Old Age Security Law.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2507**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2512**—An act to amend Section 2163 3 of the Welfare and Institutions Code, relating to property of old age assistance recipients.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2509**—An act to amend Section 4552 of the Welfare and Institutions Code, relating to medical services to public assistance recipients, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 4552 of", and insert "add Section 4552 5 to"

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 4552 5 is added to the Welfare and Institutions Code, to read:

4552 5 In addition to the amounts transferred pursuant to Section 4552, the State Controller shall transfer to the Medical Care Premium Deposit Fund in the State Treasury the sum of three dollars ($3) per month for each recipient of public assistance under Chapter 1 or 3 of Part 1 of Division 5 of this code."

**Amendment No. 3**

On page 1, strike out lines 2 to 19, inclusive; and on page 2, strike out lines 1 to 7, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 2506**—An act to amend Section 3403 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

**Amendment No. 2**

In line 1 of the title, after "3403", insert "and 3471".

**Amendment No. 3**

On page 1, after line 16, insert

"SEC. 2 Section 3471 of said code is amended to read:

3471. The county board of supervisors shall not grant any certificate of qualification for aid under the provisions of this chapter until it has been satisfied that the applicant is entitled to such aid by the evidence of one reputable citizen of the State that he knows that the applicant has the required residential qualifications to entitle him to the aid asked for, or, in case such citizen is not available, then by such other evidence as is acceptable to the State Department of Social Welfare, and by the evidence either of a duly licensed and practicing physician skilled in the diseases of the eye or of a duly licensed and practicing physician skilled in neuropsychiatry or of a duly licensed and practicing optometrist that the applicant is blind, *except as provided for in Section 3403*. The physician skilled in diseases of the eye shall describe the condition of the applicant's eyes and testify to the degree of his blindness. Whenever a physician skilled in the diseases of the eye is unable to find sufficient pathology to account for the degree of blindness claimed by the applicant and whenever such physician skilled in the diseases of the eye shall recommend a further examination by a physician skilled in neuropsychiatry, the applicant shall have the right to be examined by a physician skilled in neuropsychiatry who shall determine whether the degree of visual impairment claimed by the applicant is substantiated by the results of a neuropsychiatric examination. The duly licensed and practicing optometrist shall testify to the degree of the applicant's blindness. The cost of such examination shall be paid entirely by the county in the same manner as other expenses of the county are paid. The evidence of each person shall be in writing, signed by him, and he shall be subject to cross-examination by the county board of supervisors or any other person appointed by the board of supervisors to conduct such investigation."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 467**—An act to add Chapter 5 (commencing with Section 2380) to Division 3 of the Welfare and Institutions Code, relating to housing for the aged.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Chapter 5 (commencing with Section 2380) to Division 3 of the Welfare and Institutions Code", and insert "Part 5 (commencing at Section 35800) to Division 24 of the Health and Safety Code".

**Amendment No. 2**

In line 3 of the title, strike out "the aged", and insert "elderly persons of low income, and making an appropriation therefor".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1 Part 5 (commencing at Section 35800) is added to Division 24 of the Health and Safety Code, to read:

PART 5. HOUSING FOR THE ELDERLY ACT

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

35800. This part may be cited and shall be known as the Housing for the Elderly Act.

35800.1 There is in the Department of Industrial Relations a Division of Housing for the Elderly which shall be responsible for the administration of this act and for enforcing its provisions.

35801 It is the intent of this act to make available to elderly persons of low income decent, sanitary, and safe housing which will enable them to live in dignity, self-respect, and safety as becomes individuals whose labors have helped develop California into a great State The people of the State of California declare:

(a) That it has been found that because of their low income, elderly persons must reside in unsafe and unsanitary accommodations; that there exists in the State a shortage of decent, safe, and sanitary housing accommodations available at rents and purchase prices which such low-income elderly persons can afford to pay; that these unsafe, unsanitary, undesirable dwellings constitute a menace to the health, safety, morals, and welfare of all the residents of the State as well as to elderly persons; that these conditions necessitate excessive and disproportionate expenditures of public funds for public health, safety, fire, and accident prevention, and other public services and facilities; that these conditions tend to depress the elderly person, make him dependent and accelerate physical and mental deterioration which deprive him of self-sufficiency and responsibility and greatly increase the cost to the public for care in public general hospitals and state mental hospitals

(b) That because the unsafe, unsanitary, and undesirable housing occupied by elderly persons of low income cannot be raised or replaced, or the shortage of safe, sanitary, and desirable dwellings be relieved, entirely through the efforts of private enterprise, it is necessary that the construction, development, and acquisition of homes and housing projects for such elderly persons be the co-operative and joint responsibility of private enterprise and public agencies.

(c) That the clearance, replanning, and reconstruction of the areas in which unsafe and unsanitary housing conditions exist and that the provision of safe, sanitary and decent housing accommodations for elderly persons of low income are public uses and purposes, for which public money may be spent and private property acquired, are governmental functions of statewide concern; that it is in the public interest that work on homes and housing projects for the elderly persons of low income be commenced as soon as possible; and that the necessity in the public interest for the provisions of this chapter is declared a matter of legislative determination

35802 Unless the context otherwise requires, the definitions contained in this chapter govern the construction of this part

35803. "Elderly person of low income" means a single person, or the head of a household, who is 60 years of age or more, who has resided continuously in the State for five years, or more, and who lacks the amount of income, including public assistance payments to the aged, which is necessary to enable him, without depriving him of the other necessities of life, and without financial assistance, to live in a decent, safe, and sanitary dwelling

35804 "Housing authority" means any authority created pursuant to the Housing Authority Law (Ch. 1, commencing at Sec. 34200, Pt 2, Div. 24, H & S. C)

35805 "Limited dividend housing corporation" means any corporation formed pursuant to the Limited Dividend Housing Corporations Law (Ch. 1, commencing at Sec 34800, Pt 3, Div 24, H. & S. C.).

35806 "Land chest corporation" means any corporation formed pursuant to the Community Land Chest Law (Ch. 2, commencing at Sec 35100, Pt. 3, Div. 24, H & S C)

35807 "Nonprofit corporation" means any corporation formed under the General Nonprofit Corporation Law (Pt. 1, commencing at Sec. 9000, Div. 2, Tit. 1, Corp. C).

35808 "Department" means the Department of Industrial Relations

35809. "Division" means the Division of Housing for the Elderly in the department

## CHAPTER 2. LOANS TO INDIVIDUAL ELDERLY PERSONS OF LOW INCOME

### Article 1. Home Purchase

35820. The provisions of this article are applicable, and the benefits conferred thereby are available to any elderly person of low income.

35821 "Home" means a parcel of real estate upon which there is a dwelling house and such other buildings as will, in the opinion of the division, suit the needs of the purchaser and his dependents as a place of abode.

35822. "Purchaser" means an elderly person of low income who has entered into a contract of purchase of a home from the division.

35823. "Purchase price" means the price which the division pays for any home

35824 "Selling price" means the price for which the division sells any home.

35825 "Initial payment" means the first payment to be made by a purchaser to the division for a home

35826. "Progress payment plan" means payment by the division for improvements on real property in installments as work progresses

35827. The object of this article is to provide elderly persons of low income with the opportunity to acquire homes.

35828. There is in the Department of Industrial Relations a Division of Housing for the Elderly which shall be administered through a chief appointed by the Governor, with the consent of the Senate, to serve at the pleasure of the Governor at a salary to be fixed by the Governor. The administration of this article is vested in the division

35828.1. There is hereby created the Elderly Persons Home Purchase Finance and Advisory Committee, composed of the Governor, State Controller, State Treasurer, Director of Finance, Director of Public Health, Director of Social Welfare, Executive Secretary of the Citizens Advisory Committee on Aging, and the Chief of the Division of Housing for the Elderly, all of whom shall serve without compensation and a majority of whom shall be empowered to act for said committee. This committee shall determine the details for financing the programs developed under this act, such as interest rates and payments, and to set the amount of income which will determine the low-income status of an elderly person It shall also serve the chief of the division in an advisory capacity on all matters relating to the provisions of this act. The Attorney General of the State shall be the legal adviser of the committee.

35829. The division shall determine and prescribe the qualifications of all elderly persons of low income Any person deeming himself eligible for benefits hereunder, shall submit to the division information, in such form as the division prescribes, which will enable the division to determine his eligibility and qualifications. The division may make further inquiries and investigations in order to determine such eligibility and qualifications

35829.5. No elderly person shall be eligible for benefits under this chapter if his probable aggregate annual income exceeds the amount set by the Elderly Persons Home Purchase Finance and Advisory Committee as that which denotes an elderly person of low income The committee shall make provisions for continued occupancy of the dwellings by elderly persons when there is a change in their probable aggregate annual income, unless it is of such an amount as to remove without doubt the elderly persons from being considered as persons of low income

"Probable aggregate annual income," as used in this section, means the annual income, including income from public aid to the aged, of the elderly person and, if he has a spouse and they are living together, his spouse

35829.6. No person shall be eligible for benefits under this chapter unless and until he has filed a financial statement of his total capital assets with the division on a form approved and furnished by the division

35830 If an elderly person of low income dies after filing his application for a home, and his application setting forth his eligibility and qualifications is subsequently approved, the surviving spouse, if such spouse would otherwise be eligible may, in the discretion of the division, succeed to his rights under the application, and may be entitled to the rights, privileges, and benefits under this article that would have been his, but for his death. The contract of purchase which the division otherwise would have made with such person may be made with such spouse.

35831 When an elderly person of low income has been authorized by the division to select a home, he shall submit his selection in such form as the division prescribes

35832 The division may acquire such home from the owner thereof or may contract with an elderly person of low income for the construction of a dwelling house and other improvements for a home, upon the terms agreed if:

(a) The division is satisfied of the desirability of the property submitted

(b) The elderly person of low income has agreed with the division actually to reside on the property within 60 days from the date of purchase by the division, or if the residence on the property is not complete on the date of purchase, within 60 days after the residence is completed.

(c) The sum to be expended by the division pursuant to a contract for the construction of a dwelling house and other improvements does not exceed the sum of fifteen thousand dollars ($15,000).

(d) Where the division is to contract with the elderly person of low income for the construction of a dwelling house and other buildings:

(1) The elderly person of low income is the owner in fee of the real property on which the dwelling house and other buildings are to be constructed and agrees to convey that property to the division without cost.

(2) The elderly person of low income has paid a reasonable fee set by the division to cover the cost of such preliminary service of the division as may be necessary to process the application.

(3) The elderly person of low income has filed with the division adequate plans and specifications for the improvements to be constructed upon said real property, together with a contract, executed by a contractor licensed by the State of California for the construction of said improvements in accordance with said plans and specifications within eight months after the acquisition of said real property by the division, and a bond executed by the contractor providing for compliance with the terms of said contract and for the payment of materialmen and labor furnishing material

or labor on the job, executed by a surety company, authorized to do business in the State of California.

(4) The plans, specifications, contract and bond are approved by the division.

(5) The elderly person of low income has placed in escrow all sums of money to be advanced by him where the cost is in excess of the maximum that may be expended by the division

35833. The purchase price of a home to the division shall not exceed the sum of fifteen thousand dollars ($15,000), and an elderly person of low income purchasing the home may advance the difference between the total price or cost of the home and the sum of the purchase price of the home to the division and any amount the division is required under Section 35837 of this code to add to the purchase price of the home in fixing the selling price thereof to the elderly person of low income.

35834. The division may acquire a home in which the elderly person of low income to whom such home is to be sold has heretofore acquired an interest.

35835. Before the purchase of any property by the division there shall be filed with the division an appraisement of the market value of the property by an employee or an authorized agent of the division, and in addition there may be filed with the division an appraisement of the market value of the property by an authorized appraiser of a banking corporation formed under the laws of this State of a national banking association having a place of business in this State. Each appraisement shall be certified by the maker thereof. The certification shall state that it is made in good faith, and that the valuation is honestly determined and represents the bona fide opinion of the maker.

35836 The division, before consummating a purchase under the provisions of this article, shall cause the title of the property sought to be purchased to be examined and may require for that purpose an abstract, an unlimited certificate of title, or a policy of title insurance, and may refer the same to the Attorney General for his opinion

35837. The division shall then enter into a contract with the elderly person of low income for the sale of the property to such person. The division shall fix the selling price of the property by adding to the purchase price thereof, to the total cost of improvements constructed, or to the value of such property as determined by the division when such property is acquired by the division in a manner other than by purchase, all expenses incurred and estimated to be incurred by the division in relation thereto, inclusive of interest, administration, appraisals, examination of title, incidental expenses, and the sum deemed necessary to meet unforeseen contingencies. In the case of real property acquired from an elderly person of low income for the purpose of constructing improvements thereon, the division shall forthwith after acquiring said real property enter into the contract with such person authorized by this section at a selling price determined by the amount of the contract price for the improvements and any of the other additions herein authorized After the execution of said contract between such person and the division and the making of the initial payment thereon the division shall be authorized to pay the cost of the improvements contracted to be constructed on said real property, making progress payments thereon in such amounts and at such times as the division approves. The division shall upon written request of the elderly person of low income and his contractor have authority to approve additions to or deletions from the improvements contracted to be constructed and any savings affected or added cost incurred shall be deducted from or added to the amount due the division by such person under the terms of his contract.

35838. The purchaser shall make an initial payment of at least 3 percent of the selling price of the property. The division may waive the initial payment in any case where the value of the property as determined by the division appraisal shall equal the amount to be paid by the division, plus at least 5 percent The balance of the purchase price may be amortized over a period fixed by the division, together with interest thereon at the rate as determined by the division for such amortization purposes. The division shall establish the actual interest rate to be paid To his end the division is empowered to establish a uniform rate of interest payable upon the amount remaining unpaid under any purchase contract. The division shall periodically, at least once each year, make a finding as to the rate of interest to be charged, not to exceed 5 percent per annum, taking into consideration the current value of money and the solvency of the fund from which the money for the purposes of this article is derived. The division may raise or lower the rate of interest payable under such contracts for any given period as many times and as frequently as it deems to be for the best interests of the division, as well as the contract holders, if in so doing its action is made applicable alike to any and all contract holders and 90 days' advance notice be given of the time when the new rate of interest is to become effective In no case shall the rate of interest to the elderly person exceed the cost of money to the State plus a fixed margin for overhead and servicing. Any change in the interest rate shall not affect the total amount of any installment payment, but the difference shall be credited to interest or principal and accelerate or prolong the period of payment. The purchaser on any installment date may pay any or all installments still remaining unpaid. In

any individual case the division may for good cause postpone from time to time, upon terms as the division deems proper, the payment of the whole or any part of any installment of the purchase price or interest thereon.

35839. The provisions of Section 35838 relative to the rate of interest to be charged to purchasers do not apply to assignees of such purchasers who are not elderly persons of low income, but as to such assignees the rate of interest shall be as fixed by the division, compounded at periods fixed by the division.

35840. The division in each individual case may specify the terms of the contract entered into with the purchaser, but no property sold under the provisions of this article shall, voluntarily or involuntarily, by operation of law or otherwise, be transferred, assigned, encumbered, leased, let or sublet, in whole or in part, without the written consent of the division, until the purchaser has paid therefor in full and has complied with all the terms and conditions of this contract of purchase.

35841. The contract made between the division and purchaser shall provide that the purchaser maintain the home as his place of residence and keep in good order and repair all buildings, fences, and other permanent improvements situate thereon and that the purchaser, if required, insure and keep insured against fire or other hazards, all buildings, fences, or other permanent improvements on the property, loss, if any, under the policies therefor to be made payable to the division as its interest appears. Insurance shall be in the amount, with the insurance companies, and under the conditions specified by the division.

35842. If the purchaser fails or neglects to pay, satisfy, and discharge at maturity all taxes and assessments, and all other charges and encumbrances which are a lien upon the property being purchased from the division, or any part thereof, and also all taxes and assessments levied or assessed upon the interest created by the contract of purchase of such property; or to keep the buildings, fences, or other permanent improvements upon such property insured and in good order and repair; or to keep in good order and repair all buildings, fences, and other permanent improvements situated upon such property; then, in such event, the division may pay, satisfy, discharge, settle, or compromise the taxes, assessments, charges, or encumbrances, or insure the buildings, fences, or permanent improvements, or do the work and supply the materials necessary to keep the buildings, fences, and other improvements in good order and repair. All moneys so expended by the division shall be added to the selling price of the property and bear interest at the rate of interest designated in Section 35838 from the date of expending the same, and shall be repaid by the purchaser to the division on demand. The division may amortize the repayment of such expenditures or permit repayment in installments upon the terms and conditions which it deems proper. The division may consider a failure on the part of the purchaser to repay money to the division upon demand pursuant to this section to be a default in the contract and upon a 30 days' notice may evict the purchaser.

35843. The division shall be the sole judge of:

(a) The legality or validity of taxes, assessments, charges or encumbrances, and the amount necessary to be paid in satisfaction or discharge thereof.

(b) The amount of insurance to be placed upon the buildings, fences, and other permanent improvements, and the amount necessary to be paid for the premiums for such insurance.

(c) The necessity and nature of the work necessary to keep the buildings, fences, and other improvements in good order and repair, and the amount necessary to be paid therefor.

35844. In the event of a failure of a purchaser to comply with any of the terms of his contract of purchase, the division may cancel such contract, and thereupon be released from all obligations, at law or in equity, to convey the property, and the purchaser shall forfeit all right thereto. All payments theretofore made shall be deemed to be rental paid for occupancy. Upon such forfeiture, the division shall take possession of the property covered by such contract, and shall remove all persons and personal property therefrom without any liability whatsoever on the part of the division or of any official or employee thereof for any damage or injury caused by or incident to the entry or removal. The failure of the division to exercise any option to cancel or to exercise any other privilege under such contract for any default shall not constitute a waiver of the right to exercise such option or privilege for any other default on the part of the purchaser.

35845. In the event of a forfeiture of a contract of purchase under the provisions of this article, the division may sell or otherwise dispose of the property covered by the forfeited contract to such person and upon such terms and conditions as it deems proper.

35846. The division may, in the contract of purchase with an elderly person of low income, provide that, in the event of default by such person and forfeiture of his rights under the contract and subsequent sale of the property by the division, it may pay to him any net gain realized by the division upon the sale. The division is the sole judge of the net gain.

35847. The division may insure and keep insured against fire or other hazards all buildings, fences, or other permanent improvements, situated upon any property which has reverted to and is under the control of the division, or may do the work and supply the materials necessary to keep the buildings, fences, and other improvements situated upon the property in good order and repair. The division may lease or let the property, in whole or in part, upon such terms as it deems proper.

35848. When a purchaser dies, indebted to the division under contract of purchase, the division shall, within six months, enter into a new contract of purchase for the property involved with an elderly person of low income eligible under the provisions of this chapter. If within six months such a contract cannot be entered into, the division may sell or otherwise dispose of the property involved to such person and upon such terms and conditions as it deems proper. In either event, the heirs or devisees of the deceased purchaser shall be paid by the division the cash value of the equity in the property belonging to the purchaser at the date of his death, less the cost of sale of the property to the division and subject to all rights, claims, and charges of the division.

35849. Whenever the money in the Elderly Persons Home Purchase Fund is insufficient to enable the division to aid elderly persons of low income in the acquisition of, or payments for, homes pursuant to this article, the division shall provide for advances of money in the amount determined to be necessary, out of any money appropriated from the General Fund for that purpose. The money so advanced shall be transferred from the General Fund to the Elderly Persons Home Purchase Fund and must be used exclusively in aiding elderly persons of low income in the acquisition of, or payments for, homes in accordance with the provisions of this article. Each such advance shall be made on condition that it be repaid, together with interest at a rate fixed by the Elderly Persons Home Purchase Finance and Advisory Committee, to the General Fund at the earliest possible date, out of the proceeds of the sale of any bonds which may hereafter be authorized to be issued to create a fund to be expended in accordance with the provisions of this article, and on the further condition that in the event such bonds are not authorized, said advances, together with interest at the rate of one and seventy-four one-hundredths percent (1.74%) per annum, shall be returned to the General Fund in the State Treasury from the Elderly Persons Home Purchase Fund within a period of twenty-one (21) years from the effective date of this section.

35850. For the purposes of carrying out the purposes of this article the chief of the division may by executive order authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds which have been authorized to be sold for the purpose of carrying out this article, and the amount necessary to carry out this section is hereby appropriated without regard to fiscal years. Any amounts withdrawn shall be deposited in the Elderly Persons Home Purchase Fund. Any moneys made available under this section to the division shall be returned to the General Fund in such amounts as may be received by the division from the sale of bonds sold for the purpose of carrying out this article, together with interest at the rate of interest fixed in the bonds so sold.

35851. The division shall prescribe by regulation a priority system in the consideration of applications for aid under this article, which system shall provide for prior consideration to applications on a basis of a determination of need.

35852. The right to declare a forfeiture for breach of a condition contained in any deed to real property may not be enforced as against the interest of the division in said real property or any portion thereof.

## Article 2. Funds

35870. There is in the State Treasury a revolving fund known as the Elderly Persons Home Purchase Fund. All moneys deposited in such fund shall be subject to the provisions of this article. Money may be withdrawn from such fund in accordance with law upon requisition of the division.

35871. The money paid by purchasers shall be deposited in the fund and be available for the purpose of carrying out the provisions of this article.

35872. Out of any money available in the fund, the division may advance to any purchaser upon his application, and under such policies as the division may, from time to time, prescribe, sums for the purpose of paying taxes and assessments, or making permanent improvements, or keeping in good order or repair, or for painting, redecorating or remodeling, all buildings, fences or other permanent improvements on, or the insuring against fire or other hazards, any building, fence or other permanent improvements on the property being purchased from the division, or the division may advance to any such purchaser moneys actually expended in so doing.

All the money advanced to a purchaser by the division shall be added to the deferred principal of the purchaser's account and bear interest at the same rate and shall be repaid by the purchaser to the division under such conditions as it may prescribe.

The money advanced may, in the discretion of the division, be in addition to the maximum purchase price of a home as limited by the provisions of Section 35833 of this code.

The division shall be the sole judge of the need and desirability of making such advances.

35873. The division is hereby authorized to provide for advances of money needed to meet contingent expenses, to such an amount not exceeding eighty-five thousand dollars ($85,000), as the said division shall deem necessary, and to provide for advances of money needed to carry out the provisions of this chapter, to such an amount not exceeding eighty-five thousand dollars ($85,000), as the division may deem necessary, such advances to be administered as revolving funds The State Controller is hereby authorized and directed to draw his warrants upon the Elderly Persons Home Purchase Fund for such advances, and the State Treasurer is hereby authorized and directed to pay the same.

35874. The division is empowered to accept, and use for the purposes of this chapter, gifts, donations, and contributions from public and private sources. Such moneys shall be deposited in the Elderly Persons Home Purchase Fund.

35875. The division is empowered to accept contributions from the Federal Government whenever the Congress of the United States shall authorize such contributions Such moneys shall be deposited in the Elderly Persons Home Purchase Fund to be used for the purposes of this chapter.

Article 3. Elderly Persons Home Purchase Bond Act of 1959

35890. This article may be cited as the Elderly Persons Home Purchase Bond Act of 1959.

35891. For the purpose of creating a fund to provide home aid for elderly persons of low income in accordance with the provisions of Chapters 1 (commencing at Sec. 35800) and 2 (commencing at Sec. 35820) of this part, the Elderly Persons Home Purchase Finance Committee created by this article shall be and it hereby is authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the manner and to the extent hereinafter provided, but not otherwise, nor in excess thereof.

35892. After the adoption of any resolution by the Elderly Persons Home Purchase Finance and Advisory Committee hereby created, provided for in Section 35828 1, the State Treasurer shall prepare the requisite number of suitable bonds of the denomination of one thousand dollars ($1,000), or multiples thereof, in accordance with the specifications contained in such resolution. The aggregate par value of all bonds issued under this article shall not exceed the sum of thirty-four million dollars ($34,000,000), and the bonds issued under any such resolution shall bear interest from the date of issuance of said bonds to the date of maturity thereof, at a rate to be determined by the said committee and specified in such resolution, but in no case exceeding 5 per cent per annum. Both principal and interest shall be payable in lawful money of the United States, at the Office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer, and shall be so payable at the times specified in said resolution or resolutions

All bonds issued under this article shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp adopted for each particular bond issued under this article and the bonds shall be signed, countersigned and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. The bonds so signed, countersigned, endorsed and sealed, when sold, shall be and constitute a valid and binding obligation upon the State of California, although the sale thereof be made at a date or dates upon which the officers having signed, countersigned and endorsed said bonds, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds. Each bond issued under this article shall contain a clause or clauses stating that interest shall cease to accrue thereon from and after the date of maturity thereof and referring to this article and to the resolution of the Elderly Persons Home Purchase Finance and Advisory Committee by virtue of which said bond is issued

35893. The requisite number of suitable interest coupons, appropriately numbered, shall be attached to each bond issued under this article Said interest coupons shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain.

35894 All bonds issued under this article and sold shall be deemed to have been called in at their respective dates of maturity and the State Treasurer shall, on the respective dates of maturity of said bonds, or as soon thereafter as said matured bonds are surrendered to him, pay the same out of the proceeds of the Controller's warrants drawn in his favor as provided in Section 35895 and perforate the bonds so paid with a suitable device in a manner to indicate such payment and the date thereof. He shall also, on the said respective dates of maturity, cancel all bonds bearing said dates of maturity and remaining unsold, by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. The provisions of this section shall be applicable also to the interest coupons pertaining to the bonds authorized by this article to be issued, and shall be applicable, as far as practicable, to any duly authorized agent of the State Treasurer.

35895. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this article, as said principal and interest become due and payable.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collections of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum

On the several dates of maturity of said principal and interest in each fiscal year, there shall be returned into the General Fund in the State Treasury, all of the moneys in the Elderly Persons Home Purchase Fund, not in excess of the principal of and interest on the said bonds then due and payable and, in the event of such moneys so returned on said dates of maturity being less than the said principal and interest then due and payable, then the balance remaining unpaid shall be returned into the General Fund in the State Treasury out of said fund as soon thereafter as it shall become available, together with interest thereon, from such dates of maturity until so returned, at the rate of 5 percent per annum, compounded semiannually.

Both principal and interest of said bonds shall be paid when due upon warrants duly drawn against said appropriation from the General Fund by the Controller of the State in favor of the State Treasurer or in favor of any duly authorized agent of the State Treasurer, upon demands audited by the Department of Finance, and the moneys to be returned into the General Fund in the State Treasury pursuant to the provisions of this section shall likewise be paid as herein provided upon warrants duly drawn by the Controller upon demands duly audited by the division.

35895.5. The sum of seventy-five thousand dollars ($75,000) is hereby appropriated out of any money in the State Treasury not otherwise appropriated to pay the expenses that may be incurred by the State Treasurer in having said bonds prepared and in advertising their sale. Said amount shall be refunded to the General Fund in the State Treasury out of the Elderly Persons Home Purchase Fund on Controller's warrant duly drawn for that purpose.

35896. When the bonds authorized to be issued under this article shall be duly executed, they shall be by the State Treasurer sold at public auction to the highest bidder for cash, in such parcels and numbers as the said Treasurer shall be directed by the Governor of the State, under seal thereof, after a resolution requesting such sale shall have been adopted by the Elderly Persons Home Purchase Finance and Advisory Committee and approved by the Governor of the State, but the Treasurer must reject any and all bids for said bonds, or for any of them, which shall be below the par value of said bonds so offered plus the interest which has accrued thereon between the date of sale and the last preceding interest maturity date; and with the approval of the Governor, he may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as to the whole of the bonds offered, or any part thereof offered, to such time and place as he may select. Before offering any of said bonds for sale the said Treasurer shall detach therefrom all coupons which have matured or will mature before the day fixed for such sale.

35897. Due notice of the time and place of sale of all bonds shall be given by said Treasurer by publication in one newspaper published in the City and County of San Francisco and also by publication in one newspaper published in the City of Sacramento and by publication in one newspaper published in the City of Los Angeles once a week during four weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of one thousand dollars ($1,000) for each sale so advertised. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forwith paid over by said Treasurer into the Elderly Persons Home Purchase Fund which is hereby appropriated for, and shall be used exclusively in, aiding elderly persons of low income in the acquisition of, or payments for homes, in accordance with the provisions of this article and Article 1 of this chapter; provided, that the proceeds from the sale of said bonds may be used to pay the debt created by the issuance and sale thereof

35898. The division is authorized to invest any surplus moneys in the Elderly Persons Home Purchase Fund in bonds of the United States, or of the State of California, or of the several counties or municipalities or other political subdivisions of the State of California, and to sell such bonds, or any of them, at the governing market rates; or the division may invest moneys in such fund, in interest-bearing certificates of deposit of state banks having a paid-up capital of five hundred thousand dollars ($500,000) or more; provided, that the total amount of money so deposited with any one bank shall not exceed a sum equal to 50 percent of the paid-up capital of such bank; provided, however, that nothing herein contained shall inhibit or be construed to inhibit the depositing in banks in accordance with the provisions of an act entitled "An act to authorize and control the depositing in banks of moneys

belonging to or in the custody of the State and to repeal all acts or parts of acts conflicting with this act," approved April 12, 1923, and of any and all acts amendatory thereof or supplemental thereto, of moneys of any of the funds provided for in this chapter.

Interest accruing upon the deposit of moneys of the Elderly Persons Home Purchase Fund shall be paid into and credited to said fund.

35899. The Elderly Persons Home Purchase Finance and Advisory Committee shall, upon request of the chief of the division supported by a statement of the plans and projects with respect thereto, determine whether or not a bond issue under this article is necessary or desirable to carry such plans and projects into execution.

35900. Whenever the said Elderly Persons Home Purchase Finance and Advisory Committee shall have determined that a bond issue under this article is necessary or desirable to carry such plans and projects into execution, it shall adopt a resolution to this effect. The said resolution shall authorize and direct the State Treasurer to prepare the requisite number of suitable bonds and shall specify:

1. The aggregate number, aggregate par value, and the date of issuance of the bonds to be issued.

2. The date or dates of maturity of the bonds to be issued and the number and numerical sequence of the bonds maturing at each date of maturity.

3. The annual rate of interest which the bonds to be issued shall bear.

4. The number, numerical sequence, amount or amounts and the dates of maturity of the interest coupons to be attached to the said bonds.

5. The technical form and language of the bonds to be issued and of the interest coupons to be attached thereto.

In determining the date or dates of maturity of the said bonds and the amount of bonds maturing at each date of maturity, the committee shall be guided by the amounts and dates of maturity of the revenues estimated to accrue to the division from the transactions to be financed by each issue, and shall fix and determine said dates and amounts in such manner that, together with the dates and amounts of interest payments on the said bond issue, they shall coincide, as nearly as practicable, with the dates and amounts of such estimated revenues; provided, that the bonds first to mature in each issue, shall mature not later than five years from the date of issuance thereof; provided further, that specified numbers of bonds of specified numerical sequence shall thereafter mature at annual intervals; and provided further, that the bonds last to mature in each issue shall mature not later than 45 years from the date of issuance thereof.

The rate of interest to be borne by the bonds shall be uniform for all the bonds of the same issue and shall be determined and fixed by the committee according to the then prevailing market conditions, but shall in no case exceed 5 percent per annum, and the determination of said committee as to the rate of interest shall be conclusive as to the then prevailing market conditions The interest coupons to be attached to the said bonds shall be payable at semiannual intervals from the date of issuance of said bonds; provided, that the interest coupon first payable may, if the committe shall so determine and specify, be payable one year after the date of issuance of said bonds.

35901. All actual and necessary expenses of the Elderly Persons Home Purchase Finance and Advisory Committee and of the members thereof incurred in the performance of their duties arising out of the provisions of this article shall be paid out of the Elderly Persons Home Purchase Fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose.

35902. The State Controller, the State Treasurer and the Elderly Persons Home Purchase Finance and Advisory Committee shall keep full and particular account and record of all their proceedings under this article, and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be by the Governor laid before the Legislature biennially; and all books and papers pertaining to the matter provided for in this article shall at all times be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State

## CHAPTER 3. LOANS FOR CONSTRUCTION OF LOW RENT HOUSING FOR ELDERLY PERSONS OF LOW INCOME

### Article 1. Definition

35920. Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

35921. "Area" means a section of a city, county, or city and county wherein the chief of the division finds that insanitary, substandard, inadequate, or insufficient low rent housing for elderly persons of low income exists. An area may include land whether improved or unimproved, and buildings or improvements thereon, the inclusion of which are deemed necessary by the chief of the division for inclusion in a project pursuant to this chapter.

35922. "Low rent housing" means dwellings within the financial reach of elderly persons of low income and includes recreational, vocational, avocational, and other facilities incidental and appurtenant thereto.

35923. "Project" means a specific low rent housing work or improvement to effectuate all or any part of a plan A project includes the lands, buildings and improvements acquired, owned, constructed, developed, managed, or operated under this chapter, to provide low rent housing for elderly persons of low income, and such offices and other nonhousing facilities as well as social, recreational, vocational, avocational, or communal facilities, as may be deemed by the chief of the division to be necessarily incidental or appurtenant to a project A project may be provided for in any section of a city, county, or city and county, whether or not that particular section has insanitary, substandard, inadequate, or insufficient low rent housing for elderly persons of low income.

35924 "Plan" means a proposal or undertaking for the development of projects within one or more areas as adopted or approved by the chief of the division.

35925 "Project cost" means the cost of any or all undertakings necessary for planning, financing, land acquisition, demolition, construction, and development, and the cost of tenant placement service in connection with a project.

Article 2. State Aid

35940. The chief of the division may, in the name of the State, enter into contracts for loans to any housing authority, limited dividend housing corporation, land chest corporation, or nonprofit corporation for one or more projects, whether or not such project or projects have received or will receive aid from another source. All such contracts shall be subject to the approval of the Attorney General as to form. Any such loan shall be in such amount as the chief of the division may deem necessary to insure the completion of the project. No loan shall be made in an amount greater than the total project cost, including working capital, which shall not exceed 2 percent of the total project cost

35941. No loan shall be made pursuant to this article unless the chief of the division finds that:

(a) The project is in conformity with a plan.

(b) The city, county, or city and county in which the project is to be located has enacted zoning regulations, or other restrictions adequately protecting the area or areas in which the project is to be undertaken, against future uses likely to depreciate unduly the value of such project.

(c) The estimated revenues, including any grants from the United States, of the project or part thereof for which such loan is to be made will be sufficient to cover all probable costs of operation and maintenance, or fixed charges and operating and depreciation reserves.

(d) The plans and specifications conform or will conform to all requirements of law and of the plan assuring adequate light, air, sanitation and fire protection, and other needed services.

(e) Adequate open spaces for recreation are provided within the project or provision therefor has been made conveniently near the project.

35941.5. All contracts for loans shall include a requirement that the entity to which the loan is made shall rent the dwellings in the project for which the loan is made exclusively to elderly persons of low income whose probable aggregate annual income, including income from public aid to the aged, during the period of occupancy does not exceed the amount established by the Elderly Persons Home Purchase Finance and Advisory Committee; nor shall the rental charged the elderly person exceed 25 percent of his probable aggregate income.

"Probable aggregate income," as used in this section, means the annual income, including income from public aid to the aged, of the elderly person and, if he has a spouse and they are living together, his spouse.

35941.6. All contracts for loans shall include a provision that the entity to which the loan is made shall, prior to renting any dwelling in the project for which the loan is made, to any elderly person of low income, require such person to file a financial statement of his total capital assets with the entity to which the loan is made and with the division upon forms to be approved and furnished by the division.

35942 Loans shall be made at the rate of interest paid or to be paid by the State for the funds loaned, plus a proportionate share of the actual direct cost of the borrowing and the costs of administration of this chapter Loans shall be repaid in equal annual installments over or within a period of 50 years, but in no case to exceed the probable life of the buildings and improvements of the project or part thereof to which the proceeds thereof are to be applied.

35943 The property of projects receiving aid pursuant to this chapter, except the property of projects of limited dividend housing corporations and land chest corporations, is exempt from all taxes and special assessments of the State or any city, county, city and county, or political subdivision of the State.

Article 3. Funds

35970. There is in the State Treasury a revolving fund known as the Elderly Persons Low Rent Housing Fund. All moneys deposited in such fund shall be subject to the provisions of this article. Money may be withdrawn from such fund in accordance with law upon requisition of the division.

35971. The money paid by borrowers under Article 2 (commencing at Sec. 35940) of this chapter shall be deposited in the Elderly Persons Low Rent Housing Fund and be available for the purpose of carrying out the provisions of this article.

35972. The division is hereby authorized to provide for advances of money to meet contingent expenses, to such an amount not exceeding eighty-five thousand dollars ($85,000), as the said division shall deem necessary, and to provide for advances of money needed to carry out the provisions of this chapter, to such an amount not exceeding eighty-five thousand dollars ($85,000), as the division may deem necessary, such advances to be administered as revolving funds. The State Controller is hereby authorized and directed to draw his warrants upon the Elderly Persons Low Rent Housing Fund for such advances, and the State Treasurer is hereby authorized and directed to pay the same.

35973. The division is empowered to accept and use for the purposes of this chapter, gifts, donations and contributions from private and public sources. Such moneys shall be deposited in the Elderly Persons Low Rent Housing Fund.

35974. The division is empowered to accept contributions from the Federal Government whenever the Congress of the United States shall authorize such contributions. Such moneys shall be deposited in the Elderly Persons Low Rent Housing Fund to be used for the purpose of this chapter.

Article 4. Elderly Persons Low Rent Housing Bond Act of 1959

35990. This article may be cited at the Elderly Persons Low Rent Housing Bond Act of 1959.

35991. For the purpose of creating a fund to provide aid for projects in accordance with the provisions of this chapter, the Elderly Persons Low Rent Housing Finance and Advisory Committee created by this article shall be and it hereby is authorized and empowered to create a debt or debts, liability or liabilities, of the State of California, in the manner and to the extent hereinafter provided, but not otherwise, nor in excess thereof.

35992. After the adoption of any resolution by the Elderly Persons Low Rent Housing Finance and Advisory Committee hereby created, provided for in Section 36000, the State Treasurer shall prepare the requisite number of suitable bonds of the denomination of one thousand dollars ($1,000) in accordance with the specifications contained in such resolution. The aggregate par value of all bonds issued under this article shall not exceed the sum of sixty-six million dollars ($66,000,000), and the bonds issued under any such resolution shall bear interest from the date of issuance of said bonds to the date of maturity thereof, at a rate to be determined by the said committee and specified in such resolution, but in no case exceeding 5 percent per annum. Both principal and interest shall be payable in lawful money of the United States, at the office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer, and shall be so payable at the times specified in said resolution or resolutions

All bonds issued under this article shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp adopted for each particular bond issued under this article and the bonds shall be signed, countersigned and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. The bonds so signed, countersigned, endorsed and sealed, when sold, shall be and constitute a valid and binding obligation upon the State of California, although the sale thereof be made at a date or dates upon which the officers having signed, countersigned and endorsed said bonds, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds. Each bond issued under this article shall contain a clause or clauses stating that interest shall cease to accrue thereon from and after the date of maturity thereof and referring to this article and to the resolution of the Elderly Persons Low Rent Housing Finance and Advisory Committee by virtue of which said bond is issued.

35993. The requisite number of suitable interest coupons, appropriately numbered, shall be attached to each bond issued under this article. Said interest coupons shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain.

35994. All bonds issued under this article and sold shall be deemed to have been called in at their respective dates of maturity and the State Treasurer shall, on the respective dates of maturity of said bonds, or as soon thereafter as said matured bonds are surrendered to him, pay the same out of the proceeds of the Controller's warrants drawn in his favor as provided in Section 35995 and perforate the bonds so paid with a suitable device in a manner to indicate such

payment and the date thereof. He shall also, on the said respective dates of maturity, cancel all bonds bearing said dates of maturity and remaining unsold, by perforation with a suitable device in a manner to indicate such cancellation and the date thereof The provisions of this section shall be applicable also to the interest coupons pertaining to the bonds authorized by this article to be issued, and shall be applicable, as far as practicable, to any duly authorized agent of the State Treasurer

35995 There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and interest on the bonds issued and sold pursuant to the provisions of this article, as said principal and interest become due and payable.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collections of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

On the several dates of maturity of said principal and interest in each fiscal year, there shall be returned into the General Fund in the State Treasury, all of the moneys in the Elderly Persons Low Rent Housing Fund, not in excess of the principal of and interest on the said bonds then due and payable and, in the event of such moneys so returned on said dates of maturity being less than the said principal and interest then due and payable, then the balance remaining unpaid shall be returned into the General Fund in the State Treasury out of said fund as soon thereafter as it shall become available, together with interest thereon, from such dates of maturity until so returned, at the rate of 5 percent per annum, compounded semiannually.

Both principal and interest of said bonds shall be paid when due upon warrants duly drawn against said appropriation from the General Fund by the Controller of the State in favor of the State Treasurer or in favor of any duly authorized agent of the State Treasurer, upon demand audited by the State Department of Finance, and the moneys to be returned into the General Fund in the State Treasury pursuant to the provisions of this section shall likewise be paid as herein provided upon warrants duly drawn by the Controller of the State upon demands duly audited by the division.

35996 The sum of seventy-five thousand dollars ($75,000) is hereby appropriated out of any money in the State Treasury not otherwise appropriated to pay the expenses that may be incurred by the State Treasurer in having said bonds prepared and in advertising their sale. Said amount shall be refunded to the General Fund in the State Treasury out of the Elderly Persons Low Rent Housing Fund on Controller's warrant duly drawn for that purpose.

35997. When the bonds authorized to be issued under this article shall be duly executed, they shall be by the State Treasurer sold at public auction to the highest bidder for cash, in such parcels and numbers as the said Treasurer shall be directed by the Governor of the State, under seal thereof, after a resolution requesting such sale shall have been adopted by the Elderly Persons Low Rent Housing Finance and Advisory Committee and approved by the Governor of the State, but the Treasurer must reject any and all bids for said bonds, or for any of them, which shall be below the par value of said bonds so offered plus the interest which has accrued thereon between the date of sale and the last preceding interest maturity date, and with the approval of the Governor, he may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as to the whole of the bonds offered, or any part thereof offered, to such time and place as he may select. Before offering any of said bonds for sale the said Treasurer shall detach therefrom all coupons which have matured or will mature before the day fixed for such sale.

35998 Due notice of the time and place of sale of all bonds shall be given by said Treasurer by publication in one newspaper published in the City and County of San Francisco and also by publication in one newspaper published in the City of Sacramento and by publication in one newspaper published in the City of Los Angeles once a week during four weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of one thousand dollars ($1,000) for each sale so advertised. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forthwith paid over by said Treasurer into the Elderly Persons Low Rent Housing Fund which is hereby appropriated for, and shall be used exclusively in, aiding elderly persons of low income in accordance with the provisions of this chapter; provided, that the proceeds from the sale of said bonds may be used to pay the debt created by the issuance and sale thereof

35999 The division is authorized to invest any surplus moneys in the Elderly Persons Low Rent Housing Fund in bonds of the United States, or of the State of California, or of the several counties or municipalities or other political subdivisions of the State of California, and to sell such bonds, or any of them, at the governing market rates; or the division may invest moneys in such fund, in interest-bearing

certificates of deposit of state banks having a paid-up capital of five hundred thousand dollars ($500,000) or more; provided, that the total amount of money so deposited with any one bank shall not exceed a sum equal to 50 percent of the paid-up capital of such bank; provided, however, that nothing therein contained shall inhibit or be construed to inhibit the depositing in banks in accordance with the provisions of an act entitled "An act to authorize and control the depositing in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts conflicting with this act," approved April 12, 1923, and of any and all acts amendatory thereof or supplemental thereto, of moneys of any of the funds provided for in this chapter.

Interest accruing upon the deposit of moneys of the Elderly Persons Low Rent Housing Fund shall be paid into and credited to said fund

36000. There is hereby created the Elderly Persons Low Rent Housing Finance and Advisory Committee composed of the Governor, State Controller, State Treasurer, Director of Finance, Director of Public Health, Director of Social Welfare, the Executive Secretary of the Citizens Advisory Committee on Aging, and the Chief of the Division of Housing for the Elderly, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said committee. This committee shall determine the details for financing the programs developed under this act, such as interest rates and payments, and to set the amount of income which will determine the low-income status of the elderly person; it will also serve the chief of the division in an advisory capacity on all matters relating to the provisions of this act. The Attorney General of the State shall be the legal adviser of the committee.

Upon request of the chief of the division, supported by a statement of the plans and projects with respect thereto, the committee shall determine whether or not a bond issue under this article is necessary or desirable to carry such plans and projects into execution

36001. Whenever the said Elderly Persons Low Rent Housing Finance and Advisory Committee shall have determined that a bond issue under this article is necessary or desirable to carry such plans and projects into execution, it shall adopt a resolution to this effect. The said resolution shall authorize and direct the State Treasurer to prepare the requisite number of suitable bonds and shall specify:

1. The aggregate number, aggregate par value, and the date of issuance of the bonds to be issued.

2. The date or dates of maturity of the bonds to be issued and the number and numerical sequence of the bonds maturing at each date of maturity

3. The annual rate of interest which the bonds to be issued shall bear.

4. The number, numerical sequence, amount or amounts and the dates of maturity of the interest coupons to be attached to the said bonds.

5. The technical form and language of the bonds to be issued and of the interest coupons to be attached thereto.

In determining the date or dates of maturity of the said bonds and the amount of bonds maturing at each date of maturity, the committee shall be guided by the amounts and dates of maturity of the revenues estimated to accrue to the department from the transactions to be financed by each issue, and shall fix and determine said dates and amounts in such manner that, together with the dates and amounts of interest payments on the said bond issue, they shall coincide, as nearly as practicable, with the dates and amounts of such estimated revenues; provided, that the bonds first to mature in each issue, shall mature not later than five years from the date of issuance thereof, provided further, that specified numbers of bonds of specified numerical sequence shall thereafter mature at annual intervals; and provided further, that the bonds last to mature in each issue shall mature not later than 45 years from the date of issuance thereof.

The rate of interest to be borne by the bonds shall be uniform for all the bonds of the same issue and shall be determined and fixed by the committee according to the then prevailing market conditions, but shall in no case exceed 5 percent per annum, and the determination of said committee as to the rate of interest shall be conclusive as to the then prevailing market conditions. The interest coupons to be attached to the said bonds shall be payable at semiannual intervals from the date of issuance of said bonds; provided, that the interest coupon first payable may, if the committee shall so determine and specify, be payable one year after the date of issuance of said bonds

36002. All actual and necessary expenses of the Elderly Persons Low Rent Housing Finance and Advisory Committee and of the members thereof incurred in the performance of their duties arising out of the provisions of this article shall be paid out of the Elderly Persons Low Rent Housing Fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose.

36003. The State Controller, the State Treasurer and the Elderly Persons Low Rent Housing Finance and Advisory Committee shall keep full and particular account and record of all their proceedings under this article, and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be by the Governor laid before the Legislature biennially; and all books

and papers pertaining to the matter provided for in this article shall at all times be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State."

**Amendment No. 4**

On page 1, strike out lines 2 to 19, inclusive; and strike out page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 395**—An act to amend Sections 2933.5 and 2949 of the Business and Professions Code, relating to psychologists.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, line 8, of the printed bill, as amended in the Assembly on May 7, 1959, after "experience", insert "of a type considered qualifying by the committee".

**Amendment No. 2**

On page 2, line 16, after "experience", insert "of a type considered qualifying by the committee"

**Amendment No. 3**

On page 2, line 23, after "experience", insert "of a type considered qualifying by the committee".

**Amendment No. 4**

On page 2, line 32, after "experience", insert "of a type considered qualifying by the committee".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 578**—An act to amend Sections 5500, 5537, and 5538 of, and to add Sections 5500.1, 5537.1, 5537.2, 5537.3, 5537.4, and 5537.5 to, the Business and Professions Code, relating to architecture.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "and 5537.5", and insert "5537.5, and 5537.6".

**Amendment No. 2**

On page 3, between lines 6 and 7, insert

"SEC. 8.5. Section 5537.6 is added to said code, to read:

5537.6. This chapter does not prohibit any specialty contractor, licensed under Chapter 9 (commencing with Section 7000) of Division 3, from preparing plans, drawings, specifications and instruments of service or any other data as may be required in connection with the construction work performed by such specialty contractor in the classification for which he is licensed."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1281**—An act to amend Sections 6701, 6734, 6735, 6738, 6740, 6741, 6744, 6745, 6752, 6756.2, and 6787 of, to amend and renumber Sections 6703, 6704, and 6705 of, to add Sections 6702, 6703, 6703.5, 6704, 6705, 6706, and 6737.2 to, and to repeal Sections 6702

and 6731 of, the Business and Professions Code, relating to the practice of engineering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, as amended in the Assembly on May 7, 1959, strike out lines 1 and 2, and insert "An act to amend Sections 6701 and 6738 of, to amend and renum-".

**Amendment No. 2**

In line 4 of the title, strike out "6706, and 6737.2", and insert "and 6706".

**Amendment No. 3**

On page 2, strike out line 36, and insert "land surveying as defined in Chapter 15 (commencing at Section 8700) of Division 3."

**Amendment No. 4**

On page 3, line 8, strike out "activities", and insert "research".

**Amendment No. 5**

On page 3, strike out lines 18 to 21, inclusive and insert

"Any person who practices or offers to practice electrical engineering shall be exempt from this chapter insofar as he practices or offers to practice electrical engineering, except that no unregistered person shall hold himself out as an electrical engineer."

**Amendment No. 6**

On page 3, line 24, strike out "activities", and insert "research".

**Amendment No. 7**

On page 3, strike out lines 40 to 43, inclusive, and insert

"Any person who practices or offers to practice mechanical engineering shall be exempt from this chapter insofar as he practices or offers to practice mechanical engineering, except that no unregistered person shall hold himself out as a mechanical engineer."

**Amendment No. 8**

On page 4, strike out lines 36 to 52, inclusive; and on page 5, strike out lines 1 to 23, inclusive.

**Amendment No. 9**

On page 5, line 24, strike out "16", and insert "13".

**Amendment No. 10**

On page 6, lines 19 and 20, strike out ", electrical or mechanical".

**Amendment No. 11**

On page 6, line 22, after "furnishing", insert "civil".

**Amendment No. 12**

On page 6, strike out lines 24 and 25, and insert

"(2) A registered civil engineer is the regularly employed manager of the engineering practice of the corporation."

**Amendment No. 13**

On page 6, line 29, strike out "professional", and insert "civil".

**Amendment No. 14**

On page 6, line 32, strike out "professional".

**Amendment No. 15**

On page 6, line 36, strike out ", electrical and mechanical".

**Amendment No. 16**

On page 6, lines 41 and 42, strike out ", electrical or mechanical".

**Amendment No. 17**

On page 6, line 43, strike out ", electrical or mechanical".

**Amendment No. 18**

On page 6, line 47, strike out ", electrical and mechanical".

**Amendment No. 19**

On page 7, line 3, strike out "professional", and insert "civil".

**Amendment No. 20**

On page 7, lines 10 and 11, strike out ", electrical or mechanical".

**Amendment No. 21**

On page 7, lines 11 and 12, strike out ", electrical or mechanical".

**Amendment No. 22**

On page 7, lines 12 and 13, strike out ", electrical or mechanical"

**Amendment No. 23**

On page 7, strike out lines 15 to 52, inclusive; and on page 8 strike out lines 1 to 51, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1591**—An act to add Sections 4102.2, 4102.4, 4102.6, 4102.7, 4102.8, and 4102.10 to the Government Code, relating to subcontract bidding on public work or improvements.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, lines 5 and 6, of the printed bill, as amended in the Assembly on May 14, 1959, strike out "an original and at least two", and insert "four".

**Amendment No. 2**

On page 1, line 7, strike out "the original and".

**Amendment No. 3**

On page 1, line 11, strike out "as on the original".

**Amendment No. 4**

On page 1, line 12, strike out "the original", and insert "two copies of the"

**Amendment No. 5**

On page 1, line 15, after "bid", insert "for which the general contractor shall give a receipt".

**Amendment No. 6**

On page 2, line 2, after "thereto.", insert "If the same bid is submitted to more than one general contractor, the subcontractor may submit to the awarding authority one copy of such bid and, in such case, shall specify on the envelope the names of all the general contractors to whom the bid was submitted."

**Amendment No. 7**

On page 2, lines 2 and 3, strike out "at least one such copy in his files", and insert "in his files at least one copy of every bid submitted to a general contractor".

**Amendment No. 8**

On page 2, line 7, strike out "the original", and insert "one copy of the".

**Amendment No. 9**

On page 2, lines 19 and 20, strike out "or if the subcontractor was unable to obtain the bond provided for in Section 4109"

**Amendment No. 10**

On page 2, line 24, after "authority.", insert "If the general contractor receives only one bid for a portion of the work he desires to sublet and such bid is disqualified for any reason other than the fault of the general contractor, the awarding authority

shall allow such general contractor 24 hours after such disqualification within which to select another subcontractor for such work, except that there shall be no increase in cost to the awarding authority."

**Amendment No. 11**

On page 2, line 29, strike out "original bid and the copy thereof", and insert "copy of the bid submitted by the general contractor and the copy which he submits".

**Amendment No. 12**

On page 2, line 35, strike out "return", and insert "destroy".

**Amendment No. 13**

On page 2, lines 35 and 36, strike out "to such contractors unopened".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 1904**—An act to add Chapter 20 (commencing at Section 9800) to Division 3 of the Business and Professions Code, relating to the creation of a Bureau of Building Designers, prescribing its organization, powers and duties, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 3, line 34, of the printed bill, strike out all after "appointed", through line 38.

**Amendment No. 2**

On page 3, line 34, after "appointed", insert "by the Governor and serve at the pleasure of the Director of Professional and Vocational Standards and his compensation shall be fixed by the Director of Professional and Vocational Standards with the approval of the Director of Finance".

**Amendment No. 3**

On page 3, line 40, after the first "the", strike out all through line 41

**Amendment No. 4**

On page 3, line 40, after the first "the", insert "Director acting by and through the Registrar".

**Amendment No. 5**

On page 3, strike out all of lines 48 through 51

**Amendment No. 6**

On page 10, strike out all of lines 20 through 28.

**Amendment No. 7**

On page 10, line 20, insert

"9873 The amount of fees prescribed by this chapter shall be determined by the Registrar with the approval of the Director according to the following table:

(a) the application fee for examination shall not be less than twenty-five dollars ($25) nor more than seventy-five dollars ($75);
(b) the fee for an original certificate shall not be less than five dollars ($5) nor more than fifteen dollars ($15);
(c) the fee for a duplicate certificate shall not be less than five dollars ($5) nor more than fifteen dollars ($15);
(d) the annual license fee shall not be less than fifteen dollars ($15) nor more than thirty-five dollars ($35);
(e) the fee for a temporary certificate shall not be less than twenty-five dollars ($25) nor more than forty-five dollars ($45)"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2416**—An act to amend Section 7055 of, and to add Sections 7042.5 and 7058.5 to, the Business and Professions Code, relating to dump truck contractors

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 7055 of, and to add Sections 7042.5 and 7058.5 to,", and insert "add Section 7026.2 to".

**Amendment No. 2**

In line 3 of the title, strike out "dump truck".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 7026.2 is added to the Business and Professions Code, to read

7026.2. The term contractor includes a person whose operations as such consist of the transportation of rock, sand, fill, and other excavated materials, unprocessed beyond crushing, grinding, or powdering, in dump trucks."

**Amendment No. 4**

On page 1, strike out lines 2 to 20, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2417**—An act to amend Section 3511 of the Public Utilities Code, relating to the definition of "highway carrier."

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 2, line 4, of the printed bill, strike out "dump truck contractor as defined in", and insert "contractor whose operations consist of the transportation of rock, sand, fill and other excavated materials, unprocessed beyond crushing, grinding, or powdering, in dump trucks and who is subject to the provisions of".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2486**—An act to add Sections 13603, 13651.1, and 13651.2 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education were read, and adopted:

**Amendment No. 1**

On page 2, line 13, of the printed bill, after "21114", insert "or 21114.1".

**Amendment No. 2**

On page 2, line 18, after "21114", insert "or 21114.1".

**Amendment No. 3**

On page 3, between lines 24 and 25, insert

"A school district which has adopted a merit system as provided in Article 5 (commencing at Section 13701) of this chapter and which adopts and maintains in effect provisions for paid leaves of absence for illness or injury for classified employees, including classified employees not serving in positions under the merit system, in accordance with the prevailing community practice as determined by a survey made under the direction of the personnel commission of the district, may substitute such provisions for paid leaves of absence for the benefits contained herein, provided that the leave of absence rules for illness or injury have been approved by the Board of Education and the personnel commission of the district."

**Amendment No. 4**

On page 4, between lines 5 and 6, insert

"A school district which has adopted a merit system as provided in Article 5 (commencing at Section 13701) of this chapter and which adopts and maintains in effect provisions for paid leaves of absence for illness or injury for classified employees, including classified employees not serving in positions under the merit system, in accordance with the prevailing community practice as determined by a survey made under the direction of the personnel commission of the district, may substitute such provisions for paid leaves of absence for the benefits contained herein, provided that the leave of absence rules for illness or injury have been approved by the Board of Education and the personnel commission of the district."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 1692**—An act to amend Section 13207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to revocation of certification documents whenever the holder has been convicted of certain sex offenses.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2175**—An act to amend Sections 16652 and 16653 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to community recreation.

Bill read second time, and ordered to third reading

**Assembly Bill No. 96**—An act to amend Sections 29007, 29010, 29011, and 29017 of, and to add Sections 29002.1 and 29007.1 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 8 1959, strike out "and 29007.1 to", and insert ", 29007.1, and 29022 to, and to repeal Section 29008 of".

**Amendment No. 2**

On page 2, line 5, after "corporation", insert ", or to employees or representatives of customers of such person, firm, association, partnership or corporation".

**Amendment No. 3**

On page 2, strike out lines 36 to 51, inclusive; on page 3, strike out lines 1 and 2, and insert

"(a) A corporation which has filed with the Superintendent of Public Instruction an affidavit by the president or other head of the corporation, stating that the corporation owns an interest in real or personal property or both real and personal property used exclusively for the purpose of education, of a fair market value of not less

than fifty thousand dollars ($50,000). Such affidavit shall be accompanied by an appraisal by a state inheritance tax appraiser appointed for the county in which the institution is located, describing the real or personal property or both, and showing the value of the interest of the corporation therein to be at least fifty thousand dollars ($50,000). The value of the interest of the property required to be owned by the corporation for the purposes of this section shall be deemed to be the appraised value of the interest owned by the corporation less the unpaid balance on any note secured by a mortgage or deed of trust thereon or the unpaid balance on a contract of sale thereof."

**Amendment No. 4**

On page 6, after line 18, insert

"SEC. 7. Section 29022 is added to said code, to read:

29022. In enacting this article it is the intent of the Legislature that the authority to grant diplomas shall be given to any person, firm, association, partnership or corporation which maintains an educational institution offering a liberal arts curriculum, or which is accredited by a recognized accrediting agency, or which offers a curriculum of specialized or occupational education determined by the Superintendent of Public Instruction to be educational in purpose when such person, firm, or association meets the requirements of and complies with this article, and with other applicable laws and regulations.

SEC. 8. Section 29008 of said code is repealed.

~~29008. Any person, firm, association, partnership or corporation authorized under subdivision (b), (c), (d), (e) or (f) of Section 29007 to issue diplomas shall, between the first and thirty-first days of January of each year, commencing on January 1, 1959, file with the Superintendent of Public Instruction an affidavit of its owner, president, or other head, setting forth the following information covering the preceding calendar year:~~

~~(1) The names and addresses, both local and home, including city and street, of its students who were enrolled in courses of instruction beyond high school.~~

~~(2) The courses of study offered by the institution.~~

~~(3) The names and addresses, both local and home, including city and streets, of its faculty, together with a record of the educational qualifications of each.~~

~~(4) The diplomas and honorary diplomas granted, to whom granted, the date granted, and the curricula upon which the diplomas were based.~~"

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2462**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2397**—An act to amend Section 637.5 of the Agricultural Code, relating to milk and milk products

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "Market milk", insert "or nonfat milk from market milk".

**Amendment No. 2**

On page 1, line 7, after "yogurt,", insert "dietetic yogurt,".

**Amendment No. 3**

On page 1, line 14, strike out "2 percent of milk fat.", and insert "3.5 percent of milk fat, except dietetic yogurt shall contain not less than 2 percent of milk fat. Dietetic yogurt shall be labeled "Dietetic yogurt" in lettering at least as large as any other lettering on the label."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1470**—An act to add Article 4 (commencing at Section 98.1) to Chapter 3 of Division 1 of the Agricultural Code, relating to fairs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Article 4 (commencing at Section 98.1) to"; strike out lines 2 and 3 of the title, and insert "Part 4 (commencing at Section 18000) to Division 7 of the Business and Professions Code, relating to small business aid, and making an appropriation therefor."

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Part 4 (Commencing at Section 18000) is added to Division 7 of the Business and Professions Code, to read:

PART 4. AID TO COMMERCIAL AND AGRICULTURAL BUSINESS

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

18000. This part may be cited as the Small Business Aid Act

18001. (a) The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free entry into business and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expression of such competition is basic, not only to the economic wellbeing, but to the security of this State. Such security and wellbeing cannot be realized unless the actual and potential capacity of small business is encouraged and developed. It is the declared policy of the Legislature of the State of California that this State should aid, counsel, assist and protect insofar as it is possible, the interest of small business concerns in order to preserve free competitive enterprise and to maintain and strengthen the over-all economy of the State.

(b) It is the declared policy of the Legislature of the State of California that the State should aid and assist victims of floods and other catastrophes.

(c) Research is a major factor in the growth and progress of the commercial and agricultural economies of the State. The expense of carrying on research programs is beyond the means of many small business concerns, and such concerns are unable to obtain the benefits of research programs conducted at the expense of the Federal Government. These small business concerns are thereby placed in a competitive disadvantage, weakening the competitive free enterprise system. It is the policy of the Legislature of the State of California that assistance be given to small business concerns to enable them to undertake and obtain the benefits of research in order to maintain and strengthen the competitive free enterprise system.

18002. As used in this part:

(a) "Division" means the Small Business Aid Division.

(b) "Director" means the Director of the Small Business Aid Division.

(c) "Board" means the State Board of Equalization.

(d) "Small Business" means any farming operation or business concern which is independently owned and operated, which is not dominant in its field of operation, and which has an annual gross income of one million dollars ($1,000,000) or under.

CHAPTER 2. ADMINISTRATION

18010. There is in the State Board of Equalization a Small Business Aid Division under the supervision and control of a director.

18011. The director shall be appointed by the board from a list of at least three recommendations made by the Governor.

The duty of enforcing and administering this part is vested in the director and he is responsible to the board therefor.

18012. The director may appoint and fix the compensation of such personnel as may be necessary for the administration of this part.

18013. The director shall have all the powers and duties of a head of a department under Chapter 2 (commencing at Section 11150) of Part 1 of Division 3 of Title 2 of the Government Code.

18014. The director, in accordance with Chapter 4 (commencing at Section 11370) of Division 3 of Title 2 of the Government Code, may adopt, amend, and repeal rules and regulations to carry out the provisions of this part.

18015. The principal office of the division shall be in Sacramento. The director may establish such branch offices as are necessary to administer the provisions of this part.

18016. The director shall examine and determine the genuineness and regularity of every application or document filed with it under this part and may require additional information or reject any such application or document if not satisfied of the genuineness and regularity thereof or the truth of any statement contained therein.

18017. In the performance of the functions, powers and duties invested in him by this part the director may:

(a) Sue and be sued.

(b) Under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit any evidence of debt, contract, claim, personal property or security assigned to or held by him in connection with the repayment of loans granted under this part, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the repayment of such loans.

(c) Deal with, complete, improve, insure, or rent or sell for cash or credit any real property conveyed to or otherwise acquired by him in connection with the repayment of loans granted under this part.

(d) Pursue to final collection by sale or compromise or otherwise all claims against third parties assigned to the director in connection with the loans made by him.

(e) Acquire, in any lawful manner, any property, whether real, personal or mixed, tangible or intangible, whenever deemed necessary or appropriate to conduct the activities authorized in this part.

18018 The director shall make a report of every six months of operations under this part to the Governor and to the Chairman of the State Board of Equalization. The report shall include the names of the small business concerns for whom financing is arranged through the division, together with the amounts involved, and shall include such other information, comments and recommendations as the director may deem appropriate. The report shall include for such period the amount of funds expended in the conduct of each of the principal activities conducted pursuant to this part

18019 There is hereby created the Loan Policy Board of the Small Business Aid Division, which shall consist of the Chairman of the State Board of Equalization and the director, serving ex officio, and one member appointed by and to serve at the pleasure of the Governor.

18020 The Loan Policy Board shall establish general policies, particularly with reference to the public interest involved in the granting and denial of applications for financial assistance, which shall govern the granting and denial of applications for financial assistance.

CHAPTER 3 FINANCIAL AID

18040. The director may make loans to enable small businesses to finance plant construction, conversion, expansion, including the acquisition of land, or to finance the acquisition of equipment, facilities, machinery, supplies or materials or to supply small businesses with working capital to be used in the manufacture or production of articles, equipment, supplies, materials or agricultural products.

18041. Such loans may be made either directly or in co-operation with banks or other lending institutions through agreements to participate on an immediate or deferred basis.

18042. The director's authority to make loans is subject to the following restrictions:

(a) No financial assistance shall be extended unless the financial assistance applied for is not otherwise available on reasonable terms.

(b) No immediate participation may be purchased unless it is shown that a deferred participation is not available and no loan may be made unless it is shown that a participation is not available.

(c) In agreements to participate in loans on a deferred basis such participation by the director shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

(d) No loans shall be made if the total amount outstanding and committed to the borrower by the division would exceed three hundred fifty thousand dollars ($350,000).

(e) The rate of interest for the division's share of any such loan shall be no more than 5½ percent per annum.

(f) No loan, including renewals or extensions, may be made for a period exceeding 10 years.

18043. The director is also authorized.

(a) To make such loans as the director determines necessary or appropriate because of flood or other disaster.

(b) To make such loans as the director determines necessary or appropriate to any small business located in an area affected by drought or excessive rainfall if the director determines that the small business has suffered a substantial economic injury as a result of such drought or such rainfall

18044. No loan made under Section 18040, including renewals and extensions, shall be made for a period exceeding 20 years The rate of interest for the division's share of any loan made under Section 18040, shall not exceed 3 percent per annum. In agreements to participate in loans on a deferred basis under Section 18040 participation by the division shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement

18045. No loan shall be made or equipment, facilities, or services furnished by the division to any small business unless the owners, partners, or officers of such business:

(a) Certify to the division the names of any attorneys, agents or other persons engaged by or on behalf of the small business for the purpose of expediting applications made to the division for assistance, and the fees paid or to be paid to any such persons.

(b) Execute an agreement binding the small business for a period of two years after assistance is rendered by the division to refrain from employing, tendering any office or employment to, or retaining for professional services any person who on the date such assistance or any part thereof was rendered or within one year prior thereto shall have served as an employee of the division

(c) Furnish the names of lending institutions to which the small business has applied for loans together with dates, amounts, terms, and proof of refusal.

18046. The director may extend the maturity of or renew any loan made pursuant to this part for additional periods not to exceed 10 years beyond the period stated therein if the extension will aid in the orderly liquidation of such loan.

### CHAPTER 4. GRANTS

18060. The director is authorized to make grants to any state or local agency or any college or university for study, research and counselling concerning the managing, financing and operation of small business enterprises and technical and statistical information necessary thereto in order to aid small business concerns in the conduct of their business.

18061. Only one such grant shall be made within any county in any one year and no such grant shall exceed the amount of forty thousand dollars ($40,000).

### CHAPTER 5 ADVISORY AID

18070. The director is authorized whenever he determines such action is necessary.

(a) To provide technical and managerial aids to small businesses, by advising and counselling on policies, principles, and practices of good management, including, but not limited to, cost accounting, methods of financing, business insurance, accounts control, wage incentive, and methods of engineering, by cooperating and advising with voluntary business, professional, education, and other nonprofit organizations, associations and institutions and with federal and state agencies, by maintaining a clearinghouse for information concerning the managing, financing and operation of small businesses, by disseminating such information and by such other activities deemed appropriate by the director

(b) To make a complete inventory of all productive facilities of small businesses or to arrange for such inventory to be made.

(c) To coordinate and ascertain the means by which the productive capacity of small businesses may be most effectively utilized.

(d) To consult and cooperate with all governmental agencies for the purpose of insuring that small businesses receive fair and reasonable treatment from such agencies.

18071 The director is authorized to make studies of matters materially affecting the competitive strength of small businesses and the effect on small businesses of federal and state laws, programs and regulations and shall make recommendations to the appropriate agencies for the adjustment of such programs and regulations to the needs of small businesses.

CHAPTER 6 RESEARCH

18080. The director is authorized to consult with representatives of small business concerns to assist and encourage such firms to undertake joint programs of research carried out through corporate or other mechanisms as may be most appropriate.

18081. The joint programs may, among other things, include the following purposes:

(a) To construct, acquire or establish laboratories and other facilities for the conduct of research.

(b) To undertake and utilize applied research.

(c) To collect research information relating to a particular industry and disseminate it to participating members.

(d) To conduct applied research on a protected proprietary contractual basis with member or non-member firms.

(e) To prosecute applications for patents and render patent services for participating members.

(f) To negotiate and grant licenses under patents held under the joint program and to establish corporations designed to exploit particular patents obtained by it.

CHAPTER 7. OFFENSES

18090. The making of any statement to the division knowing it to be false and the willful over-evaluation of any security for the purpose of obtaining a loan is a misdemeanor.

18091. The giving of any unauthorized information concerning the future actions or plans of the division or the investment in businesses receiving loans from the division by any person connected with the division is a misdemeanor.

SEC. 2 There is hereby appropriated from the General Fund to the Small Business Aid Division of the Board of Equalization for the purposes of the Small Business Aid Act (Part 4 (commencing at Section 18000), Division 7 of the Business and Professions Code) the sum of _____ dollars ($_____).

SEC. 3 The provisions of this act shall be operative only at such time as the California Constitution is amended to authorize the financial aid program provided for in this act."

**Amendment No. 3**

On page 1, strike out lines 2 through 22, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

**Assembly Bill No. 2478**—An act to amend Sections 814.1, and 828.6 of the Agricultural Code, relating to standard containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", insert "814,".

**Amendment No. 2**

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 814 of the Agricultural Code is amended to read:

814. Head lettuce shall not be leafy without head formation and shall be fairly well trimmed, free from insect injury, slime, decay or rot affecting leaves within the head, and free from seed stems which have so developed that they are apparent upon external examination; and free from serious damage caused by broken midribs, bursting, tip burn or freezing. Damage caused by freezing or tip burn is not serious unless it affects any portion of the head inside of the six outer head leaves.

Not more than 15 percent, by count, of the heads of lettuce in any one container or bulk lot may be below these requirements, but not to exceed 5 percent, shall be allowed for decay or slime.

Head lettuce, when packed or placed in layers in any container, shall not vary in size in any one container more than 15 percent of heads which would fairly tightly pack a size, larger or smaller, than the size marked, and they shall be fairly tightly packed with the same numerical count of regularly arranged heads in each layer and none of the heads shall be placed outside of the regular arrangement of *three* uniform flat layers *in standard container number 45 and two uniform flat layers in standard containers numbers 45A and 45B* ; except, that when 2½ dozen heads of lettuce of the 2½ dozen size when fairly tightly packed in standard container number 45A *or 45B* are packed in such container, six heads of the same size or dimensions as contained in the upper and lower layers may be placed between such layers; provided, the upper and lower layers consist of 12 heads each and the total count in the container is 30 heads. Head lettuce for shipment out of this State shall be packed in standard containers which are lidded. ~~Head lettuce for shipment only within this State need not be packed or in standard containers if in containers which are not closed, but if in containers which are lidded such lettuce must be packed and in standard containers.~~

In addition to other packing requirements in this chapter, head lettuce, when packed or placed in layers, shall contain either 1½ dozen, two dozen, 2½ dozen, three dozen, 3½ dozen, four dozen, five dozen, 75 or 90 heads of lettuce per standard container.

All containers of packed lettuce shall bear upon them in plain sight and in plain letters on one outside end, the name of the person who first packed or authorized the packing of the lettuce, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer, and in figures not less than one-half inch in height the exact number of heads contained therein; provided, that in the case of lettuce packed in lidded or closed containers without ice the exact number of heads may be marked on the lid of the container; and provided further, that in the case of 10 percent of the crates in any lots the contents may vary not more than three heads over the count as marked.

SEC. 2. Section 814.1 of said code is amended to read:

814.1. All head lettuce shall be packed in regular compact arrangement in standard containers numbers 45 or 45A or 45B and such containers shall be closed or lidded.

(a) Head lettuce prepared or packed for or being transported or sold directly to retailers in this State for the purpose of resale by such retailers directly to consumers in this State, need not comply with the trimming, sizing or packing requirements of this chapter if such head lettuce is placed loose, for example, not packed in layers or rows, in baskets, bins or other similar containers with substantially greater capacity than standard container number 45 and such containers are not "closed" or "lidded."

(b) Head lettuce for shipment or sale only within this State, when in standard containers number 45 which are not "lidded" or "closed" and are conspicuously marked on the outside end which bears other markings required by this chapter, with the designation "Irregular Loose Pack" in letters not less than one inch in height, need not be fairly tightly packed or comply with the sizing or packing requirements

of this chapter; providing, such head lettuce is loosely placed in three layers of eight or nine heads in each layer in said container. This subdivision applies to growers producing, packing and delivering their own lettuce to retailers.

This section shall not apply to lettuce in a retail establishment in possession of a retailer for the purpose of resale directly to consumers; nor to lettuce sold by the producer thereof directly to consumers on the premises where produced or at a retail stand operated by such producer near the point of production, which in no case shall be outside of the state in which the lettuce was produced. Consumer means a person who buys lettuce for use as food and not for resale.

Head lettuce sold to the Armed Forces of the United States Government or for export markets other than Canada need not be in standard containers 45 or 45A or 45B."

**Amendment No. 3**

On page 1, line 8, strike out "SEC 2", and insert "SEC. 3".

Bill ordered reprinted, engrossed, and to be filed as amended, and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2531**—An act to add Division 1 (commencing at Section 25101) to Title 4 of, to amend Sections 4113, 4119, 10250, 10703, 13205, 27000, 27001, 27002 and 28006 of, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code; to amend Sections 14250, 18050, 18600, 18601, 18603, 18606, 18607, 18801, 18806 and 18813 of the Financial Code; to amend Sections 33915 and 33916 of the Health and Safety Code; and to amend Section 1220 of the Agricultural Code, relating to the Uniform Securities Act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 4 of the printed bill, as amended in the Assembly on May 8, 1959, strike out lines 24 to 28, inclusive, and insert

"(e) The commissioner may by rule require registered broker-dealers, investment advisers and issuers who employ agents to post surety bonds in amounts up to twenty-five thousand dollars ($25,000), provided that he may not require an issuer who employs agents and does not issue or propose to issue more than three hundred thousand dollars ($300,000) of securities in any one year to post a bond in an amount in excess of five thousand dollars ($5,000). Any appropriate deposit of cash or securities shall be".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2484**—An act to add Section 32221.1 to the Health and Safety Code, relating to local hospital districts.

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 32221.1 to", and insert "amend Section 32221 of, and to add Section 32221.1 to,".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 32221 of the Health and Safety Code is amended to read:

32221. The board of directors may establish a fund for capital outlays; provided, that no part of said fund except such part as received through gifts, donations, devises, or bequests, or from sources other than the tax levy specified by Section 32202, shall be used for acquisition of additional patient bed capacity by lease or purchase of any hospital buildings or facilities or for new construction of additional patient bed capacity for an existing hospital in excess of fifty thousand dollars ($50,000) over a period of four years (other than remodeling, alteration or conversion of existing facilities) unless a majority of the district electors voting at an election held for that purpose approve such new construction proposal. If such fund is established, it shall include in the estimate required to be furnished to the board of supervisors a statement of the amount to be included in the annual assessment for this purpose. The amount to be raised shall be included in the tax limitation prescribed by Section 32203. *This section does not apply to any district licensed to have 85 beds and located in a county of 2,000,000 or more population as determined by the 1950 census.*

SEC. 2. Section 32221.1 is added to said code, to read:

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2520**—An act to amend Section 5556 of, and to add Section 5556.5 to, the Elections Code, relating to the time for voting.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Elections and Reapportionment, was read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed bill, insert

"This section shall become effective when said county shall have installed electronic tabulating devices or on November 1, 1960, whichever is earlier."

Bill ordered reprinted, and engrossed

## SECOND READING OF SENATE BILLS

**Senate Bill No. 168**—An act to amend Sections 605, 607 and 608 of the Probate Code, relating to the appointment of appraisers

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "provided", insert "for".

**Amendment No. 2**

On page 1, line 14, strike out the comma.

**Amendment No. 3**

On page 1, strike out line 17, and insert

"SEC. 3. Section 608 of said code is amended to read:

608. Before proceeding to the execution of ~~their~~ *his* duty, the ~~appraisers must~~ *appraiser shall* take and subscribe an oath, to be attached to the inventory, that ~~they~~ *he* will truly, honestly and impartially appraise the property exhibited to ~~them~~ *him*, according to the best of ~~their~~ *his* knowledge and ability. ~~They must~~ *He shall* appraise the property by setting down each item separately, with the value thereof *at*

*the time of the death of the decedent* in dollars and cents in figures opposite the respective items, specifying the sum which ~~they~~ *he* believe *s* may be collected on each debt or security."

**Amendment No. 4**

On page 1, strike out lines 18 to 23, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 461**—An act to add Chapter 5 (commencing with Section 1300) to Title 5, Part 4, Division 2 of the Civil Code, and to amend Sections 1241, 1242, 1243, and 1265 of said code, and to amend Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on May 1, 1959, between lines 15 and 16, insert

"1304. When a homestead has been declared under this chapter by a married person following the entry of an interlocutory decree of divorce upon property awarded to such person by such decree, a subsequent reconciliation of the parties when evidenced by a dismissal of such divorce action executed by both parties or their attorneys of record shall transform such homestead into a joint protection homestead, which shall thereafter have the force and effect of a homestead selected under Chapter 2 of this title. If each such married person has selected a homestead under this chapter, and such a dismissal has been filed after reconciliation, one of the homesteads must be abandoned or the exemption under each shall be reduced by one-half."

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 782**—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2, line 6, of the printed bill, after "and", insert "any".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 72**—An act to amend Section 73731 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 884**—An act to amend Section 112 of the Code of Civil Procedure, relating to jurisdiction of justice courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 10 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out the second "to"; strike out all of line 11 of the title; and in line 12 thereof, strike out "7700) of Division 9 of,".

**Amendment No. 2**

On page 3, line 38, after "canvass", insert "commencing as soon as the first returns are received by him from the precincts, and in no event later than 10 o'clock p.m. on election day,".

**Amendment No. 3**

On page 4, line 15, after the period, insert "The Secretary of State shall immediately make public the results of his compilation as to such offices and measures."

**Amendment No. 4**

On page 4, strike out lines 16 and 17.

**Amendment No. 5**

On page 4, line 24, strike out "polls are closed", and insert "semiofficial canvass is completed".

**Amendment No. 6**

On page 4, line 28, strike out "continued daily until completed", and insert "continuous and without adjournment until completed and the result thereof tallied and returned".

Bill ordered reprinted, and to be re-referred to the Committee on Elections and Reapportionment.

**Senate Bill No. 566**—An act to amend Section 6150 of, and to add Sections 6150.5 and 6159 to, the Elections Code, relating to the State Commission on Voting Machines and Vote Tabulating Devices.

Bill read second time, and ordered to third reading.

**Senate Bill No. 376**—An act to add Section 10607 to the Health and Safety Code, relating to access of newspapermen to vital statistics records.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 627**—An act to amend Section 8950 of the Health and Safety Code, relating to public cemetery districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 391**—An act to amend Section 26516.7 of the Health and Safety Code, relating to the manufacturing, importation, and sale of foods.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On line 1 of the title of the printed bill as amended in the Senate on May 11, 1959, strike out "Section", and insert "Sections 26472 and".

**Amendment No. 2**

On page 1, starting on line 1, insert

"SECTION 1 Section 26472 of the Health and Safety Code is amended to read:

26472. A food shall be deemed to be adulterated:

(a) (1) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or

(2) If any substance has been substituted wholly or in part therefor, or

(3) If damage or inferiority has been concealed in any manner; or

(4) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk in weight or reduce its quality or strength or make it appear better or of greater value than it is.

(b) If it is confectionery and it bears or contains any alcohol or nonnutritive article or substance except harmless coloring, harmless flavoring, harmless resinous glaze not in excess of four-tenths of 1 per centum, harmless natural gum and pectin. This subsection shall not apply to any confectionery by reason of its containing less than one-half of 1 per centum by volume of alcohol derived solely from the use of flavoring extracts, or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances.

(c) If it bears or contains a coal tar other than one from a batch which has been certified by the United States Department of Health, Education, and Welfare, Food and Drug Administration.

(d) If any mineral oil has been added thereto or mixed or packed therewith

(e) If it be fresh meat and it contains any chemical substance containing sulphites, sulphur dioxide, benzoic acid, salts of benzoic acid or any other chemical preservative, or any substance which is not approved for use in fresh meat by the United States Department of Agriculture, Agricultural Research Service, or the Division of Animal Industry of the California State Department of Agriculture, or the California State Board of Public Health

(f) If it be chopped or ground beef, or hamburger containing any substance other than the *voluntary* striated muscle of fresh beef, except those substances approved by the State Department of Public Health, or if the total fat content (determined by ether extract method of analysis) of chopped or ground beef, or hamburger is in excess of 30 percent

Nothing in this subdivision shall be deemed to prohibit the use of monosodium glutamate in such chopped or ground beef and hamburger

(g) Notwithstanding the provisions of Section 26461, nothing in this article shall be deemed to prohibit the use of common salt, sugar (cane or beet), maple sugar, dextrose, invert sugar, honey, corn syrup solids, corn syrup and glucose syrup, wood smoke, a vinegar, pure spices, spice oils, flavorings, saltpeter, nitrate of soda, nitrite of soda and potassium nitrite in meat food products such as sausage, corned, brined or pickled meats, hams, bacon and the like No such substances shall increase the green or original weight by more than 10 percent of products which are not smoked or cooked, with the exception of fresh uncured beef brisket in which case the finished cured product may exceed the weight of the fresh uncured brisket by 20 percent, nor shall any such substance increase the green or original weight by more than 1 percent of the green or original weight of products which are cooked or smoked In the case of meat food products such as sausage, 10 percent added water shall be permitted and allowed in smoked or cooked products of such nature and 3 percent in said products which are not cooked or smoked.

(h) If it be alimentary paste and contains any artificial color derived from coal tar or vegetable substances

(i) If it contains any saccharine or other non-nutritive sweetening agent.

(j) If it be pork sausage or breakfast sausage and the total fat content (determined by the ether extract method of analysis) is in excess of 50 percent."

**Amendment No. 3**

On page 2, line 2, strike out "SECTION 1", and insert "SEC. 2".

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

**Senate Bill No. 476**—An act to amend Section 7300 of, and to repeal Sections 7301 and 7309 of, and to add Sections 7301 and 7309 to, the Welfare and Institutions Code, relating to the Langley Porter Neuropsychiatric Institute.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 515**—An act to add Sections 2020.003, 3084.05, and 4604.5 to, and to repeal Section 4576 of, the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

On page 2, line 14, of the printed bill, as amended in the Senate on April 27, 1959, strike out "In computing the rate of payment any bill for".

**Amendment No. 2**

On page 2, strike out lines 15 to 17 inclusive, and insert "The".

**Amendment No. 3**

On page 2, strike out line 52, and insert "chapter "

**Amendment No. 4**

On page 3, strike out lines 1 to 3, inclusive, and insert "The rate of".

**Amendment No. 5**

On page 3, strike out lines 35 and 36, and insert "ever, funds may be advanced by any county to a corporation or association in accordance with provisions of a contract executed with said corporation or association pursuant to".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 919**—An act to add Section 5260.5 to the Welfare and Institutions Code, relating to support of persons committed to state homes.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 714**—An act to amend Section 14376 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the employment of retired teachers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 285**—An act to add Section 5706.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the admission to junior colleges of students over 16 years of age.

Bill read second time, and ordered to third reading.

**Senate Bill No. 724**—An act to amend Sections 8951 and 8955 of and to add Section 6913.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read second time, and ordered to third reading.

**Senate Bill No. 86**—An act to add Section 7717.6 to the Education Code, and Section 19588.1 to the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 7717.6 to the Education Code and".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 21, inclusive, and insert
"SECTION 1. Section 19588.1 is added to the Education Code, to read.".

**Amendment No. 4**

On page 2, line 6, after the comma, insert "for elementary school construction".

**Amendment No. 5**

On page 2, line 14, strike out "shall"; strike out line 15, and insert "for elementary school construction He shall report his findings and recommendations to the board for consideration in connection with any application before the board from the unified school district."

**Amendment No. 6**

On page 2, strike out lines 16 to 21, inclusive.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 913**—An act to add Section 4280.2 to the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on April 16, 1959, strike out "add Section 4280.2 to", and insert "amend Section 4280 of".

**Amendment No. 2**

On page 1, strike out line 1, and insert
"SECTION 1. Section 4280 of the Agricultural Code is amended to read:
4280 Each stabilization and marketing plan shall contain provisions for prohibiting distributors and retail stores from engaging in the unfair practices hereinafter set forth:
(a) The payment, allowance or acceptance of secret rebates, secret refunds, or unearned discounts by any person, whether in the form of money or otherwise.
(b) The giving of any milk, cream, dairy products, services or articles of any kind, except to bona fide charities, for the purpose of securing or retaining the fluid milk or fluid cream or fluid skim milk business of any customer.
(c) The extension to certain customers of special prices or services not made available to all customers who purchase fluid milk or fluid cream or fluid skim milk of like quantity under like terms and conditions
(d) The false or misleading advertising of fluid milk or fluid cream or fluid skim milk as defined in Sections 17500, 17501, and 17502 of the Business and Professions Code
(e) The purchase of any fluid milk in excess of 200 gallons monthly from any producer or association of producers unless a written contract has been entered into with such producer or association of producers Such contract shall include the following (1) the amount of fluid milk to be purchased for any period; (2) the quantity of such milk to be paid for as Class 1 Such quantity shall be stated in pounds of milk or pounds of milk fat or gallons of milk; provided, that if the price to be paid for such Class 1 milk is established separately for the milk fat and skim milk contained in such milk, such quantity to be paid for as Class 1 shall be stated in pounds of milk or pounds of milk fat or gallons of milk or both in pounds of milk fat and pounds of skim milk separately, but in any marketing area where an equalization pool is a part of a stabilization and marketing plan, such contract need not specify the quantity of milk in any one class; (3) the

price to be paid for all milk received; (4) the date and method of payment for such fluid milk, which shall be that payment shall be made for approximately one-half of the milk delivered in any calendar month not later than the first day of the next following month and the remainder not later than the fifteenth day of said month; (5) the charges for transportation if hauled by the distributor; and (6) a proviso to the effect that the producer shall not be obligated to deliver in any calendar month fluid milk to be paid for at or less than the minimum price for fluid milk that is used for Class 3, as said class is defined in Section 4228. The contract may contain such other provisions as are not in conflict with this chapter. A signed copy of such contract shall be filed by the distributor with the director within five days from the date of its execution The provisions of this subdivision relating to dates of payment shall not apply to contracts for the purchase of fluid milk from nonprofit co-operative associations of producers The provisions of this subdivision do not apply to the purchase of fluid milk which is necessary to meet an unanticipated increase in demand or an unanticipated shortage in the supply of a distributor; provided, that the quantity of fluid milk so purchased from any one producer or association of producers shall not exceed 1,000 gallons in any one month; and, provided further, that a complete record of all such purchases shall be kept by the distributor and the price paid for such milk by the distributor shall not be less than the price established in the applicable stabilization and marketing plan for the usage to which such milk is applied.

(f) The purchasing, processing, bottling, transporting, delivering or otherwise handling in any marketing area of any fluid milk or fluid cream or fluid skim milk which is to be or is sold or otherwise disposed of by such distributor at any place in the geographical area within the outer, outside and external boundaries or limits of such marketing area, whether such place is a part of the marketing area or not, at less than the minimum wholesale and minimum retail prices effective in such marketing area.

(g) The payment by a distributor to any producer, including any association of producers, or the receipt by a producer, including any association of producers, from a distributor, of a lesser price for any fluid milk or fluid cream or fluid skim milk which is distributed to any person, including agencies of the federal, state or local government, located upon property within the geographical limits of any marketing area for less than the minimum prices established by the director to be paid by distributors to producers for fluid milk, or the milk fat and skim milk contained therein, or fluid cream or fluid skim milk for said marketing area. The provisions of this section with respect to fluid milk shall apply whether or not such fluid milk is received by the distributor as whole milk, or as skim milk and fluid cream, or either, or as any other derivatives of such fluid milk which are reconstituted into such fluid milk, or fluid cream or fluid skim milk for market usage, and whether or not a fluid cream plan has been established for the marketing area.

*(h) The inclusion in any written contract for purchase of fluid milk, required by subdivision (c) of this section, of any provision which forbids a producer from applying to become, or becoming, or remaining a member of any co-operative association the activities of which comply with all the conditions of this section, or makes application for such membership, or such membership itself, cause for cancellation of the contract. The conditions required of co-operative associations in order that this subdivision shall be applicable to them are:*

*(1) Such co-operative association must be organized under the laws of this State;*

*(2) The primary and principal activities in which such association is engaged must be one or more of the following:*

*(a) Representation of its members in respect to legislation.*

*(b) Proceedings before the Department of Agriculture or other state agencies*

*(c) Advertising, educational, charitable and public relations activities*

*(d) Other similar, nonmarketing activities.*

*(3) Such association shall not be engaged directly or indirectly, through affiliated organizations or otherwise, in the manufacture, processing, sale or distribution of fluid milk or any product, a component of which is milk, whole or nonfat, nor own, lease or contract for the use of, or have any interest in, any equipment for the manufacture or processing of fluid milk or any product, a component of which is milk, whole or nonfat.*

*(4) Such association may participate, on behalf of its members, in discussions with distributors, voluntarily conducted by any such distributor, in connection with procurement of milk by any such distributor from individual members of such association, provided that in any such discussion the association does not act as the bargaining agent of the member in the negotiation of a written contract between such member and the distributor."*

**Amendment No. 3**

On page 1, strike out lines 2 to 25, inclusive; and strike out all of page 2

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

**Senate Bill No. 1022**—An act to add Section 473.5 to, and to amend Section 637.1 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Senate on May 5, 1959, after "solids", insert "derived from market milk".

**Amendment No. 2**

On page 1, lines 11 and 12, strike out "cream dressing", and insert "market cream".

**Amendment No. 3**

On page 1, line 12, strike out "cream dressing", and insert "market cream".

**Amendment No. 4**

On page 1, line 15, strike out "Cream", and insert "Sour cream".

**Amendment No. 5**

On page 1, line 22, strike out "cream", and insert "sour cream".

**Amendment No. 6**

On page 1, line 24, after "consumers", insert "sour".

**Amendment No. 7**

On page 1, line 25, after "that", insert "sour".

**Amendment No. 8**

On page 1, line 26, strike out "blue cheese, or", and insert "cheese,".

**Amendment No. 9**

On page 1, line 27, strike out "other substance", and insert "salmon, anchovy, or pickle".

**Amendment No. 10**

On page 1, line 28, strike out ", such dressing".

**Amendment No. 11**

On page 1, line 29, after "size.", insert "When sour cream dressing contains any such distinctive flavoring the label shall clearly identify the flavoring."

Bill ordered reprinted, returned to the second reading file, and to be placed on the Consent Calendar.

**Senate Bill No. 994**—An act to amend Section 490 of the Agricultural Code, relating to milk and milk products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Livestock and Dairies, was read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Senate in April 30, 1959, after "milk", insert "or higher standards for milk fat and solids not fat than those established in this division".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1127**—An act to amend Section 1148.2 of the Agricultural Code, relating to labeling of nursery stock.

Bill read second time, and ordered to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2357**, subsequent to engrossment.

**Assembly Bills Nos. 1974, 1847**, and **2298**, subsequent to re-engrossment.

**Senate Bills Nos. 43, 878, 566, 476**, and **724**.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2242 FROM COMMITTEE

Mr. Bruce F. Allen was granted unanimous consent that Assembly Bill No. 2242 be withdrawn from the Committee on Water, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2242

**Assembly Bill No. 2242**—An act relating to the dissolution of the Santa Clara Valley Water Conservation District and the addition of the area thereof to the Santa Clara Flood Control and Water Conservation District, and in this connection to add Sections 3.4, 3.5, 3.6, and 3.7 to, and to amend Section 4 of, the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951).

Bill read second time.

#### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendments:

#### Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 7, 1959, strike out "and 3.7", and insert "3.7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, and 7.8".

#### Amendment No. 2

In line 6 of the title, strike out "Section 4", and insert "Sections 4 and 7".

#### Amendment No. 3

On page 2, after line 47, insert

"SEC. 7. Section 7 of said act is amended to read:

Sec. 7. ~~The Board of Supervisors of Santa Clara County shall be and is hereby designated as, and empowered to act as, ex officio the Board of Supervisors of the Santa Clara County Flood Control and Water Conservation District.~~ *The governing body of the district is a board of directors composed of seven members.* As used elsewhere in this act, *except where otherwise indicated,* the terms "board," "*district board,*" and "board of supervisors" means the ~~Board of Supervisors of the Santa Clara County Flood Control and Water Conservation District~~ *board of directors of the district*.

All ordinances, resolutions and other legislative acts for said district shall be adopted by said board ~~of supervisors~~, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Santa Clara.

SEC. 8. Section 7.1 is added to said act, to read:

Sec. 7.1. A city selection committee is hereby created, composed of the mayor of each city within Santa Clara County, or, where there is no mayor, the chairman or president of the city council. A majority of the members of the city selection committee constitute a quorum.

SEC. 9. Section 7.2 is added to said act, to read:

Sec. 7.2. The city selection committee shall meet within 30 days after the operative date of this section in the chambers of the board of supervisors of the county for the purpose of making the first appointments to the district board. The committee shall thereafter meet on the second Monday in May of each even-numbered year, at 10 a.m., in the chambers of the board of supervisors of the county for the purpose of making succeeding appointments to the district board. At least two weeks prior to the date of each meeting, the county clerk shall give notice of such meeting to each member of the committee. The meetings of the city selection committee shall be conducted in the presence of the county clerk, who shall act as the recording officer for the meeting. It shall be the duty of the county clerk to notify in writing the board of supervisors of the county and the clerk of the district of the appointments made by the city selection committee within 10 days after such appointments have been made.

SEC. 10. Section 7.3 is added to said act, to read:

Sec. 7.3. The city selection committee shall appoint a chairman from among its members and such officers as may be necessary. The members of the committee shall serve without compensation, but may be allowed actual expenses incurred in the discharge of their duties.

SEC. 11. Section 7.4 is added to said act, to read:

Sec. 7.4. Within 30 days after the operative day of this section, the board of supervisors of the county shall appoint three of its members to be members of the district board. Within the same time, the city selection committee shall appoint four members of the board. Such members shall be selected from among the city councilmen of the cities within the county.

SEC. 12. Section 7.5 is added to said act, to read:

Sec. 7.5. Each member of the first board shall hold office until the June 1st following the date of his appointment. Thereafter, each member appointed by the board of supervisors of the county shall hold office for a term of four years and until the appointment and qualification of his successor and each member appointed by the city selection committee shall hold office for two years and until the appointment and qualification of his successor. Any vacancy on the board shall be appointed in the same manner as the vacating member was appointed. Any member of the board may be removed at any time in the same manner as he was appointed; provided, however, that if four-fifths of the members of the board of supervisors of the county request the removal of a member appointed by the city selection committee, the city selection committee shall meet within 20 days to consider the removal of such member.

SEC. 13. Section 7.6 is added to said act, to read:

Sec. 7.6. Any member of the board may be recalled from his office of member of the board of supervisors of the county or of member of a

city council pursuant to Division 13 (commencing at Section 11000) of the Election Code, in which event his office as member of the board shall be vacant.

SEC. 14. Section 7.7 is added to said act, to read:

Sec. 7.7. The board is the governing body of the district and shall exercise all of the powers of the district, except as otherwise provided. A majority of the members of the board constitutes a quorum for the transaction of business and may act for the board.

SEC. 15. Section 7.8 is added to said act, to read:

Sec. 7.8. Each member of the board shall receive the actual and necessary expenses incurred by him in the performance of his duties, plus a compensation of twenty-five ($25) for each day attending the meetings of the board, but such compensation shall not exceed six hundred dollars ($600) in any one year.

SEC. 16. The provisions of this act, except those relating to and necessary for its submission to the people of the Santa Clara Valley Water Conservation District for their ratification, shall not become operative unless and until a majority of the voters in such district at a special election called and held in such district vote in favor of the dissolution of such district and the constituting of the area thereof as a zone of the Santa Clara Flood Control and Water Conservation District and a certified copy of the results of such election is filed in the Office of the Secretary of State by the Board of Supervisors of Santa Clara County.

SEC. 17. The board of supervisors of Santa Clara County may at any time not later than the next general election held in the month of November, 1960, submit this act to the people of the Santa Clara Valley Water Conservation District for their ratification. The election shall be called and conducted in the same manner as other special elections in the county, except as otherwise provided herein.

SEC. 18. The ballot for such election shall contain such instructions as are required by law to be printed thereon, and in addition there shall appear the following:

| | |
|---|---|
| Shall the Santa Clara Valley Water Conservation District be dissolved and the area thereof be constituted a zone of the Santa Clara County Flood Control and Water Conservation District? | YES |
| | NO |

SEC. 19. The board of supervisors of Santa Clara County shall meet on the Monday following the day on which the election is held and canvass the vote cast at the election. The board of supervisors shall thereupon declare the results of such canvass and cause a certified copy of such results to be filed in the Office of the Secretary of State and with the governing body of the Santa Clara Valley Water Conservation District and with the governing body of the Santa Clara County Flood Control and Water Conservation District. If the copy of the results of the election shows that a majority of the voters voting at the election were in favor of the dissolution of the Santa Clara Valley Water Conservation District and the constituting of the area thereof as a zone of

the Santa Clara County Flood Control and Water Conservation District from and after the date of the filing of the copy of the results in the Office of the Secretary of State, this act shall be completely operative. The board of supervisors of Santa Clara County shall, however, remain the ex officio governing body of the Santa Clara County Flood Control and Water Conservation District until the appointment and qualification of the members of the district board

SEC. 20. The board of supervisors of Santa Clara County, if they determine to call the election, shall make all provisions for the holding of such election and the cost thereof shall be a proper charge against the county.

SEC. 21 No informality in any proceeding or in the conduct of said election not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the dissolution of the Santa Clara Valley Water Conservation District or the constituting of the area thereof as a zone of the Santa Clara County Flood Control and Water Conservation District, and any proceedings attacking the validity of such acts, shall be commenced within three months from the date of the filing of the copy of the results of the election in the Office of the Secretary of State, otherwise such acts shall be held to be valid and in every respect legal and incontestable "

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Water.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Ernest R Geddes was granted unanimous consent that Assembly Bill No 1000, reported out of committee this morning, be read the second time, at this time.

### SECOND READING OF ASSEMBLY BILL NO. 1000

**Assembly Bill No. 1000**—An act to amend Sections 1504, 5153, 5154, 5202, 7001, 7018.1, 7032, 7032 1, 7034, 7035 1, 7036, 7037 2, 7038, 7041, 7042, 7043, 7044, 7075, 7081, 7091, 7092.1, 7096, 7101.1, 7101 2, 7102 1, 7102.2, 7103 1, 7103.2, 7121, 7121.1, 9191, 9192, and 10208, of, to repeal Sections 7037, 7037 1, 7094, 7095, 7109 2, 7109 21, 7109 22 and 9176 1 of, and to add Sections 6999, 7033.1, 7037, 7037 01, 7037.02, 7037 1, 7038.1, 7083, 7091 1, 7091 2, 7093.1, 7095.1, 7096 2, 7109 01, 7109 2, and 7121.3 to, and to add Article 11 2 (commencing at Section 7099) to Chapter 15, Division 3 of, the Education Code, to amend Sections 6354, 8109, 10808, 13525 1, 17301.1, 17303 1, 17306 1, 17308, 17352, 17402, 17403 1, 17405.1, 17411 1, 17503.1, 17614, 17616.1, 17655 1, 17656 1, 17658 1, 17660 1, 17661.1, 17665.1, 17666.1, 17702.1, 11751.1, 17801 1, 17851 1, 17901.1, 17903.1, 17951 1, 18060.1, 18102, 18103, 18152, 18153, 18202, 18203, 18352 1, 18355.1, 18356 1, 18357 1, 18358.1, 18401 1, 18451.1, 18452.1, 18453 1, 18455 1, 18456.1, and 18460 1 of, to repeal Sections 6354, 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17663.1, 17664, 17664.1, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17905.1, 17906, 17906.1, 17951, 17952, 18003, 18005, 18005.1, 18006, 18060, 18101,

18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to add Sections 17300, 17404.5, 17657.1, 17663, 17663.5, 17663.7, 17664, 17666.2, 17704, 17903.2, 17904.2, 17901.1, 17901.5, 17906.2, 18001.5, 18003, and Article 8.5 (commencing at Section 17970) to Chapter 3 of Division 14 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on April 24, 1959, strike out "7096", and insert "7097".

**Amendment No. 1.1**

In line 7 of the title, after "6999," insert "7032.5,".

**Amendment No. 2**

In line 12 of the title, after "7099)", insert "and Article 11.3 (commencing at Section 7100".

**Amendment No. 2.5**

In line 14 of the title, after "10808," insert "12155,".

**Amendment No. 2.7**

In line 15 of the title, strike out "17308,".

**Amendment No. 2.8**

In line 16 of the title, strike out "17614.".

**Amendment No. 3**

On page 2, line 2 of the title, after "17300," insert "17656.01,".

**Amendment No. 3.4**

On page 2, line 4 of the title, strike out "17904.2,".

**Amendment No. 4**

On page 2, line 7 of the title, after "17970)", insert "and Article 8.6 (commencing at Section 17990)".

**Amendment No. 5**

On page 13, between lines 41 and 42, insert

SEC. 8.5. Section 7032.5 is added to said code, to read:

7032.5. For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and which did not meet the requirements of Section 7091.1 while that section was in force and effect, and which has not been determined a necessary small school under the provisions of Section 7091.2, he shall compute an amount determined by multiplying the total average daily attendance of the district, exclusive of the average daily attendance of pupils attending grades seven and eight of a junior high school, by two hundred twenty-five dollars ($225)."

**Amendment No. 6**

On page 18, line 17, after "Instruction", insert ", without regard to the required number of certificated employees employed,".

**Amendment No. 7**

On page 19, between lines 42 and 43, insert

"(n) For each one which had an average daily attendance of less than 21 and for which fewer than three certificated employees were employed, he shall add the average daily attendance to the average daily attendance of another high school in

*the district and shall provide on account of the average daily attendance added not* less than five thousand one hundred dollars ($5,100) for each of the teachers employed in the school"

**Amendment No. 8**

On page 20, line 12, after "and", insert "for".

**Amendment No. 9**

On page 22, line 18, strike out "was made", and insert "is required".

**Amendment No. 10**

On page 26, strike out lines 20 to 32, inclusive, and insert

"The amount allowed under this article to a high school district having an average daily attendance during the preceding fiscal year of less than 301, to which Section 7037.02 is applicable, shall not be more than the amount computed under Section 7092, except that for the first year succeeding the year in which Section 7037.02 became applicable to this allowance shall be added an amount equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 7092 and the amount that would have been computed for the district under Section 7092 had the foundation program been computed under Section 7037.1 without regard to the required number of certificated employees employed."

**Amendment No. 11**

On page 27, between lines 5 and 6, insert

"SEC. 31.1. Section 7097 of said code is amended to read:

7097. The Superintendent of Public Instruction shall allow each district for each unit of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 9700.1, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults, one hundred twenty-five dollars ($125) as basic state aid and the same amount as state equalization aid as is computed by dividing the allowance computed for the district under Article 11 of this chapter by the average daily attendance of the district during the preceding fiscal year, exclusive of average daily attendance during the preceding fiscal year for adults, as adults are defined in Section 9700.1, and for inmates of state institutions for adults and of city, county, or city and county jails, road camps or farms for adults *less fifteen dollars ($15)*. The total of basic and equalization aid allowed shall not exceed two hundred twenty dollars ($220) for each unit of average daily attendance during the preceding fiscal year for such adults, exclusive of average daily attendance in classes for inmates of any state institution for adults and for inmates of any city, county, or city and county jail, road camp or farm for adults."

**Amendment No. 12**

On page 27, line 37, strike out "The", and insert "For the Fiscal Year 1961-62 and each fiscal year thereafter the".

**Amendment No. 13**

On page 27, line 44, after "by", insert "dividing".

**Amendment No. 14**

On page 27, line 47, strike out "for pupils who reside in the"; strike out lines 48 to 50, inclusive, and insert "as determined pursuant to Section 7038.1."

**Amendment No. 15**

On page 28, strike out lines 5 and 6, and insert

"SEC. 33. Article 11.3 (commencing at Section 7100 is added to Chapter 15 of Division 3 of said code, to read:

Article 11.3. Recomputation of Basic and Equalization Aid for Junior College Districts".

**Amendment No. 15.5**

On page 28, line 7, strike out "7093.1", and insert "7100".

**Amendment No. 16**

On page 28, line 9, strike out "of equalization aid".

**Amendment No. 17**

On page 28, line 10, strike out "Section 7093 and 7099", and insert "Articles 9, 10, and 11".

**Amendment No. 18**

On page 29, line 5, strike out "20", and insert "80".

**Amendment No. 19**

On page 29, line 6, strike out "40", and insert "60".

**Amendment No. 20**

On page 29, line 7, strike out "60", and insert "40"

**Amendment No. 21**

On page 29, line 8, strike out "80", and insert "20".

**Amendment No. 22**

On page 29, line 9, strike out "100 percent", and insert "None".

**Amendment No. 23**

On page 30, strike out lines 1 to 47, inclusive.

**Amendment No. 24**

On page 33, line 23, after "low", insert "for each unit of average daily attendance attributable to growth".

**Amendment No. 25**

On page 33, line 51, after "year", insert ", increased by the adjustments to the assessed valuation of the preceding fiscal year made under the provisions of Section 7000.1 of this chapter,".

**Amendment No. 26**

On page 34, line 8, strike out "11.2, 11.2", and insert "11.1, 11.2, 11.3".

**Amendment No. 27**

On page 34, strike out lines 37 and 38, and insert "with regard only to the number of certificated employees employed."

**Amendment No. 27.1**

On page 35, line 3, after the period, insert "The total of the tuition required and the apportionments from the State School Fund for all attendance in the classes shall not exceed the estimated cost of all such classes maintained."

**Amendment No. 28**

On page 37, line 12, strike out "three dollars and seventy-eight", in line 13, strike out "cents ($173 78)", and insert "four dollars and thirty-nine cents ($174 39)".

**Amendment No. 29**

On page 46, after line 50, insert

"SEC 65 1. Section 17656.01 is added to said code, to read:

17656.01. For each elementary school district which maintained only one elementary school and which had an average daily attendance during the preceding fiscal year of less than 101, exclusive of pupils attending the seventh and eighth grades of a junior high school, and which did not meet the requirements of Section 17901 1 while that section was in force and effect, and which has not been determined a necessary small school under the provisions of Section 17901.2, he shall compute an amount determined by multiplying the total average daily attendance of the district, exclusive of the average daily attendance of pupils attending grades seven and eight of a junior high school, by two hundred twenty-five dollars ($225) "

**Amendment No. 30**

On page 47, line 35, after "traveled", insert a period and "In such cases".

**Amendment No. 31**

On page 50, line 27, strike out "7½", and insert "seven and one-half".

**Amendment No. 32**

On page 50, line 51, strike out "30", and insert "300".

**Amendment No. 33**

On page 51, line 31, after "computations", insert "without regard to the number of certificated employees employed".

**Amendment No. 34**

On page 53, between lines 4 and 5, insert

"(n) For each one which had an average daily attendance of less than 21 and for which fewer than three certificated employees were employed, he shall add the average daily attendance to the average daily attendance of another high school in

the district and shall provide on account of the average daily attendance added not less than five thousand one hundred dollars ($5,100) for each of the teachers employed in the school."

**Amendment No. 35**

On page 53, line 16, after "attendance", insert "by".

**Amendment No. 36**

On page 55, line 41, strike out, "was made", and insert "is required".

**Amendment No. 37**

On page 58, line 23, strike out "The", and insert "Beginning with the Fiscal Year 1960-61, the".

**Amendment No. 38**

On page 59, line 15, strike out "five", and insert "two".

**Amendment No. 39**

On page 60, strike out lines 1 to 14, inclusive, and insert

"The amount allowed under Sections 17614 and 17615 and Sections 17901 to 17906, inclusive, to a high school district having an average daily attendance during the preceding fiscal year to which Section 17663.7 is applicable shall not be more than the amount which would have been computed under Section 17902, except that to this allowance shall be added an amount for the first year succeeding the year in which Section 17663.7 became applicable equal to 80 percent, reduced by an additional 20 percent in each of the subsequent fiscal years, of the difference between the allowance computed for the district under Section 17902 and the amount which would have been computed for the district under Section 17902 had the foundation program been computed under Section 17665 without regard to the required number of certificated employees employed."

**Amendment No. 40**

On page 61, line 10, after "adults", insert "less fifteen dollars ($15)".

**Amendment No. 41**

On page 61, line 25, strike out "The", and insert "For the Fiscal Year 1961-62 and each fiscal year thereafter, the".

**Amendment No. 42**

On page 61, line 32, after "by", insert "dividing".

**Amendment No. 43**

On page 61, line 36, strike out "for pupils who reside in the district and who are"; strike out lines 37 to 39, inclusive, and insert "as determined pursuant to Section 17666.2."

**Amendment No. 44**

On page 61, strike out lines 46 and 47, and insert

"SEC. 101.5. Article 8.6 (commencing at Section 17990) is added to Chapter 3 of Division 14 of said code, to read:

Article 8.6 Recomputation of Basic and Equalization Aid for Junior College Districts".

**Amendment No. 44.5**

On page 61, line 48, strike out "17904.2", and insert "17990".

**Amendment No. 45**

On page 61, line 50, strike out "of equalization aid".

**Amendment No. 46**

On page 61, line 51, strike out "Sections 17904 and 17970", and insert "Articles 3, 6, and 7".

**Amendment No. 47**

On page 62, line 48, strike out "20", and insert "80".

**Amendment No. 48**

On page 62, line 49, strike out "40", and insert "60"

**Amendment No. 49**

On page 62, line 50, strike out "60", and insert "40".

**Amendment No. 50**

On page 62, line 51, strike out "80", and insert "20".

**Amendment No. 51**

On page 62, line 52, strike out "100 percent", and insert "None".

**Amendment No. 51.1**

On page 63, line 19, strike out "1950", and insert "1960".

**Amendment No. 52**

On page 63, strike out lines 42 to 52, inclusive.

**Amendment No. 53**

On page 64, strike out lines 1 to 38, inclusive.

**Amendment No. 54**

On page 67, line 13, after "allow", insert "for each unit of average daily attendance attributable to growth".

**Amendment No. 55**

On page 67, line 41, after "year", insert "increased by the adjustments to the assessed valuation of the preceding fiscal year made under the provisions of Section 17602 of this chapter,".

**Amendment No. 56**

On page 68, strike out lines 30 and 31, and insert "with regard only to the number of certificated employees employed."

**Amendment No. 57**

On page 69, line 7, after the period, insert "The total of the tuition required and the apportionments from the State School Fund for all attendance in the classes shall not exceed the estimated cost of all such classes maintained."

**Amendment No. 58**

On page 69, between lines 17 and 18, insert

"SEC. 119.3. Section 12155 of said code is amended to read:

12155. Children not attending a private, full-time, day school, and who are being instructed in study and recitation for at least three hours a day for ~~170~~ *175* days each calendar year by a private tutor or other person, in the several branches of study required to be taught in the public schools of this State and in the English language shall be exempted. The tutor or other person shall hold a valid ~~state~~ *State* credential for the grade taught. The instruction shall be offered between the hours of 8 o'clock a.m. and 4 o'clock p.m."

**Amendment No. 59**

On page 70, strike out lines 4 to 30, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

### Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 1000

Mr. Ernest R. Geddes asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1000.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1423 FROM COMMITTEE

Mr. Miller was granted unanimous consent that Assembly Bill No. 1423 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1423

**Assembly Bill No. 1423**—An act to amend Section 68200 of the Government Code, relating to the compensation of the Chief Justice of the Supreme Court.

Bill read second time.

### Motion to Amend

Mr. Miller moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 68200 of", and insert "Sections 68200 and 68201 of, and to repeal Sections 68202, 68203, and 68204 of, and to add Section 68547 to,".

### Amendment No. 2

In lines 2 and 3 of the title, strike out "compensation of the Chief Justice of the Supreme Court", and insert "justices and judges of courts of record".

### Amendment No. 3

On page 1, line 5, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty-eight thousand dollars ($28,000)".

### Amendment No. 4

On page 1, after line 5, insert

"SEC. 2. Section 68201 of said code is amended to read:

68201. The annual salary of each of the following justices and judges is the amount of the salary of the Chief Justice of the Supreme Court less the amount indicated opposite the name of the office:

(a) Associate Justice of the Supreme Court, one thousand dollars ($1,000).

(b) Presiding Justice of District Court of Appeal, two thousand dollars ($2,000).

(c) Justice of District Court of Appeal other than Presiding Justice, two thousand five hundred dollars ($2,500).

(d) Judge of the superior court ~~of a county having a population of 250,000 or more, six thousand dollars ($6,000)~~ *, seven thousand dollars ($7,000)* .

(e) Judge of the ~~superior~~ *municipal* court ~~of a county having a population of more than 10,000 and less than 250,000, seven thousand five hundred dollars ($7,500)~~ *, nine thousand five hundred dollars ($9,500)* .

~~(f) Judge of the superior court of a county having a population of 10,000 or less, nine thousand dollars ($9,000).~~

SEC. 3. Section 68202 of said code is repealed.

~~68202. The annual salary of a judge of a municipal court in a county having a population of 500,000 or more is fifteen hundred dollars ($1,500) less than the annual salary of a judge of a superior court of the same county.~~

SEC. 4. Section 68203 of said code is repealed.

~~68203. The annual salary of a judge of a municipal court in a county having a population of 250,000 or more and less than 500,000 is fifteen hundred dollars ($1,500) less than the annual salary of a judge of a municipal court in a county having a population of 500,000 or more.~~

SEC. 5. Section 68204 of said code is repealed.

~~68204. The annual salary of a judge of a municipal court in a county having a population of more than 10,000 and less than 250,000 is three thousand dollars ($3,000) less than the annual salary of a~~

~~judge of a municipal court in a county having a population of 500,000 or more.~~

SEC. 6. Section 68547 is added to said code, to read:

68547. Each justice or judge assigned by the Chairman of the Judicial Council to another court of a like or higher jurisdiction pursuant to Section 1a, Article VI of the State Constitution has no authority to refuse such assignment and shall forthwith accept such assignment and shall sit and hold court as so assigned."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 353

Mr. Z'berg moved to expunge the record, and rescind the action whereby the Assembly on May 21, 1959 (Assembly Journal, page 3995), passed Senate Bill No. 353, and ordered it transmitted to the Senate.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Senate Bill No. 353 ordered returned to the third reading file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1168 FROM COMMITTEE

Mr. Belotti was granted unanimous consent that Assembly Bill No. 1168 be withdrawn from the Committee on Ways and Means for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1168

**Assembly Bill No. 1168**—An act to appropriate moneys in the Small Craft Harbors Revolving Fund for the Shelter Cove Project, Humboldt County.

Bill read second time.

#### Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "acquisition".

#### Amendment No. 2

On page 1, strike out lines 6 to 14, inclusive, and insert "construction of the west breakwater, or a portion thereof, including the necessary engineering and securing of materials involved at Shelter Cove, Humboldt County, as a state development project, pursuant to the provisions of the Small Craft Harbors Law (Division 5.7, commencing at Section 5801, Public Resources Code) and as recommended by the Small Craft Harbors Commission.

SEC. 2. Before any of the money appropriated in this act is expended, the State shall enter into a contract with the County of Humboldt which will require said county to assume total responsibility of maintenance, operation, and further development of this harbor project on the date the total amount appropriated by this act is expended, or at the termination date of the availability of this appropriation,

whichever is earlier; and which will provide for the repayment by the County of Humboldt of the money expended by the State, such repayment to start not more than six years from the date the money appropriated by this act is expended, or from the termination date of the availability of this appropriation, whichever is earlier, including interest at 3 percent, and extending not more than 20 years from said earlier date."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

### ASSEMBLY BILL NO. 919 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 919,** on request of Mr. Bradley.

### RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

**House Resolution No. 277**—Relative to congratulating Thomas A. Maloney.

#### Request for Unanimous Consent

Mr. Gaffney was granted unanimous consent to take up House Resolution No. 277 without reference to committee or file.

#### Members Made Co-authors of House Resolution No. 277

Mr. Gaffney was granted unanimous consent that all members so desiring be placed upon House Resolution No. 277 as co-authors.

#### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

#### Consideration of House Resolution No. 277

By Messrs. Gaffney, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg:

#### House Resolution No. 277

Relative to congratulating Thomas A. Maloney

WHEREAS, Friday, May 22, 1959, marks the birthday of Thomas A. Maloney, a native of San Francisco and the admired and respected friend of the people of his city and of the entire State of California; and

WHEREAS, He has repeatedly demonstrated his devotion to his beloved City of San Francisco over the course of the years by his efforts in promoting construction of the city's renowned bridges, in the establishment of the San Francisco World Trade Center, and in the development and expansion of local industries; and

WHEREAS, He has long been recognized for his exemplary record of 32 years of service in the Senate and Assembly of this State, 14 of which years he served as Speaker pro Tempore of the Assembly, performing the duties of that office with skill and distinction; and

WHEREAS, His successful sponsorship of legislation benefiting industry and labor, including measures increasing workmen's compensation and disability benefits, unemployment insurance coverage, and pensions for the aged and blind, has been an outstanding example of devotion to his fellow man; and

WHEREAS, Throughout his long career of public service he has repeatedly demonstrated his leadership abilities and his tact and diplomacy in bringing together opposing factions in compromise agreements that have led to constructive accomplishments for the public benefit; and

WHEREAS, As the father of four children and the grandfather of 12 grandchildren Thomas A. Maloney has demonstrated his fine interest in the American home; and

WHEREAS, His genial and lovable personality has won him the warm admiration and friendship of his fellow citizens, now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to congratulate Thomas A. Maloney on the occasion of his birthday and commend him on his outstanding life of public service and accomplishments in the interest of his city and State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Thomas A. Maloney.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 109**—An act to add Section 14108.6 to the Health and Safety Code, relating to local fire districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 109?

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "citations", insert "by the chief of the fire department of the district, or his duly authorized agent,".

The Assembly concurred in Senate amendment to Assembly Bill No. 109 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 109 ordered enrolled.

**Assembly Bill No. 1045**—An act to add Section 234 to the Water Code, relating to archaeological investigations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1045?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "233", and insert "234".

**Amendment No. 2**

On page 1, line 1, strike out "233", and insert "234".

**Amendment No. 3**

On page 1, line 3, strike out "233", and insert "234".

The Assembly concurred in Senate amendments to Assembly Bill No. 1045 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1045 ordered enrolled.

**Assembly Bill No. 203**—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 203?

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Assembly on March 26, 1959, after "issuance", insert ", other than renewal or ownership transfer,".

**Amendment No. 2**

On page 1, line 7, after "issuance", insert ", other than renewal or ownership transfer,"

The Assembly concurred in Senate amendments to Assembly Bill No. 203 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 203 ordered enrolled.

**Assembly Bill No. 614**—An act to amend Section 11005 of, and to add Section 11005.6 to, the Revenue and Taxation Code, relating to allocations to counties from the Motor Vehicle License Fee Fund.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 614?

**Amendment No. 1**

On page 2, line 11, of the printed bill, after "proceedings", insert "or at such earlier time as the legislative body may request".

The Assembly concurred in Senate amendment to Assembly Bill No. 614 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 614 ordered enrolled.

**Assembly Bill No. 660**—An act to amend Sections 5024, 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463 and 6500 of the Streets and Highways Code, relating to the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 660?

**Amendment No. 1**

On page 2, line 35, of the printed bill, as amended in the Assembly on March 23, 1959, strike out "due".

**Amendment No. 2**

On page 2, line 49, strike out "due".

**Amendment No. 3**

On page 4, line 21, strike out "second", and insert "first".

**Amendment No. 4**

In line 1 of the title of the printed bill, as amended in the Senate on April 9, 1959, after "Sections", insert "5024,".

**Amendment No. 5**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 5024 is added to the Streets and Highways Code to read:

5024. "Incidental expense" includes:

(a) The compensation of the engineer for work done by him, *and attorney's fees for services in proceedings pursuant to this division*;

(b) The cost of printing and advertising provided for in this division, including the treasurer's estimated cost of printing, servicing and collecting any bonds to be issued to represent or be secured by unpaid assessments,

(c) The compensation of the person appointed by the superintendent of streets to take charge of and superintend any of the work;

(d) The expenses of making the assessment, and of the collection of assessments by the superintendent of streets when directed by ordinance to receive payments pursuant to Section 5396 of this division, and of preparing and typing the resolutions, notices and other papers and proceedings for any work authorized by this division;

(e) The expenses of making any analysis and tests to determine that the work and any materials or appliances incorporated therein comply with the specifications;

(f) All costs and expenses incurred in carrying out the investigations and making the reports required by the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931";

(g) The cost of title searching, description writing, salaries of right of way agent, appraisal fees, partial reconveyance fees, surveys and sketches incident to securing rights of way for any work authorized by this division; and

(h) Any other expenses incidental to the construction, completion, and inspection of the work in the manner provided for in this division.

*(i) In the event that the construction of sewers or appurtenances incident thereto shall have been ordered, any charge that shall have been established by the city as a condition to the providing of sewer service to properties in the assessment district.*

All demands for incidental expenses shall be presented to the street superintendent, by an itemized bill, duly verified by the demandant.

SEC. 1.5 Section 6440 of said code is amended to read:".

**Amendment No. 6**

On page 1 of the printed bill, as amended in the Senate on May 11, 1959, strike out line 3, and insert

"SECTION 1. Section 5024 of the Streets and Highways Code is amended to read:

5024. "Incidental expense" includes:

(a) The compensation of the engineer for work done by him, *and attorney's fees for services in proceedings pursuant to this division*;

(b) The cost of printing and advertising provided for in this division, including the treasurer's estimated cost of printing, servicing and collecting any bonds to be issued to represent or be secured by unpaid assessments;

(c) The compensation of the person appointed by the superintendent of streets to take charge of and superintend any of the work;

(d) The expenses of making the assessment, and of the collection of assessments by the superintendent of streets when directed by ordinance to receive payments pursuant to Section 5396 of this division, and of preparing and typing the resolutions, notices and other papers and proceedings for any work authorized by this division;

(e) The expenses of making any analysis and tests to determine that the work and any materials or appliances incorporated therein comply with the specifications,

(f) All costs and expenses incurred in carrying out the investigations and making the reports required by the provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931";

(g) The cost of title searching, description writing, salaries of right of way agent, appraisal fees, partial reconveyance fees, surveys and sketches incident to securing rights of way for any work authorized by this division; and

(h) Any other expenses incidental to the construction, completion, and inspection of the work in the manner provided for in this division.

*(i) In the event that the construction of sewers or appurtenances incident thereto shall have been ordered, any charge that shall have been established by the city as a condition to the providing of sewer service to properties in the assessment district.*

All demands for incidental expenses shall be presented to the street superintendent, by an itemized bill, duly verified by the demandant."

**Amendment No. 7**

On page 1, strike out lines 4 to 18, inclusive; and on page 2, strike out lines 1 to 25, inclusive

The Assembly concurred in Senate amendments to Assembly Bill No. 660 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 660 ordered enrolled.

**Assembly Bill No. 1193**—An act to amend Section 172 of, and to add Section 172.1 to, the Penal Code, relating to alcoholic beverages

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1193?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 172.1 to,".

**Amendment No. 2**

On page 2, after line 25, insert

"SEC. 2. Section 172.1 is added to said code, to read:

172.1. No provision of law shall prevent the possession or use of wine on any state university, state college or junior college premises solely for use in experimentation in or instruction of viticulture, enology, domestic science or home economics."

The Assembly concurred in Senate amendments to Assembly Bill No. 1193 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—None

Assembly Bill No. 1193 ordered enrolled.

**Assembly Bill No. 1455**—An act to add Section 5906.5 to the Elections Code, relating to absent voter.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1455?

**Amendment No. 1**

On page 1 of the printed bill, after line 8, insert "The envelope in which the second ballot is enclosed shall have plainly stamped or printed thereon a warning that voting twice constitutes a felony.

In the event that the voter attempts to vote more than one absent voter's ballot, both ballots shall be void."

The Assembly concurred in Senate amendment to Assembly Bill No. 1455 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None

Assembly No. 1455 ordered enrolled.

**Assembly Bill No. 1836**—An act to add Section 11580.2 to the Insurance Code, relating to uninsured motorist coverage.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1836?

**Amendment No. 1**

On page 3, line 3 of the printed bill, as amended in the Assembly on April 27, 1959, strike out "The applicable limits"; and strike out lines 4 to 13, inclusive

The Assembly concurred in Senate amendment to Assembly Bill No. 1836 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering,

Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1836 ordered enrolled.

**Assembly Bill No. 2089**—An act to amend Section 23104 of the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2089?

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "insurance company", and insert "insurer".

**Amendment No. 2**

On page 1, lines 10 and 11, strike out "insurance company", and insert "insurer"

**Amendment No. 3**

On page 1, line 13, strike out "insurance company", and insert "insurer".

**Amendment No. 4**

On page 1, line 19, after "merchandise", insert ", and shall provide thereon that it was not affixed by the manufacturer".

The Assembly concurred in Senate amendments to Assembly Bill No. 2089 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.

NOES—None.

Assembly Bill No. 2089 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1110**—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10.29 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "repeal", and insert "amend".

**Amendment No. 2**

On page 1, line 9, after the period, insert "This section is not intended, and shall not be construed, to prohibit prosecution and conviction for a violation of any law of this State."

**Amendment No. 3**

On page 1, line 12, strike out "subject to audit", and insert "audited".

**Amendment No. 4**

On page 1, strike out line 15, and insert

"SEC. 3. Section 928a of the Penal Code is amended to read:

928a. The grand jury shall have full and complete authority, at any time, to examine the books, records and accounts of any housing authority in the county and to investigate the operations of any such housing authority and to report as to the facts they have found, with such recommendations as they may deem proper and fit.

In making such examination, the grand jury shall have all the powers granted by Section 928 of this code, and any expenses incurred shall be paid from the same fund and in the same manner as expenses incurred under Section 928 of this code.

*Nothing in this section shall authorize the grand jury to investigate funds and operations which are subject to the control of the Federal Government.*"

Amendments read.

**Division of Question**

Mr. Bruce F. Allen asked for a division of the question, and that Amendments Nos. 2 and 3 be considered first.

**Consideration of Amendments Nos. 2 and 3**

**Amendment No. 2**

On page 1, line 9, after the period, insert "This section is not intended, and shall not be construed, to prohibit prosecution and conviction for a violation of any law of this State."

**Amendment No. 3**

On page 1, line 12, strike out "subject to audit", and insert "audited".

Amendments Nos. 2 and 3 read, and adopted.

**Consideration of Amendments Nos. 1 and 4**

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "repeal", and insert 'amend".

**Amendment No. 4**

On page 1, strike out line 15, and insert

"SEC. 3. Section 928a of the Penal Code is amended to read:

928a. The grand jury shall have full and complete authority, at any time, to examine the books, records and accounts of any housing authority in the county and to investigate the operations of any such housing authority and to report as to the facts they have found, with such recommendations as they may deem proper and fit.

In making such examination, the grand jury shall have all the powers granted by Section 928 of this code, and any expenses incurred shall be paid from the same fund and in the same manner as expenses incurred under Section 928 of this code.

*Nothing in this section shall authorize the grand jury to investigate funds and operations which are subject to the control of the Federal Government.*"

Amendments Nos. 1 and 4 read.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Lanterman, Backstrand, Burke, and Beaver demanded the previous question. Demand sustained.

The question being on the adoption of Amendments Nos. 1 and 4.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Shell, and Reagan demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Holmes, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, McCollister, Meyers, Mulford, Munnell, Pattee, Reagan, Rees, Sedgwick, Shell, Sumner, Thelin, Waldie, and Williamson—41.

NOES—Don A. Allen, Bane, George E. Brown, Burton, Crawford, Crown, Cunningham, DeLotto, Elliott, Frew, Samuel R. Geddes, Hanna, Hawkins, Hegland,

House, Kilpatrick, Lunardi Marks, Masterson, McMillan, Miller, Nisbet, O'Connell, Petris, Rumford, Schrade, Thomas, and Charles H Wilson—28.

~~Bill ordered reprinted, and re-engrossed.~~

NOTE—Later this day, a motion to reconsider the amendments to Assembly Bill No. 1110 was made. *See* page 4121.

### APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Bee appointed Messrs. Shell, Backstrand, Samuel R Geddes, and Lowrey as a Select Committee to escort Mr. Lloyd Wright, President of the International Bar Association, to the rostrum.

### RECESS

At 11.02 a.m., Speaker pro Tempore Bee declared the Assembly at recess until 11.14 a.m. to hear from Lloyd Wright, President of the International Bar Association, Past President of the American Bar Association, Past President of the California State Bar Association, and Past Chairman of the Commission on Government Security. At the conclusion of his remarks, Mr. Wright presented a copy of the Report of the Commission on Government Security to the Assembly.

### REASSEMBLED

At 11.14 a.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2275**—An act to amend Sections 118, 2190, and 3091.5 of the Welfare and Institutions Code, relating to public assistance records.

Bill read third time.

#### Speaker Presiding

At 11.19 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

#### Demand for Previous Question

Messrs. Schrade, Luckel, Hegland, Ernest R. Geddes, and Don A. Allen demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burton, Cameron, Coolidge, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—47

NOES—Backstrand, Beaver, Bee, Bradley, Burke, Busterud, Chapel, Conrad, Crawford, Dahl, House, Lanterman, Levering, Mulford, Reagan, Sedgwick, Shell, Sumner, and Thelin—19.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 582**—An act to amend Sections 25000, 25001, 25002, 25004 and 25007 of the Health and Safety Code, relating to chemical toilets.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68.
NOES—Hegland and Thelin—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2263**—An act to add Section 561.5 to the Agricultural Code, relating to milk and dairy products

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Wilhamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2264**—An act to amend Section 661 of the Agricultural Code, relating to milk and dairy products.

Bill read third time.

### Inquiry of Mr. Meyers

Speaker Brown inquired of Mr. Meyers: Does not this bill require a letter from the Governor?

### Reply by Mr. Meyers

Mr. Meyers replied that he did not believe so, but requested that the bill be placed on the inactive file.

### Assembly Bill No. 2264 Placed on the Inactive File

On motion of Mr. Meyers, Assembly Bill No. 2264 was placed upon the inactive file.

**Assembly Bill No. 2354**—An act to convey certain tide and submerged lands to the City of Richmond, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin,

Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1714**—An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.
NOES—Busterud, Dahl, Davis, Lowrey, Mulford, and Rumford—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1713**—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the Offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in event of war or enemy-caused disaster.

Bill read third time.

### Point of Personal Privilege

Mr. Lowrey arose on a point of personal privilege.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Crawford, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—47
NOES—Belotti, Bradley, Busterud, Coolidge, Dahl, Davis, Lowrey, Lunardi, Masterson, Mulford, Rumford, Sedgwick, Shell, and Sumner—14.

Bill ordered transmitted to the Senate.

### REMARKS ON CONDITION OF FILE

Mr. Munnell spoke on the condition of the file.

### RECESS

Mr. Munnell moved that the Assembly do now recess until 1.30 p.m

Mr. Elliott seconded the motion.

Motion carried.

At 12.05 p.m., the Speaker declared the Assembly at recess until 1.30 p.m.

### REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2564 FROM COMMITTEE

Mr. Marks was granted unanimous consent that Assembly Bill No. 2564 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2564

**Assembly Bill No. 2564**—An act to amend Section 70050.5 of the Government Code, relating to compensation for superior court reporters.

Bill read second time.

#### Motion to Amend

Mr. Marks moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 70050.5", and insert "Sections 70050.5 and 70059.5".

#### Amendment No. 2

On page 1, line 5, after "reporters", insert "and official reporters pro tempore".

#### Amendment No. 3

On page 1, line 8, after "that", insert "now or hereafter paid".

#### Amendment No. 4

On page 1, line 9, strike out "of".

#### Amendment No. 5

On page 1, line 10, strike out "as specified"; and strike out line 11, and insert a period.

#### Amendment No. 6

On page 1, after line 11, insert

"SEC. 2. Section 70059.5 of said code is amended to read:

70059.5. In a county with a population of 750,000 and under 4,000,000 the fee required by Section 70053 shall be ~~eight dollars and fifty cents ($8.50)~~ *nine dollars and fifty cents ($9.50)* ."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Backstrand was granted unanimous consent that Assembly Bill No. 2701, reported out of committee today, be read the second time, at this time.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Why does the request include the words that the bill be read the second time?

#### Reply by Speaker

The Speaker replied that this is the second reading of the bill.

### SECOND READING OF ASSEMBLY BILL NO. 2701

**Assembly Bill No. 2701**—An act to amend Sections 7, 350, 1503, 2101, 2105, 2259, 2400, 5017, 5750, 6850, 6851, 9264, 9703, 11801, 12514, 13350, 13953, 14100, 17700, 20013, 21058, 21457, 21460, 21464, 22107, 22510, 24001, 24600, 24604, 24610, 25251, 25501, 25651, 25800, 26116, 30069, 30800, 30801, 31009, 31608, 31610, 35414, 35713, 35714, 35790,

40516, 42050 of, to amend and renumber Section 25789 of, to amend the headings preceding Sections 9700 and 9800 of, and to repeal Sections 40308, 40309, and 40310 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to technical changes in the Vehicle Code as recodified.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "350, 1503", and insert "285, 350, 675, 1503, 1651".

**Amendment No. 2**

In line 1 of the title, after "2400," insert "4150,".

**Amendment No. 3**

In line 2 of the title, strike out "9264, 9703, 11801, 12514, 13350", and insert "9255, 9262, 9264, 9400, 9401, 9703, 11102, 11107, 11703, 11801, 11802, 12513, 12514, 12816, 13350, 13555".

**Amendment No. 4**

In line 3 of the title, after "14100," insert "16005, 16053, 16107, 16482,".

**Amendment No. 5**

Strike out line 4 of the title and insert "22107, 22352, 22452, 22510, 24001, 24404, 24600, 24604, 24610, 24951, 25251, 25301, 25501,".

**Amendment No. 6**

In line 6 of the title, after "35790," insert "40303,".

**Amendment No. 7**

In line 8 of the title, after "of," insert "to add Sections 286, 676, 11112 and 16110 to,".

**Amendment No. 7.5**

In line 9 of the title, after "Sections", insert "13353,".

**Amendment No. 8**

On page 1, between lines 5 and 6, insert

"SEC. 1.4. Section 285 of said code is amended to read:

285. ~~(a)~~ "Dealer" is a person not otherwise expressly excluded by this section, who:

~~(1)~~ *(a)* For commission, money, or other thing of value, sells, exchanges, buys, or offers for sale, negotiates or attempts to negotiate, a sale or exchange of an interest in, a vehicle subject to registration under this code, or induces or attempts to induce any person to buy or exchange an interest in a vehicle and, who receives or expects to receive a commission, money, brokerage fees, profit, or any other thing of value, from either the seller or purchaser of said vehicle, or

~~(2)~~ *(b)* Is engaged wholly or in part in the business of selling vehicles or buying or taking in trade, vehicles for the purpose of resale, selling, or offering for sale, or consigned to be sold, or otherwise dealing in vehicles, whether or not such vehicles are owned by such person.

~~(b) The term "dealer" does not include:~~

~~(1) Insurance companies, finance companies, public officials, or any other person coming into possession of vehicles in the regular course of business, who shall sell such vehicles under a contractual right or obligation, or in performance of an official duty, or in authority of any court of law; provided, such sale is for the purpose of saving the~~

~~seller from loss or pursuant to the authority of a court of competent jurisdiction.~~

~~(2) Persons who sell or distribute vehicles of a type subject to registration for a manufacturer to vehicle dealers licensed under this code, or who are employed by manufacturers or distributors to promote the sale of vehicles dealt in by such manufacturers or distributors; provided, however, that if any such persons also sell vehicles at retail, they shall be deemed to be vehicle dealers and are subject to this code.~~

~~(3) Persons regularly employed as salesmen by vehicle dealers licensed under this code while acting within the scope of such employment.~~

~~(4) Persons exclusively engaged in the bona fide business of exporting vehicles or of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States, provided, no federal excise tax is legally payable on any of such transactions, or such tax is legally refundable on such transactions.~~

~~(5) Persons not engaged in the purchase or sale of vehicles as a business, disposing of vehicles acquired for their own use, or for use in their business when the same shall have been so acquired and used in good faith, and not for the purpose of avoiding the provisions of this code.~~

SEC. 1.5. Section 286 is added to said code, to read:

286. The term "dealer" does not include:

(a) Insurance companies, finance companies, public officials, or any other person coming into possession of vehicles in the regular course of business, who shall sell such vehicles under a contractual right or obligation, or in performance of an official duty, or in authority of any court of law; provided, such sale is for the purpose of saving the seller from loss or pursuant to the authority of a court of competent jurisdiction.

(b) Persons who sell or distribute vehicles of a type subject to registration for a manufacturer to vehicle dealers licensed under this code, or who are employed by manufacturers or distributors to promote the sale of vehicles dealt in by such manufacturers or distributors; provided, however, that if any such persons also sell vehicles at retail, they shall be deemed to be vehicle dealers and are subject to this code.

(c) Persons regularly employed as salesmen by vehicle dealers licensed under this code while acting within the scope of such employment.

(d) Persons exclusively engaged in the bona fide business of exporting vehicles or of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States; provided, no federal excise tax is legally payable on any of such transactions, or such tax is legally refundable on such transactions

(e) Persons not engaged in the purchase or sale of vehicles as a business, disposing of vehicles acquired for their own use, or for use in their business when the same shall have been so acquired and used in good faith, and not for the purpose of avoiding the provisions of this code."

**Amendment No. 9**

On page 2, between lines 43 and 44, insert

"SEC. 2.4. Section 675 of said code is amended to read:

675. ~~(a)~~ "Vehicle salesman" is a person not otherwise expressly excluded by this section, who:

~~(1)~~ *(a)* Is employed as a salesman by a dealer as defined in Section 285, or who, under any form of contract, agreement, or arrangement with a dealer, for commission, money, profit, or other thing of value, sells, exchanges, buys, or offers for sale, negotiates, or attempts to negotiate, a sale or exchange of an interest in a vehicle required to be registered under this code, or

~~(2)~~ *(b)* Induces or attempts to induce any person to buy or exchange an interest in a vehicle required to be registered, and who receives or expects to receive a commission, money, brokerage fees, profit, or any other thing of value, from either the seller or purchaser of said vehicle.

~~(b) The term "vehicle salesman" does not include:~~

~~(1) Representatives of insurance companies, finance companies, or public officials who in the regular course of business, are required to dispose of, or sell vehicles under a contractual right or obligation of the employer, or in the performance of an official duty, or in authority of any court of law; provided, such sale is for the purpose of saving the seller from any loss or pursuant to the authority of a court of competent jurisdiction.~~

~~(2) Persons who sell or distribute vehicles to dealers holding a license under the provisions hereof, or who are employed by manufacturers or distributors to promote the sale of vehicles dealt in by such manufacturers or distributors; provided, however, that if any such persons also sell vehicles to retail purchasers, they shall be deemed to be vehicle salesmen and are subject to the provisions of Article 1 (commencing at Section 11700), of Chapter 1, of Division 5.~~

~~(3) Persons exclusively employed in a bona fide business of exporting vehicles, or of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States.~~

~~(4) Persons not engaged in the purchase or sale of vehicles as a business, disposing of vehicles acquired for their own use, or for use in their business when the same shall have been so acquired and used in good faith, and not for the purpose of avoiding the provisions of this code.~~

SEC. 2.5. Section 676 is added to said code, to read:

676. The term "vehicle salesman" does not include.

(a) Representatives of insurance companies, finance companies, or public officials who in the regular course of business, are required to dispose of, or sell vehicles under a contractual right or obligation of the employer, or in the performance of an official duty, or in authority of any court of law; provided, such sale is for the purpose of saving the seller from any loss or pursuant to the authority of a court of competent jurisdiction.

(b) Persons who sell or distribute vehicles to dealers holding a license under the provisions hereof, or who are employed by manufacturers or distributors to promote the sale of vehicles dealt in by such

manufacturers or distributors; provided, however, that if any such persons also sell vehicles to retail purchasers, they shall be deemed to be vehicle salesmen and are subject to the provisions of Article 1 (commencing at Section 11700), of Chapter 1, of Division 5.

(c) Persons exclusively employed in a bona fide business of exporting vehicles, or of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States.

(d) Persons not engaged in the purchase or sale of vehicles as a business, disposing of vehicles acquired for their own use, or for use in their business when the same shall have been so acquired and used in good faith, and not for the purpose of avoiding the provisions of this code."

**Amendment No. 9.5**

On page 3, between lines 3 and 4, insert

"SEC. 3.5. Section 1651 of said code is amended to read:

1651. The director may adopt and enforce rules and regulations as may be necessary to carry out the provisions of this code relating to the department.

Rules and regulations shall be adopted, amended, or repealed in accordance with the Administrative Procedure Act, commencing at Section ~~1370~~ *11370* of the Government Code."

**Amendment No. 10**

On page 3, between lines 40 and 41, insert

"SEC. 7.5. Section 4150 of said code is amended to read:

4150. Application for the original registration of a vehicle of a type required to be registered under this code shall be made by the owner to the department upon the appropriate form furnished by it and shall contain:

(a) The name and business or residence address of the owner, and of the legal owner, if any.

(b) The name of the county in which the owner resides.

(c) A description of the vehicle, including the following data insofar as it may exist:

~~(1)~~ The make, model, and type of body.

~~(2)~~ The number of cylinders.

~~(3)~~ The motor number or any other identifying number of the vehicle as may be required by the department.

~~(4)~~ The date first sold by a manufacturer or dealer to a consumer.

(d) Such information as may reasonably be required by the department to enable it to determine whether the vehicle is lawfully entitled to registration."

**Amendment No. 11**

On page 4, between lines 29 and 30, insert

"SEC. 11.5. Section 9255 of said code is amended to read:

9255. ~~(a)~~ Upon application for the transfer of the title or any interest of an owner or legal owner in or to a vehicle registered under this code, or for which a certificate of ownership has been issued without registration under Section 4452, other than upon a transfer to a chattel mortgagee and other than upon a transfer to a transferee not required

under this code to obtain the issuance to him of a new certificate of ownership and registration card, there shall be paid the following fees:

~~(1)~~ *(a)* For a transfer by the owner ..... $2
~~(2)~~ *(b)* For a transfer by the legal owner ..... 2
~~(3)~~ *(c)* When application is presented showing a transfer by both the owner and legal owner ..... Total fee 2

SEC 11.6. Section 9262 of said code is amended to read:

9262. The following fees shall be paid to the department for special plates issued to manufacturers, transporters and dealers:

~~(1)~~ (a) For the first set of special plates where in the discretion of the department an investigation is necessary $58
(b) For the first set of special plates where no investigation is necessary or upon annual renewal ..... 8
~~(2)~~ *(c)* For each additional set of special plates ..... 8".

**Amendment No. 12**

On page 4, between lines 42 and 43, insert:

"SEC. 12.5. Section 9400 of said code is amended to read:

9400. In addition to any other registration fee there shall be paid the following fees for the registration of commercial vehicles, except vehicles designed to transport property which are used exclusively to transport passengers without the owner thereof receiving compensation or profit for the transportation:

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid for registration according to the following schedule:

| | Unladen weight | Fee |
|---|---|---|
| ~~(1)~~ | Less than 6,000 lbs. | $48 |
| ~~(2)~~ | 6,000 lbs. or more but less than 10,000 lbs. | 96 |
| ~~(3)~~ | 10,000 lbs. or more | 128 |

(b) For any motor vehicle having not more than two axles and designed, used or maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

| | Unladen weight | Fee |
|---|---|---|
| ~~(1)~~ | 3,000 lbs. to and including 4,000 lbs. | $14 |
| ~~(2)~~ | 4,001 lbs. to and including 5,000 lbs. | 27 |
| ~~(3)~~ | 5,001 lbs. to and including 6,000 lbs. | 40 |
| ~~(4)~~ | 6,001 lbs. to and including 7,000 lbs. | 54 |
| ~~(5)~~ | 7,001 lbs. to and including 8,000 lbs. | 67 |
| ~~(6)~~ | 8,001 lbs. to and including 9,000 lbs. | 80 |
| ~~(7)~~ | 9,001 lbs. to and including 10,000 lbs. | 94 |
| ~~(8)~~ | 10,001 lbs. to and including 11,000 lbs. | 107 |
| ~~(9)~~ | 11,001 lbs. to and including 12,000 lbs. | 120 |
| ~~(10)~~ | 12,001 lbs to and including 13,000 lbs. | 134 |
| ~~(11)~~ | 13,001 lbs. to and including 14,000 lbs. | 147 |
| ~~(12)~~ | 14,001 lbs. and over | 160 |

(c) For any motor vehicle having three or more axles or for any trailer, semitrailer, pole or pipe dolly, or other dolly designed, used or

maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

| | Unladen weight | Fee |
|---|---|---|
| ~~(1)~~ | 2,000 lbs. to and including 3,000 lbs. | $11 |
| ~~(2)~~ | 3,001 lbs. to and including 4,000 lbs. | 20 |
| ~~(3)~~ | 4,001 lbs. to and including 5,000 lbs. | 40 |
| ~~(4)~~ | 5,001 lbs. to and including 6,000 lbs. | 60 |
| ~~(5)~~ | 6,001 lbs. to and including 7,000 lbs. | 80 |
| ~~(6)~~ | 7,001 lbs. to and including 8,000 lbs. | 100 |
| ~~(7)~~ | 8,001 lbs. to and including 9,000 lbs. | 120 |
| ~~(8)~~ | 9,001 lbs. to and including 10,000 lbs. | 140 |
| ~~(9)~~ | 10,001 lbs. to and including 11,000 lbs. | 160 |
| ~~(10)~~ | 11,001 lbs. to and including 12,000 lbs. | 180 |
| ~~(11)~~ | 12,001 lbs. to and including 13,000 lbs. | 200 |
| ~~(12)~~ | 13,001 lbs. to and including 14,000 lbs. | 220 |
| ~~(13)~~ | 14,001 lbs. to and including 15,000 lbs. | 240 |
| ~~(14)~~ | 15,001 lbs. and over | 267 |

This section shall apply to the registration of every vehicle of a type subject to its provisions until December 31, 1959, and not thereafter.

SEC. 12.6. Section 9401 of said code is amended to read:

9401. In addition to any other registration fee, there shall be paid the following fees for registration of commercial vehicles:

(a) For electric vehicles fees shall be paid for registration according to the following schedule:

| | Unladen weight | Fee |
|---|---|---|
| ~~(1)~~ | Less than 6,000 lbs. | ~~$44~~ |
| ~~(2)~~ | 6,000 lbs. or more, but less than 10,000 lbs. | 88 |
| ~~(3)~~ | 10,000 lbs. or more | 116 |

(b) For motor vehicles having not more than two axles, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

| | Unladen weight | Fee |
|---|---|---|
| ~~(1)~~ | 3,000 lbs. to and including 4,000 lbs. | $12 |
| ~~(2)~~ | 4,001 lbs. to and including 5,000 lbs. | ~~24~~ |
| ~~(3)~~ | 5,001 lbs. to and including 6,000 lbs. | ~~37~~ |
| ~~(4)~~ | 6,001 lbs. to and including 7,000 lbs. | ~~49~~ |
| ~~(5)~~ | 7,001 lbs. to and including 8,000 lbs. | ~~61~~ |
| ~~(6)~~ | 8,001 lbs. to and including 9,000 lbs. | ~~73~~ |
| ~~(7)~~ | 9,001 lbs. to and including 10,000 lbs. | ~~85~~ |
| ~~(8)~~ | 10,001 lbs. to and including 11,000 lbs. | ~~98~~ |
| ~~(9)~~ | 11,001 lbs. to and including 12,000 lbs. | ~~110~~ |
| ~~(10)~~ | 12,001 lbs. to and including 13,000 lbs. | ~~122~~ |
| ~~(11)~~ | 13,001 lbs. to and including 14,000 lbs. | ~~134~~ |
| ~~(12)~~ | 14,001 lbs. and over | ~~146~~ |

(c) For motor vehicles having three or more axles or for any trailer, semitrailer, pole or pipe dolly, or other dolly, other than an electric

vehicle, fees shall be paid for registration according to the following schedule:

| | Unladen weight | Fee |
|---|---|---|
| ~~(1)~~ | 2,000 lbs. to and including 3,000 lbs. | $10 |
| ~~(2)~~ | 3,001 lbs. to and including 4,000 lbs | 18 |
| ~~(3)~~ | 4,001 lbs. to and including 5,000 lbs. | 37 |
| ~~(4)~~ | 5,001 lbs. to and including 6,000 lbs. | 55 |
| ~~(5)~~ | 6,001 lbs. to and including 7,000 lbs. | 73 |
| ~~(6)~~ | 7,001 lbs. to and including 8,000 lbs. | 92 |
| ~~(7)~~ | 8,001 lbs. to and including 9,000 lbs. | 110 |
| ~~(8)~~ | 9,001 lbs. to and including 10,000 lbs. | 128 |
| ~~(9)~~ | 10,001 lbs. to and including 11,000 lbs. | 146 |
| ~~(10)~~ | 11,001 lbs. to and including 12,000 lbs. | 165 |
| ~~(11)~~ | 12,001 lbs. to and including 13,000 lbs. | 183 |
| ~~(12)~~ | 13,001 lbs. to and including 14,000 lbs. | 201 |
| ~~(13)~~ | 14,001 lbs. to and including 15,000 lbs. | 220 |
| ~~(14)~~ | 15,001 lbs. and over | 244 |

(d) This section shall apply to the registration of every vehicle of a type subject to its provisions on and after January 1, 1960.

(e) With respect to fees paid under this section the references in Sections 9654 and 9655 of the Revenue and Taxation Code to Section 9400 of this code shall be deemed to refer to this section. On and after January 1, 1960, references in any provisions of this code or any other provisions of law to Section 9400 of this code shall be deemed to refer to this section."

**Amendment No. 13**

On page 5, between lines 13 and 14, insert

"SEC. 15.2. Section 11102 of said code is amended to read:

11102. ~~(a)~~ Every person, in order to qualify to operate a driving school shall meet the following requirements:

~~(1)~~ *(a)* Be of good moral character.

~~(2)~~ *(b)* Maintain an established place of business open to the public. No office or place of business shall be established within 200 feet of any building used by the department as an office after September 8, 1953.

~~(3)~~ *(c)* Have the equipment necessary to the giving of proper instruction in the operation of motor vehicles.

~~(4)~~ *(d)* Pay to the department an examination fee of two hundred dollars ($200) which shall entitle the applicant to three examinations within a period of one year, and a license fee of fifty dollars ($50).

~~(b)~~ *(e)* If the application for a license is for the purpose of operating a school in which the person making application will be the sole instructor, the applicant shall have worked for an established licensed driver training school for a period of not less than one year, except that this subdivision does not apply to any person who holds a general secondary credential or a special secondary credential in public safety, including driver education and driver training.

SEC. 15.4. Section 11107 of said code is amended to read:

11107. ~~(a)~~ The Department of Motor Vehicles may refuse to issue a license certificate to any applicant to conduct a driver school or to any driving instructor when it is satisfied that:

~~(1)~~ *(a)* The applicant has not met the qualifications required under this chapter.

~~(2)~~ *(b)* The applicant was previously the holder of a license under this chapter, which was revoked or suspended, which license in the case of revocation was never reissued by the department, or which in the case of suspension was never reinstated

~~(3)~~ *(c)* The applicant has been convicted in a court of record or has done any act or series of acts or is guilty of conduct which would be a cause for suspension or revocation under Section 11110

~~(4)~~ *(d)* One or more of the partners, if the applicant be a partnership, or one or more of the directors, employees, or officers of the corporation, if a corporation be the applicant, was previously the holder of a license issued under this chapter, which was revoked or suspended, which license in the case of revocation was never reissued or in the case of suspension was never reinstated, or that one or more of such partners, directors, employees, or officers, as the case may be, though not previously the holder of a license, was convicted or has done any act or series of acts or been guilty of conduct which would be a cause for revocation or suspension under Section 3108; or has been convicted of a felony.

~~(5)~~ *(e)* By reason of the facts and circumstances touching the organization, control and management of the partnership or corporation business it is likely that the policy of the business will be directed, controlled or managed by an individual who by reason of the conviction, act, series of acts or conduct described in subparagraphs (3) and (4) above, would be ineligible for a license and that by licensing the corporation or partnership the purposes of this division would likely be defeated.

~~(b) Upon refusal of the department to issue a license, the applicant shall be entitled to demand in writing a hearing before the director or his representative within 60 days after notice of refusal.~~

~~The hearing shall be conducted pursuant to Chapter 5, Part 1, Division 3, Title 2 of the Government Code.~~

SEC. 15 6. *Section 11112 is aded to said code, to read:*

11112. Upon refusal of the department to issue a license, the applicant shall be entitled to demand in writing a hearing before the director or his representative within 60 days after notice of refusal.

The hearing shall be conducted pursuant to Chapter 5 (commencing at Section 11500), Part 1, Division 3, Title 2 of the Government Code.

SEC. 15.8. Section 11703 of said code is amended to read:

11703. The department may refuse to issue a license and certificate to a manufacturer, transporter, or dealer, when it determines:

(a) The applicant was previously the holder of a license and certificate issued under this chapter, which license and certificate were revoked for cause and never reissued by the department, or which license and certificate were suspended for cause and the terms of suspension have not been fulfilled.

(b) That one or more of the partners, if the applicant be a partnership, or one or more of the stockholders or officers of the corporation, if a corporation be the applicant, was previously the holder of a license and certificate, issued under the authority of this chapter, which were revoked for cause and never reissued or were suspended for cause and the terms of suspension have not been terminated, and,

~~(1)~~ That by reason of the facts and circumstances touching the organization, control, and management of the partnership or corporation business the policy of such business will be directed, controlled, or managed by individuals who, by reason of their conviction of violations of the provisions of this code, would be ineligible for a license and that by licensing such corporation or partnership the purposes of this code would likely be defeated, or,

~~(2)~~ The applicant, or one of the partners, if the applicant be a partnership, or one or more of the officers of the corporation, if a corporation be the applicant, or one or more of the stockholders if the policy of such business will be directed, controlled, or managed by such stockholder or stockholders, has ever been convicted of a felony or a crime involving moral turpitude."

**Amendment No. 14**

On page 5, between lines 28 and 29, insert

"SEC. 16.1. Section 11802 of said code is amended to read:

11802. (a) The department shall issue a vehicle salesman's license when satisfied that the applicant has furnished the required information, and that he intends in good faith to act as a vehicle salesman, and has paid the fees as required in Section 11809.

(b) The department may refuse to issue, or suspend or revoke a license, when satisfied that:

~~1.~~ The information contained in an application is incorrect.

~~2.~~ The applicant or licensee, based on the information contained in the application or by subsequent investigation, is not of good moral character.

~~3.~~ The applicant or licensee has outstanding an unpaid final court judgment rendered in connection with the activity of a vehicle salesman.

SEC. 16.5. Section 12513 of said code is amended to read:

12513. (a) Upon application; successful completion of tests and compliance with Sections 17700 to 17705, inclusive, the department may issue a junior permit to any person 14 years of age, but less than 16, who establishes eligibility as required by this section A person is eligible when, in the opinion of the department, any one or more of the following circumstances exist:

~~1.~~ School or other transportation facilities are inadequate for regular attendance at school and at activities authorized by the school. The application for a junior permit shall be accompanied by a signed statement from the school principal verifying such facts A junior permit issued under this subsection shall be restricted to operating a vehicle from residence to the school and return.

~~2.~~ Reasonable transportation facilities are inadequate and operation of a vehicle by a minor is necessary due to illness of a family member. The application shall be accompanied by a signed statement from a physican familiar with the condition, containing a diagnosis and probable date when sufficient recovery will have been made to terminate the emergency.

~~3.~~ Transportation facilities are inadequate, and use of a motor vehicle is necessary in the transportation to and from the employment of the applicant and the applicant's income from such employment is essential in the support of the family, or where the applicant's operation of a motor vehicle is essential to an enterprise from which an appreciable portion of the income of the family will be derived The application shall be accompanied by a signed statement from the parents or the guardian, setting forth the reasons a permit is necessary under this subsection.

(b) The existence of public transportation at reasonable intervals within one mile of the residence of the applicant may be considered adequate grounds for refusal of a junior permit.

(c) The department shall impose restrictions upon junior permits appropriate to the conditions and area under which they are intended to be used."

**Amendment No. 15**

On page 5, after line 52, insert

"SEC. 17.5. Section 12816 of said code is amended to read:

12816. (a) Every original driver's license issued after September 10, 1957, shall expire on the anniversary of the date of birth of the applicant in the third year following the date of the application for the license.

(b) Renewal of any driver's license shall be made for a term which shall expire on the anniversary of the date of birth of the applicant in the fifth year following the expiration of the license renewed except that an original driver's license or such renewal of a license shall expire on the anniversary of the date of birth of the applicant in the second year following the application for an original, or the expiration of the license renewed if within the past two years the applicant has:

~~1.~~ Except for parking violations, been convicted of two or more violations of *Division 10 (commencing at Section 20000) or of* Division 11 (commencing at Section 21000) of this code, if licensed as an operator, or four or more violations if licensed as a chauffeur.

~~2.~~ Been convicted of any felony in the commission of which a motor vehicle was used.

(c) The department may accept application for a renewal of a driver's license made not more than six months prior to the date of expiration and the renewal license when issued shall expire as stated in subdivision (b) above. If renewal is not applied for within 30 days after expiration of the license, the application and fee shall be considered the same as an application for an original license to be issued for the term indicated in subdivision (a) above."

**Amendment No. 15.5**

On page 6, line 20, strike out "13552", and insert "13352".

**Amendment No. 15.6**

On page 6, between lines 20 and 21, insert

"SEC. 18.4. Section 13353 of said code is hereby repealed

~~13353. Every suspension under Section 13352 shall begin to run from the date the license is surrendered to the judge as required, or if for any reason the license is not surrendered to the judge at the time of conviction, the suspension shall run from the date the licensee is notified of the suspension by the department.~~

SEC. 18.6. Section 13555 of said code is amended to read:

13555 A termination of probation and dismissal of charges pursuant to Section 1203.4 of the Penal Code does not affect any revocation or suspension of the privilege of the probationer to ~~operate~~ *drive* a motor vehicle under this chapter; ~~except Section 13361~~. The probationer's prior conviction shall be considered a conviction for the purpose of revoking or suspending such privilege on the ground of two or more convictions."

**Amendment No. 16**

On page 6, between lines 48 and 49, insert

"SEC. 20.2. Section 16005 of said code is amended to read:

16005. (a) All reports and supplemental reports required by this chapter including insurance information forms and the total amounts of security required for deposit as determined by the department from the reports shall be without prejudice to the individual so reporting and shall be for the confidential use of the department and any other state department needing the same, except that the department shall disclose from the reports and security deposit records:

~~(1)~~ The names and addresses of persons involved in the accident.

~~(2)~~ The registration numbers and descriptions of vehicles involved in the accident.

~~(3)~~ The date, time, and location of the accident.

~~(4)~~ The exemption from security requirement which has been established under Section 16050.

~~(5)~~ That security has been deposited or that suspension action has been taken by the department.

~~(6)~~ Names and addresses of insurance carriers.

(b) This information may be given to any person having a proper interest therein including:

~~(1)~~ The driver or drivers involved, or the employer, parent, or legal guardian thereof.

~~(2)~~ The authorized representative of any person involved in the accident.

~~(3)~~ Any person injured in the accident.

~~(4)~~ The owners of vehicles or property damaged in the accident.

SEC. 20.4. Section 16053 of said code is amended to read:

16053 Exemption may be established by filing evidence satisfactory to the department:

(a) That the driver has been released from liability by all other persons injured or damaged in the accident. A covenant not to sue shall

relieve the parties thereto as to each other from the security requirements of this chapter. The department may accept, for the purposes of this chapter only, evidence of a release from liability executed by a natural guardian or legal guardian on behalf of a minor without the approval of any court or judge.

(b) That all judgments that may arise out of damages or injuries sustained in the accident have been rendered in favor of the driver or have been satisfied by him.

(c) That a duly acknowledged settlement agreement with respect to all damages or injuries arising out of the accident has been executed by the driver.

In the event of a default in any payment under the agreement, and upon notice of such default, the department shall forthwith suspend the driving privilege of the person defaulting and the privilege shall not be restored until either:

~~(1)~~ Such driver deposits and thereafter maintains security as required in Article 2 or in such amount as the department may then determine.

~~(2)~~ One year has elapsed following the date when such security was required and during such period no action at law upon the agreement or for damages arising out of such accident has been instituted and is pending.

SEC. 20.6. Section 16107 of said code is amended to read:

16107. ~~(a)~~ No owner, other than a legal owner, shall sell or transfer title, or any other interest therein, in a motor vehicle from the time it has been involved in an accident requiring a report until either:

~~(1)~~ *(a)* The conditions for exemption specified in Sections 16051, 16052, 16055, 16056, 16057, and 16058 have in fact been complied with or exist, or that the conditions for exemption specified in Sections 16053 and 16054 have been complied with, whether or not a report or evidence thereof has been filed with the department; provided, that nothing herein shall excuse the filing of a report or evidence which may be required to establish exemption from suspension of the privilege to drive or suspension of registration.

~~(2)~~ *(b)* Security has been deposited as required by Sections 16020, 16021, and 16022.

~~(3)~~ *(c)* Suspension and storage of such motor vehicle has been terminated as provided in Sections 16055, 16056, and 16057.

~~(4)~~ *(d)* Security has been deposited with the department in an amount which the department is satisfied is equivalnt to the value of said vehicle or the owner's interest therein, but not exceeding the amount of security fixed by the department. If the department has not fixed the amount of security at the time of such proposed sale or transfer, the department shall refund to the depositor any amount by which said deposit may exceed the amount of security thereafter fixed by the department.

~~(5)~~ *(e)* Fifty (50) days have elapsed since the date of accident without evidence of injury or damage having been submitted.

~~(b) The department shall transfer registration of ownership and terminate suspension of a vehicle which is subject to suspension, or has been suspended under the provisions of Section 16027, upon receipt of~~

~~the required fee, the registration card, and an endorsed certificate of ownership including the statement required by subdivision (d) of Section 4151, unless the department is satisfied that the interest of the new owner and legal owner, if any, in the vehicle was acquired with knowledge on their part that the registration was suspended, or was not acquired in good faith and for value. If the certificate of ownership does not contain provision for the statement required by subdivision (d) of Section 4151, the department shall accept in lieu thereof a separate document containing said statement, or if no such statement is presented to the department, it may require in lieu thereof such information as the department deems necessary to establish that the interest of the new owner and legal owner, if any, was acquired in good faith and for value and without knowledge that the registration was suspended.~~

SEC. 20.8. Section 16110 is added to said code, to read:

16110. The department shall transfer registration of ownership and terminate suspension of a vehicle which is subject to suspension, or has been suspended under the provisions of Section 16027, upon receipt of the required fee, the registration card, and an endorsed certificate of ownership including the statement required by subdivision (d) of Section 4451, unless the department is satisfied that the interest of the new owner and legal owner, if any, in the vehicle was acquired with knowledge on their part that the registration was suspended, or was not acquired in good faith and for value. If the certificate of ownership does not contain provision for the statement required by subdivision (d) of Section 4451, the department shall accept in lieu thereof a separate document containing said statement, or if no such statement is presented to the department, it may require in lieu thereof such information as the department deems necessary to establish that the interest of the new owner and legal owner, if any, was acquired in good faith and for value and without knowledge that the registration was suspended."

**Amendment No. 16.5**

On page 6, between lines 48 and 49, insert

"SEC. 20.9. Section 16482 of said code is amended to read:

16482. *(a)* Any person whose privilege to operate a motor vehicle or whose privilege to register a motor vehicle has been suspended because of failure to satisfy a judgment and the judgment has been outstanding for a period of five years or more, the person may be relieved of the penalties therein provided and the privilege of the person to operate and register a motor vehicle may be restored in the event the person files with the department and thereafter maintains proof of ability to respond in damages notwithstanding that the judgment which gave rise to the order of suspension has not been paid or fully satisfied

*(b) Any person who has filed proof of ability to respond in damages as hereinbefore required for three years, or who has been eligible to file such proof for three years, may be relieved of the requirement of filing proof as provided in subdivision (b) of Section 16480.*"

**Amendment No. 17**

On page 8, between lines 27 and 28, insert

"SEC. 27.4. Section 22352 of said code is amended to read.

22352. The prima facie limits are as follows and the same shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

~~(1)~~ When traversing a grade crossing of a steam, electric or street railway, if during the last 100 feet of the approach to the crossing the

driver does ont have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along such railway. This subdivision does not apply in the case of any railway grade crossing where human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

~~(2)~~ When traversing any intersection of highways if during the last 100 feet of his approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all such highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(b) Twenty-five miles per hour.

~~(1)~~ In any business or residence district unless a different speed is determined by competent authority under procedures set forth in this code.

~~(2)~~ When passing a school building or the grounds thereof, contiguous to the highway while children are going to or leaving such school during opening or closing hours or during the noon recess period. Such prima facie limit shall also apply when passing any school grounds which are not separated from the highway by a fence, gate or other physical barrier while the grounds are in use by children.

(c) Fifty-five miles per hour under all other conditions unless a different speed is specifically designated in this code or is determined and declared by competent authority under procedures set forth in this code.

SEC. 27.6. Section 22452 of said code is amended to read:

22452 (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any schoolchild, or of any motor truck carrying explosive substances as a cargo or part of a cargo, or of any motor tank truck, tank trailer, or tank semitrailer, used in the transportation of flammable liquids or liquefied petroleum gas as a cargo or part of a cargo, whether loaded or empty, before traversing a grade crossing of a railway, or electric railway, shall stop such vehicle not less than 10 nor more than 50 feet from the nearest rail of the track and while so stopped shall listen, and look in both directions along the track, for any approaching train, interurban car, or other vehicle using such rails. The vehicle shall remain standing while any train is moving toward the crossing and is close enough to constitute an immediate hazard.

(b) ~~Exceptions:~~ ~~(1)~~ No stop need be made at street railway tracks within a business or residence district.

~~(2)~~ *(c)* Unless a train or locomotive is approaching, the driver of a motor vehicle need not stop at any industrial or spur track as defined by the Public Utilities Commission unless the Public Utilities Commission determines that a stop should be made

~~(3)~~ *(d)* Distinctive signs or devices of a type authorized by the Public Utilities Commission shall be erected at industrial or spur tracks where no stop need be made

~~(1)~~ *(e)* No stop need be made at any crossing where an officer is on duty and directs traffic to proceed nor where a stop and go signal is in operation and indicates that traffic may proceed.

~~(e)~~ *(f)* The driver of a motor vehicle need not stop at any branch line which crosses a road or street leading to or from a public ferry and on which there is less than daily train service and with characteristics and freight service similar to industrial track operations, where with the approval of the Public Utilities Commission, distinctive signs are displayed indicating that no stop need be made, unless a train or locomotive is approaching upon such branch line."

**Amendment No. 18**

On page 8, between lines 44 and 45, insert

"SEC. 29.5. Section 24404 of said code is amended to read:

24404. (a) In addition, a motor vehicle may be equipped with not to exceed two spotlamps, which shall not be used in substitution of headlamps.

(b) No spotlamp shall be equipped with any lamp source exceeding 32 standard candlepower or 30 watts nor project any glaring light into the eyes of an approaching driver.

(c) Every spotlamp shall be so directed when in use:

~~(1)~~ That no portion of the main substantially parallel beam of light will strike the roadway to the left of the prolongation of the left side line of the vehicle

~~(2)~~ That the top of the beam will not strike the roadway at a distance in excess of 300 feet from the vehicle.

(d) This section does not apply to spotlamps on authorized emergency vehicles."

**Amendment No. 19**

On page 9, between lines 30 and 31, insert

"SEC. 32.5. Section 24951 of said code is amended to read:

24951. (a) Any vehicle may be equipped, and when required by this code, shall be equipped, with a lamp type turn signal system or semaphore turn signal device capable of clearly indicating any intention to turn either to the right or to the left.

(b) The following vehicles which are first registered on or after January 1, 1958, shall be equipped with an electrical turn signal of a type approved by the department and meeting the requirements of this chapter:

~~(1)~~ All passenger type vehicles except motorcycles and motor-driven cycles.

~~(2)~~ All motor trucks and truck tractors.

~~(3)~~ All trailers or semitrailers having a gross weight of 6,000 pounds or more.

This requirement does not apply to special mobile equipment, pole or pipe dollies, or auxiliary dollies."

**Amendment No. 20**

On page 10, between lines 6 and 7, insert

"SEC. 33.5. Section 25301 of said code is amended to read:

25301. When utility or public utility vehicles are parked, stopped or standing at the site of work as described in Section 22512, warning devices shall be displayed as follows:

(a) During daylight warning devices shall consist of either:

~~(1)~~ A warning flag or barricade striping on the front and rear of the vehicle.

~~(2)~~ A warning flag, sign, or barrier on the highway not more than 50 feet in advance of the vehicle and not more than 50 feet to the rear thereof, except that in zones where the maximum speed limit is in excess of 25 miles per hour said 50-foot distance may be increased up to 500 feet from the vehicle as circumstances may warrant.

(b) During darkness the warning devices shall consist of either:

~~(1)~~ One or more lights or fusees on the vehicle giving warning to approaching traffic from each direction.

~~(2)~~ A warning light, flare, fusee, or reflector on the highway not more than 50 feet in advance of the vehicle and not more than 50 feet to the rear thereof, except that in zones where the maximum speed limit is in excess of 25 miles per hour said 50-foot distance may be increased up to 500 feet from the vehicle where circumstances may warrant.

(c) The provisions of subdivisions (a) or (b) do not prevent the display of both types of the warning devices during daylight or darkness.

(d) During either daylight or darkness, no warning device is necessary if the vehicle is an authorized emergency vehicle and is equipped with a flashing red light visible to approaching traffic from each direction."

**Amendment No. 21**

On page 14, line 20, strike out "1."

**Amendment No. 22**

On page 14, line 23, strike out "2."

**Amendment No. 23**

On page 14, line 25, strike out "3."

**Amendment No. 24**

On page 14, between lines 47 and 48, insert

"SEC. 48.5. Section 40303 of said code is amended to read:

40303. Whenever any person is arrested for any of the following offenses and the arresting officer is not required to take the person without unnecessary delay before a magistrate, the arrested person shall, in the judgment of the arresting officer, either be given a 10 days' notice to appear as herein provided or be taken without unnecessary delay before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place where the arrest is made.

(a) Sections 10852 or 10853, relating to injuring or tampering with a vehicle.

(b) Sections 23103 or 23104, relating to reckless driving.

(c) Section 2800, insofar as it relates to a failure or refusal of the driver of a vehicle to stop and submit to an inspection or test of the lights upon the vehicle under Section *2804* ~~2805~~ hereof, which is punishable as a misdemeanor.

(d) Section 2800, insofar as it relates to a failure or refusal of the driver of a vehicle to stop and submit to a brake test which is punishable as a misdemeanor.

(e) ~~Section 2800, insofar as it relates to~~ *Sections 2800 and 2803, relating to the* refusal to submit vehicle and load to a weighing which is punishable as a misdemeanor.

(f) Section 20002, relating to failure to stop in the event of an accident involving damage to property.

(g) Section 20007, relating to failure to stop after collision with an unattended vehicle.

(h) Section 23109, relating to participating in speed contests.

(i) Section 14601, relating to driving while license is suspended or revoked.

(j) When the person has attempted to evade arrest.

(k) Section 23332, relating to persons upon vehicular crossings."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2519

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, May 22, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1431
Assembly Bill No. 1669
Assembly Bill No. 2088
Assembly Bill No. 2458
Assembly Bill No. 2516
Assembly Bill No. 2809

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2249
Assembly Bill No. 2420

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 105
Assembly Bill No. 758
Assembly Bill No. 2317
Assembly Bill No. 2353
Assembly Bill No 2507
Assembly Bill No. 2532

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 22, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 407
Assembly Bill No 2440
Assembly Bill No. 2476
Assembly Bill No. 2512
Assembly Bill No. 2533

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 22, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1725
Assembly Bill No. 2449

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 105

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1847

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2357

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 29

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2369
Assembly Bill No. 2553

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 22, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 980**—An act to amend Sections 20865, 20950, 20950.5, 20951, 20952, 20952.5, 20952.6, 20953, and 21365.5, and to repeal Section 20806, of the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 982**—An act to amend Sections 20560, 20606, and 20834 of, to add Sections 20465 and 20933.5 to, and to repeal Sections 20019.1, 20019.2, 20606.1, and 20608.1 of, the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 1025**—An act to amend Sections 13853 and 13854 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement Board;

**Assembly Bill No. 1066**—An act to amend Section 12025 of the Education Code, and Section 13101 of the Education Code as proposed by Senate Bill No. 2, relating to accreditation of teacher training institutions,

**Assembly Bill No. 1101**—An act to add Chapter 14 (commencing at Section 21951) to Division 10 of the Education Code, and to add Chapter 4 (commencing at Section 30101) to Division 21 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to testing of students attending public and private schools, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1109**—An act to amend Section 496 of the Penal Code, relating to stolen property;

**Assembly Bill No. 1159**—An act to amend Section 71601 of the Government Code, relating to justice courts;

**Assembly Bill No. 1205**—An act to amend Section 1107 of the Code of Civil Procedure, relating to prerogative writs;

**Assembly Bill No. 1262**—An act to amend Section 6341 of the Business and Professions Code, relating to law libraries;

**Assembly Bill No. 1293**—An act to amend Section 3052 of the Civil Code, relating to possessory liens,

**Assembly Bill No. 1359**—An act to amend Section 20009.1 of the Government Code, relating to employees' retirement system,

**Assembly Bill No. 1381**—An act to amend Section 9359.1 of the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 1405**—An act to amend Section 753 of, and to add Section 753.1 to, the Code of Civil Procedure, relating to actions for partition of property;

**Assembly Bill No. 1412**—An act to add Article 11 (commencing at Section 3481) to Chapter 9 of Division 5 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the dissolution of unified school districts;

**Assembly Bill No. 1418**—An act to amend Section 21115 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district payroll procedure;

**Assembly Bill No. 1511**—An act to amend Section 25452 of the Government Code, relating to publication of notice to bidders on county contracts;

And reports the same correctly enrolled, and presented to the Governor on the twenty-second day of May, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 98**—Relative to the planting of salmon in the Salinas River;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-second day of May, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1520**—An act to amend Sections 75 and 170 of the Code of Civil Procedure, and Sections 75602, 75003, and 75028 of the Government Code, relating to the assignment of judges;

**Assembly Bill No. 1701**—An act to add Section 655 to the Unemployment Insurance Code, relating to excluded services;

**Assembly Bill No. 1777**—An act to add Section 13747.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to re-employment of noncertificated school district employees;

**Assembly Bill No. 1802**—An act to add Section 1633.5 to the Insurance Code, relating to insurance licensing;

**Assembly Bill No. 1815**—An act to amend Sections 23358, 23360, 23361, and 23362 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 1859**—An act to amend Section 1176 of the Insurance Code, relating to mortgage loan investments;

**Assembly Bill No. 1891**—An act to add Section 22755 to the Government Code, relating to combination of retirement and social security plans;

**Assembly Bill No. 1933**—An act to amend Section 4361 of the Agricultural Code, relating to fluid milk and fluid cream;

**Assembly Bill No. 1956**—An act to amend Sections 1719, 1724, 1751, and 1887 of the Insurance Code, relating to insurance licenses;

**Assembly Bill No. 1981**—An act to amend Sections 7201 and 7210 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school libraries affiliating with county libraries;

**Assembly Bill No. 1983**—An act to add Section 27000 to Article 1, of Chapter 1, of Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public libraries;

**Assembly Bill No. 1994**—An act to amend Section 2220.5 of the Welfare and Institutions Code, relating to the termination of old age assistance,

**Assembly Bill No. 2001**—An act to amend Section 8250 of the Health and Safety Code, relating to cemeteries;

**Assembly Bill No. 2019**—An act to add Section 14804.1 to the Financial Code, relating to credit unions;

**Assembly Bill No. 2101**—An act to add Section 14699 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to district retirement salary plans;

**Assembly Bill No. 124**—An act to add Section 22511.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to parking privileges for disabled persons;

**Assembly Bill No. 142**—An act to amend Section 800 of the Labor Code, relating to lumber industries;

**Assembly Bill No. 351**—An act to amend Sections 7302, 7310, 7311, 7312, 7320, 7330, 7331, 7332, 7334, 7362.1, 7370, 7372, 7373, 7376, 7380, 7382, 7383, 7393, 7394, 7400, 7412, 7420, 7431, 7436, and 7442 of the Business and Professions Code, relating to cosmetology;

**Assembly Bill No. 381**—An act to amend Sections 8851, 8903, and 11204 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county superintendents of schools;

**Assembly Bill No. 528**—An act to amend Sections 3212 and 3212.5 of the Labor Code, relating to workmen's compensation;

**Assembly Bill No. 620**—An act to amend Section 5180 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911;

**Assembly Bill No. 912**—An act to amend Sections 14064 and 14068 of, the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System;

**Assembly Bill No. 944**—An act to amend Section 1550.1 of the Penal Code, relating to hearings in extradition proceedings;

**Assembly Bill No. 953**—An act to amend Section 28004 of the Corporations Code, relating to retirement systems;

**Assembly Bill No. 964**—An act to repeal Sections 1653 and 1654 of the Insurance Code, as enacted by the Legislature at the 1959 Regular Session, relating to producers' licenses;

**Assembly Bill No. 972**—An act to repeal Article 4.5 (commencing at Section 20215) of Chapter 2, Part 3, Division 5, Title 2 of, and to add Section 20209 to, the Government Code, relating to investment of money in the State Employees' Retirement Fund;

**Assembly Bill No. 973**—An act to amend Sections 20024 and 20024.01 of the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 975**—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 977**—An act to amend Sections 20023.1, 20393, 20600.5, 21021.5, and 21360 of the Government Code, relating to the State Employees' Retirement System;

**Assembly Bill No. 979**—An act to add Sections 22015, 22152, 22308 and 22503 to, and to amend Sections 22150 and 22151 of, the Government Code, relating to integration of federal old-age and survivors insurance with the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the Twenty-second day of May, 1959, at 11 a.m.

BURKE, Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 21, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 399

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 21, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 915
Senate Bill No. 1076
Senate Bill No. 1245

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 915**—An act to add Section 144.5 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1076**—An act to amend Section 602 of the Penal Code, relating to the crime of trespass.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1245**—An act to amend Sections 1101, 1102, 1103, 1103.02, and 1107 of the Agricultural Code, relating to egg standards.

Referred to Committee on Livestock and Dairies.

## QUORUM CALL OF THE ASSEMBLY

Mr. Don A. Allen moved a quorum call of the Assembly.

Mr. Winton seconded the motion.

Motion carried. Time, 1.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Quorum present.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY
## BY UNANIMOUS CONSENT
## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1899**—An act to amend Sections 31212, 31214, and 31219 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to competitive scholarships.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, George E. Brown, Burke, Burton, Chapel, Conrad, Coolidge, Crawford, Crown,

DeLotto, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, Miller, Nisbet, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Is there a quorum present?

#### Reply by Speaker

The Speaker replied that there was.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Hanna was granted unanimous consent that Senate Bill No. 72 be withdrawn from the Consent Calendar, and placed on the third reading file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article IX of said Constitution, relating to education.

Resolution read.

#### Demand for Previous Question

Messrs. Don A. Allen, Schrade, Crawford, Bane, and Dahl demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote:

AYES—Beaver, Bradley, Britschgi, Cameron, Crown, DeLotto, Garrigus, Grant, Hanna, Hegland, House, Levering, Lowrey, MacBride, Mulford, Petris, Reagan, Rees, Schrade, Sumner, Thelin, Winton, and Z'berg—23.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Burke, Burton, Busterud, Chapel, Crawford, Cunningham, Davis, Elliott, Gaffney, Ernest R. Geddes, Hawkins, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Rumford, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, and Charles H. Wilson—41.

**Assembly Constitutional Amendment No. 40**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XX of said Constitution relating to organization and powers of the Alcoholic Beverage Control Appeals Board.

Resolution read, and refused adoption by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Britschgi, George E. Brown, Burke, Cameron, Conrad, Cunningham, Dahl, DeLotto, Dills, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Masterson, McCollister, McMillan, Nisbet, Pattee, Sedgwick, Shell, Thelin, Thomas, George A. Willson, and Charles H Wilson—35

NOES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Burton, Busterud, Coolidge, Crawford, Crown, Davis, Elliott, Gaffney, Hawkins, Hegland, House, Lowrey, Lunardi, MacBride, Marks, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sumner, Waldie, Williamson, Winton, and Z'berg—35.

## ANNOUNCEMENT

Speaker Brown announced that the meeting of the Joint Water Problems Committee, scheduled for 2 p.m today in the Senate Lounge, will be held in Room 4040 upon adjournment today.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2405**—An act to amend Section 100.2 of the Streets and Highways Code, relating to agreements by local authorities concerning state freeways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—63.

NOES—Backstrand, Crawford, Hegland, and Schrade—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2406**—An act to amend Section 100 25 of the Streets and Highways Code, relating to street or highway work.

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—64.

NOES—Backstrand and Dahl—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 6**—An act to amend Section 10500 of the Water Code, relating to the development, utilization, and conservation of the water resources of the State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Hegland, Luckel, and Schrade—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2109**—An act to add Article 6.5 (commencing at Section 53800) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relative to the issuance of building certificates by local public agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Frew, Gaffney, Garrigus, Ernest R. Geddes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Rumford, Sedgwick, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.
NOES—Britschgi, Burke, Dahl, Francis, Hegland, Levering, Lowrey, Masterson, O'Connell, Schrade, Shell, and Waldie—12.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2481**—An act to amend Section 2877 of the Penal Code, relating to handiwork articles made by prisoners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2491**—An act to amend Section 1269b of the Penal Code, relating to bail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2492**—An act to add Chapter 5C (commencing with Section 853.6) to Title 3, Part 2, of the Penal Code, relating to citations for misdemeanors under state law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey,

Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 306**—An act to add Article 4 (commencing at Section 17600) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to barber colleges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

NOES—Beaver, Britschgi, Dahl, Lanterman, Levering, Rees, Shell, and Thelin—8.

Bill ordered transmitted to the Senate.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1

Mr. O'Connell was granted unanimous consent that he be recorded as voting "No" on Assembly Constitutional Amendment No. 1.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2292**—An act to amend Section 3308 of, and to add Section 3310 to, the Health and Safety Code, relating to tuberculosis hospitals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—66.

NOES—Dahl—1.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 100

By Mr. Schrade:

### House Resolution No. 100

In appreciation to The Reverend R. Wilbur Simmons, Chaplain of the Assembly, and authorizing the printing of the prayers of the Assembly in book form

WHEREAS, During the 1959 Regular Session of the California Legislature it has been the privileged good fortune of the Assembly to have the Reverend R. Wilbur Simmons serve as its Chaplain; and

WHEREAS, The Reverend R. Wilbur Simmons, through his inspirational prayers each morning of the session, has brought to this body valuable and necessary spiritual guidance and comfort for the day's work, and has reminded the Members of their obligation not only to their God but to their fellow men, to the State and to the Nation; and

WHEREAS, His devout utterances, his demonstrated high degree of intelligence and his manifest vision have compelled the admiration of all within his hearing and have

won the personal regard and sincere respect of each and every Member of the Assembly; and

WHEREAS, The Reverend R. Wilbur Simmons, through his devotional entreaties, has greatly encouraged the Members to merit the trust imposed in them by the people of California, and has caused the Members to look upon their daily tasks with *greater tolerance and deeper understanding of the hearts and wishes of all the people* of California; now, therefore, before the date for sine die adjournment arrives; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House express to the Reverend R. Wilbur Simmons their heartfelt appreciation for the rewarding spiritual service and guidance he has rendered this body during this session of the Legislature, and for the stimulation to duty and justice the Members have derived from his daily supplications; and be it further

*Resolved*, That the Chief Clerk of the Assembly is authorized and directed to have printed 500 copies of a booklet containing the prayers offered in the Assembly at this session; and that he send one copy of this booklet to each Member of the Assembly, one copy to each attache employed on the Assembly Desk, and one copy to each accredited newspaper correspondent, the remainder of the copies to be transmitted to the Reverend R. Wilbur Simmons together with a suitably engrossed copy of this resolution.

Resolution read, and adopted unanimously.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Concurrent Resolution No. 60**—Relative to a legislative investigation of the problems of vertical integration or contract farming in the agricultural industries of this State.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 130**—Relative to State Highway Route 38 (Sign Route 89) around Emerald Bay.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate

**Assembly Concurrent Resolution No. 123**—Relative to expenses of the Joint Interim Committee on Law Revision.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 273

By Mr. Bee:

### House Resolution No. 273

Relative to the employment of minors

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session, all facts and circumstances relating to the hiring and employment of minors by tax exempt institutions which engage in profit making business activities and recommendations as to the desirability or necessity for legislation in this field.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 151

By Mr. Hanna:

### House Resolution No. 151

Relative to a study of the costs of education to be conducted by the Superintendent of Public Instruction

WHEREAS, While the Legislature is primarily interested in making available the highest possible quality of education in the public schools of the State, it also has the duty of ascertaining that the cost of education is reasonable when related to the results produced; and

WHEREAS, The Superintendent of Public Instruction has been encouraging school districts to organize the seventh and eighth grades on a "departmentalized" basis so that the pupils change rooms for certain instructional periods; and

WHEREAS, The state maximum requirement of 75 square feet of room space for each pupil and 20 acres ground space for each junior high school has been adopted for all practical purposes as the minimum requirement in this State; and

WHEREAS, The requirement of departmentalization and size extensions as mentioned herein has resulted in the following increases in cost of operation, to wit:

A. Increase in maintenance and upkeep cost of both interior and exterior of buildings and upon grounds surrounding them

B. Increase in cost of certified personnel per pupil calculated on the average of 1 to every 25 pupils in junior high schools as in contrast to 1 to every 32 pupils in elementary schools.

C. Increase in administrative cost per pupil.

D. Increase in transportation for greater area served; and

WHEREAS, These additions result in an average daily attendance cost substantially higher for junior high schools than for self-contained elementary schools, which costs presently must be met by robbing average daily attendance support in grades kindergarten to sixth or by increasing local taxation above present set limits; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly hereby requests the Superintendent of Public Instruction to report to the Legislature at its 1961 Regular Session, within five days after the convening thereof, on the following matters:

(a) Whether the education provided for seventh and eighth grade pupils by the departmentalized system is superior to that provided by the self-contained classroom system.

(b) If so, whether the degree of superiority of the departmentalized system is great enough to justify the excess cost of maintaining such a system

(c) If so, the recommendations of the Superintendent of Public Instruction setting forth the methods of raising additional state and local funds to finance the additional cost entailed in substituting the departmentalized system for the self-contained classroom system of educating seventh and eighth grade pupils, including the needs of the State for such a substitution on a statewide basis, and the changes which would be required in the present state and local tax structure to finance the more expensive system; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Superintendent of Public Instruction.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 274

By Messrs. Ernest R. Geddes and Lunardi:

### House Resolution No. 274

Relating to Daffodil Hill

WHEREAS, In addition to the historical spots and scenes of natural beauty of the Mother Lode Country, there is the added attraction of Daffodil Hill in Amador County; and

WHEREAS, In the Spring of each year thousands of visitors from California and from other states journey to Daffodil Hill to feast their eyes and thrill to the sight of thousands of daffodils of varied kinds and hues blooming on the slopes of this mountain ranch; and

WHEREAS, The J. E. McLaughlin family, owners of Daffodil Hill, have developed this project over the years and with true western hospitality make visitors welcome to enter the property free of any charge whatever and have never commercialized their project and do not intend to do so; and

WHEREAS, The press of Sacramento and the Bay area each year at the proper season call the attention of their readers to the opportunity of viewing the beauty of Daffodil Hill, with the result that the number of visitors is increasing; and

WHEREAS, There is no marking on any of the roads and highways to direct motorists to Daffodil Hill near Volcano; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Division of Highways be requested to place directional signs to Daffodil Hill at Fiddletown, the Fiddletown turnoff in Pine Grove, and in Sutter Creek; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the State Division of Highways

Resolution read, and adopted.

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1171**—An act to amend Section 32151 of the Revenue and Taxation Code, relating to the taxation of alcoholic beverages, to take effect immediately.

Bill read third time.

#### Motion to Amend

Mr. MacBride moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 32010 to,".

#### Amendment No. 2

On page 2, between lines 27 and 28, insert

"SEC. 2. Section 32010 is added to said code, to read:

32010. The taxes imposed by this part are in lieu of all county, municipal, or district taxes on the sale of beer, wine or distilled spirits

This section does not prohibit the application of Part 1 (commencing at Section 6001) or Part 1.5 (commencing at Section 7200) of Division 2 of this code to the sale, storage, use or other consumption of beer, wine or distilled spirits"

#### Amendment No. 3

On page 2, line 28, strike out "SEC. 2", and insert "SEC. 3".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed, and to be placed on the inactive file.

**Assembly Bill No. 782**—An act to maintain the Business and Professions Code by amending Sections 2457.5 and 9575 thereof, and by repealing Sections 202.5, 6060.5, 6060.8, and 6061 thereof, relating to the regulation and protection of licensed professions and business enterprises, and making an appropriation.

Bill read third time.

#### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "Sections 2457.5, and 9575", and insert "Section 2457.5".

#### Amendment No. 2

On page 2, strike out lines 1 to 19, inclusive.

#### Amendment No. 3

On page 2, line 20, strike out "3", and insert "2."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 213**—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills,

Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Winton announced that hereafter the members should expect that the Assembly will be in session on Friday afternoons.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 152 FROM COMMITTEE

Mr. Elliott was granted unanimous consent that Assembly Bill No. 152 be withdrawn from the Committee on Social Welfare for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 152

**Assembly Bill No. 152**—An act to add Section 2500.5 to, the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read second time.

### Motion to Amend

Mr. Elliott moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2500.5 to," and insert "Sections 2500.5, 2509, and 2557 to"

### Amendment No. 2

On page 1, line 4, after "the", insert "race, color, religion, national origin, age,".

### Amendment No. 3

On page 1, after line 5, insert

"In order that he may more readily seek employment and be available for employment, a recipient of aid under this chapter shall be entitled to remain in or about his home while receiving such aid

SEC. 2. Section 2509 is added to said code, to read:

2509. The board of supervisors shall not consider either of the following in determining the eligibility of an applicant or recipient for aid under this chapter:

(a) An insurance policy or policies held by the recipient to provide for his funeral or interment expenses.

(b) Household furniture having a value of five hundred dollars ($500) or less.

SEC. 3. Section 2557 is added to said code, to read.

2557. For the purposes of this chapter neither the domicile nor residence of the husband or wife shall be deemed to be the domicile or residence of the other but each may have a separate domicile or residence dependent upon proof of the fact and not upon legal presumptions. An applicant for or recipient of aid under this chapter shall not lose residence because of marriage."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1188 FROM COMMITTEE

Mr. Francis was granted unanimous consent that Assembly Bill No. 1188 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1188

**Assembly Bill No. 1188**—An act to add Chapter 4.5 (commencing with Section 10342.1) to Division 4, Part 1, of the Business and Professions Code, and to repeal Division 6 (commencing with Section 1700) of the Financial Code, relating to escrow transactions.

Bill read second time.

#### Motion to Amend

Mr. Francis moved the adoption of the following amendments:

#### Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert "An act to add Sections 17004.5, 17201.5, 17201.6, 17201.7, and 17201.8 to, and to amend Sections 17004, 17207, 17418, 17600 and 17608".

#### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 17004 of the Financial Code is amended to read:

17004. "Escrow agent" ~~means any person engaged in the business of receiving escrows for deposit or delivery for compensation~~ *is a person engaging in escrow transactions*.

SEC. 2. Section 17004.5 is added to said code, to read:

17004.5. "Escrow clerk" is a person employed by and performing escrow transactions under the direction of an escrow agent.

SEC. 3. Section 17201.5 is added to said code, to read:

17201.5. The managing officer of a corporation must have the following qualifications:

(a) Have engaged in the escrow business for at least two years prior to the date of the application.

(b) After January 1, 1965, have been the holder of an escrow clerk's license for four years, or be a graduate of a four-year college or university with a major in law, accounting, business administration, or real estate, or its equivalent, together with two years' experience as the holder of an escrow clerk's license.

He must also present evidence of honesty, truthfulness, and good reputation.

SEC. 4. Section 17201.6 is added to said code, to read:

17201.6. It shall be unlawful for any person to act as an escrow clerk unless licensed pursuant to this chapter.

SEC. 5. Section 17201.7 is added to said code, to read:

17201.7. An application for a license as an escrow clerk shall be in writing and in such form as is prescribed by the commissioner. The application shall be verified by the oath of the applicant.

SEC. 6. Section 17201.8 is added to said code, to read:

17201.8. An applicant for a license as an escrow clerk must have the following qualifications:

(a) Have been employed in an escrow business for at least one year prior to the date of the application.

(b) After January 1, 1965, have been employed by an escrow holder for at least one year prior to the date of the application, and have completed two years of college or university with a major in law, accounting, business administration, or real estate, or its equivalent.

He must also present evidence of honesty, truthfulness, and good reputation.

SEC. 7. Section 17207 of said code is amended to read:

17207. The commissioner shall charge and collect the following fees:

(a) For filing an original or a renewal application for an escrow agent's license, one hundred dollars ($100) for the first office or location and ~~thirty-five dollars ($35)~~ *fifty dollars ($50)* for each additional office or location.

(b) For filing an application for a duplicate of an escrow agent's license lost, stolen, destroyed, or for replacement, upon a satisfactory showing of such loss, theft, destruction, or surrender of certificate for replacement, two dollars ($2).

*(c) For filing an original or a renewal application for an escrow clerk's license, twenty-five dollars ($25) per year.*

SEC. 8. Section 17418 of said code is amended to read:

17418. Any unclaimed money or property in the possession of an escrow agent ~~four (4)~~ *five (5)* years after the close of an escrow shall be paid into the State Treasury, subject to the provisions of Title 10 of Part 3 of the Code of Civil Procedure.

SEC. 9. Section 17600 of said code is amended to read:

17600. An escrow agent's *and an escrow clerk's* license remains in effect until surrendered, revoked, suspended, or until it expires.

SEC. 10. Section 17608 of said code is amended to read:

17608. The commissioner may, after notice and a reasonable opportunity to be heard, suspend or revoke any license if he finds that:

(a) The licensee has failed to maintain in effect a bond required under the provisions of this division.

(b) The licensee has violated any provision of this division or any rule or regulation made by the commissioner under and within the authority of this division.

(c) Any fact or condition exists which, if it had existed at the time of the original application for such license, reasonably would have warranted the commissioner in refusing originally to issue such license.

*(d) Obtained the license by fraud or the misrepresentation of a fact.*

*(e) Entered a plea of guilty or nolo contendere to, or been found guilty of, or been convicted of, a felony or a crime involving moral turpitude, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, irrespective of an order granting probation following such conviction, suspending the imposition of sentence, or of a subsequent order under the provision of Section 1203.4 of the Penal Code allowing such licensee to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation or information."*

**Amendment No. 3**

On page 1, strike out lines 2 to 10, inclusive; and strike out pages 2 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1174

Mr. Bradley was granted unanimous consent that Senate Bill No. 1174 be withdrawn from the Committee on Municipal and County Government, and re-referred to the Committee on Civil Service and State Personnel.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2390

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 372**—An act to add Section 855.1 to the Education Code, as enacted at the 1959 Regular Session of the Legislature, relating to leaves of absences of employees of county superintendent of schools;

**Assembly Bill No. 379**—An act to amend Section 27361.6 of the Government Code, relating to recordation of instruments;

**Assembly Bill No. 458**—An act to add Section 1024 to the Military and Veterans Code, relating to the Veterans' Home of California;

**Assembly Bill No. 554**—An act to add Article 10 (commencing at Section 53900) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to budgets of local governmental bodies;

**Assembly Bill No. 572**—An act to amend Section 19582 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school building aid;

**Assembly Bill No. 910**—An act to amend Section 14370 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state teachers' disability annuity;

**Assembly Bill No. 918**—An act to amend Section 14411 of, and to repeal Sections 14110 and 14412 of the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System;

**Assembly Bill No. 927**—An act to add Section 201a, and to amend Section 225 of, the Code of Civil Procedure, relating to trial juries;

**Assembly Bill No. 951**—An act to amend Section 715.3 of the Civil Code, relating to restraints upon alienation;

**Assembly Bill No. 952**—An act to amend Section 2934a of the Civil Code, relating to the substitution of trustee under trust deed;

**Assembly Bill No. 985**—An act to add Section 7056.5 to the Public Resources Code, relating to the production of oil and gas or other minerals;

**Assembly Bill No. 1111**—An act to add Article 2.5 (commencing at Section 53240) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to payment of the cost of repairing or replacing property of governmental employees;

**Assembly Bill No. 1112**—An act to add Section 13007 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to deposits by school districts for traveling expenses;

**Assembly Bill No. 1113**—An act to add Section 817 to the Education Code as enacted at the 1959 Regular Session, relating to payment of the cost of repairing or replacing property of school district employees;

**Assembly Bill No. 1218**—An act to amend Section 190.1 of the Penal Code, relating to offenses for which the penalty is death or life imprisonment;

**Assembly Bill No. 1342**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages;

**Assembly Bill No. 1363**—An act to add Section 26504 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to airbrakes for vehicles;

**Assembly Bill No. 1401**—An act to add Sections 43401 and 43648.1 to, and to amend Section 43652.1 of the Government Code, relating to limited obligation bonds and the deposit and use of sales and use tax funds, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1674**—An act to amend Sections 65503 and 65652 of the Government Code, relating to vote required for change of master plan and precise plan;

**Assembly Bill No. 1720**—An act to amend Section 31214 of, and to add Sections 31214.1 and 31214.2 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state scholarships;

**Assembly Bill No. 1932**—An act to amend Section 4354 of the Agricultural Code, relating to fluid milk and fluid cream;

**Assembly Bill No. 2008**—An act to add Section 21804.1 to the Education Code as enacted at the 1959 Regular Session, relating to school district bonding capacity;

And reports the same correctly enrolled, and presented to the Governor on the twenty-second day of May, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 22, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 1**—Relative to military closures;

**Assembly Joint Resolution No. 34**—Relative to the Long Range Program for the National Forests;

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-second day of May, 1959, at 3 p.m.

BURKE, Chairman

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

**House Resolution No. 278**

Relating to a study of the means and procedures of securing a revision of the State Constitution

*Resolved by the Assembly of the State of California*, That the Citizens Legislative Advisory Commission is hereby authorized and directed to study the legislative procedures, ways and means, and techniques which should be used to secure a revision of the State Constitution, but not including a study of the actual revisions to be made; and be it further

*Resolved*, That the Citizens Legislative Advisory Commission is hereby authorized and directed to report to the Assembly at the 1961 Regular Session of the Legislature not later than the fifth legislative day thereof, on the results of its study together with any recommendations it may have on the subject of the study; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the Citizens Legislative Advisory Commission.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

**House Resolution No. 279**

Relative to the Weber Foundation Account in the Special Deposit Fund

*Resolved by the Assembly of the State of California*, That the Chairman of the Assembly Committee on Rules is hereby designated as the official to whom claims are to be submitted for approval against the Weber Foundation Account in the Special Deposit Fund for the completion, preparation and printing of the report mentioned in House Resolution No. 200 of the 1951 Regular Session, and the chairman of said committee is hereby authorized to approve any such claims.

Resolution read, and referred to the Committee on Rules.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1110

Mr. Charles H. Wilson moved to reconsider on the next legislative day the vote whereby the amendments by Mr. Bruce F. Allen to Assembly Bill No. 1110 were this day adopted (Assembly Journal, pages 4083-4085).

Assembly Bill No. 1110 and the motion to reconsider the amendments thereto ordered to the unfinished business file

## NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 213

Messrs. Schrade and Hegland were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 213.

### POINT OF ORDER

Messrs. Winton and Don A. Allen arose to the following point of order: That there is a quorum present, so further proceedings under the quorum call of the Assembly are not in order.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

### CALL OF THE ASSEMBLY DISPENSED WITH

At 3.10 p.m., further proceedings under the call of the Assembly were dispensed with.

### SENATE BILL NO. 119 REMOVED FROM CONSENT CALENDAR

Mr. Petris was granted unanimous consent that Senate Bill No. 119 be removed from the Consent Calendar, and placed upon the third reading file.

### APPRECIATION EXPRESSED

Speaker Brown expressed his appreciation to the Members, and congratulated them upon the volume of business transacted today.

### RE-REFERENCE OF SENATE BILL NO. 483

Speaker Brown ordered **Senate Bill No. 483** re-referred to the Committee on Governmental Efficiency and Economy.

### ADJOURNMENT

At 3.15 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 25, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-THIRD LEGISLATIVE DAY

ONE HUNDRED FIRST CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, May 25, 1959

The Assembly met at 10 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, eRagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*God Our Father,* Be in this day and in the fleeting hours of its passing; be in our awareness that after this week only three more weeks remain in this legislative session; be in our honest appraisal of work remaining to be done. Be in our personal acceptance of responsibility for the things to which we have aspired and failed, that we blame not the political party to which we do not belong, or the Senate across the hall, or pressure from outside forces Be in our firm purpose to serve our State in the remaining days of this Assembly. God, be in our expression of loyalty to our Nation, now in mourning for a great public servant, John Foster Dulles, as we pledge allegiance to our Country's Flag.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Charles H. Wilson, seconded by Mr. House.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Mulford, on motion of Mr. Shell.

NOTE—*See* page 4268 for an explanation by Mr. Francis of his absence for this date.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

LOS ANGELES, May 22, 1959

*Mr Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: I am in receipt of the six copies of Resolution No 201 which was adopted on April 24, 1959, by the Members of the Assembly of the California Legislature in tribute to the memory of my beloved husband, Cameron L. Lillie.

I shall treasure this fine expression of sympathy and tribute, and ask that you convey to the Honorable Charles E. Chapel and the Members of the Assembly my gratitude and deep appreciation for the thoughtfulness and sincerity which prompted the adoption of this resolution.

Sincerely yours,

MILDRED L. LILLIE

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NAVAL HOSPITAL, OAKLAND, CALIFORNIA

DEAR ARTHUR: Thank you for the birthday letter. You never miss I was transferred by air to this hospital on the fourteenth.

Don't know how long I'll be here, but I feel much better and hope to be out in time to visit the Capitol before the curtain falls.

Later I mean to write to all the fine folks up there who sent cards and letters. They were a tremendous help to me and are deeply appreciated. You are all very kind.

Address me at 2090 Broadway, San Francisco. Annie will bring the mail.

Warmest regards and respect.

Sincerely,

J. B. COOKE

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The following communications were presented by the Chief Clerk from:

Evelyn Lucassen, and seven others, relative to Assembly Bill No. 590. Referred to the Committee on Finance and Insurance.

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Vera Baker of San Bernardino, relative to social security for state employees. Referred to the Committee on Civil Service and State Personnel.

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Beryl A. White of Los Angeles, relative to the operation of motor-scooters by 14-year-old boys and girls Referred to the Committee on Transportation and Commerce.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Beaver was granted unanimous consent that the following communication be ordered printed in the Journal:

THE NATIONAL BOARD OF FIRE UNDERWRITERS
SAN FRANCISCO, May 22, 1959

*Hon. Jack A. Beaver*
*State Capitol, Sacramento*

DEAR MR. BEAVER: In discussing Senate Bill No. 675, as amended on May 20, you raised the question as to whether or not this bill would have any effect upon loss by fire if the fire originated in a reactor.

The authors of the bill intend to make clear to the insuring public that the Standard Fire Insurance Policy of California does not furnish coverage against nuclear reaction, nuclear radiation or radioactive contamination and that such loss is not part of the fire loss. Under this bill, however, loss by fire remains unchanged whether the fire originates in a reactor or elsewhere.

Sincerely,

W. F. WILLIAMS

cc: Senator Paul L. Byrne
Senator George Miller, Jr.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 25, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 782
Assembly Bill No. 1171
And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bill No. 782 ordered to third reading.
Assembly Bill No. 1171 ordered to the inactive file.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2248
Assembly Bill No 2296
Assembly Bill No. 2484
Assembly Bill No. 2520
And reports the same correctly engrossed.

BURKE, Chairman

Above bills returned to second reading file.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 96
Assembly Bill No. 158
Assembly Bill No. 2360
Assembly Bill No. 2531
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills returned to second reading file.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2397
And reports the same correctly engrossed

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2430
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1974
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1168
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1697
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 14
Assembly Bill No. 2478
Assembly Bill No. 2486
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bills Nos. 14 and 2478 ordered filed, and the subject matter referred to the Committee on Rules.

Assembly Bill No. 2486 re-referred to the Committee on Education.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 1308
Assembly Bill No. 1334
Assembly Bill No. 1559
Assembly Bill No. 1560
Assembly Bill No. 1561
Assembly Bill No. 1601
Assembly Bill No. 1709
Assembly Bill No. 1978
Assembly Bill No. 2034

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1555
Assembly Bill No. 1711
Assembly Bill No. 1780

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 99
Senate Bill No. 194
Senate Bill No. 274
Senate Bill No. 792
Senate Bill No. 969
Senate Bill No. 973
Senate Concurrent Resolution No. 43

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 19

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Joint Resolution No. 19**—Relative to a minimum wage law for agricultural workers.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 101
Senate Bill No. 121
Senate Bill No. 610
Senate Bill No. 644
Senate Bill No. 720
Senate Bill No. 974
Senate Bill No. 975
Senate Bill No. 997
Senate Bill No. 1101
Senate Bill No. 1178
Senate Bill No. 1180
Senate Bill No. 1214
Senate Bill No. 1238

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 101**—An act to amend Section 5536 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 121**—An act to amend Section 69595 of the Government Code, relating to the Superior Court in San Diego County.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 610**—An act to add Section 7113.5 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 644**—An act to add Chapter 2.6 (commencing at Section 24375) to Division 20 of the Health and Safety Code, creating the San Joaquin Valley Air Pollution Control District, setting forth its organization, powers, and duties, all relating to the control of air pollution.

Referred to Committee on Public Health.

**Senate Bill No. 720**—An act to add Section 4752.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

**Senate Bill No. 974**—An act to amend Sections 27463 and 27464 of the Government Code, relating to coroners.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 975**—An act to amend Sections 27470 and 27471 of the Government Code, relating to coroners.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 997**—An act to amend Section 35400 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the length of semitrailers.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1101**—An act to add Chapter 6 (commencing at Section 50970) to Part 5 of Division 15 of, and to repeal Section 50902 and Article 11 (commencing at Section 51485) of Chapter 2 of Part 7 of Division 15 of, the Water Code, relating to reclamation districts.

Referred to Committee on Water.

**Senate Bill No. 1178**—An act to repeal Sections 19480.2, and 19480.3 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Government Organization.

**Senate Bill No. 1180**—An act to add Section 827.8 to the Agricultural Code, relating to apple standards.

Referred to Committee on Agriculture.

**Senate Bill No. 1214**—An act to amend Section 9802 of the Education Code, and amend Section 6904 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded minors, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 1238**—An act to amend Section 200 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Referred to Committee on Government Organization.

### ASSEMBLY BILL NO. 831 RE-REFERRED TO COMMITTEE

Mr. Unruh moved that Assembly Bill No. 831, with the committee amendments, be re-referred to the Committee on Ways and Means.

Motion carried unanimously.

### REQUEST FOR UNANIMOUS CONSENT

Mr Hanna was granted unanimous consent to take up Assembly Bill No. 2430 (on the second reading file pursuant to Rule No. 69) for purpose of amendment.

### SECOND READING OF ASSEMBLY BILL NO. 2430

**Assembly Bill No. 2430**—An act to add Article 11.5 (commencing at Section 73750) to Chapter 10, Division 8 of the Government Code, relating to municipal courts.

Bill read second time.

#### Motion to Amend

Mr. Hanna moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out "Division", and insert "Title".

#### Amendment No. 2

On page 4, line 2, strike out "Division", and insert "Title".

#### Amendment No. 3

On page 5, between lines 28 and 29, insert

"73755. Administration of the salary plan provided by this article, including the determination of the anniversary dates for entitlement to salary increments, salary on promotion, transfer or demotion, salary on position reclassification, and all other relevant matters, shall be in accordance with the provisions of the salary ordinance of the County of Orange relating to the administration of the county salary plan for county employees generally.

The increments provided for in this article shall be subject to the provisions of Section 72001.

73756. All appointments provided for in this article are subject to the provisions of the Municipal and Justice Court Act of 1949 or the provisions of law succeeding that act.

73757. The officers and attaches of the municipal court shall be entitled to the same vacation, leaves of absence, compensation during absence from duty for injuries arising out of and in the course of employment, and other similar benefits and privileges as are now or may hereafter be granted to other employees of the County of Orange by the salary ordinance of said county.

73758. The initial hiring rate for each position shall be the minimum salary provided for the position by this article. If, however, it is difficult to secure qualified personnel at such rate or if a person of unusual qualifications is engaged, the appointing authority, with the approval of the judge, and of the Board of Supervisors of the County of Orange may employ such person at one of the higher salary steps provided for the position.

73759. This article shall become operative when it is determined in the manner prescribed by Section 71043 that the population of the Huntington Beach-Seal Beach Judicial District exceeds 40,000."

#### Amendment No. 4

On page 7, strike out lines 35 to 52, inclusive; and strike out all of page 8.

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and returned to the second reading file.

### CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 158, 2360, 2248, 2296, 96, 2397, 2531, 2484,** and **2520.**

**Senate Bills Nos. 86, 913, 1022,** and **994.**

Assembly Bills Nos. 158, 2360, 2248, 2296, 96, 2531, 2484, and 2520 ordered to third reading.

Assembly Bill No. 2397 ordered to the Consent Calendar.

Senate Bills Nos. 86 and 994 ordered to third reading.

Senate Bills Nos. 913 and 1022 ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2366**—An act to amend Sections 580 and 582 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "Sections 580 and", and insert "Section".

Amendment No. 2

On page 1, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 1, strike out line 14, and insert
"SECTION 1. Section 582 of the Agricultural Code is amended to read:".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1489**—An act to amend Section 35790 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailer coaches.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2544**—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2546**—An act to amend Section 16102 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the storage of vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2454**—An act to amend Section 22408 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2541**—An act to amend Section 22406 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of trucks and truck tractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "55", and insert "50".

Amendment No. 2

On page 1, line 9, strike out "four-lane highways and any"; strike out lines 10 and 11, and insert "highways of four or more lanes."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2552**—An act to amend Section 12704 of the Business and Professions Code, relating to weights and measures.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "When the article"; strike out lines 18 to 20, inclusive, and insert "The provisions of this section shall apply in all respects to the transportation of part loads of products, except that the gross weight of a vehicle containing one or more part loads may be used as the tare weight of such vehicle as to part loads subsequently loaded thereon. Such weight certificate on part loads shall show, in addition to the net weight, both of the gross weights used in the computation of the net weight of each part load."

Amendment No. 2

On page 2, strike out lines 1 to 7, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 755**—An act to amend Section 3447 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on March 13, 1959, after "erty", insert "which is not occupied as a home".

Amendment No. 2

On page 1, lines 7 to 9, strike out ", except that the value of real property being used as a home by an applicant or recipient shall be disregarded for the purposes of this section".

Amendment No. 3

On page 1, between lines 16 and 17, insert

"Real property which serves to provide the recipient or his spouse and minor dependents with a home shall be allowed without limitation as to value if the basic home property is a single dwelling unit or multiple dwelling unit in which the units not occupied by the recipient are producing a reasonable amount of income toward the support of the recipient."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 747**—An act to amend Sections 3047 and 3047.01 of the Welfare and Institutions Code, relating to aid to needy blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Assembly on March 13, 1959, after "property", insert "which is not occupied as a home,".

**Amendment No. 2**

On page 1, line 6, strike out ", ex-".

**Amendment No. 3**

On page 1, strike out lines 7 and 8.

**Amendment No. 4**

On page 1, line 9, strike out "of this section".

**Amendment No. 5**

On page 1, between lines 11 and 12, insert

"Real property which serves to provide the recipient or his spouse and minor dependents with a home shall be allowed without limitation as to value if the basic home property is a single dwelling unit or multiple dwelling unit in which the units not occupied by the recipient are producing a reasonable amount of income toward the support of the recipient."

**Amendment No. 6**

On page 1, line 15, strike out "the assessed value of".

**Amendment No. 7**

On page 1, line 16, strike out "as assessed by the".

**Amendment No. 8**

On page 1, strike out lines 17 through 20, inclusive, and insert "exceeds the amount permitted by Section 3047."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 345**—An act to add Chapter 3 5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "receive", and insert "be eligible to compete for".

**Amendment No. 2**

On page 2, strike out lines 17 and 18, and insert "one school year is eligible to compete for an agriculture scholarship, eligibility shall be granted to".

**Amendment No. 3**

On page 2, strike out lines 20 and 21, and insert

"31233. Eligibility shall be determined during the second semester of the student's senior year by".

**Amendment No. 4**

On page 2, line 27, strike out "an award winner", and insert "a competing candidate".

**Amendment No. 5**

On page 2, strike out line 28, and insert "pare a notice of nomination, designating the candidate".

**Amendment No. 6**

On page 2, line 30, strike out "certificate of nomination", and insert "notice".

**Amendment No. 7**

On page 2, lines 31 and 32, strike out "award winner's", and insert "candidate's".

**Amendment No. 8**

On page 2, between lines 32 and 33, insert

"The notice of nomination for each candidate shall be forwarded to the State Scholarship Commission not later than the first day of May. The commission shall prepare appropriate examinations emphasizing the content of high school agricultural curriculums, and shall undertake all procedures and arrangements necessary to assemble the candidates and to administer and grade the examinations.

Those candidates scoring the highest one hundred scores on the examinations shall be awarded certificates of nomination for the scholarships provided by this chapter."

**Amendment No. 9**

On page 2, strike out line 33, and insert

"These certificates shall be forwarded by the scholarship winners to the".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1175**—An act to amend Sections 23151, 23153, 23184, 23186, 23333, 23501, 23771, 24349, 24350, 24355, 25552 and 25552b of, and to add Sections 24351, 24352, 24353, 24354, 24356, 24356.1 and 24575.1 to the Revenue and Taxation Code, relating to bank and corporation taxes, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2302**—An act to amend Section 1352 of the Labor Code, relating to working hours for women.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1750**—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1, Title 2 of the Government Code to authorize instrumentalities created jointly by this State or any other state or states to obtain federal old age and survivors' insurance for the employees of such instrumentalities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2524**—An act to amend Section 28121 of the Government Code, relating to compensation for public service in counties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2409**—An act to add Section 1230 to, and to amend Section 19331 of, the Government Code, relating to jury duty.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2240**—An act to add Sections 35012 and 35013 to the Government Code, relating to cities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2361**—An act to amend Section 35201.5 of the Government Code, relating to the annexation of noncontiguous territory owned by the annexing city.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2488**—An act to add Chapter 14 (commencing at Section 27750) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2453**—An act to add Section 53608 to the Government Code, and Section 17203.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the investment of public funds and money.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 10 of the printed bill, strike out "investments", and insert "securities".

**Amendment No. 2**

On page 1, line 13, strike out "investments", and insert "securities".

**Amendment No. 3**

On page 2, line 6, strike out "investment", and insert "security".

**Amendment No. 4**

On page 2, line 10, strike out "investment", and insert "security".

**Amendment No. 5**

On page 2, line 12, strike out "investments", and insert "securities".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2482**—An act to repeal Sections 5398, 5399, 5400 of, and Chapter 10 (commencing at Section 6590) of Part 5 of Division 7 of, the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Goverument, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 5398, 5399, 5400 of, and".

**Amendment No. 2**

On page 1, line 1, strike out "Sections 5398, 5399, 5400 and".

**Amendment No. 3**

On page 1, line 3, strike out "are", and insert "is".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2521**—An act to add Chapter 4.5 (commencing with Section 26970) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, following "supervisors", insert "of general law counties with a population in excess of 295,000 according to the Federal census of 1950,".

**Amendment No. 2**

On page 1, line 14, strike out "He shall serve for four years and until", and insert "Therefore appointments to the office shall be made on the basis of merit and fitness according to civil service rules and regulations adopted prior to the submission of the question to the electors. The director of finance may be removed or suspended for cause as provided in the civil service rules and regulations."

**Amendment No. 3**

On page 1, strike out lines 15 to 18, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2451**—An act to amend Section 54309 of, and to add Sections 54309.1 and 54516.3 to, the Government Code, relating to the issuance of revenue bonds by local agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 3, line 7, of the printed bill, strike out "without", and insert "by".

**Amendment No. 2**

On page 3, line 8, after the period, insert "Before entering into any such lease or contract, the local agency must first hold a public hearing on the question after publication or posting of notice thereof given in the same manner and for the same time as a notice inviting bids is required to be given by Section 54516.2."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2340**—An act to amend Sections 39564, 39565, 39566, and 39567 of the Government Code, relating to weed and rubbish abatement.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 39564, 39565, 39566 and 39567 of", and insert "Section 39560 of, and to add Sections 39567.1 and 39574.5 to,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 39560 of the Government Code is amended to read:

39560. (a) "Superintendent" means street superintendent, his assistants and deputies, or other public officer designated by the legislative body to perform the duties imposed by this article upon the superintendent.

(b) "Weeds" means weeds which when mature bear wingy or downy seeds, which will attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous.

*(c) "Street" includes public street, alley, lane, court or other place.*

*(d) "In Front of Which the Nuisance Exists" includes to the rear of or abutting the property upon which the nuisance exists*

SEC. 2. Section 39567.1 is added to said Code, to read:

39567.1. As an alternative to posting notice of the resolution and notice of the meeting when objections will be heard, the legislative body may direct the city clerk to mail written notice of the proposed abatement to all persons owning property described in the resolution. The city clerk shall cause such written notice to be mailed to each person to whom such described property is assessed in the last equalized assessment roll available on the date the resolution was adopted by the legislative body.

In cities where the county assessor performs the functions of city assessor, the county assessor, at the request of the city clerk, shall within 10 days thereafter mail to the city clerk a list of the names and addresses of all of the persons owning property described in the resolution. The address of the owners shown on the assessment roll shall be conclusively deemed to be the proper address for the purpose of mailing such notice. The city shall reimburse the county for the actual cost of furnishing such list and the cost shall be a part of the costs of abatement

The notices mailed by the city clerk shall be substantially in the form provided by Section 39566, except, that notices shall be signed by the city clerk and the heading of the notice need not comply with Section 39565.

SEC. 3. Section 39576.5 is added to said Code, to read:

39576.5. Abatement of the nuisance may in the discretion of the legislative body be performed by contract awarded by the legislative body on the basis of competitive bids let to the lowest responsible bidder pursuant to Sections 37903, 37904, 37905 and 37931 to 37935 inclusive of this code. In such event the contractor shall keep the account and submit the itemized written report for each separate parcel of land required by Section 39574."

**Amendment No. 3**

On page 1, strike out lines 2 to 19, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2796**—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "agency", insert "to an applicant".

**Amendment No. 2**

On page 1, line 5, strike out "10", and insert "25".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

**Assembly Bill No. 1382**—An act to add Section 19681.5 to the Government Code, relating to fees for placing persons in public work.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

Amendment No. 1

On page 2, after line 7, of the printed bill, as amended in the Assembly on May 4, 1959, insert

"The provisions of this section shall not apply to any labor union which places persons in state employment, nor to any professional organization which places its members in employment with a school district."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1550**—An act to amend Section 7202 and 7203 of the Revenue and Taxation Code, relating to local sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 7202 and 7203 of", and insert "add Sections 7208 and 7209 to".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 7208 is added to the Revenue and Taxation Code, to read:

7208. Every notice of determination of use tax authorized by this part shall be served within 4 months from the end of the quarterly period during which the storage, use or other consumption of the tangible personal property became taxable, provided, the tangible personal property was purchased from a retailer whose place of business was located in a county which did not impose a tax pursuant to this part but which county does impose such a tax for the first time to be operative on or after July 1, 1959, but not later than July 1, 1960.

SEC. 2. Section 7209 is added to the Revenue and Taxation Code, to read:

7209. The board may redistribute tax, penalty and interest distributed to a county or city other than the county or city entitled thereto but such redistribution shall not be made as to amounts originally distributed earlier than two quarterly periods prior to the quarterly period in which the board obtains knowledge of the improper distribution.

SEC. 3. The time limitation established by Section 7209 of the Revenue and Taxation Code, as added by this act, shall not apply to redistributions where the board obtains knowledge of the improper distribution prior to the effective date of this act."

Amendment No. 3

On page 1, strike out lines 2 through 22; and strike out all of pages 2, 3, and 4

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1682**—An act to add Section 6388 to the Revenue and Taxation Code, and to add Sections 5355 and 5356 to the Vehicle Code as enacted by the Legislature in the 1959 Regular Session, relating to trailer coaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 7, 1959, strike out lines 2 to 4, inclusive; and in line 5, strike out "lar session".

Amendment No. 2

On page 1, strike out lines 15 to 18, inclusive; on page 2, strike out lines 1 to 37, inclusive, and insert.

"6388. Where a new trailer coach is purchased from a dealer located outside this State for use without this State and is delivered by the manufacturer to the purchaser within this State, and such purchaser drives or moves such trailer coach from the manufacturer's place of business in this State to any point outside this State within 30 days from and after the date of the delivery, there are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use or other consumption of such trailer coach within the State, provided that the purchaser furnishes the following to the manufacturer:

(a) Written evidence of an out-of-state registration for such trailer coach.

(b) The purchaser's affidavit attesting that he is not a resident of California and that he purchased such trailer coach from a dealer at a specified location without the State for use outside this State.

(c) The purchaser's affidavit that such trailer coach has been moved or driven to a point outside this State within 30 days of the date of the delivery of the trailer coach to him."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 658**—An act to add Article 10 (commencing at Section 53910) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relating to local taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 2, between lines 18 and 19, of the printed bill, insert

"No tax shall be imposed pursuant to this section with respect to any new project if, in the opinion of the State Board of Equalization, the tax would prevent or jeopardize the financing of the project. In such case, if any bonds are issued to finance the project, no tax shall be imposed pursuant to this section with respect to such project until all principal and interest on the bonds are finally and fully paid.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 1860**—An act to amend Section 402.5 of the Revenue and Taxation Code, relating to the assessment of property.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "for", insert "agricultural or".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 2223**—An act to amend Section 7204 of the Revenue and Taxation Code, relating to transmittal of local sales and use tax collections by the State Board of Equalization.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation was read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after "services.", insert "The transmittals required under this section shall be at least twice in each calendar quarter."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2351**—An act to amend Section 23184 of the Revenue and Taxation Code, relating to taxes imposed on financial corporations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "visions of the State as personal property taxes, license fees or excise taxes for the following"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1414**—An act to amend Section 12256 of the Revenue and Taxation Code, relating to insurance taxation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2222**—An act to amend Section 8608 of the Revenue and Taxation Code, relating to the Use Fuel Tax Law.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 730**—An act to amend Section 393 of the Military and Veterans Code, relating to defense of criminal charges against members of the National Guard.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 900**—An act to amend Section 1801 of the Military and Veterans Code, relating to fraudulent representations or solicitations.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 924**—An act to add Section 1195.1 to the Military and Veterans Code, relating to election of officers in memorial districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 479**—An act to amend Section 427 of the Streets and Highways Code, relating to Highway Route 127.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 13**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 24, 1959, strike out "2421.5", and insert "1722".

**Amendment No. 2**

In line 1 of the title, after "Code", insert "as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1 Section 1722 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:

1722. (a) Territory annexed to a city which is not contiguous to a school district within the city shall not become a part of any school district within such city pursuant to Section 1721.

(b) Territory annexed to a city which is part of a unified school district shall not become a part of any school district within the city pursuant to Section 1721 unless prior to the annexation, the governing boards of the affected districts agree in writing that the territory shall become part of the city school district. In order for the agreement to be effective, a certified copy thereof shall be filed with the city council prior to the adoption of the resolution specified in Section 35117 or Section 35306 of the Government Code, and such resolution shall contain a statement that the annexed territory shall become part of the city school district.

*(c) Territory annexed to a city which is part of a union high school district or a joint union high school district shall not become a part of any school district within the city pursuant to Section 1721 unless prior to the annexation, the governing board of the city school district, the governing board of the elementary district, and the governing board of the high school, joint union high school, and union high school district in which the territory is situated agree in writing that the territory located in the elementary district shall become part of the city school district. If an agreement between the elementary school board and the city school board cannot be arrived at, the matter will be referred to the State Board of Education whose decision in this matter shall be final.*

*(d)* ~~(c)~~ Territory annexed to a city which is contiguous to a city school district within such city, except as otherwise provided in ~~subdivision~~ ~~(b)~~ *subdivisions (b) and (c)* of this section, shall not become part of any elementary, high school, junior college, or any other school district within said city as provided in Section 1721 unless proceedings are had and completed for the annexation or inclusion of such territory to the school district in the manner provided elsewhere in this code, or unless the resolution required by Section 35117 of the Government Code in the case of proceedings for the annexation of inhabited territory, or the resolution required by Section 35306 of the Government Code in proceedings for the annexation of uninhabited territory contains a statement that the annexed territory shall become part of the school district of the city.

The provisions of subdivision (a), (b), ~~or~~ (c) , *or (d)* of this section, as the case may be, apply to territory proposed to be annexed to a city in which territory is situated any school district or part of any school district.

The provisions of subdivision (a), (b), or ~~(c)~~ *(d)* of this section, as the case may be, apply to any proceedings to annex territory to a city which have not been completed on or before September 7, 1955, except proceedings in which the resolution provided for in Section 35117 of the Government Code has been adopted, or in which the city legislative body or the board of supervisors has approved the annexation by ordinance, or resolution, as the case may be, for other city annexation proceedings.

The provisions of subdivision (a), (b), ~~or~~ (c) , *or (d)* of this section, as the case may be, shall not apply to general law cities or to cities which have provided in their original charter that they shall not constitute a separate school district."

**Amendment No. 4**

On page 1, strike out lines 2 to 27, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 1007**—An act to create the Guadalupe Valley Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 522**—An act to add Section 5785.05 to the Public Resources Code, relating to recreation and park districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "to", insert "amend Section 5785 and to".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 5785 of the Public Resources Code is amended to read:

5785. ~~Territory may be annexed to, or excluded from,~~ *Proceedings may be commenced looking toward annexation to or exclusion from* a district organized under this chapter in the manner provided in Article 8 (commencing at Section 58230 of the Government Code) of the District Organization Law upon petition signed by the same number of qualified petitioners required for signature on the petition for organization of the district under this chapter.

SEC. 2. Section 5785.05 is added to said code, to read:".

**Amendment No. 3**

On page 1, line 3, after "for", insert "the commencement of proceedings looking toward".

**Amendment No. 4**

On page 1, line 7, strike out "whether".

**Amendment No. 5**

On page 1, line 8, strike out "or not".

**Amendment No. 6**

On page 2, strike out lines 10 to 12, inclusive, and insert "governing body shall proceed in accordance with the following provisions of this article."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 746**—An act to add Section 70045.4 to the Government Code, relating to superior court reporters of Trinity County.

Bill read second time.

***Consideration of Committee Amendments***

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "70045 4", and insert "70045 1".

**Amendment No. 2**

On page 1, line 1, strike out "70045.4", and insert "70045.1".

**Amendment No. 3**

On page 1, line 3, strike out "70045.4", and insert "70045 1".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 989**—An act to amend Section 28111 of the Government Code, relating to compensation for public service in a county of the eleventh class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 2, line 13, of the printed bill, after "jury", insert "which are held within the county".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 993**—An act to amend Section 25526 of the Government Code, relating to sale or lease of county real property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, lines 16 and 17, of the printed bill as amended in the Senate on April 24, 1959, strike out "one thousand eight hundred dollars ($1,800)", and insert "two thousand dollars ($2,000)".

**Amendment No. 2**

On page 1, line 18, strike out "less than one year", and insert "one year or less".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 971**—An act to amend Section 1352 of the Labor Code, relating to hours of employment of women and minors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in the Senate on April 17, 1959, after "and", insert "other".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 719**—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Industrial Relations, was read, and adopted:

**Amendment No. 1**

On page 3, line 6, of the printed bill, as amended in the Senate on March 24, 1959, strike out "employer or his estate or dependents", and insert "employee or his estate or dependents".

Bill ordered reprinted, and to be re-referred to the Committee on Industrial Relations.

**Senate Bill No. 905**—An act to amend Sections 445 and 531 of, and to add Sections 531.1 and 1061.1 to, the Revenue and Taxation Code all relating to property taxation and providing for the assessment of property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate on April 14, 1959, strike out lines 5 and 6, and insert

"Except as to the household furnishings and personal effects of householders, such required detail may include the cost of the personal property if the information is within the knowledge of the assessee or is available to him from his own or other records."

**Amendment No. 2**

On page 1, strike out lines 20 to 25, inclusive, and insert

"531.1. If the assessor requires an assessee to describe personal property in such detail as shows the cost thereof but the assessee omits to report the cost of the property accurately, notwithstanding that this information is available to the assessee, to the extent that this omission on the part of the assessee causes the assessor not to assess the property or to assess it at a lower valuation than he would enter upon the roll were the cost reported to him accurately, that portion of the property as to which the cost is unreported, in whole or in part, may be assessed as property that has escaped assessment."

**Amendment No. 3**

On page 2, line 5, after "statement", insert ", but the penalties imposed by Sections 1062 and 2922 shall not apply if solvent credits were erroneously assessed as possessory interests in tangible personal property, nor shall these penalties apply if in good faith an assessee claims as deductible debts amounts that are subsequently found not to be deductible".

Amendment No. 4

On page 2, strike out lines 6 to 11, inclusive.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 439**—An act to amend Section 402.5 of the Revenue and Taxation Code, relating to the assessment of property used for agricultural, airport or recreational purposes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 484**—An act to amend Section 13943.5 of the Government Code, relating to the discharge of state agencies from accountability for collection of taxes, licenses, fees, or money owing to the State.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 563**—An act to add Section 25509 to the Water Code, relating to assessment of land by irrigation districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 886**—An act to amend Sections 24404 and 25401 of the Revenue and Taxation Code, relating to the deductions of farmers co-operatives for bank and corporation tax purposes.

Bill read second time, and ordered to the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2248** and **96.**

**Assembly Bills Nos. 2544** and **2546,** subsequent to engrossment.

**Senate Bills Nos. 86** and **479.**

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2845 FROM COMMITTEE

Mr. Meyers was granted unanimous consent that Assembly Bill No. 2845 be withdrawn from the Committee on Municipal and County Government for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2845

**Assembly Bill No. 2845**—An act to add Article 3 (commencing with Section 65080) to Chapter 3 of Title 7 of the Government Code, relating to the San Francisco Bay Area Planning Agency.

Bill read second time.

Motion to Amend

Mr. Meyers moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Article 3 (commencing with Section 65080) to"; strike out lines 2 and 3 of the title, and insert "Chapter 6 (commencing at Section 66500) to Title 7 of the Government Code, relating to San Francisco Bay area planning, and making an appropriation."

**Amendment No. 2**

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Chapter 6 (commencing at Section 66500) is added to Title 7 of the Government Code, to read:

CHAPTER 6. SAN FRANCISCO BAY AREA REGIONAL PLANNING DISTRICT

Article 1. Short Title

66500. This chapter may be cited and shall be known as the San Francisco Bay Area Regional Planning Law.

Article 2. Declaration of Policy

66501. The Legislature finds and declares that the people of California have a fundamental interest in the orderly development of the metropolitan regions of the State in which large segments of the State's population are concentrated.

66502. The Legislature further finds and declares:

(a) That the State has a positive interest in the preparation and maintenance of a long-term general plan for the physical development of each of the State's metropolitan areas that can serve as a guide to state departments and divisions that are charged with constructing state-financed public works within such metropolitan areas.

(b) That continuing growth of the State, and particularly, metropolitan areas within the State, present problems which are not confined to the boundaries of any single county or city.

(c) That the planning activities of counties and cities can be strengthened and more effectively performed when conducted in relation to studies and planning of a metropolitan regional character.

(d) That the San Francisco Bay area, by reason of its numerous governmental jurisdictions, its irregular topography, and its location around a large body of water, presents special regional problems of physical development which can best be dealt with by a regional planning agency suited to that area rather than an agency created under general law.

(e) That the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma together form a metropolitan region well-adapted to unified consideration as a regional planning area.

(f) That in order to assure, insofar as possible, the orderly and harmonious development of the Bay area, and to provide for the needs of future generations, it is necessary for the people of the metropolitan Bay area community to develop a means of studying, forecasting, and planning for the physical growth and development of the nine-county region, which purpose may be best achieved by the establishment of a regional planning agency for the San Francisco Bay area.

Article 3. Definitions

66510. "District" as used in this chapter, means the San Francisco Bay Area Regional Planning District.

66511. "Board" as used in this chapter, means the San Francisco Bay Area Regional Planning Board.

66512. "Official census" as used in this chapter, means any decennial census, special census, or other census executed by or under the supervision of the United States Bureau of the Census, or any succeeding federal agency performing its functions.

66513. "Region" as used in this chapter, means the area included in the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

66514. "Regional plan" as used in this chapter, means a comprehensive, long-term general plan for the physical development of the region, and any land outside its boundaries which in the board's judgment bears relation to its planning. The regional plan shall consist of a text and a map or maps; and shall include at least the following sections:

(a) A concise statement of the principal findings of fact concerning the region, and a concise statement of the major problems and potentialities of the region;

(b) A statement of the major objectives, principles and standards expressed in the plan, and a summary of major proposals;

(c) Recommendations for the most desirable general arrangement of land use within the region, considered in respect to: trends in economic and population growth and development; the activities carried on within the region; the interrelationship between various activities; the habits, traditions, and living standards of the people within the region; the governments of the region; conditions of geology, topography, climate, bodies of water, and other relevant natural or environmental factors; the aesthetic characteristics, both naturally-existing and man-created, which affect the physical attractiveness and beauty of the region as a whole; and any other studies that may appear relevant to the board.

(d) The transportation system recommended for the region, including major routes and stations of transit; streets and highways (including bridges) of metropolitan importance; parking, trucking routes and terminals, ports, air terminals, and railroad lines and stations of metropolitan importance; and other facilities for the transportation of people and goods of metropolitan importance or regional concern.

(e) Recommendations concerning the need for and proposed general location of metropolitan facilities and reservations which by the nature of their function, size, extent or for any other causes appear to the regional planning board to be appropriate subjects for inclusion in the regional plan.

(f) Recommendations concerning the space resources of the region, that is, those major areas which, in the opinion of the regional planning board, should be carefully conserved, or which are so especially suited to some particular use as to render it contrary to the best interests of the metropolitan community that they be developed for any other use. Such areas may include, without limiting the generality of the foregoing, areas especially suited for industrial purposes; areas especially suited for recreational purposes; areas especially suited for agricultural purposes; areas especially suited for any combinations of the purposes above-listed; and areas best left in an undeveloped or relatively undeveloped state.

(g) Such other recommendations of the regional planning board concerning current or future problems as may in its opinion affect the region as a whole and are proper for inclusion in the regional plan.

### Article 4. Creation of District

66520. A regional planning district is hereby created comprising the area lying within the boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma, which shall be called the San Francisco Bay Area Regional Planning District.

66521. The district is a body corporate and politic and a public agency of the State.

66522. On the effective date of this chapter, the district shall begin to transact business and exercise its powers under this chapter.

### Article 5. City Selection Committees

66525. There shall be a separate and distinct city selection committee for each county or portion of a county in the district. The membership of such committees shall consist of the mayor of each city within such county or portion of a county within the district, or, where there is no mayor, the chairman or president of the city council.

66526. A majority of the members of each city selection committee shall constitute a quorum

66527. The City and County of San Francisco is both a city and a county for the purpose of this article

66528. The city selection committee of each county or portion of a county shall meet on October __, 19__, at 10 a.m. in the chambers of the board of supervisors of such county for the purpose of making the first appointment to the district board as prescribed in Section 66538. The committee of each county shall thereafter meet at 10 a.m. in the chambers of the board of supervisors of such county on the second Monday in May of each year that it is necessary to make succeeding appointments to the district board. At least two weeks prior to the date of each meeting the county clerk of each county shall give notice of such meeting to each member of the city selection committee of such county. The meeting of the city selection committee of each county shall be conducted in the presence of the county clerk of such county who shall act as the recording officer for the meeting. It shall be the duty of the county clerk to give an appropriate notice signed by the chairman of the committee to the Secretary of State and to the secretary of the district board of each appointment made by the city selection committee as prescribed by Section 66542

66529 Each committee shall appoint a chairman from among its members and such other officers as may be necessary.

66530. Members of the committees shall serve without compensation, but may be allowed actual expenses incurred in the discharge of their duties as may be authorized by the board of directors.

### Article 6. Governing Body

66535. The San Francisco Bay Area Regional Planning Board shall be the governing body of the district, and shall be selected as provided in this article.

66536. The number of members of the board to which each county or portion of a county is entitled shall be determined as follows:

(a) Each county or portion of a county having, within the district, a population of 300,000 or less shall have one (1) member of the Regional Planning Board who shall be appointed by a majority of the board of supervisors and by a majority of the city selection committee of said county from the members of the city and county legislative bodies.

(b) Each county or portion of a county having, within the district, a population of more than 300,000 and not more than 600,000 shall have two (2) members of the Regional Planning Board. One member shall be appointed by the board of supervisors from its own members and one member shall be appointed by the city selection committee from the members of the city councils in the county.

(c) Each county or portion of a county having, within the district, a population of more than 600,000 shall have four (4) members of the Regional Planning Board. Two members shall be appointed by the board of supervisors from its own members and two members shall be appointed by the city selection committee from the members of the city councils in the county.

The population figures as used herein shall be determined by the most recent estimate of populations as established by the State Director of Finance.

66537. On October __, 19__, the board of supervisors of each county, or portion of a county in the district shall appoint as members of the Regional Planning Board of said district the number authorized by Section 66536. If the county or a portion of the county is not included within the district on or before October __, 19__, then the board of supervisors of said county shall, within 30 days after the county or portion of said county is included within said district, appoint as members of the Regional Planning Board of said district the number authorized by Section 66536.

The members of the Regional Planning Board appointed by boards of supervisors shall be members of said boards of supervisors.

66538. On October __, 19__, the city selection committee of each county or portion of a county within the district shall appoint as members of the Regional Planning Board of said district the number authorized by Section 66536. If the county or a portion of the county is not included within the district on or before October __, 19__, then the city selection committee of said county or portion of a county shall, within 30 days after the said county or portion of a county is included within said district, appoint as members of the Regional Planning Board of said district the number authorized by Section 66536.

The members of the Regional Planning Board appointed by the city selection committee shall be mayors or members of the city councils of the cities.

66539. After the members of the Regional Planning Board to be appointed by the city selection committees and the county boards of supervisors have been designated, they shall meet and appoint eight citizen-at-large members who will be full members of the Regional Planning Board. These eight citizen-at-large members shall be selected from among persons living within the district who have made outstanding contributions to, or have demonstrated an active interest in, matters of regional concern.

The first meeting of the city and county members will be called by the Secretary of State in the manner specified in Section 66545. At the first meeting these members shall elect an acting chairman and an acting secretary and shall work out a procedure to be followed in developing a panel of candidates for and in making appointments to the eight positions of the citizen-at-large members. No other business shall be transacted until the eight citizen-at-large members of the board have been appointed and have assumed office.

66540. Each member of the first Regional Planning Board shall hold office until June 1, 19__, and thereafter the term of office of the member shall be four (4) years and until the appointment and qualification of his successor; provided, that the members of the board appointed for the term beginning June 1, 19__, shall classify themselves by lot within the city and county group and the citizen-at-large group so that approximately one-third (⅓) of the members of each group shall hold office for two (2) years, approximately one-third (⅓) shall hold office for three (3) years and approximately one-third (⅓) shall hold office for four (4) years. The power which originally appointed a member whose term has expired shall appoint his successor for a full term of four (4) years. Any member may be removed for cause by the power appointing him if notice is given and a hearing is held.

66541. No supervisor, mayor or city councilman shall hold office on the Regional Planning Board for a period of more than three months after ceasing to hold the office of supervisor, mayor or city councilman, respectively, and his membership on the board shall thereafter be considered vacant, except that any mayor who continues to hold office as a city councilman, or city councilman who continues to hold office as mayor shall not be considered to have ceased to hold office under this section.

66542. Each member of the Regional Planning Board appointed by a board of supervisors shall be appointed by a resolution of that board. Each member of the Regional Planning Board appointed by a city selection committee shall be appointed by a majority vote of the committee evidenced by a notice signed by the chairman of said committee. Each member of the Regional Planning Board appointed jointly by a board of supervisors and a city selection committee shall be appointed by a resolution of the board of supervisors and a majority vote of the city selection committee as evidenced by a notice signed by the chairman of said committee. Each citizen-at-large member of the Regional Planning Board shall be appointed by a majority vote of the city and county members of the board as evidenced by a notice

signed by the acting chairman of said members. Certified copies of all said resolutions and all said notices shall be forwarded without delay to the Secretary of State and to the secretary of the district.

66543. Any vacancy on the Regional Planning Board shall be filled for the unexpired term by appointment by the power which originally appointed the member whose position has become vacant.

66544. No person while serving as a member of the Regional Planning Board shall be eligible to be appointed to any salaried office or employment in the service of the district nor shall he become eligible for such appointment within one (1) year after he has ceased to be a member.

66545. Within thirty (30) days after the Secretary of State has received certified copies of the resolutions and notices appointing the city and county members of the Regional Planning Board he shall call the first meeting of these members of the board and shall designate an appropriate time within said thirty (30) day period for the meeting, which shall be held in any city in the district as designated by the Secretary of State. After the city and county members of the board have appointed the eight citizen-at-large members in accordance with the provisions set forth in Section 66539, and within thirty (30) days after the Secretary of State has received certified copies of the notices of appointment of the citizen-at-large members, he shall call the first meeting of the full membership of the Regional Planning Board and shall designate an appropriate time within said thirty (30) day period for the meeting, which shall be held in any city in the district as designated by the Secretary of State

66546. The board is the governing body of the district and shall exercise all of the powers of the district, except as otherwise provided.

66547. A majority of the members of the board constitutes a quorum for the transaction of business and may act for the board.

66548. The board may elect a chairman and other officers as it deems necessary from among its own members.

66549. The board may appoint an executive committee, consisting of the chairman of the board, and not more than eight or less than four other members of the board, and such executive committee may carry on the administrative and executive functions of the board between full meetings.

66550 The board shall meet at least 10 times in each year, and may call additional meetings at its own discretion, or, during periods between meetings, at the discretion of a majority of the executive committee.

66551 Each member of the board shall receive the actual and necessary expenses incurred by him in the performance of his duties, plus a compensation of $50 for each day attending the meetings of the board, but such compensation shall not exceed $1,000 in any one year.

66552. The provisions for the executive committee set forth in this article shall not be construed to limit the board or the executive committee from setting up any other committees or groups which it may see fit.

### Article 7. Powers and Duties of District

66555. The district shall have power:

(a) To have perpetual succession.

(b) To sue and be sued in the name of the district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

(c) To adopt a seal and alter it at its pleasure.

(d) To establish and maintain such offices as are judged best to facilitate the accomplishment of the purposes of the district, and to take by grant, purchase, devise, or gift, or to lease or rent, and to hold, use, and enjoy any real or personal property necessary or convenient to the establishment, maintenance or operation of such offices, and to exchange or dispose of such property.

66556 The district shall perform the following four major functions

(a) The district shall, as a primary function, prepare, maintain, and regularly review and revise, a regional plan as defined in Section 66514, and shall after at least two public hearings in different parts of the region and such other public meetings as may appear to it advisable, adopt such plan as the regional plan for the region, and shall, after at least two public hearings and such other public meetings as may appear to it advisable, adopt revisions of such plan from time to time when in the judgment of the board such revisions are necessary in the light of changing conditions. Such plan shall be based on comprehensive studies of the physical, economic, social and governmental conditions of the entire district and related areas, and shall aim at the co-ordinated physical development of the region in a manner best designed to promote the general welfare and prosperity of its people In preparing, adopting, maintaining, reviewing and revising the regional plan, the board shall take account of and seek to harmonize, within the framework of the needs of the metropolitan community as a whole, the master or general plans of cities and counties within the region, and the plans and planning activities of state, federal and other public and private agencies, organizations and instrumentalities within the region and adjacent to it. Before adoption of the

regional plan or of any revisions to the plan the board shall refer the proposed plan or proposed revisions to each city and county government for review, and shall allow a reasonable time for the formulation of recommendations by city and county governments on the proposed regional plan and proposed revisions to the plan. In preparing, adopting, maintaining, reviewing and revising the regional plan, the board shall actively seek the co-operation and advice of cities and counties, or state and federal agencies, organizations and instrumentalities, of educational institutions and research organizations, whether public or private, and of civic groups and private persons or organizations.

(b) The district, acting in its own judgment, shall make, publish, or assist in making or publishing, studies or investigations of the resources of the region and of existing or emerging problems of any nature related to the physical growth and development, living conditions, beauty, or prosperity of the region, or any part thereof.

(c) The district shall publish, transmit and explain the regional plan, regional studies, and any other activities of the board to each of the cities and counties within the district, and similarly shall publish, transmit and explain the regional plan, regional studies and any other activities of the board to all relevant state and federal agencies, organizations and instrumentalities, to educational institutions, to relevant civic and citizen groups of all types, and to private citizens who have evidenced interest in the work of the board. In carrying out this function, the board may hold public hearings, prepare printed and visual materials of all sorts, and use any medium of communication judged to be most appropriate and effective.

(d) The district shall promote and encourage the growth and development of regional understanding and co-operation through sponsorship and participation in public or private meetings for the consideration of regional problems, through appropriate publications, or the use of any medium judged to be most appropriate and effective. The district may further, acting in its own judgment, offer its facilities and services to assist in the solution of problems related to physical development involving two or more governing bodies, planning commissions, agencies, organizations or instrumentalities, public or private, and may otherwise participate in any program or activity intended to seek or find common or co-operative solutions to problems related to physical development or the integration of policies related to physical development and conservation within the region, or in any part thereof.

66557. The district shall from time to time study and review, in the light of changing conditions and the evolving needs of the region: (a) the nature and scope of the regional planning function in the San Francisco Bay area, and (b) the organization under which the regional planning function may be best carried on. The board shall report to the cities and counties within the region, to all relevant state and federal agencies, organizations and instrumentalities, to relevant civic and citizen groups, and to the State Legislature and the appropriate committees thereof, on ways in which such function or organization may be improved, including, without limiting the generality of the foregoing, proposals concerning the structure of this district, co-operation or combination of this district with other governmental agencies in the Bay area, or other means for the effectuation of the purposes of this chapter.

66558. The district shall have power to contract or otherwise participate in, and to accept grants, funds, or services from the Federal Government, its agencies or instrumentalities in connection with any federal program judged by the board to be relevant to its functions; and the board shall similarly have the power to contract or otherwise participate in, and to accept grants, funds, or services from the State, or any agency or instrumentality thereof, or any city, county, civic organization or private person in connection with any program judged by the board to be relevant to its function.

66559. The district shall have power to contract with any consultant, or to contract for any other types of services judged by the board to be necessary or convenient for carrying out the purposes of the district.

66560. The district shall have power to do all other acts as may, in the judgment of the board, be necessary or appropriate to carry out the provisions of this chapter and the purposes of the district.

66561. The board, acting with the advice of the director, shall determine the compensation, number, and general duties of personnel employed by the district.

66562. The board may contract with any city or county, any state department, or any competent person or agency to conduct competitive examinations for ascertaining the fitness of applicants for employment.

66563. The board may adopt a merit service system for any or all employees of the district, except that the regional planning director shall be exempt from such system and shall serve at the pleasure of the board; provided however, the director shall have, if he so requests, the right to a public hearing prior to any action for his dismissal.

Article 8. Regional Planning Director

66565. The board shall appoint a regional planning director who shall receive a salary not less than that of any county or city planning director within the region.

66566. The regional planning director shall be the chief administrative and planning officer and technical advisor of the board. The director shall, subject to the supervision of the board:

(a) Direct and administer the preparation, maintenance, regular review and revision of the regional plan, and administer and execute all of the other functions and duties of the district set forth in this chapter.

(b) Appoint and remove personnel of the district, subject to Article 7.

(c) Serve, or designate personnel to serve, as executive secretary to the board.

(d) Serve, or designate personnel to serve, as secretary to the Official Representatives and Technical Advisory Committees, including reasonable services in respect to the organization, calling of meetings, distribution of reports, and any other activities which such Official Representatives or Technical Advisory Committees, or any subcommittees thereof, may wish to undertake in the furtherance of their own functions.

(e) Have access, or designate personnel to have access, to information, reports and data which relate to the functions and duties of the district in the possession of departments, agencies, or instrumentalities of the State, or in the possession of departments, agencies or instrumentalities of cities or counties within the district.

(f) Enter upon, or designate personnel to enter, at reasonable times, and in such manner as to cause no unnecessary injury, upon any land in order to make examinations and surveys related to the functions of the district

(g) Perform such other duties and exercise such other powers as the board may delegate to him.

Article 9. Filing of Local Reports

66570. To facilitate effective and harmonious planning and development of the region, all county and city legislative bodies, and all county, city or other planning agencies within the district shall file with the board, for its information, all county or city master or general plans, the elements of such master or general plans, and any other plans, zoning ordinances, official maps, building codes, subdivision regulations, or amendments or revisions of any of them, as well as copies of any regular and special reports dealing in whole or in part with planning matters. All agencies, organizations and instrumentalities of the State within the region shall file with the board, for its information, all public plans, maps, reports and other documents which are related to regional planning or other activities of the district.

66571. To facilitate further the effective and harmonious planning of the district, the board may request from the Federal Government, its agencies and instrumentalities, and from private organizations, agencies, or individuals, copies of those plans, maps, reports and other documents which are related to regional planning or the other activities of the district.

66572. Nothing in this article shall be construed to limit the right of the director to access to information as set forth in Section 66566 of this chapter.

Article 10. Co-ordination of Research

66575. The board may make recommendations to county and city legislative bodies, planning commissions, and all other city or county planning agencies within the district, and to agencies, organizations and instrumentalities of the State and Federal Government (including the State Legislature and appropriate committees thereof), and private organizations, agencies, or individuals within the district, for the co-ordination of research and the collection of data, the improvement or standardization of procedures, or any other matter which may be of assistance to regional planning, the activities of the district, or the activities of the various agencies, organizations, instrumentalities or individuals concerned.

Article 11. Referrals

66577. County or city legislative bodies, planning commissions, and all other county or city planning agencies within the district, and agencies, organizations and instrumentalities of the State and Federal Government within the district, and private planning consultants acting within the district, may submit proposals for any master or general plan, the elements of any master or general plan, any other plan, map, report, capital improvement program, proposed bond issue, or any other report or document or amendments or revisions thereto, prior to their adoption, to the regional planning board for its advice thereon, which advice the board shall give whenever in its opinion it is reasonably possible for it to do so. Such advice shall consist of a report as to the conformance of such proposals to the regional plan, the possible effect of such proposals on other portions of the region, and any other matters which in the judgment of the board may be of assistance to the body requesting such advice.

Article 12. Annual Report

66580. In addition to the other reports, studies and documents provided in this chapter, the board shall submit to the legislative bodies and to the planning agencies of all of the counties, cities, and to other governmental agencies and instrumentalities, official representatives, other agencies, organizations and individuals, public or private, designated by the board, an annual report on or before the first day of March. The annual report shall contain an evaluation of the major problems and

opportunities for desirable development facing the region, a report on the status of the regional plan, and descriptions of those sections of the regional plan which have been amended, revised, added or deleted during the year, and the nature of such amendments, revisions, additions or deletions. The annual report shall also contain summaries of important studies partially or entirely completed by the board during the year, and a brief report of other major activities

Article 13. Official Representatives

66585 Each of the following agencies, organizations and individuals may designate, from among its own members, one person to be accredited as the official representative of that agency in matters concerning regional planning:

(a) Each county and city planning commission within the district

(b) Each redevelopment and housing authority or agency within the district

(c) Any agencies, instrumentalities, or departments of the State which may be designated by Governor.

(d) Any district or authority, exclusive of school districts, within the district which has annual revenues of one million dollars ($1,000,000) or more, whose facilities are directly used by 150,000 or more persons per year, or which includes territory in more than one county.

(e) One official representative of school districts from each county within the district as may be designated by the county superintendent of schools.

(f) Any agencies, instrumentalities or departments of the Federal Government, not exceeding 15, which may be designated by the President of the United States.

(g) Other public or private agencies and organizations as the board may from time to time designate.

66586. The director shall invite each of such agencies, organizations and individuals to select an official representative, and shall accredit the official representatives chosen

66587. Each official representative shall receive a copy of each report issued by the district, a notice of meeting, agenda, and minutes of meeting of every meeting of the board, and any other information or material which the board may wish to issue.

66588. Each official representative shall have, upon the giving of reasonable notice, and subject to reasonable regulation by the board, the right to request the addition of any matter to the agenda of any regular board meeting, and to present the views of those represented at that time In addition, any official representative may submit written reports of the views of those represented at any time, which reports shall be filed as part of the official records of the district.

66589 Official representatives shall serve at the discretion of the agency, organization or individual designating them, and the director shall remove accreditation, and give new accreditation upon the written request of such agency, organization or individual.

Article 14. Technical Advisory Committees

66595. The board may appoint, with the advice of the director, from time to time, technical advisory committees of skilled and experienced persons to study various aspects of matters related to the functions and duties of the district and to report to the board.

66596. Technical advisory committees shall, in each case, be selected to include broadly representative points of view as well as skill and experience in those fields in which they are requested to make studies.

Article 15. Financial Provisions

66600. The sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary, is hereby appropriated from the General Fund for expenditure by the Bay Area Regional Planning District during the first year of its operations, or until it receives its first receipts from the financing procedures herein provided

66601. The district may borrow money and incur indebtedness in anticipation of the revenue for the current year in which the indebtedness is incurred or of the ensuing year. Such indebtedness shall not exceed the total amount of the estimate of the tax income for either the current year or the ensuing year

66602. Before the fifteenth day of June of each year the board shall estimate and determine the amount of money required by the district for purposes of the district during the ensuing fiscal year and shall apportion this amount to the counties included within the district, one-half according to the relative value of all the property in each county within the district as determined by the board and one-half in the proportion that the population of each county bears to the total population of the district. For the purposes of this section the board shall base its determination of the population of the several counties on the latest official census information available to it. The total amount of money required by the district for district purposes during any one fiscal year shall not exceed one cent ($0.01) on each one hundred dollars ($100) of the assessed valuation of all the property included in the district

66603 On or before the fifteenth day of June of each year, the board shall inform the boards of supervisors of each county of the amount apportioned to the county.

Each board of supervisors shall levy an ad valorem tax on the taxable property within the county included within the district sufficient to secure the amount so apportioned to it and such taxes shall be levied and collected together with, and not separately from, the taxes for county purposes and paid to the treasurer of each of the counties to the credit of the district.

66604 Taxes levied by the board of supervisors for the benefit of the district shall be a lien upon all property within such county lying within the district and shall have the same force and effect as other liens for taxes. Their collection may be enforced in the same manner as liens for county taxes are enforced.

66605 The treasurers of the several counties within the district shall pay into the district treasury all funds held by them to the credit of the district.

66606. The district board shall, in carrying out the provisions of this article, comply as nearly as possible with the provisions of Chapter 1 of Division 3 of Title 3 of the Government Code.

Article 16. Saving Provision

66608. The failure of any legislative body, commission, agency, organization, instrumentality, individual, or official representative to receive any agenda, notice of meeting, minutes, report, or document or material of any sort provided for in this chapter shall not affect the validity nor impair the lawful effect of any action or activity of the district.

Article 17. Dissolution

66609. The State of California reserves the right to dissolve, combine, alter, modify or amend in any manner the organization and powers of the district established in this chapter, including, without limiting the generality of the foregoing, the association, combination or integration of such district with any other district, agency, body or instrumentality within the region in a manner which in the judgment of the Legislature may appear best to carry out the purposes of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2586 FROM COMMITTEE

Mr. Bee was granted unanimous consent that Assembly Bill No. 2586 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2586

**Assembly Bill No. 2586**—An act to amend Section 5580 of the Business and Professions Code, relating to the practice of architecture, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Motion to Amend

Mr. Bee moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 9, inclusive, and insert "Nothing in this section shall prevent one or more architects from practicing or offering to practice architecture through the medium of a corporation if a majority of the officers and directors of the corporation and the owners of 51 percent of all voting stock of such corporation are".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Hanna was granted unanimous consent to take up Senate Bill No. 72, at this time, for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 72

**Senate Bill No. 72**—An act to amend Sections 73731, 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of the Government Code, relating to municipal courts.

Bill read third time.

### Motion to Amend

Mr. Hanna moved the adoption of the following amendment:

### Amendment No. 1

On page 5, line 5, of the printed bill, as amended in the Assembly on May 15, 1959, strike out "One", and insert "Two".

Amendment read, and adopted.

Bill ordered reprinted and to third reading.

## SENATE BILL NO. 460 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Senate Bill No. 460**, on request of Mr. Kennick.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No 2151 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 397**—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 397?

### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 2, 1959, strike out "and advanced", and insert "a postgraduate".

### Amendment No. 2

On page 1, line 11, strike out "advanced", and insert "postgraduate"

### Amendment No. 3

On page 1, line 12, strike out "in the evenings and on Mondays", and insert "after 6:00 p.m. on any workday".

### Amendment No. 4

On page 1, at the end of line 11 of the printed bill, as amended in the Senate on April 13, 1959, insert "to a registered apprentice or a registered barber".

The Assembly concurred in Senate amendments to Assembly Bill No. 397 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick

Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 397 ordered enrolled.

## OBJECTION TO RETURNING SENATE BILL NO. 621 TO THE SENATE

Mr. Bradley objected to the returning of Senate Bill No. 621 to the Senate pursuant to its request; and was granted unanimous consent that the request be retained on the unfinished business file.

## CONSIDERATION OF GOVERNOR'S VETO

**Senate Bill No. 284**—An act to amend Section 27641 of the Government Code, relating to the county counsel.

Governor's message stating his objections read previously.

The question being: Shall Senate Bill No. 284 become a law notwithstanding the objections of the Governor?

### Speaker pro Tempore Presiding

At 10.23 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Point of Order

Mr. Unruh arose to the following point of order: That the bill is not before the House.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: How will the question be put?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the question is: Shall Senate Bill No. 284 become a law notwithstanding the objections of the Governor?, and that a "No" vote will sustain the Governor.

### Demand for Previous Question

Messrs. Winton, Charles H. Wilson, Johnson, Schrade, and Luckel demanded the previous question. Demand sustained.

The question being: Shall Senate Bill No. 284 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, DeLotto, Elliott, Grant, Hanna, Holmes, House, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, Reagan, Schrade, Shell, Sumner, and Thelin—31.
NOES—Don A. Allen, Backstrand, Bee, Belotti, Biddick, Britschgi, Crawford, Crown, Cunningham, Davis, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lowrey, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—43

### Statement by Mr. Winton

Mr. Winton stated his reasons for not voting on either the passage of Senate Bill No. 284 or the sustaining of the Governor's veto thereto.

The Speaker pro Tempore suggested that Mr. Winton prepare his statement for printing in the Journal, if he so desired.

### MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1110 CONTINUED

Mr. Charles H. Wilson was granted unanimous consent that his motion to reconsider the vote on the Bruce F. Allen Amendments to Assembly Bill No. 1110 be continued until the next legislative day.

### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1189**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read third time.

#### Parliamentary Inquiry

Mr. Porter arose to the following parliamentary inquiry: Is Assembly Bill No. 1189 properly before the House, in view of the action taken on the measure during the past two weeks?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the bill, as amended on March 16th, is properly before the House.

#### Parliamentary Inquiry

Mr. Britschgi arose to the following parliamentary inquiry: That since the bill was last amended on May 12th, and since on May 18th, these amendments were ruled not germane, should not a printed copy of the bill with the May 18th action be before the House?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that, since the amendments of May 12th were ruled not germane, the bill, as amended on March 16th, is before the House.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, George E. Brown, Burke, Busterud, Chapel, Conrad, Crawford, Cusanovich, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, McMillan, Meyers, Munnell, Nisbet, Petris, Porter, Schrade, Shell, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Winton—48.

NOES—Belotti, Biddick, Bradley, Britschgi, Burton, Cameron, Coolidge, Cunningham, Dahl, Elliott, Garrigus, Samuel R. Geddes, Holmes, Lowrey, MacBride, Masterson, O'Connell, Pattee, Reagan, Rees, Sedgwick, Thelin, Waldie, and Z'berg—24.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT

Mr. Hegland announced that today was the birthday of Assemblyman Jack Schrade, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Schrade.

### NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1189

Miss Donahoe and Mrs. Davis were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1189.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 494**—An act to amend Sections 2655, 3266, 3270, and 3271 of, to repeal Article 4 (comprised of Section 3101 to 3104, inclusive) of Chapter 5 of Part 2 of Division 1 of, and to add Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Bill read third time.

#### Motion to Amend

Mr. Unruh moved the adoption of amendments to Assembly Bill No. 494.

#### Parliamentary Inquiry

Mr. Elliott arose to the following parliamentary inquiry: Do the amendments exceed 25 words?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that they did.

#### Parliamentary Inquiry

Mr. Elliott arose to the following parliamentary inquiry: Have the amendments been printed in the Journal?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that they had not.

#### Point of Order

Mr. Elliott arose to the following point of order: That the amendments do not comply with the requirements of Rule No. 70, as amended by House Resolution No. 272.

#### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

#### Motion to Temporarily Suspend Rule No. 70

Mr. Unruh moved that Rule No. 70 be temporarily suspended for the purpose of permitting the amendments by Mr. Unruh to be considered, at this time.

Mr. Elliott seconded the motion.

Motion for temporary suspension of Rule No. 70 carried by the following vote:

AYES—Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Conrad, Crown, Cunningham, Davis, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—43.

NOES—Beaver, Bradley, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Ernest R. Geddes, Hawkins, Levering, Schrade, Sedgwick, Shell, and Thelin—15

**Motion to Amend**

Mr. Unruh moved the adoption of the following amendments:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 7, 1959, strike out "to repeal Article 4 (comprised of Section 3101 to 3104, inclusive) of Chapter 5 of Part 2 of Division 1 of.".

**Amendment No. 2**

In line 4 of the title, after "add", insert "Section 3105 and".

**Amendment No. 3**

On page 4, strike out lines 6, 7, and 8, and insert

"SEC. 3. Section 3105 is added to Article 4 of Chapter 5 of Part 2 of Division 1 of said code, to read:

3105. The provisions of Sections 3101, 3102, 3103, and 3104 shall be suspended during the calendar years 1959, 1960, and 1961."

**Amendment No. 4**

On page 5, line 42, strike out "repeal", and insert "suspension"

**Amendment No. 5**

On page 5, line 47, strike out "repeal", and insert "suspension".

**Amendment No. 6**

On page 5, line 49, strike out "repeal", and insert "suspension".

**Amendment No. 7**

On page 6, line 6, strike out "repeal", and insert "suspension".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## NAME PLACED UPON ROLL CALL ON SUSTAINING GOVERNOR'S VETO TO SENATE BILL NO. 284

Mr. Belotti was granted unanimous consent that he be recorded as voting "No" on the roll call sustaining the Governor's veto to Senate Bill No. 284.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2118**—An act to create a flood control district to be called Lassen County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read third time.

**Speaker Presiding**

At 11.24 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1029**—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "hairdresser and cosmetician or".

**Amendment No. 2**

On page 1, lines 12 and 13, strike out "hairdresser and cosmetician or".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 398**—An act to amend Sections 12512, 12513, 12514, and 12650 of, to add Section 13367 to, and to repeal Section 12507 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to age limits for vehicle drivers' licenses.

Bill read third time.

**Demand for Previous Question**

Messrs. Crown, Schrade, Ernest R. Geddes, Holmes, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Bruce F. Allen, Bee, Crawford, Crown, Hegland, Kennick, Levering, Luckel, Miller, Nisbet, O'Connell, Schrade, and Shell—13.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider the vote on Assembly Bill No. 398 was made. *See* page 4161.

**Assembly Bill No. 399**—An act to amend Section 8107 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to automobile driver training in the public schools.

Bill read third time, and ordered passed on file, and to retain its place on file.

### ANNOUNCEMENT

Mr. Winton announced that he would move to adjourn until 9.30 a.m. on Tuesday, May 26th, as soon at the desk work was completed.

### REQUEST FOR UNANIMOUS CONSENT TO ADJOURN IN MEMORY OF JOHN FOSTER DULLES

Mr. Shell was granted unanimous consent that, when the Assembly this day adjourns, it do so out of respect to the memory of the late John Foster Dulles.

### REQUEST FOR UNANIMOUS CONSENT

Mr. MacBride was granted unanimous consent to take up Senate Bill No. 353, at this time, for purpose of amendment; and that he be permitted to offer amendments which would amend Assembly Bill No. 1357 into Senate Bill No. 353.

### CONSIDERATION OF SENATE BILL NO. 353

**Senate Bill No. 353**—An act to add Section 5303 to, to add Chapter 6, comprising Sections 5500 through 5506, to Division 6 of Title 1 of, and to amend Sections 5302 and 29917 of the Government Code; to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session; to amend Section 55525 of the Water Code; to amend Section 4790 of the Health and Safety Code; and to amend Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915); relating to signatures, countersignatures, and facsimile signatures or seals on public obligations.

Bill read third time.

#### Request for Unanimous Consent to Amend

Mr. MacBride was granted unanimous consent that the following amendments be adopted:

#### Amendment No. 1

On page 3, line 41, of the printed bill, as amended in the Assembly on May 15, 1959, strike out "clerk thereof", and insert "county clerk or the clerk of the board of supervisors or by a deputy of either of such officers".

#### Amendment No. 2

On page 3, line 42, strike out "All", and insert "Unless the board of supervisors otherwise provides, all".

#### Amendment No. 3

On page 4, line 1, strike out "is a legal charge", and insert "and legal fees of independent bond counsel retained by the school district issuing the bonds are legal charges".

#### Amendment No. 4

On page 4, line 2, after "bonds", insert "and may be paid from the proceeds of sale of the bonds".

Amendments read, and adopted unanimously.

Bill ordered reprinted, and to third reading.

### SENATE CONCURRENT RESOLUTION NO. 70 AND SENATE JOINT RESOLUTION NO. 22 RE-REFERRED TO COMMITTEE

Mr. Miller was granted unanimous consent that Senate Concurrent Resolution No. 70 and Senate Joint Resolution No. 22 be re-referred to the Committee on Agriculture.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Samuel R. Geddes was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of permitting Senate Concurrent Resolution No. 70 and Senate Joint Resolution No. 22 to be heard in the Committee on Agriculture on Wednesday, May 27, 1959.

### ANNOUNCEMENT

Mr. Bradley announced that the recessed meeting of the Committee on Municipal and County Government would be held in Room 2170 at 8 p.m. this evening, at which time the hearings on Assembly Bills Nos. 920 and 1473 would be continued.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1750
Assembly Bill No. 2222
Assembly Bill No 2361
Assembly Bill No. 2488
Assembly Bill No. 2524

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2544
Assembly Bill No. 2546

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2701

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1000

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### PARLIAMENTARY INQUIRY

Mr. Unruh arose to the following parliamentary inquiry: Is the House on the order of business of motions and resolutions?

#### Reply by Speaker

The Speaker replied that it was not, since that order of business was taken up this morning as Item 10 on the regular Assembly Order of Business.

### REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 800 FOR SPECIAL ORDER

Mr. Unruh was granted unanimous consent that Assembly Bill No. 800 be made a special order of business for Wednesday, May 27, 1959, at 10 a.m.

### PARLIAMENTARY INQUIRY

Mr. O'Connell arose to the following parliamentary inquiry: Is the House on the order of business of notices of motions?

#### Reply by Speaker

The Speaker replied that a motion to reconsider would be in order.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 398

Mr. O'Connell moved to reconsider on the next legislative day the vote whereby Assembly Bill No 398 was this day passed. (Assembly Journal, page 4158.)

Assembly Bill No. 398 and the motion to reconsider ordered to the unfinished business file.

### RE-REFERENCE OF SENATE BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 168, 461,** and **782** to the Committee on Judiciary—Civil.

**Senate Bill No. 565** to the Committee on Elections and Reapportionment.

**Senate Bill No. 391** to the Committee on Public Health.

**Senate Bill No. 515** to the Committee on Ways and Means.

### ADJOURNMENT

At 11 57 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 26, 1959, out of respect to the memory of the late John Foster Dulles, former Secretary of State of the United States.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-FOURTH LEGISLATIVE DAY

ONE HUNDRED SECOND CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, May 26, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God, Ruler of Creation,* Rule firmly in the hearts of all lawmakers. We have seen nations destroyed for want of authority, or perish when evil forces took control, we have seen multitudes abandoning themselves to whatever authority would claim and protect them, for they had no center of authority within themselves. Make us to be men who can live without external authority, which on one hand relieves of responsibility and on the other hand provides a ready defense against change to a better way. Grant, O God, that the true center and government of our world, as of ourselves, may be in Jesus Christ, of whom it was once said, "He taught them as one who had authority"—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. McCollister.

### REQUEST FOR LEAVE OF ABSENCE

Mr. Britschgi requested that Mr. Francis be excused for yesterday and today, because of illness.

Request for leave for yesterday ruled not in order.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Francis, on motion of Mr. Britschgi.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

John Trimble and Cecilia Deeringer of Loma Linda, relative to social security for state employees. Referred to the Committee on Civil Service and State Personnel.

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Ben Blea and Victor Crivolo of San Francisco, relative to Assembly Bill No. 590. Referred to the Committee on Finance and Insurance.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. MacBride, Marks, Z'berg, Busterud, Biddick, and Meyers:

### House Resolution No. 280

Relative to welcoming the annual meeting of the National Council of the Boy Scouts of America

WHEREAS, The Forty-ninth Annual Meeting of the National Council of the Boy Scouts of America will be held in San Francisco June 4th through 6th of this year and will be attended by delegates from all of the states, including Alaska and Hawaii, with an anticipated attendance of 2,000 persons; and

WHEREAS, At this meeting national officers for the Boy Scouts of America will be elected, business sessions will be held, workshop meetings relating to the improvement of all phases of Boy Scout work will be conducted, and plans will be formulated for the observance of scouting's Fiftieth Anniversary in 1960, which will be a year of special features, including the National Jamboree near Colorado Springs for over 50,000 of the Nation's outstanding Scouts and Explorers; and

WHEREAS, The organization and direction of the meeting are in the hands of Dr. Arthur A. Schuck, Chief Scout Executive, and Mr. Kenneth K. Bechtel of San Francisco, a prominent industrialist and civic leader, who will be retiring at this meeting as President of the National Council after four years of outstanding scout leadership; now, therefore, be it

*Resolved by the Assembly of the State of California*, That all delegates to the Forty-ninth Annual Meeting of the National Council of Boy Scouts of America are hereby extended a sincere welcome to the State of California and the best wishes of the people of this State for an enjoyable visit; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Bert Geisreiter, President of the Golden Empire Council, Boy Scouts of America, and Mr. Theodore Rosequist, Chairman of Section 5, Region XII of the Boy Scouts of America, to be presented by them to the Forty-ninth Annual Meeting of the National Council of the Boy Scouts of America on behalf of this Assembly.

Resolution read, and referred to the Committee on Rules.

By Mr. Bee:

### House Resolution No. 281

Relating to Vail Medal winner Jim T. Johannes

WHEREAS, Mr. Jim T. Johannes, a Pacific Telephone Company employee of Hayward, California, has been named by the Bell System to receive its bronze Vail Medal for Public Service for his heroic rescue on December 29, 1958, of a 14-month-old girl from a burning building; and

WHEREAS, This rescue was completed by Mr. Johannes when he spotted a fire as he drove past the building. He stopped and ran to the house where he saw Mrs. Louise Brock at a second floor window with her 14-month-old baby daughter, Sheila, obviously in grave danger. Mr. Johannes called to the mother to jump and stated he would try to break her fall, whereupon she replied she could not because

of her daughter who was in her arms. Mr. Johannes called for her to drop the baby which she finally did and Mr. Johannes caught the child in his outstretched arms, completely unharmed; and

WHEREAS, After having saved one life from this terrible fire, Mr. Johannes ran to his truck and obtained an extension ladder which he used to further aid in rescuing the other occupants of the house; and

WHEREAS, The fury of this fire is witnessed by the fact that two lives were lost in the flames, now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr. Jim T. Johannes is hereby congratulated on his receipt of the Vail Medal for Public Service and is heartily commended by this body for his courageous efforts in saving the lives of the people mentioned; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Mr. Jim T. Johannes.

Resolution read, and referred to the Committee on Rules.

By Miss Donahoe and Mr. Williamson:

**House Resolution No. 282**

Relative to the retirement of Mrs. Guynoir Kratka

WHEREAS, The Assembly of the State of California has learned that Mrs. Guynoir Kratka will retire from Standard School at the end of the current school year, thus ending a career of over 39 years of outstanding service in the field of education and in public service; and

WHEREAS, Guynoir Kratka attended the University of Minnesota and after graduating from that institution of higher learning, began her teaching career in the State of Minnesota; and

WHEREAS, Mrs. Kratka began teaching at Standard School in 1920 when the entire enrollment of the school was only 260 pupils; and

WHEREAS, Although in her early teaching days she served as a teaching principal, and after coming to Standard she had numerous offers for administrative posts, she stuck to her first love, the classroom, and as a result will greet many hundreds of her former pupils in Standard cafeteria on May 17, and

WHEREAS, In addition to her main teaching schedule of social studies and United States Constitution, she has taught the future farmers, winning two firsts and a second in three years in the Sears Roebuck and Company competition, and she was adviser of the first school newspaper published at Standard Junior High in 1928, and will be honored at the annual press banquet at Norris Road Veterans' Hall on May 20th; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, on the occasion of the retirement of Mrs. Guynoir Kratka, joins her multitude of friends in extending congratulations and commendations on the outstanding record of achievement she has compiled during her lifetime of service, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Frank H. (Guynoir) Kratka, Frank Kratka, Jr., her son, and Genevieve K. Magruder, her daughter.

Resolution read, and referred to the Committee on Rules.

By Miss Donahoe and Mr. Williamson:

**House Resolution No. 283**

Commending Gladys Caster Rachal

WHEREAS, The Members of the Assembly have learned of the coming retirement of Mrs. Gladys Caster Rachal at the end of the present school year; and

WHEREAS, Mrs. Rachal commenced her career in the field of education as a teacher at Franklin School in Bakersfield in 1922, being the teacher of the first seventh and eighth grade graduating class of the Franklin School; and

WHEREAS, She taught at Washington School from 1928 to 1949, serving as head of the Mathematics Department during the last nine years of that period; and

WHEREAS, In 1949, she was transferred to the Department of Instruction as a supervisor of upper grades, a position she has held ever since; and

WHEREAS, She has been an active participant and supporter of the Bakersfield Elementary Teachers Club, California Teachers Association, National Education Association, California School Supervisors Association, Parent-Teachers Association, Business and Professional Women's Club, Junior Red Cross, and H. Y. Chapter of the P. E. O., of which she is a past president; and

WHEREAS, With her reputation for thorough and conscientious work, skillful and effective leadership, and quiet dignity of manner, she epitomizes the accolade "Master Teacher," now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Gladys Caster Rachal for her many years of outstanding service to the youth of this State, and wish her health and happiness in her well-earned retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution of Mrs. Gladys Caster Rachal.

Resolution read, and referred to the Committee on Rules.

By Mr. Cameron:

**House Resolution No. 284**

Relative to a study of hospital and medical costs

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session, the subject of group insurance plans providing medical and hospital insurance coverage and their relation to the costs of hospital services and medical care in the State of California. The committee shall study all facts and circumstances relating to the subject of this resolution, shall make appropriate recommendations as to the advisability or necessity for legislation in this area of insurance coverage, and shall report its findings and recommendations to the Legislature by the seventh calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Mr. Busterud:

**House Resolution No. 285**

Relative to the death of John Foster Dulles

WHEREAS, It was with the deepest sorrow that the Members of the Legislature learned of the regrettable death of former Secretary of State, John Foster Dulles; and

WHEREAS, Mr. Dulles was a man of principle and integrity who, ignoring every personal cost and sacrifice, dedicated his lifetime to the attainment of international peace; and

WHEREAS, During his eventful years as Secretary of State, he earned the admiration, respect and gratitude of all persons of the freedom-loving nations for his determined efforts in the fight against tyranny, and his championship of the oppressed; and

WHEREAS, This Country will not soon find another statesman of his indomitable courage, his invincible strength of character and purpose, and his deep sense of responsibility to mankind so clearly demonstrated in his unceasing efforts in pursuit of the goals of peace and justice; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution pay tribute to the memory of one of the great leaders of this Nation, John Foster Dulles, and extend their sincere condolences to the members of his family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. John Foster Dulles.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT RELATIVE TO RULES COMMITTEE MEETING

Speaker Brown announced, and requested that the record show, that the Committee on Rules was meeting, at this time.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 198 | Assembly Bill No. 2416 |
| Assembly Bill No. 578 | Assembly Bill No. 2417 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 395
Assembly Bill No. 1281
Assembly Bill No 1591
Assembly Bill No. 1705
Assembly Bill No. 1904
Assembly Bill No. 2242

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1708
Assembly Bill No. 2143
Assembly Bill No. 2506
Assembly Bill No. 2509
Assembly Bill No. 2564

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1087

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 165
Assembly Bill No. 898
Assembly Bill No. 989
Assembly Bill No. 1863
Assembly Bill No 1881
Assembly Bill No 2306
Assembly Bill No. 1168
Assembly Bill No. 2279
Assembly Bill No. 717
Assembly Bill No. 2144
Assembly Bill No. 2149
Assembly Bill No. 830
Assembly Bill No. 2400
Assembly Bill No. 1000

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 93
Assembly Bill No. 2117
Assembly Bill No 2246
Assembly Bill No. 2403

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 590

With the recommendation: That the bill be re-referred to the Committee on Finance and Insurance.

UNRUH, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 580
Assembly Bill No. 1680

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1398

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 153
Senate Bill No. 241
Senate Bill No. 512
Senate Bill No. 607
Senate Bill No. 741
Senate Bill No. 906

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 279
Senate Bill No. 480
Senate Bill No. 780
Senate Bill No. 999

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2534

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 333
Senate Bill No. 1110

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2567

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2596
Assembly Bill No. 2585
Assembly Bill No. 2589
Assembly Bill No. 2486

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1029
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 25, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 1541
Assembly Bill No. 2232
With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No 2231
With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:
Senate Bill No. 831
With amendments with the recommendation: Amend, and do pass, as amended

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2359
Assembly Bill No. 2701
Assembly Bill No. 2689
With the recommendation Do pass
Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2609
With the recommendation: Do pass, as amended.
Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports.
Senate Bill No. 158
With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

REES, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 432

With the recommendation: Do pass.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 498

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 423
Assembly Bill No. 1806

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 963

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

REES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2718

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

REES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1656
Assembly Bill No 2751
Assembly Bill No. 2833

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

## Committee on Rules

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 271
House Resolution No. 272
House Resolution No. 276
House Resolution No. 259

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 133

With the recommendation: That the resolution be re-referred to the Committee on Natural Resources, Planning, and Public Works.

MILLER, Chairman

Above resolution re-referred to the Committee on Natural Resources, Planning, and Public Works.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 135

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Concurrent Resolution No. 135

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Rules

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 72

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 202

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 465

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 516

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

O'CONNELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1441

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 614

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1245
Assembly Bill No. 269

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2016

With the recommendation That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2619
Assembly Bill No. 1443
Assembly Bill No. 1606
Assembly Bill No. 2549

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

## Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports.

Assembly Bill No. 1163
Assembly Bill No. 1164

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 174

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 897

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 1043

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 831

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 1046

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1023
Assembly Bill No. 1094
Assembly Bill No. 1226
Assembly Bill No. 1307
Assembly Bill No. 1736
Assembly Bill No. 1844
Assembly Bill No. 1941
Assembly Bill No. 1947
Assembly Bill No. 1954

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 134

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, May 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 380
Assembly Bill No. 1022
Assembly Bill No. 1024
Assembly Bill No. 1151
Assembly Bill No. 1154
Assembly Bill No. 1204
Assembly Bill No. 1217
Assembly Bill No. 1270
Assembly Bill No. 1346
Assembly Bill No. 1803
Assembly Bill No. 1903
Assembly Bill No. 1935
Assembly Bill No. 1936
Assembly Bill No. 1937
Assembly Bill No. 1938
Assembly Bill No. 1939
Assembly Bill No. 1940
Assembly Bill No. 1942
Assembly Bill No. 1943
Assembly Bill No. 1944
Assembly Bill No. 1945
Assembly Bill No. 1946
Assembly Bill No. 1948
Assembly Bill No. 1949
Assembly Bill No. 1950
Assembly Bill No. 1951
Assembly Bill No. 1952
Assembly Bill No. 1953
Assembly Bill No. 1955
Assembly Bill No. 2169
Assembly Bill No. 2176
Assembly Bill No. 2209
Assembly Bill No. 2210
Assembly Bill No. 2211

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 213

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 21

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Constitutional Amendment No. 21**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 4a and 15 of Article VI, relating to the elimination of obsolete or superseded language affecting the courts of the State.

Referred to Committee on Constitutional Amendments.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 22, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 26

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Joint Resolution No. 26**—Relative to the Army Language School at Monterey.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 25, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 87
Senate Bill No. 142
Senate Bill No. 262
Senate Bill No. 556
Senate Bill No. 603
Senate Bill No. 611
Senate Bill No. 620
Senate Bill No. 666
Senate Bill No 936
Senate Bill No. 948
Senate Bill No. 998
Senate Bill No. 1005
Senate Bill No. 1041
Senate Bill No. 1042
Senate Bill No. 1044
Senate Bill No. 1045
Senate Bill No. 1049
Senate Bill No. 1065
Senate Bill No 1104
Senate Bill No. 1157
Senate Bill No. 1194
Senate Bill No. 1208
Senate Bill No. 1222
Senate Bill No. 1223
Senate Bill No. 1225
Senate Bill No. 1240
Senate Bill No. 1328
Senate Bill No. 1344
Senate Bill No 1349

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 87**—An act to amend Section 5715 of, and to add Section 5715.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to maintaining of junior college classes outside of school district.

Referred to Committee on Education.

**Senate Bill No. 142**—An act to add Section 69613 to the Government Code, relating to the number of judges of the Superior Court of the County of San Luis Obispo.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 262**—An act to amend Sections 74502, 74503, 74504 and 74504.5, and to repeal Section 74516 of the Government Code, relating to the Municipal Court in the City and County of San Francisco.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 556**—An act to amend Section 216 of the Labor Code, relating to failure to pay wages.

Referred to Committee on Industrial Relations.

**Senate Bill No. 603**—An act to repeal Section 23363 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 611**—An act to amend Section 5054 of, and to add Sections 5055 and 5135 to, the Business and Professions Code, and to amend Section 5134 of the Business and Professions Code as amended by Senate Bill No. 104, relating to the practice of accountancy.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 620**—An act to add Section 5008.5 to the Public Resources Code, relating to the Division of Beaches and Parks.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 666**—An act to amend Section 1417, and to repeal Section 1418 of, and to add Sections 1418 and 1418.5 to, the Penal Code, relating to disposal of exhibits in criminal cases.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 936**—An act to add Section 703 to the Welfare and Institutions Code, relating to authorization of medical, surgical, dental, or other remedial care for minors.

Referred to Committee on Social Welfare.

**Senate Bill No. 948**—An act to amend Sections 1615, 3016, 4806, 5053, 7205, 7605, 8921, and 9530 of, and to add Sections 103, 2117, 2131, 2655, 2716, 2855, 2926, 4011, 5516, 5622, 6720, 7016, 7315, 8002, 8526, 9014, 9627, 18625, and 19035.7 to, and to repeal Sections 2117, 2131, 2655, 2716, 2855, 2926, 4011, 5516, 5622, 6720, 7016, 7315, 8002, 8526, 9014, 9627, 18625 and 19035.7 of the Business and Professions Code, and to amend Section 5053 of the Business and Professions Code as proposed to be amended and renumbered by Senate Bill No. 104, relating to payments to members of licensing boards, commissions, or committees.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 998**—An act to amend Section 35401 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the lengths of semitrailers and combinations of vehicles

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1005**—An act to add Section 32109 to the Health and Safety Code, relating to local hospital district boards.

Referred to Committee on Public Health.

**Senate Bill No. 1041**—An act to amend Section 5 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the powers of the district.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1042**—An act to amend Section 36 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the establishment, government, operation and financing of zone in Pleasanton or Murray Townships.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1044**—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency commitments of mentally ill persons.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1045**—An act to amend Section 700 of the Welfare and Institutions Code, relating to the jurisdiction of the juvenile court

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1049**—An act to amend Section 8361 of the Water Code, relating to the Sacramento River Flood Control Project.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1065**—An act to add Section 24054 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to audit of state college funds.

Referred to Committee on Education.

**Senate Bill No. 1104**—An act to add Section 5259.5 to the Welfare and Institutions Code, relating to the commitment of feeble-minded persons.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1157**—An act to amend Section 13963 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to membership in the State Teachers' Retirement System.

Referred to Committee on Education.

**Senate Bill No. 1194**—An act to amend Section 5783.2 of, to repeal Section 5785.2 of, and to add Section 5785.2 to, the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1208**—An act to amend Section 25502 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 1222**—An act to amend Sections 35430 and 35550.1 of the Streets and Highways Code, relating to the Parking District Law of 1951.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1223**—An act to add Section 4284.1 to, and to amend Section 4288 of, the Streets and Highways Code, relating to Street Opening Act of 1903.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1225**—An act to amend Sections 31530.1, 31626, 31629, 31635, 31636, 31640, 31680, 31709, 31730 and 31770.1 of, to add Sections 31568.1, 31594, 31595, and 31634.1 to, to add Chapter 2.1 (commencing at Section 31580) to Part 1, Division 18 of, and to repeal Section 31571 of, the Streets and Highways Code, relating to the Vehicle Parking District Law of 1943.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1240**—An act to add Section 5005.7 to the Elections Code, relating to ballot measures.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 1328**—An act to add Sections 20004.5, 20004.6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601.5, 20989, 21251.14, 22153, 22213, and 22550.5 to, to amend Section 22009.1 of, and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2, of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 1344**—An act to amend the Title of, and Sections 2, 3, 4, 5, 6, 9, 10, 13, 14, 15, 16, 17, and 18 of, and to add Sections 3.1, 3.2, 3 3, 3.4, 16.1, 23.5, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 36.10, 36.11, 36.12, 36.13, 36.14, 36.15, 36.16, and 36.17 to the San Luis Obispo Flood Control and Water Conservation District Act (Chapter 1294 of the Statutes of 1945).

Referred to Committee on Water.

**Senate Bill No. 1349**—An act to amend Section 24046 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2430, 2366, 2541, 2552, 2453, 2482, 2451, 1382, 1550, 1682, 2223,** and **2351.**

**Senate Bills Nos. 522, 746, 989, 993, 971,** and **905.**

Assembly Bills Nos. 2541, 2552, 2451, 1550, and 2351 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 2430, 1382, and 1682 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 2453, 2482, and 2223 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bill No. 2366 ordered to the Consent Calendar, subsequent to re-engrossment.

Senate Bills Nos. 522, 746, 989, 993, and 905 ordered to the Consent Calendar.

Senate Bill No. 971 ordered to third reading.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Kennick and Grant:

### House Resolution No. 286

Relating to the Miss Universe Beauty Pageant

WHEREAS, Between the eighteenth and twenty-fifth of July, 1959, Long Beach, California, will be the setting for an event of unparalleled excitement and interest, the Miss Universe Beauty Pageant, and

WHEREAS, During this period the most beautiful girls from five continents and every state in the Union will compete for the title of "Miss Universe" and for the fame and glamour attached thereto; and

WHEREAS, Since the first such contest held in June, 1952, this colorful and memorable parade of beauty has stimulated interest and has focused the eyes of the world on Long Beach; and

WHEREAS, This event has been a forward step in international harmony and good will, for the participants in these contests meet and make lasting friendships with persons from all parts of the globe; and

WHEREAS, California is proud to be the host to this international competition; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly extends congratulations to Oscar Meinhardt, the originator and organizer of the Miss Universe Beauty Pageant, the Long Beach Beauty Congress which presents the pageant, and the original and present board of directors thereof for their untiring efforts to make this event a successful and unforgettable one; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to June Doherty, the executive secretary of the Long Beach Beauty Congress, to Oscar Meinhardt, and to William Becker, Joseph F. Bishop, L. V. Bostwick, Robert E. Campbell, John E. Carr, Larry Collins, Jr., Gene Curtis, Fred S. Dean, George Ezell, Peter Gallegos, Virgil B. Gillespie, Ray O. Gould, George W. Green, Wallace Hall, John W. Hancock, David Hargrave, Victor K Hart, Harold M. Hines, Jack Horner, Ed. James, Jonah Jones, Jr., Raymond C. Kealer, Mason E Kight, H. B. Klingensmith, George P. Lyons, W. R Martin, John L Metzgar, Dennis Moore, David Olmsted, Harold H. Parks, Fred Travis, Charles Savitz, Aaron Schultz, and Vaile Young of the original board of directors of the Long Beach Beauty Congress.

Resolution read, and referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1555**—An act to add Section 1102.6 to the Agricultural Code, relating to egg standards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1555?

#### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "or containers of eggs", and insert "in containers or otherwise".

#### Amendment No. 2

On page 1, line 6, after "in", strike out "the", and insert "such".

#### Amendment No. 3

On page 1, line 7, strike out "grown and raised", and insert "produced".

The Assembly concurred in Senate amendments to Assembly Bill No. 1555 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1555 ordered enrolled.

Chief Clerk Arthur A. Ohnimus at the Desk

**Assembly Bill No. 1711**—An act to add Section 5019 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to issuance of special license plates.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1711?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5109", and insert "5019".

The Assembly concurred in Senate amendment to Assembly Bill No. 1711 by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Biddick, Bradley, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1711 ordered enrolled.

**Assembly Bill No. 1780**—An act to amend Sections 560 and 561 of the Agricultural Code, relating to milk and dairy products.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1780?

Amendment No. 1

On page 1, line 1, of the printed bill, after the first "Section", insert "1".

The Assembly concurred in Senate amendment to Assembly Bill No. 1780 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—56.

NOES—None.

Assembly Bill No. 1780 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Assembly Constitutional Amendment No. 38 for purpose of considering author's amendments.

Announcement

Speaker Brown announced that Mr. Hegland had already submitted amendments to Assembly Constitutional Amendment No. 38, and which were now at the desk.

Request for Unanimous Consent

Mr. Masterson was granted unanimous consent that his amendments be considered before Mr. Hegland's amendments, and that Mr. Hegland be permitted to correct his amendments to fit the bill as amended today.

### CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 38

**Assembly Constitutional Amendment No. 38**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to local government.

Resolution read.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendment:

#### Amendment No. 1

On page 2, line 43, of the printed measure, as amended in the Assembly on May 14, 1959, after "charter", insert ", any parking district of which a majority of the persons owning property therein assent by petition,".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Busterud was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of hearing House Resolution No. 285 in the Committee on Rules without the three-day notice.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Z'berg was granted unanimous consent to take up Assembly Bill No. 1725 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 1725

**Assembly Bill No. 1725**—An act to add Chapter 2.8 (commencing at Section 8150) to Division 1 of Title 2 of the Government Code, relating to the Capitol Building and Planning Commission, and making an appropriation.

Bill read third time.

#### Motion to Amend

Mr. Z'berg moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1959, strike out "8150", and insert "8160".

#### Amendment No. 2

On page 1, line 1, strike out "8150", and insert "8160".

#### Amendment No. 3

On page 1, line 7, strike out "8150", and insert "8160".

#### Amendment No. 4

On page 1, line 9, strike out "8151", and insert "8161".

#### Amendment No. 5

On page 1, line 11, strike out "8152", and insert "8162".

#### Amendment No. 6

On page 2, line 6, strike out "8153", and insert "8163".

#### Amendment No. 7

On page 2, line 8, strike out "8154", and insert "8164".

#### Amendment No. 8

On page 2, line 13, strike out "8155", and insert "8165".

**Amendment No. 9**

On page 2, line 15, strike out "8156", and insert "8166".

**Amendment No. 10**

On page 2, line 35, strike out "8157", and insert "8167".

**Amendment No. 11**

On page 2, line 41, strike out "8158", and insert "8168".

**Amendment No. 12**

On page 2, line 47, strike out "8159", and insert "8169".

**Amendment No. 13**

On page 2, line 51, strike out "8160", and insert "8170".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 136:** By Mr. Masterson—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of May, 1959.

### Request for Unanimous Consent

Mr. Masterson was granted unanimous consent to take up Assembly Concurrent Resolution No. 136 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 136

**Assembly Concurrent Resolution No. 136**—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of May, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

## ANNOUNCEMENT

Speaker Brown announced that starting today, consideration of the third reading file would start where the House left off its consideration of the bills on the preceding day.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 399**—An act to amend Section 8107 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to automobile driver training in the public schools.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Biddick, Bradley, George E. Brown, Burton, Busterud, Chapel, Coolidge, Cusanovich, DeLotto, Elliott, Frew, Gaffney, Garrigus, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Shell, Sumner, Thelin, Thomas, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—44.

NOES—Bee, Burke, Collier, Crawford, Dahl, Davis, Donahoe, Ernest R. Geddes, Samuel R. Geddes, Hegland, Lanterman, Lowrey, Luckel, Miller, Munnell, Schrade, Sedgwick, and Williamson—18

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2522**—An act to amend Sections 3167, 3254, and 3255 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to unification of school districts.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.08 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2485**—An act to amend Section 13583 of, and to add Sections 13590.1, 13590.2, and 13590.3 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

Bill read third time.

### Hon. Leverette D. House Presiding

At 10.11 a.m., Hon. Leverette D. House, Member of the Assembly from the Seventy-sixth District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees,

Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

### CONSIDERATION OF HOUSE RESOLUTION NO. 96

By Messrs. Pattee, McMillan, Masterson, Meyers, Charles H. Wilson, and Shell:

**House Resolution No. 96**—Relative to a California Sweepstake Lottery.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules was read:

#### Amendment No. 1

In lines 3 and 4 of the *Resolved* clause of the measure, as printed on page 764 of the Assembly Journal for February 17, 1959, strike out "with the revenue to be earmarked for Education and Public Welfare".

#### Parliamentary Inquiry

Mr. Thomas arose to the following parliamentary inquiry: Is the question on the adoption of the amendment or on the adoption of the resolution?

#### Reply by Acting Speaker

Acting Speaker House replied that the question was on the adoption of the amendment.

Amendment adopted.

#### Parliamentary Inquiry

Mr. Pattee arose to the following parliamentary inquiry: Is it necessary that the resolution be printed in the Journal, as amended, before continuing with its consideration?

#### Reply by Acting Speaker

Acting Speaker House replied that it was not.

#### Consideration of House Resolution No. 96, as Amended

By Messrs. Pattee, McMillan, Masterson, Meyers, Charles H. Wilson, and Shell:

#### House Resolution No. 96

Relative to a California Sweepstake Lottery

WHEREAS, Nearly all of the major countries in the world are now holding state or national lotteries; and

WHEREAS, The financial position of the State is critical; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules be directed to assign to the appropriate interim committee for study the feasibility of the establishment of a California Sweepstake Lottery, and that the committee to which said subject is so assigned for study shall hold thorough hearings throughout the State on the matter and report to the Legislature at the 1960 Regular Session on its findings.

Resolution read, as amended.

#### Demand for Previous Question

Messrs. Don A. Allen, Hegland, Luckel, Crawford, and DeLotto demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote:

AYES—Don A. Allen, Backstrand, Belotti, Britschgi, Burton, Dills, Masterson, McMillan, Meyers, Pattee, Shell, Thomas, and Charles H. Wilson—13.
NOES—Bruce F. Allen, Bane, Beaver, Bee, Biddick, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hegland, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—53.

**Speaker pro Tempore Presiding**

At 10.26 a.m., Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2449**—An act to add Article 1.1 (commencing at Section 26620) to Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code, relating to additional duties of sheriff as ex officio Director of Civil Defense and Disaster

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2531.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1336**—An act to amend Section 17045 of the Business and Professions Code, relating to unfair trade practices.

Bill read third time.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Z'berg, MacBride, Frew, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—Burton, Crown, House, McCollister, and Reagan—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2532**—An act to amend Section 139 of the Civil Code, relating to support of spouse and children.

Bill read third time.

**Speaker Presiding**

At 10.40 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Hegland, Crawford, Charles H. Wilson, Don A. Allen, Burke, and Chapel demanded the previous question. Demand sustained.

The question being on the pasage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—Beaver, Busterud, Davis, and Donahoe—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2353**—An act to amend Section 17082 of the Business and Professions Code, relating to unfair trade practices.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Speaker pro Tempore Presiding**

At 10.52 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 758**—An act to add Section 2802.5 to the Elections Code, relating to state central committees of political parties

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee,

Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66

NOES—Burke and Charles H. Wilson—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 105**—An act to add Section 4167 to the Welfare and Institutions Code, relating to the transfer of real property by recipients of aid to the needy disabled.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2317**—An act to amend Section 2183 of the Welfare and Institutions Code, relating to payment of aid under the Old Age Security Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2353

Mr. Conrad was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2353.

### NAME PLACED UPON ROLL CALL ON HOUSE RESOLUTION NO. 96

Mr. Conrad was granted unanimous consent that he be recorded as voting "No" on House Resolution No. 96.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2507**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Bill read third time, and ordered passed on file, and to hold its place on file.

**Assembly Bill No. 2175**—An act to amend Sections 16652 and 16653 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to community recreation.

Bill read third time.

Speaker Presiding

At 11.12 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Schrade, Pattee, Crawford, Hegland, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr Speaker—68.

NOES—Backstrand, Burton, Chapel, Collier, Dahl, Holmes, Levering, Lowrey, Masterson, Reagan, and Shell—11.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr Kilpatrick announced that today was the birthday of Assemblyman Charles Edward Chapel, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Chapel.

## CONSIDERATION OF HOUSE RESOLUTION NO. 170

By Messrs. Bee, Dahl, Miss Donahoe, Messrs. Garrigus, Lowrey, and Miller:

**House Resolution No. 170**—Relative to the driver education program.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

In line 10 of the measure, as printed on pages 1858 and 1859 of the Assembly Journal for March 26, 1959, strike out "1960", and insert "1961".

Consideration of House Resolution No. 170, as Amended

By Messrs. Bee, Dahl, Miss Donahoe, Messrs. Garrigus, Lowrey, and Miller:

House Resolution No. 170

Relative to the driver education program

*Resolved by the Assembly of the State of California*, That the Assembly Rules Committee is hereby directed to refer to the appropriate Assembly interim committee for study, the transfer of the driver education program, as presently contained in Article 6 (commencing at Section 8101) of Chapter 3 of Division 7 of the Education Code as enacted by the Legislature at the 1959 Regular Session, from the Department of Education to the Department of Motor Vehicles. The designated interim committee shall conduct a study of the costs, administrative problems, and other

pertinent factors, including the possibility of expanding the program to provide instruction for persons other than school students, and shall report its findings and recommendations to this body during the first week of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 919 FOR SPECIAL ORDER

Mr. Bradley was granted unanimous consent that Assembly Bill No. 919 be made a special order of business for Thursday, May 28, 1959, at 11 a.m.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2296**—An act to amend Section 3042 of and to add Chapter 5.4 (commencing with Section 2540) to Division 2 of the Business and Professions Code, relating to prescription lenses.

Bill read third time, and ordered passed on file, and to retain its place on file.

**Assembly Bill No. 2484**—An act to amend Section 32221 of, and to add Section 32221.1 to, the Health and Safety Code, relating to local hospital districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Wilhamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

### NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2353

Messrs. Ernest R. Geddes, Hanna, and Shell were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2353.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2454**—An act to amend Section 22408 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

### ASSEMBLY BILL NO. 1175 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 1175**, on motion of Mr. MacBride.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2240**—An act to add Sections 35012 and 35013 to the Government Code, relating to cities.

Bill read third time, and ordered passed on file, and to retain its place on file.

**Assembly Bill No. 1414**—An act to amend Section 12256 of the Revenue and Taxation Code, relating to insurance taxation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—72.
NOES—Bane, Davis, Donahoe, Lowrey, Lunardi, Williamson, and Z'berg—7.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 782**—An act to maintain the Business and Professions Code by amending Section 2457.5 thereof, and by repealing Sections 202.5, 6060.5, 6060.8, and 6061 thereof, relating to the regulation and protection of licensed professions and business enterprises, and making an appropriation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all items on file today, which were not otherwise disposed of, retain their places on file on the next legislative day.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1110 CONTINUED

Mr. Charles H. Wilson was granted unanimous consent that his motion to reconsider the vote on the Bruce F. Allen amendment to Assembly Bill No. 1110 be continued until the next legislative day.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 398 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 398 be continued until the next legislative day.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Chapel, Charles H. Wilson, and Dills:

### House Resolution No. 287

Relative to the commendation of Dan B. Wise

WHEREAS, The City of Inglewood has long been served by the skill, devotion, and public spirit of Dan B. Wise; and

WHEREAS, Dan B. Wise has demonstrated his civic responsibilities and his outstanding administrative abilities as a member of the Parking Commission of the City of Inglewood and as a member of the City Council of that city for a 12-year period; and

WHEREAS, As Councilman for Councilmanic District No. 4, he has demonstrated great ability, power of decision, and human understanding; and

WHEREAS, A resident of the City of Inglewood since 1922, he has been a member of the board of directors of the Inglewood Chamber of Commerce, the board of directors of the Inglewood Kiwanis Club, the advisory board of the Salvation Army, the board of directors of the Shrine Club, the advisory board of the Order of De Molay for Boys, a trustee for five years of the Inglewood Benevolent and Protective Order of Elks No. 1492, and has been active in raising funds for the Boy Scouts of America and the Daniel Freeman Hospital in Inglewood, now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to commend Dan B. Wise on his many years of exemplary service to the City of Inglewood and to express its best wishes for his future success; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Dan B. Wise.

### Request for Unanimous Consent

Mr. Chapel was granted unanimous consent to take up House Resolution No. 287 without reference to committee or file.

Resolution read, and adopted.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 345
Assembly Bill No. 747
Assembly Bill No. 755

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2223
Assembly Bill No. 2453
Assembly Bill No. 2482
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to Consent Calendar.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2430
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2541
Assembly Bill No. 2552
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 2366
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to Consent Calendar.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1550
Assembly Bill No. 2351
Assembly Bill No. 2451
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1382
Assembly Bill No. 1682
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2586
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 56
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 152
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1470
Assembly Bill No. 1565
And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1423
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1188
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT AMENDMENTS IN JOURNAL

Mr. Unruh was granted unanimous consent that those members with proposed amendments to Assembly Bill No 800 be permitted to have them printed in the Journal.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Under the new rule, is it not impossible to offer floor amendments to bills unless copies of the amendments have been distributed to the members?

### Reply by Speaker

The Speaker replied that unless the amendments are less than 25 words in length, or have been printed in the Journal, they must be so distributed.

## PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 800

By Mr. Garrigus:

### Amendment No. 1

On page 33, between lines 45 and 46, of the printed bill, insert
"Provided, that from the funds herein appropriated not more than one field office shall be established and maintained in the Reedley-Dinuba area."

By Mr. Garrigus:

### Amendment No. 1

On page 65, line 27, of the printed bill, strike out "63,050", and insert "138,050"

**Amendment No. 2**

On page 65, between lines 36 and 37, insert

"(f) Equip and install air conditioning system for classroom buildings No. 2 and 3 ..... 75,000".

**Amendment No. 3**

On page 65, line 38, strike out "63,050", and insert "138,050".

## ASSEMBLY BILL NO. 2488 REMOVED FROM CONSENT CALENDAR

Mr. George A. Willson was granted unanimous consent that Assembly Bill No. 2488 be removed from the Consent Calendar, and placed on the third reading file.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, May 18, 1959; Tuesday, May 19, 1959; Wednesday, May 20, 1959; Thursday, May 21, 1959; and Friday, May 22, 1959.

## RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 13** to the Committee on Ways and Means.

**Senate Bill No. 719** to the Committee on Industrial Relations.

## EXPLANATION OF ABSENCE

I was in Senate Elections Committee from 10 a.m. until 10:55 a.m. this morning.

CHARLES J. CONRAD

## ADJOURNMENT

At 11:53 a.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Wednesday, May 27, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-FIFTH LEGISLATIVE DAY

ONE HUNDRED THIRD CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, May 27, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Most Merciful God,* On this day, when the leaders of many nations are gathered on these shores to pay tribute to John Foster Dulles, we pray that there may be a new dedication on the part of all nations to peace and order in the world; thus may he not have lived and labored in vain. Realizing that our own Nation can be strong only as its component states are strong, and that this day the deliberations of this Assembly are vital to the financial undergirding of California, we pray for such wisdom as will benefit both State and Nation, for a spirit of patience and good will in the midst of serious debate, and ultimately for decisions which are just and right.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Crawford, seconded by Mr. Rumford.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Advertising Club of Oakland, by Helen A. Kennedy, relative to Assembly Bill No. 1668. Referred to the Committee on Public Utilities and Corporations.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 137:** By Messrs. Winton, Bee, Lanterman, Shell, Miss Donahoe, Messrs. Hanna, and Sedgwick—Relative to the creation of the Joint Interim Committee on the Public Education System.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Winton:

### House Resolution No. 288

Relative to constituting the Assembly Standing Committee on Government Organization an interim committee

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Standing Committee on Government Organization is hereby constituted an interim committee and is authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, whether provided for by statute or by the Constitution, the relationship of such units to one another, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and co-ordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations and their geographical locations, and the necessity or desirability of creating such other agencies as will provide for the most efficient methods of conducting the State's business; to ascertain, study and analyze all facts relating to the alcoholic beverage industry, and any and all matters relating to the manufacture, distribution, or sale of alcoholic beverages, and matters incidental or related thereto; to ascertain, study and analyze all facts and matters relating to or in any way pertaining to horse race meetings and the operation thereof; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subjects of this resolution, and to report thereon to the Assembly, including in the reports, its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Government Organization for the 1959 Regular Session. The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session with authority to file its final report not later than the final day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within

the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders, and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To travel, or appoint a subcommittee or committee employee to travel, within or outside of this State and the United States in pursuing the investigation committed to it

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution.

6. The chairmen of all interim committees are requested to advise the Assembly Interim Committee on Government Organization whenever their committees will engage in studies which they think may result in recommendations for changes in administrative organization in order that duplication in study among legislative committees may be avoided and so that changes may be integrated into an overall plan of state organization.

7 The sum of_____dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Mr. Winton:

**House Resolution No. 289**

Relative to contract laboratories for milk fat testing

WHEREAS, Milk fat testing is necessary to insure the public that milk and milk products conform to all applicable standards; and

WHEREAS, Accuracy in milk fat testing and uniformity in such testing are necessary to insure stability in the milk industry and the orderely marketing of milk and milk products; and

WHEREAS, The Department of Agriculture at the present time supervises various private milk fat testing operations in this State; and the feasibility of establishing contract laboratories under the supervision of the department for milk fat testing should be studied to determine if this type of testing would be an improvement over the present system; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the matters contained in this resolution be referred to the Committee on Rules for assignment to an appropriate interim committee for study.

Resolution read, and referred to the Committee on Rules.

By Messrs. Kilpatrick, McMillan, Hawkins, Elliott, Don A. Allen, Bane, George E. Brown, Cameron, Chapel, Dills, Kennick, Miller, Munnell, Nisbet, Porter, Rees, Rumford, Thomas, George A. Willson, and Charles H. Wilson:

**House Resolution No. 290**

Relative to the death of Albert T. Lunceford

WHEREAS, The Members of this Assembly have learned with great sorrow of the death of Albert T. Lunceford, beloved labor leader and president of the Los Angeles County A.F.L.-C.I.O. Federation of Labor; and

WHEREAS, Mr. Lunceford, a native of Georgia, came to California in 1928 and joined the Firestone Tire and Rubber Company where he helped organize Firestone's Local 100 of the United Rubber Workers, holding at one time or another almost every important post in the local; and

WHEREAS, He was one of the leaders in the C.I.O.'s fight to purge communists from its ranks, and was the first executive secretary-treasurer of the Greater Los Angeles C.I.O. Council which replaced its communist-dominated predecessor in 1949; and

WHEREAS, When the C.I.O. group was merged with the A.F.L. central labor councils to form the present A.F.L.-C.I.O. Federation in January, 1959, Mr. Lunceford was selected as its first president; and

WHEREAS, In addition to his union activities, Mr. Lunceford was widely known for his work on education and character building activities for underprivileged children, for his efforts to broaden hospitalization coverage for working men and women and their families, and for his earnest endeavors in the movement for complete rehabilitation and greater job opportunities for the physically handicapped; and

WHEREAS, The loss of this distinguished citizen will be keenly felt by his friends and associates; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly expresses its sorrow at the passing of this notable citizen who made so many contributions to his community and to the American labor movement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the widow of Albert Lunceford, Mrs. Betty Lunceford, and to his mother, Mrs. Ida E. Lunceford.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 397**—An act to add Section 6537.1 to the Business and Professions Code, relating to barbering;

**Assembly Bill No. 1308**—An act to add Section 3947 to the Elections Code, relating to the direct primary election ballot;

**Assembly Bill No. 1334**—An act to add Section 25265 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the display of lights on sanitation district vehicles;

**Assembly Bill No. 1559**—An act to add Section 2509.1 to the Revenue and Taxation Code, relating to the collection of property taxes;

**Assembly Bill No. 1560**—An act to amend Section 4149 of the Revenue and Taxation Code, relating to redemption of any parcel of tax-sold or tax-deeded property;

**Assembly Bill No. 1561**—An act to amend Section 4102 of the Revenue and Taxation Code, relating to redemption of tax-sold and tax-deeded property;

**Assembly Bill No. 1601**—An act to add Section 27206 to the Government Code, relating to federal tax liens;

**Assembly Bill No. 1709**—An act to amend Section 35407 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to water well drilling and servicing equipment on vehicles;

**Assembly Bill No. 1978**—An act to amend Section 8395 of the Fish and Game Code, relating to sale or purchase of surf perch;

**Assembly Bill No. 55**—An act to create the Yuba County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Yuba County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity;

**Assembly Bill No. 109**—An act to add Section 14108.6 to the Health and Safety Code, relating to local fire districts;

**Assembly Bill No. 203**—An act to amend Section 23789 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 614**—An act to amend Section 11005 of, and to add Section 11005.6 to, the Revenue and Taxation Code, relating to allocations to counties from the Motor Vehicle License Fee Fund;

**Assembly Bill No. 1045**—An act to add Section 234 to the Water Code, relating to archaeological investigations;

**Assembly Bill No. 1193**—An act to amend Section 172 of, and to add Section 172.1 to, the Penal Code, relating to alcoholic beverages;

**Assembly Bill No. 1455**—An act to add Section 5906.5 to the Elections Code, relating to absent voters;

**Assembly Bill No. 1487**—An act to add Sections 9561 and 9562 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session and to add Sections 10857 and 10858 to the Revenue and Taxation Code, relating to vehicle registration and license penalty fees;

**Assembly Bill No. 1691**—An act to amend Sections 1, 2, 3.2, 3.4, 4 1, 4.11, 5, 5.1, 7 1, 10, 13, 14, 14.1, 15, 16, and 17 of, to amend and renumber Sections 5.3, 14 3, 30, 32, 33, 34, 35, 36, 37, and 38 of, to add Sections 4 12 and 4.13 to, and to repeal Sections 5.4, 5 5, 5.6, 5.7, 13.1, 14.2, 15.1, 15 2, 15.3, 15 4, 18, 19, 19 1, 19.2, 19 3, 19.4, 19.5, 19.6, 19.7, 19 8, 19.9, 19.10, 19.11, 19.13, 19.14, 19.15, 19.16, 19.17, 19.18, 19.19, 19.20, 19 21, 20, 20.1, 20.2, 20.3, 20.4, 20.5, 20 6, 20.7, 20.8, 21, 21.1, 22, 23, 24, 25, 26, 27, 28 and 29 of the Placer County Water Agency Act (Chapter 1234, Statutes of 1957), relating to the Placer County Water Agency, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1836**—An act to add Section 11580.2 to the Insurance Code, relating to uninsured motorist coverage;

**Assembly Bill No. 2089**—An act to amend Section 23104 of the Business and Professions Code, relating to alcoholic beverages;

And reports the same correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 38

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 494

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1725

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 658
Assembly Bill No. 1860
Assembly Bill No. 2340
Assembly Bill No. 2521
Assembly Bill No. 2796

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2845

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 467

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Social Welfare.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2456
Assembly Bill No. 2610

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 902
Assembly Bill No. 2699

With amendments with the recommendation: Amend, and re-refer to the Committee on Civil Service and State Personnel.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 25, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2257
Assembly Bill No 2550

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MEYERS, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Government Organization

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1439

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2500
Assembly Bill No. 2501
Assembly Bill No. 2503
Assembly Bill No. 2504

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2502

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1898

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2346

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

WINTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER. Your Committee on Constitutional Amendments reports:
Assembly Constitutional Amendment No. 46
Without recommendation.

BUSTERUD, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:
Assembly Constitutional Amendment No. 47
With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:
Assembly Constitutional Amendment No. 29
With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:
Assembly Bill No. 2601
Senate Bill No. 866
With the recommendation: Do pass.

BRUCE F. ALLEN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER. Your Committee on Manufacturing, Oil, and Mining Industry reports:
Assembly Bill No. 2600
With amendments with the recommendation: Amend, and do pass, as amended.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

### Committee on Government Organization

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Government Organization reports:
Assembly Bill No. 2561
Assembly Bill No. 2562
With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Water reports:
Senate Bill No. 106
With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:
Assembly Bill No. 2591
With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER. Your Committee on Water reports:

Senate Bill No. 245
Senate Bill No. 637
Senate Bill No. 877

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2565

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER Your Committee on Water reports:

Senate Bill No. 145
Senate Bill No. 306
Senate Bill No. 959

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2636

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2722

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2635
Assembly Bill No. 2717

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 4

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports.

Assembly Bill No. 2904

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2163

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 756
Senate Bill No. 881

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

LOWREY, Chairman

Above bills ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 141
Assembly Bill No. 706

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 920

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 13

With amendments with the recommendation: Amend, and re-refer to the Committee on Constitutional Amendments.

BUSTERUD, Chairman

Above resolution ordered on file.

**Committee on Rules**

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 279
House Resolution No. 280
House Resolution No. 281
House Resolution No. 282
House Resolution No. 283

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 62

With the recommendation: That the resolution be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 23
Senate Joint Resolution No. 26

With the recommendation. Be adopted.

MILLER, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 77

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 285

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 251

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 51
Senate Bill No. 379
Senate Bill No. 453

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 1531

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2490
Assembly Bill No 2607
Assembly Bill No. 2712

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bills ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 290

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

**Committee on Fish and Game**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Assembly Bill No. 2312
Assembly Bill No. 2543

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DAVIS, Chairman

Above bills ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1067

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 617
Senate Bill No. 753

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2416
Assembly Bill No. 2417
Assembly Bill No. 2583

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 996

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 790

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 316
Senate Bill No. 317
Senate Bill No. 318
Senate Bill No. 319
Senate Bill No. 323
Senate Bill No. 397
Senate Bill No. 483
Senate Bill No. 487
Senate Bill No. 489
Senate Bill No. 533
Senate Bill No. 560
Senate Bill No. 647

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2588

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2100
Assembly Bill No. 2603

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 304

With the recommendation: Do pass

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2178

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2586

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 582

Senate Bill No. 853

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 286

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Water

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1068

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

## RE-REFERENCE OF SENATE BILL NO. 780

Speaker Brown ordered Senate Bill No. 780, and the committee amendments, re-referred to the Committee on Ways and Means.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1087**—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition and construction of state parks in Alameda County.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

### Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "one million two hundred thirty-two thousand dollars ($1,232,000)", and insert "four hundred seventy-five thousand dollars ($475,000)".

### Amendment No. 2

On page 1, line 5, strike out "and construction".

### Amendment No. 3

On page 1, lines 6 and 7, strike out ", construction and improvement".

### Amendment No. 4

On page 1, line 7, strike out ", trails and pathways".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 165**—An act to add Section 469 to the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 898**—An act to amend Sections 26288, 26289, 26290, 26291, and 26292 of, and to add Section 26290.5 to, the Health and Safety Code, relating to new drugs or devices.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 989**—An act to create a flood control district to be called Plumas County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1863**—An act to create a flood control district to be called Sierra County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters;

to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1881**—An act to amend Sections 14000 and 14001 of the Fish and Game Code, relating to the Pacific Marine Fisheries Compact.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2306**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the granting of a right-of-way for road purposes over land of the Stockton State Hospital.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1168**—An act to appropriate moneys in the Small Craft Harbors Revolving Fund for the Shelter Cove Project, Humboldt County.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2279**—An act to amend Section 5012.1 of the Public Resources Code, relating to public utility and other structures in state parks and easements therefor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 717**—An act to amend Sections 13006, 13100, and 13101 of, and to add Sections 13006.1 and 13006.2 to, the Government Code, and to add Section 11801 to the Insurance Code, relating to the acquisition of state property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2144**—An act to add Section 86 6 to the Agricultural Code, relating to district agricultural associations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2149**—An act to amend Section 4101 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 830**—An act to add Chapter 4 (commencing at Section 600) to Division 3 of the Harbors and Navigation Code, and to amend Section 5861 of the Public Resources Code, relating to the registration of vessels, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2400**—An act relating to certain lands located within the subsidence area of a portion of the Long Beach Harbor District and providing for the extension, amendment and modification of existing contracts, royalty arrangements and other agreements, for the production of oil, gas and other hydrocarbon substances from such lands, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1000**—An act to amend Sections 1504, 5153, 5154, 5202, 7001, 7018.1, 7032, 7032.1, 7034, 7035.1, 7036, 7037.2, 7038, 7041, 7042, 7043, 7044, 7075, 7081, 7091, 7092.1, 7097, 7101.1, 7101 2, 7102.1, 7102 2, 7103.1, 7103 2, 7121, 7121.1, 9191, 9192, and 10208, of, to repeal Sections 7037, 7037 1, 7094, 7095, 7109.2, 7109.21, 7109 22, and 9176 1 of, and to add Sections 6999, 7032.5, 7033.1, 7037, 7037.01, 7037.02, 7037.1, 7038 1, 7083, 7091.1, 7091.2, 7093.1, 7095.1, 7096 2, 7109.01, 7109.2, and 7121.3 to, and to add Article 11.2 (commencing at Section 7099) and Article 11.3 (commencing at Section 7100) to Chapter 15, Division 3 of, the Education Code, to amend Sections 6354, 8109, 10808, 12155, 13525.1, 17301.1, 17303.1, 17306.1, 17352, 17402, 17403.1, 17405.1, 17411.1, 17503.1, 17616.1, 17655.1, 17656.1, 17658 1, 17660.1, 17661.1, 17665 1, 17666.1, 17702.1, 17751.1, 17801.1, 17851.1, 17901.1, 17903.1, 17951.1, 18060.1, 18102, 18103, 18152, 18153, 18202, 18203, 18352.1, 18355.1, 18356.1, 18357.1, 18358.1, 18401.1, 18451.1, 18452.1, 18453.1, 18455.1, 18456.1, and 18460.1 of, to repeal Sections 6354, 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17663.1, 17664, 17664 1, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17905.1, 17906, 17906.1, 17951, 17952, 18003, 18005, 18005.1, 18006, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to add Sections 17300, 17656.01, 17404 5, 17657.1, 17663, 17663.5, 17663.7, 17664, 17666.2, 17704, 17903.2, 17901.1, 17901.5, 17906.2, 18001.5, 18003, and Article 8.5 (commencing at Section 17970) and Article 8.6 (commencing at Section 17990) to Chapter 3 of Division 14 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 93**—An act making an appropriation, relating to fair employment practices.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2117**—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1 of the Government Code, relating to the State Advisory Commission on Indian Affairs, and making an appropriation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2246**—An act to amend Section 18370 of the Health and Safety Code, relating to trailer coaches.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2403**—An act making an appropriation to the Joint Legislative Budget Committee for a study of the organization and functions of the Department of California Highway Patrol.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 580**—An act to add Section 26803.5 to the Government Code, relating to the preservation of superior court records.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 30, 1959, strike out "secretary", and insert "Secretary of State".

#### Amendment No. 2

On page 1, lines 12 and 13, strike out "judgments or minutes or actions", and insert "civil judgments or probate decrees".

#### Amendment No. 3

On page 2, between lines 1 and 2, insert

"In lieu of depositing the documents filed in the office of the county recorder with the Secretary of State, any county may provide for the establishment of a facility or facilities for the storage of such documents subject to the review of a commission composed of the Director of the Disaster Office, who shall be the chairman, the Secretary of State, who shall be the secretary, and the Director of Public Works.

All documents deposited with the Secretary of State and stored by him pursuant to the provisions of this section shall remain the exclusive property of the county depositing such documents. Copies of any documents deposited with the Secretary of State shall be made by him only on the request of the clerk of the county which has deposited such documents.

In the event of an attack, the Secretary of State shall make the documents deposited with him available to the county which deposited such records."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1680**—An act to add Section 9356.3 to the Government Code, relating to the Legislators' Retirement System.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 12, 1959, after "member", insert "heretofore or hereafter".

#### Amendment No. 2

On page 1, line 21, after the period, insert "This section applies only to members who are Members of the Legislature on the effective date of this section or who become Members of the Legislature after such date."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1398**—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Sections

3306 and 3332 of, the Welfare and Institutions Code, relating to social security coverage for state employees not covered by a retirement system.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 5 of the title of the printed bill, after "system", insert ", and making an appropriation".

**Amendment No. 2**

On page 3, after line 10, insert

"SEC. 5. There is hereby appropriated from the General Fund in the State Treasury the sum of two thousand dollars ($2,000), or so much thereof as is necessary, to the Department of Education for the administration of the provisions of this act."

**Amendment No. 3**

On page 1, line 10, after "leges", insert "or the university".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2534**—An act to amend Section 23606 of, and to add Chapter 2.5 (commencing at Section 23681) to Division 18 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the state college faculty.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 2, line 11, of the printed bill, strike out "means", and insert "shall include".

**Amendment No. 2**

On page 2, line 14, before the period, insert ", and may include those members of the professional administrative staff and such other officers or employees of the college as may be designated by and are acceptable to those members of the college staff holding academic rank in a regular status with the college, professional librarians, and the president of the college".

**Amendment No. 3**

On page 2, lines 17 and 18, strike out "the legislative", and insert "a policy making".

**Amendment No. 4**

On page 2, between lines 27 and 28, insert

"The State Board of Education shall make such rules and regulations as deemed necessary to establish the relative responsibility of faculty and administration in the state colleges on policy making within such colleges."

**Amendment No. 5**

On page 2, strike out lines 33 and 34, and insert

"23684. The faculty of each state".

**Amendment No. 6**

On page 2, line 35, after "itself", insert "in a manner best suited to accomplish and provide for a unified approach and".

**Amendment No. 7**

On page 2, line 39, before the period, insert "to preserve autonomy for each college".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

**Assembly Bill No. 2567**—An act to add Section 7745.5 to the Education Code, and to add Section 19630.5 to the Education Code as enacted at the 1959 Regular Session, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2596**—An act to amend Section 17703 of, and to add Section 17704 to, the Education Code as enacted at the 1959 Regular Session, relating to apportionments of funds to school districts from the State School Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out "17404", and insert "17704".

Amendment No. 2

On page 2, line 27, strike out "20901", and insert "26906.1 of the Government Code".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2585**—An act to amend Sections 1044 and 15802 of the Education Code as enacted at the 1959 Regular Session, and to amend Sections 1956 and 53056 of the Government Code, relating to insurance coverage for school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "bodily".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2589**—An act to amend Section 1944 of the Labor Code, relating to employment of aliens.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "foreigner.", and insert "noncitizen."

Amendment No. 2

On page 2, after line 6, insert

"(1) To the employment of persons in positions pertaining to the care and guidance of children in a child care program or the supervision of a child care program supported in whole or in part by the State, of any person who has declared his intention to become a citizen, or of a native-born woman of the United States who has married a noncitizen.

(j) To student assistants and interns in Department of Mental Hygiene training programs."

Amendment No. 3

On page 1, line 9, after "force", insert "or student body".

~~Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.~~

NOTE—Later this day, by unanimous consent, Assembly Bill No. 2589 was considered further, and further amended before reprinting. *See* page 4262.

**Assembly Bill No. 2486**—An act to add Sections 13603, 13651.1, and 13651.2 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out ", 13651.1, and 13651.2", and insert "and 13651.1".

Amendment No. 2

On page 1, line 5, strike out "shall", and insert "may".

Amendment No. 3

On page 3, strike out lines 27 to 52, inclusive; and on page 4, strike out lines 1 to 20, inclusive.

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1541**—An act to amend Section 13200 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the suspension of drivers' licenses by courts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2232**—An act to amend Section 26453 of the Vehicle Code as enacted at the 1959 Regular Session of the Legislature, relating to the maintenance of vehicle brakes.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2231**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle air and vacuum brakes.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1, of the printed bill, strike out lines 10 through 18, inclusive; on page 2, strike out lines 1 through 7, inclusive, and insert:

"(a) An air pressure gauge of a type prescribed by the department, of reliable and satisfactory construction and maintained in efficient working condition accurate

within 10 percent of the actual pressure, and visible and legible to the driver at all times.

(b) A visible or audible low air pressure warning signal of a type prescribed by the department which shall give a satisfactory warning when the air pressure drops to 60 pounds or less per square inch. A gauge indicating pressure shall not satisfy this requirement.

(c) A governor on the air compressor with cut-in and cut-out pressures adjusted so that the maximum pressure in the air system and the minimum cut-in pressure shall be within limitations prescribed by the department. In adopting regulations specifying such pressures, the department shall consider the safe operating capacities of the various air brake systems which are now or may be used on motor vehicles and shall be guided by the designed capabilities of those systems.

(d) The department shall not adopt regulations more restrictive than any applicable regulations adopted by the Interstate Commerce Commission or than any applicable standards adopted by the Society of Automotive Engineers for equipment required by this section."

**Amendment No. 2**

On page 2, line 8, strike out "26527", and insert "26526".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2359**—An act to amend Section 30682 of the Streets and Highways Code, relating to the financing and construction of a bridge from San Pedro to Terminal Island.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2701**—An act to amend Sections 7, 285, 350, 675, 1503, 1651, 2101, 2105, 2259, 2400, 4150, 5017, 5750, 6850, 6851, 9255, 9262, 9264, 9400, 9401, 9703, 11102, 11107, 11703, 11801, 11802, 12513, 12514, 12816, 13350, 13555, 13953, 14100, 16005, 16053, 16107, 16482, 17700, 20013, 21058, 21457, 21460, 21464, 22107, 22352, 22452, 22510, 24001, 24404, 24600, 24604, 24610, 24951, 25251, 25301, 25501, 25651, 25800, 26116, 30069, 30800, 30801, 31009, 31608, 31610, 35414, 35713, 35714, 35790, 40303, 40516, 42050 of, to amend and renumber Section 25789 of, to amend the heading preceding Section 9700 and 9800 of, to add Sections 286, 676, 11112 and 16110 to, and to repeal Sections 13353, 40308, 40309, and 40310 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to technical changes in the Vehicle Code as recodified.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2689**—An act to add Section 25265 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing lights for levee maintenance vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2609**—An act to amend Section 25251 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle warning lights.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

**Amendment No. 1**

On page 1, line 21, of the printed bill, strike out "or other red or".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 498**—An act to amend Sections 3858, 3860, 3861, and 3862 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 423**—An act to add Section 4754.5 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1806**—An act to add Section 3212.3 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1656**—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to the payment of hospital benefits to persons confined in mental institutions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 2710 and 2801 of", and insert "Section 2710 of, and to add Section 2801.1 to,".

**Amendment No. 2**

On page 1, lines 15 and 16, strike out "on the ground of mental illness or insanity".

**Amendment No. 3**

On page 2, strike out lines 1 to 11, inclusive, and insert

"SEC. 2. Section 2801.1 is added to said code, to read:

2801.1. *Except as to individuals disqualified from receiving benefits under* Section 2678, confinement in a hospital pursuant to court order or physician's or health officer's certificate shall be equivalent to orders of the individual's physician as required by Section 2801."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2751**—An act to amend Sections 1253, 1277, and 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 2, line 20, of the printed bill, after "wages", insert "for employment by employers".

**Amendment No. 2**

On page 2, between lines 31 and 32, insert

"For the purposes of this subdivision only, the phrase "total wages during the base period" includes any and all compensation for personal services."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 2833**—An act to add Section 10201.5 to, and to amend Section 10202.8 of, the Insurance Code, relating to group life insurance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "10201.5 to, and to amend Section 10262.8 of," and insert "10200.5 to".

**Amendment No. 2**

On page 1, line 1, strike out "10201 5", and insert "10200.5".

**Amendment No. 3**

On page 1, strike out lines 3 to 23, inclusive; strike out all of pages 2 and 3, and insert

"10200.5. No wholesale or franchise life insurance shall be issued in this State unless the individuals to whom such insurance is made available are employees of a common employer or affiliated employers, or members of a professional association, or unless the insurance is made available in connection with an indebtedness No such insurance shall be issued to an individual member of a profession in an aggregate amount exceeding twenty-five thousand dollars ($25,000), including in the aggregate all such insurance made available through each association of his profession in this State of which he may be a member. When such insurance is issued, it may be issued either with or without medical examination.

For the purposes of this section professional associations are those associations whose members engage in the licensed professions, such as medicine, dentistry, pharmacy, law and accountancy. This section does not apply to group life insurance authorized to be written under this chapter."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 202**—An act to add Section 11718 to the Health and Safety Code, relating to dismissal of allegations of prior offenses in criminal actions for violation of the narcotic laws.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1441**—An act to amend Section 71661 of the Government Code, relating to receipts for bail.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, lines 12 and 13, of the printed bill, strike out "money deposited as", and insert "payment of".

**Amendment No. 2**

On page 1, line 13, strike out "739", and insert "40510".

**Amendment No. 3**

On page 1, line 15, strike out "he", and insert "payment is in cash and the payer".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1245**—An act to add Section 402 to the Penal Code, relating to the offense of sight-seeing at the scene of fires, accidents, and other events.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "or other personnel", and insert "other emergency personnel, or military personnel".

**Amendment No. 2**

On page 1, line 7, after "their duties", insert "during the time it is necessary for emergency vehicles or such personnel to be at the scene of the disaster or to be moving to or from the scene of the disaster for the purpose of protecting lives or property".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 269**—An act to add Section 502.2 to the Vehicle Code, and Section 23102.2 to the Vehicle Code as proposed by Assembly Bill No. 5, relating to chemical tests of vehicle drivers for intoxication.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "502.2 to the Vehicle Code and Section".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, line 1, strike out "502.2 is added to the Vehicle Code", and insert "23102.2 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 3 through 19, inclusive; and on page 2, strike out lines 1 through 10, inclusive.

**Amendment No. 5**

On page 2, strike out lines 35 through 39, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 2619**—An act to amend Sections 4250 and 4252 of the Penal Code, relating to blood donations by prisoners.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1443**—An act to add Section 1481.1 to the Government Code, and to amend Section 1203.8 of the Penal Code, relating to bonding of probation officers and their assistants.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1606**—An act to amend Section 24103 of the Government Code, relating to peace officers' deputies.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2549**—An act to add Section 146b to the Penal Code, relating to simulating official inquiries.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1163**—An act to amend Section 10641 of, and to add Section 10640.1 to, the Insurance Code, relating to employee health and welfare programs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "any", and insert a colon.

**Amendment No. 2**

On page 1, strike out lines 13 to 23, inclusive; on page 2, strike out lines 1 to 3, inclusive, and insert

"(a) Any plan, fund, or program which is communicated to or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hospital care or benefits, or benefits in the event of sickness, accident, disability, death, or unemployment.

(b) Any plan, fund, or program which is communicated or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, by the purchase of insurance or annuity contracts or otherwise, retirement benefits, and includes any profit-sharing plan which provides benefits at or after retirement."

**Amendment No. 3**

On page 2, line 41, strike out the period, and insert "; and, provided, for the purpose of preventing duplicate regulation, examination, reporting, investigation or supervision the commissioner may adopt rules and regulations which exempt from some or all the provision of this chapter or some or all of the regulation, examination, investigation or supervision of the insurance commissioner thereunder such programs, or classes of such programs, as are subject to the regulation, examination, provision for reporting to, investigation, or supervision of any other agency of the State of California pursuant to any law of this State or any valid rule or regulation adopted thereunder."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 1164**—An act to repeal Section 3 of Chapter 2167 of the Statutes of 1957, to amend Sections 10643 and 10649 of, to repeal Section 10647 of, and to add Section 10647 to the Insurance Code, relating to employee health and welfare programs.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on May 6, 1959, strike out "All examinations shall be at the expense of the person or organization examined, except that examinations may", and insert "Such examinations shall".

**Amendment No. 2**

On page 1, line 18, strike out "in the discretion of the commissioner".

**Amendment No. 3**

On page 1, line 20, strike out "but shall be charged"; strike out line 21; and on page 2, strike out lines 1 to 3, inclusive, and insert a period.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 174**—An act to amend Section 633 of, and to add Section 710 to, the Unemployment Insurance Code, relating to unemployment insurance coverage for municipal and county employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 633", and insert "Sections 633 and 709".

**Amendment No. 2**

On page 1, between lines 6 and 7, insert

"SEC. 2. Section 709 of said code is amended to read:

709. The State~~, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions~~ *or the Regents of the University of California* may file with the director a written election to become an employer subject to this division for not less than two calendar years, or to have any of its departments or units become employers subject to this division for not less than two calendar years, and to have the services performed by its employees constitute employment subject to this division for such period. It shall post and maintain printed notices of such election on its premises, as prescribed by authorized regulations. If the director finds that a majority of the employees to be affected by the election to become an employer have voted in favor thereof, such state, ~~political subdivision thereof, instrumentality,~~ *the Regents of the University of California,* or department or unit thereof shall, upon the written approval of the election by the director, become an employer subject to this division to the same extent as other employers, and services performed by its employees shall constitute employment subject to this division.

This section shall not apply to employees holding civil service or permanent tenure positions."

**Amendment No. 3**

On page 1, line 7, strike out "2", and insert "3".

**Amendment No. 4**

On page 1, line 8, strike out "The legislative body of a city, county, or city and", and insert "(a) For the purpose of this section, 'governmental entity" means political subdivisions or instrumentalities of this State or instrumentalities of one or more political subdivisions. Fire departments, police departments and school districts shall be deemed separate governmental entities. "Governmental entity" does not include the State or the Regents of the University of California."

**Amendment No. 5**

On page 1, line 9, strike out "county may, and when so", and insert "(b) A governmental entity may, when".

**Amendment No. 6**

On page 1, line 11, strike out "of the city, county, or city".

**Amendment No. 7**

On page 1, line 12, strike out "and county, respectively, shall, by ordinance,".

**Amendment No. 8**

On page 1, strike out lines 14, 15, 16, 17, 18, and 19, and insert "employees. If the director finds that a majority of the employees to be affected by the election to become an employer have signed the petition, the governmental entity shall, upon the written approval of the director, become an employer subject to this division to the same extent as other employers, and services performed by its employees, including those with civil service or tenure positions, shall constitute employment subject to this division. Beginning at that".

**Amendment No. 9**

On page 2, strike out lines 1, 2, 3, 4, 5, 6, 7, and 8, and insert "benefits.

(c) In lieu of the contributions required of employers, each governmental entity that has elected coverage shall pay into the Unemployment Fund in the State Treasury at the times and in the manner provided in subdivision (d) of this section, an amount equal to the additional cost to the Unemployment Fund of the benefits paid with respect to employment for the governmental entity. Benefits otherwise payable irrespective of this section shall be charged to employers' accounts in accordance with other sections of this division, but the additional cost to the Unemployment Fund of the benefits paid pursuant to this section shall be borne solely by the appropriate governmental entity. If benefits are based on wages paid by two or more governmental entities, the benefits shall be borne by each of the governmental entities in the proportion that the total wages paid to the individual in employment by each governmental entity bears to the total wages paid to the individual in employment by all governmental entities during the base period. "Total wages paid" as used in this subdivision include taxable wages as well as wages which would be taxable except for the limitation on taxable wages provided under Section 930

(d) In making the payments prescribed by subdivision (c) of this section, there shall be paid or credited to the Unemployment Fund, either in advance or by way of reimbursement, as may be determined by the director, such sums as he estimates the Unemployment Fund will be entitled to receive from each governmental entity under this section for each calendar quarter, reduced or increased by any sum by which he finds that his estimates for any prior calendar quarter were greater or less than the amounts which should have been paid to the fund. Such estimates may be made upon the basis of such statistical sampling, or other method as may be determined by the director.

Upon making such determination, the director shall certify to the governmental entity the amount determined with respect to it. The contributions due from the governmental entities shall be paid to the Unemployment Fund by the appropriate governmental entity

The expenses of administration of the provisions of this section shall be provided for solely from assessments of governmental entities. The director shall make a quarterly assessment of each governmental entity which has elected coverage under this section, for the governmental entity's proportionate share of all administrative expenses involved in administering the provisions of this section.

(e) The director may require from each governmental entity, such employment, financial, statistical, or other information and reports, property verified, as may be deemed necessary by the director to carry out his duties under this division, which shall be filed with the director at the time and in the manner prescribed by him

(f) The director may tabulate and publish information obtained pursuant to this section in statistical form and may divulge the name of the governmental entity

(g) Each governmental entity shall keep such work records as may be prescribed by the director for the proper administration of this division.

(h) Except as inconsistent with the provisions of this section, the provisions of this division and authorized regulations shall apply to any matter arising pursuant to this section."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

**Assembly Bill No. 831**—An act to amend Section 404 of the Unemployment Insurance Code, relating to referees of appeals board.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Assembly on April 20, 1959, strike out ", but in no"; and strike out all of lines 12 and 13, and insert "and include both the power to conduct hearings and to render decisions, without regard to whether such other positions have membership in the State Bar of California as a prerequisite to appointment. No".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1046**—An act to add Sections 10131.2, 10183, and 10184 to the Business and Professions Code, relating to real estate brokers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to add Section 10184 to the Business and Professions Code; and to add Article 1 (commencing at Section 3081.01) and to add a heading to Article 2 to, and to amend Sections 3081.1, 3081.3, and 3081.93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to real property loans and brokers."

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 10184 is added to the Business and Professions Code, to read:

10184. All records, books and accounts of a real estate broker or salesman as defined in this part whether or not actually so licensed shall, upon the appearance of sufficient cause, be subject to inspection and audit by the commissioner or his designated representative.

SEC. 2. Article 1 (commencing at Section 3081.01) is added to Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, to read:

Article 1. Real Property Loan Brokers

3081.01. It is unlawful for any real estate broker to act as a real property loan broker within this State without first registering as a real property loan broker with the Division of Real Estate.

Any violation of this section shall be grounds for disciplinary action by the Real Estate Commissioner pursuant to Section 10176 of the Business and Professions Code.

3081.02. A real property loan broker within the meaning of this article is a real estate broker who for compensation payable by a borrower or lender, either directly or indirectly, or from the proceeds of a loan, negotiates or solicits a prospective borrower or lender, for the purpose of negotiating a loan to be secured by real property; or who in this State as principal or agent engages in the business of buying, selling or exchanging promissory notes, secured by mortgages or deeds of trust on real property, or makes collateral agreements for buying and selling or for the performance of services in connection with said mortgages and deeds of trust, and who engages in such activities as a main or principal business or vocation or maintains a regular place of business where the public may sell, purchase or exchange such promissory notes.

3081.03. The definition of a real property loan broker as set forth in Section 3081.02 does not include the following:

(a) The negotiation of a loan or loans by a licensed real estate broker in connection with the sale or exchange by him of real property, or the sale or exchange by him of any note or notes made or taken in connection with such transaction.

(b) The negotiation of a loan or loans by a licensed real estate broker in which he does not actually or constructively in any way keep, have charge of, or otherwise handle any of the funds involved in the loan.

3081.04. Any licensed real estate broker may file an application for registration as a real property loan broker. The application shall be made in writing to the Real Estate Commissioner, and shall be accompanied by such registration fee as may be established by the commissioner.

3081.05. The applicant shall file with the application a bond in the sum of not less than five thousand dollars ($5,000) issued by an admitted corporate surety insurer, approved by the commissioner, in which the applicant is the obligor. The bond shall be increased from time to time, and may be decreased to the minimum established by this section, as is necessary to keep the amount of the broker's bond at least equal to the sum of the funds retained by the broker in connection with a real property loan. The Real Estate Commissioner shall promulgate such regulations as he deems necessary to carry out the provisions of this section.

3081.06. The registration as a real property loan broker shall expire at the same time as does the applicant's license as a real estate broker. Thereafter the license and the registration shall run for concurrent periods.

3081.07. When a registration as a real property loan broker has been issued, the applicant's real estate broker's license shall be affixed with a distinctive insignia, as designated by the Real Estate Commissioner, to clearly indicate to the public that the licensee is also registered as a real property loan broker.

3081.08. Every person registered as a real property loan broker under this article shall be subject to the disciplinary provisions of Article 3 (commencing at Section 10175) of Chapter 3, Part 1, Division 4 of the Business and Professions Code.

SEC. 3. An article heading is added to Chapter 8, Title 14, Part 4, Division 3, immediately preceding Section 3081.1, of said code, to read:

Article 2. Real Property Loans

SEC. 4. Section 3081.1 of said code is amended to read:

3081.1. Every person, other than a lender, who, for compensation payable by a borrower either directly or from the proceeds of a loan, negotiates a loan to be secured by real property must, before the borrower becomes obligated to complete the loan, deliver to the borrower a statement in writing, containing all the information required by Section 3081.2. It shall be personally signed by the borrower, and by the person negotiating the loan, or his authorized representative. The person negotiating the loan, or his authorized representative, in said statement shall certify that the loan is being made in compliance with the provisions of this chapter. When so executed, an exact copy thereof shall be delivered to the borrower at the time of its execution. The person negotiating the loan shall retain on file for a period of three years after the original date fixed for termination of the note a true and correct copy of such statement as signed by the borrower.

No person in connection with or incidental to the making of any loan regulated by this chapter shall induce, require or permit such statement to be signed by a principal to the transaction if such statement contains any blank portions required by subdivision (a), (b), *(c), (d),* (e), (f), (g), (h), (i), *or* (j) ~~or (k)~~ of Section 3081.2 *; except that the person shall state a street number or other identification of the property and then may complete or fill in a blank or blanks with the legal description of the property, the closing date of the sale and the identity of the lender at a time subsequent to the time when the principal signs the statement.*

SEC. 5. Section 3081.3 of said code is amended to read:

3081.3. The maximum amount of total costs, ~~and~~ expenses, charges, and interest to be paid on any note, *by a borrower*, executed under this chapter shall be as follows:

(a) The total amount of all costs and expenses referred to in paragraph (a) of Section 3081.2 which are to be paid by the borrower shall not exceed four percent (4%) of the principal amount of the note or one hundred twenty dollars ($120), whichever is greater, but in no event to exceed two hundred fifty dollars ($250), and not exceeding costs and expenses paid, incurred or earned. If the total amount of the costs and expenses exceeds the estimated amount in the statement furnished to the borrower, the person negotiating the loan shall so inform the borrower in writing and the borrower may withdraw from the transaction, subject, however, to the borrower's obligation for actual costs and expenses theretofore incurred or paid to persons other than the person negotiating the loan.

(b) The total amount of the charges referred to in paragraph (b) of Section 3081.2 shall not exceed the following amounts:

1. In the case of a loan secured in whole or in part by a first mortgage or first trust deed, *except as provided in paragraph 3,* five percent (5%) of the principal amount of the note referred to in paragraph (e) of Section 3081.2 where the term of the loan is for a period of less

than three (3) years or ten percent (10%) where the said period is for three (3) years or more.

2. In the case of a loan secured in whole or in part by a mortgage or trust deed, other than a first mortgage or first trust deed, *except as provided in paragraph 3,* five percent (5%) of the principal amount of the note referred to in paragraph (e) of Section 3081.2 where the term of the loan is for a period of less than two (2) years, ten percent (10%) where the term of the loan is for a period of two (2) years but less than three (3) years, and fifteen percent (15%) where the term of the loan is for a period of three (3) years or more.

*3. A. In the case of a loan secured in whole or in part by a first mortgage or first deed of trust if at the time of the transaction it is understood that the deed of trust is to be subordinated to another lien to secure a loan for building or construction and the mortgage or deed of trust contains a provision providing for the subordination of said security to a subsequent lien that may be placed on said property, the total amount of the charges may be as provided in paragraph 2.*

*B. In the case a collateral loan is negotiated on a first deed of trust or first mortgage the total charge may be the same as provided in paragraph 1.*

*C. In the case a collateral loan is negotiated on a second trust deed or second mortgage the total charge may be the same as provided in paragraph 2.*

~~3.~~ *4.* If before the date of maturity of the loan, the borrower obtains an additional sum or advance of money on the note, the allowable charges on such additional sum shall not exceed the charges applicable to a new loan for the remainder of the term of the note of any extension thereof.

*(c) Notwithstanding any other provision of law a person authorized to negotiate loans or buy, sell or exchange promissory notes secured by a lien on real property pursuant to this chapter may:*

*1. Collect the installments of principal and interest.*

*2. If given authority in writing by the lender, to execute escrow instructions, to instruct a trustee to foreclose a deed of trust, assign a deed of trust or mortgage, execute a satisfaction of mortgage or reconveyance of a deed of trust.*

*3. Accept in advance and pay interest for a period not to exceed 30 days on money to be loaned by a lender subject to the approval or disapproval by him of the terms and conditions of the promissory note and the security therefor, or to be used in the purchase price for a promissory note secured by a mortgage or deed of trust on real property subject to the approval or disapproval by the purchaser of the terms and conditions of the promissory note and the security therefor.*

*4. Advance the costs necessary to foreclose a mortgage or deed of trust.*

~~(c)~~ *(d)* No loan secured by real property shall be made which provides for payment of interest in excess of ten percent (10%) per year as provided by Section 22 of Article XX of the California Constitution, and as implemented by the Statutes of 1919, page LXXXIII, known as the "Usury Law." *Interest charges not otherwise in excess of the limits imposed by this subdivision shall not be deemed to be excessive merely because they are paid not to exceed 30 days in advance.*

~~(d)~~ *(e)* No loan secured by real property shall be made under this chapter which provides for payment of interest to cover any period prior to the date that the proceeds of the loan are made available by the lender to the borrower or are deposited in escrow.

SEC. 6. Section 3081.93 of said code is amended to read:

3081.93. The provisions of this chapter shall take effect on October 1, 1955~~; and shall remain in effect until the ninety-first day after adjournment of the 1959 Regular Session of the Legislature~~."

**Amendment No. 3**

On page 1, strike out lines 2 to 14, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 153**—An act to add Section 152 to the Streets and Highways Code, relating to fire protection on freeways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 241**—An act to amend and renumber Section 2047 of the Penal Code, relating to rules and regulations governing conduct of prisoners.

Bill read second time, and ordered to third reading.

**Senate Bill No. 512**—An act to amend the heading of Article 5 (commencing at Section 2045) of Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 2045.1 of said code, relating to the State Prison at Soledad.

Bill read second time, and ordered to third reading.

**Senate Bill No. 607**—An act to amend Section 6154 of the Elections Code, relating to voting machines.

Bill read second time, and ordered to third reading.

**Senate Bill No. 741**—An act to add Section 804.2 to the Agricultural Code, relating to shipment of pears outside the State.

Bill read second time, and ordered to third reading.

**Senate Bill No. 906**—An act to repeal Section 11 of Chapter 33 of the Statutes of 1956, First Extraordinary Session, relating to state and local planning.

Bill read second time, and ordered to third reading.

**Senate Bill No. 279**—An act to add Sections 13392.3, 13392.4, 13392.5, and 13392.6 to the Government Code, relating to slaughter, or purchase or sale of slaughtered animals, by state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Senate on March 10, 1959, after "be", insert "prepared, handled or".

**Amendment No. 2**

On page 1, line 16, strike out "any", and insert "the Jewish or any other".

**Amendment No. 3**

On page 2, line 2, strike out "any", and insert "the Jewish or any other".

**Amendment No. 4**

On page 2, line 46, strike out "Notwithstanding"; strike out line 47, and insert "To protect the freedom of".

**Amendment No. 5**

On page 2, lines 49 and 50, strike out "exempted from the terms of such sections", and insert "deemed to be humane".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 480**—An act to amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 435, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553, 557 and 614 of, to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of and to add Sections 486, 514, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1, 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588 and 589 to, the Streets and Highways Code, relating to state highways, providing for a California Freeway and Expressway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System

Bill read second time

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 10 of the title of the printed bill, as amended in the Assembly on May 19, 1959, strike out "and 589", and insert ", 589 and 590".

**Amendment No. 2**

On page 6, line 19, strike out "156,".

**Amendment No. 3**

On page 6, line 22, strike out "289", and insert "290".

**Amendment No. 4**

On page 9, lines 2 and 3, strike out "northwest of Santa Monica to Route 4 near Tunnel Station", and insert "near Topanga Beach to Route 9 at or near Chatsworth".

**Amendment No. 5**

On page 13, line 23, after "88", insert "Section 590 is added to said code, to read:
590. Route 290 is from Route 60 northwest of Santa Monica to Route 4 near Tunnel Station.
SEC. 89."

**Amendment No. 6**

On page 6, line 21, after "232," insert "233,".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 999**—An act to create the Mariposa County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of

property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collections of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on May 7, 1959, strike out lines 11 to 13, inclusive, and insert "mission of water; power generation and transmission facilities; any".

**Amendment No. 2**

On page 16, strike out lines 51 and 52; on page 17, strike out lines 1 and 2, and insert "transmission and sale of hydroelectric energy."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 333**—An act to amend Section 301 of the Education Code, amend Section 601 of the Education Code as proposed by Senate Bill No 2, and repeal Section 601.1 of the Education Code as proposed by Senate Bill No. 2, relating to county boards of education.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1110**—An act to amend Sections 21351 and 21352 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to revolving funds of school districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 831**—An act to amend Section 405 of, and to add Section 12520 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the issuance of junior permits for the operation of motor-driven cycles.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Senate on May 5, 1959, strike out "14", and insert "15".

**Amendment No. 2**

On page 1, line 13, strike out "driven cycle", and insert "scooter with five-brake power or less and a wheel radius of less than 6¼ inches".

**Amendment No. 3**

On page 1, line 14, after the period, insert "There shall be a ten dollar ($10) application fee. After the application has been favorably accepted but before the junior permit shall be issued, the applicant shall provide the Department of Motor Vehicles with a certificate of insurance providing for damages resulting from the ownership or operation of a motor vehicle and arising by reason of personal injury to, or death of any one person, of at least ten thousand dollars ($10,000), and,

subject to the limit of ten thousand dollars ($10,000) for each person injured or killed, and of at least twenty thousand dollars ($20,000) for such injury to or the death of two or more persons in any one accident, and for damages to property of at least five thousand dollars ($5,000) resulting from any one accident and which cannot be canceled without 15 days notice by the insurer to the Department of Motor Vehicles. If the insurance is cancelled or if the holder of this junior permit is convicted of two moving violations, the department may revoke the junior permit."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 432**—An act to add Section 996 21 to the Military and Veterans Code, relating to facilities and buildings of the Department of Veterans Affairs.

Bill read second time, and ordered to third reading.

**Senate Bill No. 465**—An act to add Section 1202b to the Penal Code, relating to youthful offenders.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 614**—An act to amend Sections 1050 and 1382 of, and to repeal Section 681a of, the Penal Code, relating to the time within which a criminal prosecution must be brought to trial.

Bill read second time, and ordered to third reading.

**Senate Bill No. 897**—An act to amend Section 771 of the Insurance Code, relating to insurance in connection with sales and loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Senate on April 9, 1959, before the period, insert ", unless the additional coverage consists of automobile, life or disability insurance".

Amendment No. 2

On page 2, line 12, strike out "fee", and insert "charge".

Amendment No. 3

On page 2, line 13, strike out "No service charges shall be"; strike out all of lines 14, 15 and 16, and insert

"(e) The Insurance Commissioner is authorized to adopt a uniform statewide schedule of permissive maximum charges for the substitution of policies authorized in subdivision (d)."

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

**Senate Bill No. 1043**—An act to amend Section 777.1 of the Insurance Code, relating to free insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on May 7, 1959, after "any", insert "title insurance or".

Amendment No. 2

On page 1, strike out line 20, and insert "insured; nor shall it be applicable to any of the provisions of Part 5, Division 2 of this code."

Bill ordered reprinted, and to be placed on the Consent Calendar.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2567,** subsequent to engrossment.

**Assembly Bill No. 423,** subsequent to re-engrossment.

**Senate Bill No. 432.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1110 CONTINUED

Mr. Charles H. Wilson was granted unanimous consent that his motion to reconsider the vote on the Bruce F. Allen Amendments to Assembly Bill No. 1110 be continued until the next legislative day.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 398 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 398 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1094**—An act to add Article 13 (commencing with Section 255 to Chapter 1, Title 3, Part 1 of the Code of Civil Procedure relating to the drawing of juries.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1094?

Amendment No. 1

On page 1, line 12, of the printed bill, after "jurors", insert ", provided that such selection and drawing shall be done by lot".

The Assembly concurred in Senate amendment to Assembly Bill No. 1094 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, George E. Brown, Burton, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Petris, Schrade, Shell, Thelin, Unruh, Williamson, George A. Willson, Z'berg, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 1094 ordered enrolled.

**Assembly Bill No. 1736**—An act to add Section 940.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1736?

#### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "City charter provisions notwithstanding", and insert "Where a city charter does not specify a date for such elections".

The Assembly concurred in Senate amendment to Assembly Bill No. 1736 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Bradley, George E. Brown, Burke, Burton, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, Petris, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—45.
NOES—None.

Assembly Bill No. 1736 ordered enrolled.

**Assembly Bill No. 1844**—An act to amend Section 14004 of the Financial Code, relating to credit union employee organizations.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1844?

#### Parliamentary Inquiry

Mr. George E. Brown arose to the following parliamentary inquiry: Would a motion to place the bill on the inactive file be in order?

#### Reply by Speaker

The Speaker replied that it would, and that a motion to strike from the file would also be in order.

#### Motion to Strike From File

Mr. George E. Brown moved that Assembly Bill No. 1844 be stricken from the file.

Motion carried unanimously.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Unruh was granted unanimous consent that experts from the Department of Finance and from the office of the Legislative Analyst be permitted on the floor of the Assembly during the debate on Assembly Bill No. 800.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 494**—An act to amend Sections 2655, 3266, 3270, and 3271 of, and to add Section 3105 and Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation disability benefits.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Gaffney, Ernest

R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 469**—An act to add Sections 7044.5 and 7054 to the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Schrade, Shell, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—49.

NOES—Mulford—1.

Bill ordered transmitted to the Senate.

## ASSEMBLY BILL NO. 1692 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 1692**, on motion of Mr. Waldie.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 158**—An act to add Section 7032 to the Business and Professions Code, relating to contractors' licenses.

Bill read third time.

### Demand for Previous Question

Messrs. Busterud, Bee, Williamson, Burke, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Charles H. Wilson moved a call of the Assembly.

Mr. Coolidge seconded the motion.

Motion carried. Time, 9.32 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2296**—An act to amend Section 3042 of and to add Chapter 5.4 (commencing with Section 2540) to Division 2 of the Business and Professions Code, relating to prescription lenses.

Bill read third time.

### Motion to Amend

Mr. Cameron moved the adoption of the following amendments:

### Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "prescription", and insert "contact".

### Amendment No. 2

On page 2, line 20, strike out "supervision", and insert "direction".

### Amendment No. 3

On page 2, line 24, strike out "chapter", and insert "division".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2302**—An act to amend Section 1352 of the Labor Code, relating to working hours for women.

Bill read third time, and refused passage by the following vote:

AYES—Bee, Bradley, Burke, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Ernest R. Geddes, Hegland, Holmes, House, Kilpatrick, Lanterman, Levering, Luckel, Masterson, Reagan, Rees, Schrade, Sedgwick, Shell, and Thelin—24.

NOES—Bane, Belotti, Burton, Busterud, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Hawkins, Kennick, Lowrey, Lunardi, MacBride, Marks, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Rumford, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—29

**Assembly Bill No. 2430**—An act to amend Sections 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of, and add Article 11.5 (commencing at Section 73750) to Chapter 10, Title 8 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2541**—An act to amend Section 22406 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the speed of trucks and truck tractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller,

Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.
NOES—Elliott, Lanterman, Levering, and Shell—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2451**—An act to amend Section 54309 of, and to add Sections 54309.1 and 54516.3 to, the Government Code, relating to the issuance of revenue bonds by local agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Meyers, Mulford, Munnell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1550**—An act to add Sections 7208 and 7209 to the Revenue and Taxation Code, relating to local sales and use taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1682**—An act to add Section 6388 to the Revenue and Taxation Code, relating to trailer coaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2488**—An act to add Chapter 14 (commencing at Section 27750) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna,

Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—George A. Willson—1.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 271

By Mr. Belotti:

### House Resolution No. 271

Relating to the passing of Fred J. Moore

WHEREAS, The Members of this House have learned with profound grief of the passing, in Eureka on May 9, 1959, at the age of 72, of a former Member of this House, Mr. Fred J. Moore; and

WHEREAS, Mr. Moore, a life-long resident of Humboldt County who was born in Arcata on October 25, 1886, was for many years a leader in the Northern California insurance industry; and

WHEREAS, This man, in addition to his fine professional reputation, also gave freely of his time and was extremely active in church, community, school and fraternal affairs in the Eureka area; and

WHEREAS, Fred J. Moore, Sr., was elected to the Assembly of the State of California in 1922, and served with distinction for one term; and

WHEREAS, This man is the father of Humboldt County Clerk, Fred J. Moore, Jr., of Dr. Herbert Moore of Arcata, and of former star athlete and Arcata High School Athletic Director, Francis Moore; and

WHEREAS, In addition to his three sons he leaves his widow, Mrs. Bertha F. Moore; a brother, Verne E. Moore; a sister, Mrs. Lila M. Bruner, and a multitude of friends and relatives to mourn his passing; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend their sincere condolences to the bereft widow and other members of the family of Fred J. Moore; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this Resolution to Mrs. Bertha F. Moore, Mr. Verne E. Moore, Mrs. Lila M. Bruner, Mr. Fred J. Moore, Jr., Dr. Herbert Moore, and Mr. Francis Moore.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 276

By Mr. Hanna:

### House Resolution No. 276

Relative to Bert J. Abraham, owner of the *Anaheim Gazette*

WHEREAS, The *Anaheim Gazette*, the oldest weekly newspaper in California, has recently been purchased by the veteran newspaperman, Mr. Bert J. Abraham, and

WHEREAS, Mr. Abraham, who was born in Omaha, Nebraska, has for many years been rendering a public service to his adoptive State of California by providing excellent news coverage for the people of his community; and

WHEREAS, He began his long and illustrious career in the newspaper profession as a member of the advertising department of the *Long Beach Sun;* and

WHEREAS, Before becoming the new owner and publisher of the *Anaheim Gazette* Mr. Abraham was the successful publisher of newspapers in Pittsburg and Bellflower, California; and

WHEREAS, In addition to his achievements in the field of journalism he is a past president of the California Newspapers Association, has served under both Governor Knight and Governor Brown as the able representative of the press on the California State Fair and Exposition Board, and at present is secretary of the California Press Association; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend Bert J. Abraham on his outstanding record as a newspaper publisher, and extend to him best wishes for the future as publisher of the *Anaheim Gazette;* and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of the resolution to Mr. Abraham.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 272

By Messrs. Marks, Busterud, Gaffney, O'Connell, Burton, and Meyers:

### House Resolution No. 272

Relative to the death of Lloyd W. Dinkelspiel

WHEREAS, The Members of the Assembly were deeply grieved to learn of the recent death of the noted San Francisco attorney and civic leader, Lloyd W. Dinkelspiel; and

WHEREAS, Mr. Dinkelspiel, a graduate of Stanford University and Harvard Law School, and President of the San Francisco Bar Association in 1943, was a senior partner in the law firm of Heller, Ehrman, White and McAuliffe; and

WHEREAS, He twice served his Country in time of war, as an infantryman in World War I, and as a major at Wright Air Field in World War II, for which he was awarded the Legion of Merit and promotion to lieutenant colonel; and

WHEREAS, He was long active in church, civic, and welfare work, as first president of the Jewish Community Center, as president from 1938 to 1943 of Congregation Emanu-El, and as a director of the Community Chest, the San Francisco Red Cross, and the California State Chamber of Commerce; and

WHEREAS, From 1953 to 1958 he was president of the Stanford University board of trustees, and at the time of his death was national president of the Jewish Welfare Board, and a member of both the Stanford University board of trustees, and the Stanford Research Institute board of directors; and

WHEREAS, By the passing of this distinguished and dedicated leader who gave so generously of his strength and wisdom for the betterment of his fellow men the State, as well as his community, has suffered an irreparable loss; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby express their deep regret at the passing of Lloyd W. Dinkelspiel and extend their sincere condolences to his family and many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his widow, Mrs. Anna Dinkelspiel, his daughter, Mrs. William H. Green, and his son, Mr. Lloyd W. Dinkelspiel, Jr.

Resolution read, and adopted unanimously.

## BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and, by unanimous consent, ordered placed on the third reading file.

**Senate Bill No. 913,** on request of Mr. Burton.

**Assembly Bill No. 2223,** on request of Mr. Elliott.

**Assembly Bills Nos. 405, 406,** and **407,** on request of Mr. Elliott.

**Senate Bill No. 1007,** on request of Mr. Francis.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 913**—An act to amend Sections 14310, 14311, and 14372 of, and to add Section 14372.1 to, the Education Code enacted by the Legislature at its 1959 Regular Session, relating to State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2442**—An act to amend Section 21706 of the Government Code, relating to State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2475**—An act to amend Section 7100 of the Financial Code, relating to loans by savings and loan associations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2381**—An act to amend Section 1705 of, and to add Section 1716 to, the Corporations Code, relating to investment companies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2461**—An act to amend Section 24207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2487**—An act to amend Section 13275 of, to add Section 12915 to, and to repeal Sections 917, 13276, 13584, and 13585 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public school employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2457**—An act to amend Section 24051 1 of the Financial Code, relating to exemptions from the California Small Loan Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin,

Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2448**—An act to add Section 10176.1 to the Insurance Code, relating to insurance policies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2147**—An act to amend Section 24072.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2527**—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2433**—An act to amend Section 19538.2 of the Business and Professions Code, and to amend Section 19557 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to horse racing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 408**—An act to amend Sections 37201 and 39586 of the Government Code, relating to claims against cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 409**—An act to amend Section 1007 of the Education Code, Sections 6370 and 6960 of the Harbors and Navigation Code, Section 14164 of the Health and Safety Code, Sections 5553 and 5784.19 of the Public Resources Code, Section 21782 of the Streets and Highways Code and Section 56117 of the Water Code; to repeal Sections 61628, 61630, and 61631 of the Government Code, Sections 4817, 5617, and 6096 of the Health and Safety Code, Sections 16682, 16683, 16684, 16685, 16686, Article 5a (commencing with Section 12830) of Chapter 6 of Division 6 and Article 6 (commencing with Section 29060) of Chapter 6 of Part 2 of Division 10 of the Public Utilities Code, Sections 22727, 22728, 22729, 31084, 31085, 31086, 31087, 35752, 35753, and 35754 of the Water Code; and to add Article 1.5 (commencing with Section 1018) to Chapter 1 of Division 2, Article 5 (commencing with Section 21658) to Chapter 10 of Division 10, Article 2.5 (commencing with Section 22360) to Chapter 4 of Division 11, Article 3.5 (commencing with Secton 22680) to Chapter 5 of Division 11 and Article 8.5 (commencing with Section 22980) to Chapter 6 of Division 11 of the Education Code, Section 61628 to the Government Code, Chapter 4 (commencing with Section 5790) to Part 1.5 of Division 8, Chapter 3.5 (commencing with Section 5905) to Part 2 of Division 8, Chapter 3.5 (commencing with Section 6095) to Part 3 of Division 8 and Article 3 (commencing with Section 6680) to Chapter 5 of Part 5 of Division 8 of the Harbors and Navigation Code, Sections 954, 4817, 5617, 4665.6, 6096, 14163.5, Article 5.5 (commencing with Section 2320) to Chapter 5 of Division 3, Article 4.5 (commencing with Section 2880) to Chapter 8 of Division 3, Article 4.5 (commencing with Section 4130) to Chapter 1 of Part 2 of Division 5, Article 5.5 (commencing with Section 4185.1) to Chapter 1.5 of Part 2 of Division 5, Article 5.5 (commencing with Section 5745) to Chapter 9 of Part 3 of Division 5,

Article 8 (commencing with Section 6805) to Chapter 7 of Part 1 of Division 6, Article 5 (commencing with Section 9010) to Chapter 8 of Part 4 of Division 8, Article 6.5 (commencing with Section 14363) to Chapter 1a of Part 3 of Division 12, Article 7.1 (commencing with Section 14488) to Chapter 2 of Part 3 of Division 12, Article 4.1 (commencing with Section 20115) to Chapter 1 of Part 1 of Division 14, Article 2.5 (commencing with Section 24232) to Chapter 2 of Division 20, Article 16 (commencing with Section 24374) to Chapter 2.5 of Division 20, Chapter 7 (commencing with Section 32492) to Division 23, Article 6 (commencing with Section 33340) to Chapter 2 of Part 1 of Division 24 and Article 6 (commencing with Section 34380) to Chapter 1 of Part 2 of Division 24 of the Health and Safety Code, Article 2.5 (commencing with Section 1209) to Chapter 1 of Division 6 of the Military and Veterans Code, Section 5553.5, Article 3 (commencing with Section 9420) to Chapter 4 of Division 9 and Article 1.5 (commencing with Section 11520) to Chapter 7 of Division 10 of the Public Resources Code, Section 16682, Article 5a (commencing with Section 12830) to Chapter 6 of Division 6, Article 6 (commencing with Section 29060) to Chapter 6 of Part 2 of Division 10, Chapter 4.5 (commencing with Section 22601) to Part 2 of Division 9 and Article 9 (commencing with Section 25951) to Chapter 6 of Part 1 of Division 10 of the Public Utilities Code, Sections 31867, 33550, 35707, Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16, Chapter 9.5 (commencing with Section 8230) to Part 2 of Division 9, Chapter 10.5 (commencing with Section 19190) to Part 4 of Division 14, Chapter 15.5 (commencing with Section 25360) to Part 1 of Division 16 and Chapter 13.5 (commencing with Section 26225) to Part 2 of Division 16 of the Streets and Highways Code, Sections 8991, 22727, 31084, 35752, 44457, Article 4.5 (commencing with Section 50145) to Chapter 2 of Part 1 of Division 15 and Chapter 4 (commencing with Section 55720) to Part 4 of Division 16 of the Water Code, relating to claims against the State, local public entities and public officers and employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 410**—An act to amend Section 3 of Chapter 349 of the Statutes of 1873-74, Section 9 of Chapter 201 of the Statutes of 1895, Section 11 of Chapter 310 of the Statutes of 1905, Section 19 of the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 53 of the Solvang Municipal Improvement District Act (Chapter 1635, Statutes of 1951), Section 53 of the Fairfield-Suisun Sewer District Act (Chapter 303, Statutes of 1951), Section 53 of the

Montalvo Municipal Improvement District Act (Chapter 549, Statutes of 1955), and Section 11 of the Lower San Joaquin Levee District Act (Chapter 1075, Statutes of 1955); to add Section 3.1 to Chapter 349 of the Statutes of 1873-74, Section 9.5 to Chapter 63 of the Statutes of 1880, Section 12.5 to Chapter 158 of the Statutes of 1885, Section 49.5 to the Drainage Act of 1903 (Chapter 238, Statutes of 1903), Section 46.5 to Chapter 25 of the Statutes of 1907, Section 19.1 to the Storm Water District Act of 1909 (Chapter 222, Statutes of 1909), Section 8.5 to Chapter 99 of the Statutes of 1913, Section 8.5 to Chapter 361 of the Statutes of 1915, Section 29.5 to the Palo Verde Irrigation District Act (Chapter 452, Statutes of 1923), Section 34.5 to the Water Conservation Act of 1927 (Chapter 91, Statutes of 1927), Section 3 1 to the Orange County Flood Control District Act (Chapter 723, Statutes of 1927), Section 20.5 to the American River Flood Control District Act (Chapter 808, Statutes of 1927), Section 10.5 to Chapter 641 of the Statutes of 1931, Section 21.1 to the Water Conservation Act of 1931 (Chapter 1020, Statutes of 1931), Section 20.5 to the Orange County Water District Act (Chapter 924, Statutes of 1933), Section 8 is added to the San Bernardino County Flood Control Act (Chapter 73, Statutes of 1939), Section 15.1 is added to the Monterey Peninsula Airport District Act (Chapter 52, Statutes of 1941), Section 135.5 to the California Water Storage and Conservation District Act (Chapter 1253, Statutes of 1941), Section 15 5 to the County Water Authority Act (Chapter 545, Statutes of 1943), Section 17.5 to the San Diego County Flood Control District Act (Chapter 1372, Statutes of 1945), Section 2 5 to the Vallejo Sanitation and Flood Control District Act (Chapter 17, Statutes of the First Extraordinary Session of 1952), Section 9.5 to the Contra Costa County Storm Drainage District Act (Chapter 1532, Statutes of 1953), Section 11.5 to the Fresno Metropolitan Flood Control Act (Chapter 503, Statutes of 1955), and Section 48 to the Santa Clara-Alameda-San Benito Water Authority Act (Chapter 1289, Statutes of 1955); and to repeal and add Section 20 of the Municipal Water District Act of 1911 (Chapter 671, Statutes of 1911), Section 14½ of the Los Angeles County Flood Control Act (Chapter 755, Statutes of 1915), Section 6.1 of the Metropolitan Water District Act (Chapter 429, Statutes of 1927), Section 13 of the Ventura County Flood Control Act (Chapter 44, Statutes of the Fourth Extraordinary Session of 1944), Section 31 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), Section 15 of the Riverside County Flood Control and Water Conservation District Act (Chapter 1122, Statutes of 1945), Section 8.1 of the Santa Barbara County Water Agency Act (Chapter 1501, Statutes of 1945), Section 30 of the San Luis Obispo County Flood Control and Water Conservation District Act (Chapter 1294, Statutes of 1945), Section 30 of the Monterey County Flood Control and Water Conservation District Act (Chapter 699, Statutes of 1947), Section 8 of the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), Section 8 of the Mendocino Flood Control and Water Conservation District Act (Chapter 995, Statutes of 1949), Section 29 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275, Statutes of 1949), Section 30 of the Santa Clara County Flood Control and Water Conservation District Act (Chapter

1405, Statutes of 1951), Section 30 of the Napa County Flood Control and Water Conservation District Act (Chapter 1449, Statutes of 1951), Section 34 of the Lake County Flood Control and Water Conservation District Act (Chapter 1544, Statutes of 1951), Section 30 of the Contra Costa County Flood Control and Water Conservation District Act (Chapter 1617, Statutes of 1951), Section 15 of the Kings River Conservation District Act (Chapter 931, Statutes of 1951), Section 8.1 of the Solano County Flood Control and Water Conservation District Act (Chapter 1656, Statutes of 1951), Section 8 of the Yolo County Flood Control and Water Conservation District Act (Chapter 1657, Statutes of 1951), Section 8.1 of the Sacramento County Water Agency Act (Chapter 10, Statutes of the First Extraordinary Session of 1952), Section 29 of the Marin County Flood Control and Water Conservation District Act (Chapter 666, Statutes of 1953), Section 34 of the San Benito County Water Conservation and Flood Control District Act (Chapter 1598, Statutes of 1953), Section 8 of the Morrison Creek Flood Control District Act (Chapter 1771, Statutes of 1953), Section 31 of the Del Norte County Flood Control District Act (Chapter 166, Statutes of 1955), Section 31 of the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057, Statutes of 1955), Section 154 of the Santa Cruz County Flood Control and Water Conservation District Act (Chapter 1489, Statutes of 1955), Section 20 of the Contra Costa County Water Agency Act (Chapter 518, Statutes of 1957) and Section 4.23 of the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547, Statutes of 1957), relating to claims against the State, local public entities and public officers and employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2339**—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2476**—An act to amend Sections 73649, 73959 and 74749 of the Government Code, relating to the payment of official reporters in the municipal courts in San Diego County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2533**—An act to amend Section 70047 of the Government Code, relating to superior court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2440**—An act to add Section 2399.5 to the Business and Professions Code, relating to the practice of medicine.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2512**—An act to amend Section 2163.3 of the Welfare and Institutions Code, relating to property of old age assistance recipients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2462**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 105**—Relative to the imposition of inheritance or other death taxes by chartered cities.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 2397**—An act to amend Section 637.5 of the Agricultural Code, relating to milk and milk products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1489**—An act to amend Section 35790 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailer coaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1750**—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1, Title 2 of the Government Code to authorize instrumentalities created jointly by this State or any other state or states to obtain federal old age and survivors' insurance for the employees of such instrumentalities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2524**—An act to amend Section 28121 of the Government Code, relating to compensation for public service in counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2409**—An act to add Section 1230 to, and to amend Section 19331 of, the Government Code, relating to jury duty.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Motion to Amend Title**

Mr. George E. Brown moved the adoption of the following amendments to the title:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 18, 1959, strike out ", and to amend Section 19331 of,".

**Amendment No. 2**

In line 2 of the title, strike out "jury duty", and insert "leaves of absence".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 2361**—An act to amend Section 35201.5 of the Government Code, relating to the annexation of noncontiguous territory owned by the annexing city.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2222**—An act to amend Section 8608 of the Revenue and Taxation Code, relating to the Use Fuel Tax Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 922**—An act to amend Section 305.1 of the Vehicle Code and to amend Section 13358 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to suspension and revocation of privilege of minor to operate motor vehicle.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin,

Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 259**—An act to amend Section 1226 of the Financial Code, relating to loan limits of commercial banks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 891**—An act to add Section 11.5 to the Santa Barbara County Flood Control and Water Conservation District Act (Chapter 1057, Statutes of 1955), relating to the Santa Barbara Flood Control and Water Conservation District, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 143**—An act to add Section 856 to the Fish and Game Code, and to amend Section 817 of the Penal Code, relating to members of the Wildlife Protection Branch of the Department of Fish and Game.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 775**—An act to amend Sections 9505, 9512, 9533.5, 9540, 9540.51, 9541, 9542, 9550, and 9580 of, to amend and renumber Section 9505.1 of, and to add Sections 9505.1 and 9546 to, the Business and Professions Code, relating to cleaning, dyeing and pressing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 884**—An act to amend Section 112 of the Code of Civil Procedure, relating to jurisdiction of justice courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 376**—An act to add Section 10607 to the Health and Safety Code, relating to access of newspapermen to vital statistics records.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin,

Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 627**—An act to amend Section 8950 of the Health and Safety Code, relating to public cemetery districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 919**—An act to add Section 5260.5 to the Welfare and Institutions Code, relating to support of persons committed to state homes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 714**—An act to amend Section 14376 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the employment of retired teachers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1127**—An act to amend Section 1148.2 of the Agricultural Code, relating to labeling of nursery stock.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1022**—An act to add Section 473.5 to, and to amend Section 637.1 of the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 730**—An act to amend Section 393 of the Military and Veterans Code, relating to defense of criminal charges against members of the National Guard.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None

Bill ordered transmitted to the Senate

**Senate Bill No. 900**—An act to amend Section 1801 of the Military and Veterans Code, relating to fraudulent representations or solicitations

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 924**—An act to add Section 1195.1 to the Military and Veterans Code, relating to election of officers in memorial districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 484**—An act to amend Section 13943.5 of the Government Code, relating to the discharge of state agencies from accountability for collection of taxes, licenses, fees, or money owing to the State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 563**—An act to add Section 25509 to the Water Code, relating to assessment of land by irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 886**—An act to amend Sections 24404 and 25401 of the Revenue and Taxation Code, relating to the deductions of farmers co-operatives for bank and corporation tax purposes.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

### POINT OF PERSONAL PRIVILEGE

Mr. Holmes arose on a point of personal privilege.

### POINT OF ORDER

Mr. Unruh arose to the following point of order: That the hour of 10 a.m. having arrived, the special order of business is before the House.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

### CONSIDERATION OF SPECIAL ORDER

The hour of 10 a.m. having arrived, Assembly Bill No. 800 was taken up.

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Speaker pro Tempore Presiding

At 10.05 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

#### Parliamentary Inquiry

Mr. Winton arose to the following parliamentary inquiry: Will reprinting of Assembly Bill No. 800 be held until all amendments have been considered?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the question would be at the will of the House.

#### Request for Unanimous Consent

Speaker pro Tempore Bee was granted unanimous consent that, if any amendments to Assembly Bill No. 800 be adopted, the bill be not sent to reprint until all amendments have been considered.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: If an amendment to the bill has been adopted, will a point of order that further amendments do not fit the bill be recognized?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that, by a gentlemen's agreement, the amendments would be accepted.

#### Request for Unanimous Consent

Speaker pro Tempore Bee was granted unanimous consent that the Chief Clerk be authorized to make any necessary technical page and line number corrections in the amendments to Assembly Bill No. 800.

**Parliamentary Inquiry**

Mr. Shell arose to the following parliamentary inquiry: Will the House be operating under Rule No. 70, as interpreted by the Legislative Counsel, that amendments which are strictly deletions of material in the bill do not require distribution to the members?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that amendments which were strictly deletions would be accepted without such distribution.

**Parliamentary Inquiry**

Mr. Dahl arose to the following parliamentary inquiry: How many votes are required to pass the Budget Bill?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that 54 votes are required.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: How many votes are required to adopt amendments to the bill?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that a majority vote of the members present is required to adopt any amendments to the bill.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Does not the Budget Bill in its present form require 54 votes for passage?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it does, in its present form.

**Consideration of Amendments**
**Motion to Amend**

Mr. Coolidge moved the adoption of the following amendments:

**Amendment No. 1**

On page 30, line 36, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "27,239,887", and insert "28,038,179".

**Amendment No. 2**

On page 30, line 39, strike out "19,323,329", and insert "19,916,527".

**Amendment No. 3**

On page 30, line 42, strike out "8,146,098", and insert "8,351,192".

**Amendment No. 4**

On page 30, line 45, strike out "27,469,427", and insert "28,267,719".

**Amendment No. 5**

On page 30, line 49, strike out "27,239,887", and insert "28,038,179".

Amendments read.

**Speaker Presiding**

At 10.16 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments by Mr. Coolidge.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Dahl, and Shell demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Bradley, Chapel, Collier, Coolidge, Cunningham, Francis, McCollister, Meyers, and Schrade—12.

NOES—Bane, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Garrigus moved the adoption of the following amendments:

**Amendment No. 1**

On page 40, between lines 39 and 40, of the printed bill, as amended in the Assembly on May 21, 1959, insert

"Provided, that from the funds herein appropriated not more than one field office shall be established and maintained in the Reedley-Dinuba area."

**Amendment No. 2**

On page 77, line 49, strike out "63,050", and insert "138,050".

**Amendment No. 3**

On page 78, between lines 10 and 11, insert

"(f) Equip and install air conditioning system for classroom buildings No. 2 and 3_____ 75,000".

**Amendment No. 4**

On page 78, line 12, strike out "63,050", and insert "138,050".

Amendments read.

**Division of Question**

Mr. Garrigus asked for a division of the question.

**Consideration of Amendment No. 1**

**Amendment No. 1**

On page 40, between lines 39 and 40, of the printed bill, as amended in the Assembly on May 21, 1959, insert

"Provided, that from the funds herein appropriated not more than one field office shall be established and maintained in the Reedley-Dinuba area."

Amendment No. 1 read.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Mr. Garrigus seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Belotti, Biddick, Britschgi, George E. Brown, Burton, Chapel, Coolidge, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Garrigus, Grant, Hegland, Holmes, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, Meyers, Mulford, Petris, Schrade, Sedgwick, Shell, Thelin, Thomas, Williamson, and Z'berg—35.

NOES—Bane, Bee, Bradley, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Gaffney, Ernest R. Geddes, Hanna, House, Johnson, Luckel, Marks, McCollister, McMillan, Miller, Nisbet, O'Connell, Pattee, Porter, Rees, Unruh, Waldie, George A. Willson, and Winton—30.

Time, 10.42 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 800

### FURTHER CONSIDERATION OF AMENDMENTS

#### Consideration of Amendments Nos. 2, 3, and 4 by Mr. Garrigus

**Amendment No. 2**

On page 77, line 49, strike out "63,050", and insert "138,050".

**Amendment No. 3**

On page 78, between lines 10 and 11, insert

"(f) Equip and install air conditioning system for classroom buildings No. 2 and 3 ..... 75,000".

**Amendment No. 4**

On page 78, line 12, strike out "63,050", and insert "138,050".

Amendments Nos. 2, 3, and 4, read, and refused adoption.

#### Consideration of Further Amendments

#### Motion to Amend

Mr. Cusanovich moved the adoption of the following amendment:

**Amendment No. 1**

On page 129 of the printed bill, as amended in the Assembly on May 21, 1959, between lines 14 and 15, insert

"SEC. 30.5. No moneys appropriated by any item of this act may be expended for the payment of salaries and wages for positions designated as proposed new positions in the 1959-60 Budget document if such expenditures will cause the total expenditure for salaries and wages, with respect to any item, to exceed the amount set forth in the Governor's Budget for salaries and wages for positions now authorized."

Amendment read.

#### Demand for Previous Question

Miss Donahoe, Messrs. Luckel, Hegland, Ernest R. Geddes, and Chapel demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Cusanovich.

#### Roll Call Demanded

Messrs. Munnell, Biddick, and Miss Donahoe demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Reagan, Sedgwick, Shell, and Thelin—20.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—57.

**Consideration of Further Amendments**
**Motion to Amend**

Mr. Shell moved the adoption of the following amendment:

**Amendment No. 1**

On page 49 of the printed bill, as amended in the Assembly on May 21, 1959, strike out lines 8 to 19, inclusive.

Amendment read.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: What is the question before the House?

**Reply by Speaker**

The Speaker replied that the question was on the amendment offered by Mr. Shell.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Lanterman, Schrade, Hegland, and Luckel demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Shell.

**Roll Call Demanded**

Miss Donahoe, Messrs. Conrad, and Shell demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Grant, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Marks, Mulford, Reagan, Schrade, Shell, Thelin, and Mr. Speaker—28.

NOES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Cameron, Crown, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Lowrey, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—46.

**Consideration of Further Amendments**
**Motion to Amend**

Mrs. Davis moved the adoption of the following amendment:

**Amendment No. 1**

On page 5 of the printed bill, as amended in the Assembly on May 21, 1959, between lines 7 and 8, insert:
"305—For support of State Advisory Commission on Indian Affairs ... 10,000".

Amendment read.

**Point of Personal Privilege**

Mrs. Davis arose on a point of personal privilege.

**Speaker pro Tempore Presiding**

At 11.31 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Charles H. Wilson, Schrade, Luckel, and Miss Donahoe demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mrs. Davis

**Roll Call Demanded**

Mrs. Davis, Messrs. Lowrey, and Belotti demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, George E. Brown, Burton, Cameron, Collier, Davis, Donahoe, Elliott, Frew, Samuel R. Geddes, Grant, Hawkins, Johnson, Lowrey, Mulford, Sumner, and Thomas—19.

NOES—Don A. Allen, Bane, Beaver, Biddick, Britschgi, Burke, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Gaffney, Ernest R. Geddes, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Charles H. Wilson—50.

**Consideration of Further Amendments**

***Motion to Amend***

Mr. Bruce F. Allen moved the adoption of the following amendments:

**Amendment No. 1**

On page 67, line 50, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "12,946,185", and insert "14,297,765".

**Amendment No. 2**

On page 68, line 51, strike out "5,013,492", and insert "7,064,572".

Amendments read.

**Speaker Presiding**

At 11.45 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Burton, Lunardi, Waldie, Don A. Allen, and Luckel demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Bruce F. Allen.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Garrigus, and Meyers demanded a roll call.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Unruh moved a call of the Assembly.

Mr. Munnell seconded the motion.

Motion carried. Time, 12.03 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 800
## CONSIDERATION OF FURTHER AMENDMENTS

### Motion to Amend

Mr. Shell moved the adoption of the following amendments:

### Amendment No. 1

On page 28, line 22, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "7,498,269", and insert "7,148,269".

### Amendment No. 2

On page 28, line 26, strike out "4,009,674", and insert "3,659,674".

### Amendment No. 3

On page 28, line 28, strike out "12,798,332", and insert "12,448,332".

### Amendment No. 4

On page 28, line 39, strike out "7,498,269", and insert "7,148,269".

### Amendment No. 5

On page 28, line 47, strike out "; it is further pro-"; strike out lines 48 to 51, inclusive, and insert a period.

Amendments read.

### Demand for Previous Question

Messrs. Biddick, Pattee, Luckel, Meyers, and Masterson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Shell.

### Roll Call Demanded

Messrs Lanterman, Conrad, and Pattee demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Cusanovich, Dahl, Francis, Grant, Holmes, Kilpatrick, Lanterman, Levering, Luckel, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—26.

NOES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—42.

### Consideration of Further Amendments

### Motion to Amend

Mr. Shell moved the adoption of the following amendment:

### Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 21, 1959, strike out lines 12 to 17, inclusive.

Amendment read.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: What is the question before the House?

### Reply by Speaker

The Speaker replied that the question was on the amendment by Mr. Shell.

### Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Shell was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Demand for Previous Question**

Messrs. DeLotto, Pattee, Ernest R Geddes, Burke, and Crawford demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Shell.

**Roll Call Demanded**

Messrs. Burke, Collier, and Lanterman demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Francis, Johnson, Lanterman, Levering, Luckel, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—25.

NOES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—47.

**Consideration of Further Amendments**

**Motion to Amend**

Mr. Lowrey moved the adoption of the following amendment:

**Amendment No. 1**

On page 68, line 51, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "5,013,492", and insert "6,039,000".

**Amendment Withdrawn**

Mr. Lowrey withdrew his amendment.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 158

At 12.18 p m., Mr. Charles H. Wilson moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 158 passed by the following vote:

AYES—Don A. Allen, Bane, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Dills, Elliott, Gaffney, Garrigus, Hanna, Hawkins, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Shell, Thelin, Thomas, Unruh, and Charles H Wilson—43

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Cameron, Chapel, Davis, DeLotto, Donahoe, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Lowrey, Lunardi, MacBride, McCollister, Nisbet, Rees, Schrade, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—35.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON GARRIGUS AMENDMENT NO. 1 TO ASSEMBLY BILL NO. 800

At 12.25 p m., Mr. Lowrey moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Amendment No. 1, offered by Mr. Garrigus to Assembly Bill No. 800 refused adoption by the following vote:

AYES—Bruce F. Allen, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Crown, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Holmes, Kennick, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Petris, Rumford, Sedgwick, Shell, Sumner, Thomas, Williamson, and Z'berg—33

NOES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Burke, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Dills, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Schrade, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—45.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1222

Mr. Backstrand was granted unanimous consent that Senate Bill No. 1222 be withdrawn from the Committee on Transportation and Commerce, and re-referred to the Committee on Municipal and County Government.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2088 FROM COMMITTEE

Mr. Marks was granted unanimous consent that Assembly Bill No. 2088 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the Committee on Public Health.

### CONSIDERATION OF ASSEMBLY BILL NO. 2088

**Assembly Bill No. 2088**—An act to add Chapter 11 (commencing at Section 25950) to Division 20 of the Health and Safety Code, relating to containers.

Bill read second time.

#### Request for Unanimous Consent

Mr. Marks was granted unanimous consent that the bill be amended to include him as a co-author.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2660 FROM COMMITTEE

Mr. Marks was granted unanimous consent that Assembly Bill No. 2660 be withdrawn from the Committee on Social Welfare for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2660

**Assembly Bill No. 2660**—An act to amend Section 2181 of the Welfare and Institutions Code, relating to relatives' responsibility under the Old Age Security Law.

Bill read second time.

#### Motion to Amend

Mr. Marks moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 1, of the printed bill, after the second "taxes", insert ", employee retirement deductions required by law,".

#### Amendment No. 2

On page 2, line 3, strike out "taxes", and insert "items".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Mulford was granted unanimous consent to take up further consideration of Assembly Bill No. 2589 (read second time, and amended this morning), but which had not yet been sent to the printer. (Assembly Journal, page 4214.)

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2589

**Assembly Bill No. 2589**—An act to amend Section 1944 of the Labor Code, relating to employment of aliens.

Bill read second time.

#### Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Mulford was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer an amendment making him a co-author of Assembly Bill No. 2589.

#### Motion to Amend

Mr. Mulford moved the adoption of the following amendment:

#### Amendment No. 1

In the heading of the printed bill, strike out "Mr. Bruce F. Allen", and insert "Messrs. Bruce F. Allen and Mulford".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

### ANNOUNCEMENT

Mr. Hanna announced that, unless expressly requested by the Assemblyman for whom she works, none of the secretarial staff would be required to work on Saturday, May 30, 1959.

#### Motion

Mr. Britschgi moved that no secretaries be required to work this Saturday.

Motion ruled not in order.

### HOUSE RESOLUTION NO. 270 PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file:

**House Resolution No. 270**, on request of Mr. McMillan.

### CALL OF THE ASSEMBLY DISPENSED WITH ON BRUCE F. ALLEN AMENDMENTS TO ASSEMBLY BILL NO. 800

At 12.35 p.m., Mr. Unruh moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Motion carried. Time, 12.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### ASSEMBLY BILL NO. 2379 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 2379**, on motion of Mr. Cunningham.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1969**—An act to amend Section 31801 and to repeal Section 22306 of the Government Code, relating to the participation of policemen and firemen in federal old age and survivors' insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

#### Names Placed Upon Roll Call

Mr. Bee, Mrs. Davis, and Mr. George E. Brown were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 1969.

**Assembly Bill No. 2507**—An act to amend Section 2224 of the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell,

Petris, Reagan, Rees, Schrade, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2552**—An act to amend Section 12704 of the Business and Professions Code, relating to weights and measures.

Bill read third time.

Due to failure of the voting machine, a new roll call was ordered.

The roll was called, and Assembly Bill No. 2552 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

## ASSEMBLY BILL NO. 2351 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 2351,** on motion of Mr. Britschgi.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1382**—An act to add Section 19681.5 to the Government Code, relating to fees for placing persons in public work.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1023**—An act to amend Sections 14025, 14151, 14363, 14401, and 14405 of, and to add Section 14403.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1023?

### Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2; in line 3 strike out "Code, and", and insert "An act".

**Amendment No. 2**

In line 5 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 9, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 40, inclusive, and insert

"SECTION 1. Section 14025 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 4, line 3, strike out "8", and insert "2".

**Amendment No. 5**

On page 4, line 3, strike out "proposed".

**Amendment No. 6**

On page 4, line 20, strike out "9", and insert "3".

**Amendment No. 7**

On page 4, line 20, strike out "proposed".

**Amendment No. 8**

On page 5, line 1, strike out "10", and insert "4".

**Amendment No. 9**

On page 5, line 1, strike out "proposed".

**Amendment No. 10**

On page 5, line 13, strike out "11", and insert "5".

**Amendment No. 11**

On page 5, line 13, strike out "proposed".

**Amendment No. 12**

On page 5, line 25, strike out "12", and insert "6".

**Amendment No. 13**

On page 5, line 25, strike out "proposed".

**Amendment No. 14**

On page 5, strike out lines 39 to 46, inclusive

The Assembly concurred in Senate amendments to Assembly Bill No. 1023 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—76.

NOES—None.

Assembly Bill No. 1023 ordered enrolled.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 913

Mr. Don A. Allen was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 913.

## CALL OF THE ASSEMBLY DISPENSED WITH ON BRUCE F. ALLEN AMENDMENTS TO ASSEMBLY BILL NO. 800

At 12:52 p.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and the amendments offered by Mr. Bruce F. Allen to Assembly Bill No. 800 were refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Busterud, Collier, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Francis, Garrigus, Samuel R. Geddes, Hanna, Hegland, Holmes, Johnson, Kennick, Lowrey, MacBride, Marks, McCollister, Meyers, Mulford, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, and Z'berg—38.

NOES—Don A. Allen, Bane, Biddick, Burke, Burton, Cameron, Chapel, Conrad, Crown, Cunningham, Dahl, DeLotto, Dills, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, House, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—42.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 800
## CONSIDERATION OF FURTHER AMENDMENT

### Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

### Amendment No. 1

On page 68, line 51, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "5,013,492", and insert "6,039,000".

Amendment read.

### Demand for Previous Question

Messrs. Biddick, DeLotto, Chapel, Schrade, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Lowrey.

### Roll Call Demanded

Messrs. Busterud, Lanterman, and Beaver demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, George E. Brown, Busterud, Collier, Coolidge, Cusanovich, Davis, Donahoe, Francis, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Lowrey, Lunardi, Marks, McCollister, Mulford, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, and Thomas—32

NOES—Don A. Allen, Bane, Bee, Belotti, Biddick, Burke, Burton, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Frew, Gaffney, Ernest R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—46.

The question being on the passage of Assembly Bill No. 800.

### Urgency Clause

Urgency clause read.

### Demand for Previous Question

Messrs. Munnell, DeLotto, Bee, Biddick, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Reagan, Schrade, Shell, Sumner, and Thelin—25.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, Mulford, Reagan, Schrade, Shell, Sumner, and Thelin—25

### Motion to Reconsider Assembly Bill No. 800

Mr. Sumner moved to reconsider on the next legislative day the vote whereby Assembly Bill No 800 was this day passed.

### Motion to Temporarily Suspend the Rules

Mr. Masterson moved that the Rules be temporarily suspended for the purpose of taking up the motion to reconsider, at this time.

Mr. Bee seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Don A. Allen, Bee, Belotti, Biddick, George E. Brown, Burton, Crown, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—42.

NOES—Bruce F Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Francis, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Marks, Mulford, Nisbet, Porter, Reagan, Schrade, Shell, Sumner, Thelin, and George A. Willson—33.

Assembly Bill No. 800 and the motion to reconsider ordered to the unfinished business file.

### Explanation of Vote on Assembly Bill No. 800

May 27, 1959

I voted against the Budget because of the incompleteness of the Water Program.

FRANK LUCKEL
JACK L. SCHRADE

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 27, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1443
Assembly Bill No. 1606
Assembly Bill No. 2549
Assembly Bill No. 2619
Assembly Bill No. 2689

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 27, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 93
Assembly Bill No. 2117
Assembly Bill No 2232
Assembly Bill No. 2246
Assembly Bill No. 2403

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2567

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 47

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

## EXPLANATION OF ABSENCE ON MAY 25TH AND 26TH

May 27, 1959

Due to illness, a case of influenza, I was absent part of Monday and Tuesday, May 25th and 26th. On Monday morning, while en route to the Capitol from San Mateo, I had a running nose in addition to all of the other uncomfortable symptoms To complicate matters, each time I blew my nose, it would bleed profusely. Consequently, it required several hours with the long interruptions caused by nosebleeds for me to travel to the Capitol, and I missed Monday morning's session. In spite of this illness, I was present and attended my duties, including attending my committee meeting and presenting my bills scheduled for that date, and eventually left my office after 7 p.m

On Tuesday, I remained in bed all day with the exception of making several telephone calls concerning important legislative business. At 6 p.m. I left my bed and went to the Capitol for the particular purpose to prepare for the presentation of my bills, Assembly Bills Nos. 2249 to 2253, inclusive, which were scheduled to be heard by the Committee on Criminal Procedure at 8 p.m. After the meeting adjourned about midnight, I returned to my office and worked until almost 2 a.m.

LOUIS FRANCIS

## ANNOUNCEMENT

Mr. Samuel R. Geddes announced that the busses for the Travis Airport trip would leave the Capitol at 4 p.m. today.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Announcements were made of changes in time for committee meetings scheduled for this date, as follows:

*Today—*

*At 2 p.m.—*

Agriculture, in Room 4202.

*At 2.15 p.m.—*

Social Welfare, in Room 2196.

Public Health, in Room 5168.

*At 2.30 p.m.—*

Elections and Reapportionment, in Room 2170.

*Upon adjournment of Agriculture—*

Livestock and Dairies, in Room 4202.

## ADJOURNMENT

At 1.15 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Thursday, May 28, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-SIXTH LEGISLATIVE DAY

ONE HUNDRED FOURTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, May 28, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Gracious God*, We begin to see the mixed harvest of our labors in this Assembly. Some things will be changed; confirm our hope in their efficacy. Other changes will not be made; in these grant us graceful acceptance Help us to sort out the wheat from the chaff, and so to plant the wheat that we shall be gladdened by the hope of another harvest in some future legislative season. The last word has not been spoken. There will be another day and still another. We do not suggest that every action has been completely wise but we do pray that the foundations laid may support the future, and that we may be found serving our generation and Thine eternal purposes.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Rumford.

### ANNOUNCEMENT RELATIVE TO RULES COMMITTEE MEETING

Speaker Brown announced, and requested that the record show, that the Committee on Rules was holding a meeting, at this time.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

William F. Remmer and 11 others, relative to Assembly Bill No. 590. Referred to the Committee on Finance and Insurance.

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Mrs. M. Gibbons of Yucaipa, relative training schools for guide dogs for the blind. Referred to the Committee on Governmental Efficiency and Economy.

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Ione Heffer of Berkeley, relative to Senate Bill No. 656. Referred to the Committee on Governmental Efficiency and Economy.

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Mrs. John W. Chatman of Los Angeles, relative to trading stamps. Referred to the Committee on Governmental Efficiency and Economy.

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The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Report on Observation and Processing of Basic Water Resource Data in California

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, May 27, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: I have the honor to transmit for the information of the California State Assembly, a copy of the report of the Department of Water Resources entitled "Report on Observation and Processing of Basic Water Resource Data in California", dated February, 1959.

I believe that this report will prove to be of great value and assistance to the many agencies and individuals interested in the development of the water resources of the State of California.

Very truly yours,

HARVEY O. BANKS, Director

Above transmitted report referred to the Committee on Water.

## REQUEST TO PRINT IN JOURNAL

On request of Mr. Miller, the following letter of transmittal and report were ordered printed in the Journal:

### Letter of Transmittal

CITIZENS LEGISLATIVE ADVISORY COMMISSION
SACRAMENTO, May 21, 1959

*To the California Legislature, 1959*
*Regular (General) Session, and*
*To the Joint Committee on Legislative Organization*

In re: Citizens Legislative Advisory Commission
Report and Recommendations, May, 1959

GENTLEMEN: The Citizens Legislative Advisory Commission existing and operating under and pursuant to the provisions of Section 9134 of

the Government Code herewith reports certain findings and recommendations as a result of activities culminating in the commission meeting of May 6, 1959. Attached hereto and incorporated herein are recommendations dealing with legislative committees and legislative aids and research services approved by the commission at said meeting.

Reference is made to the earlier reports of our commission, which are contained in the Assembly Daily Journal for May 14, 1957, and the Assembly Daily Journal for March 5, 1958. The recommendations made in these earlier reports still are effective, except for supplemental matters covered in the present report. Many of our earlier recommendations have already been made operative by the Legislature or by the electorate, and we are of the opinion that substantial benefits have accrued as a result of the changes thus made. Outstanding, of course, is the substantial change in procedure resulting from the adoption by the electorate at the November, 1958, election of Proposition No. 9 which eliminated the constitutional recess and lengthened the General Session.

In connection with recommendations now submitted dealing with suggested changes in the procedures and rules of legislative committees, these recommendations, in a large measure result from an extensive study recently made at our request by the Bureau of Public Administration, University of California at Berkeley, on the subject of California legislative committee organization and procedures. Copies of the report of this study are contained in our files and are available for your use. It is believed that if the recommendations as to committee organization and procedures transmitted herewith are placed in effect by the Legislature, substantial improvement in the committee operation can be achieved.

The recommendations dealing with legislative aids and research services are the result of a continuing study by our subcommittee on these matters, and by our staff, instituted when the commission was first organized early in 1957. Present recommendations deal with augmentation of the services of the Legislative Reference Library, the creation of a separate research office, and establishment of procedures in connection with continuity in the employment of secretarial, administrative, and research staff.

As a result of the adoption this year by the Legislature, and enactment into law of Assembly Bill No. 718, this commission will continue in existence, and its subcommittees and staff will be reviewing and giving further study to certain subjects delineated at the end of the accompanying recommendations. One of these, the matter of conflicts of interests of legislators and the possibility of recommending a code of ethics for legislators, has been a matter of extensive review and study and many subcommittee meetings have been held for the consideration thereof. There is much diversity of opinion on this subject, and after considering a report of the subcommittee concerning the same, our commission at its meeting on May 6, 1959, submitted the matter back to the subcommittee for further consideration and report. New matters, arising from this session, submitted for consideration in the future months, will be welcome.

The commission now contains 67 members, representative of leading organizations in the State, including business, labor, the professions, the press, and civic groups. This year three new members have been added: Mr. Fred Hall, Mr. Wallace Henderson, and Mr. Adrian McCalman. All members have served without compensation, their efforts being made as a contribution to good government. They consider it an honor and a pleasure to have the opportunity to assist and advise the Legislature on possible improvements in procedures and staffing.

The commission has continued to be well-served by staff assistants made available through the Joint Committee on Legislative Organization. Dr. Ernest A. Engelbert, who has served as our secretary, and who has done much of the organizational development of the studies required, has been invaluable to us and we are especially appreciative of his help.

Additional copies of the accompanying recommendations are available on request to the Joint Committee on Legislative Procedures.

Very truly yours,

MAX EDDY UTT, Chairman

## REPORT OF CITIZENS LEGISLATIVE ADVISORY COMMISSION TO JOINT COMMITTEE ON LEGISLATIVE ORGANIZATION

### Findings and Recommendations Dealing With Legislative Committees

At the request of the Citizens Legislative Advisory Commission, a report was prepared by the Bureau of Public Administration, University of California, Berkeley, on California legislative committee organization and procedures. This excellent study, completed by Dr. Jay Doubleday in 1958, has served as the basis of much information leading to the following findings and recommendations.

#### Number of Standing Committees

Standing committees are indispensable to the effective functioning of the modern legislature. The California Senate is currently organized into 21 standing committees and the Assembly into 27 standing committees. In both houses committees are organized on the basis of subject matter which has resulted in similar though not parallel committees in each house.

It is difficult to determine what is the optimum number of standing committees for the California Legislature. Much depends upon the size of the committees which are established and the relative distribution of the workload. The number of standing committees in California does not appear to be out of ratio with other large states. Moreover, in recent years the California Legislature has made some progress toward the reorganization of committee structure.

This commission, however, finds quite an uneven distribution of workload between the standing committees in each house. It believes that improvements in the legislative process will result if the number of committees are kept to a minimum. By keeping standing committees to a minimum number consonant with legislative needs, the importance of each committee is demonstrated, greater simplicity in legislative organization results, and public understanding of legislative operations is facilitated. *We, therefore, recommend that both the Senate and*

*Assembly move toward some reduction in the number of committees and at the same time plan a more equalized distribution of committee workload.*

### Standing Committee Size and Assignments

The average size of Senate standing committees for the legislative years 1957-58 was 9.6 members and of Assembly committees 13.7 members. Assembly committees ranged in size from 6 to 28 members, Senate committees from 5 to 13 members. Most Senators serve on five or six committees and most Assemblymen on four or five committees.

Careful review of the way in which standing committees operate points to the desirability of some changes in committee size and assignment. The number of committee assignments per member occasionally results in conflicts in schedules and other interference with committee attendance. For instance, during the current session 14 conflicts per week are scheduled in the Assembly. Some of the committees appear too large for optimum committee deliberation. Considerable imbalance exists between committee workloads and the workloads of individual members.

We support the progress that has been made in recent years toward the improvement of committee structure. *We recommend, however, that both the Senate and the Assembly should consider further the reduction of the size of some standing committees as well as the reduction of the committee assignments of some legislative members.*

### Standing Committee Procedures

The most important consideration of legislation takes place within standing committees It is, therefore, essential that committee procedures be conducted on an orderly and systematic basis.

In recent years the regularized scheduling of committee meetings and public notice of committee hearings has been much improved in both the Senate and Assembly. Committee hearings are, in general, responsibly conducted with fair treatment accorded to both legislative authors and witnesses Further investigation, however, shows that some desirable changes are still in order and therefore the committee makes these recommendations:

(1) *Greater effort should be made by standing committees to group bills by subject matter and hear related bills together at the same hearing. This should lead to more efficient use of committee time and better consideration of related policies.*

(2) *Corresponding committees of the two houses should hold more joint hearings, after which the committees should meet separately to take action. The responsibility for chairing joint hearings could be rotated between the chairmen of the two committees. Joint hearings will save the time of legislators, administrative officials, and other persons who appear.*

(3) *The staff work in connection with the preparation of legislation for some committees should be improved. Committees with heavy workloads should have staff assistance available for the purpose of correlating bills and bill schedules, for helping with the organization of committee hearings, and the maintenance of records.*

(4) *A better system of record keeping by standing committees should be instituted. Consideration should be given to the preparation of brief statements on major bills together with a list of persons who appeared*

*for and against bills. Committee records should be filed at the close of each session with an official records keeping agency in each house, the records to be available for legislative and public perusal.*

(5) *Committees should request executive departments to transmit written reports on bills which affect their organization or program. Where the agency has not taken a position on a bill, the report could be limited to a statement of facts. These reports would greatly aid the committees in their analysis of legislation.*

**Interim Committee Organization and Procedure**

In the past two decades the Legislature has vastly expanded its use of single-house and joint interim committees for investigation of problems of legislative concern. Ninety-five committees were authorized at the 1957 Legislative Session, as compared with 35 created in 1937.

Since 1951 the Assembly has followed the procedure of constituting its standing committees as interim committees, rather than creating special committees as the Senate does. This procedure has the important advantage of providing for consideration of legislation by the same Members of the Assembly as has studied its subject matter.

As of June, 1958, the average Assemblyman was serving on approximately six full committees and six subcommittees, the average Senator was serving on eight full committees. However, in both houses there was wide variation in the number of interim committee assignments of members

The procedures for conducting interim committees have varied greatly depending upon the subject under review and the purposes for which the committees were established Some committees employ expert staff, carefully develop a program of investigation, and systematically hold hearings, while others have operated in a highly nonregularized fashion.

Since interim committees are now spending close to two million dollars per interim, the public has a right to expect high standards of committee performance. We therefore, recommend that the following steps be taken to improve interim committee procedures:

(1) *Wherever possible the Legislature should employ joint interim committees in order to avoid duplication as between the two houses. Joint interim committees would provide common factual basis for action and facilitate agreement on legislation during the session.*

(2) *Where separate interim committees of each house are established, the use of joint hearings should be expanded.*

(3) *Continued effort needs to be made to co-ordinate and control interim committee operations. Primary responsibility for the solution of this problem must rest with the Rules Committees and the leadership of both houses. Through their power of approving resolutions creating committees, of approving appropriations, and, in certain cases, of approving staff appointments, the Rules Committees can improve performance of committees greatly. Consultation between the two Rules Committees should take place before and after establishment of committees, in order to avoid overlapping and to insure that all important subjects which deserve study are in fact investigated. In order to exercise better control, the Rules Committees should develop much more information regarding committee operations than is now available in*

*useable form. The Rules Committees should consider whether staff assistance would aid them in carrying out more effectively their functions of co-ordination and control.*

(4) *Staff for interim committees should be selected on the basis of merit and expertness and not on the basis of political or other considerations.*

(5) *Interim committee reports should be published prior to the convening of the session, if possible, and certainly not later than the fourth week of the session.*

(6) *In order to facilitate prompt reporting, committees should commence their work as soon as possible after the close of the session at which they are created. Some committees delay unnecessarily, with the result that staff is inefficiently utilized or the investigation is hastily executed.*

(7) *All interim committees should formally adopt a set of rules, and consideration should be given to the inclusion of additional provisions in the Joint Rules of the Legislature to govern committee operations.*

(8) *Recommendations for legislation proposed by interim committees should be included in their reports. At present, legislative recommendations are sometimes made after submission of reports.*

(9) *Witnesses should be requested to submit written statements in advance of hearings so that staff may prepare digests for committee members, and testimony should generally be limited to an oral summary of the written statement. Verbatim reading of statements is unduly time-consuming.*

(10) *Committees should consider the use of briefing sessions prior to hearings at which staff would explain what information is being sought.*

(11) *Chairmen of interim committees should exercise greater control over the activities of subcommittees.*

(12) *In those cases in which transcripts of hearings are prepared, copies should be filed promptly with the official records keeping agency of each house and in other strategic locations in the State so that they will be available to the Legislature and the public.*

### Manual of Procedures

*A manual of procedures should be developed for both standing and interim committees by the Joint Committee on Legislative Organization. The manual would constitute an organizational and operating guide for the chairmen and members of the committees as well as committee staff. It would produce more uniform and regularized arrangements between committees and staff agencies and lead to more efficient operations.*

*As one of the provisions of this manual we recommend the adoption of a rule which would limit the time that a bill, favorably acted upon by a committee, could be held by the chairman in a committee before being passed out to the floor to be placed on file.*

### Findings and Recommendations Dealing With Legislative Rids and Research Services

### Legislative Reference Library

This commission notes with approval the establishment of the Legislative Reference Library in the State Capitol with convenient access

to both houses of the Legislature. We find that this library was started with exceedingly meager resources. It is our conviction that this library should be developed as rapidly as feasible with suitable facilities and research materials to be the basic reference service for the Legislature. We believe that a good reference library is indispensable to the improvement of legislative research activities. In addition to servicing legislators and legislative research staff, this library also should be viewed as a basic depository for legislative materials which should be available to all persons who are engaged in some aspect of research and study of California legislative activities. In accordance with these convictions, the following specific recommendations are made:

(1) *The legislative rules should be amended to make the Legislative Reference Library the basic depository for all official proceedings and reports, printed and typewritten as well as tapes.*

(2) *The rules of both the Senate and the Assembly should be amended to require that all official files of both standing and interim committees should be deposited in the Legislative Reference Library at the close of each session or upon the expiration of the committee. The staff of the library should be instructed to contact chairmen and staff of former committees, the Legislative Analyst, the Legislative Counsel, and other legislative agencies to secure files and documents in order to provide as complete a chronological record of the activities of legislative committees as possible. Arrangements should be worked out to protect the confidentiality of documents where necessary.*

(3) *The Legislative Reference Library should establish and maintain a central index for all legislative documents. The index should list libraries or other services where legislative documents are located if not available in the Legislative Reference Library.*

(4) *The library should be provided with sufficient funds to enable it to secure and maintain current basic reference volumes to provide an effective quick-answering service for legislators and staff.*

(5) *The Legislative Reference Library should maintain a file of local newspaper clippings such as is now maintained in other legislative reference libraries to provide background and interpretative information on previous legislative actions.*

### Joint-House Research Office

(1) *This commission again recommends the creation of a separate research office to serve both the Senate and the Assembly. As previously recommended by the commission, this office would "be established to function as a source of information and to co-ordinate research material and prepare this information in such form as to be readily available to committee chairmen and members of the legislative bodies." In view of the growing number and complexity of research investigations together with increasing research costs, the evidence is stronger than ever that the establishment of a research office would go far toward providing better quality research with lower expenditures. The establishment of a research office should not be viewed as the beginning of a major agency which would restrict the freedom of investigating committees or which would duplicate the work of other legislative staff agencies. Instead, this office should be established with limited staff to serve as a facilitative and research aid service to committees and to the entire Legislature.*

(2) *We recommend further that the research office should be staffed with personnel selected on the basis of merit under standards established by the Joint Committee on Legislative Organization. To provide maximum co-ordination this committee should be responsible for the operations of the research office as well as the Legislative Reference Library.*

(3) *The research office should be encouraged to work in close cooperation with standing and interim committees. It would constitute a small pool of trained personnel upon which committees could draw for staff. Upon completion of a committee's assignment the staff member could return to the pool and work upon pool research until reassigned to another committee. This procedure, if followed, would provide the opportunity of developing a high-quality permanent staff which is not now possible under present committee processes of personnel turnover. Furthermore, it would provide savings by reducing the need of high-priced consultant services and the elimination of nonproductive research by poorly qualified personnel.*

### Continuity of Employment

*It is recommended that the Joint Committee on Legislative Organization establish procedures which will provide continuity in employment for qualified secretarial, administrative and research staff.*

### Subjects Recommended for Further Study

It is recommended that further study be given by the Citizens Legislative Advisory Commission to the following subjects:

(1) The advisability of providing a lump sum allowance on an appropriate basis to each legislator such as is done in Congress which may be used at his discretion for the employment of staff or the costs of telephone, postage, or other official business which he may determine, but subject to a monthly audit of expenditures. It is recommended that the staff prepare a report for subsequent consideration by this commission.

(2) To study ways to expedite the adoption of the budget in regular session to avoid the log jam and hasty consideration of bills requiring an appropriation or dependence upon the budget. The staff should undertake a study for further consideration by the commission.

(3) For the purpose of attracting more qualified personnel it is recommended that a study be undertaken of the advisability of establishing an employee benefit and retirement system for legislative staff.

(4) During the past months a committee of this commission has been drafting a report on the subject of conflicts of interest and a code of ethics for legislators. It is recommended that the committee continue its work and report back to a subsequent meeting of the commission.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Johnson and Mrs. Davis:

### House Resolution No. 291

Relative to the Revival of Brownville, Nebraska

WHEREAS, The City of Brownville, Nebraska, the "City of Seven Hills," a proud and historic city on the banks of the Missouri River, is once again awakening to the prospects of a brilliant and colorful future; and

WHEREAS, The City of Brownville grew from its beginnings as the site of Richard Brown's flatboat ferry service in 1855 to one of the most important towns on the Missouri, serving as a stopping point for all the important and famed river boat traffic, serving as the starting point for pioneer families taking the Oregon Trail west, and displaying vigor and energy as the territorial capital; and

WHEREAS, Brownville grew in brilliance and importance and was the site of the state's first four story building, first telegraph office, and the site of the United States Land Office which issued the first grant of land under the Homestead Act of 1862; and

WHEREAS, The prosperity of the City of Brownville is evidenced by the many fine pioneer structures, built by those who made their fortunes in Brownville, which stand today; and

WHEREAS, Having seen her days of prosperity, the City of Brownville faced adverse times which saw the Missouri River change its course away from the town, saw the railroad bypass her completely and saw the territorial capital moved to Omaha and the County Seat change to Auburn; and

WHEREAS, After a peaceful rest of 65 years the City of Brownville has again awakened with new growth and stamina; and

WHEREAS, The Brownville Restoration Plan germinated from the idea of the nationally known artist Terence Duren, a native of Shelby, Nebraska, and has created a strong artistic, cultural and historical interest in Brownville which has been furthered by the Brownville Historical Society; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the City of Brownville, Nebraska, is congratulated on its brilliant and historical past and its bright and optimistic future; and be it further

*Resolved*, That the following Members of the Assembly of the State of California take this opportunity to give their special congratulations to the City of Brownville: Montivel A. Burke of Harrison, Nebraska, Pauline Davis of Verdigre, Nebraska, Myron Frew of Bradshaw, Nebraska, Seth Johnson of Minden, Nebraska, and Harold Sedgwick of Lincoln, Nebraska, which Members are joined by their senatorial colleagues, Swift Berry of Tecumseh, Nebraska, and Hugh Donnelly of Omaha, Nebraska; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Ralph C. Brooks, Governor of Nebraska, Terence Duren, the City of Brownville, Nebraska, and to the Brownville Historical Society.

Resolution read, and referred to the Committee on Rules.

By Mr. Backstrand:

**House Resolution No. 292**

Requesting a study of a proposed highway from Niland to the California border at Yuma, Arizona

WHEREAS, Interstate traffic from the east on US 80 enters California at the border across the Colorado River from Yuma, Arizona; and

WHEREAS, A highway following generally the route of the main line of the Southern Pacific Railroad from Yuma to Niland, California, and joining State Highway Route 187 at that point would appear to cut the distance to the metropolitan areas of California by many miles; and

WHEREAS, The people of the entire State would benefit from the saving of transportation costs as to goods being brought into or transported from such areas; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works be and it is hereby requested to make a study of a proposed highway from Niland to the California border immediately across the Colorado River from Yuma, covering in such study the savings in distance and time, the probable cost, and the ratio of traffic benefits to cost of such highway; and be it further

*Resolved*, That said department report its findings to this Assembly at the opening of the 1961 Regular Session; and be it further

*Resolved*, That the Chief Clerk is instructed to transmit a copy of this resolution to the Director of Public Works.

Resolution read, and referred to the Committee on Rules.

By Mr. Z'berg:

**House Resolution No. 293**

Relative to a study of state water development problems

WHEREAS, A Joint Interim Committee on Water Problems was created in 1955 by Senate Concurrent Resolution No. 84 (Resolution Chapter 249) of the 1955 Regular Session, and again in 1957 by Senate Concurrent Resolution No. 105 (Resolution Chapter 337) of the 1957 Regular Session; and

WHEREAS, The many problems related to the state development of water resources require the continued study of a legislative committee; and

WHEREAS, Legislative committees and the Legislature have in the past considered principally the questions of financing such development and the adoption of measures adequate to protect the present and future water needs of all areas of the State, and

WHEREAS, In connection with the state water development, the Legislature has given little consideration to the many related policy problems which should be determined by the Legislature prior to submission of a bond issue to the public; and

WHEREAS, Insufficient time remains in the present session of the Legislature to give full and adequate consideration to the many vital policy questions which remain unsolved, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules be directed to refer to the appropriate interim committee created at this session of the Legislature the following questions for said committee to study and report thereon to the Legislature at the 1961 Regular Session.

(a) Should public agencies be given a preference in the purchase of water and power and, if so, how shall such preference be exercised?

(b) How shall project costs be allocated to the various project beneficiaries?

(c) Shall the charge for irrigation water be subsidized either directly by the taxpayers or through increasing the charge for municipal and industrial water for power or for other services and commodities available from the projects?

(d) On what basis shall water and power and other commodities and services available from state projects be priced?

(e) Shall the State construct water and power transmission systems?

(f) Shall the State expend funds for development of recreation facilities at reservoirs created as a part of the State Water Plan?

(g) Shall the State establish a limit on the amount of water which will be made available from State projects to irrigate land in order to prevent unjust enrichment?

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 27, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 46

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 380**—An act to amend Section 227 of the Labor Code, relating to employer payments;

**Assembly Bill No. 660**—An act to amend Sections 5024, 6440, 6441, 6442, 6443, 6446, 6447, 6460, 6461, 6462, 6463, and 6500 of the Streets and Highways Code, relating to the Improvement Act of 1911;

**Assembly Bill No. 1151**—An act to amend Section 539 of the Code of Civil Procedure, relating to attachments;

**Assembly Bill No. 1154**—An act to amend Section 19539.5 of the Business and Professions Code, relating to horse racing;

**Assembly Bill No. 1780**—An act to amend Sections 560 and 561 of the Agricultural Code, relating to milk and dairy products;

**Assembly Bill No. 1803**—An act to amend Section 18661 of the Financial Code, relating to industrial loan companies;

**Assembly Bill No. 1939**—An act to add Sections 19035.9 and 19035.10 to the Business and Professions Code, relating to proceedings of the California Advisory Board of Furniture and Bedding;

**Assembly Bill No. 1940**—An act to add Sections 21217 and 21218 to the Public Utilities Code, relating to proceedings of the California Aeronautics Commission;

**Assembly Bill No. 1942**—An act to amend Section 20023 of, and to add Section 20034 to, the Water Code, relating to proceedings of the California Districts Securities Commission;

**Assembly Bill No. 1944**—An act to add Sections 8919.1 and 8919.2 to the Business and Professions Code, relating to proceedings of the Yacht and Ship Brokers Commission;

**Assembly Bill No. 1948**—An act to add Sections 31007 and 31008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Western Interstate Commission for Higher Education;

**Assembly Bill No. 1949**—An act to add Sections 14106 and 14107 to the Fish and Game Code, relating to proceedings of the Pacific Marine Fisheries Commission;

**Assembly Bill No. 1950**—An act to add Sections 65020.1, and 65020.2 to the Government Code, relating to proceedings of the Local Planning Advisory Committee;

**Assembly Bill No. 1951**—An act to add Sections 2604 and 2605 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Reciprocity Commission;

**Assembly Bill No. 1952**—An act to add Sections 5863 and 5864 to the Public Resources Code, relating to proceedings of the Small Craft Harbors Commission;

**Assembly Bill No. 1955**—An act to add Sections 26007 and 26008 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the Board of Governors of the California Maritime Academy;

**Assembly Bill No. 2034**—An act to amend Section 16023 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to deposit of security following a vehicle accident;

**Assembly Bill No. 2169**—An act to amend Section 1120 of, and add Section 1120.1 to, the Probate Code, relating to testamentary trusts;

**Assembly Bill No. 2211**—An act to amend Section 25661 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 1022**—An act to amend Sections 14522, 14524.1 and 14601, Education Code, and Sections 14152, 14156, and 14301 of the Education Code as proposed by Senate Bill No. 2, relating to the State Teachers' Retirement System;

**Assembly Bill No. 1024**—An act to amend Sections 14251, 14365, and 14366 of, and to repeal Section 14252 of, the Education Code as enacted at the 1959 Regular Session, relating to State Teachers' Retirement System;

**Assembly Bill No. 1204**—An act to repeal Part 2 (commencing at Section 20500) of Division 14 of the Health and Safety Code, and to add Section 38638 to the Government Code, relating to police protection at public meetings;

**Assembly Bill No. 1217**—An act to amend Section 6334 of the Education Code, and Section 20504 of the Education Code as proposed by Senate Bill No. 2, relating to school district budgets;

**Assembly Bill No. 1270**—An act to amend Sections 553 and 946 of the Code of Civil Procedure, relating to attachments;

**Assembly Bill No. 1346**—An act to repeal Chapter 13.5 (commencing at Section 26250) of Part 2 of Division 2 of Title 3 of the Government Code, relating to preservation of newspapers;

**Assembly Bill No. 1555**—An act to add Section 1102.6 to the Agricultural Code, relating to egg standards;

**Assembly Bill No. 1711**—An act to add Section 5019 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to issuance of special license plates;

**Assembly Bill No. 1903**—An act to amend Section 18950 of the Government Code, relating to promotion in the State Civil Service;

**Assembly Bill No. 1935**—An act to add Sections 2.1 and 2.2 to Chapter 124 of the Statutes of 1955, relating to proceedings of the California Olympic Commission;

**Assembly Bill No. 1936**—An act to add Sections 1325 and 1326 to the Fish and Game Code, relating to proceedings of the Wildlife Conservation Board;

**Assembly Bill No. 1937**—An act to add Sections 1710 and 1711 to the Harbors and Navigation Code, relating to proceedings of the San Francisco Port Authority;

**Assembly Bill No. 1938**—An act to add Sections 3.11 and 3.12 to Chapter 1508 of the Statutes of 1947, relating to proceedings of the San Francisco World Trade Center Authority;

**Assembly Bill No. 1943**—An act to add Sections 9065.1 and 9065.2 to the Public Resources Code, relating to proceedings of the State Soil Conservation Commission;

**Assembly Bill No. 1945**—An act to add Sections 731 and 732 to the Fish and Game Code, relating to proceedings of the Marine Research Committee;

**Assembly Bill No. 1946**—An act to add Sections 8609 and 8610 to the Public Resources Code, relating to proceedings of the Recreation Commission;

**Assembly Bill No. 1953**—An act to add Sections 3804 and 3805 to the Harbors and Navigation Code, relating to proceedings of the Board of Harbor Commissioners for Humboldt Bay;

**Assembly Bill No. 2176**—An act to amend Section 626 of the Unemployment Insurance Code, relating to unemployment insurance;

**Assembly Bill No. 2209**—An act to amend Section 25658 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 2210**—An act to amend Section 25665 of the Business and Professions Code, relating to alcoholic beverages;

And reports the same correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1959, at 4 p.m.

BURKE, Chairman

### Committee on Water

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER. Your Committee on Water reports:

Assembly Bill No 2242

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 2690

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 960
Senate Bill No. 962

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bills ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2877

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2713
Assembly Bill No. 2385

With amendments with the recommendation: Amend, and re-refer to the Committee on Public Utilities and Corporations.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No. 369
Senate Bill No. 1143

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1668
Assembly Bill No. 1689

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 1565

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

**Committee on Public Health**

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKERS Your Committee on Public Health reports:

Assembly Bill No. 1752

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No 2733
Assembly Bill No. 2872

With amendments with the recommendation · Amend, and re-refer to the Committee on Public Health.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 338
Senate Bill No. 391
Senate Bill No 577

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 630
Senate Bill No. 633
Senate Bill No. 1057
Senate Bill No. 632

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

RUMFORD, Chairman

Above bills ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2378

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2319

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2606

With amendments with the recommendation: Be amended, that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 722

With the recommendation: Do pass.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1583
Assembly Bill No. 2133
Assembly Bill No. 2564
Assembly Bill No. 2616
Assembly Bill No. 2618

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1708
Assembly Bill No. 2344
Assembly Bill No. 2587
Assembly Bill No. 2775

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2446
Assembly Bill No. 2542

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1145
Assembly Bill No. 1268
Assembly Bill No. 2640
Assembly Bill No. 2480

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1374

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2598
Assembly Bill No. 2613
Assembly Bill No. 2615
Assembly Bill No. 2617

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2243

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 161
Senate Bill No. 596

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 805

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No 992

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, May 27, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 198

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2536

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER Your Committee on Elections and Reapportionment reports:

Senate Bill No. 565

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1340

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 467

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No 2506

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2730

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2511

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 1081
Senate Bill No. 1084

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 1069

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 923

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

NOTE—On June 10, 1959, the above action relative to Senate Bill No. 923 was rescinded. *See* page 5188.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2911
Assembly Bill No. 2859

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2855
Assembly Bill No. 2560
Assembly Bill No. 2569

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 27, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 863

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1705
Assembly Bill No. 2143
Assembly Bill No. 2525

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 461

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2343
Assembly Bill No 2614

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

**Committee on Agriculture**

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2806

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 2651
Assembly Bill No. 2766
Assembly Bill No. 2625

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 1010

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 1009
Senate Bill No. 244
Senate Bill No. 641

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Joint Resolution No 22

With amendments with the recommendation: Amend, and be adopted as amended.

SAMUEL R. GEDDES, Chairman

Above resolution ordered on file.

### Committee on Education

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 51
Assembly Bill No. 75
Assembly Bill No. 114
Assembly Bill No. 943
Assembly Bill No. 1117
Assembly Bill No. 1267
Assembly Bill No. 1289
Assembly Bill No. 1413
Assembly Bill No. 1516
Assembly Bill No. 1695
Assembly Bill No. 1870

Has had the same under consideration, and reports the same back with the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DONAHOE, Chairman

Bills ordered filed; and the subject matter ordered referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 2364
Assembly Bill No 2392
Assembly Bill No. 2393
Assembly Bill No. 2394
Assembly Bill No. 2460
Assembly Bill No. 2557
Assembly Bill No 2578

Has had the same under consideration, and reports the same back with the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

DONAHOE, Chairman

Bills ordered filed; and the subject matter ordered referred to the Committee on Rules.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 360

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Water**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Water reports:
Assembly Bill No 2629
Assembly Bill No. 2777
With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2296
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 1087, 580, 1680, 2596, 2585, 2589, 2486, 2231, 2609, 1441,** and **831.**

**Senate Bills Nos. 279, 480, 999, 831,** and **1043.**

Assembly Bills Nos. 1087, 2589, and 2231 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 580, 1680, and 831 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 2596, 2585, 2609, and 1441 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bill No. 2486 ordered to the Consent Calendar, subsequent to re-engrossment.

Senate Bills Nos. 279, 480, 999, and 831 ordered to third reading.

Senate Bill No. 1043 ordered to the Consent Calendar.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2456**—An act to add Section 20567.4 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2610**—An act to amend Section 6 of Chapter 2374, Statutes of 1957, relating to inclusion of certain officers and employees of the University of California in the State Employees' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 902**—An act to add Section 220.2 to the Labor Code, relating to contributions by state and local governments to employee pension plans.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "pension funds", and insert "vacation allowance, sick leave, and retirement funds".

**Amendment No. 2**

On page 1, line 6, strike out "shall", and insert "may".

**Amendment No. 3**

On page 1, lines 9 and 10, strike out "retirement benefits", and insert "benefits such as vacation allowance, sick leave, and retirement".

**Amendment No. 4**

On page 1, after line 14, insert

"The employing agency is empowered to determine the equitable application of this section to insure that the employees receive benefits comparable to, but not in excess of those provided in comparable private employment

The employing agency shall make payments only to plans which meet the following standards:

1. A plan office is located within the State of California.

2. Any fund connected with the plan is required to be audited at least annually by an independent, licensed certified public accountant.

3. Each trustee or administrator of the fund or plan authorized to receive, handle, deal with or draw upon the assets of the fund or plan is required to be bonded."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel

**Assembly Bill No. 2699**—An act to add Chapter 10 (commencing at Section 13810) to Part 3 of Division 3 of Title 2 of the Government Code, relating to a program of medical and hospital care for state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 2, line 34, of the printed bill, after "basis", insert ", and includes healing by prayer or other means in accordance with the tenets of any religious group or treatment by such means in any institution maintained by such group".

**Amendment No. 2**

On page 3, between lines 5 and 6, insert

"(o) "Direct-service plan" means a plan for health benefits which provides or arranges for the provision of medical care services in whole or in substantial part on a prepaid basis, with professional services rendered by physicians who:

(1) Represent a minimum of three major specialities of medicine;

(2) Practice as a team in a common center or centers;

(3) Assume, formally and collectively, the responsibility for providing professional care for the persons covered by prepaid funds; and

(4) Receive their income in whole or in substantial part from the prepaid funds."

**Amendment No. 3**

On page 4, line 10, strike out the first "shall".

**Amendment No. 4**

On page 4, line 23, strike out "Advisory Council", and insert "advisory council".

**Amendment No. 5**

On page 4, line 34, strike out "and", and insert "or".

**Amendment No. 6**

On page 5, line 33, strike out "section", and insert "chapter (commencing at Section 13810)".

**Amendment No. 7**

On page 5, line 43, strike out "Advisory Council", and insert "advisory council".

**Amendment No. 8**

On page 5, between lines 33 and 34, insert

"(f) Does not provide for free choice of physician, unless at least one other approved statewide plan does so provide for free choice of physician."

**Amendment No. 9**

On page 6, strike out line 16, and insert

"13841. On the first day of July of each year after benefits commence under this".

**Amendment No. 10**

On page 6, line 43, strike out "or certificate", and insert ", certificate or brochure".

**Amendment No. 11**

On page 6, line 47, strike out "or certificate", and insert ", certificate or brochure".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

**Assembly Bill No. 1439**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2500**—An act to amend Section 19620.1 and to repeal Section 19620.2 of the Business and Professions Code, relating to state funds, and abolishing the State College Fund.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2501**—An act to amend Sections 16431 and 16432 of the Business and Professions Code, relating to itinerant merchants and abolishing the Itinerant Merchants Fund.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2503**—An act to amend the article heading of Article 5d (commencing at Section 996.13) of Chapter 6 of Division 4 of the Military and Veterans Code, to amend Sections 996.13, 996.15 and 996.19, and to repeal Sections 996.16 and 996.20 thereof, relating to military and veterans affairs and abolishing the Veterans Affairs Construction Fund.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2504**—An act to repeal Chapter 611 of the Statutes of 1943; to repeal Sections 5 and 6 of Chapter 541 of the Statutes of 1913; to repeal Sections 8 and 9 of Chapter 161 of the Statutes of 1925; to repeal Sections 4 and 5 of the "University of California Building Bond Act," an initiative measure adopted by the people at the general election held on November 3, 1914; to repeal Sections 6 and 7 of Chapter 313 of the Statutes of 1927; to repeal Sections 5 and 6 of Chapter 383 of the Statutes of 1909; and to repeal Sections 5 and 6 of

Chapter 404 of the Statutes of 1915, relating to state funds, and abolishing certain special funds.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2502**—An act to repeal Sections 897 and 898 of the Military and Veterans Code, relating to state funds and abolishing the Veterans' Dependents' Education Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 897 and 898", and insert "Section 897".

Amendment No. 2

On page 1, line 1, strike out "Sections 897 and 898", and insert "Section 897".

Amendment No. 2.5

On page 1, line 2, strike out "are", and insert "is".

Amendment No. 3

On page 1, between lines 8 and 9, insert

"Assistance to dependents as provided by Article 2 of Chapter 4 of Division 4 of the Military and Veterans Code shall be consolidated with any appropriation made for assistance to veterans under Article 2 of Chapter 6 of Division 4 of the Military and Veterans Code."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Government Organization.

**Assembly Bill No. 2601**—An act to amend Section 7057 of the Public Resources Code, relating to oil and gas leases.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2600**—An act to amend Section 1 of Chapter 102, Statutes of 1925, an act entitled "An act granting certain tideland and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Manufacturing, Oil, and Mining Industry, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 20, 1959, strike out lines 41 to 52, inclusive; on page 4, strike out lines 1 to 6, inclusive, and insert

"SEC. 3. This act shall not apply to any present or future contracts, royalty arrangements, or other agreements between the city (or any department, board or agency thereof) and any other person, firm, corporation or association, relating to the drilling for, developing, extracting, processing, taking or removing, or disposition of oil, gas, or other hydrocarbons derived from said tide and submerged lands, or to any revenues from any such contracts, royalty arrangements, or other agreements, or to any agreements which are authorized by Article 55 (commencing at Section 3315) of Chapter 1, Division 3, of the Public Resources Code or by Section 6879 or Section 7058 of said code, as said statutes now exist or may be hereafter amended. Notwithstanding anything in this act, the obligations of the City of Long Beach with respect to the accounting and disposition of revenues received by it from the extraction or sale of oil, gas and other hydrocarbon substances derived from said tide and

submerged lands, or from the unit or cooperative development of said lands with other lands, shall be as defined by Chapter 29, Statutes First Extraordinary Session 1956, and the Decree and Judgment of the Superior Court of the State of California in and for the County of Los Angeles filed September 7, 1956, and entered September 11, 1956, in the case of People of the State of California, et al v. City of Long Beach, et al., No. 649466."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2561**—An act to add Section 172.6 to the Penal Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 15, insert

"For the purposes of this section a transfer is one made on or after September 1, 1959"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2562**—An act to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 14, insert

"For the purposes of this section a transfer is one made on or after September 1, 1959."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2591**—An act to add Section 12902 to the Water Code, relating to state water projects.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2565**—An act to amend Sections 10 and 28½h of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923), relating to the Palo Verde Irrigation District.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2636**—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 2, lines 23 and 24, of the printed bill, strike out "one hundred million dollars ($100,000,000)", and insert "ninety million dollars ($90,000,000)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2722**—An act to amend Section 30507 of the Water Code, relating to county water districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2635**—An act to amend Sections 3.1, 3.3, and 3.6 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2717**—An act to add Chapter 5.5 (commencing at Section 54280) to Part 1 of Division 2 of Title 5 of the Government Code, relating to conversion of sea water.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2904**—An act making an appropriation for studies and investigations of pollution in the Sacramento River.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, after "River", insert "and the San Francisco Bay area".

Amendment No. 2

On page 1, lines 1 and 2, strike out "of _____ dollars ($_____), or so much thereof as may be necessary," and insert "of five hundred fifty-one thousand one hundred twenty dollars ($551,120)".

Amendment No. 3

On page 1, line 3, strike out "University of California", and insert "State Water Pollution Control Board, of which amount three hundred ninety-two thousand five hundred dollars ($392,500), or so much thereof as may be necessary, shall be available".

Amendment No. 4

On page 1, line 5, after "and", insert "one hundred fifty-eight thousand six hundred twenty dollars ($158,620), or so much thereof as may be necessary, shall be available for studies and investigations of pollution in the".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2163**—An act to amend Sections 50704, 51323, 53000, and 53042 of, and to add Section 53005 to, the Water Code, relating to reclamation districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 141**—An act to add Section 1243 to, and amend Section 1257 of, the Water Code, relating to the use of water for recreation and the preservation and enhancement of fish and wildlife resources.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, strike out ", including but not limited to the maintenance of stream flows therefor,".

**Amendment No. 2**

On page 1, line 6, after "water", insert "In determining the amount of water available for appropriation for other beneficial uses, the State Water Rights Board shall take into account the amounts of water required for recreation and the preservation and enhancement of fish and wildlife resources.

*This section shall not be construed to affect riparian rights.*"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 706**—An act to add Part 7 (commencing at Section 12900) to Division 6 of the Water Code, relating to the planning, construction, and operation of water development projects for cities, counties, and districts throughout the State.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Part 7 (commencing at Section 12900) to", and insert "the heading of Article 1 (commencing at Section 12880) of, and Article 2 (commencing at Section 12892) to, Chapter 5 of Part 6 of".

**Amendment No. 2**

On page 1, line 1, strike out "Part 7 is added to", and insert "The heading of Article 1 (commencing at Section 12880) is added to Chapter 5 of Part 6 of".

**Amendment No. 3**

On page 1, strike out lines 4 to 8, inclusive, and insert

"Article 1. Grants and Loans for Local Projects

SEC. 2. Article 2 (commencing at Section 12892) is added to Chapter 5 of Part 6 of Division 6 of said code, to read:

Article 2. Water development Act".

**Amendment No. 4**

On page 1, line 10, strike out "12900", and insert "12892".

**Amendment No. 5**

On page 1, line 16, strike out "part", and insert "article".

**Amendment No. 6**

On page 2, strike out line 4.

**Amendment No. 7**

On page 2, line 6, strike out "12905", and insert "12892.1".

**Amendment No. 8**

On page 2, line 7, strike out "part", and insert "article".

**Amendment No. 9**

On page 2, line 8, strike out "12906", and insert "12892.2".

**Amendment No. 10**

On page 2, line 10, strike out "12907", and insert "12892.3".

**Amendment No. 11**

On page 2, line 11, strike out "12908", and insert "12892.4".

**Amendment No. 12**

On page 2, line 12, strike out "12909", and insert "12892.5".

**Amendment No. 13**

On page 2, line 14, strike out "12910", and insert "12892.6".

**Amendment No. 14**

On page 2, strike out line 19.

**Amendment No. 15**

On page 2, line 21, strike out "12915. This part", and insert "12892.10. This article".

**Amendment No. 16**

On page 2, strike out lines 24 to 26, inclusive.

**Amendment No. 17**

On page 2, line 28, strike out "12920", and insert "12892.15".

**Amendment No. 18**

On page 2, line 31, strike out "12921", and insert "12892.16".

**Amendment No. 19**

On page 2, line 38, strike out "12922", and insert "12892.17".

**Amendment No. 20**

On page 2, line 42, strike out "part", and insert "article".

**Amendment No. 21**

On page 2, line 43, strike out "12923", and insert "12892.18".

**Amendment No. 22**

On page 2, line 44, strike out "part", and insert "article, including the establishment of criteria to be considered in establishing priorities of proposed projects."

**Amendment No. 23**

On page 2, strike out line 46.

**Amendment No. 24**

On page 2, line 48, strike out "12925", and insert "12892.20".

**Amendment No. 25**

On page 3, line 1, strike out "12926", and insert "12892.21".

**Amendment No. 26**

On page 3, line 7, strike out "12927", and insert "12892.22".

**Amendment No. 27**

On page 3, strike out line 12.

**Amendment No. 28**

On page 3, line 14, strike out "12935", and insert "12892.25".

**Amendment No. 29**

On page 3, line 33, strike out "12936", and insert "12892.26".

**Amendment No. 30**

On page 3, line 38, strike out "12937", and insert "12892.27".

**Amendment No. 31**

On page 3, line 38, strike out "part", and insert "article".

**Amendment No. 32**

On page 3, line 47, strike out "12938", and insert "12892.28".

**Amendment No. 33**

On page 3, line 49, strike out "12939", and insert "12892.29".

**Amendment No. 34**

On page 3, line 51, strike out "part", and insert "article".

**Amendment No. 35**

On page 4, line 3, strike out "12940", and insert "12892.30".

**Amendment No. 36**

On page 4, line 9, strike out "12941", and insert "12892.31".

**Amendment No. 37**

On page 4, line 11, strike out "part", and insert "article".

**Amendment No. 38**

On page 4, strike out lines 13 to 16, inclusive.

**Amendment No. 39**

On page 4, line 18, strike out "12950", and insert "12892.35".

**Amendment No. 40**

On page 4, line 35, strike out ", together with interest"; strike out line 36; and on line 37, strike out "thereof,".

**Amendment No. 41**

On page 4, line 38, after "allocated", insert ", together with interest at a rate to be fixed and approved by the director, which shall be the same as the rate paid by the State in connection with general obligation bonds at the time of the loan".

**Amendment No. 42**

On page 4, line 42, strike out "12951", and insert "12892.36".

**Amendment No. 43**

On page 4, line 44, strike out "part", and insert "article".

**Amendment No. 44**

On page 4, line 49, strike out "part", and insert "article".

**Amendment No. 45**

On page 5, line 1, strike out "12952", and insert "12892.37".

**Amendment No. 46**

On page 5, line 2, strike out "part", and insert "article".

**Amendment No. 47**

On page 5, line 4, strike out "12953", and insert "12892.38".

**Amendment No. 48**

On page 5, line 6, strike out "act", and insert "article".

**Amendment No. 49**

On page 5, line 13, strike out "act", and insert "article".

**Amendment No. 50**

On page 5, line 27, strike out "chapter", and insert "article".

**Amendment No. 51**

On page 5, strike out line 31

**Amendment No. 52**

On page 5, line 33, strike out "12960", and insert "12892.40".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Water.

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 15, line 9, of the printed bill, as amended in the Assembly on May 11, 1959, after "of", insert "not to exceed".

Amendment No. 2

On page 20, line 33, strike out "20", and insert "10".

Amendment No. 3

On page 20, line 37, strike out "20", and insert "10".

Bill ordered reprinted, and re-engrossed.

**Assembly Constitutional Amendment No. 13**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 2.6, relating to transit facilities.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed measure, strike out "available by law", and insert "allocated by law to any city, city and county or county".

Amendment No. 2

On page 1, line 14, after "cities", insert ", cities and counties,".

Amendment No. 3

On page 2, line 2, after "highways", insert ", where a majority of those voting in a primary, general or special election held in such city, city and county or county approve such use prior to such request".

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

**Assembly Bill No. 1531**—An act to amend Section 8278 of the Fish and Game Code, relating to crabs.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2490**—An act to add Section 40519 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to procedure in Vehicle Code violation cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "post-marked not later than", and insert "sent by certified or registered mail and shall be received by the court not later than the day prior to".

Amendment No. 2

On page 1, line 16, after "trial.", insert "The court or the clerk of the court shall notify the accused of the time and place of trial by certified or registered mail received by the accused at least 10 days prior to the time set for the trial."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2607**—An act to add Section 812 to Chapter 4, Title 3, Part 2 of the Penal Code, relating to arrest warrants.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, before "It", insert "(a)".

Amendment No. 2

On page 1, after line 5, insert

"(b) The statement of policy in subdivision (a) shall not be construed to authorize arrest without a warrant in any case in which use of a warrant is otherwise required by law."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2712**—An act to repeal Section 647 of, and to add Section 647 to, the Penal Code, relating to criminal offenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 2, line 33, of the printed bill, strike out "or looks".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2312**—An act to repeal Section 2366 of the Fish and Game Code, relating to the transportation of abalones.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 2366 of", and insert "add Section 2367 to".

Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 2367 is added to the Fish and Game Code, to read:

2367 Section 2366 shall be inoperative until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2543**—An act to amend Sections 2005, 3007, 3652, 4332, 4600, 8212, 8373 and 12006 of, to amend and renumber Section

4187 (as added by Ch. 1496, Stats. 1957), of and to repeal Sections 8216 and 8437 of, the Fish and Game Code, relating to fish and game.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "2005,".

**Amendment No. 2**

On page 1, strike out lines 1 to 16, inclusive; on page 2 strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 3007 of the Fish and Game Code is amended to read:".

**Amendment No. 3**

On page 2, line 13, strike out "of", and insert "or".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1067**—An act to add Section 1958 to the Government Code, relating to the insuring of peace officers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on April 10, 1959, between lines 6 and 7, insert

"The policy for such insurance may provide that the insurer shall not be liable for any amount under two hundred and fifty dollars ($250) for any one incident."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2588**—An act to add Section 13144.1 to the Health and Safety Code, relating to dissemination of information by the State Fire Marshal.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2100**—An act to add Section 12025.5 to the Business and Professions Code, relating to containers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2603**—An act to add Section 20852 to the Business and Professions Code, relating to the dispensing of petroleum products

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2586**—An act to amend Section 5580 of the Business and Professions Code, relating to the practice of architecture, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 25, 1959, strike out lines 10 to 14, inclusive, and insert "Nothing in this section shall prevent a corporation from furnishing or supplying by contract architectural services by and under the direct supervision of a certificated architect or architects"

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

SECOND READING OF SENATE BILLS

**Senate Bill No. 866**—An act to amend Section 1 of Chapter 515 of the Statutes of 1919, relating to tidelands and submerged lands in the City of Emeryville, County of Alameda.

Bill read second time, and ordered to third reading.

**Senate Bill No. 106**—An act to add Division 19 (commencing at Section 65000) to the Water Code, relating to state assistance to local agencies in areas affected by state-financed water resource construction projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 2, lines 5 and 6, of the printed bill, as amended in the Senate on May 8, 1959, strike out "annually for the ensuing fiscal year", and insert ", from time to time, and may revoke previous designations of,".

Amendment No. 2

On page 2, line 27, after the period, insert "At any time that the increase in population falls below 20 percent of the estimated population of the area, the designation shall terminate as of the following June 30th."

Amendment No. 3

On page 2, line 32, strike out the period, and insert ", and the date construction was started"

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency, and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 637**—An act to add Section 1241 7, Water Code, relating to water appropriated for gold mining purposes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 877**—An act to amend Section 154.5 of the Water Code, relating to the California Water Commission.

Bill read second time, and ordered to third reading.

**Senate Bill No. 145**—An act to add Section 1393 to the Water Code, relating to permits to appropriate water.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 306**—An act to add Sections 31408.5, 30700.5, and 30748.5 to the Water Code, relating to county water districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 959**—An act to amend Section 10504 of the Water Code, relating to the appropriation of water.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 4**—An act to amend Section 10500 of the Water Code, relating to the development, utilization, and conservation of the water resources of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "1969", and insert "1963".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 756**—An act to add Section 9020.1 to and Chapter 5.1 (commencing at Section 9520) to Division 9 of the Public Resources Code, relating to soil conservation districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 881**—An act to amend Section 23 of the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to flood control in Santa Clara County.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 51**—An act to amend Section 221 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 379**—An act to amend Sections 8011 and 8014 of the Fish and Game Code, relating to receipts for fish, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 453**—An act to amend Section 2 of the Fish and Game Code, relating to regulations on fish and game.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 617**—An act to add Section 6211 to the Public Resources Code, relating to sale of state lands, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, between lines 8 and 9, of the printed bill, as amended in the Senate on March 25, 1959, insert

"A recital in the lease or conveyance of compliance with the requirements of this section shall be prima facie evidence of the truth thereof and conclusive in favor of the lessee or grantee and his successors in interest."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 753**—An act to add Section 12707.6 to the Business and Professions Code, relating to public weighmasters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, between lines 11 and 12, of the printed bill, as amended in the Senate on April 8, 1959, insert

"Nothing contained in this section shall be construed as effecting the right of a sealer pursuant to Section 12213."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 790**—An act to amend Section 2245.5 of the Business and Professions Code, relating to prechiropody education of applicants for chiropodist's certificates.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 316**—An act to amend Section 11274 of the Government Code, relating to general administrative costs.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 317**—An act to add Section 13012 to the Government Code, relating to approvals or authorizations by the director or the Department of Finance.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 318**—An act to amend Sections 15857 and 15859 of the Government Code, relative to the acquisition of real property by the State.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 319**—An act to repeal Section 12198 of the Government Code, relating to recording official bonds.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 323**—An act to amend Section 5 of the Fresno Metropolitan Flood Control District Act (Chapter 503, Statutes of 1955), relating to the governing board of the district.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 397**—An act to amend Section 11011 of the Government Code, relating to lands under the jurisdiction of state agencies.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 487**—An act to amend Section 12304 of the Government Code, relating to the organization and administration of the Office of the State Treasurer, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 489**—An act to add Section 16653 to the Government Code, relating to the redemption of state bonds and bond coupons, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 533**—An act to add Sections 7307.5 and 7372.5 to the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 560**—An act to amend Section 110.5 of, and to add Section 110 7 to the Business and Professions Code, relating to charges to state agencies for services performed by the Division of Administrative Procedure, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 647**—An act to amend Section 11380 1 of the Government Code, relating to the designation by the Secretary of State of style and form to be used in filing regulations.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 304**—An act to add Article 6 (commencing with Section 12060) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, to provide for a Co-ordinator of Atomic Activities in the Office of the Governor, to provide for co-ordination of development and regulatory activities of the peaceful uses of atomic energy, to create an official advisory council thereon, and a public citizens' advisory committee.

Bill read second time, and ordered to third reading.

**Senate Bill No. 582**—An act to add Part 4 (commencing at Section 24100) to Division 9 of the Public Utilities Code, and to add Part 6.5 (commencing at Section 11800) to Division 2 of the Revenue and Taxation Code, relating to the licensing and registration of aircraft and the taxation of the privilege of operating the same, providing for the administration thereof, and appropriating the revenue derived therefrom.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, between lines 9 and 10, of the printed bill, as amended in the Senate on April 29, 1959, insert

"(f) "Department" means the Department of Motor Vehicles."

**Amendment No. 2**

On page 2, between lines 34 and 35, insert

"Aircraft in possession of and held for sale or resale purposes by persons holding a certificate issued in accordance with the provisions of Section 24134 are exempt from the provisions of this part, provided that when such aircraft are operated subdivision (c) of Section 24134 is complied with."

**Amendment No. 3**

On page 2, line 38, strike out "24120", and insert "24121".

**Amendment No. 4**

On page 2, strike out lines 45 to 52, inclusive

**Amendment No. 5**

On page 3, lines 3 and 4, strike out "to the commission upon the appropriate form furnished by it", and insert "upon the appropriate form".

**Amendment No. 6**

On page 3, line 20, strike out "commission in its discretion", and insert "department".

**Amendment No. 7**

On page 3, line 23, strike out "by the commission".

**Amendment No. 8**

On page 3, lines 24 and 25, strike out "and every registration card".

**Amendment No. 9**

On page 3, line 27, strike out "commission", and insert "department".

**Amendment No. 10**

On page 3, line 33, strike out "card".

**Amendment No. 11**

On page 3, line 34, strike out "card issued by the commission".

**Amendment No. 12**

On page 3, line 39, strike out "card".

**Amendment No. 13**

On page 3, line 41, strike out "card".

**Amendment No. 14**

On page 3, line 42, strike out "commission", and insert "department".

**Amendment No. 15**

On page 3, line 48, strike out "from the commission".

**Amendment No. 16**

On page 3, line 49, strike out "emblems", and insert "emblem".

**Amendment No. 16.5**

On page 4, line 1, strike out "commission", and insert "department".

**Amendment No. 17**

On page 4, lines 6 and 7, strike out "commission the", and insert "department".

**Amendment No. 18**

On page 4, line 10, strike out "commission", and insert "department".

**Amendment No. 19**

On page 4, line 21, strike out "commission", and insert "department".

**Amendment No. 20**

On page 4, line 23, strike out "card".

**Amendment No. 21**

On page 4, line 24, after "craft", insert "and shall transmit a copy of the registration certificate to the department".

**Amendment No. 22**

On page 4, line 27, after "aircraft", insert "an engine thereof".

**Amendment No. 23**

On page 4, line 35, strike out "card".

**Amendment No. 24**

On page 4, line 39, strike out "card".

**Amendment No. 25**

On page 4, strike out lines 41 to 48, inclusive.

**Amendment No. 26**

On page 4, line 49, strike out "24134", and insert "24133".

**Amendment No. 27**

On page 4, line 49, strike out "card".

**Amendment No. 28**

On page 4, line 52, after "commission", insert "or department".

**Amendment No. 29**

On page 5, line 2, strike out "card".

**Amendment No. 30**

On page 5, line 3, strike out "commission", and insert "department".

**Amendment No. 31**

On page 5, line 5, strike out "commission", and insert "department".

**Amendment No. 32**

On page 5, line 7, strike out "24135", and insert "24134".

**Amendment No. 33**

On page 5, line 9, strike out "commission", and insert "department".

**Amendment No. 34**

On page 5, line 16, strike out "commission", and insert "department".

**Amendment No. 35**

On page 5, line 25, strike out "24136", and insert "24135".

**Amendment No. 36**

On page 5, line 33, strike out "commission", and insert "department".

**Amendment No. 37**

On page 5, line 35, strike out "commission", and insert "department".

**Amendment No. 38**

On page 5, line 42, strike out "paid to the commission", and insert "collected by the department".

**Amendment No. 39**

On page 5, line 43, strike out ", except"; strike out lines 44 and 45, and insert a colon.

**Amendment No. 40**

On page 6, line 5, strike out "card and emblems", and insert "and emblem".

**Amendment No. 41**

On page 6, line 6, strike out "registration cards", and insert "registrations".

**Amendment No. 42**

On page 6, line 7, strike out "cards".

**Amendment No. 43**

On page 6, line 10, strike out "commission", and insert "department".

**Amendment No. 44**

On page 6, line 20, strike out "board", and insert "department".

**Amendment No. 45**

On page 6, line 30, strike out "commission", and insert "department".

**Amendment No. 46**

On page 6, line 39, strike out "commission", and insert "department".

**Amendment No. 47**

On page 7, line 3, after "commission", insert "or department".

**Amendment No. 48**

On page 7, line 4, strike out "registration".

**Amendment No. 48.5**

On page 7, between lines 7 and 8, insert

"24175.5. Within 30 days after disallowing any claim in whole or in part the commission or department shall give written notice of its action on the claim to the claimant. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the claimant at his address as it appears in the records of the commission or department, but the service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time for any reason."

**Amendment No. 49**

On page 7, line 13, strike out "registration".

**Amendment No. 49.5**

On page 7, strike out lines 19 to 23, inclusive, and insert

"24178. Within 90 days after the mailing of the notice of the action of the commission or department upon a claim for refund or credit, the claimant may bring an action against the commission or department on the grounds set forth in the claim in a court of competent jurisdiction in any city or city and county of this State in which the Attorney General has an office for the recovery of the whole or any part of the amount with respect to which the claim has beeen disallowed.

24178.5 If the commission or department fails to mail notice of action on a claim within six months after the claim is filed, the claimant may, prior to the mailing of notice by the commission or department, consider the claim disallowed and bring an action against the commission or department on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment."

**Amendment No. 50**

On page 7, line 26, after "commission", insert "or department".

**Amendment No. 51**

On page 7, line 27, strike out "registration".

**Amendment No. 51.5**

On page 7, between lines 36 and 37, insert

"24182 Failure to bring suit or action within the time specified in this chapter constitutes a waiver of all demands against the State on account of alleged overpayment of registration fees."

**Amendment No. 52**

On page 7, line 40, after "commission", insert "or the department".

**Amendment No. 53**

On page 7, strike out lines 46 and 47, and insert "is hereby appropriated, as".

**Amendment No. 54**

On page 7, line 51, after "fees", insert "erroneously or".

**Amendment No. 55**

On page 7, after line 51, insert

"(b) Other purposes provided by the Legislature."

**Amendment No. 56**

On page 8, strike out lines 1 to 11, inclusive

**Amendment No. 57**

On page 8, line 25, after "Controller", insert "and the department".

**Amendment No. 58**

On page 8, strike out lines 28 to 30, inclusive

**Amendment No. 59**

On page 8, line 31, strike out "24202", and insert "24201".

**Amendment No. 60**

On page 8, line 37, strike out "to the board".

**Amendment No. 61**

On page 8, line 38, after "the", insert "registration and".

**Amendment No. 62**

On page 9, line 3, strike out "24203", and insert "24202"

**Amendment No. 63**

On page 9, between lines 30 and 31, insert
"11806. "Department" means the Department of Motor Vehicles."

**Amendment No. 64**

On page 9, after line 49, insert
"Aircraft in possession of and held for sale or resale purposes by persons holding a certificate issued in accordance with the provisions of Section 24134 of the Public Utilities Code are exempt from the provisions of this part; provided, that when such aircraft are operated subdivision (c) of Section 24134 of the Public Utilities Code is complied with."

**Amendment No. 65**

On page 10, line 7, strike out "commission", and insert "department".

**Amendment No. 66**

On page 10, strike out lines 43 to 49, inclusive; and on page 11, strike out lines 1 to 12, inclusive, and insert "made thereto, information regarding the modification or additions shall be furnished the department at the time of the registration next following such modification or additions."

**Amendment No. 67**

On page 12, line 6, strike out "commission", and insert "department".

**Amendment No. 68**

On page 12, line 17, strike out "commission", and insert "department, as determined by the commission,".

**Amendment No. 69**

On page 12, line 30, strike out "commission", and insert "department".

**Amendment No. 70**

On page 12, line 34, strike out "commission", and insert "department".

**Amendment No. 71**

On page 12, line 45, after "commission", insert "or department illegally or".

**Amendment No. 71.5**

On page 12, between lines 49 and 50, insert

"11850.5. Within 30 days after disallowing any claim in whole or in part the commission or department shall give written notice of its action on the claim to the claimant. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the claimant at his address as it appears in the records of the commission or department, but the service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time for any reason."

**Amendment No. 72**

On page 13, strike out lines 10 to 14, inclusive, and insert
"11853. Within 90 days after the mailing of the notice of the action of the commission or department upon a claim for refund or credit, the claimant may bring an action against the commission or department on the grounds set forth in the claim in a court of competent jurisdiction in any city or city and county of this State in which the Attorney General has an office for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed.

11853.5. If the commission or department fails to mail notice of action on a claim within six months after the claim is filed, the claimant may, prior to the mailing of notice by the board, consider the claim disallowed and bring an action against the commission or department on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment."

**Amendment No. 72.5**

On page 13, between lines 33 and 34, insert

"11858. Failure to bring suit or action within the time specified in this chapter constitutes a waiver of all demands against the State on account of alleged overpayment of license fees."

**Amendment No. 73**

On page 13, line 37, after "commission", insert "or department".

**Amendment No. 74**

On page 13, lines 43 and 44, strike out ", subject to the provisions of any budget act and Section 11006 of the Government Code".

**Amendment No. 75**

On page 13, line 48, strike out "this chapter", and insert "Section 11866".

**Amendment No. 76**

On page 14, strike out lines 1 to 8, inclusive, and insert "the counties in the months of January and July of each year, pursuant to the provisions of Section 11866."

**Amendment No. 77**

On page 14, between lines 11 and 12, insert

"11864. On or after the first day of January and the first day of July of each fiscal year the commission shall report to the auditor of each county the address at which each aircraft is registered within the county on which license fees have been paid during the six-month period immediately preceding January 1st and July 1st, respectively, and the amount paid under this part on each aircraft.

At the time the commission reports to the county auditors it shall report to the Controller the information described in the preceding paragraph, or a summary thereof, for each of the counties.

11865. Upon receiving the report from the commission the county auditor shall transmit it to the county assessor. The assessor shall indicate on the report, or otherwise, the city, school district or code area in which each aircraft is registered and return the report to the auditor.

11866. Upon receiving the report from the commission the Controller shall forthwith disburse to the auditor of each county from the Aircraft In-Lieu Tax Fund all money shown by the report to have been collected under this part on aircraft registered in the county, after deducting therefrom the proportionate amount transferred from that fund pursuant to Section 11861.

11867. As soon as the report is returned to the auditor he shall distribute the amounts received by him under Section 11866 in the same manner according to situs of the registered aircraft as it provided for the distribution of the proceeds of the tax on intangibles under Chapter 2 (commencing at Section 4691) of Part 8 of Division 1 of this code."

**Amendment No. 78**

On page 14, strike out lines 19 to 21, inclusive.

**Amendment No. 79**

On page 14, line 22, strike out "11872", and insert "11871".

**Amendment No. 80**

On page 14, line 26, strike out "commission", and insert "department".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 853**—An act to amend Sections 5000, 5001, 5002, 5020.5, 5032, 5033, 5091, 5092, 5093, 5096, 5098, and 5132 of, and to add Section 5030.5 to, the Business and Professions Code, and to amend Sections 5001, 5002, 5020.3, 5020.5, 5032, 5033, 5035, 5084, 5091, 5092, 5096 and 5098 of the Business and Professions Code as proposed to be amended, added, and renumbered by Senate Bill No. 104, relating to the practice of accountancy.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

Strike out lines 1, 2, and 3 of the title of the printed bill, as amended in the Senate on May 8, 1959, and insert "An act".

**Amendment No. 2**

In line 4 of the title, strike out "Sections 5001, 5002, 5020.3", and insert "Section 5000 of, and to add Section 5020.3 to, the Business and Professions Code, and to amend Sections 5001, 5002".

**Amendment No. 3**

In lines 6 and 7 of the title, strike out "proposed to be amended, added, and renumbered by Senate Bill No. 104", and insert "amended, added, and renumbered by Chapter 310 of the Statutes of 1959, and to amend Section 5084 of the Business and Professions Code as proposed by Assembly Bill No. 766 of the 1959 Regular Session".

**Amendment No. 4**

On page 1, strike out lines 14 through 20, inclusive; strike out pages 2 through 5, inclusive; and on page 6, strike out lines 1 through 30, inclusive, and insert

"SEC. 2. Section 5001 of the Business and Professions Code, as amended by Chapter 310 of the Statutes of 1959, is amended to read.".

**Amendment No. 5**

On page 6, strike out lines 41 and 42, and insert

"SEC. 3. Section 5002 of said code, as amended by Chapter 310 of the Statutes of 1959, is amended to read:".

**Amendment No. 6**

On page 7, strike out lines 1, 2, and 3, and insert

"SEC. 4. Section 5020.5 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5017, is amended to read:".

**Amendment No. 7**

On page 7, line 15, strike out "SEC. 17.", and insert "SEC. 5"

**Amendment No. 8**

On page 7, strike out lines 37, 38, and 39, and insert

"SEC 6. Section 5032 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5022, is amended to read:".

**Amendment No. 9**

On page 8, strike out lines 1, 2, and 3, and insert

"SEC. 7. Section 5033 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5023, is amended to read ".

**Amendment No. 10**

On page 8, strike out lines 17 and 18, and insert

"SEC. 8. Section 5035 of said code, as added by Chapter 310 of the Statutes of 1959, is amended to read:".

**Amendment No. 11**

On page 8, strike out lines 21, 22, and 23, and insert

"SEC 9. Section 5091 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5081, is amended to read:"

**Amendment No. 12**

On page 9, strike out lines 7, 8, and 9, and insert

"SEC. 10. Section 5092 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5082, is amended to read.".

**Amendment No. 13**

On page 9, strike out lines 16 and 17, and insert

"SEC 11. Section 5084 of said code, as added by Chapter 310 of the Statutes of 1959, is amended to read:".

**Amendment No. 14**

On page 9, line 28, strike out "(f)", and insert "(e)".

**Amendment No. 15**

On page 9, strike out lines 36, 37, and 38, and insert

"SEC. 12. Section 5096 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5087, is amended to read:".

**Amendment No. 16**

On page 10, strike out lines 27, 28, and 29, and insert

"SEC. 13. Section 5098 of said code, as amended and renumbered by Chapter 310 of the Statutes of 1959 as Section 5090, is amended to read:".

**Amendment No. 17**

On page 10, strike out lines 47 through 51, inclusive, and insert

"SEC. 14. Section 5084 as proposed by Assembly Bill No. 766 is amended to read:

5084. The board shall grant one year's credit toward fulfillment of its public accounting experience requirement to a graduate of a college who has completed a four-year course with 30 or more semester hours or the equivalent thereof in the study of accounting, commercial law, economics and finance, of which at least 20 semester hours or the equivalent thereof shall be in the study of accounting.

~~The board shall waive the requirements of two years' college study provided for in paragraph (1) of subdivision (c) of Section 5081 hereof or graduation from a junior college provided for in paragraph (2) of subdivision (c) of Section 5081 hereof to members of the armed forces of the United States for six years subsequent to the date of their discharge from such forces.~~

The *certified public accountant members of the* board shall prescribe rules establishing the character and variety of experience necessary to fulfill the experience requirements set forth in this section.

SEC. 15. Section 14 of this act becomes operative only if Assembly Bill No. 766 is enacted by the Legislature at the 1959 Regular Session, and in such case at the same time as Assembly Bill No. 766 takes effect, at which time Section 11 of this act is repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1068**—An act creating the Mojave-Antelope Water Agency and prescribing its boundaries, organization, operation, management, financing and other powers and duties of the agency.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 15, line 43, of the printed bill, as amended in the Senate on May 12, 1959, after "2" insert "(commencing at Section 9480)".

**Amendment No. 2**

On page 17, line 24, after "April" insert a comma.

**Amendment No. 3**

On page 17, line 24, after "1961" insert a comma.

**Amendment No. 4**

On page 18, line 41, strike out "and/or" and insert "or".

**Amendment No. 5**

On page 18, line 41, after "appointment" insert ", or the election and appointment,".

**Amendment No. 6**

On page 18, line 49, after "2" insert "(commencing at Section 9480)".

**Amendment No. 7**

On page 18, line 51, after "2" insert "(commencing at Section 9480)".

**Amendment No. 8**

On page 23, line 10, after "California", insert a comma.

**Amendment No. 9**

On page 25, line 18, after "6061" insert "of the Government Code".

**Amendment No. 10**

On page 28, strike out line 18, and in line 19 strike out "trict Organization Law" and insert "ing at Section 58300), Chapter 1, Division 1, Title 6 of the Government Code".

**Amendment No. 11**

On page 32, line 1, strike out "other" and insert "any".

**Amendment No. 12**

On page 23, strike out lines 17 to 20, inclusive, and insert "other power.".

**Amendment No. 13**

On page 15, between lines 19 and 20, insert

"SEC. 3.4. Within 90 days after the effective date of this act, the Department of Water Resources shall hold a hearing within the area of the agency created by this act, after such public notice as deemed necessary by the department. At such hearing any interested person may appear and present testimony or evidence as to the necessity or desirability of the agency. At the conclusion of such hearing, the department shall file a report thereon with the board of supervisors of the County of San Bernardino, including in said report its recommendations as to the need for the functioning of the agency."

**Amendment No. 14**

On page 15, line 33, after "election,", insert "and if it has received the report from the Department of Water Resources pursuant to Section 3.4,".

**Amendment No. 15**

In line 1 of the title, strike out "-Antelope", and insert "Water Agency and the Antelope Valley-East Kern".

**Amendment No. 16**

In line 2 of the title, strike out "its" and insert "their".

**Amendment No. 17**

In line 3 of the title, strike out "agency" and insert "agencies".

**Amendment No. 18**

On page 1, line 2, strike out "-Antelope".

**Amendment No. 19**

On page 6, line 20, strike out "-Antelope".

**Amendment No. 20**

On page 16, line 3, strike out "-Antelope".

**Amendment No. 21**

On page 16, lines 4 and 5, strike out "-Antelope"

**Amendment No. 22**

On page 16, line 20, strike out "-Antelope".

**Amendment No. 23**

On page 16, line 22, strike out "-Antelope".

**Amendment No. 24**

On page 20, lines 24 and 25, strike out "-Antelope".

**Amendment No. 25**

On page 30, line 29, strike out "-Antelope".

**Amendment No. 26**

On page 35, line 32, strike out "This act is", and insert "Sections 1 to 35, inclusive, of this act are".

**Amendment No. 27**

On page 35, line 33, strike out "-Antelope".

**Amendment No. 28**

On page 35, line 33, strike out "Act.", and insert "Law" References to "this act" or "herein" in Sections 1 to 35, inclusive, of this act are to the Mojave Water Agency Law

SEC. 49 Sections 49 to 96, inclusive, of this act are designated and may be cited and referred to as the "Antelope Valley-East Kern Water Agency Law" References to "this act" or "herein" in Sections 49 to 96, inclusive, are to the Antelope Valley-East Kern Water Agency Law

'SEC 50. The Antelope Valley-East Kern Water Agency is hereby created, organized and incorporated and shall be managed as herein expressly provided and may exercise the powers herein expressly granted or necessarily implied, and may include contiguous or noncontiguous parcels of both unincorporated and incorporated territory and territory included in any public district having similar powers and shall include all territory lying within the following described boundaries:

Beginning at the northwesterly corner of Section 2, Township 8 North, Range 17 West, San Bernardino Base and Meridian; thence southerly along the westerly line of said last mentioned section and continuing southerly along section lines to the southwesterly corner of Section 11 of said last mentioned township and range; thence easterly along the southerly line of said last mentioned section and continuing easterly along section lines to the northeasterly corner of Section 17, Township 8 North, Range 16 West, S. B B & M.; thence southerly along the easterly line of said last mentioned section and continuing southerly along section lines to the boundary of the Antelope Valley Soil Conservation District as same existed on March 13, 1959; thence easterly along said last mentioned boundary and following the same in all its various courses to the northeasterly corner of Section 17, Township 9 North, Range 7 West, S. B B. & M.; thence northerly along the easterly boundary of the County of Kern as same existed on said last mentioned date to the northeasterly corner of Section 1, Township 31 South, Range 40 East, Mount Diablo Base and Meridian, a point on the northerly boundary of the Edwards Town Community Services District as same existed on said last mentioned date; thence westerly along the northerly boundary of said last mentioned district and following the same in all its various courses to the southeasterly corner of Section 36, Township 30 South, Range 38 East, M. D B. & M.; thence northerly along the easterly line of said last mentioned section and continuing northerly along section lines to the northeasterly corner of Section 1, said last mentioned township and range; thence westerly along the northerly line of said last mentioned section and continuing westerly along section lines to the northeasterly corner of Section 1, Township 30 South, Range 36 East, M D. B & M.; thence southerly along the easterly line of said last mentioned section and continuing southerly along section lines to the southeasterly corner of Section 36, said last mentioned township and range; thence westerly along the southerly line of said last mentioned section and continuing westerly along section lines to the northwesterly corner of Section 6, Township 31 South, Range 36 East, M D. B & M ; thence southerly along the westerly line of said last mentioned section and continuing southerly along section lines to the southwesterly corner of Section 31, Township 32 South, Range 36 East, M. D. B. & M ; thence westerly and southerly along the northerly and westerly lines of fractional Section 33, Township 12 North, Range 12 West, S B B. & M.; to the northeasterly corner of Section 5, Township 11 North, Range 12 West, S. B B. & M ; thence westerly along the northerly line of said last mentioned section and continuing westerly along section lines to the northwesterly corner of Section 6, Township 11 North, Range 13 West, S B. B. & M ; thence southerly along the westerly line of said last mentioned section and continuing southerly along section lines to the boundary of the Antelope Valley Soil Conservation District; thence westerly along said last mentioned boundary to the northwesterly corner of Section 6, Township 10 North, Range 14 West, S. B. B & M ; thence southerly along the westerly line of said last mentioned section and continuing southerly along section lines to the southeasterly corner of Section 36, Township 10 North, Range 15 West, S B. B & M.; thence westerly along the southerly line of said last mentioned section to the northwesterly corner of Section 1, Township 9 North, Range 15 West, S B B. & M.; thence southerly along the westerly line of said last mentioned section and continuing southerly along section lines to the southeasterly corner of Section 23 of said last mentioned township and range; thence westerly along the southerly line of said last mentioned section and continuing westerly along section lines to the southeasterly corner of Section 19 of said last mentioned township and range; thence northerly and westerly along the easterly and northerly lines of said last mentioned section and continuing westerly along section lines to the northwesterly corner of Section

19, Township 9 North, Range 16 West, S. B. B. & M.; thence southerly along the westerly line of said last mentioned section and continuing southerly along section lines to the southeasterly corner of Section 25, Township 9 North, Range 17 West, S. B. B. & M.; thence westerly along the southerly line of said last mentioned section and continuing westerly along section lines to the northwesterly corner of Section 35 of said last mentioned township and range; thence southerly along the westerly line of said last mentioned section to the point of beginning;

"SEC. 51. The board of directors of the Antelope Valley-East Kern Water Agency organized under this act shall consist of seven members, and only one director shall be a resident of a division of the agency. The governor shall appoint the first Board of Directors for each of the seven divisions of such agency, which divisions shall be numbered first, second, third, fourth and fifth, sixth and seventh, and shall be established by the Director of the State Department of Water Resources according to and based upon the population as to equalize, as nearly as practicable, the population in the respective divisions, or reestablished as provided in Section 93 of this act. All successors of the first board shall be elected or chosen at the time and in the manner hereinafter provided. Each director shall hold office for the term of four years from and after the date for his taking of office, as herein provided, and until the election and qualification of his successor, except that the seven members of the first board of directors shall classify themselves by lot so that three of them shall hold office until the qualification of, and taking office by, their successors elected at an election held in the next succeeding even-numbered year, and so that four shall hold office until the qualification of, and taking of office by, their successors elected at an election held in the second succeeding even-numbered year.

The elections of directors shall be held at the time of the direct primary election and shall be consolidated therewith. Each candidate for director who at such election receives votes on a majority of all the ballots cast for candidates for the office for which he seeks nomination shall be elected to such office. If at such primary election, as to any such office, none of the candidates receives such majority, the two candidates who receive the highest number of votes cast on all the ballots cast for candidates for such office, shall be the candidates for such office at the ensuing agency election, which latter election shall be held at the same time as the next succeeding general election and shall be consolidated therewith. Candidates shall declare their candidacy and shall be nominated, election returns shall be canvassed, the election shall be held and conducted, the results shall be declared, and the certificates of election shall be issued, in the same manner as the declaration of candidacy, nomination, election, canvassing of returns, declaration of results, and issuance of certificates of election for county officers are made, declared, held, and conducted, and issued, so far as consistent with the provisions of this act and except as otherwise herein expressly provided. Directors elected hereunder, except the first board of directors, shall take office at the same time provided by the Government Code for county officers. Said election held at the time of the direct primary election and consolidated therewith shall be known as the General Antelope Valley-East Kern Water Agency Election and each other election which may be held by authority of this act or the Elections Code or other law applicable thereto shall be known as a Special Antelope Valley-East Kern Water Agency Election.

SEC. 52. If, on the sixty-fifth day prior to the day fixed for the agency general election, only one person has been nominated for each office or member of the board of directors to be filled at that election, or if no person has been nominated for any one or more of said offices, said board of directors shall by resolution entered in their minutes order that an election shall not be held, and shall immediately request that the board of supervisors of the county in which the agency or a greater portion thereof is situated, at a regular or special meeting held prior to the day of election, appoint, and the board of supervisors shall thereupon appoint, to the office or offices the person or persons who have been nominated, or if no person or persons have been nominated, any qualified person or persons. The person appointed shall qualify and take office and serve exactly as if elected at an agency general election.

In such case, the publication provided for in Article 6 (commencing at Sec. 2699), Chapter 2, Division 5 of the Elections Code shall, instead of calling an election, state that no election is to be held but that the board of supervisors will either appoint those nominated for the positions of directors or appoint a qualified person or persons to the office or offices for which no one has been nominated, as the circumstances may warrant.

SEC. 53. No person shall vote at any Antelope Valley-East Kern Water Agency election held under the provisions of this act who is not a voter within the meaning of the Elections Code, residing in the division of the Antelope Valley-East Kern Water Agency in which he casts his vote. For the purpose of registering voters who shall be entitled to vote at Antelope Valley-East Kern Water Agency elections, the county clerk or registrar of voters is authorized, in any county in which there is the Antelope Valley-East Kern Water Agency to indicate upon the affidavit of registration whether the voter is a voter of the Antelope Valley-East Kern Water Agency.

In case the boundary line of the Antelope Valley-East Kern Water Agency crosses the boundary line of a county election precinct only those voters within such Antelope Valley-East Kern Water Agency and within such precinct who are registered as being voters within the Antelope Valley-East Kern Water Agency shall be permitted to vote, and for that purpose the county clerk or registrar of voters is hereby empowered to provide two sets of ballots within such precincts, one containing the names of candidates for office in said Antelope Valley-East Kern Water Agency, and the other not containing such names, and it shall be the duty of the election officers in such precincts to furnish only those persons registered as voters within such Antelope Valley-East Kern Water Agency with the ballots upon which are printed the names of the candidates for office in Antelope Valley-East Kern Water Agency.

SEC. 54. The provisions of the Elections Code so far as they may be applicable shall govern all general Antelope Valley-East Kern Water Agency elections and all special Antelope Valley-East Kern Water Agency elections, except as in this act otherwise provided.

In counties in which the Antelope Valley-East Kern Water Agency is located the county clerk or registrar of voters is hereby given authority, and he hereby is authorized to have printed upon the official ballots provided for voters at elections for directors a heading in the same form as that provided by the Elections Code for nonpartisan officers, which heading shall be marked "Antelope Valley-East Kern Water Agency", with a subheading "For a Member of the Board of Directors, Division _____ (here inserting the number of the division)—Vote for One", and beneath which shall appear the names of the candidates for the office of member of the board of directors for such division of the Antelope Valley-East Kern Water Agency, with the appropriate blank space for the writing in of the name of a candidate if desired by the voters, and with a voting square placed opposite the space. The ballots thus provided shall be furnished by the precinct officers only to those voters within their respective precincts who shall appear on the register as duly registered voters, within that division of the Antelope Valley-East Kern Water Agency, and in precincts which lie partly within such Antelope Valley-East Kern Water Agency and partly without the precinct board shall be supplied with two kinds of ballots by said county clerk or registrar of voters, one of which shall contain the matters hereinabove set forth for the use of voters of the Antelope Valley-East Kern Water Agency, and the other of which shall be without such heading containing the names of candidates for the office of members of the board of directors, and which shall be furnished to those voters who are not voters of the Antelope Valley-East Kern Water Agency and who are voters of the precinct.

SEC. 55. The board of directors of the Antelope Valley-East Kern Water Agency shall call and canvass all elections involving matters of initiative and referendum and shall call all other elections which it is authorized to canvass.

The governing body calling or conducting any election under the provisions of this act shall fix the compensation to be paid the officers of the election and shall designate the precincts and polling places for each division of the agency and shall appoint the officers of such election, who shall consist of one inspector, one judge, and two clerks, unless in case of consolidated elections, other officers of elections are required by law.

The voting precincts for any such election may be established and the boundaries thereof fixed and described by such governing body, or such voting precincts may consist of either the regular election precincts or portions thereof within the agency established for holding state or county elections, or a consolidation of any or all of such regular election precincts or portions thereof last established. If any Antelope Valley-East Kern Water Agency election is consolidated with any state or county election, then the voting precincts, polling places, and election officers for the agency election shall be the same as those established for such state or county election.

SEC. 56. Every incumbent of an elective office, whether elected by popular vote for a full term, or chosen by the board of directors to fill a vacancy, is subject to recall by the voters of the Antelope Valley-East Kern Water Agency organized under *the provisions of this act in accordance with the recall provisions of the Elections* Code of the State with reference to cities.

SEC. 57. The board of directors shall be the governing body of the Antelope Valley-East Kern Water Agency. It shall hold its first meeting as soon as possible after the appointment and certification of the first board of directors and not later than the sixth Monday after the date of the first election of directors as herein provided; it shall choose one of its members president, and shall thereupon provide for the time and place of holding its meetings and the manner in which its special meetings may be called. All legislative sessions of the board of directors whether regular or special shall be open to the public. A majority of the board of directors shall constitute a quorum for the transaction of business. At its first meeting in the month of January of each odd-numbered year, the board of directors shall choose one of its members president.

SEC. 58. The board of directors shall act only by ordinance, resolution, or motion. On all ordinances the roll shall be called and the ayes and noes recorded in the journal of the proceedings of the board of directors. Resolutions and orders may be adopted by voice vote, but on demand of any member the roll shall be called. No

ordinance, motion, or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board. The enacting clause of all ordinances passed by the board shall be: "Be it ordained by the Board of Directors of the Antelope Valley-East Kern Water Agency as follows ". Each of the members of the board of directors shall receive for each attendance at the meetings of the board twenty dollars ($20). No directors, however, shall receive pay for more than three meetings in any calendar month Any vacancy in the board of directors shall be filled by a majority of the remaining directors, the person so chosen shall be a resident of and otherwise qualified to be a director from the division in which the vacancy shall occur and shall hold office for the remainder of the unexpired term.

SEC. 59. The board of directors shall be the governing body of the Antelope Valley-East Kern Water Agency and shall at its first meeting, or as soon thereafter as practicable, appoint by a majority vote a secretary, treasurer, attorney, chief engineer, general manager and auditor, define their duties and fix their compensation, and each shall serve at the pleasure of the board, and may employ such additional assistants and employees as they may deem necessary to efficiently maintain and operate said district Said board may consolidate the office of secretary and treasurer, and the offices of chief engineer and general manager.

SEC. 60 No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the incorporation of the Antelope Valley-East Kern Water Agency and the legal existence of said Antelope Valley-East Kern Water Agency and all proceedings in respect thereto shall be held to be valid and in every respect legal and incontestable.

SEC. 61. The Antelope Valley-East Kern Water Agency incorporated as herein provided, shall have power:

1. To have perpetual succession;

2 To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction;

3. To adopt a seal and alter it at pleasure;

4. To take by grant, purchase, gift, devise, or lease, hold, use, enjoy, and to lease or dispose of real and personal property of every kind, within or without the Antelope Valley-East Kern Water Agency;

5. To acquire, or contract to acquire, water works or a water works system, waters, water rights, lands, rights and privileges and construct, maintain and operate conduits, pipelines, reservoirs, works, machinery and other property useful or necessary to store, convey, supply or otherwise make use of water for a water works plant or system for the benefit of the agency, and to complete, extend, add to, repair, or otherwise improve any water works or water works system acquired by it as herein authorized;

5a. To construct, maintain, improve and operate public recreational facilities appurtenant to any water reservoir operated or contracted to be operated by the Antelope Valley-East Kern Water Agency, and to provide by ordinance regulations binding upon all persons to govern the use of such facilities including regulations imposing reasonable charges for the use thereof. Violation of any such regulation shall be a misdemeanor;

6. To lease of and from any person, firm or public or private corporation, or public agency, with the privilege of purchasing or otherwise, all or any part of water storage, transportation or distribution facilities, existing water works or a water works system, and to carry on and conduct water works or a water works system; also to sell water under the control of the agency to cities, and to other public corporations and public agencies within the agency, and to the inhabitants of such cities and of other territory within the agency, and to persons, corporations, and other private agencies within the agency for use within said agency without any preference, and it may, whenever the board shall find that there is a surplus of water above that which may be required by such consumers within said agency, sell or otherwise dispose of such surplus water to any persons, firms, public or private corporations or public agencies or other consumers;

6a. To supply and deliver agency water to publicly owned and operated golf courses and other publicly owned and operated recreational facilities and to public schools, school districts and public school properties, and to fix and establish special rates, terms and conditions for the use and sale of water for each of these purposes; provided, however, that this provision shall not be construed to indicate legislative intent either for or against the existence of any power of the agency to furnish water to other persons, firms or corporations at just and reasonable rates;

7. To have and exercise the right of eminent domain and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to supply the agency or any portion thereof with water, whether such property be already devoted to the same use or otherwise, and may condemn any existing waterworks or system, or any portion thereof, or any waters or water rights owned by any person, firm or private corporation. In proceedings relative to the exercise of such right, the agency shall have all of the rights, powers and privileges of a city; provided, the agency in exercising such power, shall in addition

to the damage for the taking, injury, or destruction of property, also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, wires, cables or poles of any public utility which is required to be removed to a new location. In no event shall the agency have or exercise the power of eminent domain with respect to property situated outside the boundaries of the agency;

8. To issue bonds, borrow money and incur indebtedness as authorized by law or in this act provided; also to refund (by the issuance of the same obligations following the same procedure) or retire any indebtedness or lien that may exist against the agency or property thereof; also to issue warrants to pay the formation expenses of the agency, which warrants may bear interest at a rate not exceeding 6 percent per annum from the date of issue until funds are available to pay the warrants, and which formation expenses may include fees of attorneys and others employed to conduct the formation proceedings.

8a. To issue negotiable promissory notes bearing interest at a rate not exceeding 6 percent per annum; provided, however, that said notes shall be general obligations of the agency payable from revenues and taxes in the same manner as bonds of said agency; and provided further, that the maturity shall not be later than three years from the date thereof and that the total aggregate amount of such notes outstanding at any one time may be at least equal to seventy-five thousand dollars ($75,000) in the Antelope Valley-East Kern Water Agency but shall not otherwise exceed the lesser of either five hundred thousand dollars ($500,000) or 2 percent of the assessed valuation of the taxable property in the Antelope Valley-East Kern Water Agency or, if said assessed valuation is not obtainable, 2 percent of the county auditor's estimate of the assessed valuation of the taxable property in the agency evidenced by his certificate;

9. To cause taxes to be levied, in the manner hereinafter provided, for the purpose of paying any obligation of the agency, including its formation expenses and any warrants issued therefor;

9a. To restrict the use of agency water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of agency water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the agency; to prohibit use of such water during such periods for specific uses which the agency may from time to time find to be nonessential;

9b. To prescribe and define by ordinance the restrictions, prohibitions and exclusions referred to in subdivision 9a hereof. Every ordinance relating to the matters referred to in this subdivision shall be in full force and effect forthwith upon adoption, but shall be published pursuant to Section 6061 of the Government Code in full in a newspaper of general circulation, printed, published and circulated in the agency within 10 days after adoption, or if there be no such newspaper it shall be posted within said time in three public places within the agency;

10. To make contracts, to employ labor, and do all acts necessary for the full exercise of the foregoing powers;

11. In case of condemnation proceedings the board shall proceed in the name of the agency;

12. To provide by ordinance of its board of directors for the pensioning of officers or employees and the creation of a special fund for the purpose of paying such pensions, and the accumulation of contributions to said fund from the revenues of the agency, the wages of officers or employees, voluntary contributions, gifts donations or any source of revenue not inconsistent with the general powers of the board, and to contract with any insurance corporation or any other insurance carrier for the maintenance of a service covering the pension of such officers or employees, and to provide in such ordinance for the terms and conditions under which such pensions shall be awarded, and for the time and extent of service of officers or employees before such pensions shall be available to them;

13. To acquire, control, distribute, store, spread, sink, treat, purify, reclaim, recapture, and salvage any water, including sewage and storm waters, for the beneficial use or uses and protection of the agency or its inhabitants or the owners of rights to water therein.

14. To join with one or more public agencies, private corporations or other persons for the purpose of carrying out any of the powers of the agency, and for that purpose to contract with such other public agencies or private corporations or persons for the purpose of financing such acquisitions, constructions and operations. Such contracts may provide for contributions to be made by each party thereto and for the division and apportionment of the expenses of such acquisitions and operations, and the division and apportionment of the benefits, the services and products therefrom, and may provide for any agency to effect such acquisitions and to carry on such operations, and shall provide in the powers and methods of procedure for such agency the method by which such agency may contract. Such contracts with other public agencies or private corporations or persons may contain such other and further covenants and agreements as may be necessary or convenient to accomplish

the purposes thereof. The term "public agency," as used in this subdivision, shall be deemed to mean and include the United States of America or any department or agency thereof, the State of California or any department or agency thereof, a county, city, public corporation the Metropolitan Water District of Southern California, or other public district of this State The term "private corporation," as used in this subdivision, shall be deemed to mean and include any private corporation organized under the laws of the United States of America or of this or any other state thereof. Contracts mentioned herein include those made with the United States, under the Federal Reclamation Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto or any other act of Congress heretofore or hereafter enacted permitting co-operation. Any such contract with the United States of America or any department or agency thereof, or with any private corporation organized under the laws of the United States of America, by which the Antelope Valley—East Kern Water Agency incurs an indebtedness or liability exceeding in any year the income and revenue for such year shall not be executed without the assent of two-thirds of the qualified electors of the agency voting at a special election to be held for that purpose, such election to be called and held, so far as practicable, in the same manner as bond elections for the agency

15. To commence, maintain, intervene in, and compromise, in the name of the agency, any action or proceeding involving or affecting the ownership or use of water or water rights within the agency, used or useful for any purpose of the district, or a common benefit to lands within the agency or its inhabitants

16. Distribute water to persons in exchange for ceasing or reducing ground water extractions and to fix the terms and conditions of any contract under which producers may agree voluntarily to use replenishment water from a nontributary source in lieu of ground water, and to such end a district may become a party to such contract and pay from district funds such portion of the cost of such replenishment waters as will encourage the purchase and use of such water in lieu of pumping so long as the persons or property within the district are directly or indirectly benefited by the resulting replenishment.

17. To issue bonds under Section 18 of this act for the purpose of providing money required to be paid to the agency organized under the Metropolitan Water District Act by the board of directors of the agency as all or part of the terms and conditions upon which the corporate area of the Antelope Valley-East Kern Water Agency may be annexed to and become a part of said metropolitan water district The amount of said bonds may include expenses of all proceedings for the authorization, issuance and sale of the bonds.

18 To issue revenue bonds for any purpose for which such bonds could be issued under the provisions of the Revenue Bond Law of 1941 or any other law which by its terms is applicable to districts formed under this act.

19. To use the Improvement Act of 1911 for the construction of any facilities authorized to be constructed under the provisions of this act. The powers and duties conferred by the Improvement Act of 1911 on the various boards, officers and agents of cities shall be exercised by the respective boards, officers and agents of the Antelope Valley-East Kern Water Agency. In the application of said Improvement Act of 1911 to proceedings instituted by the Antelope Valley-East Kern Water Agency, the terms used in said Improvement Act of 1911 shall have the following meanings:

(a) "City council" and "council" shall mean the board of directors of the Antelope Valley-East Kern Water Agency.

(b) "Municipality" and "city" shall mean the Antelope Valley-East Kern Water Agency.

(c) "Clerk" and "city clerk" shall mean the secretary.

(d) "Superintendent of streets," "street superintendent" and "city engineer" shall mean the chief engineer of the agency.

(e) "Tax collector" shall mean the county tax collector.

(f) "Treasurer" and "city treasurer" shall mean the treasurer of the Antelope Valley-East Kern Water Agency.

(g) "Mayor" shall mean the president of the board of directors of the Antelope Valley-East Kern Water Agency.

(h) "Right of way" shall mean any parcel of land in, on, under or through which a right of way or easement has been granted to the agency for the purpose of constructing and maintaining any works or improvements of the Antelope Valley-East Kern Water Agency.

Any certificates or documents required to be filed or recorded in the office of the superintendent of streets or street superintendent shall be filed or recorded in the office of the secretary of the Antelope Valley-East Kern Water Agency.

SEC. 62. A finding by the board of directors upon the existence, threat, or duration of an emergency or shortage of water or upon the matter of necessity or any other matter or condition referred to in subdivisions 9a or 9b of said Section 61, shall be made by resolution or ordinance, and shall be prima facie evidence of the fact or matter so found, and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding shall have been made by the board by resolution or ordinance. Such finding shall be received in evidence in any civil

or criminal proceeding in which it may be offered, and shall be proof and evidence of the fact or matter found until rebutted or overcome by other sufficient evidence received in such proceeding. Copy of any resolution or ordinance setting forth such finding shall, when certified by the secretary of the agency, be evidence that the finding was made by the agency as shown by the resolution or ordinance and certification.

SEC. 63. From and after the publication or posting of any ordinance as provided in subdivision 9b of Section 61 of this act, it is hereby declared to be and it shall be a misdemeanor for any person, firm or corporation to use or apply water received from the agency contrary to or in violation of such restriction or prohibition, until such ordinance shall have been repealed or such emergency or threatened emergency shall have ceased, and upon conviction thereof such person, firm or corporation shall be punished by being imprisoned in the county jail for not more than 30 days or by fine of not more than three hundred dollars ($300), or by both such fine and imprisonment.

SEC. 64. The Antelope Valley-East Kern Water Agency may at any time after execution of any contract authorized by paragraph 14 of Section 61 bring an action in the superior court in the county where the greater part of the land of the agency is situated to determine the validity of the contract. The action is in rem. Jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in a newspaper of general circulation published in the county where the action is pending and designated by the court in which the action is pending. Jurisdiction is complete 10 days after the completion of the publication of summons. Before the expiration of the 30 days after jurisdiction is acquired any person interested may appear and contest the validity of the contract. If no action has been brought by the agency pursuant to this section the agency taxpayer may at any time within 30 days after the execution of such contract, or within 30 days after the effective date of this act, whichever is later, bring an action in such superior court to determine the validity of the contract. The agency shall be the defendant. If more than one action is pending at the same time concerning similar contests provided for by this section, they shall be consolidated and tried together. The rules of pleading and practice not inconsistent with the provisions of this section are applicable to all actions provided for by this section. In an action provided for by this section, the court shall disregard any irregularity or omission which does not affect the substantial rights of the parties The action shall be speedily tried The judgment shall declare the contract either valid or invalid. The motion for a new trial of any action provided by this section shall be heard and determined within 10 days from the filing of the notice of intention. The costs of any hearing or contest may be allowed and apportioned between the parties or taxed to the losing party Any party may appeal at any time within 30 days after the entry of the judgment. The appeal shall be heard and determined within three months from the taking of the appeal. No contest of any thing or matter herein provided shall be made other than in the time and manner herein specified.

SEC 65. All powers, privileges and duties vested in or imposed upon the Antelope Valley-East Kern Water Agency incorporated hereunder shall be exercised and performed by and through the board of directors; provided, however, that the exercise of any and all executive, administrative and ministerial powers may be by said board of directors delegated and redelegated to any of the offices created hereby and by the board of directors acting hereunder.

The board of directors shall have power

(1) To fix the time and place or places at which its regular meetings shall be held, and shall provide for the calling and holding of special meetings.

(2) To fix the location of the principal place of business of the agency and the location of all offices and departments maintained hereunder.

(3) To prescribe by ordinance a system of business administration and to create any and all necessary offices and to establish and reestablish the powers and duties and compensation of all officers and employees and to require and fix the amount of all official bonds necessary for the protection of the funds and property of the agency

(4) To prescribe by ordinance a system of civil service.

(5) To delegate and redelegate by ordinance to officers of the agency power to employ clerical, legal and engineering assistants and labor, and under such conditions and restrictions as shall be fixed by the directors, power to bind the agency by contract.

(6) To prescribe a method of auditing and allowing or rejecting claims and demands.

(7) To prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures or equipment, or the performance of furnishing of labor, materials, or supplies, necessary or convenient for carrying out any of the purposes of this act or for the acquisition or disposal of any real or personal property; provided, that in cases where work is not to be done by the agency itself by force account, and the amount involved shall be thirty thousand dollars ($30,000), or more, any contract for the doing of such work shall be let to the lowest responsible bidder, after publication, in the manner prescribed

by the board, of notices inviting bids therefor, subject to the right of said board to reject any and all proposals; and provided further, that contracts, in writing or otherwise, for the acquisition or disposal of any real or personal property may be let without calling for competitive bids. The board may, from time to time, fix and establish the manner of calling for bids and letting contracts, but except as such procedure so established by the board otherwise requires, all contracts may be entered into upon such terms and in such manner as the board may authorize.

(8) To fix the rates at which water should be sold, and to establish different rates for different classes or conditions of service; provided that rates shall be uniform for like classes or conditions of service throughout the agency, but any special water rate fixed in accordance with terms and conditions of annexation fixed by the board under the provisions of Section 82 or 83 hereof, shall be deemed to be a rate for a different class or condition of service.

SEC. 66. Except as herein provided, no director of the Antelope Valley-East Kern Water Agency shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board of directors, and no officer or employee of any agency shall in any manner be interested, directly or indirectly, in any contract made by such officer or employee pursuant to discretionary authority vested in him, or in the benefits to be derived therefrom. For any violation of this section, such director or other officer or employee of the Antelope Valley-East Kern Water Agency shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment. Neither this section nor any other law shall, however, be deemed to invalidate any contract or instrument, nor to establish or define any misdemeanor or other crime, merely because such director or other officer or employee shall have any interest in such contract or instrument, or shall derive any benefit therefrom:

(a) If such director or other officer or employee shall own or control, directly or indirectly, not more than 5 per centum of the outstanding stock or securities of the contracting corporation; or

(b) If such contract or instrument shall be entered into pursuant to the provisions of any ordinance or regulation of the agency of uniform application, and which ordinance or regulation shall have become effective prior to the making or execution of such contract or instrument.

SEC. 67. The president and secretary in addition to the respective duties imposed on them by law shall perform such duties as may be imposed on them by the board of directors. The treasurer, or such other person or persons as may be authorized by the board of directors, shall draw checks or warrants to pay demands when such demands shall have been audited and approved in the manner prescribed by the board of directors.

The chief engineer shall have full charge and control of the maintenance, operation and construction of the water works or water works system of the agency with full power and authority to employ and discharge all employees and assistants at pleasure, prescribe their duties, fix their compensation, subject to the approval of the board of directors.

The chief engineer shall perform such duties as may be imposed on him by the board of directors. The chief engineer shall report to the board of directors in accordance with such rules and regulations as they may direct.

The attorney shall be the legal adviser of the agency and shall perform such other duties as may be prescribed by the board of directors.

The board of directors shall designate a depository or depositories to have the custody of the funds of the agency, all of which depositories shall give security sufficient to secure the agency against possible loss, and who shall pay the warants drawn by the treasurer for demands against the agency under such rules as the directors may prescribe.

The chief engineer, secretary and treasurer, and all other employees or assistants of said agency who may be required so to do by the board of directors, shall give such bonds to the agency conditioned for the faithful performance of their duties as the board of directors from time to time may provide. The premiums on such bonds shall be paid by the agency.

SEC. 68. Whenever the board of directors deems it necessary for the agency to incur a bonded indebtedness for the acquisition, construction, completion, or repair of any or all improvements, works or property mentioned in this act, the board shall, by resolution, so declare and call an election to be held in said agency for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of said agency. Said resolution shall state: (a) the purpose for which the proposed debt is to be incurred, which may include expenses of all proceedings for the authorization, issuance and sale of the bonds; (b) the amount of debt to be incurred; (c) the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (d) the maximum rate of interest to be paid, which shall not exceed 5 percent per annum, payable semiannually, except that interest for the first year may be payable at the end of said year; (e) the measure to be submitted to the voters; (f) the date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred; and (g) the designation of precincts, the location of polling

places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct. The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing pursuant to Section 6066 of the Government Code the resolution calling the election, the last publication to be made not less than two weeks prior to the date of the proposed election, in at least one newspaper published in such agency, then such resolution shall be posted in three public places in such agency not less than two weeks prior to the date of the proposed election. No other notice of such election need be given. The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code, so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted.

Any action or proceeding, wherein the validity of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto shall be held to be valid and in every respect legal and incontestable.

SEC. 69. Whenever the board of directors deems it necessary to incur a bonded indebtedness for the acquisition, construction, completion, or repair of any or all improvements, works or property mentioned in this act and to provide for such bonded indebtedness to be payable from taxes levied upon less than all of the agency, the board shall, by resolution, so declare and state: (a) the purpose for which the proposed debt is to be incurred; (b) the amount of debt to be incurred, which may include expenses of all proceedings for the authorization, issuance and the sale of the bonds; (c) that the board intends to form an improvement district of a portion of the agency which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, and to call an election in such proposed improvement district on a date to be fixed, for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the agency for said improvement district; (d) that taxes for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable property in the improvement district; (e) that a general description of the proposed improvement, together with a map showing the exterior boundaries of said proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement is on file with the secretary of the agency and is available for inspection by any person or persons interested; (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the proposed improvement and the amount of debt to be incurred; and (g) that at the time and place specified in the resolution any person interested, including all persons owning property in the agency or in the proposed improvement district, will be heard. Notice of said hearing shall be given by publishing a copy of the resolution pursuant to Section 6066 of the Government Code prior to the time fixed for the hearing in a newspaper printed and published in the Antelope Valley-East Kern Water Agency, if there is a newspaper printed and published in such agency. Such notice shall also be given by posting a copy of said resolution in six public places within the proposed improvement district at least two weeks before the time fixed for said hearing.

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the agency or within the proposed improvement district, may appear and present any matters material to the questions set forth in the resolution declaring the necessity for incurring the bonded indebtedness. The board shall have power to change the purpose for which the proposed debt is to be incurred, or the amount of bonded debt to be incurred, or the boundaries of said proposed improvement district, or one or all of said matters; provided, however, that said board shall not change such boundaries so as to include any territory which will not, in its judgment, be benefited by said improvement.

The purpose, amount of bonded debt or boundaries shall not be changed by said board except after notices of its intention to do so, given by publication pursuant to Section 6061 of the Government Code in a newspaper printed and published in said Antelope Valley-East Kern Water Agency, if there is a newspaper printed and published in such agency, and by posting in six public places within said proposed improvement district. Said notice shall state the changed purpose and debt proposed and that the exterior boundaries as proposed to be changed are set forth on a map on file with the secretary of the agency, which map shall govern for all details as

to the extent of the proposed improvement district, and specify the time and place for hearing on such change, which time shall be at least 10 days after publication or posting of said notice. At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the agency or the proposed improvement district, may appear and present any matters material to the changes stated in the notice. At the conclusion of the hearing the board shall by resolution determine whether it is deemed necessary to incur the bonded indebtedness, and, if so, the resolution shall also state the purpose for which said proposed debt is to be incurred, the amount of the proposed debt, that the exterior boundaries of the portion of the agency which will be benefited are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district, and that said portion of the agency set forth on said map shall thereupon constitute and be known as "Improvement District No _____ of Antelope Valley-East Kern Water Agency," and the determinations made in said resolution shall be final and conclusive. After the formation of such improvement district within the Antelope Valley-East Kern Water Agency pursuant to this section, all proceedings for the purpose of a bond election shall be limited, and shall apply only to the improvement district, and taxes for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable property in the improvement district.

After the board has made its determination of the matters required to be determined by said last mentioned resolution, and if the board deems it necessary to incur the bonded indebtedness, the board shall by a further resolution call a special election in said improvement district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the agency for said improvement district. Said resolution shall state: (a) that the board deems it necessary to incur the bonded indebtedness, (b) the purpose for which the bonded indebtedness will be incurred; (c) the amount of debt to be incurred; (d) the improvement district to be benefited by said indebtedness, as set forth in the resolution making determinations, and that a map showing the exterior boundaries of said improvement district is on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district; (e) that taxes for the payment of such bonds and the interest thereon shall be levied exclusively upon the taxable property in said improvement district; (f) the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years; (g) the maximum rate of interest to be paid, which shall not exceed 5 percent per annum, payable semiannually, except that interest for the first year may be payable at the end of the said year; (h) the measure to be submitted to the voters, (i) the date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred, and (j) the designation of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct.

The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided. Notice of the holding of such election shall be given by publishing pursuant to Section 6066 of the Government Code the resolution calling the election prior to the date of the proposed election in at least one newspaper printed and published in the Antelope Valley-East Kern Water Agency, if there is a newspaper printed and published in such agency. Such resolution shall also be posted in three public places in such improvement district not less than two weeks prior to the date of the proposed election. No other notice of such election need be given.

The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted.

Any action or proceeding, wherein the validity of the formation of the improvement district or of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election, otherwise, said bonds and all proceedings in relation thereto, including the formation of the improvement district, shall be held to be valid and in every respect legal and incontestable.

SEC 70. Any portion of the Antelope Valley-East Kern Water Agency whether contiguous or not to an improvement district thereof may be annexed to said improvement district in the following manner. A petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency,

signed by holders of title to sixty percent (60%) or more of the land in the portion proposed to be annexed, which land as so represented in said petition shall have an assessed valuation of not less than fifty percent (50%) of the land so proposed to be annexed. The petition shall contain the following: (a) a description of the area proposed to be annexed, which may be made by reference to a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the area proposed to be annexed, or in any other definite manner; (b) the terms and conditions upon which said proposed area may be annexed as theretofore determined by resolution adopted by the board of directors of the agency; and (c) a prayer that the board of directors declare such area to be annexed to the improvement district. Said petition shall be accompanied by a certified check payable to the order of the agency in sufficient sum to reimburse said agency for expenses of processing and publishing the petition and preparing and making the filings required by law.

Within 10 days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the required number of property owners, and, if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of property owners, or is not so signed, he shall certify that the same is sufficient, or insufficient, as the case may be.

If by the certificate of the secretary of the agency the petition is found to be insufficient, said petition may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary of the agency shall within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If by the certificate of the secretary such petition, or petition as amended, is shown to be sufficient the secretary shall cause notice of hearing on the petition to be published and posted without delay.

The text of said petition shall be published pursuant to Section 6066 of the Government Code prior to the time at which the same is to be presented to the board of directors of the agency in at least one newspaper printed and published in the Antelope Valley-East Kern Water Agency, if there is a newspaper printed and published in such agency, together with a notice stating the time and place of the meeting at which the same will be presented. When contained upon one or more instruments one copy only of such petition need be published. No more than five of the names attached to said petition need appear in said publication of said petition and notice, but the number of signers shall be stated. Said notice and petition shall also be posted in three public places in the improvement district and three public places in the area proposed to be annexed, at least two weeks prior to the hearing.

The board of directors of the agency shall proceed to hear the petition at the time and place fixed therefor and any person residing within the municipal water district or improvement district or owning taxable property in said district or improvement district shall be entitled to appear and be heard at such hearing. Such hearing may be continued from time to time by the board of directors of the agency. At the conclusion of the hearing, and if the board of directors finds and determines from the evidence presented at said hearing that the area proposed to be annexed to an improvement district will be benefited thereby, and that the improvement district to which said area proposed to be annexed will also be benefited thereby and will not be injured thereby, then and in such case the board of directors of the agency may, by resolution, approve such annexation, describing the territory so annexed, which may be by reference to a map on file with the secretary of the district shall govern for all details as to the extent of the annexed area, or in any other definite manner, and the terms and conditions of annexation as theretofore determined by resolution of the board of directors.

From and after the date of the adoption of such resolution the area named therein shall be deemed added to and shall form a part of said improvement district and the taxable property therein shall be subject to taxation thereafter for the purposes of said improvement district, including the payment of the principal of and interest on bonds and other obligations of such improvement district at the time authorized and outstanding at the time of said annexation as if said annexed property had always been a part of said improvement district, and the board of directors of the Antelope Valley-East Kern Water Agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

Any action or proceeding wherein the validity of any such annexation is contested, questioned or denied must be commenced within three months after the date of issuance by the Secretary of State of his certificate; otherwise said annexation shall be held to be valid and in every respect legal and incontestable.

SEC. 71. Whenever the board of directors deems it necessary to form an improvement district of a portion of the agency for a purpose other than the incurring of bonded indebtedness under Section 14 of this act it shall by resolution so declare and state: (a) the purpose for which the proposed improvement district is to be formed, (b) the estimated expense of carrying out said purpose, (c) that the board intends to form an improvement district of a portion of the agency which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the proposed improvement district, (d) that taxes for carrying out said purpose shall be levied exclusively upon the taxable property in said proposed improvement district, (e) that a map showing the exterior boundaries of said proposed improvement district, with relation to the territory immediately contiguous thereto, is on file with the secretary of the agency and is available for inspection by any person or persons interested, (f) the time and place for a hearing by the board on the questions of the formation of said proposed improvement district, the extent thereof, the purpose for which it is to be formed, and the estimated expense of carrying out said purpose and (g) that at said time and place any person interested, including all persons owning property in the agency or in the proposed improvement district will be heard. Notice of said hearing shall be given by publishing a copy of the resolution pursuant to Section 6066 of the Government Code prior to the time fixed for the hearing in a newspaper circulated in the Antelope Valley-East Kern Water Agency, if there is a newspaper circulated therein. Said notice shall also be given by posting a copy of said resolution in three public places within the proposed improvement district for at least two weeks before the time fixed for said hearing.

At the time and place so fixed, or at any time or place to which the hearing is adjourned, the board shall proceed with the hearing at which hearing any person interested, including all persons owning property in the agency, or in the proposed improvement district, may appear and present any matters material to the questions set forth in the resolution. At the conclusion of the hearing the board shall by resolution determine whether it is necessary to form said improvement district, and, if so, the resolution shall also state the purpose for which the proposed improvement district is to be formed, estimated expense of carrying out said purpose, that the exterior boundaries of the portion of the agency which will be benefited are set forth on a map on file with the secretary of the agency, which map shall govern for all details as to the extent of the improvement district, and that said portion of the agency set forth on said map, shall thereupon constitute and be known as "Improvement District (A, B, C, or other letter designation) of the Antelope Valley-East Kern Water Agency," and the determinations made in said resolution shall be final and conclusive. After the formation of such improvement district within the Antelope Valley-East Kern Water Agency pursuant to this section all taxes levied for the carrying out of said purpose shall be levied exclusively upon the taxable property in the improvement district.

A copy of the resolution forming the improvement district shall be published pursuant to Section 6066 of the Government Code in a newspaper printed and published in the agency, if there is a newspaper printed and published in the agency, and a copy of said resolution shall also be posted in three public places within the proposed improvement district for at least two weeks. Said resolution shall not be effective until the thirty-first day after completion of said publication and/or posting If before said effective date a petition signed by not less than 10 percent of the voters of the improvement district requesting that an election be held on the formation thereof is presented to the board of directors, said board shall call a special election in the improvement district for the purpose of submitting the question of the formation of the improvement district to the voters of said improvement district.

The board of directors shall provide for holding such special election on the day so fixed and in accordance with the provisions of the Elections Code so far as the same shall be applicable, except as herein otherwise provided Notice of the holding of such election shall be given by publishing the resolution calling the election pursuant to Section 6066 of the Government Code prior to the date of the proposed election, in at least one newspaper printed and published in the Antelope Valley-East Kern Water Agency, if there is a newspaper printed and published in such agency. Such resolution shall also be posted in three public places in such improvement district not less than two weeks prior to the date of the proposed election No other notice of such election need be given.

The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code so far as they may be applicable, except as in this act otherwise provided. The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results. No irregularities or informalities in conducting such election shall invalidate the same, if the elections shall have otherwise been fairly conducted.

If from such returns it appears that a majority of votes cast at such election were in favor of the formation of such improvement district, the formation of such improvement district shall be complete.

Any action or proceeding wherein the validity of the formation of the improvement district or of any of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the effective date of the resolution forming such district, or if an election is held, within three months from the date of such election, otherwise the formation of the improvement district and all proceedings in relation thereto, shall be held to be valid and in every respect legal and incontestable.

SEC. 72. If from such returns it appears that more than two-thirds of the votes cast in such election held pursuant to the provisions of Section 68 or of Section 69 of this act, were in favor of and assented to the incurring of such indebtedness, then the board of directors may, by resolution, at such time or times as it deems proper, issue bonds of the agency for the whole or any part of the amount of the indebtedness so authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of such bonds authorized shall have been issued. Said full amount of bonds may be divided into two or more series and different dates fixed for the of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed 40 years from the date of each series respectively.

The board of directors shall, by resolution, prescribe the form of the bonds and the form of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five years from the date of the bonds or the date of the bonds of each series respectively. The bonds shall bear interest at a rate or rates not to exceed 5 percent (5%) per annum, payable semiannually, except that interest for the first year may be payable at the end of said year. The board of directors may also provide for call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon

The denomination of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one hundred dollars ($100). The principal and interest shall be payable in lawful money of the United States at the office of the treasurer of the district or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

The bonds shall be dated, numbered consecutively, and be signed by the president and treasurer of the agency, countersigned by the secretary of the agency, and the official seal of the agency attached. The interest coupons of such bonds shall be signed by the treasurer of said agency. All such signatures and countersignatures may be printed, lithographed or mechanically reproduced, except that one of said signatures or countersignatures to said bonds shall be manually affixed

If the bond election proceedings have been limited to and have applied only to an improvement district within said district, said bonds are bonds of the agency and shall be issued in the name of the agency and shall be designated "Bonds of the Antelope Valley-East Kern Water Agency for Improvement District No. _____" and each bond and all interest coupons thereof shall state that taxes levied for the payment thereof shall be levied exclusively upon the taxable property in said improvement district.

Before selling the bonds, or any part thereof, the board of directors shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if said board determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

The proceeds arising from the sale of bonds shall be paid into the treasury of the agency and placed to the credit of a special improvement fund and expended only for the purpose for which the indebtedness was created; provided, however, that when said purpose has been accomplished any moneys remaining in said special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Said remaining moneys remaining from the sale of bonds of the agency may also be used for some other agency purpose. Such moneys remaining from the sale of bonds of the agency for an improvement district therein may also be used for any purpose which will benefit the property in the improvement district. Said moneys may not be used for said other agency purpose or improvement district purpose until two-thirds of the qualified voters of said agency or improvement district have consented thereto at a special election called in said agency or improvement district by the board of directors Notice of said election shall be given in the manner provided for bond elections in said agency or improvement district, as the case may be, and in other respects the election shall be conducted as are other agency elections.

SEC. 73. Any bonds issued by the Antelope Valley-East Kern Water Agency are hereby given the same force, value and use as bonds issued by any city and shall be exempt from all taxation within the State of California.

SEC. 74. The board of directors shall have power to construct works along and across any stream of water, watercourse, street, avenue, highway, canal, ditch or flume, or across any railway which the route of said works may intersect or cross; provided, such works are constructed in such manner as to afford security for life and property, and said board of directors shall restore the crossings and intersections to their former state as near as may be, or in a manner not to have impaired unnecessarily their usefulness. Every company whose right of way shall be intersected or crossed by said works shall unite with said board of directors in forming said intersections and crossings and grant the rights therefor. The right of way is hereby given, dedicated and set apart to locate, construct and maintain such works along and across any street or public highway and over and through any of the lands which are now or may be the property of this State, and to have the same rights and privileges appertaining thereto as have been or may be granted to cities within the State. Any use, under this section, of a public highway now or hereafter constituted a state highway shall be subject to the provisions of Chapter 3 of Division 1 of the Streets and Highways Code.

SEC. 75 No suit shall be brought on any claim for money or damages against the Antelope Valley-East Kern Water Agency or the board of directors or any director or other officer or employee thereof, until a verified demand therefor shall have been filed, as herein provided, and rejected in whole or in part If rejected in part, suit may be brought to recover the whole Except in those cases where a shorter period of time is otherwise provided by law, verified demands for all such claims for damages must be filed with the secretary of such agency within six months after the occurrence from which the damages arose or within six months after the effective date of this Section 18, and verified demands for all other claims shall be filed with the secretary of such agency within six months after the last item of the account or claim accrued or within six months after the effective date of this Section 18 Each such verified demand shall set forth with reasonable certainty the nature of the claim and shall contain the name and address of the claimant, the date of the occurrence from which the damages arose or the date when each item of the account or claim accrued, the total amount originally claimed, all payments thereon or offsets or credits thereto, the net amount due, owing, and unpaid on such claim, and if such claim shall have been assigned, the name of the original claimant and the names of all assignees and the full particulars of each assignment Verified demands so filed with said secretary shall be presented to the board of directors at its next meeting, and failure of the board of directors to act upon any such verified demand within ninety (90) days from the date such demand is filed with said secretary shall be deemed to be a rejection thereof. Nor shall suit be brought against such agency or the board of directors or any director or other officer or employee thereof upon any claim or demand that shall have been approved in whole and audited for payment; provided, that nothing herein contained shall be construed so as to deprive the holder of any claim of his right to resort to writ of mandamus or other proceeding against the agency or the board of directors or any officer thereof to compel it or him to act upon such claim or to pay the same when so audited If suit be brought on a claim allowed in part and rejected in part by the board of directors and no more is recovered in such suit than the amount so allowed by the board of directors, no costs shall be awarded to the claimant

SEC. 76. No director or other officer, agent, or employee of the agency shall be liable for any act or omission of any officer, agent or employee appointed or employed by him unless he had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which such person was appointed or employed or unless he retains the inefficient or incompetent person after notice of the inefficiency or incompetency.

The agency may employ counsel to defend any litigation brought against any director or other officer, agent, or employee thereof, on account of his official action, and the fees and expenses involved therein shall be a lawful charge against the agency.

If any director or other officer, agent, or employee of the Agency is held liable for any act or omission in his official capacity, and any judgment is rendered thereon, the agency, except in case of his actual fraud or actual malice, shall pay the judgment without obligation for repayment by such director or other officer, agent, or employee

SEC. 77. The board of directors, so far as practicable, shall fix such rate or rates for water in the agency and in each improvement district therein as will result in revenues which will pay the operating expenses of the agency, and the improvement district, provide for repairs and depreciation of works, provide a reasonable surplus for improvements, extensions, and enlargements, pay the interest on any bonded debt, and provide a sinking or other fund for the payment of the principal of such debt as it may become due. Said rates for water in each improvement district may vary from the rates of the agency and from other improvement districts therein.

SEC 78 If the revenues of the agency, or of any improvement district therein, are or in the judgment of the board of directors will probably be inadequate for any cause to pay the principal of or interest on any bonded debt of the agency, or any improvement district thereof, as it becomes due and also the amounts set forth in Section 77 of this act, the board of directors must cause a tax to be levied, as herein provided, sufficient to provide for such deficit and to pay the amount of such principal and interest as will become due before the proceeds of a tax levied at the next general tax levy will be available.

SEC. 79. The board of directors shall determine the amounts necessary to be raised by taxation during the fiscal year and shall fix the rate or rates of tax to be levied which will raise the amounts of money required by the agency, and within a reasonable time previous to the time when the board of supervisors is required by law to fix its tax rate, the board of directors shall certify to the board of supervisors the rate or rates so fixed and shall furnish to the board of supervisors a statement in writing containing the following: (a) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for the payment of the principal of an interest on any bonded debt of the agency or of an improvement district thereof as will become due before the proceeds of a tax levied at the next general tax levy will be available; (b) an estimate of the minimum amount of money required to be raised by taxation during the fiscal year for all other purposes of the district. The board of directors shall direct that at the time and in the manner required by law for the levying of taxes for county purposes, such board of supervisors shall levy, in addition to such other tax as may be levied by such board of supervisors, at the rate or rates so fixed and determined by the board of directors, a tax upon the property within the agency, or improvement district thereof benefited by the bonded debt, as the case may be, and it is made the duty of the officer or body having authority to levy taxes within each county to levy the tax so required Taxes for the payment of the interest on or principal of any bonded debt shall be levied on the property within the agency, or improvement district thereof, benefited by the bonded debt, as determined by the board of directors in the resolution declaring the necessity to incur the debt. Taxes for other purposes of the agency shall be levied on all property in the district or portion thereof subject to the particular tax. And it shall be the duty of all county officers charged with the duty of collecting taxes to collect such tax in time, form, and manner as county taxes are collected, and when collected to pay the same to the agency. Taxes for the payment of a bonded debt and the interest thereon shall be a lien on all the property benefited thereby as stated in the resolution of the board of directors declaring the necessity to incur the debt. All taxes for other purposes of the agency shall be a lien on all the property in the agency subject to the respective tax. Agency taxes, whether for payment of a bonded indebtedness and the interest thereon or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

SEC. 80. Ordinances may be passed by the voters of this water agency organized under the provisions of this act in accordance with the methods provided by the Elections Code for direct legislation in cities.

SEC. 81. Ordinances may be disapproved and thereby vetoed by the voters of this agency by proceeding in accordance with the methods provided by the Elections Code for protesting against legislation in cities

SEC. 82. Any portion of a county in which a municipal water district is situated, or any city, situated within such county, or both, may be added to the Antelope Valley-East Kern Water Agency organized under the provisions of this act, and such cities need not be contiguous and such unincorporated territory may consist of one or more parcels which need not be contiguous one with the other or with any such cities and such annexing area or areas need not be contiguous with the agency. Such annexation shall occur in the following manner. A petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by voters residing within the boundaries of the area proposed to be annexed equal in number to at least 10 per centum of the number of such voters voting for all candidates for the office of Governor of this State at the last general election prior to the filing of such petition; provided, that where one or more cities are included in such proposed annexation, such petition must be signed by at least 10 per centum of the voters of each such city so voting at such election. Such petition shall set forth and describe the boundaries of the area proposed to be annexed and shall contain a prayer that such area be annexed to the Antelope Valley-East Kern Water Agency.

The text of such petition shall be published once a week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time at which the same is to be presented to the board of directors of the agency in at least one, but not to exceed three, newspapers printed and published in such county, together with a notice stating the time of the meeting at which the same will be presented When contained upon one or more instruments, one copy only of such petition need be published No more than five of the names

attached to said petition need appear in said publication of said petition and notice, but the number of signers shall be stated.

Within 10 days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the requisite number of voters; and if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination, and if from such examination he shall find that said petition is signed by the requisite number of voters or is not so signed, he shall certify that the same is sufficient or insufficient as the case may be.

If, by the certificate of the secretary of the agency, the petition is found to be insufficient, he shall also certify to the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary of the agency shall, within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If his certificate shall show any such petition, or such petition as amended, to be insufficient, it shall be filed by him with the board of directors of the agency and kept as a public record, without prejudice, however, to the filing of a new petition to the same effect. But if, by the certificate of the secretary, such petition, or petition as amended, is shown to be sufficient, the secretary shall present the same to the board of directors, without delay.

If any supplemental petition be filed, all the signatures appended to the petition or to the supplemental petition or petitions shall be considered in determining the number of voters signing the petition.

After an election for the annexation of such area to the agency the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

Such petition may be granted by ordinance of the board of directors of such agency. In granting such petition, such board of directors may fix in said ordinance the terms and conditions upon which such annexation may occur, and such terms and conditions may provide, among other things, for the levy by the Antelope Valley-East Kern Water Agency of special taxes upon taxable property within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied by such Antelope Valley-East Kern Water Agency, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors, in fixing such terms and conditions, shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. Such terms and conditions also may provide, among other things, that a special water rate may be fixed from time to time by the board of directors for the area or areas proposed to be annexed. If such petition is granted, the proposition of such annexation subject to the terms and conditions so fixed, shall be submitted to the vote of the voters in the proposed addition, at an election called by the board of directors and held, as herein provided, within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in a newspaper of general circulation published in the Antelope Valley-East Kern Water Agency once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week prior to the date fixed for such election. Such notice shall describe the boundaries of the area or areas so proposed to be annexed and shall designate such territory by some appropriate name, or other words of identification, by which such territory may be referred to and indicated upon the ballot to be used at any election at which the question of such annexation is submitted, as in this act provided. Such notice also shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. The measure so submitted at such election shall be stated on the ballot substantially as follows: "Shall _____ (giving the name or other designation of the territory proposed to be annexed, as stated in the notice of election) be annexed to the Antelope Valley-East Kern Water Agency subject to the terms and conditions fixed by the board of directors of said agency?" At the right of such proposition there shall be printed the words "yes" and "no" with voting squares. The board of directors shall canvass the votes cast at such election and if such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board of directors shall certify that fact to the Secretary of State and to the county recorder of the county in which such agency is located. Upon receipt of such last-mentioned certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the addition of said area or areas to said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerk of the county in which the Antelope Valley-East Kern Water Agency is situated.

From and after the date of such certificate, the area or areas named therein shall be deemed added to, and shall form a part of, said Antelope Valley-East Kern Water Agency, and the taxable property therein shall be subject to taxation thereafter for the purposes of said Antelope Valley-East Kern Water Agency, including the payment of bonds and other obligations of such agency at the time authorized or outstanding, and the board of directors of such Antelope Valley-East Kern Water Agency shall be empowered to do all things necessary to enforce and made effective the terms and conditions of annexation fixed as hereinabove authorized.

SEC 83. Uninhabited territory within a county or contiguous county to which the Antelope Valley-East Kern Water Agency is situated may be added to such agency pursuant to the provisions of this section. For the purposes hereof, territory shall be deemed uninhabited if less than 12 voters reside therein at the time of the filing of the petition for annexation or the initiation of proceedings by resolution of the board. Such uninhabited territory may consist of unincorporated territory only or of incorporated territory lying within the boundaries of one or more cities, or of both such unincorporated and incorporated territory; provided, that incorporated territory lying within the boundaries of any city may be added to such agency in accordance with the provisions of this section only if upon the annexation of such uninhabited territory the entire corporate area of such city will be included in such agency. Such uninhabited territory, whether consisting of unincorporated territory or of incorporated territory or of both such unincorporated and incorporated territory, may consist of one or more parcels, which need not be contiguous one with the other or with the agency.

Proceedings for the annexation of uninhabited territory to any agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of not less than one-fourth of the land in such territory by area and by assessed value as shown on the last equalized assessment roll of the county in which such territory is situated. A guardian, executor, administrator, or other person holding property in a trust capacity under appointment of court, may sign any petition or protest provided for in this section, when authorized by the proper court, which authorization may be made without notice. The last equalized assessment roll of said county is prima facie evidence of the ownership of the land or lands lying within such territory proposed to be annexed. Such petition shall set forth and describe the boundaries of the area proposed to be annexed to the Antelope Valley-East Water Agency pursuant to the provisions of this section.

The secretary shall present such petition to the board of directors of the agency at its next meeting, and said board, without delay, shall pass a resolution giving notice of the proposed annexation. Said resolution shall state that such petition has been filed, shall set forth and describe the boundaries of the territory proposed to be annexed, shall contain the terms and conditions of annexation, if any prescribed by the board as hereinafter authorized, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the annexation of such territory, or to the annexation of such territory upon such terms and conditions, as the case may be, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

The board of directors of any agency by resolution may initiate proceedings for the annexation of uninhabited territory to such agency. Such resolution shall declare that proceedings have been initiated by the board of directors under the provisions of this section, shall state the reason for proposing such annexation, shall set forth and describe the boundaries of the territory proposed to be annexed, shall contain the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the annexation of such territory, or the annexation of such territory upon such terms and conditions, as the case may be, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

Said hearing shall be commenced not less than 20 nor more than 40 days after the passage of the resolution of the board of directors. The secretary of the agency shall cause the text of the resolution to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers printed and published in the agency.

After the date of issuance by the Secretary of State of his certificate reciting the passage of the ordinance approving the annexation and the addition of the uninhabited territory to the agency, the sufficiency of the petition or resolution shall not be subject to judicial review or be otherwise questioned.

At any time prior to the hour set for the hearing of protests, any owner of property within the territory proposed to be annexed may file with the secretary of the agency written protest against the annexation, or against the annexation upon the terms and conditions specified in the resolution, as the case may be. The protest

shall state the name of the owner of the property affected, and the description and area of such property in general terms At the hearing, which may be adjourned from time to time, the board of directors shall hear and pass upon all protests so filed If such protests are so filed by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll of the county, further proceedings shall not be taken. If such protest is not made, the board of directors shall approve or disapprove the annexation by ordinance. Any ordinance approving such annexation shall set forth and describe the boundaries of the territory so annexed and the terms and conditions of annexation, if any, prescribed by the board as hereinafter authorized It the board of directors disapproves the annexation, or the annexation subject to such terms and conditions, as the case may be, a new proceeding to annex any of the same territory shall not be initiated under this section for a period of 12 months from the effective date of the ordinance.

The board of directors may approve the annexation of such territory upon terms and conditions fixed by the board in the manner hereinafter provided. Such terms and conditions may provide, among other things, for the levy by the Antelope Valley-East Kern Water Agency of special taxes upon taxable property within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied by the Antelope Valley-East Kern Water Agency, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors, in fixing such terms and conditions, shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. Such terms and conditions also may provide, among other things, that a special water rate may be fixed from time to time by the board of directors for the area or areas proposed to be annexed. The board shall propose such terms and conditions either in the resolution adopted subsequent to the filing of a petition for annexation or in the resolution initiating the proceedings, as the case may be, or in a resolution adopted by the board at the hearing. Terms and conditions proposed in a prior resolution may be amended and the amended terms and conditions proposed in a resolution adopted by the board at the hearing. If such terms and conditions, or amended terms and conditions, are proposed by the board in a resolution adopted at the hearing, the board shall adjourn the hearing for not less than 20 nor more than 40 days, to a time and place to be fixed in such resolution, and said resolution shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the adjourned hearing, written protest to the annexation of such territory upon such terms and conditions. The secretary of the agency shall cause the text of the resolution to be published for the time and in the manner required for publication of the resolution giving notice of the original hearing If prior to the hour set for the adjourned hearing, written protests, in the form hereinabove prescribed, to the annexation of such territory subject to such terms and conditions, are filed with the secretary of the agency by the owners of one-half of the value of said territory as shown by the last equalized assessment roll of the county, further proceedings shall not be taken. If such protest is not made, the board of directors shall by ordinance approve or disapprove the annexation If approved, such annexation shall be subject to the terms and conditions or amended terms and conditions, so proposed by resolution of the board, which terms and conditions shall be set forth in the ordinance.

When an ordinance approving annexation of uninhabited territory becomes effective, the president and secretary of the board of directors shall file with the Secretary of State a certified copy of the ordinance Upon receipt of the certified copy of the ordinance, the Secretary of State shall within 10 days, issue his certificate reciting the passage of said ordinance and the addition of said area or areas to said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerk of the county in which the Antelope Valley-East Kern Water Agency is situated. From and after the date of such certificate, the area or areas named therein shall be deemed added to, and shall form a part of, said agency, and the taxable property therein shall be subject to taxation thereafter for the purposes of said agency, including the payment of bonds and other obligations of such agency at the time authorized or outstanding, and the board of directors of the Antelope Valley-East Kern Water Agency shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized

Notwithstanding the eligibility of any territory for annexation to an agency pursuant to the provisions of this section, the procedure herein prescribed shall not be deemed exclusive and such territory may be annexed to such agency as a separate parcel, or as part of a larger parcel, of territory annexed under the provisions of Section 82 of this act.

SEC. 84 Territory included within the Antelope Valley-East Kern Water Agency may be excluded from such agency; provided, that where any part of the corporate area of any city is included in the territory proposed to be excluded from the agency, the whole of the corporate area of such city, or part thereof, then included within

such agency shall be included in the territory so proposed to be excluded from such agency. Such territory may consist of one or more parcels, which need not be contiguous one with the other.

Proceedings for the exclusion of territory from the agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by voters residing within the boundaries of the area proposed to be excluded equal in number to at least ten (10) per centum of the number of such voters voting for all candidates for the office of Governor of this State at the last general election prior to the filing of such petition; provided, that where one or more cities, or parts thereof, are included in the area so proposed to be excluded, such petition must be signed by at least ten (10) per centum of the voters of each such city, or part thereof, so voting at such election. Such petition shall set forth and describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion and shall contain a prayer that such area be excluded from the agency.

Within ten (10) days of the date of the filing of such petition the secretary of the agency shall examine the same and ascertain whether or not such petition is signed by the requisite number of voters; and if requested by the secretary of the agency, the board of directors shall authorize him to employ persons especially for that purpose, in addition to the persons regularly employed in his office, and shall provide for their compensation. When the secretary of the agency has completed his examination of the petition, he shall attach to the same his certificate, properly dated, showing the result of such examination; and if from such examination he shall find that said petition is signed by the requisite number of voters, or is not signed, he shall certify that the same is sufficient or insufficient, as the case may be.

If, by the certificate of the secretary of the agency, the petition is found to be insufficient, he shall also certify to the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate. The secretary of the agency shall, within ten (10) days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result of such examination as hereinbefore provided.

If any supplemental petition be filed, all the signatures appended to the petition or to the supplemental petition or petitions shall be considered in determining the number of voters signing the petition.

If his certificate shall show any such petition, or such petition as amended, to be insufficient, it shall be filed by him with the board of directors of the agency and kept as a public record, without prejudice, however, to the filing of a new petition to the same effect. But if, by the certificate of the secretary, such petition, or petition as amended is shown to be sufficient, the secretary shall present the same to the board of directors without delay.

The text of such petition shall be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks, before the time at which the same is to be presented to the board of directors of the agency in at least one, but not to exceed three, newspapers printed and published in such agency, together with a notice stating the time of the meeting at which the same will be presented. When contained upon more than one instrument, one copy only of such petition need be published. No more than five of the names attached to said petition need appear in such publication of said petition and notice, but the number of signers shall be stated

After an election for the exclusion of such area from the agency the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

The board of directors of the agency, by resolution, may initiate proceedings for the exclusion of territory from such agency. Such resolution shall describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion, shall require all persons interested in the proposed exclusion to appear before the board and be heard as to why said area should not be so excluded, shall fix the time of the meeting of the board at which persons so interested will be heard, and shall direct the secretary of the agency to give notice thereof The secretary whereupon shall cause the text of said resolution and a notice of the time and place of said hearing to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks, before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers printed and published in the agency.

After an election for the exclusion of such area from the agency the sufficiency of such resolution shall not be subject to judicial review or be otherwise questioned

If the proceedings for exclusion have been initiated by petition, such petition may be granted by ordinance of the board of directors of such agency. If such proceedings have been initiated by resolution, the board of directors shall hear all persons interested in the proposed exclusion who appear at the hearing, which may

be adjourned from time to time, and after the conclusion of the hearing, the board may determine by ordinance that such area should be excluded from the agency. If such petition is granted or if such determination is made, the proposition of such exclusion shall be submitted to the vote of the voters within the area proposed to be excluded, at an election called by the board of directors and held, as herein provided, within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in a newspaper of general circulation published in the agency once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week, prior to the date fixed for such election. Such notice shall describe the boundaries of the area so proposed to be excluded and shall designate such area by some appropriate name, or other words of identification, by which such area may be referred to and indicated upon the ballot to be used at any election at which the question of such exclusion is submitted, as in this act provided. The measure so submitted at such election shall be stated on the ballot substantially as follows:

"Shall _____ (giving the name or other designation of the area proposed to be excluded, as stated in the notice of the election) be excluded from the Antelope Valley-East Kern Water Agency?"

At the right of such proposition there shall be printed the words "Yes" and "No" with voting squares. The board of directors shall canvass the votes cast at such election and if such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board of directors shall certify that fact to the Secretary of State. Upon receipt of such last-mentioned certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the exclusion of said area from said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerk of the county or counties in which the Antelope Valley-East Kern Water Agency is situated. From and after the date of such certificate, the area named therein shall be deemed excluded from, and shall no longer form a part of, said Antelope Valley-East Kern Water Agency, but the taxable property within such excluded area shall continue taxable by the Antelope Valley-East Kern Water Agency for the purpose of paying the bonded or other indebtedness of the Antelope Valley-East Kern Water Agency outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied, to the same extent that such property would be taxable for such purpose if such exclusion had not occurred.

SEC. 85. Uninhabited territory included within the Antelope Valley-East Kern Water Agency may be excluded from such agency pursuant to the provisions of this section For the purposes hereof, territory shall be deemed uninhabited if less than 12 voters reside therein at the time of the filing of the petition for exclusion or the initiation of proceedings by resolution of the board. Incorporated territory lying within the boundaries of any city may be excluded from such agency in accordance with the provisions of this section only if upon the exclusion of such uninhabited territory no part of the corporate area of such city will be included in such agency Such uninhabited territory may consist of one or more parcels, which need not be contiguous one with the other

Proceedings for the exclusion of uninhabited territory from any agency may be initiated by petition. Such petition, which may consist of any number of separate instruments, shall be filed with the secretary of the agency, signed by the owners of not less than one-fourth of the land in such territory by area and by assessed value as shown on the last equalized assessment roll of the county or counties in which such territory is situated. A guardian, executor, administrator, or any person holding property in a trust capacity under appointment of court, may sign any petition or protest provided for in this section, when authorized by the proper court, which authorization may be made without notice The last equalized assessment roll of said county is prima facie evidence of the ownership of the land or lands lying within such territory proposed to be excluded. Such petition shall set forth and describe the boundaries of the area proposed to be excluded, shall state the reason for proposing such exclusion, and shall contain a prayer that such area be excluded from the Antelope Valley-East Kern Water Agency pursuant to the provisions of this section.

The secretary shall present such petition to the board of directors of the agency at its next meeting, and said board, without delay, shall pass a resolution giving notice of the proposed exclusion Said resolution shall state that said petition has been filed, shall set forth and describe the boundaries of the territory proposed to be excluded, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the exclusion of such territory, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

The board of directors of the agency by resolution may initiate proceedings for the exclusion of uninhabited territory from such agency. Such resolution shall declare that proceedings have been initiated by the board of directors under the provisions of this section, shall state the reason for proposing such exclusion, shall

set forth and describe the boundaries of the territory proposed to be excluded, shall state that any owner of property within such territory may file with the secretary of the agency, at any time prior to the hour set for the hearing thereof, written protest to the exclusion of such territory, and shall fix the time and place of the meeting of the board at which the board will hear such protests.

Said hearings shall be commenced not less than 20 nor more than 40 days after the passage of the resolution of the board of directors. The secretary of the agency shall cause the text of the resolution to be published once each week for at least two weeks, the last publication to be made not less than one week nor more than four weeks before the time so fixed for the hearing, in at least one, but not to exceed three, newspapers published in the agency.

After the date of issuance by the Secretary of State of his certificate reciting the passage of the ordinance approving the exclusion and the exclusion of the uninhabited territory from the agency, the sufficiency of the petition or resolution shall not be subject to judicial review or be otherwise questioned.

At any time prior to the hour set for the hearing of protests, any owner of property within the territory proposed to be excluded may file with the secretary of the agency written protest against the exclusion. The protest shall state the name of the owner of the property affected, and the description and area of such property in general terms. At the hearing, which may be adjourned from time to time, the board of directors shall hear and pass upon all protests so filed. If such protests are so filed by the owners of one-half of the value of the territory proposed to be excluded as shown by the last equalized assessment roll of the county or counties, further proceedings shall not be taken If such protest is not made, the board of directors shall approve or disapprove the exclusion by ordinance Any ordinance approving such exclusion shall set forth and describe the boundaries of the territory so excluded If the board of directors disapproves the exclusion, a new proceeding to exclude any of the same territory shall not be initiated under this section for a period of 12 months from the effective date of the ordinance

When an ordinance approving exclusion of uninhabited territory becomes effective, the president and secretary of the board of directors shall file with the Secretary of State a certified copy of the ordinance. Upon receipt of the certified copy of the ordinance, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of said ordinance and the exclusion of said area or areas from said agency. A copy of said certificate shall be transmitted to, and filed with, the county clerks of the counties in which the Antelope Valley-East Kern Water Agency is situated From and after the date of such certificate, the area or areas named therein shall be deemed excluded from, and shall no longer form a part of, said Antelope Valley-East Kern Water Agency, but the taxable property within such excluded area or areas shall continue taxable by such Antelope Valley-East Kern Water Agency for the purpose of paying the bonded or other indebtedness of the Antelope Valley-East Kern Water Agency outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied, to the same extent that such property would be taxable for such purpose if such exclusion had not occurred.

Notwithstanding the eligibility of any territory for exclusion from the Antelope Valley-East Kern Water Agency pursuant to the provisions of this section, the procedure herein prescribed shall not be deemed exclusive and such territory may be excluded from such agency as a separate parcel, or as part of a larger parcel, of territory excluded under the provisions of Section 25 2 of this act.

SEC. 86 The Antelope Valley-East Kern Water Agency organized under the terms of this act may be disorganized or disincorporated in the following manner:

A petition shall be filed with the county clerk of the principal county in which such agency is located, signed by at least 25 percent of the voters of the agency praying for the disorganization and dismcorporation of such agency and briefly stating the reasons therefor Upon the filing of such petition the county clerk shall examine the same within 10 days and ascertain whether or not said petition is signed by the requisite number of voters. When the said county clerk has completed his examination of the petition he shall attach to the same his certificate properly dated, showing the result of such examination, and if from such examination he shall find that said petition is signed by the requisite number of voters residing within the boundaries of the Antelope Valley-East Kern Water Agency, or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be If the same is found insufficient by him, supplemental petitions may be filed at the times and in the manner and for the same purpose as supplemental petitions to the original petition for the incorporation of the agency. After an election for the dismcorporation of the agency hereunder the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned

If by the certificate of the county clerk such petition, or such petition as amended or supplemented, is shown to be sufficient, the county clerk shall present the same to the board of supervisors without delay. When such petition is presented by the

county clerk as aforesaid, the board of supervisors shall give notice of an election to be held in said agency for the purpose of determining whether or not the same shall be disincorporated and dissolved; provided, however, that in the event the said agency shall have issued bonds, the board of supervisors shall not consider said petition or take any action hereunder until evidence shall be furnished showing said bonds to have been fully satisfied Said notice of election shall be published in a newspaper published in said agency and determined by said board most likely to give notice to those interested in said hearing, at least once a week for three successive weeks, the last publication to be not more than four weeks nor less than one week prior to the date fixed for the election; said notice shall state that the question of disincorporating said corporation shall be submitted to the voters of said agency at the time appointed for such election, and voters shall be invited thereby to vote upon such proposition by placing upon their ballots the cross as provided by law after the words "For Disincorporation" or "Against Disincorporation." The board of supervisors shall cause a copy of said notice to be mailed by the clerk of said board to each of the directors of said Antelope Valley-East Kern Water Agency, within five days after the date of the first publication thereof, and no election shall be had until proof of such mailing is furnished by affidavit of the clerk of said board. Such election shall be held and conducted in the same manner as the election on the organization of said agency, as nearly as practicable. Within seven days after the date of said election, the board of supervisors shall proceed to canvass the vote cast thereat; it it be found by the canvass of said votes that less than a majority of the votes cast were in favor of disincorporation, said board of supervisors shall declare the petition for disincorporation denied. In case it shall appear from said canvass that a majority of all the votes cast were in favor of disincorporation, said board of supervisors shall make and cause to be entered upon the records of their proceedings an order that the petition for such disincorporation be granted, and declaring that the Antelope Valley-East Kern Water Agency be disincorporated; said order to take effect at the time hereinafter provided. Said board of supervisors shall in case said Antelope Valley-East Kern Water Agency is so disincorporated, forthwith cause its clerk, or other officer performing the duties of clerk, to make and transmit to the Secretary of State a certified copy of the notice of election hereinbefore provided for, and a statement of the number of voters voting for said disincorporation and the number of voters voting against said disincorporation. Twenty days from and after the holding of the election, in case a majority of said votes were cast in favor of said disincorporation, said Antelope Valley-East Kern Water Agency shall be forever disincorporated.

SEC. 87. Upon the disincorporation of the agency in the manner hereinbefore provided for, the board of supervisors of the principal county shall forthwith, after ascertaining by said canvass that the disincorporation has been carried, determine the amount of the indebtedness of said agency, the amount of money in the treasury thereof and all indebtedness due or coming due the said agency, and the directors of said agency shall furnish the said board of supervisors with a statement showing said amount of indebtedness, the said amount of money in the treasury and all indebtedness due or coming due said agency, and said Antelope Valley-East Kern Water Agency shall before the expiration of 30 days turn over to the treasury of said county all moneys of said agency in his possession, and said county treasurer shall place said money in a special fund to be drawn upon as hereinafter provided for. Upon the disincorporation of said agency every public officer of said agency shall immediately turn over to the board of supervisors of the principal county in which said agency is situated, all public property of every nature and description in their possession, and including all public records and data of every nature and description. Nothing contained in this act shall be held to relieve said Antelope Valley-East Kern Water Agency, or the territory included within it, from any liability or any debt contracted by said agency prior to its disincorporation All warrants for said indebtedness shall be drawn on order of said board of supervisors of the county, on the fund hereinabove provided for in the county treasury of the principal county. All moneys paid into the county treasury under the provisions of this act shall be placed in the special fund hereinbefore provided for If at any time after the disincorporation of said agency it shall be found that there is not sufficient money in the treasury to the credit of the fund hereinbefore provided, with which to pay any indebtedness of said agency, said board of supervisors shall have the power, and it shall be their duty, to levy upon, and there shall be collected from, the property within the territory formerly included within said agency subject to taxation for the indebtedness, a tax or taxes sufficient in amount to pay the said indebtedness as the same shall become due; such tax or taxes, assessments and collections shall be made in the same manner and at the same time that other taxes of the county are levied and collected, and they shall be an additional tax within said territory for the payment of said debts If after payment of all debts of said agency there shall remain any surplus in the hands of said county treasurer to the credit of the fund hereinbefore mentioned, the

board of supervisors shall appropriate said surplus and declare a dividend pro-rata to the taxpayers of said agency duly paid, and said taxpayers shall have the right to have the amount of such pro-rata dividends refunded to them on demand, and the said board of supervisors shall refund such pro-rata to said taxpayers and each thereof. The board of supervisors of the county in which any such agency has been disincorporated, shall have the power and it shall be the duty of said board, if the board of directors of such municipal water district shall fail or refuse to return to said board the statement of said amounts as hereinbefore in this act provided, to ascertain the indebtedness, other than the bonded indebtedness, of said agency at the time of its disincorporation, the amount of money in its treasury and the amount due it at the said time; said board of supervisors shall make provision for the collection of the amounts due to said district for the closing up of its affairs, and any act or acts necessary for said purposes not otherwise herein provided for, shall upon the order of said board of supervisors directing the same, be as fully done and performed and with as full effect as if the same had been performed by the proper officers of said agency before disincorporation, and said county shall succeed to and possess all the right of said agency in and to said indebtedness, and shall have the power to sue for or otherwise collect any such debts in the name of said county, and all costs and expenses of ascertaining the facts hereinbefore mentioned, and all other costs and expenses incurred by the board of supervisors in the execution of the orders and duties of said board of supervisors provided for in this act, shall be paid out of the special fund in this act provided for.

It is the intention that the Antelope Valley-East Kern Water Agency shall not be disincorporated until all bonded indebtedness shall have been fully paid, and by the word "indebtedness" as used herein is meant all indebtedness other than said bonded indebtedness unless the latter is expressly used

SEC. 88. No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the annexation of territory to, or exclusion of territory from, or the disincorporation of, the Antelope Valley-East Kern Water Agency. Any action or proceeding, wherein the validity of such annexation or exclusion or disincorporation is denied or questioned shall be commenced within three months from the date of the certificate of annexation or of exclusion issued by the Secretary of State, or from the date of the order of the board of supervisors declaring the disincorporation, as the case may be; otherwise, said annexation or exclusion or disincorporation, and all proceedings in respect thereto, shall be held to be valid and in every respect legal and incontestable.

SEC. 89. Nothing in this act shall be so construed as repealing or in anywise modifying the provisions of any other act relating to water or the supply of water to, or the acquisition thereof, by cities within this State. The term "city," as used in this act, shall mean and include any city or incorporated town, whether organized or functioning under a freeholders' charter or under the provisions of general laws. The word "agency" shall apply, unless otherwise expressed or used, to the Antelope Valley-East Kern Water Agency formed under the provisions of this act, and the word "board" and the words "board of directors" shall apply to the board of directors of such agency. The meaning of the term "voter," as used in this act, shall be ascertained by reference to Section 21 of the Elections Code

SEC. 90. If there shall be a registrar of voters, other than the county clerk, in the principal county in which the Antelope Valley-East Kern Water Agency is hereby incorporated, or incorporated, under the provisions of this act, is situated, the duties required by this act to be performed by the county clerk respecting the nomination of candidates for offices of such water agency and the holding of elections in such agency, shall be performed by such registrar of voters.

SEC. 91. Any and all proceedings had or taken under the provisions of the act of which this act is amendatory, already commenced and pending at the time this act takes effect, may be continued under the provisions of the act of which this act is amendatory with the same force and effect as if this act had not been enacted.

SEC. 92. The agency formed hereunder may contain lands situate in more than one county and this agency may annex lands situate in another county or counties. In either such case the lands need not be contiguous. The procedure relating to formation, annexation, disorganization, disincorporation, exclusion, fiscal matters and taxation shall conform as near as may be to such provisions with respect to agencies containing lands located in one county, subject to the following provisions:

(a) The secretary of the board of directors of the Antelope Valley-East Kern Water Agency containing land in more than one county shall perform all duties prescribed by law to be performed by county clerks or registrars of voters, as the case may be, in connection with agency elections and such duties of county clerks as are required by this act which relate to annexation, disorganization, disincorporation and exclusion, and, where necessary such secretary is authorized to procure from the proper county officials all requisite registration books and copies of indexes thereof; all papers required by this act to be filed with a county clerk shall be filed with said secretary and the board of directors shall perform all duties prescribed by

law to be performed by boards of supervisors in connection with agency elections and such duties as are required by this act which relate to annexation, disorganization, disincorporation and exclusion of territory.

(b) Immediately after equalization and not later than the fifteenth day of August of each year, it shall be the duty of the auditor of each county wherein such agency or any part thereof shall lie, to prepare and deliver to the secretary of the agency or such other officer thereof as may be designated by the board of directors therefor a certificate showing the assessed valuation of all property within the agency lying within the county. Thereafter, the board of directors shall make the certification and statement, and issue the directions, as required by Section 79 of this act. After collection of taxes by the proper county officers at the rate specified, such officers shall pay the moneys received therefrom to the agency.

Whenever an improvement district within the Antelope Valley-East Kern Water Agency is itself located in two or more counties, the method and procedure for the apportionment of agency taxes between counties shall apply to such improvement district.

(c) Whenever provision is made in this act for notice within a county, it shall be construed to require notice within each county in which agency lands are located.

(d) "Principal county" as used in this section means the county in which the greater portion of land of the Antelope Valley-East Kern Water Agency is located.

SEC. 93. Whenever a sufficient change in the population occurs in the agency after its organization which makes it desirable in the opinion of the board of directors of the agency to relocate the boundary or boundaries of any division or divisions, or whenever any territory is added to or excluded from the agency, the board of directors shall, by resolution, relocate the boundary lines of the division or divisions so as to equalize, as nearly as may be practicable, the population in the respective divisions. For this purpose, the board of directors may estimate the population by reference to the register of voters used at the last general election, and may relocate the boundary lines of the respective divisions without regard to the places of residence of the directors then in office. No such change in the division lines shall be made within the four months immediately preceding the election of any director nor shall such change in division lines work a forfeiture of office of any director. Whenever such change is made in the division lines, each director then in office, and until his office becomes vacant by expiration of his term or otherwise, shall continue to be the director for the respective division bearing the number of his division as formerly located even though such director is not a resident of the relocated division. His successor shall be a resident and voter of the relocated division.

SEC. 94. The inclusion in, or annexation or addition to, the Antelope Valley-East Kern Water Agency, of the corporate area of any public corporation or public agency, shall not destroy the identity or legal existence or impair the powers of any such public corporation or public agency, notwithstanding the identity of purpose, or substantial identity of purpose, of the Antelope Valley-East Kern Water Agency. No public corporation or public agency having identity of purpose or substantial identity of purpose shall be formed partly or entirely within the Antelope Valley-East Kern Water Agency existing under this act without the consent of the Antelope Valley-East Kern Water Agency.

SEC. 95. If, in the opinion of the board of directors of the Antelope Valley-East Kern Water Agency, the corporate area of which, as a unit, shall have been included in, or annexed to, a metropolitan water district, the revenues of the Antelope Valley-East Kern Water Agency will be inadequate for any cause to pay the operating expenses of the Antelope Valley-East Kern Water Agency, to provide for repairs and depreciation of works owned or operated by it, and to meet all obligations of the Antelope Valley-East Kern Water Agency, then such board of directors, in the manner provided for the levy and collection of taxes for the Antelope Valley-East Kern Water Agency, must provide for the levy and collection of a tax sufficient to raise the amount of money determined by such board of directors to be necessary for the purpose of paying the operating expenses of the Antelope Valley-East Kern Water Agency, providing for repairs and depreciation of works owned or operated by it, and meeting all obligations of the Antelope Valley-East Kern Water Agency

SEC 96. All acts and parts of acts in conflict herewith are hereby repealed If any section, subsection, sentence, clause or phrase of this act or the application thereof to any person or circumstance is for any reason held invalid the validity of the remainder of the act or the application of such provision to other persons or circumstances shall not be affected thereby. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid."

Bill ordered reprinted, and returned to the second reading file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 26, 1959

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 326
Assembly Bill No. 462
Assembly Bill No. 463
Assembly Bill No 464
Assembly Bill No 465
Assembly Bill No. 622
Assembly Bill No. 662
Assembly Bill No 708
Assembly Bill No. 817
Assembly Bill No. 872
Assembly Bill No. 970
Assembly Bill No. 990
Assembly Bill No 1016
Assembly Bill No. 1050
Assembly Bill No. 1100
Assembly Bill No 1141
Assembly Bill No 1142
Assembly Bill No. 1353
Assembly Bill No. 1845
Assembly Bill No 1976
Assembly Bill No. 1986
Assembly Bill No. 1998
Assembly Bill No. 2171

J. A BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 26, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 135
Assembly Bill No. 885
Assembly Bill No. 1084
Assembly Bill No. 1172
Assembly Bill No 1177
Assembly Bill No. 1458
Assembly Bill No. 1982

And respectfully requests your honorable body to concur in said amendments

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 26, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No 20

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Constitutional Amendment No. 20**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 20 to Article XIII thereof, relating to property taxation.

Referred to Committee on Constitutional Amendments

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 27, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 234
Senate Bill No. 524
Senate Bill No. 1130
Senate Bill No. 1302
Senate Bill No. 1485

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 234**—An act to add Chapter 2.5 (commencing at Section 1203.50) to Title 4, Part 3 of the Code of Civil Procedure, relating to oil and gas liens.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 524**—An act to amend Section 1881 of the Code of Civil Procedure, relating to examination of witnesses with respect to confidential communication.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1130**—An act to add Article 8.5 (commencing at Section 31690) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to county employment of persons over retirement age.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1302**—An act to amend Sections 12212 and 12511 of the Business and Professions Code, relating to weighing and measuring devices.

Referred to Committee on Agriculture.

**Senate Bill No. 1485**—An act to add Section 1450 to the Welfare and Institutions Code, relating to county medical facilities.

Referred to Committee on Social Welfare.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 26, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 48
Senate Bill No. 102
Senate Bill No. 122
Senate Bill No. 204
Senate Bill No. 508
Senate Bill No. 587
Senate Bill No. 717
Senate Bill No. 718
Senate Bill No. 811
Senate Bill No. 813
Senate Bill No. 888
Senate Bill No. 914
Senate Bill No. 987
Senate Bill No. 1050
Senate Bill No. 1111
Senate Bill No. 1137
Senate Bill No. 1144
Senate Bill No. 1158
Senate Bill No. 1162
Senate Bill No. 1175
Senate Bill No. 1176
Senate Bill No. 1177
Senate Bill No. 1181
Senate Bill No. 1182
Senate Bill No. 1233
Senate Bill No. 1236
Senate Bill No. 1359

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 48**—An act to amend Sections 26, 951, 953, 2792, 2799, 2807, 2842, 3946, and 10050 of, and to repeal Section 2792.1 of, the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 102**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of, the Business and Professions Code, relating to trading stamps.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 122**—An act to amend Section 87 of, and to add Section 73.1 to, the Agricultural Code, and to amend Section 19534 of the Business and Professions Code, and Section 19537 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to fairs, including racing thereat.

Referred to Committee on Government Organization.

**Senate Bill No. 204**—An act to amend Section 70046.1 of the Government Code, relating to court reporters.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 508**—An act to add Section 5016.1 to the Public Resources Code, relating to the Division of Beaches and Parks.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 587**—An act to amend Sections 11270, 11272, and 11413 of the Government Code, relating to administrative costs of state agencies.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 717**—An act to amend Section 3352 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to liability of school districts for bonded indebtedness.

Referred to Committee on Education.

**Senate Bill No. 718**—An act to amend Section 15803 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to loss of school property by fire.

Referred to Committee on Education.

**Senate Bill No. 811**—An act to add Section 70044.5 to the Government Code, relating to court reporters of the Superior Court of the County of San Mateo.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 813**—An act to add Sections 19464, 19465, and 19466 to the Business and Professions Code, relating to horseracing.

Referred to Committee on Government Organization.

**Senate Bill No. 888**—An act to amend Sections 28260 and 28261 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to union high school district public libraries.

Referred to Committee on Education.

**Senate Bill No. 914**—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Referred to Committee on Social Welfare.

**Senate Bill No. 987**—An act to amend Section 74261 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1050**—An act to amend Sections 74842, 74843, 74844, and 74845 of the Government Code, relating to the municipal court established in a district embracing the City of Vallejo.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1111**—An act to amend Section 399 of the Streets and Highways Code, relating to the adoption of state highway routes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1137**—An act to add Section 11891.5 to the Public Utilities Code, relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1144**—An act to amend Section 6240 of the Harbors and Navigation Code, relating to port districts.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1158**—An act to amend Section 5782.10 of the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1162**—An act to amend Section 74263 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1175**—An act to amend Section 73974 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1176**—An act to amend Section 73972 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1177**—An act to amend Section 333 of the Fish and Game Code, relating to antelope.

Referred to Committee on Fish and Game.

**Senate Bill No. 1181**—An act to amend Section 74264 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1182**—An act to amend Section 74262 of the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1233**—An act to add Sections 5212 and 5295 to the Business and Professions Code, relating to outdoor advertising structures.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1236**—An act to amend Section 70055.1 of the Government Code, relating to filing fees in the superior court.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1359**—An act to add Section 5781.45 to the Public Resources Code, relating to recreation and park districts.

Referred to Committee on Natural Resources, Planning, and Public Works.

## RESOLUTIONS

The following resolution was offered:

By Messrs. House, Crawford, and Hanna:

### House Resolution No. 294

Relative to the commendation of Harry R. Sones

WHEREAS, Harry R. Sones, born in Iowa, has long been a leader in California and Imperial Valley civic, political, church, and fraternal circles; and

WHEREAS, Mr. Sones has for many years worked tirelessly within and for his community, having served on various boards, including the City Council of the City of El Centro, hospital and school boards, and in various connections with the Red Cross, the Boy Scouts of America, and the Chamber of Commerce of El Centro, and in addition having been very active in the Methodist Church; and

WHEREAS, Harry R. Sones has also been a successful and noted businessman of the Imperial Valley; and

WHEREAS, Recently Harry R. Sones was installed as Most Excellent Grand High Priest of the Grand Chapter Royal Arch Masons of the State of California; and

WHEREAS, By attaining the high office of Grand High Priest, Mr. Harry R. Sones has brought honor, distinction, and recognition to Imperial County; and

WHEREAS, Mr. Sones has been outstandingly active all phases of Masonry, being Past Master of El Centro Lodge No. 384—F. & A. M., Past High Priest El Centro Chapter No. 109—R. A. M., Past Commander Imperial Valley Commandery No. 54—K. T., Past Sovereign San Diego Conclave No. 62—Red Cross of Constantine, Past Master Councilor of the Order of De Molay and having been a member of the Legion of Honor—Order of De Molay; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body extends its congratulations to Mr. Harry R. Sones on achieving the exalted and high position of Most Excellent Grand High Priest of the Grand Chapter Royal Arch Masons of the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to deliver a suitably prepared copy of this resolution to Mr. Harry R. Sones

Resolution read, and referred to the Committee on Rules.

### Speaker pro Tempore Presiding

At 9.15 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1941**—An act to amend Section 16480.1 of the Government Code, relating to proceedings of the Pooled Money Investment Board.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1941?

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "2", and insert "1".

The Assembly concurred in Senate amendment to Assembly Bill No. 1941 by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Coolidge, Crawford, Cusanovich, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, House, Kilpatrick, Levering, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—45.
NOES—None

Assembly Bill No. 1941 ordered enrolled.

**Assembly Bill No. 1947**—An act to add Sections 13007 and 13008 to the Water Code, relating to proceedings of the State Water Pollution Control Board.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1947?

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "board", and insert "and regional boards".

**Amendment No. 2**

On page 1, line 5, strike out "board", and insert "boards".

**Amendment No. 3**

On page 1, line 7, strike out "board", and insert "and regional boards".

The Assembly concurred in Senate amendments to Assembly Bill No. 1947 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—49.
NOES—None.

Assembly Bill No 1947 ordered enrolled.

**Name Placed Upon Roll Call**

Mr. Busterud was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No 1947.

**Assembly Bill No. 1954**—An act to amend Section 4364 of the Public Resources Code, relating to proceedings of the advisory committee on reforestation methods and procedures and to add Section 4941.5 to the Public Resources Code, relating to forest practice districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1954?

**Amendment No. 1**

In line 3 of the title of the printed bill, strike out the period, and insert "and to add Section 4941.5 to the Public Resources Code, relating to forest practice districts"

**Amendment No. 2**

On page 1, after line 10, insert

"SEC. 2. Section 4941.5 is added to said code, to read.

4941.5. All meetings of the committee shall be open and public and all persons shall be permitted to attend any meetings of the committee.

All records of the committee shall be open to inspection by the public"

The Assembly concurred in Senate amendments to Assembly Bill No. 1954 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1954 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Constitutional Amendment No. 38**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 18 of Article XI thereof, relating to local government.

Resolution read.

**Motion to Amend**

Messrs. Hegland, Schrade, and Crawford moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 15, of the printed measure, as amended in the Assembly on May 26, 1959, strike out "60", and insert "66⅔".

**Amendment No. 2**

On page 2, line 18, strike out "60", and insert "66⅔".

Amendments read.

**Parliamentary Inquiry**

Mr. Elliott arose to the following parliamentary inquiry: Are the amendments less than 25 words in length?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that they were.

**Demand for Previous Question**

Messrs. Elliott, Burke, Levering, Ernest R. Geddes, and Dahl demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

**Roll Call Demanded**

Messrs. Hegland, Shell, and Reagan demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Burke, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Francis, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, McMillan, Mulford, Nisbet, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Charles H. Wilson, and Z'berg—44.

NOES—Bruce F. Allen, Bane, Biddick, Britschgi, Burton, Busterud, DeLotto, Elliott, Frew, Gaffney, Garrigus, Hawkins, House, Lowrey, Lunardi, Marks, Masterson, Meyers, Miller, Munnell, O'Connell, Petris, Sumner, Unruh, Waldie, Williamson, George A. Willson, and Winton—28.

**Name Placed Upon Roll Call**

Mr. Cusanovich was granted unanimous consent that he be recorded as voting "Aye" on the amendments to Assembly Constitutional Amendment No. 38.

**Request for Unanimous Consent**

Mr. Masterson was granted unanimous consent that an amendment by Mr. Bane be considered before Assembly Constitutional Amendment No. 38 is sent to reprint and re-engrossment.

**Consideration of Further Amendment**
**Motion to Amend**

Mr. Bane moved the adoption of the following amendment:

**Amendment No. 1**

On page 3, line 12, of the printed measure, as amended in the Assembly on May 26, 1959, after "utility", insert ", nor to any indebtedness incurred by a public agency for the acquisition or construction of parking lots, garages, or other automotive parking facilities under the laws of this State"

Amendment read.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Dahl, Burke, Schrade, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the amendment.

Amendment refused adoption by the following vote:

AYES—Don A. Allen, Bane, George E. Brown, Burke, Cameron, Collier, Conrad, Crawford, Cunningham, Cusanovich, Elliott, Francis, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, McMillan, Miller, Mulford, Nisbet, Rees, Thomas, Unruh, and Charles H. Wilson—29.

NOES—Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, Burton, Busterud, Crown, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hegland, House, Levering, Lowrey, Luckel, Marks, Masterson, Meyers, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, and Z'berg—40.

Resolution ordered reprinted, and re-engrossed.

**Assembly Bill No. 1407**—An act to add Section 653j to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read third time.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 14, 1959, after "to", insert ", and to repeal Section 653h of,".

**Amendment No. 2**

On page 1, strike out lines 3 to 10, inclusive, and insert

"653j (a) The term "interception of communication," as used in this section means the act of intentionally and without consent of a party to a confidential communication eavesdropping upon or recording, by means of any electronic or mechanical amplifying or recording device, such confidential communication, whether such communication is carried on among such parties in the presence of one another or by means of a telephone or other device, except a radio.

(b) Every person, other than a peace officer acting in the performance of his duties, who commits an act of interception of communication or who installs or attempts to install any electronic or mechanical amplifying or recording device for the purpose of committing, or aiding another in committing, such act, is guilty of a misdemeanor."

**Amendment No. 3**

On page 1, line 11, strike out "(b)", and insert "(c)".

**Amendment No. 4**

On page 1, line 19, strike out "(c)", and insert "(d)".

**Amendment No. 5**

On page 2, line 4, strike out "(d)", and insert "(e)".

**Amendment No. 6**

On page 2, line 5, strike out "eavesdrop-"; strike out line 6; on line 7, strike out "tion of this section", and insert "an interception of communication".

**Amendment No. 7**

On page 2, line 9, strike out "(e)", and insert "(f)".

**Amendment No. 8**

On page 2, line 17, strike out "(f)", and insert "(g)".

**Amendment No. 9**

On page 2, line 18, strike out ", Section 653h".

**Amendment No. 10**

On page 2, line 20, strike out "(g)", and insert "(h)".

Amendments read.

**Speaker Presiding**

At 10 07 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments.

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: Are the amendments more than 25 words in length?

**Reply by Speaker**

The Speaker replied that they were.

**Point of Order**

Mr. Collier arose to the following point of order: That copies of the amendments had not been distributed to the Members.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

On request of Mr. O'Connell, bill ordered passed on file, and to retain its place on file.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2596, 2231, 2610, 2501, 2503, 2504, 2588,** and **2603,** subsequent to engrossment.

**Senate Bills Nos. 245, 51, 487, 533,** and **304.**

### Parliamentary Inquiry

Mr Lowrey arose to the following parliamentary inquiry: Are any of the above bills, just re-referred to the Committee on Ways and Means, bills which do not contain appropriations?

### Reply by Speaker

The Speaker replied that the bills have been re-referred on advice of the Legislative Counsel, and pursuant to Rule No. 62.

## PARLIAMENTARY INQUIRY

Mr. Masterson arose to the following parliamentary inquiry: Since action was taken on the Budget Bill yesterday, may appropriation bills be considered now?

### Reply by Speaker

The Speaker replied that, without a letter from the Governor, they could not be considered until the Budget Bill has been approved by the Governor.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2155**—An act to amend Sections 23816, 23821, and 23954.5 of, and to add Section 24072.3 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Marks, Masterson, McMillan, Meyers, Mulford, O'Connell, Porter, Rumford, Sedgwick, Shell, Waldie, George A. Willson, Charles H. Wilson, and Winton—43

NOES—Beaver, Lowrey, Nisbet, and Thomas—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2360**—An act to amend Section 7045 of the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, MacBride, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—48.

NOES—Backstrand, Bradley, Coolidge, Dahl, Davis, Elliott, Holmes, Levering, Lowrey, Luckel, Marks, Mulford, Shell, and Thelin—14.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2296**—An act to amend Section 3042 of and to add Chapter 5.4 (commencing with Section 2540) to Division 2 of the Business and Professions Code, relating to prescription lenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

### Vote Changed Upon Roll Call

Mr. Waldie was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 2296.

**Assembly Bill No. 2520**—An act to amend Section 5556 of, and to add Section 5556.5 to, the Elections Code, relating to the time for voting.

Bill read third time.

### Motion to Amend

Mr. Unruh moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out "to amend Section 5556 of, and".

### Amendment No. 2

In line 2 of the title, strike out the first comma.

### Amendment No. 3

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 5556.5 is added to the Elections Code, to read:".

### Amendment No. 4

On page 1, lines 9 and 10, strike out "containing a population over 3,000,000", and insert "*which installs electronic tabulating devices*".

### Amendment No. 5

On page 1, strike out lines 14 to 16, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2240**—An act to add Sections 35012 and 35013 to the Government Code, relating to cities.

Bill read third time.

### Demand for Previous Question

Messrs. Grant, Ernest R. Geddes, Charles H. Wilson, Schrade, and Johnson, demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. DeLotto moved a call of the Assembly.

Mr. Bruce F. Allen seconded the motion.

Motion carried. Time 10.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 165**—An act to add Section 469 to the Streets and Highways Code, relating to state highway routes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 898**—An act to amend Sections 26288, 26289, 26290, 26291, and 26292 of, and to add Section 26290.5 to, the Health and Safety Code, relating to new drugs or devices.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Willson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1881**—An act to amend Sections 14000 and 14001 of the Fish and Game Code, relating to the Pacific Marine Fisheries Compact.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan,

Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2306**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the granting of a right-of-way for road purposes over land of the Stockton State Hospital.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Coolidge Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2279**—An act to amend Section 5012.1 of the Public Resources Code, relating to public utility and other structures in state parks and easements therefor.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2149**—An act to amend Section 4101 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read third time.

**Demand for Previous Question**

Messrs. Garrigus, Dahl, Ernest R. Geddes, Chapel, and Crawford demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Belotti moved a call of the Assembly.

Mr. Pattee seconded the motion.

Motion carried. Time, 11.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2366**—An act to amend Section 582 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2453**—An act to add Section 53608 to the Government Code, and Section 17203.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the investment of public funds and money.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2482**—An act to repeal Chapter 10 (commencing at Section 6590) of Part 5 of Division 7 of, the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell,

Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Bill ordered transmitted to the Senate.

### Consideration of House Resolution No. 259

By Mr. Chapel:

### House Resolution No. 259

Relative to the transportation of radioactive materials

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Transportation and Commerce is hereby authorized and requested to study and investigate all facts relating to the need for additional legislation relating to the transportation of radioactive materials and report to the Legislaure thereon at the 1961 Regular Session, including therein its conclusions and recommendations for legislation, if any.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

**Assembly Concurrent Resolution No. 135**—Relative to the California Law Revision Commission.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Resolution ordered transmitted to the Senate.

### CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 522**—An act to amend Section 5785 and to add Section 5785.05 to the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 746**—An act to add Section 70045.1 to the Government Code, relating to superior court reporters of Trinity County.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 989**—An act to amend Section 28111 of the Government Code, relating to compensation for public service in a county of the eleventh class.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—80

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 993**—An act to amend Section 25526 of the Government Code, relating to sale or lease of county real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 905**—An act to amend Sections 445 and 531 of, and to add Sections 531.1 and 1061.1 to, the Revenue and Taxation Code all relating to property taxation and providing for the assessment of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House,

Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—80

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 72**—Relative to statutes of the Legislature which are treated as unconstitutional based upon administrative interpretation alone.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—80.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 919 was taken up.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, to amend Sections 23010.1, 38611, 55606, 55607, 55608, and 55609 of the Government Code, to amend Section 4006 of, and to repeal Section 4050 of, the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read third time.

### Request for Unanimous Consent

Mr. Bradley asked for unanimous consent to consider his amendments to Assembly Bill No. 919 before considering the amendments by Mr. Bruce F. Allen, which were already at the desk.

### Amendments Withdrawn

Mr. Bruce F. Allen withdrew his amendments.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Is the amendment by Mr. Bradley more than 25 words in length?

### Reply by Speaker

The Speaker replied that it was not.

### Motion to Amend

Mr. Bradley moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on May 7, 1959, after "county", insert "which has a population in excess of 250,000 persons on the effective date of this part".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2400**—An act relating to certain lands located within the subsidence area of a portion of the Long Beach Harbor District and providing for the extension, amendment and modification of existing contracts, royalty arrangements and other agreements, for the production of oil, gas and other hydrocarbon substances from such lands, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—Donahoe—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—Donahoe—1.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Ernest R. Geddes announced that Assembly Bill No. 1000 contains an appropriation, so it will not be considered until after the Budget Bill has been approved; and stated that provision for adult education has not been stricken from the bill.

## REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 919 FOR SPECIAL ORDER

Mr. Bradley asked for unanimous consent that Assembly Bill No. 919 be made a special order of business for Friday, May 29, 1959, at 10.30 a.m.

Mr. Dahl withheld unanimous consent.

### Objections Withdrawn

Mr. Dahl withdrew his objections, and the request for unanimous consent was granted.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2246**—An act to amend Section 18370 of the Health and Safety Code, relating to trailer coaches.

Bill read third time.

### Speaker pro Tempore Presiding

At 11 14 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOES—Burton and Crawford—2.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No 2246.

**Assembly Bill No. 1541**—An act to amend Section 13200 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the suspension of drivers' licenses by courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—66

NOES—Backstrand, Dahl, Holmes, Levering, McCollister, Pattee, and Shell—7

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2232**—An act to amend Section 26453 of the Vehicle Code as enacted at the 1959 Regular Session of the Legislature, relating to the maintenance of vehicle brakes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—80.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1806**—An act to add Section 3212.3 to the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2149

At 11.25 a.m., Mr. Belotti moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 2149 passed by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Biddick, Burke, Chapel, Conrad, Coolidge, Crawford, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thomas, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—43.

NOES—Don A. Allen, Backstrand, Bane, Bee, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Crown, Cunningham, Cusanovich, Dahl, Elliott, Francis, Garrigus, Grant, Holmes, Kennick, Levering, MacBride, Marks, Masterson, Miller, Munnell, O'Connell, Petris, Rees, Sedgwick, Thelin, Unruh, Waldie, George A. Willson, and Z'berg—36.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider the vote on Assembly Bill No. 2149 was made. *See* page 4366.

### Speaker Presiding

At 11.27 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Constitutional Amendment No. 29**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2.6 to Article XIII, relating to the assessment of property used for recreational purposes.

Resolution read.

### Demand for Previous Question

Messrs. Holmes, Charles H Wilson, Hegland, Schrade, Luckel, and Beaver demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Garrigus, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Nisbet, Pattee, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—54.

NOES—Bradley, George E. Brown, Burton, Collier, Elliott, Ernest R. Geddes, Samuel R. Geddes, Kilpatrick, Lowrey, Luckel, Miller, Munnell, O'Connell, Petris, Rumford, Unruh, Waldie, Williamson, and Z'berg—19.

Resolution ordered transmitted to the Senate.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1110

In compliance with a motion given on a previous day, Mr. Charles H. Wilson moved that the vote whereby the amendments by Mr. Bruce F. Allen to Assembly Bill No. 1110 were adopted be reconsidered.

Amendments to Assembly Bill No. 1110 reconsidered by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Britschgi, George E. Brown, Burke, Cameron, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.

NOES—Bruce F. Allen, Beaver, Biddick, Bradley, Busterud, Chapel, Conrad, Coolidge, Ernest R. Geddes, Grant, Hanna, Johnson, Lanterman, Levering, Luckel, MacBride, Mulford, Nisbet, Reagan, Rumford, Shell, Sumner, Thelin, and Waldie—24.

Assembly Bill No. 1110 and the amendments by Mr. Bruce F. Allen ordered returned to the third reading file.

### Votes Changed Upon Roll Call

Mr. O'Connell was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on reconsideration of the amendments to Assembly Bill No. 1110.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 700** (As amended in Senate April 22, 1959)—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1959, strike out "20894", and insert "20852, 20894, 20895".

### Amendment No. 2

On page 2, line 1, insert

"SEC. 2. Section 20852 is added to said code, to read:

20852. There shall be prominently displayed on every dispensing device, from which gasoline is being sold at retail as a fuel for internal combustion engines, a

sign or label, placed so as to be read in connection with the brand name, trade-mark, or trade name of the gasoline, consisting of the words "minimum octane number" or "octane number," together with arabic numbers identifying the octane rating of the gasoline.

The letters and numbers used in connection with this sign or label shall be of not less than one inch in height with a stroke of not less than one-eighth inch in width."

**Amendment No. 3**

On page 2, line 13, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 4**

On page 2, between lines 27 and 28, insert

"SEC. 4. Section 20895 is added to said code, to read:

20895. When gasoline is offered for sale by any producer, manufacturer, distributor, broker, jobber, wholesaler, or seller, except at retail, said seller, at the time of the sale, must specify in writing the octane number of the gasoline sold. The octane number of said gasoline at the time of sale by said seller shall be not less than the octane number specified by said seller."

**Amendment No. 5**

On page 2, line 36, strike out "SEC. 3.", and insert "SEC. 5."

**Amendment No. 6**

On page 2, line 38, strike out "Section 20894", and insert "Sections 20894 or 20895".

JOSEPH A. RATTIGAN
JAMES A. COBEY
Senate Committee on Conference

THOMAS J. MacBRIDE
BRUCE F. ALLEN
JOHN C. WILLIAMSON
Assembly Committee on Conference

Conference Committee report concerning Assembly Bill No. 700 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 800 CONTINUED**

Mr Sumner was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 800 be continued until the next legislative day.

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 398 CONTINUED**

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 398 be continued until the next legislative day.

**ANNOUNCEMENT**

Mr. Winton announced that the Assembly will be in session all day tomorrow, and, probably, until 5 p.m tomorrow afternoon.

## CONSIDERATION OF HOUSE RESOLUTION NO. 280

By Messrs. MacBride, Marks, Z'berg, Busterud, Biddick, and Meyers:

### House Resolution No. 280

Relative to welcoming the annual meeting of the National Council of the Boy Scouts of America

WHEREAS, The Forty-ninth Annual Meeting of the National Council of the Boy Scouts of America will be held in San Francisco June 4th through 6th of this year and will be attended by delegates from all of the states, including Alaska and Hawaii, with an anticipated attendance of 2,000 persons; and

WHEREAS, At this meeting national officers for the Boy Scouts of America will be elected, business sessions will be held, workshop meetings relating to the improvement of all phases of Boy Scout work will be conducted, and plans will be formulated for the observance of scouting's Fiftieth Anniversary in 1960, which will be a year of special features, including the National Jamboree near Colorado Springs for over 50,000 of the Nation's outstanding Scouts and Explorers; and

WHEREAS, The organization and direction of the meeting are in the hands of Dr. Arthur A. Schuck, Chief Scout Executive, and Mr. Kenneth K. Bechtel of San Francisco, a prominent industrialist and civic leader, who will be retiring at this meeting as President of the National Council after four years of outstanding scout leadership; now, therefore, be it

*Resolved by the Assembly of the State of California*, That all delegates to the Forty-ninth Annual Meeting of the National Council of Boy Scouts of America are hereby extended a sincere welcome to the State of California and the best wishes of the people of this State for an enjoyable visit, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr Bert Geisreiter, President of the Golden Empire Council, Boy Scouts of America and Mr Theodore Rosequist, Chairman of Section 5, Region XII of the Boy Scouts of America, to be presented by them to the Forty-ninth Annual Meeting of the National Council of the Boy Scouts of America on behalf of this Assembly

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 281

By Mr. Bee:

### House Resolution No. 281

Relating to Vail Medal winner Jim T Johannes

WHEREAS, Mr Jim T. Johannes, a Pacific Telephone Company employee of Hayward, California, has been named by the Bell System to receive its bronze Vail Medal for Public Service for his heroic rescue on December 29, 1958, of a 14-month-old girl from a burning building; and

WHEREAS, This rescue was completed by Mr. Johannes when he spotted a fire as he drove past the building. He stopped and ran to the house where he saw Mrs Louise Brock at a second floor window with her 14-month-old baby daughter, Sheila, obviously in grave danger Mr. Johannes called to the mother to jump and stated he would try to break her fall, whereupon she replied she could not because of her daughter who was in her arms Mr Johannes called for her to drop the baby which she finally did and Mr Johannes caught the child in his outstretched arms, completely unharmed; and

WHEREAS, After having saved one life from this terrible fire, Mr Johannes ran to his truck and obtained an extension ladder which he used to further aid in rescuing the other occupants of the house; and

WHEREAS, The fury of this fire is witnessed by the fact that two lives were lost in the flames; now, therefore, be it

*Resolved by the Assembly of the State of California*, That Mr Jim T. Johannes is hereby congratulated on his receipt of the Vail Medal for Public Service and is heartily commended by this body for his courageous efforts in saving the lives of the people mentioned; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Mr. Jim T. Johannes.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 282

By Miss Donahoe and Mr. Williamson:

### House Resolution No. 282

Relative to the retirement of Mrs. Guynoir Kratka

WHEREAS, The Assembly of the State of California has learned that Mrs. Guynoir Kratka will retire from Standard School at the end of the current school year, thus ending a career of over 39 years of outstanding service in the field of education and in public service; and

WHEREAS, Guynoir Kratka attended the University of Minnesota and after graduating from that institution of higher learning, began her teaching career in the State of Minnseota; and

WHEREAS, Mrs. Kratka began teaching at Standard School in 1920 when the entire enrollment of the school was only 260 pupils; and

WHEREAS, Although in her early teaching days she served as a teaching principal, and after coming to Standard she had numerous offers for administrative posts, she stuck to her first love, the classroom, and as a result will greet many hundreds of her former pupils in Standard cafeteria on May 17th; and

WHEREAS, In addition to her main teaching schedule of social studies and United States Constitution, she has taught the future farmers, winning two firsts and a second in three years in the Sears Roebuck and Company competition; and she was adviser of the first school newspaper published at Standard Junior High in 1928, and will be honored at the annual press banquet at Norris Road Veterans' Hall on May 20th; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body, on the occasion of the retirement of Mrs. Guynoir Kratka, joins her multitude of friends in extending congratulations and commendations on the outstanding record of achievement she has compiled during her lifetime of service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Frank H. (Guynoir) Kratka, Frank Kratka, Jr, her son, and Genevieve K. Magruder, her daughter.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 283

By Miss Donahoe and Mr. Williamson:

### House Resolution No. 283

Commending Gladys Caster Rachal

WHEREAS, The Members of the Assembly have learned of the coming retirement of Mrs. Gladys Caster Rachal at the end of the present school year; and

WHEREAS, Mrs. Rachal commenced her career in the field of education as a teacher at Franklin School in Bakersfield in 1922, being the teacher of the first 7th and 8th grade graduating class of the Franklin School; and

WHEREAS, She taught at Washington School from 1928 to 1949, serving as head of the Mathematics Department during the last nine years of that period; and

WHEREAS, In 1949, she was transferred to the Department of Instruction as a supervisor of upper grades, a position she has held ever since; and

WHEREAS, She has been an active participant and supporter of the Bakersfield Elementary Teachers Club, California Teachers Association, National Education Association, California School Supervisors Association, Parent Teachers Association, Business and Professional Women's Club, Junior Red Cross, and H. Y. Chapter of the P. E. O., of which she is a past president; and

WHEREAS, With her reputation for thorough and conscientious work, skillful and effective leadership, and quiet dignity of manner, she epitomizes the accolade "Master Teacher"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Gladys Caster Rachal for her many years of outstanding service to the youth of this State, and wish her health and happiness in her well-earned retirement, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Gladys Caster Rachal

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 285

By Mr. Busterud:

### House Resolution No. 285

Relative to the death of John Foster Dulles

WHEREAS, It was with the deepest sorrow that the Members of the Legislature learned of the regrettable death of former Secretary of State, John Foster Dulles; and

WHEREAS, Mr. Dulles was a man of principle and integrity who, ignoring every personal cost and sacrifice, dedicated his lifetime to the attainment of international peace, and

WHEREAS, During his eventful years as Secretary of State, he earned the admiration, respect and gratitude of all persons of the freedom-loving nations for his determined efforts in the fight against tyranny, and his championship of the oppressed; and

WHEREAS, This Country will not soon find another statesman of his indomitable courage, his invincible strength of character and purpose, and his deep sense of responsibility to mankind so clearly demonstrated in his unceasing efforts in pursuit of the goals of peace and justice; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution pay tribute to the memory of one of the great leaders of this Nation, John Foster Dulles, and extend their sincere condolences to the members of his family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. John Foster Dulles.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 290

By Messrs. Kilpatrick, McMillan, Hawkins, Elliott, Don A. Allen, Bane, George E. Brown, Cameron, Chapel, Dills, Kennick, Miller, Munnell, Nisbet, Porter, Rees, Rumford, Thomas, George A. Willson, and Charles H. Wilson:

### House Resolution No. 290

Relative to the death of Albert T. Lunceford

WHEREAS, The Members of this Assembly have learned with great sorrow of the death of Albert T. Lunceford, beloved labor leader and president of the Los Angeles County A.F.L.-C.I.O. Federation of Labor; and

WHEREAS, Mr. Lunceford, a native of Georgia, came to California in 1928 and joined the Firestone Tire and Rubber Company where he helped organize Firestone's Local 100 of the United Rubber Workers, holding at one time or another almost every important post in the local; and

WHEREAS, He was one of the leaders in the C.I.O.'s fight to purge communists from its ranks, and was the first executive secretary-treasurer of the Greater Los Angeles C.I.O. Council which replaced its communist-dominated predecessor in 1949; and

WHEREAS, When the C.I.O. group was merged with the A.F.L. central labor councils to form the present A.F.L.-C.I.O. Federation in January, 1959, Mr. Lunceford was selected as its first president; and

WHEREAS, In addition to his union activities, Mr. Lunceford was widely-known for his work on education and character building activities for underprivileged children, for his efforts to broaden hospitalization coverage for working men and women and their families, and for his earnest endeavors in the movement for complete rehabilitation and greater job opportunities for the physically handicapped; and

WHEREAS, The loss of this distinguished citizen will be keenly felt by his friends and associates; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly expresses its sorrow at the passing of this notable citizen who made so many contributions to his community and to the American labor movement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the widow of Albert Lunceford, Mrs. Betty Lunceford, and to his mother, Mrs. Ida E. Lunceford.

Resolution read, and adopted unanimously.

### CONSIDERATION OF HOUSE RESOLUTION NO. 286

By Messrs. Kennick and Grant:

**House Resolution No. 286**—Relating to the Miss Universe Beauty Pageant.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In the measure as printed in the Assembly Daily Journal for May 26, 1959, on page 4179, strike out the last "*Resolved*" clause, and insert

"*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the board of directors of the Long Beach Beauty Congress, and one suitably prepared copy to each of four such persons as the authors of the resolution may instruct the Chief Clerk."

#### Consideration of House Resolution No. 286, as Amended

By Messrs. Kennick and Grant:

#### House Resolution No. 286

Relating to the Miss Universe Beauty Pageant

WHEREAS, Between the eighteenth and twenty-fifth of July, 1959, Long Beach, California, will be the setting for an event of unparalleled excitement and interest, the Miss Universe Beauty Pageant; and

WHEREAS, During this period the most beautiful girls from five continents and every state in the Union will compete for the title of "Miss Universe" and for the fame and glamour attached thereto; and

WHEREAS, Since the first such contest held in June, 1952, this colorful and memorable parade of beauty has stimulated interest and has focused the eyes of the world on Long Beach; and

WHEREAS, This event has been a forward step in international harmony and good will for the participants in these contests meet and make lasting friendships with persons from all parts of the globe; and

WHEREAS, California is proud to be the host to this international competition; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly extends congratulations to Oscar Meinhardt, the originator and organizer of the Miss Universe Beauty Pageant, the Long Beach Beauty Congress which presents the pageant, and the original and present board of directors thereof for their untiring efforts to make this event a successful and unforgettable one; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the board of directors of the Long Beach Beauty Congress, and one suitably prepared copy to each of four such persons as the authors of the resolution may instruct the Chief Clerk.

Resolution read, as amended, and adopted unanimously.

### INTRODUCTION OF GUEST

Mr. Gaffney introduced Mr. Henry Morris, who has been selected by the four major San Francisco newspapers as the Outstanding Young Man of 1958.

### INQUIRY BY MRS. DAVIS

Mrs. Davis was granted permission to address an inquiry to Mr. Winton relative to the policy being followed by the Senate relative to the consideration of Assembly bills

### ANNOUNCEMENT BY MR. WINTON

Mr. Winton announced that he had been advised that the Senate will hold sessions this afternoon from 3 to 6 p.m.; this evening from 8 to 11.30 p.m.; tomorrow afternoon from 2 to 5.30 p.m.; and tomorrow night from 8 to 11.30 p.m.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2240

At 12.01 p.m., on motion of Mr. DeLotto further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2240 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Cameron, Coolidge, Crown, Cunningham, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Grant, House, Kilpatrick, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rumford, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Winton—41.

NOES—Backstrand, Bane, Bee, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Donahoe, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Mulford, Nisbet, Pattee, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Charles H. Wilson, and Z'berg—36.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 2240 was made. *See* page 4371.

### RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

#### House Resolution No. 295

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50)

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 295 without reference to committee or file.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—None.

### ASSEMBLY BILLS NOS. 1171 AND 1175 WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bills Nos. 1171 and 1175**, on request of Mr. MacBride.

### INVITATION TO MEMBERS

Mr. MacBride reissued his invitation to the Members of the Assembly to attend a garden party and buffet at his home tomorrow evening, and requested that those members who desired to attend contact his secretary.

### SENATE BILL NO. 614 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 614**, on motion of Mr. O'Connell.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2149

Mr. Masterson moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2149 was this day passed (Assembly Journal, page 4358).

#### Motion to Take Up Motion to Reconsider

Mr. Belotti moved to take up the motion to reconsider Assembly Bill No. 2149, at this time.

#### Motion Withdrawn

Mr. Belotti withdrew his motion.

Assembly Bill No. 2149 and the motion to reconsider ordered placed on the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2834 FROM COMMITTEE

Mr. Rees was granted unanimous consent that Assembly Bill No. 2834 be withdrawn from the Committee on Agriculture for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2834

**Assembly Bill No. 2834**—An act to add Sections 9067, 9068, 9069, 9070, and 9070.5 to the Public Resources Code, relating to emergency food production soil reserves.

Bill read second time.

#### Motion to Amend

Mr. Rees moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 28, of the printed bill, after "Section 9069", insert ", unless there is no other reasonable site available, or for public utility easements and rights-of-way".

#### Amendment No. 2

On page 2, line 30, after "jurisdiction", insert ", other than agricultural water and soil district changes which would not affect the maintenance of the land within the reserve,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

### WITHDRAWAL AND RE-REFERENCE OF BILLS

Mr. Crawford was granted unanimous consent that Assembly Bill No. 1157 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Criminal Procedure.

Mr. Hanna was granted unanimous consent that Assembly Bill No. 2715 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary—Civil.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Hanna was granted unanimous consent to take up Senate Bill No. 219, at this time, for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 219

**Senate Bill No. 219**—An act to amend Section 1326 of the Penal Code, relating to subpoenas in criminal cases.

Bill read third time.

#### Motion to Amend

Mr. Hanna moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 15, inclusive.

#### Amendment No. 2

On page 1, line 16, strike out "3", and insert "2".

#### Amendment No. 3

On page 1, line 20, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted and to third reading.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE

Mr. Francis gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2249 from the Committee on Criminal Procedure.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1188 FROM COMMITTEE

Mr. Francis was granted unanimous consent that Assembly Bill No. 1188 be withdrawn from the Committee on Judiciary—Civil, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 1188

**Assembly Bill No. 1188**—An act to add Sections 17004.5, 17201.5, 17201.6, 17201.7, and 17201.8 to, and to amend Sections 17004, 17207, 17418, 17600 and 17608 of the Financial Code, relating to escrow transactions.

Bill read second time.

#### Motion to Amend

Mr. Francis moved the adoption of the following amendments:

#### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out "Sections 17004.5, 17201.5, 17201.6, 17201.7, and 17201.8", and insert "Section 17201.5".

#### Amendment No. 2

In line 6 of the title, after "17004," insert "17203,".

**Amendment No. 3**

On page 1, strike out line 6, and insert "means any person engaged in the business of receiving escrows for deposit or delivery for compensation."

**Amendment No. 4**

On page 1, strike out lines 7 to 10, inclusive.

**Amendment No. 5**

On page 1, line 11, strike out "SEC. 3", and insert "SEC. 2".

**Amendment No. 6**

On page 1, strike out lines 16 to 19, inclusive; on page 2, strike out lines 1 and 2, and insert

"(b) After January 1, 1965, have been employed by and performing escrow transactions under the direction of an escrow agent for four years or be a graduate of a four-year college or university together with one year's experience as an employee of an escrow agent performing escrow transactions under his direction."

**Amendment No. 7**

On page 2, strike out lines 5 to 24, inclusive, and insert

SEC. 3. Section 17203 of said code is amended to read:

17203. The bond of an escrow agent shall be conditioned that the obligor will faithfully conform to and abide by the provisions of this division and all the rules and regulations made by the commissioner under this division. The bond shall be conditioned that the licensee will honestly and faithfully apply all funds received ~~and~~, will faithfully and honestly perform all obligations and undertakings under this division, *will pay all cost of any receivership ordered by a superior court pursuant to Section 17415 of this code*, and will pay *to* the State and any person all amounts which become due or owing to the State or to such person under the provisions of this division. *In determining the liability of the principal and the sureties under the said bond, escrow money held in trust and any money recovered to restore any deficiency in such trust shall not be considered as an asset of the receivership subject to assessment for the costs of receivership.* The surety under such bond may pay the full amount of its liability thereunder to a receiver appointed by a superior court pursuant to Section 17415 of this code in lieu of payment to the State or persons having a cause of action against the obligor of the bond, and upon such payment the surety is completely released from further liability under such bond."

**Amendment No. 8**

On page 2, line 25, strike out "SEC. 7", and insert "SEC. 4".

**Amendment No. 9**

On page 2, strike out lines 36 and 37.

**Amendment No. 10**

On page 2, line 38, strike out "SEC. 8", and insert "SEC. 5".

**Amendment No. 11**

On page 2, line 40, strike out "five (5)", and insert "four (4)".

**Amendment No. 12**

On page 2, line 43, strike out "SEC. 9", and insert "SEC. 6".

**Amendment No. 13**

On page 2, line 44, strike out "and an escrow clerk's".

Amendment No. 14

On page 2, line 47, strike out "SEC. 10", and insert "SEC 7".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

REQUEST FOR UNANIMOUS CONSENT

Mr. Francis was granted unanimous consent to take up Senate Bill No. 1007, at this time, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1007

**Senate Bill No. 1007**—An act to create the Guadalupe Valley Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

Bill read third time.

Motion to Amend

Mr. Francis moved the adoption of the following amendments:

Amendment No. 1

On page 8, line 15, of the printed bill, as amended in the Senate on April 24, 1959, strike out "81.5", and insert "80.5".

Amendment No. 2

On page 8, line 41, strike out "Title 4", and insert "Title 5".

Amendment No. 3

On page 12, line 8, strike out "prinicpal", and insert "principal".

Amendments read.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Who is sponsoring these amendments?

Reply by Mr. Francis

The Speaker directed the inquiry to Mr. Francis, who stated that they were author's amendments.

The question being on the adoption of the amendments.

Amendments adopted.

Bill ordered reprinted and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Winton was granted unanimous consent to take up Senate Bill No 994, at this time, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 994

**Senate Bill No. 994**—An act to amend Section 490 of the Agricultural Code, relating to milk and milk products.

Bill read third time.

**Motion to Amend**

Mr. Winton moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 16, of the printed bill, as amended in the Assembly on May 22, 1959, after "or", insert "reasonable"

**Amendment No. 2**

On page 1, line 17, after "regulation", insert ", but such standards shall apply only to market milk after standardization by a milk distributor".

Amendments read, and adopted.

Bill ordered reprinted and to third reading.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1974 FROM COMMITTEE

Mr. Meyers was granted unanimous consent that Assembly Bill No. 1974 be withdrawn from the Committee on Ways and Means for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1974

**Assembly Bill No. 1974**—An act to amend Sections 13002, 13005, 13022, 13025, 13041, 13042, 13050, 13052, 13054, 13055, 13060, and 13063 of, to add Sections 13000.1, 13000.2, 13000.3, 1320.1, 13022.1, 13052.1, 13054.1, 13054.2, 13054.3, 13054.4, 13054.5, and 13055.1 to, to repeal Sections 13061, 13061.5, and 13062 of, and to add Article 4 (commencing at Section 13080) to Chapter 4 of Division 7 of, the Water Code, and to amend Section 5460 of the Health and Safety Code, relating to water pollution.

Bill read second time.

**Motion to Amend**

Mr. Meyers moved the adoption of the following amendments:

**Amendment No. 1**

In line 5 of the heading of the printed bill, as amended in the Assembly on May 21, 1959, after "Works)", insert

"(Co-authored by Messrs. Bruce F. Allen, Burton, Busterud, Chapel, Cusanovich, Francis, Gaffney, Grant, Hegland, Johnson, Kilpatrick, Lowrey, Marks, Mulford, and O'Connell)".

**Amendment No. 2**

In line 3 of the title, after "13020.1," insert "13020.2,".

**Amendment No. 3**

On page 3, between lines 19 and 20, insert

"SEC. 6.5. Section 13020.2 is added to said code, to read:

13020.2. The regional boards shall submit annual budgets to the State board. Subject to the provisions of Chapter 3 (commencing at Section 13290) of Part 3, Division 3, Title 2 of the Government Code and any other laws giving the Department of Finance fiscal and budgetary control over state departments generally, the state board shall prepare an annual budget concerning its activities and the activities of the regional boards."

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2240

Mr. Lanterman moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2240 was this day passed. (Assembly Journal, pages 4349, 4350, and 4365).

Assembly Bill No. 2240 and the motion to reconsider ordered placed on the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Miss Donahoe was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILL NO. 1969

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 25, 1959

*Hon. John C. Williamson*
*Assembly Chamber*

**Assembly Bill No. 1969, Relating to the Participation of Policemen and Firemen in Federal Old Age and Survivors' Insurance—No. 15751**

DEAR MR WILLIAMSON: You have asked the following question with regard to the operative effect of Assembly Bill No. 1969:

*Question*

In a county where the county retirement system has already been integrated with O A. S. I, except for policemen and firemen, will the passage of Assembly Bill No. 1969 result in the policemen and firemen being able to vote separately on the integration issue or will it be possible for the rest of the county system to force them to integrate with O. A. S. I. against their wishes?

*Opinion and Analysis*

In our opinion the policemen and firemen in question would be able to vote independently on the issue of integration with O. A. S. I. if they constitute a separate retirement system coverage group.

Employees in any class or classes of positions covered by a retirement system which are excluded from the agreement to integrate with O. A. S. I. pursuant to paragraphs (3) or (5) of Section 218(c) of the Social Security Act may constitute a separate retirement system coverage group (Sec. 22125, Gov. C.).

In this situation it is our opinion that the policemen and firemen would be able to vote separately from the county systems on the issue of O. A. S. I. integration.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RICHARD J. WYLIE, Deputy

Two copies to Hon Thomas J. MacBride, pursuant to Joint Rule 34.

With this explanation fully protecting firemen and policemen's present retirement status in Kern County and City of Bakersfield, our support was given.

DOROTHY M. DONAHOE
JOHN C. WILLIAMSON

## ANNOUNCEMENT RELATIVE TO ORDER OF BUSINESS

Speaker Brown announced that hereafter all motions and resolutions would be accepted in the early morning under Item 10 on the Assembly Order of Business; and that Mr. Winton would withhold unanimous consent to take up any such motions or resolutions out of order.

## ANNOUNCEMENT OF SUBCOMMITTEE MEETING

Mr. Beaver announced that the Ways and Means Subcommittee on Highways would meet in Room 4164 at 3:45 p.m. today and directed the attention of the members to page 9 of the Assembly Daily File where the bills to be heard were listed.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 134**—Approving certain amendments to the charter of the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on May 5, 1959.

And reports the same correctly enrolled, and presented to the Secretary of State on the twenty-eighth day of May, 1959, at 11:45 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2456
Assembly Bill No. 2500
Assembly Bill No. 2565
Assembly Bill No. 2722

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to Consent Calendar.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1656
Assembly Bill No. 2660

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1439
Assembly Bill No. 1531
Assembly Bill No. 2591
Assembly Bill No. 2601
Assembly Bill No. 2635
Assembly Bill No. 2717

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 174
Assembly Bill No. 1245

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1163
Assembly Bill No 1164

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2501
Assembly Bill No. 2503
Assembly Bill No. 2504
Assembly Bill No. 2588
Assembly Bill No. 2603
Assembly Bill No. 2610

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2409

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered transmitted to the Senate

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2585
Assembly Bill No. 2589
Assembly Bill No. 2609

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 269
Assembly Bill No. 2088

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills referred to committee.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2231

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1398

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1087
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2596
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1441
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2486
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 831
Assembly Bill No. 1680
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

## SENATE BILL NO. 897 RE-REFERRED TO COMMITTEE

Speaker Brown ordered Senate Bill No. 897 re-referred to the Committee on Finance and Insurance.

## EXPLANATION OF ABSENCE

May 28, 1959

I missed several roll calls this morning because it was necessary for me to attend to legislative matters elsewhere in the Capitol.

CHARLES W. MEYERS

## ADJOURNMENT

At 12.15 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Friday, May 29, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FIFTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, May 29, 1959

The Assembly met at 9 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*O God*, If it is better to be practical and direct in daily living, is it not also wiser to pray about specific things? So, today, we pray for traffic safety, especially on Memorial Day weekend. Some of us will not soon forget the faces of five young nurses, recent highway victims. We are moved, O God, to quit praying and start fighting, fighting against the real causes of such tragedy. Show us the way to make our roads safer, the answer to human weakness which seeks escape in alcohol, and the method of dealing with the uncertain ego which must bolster itself by speed. Help us in these things, Our Father, and we will praise Thee forever —AMEN

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Marks, seconded by Mr. Busterud.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Charles H. Wilson, on motion of Mr. McMillan.
Mr. Holmes, on motion of Mr. Shell.
Mr. Kennick, on motion of Mr. Nisbet.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. Coolidge, on request of Speaker Brown.
Mr. Reagan, on motion of Mr. McMillan.
Mr. Luckel, on motion of Mr. McMillan.
Mr. McMillan, on his own request.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Doris Broussard of San Francisco, relative to Assembly Bill No. 590 Referred to the Committee on Ways and Means.

### Letter of Transmittal
### "Old Sacramento"—Part II

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF BEACHES AND PARKS
SACRAMENTO, May 28, 1959

*Mr. Ralph M. Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: In conformance with the act of the California Legislature, Chapter 2315, Statutes of 1957, (S. B. No. 1312), there are attached 12 copies of Part II of *Old Sacramento, A Report on Its Significance to the City, State and Nation, With Recommendations for the Preservation and Use of Its Principal Historical Structures and Sites.*

Should additional copies be desired, we shall be pleased to provide them.

Sincerely yours,

EARL P. HANSON, Acting Chief

Attach Report (12).

Above transmitted report referred to the Joint Committee on the Legislative Reference Library.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Bradley:

### House Resolution No. 296

Relative to congratulating John R. McDonough, Executive Secretary of the California Law Revision Commission.

WHEREAS, Following the creation of the California Law Revision Commission at the 1953 Regular Session of the Legislature and the appointment of its members in early 1954, an intensive study was made by the commission of the experience of other such agencies in this State and other states; and

WHEREAS, The commission concluded that its research into substantive legal problems could best be directed and organized by a person engaged in law teaching at one of California's outstanding law schools; and

WHEREAS, Stanford University's School of Law was selected as the location for the commission's office, and in April of 1954 Professor John R. McDonough, then a member of its faculty, accepted the position of executive secretary of the commission, which has required him to devote half of his time to the commission's affairs and half to law teaching since then; and

WHEREAS, Professor McDonough has devoted countless hours to the work of the commission throughout the past five years, far beyond the bare requirements of his agreement with the commission, and has contributed in an outstanding way to the commission's ability to resolve the problems referred to it for study by the Legislature; and

WHEREAS, The Members of the Assembly have learned, with regret, of Professor McDonough's decision to return to full-time teaching of the law following this session of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly desire to express their respect and admiration for John R. McDonough, and for the skill and competence which he has displayed in his many presentations of complicated legal matters before committees of this Legislature, and be it further

*Resolved*, That the Members of the Assembly do hereby express every good wish for Professor McDonough's continued success in his chosen field of law teaching and their appreciation for his past services to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to Professor John R. McDonough

Resolution read, and referred to the Committee on Rules.

By Messrs Chapel, Collier, and Thomas:

**House Resolution No. 297**

Relative to congratulating John J. Knezevich

WHEREAS, It has come to the attention of the Members of the Assembly that John J. Knezevich has recently retired from the newspaper publishing business; and

WHEREAS, Mr. Knezevich was born on December 15, 1897, in Yugoslavia of Serbian parentage, coming to the United States in 1913 and to California in 1916 and became a naturalized American citizen on March 10, 1922; and

WHEREAS, He attended Southwestern University from 1928 to 1930, began his newspaper career in 1916, and in 1919 published his first newspaper in Los Angeles and has been publishing his own newspaper ever since that time until September, 1958, when he sold his three newspapers, the *Palos Verdes News*, founded by him and published since 1937, the *Hollywood Riviera Tribune* and the *Rolling Hills Herald*, founded by him in 1948; and

WHEREAS, He has, since 1932, been the author of a weekly column entitled "Review of Events," dealing with international and national affairs exclusively which has been widely published in many newspapers and he has frequently lectured on radio and television on the subject of foreign affairs; and

WHEREAS, During his very active life Mr Knezevich's activities have included management of the successful Los Angeles School System Bond Issue for $34,000,000 in 1934; participation in the political campaigns of United States Senators Hiram W. Johnson and Samuel M Shortridge; participated in the campaigns of Los Angeles County Sheriffs William F. Traeger and Eugene W. Biscailuz; four times President of the Los Angeles County Community Newspapers Association; leader in the establishment of the City of Palos Verdes Estates; consultant on Balkan affairs to some of our national statesmen, Founder and President of the Crusade to Lift the Iron Curtain, for which he was personally commended by President Eisenhower; Director or Consultant of Public Relations to such firms as the Southern Pacific, Pacific Electric Railway, Los Angeles Railway, Pacific Greyhound, Hollywood Turf Club and others; membership in the International Rotary, Jonathan Club, Military Order of World Wars, American Legion, Veterans of Foreign Wars, Order of Lafayette, Sigma Delta Chi, Greater Los Angeles Press Club, Fort MacArthur Officers Club, Palos Verdes Breakfast Club, Commonwealth Club of California, and an honorary Brigadier General of the Royal Yugoslav Air Force (no longer existing); now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to congratulate Mr. John J Knezevich on his outstanding life of public service and accomplishments in the interest of his city, his State and his country; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr John J. Knezevich.

Resolution read, and referred to the Committee on Rules.

By Mr. Samuel R. Geddes:

**House Resolution No. 298**

Relative to the problems of small agricultural and commercial businesses

WHEREAS, The small buisnessman has traditionally been a bulwark of those values we consider to be fundamental to the American way of life; and

WHEREAS, The present status of the small businessman is very perilous, for the rate of bankruptcy and the rate of absorption by larger enterprises are increasing sharply; and

WHEREAS, Among these small businesses, a particularly critical situation exists with respect to small agricultural operations; and

WHEREAS, An increasing number of small farms has been abondoned in the past few years, due in large part to fluctuating price levels; and

WHEREAS, There presently exists as an agency of the Federal Government a Small Business Administration which is able to give aid to a portion of the small businesses throughout the Nation and has been widely acclaimed for its farsighted benefits; and

WHEREAS, A legislative program along lines similar to the federal program is necessary in California to assist in the vast number of situations to which the limited federal program is unable to offer adequate help; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Rules Committee is directed to refer to an appropriate interim committee for study during the 1959-61 interim the subject of problems peculiar to small agricultural and commercial businesses; and be it further

*Resolved*, That the committee consider the feasibility of enacting legislation to solve or alleviate the problems facing the small businessman and that the committee give careful study to the formulation of legislation of a type similar to the federal program which would include provision for the giving of financial aid and for the furnishing of technical and managerial counseling.

Resolution read, and referred to the Committee on Rules.

By Mr. George E. Brown:

**House Resolution No. 299**

Relating to the establishment of a legislative document distribution center in Los Angeles

WHEREAS, In any democratic government it is essential to an intelligent understanding of the legislative process by the people that bills, resolutions, amendments, and other legislative documents be made quickly and readily available to them; and

WHEREAS, It is the responsibility of the Legislature to make available quickly and efficiently to the citizens of California the bills, resolutions, amendments and other legislative documents connected with its meetings; and

WHEREAS, In the Legislative Bill Room in the State Capitol there exists such a distribution center, but this center is far removed from the southern portion of this State; and

WHEREAS, Many citizens in the Los Angeles area are presently denied the opportunity to obtain bills and other legislative documents quickly enough to enable them to take timely and intelligent action on matters of concern; and

WHEREAS, It would thus be desirable if a legislative document distribution center were established in Los Angeles for the benefit of citizens residing in Southern California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Rules Committee is hereby directed to investigate the feasibility of establishing a document distribution center in Los Angeles and that upon completion of its study the committee report the results and its recommendations to this house.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1046
Assembly Bill No 2833

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2534
Assembly Bill No. 2751

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1023**—An act to amend Sections 14025, 14151, 14363, 14401, and 14405 of, and to add Section 14403 1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System;

**Assembly Bill No. 1094**—An act to add Article 13 (commencing with Section 255) to Chapter 1, Title 3, Part 1 of the Code of Civil Procedure, relating to the drawing of juries;

**Assembly Bill No. 1736**—An act to add Section 940.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district elections;

And reports the same correctly enrolled, and presented to the Governor on the twenty-eight day of May, 1959, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 919

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, May 26, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No 395

With amendments with the recommendation Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2604
Assembly Bill No. 2755

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2621

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 2757

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports.

Assembly Bill No. 2464
Assembly Bill No. 2622
Assembly Bill No. 2732

With the recommendation: Do pass

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 28, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 2857

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 735

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No. 1473
Assembly Bill No 2523

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 2477

With the recommendation: That the bill be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No 2473

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2148
Assembly Bill No. 2605

With the recommendation: Do pass

BRADLEY, Chairman

Above bills ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2520

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 38

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 580

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2558

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2521

With the recommendation. Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1758
Assembly Bill No. 2555
Assembly Bill No. 2570
Assembly Bill No. 2575
Assembly Bill No. 2851

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 545
Senate Bill No. 990
Senate Bill No. 1120

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2329
Assembly Bill No. 2574
Assembly Bill No. 2778

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 114

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER. Your Committee on Municipal and County Government reports:

Senate Bill No 621

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2579

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2743

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2600, 2561, 2562, 2636, 920, 2490, 2607, 2712, 2312, 2543, 1067,** and **2586.**

**Senate Bills Nos. 106, 4, 617, 753,** and **1068.**

Assembly Bills Nos. 2600, 920, and 1067 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 2561, 2562, 2490, 2607, and 2712 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 2636, 2312, and 2543 ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bill No. 2586 ordered to the Consent Calendar, subsequent to re-engrossment.

Senate Bills Nos. 106, 4, 617, 753, and 1068 ordered to third reading.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2242**—An act relating to the dissolution of the Santa Clara Valley Water Conservation District and the addition of the area thereof to the Santa Clara Flood Control and Water Conservation District, and in this connection to add Sections 3.4, 3.5, 3.6, 3.7, 7.1, 7.2, 7.3, 7.4, 7.5, 7 6, 7.7, and 7.8 to, and to amend Sections 4 and 7 of, the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951).

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Water, was read, and adopted:

### Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 22, 1959, strike out lines 9 to 14, inclusive, and insert "time in the same manner as he was appointed."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2690**—An act to amend Sections 2, 4.2, 6.3, 8.3, 9, 10.1, 11.1, 11.6, 11.7, 11.9, 11.12, and 11.13 of, to add Sections 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31 to, and to repeal Sections 4.4 of, the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952 (1st Ex. Sess.)), relating to the powers of the agency.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

### Amendment No. 1

On page 3, line 42, of the printed bill, strike out "five thousand dollars ($5,000)", and insert "three thousand dollars ($3,000)".

### Amendment No. 2

On page 4, line 9, strike out "five thousand dollars ($5,000)", and insert "three thousand dollars ($3,000)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2877**—An act to amend Section 6001 of the Public Utilities Code, and Section 26001 of the Government Code, relating to the granting of franchises.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, strike out "steam".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2713**—An act to amend Section 12771 of, and to add Sections 12771.1, 12771.2, 12771.3, and 12771.4 to, the Public Utilities Code, relating to municipal utility districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Utilities and Corporations, were read, and adopted:

**Amendment No. 1**

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert "An act to add Article 7 (commencing at Section 54175) to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to public agencies."

**Amendment No. 2**

On page 1, strike out lines 1 to 20, inclusive; strike out all of pages 2 and 3, and insert

"SECTION 1. Article 7 (commencing at Section 54175) is added to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, to read:

Article 7. Property Suitable for Recreational Uses

54175(a). "Public Agency" means county, city, municipal corporations or public district

(b) "Legislative body" means the board of supervisors in the case of a county or a city and county, the city council or board of trustees in the case of a city, and the board of directors or other governing body in the case of a district.

54176 To promote comprehensive community planning and to preserve public ownership of public lands suitable for recreational use, the procedure herein described shall be followed before any public agency may lease for a period exceeding five years, sell or otherwise dispose of any parcel of real property exceeding two acres in incorporated areas or exceeding 15 acres in unincorporated areas:

(a) The public agency shall give notice of the proposed disposition in writing to the State Park Commission and to the planning commission responsible for planning in the jurisdiction in which the parcel is located. In the event that the parcel is within the jurisdiction of more than one planning commission, the public agency shall give notice to all planning commissions responsible for planning over any part of the parcel.

(b) Upon receipt of the notice the State Park Commission and the planning commission (or commissions) shall conduct an investigation of the parcel to determine whether or not it is a suitable site for a park, beach, or other recreational use. As part of its investigation, the planning commission (or commissions) shall hold at least one public hearing, and shall announce the hearing by at least one publication in a newspaper of general circulation not less than ten (10) days prior to the hearing.

(c) Within 180 days of the receipt of the notice, the State Park Commission and the planning commission (or commissions) shall submit reports in writing to the public agency stating whether or not the parcel, or any portion of it, is a suitable site for a park, beach, or other recreational use. The public agency shall not dispose of the parcel until receipt of all of the reports.

(d) In the event that the report of the State Park Commission or the report of any planning commission states that the parcel is a suitable site for a park, beach,

or other recreational use, the public agency shall not dispose of the parcel, or any portion of the parcel so designated by any of the reports, unless a majority of those voting on the question of the proposed disposition in an election held pursuant to Section 54177 vote in favor of such disposition. If all of the reports state that a portion of the parcel is not suitable for a park, beach, or other recreational use, the public agency may dispose of such portion without submitting the question to the voters.

54177 The question as to whether or not the public agency should lease for a period exceeding five years, sell or otherwise dispose of a parcel of real property designated in the manner prescribed in Section 54176 as a suitable site for a park, beach, or other recreational use shall be submitted to the voters of the public agency by the legislative body thereof. The question shall appear as a proposition on the ballot at the next general election following receipt of all of the reports described in Section 54176; provided, that all of such reports are received by the public agency more than 90 days prior to such election. In the event that any of such reports are received within a 90-day period preceding a general election, the question shall appear as a proposition on the ballot at the general election following such general election. The election shall be held in the manner prescribed for such general elections. Arguments for and against the proposition shall be prepared by the election officer of the public agency, in the same manner described for other propositions in such election. The proposition shall appear on the ballot in substantially the following form:

| | |
|---|---|
| Shall the (giving name of the public agency) sell (or describe other disposition) the real property known as (a popular description of the property, indicating its location and approximate size in square miles), to (concise description of purchaser, if known) although this property has been designated by the (name of planning commission or commissions and/or State Park Commission) as a site suitable for recreational use? | YES<br>NO |

54178. The provisions of Section 54176 and Section 54177 shall have no application to the sale, lease or other disposition of real property by the public agency to any governmental agency for a public use.

54179. The provisions of Section 54176 and Section 54177 shall apply only to a public agency inhabited by more than 750,000 persons."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 2385**—An act to add Division 5 (commencing at Section 30000) to Title 4 of the Corporations Code, relating to the sale of business franchises.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporation, was read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, between lines 11 and 12, insert

"A business franchise shall not include any of the following:

(a) A license or assignment of a United States or foreign patent or of an invention upon which an application for patent has been filed in the United States Patent Office or in the patent office of a foreign country.

(b) A sale or licensing of a trademark.

(c) A sale of the entire right, title, and interest in a trade secret.

(d) The transfer of a business name as a part of the transfer of the assets and good will of the business connected with the name."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

**Assembly Bill No. 1565**—An act to amend Section 21401 of, and to add Part 4 (commencing at Section 24200) to, Division 9 of the Public Utilities Code, to provide for the giving of security by owners and

operators of aircraft involved in accidents, to provide for administration thereof; and to provide penalties for violation of any provisions of this act.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2733**—An act to add Section 11332 to the Health and Safety Code, relating to narcotics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 7 and 8, and insert "use lophophora substances as defined in Section 11001, upon registration with and written approval by the Chief of the Division of Narcotic Enforcement. Complete records of".

**Amendment No. 2**

On page 1, line 10, strike out "as provided by federal law".

**Amendment No. 3**

On page 1, line 11, strike out "peace officer or".

**Amendment No. 4**

On page 1, line 12, strike out "of the Board of Pharmacy or".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2872**—An act to add Section 426.7 to the Health and Safety Code and Chapter 6 (commencing at Section 28000) to Division 12 of the Vehicle Code as enacted at the 1959 Regular Session, relating to air pollution.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 1, line 7 of the printed bill, after "State", insert ", not included within an established and functioning air pollution control district,".

**Amendment No. 2**

On page 2, line 3, after "areas", insert ", not included within an established and functioning air pollution control district,".

**Amendment No. 3**

On page 3, line 32, after "areas", insert "included within an established and functioning air pollution control district or".

**Amendment No. 4**

On page 3, line 46, strike out "Section 28012", and insert "Section 28011".

**Amendment No. 5**

On page 3, strike out line 47, and insert "of an".

**Amendment No. 6**

On page 4, line 1, strike out "28012", and insert "28011".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

**Assembly Bill No. 2378**—An act to amend Sections 479 and 626 of the Agricultural Code, relating to milk.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2606**—An act to amend 526 of, to add Sections 631.7, 631.8 and 664 to, and to repeal Section 559 of the Agricultural Code, relating to milk products.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Livestock and Dairies, was read, and adopted:

Amendment No. 1

On page 3, line 9, of the printed bill, after "director", insert ", and such permit may be renewed by the payment of the fee of $35.00".

Bill ordered reprinted, engrossed, and filed, as amended, and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 722**—An act to add Section 69751 to the Government Code, relating to the sessions of the superior courts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1583**—An act to add Section 75060.4 to the Government Code, relating to the Judges' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2133**—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2564**—An act to amend Sections 70050.5 and 70059.5 of the Government Code, relating to compensation for superior court reporters.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2616**—An act to amend Sections 74660, 74662, and 74663 and to add Section 74665 to the Government Code, relating to municipal court districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2618**—An act to amend Sections 74040, 74042, and 74043, and to add Sections 74046, 74047, 74048, 74049, 74050, and 74051 to the Government Code, relating to municipal court districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1708**—An act to amend Sections 1861a and 1862 of the Civil Code, relating to liens of keepers of apartment houses, apartments, cottages, and bungalow courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "automobiles", and insert "motor vehicles".

Amendment No. 2

On page 3, line 9, after "guest.", insert "A motor vehicle that is exempt from attachment or execution under the provisions of Section 690.24 of the Code of Civil Procedure shall not be subject to the lien provided for in this section."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2344**—An act to amend Section 1243 of the Civil Code, relating to abandonment of homestead.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 and 21, and insert
"5. A declaration of abandonment or a conveyance by the claimant alone in the case of a married person's separate homestead"

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2587**—An act to amend Sections 74802, 74803, 74804, and 74805 of the Government Code, relating to the municipal court district embracing the City of Stockton.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 4, line 23, of the printed bill, strike out "Such", and insert "Twenty".

Amendment No. 2

On page 4, lines 23 and 24, strike out "as may be reasonably required pursuant to law,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2775**—An act to amend Sections 74132, 74133, 74134, 74135 and 74137 of the Government Code, relating to the municipal court in Riverside County.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 3, lines 6 and 7, of the printed bill, strike out "monthly salary of five hundred dollars ($500). Commencing January 2, 1961, the marshal shall receive a".

Amendment No. 2

On page 4, line 6, strike out the period, and insert ", within the respective minimum and maximum monthly rates set forth in this article."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2446**—An act to amend Section 69903 of, and to repeal Section 69895.5 of, the Government Code, relating to superior court employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "who", and insert "whom".

Amendment No. 2

On page 2, line 8, strike out "administrative assistant", and insert "administrative assistants".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2542**—An act to repeal Section 73076, to amend Sections 73086, 73092, 73084.1, 73084.2, 73084.3, 73084.4, 73085.1, 73085.2, 73085.3, 73085.4, 73085.5, 73085.6, 73088, 73089 and 73090 of, and to add Sections 73076, 73093, 73094 and 73095 to, the Government Code, relating to municipal courts in Alameda County.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 2, line 35, of the printed bill, strike out "585", and insert "584".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1145**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 17, 1959, strike out lines 42 to 45, inclusive; strike out page 4, and insert

"(h) Every conditional sales contract shall contain a statement to the effect that the buyer or registered owner shall give written notice to the legal owner of any change of address of the buyer or registered owner within 30 days of such change of address. This statement shall be printed in the contract in ten point type or larger and shall be separately signed or acknowledged by the buyer at the time of entering into the contract."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 1268**—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 25, of the printed bill, as amended in the Assembly on May 8, 1959, after "file", insert "for record".

**Amendment No. 2**

On page 3, line 32, after "filed", insert "for record".

**Amendment No. 3**

On page 2, line 38, after "section", insert "; provided, however, nothing contained in this paragraph shall extend the time for the filing for record of a claim of lien required to be filed for record as provided by other provisions of this chapter".

**Amendment No. 4**

On page 2, line 42, after "filed", insert "for record".

**Amendment No. 5**

On page 3, line 33, after the period, insert "Nothing contained in this subdivision shall, however, extend the time for the filing for record of a claim of lien required to be filed for record by reason of the filing for record prior to such acceptance of a subsidiary notice of completion as provided in subdivision (c) "

**Amendment No. 6**

On page 3, after line 35, after "filed", insert "for record".

**Amendment No. 7**

On page 5, strike out lines 19 to 23, inclusive.

**Amendment No. 8**

On page 2, line 25, after "Improvement", insert "reasonably expected to require at least 12 months to complete".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2640**—An act to add Section 1958 to the Government Code, relating to liability of municipal court attaches.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "municipal".

**Amendment No. 2**

On page 1, line 3, strike out "may", and insert "shall".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2480**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In lines 2 and 3 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, line 7, strike out "1959", and insert "1961".

**Amendment No. 3**

On page 1, strike out lines 10 to 22, inclusive; and strike out all of page 2.

**Amendment No. 4**

On page, 1 line 9, before the period, insert "unless the board of supervisors by resolution provides an earlier date upon which such sessions may be held".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2243**—An act to add Chapter 8 (commencing with Section 1600) to Title 10 of Part 3 of the Code of Civil Procedure, and to repeal Article 5 (commencing with Section 1530) and Article 6 (commencing with Section 1540) of Chapter 6 of Title 10 of Part 3 of said code, relating to unclaimed property in the custody of federal officers, agencies, and departments, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 5, line 20, of the printed bill, strike out "$_____", and insert "ten dollars ($10)".

**Amendment No. 2**

On page 5, line 25, strike out "_____", and insert "abandoned property account in the Unclaimed Property".

**Amendment No. 3**

On page 6, line 5, strike out the entire line, and insert "the manner provided in Chapter 7 of Title 10 of Part 3 of this code."

**Amendment No. 4**

On page 6, line 6, strike out "_____", and insert "abandoned property account in the Unclaimed Property".

**Amendment No. 5**

On page 6, strike out lines 16, 17 and 18.

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**Explanation of Amendments**

All of these amendments bring the bill into conformity with the provisions of Assembly Bill No. 16.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 198**—An act to amend Sections 2890, 3702, and 11553 of the Elections Code, relating to ballots and documents connected with elections.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1340**—An act to amend Sections 6535, 6537, 6546, 6560, and 6561 of, and to add Sections 6546.5 and 6560.5 to, the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, strike out "for persons who apply on or before December 31, 1961, completion of the tenth grade,".

**Amendment No. 2**

On page 1, line 10, strike out "for persons who apply on or"; strike out lines 11 and 12; and in line 13, strike out "loma showing graduation from the twelfth grade.".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 467**—An act to add Part 5 (commencing at Section 35800) to Division 24 of the Health and Safety Code, relating to Housing for elderly persons of low income, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

**Amendment No. 1**

On page 18 of the printed bill, as amended in the Assembly on May 22, 1959, after line 39, insert

"35944. It shall be the duty of the State Controller to make such audit or audits of the books and records of any housing authority, limited dividend housing corporation, land chest corporation, or nonprofit corporation receiving loans under this act, as he may deem necessary from time to time, for the purpose of determining that the money received by such entities as loans hereunder has been expended for the purposes and under the conditions authorized herein. Whenever the State Controller determines that any money loaned to such an entity has been expended by such entity for purposes not authorized by this chapter, or exceeds the final cost of the project which is authorized by Section 35940 of this chapter, the State Controller shall furnish written notice to the division and to the entity directing the entity to pay into the State Treasury the amount of such unauthorized expenditures, or the amount of such excess loan. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Elderly Persons Low Rent Housing Fund, to be available for the purpose of carrying out the provisions of this chapter.

It shall be the duty of such entity to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Social Welfare.

**Assembly Bill No. 2730**—An act to amend Section 2181.05 of the Welfare and Institutions Code, relating to relative's responsibility under the Old Age Security Law.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2511**—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to county responsibility for the payment of old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, after line 13, insert

"The county from which such inmate came to such home prior to October 1, 1959 shall, for the purpose of this section, be considered the residence of such inmate to grant such aid."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2911**—An act to add Section 22009.5 to the Government Code, relating to federal old age and survivors insurance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2859**—An act to add Section 8403 to the Government Code, relating to organizations for public assistance recipients.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1705**—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 22, 1959, strike out lines 15 to 18, inclusive.

**Amendment No. 2**

On page 1, line 13, after "fine", insert a period.

**Amendment No. 3**

On page 1, lines 13 and 14, after the period, strike out "of three hundred dollars ($300)."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2143**—An act to amend Section 3440 of the Civil Code, relating to fraudulent transfers of property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on May 22, 1959, strike out lines 13 to 29, inclusive.

**Amendment No. 2**

On page 2, line 30, strike out "(h)", and insert "(g)".

**Amendment No. 3**

On page 2, after line 51, insert

"This section shall not affect the rights of a chattel mortgagee who acquires his rights to the personal property from the transferee or his successor, if

1. The intended mortgager or mortgagee records at least 10 days before the consummation of the mortgage in the office of the county recorder in the county or counties in which the personal property is situated, a notice of the transfer and intended mortgage which states the names and addresses of the transferor and transferee and of the intended mortgager and mortgagee. The notice shall contain a general statement of the character of the personal property transferred and intended to be mortgaged, and show the date when and place where the mortgage is to be consummated, and

2. The intended mortgager or mortgagee publishes a copy of the notice pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the judicial district in which the personal property is situated, if there is one, and if there is none in the judicial district, then in a newspaper of general circulation in the county embracing the judicial district. The publication shall be completed not less than five days before the date of the intended mortgage."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2525**—An act to amend Section 75030.5 of the Government Code, relating to the retirement of judges.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, after "State", insert "admitted and licensed to practice law in the State of California during the time of holding said office and whose principal duties in said office are legal in nature".

**Amendment No. 2**

On page 1, line 18, before the period, insert "admitted and licensed to practice law in the State of California during the time of holding said office and whose principal duties in said office are legal in nature".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2343**—An act to amend Sections 2924 and 2924b of the Civil Code, relating to sales of mortgaged real property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, after "value", insert "and without notice".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2614**—An act to add Article 10.8 (commencing at Section 70030) to Chapter 5, Title 8 of the Government Code, relating to superior court reporters in Nevada County.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 2, line 23, of the printed bill, strike out "five dollars ($5)", and insert "five dollars and fifty cents ($5.50)".

**Amendment No. 2**

On page 2, line 41, strike out "five dollars ($5)", and insert "five dollars and fifty cents ($5.50)".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2806**—An act to amend Sections 803, 803.5, and 828.4 of the Agricultural Code, relating to agricultural containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, after "803.5," insert "806.1,".

**Amendment No. 2**

In line 2 of the title, after "containers", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 3, between lines 25 and 26, insert

"SEC. 3. Section 806.1 of said code is amended to read:

806.1. When plums or fresh prunes are packed in standard container number 9c the bottom layer or layers may contain a fewer number of plums or fresh prunes than in the top layer providing (a) the plums or fresh prunes in each such bottom layer are placed so that they are not compact within the layer and (b) all of the plums or fresh prunes in the container are uniform in size as required in Section 806

*In lieu of the size designations required by Section 806 to be marked on containers of plums or fresh prunes, standard container number 9c may be marked with the row size of the plums or fresh prunes in the container followed by the term "row size," all in like size type. "Row size" as used in this section shall mean that number of plums or fresh prunes, representative of the variations in size of the plums in the container, which would tightly pack laterally across the side of a tray used to hold the top layer which distance shall not be less than 12 inches or the number of plums or fresh prunes whose aggregate width will equal 12 inches. The row size measurements of plums or fresh prunes shall be established with the stem end downward and utilizing the widest portion of cross section at a right angle to a straight line drawn from stem end to the distal end thereof."*

**Amendment No. 4**

On page 3, line 26, strike out "SEC. 3", and insert "SEC. 4".

**Amendment No. 5**

On page 3, line 30, strike out "3⅞", and insert "2⅞ to 3⅞".

**Amendment No. 6**

On page 3, after line 38, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the 1959 crops of the fruits to which this act relates may be packed, shipped and marketed under the beneficial provisions which it prescribes, it is necessary that this act take effect immediately."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2651**—An act to add Sections 813.6, and 828.61 to the Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2766**—An act to amend Section 154.8 to the Agricultural Code, relating to noxious weeds.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2625**—An act to amend Sections 26700 and 26706 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to equipment of implements of husbandry.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2629**—An act to create the Amador County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, and providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 4, lines 28 and 29, of the printed bill, strike out "engaged in the sale of electric energy at retail".

**Amendment No. 2**

On page 5, line 49, after "constructed", insert "in compliance with any applicable laws and".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2777**—An act to create the El Dorado County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, providing for the levy and collection of taxes for the payment of general district expenses and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 2, line 18, of the printed bill, strike out "soil conservation districts,".

**Amendment No. 2**

On page 2, line 23, after "agency", insert "on a particular project".

**Amendment No. 3**

On page 2, between lines 45 and 46, insert

"(k) "Project" means any undertaking by the agency which involves any expenditure of funds by any district except the agency."

**Amendment No. 4**

On page 5, line 23, after the period, insert "The agency may cooperate with any district in carrying out the powers granted by this section."

**Amendment No. 5**

On page 7, line 42, after the period, insert "The agency shall not engage in the retail sale of water; that is, the sale of water to the ultimate consumer."

**Amendment No. 6**

On page 10, lines 4 and 5, strike out "soil conservation district,".

**Amendment No. 7**

On page 13, strike out lines 11 to 20, inclusive; in line 21, strike out "sessments levied", and insert

"SEC. 47. The agency shall have the power in any year to levy an ad valorem tax upon all the taxable property in the agency to pay any anticipated lawful expenditures of the agency except the cost of constructing any works; provided, however, that such levy".

**Amendment No. 8**

On page 14, line 11, strike out "improvement in any member unit", and insert "project".

**Amendment No. 9**

On page 14, lines 13 and 14, strike out "improvement", and insert "project".

**Amendment No. 10**

On page 15, line 22, after "cast", insert "in a member unit".

**Amendment No. 11**

On page 15, line 24, strike out "shall", and insert "may".

**Amendment No. 12**

On page 17, line 6, after the comma, insert "other than taxes levied in the agency or any member unit,".

**Amendment No. 13**

On page 5, line 32, after "constructed", insert "in compliance with any applicable laws and".

**Amendment No. 14**

On page 6, lines 38 and 39, strike out "engaged in the retail distribution of electric energy".

Bill ordered reprinted, and engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 960**—An act to add Section 10505.5 to the Water Code, relating to the appropriation of water.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Senate on May 7, 1959, following "permit", strike out "or license".

Amendment No. 2

On page 1, line 4, following "issued", insert "and licenses issued pursuant thereto".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

**Senate Bill No. 962**—An act to add Section 1390.5 to the Water Code, relating to the appropriation of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Senate on May 7, 1959, strike out "and licenses".

Amendment No. 2

On page 1, line 11, following "issued", insert "and licenses issued pursuant thereto".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

**Senate Bill No. 369**—An act to amend Section 851 of the Public Utilities Code, relating to the disposition of property by public utilities.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1143**—An act to amend Section 533 of the Public Utilities Code, relating to safety inspection of common carriers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 338**—An act to amend Section 26470 of, and to add Sections 26465, 26466, and 26542.1 to, the Health and Safety Code, relating to foods, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 391**—An act to amend Section 26516.7 of the Health and Safety Code, relating to the manufacturing, importation, and sale of foods.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 577**—An act to amend and renumber Section 8961.3 of, and to add Section 8961.3 to, the Health and Safety Code, relating to public cemetery districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 630**—An act to amend Section 8961.2 of the Health and Safety Code, relating to public cemetery districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 24, 1959, strike out "or entombed".

Amendment No. 2

On page 1, line 8, strike out "or crypt".

Amendment No. 3

On page 1, strike out lines 16 to 19, inclusive.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 633**—An act to amend Section 8961.4 of the Health and Safety Code, relating to burial rates.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on April 24, 1959, strike out "or crypt".

Amendment No. 2

On page 1, line 9, strike out "or crypt".

Amendment No. 3

On page 1, strike out lines 13 to 16, inclusive.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1057**—An act to add Section 4601.5 to the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "two", and insert "six".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 632**—An act to amend Section 8961 of the Health and Safety Code, relating to public cemetery districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended in the Senate on April 24, 1959, strike out "or in crypts above the ground".

Amendment No. 2

On page 1, strike out lines 10 to 13, inclusive.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 161**—An act to amend Section 1054.1 of the Code of Civil Procedure, relating to continuances in judicial and administrative proceedings.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 596**—An act to amend Section 15502 of the Corporations Code, relating to the formation of limited partnerships.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 992**—An act to add Article 4 (commencing at Section 69640) to Chapter 5 of Title 8 of the Government Code, and to amend Section 69741 of the Government Code, relating to superior courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 3 of the printed bill, between lines 8 and 9, insert

"69650. At the next succeeding general session of the Legislature following division of a county into districts, or following any change in the boundaries of a district, the Legislature may change the boundaries of the district if it deems such action advisable."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out "5932,".

**Amendment No. 2**

On page 1, line 7, after "it", insert ", on or before the day of election,".

**Amendment No. 3**

On page 2, line 6, after "it", insert ", on or before the day of election,".

**Amendment No. 4**

On page 2, line 9, after "envelope", insert ", postmarked on or before the day of election,".

**Amendment No. 5**

On page 2, strike out lines 16 to 20, inclusive.

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1081**—An act to amend Section 2303 of the Welfare and Institutions Code, relating to boarding homes and institutions for aged persons.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1084**—An act to amend Sections 1629.5 and 2312 of the Welfare and Institutions Code, and to amend Section 1418.5 of the Health and Safety Code, relating to boarding homes and institutions for children, and aged and infirm persons.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1069**—An act to add Section 2020.1 to the Welfare and Institutions Code, relating to old age assistance.

Bill read second time, and ordered to third reading.

**Senate Bill No. 863**—An act to amend Section 2163.8 of the Welfare and Institutions Code, relating to property qualifications for old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 1, 1959, strike out "Section 2163.8", and insert "Sections 2163, 3047.2, and 4162".

**Amendment No. 2**

In line 1 of the title, after "of", insert ", and to add Sections 3052 and 4167 to,".

**Amendment No. 3**

In line 2 of the title, strike out "property qualifications for old age", and insert "public".

**Amendment No. 4**

On page 1, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 2163 of the Welfare and Institutions Code is amended to read:

2163. No aid under this chapter shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds one thousand ~~two~~ *five* hundred dollars ~~($1,200)~~ *($1,500)*. No aid under this chapter shall be granted or paid to any married person living with a spouse who is also an applicant for or recipient of aid under this chapter, if the combined value of the personal property of both spouses, less all encumbrances of record, exceeds two thousand *five hundred* dollars ~~($2,000)~~ *($2,500)*.

For the purpose of this section no life insurance policy shall be valued at more than its present surrender value to the applicant or recipient. Premiums paid on life insurance policies shall not be deemed income or resources of the applicant or recipient, whether or not the person by whom the premiums are paid is a responsible relative of the applicant or recipient, and no deduction therefor shall be made from the amount of aid granted to the recipient.

SEC. 2. Section 3047.2 of said code is amended to read:

3047.2. No aid under this chapter shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of records, exceeds one thousand ~~two~~ *five* hundred dollars ~~($1,200)~~ *($1,500)*.

No aid under this chapter shall be granted or paid to any married person living with a spouse who is also an applicant for or recipient

of aid under this chapter, if the combined value of the personal property of both spouses, less all encumbrances of record, exceeds two thousand *five hundred* dollars ~~($2,000)~~ *($2,500)*.

For the purpose of this section no life insurance policy shall be valued at more than its present surrender value to the applicant or recipient. Premiums paid on life insurance policies shall not be deemed income or resources of the applicant or recipient, whether or not the person by whom the premiums are paid is a responsible relative of the applicant or recipient, and no deduction therefor shall be made from the amount of aid granted to the recipient.

SEC. 3. Section 3052 is added to said code, to read:

3052. For the purposes of this chapter the term personal property shall not include a motor vehicle needed for transportation which is owned by the applicant or recipient.

SEC. 4. Section 4162 of said code is amended to read:

4162. No aid under this chapter shall be granted or paid to any person who owns personal property, the value of which, less all encumbrances of record, exceeds ~~six~~ *one thousand five* hundred dollars ~~($600)~~ *($1,500)*. *No aid under this chapter shall be granted or paid to any married person living with a spouse who is also an applicant for or recipient of aid under this chapter, if the combined value of the personal property of both spouses, less all encumbrances of record, exceeds two thousand five hundred dollars ($2,500).*

SEC. 5. Section 4167 is added to said code, to read:

4167. For the purposes of this chapter the term personal property shall not include a motor vehicle needed for transportation which is owned by the applicant or recipient.

SEC. 6. For the preservation of the health and well being of recipients of old age assistance, aid to the needy blind, and aid to the needy disabled in this inflationary period, the Legislature has found it necessary, by this act, to increase the personal property allowances for such recipients."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 461**—An act to add Chapter 5 (commencing with Section 1300) to Title 5, Part 4, Division 2 of the Civil Code, and to amend Sections 1241, 1242, 1243, and 1265 of said code, and to amend Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 3, line 30, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "By", and insert "A declaration of abandonment by".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1010**—An act to amend Section 814.1 of the Agricultural Code, relating to vegetable standards.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on May 12, 1959, strike out the period, and insert ", except:".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1009**—An act to amend Section 814 of the Agricultural Code, relating to vegetable standards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 244**—An act to add Article 3 (commencing at Section 160.97) to Chapter 1A of Division 2 of, and to repeal Section 160.96 of, the Agricultural Code, relating to pest control.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 641**—An act to amend Section 86 of the Agricultural Code, relating to district agricultural associations.

Bill read second time, and ordered to the Consent Calendar.

**Senate Joint Resolution No. 22**—Relative to a world fair in 1963.

Resolution read.

*Consideration of Committee Amendments*

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 1 of the printed resolution, strike out lines 1 to 10, inclusive.

Amendment No. 2

On page 2, lines 8 and 9, strike out "with the co-operation of the California World's Fair, Inc."

Resolution ordered reprinted, and ordered on file.

**Senate Bill No. 360**—An act to add Section 752 to the Welfare and Institutions Code, relating to disposition of wards of the juvenile court.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1959, strike out "and to add Section 227q to the Civil Code".

Amendment No. 2

In lines 3 and 4 of the title, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 19 to 23, inclusive; and strike out all of page 2

Bill ordered reprinted, and returned to the second reading file.

## UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 135**—An act to add Section 26736 to the Government Code, relating to the fees of sheriffs, marshals and constables

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 135?

#### Amendment No. 1

On page 1, line 5, of the printed bill, strike out "Mileage incurred", and insert "Mileage actually incurred".

#### Amendment No. 2

On page 1, line 7, after "allowed", insert "The fee provided by this section shall not be charged where a charge is made pursuant to the provisions of any other section of this article; nor shall such fee be charged where the cancellation is requested prior to the time a trip is made in attempting to serve or execute such process or notice."

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Grant moved a call of the Assembly.

Motion carried. Time, 9.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS (RESUMED)

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2149 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2149 be continued until the next legislative day.

### ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 38 RE-REFERRED TO COMMITTEE

Mr. Masterson was granted unanimous consent that Assembly Constitutional Amendment No. 38 be re-referred to the Committee on Governmental Efficiency and Economy.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2520**—An act to add Section 5556.5 to the Elections Code, relating to the time for voting.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Levering, Luckel, Marks, Masterson, McMillan, Mulford, Munnell, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—49.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 989**—An act to create a flood control district to be called Plumas County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Levering, Lowrey, Luckel, Marks, Masterson, McMillan, Mulford, Munnell, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1863**—An act to create a flood control district to be called Sierra County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the govern-

ment, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Levering, Lowrey, Luckel, Marks, Masterson, Miller, Mulford, Munnell, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 717**—An act to amend Sections 13006, 13100, and 13101 of, and to add Sections 13006 1 and 13006 2 to, the Government Code, and to add Section 11801 to the Insurance Code, relating to the acquisition of state property.

Bill read third time.

**Speaker pro Tempore Presiding**

At 9.20 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—53.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2223**—An act to amend Section 7204 of the Revenue and Taxation Code, relating to transmittal of local sales and use tax collections by the State Board of Equalization.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—58.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 405**—An act to add Division 3 5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said code, relating to claims against the State, local public entities and public officers and employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 406**—An act to repeal Article 2 (commencing with Section 1980) of Chapter 6 of Division 4 of Title 1, Part 1 (commencing with Section 16000) of Division 4 of Title 2, and Sections 2003 and 53053 of the Government Code, to add Chapters 1 (commencing with Section 600) and 3 (commencing with Section 800) to Division 3.5 of Title 1 of the Government Code, and to amend Section 53052 of the Government Code, relating to claims against the State, local public entities and public officers and employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 407**—An act to repeal Sections 29700, 29700.1, 29701, 29702 29703, 29704, 29705, 29707, 29711, 29713, 29714, 29714.1, 29715, 29716, 29720, to add Sections 29700 and 29706, to renumber Section 29719, to renumber and amend Sections 29706, 20708, 29709, 29710, 29712, 29717, 29718, 29721 and to amend Sections 29741, 29744 and 29748 of the Government Code, and to amend Section 439 56 of the Agricultural Code and Section 945 of the Military and Veterans Code, all relating to claims against counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2589**—An act to amend Section 1944 of the Labor Code, relating to employment of aliens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Collier,

Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 831**—An act to amend Section 404 of the Unemployment Insurance Code, relating to referees of appeals board.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61

NOES—Bruce F. Allen, Lowrey, and Thelin—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1439**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—59.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2601**—An act to amend Section 7057 of the Public Resources Code, relating to oil and gas leases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2591**—An act to add Section 12902 to the Water Code, relating to state water projects.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Lowrey, Lucasl, MacBride, Marks, Masterson, McMillan, Miller,

Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—37
Noes—Lanterman—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2717**—An act to add Chapter 5.5 (commencing at Section 54280) to Part 1 of Division 2 of Title 5 of the Government Code, relating to conversion of sea water

Bill read third time, and passed by the following vote:

Ayes—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris Porter, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
Noes—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2635**—An act to amend Sections 3.1, 3.3, and 3.6 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read third time, and passed by the following vote:

Ayes—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64
Noes—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1531**—An act to amend Section 8278 of the Fish and Game Code, relating to crabs.

Bill read third time, and passed by the following vote:

Ayes—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62
Noes—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2163**—An act to amend Sections 50704, 51323, 53000, and 53042 of, and to add Section 53005 to, the Water Code, relating to reclamation districts.

Bill read third time.

Speaker Presiding

At 9.49 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, House, Kilpatrick, Lanterman, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—50

NOES—Beaver, Biddick, Cusanovich, Davis, Francis, Lowrey, and Sedgwick—7.

Bill ordered transmitted to the Senate.

Name Placed Upon Roll Call

Mr. Mulford was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2163.

## ASSEMBLY BILL NO. 1142 RECALLED FROM ENROLLMENT

Mr. Biddick was granted unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No 1142 from enrollment.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 652**—An act to add Section 516 to the Public Resources Code, relating to vessel insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. O'Connell.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 774**—An act to amend Section 9102 of the Government Code, relating to legislative offices

Bill read third time, and presented by Mr. Hawkins.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1074**—An act to amend Section 1050 of the Penal Code, relating to continuances in criminal cases, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Biddick.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 852**—An act to add Section 2224.5 to the Welfare and Institutions Code, relating to the responsibility of relatives under the Old Age Security Law.

Bill read third time, and presented by Mr. Ernest R. Geddes.

**Demand for Previous Question**

Messrs. Don A. Allen, Schrade, Hegland, Unruh, and Cameron demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Davis, DeLotto,

Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—53.

NOES—Bruce F. Allen, Beaver, Bradley, Conrad, Cusanovich, Dahl, Mulford, Reagan, Shell, Sumner, and Thelin—11.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 135

At 10.12 a.m., Mr. Grant moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 135 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—66.

NOES—None.

Assembly Bill No. 135 ordered enrolled.

### Names Placed Upon Roll Call

Messrs. Gaffney and Bane were granted unanimous consent that they be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 135.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 920** and **1565**, subsequent to re-engrossment.

**Assembly Bill No. 2766**, subsequent to engrossment.

**Senate Bills Nos. 106, 617, 1068**, and **338.**

## APPOINTMENT OF SELECT COMMITTEE

Speaker Brown appointed Messrs. Lowrey, Munnell, and Sedgwick as a Select Committee to escort the Honorable Stuart Symington to the rostrum.

## RECESS

At 10.18 a.m., Speaker Brown declared the Assembly at recess until 10.28 a.m. to hear from United States Senator Stuart Symington of Missouri, who was presented to the Members by Mr. Lowrey.

## REASSEMBLED

At 10.28 a.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Concurrent Resolution No. 59**—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read, and presented by Mr. Backstrand.

### Speaker pro Tempore Presiding

At 10.29 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 322**—An act to amend Section 16506 of the Government Code, relating to deposit of state funds.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 703**—An act to add Sections 33201.5, 33730.5, 33748 and 33749 to, to amend Sections 33202, 33231.5, 33502, 33503, 33700, 33703, 33704, 33730, 33731, 33732, 33736, 33745, 33746, 33747, 33850, and 33980 of, and to repeal Section 33280, Articles 4 (commencing at Section 33530) and 5 (commencing at Section 33560) of Chapter 3 of Part 1 of Division 24, and Section 33982 of, the Health and Safety Code, relating to community redevelopment and urban renewal, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Biddick.

### Motion to Amend

Mr. Elliott moved the adoption of the following amendments (previously printed at page 3859 of the Assembly Journal for May 19, 1959):

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 14, 1959, after "Sections", insert "33049,".

**Amendment No. 2**

On page 7, between lines 24 and 25, insert

"SEC. 23. Section 33049 is added to said code, to read:

33049. It is hereby declared to be the policy of the State that in undertaking community redevelopment or urban renewal projects under this part (commencing at Section 33000) there shall be no discrimination because of race, color, religion, national origin, or ancestry."

**Amendment No. 3**

On page 7, line 25, strike out "23", and insert "24".

**Amendment No. 4**

On page 7, line 30, strike out "24", and insert "25".

Amendments read.

The question being on the adoption of the amendments.

**Roll Call Demanded**

Messrs. Elliott, Thomas, and George E. Brown demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, George E Brown, Burton, Cameron, Chapel, Crawford, Crown, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, Johnson, Kilpatrick, Levering, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, and Z'berg—46

NOES—Biddick, Bradley, Burke, Conrad, DeLotto, House, Lanterman, Lowrey, Luckel, Lunardi, Sedgwick, and Winton—12.

Bill ordered reprinted and to third reading.

**Senate Bill No. 1024**—An act to repeal Section 10126 of the Health and Safety Code, relating to vital statistics.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 273**—An act to add Sections 1998, 1998.1, 1998.2, 1998.3, 1998.4 and 1998.5 to the Code of Civil Procedure, relating to subpoena of hospital records.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 865**—An act to add Sections 12814, 12815, and 12816 to the Public Utilities Code, relating to the addition of fluorine and fluorine compounds to public water supplies by municipal utility districts.

Bill read third time, and presented by Mr. Masterson.

**Motion to Amend**

Mr. Dahl moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Assembly on May 20, 1959, strike out "at any time".

**Amendment No. 2**

On page 1, line 21, after "district", insert "only after a petition requesting such an election, which is signed by at least 5 percent of the registered voters of the district, has been presented to the board"

Amendments read.

**Speaker Presiding**

At 10.52 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments.

Amendments refused adoption.

**Demand for Previous Question**

Messrs. Don A. Allen, Lanterman, Luckel, Schrade, and Hanna demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—54.

NOES—Backstrand, Chapel, Crawford, Luckel, Pattee, Shell, and Thelin—7.

Bill ordered transmitted to the Senate.

**Senate Bill No. 726**—An act to amend Section 255 of the Revenue and Taxation Code, relating to the time within which affidavits of exemption shall be filed.

Bill read third time, and presented by Mr. Z'berg.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

### POINT OF ORDER

Mr. Bradley arose to the following point of order: That the hour for consideration of the special order of business has arrived.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

### CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 919 was taken up.

**Assembly Bill No. 919**—An act to add Part 2.5 (commencing at Section 13800) to Division 12 of the Health and Safety Code, to amend Sections 23010.1, 38611, 55606, 55607, 55608, and 55609 of the Government Code, to amend Section 4006 of, and to repeal Section 4050 of, the Public Resources Code, relating to metropolitan fire protection authorities.

Bill read third time.

#### Request for Unanimous Consent

Mr. Bradley was granted unanimous consent that all proposed amendments to Assembly Bill No. 919 be considered before sending the bill to reprint, if any amendments be adopted.

The question being on the passage of the bill.

#### Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

#### Amendment No. 1

On page 3, line 5, of the printed bill, as amended in the Assembly on May 28, 1959, strike out "and in addition to", and insert "subject to the provisions of Section 13811.5".

#### Amendment No. 2

On page 3, between the lines 27 and 28, insert

"13811.5. If on or before the day of the hearing on the activation of the authority, a petition signed by 2 percent or more of the voters registered in any existing fire protection district and objecting to the inclusion of the area of the district in the authority is filed with the board of supervisors, the board may either exclude the area of the district from the authority, or continue the proceedings for the activation of the authority until after the question of the inclusion of the area of the district is submitted to the voters of the district at an election and fix the day for such election.

Any such election shall be called by the adoption of a resolution which shall:

(a) Set forth the date of election which shall be at least 60 days after the adoption of the resolution.

(b) Designate one or more precincts within the boundaries of the district.

(c) Designate a polling place in each precinct and the names of the election officers who shall be one inspector, one judge, and one clerk for each precinct.

In all other particulars not recited in the resolution, the election shall be held as provided by law for holding general elections in the county, except that no notice of election other than the publication and posting of the resolution need be given.

The resolution ordering the holding of the election shall be published once a week for two successive weeks prior to the date set for the election, in the newspaper of general circulation circulated within the district deemed by the board of supervisors to be the most likely to give notice to the electors of the proposed election

The resolution shall also be posted in three of the most public places within the district at least 10 days prior to the date set for the election.

The ballots at the election shall state in substance the following proposition:

"Shall the _____ fire protection district be included within the metropolitan fire protection authority?" and opposite and to the right of the proposition shall be printed the words "Yes" and "No", together with voting squares.

If a majority of the votes cast are in favor of the inclusion of the district in the authority, the board shall enter a finding to that effect in its minutes and the area of the district shall be included in the authority. If a majority of the votes cast

are against the inclusion of the area of the district in the authority the board shall enter an order to that effect upon its minutes and shall exclude the area of the district from the authority."

**Amendment No. 3**

On page 3, line 28, strike out "The", and insert "At the conclusion of the hearing, the"

**Amendment No. 4**

On page 3, line 34, after "ordinance", insert "the areas included in the authority and".

**Amendment No. 5**

On page 9, line 39, after "county", insert ", the areas of which are included in the authority,".

**Amendment No. 6**

On page 11, line 25, after "district," insert "the area of which is included in the authority,".

NOTE—Later this day, the record was expunged, and the action on adoption of the above amendments was rescinded. *See* page 4437.

**Request for Unanimous Consent**

Mr. Bane was granted unanimous consent that the Chief Clerk be authorized to correct his proposed amendments to Assembly Bill No. 919 to fit the bill, as amended on May 28, 1959.

**Motion to Amend**

Mr Bane moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 36, of the printed bill, as amended in the Assembly on May 28, 1959, after "unless", insert "a majority of the voters, in the area which would be included within the active authority, voting at an election called by the board of supervisors of the county within which the authority is located, vote in favor of the activation of the authority and".

**Amendment No. 2**

On page 3, strike out lines 28 to 44, inclusive, and insert

"13812. If, from the evidence received at the public hearing, the board of supervisors finds that maximum efficiency and co-ordination of the fire-fighting services in the county require a greater degree of co-operation between the cities and the county and a larger degree of co-ordination, the board of supervisors may, by resolution, call and give notice of an election to be held in the area which would be included within the active authority to determine whether the authority shall be activated. The election shall be called and conducted in the same manner as other special elections in the county, except as otherwise provided herein. The board of supervisors shall meet on the Monday following the day on which the election is held and canvass the vote cast at the election. The board of supervisors shall thereupon declare the results of such canvass and cause a certified copy of such results to be filed in the Office of the Secretary of State.

13813. If a majority of the votes cast at the election are in favor of the activation of the authority, the board of supervisors may, by ordinance, declare that there is need for an authority to function in the county. The board of supervisors shall set forth in the ordinance the date upon which the authority shall begin to function, which date shall be not more than 60 days after the date of the adoption of the ordinance. After the adoption of the ordinance the authority shall begin to function upon the date set forth therein."

Amendments read.

**Parliamentary Inquiry**

Mr Lanterman arose to the following parliamentary inquiry: Would the adoption of the Bane Amendments expunge the Lanterman Amendments?

**Reply by Speaker**

The Speaker replied that the record would not be expunged.

*Parliamentary Inquiry*

Mr. Bane arose to the following parliamentary inquiry: If the Bane Amendments are adopted, would a motion to expunge the record and rescind the action on the Lanterman Amendments be in order?

*Reply by Speaker*

The Speaker replied that such a motion would be in order if presented.

The question being on the adoption of the amendments by Mr. Bane.

*Roll Call Demanded*

Messrs. Bane, Hanna, and Hegland demanded a roll call.

The roll was called.

*Call of the Assembly*

Pending the announcement of the vote, Mr. Bane moved a call of the Assembly.

Mr. Lanterman seconded the motion.

Motion carried. Time, 11.37 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

Bill read third time, and presented by Mr. Johnson.

Bill passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1141**—An act making an appropriation for the repair of the Sacramento River levee in the vicinity of Collinsville, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Samuel R. Geddes.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1141:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 7, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*
GENTLEMEN:

**Senate Bill No. 1141,** "An act making an appropriation for the repair of the Sacramento River levee in the vicinity of Collinsville, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1141 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 770**—An act to amend Sections 10161, 10163, 10164, 10165, 10489.2 and to add Section 10163.5 to the Insurance Code, relating to insurance mortality tables.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 5**—An act to amend Section 8352 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel Fund and making an appropriation thereof.

Bill read third time, and presented by Mr. Biddick.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 5:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 16, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN:

**Senate Bill No. 5,** "An act to amend Section 8352 of the Revenue and Taxation Code, relating to the Motor Vehicle Fuel Fund and making an appropriation thereof",

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I, therefore, recommend consideration of Senate Bill No. 5 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 601**—An act to amend Section 1300 of and to add Sections 1300.5 and 1311 to the Insurance Code, relating to reciprocal and interinsurance contracts.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 341**—An act to add Sections 35909, 35910 and 35911 to the Water Code, relating to California water districts.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 889**—An act to add Article 2.5 (commencing at Section 1357) to Chapter 5, Part 2, Division 2 of, and to amend Section 1360 of, the Water Code, relating to the State Water Rights Board.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Don. A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 409**—An act to repeal Section 23783 of the Business and Professions Code, relating to alcoholic beverage licenses.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 219**—An act to amend Section 1326 of the Penal Code, relating to subpoenas in criminal cases.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks,

McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Masterson—1.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON BANE AMENDMENTS TO ASSEMBLY BILL NO. 919

At 11.55 a.m., Mr. Bane moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

NOTE—Later this day, the record was expunged, and the action on the Bane Amendments was rescinded. *See* page 4437.

On request of Mr. Hegland, further consideration of Assembly Bill No. 919 was continued as the first order of business after lunch.

## RECESS

At 11.57 a.m., on motion of Mr. Winton, the Assembly recessed until 1.30 p.m.

## REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Hanna:

### House Resolution No. 300

Relative to persons admitted to the floor of the Assembly

*Resolved by the Assembly of the State of California*, That from June 15, 1959, to June 19, 1959, inclusive, no guest cards permitting admission to the floor of the Assembly shall be issued to any person, except to wives and members of the families of the Members of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Messrs. Luckel, Schrade, Crawford, and Hegland:

### House Resolution No. 301

Relative to the death of Rear Admiral Ralph Elton Pope

WHEREAS, The Members of the Assembly have learned with profound grief of the passing, in Coronado on May 13, 1959, at the age of 83, of Rear Admiral Ralph Elton Pope, U.S N., ret., a distinguished veteran Navy officer; and

WHEREAS, Rear Admiral Pope was an 1899 graduate of the United States Naval Academy and served in the Spanish-American War, the Boxer Rebellion, the Philippine Insurrection and the Mexican War of 1914, as well as World War I during which he received the Navy Cross for the sinking of a German submarine while he commanded the Surveyor, a yacht converted to a gunboat, retiring in 1934; and

WHEREAS, He was a member of the Military Order of World Wars, the Order of the Carabao, and the Ancient and Honorable Order of Sons of Gunboats; and

WHEREAS, He leaves a son, Captain Carl H. Pope, U.S.N., ret, of Coronado; three sisters and a grandson; and

WHEREAS, By the passing of this distinguished and dedicated naval officer whose life personified the type of leadership and patriotism that makes our Nation great, the State, as well as the Nation, has suffered an irreparable loss; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby express their deep regret at the passing of Rear Admiral Ralph Elton Pope, U.S.N.,

ret., and extend their sincere condolences to his family and many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his son, Captain Carl H. Pope, U.S.N., ret.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 138**: By Messrs. Meyers, George E. Brown, Johnson, Burton, Belotti, Busterud, Gaffney, Samuel R. Geddes, Lunardi, MacBride, Marks, O'Connell, Petris, Rumford, Thomas, and Z'berg—Relative to salaries of state employees.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2312

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 13

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution re-referred to the Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 141
Assembly Bill No 902
Assembly Bill No. 2502

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1188

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2490
Assembly Bill No. 2561
Assembly Bill No. 2562
Assembly Bill No. 2607
Assembly Bill No. 2712

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2133
Assembly Bill No. 2378
Assembly Bill No 2616
Assembly Bill No. 2618
Assembly Bill No. 2625
Assembly Bill No. 2651
Assembly Bill No. 2730

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2543
Assembly Bill No. 2636

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 722
Assembly Bill No. 2859
Assembly Bill No. 2911

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2766

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 920
Assembly Bill No. 1067
Assembly Bill No. 2600

And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bill No. 920 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1067 and 2600 ordered to third reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1974

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2904

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 2586
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

### Committee on Social Welfare

ASSEMBLY CHAMBER, May 27, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:
Assembly Bill No. 2742
With amendments with the recommendation. Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2707
Assembly Bill No. 2737
With the recommendation: Do pass, as amended.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER Your Committee on Ways and Means reports:
Assembly Bill No. 1717
Assembly Bill No. 2276
With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 1984
With amendments with the recommendation: Amend, and do pass, as amended

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No 1985
Assembly Bill No. 1987
With the recommendation: That the bills be re-referred to the Committee on Education.

UNRUH, Chairman

Above bills re-referred to the Committee on Education.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Assembly Bill No. 121
Assembly Bill No 2161
With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 571
Assembly Bill No. 1082

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 878

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Ways and Means reports.

Assembly Bill No. 1538
Assembly Bill No. 1774
Assembly Bill No. 2357
Assembly Bill No. 957
Assembly Bill No. 1350
Assembly Bill No. 1867

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 13

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, May 28, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No 2465

With amendments with the recommendation: Amend, and do pass, as amended

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1539

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2340

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BRADLEY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER. Your Committee on Municipal and County Government reports:

Assembly Bill No. 1088

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Industrial Relations**

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1771
Assembly Bill No. 2708
Assembly Bill No. 2781

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

McMILLAN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 719

With the recommendation: That the bill be re-referred to the Committee on Finance and Insurance

McMILLAN, Chairman

Above bill re-referred to the Committee on Finance and Insurance

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER. Your Committee on Industrial Relations reports.

Assembly Bill No. 2784

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 209

With amendments with the recommendation: Amend, and do pass as amended.

McMILLAN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 2796
Assembly Bill No. 1663

With the recommendation: Do pass.

McMILLAN, Chairman

Above bills ordered to second reading.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 2559

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 710

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BRADLEY, Chairman

Above bill ordered to second reading.

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1074
Assembly Bill No. 1868

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER Your Committee on Revenue and Taxation reports:

Senate Bill No 485

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1174
Assembly Bill No. 2537

With amendments with the recommendation: Amend, and be re-referred to the Committee on Revenue and Taxation.

MACBRIDE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2674

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bill ordered to second reading.

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

House Resolution No. 235

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BRADLEY, Chairman

Above resolution ordered to the Consent Calendar.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, May 29, 1959

MR SPEAKER. Your Committee on Ways and Means reports:

Assembly Bill No. 1348

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, May 29, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*Sacramento*

DEAR SIR: I have been instructed to request your honorable body to return Assembly Bill No. 1142 to the Senate for further consideration.

Very truly yours,

J. A. BEEK, Secretary of the Senate

## ASSEMBLY BILL NO. 1142 ORDERED RETURNED TO SENATE

Mr. Biddick was granted unanimous consent that the Chief Clerk be instructed to return Assembly Bill No. 1142 to the Senate pursuant to its request.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 94
Assembly Bill No. 567
Assembly Bill No 2132
Assembly Bill No. 2313
Assembly Bill No. 2314

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 33

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 499

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1022

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 1
Senate Concurrent Resolution No. 66

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XXVI thereof,

relating to the use of revenues obtained from motor vehicle fuel taxes and motor vehicle registration and license fees.

Referred to Committee on Constitutional Amendments.

**Senate Concurrent Resolution No. 66**—Relative to appropriation of water in Mono and Inyo Counties.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

| | |
|---|---|
| Senate Concurrent Resolution No. 34 | Senate Concurrent Resolution No. 60 |
| Senate Concurrent Resolution No. 56 | Senate Joint Resolution No. 20 |
| Senate Concurrent Resolution No. 57 | Senate Joint Resolution No. 21 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Concurrent Resolution No. 34**—Relative to the issuance of warning citations by the California Highway Patrol.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 56**—Relative to the erection of directional signs to Mission San Antonio de Pala.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 57**—Relative to public transportation planning and development.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 60**—Relative to a study of farm vehicle registration problems.

Referred to Committee on Rules.

**Senate Joint Resolution No. 20**—Relative to memorializing Congress to enact legislation prohibiting subliminal radio and television messages.

Referred to Committee on Rules.

**Senate Joint Resolution No. 21**—Relating to the construction of roads by federal agencies.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 128

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 128**—An act to amend Section 12501 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of operators of vehicles.

Referred to Committee on Transportation and Commerce.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 3 | Senate Bill No. 1227 |
| Senate Bill No. 421 | Senate Bill No. 1255 |
| Senate Bill No. 424 | Senate Bill No. 1258 |
| Senate Bill No. 511 | Senate Bill No 1266 |
| Senate Bill No. 729 | Senate Bill No. 1281 |
| Senate Bill No. 815 | Senate Bill No. 1283 |
| Senate Bill No. 1055 | Senate Bill No 131( |
| Senate Bill No. 1100 | Senate Bill No. 132[ |
| Senate Bill No. 1164 | Senate Bill No. 135[ |
| Senate Bill No. 1184 | Senate Bill No. 1386 |
| Senate Bill No. 1220 | Senate Bill No. 1484 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 3**—An act to add Section 674.5 to the Code of Civil Procedure, relating to judgment liens.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 421**—An act to add Section 6539 to the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 424**—An act to amend Sections 658 and 660 of the Civil Code, relating to the definitions of real and personal property.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 511**—An act to add Section 14311.5 to the Government Code, relating to the State Contract Act.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 729**—An act to amend Section 30608 of the Streets and Highways Code, relating to toll highway crossings of San Francisco Bay.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 815**—An act to add Sections 4209 and 4210 to the Government Code, relating to stop notices and bonds of contractors for public works.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1055**—An act to add Section 1885 to the Code of Civil Procedure, relating to interpreters for deaf parties in civil and

criminal actions and proceedings, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1100**—An act to add Section 5295 to the Business and Professions Code, relating to subliminal radio and television mes sages

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1164**—An act to add Section 17200 to Article 2 of Chapter 1 of Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to school district accounting procedures.

Referred to Committee on Education.

**Senate Bill No. 1184**—An act to add Section 30700.5 to the Water Code, relating to county water districts.

Referred to Committee on Water.

**Senate Bill No. 1220**—An act to amend Sections 189 and 190 of the Streets and Highways Code, relating to separations.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1227**—An act to amend Sections 15007, 19577, and 19632 of, and to add Section 19559.5 to, the Education Code as enacted at the 1959 Regular Session, and to amend Section 11544 of the Business and Professions Code, relating to the management and disposition of school district properties.

Referred to Committee on Education.

**Senate Bill No. 1255**—An act to add Section 11612 5 to the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1258**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1266**—An act to amend Section 4012 of the Public Resources Code, relating to the procedure of releasing arrested persons on their promise to appear before a magistrate.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1281**—An act to amend Section 11260 of the Water Code, relating to the Feather River Project.

Referred to Committee on Water.

**Senate Bill No. 1283**—An act to amend Section 17462 of the Health and Safety Code, relating to the State Housing Act.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1310**—An act to add Section 51362.5 to the Water Code, relating to reclamation district operation and maintenance assessments.

Referred to Committee on Water.

**Senate Bill No. 1325**—An act to add Section 11618 to the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1352**—An act to amend Sections 7306, 7352, 7401, 7402, 7403, 7407, 7451, 7656, 7727, 8102, and 8252 of, to repeal Section 7405 of, and to add Sections 7506.5 and 8255 to, the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1386**—An act to add Section 5295 to the Business and Professions Code, relating to subliminal radio and television messages.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1484**—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof, relating to practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Governmental Efficiency and Economy

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 28, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 794
Senate Bill No. 798
Senate Bill No. 985
Senate Bill No. 1147
Senate Bill No. 1148
Senate Bill No. 1193
Senate Bill No. 1195
Senate Bill No. 1286
Senate Bill No 1373

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 794**—An act to amend Sections 538 and 690.11 of the Code of Civil Procedure, relating to exemptions from attachment.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 798**—An act to add Section 3605.5 to, and amend Sections 3605, 3606, and 3606.1 of the Public Resources Code, relating to oil and gas wells.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 985**—An act to add Chapter 2 5 (commencing at Section 1440) to Division 2 of the Health and Safety Code, to repeal Sections 200, 201, 202, 203, 203.5, 203.6, 203.7, 203.8, 203.9, 204, 204.5,

206, and 206.5 of the Welfare and Institutions Code, to amend Section 2500 of the Welfare and Institutions Code, and to add Section 202 to the Welfare and Institutions Code, relating to county medical facilities.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1147**—An act to amend Section 20831 of, and to add Section 20831.2 to, the Government Code, relating to State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 1148**—An act to add Section 1506 7 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

**Senate Bill No. 1193**—An act to amend Sections 2110, 2150, and 2152 of the Streets and Highways Code, relating to county roads.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1195**—An act to amend Section 7901 of the Public Utilities Code, relating to telegraph or telephone corporations.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1286**—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1373**—An act to add Section 25658.1 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Coolidge was granted unanimous consent to take up Assembly Constitutional Amendment No. 46, at this time, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 46

**Assembly Constitutional Amendment No. 46**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article XI, Section 9 of Article XIII, and the first paragraph of Section 14 of Article XIII, and by adding Section 14½ to Article XIII thereof, relating to property taxation.

Resolution read.

#### Motion to Amend

Mr. Coolidge moved the adoption of the following amendments:

#### Amendment No. 1

In lines 5 and 6 of the title of the printed measure, strike out "and by adding Section 14½ to Article XIII thereof,".

#### Amendment No. 2

On page 2, between lines 7 and 8, insert

"All property subject to taxation shall be assessed for taxation at its full cash value, except as otherwise provided in Section 14 of this article."

**Amendment No. 3**

On page 2, strike out lines 32 to 37, inclusive, and insert "and make the assessment conform to the true value in money of the property contained in such roll. However, no board of equalization shall".

**Amendment No. 4**

On page 2, lines 50 and 51, strike out "and nonoperative property".

**Amendment No. 5**

On page 3, line 5, strike out "and".

**Amendment No. 6**

On page 3, strike out lines 7 to 23, inclusive, and insert ", (4) telegraph and telephone companies, (5) and companies engaged in the transmission or sale of gas or electricity shall be assessed annually by the State Board of Equalization at the actual value of such property."

**Amendment No. 7**

On page 3, line 24, strike out "The franchises and all" and insert "All".

**Amendment No. 8**

On page 3, line 25, after "preceding", insert "paragraph".

**Amendment No. 9**

On page 3, strike out lines 26 to 31, inclusive, and insert "assessed at 25 percent of its full cash value by the board."

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bruce F. Allen was granted unanimous consent to refer back to Assembly Bill No. 1110 for the purpose of raising a point of order.

## POINT OF ORDER RELATIVE TO ASSEMBLY BILL NO. 1110

Mr. Bruce F. Allen arose to the following point of order: That, pursuant to the provisions of Rule No. 62, Assembly Bill No. 1110 should be re-referred to the Committee on Ways and Means.

### Ruling by Speaker

The Speaker ruled the point of order well taken, pursuant to an opinion of the Legislative Counsel.

### Assembly Bill No. 1110 Re-referred to Committee

Speaker Brown ordered Assembly Bill No. 1110 re-referred to the Committee on Ways and Means.

## FURTHER CONSIDERATION OF SPECIAL ORDER

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 919

### Consideration of Further Amendments

### Motion to Amend

Mr. Hegland moved the adoption of the following amendments:

**Amendment No. 1**

On page 3, line 5, of the printed bill, as amended in the Assembly on May 28, 1959, after "county", insert ", subject to the provisions of Section 13811.6".

**Amendment No. 2**

On page 3, between lines 27 and 28, insert

"13811.6 Notwithstanding any other provision, if on or before the day of the hearing on the activation of the authority, a petition signed by 2 percent or more of the voters registered in the area which is not within a city or an existing fire protection district and objecting to the inclusion of the area in the authority is filed

with the board of supervisors, the board may either exclude the area from the authority, or continue the proceedings for the activation of the authority until after the question of the inclusion of the area is submitted to the voters of the area at an election and fix the day for such election.

Any such election shall be called by the adoption of a resolution which shall:

(a) Set forth the date of election which shall be at least 60 days after the adoption of the resolution

(b) Designate one or more precincts within the boundaries of the area.

(c) Designate a polling place in each precinct and the names of the election officers who shall be one inspector, one judge, and one clerk for each precinct

In all other particulars not recited in the resolution, the election shall be held as provided by law for holding general elections in the county, except that no notice of election other than the publication and posting of the resolution need be given.

The resolution ordering the holding of the election shall be published once a week for two successive weeks prior to the date set for the election, in the newspaper of general circulation circulated within the area deemed by the board of supervisors to be the most likely to give notice to the electors of the proposed election.

The resolution shall also be posted in three of the most public places within the area at least 10 days prior to the date set for the election.

The ballots at the election shall state in substance the following proposition:

"Shall the area of the County of _____ which is not included within a city or an existing fire protection district be included within the metropolitan fire protection authority?" and opposite and to the right of the proposition shall be printed the words "Yes" and "No", together with voting squares

If a majority of the votes cast are in favor of the inclusion of the area in the authority, the board shall enter a finding to that effect in its minutes and the area shall be included in the authority. If a majority of the votes cast are against the inclusion of the area in the authority the board shall enter an order to that effect upon its minutes and shall exclude the area from the authority."

**Amendment No. 3**

On page 3, line 28, strike out "The", and insert "At the conclusion of the hearing, the"

**Amendment No. 4**

On page 3, line 34, after "ordinance", insert "the areas included in the authority and".

Amendments read.

**Motion to Re-refer**

Mr. Britschgi moved that the bill, including the two amendments adopted today, and the pending amendment by Mr. Hegland, be re-referred to the Committee on Municipal and County Government.

Mr. Reagan seconded the motion.

By unanimous consent, Assembly Bill No 919, as amended this morning, with the proposed amendments by Mr Hegland, was ordered to be re-referred to the Committee on Municipal and County Government.

**Announcement by Speaker**

Speaker Brown announced that Assembly Bill No. 919 would be reprinted as amended by the two sets of amendments adopted today; and then the printed bill and the Hegland Amendments would be re-referred to the Committee on Municipal and County Government.

**Parliamentary Inquiry**

Mr. Lanterman arose to the following parliamentary inquiry: Would it be appropriate to expunge the record on the Bane and Lanterman Amendments?

**Reply by Speaker**

The Speaker replied that such a motion or request would be in order.

### Request for Unanimous Consent to Expunge Record, and Rescind Action on Amendments

Mr. Lanterman was granted unanimous consent to expunge the record and rescind the action whereby the Assembly, on this day adopted the amendments offered by Mr. Lanterman and by Mr. Bane to Assembly Bill No. 919. (Assembly Journal, pages 4416-4418 and page 4422).

Assembly Bill No. 919 and the sets of amendments by Messrs. Lanterman, Bane, and Hegland, ordered re-referred to the Committee on Municipal and County Government.

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 675**—An act to amend Sections 2079 and 6019 of the Insurance Code, relating to the standard form fire insurance policy.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.

NOES—Burton—1

Bill ordered transmitted to the Senate.

**Senate Bill No. 72**—An act to amend Sections 73731, 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of the Government Code, relating to municipal courts.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Bellotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 285**—An act to add Section 5706.5 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the admission to junior colleges of students over 16 years of age.

Bill read third time, and presented by Mr. Z'berg.

### Speaker pro Tempore Presiding

At 1.56 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto,

Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—Britschgi—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 353**—An act to add Section 5303 to, to add Chapter 6, comprising Sections 5500 through 5506, to Division 6 of Title 1 of, and to amend Sections 5302 and 29917 of the Government Code; to amend Section 21809 of the Education Code as enacted by the Legislature at its 1959 Regular Session; to amend Section 55525 of the Water Code; to amend Section 4790 of the Health and Safety Code; and to amend Section 7 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915); relating to signatures, countersignatures, and facsimile signatures or seals on public obligations.

Bill read third time, and presented by Mr. MacBride.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 119**—An act to amend Section 8759 of the Education Code and Section 5608 of the Education Code as proposed by Senate Bill No. 2, relating to tuition charges for interdistrict attendance of public school pupils.

Bill read third time, and presented by Mr. Cunningham.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 994**—An act to amend Section 490 of the Agricultural Code, relating to milk and milk products.

Bill read third time, and presented by Mr. Winton.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 153**—An act to add Section 152 to the Streets and Highways Code, relating to fire protection on freeways.

Bill read third time, and presented by Mr. Johnson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 241**—An act to amend and renumber Section 2047 of the Penal Code, relating to rules and regulations governing conduct of prisoners.

Bill read third time, and presented by Mr. Z'berg.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 741**—An act to add Section 804.2 to the Agricultural Code, relating to shipment of pears outside the State.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 906**—An act to repeal Section 11 of Chapter 33 of the Statutes of 1956, First Extraordinary Session, relating to state and local planning.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins,

Hegland, House, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Porter, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 913**—An act to amend Section 4280 of the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1007**—An act to create the Guadalupe Valley Municipal Improvement District and to prescribe its boundaries, organization, powers, operation, management, financing, change of boundaries, and dissolution.

Bill read third time, and presented by Mr. Francis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 23**—Relative to Chambers Lodge Post Office.

Resolution read, and presented by Mr. Lunardi.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Joint Resolution No. 26**—Relative to the Army Language School at Monterey.

Resolution read, and presented by Mr Pattee.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 279**—An act to add Sections 13392 3, 13392.4, 13392.5, and 13392.6 to the Government Code, relating to slaughter, or purchase or sale of slaughtered animals, by state agencies.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 480**—An act to amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 435, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553 and 614 of, to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of, and to add Sections 486, 514, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1, 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589 and 590 to, the Streets and Highways Code, relating to state highways, providing for a California Freeway and Expressway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Bill read third time, and presented by Mr. Backstrand.

**Demand for Previous Question**

Messrs. Unruh, Burke, Schrade, Cunningham, and Z'berg demanded the previous question. Demand sustained.

The question being on the passage of the bill.

**Speaker Presiding**

At 2.46 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Bill ordered passed on file temporarily.

(NOTE—The bill was not taken up again this day.)

**Senate Bill No. 866**—An act to amend Section 1 of Chapter 515 of the Statutes of 1919, relating to tidelands and submerged lands in the City of Emeryville, County of Alameda.

Bill read third time, and presented by Mr. Petris.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 637**—An act to add Section 1241.7, Water Code, relating to water appropriated for gold mining purposes.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—63.

NOES—Garrigus and Lunardi—2.

Bill ordered transmitted to the Senate.

**Point of Order**

Mr. Unruh arose to the following point of order: That the record does not show that the recommendation of the Committee on Ways and Means, that Senate Bill No. 637 be re-referred to the Committee on Water, was complied with.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Senate Bill No. 877**—An act to amend Section 154.5 of the Water Code, relating to the California Water Commission.

Bill read third time, and presented by Mr. Porter.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Haw-

kins, Hegland, House, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—66.
NOES—None

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1177**—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211.5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190.1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to, and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1177?

### Amendment No. 1

On page 13, line 28, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "Section 17214", and insert "Sections 17214 and 17303".

### Amendment No. 2

On page 13, lines 32 and 33, strike out "Section 17214", and insert "Sections 17214 and 17303".

### Amendment No. 3

In line 7 of the title, strike out "18090.1", and insert "18190.1".

### Amendment No. 4

On page 9, line 31, strike out "17214", and insert "17213".

### Amendment No. 5

On page 12, line 31, strike out "become", and insert "becomes".

### Amendment No. 6

On page 13, line 51, strike out "trust", and insert "trusts".

### Amendment No. 7

On page 14, line 7, strike out the semicolon.

### Amendment No. 8

On page 17, line 41, after "under", insert "Section".

### Amendment No. 9

On page 21, line 41, after "is", insert "a".

### Amendment No. 10

On page 10, lines 9 and 10, of the printed bill, as amended in the Senate on April 27, 1959, strike out ", 1951, 1952, or 1956".

### Amendment No. 11

On page 10, lines 13 and 14, strike out "in 1951, 1952, 1953 or subsequent to 1956", and insert "following the year 1950".

### Demand for Previous Question

Messrs. Winton, Johnson, DeLotto, Schrade, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1177?

The Assembly concurred in Senate amendments to Assembly Bill No. 1177 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, House, Kilpatrick, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—48.

NOES—Beaver, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Francis, Johnson, Lanterman, Levering, Lowrey, Luckel, Masterson, Mulford, Pattee, Reagan, Schrade, Shell, and Thelin—23.

Assembly Bill No. 1177 ordered enrolled.

**Assembly Bill No. 885**—An act to add Chapter 4 (commencing at Section 1700) to Part 6, Division 2 and to repeal Sections 1650 to 1663, inclusive, of the Labor Code, relating to artists' managers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 885?

**Amendment No. 1**

On page 1, line 16, of the printed bill, as amended in the Assembly on April 14, 1959, after the second "engagement", strike out the comma.

**Amendment No. 2**

On page 2, line 12, after "theatrical", insert a comma.

**Amendment No. 3**

On page 2, line 20, after "unrevoked", insert a comma.

**Amendment No. 4**

On page 2, line 31, after "actresses", strike out the comma

**Amendment No. 5**

On page 2, between lines 44 and 45, insert

"Licenses issued for artists' managers prior to the effective date of this chapter shall not be invalidated thereby, but renewals of such licenses shall be obtained in the manner prescribed by this chapter."

**Amendment No. 6**

On page 3, line 7, strike out "agency", and insert "artists' manager".

**Amendment No. 7**

On page 3, line 46, after "operation of the", insert "business of the".

**Amendment No. 8**

On page 4, line 14, after "manager license", insert a comma.

**Amendment No. 9**

On page 6, line 4, after "employer" strike out the comma; and after "and", insert a comma.

**Amendment No. 10**

On page 6, line 7, after "further", insert a comma.

**Amendment No. 11**

On page 7, line 19, strike out "word", and insert "words".

**Amendment No. 12**

On page 7, line 36, strike out "such place of business", and insert "the place of business of the artists' manager".

**Amendment No. 13**

On page 7, line 45, after "1700-23", insert a comma.

**Amendment No. 14**

On page 9, line 4, after "tion", strike out the comma.

**Amendment No. 15**

On page 9, line 10, strike out the period, and insert a comma.

**Amendment No. 16**

On page 9, line 13, strike out the period, and insert a comma.

**Amendment No. 17**

On page 9, line 21, strike out "9", and insert "IX".

The Assembly concurred in Senate amendments to Assembly Bill No. 885 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 885 ordered enrolled.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 398 CONTINUED

Mr. O'Connell was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 398 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1307**—An act to add Section 3831 to the Elections Code, relating to the general election ballot.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1307?

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in the Assembly on March 30, 1959, after the period, insert "The board may, in such case, order the second ballot to be printed on paper of a different tint and assign to such ballots numbers higher than those assigned to the ballots containing partisan offices and statewide ballot measures"

The Assembly concurred in Senate amendment to Assembly Bill No. 1307 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1307 ordered enrolled.

## ASSEMBLY BILL NO. 1084 AND SENATE AMENDMENTS REFERRED TO COMMITTEE

Mr. Bane, was granted unanimous consent that Assembly Bill No. 1084, and the Senate amendments, be referred to the Committee on Education.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1458**—An act to amend Sections 950 and 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school district elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1458?

### Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on April 22, 1959, strike out "or, at the option of the governing body," and insert "and".

### Amendment No. 2

On page 2, strike out lines 5 to 8, inclusive, and insert "of the purposes of the election.

At least 60 days before the date of the election the governing board of the school district, county superintendent of schools, board of supervisors, or other authority calling the election, shall furnish the county clerk or registrar of voters with a list of precincts established for the election and the polling place in each such precinct, together with a copy of the statement of the purposes of the election. The same information shall be furnished the county superintendent of schools.

Costs incurred in connection with this section shall be paid out of the funds of the district."

The Assembly concurred in Senate amendments to Assembly Bill No. 1458 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1458 ordered enrolled.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2240 CONTINUED

Mr. Lanterman was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2240 be continued until the next legislative day.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2144**—An act to add Section 86.6 to the Agricultural Code, relating to district agricultural associations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1407**—An act to add Section 653j to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read third time.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 14, 1959, after "to", insert ", and to repeal Section 653h of,".

**Amendment No. 2**

On page 1, strike out lines 3 to 10, inclusive, and insert

"653j. (a) The term "interception of communication," as used in this section means the act of intentionally and without consent of a party to a confidential communication eavesdropping upon or recording, by means of any electronic or mechanical amplifying or recording device, such confidential communication, whether such communication is carried on among such parties in the presence of one another or by means of a telephone or other device, except a radio.

(b) Every person, other than a peace officer acting in the performance of his duties, who commits an act of interception of communication or who installs or attempts to install any electronic or mechanical amplifying or recording device for the purpose of committing, or aiding another in committing, such act, is guilty of a misdemeanor."

**Amendment No. 3**

On page 1, line 11, strike out "(b)", and insert "(c)".

**Amendment No. 4**

On page 1, line 19, strike out "(c)", and insert "(d)".

**Amendment No. 5**

On page 2, line 4, strike out "(d)", and insert "(e)".

**Amendment No. 6**

On page 2, line 5, strike out "eavesdrop-"; strike out line 6; in line 7, strike out "tion of this section", and insert "an interception of communication".

**Amendment No. 7**

On page 2, line 9, strike out "(e)", and insert "(f)".

**Amendment No. 8**

On page 2, line 17, strike out "(f)", and insert "(g)".

**Amendment No. 9**

On page 2, line 18, strike out ", Section 653h".

**Amendment No. 10**

On page 2, line 20, strike out "(g)", and insert "(h)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 202**—An act to add Section 11718 to the Health and Safety Code, relating to dismissal of allegations of prior offenses in criminal actions for violation of the narcotic laws.

Bill read third time.

**Motion to Amend**

Mr. Francis moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 6, 1959, after "Code", insert "and to add Section 23102.5 to the Vehicle Code as enacted by the Leigslature at the 1959 Regular Session".

**Amendment No. 2**

In lines 4 and 5 of the title, strike out "for violation of the narcotic laws".

**Amendment No. 3**

On page 1, after line 21, insert

"SEC. 2. Section 23102.5 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read:

23102.5. In any criminal proceeding for violation of Section 23102 no allegation of fact which, if admitted or found to be true, would change the penalty for the offense changed from what the penalty would be if such fact were not alleged and admitted or proved to be true may be dismissed by the court or stricken from the accusatory pleading except upon motion of the district attorney."

Amendments read.

**Point of Order**

Mr. Winton arose to the following point of order: That the amendments are not germane to the bill, as last amended.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken on the basis of the following opinion of the Legislative Counsel, which was ordered printed in the Journal:

**Opinion of Legislative Counsel**

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 28, 1959

*Hon Louis Francis*
*Assembly Chamber*

**Germaneness—No. 16194**

DEAR MR FRANCIS: You have asked whether amendments to make the provisions of Assembly Bill No. 202, as amended in Assembly May 6, 1959, applicable to drunk driving cases, as well as narcotics cases, would be germane.

*Opinion*

While the question is, in the final analysis, one for decision by the Assembly and Senate, in our opinion the amendments would probably be held to be germane.

*Analysis*

Assembly Standing Rule No. 94 provides, in part, as follows:

"94 No amendment to any bill . . . shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the *original title* of any bill . . . ." (Emphasis added)

Joint Rule 9 provides as follows:

"9. A substitute or amendment must relate to the same subject as the original bill, *constitutional amendment or resolution under consideration.*"

The title of the bill, as introduced, was "An act to amend Section 1385 of the Penal Code, relating to dismissal of criminal actions." The text related to dismissal of accusatory pleadings and counts and allegations therein. The amendments would add a section to the Vehicle Code restricting dismissal of allegations affecting penalties in drunk driving cases.

It appears to us probable that it would be held that the amendments relate to the same general subject of the bill, i.e., dismissal of pleadings and parts thereof in criminal cases, though they would extend the scope of the bill to additional cases. Likewise it seems probable that it would be held that the title as it would read if the amendments are adopted would not be "essentially" different from the original title.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By TERRY L BAUM, Deputy

Two copies to Hon. Bruce F. Allen,
pursuant to Joint Rule 34.

**Demand for Previous Question**

Messrs. Burton, Schrade, Luckel, Burke, and House demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

Amendments refused adoption.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—George E. Brown, Burton, Crown, and O'Connell—4.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 800 WAIVED

Mr. Sumner waived his motion to reconsider the vote whereby Assembly Bill No. 800 was passed

Assembly Bill No. 800 ordered transmitted to the Senate.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 580**—An act to add Section 26803.5 to the Government Code, relating to the preservation of superior court records.

Bill read third time.

#### Motion

Mr. Kilpatrick moved that the bill be filed; and that the subject matter be referred to the Committee on Rules.

Motion carried unanimously.

**Assembly Bill No. 1680**—An act to add Section 9356.3 to the Government Code, relating to the Legislators' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Winton, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2359**—An act to amend Section 30682 of the Streets and Highways Code, relating to the financing and construction of a bridge from San Pedro to Terminal Island.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2701**—An act to amend Sections 7, 285, 350, 675, 1503, 1651, 2101, 2105, 2259, 2400, 4150, 5017, 5750, 6850, 6851, 9255, 9262, 9264, 9400, 9401, 9703, 11102, 11107, 11703, 11801, 11802, 12513, 12514, 12816, 13350, 13555, 13953, 14100, 16005, 16053, 16107, 16482, 17700, 20013, 21058, 21457, 21460, 21464, 22107, 22352, 22452, 22510, 24001, 24404, 24600, 24604, 24610, 24951, 25251, 25301, 25501, 25651, 25800, 26116, 30069, 30800, 30801, 31009, 31608, 31610, 35414, 35713, 35714, 35790, 40303, 40516, 42050 of, to amend and renumber Section 25789 of, to amend the headings preceding Sections 9700 and 9800 of, to add Sections 286, 676, 11112 and 16110 to, and to repeal Sections 13353, 40308, 40309, and 40310 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to technical changes in the Vehicle Code as recodified.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2689**—An act to add Section 25265 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing lights for levee maintenance vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 498**—An act to amend Sections 3858, 3860, 3861, and 3862 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis,

DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2619**—An act to amend Sections 4250 and 4252 of the Penal Code, relating to blood donations by prisoners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1443**—An act to add Section 1481.1 to the Government Code, and to amend Section 1203.8 of the Penal Code, relating to bonding of probation officers and their assistants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1606**—An act to amend Section 24103 of the Government Code, relating to peace officers' deputies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2549**—An act to add Section 146b to the Penal Code, relating to simulating official inquiries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

### Consideration of House Resolution No. 279

**House Resolution No. 279**

Relative to the Weber Foundation Account in the Special Deposit Fund

*Resolved by the Assembly of the State of California*, That the Chairman of the Assembly Committee on Rules is hereby designated as the official to whom claims are to be submitted for approval against the Weber Foundation Account in the Special Deposit Fund for the completion preparation and printing of the report mentioned in House Resolution No 200 of the 1951 Regular Session, and the chairman of said committee is hereby authorized to approve any such claims

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

### Consideration of House Resolution No. 251

By Mr. Busterud:

**House Resolution No. 251**—Relative to safety in sports.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

In the second line of House Resolution No. 251, as printed on page 3387 of the Assembly Journal for May 8, 1959, after "Economy", insert "or such other appropriate Assembly Interim Committee as the Assembly Committee on Rules may designate".

### Consideration of House Resolution No. 251, as Amended

By Mr. Busterud:

**House Resolution No. 251**

Relative to safety in sports

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Governmental Efficiency and Economy or such other appropriate Assembly Interim Committee as the Assembly Committee on Rules may designate is authorized and directed to study and investigate safety conditions in sports, in particular, but not limited to, skiing, ski lifts, and conditions of ski slopes, and the desirability of or necessity for legislation, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 333**—An act to amend Section 301 of the Education Code, amend Section 601 of the Education Code as proposed by Senate Bill No. 2, and repeal Section 601.1 of the Education Code as proposed by Senate Bill No. 2, relating to county boards of education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1110**—An act to amend Sections 21351 and 21352 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to revolving funds of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 465**—An act to add Section 1202b to the Penal Code, relating to youthful offenders.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell,

Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 77**—Relative to the continuance of the Joint Interim Committee on the Education and Rehabilitation of Handicapped Children and Adults.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 943**—An act to add Section 3212.2 to the Labor Code, relating to workmen's compensation.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.
NOES—Cameron and Thelin—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 494**—An act to amend Section 5 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), relating to the Humboldt County Flood Control District.

Bill read third time, and presented by Mr. Belotti.

### Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 494

Mr. Belotti was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 494.

Senate Bill No. 494 ordered to retain its place on the third reading file.

**Senate Concurrent Resolution No. 40**—Relative to predatory animal control.

Resolution read, and presented by Mr. Belotti.

**Speaker pro Tempore Presiding**

At 3.45 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.

NOES—Francis and Hegland—2.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 862**—An act to add Section 3.1 to, and to amend Sections 20 and 30 of, the Tehama County Flood Control and Water Conservation District Act (Chapter 1280, Statutes of 1957), relating to the Tehama County Flood Control and Water Conservation District.

Bill read third time, and presented by Mr. Lowrey.

*Bill passed by the following vote:*

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 512**—An act to amend the heading of Article 5 (commencing at Section 2045) of Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 2045.1 of said code, relating to the State Prison at Soledad.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 439**—An act to amend Section 402 5 of the Revenue and Taxation Code, relating to the assessment of property used for agricultural, airport or recreational purposes.

Bill read third time, and presented by Mr. Masterson.

**Speaker Presiding**

At. 3.54 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Chapel, Petris, Conrad, and Hegland demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Thomas, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—56.
NOES—Burton, O'Connell, and Williamson—3.

Bill ordered transmitted to the Senate.

## RE-REFERENCE OF ASSEMBLY BILL NO. 1350

By unanimous consent, Speaker Brown ordered Assembly Bill No. 1350, and the committee amendments, re-referred to the Committee on Ways and Means.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Hegland was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that 500 copies of the Report of the Joint Legislative Committee for the Revision of the Education Code be printed as a separate document:

## LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
May 12, 1959

*To: The President of the Senate*
*The Speaker of the Assembly*
*And Other Members of the Senate and Assembly*

Transmitted herewith is the Report of the Joint Legislative Committee for the Revision of the Education Code. This report presents a summary of the work of the committee to date, together with appendices, including an analysis of all trailer legislation prepared by the committee for submission after the completion of the structural reorganization of the Education Code. Also transmitted is a statement and analysis of initial endeavors concerning revision of major substantive areas and specific divisions of the code.

Respectfully submitted,

| Senate | Assembly |
|---|---|
| NELSON S. DILWORTH, Vice Chairman | SHERIDAN N. HEGLAND, Chairman |
| HUGH P. DONNELLY | WILLIAM S. GRANT |
| DONALD L. GRUNSKY | GORDON H. WINTON, JR. |

### REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. McMillan was granted unanimous consent that 500 additional copies of the Report of the Assembly Interim Committee on Industrial Relations be ordered printed as a separate document.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Francis was granted unanimous consent that the following communication be ordered printed in the Journal:

### COMMUNICATION

STATE OF CALIFORNIA
DEPARTMENT OF MOTOR VEHICLES
DIVISION OF DRIVERS LICENSES
May 29, 1959

*Mr. Louis Francis*
*Member of the Assembly*
*State Capitol, Sacramento*

DEAR MR. FRANCIS: In accordance with a telephonic request made by your secretary this morning, the following is the breakdown of second and subsequent convictions of drunk driving as reported to this department, together with the total of the number of jail sentences shown on the abstracts of conviction forwarded by the courts:

| *Month* | *Second or Subsequent* | *Jail Sentences* |
|---|---|---|
| *1958* | *Conviction of 502* | *Reported* |
| March | 1,172 | 257 |
| April | 1,297 | 228 |
| May | 810 | 253 |
| June | 935 | 437 |
| July | 1,214 | 183 |
| August | 677 | 194 |
| September | 839 | 188 |
| October | 1,042 | 196 |
| November | 465 | 224 |
| December | 858 | 179 |
| *1959* | | |
| January | 803 | 196 |
| February | 1,363 | 246 |
| | 11,475 | 2,781 |

Trusting this is the information you desire, I am
Very truly yours,

FRLD P. WILLIAMS, Chief
Division of Drivers Licenses

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 706
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Water.

ASSEMBLY CHAMBER, May 29, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2834
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Agriculture.

## RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 582** and **853** to the Committee on Governmental Efficiency and Economy.

## EXPLANATION OF ABSENCE

It was necessary for me to be absent from the Chambers early this morning because I was attending to legislative matters elsewhere in the Capitol.

CHARLES W. MEYERS

## ADJOURNMENT

At 3 59 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 10 a.m., Monday, June 1, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED SIXTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, June 1, 1959

The Assembly met at 10 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Lord God of Hosts,* Be with us yet, lest we forget, lest we forget!
Thou hast moved us on this Memorial Day weekend to take note of "the rock from which we are hewn" and to pay tribute to those who have given life itself for the good world in which we live. Save us from any easy sentiment which becomes a poor substitute for doing our part in preserving liberties, hallowed by their sacrifice. How can we keep faith with them? Give us the same stern devotion to our present duty; the same bravery in this Assembly, where bravery and steadfastness are truly needed; the same willingness to make any sacrifice for truth and right; and so may we "follow in their train."—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Garrigus, seconded by Mr. Biddick.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Thomas, on request of Speaker Brown.

Mr. Samuel R. Geddes, on request of Speaker Brown.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Home Federal Savings and Loan Association of San Diego, by Kim Fletcher, Vice President, relative to job agency fee rates. Referred to the Committee on Industrial Relations.

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Duarte Water Co., of Duarte and E. Harold Dockery of Monrovia, relative to job agency fee rates. Referred to the Committee on Industrial Relations.

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Private Owners Mutual Redevelopment Association of San Bernardino, relative to Assembly Bills Nos. 2788 and 2811, (redevelopment agencies). Referred to the Committee on Judiciary—Civil.

The following communications were presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
SACRAMENTO, May 28, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk, Assembly*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS This will acknowledge the illuminated copy of House Resolution No. 242, introduced in the Assembly by Miss Dorothy Donahoe, and unanimously adopted by the Assembly on May 7, 1959.

This illuminated copy of the resolution will be called to the attention of the members of the State Board of Education.

Sincerely yours,

ROY E. SIMPSON
Secretary and Executive Officer
State Board of Education

HOUSE OF REPRESENTATIVES
COMMITTEE ON ARMED SERVICES
WASHINGTON, D. C., May 27, 1959

*Mr. Arthur A Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Your letter of May 22d forwarding copies of Assembly Joint Resolutions No 1 and No. 34, adopted by the California Legislature on May 21st and 20th respectively, have been referred to this committee by the Speaker of the House.

Assembly Joint Resolution No. 34 is not pertinent to the jurisdiction of this committee. The subject matter of this resolution is within the jurisdiction of the House Committee on Agriculture to which committee I will forward it.

The subject matter of Assembly Joint Resolution No 1 is within the jurisdiction of this committee. I will forward it to the Secretary of Defense for an appropriate response and will further advise you as soon as that response has been received.

Sincerely yours,

CARL VINSON, Chairman

## RESOLUTIONS

The following resolutions were offered:

By Mr. Cusanovich:

### House Resolution No. 302

Relative to congratulating the Reverend Michael J. O'Connor

WHEREAS, June 10, 1959 will mark the twenty-fifth anniversary of the ordination of the Reverend Michael J. O'Connor; and

WHEREAS, Father O'Connor, a native of Ireland, was ordained a priest of the Roman Catholic Church in 1934 at Carlow, Ireland, and shortly thereafter came to the United States; and

WHEREAS, From 1942 to 1946 he served as a chaplain in the United States Navy, holding the rank of Lieutenant Commander; and

WHEREAS, In 1955, Father O'Connor established Saint Mel's Parish in Woodland Hills, California, where he presently ministers to the spiritual needs of the parishioners; and

WHEREAS, The record of his 25 years of service is one of self-sacrifice, dedicated service to his fellow man, and unbounded devotion to God; and

WHEREAS, Father O'Connor has proven himself to be a man possessed of unfailing wisdom, benign understanding, and generous disposition, and has been a great source of inspiration to the members of his flock; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to congratulate the Reverend Michael J. O'Connor on the occasion of his Silver Jubilee; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the Reverend Michael J. O'Connor.

Resolution read, and referred to the Committee on Rules.

By Mr. Conrad:

### House Resolution No. 303

Relative to commending Mr. Y. Frank Freeman

WHEREAS, For over 20 years, Mr. Y. Frank Freeman has served with distinction as Vice President in charge of Paramount Studios in Hollywood, California; and

WHEREAS, Mr. Freeman was born in Greenville, Georgia, on December 14, 1890, and received his education in the schools of Georgia, graduating from the Georgia School of Technology; and

WHEREAS, As a businessman, leader of industry, and efficient organizer, Mr. Freeman engaged in many successful business ventures mostly in the field of public entertainment; and

WHEREAS, He was affiliated with Paramount Studios for several years before becoming, in 1938, the Vice President in charge of studio operations at Hollywood; and

WHEREAS, One of the true leaders in movie industry affairs, Mr. Freeman has found time to contribute his ability to many worthwhile civic and community endeavors; and

WHEREAS, Included in the significant list of accomplishments by Mr. Freeman are such items as his service on the Board of Trustees of the University of Southern California, deputy chairman of the board of the Federal Reserve Bank in San Francisco, member of the Governor's Post-War Planning Committee, and chairman of the board of the Association of Motion Picture Producers; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly take pride in commending Mr. Y. Frank Freeman for his outstanding contribution to the people of the Nation and this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Freeman.

Resolution read, and referred to the Committee on Rules.

By Mr. Pattee:

### House Resolution No. 304

Relative to the commendation of Merritt C. Speidel

WHEREAS, Mr. Merritt C Speidel was born in Port Jervis, New York, on May 19, 1879, the son of Martin and Hannah Speidel, and thus, has recently celebrated his eightieth birthday; and

WHEREAS, Mr. Merritt C Speidel has recently resigned from his position as President and Director of Speidel Newspapers, Incorporated, after 20 years of service as both the founder and continuous head of that organization; and

WHEREAS, After 63 years of active newspaper work, public service, and civic leadership Mr. Speidel plans to remain active in those fields; and

WHEREAS, Merritt C. Speidel began his career in the field of newspaper work as a carrier and as a writer for the local newspapers in Port Jervis, New York, when he was but 13 years of age; and

WHEREAS, While still in high school Mr. Speidel published the Union School Journal which was issued for the purpose of promulgating progressive methods in education which, although a private enterprise, received the official endorsement of the boards of education of all the cities and townships in Orange County, New York; and

WHEREAS, While in his teens Merritt C. Speidel joined the staff of the Tri-States Publishing Company, publishers of the Port Jervis *Daily Union* and while still in his teens became editor of the *Daily Union;* and

WHEREAS, From the beginning of his career, with the *Daily Union*, Mr. Speidel has gone on to a continuous and outstanding life in the field of editing and publishing, holding numerous significant and important positions throughout the Nation; and

WHEREAS, Upon retirement Mr. Speidel is the head of a nationwide publishing company, publishing within California, the *Salinas Californian*, the *Western Range* and *Home Weekly*, the *Visalia Times Delta*, and the *Tulare County Ranger;* and

WHEREAS, Mr. Speidel is also active in numerous civic and professional organizations; and

WHEREAS, His numerous friends include Presidents of the United States, Republican and Democratic Senators, Republican and Democratic Governors, past and present presidents and fellow works of the CNPA, CPA, NEA, ANPA, ASNE, all of whom refer to him affectionately as, "Merritt"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Mr. Merritt C Speidel for his active and worthwhile participation in the newspaper profession and in state and national affairs and congratulates Mr. Speidel upon the celebration of his eightieth birthday while still an active, useful, and respected citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Merritt C. Speidel.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2343
Assembly Bill No 2344
Assembly Bill No. 2511
Assembly Bill No. 2587
Assembly Bill No. 2614
Assembly Bill No. 2775
Assembly Bill No. 2877

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1708

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2242

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2606
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 46
And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1407
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2699
And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2243
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2446
Assembly Bill No. 2542
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, May 26, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:
Assembly Bill No. 1669
With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 808
Assembly Bill No. 1316
Assembly Bill No. 1446
Assembly Bill No. 1447
Assembly Bill No. 1671
Assembly Bill No. 2004

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 278
Assembly Bill No. 1081
Assembly Bill No. 1130
Assembly Bill No. 1259
Assembly Bill No. 1368
Assembly Bill No. 1424
Assembly Bill No. 1690
Assembly Bill No. 1908
Assembly Bill No. 438
Assembly Bill No. 886
Assembly Bill No. 887
Assembly Bill No. 1044
Assembly Bill No. 1719
Assembly Bill No. 1922
Assembly Bill No. 2081
Assembly Bill No. 2082
Assembly Bill No. 2083
Assembly Bill No. 2084
Assembly Bill No. 2099
Assembly Bill No. 2105
Assembly Bill No. 2121
Assembly Bill No. 2122
Assembly Bill No. 2123
Assembly Bill No. 2205
Assembly Bill No. 2206
Assembly Bill No 2413

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, May 29, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 868
Assembly Bill No. 976
Assembly Bill No 978
Assembly Bill No. 1376
Assembly Bill No 1456
Assembly Bill No. 1589
Assembly Bill No. 1572
Assembly Bill No 1681
Assembly Bill No. 1731
Assembly Bill No. 2580

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 66
Assembly Concurrent Resolution No. 126
Assembly Joint Resolution No. 26

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 627
Assembly Bill No. 1028

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 522
Senate Bill No. 746
Senate Bill No 886
Senate Bill No. 989
Senate Bill No. 993

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 24
Senate Concurrent Resolution No. 75
Senate Concurrent Resolution No. 81

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

**Senate Constitutional Amendment No. 24**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes.

Referred to Committee on Constitutional Amendments.

**Senate Concurrent Resolution No. 75**—Relative to fire extinguishers and appliances and devices for extinguishing fires.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 81**—Relative to the acquisition of the Corona Naval Hospital property.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1106

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 1106**—An act to add Chapter 8 (commencing with Section 12930) to Part 6 of Division 6 of the Water Code, relating to provision for the development of the water resources of the State by providing the funds necessary therefor through the issuance and sale of bonds of the State of Californa, and by providing for the handling and disposition of said funds, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1960.

Referred to Committee on Water.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 29, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 559 | Senate Bill No. 1356 |
| Senate Bill No. 605 | Senate Bill No. 1364 |
| Senate Bill No 875 | Senate Bill No. 1365 |
| Senate Bill No. 1140 | Senate Bill No. 1394 |
| Senate Bill No. 1212 | Senate Bill No. 1398 |
| Senate Bill No. 1224 | Senate Bill No 1409 |
| Senate Bill No 1263 | Senate Bill No. 1467 |
| Senate Bill No. 1297 | Senate Bill No. 1468 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 559**—An act to amend Section 13162 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to issuance of temporary teaching certificates.

Referred to Committee on Education.

**Senate Bill No. 605**—An act to amend Section 5908 5 of the Labor Code, relating to workman's compensation.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 875**—An act to amend Section 833 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1140**—An act to amend Section 74265 of the Government Code, relating to municipal court reporters.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1212**—An act to amend Section 19577 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Referred to Committee on Education.

**Senate Bill No. 1224**—An act to amend Section 2857 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1263**—An act to amend Section 4167 of the Public Resources Code, relating to use of equipment without approved spark arresters.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1297**—An act to add Section 11629 to the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1356**—An act to add Article 10 (commencing at Section 2780) to Chapter 7 of Division 5 of the Education Code as enacted at the 1959 Regular Session, relating to junior college district organization.

Referred to Committee on Education.

**Senate Bill No. 1364**—An act to add Section 222.2 to the Labor Code, relating to payment of wages.

Referred to Committee on Industrial Relations.

**Senate Bill No. 1365**—An act to add Section 229 of the Labor Code, relating to payment of wages.

Referred to Committee on Industrial Relations.

**Senate Bill No. 1394**—An act to add Section 4019.3 to the Penal Code, relating to work credit for prisoners in county jails.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1398**—An act to amend Section 4012 of the Business and Professions Code, relating to the California State Board of Pharmacy.

Referred to Committee on Public Health.

**Senate Bill No. 1409**—An act to add Section 838 to the Streets and Highways Code, relating to the reservation of easements in abandoned state highways.

Referred to Committee on Transportation and Commerce

**Senate Bill No. 1467**—An act to amend Section 5302 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to elementary schools.

Referred to Committee on Education.

**Senate Bill No. 1468**—An act to add Section 11163 to the Government Code, relating to regulations and orders of state agencies.

Referred to Committee on Governmental Efficiency and Economy.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 29, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 82
Senate Concurrent Resolution No. 83
Senate Concurrent Resolution No. 84
Senate Concurrent Resolution No. 48

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Concurrent Resolution No. 82**—Relative to the passing of Mae Bromley.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 83**—Approving a certain amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the fourth day of May, 1959.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 84**—Relative to approving amendments to the charter of the City of Sacramento, County of Sacramento, State of California, ratified by the qualified electors of the city at an election held therein on the nineteenth day of May, 1959.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 48**—Relative to the compilation of statistics by the California Highway Patrol.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1405
Senate Bill No. 1154
Senate Bill No. 1117
Senate Bill No. 1237
Senate Bill No 1239
Senate Bill No 1259
Senate Bill No. 1294
Senate Bill No. 1333
Senate Bill No 1350
Senate Bill No 1399
Senate Bill No. 1414

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 1405**—An act to amend Section 7397 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1154**—An act to add Section 1506.6 to the Welfare and Institutions Code, relating to aid to needy children.

Ordered held at the desk.

**Senate Bill No. 1117**—An act to amend Section 6701 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to nonresident vehicles owned and operated by military personnel.

Referred to Committee on Military and Veterans Affairs.

**Senate Bill No. 1237**—An act to amend Section 2653 of the Business and Professions Code, relating to the Physical Therapy Examining Committee.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1239**—An act to add Section 2671.5 to the Business and Professions Code, relating to the Physical Therapy Examining Committee.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1259**—An act to amend Section 19035.5 of the Business and Professions Code, relating to the California Advisory Board of Furniture and Bedding.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1294**—An act to add Section 12521 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to chauffeurs' licenses for special highway construction equipment operators.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1333**—An act to amend Section 31569 1 of the Streets and Highways Code, relating to the formation of districts under the Vehicle Parking District Law of 1943.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1350**—An act to add Section 20826.5 to the Business and Professions Code, relating to petroleum products.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Senate Bill No. 1399**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 1414**—An act to add Section 13 to the Business and Professions Code, relating to the definitions used in such code.

Referred to Committee on Public Health.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2242, 2690, 2877, 1708, 2344, 2587, 2775, 2446, 2542, 2511, 2343, 2614, 2806, 2629,** and **2777.**

**Senate Bills Nos. 630, 633, 1057, 632, 992, 565, 863, 461, 1010,** and **360.**

Assembly Bills Nos. 2242, 2446, and 2542 ordered to third reading.

Assembly Bills Nos. 2629 and 2777 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 2877, 1708, 2344, 2587, 2775, 2511, 2343, and 2614 ordered to the Consent Calendar.

Assembly Bills Nos. 2690 and 2806 ordered to the Consent Calendar, subsequent to engrossment.

Senate Bills Nos. 630, 633, 1057, 632, 992, 461, and 1010 ordered to the Consent Calendar.

Senate Bills Nos. 565, 863, and 360 ordered to third reading.

NOTE—Later this day, Senate Bill No. 565 was amended, and returned to the second reading file. *See* pages 4529-4530.

SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 395**—An act to amend Sections 2933.5 and 2949 of the Business and Professions Code, relating to psychologists.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "on or", and insert "in the six months".

Amendment No. 2

On page 1, line 5, strike out "or offered to render".

Amendment No. 3

On page 1, between lines 17 and 18, insert

"(a) Who has applied in writing to the committee under this section not later than two years following the effective date of this chapter;"

Amendment No. 4

On page 1, line 18, strike out "(a)", and insert "(b)".

Amendment No. 5

On page 2, line 1, strike out "(b)", and insert "(c)".

Amendment No. 6

On page 2, line 3, strike out "(c)", and insert "(d)".

Amendment No. 7

On page 2, line 36, strike out "The com-"; and strike out lines 37 to 39, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Assembly Bill No. 2621**—An act to amend Section 42271 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to expenditures of the Department of Motor Vehicles and the Department of the California Highway Patrol.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2757**—An act to amend Sections 285 and 11806 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle dealers and salesmen.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 285 and", and insert "Section".

Amendment No. 2

On page 1, line 1, strike out "285", and insert "11806".

Amendment No. 3

On page 1, strike out lines 4 through 22, inclusive; and on page 2, strike out lines 1 through 28, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 2464**—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2622**—An act to amend Sections 12804, 12805, and 12808 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to testing applicants, licensing, and grounds for withholding issuance of drivers' licenses.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2732**—An act to add Section 5754 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the sale of vehicles to minors.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2857**—An act to amend Section 820 of the Streets and Highways Code, relating to federal aid on public highways, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amends, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 16 through 19, inclusive; and on page 2, strike out lines 1 and 2.

Amendment No. 2

On page 2, lines 21 and 22, strike out "or at any time after the Legislature adjourns".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1473**—An act to amend Section 14549 of the Health and Safety Code, relating to county fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "city, all real property", and insert "city:

(a) If the assessed value of the real property within the area withdrawn represents one-half of one percent, or less, of the total assessed value of the real property within the district prior to the withdrawal, as determined from the last equalized assessment roll of the property within the district, all of the property and assets of the district shall be retained by the district.

(b) If the assessed value of the real property in the area withdrawn exceeds the amount prescribed by subdivision (a), the city and the district shall have six months from the effective date of the withdrawal in which, after giving consideration to all factors involved, including population, assessed valuation, the effect of the annexation or change of boundaries on the remaining portion of the district, the length of time of the portion being withdrawn has paid taxes and the total amount of such taxes paid, and such other matters as should be considered in arriving at an equitable distribution, they may establish a mutually agreeable basis for the distribution of the property and assets of the district between the city and the remaining district. If,

within such period a mutually agreeable basis is reached, the property and assets of the district shall be distributed between the city and the remaining district upon such basis.

(c) If, under the provisions of subdivision (b), no mutually agreeable basis for the distribution of the property and assets of the district is reached within the six-month period, on the date the district ceases to furnish fire protection service to the area withdrawn or upon the end of the six-month period, whichever is the last to occur, all of the property and unencumbered funds of the district shall be divided between the city and the remaining district in proportion to the average assessed value of the real property within the area withdrawn to the average assessed value of the real property within the entire district during the five-year period to the effective date of the withdrawal, as determined from the equalized assessment rolls for such period."

**Amendment No. 2**

On page 1, strike out lines 16 to 19, inclusive; on page 2, strike out lines 1 to 3, inclusive, and insert "All funds and".

**Amendment No. 3**

On page 2, strike out lines 9 and 10, and insert

"For the purpose of this section, the unencumbered funds are the sum of money, uncollected taxes, and other uncollected amounts in excess of an amount sufficient to pay all claims and accounts against the district, but shall not include funds necessary for the maintenance and operation of the district for any period for which the district has the duty to provide fire protection services within the area withdrawn."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2523**—An act to add Section 31051 to the Water Code, relating to county water districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "or privately".

**Amendment No. 2**

On page 1, line 9, strike out "or privately".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2473**—An act to add Article 9 (commencing at Section 29199) to Chapter 1 of Division 3 of Title 3 of the Government Code, relating to county investment boards.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2148**—An act to amend Section 575 of the Welfare and Institutions Code, relating to compensation of referees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2605**—An act to amend Section 28105 of the Government Code, relating to the salary of the supervisors of counties of the fifth class.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2558**—An act to amend Section 65951 of the Government Code, relating to zoning.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 4 and 5, and insert "tion 65651, or posting said notice in conspicuous places close to the property, or by notice through the United States mails, with postage prepaid and using the addresses from the last adopted tax roll. Procedure for administering any of the above notices shall be governed by the conditions of a local ordinance"

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2521**—An act to add Chapter 4.5 (commencing with Section 26970) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on May 25, 1959, strike out "At", and insert "Notwithstanding the provisions of Section 24009, at".

**Amendment No. 2**

On page 1, line 8, strike out "295,000", and insert "220,000".

**Amendment No. 3**

On page 1, line 17, following "made", insert "by the board of supervisors".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1758**—An act to amend Section 26650 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2555**—An act to amend Section 28105 of the Government Code, relating to compensation for public service in counties.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2570**—An act to add Section 31557.2 to the Government Code, relating to the retirement of public officers and employees, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2575**—An act to amend Sections 41305 and 41725 of, to add Sections 39925, 41307, 41308 and 41555 to, and to repeal Section 39925 of, the Water Code, relating to water storage districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2851**—An act to add Article 2.1 (commencing at Section 35575) to Chapter 2 of Part 2 of Division 2 of Title 4 of the Government Code, relating to exclusion of territory from cities.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2329**—An act to add Section 4820 to the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, between lines 2 and 3, of the printed bill, insert

"4820. The board of directors of a county sanitation district engaging in refuse disposal operations may, by resolution, establish a cash difference fund in an amount not to exceed one hundred dollars ($100), in the same manner and by the same procedures as prescribed by Sections 29370 to 29379, inclusive, of the Government Code."

**Amendment No. 2**

On page 1, strike out lines 3 to 13, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2574**—An act to add Section 31807 to, and to repeal Section 31807 of, the Government Code, relating to county employees' retirement.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 31641.6 and".

**Amendment No. 2**

On page 1, line 12, after "payable", insert "under Section 31808 or Section 31809 of this code, whichever is applicable,".

**Amendment No. 3**

On page 1, line 18, after "payable", insert "under Section 31808 or Section 31809 of this code, whichever is applicable,".

**Amendment No. 4**

On page 2, line 10, strike out "the amount", and insert "an amount not less than that".

**Amendment No. 5**

On page 2, after line 11, insert

"SEC. 3. Section 31641.6 is added to said code, to read:

31641.6. An employee of a city who has become a county employee upon the assumption by the county of the functions of the city department in which he was employed, may, if he is not covered by the city under a contract with the State Employees' Retirement System, elect to receive credit in the county retirement system for service for the city prior to the cessation of his employment by the city.

Any such person shall be entitled to credit in the county retirement system for service performed for the city when and if (a) the Board of Retirement receives certification from the city of the city service and earnable compensation of the employee; and (b) the employee deposits into the Employees' Retirement System the amount of contributions he would have made had he been a county employee

during his city employment; and (c) there is also deposited in the Employees' Retirement System by the city, the employee, or both, the amount that the county would have been required to deposit to the Employees' Retirement Fund based on the city salary paid to such employee.

Upon deposit of such funds, the employee's age at entry shall be considered to be his age at time of employment with the city or at the time this chapter was effective in the county whichever is later. Such money deposited under (b) above shall be considered as accumulated normal contributions of the employee and any such money deposited under (c) above shall be considered as contributions of the employer county.

If all of the money called for under (b) above is not paid within 90 days after employment by the county, only the part of city employment latest in date covered by such deposit shall be credited and the age at entry and the amount under (c) above shall be adjusted accordingly.

An employee shall receive credit for city employment prior to his employment by the county only for such service for which he is not entitled to receive a pension or retirement from such city.

This section shall become operative in any county on the first day of the calendar month after the Board of Supervisors adopts by four-fifths vote a resolution making it operative in the county.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2778**—An act to amend Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 28146", and insert "Sections 28142 and 28146,".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "of the forty-sixth class.", and insert a period.

**Amendment No. 3**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 28142 of the Government Code is amended to read:

28142 In a county of the forty-second class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, five thousand two hundred eighty dollars ($5,280) a year.

(b) The district attorney, nine thousand dollars ($9,000) a year. He shall not engage in private law practice during his term of office.

(c) Each supervisor, ~~three~~ *four* thousand ~~six~~ *eight* hundred dollars ~~($3,600)~~ *($4,800)* a year and ten cents ($0.10) a mile: (1) each way, for traveling to and from his residence to the courthouse while going to or returning from meetings of the board of supervisors, and (2) for each mile actually and necessarily traveled when traveling, either within or without the county, by order of the board of supervisors on county business.

(d) Grand jurors and all trial jurors in the superior court, for each day's attendance six dollars ($6), and fifteen cents ($0.15) for each

mile actually traveled, in going only. The judge of the court shall make an order directing the auditor to draw his warrant in favor of the juror for the per diem and mileage and the treasurer shall pay the warrant.

SEC. 2. Section 28146 of said code is amended to read:

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2579**—An act to add Section 6462.1 to the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "October 15th", and insert "September 1st".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2743**—An act to add Sections 5426.7, 5426.8, 5785.6, and 5785.7 to the Public Resources Code, relating to recreation and park districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 5 and 6, and insert "a city which provides recreation facilities and services, such territory may be".

**Amendment No. 2**

On page 1, line 14, after "period.", insert

"Territory shall be deemed to be uninhabited if less than three registered voters reside within it at the time of the adoption of the resolution of withdrawal by the legislative body of the city."

**Amendment No. 3**

On page 1, strike out lines 17, 18 and 19, and insert "services may submit a proposition of the electors of that part of the city which is included in a district for the withdrawal of such territory from the district at any election for".

**Amendment No. 4**

On page 1, line 20, after "of", insert "such".

**Amendment No. 5**

On page 2, strike out lines 15 and 16, and insert "city which provides recreation facilities and services, such territory may be".

**Amendment No. 6**

On page 2, line 24, after "period.", insert

"Territory shall be deemed to be uninhabited if less than three registered voters reside within it at the time of the adoption of the resolution of withdrawal by the legislative body of the city."

**Amendment No. 7**

On page 2, strike out lines 27, 28 and 29, and insert "services may submit a proposition of the electors of that part of the city which is included in a district for the withdrawal of such territory from the district at any election for".

Amendment No. 8

On page 2, line 30, after "of", insert "such".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Assembly Bill No. 2742**—An act to amend Section 2025 of the Welfare and Institutions Code, relating to old age assistance grants.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Social Welfare, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "November 1, 1958", and insert "May 1, 1959".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2707**—An act to amend Section 2802 of, and to add Section 40152 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle inspections.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "10", and insert "30".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2737**—An act to amend Section 27900 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to signs displayed on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "Every", insert "motor vehicle or combination of vehicles used to carry the property of others for hire or used to carry passengers for hire, and any".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1717**—An act to make an appropriation for a loan to the South Sutter Water District for the construction of an irrigation project, and declaring the urgency thereof, to take effect immediately

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "Investment", and insert "California Water".

**Amendment No. 2**

On page 1, line 16, strike out "Investment", and insert "California Water".

**Amendment No. 3**

On page 1, strike out line 17, and insert:

"Notwithstanding the above provisions, if Senate Bill No. 425 of the 1959 Regular Session is enacted into law, the loan authorized by this section shall be made from the Local Project Assistance Fund created by Section 12881 of the Water Code and, in such case, all moneys received by the department from the district shall be deposited in the State Treasury to the credit of the Local Project Assistance Fund.

No loan authorized by this act shall be made to the".

**Amendment No. 4**

On page 1, strike out lines 10 and 11, and insert "net interest cost paid by the State on the last previous sale of general obligation bonds adjusted to the next highest one-twentieth of 1 percent, in not exceeding 25".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2276**—An act to add Sections 11723, 11724, 11725, and 11726 to the Health and Safety Code, relating to the rehabilitation and supervision of narcotic addicts, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on May 8, 1959, between lines 11 and 12, insert

"The existence of the commission terminates on the ninety-first day after adjournment of the 1961 Regular Session of the Legislature."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1984**—An act to amend Section 27051 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the administration of the State Library and its services to public libraries.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 121**—An act to amend Sections 3043 and 3431.1 of the Welfare and Institutions Code, relating to residence qualifications for aid to the blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "and", and insert ", 3081,".

**Amendment No. 2**

In line 1 of the title, after "3431.1", insert ", and 3470".

**Amendment No. 3**

On page 1, between lines 10 and 11, insert

"SEC. 2. Section 3081 of said code is amended to read:

3081. Each applicant for aid shall file with the county agency designated to administer aid to the blind an application, accompanied by an affidavit, signed by him, stating, if known, his age, sex, counties of residence during the preceding ~~10 years~~ *one year*, his financial resources and income, the name and address of his spouse and of each of his adult children and parents, the degree of his blindness, where and when he became blind, what employment and education he has had, his general physical condition, and such other data as are necessary to establish his eligibility for aid to the blind. The applicant's sworn statements in his application shall constitute prima facie evidence of the facts stated, except with respect to degree of blindness and residence. This section shall not be interpreted to preclude a full and complete investigation by the agency administering aid to the blind."

**Amendment No. 4**

On page 1, line 11, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 5**

On page 1, after line 19, insert

"SEC. 4. Section 3470 of said code is amended to read:

3470. Each applicant for aid shall file with the county agency designated to administer aid to the blind an application, accompanied by an affidavit, signed by him, stating, if known, his age, sex, counties of residence during the preceding ~~10 years~~ *one year*, his financial resources and income, the name and address of his spouse and of each of his adult children and parents, the degree of his blindness, where and when he became blind, what employment and education he has had, his general physical condition, and such other data as are necessary to establish his eligibility for aid to the blind. The applicant's sworn statements in his application shall constitute prima facie evidence of the facts stated, except with respect to degree of blindness and residence. This section shall not be interpreted to preclude a full and complete investigation by the agency administering aid to the blind."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

**Assembly Bill No. 2161**—An act to amend Section 2054 of the Unemployment Insurance Code, relating to establishment and maintenance of public employment offices by the director of employment.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, strike out "department", and insert "service".

**Amendment No. 2**

On page 2, line 2, strike out "placement service devoted to securing gainful"; strike out lines 3 and 4; and in line 5, strike out "age, are not readily able to secure employment.", and insert "job counseling and placement service for those persons who are encountering, or may be expected to encounter difficulty in securing or keeping a job principally because of their age."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 571**—An act making an appropriation for participation by the State in the benefits of the National Defense Education Act of 1958, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1082**—An act to appropriate one hundred thousand dollars ($100,000) to be expended pursuant to Chapter 13 of Division 10 of the Education Code, relating to the National Defense Education Act of 1958, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1538**—An act to add Chapter 10 (commencing at Section 3551) to Division 5 of, to add Section 17305.5 to, and to amend Section 18352 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district organization, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 1, 1959, strike out "to add Section 17305.5 to,".

**Amendment No. 2**

On page 4, strike out lines 16 to 24, inclusive.

**Amendment No. 3**

On page 4, line 25, strike out "SEC. 3.", and insert "SEC. 2."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1774**—An act to amend Section 2160.9 of the Welfare and Institutions Code, relating to the computation of old age security grants.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 17, 1959, after "income", insert "unless it is established that the difference is in fact a regular and significant contribution toward the support of the recipient".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2357**—An act to amend Sections 13145 and 13146 of, and to add Sections 13146.3 and 13146.5 to, the Health and Safety Code, relating to the inspection of buildings for the prevention of fire and protection of life and property against fire or panic.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "where in -"; strike out lines 10 to 12, inclusive, and insert "in areas outside of corporate cities and county fire protection districts."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 957**—An act to add Section 3025.2 and 3087.05 to, and to amend Section 3087.2 of, the Welfare and Institutions Code, relating to aid to the blind, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 20, 1959, between lines 16 and 17, insert "The cost of boarding or nursing home care or homemaker or housekeeper service furnished by a county to a recipient of aid under this chapter shall not constitute a lien upon any property of such recipient"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1867**—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Assembly on May 7, 1959, strike out "of the same political party"; strike out lines 50 and 51, and insert a period.

Amendment No. 2

On page 3, after line 8, insert

"9150. No Acting Assemblyman or Acting Senator is eligible to be a candidate for a succeeding term of the office to which he has been appointed pursuant to this article if the person who appointed him is a candidate for the office for such term"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2465**—An act to add Section 118.5 to the Streets and Highways Code, relating to sale of land by the Highway Department.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, after "sale", insert "within five years of the date of its acquisition if it is in the same condition as it was at the time of acquisition,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1539**—An act to amend Section 27641 of the Government Code, relating to the term and removal of a county counsel.

Bill read second time.

Consideration of Committee Amendments

The following amentment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "inefficiency,"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2340**—An act to amend Section 39560 of, and to add Sections 39567.1 and 39574.5 to, the Government Code, relating to weed and rubbish abatement.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 25, 1959, between lines 13 and 14, insert

"The notices mailed by the city clerk shall be mailed at least five days prior to the time for hearing objections by the legislative body."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1088**—An act to amend Section 25450.4 of the Government Code, relating to construction contracts in counties with population of 500,000 or more.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, lines 6 and 7, of the printed bill, strike out "five hundred dollars ($5,500)", and insert "dollars ($5,000)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1771**—An act to amend Section 1172 of the Labor Code, relating to wages of minors.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2708**—An act to add Section 98 5 to the Labor Code, relating to the Division of Labor Law Enforcement.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2781**—An act to add Section 204b of the Labor Code, relating to weekly payment of wages.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2796**—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1663**—An act to add Section 1094.5 to the Unemployment Insurance Code, relating to the release of information concerning foreign workers.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2559**—An act to add Section 8403 to the Government Code, relating to the administration of programs for the blind.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "blind", and insert "aged, blind, and disabled".

**Amendment No. 2**

On page 1, line 5, strike out "blind", and insert "aged, blind, or disabled".

**Amendment No. 3**

On page 1, line 6, strike out "blind", and insert "aged, blind, or disabled".

**Amendment No. 4**

On page 1, line 7, strike out "blind", and insert "aged, blind, or disabled".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1074**—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2 Part 3, Division 1 of, and to add Sections 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1868**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation, and the allocation of state funds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1174**—An act to add Part 15 (commencing at Section 33001) to Division 2 of the Revenue and Taxation Code, imposing a tax for the privilege of producing or severing oil or gas from the earth in this State, and imposing compensating taxes on the refining of oil or distribution of gas with respect to oil or gas produced or severed from the earth outside this State, making an appropriation, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 17 of the printed bill, as amended in the Assembly on May 12, 1959, after line 50, insert

"33027. The tax imposed by this article shall not apply to the oil produced or severed from a well producing an average of five barrels per day or less in any calendar month."

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 2537**—An act to add Section 202.3 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed measure, strike out "evergreen,"

**Amendment No. 2**

On page 1, line 7, after "years", insert ", or not more than one year".

**Amendment No. 3**

On page 1, line 8, strike out "as nursery", and insert "in a container as growing nursery".

Bill ordered printed, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Assembly Bill No. 2674**—An act to amend Sections 401 and 753 of, to amend and renumber Sections 755, 756, 758, 759, and 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Sections 165, 761, 1611.5, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1821.5, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 401 and", and insert "Section".

**Amendment No. 2**

In line 6 of the title, strike out "165,".

**Amendment No. 3**

In line 7 of the title, strike out "1611.5,".

**Amendment No. 4**

In line 7 of the title, strike out "1821.5,".

**Amendment No. 5**

On page 1, line 1, strike out "165 is added to", and insert "753 of".

**Amendment No. 6**

On page 1, line 2, strike out the comma, and insert "is amended".

**Amendment No. 7**

On page 1, strike out lines 3 to 6, inclusive; and on page 2, strike out lines 1 to 4, inclusive.

**Amendment No. 8**

On page 3, strike out lines 33 to 43, inclusive.

**Amendment No. 9**

On page 3, strike out lines 44 to 51, inclusive; and on page 4, strike out lines 1 to 3, inclusive.

**Amendment No. 10**

On page 5, strike out lines 28 to 32, inclusive.

**Amendment No. 11**

On page 6, strike out lines 45 to 51, inclusive.

**Amendment No. 12**

On page 7, line 1, strike out "20", and insert "19".

**Amendment No. 13**

On page 7, line 6, strike out "21", and insert "20".

**Amendment No. 14**

On page 7, line 23, strike out "22", and insert "21".

**Amendment No. 15**
On page 7, line 40, strike out "23", and insert "22".

**Amendment No. 16**
On page 8, line 4, strike out "24", and insert "23".

**Amendment No. 17**
On page 8, line 12, strike out "25", and insert "24".

**Amendment No. 18**
On page 8, line 20, strike out "26", and insert "25".

**Amendment No. 19**
On page 8, line 31, strike out "27", and insert "26".

**Amendment No. 20**
On page 8, line 40, strike out "28", and insert "27".

**Amendment No. 21**
On page 9, line 1, strike out "29", and insert "28".

**Amendment No. 22**
On page 9, line 14, strike out "30", and insert "29".

**Amendment No. 23**
On page 9, line 21, strike out "31", and insert "30".

**Amendment No. 24**
On page 9, line 28, strike out "32", and insert "31".

**Amendment No. 25**
On page 9, line 31, strike out "33", and insert "32".

**Amendment No. 26**
On page 9, line 42, strike out "34", and insert "33".

**Amendment No. 27**
On page 10, line 4, strike out "35", and insert "34".

**Amendment No. 28**
On page 10, line 14, strike out "36", and insert "35".

**Amendment No. 29**
On page 10, line 24, strike out "37", and insert "36".

**Amendment No. 30**
On page 10, line 30, strike out "38", and insert "37".

**Amendment No. 31**
On page 10, line 40, strike out "39", and insert "38".

**Amendment No. 32**
On page 10, line 47, strike out "40", and insert "39".

**Amendment No. 33**
On page 11, line 4, strike out "41", and insert "40".

**Amendment No. 34**
On page 11, line 6, strike out "42", and insert "41".

**Amendment No. 35**
On page 11, line 19, strike out "43", and insert "42".

**Amendment No. 36**
On page 11, line 31, strike out "1821.5,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1348**—An act authorizing the State Park Commission to accept the Murphy Home in Sunnyvale as a state historical monument and to provide for its preservation, development, and interpretation.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted and re-engrossed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 735**—An act to add Section 30610 to the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 545**—An act to amend Sections 9, 12, 27, 27.1, and to add Sections 16 3, 16.4, 17.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 990**—An act to amend Sections 35501 and 35507 of the Government Code, relating to exclusion of territory from a municipality.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1120**—An act to amend Section 28127 of the Government Code, relating to compensation of county supervisors.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 114**—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Bill read second time, and ordered to third reading.

**Senate Bill No. 621**—An act to amend Section 14 of the Santa Clara County Flood Control and Water Conservation District Act, Chapter 1405 of the Statutes of 1951, relating to flood control and water conservation in Santa Clara County, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 18, 1959, strike out ", to repeal Section 7 of, and to add Section 7 to,".

**Amendment No. 2**

On page 1, strike out lines 1 to 22, inclusive; on page 2 strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 14 of the Santa Clara County Flood Control and Water Conservation District Act, Chapter 1405 of the Statutes of 1951, is amended to read.".

**Amendment No. 3**

On page 4, line 34, strike out "4", and insert "2".

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

**Senate Bill No. 878**—An act to add Chapter 20 (commencing at Section 5400) to Division 6 of the Agricultural Code, relating to the fish industry.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 19, of the printed bill, as amended in the Assembly on May 21, 1959, strike out "act", and insert "chapter".

**Amendment No. 2**

On page 2, line 31, strike out "act", and insert "chapter".

**Amendment No. 3**

On page 5, line 42, after "and", insert "seafood".

**Amendment No. 4**

On page 7, line 17, after "director", insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 13**—An act to amend Section 2421.5 of the Education Code, relating to school districts.

Bill read second time, and ordered to third reading.

NOTE—Later this day, Senate Bill No. 13 was considered further, and amended. *See* page 4502.

**Senate Bill No. 209**—An act to add Chapter 9 (commencing with Section 1151), to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on March 24, 1959, after "act to", insert "repeal Chapter 7 (commencing with Section 1115) and Chapter 8 (commencing with Section 1131) of Part 3, Division 2 of, and to".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Chapter 7 (commencing with Section 1115) and Chapter 8 (commencing with Section 1131) of Part 3, Division 2 of the Labor Code are repealed.

SEC. 2. Chapter 9 (commencing with Section 1151) is added to Part 3, Division 2, of said code, to read:".

**Amendment No. 3**

On page 3, line 36, after "services", insert ", other than advertising".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 710**—An act to add Article 9 (commencing at Section 50230) to Chapter 1, Part 1, Division 1, Title 5 of the Government Code, relating to abandoned excavations.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Senate on May 5, 1959, after "city", insert ", a city and county,".

**Amendment No. 2**

On page 2, line 36, strike out "or city", and insert ", city, or city and county".

**Amendment No. 3**

On page 2, line 41, strike out "or city", and insert ", city, or city and county".

**Amendment No. 4**

On page 2, line 45, strike out "city county, or or town", and insert "county, city, or city and county".

**Amendment No. 5**

On page 2, strike out line 50, and insert "(County, city, or city and county of_____)".

**Amendment No. 6**

On page 3, line 3, after "mailed", insert "by certified mail".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 485**—An act to amend Section 16302.1 of, and to repeal Section 13145 of, the Government Code, and to amend Sections 19052, 19053, 19053.9, 26072, and 26073 of the Revenue and Taxation Code, relating to the disposition of overpayments of taxes, fees, and other revenues collected by state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Senate on May 4, 1959, after "TIONS", insert "6901, 6981, 9151, 9154, 9196, 10251, 10321, 12977,".

**Amendment No. 2**

On page 2, between lines 17 and 18, insert:

"SEC. 3. Section 6901 of the Revenue and Taxation Code is amended to read:

6901. If the board determines that any amount, penalty, or interest has been paid more than once or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of the amount legally due and the person from whom it was collected or by whom paid. If approved by the State Board of

Control the excess amount collected or paid shall be credited on any amounts then due and payable from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, or executors.

In the case, however, of a determination by the board that an amount not exceeding ~~twenty-five dollars ($25)~~ *one hundred dollars ($100)* was not required to be paid under this part, the board without obtaining approval of the State Board of Control may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may refund the balance to the person or his successors, administrators, or executors.

Any overpayment of the use tax by a purchaser to a retailer who is required to collect the tax and who gives the purchaser a receipt therefor pursuant to Article 1, Chapter 3, of this part shall be credited or refunded by the State to the purchaser.

SEC. 4. Section 6981 of the said code is amended to read:

6981. If any amount in excess of ~~twenty-five dollars ($25)~~ *one hundred dollars ($100)* has been illegally determined either by the person filing the return or by the board, the board shall certify ~~this fact~~ to the State Board of Control ~~and the latter shall authorize the cancellation of the amount upon the records of the board~~ *the amount determined to be in excess of the amount legally due and the person against whom the determination was made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board*. If an amount not exceeding ~~twenty-five dollars ($25)~~ *one hundred dollars ($100)* has been illegally determined either by the person filing a return or by the board without certifying this fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board.

SEC. 5. Section 9151 of the said code is amended to read:

9151. If the board determines that any amount not required to be paid under this part has been paid by any person, the board shall set forth in its records and certify to the State Board of Control the amount paid in excess of the amount legally due and the person by whom the excess was paid to the board or from whom it was collected. If the State Board of Control approves, the excess amount paid or collected shall be credited on any amounts then due and payable from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, executors, or assigns.

In the case, however, of a determination by the board that an amount not exceeding ~~twenty-five dollars ($25)~~ *one hundred dollars ($100)* was not required to be paid under this part, the board without obtaining the approval of the State Board of Control may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may refund the balance to the person or his successors, administrators, or executors.

Any overpayment of the tax by a user to a vendor who is required to collect the tax and who gives the user a receipt therefor pursuant to Section 8732 shall be credited or refunded by the State to the user.

SEC. 6. Section 9154 of the said code is amended to read:

9154. In the case, however, of a determination by the board that an amount not exceeding ~~fifty dollars ($50)~~ *one hundred dollars ($100)* was not required to be paid under this part, the board, without obtaining the approval of the State Board of Control, may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may authorize the person to deduct the balance from any amounts to become due from him under this part.

SEC. 7. Section 9196 of the said code is amended to read:

9196. If any amount *in excess of one hundred dollars ($100)* has been illegally determined *either by the person filing the return or by the board*, the board shall ~~set forth in its records and~~ certify to the State Board of Control the amount determined *to be* in excess of the amount legally due and the person against whom the determination was made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board. *If an amount not exceeding one hundred dollars ($100) has been illegally determined either by the person filing a return or by the board the board without certifying this fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board.*

SEC. 8. Section 10251 of the said code is amended to read:

10251. If the board determines that any amount not required to be paid under this part has been paid by any person, the board shall set forth in its records and certify to the State Board of Control the amount paid in excess of the amount legally due and the person from whom it was collected. If the State Board of Control approves, the excess shall thereupon be credited on any taxes then due from the operator under this part, and the balance shall be refunded to the operator, or his successors, administrators, executors, or assigns, or to the person from whom it was collected.

In the case, however, of a determination by the board that an amount not exceeding ~~twenty-five dollars ($25)~~ *one hundred dollars ($100)* was not required to be paid under this part, the board, without obtaining the approval of the State Board of Control, may credit such amount on any amounts then due from the operator under this part, and the balance may be refunded to the operator, or his successors, administrators, executors, or assigns, or to the person from whom it was collected.

SEC. 9. Section 10321 of the said code is amended to read:

10321. If any amount *in excess of one hundred dollars ($100)* has been illegally determined *either by the person filing the return or by the board*, the board shall ~~set forth in its records and~~ certify to the State Board of Control the amount determined *to be* in excess of the amount legally due and the person against whom the determination was made If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board and the Controller. *If an amount not exceeding one hundred dollars ($100) has been illegally determined either by the person filing a return or by the board the board without certifying this fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board and the Controller.*

SEC. 10. Section 12977 of the said code is amended to read:

12977. If the board determines that any tax or penalty has been paid more than once or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the Board of Control the amount of the taxes or penalties collected in excess of what was legally due, and from whom they were collected or by whom paid. If approved by the Board of Control, the excess shall be credited to the insurer to whom it rightfully belongs at the time of the next payment of taxes following the approval, and at the time of such future payments as is necessary to completely credit the excess. In the case, however, of a determination by the board that an amount not exceeding ~~twenty-five dollars ($25)~~ *one hundred dollars ($100)* was not required to be paid under this part, the board without obtaining approval of the State Board of Control may credit the amount on any tax which will become due and payable after the next assessment against the insurer by whom the amount was paid."

**Amendment No. 3**

On page 2, strike out line 18, and insert
"SEC. 11. Section 19052 of the said code".

**Amendment No. 4**

On page 2, line 31, strike out "SEC. 4.", and insert "SEC 12."

**Amendment No. 5**

On page 2, line 43, strike out "SEC. 5.", and insert "SEC. 13."

**Amendment No. 6**

On page 3, line 10, strike out "SEC. 6.", and insert "SEC. 14."

**Amendment No. 7**

On page 3, line 22, strike out "SEC. 7.", and insert "SEC. 15."

Bill ordered reprinted, and to be re-referred to the Committee on Revenue and Taxation.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2629, 2777, 2464, 2575, 1771,** and **1868,** subsequent to engrossment.

**Assembly Bill No. 1074,** subsequent to re-engrossment.

**Senate Bills Nos. 863** and **735.**

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following communication be ordered printed in the Journal:

*Communication From State Library*

THE CALIFORNIA STATE LIBRARY
May 27, 1959

*Assemblyman Charles Chapel*
*State Capitol, Sacramento*

DEAR MR. CHAPEL: In answer to your request, the Library of Congress, through its Legislative Reference Service, provides the Congress

with the services listed below. You asked also that indication be made as to which of these services the California State Library provides to our State Legislators.

| *Provided by L. C. to Congress* | *Provided by CSL to State Legislature* |
|---|---|
| 1. Assembles material for speeches. | 1. Yes. |
| 2 Does translations from foreign languages. | 2. Requests are infrequent and met, usually by referral. |
| 3. Provides background information for legislation about to be introduced. | 3. Yes. |
| 4. Provides analyses of bills in and awaiting passage. | 4. No. Done by Legislative Counsel in California. |
| 5 Answers spot reference inquiries. | 5. Yes. |
| 6. Prepares lengthy studies requiring months of time. | 6. No Done by Bureau of Public Administration and others in California. |
| 7. Prepares duplicate files of popular reports to serve as "prefabricated" answers to repeated inquiries. | 7. Yes. |
| 8. Keeps a clipping service of newspaper, magazine, pamphlet and documentary material as a main source of information. | 8. No. This could be done and would appear to be a needed and useful service. More staff would be needed. |
| 9. Builds up a giveaway collection (100,000 pamphlets and government documents) which LRS gives away. As many as 15 copies of one title are kept to give away to members requesting material. | 9. Yes, with more limited numbers of publications. |

The Legislative Reference Service section of the Library of Congress had in 1957 a staff of 195 persons. The Legislative Reference Service of the California State Library has a staff in 1959 of 2¼ persons.

If we can supply any more information, please let us know.

Sincerely yours,

CARMA R. ZIMMERMAN, State Librarian

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 1093 FROM COMMITTEE

Mr. Dahl was granted unanimous consent that Senate Bill No. 1093 be withdrawn from the Committee on Government Organization for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF SENATE BILL NO. 1093

**Senate Bill No. 1093**—An act to repeal Sections 172, 172a, 172b, 172d, and 172.5 of the Penal Code, and to amend Section 23789 of, and to add Section 23789.5 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Motion to Amend**

Mr. Dahl moved the adoption of the following amendments:

**Amendment No. 1**

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert "An act to add Section 172e to the Penal Code, relating to alcoholic beverages."

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 172e is added to the Penal Code, to read:

172e. The provisions of Sections 172, 172a, 172b, and 172d of this code shall not apply to the sale or the exposing or offering for sale of alcoholic beverages by a licensee under the Alcoholic Beverage Control Act within premises licensed as a bona fide public eating place as provided in the Constitution and as defined in the Alcoholic Beverage Control Act (commencing at Section 23000, Business and Professions Code), and the provisions of such sections shall not be construed so as to preclude the Department of Alcoholic Beverage Control from issuing licenses for bona fide public eating places within the areas prescribed by the sections."

**Amendment No. 3**

On page 1, strike out lines 2 to 12, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Government Organization.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2553 FROM COMMITTEE

Mr. Bradley was granted unanimous consent that Assembly Bill No. 2553 be withdrawn from the Committee on Government Organization, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2553

**Assembly Bill No. 2553**—An act to amend Sections 7332, 7342, 7370, 7376, 7383, 7394, 7394.1, 7396.6, 7398.5, 7420, and 7442 of, and to amend and renumber the titles of Article 6 (commencing at Section 7370), Article 7 (commencing at Section 7380), Article 8 (commencing at Section 7390), Article 9 (commencing at Section 7410), Article 10 (commencing at Section 7420), Article 11 (commencing at Section 7425), and Article 12 (commencing at Section 7435) of Chapter 10 of Division 3 of, and to add Section 7394.6 to, and to repeal Sections 7331, 7333, 7334, 7341, 7343, 7344, 7345, and 7421 of, and Article 5 (commencing at Section 7360) of Chapter 10 of Division 3 of, the Business and Professions Code, relating to cosmetology.

Bill read second time.

**Motion to Amend**

Mr. Bradley moved the adoption of the following amendments:

**Amendment No. 1**

Strike out line 2 of the title of the printed bill, as amended in the Assembly on May 20, 1959, and insert "7342, 7351, 7370, 7376, 7383, 7393, 7394, 7394.1, 7396.5, 7396.6, 7398.5, 7420, 7436,".

**Amendment No. 2**

Strike out lines 10 and 11 of the title, and insert "7394.6 to, and to add Sections 7331.1, 7335, and 7437.5 to, and to repeal Section 7421 of, and Article 5 (commencing".

**Amendment No. 3**

On page 2, strike out lines 42 and 43, and insert

"SECTION 1. Section 7331.1 is added to the Business and Professions Code, to read

7331.1. The junior operator program as described in this article shall be used on an individual basis provided necessity is shown"

**Amendment No. 4**

On page 2, line 46, strike out "hairdresser and cosmetician or".

**Amendment No. 5**

On page 3, strike out lines 11 to 13, inclusive, and insert

"SEC. 3. Section 7335 is added to said code, to read:

7335. The board shall admit to examination for a certificate of registration and license as a cosmetology instructor, at any meeting of the board duly held for the purpose of conducting examination, any person who has made application to the board in proper form, paid the fee required by this chapter, and who is qualified as follows:

(a) Who is licensed as a cosmetologist.

(b) Who is of good moral character and temperate habits.

(c) Who has had one year of practical experience in all branches of cosmetology, except the branch of electrology, in a licensed cosmetological establishment, or 600 hours of teacher training in a school of cosmetology approved by the board"

**Amendment No. 6**

On page 3, line 14, strike out "SEC. 6.", and insert "SEC. 4."

**Amendment No. 7**

On page 3, line 26, strike out "electrologist", and insert "electrology instructor".

**Amendment No. 8**

On page 3, strike out lines 33 to 35, inclusive, and insert

"SEC. 5. Section 7351 of said code is amended to read:

7351. The board shall admit to examination for a certificate of registration and license as a manicurist, any person who has made application to the board in proper form, paid the fee required by this chapter, and who is qualified as follows:

(a) Who is not less than 18 years of age

(b) Who is of good moral character and temperate habits

(c) Who has completed the tenth grade in the public schools of this State or its equivalent.

(d) Who has had any one of the following:

(1) Practical training of at least 350 hours ~~extending over a period of not less than three months~~ under the immediate supervision of a licensed instructor, in a licensed school in which the practice is taught.

(2) Practice in manicuring for a period of one year outside of this State."

**Amendment No. 9**

On page 3, line 36, strike out "SEC. 10", and insert "SEC. 6"

**Amendment No. 10**

On page 3, line 38, strike out "SEC. 11.", and insert "SEC. 7."

**Amendment No. 11**

On page 3, line 44, strike out "SEC. 12.", and insert "SEC. 8."

**Amendment No. 12**

On page 3, lines 46 and 47, strike out "hairdresser and cosmetician or".

**Amendment No. 13**

On page 4, line 4, strike out "SEC. 13.", and insert "SEC. 9."

**Amendment No. 14**

On page 4, line 6, strike out "hairdresser and cosmetician or".

**Amendment No. 15**

On page 4, line 8, after "electrologist", insert "or for a cosmetology instructor's license".

**Amendment No. 16**

On page 4, line 13, strike out "hairdresser and cosmetician or".

**Amendment No. 17**

On page 4, line 17, after "hours.", insert "The further course for a cosmetology instructor applicant shall be not less than 200 hours."

**Amendment No. 18**

On page 4, line 18, strike out "SEC. 14.", and insert "SEC. 10."

**Amendment No. 19**

On page 4, line 24, strike out "SEC. 15.", and insert "SEC. 11."

**Amendment No. 20**

On page 4, line 27, strike out "hairdresser and cosmetician or".

**Amendment No. 21**

On page 4, line 28, after "electrologist," insert "as a junior operator, as a junior electrologist,".

**Amendment No. 22**

On page 4, line 31, strike out "SEC. 16.", and insert "SEC. 12."

**Amendment No. 23**

On page 4, between lines 35 and 36, insert

"SEC. 13. Section 7393 of said code is amended to read:

7393. Every school of cosmetology shall, at all times, be in charge of and under the immediate supervision of a licensed ~~hairdresser and cosmetician or~~ cosmetologist, who has had at least a total of three years' practical experience in the practice or teaching of all of the branches of cosmetology, except the branch of electrology, in a licensed cosmetology and who holds ~~an~~ *a cosmetology* instructor's ~~permit~~ *license*.

Every person employed in a school of cosmetology to instruct students therein shall be a licensed *cosmetology instructor* ~~hairdresser and cosmetician or cosmetologist (1) who has had either (a) one year of practical experience in all branches of cosmetology, except the branch of electrology, in a licensed cosmetological establishment or (b) 600 hours of teacher training in a school of cosmetology over a period of not less than four months and (2) who has passed an instructor's examination given by the board and has received an instructor's permit. In order to take the instructor's examination, the instructor's examination fee shall be paid~~.

All instructors shall be continuously engaged in teaching students in theoretical or practical work. Except when instructing a student and the student is doing the manual work, no instructor may practice upon a patron and any instructor who does so is subject to disciplinary action by the board.

Before any school of cosmetology license, as provided herein shall be finally granted, a second inspection shall be made after the equipment has been installed and before the school is permitted to begin operation.

No applicant shall be granted a license to operate a school of cosmetology unless, in the opinion of the board, sufficient equipment has been installed for the requirements of enrolling a minimum of not

less than 25 bona fide students; and provided further, that the floor space shall provide a separate lecture room and a separate locker room with sufficient space for the proper placement of said equipment.

No school of cosmetology shall be licensed until the board has had ample opportunity to verify sworn statements as to the actual ownership and in this respect, if false statements are submitted to the board in connection with said application, this in itself shall constitute sufficient grounds for the refusal to grant any application hereunder, or if an application is granted and thereafter the board discovers that false statements were made in connection therewith, this shall constitute sufficient grounds for the cancellation of said school of cosmetology license even though it is detected after a license has been issued.

The board reserves the right to deny a school of cosmetology license to any applicant who fails to present satisfactory evidence of personal integrity and moral responsibility, and in the event that the said applicant is a corporation, this shall apply to all the officers thereof; provided further, that no school of cosmetology license shall be issued until the real owner files with the department a statement definitely designating who is authorized to accept service of notice from the said board and to transact all business negotiations in behalf of the said school, including answers to citations for hearing, and compliance with rulings issued by the said board.

No school of cosmetology shall advertise student work to the public for pay through any medium including radio, unless the work advertised is expressly designated as student work."

**Amendment No. 24**

On page 4, line 37, strike out "SEC. 17.", and insert "SEC. 14."

**Amendment No. 25**

On page 4, line 42, strike out "hairdresser and cosmetician or".

**Amendment No. 26**

On page 4, line 49, strike out "SEC 18.", and insert "SEC. 15."

**Amendment No. 27**

On page 5, line 5, strike out "SEC. 19.", and insert "SEC. 16."

**Amendment No. 28**

On page 5, line 6, after "a", insert "cosmetologist".

**Amendment No. 29**

On page 5, line 8, after "training", insert "in such subjects as may be prescribed by the school".

**Amendment No. 30**

On page 5, line 11, after "hours", insert "of training in such subjects as may be prescribed by the school".

**Amendment No. 31**

On page 5, between lines 13 and 14, insert

"SEC. 16. Section 7396.5 of said code is amended to read:

7396.5. Every school of cosmetology, including those under the Public School System of this State, shall have at least two *cosmetology* instructors and when the daily attendance for either day or night school averages more than 50 students for a period of three months, an additional *cosmetology* instructor shall be engaged for each three months' average of 25 students after the first 50."

**Amendment No. 32**

On page 5, line 14, strike out "SEC. 20.", and insert "SEC. 17."

**Amendment No. 33**

On page 5, strike out lines 21 to 39, inclusive, and insert

"(b) 25 verified applications for enrollment as beginning students for the cosmetologist course."

**Amendment No. 34**

On page 5, line 40, strike out "SEC. 21.", and insert "SEC. 18."

**Amendment No. 35**

On page 5, line 44, after "classes", insert ", except that a student may be required to pay for supplies and materials for their own personal use".

**Amendment No. 36**

On page 6, line 4, strike out "SEC. 22.", and insert "SEC. 19."

**Amendment No. 37**

On page 6, line 10, strike out "SEC. 23.", and insert "SEC. 20."

**Amendment No. 38**

On page 6, line 16, strike out "SEC. 24.", and insert "SEC. 21."

**Amendment No. 39**

On page 6, lines 19 and 20, strike out "hairdresser and cosmetician or".

**Amendment No. 40**

On page 6, line 32, strike out "hairdressers and cosmeticians or".

**Amendment No. 41**

On page 6, line 52, strike out "SEC. 25.", and insert "SEC. 22."

**Amendment No. 42**

On page 7, line 1, strike out "SEC. 26.", and insert "SEC. 23."

**Amendment No. 43**

On page 7, line 7, strike out "SEC. 27.", and insert "SEC. 24."

**Amendment No. 44**

On page 7, between lines 11 and 12, insert

"SEC. 25. Section 7436 of said code is amended to read:

7436. Licenses of ~~hairdressers and cosmeticians or~~ cosmetologists, instructors, electrologists, *and* manicurists~~, and permanent wavers~~ expire on September 30th of each year. An application for renewal of a license shall be filed with the board during the months of August or September, accompanied by the renewal fee prescribed by this chapter. Thereupon the board shall renew the license for the ensuing year.

SEC. 26. Section 7437.5 is added to said code, to read:

7437.5. Any person whose certificate of registration and license as a permanent waver has expired for failure of the licensee to renew within the time fixed by Section 7436 may reinstate such certificate by filing an application for reinstatement within 180 days after the effective date of this section and complying with the provisions of Section 7437. The board shall thereupon issue such person a certificate of registration and license as a cosmetologist. If an examination is required for such reinstatement, the fee therefor shall be fixed by the board at not more than eight dollars ($8) and not less than two dollars ($2)."

**Amendment No. 45**

On page 7, line 13, strike out "SEC. 28.", and insert "SEC. 27."

**Amendment No. 46**

On page 7, lines 16 and 17, strike out "hairdresser and cosmetician or".

**Amendment No. 47**

On page 7, between lines 25 and 26, insert

"(d) The application fee for a junior operator shall be set by the board annually at not more than four dollars ($4) and not less than one dollar ($1).

(e) The application fee for junior electrologist shall be set by the board annually at not more than four dollars ($4) and not less than one dollar ($1)."

**Amendment No. 48**

On page 7, line 26, strike out "(d)", and insert "(f)".

**Amendment No. 49**

On page 7, line 28, strike out "(e)", and insert "(g)".

**Amendment No. 50**

On page 7, line 31, strike out "(f)", and insert "(h)".

**Amendment No. 51**

On page 7, strike out line 32, and insert
"(i) The annual registration fee for a cosmetological estab-".

**Amendment No. 52**

On page 7, strike out line 35, and insert
"(j) The annual registration fee for a school of cosmetology or for a school of electrology".

**Amendment No. 53**

On page 7, strike out lines 39 to 41, inclusive, and insert
"(k) The fee for a cosmetology instructors' examination shall be set by the board annually at not more than twenty-five dollars ($25) and not less than fifteen dollars ($15)."

**Amendment No. 54**

On page 7, line 42, strike out "(j)", and insert "(l)".

**Amendment No. 55**

On page 7, line 45, strike out "(k)", and insert "(m)".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Government Organization.

## PARLIAMENTARY INQUIRY

Mr. Johnson arose to the following parliamentary inquiry: What is the order of business and what bill is under consideration?

**Reply by Speaker**

The Speaker replied that the House was on miscellaneous motions and resolutions, Item 10 on the Assembly Order of Business.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1553 FROM COMMITTEE

Mr. Meyers was granted unanimous consent that Assembly Bill No. 1553 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 1553

**Assembly Bill No. 1553**—An act to add Chapter 5 (commencing at Section 17202) to Part 2 of Division 7 of the Business and Professions Code, relating to unfair practices in the sale of cigarettes.

Bill read second time.

**Motion to Amend**

Mr. Meyers moved the adoption of the following amendments:

**Amendment No. 1**

On page 7, line 1, of the printed bill, strike out "Cigarette Tax Act", and insert "Cigarette Tax Law".

**Amendment No. 2**

On page 7, line 17, strike out "Act", and insert "Law".

Amendment No. 3

On page 8, line 2, strike out "Act", and insert "Law".

Amendment No. 4

On page 8, line 4, strike out "Act", and insert "Law"

Amendment No. 5

On page 10, line 39, strike out "this chapter", and insert "Chapter 5 (commencing at Section 17202) of Part 2 of Division 7 of the Business and Professions Code"

Amendment No. 6

On page 10, strike out lines 42 to 44, inclusive, and insert "No. 1172, which would enact the Cigarette Tax Law (Part 13 (commencing at Section 30001) of Division 2 of the Revenue and Taxation Code), is enacted by the Legislature at its 1959 Regular Session."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Sedgwick was granted unanimous consent that Senate Bill No. 1043 be withdrawn from the Consent Calendar, and placed upon the third reading file, for purpose of amendment, at this time.

## CONSIDERATION OF SENATE BILL NO. 1043

**Senate Bill No. 1043**—An act to amend Section 777.1 of the Insurance Code, relating to free insurance.

Bill read third time.

Motion to Amend

Mr Sedgwick moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 27, 1959, after "purchasers", insert "or users".

Amendment No. 2

On page 1, line 21, after "5", insert "(commencing at Section 12140)".

Amendments read, and adopted:

Bill ordered reprinted, and returned to the third reading file.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2573 FROM COMMITTEE

Mr. O'Connell was granted unanimous consent that Assembly Bill No. 2573 be withdrawn from the Committee on Fish and Game, for purpose of amendment, and that the bill be re-referred to the Committee on Public Health.

## CONSIDERATION OF ASSEMBLY BILL NO. 2573

**Assembly Bill No. 2573**—An act to add Section 28435 to the Health and Safety Code, relating to crab meat.

Bill read second time.

Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 28435 to", and insert "Article 4 5 (commencing at Section 28340) to Chapter 7, Division 21 of".

**Amendment No. 2**

On page 1 strike out line 1, and insert

"SECTION 1 Article 4.5 (commencing at Section 28340) is added to Chapter 7, Division 21 of the Health and Safety Code, to read:

Article 4.5. Crabmeat

28340. This article does not apply to crabmeat which is packed in hermetically sealed containers and which has been sterilized in the container after sealing.

28341. It is unlawful for any person to pack any crabmeat intended for sale for human consumption, or which is sold for human consumption, to clean, grade, or otherwise prepare such crabmeat except upon premises which are licensed as provided in this article.

No license shall be issued except upon application and after inspection by the board of the premises for which the license is requested, and only if the board finds that the premises comply with the standards, prescribed in Sections 28280 to 28287, both inclusive, and 28295 of this chapter.

The board shall inspect the premises within 10 days after the date of the filing of the application.

A license issued by the board shall not be for a period of more than one year, and shall expire at the end of the period for which it is issued. This license is nontransferable.

All licensees and others subject to Section 28343 shall keep accurate and sufficient records showing their respective cleaning, grading and packaging operations in crabmeat, and the names and addresses of their employees and agents. Such records shall be kept in the form prescribed by the board, and are subject to inspection at any time by the board.

Failure to keep any records required by this section is unlawful.

The annual fee for a license issued pursuant to this article is twenty-five dollars ($25).

28342 At any time after the issuance of the license the premises covered thereby may be reinspected by the board, and the license may be revoked or suspended after a hearing by the board if it finds that the premises no longer comply with the standards prescribed by Sections 28280 to 28287, both inclusive, and 28295 of this chapter. The proceedings for the revocation or suspension of a license shall be conducted in accordance with Chapter 5 (commencing at Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

28343 It is unlawful for any person to purchase, acquire, or receive for sale or introduction into the channels of trade in their original or any modified or manufactured form, any crabmeat which was cleaned, graded, packed, or otherwise prepared other than on licensed premises.

28344. The board may issue and enforce all rules and regulations necessary to carry out this article, including the establishment of a bacteriological standard for crabmeat, and may prescribe forms and accounting methods to be used by licensees with respect to operations subject to license under this article.

When all the requirements of this article have been met, the person packaging crabmeat may designate the product as having been packed in an approved plant on approval in writing of the designation by the State Board of Public Health."

**Amendment No. 3**

On page 1, strike out lines 2 to 12, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

## ASSEMBLY BILL NO. 1766 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1766,** on request of Mr. O'Connell.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Z'berg:

### House Resolution No. 305

Relative to a study of child custody and adoption procedures

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session, the subject of adoption procedures in the State of California. The committee shall study all facts and circumstances relating to the subject of this resolution, shall make appropriate recommendations as to the advisability or necessity for legislation in this area, and shall report its findings and recommendations to the Legislature by the seventh calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Messrs. Z'berg, MacBride, and Meyers:

### House Resolution No. 306

Relative to putting the State Employees' Retirement System on a cost of living basis

WHEREAS, The long duration of the inflationary economy has produced increasing pressures to relate retirement benefits to living costs; and

WHEREAS, The career state employee, on retirement, expects from the System a lifetime income which will provide a standard of living for himself and his dependents reasonably approaching that which he earned prior to retirement; and

WHEREAS, A prolonged period of constantly increasing living costs can defeat the retirement objective of providing an adequate income when the allowance is a fixed dollar one; and

WHEREAS, The State Employees' Retirement System Administrative Board has listed a number of methods available to keep retirement benefits on a level with living costs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution be referred to the Committee on Rules for assignment to an appropriate interim committee for study.

Resolution read, and referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Unruh was granted unanimous consent that Rule No. 56 be suspended for the balance of the session for the purpose of hearing Assembly bills in the Committee on Ways and Means without the three-day notice.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bruce F. Allen was granted unanimous consent to take up further consideration of Senate Bill No. 13 (read second time earlier this day, page 4488) for purpose of amendment; and that he be permitted to offer author's amendments to the bill without their distribution pursuant to Rule No. 70.

## FURTHER CONSIDERATION OF SENATE BILL NO. 13

**Senate Bill No. 13**—An act to amend Section 1722 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Bill read second time.

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 25, 1959, after "Section", insert "2421.5 of the Education Code and Section".

**Amendment No. 2**

In line 3 of the title, before the period, insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 2, between lines 39 and 40, insert

"SEC. 2. Section 2421.5 of the Education Code is amended to read:

2421.5. (a) Territory annexed to a city which is not contiguous to a school district within the city shall not become a part of any school district within such city pursuant to Section 2421.

(b) Territory annexed to a city which is part of a unified school district shall not become a part of any school district within the city pursuant to Section 2421 unless prior to the annexation, the governing boards of the affected districts agree in writing that the territory shall become part of the city school district. In order for the agreement to be effective, a certified copy thereof shall be filed with the city council prior to the adoption of the resolution specified in Section 35117 or Section 35306 of the Government Code, and such resolution shall contain a statement that the annexed territory shall become part of the city school district.

*(c) Territory annexed to a city which is part of a union high school district or a joint union high school district shall not become a part of any school district within the city pursuant to Section 2421 unless prior to the annexation, the governing board of the city school district, the governing board of the elementary district, and the governing board of the high school, joint union high school, and union high school district in which the territory is situated agree in writing that the territory located in the elementary district shall become part of the city school district. If an agreement between the elementary school board and the city school board cannot be arrived at, the matter will be referred to the State Board of Education whose decision in this matter shall be final.*

~~(c)~~ *(d)* Territory annexed to a city which is contiguous to a city school district within such city, except as otherwise provided in subdivision*s* (b) *and (c)* of this section, shall not become part of any elementary, high school, junior college, or any other school district within said city as provided in Section 2421 unless proceedings are had and completed for the annexation or inclusion of such territory to the school district in the manner provided elsewhere in this code, or unless the resolution required by Section 35117 of the Government Code in the case of proceedings for the annexation of inhabited territory, or the resolution required by Section 35306 of the Government Code in proceedings for the annexation of uninhabited territory contains a statement that the annexed territory shall become part of the school district of the city.

The provisions of subdivision (a), (b), ~~or~~ (c) , *or (d)* of this section, as the case may be, apply to territory proposed to be annexed to a city in which territory is situated and school district or part of any school district.

The provisions of subdivision (a), (b), ~~or~~ (c) , *or (d)* of this section, as the case may be, apply to any proceedings to annex territory to a city which have not been completed on or before the effective date of the amendment of this section at the 1955 Regular Session of the Legislature, except proceedings in which the resolution provided for in Section 35117 of the Government Code has been adopted, or in which the city legislative body or the board of supervisors has approved the annexation by ordinance, or resolution, as the case may be, for other city annexation proceedings.

The provisions of subdivision (a), (b), ~~or~~ (c) , *or (d)* of this section, as the case may be, shall not apply to general law cities or to cities which have provided in their original charter that they shall not constitute a separate school district.

SEC. 3. Section 1 of this act becomes operative when the Education Code enacted by the Legislature at its 1959 Regular Session takes effect, at which time Section 2421.5 of the Education Code, as amended by Section 2 of this act is repealed.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There are a number of city annexations pending wherein long "fingers" are being extended out from the annexing city to reach territory with high assessed valuations, which territory is annexed to the city for school and other purposes. Such a procedure has a serious financial impact upon small, outlying school districts to the detriment of the educational program offered by such districts to the children therein. Such outlying districts have at present no way of effectively objecting to this drastic reduction of their tax base and accompanying reduction in the educational program of the districts. To prevent the lowering of the quality and scope of the educational program offered children of these districts, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted and returned to second reading file.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Did the author's amendments make substantive changes in the bill?

**Reply by Speaker**

The Speaker replied that the amendments have been explained by Mr. Allen, and adopted.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Will it be necessary for the members to watch for substantive amendments to bills after they have been reported out of committee?

**Reply by Speaker**

The Speaker replied that it would, since motions to adopt amendments from the floor are in order as long as the bill is in the possession of the House.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 649 FROM COMMITTEE

Mr. Meyers was granted unanimous consent that Assembly Bill No. 649 be withdrawn from the Committee on Transportation and Commerce, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 649

**Assembly Bill No. 649**—An act to amend the heading of Chapter 2 (commencing at Section 30600) of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of, Division 17 of, and to amend Sections 30608 and 30609 of, the Streets and Highways Code, relating to the construction of a San Francisco-Oakland rapid transit tube, and making an appropriation.

Bill read second time.

**Motion to Amend**

Mr. Meyers moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 38, of the printed bill, as amended in the Assembly on April 20, 1959, after "Bridge", insert ", and for any work on the San Mateo-Hayward Bridge or the Dumbarton Bridge authorized by the 1959 Session of the Legislature,".

**Amendment No. 2**

On page 4, line 7, after "tube", insert "and the voters of the district have approved the issuance of general obligation bonds as provided for in Section 30775".

**Amendment No. 3**

On page 4, line 9, strike out "preliminary".

**Amendment No. 4**

On page 4, line 40, strike out "a substantial", and insert "the entire".

**Amendment No. 5**

On page 4, line 41, after "system", insert ", other than the rapid transit tube and its approaches,".

**Amendment No. 6**

On page 4, line 43, after "constructed", insert "; provided that said issuance of general obligation bonds shall be in an amount that, combined with any other financing then provided for to the district, will equal at least five hundred million dollars ($500,000,000)"

**Amendment No. 7**

On page 5, line 17, after "30609," insert "and all of the costs of any project involving the San Mateo-Hayward or Dumbarton Bridge authorized by the 1959 Session of the Legislature,".

**Amendment No. 8**

On page 5, strike out lines 25 to 29, inclusive, and insert "the authority by the district in accordance with Section 29081 of the Public Utilities Code, over a period to be fixed by agreement between the district and the authority at not less than the estimated period for retirement of said revenue bonds and not longer than the full term of such bonds having the latest maturity. Such reimbursement shall be in equal annual installments or in such installments as may be agreed upon. The district at its option may anticipate any of such installments in whole or in part. No other payments".

Amendment No. 9

On page 5, line 32, strike out "The", and insert "Other than the improvement of the San Francisco-Oakland Bay Bridge and the improvement, if authorized by the 1959 Session of the Legislature, of the San Mateo-Hayward Bridge, the".

Amendment No. 10

On page 5, between lines 40 and 41, insert

"In the event the voters of the district have not approved the issuance of such bonds by November 30, 1962, the accumulated tolls or revenues from the San Francisco-Oakland Bay Bridge shall immediately be used to finance a vehicular crossing of San Francisco Bay from a point south of the San Francisco-Oakland Bay Bridge to an eastern terminus in Alameda County. A portion of such accumulated tolls and revenues may be used to finance engineering studies by the department to determine the most appropriate termini for, and the approaches to, the crossing."

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Transportation and Commerce.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Busterud was granted unanimous consent to take up Assembly Constitutional Amendment No. 47, out of order, for purpose of amendment.

## CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 47

**Assembly Constitutional Amendment No. 47**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the appointments by the Governor to fill vacancies in the superior and municipal courts.

Resolution read.

Motion to Amend

Mr. Busterud moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 13, of the printed measure, after "Commission on Qualifications.", insert "The commission shall consist of the members provided for in Section 26 of this article for the confirmation of a superior court judge."

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 524

Mr. Biddick was granted unanimous consent that Senate Bill No. 524 be withdrawn from the Committee on Judiciary—Civil, and re-referred to the Committee on Criminal Procedure.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS (RESUMED)

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### REQUEST TO RETURN SENATE BILL NO. 621 TO THE SENATE STRICKEN FROM FILE

Mr. Bradley was granted unanimous consent that the Senate's request that Senate Bill No. 621 be returned to the Senate be stricken from the file.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 398

In compliance with a motion given on a previous day, Mr. O'Connell moved that the vote whereby Assembly Bill No. 398 was passed be reconsidered.

#### Speaker pro Tempore Presiding

At 10.29 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the motion to reconsider.

Assembly Bill No. 398 refused reconsideration by the following vote:

AYES—Bruce F. Allen, Bane, Bee, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, Hegland, Kennick, Luckel, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Rees, Schrade, Waldie, Charles H. Wilson, and Mr. Speaker—23

NOES—Backstrand, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Coolidge, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, Mulford, Pattee, Porter, Reagan, Sedgwick, Shell, Sumner, Thelin, Williamson, George A. Willson, Winton, and Z'berg—41.

Assembly Bill No. 398 ordered transmitted to the Senate.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1226**—An act to amend Sections 6062, 6062a, 6063, 6063a, 6064, 6065, and 6066 of the Government Code, and Section 782 of the Probate Code, relating to publication of notice.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1226?

#### Amendment No. 1

On page 2, lines 33, and 34, of the printed bill, strike out "publications", and insert "publication".

The Assembly concurred in Senate amendment to Assembly Bill No. 1226 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1226 ordered enrolled.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2240 WAIVED

Mr. Lanterman waived his motion to reconsider the vote whereby Assembly Bill No. 2240 was passed.

Assembly Bill No. 2240 ordered transmitted to the Senate.

**Speaker Presiding**

At 10 50 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2561**—An act to add Section 172.6 to the Penal Code, relating to alcoholic beverages

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Crawford, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—55.

NOES—Bane, Chapel, Collier, Coolidge, Hegland, Mulford, Pattee, and Mr. Speaker—8

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2562**—An act to add Section 24051 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—56

NOES—Bane, Beaver, Chapel, Collier, Coolidge, Hegland, Mulford, Pattee, Thelin, and Mr. Speaker—10

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2490**—An act to add Section 40519 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to procedure in Vehicle Code violation cases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2600**—An act to amend Section 1 of Chapter 102, Statutes of 1925, an act entitled "An act granting certain tideland and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes,

Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2607**—An act to add Section 812 to Chapter 4, Title 3, Part 2 of the Penal Code, relating to arrest warrants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2712**—An act to repeal Section 647, and to add Section 647 to, the Penal Code, relating to criminal offenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—63.

NOES—Cameron, Collier, and Rees—3.

Bill ordered transmitted to the Senate.

## VOTE CHANGED UPON ROLL CALLS ON ASSEMBLY BILLS NOS. 2561 AND 2562

Mr. Hegland was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bills Nos. 2561 and 2562.

### Speaker pro Tempore Presiding

At 11.04 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 722**—An act to add Sections 69751 to the Government Code, relating to the sessions of the superior courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

## VOTES CHANGED UPON ROLL CALLS ON ASSEMBLY BILLS NOS. 2561 AND 2562

Messrs. Collier, Pattee, and Chapel were granted unanimous consent that they be recorded as voting "No" instead of "Aye" on Assembly Bills Nos. 2561 and 2562.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2859**—An act to add Section 8403 to the Government Code, relating to organizations for public assistance recipients.

Bill read third time.

### Speaker Presiding

At 11.15 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Further consideration of Assembly Bill No. 2859 ordered passed on file, the bill to retain its place on file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 235

By Mr. Pattee:

**House Resolution No. 235**—Relating to fund raising drives.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

### Amendment No. 1

In the measure, as printed in the Assembly Daily Journal for May 1, 1959, on page 3142, strike out the fourth line of the first Resolved clause, and insert "or county unit of any fund-raising agency, to decide for itself the best manner and".

### Consideration of House Resolution No. 235, as Amended

By Mr. Pattee:

### House Resolution No. 235

Relating to fund-raising drives

WHEREAS, In the interests of the general public health, there exist numerous and separate fund-raising agencies; and,

WHEREAS, By reason of the numerous and separate fund-raising drives and agencies, there results a duplication of efforts, energy and a waste of money to carry on the campaigns of the respective agencies; and,

WHEREAS, Certain state fund-raising agencies are trying to dictate to local and county units, the manner and method of raising funds, and the use and distribution thereof, without giving the interested persons of the community a voice therein; and,

WHEREAS, Numerous disputes and conflicts have arisen, and will continue to arise in the fture, causing infinite harm to the cause of all health and social agencies to the effect that public esteem for such agencies will sink lower and lower; now, therefore, be it

*Resolved by the Assembly of the State of California*, That in the best interest of the public health and welfare, it is hereby declared to the public policy of this State, that a policy of home rule be allowed, permitting a local community or county unit of any fund-raising agency, to decide for itself the best manner and

method to raise funds to support needed services and all state fund-raising agencies are hereby advised and instructed to cease and desist from forcing or coercing any local, community, or county unit from participating in any United Fund or Community Fund Drive; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to all statewide fund-raising agencies in the State of California.

Resolution read, as amended, and adopted unanimously.

## PARLIAMENTARY INQUIRY

Mr. Masterson arose to the following parliamentary inquiry: Is it not also a part of the rule relative to the distribution of proposed amendments to bills that they carry the names of the members proposing the amendments; and if so, would it not be possible to have the Legislative Counsel include the names of authors when preparing their amendments?

### Reply by Speaker

The Speaker referred the inquiry to Mr. Hawkins, who stated that he believed that the amendments should carry the names of the authors, and that this could be accomplished by so instructing the Legislative Counsel.

Speaker Brown requested that the members take note of this discussion relative to requesting that their names be included when they are having amendments prepared.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1000**—An act to amend Sections 1504, 5153, 5154, 5202, 7001, 7018.1, 7032, 7032.1, 7034, 7035.1, 7036, 7037.2, 7038, 7041, 7042, 7043, 7044, 7075, 7081, 7091, 7092.1, 7097, 7101.1, 7101.2, 7102.1, 7102.2, 7103.1, 7103.2, 7121, 7121.1, 9191, 9192, and 10208, of, to repeal Sections 7037, 7037.1, 7094, 7095, 7109.2, 7109.21, 7109.22, and 9176.1 of, and to add Sections 6999, 7032.5, 7033.1, 7037, 7037.01, 7037.02, 7037.1, 7038.1, 7083, 7091.1, 7091.2, 7093.1, 7095.1, 7096.2, 7109.01, 7109.2, and 7121.3 to, and to add Article 11.2 (commencing at Section 7099) and Article 11.3 (commencing at Section 7100) to Chapter 15, Division 3 of, the Education Code, to amend Sections 6354, 8109, 10808, 12155, 13525.1, 17301 1, 17303.1, 17306.1, 17352, 17402, 17403.1, 17405.1, 17411.1, 17503.1, 17616.1, 17655.1, 17656 1, 17658.1, 17660.1, 17661.1, 17665.1, 17666.1, 17702.1, 17751.1, 17801.1, 17851.1, 17901.1, 17903.1, 17951.1, 18060.1, 18102, 18103, 18152, 18153, 18202, 18203, 18352.1, 18355.1, 18356.1, 18357.1, 18358.1, 18401.1, 18451.1, 18452.1, 18453.1, 18455.1, 18456.1, and 18460.1 of, to repeal Sections 6354, 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17663 1, 17664, 17664.1, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17905.1, 17906, 17906.1, 17951, 17952, 18003, 18005, 18005.1, 18006, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to add Sections 17300, 17656.01, 17404 5, 17657 1, 17663, 17663.5, 17663.7, 17664, 17666.2, 17704, 17903.2, 17901.1, 17901.5, 17906.2, 18001.5, 18003, and Article 8.5 (commencing at Section 17970) and Article 8.6 (commencing at Section 17990) to Chapter 3 of Division 14

of, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1000.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 29, 1959

*To the Honorable Members of the Assembly of the State of California:*

Assembly Bill No 1000 is an urgency measure setting forth the apportionment of public school funds and making an appropriation therefor

The bill is of statewide importance inasmuch as it affects every school district in the State, and is the major appropriation of moneys in the State General Fund. It should receive adequate and careful study. In order that this can be accomplished, it should not await final passage of the Budget Bill

However, I cannot, in view of the fiscal condition of the State, sign this bill, if approved by the Legislature, should the sum total of the appropriation exceed that recommended in the Budget Bill, as adjusted This amount is $636,489,260, which includes $24,348,000 over and above normal growth requirements for increased assistance to education as set forth in my Budget Message.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given Assembly Bill No. 1000 prior to final enactment of the Budget Bill.

Sincerely,

EDMUND G. BROWN, Governor

### Speaker pro Tempore Presiding

At 11.28 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

### Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 22, 1959, after "7044.", insert "7046, 7051, 7067,".

### Amendment No. 2

In line 4 of the title, after "7121.1," insert "7125.1, 7143,".

### Amendment No. 3

On page 16, between lines 39 and 40, insert

"SEC. 24.2 Section 7046 of said code is amended to read:

7046. The Superintendent of Public Instruction shall allow to each county school tuition fund one hundred ~~twenty-five dollars ($125)~~ *thirty dollars ($130)* for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

SEC. 24.4 Section 7051 of said code is amended to read:

7051. The Superintendent of Public Instruction shall allow one hundred ~~twenty-five dollars ($125)~~ *thirty dollars ($130)* to each elementary school district for each unit of average daily attendance therein during the preceding fiscal year as computed for the district under

Sections 6911 and 6944, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any elementary school district, to be known as basic state aid.

SEC. 24.6. Section 7067 of said code is amended to read:

7067. The Superintendent of Public Instruction shall allow to each high school district one hundred ~~twenty-five dollars ($125)~~ *thirty dollars ($130)* for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6962, and 6971, subject to the provisions of Section 7148, but not less than two thousand four hundred dollars ($2,400) shall be allowed to any high school district, to be known as basic state aid.

The Superintendent of Public Instruction shall exclude from the computation of allowances provided by this section the average daily attendance during the preceding fiscal year of adults, as adults are defined in Section 9700.1, and of inmates of any state institution for adults or of any city, county or city and county jail, road camp or farm for adults."

**Amendment No. 4**

On page 16, lines 42 and 43, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 5**

On page 21, line 44, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 6**

On page 22, lines 20 and 21, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 7**

On page 28, between lines 39 and 40, insert

"SEC. 49.1. Section 7125.1 of said code is amended to read:

7125.1. The Superintendent of Public Instruction shall withhold from the apportionment to an elementary school district the amount allowed the elementary school district for the average daily attendance in grades seven and eight in a junior high school by reason of the operation of subdivision (a) of Section 7000. The amount withheld shall be the larger of the following amounts:

(a) One hundred ~~twenty-five dollars ($125)~~ *thirty dollars ($130)* per unit of average daily attendance in grades seven and eight of the junior high school.

(b) An amount determined by the following process:

(1) Divide the district aid computed under Section 7081 or the amount which would have resulted had the tax used for such computation been one dollar and thirty-five cents ($1.35), whichever amount was used in computing equalization aid apportioned to the district, by the units of average daily attendance in kindergarten and grades one through eight;

(2) Subtract the quotient resulting from the computation in subparagraph (1) from the amount allowed per unit of average daily attendance as a foundation program for units of average daily attendance in grades seven and eight in the district;

(3) Multiply the result obtained in subparagraph (2) by the units of average daily attendance in grades seven and eight in a junior high school.

The Superintendent of Public Instruction shall add the amount withheld to the apportionment required to be made to the high school district maintaining the junior high school.

SEC 49.2. Section 7143 of said code is amended to read:

7143. The average daily attendance of pupils attending high school courses maintained by an elementary school district shall be, for the purposes of this division, considered average daily attendance in high school classes maintained by a high school district and apportionments of one hundred ~~twenty-five~~ ~~dollars~~ ~~($125)~~ *thirty dollars ($130)* per unit of average daily attendance, and no more, on account of such average daily attendance shall be made to the elementary school district."

**Amendment No. 8**

On page 44, lines 22 and 23, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 9**

On page 49, lines 40 and 41, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 10**

On page 50, lines 18 and 19, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 11**

On page 59, line 5, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 12**

On page 62, lines 10 and 11, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 13**

On page 62, line 17, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 14**

On page 62, lines 26 and 27, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

**Amendment No. 15**

On page 62, lines 42 and 43, strike out "twenty-five dollars ($125)", and insert "thirty dollars ($130)".

Amendments read.

**Demand for Previous Question**

Messrs. Kennick, Hegland, Johnson, Waldie, and Masterson demanded the previous question. Demand sustained.

**Speaker Presiding**

At 11.41 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments by Mr. Gaffney.

Amendments refused adoption.

The question being on the passage of Assembly Bill No. 1000.

**Urgency Clause**

Urgency clause read.

**Demand for Previous Question**

Messrs. Hegland, Charles H. Wilson, Schrade, Luckel, and Crawford demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

The question being on the passage of Assembly Bill No. 1000.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None

Bill ordered transmitted to the Senate.

## POINT OF PERSONAL PRIVILEGE

Miss Donahoe arose on a point of personal privilege.

## COMMENDATION OF MR. ERNEST R. GEDDES

Miss Donahoe, Mr. Unruh, and Speaker Brown commended Mr Ernest R. Geddes upon his ability in the handling of educational legislation.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1172?

**Amendment No. 1**

On page 2, line 14, of the printed bill, as amended in the Assembly on March 31, 1959, strike out "price for which", and insert "established price for which a manufacturer sells tobacco products to a distributor, before the allowance of any discount, trade allowance, rebate or other reduction.. The board may prescribe the manner of determining such price."

**Amendment No. 2**

On page 2, strike out line 15.

**Amendment No. 3**

On page 2, line 17, after "of", insert "untaxed".

**Amendment No. 4**

On page 2, line 29, strike out "does not exceed", and insert "exceeds".

**Amendment No. 5**

On page 2, line 29, strike out "rates", and insert "sales".

**Amendment No. 6**

On page 2, line 30, strike out "is not in excess of", and insert "exceeds".

**Amendment No. 7**

On page 2, strike out lines 31 to 33, inclusive.

**Amendment No. 8**

On page 3, lines 1 and 2, strike out "in quantities of 200 or more in a single shipment".

**Amendment No. 9**

On page 3, lines 37 and 38, strike out ", except through vending machines,".

**Amendment No. 10**

On page 3, strike out line 39, and insert "and ships' stores."

**Amendment No. 11**

On page 3, strike out lines 40 to 43, inclusive, and insert

"30103. The taxes imposed by this part shall not apply to distributions of cigarettes or tobacco products to a licensed distributor who has furnished bond as prescribed by Article 1, Chapter 3, of this part, in an amount not less than one hundred thousand dollars ($100,000) and who has established to the satisfaction of the board that this bond, together with other property of the distributor, is sufficient security to assure payment by him of all taxes as they may become due to the State under this part."

**Amendment No. 12**

On page 4, line 9, strike out "30185", and insert "30186".

**Amendment No. 13**

On page 4, line 11, after "manufacturers", insert ", distributors,".

**Amendment No. 14**

On page 4, line 12, after "products", insert a period.

**Amendment No. 15**

On page 4, line 12, strike out "as samples for advertising purposes. The board may".

**Amendment No. 16**

On page 4, strike out lines 13 to 15, inclusive.

**Amendment No. 17**

On page 4, line 19, strike out "30186", and insert "30187".

**Amendment No. 18**

On page 4, strike out lines 20 to 26, inclusive, and insert

"30107. Each distributor shall at the time of making a sale of cigarettes or tobacco products to a distributor or dealer, furnish to the purchaser an invoice or other written memorandum of sale in which the sales price and the tax imposed under this part are separately stated."

**Amendment No. 19**

On page 4, line 27, strike out "maintaining a place of", and insert "engaged in".

**Amendment No. 20**

On page 4, line 33, after "under", insert a comma.

**Amendment No. 21**

On page 4, between lines 35 and 36, insert

" "Distributor engaged in business in the State" means and includes any of the following:

(a) Any distributor maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place or other place of business.

(b) Any distributor having any representative, agent, salesman, canvasser or solicitor operating in this State under the authority of the distributor or its subsidiary for the purpose of selling, delivering, or the taking of orders for cigarettes or tobacco products."

**Amendment No. 22**

On page 4, line 37, after "products", insert "acquired by a distributor are untaxed cigarettes or tobacco products, and that all cigarettes or tobacco products".

**Amendment No. 23**

On page 4, line 38, after the first "State", strike out the comma.

**Amendment No. 24**

On page 4, line 38, after the second "State", insert a comma.

**Amendment No. 25**

On page 5, line 1, strike out "on Dealers".

**Amendment No. 26**

On page 5, line 3, strike out "distributing", and insert "holding or storing".

**Amendment No. 27**

On page 5, line 4, after "products", insert "for sale, use or consumption".

**Amendment No. 28**

On page 5, line 5, after "every", insert "distributor and every".

**Amendment No. 29**

On page 5, line 7, after "control", insert "in this State".

**Amendment No. 30**

On page 5, line 9, strike out "wholesale sales price", and insert "cost to him".

**Amendment No. 31**

On page 5, line 10, after "control", insert "in this State".

**Amendment No. 32**

On page 5, line 13, strike out "July 15", and insert "July 25".

**Amendment No. 33**

On page 5, line 14, strike out "Each dealer, on or before July 15, 1959, shall", and insert "Each distributor and dealer shall on or before July 25, 1959,".

**Amendment No. 34**

On page 5, strike out line 17, and insert "the cost to him of tobacco products in the possession of or under the control of the distributor or dealer, in this State at 4".

**Amendment No. 35**

On page 5, between lines 20 and 21, insert

"30124. The provisions of this article shall not apply to cigarettes or tobacco products owned and in the possession or control of the manufacturer thereof; nor to cigarettes or tobacco products stored in a bonded warehouse and which are nontaxpaid under the provisions of Chapter 52 of the Internal Revenue Act of 1954, as amended."

**Amendment No. 36**

On page 5, strike out lines 44 to 46, inclusive, and insert

"30142. Subject to the limitations provided in this section, the board shall fix the amount of the bond or bonds required of any distributor and may increase or reduce the amount at any time. In fixing the total amount of the bond or bonds required, the board shall require a bond or bonds equivalent in total amount to twice the distributor's estimated monthly tax liability ascertained in such manner as the board may deem proper. The total amount of the bond or bonds required of any distributor shall never be less than five hundred dollars ($500)."

**Amendment No. 37**

On page 6, strike out lines 31 to 33, inclusive, and insert

"30147. Upon receipt of a completed application and such bonds or other securit as may be required by the board under this part, the board shall issue to the appl cant a license as a distributor. A separate license shall be issued for each place o business of the distributor within the State. A license is valid only for engaging i business as a distributor at the place designated thereon, and it shall at all times be conspicuously displayed at the place for which issued."

**Amendment No. 38**

On page 6, line 34, after "canceled", insert ", suspended,".

**Amendment No. 39**

On page 6, line 50, after "canceled", insert ", suspended,".

**Amendment No. 40**

On page 7, between lines 25 and 26, insert

"30183 On or before the fifteenth day of each month each distributor required under Section 30108 to collect any tax during the preceding month shall file a report with the board on forms prescribed by the board showing the number of cigarettes and the wholesale sales price of tobacco products with respect to which he was required to collect the tax and such other information as the board may require to carry out the purposes of this part."

**Amendment No. 41**

On page 7, line 26, strike out "30183", and insert "30184".

**Amendment No. 42**

On page 7, line 28, strike out "30184", and insert "30185".

**Amendment No. 43**

On page 7, line 39, strike out "30185", and insert "30186".

**Amendment No. 44**

On page 7, line 46, strike out "30186", and insert "30187".

**Amendment No. 45**

On page 11, between lines 3 and 4, insert

"Article 1.5. Notice to Withhold

30311. If any person is delinquent in the payment of the amount required to be paid by him or in the event a determination has been made against him which remains unpaid, the board may, not later than three years after the payment became delinquent, or within three years after the last recording of a certificate under Section 30322, give notice thereof personally or by registered mail to all persons, including any officer or department of the State or any political subdivision or agency of the State, having in their possession or under their control any credits or other personal property belonging to the delinquent, or person against whom a determination has been made which remains unpaid, or owing any debts to the delinquent or such person. In the case of any state officer, department or agency, the notice shall be given to such officer, department or agency prior to the time it presents the claim of the delinquent taxpayer to the State Controller.

30312. After receiving the notice the persons so notified shall neither transfer nor make any other disposition of the credits, other personal property, or debts in their possession or under their control at the time they receive the notice until the board consents to a transfer or disposition or until 60 days elapse after the receipt of the notice, whichever period expires the earlier.

30313. All persons so notified shall forthwith after receipt of the notice advise the board of all such credits, other personal property, or debts in their possession, under their control, or owing by them. If such notice seeks to prevent the transfer or other disposition of a deposit in a bank or other credits or personal property in the possession or under the control of a bank, the notice to be effective shall be delivered or mailed to the branch or office of such bank at which such deposit is carried or at which such credits or personal property is held.

30314 If, during the effective period of the notice to withhold, any person so notified makes any transfer or disposition of the property or debts required to be withheld hereunder, to the extent of the value of the property or the amount of the debts thus transferred or paid he shall be liable to the State for any indebtedness due under this part from the person with respect to whose obligation the notice was given if solely by reason of such transfer or disposition the State is unable to recover the indebtedness of the person with respect to whose obligation the notice was given."

**Amendment No. 46**

On page 12, line 46, strike out "by any person", and insert "more than once or has been erroneously or illegally collected or computed".

**Amendment No. 47**

On page 12, line 47, after "forth", insert "that fact".

**Amendment No. 48**

On page 12, line 48, strike out "paid", and insert "collected".

**Amendment No. 49**

On page 12, line 49, strike out "by whom the excess was paid to the", and insert "from whom it was collected or by whom it was paid."

**Amendment No. 50**

On page 12, strike out line 50, and insert "If approved by the State Board of Control, the excess amount collected or paid shall".

**Amendment No. 51**

On page 13, between lines 3 and 4, insert

"In the case, however, of a determination by the State Board of Equalization that an amount not exceeding one hundred dollars ($100) was not required to be paid under this part, the State Board of Equalization, without obtaining approval of the State Board of Control, may credit such amount on any amounts then due and payable under this part from the person by whom the amount was paid and shall refund the balance to the person or his successors, administrators or executors.

30362. No refund shall be allowed or approved after three years from the fifteenth day after the close of the monthly period for which the overpayment was made, or, with respect to a determination made under Chapter 4 of this part, after six months from the date the determination becomes final, or after six months from the date of overpayment, whichever period expires the later, unless a claim therefor is filed with the board within such period. No credit shall be approved or allowed after the expiration of such period unless a claim for credit is filed with the board within such period.

30363. Every claim for refund or credit shall be in writing and shall state the specific grounds upon which it is founded.

30364. Failure to file a claim within the time prescribed in this article constitutes a waiver of all demands against the State on account of the overpayment.

30365. Within 30 days after disallowing any claim in whole or in part, the board shall serve written notice of its action on the claimant in the manner prescribed for the service of a notice of a deficiency determination.

30366. Interest shall be computed, allowed, and paid upon any overpayment of any amount of tax at the rate of one-half of one percent per month from the fifteenth day of the calendar month following the monthly period for which the overpayment was made, but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount being refunded or credited.

The interest shall be paid:

(a) In the case of a refund, to the fifteenth day of the calendar month following the date upon which the claimant is notified by the board that a claim may be filed or the date upon which the claim is certified to the State Board of Control, whichever date is the earlier.

(b) In the case of a credit, to the same date as that to which interest is computed on the tax or amount against which the credit is applied.

30367. If the board determines that any overpayment has been made intentionally or by reason of carelessness, it shall not allow any interest thereon."

**Amendment No. 52**

On page 13, strike out lines 4 to 17, inclusive.

**Amendment No. 53**

On page 13, line 24, strike out "the County of Sacramento", and insert "any city or county in this State in which the Attorney General has an office,".

**Amendment No. 54**

On page 13, strike out lines 40 to 51, inclusive, and insert "any tax or any amount of tax required to be collected."

30402. No suit or proceeding shall be maintained in any court for the recovery of any amount alleged to have been erroneously or illegally determined or collected unless a claim for refund or credit has been duly filed.

30403. Within 90 days after the mailing of the notice of the board's action upon a claim for refund or credit, the claimant may bring an action against the board on the grounds set forth in the claim in a court of competent jurisdiction in any city or county in the State in which the Attorney General has an office for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed.

30404. If the board fails to mail notice of its action on a claim within six months after the claim is filed, the claimant may, prior to the mailing of notice by the board of its action on the claim, consider the claim disallowed and bring an action against the board on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment.

30405. Failure to bring a suit or an action within the time specified in this article constitutes a waiver of all demands against the State on account of an alleged overpayment."

**Amendment No. 55**

On page 14, line 1, strike out "30404", and insert "30406".

**Amendment No. 56**

On page 14, line 11, strike out "30405", and insert "30407".

**Amendment No. 57**

On page 15, line 11, strike out "prescribe regulations,".

**Amendment No. 58**

On page 15, line 20, strike out "examine", and insert "make such examinations of".

**Amendment No. 59**

On page 15, line 22, strike out "may investigate the character of the disposition", and insert "such other investigations as it may deem necessary in carrying out the provisions of this part."

**Amendment No. 60**

On page 15, strike out lines 23 to 25, inclusive.

**Amendment No. 61**

On page 15, line 43, strike out "reports", and insert "records maintained by the board under this part,".

**Amendment No. 62**

On page 16, between line 35 and 36, insert

"SEC. 2. If any provision of this act is declared unconstitutional or invalid, for any reason, the remainder of the act shall not thereby be invalidated but shall remain in full force and effect."

**Amendment No. 63**

On page 16, line 36, strike out "SEC. 2.", and insert "SEC. 3."

**Amendment No. 64**

In line 3 of the title of the printed bill, as amended in the Senate on April 29, 1959, strike out "on tobacco and tobacco products", and insert "with respect to cigarettes".

**Amendment No. 65**

On page 1, line 4, strike out "TOBACCO", and insert "CIGARETTE".

**Amendment No. 66**

On page 1, lines 8 and 9, strike out "Tobacco", and insert "Cigarette".

**Amendment No. 67**

On page 1, line 18, after "tobacco", insert "and such roll weighs over three pounds per thousand".

**Amendment No. 68**

On page 1, strike out lines 19 and 20.

**Amendment No. 69**

On page 2, strike out lines 1 to 8, inclusive.

**Amendment No. 70**

On page 2, line 9, strike out "or "untaxed tobacco product" ".

**Amendment No. 71**

On page 2, line 10, strike out "or tobacco product".

**Amendment No. 72**

On page 2, strike out lines 16 to 21, inclusive.

**Amendment No. 73**

On page 2, line 23, strike out "first".

**Amendment No. 74**

On page 2, line 23, strike out "or tobacco products".

**Amendment No. 75**

On page 2, line 26, strike out "or tobacco products".

**Amendment No. 76**

On page 2, line 27, strike out "first".

**Amendment No. 77**

On page 2, line 27, strike out "or tobacco products".

**Amendment No. 78**

On page 2, strike out lines 32 to 37, inclusive.

**Amendment No. 79**

On page 2, line 42, strike out "or tobacco products".

**Amendment No. 80**

On page 2, lines 43 and 44, strike out "or tobacco products".

**Amendment No. 81**

On page 3, line 4, strike out "or tobacco products".

**Amendment No. 82**

On page 3, strike out lines 9 to 11, inclusive.

**Amendment No. 83**

On page 3, line 14, strike out "or tobacco products".

**Amendment No. 84**

On page 3, line 21, strike out "or tobacco products".

**Amendment No. 85**

On page 3, between lines 27 and 28, insert

"30015. 'Package" means the individual package, box or other container in which retail sales of cigarettes are normally made or intended to be made."

**Amendment No. 86**

On page 3, strike out lines 33 to 35, inclusive, and insert

"30101. Every distributor shall pay a tax upon his distributions of cigarettes at".

**Amendment No. 87**

(No amendment of this number).

**Amendment No. 88**

On page 3, line 36, strike out "(a) At".

**Amendment No. 89**

On page 3, strike out lines 39 to 41, inclusive.

**Amendment No. 90**

On page 3, line 43, strike out "or tobacco products".

**Amendment No. 91**

On page 3, line 45, after "and", insert "Navy".

**Amendment No. 92**

On page 3, line 51, strike out "or tobacco products", and insert "by the manufacturer".

**Amendment No. 93**

On page 3, line 52, strike out "who has furnished bond as prescribed by Article 1," and insert a period.

**Amendment No. 94**

On page 4, strike out lines 1 to 6, inclusive.

**Amendment No. 95**

On page 4, line 8, strike out "or tobacco products".

**Amendment No. 96**

On page 4, lines 10 and 11, strike out "or tobacco products".

**Amendment No. 97**

On page 4, line 12, strike out "or tobacco products".

**Amendment No. 98**

On page 4, line 15, strike out "or tobacco products".

**Amendment No. 99**

On page 4, line 17, strike out "or tobacco products".

**Amendment No. 100**

On page 4, line 19, strike out "or tobacco products".

**Amendment No. 101**

On page 4, lines 25, 26, and 27, strike out "apply to donations by manufacturers, distributors, or their agents of cigarettes or tobacco products", and insert "not apply to donations by the manufacturer of cigarettes as samples for advertising purposes".

**Amendment No. 102**

On page 4, line 31, strike out "With respect to", and insert "The".

**Amendment No. 103**

On page 4, line 32, strike out "or tobacco products".

**Amendment No. 104**

On page 4, line 33, strike out "or (e)".

**Amendment No. 105**

On page 4, line 33, strike out ", the taxes".

**Amendment No. 106**

On page 4, line 34, strike out "as provided in Section 30187".

**Amendment No. 107**

On page 4, line 42, strike out "Each", and insert "Every".

**Amendment No. 108**

On page 4, line 42, strike out "shall".

**Amendment No. 109**

On page 4, line 43, strike out "or tobacco products".

**Amendment No. 110**

On page 4, line 44, before "furnish", insert "shall".

**Amendment No. 111**

On page 4, line 49, strike out "or tobacco products".

**Amendment No. 112**

On page 4, line 50, after "shall", insert a comma.

**Amendment No. 113**

On page 4, line 51, strike out "order, or", and insert "order or,".

**Amendment No. 114**

On page 4, line 52, strike out "or tobacco products".

**Amendment No. 115**

On page 5, lines 14 and 15, strike out "or tobacco products".

**Amendment No. 116**

On page 5, line 17, strike out "or tobacco products".

**Amendment No. 117**

On page 5, line 18, strike out "or tobacco products".

**Amendment No. 118**

On page 5, line 19, strike out "or tobacco products".

**Amendment No. 119**

On page 5, line 22, before "Any", insert "30110.".

**Amendment No. 120**

On page 5, between lines 23 and 24, insert

"30111. All taxes paid pursuant to the provisions of this part shall be conclusively presumed to be direct taxes on the retail consumer precollected for the purpose of convenience and facility only. When the tax is paid by any other person, such payment shall be considered as an advance payment and shall be added to the price of the cigarettes and recovered from the ultimate consumer or user. Any person selling cigarettes at retail shall state or separately display to the purchaser the amount of the purchase price of the cigarettes representing or attributable to the

tax previously paid pursuant to this part. The provisions of this section shall in no way affect the method of collection of such tax as provided by this part

30112. The taxes imposed by this part are in lieu of all other state, county, municipal, or district taxes on the privilege of distributing cigarettes.

This section does not prohibit the application of Part 1 (commencing at Section 6001) or Part 1.5 (commencing at Section 7200) of Division 2 of this code to the sale, storage, use or other consumption of cigarettes."

**Amendment No. 121**

On page 5, line 27, strike out "or tobacco products".

**Amendment No. 122**

On page 5, line 35, strike out "or tobacco products".

**Amendment No. 123**

On page 5, line 36, strike out "every distributor and".

**Amendment No. 124**

On page 5, line 37, strike out "the following rates:".

**Amendment No. 125**

On page 5, line 38, strike out "(a) At".

**Amendment No. 126**

On page 5, strike out lines 41 to 43, inclusive.

**Amendment No. 127**

On page 5, line 46, strike out "Each", and insert "Every".

**Amendment No. 128**

On page 5, line 47, strike out "distributor and".

**Amendment No. 129**

On page 5, lines 49, 50 and 51, strike out "and the cost to him of tobacco products".

**Amendment No. 130**

On page 5, line 52, strike out "distributor or".

**Amendment No. 131**

On page 6, line 5, strike out "or tobacco products".

**Amendment No. 132**

On page 6, lines 6 and 7, strike out "the manufacturer thereof; nor to cigarettes or tobacco products", and insert "a licensed distributor, or to cigarettes".

**Amendment No. 133**

On page 6, line 16, strike out "or tobacco products".

**Amendment No. 134**

On page 6, lines 17 and 18, strike out "or tobacco products".

**Amendment No. 135**

On page 6, lines 23 and 24, strike out "or tobacco products".

**Amendment No. 136**

On page 6, line 26, after "board," insert "in such amount and".

**Amendment No. 137**

On page 6, strike out lines 36 to 44, inclusive.

**Amendment No. 138**

On page 8, strike out lines 21 to 31, inclusive, and insert

"30181. On or before the fifteenth day of each month, every distributor shall file on forms prescribed by the board a report respecting his distributions of cigarettes and purchases of stamps during the preceding month and such other information as the board may require to carry out the purposes of this part."

**Amendment No. 139**

On page 8, line 32, strike out "each", and insert "every"

**Amendment No. 140**

On page 8, line 36, strike out "and the wholesale sales price of tobacco products".

**Amendment No. 141**

On page 8, line 43, strike out "distributor", and insert "person".

**Amendment No. 142**

On page 9, line 4, strike out "or tobacco products".

**Amendment No. 143**

On page 9, line 8, strike out "The consumer or user specified in Section", and insert "Every consumer or user subject to the tax resulting from a distribution of cigarettes within the meaning of subdivision (d) of Section 30008 from whom the tax has not been collected under Section 30108 shall".

**Amendment No. 144**

On page 9, line 9, strike out "30106 shall".

**Amendment No. 145**

On page 9, line 10, strike out "or tobacco products".

**Amendment No. 146**

On page 9, line 11, strike out "or tobacco products".

**Amendment No. 147**

On page 9, between lines 14 and 15, insert

"Article 1.5 Stamps

30191. Except as otherwise provided in this part, the tax imposed by this part with respect to cigarettes shall be paid through the use of stamps furnished and sold by the board or through the use of metering machines approved by the board. When a metering machine is used by a distributor, the tax shall be prepaid by the distributor and the meter on the machine shall be sealed by the board and used only in accordance with regulations prescribed by it. Notwithstanding any other provision of this part, the board by regulation may provide that the tax imposed by this part with respect to cigarettes shall be paid without the use of stamps or meter impressions in connection with a particular type of transaction.

30192. Stamps shall be sold by the board to distributors at a discount of 2 percent of their face value and a discount of 2 percent of the amount for which a meter register is set shall be allowed by the board at the time the tax is prepaid in connection with the use of a metering machine.

30193. The board shall prescribe by regulation the method and manner in which stamps or meter impressions are to be affixed to packages of cigarettes. A distributor shall not sell to or exchange with another distributor any stamps issued by the board.

30194. An appropriate stamp shall be affixed to or an appropriate meter impression shall be made on each package of cigarettes prior to the distribution of the cigarettes. The board by regulation may provide for the cancellation of stamps or meter impressions."

**Amendment No. 148**

On page 9, line 18, after "filed", insert "by any person".

**Amendment No. 149**

On page 9, line 43, strike out "distributor", and insert "person".

**Amendment No. 150**

On page 9, line 47, strike out "distributor", and insert "person".

**Amendment No. 151**

On page 10, line 10, strike out "distributor", and insert "person".

**Amendment No. 152**

On page 10, lines 11 and 12, strike out "and amount of tobacco products and the wholesale sales price thereof,".

**Amendment No. 153**

On page 10, line 14, strike out "distributor", and insert "person".

**Amendment No. 154**

On page 10, line 30, strike out "distributor", and insert "person".

**Amendment No. 155**

On page 10, line 32, strike out "distributor", and insert "person".

**Amendment No. 156**

On page 10, line 36, strike out "distributor", and insert "person".

**Amendment No. 157**

On page 10, line 44, after "imposed", insert "upon any person".

**Amendment No. 158**

On page 10, line 50, strike out "distributor", and insert "person".

**Amendment No. 159**

On page 11, line 3, strike out "distributor", and insert "person".

**Amendment No. 160**

On page 11, line 8, strike out "distributor", and insert "person".

**Amendment No. 161**

On page 11, line 21, strike out "distributor", and insert "person".

**Amendment No. 162**

On page 11, lines 23 and 24, strike out "distributor", and insert "person".

**Amendment No. 163**

On page 11, line 29, strike out "distributor", and insert "person".

**Amendment No. 164**

On page 11, line 47, strike out "distributor", and insert "person".

**Amendment No. 165**

On page 12, line 18, strike out "levy", and insert "determination of the tax or the amount".

**Amendment No. 166**

On page 12, line 21, strike out "levy", and insert "determination".

**Amendment No. 167**

On page 14, line 11, after "or", strike out the comma.

**Amendment No. 168**

On page 16, between lines 26 and 27, insert

"Article 1.5. Refunds on Stamps or Meter Impressions

30371. The board shall redeem from a distributor any unused stamps at face value less the discount allowed on their purchase. The board shall refund to any distributor the unused balance of tax prepaid, less the discount allowed, in connection with a metering machine.

30372. The board, under regulations prescribed by it, shall refund to a distributor the face value of stamps or meter impressions, less the discount allowed, affixed to packages of cigarettes which have become unfit for use or unsalable or have been destroyed."

**Amendment No. 169**

On page 16, strike out lines 36 to 38, inclusive.

**Amendment No. 170**

On page 18, line 14, strike out "or tobacco products".

**Amendment No. 171**

On page 18, line 18, strike out "or tobacco products".

**Amendment No. 172**

On page 18, line 19, strike out "or tobacco products".

**Amendment No. 173**

On page 18, lines 24 and 25, strike out "or tobacco products".

**Amendment No. 174**

On page 18, lines 27 and 28, strike out "or tobacco products".

**Amendment No. 175**

On page 18, line 48, strike out "or tobacco products".

**Amendment No. 176**

On page 19, line 4, strike out "or tobacco products".

**Amendment No. 177**

On page 19, line 34, strike out "or tobacco products".

**Amendment No. 178**

On page 19, line 47, strike out "Tobacco", and insert: "Cigarette".

**Amendment No. 179**

On page 19, line 48, strike out "Tobacco", and insert: "Cigarette".

**Amendment No. 180**

On page 20, between lines 16 and 17, insert the following:

"30473. Any person who falsely or fraudulently makes, forges, alters or counterfeits any stamp or meter impression provided for or authorized under this part, or tampers with any metering machine authorized under this part, or causes or procures to be falsely or fraudulently made, forged, altered or counterfeited, any such stamp or meter impression or knowingly and wilfully utters, publishes, passes, or tenders as genuine any such false, altered, forged or counterfeited stamp or meter impression, for the purpose of evading the tax imposed by this part, is guilty of a felony and subject to imprisonment for not less than one year and not more than 10 years, or to a fine of not less than $1,000 and not more than $10,000, or to both fine and imprisonment.

30474. Whenever the board discovers any cigarettes subject to tax under this part and with respect to which the tax has not been paid or the stamps or meter impressions affixed as required under this part, it is hereby authorized and empowered forthwith to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale. Such seized cigarettes, vending machine or receptacle, not including money contained in such vending machine or receptacle, shall be forfeited to the State. The board may, within a reasonable time thereafter, by public notice at least 10 days before the date of sale, sell such forfeited cigarettes, vending machines or receptacles at public sale and deposit the proceeds in the State Treasury to the credit of the Cigarette Tax Fund.

Notwithstanding the foregoing, the person from whom said cigarettes were seized may redeem the said cigarettes and any vending machine or receptacle seized therewith, within 20 days from the date of seizure, by the payment of the tax due together with a penalty of 50 percent thereof and the costs incurred in such proceeding, which total payment shall not be less than ten dollars ($10); provided, however, that such seizure, sale or redemption shall not relieve any such person from fine or imprisonment as provided for violation of any provision of this part."

**Amendment No. 181**

On page 20, line 17, strike out "30473", and insert "30475".

**Amendment No. 182**

On page 5, strike out lines 15 to 27, inclusive.

**Amendment No. 183**

On page 5, line 28, strike out "30112", and insert "30111".

Senate amendments read:

**Demand for Previous Question**

Messrs. Munnell, Belotti, Dills, Marks, and Bane demanded the previous question. Demand sustained.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1172?

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Unruh moved a call of the Assembly.

Mr MacBride seconded the motion.

Motion carried. Time, 12.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### REQUEST FOR UNANIMOUS CONSENT TO PERMIT EXPERT ON FLOOR OF ASSEMBLY

Mr. MacBride was granted unanimous consent that Mr. Ralph Curry of the Department of Finance be permitted to sit at his desk during the consideration of Assembly Bill No. 1175.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1175**—An act to amend Sections 23151, 23153, 23184, 23186, 23333, 23501, 23771, 24349, 24350, 24355, 25552 and 25552b of, and to add Sections 24351, 24352, 24353, 24354, 24356, 24356.1 and 24575.1 to the Revenue and Taxation Code, relating to bank and corporation taxes, to take effect immediately.

Bill read third time.

#### Motion to Amend

Mr. Chapel moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 33 of the printed bill, as amended in the Assembly on May 11, 1959, strike out "; provided, however, that said rate of tax shall not exceed 9.5 percent".

#### Amendment No. 2

On page 9, strike out lines 45 to 48, inclusive, and insert "25552b. The offset provided for".

Amendments read.

#### Demand for Previous Question

Messrs. Munnell, Meyers, Biddick, Masterson, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

#### Roll Call Demanded

Messrs. Chapel, Shell, and Cusanovich demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Britschgi, George E. Brown, Burton, Chapel, Collier, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Hawkins, Holmes, Kilpatrick, Lowrey, Masterson, Pattee, Shell, Thelin, and Charles H. Wilson—21.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver Bee, Belotti, Biddick, Bradley, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.

Consideration of Further Amendments
Motion to Amend

Mr. Ernest R. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 10 of the printed bill, as amended in the Assembly on May 11, 1959, between lines 32 and 33, insert

"SEC. 18.5. Notwithstanding any other provisions contained herein, no credit union shall be subject to any increased fees or taxes under this act."

Amendment read, and refused adoption.

Demand for Previous Question

Messrs. Biddick, Waldie, House, Schrade, and Luckel demanded the previous question.

Point of Order

Mr. Busterud arose to the following point of order: That there are amendments at the desk, so the previous question should not be put, at this time.

Ruling by Speaker

The Speaker ruled the point of order not well taken, since the amendments had not been read prior to the demand for the previous question.

Parliamentary Inquiry

Mr. Busterud arose to the following parliamentary inquiry: Since the amendments were at the desk before the members who demanded the previous question were recognized, should not the amendments be considered before the question is put?

Reply by Speaker

The Speaker replied that, since the previous question was demanded by five members, it must be put, but, that, if it be not sustained, the amendments would be in order for consideration.

The question being on the demand for the previous question.

Demand not sustained.

Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Since the demand is voted down, are the amendments in order?

Reply by Speaker

The Speaker replied that they were.

Motion to Amend

Mr. Busterud moved the adoption of the following amendment:

Amendment No. 1

On page 10, line 21, of the printed bill, as amended in the Assembly on May 11, 1959, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)."

Amendment read.

Parliamentary Inquiry

Mr. Charles H. Wilson arose to the following parliamentary inquiry: How many words are there in the amendment?

Reply by Speaker

The Speaker replied that there were less than 25.

**Demand for Previous Question**

Messrs. Unruh, Masterson, Garrigus, DeLotto, and Schrade demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Busterud.

**Roll Call Demanded**

Messrs. Collier, Cusanovich, and Levering demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Biddick, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Davis, Dills, Francis, Grant, Hawkins, Holmes, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, McCollister, Multord, Pattee, Reagan, Schrade, Sedgwick, Sumner, and Thelin—32.

NOES—Don A. Allen, Bane, Bee, Bradley, Britschgi, Burke, Burton, Cameron, Crawford, Crown, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Heglan, House, Johnson, Kennick, Levering, Luckel, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Shell, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—46.

The question being on the passage of Assembly Bill No. 1175.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. MacBride moved a call of the Assembly.

Mr. Unruh seconded the motion.

Motion carried. Time, 1 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### PARLIAMENTARY INQUIRY

Mr. Pattee arose to the following parliamentary inquiry: How many votes are required to pass Assembly Bill No. 1175?

**Reply by Speaker**

The Speaker replied that the Constitution provides that 54 affirmative votes are required.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND ASSEMBLY RULE NO. 106

Mr. Winton asked for unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

Mr. Lowrey withheld unanimous consent.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Conrad was granted unanimous consent to take up further consideration of Senate Bill No. 565 (on second reading file today, pursuant to Rule No. 69. *See* page 4469.) for purpose of amendment.

### FURTHER CONSIDERATION OF SENATE BILL NO. 565

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Bill read second time.

#### Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 3, of the printed bill as amended in Assembly May 29, 1959, strike out "but"; strike out line 4; and in line 5, strike out "time the polls close,".

Amendment read, and adopted.

Bill ordered reprinted, and returned to second reading file.

### ANNOUNCEMENT

Mr. Backstrand announced that art maps on proposed highway routes set forth in Senate Bill No. 480 would be on display in the Assembly Lounge, and requested that any member with inquiries relative to the routes shown thereon advise him, and he would have someone from the Department of Public Works contact the member and answer his questions.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2150 FROM COMMITTEE

Mr. Kilpatrick was granted unanimous consent that Assembly Bill No. 2150 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2150

**Assembly Bill No. 2150**—An act to amend Section 106 of the Welfare and Institutions Code, relating to the appointment of the Director of the Department of Social Welfare.

Bill read second time.

#### Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, lines 4 and 5, strike out "legislative".

#### Amendment No. 2

On page 1, line 5, after "experience", insert "in the formulation of policies".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

### ASSEMBLY BILL NO. 1009 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1009**, on request of Mr. Ernest R. Geddes.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Levering was granted unanimous consent to take up Senate Bill No. 480 for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 480

**Senate Bill No. 480**—An act to amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 435, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553 and 614 of, to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of, and to add Sections 486, 514, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1, 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589 and 590 to, the Streets and Highways Code, relating to state highways, providing for a California Freeway and Expressway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Bill read third time.

#### Motion to Amend

Mr. Levering moved the adoption of the following amendment:

#### Amendment No. 1

On page 9, line 3, of the printed bill, as amended in the Assembly on May 27, 1959, after "Beach", insert "but north of the intersection of Sunset Boulevard and Route 60".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

### RESOLUTIONS

The following resolutions were offered:

By Mr. Johnson:

#### House Resolution No. 307

Relating to mutual aid laws

WHEREAS, Each year the State of California has witnessed tremendous destruction of property and the loss of life and natural resources due to fires, particularly in brush and forested areas; and

WHEREAS, The forces needed to combat these disastrous fires are many times greater than those available in a given community or district, and

WHEREAS, The mutual aid and assistance of several fire departments are required; and

WHEREAS, The present laws relating to mutual aid are scattered through at least three codes of the State of California and in several different sections, leading to serious questions concerning the territorial liabilities of fire departments and personnel, now, therefore, be it

*Resolved by the Assembly of the State of California*, that in addition to all other powers and duties assigned to it, the Assembly Interim Committee on Public Health is hereby authorized and directed to ascertain, study, and analyze all facts relating to mutual aid between and among public agencies which engage in the

prevention and suppression of fire, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly not later than the fifteenth legislative day of the 1961 Regular Session, including in its report its recommendations for appropriate legislation and its recommendations for legislation to recodify and rearrange the laws relating to mutual aid between and among public agencies which engage in the prevention and suppression of fire in a single code.

Resolution read, and referred to the Committee on Rules.

By Mr. Johnson:

**House Resolution No. 308**

Relative to directing the Assembly Interim Committee on Public Health to study the laws relating to the transportation to flammables and corrosive liquids

WHEREAS, The existing laws relating to the transportation of flammables and corrosive liquids do not appear to be adequate for uniformity of regulation and enforcement within the various political subdivisions for the safe transportation of flammables and corrosive liquids; and

WHEREAS, These existing laws have created many problems for the fire service, industry, transportation companies, and other related organizations; now, therefore, be it

*Resolved by the Assembly of the State of California*, That in addition to all other powers and duties assigned to it, the Assembly Interim Committee on Public Health is hereby authorized and directed to investigate, ascertain, study and analyze all facts relating to the need and advisability for uniform statewide regulation of the transportation of flammables and corrosive and dangerous liquids transported in tank truck equipment. The committee shall report thereon to the Assembly not later than the fifteenth legislative day of the 1961 Regular Session, including in its report its recommendations for appropriate legislation and revisions of existing laws

Resolution read, and referred to the Committee on Rules.

By Mr. Hanna:

**House Resolution No. 309**

Relative to faculty participation in state college affairs

*Resolved by the Assembly of the State of California*, That the Superintendent of Public Instruction is hereby directed to report to the Legislature at its 1961 Regular Session, not later than the fifth legislative day thereof, setting forth the rules and regulations promulgated pursuant to Chapter 2.5 (commencing at Section 23681) of Division 18 of the Education Code by the State Board of Education to establish the relative responsibility of faculty and administration in state colleges on policy-making within such colleges; and be it further

*Resolved*, That the chief clerk is directed to transmit a copy of this resolution to the Superintendent of Public Instruction.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 139**: By Messrs. Hawkins and Elliott—Relative to the creation of the Joint Interim Committee on State and Local Taxation.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 571
Assembly Bill No. 1082
Assembly Bill No. 1663
Assembly Bill No 2148
Assembly Bill No 2605
Assembly Bill No. 2622
Assembly Bill No. 2732

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1771
Assembly Bill No. 1868
Assembly Bill No. 2464
Assembly Bill No. 2575

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2690

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 1758
Assembly Bill No 2555
Assembly Bill No. 2570
Assembly Bill No. 2621
Assembly Bill No. 2708
Assembly Bill No. 2781
Assembly Bill No. 2851

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2629

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 326**—An act to amend Section 10504 of the Streets and Highways Code, relating to remedies in case of default by contractor;

**Assembly Bill No. 464**—An act to amend Sections 1192 and 1205 of the Military and Veterans Code, relating to veterans' memorial district taxes;

**Assembly Bill No. 465**—An act to amend Section 1191 of the Military and Veterans Code, relating to the management of veterans' memorial districts;

**Assembly Bill No. 622**—An act to amend Section 5281 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911;

**Assembly Bill No. 708**—An act to add Chapter 8 (commencing at Section 25701) to Division 20 of the Health and Safety Code, relating to the manufacture and sale of toys;

**Assembly Bill No. 970**—An act to amend Section 1765 of the Insurance Code as amended by Chapter 4 of the Statutes of 1959 and to add Section 1765.1 to the Insurance Code, relating to qualifications for surplus line brokers and special lines surplus line brokers;

**Assembly Bill No. 1016**—An act to amend Section 667.1 of the Welfare and Institutions Code, relating to the establishment of schools in county juvenile halls;

**Assembly Bill No. 1353**—An act to amend Sections 1176 and 1178 of, and to add Sections 1177.5 and 1177.6 to, the Military and Veterans Code, relating to veterans' memorial districts;

**Assembly Bill No. 1976**—An act to add Section 32300.2 to, and to amend Sections 32303, 32304, and 32312 of, the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 2171**—An act to amend Section 6080 of the Harbors and Navigation Code, relating to harbor districts;

**Assembly Bill No. 462**—An act to add Section 1178.5 to the Military and Veterans Code, relating to the formation of veterans' memorial districts;

**Assembly Bill No. 463**—An act to add Section 1198.5 to the Military and Veterans Code, relating to the management of veterans' memorial districts;

**Assembly Bill No. 662**—An act to add Section 940.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district elections;

**Assembly Bill No. 817**—An act to amend Section 25642 of the Government Code, relating to fire protection;

**Assembly Bill No. 872**—An act to amend Section 2330 of, and to add Section 2333.6 to, the Health and Safety Code, relating to mosquito abatement districts;

**Assembly Bill No. 990**—An act to add Sections 23661.5 and 23661.6 to the Business and Professions Code, and to add Section 32110 to the Revenue and Taxation Code, relating to alcoholic beverages;

**Assembly Bill No. 1050**—An act to amend Section 5248 of the Streets and Highways Code, relating to the Improvement Act of 1911;

**Assembly Bill No. 1100**—An act to add Section 14115 to the Health and Safety Code, relating to local fire protection districts;

**Assembly Bill No. 1141**—An act to amend Section 780 of the Probate Code, relating to sales of real property;

**Assembly Bill No. 1845**—An act to add Section 54906 to the Government Code, relating to highway lighting districts;

**Assembly Bill No. 1941**—An act to amend Section 16480.1 of the Government Code, relating to proceedings of the Pooled Money Investment Board;

**Assembly Bill No. 1947**—An act to add Sections 13007 and 13008 to the Water Code, relating to proceedings of the State Water Pollution Control Board;

**Assembly Bill No. 1954**—An act to amend Section 4364 of the Public Resources Code, relating to proceedings of the advisory committee on reforestation methods and procedures and to add Section 4941.5 to the Public Resources Code, relating to forest practice districts;

**Assembly Bill No. 1986**—An act to amend Section 27201 of, and to add Section 27201.5 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county librarians;

**Assembly Bill No. 1998**—An act to add Section 25366.5 to the Government Code, relating to disposition of assets of special districts upon dissolution;

And reports the same correctly enrolled, and presented to the Governor on the first day of June, 1959, at 10 a.m.

BURKE, Chairman

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1175

At 1.35 p.m., Mr. MacBride moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 1175 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Backstrand, Beaver, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Dills, Francis, Lanterman, Levering, Luckel, Mc Collister, Pattee, Reagan, Schrade, Shell, and Thelin—22.

Assembly Bill No. 1175 ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1172

At 1.38 p.m., Mr. Unruh moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1172 by the following vote:

AYES—Dahl, Gaffney, Masterson, McCollister, Unruh, Charles H. Wilson, and Winton—7.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahue, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—71.

#### Explanation of Vote

I voted "Aye" on concurrence in Senate amendments in order to be available for free conference although I do not agree with the Senate amendments

JESSE M. UNRUH

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2149 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2149 be continued until the next legislative day.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE CONTINUED

Mr. Francis was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Judiciary—Civil be continued until the next legislative day.

### ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

*Today—*

*At 2.30 p.m.—*

Civil Service and State Personnel, in Room 4168.

Finance and Insurance, in Room 5168.

Ways and Means, in Room 4202.

Transportation and Commerce, in Room 2170.

*One-half hour after adjournment—*

Judiciary—Civil Subcommittee on Depositions, in Room 3126.

*At 3.45 p.m.—*

Ways and Means Subcommittee on Highways, in Room 4168.

*At 8 p.m.*

Transportation and Commerce, in Room 2170.

### RE-REFERENCE OF SENATE BILLS NOS. 960 AND 962

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 960** and **962** to the Committee on Water.

## EXPLANATION OF ABSENCE

I was in a Wildlife Board Meeting from 10 30 a m. to 11.30 a.m.

LLOYD W. LOWREY

## ADJOURNMENT

At 1.40 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday June 2, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

NINETY-NINTH LEGISLATIVE DAY

ONE HUNDRED SEVENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, June 2, 1959

The Assembly met at 9.30 a.m.

Hon Ralph M Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Gracious and Eternal God,* Less than three weeks remain; weeks which will demand some of the most careful thinking of this Legislative session, for there will be numerous adjustments between Senate and Assembly, and the import of every proposed change must be thoroughly understood. To the cumulative pressures already existing there is added still another, the pressure of time itself. We pray earnestly that all vital and important things may get done and that in no way will the people of the State suffer by any omission of this Assembly. Give us poise for a feeling of panic; deliver us from haste which makes waste; spare us the friction which creates only heat; and save us from uncontrolled words which were better unspoken. Give us strength which is greater than our own.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Collier.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Amelia J. Holz of Los Angeles, relative to liquor sales in areas around universities and veterans hospitals. Referred to the Committee on Government Organization.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Conrad:

### House Resolution No. 310

Relative to commending Louis A. Baptista

WHEREAS, A testimonial dinner is to be given on Tuesday, June 9, 1959, for Louis A Baptista, "Hollywood's Leading Citizen"; and

WHEREAS, Louis A. Baptista was born in Madeira Island, Portugal and received his early education in Portugal and England; and

WHEREAS, "Louie" came to America in 1914, and enlisted in the United States Army at the age of fourteen in 1917, and served in France, being wounded in the Argonne Forest; and

WHEREAS, Louie was one of the youngest soldiers to receive the Purple Heart, and was decorated by the French Government, and was the recipient of a Presidential Citation; and

WHEREAS, Louie received his later education in the State of Massachusetts, attending Bently School, Boston University and Burdett College; and

WHEREAS, He came to California in 1944 as Assistant Manager of the Hollywood Office of the California Bank; and

WHEREAS, He was chairman of the Hollywood March of Dimes in 1958 and 1959, and for the five years before served as assistant treasurer of the organization, was chairman of the Hollywood Red Cross in 1958 and is at present a member of the Membership Committee of the Hollywood Chamber of Commerce; and

WHEREAS, Louie was awarded a "Good Citizen" award by the Hollywood News for outstanding community service in Hollywood, and he was nominated in 1955 by the Kiwanis Club to be one of their candidates to run for Honorary Mayor of Hollywood, and he served a year as Honorary Treasurer for Hollywood; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their congratulations to Louis A. Baptista upon the occasion of his testimonial dinner and its highest commendation for his career of civic service, together with best wishes for a continued active and happy life; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Louis A. Baptista.

Resolution read, and referred to the Committee on Rules.

By Mrs. Davis:

### House Resolution No. 311

Relative to the State Advisory Commission on Indian Affairs

WHEREAS, The Legislature at the current session has created the State Advisory Commission on Indian Affairs and directed it to report its findings and recommendations from time to time to the Legislature; and

WHEREAS, In order to effectuate the purposes of such legislation it will be necessary for said commission to make such reports to appropriate interim committees of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules be directed to designate the appropriate Assembly interim committee to which the State Advisory Commission on Indian Affairs may report its findings and recommendations from time to time.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 957
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2707
Assembly Bill No. 2737
Assembly Bill No. 2857
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered returned to second reading file.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1348
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1088
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 47
And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 2872
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Health.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2777
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1145
Assembly Bill No. 1268
Assembly Bill No. 1705
Assembly Bill No 2143
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 1340
Assembly Bill No 2385
Assembly Bill No. 2525
Assembly Bill No. 2640
Assembly Bill No. 2713
Assembly Bill No. 2733

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 467

And reports the same same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Social Welfare.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2806

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No 2480

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Judiciary—Civil

**Committee on Education**

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER. Your Committee on Education reports:

Senate Bill No. 542

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2648

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Education reports:

Senate Bill No. 916
Senate Bill No. 536
Senate Bill No. 366
Senate Bill No. 315

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER. Your Committee on Education reports:

Assembly Bill No 1748

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1675
Assembly Bill No. 2652
Assembly Bill No. 2685
Assembly Bill No. 2740

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2771

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2497

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 52
Senate Bill No. 509
Senate Bill No. 1068

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER Your Committee on Municipal and County Government reports:

Senate Bill No. 707

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2375
Assembly Bill No. 1379
Assembly Bill No. 2526

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 234
Assembly Bill No. 1594

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1253
Assembly Bill No. 1530
Assembly Bill No. 1597
Assembly Bill No. 1600
Assembly Bill No. 2007
Assembly Bill No. 2450
Assembly Bill No. 10
Assembly Bill No. 2058
Assembly Bill No. 1514
Assembly Bill No. 2398
Assembly Bill No. 2308
Assembly Bill No. 1047
Assembly Bill No. 453
Assembly Bill No. 1518
Assembly Bill No. 2011

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2531

With the recommendation: That the bill be re-referred to the Committee on Judiciary—Civil.

UNRUH, Chairman

Above bill re-referred to the Committee on Judiciary—Civil.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 417

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Transportation and Commerce**

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 1352

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1311
Assembly Bill No. 2683
Assembly Bill No. 2684

With amendments with the recommendation: Amend, and re-refer to the Committee on Transportation and Commerce.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 1073

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2539
Assembly Bill No. 2886
Assembly Bill No. 2680
Assembly Bill No. 2714

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 997
Senate Bill No. 998

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2779
Assembly Bill No. 2887

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2582

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2581

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 1328

*With amendments with the recommendation: Amend, and re-refer to the Committee* on Civil Service and State Personnel.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 902

With the recommendation Do pass.

MEYERS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No 2006
Assembly Bill No 2747

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MEYERS, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports

Assembly Bill No. 2653
Assembly Bill No. 2745
Assembly Bill No. 2746
Assembly Bill No. 2828

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2472

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

MEYERS, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Education reports.

Senate Bill No. 682

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports.

Assembly Bill No. 2827

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 83
Senate Concurrent Resolution No. 84
Senate Concurrent Resolution No. 82

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 296
House Resolution No. 291
House Resolution No. 294
House Resolution No. 303
House Resolution No. 302
House Resolution No. 304
House Resolution No. 278

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Rules reports.

House Resolution No 297

With the recommendation. Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 300

With amendments but without recommendation.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 19

With the recommendation: That the resolution be re-referred to the Committee on Industrial Relations.

MILLER, Chairman

Above resolution re-referred to the Committee on Industrial Relations.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 20

With the recommendation: That the resolution be re-referred to the Committee on Governmental Efficiency and Economy.

MILLER, Chairman

Above resolution re-referred to the Committee on Governmental Efficiency and Economy.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2756

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 28
Assembly Bill No. 119
Assembly Bill No. 271

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER. Your Committee on Criminal Procedure reports:

Assembly Bill No. 486
Assembly Bill No. 1185
**Assembly Bill No. 1119**
Assembly Bill No. 2850

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

**O'CONNELL, Chairman**

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1157

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2563

With amendments with the recommendation: Amend, and re-refer to the Committee on Criminal Procedure.

O'CONNELL, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2129

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 697

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

REES, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1056
Assembly Bill No. 2382
Assembly Bill No. 2764

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 122
Assembly Bill No. 289
Assembly Bill No. 2272
Assembly Bill No. 2655
Assembly Bill No. 2418
Assembly Bill No. 2723

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1163
Assembly Bill No. 1164
Assembly Bill No. 2420

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER. Your Committee on Finance and Insurance reports:

Assembly Bill No 2726
Assembly Bill No. 2812
Assembly Bill No 2703

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

REES, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 24

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bill ordered to second reading.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER Your Committee on Finance and Insurance reports:

Assembly Bill No. 1656
Assembly Bill No 2833

With the recommendation: Do pass.

REES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 2642

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER Your Committee on Finance and Insurance reports:

Assembly Bill No. 174

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 2628

With amendments with the recommendation: Amend, and do pass, as amended

REES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No 2838

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

## ANNOUNCEMENT

Speaker Brown announced that Mr. and Mrs. William Scheuermann are the proud parents of a baby boy born last evening; whereupon the Speaker and the members joined in extending their congratulations to Assistant Clerk Scheuermann.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2857, 1473, 2523, 2521, 2329, 2574, 2778, 2579, 2742, 2707, 2737, 1717, 2276, 1984, 2465, 1539, 2340, 1088, 2559, 2674,** and **1348.**

**Senate Bills Nos. 565, 13, 209,** and **710.**

Assembly Bills Nos. 1088 and 1348 ordered to third reading.

Assembly Bills Nos. 1473, 2523, 2742, 1984, 2465, 1539, 2559, and 2674 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 1717 and 2276 ordered to third reading, subsequent to re-engrossment.

Assembly Bills Nos. 2857, 2707, and 2737 ordered to the Consent Calendar.

Assembly Bills Nos. 2329, 2574, 2779, and 2579, ordered to the Consent Calendar, subsequent to engrossment.

Assembly Bills Nos. 2521 and 2340 ordered to the Consent Calendar, subsequent to re-engrossment.

Senate Bills Nos. 565, 13, and 209 ordered to third reading.

Senate Bill No. 710 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1669**—An act to add Section 653m to the Penal Code, relating to electronic eavesdropping.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

#### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 21, 1959, after "electronic", insert "or mechanical amplifying or recording".

#### Amendment No. 2

On page 1, line 16, strike out the period, and insert ", or an individual acting under the direction of the person entitled to possession of the premises as specified in Section 653m".

#### Amendment No. 3

On page 2, line 7, after "653h", insert "or Section 653i".

#### Amendment No. 4

On page 2, line 9, after "electronic", insert "or mechanical amplifying".

Bill ordered reprinted, and re-engrossed.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 140**: By Mr. Winton—Relative to the exclusion of dump truck contractors from the provisions of the Highway Carriers' Act.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2829 FROM COMMITTEE

Mr. Samuel R Geddes was granted unanimous consent that Assembly Bill No. 2829 be withdrawn from the Committee on Civil Service and State Personnel, for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2829

**Assembly Bill No. 2829**—An act to amend Sections 6902 and 6907 of the Government Code, relating to vending stands for the blind.

Bill read second time.

### Motion to Amend

Mr. Samuel R. Geddes moved the adoption of the following amendments:

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 6902 and", and insert "Section".

### Amendment No. 2

On page 1, strike out lines 1 to 14, inclusive, and insert

"SECTION 1 Section 6907 of the Government Code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

## CONSIDERATION OF DAILY FILE

## UNFINISHED BUSINESS

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1982**—An act to amend Sections 7203 and 7211 of, and to add Section 8801.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district libraries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1982?

### Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 8801.1 to,".

### Amendment No. 2

On page 1, strike out lines 15 and 16.

**Amendment No. 3**

On page 1, line 19, strike out "with the county superintendent of schools".

**Amendment No. 4**

On page 2, line 5, after the period, insert "The proceedings may provide for either:
(a) The complete withdrawal of affiliation effective on the first day of July of the ensuing one year, or
(b) A gradual withdrawal over a period of not to exceed five years beginning on the first day of July next succeeding the termination of proceedings.
The county board of education shall adopt rules and regulations governing such a gradual withdrawal, including the period to be covered, not to exceed five years, the amount of payment for each year, and the amount of service to be rendered. The terms of such gradual withdrawal shall comply with such rules and regulations.
SEC. 3. Section 8801.1 is added to said code, to read:
8801.1 With the approval of the county board of education in those counties in which the county superintendent of schools performs library services for the school library of any district pursuant to Section 8801 of this code, the governing board of the school district may agree with the county superintendent of schools to terminate the affiliation of the district with the county superintendent of schools with respect to library services. Either the governing board of the school district or the county superintendent of schools may initiate termination proceedings. Notice of termination shall be given on or before the first day of July of any year, and shall take effect the thirtieth day of June of the ensuing one year.
The proceedings may provide for either:
(a) The complete withdrawal of affiliation effective on the first day of July of the ensuing one year, or
(b) A gradual withdrawal over a period of not to exceed five years beginning on the first day of July next succeeding the termination of proceedings.
The county board of education shall adopt rules and regulations governing such a gradual withdrawal, including the period to be covered, not to exceed five years, the amount of payment for each year, and the amount of service to be rendered. The terms of such gradual withdrawal shall comply with such rules and regulations."

The Assembly refused to concur in Senate amendments to Assembly Bill No. 1982 by the following vote:

AYES—Belotti, Garrigus, Hegland, and Winton—4.
NOES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Petris, Porter, Rumford, Schrade, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—50.

**Appointment of Committee on Conference Concerning Assembly Bill No. 1982**

The Speaker appointed Messrs. Ernest R. Geddes, Hegland, and House as a Committee on Conference concerning Assembly Bill No. 1982.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2149

In compliance with a motion given on a previous day, Mr. Masterson moved that the vote whereby Assembly Bill No. 2149 was passed be reconsidered.

**Demand for Previous Question**

Messrs. Waldie, DeLotto, Dills, Bee, and Dahl demanded the previous question. Demand sustained.

The question being on the motion to reconsider.
Assembly Bill No. 2149 reconsidered by the following vote:

AYES—Don A. Allen, Bane, Bee, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford,

Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Thelin, Unruh, Waldie, George A. Willson, and Z'berg—45.

NOES—Beaver, Belotti, Biddick, Burke, Conrad, Coolidge, Crawford, DeLotto, Donahoe, Frew, Samuel R. Geddes, Hegland, House, Lanterman, Lowrey, Luckel, Meyers, Pattee, Porter, Schrade, Sedgwick, Shell, Sumner, Thomas, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—28.

Assembly Bill No. 2149 ordered to third reading.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE CONTINUED

Mr. Francis was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Judiciary—Civil be continued until the next legislative day.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2729 FROM COMMITTEE

Mr. Chapel was granted unanimous consent that Assembly Bill No. 2729 be withdrawn from the Committee on Revenue and Taxation for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2729

**Assembly Bill No. 2729**—An act to add Part 24 (commencing at Section 39000) to Division 2 of the Revenue and Taxation Code, relating to the licensing of cigarette vending machines and the taxation for the privilege of engaging in the business of keeping, maintaining or operating such machines.

Bill read second time.

#### Motion to Amend

Mr. Chapel moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, strike out "cigarette".

#### Amendment No. 2

On page 1, line 5, strike out "Cigarette".

#### Amendment No. 3

On page 1, lines 10 and 11, strike out "Cigarette".

#### Amendment No. 4

On page 2, line 6, after "value", insert "in the denomination of ten cents ($0.10) or more".

#### Amendment No. 5

On page 2, line 7, strike out "cigarettes of any kind", and insert "any kind of cigarettes, candy, soda, or soft drink".

#### Amendment No. 6

On page 2, lines 8 and 9, strike out "cigarettes of any kind", and insert "any kind of cigarettes, candy, soda, or soft drink".

#### Amendment No. 7

On page 2, line 17, strike out "twenty dollars ($20)", and insert "ten dollars ($10)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

**Rush Order Placed Upon Printing of Assembly Bill No. 2729**

Mr. Chapel was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2729.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 499**—An act to add Section 5006.2 to the Public Resources Code, relating to state parks.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 499?

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "commission", insert "or the State Division of Beaches and Parks".

The Assembly concurred in Senate amendment to Assembly Bill No. 499 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None

Assembly Bill No. 499 ordered enrolled.

**Assembly Bill No. 627**—An act to add Section 329.5 to the Code of Civil Procedure, relating to the statute of limitations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 627?

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "or reassessment".

**Amendment No. 2**

On page 1, lines 5 and 6, strike out "legislation of any political unit other than the State", and insert "the legislative body of any chartered city".

**Amendment No. 3**

On page 1, line 9, after "levied", insert ", or such longer period as the legislative body may provide".

The Assembly concurred in Senate amendments to Assembly Bill No. 627 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66.
NOES—None.

Assembly Bill No. 627 ordered enrolled.

### APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1172

The Speaker appointed Messrs. MacBride, Sumner, and Winton as a Committee on Conference concerning Assembly Bill No. 1172.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1028**—An act to amend Sections 7376 and 7381 of, to add Section 7396.7 to, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1028?

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "permit", and insert "license".

**Amendment No. 2**

On page 1, lines 13 and 14, strike out "extending over a period of not less than three months".

**Amendment No. 3**

On page 1, strike out line 16, and insert ". The".

**Amendment No. 4**

On page 1, strike out line 18, and insert ". The".

**Amendment No. 5**

On page 2, strike out line 2, and insert "200 hours."

**Amendment No. 6**

On page 2, line 13, of the printed bill, as amended in the Senate on April 29, 1959, strike out "prior to", and insert "within 15 days after".

**Amendment No. 7**

On page 2, line 17, after "7351.", insert "The school shall dismiss any student who fails to produce such proof within the required time and shall refund all payments made by such student.

The board shall not count, for the purpose of computing the practical training required to be obtained in a school by paragraph (1) of subdivision (d) of Section 7332, paragraph 1 of subdivision (d) of Section 7342, and paragraph (1) of subdivision (d) of Section 7351, any time accumulated by a student dismissed pursuant to this section."

**Speaker pro Tempore Presiding**

At 10.12 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1028?

The Assembly concurred in Senate amendments to Assembly Bill No. 1028 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

Assembly Bill No. 1028 ordered enrolled.

**Assembly Bill No. 1376**—An act to amend Sections 160.91, 160.92, 160.93, 160.94, and 160.95 of the Agricultural Code, relating to pest control.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1376?

**Amendment No. 1**

On page 2, line 12, of the printed bill, strike out "cause of action", and insert "accident or occurrence."

The Assembly concurred in Senate amendment to Assembly Bill No. 1376 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—None.

Assembly Bill No. 1376 ordered enrolled.

**Assembly Bill No. 1589**—An act to add Section 665.5 to the Elections Code, relating to election procedure.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1589?

**Amendment No. 1**

On page 1, lines 4 and 5, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "call a meeting, or meetings,".

**Amendment No. 2**

On page 1, line 8, strike out "and (3)", and insert "(3) the proper tabulating procedures, (4) specific directions that the polls shall be kept open to the public during voting hours and throughout the period required for the tabulation of the vote, and (5)".

**Amendment No. 3**

On page 1, line 5, of the printed bill, as amended in the Senate on May 19, 1959, strike out "to".

The Assembly concurred in Senate amendments to Assembly Bill No. 1589 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Assembly Bill No. 1589 ordered enrolled.

**Assembly Bill No. 1731**—An act to amend Section 42230 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to refund of fees upon rejection of applications.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1731?

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "eight", insert "dollars".

**Amendment No. 2**

On page 1, line 13, strike out "(a)", and insert "(1)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1731 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Assembly Bill No. 1731 ordered enrolled.

**Assembly Bill No. 2580**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2580?

**Amendment No. 1**

On page 3, line 36, of the printed bill, as amended in the Assembly on May 5, 1959, after "(b)", insert "of subdivision (1)".

The Assembly concurred in Senate amendment to Assembly Bill No. 2580 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Assembly Bill No. 2580 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 93**—An act making an appropriation, relating to fair employment practices.

Bill read third time.

**Motion to Amend**

Mr. Rumford moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 2, of the printed bill, strike out "_____", and insert "two hundred forty thousand".

Amendment No. 2

On page 1, line 3, strike out "_____", and insert "240,000"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Constitutional Amendment No. 47**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the appointments by the Governor to fill vacancies in the superior and municipal courts.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Busterud moved a call of the Assembly.

Mr. Hanna seconded the motion.

Motion carried. Time, 10.25 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2446**—An act to amend Section 69903 of, and to repeal Section 69895.5 of, the Government Code, relating to superior court employees.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2605**—An act to amend Section 28105 of the Government Code, relating to the salary of the supervisors of counties of the fifth class.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr Speaker—72

Noes—None.

Bill ordered transmitted to the Senate.

### Request to Pass Assembly Bill No. 2796 on File

Mr. Hawkins asked that Assembly Bill No. 2796 be passed on file, and retain its place on file on the next legislative day.

### Motion to Take Up Assembly Bill No. 2796

Mr. Collier moved that Assembly Bill No. 2796 be taken up, at this time.

Mr. Luckel seconded the motion.

### Speaker Presiding

At 10.33 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Speaker Brown ruled the motion by Mr. Collier not necessary, and stated that Mr. Collier needed only to demand that the regular order of business be followed, at this time; and that Mr. Hawkins could then move that consideration of the measure be continued.

### Motion to Continue Consideration

Mr. Hawkins moved that consideration of Assembly Bill No. 2796 be continued until the next legislative day.

### Parliamentary Inquiry

Mr. Charles H. Wilson arose to the following parliamentary inquiry: How many votes are necessary for the motion to carry?

### Reply by Speaker

The Speaker replied that it takes a majority vote.

### Point of Order

Mr. Charles H. Wilson arose to the following point of order: That there is lobbying going on in the back of the Assembly Chamber.

### Ruling by Speaker

The Speaker ruled that if any person in the rear of the Assembly Chamber is approaching the members relative to legislation, he should leave the Assembly Chamber, and make his contacts outside the Chamber.

The question being on the motion that consideration of Assembly Bill No. 2796 be continued until the next legislative day.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Should not his motion to take up the bill, which was seconded by Mr. Luckel, be the question before the House?

### Reply by Speaker

The Speaker replied that a call for the orders of the day is not technically a motion, and read from Mason's Manual which provides that any member may demand that the order of business be conformed to;

and that a call for the orders of the day is not technically a motion and cannot be debated.

**Objections Withdrawn**

Mr. Collier withdrew his objections to continuing the consideration of the bill.

**Motion to Continue Withdrawn**

Mr. Hawkins withdrew his motion to continue consideration.

By unanimous consent, Assembly Bill No. 2796 was ordered passed on file, and to retain its place on file on the next legislative day.

**Parliamentary Inquiry**

Mr. Cusanovich arose to the following parliamentary inquiry: If Assembly Bill No. 2796 be amended tomorrow, will not the consideration of the bill be delayed another day?

**Reply by Speaker**

The Speaker replied that consideration of the bill and any amendments thereto would be at the will of the House.

**Assembly Bill No. 1663**—An act to add Section 1094.5 to the Unemployment Insurance Code, relating to the release of information concerning foreign workers.

Bill read third time.

**Speaker pro Tempore Presiding**

At 10:43 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Z'berg—54.

NOES—Beaver, Bradley, Burke, Coolidge, Dahl, Ernest R. Geddes, Grant, House, Lanterman, Levering, Lowrey, Mulford, Reagan, Sedgwick, Shell, and George A. Willson—16.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1766**—An act to amend Sections 1360, 1368, 1369, 3103, and 18150 and to repeal Sections 1192, 3108, and 3109 of the Government Code, and to repeal Section 2842.5 of the Elections Code, relating to oaths of office.

Bill read third time.

**Motion to Amend**

Mr. O'Connell moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "1368, 1369,".

**Amendment No. 2**

In line 2 of the title, strike out "Sections 1192, 3108, and 3109", and insert "Section 1192".

**Amendment No. 3**

In lines 3 and 4 of the title, strike out "and to repeal Section 2842.5 of the Elections Code,".

**Amendment No. 4**

On page 1, line 1, strike out "Sections 1192, 3108, and 3109", and insert "Section 1192".

**Amendment No. 5**

On page 1, line 2, strike out "are", and insert "is".

**Amendment No. 6**

On page 1, line 14, after "support", insert "and defend".

**Amendment No. 7**

On page 2, strike out lines 5 to 20, inclusive.

**Amendment No. 8**

On page 2, line 21, strike out "SEC. 5", and insert "SEC. 3"

**Amendment No. 9**

On page 2, line 26, strike out "SEC. 6", and insert "SEC. 4".

**Amendment No. 10**

On page 2, line 31, after "support", insert "and defend".

**Amendment No. 11**

On page 2, strike out line 35

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## ANNOUNCEMENT

Speaker pro Tempore Bee announced that hereafter the rule relative to bills passed twice on file being placed on the inactive file would be enforced.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 868**—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 868?

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "17", and insert "19".

**Amendment No. 2**

On page 1, line 13, strike out "five", and insert "seven".

The Assembly concurred in Senate amendments to Assembly Bill No. 868 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Assembly Bill No. 868 ordered enrolled.

### INTRODUCTION OF GUESTS

Speaker pro Tempore Bee introduced Consul General of Iran and Mrs. Majid Rahnema to the Members of the Assembly, who joined in welcoming them upon their visit to the Assembly Chamber.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1456**—An act to amend Sections 5901 and 5931 of the Elections Code, relating to absent voters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1456?

**Amendment No. 1**

On page 1, line 7, of the printed bill, after "place", insert "by the most direct route for public travel".

**Amendment No. 2**

On page 2, line 11, after "place", insert "by the most direct route for public travel".

**Amendment No. 3**

On page 2, lines 16 and 17, strike out "envelope the clerk shall deposit the envelope", and insert "return envelope containing the identification envelope the clerk shall deposit it".

**Amendment No. 4**

On page 2, line 18, after "board", insert "An identification envelope shall in no event be opened before being delivered to the canvassing board."

The Assembly concurred in Senate amendments to Assembly Bill No. 1456 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1456 ordered enrolled.

**Assembly Bill No. 1681**—An act to add Section 22658 to, and to amend Section 22851 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the removal of vehicles from private property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1681?

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on May 11, 1959, strike out "devoted to industrial or commercial uses".

**Amendment No. 2**

On page 1, line 10, after the period, insert "The person causing removal of such vehicle shall comply with the requirements of Sections 22852 and 22853 relating to notice in the same manner as applicable to an officer removing a vehicle from private property. The provisions of this section shall not limit or affect any right or remedy which the owner or person in lawful possession of private property may have by virtue of other provisions of law authorizing the removal of a vehicle parked upon such property."

**Amendment No. 3**

On page 1, line 14, strike out ", where required,".

**Amendment No. 4**

On page 1, lines 15 and 16, strike out "from the arresting officer".

The Assembly concurred in Senate amendment to Assembly Bill No. 1681 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None

Assembly Bill No. 1681 ordered enrolled.

## BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and ordered placed on the third reading file·

**Senate Bill No. 369**, on request of Mr. Burton

**Assembly Bill No. 2511**, on request of Mr. Mulford.

**Assembly Bill No. 2730**, on request of Mr. Mulford.

**Senate Bill No. 391**, on request of Mr. Bruce F. Allen.

**Assembly Bill No. 2500**, on request of Mr. Hegland.

## CONSIDERATION OF CONSENT CALENDAR

Speaker pro Tempore Bee announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2585**—An act to amend Sections 1044 and 15802 of the Education Code as enacted at the 1959 Regular Session, and to amend Sections 1956 and 53056 of the Government Code, relating to insurance coverage for school districts.

Bill read third time.

**Speaker Presiding**

At 10.56 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2486**—An act to add Sections 13603 and 13651 1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2609**—An act to amend Section 25251 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle warning lights.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1441**—An act to amend Section 71661 of the Government Code, relating to receipts for bail.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2456**—An act to add Section 20567.4 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee Petris, Porter, Reagan, Rees, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2565**—An act to amend Sections 10 and 28½h of the Palo Verde Irrigation District Act (Chapter 452 of the Statutes of 1923), relating to the Palo Verde Irrigation District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2722**—An act to amend Section 30507 of the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2636**—An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2312**—An act to add Section 2367 to the Fish and Game Code, relating to the transportation of abalones.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis,

DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2543**—An act to amend Sections 3007, 3652, 4332, 4600, 8212, 8373 and 12006 of, to amend and renumber Section 4187 (as added by Chapter 1496, Statutes 1957), of and to repeal Sections 8216 and 8437 of, the Fish and Game Code, relating to fish and game.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2586**—An act to amend Section 5580 of the Business and Professions Code, relating to the practice of architecture, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstraud, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2378**—An act to amend Sections 479 and 626 of the Agricultural Code, relating to milk and dairy products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1583**—An act to add Section 75060.4 to the Government Code, relating to the Judges' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2133**—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2564**—An act to amend Sections 70050.5 and 70059.5 of the Government Code, relating to compensation for superior court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2616**—An act to amend Sections 74660, 74662, and 74663 and to add Section 74665 to the Government Code, relating to municipal court districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2618**—An act to amend Sections 74040, 74042, and 74043, and to add Sections 74046, 74047, 74048, 74049, 74050, and 74051 to the Government Code, relating to municipal court districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 198**—An act to amend Sections 2890, 3702, and 11553 of the Elections Code, relating to ballots and documents connected with elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2651**—An act to add Sections 813.6, and 828.61 to the Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2625**—An act to amend Sections 26700 and 26706 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to equipment of implements of husbandry.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 145**—An act to add Section 1393 to the Water Code, relating to permits to appropriate water.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 306**—An act to add Sections 31408.5, 30700.5, and 30748.5 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi,

MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 959**—An act to amend Section 10504 of the Water Code, relating to the appropriation of water.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 756**—An act to add Section 9020.1 to and Chapter 5.1 (commencing at Section 9520) to Division 9 of the Public Resources Code, relating to soil conservation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 881**—An act to amend Section 23 of the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to flood control in Santa Clara County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 379**—An act to amend Sections 8011 and 8014 of the Fish and Game Code, relating to receipts for fish, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 453**—An act to amend Section 2 of the Fish and Game Code, relating to regulations on fish and game.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 790**—An act to amend Section 2245.5 of the Business and Professions Code, relating to prechiropody education of applicants for chiropodist's certificates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 316**—An act to amend Section 11274 of the Government Code, relating to general administrative costs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 317**—An act to add Section 13012 to the Government Code, relating to approvals or authorizations by the director or the Department of Finance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstraud, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 318**—An act to amend Sections 15857 and 15859 of the Government Code, relative to the acquisition of real property by the State.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi,

MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 319**—An act to repeal Section 12198 of the Government Code, relating to recording official bonds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 323**—An act to repeal Section 65334 of the Government Code, relating to the appointment of area planning commission members.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 397**—An act to amend Section 11011 of the Government Code, relating to lands under the jurisdiction of state agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 483**—An act to amend Section 16475 of the Government Code, relating to special fund investments, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

The question being on the passage of the bill
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 489**—An act to add Section 16653 to the Government Code, relating to the redemption of state bonds and bond coupons, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

The question being on the passage of the bill.
Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 560**—An act to amend Section 110.5 of, and to add Section 110.7 to the Business and Professions Code, relating to charges

to state agencies for services performed by the Division of Administrative Procedure, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 647**—An act to amend Section 11380.1 of the Government Code, relating to the designation by the Secretary of State of style and form to be used in filing regulations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1143**—An act to amend Section 533 of the Public Utilities Code, relating to safety inspection of common carriers.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins Hegland, Holmes House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 577**—An act to amend and renumber Section 8961.3 of, and to add Section 8961.3 to, the Health and Safety Code, relating to public cemetery districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 161**—An act to amend Section 1054.1 of the Code of Civil Procedure, relating to continuances in judicial and administrative proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 596**—An act to amend Section 15502 of the Corporations Code, relating to the formation of limited partnerships.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1081**—An act to amend Section 2303 of the Welfare and Institutions Code, relating to boarding homes and institutions for aged persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1084**—An act to amend Sections 1629.5 and 2312 of the Welfare and Institutions Code, and to amend Section 1418.5 of the Health and Safety Code, relating to boarding homes and institutions for children, and aged and infirm persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1009**—An act to amend Section 814 of the Agricultural Code, relating to vegetable standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 244**—An act to add Article 3 (commencing at Section 160 97) to Chapter 1A of Division 2 of, and to repeal Section 160.96 of, the Agricultural Code, relating to pest control.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 641**—An act to amend Section 86 of the Agricultural Code, relating to district agricultural associations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Miller, Burns, and Berry as a Committee on Conference concerning:

Assembly Bill No. 1172—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 108

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, June 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1153
Assembly Bill No. 1269

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1079
Assembly Bill No. 1155
Assembly Bill No. 1419
Assembly Bill No. 1547
Assembly Bill No. 1926
Assembly Bill No. 2022
Assembly Bill No. 2072
Assembly Bill No. 2297

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 31

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Constitutional Amendment No. 31**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, relating to the compensation of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 1, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 84
Senate Bill No. 401
Senate Bill No. 543
Senate Bill No. 944
Senate Bill No. 1113
Senate Bill No. 1122
Senate Bill No. 1126
Senate Bill No. 1132
Senate Bill No. 1183
Senate Bill No. 1226
Senate Bill No. 1287
Senate Bill No. 1327
Senate Bill No. 1330
Senate Bill No. 1353
Senate Bill No. 1363
Senate Bill No. 1372
Senate Bill No. 1379
Senate Bill No. 1402
Senate Bill No. 1406
Senate Bill No. 1421
Senate Bill No. 1472

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 84**—An act to amend Section 731a of the Code of Civil Procedure, relating to industrial nuisances.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 401**—An act making an appropriation for the acquisition of additional beach and park lands, and providing for the transfer of money to the State Beach and Park Fund.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 543**—An act to amend Section 25752 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 944**—An act to amend Sections 6901 and 6903 of, and to add Section 6902.1 to, the Labor Code, relating to safeguards on railroads.

Referred to Committee on Industrial Relations.

**Senate Bill No. 1113**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1122**—An act to add Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16 of, and to amend Section 27182 of, the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1126**—An act to amend Section 1881 of the Code of Civil Procedure, relating to privileges of witnesses.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1132**—An act to amend Section 720 of the Welfare and Institutions Code, relating to juvenile courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1183**—An act to add Section 438 to the Government Code, relating to United States Flags.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1226**—An act to add Section 21156 to the Government Code, relating to legislative employment.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 1287**—An act to add Article 5 (commencing with Section 10506), Chapter 5, Part 2, Division 2 to the Insurance Code, relating to issuance of pension contracts and the establishment and operation of special pension plan funds by life insurers.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 1327**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to delivery of surplus water into, and extractions thereof for exportation from, the Sacramento-San Joaquin Delta.

Referred to Committee on Water.

**Senate Bill No. 1330**—An act to amend Section 54523 of the Government Code, relating to revenue bonds.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1353**—An act to amend Section 1 of Chapter 687 of the Statutes of 1935, relating to the granting of certain tidelands and submerged lands of the State to the County of Santa Cruz.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

**Senate Bill No. 1363**—An act to amend Section 870 of the Welfare and Institutions Code, relating to wards of the juvenile court.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1372**—An act to amend Sections 20303 and 20600.5 of the Government Code, relating to State Employees' Retirement Law.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 1379**—An act to add Section 16906 to the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1402**—An act to amend Section 23355 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 1406**—An act to amend Sections 19687 and 19689 of the Education Code as enacted at the 1959 Regular Session, relating to state school aid for exceptional pupils.

Referred to Committee on Education.

**Senate Bill No. 1421**—An act to amend Section 5 of Chapter 1701 of the Statutes of 1957, relating to freeing certain lands from the public trust for navigation, commerce, and fisheries and to empower the State Lands Commission to sell such lands.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1472**—An act to add Section 21156 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2674**, subsequent to engrossment.

**Senate Bill No. 209.**

### REQUEST FOR UNANIMOUS CONSENT

Mr. O'Connell was granted unanimous consent to take up Assembly Bill No. 1407, at this time, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 1407

**Assembly Bill No. 1407**—An act to add Section 653j to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read third time.

#### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 35, of the printed bill, as amended in the Assembly on May 29, 1959, strike out the comma.

#### Amendment No. 2

On page 2, after line 39, insert

"SEC. 2. Section 653h of said code is repealed.

~~653h. Any person who, without consent of the owner, lessee, or occupant, installs or attempts to install or use a dictograph in any house, room, apartment, tenement, office, shop, warehouse, store, mill, barn, stable, or other building, tent, vessel, railroad car, vehicle, mine~~

~~or any underground portion thereof, is guilty of a misdemeanor; provided, that nothing herein shall prevent the use and installation of dictographs by a regular salaried peace officer expressly authorized thereto by the head of his office or department or by a district attorney, when such use and installation are necessary in the performance of their duties in detecting crime and in the apprehension of criminals.~~"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### EXPERTS PERMITTED IN ASSEMBLY CHAMBER

Mr. MacBride was granted unanimous consent that experts from the Department of Finance be permitted to sit at his desk during the debate on Assembly Bill No 1171.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1171**—An act to amend Section 32151 of, and to add Section 32010 to, the Revenue and Taxation Code, relating to the taxation of alcoholic beverages, to take effect immediately.

Bill read third time.

#### Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "two dollars and seventeen cents ($2.17)", and insert "one dollar and fifty-five cents ($1.55)".

#### Amendment No. 2

On page 2, lines 9 and 10, strike out "one dollar and fifty-five cents ($1.55)", and insert "ninety-three cents ($0.93)".

Amendments read.

#### Roll Call Demanded

Messrs. Busterud, Cusanovich, and Collier demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Belotti, Busterud, Chapel, Collier, Conrad, Cusanovich, Dahl, Dills, Luckel, Lunardi, Marks, McCollister, McMillan, Nisbet, Pattee, Schrade, Shell, Sumner, and Thelin—20.

NOES—Bruce F. Allen, Bane, Beaver, Biddick, Bradley, George E. Brown, Burton, Cameron, Coolidge, Crown, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, House, Levering, Lowrey, MacBride, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—42.

#### Demand for Previous Question

Messrs. Unruh, Biddick, Waldie, Lunardi, and Schrade demanded the previous question. Demand sustained

The question being on the passage of the bill.

#### Parliamentary Inquiry

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Does Section 3 on page 2 of the bill necessitate 54 votes for passage of the bill?

### Reply by Speaker

The Speaker replied that 41 votes are required for passage of the bill.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, Burton, Busterud, Cameron, Crawford, Crown, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, Kennick, Lowrey, MacBride, Marks, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—43.

NOES—Don A. Allen, Bane, Belotti, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Luckel, Lunardi, Masterson, McCollister, McMillan, Pattee, Reagan, Schrade, Shell, Thelin, and Charles H. Wilson—34.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2242**—An act relating to the dissolution of the Santa Clara Valley Water Conservation District and the addition of the area thereof to the Santa Clara Flood Control and Water Conservation District, and in this connection to add Sections 3.4, 3.5, 3.6, 3.7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, and 7.8 to, and to amend Sections 4 and 7 of, the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951).

Bill read third time.

### Hon. Charles J. Conrad Presiding

At 11.45 a.m., Hon. Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

### *Demand for Previous Question*

Messrs. Lunardi, Charles H. Wilson, Dahl, Dills, and Don A. Allen demanded the previous question. Demand sustained.

### Speaker Presiding

At 12.05 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

### Motion to Expunge Record and Rescind Action on Assembly Bill No. 2242

Mr. Munnell moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2242.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Coolidge, Crown, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hegland, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sedgwick, Sumner, Unruh, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—45.

NOES—Beaver, Bradley, Britschgi, Burke, Cunningham, Davis, Francis, Ernest R. Geddes, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Reagan, Schrade, Shell, Thomas, and Charles H. Wilson—19.

NOTE—Later this day, a motion was made to reconsider the motion to expunge the record and rescind the action on Assembly Bill No. 2242. *See* page 4585.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 47

At 12.07 p.m., Mr. Busterud moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Constitutional Amendment No. 47 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Johnson, Kennick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—58.

NOES—Bee, Cameron, Crown, Elliott, Samuel R. Geddes, Hawkins, Hegland, Holmes, Kilpatrick, Levering, Luckel, McMillan, O'Connell, Petris, Rees, Rumford, Schrade, George A. Willson, Charles H. Wilson, and Z'berg—20.

Assembly Constitutional Amendment No. 47 ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1171

Mr. Ernest R. Geddes was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1171.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. O'Connell was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of hearing Assembly Bill No. 2573 in the Committee on Public Health tomorrow.

### NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1171

Mr. Kennick was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1171.

Mr. Francis was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1171.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2674

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1538
Assembly Bill No. 1774
Assembly Bill No. 1867
Assembly Bill No. 2357

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 121
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 395
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1984
Assembly Bill No. 2465
Assembly Bill No. 2523
Assembly Bill No. 2559
Assembly Bill No. 2742
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1717
Assembly Bill No. 2276
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1473
Assembly Bill No. 1539
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2329
Assembly Bill No. 2579
Assembly Bill No. 2778
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2340
Assembly Bill No. 2521
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2161
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2573
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Public Health.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2553
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1553
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

## MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, May 25, 1959; Tuesday, May 26, 1959; Wednesday, May 27, 1959; ~~Thursday, May 28, 1959;~~ and Friday, May 29, 1959.

NOTE—On June 10, 1959, the record was rescinded whereby the Journal for Thursday, May 28, 1959, was this day approved. *See* page 5187.

## PARLIAMENTARY INQUIRY

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Was a report of the Committee on Revenue and Taxation relative to Assembly Bill No. 1174 read today?

### Reply by Speaker

The Speaker replied that it was not; but that the bill was re-referred to the Committee on Revenue and Taxation when the report of the Committee on Engrossment and Enrollment was read today; and that this action was pursuant to the earlier recommendation of the Committee on Revenue and Taxation that the bill be amended, and re-referred to the committee.

## REQUEST TO PLACE RUSH ORDER ON PRINTING OF ASSEMBLY BILL NO. 1748

Miss Donahoe requested that a rush order be placed upon the printing of Assembly Bill No. 1748.

Request ruled not in order, at this time.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Miss Donahoe was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of permitting Assembly Bill No. 1748 to be heard in the Committee on Education tomorrow.

### MOTION TO RECONSIDER MOTION TO EXPUNGE RECORD ON ASSEMBLY BILL NO. 2242

Mr. Lowrey moved to reconsider on the next legislative day the vote whereby the motion to expunge the record and rescind the action on Assembly Bill No. 2242 was this day carried (Assembly Journal, page 4581).

Assembly Bill No. 2242 and the motion to reconsider ordered to the unfinished business file.

### RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 621** to the Committee on Municipal and County Government.

**Senate Bill No. 878** to the Committee on Ways and Means.

**Senate Bill No. 485** to the Committee on Revenue and Taxation.

**Senate Bill No. 1093** to the Committee on Government Organization.

### ANNOUNCEMENT OF SPECIAL MEETING OF COMMITTEE

Mr Bradley announced a special meeting of the Committee on Municipal and County Government at 8 p.m. tonight, in Room 2196.

### EXPLANATION OF ABSENCE

June 2, 1959

I missed many roll calls during this morning's session because I had to present bills to the Senate Elections Committee.

LOUIS FRANCIS

### ADJOURNMENT

At 12.17 p.m, on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, June 3, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDREDTH LEGISLATIVE DAY

ONE HUNDRED EIGHTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, June 3, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Legislative Intern Stuart Hall at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God*, As Thou hast revealed Thyself in Holy Writ, we read: "Then stood up * * * Gamaliel," one man standing for justice in the face of angry opposition What do we stand for, and why? Are we nudged to our feet by some powerful interest group? When the press reports, as it so often does, that a certain lobby was just too strong, what does that say about the men who are thereby imputed to be just too weak? Gamaliel stood, straight and tall, and said: "If this counsel or this work be of men, it will come to naught; but if it be of God, ye cannot overthrow it; lest haply ye be found even to fight against God." Spare us that, we humbly pray.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Britschgi.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. McMillan, on request of Speaker Brown.
Mr. Porter, on motion of Mr. Thomas.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. MacBride, on request of Speaker Brown.
Mr. Collier, on request of Speaker Brown.
Mr. Munnell, on request of Speaker Brown.
Mr. Lanterman, on request of Speaker Brown.
Mr. Ernest R. Geddes, on motion of Mr. Shell.

### Chief Clerk Arthur A. Ohnimus at the Desk

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Luckenbach Steamship Company, Inc., San Francisco, relative to Assembly Bill No. 2826. Referred to the Committee on Revenue and Taxation.

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George Ede, Jr., of Alameda, relative to social security for state employees. Referred to the Committee on Civil Service and State Personnel.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To: Chief Clerk of the Assembly.*

In accordance with the provisions of Joint Rule No. 83, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 85, are herewith filed.

### Digest of Bill

Archery deer season

Amends Sec. 4370, F. & G. C.

Provides for a 10-day archery season for the taking of deer with bow and arrow, opening on the second Saturday preceding the regular open season on deer in the area.

PAULINE L. DAVIS

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Biddick:

### House Resolution No. 312

Relative to commending Messrs. Russel Ynzunza and Verlon Roth

WHEREAS, It has come to the attention of the Members of this House that Messrs. Russel Ynzunza and Verlon Roth, both of Stockton, recently performed outstanding acts of humanitarian heroism when they co-operated, at great personal danger, in a dramatic rescue of Mr. Fred Bjornson, also of Stockton; and

WHEREAS, While Mr. Bjornson was traveling on Highway 4, his automobile suffered a blowout, overturned and plummeted into the deep waters of a drainage ditch; and

WHEREAS, Mr. Russel Ynzunza, who was driving close behind Mr. Bjornson, upon observing the accident, immediately halted his automobile, ran to the ditch and began striving to extricate the trapped driver; and

WHEREAS, Though Mr. Ynzunza, a man of small physical stature, made truly herculean efforts, he was unable singlehandedly to remove Mr Bjornson, who is 6'2" and weighs 220 pounds, from his watery prison; and

WHEREAS, It was truly fortunate that at this dark moment Mr. Verlon Roth, who chanced to be driving by the scene of the accident, observed the partially submerged vehicle and immediately stopped to render aid; and

WHEREAS, Mr. Roth, despite the fact that he does not swim, without hesitation clambered down the steep bank of the ditch to the Bjornson vehicle to assist Mr. Ynzunza in his rescue efforts; and

WHEREAS, Showing great presence of mind, Mr. Roth smashed the windshield of the car, thus furnishing the rescuers with a new avenue through which to pull Mr. Bjornson to safety, and thereupon the two men extricated the badly shocked victim and took him immediately to a hospital, which acts are indicated as saving his life; and

WHEREAS, The State of California is indeed fortunate that she possesses citizens of the caliber of Messrs. Russel Ynzunza and Verlon Roth, who are willing, even at great personal risk, to render aid and assistance to their fellow men; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend their sincere congratulations and commendations to these two brave men for their heroic act; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Messrs Russel Ynzunza and Verlon Roth.

Resolution read, and referred to Committee on Rules.

By Mr. Johnson:

**House Resolution No. 313**

Relative to congratulating Hazel Marie Lenhart Stevens and Jay W. Stevens on their Golden Wedding Anniversary

WHEREAS, Today, June 2, 1959, is the Golden Anniversary of the marriage of Hazel Marie Lenhart Stevens and Jay W. Stevens, who were united in holy matrimony fifty years ago in Portland, Oregon; and

WHEREAS, Jay W. Stevens, who was at that time employed as a fireman in the Portland Fire Department, shortly thereafter became inspired with the fervent belief that many lives and millions of dollars in property values were needlessly being lost because the public, through lack of knowledge, was failing to practice the proper methods of fire prevention; and

WHEREAS, Jay W. Stevens, in following this belief, has since dedicated himself with unswerving devotion to an educational campaign to inform the public and fire fighting agencies as to the proper methods of fire prevention; and

WHEREAS, While this man's efforts have largely gone unsung, nonetheless, in a very real sense a monument to his work exists today in the many lives saved and the countless millions of dollars of property prevented from burning; and

WHEREAS, While Jay W Stevens was zealously working on his ideal of a world without preventable fires, Marie Stevens was busily engaged in raising a family of two sons, Lawrence C and J. Wesley, and a daughter, Patti Marie, to whom by her good example she taught the virtues that help children become good citizens; and

WHEREAS, Our Nation is indeed fortunate that she is possessed of citizens of the caliber of Hazel Marie Lenhart Stevens and Jay W Stevens who, while establishing a solid family relationship, the foundation of our Country's strength, could still find the time and willingness to perform a service for their fellow citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House join together to extend their sincere congratulations to Mr. and Mrs. Stevens for their contributions to fire prevention and for their contributions to the American home, but most of all on the glorious occasion of their Golden Wedding Anniversary; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Hazel Marie Lenhart Stevens and Jay W. Stevens.

Resolution read, and referred to the Committee on Rules.

By Mr. Thomas:

**House Resolution No. 314**

Relative to the death of J. A. Waite

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Mr. J. A. Waite on May 24, 1959; and

WHEREAS, Mr. Waite was born in Exeter, Nebraska, on September 13, 1886, and moved to San Pedro, California, in 1910; and

WHEREAS, He learned the printing trade at an early age from his father and was associated in various capacities with the daily newspaper, the "*News Pilot*," in San Pedro, California, having served as publisher from 1930 to 1946; and

WHEREAS, Mr. Waite actively participated in innumerable civic and welfare movements in the San Pedro area and was commended in 1955 by the Los Angeles County Board of Supervisors for his long and distinguished service to the community; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of J. A. Waite and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Waite's daughter, Mrs. Victor A. Overman, and his sister, Phoebe Waite.

Resolution read, and referred to the Committee on Rules.

By Messrs. Hawkins, Charles H. Wilson, Don A. Allen, Elliott, Rumford, Unruh, and Kilpatrick:

**House Resolution No. 315**

Relative to commending the *Los Angeles Sentinel* on its Twenty-fifth Anniversary

WHEREAS, It has been brought to the attention of the Legislature that the year 1959 marks the Twenty-fifth Anniversary of the founding of the *Los Angeles Sentinel* newspaper by its publisher Leon H. Washington, Jr.; and

WHEREAS, During the past quarter-century this publication has passed from a modest community sheet into a nationally recognized newspaper dedicated to service and the highest ideals of journalism; and

WHEREAS, This family newspaper has received numerous awards of excellence from the California Newspaper Publishers Association, the National Editorial Association, the National Newspaper Publishers Association, and others; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend this significant event and express to the editor and staff of the *Los Angeles Sentinel* their appreciation for a quarter-century of devotion and service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the publisher of the *Los Angeles Sentinel*, Leon H. Washington, Jr.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

**Assembly Concurrent Resolution No. 141**: By Messrs. Hawkins, Schrade, and Ralph M. Brown—Relative to economy in legislative printing.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 35**: By Messrs. Lunardi, Chapel, Winton, Mrs. Davis, Messrs. Belotti, Collier, DeLotto, Garrigus, Samuel R. Geddes, Masterson, Miller, Sedgwick, and Z'berg—Relative to pricing gold on the free market.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 135**—An act to add Section 26736 to the Government Code, relating to the fees of sheriffs, marshals and constables;

**Assembly Bill No. 567**—An act to amend Sections 12164, 12203, and 12204 of the Government Code, relating to duties and fees of the Secretary of State;

**Assembly Bill No. 885**—An act to add Chapter 4 (commencing at Section 1700) to Part 6, Division 2, and to repeal Sections 1650 to 1663, inclusive, of the Labor Code, relating to artists' managers;

**Assembly Bill No. 1177**—An act to amend Sections 17041, 17048, 17072, 17171, 17181, 17208, 17209, 17224, 17402, 17411, 17503, 17673, 17674, 17734, 17736, 17737, 17739, 17852, 17853, 18161, 18181, 18182, 18183, 18185, 18186, 18191, 18192, 18200, 18202, 18242, 18401 and 18402 of, and to add Sections 17211, 17211.5, 17212, 17213, 18151, 18152, 18162, 18187, 18188, 18189, 18190, 18190.1, 18190.2, 18204, 18205, 18206, 18207, 18208, 18209, and 18210 to, and to repeal Sections 18151 and 18152 of, the Revenue and Taxation Code, relating to personal income taxes, to take effect immediately;

**Assembly Bill No. 1307**—An act to add Section 3832 to the Elections Code, relating to the general election ballot;

**Assembly Bill No. 1458**—An act to amend Sections 950 and 1152 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school district elections;

**Assembly Bill No. 2132**—An act to amend Sections 8571 and 8701 of, and to add Sections 8571.5 and 8701.5 to the Elections Code, relating to election contests, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 2313**—An act to amend Section 1902 of the Public Utilities Code, relating to the Public Utilities Commission;

**Assembly Bill No. 2314**—An act to amend Section 816.5 of the Public Utilities Code, relating to public utilities;

And reports the same correctly enrolled, and presented to the Governor on the second day of June, 1959, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 33**—Relative to the international outfall sewer;

And reports the same correctly enrolled, and presented to the Secretary of State on the second day of June, 1959, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 93
Assembly Bill No. 1407
Assembly Bill No. 1766

And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2829

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Civil Service and State Personnel.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1669

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill ordered returned to second reading file.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 2574

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No 2150

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2729

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Revenue and Taxation

**Committee on Ways and Means**

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER Your Committee on Ways and Means reports.

Assembly Bill No 1551

With amendments with the recommendation: Amend, and do pass as amended.

UNRUH, Chairman

Above bill ordered to second reading.

**Committee on Manufacturing, Oil, and Mining Industry**

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, reports:

Assembly Bill No. 2912

With the recommendation That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRUCE F. ALLEN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Natural Resources, Planning, and Public Works**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No 2762

With the recommendation. Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER. Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No 2867

Assembly Concurrent Resolution No 133

With the recommendation That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

LOWREY, Chairman

Above bill and resolution ordered filed; and subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER. Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No 1041
Senate Bill No 1128

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER. Your Committee on Natural Resources, Planning, and Public Works reports.

Senate Bill No 1049

With the recommendation: Do pass.

LOWREY, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER Your Committee on Natural Resources, Planning, and Public Works reports

Senate Bill No 1158

With amendments with the recommendation: Amend, and re-refer to the Committee on Natural Resources, Planning, and Public Works

LOWREY, Chairman

Above bill ordered to second reading

## Committee on Ways and Means

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER. Your Committee on Ways and Means reports

Assembly Bill No. 702
Assembly Bill No. 1403
Assembly Bill No. 1404
Assembly Bill No. 413
Assembly Bill No. 570
Assembly Bill No. 1579
Assembly Bill No. 1876

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Ways and Means reports.

Assembly Bill No. 2161
Assembly Bill No. 285

With amendments with the recommendation. Amend, and do pass, as amended

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER. Your Committee on Ways and Means reports

Senate Bill No 304

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

## Committee on Government Organization

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No 2203
Assembly Bill No. 2258

With the recommendation: Do pass.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2502
Assembly Bill No. 2677

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2553
Assembly Bill No 2902
Assembly Bill No. 2646

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

WINTON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER Your Committee on Government Organization reports:

Senate Bill No. 122
Senate Bill No 813

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bills ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2537
Assembly Bill No. 2558
Assembly Bill No. 2743
Assembly Bill No. 2757

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered re-referred to committee.

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 649

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to committee

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER. Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No 31

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered on file

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No 53

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 44

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No 45

With amendments with the recommendation: Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 28

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 52

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 56

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 48

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 13

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Senate Constitutional Amendment No. 14

With amendments with the recommendation: Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

### Committee on Fish and Game

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Fish and Game reports:

House Resolution No. 239

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

DAVIS, Chairman

Above resolution re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER Your Committee on Fish and Game reports:

Senate Bill No. 76
Senate Bill No. 302

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DAVIS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 150

With the recommendation: Do pass.

DAVIS, Chairman

Above bill ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, June 1, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No 2744

With the recommendation . Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

MEYERS, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1344

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 141
Assembly Bill No. 2390

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No. 2802

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Water reports.

Senate Bill No. 470
Senate Bill No. 471
Senate Bill No. 472
Senate Bill No. 473
Senate Bill No. 623
Senate Bill No. 787
Senate Bill No. 871
Senate Bill No. 873
Senate Bill No. 1101
Senate Bill No. 1102

With the recommendation: Do pass.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No 2865

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Bill No 2860
Assembly Bill No. 2861

With the recommendation. That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

PORTER, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 102
Senate Bill No. 1283

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

**Committee on Finance and Insurance**

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER Your Committee on Finance and Insurance reports:

Assembly Bill No. 590

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2720

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 928

With the recommendation: Do pass, as amended.

*Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee* recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No 488

With the recommendation: Do pass.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER. Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 395
Assembly Bill No. 1591

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 320
Senate Bill No. 981

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 578
Assembly Bill No. 1281
Assembly Bill No 1553
Assembly Bill No 1761
Assembly Bill No. 1904
Assembly Bill No. 2667
Assembly Bill No. 2668
Assembly Bill No. 2669
Assembly Bill No. 2670

*With the recommendation: That the bills be filed; and that the subject matter* be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1018
Assembly Bill No. 1019
Assembly Bill No. 2330
Assembly Bill No. 2623
Assembly Bill No. 2637
Assembly Bill No. 2664
Assembly Bill No. 2675
Assembly Bill No. 2702

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

**Committee on Government Organization**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2458

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

WINTON, Chairman

Above bill ordered to second reading.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, June 2, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 1245

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 44
Assembly Constitutional Amendment No. 53

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

**Committee on Criminal Procedure**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2611

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

**Committee on Water**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports.

Assembly Bill No. 706.

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bill No. 1669.**

Assembly Bill No. 1669 ordered to third reading, subsequent to re-engrossment.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2648**—An act to amend Section 10752 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to schools.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1748**—An act to amend Section 29011 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance, acquisition and use of degrees, diplomas, certificates, transcripts and documents evidencing the completion of courses beyond high school.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 29011 of", and insert "add Section 29002.1 to, and repeal Section 29008 of,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 29002.1 is added to the Education Code, as enacted by the Legislature at its 1959 Regular Session, to read:

29002.1. Notwithstanding the provisions of Section 29001, "diploma" does not include a document evidencing completion of a course of inservice training given by any person, firm, association, partnership, or corporation, if all of the following conditions apply:

(a) The course of inservice training is given in connection with the primary business or purpose of the person, firm, association, partnership, or corporation, and such primary business or purpose is not education.

(b) The course of inservice training and the document is given only to employees of such person, firm, association, partnership, or corporation, or to employees or representatives of customers of such person, firm, association, partnership or corporation.

(c) No charge is asked or collected from the persons taking the course or receiving the document.

(d) The document issued for inservice training is a certificate which sets forth the extent of attendance or performance or both in an area of training.

(e) All statements made on the certificate are truthful.

SEC. 2. Section 29008 of said code is repealed.

~~29008. Any person, firm, association, partnership or corporation authorized under subdivision (b), (c), (d), (e) or (f) of Section 29007 to issue diplomas shall, between the first and thirty-first days of January of each year, commencing on January 1, 1959, file with the Superintendent of Public Instruction an affidavit of its owner, president, or other head, setting forth the following information covering the preceding calendar year:~~

~~(1) The names and addresses, both local and home, including city and street, of its students who were enrolled in courses of instruction beyond high school.~~

~~(2) The courses of study offered by the institution.~~

~~(3) The names and addresses, both local and home, including city and streets, of its faculty, together with a record of the educational qualifications of each.~~

~~(4) The diplomas and honorary diplomas granted; to whom granted, the date granted, and the curricula upon which the diplomas were based.~~''

Amendment No. 3

On page 1, strike out lines 2 to 15, inclusive

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 1748

Miss Donahoe asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1748.

**Assembly Bill No. 2771**—An act to amend Section 13832 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2497**—An act to amend Section 10607 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to suspension of pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "100", and insert "50".

Bill ordered reprinted, and engrossed

**Assembly Bill No. 2375**—An act to amend Section 69593 of the Government Code, relating to superior court judges.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1379**—An act to amend Section 12663 of the Water Code, relating to the plan of improvement for flood control and water conservation on Cache Creek.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2526**—An act to amend Section 415 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 234**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on March 17, 1959, after "section.", insert "If the total amount in any fiscal year as computed

under this section should exceed two hundred fifty thousand dollars ($250,000), the amounts payable to the several counties shall be ratably reduced so as to limit the total amount payable hereunder to the sum of two hundred fifty thousand dollars ($250,000)."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1594**—An act to add Section 817 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the academic education of inmates in state institutions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "817", and insert "819".

**Amendment No. 2**

On page 1, line 1, strike out "817", and insert "819".

**Amendment No. 3**

On page 1, line 3, strike out "817", and insert "819".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1253**—An act to amend Sections 28700, 28702, 28717 of, and to add Section 28710.5 to, the Health and Safety Code, relating to frozen food locker plants.

Bill read second time, and ordered to third reading

**Assembly Bill No. 1530**—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1597**—An act to add Section 20390.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1600**—An act to add Section 20390.2 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2007**—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary co-ordination of releases of water from reservoirs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2450**—An act to add Section 6456.5 to, and to amend Section 8108 of the Financial Code, relating to stock of savings and loan associations.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 10**—An act to add Article 13 (commencing at Section 6401) to Chapter 6 of Division 6 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the advanced education of twelfth grade high school students.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2058**—An act to amend Section 11500 of the Water Code, relating to the powers of the Department of Water Resources.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1514**—An act to add Section 7240 to the Education Code and Section 20210 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the support of junior colleges, and making an appropriation therefor, and declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2398**—An act to add Chapter 15 (commencing at Section 19890) to Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to state school construction bond issues.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2308**—An act authorizing the State Lands Commission to exchange the interest of the State in parcels of land in the vicinity of San Francisco Bay for the interest of persons in other parcels of land in the vicinity of San Francisco Bay for the purposes of commerce, navigation and reclamation and the settlement of titles and boundaries and providing for actions against the State to quiet title to the lands exchanged, and authorizing actions to quiet title against the State the lands conveyed by the State pursuant to Chapter 353 of the Statutes of 1955.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1047**—An act to amend Sections 10026, 10131, 10132, 10134, 10252, 10252.5, 10253, 10253.5, 10255 and 10305 of, and to add Sections 10027 and 10085 to, the Business and Professions Code, relating to definition of brokers, agents and salesmen and advance fee charges.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 453**—An act to repeal Section 7018.1 of, and to add Section 7018.1 to, the Education Code, to repeal Section 18060 of, and to amend and renumber Section 18060.1 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to allowances to local school districts for transportation of pupils, declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1518**—An act to add Section 2442 to the Labor Code, relating to general health provisions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2011**—An act to amend Section 22050 of, and to add Section 22458.1 to the Financial Code, relating to personal property brokers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1311**—An act to amend Section 27173.5 of the Streets and Highways Code, relating to the advertising of bids for repair and construction work done by a bridge and highway district.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 27173.5 of", and insert "add Section 27282 to".

Amendment No. 2

Strike out lines 2 and 3 of the title, and insert "Code, relating to bridge and highway district tolls."

Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 27282 is added to the Streets and Highways Code, to read:

27282. The board may, by permit, provide for the use of any bridge on a credit basis. The board shall issue the permit to any applicant who furnishes and continues to maintain with the district a cash deposit equal to double the amount of one month's toll charges as estimated by the board for the applicant. Governmental agencies and municipal corporations may be exempted from making the cash deposit by the board."

Amendment No. 4

On page 1, strike out lines 2 through 17, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 2683**—An act to amend Section 30608 of the Streets and Highways Code, relating to San Francisco Bay Bridge tolls, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert

"An act to amend the heading of Chapter 2 (commencing at Section 30600) of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of, Division 17 of, and to amend Sections 30608 and 30609 of, the Streets and Highways Code, relating to the construction of a San Francisco-Oakland Rapid Transit Tube, and making an appropriation."

Amendment No. 2

On page 1, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. The heading of Chapter 2 (commencing at Section 30600) of Division 17 of the Streets and Highways Code is amended to read:

CHAPTER 2. PARTICULAR HIGHWAY CROSSINGS

SEC. 2 Section 3068 of the Streets and Highways Code is amended to read:

30608. Pending the issuance and sale of bonds secured by the tolls of the San Francisco-Oakland Bay Bridge for the financing of the

rapid transit tube specified in Article 5 of this chapter, the authority shall continue to fix and the department shall collect tolls at substantially the same rates as in effect January 1, 1959, except that the authority may vary the rates applicable to commercial vehicles as it deems desirable to permit the rates to be based on the number of axles rather than gross weight. Revenues therefrom shall continue to be devoted to fulfilling any obligations of the authority pursuant to any bond indenture or statute in effect on said date, and any surplus revenues shall be held and invested as authorized by law for assistance in the financing of the rapid transit tube or such other purpose as may be authorized or provided by law Subsequent to the issuance of the aforesaid bonds for the financing of the aforesaid rapid transit tube, the authority and the department shall fix and collect such rates of tolls as are necessary to comply with the obligations assumed by the authority in connection with the issuance of such bonds and the requirements of Article 5 (commencing at Section 30770).

SEC. 3. Section 30609 of the Streets and Highways Code is amended to read:

30609. Subject to the limitations hereinafter prescribed and under the provisions of Chapter 1 of this division, the department may make such revisions of, and improvements or alterations to, the San Francisco-Oakland Bay Bridge, its approaches, connections and other appurtenances, including the terminal building in San Francisco, as are deemed desirable and necessary by the department to permit the use of the entire San Francisco-Oakland Bay Bridge for traffic Such revisions may include work necessary for the routing of traffic in one direction on each deck of the bridge.

The department may use for such purposes any funds now on hand from the revenues of the San Francisco-Oakland Bay Bridge, and the future revenues of the bridge accruing up to July 1, 1961, or so much thereof as may be necessary, over and above those required to repay the State Highway Fund as required by Section 30605 and 30607, and to provide the costs of maintenance, operation, insurance and other expenses of the San Francisco-Oakland Bay Bridge.

In the event bonds are ~~to be~~ issued for the construction of the ~~Southern Crossing~~ *rapid transit tube* to be secured by the revenues of the San Francisco-Oakland Bay Bridge, the authority may provide for the completion of the work on the San Francisco-Oakland Bay Bridge, *and for any work on the San Mateo-Hayward Bridge or the Dumbarton Bridge authorized by the 1959 Session of the Legislature,* from the proceeds of bonds to be included in such an issue or it may reserve from the revenues which would secure such a bond issue sufficient revenues to complete the work. ~~To the greatest extent found feasible by the department in planning and conducting the work to be carried out, but without delaying the ultimate completion thereof, the department shall so plan and conduct the work as to permit the rails on the San Francisco-Oakland Bay Bridge to remain in place as long as possible so as to minimize the interruption of transbay rail transportation.~~

SEC. 4. Article 5 (commencing at Section 30770) is added to Chapter 2 of Division 17 of the Streets and Highways Code, to read:

Article 5. San Francisco-Oakland Rapid Transit Tube

30770. It is hereby declared to be the policy of the Legislature to take the action necessary to relieve effectively the vehicular congestion on the San Francisco-Oakland Bay Bridge and to thus insure the free-flowing movement of people and goods between the east and the west side of San Francisco Bay and to provide a main link in a system of rapid transit designed to ultimately serve the peoples of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

Further, the Legislature finds that the relief of vehicular congestion on the San Francisco-Oakland Bay Bridge can be obtained most efficiently and at the least cost in public funds and with the greatest promotion and accommodation of commerce and navigation through providing an underwater rapid transit tube connecting the east and west sides of San Francisco Bay accommodating facilities for rapid transit which will co-ordinate with and supplement the San Francisco-Oakland Bay Bridge, relieve congestion thereon and make possible the most efficient and economical movement of persons, property and traffic across San Francisco Bay.

30771. As used in this article:

(a) "District" means the San Francisco Bay Area Rapid Transit District.

(b) "Rapid transit tube" means a subaqueous tube across San Francisco Bay between the City and County of San Francisco and the County of Alameda, its approaches and fixed transit facilities, including but not limited to ventilation towers and equipment, tracks and electrical distribution, control, lighting and communication systems for the accommodation of rail rapid transit. The San Francisco terminus of the underwater portion of such rapid transit tube shall be located westward of the shoreline of San Francisco Bay as close thereto as may be reasonably practicable between Howard and Jackson Streets in the City and County of San Francisco. The Alameda County terminus shall be the Southern Pacific mole or as close thereto as may be reasonably practicable.

(c) "Approaches" means all facilities between each of the aforesaid termini and the first station thereafter for the discharge of passengers.

(d) "Authority" means the California Toll Bridge Authority.

(e) "Department" means the Department of Public Works.

30772. The department is authorized and directed to use the sum of seven hundred fifty thousand dollars ($750,000), or so much thereof as may be necessary, from the Revenue Fund of the San Francisco-Oakland Bay Bridge for engineering work including but not limited to surveys, plans, estimates of costs, specifications and other engineering expenses for the construction of a rapid transit tube.

No use of such funds shall be made nor construction of the rapid transit tube commenced, however, unless or until the federal law permits the authority to collect tolls upon the existing San Francisco-Oakland Bay Bridge for the purpose of paying the costs of engineering and planning, including the aforesaid engineering expenses, and the

construction of such rapid transit tube *and the voters of the district have approved the issuance of general obligation bonds as provided for in Section 30775.*

It is hereby declared to be the intent of the Legislature that the aforesaid engineering work shall be commenced as soon as the federal law permits the collection of tolls upon the existing Bay Bridge for the aforesaid purpose and that construction of the rapid transit tube shall commence as soon as possible after the completion of the aforesaid engineering work and the approval by the voters of the issuance of general obligation bonds referred to in Section 30775.

30773. The authority and the department shall give full consideration to the recommendations of the district with respect to features of the rapid transit tube including but not limited to the following:

(a) Exact locations of the termini and approaches.

(b) Alignment.

(c) Facilities to be accommodated and installed.

30774. Upon determining the locations of the termini and approaches and the alignment to the satisfaction of the district, the authority shall apply promptly to the appropriate officials of the Federal Government and any other government or agency or instrumentality thereof, or political subdivision for any necessary permission to construct the rapid transit tube.

30775. The authority shall issue revenue bonds pursuant to the California Toll Bridge Authority Act (Chapter 1 (commencing at Section 30000) of this division) for the construction of the rapid transit tube and the department shall construct the rapid transit tube; but the issuance of revenue bonds shall be contingent upon, and shall be accomplished promptly after, the approval by the voters of the district of a proposition for the issuance of general obligation bonds of the district to finance acquisition or construction of such transit facilities as the board of directors of the district, whose determination shall be final, determines to be the entire regional rapid transit system, other than the rapid transit tube and its approaches, that should be acquired or constructed pursuant to Section 28764 of the Public Utilities Code at the time the rapid transit tube is constructed; provided, that said issuance of general obligation bonds shall be in an amount that, combined with any other financing then provided for to the district, will equal at least five hundred million dollars ($500.000,000).

30776. All the provisions of the California Toll Bridge Authority Act (Chapter 1 (commencing at Section 30000) of this division) applicable to toll highway crossings shall apply to the activities of the department and the authority in connection with the rapid transit tube insofar as they are not inconsistent with the provisions of this article. The provisions of said act shall not apply to the district and shall not require or permit the fixing of a toll by the department or the authority for the use of the rapid transit tube. The district shall have the sole and exclusive right to the use of the rapid transit tube in the absence of an agreement between the district and any other party for any use by such other party on payment of appropriate compensation to the district.

30777. The authority and the department are authorized and directed to do any and all things pursuant to law necessary to finance, construct and complete the rapid transit tube provided for in this article.

30778 The annual tolls and revenues of the San Francisco-Oakland Bay Bridge or so much thereof as may be necessary after provision for the payment in full of all annual costs of maintenance, operation, insurance and other expenses of the San Francisco-Oakland Bay Bridge, and after payment or provision for payment in full of all the costs of revisions, improvements and alterations referred to in and subject to the limitations of Section 30609, and all of the costs of any project involving the San Mateo-Hayward or Dumbarton Bridge authorized by the 1959 Session of the Legislature, shall be pledged and used to finance and pay for the cost of construction of the rapid transit tube, including but not limited to payment of the principal of, and interest and premiums, if any, on, and provision for security of, the revenue bonds of the authority issued pursuant to this article. The costs of the approaches of the rapid transit tube, including but not limited to the portion of all financing costs attributable to such approaches, shall be reimbursed to the authority by the district in accordance with Section 29081 of the Public Utilities Code, over a period to be fixed by agreement between the district and the authority at not less than the estimated period for retirement of said revenue bonds and not longer than the full term of such bonds having the latest maturity Such reimbursement shall be in equal annual installments or in such installments as may be agreed upon. The district at its option may anticipate any of such installments in whole or in part. No other payments shall be required of the district for the use of the rapid transit tube.

30779. Other than the improvement of the San Francisco-Oakland Bay Bridge and the improvement, if authorized by the 1959 Session of the Legislature, of the San Mateo-Hayward Bridge, the construction of the rapid transit tube shall precede the construction of any additional crossing of San Francisco Bay, financed in whole or in part by the tolls or revenues of the San Francisco-Oakland Bay Bridge, providing, however, that if by November 30, 1962, the voters of the district have not approved the issuance of general obligation bonds of the district for the construction of a regional rapid transit system, the provisions of this section and Sections 30775, 30777, and 30778 shall be of no further force or effect.

In the event the voters of the district have not approved the issuance of such bonds by November 30, 1962, the accumulated tolls or revenues from the San Francisco-Oakland Bay Bridge shall immediately be used to finance a vehicular crossing of San Francisco Bay from a point south of the San Francisco-Oakland Bay Bridge to an eastern terminus in Alameda County. A portion of such accumulated tolls and revenues may be used to finance engineering studies by the department to determine the most appropriate termini for, and the approaches to, the crossing.

30780. The rapid transit tube shall be repaired, maintained and operated, and insured against such risks and in such amount as the district deems proper by or at the expense of the district.

30781. The Legislature finds that the rapid transit tube would further the promotion and accommodation of commerce and navigation."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 2684**—An act to repeal Sections 30605, 30607, and 30608, and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 of, and to add Section 30608 and Article 2 (commencing at Section 30651) of Chapter 2, Division 17 to, the Streets and Highways Code, relating to toll crossings of San Francisco Bay.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert
"An act making funds available for surveys and studies of an additional San Francisco Bay crossing."

Amendment No. 2

On page 1, strike out lines 1 to 15, inclusive, and insert
"SECTION 1. The unexpended balance of the Southern Crossing Engineering Fund shall be available for expenditure by the Department of Public Works for preparation of surveys, plans and estimates, and obtaining traffic and financial studies, in connection with the financing and construction of an additional toll bridge across the Bay of San Francisco between points in the County of San Mateo or in the City and County of San Francisco on the west side of the Bay and in the County of Alameda on the east side of the Bay. To complete such studies, the department is authorized to use the additional sum of one hundred fifty thousand dollars ($150,000), or so much thereof as may be necessary, from the Revenue Fund of the San Francisco-Oakland Bay Bridge. Only so much of said sum shall, however, be expended as the California Toll Bridge Authority determines will not jeopardize the improvement of the San Mateo-Hayward Bridge in the event that such improvement is financed by use of tolls and revenues of the San Francisco-Oakland Bay Bridge accruing and to accrue up to December 31, 1962

The department shall co-ordinate its studies with those of the Corps of Army Engineers for the purpose of determining whether the crossing should be of barrier design."

Amendment No. 3

Strike out pages 2 and 3.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

**Assembly Bill No. 2779**—An act to add Section 35790 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to permits for vehicles of an excessive size or weight.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2887**—An act to amend the title of Chapter 4 (commencing at Section 645) of Division 10, and Sections 645, 646, 647, 652, 653, 654, 655, 656, and 657 of, the Vehicle Code, and to amend Section 24006 of, and to add Sections 27156, 27157, 27158, and 27159 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to equipment of motor vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2582**—An act to amend Section 30608 of the Streets and Highways Code, relating to San Francisco-Oakland Bay Bridge tolls, and making an appropriation.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2581**—An act to amend Sections 4150 and 4159 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of the color of vehicles.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 902**—An act to add Section 220.2 to the Labor Code, relating to contributions by state and local governments to employee pension plans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2472**—An act to amend Section 9359.8 of the Government Code, relating to Legislators' Retirement Law.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2827**—An act to amend Section 20134 of the Government Code and Section 14026 of the Education Code as enacted by the Legislature at its 1959 Regular Session, and to add Section 75005 to the Government Code, relating to information available from retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Assembly on May 20, 1959, strike out "the total amount of his contributions,".

**Amendment No. 2**

On page 1, line 18, strike out "or will be"; strike out line 19, and insert a period.

**Amendment No. 3**

On page 2, line 7, strike out "the total amount of his contributions,".

**Amendment No. 4**

On page 2, line 8, strike out "or will be entitled to re-"; strike out line 9, and insert a period.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2756**—An act to amend Sections 11610, 11612, 11614, 11619, 11621, and 11622 of, and to repeal Section 11620 of the Health and Safety Code, relating to the forfeiture of vehicles for the unlawful transportation, depositing, concealment, and possession of narcotics.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1157**—An act to add Section 27491.1 to the Government Code, relating to coroners' investigations.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on May 8, 1959, after the comma, insert "except where the death has occurred from natural causes,".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2563**—An act to add Section 23119 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the operation of a vehicle while under the influence of intoxicating liquor.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 2, after line 27, of the printed bill, insert

"(f) No person who is authorized by this section to withdraw blood for the purpose of determining its alcoholic content and who does so at the request of a law enforcement officer shall be sued or held liable for any act done or omitted in the course of withdrawing blood."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Criminal Procedure.

**Assembly Bill No. 2129**—An act to amend Section 4234 of the Business and Professions Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "felony.", insert "Nothing contained in this section shall apply to a registered pharmacist furnishing such drugs pursuant to a prescription."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1056**—An act to amend Sections 10177, 10302 and 10562 of the Business and Professions Code, relating to revocation or suspension of licenses by the Real Estate Commissioner.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2382**—An act to amend Section 4850 of the Labor Code, relating to workmen's compensation and insurance.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2764**—An act to amend Sections 1711 and 1712 of the Insurance Code, relating to insurance agents.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 122**—An act to repeal Section 3081.93 of the Civil Code, relating to loans secured by real property.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 289**—An act to amend Section 709 of the Unemployment Insurance Code, relating to elective coverage for unemployment and disability insurance.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2272**—An act to amend Section 5406 of the Labor Code, relating to workmen's compensation

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2655**—An act to amend Sections 1030 and 1256 of the Unemployment Insurance Code, relating to Unemployment Insurance Code.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2418**—An act to add Section 6017.5 to the Insurance Code, relating to county mutual insurers.

Bill read second time, and ordered engrossed

**Assembly Bill No. 2723**—An act to add Section 488 to the Insurance Code, relating to termination of insurance policies due to default in payment of premiums, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1163**—An act to amend Section 10641 of, and to add Section 10640.1 to, the Insurance Code, relating to employee health and welfare programs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1161**—An act to repeal Section 3 of Chapter 2167 of the Statutes of 1957, to amend Sections 10643 and 10649 of, to repeal Section 10647 of, and to add Section 10647 to the Insurance Code, relating to employee health and welfare programs.

Bill read second time, and ordered to third reading

**Assembly Bill No. 2420**—An act to add Article 9.5 (commencing with Section 7040) to Chapter 5 of Part 1 of Division 2 of the Insurance Code, relating to merger of county mutual fire insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 24**—An act to add Chapter 2.5 (commencing at Section 17571) to Division 14 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, providing for school districts public works and making an appropriation therefor

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 22, of the printed bill, as amended in the Assembly on March 18, 1959, strike out "an", and insert "and".

**Amendment No. 2**

On page 2, line 52, strike out "who".

**Amendment No. 3**

On page 4, line 16, strike out "he", and insert "it".

**Amendment No. 4**

On page 5, line 50, strike out "an", and insert "and"

Bill ordered reprinted, engrossed, and to be filed, as amended; and the subject matter to be referred to the Committee on Rules.

**Assembly Bill No. 1656**—An act to amend Section 2710 of, and to add Section 2801.1 to, the Unemployment Insurance Code, relating to the payment of hospital benefits to persons confined in mental institutions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2833**—An act to add Section 10200.5 to the Insurance Code, relating to group life insurance

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2642**—An act to amend Section 10202 of the Insurance Code, relating to employees' groups covered by group life policies

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 174**—An act to amend Sections 633 and 709 of, and to add Section 710 to, the Unemployment Insurance Code, relating to unemployment insurance coverage for municipal and county employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 27, 1959, after "633", insert ", 705,".

**Amendment No. 2**

On page 1, between lines 6 and 7, insert

"SEC. 2. Section 705 of said code is amended to read:

705. An elective coverage agreement approved by the director pursuant to any section of this article may be terminated as of January 1st of any calendar year only if the agreement has been in effect for two calendar years and if the employing unit, or the State, *the Regents of the University of California, or any governmental entity as defined in subdivision (a) of Section 710,* ~~a political subdivision thereof, or an~~

~~instrumentality of one or more states or political subdivisions,~~ or departments or units thereof, on or before the thirty-first day of January of that year, has filed with the director a written application for termination."

**Amendment No. 3**

On page 1, line 7, strike out "2", and insert "3".

**Amendment No. 4**

On page 2, strike out line 6, and insert

"SEC. 4. Section 710 is added to Article 4 of Chapter 3 of Part 1 of Division 1 of said code, to read:".

**Amendment No. 5**

On page 2, line 10, after "subdivisions", insert "or departments or units thereof".

**Amendment No. 6**

On page 2, lines 10, 11 and 12, strike out "Fire departments, police departments and school districts shall be deemed separate governmental entities."

**Amendment No. 7**

On page 2, line 19, strike out "code", and insert "division for not less than two calendar years".

**Amendment No. 8**

On page 2, line 26, after "employees", insert ", and may file its written election with the director".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2628**—An act to amend Section 18655 of the Financial Code, relating to charges on loans made by industrial loan companies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 9, and insert "excess of two hundred dollars ($200).

(b) Two percent per month on that portion of the unpaid principal balance in excess of two hundred dollars ($200) up to, including but not in excess of three hundred dollars ($300) "

**Amendment No. 2**

On page 1, line 13, strike out "(b)", and insert "(c)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2838**—An act to amend Sections 12002.1, 12200 and 12200.5 of, and to add Section 12002.2 to, the Financial Code, relating to licenses under the Check Sellers and Cashers Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 12002.1, 12200 and 12200.5", and insert "Section 12002.1"

**Amendment No. 2**

On page 1, line 7, after "payment of", insert "past due"

Amendment No. 3

On page 1, line 16, after "prorater" insert "as defined in Section 12002 1".

Amendment No. 4

On page 1, strike out lines 21 to 23, inclusive; and strike out all of page 2.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 542**—An act to amend Sections 16838, 16839, 16840, 16841, and 16843 of the Education Code, and Sections 12408, 12409, 12410, 12411, and 12413 of the Education Code as proposed by Senate Bill No. 2, and Section 700 of the Welfare and Institutions Code, relating to insubordinate or disorderly school children.

Bill read second time, and ordered to third reading.

**Senate Bill No. 916**—An act to add Section 16522 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 536**—An act to repeal Chapter 22 (commencing at Section 7920) of Division 3 of the Education Code, and Chapter 7 (commencing at Section 19351) of Division 14 of the Education Code as proposed by Senate Bill No. 2, relating to the School Bond Retirement Fund.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 366**—An act to add Section 378 to the Education Code, and to add Section 817 to the Education Code as proposed by Senate Bill No. 2, relating to county superintendents of schools.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 315**—An act to amend Section 26060 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the officers and employees of the California Maritime Academy.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 52**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the designation of authors in the heading of the printed bill, as amended in the Assembly March 26, 1959, after "Grunsky", insert "(Assemblymen Belotti and Coolidge, Co-authors)".

Amendment No. 2

On page 2, after line 7, insert
"This section shall be known as the "Christensen, Belotti and Coolidge Law." "

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 509**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the conveyance of property of the Agnews State Hospital.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title, after "6503.3", insert "and 6503.4".

Amendment No. 3

In lines 2 and 3 of the title, strike out "the conveyance of property of the Agnews State Hospital", and insert "rights-of-way over lands of state hospitals".

Amendment No. 4

On page 2, after line 33, insert

"SEC. 2. Section 6503.4 is added to said code, to read

6503.4 Notwithstanding Section 6503 of the Welfare and Institutions Code, the Director of Finance, with the consent of the Department of Mental Hygiene, may grant a right-of-way for road purposes to the City of Stockton over and along a portion of the Stockton State Hospital property adjacent to Harding Way upon such terms and conditions and with such reservations and exceptions as in the opinion of the Director of Finance may be for the best interests of the State."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 1068**—An act creating the Mojave-Antelope Water Agency and prescribing its boundaries, organization, operation, management, financing and other powers and duties of the agency.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 35, line 43, of the printed bill, as amended in Assembly May 28, 1959, strike out the period, and insert " ; excluding all the following described land (except that which is within the Los Angeles County Waterworks Districts Nos. 24 and 27 as their boundaries exist on the effective date of this act) beginning at the NW corner of Sec. 22, T 6 N, R 12 W, SBBM, thence southerly along the west line, sects. 22, 27, 34 to the north line, T 5 N, thence westerly on the north line of T 5 N to the NW corner of Sec 4, T 5 N, R 12 W, SBBM; thence southerly along the section lines in T 5 N R 12 W to the southerly boundary of the Antelope Valley Soil Conservation District as same existed on March 14, 1959; thence southerly, easterly, and northerly along said last mentioned boundary and following the same in all of those various courses to the east ¼ corner of Sec 13 T 5 N R 8 W, SBBM; thence westerly along the center section lines of Secs. 13, 14, 15, 16, 17, 18, T 5 N R 8 W, Secs. 13, 14, 15, 16, 17, 18 T 5 N R 9 W, and Secs. 13, 14, 15, T 5 N R 10 W; thence northerly along the westerly lines of Secs 15, 10 and 3, T 5 N R 10 W, thence easterly along the north line of T 5 N to the SE corner, Sec. 34, T 6 N R 10 W; thence northerly along easterly lines of Sec 34 and 27 to the NE corner of Sec 27, T 6 N R 10 W; thence westerly along the north section lines of Secs 27, 28, 29, 30, T 6 N R 10 W and along the north lines of Secs 25, 26, 27, T 6 N R 11 W to the SE corner of Sec 21, T 6 N R 11 W; thence northerly along the east line of Sec. 21 to the NE corner of said Sec 21; thence westerly along the north lines of Secs. 21, 20 and 19, T 6 N R 11 W and along the north line of Sec.

24, T 6 N R 12 W to the south ¼ corner of Sec. 13, T 6 N R 12 W; thence northerly along the center line of said section 13 to the center of said Sec 13, thence westerly to the W ¼ corner of Sec 13, thence southerly to the SW corner of said Sec 13, thence westerly along the northern line of Secs 23 and 22, T 6 N R 12 W, SBBM to the point of beginning."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

NOTE—Later this day, further amendments to Senate Bill No 1068 were adopted. *See* page 4623.

**Senate Bill No. 707**—An act to add Chapter 11.5 (commencing at Section 26120) to Part 2 of Division 2 of Title 3 of the Government Code, relating to county historical societies.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 417**—An act to add Article 1.5 (commencing at Section 23800) to Chapter 5, Division 9 of the Business and Professions Code, relating to alcoholic beverage licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1352**—An act to amend Sections 7306, 7352, 7401, 7402, 7403, 7407, 7451, 7656, 7727, 8102, and 8252 of, to repeal Section 7405 of, and to add Sections 7506.5 and 8255 to, the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7401,".

Amendment No. 2

On page 2, strike out lines 29 to 30, inclusive.

Amendment No. 3

On page 3, strike out lines 1 to 11, inclusive.

Amendment No. 4

On page 3, line 12, after "SEC." strike out "4", and insert "3".

Amendment No. 5

On page 3, line 17, after "board", insert ". The certificate shall be made under penalty of perjury by a person having knowledge of the fact of the exportation of the fuel from the State"

Amendment No. 6

On page 3, strike out lines 21 to 37, inclusive

Amendment No. 7

On page 3, line 38, after "SEC.", strike out "5", and insert "4".

Amendment No. 8

On page 3, line 41, strike out "tax return for the", and insert "board within 90 days after the close of the calendar".

Amendment No. 9

On page 4, line 1, after "SEC.", strike out "6", and insert "5".

Amendment No. 10

On page 4, line 8, after "SEC.", strike out "7", and insert "6"

**Amendment No. 11**

On page 4, line 15, after "SEC.", strike out "8", and insert "7".

**Amendment No. 12**

On page 4, line 21, strike out "subdivision (a), (b), or (c) of".

**Amendment No. 13**

On page 4, line 22, after the period, insert "If an applicant for a license applies therefor to become authorized to distribute motor vehicle fuel under subsection (c) or (d) of Section 7305 of this part and is not engaged in refining, manufacturing, or producing motor vehicle fuel in this State, the board may limit the authorization granted by the license issued to such person to transactions under subsection (c) or (d) of Section 7305 of this part and the provisions of Section 7401(c) of this part shall not be applicable to the person whose license is so limited."

**Amendment No. 14**

On page 4, line 25, after "SEC.", strike out "9", and insert "8".

**Amendment No. 15**

On page 4, line 29, strike out "subdivision (a), (b), or (c) of".

**Amendment No. 16**

On page 4, line 31, after "SEC.", strike out "10", and insert "9".

**Amendment No. 17**

On page 4, line 43, after "SEC.", strike out "11", and insert "10"

**Amendment No. 18**

On page 5, line 3, after "SEC.", strike out "12", and insert "11".

**Amendment No. 19**

On page 5, line 12, after "SEC.", strike out "13", and insert "12".

**Amendment No. 20**

On page 5, line 19, after "SEC.", strike out "14", and insert "13".

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

**Senate Bill No. 1073**—An act to add Section 26310 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to truck and trailer brakes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 997**—An act to amend Section 35400 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the length of semitrailers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 998**—An act to amend Section 35401 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the lengths of semitrailers and combinations of vehicles

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1328**—An act to add Sections 20004.5, 20004.6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601.5, 20989, 21251.14, 22153, 22213, and 22550.5 to, to amend Section 22009.1 of, and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2, of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "20124.5," insert "20230.5,".

**Amendment No. 2**

In line 3 of the title, after "22550.5 to," insert "to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of,".

**Amendment No. 3**

On page 2, between lines 21 and 22, insert

"SEC. 5.5. Section 20230.5 is added to said code, to read:

20230.5. The records and accounts required under the provisions of Section 20230 shall not include the contributions made by the contracting agencies with respect to the survivor allowances provided for in Article 6 (commencing with Section 21380) of Chapter 9 of this part. The board shall keep such additional records and accounts with respect to such contributions as will show at any time the accumulated contributions of the contracting agencies held to meet the obligation of the contracting agencies on account of survivor allowances."

**Amendment No. 4**

On page 3, line 13, after "account.", insert "If said contract is or has been amended to provide for the payment of retroactive employee and employer contributions in the manner provided in this section, it may be further amended to provide that the amount by which (1) the total normal contributions of each member for the period subsequent to the effective date of coverage under the federal system less the total normal contributions which would have been credited to the account of such member had the reduced rate of contribution provided in the amended contract with the public agency been in effect from and after the aforesaid date of coverage exceed (2) the employee federal contributions for such member for the period after said date of coverage shall be paid to such member."

**Amendment No. 5**

On page 3, line 15, after "election", insert "except that the provision for payment of contributions to the members shall not apply".

**Amendment No. 6**

On page 4, between lines 26 and 27, insert

"SEC. 10.5. Article 6 (commencing with Section 21380) is added to Chapter 9 of Part 3 of Division 5 of Title 2 of said code, to read:

Article 6. Survivors Allowances

21380. "Survivor allowance" means the allowance provided for in Section 21382.

21381. "Disability," "disabled" or "incapacitated" means, with respect to qualification for a survivor allowance, inability to engage in any substantial gainful occupation by reason of any physical or mental impairment which is determined on the basis of competent medical opinion secured by the Retirement Board, to be of permanent or extended and uncertain duration.

21382. If the death benefit provided by Section 21361 is payable on account of a member's death which occurs after September 30, 1959, and under other circumstances than those described in subdivision (e) of Section 21360, (a) the surviving wife or surviving dependent husband of the member, who has the care of unmarried children, including stepchildren, of the member who are under 18 years of age, or are incapacitated because of disability which began before and has continued without interruption after attainment of such age, or if there is no such spouse, then (b) the guardian of surviving unmarried children, including stepchildren, of the member who are under 18 years of age or so incapacitated, if any, or (c) the surviving wife or surviving dependent husband of the member, who does not qualify under (a) of this subdivision, if any, or if no such children under (b) or such spouse under (c), then (d) each surviving parent of the member, shall be paid regardless of the benefit provided by Section 21361, and of the beneficiary designated by the member under that section, the following applicable survivor allowance, under the conditions stated and from contributions of the State:

(1) A widow, or a widower receiving at least one-half of his support from the member at the time of the member's death, and with respect to both widow and widower, who was married to such member prior to the occurrence of the injury or onset of the illness which resulted in death, and has the care of unmarried children, including stepchildren, of the deceased member under 18 years of age or so incapacitated, shall be paid one hundred eighty dollars ($180) if there is one such

child, or two hundred fifty dolars ($250) per month if there are two or more such children. If there also are such children who are not in the care of the surviving spouse, the portion of the allowance payable under this paragraph, assuming that these children were in the care of the surviving spouse, which is in excess of ninety dollars ($90) per month, shall be divided equally among all such children and payments made to the spouse and other children, as the case may be

(2) If there is no such surviving spouse, or if such surviving spouse dies or remarries, and if there are unmarried children, including stepchildren, of the deceased member under 18 years of age, or if there are such children not in the care of such spouse, such children shall be paid an allowance as follows:

(a) If there is only one such child, such child shall be paid ninety dollars ($90) per month;

(b) If there are two such children, such children shall be paid one hundred eighty dollars ($180) per month divided equally between them; and

(c) If there are three or more such children, such children shall be paid two hundred fifty dollars ($250) per month divided equally among them.

(3) A widow who has attained or attains the age of 62 years, or a widower who has attained or attains the age of 65 years, and was receiving at least one-half of his support from the deceased member at the time of the member's death, and, with respect to both widow and widower, who was married to such member prior to the occurrence of the injury or onset of the illness which resulted in death, and has not remarried subsequent to the member's death, shall be paid ninety dollars ($90) per month. No allowance shall be paid under this subdivision, while the surviving spouse is receiving an allowance under subdivision (1) of this section, or while an allowance is being paid under subdivision (2) (c) of this section The allowance paid under this subdivision shall be seventy dollars ($70) per month while an allowance is being paid under subdivision (2) (b) of this section

(4) If there is no surviving spouse, or surviving children who qualify for a survivor allowance, or if such surviving spouse dies or remarries, or if such children reach age 18 or die or marry prior thereto, each of the member's dependent mother and father who has attained or attains the age of 62 or 65 years respectively, and who received at least one-half of his support from the member at the time of the member's death, shall be paid ninety dollars ($90) per month

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the time this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section except that this section shall apply, without election, to local miscellaneous members who are included under Chapter 4 5 (commencing at Section 20580) or who are employees of a school district subject to Section 20493

This section shall not apply to any member whose service is included in the federal system, nor shall it apply to state miscellaneous members.

21383. When the survivor is entitled to receive a monthly allowance under Section 21365.5 or as a special death benefit provided by Article 5 (commencing at Section 21360) of this chapter and at the same time is entitled to receive a survivor allowance of lesser amount, such other monthly allowance shall be reduced by the amount of the survivor allowance paid If the survivor allowance is the greater, it shall be paid in lieu of such other allowance."

Bill ordered reprinted, and to be re-referred to the Committee on Civil Service and State Personnel.

**Senate Bill No. 682**—An act to add Section 3136 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county-wide school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Education, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "school district", and insert "elementary school district with an average daily attendance of less than 1,500".

Bill ordered reprinted, and returned to the second reading file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 1174 FROM COMMITTEE

Mr. Unruh was granted unanimous consent that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation for purpose of amendment, and that the bill be re-referred to the committee

### CONSIDERATION OF ASSEMBLY BILL NO. 1174

**Assembly Bill No. 1174**—An act to add Part 15 (commencing at Section 33001) to Division 2 of the Revenue and Taxation Code, imposing a tax for the privilege of producing or severing oil or gas from the earth in this State, and imposing compensating taxes on the refining of oil or distribution of gas with respect to oil or gas produced or severed from the earth outside this State, making an appropriation, to take effect immediately.

Bill read second time.

#### Motion to Amend

Mr. Unruh moved the adoption of the following amendments:

#### Amendment No. 1

On page 14, line 1, of the printed bill, as amended in the Assembly on June 1, 1959, strike out "and refunds", and insert ", refunds and reimbursements".

#### Amendment No. 2

On page 15, after line 9, insert

"33168. Any taxing agency claiming that its property tax base has been affected adversely by the tax imposed by Article 1, Chapter 2, of this part shall submit to the board, on or before November 1st of the current fiscal year, its proof of such adverse effect. If, upon consideration of the data so submitted and any other information available to it, the board determines that there will be an actual reduction in property tax revenue as a result of the imposition of the tax imposed by Article 1, Chapter 2, of this part, the board shall estimate the amount of such reduction and shall certify to the State Controller the amount of its estimate for the taxing agency for the current fiscal year. The State Controller thereupon shall draw a warrant upon the Severance Tax Fund payable to the local taxing agency in the amount so certified to him by the board as reimbursement to the local taxing agency of the amount of such revenue reduction."

#### Amendment No. 3

On page 17, strike out lines 45 to 48, and insert

"33212. All money deposited in the Severance Tax Fund under this part shall, upon order of the State Controller, be withdrawn therefrom for refunds and reimbursements under Chapter 6 of this part or be transferred annually for the following purposes only and in the following order:

(a) Four million dollars ($4,000,000) shall be transferred each year to the Graduate School Salary Fund, hereby created, which shall be available, when appropriated, for salaries for faculty members of the state colleges and the University of California.

(b) The remaining balance shall be transferred to the Categorical Aid Program Fund, hereby created, and shall be available, when appropriated, for expenditure in connection with the categorical aid programs specified in the Welfare and Institutions Code."

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Revenue and Taxation.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Hawkins was granted unanimous consent to take up Assembly Bill No. 2796 for purpose of amendment, at this time.

### CONSIDERATION OF ASSEMBLY BILL NO. 2796

**Assembly Bill No. 2796**—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Bill read third time.

**Motion to Amend**

Mr. Hawkins moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on May 25, 1959, after "applicant", insert "placed by the agency in a job paying four hundred dollars ($400) or less per month"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Biddick was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL RELATIVE TO EXPUNGED RECORDS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 29, 1959

*Hon. William Biddick*
*Assembly Chamber*

**Legislative Procedure—No. 15975**

DEAR MR. BIDDICK:

*Question*

You have asked whether the Chief Clerk of the Assembly is obligated to give members copies of the original roll call vote on passage of a bill in the Assembly following the adoption of a motion to rescind the action and expunge the record. You have also asked, under the same circumstances, whether records of roll calls on such bills should be deposited in the state archives.

*Opinion*

In our opinion the answer to both questions is no.

*Analysis*

This matter is governed by Assembly Standing Rule No. 104, which provides in pertinent part as follows:

> "Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged *shall not appear in any form whatsoever*, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed." (Emphasis added)

We believe that the proper interpretation of this rule is that all records of roll call votes on a matter as to which the action has been rescinded and the record expunged should be destroyed.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

## PARLIAMENTARY INQUIRY

Mrs. Davis arose to the following parliamentary inquiry: What did the Hawkins Amendments to Assembly Bill No. 2796 do?

### Reply by Speaker

The Speaker replied that the inquiry could be addressed to Mr Hawkins at his desk, but that the amendments, having been adopted, would appear in the Journal tomorrow.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry. Is the amendment over 25 words in length?

### Reply by Speaker

The Speaker replied that it was too late to raise a point of order relative to the amendments, since they had been adopted.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is an action in violation of the Rules in order?

### Reply by Speaker

The Speaker replied that the House is the judge of its own procedure and actions.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up further consideration of Senate Bill No 1068, which was read second time and amended this morning (Assembly Journal, page 4616), for purpose of further amendment.

## FURTHER CONSIDERATION OF SENATE BILL NO. 1068

**Senate Bill No. 1068**—An act creating the Mojave-Antelope Water Agency and prescribing its boundaries, organization, operation, management, financing and other powers and duties of the agency.

Bill read second time.

### Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Miller was granted unanimous consent that the Rules be temporarily suspended for the purpose of offering an amendment of more than 25 words to Senate Bill No. 1068.

### Motion to Amend

Mr. Miller moved the adoption of the following amendment:

### Amendment No. 1

On page 21 of the printed bill, as amended in the Assembly on May 28, 1959, strike out lines 47 through 52, inclusive, and insert

"(10) To construct, operate, and maintain works to develop hydroelectric energy as a means of assisting in financing the construction, operation and maintenance of works for other beneficial uses and purposes, and to enter into contracts for the sale of such energy for a term not to exceed 50 years Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale or use of electric energy."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Bruce F. Allen was granted unanimous consent to take up Assembly Bill No. 1539, out of order, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 1539

**Assembly Bill No. 1539**—An act to amend Section 27641 of the Government Code, relating to the term and removal of a county counsel.

Bill read third time.

#### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1959, after "counsel", insert ", declaring the urgency thereof, to take effect immediately".

#### Amendment No. 2

On page 1, line 12, strike out "and heard by".

#### Amendment No. 3

On page 1, line 13, after "visors", insert ", by a person not a member of the board, and heard by the board".

#### Amendment No. 4

On page 1, line 13, strike out "The", and insert "When an accusation has been so filed with the board, the".

#### Amendment No. 5

On page 1, line 14, strike out "prepare" and insert "investigate".

#### Amendment No. 6

On page 1, after line 28, insert

"SEC. 2. *This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:*

*The public interest requires that there be efficacious means of removing from office those officers who are inefficient, neglectful of duty, or who have been guilty of malfeasance or misconduct. This act provides such a device. There exists at present a situation in which such device is urgently needed if the public welfare is to be protected and, accordingly, it is provided that this act shall take immediate effect.*"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE CONTINUED

Mr. Francis was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Judiciary—Civil be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1153**—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1153?

### Amendment No. 1

On page 5, line 39, of the printed bill, strike out "such exemption", and insert "an exemption of more than one-half of his wages earned the preceding 30 days".

The Assembly concurred in Senate amendment to Assembly Bill No. 1153 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Pattee, Petris, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Zberg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1153 ordered enrolled.

**Assembly Bill No. 1269**—An act to add Section 337a to the Code of Civil Procedure, relating to the statute of limitations on certain types of contracts and book accounts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1269?

### Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"337a. The term "book account" means a detailed statement which constitutes the principal record of one or more transactions between a debtor and a creditor arising out of a contract or some fiduciary relation, and shows the debits and credits in connection therewith, and against whom and in favor of whom entries are made, is entered in the regular course of business as conducted by such creditor or fiduciary, and is kept in a reasonably permanent form and manner and is (1) in a bound book, or (2) on a sheet or sheets fastened in a book or to backing but detachable therefrom, or (3) on a card or cards of a permanent character, or is kept in any other reasonably permanent form and manner."

The Assembly concurred in Senate amendment to Assembly Bill No. 1269 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—56.

NOES—None

Assembly Bill No. 1269 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all appropriation bills, unless they have a letter from the Governor, be ordered placed on the inactive file.

### Parliamentary Inquiry

Mrs. Davis arose to the following parliamentary inquiry: Will this action delay the bills another day?

Reply by Speaker

The Speaker replied that it would not.

## BILLS PLACED ON THE INACTIVE FILE

By unanimous consent, the following bills were placed upon the inactive file:

**Assembly Bills Nos. 2185, 1029, 1725, 1168, 830, 93, 2117, 2403, 1087, 571, 1082, 1009, 1717,** and **2276.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2149**—An act to amend Section 4101 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "ice cream,", and strike out lines 10 and 11

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1473**—An act to amend Section 14549 of the Health and Safety Code, relating to county fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2523**—An act to add Section 31051 to the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1348**—An act authorizing the State Park Commission to accept the Murphy Home in Sunnyvale as a state historical monument and to provide for its preservation, development, and interpretation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—61.
NOES—Sumner—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2500**—An act to amend Section 19620.1 and to repeal Section 19620.2 of the Business and Professions Code, relating to state funds, and abolishing the State College Fund.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—Sedgwick and Williamson—2.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 296

By Mr. Bradley:

**House Resolution No. 296**

Relative to congratulating John R. McDonough, Executive Secretary of the California Law Revision Commission

WHEREAS, Following the creation of the California Law Revision Commission at the 1953 Regular Session of the Legislature and the appointment of its members in early 1954, an intensive study was made by the commission of the experience of other such agencies in this State and other states; and

WHEREAS, The commission concluded that its research into substantive legal problems could best be directed and organized by a person engaged in law teaching at one of California's outstanding law schools; and

WHEREAS, Stanford University's School of Law was selected as the location for the commission's office, and in April of 1954 Professor John R. McDonough, then a member of its faculty, accepted the position of executive secretary of the commission, which has required him to devote half of his time to the commission's affairs and half to law teaching since then; and

WHEREAS, Professor McDonough has devoted countless hours to the work of the commission throughout the past five years, far beyond the bare requirements of his agreement with the commission, and has contributed in an outstanding way to the commission's ability to resolve the problems referred to it for study by the Legislature; and

WHEREAS, The Members of the Assembly have learned, with regret, of Professor McDonough's decision to return to full-time teaching of the law following this session of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly desire to express their respect and admiration for John R. McDonough, and for the skill and competence which he has displayed in his many presentations of complicated legal matters before committees of this Legislature, and be it further

*Resolved*, That the Members of the Assembly do hereby express every good wish for Professor McDonough's continued success in his chosen field of law teaching and their appreciation for his past services to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to send a suitably prepared copy of this resolution to Professor John R. McDonough.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 291

By Mr. Johnson and Mrs. Davis:

### House Resolution No. 291

Relative to the Revival of Brownville, Nebraska

WHEREAS, The City of Brownville, Nebraska, the "City of Seven Hills," a proud and historic city on the banks of the Missouri River, is once again awakening to the prospects of a brilliant and colorful future; and

WHEREAS, The City of Brownville grew from its beginnings as the site of Richard Brown's flatboat ferry service in 1855 to one of the most important towns on the Missouri, serving as a stopping point for all the important and famed river boat traffic, serving as the starting point for pioneer families taking the Oregon Trail west, and displaying vigor and energy as the territorial capital; and

WHEREAS, Brownville grew in brilliance and importance and was the site of the state's first four story building, first telegraph office, and the site of the United States Land Office which issued the first grant of land under the Homestead Act of 1862; and

WHEREAS, The prosperity of the City of Brownville is evidence by the many fine pioneer structures, built by those who made their fortunes in Brownville, which stand today; and

WHEREAS, Having seen her days of prosperity, the City of Brownville faced adverse times which saw the Missouri River change its course away from the town, saw the railroad bypass her completely and saw the territorial capital moved to Omaha and the county seat changed to Auburn; and

WHEREAS, After a peaceful rest of 65 years the City of Brownville has again awakened with new growth and stamina; and

WHEREAS, The Brownville Restoration Plan germinated from the idea of the nationally known artist Terence Duren, a native of Shelby, Nebraska, and has created a strong artistic, cultural and historical interest in Brownville which has been furthered by the Brownville Historical Society; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the City of Brownville, Nebraska, is congratulated on its brilliant and historical past and its bright and optimistic future; and be it further

*Resolved*, That the following Members of the Assembly of the State of California take this opportunity to give their special congratulations to the City of Brownville: Montivel A. Burke of Harrison, Nebraska, Pauline Davis of Verdigre, Nebraska, Myron Frew of Bradshaw, Nebraska, Seth Johnson of Minden, Nebraska, and Harold Sedgwick of Lincoln, Nebraska, which Members are joined by their senatorial colleagues, Swift Berry of Tecumseh, Nebraska, and Senator Hugh Donnelly of Omaha, Nebraska; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Ralph C. Brooks, Governor of Nebraska, Terence Duren, the City of Brownville, Nebraska, and to the Brownville Historical Society.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 294

By Messrs. House, Hanna, and Crawford:

### House Resolution No. 294

Relative to the commendation of Harry R. Sones

WHEREAS, Harry R. Sones, born in Iowa, has long been a leader in California and Imperial Valley civic, political, church, and fraternal circles; and

WHEREAS, Mr. Sones has for many years worked tirelessly within and for his community, having served on various boards, including the City Council of the City of El Centro, hospital and school boards, and in various connections with the Red Cross, the Boy Scouts of America, and the Chamber of Commerce of El Centro, and in addition having been very active in the Methodist Church; and

WHEREAS, Harry R. Sones has also been a successful and noted business man of the Imperial Valley; and

WHEREAS, Recently Harry R. Sones was installed as Most Excellent Grand High Priest of the Grand Chapter Royal Arch Masons of the State of California; and

WHEREAS, By attaining the high office of Grand High Priest, Mr. Harry R. Sones has brought honor, distinction, and recognition to Imperial County; and

WHEREAS, Mr. Sones has been outstandingly active in all phases of Masonry, being Past Master of El Centro Lodge No. 384—F. & A. M., Past High Priest El Centro Chapter No. 109—R. A. M., Past Commander Imperial Valley Commandery No. 54—K. T., Past Sovereign San Diego Conclave No. 62—Red Cross of Constantine, Past Master Councilor of the Order of De Molay and having been a member of the Legion of Honor—Order of De Molay; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body extends its congratulations to Mr. Harry R Sones on achieving the exalted and high position of Most Excellent Grand High Priest of the Grand Chapter Royal Arch Masons of the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to deliver a suitably prepared copy of this resolution to Mr. Harry R. Sones.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 303

By Mr. Conrad:

### House Resolution No. 303

Relative to commending Mr. Y. Frank Freeman

WHEREAS, For over 20 years Mr. Y. Frank Freeman has served with distinction as Vice President in charge of Paramount Studios in Hollywood, California; and

WHEREAS, Mr. Freeman was born in Greenville, Georgia, on December 14, 1890, and received his education in the schools of Georgia, graduating from the Georgia School of Technology; and

WHEREAS, As a business man, leader of industry, and efficient organizer, Mr. Freeman engaged in many successful business ventures mostly in the field of public entertainment; and

WHEREAS, He was affiliated with Paramount Studios for several years before becoming, in 1938, the Vice President in charge of studio operations at Hollywood; and

WHEREAS, One of the true leaders in movie industry affairs, Mr. Freeman has found time to contribute his ability to many worthwhile civic and community endeavors, and

WHEREAS, Included in the significant list of accomplishments by Mr. Freeman are such items as his service on the Board of Trustees of the University of Southern California, deputy chairman of the board of the Federal Reserve Bank in San Francisco, member of the Governor's Post-War Planning Committee, and chairman of the board of the Association of Motion Picture Producers; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly take pride in commending Mr Y. Frank Freeman for his outstanding contribution to the people of the Nation and this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Freeman.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 302

By Mr. Cusanovich:

### House Resolution No. 302

Relative to congratulating the Reverend Michael J. O'Connor

WHEREAS, June 10, 1959, will mark the twenty-fifth anniversary of the ordination of the Reverend Michael J. O'Connor; and

WHEREAS, Father O'Connor, a native of Ireland, was ordained a priest of the Roman Catholic Church in 1934 at Carlow, Ireland, and shortly thereafter came to the United States; and

WHEREAS, From 1942 to 1946 he served as a chaplain in the United States Navy, holding the rank of Lieutenant Commander; and

WHEREAS, In 1955, Father O'Connor established Saint Mel's Parish in Woodland Hills, California, where he presently ministers to the spiritual needs of the parishioners; and

WHEREAS, The record of his 25 years of service is one of self-sacrifice, dedicated service to his fellow man, and unbounded devotion to God; and

WHEREAS, Father O'Connor has proven himself to be a man possessed of unfailing wisdom, benign understanding, and generous disposition, and has been a great source of inspiration to the members of his flock; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to congratulate the Reverend Michael J. O'Connor on the occasion of his Silver Jubilee; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the Reverend Michael J. O'Connor.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 304

By Mr. Pattee:

### House Resolution No. 304

Relative to the commendation of Merritt C. Speidel

WHEREAS, Mr. Merritt C. Speidel was born in Port Jervis, New York, on May 19, 1879, the son of Martin and Hannah Speidel, and thus, has recently celebrated his eightieth birthday; and

WHEREAS, Mr. Merritt C. Speidel has recently resigned from his position as President and Director of Speidel Newspapers, Incorporated, after 20 years of service as both the founder and continuous head of that organization; and

WHEREAS, After 63 years of active newspaper work, public service, and civic leadership Mr. Speidel plans to remain active in those fields; and

WHEREAS, Merritt C. Speidel began his career in the field of newspaper work as a carrier and as a writer for the local newspapers in Port Jervis, New York, when he was but 13 years of age; and

WHEREAS, While still in high school Mr. Speidel published the *Union School Journal* which was issued for the purpose of promulgating progressive methods in education which, although a private enterprise, received the official endorsement of the boards of education of all the cities and townships in Orange County, New York; and

WHEREAS, While in his teens Merritt C. Speidel joined the staff of the Tri-States Publishing Company, publishers of the Port Jervis *Daily Union* and while still in his teens became editor of the *Daily Union;* and

WHEREAS, From the beginning of his career, with the *Daily Union*, Mr. Speidel has gone on to a continuous and outstanding life in the field of editing and publishing, holding numerous significant and important positions throughout the Nation; and

WHEREAS, Upon retirement Mr. Speidel is the head of a nationwide publishing company, publishing within California, the *Salinas Californian*, the *Western Range and Home Weekly*, the *Visalia Times Delta*, and the *Tulare County Ranger;* and

WHEREAS, Mr. Speidel is also active in numerous civic and professional organizations; and

WHEREAS, His numerous friends include Presidents of the United States, Republican and Democratic Senators, Republican and Democratic Governors, past and present presidents and fellow workers of the CNPA, CPA, NEA, ANPA, ASNE, all of whom refer to him affectionately as, "Merritt"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Mr. Merritt C. Speidel for his active and worthwhile participation in the newspaper profession and in state and national affairs and congratulates Mr. Speidel upon the celebration of his eightieth birthday while still an active, useful, and respected citizen; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Merritt C. Speidel.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 297

By Messrs. Chapel, Collier, and Thomas:

**House Resolution No. 297**—Relative to congratulating John J. Knezevich.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

In the measure, as printed in the Assembly Journal for May 29, 1959, on page 4377, strike out lines 10 to 17, inclusive, of the last "WHEREAS" clause, and insert "Eisenhower; Head of the Balkan section of the United States Army and Navy Joint Intelligence in the Middle East; and

WHEREAS, Among the medals he has been awarded are the Legion of Merit, Bronze Star, Commendation Medal with several oak leaves, Pacific, European-African and American Theater ribbons, Victory Medal, and foreign decorations including the Royal Yugoslav White Eagle with Swords, Royal Yugoslav Crown, Golden Wings, Polish-Restituta Polonese, as well as several other foreign military medals awarded but not yet received; and

WHEREAS, In 1946 he was retired as a Major in the United States Air Force, receiving from the War Department a Diploma of Appreciation for Outstanding Services as an Intelligence Officer; now, therefore, be it".

**Consideration of House Resolution No. 297, as Amended**

By Messrs. Chapel, Collier, and Thomas:

**House Resolution No. 297**

Relative to congratulating John J. Knezevich

WHEREAS, It has come to the attention of the Members of the Assembly that John J. Knezevich has recently retired from the newspaper publishing business; and

WHEREAS, Mr. Knezevich was born on December 15, 1897 in Yugoslavia of Serbian parentage, coming to the United States in 1913, and to California in 1916, and became a naturalized American citizen on March 10, 1922; and

WHEREAS, He attended Southwestern University from 1928 to 1930, began his newspaper career in 1916, and in 1919 published his first newspaper in Los Angeles and has been publishing his own newspaper ever since that time until September, 1958 when he sold this three newspapers, the *Palos Verdes News*, founded by him and published since 1937, the *Hollywood Riviera Tribune* and the *Rolling Hills Herald*, founded by him in 1948; and

WHEREAS, He has, since 1932, been the author of a weekly column entitled "Review of Events," dealing with international and national affairs exclusively which has been widely published in many newspapers and he has frequently lectured on radio and television on the subject of foreign affairs; and

WHEREAS, During his very active life Mr. Knezevich's activities have included management of the successful Los Angeles School System Bond Issue for $34,000,000 in 1934; participation in the political campaigns of United States Senators Hiram W Johnson and Samuel M. Shortridge; participated in the campaigns of Los Angeles County Sheriffs William F. Traeger and Eugene W. Biscailuz; four times President of the Los Angeles County Community Newspapers Association; leader in the establishment of the City of Palos Verdes Estates; consultant on Balkan affairs to some of our national statesmen; Founder and President of the Crusade to Lift the Iron Curtain, for which he was personally commended by President Eisenhower; Head of the Balkan section of the United States Army and Navy Joint Intelligence in the Middle East, and

WHEREAS, Among the medals he has been awarded are the Legion of Merit, Bronze Star, Commendation Medal with several oak leaves, Pacific, European-African and American Theater ribbons, Victory Medal, and foreign decorations including the Royal Yugoslav White Eagle with Swords, Royal Yugoslav Crown, Golden Wings, Polish-Restituta Polonese, as well as several other foreign military medals awarded but not yet received; and

WHEREAS, In 1946 he was retired as a Major in the United States Air Force, receiving from the War Department a Diploma of Appreciation for Outstanding Services as an Intelligence Officer; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body takes this opportunity to congratulate Mr. John J. Knezevich on his outstanding life of public service and accomplishments in the interest of his city, his State and his Country; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. John J. Knezevich.

Resolution read, as amended, and adopted unanimously.

## PARLIAMENTARY INQUIRY

Mr. Bradley arose to the following parliamentary inquiry: In what form will the House resolutions adopted today be available for presentation?

**Reply by Speaker**

The Speaker replied that they would appear in the form directed by the resolution.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2690**—An act to amend Sections 2, 4.2, 6.3, 8.3, 9, 10.1, 11.1, 11.6, 11.7, 11.9, 11.12, and 11.13 of, to add Sections 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31 to, and to repeal Section 4.4 of, the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952 (1st Ex. Sess.)), relating to the powers of the agency.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2877**—An act to amend Section 6001 of the Public Utilities Code, and Section 26001 of the Government Code, relating to the granting of franchises.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1708**—An act to amend Sections 1861a and 1862 of the Civil Code, relating to liens of keepers of apartment houses, apartments, cottages, and bungalow courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2344**—An act to amend Section 1243 of the Civil Code, relating to abandonment of homestead.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering,

Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2587**—An act to amend Sections 74802, 74803, 74804, and 74805, of the Government Code, relating to the municipal court district embracing the City of Stockton.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2775**—An act to amend Sections 74132, 74133, 74134, 74135 and 74137 of the Government Code, relating to the municipal court in Riverside County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2343**—An act to amend Sections 2924 and 2924b of the Civil Code, relating to sales of mortgaged real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2614**—An act to add Article 10.8 (commencing at Section 70030) to Chapter 5, Title 8 of the Government Code, relating to superior court reporters in Nevada County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad,

Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2806**—An act to amend Sections 803, 803.5, 806.1, and 828.4 of the Agricultural Code, relating to agricultural containers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2621**—An act to amend Section 42271 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to expenditures of the Department of Motor Vehicles and the Department of the California Highway Patrol.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1758**—An act to amend Section 26650 of the Water Code, relating to irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2555**—An act to amend Section 28105 of the Government Code, relating to compensation for public service in counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2570**—An act to add Section 31557.2 to the Government Code, relating to the retirement of public officers and employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2851**—An act to add Article 2.1 (commencing at Section 35575) to Chapter 2 of Part 2 of Division 2 of Title 4 of the Government Code, relating to exclusion of territory from cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2708**—An act to add Section 98.5 to the Labor Code, relating to the Division of Labor Law enforcement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2781**—An act to add Section 204b of the Labor Code, relating to weekly payment of wages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 630**—An act to amend Section 8961.2 of the Health and Safety Code, relating to public cemetery districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 633**—An act to amend Section 8961.4 of the Health and Safety Code, relating to burial rates.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1057**—An act to add Section 4601.5 to the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 632**—An act to amend Section 8961 of the Health and Safety Code, relating to public cemetery districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 992**—An act to add Article 4 (commencing at Section 69640) to Chapter 5 of Title 8 of the Government Code, and to amend Section 69741 of the Government Code, relating to superior courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 461**—An act to add Chapter 5 (commencing with Section 1300) to Title 5, Part 4, Division 2 of the Civil Code, and to amend Sections 1241, 1242, 1243, and 1265 of said code, and to amend Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1010**—An act to amend Section 814.1 of the Agricultural Code, relating to vegetable standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 545**—An act to amend Sections 9, 12, 27, and 27.1, and to add Sections 16.3, 16.4, and 17.1 to, the Municipal Water District Act of 1911 (Chapter 671 of the Statutes of 1911), relating to municipal water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Hegland and Schrade—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott,

Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 990**—An act to amend Sections 35501 and 35507 of the Government Code, relating to exclusion of territory from a municipality.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1120**—An act to amend Section 28127 of the Government Code, relating to compensation of county supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

## NAMES PLACED UPON ROLL CALL ON URGENCY CLAUSE TO SENATE BILL NO. 545

Messrs. Hegland and Schrade were granted unanimous consent that they be recorded as voting "No" on the urgency clause to Senate Bill No. 545.

## ANNOUNCEMENT

Speaker Brown announced that hereafter all items passed temporarily on file would go to the inactive file if they are again passed temporarily on file on the next legislative day.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2473**—An act to add Article 9 (commencing at Section 29199) to Chapter 1 of Division 3 of Title 3 of the Government Code, relating to county investment boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel,

Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—59

NOES—Winton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2622**—An act to amend Sections 12804, 12805, and 12808 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to testing applicants, licensing, and grounds for withholding issuance of drivers' licenses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOES—None

Bill ordered transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

### *Committee on Engrossment and Enrollment*

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 66**—Relative to criminal procedure in time of disaster;

**Assembly Concurrent Resolution No. 126**—Approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the seventh day of April, 1959;

**Assembly Joint Resolution No. 26**—Relating to the establishment of uniform rules of the road throughout the United States;

And reports the same correctly enrolled, and presented to the Secretary of State on the third day of June, 1959, at 10 a.m.

BURKE, Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1909

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1397
Assembly Bill No. 1442
Assembly Bill No. 1920
Assembly Bill No. 1965
Assembly Bill No. 2107
Assembly Bill No. 2156
Assembly Bill No. 2157
Assembly Bill No. 2228

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 2, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Donnelly, and Fisher as a Committee on Conference concerning:

**Assembly Bill No. 1982**—An act to amend Sections 7203 and 7211 of, and to add Section 8801.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district libraries.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

And appointed Senators Donnelly, Collier, and Williams, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 464

The Speaker appointed Messrs. Johnson, Petris, and Marks as a Committee on Conference concerning Senate Bill No. 464.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 72
Senate Bill No. 219
Senate Bill No. 273
Senate Bill No. 285
Senate Bill No. 353
Senate Bill No. 675
Senate Bill No. 852
Senate Bill No. 865
Senate Bill No. 913
Senate Bill No. 905
Senate Bill No. 943
Senate Bill No. 1007

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 6
Senate Bill No. 486
Senate Bill No. 562
Senate Bill No. 576
Senate Bill No. 679
Senate Bill No. 1329
Senate Bill No. 1360
Senate Bill No. 1408
Senate Bill No. 1422

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 6**—An act to add Section 21759 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school bond validation actions.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 486**—An act to amend and renumber the heading of Part 10 (commencing with Section 15750) of Division 3 of Title 2 of, to amend Sections 16407, 16408, and 16409 of, and to repeal Sections 15750, 15751, 15772, 15794, 15795, 15796, 15797, 15798, 16407.1, 16407.2, and 16407.4 of, the Government Code, relating to the construction of state buildings, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

**Senate Bill No. 562**—An act to add Article 3 (commencing at Section 11200) to Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state departments.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 576**—An act to create the Golden Gate Commission, prescribing its organization, government, powers, duties, and functions.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 679**—An act to amend Sections 10204, 68200, and 68201 of, and to repeal Sections 68202, 68203, and 68204 of, and to add Sections 68547 and 68548 to, the Government Code, relating to the justices and judges of courts of record and other state legal officers.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1329**—An act to add Sections 20499, 20601.5 and 21251.14 to the Government Code, relating to retirement of public employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

**Senate Bill No. 1360**—An act to amend Section 869 of the Penal Code, relating to transcripts of testimony in homicide cases.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1408**—An act to add Section 2813 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to inspections of commercial vehicles.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1422**—An act to amend Section 830 of the Corporations Code, relating to indemnity for litigation expenses.

Referred to Committee on Judiciary—Civil.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Charles H. Wilson was granted unanimous consent that the following communications be ordered printed in the Journal:

## COMMUNICATION RELATIVE TO ASSEMBLY BILL NO. 846

Los Angeles, May 30, 1959

*Assemblyman Charles Wilson*
*Assembly Chamber*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN WILSON: I have enclosed a copy of a resolution which will be presented to the members of the authority for adoption at their meeting to be held on June 2, 1959, at 10 a.m. Mr. Wyman C.

Knapp, as counsel for Tanner Motor Coach and various other charter companies, has stated that this resolution is acceptable to his clients and that accordingly, his clients will not object if Assembly Bill No. 846 is amended by the deletion of all reference to charter service. Mr. Knapp has also agreed to a slight modification of the definition of "sightseeing service" that is now contained in Assembly Bill No. 846. For your convenience I have also enclosed an altered form of Assembly Bill No. 846 which is acceptable both to the Los Angeles Metropolitan Transit Authority and to Mr. Knapp's clients.

The foregoing information has been furnished to Senator Richard Richards.

Thank you again for your assistance and interest.

Sincerely,

RODERICK M. HILLS
of MUSICK, PEELER & GARRETT
General Attorney for
Metropolitan Transit Authority

Enclosures

WHEREAS, Assembly Bill No. 846 is pending in the 1959 Regular Session of the California Legislature; and

WHEREAS, This Bill would prevent the authority from conducting a charter service or a sightseeing service; and

WHEREAS, Members of the Assembly and the Senate have asked the authority to state its policies in relation to these matters; now, therefore, be it

*Resolved:*

1. The authority now conducts no sightseeing activities and intends to conduct no sightseeing activities, and has no objection if Assembly Bill No. 846 were amended to apply solely to sightseeing activities and were then passed by the California Legislature in such form that it would prohibit the authority from engaging in sightseeing activities.

2. By "sightseeing activities," the authority means the recognized sightseeing guided tour with a loudspeaker system wherein the public is transported on a *per capita basis without concern for expeditious travel but with a primary concern* with being informed about and seeing points of pleasure, culture and interest.

3. Each of the authority's predecessors operated some charter services. The authority now operates charter services and wishes to continue such charter services in competition with other charter companies. By conducting such charter services the authority is able to make use of equipment which is required for the peak-load hours of 7 to 9 a.m. and 4 to 6 30 p m on weekdays, but which would otherwise be idle during off-peak hours. Accordingly, the vast majority of the authority charters are operated during off-peak hours, since under normal circumstances only a very small number of buses, less than 1 percent of the buses operated by the authority, could or would ever be available during the peak-load *periods. Such minimum figure, of course, must necessarily fluctuate, depending* upon the number of buses which are made unavailable by mechanical failure or accident. In any event the authority will not purchase buses for the purpose of increasing its charter services. In continuing to conduct these charter services the authority will refrain from engaging in any rate-cutting practices. The authority has not done so in the past and does not intend to do so in the future. Its charter service charges will not be less than the charter service charges of competing private companies where those charges are set by the public utility and transportation departments of the various cities in the Los Angeles Metropolitan area.

4. By "charter service" the authority means the furnishing of transportation service to the public over routes and at times not regularly scheduled pursuant to an agreement or contract for payment made upon a trip, mileage, or unit basis, rather than upon a per capita basis.

5. This resolution shall be distributed to members of the California Legislature and to the charter and sightseeing companies of the Los Angeles Metropolitan area.

## COMMUNICATION RELATIVE TO ASSEMBLY BILL NO. 846, AS AMENDED

GORDON, KNAPP, GILL AND HIBBERT
LOS ANGELES, June 2, 1959

*Hon. Charles H. Wilson*
*Assemblyman, Sixty-sixth District*
*California Legislature*
*State Capitol, Sacramento*

DEAR MR. WILSON: As you know, the charter and sightseeing companies serving the Los Angeles Metropolitan territory and adjacent areas have contended, and do contend, that the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957) does not give the authority power to engage either directly or indirectly in so-called "side line" activities, such as charter and sightseeing services.

Assembly Bill No. 846, as amended, was designed to make clear, assuming clarification is needed, the fact that "the authority shall not have the power to operate or provide a charter service or sightseeing service." As the result of conferences with authority representatives and their chief counsel, Mr. Gerald G. Kelly, the authority has agreed to adopt a resolution reflecting its policy for the future respecting the conduct of charter services The authority concedes that it has not engaged in, and does not intend to engage in, sightseeing services You have been furnished with a copy of this resolution.

By its terms, the resolution is to be distributed to other Members of the California Legislature. In exchange, we have agreed as acceptable an amendment to Assembly Bill No 846, deleting reference to charter service. By such action, the charter and sightseeing companies represented by me do not wish to be understood as changing their views on the subject of legislative intent. We think it desirable, however, to co-operate with the Legislature and with the authority in solving our problems short of legislation if the same can be done without undue harm or financial detriment befalling anyone concerned.

Very truly yours,

WYMAN C. KNAPP

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1088**—An act to amend Section 25450.4 of the Government Code, relating to construction contracts in counties with population of 500,000 or more.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1984**—An act to amend Section 27051 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the administration of the State Library and its services to public libraries

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71

NOES—None.

Bill ordered transmitted to the Senate.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2887, 2582, 2472,** and **2756,** subsequent to engrossment

**Assembly Bills Nos. 902, 1163, 1164,** and **2420,** subsequent to reengrossment.

**Senate Bills Nos. 315** and **1073.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 703**—An act to add Sections 33049, 33201.5, 33730.5, 33748 and 33749 to, to amend Sections 33202, 33231.5, 33331, 33502, 33503, 33700, 33701, 33703, 33704, 33730, 33731, 33732, 33736, 33745, 33746, 33747, 33850, and 33980 and to amend the heading of Chapter 3 and the heading of Article 3 of Chapter 3, Part 1, Division 24 of, and to repeal Section 33280, Articles 4 (commencing at Section 33530) and 5 (commencing at Section 33560) of Chapter 3 of Part 1 of Division 24, and Section 33982 of, the Health and Safety Code, relating to community redevelopment and urban renewal, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Biddick.

### Urgency Clause

Urgency clause read.

### Speaker pro Tempore Presiding

At 10.38 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the urgency clause.

Urgency clause adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes,

House, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—59.

NOES—Bradley, Crawford, Hegland, Levering, Luckel, Schrade, Shell, and Thelin—8.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—59.

NOES—Bradley, Crawford, Hegland, Levering, Luckel, Schrade, Shell, and Thelin—8.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1006**—An act to amend Section 1066 of the Public Utilities Code, relating to carrier rates.

Bill read third time, and presented by Mr. Cunningham.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 494**—An act to amend Section 5 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), relating to the Humboldt County Flood Control District.

Bill read third time, and presented by Mr. Belotti.

Bill ordered passed on file, and to retain its place.

**Senate Bill No. 994**—An act to amend Section 490 of the Agricultural Code, relating to milk and milk products.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—Pattee—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 971**—An act to amend Section 1352 of the Labor Code, relating to hours of employment of women and minors.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Burton and Waldie—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 607**—An act to amend Section 6154 of the Elections Code, relating to voting machines

Bill read third time, and presented by Mr. Holmes.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 480**—An act to amend Sections 306, 320, 332, 351, 362, 365, 369, 374, 382, 388, 397, 407, 408, 409, 410, 415, 422, 435, 440, 446, 453, 456, 460, 467, 470, 476, 487, 492, 493, 494, 506, 521, 528, and 529 of, to amend and renumber Sections 553 and 614 of, to add Article 2 (commencing at Section 250) to Chapter 2 of Division 1 of, and to add Sections 486, 514, 543.1, 544, 545, 546, 547.1, 548, 549, 550, 551, 552, 553.1, 554, 555, 556.1, 557.1, 558.1, 559.1, 560.1, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589 and 590 to, the Streets and Highways Code, relating to state highways, providing for a California Freeway and Expressway System and for the periodic review of highway needs of all classifications of streets and highways and in connection therewith to add certain additional mileage to the State Highway System.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnel, Nisbet, Pattee, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Levering, Rees, and Shell—3.

Bill ordered transmitted to the Senate.

**Senate Bill No. 999**—An act to create the Mariposa County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collections of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 27, 1959, strike out lines 5 to 7, inclusive, and insert "years. Such energy may be marketed to any public agency or private entity."

Amendment read, and adopted.

Bill ordered reprinted and to third reading.

## ANNOUNCEMENT

Speaker pro Tempore Bee introduced Mrs. John A. Busterud and sons, John and Jim, to the Members of the Assembly; and announced that today was the birthday of Mrs. Busterud, whereupon the Members joined in extending best wishes and birthday greetings to Mrs. Busterud.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 753**—An act to add Section 12707.6 to the Business and Professions Code, relating to public weighmasters.

*Bill read third time, and presented by Mr. Cameron.*

Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

## SENATE BILL NO. 1069 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 1069**, on motion of Mr. Hawkins.

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 360**—An act to add Section 753 to the Welfare and Institutions Code, relating to custody of children.

Bill read third time, and presented by Mr. Nisbet.

### Speaker Presiding

At 11.02 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Belotti was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 360.

## MOTION TO RECONSIDER MOTION TO EXPUNGE RECORD ON ASSEMBLY BILL NO. 2242

In compliance with a motion given on a previous day, Mr. Lowrey moved that the vote whereby the motion to expunge the record, and rescind the action on Assembly Bill No. 2242 was carried be reconsidered.

Motion to expunge record and rescind action on Assembly Bill No. 2242 refused reconsideration by the following vote:

AYES—Don A. Allen, Davis, Elliott, Ernest R. Geddes, Hanna, Holmes, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Pattee, Shell, Thelin, and Charles H. Wilson—15

NOES—Bruce F. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Dahl, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Lunardi, Marks, Masterson, Miller, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Zberg, and Mr. Speaker—40.

Assembly Bill No. 2242 ordered returned to the third reading file.

## ANNOUNCEMENT

Mr. Masterson announced that yesterday was the birthday of Assemblyman Phillip Burton, whereupon the Members joined in extending best wishes and belated birthday greetings to Mr. Burton.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1407**—An act to add Section 653j to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read third time.

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, after line 30, of the printed bill, as amended in the Assembly on June 2, 1959, insert

"(i) This section shall not be construed to apply to eavesdropping upon or recording of conversations by any peace officer in the performance of his duties and which are, or which such officer reasonably believes are, directly related to the commission or evidence of a public offense."

Amendment read.

**Speaker pro Tempore Presiding**

At 11.29 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Point of Personal Privilege**

Mr. O'Connell arose on a point of personal privilege.

**Demand for Previous Question**

Messrs. Don A. Allen, Luckel, Hanna, Holmes, and Dahl, demanded the previous question. Demand sustained.

The question being on the adoption of the amendment by Mr. Bruce F. Allen.

**Roll Call Demanded**

Messrs. Bruce F. Allen, O'Connell, and Dahl demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Mulford, Nisbet, Pattee, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, George A. Willson, and Mr. Speaker—49.

NOES—Biddick, George E. Brown, Burton, Crown, DeLotto, Donahoe, Elliott, Garrigus, Hawkins, Kilpatrick, Miller, Munnell, O'Connell, Petris, Rees, Thomas, Unruh, Waldie, Williamson, Winton, and Z'berg—21.

Bill ordered reprinted, and re-engrossed.

**Speaker Presiding**

At 11.39 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 2511**—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to county responsibility for the payment of old age assistance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2799 FROM COMMITTEE

Mr. Johnson was granted unanimous consent that Assembly Bill No. 2799 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2799

**Assembly Bill No. 2799**—An act to add Part 4 (commencing at Section 14450) to Division 3 of Title 1 of the Corporations Code, relating to real estate and business opportunity publishers.

Bill read second time.

#### Motion to Amend

Mr. Johnson moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, strike out "publishers", and insert "promotional services".

#### Amendment No. 2

On page 1, line 5, strike out "Publishers", and insert "Promotional Services Act".

#### Amendment No. 3

On page 1, line 11, strike out "Publishers", and insert "Promotional Services".

#### Amendment No. 4

On page 1, lines 12 and 13, strike out "publisher", and insert "promotional services".

#### Amendment No. 5

On page 1, strike out all of line 15; and in line 16, strike out "for the purpose".

#### Amendment No. 6

On page 2, line 2, after "than", insert "sale of advertising".

#### Amendment No. 7

On page 2, line 4, after "14452.", insert "This part does not apply to any visual or sound radio broadcasting station or to any publisher of a newspaper of general circulation, nor to magazines or other publications, who broadcast or publish an advertisement in good faith, without knowledge of any false, deceptive, or misleading character which may be contained therein.

14453."

#### Amendment No. 8

On page 2, line 5, after "space", insert "or other promotional services".

#### Amendment No. 9

On page 2, line 7, strike out "Commissioner of Corporations", and insert "Secretary of State".

#### Amendment No. 10

On page 2, line 8, strike out "commissioner", and insert "Secretary of State".

#### Amendment No. 11

On page 2, line 11, strike out "publisher", and insert "seller of promotional services".

#### Amendment No. 12

On page 2, line 11, strike out "Commissioner of Corporations", and insert "Secretary of State".

#### Amendment No. 13

On page 2, line 15, strike out "corporation commissioner", and insert "Secretary of State".

#### Amendment No. 14

On page 2, strike out all of lines 18 to 20, inclusive, and insert

"14454. Every contract under this part shall be in writing and shall contain all of".

**Amendment No. 15**

On page 2, lines 24 and 25, strike out "and by the seller of such advertising space, or its authorized representative".

**Amendment No. 16**

On page 2, line 29, strike out "commissioner", and insert "Secretary of State".

**Amendment No. 17**

On page 2, line 31, after "Price", insert "of promotional services or, if advertising space,".

**Amendment No. 18**

On page 2, line 37, strike out "publisher", and insert "seller".

**Amendment No. 19**

On page 3, line 5, strike out "advertising space", and insert "promotional services".

**Amendment No. 20**

On page 3, strike out lines 8 to 12, inclusive, and insert

"14455 No corporation, partnership, sole proprietorship, or individual shall conduct within this State a real estate or business opportunity promotional services business as defined under this title or receive payment for rendering or contracting for promotional services to be rendered by another without having first applied for and obtained a license from the Secretary of State. Such licensee shall not employ any agent, salesman or consultant within the meaning of this part unless and until such licensee shall have forwarded to the Secretary of State a sworn statement by such agent, salesman or consultant, stating that the affiant has not been convicted of any crime involving moral turpitude and specifically including the crimes of fraud and embezzlement."

**Amendment No. 21**

On page 3, line 13, strike out "14455.", and insert "14456."

**Amendment No. 22**

On page 3, line 16, after "State", strike out the comma; and on line 17, strike out "Division of Corporations,".

**Amendment No. 23**

On page 3, line 22, strike out "14456", and insert "14457".

**Amendment No. 23.5**

On page 3, line 23, strike out ", Division of Corporations,".

**Amendment No. 24**

On page 3, line 28, strike out "14457.", and insert "14458."

**Amendment No. 25**

On page 3, line 31, strike out "office", and insert "offices".

**Amendment No. 26**

On page 3, line 32, after "business", insert ", principal and branch,".

**Amendment No. 27**

On page 3, line 39, strike out "14458.", and insert "14459."

**Amendment No. 28**

On page 4, line 4, strike out "14459.", and insert "14460."

**Amendment No. 29**

On page 4, line 12, strike out "14460.", and insert "14461."

**Amendment No. 30**

On page 4, line 22, strike out "14461.", and insert "14462."

**Amendment No. 31**

On page 4, line 25, after "($2,000)", insert "running".

**Amendment No. 32**

On page 4, line 32, strike out "advertising space sale", and insert "promotional services".

**Amendment No. 33**

On page 4, line 34, strike out "14462.", and insert "14463."

**Amendment No. 34**

On page 4, line 43, strike out "14463.", and insert "14464."

**Amendment No. 35**

On page 4, line 49, strike out "14464.", and insert "14465."

**Amendment No. 36**

On page 5, line 1, strike out "14465.", and insert "14466."

**Amendment No. 37**

On page 5, line 6, strike out "14466.", and insert "14467."

**Amendment No. 38**

On page 5, line 8, strike out "14467.", and insert "14468."

**Amendment No. 39**

On page 5, line 14, strike out "14468.", and insert "14469."

**Amendment No. 40**

On page 5, line 19, after "provided", insert ", and shall charge a fee therefor in the amount of fifty dollars ($50)".

**Amendment No. 41**

On page 5, line 20, strike out "14469.", and insert "14470."

**Amendment No. 42**

On page 5, lines 21 and 22, strike out "commissioner", and insert "Secretary of State".

**Amendment No. 43**

On page 5, line 23, strike out the colon.

**Amendment No. 44**

On page 5, lines 29 and 30, strike out "or the commissioner".

**Amendment No. 45**

On page 5, lines 37 and 38, strike out "Commissioner of Corporations to", and insert "Secretary of State a".

**Amendment No. 46**

On page 5, lines 40 and 41, strike out "Commissioner of Corporations", and insert "Secretary of State".

**Amendment No. 47**

On page 5, line 46, strike out "14470.", and insert "14471."

**Amendment No. 48**

On page 5, line 50, stirke out "14471.", and insert "14472."

**Amendment No. 49**

On page 6, line 3, strike out "14472.", and insert "14473."

**Amendment No. 50**

On page 6, line 7, strike out "14473.", and insert "14474."

**Amendment No. 51**

On page 6, line 23, strike out "14474.", and insert "14475."

**Amendment No. 52**

On page 6, line 33, strike out "14475.", and insert "14476."

**Amendment No. 53**

On page 6, line 46, strike out "14476. An advertising agent", and insert "14477. A promotional services agent".

**Amendment No. 54**

On page 6, strike out lines 48 to 51, inclusive; in line 52, strike out "pose of promoting", and insert "to contract for sale of services to promote".

**Amendment No. 55**

On page 7, strike out lines 1 and 2, and insert "or real estate."

**Amendment No. 56**

On page 7, line 3, strike out "14477.", and insert "14478."

**Amendment No. 57**

On page 7, line 20, strike out "14478.", and insert "14479."

**Amendment No. 58**

On page 7, strike out lines 29 to 34, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 2799**

Mr. Johnson asked for, and was granted. unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2799.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2869 FROM COMMITTEE

Mr. Hawkins gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2869 from the Committee on Ways and Means.

## REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY BILL NO. 1766 FOR SPECIAL ORDER

Mr. Levering was granted unanimous consent that Assembly Bill No. 1766 be made a special order of business for Thursday, June 4, 1959. at 11 a.m.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: What was the number of the bill just set for special order?

**Reply by Speaker**

The Speaker replied that it was Assembly Bill No. 1766, Item 111 on file today.

## REPORTS OF STANDING COMMITTEES

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 122 | Assembly Bill No. 2418 |
| Assembly Bill No. 289 | Assembly Bill No. 2526 |
| Assembly Bill No. 1379 | Assembly Bill No 2648 |
| Assembly Bill No. 2272 | Assembly Bill No. 2655 |
| Assembly Bill No. 2375 | Assembly Bill No 2723 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No 1056 | Assembly Bill No. 2764 |
| Assembly Bill No. 2382 | Assembly Bill No. 2771 |
| Assembly Bill No. 2581 | Assembly Bill No. 2779 |
| Assembly Bill No 2642 | |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2472
Assembly Bill No. 2582
Assembly Bill No. 2756
Assembly Bill No. 2887

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1922**—An act to amend Section 8373 of the Fish and Game Code, relating to sale of fish;

**Assembly Bill No. 2004**—An act to add Section 9006.1 to the Welfare and Institutions Code, relating to meetings of local mental health advisory boards,

**Assembly Bill No. 2081**—An act to amend Section 21756 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to passing trolley coaches;

**Assembly Bill No. 2082**—An act to amend Section 21804 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to entering highways;

**Assembly Bill No. 2083**—An act to amend Section 21451 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic signals;

**Assembly Bill No. 2084**—An act to amend Section 22651 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to removal of vehicles;

**Assembly Bill No. 2099**—An act to amend Section 21662 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mountain driving,

**Assembly Bill No. 2105**—An act to amend Section 25259 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to lights;

**Assembly Bill No. 2121**—An act to amend Sections 21457 and 21802 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing red signals;

**Assembly Bill No. 2122**—An act to add Section 22520 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the stopping of vehicles on freeways;

**Assembly Bill No. 2123**—An act to add Section 40311 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to appearance in court for traffic violations;

**Assembly Bill No. 2205**—An act to amend Section 22502 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to parking;

**Assembly Bill No. 2206**—An act to amend Section 555 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to sidewalks;

**Assembly Bill No. 2413**—An act to amend Section 4002 of the Fish and Game Code, relating to taking of fur-bearing mammals;

And reports the same correctly enrolled, and presented to the Governor on the third day of June, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 1748

And reports the same correctly engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Education

## EXPLANATIONS OF ABSENCE

June 3, 1959

I was presenting a bill in Senate Governmental Efficiency therefore absent from Assembly 9 30 to 10.10 a.m.

SETH JOHNSON

June 3, 1959

I missed roll calls between 9.30 a.m. and 10 30 a.m. because I was appearing before the Senate Education Committee.

JOHN A. O'CONNELL

June 3, 1959

I was off the floor this morning attending a meeting at the Legislative Counsel's Office and at a conference, and missed some roll calls.

DON MULFORD

## ADJOURNMENT

At 11.45 a m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, June 4, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED FIRST LEGISLATIVE DAY

ONE HUNDRED NINTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, June 4, 1959

The Assembly met at 9.30 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*We Thank Thee, O God,* For the light that comes when we put heart and soul into work which contributes to the welfare of others. Otherwise we could not bear the strain of days and nights. The Psalmist said, "Man goes forth to his work and to his labor until the evening" Help us through long days and evenings of Assembly responsibilities with the same conviction expressed by George Washington Carver, great Negro scientist and benefactor of mankind, when he said, "When I go into my laboratory, I go with God." We pray not, Our Father, that Thou go with us, but merely that we go with Thee.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Biddick, seconded by Mr. Waldie.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, June 2, 1959

*Mr Arthur A Ohnimus*
*Chief Clerk of State Assembly*
*Assembly Chamber, Sacramento*

DEAR SIR: This is to advise you that as of this day we have deposited $5,000 to the credit of the Legislative Printing Fund, covering receipts from sales of Legislative publications by the Legislative Bill Room for part of April, 1959.

Very truly yours,

PAUL E. GALLAGHER, State Printer

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The following communications were presented by the Chief Clerk from:

Dr. C. I. Wood of Pasadena, relative to Assembly Bill No. 2801. Referred to the Committee on Public Health.

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Hector Lemux and H C. Terris of Los Angeles, relative to Assembly Bill No 1179. Referred to the Committee on Governmental Efficiency and Economy.

---

Anne Pentland of Oakland, relative to Senate Bill No. 1093. Referred to the Committee on Government Organization.

---

O. H. Kuhn of Los Angeles, relative to Assembly Bill No 2796. Referred to the Committee on Governmental Efficiency and Economy.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To Chief Clerk of the Assembly.*

In accordance with the provisions of Joint Rule No. 8 3, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 8 5, are herewith filed.

### Digest of Bill

Amends Sec. 94 5 Ag. C.

Provides that citrus fairs which are or have been eligible to receive funds from the State shall be under the exclusive management and control of a board of directors selected as provided in the articles of incorporation and by-laws of such fairs

JACK A. BEAVER

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To Chief Clerk of the Assembly.*

In accordance with the provisions of Joint Rule No. 8 3, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed.

**Digest of Bill**

Creates the California Commission on Government Economy to study and report to the people and the Legislature on the operations and financing of the State Government and ways and means of increasing efficiency and economy. Prescribes the commission's powers and duties and makes an appropriation.

GLENN E. COOLIDGE

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. O'Connell:

**House Resolution No. 316**

Relative to recodification of the Penal Code

WHEREAS, The Penal Code was enacted in 1872 and numerous provisions have been added to it over a period of 87 years; and

WHEREAS, Much of the Penal Code is characterized by archaic language, undue prolixity, real and apparent conflicts, obsolecteness, illogical organization, and failure to reflect the interpretations of the courts; and

WHEREAS, Persons seeking to apprise themselves of the criminal law of this State and who, for this purpose, logically refer to the Penal Code, are in grave danger of being misled as to the law because so many laws of a criminal nature are in codes other than the Penal Code; and

WHEREAS, It is basic that the people of this State, in order to avoid prohibited conduct, are entitled to have the law presented in understandable convenient form; and

WHEREAS, It is desirable that peace officers in this State, on whom is imposed the duty of enforcing the State's criminal laws, and who are often in situations requiring immediate reference to the law, be able, if this is feasible, to have the laws they must enforce set forth clearly in a single volume, to which ready reference can be made; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Criminal Procedure, in addition to the other matters committed to it for study, is authorized and directed to study the feasibility of recodifying the Penal Code, in such manner as to eliminate the undesirable characteristics described above in this resolution and to include therein criminal laws found in other codes of this State, and shall report thereon to the Assembly at the 1961 Regular Session of the Legislature, including in its reports its recommendations for legislation.

Resolution read, and referred to the Committee on Rules.

By Mr. Lunardi:

**House Resolution No. 317**

Relative to a function at the Junction by E Clampus Vitus

WHEREAS, It has come to the attention of the Members of the Assembly that June 13, 1959, will be an auspicious occasion in the long and eventful history of the City of Roseville, California, as it is on that date that the city will be honored by the world renowned organization known as E Clampus Vitus; and

WHEREAS, The primary purpose, or at least one of the purposes, of the celebration is to commemorate the Fiftieth Anniversary of Roseville; and

WHEREAS, The growth of Roseville reads like the story of the "Great Train Robbery" since the remarkable expansion of the city was the direct result of the swiping of the Southern Pacific Company from Rocklin; and

WHEREAS, Junction, as Roseville was known as in 1906, was a tiny village of 250 inhabitants and Rocklin a bustling giant of a railroad town, but, by 1909, Junction had successfully pilfered the railroad and changed its name to Roseville to make the deal smell sweeter; and

WHEREAS, In a fitting tribute to the City of Roseville and the citizens thereof, E Clampus Vitus is holding a big celebration on June 13, 1959, and it promises to be quite a blowout; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take this opportunity to congratulate the City of Roseville on its Fiftieth Anniversary, to commend the significant achievements of E Clampus Vitus, and to wish all participants in the grand and glorious occasion a good time; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the City of Roseville and to Ray Carlisle, Grand Noble Humbug of Lord Sholto Douglas Chapter of E Clampus Vitus.

Resolution read, and referred to the Committee on Rules.

By Mr. Thomas:

**House Resolution No. 318**

Relative to a study by the Assembly Committee on Interstate Co-operation of a port authority for Los Angeles-Long Beach Harbor

WHEREAS, There is unnecessary duplication of facilities and administration by the Cities of Los Angeles and Long Beach in connection with their harbors; and

WHEREAS, These harbors could be more efficiently and economically administered by a single authority which would accomplish the following desirable ends:

1. Attract more trade and commerce through improved facilities.
2. Reduce the tax burden on the public.
3. Cut administrative costs.
4. Provide a vehicle for co-ordinated future planning in the area.
5. Remove the management of key transportation facilities from politics.
6. Provide a compact administrative setup allowing better salaries with which to attract the most competent men.
7. Broaden the credit base and make bonds more salable.
8. Reduce intra-area competition and put both harbors on a more competitive footing with other cities.
9. Allow a greater administrative elasticity to the management of enterprises presently encumbered with restrictions.
10. Pool assets and expenditures in a more vigorous areawide promotion program.
11. Improve the position or bargaining power of the harbors in lease negotiations; and

WHEREAS, Port authorities have been established and are operating successfully in other states, including New York, Delaware, Maryland, Massachusetts, North and South Carolina, Virginia, Texas, Louisiana and Washington; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Interstate Co-operation is hereby authorized and directed to study the organization and administration of the port authorities in the states referred to hereinabove and the desirability and feasibility of establishing a port authority for the operation of the Los Angeles and Long Beach Harbors, including the matters referred to in this resolution and any other matters pertaining thereto, and to report thereon to the Assembly not later than the final day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 142**: By Mr. Ernest R. Geddes—Relative to augmenting the funds of the Joint Legislative Committee for School Visitations.

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 278**—An act to amend Sections 10201, 10321.5, and 10581.5 of the Business and Professions Code, relating to real estate licenses;

**Assembly Bill No. 438**—An act to amend Section 311 of the Fish and Game Code, relating to salmon fishing;

**Assembly Bill No. 808**—An act to amend Section 37380 of the Government Code, relating to leases of city property;

**Assembly Bill No. 886**—An act to add Section 1582.1 to, and to amend Sections 1588, 1588.2 and 1594 of, the Labor Code, relating to employment agency licenses;

**Assembly Bill No. 887**—An act to amend Section 1684 of the Labor Code, relating to farm labor contractors;

**Assembly Bill No. 1044**—An act to amend Sections 3701 and 3703 of the Labor Code, relating to workmen's compensation insurance and security;

**Assembly Bill No. 1081**—An act to add Article 11.5 (commencing at Section 9171) to Chapter 7 of Division 4 of the Education Code, and to add Chapter 5 (commencing at Section 551) to Division 2 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the acceptance of the provisions and benefits of the "National Defense Education Act of 1958," approved September 2, 1958 and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1130**—An act to amend Section 4127 of the Agricultural Code, relating to unfair practices;

**Assembly Bill No. 1226**—An act to amend Sections 6062, 6062a, 6063, 6063a, 6064, 6065, and 6066 of the Government Code, and Section 782 of the Probate Code, relating to publication of notice;

**Assembly Bill No. 1259**—An act to add Section 3864 to the Labor Code, relating to workmen's compensation;

**Assembly Bill No. 1316**—An act to amend Sections 34302 and 34304 of the Government Code, relating to the incorporation of cities;

**Assembly Bill No. 1368**—An act to add Section 426.1 to the Health and Safety Code, relating to standards for the quality of air, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1424**—An act to amend Sections 25803, 35103 and 35104 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to overwidth implements of husbandry;

**Assembly Bill No. 1446**—An act to add Sections 35500.1 and 35550.1 to the Government Code, relating to exclusion of territory from cities;

**Assembly Bill No. 1447**—An act to amend Sections 58853, 58854, 58857, 58859 and 58860 of the Government Code, relating to change of boundaries;

**Assembly Bill No. 1671**—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to property taxation;

**Assembly Bill No. 1690**—An act to amend Sections 4159, 4160, and 14600 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of change of address of vehicle owners and operators;

**Assembly Bill No. 1719**—An act to add Section 202.6 to the Revenue and Taxation Code, relating to the exemption from taxation of property used exclusively for the public schools;

**Assembly Bill No. 1908**—An act to add Chapter 10 (commencing at Section 25900) to Division 20 of, and to amend Sections 26244, 26247, 26254, and 26255 of the Health and Safety Code, to amend Section 1064 of the Agricultural Code, and to amend Sections 4168 and 4171 of the Business and Professions Code, relating to labeling of containers of dangerous drugs, poisons, and other hazardous substances;

And reports the same correctly enrolled, and presented to the Governor on the third day of June, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 1407 | Assembly Bill No. 2149 |
| Assembly Bill No. 1539 | Assembly Bill No. 2796 |

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Rules

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 125

With the recommendation: That the resolution be re-referred to the Committee on Ways and Means. With the recommendation that it be placed on the Consent Calendar.

MILLER, Chairman

Above resolution re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No 309
House Resolution No. 98

With the recommendation: That the resolutions be re-referred to the Committee on Ways and Means. With the recommendation they be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 310
House Resolution No. 301

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 1, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1046

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2693

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2849

With the recommendation: Do pass.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2889

With amendments with the recommendation: Amend, and do pass, as amended.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 2438
Assembly Bill No. 2439
Assembly Bill No. 2713
Assembly Bill No. 2447
Assembly Bill No. 2811
Assembly Bill No 2229
Assembly Bill No. 2709
Assembly Bill No. 2808

With the recommendation: That the bills be filed and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2531
Assembly Bill No. 2907

With amendments with the recommendation: Be amended; that the bills be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2715

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports.

Assembly Bill No. 444
Assembly Bill No. 1268
Assembly Bill No. 2352
Assembly Bill No. 2466
Assembly Bill No. 2592
Assembly Bill No. 2594
Assembly Bill No. 2673
Assembly Bill No. 2716
Assembly Bill No. 2788
Assembly Bill No. 2804

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2480
Assembly Bill No. 2593
Assembly Bill No. 2632
Assembly Bill No. 2666
Assembly Bill No. 2820

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2597

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 930
Senate Bill No. 977

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 234
Senate Bill No. 354

With the recommendation: Do pass.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 38
Senate Bill No. 583
Senate Bill No. 782
Senate Bill No. 784
Senate Bill No. 785
Senate Bill No. 840
Senate Bill No. 893
Senate Bill No. 920
Senate Bill No. 967
Senate Bill No. 1016

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No 1145
Assembly Bill No. 2525
Assembly Bill No. 2547
Assembly Bill No. 2595
Assembly Bill No. 2631
Assembly Bill No 2633
Assembly Bill No. 2638
Assembly Bill No. 2803
Assembly Bill No. 2905

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No. 986

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2906
Assembly Bill No. 2817

With the recommendation: Do pass

CROWN, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2770

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CROWN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2853
Assembly Bill No. 2754

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 890

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Water**

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Water reports:

House Resolution No. 249

With amendments with the recommendation: Amend, and be adopted, as amended.

PORTER, Chairman

Above resolution ordered on file.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 1245

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports

Assembly Bill No. 2813

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2687

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BELOTTI, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 2852

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 467
Assembly Bill No. 2362
Assembly Bill No. 2736

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BURTON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 914

With the recommendation: Do pass

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER Your Committee on Social Welfare reports:

Assembly Bill No 2509

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 936
Senate Bill No 1485

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 940

With amendments with the recommendation Amend, and re-refer to the Committee on Social Welfare

BURTON, Chairman

Above bill ordered to second reading.

***Committee on Ways and Means***

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER Your Committee on Ways and Means reports:

Assembly Bill No. 2598
Assembly Bill No 2613
Assembly Bill No. 2615
Assembly Bill No 2617

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1898

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2423

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1867
Assembly Bill No 2298
Assembly Bill No. 2546
Assembly Bill No. 1847
Assembly Bill No. 1627
Assembly Bill No. 1592
Assembly Bill No. 1221
Assembly Bill No. 414
Assembly Bill No. 2335
Assembly Bill No 2290
Assembly Bill No. 2113
Assembly Bill No. 423

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

### Committee on Public Health

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER. Your Committee on Public Health reports:

Assembly Bill No. 2695

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2662
Assembly Bill No. 2758
Assembly Bill No. 2872

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2654

With the recommendation: Do pass.

RUMFORD, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2029
Assembly Bill No. 2386
Assembly Bill No. 2725
Assembly Bill No. 2801

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

RUMFORD, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Public Health reports

Assembly Bill No. 2088
Assembly Bill No. 2727
Assembly Bill No. 2738
Assembly Bill No. 2873

With amendments with the recommendation. Amend, and do pass, as amended.

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 2773
Assembly Bill No. 2573
Assembly Bill No. 2733

With amendments with the recommendation. Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bills ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1705
Assembly Bill No. 2640
Assembly Bill No. 2657
Assembly Bill No. 2665
Assembly Bill No. 2698
Assembly Bill No. 2821

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2143

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1985

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2870

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2908

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 1227

With amendments with the recommendation: Amend, and re-refer to the Committee on Education.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1084

With the recommendation: Senate amendments be concurred in.

DONAHOE, Chairman

Above bill ordered to the unfinished business file.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2704

Assembly Bill No. 2682

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 1058

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 1347

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

MASTERSON, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2881

With the recommendation: Do pass

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports

Assembly Bill No. 2641

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 715
Senate Bill No. 716
Senate Bill No. 824
Senate Bill No. 825
Senate Bill No. 826
Senate Bill No. 827
Senate Bill No. 828

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

**Committee on Agriculture**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 1470
Assembly Bill No. 2834
Assembly Bill No. 2513

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

SAMUEL R. GEDDES, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 1156
Senate Bill No. 1180

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 1302

With the recommendation: Do pass.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

**Committee on Education**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 1748

With the recommendation: Do pass.

DONAHOE, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 584

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER. Your Committee on Social Welfare reports:

Assembly Bill No. 2660

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, June 3, 1959

MR SPEAKER. Your Committee on Elections and Reapportionment reports:

Senate Bill No. 1240

With amendments with the recommendation: Amend, and do pass, as amended.

CROWN, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 311
House Resolution No. 312
House Resolution No. 313
House Resolution No. 314
House Resolution No. 315

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 299
House Resolution No. 293
House Resolution No. 305
House Resolution No. 306
House Resolution No 284
House Resolution No. 131
House Resolution No 307
House Resolution No. 308
House Resolution No. 108
House Resolution No. 200

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 32
Senate Concurrent Resolution No. 60

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 275

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 114

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 365

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 1873
Assembly Bill No. 1874

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Education**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Education reports.

Assembly Bill No. 2534

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1188

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

**Committee on Rules**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 228

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 2, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 79

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 79**—Relative to a study of the "Colusa Basin."

Referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Assembly Bills Nos. 2497, 234, 1594, 2827, 1157, 2129, 174, 2628,** and **2838.**

**Senate Bill No. 682.**

Assembly Bills Nos. 2497, 2129, and 2628 ordered to third reading, subsequent to engrossment.

Assembly Bills Nos. 234, 1594, 2827, 1157, and 174 ordered to third reading, subsequent to re-engrossment.

Assembly Bill No. 2838 ordered to the Consent Calendar, subsequent to engrossment.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1551**—An act making an appropriation for the acquisition and development of a public recreational area by Yolo and Solano Counties.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, line 9, of the printed bill, after "necessary", insert "from the amount heretofore appropriated by Chapter 2169, Statutes of 1957, from the State Beach and Park Fund for the acquisition of lands and their development for recreational purposes, adjacent to existing and proposed public reservoirs".

#### Amendment No. 2

On page 1, line 10, strike out "without regard to fiscal years to", and insert "to the DIVISION of Beaches and Parks, Department of Natural Resources for a loan to the Counties of Yolo and Solano for the purposes outlined in Section 1, such funds shall be available until June 30, 1961. The Director of Natural Resources shall negotiate an agreement with".

#### Amendment No. 3

On page 1, line 14, after "creek.", insert "The agreement shall be subject to the approval of the Department of Finance, and shall provide for the repayment of the loan on a not to exceed 30-year basis. Repayment of the amount expended in accordance to the terms of the agreement to be negotiated shall be made to the State Beach

and Park Fund, together with interest thereon, at a rate to be fixed by the Department of Finance, which rate shall be the same as the rate paid by the State in connection with the most recent sale of general obligation bonds at the time of the loan."

Amendment No. 4

On page 1, strike out all of lines 15 through 18, inclusive; and on page 2, strike out all of lines 1 through 7, inclusive.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2762**—An act to add Article 4.7 (consisting of Section 198) to Division 1 of Title 1 of the Government Code, relating to state lands.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 702**—An act to amend Section 4104 of, to repeal Section 4105 of, and to add Section 4105 to, the Government Code, relating to public works.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1403**—An act to add Chapter 7.5 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to atomic energy development and radiation protection.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1404**—An act making an appropriation for support of the Department of Public Health.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 413**—An act to amend Sections 27903 and 27904 of, and to add Division 14.5 (commencing at Section 33000) to, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of radioactive materials.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 570**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1579**—An act to add Article 1.5 (commencing at Section 685) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance retaliatory laws.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1876**—An act to amend Sections 11104, 11105, 11106 and 11107 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2161**—An act to amend Section 2054 of the Unemployment Insurance Code, relating to establishment and maintenance of public employment offices by the director of employment.

Bill read second time.

**Committee Amendments Withdrawn**

Mr. Unruh was granted unanimous consent that the committee amendments be withdrawn.

Assembly Bill No. 2161 ordered to third reading.

**Assembly Bill No. 285**—An act to add Section 899 to the Military and Veterans Code, and to add Sections 10653, 10654, and 10655, to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to educational assistance for veterans' children, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended, strike out the last word of the line "and".

**Amendment No. 2**

Strike out lines 5 and 6 of the title.

**Amendment No. 3**

In line 7 of the title, strike out "LEGISLATURE AT ITS 1959 REGULAR SESSION".

**Amendment No. 4**

In line 8 of the title, strike out the last word of the line 'and".

**Amendment No. 5**

Strike out line 9 of the title

**Amendment No. 6**

On page 2, line 38, strike out "from the Veterans' Dependents' Education Fund".

**Amendment No. 7**

On page 2, line 46, strike out "For the purpose of enabling the de-".

**Amendment No. 8**

On page 2, strike out lines 47, 48, 49, 50.

**Amendment No. 9**

On page 2, line 51, strike out "annually".

**Amendment No. 10**

One page 2, line 51, strike out "this sum is", and insert "funds are".

**Amendment No. 11**

On page 3, line 3, after "article.", insert "The department may, for the purposes of this article, draw upon its appropriation for educational assistance to veterans under Sections 981 to 981.8 of the Military and Veterans Code."

**Amendment No. 12**

On page 3, strike out lines 4 to 52, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2203**—An act to add Section 12503 to the Government Code, relating to eligibility for the Office of Attorney General.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2258**—An act to add Section 5002.7 to the Elections Code, relating to campaign contributions.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2502**—An act to repeal Section 897 of the Military and Veterans Code, relating to state funds and abolishing the Veterans' Dependents' Education Fund.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1959, after "of", insert ", and to amend Section 898 of,".

**Amendment No. 2**

On page 1, strike out lines 6 to 13, inclusive, and insert

SEC. 3 Section 898 of the Military and Veterans Code is amended to read:

898. The sum of three hundred thousand dollars ($300,000) is hereby annually appropriated from the receipts heretofore or hereafter collected under the provisions of Chapter 5, Statutes of 1938, or any other act under which oil royalties are or may be collected, other than those receipts received from rents, bonuses, and royalties accruing from the use of state school land, to carry out the purposes of this article. Such amount shall annually be paid into the *General* ~~Veterans' Dependents' Education~~ Fund."

**Amendment No. 3**

On page 1, line 14, strike out "SEC. 3", and insert "SEC. 4".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2677**—An act to add Section 23366.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "sell alcoholic beverages to consumers", and insert "solicit a consumer to purchase amounts or lots of distilled spirits through a specific retailer".

Bill ordered reprinted, and engrossed.

**Assembly Constitutional Amendment No. 45**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to ineligibility of legislators to certain offices.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed measure, after "State", insert ", except when elected by the people".

Resolution ordered reprinted, and engrossed.

**Assembly Bill No. 2744**—An act to amend Section 19574 of the Government Code, relating to punitive actions against state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 1, of the printed bill, strike out "19574", and insert "19175".

**Amendment No. 2**

Strike out lines 3 to 18, inclusive, and insert

"19175. The board at the written request of a rejected probationer, filed within ~~10~~ *15* calendar days of the effective date of rejection, may investigate with or without a hearing the reasons for rejection After investigation, the board may:

(a) Affirm the action of the appointing power; or

(b) Restore the name of the rejected probationer to the employment list for certification to any position within the class; provided, that his name shall not be certified to the agency by which he was rejected, except with the concurrence of the appointing power thereof; or

(c) Restore him to the position from which he was rejected, but this shall be done only if the board determines, after hearing, that there is no substantial evidence to support the reason or reasons for rejection, or that the rejection was made in fraud or bad faith At any such hearing the rejected probationer shall have the burden of proof; subject to rebuttal by him, it shall be presumed that the rejection was free from fraud and bad faith and that the statement of reasons therefor in the notice of rejection is true."

**Amendment No. 3**

On the line following Amendment No. 2, insert

"SEC. 2. Section 19575 of the Government Code is amended to read:

19575. No later than ~~15~~ *20* calendar days after service of the notice of punitive action, the employee may file with the board a written answer to the notice, which answer shall be deemed to be a denial of all of the allegations of the notice of punitive action not expressly admitted and a request for hearing or investigation as provided in this article. With the consent of the board or its authorized representative an amended answer may subsequently be filed. If the employee fails to answer within the time specified or after answer withdraws his appeal the punitive action taken by the appointing power shall be final. A copy of the employee's answer and of any amended answer shall promptly be given by the board to the appointing power."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 141**—An act to add Section 1243 to, and amend Section 1257 of, the Water Code, relating to the use of water for recreation and the preservation and enhancement of fish and wildlife resources.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill as amended in the Assembly on May 28, 1959, after "account", insert ", whenever it is in the public interest,".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2390**—An act to create the Yuba-Bear River Basin Authority, to develop and promote the regulation of the water resources of the Yuba and Bear Rivers watersheds for beneficial use in the Counties of Yuba, Placer, Nevada, Sierra and Sutter, prescribing the authority's powers and duties, providing for its organization, operation and management and authorizing the incurrence of indebtedness providing for the issuance of bonds, providing for the levy and collection of taxes, and for co-operation and contracts with any entity.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the committee on water, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on May 21, 1959, strike out "Yuba, Placer, Nevada, Sierra and Sutter", and insert "Placer, Nevada, and Sierra"

**Amendment No. 2**

On page 1, line 4, strike out "Yuba, Placer, Nevada, Sierra and Sutter", and insert "Placer, Nevada, and Sierra".

**Amendment No. 3**

On page 4, line 25, strike out "within the authority".

**Amendment No. 4**

On page 4, line 29, strike out "within the authority".

**Amendment No. 5**

On page 7, line 52, strike out "agency", and insert "authority".

**Amendment No. 6**

On page 8, line 25, strike out "five", and insert "three"

**Amendment No. 7**

On page 18, line 38, strike out "Yuba, Placer, Nevada, Sierra and Sutter", and insert "Placer, Nevada, and Sierra".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2802**—An act to add Section 236 to the Water Code, relating to water resources development.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "available", insert ", on a loan basis,".

**Amendment No. 2**

On page 1, line 6, after "any", insert "official engineering and technical".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2865**—An act to add Section 346 to the Water Code, relating to state water projects

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "may acquire by eminent domain or otherwise, either in fee or in any lesser estate or interest, any real property for recreational develop-".

**Amendment No. 2**

On page 1, line 6, after "projects", insert "Any funds, including but not limited to water resources development funds, heretofore or hereafter appropriated to the department for the acquisition of rights of way, easements, and property, may be used to carry out the purposes of this section"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 590**—An act to repeal Sections 633, 709, and 1027 of, to amend Sections 135, 634, 705, 930, 978, 979, 982, 1279, and 1280 of, and to add Sections 608 and 609 to, the Unemployment Insurance Code, relating to unemployment insurance

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 11, 1959, strike out "Sections 633, 709, and", and insert "Section".

**Amendment No. 2**

In line 1 of the title, after "of," insert "and".

**Amendment No. 3**

In line 2 of the title, strike out "135, 634, 705,".

**Amendment No. 4**

Strike out line 3 of the title, and insert "of,".

**Amendment No. 5**

On page 1, strike out lines 1 to 17, inclusive; strike out pages 2, 3, and 4; on page 5, strike out lines 1 to 28, inclusive, and insert

"SECTION 1. Section 930 of the Unemployment Insurance Code is amended to read:".

**Amendment No. 6**

On page 6, line 4, strike out "8", and insert "2".

**Amendment No. 7**

On page 6, line 43, strike out "9", and insert "3".

**Amendment No. 8**

On page 7, line 26, strike out "10", and insert "4".

**Amendment No. 9**

On page 7, line 33, strike out "11", and insert "5".

**Amendment No. 10**

On page 7, line 34, strike out "12", and insert "6".

**Amendment No. 11**

On page 7, line 46, strike out "13", and insert "7".

**Amendment No. 12**

On page 8, strike out lines 27 to 49, inclusive, and insert

| | | |
|---|---|---|
| "840- | 869.99 | 33 |
| 870- | 899.99 | 34 |
| 900- | 929.99 | 35 |
| 930- | 959.99 | 36 |
| 960- | 989.99 | 37 |
| 990- | 1,019.99 | 38 |
| 1,020- | 1,049.99 | 39 |
| 1,050- | 1,079.99 | 40 |
| 1,080- | 1,109.99 | 41 |
| 1,110- | 1,139.99 | 42 |
| 1,140- | 1,169.99 | 43 |
| 1,170- | 1,199.99 | 44 |
| 1,200- | 1,229.99 | 45 |
| 1,230- | 1,259.99 | 46 |
| 1,260- | 1,289.99 | 47 |
| 1,290- | 1,319.99 | 48 |
| 1,320- | 1,349.99 | 49 |
| 1,350- | 1,379.99 | 50 |
| 1,380- | 1,409.99 | 51 |
| 1,410- | 1,439.99 | 52 |
| 1,440- | 1,469.99 | 53 |
| 1,470- | 1,499.99 | 54 |
| 1,500 and over | | 55". |

**Amendment No. 13**

On page 9, lines 8 and 9, strike out "seven hundred forty-five dollars ($1,745)", and insert "five hundred dollars ($1,500)".

**Amendment No. 14**

On page 9, line 17, strike out "14", and insert "8".

**Amendment No. 15**

On page 9, line 23, strike out "15", and insert "9".

**Amendment No. 16**

On page 9, line 27, strike out "16", and insert "10".

**Amendment No. 17**

On page 9, line 35, strike out "17", and insert "11".

**Amendment No. 18**

On page 9, strike out lines 39 to 51, inclusive; and strike out page 10.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 395**—An act to amend Sections 2933.5 and 2949 of the Business and Professions Code, relating to psychologists.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1591**—An act to add Sections 4102.2, 4102.4, 4102.6, 4102.7, 4102.8, and 4102.10 to the Government Code, relating to subcontract bidding on public work or improvements.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1018**—An act to amend Sections 5054, 5055, 5055.1, 5057, 5058.2, 7726, 7727, 7727.1, 7727.2, 7729, 7731.2 and 7779 of, and to repeal Sections 5056 and 7728 of, the Education Code, and to amend Sections 19430, 19431, 19432, 19434, 19438, 19601, 19602, 19603, 19604, 19607, 19613 and 19663 of, and to repeal Sections 19433 and 19606 of, the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 1019**—An act to amend Section 7745 of the Education Code, and Section 19629 of the Education Code as proposed by Senate Bill No. 2, relating to repayment of unauthorized expenditures or excess apportionments.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2330**—An act to amend Sections 6710, 6711, and 6712 of the Business and Professions Code, relating to the State Board of Registration for Civil and Professional Engineers.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2623**—An act to amend Section 3.4 of the Los Angeles Metropolitan Transit Authority Act (Chapter 547 of the Statutes of 1957), relating to the Los Angeles Metropolitan Transit Authority.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2637**—An act to amend Section 5202 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2664**—An act to amend Section 16676 of the Government Code, relating to remittances to state fiscal agents by the Treasurer.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2675**—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2702**—An act to add Section 28338 to the Health and Safety Code, relating to the sale of bread.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2458**—An act to add Chapter 3 (commencing at Section 24375) to Division 20 of the Health and Safety Code, relating to the State Air Pollution Board.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 21, 1959, strike out lines 41 to 44, inclusive; and on page 3, strike out lines 1 to 8, inclusive.

### Amendment No. 2

On page 3, line 9, strike out "24390", and insert "24388".

Amendment No. 3

On page 3, line 13, strike out "24391", and insert "24389"

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1245**—An act to add Section 402 to the Penal Code, relating to the offense of sightseeing at the scene of fires, accidents, and other events.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 27, 1959, strike out ", by vehicle or on foot,".

Amendment No. 2

On page 1, strike out line 16, and insert "railroad accident, or a major traffic accident."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2611**—An act to add Section 5005.1 to, to amend Section 5005.5 of, the Elections Code, and to add Section 45b to the Civil Code, relating to misrepresentation in election campaigns.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "This section shall not apply to newspapers of general circulation."

Amendment No. 2

On page 2, line 8, after the period, insert "This section shall not apply to newspapers of general circulation."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 706**—An act to add the heading of Article 1 (commencing at Section 12880) of, and Article 2 (commencing at Section 12892) to, Chapter 5 of Part 6 of Division 6 of the Water Code, relating to the planning, construction, and operation of water development projects for cities, counties, and districts throughout the State.

Bill read second time, and ordered to third reading.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 1041**—An act to amend Section 5 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the powers of the district.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1128**—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1049**—An act to amend Section 8361 of the Water Code, relating to the Sacramento River Flood Control Project.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1158**—An act to amend Section 5782.10 of the Public Resources Code, relating to recreation and park districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and hospital districts", and insert ", hospital districts, and nonprofit corporations formed under Section 9201 of the Corporations Code".

Amendment No. 2

On page 1, line 5, after "service", insert ", or into contracts for group disability insurance with insurers,".

Amendment No. 3

On page 1, line 9, strike out "Section", and insert "Sections 10270.5 and".

Bill ordered reprinted, and to be re-referred to the Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 304**—An act to add Article 6 (commencing with Section 12060) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, to provide for a Co-ordinator of Atomic Activities in the Office of the Governor, to provide for co-ordination of development and regulatory activities of the peaceful uses of atomic energy, to create an official advisory council thereon, and a public citizens' advisory committee.

Bill read second time, and ordered to third reading.

**Senate Bill No. 122**—An act to amend Section 87 of, and to add Section 73.1 to, the Agricultural Code, and to amend Section 19534 of the Business and Professions Code, and Section 19537 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to fairs, including racing thereat.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

Amendment No. 1

On page 2, of the printed bill, as amended in the Senate on May 25, 1959, between lines 47 and 48, insert

"The period for which licenses may be issued to district agricultural associations and county fairs in counties of the third class shall not diminish the number of racing days per year which may be allocated to racing associations under this article."

Amendment No. 2

On page 3, between lines 9 and 10, insert

"The period for which licenses may be issued to district agricultural associations and county fairs in counties of the third class shall not diminish the number of racing days per year which may be allocated to racing associations under this article."

Bill ordered reprinted, and to be re-referred to the Committee on Government Organization.

**Senate Bill No. 813**—An act to add Sections 19464, 19465, and 19466 to the Business and Professions Code, relating to horse racing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code," insert "and to add Sections 19464, 19465 and 19466 to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code, as proposed to be added by Assembly Bill No. 1755,".

**Amendment No. 2**

On page 2, following line 18, insert

"SEC. 4. Section 19464 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code, as proposed to be added by Assembly Bill No. 1755.

19464. Any licensee, who has accepted, directly or indirectly, with reasonable advance notice, the conditions under which he will participate in the conduct of any race meeting, shall before terminating, discontinuing, or refusing to enter into participation in any such meeting give at least 90 days' written notice, together with the reasons therefor, to the party or parties with whom they would engage in such meeting, and to the board.

Should any licensee fail, individually or through any organization known to represent him, to give notice required by this section, the board may, after hearing, suspend or revoke his license.

SEC. 5. Section 19465 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code, as proposed to be added by Assembly Bill No. 1755.

19465. The board may, upon notice to all parties of interest, conduct a hearing or hearings with respect to any existing or proposed termination or discontinuance of, or refusal to enter into participation in, any race meeting. If the board shall find that the reason for such termination, discontinuance or refusal is unlawful or contrary to the rules and regulations of the board of any conditions specified by the board in the issuance of any license under this chapter, it may suspend or revoke the license of the person in violation.

SEC. 6. Section 19466 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code, as proposed to be added by Assembly Bill No. 1755.

19466. If it appears to the board upon the receipt of notice provided for in Section 19464, that any existing or proposed termination or discontinuance of, or refusal to enter into participation in, any race meeting that such condition is caused by a labor dispute, it shall request the Director of the Department of Industrial Relations to investigate and mediate such dispute under the provisions of Section 65 of the Labor Code. The board is a bona fide party of interest in such dispute and is authorized to make such request under the provisions of Section 65 of the Labor Code, and the board may attend any conferences or meetings at which mediation efforts of the State Conciliation Service are attempted

SEC. 7. Sections 4 to 6, inclusive, of this act shall become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular Session, and in such case, at the same time as Assembly Bill No. 1755 takes effect; at which time Sections 19464, 19465 and 19466 of the Business and Professions Code, as added by Sections 1 to 3, inclusive, of this act are repealed."

Bill ordered reprinted, and to be re-referred to the Committee on Government Organization

**Senate Constitutional Amendment No. 14**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of, and by adding Sections 1b, 1c, 10b, and 26a to, Article VI of said Constitution, relating to the administration of justice, including removal and retirement of judges, the membership and duties of the Commission on Judicial Qualifications, Judicial Council, and State Bar, and the renaming of the Commission on Qualifications.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

**Amendment No. 1**

On page 4, line 26, of the printed measure, as amended in the Senate on May 12, 1959, strike out "duties, or may" and insert "duties or habitual intemperance, or he may".

**Amendment No. 2**

On page 4, line 32, after "judge", insert ", or the commission may in its discretion request the Supreme Court to appoint three special masters, who shall be justices or judges of courts of record, to hear and take evidence in any such matter, and to report thereon to the commission".

**Amendment No. 3**

On page 4, line 32, strike out "at such hearing it", and insert ", after hearing, the commission".

**Amendment No. 4**

On page 4, strike out lines 50 and 51; and on page 5, strike out line 1, and insert "no other publication of such papers or proceedings shall be privileged in any action for defamation except that (a) the record filed by the commission in the Supreme Court continues privileged and upon such filing loses its confidential character and (b) a writing which was privileged prior to its filing with the commission does not lose such privilege by such filing The Judi-".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 76**—An act to add Chapter 6 (commencing at Section 1600) to Division 2 of the Fish and Game Code, relating to the Prado Dam Recreational Area and providing for its acquisition and management.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 302**—An act to amend Section 10826 of the Fish and Game Code, relating to Game Refuge 1-J.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 150**—An act to repeal Section 8183 of, and amend Sections 8184, 8185, 8186, 8187, and 8189 of, the Fish and Game Code, relating to anchovies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1344**—An act to amend the Title of, and Sections 2, 3, 4, 5, 6, 9, 10, 13, 14, 15, 16, 17, and 18 of, and to add Sections 3.1, 3.2, 3.3, 3.4, 16.1, 23.5, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 36.10, 36.11, 36.12, 36.13, 36.14, 36.15, 36.16, and 36.17 to the San Luis Obispo Flood Control and Water Conservation District Act (Chapter 1294 of the Statutes of 1945).

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1959, strike out "5, 6, 9,".

**Amendment No. 2**

On page 8, strike out lines 34 to 51, inclusive; strike out all of pages 9 to 13, inclusive; on page 14, strike out lines 1 to 17, inclusive; in line 18, strike out "SEC. 12.", and insert "SEC. 9."

**Amendment No. 3**

On page 15, line 24, strike out "SEC. 13.", and insert "SEC. 10."

**Amendment No. 4**
On page 16, line 26, strike out "SEC. 14.", and insert "SEC. 11."

**Amendment No. 5**
On page 18, line 3, strike out "SEC. 15.", and insert "SEC. 12."

**Amendment No. 6**
On page 18, line 35, strike out "SEC. 16.", and insert "SEC. 13."

**Amendment No. 7**
On page 19, line 1, strike out "SEC. 17.", and insert "SEC. 14."

**Amendment No. 8**
On page 19, line 20, strike out "SEC. 18.", and insert "SEC. 15."

**Amendment No. 9**
On page 20, line 4, strike out "SEC. 19.", and insert "SEC. 16."

**Amendment No. 10**
On page 20, line 20, strike out "SEC. 20.", and insert "SEC. 17."

**Amendment No. 11**
On page 20, line 30, strike out "SEC. 21.", and insert "SEC 18."

**Amendment No. 12**
On page 20, line 47, strike out "SEC. 22.", and insert "SEC. 19."

**Amendment No. 13**
On page 21, line 3, strike out "SEC. 23.", and insert "SEC. 20."

**Amendment No. 14**
On page 21, line 9, strike out "SEC. 24.", and insert "SEC. 21."

**Amendment No. 15**
On page 21, line 16, strike out "SEC. 25.", and insert "SEC. 22."

**Amendment No. 16**
On page 21, line 23, strike out "SEC. 26.", and insert "SEC. 23."

**Amendment No. 17**
On page 21, line 33, strike out "SEC. 27.", and insert "SEC. 24."

**Amendment No. 18**
On page 21, line 43, strike out "SEC. 28.", and insert "SEC. 25."

**Amendment No. 19**
On page 22, line 28, strike out "SEC. 29.", and insert "SEC. 26."

**Amendment No. 20**
On page 22, line 34, strike out "SEC. 30.", and insert "SEC. 27."

**Amendment No. 21**
On page 22, line 41, strike out "SEC. 31.", and insert "SEC. 28."

**Amendment No. 22**
On page 22, line 47, strike out "SEC. 32.", and insert "SEC. 29."

**Amendment No. 23**
On page 23, line 1, strike out "SEC. 33.", and insert 'SEC. 30."

**Amendment No. 24**
On page 23, line 7, strike out "SEC. 34.", and insert "SEC. 31."

**Amendment No. 25**
On page 23, line 13, strike out "SEC. 35.", and insert "SEC. 32."

**Amendment No. 26**
On page 23, line 21, strike out "SEC. 36.", and insert "SEC 33."

**Amendment No. 27**
On page 23, line 28, strike out "SEC. 37.", and insert "SEC. 34."

**Amendment No. 28**
On page 20, line 1, strike out "persons," and insert "personal".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 470**—An act to add Section 46179 to, and to amend Section 46202 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 471**—An act to add Section 45559 to, and Chapter 6 (commencing at Section 45800) to Part 8 of Division 14 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 472**—An act to add Sections 46206, 46207, 46208, 46209, and 46210 to, to amend Sections 46225 and 46280 of, and to repeal Sections 46228 and 46229 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 473**—An act to add Sections 12585.1 and 12750.1 to, and to amend Section 12639 of, the Water Code, relating to flood control projects.

Bill read second time, and ordered to third reading.

**Senate Bill No. 623**—An act to amend Sections 20040, 20081, 20082, 20083, 20085 and 20086 of, to repeal Section 20084 of, and to add Sections 20082.5 and 20084 to, the Water Code, relating to supervision of districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 787**—An act to amend Sections 22162 and 23196 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 871**—An act to add Section 10504.1 to the Water Code, relating to appropriation of water.

Bill read second time, and ordered to third reading.

**Senate Bill No. 873**—An act to amend Sections 10504 and 10505 of and to add Sections 10504.2, 10504.5, and 10507 to, the Water Code, relating to applications for the appropriation of unappropriated water.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1101**—An act to add Chapter 6 (commencing at Section 50970) to Part 5 of Division 15 of, and to repeal Section 50902 and Article 11 (commencing at Section 51485) of Chapter 2 of Part 7 of Division 15 of, the Water Code, relating to reclamation districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1102**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to co-operation and contracts between private entities and the United States with respect to water development.

Bill read second time, and ordered to third reading.

**Senate Bill No. 102**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of, the Business and Professions Code, relating to trading stamps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate on May 22, 1959, strike out lines 11 to 18, inclusive; on page 2, strike out lines 1 to 15, inclusive, and insert

"17801 "Trading stamp" means any stamp or similar device issued in connection with the retail sale of merchandise or service, as a cash discount or for any other marketing purpose, which entitles the rightful holder, on its due presentation for redemption, to receive merchandise, service or cash.

17801.1 "Trading stamp" does not include any redeemable device used by the manufacturer or packer of an article, in advertising or selling it, or any redeemable device issued and redeemed by a newspaper, magazine, or other publication."

**Amendment No. 2**

On page 2, line 16, strike out "17801.3.", and insert "17801.2."

**Amendment No. 3**

On page 2, line 19, strike out "by the", and insert "only by such".

**Amendment No. 4**

On page 2, line 22, strike out "17801.4.", and insert "17801.3."

**Amendment No. 5**

On page 2, line 23, strike out ", 17801.2, and 17801.3", and insert "and 17801.2".

**Amendment No. 6**

On page 2, after line 50, insert

"17808. All laws and parts of laws now effective in this State, to the extent that they directly or indirectly regulate trading stamp companies, or directly or indirectly regulate the distribution or redemption of trading stamps in this State, are hereby repealed; provided, however, that this chapter shall not repeal nor be construed to repeal Chapters 16 (commencing at Section 4100) and 17 (commencing at Section 4200) of Division 6 of the Agricultural Code, Chapters 10 (commencing at Section 24750), 11 (commencing at Section 24850), and 12 (commencing at Section 25000) of Division 9 of the Business and Professions Code, or any provisions of any of such chapters."

**Amendment No. 7**

On page 3, strike out lines 17 to 21, inclusive.

**Amendment No. 8**

On page 3, line 22, strike out "17813", and insert "17812".

**Amendment No. 9**

On page 3, line 25, strike out "17814", and insert "17813".

**Amendment No. 10**

On page 3, strike out lines 33 to 44, inclusive, and insert

"17814. Any person violating any provision of this chapter shall be punished by a fine of not more than one thousand dollars ($1,000), and any superior court of this State shall have jurisdiction in equity on the complaint of any interested person to restrain and enjoin the violation of any of the provisions of this chapter."

**Amendment No. 11**

On page 3, line 45, strike out "17817", and insert "17815".

**Amendment No. 12**

On page 3, line 47, strike out "December 31, 1959", and insert "June 30, 1960".

**Amendment No. 13**

On page 3, line 48, strike out "17818", and insert "17816".

**Amendment No. 14**

On page 4, line 28, strike out "17819", and insert "17817".

**Amendment No. 15**

On page 4, strike out lines 41 to 52, inclusive; on page 5, strike out lines 1 to 27, inclusive, and insert "fixed by this chapter and by representative samples of its stamps, stamp collection books, stamp redemption catalogues, and stamp distribution and redemption agreement forms, currently used in this State. Each such application shall provide the following information:

(a) The name and principal address of the company

(b) The state of its incorporation or origin.

(c) The names and addresses of its principal officers, partners, or proprietors

(d) The address of its principal office in this State

(e) The name and address of its principal officer, employee, or agent in this State.

(f) The addresses of its stamp redemption places in this State.

(g) A short form of its balance sheet, as of the end of its last fiscal year prior to such filing, certified by an independent certified public accountant or an independent public accountant

(h) Unless the principal sum of the bond hereinafter required to be filed by the company is the maximum amount, a statement of its gross income from its business in this State as a trading stamp company during such last fiscal year, certified by an independent certified public accountant or an independent public accountant

17826. The application shall be accompanied by a bond payable to this State and duly executed by the trading stamp company and a corporate surety qualified to do business in this State, which is conditioned upon the performance by the company of its obligations to redeem trading stamps issued by retailers in this State when they are duly presented for redemption by the rightful holders."

**Amendment No. 16**

On page 5, line 28, strike out "17828", and insert "17827".

**Amendment No. 17**

On page 5, line 29, strike out "17827", and insert "17826".

**Amendment No. 18**

On page 5, line 42, strike out "17829 The bond required by Section 17827", and insert

"17828. The bond required by Section 17826".

**Amendment No. 19**

On page 6, line 7, strike out "17833", and insert "17832".

**Amendment No. 20**

On page 6, line 16, strike out "17830", and insert "17829".

**Amendment No. 21**

On page 6, lines 20 and 21, strike out "for which the commissioner shall issue a receipt".

**Amendment No. 22**

On page 6, strike out lines 22 to 40, inclusive, and insert

"Upon the filing of any complaint or complaints involving the alleged failure of a trading stamp company to redeem trading stamps, the commissioner shall request the trading stamp company in writing by certified mail, mailed to the company's last address of record with the commissioner, to redeem the trading stamps in cash on or before 10 days from the date on which the request is mailed.

If the amount demanded is paid, the commissioner shall make an equitable distribution of the amount to the persons who filed pursuant to this section, and shall forthwith forward the redeemed stamps to the trading stamp company."

**Amendment No. 23**

On page 6, line 49, after "publication.", insert "Retailers in possession of trading stamps for issuance to their customers shall also be deemed rightful holders entitled to make such claims."

**Amendment No. 24**

On page 7, strike out lines 2 to 6, inclusive, and insert "to redeem trading stamps have been again filed with the commissioner"

**Amendment No. 25**

On page 7, line 11, strike out "17831", and insert "17830".

**Amendment No. 26**

On page 7, line 12, strike out "17830", and insert "17829".

**Amendment No. 27**

On page 7, line 20, strike out "17832", and insert "17831".

**Amendment No. 28**

On page 7, strike out lines 26 to 34, inclusive, and insert

"17832. If the amount demanded is paid within 10 days of the making of the demand, the commissioner shall make an equitable distribution of the amount to persons who filed pursuant to Section 17829 and shall forthwith forward the redeemed stamps to the trading stamp company.

If the amount demanded is not paid within 10 days of the making of the demand, the commissioner shall bring an action in a court of competent jurisdiction against the trading stamp company and its surety to recover, on behalf of the complainants, the value of the unredeemed stamps."

**Amendment No. 29**

On page 7, line 35, strike out "17834", and insert "17833".

**Amendment No. 30**

On page 7, lines 36 and 37, strike out "17830, 17831, 17832, and 17833", and insert "17829, 17830, 17831, and 17832".

**Amendment No. 31**

On page 7, line 44, strike out "17835", and insert "17834".

**Amendment No. 32**

On page 7, strike out lines 47 to 50, inclusive.

**Amendment No. 33**

On page 8, line 1, strike out "17837", and insert "17835".

**Amendment No. 34**

On page 8, line 8, strike out "17838", and insert "17836".

**Amendment No. 35**

On page 8, lines 9 and 10, strike out "Sections 17826 or 17827", and insert "Section 17826".

**Amendment No. 36**

On page 8, line 13, strike out "17839", and insert "17837".

**Amendment No. 37**

On page 8, strike out lines 20 to 43, inclusive, and insert

"17838. The application for a license and the bond required by this chapter shall be filed with the commissioner on or before July 1st following the effective date of this chapter and the application for a renewal of such license and the bond therefor shall be made annually on or before July 1st of each year. The trading stamp company shall pay a license fee to the commissioner at the time of filing each such application for license or renewal equal to 1 percent of the amount of the bond required to be filed by the trading stamp company under the provisions of this chapter."

**Amendment No. 38**

On page 8, line 44, strike out "17842", and insert "17839".

**Amendment No. 39**

On page 8, line 48, strike out "17843", and insert "17840".

**Amendment No. 40**

On page 9, line 1, strike out "17844", and insert "17841".

**Amendment No. 41**

On page 9, line 6, strike out "January", and insert "July".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1283**—An act to amend Section 17462 of the Health and Safety Code, relating to the State Housing Act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Senate on May 18, 1959, after "brass," insert "asbestos cement,".

**Amendment No. 2**

On page 1, line 8, strike out the period, and insert "; provided, however, the provisions of this section shall not apply to piping or equipment installed by or under the control or maintenance of a gas or water utility on the supply side of the inlet piping of the structure being served."

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 928**—An act to add Chapter 1.8 (commencing at Section 148) to Division 1 of the Welfare and Institutions Code, relating to the acquisition and disposition of salvageable personal property for charitable purposes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2, line 19, of the printed bill, as amended in the Senate on April 21, 1959, after "soliciting", insert ", or the soliciting and sale of salvageable personal property by fraternal, social, political, or service organizations for occasional rummage sales or bazaars where such activity does not constitute a major part of the organization's activities and is not conducted as a permanent or continuous operation".

**Amendment No. 2**

On page 3, after line 11, insert

"148.9. The enactment of this chapter shall in no way limit or infringe upon the powers of counties and cities to impose additional requirements for the privilege of soliciting and selling salvageable personal property within their jurisdictions."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 488**—An act to amend Section 16486 of the Government Code, relating to the sale or transfer of bonds by state agencies

Bill read second time, and ordered to third reading.

**Senate Bill No. 320**—An act to amend Section 8727 of, and to add Section 8730.5 to the Business and Professions Code, relating to planimetric or topographic mapping and ground surveys necessary therefor.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 981**—An act to amend Sections 8938, 8947, and 8954 of, to add Sections 8965 and 8966 to, and to repeal Sections 8965 and 8966 of, the Business and Professions Code, relating to yacht and ship brokers.

Bill read second time, and ordered to the Consent Calendar.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Chapel was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO LEGISLATIVE ADVOCACY

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
Sacramento, June 2, 1959

*Hon. Charles Edward Chapel*
*Assembly Chamber*

**Legislative Advocacy—No. 16415**

*Facts*

DEAR MR. CHAPEL: A group of people in a specified business or industry raise a fund to procure the defeat of pending legislation by, among other things, employing a legislative advocate to make direct contact with Members of the Legislature to procure the defeat of the bill.

*Question*

Is the group required to register or file reports under Sections 9901-9905 of the Government Code? If so, what are the penalties for failure to do so?

*Opinion*

If the particular facts of the situation are such that it can be concluded that a "person" (which can be an association) has solicited, collected, or received money for the *principal* purpose of bringing about defeat of legislation by the Legislature, there is a duty to file reports under Sections 9901 to 9905 of the Government Code. Failure to do so would be a misdemeanor, punishable by fine up to $5,000 or imprisonment up to a year or both. Also, a person convicted of such offense is prohibited for three years from engaging in activity to influence legislation.

*Analysis*

For the purposes of the lobbying law (Secs. 9900-9911, Gov. C.) "person" is defined as including an individual, partnership, committee, association, corporation, and any other organization or group of persons. Section 9901, in part, provides that "It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of [contributions and expenditures] * * * " Section 9902 requires "Every individual who receives a contribution of $100 or more for any of the purposes hereinafter designated" to render an account thereof to the person or organization for which it was received. Section 9903 requires "Every person receiving any contributions or expending any money for the purposes designated in subparagraphs (a) or (b) of Section 9905" to file with the legislative analyst a report thereof. Section 9905 reads as follows:

> "The provisions of Sections 9901 to 9903, inclusive, shall apply to any person, except a political committee, who by himself, or through any agent or employee or other persons in any manner

whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used *principally* to aid, or the *principal purpose* of which person is to aid, in the accomplishment of any of the following purposes:

"(a) The passage or defeat of any legislation by the Legislature of the State of California or the approval or veto of any legislation by the Governor of the State of California.

"(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Legislature of the State of California or the approval or veto of any legislation by the Governor of the State of California." (Emphasis added)

Among Sections 9901 to 9903 only Section 9903 relates to filing of reports with the State. Section 9905 provides that Section 9903 applies to a person who solicits, collects, or receives money or any other thing of value principally for the purposes described in Section 9905. Thus, as we understand these provisions, the reporting requirements would not apply merely by reason of expenditure of funds, so that if a person merely spent his own money for the purposes described in Section 9905 it would not bring him within the scope of Section 9903. Similarly, it would seem that several people could spend money for such purposes without necessarily having to file reports under Section 9903. However, if, in the transaction, anyone solicits, collects or receives funds for such principal purpose he would be subject to Section 9903. The use of the term "principal" or "principally" excludes those cases where the purpose to influence legislation is merely incidental (*United States* v. *Harriss*, 347 U. S. 612, 98 L. Ed. 989).

The applicable penalties are prescribed by Section 9908, which reads as follows:

"(a) Any person who violates any of the provisions of the foregoing sections of this chapter, and any person who wilfully files any document provided for in this chapter that contains any materially false statement or material omission, or any person who wilfully omits to comply with any material requirement of the foregoing sections of this chapter, shall be guilty of a misdemeanor, and shall be punished by a fine of not more than five thousand dollars ($5,000) or imprisonment for not more than 12 months, or by both such fine and imprisonment.

"(b) In addition to the penalties provided for in subsection (a), any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Legislature in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than ten thousand dollars ($10,000), or imprisonment for not more than five years, or by both such fine and imprisonment"

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By TERRY L. BAUM, Deputy

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2554 FROM COMMITTEE

Mr Bradley was granted unanimous consent that Assembly Bill No. 2554 be withdrawn from the Committee on Municipal and County Government for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 2554

**Assembly Bill No. 2554**—An act to amend Sections 1, 2, 4, 5, 6, 7, and 8 of, to repeal Section 3, and to add Sections 3, 6.1, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 to, Chapter 78 of the Statutes of 1935, relating to annexations and to the formation of municipal water districts.

Bill read second time.

#### Motion to Amend

Mr. Bradley moved the adoption of the following amendments:

#### Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill; and in line 4 of the title, strike out "Statutes of 1935, relating to annexations and to", and insert "An act providing for".

#### Amendment No. 2

In line 5 of the title after "districts", insert "and prescribing the powers, duties, and functions of such districts".

#### Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. A municipal water district may be formed in all or any part of one or more municipalities with or without unincorporated territory for the purpose of the acquisition, construction, improvement or extension and financing of waterworks, water systems or water distribution system for supplying said district and the inhabitants thereof with water for domestic, agricultural, industrial or other purposes which a municipality is authorized by law to acquire, construct or extend, and to provide for the incurring of indebtedness and the issuance of bonds therefor to pay all of the costs and incidental expenses thereof, including costs of issuance and working capital and interest estimated to accrue during and for a period of not to exceed 12 months after the completion of the acquisitions or the construction, whichever shall be longer. Such districts shall be formed and such bonds shall be issued and sold in the manner and under the proceedings hereinafter set forth.

SEC 2. Whenever a petition verified by one or more persons and signed by not less than 10 percent of the qualified electors residing in territory located wholly within one municipality which is proposed to be formed into a municipal water district, setting forth a general description of the waterworks, water system or water distribution system to be acquired, constructed or extended and a general description of the exterior boundaries of such proposed district, shall have been filed in the office of the clerk of the legislative body of said city, and the genuineness of the signature thereto shall have been certified to by the city clerk, said legislative body may adopt a resolution declaring its intention to form said proposed district, or as the same may have been modified as herein provided, for the purposes in this act provided. Said legislative body shall have power to change or modify the boundaries of said district and the nature, character or extent of such proposed waterworks, water system or water distribution system Said resolution of intention shall also contain:

1. A description of the exterior boundaries of the proposed municipal water district, and a statement that a map showing the exterior boundaries of the district with relation to the territory immediately contiguous thereto is on file in the office of the clerk of the legislative body of the city, which map shall govern for all details as to the extent of the district.

2. A general description of the waterworks, water system or water distribution system proposed to be acquired, constructed or extended;

3. An estimate of the cost of the proposed waterworks, water system or water distribution system and an estimate of the incidental expense in connection therewith;

4 A date, hour and place fixed for the hearing of protests

SEC 3. Said resolution shall be published once a week for at least two weeks before the day fixed for the hearing in a newspaper of general circulation designated by the legislative body of the city as being the newspaper most likely to give notice of the hearing Such publication may be made in a daily or weekly

newspaper and need not be on the same day of each week. Said resolution shall also be posted in three (3) public places within the proposed district, as fixed and determined by the legislative body, for at least two weeks before the day fixed for the hearing.

SEC. 4. Any person interested, objecting to the formation of said district, or to the extent of said district, or to the proposed waterworks, water system or water distribution system, or to the acquiring, construction, improvement or extension thereof, or to the inclusion of his property in said district, may file a written protest, setting forth such objection, with the clerk of the legislative body at or before the time set for the hearing. The clerk of said legislative body shall indorse on each such protest the date of its reception by him, and, at the time appointed for the hearing above provided for, shall present to said board all protests so filed with him. Said legislative body shall hear said protests at the time appointed or at any time to which the hearing thereof may be adjourned. If written objection to the formation of the district or requesting an election, signed by ten (10) percent of the voters registered in the district, is filed with the clerk, the legislative body shall, and in any event it may, either adopt an order abandoning the formation of the proposed district or order the matter of the formation of the district with *the boundary lines determined at the close of the hearing submitted to the voters* of the proposed district at an election. At the election only voters registered in the proposed district may vote. Election precincts shall be established by the legislative body and precinct boards, composed of one inspector, one judge and one clerk, shall be appointed. Notice of such election shall be published in the same manner as the notice of election provided in Section 6. In other particulars the election shall be held as provided by law for the holding of general municipal elections in such city. If any of such protests be against the extent of said district, or against the inclusion of property in said district, then the legislative body shall have power to make such changes in the boundaries of the proposed district as it shall find to be proper and advisable, and shall define and establish such boundaries, but said legislative body shall not modify such boundaries so as to include any territory which will not in its judgment, be benefited by said waterworks, water system or water distribution system.

Upon the final hearing and after making all necessary and proper changes in the boundaries of the district, or if an election is held and the canvass of the election returns shows that a majority of all the votes cast in the entire proposed district and that a majority of the votes cast on the question in each city or part thereof in the proposed district were in favor of the formation of the district, the legislative body by resolution shall establish the district and fix and determine its boundaries. Such boundaries shall be described by metes and bounds sufficient to identify the same for purposes of taxation. The resolution establishing the district shall be recorded in the office of the county recorder, and copies thereof certified by the clerk of the legislative body of the city, together with a map or plat showing such boundaries, shall be filed with the county assessor, the county clerk and the State Board of Equalization. From and after such filing, the district shall be deemed organized. No action or proceeding contesting the validity of the district or its organization shall be had or taken in any court, state or federal, unless the same is commenced *within sixty (60) days from and after the date of the recordation of the resolution* establishing the district in the office of the county recorder.

SEC. 5. At any time after said legislative body shall have so acquired jurisdiction and the district shall have been formed, it may call an election to be held within the district, and provide for the submission to the qualified voters thereof, the proposition of incurring a debt by the issuance of bonds of such district, for the purposes set forth in the resolution of intention. The ordinance or resolution calling such election, shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the nature of the waterworks, water system or water distribution system, contemplated thereby, the total estimated cost thereof, which shall include the estimated cost of the incidental expense in connection therewith, the amount of the principal of the indebtedness to be incurred therefor, and the rate of interest to be paid on such indebtedness; provided, however, that in its discretion said legislative body may recite in such ordinance or resolution a maximum rate of interest to be paid on such indebtedness, which rate when so recited, shall not be exceeded in the issuance of bonds for such indebtedness; and said ordinance or resolution shall fix the date on which such election shall be held, the manner of holding the same and the manner of voting for or against said proposition. The maximum rate of interest to be paid on such indebtedness shall be 6 per centum per annum, payable semiannually.

SEC. 6. For the purposes of said election said legislative body shall in said ordinance, or resolution, establish one or more precincts within the boundaries of said district, designate a polling place and appoint one inspector, one judge and one clerk for each such precinct. In all particulars not recited in such ordinance, or resolution, such election shall be held as provided by law for the holding of general municipal elections in such city. Said ordinance, or resolution, ordering the holding of said election shall be published five times in a daily, or once a week for two

weeks prior to the date fixed for such election in a newspaper of general circulation, designated by the legislative body as being the newspaper most likely to give notice of the election. Such ordinance, or resolution, shall also be posted in three public places within the district two weeks preceding the date fixed for the holding of such election. No other notice of such election need be given. If at such election two-thirds of all the voters voting at said election, shall vote in favor of incurring such bonded indebtedness, then such legislative body shall thereupon be authorized and empowered to issue the bonds of said district for the amount provided for in such proceedings, payable out of funds of such district, to be provided as in this act prescribed.

SEC. 7. The Revenue Bond Law of 1941 is applicable to districts for the purpose of providing funds for the acquisition, construction, improvement or extension and financing of a waterworks, water system or water distribution system.

SEC. 8. All bonds issued hereunder shall be issued in the name of the city by whom the district has been formed, and shall specify by number or title the district for which they are issued. Said legislative body shall, subject to the provisions of this act, prescribe the form of said bonds, and of the interest coupons attached thereto. Said bonds shall be payable in the manner determined by the legislative body, at a place within the United States, to be fixed by the legislative body and designated in the bonds, together with interest on all sums unpaid at that date, until the whole of the indebtedness has been paid. The legislative body may divide the principal amount of any issue of bonds into two or more series or divisions and fix different dates for the bonds of each series or division. The bonds of one series or division may be made payable at different times from those of any other series or division. The final maturity of any issue of bonds, or of any series or division, shall not exceed 40 years from the date of such bonds, or the date of such series or division thereof.

The bonds shall be issued in such denomination as said legislative body may determine, except that no bonds shall be of a less denomination than one hundred dollars ($100), nor of a greater denomination than one thousand dollars ($1,000), and shall be payable on the day and at the place fixed in such bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of 6 percentum per annum, and shall be paid semiannually; and said bonds shall be signed by the chief executive of the municipality, or by such other officer thereof as the legislative body of the municipality shall, by resolution adopted by a two-thirds vote of all its members, authorize and designate for that purpose, and also signed by the treasurer thereof, and shall be countersigned by the clerk. All signatures, except that of the clerk, may be printed, lithographed or engraved.

The interest coupons on said bonds shall be numbered consecutively and signed by the treasurer of such municipality by his printed, engraved or lithographed signature. In case any such officers, whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until the delivery of the bonds.

At any time prior to the sale of said bonds and notwithstanding the fact that a tax may have been levied to pay principal and interest or principal or interest of any of said unsold bonds, the said unsold bonds may be redated and the maturities, denominations, form, interest rate or any thereof may be changed, and, after such changes are made, the bonds issued pursuant thereto may be sold; provided, the interest rate of the bonds shall not exceed the rate authorized at the election. If a tax has theretofore been levied to pay principal and interest or principal or interest of any of said unsold bonds, the said tax, when collected, shall be used to pay the principal and interest or principal or interest of the bonds actually issued and sold.

SEC. 9. Said legislative body may issue and sell the bonds of such district authorized as hereinabove provided, at a price below par value, but the maximum net interest cost on bonds sold below par or face value shall not exceed an average of 6 percent a year payable semiannually to the respective maturity dates of the bonds determined by standard tables of bond values. The proceeds of the sale of such bonds shall be placed in the treasury of such municipality to the credit of the proper district fund and shall be applied exclusively to the purposes and objects mentioned in the ordinance or resolution ordering the holding of the bond election as aforesaid and to the incidental expense in connection therewith.

At any time prior to the actual sale of any of the bonds of any issue authorized under the provisions of this act, a petition verified by one or more persons and signed by not less than 25 percent of the qualified electors residing in the municipal water district and praying that no bonds be sold and the entire issue be canceled and all proceedings thereunder abandoned may be filed in the office of the clerk of the legislative body of said city.

The genuineness of the signatures thereto must be examined and certified to by the city clerk within two weeks from and after the filing thereof and within three weeks after the clerk has so certified the legislative body of the city must by ordinance call an election and submit to the qualified electors within the district the proposition of whether or not the bonds shall be canceled and all proceedings for the issuance thereof abandoned. The ordinance or resolution calling

such election shall fix the date thereof and recite the objects and purposes for which the proposed bonded indebtedness was to be incurred, the nature of the water works, water system or water distribution system contemplated thereby, the estimated cost thereof, the estimated cost of the incidental expenses in connection therewith, the amount of the principal of the indebtedness to be incurred, and the rate of interest all as specified in the ordinance or resolution calling the election upon the proposition of incurring the bonded debt. In all other particulars such election shall be called and held in the manner provided by Section 6 of this act

If at such election a majority of the voters voting thereat vote in favor of canceling the bonds and abandoning proceedings for the issuance thereof, then such legislative body shall order the bonds canceled and declare the proceedings for the issuance thereof abandoned and thereafter the legislative body shall have no power to issue the said bonds. If said bonds have been printed or prepared for delivery they shall forthwith be destroyed.

In case the proceeding is abandoned the legislative body of such city shall, if the district is located wholly within its boundaries, at the time of fixing the general tax levy, and in the manner for such general tax levy provided, levy and collect a tax upon all of the taxable property within the boundaries of the district theretofore formed under this act, sufficient to pay the engineering, legal and other incidental expenses incurred by such city in the proceedings theretofore had under the provisions of this act and to reimburse the said city for such sums as it may have advanced therefor, and from the funds derived from said tax shall pay such engineering, legal and other incidental expenses and reimburse the city for such sums as it has advanced therefor.

If the district is located in two or more cities, or if the district contains unincorporated territory, such tax shall be levied and collected at the same times and in the same manner as provided in Section 18 for the levy and collection of district bond principal and interest taxes

SEC. 10. The legislative body of such city shall, at the time of fixing the general tax levy, and in the manner for such general tax levy provided, levy and collect a tax each year upon the taxable property in such district sufficient to pay the interest on such bonds for that year, and such portion of the principal thereof as is to become due before the time for making the next general tax levy, provided, however, that if the maturity of the indebtedness created by the issue of such bonds be made to begin more than one year after the date of such issue, such tax shall be levied and collected, at the time and in the manner aforesaid, each year sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof on or before maturity. Such tax shall be in addition to all other taxes levied for municipal purposes and when collected shall be paid into the treasury of such city and be used for the payment of the principal and interest on such bonds, and for no other purpose. The principal and interest on such bonds shall be paid by the treasurer of such city in the manner provided by law for the payment of principal and interest on bonds of such city

SEC. 11. All contracts for the construction or extension of any waterworks, water system or water distribution system, or for furnishing labor, materials or supplies therefor as herein provided, shall be let to the lowest responsible bidder. The legislative body of such city shall advertise for two or more days in a newspaper of general circulation printed and published in such city, inviting sealed proposals for furnishing labor, materials and supplies for the proposed water works, water system or water distribution system before any contract shall be made therefor. The said legislative body shall have the right to require such bonds as it may deem best from the successful bidder to insure the faithful performance of the contract, and shall also have the right to reject any and all bids; provided, however, that nothing herein contained shall be construed as prohibiting the municipality itself from constructing or extending such water works, water system or water distribution system and employing the labor necessary therefor, without a contractor; and provided further, that in municipalities operating under a charter heretofore or hereafter framed under the provisions of the Constitution of the State of California, all acts required to be performed subsequent to the sale of such bonds by this act, shall be done and performed by the proper body, board, officer or commission of such municipality, as is required or authorized by such charter to perform such acts, and in case such charter also prescribes the manner of letting and entering into contracts for the furnishing of labor, materials or supplies for the constructing or extending of such water works, water system or water distribution system, the contracts therefor shall be let and entered into in conformity with such charter

SEC. 12. Said municipality shall, by and through its proper officers, have full power and authority to expend the proceeds acquired from the sale of such bonds for the acquisition, construction or extension of the water works, water system or water distribution system set forth in the ordinance calling said election, and shall also have full power and authority to acquire, construct or extend such water works, water system or water distribution system and such water works, water system or water distribution system so acquired, constructed or extended shall be the property of such municipality.

SEC. 13. Whenever the legislative body of any municipality in which a municipal water district has been formed hereunder, shall by resolution declare that it is no longer necessary to expend the money raised by the sale of bonds of such municipal water district for the purpose for which said bonds were voted, by reason of the fact that such purpose has been accomplished by other means, or by reason of the fact that the acquisition, construction or extension of the water works, water system or water distribution system for which said bonds were voted is no longer required by the public interest, convenience, and necessity, or if a surplus remains in said bond fund after the completion of such water works, water system or water distribution system for which said bonds were voted, the legislative body of said municipality shall by resolution order that said money be placed into a sinking fund for the purpose of paying the principal and interest of said bonds.

In the event that after the legislative body shall have found that it is no longer necessary to expend the money raised by the sale of bonds for any municipal water district for the purpose for which said bonds were voted as therein provided, or if upon the completion of such water works, water system or water distribution system a surplus exists in the sinking fund created for the purpose of paying the principal and interest on said bonds, then and in that event the legislative body may authorize and direct the city treasurer to advertise for the purchase of any outstanding bonds at par. Said treasurer shall thereupon cause to be published once in a newspaper of general circulation in the municipality a notice that upon a day and hour certain the said treasurer will purchase at par and to the extent of the surplus remaining any outstanding bonds of the district. In purchasing said bonds the treasurer shall purchase any bonds offered in the inverse order of their maturity. Any bonds so purchased shall be canceled and the interest and sinking fund credited therewith

SEC. 14. Any municipality may initiate proceedings for the formation of a municipal water district in two or more municipalities and with or without unincorporated territory or in one municipality and in unincorporated territory whenever in the judgment of the legislative body of such city it is deemed desirable that a district be organized hereunder. The legislative body of the initiating city shall by a resolution set forth (a) that the public interest and necessity require that a district be so organized, (b) a general description of the area of the proposed district, (c) a general description of the improvement deemed desirable, and (d) a general estimate of the cost of the proposed work The district may be described by reference to a map on file in the office of the clerk of the legislative body and it shall not be necessary to set forth a metes and bounds description thereof A general description of the proposed improvements shall be sufficient and it shall not be necessary to prepare detailed plans and specifications of the work to be done. The estimate of cost may include an estimate of all expenses to be incurred in connection with the formation of the district, including all incidental expenses of financing the proposed work, but neither the cost of physical construction nor the incidental expense need be itemized. The foregoing findings of the legislative body of the initiating municipality shall be expressed in a resolution of public interest and necessity adopted by two-thirds vote of all members of the legislative body

SEC. 15. If the proposed district includes the whole or any part of any other incorporated city or cities, the legislative body of the initiating city shall file with the legislative body of such other city or cities a certified copy of its resolution of public interest and necessity together with a request that the legislative body of such other city or cities consent to the formation of such district. No further proceedings shall be taken by the initiating city unless the legislative body of the city or cities, any part of which is proposed to be included in the district, by resolution, consents and agrees to the formation of the district.

SEC. 16. If any part of the district includes any unincorporated territory of the county, the legislative body of the initiating city shall file with the board of supervisors of the county in which such unincorporated territory is situated, a certified copy of its resolution of public interest and necessity. No further proceedings shall be taken by the legislative body of the initiating city unless the board of supervisors of the county in which such unincorporated territory is located, by resolution, consents and agrees to the formation of the district which will include such unincorporated territory within its boundaries.

SEC. 17 Whenever the legislative body of any city in which the whole or any part of the district to be organized lies and, if the district includes any unincorporated territory, the board of supervisors of the county in which any part of the unincorporated are proposed to be included within the district lies, agree and consent to the formation of the district, then from and after the filing of such resolutions of concurrence with the legislative body of the initiating city, the legislative body of the initiating city shall be vested with full jurisdiction to proceed hereunder. From and after the filing with the legislative body of the initiating city of all necessary concurring resolutions of the legislative body of any city or of the board of supervisors of the county, as the case may be, the legislative body of the initiating city shall have the sole and exclusive jurisdiction to proceed with the formation of the district, to conduct all hearings on the formation of the district, to consent or

permit or cause all necessary changes to be made in the boundaries of the proposed district and to conduct all proceedings on the formation of the district with like force and effect as though such district were wholly within the boundaries of the initiating city and a certified petition had been filed

SEC. 18. In the event that bonds are authorized to be issued on behalf of any district in two or more municipalities and with or without unincorporated territory, or in one municipality and in unincorporated territory, the legislative body of the initiating city shall on or before the fifteenth day of July of each year certify to the board of supervisors of the county in which the district is located, the amount to be raised for the payment of the principal of and interest on the bonds. It shall be the duty of the county auditor to estimate and determine the rate of taxation for the payment of principal and interest of the bonds which will become due during the next succeeding year, or which the legislative body of the initiating city believes will become due during the next year on bonds authorized but not sold. The county auditor shall compute and enter in a separate column in the county assessment roll the respective sums to be paid as the district tax on the taxable property in the district. The board of supervisors of the county in which the district is located shall at the time of fixing the general county tax levy and in the manner provided therefor levy and collect each year upon all of the taxable property in the district a tax sufficient to pay the annual interest on the bonds and such part of the principal thereof as will become due before the time of fixing the next general county tax levy The taxes so levied shall be collected at the same time and in the same manner as county taxes are collected and when collected shall be paid to the county treasurer who shall forthwith remit the same to the city treasurer of the initiating city. The taxes are a lien on all property in the district and shall be of the same force and effect as the lien for county taxes and their collection shall be enforced by the same means as provided for the enforcement of the lien of county taxes The city treasurer of the initiating city shall hold such taxes in trust, separate and apart from all other city funds and use and apply the same solely to the payment of bond principal and interest.

SEC. 19. The legislative body may cause to be levied and collected an annual tax not to exceed twenty cents ($0.20) on each one hundred dollars ($100) of assesed valuation in the district for each year for the payment of the cost of maintenance and operation of the properties of the district. If the district is not wholly contained within one city, the legislative body shall on or before July 15th of each year certify to the board of supervisors of the county in which the district is located the amount of the maintenance and operation costs required to be raised by taxes for the then fiscal year. It shall be the duty of the board of supervisors to levy and collect taxes upon the taxable property in the district sufficient to raise the amount so certified as the cost of maintenance and operation for the fiscal year and it shall be the duty of the county auditor to compute the rate of taxation required to raise such sum. Such annual maintenance and operation tax shall be levied and collected in the same manner as district bond principal and interest taxes are levied and collected, and when collected shall be paid by the county treasurer to the city treasurer. If the district is located wholly within one city, such tax shall be levied and collected at the same time in the same manner as provided for general taxes of the city. The proceeds of such tax shall be used and applied solely for the maintenance and operation of the works of the district.

SEC. 20. Territory which is not within the boundaries of any other water district formed pursuant hereto may be annexed to any existing water district by the legislative body of the city.

SEC. 21. If the territory proposed to be annexed includes the whole or any part of any other incorporated city or cities or any unincorporated territory, the legislative body of the city shall by resolution adopted by two-thirds vote of all its members set forth (a) the boundaries of the territory proposed to be annexed and (b) that the public interest and necessity require that the territory be annexed A certified copy of such resolution shall be filed with the legislative body of such other city or cities or, if the territory proposed to be annexed includes any unincorporated area, with the board of supervisors of the county in which such area lies, together with a request that such legislative body or board of supervisors consent to the annexation. No such territory shall be annexed without such consent

SEC. 22. Whenever the legislative body determines and finds that additional territory will be benefited by annexation to an existing water district and that all necessary consents have been obtained in accordance with Section 21, it shall, by a vote of two-thirds of all of its members, adopt a resolution to that effect

SEC 23 The resolution shall: (a) Describe the boundaries of the territory proposed to be annexed. (b) Designate the proposed annexation by an appropriate name and number. (c) Declare that the area to be annexed to the district will be benefited by such annexation. (d) Name the time and place for the hearing of objections by any person interested in the proposed annexation, to the inclusion of any land described in the resolution.

SEC. 24. The resolution shall be published once a week for two weeks before the day fixed for the hearing in a newspaper of general circulation designated by the legislative body of the city as being the newspaper most likely to give notice of the hearing.

SEC. 25. On the day fixed for the hearing, or any day to which the hearing is adjourned, the legislative body shall hear and consider any objections presented to the annexation of the territory to the district or to the inclusion of any territory proposed to be annexed. After the hearing of objections, if it shall be determined by a vote of two-thirds of all the members of the legislative body that the territory proposed to be annexed will be benefited by such annexation, the legislative body shall proceed to fix and determine the boundaries of the territory to be annexed to the district.

SEC. 26. After making all necessary and proper changes in the boundaries, by a resolution passed by a vote of two-thirds of all its members, and approved by the mayor of the city, the legislative body shall order the annexation of the territory so described. This resolution, together with the names of the members of the legislative body voting for and against the resolution and the name of the mayor approving it shall be spread upon the minutes of the legislative body.

SEC. 27. Upon the adoption of the resolution ordering the annexation, the territory so annexed thereupon becomes a part of the district and is subject to all of its liabilities and entitled to all of its benefits.

SEC. 28. Territory may be excluded from the district in the manner now or hereafter provided for the exclusion of territory from a county water district. Notice of hearing shall be published in the same manner prescribed for giving notice of a hearing on formation of a district.

SEC. 29. One person shall be selected by the legislative body to participate in the meeting of the legislative body, without a vote thereon, to represent the area outside the boundaries of the initiating city. The person selected shall be the person nominated by a petition which is signed by the largest number of qualified electors in such area. A qualified voter may not sign more than one such petition. Such person shall serve for a term of three years.

SEC. 30. This act is effective in Santa Clara County only. The peculiar problems of municipal growth and water shortage in Santa Clara County necessitate that this act be enacted as special legislation applicable only to this county.

SEC. 31. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 32. This act may be cited as the "Municipal Water District Law of 1959."

SEC. 33. A district formed under this act is a public utility subject to the provisions of Part 1 (commencing at Section 201) of Division 1 of the Public Utilities Code.

SEC. 34. Districts may not be formed under this act after October 1, 1961."

**Amendment No. 4**

On page 1, strike out lines 2 to 16, inclusive; and strike out all of pages 2 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

**Rush Order Placed Upon Printing of Assembly Bill No. 2554**

Mr. Bradley was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2554.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NOS. 1224 AND 1333**

Mr. Bradley was granted unanimous consent that Senate Bills Nos. 1224 and 1333 be withdrawn from the Committee on Transportation and Commerce, and re-referred to the Committee on Municipal and County Government.

**REQUEST FOR UNANIMOUS CONSENT**

Mr. Hawkins was granted unanimous consent to take up Assembly Bill No. 2559, at this time, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2559

**Assembly Bill No. 2559**—An act to add Section 8403 to the Government Code, relating to the administration of programs for the aged, blind, and disabled.

Bill read third time.

#### Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on June 1, 1959, strike out "against"; strike out lines 7 and 8, and insert "to coerce any aged, blind, or disabled person to join or refrain from joining any organization of the aged, blind, or disabled."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 1327 FROM COMMITTEE

Mr. Masterson was granted unanimous consent that Senate Bill No. 1327 be withdrawn from the Committee on Water for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF SENATE BILL NO. 1327

**Senate Bill No. 1327**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to delivery of surplus water into, and extractions thereof for exportation from, the Sacramento-San Joaquin Delta.

Bill read second time.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 29, 1959, strike out "4 (commencing at Section 12000", and insert "4.5 (commencing at Section 12200".

#### Amendment No. 2

On page 1, line 1, strike out "4 (commencing at Section 12000", and insert "4.5 (commencing at Section 12200".

#### Amendment No. 3

On page 1, line 4, strike out "4", and insert "4.5".

#### Amendment No. 4

On page 1, line 8, strike out "12000" and insert "12200".

#### Amendment No. 5

On page 2, line 7, strike out "12001", and insert "12201".

#### Amendment No. 6

On page 2, line 48, strike out "12002", and insert "12202".

#### Amendment No. 7

On page 3, line 12, strike out "12003", and insert "12203".

#### Amendment No. 8

On page 3, line 17, strike out "12004", and insert "12204".

#### Amendment No. 9

On page 3, line 28, strike out "12002 and 12003", and insert "12202 and 12203".

**Amendment No. 10**

On page 3, line 29, strike out "12005", and insert "12205".

**Amendment No. 11**

On page 3, line 38, strike out "12020", and insert "12220".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Water.

## REQUEST FOR UNANIMOUS CONSENT TO SET ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 45 FOR SPECIAL ORDER

Mr. Chapel asked for unanimous consent that Assembly Constitutional Amendment No. 45 be made a special order of business for Monday, June 8, 1959, at 11 a.m.

Mr. Munnell withheld unanimous consent.

**Motion**

Mr. Chapel moved that Assembly Constitutional Amendment No. 45 be set for special order on Monday, and for a call of the House.

**Point of Order**

Mr. Lowrey arose to the following point of order: That the motion including a call of the House is not in order.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Motion to Set Assembly Constitutional Amendment No. 45 for Special Order**

Mr. Chapel moved that Assembly Constitutional Amendment No. 45 be made a special order of business for Monday, June 8, 1959, at 11 a.m.

The roll was called.

**Point of Order**

Mr. Lowrey arose to the following point of order: That Assembly Constitutional Amendment No. 45 was not in the bill books.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken since the resolution was not under consideration, and the House was in the middle of a roll call.

The calling of the roll was continued.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Motion carried. Time, 9:47 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2762, 1019,** and **2330,** subsequent to engrossment.

**Assembly Bills Nos. 2827, 174,** and **706,** subsequent to re-engrossment.

**Senate Bills Nos. 1049, 76, 472, 473, 623, 871, 873,** and **488.**

### ANNOUNCEMENT

Speaker Brown announced that Monday would be the last day that bills enrolled and presented to the Governor would fall within the 10-day period provided by Article IV, Section 16, of the Constitution; and that after Monday, they will fall within the pocket veto period.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 69

Speaker Brown was granted unanimous consent that Rule No. 69 be temporarily suspended for the purpose of placing bills amended on second reading file today on the third reading file, without returning them to the second reading file.

### BILLS ORDERED TO THIRD READING

Pursuant to the unanimous consent granted above, the following bills were ordered to third reading:

**Assembly Bills Nos. 1551, 2677, 2865,** and **2611,** subsequent to engrossment.

**Assembly Bills Nos. 2161, 285, 2502, 141, 2390, 590,** and **1245,** subsequent to re-engrossment.

The following bill was ordered to the Consent Calendar:

**Assembly Bill No. 2744,** subsequent to engrossment.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE CONTINUED

Mr. Francis was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Judiciary—Civil be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 976**—An act to amend Sections 20303 and 20330 of the Government Code, relating to membership in the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 976?

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 20303 and".

### Amendment No. 2

On page 1, line 11, strike out the period, and insert "and in the public schools of the State."

### Amendment No. 3

On page 1, between lines 11 and 12, insert

"SEC. 2. Section 20303 of said code is amended to read:

20303. Every other employee becomes a member *either* on the first day of the calendar month *or on the first day of the payroll period* next following the completion of six months, uninterrupted by a break of more than one month, of employment by the State, by the university or by a contracting agency, *in accordance with the rules of the Board of Administration of this system*; provided, that absence for military service shall not be considered a break for the purpose of this section."

### Amendment No. 4

On page 1, line 12, strike out "2", and insert "3".

### Speaker pro Tempore Presiding

At 9.52 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 976?

The Assembly concurred in Senate amendments to Assembly Bill No. 976 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 976 ordered enrolled.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Speaker pro Tempore Bee was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 978**—An act to add Sections 20988 and 21338 to, to amend Section 21706 of, and to repeal Section 21703 of, the Government Code, relating to the State Employees' Retirement System in respect to the integration therein of federal old-age and survivors' insurance coverage, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 978?

**Amendment No. 1**

On page 3, line 5, of the printed bill, strike out "accumulated".

**Amendment No. 2**

On page 3, line 6, strike out "accumulated", and insert "total".

**Amendment No. 3**

On page 3, line 16, after "account.", insert "If said contract is or has been amended to provide for the payment of retroactive employee and employer contributions in the manner provided in this section, it may be further amended to provide that the amount by which (1) the total normal contributions of each member for the period subsequent to the effective date of coverage under the federal system less the total normal contributions which would have been credited to the account of such member had the reduced rate of contribution provided in the amended contract with the public agency been in effect from and after the aforesaid date of coverage exceeds (2) the employee federal contributions for such member for the period after said date of coverage shall be paid to such member"

**Amendment No. 4**

In line 5 of the title, after "coverage", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 5**

On page 1, strike out lines 3 to 12, inclusive, and insert

"20988. The compulsory retirement provisions of this article shall be suspended as to local miscellaneous members in the employ of any contracting agency requesting such suspension at or after the time the board authorizes a division or referendum under Part 4 of this title in the system as it applies to such members. The suspension shall be effective as to all such members who attain mandatory retirement age in or after the month in which the board authorizes the referendum or division or in which the agency requests the suspension, whichever is later, and shall terminate on the first day of the third month following the month in which the division or referendum is conducted, or on the first day of the seventh month following the month in which the board authorized the division or referendum, whichever is earlier."

**Amendment No. 6**

On page 3, strike out line 17, and insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the benefits of the federal system of Old-Age, Survivors and Disability Insurance, if such benefits are made available to employees of a contracting agency, will not be denied to those employees who are in need thereof by reason of the arbitrary age fixed for compulsory retirement under the state system, it is necessary that this act take effect immediately."

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 978?

The Assembly concurred in Senate amendments to Assembly Bill No. 978 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 978 ordered enrolled.

**Assembly Bill No. 1572**—An act to add Section 7627 to the Labor Code, relating to orders of the Division of Industrial Safety on pressure vessels.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1572?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 5, 1959, strike out "26458 to the Vehicle Code,"; strike out line 2 of the title, and insert "7627 to the Labor Code,".

**Amendment No. 2**

On page 1, strike out lines 1 to 7, inclusive, and insert
"SECTION 1 Section 7627 is added to the Labor Code, to read:
7627. No standard or order of the division relating to airbrake tanks, airbrake pressure tanks, or airbrake reservoirs, used to provide storage of compressed air for brake application or other air controlled auxiliaries common to automotive vehicles equipped with compressed air, shall be more restrictive than the applicable standards for such tanks as set forth by the Society of Automotive Engineeers."

The Assembly concurred in Senate amendments to Assembly Bill No. 1572 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 1572 ordered enrolled.

**Assembly Bill No. 1909**—An act to amend Section 740 of the Welfare and Institutions Code, relating to care of wards of the juvenile court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1909?

**Amendment No. 1**

On page 3, line 13, of the printed bill, after the period, insert "Whenever the court makes such commitment to the County Department of Public Welfare, the welfare director or his deputies shall have direct access to the court in all matters pertaining to the welfare of children so committed and shall make reports to the court in such matters as the court may require."

**Amendment No. 2**

On page 3, line 14, after "institution", insert "or department".

**Amendment No. 3**

On page 3, line 15, after "superintendent" insert "or director".

The Assembly concurred in Senate amendments to Assembly Bill No. 1909 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1909 ordered enrolled.

## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1407**—An act to add Section 653j to the Penal Code, relating to interception of communications and the use of evidence obtained thereby.

Bill read third time.

**Motion to Strike From File**

Mr. O'Connell moved that Assembly Bill No 1407 be stricken from the file.

Motion carried unanimously.

**Assembly Bill No. 2149**—An act to amend Section 4101 of the Agricultural Code, relating to imitation ice cream and imitation ice milk.

Bill read third time.

**Motion to Re-refer**

Mr. McCollister moved that the bill be re-referred to the Committee on Livestock and Dairies.

Mr. Beaver seconded the motion.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Mr. Dahl seconded the motion.

Motion carried. Time, 10.10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2100**—An act to add Section 12025.5 to the Business and Professions Code, relating to containers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—71.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

### Assembly Bill No. 2148 Placed on the Inactive File

The following bill was placed upon the inactive file:

**Assembly Bill No. 2148**, on motion of Mr. Meyers.

**Assembly Bill No. 2796**—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Bill read third time.

### Motion to Re-refer

Mr. Unruh moved that the bill be re-referred to the Committee on Industrial Relations.

Mr. Dahl seconded the motion.

### Substitute Motion

Mr. Munnell moved, as a substitute motion, that the bill be re-referred to the Committee on Rules for interim committee study.

Mr. Unruh seconded the motion.

### Roll Call Demanded

Messrs. Hawkins, Elliott, and Cusanovich demanded a roll call.

The roll was called, and the substitute motion carried by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—63.
NOES—Cunningham, Elliott, Hawkins, Lowrey, Thomas, and Charles H. Wilson—6.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SET ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 45 FOR SPECIAL ORDER

At 10.37 a.m., Mr. Chapel moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Assembly Constitutional Amendment No. 45 be set as a special order of business for Monday, June 8, 1959, at 11 a m, lost by the following vote:

AYES—Bane, Beaver, Bee, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Coolidge, Cunningham, Cusanovich, Dahl, Davis, Elliott, Gaffney, Garrigus,

Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Marks, McMillan, Meyers, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, and Charles H. Wilson—42.

NOES—Burton, Busterud, Conrad, Crown, Donahoe, Frew, Samuel R. Geddes, Kilpatrick, Lowrey, Luckel, Lunardi, Masterson, Munnell, Petris, Unruh, Waldie, and Williamson—17.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 2149

At 10.42 a.m., Mr. McCollister moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

### Parliamentary Inquiry

Mr. Elliott arose to the following parliamentary inquiry: Is the question on the motion to re-refer Assembly Bill No. 2149 to committee?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was.

The names of the absentees were called, and the motion that Assembly Bill No. 2149 be re-referred to the Committee on Livestock and Dairies carried by the following vote.

AYES—Backstrand, Bane, Beaver, Bee, Bradley, Britschgi, George E. Brown, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Luckel, McCollister, McMillan, Miller, Munnell, Nisbet, Pattee, Petris, Reagan, Schrade, Shell, Thelin, George A. Willson, Charles H. Wilson, and Mr. Speaker—42

NOES—Bruce F. Allen, Belotti, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, DeLotto, Frew, Gaffney, Garrigus Hawkins, House, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Meyers, Mulford, O'Connell, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, and Z'berg—33.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2742**—An act to amend Section 2025 of the Welfare and Institutions Code, relating to old age assistance grants.

Bill read third time

### Motion to Re-refer

Mr. Rees moved that the bill be re-referred to the Committee on Ways and Means

Mr. Sumner seconded the motion.

### Point of Order

Mr. Collier arose to the following point of order: That Mr. Hawkins does not have the floor to answer questions by Mr. Burton.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

The question being on the motion that the bill be re-referred to the Committee on Ways and Means.

### Substitute Motion

Mr. Unruh moved, as a substitute motion, that further consideration of the bill be held over for one day.

Mr. Munnell seconded the motion.

### Speaker Presiding

At 11.02 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Busterud, Lanterman, Ernest R. Geddes, Chapel, and Schrade demanded the previous question. Demand sustained.

The question being on the substitute motion that further consideration of the bill be held over for one day.

**Roll Call Demanded**

Messrs. Burke, Hawkins, and Charles H. Wilson demanded a roll call.

The roll was called, and the substitute motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Petris, Rees, Schrade, Shell, Sumner, Thelin, Unruh, Winton, and Mr. Speaker—48.

NOES—Burton, Busterud, Coolidge, Cunningham, Davis, Elliott, Garrigus, Hawkins, Kennick, Luckel, Lunardi, Nisbet, Rumford, Thomas, Williamson, and Charles H. Wilson—16.

## INTRODUCTION OF GUEST

Speaker Brown introduced the Honorable Muhammad Saleh, Governor of Central Java, to the Members of the Assembly.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2465**—An act to add Section 118.5 to the Streets and Highways Code, relating to sale of land by the Highway Department.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1539**—An act to amend Section 27641 of the Government Code, relating to the term and removal of a county counsel, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2730**—An act to amend Section 2181.05 of the Welfare and Institutions Code, relating to relative's responsibility under the Old Age Security Law.

Bill read third time.

#### Demand for Previous Question

Messrs. Busterud, Biddick, Dahl, Ernest R. Geddes, and Burke demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. Biddick seconded the motion.

Motion carried. Time, 11.19 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF HOUSE RESOLUTION NO. 300

By Mr. Hanna:

**House Resolution No. 300**—Relative to persons admitted to the floor of the Assembly.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In line 4 of the printed measure, which appears at page 4422 of the Assembly Journal for May 29, 1959, after "Legislature", insert "and to former Members of the Legislature".

**Consideration of House Resolution No. 300, as Amended**

By Mr. Hanna:

**House Resolution No. 300**

Relative to persons admitted to the floor of the Assembly

*Resolved by the Assembly of the State of California*, That from June 15, 1959, to June 19, 1959, inclusive, no guest cards permitting admission to the floor of the Assembly shall be issued to any person, except to wives and members of the families of the Members of the Legislature and to former Members of the Legislature.

Resolution read, as amended.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Biddick, George E. Brown, Chapel, Conrad, Crawford, Crown, Cunningham, DeLotto, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kilpatrick, Lunardi, Meyers, Miller, Mulford, Petris, Schrade, Sedgwick, Thelin, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—29

NOES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Burke, Busterud, Collier, Cusanovich, Davis, Donahoe, Elliott, Francis, Hawkins, Johnson, Kennick, Lanterman, Levering, Luckel, Marks, Nisbet, Rumford, Shell, Sumner, Thomas, Unruh, Williamson, and Z'berg—29.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2648**—An act to amend Section 10752 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to schools.

Bill read third time.

**Demand for Previous Question**

Messrs. Hegland, Schrade, Bane, Hanna, and Holmes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Chapel, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Miller, Munnell, Nisbet, Pattee, Rees, Schrade, Sedgwick, Thelin, Waldie, Williamson, Winton, and Z'berg—43.

NOES—Beaver, Bradley, Burke, Busterud, Collier, Conrad, Coolidge, Cusanovich, Elliott, Gaffney, Hawkins, Lanterman, Levering, Lunardi, Marks, Masterson, Mulford, Porter, Reagan, Rumford, Shell, Sumner, Thomas, and Charles H. Wilson—24.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 2648 was made. *See* page 4717.

## REQUEST FOR UNANIMOUS CONSENT

Mr. MacBride was granted unanimous consent to take up the report of the Committee on Conference concerning Assembly Bill No. 1172.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately:

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 2, line 18, of the printed bill, as amended in the Senate on May 25, 1959, after "shipment", strike out the comma, and insert a period.

**Amendment No. 2**

On page 2, line 20, strike out "purpose of sale", and insert "the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale".

**Amendment No. 3**

On page 2, lines 42 and 43, strike out "untaxed cigarettes or", and insert "cigarettes".

**Amendment No. 4**

On page 3, strike out line 15, and insert

"30104. The taxes imposed by this part shall not apply to the".

**Amendment No. 5**

On page 3, line 19, strike out "Wherever", and insert "Whenever".

**Amendment No. 6**

On page 3, line 28, strike out "rates", and insert "rate".

**Amendment No. 7**

On page 3, line 45, after "cable", strike out the comma

**Amendment No. 8**

On page 5, line 4, after the period, insert "Notwithstanding any other provisions of this part, any amount of tax imposed by this article which is not paid within the time required shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from July 25, 1959."

**Amendment No. 9**

On page 5, between lines 38 and 39, insert

"30142 The board shall fix the amount of the bond or bonds required of any distributor and may increase or reduce the amount at any time."

**Amendment No. 10**

On page 7, between lines 13 and 14, insert

"30181. When the tax imposed under Article 1 of Chapter 2 of this part is not paid through the use of stamps or meter impressions, the tax shall be due and payable monthly on or before the fifteenth day of the month following the calendar month in which a distribution of cigarettes occurs."

**Amendment No. 11**

On page 7, line 15, strike out "30181", and insert "30182"

**Amendment No. 12**

On page 7, line 21, strike out "every month each", and insert "each month every".

**Amendment No. 13**

On page 7, line 44, strike out "or tobacco products".

**Amendment No. 13.5**

On page 8, line 8, strike out "paid", and insert "prepaid".

**Amendment No. 14**

On page 8, between lines 10 and 11, insert "Stamps and meter impressions shall be of such designs, specifications and denominations as may be prescribed by the board."

**Amendment No. 15**

On page 9, line 28, after "distributed", insert ", sold or received".

**Amendment No. 16**

On page 10, line 10, strike out "imposed upon", and insert "required to be paid by".

**Amendment No. 17**

On page 10, line 50, strike out "continued", and insert "continue".

**Amendment No. 18**

On page 13, line 31, after "or", strike out the comma

**Amendment No. 19**

On page 13, line 34, after "or", strike out the comma.

**Amendment No. 20**

On page 17, line 3, after "amount", insert "in excess of one hundred dollars ($100)".

**Amendment No. 21**

On page 17, line 9, after the period, insert "If an amount not exceeding one hundred dollars ($100) has been illegally determined, the board without certifying this fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board."

**Amendment No. 22**

On page 17, line 14, strike out "any cigarettes".

**Amendment No. 23**

On page 17, line 15, after "State", insert "any cigarettes which are not contained in packages to which are affixed California cigarette tax stamps or meter impressions".

**Amendment No. 24**

On page 17, line 17, strike out "any", and insert "the".

**Amendment No. 25**

On page 17, line 20, after "as", insert "may be".

**Amendment No. 26**

On page 17, between lines 20 and 21, insert "The board may issue a permit for a single load or shipment or for a number of loads or shipments to be transported under specified conditions."

**Amendment No. 27**

On page 17, line 22, strike out "any cigarettes".

**Amendment No. 28**

On page 17, line 23, after "State", insert "any cigarettes which are not contained in packages to which are affixed California cigarette tax stamps or meter impressions".

**Amendment No. 29**

On page 18, line 21, after "part", strike out the comma.

**Amendment No. 30**

On page 19, line 12, after "alters", insert ", reuses".

**Amendment No. 31**

On page 19, line 15, after "altered", insert ", reused".

**Amendment No. 32**

On page 19, line 18, strike out "altered, forged", and insert "forged, altered, reused".

**Amendment No. 33**

On page 19, between lines 24 and 25, insert

"30474. Any person who possesses, sells or offers to sell any package of cigarettes to which there is not affixed the stamp or meter impression required to be affixed under this part is guilty of a misdemeanor and shall for each offense be fined not more than five hundred dollars ($500), or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment, in the discretion of the court."

**Amendment No. 34**

On page 19, line 25, strike out "30474", and insert "30475".

**Amendment No. 35**

On page 19, line 49, strike out "30475", and insert "30476".

**Amendment No. 36**

On page 20, between lines 4 and 5, insert

"SEC. 3. Notwithstanding any other provisions of this act, if the State Board of Equalization determines that stamps, stamp affixing equipment and metering machines are not available, the State Board of Equalization may provide that the tax imposed by this act with respect to cigarettes may be paid without the use of stamps

or meter impressions for a period not to exceed two months beginning with July 1, 1959."

**Amendment No. 37**

On page 20, line 5, strike out "SEC. 3", and insert "SEC. 4".

GEORGE MILLER, JR.
HUGH M. BURNS
SWIFT BERRY
Senate Committee on Conference

THOMAS J. MACBRIDE
GORDON H. WINTON
Assembly Committee on Conference

**Demand for Previous Question**

Messrs. Schrade, Ernest R. Geddes, DeLotto, Don A. Allen, and Hanna demanded the previous question. Demand sustained.

The question being on the adoption of the report of the Committee on Conference concerning Assembly Bill No. 1172.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. MacBride moved a call of the Assembly.

Mr. Munnell seconded the motion.

Motion carried. Time 11.58 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### INTRODUCTION OF GUEST

Speaker Brown introduced Mr. Pat Whitt, President of the Junior Achievement Corporation of Victorville, who was the guest of Mr. Nisbet, to the Members of the Assembly.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2730

At 11.59 a.m., Mr. Burton moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 2730 passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Britschgi, George E. Brown, Burton, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—51.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Burke, Busterud, Collier, Conrad, Cusanovich, Dahl, Francis, Gaffney, Ernest R. Geddes, Holmes, Johnson, Lanterman, Levering, Lowrey, Marks, Masterson, Mulford, Reagan, Rumford, Sedgwick, Shell, Thelin, and Charles H. Wilson—27.

Bill ordered transmitted to the Senate.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1766 was taken up.

**Assembly Bill No. 1766**—An act to amend Sections 1360, 3103, and 18150 and to repeal Section 1192 of the Government Code, relating to oaths of office.

Bill read third time.

#### Motion to Re-refer

Mr. Francis moved that the bill be re-referred to the Committee on Municipal and County Government.

Mr. Schrade seconded the motion.

#### Motion to Table

Mr. Collier moved that the bill be laid on the table.

Motion ruled not in order.

#### Substitute Motion to Table

Mr. Collier moved, as a substitute motion, that the bill be laid on the table.

Mr. Cusanovich seconded the motion.

Substitute motion lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Francis, Gaffney, Ernest R. Geddes, Grant, Holmes, House, Johnson, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, Mulford, Pattee, Porter, Reagan, Sedgwick, Shell, Thelin, and Mr. Speaker—36.

NOES—Don A. Allen, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crown, DeLotto, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, and Z'berg—35.

#### Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: What is the vote required to table the bill?

#### Reply by Speaker

The Speaker replied that 41 votes are required.

#### Demand for Previous Question

Messrs. DeLotto, Z'berg, Belotti, Biddick, and Frew demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

#### Roll Call Demanded

Messrs. Belotti, Francis, and Chapel demanded a roll call.

The roll was called, and the motion that the bill be re-referred to the Committee on Municipal and County Government carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Francis, Gaffney, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, McCollister, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Williamson, Charles H. Wilson, and Mr. Speaker—47.

NOES—Don A. Allen, Beaver, Biddick, George E. Brown, Burton, Cameron, Crown, DeLotto, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Kennick, Kilpatrick, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Rees, Thomas, Unruh, Waldie, Winton, and Z'berg—30.

### CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE COMMITTEE REPORT CONCERNING ASSEMBLY BILL NO. 1172

At 12 35 p.m., Mr. MacBride moved to dispense with further proceedings under the call of the Assembly.

The motion was carried.

The names of the absentees were called, and the report of the Committee on Conference concerning Assembly Bill No. 1172 refused adoption by the following vote:

AYES—Bruce F. Allen, Bee, Bradley, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Dills, Frew, Gaffney, Ernest R. Geddes, House, Kennick, Kilpatrick, MacBride, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—31.

NOES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Mulford, Nisbet, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Charles H. Wilson, and Z'berg—48.

### ANNOUNCEMENTS

Mr. Winton announced that the Assembly would meet at 9 a.m. tomorrow morning, and would work all day and into the night if necessary.

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Mr. Backstrand announced that the Committee on Transportation and Commerce would meet in Room 2040 at 1.30 p.m. today.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2648

Mr. Lanterman moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2648 was this day passed (Assembly Journal, page 4712).

Assembly Bill No. 2648 and the motion to reconsider ordered to the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 137 FROM COMMITTEE

Mr. Rees was granted unanimous consent that Assembly Bill No. 137 be withdrawn from the Committee on Finance and Insurance for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF ASSEMBLY BILL NO. 137

**Assembly Bill No. 137**—An act to amend Section 145 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time.

#### Motion to Amend

Mr. Rees moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 145 of", and insert "add Section 1252 1 to".

#### Amendment No. 2

On page 1, line 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 1252.1 is added to the Unemployment Insurance Code, to read:

1252 1. With respect to individuals hired as commercial fishermen a "totally unemployed individual" means an individual who, during a particular week, while

still attached to his employer from the standpoint that there did not occur any severance of the employer-employee relationship; earned no wages and performed no services because his employer's boat was tied up for one or more of the following reasons:

(1) Inclement weather.
(2) Absence of fish in fishable waters.
(3) Lack of orders for fish from buyers.
(4) Boat is laid up for repairs."

**Amendment No. 3**

One page 1, strike out lines 3 through 18.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Rees was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO ASSEMBLY BILL NO. 1802—INSURANCE LICENSING

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 13, 1959

*Hon. Thomas M. Rees*
*Assembly Chamber*

**Assembly Bill No. 1802, Relating to Insurance Licensing—No. 11549**

*Question*

DEAR MR. REES: You ask whether Assembly Bill No. 1802, relating to insurance licensing, would have the effect of preventing a city from adopting an ordinance which totally prohibits any door-to-door solicitation within the city.

*Opinion*

The answer to your question is in the negative.

*Analysis*

Article XI, Section 11 of the California Constitution grants to counties, cities and towns the power to make and enforce within their limits "all such local, police, sanitary, and other regulations as are not in conflict with general laws."

The exercise of this local police power to enact ordinances prohibiting uninvited visitation of private residences for commercial sales purposes is well recognized and has been upheld against claimed violation of the Federal Constitution (*Town of Green River* v. *Fuller Brush Co.*, 65 F. 2d 112).

Article XI, Section 11 of the California Constitution has been viewed as a delegation of power to local governments which the State may not properly invade save by the adoption of "general laws" within the meaning of the constitutional provision. By "general law" is meant law having general or statewide, as opposed to local, application, and which, furthermore, so completely occupies the legislative field as to render any legislation in that field by local bodies necessarily inconsistent therewith (*In re Iverson*, 199 Cal. 582; *Mann* v. *Scott*, 180 Cal. 550).

Assembly Bill No. 1802 would add Section 1633.5 to the Insurance Code, declaring the Legislature's intent in enacting Chapter 5, Part 2, Division 1, of the Insurance Code, relative to the regulation of "production agencies," that they be the exclusive regulations to be applied to persons licensed thereunder.

Whether this provision would prevent city ordinances prohibiting uninvited door-to-door solicitation depends on whether these aforementioned Insurance Code provisions dealing with production agencies are "general laws" within the meaning of Article XI, Section 21 of the California Constitution, which so completely occupy the legislative field as to render any legislation in that field by local bodies necessarily inconsistent therewith.

We believe it is clear from an examination of Chapter 5, Part 2, Division 1, of the Insurance Code, as enacted in the 1959 General Session, that we are discussing two separate legislative areas. The Insurance Code provisions relate to the regulation and licensing of insurance agents for the purpose of *controlling the qualifications of persons licensed* to so act. The exercise of the local police power to prohibit uninvited door-to-door solicitation relates to the *time and place of solicitation*. The latter legislative area was left untouched by the enactment of the Insurance Code provisions alluded to above.

Therefore, we conclude that while by the enactment of Chapter 5, Part 2, Division 1 of the Insurance Code the Legislature enacted a "general law" within the meaning of the constitutional provision, and while it was intended to totally occupy the legislative field with regard to insurance licensing qualifications, it left the area of local regulation of the time and place of door-to-door solicitation unhampered.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RICHARD J. WYLIE, Deputy

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 679

Mr. Masterson was granted unanimous consent that Senate Bill No. 679 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary—Civil.

### SENATE BILL NO. 507 REMOVED FROM INACTIVE FILE

Mr. Masterson was granted unanimous consent that Senate Bill No. 507 be removed from the inactive file, and placed upon the third reading file.

#### Request for Unanimous Consent

Mr. Masterson was granted unanimous consent to take up Senate Bill No. 507 for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 507

**Senate Bill No. 507**—An act to add Section 30705 to, and to amend Section 30701 of, the Streets and Highways Code, relating to the Benicia-Martinez Ferry.

Bill read third time.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendments:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on April 22, 1959, after "Ferry", insert ", declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1 after line 27, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Unusually high expenses for repairs to the Benicia-Martinez Ferry, together with other factors, indicate that expenses to maintain and operate that ferry will exceed the ceiling provided under the present law by June 12, 1959. Unless this ceiling is removed, it will be necessary to cease the operation of the ferry on that date. It is necessary that the ferry continue in operation to transport automobiles and persons across the Carquinez Straits until the construction of the Benicia-Martinez Bridge, which construction is expected to begin in the near future, is completed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1174 FROM COMMITTEE

Mr. MacBride gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1174 from the Committee on Revenue and Taxation.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Busterud was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO STATE DISTRICTS: TAXATION

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 4, 1959

*Hon. Bruce V. Reagan*
*Assembly Chamber*

**State Districts: Taxation—No. 16671**

DEAR MR. REAGAN: You ask two questions concerning districts organized under any state law which are stated and considered below.

*Question No. 1*

Would the enactment of Assembly Constitutional Amendment No. 44 exempt real property from ad valorem taxation by any such districts?

*Opinion No. 1*

It is our opinion that real property would be exempt from taxation by any such district to the extent such taxation is for state purposes.

*Analysis No. 1*

Assembly Constitutional Amendment No. 44 would exempt all real property from taxation for state purposes.

The Legislature may authorize a district to impose a tax for state purposes (see *Santa Barbara Etc. Agency* v. *All Persons* (1957), 47 Cal. 2d 699, 708).

We, therefore, believe that any district which was authorized to impose a property tax for state purposes would be prohibited in its imposition of such tax on real property if Assembly Constitutional Amendment No. 44 were enacted.

*Question No. 2*

Is the real property of such a district exempt from taxation?

*Opinion and Analysis No. 2*

Under Section 1 of Article XIII of the State Constitution, all property owned by and located within or without the boundaries of a district organized pursuant to state law, other than land or any improvements thereon located without the boundaries of such district which were taxable at the time of acquisition by the district, is exempt from taxation (see *Rock Creek Water District* v. *County of Calaveras* (1946), 29 Cal. 2d 7; *County of Mariposa* v. *Merced Irrigation District* (1948), 32 Cal. 2d 467; *Rock Creek Water District* v. *County of Calaveras* (1955), 133 Cal. App. 2d 141).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By EDWARD F. NOWAK, Deputy

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. DeLotto asked for unanimous consent to print a statement of more than 50 words relative to Assembly Bill No. 2772 in the Journal.

Speaker Brown withheld unanimous consent for the printing of a statement of more than 50 words.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1 FROM COMMITTEE

Mr. Bruce F. Allen gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1 from the Committee on Ways and Means.

## ANNOUNCEMENT

Mr. Unruh announced that the Committee on Ways and Means would meet at 2 p m. in Room 4202.

## BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 2185,** on request of Mr. Coolidge.

**Assembly Bill No. 2117,** on request of Mrs. Davis.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2671 FROM COMMITTEE

Mr. Hawkins gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2671 from the Committee on Revenue and Taxation.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW AND RE-REFER SENATE BILL NO. 923

Mr. Kennick asked for unanimous consent that Senate Bill No. 923 be withdrawn from the Committee on Rules, and re-referred to the Committee on Social Welfare.

Mr. Holmes withheld unanimous consent.

Speaker Brown suggested to Mr. Kennick that he renew his motion tomorrow.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Petris asked for unanimous consent to take up Assembly Bill No. 2723 for purpose of amendment.

Mr. Collier withheld unanimous consent.

### ASSEMBLY BILL NO. 2276 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 2276,** on request of Mr. Cunningham.

#### Request for Unanimous Consent

Mr. Cunningham was granted unanimous consent to take up Assembly Bill No. 2276 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2276

**Assembly Bill No. 2276**—An act to add Sections 11723, 11724, 11725, and 11726 to the Health and Safety Code, relating to the rehabilitation and supervision of narcotic addicts, and making an appropriation therefor.

Bill read third time.

#### Motion to Amend

Mr. Cunningham moved the adoption of the following amendments:

#### Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1959, and insert "An act to add Sections 11723, 11724 and 11725 to the".

#### Amendment No. 2

In line 3 of the title, strike out "supervision", and insert "testing".

#### Amendment No. 3

On page 1, lines 3 and 4, strike out "and their supervision while on probation or parole", and insert "and the prevention of continued addiction to narcotics".

#### Amendment No. 4

On page 1, strike out lines 6 to 11, inclusive, and insert "county and city and county to make use of synthetic opiate anti-narcotics in action and other testing procedures to determine narcotic addiction or the absence thereof, and to foster research in means of detecting the existence of narcotic addiction and in medical methods and procedures for that purpose."

#### Amendment No. 5

On page 1, strike out lines 13 to 21, inclusive; on page 2, strike out lines 1 to 9, inclusive, and insert

"11724. The Department of Justice is directed to promote and sponsor the use by agencies of local government of the provisions of this article. The department may assist such agencies to establish facilities for, and to train personnel to conduct testing procedures pursuant to Section 11722, and may conduct demonstrations thereof for limited periods. For these purposes the department may procure such medical supplies, equipment, and temporary services of physicians and qualified consultants as may reasonably be necessary. Subject to the availability of funds appropriated for

the purpose, the department may contract with any county or city and county which undertakes to establish facilities and a testing program pursuant to Section 11722, and such contract may provide for payment by the State of such costs of initially establishing and demonstrating such program as the department may approve."

**Amendment No. 6**

On page 2, strike out lines 11 to 47, inclusive, and insert

"11725. The Department of Justice shall provide for such records, studies and research as may be necessary to evaluate the functional efficacy of this article as a method of treatment, rehabilitation and control of narcotic addicts and the use of diagnostic drugs and other testing procedures in such treatment. The department shall submit a report to the Legislature concerning the effect of this article in operation at the commencement of each session of the Legislature.

SEC 4. There is hereby appropriated to the Department of Justice out of the General Fund in the State Treasury the sum of fifty thousand dollars ($50,000) to be expended during the 1959-60 Fiscal Year, for the rehabilitation, testing and control of narcotic addicts as provided in Sections 11723 to 11725, inclusive, of the Health and Safety Code."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2203
Assembly Bill No. 2258

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2497

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 234
Assembly Bill No. 1157
Assembly Bill No. 1594
Assembly Bill No. 2827

And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bills Nos. 234, 1157, and 1594 ordered to third reading.

Assembly Bill No. 2827 re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2129
Assembly Bill No. 2628

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2623
Assembly Bill No. 2637
Assembly Bill No. 2664
Assembly Bill No. 2675
Assembly Bill No. 2702

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined. Assembly Bill No 2838

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2683
Assembly Bill No 2684

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1311
Assembly Bill No. 2563

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to committee.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1174

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.
Assembly Bill No. 24

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1019
Assembly Bill No. 2330
Assembly Bill No. 2762

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 174

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 94**—An act to amend Section 4231 of, and to add Section 4243.5 to, the Agricultural Code, relating to milk;

**Assembly Bill No. 499**—An act to add Section 5006.2 to the Public Resources Code, relating to state parks;

**Assembly Bill No. 868**—An act to amend Sections 8001 and 8004 of the Government Code, relating to the California Commission on Interstate Co-operation;

**Assembly Bill No. 1028**—An act to amend Sections 7376 and 7381 of, to add Section 7396.7 to, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology;

**Assembly Bill No. 1079**—An act to amend Section 37902 of the Government Code, relating to public projects of general law cities,

**Assembly Bill No. 1155**—An act to add Section 1953f.5 to the Code of Civil Procedure, relating to competency of business records as evidence;

**Assembly Bill No. 1376**—An act to amend Sections 160.91, 160 92, 160 93, 160.94, and 160.95 of the Agricultural Code, relating to pest control;

**Assembly Bill No. 1419**—An act to amend Section 71140 of the Government Code, relating to the qualifications of municipal court judges;

**Assembly Bill No. 1456**—An act to amend Sections 5901 and 5931 of the Elections Code, relating to absent voters;

**Assembly Bill No. 1547**—An act to amend Section 1193 2 of the Code of Civil Procedure, relating to claims of liens;

**Assembly Bill No. 1589**—An act to add Section 665.5 to the Elections Code, relating to election procedure;

**Assembly Bill No. 1681**—An act to add Section 22658 to, and to amend Section 22851 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the removal of vehicles from private property;

**Assembly Bill No. 1731**—An act to amend Section 42230 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to refund of fees upon rejection of applications;

**Assembly Bill No. 1926**—An act to amend Section 1203 1 of the Penal Code, relating to probation;

**Assembly Bill No. 2022**—An act to amend Section 20803 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to tax rates of school districts;

**Assembly Bill No. 2072**—An act to amend Sections 603 and 604 of the Welfare and Institutions Code, relating to probation committees;

**Assembly Bill No. 2297**—An act to add Section 20019.3 to the Government Code, relating to State Retirement System;

**Assembly Bill No. 2580**—An act to amend Sections 134, 2921.5 and 4986 of the Revenue and Taxation Code, relating to canceling of uncollected taxes, penalties, or costs;

And reports the same correctly enrolled, and presented to the Governor on the fourth day of June, 1959, at 11 a.m.

BURKE, Chairman

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 3, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 213 | Assembly Bill No. 2033 |
| Assembly Bill No. 684 | Assembly Bill No. 2114 |
| Assembly Bill No. 1021 | Assembly Bill No. 2115 |
| Assembly Bill No. 1132 | Assembly Bill No. 2116 |
| Assembly Bill No. 1429 | Assembly Bill No. 2146 |
| Assembly Bill No 1452 | Assembly Bill No. 2166 |
| Assembly Bill No. 1554 | Assembly Bill No. 2179 |
| Assembly Bill No. 1556 | Assembly Bill No 2278 |
| Assembly Bill No. 1640 | Assembly Bill No. 2285 |
| Assembly Bill No. 1741 | Assembly Bill No. 2286 |
| Assembly Bill No 1782 | Assembly Bill No. 2288 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 846
Assembly Bill No. 1144
Assembly Bill No. 1299
Assembly Bill No. 1302
Assembly Bill No. 1743
Assembly Bill No. 1744
Assembly Bill No. 2010
Assembly Bill No. 2180
Assembly Bill No. 2244

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 279
Senate Bill No. 306
Senate Bill No. 483

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 13
Senate Constitutional Amendment No. 19
Senate Concurrent Resolution No. 49

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Constitutional Amendment No. 13**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ and adding Section 1¼a to Article XIII thereof, relating to the veterans' tax exemption.

Referred to Committee on Constitutional Amendments.

**Senate Constitutional Amendment No. 19**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 28 to Article XIII, relating to the assessment of property used for airport purposes.

Referred to Committee on Constitutional Amendments.

**Senate Concurrent Resolution No. 49**—Relative to the Veterans Farm and Home Purchase Act.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 103
Senate Bill No. 112
Senate Bill No. 214
Senate Bill No. 328
Senate Bill No 403
Senate Bill No 425
Senate Bill No. 606
Senate Bill No. 618
Senate Bill No. 872
Senate Bill No 898
Senate Bill No. 921
Senate Bill No. 955
Senate Bill No. 958
Senate Bill No. 1030
Senate Bill No. 1077
Senate Bill No. 1115
Senate Bill No. 1155
Senate Bill No. 1167
Senate Bill No. 1188
Senate Bill No 1199
Senate Bill No. 1235
Senate Bill No. 1242
Senate Bill No. 1243
Senate Bill No. 1257
Senate Bill No. 1264
Senate Bill No. 1265
Senate Bill No. 1267
Senate Bill No. 1268
Senate Bill No 1271
Senate Bill No. 1272
Senate Bill No. 1332
Senate Bill No. 1336
Senate Bill No 1339
Senate Bill No. 1382
Senate Bill No 1397
Senate Bill No. 1444
Senate Bill No. 1464
Senate Bill No 1483

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 103**—An act to add Chapter 7.5 (commencing with Section 8201) to Part 2 of, and to add Part 2.5 (commencing with Section 8298.01) to, Division 9 of the Streets and Highways Code, relating to grade crossings.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 112**—An act to amend Sections 14361, 14373, 14383, 14391, 14392, 14403, 14413, 14423, 14428, 14798, and 14901 of, to repeal Section 14792 of, and to add Section 14902 to, the Revenue and Taxation Code, relating to inheritance tax refunds, creating the Inheritance Tax Fund, and making an appropriation thereof.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 214**—An act to create the Sutter County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Sutter County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Referred to Committee on Water.

**Senate Bill No. 328**—An act to amend Section 16574 of the Public Utilities Code, relating to public utilities districts.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 403**—An act to add Article 4 (commencing with Section 11190) to Chapter 2 of Title 1 of Part 4 of the Penal Code,

relating to disposition of prisoners, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 425**—An act to amend Section 12880 of, and to add Sections 12881, 12882, 12883, 12884, 12885, 12886, 12887, 12888, 12889, and 12890 to, the Water Code, relating to state financial assistance for local projects, and making an appropriation therefor.

Referred to Committee on Water.

**Senate Bill No. 606**—An act to add Chapter 9 (commencing with Section 6900) to Division 8 of the Elections Code, relating to voting machines.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 618**—An act to add Sections 3246 and 4100 to the Streets and Highways Code, relating to street improvements.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 872**—An act to add Section 1394 to the Water Code, relating to reservation of jurisdiction by the State Water Rights Board.

Referred to Committee on Water.

**Senate Bill No. 898**—An act to add Section 5038 to the Public Resources Code, relating to parks.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 921**—An act to add Section 29390 to the Government Code, relating to shortages in county funds.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 955**—An act to amend Sections 11553 and 11555 of the Government Code, relating to the salary of the Superintendent of Banks.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 958**—An act to add Article 4 (commencing at Section 1365) to Chapter 5 of Part 2 of Division 2 of the Water Code, relating to the appropriation of water.

Referred to Committee on Water.

**Senate Bill No. 1030**—An act to add Section 1621 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to changes in school district boundaries.

Referred to Committee on Education.

**Senate Bill No. 1077**—An act to add Section 2166 to the Welfare and Institutions Code, relating to old age assistance.

Referred to Committee on Social Welfare.

**Senate Bill No. 1115**—An act to amend Section 54951 of the Government Code, relating to meetings of legislative bodies of local agencies.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1155**—An act to amend Section 24405 of the Revenue and Taxation Code, relating to exemptions of co-operative associations from taxation under the Bank and Corporation Tax Law.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1167**—An act to add Chapter 21 (commencing at Section 6000) to Division 6 of the Agricultural Code, relating to milk.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 1188**—An act to add Sections 13105.5, 13113.5, 13145.5, and 13171.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the renewal of credentials authorizing service in the Public School System.

Referred to Committee on Education.

**Senate Bill No. 1199**—An act to amend Section 447 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1235**—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1242**—An act to amend Section 75104.4 of the Government Code, relating to the Judges' Retirement System.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1243**—An act to add Section 24456 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to student housing facilities.

Referred to Committee on Education.

**Senate Bill No. 1257**—An act to amend Section 1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Referred to Committee on Water.

**Senate Bill No. 1264**—An act to amend Section 4168 of the Public Resources Code, relating to the prohibition against possessing and firing of tracer and incendiary bullets.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1265**—An act to add Chapter 11 (commencing at Section 4980) to Division 4 of the Public Resources Code, relating to California Conservation Camps.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1267**—An act to amend Section 4009 of the Public Resources Code, relating to the appointment of voluntary fire wardens, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1268**—An act to amend Section 4011 of the Public Resources Code, relating to the designation of peace officers and their powers.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1271**—An act to amend the heading of Chapter 3 (commencing at Section 37650) of, and to add Chapter 4 (commencing at Section 37700) to, Part 8 of Division 13 of the Water Code, relating to California water districts.

Referred to Committee on Water.

**Senate Bill No. 1272**—An act to add Part 10.5 (commencing at Section 8740) to Division 10 of the Streets and Highways Code, relating to the Improvement Bond Act of 1915.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1332**—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1336**—An act to add Section 25209 to the Government Code, relating to powers of board of supervisors.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1339**—An act to amend Section 24206 of the Education Code as enacted at the 1959 Regular Session, relating to employees of state colleges.

Referred to Committee on Education.

**Senate Bill No. 1382**—An act to add Section 152.5 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1397**—An act to repeal Section 10131.1 of, and to add Chapter 5 (commencing at Section 10350) to Part 1, Division 4, of the Business and Professions Code; and to amend Sections 3081.1, 3081.3 and 3081.93 of the Civil Code, relating to mortgage loans and brokers.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 1444**—An act to amend Section 18900 of the Health and Safety Code, relating to the State Building Standards Commission.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1464**—An act to add Section 2125 to the Revenue and Taxation Code, relating to the assessed valuation of property.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 1483**—An act to amend Sections 5225 and 5227 of the Business and Professions Code, relating to county regulation of outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 454
Senate Bill No. 622
Senate Bill No. 777
Senate Bill No. 882
Senate Bill No. 1063
Senate Bill No. 1131
Senate Bill No. 1136
Senate Bill No 1168
Senate Bill No. 1172
Senate Bill No. 1209
Senate Bill No. 1217
Senate Bill No. 1219
Senate Bill No. 1246
Senate Bill No 1270
Senate Bill No. 1274
Senate Bill No. 1288
Senate Bill No. 1290
Senate Bill No. 1298
Senate Bill No 1303
Senate Bill No. 1437
Senate Bill No. 1304
Senate Bill No 1305
Senate Bill No. 1306
Senate Bill No. 1312
Senate Bill No. 1345
Senate Bill No. 1357
Senate Bill No. 1375
Senate Bill No. 1376
Senate Bill No. 1388
Senate Bill No. 1393
Senate Bill No. 1395
Senate Bill No. 1401
Senate Bill No. 1403
Senate Bill No. 1404
Senate Bill No 1435
Senate Bill No. 1479
Senate Bill No. 1486
Senate Bill No. 1488
Senate Bill No. 768

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 454**—An act to amend Section 74512 of the Government Code, relating to additional reporters in the municipal court in the City and County of San Francisco

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 622**—An act to amend Sections 21121, 21122, 21605, 21606, 21607, 21608, 21652, 21654, 21658, 21661, 21826, 21827, 21830 of, and to add Sections 21650.1 to the Water Code, relating to irrigation districts.

Referred to Committee on Water.

**Senate Bill No. 777**—An act to require the sale of certain lands now in the possession and control of the San Francisco Port Authority.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 882**—An act to amend Section 31 of the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to real or personal property acquired by the district

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1063**—An act to amend Section 24502 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Referred to Committee on Education.

**Senate Bill No. 1131**—An act to add Sections 35097, 35098 and 35099 to Article 1 of Chapter 2 of Part 4 of Division 13 of the Water Code, relating to the election of district officers in California water districts.

Referred to Committee on Elections and Reapportionment.

**Senate Bill No. 1136**—An act to amend Section 28110 of the Government Code, relating to compensation for public service in a county of the tenth class.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1168**—An act to add Sections 6588.2, 14060.1, 14654.6, 20063.2, and 32109 to the Health and Safety Code, Sections 5781.20 and 9204.1 to the Public Resources Code, Section 16175 to the Public Utilities Code, Sections 21661.1. 30818, and 60141.1 to the Water Code, Section 4.2 to the Municipal Water District Act of 1911 (Ch. 671, Stats. 1911), Section 14.1 to the Water Conservation Act of 1927 (Ch. 91, Stats. 1927), Section 14.6 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), Section 14.2 to the Orange County Water District Act (Ch 924, Stats 1933) and Section 24.1 to the Kings River Conservation District Act (Ch. 931, Stats. 1951), relating to notice of elections.

Referred to Committee on Water.

**Senate Bill No. 1172**—An act to amend Section 631 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 1209**—An act to amend Section 74045 of, and to add Sections 74045.5, 74561, and 74562 to the Government Code, relating to salaries of court reporters.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1217**—An act to add Section 8991 to the Health and Safety Code, relating to public cemetery districts

Referred to Committee on Public Health.

**Senate Bill No. 1219**—An act to amend Section 70141.6 of the Government Code, relating to superior court commissioners

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1246**—An act to amend Section 74041 of the Government Code, relating to judges of the Palo Alto-Mountain View Judicial District.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1270**—An act to amend Section 4614.14 of the Health and Safety Code, relating to municipal sewer districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1274**—An act to add Sections 73526, 73606, and 74306 to the Government Code, relating to municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1288**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle.

Referred to Committee on Agriculture.

**Senate Bill No. 1290**—An act to amend Section 91 of, and to add Sections 61, 62, 95.5, and Chapter 11 (commencing at Section 135) to, the Shasta County Water Agency Act (Ch. 1512, Stats. 1957), relating to powers of the agency.

Referred to Committee on Water.

**Senate Bill No. 1298**—An act to amend Section 1142 of the Agricultural Code, relating to egg products.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 1303**—An act to amend Sections 74742, 74743, 74744, and 74745 of, and to add Sections 74750 and 74751 to, the Government Code, relating to the municipal court of the South Bay Judicial District.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1437**—An act to add Section 31578 to the Water Code, relating to the Kings County Water District.

Referred to Committee on Water

**Senate Bill No. 1304**—An act to amend Sections 73642, 73643, 73644, 73645, and 73650 of the Government Code, relating to the municipal court of the El Cajon Judicial District.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1305**—An act to add Section 74751 to the Government Code, relating to the municipal court of the South Bay Judicial District.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1306**—An act to amend Sections 73952, 73953, 73954, and 73955 of, and to add Sections 73960 and 73961 to, the Government Code, relating to the municipal court of the Oceanside Judicial District.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1312**—An act to add Section 72114 to the Government Code, relating to the municipal courts.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1345**—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1357**—An act to amend Sections 21166 and 22840 of the Water Code, relating to irrigation districts.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1375**—An act to add Part 9.1 (commencing at Section 33200) to Division 12 of the Water Code, relating to county water districts.

Referred to Committee on Water.

**Senate Bill No. 1376**—An act to amend Section 28108 of the Government Code, relating to compensation for public services in the counties of eighth class.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1388**—An act to add Sections 70045.2 and 74705 to the Government Code, relating to court reporters in Sonoma County.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1393**—An act to amend Section 70048 of the Government Code, relating to official phonographic reporters.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1395**—An act to add Section 31684.1 to the Government Code, relating to retirement of county peace officer members.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1401**—An act to amend Section 28109 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1403**—An act to amend Section 4886 of the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Public Health.

**Senate Bill No. 1404**—An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court established in the Fresno Judicial District.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1435**—An act to add Section 31051 to, and to amend Section 31575 of, the Water Code, relating to county water districts.

Referred to Committee on Water.

**Senate Bill No. 1479**—An act to add Section 73093 to the Government Code, relating to municipal court reporters in Alameda County.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1486**—An act to add Division 1a (commencing at Section 25) and add Sections 37, 38, and 71 to, and to amend Section 45 of, the Citrous Pest District Control Act (Chapter 89, Statutes of 1939), relating to the consolidation of districts.

Referred to Committee on Agriculture.

**Senate Bill No. 1488**—An act to amend Section 2313 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to schools.

Referred to Committee on Education.

**Senate Bill No. 768**—An act to add Seciton 25020.1 to the Government Code, relating to meetings of county boards of supervisors.

Referred to Committee on Municipal and County Government.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 423
Senate Bill No. 434
Senate Bill No. 445
Senate Bill No. 535
Senate Bill No. 636
Senate Bill No. 795
Senate Bill No. 979
Senate Bill No. 1060
Senate Bill No. 1066
Senate Bill No 1201
Senate Bill No. 1232
Senate Bill No. 1369
Senate Bill No. 1383

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 423**—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

**Senate Bill No. 434**—An act to amend Section 226 of the Water Code, relating to water use investigations, and making an appropriation.

Referred to Committee on Water.

**Senate Bill No. 445**—An act to add Section 2163.6 to the Welfare and Institutions Code, relating to old age security.

Referred to Committee on Social Welfare.

**Senate Bill No. 535**—An act to add Section 24759 to the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 636**—An act to add Sections 7208 and 7209 to the Revenue and Taxation Code, relating to local sales and use taxes.

Referred to Committee on Revenue and Taxation.

**Senate Bill No. 795**—An act to amend Section 9034 of the Welfare and Institutions Code, relating to community mental health services.

Referred to Committee on Social Welfare.

**Senate Bill No. 979**—An act to amend Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court.

Referred to Committee on Social Welfare.

**Senate Bill No. 1060**—An act to add Sections 1323, 1774.1, 1774.2, and 1774.3 to the Government Code, relating to appointments by the Governor.

Referred to Committee on Rules.

**Senate Bill No. 1066**—An act to amend Sections 11554, 11557, and 11559 of the Government Code, relating to the salaries of state officers.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1201**—An act to amend Section 1170 of the Harbors and Navigation Code, relating to bar pilotage rates for the Bays of San Francisco, San Pablo and Suisun.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1232**—An act to amend Section 16651 of the Government Code, relating to state bonds and bond coupons.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1369**—An act authorizing the Director of Finance to sell property belonging to the State in Fresno County, authorizing the Director of Finance to acquire real property for the Fresno State College, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1383**—An act to amend Section 1005 of the Public Utilities Code, relating to issuance of certificates by the Public Utilities Commission.

Referred to Committee on Public Health.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1284
Senate Bill No. 1285
Senate Bill No. 1300
Senate Bill No. 1354
Senate Bill No. 1361

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 1284**—An act to amend Sections 7504, 7512, 7514, 7521, 7522, 7525, 7526, 7528, 7533, 7534, 7538, 7540, 7551, 7553, 7553.1, 7560, and 7580 of, and to add Sections 7523.1, 7526.1, 7526.2, 7526.3, 7526.4, 7536, 7538.1, and 7538.2 to, and Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 of, and to repeal Sections 7536 and 7552 of, the Business and Professions Code, relating to private investigators and adjustors.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1285**—An act to amend Sections 6850, 6851, 6852, 6857, 6870, 6875, 6877, 6880, 6881, 6885, 6886, 6887, 6888, 6889, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6907, 6909, 6910, 6911,

6912, 6913, 6914, 6915, 6916, 6921, 6922, 6923, 6925, 6930, 6931, 6947, 6948, 6949, 6950, 6951, 6955, and 6956 of, and to amend and renumber Sections 6863, 6866, and 6867 of, and to add Sections 6854, 6854.5, 6855, 6860, 6861, 6865, 6865.5, 6866, 6866.5, 6867, 6867.5, 6868, 6868.5, 6876, 6876.1, 6876.2, 6878, 6878.1, 6886.1, 6906.1, 6916.1, 6925.1, 6947.1, 6949.1, and 6949.2 to, and Articles 5.5 (commencing at Section 6894) and 6.5 (commencing at Section 6904) to Chapter 8 of Division 3 of, and to repeal Sections 6854, 6855, 6860, 6861, 6862, 6864, 6864.5, 6865, 6872, 6876, 6878, 6879, 6926, 6945, and 6946 of, the Business and Professions Code, relating to collection agencies.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1300**—An act to add Section 149 to the Streets and Highways Code, relating to telephones on freeways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1354**—An act to add Section 12898 to the Water Code, relating to the Sacramento Canals Unit of the Central Valley Project.

Referred to Committee on Water.

**Senate Bill No. 1361**—An act to add Section 2079 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

## EXPLANATION OF ABSENCE

June 4, 1959

It was necessary for me to be absent during most of this morning's session because I had bills scheduled to be presented to the Senate Judiciary and Finance Committees.

LOUIS FRANCIS

## RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 1283** to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1158** to the Committee on Natural Resources, Planning, and Public Works

## ADJOURNMENT

At 12.46 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 5, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED SECOND LEGISLATIVE DAY

ONE HUNDRED TENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, June 5, 1959

The Assembly met at 9 a m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Assistant Clerk William Scheuermann at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Eternal God, Hidden in Silence,* It is good to become quiet in this Assembly Hall, if only for a moment. Staff and legislators are like runners who hear the call, "On your mark." We take a deep breath. We hear words: "Be still and know that I am God" We open our minds and hearts to love and grace, praying they may last us the whole day through The day's race begins! Keep us in the course of duty which is the only road to effective service, self-respect, and true joy. With every new day representing some deadline or finish-line let us run with patience the race that is set before us, in the name and spirit of Jesus Christ our Lord.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. McCollister.

## LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on request of Speaker Brown.

Mr. Porter, on request of Speaker Brown.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. George A. Willson, on motion of Mr. House.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of illness:

Mr. Dills, on motion of Mr. McCollister.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

### Letter of Transmittal
### Report on Study of Feasibility and Cost of Constructing a Subaqueous Crossing of the Sacramento River

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, June 4, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Capitol*

DEAR MR. OHNIMUS House Resolution No. 192 of the 1959 Legislature, by Assemblymen Lowrey and MacBride, requested that the Department of Public Works conduct a study of the feasibility and cost of constructing a subaqueous crossing of the Sacramento River in the vicinity of R Street in the City of Sacramento and to report to the Legislature prior to the adjournment of the 1959 Regular Session

There are enclosed six copies of a report on the subject, which has been prepared by the Division of Highways in accordance with the request contained in the resolution.

Respectfully,

ROBERT B. BRADFORD, Director of Public Works

Above transmitted report referred to the Committee on Transportation and Commerce

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The following communications were presented by the Chief Clerk from:

Laurence Vogel of Baldwin Park, relative to Sunday sales of automobiles. Referred to the Committee on Government Organization.

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Mrs. M. Ware Jean Powers Employment Agency, relative to Assembly Bill No. 2796. Referred to the Committee on Governmental Efficiency and Economy.

## ANNOUNCEMENT

Speaker Brown announced that the Rules Committee was meeting at this time.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Rumford, Bee, Mulford, Dahl, Crown, and Petris:

### House Resolution No. 319

Relative to congratulating Mr. Gilbert D. Eaton on receiving the Golden Achievement Award of the National Council of the Boys' Clubs of America

WHEREAS, It has come to the attention of the Members of this House that, as a richly deserved and crowning tribute to almost 50 years of dedicated service to the Boys' Clubs of this Nation, Mr. Gilbert D. Eaton has recently been granted the highest honor of the National Council of the Boys' Clubs of America, the "Golden Achievement Award," in recognition of his outstanding youth work; and

WHEREAS, Mr Eaton, who was born in Liverpool, England, on November 3, 1896, was himself but a youth when he left Britain and moved to the United States, where he settled in Massachusetts; and

WHEREAS, He received his primary and secondary education in the public schools of the seaport city of Lynn, Massachusetts, going on to higher education at Springfield College, Boston University, and Northeastern University; and

WHEREAS, Even as a student this dedicated man interested himself in the problems and welfare of the youth of New England, serving as assistant director of physical education at the Y. M. C. A. in Lynn, Massachusetts, from 1912 to 1924; and in later life he found the time and energy to serve in various capacities with the Boys' Club of Boston for some 18 fruitful years; and

WHEREAS, It was California's very good fortune that in 1942 Gilbert Eaton departed from Massachusetts and made a new home in Oakland where he immediately became active in the Boys' Club of that city and for 17 years served as the popular, capable, energetic and beloved executive director of the organization; and

WHEREAS, In addition to his fine work with the Boys' Club of Oakland, Mr. Eaton has tirelessly extended his efforts to activities at the regional level, where he was a former member of the National Board of Boys' Clubs of America and is presently a member of the Northern California Boys' Club Workers Association; and

WHEREAS, The hard work, professional competence and popularity of this man have received recognition through his appointment as secretary of the Northern California Area Council of the Boys' Clubs of America and his election as president of the Northern California Boys' Club Professional Association; and

WHEREAS, The State of California is indeed fortunate that she is possessed of citizens of the caliber of Gilbert D. Eaton who are not only willing to give selflessly of their time and efforts so that the youth of our Nation may grow into useful and productive citizens, but, as well, are possessed of sufficient competence, energy and friendliness to make a success of their efforts; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend their sincere commendations and congratulations to Mr Gilbert D. Eaton not only on his outstanding career of devoted service in the Boys' Clubs of New England and California but on his receipt of this recent highest honor, the "Golden Achievement Award" of the National Council of Boys' Clubs of America, a tribute which no man more richly deserves; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. Gilbert D. Eaton.

Resolution read, and referred to the Committee on Rules.

By Messrs. Elliott and Hawkins:

### House Resolution No. 320

Relative to the death of Samuel A. Rosenthal

WHEREAS, The Members of the Legislature have learned with sadness of the recent death of the widely-known and highly respected attorney, Samuel A. Rosenthal; and

WHEREAS, Mr. Rosenthal, a native of New York, had practiced law in Los Angeles for more than 25 years and was admitted to practice before the Supreme Court of the United States; and

WHEREAS, He was a brother of Municipal Court Judge and former Assemblyman, William H. Rosenthal, and the late Municipal Court Judge and former Assemblyman, Benjamin Rosenthal; and

WHEREAS, Among his many activities Mr. Rosenthal was a founder and past president of Beverly Hills B'nai B'rith Lodge and the University Synagogue, and a member of the Druids and the Manca, legal organizations; and

WHEREAS, The loss of this distinguished and esteemed citizen will be keenly felt by his many close friends and associates; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution express their sincere regret at the passing of Samuel A. Rosenthal, and extend their heartfelt condolences to his widow, Harriett Rosenthal, his daughter, Mrs. Marilyn Stein, his brothers, David Rosenthal and Judge William H. Rosenthal, and his sisters, Rhea Bleich, Bertha Gladstone, and Mildred Yuster; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs. Harriett Rosenthal, Mr. David Rosenthal and Judge William H. Rosenthal.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 143**: By Mr. Miller—Relative to adding Rule No. 40.1 to the Joint Rules of the Senate and the Assembly to provide for the transfer of the duties and funds of the Joint Legislative Committee for School Visitations to the Joint Committee on Legislative Organization.

Referred to Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Charles H. Wilson was granted unanimous consent that Assembly Bill No. 2693 (Item 2 on the second reading file) be held temporarily on file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bruce F. Allen was granted unanimous consent that Assembly Bill No. 2613 be held temporarily on the second reading file.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 69

Speaker Brown was granted unanimous consent that Rule No. 69 be temporarily suspended for the purpose of placing bills amended on second reading file today on third reading file tomorrow without returning them to the second reading file.

## CONSIDERATION OF DAILY FILE
## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 1046**—An act to add Section 10184 to the Business and Professions Code; and to add Article 1 (commencing at Section 3081.1) and to add a heading to Article 2 to, and to amend Sections 3081.1, 3081.3, and 3081.93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to real property loans and brokers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

### Amendment No. 1

In line 2 of the heading of the printed bill, as amended in the Assembly on May 27, 1959, strike out "(At the request of Division of Real Estate)".

### Amendment No. 2

On page 2, lines 21 and 22, strike out "following: (a) The".

**Amendment No. 3**

On page 2, strike out lines 26 to 29, inclusive.

**Amendment No. 4**

On page 2, line 45, after the period, insert "The provisions of this section shall not be applicable to the negotiation of a loan or loans by a licensed real estate broker in which he does not actually or constructively in any way keep, have charge of, or otherwise handle any of the funds involved in the loan."

**Amendment No. 5**

On page 4, strike out lines 49 and 50; and on page 5, strike out lines 1 to 17, inclusive.

**Amendment No. 6**

On page 5, line 18, strike out "(d)", and insert "(c)".

**Amendment No. 7**

On page 5, line 26, strike out "(e)", and insert "(d)".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2693**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Ordered passed on file temporarily.

**Assembly Bill No. 2849**—An act to amend Section 3542 and Section 3666 of the Public Utilities Code, relating to highway carriers

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2889**—An act to add Section 21415 to the Public Utilities Code, relating to persons intoxicated in or about aircraft.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "person", insert ", other than a passenger,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2531**—An act to add Division 1 (commencing at Section 25101) to Title 4 of, to amend Sections 4113, 4119, 10250, 10703, 13205, 27000, 27001, 27002 and 28006 of, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code; to amend Sections 14250, 18050, 18600, 18601, 18603, 18606, 18607, 18801, 18806 and 18813 of the Financial Code; to amend Sections 33915 and 33916 of the Health and Safety Code; and to amend Section 1220 of the Agricultural Code, relating to the Uniform Securities Act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments were proposed by the Committee on Judiciary—Civil:

**Amendment No. 1**

On page 4, lines 23, 24, and 25, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "registered broker-dealers, investment advisers and issuers who employ agents", and insert "issuers who employ agents, registered broker-dealers and investment advisers".

**Amendment No. 2**

On page 23, lines 13 and 14, strike out "; if an assessment is collectible by action,".

**Amendment No. 3**

On page 20, line 2, strike out "or", and in line 4, change the period to a semicolon and insert thereafter "or"; and after line 4, insert

"(O) In a merger, consolidation, exchange of securities, recapitalization, or change in outstanding securities, the terms of the same or the rights, preferences, privileges, or restrictions carried by the securities to be received or held by the parties thereto at the conclusion of said transaction are unfair"

**Amendment No. 4**

On page 28, at the commencement thereof, insert

"(e) If in the opinion of the commissioner any security is subject to registration under this act which is being or has been offered for sale without first being registered, the commissioner may order the issuer or offeror of such security to desist and refrain from the further sale or offer for sale of such security unless and until it has been registered under this act. If, after such an order has been made, a request for a hearing is filed in writing and a hearing is not commenced within 60 days thereafter, such order is rescinded."

**Amendment No. 5**

On page 15, after line 48, insert

"(G) In the case of issuers of securities who are incorporated outside of California in which there has been a firm underwriting of the securities and passage of title, outside of California, to the underwriters of the securities to be sold, the fee for such securities thereof as are to be resold in California shall be two one-hundredths of one percent of any excess of the aggregate value of the securities sought to be registered over one thousand dollars ($1,000) and not exceeding one million dollars ($1,000,000), and one five-hundredths of one percent of such amount in excess of one million dollars ($1,000,000)."

NOTE—Later this day, the record was expunged, and the action rescinded on the above committee amendments *See* page 4837.

**Assembly Bill No. 2907**—An act to add Division 9 (commencing with Section 9000) to the Welfare and Institutions Code, relating to marriage and its preservation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 4 to 15, inclusive

**Amendment No. 2**

On page 1, line 17, strike out "2", and insert "1"

**Amendment No. 3**

On page 1, line 21, strike out "25,000", and insert "64,000".

**Amendment No. 4**

On page 2, line 5, after the period, insert "All personnel herein mentioned must meet the training standards established by appropriate professional groups and the requirements of appropriate state licensing and examining boards"

**Amendment No. 5**

On page 2, line 6, following "State", insert "by any person who is a parent of a minor child or children".

**Amendment No. 6**

On page 2, line 7, following "State", insert "to such person"

**Amendment No. 7**

On page 2, strike out lines 23 and 24, and insert 'cause either or both parties to be encouraged to attend such consultation voluntarily and shall have the right to issue subpoenas for the attendance of either or both parties if necessary. It shall be an established policy that such subpoena power shall be used only as a last resort in recalcitrant cases The function of the director of the clinic shall be primarily educative and instructive. Friendly persuasion shall be used to alert both parties in a divorce action that reconciliation may be in their best mutual self interests."

**Request for Unanimous Consent**

Mr. Bane was granted unanimous consent to offer further amendments to Assembly Bill No. 2907, at this time.

**Motion to Amend**

Mr. Bane moved the adoption of the following amendments:

**Amendment No. 1**

Following authors' names, insert

"(By Request)".

**Amendment No. 2**

On page 1, line 1. of the printed measure, following "Section", strike out "9000", and insert "9050".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, to be filed, as amended; and the subject matter be referred to the Committee on Rules.

**Assembly Bill No. 2480**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2593**—An act to amend Section 16750 of the Business and Professions Code, relating to restraints of trade.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2632**—An act to amend Section 117j of the Code of Civil Procedure, relating to unlawful detainer proceedings in small claims court.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2666**—An act to amend Section 8016 of the Business and Professions Code, relating to shorthand reporters.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2820**—An act to amend Section 688 of the Code of Civil Procedure, relating to execution of judgments.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2597**—An act to amend Sections 74012, 74013, 74014, 74015, 74015.5, 74018, 74019, 74882, 74883, 74884, 74885, 74885.5, 74888 and 74889 of the Government Code, relating to the municipal courts established in a district embracing the City of Oxnard and Port Hueneme and in a district embracing the City of Ventura.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, strike out "twenty-one dollars ($21) and"; strike out lines 10 to 12, inclusive, and insert "and twenty-one dollars ($21) to a maximum of four hundred sixty-six dollars ($466) monthly."

**Amendment No. 2**

On page 2, line 9, strike out "the last "eighteen dollars"; strike out lines 10 to 12, inclusive, and insert "and eighteen dollars ($18) to a maximum of three hundred eighty-four dollars ($384) monthly."

**Amendment No. 3**

On page 2, line 19, strike out "eighteen dollars ($18)"; strike out lines 20 to 22, inclusive, and insert "and eighteen dollars ($18) to a maximum of three hundred forty-eight dollars ($348) monthly."

**Amendment No. 4**

On page 2, line 29, strike out "seventeen dollars ($17) and fifteen dollars ($15)"; strike out lines 30 and 31, and insert "and seventeen dollars ($17) to a maximum of three hundred fifteen dollars ($315) monthly."

**Amendment No. 5**

On page 2, line 37, strike out "eight dollars and fifty cents ($8.50) and"; strike out lines 38 and 39, and insert "and eight dollars and fifty cents ($8.50) to a maximum of one hundred fifty-seven dollars and fifty cents ($157.50) monthly."

**Amendment No. 6**

On page 2, strike out lines 47 to 49, inclusive, and insert "($20), and twenty-two dollars ($22) to a maximum of four hundred forty-five dollars ($445) monthly."

**Amendment No. 7**

On page 3, line 5, strike out the last "eighteen dollars ($18)"; strike out lines 6 to 8, inclusive, and insert "and eighteen dollars ($18) to a maximum of three hundred eighty-four dollars ($384) monthly."

**Amendment No. 8**

On page 3, line 16, strike out "seventeen dollars ($17)"; strike out lines 17 to 19, inclusive, and insert "and seventeen dollars ($17) to a maximum of three hundred fifteen dollars ($315) monthly."

**Amendment No. 9**

On page 3, strike out lines 50 to 52, inclusive; and on page 4, strike out lines 1 to 14, inclusive.

**Amendment No. 10**

On page 4, strike out lines 21 to 29, inclusive.

**Amendment No. 11**

On page 4, line 37, strike out "twenty-one dollars ($21)"; strike out lines 38 to 40, inclusive, and insert "and twenty-one dollars ($21) to a maximum of four hundred sixty-six dollars ($466) monthly."

**Amendment No. 12**

On page 4, line 49, strike out the last "eighteen dollars"; strike out lines 50 to 52, inclusive, and insert "and eighteen dollars ($18) to a maximum of three hundred eighty-four dollars ($384) monthly."

**Amendment No. 13**

On page 5, line 7, strike out "eighteen dollars ($18) and"; strike out lines 8 and 9, and insert "and eighteen dollars ($18) to a maximum of three hundred forty-eight dollars ($348) monthly."

**Amendment No. 14**

On page 5, line 16, strike out "seventeen dollars ($17) and fifteen dollars"; strike out lines 17 and 18, and insert "and seventeen dollars ($17) to a maximum of three hundred fifteen dollars ($315) monthly."

**Amendment No. 15**

On page 5, line 26, strike out "twenty-two dollars ($22) and twenty-one dollars ($21)"; strike out lines 27 and 28, and insert "and twenty-two dollars ($22) to a maximum of four hundred forty-eight dollars ($448) monthly."

**Amendment No. 16**

On page 5, line 36, strike out the last "eighteen dollars ($18)"; strike out lines 37 to 39, inclusive, and insert "and eighteen dollars ($18) to a maximum of three hundred eighty-four dollars ($384) monthly."

**Amendment No. 17**

On page 5, line 47, strike out "seventeen dollars"; strike out lines 48 to 50, inclusive, and insert "and seventeen dollars ($17) to a maximum of three hundred fifteen dollars ($315) monthly."

**Amendment No. 18**

On page 6, strike out lines 32 to 48, inclusive.

**Amendment No. 19**

On page 7, strike out lines 3 to 11, inclusive.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary—Civil.

**Assembly Bill No. 2906**—An act to amend Sections 2893 and 2894 of, and to add Section 2901 to, the Elections Code, relating to the filling of vacancies in legislative offices.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2817**—An act to add Section 56 to the Elections Code, relating to election returns.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2770**—An act to amend Section 14059 of, and to add Section 14057.5 to, the Health and Safety Code, and to amend Section 5781.10 of the Public Resources Code, relating to district elections

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2813**—An act to add Article 5 (commencing at Section 380.20) to Chapter 3, Division 3, of the Agricultural Code, and to amend Section 12022 of the Business and Professions Code, relating to poultry meat.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2687**—An act to add Section 576.5 to the Agricultural Code, relating to imitation dairy products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Livestock and Dairies, was read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, strike out lines 3 to 7, inclusive, and insert "576.5. All edible oils or fats used in a dairy plant which manufactures dairy products, or imitation dairy products, or both, shall contain a trace element approved by the director which shall make it possible to identify edible oils or fats used in such products, other than milk fat."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2598**—An act to amend Sections 74130 and 74131 of the Government Code, relating to municipal courts in Riverside County.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2613**—An act to add Article 12.5 (commencing at Section 73790) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Bill ordered passed temporarily on file.

**Assembly Bill No. 2615**—An act to repeal Article 3 (commencing at Section 73390) of Chapter 10, Title 8, of the Government Code and to add Article 26.5 (commencing at Section 74550) to Chapter 10, Title 8, of the Government Code, relating to municipal court districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2617**—An act to add Article 32.5 (commencing at Section 74820) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1898**—An act relating to participation by the State in the Civil War Centennial, creating the California Civil War Centennial Commission and describing the powers and duties thereof.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 3, line 18, of the printed bill, strike out "14370", and insert "13370".

**Amendment No. 2**

On page 3, line 19, after the period, insert "The commission shall not have the power to acquire real property by purchase."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2423**—An act to amend Sections 13588 and 13589, and to repeal Section 13590, of the Education Code as enacted at the 1959 Regular Session, relating to classified employees of school districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, strike out "submit"; strike out lines 7 to 12, inclusive; and on page 2, strike out lines 1 to 8, inclusive, and insert "have two 8" x 8" fingerprint cards bearing the legible rolled and flat impressions of such person's fingerprints together with a personal description of the applicant or employee, as the case may be, prepared by a local public law enforcement agency having jurisdiction in the area of the school district, which agency shall transmit such cards, together with the fee hereinafter specified, to the Bureau of Criminal Identification and Investigation, State Department of Justice; except that a district, or districts with a common board, having an average daily attendance of 60,000 or more may process the fingerprint cards in the event the district so elects. "Local public law enforcement agency" as used herein and in Section 13589 includes a school district with an average daily attendance of 60,000 or more. Upon receiving".

**Amendment No. 2**

On page 2, line 14, strike out "requesting governing board", and insert "local public law enforcement agency submitting the applicant's or employee's fingerprints".

**Amendment No. 3**

On page 2, line 15, after the period, insert "At its discretion, the Bureau of Criminal Identification and Investigation may forward one copy of the fingerprint cards submitted to any other bureau of investigation it may deem necessary in order to verify any record of previous arrests or convictions of the applicant or employee."

**Amendment No. 4**

On page 2, line 38, strike out "may establish a" and strike out lines 39 to 43, inclusive, and insert "shall establish a fee of four dollars ($4), two dollars ($2) of which shall be payable to the local public law enforcement agency taking the fingerprints and completing the physical description and other data thereon, and two dollars ($2) of which shall be forwarded to the Bureau of Criminal Identification and Investigation with the two copies of applicant's or employee's fingerprint cards. If an applicant is subsequently hired by the board within 30 days of the application, such fee may be reimbursed to the applicant. Funds not reimbursed applicants shall be credited to the general fund of the district If the fingerprint cards forwarded to the Bureau of Criminal Identification and Investigation are those of a person already in the employ of the governing board, the fee shall be a proper charge against the general fund of the district."

**Amendment No. 5**

On page 2, line 46, after the period, insert "The provisions of this section shall not apply to a district, or districts with a common board, which has an average daily attendance of 400,000 or greater, or to a school district wholly within a city and county, unless the governing board of such district or districts, by rule, provides for adherence to this section."

**Amendment No. 6**

On page 3, line 4, strike out "for the"; strike out lines 5 and 6, and insert "as provided in Section 13588, furnish, upon application of a local public law enforcement agency all information".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 1145**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2525**—An act to amend Section 75030.5 of the Government Code, relating to the retirement of judges.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2547**—An act to add Section 25209 to the Government Code, relating to the correction of deeds of real property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2595**—An act to amend Sections 16752 and 16753 of the Business and Professions Code, relating to restraints of trade.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2631**—An act to add Section 71604.1 to the Government Code, relating to constables.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2633**—An act to amend Sections 1500 and 1590 of the Probate Code, relating to guardianship.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2638**—An act to add Section 71273 to the Government Code, relating to municipal and justice courts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2803**—An act to amend Section 834 of the Corporations Code, relating to derivative actions by corporate shareholders.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2905**—An act to amend Section 27491 of the Government Code, relating to the duties of coroner.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 1867**—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2298**—An act to amend Sections 1051 and 1052 of the Public Utilities Code, relating to warehousemen.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2546**—An act to amend Section 16102 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the storage of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1847**—An act to create the Nevada County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Nevada County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1627**—An act to add Sections 651.3, 3029, 3030 and 3031 to the Business and Professions Code, relating to the healing arts professions.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1592**—An act to create a flood control district to be called Siskiyou County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage,

storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1221**—An act to add Section 235 to the Water Code, relating to state construction of flood control and water conservation projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 414**—An act to amend Section 3260 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2335**—An act to add Article 7 (commencing at Section 675) to Chapter 1 of Division 2 of the Business and Professions Code, relating to schools offering courses of instruction in nursing.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2290**—An act to add Chapter 8 (commencing at Section 30200) to Division 3, Title 3 of the Government Code, relating to county accounting procedures.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2113**—An act to add Section 40807 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to speed of vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 423**—An act to add Section 4754.5 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2695**—An act to amend Section 2284 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2654**—An act to add Section 6508.5 to the Business and Professions Code, relating to the practice of barbering

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2088**—An act to add Chapter 11 (commencing at Section 25950) to Division 20 of the Health and Safety Code, relating to containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In the designation of authors in the heading of the printed bill, as amended in the Assembly on May 27, 1959, after "Marks", insert "(co-authored by Senator Richards)".

**Amendment No. 2**

In lines 1 and 2 of the title, strike out "11 (commencing at Section 25950) to Division 20 of the Health and Safety", and insert "13 (commencing at Section 22200) to Division 8 of the Business and Professions".

**Amendment No. 3**

In line 3 of the title after "containers", insert ", declaring the urgency thereof, to take effect immediately.

**Amendment No. 4**

On page 1, strike out line 1, and insert

"SECTION 1. Chapter 13 (commencing at Section 22200) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 13. POLYETHYLENE PLASTIC MATERIALS

22200. No bag made of polyethylene plastic material thinner than .001 inch which is large enough to fit over a child's head shall be used, after the effective date of this chapter, by any retail store as a container for products delivered to purchasers, or by any other retail business establishment to package articles delivered to customers, unless there is printed upon such bag in clear legible type the following "CAUTION—KEEP AWAY FROM SMALL CHILDREN. THE THIN FILM MAY CLING TO NOSE AND MOUTH AND PREVENT BREATHING", provided however that until January 1, 1960, this warning may be printed upon a gummed label which is securely attached to such bag.

22201. As used in this chapter, "a bag large enough to fit over a child's head" means any bag which, when open, has an opening larger than 25 square inches or a capacity of more than 125 cubic inches.

22202. Any violation of this chapter is a misdemeanor.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

During recent months many small children in California and other states have been suffocated by polyethylene plastic bags used by retail stores and establishments as containers and packages for products and articles delivered to purchasers and customers. In order that protection may be provided at the earliest possible time against further loss of life from these causes, it is necessary that this act go into immediate effect."

**Amendment No. 5**

On page 1, strike out lines 2 to 18, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2727**—An act to amend Section 11713 of the Health and Safety Code, relating to penalties for narcotic offenses.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 2, line 13, of the printed bill, after "years", insert "without parole".

**Amendment No. 2**

On page 2, line 22, after "section", insert ", except a first offender,".

**Amendment No. 3**

On page 2, line 18, strike out ", or, in the dis-"; strike out line 19 and insert a period.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2738**—An act to add Section 11723 to the Health and Safety Code, relating to narcotics addicts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "may", insert ", with the written consent of such person,".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2873**—An act to amend Section 2144 of the Business and Professions Code, relating to emergency medical treatment

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 11, of the printed bill, after "care", insert "at the scene of the emergency".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2773**—An act to add Chapter 8 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to ambulance safety.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 12 and 13.

**Amendment No. 2**

On page 2, line 14, strike out "25712", and insert "25711".

**Amendment No. 3**

On page 2, line 23, strike out "25713", and insert "25712".

**Amendment No. 4**

On page 2, strike out line 27.

**Amendment No. 5**

On page 2, line 29, strike out "25720", and insert "25713".

**Amendment No. 6**

On page 2, between lines 35 and 36, insert

"25714. The State Department of Public Health may adopt rules and regulations relating to the training and qualification of ambulance drivers and ambulance attendants and may adopt rules and regulations relating to the emergency equipment that shall be carried by ambulances.

25715. The State Department of Public Health may adopt and enforce rules and regulations for the execution of its duties under this chapter."

**Amendment No. 7**

On page 2, line 37, strike out "4", and insert "3".

**Amendment No. 8**

On page 3, strike out lines 16, 17 and 18.

**Amendment No. 9**

On page 2, line 50, strike out "five dollars ($5)", and insert "twenty-five dollars ($25)".

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2573**—An act to add Section 28435 to the Health and Safety Code, relating to crab meat.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on June 1, 1959, after "crab meat", strike out the period, and insert ", and making an appropriation"

**Amendment No. 2**

On page 1, line 15, strike out "licensee", and insert "license".

**Amendment No. 3**

On page 2, after line 36, insert

"SEC. 2. The sum of ten thousand dollars ($10,000) is hereby appropriated out of the General Fund in augmentation of Item 201 of the Budget Act of 1959 to carry out the provisions of this act."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2733**—An act to add Section 11332 to the Health and Safety Code, relating to narcotics.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Health, was read, and adopted:

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly on May 29, 1959, after "use", insert "for such purposes".

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 1705**—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 29, 1959, strike out lines 9 to 13, inclusive, and insert

"If a mortgagee or beneficiary under a deed of trust, or his assignee, for a period of 15 days after receipt of such written demand fails to execute and deliver such

certificate, his right to receive payment of principal and interest under the obligation secured by the mortgage or deed of trust is thereupon suspended until such time as he does execute and deliver the certificate."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2640**—An act to add Section 1958 to the Government Code, relating to liability of court attaches.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 29, 1959, strike out "1958", and insert "1959".

**Amendment No. 2**

On page 1, line 1, strike out "1958", and insert "1959".

**Amendment No. 3**

On page 1, line 3, strike out "1958. Each county shall", and insert "1959. Each county may".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2657**—An act to amend Section 870 of the Welfare and Institutions Code, relating to wards of the juvenile court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "equal to", and insert "not to exceed".

**Amendment No. 2**

On page 1, line 12, strike out the first "of", and insert "to".

**Amendment No. 3**

On page 1, line 12, strike out the second comma, and insert a period.

**Amendment No. 4**

On page 1, strike out lines 13 and 14.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2665**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Del Norte, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 2, line 4, of the printed bill, before the period, insert ", and all other such surveys and lands within the beds of Lake Talawa and Lake Earl".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2698**—An act to add Section 12419.4 to the Government Code, relating to liens for amounts owing to the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, after "all", insert "personal".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2821**—An act to add Article 11.5 to Chapter 10, Title 8, of the Government Code, relating to Lodi Municipal Court.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 9, and insert

"73752. There shall be one clerk, who shall be the administrative officer and act as secretary to the judge and be at Range 24 and receive a minimum salary of four hundred fifty-four dollars ($454) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-five dollars ($25), and twenty-six dollars ($26) to a maximum of five hundred fifty dollars ($550) monthly.

73753. The clerk may appoint:

(a) Two deputy clerks III who shall be at Range 16 and each of whom shall receive a minimum salary of three hundred ten dollars ($310) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), seventeen dollars ($17), and eighteen dollars ($18) to a maximum of three hundred seventy-six dollars ($376) monthly.

(b) Two deputy clerks II who shall be at Range 14 and each of whom shall receive a minimum salary of two hundred eighty-two dollars ($282) monthly, with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16) to a maximum of three hundred forty-one dollars ($341).

(c) Two deputy clerks I who shall be at Range 13 and each of whom shall receive a minimum salary of two hundred sixty-nine dollars ($269) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fourteen dollars ($14), and fifteen dollars ($15) to a maximum of three hundred twenty-five dollars ($325) monthly.

73754. There shall be one marshal who shall receive a salary of six hundred dollars ($600) monthly.

73755. The marshal may appoint two deputy marshals III who shall be at Range 17, and each of whom shall receive a minimum salary of three hundred twenty-five dollars ($325) monthly with annual increments of sixteen dollars ($16), seventeen dollars ($17), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred ninety-four dollars ($394) monthly."

**Amendment No. 2**

On page 1, strike out lines 10 to 22, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2143**—An act to amend Section 3440 of the Civil Code, relating to fraudulent transfers of property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 3, line 4, of the printed bill, as amended in the Assembly on May 29, 1959, strike out "mortgager", and insert "mortgagor".

**Amendment No. 2**

On page 3, line 9, strike out "mortgager", and insert "mortgagor".

**Amendment No. 3**

On page 3, line 14, strike out "mortgager", and insert "mortgagor".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1985**—An act to add Chapter 1.5 (commencing at Section 27111) to Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state aid to public libraries, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, strike out "state aid to public libraries and making an appropriation", and insert "public library systems".

**Amendment No. 2**

On page 1, strike out line 4, and insert "Public Library Systems".

**Amendment No. 3**

On page 2, line 3, strike out "establish stand-"; strike out all of line 4, and insert "encourage cooperation and the strengthening of public library service through the establishment of library systems and cooperative activities pursuant to this chapter."

**Amendment No. 4**

On page 2, line 6, strike out "or".

**Amendment No. 5**

On page 2, line 7, after "library", insert ", or unified high school district library".

**Amendment No. 6**

On page 2, strike out line 12.

**Amendment No. 7**

On page 2, lines 15 and 16, strike out "by the Public Library Aid Board", and insert "in the mutual covenant entered into by the co-operating public library jurisdictions".

**Amendment No. 8**

On page 2, strike out lines 19 to 29, inclusive, and insert

"Article 2. Establishment

27121. When two or more public library jurisdictions wish to enter into negotiations looking into the possible establishment of a co-operative library system, the

*legislative authority of each shall pass a resolution of intention authorizing* the respective head librarians, with the advice of the California State Librarian, and of the appropriate officers of the county, city, library district, union high school district or unified high school district, to prepare preliminary operating plans and drafts of *contract documents.*

27122. A public hearing shall be held by the legislative authority of each public library jurisdiction at least one week before the adoption of the contract or contracts, establishing the library system.

27123. *The expenses incident to preliminary studies, development of operating* plans and implementation of adopted plans shall be deemed appropriate expenditures for the public library jurisdictions involved."

**Amendment No. 9**

On page 2, line 48, strike out "adoption of state aid to", and insert "formation of".

**Amendment No. 10**

On page 3, line 3, strike out "standard for receiving grants under", and insert "standards for".

**Amendment No. 11**

On page 5, strike out line 14, and insert

"Article 5. Co-operative Activities

27141. Two or more public library jurisdictions may enter into agreements with each other for the performance of any service or activity specified in Article 4 of *this chapter.*"

**Amendment No. 12**

On page 5, strike out lines 16 to 51, inclusive; and on page 6, strike out lines 1 to 36, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2908**—An act to amend Section 14355 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to State Teachers' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 14355", and insert "Sections 14351 and 14356".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 14351 of the Education Code as enacted at the 1959 Regular Session is amended to read:

14351. Retirement allowances, excluding annuities under the Annuity Deposit Fund, payable for time commencing on July 1, ~~1956~~ *1960*, to persons whose retirement is effective prior thereto, shall be changed as of said date and on the basis of the ages of, and service credited to the respective persons at the effective dates of their retirement, to retirement allowances which are the sum of amounts calculated under the Permanent and Retirement Annuity Funds respectively, on the basis of current interest rate and mortality tables, and in the manner prescribed herein for the calculation of retirement allowances of members whose retirement is effective after said date, but not subject to the limit of 75 percent of average compensation earnable. Such changed retirement allowance, prior to modification under options in Section 14363, shall be at least an amount, by increase in the annuity under the Retirement Annuity Fund, based on service rendered prior

to July 1, 1944, which, when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall equal the retirement allowance, prior to optional modification, to which the person would be entitled under this system if he were not entitled to any allowance from a local retirement system, minus one-half the retirement annuity on account of service rendered after June 30, 1944, to which the person would be so entitled, but for which he did not make annuity contributions. Contributions and interest thereon owed to the system by said persons on said effective date, shall be deducted from the respective increased allowances, in the manner prescribed in Section 14106. If the person elected at retirement to have his annuity modified under one of the options in Section 14363, and if his beneficiary is living on July 1, ~~1956~~ *1960*, the increase in his annuity shall be modified under the option then elected and on the basis of current ages. This section does not authorize any decrease in any retirement allowance, nor does this section give any retired member, or his successors in interest, any claim against the State for any increase in any retirement allowance paid or payable for time prior to July 1, ~~1956~~ *1960*.

SEC. 2. Section 14356 of said code is amended to read:

14356. The retirement allowance in Section 14355, exclusive of the annuity in subdivision (c) of that section, but when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall be, by increase in the annuity under the Retirement Annuity Fund, at least seventy dollars ($70) *until July 1, 1960, and thereafter eighty dollars ($80)* per year, multiplied by the member's years of service, not to exceed forty (40); provided, the retired member is at least 60 years of age at the time of retirement. If retirement is at an age less than 60 years, the minimum retirement allowance under this section is an amount equal to a fraction of the minimum retirement allowance calculated under the preceding sentence, said fraction being that set forth in Section 14359 opposite the member's age at retirement, taken to the preceding completed quarter year, in the column applicable to the member's sex. For any member under retirement who re-enters membership in the retirement system and subsequently retires, the lesser age to be taken to the preceding quarter year, in the next preceding sentence, for calculating the minimum retirement allowance under this section, shall be determined by deducting from the member's age at the subsequent retirement, the aggregate time during which the member was under retirement prior to re-entry into membership in the system; provided, however, that the fraction to be taken at such adjusted lesser age shall not be less than nine-tenths if the subsequent and prior retirements were for disability. No retirement allowance shall be increased under this section to exceed, annually, 75 percent of the final compensation of the retired member ''

**Amendment No. 3**

On page 1, strike out lines 2 to 24, inclusive; and strike out all of page 2

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2704**—An act to amend and renumber Section 21153 of, and to add Section 21153 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to void warrants of school districts.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2682**—An act to amend Section 13324, and to repeal Section 13317, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to preservation of tenure rights once obtained.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 1347**—An act to amend Sections 7302, 7306, 7308, 7309.5, 7315, 7332, 7342, 7396.6, 7398.5, 7420, and 7442 of, and to repeal Sections 7333, 7334, 7341, and 7421 of, the Business and Professions Code, relating to cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

Strike out lines 2 to 12, inclusive, of the title of the printed bill, as amended in the Assembly on May 7, 1959, and insert "and 7332 of".

Amendment No. 2

On page 1, strike out lines 10 and 11, and insert "or who has not been so engaged two years prior to appointment."

Amendment No. 3

On page 3, strike out lines 22 to 45, inclusive; and strike out all of pages 4 to 7, inclusive.

Bill ordered reprinted, re-engrossed, to be filed, as amended; and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2881**—An act to add Section 17205 to the Educacation Code as enacted by the Legislature at its 1959 Regular Session, relating to the transportation of school district money to and from banks

Bill read second time, and ordered engrossed, and to the Consent Calendar

**Assembly Bill No. 2641**—An act to add Section 26154 to the Government Code, relating to county assistance to elementary school districts having a redevelopment agency or housing authority within its boundaries.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Education, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "counties with a population of"; strike out line 11; in line 12, strike out "1950 federal census.", and insert "elementary school districts which have an average daily attendance of less than 1,500."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar

**Assembly Bill No. 1748**—An act to amend Section 29011 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance, acquisition and use of degrees, diplomas, certificates, transcripts and documents evidencing the completion of courses beyond high school.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2660**—An act to amend Section 2181 of the Welfare and Institutions Code, relating to relatives' responsibility under the Old Age Security Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 27, 1959, strike out "amend Section 2181 of", and insert "add Section 2181.05 to".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 2181.05 is added to the Welfare and Institutions Code, to read:

2181.05 A relative of an applicant or recipient, if he so chooses, shall be permitted to itemize the expenses listed in Section 2181 in lieu of taking the flat percentage allowance for those items specified in that section. In addition, the relative shall be permitted to deduct the amount withheld from his salary or other compensation for employee retirement contributions required by law."

**Amendment No. 3**

On page 1, strike out lines 2 to 29, inclusive; and strike out all of pages 2 and 3

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Bill No. 2534**—An act to amend Section 23606 of, and to add Chapter 2.5 (commencing at Section 23681) to Division 18 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the state college faculty.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 27, 1959, and insert "An act to amend Sections 23604, 23605, and 23606 of the Edu-"

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 23604 of the Education Code is amended to read:

23604. The State Board of Education shall prescribe rules (a) for the government of the state colleges, ~~and~~ (b) for the reports of officers and teachers of the colleges and for visiting other schools and institutions, *and (c) for the consideration of matters presented by delegates selected by the faculties of the state colleges as provided for in this chapter*.

SEC. 2. Section 23605 of said code is amended to read:

23605. A meeting of the State Board of Education shall be held *twice* annually at such ~~time~~ *times* as ~~is~~ *are* determined by the rules of the board to consider and act upon matters pertaining to the several state colleges *presented by delegates selected by the faculties of the state colleges as provided in this chapter*.

SEC. 3. Section 23606 of said code is amended".

**Amendment No. 3**

On page 1, lines 4 and 5, strike out "when deemed advisable by the faculty, as defined in Section 23681,".

**Amendment No. 4**

On page 1, lines 6 and 7, strike out 'governing board of the California state colleges", and insert "State Board of Education".

**Amendment No. 5**

On page 1, strike out lines 14 to 19, inclusive, and insert

"The actual and necessary expenses incurred by any such person in attending the meeting may be audited and paid in the same manner as other bills for the maintenance of the institution

"Faculty" as used in this section shall in-".

**Amendment No. 6**

On page 1, line 22, strike out "may include those".

**Amendment No. 7**

On page 1, line 23, strike out "such".

**Amendment No. 8**

On page 2, strike out lines 1 to 18, inclusive, and insert "or employees of the college."

**Amendment No. 9**

On page 2, strike out lines 23 to 36, inclusive.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means.

**Assembly Concurrent Resolution No. 114**—Relative to street and highway funds.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed measure, strike out lines 14 to 20, inclusive, and insert

"*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the subject matter of this resolution is assigned to the Joint Committee on Legislative Organization for further assignment by it to an appropriate single house or joint interim committee, which committee is directed to report on such subject matter not later than the first Monday in February, 1960."

Resolution ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 365**—An act to amend Section 146 of the Civil Code, relating to disposition of community property and homesteads in cases of divorce and separate maintenance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "amend Section 146 of", and insert "add Section 143.5 to".

**Amendment No. 2**

In line 2 of the title, strike out "disposition of community property and homesteads", and insert "child support orders".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 143.5 is added to the Civil Code, to read:

143.5 When a court in a separate maintenance or divorce action has ordered a husband or wife to make payment of money through the court trustee, for the support and maintenance of his or her minor child, and any such payment is due and has not been made, the court trustee of the county in which such support order was made shall, with the consent of the attorney of record, if any, enforce such support order. Before paying said proceeds to the person in whose custody the child has been placed, the court trustee shall deduct therefrom any amount which has been paid by the county in which such child was a resident for its support and maintenance and shall deposit all amounts so deducted in the treasury of such county as reimbursement for such support payments."

**Amendment No. 4**

On page 1, strike out lines 2 to 20, inclusive; and on page 2, strike out lines 1 to 32, inclusive.

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 1188**—An act to add Section 17201.5 to, and to amend Sections 17004, 17203, 17207, 17418, 17600 and 17608 of the Financial Code, relating to escrow transactions.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, as amended in the Assembly on May 28, 1959, strike out line 13, and insert "the qualifications set forth in one of the following subdivisions".

**Amendment No. 2**

On page 1, line 14, strike out "Have", and insert "If he becomes managing officer on or before January 1, 1965, he must have".

**Amendment No. 3**

On page 1, strike out line 15, and insert "years."

**Amendment No. 4**

On page 2, strike out line 1, and insert "If he becomes managing officer after January 1, 1965, he must have been employed".

**Amendment No. 5**

On page 2, between lines 6 and 7, insert

"(c) Without regard to the date upon which he becomes managing officer, he has been admitted and licensed to practice law in this State for five years and has had at least five years experience in the practice of law and is no longer engaged in the active practice of law."

**Amendment No. 6**

On page 2, between lines 8 and 9, insert

"This section does not apply to any person who, on the effective date of this section, is the managing officer of a corporation licensed as an escrow agent."

Bill ordered reprinted, and re-engrossed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 930**—An act to add Sections 72196 and 72197 to the Government Code, relating to traffic commissioners in municipal courts.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "72196 and 72197", and insert "72199 and 72200".

#### Amendment No. 2

On page 1, line 1, strike out "72196", and insert "72199".

#### Amendment No. 3

On page 1, line 3, strike out "72196", and insert "72199".

#### Amendment No. 4

On page 1, line 10, strike out "72197", and insert "72200".

#### Amendment No. 5

On page 1, line 11, strike out "72197", and insert "72200".

#### Amendment No. 6

On page 1, line 13, strike out "72196", and insert "72199".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 977**—An act to amend Section 1461 of the Probate Code, relating to appearance of alleged insane or incompetent person at hearing for appointment of guardian.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 6, 1959, strike out lines 3 through 23, inclusive, and insert

"1461 Any relative or friend may file a verified petition alleging that a person is insane or incompetent, and setting forth the names and residences, so far as they are known to the petitioner, of the relatives of the alleged insane or incompetent person within the second degree residing within or without the State. The clerk shall set the petition for hearing by the court and issue a citation directed to the alleged insane or incompetent person setting forth the time and place of hearing so fixed by him

If the alleged insane or incompetent person is within the State the citation and a copy of the petition shall be personally served on him in the same manner as provided by law for the service of summons If the alleged insane or incompetent person is not within the State the citation and a copy of the petition shall be delivered to him, personally In all cases service shall be made on the alleged insane or incompetent person at least 10 days before the time of hearing unless the time is shortened by the court for good cause shown.

Notice of the nature of the proceedings and of the time and place of the hearing shall be mailed by the petitioner to each of the relatives of the alleged insane or incompetent person named in the petition at least 15 days before the time of hearing unless the time is shortened by the court for good cause shown. The court may order that similar notice be given to other persons in such manner as the court may direct. Any relative or friend of the alleged insane or incompetent person may appear and oppose the petition.

If the alleged insane or incompetent person is within the State and is able to attend, he must be produced at the hearing, and if he is not able to attend by reason of physical inability or by reason that the presence of such person in court".

**Amendment No. 2**

On page 2, line 11, strike out "All affidavits provided by this section", and strike out line 12.

**Amendment No. 3**

On page 2, after line 12, insert

"If the alleged insane or incompetent person is not within the State and if the court determines that his attendance at the hearing is necessary in the interest of justice, the court may order him to be produced at the hearing upon penalty of dismissing the petition if he is not produced. If such an order is made and it is contended that the alleged insane or incompetent person is not able to attend by reason of physical inability or by reason that the presence of such person in court would retard or impair the recovery of such person or would increase his mental debility, such inability or harmful effect must be evidenced by the affidavit of a duly licensed physician or surgeon, or other duly licensed medical practitioner, unless such alleged insane or incompetent person is a patient at a county or state hospital in which case the affidavit shall be by the medical director or medical superintendent or acting medical director or medical superintendent of such county or state hospital.

All affidavits provided by this section shall be prima facie evidence of the facts contained therein"

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 234**—An act to add Chapter 2.5 (commencing at Section 1203.50) to Title 4, Part 3 of the Code of Civil Procedure, relating to oil and gas liens

Bill read second time, and ordered to third reading

**Senate Bill No. 354**—An act to repeal Section 2 of Chapter 1820 of the Statutes of 1955 and to repeal and add Article 7 (commencing with Section 12580) to Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code, relating to state supervision and enforcement of certain charitable trusts and similar relationships, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 38**—An act to amend Section 73561 of the Government Code, relating to the number of judges in the municipal court in the district embracing the Cities of Carmel and Monterey.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 583**—An act to amend Section 1067 of the Probate Code, relating to estates of deceased persons.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 782**—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 784**—An act to amend Section 75081 of the Government Code, relating to the assignment of retired judges.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 785**—An act to amend Section 689b of the Code of Civil Procedure, relating to attachment and execution.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 840**—An act to amend Section 69895 of the Government Code, relating to the secretary and assistant secretaries of the

superior court in counties having a population of less than 2,000,000 but more than 750,000.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 893**—An act to amend Sections 68540, 68540.5, and 68541 of, and to add Sections 68547 and 75082 to, the Government Code, relating to judges.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 920**—An act to amend Section 740 of the Welfare and Institutions Code, relating to supervision of wards of the juvenile court by probation officers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 967**—An act to amend Section 69900 of the Government Code, relating to superior court employees.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1016**—An act to amend Sections 73433 and 73433.5 of the Government Code, relating to the municipal court in a district embracing the City of Bakersfield.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 986**—An act to amend Section 817 of the Public Utilities Code, relating to regulation of public utilities.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 14 to 16, inclusive, and insert

"(e) For the financing of the acquisition and installation of electrical and plumbing appliances and agricultural equipment which are sold by other than a public utility, for use within the service area of the public utility."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1245**—An act to amend Sections 1101, 1102, 1103, 1103.02, and 1107 of the Agricultural Code, relating to egg standards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 914**—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Bill read second time, and ordered to third reading.

**Senate Bill No. 936**—An act to add Section 703 to the Welfare and Institutions Code, relating to authorization of medical, surgical, dental, or other remedial care for minors.

Bill read second time, and ordered to Consent Calendar.

**Senate Bill No. 1485**—An act to add Section 1450 to the Welfare and Institutions Code, relating to county medical facilities.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 940**—An act to amend Section 2302 of, and to repeal Section 2311 of, the Welfare and Institutions Code, relating to boarding homes and institutions for the aged.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on May 8, 1959, after "of", insert ", and to amend Section 2311 of,".

**Amendment No. 2**

On page 2, after line 21, insert

"SEC. 2. Section 2311 of the Welfare and Institutions Code is amended to read:

2311. The provisions of this chapter shall not prevent local authorities of any county, city or city and county, within the reasonable exercise of the police power from adopting rules and regulations, by ordinance or resolution, prescribing standards of sanitation, health and hygiene for institutions, boarding homes and other places for the reception or care of aged persons, not in conflict with the provisions of this chapter, *or the rules and regulations and minimum standards adopted by the State Department of Social Welfare hereunder*, and requiring a local health permit to maintain or conduct any such boarding home or institution within such county, city or city and county."

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

**Senate Bill No. 1227**—An act to amend Sections 15007, 19577, and 19632 of, and to add Section 19559.5 to, the Education Code as enacted at the 1959 Regular Session, and to amend Section 11544 of the Business and Professions Code, relating to the management and disposition of school district properties.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Education, were read, and adopted:

**Amendment No. 1**

On page 4, line 13, of the printed bill, strike out "Allocations", and insert "Allocation".

**Amendment No. 2**

On page 5, line 7, strike out "considerations received as a", and insert "the application of the consideration received in".

**Amendment No. 3**

On page 5, line 20, after "district", insert "effected after a hearing and finding of the board".

**Amendment No. 4**

On page 5, line 27, strike out ", pursuant", and insert "after a hearing and finding of the board. Pursuant".

**Amendment No. 5**

On page 7, line 5, strike out "said school site", and insert "a school site belonging to the school district".

**Amendment No. 6**

On page 3, line 7, of the printed bill, after "years", insert "in the case of an application for an elementary grade level maintained by the district, or within seven years in the case of an application for a high school grade level maintained by the district,".

**Amendment No. 7**

On page 3, line 8, after "plan", insert ", or for the plans and specifications,".

**Amendment No. 8**

On page 3, line 10, after "plan," insert "or for the plans and specifications,".

**Amendment No. 9**

On page 3, line 10, strike out "If the Depart-"; strike out all of lines 11 to 22 inclusive; in line 23 strike out "pursuant to Section 19571.", and insert "Any application referred to the board pursuant to this section may be either approved in whole or in part, not exceeding the amount applied for, as the board may deem appropriate, pursuant to Sections 19571 and 19576, except that the board may approve additional portions of an application and make an additional apportionment or apportionments within five years of the original approval without requiring a district to issue additional bonds. No additional approval pursuant to the original application or apportionment thereunder may be made unless the board first has investigated and determined the necessity of such additional approval or apportionment, and has received a report thereon from the Department of Education."

**Amendment No. 10**

On page 3, line 25, after the period, insert "As used in this section, an "elementary grade level maintained by the district" is a grade level composed of the grades and maintained by the districts specified in (1) of subdivision (e) of Section 19553. As used in this section a "high school grade level maintained by the district" is a grade level composed of the grades and maintained by the districts specified in (2) of subdivision (e) of Section 19553."

**Amendment No. 11**

On page 3, line 28, strike out "a comprehensive"; strike out line 29, and insert "plans and specifications for school facilities and for the development of the site, which will conform to those eligible for construction under this chapter (Sections 19551 to 19689, inclusive)."

Bill ordered reprinted, and to be re-referred to the Committee on Education.

**Senate Bill No. 1058**—An act to amend Section 14376 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

**Senate Bill No. 715**—An act to amend Section 24001 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to gifts to state colleges.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 716**—An act to amend Section 17201 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to accounting procedures of school districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 824**—An act to amend and renumber the heading of Chapter 4 (commencing at Section 16951), Division 13 of the Education Code, as enacted by the Legislature at its 1959 Regular Session.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 825**—An act to amend Section 13855 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to teachers' retirement.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 826**—An act to amend and renumber Section 8356 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to work experience education.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 827**—An act to amend Section 19481 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 828**—An act to amend Section 13121 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the certification of school employees.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1156**—An act to amend Sections 821.55, 822, 823.7, and 829.6 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1180**—An act to add Section 827.8 to the Agricultural Code, relating to apple standards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1302**—An act to amend Sections 12212 and 12511 of the Business and Professions Code, relating to weighing and measuring devices.

Bill read second time, and ordered to third reading.

**Senate Bill No. 584**—An act to amend Section 9595 of, to add Section 18708 to, the Education Code, to amend Section 9155 of, and to add Section 16409 to, the Education Code, as proposed by Senate Bill No. 2, relating to published materials prepared by a county superintendent of schools or school district.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1240**—An act to add Section 5005.7 to the Elections Code, relating to ballot measures.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Elections and Reapportionment, were read, and adopted:

### Amendment No. 1

On page 1, line 9, of the printed bill, as amended in Senate May 21, 1959, strike out "roster", and insert "poster".

### Amendment No. 2

On page 1, line 18, after "to", insert "windshield stickers or".

### Amendment No. 3

On page 1, line 19, after "automobiles", insert ", or to official ballot pamphlets or other official documents containing ballot arguments submitted pursuant to Division 4 (commencing at Section 1400) of this code".

### Request for Unanimous Consent

Mr. Mulford was granted unanimous consent to offer a further amendment to Senate Bill No. 1240.

**Request for Unanimous Consent to Temporarily Suspend the Rules**

Mr. Mulford was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting him to offer an amendment making him a co-author of Senate Bill No. 1240.

**Motion to Amend**

Mr. Mulford moved the adoption of the following amendment:

**Amendment No. 1**

In the heading of the printed bill, as amended in the Senate on May 21, 1959, after "Holmdahl", insert "(Assemblyman Mulford, Co-author)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Concurrent Resolution No. 32**—Relative to a study to be made of problems arising from automobile accident litigation.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed measure, strike out lines 10 to 26, inclusive, and insert "*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the subject matter of this resolution is assigned to the Joint Committee on Legislative Organization for further assignment by it to an appropriate single house or joint interim committee, which committee is directed to report on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

Resolution ordered reprinted, and to be placed on the Consent Calendar.

**Senate Concurrent Resolution No. 60**—Relative to a study of farm vehicle registration problems.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed measure, strike out lines 16 to 25, inclusive, and insert "*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the subject matter of this resolution is assigned to the Joint Committee on Legislative Organization for further assignment by it to an appropriate single house or joint interim committee, which committee is directed to report on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

Resolution ordered reprinted, and to be placed on the Consent Calendar.

**SENATE BILL NO. 998 REMOVED FROM CONSENT CALENDAR**

Mr. Winton was granted unanimous consent that Senate Bill No. 998 be removed from the Consent Calendar, and placed on the third reading file.

**Request for Unanimous Consent**

Mr. Winton was granted unanimous consent to take up Senate Bill No. 998 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 998

**Senate Bill No. 998**—An act to amend Section 35401 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the lengths of semitrailers and combinations of vehicles.

Bill read third time.

### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

### Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 22, 1959, strike out lines 24 and 25, and insert "nance. The ordinance shall not be effective until appropriate signs are erected indicating either the streets affected by the ordinance or the streets not affected, as the local authority determines will best serve to give notice of the ordinance."

Amendment read, and adopted.

Bill ordered reprinted and to third reading.

## PARLIAMENTARY INQUIRY

Mr. Dahl arose to the following parliamentary inquiry: Will the Assembly be in session tomorrow?

### Reply by Speaker

The Speaker replied that it would.

## PARLIAMENTARY INQUIRY

Mr. Mulford arose to the following parliamentary inquiry: Will the Assembly be in session tonight?

### Reply by Speaker

The Speaker replied that he did not believe so, but that the House would be in session tomorrow.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1383

Speaker Brown ordered Senate Bill No. 1383 withdrawn from the Committee on Public Health, and re-referred to the Committee on Public Utilities and Corporations.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 4, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action.

Assembly Bill No. 1493
Assembly Bill No. 1798

From committee: Bills to be re-referred to Committee on Rules for interim study assignment.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 360
Senate Bill No. 461
Senate Bill No. 630
Senate Bill No. 632
Senate Bill No. 633
Senate Bill No. 703
Senate Bill No. 971
Senate Bill No. 992
Senate Bill No. 994
Senate Bill No. 1010
Senate Bill No. 1057

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 469 | Senate Bill No. 1061 |
| Senate Bill No. 597 | Senate Bill No. 1129 |
| Senate Bill No. 598 | Senate Bill No. 1179 |
| Senate Bill No. 697 | Senate Bill No. 1206 |
| Senate Bill No. 789 | Senate Bill No 1280 |
| Senate Bill No. 942 | Senate Bill No. 1427 |
| Senate Bill No. 988 | Senate Bill No. 1476 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 469**—An act to amend Section 232 of the Water Code, relating to determination of water supplies.

Referred to Committee on Water.

**Senate Bill No. 597**—An act to repeal Sections 65004, 65060 and 65061, and Articles 1.5 (commencing at Section 65020) and 2 (commencing at Section 65030) of Chapter 1 of Title 7, to amend Section 65062, and to add Chapter 1.5 (commencing at Section 65011.1) to Title 7, of the Government Code, relating to state, regional and local planning, establishing the State Office of Planning in the Department of Finance, providing for and assigning powers and duties to such office, and creating an advisory committee for the office.

Referred to Committee on Government Organization.

**Senate Bill No. 598**—An act to add Sections 12816.5 and 12817 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Utilities and Corporations

**Senate Bill No. 697**—An act making an appropriation for the Water Rights Board Revolving Fund for the use of the State Water Rights Board in making reimbursable determinations of water rights and to amend Sections 2862 and 2863 of, and to add section 2866 to the Water Code, relating to said fund.

Referred to Committee on Water.

**Senate Bill No. 789**—An act to amend Section 8352 of, and to repeal Sections 8357, 8357.5 and 8358 of, the Revenue and Taxation Code, and to add Article 4 (commencing at Section 21680) to Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, relating to financial assistance for airports and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 942**—An act to add Section 1238.6 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 988**—An act to amend Section 10500 of the Water Code, relating to the appropriation of water by the Department of Water Resources.

Referred to Committee on Water.

**Senate Bill No. 1061**—An act to amend Sections 72 and 73 of, and to add Section 72.5 to, the Streets and Highways Code, relating to abandonment and relinquishment of state highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1129**—An act making an appropriation for an investigation of power sources for state water project pumping and other purposes.

Referred to Committee on Water.

**Senate Bill No. 1179**—An act to amend Sections 34014, 34026, 34801, 34802, 34803, 35907, and 36575 of, and to add Sections 36409, 36831, 36832 and 36833 to, the Water Code, relating to California water districts.

Referred to Committee on Water.

**Senate Bill No. 1206**—An act to add Section 54386.1 to the Government Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1280**—An act to add Section 203.11 to the Welfare and Institutions Code, relating to a county hospital safety commission.

Referred to Committee on Public Health.

**Senate Bill No. 1427**—An act to add Section 3362 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 1476**—An act to add Section 1170.5 to the Government Code, relating to withholding of taxes from wages, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 3, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 995
Senate Bill No. 1125

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 995**—An act to amend Section 18 of and to add Sections 21.1 and 21.2 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), relating to financial statements and district liability.

Referred to Committee on Water.

**Senate Bill No. 1125**—An act to amend Section 1300.12 of the Agricultural Code, relating to the marketing of agricultural commodities.

Referred to Committee on Agriculture.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, May 29, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1159

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 1159**—An act to amend Section 1500 of the Welfare and Institutions Code, relating to needy children.

Bill ordered held at the desk.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Bruce F. Allen was granted unanimous consent to take up Assembly Bill No. 2613, previously ordered passed temporarily on the second reading file.

## SECOND READING OF ASSEMBLY BILL NO. 2613 (OUT OF ORDER)

**Assembly Bill No. 2613**—An act to add Article 12.5 (commencing at Section 73790) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Bill read second time.

### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 16 of the printed bill, strike out "and fifty dollars ($50)", and insert "fifty dollars ($50), and fifty-two dollars ($52)".

#### Amendment No. 2

On page 1, line 23, strike out "and thirty-nine dollars ($39)", and insert "thirty-nine dollars ($39), and forty-one dollars ($41)".

#### Amendment No. 3

On page 2, lines 6 and 7, strike out "and twenty-nine dollars ($29)", and insert "twenty-nine dollars ($29) and thirty-one dollars ($31)".

#### Amendment No. 4

On page 2, lines 13 and 14, strike out "and twenty-two dollars ($22)", and insert "twenty-two dollars ($22), and twenty-three dollars ($23)".

#### Amendment No. 5

On page 2, lines 20 and 21, strike out "and nineteen dollars ($19)", and insert "nineteen dollars ($19), and twenty dollars ($20)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

### Chief Clerk Arthur A. Ohnimus at the Desk

## ANNOUNCEMENT

Mr. Winton announced that the present order of business was Motions and Resolutions; and that he would withhold unanimous consent to take up any motions or resolutions out of order, later in the day.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Petris was granted unanimous consent to take up Assembly Bill No. 2723 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2723

**Assembly Bill No. 2723**—An act to add Section 488 to the Insurance Code, relating to termination of insurance policies due to default in payment of premiums, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Motion to Amend

Mr. Petris moved the adoption of the following amendments:

#### Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately.", and insert a period.

#### Amendment No. 2

On page 2, strike out lines 12 to 33, inclusive.

#### Amendment No. 3

On page 1, line 15, after the comma, insert "such termination being when a majority of the insurance agents who were on strike have returned to work,".

~~Amendments read, and adopted.~~
~~Bill ordered reprinted, and re-engrossed.~~

NOTE—Later this day, a motion to reconsider the amendments to Assembly Bill No. 2723 was made. *See* page 4879.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Rees was granted unanimous consent to take up Assembly Bill No. 2833 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2833

**Assembly Bill No. 2833**—An act to add Section 10200.5 to the Insurance Code, relating to group life insurance.

Bill read third time.

#### Motion to Amend

Mr. Rees moved the adoption of the following amendments:

#### Amendment No. 1

On page 3, line 12, of the printed bill, as amended in the Assembly on May 27, 1959, after "wholesale", insert a comma

#### Amendment No. 2

On page 3, line 12, after "franchise", insert a comma.

#### Amendment No. 3

On page 3, line 12, after "insurance", insert "policy".

#### Amendment No. 4

On page 3, line 18, strike out "profession", and insert "professional association".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT

Mrs. Davis was granted unanimous consent to take up Assembly Bill No. 2117, for purpose of amendment

### CONSIDERATION OF ASSEMBLY BILL NO. 2117

**Assembly Bill No. 2117**—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1 of the Government Code, relating to the State Advisory Commission on Indian Affairs, and making an appropriation.

Bill read third time.

#### Motion to Amend

Mrs. Davis moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "2.7 (commencing at Section 8150)", and insert "2 8 (commencing at Section 8160)".

#### Amendment No. 2

On page 1, line 1, strike out "2.7 (commencing at Section 8150)", and insert "2.8 (commencing at Section 8160)".

#### Amendment No. 3

On page 1, line 4, strike out "2.7", and insert "2.8".

#### Amendment No. 4

On page 1, line 7, strike out "8150", and insert "8160".

#### Amendment No. 5

On page 1, line 9, strike out "8151", and insert "8161".

#### Amendment No. 6

On page 1, line 11, strike out "8152", and insert "8162".

#### Amendment No. 7

On page 2, line 1, strike out "8153", and insert "8163".

#### Amendment No. 8

On page 2, line 4, strike out "8154", and insert "8164".

#### Amendment No. 9

On page 2, line 7, strike out "8155", and insert "8165".

#### Amendment No. 10

On page 2, line 11, strike out "8156", and insert "8166".

#### Amendment No. 11

On page 2, line 20, strike out "8157", and insert "8167".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 2423

Miss Donahoe was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the committee amendments to Assembly Bill No. 2423.

Miss Donahoe withdrew her request.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. McCollister was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of permitting Senate Bill No. 519 to be heard in committee Monday.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 2, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Senate Bill No. 133**—An act to amend Section 20 of the Vallejo Sanitation and Flood Control District Act (Chapter 17 of the Statutes of 1952 First Extraordinary Session), relating to the Vallejo Sanitation and Flood Control District.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 1, of the printed bill, as amended in Assembly May 11, 1959, strike out line 7, and insert "four thousand dollars ($4,000), the".

| | |
|---|---|
| LUTHER E. GIBSON | SAMUEL R. GEDDES |
| PAUL L. BYRNE | EDWIN L. Z'BERG |
| RONALD G. CAMERON | PAULINE L. DAVIS |
| Senate Committee on Conference | Assembly Committee on Conference |

The roll was called, and the report adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—53.

NOES—None.

### WITHDRAWAL AND RE-REFERENCE OF SENATE JOINT RESOLUTION NO. 21

Mr. Miller was granted unanimous consent that Senate Joint Resolution No. 21 be withdrawn from the Committee on Rules, and re-referred to the Committee on Transportation and Commerce.

### APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1172

The Speaker appointed Messrs. Unruh, Crawford, and Crown as a Second Committee on Conference concerning Assembly Bill No. 1172.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### SUGGESTED PROCEDURE

Speaker Brown spoke on the condition of the file; and suggested to the members that when the committee reports are read today, the bills

be read the second time, at that time, and the appropriate actions taken on the bills reported therein; and that amended bills be ordered to third reading without being returned to the second reading file pursuant to Rule 69.

Speaker Brown also announced that the Assembly would be in session until about 5 p.m. today; and would also meet tomorrow.

### Parliamentary Inquiry

Mr. Ernest R. Geddes arose to the following parliamentary inquiry: In order to meet on Saturday, and not lose a day, will it be necessary to stop the clock today, or will tomorrow be a regular legislative day?

### Reply by Speaker

The Speaker replied that Saturday's session would be a regular legislative day.

### Parliamentary Inquiry

Mr. Biddick arose to the following parliamentary inquiry: Under the suggested procedure, when will it be possible to raise objections to the adoption of committee amendments reported out of committee today?

### Reply by Speaker

The Speaker replied that objections could be raised at any time on third reading.

### Parliamentary Inquiry

Mr. Biddick arose to the following parliamentary inquiry: Cannot the objections be raised prior to third reading?

### Reply by Speaker

The Speaker directed the inquiry to Mr. McCollister, as to the procedure followed at previous sessions.

### Reply by Mr. McCollister

Mr. McCollister replied that Mr. Biddick could direct the desk's attention to his objections; and that the bill could then be held for second reading tomorrow.

## OBJECTION TO COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 2395

Mr. Biddick then arose to object to the adoption of committee amendments to Assembly Bill No. 2395.

Assembly Bill No. 2395 ordered to be placed on the second reading file for tomorrow, when the committee report is read today.

## MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. McCollister moved that the Rules be temporarily suspended in order that, with the exception of Assembly Bill No. 2395, all bills reported out of committee today be read the second time, with appropriate actions taken on the bills; and that bills amended on second reading today be placed on the third reading file for tomorrow without being returned to the second reading file pursuant to Rule No. 69.

Motion carried unanimously.

### Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: If the Assembly actually has a legislative day tomorrow, will that day count as a calendar day?

### Reply by Speaker

The Speaker replied that he would request an opinion of the Legislative Counsel on the question, and request that the opinion be ready before the noon recess.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 137
And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Finance and Insurance.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2276
Assembly Bill No. 2390
And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1245
Assembly Bill No. 2502
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No. 45
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 141
Assembly Bill No. 285
Assembly Bill No. 590
Assembly Bill No. 2559
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2744
Assembly Bill No. 2865
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No. 2744 ordered to the Consent Calendar.
Assembly Bill No. 2865 ordered to third reading.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1551
Assembly Bill No. 2554
Assembly Bill No. 2611
Assembly Bill No. 2677

And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bills Nos. 1551, 2611, and 2677 ordered to third reading.

Assembly Bill No. 2554 re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2458

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2802

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2799

And reports the same correctly engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Governmental Efficiency and Economy.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 2584
Assembly Bill No. 2864

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CRAWFORD, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 2809

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CRAWFORD, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2809**—An act to add Section 639 to the Penal Code, relating to interference with the activities of the National Guard.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Military and Veterans Affairs, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 21, 1959, strike out lines 4 to 10, inclusive, and insert

"639. Any person who advocates or exerts force or violence against the activities of or to the California National Guard during any period when such organization is in an activated status, is".

Bill ordered reprinted, re-engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

**Committee on Military and Veterans Affairs**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER. Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 429
Senate Bill No. 430

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CRAWFORD, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 429**—An act to amend Section 988.3, Military and Veterans Code, relating to advances of money to Department of Veterans Affairs by Department of Finance.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 430**—An act to amend Section 980 of the Military and Veterans Code, relating to veterans' benefits.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Social Welfare**

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 152

With amendments with the recommendation: Amend, and do pass, as amended.

BURTON, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 152**—An act to add Sections 2500.5, 2509, and 2557 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out ", 2509,".

**Amendment No. 2**

On page 1, line 5, strike out ", age, sex or marital status", and insert "or age".

**Amendment No. 3**

On page 1, strike out lines 7 to 18, inclusive, and insert

"It shall be a policy to permit a recipient of aid under this chapter to retain his usual place of abode while receiving aid in order that he may more readily seek employment and be available for employment unless the board determines that the rehabilitation of the recipient requires a different policy. A grant of aid in this manner shall be in accordance with policies adopted by the board. A grant of aid shall not be denied to any applicant solely because of his sex or marital status."

**Amendment No. 4**

On page 1, line 19, strike out "SEC. 3", and insert "SEC. 2".

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2757
Assembly Bill No. 2807
Assembly Bill No. 2310
Assembly Bill No. 2900

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2757**—An act to amend Sections 285 and 11806 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle dealers and salesmen.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2807**—An act to amend Section 11713 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the closing of vehicle dealers on Sundays.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2310**—An act to add Section 100.2a to the Streets and Highways Code, relating to state highways as freeways.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2900**—An act to add Section 515 to the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 2898

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2898**—An act to add Chapter 5 (commencing at Section 11900) to Division 5 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session relating to the licensing of motor vehicle repair businesses.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

### Amendment No. 1

On page 2, line 38, of the printed bill, after "any", insert "mechanical repair".

Bill ordered reprinted, engrossed, and be filed, as amended, and the subject matter referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 988
Assembly Bill No. 2760
Assembly Bill No. 2871

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2828
Assembly Bill No 2685
Assembly Bill No. 924
Assembly Bill No. 928
Assembly Bill No. 929
Assembly Bill No. 930
Assembly Bill No. 931
Assembly Bill No. 932
Assembly Bill No. 933
Assembly Bill No. 934
Assembly Bill No. 935
Assembly Bill No. 936
Assembly Bill No. 937
Assembly Bill No 2045
Assembly Bill No. 671

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2828**—An act to amend Sections 6900 and 6902 of the Government Code, relating to vending stands for the blind.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2685**—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 924**—An act making an appropriation to the Department of Public Health, in augmentation of Item 439 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 928**—An act making an appropriation to the Department of Water Resources for the completion of studies and investigations of water resources, in augmentation of Item 257 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 929**—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of the Youth Authority, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 930**—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Mental Hygiene, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 931**—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Corrections, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 932**—An act making an appropriation for workmen's compensation benefits, in augmentation of Item 263 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 933**—An act making an appropriation for reimbursement of expenses incurred by counties and cities for licensing and inspection of homes and agencies caring for aged, and children, in augmentation of Item 448 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 934**—An act making an appropriation to the Department of Public Health, in augmentation of Item 444 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 935**—An act making an appropriation for support of the California Horse Racing Board, in augmentation of Item 204 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 936**—An act making an appropriation for support of the Division of Real Estate, Department of Investment, in augmentation of Item 208.1, of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 937**—An act making an appropriation for printing constitutional amendments and other ballot measures, in augmentation of Item 32 of the Budget Act of 1958, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2045**—An act to amend Section 2301 of the Welfare and Institutions Code, relating to institutions and boarding homes for the aged.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 671**—An act to add Sections 167 and 168 to the Welfare and Institutions Code, relating to the academic education of patients in state hospitals.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Assembly Bill No. 139 | Assembly Bill No. 1074 |
| Assembly Bill No. 2766 | Assembly Bill No. 1868 |
| Assembly Bill No 2777 | Assembly Bill No. 2596 |
| Assembly Bill No. 2243 | Assembly Bill No. 2610 |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 139**—An act to add Section 19391 to the Government Code, relating to state employees.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2766**—An act to amend Section 154.8 to the Agricultural Code, relating to noxious weeds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2777**—An act to create the El Dorado County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, providing for the levy and collection of taxes for the payment of general district expenses and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2243**—An act to add Chapter 8 (commencing with Section 1600) to Title 10 of Part 3 of the Code of Civil Procedure, and to repeal Article 5 (commencing with Section 1530) and Article 6 (commencing with Section 1540) of Chapter 6 of Title 10 of Part 3 of said code, relating to unclaimed property in the custody of federal officers, agencies, and departments, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1074**—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Sections 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1868**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation, and the allocation of state funds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2596**—An act to amend Section 17703 of, and to add Section 17704 to, the Education Code as enacted at the 1959 Regular Session, relating to apportionments of funds to school districts from the State School Fund.

Bill read second time, and ordered to third reading

**Assembly Bill No. 2610**—An act to amend Section 6 of Chapter 2374, Statutes of 1957, relating to inclusion of certain officers and employees of the University of California in the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Assembly Bill No. 920 | Assembly Bill No. 2358 |
| Assembly Bill No. 1110 | Assembly Bill No. 2501 |
| Assembly Bill No. 1675 | Assembly Bill No. 2503 |
| Assembly Bill No. 1490 | Assembly Bill No. 2567 |
| Assembly Bill No. 1700 | Assembly Bill No. 2575 |
| Assembly Bill No. 1771 | Assembly Bill No. 2588 |
| Assembly Bill No. 1974 | Assembly Bill No. 2629 |
| Assembly Bill No. 2231 | |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add

Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1110**—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1675**—An act to add Sections 13837, 13838, 14256, 14258, 14259, and 14260 to, and to amend Section 14216 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the providing of survivor allowances in the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1490**—An act to add Section 5003.4 to the Public Resources Code, relating to the State Park System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1700**—An act to add Sections 1012.1 and 1035.1 to, to amend Sections 1035, 1037, 1038, 1039, and 1041 of, and to repeal Section 1040 of, the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1771**—An act to amend Section 1172 of the Labor Code, relating to wages of minors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1974**—An act to amend Sections 13002, 13005, 13022, 13025, 13041, 13042, 13050, 13052, 13054, 13055, 13060, and 13063 of, to add Sections 13000.1, 13000.2, 13000.3, 13020.1, 13022.1, 13052.1, 13054.1, 13054.2, 13054.3, 13054.4, 13054.5, and 13055.1 to, to repeal Sections 13061, 13061.5, and 13062 of, and to add Article 4 (commencing at Section 13080) to Chapter 4 of Division 7 of, the Water Code, and to amend Section 5460 of the Health and Safety Code, relating to water pollution.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2231**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle aid and vacuum brakes.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2358**—An act to create the Lincoln Sesquicentennial Commission of California, and to prescribe the powers and duties thereof.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2501**—An act to amend Sections 16431 and 16432 of the Business and Professions Code, relating to itinerant merchants and abolishing the Itinerant Merchants Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2503**—An act to amend the article heading of Article 5d (commencing at Section 996.13) of Chapter 6 of Division 4 of the Military and Veterans Code, to amend Sections 996.13, 996.15 and 996.19, and to repeal Sections 996.16 and 996.20 thereof, relating to military and veterans affairs and abolishing the Veterans Affairs Construction Fund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2567**—An act to add Section 7745.5 to the Education Code, and to add Section 19630.5 to the Education Code as enacted at the 1959 Regular Session, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2575**—An act to amend Sections 41305 and 41725 of, to add Sections 39925, 41307, 41308 and 41555 to, and to repeal Section 39925 of, the Water Code, relating to water storage districts.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2588**—An act to add Section 13144.1 to the Health and Safety Code, relating to dissemination of information by the State Fire Marshal.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2629**—An act to create the Amador County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, and providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: *Your Committee on Ways and Means reports:*

Assembly Bill No. 981
Assembly Bill No. 1841
Assembly Bill No. 2062
Assembly Bill No. 778
Assembly Bill No. 1678
Assembly Bill No. 1857
Assembly Bill No. 2544
Assembly Bill No. 2282
Assembly Bill No. 2233
Assembly Bill No. 1774
Assembly Bill No. 1625
Assembly Bill No. 1399
Assembly Bill No. 1398
Assembly Bill No. 809
Assembly Bill No. 760

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 981**—An act to amend Sections 20750.1, 20750.2, 20750.3, 20750.4, 21251.1, 21253, and 20130 and to repeal Sections 20750.112, 20750.15, 20750.22, 20750.25, 20750.32, 20750.35, 20750.42, and 20750.45 of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1841**—An act to amend Section 20804.5 of the Government Code, relating to employees' retirement system.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2062**—An act to add Sections 20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20230.5, 20497, 20498, 20601.5, 20750.13, 20750.23, 20750.33, 20750.43, 20989, 21251.14, 21293.5, 21364.7, 22152, 22153, and 22213 of; to add Chapter 6.5 (commencing at Section 20780) to Part 3, Division 5, Title 2 of; to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of; to amend Section 22009.1, 22013, 22210 of; and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2 of; the Government Code, relating to State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 778**—An act to codify Chapter 1739, Statutes of 1953 by repealing said chapter, and adding Chapter 6.5 (commencing with Section 1230) to Part 1, Division 1 of the Public Utilities Code, relating to allocation to counties, cities, and cities and counties for the construction of grade crossing protections, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1678**—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1857**—An act to add Sections 1659 and 42006 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver improvement schools.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2544**—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2282**—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2233**—An act to amend Sections 4166 and 4182 of, to add Sections 4003.5, 4006, 4009, 4020.1, 4146, 4163.7, and 4189.1 to, and to repeal Sections 4006 and 4025 of, the Welfare and Institutions Code, relating to aid to the permanently and totally disabled.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1774**—An act to amend Section 2160.9 of the Welfare and Institutions Code, relating to the computation of old age security grants.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1625**—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1399**—An act to amend Sections 3306 and 3332 of the Welfare and Institutions Code, to amend Sections 135 and 633 of, and to add Section 605.5 to the Unemployment Insurance Code, relating to unemployment compensation benefits and unemployment compensation disability benefits for employees of certain public agencies, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1398**—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Sections 3306 and 3332 of, the Welfare and Institutions Code, relating to social security coverage for state employees not covered by a retirement system, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 809**—An act to amend Sections 3082 and 3474.5 of, and to add Section 3474.3 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 760**—An act to amend Section 4000 of and to add Section 4001 to the Welfare and Institutions Code, relating to aid to the disabled.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: *Your Committee on Ways and Means reports:*

| | |
|---|---|
| Assembly Bill No 2674 | Assembly Bill No. 170 |
| Assembly Bill No. 497 | Assembly Bill No. 1043 |
| Assembly Bill No. 2076 | Assembly Bill No. 1535 |
| Assembly Bill No. 2603 | Assembly Bill No 1536 |
| Assembly Bill No. 1565 | Assembly Bill No. 749 |
| Assembly Bill No 96 | Assembly Bill No. 120 |
| Assembly Bill No. 345 | Assembly Bill No 103 |
| Assembly Bill No. 72 | Assembly Bill No 2435 |

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2674**—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, and 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Sections 761, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In the heading of the printed bill, as amended in the Assembly on June 1, 1959, after "Lanterman," strike out "and".

Amendment No. 2

In the heading, after "Wilson", insert ", and DeLotto"

Amendment No. 3

In line 7 of the title, strike out "761,".

Amendment No. 4

On page 2, strike out lines 11 to 19, inclusive; in line 20 strike out "SEC. 5" and insert "SEC. 4".

Amendment No. 5

On page 2, line 38, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 6

On page 2, line 45, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 7

On page 3, line 20, strike out "SEC. 8", and insert "SEC. 7"

Amendment No. 8

On page 3, line 34, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 9

On page 3, line 39, strike out "SEC. 10", and insert "SEC. 9".

Amendment No. 10

On page 4, line 3, strike out "SEC. 11", and insert "SEC. 10"

Amendment No. 11

On page 4, line 17, strike out "SEC. 12", and insert "SEC. 11"

Amendment No. 12

On page 4, line 28, strike out "SEC. 13", and insert "SEC. 12".

Amendment No. 13

On page 4, line 37, strike out "SEC. 14", and insert "SEC. 13".

Amendment No. 14

On page 4, line 49, strike out "SEC. 15", and insert "SEC. 14".

Amendment No. 15

On page 5, line 8, strike out "SEC. 16", and insert "SEC. 15".

Amendment No. 16

On page 5, line 35, strike out "SEC. 17", and insert "SEC. 16".

**Amendment No. 17**
On page 5, line 44, strike out "SEC. 18", and insert "SEC 17".

**Amendment No. 18**
On page 6, line 17, strike out "SEC. 19", and insert "SEC. 18".

**Amendment No. 19**
On page 6, line 22, strike out "SEC. 20", and insert "SEC. 19".

**Amendment No. 20**
On page 6, line 23, strike out "SEC. 21", and insert "SEC. 20".

**Amendment No. 21**
On page 6, line 24, strike out "SEC. 22" and insert "SEC. 21".

**Amendment No. 22**
On page 6, line 25, strike out "SEC. 23", and insert "SEC. 22".

**Amendment No. 23**
On page 6, line 26, strike out "SEC. 24", and insert "SEC. 23".

**Amendment No. 24**
On page 6, line 27, strike out "SEC. 25", and insert "SEC. 24".

**Amendment No. 25**
On page 6, line 28, strike out "SEC. 26", and insert "SEC. 25".

**Amendment No. 26**
On page 6, line 29, strike out "SEC. 27", and insert "SEC. 26".

**Amendment No. 27**
On page 6, line 30, strike out "SEC. 28", and insert "SEC. 27".

**Amendment No. 28**
On page 6, line 31, strike out "SEC. 29", and insert "SEC. 28".

**Amendment No. 29**
On page 6, line 32, strike out "SEC. 30", and insert "SEC. 29".

**Amendment No. 30**
On page 6, line 33, strike out "SEC. 31", and insert "SEC. 30".

**Amendment No. 31**
On page 6, line 34, strike out "SEC. 32", and insert "SEC. 31".

**Amendment No. 32**
On page 6, line 35, strike out "SEC. 33", and insert "SEC. 32".

**Amendment No. 33**
On page 6, line 36, strike out "SEC. 34", and insert "SEC. 33".

**Amendment No. 34**
On page 6, line 37, strike out "SEC. 35", and insert "SEC. 34".

**Amendment No. 35**
On page 6, line 38, strike out "SEC. 36", and insert "SEC. 35".

**Amendment No. 36**
On page 6, line 39, strike out "SEC. 37", and insert "SEC. 36".

**Amendment No. 37**
On page 6, line 40, strike out "SEC. 38", and insert "SEC. 37".

**Amendment No. 38**
On page 6, line 41, strike out "SEC. 39", and insert "SEC. 38".

**Amendment No. 39**
On page 6, line 42, strike out "SEC. 40", and insert "SEC. 39".

**Amendment No. 40**
On page 6, line 44, strike out "SEC. 41", and insert "SEC. 40".

**Amendment No. 41**

On page 6, line 46, strike out "SEC. 42", and insert "SEC. 41".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 497**—An act to amend Section 16603 of, and to add Section 16625.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to child care centers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on March 13, 1959, strike out "Section 16603", and insert "Sections 16603 and 16625".

**Amendment No. 2**

On page 4, between lines 5 and 6, insert

"SEC. 2. Section 16625 of said code is amended to read:

16625. The said governing board shall employ in a child care center only such persons who holds permits issued by the Superintendent of Public Instruction *Any person holding a valid kindergarten-primary or general elementary credential issued by the State Board of Education is deemed to hold a child care center permit that will authorize care and guidance of children or supervision of a child care program.* The filing with the county superintendent of schools of a regulation of a governing board or a public health agency requiring a physical examination of persons employed in child care centers shall be deemed to be the issuance of a valid permit except for persons employed in positions pertaining to the care and guidance of children or supervision of a child care program. Each person employed by the governing board of a school district for a position requiring a permit shall, not later than 60 days after the date fixed by the governing board of the district for the commencement of his service, file with the county superintendent of schools a valid permit issued on or before said date, authorizing him to serve in the position for which he was employed, and must, not later than 60 days after the renewal thereof, file the renewed permit in the same manner."

**Amendment No. 3**

On page 4, strike out lines 6 to 9, inclusive, and insert

"SEC. 3. Section 16625.1 is added to said code, to read:

16625.1. The same fee as that prescribed for a credential provided in Section 13182 of this code shall".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2076**—An act to add Article 3 (commencing at Section 1120) to Chapter 8, Division 5, of the Agricultural Code, relating to poultry quality.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on May 8, 1959, strike out "processed", and insert "manufactured".

**Amendment No. 2**

On page 1, line 20, strike out "'Processed" or "processing"'" and insert "'Manufactured" or "manufacturing"'".

**Amendment No. 3**

On page 2, strike out lines 6 to 9, inclusive, and insert

"(g) "Processor" means any person engaged in the business of slaughtering, dressing, drawing, cutting up, recutting, packing or repacking, or otherwise preparing poultry meat for marketing, but shall not include the retailer as herein defined.

(h) "Distributor" means any person engaged in the business of receiving, selling, marketing or distributing poultry meat which he has produced, purchased or acquired or which he is marketing on behalf of anyone, whether as owner, agent, employee, broker or otherwise, but shall not include a retailer as herein defined.

(i) "Retailer" means any person who purchases or acquires any poultry meat for resale at retail to the general public for consumption off the premises."

**Amendment No. 4**

On page 2, line 44, strike out ' processing", and insert "manufacturing".

**Amendment No. 5**

On page 4, after line 4, insert

"(c) New York dressed poultry."

**Amendment No. 6**

On page 4, strike out lines 8 to 17 inclusive, and insert

"1129. Any person operating in this State as a processor or as a distributor and any retailer who purchases or acquires poultry meat which has not theretofore been subject to an assessment, as required by this section, shall pay to the director an assessment of two cents ($0.02) per 100 pounds of poultry meat so handled by such person, provided that no more than one assessment shall be payable upon any lot of poultry meat. The amount of such assessment shall be based upon the ready-to-cook weight

The director is hereby authorized to promulgate and adopt necessary rules and regulations for the reporting of quantities handled and for the collection of such assessment."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2603**—An act to add Section 20852 to the Business and Professions Code, relating to the dispensing of petroleum products.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 20 and 21, and insert

"The provisions of this section shall not supersede any other provisions in this chapter, except that they shall supersede the provisions of Sections 20782, 20783, 20840, 20846, 20849, 20850, 20851, and 20930 to the extent necessary to authorize the operation of a blending type of pump connected to two tanks containing two different products, or two different grades of the same product, which, when blended together in different proportions, will produce gasolines of different octane rating, each blend of which shall meet the specifications for gasoline as required by this chapter."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1565**—An act to amend Section 21401 of, and to add Part 4 (commencing at Section 24200) to, Division 9 of the Public Utilities Code, to provide for the giving of security by owners and operators of aircraft involved in accidents, to provide for administration thereof; and to provide penalties for violation of any provisions of this act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 3, between lines 29 and 30, of the printed bill, as amended in the Assembly on May 22, 1959, insert

"(f) Any person who maintains in effect an insurance policy meeting the requirements of Section 24350 and who has filed with the commission a certificate of insurance issued by the insurance company which issued such policy."

**Amendment No. 2**

On page 12, between lines 2 and 3, insert

"24361. No insurance policy meeting the requirements of Section 24350 shall be cancelled unless 30 days' prior notice is given to the commission by either the insured or the insurance company."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 96**—An act to amend Sections 29007, 29010, 29011, and 29017 of, and to add Sections 29002.1, 29007.1, and 29022 to, and to repeal Section 29008 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out "29007, 29010,".

**Amendment No. 2**

Strike out lines 2 and 3 of the title, and insert "the".

**Amendment No. 3**

In line 7 of the title, after "school", insert ", and making an appropriation therefor".

**Amendment No. 4**

On page 1, strike out lines 1 to 10, inclusive; and strike out all of pages 2 to 4, inclusive

**Amendment No. 5**

On page 5, strike out line 1, and insert

"SECTION 1. Section 29011 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:"

**Amendment No. 6**

On page 5, line 13, strike out "SEC. 6.", and insert "SEC. 2."

**Amendment No. 7**

On page 5, between lines 17 and 18, insert

"SEC. 3. The sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby appropriated to the Department of Justice, payable from the General Fund, for the support of the department in carrying out the provisions of this act."

**Amendment No. 8**

On page 5, strike out lines 18 to 48, inclusive.

Bill ordered reprinted, and re-engrossed

**Assembly Bill No. 345**—An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the

Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 51, of the printed bill, as amended in the Assembly on May 25, 1959, after "nations", insert "and whose need for financial aid has been established in accordance with State Scholarship Commission policy".

**Amendment No. 2**

On page 4, strike out line 5, and insert
"SEC 2. The sum of sixty-one thousand seven hundred dollars ($61,700) is ap-".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 72**—An act to add Section 143.3 to the Streets and Highways Code, relating to city streets and county roads in urban areas.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, lines 6 and 7 of the printed bill, as amended on the Assembly on May 4, 1959, strike out "under Section 102 (a) of the Federal-aid Highway Act of 1956", and insert "annually".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 170**—An act to add Section 149 to the Streets and Highways Code, relating to highway improvements.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 3, of the printed bill as amended in the Assembly on March 9, 1959, strike out "shall", and insert "may".

**Amendment No. 2**

On page 1, line 4, strike out "or", and insert "and shall".

**Amendment No. 3**

On page 1, line 15, strike out "shall", and insert "may".

**Amendment No. 4**

On page 1, line 16, after "may", insert "so".

**Amendment No. 5**

On page 1, line 17, strike out "such".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1043**—An act to amend Sections 320, 9263, 9264, and 9551 of, to repeal Chapter 3 (commencing at Section 11500) of Division 5 of, and to add Chapter 3 (commencing at Section 11500) to Division 5 of, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to automobile wreckers, dealers, manufacturers and automobile driving schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 15, line 22, of the printed bill, as amended in the Assembly on April 1, 1959, strike out "a", and insert "an identifiable".

**Amendment No. 2**

On page 15, line 23, strike out "dismantled", and insert "partially dismantled".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1535**—An act to amend Sections 3084, 3084.1, and 3087.2 of, and to add Section 3084.2 to, the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2, of the title of the printed bill, as amended in the Assembly on May 13, 1959, strike out ", 3084.1, and 3087.2 of, and to add Section 3084.2 to", and insert "and 3084.1 of".

**Amendment No. 2**

In lines 3 and 4 of the title strike out ", and making an appropriation therefor"

**Amendment No. 3**

On page 1, line 3, before "The", insert "(a)".

**Amendment No. 4**

On page 1, line 7, strike out "Twenty-five dollars ($125)", and insert "four dollars ($104)".

**Amendment No. 5**

On page 1, line 9, strike out "twenty-five dollars ($125)", and insert "four dollars ($104)".

**Amendment No. 6**

On page 1, line 11, strike out "twenty-five dollars ($125)", and insert "four dollars ($104)".

**Amendment No. 7**

On page 2, between lines 2 and 3, insert

"(b) Any recipient who pursuant to this section receives less than one hundred fifteen dollars ($115) per month from the total of his grant and income from all other sources shall be granted an additional amount of aid not to exceed eleven dollars ($11) per month or so much thereof as is necessary to bring the sum of his grant and income to one hundred fifteen dollars ($115) per month".

**Amendment No. 8**

On page 2, line 21, strike out "amount of the", and insert "maximum".

**Amendment No. 9**

On page 2, line 24, strike out the "total aid granted to any needy blind person", and insert "maximum grant of aid".

**Amendment No. 10**

On page 2, line 26, strike out "less than", and insert "decreased below".

**Amendment No. 11**

On page 2, line 27, between the words "increase" and "which", insert "or decrease".

**Amendment No. 12**

On page 2, strike out lines 35 to 51, inclusive.

**Amendment No. 13**

On page 3, strike out lines 1 to 23, inclusive, and insert
"SEC 3 This act shall become operative January 1, 1960."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1536**—An act to amend Sections 3472, 3472.1, and 3481 of, and to add Section 3472.2 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2, of the title of the printed bill, as amended in the Assembly on May 13, 1959, strike out "3472.1 and 3481 of, and to add Section 3472.2 to", and insert "and 3472.1 of".

**Amendment No. 2**

In lines 3 and 4 of the title strike out ", and making an appropriation therefor".

**Amendment No. 3**

On page 1, line 6, before "The", insert "(a)".

**Amendment No. 4**

On page 1, line 10, strike out "twenty-five dollars ($125)", and insert "four dollars ($104)".

**Amendment No. 5**

On page 1, line 12, strike out "twenty-five dollars ($125)", and insert "four dollars ($104)".

**Amendment No. 6**

On page 1, line 14, strike out "twenty-five dollars ($125)", and insert "four dollars ($104)".

**Amendment No. 7**

On page 2, between lines 4 and 5, insert
"(b) Any recipient who pursuant to this section receives less than one hundred fifteen dollars ($115) per month from the total of his grant and income from all other sources shall be granted an additional amount of aid not to exceed eleven dollars ($11) per month or so much thereof as is necessary to bring the sum of his grant and income to one hundred fifteen dollars ($115) per month."

**Amendment No. 8**

On page 2, lines 36 and 37, strike out "amount of the grant of aid to partially self-supporting blind residents", and insert "maximum grant".

**Amendment No. 9**

On page 2, line 40, strike out "total aid granted under this chapter to any recipient", and insert "maximum grant under this chapter".

**Amendment No. 10**

On page 2, line 41, strike out "less than", and insert "decreased below".

**Amendment No. 11**

On page 3, strike out lines 1 to 40, inclusive, and insert
"SEC. 3. This act shall become operative January 1, 1960."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 749**—An act making an appropriation to the State Department of Social Welfare for home studies in connection with the adoption of foreign-born children.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 17, 1959, strike out "making an appropriation to the State Department of Social Welfare", and insert "providing".

**Amendment No. 2**

In line 3 of the title, before the period, insert ", and making an appropriation therefor".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. In augmentation of Item 250 of the Budget Act of 1959, there is hereby appropriated to the Department of Social Welfare the sum of ninety thousand dollars ($90,000), and in addition thereto such sums as are collected as fees by the Department of Social Welfare pursuant to this act, for the purpose of investigating homes of persons applying to adopt foreign-born children

Funds appropriated by this act shall only be available during such times as the federal law makes special provision for specific immigration visas for the entry of foreign-born children to be adopted by citizens of the United States.

SEC. 2. During such times as this act remains in effect the State Department of Social Welfare shall establish a schedule of fees for partial repayment of the cost of services rendered by the department. Said fees shall not exceed the following amounts:

(1) Application for adoptive placement of foreign-born child ..... $5
(2) Completion of home study ..... 100
(3) Filing of final report to court on adoption petition ..... 200

In any case in which the amount of the fee would work a hardship upon the prospective adoptive family the fee established by the department may be waived or reduced.

SEC. 3. This act shall become operative October 1, 1959."

**Amendment No. 4**

On page 1, strike out lines 2 to 7, inclusive

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 120**—An act to add Chapter 2.5 (commencing at Section 3381) to Part 1 of Division 5 of the Welfare and Institutions Code, relating to the employment of visually handicapped persons, and making an appropriation therefor.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 7 of the title of the printed bill, as amended in the Assembly on March 30, 1959, strike out ", and making an appropriation there-"; strike out line 8 and insert a period

**Amendment No. 2**

On page 2, strike out lines 16 to 21, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 103**—An act to amend Sections 4020, 4160, and 4162 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1, of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "Sections 4020, 4160 and 4162", and insert "Section 4020".

**Amendment No. 2**

On page 1, strike out lines 4 to 22, inclusive, and insert

"4020. For needy disabled persons qualifying for aid under this chapter there shall be paid an amount equivalent to the actual need of the recipient as set forth by this section but not to exceed an average grant computed statewide for all recipients of aid under this chapter of ninety-eight dollars ($98) per month. In the event the average grant per recipient in any month exceeds an amount of ninety-eight dollars ($98) the State Department of Social Welfare shall take immediate steps to reduce or curtail the payments for attendant services to the end that the monthly average per recipient for the full fiscal year does not exceed ninety-eight dollars ($98).

The State Social Welfare Board shall establish a standard of assistance, within the limits of this section, which will enable each recipient to maintain himself in decency and health. The board shall establish a standard to cover basic needs, common to all persons, not to exceed one hundred six dollars ($106) per month. Within the limit of the average grant set forth in this section the board may provide for payment of an additional sum to those recipients whose physical condition is such that they require the services of a full or part-time attendant. Such additional sum is to provide for attendant services rendered by a person other than a relative with whom the recipient is living.

The board shall give priority to persons in the greatest need without replacing other public or private resources which can provide the services. Voluntary contributions or grants from other public sources, private agencies, friends or relatives which are specifically and solely provided for such attendant services and which would not otherwise be available shall not be considered as applying toward the basic needs of said recipient."

**Amendment No. 3**

On page 2, strike out lines 1 to 13, inclusive.

**Amendment No. 4**

On page 2, strike out lines 19 to 32, inclusive, and insert

"SEC. 2. This act shall become operative January 1, 1960."

**Amendment No. 5**

On page 3, strike out lines 1 to 14, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2435**—An act to add Section 828.01 to the Agricultural Code, relating to standard containers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out the period, and insert "and shall be considered as standard for the commodity in addition to and in connection with the standard container provisions of this chapter for said commodity.

**Amendment No. 2**

On page 1, line 6, after "markings", insert "as to contents".

**Amendment No. 3**

On page 1, line 6, strike out "The"; strike out lines 7 and 8; and on line 9 strike out "facilitate deception or misrepresentation."

**Amendment No. 4**

On page 1, after line 12, insert

"In establishing additional standard containers and markings as to contents of said containers or methods of packing fruits and vegetables in such containers, the director shall take into consideration all pertinent and available information and evidence, including the following factors, and shall find that:

(a) Additional standard containers to those designated in this chapter are needed by the industry.

(b) Such proposed new containers will not result in misrepresentation as to the quantity and size of the products when packed in such containers.

(c) The proposed new containers will not adversely affect the carrying and keeping quality of the fruits and vegetables packed therein.

(d) The packed weight of the contents of the proposed new containers will not adversely affect transportation rates to the detriment of the producer and shipper and that the size, shape and design will permit proper loading in railroad cars or trucks.

(e) The construction and size of the proposed new containers or inner devices in such containers will not facilitate fraud and deception in relation to existing containers; will permit proper cooling and ventilation; and will not require unreasonable changes in packing house equipment.

(f) The use of the proposed new containers will facilitate rather than disrupt normal marketing practices.

(g) The cost of the new containers will not be unduly burdensome upon the industry, the distributive trade and consumers."

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1833
Assembly Bill No. 1352
Assembly Bill No. 1568

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 628
Assembly Bill No. 1968
Assembly Bill No. 115
Assembly Bill No. 1581
Assembly Bill No. 2158

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2248

With the recommendation: That the bill be re-referred to the Committee on Rules for assignment to Public Utilities and Corporations Committee for interim study.

UNRUH, Chairman

Above bill re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 185
Assembly Bill No. 1198

With amendments with the recommendation: Be amended; that the bills be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 185**—An act to add Sections 4854 and 4855 to, the Vehicle Code as enacted by Assembly Bill No. 5 during the 1959 Regular Session, relating to license plates for vehicles and making an appropriation therefor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 25, 1959, after "material", insert "or substance".

#### Amendment No. 2

On page 1, line 7, after "material", insert "or substance".

#### Amendment No. 3

On page 1, line 11, after "material", insert "or substance".

#### Amendment No. 4

On page 1, strike out line 14, and insert "two hundred eighty-one thousand dollars ($281,000) is".

Bill ordered reprinted, re-engrossed, and to be filed, as amended, and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 1198**—An act to add Section 14694.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to transfer of membership by employees of certain school district retirement plans to the State Teachers' Retirement System.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 2, line 5, of the printed bill, as amended in Assembly May 1, 1959, after "System", insert "only".

#### Amendment No. 2

On page 2, strike out lines 8 to 15, inclusive, and insert "salary plan."

Bill ordered reprinted, re-engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER Your Committee on Ways and Means reports:

Assembly Bill No. 2652

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2652**—An act to add Section 19605.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State School Aid Building Law of 1952.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

### Amendment No. 1

On page 1 of the printed bill, strike out lines 11 and 12, and insert "chapter (Sections 19551 to 19689, inclusive). The authorization shall be determined by the State Allocation Board and shall be limited to expenditures for additional supplemental furniture and equipment, landscaping or site improvements"

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: *Your Committee on Ways and Means reports:*

Senate Bill No. 805
Senate Bill No. 869
Senate Bill No. 74
Senate Bill No. 123
Senate Bill No 479

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 805**—An act to add Article 3.6 (commencing at Section 75075) to Chapter 11 of Title 8 of, and to add Sections 75103 1, 75106.5 and 75109 to, the Government Code, relating to judges' retirement.

Bill read second time, and ordered to third reading.

**Senate Bill No. 869**—An act to add Sections 20014.4, 20017.4 and 21363 4 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Senate Bill No. 74**—An act to amend Section 30350 of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the San Mateo-Hayward and Dumbarton Bridges, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 123**—An act to amend Section 650 of the Streets and Highways Code, relating to the naming of state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 479**—An act to amend Section 427 of the Streets and Highways Code, relating to Highway Route 127.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1970
Assembly Bill No. 909

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 1970**—An act to amend Section 75033 of the Government Code, relating to the judges retirement law.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 909**—An act making an appropriation for the installation of street improvements, including sidewalks, at the California School for the Deaf at Riverside.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2024

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2024**—An act to amend Section 35002 of the Government Code, relating to annexations to cities.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on April 27, 1959, strike out "The map shall"; and strike out lines 9 to 11, inclusive.

#### Amendment No. 2

On page 2, strike out lines 17 to 19, inclusive, and insert "revised map showing such changes."

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:
Assembly Bill No 2832
With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2832**—An act to amend Section 37361 of the Government Code, relating to cities.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:
Assembly Bill No 2558
With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2558**—An act to amend Section 65951 of the Government Code, relating to zoning.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

### Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on June 1, 1959, strike out "or", and insert "and".

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

| | |
|---|---|
| Assembly Bill No. 1354 | Assembly Bill No. 2839 |
| Assembly Bill No. 2626 | Assembly Bill No. 2858 |

With amendments with the recommendation Amend, and do pass, as amended.

BRADLEY, Chairman

Above bills ordered to second reading

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 1354**—An act to amend Section 33738 of the Health and Safety Code, relating to community redevelopment

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 10, insert

"If it is necessary to make available permanent housing facilities for displaced occupants outside the agency undertaking the plan, such activity shall be subject to the approval of the governing body of the city or county in which the housing is made available"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2626**—An act to amend Sections 4102 and 4124 of the Penal Code, relating to county industrial farms and road camps.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

**Amendment No. 1**

On page 1, line 21, of the printed bill, after "included.", insert "By mutual agreement between cities and the county, the rate may be changed from time to time."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2839**—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens in government services.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "foreigner", and insert "noncitizen".

**Amendment No. 2**

On page 1, line 9, after "force", insert "or student body, or to student assistants,".

**Amendment No. 3**

On page 2, after line 11, insert

"(i) To the employment of persons in positions pertaining to the care and guidance of children in a child care program or the supervision of a child care program supported in whole or in part by the State, of any person who has declared his intention to become a citizen, or of a native-born woman of the United States who has married a noncitizen

(j) To student assistants and interns in Department of Mental Hygiene training programs"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2858**—An act to add Sections 55529, 55530, 55531 and 55680 to the Water Code, relating to county waterworks districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "55531 and 55680", and insert "and 55531".

**Amendment No. 2**

On page 1, line 8, after "payable", insert "on July 1".

**Amendment No. 3**

On page 1, strike out line 14, and insert "to January 1 next prior thereto."

**Amendment No. 4**

On page 2, line 8, strike out "bonds,"; strike out lines 9 to 19, inclusive; in line 20, strike out "SEC. 5.", and insert "bonds.
SEC. 4."

**Amendment No. 5**

On page 2, strike out lines 34 to 36, inclusive, and insert "growth that will later be so able, as".

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2483

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BRADLEY, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2656

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2656**—An act to amend Section 25351.3 of the Government Code, relating to powers and duties of boards of supervisors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 2, line 15, of the printed bill, strike out "may contain such", and insert "shall provide that at least annually the net revenue from the operation and use of the facilities, exclusive of necessary operating reserves, remaining after the payment of all operating expenses and costs, taxes, loan payments, interest, and other incidental expenses, shall be paid to the county, and may contain such other".

**Amendment No. 2**

On page 2, line 18, of the printed bill, strike out "The", and insert "In any county having a population in excess of 4,000,000, the".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2556
Assembly Bill No. 2627
Assembly Bill No. 2694
Assembly Bill No. 2753
Assembly Bill No. 2823
Assembly Bill No. 2846

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2556**—An act to amend Section 14455.1 of, and to add Section 14455.11 to, the Health and Safety Code, relating to commissioners of county fire protection districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2627**—An act to amend Section 25359 of the Government Code, relating to the working of county jail prisoners.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2694**—An act to add Section 561 to the Welfare and Institutions Code, relating to unclaimed bicycles and toys.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2753**—An act to add Section 25550.5 to the Government Code, relating to the transfer by a county of a local park to a city.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2823**—An act to add Section 4335 to the Government Code, relating to purchases by public agencies.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2846**—An act to add Chapter 14 (commencing at Section 1420) to Title 10, Part 2 of the Penal Code, relating to disposition of unclaimed money held by a district attorney.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2647
Assembly Bill No. 2763
Assembly Bill No. 2772
Assembly Bill No. 2789

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2845

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 5, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 919

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 308
Assembly Bill No. 2691
Assembly Bill No. 2768
Assembly Bill No. 2780
Assembly Bill No 2799
Assembly Bill No. 2875
Assembly Bill No. 2880
Assembly Bill No. 2882

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committtee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Concurrent Resolution No. 64

With the recommendation: Be adopted.

MASTERSON, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2874

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2874**—An act to amend Section 17024 of the Business and Professions Code, relating to unfair trade practices.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 17024", and insert "Sections 17024 and 17074".

Amendment No. 2

On page 1, after line 20, insert

"SEC. 2 Section 17074 of said code is amended to read:

17074 Proof of transportation tariffs when fixed and approved by the ~~Railroad Commission~~ *Public Utilities Commission* of the State of California is presumptive evidence of delivery cost."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2612
Assembly Bill No. 2884
Assembly Bill No. 2885
Assembly Bill No. 2894

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2612**—An act to add Section 54.5 to Part 2 of Division 1 of the Civil Code, relating to discriminatory acts by persons engaged in occupations licensed by the State.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2884**—An act to add Section 1098 to the Government Code, relating to participation in the enactment of legislation in which a Member of the Legislature has a personal interest.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2885**—An act to add Section 1099 to the Government Code, relating to conflicts of interest in the performance of official duties by public officers and employees.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2894**—An act to add Section 7071.4 to the Business and Professions Code, relating to contractors.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports: Assembly Bill No. 1340

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 1340**—An act to amend Sections 6535, 6537, 6546, 6560, and 6561 of, and to add Sections 6546.5 and 6560.5 to, the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

### Amendment No. 1

On page 2, line 46, of the printed bill, as amended in the Assembly on May 29, 1959, strike out "; or"; strike out lines 47 to 49, inclusive; and in line 50, strike out "diploma showing graduation from the twelfth grade".

### Amendment No. 2

On page 3, strike out lines 31 to 34, inclusive

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports: Assembly Bill No. 2903

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2903**—An act making an appropriation to the Board of State Harbor Commissioners for San Francisco Harbor for state support of fireboats of the City and County of San Francisco.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Board of State Harbor Commissioners for San Francisco Harbor", and insert "San Francisco Port Authority".

### Amendment No. 2

On page 1, lines 3 and 4, strike out "Board of State Harbor Commissioners for San Francisco Harbor", and insert "San Francisco Port Authority".

Bill ordered reprinted, engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 556
Senate Bill No. 857

With the recommendation. Do pass.

McMILLAN, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 556**—An act to amend Section 216 of the Labor Code, relating to failure to pay wages.

Bill read second time, and ordered to third reading.

**Senate Bill No. 857**—An act to add Section 6900 to the Labor Code, relating to safety in employment.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 1300
Assembly Bill No. 2102
Assembly Bill No. 2103

With the recommendation: That the bills be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 2890
Assembly Bill No. 2856

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

McMILLAN, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 5, 1959

MR SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 2741

With amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2741**—An act to amend and renumber Section 7601 of, and to add Sections 7601, 7602, 7603, 7604, 7605, 7606, 7607, 7608 and 7609 to the Labor Code, relating to maritime industrial safety.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

#### Amendment No. 1

In line 2 of the title of the printed bill, strike out "and", and insert a comma.

#### Amendment No. 2

In line 3 of the title, after "7609", insert ", and 7611".

#### Amendment No. 3

On page 2, strike out line 4, and insert "on such wharves, docks or piers as are in active service for movement of cargo therefrom to vessels."

#### Amendment No. 4

On page 2, after line 37, insert
"SEC. 10. Section 7611 is added to said code, to read:
7611. Nothing in the foregoing sections of this part shall limit the authority of the division to prescribe or enforce general or special safety orders."

Bill ordered reprinted, and engrossed.

### REPORTS OF STANDING COMMITTEES

#### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2724

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BIDDICK, Chairman

Above bill ordered to second reading.

### SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2724**—An act to add Section 68073.5 to the Government Code, relating to courts.

Bill read second time.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

#### Amendment No. 1

On page 1, line 8, of the printed bill, after the comma, insert "officers of the court,".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

### REPORTS OF STANDING COMMITTEES

#### Committee on Ways and Means

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 875
Assembly Bill No. 2357
Assembly Bill No. 2395

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Assembly Bills Nos. 875 and 2357 ordered to second reading.

Assembly Bill No. 2395 ordered placed on the second reading file for tomorrow.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 875**—An act to amend Section 75025 of the Government Code, relating to judges' retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, between lines 11 and 12, of the printed bill, as amended in the Assembly on March 20, 1959, insert

"(j) Age 65, with 15 years of service as a judge immediately preceding the effective date of retirement; provided that such judge is either not qualified for service credit under or who, prior to the effective date of retirement, has waived all service credit benefits under Section 75030.5".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2357**—An act to amend Sections 13145 and 13146 of, and to add Sections 13146.3 and 13146.5 to, the Health and Safety Code, relating to the inspection of buildings for the prevention of fire and protection of life and property against fire or panic.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly June 1, 1959, strike out "shall", and insert "may, and in counties with a population over 250,000, shall".

Amendment No. 2

On page 2, line 3, after "representatives", insert "may, and in counties with a population over 250,000,".

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2826
Assembly Bill No. 2681

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2826**—An act to amend Sections 7202 and 7203 of, and to repeal Sections 6353, 6368 and 6385 of, the Revenue and Taxation Code, relating to sales and use taxes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out "Sections 6353, 6368 and 6385", and insert "Section 6353".

**Amendment No. 2**

On page 1, strike out lines 8 to 21, inclusive.

**Amendment No. 3**

On page 2, line 8, strike out "SEC. 4.", and insert "SEC. 2."

**Amendment No. 4**

On page 3, between lines 3 and 4, insert

"(g) Purchases of property by operators of common carrier and waterborne vessels to be used or consumed in the operation of such common carriers or waterborne vessels, principally outside a city, city and county or county are exempt from the tax."

**Amendment No. 5**

On page 3, line 9, strike out "(g)", and insert "(h)".

**Amendment No. 6**

On page 3, between lines 50 and 51, insert

"(6) Purchases of property by operators of common carrier and waterborne vessels to be used or consumed in the operation of such common carriers of waterborne vessels, principally outside a city, city and county or county are exempt from the tax.

(7) A provision that the storage or use of tangible personal property in the transportation of persons or property, in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall not be subject to a use tax."

**Amendment No. 7**

On page 4, line 23, strike out "SEC. 5.", and insert "SEC. 3."

**Amendment No. 8**

On page 4, line 48, of the printed bill, insert:

"(4) A provision that the storage or use of tangible personal property in the transportation of persons or property, in intrastate, interstate or foreign commerce by public utilities which are regulated by the Public Utilities Commission of the State of California shall not be subject to a use tax."

Bill ordered reprinted, engrossed, and to be filed, as amended, and the subject matter referred to the Committee on Rules.

**Assembly Bill No. 2681**—An act to add Section 6055 to the Revenue and Taxation Code, relating to collection of the sales tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "6055", and insert "6054.5".

**Amendment No. 2**

On page 1, line 1, strike out "6055", and insert "6054.5".

**Amendment No. 3**

On page 1, line 3, strike out "6055", and insert "6054.5".

Bill ordered reprinted, engrossed, and to be filed, as amended; and the subject matter be referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2643
Assembly Bill No. 2644
Assembly Bill No 2822
Assembly Bill No. 2810
Assembly Bill No. 2854

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2643**—An act to amend Sections 8045 and 8046 of the Fish and Game Code, relating to the imposition of privilege taxes on fish packers and processors.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2644**—An act to add Sections 8057, 8058, 8059, 8060, 8061, 8062, 8063, 8064, 8065, 8066, 8067, 8068, 8069, and 8070 to the Fish and Game Code, relating to the payment of privilege taxes and claims and suits for refund.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2822**—An act to amend Sections 4986.5 and 4986.6 of the Revenue and Taxation Code, relating to taxes on real property.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2810**—An act to add Section 214.2 to the Revenue and Taxation Code, relating to the welfare exemption from taxation.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2854**—An act to add Section 217 to the Revenue and Taxation Code, relating to personal property tax exemption for disabled individuals.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1496
Assembly Bill No. 2719

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 1496**—An act to add Section 6068.5 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1, starting on line 12 of the printed bill, as amended in the Assembly on May 11, 1959, strike out "either of the following periods of time, whichever is lesser: (a) One year after the date the applicant discovers the erroneous collection. (b) Two", and insert "two".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

**Assembly Bill No. 2719**—An act to amend Section 30031 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tax exemption for the Leland Stanford Junior University.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "land", and insert "real property".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Revenue and Taxation**

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2537
Assembly Bill No. 2659
Assembly Bill No. 2721
Assembly Bill No. 2436

With the recommendation: Do pass.

MACBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2537**—An act to add Section 202.3 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2721**—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2659**—An act to add Section 409 to the Revenue and Taxation Code, relating to the assessment of inventories.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2436**—An act to add Section 19613.9 to the Education Code, and to add Section 16635.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relative to the use of tax funds for capital expenditures for child care centers, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2649
Assembly Bill No. 2576
Assembly Bill No. 2332

With amendments with the recommendation: Amend, and do pass, as amended

MACBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2649**—An act to amend Section 20901 of the Education Code as enacted at the 1959 Regular Session and Section 26906.1 of the Government Code, relating to the impounding of disputed tax revenues.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

#### Amendment No. 1

On page 2, line 4, of the printed bill, strike out "shall", and insert ", with the approval of the board of supervisors, may".

#### Amendment No. 2

On page 2, after line 17, insert

"Where a claim or action is filed for the return of such revenues or the taxes have been paid under protest on the ground that such property is exempt from taxation because title thereto is in the United States Government, or an agency thereof, the county auditor shall impound such disputed revenues and shall continue to impound such revenues until the final disposition of such claim or action."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2576**—An act to amend Sections 7304, 7401, 7452, 7481 and 8651 of the Revenue and Taxation Code, relating to the motor vehicle and use fuel taxes.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "6357,".

#### Amendment No. 2

In line 3 of the title, after "vehicle", insert ", sales,".

#### Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1 Section 6357 of the Revenue and Taxation Code is amended to read

6357. There are exempted from the taxes imposed by this part the gross receipts from the distributions of and the storage, use, or other consumption in this State of motor vehicle fuel the distributions of which in this State are subject to the tax imposed by Part 2 (commencing at Section 7301) of this division *and liquefied petroleum gas the use of which is subject to the tax imposed by Part 3 of this division*, and not subject to refund.

The Controller shall collect the sales tax upon sales of motor vehicle fuel which are subject to tax and refund under Part 2 of this division and the use tax when applicable to the storage, use or other consumption of such fuel by way of deduction from refunds otherwise allowable under that part. He shall transfer the amount of the deductions from the Motor Vehicle Fuel Fund to the Retail Sales Tax Fund.

SEC. 2. Section 7304 of said code is amended to read:".

**Amendment No. 4**

On page 1, line 8, strike out "2", and insert "3".

**Amendment No. 5**

On page 2, line 14, strike out "3", and insert "4".

**Amendment No. 6**

On page 2, line 24, strike out "4", and insert "5".

**Amendment No. 7**

On page 2, line 36, strike oue "5", and insert "6".

**Amendment No. 8**

On page 2, line 43, strike out "6", and insert "7".

**Amendment No. 9**

On page 2, line 45, after the period, insert

"With respect to distributions of liquefied petroleum gas which have occurred prior to the operative date of this act the provisions of Part 2 (commencing at Section 7301), Division 2, Revenue and Taxation Code shall remain applicable for the collection of the tax, the making of any refund or the effecting of any credit, and the commencement or continuance of any action or proceeding provided by that part."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2332**—An act to amend Section 6012 of the Revenue and Taxation Code, relating to the sales tax.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 42 and 43, and insert

"In the event the seller computes sales tax reimbursement upon an amount in excess of that subject to the measure of the sales tax, knowing and intending that he shall be reimbursed by the consumer for sales tax on gross receipts not subject to the measure of the tax, then the measure of the tax shall not be less than the amount upon which tax reimbursement is computed."

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2866
Assembly Bill No. 2333
Assembly Bill No. 626
Assembly Bill No. 2825
Assembly Bill No. 2729

With the recommendation: That the bill be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports: Assembly Bill No. 2743

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2743**—An act to add Sections 5426.7, 5426.8, 5785.6, and 5785.7 to the Public Resources Code, relating to recreation and park districts.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

### Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on June 1, 1959, after "proposition", strike out "of", and insert "to".

### Amendment No. 2

On page 2, line 41, after "proposition", strike out "of", and insert "to".

### Amendment No. 3

On page 3, after line 6, insert

"SEC. 5. The sections added to the Public Resources Code by this act shall terminate and be of no force or effect on and after the ninety-first day following the final adjournment of the 1961 Regular Session of the Legislature."

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports: Assembly Bill No. 2599

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2599**—An act to amend Sections 8200, 8201, 8203, 8203.1, 8203.5, 8207, 8209, 8212, 8213, and 8216 of, and to repeal Section 8205.1 of, the Government Code, relating to notaries public.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

### Amendment No. 1

On page 1, between lines 16 and 17, of the printed bill, insert

"(b) Have resided in this State for 12 consecutive months immediately preceding his appointment, except as otherwise provided in Section 8203.1."

**Amendment No. 2**

On page 1, line 21, strike out "(b)", and insert "(c)".

**Amendment No. 3**

On page 1, line 22, strike out "(c)", and insert "(d)".

**Amendment No. 4**

On page 2, line 27, strike out "and", and insert a comma.

**Amendment No. 5**

On page 2, strike out line 28, and insert "words "Notary Public" and the name of the county in which he maintains his principal place of business. If he transfers his principal place of business to a different county than that shown on the seal, he shall have the seal altered to indicate such change".

**Amendment No. 6**

On page 3, between lines 4 and 5, insert

"If he transfers his principal place of business from one county to another he shall, within 20 days of such transfer, file a new oath of office and bond, or a duplicate of the original bond, with the county clerk of the county to which he transfers."

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2119
Assembly Bill No. 2891

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2315
Assembly Bill No. 2699

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MEYERS, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 4, 1959

MR SPEAKER: Your Committee on Civil Service and State Personnel reports.

Assembly Bill No. 2840

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2840**—An act to amend Section 18103 of the Government Code, relating to unpaid sick leave for state employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "shall", and insert "may".

Bill ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2786
Assembly Bill No. 2829
Assembly Bill No 2842

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MEYERS, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2786**—An act to amend Section 20630 of the Government Code, relating to member contributions under the State Employees' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

**Assembly Bill No. 2829**—An act to amend Section 6907 of the Government Code, relating to vending stands for the blind.

Bill read second time, and ordered to the Consent Calendar.

**Assembly Bill No. 2842**—An act to amend Section 21027 of the Government Code, relating to State Employees' Retirement System.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, June 4, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 2748
Assembly Bill No. 2841
Assembly Bill No. 2892

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2748**—An act to amend Section 20012 of the Government Code, relating to state retirement systems.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 2, line 4, of the printed bill, after the period, insert "This subdivision shall not become operative until federal funds are made available to pay the employer's share of any contributions required under this part"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2841**—An act to amend Section 19530 of the Government Code, relating to layoff of state civil service employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "In"; strike out lines 8 to 10, inclusive, and on line 11, strike out "or functional unit of layoff"

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2892**—An act to add Section 20898 to the Government Code, relating to absence from state service.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Civil Service and State Personnel, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 18, inclusive; on page 2, strike out lines 1 and 2, and insert

"20898. Any member who is or has been absent from state service upon a leave of absence without pay granted because of illness may, after returning to state service from such absence, elect at any time prior to retirement to contribute pursuant to this section and receive credit for such absence. Any member so electing shall pay into the retirement fund, subject to board rules, by lump sum at the time of election or by installment payments beginning immediately following such election, an amount equal to (1) the amount which would have accumulated in his account to the date of completion of payment, including interest, had member contributions been made during the period of the absence based on the member's rate of pay and contribution rate effective on the date of the member's return to state service, plus (2) the amount which would have accumulated had state contributions with respect to the member been made during the period of the absence, excluding any such contributions with respect to prior service, based on the member's rate of pay and rate of state contribution with respect to members of his category effective on the date of the member's return to state service together with interest on such contributions. Any such member who elects to pay, and pays such sum into the retirement fund is entitled to current service credit for the period of time he was so absent and in respect to which contributions are made pursuant to this section, with the same status, rights, and effect as if the member had not been so absent from state service.

At the time of his retirement a member shall not receive credit as state service for any such absence in excess of that for which he has completed payment of contributions as provided in this section. Any member who has elected to make such contributions by installment payments may, at any time prior to the effective date of his retirement, complete payment of such contributions by lump sum payment. All contributions made pursuant to this section shall be considered to be, and shall be administered as, normal contributions by the member"

Bill ordered reprinted, and engrossed

## REPORTS OF STANDING COMMITTEES

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No 51

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 50

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 5, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2077

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2077**—An act to add Article 3.5 (commencing at Section 1130) to Chapter 8, Division 5 of the Agricultural Code, relating to the sale of poultry, and making an appropriation therefor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Assembly on May 8, 1959, strike out "forty", and insert "twenty".

#### Amendment No. 2

On page 2, line 24, strike out "($40,000)", and insert "($20,000)".

Bill ordered reprinted, and re-engrossed.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 2813** and **2654**, subsequent to engrossment.
**Senate Bills Nos. 354, 784, 893, 914,** and **1180.**
**Assembly Bills Nos. 2390** and **2865.**
**Senate Constitutional Amendment No. 14.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE CONTINUED

Mr. Francis was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Judiciary—Civil be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 846**—An act to amend Section 4.4 of, and to add Section 2.14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 846?

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 6, 1959, strike out lines 3 to 8, inclusive, and insert

"SEC. 2.14. "Sightseeing service" means the furnishing of guided".

### Amendment No. 2

On page 1, line 23, strike out "charter service or".

The Assembly concurred in Senate amendments to Assembly Bill No. 846 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 846 ordered enrolled.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2869 FROM COMMITTEE CONTINUED

Mr. Hawkins was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2869 from the Committee on Ways and Means be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1299**—An act to amend Sections 74302 and 74303 of the Government Code, relating to the municipal court in the Cities of San Carlos and Redwood City.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1299?

### Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"74302. There shall be one clerk who shall receive a salary of five hundred and forty-nine dollars ($549) a month, a semi-annual increment of thirty-two dollars ($32) and annual increments thereafter of thirty-three dollars ($33), thirty-five dollars ($35) and thirty-seven dollars ($37) to a maximum of six hundred and eighty-six dollars ($686) a month

SEC. 2. Section 74303 of said code is amended to read:

74303. The clerk may appoint:

(a) One chief deputy clerk who shall receive a salary of four hundred thirty-nine dollars ($439) a month, a semi-annual increment of twenty-five dollars ($25) and annual increments thereafter of twenty-seven dollars ($27), twenty-eight dollars ($28) and thirty dollars ($30) to a maximum of five hundred forty-nine dollars ($549) a month.

(b) Two deputy clerks, grade III, each of whom shall receive a salary of three hundred seventy-one dollars ($371) a month, a semi-annual increment of twenty-one dollars ($21) and annual increments thereafter of twenty-three dollars ($23), twenty-four dollars ($24) and twenty-five dollars ($25) to a maximum of four hundred sixty-four dollars ($464) a month.

(c) Five deputy clerks, grade II, each of whom shall receive a salary of three hundred thirty-two dollars ($332) a month, a semi-annual increment of nineteen dollars ($19) and annual increments thereafter of twenty dollars ($20), twenty-one dollars ($21) and twenty-three dollars ($23) to a maximum of four hundred and fifteen dollars ($415) a month

(d) Five deputy clerks, grade I, each of whom shall receive a salary of two hundred ninety-seven dollars ($297) a month, a semi-annual increment of seventeen dollars ($17) and annual increments thereafter of eighteen dollars ($18), nineteen dollars ($19) and twenty dollars ($20) to a maximum of three hundred seventy-one dollars ($371) a month."

**Amendment No. 2**

On page 1, strike out lines 4 to 23, inclusive; and strike out all of page 2.

The Assembly concurred in Senate amendments to Assembly Bill No. 1299 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—62

NOES—None.

Asesmbly Bill No. 1299 ordered enrolled.

**Assembly Bill No. 1302**—An act to amend Sections 72702, 72702.5, 72703, 72704, 72704.5, 72705, 72705.5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1302?

**Amendment No. 1**

On page 3, line 5, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "41", and insert "42".

**Amendment No. 2**

On page 3, line 7, strike out "39", and insert "40".

**Amendment No. 3**

On page 3, line 9, strike out "36", and insert "37".

**Amendment No. 4**

On page 3, strike out lines 12 and 13, and insert "35".

**Amendment No. 5**

On page 3, line 15, strike out "33", and insert "34".

**Amendment No. 6**

On page 3, strike out lines 18 to 25, inclusive, and insert "32".

The Assembly concurred in Senate amendments to Assembly Bill No. 1302 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1302 ordered enrolled.

**Assembly Bill No. 1743**—An act to amend Sections 4730, 4845.20, 4845.21, 4845.32, and 4845.34 of, to amend and renumber Sections 4845.31 and 4845.35 of, and to add Sections 4845.31 and 4845.35 to, the Health and Safety Code, relating to county sanitation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1743?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

**Amendment No. 2**

In line 1 of the title strike out "of", and insert ", 4845.20, 4845.21, 4845.32, and 4845.34 of, to amend and renumber Sections 4845.31 and 4845.35 of, and to add Sections 4845.31 and 4845.35 to,".

**Amendment No. 3**

On page 2, after line 49, insert

"SEC. 2. Section 4845.20 of said code is amended to read:

4845.20. All or any portion of the unincorporated territory within a district, or all or any portion of territory within a district which territory was, subsequent to the formation of the district, included within a city by annexation, incorporation, or otherwise, may be withdrawn from the district when all of the following conditions exist:

(a) The district has been in existence for at least one year;

(b) In the event the district has indebtedness evidenced by bonds and the indebtedness is outstanding and owing ~~either~~ on the date of the election or upon receipt of the verified petition, *or upon the adoption of the resolution,* by the board of supervisors, the property within any territory withdrawing from the district shall nevertheless be liable for assessment and payment of the tax for its pro rata share thereof, except as otherwise provided in Section ~~4845.35~~ *4845.37*.

Provided, however, that no portion of a city shall be withdrawn from a sanitation district under the provisions of this article if such city is in its entirety within one or more sanitation districts.

SEC. 3. Section 4845.21 of said code is amended to read:

4845.21. The withdrawal may ~~either~~ be effected by the vote of majority of the qualified electors of the territory seeking to withdraw voting at an election on the proposition to withdraw, in which case the election procedure as hereafter provided in Sections 4845.22 to and including Section 4845.28 shall be followed, or by verified petition

presented to the board of supervisors in the manner as hereafter provided in ~~Sections 4845.31 to and including Section 4845.31~~ *this article, or by resolution of intention of the board of supervisors as hereafter provided in this article*.

SEC. 4. Section 4845.31 of said code is amended and renumbered to read:

~~4845.31~~ *4845.30*. A verified petition signed by the owners of real property in the portion to be excluded, said owners owning more than fifty percent (50%) in value of the assessed real property, shall be presented to the board of supervisors of the county within which the district is located. Said petition shall contain the following:

(a) A legal description of the area to be withdrawn together with a map thereof;

(b) The amount of indebtedness of a district presently outstanding, if any;

(c) Factual data establishing that the exclusion will not interfere with the operation of the sewage system in the balance of the district;

(d) A statement by the county assessor of said county that the petition appears to be signed by the owners of more than 50 percent of value of the assessed real property of the area described in the petition as appears from the current assessment roll of the county or city within which the area to be withdrawn is situated.

SEC. 5. Section 4845.31 is added to said code, to read:

4845.31. In lieu of a petition for withdrawal, a board of supervisors desiring to exclude a part of a district may initiate proceedings by adopting a resolution of its intention to exclude certain designated territory from the district. The resolution shall contain a statement of the intention to exclude a part of the district and a legal description of the area to be excluded.

SEC. 6. Section 4845.32 of said code is amended to read:

4845.32. Upon receipt of such petition, *or upon the adoption of such resolution of intention*, the board of supervisors shall set the same for hearing on a day not less than 20 days nor more than 35 days thereafter. The clerk of the board of supervisors shall cause a notice of the hearing, which shall contain a description of the property to be excluded, to be published once prior to the date fixed for such hearing, in a newspaper of general circulation circulated within the district and within the area proposed to be withdrawn which the board deems most likely to give notice to the inhabitants thereof *and of the district as a whole or, if no such newspaper exists, the clerk shall cause such notice to be posted in three public places within the area proposed to be excluded*.

SEC. 7. Section 4845.34 of said code is amended to read:

4845.34. At the time designated, the board of supervisors shall hear the petition, *if any, or the resolution of intention,* and any person interested *therein* and may adjourn the hearing from time to time not to exceed 60 days. The board of supervisors, if it finds that the portion of the district sought, *or intended,* to be withdrawn will not be benefited by remaining in the district, and that the territory not sought, *or intended,* to be withdrawn will be benefited by continuing

as a district, may upon the conclusion of final hearing upon said petition, *or said resolution of intention,* grant *or order* such withdrawal, describing the area withdrawn, from the district; and subject to Sections 54900 to 54903, inclusive, of the Government Code said portion thereafter is no longer a portion of the district for any purpose, except that in the event district indebtedness or district expense is outstanding and owing on the date of the order granting *or ordering* said exclusion, the property within any territory so excluded from the district shall nevertheless remain liable for assessment and payment of the tax for its pro rata share thereof until the extinguishment of said indebtedness or expense, except as otherwise provided in Section ~~4845.35~~ *4845.37*.

SEC. 8. Section 4845.35 of said code is amended and renumbered to read:

~~4845.35~~ *4845.37*. Territory included within a city by annexation, incorporation, or otherwise may be withdrawn from the district through ~~either~~ *any* of the procedures specified in this article, without the territory, subsequent to withdrawal, being subject to any further taxes by the district for the payment of maintenance, operating, or expenses other than the payment of principal and interest on bonds outstanding at the time of withdrawal, if the board of supervisors finds, at a hearing held after a petition for withdrawal is presented to the board pursuant to Section 4845.22 and prior to calling an election for withdrawal pursuant to Section 4845.23 or at the hearing required by Section 4845.34, by a resolution duly adopted, that the territory proposed to be withdrawn is not benefited by any services performed by the district.

SEC. 9. Section 4845 35 is added to said code, to read:

4845.35. If the area is proposed to be excluded by resolution of intention of the board of supervisors pursuant to Section 4845.31, and if written objection to the withdrawal of the territory signed by the owners of more than 50 percent in value of the assessed real property in the portion to be excluded is filed with the board of supervisors, the board of supervisors shall adopt an order abandoning the proposed exclusion without prejudice to further proceedings under this article."

The Assembly concurred in Senate amendments to Assembly Bill No. 1743 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1743 ordered enrolled.

**Assembly Bill No. 1744**—An act to amend Sections 9168, 9169, 9201, and 9211 of the Public Resources Code, relating to soil conservation districts

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1744?

**Amendment No. 1**

On page 2, line 11, of the printed bill, strike out "such bonds", and insert "bonds required by Section 9167".

The Assembly concurred in Senate amendment to Assembly Bill No. 1744 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 1744 ordered enrolled.

**Assembly Bill No. 2010**—An act to add Section 20568.1 to, and to amend Sections 26965, 26966 and 26967 of, the Water Code, relating to irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2010?

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 4 to 7, inclusive, and insert "the owner of an undivided interest therein without the authorization of the owner"

The Assembly concurred in Senate amendment to Assembly Bill No. 2010 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 2010 ordered enrolled.

**Assembly Bill No. 2180**—An act to amend Sections 74182, 74183, 74184 and 74185 and to repeal Section 74186 of, and to add Sections 74186, 74187, 74188, 74189, 74190, and 74191 to, the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2180?

**Amendment No. 1**

In line 2 of the title of the printed bill, after "of", insert ", and to add Sections 74186, 74187, 74188, 74189, 74190, and 74191 to,".

**Amendment No. 2**

Strike out lines 3 and 4 of the title, and insert "municipal courts"

**Amendment No. 3**

On page 3, after line 33, insert

"SEC. 6. Section 74186 is added to said code, to read:

74186. Notwithstanding any other provisions of this code, in the event of the consolidation of the municipal court district embracing the City of Sacramento and

the municipal court district embracing the City of North Sacramento prior to the ninety-first day following the adjournment of the 1961 Regular Session of the Legislature, the provisions of Section 74187 to 74191, inclusive, shall apply to the consolidated district.

SEC. 7. Section 74187 is added to said code, to read:

74187. There shall be six judges.

SEC. 8. Section 74188 is added to said code, to read:

74188. There shall be one clerk, to be appointed by the judges of the court, who shall be secretary of the court and who shall receive eight hundred dollars ($800) monthly.

SEC. 9. Section 74189 is added to said code, to read:

74189. The clerk shall appoint:

(a) Two assistant clerks each of whom shall receive six hundred fifty dollars ($650) monthly.

(b) Eleven deputy clerks, grade III, each of whom shall receive four hundred two dollars ($402) a month with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-three dollars ($23), and twenty-three dollars ($23) to a maximum of four hundred ninety dollars ($490) a month.

(c) Fifteen deputy clerks, grade II, each of whom shall receive three hundred forty-seven dollars ($347) a month with annual increments of seventeen dollars ($17), nineteen dollars ($19), nineteen dollars ($19), and twenty-one dollars ($21) to a maximum of four hundred twenty-three dollars ($423) a month.

(d) Six deputy clerks, grade I, each of whom shall receive three hundred dollars ($300) a month with annual increments of fifteen dollars ($15), fifteen dollars ($15), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of three hundred sixty-four dollars ($364) a month.

SEC. 10. Section 74190 is added to said code, to read:

74190. There shall be one marshal, to be appointed by the judges of the court, who shall receive eight hundred dollars ($800) monthly.

SEC 11. Section 74191 is added to said code, to read:

74191 The marshal shall appoint:

(a) One chief deputy marshal who shall receive six hundred dollars ($600) a month.

(b) Four deputy marshals (sergeants), each of whom shall receive four hundred sixty-seven dollars ($467) a month with annual increments of twenty-three dollars ($23), twenty-five dollars ($25), twenty-five dollars ($25), and twenty-seven dollars ($27) to a maximum of five hundred sixty-seven dollars ($567) a month.

(c) Four deputy marshals, each of whom shall receive four hundred two dollars ($402) a month with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-three dollars ($23), and twenty-three dollars ($23) to a maximum of four hundred ninety dollars ($490) a month

(d) One deputy marshal (clerk grade III) who shall receive four hundred two dollars ($402) a month with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-three dollars ($23), and twenty-three dollars ($23) to a maximum of four hundred ninety dollars ($490) a month.

(e) Two deputy marshals (clerk grade II) each of whom shall receive three hundred forty-seven dollars ($347) a month with annual increments of seventeen dollars ($17), nineteen dollars ($19), nineteen dollars ($19), and twenty-one dollars ($21) to a maximum of four hundred twenty-three dollars ($423) a month.

(f) Two deputy marshals (clerk grade I) each of whom shall receive three hundred dollars ($300) a month with annual increments of fifteen dollars ($15), fifteen dollars ($15), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of three hundred sixty-four dollars ($364) a month."

The Assembly concurred in Senate amendments to Assembly Bill No. 2180 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2180 ordered enrolled.

**Assembly Bill No. 2244**—An act to amend Sections 19 and 19a and add Section 19b to the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to drainage districts.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 2244?

**Amendment No. 1**

In line 1 of the title of the printed bill as amended in Assembly May 11, 1959, strike out "Section 19a", and insert "Sections 19 and 19a".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 19 of the Drainage District Act of 1903 is amended to read:

19. ~~Fifteen~~ *Forty-five* days before any election held under this act, subsequent to the organization of any district, the secretary of the board of directors shall cause notices to be posted in three public places in each election precinct, of the time and place of holding the election, and shall also post a similar notice of the same in a conspicuous place in the office of the said board, specifying the polling places of each precinct, and the names of the members of the boards of election, for each precinct. Prior to the time for posting such notices, the board must appoint for each precinct, from the electors thereof, one inspector and one judge and one clerk, who shall constitute a board of election for such precinct. If the board fail to appoint a board of election, or the members appointed, or any of them do not attend at the opening of the polls on the morning of election, the electors of the precinct present at that hour, may appoint the board, or supply the place of an absent member thereof. The board of directors must in its order appointing the board of election, designate the place within each precinct where the election must be held.

SEC. 2. Section 19a of said act is amended to read:".

**Amendment No. 3**

On page 1, line 18, strike out "SEC. 2", and insert "SEC. 3".

The Assembly concurred in Senate amendments to Assembly Bill No. 2244 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Holmes, House, Johnson, Kennick, Lanterman, Levering, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2244 ordered enrolled.

## INQUIRY BY SPEAKER

Speaker Brown inquired of Mr. Miller if he had received an opinion from the Legislative Counsel relative to working on Saturday.

**Reply by Mr. Miller**

Mr. Miller replied that he had received an oral opinion that working on Saturday will in no way affect the number of calendar days that the

Legislature may meet; and that he would have a written opinion confirming this opinion later in the day.

### ASSEMBLY BILL NO. 2859 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 2859,** on motion of Mr. George E. Brown.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2732**—An act to add Section 5754 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the sale of vehicles to minors.

Bill read third time.

#### Speaker pro Tempore Presiding

At 9.47 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—Backstrand, Holmes, Levering, Lunardi, Shell, and Williamson—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2526**—An act to amend Section 415 of the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1253**—An act to amend Sections 28700, 28702, 28717 of, and to add Section 28710.5 to, the Health and Safety Code, relating to frozen food locker plants.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman Levering, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

### NAME REMOVED FROM ROLL CALL ON ASSEMBLY BILL NO. 2526

Mr. Bradley was granted unanimous consent that he be recorded as not voting on Assembly Bill No. 2526.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1530**—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1, of the Insurance Code, relating to insurance.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1597**—An act to add Section 20390.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1600**—An act to add Section 20390.2 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2007**—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary co-ordination of releases of water from reservoirs.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland,

Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—66.
NOES—Sedgwick—1.

Bill ordered transmitted to the Senate.

### VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILLS NOS. 1597 AND 1600

Mr. Beaver was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bills Nos. 1597 and 1600.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2450**—An act to add Section 6456.5 to, and to amend Section 8108 of the Financial Code, relating to stock of savings and loan associations.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 10**—An act to add Article 13 (commencing at Section 6401) to Chapter 6 of Division 6 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the advanced education of twelfth grade high school students.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2058**—An act to amend Section 11500 of the Water Code, relating to the powers of the Department of Water Resources.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2398**—An act to add Chapter 15 (commencing at Section 19890) to Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to state school construction bond issues.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2308**—An act authorizing the State Lands Commission to exchange the interest of the State in parcels of land in the vicinity of San Francisco Bay for the interest of persons in other parcels of land in the vicinity of San Francisco Bay for the purposes of commerce, navigation and reclamation and the settlement of titles and boundaries and providing for actions against the State to quiet title to the lands exchanged, and authorizing actions to quiet title against the State the lands conveyed by the State pursuant to Chapter 353 of the Statutes of 1955.

Bill read third time.

**Speaker Presiding**

At 10.17 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Charles H. Wilson was granted unanimous consent to take up Assembly Bill No. 2693, temporarily passed on the second reading file, for purpose of amendment.

### SECOND READING OF ASSEMBLY BILL NO. 2693

**Assembly Bill No. 2693**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Bill read second time.

#### Motion to Amend

Mr. Charles H. Wilson moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 7, of the printed bill, after "those", insert ", 98 percent or more of".

#### Amendment No. 2

On page 1, line 8, after "operations", insert "as measured by total route mileage operated,".

#### Amendment No. 3

On page 1, between lines 11 and 12, insert

"For the purposes of this section, the percentage of the route mileage within the limits of any city shall be determined by the Public Utilities Commission on the first day of January of each year, and such percentage so determined shall be presumed to continue for said year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

### REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 2531

Mr. Biddick was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted committee amendments to Assembly Bill No. 2531 (Assembly Journal, pages 4743-4744).

Assembly Bill No. 2531 ordered retained on second reading file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1047**—An act to amend Sections 10026, 10131, 10132, 10134, 10252, 10252.5, 10253, 10253.5, 10255 and 10305 of, and to add Sections 10027 and 10085 to, the Business and Professions Code, relating to definition of brokers, agents and salesmen and advance fee charges.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Rees—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 453**—An act to repeal Section 7018.1 of, and to add Section 7018.1 to, the Education Code, to repeal Section 18060 of, and to amend and renumber Section 18060.1 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to allowances to local school districts for transportation of pupils, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1518**—An act to add Section 2442 to the Labor Code, relating to general health provisions.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2011**—An act to amend Section 22050 of, and to add Section 22458.1 to the Financial Code, relating to personal property brokers.

Bill read third time.

**Motion to Amend**

Mr. Reagan moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 35 of the printed bill, as amended in the Assembly on May 20, 1959; strike out "amount provided in (1) or (2)"; strike out line 36; and on line 37 strike out "(1) The".

**Amendment No. 2**

On page 2, line 40, strike out ", or", and insert a period.

**Amendment No. 3**

On page 2, strike out lines 41 to 52, inclusive; and strike out all of page 3.

Amendment read.

**Hon. Robert W. Crown Presiding**

At 10.28 a m., Hon Robert W. Crown, Member of the Assembly from the Fourteenth District, presiding.

**Demand for Previous Question**

Messrs. Munnell, Schrade, Dills, Ernest R. Geddes, and Biddick demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Backstrand, Beaver, Bradley, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Cunningham, Cusanovich, Dahl, Grant, Kennick, Marks, McCollister, Mulford, Nisbet, Petris, Reagan, Sumner, and Charles H. Wilson—23.

NOES—Don A Allen, Bane, Bee, Belotti, Burton, Cameron, Coolidge, Crawford, Davis, Dills, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Lanterman, Luckel, Masterson, Meyers, Miller Munnell, Pattee, Rees, Schrade, Thelin, Unruh, Waldie, Williamson, and Z'berg—35

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Busterud, Chapel, Coolidge, Crawford, Cunningham, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, and Z'berg—53.

NOES—Bradley, Burke, Burton, Cameron, Collier, Cusanovich, McCollister, and Petris—8.

Bill ordered transmitted to the Senate

**Name Placed Upon Roll Call**

Messrs. Winton and Coolidge were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2011.

**Assembly Bill No. 122**—An act to repeal Section 3081.93 of the Civil Code, relating to loans secured by real property.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 289**—An act to amend Section 709 of the Unemployment Insurance Code, relating to elective coverage for unemployment and disability insurance.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant,

Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2272**—An act to amend Section 5406 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—Thelin—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2655**—An act to amend Sections 1030 and 1256 of the Unemployment Insurance Code, relating to Unemployment Insurance Code.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—55.
NOES—Backstrand, Bradley, Burke, Dahl, Lanterman, Reagan, Shell, and Thelin—8.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2418**—An act to add Section 6017.5 to the Insurance Code, relating to county mutual insurers.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1656**—An act to amend Section 2710 of, and to add Section 2801.1 to, the Unemployment Insurance Code, relating to the payment of hospital benefits to persons confined in mental institutions.

Bill read third time.

**Point of Order**

Mr. Hanna arose to the following point of order: That copies of the bill are not in the bill file books.

**Ruling by Acting Speaker**

Acting Speaker Crown ruled the point of order well taken.

On request of Mr. Charles H. Wilson, further consideration of the bill was passed temporarily on file.

**Assembly Constitutional Amendment No. 44**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 22 to Article XIII thereof, relating to property taxation.

Resolution read.

**Motion to Re-refer**

Mr. Unruh moved that the resolution be re-referred to the Committee on Ways and Means.

Mr. Munnell seconded the motion.

**Speaker Presiding**

At 11.19 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion to re-refer.

**Motion Withdrawn**

With the consent of his second, Mr. Unruh withdrew his motion to re-refer.

The question being on the adoption of the resolution.

**Demand for Previous Question**

Messrs. Dahl, Bee, Burke, Belotti, and Meyers demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution refused adoption by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Britschgi, Burke, Cameron, Chapel, Collier, Crawford, Dahl, Francis, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Pattee, Reagan, Schrade, Shell, Thelin, and Charles H. Wilson—24

NOES—Bee, Biddick, Bradley, George E. Brown, Burton, Busterud, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—45.

**Assembly Bill No. 2497**—An act to amend Section 10607 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to suspension of pupils.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Bee, Cusanovich, and Elliott—3.

Bill ordered transmitted to the Senate.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Mrs. Davis was granted unanimous consent that she be recorded as voting "No" on Assembly Constitutional Amendment No. 44.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 234**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands

Bill read third time.

### Points of Personal Privilege

Mr. Coolidge arose on a point of personal privilege.

Mr. Lanterman arose on a point of personal privilege.

### Demand for Previous Question

Messrs. Collier, Luckel, Crawford, Schrade, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bruce F. Allen, Belotti, Burton, Coolidge, Davis, Frew, Holmes, Lunardi, MacBride, Masterson, McCollister, Meyers, Pattee, and Thomas—14.
NOES—Don A. Allen, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, Marks, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Shell, Thelin, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

**Assembly Bill No. 1594**—An act to add Section 819 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the academic education of inmates in state institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Conrad was granted unanimous consent that Assembly Bill No. 2623 be withdrawn from the Consent Calendar, and placed upon the third reading file.

### CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2857**—An act to amend Section 820 of the Streets and Highways Code, relating to federal aid on public highways, declaring the urgency thereof, to take effect immediately.

Bill read third time.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2521**—An act to add Chapter 4.5 (commencing with Section 26970) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2329**—An act to add Section 4820 to the Health and Safety Code, relating to county sanitation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes,

Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2574**—An act to add Section 31807 to, and to repeal Section 31807 of, the Government Code, relating to county employees' retirement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2778**—An act to amend Sections 28142 and 28146 of the Government Code, relating to compensation for public services in counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2579**—An act to add Section 6462.1 to the Streets and Highways Code, relating to the Improvement Act of 1911

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2707**—An act to amend Section 2802 of, and to add Section 40152 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle inspections

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2737**—An act to amend Section 27900 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to signs displayed on vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2340**—An act to amend Section 39560 of, and to add Sections 39567 1 and 39574 5 to, the Government Code, relating to weed and rubbish abatement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

By Mr. Miller:

**House Resolution No. 278**

Relating to a study of the means and procedure of securing a revision of the State Constitution

*Resolved by the Assembly of the State of California*, That the Citizens Legislative Advisory Commission is hereby authorized and directed to study the legislative procedures, ways and means, and techniques which should be used to secure a revision of the State Constitution, but not including a study of the actual revisions to be made; and be it further

*Resolved*, That the Citizens Legislative Advisory Commission is hereby authorized and directed to report to the Assembly at the 1961 Regular Session of the Legislature not later than the fifth legislative day thereof, on the results of its study together with any recommendations it may have on the subject of the study; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the Citizens Legislative Advisory Commission.

Resolution read and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 2771**—An act to amend Section 13832 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2779**—An act to add Section 35790 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to permits for vehicles of an excessive size or weight

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2581**—An act to amend Sections 4150 and 4159 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of the color of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1056**—An act to amend Sections 10177, 10302 and 10562 of the Business and Professions Code, relating to revocation or suspension of licenses by the Real Estate Commissioner.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2382**—An act to amend Section 4850 of the Labor Code, relating to workmen's compensation and insurance

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2764**—An act to amend Sections 1711 and 1712 of the Insurance Code, relating to insurance agents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2642**—An act to amend Section 10202 of the Insurance Code, relating to employees' groups covered by group life policies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 710**—An act to add Article 9 (commencing at Section 50230) to Chapter 1, Part 1, Division 1, Title 5 of the Government Code, relating to abandoned excavations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 83**—Approving a certain amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal charter amendment election held therein on the fourth day of May, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 84**—Relative to approving amendments to the charter of the City of Sacramento, County of Sacramento, State of California, ratified by the qualified electors of the city at an election held therein on the nineteenth day of May, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 82**—Relative to the passing of Mae Bromley.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes.

Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 916**—An act to add Section 16522 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 536**—An act to repeal Chapter 22 (commencing at Section 7920) of Division 3 of the Education Code, and Chapter 7 (commencing at Section 19351) of Division 14 of the Education Code as proposed by Senate Bill No. 2, relating to the School Bond Retirement Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 366**—An act to add Section 378 to the Education Code, and to add Section 817 to the Education Code as proposed by Senate Bill No. 2, relating to county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 707**—An act to add Chapter 11 5 (commencing at Section 26120) to Part 2 of Division 2 of Title 3 of the Government Code, relating to county historical societies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 997**—An act to amend Section 35400 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the length of semitrailers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 979

Speaker Brown ordered Senate Bill No. 979 withdrawn from the Committee on Social Welfare, and re-referred to the Committee on Judiciary—Civil.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 627**—An act to add Section 329.5 to the Code of Civil Procedure, relating to the statute of limitations,

**Assembly Bill No. 1153**—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached;

**Assembly Bill No. 1269**—An act to add Section 337a to the Code of Civil Procedure, relating to the statute of limitations on certain types of contracts and book accounts;

**Assembly Bill No. 1397**—An act to add Sections 69957, 69958, 69959, 72196, 72197, and 72198 to the Government Code, relating to official reporters of the superior court;

**Assembly Bill No. 1442**—An act to amend Section 900 of the Streets and Highways Code, relating to county highway construction equipment contracts,

**Assembly Bill No. 1920**—An act to add Section 150 to the Streets and Highways Code, relating to state freeways,

**Assembly Bill No. 1965**—An act to amend Sections 13350, 13361, 13364, 17703, 17704, and 17705 of, and to repeal Section 13365 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of drivers of motor vehicles;

**Assembly Bill No. 2107**—An act to amend Section 26709 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to mirrors;

**Assembly Bill No. 2156**—An act to amend Section 22100 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the turning of vehicles at intersections;

**Assembly Bill No. 2157**—An act to amend Section 5354 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of trailer coaches;

**Assembly Bill No. 2228**—An act to amend Section 7059 of the Welfare and Institutions Code, relating to defective or psychopathic delinquents;

And reports the same enrolled, and presented to the Governor on the fifth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 108**—Relative to merit awards to state employees.

And reports the same correctly enrolled, and presented to the Secretary of State on the fifth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 5, 1959

MR. PRESIDENT. Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2654
Assembly Bill No. 2813

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 480

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 4, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1465
Assembly Bill No. 1573
Assembly Bill No. 2074
Assembly Bill No. 2293
Assembly Bill No. 2414
Assembly Bill No. 2552

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 45
Senate Bill No. 223
Senate Bill No. 646
Senate Bill No. 931
Senate Bill No. 1108
Senate Bill No. 1109
Senate Bill No. 1213
Senate Bill No. 1261
Senate Bill No. 1291
Senate Bill No. 1340
Senate Bill No. 1368
Senate Bill No. 1416
Senate Bill No. 1431
Senate Bill No. 1443
Senate Bill No. 1451
Senate Bill No. 1455
Senate Bill No. 1465
Senate Bill No. 1474

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 45**—An act to amend Section 422 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 223**—An act to add Section 330 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce

**Senate Bill No. 646**—An act to amend Sections 175, 177, and 181 of the Water Code, relating to the State Water Rights Board and making an appropriation therefor

Referred to Committee on Water.

**Senate Bill No. 931**—An act to add Part 7 (commencing at Section 7000) to Division 8 of the Harbors and Navigation Code, relating to small craft harbor districts.

Referred to Committee on Public Utilities and Corporations

**Senate Bill No. 1108**—An act to amend Sections 30050 and 30051 of the Streets and Highways Code, relating to public ways and all appurtenances thereto, including toll bridges, toll tubes, toll ferries and toll roads.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1109**—An act to add Section 101.8 to the Streets and Highways Code, relating to the construction, reconstruction, and maintenance of structures on limited access highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1213**—An act to add Sections 1253.1 and 1279.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 1261**—An act to amend Section 6025.1 of the Penal Code, relating to the Board of Corrections.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1291**—An act to amend Section 415 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1340**—An act to add Section 11550.7 to, and to amend Section 11553 of the Government Code, relating to the annual salary of the members of the Public Utilities Commission of California.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1368**—An act to create a flood control district to be called "San Mateo County Flood Control District" to provide for the control of flood and storm waters and for the protection of watercourses, watersheds, harbors, public highways, life and property in said

district from damage or destruction from such waters and to save and conserve all or any of such waters for beneficial use in said district; to provide for the dividing of said district into zones; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district in the respective zones thereof, and providing certain limitations on assessments, bonded indebtedness and expenditures with respect to the district and the respective zones thereof; and to define the powers of said district, including the right of the district to sue and be sued, and the powers and duties of the officers thereof; to provide for the government, management and control of said district; to provide for the construction of works, the acquisition of property by the district, and other things necessary to carry out the purposes of this act.

Referred to Committee on Water.

**Senate Bill No. 1416**—An act to repeal Chapter 2 (commencing with Section 301) of Part 1 of Division 1, and to add Chapter 2 (commencing with Section 301) to Part 1 of Division 1, of the Public Utilities Code, relating to the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1431**—An act to add Chapter 4.7 (commencing at Section 20597) to Part 3 of Division 5 of Title 2 of the Government Code, relating to county peace officers not covered by a retirement plan.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1443**—An act to amend Sections 595 and 599 of, to repeal Sections 597 and 598 of, and to add Section 657 to, the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Livestock and Dairies.

**Senate Bill No. 1451**—An act to amend Section 68083 of the Government Code, relating to partners of judges.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1455**—An act to add Article 4 (commencing at Section 31510) to Chapter 5, of Division 13 of the Vehicle Code, relating to safety standards for vehicle loads.

Referred to Committee on Transportation and Commerce

**Senate Bill No. 1465**—An act to amend Section 4700 of the Penal Code, relating to offenses by prisoners in state institutions

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1474**—An act to amend Section 4125.1 of the Penal Code, relating to the employment of county jail prisoners.

Referred to Committee on Criminal Procedure.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Senate Bill No. 69 | Senate Bill No. 1230 |
| Senate Bill No. 345 | Senate Bill No 1231 |
| Senate Bill No. 364 | Senate Bill No. 1273 |
| Senate Bill No. 405 | Senate Bill No 1321 |
| Senate Bill No. 504 | Senate Bill No. 1342 |
| Senate Bill No. 519 | Senate Bill No. 1392 |
| Senate Bill No. 574 | Senate Bill No. 1396 |
| Senate Bill No. 861 | Senate Bill No 1420 |
| Senate Bill No. 945 | Senate Bill No. 1423 |
| Senate Bill No. 991 | Senate Bill No. 1434 |
| Senate Bill No. 1004 | Senate Bill No. 1440 |
| Senate Bill No. 1008 | Senate Bill No. 1446 |
| Senate Bill No. 1047 | Senate Bill No. 1452 |
| Senate Bill No. 1088 | Senate Bill No. 1454 |
| Senate Bill No. 1185 | Senate Bill No. 1460 |
| Senate Bill No. 1191 | Senate Bill No. 1461 |
| Senate Bill No. 1202 | Senate Bill No. 1477 |
| Senate Bill No 1205 | Senate Bill No. 1482 |
| Senate Bill No. 1228 | Senate Bill No. 1489 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 69**—An act to add Section 1267 to the Code of Civil Procedure, relating to negotiations by state agencies with respect to proposed acquisition of property.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 345**—An act to add Section 1250a to the Code of Civil Procedure, relating to offers of purchase in eminent domain.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 364**—An act to amend Section 68542 of the Government Code, relating to expenses of judges.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 405**—An act to add Section 486 to the Streets and Highways Code, relating to adoption of a state highway route.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 504**—An act to amend Sections 326, 347, 356, 362, 369, 376, 380, 403, 410, 414, 443, 476, and 526 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 519**—An act to amend the heading of Chapter 2 (commencing at Section 30600) of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of, Division 17 and to amend Sections 30608 and 30609 of the Streets and Highways Code, relating to the construction of a San Francisco-Oakland Rapid Mass Transit Tube, and making an appropriation.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 574**—An act to add Article 11 (commencing at Section 428), to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to the prevention of blindness.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 861**—An act to add Section 516 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 945**—An act to amend Section 128 of, and to add Part 3 (commencing with Section 3501) to Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

**Senate Bill No. 991**—An act to amend Section 61600 of the Government Code, relating to community services districts

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1004**—An act to add Section 11543.5 to the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1008**—An act to amend Section 834 of the Corporations Code, relating to derivative actions.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1047**—An act to amend Section 2120 of the Streets and Highways Code, relating to services furnished by the State for counties

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1088**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1185**—An act to add Section 1294 to the Code of Civil Procedure, relating to arbitration.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1191**—An act to amend Sections 23817 and 23954.5 of the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 1202**—An act to amend Section 104.5 of the Welfare and Institutions Code, relating to proceedings before the State Social Welfare Board.

Referred to Committee on Social Welfare.

**Senate Bill No. 1205**—An act to repeal Section 2413 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to seat belt reports.

Referred to Committee on Transportation and Commerce.

**Senate Bill No. 1228**—An act to amend Sections 14302, 14303, and 14306 of, and to add Section 14309.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System and providing for retirement for disability and adjusting disability allowances therein.

Referred to Committee on Education.

**Senate Bill No. 1230**—An act to amend Sections 92.7 and 92.8 of the Agricultural Code and Sections 19624 and 19626 of the Business and Professions Code, and Sections 19626, 19627, and 19630 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, relating to fairs and the Fair and Exposition Fund.

Referred to Committee on Agriculture.

**Senate Bill No. 1231**—An act to amend Sections 3, 4, 5, 10, 12, 13, 14, 15, 17, 18, 20, and 29 of, and to add Sections 13.1 and 20.1 to, the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water.

**Senate Bill No. 1273**—An act to amend Sections 18, 43, 90, 105, of, and to add Article 9.5 (commencing at Section 185) to, the Solvang Municipal Improvement District Act (Chapter 1635 of the Statutes of 1951), relating to the Solvang Municipal Improvement District.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1321**—An act to amend Section 1845.5 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1342**—An act authorizing the sale of an armory in the City and County of San Francisco, and providing for disposition of the proceeds thereof.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1392**—An act to add Section 26467 to the Health and Safety Code, relating to food labeling.

Referred to Committee on Public Health.

**Senate Bill No. 1396**—An act to add Section 31815 to the Government Code, relating to the County Employees Retirement Law of 1937.

Referred to Committee on Civil Service and State Personnel.

**Senate Bill No. 1420**—An act to add Section 6359 to the Public Resources Code, relating to grants of tide and submerged lands.

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1423**—An act to amend Section 1642 of the Welfare and Institutions Code, relating to maternity care for expectant unmarried mothers.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1434**—An act to amend Sections 6728, 6729, and 6734 of the Welfare and Institutions Code, relating to mental illness.

Referred to Committee on Judiciary—Civil

**Senate Bill No. 1440**—An act to add Section 69941.1 to, and to amend Section 72195 of, the Government Code, relating to court reporters.

Referred to Committee on Judiciary—Civil.

**Senate Bill No. 1446**—An act to add Section 3243.5 to, and to amend Section 3280 of the Fish and Game Code, relating to hunting clubs.

Referred to Committee on Fish and Game

**Senate Bill No. 1452**—An act to amend Sections 11553 and 11557 of the Government Code, relating to salaries of state officers.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1454**—An act to amend Sections 504, 8600, 8604, 8607, 8700, 8701, 8702, 8703, and the title of Chapter 2 (commencing at Section 8700) of Division 7 of, to repeal Sections 8605, 8606, and 8608 of, and to add Sections 509.6, 8605, 8606, and 8704 to, the Public Resources Code, relating to recreation

Referred to Committee on Natural Resources, Planning, and Public Works.

**Senate Bill No. 1460**—An act to add Section 21714.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to ambulances.

Referred to Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1461**—An act to add Chapter 12 (commencing at Section 6950) to Division 7 of Title 1 of the Government Code, relating to the purchase of interests in real property by counties and to the preservation of open spaces and areas for public use and enjoyment.

Referred to Committee on Municipal and County Government.

**Senate Bill No. 1477**—An act to add Article 2.5 (commencing at Section 15380) to Chapter 2 of Division 11 of the Education Code as enacted at the 1959 Regular Session, relating to plans and specifications for the construction of school buildings.

Referred to Committee on Education.

**Senate Bill No. 1482**—An act to amend Section 1547 of the Penal Code, relating to rewards for apprehension.

Referred to Committee on Criminal Procedure.

**Senate Bill No. 1489**—An act to amend Section 9108 of the Government Code, relating to the State Capitol

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 4, 1959

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 63
Senate Concurrent Resolution No 80
Senate Concurrent Resolution No. 85
Senate Concurrent Resolution No 88
Senate Joint Resolution No. 27
Senate Joint Resolution No. 28
Senate Joint Resolution No. 29
Senate Joint Resolution No. 30

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Concurrent Resolution No. 63**—Relative to expenses of the Joint Interim Committee on Uniform Laws.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 80**—Relative to the recommendations of the Interdepartmental Medical Fee Committee.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 85**—Relative to the expenses of the legislator members of the Fairs Classification Committee.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 88**—Relative to extending the thanks of the Legislature to officials of the Travis Air Force Base.

Referred to Committee on Rules.

**Senate Joint Resolution No. 27**—Relative to protection of the North Pacific fisheries.

Referred to Committee on Rules.

**Senate Joint Resolution No. 28**—Relative to the cessation of services by the Federal Bureau of Indian Affairs.

Referred to Committee on Rules.

**Senate Joint Resolution No. 29**—Relative to demonstration sea water conversion plants.

Referred to Committee on Rules.

**Senate Joint Resolution No. 30**—Relative to the establishment of sea water conversion plants in Orange County, California.

Referred to Committee on Rules.

## RECESS

At 11.47 a.m., on motion of Mr. Winton, the Assembly recessed until 1.30 p.m.

## REASSEMBLED

At 1.30 p m., the Assembly reconvened.

*Hon. Ralph M. Brown, Speaker of the Assembly, presiding.*

Chief Clerk Arthur A. Ohnimus at the desk.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Z'berg and Beaver:

### House Resolution No. 321

Relative to congratulating Colonel Charles R. Heffner of the United States Air Force

WHEREAS, It has come to the attention of the Members of the Assembly that a truly great American and distinguished military leader, Colonel Charles R. Heffner, has been awarded the Order of the Legion of Merit, one of the highest peacetime awards given by the United States Air Force; and

WHEREAS, From October 18, 1957, to May 28, 1959, Colonel Heffner distinguished himself as the Commander of the 552nd Airborne Early Warning and Control Wing, stationed at McClellan Air Force Base in Sacramento, California; and

WHEREAS, During this period by demonstrating inspired leadership and organizational ability he accomplished a tremendous increase in the efficiency and effectiveness of the airborne early warning radar system on the West Coast of the United States; and

WHEREAS, In addition to his outstanding record in behalf of the improvement of this Nation's defenses, he also contributed greatly to improving civilian-military relationships in the Sacramento area by conducting an active community relations and public information program; and

WHEREAS, Colonel Heffner, having been recently reassigned to Allied Headquarters in Europe, will doubtlessly continue to perform his duties in a most superior manner, to the great benefit of the people of the United States and the other free countries of the world; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House take this opportunity to extend to Colonel Charles R. Heffner heartiest congratulations upon his receipt of the Legion of Merit, and commend him for his truly outstanding achievements as Commander of the 552nd Airborne Early Warning and Control Wing of the United States Air Force; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Chief of Staff of the United States Air Force, and to Colonel Heffner.

Resolution read, and referred to the Committee on Rules.

By Mr. Sedgwick:

### House Resolution No. 322

Relative to a study of maximum hours of work by women

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of desirability of revising the laws governing maximum hours of work of women so as to permit an employer, during emergency periods and by permit from an appropriate state agency, to have women employees work nine hours per day for five days a week, with the ninth hour to be paid for at overtime rates. The committee to which such subject is assigned shall make appropriate recommendations for legislation and shall report its findings and recommendations to the Assembly by the tenth calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Mr. Crawford:

### House Resolution No. 323

Relating to congratulating Archibald Lee Moore

WHEREAS, Archibald Lee Moore, better known as Archie Moore, has climbed from his life as one of six children in the broken home of a St. Louis laborer to a position of prominence within the United States and the world, a prominence not only based upon his many successes in the pugilistic world but also based upon his life as a fine citizen; and

WHEREAS, Archie Moore has had a long career in prizefighting and while not always victorious it has been a career of honor, diversity, and success of which Archie Moore can well be proud; and

WHEREAS, It has been said of Archie Moore that in his long career of fighting he has accumulated the finest collection of boxing moves and punches now extant, and

WHEREAS, Archie Moore, rising from the slums of St Louis has taken a particular interest in the problems of juveniles and in combating juvenile delinquency; and

WHEREAS, This interest in juveniles has been demonstrated by his establishment of the headquarters of a training camp at Kenwood Camp for Children in North Adams, Massachusetts, and further by the fact that Archie Moore on merely one occasion raised $7,000 for a successful operation on a little girl of Miami, Florida, who was going blind; and

WHEREAS, In 1955 Archie Moore was summoned by the President of the United States to the White House to assist in the President's program of combating juvenile delinquency; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends Archibald Lee Moore for his outstanding career as a fighter, for his exemplary life as a citizen, and for his notable and understanding work with juveniles; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit illuminated copies of this resolution to Archie Moore and to his wife

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

**House Resolution No. 324**

Relative to extending the time for completion of the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works

*Resolved by the Assembly of the State of California*, That notwithstanding the provisions of subdivision 9 of House Resolution No. 200 (1951 General Session) the time for submitting the printed reports required under that resolution is hereby extended to the expiration of the 1960 Budget Session at no cost to the State of California.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

**House Resolution No. 325**

Relative to providing copies of the Larmac Index to California Laws for Members of the Assembly

*Resolved by the Assembly of the State of California*, That any Member of the Assembly who desires to have a copy of the Larmac Index to California Laws shall notify the Chief Clerk of the Assembly; and be it further

*Resolved*, That the Chief Clerk of the Assembly is authorized and directed to purchase one copy of the Larmac Index to be used at the Assembly desk and such number of copies of the Larmac Index as may be necessary to comply with the requests therefor and to deliver a copy to each member who has requested one; and be it further

*Resolved*, That the State Controller is authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Recorder Printing and Publishing Company in such amount as is necessary to pay for the copies of the Larmac Index to California Laws that are purchased pursuant to this resolution

Resolution read, and referred to the Committee on Rules.

By Messrs. Miller, Ralph M. Brown, Conrad, Hanna, Nisbet, Schrade, and Sedgwick:

**House Resolution No. 326**

Relative to constituting certain standing committees of the Assembly as interim committees

*Resolved by the Assembly of the State of California*, As follows:

1. The following standing committees of the Assembly are hereby constituted Assembly interim committees and are authorized and directed to ascertain, study, and analyze all facts relating to (1) the subjects and matters assigned to them by this resolution, (2) any subjects or matters referred to them by the Assembly; (3) any subjects or matters related to (1) or (2) which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative:

(a) The Committee on Agriculture is assigned the subject matter embraced in the Agricultural Code, uncodified laws on the same subject, and other matters relating to agriculture.

(b) The Committee on Civil Service and State Personnel is assigned the subject matter of the State Civil Service System and state personnel, and matters relating thereto.

(c) The Committee on Constitutional Amendments is assigned the subject matter of the State Constitution, and all matters relating thereto.

(d) The Committee on Criminal Procedure is assigned the subject matter embraced in the Penal Code, uncodified laws on the same subject, and matters relating to crimes and criminal procedure.

(e) The Committee on Education is assigned the subject matter embraced in the Education Code, uncodified laws on the same subject, and matters relating to education

(f) The Committee on Elections and Reapportionment is assigned the subject matter embraced in the Elections Code, uncodified laws on the same subject, and matters relating to elections and reapportionment.

(g) The Committee on Finance and Insurance is assigned the subject matter embraced in the Unemployment Insurance Code relating to unemployment insurance, the Insurance Code, the workmen's compensation law in the Labor Code, the matters in the Financial Code relating to finance and investment, uncodified laws relating to finance and insurance, and other matters relating thereto

(h) The Committee on Fish and Game is assigned the subject matter embraced in the Fish and Game Code, uncodified laws relating thereto and other matters relating to fish and game

(i) The Committee on Government Organization is assigned the subject matter embraced in the Government Code relating to the State government, uncodified laws relating thereto, and other matters relating to the organization and operation of the State government.

(j) The Committee on Governmental Efficiency and Economy is assigned the subject matter in the Government Code relating to State and local government, uncodified laws relating thereto, and other matters relating to the efficiency and economy of State and local government

(k) The Committee on Industrial Relations is assigned the subject matter in the Labor Code, uncodified laws relating to labor and industrial relations, and other matters relating to industrial relations

(l) The Committee on Judiciary-Civil is assigned the subject matter in the Civil Code, the Code of Civil Procedure and the Probate Code, uncodified laws relating to civil matters, and other matters relating to the civil law and procedure of the State.

(m) The Committee on Livestock and Dairies is assigned the subject matter of Livestock, poultry, dairies, and dairy products in the Agricultural Code, uncodified laws relating thereto, and other matters relating to livestock and dairies.

(n) The Committee on Manufacturing, Oil, and Mining Industry is assigned the subject matter of oil, gas, and other hydrocarbons as contained in the Public Resources Code, and uncodified laws relating thereto and the subject matters of manufacturing and mining, and other matters relating to manufacturing, oil and mining industry.

(o) The Committee on Military and Veterans Affairs is assigned the subject matter of the Military and Veterans Code, uncodified laws relating to veterans and the military, and other matters relating to military and veterans affairs.

(p) The Committee on Municipal and County Government is assigned the subject matter in the Government Code relating to the government of cities, counties, cities and counties, districts, and other political subdivisions of the state, uncodified laws relating thereto, and other matters relating to municipal and county government.

(q) The Committee on Natural Resources, Planning and Public Works is assigned the subject matter of the Public Resources Code and the Streets and Highways Code, and uncodified laws relating to such subject matters, and other matters relating to natural resources, planning, and public works

(r) The Committee on Public Health is assigned the subject matter of the Health and Safety Code and the subject matter of the healing arts in the Business and Professions Code, all uncodified laws relating thereto, and other matters relating to the public health.

(s) The Committee on Public Utilities and Corporations is assigned the subject matter of the Public Utilities Code and the Corporations Code, all uncodified laws relating thereto, and other matters relating to public utilities and corporations.

(t) The Committee on Revenue and Taxation is assigned the subject matter of the Revenue and Taxation Code, uncodified laws relating thereto, and other matters relating to federal, state or local revenues or taxation

(u) The Committee on Social Welfare is assigned the subject matter of the Welfare and Institutions Code, uncodified laws relating thereto, and other matters relating to social welfare and the administration and financing of the social welfare program of the State.

(v) The Committee on Transportation and Commerce is assigned the subject matter of the Vehicle Code, the Streets and Highways Code, uncodified laws relating thereto, and other matters relating to transportation and commerce

(w) The Committee on Water is assigned the subject matter of the Water Code, uncodified laws relating thereto, and other matters relating to water, water resources, flood control and irrigation.

(x) The Committee on Ways and Means is assigned the subject matter of the State Budget, laws relating thereto, the adequacy of the revenues of the State, and other matters relating to ways and means of financing the operation of the State Government.

(y) The Committee on Legislative Representation is assigned the subject matter specified in Assembly Standing Rule 20.

2. Each of the above committees shall consist of the members of the Assembly Standing Committee on the same subject for the 1959 Regular Session. The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. Each committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the fifth calendar day of that session. All reports shall be printed out of the funds allocated to said committee and shall be in the form prescribed by the Rules of the Assembly and the Committee on Rules

4. Each committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. Each committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 No subcommittee shall be appointed by the chairman of any interim committee or otherwise except upon prior written consent of the Committee on Rules.

7 No consultants, staff members, or other employees may be employed by any interim committee except upon prior written approval of the Committee on Rules.

8 No contracts for goods or services or otherwise may be negotiated or entered into by any interim committee without the prior written approval of the Committee on Rules

9. No committee or any member or employee thereof may travel outside the State on committee business without the prior written consent of the Committee on Rules or the Speaker in each case.

10. Within 30 days after the adoption of this resolution, each interim committee shall file with the Rules Committee a proposed work schedule program report setting forth the specific matters it is contemplated the committee shall study and report upon, which program may be supplemented from time to time, and which report shall also contain the personnel or staff needed for said committee and the estimated expenses of said committee for the period June 19, 1959 to March 19, 1960.

11. In order to prevent duplication and overlapping of interim studies between the various interim committees herein created, no committee shall commence the study or hold hearings upon any subject or matter unless and until prior written approval thereof has been obtained from the Committee on Rules.

12 Each interim committee shall file with the Assembly a brief general preliminary or progress report of its activities on or before the twentieth calendar day of the 1960 Budget Session of the Legislature.

13 Each interim committee shall file its final report with the Assembly on or before the fifth calendar day of the 1961 Regular Session of the Legislature.

14 The sum of three hundred fifty thousand dollars ($350,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the above committees and their members and for any charges, expenses or claims they may incur under this resolution The Committee on Rules shall allocate from the above sum to each committee created by this resolution such amount as the Committee on Rules from time to time deems appropriate and sufficient to carry out the duties assigned to each such committee The original amount so allocated shall be for expenses for the period June 20, 1959, to March 20, 1960 Funds not to exceed the amount so allocated shall be paid from the said Contingent Fund and disbursed, after certification by the Chairman of the respective committees, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

**Assembly Concurrent Resolution No. 144:** By Mr. Miller—Relative to augmenting the funds of the Joint Committee on Legislative Organization.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 36:** By Messrs. Hanna, Conrad, and Cusanovich—Relative to adoption of foreign-born children.

Referred to Committee on Rules.

### WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1174

Mr. Petris was granted unanimous consent that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

NOTE—Later this day a motion to reconsider the above action was made. *See* page 4865.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 712 FROM COMMITTEE

Mr. Busterud was granted unanimous consent that Senate Bill No. 712 be withdrawn from the Committee on Judiciary—Civil for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF SENATE BILL NO. 712

**Senate Bill No. 712**—An act to amend Sections 2016, 2019, 2020, 2021, 2024, 2025, 2026, 2030, 2032, 2033 and 2034 of, and to add Sections 1991.1, 1991.2 and 2023 to, the Code of Civil Procedure, relating to depositions and discovery.

Bill read second time.

#### Motion to Amend

Mr. Busterud moved the adoption of the following amendment:

#### Amendment No. 1

On page 5, line 7, of the printed bill, as amended in the Senate on April 29, 1959, after "deponent.", insert "In granting or refusing such order, the court shall consider whether the moving party selected the forum, whether the deponent will be present at the trial, the convenience of the deponent, the suitability of discovery through a deposition by written interrogatories or other discovery methods, the number of depositions sought under this section, the expense to the parties of requiring the deposition to be taken within 150 miles of the residence of the deponent, the whereabouts of the deponent at the time the deposition is scheduled to be taken, and all other factors tending to show whether or not the interests of justice and the convenience of the parties and witnesses will be served by requiring the deponent to appear for his deposition at a place more than 150 miles from his residence."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

### PARLIAMENTARY INQUIRY

Mr. Busterud arose to the following parliamentary inquiry: Would it be in order, at this time, to withhold unanimous consent to the withdrawal and re-reference of Assembly Bill No. 1174?

Reply by Speaker

The Speaker replied that it would not.

Parliamentary Inquiry

Mr. Marks arose to the following parliamentary inquiry: Would it be in order to suggest the absence of a quorum?

Reply by Speaker

The Speaker replied that it would.

Point of Order

Mr. Marks arose to the following point of order: That there was an absence of a quorum.

Call of the Assembly

Mr. Munnell moved a call of the Assembly.

Motion carried. Time, 1.37 p.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

Hon. Gordon A. Winton Presiding

At 1.38 p.m., Hon. Gordon A. Winton, Member of the Assembly from the Thirty-first District, presiding.

## PARLIAMENTARY INQUIRY RELATIVE TO ASSEMBLY BILL NO. 1174

Mr. Conrad arose to the following parliamentary inquiry: What action was taken on Assembly Bill No. 1174 this afternoon?

Reply by Acting Speaker

Acting Speaker Winton replied that the bill was withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

Parliamentary Inquiry

Mr. Conrad arose to the following parliamentary inquiry: Was the bill at the desk?

Reply by Acting Speaker

Acting Speaker Winton replied that it was.

Notice of Motion to Expunge Record and Rescind Action on Withdrawal and Re-reference of Assembly Bill No. 1174

Mr. Conrad gave notice that on the next legislative day he would move to expunge the record, and rescind the action whereby Assembly Bill No. 1174 was withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

Notice Withdrawn

Mr. Conrad withdrew his notice.

Speaker Presiding

At 1.40 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## MOTION TO RECONSIDER WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1174

Mr. Conrad moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 1174 was this day withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means (Assembly Journal, page 4863).

### Point of Order

Mr. Busterud arose to the following point of order: That Mr. Petris was not the author of Assembly Bill No 1174, so he should not have made the request to withdraw and re-refer.

### Ruling by Speaker

Ruled not a point of order.

### Parliamentary Inquiry

Mr. Munnell arose to the following parliamentary inquiry: What is the order of business before the House?

### Reply by Speaker

The Speaker replied that the House had been on Motions and Resolutions previous to the placement of the call

Quorum present.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## PARLIAMENTARY INQUIRY RELATIVE TO ASSEMBLY BILL NO. 1174

Mr. Sumner arose to the following parliamentary inquiry: What is the status of the motion by Mr Conrad to reconsider the vote on the withdrawal and re-reference of Assembly Bill No. 1174?

### Reply by Speaker

The Speaker replied that the motion is in the record.

### Parliamentary Inquiry

Mr. Sumner arose to the following parliamentary inquiry: Has the motion been properly noted, and will it come up on file tomorrow?

### Reply by Speaker

The Speaker replied that it would be on the unfinished business file tomorrow.

Assembly Bill No. 1174 and the motion to reconsider ordered to the unfinished business file.

### Point of Order

Mr. Rees arose to the following point of order: That, pursuant to Rule 105, the motion by Mr. Conrad was not in order, first because he was not present when unanimous consent was granted, and secondly because there was no roll call, but a request for unanimous consent.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: What is the business before the House?

**Reply by Speaker**

The Speaker replied that the House has been on the order of Motions and Resolutions

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: Should not the House be on the next order of business?

**Reply by Speaker**

The Speaker replied that the motion to reconsider the withdrawal and re-reference of Assembly Bill No. 1174 was in order, and that the House would now proceed to the next order of business.

**Point of Order**

Mr. Munnell arose to the following point of order: That the motion to reconsider was not timely, and should have been made under the proper order of business.

**Ruling by Speaker**

The Speaker ruled that the motion was in order, and properly placed on the unfinished business file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1157**—An act to add Section 27491.1 to the Government Code, relating to coroners' investigations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Johnson, Kennick, Kilpatrick, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Winton, and Z'berg—49.
NOES—Coolidge—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2129**—An act to amend Section 4234 of the Business and Professions Code, relating to dangerous drugs.

Bill read third time, and passd by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Johnson, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Winton, and Z'berg—54.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2628**—An act to amend Section 18655 of the Financial Code, relating to charges on loans made by industrial loan companies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Crown, Dahl, DeLotto, Donahoe, Francis, Gaffney, Ernest R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Marks, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Shell, Thelin, and Thomas—41

NOES—Bee, Burton, Cameron, Collier, Coolidge, Crawford, Elliott, Samuel R. Geddes, Hanna, Hawkins, Masterson, Munnell, O'Connell, Schrade, Sumner, Unruh, Waldie, Williamson, Winton, and Z'berg—20

Bill ordered transmitted to the Senate.

**Assembly Bill No. 702**—An act to amend Section 4104 of, to repeal Section 4105 of, and to add Section 4105 to, the Government Code, relating to public works.

Bill read third time, and ordered passed on file, and to retain its place on file.

**Assembly Bill No. 1403**—An act to add Chapter 7.5 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to atomic energy development and radiation protection.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 413**—An act to amend Sections 27903 and 27904 of, and to add Division 14.5 (commencing at Section 33000) to, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of radioactive materials.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 570**—An act to add Chapter 3 (commencing with Section 1950) to Part 7 of Division 2 of the Labor Code, relating to collective bargaining by employees.

Bill read third time.

### Motion to Table

Mr. Dahl moved that the bill be laid on the table.

Mr. Reagan seconded the motion.

Motion lost by the following vote:

AYES—Backstrand, Beaver, Burke, Collier, Cusanovich, Dahl, Johnson, MacBride, Masterson, Reagan, Sedgwick, Shell, Sumner, and Thelin—14.

NOES—Bruce F Allen, Don A. Allen, Bane, Bee, Belotti, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, Kennick Luckel, Lunardi, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Unruh, Waldie, Williamson, Charles H. Wilson, and Z berg—48

The question being on the passage of the bill.

### Motion to Re-refer

Mr. Sumner moved that the bill be re-referred to the Committee on Ways and Means.

Mr. Shell seconded the motion.

### Point of Personal Privilege

Mr. Unruh arose on a point of personal privilege.

### Demand for Previous Question

Messrs Hanna, Luckel, Johnson, Ernest R. Geddes, and DeLotto demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

Motion lost by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Busterud, Chapel, Collier, Conrad, Cunningham, Cusanovich, Dahl, Grant, Johnson, Lanterman, MacBride, Marks, Masterson, Mulford, Pattee, Reagan, Sedgwick, Shell, Sumner, and Thelin—26.

NOES—Don A. Allen, Bane, Bee, George E. Brown, Burke, Burton, Cameron, Crawford, Crown, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, Kennick, Luckel, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, and Charles H Wilson—36

The question being on the passage of Assembly Bill No. 570.

### Motion to Amend

Mr. Collier moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 18, 1959, strike out "Employees of irrigation districts".

#### Amendment No. 2

On page 1, line 17, strike out "public agency shall not include irrigation districts".

#### Amendment No. 3

On page 4, line 14, after the comma, insert "San Diego Water Authority".

Amendments read.

### Parliamentary Inquiry

Mr. Burton arose to the following parliamentary inquiry: Are the amendments less than 25 words in length?

Reply by Speaker

The Speaker replied that they were.

The question being on the adoption of the amendments to Assembly Bill No 570.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Mr. Hegland seconded the motion.

Motion carried. Time, 2.30 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1579**—An act to add Article 1.5 (commencing at Section 685) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance retaliatory laws.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1876**—An act to amend Sections 11104, 11105, 11106 and 11107 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 285**—An act to add Section 899 to the Military and Veterans Code, relating to educational assistance for veterans' children.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Kennick, Lanterman, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2203**—An act to add Section 12503 to the Government Code, relating to eligibility for the Office of Attorney General.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Winton, and Z'berg—59.

NOES—Williamson—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2258**—An act to add Section 5002.7 to the Elections Code, relating to campaign contributions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, Pattee, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, and Mr. Speaker—56

NOES—Don A. Allen, McMillan, Rumford, and Charles H. Wilson—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2502**—An act to repeal Section 897 of, and to amend Section 898 of, the Military and Veterans Code, relating to state funds and abolishing the Veterans' Dependents' Education Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2677**—An act to add Section 23366.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet,

O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Assembly Constitutional Amendment No. 45**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to ineligibility of legislators to certain offices.

Resolution read.

**Motion to Amend**

Mr. Winton moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 12, of the printed measure, after "people", strike out the period, and insert "or to a position under civil service."

Amendment read.

**Parliamentary Inquiry**

Mr. Elliott arose to the following parliamentary inquiry: Is the amendment more than 25 words in length?

**Reply by Speaker**

The Speaker replied that it was not.

The question being on the adoption of the amendment.

Amendment adopted.

Resolution ordered reprinted, and re-engrossed.

## CALL OF THE ASSEMBLY DISPENSED WITH ON COLLIER AMENDMENTS TO ASSEMBLY BILL NO. 570

At 3.01 p.m., Mr. Collier moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the amendments offered by Mr. Collier to Assembly Bill No. 570 refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Brutschgi, Burke, Busterud, Chapel, Collier, Conrad, Cusanovich, Dahl, Davis, Donahoe, Francis, Ernest R. Geddes, Samuel R. Geddes, Grant, Johnson, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, Mulford, Pattee, Reagan, Sedgwick, Shell, Sumner, Thelin, Winton, and Z'berg—34.
NOES—Don A. Allen, Bane, Bee, Bradley, George E. Brown, Burton, Cameron, Coolidge, Crawford, Crown, DeLotto, Elliott, Frew, Gaffney, Garrigus, Hanna, Hawkins, Hegland, Holmes, Kennick, Luckel, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, and Charles H Wilson—36.

**Demand for Previous Question**

Messrs. Burton, DeLotto, Ernest R. Geddes, Schrade, and Holmes demanded the previous question. Demand sustained

The question being on the passage of Assembly Bill No. 570.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. George E. Brown moved a call of the Assembly.

Mr. Schrade seconded the motion.

Motion carried. Time, 3.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 141**—An act to add Section 1243 to, and amend Section 1257 of, the Water Code, relating to the use of water for recreation and the preservation and enhancement of fish and wildlife resources.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Bruce F. Allen—1.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 62

Mr. Unruh asked for unanimous consent that Rule No. 62 be temporarily suspended for the purpose of taking up Assembly Bill No. 2390, at this time, without re-reference to the Committee on Ways and Means.

Request ruled not in order since the bill had, on advice of the Legislative Counsel, already been re-referred to the committee this morning.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 590**—An act to repeal Section 1027 of, and to amend Sections 930, 978, 979, 982, 1279, and 1280 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time.

#### Motion to Amend

Mr. Burton moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill as amended in the Assembly on June 4, 1959, insert "and to add Section 1280.1".

#### Amendment No. 2

On page 10, between lines 8 and 9, insert

"SEC. 10.5. Section 1280.1 is added to said code, to read:

1280.1. In addition to the benefit provided in Section 1280, the weekly benefit of an individual who has dependents shall be increased in the amount of five dollars ($5) per week for the first dependent and two dollars and fifty cents ($2.50) for each additional dependent. In no event shall the weekly benefit be so increased by more than ten dollars ($10).

The benefits payable under this section shall not be included in the individual's weekly benefit amount for purposes of the computations required under Section 1281

The total of the weekly benefit payable under this section and the weekly benefit amount payable under Section 1280 shall not exceed the maximum weekly benefit amount prescribed by Section 1280.

For the purpose of this section "dependent" means any person whom the individual is legally obligated to support and who receives more than one-half of his support from the individual

The number of dependents shall be determined at the time the initial claim is filed and shall not be changed during the benefit year."

Amendments read.

**Inquiry**

Speaker Brown inquired of Mr. Burton if the amendments had been distributed to the members, and was advised that they had not.

**Amendments Ruled Not in Order**

Speaker Brown ruled the amendments not in order pursuant to Rule No. 70.

**Motion to Temporarily Suspend Rule No. 70**

Mr. Burton moved that Rule No. 70 be temporarily suspended for the purpose of permitting the amendments to be considered, at this time.

Mr. Waldie seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bane, Burton, Crown, Elliott, Frew, Garrigus, Hawkins, Kennick, Kilpatrick, Masterson, Munnell, Petris, Rumford, Thomas, Unruh, Waldie, and Williamson—17.

NOES—Bruce F Allen, Backstrand, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Ernest R Geddes, Samuel R Geddes, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Lunardi, Marks, McMillan, Mulford, Nisbet, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Charles H. Wilson, Z'berg, and Mr. Speaker—38.

**Demand for Previous Question**

Messrs. Rees, Schrade, Johnson, Luckel, and Pattee demanded the previous question. Demand sustained.

The question being on the passage of Assembly Bill No. 590.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H Wilson, Winton, and Z'berg—55.

NOES—Backstrand, Bradley, Collier, Coolidge, Dahl, Ernest R. Geddes, Johnson, Lanterman, Levering, Mulford, Reagan, Shell, Sumner, and Thelin—14.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 395**—An act to amend Sections 2933 5 and 2949 of the Business and Professions Code, relating to psychologists.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee,

Petris, Reagan, Rees, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Zberg—62
NOES—Bruce F. Allen, and Grant—2.

Bill ordered transmitted to the Senate.

## BEST WISHES EXTENDED TO MR. SCHRADE

Speaker Brown and the Members of the Assembly joined in extending best wishes to Miss Marjorie (Margaret) Lee and Mr. Jack Schrade who were being married at 6.30 p.m. tonight.

## CONSIDERATION OF HOUSE RESOLUTION NO. 310

By Mr. Conrad:

### House Resolution No. 310

Relative to commending Louis A. Baptista

WHEREAS, A testimonial dinner is to be given on Tuesday, June 9, 1959, for Louis A. Baptista, "Hollywood's Leading Citizen"; and

WHEREAS, Louis A. Baptista was born in Madeira Island, Portugal, and received his early education in Portugal and England; and

WHEREAS, "Louie" came to America in 1914, and enlisted in the United States Army at the age of 14 in 1917, and served in France, being wounded in the Argonne Forest; and

WHEREAS, Louie was one of the youngest soldiers to receive the Purple Heart, and was decorated by the French Government, and was the recipient of a Presidential Citation; and

WHEREAS, Louie received his later education in the State of Massachusetts, attending Bently School, Boston University, and Burdett College; and

WHEREAS, He came to California in 1944 as Assistant Manager of the Hollywood Office of the California Bank; and

WHEREAS, He was chairman of the Hollywood March of Dimes in 1958 and 1959, and for the five years before served as assistant treasurer of the organization, was chairman of the Hollywood Red Cross in 1958 and is at present a member of the Membership Committee of the Hollywood Chamber of Commerce; and

WHEREAS, Louie was awarded a "Good Citizen" award by the *Hollywood News* for outstanding community service in Hollywood, and he was nominated in 1955 by the Kiwanis Club to be one of their candidates to run for Honorary Mayor of Hollywood, and he served a year as Honorary Treasurer for Hollywood; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their congratulations to Louis A. Baptista upon the occasion of his testimonial dinner and its highest commendation for his career of civic service, together with best wishes for a continued active and happy life, and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Louis A. Baptista.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 301

By Messrs. Luckel, Schrade, Crawford, and Hegland:

### House Resolution No. 301

Relative to the death of Rear Admiral Ralph Elton Pope

WHEREAS, The Members of the Assembly have learned with profound grief of the passing, in Coronado on May 13, 1959, at the age of 83, of Rear Admiral Ralph Elton Pope, U.S.N., ret., a distinguished veteran Navy officer; and

WHEREAS, Rear Admiral Pope was an 1899 graduate of the United States Naval Academy and served in the Spanish-American War, the Boxer Rebellion, the Philippine Insurrection and the Mexican War of 1914, as well as World War I during which he received the Navy Cross for the sinking of a German submarine while he commanded the Surveyor, a yacht converted to a gunboat, retiring in 1934; and

WHEREAS, He was a member of the Military Order of World Wars, the Order of the Carabao, and the Ancient and Honorable Order of Sons of Gunboats; and

WHEREAS, He leaves a son, Captain Carl H. Pope, U S N, ret. of Coronado; three sisters and a grandson; and

WHEREAS, By the passing of this distinguished and dedicated naval officer whose life personified the type of leadership and patriotism that makes our Nation great, the State, as well as the Nation, has suffered an irreparable loss; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby express their deep regret at the passing of Rear Admiral Ralph Elton Pope, U.S.N., ret., and extend their sincere condolences to his family and many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to his son, Captain Carl H. Pope, U.S.N., ret.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 312

By Mr. Biddick:

### House Resolution No. 312

Relative to commending Messrs. Russel Ynzunza and Verlon Roth

WHEREAS, It has come to the attention of the Members of this House that Messrs. Russell Ynzunza and Verlon Roth, both of Stockton, recently performed outstanding acts of humanitarian heroism when they cooperated, at great personal danger, in a dramatic rescue of Mr. Fred Bjornson, also of Stockton; and

WHEREAS, While Mr. Bjornson was travelling on Highway 4 his automobile suffered a blowout, overturned and plummeted into the deep waters of a drainage ditch; and

WHEREAS, Mr. Russel Ynzunza, who was driving close behind Mr. Bjornson, upon observing the accident, immediately halted his automobile, ran to the ditch and began striving to extricate the trapped driver; and

WHEREAS, Though Mr. Ynzunza, a man of small physical stature, made truly herculean efforts, he was unable singlehandedly to remove Mr. Bjornson, who is 6'2" and weighs 220 pounds, from his watery prison; and

WHEREAS, It was truly fortunate that at this dark moment Mr. Verlon Roth, who chanced to be driving by the scene of the accident, observed the partially submerged vehicle and immediately stopped to render aid; and

WHEREAS, Mr. Roth, despite the fact that he does not swim, without hesitation clambered down the steep bank of the ditch to the Bjornson vehicle to assist Mr. Ynzunza in his rescue efforts; and

WHEREAS, Showing great presence of mind, Mr. Roth smashed the windshield of the car, thus furnishing the rescuers with a new avenue through which to pull Mr. Bjornson to safety, and thereupon the two men extricated the badly shocked victim and took him immediately to a hospital, which acts are indicated as saving his life; and

WHEREAS, The State of California is indeed fortunate that she possesses citizens of the caliber of Messrs. Russell Ynzunza and Verlon Roth, who are willing, even at great personal risk, to render aid and assistance to their fellow men; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend their sincere congratulations and commendations to these two brave men for their heroic act; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Messrs. Russel Ynzunza and Verlon Roth.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 313

By Mr. Johnson:

### House Resolution No. 313

Relative to congratulating Hazel Marie Lenhart Stevens and Jay W. Stevens on their Golden Wedding Anniversary

WHEREAS, Today, June 2, 1959, is the Golden Anniversary of the marriage of Hazel Marie Lenhart Stevens and Jay W. Stevens, who were united in holy matrimony 50 years ago in Portland, Oregon; and

WHEREAS, Jay W. Stevens, who was at that time employed as a fireman in the Portland Fire Department, shortly thereafter became inspired with the fervent belief that many lives and million of dollars in property values were needlessly being lost because the public, through lack of knowledge, was failing to practice the proper methods of fire prevention; and

WHEREAS, Jay W. Stevens, in following this belief, has since dedicated himself with unswerving devotion to an educational campaign to inform the public and fire fighting agencies as to the proper methods of fire prevention, and

WHEREAS, While this man's efforts have largely gone unsung, nonetheless, in a very real sense a monument to his work exists today in the many lives saved and the countless millions of dollars of property prevented from burning; and

WHEREAS, While Jay W. Stevens was zealously working on his ideal of a world without preventable fires, Marie Stevens was busily engaged in raising a family of two sons, Lawrence C. and J. Wesley, and a daughter, Patti Marie, to whom by her good example she taught the virtues that help children become good citizens; and

WHEREAS, Our Nation is indeed fortunate that she is possessed of citizens of the caliber of Hazel Marie Lenhart Stevens and Jay W. Stevens who, while establishing a solid family relationship, the foundation of our Country's strength, could still find the time and willingness to perform a service for their fellow citizens; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House join together to extend their sincere congratulations to Mr. and Mrs. Stevens for their contributions to fire prevention and for their contributions to the American home, but most of all on the glorious occasion of their Golden Wedding Anniversary; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Hazel Marie Lenhart Stevens and Jay W. Stevens.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 314

By Mr. Thomas:

### House Resolution No. 314

Relative to the death of J. A. Waite

WHEREAS, The Members of the Assembly have learned with deep regret of the passing of Mr. J. A. Waite on May 24, 1959; and

WHEREAS, Mr. Waite was born in Exeter, Nebraska, on September 13, 1886, and moved to San Pedro, California, in 1910; and

WHEREAS, He learned the printing trade at an early age from his father and was associated in various capacities with the daily newspaper, the "*News Pilot*," in San Pedro, California, having served as publisher from 1930 to 1946; and

WHEREAS, Mr. Waite actively participated in innumerable civic and welfare movements in the San Pedro area and was commended in 1955 by the Los Angeles County Board of Supervisors for his long and distinguished service to the community; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of J. A. Waite and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mr. Waite's daughter, Mrs. Victor A. Overman, and his sister, Phoebe Waite.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 315

By Messrs. Hawkins, Charles H. Wilson, Don A. Allen, Elliott, Rumford, Unruh, and Kilpatrick:

### House Resolution No. 315

Relative to commending the *Los Angeles Sentinel* on its Twenty-fifth Anniversary

WHEREAS, It has been brought to the attention of the Legislature that the year 1959 marks the Twenty-fifth Anniversary of the founding of the *Los Angeles Sentinel* newspaper by its publisher Leon H. Washington, Jr.; and

WHEREAS, During the past quarter-century this publication has passed from a modest community sheet into a nationally recognized newspaper dedicated to service and the highest ideals of journalism; and

WHEREAS, This family newspaper has received numerous awards of excellence from the California Newspaper Publishers Association, the National Editorial Association, the National Newspaper Publishers Association, and others; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby commend this significant event and express to the editor and staff of the *Los Angeles Sentinel* their appreciation for a quarter-century of devotion and service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the publisher of the *Los Angeles Sentinel*, Leon H. Washington, Jr.

Resolution read, and adopted unanimously.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1591**—An act to add Sections 4102.2, 4102.4, 4102.6, 4102.7, 4102.8, and 4102.10 to the Government Code, relating to subcontract bidding on public work or improvements.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—Mulford—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1245**—An act to add Section 402 to the Penal Code, relating to the offense of sightseeing at the scene of fires, accidents, and other events.

Bill read third time.

### Demand for Previous Question

Messrs. Sumner, Charles H. Wilson, Kennick, Schrade, and Luckel demand the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, DeLotto, Donahoe, Francis, Gaffney, Ernest R. Geddes, Grant, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Nisbet, Pattee, Petris, Reagan, Rees, Sedgwick, Sumner, Waldie, Williamson, and Winton—42

NOES—Britschgi, Busterud, Collier, Cusanovich, Elliott, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Levering, Marks, McMillan, O'Connell, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Charles H. Wilson, and Z'berg—21.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2611**—An act to add Section 5005.1 to, to amend Section 5005.5 of, the Elections Code, and to add Section 45b to the Civil Code, relating to misrepresentation in election campaigns.

Bill read third time.

### Demand for Previous Question

Messrs. Grant, Charles H. Wilson, Schrade, Johnson, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus,

Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—41.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Francis, Gaffney, Grant, Hegland, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, Meyers, Mulford, Pattee, Reagan, Schrade, Shell, Thelin, Thomas, and Mr. Speaker—32.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider Assembly Bill No. 2611 was made. *See* page 4879.

**Request for Unanimous Consent**

Mr. Gaffney was granted unanimous consent to take up Assembly Bill No. 2161, at this time.

**Assembly Bill No. 2161**—An act to amend Section 2054 of the Unemployment Insurance Code, relating to establishment and maintenance of public employment offices by the director of employment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

## OPINION OF LEGISLATIVE COUNSEL ORDERED PRINTED IN JOURNAL

Speaker Brown ordered the following opinion of the Legislative Counsel printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO LENGTH OF SESSION

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 5, 1959

*Hon. Allen Miller*
*Assembly Chamber*

**Length of Session—No. 16976**

*Question*

DEAR MR MILLER: You have asked whether a Saturday or Sunday on which the Assembly is in session would be counted in computing the 120-day limit on the length of the session of the Legislature under the provisions of subdivision (a) of Section 2 of Article IV of the Constitution.

*Opinion*

In our opinion it would not be so counted.

*Analysis*

The pertinent provision of subdivision (a) of Section 2 of Article IV provides as follows:

> "All regular sessions in odd-numbered years shall be known as general sessions and no general session shall exceed 120 *calendar days* in duration, *not including Saturdays or Sundays.*" (Emphasis added)

The Constitution clearly refers to calendar days rather than legislative days, and the exclusion of Saturdays and Sundays relates merely to the computation of the length of the session. Thus, the Legislature is free to meet on Saturdays and Sundays if it so desires and such meetings would not affect the 120-day limit on the length of the session.

This conclusion was previously reached in an opinion of this office construing the provisions of the Constitution here in question before the adoption of such provisions by the electors. That opinion appears in the Assembly Journal for June 12, 1957, at page 6856.

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By ROBERT G HINSHAW, Deputy

## ANNOUNCEMENT

Mr. Unruh announced that the Committee on Ways and Means would meet on adjournment in Room 4202.

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2611

Mr. Hegland moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2611 was this day passed (Assembly Journal, pages 4877-4878).

Assembly Bill No. 2611 and the motion to reconsider ordered to the unfinished business file.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 2723

Mr. Beaver moved to reconsider on the next legislative day the vote whereby amendments to Assembly Bill No 2723 were this day adopted (Assembly Journal, page 4775).

Assembly Bill No. 2723 and the motion to reconsider ordered to the unfinished business file.

## BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 2542,** on request of Mr. Crown.

**Assembly Bill No. 2264,** on request of Mr. Meyers.

## BILLS ORDERED PASSED ON FILE AND TO RETAIN PLACES

The following bills were ordered passed on file, and to retain their places on file.

**Assembly Bill No. 2242,** on request of Mr. Bruce F. Allen.

**Assembly Bill No. 1669,** on request of Mr. Burton.

## ANNOUNCEMENT

Mr. Backstrand announced a special meeting of the Committee on Transportation and Commerce on adjournment.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 815

Mr. Biddick was granted unanimous consent that Senate Bill No. 815 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Judiciary—Civil.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Crawford was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO FALSE CHARGE OF BEING COMMUNIST OR FASCIST

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 5, 1959

*Hon. Sheridan N. Hegland*
*Assembly Chamber*

**Assembly Bill No. 2611—False Charge of Being Communist of Fascist—No. 16672**

DEAR MR. HEGLAND: Assembly Bill No. 2611, with amendments which you advise us have been adopted in committee, would add Section 5005.1 to the Elections Code, to read:

"5005.1. Every person is guilty of a misdemeanor who writes or causes to be written, printed, posted, or distributed, any circular, pamphlet, letter, newspaper advertisement, or statement in a newspaper, or a poster which is designed to injure or defeat any candidate for nomination or election to any public office by falsely charging that the candidate is a Communist or Fascist, a Communist or Fascist sympathizer, has the endorsement of Communists or Fascists, or is a follower of the Communist or Fascist line.

"This section shall not apply to newspapers of general circulation."

It would amend Section 5005.5 of that code to read as follows:

"5005.5. Any circular, pamphlet, letter, or poster issued or distributed in violation of Sections 5005 or 5005.1 of this code is conclusively presumed not to be a privileged communication within the meaning of Section 47 of the Civil Code."

It would add Section 45b to the Civil Code, to read:

"45b. Any circular, pamphlet, letter, newspaper advertisement, statement in a newspaper, or poster, which is designed to injure or defeat any candidate for nomination or election to any public office by falsely charging that the candidate is a Communist or Fascist, a Communist or Fascist sympathizer, has the endorsement of Communists or Fascists, or is a follower of the Communist or Fascist line, is a libel on its face.

"This section shall not apply to newspapers of general circulation."

*Question*

(1) Apart from the exemption for newspapers of general circulation, would the bill violate freedom of the press?

(2) Would the bill be unconstitutional in exempting newspapers of general circulation?

*Opinion*

(1) Disregarding the exemption for newspapers of general circulation, the bill would, in our opinion, be held constitutional.

(2) The exemption for newspapers of general circulation, in our opinion, casts serious doubts on the constitutionality of the bill.

*Analysis*

(1) The bill, in effect, declares a false charge of being a communist or fascist or ally of such persons to be a libel on its face, if made with intent to injure or defeat a candidate, and makes a charge so made a special type of criminal libel. The United States Supreme Court has declared that libelous statements are beyond the scope of constitutionally protected speech (*Beauharnais* v. *Illinois*, 343 U. S. 250, 96 L. ed. 919). We do not believe that the court would have any difficulty in concluding that there is a rational basis for legislation declaring false charges of being a communist or fascist or being a friend of Communism or Fascism to be libelous.

(2) In discussing your second question, we should consider first what the exemption for newspapers of general circulation means. In the case of Section 5005.1, it could be construed to mean (1) that a newspaper of general circulation cannot commit the crime, or (2) that whoever causes the charge to be printed, if it is printed in a newspaper of general circulation, no crime can be committed by anyone under the section. In the case of Section 45b, it would seem that the only way in which the exemption can be construed is that if the false charge is made in a newspaper of general circulation the section does not apply and the rule making the charge libelous per se is inapplicable. That is, if a rival candidate makes the false charge in a throwaway distributed from door to door, the section applies, but if he puts it in an advertisement in a newspaper of general circulation the section does not apply.

In a recent case the Supreme Court of the State of Washington was presented with the question of the validity of a statute providing for the licensing of "crime comic books" publishers which contained an exemption for "regularly published daily or weekly newspapers." The court held that this discrimination (among other features of the statute) rendered the statute invalid (*Adams* v. *Hinkle*, 332 Pac. 2d 844). Though noting the great leeway which the courts have allowed legislatures in classifying the subject matter of legislation, it concluded that where freedom of expression is involved, the guarantee of equal protection assumes greater importance

We note that in a still more recent case, a California district court of appeal upheld a Los Angeles County comic book ordinance though it contained an exemption for accounts of crime in a newspaper of general circulation (*Katzev* v. *County of Los Angeles*, 168 A.C.A. 204). The court referred to the rule of a legislature not having to deal

with all evils or degrees of evil at once and laid stress on evidence presented to the effect that the evil at which the ordinance was aimed did not exist in newspapers. However, the California Supreme Court has granted a hearing in this case and we do not yet know how the case will be finally resolved.

There is, generally, as noted, a presumption favoring the validity of legislative classifications, and the burden is on the person who assails the validity of such a classification. Nevertheless it would seem a difficult task to justify, for example, a statute providing that a false charge of being a communist, made with intent to injure a person, is libelous per se if made in a magazine, but not if made in a newspaper of general circulation. Bearing in mind that this legislation is in a sensitive area and bearing in mind also the recent Washington authority, we conclude that there are serious doubts about the validity of the exemption.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By TERRY L. BAUM, Deputy

Two copies to Hon. Phillip Burton pursuant to Joint Rule No. 34.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 570

At 4.16 p.m., Mr George E Brown moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 570 passed by the following vote:

AYES—Don A Allen, Bane, Bee, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Luckel, Lunardi, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, and Charles H. Wilson—41

NOES—Backstrand, Beaver, Belotti, Buddick, Bradley, Britschgi, Burke, Chapel, Collier, Coolidge, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, House, Johnson, Lanterman, Levering, MacBride, Marks, Masterson, Mulford, Sedgwick, Shell, Sumner, Thelin, Winton, Zberg, and Mr Speaker—30.

Bill ordered transmitted to the Senate.

### POINT OF ORDER

Mr. Winton arose to the following point of order: That a quorum was present.

#### Ruling by Speaker

The Speaker ruled the point of order well taken.

### CALL OF THE ASSEMBLY DISPENSED WITH

At 4.18 p.m., Mr. Munnell moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

### ANNOUNCEMENT

Mr. Winton announced that he would move to adjourn until 9 a.m. tomorrow as soon as the desk work was completed.

### REMARKS ON CONDITION OF FILE

Mr. Winton spoke on the condition of the file.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1138

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

**Senate Bill No. 1138**—An act to add Section 11690 to the Health and Safety Code, and to repeal Section 11689 of said code as added by Senate Bill No. 728 of the 1959 Regular Session, relating to evidence of narcotic offenses.

Referred to Committee on Criminal Procedure.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 89
Senate Concurrent Resolution No. 90

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

**Senate Concurrent Resolution No. 89**—Relative to amending Rule No. 40 of the Joint Rules of the Senate and Assembly to provide for the transfer of the duties and funds of the Joint Legislative Committee on Legislative Reference Library to the Joint Committee on Legislative Organization.

Referred to Committee on Rules.

**Senate Concurrent Resolution No. 90**—Relative to the expenses of the joint interim committee created by Section 2371, Welfare and Institutions Code.

Referred to Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 5, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 60 | Assembly Bill No. 1639 |
| Assembly Bill No. 83 | Assembly Bill No. 1824 |
| Assembly Bill No. 302 | Assembly Bill No. 1989 |
| Assembly Bill No. 466 | Assembly Bill No. 2174 |
| Assembly Bill No. 1138 | Assembly Bill No 2236 |
| Assembly Bill No. 1237 | Assembly Bill No. 2368 |

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 541 | Assembly Bill No. 1734 |
| Assembly Bill No. 557 | Assembly Bill No. 1770 |
| Assembly Bill No. 1040 | Assembly Bill No. 1819 |
| Assembly Bill No. 1083 | Assembly Bill No 1820 |
| Assembly Bill No. 1097 | Assembly Bill No. 1822 |
| Assembly Bill No. 1449 | Assembly Bill No. 1825 |
| Assembly Bill No. 1543 | Assembly Bill No. 2066 |
| Assembly Bill No. 1571 | Assembly Bill No. 2142 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 4, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 800

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 1046 | Assembly Bill No. 2143 |
| Assembly Bill No. 1188 | Assembly Bill No. 2423 |
| Assembly Bill No. 1705 | Assembly Bill No. 2640 |
| Assembly Bill No. 2088 | |

And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bills Nos. 1046, 1188, 2088, 2143, and 2423 ordered to third reading.

Assembly Bills Nos. 1705 and 2640 ordered to the Consent Calendar

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2643
Assembly Bill No. 2644
Assembly Bill No. 2786
Assembly Bill No. 2810
Assembly Bill No. 2822
Assembly Bill No. 2842
Assembly Bill No. 2854

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2556
Assembly Bill No. 2627
Assembly Bill No. 2694
Assembly Bill No. 2753
Assembly Bill No. 2823
Assembly Bill No. 2846

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 365
Assembly Bill No. 2641
Assembly Bill No. 2657
Assembly Bill No. 2665
Assembly Bill No. 2687
Assembly Bill No. 2698
Assembly Bill No. 2821

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2547
Assembly Bill No. 2595
Assembly Bill No. 2631
Assembly Bill No. 2633
Assembly Bill No. 2638
Assembly Bill No. 2695
Assembly Bill No. 2770
Assembly Bill No. 2803
Assembly Bill No. 2881
Assembly Bill No. 2905

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assemby Concurrent Resolution No. 114

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 671
Assembly Bill No. 924
Assembly Bill No. 928
Assembly Bill No 929
Assembly Bill No. 930
Assembly Bill No. 931
Assembly Bill No 932
Assembly Bill No. 933
Assembly Bill No 934
Assembly Bill No. 935
Assembly Bill No 936
Assembly Bill No. 937
Assembly Bill No. 2045
Assembly Bill No. 2310
Assembly Bill No. 2436
Assembly Bill No. 2612
Assembly Bill No. 2659
Assembly Bill No. 2685
Assembly Bill No. 2721
Assembly Bill No. 2807
Assembly Bill No. 2828
Assembly Bill No. 2884
Assembly Bill No. 2885
Assembly Bill No 2894
Assembly Bill No. 2900

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 909
Assembly Bill No. 1970
Assembly Bill No. 2832

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2593
Assembly Bill No. 2598
Assembly Bill No. 2615
Assembly Bill No. 2617
Assembly Bill No. 2632
Assembly Bill No. 2666
Assembly Bill No. 2682
Assembly Bill No. 2704
Assembly Bill No. 2817
Assembly Bill No. 2820
Assembly Bill No. 2849
Assembly Bill No. 2906

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 213**—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation;

**Assembly Bill No. 684**—An act to amend Section 73781 of, and to add Sections 70045.3 and 73781.5 to, the Government Code, relating to court reporters in Marin County;

**Assembly Bill No. 976**—An act to amend Sections 20303 and 20330 of the Government Code, relating to membership in the State Employees' Retirement System;

**Assembly Bill No. 978**—An act to add Sections 20988 and 21338 to, to amend Section 21706 of, and to repeal Section 21703 of, the Government Code, relating to the State Employees' Retirement System in respect to the integration therein of federal old-age and survivors' insurance coverage, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1021**—An act to add Chapter 7 (commencing with Section 60200) to Division 1 of Title 6 of the Government Code, relating to destruction of records of special districts;

**Assembly Bill No. 1132**—An act to amend Section 14820 of the Health and Safety Code, relating to annexations to fire protection districts;

**Assembly Bill No. 1429**—An act to add Chapter 9 (commencing with Section 3120) to Division 4 of Title 1 of the Government Code, relating to air travel insurance of local agency officers and employees;

**Assembly Bill No. 1452**—An act to add Section 25509 to the Government Code, relating to purchasing agent's stores account;

**Assembly Bill No. 1554**—An act to amend Sections 73075, 73081 and 73084 of, and to add Sections 73084.5 and 73090.1 to, the Government Code, relating to municipal court districts in Alameda County, declaring the urgency thereof, to take effect immediately,

**Assembly Bill No. 1556**—An act to amend Sections 74222 and 74223 of the Government Code, relating to the salaries for clerks in the municipal court district embracing the City of Salinas;

**Assembly Bill No. 1572**—An act to add Section 7627 to the Labor Code, relating to orders of the Division of Industrial Safety on pressure vessels;

**Assembly Bill No. 1640**—An act to amend Sections 10407, 10503, and 10600 of the Streets and Highways Code, relating to the Municipal Improvement Act of 1913;

**Assembly Bill No. 1741**—An act to amend Sections 74702 and 74703 of the Government Code, relating to the Santa Rosa Municipal Court;

**Assembly Bill No. 1782**—An act to amend Section 74642, to amend and renumber Sections 74643 and 74644, and to add Section 74644.1 to, the Government Code, relating to the municipal court established in a district embracing the City of Santa Barbara;

**Assembly Bill No. 1909**—An act to amend Section 740 of the Welfare and Institutions Code, relating to care of wards of the juvenile court;

**Assembly Bill No. 2033**—An act to add Section 69891.6 to the Government Code, relating to secretaries of superior court judges;

**Assembly Bill No. 2114**—An act to amend Sections 73582, 73583, 73584, 73585, and 73586 of the Government Code, relating to municipal courts;

**Assembly Bill No. 2115**—An act to amend Sections 74082, 74083, 74084, 74085, 74086, and 74087 of the Government Code, relating to municipal courts;

**Assembly Bill No. 2116**—An act to amend Sections 74612, 74613, and 74614 of the Government Code, relating to San Pablo Municipal Court;

**Assembly Bill No. 2146**—An act to amend Section 15151 of the Health and Safety Code, relating to housing;

**Assembly Bill No. 2166**—An act to amend Section 810.52 of the Agricultural Code, relating to asparagus;

**Assembly Bill No. 2179**—An act to amend Sections 73871, 73872, 73873, and 73874 of, and to add Sections 73873.1 and 73874.1 to, the Government Code, relating to officers and attaches of the Municipal Court of North Sacramento;

**Assembly Bill No. 2278**—An act to add Section 2½ to the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to records;

**Assembly Bill No. 2285**—An act to amend Section 811.1 of the Agricultural Code, relating to cantaloupes;

**Assembly Bill No. 2286**—An act to amend Sections 811, 828.55, and 829.3 of and to repeal Section 829.31 of the Agricultural Code, relating to vegetable standards;

**Assembly Bill No. 2288**—An act to amend Sections 14095 and 14455.5 of the Health and Safety Code, relating to fire protection districts;

And reports the same correctly enrolled, and presented to the Governor on the fifth day of June, 1959, at 4 p.m.

BURKE, Chairman

## RE-REFERENCE OF SENATE BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 52, 509,** and **1068** to the Committee on Water.

**Senate Bill No. 1352** to the Committee on Transportation and Commerce.

**Senate Bill No. 1328** to the Committee on Civil Service and State Personnel.

**Senate Bills Nos. 122** and **813** to the Committee on Government Organization.

**Senate Bill No. 102** to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1327** to the Committee on Water.

## EXPLANATIONS OF ABSENCE

*June 5, 1959*

The following members of the Committee on Constitutional Amendments were off the floor of the Assembly for a portion of the morning session this date because of their attendance at a meeting of the committee in the Assembly Lounge: Assemblymen Dahl, Thelin, Thomas, Williamson, and Busterud, chairman.

JOHN A. BUSTERUD, Chairman

I left the Chamber at 3.30 p.m., for legislative business elsewhere.

JAMES L. HOLMES

## ADJOURNMENT

At 4.20 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Saturday, June 6, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED THIRD LEGISLATIVE DAY

ONE HUNDRED TENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Saturday, June 6, 1959

The Assembly met at 9 a.m.

Hon Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*In Quietness and Confidence We Ask Thee, O God.* To renew our strength and refresh our souls. We pray that we may welcome this extra day of legislative effort as an extra opportunity to serve the people of our State. We do not ask to be relieved of our burdens and problems, but we pray for wisdom to solve our problems and strength to bear our burdens We ask of Thee not easier lives but courage to lay hold on hard things; not lesser tasks but added strength to do Thy work We pledge to Thee, Our Father, that we will take the time to do all important things, and do them well.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Waldie.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Dills, on motion of Mr. McCollister.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Thomas, on request of Speaker Brown.

Mr. Winton, on request of Speaker Brown.

Mr. Pattee, on motion of Mr. McCollister.

Mr. Charles H. Wilson, on motion of Mr. Hawkins.

Mr. Garrigus, on motion of Miss Donahoe.

The following members were granted leaves of absence for the day, and desired to waive their per diem:

Mr. Holmes, on motion of Mr. Shell.

Mr. Sumner, on motion of Mr. Beaver.

## CONGRATULATIONS EXTENDED TO MR. SCHRADE

Speaker Brown announced the presence in the Assembly Chamber of Mr. Schrade who was married to Miss Margaret Lee at 6.30 p.m. last evening; whereupon the Members of the Assembly joined in extending best wishes and congratulations to Mr. Schrade.

## ANNOUNCEMENT

Speaker Brown announced that in order to expedite delivery of the black file binders, all Assembly bills amended and added to the Assembly file for June 6th are in one binder. The leave-in Assembly bills, plus the Senate leave-in bills and the Assembly amendments on Senate bills are in the second section of the second file binder.

This short cut was taken to assure that the file binders would be on the members' desks at 9 a.m. on June 6th.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Hawkins, MacBride, and Z'berg:

### House Resolution No. 327

Relative to the retirement of Joseph Patrick Moloney

WHEREAS, January, 1960, will mark the end of an enviable career of over 30 years of state service, as it is on that date that the respected friend of the California Legislature, Mr. Joseph Patrick Moloney, on the staff of the Legislative Bill Room, will retire; and

WHEREAS, Joe, as he is known to his many friends, began his career with the State shortly after serving as a member of the Ninety-first Infantry Division in World War I; and

WHEREAS, In 1935 he was elected Sergeant-at-Arms of the Assembly in which post he served ably and efficiently; and

WHEREAS, During the last 15 years he has been on the staff of the Legislative Bill Room; and

WHEREAS, Through many sessions of the Legislature he has shown himself to be capable and efficient and devoted to his duties as a legislative attache; and

WHEREAS, His ability as demonstrated in the performance of his duties has won the respect of all who know him as has his ready wit and warm smile won their friendship; and

WHEREAS, It can be said that Joe has well earned the extended vacation upon which he is about to embark; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take this occasion to congratulate and commend Mr. Joseph Patrick Moloney

on the occasion of his retirement from public service, and extend to him the heartiest wish for a long and enjoyable vacation; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Joe Moloney.

Resolution read, and referred to the Committee on Rules.

### BILLS ON SECOND READING FILE PASSED TEMPORARILY

By unanimous consent, consideration of the second reading file was continued temporarily.

### CONSIDERATION OF DAILY FILE
### UNFINISHED BUSINESS
### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2151 CONTINUED

Mr. Meyers was granted unanimous consent that his motion to reconsider the vote on Assembly Bill No. 2151 be continued until the next legislative day.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE CONTINUED

Mr. Francis was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2249 from the Committee on Judiciary —Civil be continued until the next legislative day.

### REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, June 3, 1959

MR. SPEAKER. The Committee on Conference concerning:

**Senate Bill No. 464**—An act to amend Sections 12502, 12503, and 12762 of, and to add Sections 12555 and 12764 to, the Health and Safety Code, relating to fireworks;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in.

| | |
|---|---|
| HUGH P. DONNELLY | SETH J. JOHNSON |
| J. HOWARD WILLIAMS | MILTON MARKS |
| RANDOLPH COLLIER | NICHOLAS C PETRIS |
| Senate Committee on Conference | Assembly Committee on Conference |

Report read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, McCollister, Miller, Mulford, Munnell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A Willson, and Mr Speaker—48.

NOES—None.

### NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2869 FROM COMMITTEE CONTINUED

Mr. Hawkins was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2869 from the Committee on Ways and Means be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1144**—An act to add Article 3 (commencing at Section 35050) to Chapter 1 of Part 4 of Division 13 of the Water Code, relating to elections in California water districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1144?

### Amendment No. 1

On page 1, line 8, of the printed bill, as introduced on February 4, strike out "10", and insert "three".

The Assembly concurred in Senate amendment to Assembly Bill No. 1144 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, McCollister, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Waldie, Williamson, George A. Willson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1144 ordered enrolled.

### Name Placed Upon Roll Call

Mr. Porter was granted unanimous consent that he be recorded as voting "Aye" on concurrence in the Senate amendment to Assembly Bill No. 1144.

**Assembly Bill No. 1084**—An act to amend Sections 14309 and 14376 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the employment after retirement of certificated employees by school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1084?

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 15, 1959, strike out "Section 14376", and insert "Sections 14309 and 14376".

### Amendment No. 2

On page 2, strike out lines 3 and 4, and insert

"SECTION 1. Section 14309 of the Education Code is amended to read:

14309 Except as otherwise provided in this section *and Section 14376*, no person retired for service shall accept employment in a status requisite for membership in the Retirement System (including, with respect to persons retired after October 1, 1945, a status in which the person may elect membership in this or another retirement system, and only while such status includes the right of election), or in any teaching capacity in a public school, within two years after the effective date of retirement, and in any event not until after notifying the Retirement Board at its office in Sacramento, and if retirement is for disability, until the board has determined by medical examination, that he is no longer incapacitated. If any person fails to comply with these requirements, the employment shall be invalid. At any time prior to July 1, 1947, or prior to the termination of the war in which the United States of America was, on June 16, 1944, engaged, whichever is the earlier, any person heretofore or hereafter retired for service or after attaining an age at which the classification of persons as permanent employees of school districts ceases and who was not otherwise retired because of bodily or mental infirmity may, after giving notice to the Retirement Board at its office in Sacramento, accept employment in any status requisite for membership in the Retirement System or in any teaching capacity in a public school.

SEC. 2. Section 14376 of said code is amended to read:".

### Amendment No. 3

On page 2, strike out line 5, and in line 6, strike out "trary, any", and insert "14376. Any".

**Amendment No. 4**

On page 2, line 9, after "qualifications", insert ", or as a teacher in a rest home for the aged, or in a community center operated exclusively for the aged,".

The Assembly concurred in Senate amendments to Assembly Bill No. 1084 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1084 ordered enrolled.

## MOTION TO WITHDRAW ASSEMBLY BILL NO. 1 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Bruce F. Allen moved that Assembly Bill No. 1 be withdrawn from the Committee on Social Welfare.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: If the motion carries, would procedure compel the re-reference of the bill to the Committee on Ways and Means for consideration?

**Reply by Speaker**

The Speaker replied that it would not.

**Demand for Previous Question**

Messrs. Schrade, Ernest R. Geddes, Lanterman, Dahl, and Lunardi demanded the previous question. Demand sustained.

The question being on the motion that Assembly Bill No. 1 be withdrawn from the Committee on Social Welfare.

Motion carried by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Masterson, McCollister, McMillan, Mulford, Munnell, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Williamson, George A. Willson, and Mr. Speaker—43

NOES—Conrad, Dahl, Ernest R. Geddes, Lowrey, MacBride, Miller, Unruh, and Waldie—8.

Assembly Bill No. 1 ordered to second reading.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2671 FROM COMMITTEE CONTINUED

Mr. Hawkins was granted unanimous consent that his notice of motion to withdraw Assembly Bill No. 2671 from the Committee on Revenue and Taxation be continued until the next legislative day.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 60**—An act to convey certain tide and submerged lands to the County of Sonoma, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the

government, management, use, and control thereof, and to repeal Chapter 1406 of the Statutes of 1951.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 60?

**Amendment No. 1**

On page 3, between lines 3 and 4, of the printed bill as amended in the Assembly on February 26, 1959, insert

"(g) That within 10 years from the effective date of this act said lands shall be substantially improved by said county without expense to the State, and if the State Lands Commission determines that the county has failed to improve said lands as herein required, all right, title, and interest of said county in and to all lands granted by this act shall cease and said lands shall revert and rest in the State."

**Amendment No. 2**

On page 2, between lines 22 and 23, insert

"Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise granted by said county under the Broughton Act, and any such franchise shall be effective with respect to said lands when title thereto passes to said county hereunder."

**Amendment No. 3**

On page 3, between lines 17 and 18, of the printed bill, as amended in the Senate on April 23, 1959, insert

"(h) Within 10 years from the effective date of this act said county may present to the State Lands Commission a plan for the improvement and development of said lands. If the commission determines that the plan and the improvements contemplated therein would, if completed, constitute substantial improvement within the meaning of subdivision (g) of this section, it shall conditionally approve the plan. Completion of the improvements thus conditionally approved, if completed within 10 years of the effective date of this act, and a determination of such completion by the commission, shall constitute a conclusive determination that said lands have been "substantially improved" within the meaning of subdivision (g), and, upon such determination by the commission, subdivision (g) and the conditions expressed therein shall be of no force or effect. Such improvements must be completed within the 10-year period, but such determination of their completion by the commission may be made after the 10-year period has elapsed."

The Assembly concurred in Senate amendments to Assembly Bill No. 60 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 60 ordered enrolled.

**Assembly Bill No. 83**—An act to add Section 32401 to the Water Code, relating to county water districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 83?

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "district", insert "which are entirely within the county in which the district is located".

The Assembly concurred in Senate amendment to Assembly Bill No. 83 by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belloti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford,

Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 83 ordered enrolled.

**Assembly Bill No. 466**—An act to add Article 3.5 (commencing with Section 1221) to Chapter 1, of Division 6, of the Military and Veterans Code, relating to the construction of halls, buildings and meeting places by veterans' memorial districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 466?

**Amendment No. 1**

On page 2, line 4, of the printed bill, as amended in the Assembly on March 26, 1959, strike out "From", and insert "If the cost of construction or alteration under the contract is ten thousand dollars ($10,000) or more, from".

The Assembly concurred in Senate amendment to Assembly Bill No. 466 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 466 ordered enrolled.

**Assembly Bill No. 1138**—An act to amend Section 537.5 of the Code of Civil Procedure, relating to attachments.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1138?

**Amendment No. 1**

On page 1 of the printed bill, after line 15, insert
"The request by plaintiff that the fact of filing of a complaint or issuance of an attachment not be made public may take the form of a notation to that effect, made by rubber stamp or other suitable means, at the top of the first page of the complaint filed with the clerk."

The Assembly concurred in Senate amendment to Assembly Bill No. 1138 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 1138 ordered enrolled.

**Assembly Bill No. 1237**—An act to amend Sections 61400, 61401, 61402, 61403, 61430, 61431, and 61432 of, and to add Sections 61402.5 and 61402.6 to, the Government Code, relating to community services district general elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1237?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", strike out "61401 and 61402 of, and to add", and insert "61400, 61401, 61402, 61403, 61430, 61431, and 61432 of, and to add".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 61400 of the Government Code is amended to read:

61400. The provisions of the Elections Code relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern all district elections except:

(a) To the extent that the provisions of the Elections Code pertaining to the conduct of ~~local~~ *elections in general law cities* ~~elections~~ are inconsistent with the provisions of that code pertaining to general elections, the provisions of the Elections Code pertaining to *elections in* ~~local~~ *general law cities* ~~elections~~ shall control.

(b) Inconsistent provisions of this division shall control over any provision of the Elections Code.

SEC. 2. Section 61401 of said code is".

**Amendment No. 3**

On page 1, strike out line 9, and insert

"SEC. 3. Section 61402 of said code is amended".

**Amendment No. 4**

On page 1, line 15, strike out "3", and insert "4".

**Amendment No. 5**

On page 2, line 49, strike out "4", and insert "5".

**Amendment No. 6**

On page 3, after line 6, insert

"SEC. 6. Section 61403 of said code is amended to read:

61403. Nominations for the office of director shall be made by petition of five or more registered electors filed with the secretary ~~at least 30~~ *not earlier than 75* days *nor later than 12 o'clock noon on the fifty-fourth day* before the election.

SEC. 7. Section 61430 of said code is amended to read:

61430. If on the *fiftieth* ~~twentieth~~ day prior to a general district election one person only has been nominated for each of the positions of director to be filled at that election *, or if no person has been so nominated for any one or more of said offices,* and a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the board, an election shall not be held.

SEC. 8. Section 61431 of said code is amended to read:

61431. In such case the publication provided for in Section 61405 shall instead of calling an election state that no election is to be held but that the board of supervisors will appoint those nominated for the positions of director *; if no person has been nominated for said position, the board of supervisors will appoint any qualified person or persons*.

SEC. 9. Section 61432 of said code is amended to read:

61432. If pursuant to Section 61430 a district election is not held, the board of supervisors of the county in which the district, or the

largest part thereof in area, is situated shall at its next regular meeting appoint to the positions of directors those persons nominated, *or if no persons have been nominated for said positions, the board of supervisors shall appoint any qualified person or persons,* and such person *or persons* shall qualify, take office, and serve exactly as if elected at a general district election."

**Amendment No. 7**

On page 3, of the printed bill, as amended in the Senate on April 22, 1959, between lines 22 and 23, insert

"The secretary shall publish notice pursuant to Section 6066 of this code that such petitions may be received Notice shall be published at least seven days prior to the final date for receiving petitions"

The Assembly concurred in Senate amendments to Assembly Bill No. 1237 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 1237 ordered enrolled.

**Assembly Bill No. 1824**—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts.

The question being: Shall the Assembly concur in the following amendment to Assembly Bill No. 1824?

**Amendment No. 1**

On page 1, line 14 of the printed bill, as amended in the Assembly on April 17, 1959, after the period, insert "However, no official action by the board of directors adversely affecting an applicant for or member of the medical staff shall be taken without first having offered the applicant for or member of the medical staff, an opportunity for a public hearing"

The Assembly concurred in Senate amendment to Assembly Bill No. 1824 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1824 ordered enrolled.

**Assembly Bill No. 1989**—An act to amend Section 27401 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to municipal libraries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1989?

**Amendment No. 1**

On page 1, line 11, of the printed bill, strike out "a", and insert "the".

**Amendment No. 2**

On page 1, line 12, strike out "corresponding thereto," and insert "thereof".

**Amendment No. 3**

On page 1, strike out lines 19 and 20, and insert "maintenance includes preserving, repairing and altering existing structures."

**Amendment No. 4**

On page 1, line 6, of the printed bill, as amended in the Senate on May 22, 1959, after "if the", insert "construction and".

**Amendment No. 5**

On page 1, line 7, after "of", insert "constructing and".

**Amendment No. 6**

On page 1, line 11, after "where the", insert "construction and".

The Assembly concurred in Senate amendments to Assembly Bill No. 1989 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 1989 ordered enrolled.

**Assembly Bill No. 2236**—An act to amend Section 3800 of the Fish and Game Code, relating to nonprotected birds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2236?

**Amendment No. 1**

On page 1, line 3, of the printed bill, after "are:", insert "(a)".

**Amendment No. 2**

On page 1, lines 5 and 6, strike out "yellow-billed magpies (Pica nuttalli);"

**Amendment No. 3**

On page 1, after line 8, insert
"(b) Yellow-billed magpies (Pica Nuttalli).
The provisions of subdivision (b) of this section shall be in effect until the ninety-first day after adjournment of the 1961 Regular Session of the Legislature and thereafter shall have no force or effect."

The Assembly concurred in Senate amendments to Assembly Bill No. 2236 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2236 ordered enrolled.

**Assembly Bill No. 2368**—An act providing for the transfer to the General Fund of amounts constituting surplus from estates of deceased persons in the Unclaimed Property Fund in the State Treasury.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2368?

**Amendment No. 1**

In the title of the printed bill as amended in the Assembly on May 13, 1959, strike out lines 1 and 2, and insert "An act making an appropriation to the State School Fund".

**Amendment No. 2**

On page 1, strike out lines 5 through 7, inclusive, and insert "ceased persons, is hereby appropriated to the State School Fund to be expended for the purposes prescribed for expenditure of the State School Fund by the State Constitution and by state law."

**Amendment No. 3**

On page 1 of the printed bill as amended in the Senate on May 29, 1959, strike out lines 8 and 9, and insert "by state law."

The Assembly concurred in Senate amendments to Assembly Bill No. 2368 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hegland, House, Kennick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, and George A. Willson—55.

NOES—None

Assembly Bill No. 2368 ordered enrolled.

## SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

**Assembly Bill No. 2395**—An act to amend Sections 759, 760, 761, 762, 763, 764 and 765 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compensation of county superintendents of schools.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means:

**Amendment No. 1**

On page 1, lines 5 and 6, of the printed bill, strike out "twenty-two thousand dollars ($22,000)", and insert "nineteen thousand nine hundred fifty dollars ($19,950)".

**Amendment No. 2**

On page 1, lines 9 and 10, strike out "fifteen thousand dollars ($15,000)", and insert "twelve thousand nine hundred fifty dollars ($12,950)".

**Amendment No. 3**

On page 1, lines 14 and 15, strike out "nineteen thousand dollars ($19,000)", and insert "seventeen thousand three hundred and twenty-five dollars ($17,325)".

**Amendment No. 4**

On page 1, line 18, and on page 2, line 1, strike out "thirteen thousand dollars ($13,000)", and insert "eleven thousand three hundred and twenty-five dollars ($11,325)".

**Amendment No. 5**

On page 2, lines 6 and 7, strike out "sixteen thousand five hundred dollars ($16,500)", and insert "fifteen thousand two hundred twenty-five dollars ($15,225)".

**Amendment No. 6**

On page 2, line 11, strike out "eleven thousand five hundred dollars ($11,500)", and insert "ten thousand two hundred twenty-five dollars ($10,225)".

**Amendment No. 7**

On page 2, lines 16 and 17, strike out "fourteen thousand dollars ($14,000)", and insert "twelve thousand six hundred dollars ($12,600)"

**Amendment No. 8**

On page 2, lines 20 and 21, strike out "ten thousand dollars ($10,000)", and insert "eight thousand six hundred dollars ($8,600)".

**Amendment No. 9**

On page 2, lines 26 and 27, strike out "eleven thousand five hundred dollars ($11,500)", and insert "nine thousand nine hundred seventy-five dollars ($9,975)".

**Amendment No. 10**

On page 2, line 31, strike out "eight thousand five hundred dollars ($8,500)", and insert "six thousand nine hundred seventy-five dollars ($6,975)".

**Amendment No. 11**

On page 2, line 36, strike out "ten thousand dollars ($10,000)", and insert "eight thousand four hundred dollars ($8,400)".

**Amendment No. 12**

On page 2, line 40, strike out "eight thousand dollars ($8,000)" and insert "six thousand four hundred dollars ($6,400)".

**Amendment No. 13**

On page 2, lines 45 and 46, strike out "seven thousand five hundred dollars ($7,500)", and insert "six thousand three hundred dollars ($6,300)".

**Amendment No. 14**

On page 2, lines 49 and 50, strike out "six thousand five hundred dollars ($6,500)", and insert "five thousand three hundred dollars ($5,300)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to third reading.

**Rush Order Placed Upon Printing of Assembly Bill No. 2395**

The Speaker ordered a rush order placed upon the printing of Assembly Bill No. 2395.

**Assembly Bill No. 2531**—An act to add Division 1 (commencing at Section 25101) to Title 4 of, to amend Sections 4113, 4119, 10250, 10703, 13205, 27000, 27001, 27002 and 28006 of, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code; to amend Sections 14250, 18050, 18600, 18601, 18603, 18606, 18607, 18801, 18806, and 18813 of the Financial Code; to amend Sections 33915 and 33916 of the Health and Safety Code; and to amend Section 1220 of the Agricultural Code, relating to the Uniform Securities Act.

Bill read second time.

By unanimous consent, Assembly Bill No. 2531 was ordered held on the second reading file.

## UNFINISHED BUSINESS (RESUMED)

## MOTION TO RECONSIDER ASSEMBLY BILL NO. 2648

In compliance with a motion given on a previous day, Mr. Lanterman moved that the vote whereby Assembly Bill No. 2648 was passed be reconsidered.

### Demand for Previous Question

Messrs. Crawford, Ernest R. Geddes, Hegland, McMillan, and Cusanovich demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

Assembly Bill No. 2648 refused reconsideration by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Davis, Elliott, Francis, Gaffney, Grant, Hegland, Johnson, Lanterman, Levering, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Porter, Reagan, Rumford, Shell, and George A. Willson—36.

NOES—Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Dahl, DeLotto, Donahoe, Frew, Ernest R. Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Miller, Nisbet, Petris, Rees, Sedgwick, Thelin, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—31.

Assembly Bill No. 2648 ordered transmitted to the Senate.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 302**—An act to add Section 206.5 to the Labor Code and to add Section 7110.1 to the Business and Professions Code, relating to the payment of wages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 302?

### Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended in the Assembly on March 9, 1959, strike out "is made in cash or by certified check.", and insert "has been made."

### Amendment No. 2

On page 1, line 8, after "void", insert "as between the employer and the employee".

The Assembly concurred in Senate amendments to Assembly Bill No. 302 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 302 ordered enrolled.

**Assembly Bill No. 1639**—An act to amend Section 21407 of, and to add Sections 21407.5, and 21407.6 to, the Public Utilities Code, relating to the use of intoxicating liquor, and drugs by the operators of aircraft.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1639?

### Amendment No. 1

On page 2, lines 1 and 2, of the printed bill, strike out ", narcotics, or other habit-forming drug", and insert "or narcotics".

The Assembly concurred in Senate amendment to Assembly Bill No. 1639 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—65

NOES—None.

Assembly Bill No. 1639 ordered enrolled.

**Assembly Bill No. 2174**—An act to amend Sections 89 and 112 of the Code of Civil Procedure, relating to municipal and justice courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2174?

**Amendment No. 1**

On page 3, lines 21 and 22, of the printed bill, strike out "2422 of the Civil", and insert "Section 15028 of the Corporations".

**Amendment No. 2**

On page 3, lines 11 and 12, strike out "seventy-five dollars ($75)", and insert "one hundred twenty-five dollars ($125)".

The Assembly concurred in Senate amendments to Assembly Bill No. 2174 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2174 ordered enrolled.

## MOTION TO RECONSIDER WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1174

In compliance with a motion given on a previous day, Mr. Conrad moved that the vote whereby Assembly Bill No. 1174 was withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means be reconsidered.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Since 54 votes are required for the passage of Assembly Bill No. 1174, does not the motion to reconsider also require 54 votes?

### Reply by Speaker

The Speaker replied that it did not, and that 41 votes are sufficient to carry the motion to reconsider the withdrawal and re-reference of a bill.

### Points of Personal Privilege

Mr. Bradley arose on a point of personal privilege.

Mr. Busterud arose on a point of personal privilege.

**Point of Order**

Mr. Shell arose to the following point of order: That according to Rule No. 10 the motion is only debatable as to the propriety of re-reference to another committee, and that Mr. Unruh was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Point of Order**

Mr. Busterud arose to the following point of order: That Mr. Unruh was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Point of Personal Privilege**

Mr. Unruh arose on a point of personal privilege.

**Point of Order**

Mr. MacBride arose to the following point of order: That Mr. Shell was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Point of Order**

Mr. Hegland arose to the following point of order: That Mr. Burton was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Point of Personal Privilege**

Mr. Unruh arose on a point of personal privilege.

Mr. Mulford arose on a point of personal privilege.

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: Was the Speaker aware that the request to withdraw and re-refer would be made?

**Reply by Speaker**

The Speaker replied that he had merely been advised by Messrs. Petris and Busterud that they desired to offer motions.

**Demand for Previous Question**

Messrs. Schrade, Chapel, Johnson, Ernest R. Geddes, and Crawford demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

**Point of Order**

Mr. Hawkins arose to the following point of order: That Mr. Unruh was not speaking to the question.

**Ruling by Speaker**

The Speaker ruled the point of order well taken.

**Point of Order**

Mr. Lowrey arose to the following point of order: That Mr. Conrad was not speaking to the question.

Ruling by Speaker

The Speaker ruled the point of order well taken.

The question being on the motion to reconsider the withdrawal and re-reference of Assembly Bill No. 1174 from the Committee on Revenue and Taxation to the Committee on Ways and Means.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Mr. Shell seconded the motion.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### INTRODUCTION OF GUEST

Speaker Brown introduced Mrs. Vernon Kilpatrick, the wife of Assemblyman Kilpatrick, to the Members of the Assembly, and welcomed her on her visit to the Assembly Chamber.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Hanna was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.17 a.m., Mr. Backstrand asked for unanimous consent to hold a special meeting of the Committee on Transportation and Commerce in the Assembly Lounge, at this time.

Mr. Hegland withheld unanimous consent.

Speaker pro Tempore Presiding

At 11.18 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### CONSIDERATION OF DAILY FILE (RESUMED)

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 2611

In compliance with a motion given on a previous day, Mr. Hegland moved that the vote whereby Assembly Bill No. 2611 was passed be reconsidered.

Demand for Previous Question

Messrs. Ernest R. Geddes, DeLotto, Backstrand, House, and Belotti, demanded the previous question. Demand sustained.

The question being on the motion to reconsider.

### Speaker Presiding

At 11.36 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion to reconsider.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Hegland moved a call of the Assembly.

Mr. Schrade seconded the motion.

Motion carried. Time, 11.38 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Hanna was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 2723 CONTINUED

Mr. Beaver asked for unanimous consent that his motion to reconsider the vote on the amendments to Assembly Bill No. 2723 be continued until the next legislative day.

Mr. Petris withheld unanimous consent.

### Motion to Continue Motion to Reconsider

Mr. Beaver moved that his motion to reconsider the vote on the amendments to Assembly Bill No. 2723 be continued until the next legislative day.

Mr. Schrade seconded the motion.

Motion carried.

### MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. Hanna moved that the Rules be temporarily suspended in order that the committee reports be read, that the bills reported therein be read the second time with appropriate actions taken; and that bills amended on second reading be placed on the third reading file without being returned to the second reading file.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2573
Assembly Bill No. 2733

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1354
Assembly Bill No. 2613
Assembly Bill No. 2626
Assembly Bill No. 2858

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 103
Assembly Bill No. 120
Assembly Bill No. 152
Assembly Bill No. 345
Assembly Bill No. 749
Assembly Bill No. 2558

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1898
Assembly Bill No. 1985
Assembly Bill No. 2727
Assembly Bill No. 2738
Assembly Bill No. 2873
Assembly Bill No. 2889

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 72
Assembly Bill No. 96
Assembly Bill No. 170
Assembly Bill No. 497
Assembly Bill No 875
Assembly Bill No 1340

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Constitutional Amendment No. 45

And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1043
Assembly Bill No. 1535
Assembly Bill No. 2603
Assembly Bill No. 2674
Assembly Bill No. 2833

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2649
Assembly Bill No. 2652
Assembly Bill No. 2839

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1536
Assembly Bill No. 1565
Assembly Bill No. 2076
Assembly Bill No. 2435

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2693

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2332
Assembly Bill No. 2576
Assembly Bill No. 2741
Assembly Bill No. 2748
Assembly Bill No. 2841
Assembly Bill No. 2892

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 2077
Assembly Bill No. 2357
Assembly Bill No. 2743

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2534
Assembly Bill No. 2660

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2773
Assembly Bill No. 2908

And reports the same correctly engrossed.

BURKE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1496
Assembly Bill No. 2024

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2117

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 2599 | Assembly Bill No. 2724 |
| Assembly Bill No. 2656 | Assembly Bill No. 2840 |
| Assembly Bill No. 2719 | Assembly Bill No. 2874 |

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to the Consent Calendar.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 2554

With the recomendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2554**—An act providing for the formation of municipal water districts and prescribing the powers, duties, and functions of such districts.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 4, 1959, after "other", insert "water".

#### Amendment No. 2

On page 3, line 4, strike out "If", and insert

"If written protests are filed by 51 percent of the owners of real property owning 51 percent of the assessed valuation of the real property proposed to be included in the district such formation proceedings shall terminate. New proceedings to form such a district may not be commenced with six months of such termination.

If".

#### Amendment No. 3

On page 12, line 20, after "annexed." insert

"If written protests are filed with the legislative body to such annexation by 51 percent of the owners of 51 percent of the assessed valuation of the real property proposed to be annexed, such annexation proceedings shall terminate. New proceedings to annex such real property may not be commenced within six months of such termination."

#### Amendment No. 4

On page 12, line 51, after "SEC. 30.", insert "A district formed under this act may be dissolved in the same manner as county water districts are dissolved pursuant to Chapter 4 (commencing with Section 32850), Part 8, Division 12 of the Water Code.

SEC. 31.".

#### Amendment No. 5

On page 13, line 3, strike out "31", and insert "32".

#### Amendment No. 6

On page 13, line 7, strike out "32", and insert "33".

**Amendment No. 7**

On page 13, strike out lines 9 to 11, inclusive and insert

"SEC. 34. No rates or charges shall be established for water supply in that portion of the district outside the initiating city which shall be higher than charges set therefor within said city, however such prohibition shall not apply to charges resulting from actual differences in cost of construction or service."

**Amendment No. 8**

On page 13, line 12, strike out "34", and insert "35".

Bill ordered reprinted, re-engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 902
Assembly Bill No. 1019
Assembly Bill No. 1163
Assembly Bill No. 1164
Assembly Bill No. 1856
Assembly Bill No. 2420
Assembly Bill No. 2472
Assembly Bill No. 2504
Assembly Bill No. 2582
Assembly Bill No. 2756
Assembly Bill No. 2872

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 902**—An act to add Section 220.2 to the Labor Code, relating to contributions by state and local governments to employee pension plans.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1019**—An act to amend Section 7745 of the Education Code, and Section 19629 of the Education Code as proposed by Senate Bill No. 2, relating to repayment of unauthorized expenditures or excess apportionments.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1163**—An act to amend Section 10641 of, and to add Section 10640.1 to, the Insurance Code, relating to employee health and welfare programs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1164**—An act to repeal Section 3 of Chapter 2167 of the Statutes of 1957, to amend Sections 10643 and 10649 of, to repeal Section 10647 of, and to add Section 10647 to the Insurance Code, relating to employee health and welfare programs.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1856**—An act to add Article 12 (commencing at Section 20240) to Chapter 1 of Division 10 of the Education Code, and to add Chapter 5 (commencing at Section 23530) to Division 17 of the Education Code as enacted at the 1959 Regular Session, relating to municipal services afforded the University of California by the City of Berkeley, and declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2420**—An act to add Article 9.5 (commencing with Section 7040) to Chapter 5 of Part 1 of Division 2 of the Insurance Code, relating to merger of county mutual fire insurers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2472**—An act to amend Section 9359.8 of the Government Code, relating to Legislators' Retirement Law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2504**—An act to repeal Chapter 611 of the Statutes of 1943; to repeal Sections 5 and 6 of Chapter 541 of the Statutes of 1913; to repeal Sections 8 and 9 of Chapter 161 of the Statutes of 1925; to repeal Sections 4 and 5 of the "University of California Building Bond Act," an initiative measure adopted by the people at the general election held on November 3, 1914; to repeal Sections 6 and 7 of Chapter 313 of the Statutes of 1927; to repeal Sections 5 and 6 of Chapter 383 of the Statutes of 1909; and to repeal Sections 5 and 6 of Chapter 404 of the Statutes of 1915, relating to state funds, and abolishing certain special funds.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2582**—An act to amend Section 30608 of the Streets and Highways Code, relating to San Francisco-Oakland Bay Bridge tolls, and making an appropriation.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2756**—An act to amend Sections 11610, 11612, 11614, 11619, 11621, and 11622 of, and to repeal Section 11620 of the Health and Safety Code, relating to the forfeiture of vehicles for the unlawful transportation, depositing, concealment, and possession of narcotics.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2872**—An act to add Section 426.7 to the Health and Safety Code and Chapter 6 (commencing at Section 28000) to Division 12 of the Vehicle Code as enacted at the 1959 Regular Session, relating to air pollution.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 1462
Assembly Bill No. 2758
Assembly Bill No. 2870

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 1462**—An act authorizing the Director of Finance to acquire real property in the City of San Jose for incorporation into the campus of San Jose State College.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2758**—An act to amend Sections 2100, and 2106 of, to repeal Section 2108 of, and to add Section 2108 to, the Health and Safety Code, relating to pet birds.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2870**—An act to add Chapter 6 (commencing at Section 23550) to Division 17 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to municipal services afforded by the City of Albany in connection with facilities maintained by the University of California.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2827
Assembly Bill No. 1538

*With amendments with the recommendation: Amend, and do pass, as amended.*

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2827**—An act to amend Section 20134 of the Government Code and Section 14026 of the Education Code as enacted by the Legislature at its 1959 Regular Session, and to add Section 75005 to the Government Code, relating to information available from retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, lines 30 and 31, of the printed bill, as amended in the Assembly on June 3, 1959, strike out "the total amount of his contributions,".

Amendment No. 2

On page 2, strike out line 32, and insert a period.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1538**—An act to add Chapter 10 (commencing at Section 3551) to Division 5 of, and to amend Section 18352 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district organization, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, ~~were read and adopted.~~

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1959, after "of", insert "to add Section 17305.5 to,".

**Amendment No. 2**

On page 3, after line 51, insert

"SEC. 2. Section 17305.5 is added to said code, to read:

17305.5. In addition there shall be provided such sum as the Superintendent of Public Instruction shall certify as necessary to allocate to county school service funds for the purposes as specified in Article 3 (commencing at Section 3611) of Chapter 10 of Division 5 of this code, but not to exceed two hundred thousand dollars ($200,000) in any fiscal year. The additions to the State School Fund provided by this section shall not be made after the close of the 1962-63 Fiscal Year."

**Amendment No. 3**

On page 4, line 9, strike out "SEC. 2", and insert "SEC. 3".

**Amendment No. 4**

In lines 2 and 3 of the title, strike out ", and to amend Section 18352 of,".

**Amendment No. 5**

On page 3, strike out lines 4 to 51, inclusive; and strike out all of pages 4 and 5.

~~Bill ordered reprinted, and re-engrossed.~~

NOTE—Later this day, substitute amendments were adopted. *See* page 4956.

## REPORTS OF STANDING COMMITTEES

**Committee on Ways and Means**

ASSEMBLY CHAMBER, June 5, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2856

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2856**—An act to add Chapter 2 (commencing at Section 1670) to Part 6 of Division 2 of the Labor Code, relating to the licensing and regulation of consultants to management on executive selection.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 2, line 3, of the printed bill, strike out "and professional employees in executive or professional", and insert "employees in executive".

**Amendment No. 2**

On page 2, after line 5, insert

"Every consultant to management on executive selection shall pay to the Labor Commissioner annually at the time the license is issued or renewed a license fee of one hundred dollars ($100). A filing fee of twenty-five dollars ($25) shall accompany each application for a license."

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 5, 1959

MR SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No. 52
With the recommendation: Do pass

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 52**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Rules, to which was referred:
Senate Concurrent Resolution No. 71
To be returned to Senate without action.

MILLER, Chairman

Above resolution ordered returned to the Senate.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2893
Assembly Bill No. 2899
Assembly Bill No. 2901
With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BACKSTRAND, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2684
With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:
Assembly Bill No. 2909
With the recommendation: Do pass.
Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2909**—An act to add Section 104.12 to the Streets and Highways Code, relating to state highway property.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Assembly Bills Nos. 1046** and **2900**, subsequent to engrossment.

**Senate Bills Nos. 857** and **930.**

**Assembly Bills Nos. 2687, 2665, 2643, 2644** and **2785.**

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.43 a.m., Mr. Backstrand was granted unanimous consent to hold a special meeting of the Committee on Transportation and Commerce in the Assembly Lounge, at this time.

#### Motion

Mr. Johnson moved that Mr. Chapel be permitted to remain in the Assembly Chamber while the rest of the committee members meet.

Mr. Backstrand seconded the motion.

Motion carried.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1396

Mr. Bradley asked for unanimous consent that Senate Bill No. 1396 be withdrawn from the Committee on Civil Service and State Personnel, and re-referred to the Committee on Municipal and County Government.

Mr. Unruh withheld unanimous consent.

#### Motion

Mr. Bradley moved that Senate Bill No. 1396 be withdrawn from the Committee on Civil Service and State Personnel, and re-referred to the Committee on Municipal and County Government.

#### Objections Withdrawn

Mr. Unruh withdrew his objections.

#### Motion Withdrawn

Mr. Bradley withdrew his motion.

Senate Bill No. 1396 ordered withdrawn from the Committee on Civil Service and State Personnel, and re-referred to the Committee on Municipal and County Government.

### MOTION TO RE-REFER ASSEMBLY BILL NO. 2666 TO COMMITTEE

Mr. Masterson moved that Assembly Bill No. 2666 be re-referred to the Committee on Judiciary—Civil.

Motion carried.

### CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1669**—An act to add Section 653m to the Penal Code, relating to electronic eavesdropping.

Bill read third time.

### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendment:

### Amendment No. 1

On page 2, after line 14, of the printed bill, as amended in the Assembly on June 2, 1959, insert

"(g) This section shall not be construed to apply to eavesdropping upon or recording of conversations by any peace officer in the performance of his duties and which are, or which such officer reasonably believes are, directly related to the commission or evidence of a public offense."

Amendment read.

### Speaker pro Tempore Presiding

At 11.50 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Speaker Presiding

At 12 m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendment.

### Roll Call Demanded

Messrs. Lowrey, Luckel, and Cusanovich demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Francis, Frew, Ernest R. Geddes, Grant, Hanna, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Mulford, Porter, Schrade, Sedgwick, Shell, George A. Willson, and Mr. Speaker—39.

NOES—Bee, Biddick, Burton, Cameron, Crown, DeLotto, Elliott, Meyers, Munnell, O'Connell, Petris, Rees, and Waldie—13.

Bill ordered reprinted, and re-engrossed.

### Rush Order Placed Upon Printing of Assembly Bill No. 1669

The Speaker ordered a rush order placed upon the printing of Assembly Bill No. 1669.

## ASSEMBLY AT EASE

The Speaker declared the Assembly at ease temporarily.

## REQUEST FOR LEAVE OF ABSENCE

Mr. Miller asked to be excused for the balance of the legislative day because of legislative business elsewhere.

Request ruled not in order while the House was under a call.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Lowrey was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of hearing Senate Bills Nos. 401, 898, 1420, and 1454 in the Committee on Natural Resources, Planning, and Public Works on Tuesday, June 9, 1959.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Chapel asked for unanimous consent to take up Assembly Constitutional Amendment No. 45 for purpose of amendment.

#### Request

Mr. Lowrey requested that the amendment be read.

Amendment read.

Unanimous consent to consider Assembly Constitutional Amendment No. 45 granted.

### CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 45

**Assembly Constitutional Amendment No. 45**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to ineligibility of legislators to certain offices.

Resolution read.

#### Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, line 12, of the printed measure, as amended in the Assembly on June 5, 1959, after "or", insert "appointed".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

#### Rush Order Placed Upon Printing of Assembly Constitutional Amendment No. 45

Mr. Chapel was granted unanimous consent that a rush order be placed upon the printing of Assembly Constitutional Amendment No. 45.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1131

Mr. Crown was granted unanimous consent that Senate Bill No. 1131 be withdrawn from the Committee on Elections and Reapportionment and re-referred to the Committee on Municipal and County Government.

### REQUEST TO EXCUSE MEMBER

Mr. George E. Brown requested that Mr. Miller be excused for the balance of the legislative day, because of legislative business elsewhere.

Request ruled not in order under a call of the House.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2375**—An act to amend Section 69593 of the Government Code, relating to superior court judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1379**—An act to amend Section 12663 of the Water Code, relating to the plan of improvement for flood control and water conservation on Cache Creek.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Constitutional Amendment No. 53**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 6 and 27 of Article IV thereof, relating to the reapportionment of legislative districts.

Resolution read.

### Motion to Amend

Mr. Bane moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 15, of the printed measure, after the period, insert "No assembly district shall vary from the mathematical population norm for all such districts by more than 15 percent, except that an assembly district which contains seven or more counties shall not exceed nor vary by more than 20 percent from the mathematical population norm."

### Amendment No. 2

On page 1, line 21, after the period, insert "In the formation of assembly districts no district shall contain partial portions of more than two counties."

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

**Assembly Bill No. 2185**—An act relating to the transfer and repayment of certain state funds with respect to the loan made to the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945, and in this connection amending Section 2 of Chapter 1505 of the Statutes of 1945.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2185:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 20, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Assembly Bill No. 2185 is "An act relating to the transfer and repayment of certain state funds with respect to the loan made to the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945, and in this connection amending Section 2 of Chapter 1505 of the Statutes of 1945."

No moneys are made available for expenditure by this bill.

In these circumstances, no purpose would be served by withholding action on it pending final passage of the Budget Bill.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2185 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—62.

NOES—Backstrand—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2480**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court.

Bill read third time.

### Demand for Previous Question

Messrs. Backstrand, Lanterman, Schrade, Burke, and Nisbet demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

*Pending the announcement of the vote, Mr. Dahl moved a call of the* Assembly.

Mr. Backstrand seconded the motion.

Motion carried. Time, 2.15 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2593**—An act to amend Section 16750 of the Business and Professions Code, relating to restraints of trade.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi,

MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—62.
NOES—Thelin—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2820**—An act to amend Section 688 of the Code of Civil Procedure, relating to execution of judgments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, and George A. Willson—60.
NOES—Z'berg—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2906**—An act to amend Sections 2893 and 2894 of, and to add Section 2901 to, the Elections Code, relating to the filling of vacancies in legislative offices.

Bill read third time.

**Motion to Re-refer**

Mr. MacBride moved that Assembly Bill No. 2906 be re-referred to the Committee on Elections and Reapportionment.

Motion carried unanimously.

**Assembly Bill No. 2817**—An act to add Section 56 to the Elections Code, relating to election returns.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2598**—An act to amend Sections 74130 and 74131 of the Government Code, relating to municipal courts in Riverside County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2613**—An act to add Article 12.5 (commencing at Section 73790) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2615**—An act to repeal Article 3 (commencing at Section 73390) of Chapter 10, Title 8, of the Government Code and to add Article 26.5 (commencing at Section 74550) to Chapter 10, Title 8, of the Government Code, relating to municipal court districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2617**—An act to add Article 32.5 (commencing at Section 74820) to Chapter 10, Title 8 of the Government Code, relating to municipal court districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1898**—An act relating to participation by the State in the Civil War Centennial, creating the California Civil War Centennial Commission and describing the powers and duties thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Schrade, Sedgwick,

Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1867**—An act to add Article 8 (commencing with Section 9144) to Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, relating to succession of the offices of Legislature in the event of war or enemy-caused disaster.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, DeLotto, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Rees, Schrade, Sedgwick, Thelin, Williamson, and George A. Wilson—49.
NOES—Britschgi, Busterud, Crown, Cusanovich, Davis, Elliott, Lowrey, Munnell, O'Connell, Waldie, and Z'berg—11.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1867.

**Assembly Bill No. 2298**—An act to amend Sections 1051 and 1052 of the Public Utilities Code, relating to warehousemen.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.
NOES—Bruce F. Allen and Lanterman—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2546**—An act to amend Section 16102 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the storage of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1847**—An act to create the Nevada County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Nevada County, prescribing the agency's

powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1627**—An act to add Sections 651.3, 3029, 3030 and 3031 to the Business and Professions Code, relating to the healing arts professions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, and Z'berg—65.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1592**—An act to create a flood control district to be called Siskiyou County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick,

Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1221**—An act to add Section 235 to the Water Code, relating to state construction of flood control and water conservation projects.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 414**—An act to amend Section 3260 of the Unemployment Insurance Code, relating to unemployment compensation disability insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2335**—An act to add Article 7 (commencing at Section 675) to Chapter 1 of Division 2 of the Business and Professions Code, relating to schools offering courses of instruction in nursing.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr. Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2290**—An act to add Chapter 8 (commencing at Section 30200) to Division 3, Title 3 of the Government Code, relating to county accounting procedures.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2088**—An act to add Chapter 13 (commencing at Section 22200) to Division 8 of the Business and Professions Code, relating to containers, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Marks.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 423**—An act to add Section 4754.5 to the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2738**—An act to add Section 11723 to the Health and Safety Code, relating to narcotics addicts.

Bill read third time.

**Motion to Re-refer**

Mr. O'Connell moved that the bill be re-referred to the Committee on Criminal Procedure.

Mr. McMillan seconded the motion.

**Demand for Previous Question**

Messrs. Hanna, Lanterman, Ernest R. Geddes, Schrade, and Crawford demanded the previous question Demand sustained.

The question being on the motion to re-refer.

**Roll Call Demanded**

Messrs. O'Connell, Schrade, and Lanterman demanded a roll call.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Burton, Cameron, Elliott, Hawkins, McMillan, and O'Connell—6
NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, Z'berg, and Mr. Speaker—54.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—60
NOES—Burton, Elliott, and O'Connell—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2873**—An act to amend Section 2144 of the Business and Professions Code, relating to emergency medical treatment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1985**—An act to add Chapter 1.5 (commencing at Section 27111) to Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state aid to public libraries, and making an appropriation.

Bill read third time.

**Motion to Amend**

Mr. Ernest R Geddes moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 1, of the printed bill, as amended in the Assembly on June 5, 1959, after "through", insert "providing means for".

**Amendment No. 2**

On page 2, line 38, strike out "the California"; and in line 39 strike out "State Librarian, and of".

**Amendment No. 3**

On page 2, line 50, after "involved", insert "if approved as provided in Section 27121".

**Amendment No. 4**

On page 3, line 23, strike out "for Aid".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2143**—An act to amend Section 3440 of the Civil Code, relating to fraudulent transfers of property.

Bill read third time, and presented by Mr. Z'berg.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, and Z'berg—64.

NOES—Lowrey—1

Bill ordered transmitted to the Senate.

## INQUIRY BY SPEAKER

Speaker Brown inquired of Mr. Unruh how he desired to be recorded on the roll call on Assembly Bill No 2738, since the voting machine had recorded him as being both absent and voting "Aye."

Mr. Unruh requested that he be recorded as voting "Aye."

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2704**—An act to amend and renumber Section 21153 of, and to add Section 21153 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to void warrants of school districts.

Bill read third time.

**Speaker pro Tempore Presiding**

At 3 25 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2682**—An act to amend Section 13324, and to repeal Section 13317, of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to preservation of tenure rights once obtained.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1748**—An act to add Section 29002.1 to, and repeal Section 29008 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance, acquisition and use of degrees, diplomas, certificates, transcripts and documents evidencing the completion of courses beyond high school.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1188**—An act to add Section 17201.5 to, and to amend Sections 17004, 17203, 17207, 17418, 17600 and 17608 of the Financial Code, relating to escrow transactions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 152**—An act to add Sections 2500.5 and 2557 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland,

House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Busterud was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 152.

**Assembly Bill No. 2757**—An act to amend Section 11806 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to vehicle dealers and salesmen.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—61.
NOES—Burton and O'Connell—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2828**—An act to amend Sections 6900 and 6902 of the Government Code, relating to vending stands for the blind.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—None

Bill ordered transmitted to the Senate.

### Speaker Presiding

At 3:41 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## REMARKS ON CONDITION OF FILE

Mr. Munnell spoke on the condition of the file.
Mr. Conrad spoke on the condition of the file.
Mr. Lanterman spoke on the condition of the file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2685**—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 924**—An act making an appropriation to the Department of Public Health, in augmentation of Item 439 of the Budget Act of 1958, to take effect immediately.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 924:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 924, "An act making an appropriation to the Department of Public Health, in augmentation of Item 439 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 924 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

### Assembly Bill No. 928 Placed on the Inactive File

The following bill was placed upon the inactive file:

**Assembly Bill No. 928**, on motion of Mr. Unruh.

**Assembly Bill No. 929**—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of the Youth Authority, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 929:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 929, "An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of the Youth Authority, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 929 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Zberg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 930**—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Mental Hygiene, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 930.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 930, "An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Mental Hygiene, to take effect immediately", in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 930 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 931**—An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Corrections, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 931:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 931, "An act making an appropriation in augmentation of the appropriation made in the Budget Act of 1958, for support of the Department of Corrections, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 931 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 932**—An act making an appropriation for workmen's compensation benefits, in augmentation of Item 263 of the Budget Act of 1958, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 932:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California*

Assembly Bill No. 932, "An act making an appropriation for workmen's compensation benefits, in augmentation of Item 263 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 932 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Brutsehgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 933**—An act making an appropriation for reimbursement of expenses incurred by counties and cities for licensing and inspection of homes and agencies caring for aged, and children, in augmentation of Item 448 of the Budget Act of 1958, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 933:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 933, "An act making an appropriation for reimbursement of expenses incurred by counties and cities for licensing and inspection of homes and agencies caring for aged, and children, in augmentation of Item 448 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the

Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 933 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 934**—An act making an appropriation to the Department of Public Health, in augmentation of Item 444 of the Budget Act of 1958, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 934:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No 934, "An act making an appropriation to the Department of Public Health, in augmentation of Item 444 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 934 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 935**—An act making an appropriation for support of the California Horse Racing Board, in augmentation of Item 204 of the Budget Act of 1958, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 935:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 935, "An act making an appropriation for support of the California Horse Racing Board, in augmentation of Item 204 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 935 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 936**—An act making an appropriation for support of the Division of Real Estate, Department of Investment, in augmentation of Item 208.1, of the Budget Act of 1958, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 936:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 936, "An act making an appropriation for support of the Division of Real Estate, Department of Investment, in augmentation of Item 208.1 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV

of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No. 936 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 937**—An act making an appropriation for printing constitutional amendments and other ballot measures, in augmentation of Item 32 of the Budget Act of 1958, to take effect immediately.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 937:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Assembly and Senate of the State of California:*

Assembly Bill No. 937, "An act making an appropriation for printing constitutional amendments and other ballot measures, in augmentation of Item 32 of the Budget Act of 1958, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill No 937 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2045**—An act to amend Section 2301 of the Welfare and Institutions Code, relating to institutions and boarding homes for the aged.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Rees, Rumford, Schrade, Sedgwick, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 671**—An act to add Sections 167 and 168 to the Welfare and Institutions Code, relating to the academic education of patients in state hospitals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 139**—An act to add Section 19391 to the Government Code, relating to state employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2777**—An act to create the El Dorado County Water agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, providing for the levy and collection of

taxes for the payment of general district expenses and for co-operation and contracts with any entity.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1868**—An act to amend Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation, and the allocation of state funds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2596**—An act to amend Section 17703 of, and to add Section 17704 to, the Education Code as enacted at the 1959 Regular Session, relating to apportionments of funds to school districts from the State School Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2610**—An act to amend Section 6 of Chapter 2374, Statutes of 1957, relating to inclusion of certain officers and employees of the University of California in the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mul-

ford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—65
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

**Speaker pro Tempore Presiding**

At 4.04 p m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

NOTE—Later this day, the record was expunged, and the action rescinded on Assembly Bill No. 920. *See* pages 4939 and 4940.

**Assembly Bill No. 1490**—An act to add Section 5003.4 to the Public Resources Code, relating to the State Park System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1700**—An act to add Sections 1012.1 and 1035.1 to, to amend Sections 1035, 1037, 1038, 1039, and 1041 of, and to repeal Section 1040 of, the Military and Veterans Code, relating to the Veterans' Home of California.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—62
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1771**—An act to amend Section 1172 of the Labor Code, relating to wages of minors.

Bill read third time.

The roll was called.

**Motion to Expunge Record and Rescind Action on Assembly Bill No. 1771**

Mr. Burton moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 1771.

The roll was called, and the motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Coolidge, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Hegland, Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, McMillan, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—42.

NOES—Bradley, Burke, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Ernest R. Geddes, House, Lanterman, Luckel, Lunardi, McCollister, Mulford, Schrade, Shell, and Thelin—18.

Bill ordered retained on third reading.

**VOTES CHANGED ON ASSEMBLY BILL NO. 920**

NOTE—Later this day (Assembly Journal, page 4940), the record was expunged on a series of changes in votes on Assembly Bill No. 920 which occurred at this point.

**Speaker Presiding**

At 4.19 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Parliamentary Inquiry**

Mr. O'Connell arose to the following parliamentary inquiry: Would it be in order for Mr. Bradley to explain Assembly Bill No. 920?

**Reply by Speaker**

The Speaker replied that it would not, since the bill had already been passed.

**Motion to Expunge Record and Rescind Action on Assembly Bill No. 920**

Mr. Munnell moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 920.

Mr. MacBride seconded the motion.

Motion lost by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Biddick, Britschgi, Burke, Chapel, Collier, Crawford, Cusanovich, Davis, Donahoe, Francis, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lowrey, Masterson, McMillan, Mulford, Munnell, Nisbet, O'Connell, Petris, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—36.

NOES—Don A. Allen, Bane, Bee, Bradley, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, DeLotto, Elliott, Frew, Gaffney, Hanna, Hawkins, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Rees, Shell, Thelin, and George A. Willson—26.

**Parliamentary Inquiry**

Mr. DeLotto arose to the following parliamentary inquiry: Would not an explanation of Assembly Bill No. 920 be proper, at this time?

**Reply by Speaker**

The Speaker replied that it would not be in order.

**Votes Changed on Assembly Bill No. 920**

NOTE—Later this day (Assembly Journal, page 4940), the record was expunged, and the action rescinded on a series of changes in votes on Assembly Bill No. 920 which occurred at this point.

Request for Unanimous Consent

Mr. Bradley asked for unanimous consent that Assembly Bill No. 920 be laid over until Monday.

Request ruled not in order.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 920

Mr. Bradley moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 920.

Mr. MacBride seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.

NOES—Thelin—1.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 920

**Assembly Bill No. 920**—An act to repeal Chapters 1 (commencing at Section 14001), 1a (commencing at Section 14325), 2 (commencing at Section 14400), and 3 (commencing at Section 14600), and to add Chapter 1 (commencing at Section 14001) to, Part 3, Division 12 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bradley moved a call of the Assembly.

Mr. Grant seconded the motion.

Motion carried Time, 4.43 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### REMARKS ON CONDITION OF FILE

Mr. Munnell spoke on the condition of the file.

Mr. Conrad spoke on the condition of the file.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Ernest R. Geddes was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2231**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle aid and vacuum brakes.

Bill read third time.

### Speaker pro Tempore Presiding

At 4.46 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2501**—An act to amend Sections 16431 and 16432 of the Business and Professions Code, relating to itinerant merchants and abolishing the Itinerant Merchants Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

## REMARKS ON CONDITION OF FILE

Mr. Munnell arose to speak on the condition of the file.

### Point of Order

Mr. Collier arose to the following point of order: That remarks on the condition of the file are in order only when a motion to adjourn is before the House.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

### Request for Unanimous Consent

Mr. Munnell asked for unanimous consent that he be permitted to ask Mr. Conrad a question.

Mr. Collier withheld unanimous consent.

**Motion**

Mr. Unruh moved that he be permitted to ask Mr. Conrad a question. Mr. Munnell seconded the motion.

**Point of Order**

Mr. Masterson arose to the following point of order: That the House is not on the order of business of motions and resolutions.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2503**—An act to amend the article heading of Article 5d (commencing at Section 996 13) of Chapter 6 of Division 4 of the Military and Veterans Code, to amend Sections 996.13, 996.15 and 996.19, and to repeal Sections 996.16 and 996.20 thereof, relating to military and veterans affairs and abolishing the Veterans Affairs Construction Fund.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—60.

NOES—Don A. Allen and Crawford—2.

Bill ordered transmitted to the Senate.

## MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY ON MOTION TO RECONSIDER WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1174

At 4.55 p.m., Mr. Munnell moved to dispense with further proceedings under the call of the Assembly on the motion to reconsider the withdrawal and re-reference of Assembly Bill No. 1174.

**Parliamentary Inquiry**

Mr. Conrad arose to the following parliamentary inquiry: What order of business was this item, Item 28, on the file?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that Item 28 was on the unfinished business file.

**Point of Order**

Mr. Conrad arose to the following point of order: That the House is on the third reading of Assembly bills, so a return to Item 28 on the unfinished business file is not in order, at this time.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order not well taken.

**Parliamentary Inquiry**

Mr. Conrad arose to the following parliamentary inquiry: Is the motion to dispense with the call of the Assembly in order?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was.

**Parliamentary Inquiry**

Mr. Conrad arose to the following parliamentary inquiry: Is the motion debatable?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was not.

**Parliamentary Inquiry**

Mr. Munnell arose to the following parliamentary inquiry: What is the vote required to carry the motion?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it requires a majority of those present.

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: Since there were other calls of the Assembly placed subsequent to this call of the Assembly, can a member lift the first call before the subsequent calls are lifted?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the motion to lift the call was in order.

The question being on the motion to dispense with further proceedings under the call of the Assembly.

Motion lost by the following vote:

AYES—Bane, Bee, Biddick, George E Brown, Burton, Cameron, Crown, Davis, DeLotto, Elliott, Frew, Samuel R. Geddes, Lowrey, MacBride, Meyers, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Z'berg, and Mr. Speaker—25.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Brutschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Donahoe, Gaffney, Ernest R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, Mulford, Porter, Schrade, Sedgwick, Shell, Thelin, Williamson, and George A. Willson—40.

## PARLIAMENTARY INQUIRY

Mr. Hawkins arose to the following parliamentary inquiry: Is it planned to continue with the business on the daily file?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the Assembly would work on the file until the members vote to adjourn.

## MOTION TO ADJOURN

Mr. Lowrey moved that the Assembly do now adjourn.

Motion ruled not in order under a call of the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2567**—An act to add Section 7745.5 to the Education Code, and to add Section 19630.5 to the Education Code as

enacted at the 1959 Regular Session, relating to state school building aid, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2575**—An act to amend Sections 41305 and 41725 of, to add Sections 39925, 41307, 41308 and 41555 to, and to repeal Section 39925 of, the Water Code, relating to water storage districts.

Bill read third time.

**Speaker Presiding**

At 5.08 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—58.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2629**—An act to create the Amador County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of

such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, and providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 981**—An act to amend Sections 20750.1, 20750.2, 20750.3, 20750.4, 21251.1, 21253, and 20130 and to repeal Sections 20750.112, 20750.15, 20750.22, 20750.25, 20750.32, 20750.35, 20750.42, and 20750.45 of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1841**—An act to amend Section 20804.5 of the Government Code, relating to employees' retirement system.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2062**—An act to add Sections 20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20230.5, 20497, 20498, 20601.5, 20750.13, 20750.23, 20750.33, 20750.43, 20989, 21251.14, 21293.5, 21364.7, 22152, 22153, and 22213 of; to add Chapter 6.5 (commencing at Section 20780) to Part 3, Division 5, Title 2 of; to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of, to amend Section 22009.1, 22013, 22210 of; and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2 of; the Government Code, relating to State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Request for Unanimous Consent

Mr. MacBride was granted unanimous consent that the following amendment be adopted, and that the bill, as amended, be re-referred to the Committee on Ways and Means.

### Amendment No. 1

In line 1 of the heading of the printed bill, as amended in the Assembly on May 13, 1959, after "MacBride", strike out "and", and insert a comma; and after "Z'berg" insert "Ernest R Geddes, Burke, Crawford, Cunningham, Samuel R. Geddes, McCollister, and Meyers (Senators Rodda, O'Sullivan, Arnold, and Fisher, Co-authors)"

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Ways and Means

## INQUIRY OF MEMBERS

Speaker Brown inquired if any member desired to have any bill removed from the Consent Calendar—Second Legislative Day.

Mr. Bruce F. Allen requested that Assembly Bill No. 2554 be removed.

Mr. McMillan requested that Assembly Bill No 1770 be removed.

Since the above requests were for bills on the Consent Calendar—First Legislative Day, the Speaker requested that they be renewed on Monday.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2838**—An act to amend Section 12002.1 of, and to add Section 12002.2 to, the Financial Code, relating to licenses under the Check Sellers and Cashers Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1018**—An act to amend Sections 5054, 5055, 5055.1, 5057, 5058.2, 7726, 7727, 7727.1, 7727.2, 7729, 7731.2 and 7779 of, and to repeal Sections 5056 and 7728 of, the Education Code, and to amend Sections 19430, 19431, 19432, 19434, 19438, 19601, 19602, 19603, 19604, 19607, 19613 and 19663 of, and to repeal Sections 19433 and 19606 of, the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2744**—An act to amend Section 19574 of the Government Code, relating to punitive actions against state employees

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2637**—An act to amend Section 5202 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2664**—An act to amend Section 16676 of the Government Code, relating to remittances to state fiscal agents by the Treasurer.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2675**—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2702**—An act to add Section 28338 to the Health and Safety Code, relating to the sale of bread

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Consideration of House Resolution No. 311**

By Mrs. Davis:

**House Resolution No. 311**

Relative to the State Advisory Commission on Indian Affairs

WHEREAS, The Legislature at the current session has created the State Advisory Commission on Indian Affairs and directed it to report its findings and recommendations from time to time to the Legislature; and

WHEREAS, In order to effectuate the purposes of such legislation it will be necessary for said commission to make such reports to appropriate interim committees of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Committee on Rules be directed to designate the appropriate Assembly interim committee to which the State Advisory Commission on Indian Affairs may report its findings and recommendations from time to time.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72

NOES—None.

**Consideration of House Resolution No. 275**

By Messrs. Burton, Waldie, Hawkins, Rumford, Don A. Allen, Biddick, George E. Brown, Cameron, Crown, Cunningham, Elliott, Frew, Samuel R. Geddes, Meyers, Munnell, O'Connell, Petris, Thomas, Unruh, Williamson, and Charles H. Wilson:

**House Resolution No. 275**

Relative to anti-lynching legislation

WHEREAS, The recent lynching of a prisoner in Mississippi has outraged supporters of law and order in all states of our Country; and

WHEREAS, The incident has demonstrated that the problem of lynch mob action is still very real; and

WHEREAS, Federal legislation rendering any participation in lynch mob action an offense against the United States would make a substantial contribution toward discouraging any such incidents in the future; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body urges the Congress of the United States to make lynching and participation in lynch mob action a felony under the laws of the United States; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Member of Congress from California.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.

NOES—None.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 1041**—An act to amend Section 5 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the powers of the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1128**—An act to amend Section 25465 of the Government Code, relating to contracts for public works.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1344**—An act to amend the Title of, and Sections 2, 3, 4, 5, 6, 9, 10, 13, 14, 15, 16, 17, and 18 of, and to add Sections 3.1, 3.2, 3.3, 3.4, 16.1, 23.5, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 36.10, 36.11, 36.12, 36.13, 36.14, 36.15, 36.16, and 36 17 to the San Luis Obispo Flood Control and Water Conservation District Act (Chapter 1294 of the Statutes of 1945).

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 928**—An act to add Chapter 1.8 (commencing at Section 148) to Division 1 of the Welfare and Institutions Code, relating to the acquisition and disposition of salvageable personal property for charitable purposes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 302**—An act to amend Section 10826 of the Fish and Game Code, relating to Game Refuge 1-J.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 320**—An act to amend Section 8727 of, and to add Section 8730.5 to the Business and Professions Code, relating to planimetric or topographic mapping and ground surveys necessary therefor

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 981**—An act to amend Sections 8938, 8947, and 8954 of, to add Sections 8965 and 8966 to, and to repeal Sections 8965 and 8966 of, the Business and Professions Code, relating to yacht and ship brokers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1174

At 5.15 p.m., Mr. Conrad moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion to reconsider the withdrawal and re-reference of Assembly Bill No 1174 from the Committee on Revenue and Taxation to the Committee on Ways and Means carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Donahoe, Francis, Gaffney, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, Mulford, Porter, Reagan, Schrade, Sedgwick, Shell, Thelin, Williamson, and George A. Willson—43.

NOES—Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Davis, DeLotto, Elliott, Frew, Samuel R. Geddes, House, Lowrey, Lunardi, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Z'berg, and Mr. Speaker—29.

### Explanation of Vote

Although I would vote to refer Assembly Bill No. 1174 from the Committee on Revenue and Taxation to Ways and Means and would vote in favor of Assembly Bill No 1174 if granted the opportunity, I have voted to reconsider re-reference of Assembly Bill No 1174 from the Committee on Revenue and Taxation to the Committee on Ways and Means for the reason that I believe the motion made by Mr. Petris was granted when the Assembly did not contain a quorum.

GEORGE G. CRAWFORD

The question being on the request by Mr. Petris for unanimous consent that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

Mr. Shell withheld unanimous consent.

### Motion to Withdraw and Re-refer

Mr. Unruh moved that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

Mr. Munnell seconded the motion.

### Motion to Table

Mr. Shell moved that the motion be laid on the table.

Mr. Levering seconded the motion.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Shell moved a call of the Assembly.

Mr. Holmes seconded the motion.

Motion for a call of the Assembly carried by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Donahoe, Francis, Gaffney, Grant, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Masterson, McCollister, Mulford, Porter, Reagan, Schrade, Sedgwick, Shell, Thelin, Williamson, and George A. Willson—38

NOES—Bruce F. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Davis, DeLotto, Elliott, Frew, Ernest R Geddes, Samuel R Geddes, Hanna, House, Lowrey, Luckel, Lunardi, MacBride, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Unruh, Waldie, Z'berg, and Mr Speaker—33.

Time, 5.23 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 2611

At 5.25 p.m., Mr. Hegland moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 2611 was reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, Meyers, Mulford, Nisbet, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Williamson, George A. Willson, and Mr. Speaker—50

NOES—Bane, Biddick, Burton, Crown, Cunningham, Davis, DeLotto, Elliott, Samuel R. Geddes, Hawkins, Lowrey, MacBride, Masterson, McMillan, Miller, Munnell, O'Connell, Petris, Waldie, and Z'berg—20.

Assembly Bill No. 2611 ordered to third reading.

## PARLIAMENTARY INQUIRY

Mr. Don A. Allen arose to the following parliamentary inquiry: Has Rule No. 106 been suspended?

### Reply by Speaker

The Speaker replied that it had not.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2480

At 5.31 p.m., Mr. Dahl moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

#### Motion to Expunge Record and Rescind Action on Assembly Bill No. 2480

Mr. Dahl moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2480.

Mr. Hanna seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2480 ordered retained on third reading file.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 920

At 5.35 p.m., Mr. Bradley moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 920 passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Crawford, Cusanovich, DeLotto, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, O'Connell, Petris, Porter, Rees, Schrade, Shell, Thelin, and George A. Willson—42.

NOES—Bruce F. Allen, Bee, Belotti, Burke, Chapel, Collier, Coolidge, Crown, Dahl, Davis, Donahoe, Samuel R. Geddes, House, Lowrey, Masterson, Mulford, Nisbet, Rumford, Williamson, Z'berg, and Mr. Speaker—21.

Bill ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO TABLE MOTION TO WITHDRAW AND RE-REFER ASSEMBLY BILL NO. 1174

At 5.39 p.m., Mr. Shell moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

#### Motion to Expunge Record and Rescind Action on Motion to Table and Motion to Reconsider

Mr. Shell moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused to table the motion to withdraw and re-refer Assembly Bill No. 1174; and reconsidered the withdrawal and re-reference of Assembly Bill No. 1174.

Mr. Levering seconded the motion.

Motion ruled not in order, since it was a compound motion.

### Motion to Expunge Record and Rescind Action on Motion to Table

Mr. Shell moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused to table the motion that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

Mr. McCollister seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Williamson, George A. Willson, and Mr. Speaker—60.

NOES—Bruce F. Allen, Burton, Davis, DeLotto, Elliott, Lowrey, O'Connell, Waldie, and Z'berg—9

### Explanation of Vote

I voted "No" on the motion to expunge the record on Mr. Unruh's motion to refer Assembly Bill No. 1174 from Revenue and Taxation to Ways and Means because I had voted "Aye" on the motion and wanted to be recorded as in favor of further proceedings on that bill.

BRUCE F. ALLEN

### Point of Personal Privilege

Mr. Lowrey arose on a point of personal privilege.

The question being on the motion by Mr. Unruh that Assembly Bill No. 1174 be withdrawn from the Committee on Revenue and Taxation, and re-referred to the Committee on Ways and Means.

### Motion Withdrawn

Mr. Unruh, with the consent of his second, was granted unanimous consent to withdraw his motion.

### Motion to Reconsider Motion to Expunge Record and Rescind Action

Mr. Burton moved to reconsider on the next legislative day the vote whereby the record was expunged, and the action rescinded on the motion to table the motion to withdraw and re-refer Assembly Bill No 1174.

Motion ruled dilatory, and not in order.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1174 FROM COMMITTEE WAIVED

Mr MacBride waived his notice of motion to withdraw Assembly Bill No 1174 from the Committee on Revenue and Taxation.

## PARLIAMENTARY INQUIRY

Mr. Shell arose to the following parliamentary inquiry: What is the present status of Assembly Bill No. 1174?

### Reply by Speaker

The Speaker replied that the bill is in the Committee on Revenue and Taxation.

## PARLIAMENTARY INQUIRY

Mr. Burton arose to the following parliamentary inquiry. Under what rule was my motion to reconsider the motion to expunge the record and rescind the action on the motion to table ruled out of order?

#### Reply by Speaker

The Speaker replied that he had ruled the motion dilatory.

### MOTION TO ADJOURN

Mr. Collier moved that the Assembly do now adjourn until 10 a m. on Monday.

#### Motion Withdrawn

On request of the Speaker, Mr. Collier withdrew his motion temporarily.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Porter was granted unanimous consent to take up further consideration of Assembly Bill No. 1538 (*See also* pages 4911-4912).

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1538

**Assembly Bill No. 1538**—An act to add Chapter 10 (commencing at Section 3551) to Division 5 of, to add Section 17305.5 to, and to amend Section 18352 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district organization, and making an appropriation.

Bill read second time.

#### Request for Unanimous Consent to Rescind Action on Amendments to Assembly Bill No. 1538

Mr. Porter was granted unanimous consent to rescind the action whereby the Assembly, on this day, adopted committee amendments to Assembly Bill No. 1538 (Assembly Journal, pages 4911 and 4912).

#### Request for Unanimous Consent

Mr. Porter was granted unanimous consent to withdraw the committee amendments to Assembly Bill No. 1538, and offer corrected amendments.

#### Motion to Amend

Mr. Porter moved the adoption of the following amendments:

#### Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on June 1, 1959, strike out ", and to amend Section 18352 of,".

#### Amendment No. 2

On page 3, strike out lines 4 to 51, inclusive; and strike out all of pages 4 and 5.

#### Amendment No. 3

In line 5 of the title, strike out ", and making an appropriation".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 185
Assembly Bill No. 1198
Assembly Bill No. 1347
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2597
Assembly Bill No. 2903
Assembly Bill No 2907
And reports the same correctly engrossed.

BURKE, Chairman

Assembly Bill No. 2597 re-referred to the Committee on Judiciary—Civil.

Assembly Bills Nos. 2903 and 2907 ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2681
Assembly Bill No 2898
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 6, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 2809
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No 1462
Assembly Bill No. 2758
Assembly Bill No. 2870
And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2395
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2909
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to Consent Calendar.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2826
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2827
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2856
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Constitutional Amendment No 45
Assembly Constitutional Amendment No. 53
And reports the same correctly re-engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1669
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 6, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2554
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to the Consent Calendar.

## EXPLANATION OF ABSENCE

I missed several roll calls on Saturday morning, June 6th, because it was necessary for me to attend to legislative matters elsewhere in the Capitol.

CHARLES W. MEYERS

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 185 FROM COMMITTEE

Mr. Belotti gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 185 from the Committee on Ways and Means.

### Inquiry by Speaker

The Speaker inquired of Mr. Belotti if the bill had not been re-referred to the Committee on Rules.

### Request for Unanimous Consent

Mr. Belotti asked for unanimous consent to rescind the action ordering the subject matter of Assembly Bill No. 185 referred to the Committee on Rules.

Mr. Lanterman withheld unanimous consent.

### Motion to Expunge Record

Mr. Belotti moved that the record be expunged, and the action rescinded whereby Assembly Bill No. 185 was filed, and the subject matter referred to the Committee on Rules.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: What is the question before the House?

### Reply by Speaker

The Speaker replied that the motion by Mr. Belotti was before the House.

### Motion to Adjourn

Mr. Unruh moved that the Assembly do now adjourn until 9.30 a.m. on Monday, June 8, 1959.

Motion carried.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests during this legislative day:

On request of Mr. Luckel of San Diego and the San Diego Delegation to William C. Moeser of San Diego.

On request of Speaker Ralph M. Brown of Modesto to Mrs. Vernon Kilpatrick of Los Angeles.

On request of Mr. Frew of Dinuba to Mrs. Jean Miller of Corcoran, Mr. and Mrs. Malcolm Baird of Hanford.

## ADJOURNMENT

At 5.52 p.m., pursuant to the motion by Mr. Unruh, the Speaker declared the Assembly adjourned until 9.30 a.m., Monday, June 8, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED FOURTH LEGISLATIVE DAY

ONE HUNDRED ELEVENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, June 8, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Assistant Clerk Norman Jachens at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

Chief Clerk Arthur A. Ohnimus at the Desk

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Now on the First Day of a New Week, Our Father God,* We pray for Thy guidance We must take up where we left off, and our question is deeply reverent· where do we go from here? Show us the way, Our Father, that we may walk humbly therein. Help us to proceed on the basis of two inviolate principles: the greatest good for the greatest number, and the stout refusal to accept any personal benefit. May the love of God, which is broader than the measure of man's mind; the grace of our Lord Jesus Christ, which is sufficient for all our needs; and the fellowship of the Holy Spirit, which shall lead us into all truth, be with us all this day—AMEN.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Hegland, seconded by Mr. Shell.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Porter, on request of Speaker Brown.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Garrigus, on request of Speaker Brown.

## COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Arthur Parks of San Francisco, relative to homosexuals. Referred to the Committee on Judiciary—Civil.

## RESOLUTIONS

The following resolution was offered:

By Mr. Burke:

### House Resolution No. 328

Relating to congratulating the Right Reverend Monsignor Peter T. Hanrahan

WHEREAS, The Right Reverend Monsignor Peter T. Hanrahan came to Alhambra as pastor of the All Saints Parish on June 15, 1934; and

WHEREAS, Under his leadership there has been a very substantial growth of the parish, and increase in the parochial school attendance, and

WHEREAS, Since his pastorate, construction was begun on a large, new church edifice on April 19, 1938, and it was completed on January 14, 1939, and a large, new parochial school building, as well as a new church rectory have been constructed since that time, and

WHEREAS, In 1955 the pastor was named Domestic Prelate with the title of Right Reverend Monsignor Peter T. Hanrahan; and

WHEREAS, He has served for many years as a Director on the Alhambra Board of Library Trustees and the Alhambra Day Nursery as well as being otherwise strongly identified in the civic and cultural leadership in the City of Alhambra and the San Gabriel Valley; and

WHEREAS, There is now being celebrated the Silver Jubilee of his coming to All Souls Parish; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly of the State of California does hereby congratulate the Right Reverend Monsignor Peter T. Hanrahan on his 25 years of spiritual and community service in the City of Alhambra and the San Gabriel Valley, and does wish him many more years of fruitful endeavor, and be it further

*Resolved*, That the Clerk of the Assembly be directed to transmit a copy of this resolution to the Right Reverend Monsignor Peter T. Hanrahan, All Saints Parish, 17 South Electric Avenue, Alhambra, California.

**Request for Unanimous Consent**

Mr. Burke was granted unanimous consent to take up House Resolution No. 328 without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Porter and Hanna:

**House Resolution No. 329**

Relative to the congratulating of Ned M. Clinton as he approaches the time of retirement

WHEREAS, Mr. Clinton from 1912 to 1925 was employed in the Long Beach Dairy and Creamery Corporation which later became known as the Crescent Creamery and worked his way through the company to become assistant manager; and

WHEREAS, Mr. Clinton in 1921 became a partner in a dairy production enterprise in Long Beach and has been continuously in production since that date; and

WHEREAS, Mr Clinton has long been interested and active in the future welfare of the dairy production industry as indicated by such activity as Past Chairman and present Director of the Orange County Farm Bureau, Dairy Department; Regional Chairman of the Dairy Department of the Farm Bureau, Region 1; Chairman of the Legislative Study Committee for the State Dairy Department; Past Chairman and present Director in the California Dairy Council and California Dairy Industry Advisory Board; Chairman of the Los Angeles Milk Producers Control Board; Director and later president of the California Milk Producers Association; leader in the formation of the Protected Milk Producers Association under the Central Milk Sales Agency; and in 1942 when the Protected Milk Producers Association became an independent marketing association, he became manager at that time; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly takes great pleasure in congratulating Ned M. Clinton as he approaches the time of retirement after many years of loyal service to the milk production industry and his community; now, therefore, be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Ned M. Clinton.

Resolution read, and referred to the Committee on Rules.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 145**: By Mr. Britschgi and Senator Hollister, Co-author—Relative to administrative rules and regulations

Referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEES

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1538
Assembly Bill No 1985
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2062
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Ways and Means.

## Committee on Rules

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 35

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 141

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends tha the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

| | |
|---|---|
| House Resolution No. 317 | House Resolution No 325 |
| House Resolution No 321 | House Resolution No. 320 |
| House Resolution No. 323 | House Resolution No. 319 |
| House Resolution No 324 | House Resolution No. 327 |

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 142

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 140

Without recommendation.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 326

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 79

With the recommendation: That the resolution be re-referred to the Committee on Water.

MILLER, Chairman

Above resolution re-referred to the Committee on Water.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 127
Assembly Concurrent Resolution No. 129
Assembly Concurrent Resolution No. 131

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, June 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 575
Assembly Bill No. 576
Assembly Bill No. 577
Assembly Bill No. 608
Assembly Bill No. 925
Assembly Bill No. 1139
Assembly Bill No. 1775
Assembly Bill No. 1776
Assembly Bill No. 1866
Assembly Bill No. 1872
Assembly Bill No. 1960
Assembly Bill No. 1988
Assembly Bill No. 2054
Assembly Bill No. 2349
Assembly Bill No. 2376
Assembly Bill No. 2377
Assembly Bill No. 2380
Assembly Bill No. 2381
Assembly Bill No. 2408
Assembly Bill No. 2448
Assembly Bill No. 2457
Assembly Bill No. 2475

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 169
Assembly Bill No. 205
Assembly Bill No. 687
Assembly Bill No. 720
Assembly Bill No. 892
Assembly Bill No. 1143
Assembly Bill No. 1503
Assembly Bill No. 1504
Assembly Bill No. 1529
Assembly Bill No. 2280
Assembly Bill No. 2316
Assembly Bill No. 2354

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 5, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 753

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## CONSIDERATION OF DAILY FILE

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2531**—An act to add Division 1 (commencing at Section 25101) to Title 4 of, to amend Sections 4113, 4119, 10250, 10703, 13205, 27000, 27001, 27002 and 28006 of, and to repeal Sections

25000 to 26104, inclusive, of the Corporations Code; to amend Sections 14250, 18050, 18600, 18601, 18603, 18606, 18607, 18801. 18806, and 18813 of the Financial Code; to amend Sections 33915 and 33916 of the Health and Safety Code; and to amend Section 1220 of the Agricultural Code, relating to the Uniform Securities Act.

Bill read second time.

### Request for Unanimous Consent

Mr. Biddick was granted unanimous consent that Assembly Bill No. 2531 be held on the second reading file.

**Assembly Bill No. 1**—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to eligibility for old age assistance.

Bill read second time, and ordered to third reading.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bill re-referred to the Committee on Ways and Means:

**Assembly Bill No. 2829.**

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kilpatrick was granted unanimous consent that the following communication from the Legislative Analyst and Schedules 1 to 4 be ordered printed in the Journal:

## COMMUNICATION FROM LEGISLATIVE ANALYST

JOINT LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
SACRAMENTO, June 4, 1959

*Hon. Vernon Kilpatrick*
*Assemblyman, 55th District*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN KILPATRICK: Pursuant to your request for current information relative to state tax collections, state subventions and property tax collections, by county, similar to tabulations printed in the Assembly Journal for April 3, 1957, we are submitting the following schedules.

Schedule 1 shows state tax collections and state subventions for each of the counties, and in total for 1957-58. Subventions are the actual amounts of direct contributions and shared revenues exclusive of allocations or payments from Highway Users Tax Fund to cities shown in the

Controller's report. State tax collections represent the following as shown for 1957-58 on page A-9 of the printed budget for 1959-60.

| | |
|---|---|
| Alcoholic beverage taxes and licenses: | |
| Excise tax on beer and wine | $4,960,000 |
| Excise tax on distilled spirits | 33,300,043 |
| Liquor license fees | 11,296,066 |
| Bank and corporation (income) taxes | 173,598,817 |
| Gift tax | 2,779,644 |
| Horse racing (parimutuel) license fees | 25,948,232 |
| Inheritance | 42,551,126 |
| Insurance gross premiums tax | 46,037,235 |
| Motor vehicle license (in lieu) fees | 109,580,760 |
| Motor vehicle fuel tax (gasoline) | 285,374,016 |
| Motor vehicle fuel tax (diesel) | 17,297,066 |
| Motor vehicle registration and other fees | 117,572,312 |
| Motor vehicle transportation tax | 15,608,800 |
| Personal income tax | 149,269,337 |
| Private car tax | 1,589,801 |
| Retail sales and users tax | 605,237,617 |
| Total, major taxes and licenses | $1,642,299,050 |

Sales tax collections and personal income tax are allocated by county as these are reported by the respective tax collecting agencies. All other tax sources have been allocated on the basis of population. In the last column of this tabulation is shown the relationship between this calculated amount of state tax payments in each county and the amount of state subventions to the county.

Schedule 2 deals with assessed valuations and property tax levies in each of the counties for the 1957-58 Fiscal Year. The average tax rate expressed in the next to the last column is as reported in the 1957-58 Annual Report of the State Board of Equalization.

Schedule 3 shows counties listed in the order of the percentage which subventions bear to state tax collections in the counties from highest to lowest, as shown in column 6 of Schedule 1. It also shows the assessed valuation per capita, property tax levies per capita, and property tax per $100 of assessed valuation, with the rank of each county on the basis of the last named factor, from lowest to highest.

Schedule 4 shows certain of the information included in Schedule 3 for 10 representative counties.

The source of the basic information is identified on each of the individual schedules.

Sincerely,

A. ALAN POST, Legislative Analyst

Enclosures

## SCHEDULE 1

### STATE TAX COLLECTIONS, SUBVENTIONS TO LOCAL GOVERNMENTS, AND SUBVENTIONS AS A PERCENT OF STATE TAX COLLECTIONS, BY COUNTIES, 1957-58

| | (1) | (2) | (3) | (4) | (5) | (6) |
|---|---|---|---|---|---|---|
| | | *State tax collections, 1957-58* | | *Subventions, 1957-58* | | |
| *Counties* | *Estimated population July 1, 1958* | *Total* | *Per capita* | *Total* | *Per capita* | *Subventions as a percent of tax collections* |
| Alameda | 886,800 | $101,514,000 | $114.47 | $53,183,474 | $59.97 | 52.3 |
| Alpine | 400 | 33,000 | 83.69 | 106,598 | 266.50 | 318.4 |
| Amador | 9,000 | 833,000 | 92.53 | 1,003,423 | 111.49 | 120.5 |
| Butte | 73,700 | 7,730,000 | 104 89 | 7,141,237 | 96.90 | 92.4 |
| Calaveras | 9,400 | 843,000 | 89.72 | 1,036,527 | 110.27 | 122.9 |
| Colusa | 11,600 | 1,281,000 | 110 46 | 1,389,691 | 119.77 | 108.5 |
| Contra Costa | 370,400 | 36,296,000 | 97.99 | 27,748,099 | 74.91 | 76.4 |
| Del Norte | 19,100 | 1,815,000 | 95.01 | 1,416,168 | 74.14 | 78.0 |
| El Dorado | 21,700 | 2,280,000 | 105.09 | 2,058,817 | 94.88 | 90.3 |
| Fresno | 344,400 | 36,497,000 | 105.97 | 29,982,543 | 87.06 | 82.2 |
| Glenn | 16,900 | 1,741,000 | 103.02 | 1,575,908 | 93.25 | 90.5 |
| Humboldt | 96,900 | 10,166,000 | 104 91 | 9,530,176 | 98 35 | 93.7 |
| Imperial | 70,800 | 7,247,000 | 102.36 | 6,223,790 | 87.91 | 85.9 |
| Inyo | 11,000 | 1,267,000 | 115.19 | 1,378,273 | 125.30 | 108.8 |
| Kern | 279,400 | 30,040,000 | 107.39 | 21,791,290 | 77.99 | 72.5 |
| Kings | 47,800 | 4,847,000 | 101.40 | 4,059,123 | 84.92 | 83.7 |
| Lake | 12,100 | 1,208,000 | 99 87 | 1,370,602 | 113.27 | 113.4 |
| Lassen | 13,900 | 1,284,000 | 92.38 | 1,819,503 | 130.90 | 141.7 |
| Los Angeles | 5,791,900 | 684,838,000 | 118.24 | 331,677,628 | 57.27 | 48.4 |
| Madera | 39,800 | 3,692,000 | 92.76 | 4,226,440 | 106.19 | 114.5 |
| Marin | 136,800 | 13,925,000 | 101.79 | 7,027,536 | 51.37 | 50 5 |
| Mariposa | 4,200 | 484,000 | 115.27 | 624,529 | 148.70 | 129.0 |
| Mendocino | 52,800 | 4,945,000 | 93.65 | 4,809,450 | 91.09 | 97.3 |
| Merced | 88,400 | 8,313,000 | 94.04 | 7,087,145 | 80.17 | 85.3 |
| Modoc | 9,100 | 851,000 | 93.47 | 1,097,007 | 120.55 | 129.0 |
| Mono | 2,300 | 257,000 | 111.91 | 487,506 | 211.96 | 189.4 |
| Monterey | 192,200 | 18,601,000 | 96.78 | 10,038,501 | 52.23 | 54.0 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Napa | 63,500 | 6,001,000 | 94.50 | 4,081,212 | 64.27 | 68.0 |
| Nevada | 17,900 | 1,808,000 | 100 98 | 1,660,303 | 92.75 | 91.9 |
| Orange | 569,800 | 59,068,000 | 98 97 | 32,791,014 | 57.55 | 55 5 |
| Placer | 51,400 | 5,034,000 | 97.95 | 4,211,008 | 81.93 | 83.6 |
| Plumas | 11,700 | 1,133,000 | 96 88 | 1,122,605 | 95 95 | 99.0 |
| Riverside | 258,200 | 26,669,000 | 103 29 | 18,222,465 | 70.58 | 68.3 |
| Sacramento | 451,200 | 48,228,000 | 106.89 | 30,736,284 | 68.12 | 63.7 |
| San Benito | 15,500 | 1,429,000 | 92.21 | 1,182,415 | 76.28 | 82.7 |
| San Bernardino | 470,500 | 47,091,000 | 100 09 | 32,319,748 | 68.69 | 68 6 |
| San Diego | 943,400 | 96,020,000 | 101.78 | 51,165,627 | 54.24 | 53 3 |
| San Francisco | 791,100 | 110,381,000 | 139.53 | 35,483,482 | 44.91 | 32.1 |
| San Joaquin | 241,000 | 24,402,000 | 101 25 | 17,301,755 | 71 79 | 70.9 |
| San Luis Obispo | 66,500 | 6,606,000 | 99.34 | 5,522,073 | 83 04 | 83 6 |
| San Mateo | 399,100 | 44,313,000 | 111.03 | 22,077,597 | 55.32 | 49 8 |
| Santa Barbara | 123,500 | 15,028,000 | 121.68 | 7,244,758 | 58 66 | 48 2 |
| Santa Clara | 574,800 | 60,233,000 | 104.79 | 33,232,885 | 57.82 | 55 2 |
| Santa Cruz | 71,200 | 7,464,000 | 104 83 | 6,843,323 | 96 11 | 91.7 |
| Shasta | 51,200 | 5,735,000 | 112.00 | 5,198,038 | 101.52 | 90.6 |
| Sierra | 2,400 | 198,000 | 82.50 | 473,547 | 197 31 | 239.1 |
| Siskiyou | 30,700 | 3,053,000 | 99.46 | 3,419,317 | 111.38 | 112 0 |
| Solano | 125,500 | 11,609,000 | 92.50 | 8,430,507 | 67.18 | 72.6 |
| Sonoma | 144,700 | 14,240,000 | 98.41 | 10,285,068 | 71 08 | 72.2 |
| Stanislaus | 149,700 | 15,129,000 | 101 06 | 14,113,556 | 94.28 | 93.3 |
| Sutter | 30,800 | 2,787,000 | 90.50 | 2,967,625 | 96.35 | 106 5 |
| Tehama | 22,800 | 2,281,000 | 100.03 | 2,280,761 | 100.03 | 100.0 |
| Trinity | 9,600 | 805,000 | 83.82 | 1,157,799 | 120.60 | 143.9 |
| Tulare | 151,200 | 14,650,000 | 96.89 | 15,591,438 | 103.12 | 106.4 |
| Tuolumne | 13,600 | 1,371,000 | 100.78 | 1,326,892 | 97.57 | 96.8 |
| Ventura | 175,300 | 17,665,000 | 100.77 | 10,295,043 | 58.73 | 58.3 |
| Yolo | 57,800 | 5,981,000 | 103 48 | 4,096,430 | 70.87 | 68.5 |
| Yuba | 26,600 | 3,059,000 | 114.99 | 2,952,332 | 110.99 | 96.5 |
| Statewide | 14,752,000 | $1,642,299,000 | $111.33 | $927,677,891 | $62.88 | 56.5 |

NOTE Column 1 as estimated by the State Department of Finance
Column 2 total revenue from major taxes and licenses for 1957-58 as shown in the printed budget allocated to counties on the basis of collections reported for sales tax and personal income tax and on a population basis for all other taxes.
Column 4 direct contributions to counties plus shared revenues as reported by the State Controller, exclusive of allocations or payments from Highway Users Tax Fund to cities.

## SCHEDULE 2

### PROPERTY TAXES IN CALIFORNIA COUNTIES, ASSESSED VALUATIONS AS OF FIRST MONDAY IN MARCH, 1958, TOTAL PROPERTY TAX LEVIES FOR 1957-58 FOR ALL LEVELS OF LOCAL GOVERNMENT, AND AVERAGE TAX RATE AS CALCULATED FOR PURPOSES OF 1958 PRIVATE CAR TAX ASSESSMENTS

| | (1) | (2) | | (4) | (5) |
|---|---|---|---|---|---|
| | | *Property tax levies, 1957-58* | | *Average tax rate per $100 of assessed valuation* | |
| *County* | *Assessed valuation 1958* | *Total* | *Per capita* | *Amount* | *Rank, lowest to highest* |
| Alameda | $1,295,260,659 | $91,830,000 | $103.55 | $7.38 | 54 |
| Alpine | 2,358,016 | 52,000 | 130 00 | 1.91 | 1 |
| Amador | 37,264,975 | 1,411,000 | 156.77 | 3.85 | 3 |
| Butte | 144,094,100 | 7,877,000 | 106.88 | 6 02 | 32 |
| Calaveras | 24,793,020 | 1,289,000 | 137.13 | 5.26 | 17 |
| Colusa | 44,138,566 | 2,025,000 | 174.57 | 4.72 | 8 |
| Contra Costa | 741,508,265 | 54,591,000 | 147.38 | 7.74 | 58 |
| Del Norte | 22,874,187 | 1,532,000 | 80.21 | 6 52 | 41 |
| El Dorado | 57,796,080 | 2,370,000 | 109.22 | 5.16 | 15 |
| Fresno | 747,082,280 | 37,331,000 | 108.39 | 5.33 | 18 |
| Glenn | 52,774,680 | 1,983,000 | 117.34 | 4.22 | 5 |
| Humboldt | 149,278,480 | 10,618,000 | 109.58 | 7.03 | 51 |
| Imperial | 105,918,016 | 6,621,000 | 93.52 | 6.41 | 39 |
| Inyo | 54,801,730 | 1,881,000 | 171.00 | 5.89 | 30 |
| Kern | 718,617,700 | 43,522,000 | 155.77 | 6.40 | 38 |
| Kings | 127,702,785 | 6,513,000 | 136.25 | 5.41 | 19 |
| Lake | 31,450,065 | 1,496,000 | 123.64 | 5.15 | 14 |
| Lassen | 22,869,130 | 1,129,000 | 81.22 | 4.96 | 10 |
| Los Angeles | 10,500,536,020 | 678,186,000 | 117.09 | 6.89 | 47 |
| Madera | 81,460,705 | 4,456,000 | 111.96 | 5.64 | 24 |
| Marin | 202,556,858 | 13,073,000 | 95.56 | 7.38 | 55 |
| Mariposa | 11,170,845 | 439,000 | 104.52 | 4.27 | 6 |
| Mendocino | 79,953,760 | 4,957,000 | 93.88 | 6.25 | 37 |
| Merced | 141,237,260 | 8,373,000 | 94.72 | 6.08 | 34 |
| Modoc | 23,805,285 | 1,225,000 | 134.61 | 5.10 | 13 |

| | | | | | |
|---|---|---|---|---|---|
| Mono | 19,795,930 | $39,000 | 364.78 | 4.33 | 7 |
| Monterey | 334,708,695 | 17,711,000 | 92.15 | 5.61 | 23 |
| Napa | 75,526,860 | 4,999,000 | 78.72 | 7.31 | 52 |
| Nevada | 38,105,740 | 1,844,000 | 103.02 | 4.97 | 11 |
| Orange | 1,045,455,090 | 61,095,000 | 102.37 | 6.57 | 42 |
| Placer | 99,798,845 | 4,815,000 | 93 68 | 5.02 | 12 |
| Plumas | 65,450,645 | 2,268,000 | 193.84 | 3.77 | 3 |
| Riverside | 536,626,280 | 28,841,000 | 111.70 | 5.96 | 31 |
| Sacramento | 525,280,300 | 37,157,000 | 82.35 | 7.48 | 56 |
| San Benito | 43,286,775 | 1,637,000 | 105.61 | 3.88 | 4 |
| San Bernardino | 749,272,630 | 44,938,000 | 95.60 | 6.72 | 44 |
| San Diego | 1,214,275,720 | 74,132,000 | 78 58 | 6.76 | 45 |
| San Francisco | 1,364,906,083 | 97,943,000 | 123 81 | 7.31 | 53 |
| San Joaquin | 391,971,315 | 26,836,000 | 111.35 | 7 03 | 50 |
| San Luis Obispo | 135,327,995 | 7,730,000 | 116 24 | 6 04 | 32 |
| San Mateo | 672,538,445 | 48,198,000 | 120.79 | 7.63 | 57 |
| Santa Barbara | 317,054,856 | 16,414,000 | 132 91 | 5.43 | 21 |
| Santa Clara | 961,104,670 | 58,190,000 | 102 49 | 6.89 | 48 |
| Santa Cruz | 136,819,003 | 7,655,000 | 107.51 | 5.75 | 27 |
| Shasta | 121,797,306 | 6,770,000 | 132 23 | 5 70 | 25 |
| Sierra | 6,031,070 | 283,000 | 117.92 | 5.23 | 16 |
| Siskiyou | 56,838,690 | 3,502,000 | 114.07 | 6.23 | 35 |
| Solano | 158,231,435 | 8,736,000 | 69.61 | 5.73 | 26 |
| Sonoma | 218,604,240 | 13,682,000 | 94.55 | 6.47 | 40 |
| Stanislaus | 217,715,610 | 11,104,000 | 94.21 | 6 79 | 46 |
| Sutter | 67,672,090 | 3,134,000 | 101 75 | 4.81 | 9 |
| Tehama | 46,940,781 | 2,500,000 | 109 65 | 5.84 | 28 |
| Trinity | 14,666,940 | 760,000 | 79 17 | 6.16 | 36 |
| Tulare | 279,000,270 | 18,190,000 | 120.30 | 6.97 | 49 |
| Tuolumne | 32,396,255 | 1,692,000 | 124.41 | 5 41 | 20 |
| Ventura | 425,296,100 | 22,692,000 | 129.45 | 5.54 | 22 |
| Yolo | 112,856,933 | 6,907,000 | 119.49 | 6.64 | 43 |
| Yuba | 50,044,155 | 2,792,000 | 104.96 | 5.87 | 29 |
| Statewide | $25,966,688,219 | $1,634,412,000 | $110.79 | $6.72 | |

NOTE: Columns 1, 2 and 4 from 1957-58 Annual Report of Board of Equalization

## SCHEDULE 3

### STATE TAX COLLECTIONS FROM ALL MAJOR TAXES AND LICENSES, STATE SUBVENTIONS, ASSESSED VALUATIONS AND TOTAL PROPERTY TAX LEVIES ON A PER CAPITA BASIS, BY COUNTIES

| | (1) | (2) | (3) | (4) | (5) | (6) | (7) |
|---|---|---|---|---|---|---|---|
| | *Per capita, 1957-58* | | *Subventions as a percent of tax collections* | *Per capita* | | *Property tax per $100 of assessed valuation* | |
| *County* | *State tax collections* | *State subventions* | | *Assessed valuation 1958* | *Property tax levies 1957-58* | *Amount* | *Rank, lowest to highest* |
| Alpine | $ 83.69 | $266 50 | 318.4 | $5,895 | $130 00 | $1 91 | 1 |
| Sierra | 82 50 | 197 31 | 239.1 | 2,513 | 117 92 | 5 23 | 16 |
| Mono | 111.91 | 211 96 | 189 4 | 8,607 | 364 78 | 1.33 | 1 |
| Trinity | 83 82 | 120 60 | 143 9 | 1,528 | 79 17 | 6.16 | 36 |
| Lassen | 130 90 | 130.90 | 141.7 | 1,645 | 81.22 | 4.96 | 10 |
| Mariposa | 115.27 | 148 70 | 129.0 | 2,660 | 104.52 | 4.27 | 6 |
| Modoc | 93.47 | 120 55 | 129 0 | 2,616 | 134.61 | 5 10 | 13 |
| Calaveras | 89 72 | 110 27 | 122 4 | 2,638 | 137.13 | 5 26 | 17 |
| Amador | 92 53 | 111.49 | 120 5 | 4,139 | 156.77 | 3 85 | 3 |
| Madera | 92 76 | 106 19 | 114 5 | 2,047 | 111.96 | 5 64 | 24 |
| Lake | 99 87 | 113 27 | 113 4 | 2,599 | 123 64 | 5 15 | 14 |
| Siskiyou | 99.46 | 111 38 | 112 0 | 1,851 | 114 07 | 6.23 | 35 |
| Inyo | 115 19 | 125 30 | 108 8 | 4,982 | 171 00 | 5.89 | 30 |
| Colusa | 110 46 | 119.77 | 108 5 | 3,805 | 174 57 | 4.72 | 8 |
| Sutter | 90.50 | 96 35 | 106 5 | 2,197 | 101 75 | 4 81 | 9 |
| Tulare | 96 89 | 103 12 | 106.4 | 1,815 | 120 30 | 6 97 | 49 |
| Tehama | 100.03 | 100 03 | 100 0 | 2,059 | 109.65 | 5.84 | 28 |
| Plumas | 96 88 | 95 95 | 99 0 | 5,594 | 193 84 | 3 77 | 2 |
| Mendocino | 93 65 | 91 09 | 97 3 | 1,514 | 93 88 | 6 25 | 37 |
| Tuolumne | 100 78 | 97.57 | 96.8 | 2,382 | 124.42 | 5.41 | 20 |
| Yuba | 114 99 | 110 99 | 96.5 | 1,881 | 104.96 | 5 87 | 29 |
| Humboldt | 104 91 | 98 25 | 93 7 | 1,541 | 109 58 | 7.03 | 51 |
| Stanislaus | 101 06 | 94 28 | 93 3 | 1,454 | 94 21 | 6.79 | 46 |
| Butte | 104 89 | 96 90 | 92 4 | 1,955 | 106 88 | 6 02 | 32 |
| Nevada | 100 98 | 92 75 | 91 9 | 2,129 | 103.02 | 4 97 | 11 |
| Santa Cruz | 104 83 | 96 11 | 91 7 | 1,922 | 107.51 | 5 75 | 27 |
| Shasta | 112 00 | 101.52 | 90 6 | 2,379 | 132 23 | 5.70 | 25 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Glenn | 103.02 | 93 25 | 90.5 | 3,123 | 117.34 | 4 22 | 5 |
| El Dorado | 105 09 | 94 88 | 90 3 | 2,663 | 109.22 | 5 16 | 15 |
| Imperial | 102.36 | 87 91 | 85 9 | 1,496 | 93.52 | 6.41 | 39 |
| Merced | 94 04 | 80.17 | 85 3 | 1,598 | 94.72 | 6 98 | 34 |
| Kings | 101 40 | 84 92 | 83 7 | 2,672 | 136 25 | 5.41 | 19 |
| Placer | 97 95 | 81 93 | 83 6 | 1,942 | 93 68 | 5 02 | 12 |
| San Luis Obispo | 99 34 | 83 04 | 83 6 | 2,035 | 116 24 | 6 04 | 32 |
| San Benito | 92 21 | 76 28 | 82 7 | 2,793 | 105.61 | 3.88 | 4 |
| Fresno | 105 97 | 87.06 | 82 2 | 2.169 | 108.39 | 5 33 | 18 |
| Del Norte | 95 01 | 74 14 | 78 0 | 1,198 | 80 21 | 6 52 | 41 |
| Contra Costa | 97 99 | 71 91 | 76 4 | 2,002 | 147.38 | 7 74 | 58 |
| Kern | 107.39 | 77 99 | 72.5 | 2,572 | 155.77 | 6 40 | 38 |
| Sonoma | 98 41 | 71.07 | 72 2 | 1.511 | 94.55 | 6 47 | 40 |
| San Joaquin | 101.25 | 71 79 | 70 9 | 1,626 | 111.35 | 7.05 | 50 |
| San Bernardino | 100 09 | 68.69 | 68 6 | 1.593 | 95.60 | 6.72 | 44 |
| Yolo | 103 48 | 70 87 | 68 5 | 1,953 | 119 49 | 6 64 | 43 |
| Riverside | 103 29 | 70 58 | 68 3 | 2.078 | 111.70 | 5 96 | 31 |
| Napa | 94 50 | 64 27 | 68 0 | 1.189 | 78 72 | 7 31 | 52 |
| Sacramento | 106 89 | 68 12 | 63 7 | 1.164 | 82 35 | 7 48 | 56 |
| Ventura | 100.77 | 58 73 | 58 3 | 2,483 | 129.45 | 5 54 | 42 |
| Orange | 98 97 | 57 55 | 55 5 | 1,752 | 102 37 | 6 57 | 42 |
| Santa Clara | 104 79 | 57 82 | 55 2 | 1,672 | 102 49 | 6 89 | 45 |
| Monterey | 96 78 | 52 53 | 54 0 | 1.741 | 92 15 | 5 61 | 23 |
| San Diego | 101 78 | 54 24 | 53 3 | 1,287 | 78 58 | 6 76 | 45 |
| Alameda | 114 47 | 59 97 | 52 3 | 1,460 | 103 55 | 7 38 | 54 |
| Marin | 101 79 | 51 37 | 50 5 | 1,481 | 95 56 | 7.38 | 55 |
| San Mateo | 111.03 | 55 32 | 49 8 | 1,685 | 120 79 | 7 63 | 57 |
| Los Angeles | 118 24 | 57 27 | 48 4 | 1.813 | 117.09 | 6 89 | 47 |
| Santa Barbara | 121 68 | 58 66 | 48 2 | 2,567 | 132 91 | 5 43 | 21 |
| San Francisco | 139.53 | 44 91 | 32 1 | 1.725 | 123.81 | 7 31 | 53 |
| Statewide average | $111 33 | $ 62.88 | 56 5 | $1,760 | $110 79 | $6 72 | |

NOTE Column 1 is based on total revenue from major taxes and licenses for 1957-58 as shown in the printed budget allocated to counties on the basis of collections reported for sales tax and personal income tax and on a population basis for all other taxes.

Column 2 is based on direct contributions to counties plus shared revenues as reported by the State Controller exclusive for allocations or payments from Highway Users Tax Fund to cities

Columns 4, 5 and 6 from 1957-58 Annual Report of Board of Equalization.

Column 6 is average property tax rate completed by Board of Equalization for purposes of 1958 private car tax assessments

SCHEDULE 4

SUBVENTIONS AS PERCENT OF STATE TAX COLLECTIONS AND PROPERTY TAX PER $100 OF ASSESSED VALUATION, FOR SELECTED COUNTIES, 1957-58

| | *Subventions as percent of state tax collections* | | *Percent tax per $100 of assessed valuation* | |
|---|---|---|---|---|
| *County* | *Percent* | *Rank, highest to lowest* | *Amount* | *Rank, lowest to highest* |
| Alpine | 318.4% | 1 | $1.91 | 1 |
| Sierra | 239.1 | 2 | 5.23 | 16 |
| Mono | 189 4 | 3 | 4.33 | 7 |
| Siskiyou | 112.0 | 12 | 6 23 | 35 |
| Butte | 92.4 | 24 | 6 02 | 32 |
| Fresno | 82 2 | 36 | 5 33 | 18 |
| Ventura | 58.3 | 48 | 5 54 | 22 |
| Los Angeles | 48 4 | 56 | 6 89 | 47 |
| Santa Barbara | 48.2 | 57 | 5.43 | 21 |
| San Francisco | 32 1 | 58 | 7.31 | 53 |
| Statewide average | 56 5% | | $6.72 | |

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 146**: By Mr. Hawkins—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-sixth day of May, 1959.

### Request for Unanimous Consent

Mr. Hawkins was granted unanimous consent to take up Assembly Concurrent Resolution No. 146 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 146

**Assembly Concurrent Resolution No. 146**—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-sixth day of May, 1959.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lunardi, Marks, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—49.
NOES—None.

Resolution ordered printed, and transmitted to the Senate.

## ANNOUNCEMENT

Speaker Brown announced that through June 6th, the end of the twenty-second week and 103 legislative days in session, total measures introduced which have to be acted upon by each house is:

| | |
|---|---|
| Assembly measures | 3,148 |
| Senate measures | 1,638 |
| Total | 4,786 |

Through Saturday, June 6th, the Assembly has passed:

| | |
|---|---|
| Assembly measures | 1,695 |
| Senate measures | 461 |
| Total | 2,156 |

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 2723

In compliance with a motion given on a previous day, Mr. Beaver moved that the vote whereby the amendments by Mr. Petris to Assembly Bill No 2723 were adopted be reconsidered.

Amendments reconsidered by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—None.

### Further Consideration of Amendments

The question being on the adoption of the amendments by Mr. Petris.

Mr. Petris moved the adoption of the following amendments:

### Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately.", and insert a period.

### Amendment No. 2

On page 2, strike out lines 12 to 33, inclusive.

### Amendment No. 3

On page 1, line 15, after the comma, insert "such termination being when a majority of the insurance agents who were on strike have returned to work.".

Amendments read.

### Demand for Previous Question

Messrs. Ernest R. Geddes, Holmes, Schrade, Bee, and Waldie demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

Amendments refused adoption.

Assembly Bill No. 2723 ordered returned to third reading.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 800?

(Item 3)

Amendment No. 1

On page 2, line 8, of the printed bill as amended in Assembly May 21, 1959, strike out "21,600", and insert "22,800".

(Item 4)

Amendment No. 2

On page 2, line 14, strike out "1,069,593" and insert "1,226,593".

(Item 11)

Amendment No. 3

On page 2, line 37, strike out "48,447", and insert "53,964".

Amendment No. 4

On page 2, line 42, strike out "14,619", and insert "20,136".

Amendment No. 5

On page 2, line 48, strike out "48,447", and insert "53,964".

(Item 27)

Amendment No. 6

On page 4, after line 17, insert

"27—For support of the California Disaster Office, California State Disaster Council and advisory committees ..... 1,042,886
and in addition any amounts received from federal grants or other sources shall be available for expenditure in accordance with the provisions of this item".

(Item 29)

Amendment No. 7

On page 4, line 44, strike out "338,470", and insert "337,270".

Amendment No. 8

On page 4, line 49, strike out "228,849", and insert "227,649".

Amendment No. 9

On page 4, line 52, strike out "997,770", and insert "996,570".

Amendment No. 10

On page 5, line 5, strike out "338,470", and insert "337,270".

(Item 32)

Amendment No. 11

On page 5, line 25, strike out "326,713", and insert "338,217".

Amendment No. 12

On page 5, line 27, strike out "277,745", and insert "287,765".

Amendment No. 13

On page 5, line 29, strike out "56,733", and insert "58,217".

Amendment No. 14

On page 5, line 31, strike out "334,478", and insert "345,982".

Amendment No. 15

On page 5, line 34, strike out "326,713", and insert "338,217".

(Item 34)

Amendment No. 16

On page 5, line 51, strike out "8,021,641", and insert "7,921,641".

**Amendment No. 17**

On page 6, strike out line 10, and insert:

"Less estimated amounts available from other sources:

| | |
|---|---|
| (c) Reimbursements | 736,227 |
| (d) Unallocated reduction | 100,000". |

**Amendment No. 18**

On page 6, line 13, strike out "8,021,641", and insert "7,921,641".

(Item 44)

**Amendment No. 19**

On page 8, line 17, strike out "2,130,972", and insert "2,126,568".

**Amendment No. 20**

On page 8, line 19, strike out "1,249,399", and insert "1,244,995".

**Amendment No. 21**

On page 8, line 24, strike out "2,147,727", and insert "2,143,323".

**Amendment No. 22**

On page 8, line 27, strike out "2,130,972", and insert "2,126,568".

(Item 45)

**Amendment No. 23**

On page 8, line 31, strike out "4,950,012", and insert "4,945,491".

**Amendment No. 24**

On page 8, line 34, strike out "3,349,049", and insert "3,342,380".

**Amendment No. 25**

On page 8, line 42, strike out "5,548,742", and insert "5,542,073".

**Amendment No. 26**

On page 8, line 44, strike out "598,730", and insert "596,582".

**Amendment No. 27**

On page 8, line 47, strike out "4,950,012", and insert "4,945,491".

(Item 46)

**Amendment No. 28**

On page 8, line 51, strike out "3,730,917", and insert "3,713,507".

**Amendment No. 29**

On page 9, line 4, strike out "2,378,388", and insert "2,355,978".

**Amendment No. 30**

On page 9, line 7, strike out "1,688,914", and insert "1,693,914".

**Amendment No. 31**

On page 9, line 12, strike out "4,161,030", and insert "4,143,620".

**Amendment No. 32**

On page 9, line 17, strike out "3,730,917", and insert "3,713,507".

(Item 48)

**Amendment No. 33**

On page 9, line 41, strike out "5,269,815", and insert "5,261,007".

**Amendment No. 34**

On page 9, line 44, strike out "3,253,455", and insert "3,244,647".

**Amendment No. 35**

On page 9, line 52, strike out "5,618,415", and insert "5,609,607"

**Amendment No. 36**

On page 10, line 6, strike out "5,269,815", and insert "5,261,007".

(Item 49)

**Amendment No. 37**

On page 10, line 9, strike out "3,118,955", and insert "3,115,265".

**Amendment No. 38**

On page 10, line 11, strike out "2,080,043", and insert "2,076,353".

**Amendment No. 39**

On page 10, line 16, strike out "3,162,943", and insert "3,159,253".

**Amendment No. 40**

On page 10, line 19, strike out "3,118,955", and insert "3,115,265".

(Item 50)

**Amendment No. 41**

On page 10, line 36, strike out "1,349,264", and insert "1,351,466".

**Amendment No. 42**

On page 10, line 39, strike out "857,022", and insert "859,224".

**Amendment No. 43**

On page 10, line 46, strike out "1,369,470", and insert "1,371,672".

**Amendment No. 44**

On page 10, line 50, strike out "1,349,264", and insert "1,351,466".

(Item 51)

**Amendment No. 45**

On page 11, line 4, strike out "227,054", and insert "239,431".

**Amendment No. 46**

On page 11, line 6, strike out "185,703", and insert "195,555".

**Amendment No. 47**

On page 11, line 8, strike out "41,351", and insert "43,876".

**Amendment No. 48**

On page 11, line 10, strike out "227,054", and insert "239,431".

(Item 62)

**Amendment No. 49**

On page 13, line 23, strike out "1,288,446", and insert "1,282,195".

**Amendment No. 50**

On page 13, line 25, strike out "969,807", and insert "964,035".

**Amendment No. 51**

On page 13, line 27, strike out "327,154", and insert "326,675".

**Amendment No. 52**

On page 13, line 29, strike out "1,296,961", and insert "1,290,710".

**Amendment No. 53**

On page 13, line 32, strike out "1,288,446", and insert "1,282,195".

(Item 64)

**Amendment No. 54**

On page 13, line 48, strike out "879,926", and insert "858,605".

**Amendment No. 55**

On page 14, line 4, strike out "591,396", and insert "570,075".

**Amendment No. 56**

On page 14, line 9, strike out "893,826", and insert "872,505".

**Amendment No. 57**

On page 14, line 13, strike out "879,926", and insert "858,605".

(Item 65)

**Amendment No. 58**

On page 14, line 16, strike out "1,003,964", and insert "997,988".

**Amendment No. 59**

On page 14, line 18, strike out "789,481", and insert "783,505".

**Amendment No. 60**

On page 14, line 22, strike out "1,011,214", and insert "1,005,238".

**Amendment No. 61**

On page 14, line 25, strike out "1,003,964", and insert "997,988".

(Item 66)

**Amendment No. 62**

On page 14, line 29, strike out "835,695", and insert "835,387".

**Amendment No. 63**

On page 14, line 32, strike out "659,553", and insert "659,245".

**Amendment No. 64**

On page 14, line 37, strike out "844,690", and insert "844,382"

**Amendment No. 65**

On page 14, line 41, strike out "835,695", and insert "835,387".

(Item 67)

**Amendment No. 66**

On page 14, line 49, strike out "3,056,027", and insert "2,908,027".

**Amendment No. 67**

On page 15, line 4, strike out "2,980,725", and insert "2,984,725".

**Amendment No. 68**

On page 15, line 7, strike out "975,002", and insert "981,002".

**Amendment No. 69**

On page 15, line 10, strike out "3,955,727", and insert "3,965,727".

**Amendment No. 70**

On page 15, line 14, strike out "814,400", and insert "972,400".

**Amendment No. 71**

On page 15, line 20, strike out "3,056,027", and insert "2,908,027".

(Item 76)

**Amendment No. 72**

On page 17, line 20, strike out "2,836,122", and insert "2,835,622".

**Amendment No. 73**

On page 17, line 27, strike out "474,682", and insert "474,182".

**Amendment No. 74**

On page 17, line 30, strike out "3,230,783", and insert "3,230,283".

**Amendment No. 75**

On page 17, line 35, strike out "2,836,122", and insert "2,835,622".

(Item 78)

**Amendment No. 76**

On page 17, line 50, strike out "4,143,358", and insert "4,142,858".

**Amendment No. 77**

On page 18, line 8, strike out "763,162", and insert "762,662".

**Amendment No. 78**

On page 18, line 11, strike out "5,016,437", and insert "5,015,937".

**Amendment No. 79**

On page 18, line 16, strike out "4,143,358", and insert "4,142,858".

(Item 80)

**Amendment No. 80**

On page 18, line 31, strike out "2,236,256", and insert "2,235,756".

**Amendment No. 81**

On page 18, line 38, strike out "417,242", and insert "416,742".

**Amendment No. 82**

On page 18, line 41, strike out "2,499,011", and insert "2,498,511".

**Amendment No. 83**

On page 18, line 46, strike out "2,236,256", and insert "2,235,756".

(Item 81)

**Amendment No. 84**

On page 18, line 49, strike out "5,032,851", and insert "5,032,351".

**Amendment No. 85**

On page 19, line 7, strike out "938,459", and insert "937,959".

**Amendment No. 86**

On page 19, line 10, strike out "6,156,772", and insert "6,156,272"

**Amendment No. 87**

On page 19, line 15, strike out "5,032,851", and insert "5,032,351".

(Item 82)

**Amendment No. 88**

On page 19, line 19, strike out "5,280,782", and insert "5,280,282".

**Amendment No. 89**

On page 19, line 26, strike out "933,063", and insert "932,563".

**Amendment No. 90**

On page 19, line 29, strike out "6,390,918", and insert "6,390,418".

**Amendment No. 91**

On page 19, line 34, strike out "5,280,782", and insert "5,280,282".

(Item 84)

**Amendment No. 92**

On page 20, line 6, strike out "3,223,519", and insert "3,223,019".

**Amendment No. 93**

On page 20, line 13, strike out "586,934", and insert "586,434".

**Amendment No. 94**

On page 20, line 16, strike out "3,863,913", and insert "3,863,413".

**Amendment No. 95**

On page 20, line 21, strike out "3,223,519", and insert "3,223,019".

(Item 85)

**Amendment No. 96**

On page 20, line 24, strike out "5,511,273", and insert "5,510,773".

**Amendment No. 97**

On page 20, line 31, strike out "899,334", and insert "898,834".

**Amendment No. 98**

On page 20, line 34, strike out "6,478,328", and insert "6,477,828".

**Amendment No. 99**

On page 20, line 39, strike out "5,511,273", and insert "5,510,773".

(Item 86)

**Amendment No. 100**

On page 20, line 43, strike out "2,402,030", and insert "2,401,530".

**Amendment No. 101**

On page 21, line 6, strike out "582,746", and insert "582,246".

**Amendment No. 102**

On page 21, line 9, strike out "2,818,177", and insert "2,817,677".

**Amendment No. 103**

On page 21, line 14, strike out "2,402,030", and insert "2,401,530".

(Item 87)

**Amendment No. 104**

On page 21, line 17, strike out "6,352,241", and insert "6,351,741".

**Amendment No. 105**

On page 21, line 24, strike out "1,275,413", and insert "1,274,913".

**Amendment No. 106**

On page 21, line 27, strike out "7,959,398", and insert "7,958,898".

**Amendment No. 107**

On page 21, line 32, strike out "6,352,241", and insert "6,351,741".

(Item 88)

**Amendment No. 108**

On page 21, line 35, strike out "8,725,097", and insert "8,724,597".

**Amendment No. 109**

On page 21, line 42, strike out "1,416,972", and insert "1,416,472"

**Amendment No. 110**

On page 21, line 45, strike out "10,081,981", and insert "10,081,481".

**Amendment No. 111**

On page 21, line 50, strike out "8,725,097", and insert "8,724,597".

(Item 91)

**Amendment No. 112**

On page 22, line 33, strike out "406,251", and insert "410,866"

**Amendment No. 113**

On page 22, line 36, strike out "391,566", and insert "395,658"

**Amendment No. 114**

On page 22, line 39, strike out "193,623", and insert "194,146".

**Amendment No. 115**

On page 22, line 42, strike out "585,189", and insert "589,804".

**Amendment No. 116**

On page 22, line 46, strike out "406,251", and insert "410,866".

(Item 94)

**Amendment No. 117**

On page 23, line 25, strike out "1,505,191", and insert "1,497,991".

**Amendment No. 118**

On page 23, line 29, strike out "254,565", and insert "247,365".

**Amendment No. 119**

On page 23, line 31, strike out "1,528,167", and insert "1,520,967"

**Amendment No. 120**

On page 23, line 34, strike out "1,505,191", and insert "1,497,991".

(Item 103)

**Amendment No. 121**

On page 25, line 19, strike out "89,793,871", and insert "89,721,822".

(Item 108.5)

Amendment No. 122

On page 25, after line 48, insert:

"108.5—For research regarding the control of gnats, University of California, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professoins Code, exempt from Section 34 of this act---------- 30,000".

(Item 109)

Amendment No. 123

On page 25, line 52, strike out "396,770", and insert "433,826".

(Item 112)

Amendment No. 124

On page 26, line 33, strike out "3,104,142", and insert "3,149,752".

Amendment No. 125

On page 26, line 36, strike out "3,103,578", and insert "3,144,218".

Amendment No. 126

On page 26, line 39, strike out "1,084,285", and insert "1,089,255".

Amendment No. 127

On page 26, line 42, strike out "4,187,863", and insert "4,233,473".

Amendment No. 128

On page 27, line 10, strike out "3,104,142", and insert "3,149,752".

Amendment No. 129

On page 27, after line 10, insert "provided, however, that of the amount appropriated in this item, the sum of $45,610 shall not be available for expenditure until the Department of Finance has determined the feasibility of an electronic data processing system.".

(Item 117)

Amendment No. 130

On page 27, line 23, strike out "11,676,063", and insert "12,383,565".

Amendment No. 131

On page 27, line 26, strike out "13,159,174", and insert "13,340,699".

Amendment No. 132

On page 27, line 29, strike out "2,673,530", and insert "3,212,130".

Amendment No. 133

On page 27, line 32, strike out "15,832,704", and insert "16,552,829".

Amendment No. 134

On page 27, line 34, strike out "4,156,641", and insert "4,169,264"

Amendment No. 135

On page 27, line 37, strike out "11,676,063", and insert "12,383,565".

(Item 121)

Amendment No. 136

On page 28, line 22, strike out "7,498,269", and insert "7,323,269".

Amendment No. 137

On page 28, line 26, strike out "4,009,674", and insert "3,834,674".

Amendment No. 138

On page 28, line 28, strike out "12,798,332", and insert "12,623,332".

Amendment No. 139

On page 28, line 39, strike out "7,498,269", and insert "7, 323.269".

Amendment No. 140

On page 28, line 48, strike out "350,000", and insert "175,000".

(Item 124)

Amendment No. 141

On page 29, line 11, strike out "2,083,607", and insert "2,106,467".

(Item 125)

Amendment No. 142

On page 29, line 18, strike out "377,500", and insert "400,360".

(Item 129)

Amendment No. 143

On page 29, line 44, strike out "1,015,468", and insert "988,468".

Amendment No. 144

On page 29, line 49, strike out "423,551", and insert "396,551".

Amendment No. 145

On page 29, line 52, strike out "1,051,839", and insert "1,024,839".

Amendment No. 146

On page 30, line 5, strike out "1,015,468", and insert "988,468".

(Item 130)

Amendment No. 147

On page 30, line 8, strike out "6,726,681", and insert "6,687,558".

Amendment No. 148

On page 30, line 11, strike out "5,721,939", and insert "5,694,063".

Amendment No. 149

On page 30, line 14, strike out "1,004,742", and insert "993,495".

Amendment No. 150

On page 30, line 17, strike out "6,726,681", and insert "6,687,558".

(Item 132)

Amendment No. 151

On page 30, line 36, strike out "27,239,887", and insert "27,875,616".

Amendment No. 152

On page 30, line 39, strike out "19,323,329", and insert "19,679,067".

Amendment No. 153

On page 30, line 42, strike out "8,146,098", and insert "8,426,089"

Amendment No. 154

On page 30, line 45, strike out "27,469,427", and insert "28,105,156".

Amendment No. 155

On page 30, line 49, strike out "27,239,887", and insert "27,875,616".

Amendment No. 156

On page 31, line 12, after "auxiliary", insert "; provided further, that of the amount appropriated by this item, $75,000 shall be available only for allocation to the Joint Legislative Budget Committee for a study to be made of the organization and functions of the Department of the California Highway Patrol by an organization or firm outside the state services; provided further, that no money appropriated for this item shall be paid for the salary of or other compensation of any uniformed member of the Department of the California Highway Patrol who engages in the functions of a Legislative Advocate; provided further, that none of the money appropriated by this item shall be used for the rental or purchase of any electronic timing devices used to determine speed upon the highways; provided further, that the State Personnel Board shall review the duties of all uniformed personnel assigned to headquarters and the duties of all uniformed personnel assigned to scale houses at the earliest possible date in order to determine which functions may properly be transferred to civilian employees so that the maximum number of uniformed personnel may be assigned to enforcement duties on road patrol; provided further that the report of the Personnel Board shall be furnished to the Legislative Analyst, the Department of Finance, and the Department of the California Highway Patrol not later than November 1, 1959".

(Item 135)

Amendment No. 157

On page 31, lines 45, 46 and 47, strike out "the establishment and support of offices in San Francisco, Los Angeles and Fresno for the".

**Amendment No. 158**

On page 31, line 47, before "Fair", insert "support of State".

**Amendment No. 159**

On page 31, line 48, after "Commission", insert "and Division of Fair Employment Practices, Department of Industrial Relations"

**Amendment No. 160**

On page 31, line 48, strike out "240,000", and insert "202,953".

(Item 139)

**Amendment No. 161**

On page 32, line 36, strike out "5,705,791", and insert "5,753,280".

**Amendment No. 162**

On page 32, line 39, strike out "5,007,884", and insert "4,983,816".

**Amendment No. 163**

On page 32, line 42, strike out "1,475,758", and insert "1,545,315".

**Amendment No. 164**

On page 32, line 45, strike out "6,481,642", and insert "6,529,131"

**Amendment No. 165**

On page 32, line 49, strike out "5,705,791", and insert "5,753,280".

(Item 143)

**Amendment No. 166**

On page 33, line 19, strike out "3,730,944", and insert "3,734,574".

**Amendment No. 167**

On page 33, line 22, strike out "2,936,685", and insert "2,940,315".

**Amendment No. 168**

On page 33, line 28, strike out "3,912,389", and insert "3,916,019"

**Amendment No. 169**

On page 33, line 36, strike out "3,730,944", and insert "3,734,574".

(Item 148)

**Amendment No. 170**

On page 34, line 28, strike out "666,230", and insert "677,222"

**Amendment No. 171**

On page 34, line 31, strike out "658,911", and insert "669,903".

**Amendment No. 172**

On page 34, line 36, strike out "755,682", and insert "766,674".

**Amendment No. 173**

On page 34, line 44, strike out "666,230", and insert "677,222"

(Item 151)

**Amendment No. 174**

On page 35, line 26, strike out "8,784,723", and insert "8,741,818".

**Amendment No. 175**

On page 35, line 29, strike out "6,885,746", and insert "6,843,914".

**Amendment No. 176**

On page 35, line 32, strike out "1,996,623", and insert "1,995,550".

**Amendment No. 177**

On page 35, line 35, strike out "8,882,369", and insert "8,839,464"

**Amendment No. 178**

On page 35, line 39, strike out "8,784,723", and insert "8,741,818".

(Item 152)

**Amendment No. 179**

On page 35, line 41, strike out "3,138,828", and insert "3,053,479".

**Amendment No. 180**

On page 35, line 43, strike out "2,491,896", and insert "2,407,065".

**Amendment No. 181**

On page 35, line 45, strike out "686,420", and insert "685,902".

**Amendment No. 182**

On page 35, line 47, strike out "3,178,316", and insert "3,092,967".

**Amendment No. 183**

On page 35, line 50, strike out "3,138,828", and insert "3,053,479"

(Item 153)

**Amendment No. 184**

On page 36, line 4, strike out "11,083,655", and insert "11,032,546"

**Amendment No. 185**

On page 36, line 7, strike out "8,563,253", and insert "8,513,735".

**Amendment No. 186**

One page 36, line 10, strike out "2,713,689", and insert "2,712,098".

**Amendment No. 187**

On page 36, line 13, strike out "11,276,942", and insert "11,225,833"

**Amendment No. 188**

On page 36, line 17, strike out "11,083,655", and insert "11,032,546".

(Item 154)

**Amendment No. 189**

On page 36, line 20, strike out "5,342,043", and insert "5,276,327".

**Amendment No. 190**

On page 36, line 23, strike out "3,908,203", and insert "3,843,301".

**Amendment No. 191**

On page 36, line 26, strike out "1,500,896", and insert "1,500,082"

**Amendment No. 192**

On page 36, line 29, strike out "5,409,099", and insert "5,343,383".

**Amendment No. 193**

On page 36, line 33, strike out "5,342,043", and insert "5,276,327".

(Item 155)

**Amendment No. 194**

On page 36, line 35, strike out "4,935,347", and insert "4,844,239".

**Amendment No. 195**

On page 36, line 37, strike out "3,868,688", and insert "3,778,394"

**Amendment No. 196**

On page 36, line 39, strike out "1,160,464", and insert "1,159,650".

**Amendment No. 197**

On page 36, line 41, strike out "5,029,152", and insert "4,938,044".

**Amendment No. 198**

On page 36, line 44, strike out "4,935,347", and insert "4,844,239".

(Item 156)

**Amendment No. 199**

On page 36, line 47, strike out "7,324,353", and insert "7,296,486"

**Amendment No. 200**

On page 37, line 4, strike out "5,534,526", and insert "5,507,472".

**Amendment No. 201**

On page 37, line 7, strike out "1,877,260", and insert "1,876,447".

**Amendment No. 202**

On page 37, line 10, strike out "7,411,786", and insert "7,383,919".

**Amendment No. 203**

On page 37, line 14, strike out "7,324,353", and insert "7,296,486".

**(Item 157)**

**Amendment No. 204**

On page 37, line 17, strike out "5,736,509", and insert "5,635,293".

**Amendment No. 205**

On page 37, line 19, strike out "4,361,868", and insert "4,264,252".

**Amendment No. 206**

One page 37, line 22, strike out "1,435,585", and insert "1,431,985".

**Amendment No. 207**

On page 37, line 25, strike out "5,797,453", and insert "5,696,237".

**Amendment No. 208**

On page 37, line 29, strike out "5,736,509", and insert "5,635,293".

**(Item 158)**

**Amendment No. 209**

On page 37, line 32, strike out "9,859,852", and insert "9,752,650".

**Amendment No. 210**

On page 37, line 35, strike out "7,657,482", and insert "7,550,335".

**Amendment No. 211**

On page 37, line 38, strike out "2,307,410", and insert "2,307,355".

**Amendment No. 212**

On page 37, line 41, strike out "9,964,892", and insert "9,857,690".

**Amendment No. 213**

On page 37, line 45, strike out "9,859,852", and insert "9,752,650".

**(Item 159)**

**Amendment No. 214**

On page 37, line 48, strike out "9,100,497", and insert "9,060,017".

**Amendment No. 215**

On page 38, line 4, strike out "7,198,983", and insert "7,159,575".

**Amendment No. 216**

On page 38, line 7, strike out "1,990,035", and insert "1,988,963".

**Amendment No. 217**

On page 38, line 10, strike out "9,189,018", and insert "9,148,538"

**Amendment No. 218**

On page 38, line 14, strike out "9,100,497", and insert "9,060,017".

**(Item 160)**

**Amendment No. 219**

On page 38, line 17, strike out "8,371,605", and insert "8,181,865"

**Amendment No. 220**

On page 38, line 20, strike out "6,468,570", and insert "6,278,830".

**Amendment No. 221**

On page 38, line 26, strike out "8,442,472", and insert "8,252,732".

**Amendment No. 222**

On page 38, line 30, strike out "8,371,605", and insert "8,181,865".

(Item 161)

**Amendment No. 223**

On page 38, line 32, strike out "4,136,297", and insert "4,091,519".

**Amendment No. 224**

On page 38, line 34, strike out "3,436,763", and insert "3,391,985"

**Amendment No. 225**

On page 38, line 38, strike out "4,165,149", and insert "4,120,371".

**Amendment No. 226**

On page 38, line 41, strike out "4,136,297", and insert "4,091,519".

(Item 162)

**Amendment No. 227**

On page 38, line 44, strike out "7,317,279", and insert "7,215,929".

**Amendment No. 228**

On page 38, line 46, strike out "5,818,022", and insert "5,717,744".

**Amendment No. 229**

On page 38, line 49, strike out "1,593,387", and insert "1,592,315".

**Amendment No. 230**

On page 38, line 52, strike out "7,411,409", and insert "7,310,059".

**Amendment No. 231**

On page 39, line 5, strike out "7,317,279", and insert "7,215,929"

(Item 163)

**Amendment No. 232**

On page 39, line 8, strike out "5,991,704", and insert "5,964,612".

**Amendment No. 233**

On page 39, line 10, strike out "4,728,839", and insert "4,702,301".

**Amendment No. 234**

On page 39, line 13, strike out "1,312,481", and insert "1,311,927".

**Amendment No. 235**

On page 39, line 16, strike out "6,041,320", and insert "6,014,228".

**Amendment No. 236**

On page 39, line 20, strike out "5,991,704", and insert "5,964,612".

(Item 164)

**Amendment No. 237**

On page 39, line 23, strike out "8,728,911", and insert "8,592,675".

**Amendment No. 238**

On page 39, line 25, strike out "7,026,819" and insert "6,890,583".

**Amendment No. 239**

On page 39, line 31, strike out "8,826,665", and insert "8,690,429"

**Amendment No. 240**

On page 39, line 35, strike out "8,728,911", and insert "8,592,675".

(Item 165.1)

**Amendment No. 241**

On page 40, strike out lines 9 through 17, inclusive.

(Item 170)

**Amendment No. 242**

On page 41, line 19, strike out "8,605,799", and insert "8,590,679".

**Amendment No. 243**

On page 41, line 22, strike out "5,149,289", and insert "5,143,431".

**Amendment No. 244**

On page 41, line 25, strike out "4,040,794", and insert "4,031,532".

**Amendment No. 245**

On page 41, line 28, strike out "9,190,083", and insert "9,174,963".

**Amendment No. 246**

On page 41, line 32, strike out "8,605,799", and insert "8,590,679".

**(Item 170.1)**

**Amendment No. 247**

On page 41, after line 32, insert

170.1—For removal of log jams and other barriers in streams in the Noyo River watershed, Mendocino County, which prevent or impede the movement of migratory fish in such streams, Department of Fish and Game, payable from the Fish and Game Preservation Fund.. 18,000"

**(Item 175)**

**Amendment No. 248**

On page 42, line 10, strike out "226,136", and insert "231,636"

**(Item 178)**

**Amendment No. 249**

On page 42, line 46, strike out "7,073,669", and insert "7,125,517"

**Amendment No. 250**

On page 43, line 4, strike out "4,654,651", and insert "4,701,499"

**Amendment No. 251**

On page 43, line 7, strike out "2,602,172", and insert, "2,607,172".

**Amendment No. 252**

On page 43, line 10, strike out "7,256,823", and insert "7,308,671"

**Amendment No. 253**

On page 43, line 14, strike out "7,073,669", and insert "7,125,517"

**(Item 179)**

**Amendment No. 254**

On page 43 strike out lines 19 to 29, inclusive, and insert

"179—For operation and maintenance of roadside rests, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach and Park Fund---------- ---------- 12,500"

**(Item 182)**

**Amendment No. 255**

On page 43, line 44, strike out "16,641,218", and insert "16,569,611".

**Amendment No. 256**

On page 44, line 4, strike out "13,541,094", and insert "13,477,989".

**Amendment No. 257**

On page 44, line 7, strike out "6,130,986", and insert "6,122,484".

**Amendment No. 258**

On page 44, line 10, strike out "19,672,080", and insert "19,600,473".

**Amendment No. 259**

On page 44, line 14, strike out "16,641,218", and insert "16,569,611"

**(Item 183)**

**Amendment No. 260**

On page 44, line 21, strike out "1,254,978", and insert "1,248,020".

**Amendment No. 261**

On page 44, line 23, strike out "317,432", and insert "315,902"

**Amendment No. 262**

On page 44, line 24, strike out "428,352", and insert "425,626"

**Amendment No. 263**

On page 44, line 25, strike out "100,853", and insert "100,407"

**Amendment No. 264**

On page 44, line 26, strike out "98,515", and insert "98,224"

**Amendment No. 265**

On page 44, line 27, strike out "152,515", and insert "151,599".

**Amendment No. 266**

On page 44, line 28, strike out "157,311", and insert "156,262".

**Amendment No. 267**

On page 44, line 30, strike out "1,254,978", and insert "1,248,020"

(Item 184)

**Amendment No. 268**

On page 44, line 37, strike out "997,671" and insert "992,178".

(Item 190)

**Amendment No. 269**

On page 45, line 32, strike out "41,000", and insert "20,500".

(Item 191)

**Amendment No. 270**

On page 45, line 41, strike out "566,625", and insert "706,125".

**Amendment No. 271**

On page 45, line 45, strike out "403,066", and insert "431,766".

**Amendment No. 272**

On page 45, line 47, strike out "217,059", and insert "327,859".

**Amendment No. 273**

On page 45, line 49, strike out "620,125", and insert "759,625".

**Amendment No. 274**

On page 46, line 6, strike out "566,625", and insert "706,125"

(Item 201)

**Amendment No. 275**

On page 47, line 52, strike out "7,291,565", and insert "7,156,619".

**Amendment No. 276**

On page 48, line 4, strike out "6,581,527", and insert "6,513,241"

**Amendment No. 277**

On page 48, line 7, strike out "3,045,609", and insert "2,938,959".

**Amendment No. 278**

On page 48, line 10, strike out "9,627,136", and insert "9,452,200"

**Amendment No. 279**

On page 48, line 14, strike out "326,367", and insert "286,377".

**Amendment No. 280**

On page 48, line 20, strike out "7,291,565", and insert "7,156,619"

(Item 205)

**Amendment No. 281**

On page 49, line 10, strike out "85,425", and insert "83,925".

**Amendment No. 282**

On page 49, line 14, strike out "39,311", and insert "37,811"

**Amendment No. 283**

On page 49, line 16, strike out "86,375", and insert "84,875".

**Amendment No. 284**

On page 49, line 19, strike out "85,425", and insert "83,925".

(Item 212)

Amendment No. 285

On page 50, line 47, strike out "1,807,408", and insert "1,819,844".

Amendment No. 286

On page 51, line 4, strike out "1,852,008", and insert "1,862,008".

Amendment No. 287

On page 51, line 7, strike out "445,008", and insert "447,444".

Amendment No. 288

On page 51, line 10, strike out "2,297,016", and insert "2,309,452".

Amendment No. 289

On page 51, line 15, strike out "1,807,408", and insert "1,819,844".

Amendment No. 290

On page 51, after line 15, insert "provided, however that $12,436 of the amount appropriated by this item shall not be available unless Senate Bill No 102 is enacted by the 1959 Session of the Legislature".

(Item 214)

Amendment No. 291

On page 51, line 37, strike out "514,469", and insert "551,525".

Amendment No. 292

On page 51, line 40, strike out "1,543,268", and insert "1,580,324".

Amendment No. 293

On page 51, line 45, strike out "141,770", and insert "178,826".

(Item 224)

Amendment No. 294

On page 54, line 14, strike out "42,838", and insert "41,838".

Amendment No. 295

On page 54, line 19, strike out "19,150", and insert "18,150".

Amendment No. 296

On page 54, line 22, strike out "42,838", and insert "41,838".

(Item 225)

Amendment No. 297

On page 54, line 27, strike out "73,057", and insert "75,057".

Amendment No. 298

On page 54, line 33, strike out "38,294", and insert "40,294".

Amendment No. 299

On page 54, line 36, strike out "73,057", and insert "75,057".

(Item 226)

Amendment No. 300

On page 54, line 41, strike out "305,376", and insert "308,376".

Amendment No. 301

On page 54, line 47, strike out "114,312", and insert "117,312".

Amendment No. 302

On page 54, line 50, strike out "305,376", and insert "308,376".

(Item 228)

Amendment No. 303

On page 55, line 13, strike out "262,594", and insert "258,704".

Amendment No. 304

On page 55, line 16, strike out "156,569", and insert "153,112".

Amendment No. 305

On page 55, line 19, strike out "106,025", and insert "105,592".

**Amendment No. 306**

On page 55, line 21, strike out "262,594", and insert "258,704".

**(Item 232)**

**Amendment No. 307**

On page 56, line 3, after "Inspection," insert "Department of Professional and Vocational Standards".

**(Item 248)**

**Amendment No. 308**

On page 59, line 34, strike out "3,095,055", and insert "3,124,811".

**Amendment No. 309**

On page 59, line 37, strike out "4,578,668", and insert "4,594,856".

**Amendment No. 310**

On page 59, line 40, strike out "1,110,636", and insert "1,124,204".

**Amendment No. 311**

On page 59, line 43, strike out "5,689,304", and insert "5,719,060".

**Amendment No. 312**

On page 60, line 11, strike out "3,095,055", and insert "3,124,811".

**(Item 250)**

**Amendment No. 313**

On page 60, line 25, strike out "3,051,744", and insert "3,032,568".

**Amendment No. 314**

On page 60, line 31, strike out "1,486,806", and insert "1,467,630".

**Amendment No. 315**

On page 60, line 34, strike out "4,925,881", and insert "4,906,705".

**Amendment No. 316**

On page 60, line 43, strike out "3,051,744", and insert "3,032,568".

**(Item 251)**

**Amendment No. 317**

On page 60, line 46, strike out "35,537", and insert "62,049"

**Amendment No. 318**

On page 60, line 48, strike out "22,624", and insert "33,760".

**Amendment No. 319**

On page 60, line 50, strike out "12,913", and insert "28,289".

**Amendment No. 320**

On page 60, line 52, strike out "35,537", and insert "62,049".

**(Item 256)**

**Amendment No. 321**

On page 61, line 51, strike out "981".

**Amendment No. 322**

On page 62, line 2, strike out "through 981.7", and insert "890 through 898".

**(Item 260)**

**Amendment No. 323**

On page 62, line 37, strike out "5,643,378", and insert "5,594,613".

**Amendment No. 324**

On page 62, line 40, strike out "10,925,145", and insert "10,858,385".

**Amendment No. 325**

On page 62, line 43, strike out "5,357,659", and insert "5,291,919"

**Amendment No. 326**

On page 62, line 46, strike out "16,282,804", and insert "16,150,304".

**Amendment No. 327**

On page 62, line 52, strike out "4,378,851", and insert "4,279,359".

**Amendment No. 328**

On page 63, line 3, strike out "6,265,575", and insert "6,276,332".

**Amendment No. 329**

On page 63, line 6, strike out "5,643,378", and insert "5,594,613".

**(Item 262)**

**Amendment No. 330**

On page 63, line 51, strike out "4,373,851", and insert "4,279,359".

**(Item 262.5)**

**Amendment No. 331**

On page 63, after line 51, insert

"262.5—For additional support of the Department of Water Resources to conduct a comprehensive study of the Colusa Basin for determining the best manner for alleviating the problems of inadequate drainage and flood control, seepage, and storm water disposal, payable from the Investment Fund, to be available for expenditure during the Fiscal Years 1959-60 and 1960-61 ..... 80,000"

**(Item 268)**

**Amendment No. 332**

On page 64, line 42, strike out "739,455", and insert "734,455".

**Amendment No. 333**

On page 64, line 46, strike out "454,678", and insert "449,678".

**Amendment No. 334**

On page 64, line 48, strike out "866,555", and insert "861,555".

**Amendment No. 335**

On page 65, line 8, strike out "739,455", and insert "734,455".

**(Item 273)**

**Amendment No. 336**

On page 66, line 5, strike out "241,358", and insert "239,439".

**Amendment No. 337**

On page 66, line 8, strike out "181,790", and insert "181,031".

**Amendment No. 338**

On page 66, line 22, strike out "2,220", and insert "1,060".

**Amendment No. 339**

On page 67, line 8, strike out "241,358", and insert "239,439".

**(Item 275.5)**

**Amendment No. 340**

On page 67, after line 24, insert

"275.5—For support of the Golden Gate Commission, payable from the Motor Vehicle Transportation Tax Fund..... 250,000
provided, that in the event an agency is created, upon the recommendation of the Golden Gate Commission, to acquire or construct revenue producing facilities in the San Francisco Bay area, the appropriation made by this item, or so much thereof as may be used, shall be returned to the Motor Vehicle Transportation Tax Fund by said agency, together with interest thereon at such rate as may be established by the Department of Finance from the revenues received by such agency from its facilities, not to exceed the maximum rate being paid by the State on its general obligation bonds upon the effective date of this act; provided further, that the amount appropriated by this item shall be available for the 1959-60 and 1960-61 Fiscal Years"

**(Item 276)**

**Amendment No. 341**

On page 67, line 45, after "Year", insert "pursuant to Section 11570 of the Government Code".

**Amendment No. 342**

On page 67, lines 45 and 46, strike out ", exclusive of constitutional officers,"

**Amendment No. 343**

On page 67 in line 47, strike out ", pursuant to the"; and strike out all of lines 48 and 49, and insert "and whose salaries have not been increased by other legislation enacted at this session.".

**Amendment No 344**

On page 67, line 50, strike out "12,946,185", and insert "12,953,135".

**(Item 298)**

**Amendment No. 345**

On page 74, line 25, strike out "31,760", and insert "27,310".

**Amendment No. 346**

On page 74, strike out all of line 28.

**Amendment No. 347**

On page 74, line 29, strike out "(c)", and insert "(b)".

**Amendment No. 348**

On page 74, line 31, strike out "31,760", and insert "27,310".

**(Item 299)**

**Amendment No. 349**

On page 74, line 37, strike out "663,150", and insert "553,450".

**Amendment No. 350**

On page 74, strike out lines 42 through 44, inclusive.

**Amendment No. 351**

On page 74, line 45, strike out "(e)", and insert "(c)".

**Amendment No. 352**

On page 74, line 48, strike out "663,150", and insert "553,450".

**(Item 312.5)**

**Amendment No. 353**

On page 77, after line 45 insert

"312.5—For acquisition of real property for state college farm, Chico State College, payable from the State College Fund ..... 250,000"

**(Item 314.5)**

**Amendment No. 354**

On page 78, after 30, insert

"314.5—For capital outlay, Fresno State College, in accordance with the following schedule, payable from the State Construction Program Fund ..... 1,440,000

Schedule:

(a) Acquisition of real property ..... 1,440,000

Total of schedule ..... 1,440,000

Provided, that no expenditure shall be made for this item unless the Legislature authorizes the sale of the Hammer Field property."

**(Item 333)**

**Amendment No. 355**

On page 84, line 12, strike out "3,935,450", and insert "4,935,450".

**Amendment No. 356**

On page 85, after line 3, insert

"(q) Site acquisition—Kellogg-Voorhis Campus ..... 1,000,000".

**Amendment No. 357**

On page 85, line 6, strike out "3,935,450", and insert "4,935,450".

**Amendment No. 358**

On page 85, after line 6, insert "provided that no part of this appropriation for (q) above shall be expended until a mutually satisfactory agreement has been entered into by the Department of Education and the Department of Finance providing for the repayment to the State Construction Program Fund of the amount expended therefor from proceeds received from the sale or disposition of other surplus property.

**(Item 341)**

**Amendment No. 359**

On page 87, line 6, strike out "17,046,782", and insert "16,385,230".

**Amendment No. 360**

On page 89, line 28, strike out "1,006,000", and insert "1,994,448".

**Amendment No. 361**

On page 89, strike out all of line 29.

**Amendment No. 362**

On page 89, line 32, strike out "17,046,782", and insert "16,385,230".

**(Item 341.1)**

**Amendment No. 363**

On page 89, strike out lines 39 to 45, inclusive.

**(Item 345)**

**Amendment No. 364**

On page 91, after line 15, insert

"345—For capital outlay, California State Fair and Exposition, Department of Finance, in accordance with the following schedule, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under paragraph (c) of Section 19626 of the Business and Professions Code ..... 68,105

Schedule:

(a) Program development for new State Fair ..... 68,105

Total of schedule ..... 68,105"

**(Item 346.5)**

**Amendment No. 365**

On page 91, strike out lines 44 through 52; and on page 92, strike out lines 2 and 3, inclusive.

**(Item 378)**

**Amendment No. 366**

On page 100, line 29, strike out "452,073", and insert "467,843".

**Amendment No. 367**

On page 100, line 34, strike out "415,198", and insert "430,968".

**Amendment No. 368**

On page 100, line 37, strike out "452,073", and insert "467,843".

**(Item 379)**

**Amendment No. 369**

On page 100, line 42, strike out "4,276,836", and insert "4,217,936".

**Amendment No. 370**

On page 100, strike out lines 51 and 52; and on page 101, strike out lines 2 and 3.

**Amendment No. 371**

On page 101, line 4, strike out "(f)", and insert "(d)".

**Amendment No. 372**

On page 101, line 6, strike out "(g)", and insert "(e)".

**Amendment No. 373**

On page 101, line 8, strike out "(h)", and insert "(f)".

**Amendment No. 374**

On page 101, line 10, strike out "(i)", and insert "(g)".

**Amendment No. 375**
On page 101, line 12, strike out "(j)", and insert "(h)".

**Amendment No. 376**
On page 101, line 15, strike out "(k)", and insert "(i)".

**Amendment No. 377**
On page 101, line 18, strike out "(l)", and insert "(j)".

**Amendment No. 378**
On page 101, line 20, strike out "(m)", and insert "(k)".

**Amendment No. 379**
On page 101, line 22, strike out "(n)", and insert "(l)".

**Amendment No. 380**
On page 101, line 24, strike out "(o)", and insert "(m)".

**Amendment No. 381**
On page 101, line 26, strike out "(p)", and insert "(n)".

**Amendment No. 382**
On page 101, line 28, strike out "(q)", and insert "(o)".

**Amendment No. 383**
On page 101, line 30, strike out "(r)", and insert "(p)".

**Amendment No. 384**
On page 101, line 32, strike out "(s)", and insert "(q)".

**Amendment No. 385**
On page 101, line 34, strike out "(t)", and insert "(r)".

**Amendment No. 386**
On page 101, line 36, strike out "(u)", and insert "(s)".

**Amendment No. 387**
On page 101, line 38, strike out "(v)", and insert "(t)".

**Amendment No. 388**
On page 101, line 40, strike out "(w)", and insert "(u)".

**Amendment No. 389**
On page 101, line 42, strike out "(x)", and insert "(v)".

**Amendment No. 390**
On page 101, line 44, strike out "(y)", and insert "(w)".

**Amendment No. 391**
On page 101, line 46, strike out "(z)", and insert "(x)".

**Amendment No. 392**
On page 101, line 48, strike out "(aa)" and insert "(y)"

**Amendment No. 393**
On page 101, line 50, strike out "(bb)", and insert "(z)"

**Amendment No. 394**
On page 102, line 2, strike out "(cc)", and insert "(aa)".

**Amendment No. 395**
On page 102, line 4, strike out "(dd)", and insert "(bb)".

**Amendment No. 396**
On page 102, line 6, strike out "(ee)", and insert "(cc)".

**Amendment No. 397**
On page 102, line 8, strike out "(ff)", and insert "(dd)".

**Amendment No. 398**
On page 102, line 10, strike out "(gg)", and insert "(ee)".

**Amendment No. 399**

On page 102, line 12, strike out "(hh)", and insert "(ff)".

**Amendment No. 400**

On page 102, line 14, strike out "(ii)", and insert "(gg)".

**Amendment No. 401**

On page 102, line 17, strike out "(jj)", and insert "(hh)".

**Amendment No. 402**

On page 102, line 21, strike out "4,276,836", and insert "4,217,936".

**(Item 382)**

**Amendment No. 403**

On page 103, line 9, strike out "4,125,402", and insert "4,136,159".

**(Item 390)**

**Amendment No. 404**

On page 106, line 13, after "of", insert "the following".

**Amendment No. 405**

On page 106, line 16, strike out "12663", and insert "126565".

**(Item 393)**

**Amendment No. 406**

On page 107, line 45, strike out "7,731,861", and insert "8,095,429"

**(Item 396)**

**Amendment No. 407**

On page 108, line 35, strike out "9,999,942", and insert "10,368,142".

**Amendment No. 408**

On page 108, line 40, strike out "9,971,642", and insert "10,339,842".

**Amendment No. 409**

On page 108, line 43, strike out "10,044,942", and insert "10,413,142".

**Amendment No. 410**

On page 108, line 47, strike out "9,999,942", and insert "10,368,142".

**Amendment No. 411**

On page 109 strike out lines 7 through 21 inclusive.

**(Item 400)**

**Amendment No. 412**

On page 109, line 50, strike out "Section", and insert "Sections".

**(Item 403.1)**

**Amendment No. 413**

On page 112, line 14, before "the", insert "research regarding".

**(Item 405)**

**Amendment No. 414**

On page 114, line 10, after "1962.", insert "Provided, further, that notwithstanding any other provisions of law, the appropriation made by this item covering (h) of the above schedule may be expended to reimburse the Emergency Fund for expenditures incurred prior to July 1, 1959 out of the amount appropriated to the Emergency Fund by Item 273, Budget Act of 1958, which may be properly chargeable to (h) above."

**(Item 405.5)**

**Amendment No. 415**

On page 114, after line 42, insert

"405.5—For allocation to the Department of Water Resources for reallocation in accordance with Article 4 (commencing at Section 12750) of Chapter 2 of Part 6 of Division 6 of the Water Code, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of co-operation by the State, for small flood control projects as authorized by said Article 4, in accordance with the following schedule, payable from the Flood Control Fund of 1946 ..... 325,000

Schedule
(a) Coyote Creek Flood Control Project, Marin County ..... 325,000
The allocation made by this item shall remain available for reallocation and expenditure until June 30, 1962. No reallocation shall be made until the Department of Water Resources finds in its judgment that the benefits of the proposed works of improvement will exceed the cost thereof and that the project plan appears to be the most economical project plan, considering construction costs, lands, easements, and rights of way costs, and costs of operation and maintenance, nor until the local organizations affected give assurances that they will maintain and operate the projects after completion in such manner as will accomplish the purposes for which the projects were authorized and constructed, and as may be required by the Secretary of the Army and the Department of Water Resources, and that the local organizations will hold and save the State of California free from damages or claims due to the construction, installation or operation of the project."

(Item 406)

Amendment No. 416

On page 114, line 46, strike out "12601 through 12612", and insert "12850 through 12875".

(Item 408)

Amendment No. 417

On page 115, line 49, strike out "13,153,578", and insert "13,478,578"

(Item 415)

Amendment No. 418

On page 117, line 36, strike out "812,170", and insert "860,170".

Amendment No. 419

On page 117, line 40, strike out "732,670", and insert "780,670".

(Item 417.1)

Amendment No. 420

On page 118, line 45, strike out "190,608", and insert "206,288"

(Sec. 3.1, Sec. 3.2)

Amendment No. 421

On page 120, strike out lines 7 to 21, inclusive

(Sec. 5)

Amendment No. 422

On page 120, line 32, after "1946,", insert "State Beach and Park Fund".

(Sec. 8)

Amendment No. 423

On page 123, line 12, after "1958", insert ": provided that applications for assistance under said item may be amended subsequent to December 31, 1958, to include proposed work which has been investigated by the Department of Public Works or the Department of Water Resources prior to March 31, 1959."

(Sec. 8.1)

Amendment No. 424

On page 123, after line 16, insert
"SEC. 8.1. The appropriation made by the provisions of Chapter 1582, Statutes of 1957, is hereby reappropriated for the same purpose, and provided further that $200,000, or so much as is necessary, of the amount reappropriated may be expended for site development and improvements."

(Sec. 8.5)

Amendment No. 425

On page 123, after line 16, insert
"SEC. 8.5. From the amount appropriated by Item 401 of the Budget Act of 1956, the sum of $100,000, shown as subdivision (bb) of the schedule in that item as available for construction of a museum at Gold Discovery Site, is hereby reappropriated from the State Beach and Park Fund to the Division of Beaches and Parks, Department of Natural Resources, for the same purpose and shall be available for expenditure until June 30, 1960."

(Sec. 8.7)
Amendment No. 426

On page 123, strike out all of lines 17 to 25, inclusive.

(Sec. 8.8)
Amendment No. 427

On page 123, after line 25, insert

"SEC. 8.8. Of the amount appropriated by Item 346 of the Budget Act of 1958, $110,000 as set forth in project (1) as reappropriated for site acquisition."

(Sec. 10)
Amendment No. 428

On page 123 strike out all of lines 44 and 45

(Sec. 22)
Amendment No. 429

On page 125, after line 49, insert

Sec. 22 No moneys appropriated by this act shall be used to purchase equipment or supplies for employee cafeterias or for the cafeteria type blind vending stand where hot meals are served, in any state office building, unless such cafeteria or vending stand has previously been established or the amount therefor is expressly authorized in this act.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 800 by the following vote:

AYES—Coolidge, Davis, Ernest R Geddes, Holmes, Lowrey, and MacBride—6.

NOES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—61

Appointment of Committee on Conference Concerning Assembly Bill No. 800

The Speaker appointed Messrs. Unruh, Rees, and Coolidge as a Committee on Conference concerning Assembly Bill No. 800.

## RESOLUTIONS

The following resolution was offered:

By Mr. Conrad:

**House Resolution No. 330**—Congratulating Jack Schrade on his marriage to Margaret Eloise Lee.

Resolution read.

Request for Unanimous Consent

Mr. Conrad was granted unanimous consent to take up House Resolution No. 330 without reference to committee or file.

Members Made Co-authors of House Resolution No. 330

Mr. Conrad was granted unanimous consent that all members so desiring be placed upon House Resolution No. 330 as co-authors.

Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagen, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80

NOES—None.

### Request for Unanimous Consent

Mr. Schrade was granted unanimous consent that he be recorded as voting "Aye" on the list of members desiring to become co-authors of House Resolution No. 330.

### Consideration of House Resolution No. 330, as Amended

By Messrs. Conrad, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

### House Resolution No. 330

Congratulating Jack Schrade on his marriage to Margaret Eloise Lee

WHEREAS, On June 5, 1959, the marriage of the Honorable Jack Schrade and Miss Margaret Eloise Lee was solemnized at St. John's Lutheran Church in Sacramento; and

WHEREAS, Jack has been a Member of the California Legislature since 1955 when he was elected representative of the Eightieth District in San Diego County; and

WHEREAS, In addition to being a conscientious, hard-working man, Jack has a genial, friendly nature that has made him a favorite among his colleagues; and

WHEREAS, The charming Mrs. Schrade also has many friends and admirers in the Capitol, having been employed during this session of the Legislature as Jack's secretary; and

WHEREAS, It is fitting that the Assembly take note of the joyous occasion of the marriage of one of its Members; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members offer to Jack and Margaret Schrade their heartiest congratulations on the happy event, and extend their sincere good wishes for many years of prosperity and wedded bliss; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. and Mrs. Schrade.

Resolution read, and adopted unanimously.

### ANNOUNCEMENT

Speaker Brown announced that the Assembly would recess at noon today, and hold a night session tonight; and that the committees would meet this afternoon.

### ASSEMBLY BILL NO. 1725 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1725**, on request of Mr. Z'berg.

Request for Unanimous Consent

Mr. Z'berg was granted unanimous consent to take up Assembly Bill No. 1725 for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1725

**Assembly Bill No. 1725**—An act to add Chapter 2.8 (commencing at Section 8160) to Division 1 of Title 2 of the Government Code, relating to the Capitol Building and Planning Commission, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Z'berg moved the adoption of the following amendments:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on May 26, 1959, strike out ", and making an appropriation".

Amendment No. 2

On page 3, strike out lines 13 to 18, inclusive

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 2242**—An act relating to the dissolution of the Santa Clara Valley Water Conservation District and the addition of the area thereof to the Santa Clara Flood Control and Water Conservation District, and in this connection to add Sections 3.4, 3 5, 3.6, 3 7, 7.1, 7.2, 7.3, 7.4, 7.5, 7 6, 7.7, and 7 8 to, and to amend Sections 4 and 7 of, the Santa Clara County Flood Control and Water Conservation District Act (Chapter 1405, Statutes of 1951).

Bill read third time.

Motion to Re-refer

Mr. Bradley moved that Assembly Bill No. 2242 be re-referred to the Committee on Rules, and that the subject matter be referred to the Committee on Manufacturing, Oil, and Mining Industry for interim study.

Mr. Ernest R. Geddes seconded the motion.

Speaker pro Tempore Presiding

At 10.28 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Charles H. Wilson, Schrade, Burke, Holmes, and House demanded the previous question. Demand sustained.

The question being on the motion that Assembly Bill No 2242 be re-referred to the Committee on Rules, and that the subject matter of the bill be referred to the Committee on Manufacturing, Oil, and Mining Industry for interim study.

Motion lost by the following vote:

AYES—Don A. Allen, Bradley, Britschgi, George E. Brown, Burke, Chapel, Crawford, Cunningham, Davis, DeLotto, Gaffney, Ernest R. Geddes, Hanna, Holmes, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Petris, Reagan, Schrade, Shell, and Thelin—24

NOES—Bruce F. Allen, Backstrand, Bee, Burton, Busterud, Cameron, Crown, Dahl, Dills, Donahoe, Elliott, Frew, Hegland, House, MacBride, Marks, Masterson, Miller, Munnell, Nisbet, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, and Charles H. Wilson—29.

### Parliamentary Inquiry

Mrs. Davis arose to the following parliamentary inquiry: Was the last vote on the motion to re-refer the bill for interim study?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was.

### Name Placed Upon Roll Call

Mrs. Davis was granted unanimous consent that she be recorded as voting "Aye" on the motion that Assembly Bill No. 2242 be re-referred to committee; and that the subject matter be referred for interim study.

The question being on the passage of the bill.

### Speaker Presiding

At 10.45 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Demand for Previous Question

Messrs. Dills, Schrade, Holmes, Kennick, and Nisbet demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Motion carried. Time, 10.54 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Hanna was granted unanimous consent that Assembly Rule No 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2742**—An act to amend Section 2025 of the Welfare and Institutions Code, relating to old age assistance grants.

Bill read third time.

**Motion to Amend**

Mr. Burton moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Assembly on June 1, 1959, strike out "May 1, 1955", and insert "November 1, 1958".

**Amendment No. 2**

On page 1, line 10, strike out "amount of the", and insert "maximum".

**Amendment No. 3**

On page 1, line 11, strike out "this article", and insert "each of Sections 2020 and 2020.002 of this chapter".

**Amendment No. 4**

On page 1, line 12, between "to" and "such", insert "the nearer dollar of".

**Amendment No. 5**

On page 1, line 13, strike out "total aid granted under this chapter".

**Amendment No. 6**

On page 1, line 14, strike out "be less than", and insert "maximum grant of aid under Section 2020 be decreased below".

**Amendment No. 7**

On page 1, line 14, after "($90)", insert "or increased above one hundred dollars ($100)".

**Amendment No. 8**

On page 1, line 14, after "month", insert "as the result of any such change in the contributions of the United States Government".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Rush Order Placed Upon Printing of Assembly Bill No. 2742**

Mr. Burton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2742.

**Assembly Bill No. 1669**—An act to add Section 653m to the Penal Code, relating to electronic eavesdropping.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Biddick, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, DeLotto, Dills, Donahoe, Frew, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Winton, and Mr Speaker—49

NOES—George E Brown, Cunningham, Ernest R. Geddes, House, Lowrey, O'Connell, Sedgwick, and George A Willson—8.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1656**—An act to amend Section 2710 of, and to add Section 2801.1 to, the Unemployment Insurance Code, relating to the payment of hospital benefits to persons confined in mental institutions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers,

Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2833**—An act to add Section 10200.5 to the Insurance Code, relating to group life insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Constitutional Amendment No. 31**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article I thereof, relating to searches and seizures.

Resolution read.

### Demand for Previous Question

Messrs. Ernest R. Geddes, Charles H. Wilson, Schrade, Burke, and Chapel, demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Lanterman moved a call of the Assembly.

Mr. Shell seconded the motion.

Motion carried. Time, 11.25 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## INTRODUCTION OF GUESTS

Speaker Brown introduced Mrs. Margaret Schrade, the bride of Assemblyman Jack Schrade, to the Members of the Assembly, who joined in extending their best wishes to Mrs Schrade

Speaker Brown introduced Arthur Coates of Yuba City, former Assemblyman, to the Members of the Assembly.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Constitutional Amendment No. 53**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 6 and 27 of Article IV thereof, relating to the reapportionment of legislative districts

Bill read third time.

### Motion to Grant Extra Time for Debate

Mr. Hegland moved that Mr. Chapel be given five minutes additional time for debate.

Motion lost.

The question being on the adoption of the resolution.

### Hon. James L. Holmes Presiding

At 11 36 a.m., Hon. James L. Holmes, Member of the Assembly from the Thirty-sixth District, presiding.

### Demand for Previous Question

Messrs. Hanna, Dahl, Lowrey, Unruh, and Schrade demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

### Motion to Expunge Record and Rescind Action on Assembly Constitutional Amendment No. 53

Mr. Miller moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to Assembly Constitutional Amendment No. 53.

Mr. Crawford seconded the motion.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Motion carried. Time, 11.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 702**—An act to amend Section 4104 of, to repeal Section 4105 of, and to add Section 4105 to, the Government Code, relating to public works.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bee, Belotti, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Dahl, Davis,

DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Shell, Thelin, Unruh, Williamson, Charles H Wilson, and Z'berg—48.

NOES—Beaver, Biddick, Burke, Coolidge, Hanna, MacBride, Miller, Mulford, Sumner, George A. Willson, and Winton—11.

Bill ordered transmitted to the Senate.

#### Name Placed Upon Roll Call

Mr. O'Connell was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 702.

### INTRODUCTION OF GUEST

Mr. Lowrey announced the presence in the Assembly Chamber of Commander John B. Cooke, former Member of the Assembly; whereupon the Members of the Assembly joined in extending best wishes to Commander Cooke upon his recovery from a recent illness.

### ANNOUNCEMENT

Acting Speaker Holmes announced that Assemblyman and Mrs. Carl Britschgi were the proud grandparents of a baby boy, born yesterday; whereupon the Members of the Assembly joined in extending best wishes and congratulations to Mr. and Mrs. Britschgi.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Constitutional Amendment No. 45**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to ineligibility of legislators to certain offices.

Resolution read.

#### Demand for Previous Question

Messrs. Burton, DeLotto, Garrigus, Reagan, and Hegland demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Mr. Bane seconded the motion.

#### Speaker Presiding

At 12.03 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion for a call of the Assembly.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland,

Holmes, House, Johnson, Kennick, Kilpatrick, Levering, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, and Winton—61.

NOES—Crawford, Donahoe, Luckel, McMillan, Miller, Thelin, and Z'berg—7.

Time, 12.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO EXPUNGE RECORD ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 53

At 12.05 p.m. Mr. Miller moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion to expunge the record, and rescind the action whereby Assembly Constitutional Amendment No. 53 was, on this day, refused adoption carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Z'berg, and Mr. Speaker—59.

NOES—Burke, Burton, Cameron, Cusanovich, Dahl, Davis, House, Levering, Lowrey, Reagan, Schrade, Shell, Thelin, and Winton—14.

#### Re-reference of Assembly Constitutional Amendment No. 53

Mr. Miller was granted unanimous consent that Assembly Constitutional Amendment No. 53 be re-referred to the Committee on Rules, and that the subject matter be referred to the appropriate interim committee for study.

## EXPLANATIONS OF ABSENCE

Messrs. Collier and Johnson were granted unanimous consent that the record show that they have been attending to legislative business in Senate committees for a part of this morning

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent to take up Assembly Bill No. 2611 for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 2611

**Assembly Bill No. 2611**—An act to add Section 5005.1 to, to amend Section 5005.5 of, the Elections Code, and to add Section 45b to the Civil Code, relating to misrepresentation in election campaigns.

Bill read third time.

#### Motion to Amend

Mr. Burton offered amendments to the bill.

#### Parliamentary Inquiry

Mr. Busterud arose to the following parliamentary inquiry: Do the amendments exceed 25 words in length?

#### Reply by Speaker

The Speaker replied that there were over 25 words in the amendments

#### Request for Unanimous Consent to Temporarily Suspend Rule No. 70

Mr. Burton asked for unanimous consent that Rule No 70 be temporarily suspended for the purpose of permitting the amendments to be considered, at this time

Mr. Busterud withheld unanimous consent.

#### Motion to Temporarily Suspend Rule No. 70

Mr. Unruh moved that Rule No. 70 be temporarily suspended for the purpose of permitting the amendments to be considered, at this time.

Mr. Elliott seconded the motion.

Motion for temporary suspension of the Rules carried by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Chapel, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, Zberg, and Mr Speaker—45

NOES—Beaver, Burke, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Hegland, Holmes, Lanterman, Levering, Mulford, Pattee, Reagan, Schrade, Shell, Thelin, and Charles H. Wilson—19.

#### Motion to Amend

Mr. Burton moved the adoption of the following amendments:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 4, 1959, strike out line 12, and insert "any newspaper or magazine, or to any radio or television station In no event shall the section be construed as applying to a publication of a religious organization."

#### Amendment No. 2

On page 1, line 26, strike out "newspapers of general circulation", and insert "any newspaper or magazine, or to any radio or television station In no event shall the section be construed as applying to a publication of a religious organization".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT

Mr Burton was granted unanimous consent to offer and consider a resolution, at this time.

### RESOLUTIONS

The following resolution was offered:

By Messrs. Burton and Meyers:

#### House Resolution No. 331

Relative to congratulating and commending Father Gabriel Zavattaro on his Silver Jubilee

WHEREAS, It is with the greatest of pleasure that the Members of this House have learned that July 8th next, marks the Twenty-fifth Anniversary of the Ordination of Father Gabriel Zavattaro, one of San Francisco's most beloved priests, and

WHEREAS, Long known for his keen mind and scholastic achievement, Father Zavattaro studied for the priesthood in Turin, Italy, where he graduated with high honors, and, following his ordination in 1934, entered the University of California where he received a Masters Degree in Latin; and

WHEREAS, This dedicated man of God has devoted over 16 years of his life as a priest to the field of education, starting in 1938 when he was placed in charge of studies at Don Bosco College in Newton, New Jersey, and continuing through a succession of schools in various places until 1954, when he left teaching to become Pastor of Saint Peter and Paul's Church in San Francisco; and

WHEREAS, In addition to caring for the spiritual needs of his parish, Father Zavattaro has found time to serve as a Provincial Economer for his religious order, the Salesian Society, guiding the material improvement and advance of some 15 schools and parishes; and

WHEREAS, He has also found time to take an active part in civic affairs, being for some years a guiding influence in the youth work of the Salesian Boys' Club in San Francisco, and being vitally connected with all Italian organizations, the Italian Consulate, and the problems of the Italian citizens of San Francisco; and

WHEREAS, It is fitting that this House show its appreciation for the unstinting and dedicated work Father Zavattaro has devoted to the youth of this Nation and to the spiritual and temporal well-being of the citizens of San Francisco; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House do hereby join together to extend their sincere and heartfelt congratulations to Father Zavattaro on the approaching Silver Jubilee of his Ordination as a priest and to commend him for his fine work with the youth of our Country and his untiring efforts to improve the well-being of the citizens of San Francisco; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Father Zavattaro and to Saint Peter and Paul's Church in San Francisco.

**Request for Unanimous Consent**

Mr. Burton was granted unanimous consent to take up House Resolution No. 331 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Biddick was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of permitting Senate Bills Nos. 69, 942, 979, 1008, 1088, 1185, 1401, 1404, and 1440 to be heard in the Committee on Judiciary—Civil on Wednesday, June 10, 1959.

Mr. Cunningham was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bills Nos. 1340 and 1416 for hearing in the Committee on Public Utilities and Corporations on Wednesday, June 10, 1959.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2242

At 12.13 p.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 2242 refused passage by the following vote:

AYES—Bruce F. Allen, Bee, Burton, Cameron, Crawford, Crown, Dahl, Dills, Elliott, Frew, Grant, Hawkins, MacBride, Masterson, Miller, Muanell, Petris, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Z'berg—27.

NOES—Don A. Allen, Bradley, George E. Brown, Burke, Chapel, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, McCollister, Nisbet, O'Connell, Pattee, Reagan, Schrade, Shell, Thelin, and Winton—33.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 31

At 12.16 p m., Mr. Lanterman moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Constitutional Amendment No. 31 refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Dills, Francis, Frew, Gaffney, Ernest R Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Mulford, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, George A. Willson, Charles H. Wilson, and Mr. Speaker—52.

NOES—Biddick, George E Brown, Burton, Busterud, Cameron, Crown, Davis, DeLotto, Donahoe, Elliott, Garrigus, Samuel R Geddes, Hawkins, MacBride, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Sumner, Unruh, Waldie, Williamson, Winton, and Z'berg—27.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 45

At 12.18 p.m., Mr. Chapel moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Constitutional Amendment No. 45 refused adoption by the following vote:

AYES—Don A. Allen, Bane, Beaver, Belotti, Britschgi, George E Brown, Burke, Cameron, Chapel, Collier, Cunningham, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Garrigus, Hanna, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Pattee, Reagan, Schrade, Shell, Thomas, Charles H. Wilson, and Winton—32

NOES—Bruce F. Allen, Bee, Biddick, Burton, Busterud, Conrad, Coolidge, Crawford, Crown, DeLotto, Donahoe, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Holmes, Kennick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—41.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. McCollister was granted unanimous consent that the Rules be temporarily suspended for the purpose of permitting all committee reports received today to be read, with appropriate action taken on the measures reported therein; and that all bills amended on second reading be placed on the third reading file without being returned to the second reading file pursuant to Rule No. 69.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 141

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 35

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Concurrent Resolution No. 140

Assembly Concurrent Resolution No. 142

And reports the same correctly engrossed

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

**Assembly Bill No. 846**—An act to amend Section 4 4 of, and to add Section 2 14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service;

**Assembly Bill No. 1299**—An act to amend Sections 74302 and 74303 of the Government Code, relating to the municipal court in the Cities of San Carlos and Redwood City;

**Assembly Bill No. 1302**—An act to amend Sections 72702, 72702 5, 72703, 72704, 72704 5, 72705, 72705 5, 72751, 72752, 72753, 72754, 72755, and 72760 of the Government Code, relating to the officers and attaches of municipal courts of Los Angeles County;

**Assembly Bill No. 1465**—An act to amend Sections 6340 and 6361 of the Business and Professions Code, relating to county law libraries;

**Assembly Bill No. 1573**—An act to amend Sections 31461.1, 31558.1, 31620.1, 31630 1, 31639 15, 31700, 31701, 31721 5, and 31780.5 of the Government Code, relating to retirement systems;

**Assembly Bill No. 1743**—An act to amend Sections 4780, 4845 20, 4845 21, 4845 32, and 4845 34 of, to amend and renumber Sections 4845.31 and 4845 35 of, and to add Sections 4845 31 and 4845 35 to, the Health and Safety Code, relating to county sanitation districts;

**Assembly Bill No. 1744**—An act to amend Sections 9168, 9169, 9201, and 9211 of the Public Resources Code, relating to soil conservation districts,

**Assembly Bill No. 2010**—An act to add Section 20568 1 to, and to amend Sections 26965, 26966 and 26967 of, the Water Code, relating to irrigation districts;

**Assembly Bill No. 2074**—An act to amend Section 6060 of the Business and Professions Code, relating to admission to practice law;

**Assembly Bill No. 2180**—An act to amend Sections 74182, 74183, 74184 and 74185 and to repeal Section 74186 of, and to add Sections 74186, 74187, 74188, 74189, 74190, and 74191 to, the Government Code, relating to municipal courts,

**Assembly Bill No. 2244**—An act to amend Sections 19 and 19a and add Section 19b to the Drainage District Act of 1903 (Chapter 238 of the Statutes of 1903), relating to drainage districts,

**Assembly Bill No. 2293**—An act to amend Section 2210 of the Business and Professions Code, relating to the practice of medicine;

**Assembly Bill No. 2414**—An act to amend Section 2005 of the Fish and Game Code, relating to the taking of fish and game,

**Assembly Bill No. 2552**—An act to amend Section 12704 of the Business and Professions Code, relating to weights and measures;

And reports the same correctly enrolled, and presented to the Governor on the eighth day of June, 1959, at 11 a.m.

BURKE, Chairman

**Committee on Rules**

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER Your Committee on Rules reports.

Assembly Concurrent Resolution No 137

With the recommendation Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 137

**Assembly Concurrent Resolution No. 137**—Relative to the creation of the Joint Interim Committee on the Public Education System.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

On page 2, lines 17 and 18, of the printed measure, strike out "last legislative", and insert "fifth calendar"

### Amendment No. 2

On page 3, between lines 3 and 4, insert

"6 No action shall be taken by the committee except upon an affirmative vote of four or more members of the committee appointed from the Senate and four or more members of the committee appointed from the Assembly."

### Amendment No. 3

On page 3, line 4, strike out "6", and insert "7".

Resolution ordered reprinted, engrossed, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 318
House Resolution No. 322
House Resolution No. 316

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar

MILLER, Chairman

## AMENDMENT OF HOUSE RESOLUTION NO. 318

By Mr. Thomas:

**House Resolution No. 318**—Relative to a study by the Assembly Committee on Interstate Co-operation of a port authority for Los Angeles-Long Beach Harbor.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

Strike out lines 1 and 2 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 4, 1959, at page 4660, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of the organiza-".

### Amendment No. 2

In line 6 of the "*Resolved*" clause, strike out "and to", and insert "is assigned to the Committee on Rules for re-assignment by it to an appropriate interim committee for study, which committee shall".

### Amendment No. 3

In line 7 of the "*Resolved*" clause, strike out "final", and insert "fifth calendar".

House Resolution No. 318, as Amended

By Mr. Thomas:

House Resolution No. 318

Relative to a study by the Assembly Committee on Interstate Co-operation of a port authority for Los Angeles-Long Beach Harbor

WHEREAS, There is unnecessary duplication of facilities and administration by the Cities of Los Angeles and Long Beach in connection with their harbors; and

WHEREAS, These harbors could be more efficiently and economically administered by a single authority which would accomplish the following desirable ends:

1. Attract more trade and commerce through improved facilities.
2. Reduce the tax burden on the public
3. Cut administrative costs.
4. Provide a vehicle for co-ordinated future planning in the area.
5. Remove the management of key transportation facilities from politics.
6. Provide a compact administrative setup allowing better salaries with which to attract the most competent men.
7. Broaden the credit base and make bonds more saleable.
8. Reduce intra area competition and put both harbors on a more competitive footing with other cities.
9. Allow a greater administrative elasticity to the management of enterprises presently encumbered with restrictions.
10. Pool assets and expenditures in a more vigorous area-wide promotion program.
11. Improve the position or bargaining power of the harbors in lease negotiations; and

WHEREAS, Port authorities have been established and are operating successfully in other states, including New York, Delaware, Maryland, Massachusetts, North and South Carolina, Virginia, Texas, Louisiana and Washington; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of the organization and administration of the port authorities in the states referred to hereinabove and the desirability and feasibility of establishing a port authority for the operation of the Los Angeles and Long Beach Harbors, including the matters referred to in this resolution and any other matters pertaining thereto, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered to the Consent Calendar.

## AMENDMENT OF HOUSE RESOLUTION NO. 322

By Mr. Sedgwick:

**House Resolution No. 322**—Relative to a study of maximum hours of work by women.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

In lines 8 and 9 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 5, 1959, at page 4859, strike out "by the tenth" and insert "not later than the fifth".

House Resolution No. 322, as Amended

By Mr. Sedgwick:

House Resolution No. 322

Relative to a study of maximum hours of work by women

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of desirability of revising the laws governing maximum hours of work of women so as to permit an employer, during emergency periods and by permit from an appropriate state agency, to have women employees work nine hours per day for five days a week, with the ninth hour to be paid for at overtime rates. The committee to which such subject is assigned shall make appropriate recommendations for legislation and shall report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session.

Resolution, as amended, ordered to the Consent Calendar.

## AMENDMENT OF HOUSE RESOLUTION NO. 316

By Mr. O'Connell:

**House Resolution No. 316**—Relative to recodification of the Penal Code.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

Strike out the first three lines of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 4, 1959, at page 4659, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of the feasibility of recodifying the Penal".

### Amendment No. 2

Strike out lines 6 and 7 of the "*Resolved*" clause, and insert "State, is assigned to the Committee on Rules for re-assignment to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

### House Resolution No. 316, as Amended

By Mr. O'Connell:

### House Resolution No. 316

Relative to recodification of the Penal Code

WHEREAS, The Penal Code was enacted in 1872 and numerous provisions have been added to it over a period of 87 years; and

WHEREAS, Much of the Penal Code is characterized by archaic language, undue prolixity, real and apparent conflicts, obsoleteness, illogical organiaztion, and failure to reflect the interpretations of the courts; and

WHEREAS, Persons seeking to apprise themselves of the criminal law of this State and who, for this purpose, logically refer to the Penal Code, are in grave danger of being misled as to the law because so may laws of a criminal nature are in codes other than the Penal Code; and

WHEREAS, It is basic that the people of this State, in order to avoid prohibited conduct, are entitled to have the law presented in understandable convenient form; and

WHEREAS, It is desirable that peace officers in this State, on whom is imposed the duty of enforcing the State's criminal laws, and who are often in situations requiring immediate reference to the law, be able, if this is feasible, to have the laws they must enforce set forth clearly in a single volume, to which ready reference can be made; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of the feasibility of recodifying the Penal Code, in such manner as to eliminate the undesirable characteristics described above in this resolution and to include therein criminal laws found in other codes of this State, is assigned to the Committee on Rules for re-assignment to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered to the Consent Calendar.

## ANNOUNCEMENTS

Mr. Rees announced that the Committee on Finance and Insurance would meet at 1 30 p.m this afternoon, instead of at 8 p.m. tonight, in Room 5168.

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Mr. Unruh announced that the Committee on Ways and Means would meet at 1.45 p.m. this afternoon, instead of at 1.30 p.m.

## EXPLANATIONS OF ABSENCE

I was absent from the Assembly floor by reason of being on the Senate side of the Legislature presenting a bill before a Senate committee on Monday, June 8, 1959.

JEROME R. WALDIE

June 8, 1959

I was in Senate Finance from 10.30 a m. to 12 noon.

SETH J. JOHNSON

The reason for my absence from the Assembly floor on June 8, 1959, resulting in my missing a number of roll calls, is that I was presenting bills of which I was the author before the Senate committees.

L. M. BACKSTRAND

## RECESS

At 12.22 p m., on motion of Mr. Munnell, the Assembly recessed until 7.30 p.m.

## REASSEMBLED

At 7.30 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

## PARLIAMENTARY INQUIRY

Mr. Dahl arose to the following parliamentary inquiry: What is the next order of business?

### Reply by Speaker

The Speaker replied that it would be Item 25 on file.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Dahl asked for unanimous consent that Rule No. 56 be temporarily suspended for the purpose of permitting Senate Bill No. 777 to be set for hearing.

## ABSENCE OF QUORUM SUGGESTED

Mr. Collier suggested the absence of a quorum.

### Call of the Assembly

Mr. Dahl moved a call of the Assembly.

Mr. Munnell seconded the motion.

Motion carried. Time, 7.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Quorum present at 7.38 p.m.

### Call of the Assembly Dispensed With

At 7.38 p.m., the Speaker declared further proceedings under the quorum call of the Assembly dispensed with.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Dahl asked for unanimous consent that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bill No. 777 for hearing in the Committee on Ways and Means.

Mr. Munnell withheld unanimous consent.

### Motion to Temporarily Suspend Rule No. 56

Mr. Dahl moved that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bill No. 777 for hearing in the Committee on Ways and Means.

### Parliamentary Inquiry

Mr. Shell arose to the following parliamentary inquiry: Did the action taken several days ago, which suspended Rule No. 56 for the balance of the session as it pertained to bills in the Committee on Ways and Means, include Senate bills?

### Reply by Speaker

The Speaker replied that the record would have to be looked up, but that he believed that it pertained to Assembly bills only.

### Motion Withdrawn

Mr. Dahl withdrew his motion for temporary suspension of Rule No. 56.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2693**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Biddick, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Ernest R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, Meyers, Mulford, Munnell, Pattee, Porter, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2632**—An act to amend Section 117j of the Code of Civil Procedure, relating to unlawful detainer proceedings in small claims court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Biddick, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, Mulford, Munnell, Pattee, Porter, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—48.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2423**—An act to amend Sections 13588 and 13589, and to repeal Section 13590, of the Education Code as enacted at the 1959 Regular Session, relating to classified employees of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Biddick, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, Mulford, Munnell, Pattee, Porter, Schrade,

Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2113**—An act to add Section 40807 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to speed of vehicles.

Bill read third time.

**Demand for Previous Question**

Messrs. Dahl, Schrade, Hanna, DeLotto, and Charles H. Wilson, demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—55.
NOES—Backstrand, Beaver, Collier, Cusanovich, Dahl, Lanterman, Levering, O'Connell, Shell, Unruh, and Charles H. Wilson—11.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Bill No. 2770**—An act to amend Section 14059 of, and to add Section 14057.5 to, the Health and Safety Code, and to amend Section 5781.10 of the Public Resources Code, relating to district elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1145**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson,

Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2525**—An act to amend Section 75030 5 of the Government Code, relating to the retirement of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2547**—An act to add Section 25209 to the Government Code, relating to the correction of deeds of real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 2595**—An act to amend Sections 16752 and 16753 of the Business and Professions Code, relating to restraints of trade.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 2631**—An act to add Section 71604 1 to the Government Code, relating to constables.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2633**—An act to amend Sections 1500 and 1590 of the Probate Code, relating to guardianship.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2638**—An act to add Section 71273 to the Government Code, relating to municipal and justice courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2803**—An act to amend Section 834 of the Corporations Code, relating to derivative actions by corporate shareholders.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2905**—An act to amend Section 27491 of the Government Code, relating to the duties of coroner.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2695**—An act to amend Section 2284 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1705**—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2640**—An act to add Section 1958 to the Government Code, relating to liability of court attaches.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2657**—An act to amend Section 870 of the Welfare and Institutions Code, relating to wards of the juvenile court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2698**—An act to add Section 12419.4 to the Government Code, relating to liens for amounts owing to the State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2821**—An act to add Article 11.5 to Chapter 10, Title 8, of the Government Code, relating to Lodi Municipal Court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2881**—An act to add Section 17205 to the Education Code as enacted by the legislature at its 1959 Regular Session, relating to the transportation of school district money to and from banks.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner,

Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2641**—An act to add Section 26154 to the Government Code, relating to county assistance to elementary school districts having a redevelopment agency or housing authority within its boundaries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 114**—Relative to street and highway funds.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 365**—An act to amend Section 146 of the Civil Code, relating to disposition of community property and homesteads in cases of divorce and separate maintenance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2024**—An act to amend Section 35002 of the Government Code, relating to annexations to cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2656**—An act to amend Section 25351.3 of the Government Code, relating to powers and duties of boards of supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2556**—An act to amend Section 14455.1 of, and to add Section 14455.11 to, the Health and Safety Code, relating to commissioners of county fire protection districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2627**—An act to amend Section 25359 of the Government Code, relating to the working of county jail prisoners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell,

Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2694**—An act to add Section 561 to the Welfare and Institutions Code, relating to unclaimed bicycles and toys

Bill read third time, and passed by the following vote·

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2753**—An act to add Section 25550.5 to the Government Code, relating to the transfer by a county of a local park to a city.

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2823**—An act to add Section 4335 to the Government Code, relating to purchases by public agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2846**—An act to add Chapter 14 (commencing at Section 1420) to Title 10, Part 2 of the Penal Code, relating to disposition of unclaimed money held by a district attorney.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2874**—An act to amend Section 17024 of the Business and Professions Code, relating to unfair trade practices.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2724**—An act to add Section 68073 5 to the Government Code, relating to courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2599**—An act to amend Sections 8200, 8201, 8203, 8203.1, 8203.5, 8207, 8209, 8212, 8213, and 8216 of, and to repeal Section 8205.1 of, the Government Code, relating to notaries public.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2822**—An act to amend Sections 4986.5 and 4986.6 of the Revenue and Taxation Code, relating to taxes on real property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2810**—An act to add Section 214.2 to the Revenue and Taxation Code, relating to the welfare exemption from taxation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2854**—An act to add Section 217 to the Revenue and Taxation Code, relating to personal property tax exemption for disabled individuals.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1493**—An act to add Section 6068.5 to the Revenue and Taxation Code, relating to the Sales and Use Tax Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner,

Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2719**—An act to amend Section 30031 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to tax exemption for the Leland Stanford Junior University.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2840**—An act to amend Section 18103 of the Government Code, relating to unpaid sick leave for state employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2842**—An act to amend Section 21027 of the Government Code, relating to State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 977**—An act to amend Section 1461 of the Probate Code, relating to appearance of alleged insane or incompetent person at hearing for appointment of guardian.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 33**—An act to amend Section 73561 of the Government Code, relating to the number of judges in the municipal court in the district embracing the Cities of Carmel and Monterey.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 533**—An act to amend Section 1067 of the Probate Code, relating to estates of deceased persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 782**—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 785**—An act to amend Section 689b of the Code of Civil Procedure, relating to attachment and execution.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 840**—An act to amend Section 69895 of the Government Code, relating to the secretary and assistant secretaries of the superior court in counties having a population of less than 2,000,000 but more than 750,000.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 920**—An act to amend Section 740 of the Welfare and Institutions Code, relating to supervision of wards of the juvenile court by probation officers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 967**—An act to amend Section 69900 of the Government Code, relating to superior court employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride,

Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1016**—An act to amend Sections 73433 and 73433.5 of the Government Code, relating to the municipal court in a district embracing the City of Bakersfield.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 986**—An act to amend Section 817 of the Public Utilties Code, relating to regulation of public utilities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1245**—An act to amend Sections 1101, 1102, 1103, 1103.02 and 1107 of the Agricultural Code, relating to egg standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 936**—An act to add Section 703 to the Welfare and Institutions Code, relating to authorization of medical, surgical, dental, or other remedial care for minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1485**—An act to add Section 1450 to the Welfare and Institutions Code, relating to county medical facilities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 715**—An act to amend Section 24001 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to gifts to state colleges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 716**—An act to amend Section 17201 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to accounting procedures of school districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell,

Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 824**—An act to amend and renumber the heading of Chapter 4 (commencing at Section 16951), Division 13 of the Education Code, as enacted by the Legislature at its 1959 Regular Session.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 825**—An act to amend Section 13855 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to teachers' retirement.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 826**—An act to amend and renumber Section 8356 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to work experience education.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 827**—An act to amend Section 19481 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 828**—An act to amend Section 13121 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the certification of school employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1156**—An act to amend Sections 821.55, 822, 823.7, and 829.6 of the Agricultural Code, relating to fruit, nut, and vegetable standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 584**—An act to amend Section 9595 of, to add Section 18708 to, the Education Code, to amend Section 9155 of, and to add Section 16409 to, the Education Code, as proposed by Senate Bill No. 2, relating to published materials prepared by a county superintendent of schools or school district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride,

Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 60**—Relative to a study of farm vehicle registration problems.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 32**—Relative to a study to be made of problems arising from automobile accident litigation.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 429**—An act to amend Section 988.3, Military and Veterans Code, relating to advances of money to Department of Veterans Affairs by Department of Finance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 430**—An act to amend Section 980 of the Military and Veterans Code, relating to veterans' benefits.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Speaker Brown announced that the Senate Committee on Finance was meeting tonight in Room 4203.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2727**—An act to amend Section 11713 of the Health and Safety Code, relating to penalties for narcotic offenses.

Bill read third time.

### Point of Order

Mr. Levering arose to the following point of order: That Mr. O'Connell has exceeded his time for debate.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

### Motion to Grant Extra Time for Debate

Mr. Burton moved that Mr. O'Connell be granted an additional five minutes for debate.

Motion carried.

Mr. O'Connell declined the additional time for debate.

The question being on the passage of the bill.

### Motion to Re-refer

Mr. Munnell moved that the bill be re-referred to the Committee on Rules for assignment for interim study.

Mr. Unruh seconded the motion.

### Speaker pro Tempore Presiding

At 8.37 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Demand for Previous Question

Messrs. Lanterman, Schrade, Dahl, Samuel R. Geddes, and DeLotto demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

Motion lost by the following vote:

AYES—Biddick, George E. Brown, Burton, Busterud, Cameron, Crown, DeLotto, Donahoe, Elliott, Gaffney, Hanna, Hawkins, Kilpatrick, Masterson, McMillan, Miller, Munnell, O'Connell, Petris, Rees, Sumner, Unruh, Waldie, Williamson, Winton, and Z'berg—26.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, George A. Willson, Charles H. Wilson, and Mr. Speaker—53.

### Name Placed Upon Roll Call

Mr. McMillan was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on the motion to re-refer.

### Demand for Previous Question

Messrs. Dahl, Schrade, Charles H. Wilson, Reagan, and Pattee demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—59

NOES—Biddick, George E. Brown, Burton, Cameron, Crown, DeLotto, Elliott, Garrigus, Hanna, Masterson, McMillan, Miller, Munnell, O'Connell, Petris, Rees, Sumner, Unruh, Waldie, Winton, and Z'berg—21.

Bill ordered transmitted to the Senate.

### Explanation of Votes

We voted against Assembly Bill No. 2727 for these reasons:

1. In some ways it weakens the present law with respect to second offenders.
2. It is opposed by law enforcement and correctional authorities.
3. It deprives the courts of discretionary power, which will make it more difficult to bring narcotic offenders to justice.
4. The present law is stronger in that it provides for second offense a sentence of from 10 years to life, whereas Assembly Bill No. 2727 provides a sentence of 10 years to 40 years.

WILLIAM A. MUNNELL
JESSE M. UNRUH
JEROME R. WALDIE
JOHN A O'CONNELL
WILLIAM BIDDICK, JR
S. C. MASTERSON
BERT DELOTTO
GORDON H. WINTON, JR.
ROBERT W. CROWN
EDWIN L. Z'BERG
ALLEN MILLER
GEORGE E. BROWN, JR.
NICHOLAS C. PETRIS
RONALD BROOKS CAMERON
THOMAS M. REES
EDWARD E. ELLIOTT

### Speaker Presiding

At 8 49 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## ANNOUNCEMENT

Speaker Brown announced that those members who have bills set for hearing in the Senate Committee on Finance tonight should go to the meeting immediately in order to have their bills heard.

## MEMBERS INVITED TO REMOVE COATS

Miss Donahoe and Mrs. Davis invited the gentlemen Members of the Assembly to remove their coats during the sessions of the Assembly if they so desired.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1985**—An act to add Chapter 1 5 (commencing at Section 27111) to Division 20, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public library systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Crawford, Frew, Hegland, Luckel, and Schrade—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2623**—An act to amend Section 3.4 of the Los Angeles Metropolitan Transit Authority Act (Chapter 547 of the Statutes of 1957), relating to the Los Angeles Metropolitan Transit Authority.

Bill read third time.

Motion to Re-refer

Mr. Rees moved that the bill be re-referred to the Committee on Rules for reference of the subject matter to the appropriate interim committee for study.

Mr. Don A. Allen seconded the motion.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rees moved a call of the Assembly.

Mr. Britschgi seconded the motion.

Motion carried. Time, 9.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2807**—An act to amend Section 11713 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the closing of vehicle dealers on Sundays

Bill read third time.

Demand for Previous Question

Messrs. Sumner, Shell, Lanterman, Samuel R. Geddes, and Grant demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dills, Donahoe, Elliott, Frew, Gaffney,

Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Porter, Schrade, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—54

NOES—Backstrand, Belotti, Coolidge, Crawford, Dahl, Davis, DeLotto, Francis, Samuel R. Geddes, House, Lowrey, McCollister, Munnell, Pattee, Petris, Reagan, Rumford, Sedgwick, Shell, Thelin, Waldie, Winton, and Mr. Speaker—23.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Z'berg was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2807.

## REQUESTS FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETINGS OF COMMITTEES

At 9.21 p.m., Mr. Biddick was granted unanimous consent to hold a special meeting of the Committee on Judiciary—Civil in the rear of the Assembly Chamber, at this time. Subject: Assembly Bill No. 2303.

At 9.22 p.m., Mr. Bradley was granted unanimous consent to hold a special meeting of the Committee on Municipal and County Government in the rear of the Assembly Chamber on adjournment of the special meeting of the Committee on Judiciary—Civil. Subject: Assembly Bill No. 2700.

## NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2807

Mr. MacBride was granted unanimous consent that he be recorded as voting "aye" on Assembly Bill No. 2807.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2310**—An act to add Section 100.2a to the Streets and Highways Code, relating to state highways as freeways.

Bill read third time.

### Demand for Previous Question

Messrs. Sumner, DeLotto, Masterson, Schrade, and Grant demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Britschgi, George E. Brown, Burton, Busterud, Cameron, Collier, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, Kennick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, O'Connell, Rees, Rumford, Schrade, Sedgwick, Shell, George A. Willson, and Mr. Speaker—42.

NOES—Backstrand, Beaver, Bradley, Burke, Crawford, Donahoe, Grant, Holmes, House, Levering, Luckel, MacBride, Nisbet, Reagan, Sumner, Unruh, Waldie, and Z'berg—18.

Bill ordered transmitted to the Senate.

## REMARKS ON CONDITION OF THE FILE BY UNANIMOUS CONSENT

Mr. Unruh, was granted unanimous consent to speak on the condition of the file.

### PARLIAMENTARY INQUIRY

Mr. Unruh arose to the following parliamentary inquiry: Is it the intention of the Speaker to grant his consent for the consideration of appropriation bills?

#### Reply by Speaker

The Speaker replied that it was his intention to grant consent.

#### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: In addition to receiving the consent of the Speaker, are not 60 votes required to consider appropriation or other Assembly bills after tomorrow?

#### Reply by Speaker

The Speaker replied in the affirmative.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2766**—An act to amend Section 154.8 to the Agricultural Code, relating to noxious weeds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1110**—An act to add Section 34327.5 to the Health and Safety Code, and to repeal Section 928a of the Penal Code, relating to housing authorities.

Bill read third time.

#### Hon. Charles J. Conrad Presiding

At 9.42 p.m., Hon Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

The question being on the passage of the bill.

#### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "repeal", and insert "amend".

#### Amendment No. 2

On page 1, line 9, after the period, insert "This section is not intended, and shall not be construed, to prohibit prosecution and conviction for a violation of any law of this State."

#### Amendment No. 3

On page 1, line 12, strike out "subject to audit", and insert "audited".

### Amendment No. 4

On page 1, strike out line 15, and insert

"SEC. 3. Section 928a of the Penal Code is amended to read:

928a The grand jury shall have full and complete authority, at any time, to examine the books, records and accounts of any housing authority in the county and to investigate the operations of any such housing authority and to report as to the facts they have found, with such recommendations as they may deem proper and fit.

In making such examination, the grand jury shall have all the powers granted by Section 928 of this code, and any expenses incurred shall be paid from the same fund and in the same manner as expenses incurred under Section 928 of this code.

*Nothing in this section shall authorize the grand jury to investigate funds and operations which are subject to the control of the Federal Government.*"

Amendments read.

### Demand for Previous Question

Messrs. Lanterman, Schrade, Chapel, Ernest R. Geddes, and Johnson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

### Roll Call Demanded

Messrs. Bruce F. Allen, Charles H. Wilson and Lanterman demanded a roll call.

The roll was called.

### Speaker pro Tempore Presiding

At 10.03 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Call of the Assembly

Pending the announcement of the vote, Mr. Charles H. Wilson moved a call of the Assembly.

Mr. Beaver seconded the motion.

Motion carried. Time, 10.04 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2727

Mr. Gaffney was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No 2727.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1771**—An act to amend Section 1172 of the Labor Code, relating to wages of minors

Bill read third time, and passed by the following vote:

AYES—Bane, Bee, Belotti, George E. Brown, Burton, Cameron, Coolidge, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Kennick, Kilpatrick, Lunardi, MacBride, Masterson,

McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—41.

NOES—Bruce F Allen, Backstrand, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, Mulford, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, and Thelin—30.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1974**—An act to amend Sections 13002, 13005, 13022, 13025, 13041, 13042, 13050, 13052, 13054, 13055, 13060, and 13063 of, to add Sections 13000 1, 13000.2, 13000.3, 13020.1, 13022 1, 13052.1, 13054.1, 13054.2, 13054 3, 13054.4, 13054.5, and 13055 1 to, to repeal Sections 13061, 13061.5, and 13062 of, and to add Article 4 (commencing at Section 13080) to Chapter 4 of Division 7 of, the Water Code, and to amend Section 5460 of the Health and Safety Code, relating to water pollution.

Bill read third time.

### Demand for Previous Question

Messrs. Busterud, Schrade, Luckel, Crawford, and Johnson, demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

NOES—House—1.

Bill ordered transmitted to the Senate.

### VOTES CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 1771

Messrs. Crawford, Schrade, Luckel, Collier, Pattee, Backstrand, Busterud, and Marks, were granted unanimous consent that they be recorded as voting "No" instead of "Aye" on Assembly Bill No. 1771.

### VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 2770

Mr. Beaver was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 2770.

### NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1771

Messrs. Hegland and Lowrey were granted unanimous consent that they be recorded as voting "No" on Assembly Bill No. 1771.

### NOTICE

Mr. Munnell served notice that he would withhold unanimous consent for the first change in vote on Assembly Bill No. 1771 that would change the result on passage of the bill.

### VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 1771

Mr. Holmes asked for unanimous consent that he be recorded as voting "No", instead of "Aye" on Assembly Bill No. 1771.

Mr. Munnell withheld unanimous consent.

#### Objections Withdrawn

Mr. Munnell withdrew his objections.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1771

Mr. Conrad was granted unanimous consent that he be recorded as voting "No" on Assembly Bill No. 1771.

### NOTICE SERVED

Mr. Winton served notice that for the balance of the session tonight and all day tomorrow he would withhold unanimous consent on requests to change votes on bills after intervening business.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2358**—An act to create the Lincoln Sesquicentennial Commission of California, and to prescribe the powers and duties thereof.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

#### Speaker Presiding

At 10.21 p.m , Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 2588**—An act to add Section 13144.1 to the Health and Safety Code, relating to dissemination of information by the State Fire Marshal.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Carwford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

### Assembly Bill No. 778 Placed on the Inactive File

The following bill was placed upon the inactive file:

**Assembly Bill No. 778**, on motion of Mr. Biddick.

**Assembly Bill No. 1857**—An act to add Sections 1659 and 42006 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driver improvement schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77

NOES—None.

Bill ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 1110

At 10.22 p.m., Mr. Charles H. Wilson moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the amendments by Mr. Bruce F. Allen to Assembly Bill No 1110 refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Biddick, Bradley, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Dahl, DeLotto, Francis, Gaffney, Garrigus, Grant, Holmes, Johnson, Lanterman, Levering, MacBride, Marks, McCollister, Meyers, Mulford, Munnell, Petris, Reagan, Rees, Shell, Sumner, Thelin, Unruh, Waldie, Winton, and Z'berg—37

NOES—Don A Allen, Bane, Belotti, Britschgi, George E. Brown, Burke, Burton, Collier, Crawford, Cunningham, Davis, Dills, Donahoe, Elliott, Frew, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Masterson, McMillan, Miller, Nisbet, O'Connell, Pattee, Porter, Rumford, Schrade, Sedgwick, Thomas, Williamson, George A. Willson, and Charles H. Wilson—39.

### Further Consideration of Assembly Bill No. 1110

The question being on the passage of Assembly Bill No. 1110.

### Demand for Previous Question

Messrs. Francis, Schrade, Reagan, Bane, and Hegland demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Collier, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Thomas, Williamson, George A. Willson, and Charles H. Wilson—46.

NOES—Bruce F. Allen, Backstrand, Beaver, Biddick, Bradley, Busterud, Cameron, Chapel, Conrad, Coolidge, DeLotto, Donahoe, Francis, Garrigus, Holmes, Johnson, Lanterman, Levering, MacBride, Mulford, Munnell, Reagan, Rees, Shell, Sumner, Thelin, Unruh, Waldie, Winton, and Z'berg—30.

Bill ordered transmitted to the Senate.

**Name Placed Upon Roll Call**

Mr. Marks was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1110.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2544**—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.
NOES—Sumner—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2282**—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crown, Cunningham, DeLotto, Donahoe, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R Geddes, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—46
NOES—Backstrand, Beaver, Bradley, Burke, Chapel, Crawford, Cusanovich, Dahl, Davis, Grant, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, Pattee, Reagan, Schrade, Sedgwick, Shell, and Thelin—24.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2233**—An act to amend Sections 4166 and 4182 of, to add Sections 4003.5, 4006, 4009, 4020.1, 4146, 4163 7, and 4189.1 to, and to repeal Sections 4006, and 4025 of, the Welfare and Institutions Code, relating to aid to the permanently and totally disabled.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—69.
NOES—Levering and Shell—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1774**—An act to amend Section 2160.9 of the Welfare and Institutions Code, relating to the computation of old age security grants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1625**—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 809**—An act to amend Sections 3082 and 3474.5 of, and to add Section 3474.3 to, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Bill read third time, and passed by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 760**—An act to amend Section 4000 of and to add Section 4001 to the Welfare and Institutions Code, relating to aid to the disabled.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford,

Schrade, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69
NOES—Bradley, House, Lanterman, Reagan, Sumner, and Thelin—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2674**—An act to amend Section 753 of, to amend and renumber Sections 755, 758, 759, and 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Section 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property taxation.

Bill read third time.

### Request for Unanimous Consent

Mr. Coolidge was granted unanimous consent that his consultant be permitted to sit at his desk during the debate on Assembly Bill No. 2764.

The question being on the passage of the bill.

### Motion to Amend

Mr. Collier moved the adoption of the following amendments:

### Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out "1818, 1819,".

### Amendment No. 2

On page 3, strike out lines 25 to 51, inclusive.

### Amendment No. 3

On page 6, line 24, strike out "1818, 1819,".

Amendments read.

### Point of Personal Privilege

Mr. Coolidge arose on a point of personal privilege.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is the question to delete or to add these amendments?

### Reply by Speaker

The Speaker replied that the question is on the adoption of the amendments.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Since these are, technically, committee amendments, should they not already be in the bill?

### Reply by Speaker

The Speaker replied that the bill is before the House in the form in which it was reported out of committee, and that the amendments are now before the House for consideration.

### Demand for Previous Question

Messrs. Holmes, Schrade, McMillan, Hanna, and Dahl, demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

#### Roll Call Demanded

Messrs Collier, Lowrey, and Mrs. Davis demanded a roll call.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Mr. Collier seconded the motion.

Motion carried. Time, 11.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### RECONSIDERATION OF ASSEMBLY BILL NO. 2151

#### Motion to Reconsider Assembly Bill No. 2151 Waived

Mr. Meyers waived his motion to reconsider the vote whereby Assembly Bill No. 2151 was refused passage.

#### Motion to Reconsider Assembly Bill No. 2151

Mr. Unruh moved that the vote whereby Assembly Bill No. 2151 was refused passage be reconsidered.

Assembly Bill No. 2151 reconsidered by the following vote:

AYES—Bruce F Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Chapel, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—47.

NOES—Beaver, Burke, Busterud, Cusanovich, Davis, Ernest R. Geddes, Holmes, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Pattee, Schrade, and Sedgwick—16.

#### Motion to Re-refer

Mr. Unruh moved that Assembly Bill No. 2151 be re-referred to the Committee on Legislative Representation.

Motion carried unanimously.

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.25 p m., Mr. Unruh asked for unanimous consent to hold a special meeting of the Committee on Ways and Means, at this time. Subject: MacBride Bill on retirement.

Mr. Hawkins withheld consent temporarily.

#### Request Withdrawn

Mr. Unruh withdrew his request, at this time.

## MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Francis moved that Assembly Bill No. 2249 be withdrawn from the Committee on Judiciary—Civil.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Francis moved a call of the Assembly.

Mr. Pattee seconded the motion.

Motion carried. Time, 11.39 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## MOTION TO WITHDRAW ASSEMBLY BILL NO. 2869 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Hawkins moved that Assembly Bill No. 2869 be withdrawn from the Committee on Ways and Means.

### Demand for Previous Question

Messrs. Rees, Holmes, Hanna, Schrade, and Dills demanded the previous question. Demand sustained.

The question being on the motion that Assembly Bill No 2869 be withdrawn from the Committee on Ways and Means.

Motion lost by the following vote:

AYES—Don A. Allen, Backstrand, Burton, Collier, Cusanovich, Dahl, Dills, Elliott, Hawkins, Holmes, Masterson, McCollister, McMillan, Pattee, Shell, Thomas, and Charles H. Wilson—17.

NOES—Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Conrad, Crawford, Crown, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Munnell, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A Willson, Winton, Zberg, and Mr. Speaker—47

NOTE—Due to a printer's error, the name of Mr Marks was omitted from the first printing of the above roll call, but it has been corrected in the Corrected Journal *See* statement by Mr. Marks, page 5164.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.44 p.m., Mr. Unruh was granted unanimous consent to hold a special meeting of the Committee on Ways and Means in the rear of the Assembly Chamber, at this time. Subject: MacBride Bill on retirement.

## NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2671 FROM COMMITTEE WAIVED

Mr. Hawkins waived his notice of motion to withdraw Assembly Bill No. 2671 from the Committee on Revenue and Taxation.

## CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 2674

At 11.46 p.m., Mr Lowrey moved to dispense with further proceedings under the call of the Assembly.

Motion carried

The names of the absentees were called, and the amendments offered by Mr. Collier to Assembly Bill No 2674 refused adoption by the following vote:

AYES—Bane, George E Brown, Burton, Cameron, Collier, Crown, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, House, Kennick, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Thomas, Unruh, Waldie, Williamson, Winton, and Z'berg—35

NOES—Don A Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Francis, Gaffney, Grant, Hawkins, Hegland, Holmes, Johnson Kilpatrick Lanterman, Levering, Luckel, Marks, McCollister, McMillan, Mulford, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, George A Willson, Charles H Wilson, and Mr. Speaker—42.

### Further Consideration of Assembly Bill No. 2674

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Francis, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, McMillan, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, George A. Willson, Charles H. Wilson, and Mr Speaker—52.

NOES—Bruce F. Allen, Burton, Davis, DeLotto, Donahoe, Samuel R Geddes, Lowrey, Masterson, O'Connell, Waldie, Williamson, Winton, and Z'berg—13.

Bill ordered transmitted to the Senate.

### Explanation of Vote

The reason I am not recorded as voting on Assembly Bill No. 2674 is that I was attending a meeting of the Ways and Means Committee on Assembly Bill No. 2062, in which I am very much interested as the Chairman of the Civil Service and State Personnel Committee. Had I been present I would have voted "Aye" on Assembly Bill No. 2674.

CHARLES W MEYERS

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 88 Assembly Concurrent Resolution No 136
Assembly Concurrent Resolution No 132 Assembly Joint Resolution No 21

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, June 8, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned to the Assembly without further action.

Assembly Bill No. 1917
Assembly Bill No. 2412

From committee: Bills to be re-referred to Rules Committee for interim study assignment

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 710

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 2110
Assembly Bill No 2111
Assembly Bill No. 2137
Assembly Bill No 2177
Assembly Bill No 2207
Assembly Bill No 2277
Assembly Bill No 2287
Assembly Bill No. 2281
Assembly Bill No 2304
Assembly Bill No 2334
Assembly Bill No. 2363
Assembly Bill No. 2370
Assembly Bill No 2532
Assembly Bill No. 2549
Assembly Bill No 2607
Assembly Bill No 2619

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 132
Assembly Bill No. 232
Assembly Bill No. 256
Assembly Bill No 310
Assembly Bill No. 366
Assembly Bill No. 595
Assembly Bill No 685
Assembly Bill No. 804
Assembly Bill No 968
Assembly Bill No. 969
Assembly Bill No 1015
Assembly Bill No 1058
Assembly Bill No 1085
Assembly Bill No 1090
Assembly Bill No 1133
Assembly Bill No. 1181
Assembly Bill No 1194
Assembly Bill No 1266
Assembly Bill No. 1279
Assembly Bill No. 1387
Assembly Bill No. 1443
Assembly Bill No. 1519
Assembly Bill No. 1532
Assembly Bill No. 1544
Assembly Bill No. 1546
Assembly Bill No 1575
Assembly Bill No 1577
Assembly Bill No 1606
Assembly Bill No 1724
Assembly Bill No 1738
Assembly Bill No. 1746
Assembly Bill No. 1747
Assembly Bill No 1801
Assembly Bill No 1805
Assembly Bill No 1894
Assembly Bill No. 1931
Assembly Bill No 1993
Assembly Bill No 1997
Assembly Bill No. 2018
Assembly Bill No. 2021

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 8, 1959

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 47
Assembly Bill No. 140
Assembly Bill No 276
Assembly Bill No. 555
Assembly Bill No 579
Assembly Bill No. 797
Assembly Bill No 806
Assembly Bill No. 1037
Assembly Bill No 1239
Assembly Bill No 1248
Assembly Bill No. 1391
Assembly Bill No 1673
Assembly Bill No. 1882
Assembly Bill No. 2086
Assembly Bill No 2093
Assembly Bill No. 2237
Assembly Bill No. 2291
Assembly Bill No 2430
Assembly Bill No. 484
Assembly Bill No 1475
Assembly Bill No 1557
Assembly Bill No 1576
Assembly Bill No 1742
Assembly Bill No. 2050

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Murdy, and Miller as a Committee on Conference concerning:

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 8, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Collier, Arnold, and Dilworth as a Committee on Conference concerning:

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## ASSEMBLY BILL NO. 2723 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Assembly Bill No. 2723**, on motion of Mr. Petris.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 2623

At 11.47 p.m., Mr. Rees moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Assembly Bill No. 2623 be re-referred to the Committee on Rules for reference of the subject matter to the appropriate interim committee for study lost by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Bradley, Britschgi, Burke, Cameron, Collier, Coolidge, Cunningham, Cusanovich, Dahl, Donahoe, Gaffney, Grant, House, Johnson, Kennick, Kilpatrick, McCollister, Miller, Rees, Sedgwick, and Mr. Speaker—26

NOES—Beaver, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Conrad, Crawford, Crown, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—52.

### Further Consideration of Assembly Bill No. 2623

The question being on the passage of the bill.

### Demand for Previous Question

Mr. Don A. Allen demanded the previous question.

Demand ruled not in order.

### Demand for Previous Question

Messrs. Munnell, Holmes, Crawford, Luckel, and Kennick demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott,

Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Kennick, Kilpatrick, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Petris, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Zberg—44

NOES—Backstrand, Bane, Bradley, Britschi, Burke, Cameron, Collier, Conrad, Cusanovich, Dahl, Ernest R. Geddes, Grant, Hanna, Holmes, House, Johnson, Lanterman, Levering, McCollister, Miller, Nisbet, Reagan, Rees, Schrade, Shell, Thelin, and Thomas—27.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 2249

At 11:50 p.m., Mr. Munnell moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Assembly Bill No. 2249 be withdrawn from the Committee on Judiciary—Civil lost by the following vote:

AYES—Backstrand, Beaver, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dills, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, McCollister, Meyers, Mulford, Pattee, Reagan, Shell, Thelin, and Thomas—32.

NOES—Busterud, Dahl, Elliott, Hanna, Munnell, Sumner, and Charles H. Wilson—7.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 541**—An act to add Section 6523.2 to the Health and Safety Code, relating to sanitary districts,

**Assembly Bill No. 557**—An act to amend Sections 5871, 5875, and 5876 of the Streets and Highways Code, relating to sidewalks, curbs, and other street improvements;

**Assembly Bill No. 1040**—An act to amend Section 6010 of the Revenue and Taxation Code, relating to sales and use taxes;

**Assembly Bill No. 1083**—An act to amend Section 13092 of the Education Code, and Section 13320 of the Education Code as proposed by Senate Bill No. 2, relating to the employment of certificated employees by school districts;

**Assembly Bill No. 1097**—An act to add Section 25660.1 to the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 1449**—An act to repeal Section 170.5 of the Code of Civil Procedure, relating to peremptory challenges of judges;

**Assembly Bill No. 1543**—An act to add Section 1265 to Article 1 of Chapter 5 of Division 1 of the Unemployment Insurance Code, relating to unemployment insurance;

**Assembly Bill No. 1571**—An act to amend Section 21365.5 of the Government Code, relating to benefits payable on the death of a member eligible to retire under the State Employees' Retirement System;

**Assembly Bill No. 1734**—An act to amend Sections 11529, 11532, 11532.3 and 11532.7 of the Insurance Code, relating to mutualized insurers;

**Assembly Bill No. 1770**—An act to add Section 34704.1 to the Water Code, relating to officers of California water districts;

**Assembly Bill No. 1819**—An act to amend Section 32130.5 of the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 1820**—An act to add Section 32136 to the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 1822**—An act to amend Section 32100 of the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 1825**—An act to amend Section 32132 of the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 2066**—An act to amend Section 14151 of the Health and Safety Code, relating to local fire districts;

**Assembly Bill No. 2142**—An act to add Part 2.3 (commencing at Section 18897) to Division 13 of the Health and Safety Code, relating to organized camps.

And reports the same correctly enrolled, and presented to the Governor on the eighth day of June, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1725
Assembly Bill No. 2611
Assembly Bill No. 2742

And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 60**—An act to convey certain tide and submerged lands to the County of Sonoma, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof, and to repeal Chapter 1406 of the Statutes of 1951;

**Assembly Bill No. 83**—An act to add Section 32401 to the Water Code, relating to county water districts;

**Assembly Bill No. 302**—An act to add Section 2065 to the Labor Code and to add Section 7110.1 to the Business and Professions Code, relating to the payment of wages;

**Assembly Bill No. 466**—An act to add Article 3.5 (commencing with Section 1221) to Chapter 1, of Division 6, of the Military and Veterans Code, relating to the construction of halls, buildings and meeting places by veterans' memorial districts;

**Assembly Bill No. 1084**—An act to amend Sections 14309 and 14376 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the employment after retirement of certificated employees by school districts;

**Assembly Bill No. 1138**—An act to amend Section 537.5 of the Code of Civil Procedure, relating to attachments;

**Assembly Bill No. 1144**—An act to add Article 3 (commencing at Section 35050) to Chapter 1 of Part 4 of Division 13 of the Water Code, relating to elections in California water districts;

**Assembly Bill No. 1237**—An act to amend Sections 61400, 61401, 61402, 61403, 61430, 61431, and 61432 of, and to add Sections 61402.5 and 61402.6 to, the Government Code, relating to community services district general elections;

**Assembly Bill No. 1639**—An act to amend Section 21407 of, and to add Sections 21407.5, and 21407.6 to, the Public Utilities Code, relating to the use of intoxicating liquor, and drugs by the operators of aircraft;

**Assembly Bill No. 1824**—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 1939**—An act to amend Section 27401 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to municipal libraries;

**Assembly Bill No. 2174**—An act to amend Sections 89 and 112 of the Code of Civil Procedure, relating to municipal and justice courts;

**Assembly Bill No. 2236**—An act to amend Section 3800 of the Fish and Game Code, relating to nonprotected birds;

**Assembly Bill No. 2368**—An act making an appropriation to the State School Fund of amounts constituting surplus from estates of deceased persons in the Unclaimed Property Fund in the State Treasury;

And reports the same correctly enrolled, and presented to the Governor on the eighth day of June, 1959, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 137

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Education

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Education reports:

Assembly Bill No 102
Assembly Bill No. 2765

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 102**—An act to amend the heading of Chapter 3.5 (commencing at Section 20695) of Division 10, and Sections 20695 and 20696, of the Education Code, as added by Chapter 1681 of the 1957 Statutes, relating to Orange County State College

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2765**—An act to amend Section 5201 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays and observances.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports.

Senate Bill No 455
Senate Bill No 519
Senate Bill No. 576
Senate Bill No 777
Senate Bill No 1220
Senate Bill No. 1286

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bills re-referred to the Committee on Ways and Means.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 5, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 102
Assembly Bill No. 2765

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER. Your Committee on Transportation and Commerce reports:

Senate Bill No. 552
Senate Bill No. 762
Senate Bill No. 915
Senate Bill No. 1111
Senate Bill No. 1122
Senate Bill No 1193
Senate Bill No. 1352

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 552**—An act to amend Section 2211 of the Streets and Highways Code, relating to the apportionment of federal aid for secondary highways.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 762**—An act to add Section 957.5 to the Streets and Highways Code, relating to the abandonment of streets and highways.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 915**—An act to add Section 144 5 to the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1111**—An act to amend Section 399 of the Streets and Highways Code, relating to the adoption of state highway routes

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1122**—An act to add Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16 of, and to amend Section 27182 of, the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1193**—An act to amend Sections 2110, 2150, and 2152 of the Streets and Highways Code, relating to county roads.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1352**—An act to amend Sections 7306, 7352, 7401, 7402, 7403, 7407, 7451, 7656, 7727, 8102, and 8252 of, to repeal Section 7405 of, and to add Sections 7506.5 and 8255 to, the Revenue and Taxation Code, relating to the motor vehicle fuel license tax

Bill read second time, and ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Concurrent Resolution No. 62

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BACKSTRAND, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Concurrent Resolution No. 62**—Relative to city streets and county roads.

Resolution read.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 2, line 25, of the printed measure, strike out "existing"

**Amendment No. 2**

On page 2, line 27, after "date", insert "and make future projections thereof insofar as such projections are practicable within the time available for the study".

**Amendment No. 3**

On page 2, line 34, after "analysis", insert "and to furnish such necessary data or information at their own expense when requested by the department if the city or county either has such data or information available or is equipped to obtain such data or information".

**Amendment No. 4**

On page 2, line 37, after "committee", insert "of fourteen members, to consist".

**Amendment No. 5**

On page 2, between lines 41 and 42, insert

"5. The Department of Public Works shall employ by contract or otherwise such engineering consultants or other specialists as it deems may be needed for the conduct of the study and the preparation of the report"

**Amendment No. 6**

On page 2, line 42, strike out "5", and insert "6".

**Amendment No. 7**

On page 2, line 47, strike out "6", and insert "7".

**Amendment No. 8**

On page 3, line 4, strike out "7", and insert "8".

**Amendment No. 9**

On page 3, line 8, after "submit", strike out "its final", and insert "a"

Resolution ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 729

With amendments with the recommendation Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 729**—An act to amend Section 30608 of the Streets and Highways Code, relating to toll highway crossings of San Francisco Bay.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Senate on May 27, 1959, after "east," insert "other than a crossing parallel to and in the immediate vicinity of the existing San Francisco-Oakland Bay Bridge,".

**Amendment No. 2**

On page 1, line 12, after "1955", insert ", except that the authority may vary the rates applicable to commercial vehicles as it deems desirable to permit the rates to be based on the number of axles rather than gross weight".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 1294

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1294**—An act to add Section 12521 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to chauffeurs' licenses for special highway construction equipment operators.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

### Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on May 27, 1959, strike out "a separately", and insert "an appropriately".

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 137

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 137**—An act to add Section 1252.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 719

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 719**—An act to amend Section 5500 5 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 897

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 897**—An act to amend Section 771 of the Insurance Code, relating to insurance in connection with sales and loans.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Finance and Insurance, was read, and adopted:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on May 27, 1959, after the period, insert "No service charges shall be imposed for normal insurance changes made during the term of the policy."

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 605

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 605**—An act to amend Section 5908.5 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on May 28, 1959 strike out "and", and insert ", unless as a deputy commissioner he is acting as a member of the commission or a panel,".

Amendment No. 2

On page 1, line 9, strike out "shall be".

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 1287

With amendments with the recommendation: Amend, and re-refer to the Committee on Finance and Insurance.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1287**—An act to add Article 5 (commencing with Section 10506), Chapter 5, Part 2, Division 2 to the Insurance Code, relating to issuance of pension contracts and the establishment and operation of special pension plan funds by life insurers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on May 25, 1959, strike out ", payable on fixed dollar"; strike out lines 13 to 15, inclusive, and insert "for persons other than the contract holder and which benefits are to be payable in fixed dollar amounts not dependent upon the investment results of a segregated fund or account; and shall include agreements reinsuring pension contracts issued by others."

Amendment No. 2

On page 2, line 10, strike out "where", and insert "when".

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2774
Assembly Bill No. 2818
Assembly Bill No. 2819
Assembly Bill No. 2529

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2774**—An act to amend Section 1306 of the Penal Code, relating to bail.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2818**—An act to amend Section 653h of the Penal Code, relating to interception of communications.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2819**—An act to add Section 7515 to the Business and Professions Code, relating to the interception of communications.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2529**—An act to add Section 816 to the Insurance Code, relating to insurance adjusters.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No 2528

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2528**—An act to add Section 557 to the Insurance Code, relating to insurance claims.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

### Amendment No. 1

On page 1, line 3, of the printed bill, strike out "to prepare," and insert "alone or in concert to prepare or".

### Amendment No. 2

On page 1, line 4, strike out "or subscribe"

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports

Assembly Bill No. 2650

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2650**—An act to amend Section 537 of the Penal Code, relating to defrauding innkeepers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

### Amendment No. 1

On page 1, of the printed bill, strike out line 5; on line 6, strike out "nished", and insert "apartment house, bungalow court, motel, or".

**Amendment No. 2**

On page 1, strike out line 9, and insert "house, apartment house, bungalow court, motel.".

**Amendment No. 3**

On page 1, line 10, strike out "furnished".

**Amendment No. 4**

On page 1, line 12, strike out "furnished"; strike out line 13, and insert "apartment house, bungalow court, motel, or auto".

**Amendment No. 5**

On page 2, line 2, strike out "fur-"; strike out line 3; on line 4, strike out "nished", and insert "apartment house, bungalow court, motel, or".

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### *Committee on Criminal Procedure*

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 2563
Assembly Bill No. 2783
Assembly Bill No. 268
Assembly Bill No. 269
Assembly Bill No. 2739
Assembly Bill No. 2139

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 908
Senate Bill No. 911
Senate Bill No. 1002

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 908**—An act to amend Section 12027 of the Penal Code, relating to the sale of concealable firearms.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 911**—An act to amend Section 12076 of the Penal Code, relating to the sale of concealed firearms.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1002**—An act to amend Section 12052 of the Penal Code, relating to the issuance of licenses to carry concealed firearms.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports.

Senate Bill No. 925
Senate Bill No. 845
Senate Bill No. 7
Senate Bill No. 1076
Senate Bill No. 1394

With the recommendation: Do pass.

O'CONNELL, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 925**—An act to amend Section 884 of the Welfare and Institutions Code, relating to medical care of persons before the juvenile court.

Bill read second time, and ordered to third reading.

**Senate Bill No. 845**—An act to amend Section 148.1 of the Penal Code, relating to false reports of the secreting of bombs and explosives

Bill read second time, and ordered to third reading.

**Senate Bill No. 7**—An act to amend Section 172a of the Penal Code, relating to sale or gift of intoxicating liquors near certain universities.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1076**—An act to amend Section 602 of the Penal Code, relating to the crime of trespass.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1394**—An act to add Section 4019.3 to the Penal Code, relating to work credit for prisoners in county jails

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2773
Assembly Bill No 174
Assembly Bill No 245
Assembly Bill No. 2573
Assembly Bill No. 2900
Assembly Bill No. 2458
Assembly Bill No 2684
Assembly Bill No 1076
Assembly Bill No 1350
Assembly Bill No. 123

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2773**—An act to add Chapter 8 (commencing at Section 25700) to Division 20 of the Health and Safety Code, relating to ambulance safety.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on June 5, 1959, after "safety", insert ", and making an appropriation".

**Amendment No. 2**

On page 3, after line 22, insert

"25734. Each ambulance operator subject to the provisions of this article shall pay an annual fee to the State Department of Public Health on or before August 1st of each year. The amount of the fee shall be fixed by regulation of the state department at an amount sufficient to cover its costs in carrying out the duties imposed upon it by this article, but not exceeding twenty dollars ($20). All moneys received by the state department pursuant to this section shall be deposited in the State Treasury to the credit of the Ambulance Operators Fund, which fund is hereby created All moneys in the Ambulance Operators Fund are continuously appropriated for the support of the State Department of Public Health in carrying out the duties imposed upon the state department by this article."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 174**—An act to amend Sections 633, 705, and 709 of, and to add Section 710 to, the Unemployment Insurance Code, relating to unemployment insurance coverage for municipal and county employees.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 12, of the printed bill as amended in Assembly June 3, 1959, strike out "the Regents of the University of California,".

**Amendment No. 2**

On page 1, lines 20 and 21, strike out "or the Regents of the University of California".

**Amendment No. 3**

On page 2, strike out line 10, and insert "thereof, such state".

**Amendment No. 4**

On page 2, strike out lines 27 and 28, and insert "include the State."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and means, was read, and adopted:

**Amendment No. 1**

On page 4, lines 48 and 49, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "one hundred seventy-five thousand dollars ($175,000)", and insert "fifteen thousand dollars ($15,000)".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2573**—An act to add Article 4.5 (commencing at Section 28340) to Chapter 7, Division 21 of the Health and Safety Code, relating to crabmeat, and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out ", and making an appropriation".

**Amendment No. 2**

On page 1, between lines 18 and 19, insert

"An applicant for a license or the renewal of a license shall pay an inspection fee to the board at the time of making the application. The amount of the fee shall be fixed by the board, by regulation, at an amount sufficient to cover the costs incurred by the board in the administration of this chapter."

**Amendment No. 3**

On page 2, strike out lines 40 to 43, inclusive, and insert

"28344.5. All moneys received by the board pursuant to the provisions of this chapter shall be deposited in the State Treasury and credited to the Crabmeat Plant Licensing Fund, which fund is hereby created. All moneys in the Crabmeat Plant Licensing Fund are continuously appropriated to the board for the support of the board for the purposes of this chapter."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2900**—An act to add Section 515 to the Streets and Highways Code, relating to state highway routes.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 515 to", and insert "amend Section 553.1 of".

**Amendment No. 2**

On page 1, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 553.1 of the Streets and Highways Code is amended to read

553.1 Route 253 is from:

(a) Route 68 near the south city limits of San Francisco to Route 224 near the San Francisco-Oakland Bay Bridge.

(b) Route 68 near Alemany Boulevard to the route described in subdivision (a) of this section.

*(c) Construction of that portion of Route 253 described in subdivision (b) hereof may be commenced when the City and County of San Francisco has acquired all*

*of the rights of way necessary for such construction and has conveyed these rights of way to the State of California for highway purposes."*

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2458**—An act to add Chapter 3 (commencing at Section 24375) to Division 20 of the Health and Safety Code, relating to the State Air Pollution Board.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on June 4, 1959, strike out lines 4 to 7, inclusive, and insert

"24380. There shall be an Executive Officer of the board and he shall have charge of the staff employed by the board. The board may authorize".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2684**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, line 7, of the printed bill, as amended in the Assembly on June 3, 1959, after "Bay", insert ", other than a crossing parallel to the existing San Francisco-Oakland Bay Bridge".

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1076**—An act to amend Sections 2011, 2016, 2160, and 2163 of, and to repeal Sections 2181, 2181.01, 2181.05, 2224, and 2224.1, of the Welfare and Institutions Code and to amend Section 206.7 of the Civil Code, relating to relatives' responsibility requirements with respect to the old age assistance program.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2, of the title of the printed bill, as amended in the Assembly on March 19, 1959, strike out "amend Sections 2011, 2016, 2160, and 2163 of, and to repeal Sections 2181, 2181.01, 2180.05, 2224, and 2224.1, of", and insert "add Section 2181.07 to".

**Amendment No. 2**

In lines 3 and 4, of the title, strike out "and to amend Section 206.7 of the Civil Code".

**Amendment No. 3**

On page 1, line 1, strike out "2011 of", and insert "2181.07 is added to".

**Amendment No. 4**

On page 1, line 2, strike out "is amended".

**Amendment No. 5**

On page 1, strike out lines 3 to 14, inclusive, and insert

"2181 07. The State Department of Social Welfare in devising the form to be used by responsible relatives pursuant to Section 2224 of this chapter shall make provision for a simple affidavit form to be filed by any responsible relative whose gross monthly income is less than the minimum net income level for which a single person is required to make a contribution as set forth in Section 2181 of this chapter."

**Amendment No. 6**

On page 2, strike out lines 1 to 51, inclusive.

**Amendment No. 7**

On page 3, strike out lines 1 to 51, inclusive.

**Amendment No. 8**

On page 4, strike out lines 1 to 38, inclusive.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1350**—An act to amend Sections 2020, 2020.002, and 2025 of, and to add Section 2020.001 to, the Welfare and Institutions Code, relating to old age assistance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 23, 1959, strike out "2020.002," and "and to add Section 2020.001 to,".

**Amendment No. 2**

In lines 3 and 4 of the title, strike out ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 3**

On page 1, line 4, between the words "entitled" and "shall", insert "for basic needs".

**Amendment No. 4**

On page 1, line 7, strike out "one hundred", and insert "ninety-five".

**Amendment No. 5**

On page 1, line 8, strike out "$100", and insert "$95".

**Amendment No. 6**

On page 1, line 9, strike out "one hundred", and insert "ninety-five".

**Amendment No. 7**

On page 1, line 10, strike out "$100", and insert "$95".

**Amendment No. 8**

On page 1, line 11, strike out "one hundred dollars ($100)", and insert "ninety-five dollars ($95)".

**Amendment No. 9**

On page 2, strike out lines 6 to 21, inclusive.

**Amendment No. 10**

On page 2, line 22, strike out "SEC. 4", and insert "SEC. 2".

**Amendment No. 11**

On page 2, line 29, strike out "amount", and insert "maximum".

**Amendment No. 12**

On page 2, line 30, strike out "of the".

**Amendment No. 13**

On page 2, line 30, strike out "Section 2020", and insert "each of Sections 2020 and 2020.002 of this chapter".

**Amendment No. 14**

On page 2, line 31, between ' to" and "such", insert "the nearer dollar of".

**Amendment No. 15**

On page 2, line 33, strike out "total aid granted under Section 2020, as modified by".

**Amendment No. 16**

On page 2, strike out line 34.

**Amendment No. 17**

On page 2, line 35, strike out "than seventy-five", and insert "maximum grant of aid under Section 2020 be decreased below ninety".

**Amendment No. 18**

On page 2, line 35, strike out "($75)", and insert "($90) or increased above one hundred dollars ($100)".

**Amendment No. 19**

On page 2, strike out lines 47 to 52, inclusive, and insert
"SEC. 3. The increase in the maximum amount for basic need as provided in Section 1 of this act is for the express purpose of increasing the basic need allowance for shelter."

**Amendment No. 20**

On page 3, strike out lines 1 to 19, inclusive, and insert
"SEC. 4. This act shall become operative January 1, 1960."

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 123**—An act to amend Sections 2020, 2020.002, 2025, 3084 and 3472 of the Welfare and Institutions Code, relating to public assistance grants.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 6, 1959, strike out "Sections 2020, 2020.002, 2025, 3084 and 3472", and insert "Section 2020.002".

**Amendment No. 2**

In line 3 of the title strike out "public assistance", and insert "Old Age Security".

**Amendment No. 3**

On page 1, strike out lines 1 through 20, inclusive.

**Amendment No. 4**

On page 2, line 1, strike out "SEC 2", and insert "SEC. 1".

**Amendment No. 5**

On page 2, line 4, strike out "twenty-five", and insert "fifteen".

**Amendment No. 6**

On page 2, line 5, strike out "125", and insert "115".

**Amendment No. 7**

On page 2, line 10, strike out "twenty-five", and insert "fifteen".

**Amendment No. 8**

On page 2, line 11, strike out "125", and insert "115".

**Amendment No. 9**

On page 2, line 11, strike out "except as provided by Section 2020", and insert a period.

**Amendment No. 10**

On page 2, strike out line 12, and insert
"SEC. 2. The additional grant provided by Section 1 of this act is to provide additional aid to persons with special needs arising because of circumstances and situations not common to all recipients and not covered by the basic needs allowance within the maximum grant payable pursuant to Section 2020 of the Welfare and Institutions Code."

**Amendment No. 11**

On page 2, strike out lines 13 to 51, inclusive, and insert
"SEC. 2. This act shall become operative January 1, 1960"

**Amendment No. 12**

On page 3, strike out lines 1 to 52, inclusive.

**Amendment No. 13**

On page 4, strike out lines 1 to 13, inclusive.

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 2464
Assembly Bill No. 2665
Assembly Bill No. 2654

With the recommendation: Do pass

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2464**—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2665**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Del Norte, State of California.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2654**—An act to add Section 6508.5 to the Business and Professions Code, relating to the practice of barbering.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2330
Assembly Bill No. 2802
Assembly Bill No. 2687
Assembly Bill No 2865
Assembly Bill No. 2660
Assembly Bill No. 2786
Assembly Bill No. 2733
Assembly Bill No 2643
Assembly Bill No. 2644
Assembly Bill No 2813
Assembly Bill No. 2534
Assembly Bill No. 2887
Assembly Bill No. 706
Assembly Bill No. 1046
Assembly Bill No. 2390

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2330**—An act to amend Sections 6710, 6711, and 6712 of the Business and Professions Code, relating to the State Board of Registration for Civil and Professional Engineers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2802**—An act to add Section 236 to the Water Code, relating to water resources development.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2687**—An act to add Section 576.5 to the Agricultural Code, relating to imitation dairy products.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2865**—An act to add Section 346 to the Water Code, relating to state water projects.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2660**—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to relatives' responsibility under the Old Age Security Law.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2786**—An act to amend Section 20630 of the Government Code, relating to member contributions under the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2733**—An act to add Section 11332 to the Health and Safety Code, relating to narcotics.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2643**—An act to amend Sections 8045 and 8046 of the Fish and Game Code, relating to the imposition of privilege taxes on fish packers and processors.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2644**—An act to add Sections 8057, 8058, 8059, 8060, 8061, 8062, 8063, 8064, 8065, 8066, 8067, 8068, 8069, and 8070 to the Fish and Game Code, relating to the payment of privilege taxes and claims and suits for refund.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2813**—An act to add Article 5 (commencing at Section 380.20) to Chapter 3, Division 3, of the Agricultural Code, and to amend Section 12022 of the Business and Professions Code, relating to poultry meat.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2534**—An act to amend Sections 23604, 23605, and 23606 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the state college faculty.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2887**—An act to amend the title of Chapter 4 (commencing at Section 645) of Division 10, and Sections 645, 646, 647, 652, 653, 654, 655, 656, and 657 of, the Vehicle Code, and to amend Section 24006 of, and to add Sections 27156, 27157, 27158, and 27159 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to equipment of motor vehicles.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 706**—An act to add the heading of Article 1 (commencing at Section 12880) of, and Article 2 (commencing at Section 12892 to, Chapter 5 of Part 6 of Division 6 of the Water Code, relating to the planning, construction, and operation of water development projects for cities, counties, and districts throughout the State.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 1046**—An act to add Section 10184 to the Business and Professions Code; and to add Article 1 (commencing at Section 3081 1) and to add a heading to Article 2 to, and to amend Sections 3081 1, 3081.3, and 3081 93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to real property loans and brokers.

Bill read second time, and ordered to third reading.

**Assembly Bill No. 2390**—An act to create the Yuba-Bear River Basin Authority, to develop and promote the regulation of the water resources of the Yuba and Bear Rivers watersheds for beneficial use in the Counties of Placer, Nevada, and Sierra, prescribing the authority's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the authority, authorizing the incurrence of indebtness, providing for the issuance of bonds, providing for the levy and collection of taxes, and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2890
Assembly Bill No. 2483

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2890**—An act to amend Section 60 5 of the Labor Code, relating to the Division of Industrial Safety.

Bill read second time, and ordered engrossed.

**Assembly Bill No. 2483**—An act making an appropriation for allocations to counties and cities for the construction of grade protections.

Bill read second time, and ordered engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2662 — Assembly Bill No. 2891
Assembly Bill No. 2720 — Assembly Bill No. 2715

With amendments with the recommendation: Amend, and do pass, as amended

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2662**—An act to add Sections 110, 4167, 4310, and 6053 to, to amend Section 4750 of, and to add Articles 2.5 (commencing at Section 27175) and 2.6 (commencing at Section 27250) to Chapter 5 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the prevention of air pollution by motor vehicles.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 2, line 50, of the printed bill, strike out "At his"; strike out line 51, and insert "The director shall designate a laboratory oper-".

#### Amendment No. 2

On page 3, line 3, after "laboratory.", insert "The cost to the department of the services performed by the laboratory shall not exceed the amount of the fees collected by the diretcor pursuant to Section 27177."

#### Amendment No. 3

On page 3, strike out lines 4 and 5, and insert "change the desgination from time to time."

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2720**—An act to amend Section 11563 of the Government Code, relating to salaries of state officers.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

#### Amendment No. 1

On page 1, line 4, of the printed bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "six thousand six hundred dollars ($6,600)".

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2891**—An act to add Section 18807 to the Government Code, relating to maritime engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out ", and shall provide for"; strike out line 7, and insert a period.

Bill ordered reprinted, and engrossed.

**Assembly Bill No. 2715**—An act making an appropriation in augmentation of the appropriation for the support of the Department of Justice, for investigation and prosecution of alleged illegal trade practices, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "one hundred and fifty thousand dollars ($150,000)", and insert "ninety thousand dollars ($90,000)".

Bill ordered reprinted, and engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 338
Senate Bill No. 393
Senate Bill No. 438
Senate Bill No. 474
Senate Bill No. 501
Senate Bill No. 502
Senate Bill No. 572
Senate Bill No. 724
Senate Bill No. 830

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 338**—An act to amend Section 26470 of, and to add Sections 26465, 26466, and 26542.1 to, the Health and Safety Code, relating to foods, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 393**—An act to amend Section 28361 of the Health and Safety Code, relating to canneries.

Bill read second time, and ordered to third reading.

**Senate Bill No. 438**—An act to add Sections 21641 and 21642 to the Public Utilities Code, relating to airspace hazards.

Bill read second time, and ordered to third reading.

**Senate Bill No. 474**—An act to amend Section 1061 of the Insurance Code, relating to the audit of proceedings in cases of insolvency and delinquency.

Bill read second time, and ordered to third reading.

**Senate Bill No. 501**—An act to amend Section 3300 of the Health and Safety Code, relating to the state tuberculosis subsidy.

Bill read second time, and ordered to third reading.

**Senate Bill No. 502**—An act to add Section 6309 to the Public Resources Code, relating to salvage operations on tide and submerged lands.

Bill read second time, and ordered to third reading.

**Senate Bill No. 572**—An act to amend Sections 1408 and 1410 of the Health and Safety Code, relating to the regulation of hospitals and other institutions providing care for the infirm.

Bill read second time, and ordered to third reading.

**Senate Bill No. 724**—An act to amend Sections 8951 and 8955 of and to add Section 6913.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read second time, and ordered to third reading.

**Senate Bill No. 830**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle air and vacuum brakes.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER. Your Committee on Ways and Means reports:

Assembly Bill No. 2904

With amendments with the recommendation. Amend, and do pass, as amended

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2904**—An act making an appropriation for studies and investigations of pollution in the Sacramento River and the San Francisco Bay area.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

#### Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, as amended in the Assembly on May 28, 1959, strike out "five hundred fifty-one thousand one hundred twenty dollars ($551,120)", and insert "two hundred thirteen thousand dollars ($213,000)"

#### Amendment No. 2

On page 1, lines 6 and 7, strike out "three hundred ninety-two thousand five hundred dollars ($392,500)", and insert "one hundred thirty thousand dollars ($130,000)".

#### Amendment No. 3

On page 1, lines 9 and 10, strike out "one hundred fifty-eight thousand six hundred twenty dollars ($158,620)", and insert "eighty-three thousand dollars ($83,000)".

**Amendment No. 4**

On page 1, line 4, strike out "General", and insert "California Water".

**Amendment No. 5**

On page 1, line 5, strike out "State Water Pollution Control Board", and insert 'Department of Finance for expenditure in contracting with an independent agency or agencies for water pollution studies and investigations".

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER. Your Committee on Ways and Means reports:

Senate Bill No. 575

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 575**—An act to amend Section 6214 of the Public Resources Code, relating to fees payable to the State Lands Commission.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Senate on April 23, 1959, after 'Code", insert "and Section 127 of the Labor Code"

**Amendment No. 2**

In line 3 of the title, after "Commission", insert "and to the Industrial Accident Commission".

**Amendment No. 3**

On page 2, following line 13, insert

"SEC. 2. Section 127 of the Labor Code is amended to read:

127. The commission may:

(a) Charge and collect the following fees: For copies of papers and records, not required to be certified or otherwise authenticated by the commission, ~~ten cents ($0.10)~~ *seventy-five cents ($0.75)* for each ~~folio~~ *page* ; for certified copies of official documents and orders filed in its office or of the evidence taken or proceedings had, ~~fifteen cents ($0.15)~~ *seventy-five cents ($0.75)* for each ~~folio~~ *page in addition to any copy charge if copies are made by the commission* ; for transcripts of testimony, ~~forty cents ($0.10)~~ *one dollar ($1)* for each ~~folio~~ *page* for all copies *As used in this paragraph, "page" means a single page not exceeding standard legal size For larger pages the commission may fix and collect a reasonable fee in addition.*

(b) Publish and distribute from time to time, in addition to its reports to the Governor, further reports and pamphlets covering its operations, proceedings, and matters relative to its work.

(c) Prepare, publish, and distribute an office manual, for which a reasonable fee may be charged, and to which additions, deletions,

amendments, and other changes from time to time may be adopted, published, and distributed, for which a reasonable fee may be charged for such revision, or for which a reasonable fee may be fixed on an annual subscription basis.

(d) Fix and collect reasonable charges for publications issued under its authority. Fees charged and collected under this section shall be paid monthly into the Treasury of the State and credited to the General Fund."

Bill ordered reprinted, and re-engrossed.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2119
Assembly Bill No. 2746

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2762
Assembly Bill No. 2908

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bills ordered filed, and the subject matter referred to the Committee on Rules.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Municipal and County Government reports

Assembly Bill No. 2700

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2700**—An act to amend Section 349.1 of the Code of Civil Procedure, relating to improvement districts.

Bill read second time, and ordered engrossed, and to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 8, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2303

With the recommendation: Do pass.

BIDDICK, Chairman

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2303**—An act to amend Section 72604 of the Government Code, relating to the fees of official reporters of municipal courts of judicial districts in Los Angeles County.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

*Committee on Ways and Means*

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 2062

With amendments with the recommendation Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2062**—An act to add Sections 20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20230.5, 20497, 20498, 20601.5, 20750.13, 20750.23, 20750.33, 20750.43, 20989, 21251.14, 21293.5, 21364.7, 22152, 22153, and 22213 of; to add Chapter 6.5 (commencing at Section 20780) to Part 3, Division 5, Title 2 of; to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of; to amend Section 22009.1, 22013, 22210 of; and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2 of; the Government Code, relating to State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

*Consideration of Committee Amendments*

The following amendments, proposed by the Committee on Ways and Means, were read:

NOTE—On June 9, 1959 (Assembly Journal, page 5110), the record was expunged, and the action rescinded whereby these committee amendments were adopted.

**Amendment No. 1**

In line 6 of the title of the printed bill, as amended in the Assembly on May 13, 1959, strike out "22152", and insert "22152.5".

**Amendment No. 2**

In lines 6 and 7 of the title, strike out "and 22213 of", and insert "20202.5, 22213, and 22550.5 to".

**Amendment No. 3**

In line 11 of the title, strike out "Section", and insert "Sections 20127, 20132,".

**Amendment No. 4**

On page 2, line 22, after "benefits", insert ", for continued allowances under Section 21263,".

**Amendment No. 5**

On page 3, line 47, after "election", insert "except that the provision for payment of contributions to the members shall not apply".

**Amendment No. 6**

On page 4, line 47, after "contributions", insert "with respect to salaries and wages paid after July 1, 1962,".

**Amendment No. 7**

On page 5, strike out lines 3 to 5, inclusive.

**Amendment No. 8**

On page 5, line 6, strike out "(e)", and insert "(d)".

**Amendment No. 9**

On page 5, line 11, after "contributions", insert "with respect to salaries and wages paid after July 1, 1962,".

**Amendment No. 10**

On page 6, line 49, strike out "on or before the execution", and insert "before July 1, 1962,".

**Amendment No. 11**

On page 6, strike out lines 50 and 51, and insert "for services rendered after the effective".

**Amendment No. 12**

On page 7, line 4, strike out "or the public agency's".

**Amendment No. 13**

On page 7, line 5, strike out ", as the case may be".

**Amendment No. 14**

On page 7, line 6, after "Controller", insert ", from time to time,".

**Amendment No. 15**

On page 7, lines 7 and 8, strike out "for retroactive coverage under the federal system", and insert "with respect to such salaries and wages".

**Amendment No. 16**

On page 9, line 7, strike out "22152", and insert "22152.5".

**Amendment No. 17**

On page 9, line 8, strike out "22152", and insert "22152.5".

**Amendment No. 18**

On page 9, line 43, strike out "22152", and insert "22152.5".

**Amendment No. 19**

On page 10, line 22, strike out "22009", and insert "22009.1"

**Amendment No. 20**

On page 10, line 23, strike out "(b)", and insert "(c)".

**Amendment No. 21**

On page 10, line 24, strike out "22152", and insert "22153".

**Amendment No. 22**

On page 10, line 39, after "benefit", insert "or the continued allowance under Section 21263".

**Amendment No. 23**

On page 11, strike out lines 7 to 34, inclusive.

**Amendment No. 24**

On page 11, line 35, strike out "27", and insert "23".

**Amendment No. 25**

On page 11, lines 51 and 52, strike out "after September 30, 1959, and".

**Amendment No. 26**

On page 13, strike out lines 19 to 29, inclusive.

**Amendment No. 27**

On page 13, between lines 43 and 44, insert

"21384. This article shall be effective as to state members and local miscellaneous members who are included in the system under Chapter 4.5 (commencing at Sec. 20580) on January 1, 1960, and shall apply only to such members whose services are not included in the federal system. On the date fixed by the board, pursuant to Sections 21252 and 21253 of this part for division of the system with respect to such members, each member in employment on that date to whom this article otherwise may apply shall be given an opportunity to elect to be subject to this article.

21385. This article shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this article by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the time this article takes

effect, by express provision in such contract making the contracting agency subject to the provisions of this article.

This article shall not in any event apply to employees of a contracting agency whose services are included in the federal system. Members who are employees of a contracting agency when such agency becomes subject to this article and whose services are not included in the federal system shall have the right to elect to be subject to it. Employees of such contracting agency becoming members thereafter shall be subject to this article without election.

21386. The rate of contribution of a member subject to this article shall include, in addition to his normal rate, two dollars ($2) per month or fraction thereof, or ninety-three cents ($0.93) for each biweekly payroll period or fraction thereof, where salaries are paid on such basis. Such contributions shall not become a part of a member's accumulated contributions or be treated or administered as normal contributions and shall not be refundable to a member under any circumstances. Such contributions shall be available only for payment of survivors' allowances under this article.

SEC. 24. Section 20127 of said code is amended to read:

20127. The board shall keep in convenient form such data as is necessary for the actuarial valuation of this system. As of June 30, 1950, and thereafter at the ends of periods not to exceed four years, it shall cause to be made an actuarial investigation into the mortality, service and compensation experience of members and persons receiving benefits and an actuarial valuation of the assets and liabilities of this system. From time to time it shall determine the rate of interest being earned on the Retirement Fund *after deducting from earnings amounts applied to costs of administration of the system.*

SEC. 25. Section 20132 of said code is amended to read:

20132. At the end of each fiscal year the board may credit to all contributions held in the Retirement Fund at June 30th of the then current fiscal year, such interest in excess of the current rate as it deems proper in the light of the earnings on the Retirement Fund during that fiscal year, but not more than the difference between such earnings and the interest credited at the current rate to contributions during that year *plus the amount of earnings applied to costs of administration of the system.* In the calculation of benefits under any mortality table adopted by the board, only the current rate of interest shall be used regardless of any additional interest allowed on contributions under this section.

SEC. 26. Section 20202.5 is added to said code, to read:

20202.5. Costs of administration of the system shall be paid from interest income from the Retirement Fund beginning with the Fiscal Year 1959-60, provided that the amount of income so applied in any fiscal year may not exceed ten hundredths (0.10) of 1 percent of the investments of the Retirement Fund at book value as of the close of the preceding fiscal year.

SEC. 27. Section 22550.5 is added to said code, to read:

22550.5. A school district whose employees in positions covered under a retirement system as defined in Section 22009.1(c) are included in the agreement, shall be subject to all obligations and liabilities imposed on a public agency under this article. The county superintendent of schools shall submit on behalf of the district and for employees in his office included in his contract with the system, all wage, contribution, and other reports required under this article and shall collect and forward to the State amounts due in the manner provided in Section 20585 of this code for payment of contributions under the State Employees' Retirement System.

**Amendment No. 28**

On page 5, strike out line 29, and insert "and (b) the amounts payable pursuant to Sections 20786, 20787 and 20788."

**Amendment No. 29**

On page 5, strike out lines 30 to 45, inclusive.

**Amendment No. 30**

In the second line of the heading, after "McCollister," insert "Gaffney".

**Amendment No. 31**

On page 9, lines 11 and 12, strike out "the election among the members shall be held on the date set for the division, and".

**Amendment No. 32**

On page 9, line 14, strike out "the election", and insert "an election held for that purpose".

**Amendment No. 33**

On page 9, lines 15 and 16, strike out "date for", and insert "dates for the election and".

**Amendment No. 34**

On page 9, line 26, strike out "on the date set for the division".

**Amendment No. 35**

On page 9, line 30, strike out "date for", and insert "dates for the election and".

NOTE—*See* Assembly Journal, page 5110, where adoption of above amendments was expunged and rescinded.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2529
Assembly Bill No. 2774
Assembly Bill No 2818
Assembly Bill No. 2819

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2483
Assembly Bill No. 2890

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Kennick of Long Beach to Mr. and Mrs. Richard Cartwright and daughter Adelaide of Long Beach.

On request of Speaker Ralph M. Brown of Modesto to Mrs. Jack Schrade of Sacramento, former Assemblyman Arthur Coats of Yuba City, and Mr. and Mrs. Harvey Winter of West Virginia.

On request of Mr. Lowrey of Rumsey to Commander John B. Cooke, of San Francisco, former Assemblyman.

On request of Mr. Conrad of Sherman Oaks and Mr. Reagan of Pasadena to Mrs. Erma Kerrigan of Pasadena.

On request of Mr. Johnson of Los Angeles and Mr. Hegland of La Mesa to Mr. and Mrs. Ray Pearce of Vista.

## ADJOURNMENT

At 11.59 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Tuesday, June 9, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED FIFTH LEGISLATIVE DAY

ONE HUNDRED TWELFTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, June 9, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

First Assistant Clerk James Driscoll at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Great and Merciful God,* In this moment of our prayer break through our weariness and our busy planning. Forgive us our procrastination which makes even more difficult the inevitable crowding of these days. Forgive us in past sessions the disdain of those we counted not our equals; the neglect of those we felt we could afford to ignore; the personal abuse we have heaped upon opponents; and anger that burst forth destructively, hurting others as well as ourselves. There is so much we might have done better; surprise us, O God, with results better than we deserve, and with Thy continued guidance and mercy this day—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Pattee, seconded by Mr. Backstrand.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of illness:

Mr. Reagan, on request of Speaker pro Tempore Bee.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. House and Backstrand:

### House Resolution No. 332

Relative to the California-Arizona State Boundary

WHEREAS, The California Colorado River Boundary Commission is engaged in negotiations with representatives of the State of Arizona in an endeavor to reach an agreement regarding the location of the common boundary between this State and the State of Arizona; and

WHEREAS, That boundary is described in Section 1 of Article XXI of the Constitution; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly recommend to the commission that the location of the permanent boundary between the States of California and Arizona from Laguna Dam to the International Boundary approximate the center line of the present channel of the Colorado River; and be it further

*Resolved*, That, if such a location from Laguna Dam to Yuma is not acceptable to the representatives of the State of Arizona, we urge the members of the commission to insist that the southern boundary line as described in the Constitution of this State shall remain unchanged; and be it further

*Resolved*, That the Chief Clerk of the Assembly is instructed to transmit copies of this resolution to each member of the Colorado River Boundary Commission.

Resolution read, and referred to the Committee on Rules.

By Messrs. Rumford, Mulford, Crawford, and Johnson:

### House Resolution No. 333

Relative to fire prevention and fire protection

WHEREAS, Fires continue to be a leading cause of death and injury to the people of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Health is authorized and directed to ascertain, study, and analyze all facts relating to fires as a cause of accident and death, including all facts and circumstances relating to fires occurring in family dwelling units, apartment houses, hotels, and schools, and is directed to study the State Housing Act, Part 1 (commencing at Section 15000), Division 13 of the Health and Safety Code, and other laws relating to fire prevention and fire protection, and to report its findings, together with appropriate recommendations as to the advisability or necessity of legislation on these subjects, to the Legislature at its 1961 Regular Session

Resolution read, and referred to the Committee on Rules.

By Messrs. Luckel, Crawford, Schrade, and Hegland:

### House Resolution No. 334

Relative to the death of Lieutenant Commander Benton W. Decker, Jr.

WHEREAS, The Members of the Assembly have learned with profound grief of the recent tragic death of Lieutenant Commander Benton W. Decker, Jr.; and

WHEREAS, His death occurred when his jet bomber crashed while on a training flight 12 miles southeast of the coast of Iwakuni, Japan; and

WHEREAS, He was an honor graduate of Point Loma High School and graduated from the United States Naval Academy in 1945; his military assignments including Photo Reconnaissance Squadron 61 at Miramar Naval Air Station, Photo Interpretation School at Anacostia, N.A.S., duty on the Seventh Fleet Staff, a tour in Atsugi, Japan, and duty with the Naval Air Basic Training Command at Pensacola, N.A.S., and staff member of the Intelligence Training Department at Sheppard Air Force Base, Wichita Falls, Texas; and

WHEREAS, He is survived by his widow, Helen, a daughter, April, and his father, Rear Admiral Benton W. Decker, U.S.N., ret.; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of Lieutenant Commander Benton W. Decker, Jr, and wish to convey their heartfelt condolences to the members of his family and his many friends, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Lieutenant Commander Decker's widow, Mrs. Helen Decker, and to his father, Rear Admiral Benton W Decker, U.S.N, ret.

Resolution read, and referred to the Committee on Rules.

By Mr. Belotti:

**House Resolution No. 335**

Relative to a study of high school and college aviation education programs

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session the subject of high school and college aviation education programs in the State of California. The committee shall study all facts and circumstances relating to the subject of this resolution, shall make appropriate recommendations as to the advisability or necessity for legislation in this area, and shall report its findings and recommendations to the Legislature by the seventh calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Messrs. Masterson, Sedgwick, Waldie, and Belotti:

**House Resolution No. 336**

Relative to an archery deer season

WHEREAS, Section 4370 of the Fish and Game Code provides, in part, "In every area in which deer may lawfully be taken during the regular open season there is an archery season for the taking of deer with bow and arrow. The season for each area shall be as the commission may prescribe with a minimum interposing interval of three days immediately preceding the regular open season on deer in that area . . . "; and

WHEREAS, Provisions for this season have been in the law ever since the original enactment of such a provision in 1949; and

WHEREAS, The very nature of archery hunting, by stealth and concealed maneuver, makes it incompatible with hunting with high powered rifles; and

WHEREAS, At its May meeting the Fish and Game Commission, ignoring not only the obvious intent of the law but also the safety of bow and arrow hunters, precipitously abolished the pre-regular season archery hunting, allowing such hunting only during the regular season for firearms; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Fish and Game Commission is directed to restore the archery season, in conformity with the intent and spirit of Section 4370, at its earliest opportunity; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to each member of the Fish and Game Commission.

Resolution read, and referred to the Committee on Rules.

By Mr. Charles H. Wilson:

**House Resolution No. 337**

Relative to an interim study of the Los Angeles Metropolitan Transit Authority

*Resolved by the Assembly of the State of California*, That the subject matter of the Los Angeles Metropolitan Transit Authority, including all phases of its operations, the relationship between the authority and private transit companies operating within the same territory, proposals for modern rapid transit, and all other phases of the transportation problems in the Los Angeles metropolitan area, is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Porter:

**House Resolution No. 338**

Relative to commending John N. Gentert

WHEREAS, June 9th will mark another birthday in the colorful and distinguished career of John N. Gentert; and

WHEREAS, Mr. Gentert has recently been honored as the City of Lynwood's Distinguished Citizen of the Year; and

WHEREAS, Mr Gentert was born in Lostant, Illinois, accompanied his parents to Nebraska where he married Emmaline Hansen, and moved to Hillrose, Colorado, where he operated a general store for a quarter of a century; and

WHEREAS, In 1945 John Gentert and his family moved to Lynwood where he was active in several commercial enterprises until his retirement in 1950; and

WHEREAS, In 1957 John Gentert returned to the public spotlight when he was elected President of the Senior Citizens' Club; and

WHEREAS, Under his guiding hand and inspiration the Senior Citizens' Club has grown from 30 to over 250 members, has undertaken a program of varied activities for the senior citizens, and has initiated the publication of the monthly "*The Senior Citizen Times*"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take the occasion of John N. Gentert's birthday to commend and congratulate him on his work of public devotion and especially for his active leadership in the *Lynwood Senior Citizens' Club; and be it further*

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mr. John N. Gentert.

Resolution read, and referred to the Committee on Rules.

By Mr. Porter:

**House Resolution No. 339**

Relative to commending Mr W. W. Butler

WHEREAS, Warren W Butler has recently been awarded the "Realty Week" Distinguished Service Award, and

WHEREAS, Mr. Butler has long been recognized as a top water and tax authority and a distinguished citizen of Compton; and

WHEREAS, Mr Butler, a native of Kansas, spent his early life on a Navajo Reservation in the Arizona Territory with his missionary parents, and received his first schooling in Tuba and Flagstaff; and

WHEREAS, He embarked upon a distinguished career in journalism as editor of the Huntington Park high school newspaper, became a reporter for the *Huntington Park Signal* at the age of 19, became editor of the *Compton News-Tribune*, and became managing editor of the *Herald American*, from which position he retired two years ago; and

WHEREAS, As vice chairman of the board of directors of the Metropolitan Water District and as a member of the Compton Kiwanis club, Mr. Butler has demonstrated his fine sense of civic responsibility; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take the occasion of Warren W. Butler's receipt of the "Realty Week" Distinguished Service Award to join with the citizens of Compton in commending him on his record of distinguished public service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Warren W. Butler

Resolution read, and referred to the Committee on Rules.

By Messrs. Z'berg, Meyers, and Samuel R. Geddes:

**House Resolution No. 340**

Relative to the salaries of laborers, workmen and mechanics employed by the State of California

WHEREAS, Section 18853 of the Government Code provides a specific method of setting salaries for "laborers, workmen and mechanics" employed by the State and permits the State Personnel Board to establish different salaries for the various localities of the State depending upon the local prevailing rate; and

WHEREAS, It is the intent of this section that, when required by the needs of the State, salaries for such employees be set at the local prevailing rate rather than as a statewide salary range; and

WHEREAS, It has been the long-standing practice to compensate many such employees at the local prevailing rate; and

WHEREAS, The State Personnel Board did, on June 2, 1956, change the salaries of large numbers of employees, particularly those in the building trades classes,

from an hourly rate to a lower monthly salary range and place the employees on a monthly "red-circle rate"; and

WHEREAS, This action by the State Personnel Board created extensive dissatisfaction among the affected employees and has adversely affected their morale and at the same time has added to the difficulty of recruiting and obtaining competent employees by the State; and

WHEREAS, It appears that the main factor taken into consideration by the State Personnel Board was the permanency of employment rather than the nature of the work performed and the skills required; and

WHEREAS, The work appears to be as permanent for employees in private industry as those in state service and therefore such factor was given greater weight by the State Personnel Board than the prevailing practice justifies; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Personnel Board, at its earliest opportunity, review its action taken on June 2, 1956, reducing the salaries for "laborers, workmen and mechanics" employed in state service as the matter relates to the permanency of similar positions and work in private industry and particularly in relation to the work performed and the skills required, and that in making such review the State Personnel Board place primary emphasis on the nature of the work performed and the skills required in making its review and its comparisons with similar positions and work in private industry; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the State Personnel Board.

Resolution read, and referred to the Committee on Rules.

By Mr. Unruh:

**House Resolution No. 341**

Relative to the commendation of Donald W. Douglas, Senior

WHEREAS, Donald W. Douglas, Senior, Chairman of the Board of Directors and Chief Executive Officer of Douglas Aircraft Company, has been chosen a co-winner of the California Industrialist of the Year Award by an awards jury of distinguished business and industrial leaders at the Second Annual Science and Industry Awards program, sponsored by the California Museum of Science and Industry; and

WHEREAS, Donald W. Douglas, Senior, received this honor and outstanding recognition at the Science and Industry Awards presentation banquet May 21, 1959, for outstanding industrial leadership; and

WHEREAS, He was chosen primarily for the personal conception, design, and production of his company's new jet passenger transport aircraft; and

WHEREAS, Donald W. Douglas, Senior, in addition, was chosen in further recognition of his design, production, and development to full operational status of the Thor intermediate range ballistic missile, a significant weapon in our Nation's arsenal of deterrents and an important tool in American space research; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body commend Donald W. Douglas, Senior, for his outstanding industrial achievement in the field of jet aircraft and missile management, and express their approval of his activities which bring honor, respect, and good will to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to Donald W. Douglas, Senior, and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and referred to the Committee on Rules.

By Mr. Unruh:

**House Resolution No. 342**

Relative to the commendation of Mr Robert E. Gross

WHEREAS, Robert E. Gross, Chairman of the Board of Directors and Chief Executive Officer of Lockheed Aircraft Corporation, has been chosen a co-winner of the California Industrialist of the Year Award by an awards jury of distinguished business and industrial leaders at the Second Annual Science and Industry Awards Program sponsored by the California Museum of Science and Industry; and

WHEREAS, Robert E. Gross received this honor and outstanding recognition at the Science and Industry Awards presentation banquet May 21, 1959, for significant industrial leadership; and

WHEREAS, He was chosen primarily for guiding his corporation into an aggressive missile program that produced the system management of the Polaris ballistic missile and the Discoverer satellite series; and

WHEREAS, Robert E. Gross, in addition, was honored in recognition of his efforts to extend the philosophy of modern American capitalism to Mexico through a unique stewardship program in which, after a period of initial help, management of his corporation's new Mexican subsidiary will be relinquished to that nation's government, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body commend Robert E. Gross for his outstanding achievements in the field of industrial management and express their approval of his activities which bring honor, respect, and good will to the State of California, and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Robert E. Gross and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and referred to the Committee on Rules.

By Mr. Unruh:

**House Resolution No. 343**

Relative to commending Dr. Robert Hofstadter

WHEREAS, Dr. Robert Hofstadter, Professor of Physics, Stanford University, has been chosen and honored as California Scientist of the Year at the Second Annual Science and Industry Awards presentation on May 21, 1959, sponsored by the California Museum of Science and Industry; and

WHEREAS, Dr. Hofstadter was chosen by a distinguished awards jury of nationally famous scientists for discovering, for the first time, the size and shape of the proton and neutron, the two basic building blocks of all nuclei; and

WHEREAS, The eminent nuclear physicist has provided, for the first time, precise information on the internal arrangements of electric charge and magnetic moment in these smallest nuclear particles; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly commend Dr. Robert Hofstadter for his outstanding scientific achievements in the field of nuclear physics, and express their approval of his activities which bring honor, respect, and good will to the institution he serves, Stanford University, and to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Dr. Robert Hofstadter and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and referred to the Committee on Rules.

By Mr. Unruh:

**House Resolution No. 344**

Relative to the volunteer service given by George E. Kinsey, member of the Board of Directors, Sixth District Agricultural Association, and representative of said district to the Los Angeles Memorial Coliseum Commission, as chairman of the Building Committee of the Los Angeles Memorial Sports Arena

WHEREAS, George E. Kinsey, as a Member of the Board of Directors of the Sixth District Agricultural Association, has served as said district's and the State of California's representative to the Los Angeles Memorial Coliseum Commission; and

WHEREAS, He has served in a faithful, thoughtful, and generous manner as that commission's Building Committee Chairman for the new $6,000,000 Los Angeles Sports Arena, to be formally dedicated July 4, 1959, and

WHEREAS, George E. Kinsey has served in the capacity of Building Committee Chairman since that group's inception on May 3, 1955, devoting thousands of volunteer hours to the cause of economy and structure design during the vital, formulative period; and

WHEREAS, He has given additional thousands of hours since the start of construction on April 7, 1958, personally attending to various aspects of construction management for the Coliseum Commission, the Sixth District Agricultural Association, and the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly commend George E. Kinsey for his devotion and richness of spirit to the cause of a sports arena worthy of the citizens of the State of California, and express their approval of his activities which bring honor, respect, and good will to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to George E. Kinsey and to J. Howard Edgerton, President of the Board of Directors, Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2303
Assembly Bill No. 2700

And reports the same correctly engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No 123 | Assembly Bill No. 2573 |
| Assembly Bill No 174 | Assembly Bill No. 2684 |
| Assembly Bill No 245 | Assembly Bill No. 2773 |
| Assembly Bill No. 1350 | Assembly Bill No. 2900 |
| Assembly Bill No 2458 | Assembly Bill No 2904 |

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

| | |
|---|---|
| Assembly Bill No. 2528 | Assembly Bill No. 2715 |
| Assembly Bill No 2650 | Assembly Bill No. 2720 |
| Assembly Bill No. 2662 | Assembly Bill No. 2891 |

And reports the same correctly engrossed

BURKE, Chairman

Above bills ordered to third reading

### Chief Clerk Arthur A. Ohnimus at the Desk

## REQUEST FOR UNANIMOUS CONSENT

Mr. Hegland was granted unanimous consent to take up Assembly Bills Nos. 96 and 1514 for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 96

**Assembly Bill No. 96**—An act to amend Sections 29011 and 29017 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school, and making an appropriation therefor.

Bill read third time.

### Motion to Amend

Mr Hegland moved the adoption of the following amendments.

### Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out ", and making an appropriation therefor".

### Amendment No. 2

On page 5, strike out lines 7 through 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### Rush Order Placed Upon Printing of Assembly Bill No. 96

Mr. Hegland was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 96.

### *Parliamentary Inquiry*

Mr. Charles H. Wilson arose to the following parliamentary inquiry: How many words were there in the amendments offered by Mr. Hegland?

### Reply by Speaker

The Speaker replied that there were less than 25.

## CONSIDERATION OF ASSEMBLY BILL NO. 1514

**Assembly Bill No. 1514**—An act to add Section 7240 to the Education Code and Section 20210 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the support of junior colleges, and making an appropriation therefor, and declaring the urgency thereof to take effect immediately.

Bill read third time.

### Motion to Amend

Mr. Hegland moved the adoption of the following amendments:

### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on April 16, 1959, strike out "and making an appropriation therefor,"

### Amendment No. 2

On page 2, strike out lines 46 through 51, inclusive.

### Amendment No. 3

On page 4, strike out lines 13 through 17, inclusive.

### Amendment No. 4

In line 1 of the title, strike out "7240", and insert "7241".

### Amendment No. 5

In line 2 of the title, strike out "20210", and insert "20211".

### Amendment No. 6

On page 1 line 1, strike out "7240", and insert "7241".

### Amendment No. 7

On page 1, line 3, strike out "7240", and insert "7241".

### Amendment No. 8

On page 3, line 1, strike out "20210", and insert "20211".

### Amendment No. 9

On page 3, line 4, strike out "20210", and insert "20211".

### Amendment No. 10

On page 4, line 21, strike out "7240", and insert "7241".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### Rush Order Placed Upon Printing of Assembly Bill No. 1514

Mr. Hegland was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1514.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Winton was granted unanimous consent to take up Assembly Bill No. 2077 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2077

**Assembly Bill No. 2077**—An act to add Article 3.5 (commencing at Section 1130) to Chapter 8, Division 5 of the Agricultural Code, relating to the sale of poultry, and making an appropriation therefor.

Bill read third time.

#### Motion to Amend

Mr. Winton moved the adoption of the following amendments:

#### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out ", and making an appropriation therefor".

#### Amendment No. 2

On page 2, strike out lines 22 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

#### Rush Order Placed Upon Printing of Assembly Bill No. 2077

Mr. Winton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2077.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Winton, with the consent of Mr. Grant, was granted unanimous consent to take up Assembly Bill No. 2758 for purpose of amendment

### CONSIDERATION OF ASSEMBLY BILL NO. 2758

**Assembly Bill No. 2758**—An act to amend Sections 2100, and 2106 of, to repeal Section 2108 of, and to add Section 2108 to, the Health and Safety Code, relating to pet birds.

Bill read third time.

#### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, strike out "Such fees shall be exempt from sales and use tax."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

#### Rush Order Placed Upon Printing of Assembly Bill No. 2758

Mr. Winton was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2758.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 1443 FROM COMMITTEE

Mr. Belotti was granted unanimous consent that Senate Bill No. 1443 be withdrawn from the Committee on Livestock and Dairies for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF SENATE BILL NO. 1443

**Senate Bill No. 1443**—An act to amend Sections 595 and 599 of, to repeal Sections 597 and 598 of, and to add Section 657 to, the Agricultural Code, relating to milk and dairy products.

Bill read second time.

### Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 597 and 598 of, and to add Section 657 to," and insert "Section 598 of, and to add Sections 657, 658, and 659 to,".

### Amendment No. 2

On page 1, strike out lines 3 to 20, inclusive, and insert

"595. All butter sold or distributed in package form shall be classified into grades indicating its quality and shall be labeled and advertised by the use of one of the designations as follows:

First Quality.

Second Quality."

### Amendment No. 3

On page 2, line 3, strike out "SEC 3", and insert "SEC 2".

### Amendment No. 4

On page 2, line 13, strike out "SEC. 4", and insert "SEC. 3".

### Amendment No. 5

On page 2, strike out lines 14 to 17, inclusive, and insert

"599. Any butter scoring less than 90 shall be labeled with the words "for cooking and baking purposes only," and shall be sold in containers of no less than thirty (30) pounds in weight"

### Amendment No. 6

On page 2, strike out lines 19 to 33, inclusive, and insert

"657. Notwithstanding any other provisions of this chapter, no dairy products, as such products are defined in this code, shall be sold within the State of California unless of a quality comparable to that of the same product which is manufactured or processed under the provisions of this code, except as provided in Section 658

The director, after public hearing, shall promulgate such quality standards as are necessary for any product defined in this code. Such quality standards shall be no lower than those in effect under regulations of the United States Department of Agriculture, but may be higher if found by the director to effectuate the purposes of this chapter, and of this section, which are, among others, to provide dairy products to the consumers of California of the highest possible quality

SEC. 5. Section 658 is added to said code, to read

658. No product for which standards are required to be established pursuant to Section 657 shall be required to meet any quality standards in excess of those in effect under regulations of the United States Department of Agriculture, unless a like product is processed in California and such processors of such like product in California are also required to meet such higher standards.

SEC. 6. Section 659 is added to said code, to read.

659. The director in determining the quality of products sold, but not produced and processed in California, shall satisfy himself that such products will meet the minimum quality requirements applicable to such products by the standards contained in, or established by, regulations pursuant to this code"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Livestock and Dairies.

## ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 46 WITHDRAWN FROM INACTIVE FILE

The following resolution was withdrawn from the inactive file, and placed upon the file for consideration today:

**Assembly Constitutional Amendment No. 46**, on request of Mr. Coolidge.

### WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1329

Miss Donahoe was granted unanimous consent that Senate Bill No. 1329 be withdrawn from the Committee on Education, and re-referred to the Committee on Civil Service and State Personnel.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Senate Bill No. 507, out of order.

Consideration of Senate Bill No. 507 passed temporarily on file.

### SENATE REQUESTED TO RETURN SENATE BILL NO. 923

Mr. Kennick was granted unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 923 for further consideration.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 147**: By Mr. Miller—Relative to the Flag of the United States of America

#### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up Assembly Concurrent Resolution No. 147 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 147

**Assembly Concurrent Resolution No. 147**—Relative to the Flag of the United States of America

Resolution read, and adopted.

Resolution ordered printed, and transmitted to the Senate.

### CONSIDERATION OF DAILY FILE

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2531**—An act to add Division 1 (commencing at Section 25101) to Title 4 of, to amend Sections 4113, 4119, 10250, 10703, 13205, 27000, 27001, 27002 and 28006 of, and to repeal Sections 25000 to 26104, inclusive, of the Corporations Code; to amend Sections 14250, 18050, 18600, 18601, 18603, 18606, 18607, 18801, 18806, and 18813 of the Financial Code; to amend Sections 33915 and 33916 of the Health and Safety Code; and to amend Section 1220 of the Agricultural Code, relating to the Uniform Securities Act.

Bill read second time.

#### Consideration of Committee Amendments

The question being on the adoption of the amendments proposed by the Committee on Judiciary—Civil.

#### Amendments Withdrawn

Mr. Biddick was granted unanimous consent to withdraw the committee amendments, and offer substitute amendments.

**Motion to Amend**

Mr. Biddick moved the adoption of the following substitute amendments:

**Amendment No. 1**

On page 4, commencing in line 23, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "registered broker-dealers, investment advisers and issuers who employ agents", and insert "issuers who employ agents, registered broker-dealers and investment advisers."

**Amendment No. 2**

On page 15, between lines 48 and 49, insert

"(G) In the case of issuers of securities who are incorporated outside of California in which there has been a firm underwriting of the securities and passage of title, outside of California, to the underwriters of the securities to be sold, the fee for such securities thereof as are to be resold in California shall be two one-hundredths of 1 per cent of any excess of the aggregate value of the securities sought to be registered over one thousand dollars ($1,000) and not exceeding one million dollars ($1,000,000), and one five-hundredths of 1 per cent of such amount in excess of one million dollars ($1,000,000)."

**Amendment No. 3**

On page 23, lines 13 and 14, strike out ", if an assessment is collectible by action,".

**Amendment No. 4**

On page 20, line 4, strike out the period, and insert "; or"; and on page 20, line 5, strike out "In", and insert "in".

**Amendment No. 5**

On page 19, between lines 45 and 46, insert

"(K) When the security registered or sought to be registered is to be issued by a corporation organized under the laws of this State or by a foreign corporation whose principal place of business is in this State in exchange for securities incident to a vote by stockholders pursuant to the articles of incorporation or the applicable corporation statute on a merger, consolidation, or sale of corporate assets in consideration of the issuance of securities of another corporation or on any change specified in Section 25401 in the rights, preferences, privileges or restrictions on outstanding securities, the terms and conditions of such issuance, exchange or change are unfair;"

**Amendment No. 6**

On page 19, line 46, strike out "(K)", and insert "(L)".

**Amendment No. 7**

On page 19, line 48, strike out "(L)", and insert "(M)".

**Amendment No. 8**

On page 19, line 51, strike out "(M)", and insert "(N)".

**Amendment No. 9**

On page 20, line 3, strike out "(N)" and insert "(O)".

**Amendment No. 10**

On page 34 between lines 36 and 37, insert

"(g) If in the opinion of the commissioner any security is subject to registration under this act which is being or has been offered for sale without first being registered, the commissioner may order the issuer or offeror of such security to desist and refrain from the further sale or offer for sale of such security unless and until it has been registered under this act. If, after such an order has been made, a request for a hearing is filed in writing and a hearing is not commenced within 60 days thereafter, such order is rescinded."

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 497**—An act to amend Sections 16603 and 16625 of, and to add Section 16625.1 to, the Education Code as enacted by

the Legislature at its 1959 Regular Session, relating to child care centers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2076**—An act to add Article 3 (commencing at Section 1120) to Chapter 8, Division 5, of the Agricultural Code, relating to poultry quality.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Winton moved a call of the Assembly.

Mr. Schrade seconded the motion.

Motion carried. Time, 9.38 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2603**—An act to add Section 20852 to the Business and Professions Code, relating to the dispensing of petroleum products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1565**—An act to amend Section 21401 of, and to add Part 4 (commencing at Section 24200) to, Division 9 of the Public Utilities Code, to provide for the giving of security by owners and

operators of aircraft involved in accidents, to provide for administration thereof; and to provide penalties for violation of any provisions of this act.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Motion carried. Time, 10.04 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House

Speaker pro Tempore Presiding

At 10.07 a m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 170**—An act to add Section 149 to the Streets and Highways Code, relating to highway improvements.

Bill read third time.

Demand for Previous Question

Messrs. Grant, Lanterman, Cunningham, Ernest R. Geddes, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—63.

NOES—Dahl, Lanterman, Levering, and Mulford—4.

Bill ordered transmitted to the Senate

## ANNOUNCEMENT RELATIVE TO COPIES OF ROLL CALLS

Speaker pro Tempore Bee announced that hereafter only two copies of roll calls will be issued on controversial measures unless requests for copies of a roll call have been made before the roll call is taken

## REMARKS ON CONDITION OF THE FILE

Mr. Munnell spoke on the condition of the file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1043**—An act to amend Sections 320, 9263, 9264, and 9551 of, to repeal Chapter 3 (commencing at Section 11500) of Division 5 of, and to add Chapter 3 (commencing at Section 11500) to Division 5 of, the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to automobile wreckers, dealers, manufacturers and automobile driving schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1535**—An act to amend Sections 3084 and 3084.1 of, the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time, and ordered passed on file, pending the receipt of an opinion of the Legislative Counsel.

**Assembly Bill No. 120**—An act to add Chapter 2.5 (commencing at Section 3381) to Part 1 of Division 5 of the Welfare and Institutions Code, relating to the employment of visually handicapped persons.

Bill read third time.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. O'Connell moved a call of the Assembly.

Mr. Masterson seconded the motion.

Motion carried. Time, 10.34 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY
## BY UNANIMOUS CONSENT
## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## INTRODUCTION OF GUEST

Speaker pro Tempore Bee announced the presence in the Assembly Chamber of Judge William H. Rosenthal of Los Angeles, a former Member of the Assembly.

### Speaker Presiding

At 10.35 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1565

At 10.36 a.m., Mr. Thomas moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 1565 passed by the following vote:

AYES—Backstrand, Bane, Britschgi, George E. Brown, Burke, Burton, Cameron, Collier, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Kennick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—44.

NOES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Hanna, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Nisbet, Sedgwick, Shell, Sumner, Thelin, Waldie, and Mr. Speaker—30.

Bill ordered transmitted to the Senate.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 897, 552,** and **1111.**

#### Assembly Bill No. 2819 Held at the Desk

Speaker Brown ordered Assembly Bill No. 2819, held at the desk without re-reference to the Committee on Ways and Means, at this time.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2117**—An act to add Chapter 2.8 (commencing at Section 8160) to Division 1 of Title 2 of the Government Code, relating to the State Advisory Commission on Indian Affairs, and making an appropriation.

Bill read third time.

#### Motion to Amend

Mrs. Davis moved the adoption of the following amendments:

#### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out ", and making an appropriation".

#### Amendment No. 2

On page 2, strike out lines 38 to 42, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

#### Rush Order Placed Upon Printing of Assembly Bill No. 2117

Mrs. Davis was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2117.

## ANNOUNCEMENTS

Speaker Brown announced that at noon today the Assembly would recess until 4.30 p.m.; and at 6 p.m. the Assembly would recess until 8 p.m. for a long night session

Speaker Brown announced further that if any Assembly bills fail to be considered tonight, they would receive his permission to be heard tomorrow; and, by agreement, the 60 votes for their consideration tomorrow could be assured.

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Mr. Sumner announced that today was the birthday of Assemblyman Richard T. Hanna; whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Hanna.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2435**—An act to add Section 828.01 to the Agricultural Code, relating to standard containers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 62

Mr. Unruh was granted unanimous consent that Rule No. 62 be temporarily suspended for the purpose of permitting Assembly Bill No. 2819 to be considered without re-reference to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 1356
Senate Bill No. 1467
Senate Bill No. 1065
Senate Bill No. 1212

With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 1092
Senate Bill No. 1214

With amendments with the recommendation: Amend, and do pass, as amended.

DONAHOE, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 1157
Senate Bill No 1164
Senate Bill No. 87
Senate Bill No. 559
Senate Bill No. 1227
Senate Bill No. 1075
Senate Bill No. 1028
Senate Bill No. 693
Senate Bill No. 888
Senate Bill No. 718
Senate Bill No. 717
Senate Bill No 1029
Senate Bill No. 957

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

DONAHOE, Chairman

Above bills ordered to second reading.

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 1472
Senate Bill No. 1226

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22.3. the committee recommends that the above bills be placed on the Consent Calendar.

MEYERS, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 478
Senate Bill No. 1147

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bills re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No 1086

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MEYERS, Chairman

Above bill ordered to second reading.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports.

Assembly Bill No. 2745

With the recommendation That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Ways and Means reports.

Assembly Bill No. 1975

With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

### Request for Unanimous Consent

Mr. Unruh was granted unanimous consent that Assembly Bill No. 1975 be read the second time today, and ordered to third reading.

## SECOND READING OF ASSEMBLY BILL NO. 1975

**Assembly Bill No. 1975**—An act to add Section 18715 to the Government Code, relating to blind workers, and making an appropriation.

Bill read second time, ordered engrossed, and to the third reading file.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 145
Assembly Concurrent Resolution No. 143
Assembly Concurrent Resolution No 144

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 49

With the recommendation: That the resolution be re-referred to the Committee on Military and Veterans Affairs.

MILLER, Chairman

Above resolution re-referred to the Committee on Military and Veterans Affairs.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No 66

With the recommendation: That the resolution be re-referred to the Committee on Water.

MILLER, Chairman

Above resolution re-referred to the Committee on Water.

ASSEMBLY CHAMBER, June 9, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 88

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 9, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 329

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 27

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 36

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 138

Without recommendation.

MILLER, Chairman

Above resolution ordered engrossed.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 832

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 75

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 8, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 952

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 36

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 138
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 143
Assembly Concurrent Resolution No. 144
Assembly Concurrent Resolution No. 145
And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1975
And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered to third reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 1076
And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2652**—An act to add Section 19605.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State School Aid Building Law of 1952.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2832**—An act to amend Section 37361 of the Government Code, relating to cities.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—Britschgi and Ernest R. Geddes—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2558**—An act to amend Section 65951 of the Government Code, relating to zoning.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Senate Bill No. 507.

## CONSIDERATION OF SENATE BILL NO. 507

**Senate Bill No. 507**—An act to add Section 30705 to, and to amend Section 30701 of, the Streets and Highways Code, relating to the Benicia-Martinez Ferry, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 507:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 8, 1959

*To the Honorable Members of the Assembly of the State of California:*

Senate Bill No. 507 is an act pertaining to the maintenance of the Benicia-Martinez Ferry.

I am advised by the Department of Public Works that it will be necessary to cease the operation of said ferry on or about June 12, 1959, unless Senate Bill No. 507 is enacted into law prior to that time.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 507 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—71
NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1354**—An act to amend Section 33738 of the Health and Safety Code, relating to community redevelopment.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.54 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2626**—An act to amend Sections 4192 and 4124 of the Penal Code, relating to county industrial farms and road camps.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2839**—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens in government services.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins,

Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2858**—An act to add Sections 55529, 55530, and 55531 to the Water Code, relating to county waterworks districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—*Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E Brown,* Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Sumner, Unruh, Waldie, George A Willson, Charles H. Wilson, *Zberg, and Mr Speaker*—61.

NOES—Britschgi, Crawford, Hegland, Luckel, and Schrade—5.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Sumner, Unruh, Waldie, George A. Willson, Charles H. Wilson, Zberg, and Mr Speaker—61.

NOES—Britschgi, Crawford, Hegland, Luckel, and Schrade—5

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2612**—An act to add Section 54.5 to Part 2 of Division 1 of the Civil Code, relating to discriminatory acts by persons engaged in occupations licensed by the State

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Collier, Coolidge, Crown, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, *Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan,* Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, George A Willson, Charles H. Wilson, Zberg, and Mr Speaker—52.

NOES—Backstrand, Britschgi, Burke, Chapel, Conrad, Crawford, Cusanovich, Dahl, Hegland, Johnson, Lanterman, Levering, Luckel, Schrade, Shell, and Thelin—16.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2884**—An act to add Section 1098 to the Government Code, relating to participation in the enactment of legislation in which a Member of the Legislature has a personal interest.

Bill read third time.

**Speaker Presiding**

At 11.10 a.m , Hon Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Grant, Holmes, Schrade, Pattee, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Waldie, Charles H Wilson, Winton, Z'berg, and Mr Speaker—60.

NOES—Crawford, DeLotto, Schrade, and George A. Willson—4

Bill ordered transmitted to the Senate

**Assembly Bill No. 2885**—An act to add Section 1099 to the Government Code, relating to conflicts of interests in the performance of official duties by public officers and employees.

Bill read third time.

**Demand for Previous Question**

Messrs. Holmes, Luckel, Burke, Backstrand, and Dills demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—80

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1340**—An act to amend Sections 6535, 6537, 6546, 6560, and 6561 of, and to add Sections 6546.5 and 6560.5 to, the Business and Professions Code, relating to the practice of barbering.

Bill read third time.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Bane moved a call of the Assembly.

Mr. Crawford seconded the motion.

Motion carried. Time, 11.35 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Hanna was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2741**—An act to amend and renumber Section 7601 of, and to add Sections 7601, 7602, 7603, 7604, 7605, 7606, 7607, 8608, 7609, and 7611 to the Labor Code, relating to maritime industrial safety.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 875**—An act to amend Section 75025 of the Government Code, relating to judges' retirement.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2357**—An act to amend Sections 13145 and 13146 of, and to add Sections 13146.3 and 13146.5 to, the Health and Safety Code, relating to the inspection of buildings for the prevention of fire and protection of life and property against fire or panic.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H Wilson, Z'berg, and Mr Speaker—72.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2537**—An act to add Section 202.3 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

**Request for Unanimous Consent to Strike From File**

Mr. Winton was granted unanimous consent that Assembly Bill No. 2537 be stricken from the file; and that the subject matter be referred to the Committee on Rules for assignment for interim study.

**Assembly Bill No. 2721**—An act to amend Section 268 of the Revenue and Taxation Code, relating to the welfare exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A Willson, Winton, and Z'berg—73.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A Willson, Winton, and Z'berg—73.
NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 2659**—An act to add Section 409 to the Revenue and Taxation Code, relating to the assessment of inventories.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—67
NOES—Biddick, Davis, DeLotto, Frew, Lowrey, Lunardi, Sedgwick, and Williamson—8.

Bill ordered transmitted to the Senate.

**Name Placed Upon Roll Call**

Mr. Gaffney was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2659.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2076

At 11.48 a.m., Mr. Winton moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 2076 passed by the following vote:

AYES—Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Crawford, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Winton, and Zberg—48.

NOES—Don A. Allen, Bane, Belotti, Burke, Collier, Coolidge, Crown, Cusanovich, Dahl, Francis, Hanna, Hegland, Holmes, McCollister, Mulford, Nisbet, Schrade, Shell, Charles H. Wilson, and Mr. Speaker—20.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 120

At 11.50 a.m., Mr. O'Connell moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 120 passed by the following vote:

AYES—Biddick, George E. Brown, Burton, Cameron, Chapel, Coolidge, Crown, Cunningham, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lunardi, Marks, Masterson, McMillan, Meyers, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, George A. Willson, Winton, and Zberg—42

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Britschgi, Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Donahoe, Ernest R. Geddes, Holmes, Lanterman, Levering, Lowrey, Luckel, Miller, Mulford, Nisbet, Sedgwick, Shell, Thelin, Williamson, and Charles H. Wilson—29.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2436**—An act to add Section 19613.9 to the Education Code, and to add Section 16635.1 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relative to the use of tax funds for capital expenditures for child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House,

Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Bradley, Coolidge, Cusanovich, Hegland, Lanterman, Levering, Reagan, Shell, and Thelin—9.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—63

NOES—Bradley, Coolidge, Cusanovich, Hegland, Lanterman, Levering, Reagan, Shell, and Thelin—9.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Hegland was granted unanimous consent that he be recorded as voting "No" on the urgency clause to Assembly Bill No. 2436

**Assembly Bill No. 2649**—An act to amend Section 20901 of the Education Code as enacted at the 1959 Regular Session and Section 26906.1 of the Government Code, relating to the impounding of disputed tax revenues.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—DeLotto—1.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2436

Mr. Schrade was granted unanimous consent that he be recorded as voting "Aye" on the urgency clause to Assembly Bill No. 2436.

### ANNOUNCEMENT

Speaker Brown announced that, with the consent of the members, items on the Consent Calendar for the first legislative day would be considered later today.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1340

At 12 01 p m., Mr. Bane moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 1340 passed by the following vote:

AYES—Bane, Belotti, Biddick, George E. Brown, Busterud, Cameron, Chapel, Collier, Crown, Cunningham, Cusanovich, Davis, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, Marks, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Zberg, and Mr. Speaker—46

NOES—Backstrand, Beaver, Bee, Bradley, Britschgi, Burke, Burton, Conrad, Coolidge, Crawford, Dahl, DeLotto, Elliott, Grant, Hawkins, Kilpatrick, Levering, Lowrey, Masterson, McMillan, Nisbet, Reagan, Rees, Rumford, Shell, Sumner, Thelin, and Charles H. Wilson—28

Bill ordered transmitted to the Senate.

## ANNOUNCEMENTS

Mr. Masterson announced that the Committee on Governmental Efficiency and Economy would meet at 2 p.m. today instead of at 1.30 p.m. today.

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Mr. Miller announced that the Committee on Rules would meet on adjournment for recess today.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 96 — Assembly Bill No. 2077
Assembly Bill No. 1514 — Assembly Bill No. 2758

And reports the same correctly re-engrossed

BURKE, Chairman

Above bills ordered to third reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2117

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## EXPLANATION OF ABSENCE

June 9, 1959

It was necessary for me to be absent during most of this morning's session because I had bills to be presented in the Senate Transportation and Elections Committees.

LOUIS FRANCIS

## RECESS

At 12.07 p.m., on motion of Mr. Winton, the Assembly recessed until 4.30 p.m.

## REASSEMBLED

At 4.30 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

**Assembly Joint Resolution No. 37**: By Messrs. Meyers, O'Connell, Busterud, Gaffney, Burton, and Marks—Relative to San Francisco Bay Crossings.

Referred to Committee on Rules

**Assembly Joint Resolution No. 38**: By Messrs. Meyers, O'Connell, Marks, Gaffney, Burton, and Busterud—Relative to San Francisco Bay Crossings

Referred to Committee on Rules

**Assembly Joint Resolution No. 39**: By Messrs. Meyers, O'Connell, Gaffney, Marks, and Burton—Relative to memorializing the United States Government to make available highway funds for rapid mass transit.

Referred to Committee on Rules

**Assembly Joint Resolution No. 40**: By Messrs. Meyers, O'Connell, Busterud, Gaffney, Burton, and Marks—Relative to San Francisco Bay Rapid Transit facilities.

Referred to Committee on Rules

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt the report of the Committee on Conference concerning:

**Assembly Bill No. 700**—An act to add Sections 20710, 20894 and 20896 to the Business and Professions Code, relating to petroleum products

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate withdrew the name of Senator Murdy and substituted the name of Senator McCarthy on the Committee on Conference concerning

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 368

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, June 9, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1063

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, June 5, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1326

J. A BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 1326**—An act providing for the investigation of water supplies for the western Sacramento-San Joaquin Delta, and making an appropriation therefor.

Referred to Committee on Water.

## REQUEST FOR UNANIMOUS CONSENT

Mr. MacBride was granted unanimous consent to take up Assembly Bill No. 2062, at this time.

## CONSIDERATION OF ASSEMBLY BILL NO. 2062

**Assembly Bill No. 2062**—An act to add Sections 20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20202.5, 20230.5, 20497, 20498, 20601.5, 20989, 21251.14, 21293.5, 21364.7, 22152.5, 22153, 22213, and 22550.5 to; to add Chapter 6.5 (commencing at Section 20780) to Part 3, Division 5, Title 2 of; to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of; to amend Sections 20127, 20132, 22009.1, 22013, 22210, of; and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2 of; the Government Code, relating to State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Request for Unanimous Consent to Expunge Record, and Rescind Action on Amendments to Assembly Bill No. 2062

Mr. MacBride was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on June 8, 1959, adopted committee amendments to Assembly Bill No. 2062 (Assembly Journal, pages 5075-5078).

The question being on the adoption of the committee amendments.

### Request for Unanimous Consent

Mr MacBride was granted unanimous consent that he be permitted to withdraw the committee amendments to Assembly Bill No. 2062 and substitute corrected amendments therefor.

**Motion to Amend**

Mr. MacBride moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the heading of the printed bill, as amended in Assembly June 6, 1959, after "McCollister," insert "Gaffney".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "20230.5, 20497, 20498, 20601.5, 20750.13, 20750.23, 20750.33, 20750.43," and insert "20202.5, 20230.5, 20497, 20498, 20601.5,"

**Amendment No. 3**

In line 4 of the title, strike out "22152, 22153, and 22213 of", and insert "22152.5, 22153, 22213, and 22550.5 to".

**Amendment No. 4**

In line 7 of the title, strike out "Section", and insert "Sections 20127, 20132,".

**Amendment No. 5**

On page 2, line 20, after "benefits", insert ", for continued allowances under Section 21263,".

**Amendment No. 6**

On page 3, line 44, after "election", insert "except that the provision for payment of contributions to the members shall not apply".

**Amendment No. 7**

On page 4, line 45, after "contributions", insert "with respect to salaries and wages paid after July 1, 1962".

**Amendment No. 8**

On page 5, strike out lines 1 to 3, inclusive.

**Amendment No. 9**

On page 5, line 4, strike out "(e)", and insert "(d)".

**Amendment No. 10**

On page 5, line 9, after "contributions", insert "with respect to salaries and wages paid after July 1, 1962,".

**Amendment No. 11**

On page 5, strike out lines 27 to 43, inclusive, and insert "and (b) the amounts payable pursuant to Sections 20786, 20787 and 20788."

**Amendment No. 12**

On page 6, line 47, strike out "on or before the execution"; strike out lines 48 and 49, and insert "before July 1, 1962 for services rendered after the effective".

**Amendment No. 13**

On page 7, line 2, strike out "of the public agency's".

**Amendment No. 14**

On page 7, line 3, strike out ", as the case may be".

**Amendment No. 15**

On page 7, line 4, after "Controller", insert ", from time to time,".

**Amendment No. 16**

On page 7, lines 5 and 6, strike out "for retroactive coverage under the federal system", and insert "with respect to such salaries and wages"

**Amendment No. 17**

On page 9, line 7, strike out "22152", and insert "22152.5".

**Amendment No. 18**

On page 9, line 8, strike out "22152", and insert "22152.5"

**Amendment No. 19**

On page 9, lines 11 and 12, strike out "the election among the members shall be held on the date set for the division, and".

**Amendment No. 20**

On page 9, line 14, strike out "the election", and insert "an election held for that purpose".

**Amendment No. 21**

On page 9, lines 15 and 16, strike out "date for", and insert "dates for the election and".

**Amendment No. 22**

On page 9, line 26, strike out "on the date set for the division".

**Amendment No. 23**

On page 9, line 30, strike out "date for", and insert "dates for the election and".

**Amendment No. 24**

On page 9, line 43, strike out "22152", and insert "22152.5".

**Amendment No. 25**

On page 10, line 1, strike out "22009", and insert "22009.1".

**Amendment No. 26**

On page 10, line 2, strike out "(b)", and insert "(c)".

**Amendment No. 27**

On page 10, line 3, strike out "22152", and insert "22153".

**Amendment No. 28**

On page 10, line 18, after "benefit", insert "or the continued allowance under Section 21263"

**Amendment No. 29**

On page 10, strike out lines 38 to 52, inclusive.

**Amendment No. 30**

On page 11, strike out lines 1 to 9, inclusive.

**Amendment No. 31**

On page 11, line 10, strike out "27", and insert "23"

**Amendment No. 32**

On page 11, lines 26 and 27, strike out "after September 30, 1959, and".

**Amendment No. 33**

On page 12, strike out lines 46 to 52, inclusive; and on page 13, strike out lines 1 to 4, inclusive.

**Amendment No. 34**

On page 13, between lines 11 and 12, insert

"21384. This article shall be effective as to state members and local miscellaneous members who are included in the system under Chapter 4.5 (commencing at Section 20580) on January 1, 1960, and shall apply only to such members whose services are not included in the federal system. On the date fixed by the board, pursuant to Sections 21252 and 21253 of this part for division of the system with respect to such members, each member in employment on that date to whom this article otherwise may apply shall be given an opportunity to elect to be subject to this article.

21385. This article shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this article by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the time this article takes effect, by express provision in such contract making the contracting agency subject to the provisions of this article.

This article shall not in any event apply to employees of a contracting agency whose services are included in the federal system. Members who are employees of a contracting agency when such agency becomes subject to this article and whose services are not included in the federal system shall have the right to elect to be subject to it. Employees of such contracting agency becoming members thereafter shall be subject to this article without election.

21386. The rate of contribution of a member subject to this article shall include, in addition to his normal rate, two dollars ($2) per month or fraction thereof, or

ninety-three cents (.8093) for each biweekly payroll period or fraction thereof, where salaries are paid on such basis. Such contributions shall not become a part of a member's accumulated contributions or be treated or administered as normal contributions and shall not be refundable to a member under any circumstances. Such contributions shall be available only for payment of survivors' allowances under this article.

SEC. 24. Section 20127 of said code is amended to read:

20127. The board shall keep in convenient form such data as is necessary for the actuarial valuation of this system. As of June 30, 1950, and thereafter at the ends of periods not to exceed four years, it shall cause to be made an actuarial investigation into the mortality, service and compensation experience of members and persons receiving benefits and an actuarial valuation of the assets and liabilities of this system. From time to time it shall determine the rate of interest being earned on the Retirement Fund *after deducting from earnings amounts applied to costs of administration of the system*.

SEC. 25. Section 20132 of said code is amended to read:

20132. At the end of each fiscal year the board may credit to all contributions held in the Retirement Fund at June 30th of the then current fiscal year, such interest in excess of the current rate as it deems proper in the light of the earnings on the Retirement Fund during that fiscal year, but not more than the difference between such earnings and the interest credited at the current rate to contributions during that year *plus the amount of earnings applied to costs of administration of the system*. In the calculation of benefits under any mortality table adopted by the board, only the current rate of interest shall be used regardless of any additional interest allowed on contributions under this section.

SEC. 26. Section 20202.5 is added to said code, to read:

20202.5. Costs of administration of the system shall be paid from interest income from the Retirement Fund beginning with the Fiscal Year 1959-60; provided, that the amount of income so applied in any fiscal year may not exceed ten hundredths (0.10) of 1 percent of the investments of the Retirement Fund at book value as of the close of the preceding fiscal year.

SEC. 27. Section 22550.5 is added to said code, to read:

22550.5. A school district whose employees in positions covered under a retirement system as defined in Section 22009.1(c) are included in the agreement, shall be subject to all obligations and liabilities imposed on a public agency under this article. The county superintendent of schools shall submit on behalf of the district and for employees in his office included in his contract with the system, all wage, contribution, and other reports required under this article and shall collect and forward to the State amounts due in the manner provided in Section 20585 of this code for payment of contributions under the State Employees' Retirement System."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

### Rush Order Placed Upon Printing of Assembly Bill No. 2062

Mr. MacBride was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2062.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4:35 p.m., Mr. Bruce F. Allen asked for unanimous consent to hold a special meeting of the Committee on Manufacturing, Oil, and Mining Industry in the rear of the Assembly Chamber.

### Request Withdrawn

Mr. Bruce F. Allen withdrew his request, at this time.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kennick was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO RE-REFERENCE OF BILLS FROM ONE COMMITTEE TO ANOTHER

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 8, 1959

*Hon. Joseph M. Kennick*
*Assembly Chamber*

**Re-reference of Bills From One Committee to Another—No. 17025**

*Question*

DEAR MR. KENNICK: You have called our attention to Senate Bill No. 923, which was passed out of the Assembly Committee on Social Welfare with a recommendation that the bill be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study. The bill was ordered filed, and the subject matter referred to the Committee on Rules (Assembly Journal, May 28, 1959, page 4288).

You ask whether a motion would now be in order to re-refer the bill to the original committee for rehearing, or to order that the bill be returned to the Assembly daily file for further action thereon.

*Opinion and Analysis*

We believe such a motion made in the regular order of business would be in order.

Each bill in the Assembly is the property of the House. The membership by majority vote may order bills referred to committees, withdrawn from committees, re-referred from one committee to another, or re-referred from the daily file to a committee (Assembly Standing Rules Nos. 52, 53, 101, 102), except where a bill has been stricken from the file upon adoption of a motion to postpone indefinitely or a motion to strike, in which case it may not be acted upon again during the session (Assembly Standing Rules Nos. 92 and 103).

The bill in question, having been ordered to be filed, is in the possession of the Chief Clerk, not the Rules Committee. Only the subject matter thereof has been referred to the Rules Committee for assignment to a proper interim committee. Therefore no motion to withdraw the bill from the Rules Committee is necessary, nor do we think any motion is necessary with respect to the "subject matter" of the bill, that being analogous to a direction to provide for an interim study of a particular topic.

Thus, a motion would be proper in our opinion, by which the Assembly directs that Senate Bill No. 923 be re-referred to committee for further hearing or be placed on the daily file for further action

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Biddick asked for unanimous consent that Rule No 56 be temporarily suspended for the purpose of setting three Senate bills for hearing in the Committee on Judiciary—Civil.

Mr. Dahl withheld unanimous consent.

#### Request Withdrawn

Mr. Biddick withdrew his request.

### HOUSE RESOLUTION NO. 322 REMOVED FROM CONSENT CALENDAR

Mr. Burton requested that House Resolution No. 322 be removed from the Consent Calendar.

House Resolution No. 322 ordered on file

#### Parliamentary Inquiry

Mr Burton arose to the following parliamentary inquiry. Can House resolutions be considered after today?

#### Reply by Speaker

The Speaker replied that they can be considered until the adjournment of the session.

#### Parliamentary Inquiry

Mr. Burton arose to the following parliamentary inquiry· Do not House resolutions have to go to the second reading file?

#### Reply by Speaker

The Speaker replied that House resolutions are not bills, and go directly on file for adoption.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2576**—An act to amend Sections 6357, 7304, 7401, 7452, 7481 and 8651 of the Revenue and Taxation Code, relating to the motor vehicle, sales, and use of fuel taxes.

Bill read third time, and passed by the following vote·

AYES—Backstrand, Bane, Beaver, Biddick, Britschgi, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Hegland, Johnson, Kennick, Lanterman, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Schrade, Sumner, Thomas, Unruh, Waldie, Winton, and Mr Speaker—43

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2332**—An act to amend Section 6012 of the Revenue and Taxation Code, relating to the sales tax.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Hegland, Johnson, Kennick, Lanterman, Levering, Luckel, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Pattee, Schrade, Sumner, Thomas, Waldie, George A Willson, Charles H Wilson, and Mr. Speaker—42

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2743**—An act to add Sections 5426.7, 5426.8, 5785.6, and 5785.7 to the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Bee, Belotti, Biddick, Bradley, Burton, Busterud, Cameron, Crawford, Crown, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—46.

NOES—Backstrand, Britschgi, Burke, Conrad, Coolidge, Cusanovich, Dahl, Ernest R. Geddes, Holmes, Lanterman, Levering, Mulford, Pattee, and Shell—14

Bill ordered transmitted to the Senate.

## CORRECTION OF AMENDMENTS TO SENATE BILL NO. 1226

The Speaker was granted unanimous consent that the Chief Clerk be authorized to make necessary technical changes in the amendments to Senate Bill No. 1226.

### Speaker pro Tempore Presiding

At 4:53 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2748**—An act to amend Section 20012 of the Government Code, relating to state retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2841**—An act to amend Section 19530 of the Government Code, relating to layoff of state civil service employees.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2892**—An act to add Section 20898 to the Government Code, relating to absence from state service.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford,

Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.57 p.m., Mr. Bruce F. Allen was granted unanimous consent to hold a special meeting of the Committee on Manufacturing, Oil, and Mining Industry in the rear of the Assembly Chamber.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2542**—An act to repeal Section 73076, to amend Sections 73086, 73092, 73084.1, 73084.2, 73084.3, 73084.4, 73085.1, 73085.2, 73085.3, 73085.4, 73085.5, 73085.6, 73088, 73089 and 73090 of, and to add Sections 73076, 73093, 73094 and 73095 to, the Government Code, relating to municipal courts in Alameda County

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

### Parliamentary Inquiry

Mr. Meyers arose to the following parliamentary inquiry: Since he had an opinion from the Legislative Counsel stating that Assembly Bill No. 2264 carries an implied appropriation, and an analysis from the Legislative Analyst that says there are no costs, what is the proper procedure?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the decision was up to Mr. Meyers.

### Parliamentary Inquiry

Mr. Meyers arose to the following parliamentary inquiry: What is the rule in such instances?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the responsibility for taking the bill up would be Mr. Meyers', but if there be an appropriation in the bill, it could be lost.

Consideration of Assembly Bill No. 2264

**Assembly Bill No. 2264**—An act to amend Section 661 of the Agricultural Code, relating to milk and dairy products.

Bill read third time.

Point of Order

Mr. Sumner arose to the following point of order: Copies of the bill are not on the members' desks.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

Bill ordered passed temporarily on file.

Parliamentary Inquiry

Mr. Gaffney arose to the following parliamentary inquiry: Will copies of the bill be available for consideration later?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that they would, since the bill was in print.

**Assembly Bill No. 2395**—An act to amend Sections 759, 760, 761, 762, 763, 764 and 765 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to compensation of county superintendents of schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—67.

NOES—DeLotto, Lanterman, Levering, Reagan, and Shell—5

Bill ordered transmitted to the Senate.

**Assembly Bill No. 902**—An act to add Section 220 2 to the Labor Code, relating to contributions by state and local governments to employee pension plans.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

**Assembly Bill No. 1019**—An act to amend Section 7745 of the Education Code, and Section 19629 of the Education Code as proposed by

Senate Bill No. 2, relating to repayment of unauthorized expenditures or excess apportionments.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Mulford was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1019.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56 TO HEAR SENATE BILL NO. 1106 IN COMMITTEE

Mr. Unruh asked for unanimous consent that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bill No. 1106 for hearing in the Committee on Ways and Means at 3 p.m. on Wednesday.

Mr. Bruce F. Allen withheld unanimous consent.

### Motion to Temporarily Suspend Rule No. 56

Mr. Unruh moved that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bill No. 1106 for hearing in the Committee on Ways and Means at 3 p.m. on Wednesday.

Mr. Sumner seconded the motion.

### *Roll Call Demanded*

Messrs. Bruce F. Allen, Dahl, and Lowrey demanded a roll call.

NOTE—Later this day, the record was expunged, and the action rescinded on the motion to suspend Rule No. 56. *See* page 5121.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Has Senate Bill No. 1106 been reported out of the Committee on Water?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the report had not yet been received at the desk.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Since the bill is not in the committee, is the motion in order?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that such actions had been taken before.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: How, under the Rules, may a bill which is physically not at the desk be taken up?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the House's action was not on the bill, but was on setting it for hearing in committee.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: How can the bill be set for hearing, when it is physically not in the possession of the House?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the Rules had been waived before, insofar as setting bills was concerned.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: How can a bill be set for hearing in a committee when the bill has not yet been re-referred to the committee?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that by unanimous consent it was a proper motion.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: By what rule can a bill which is not in the possession of a committee be set for special hearing?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that the Rules had been suspended to permit the hearing.

**Announcement by Mr. Porter**

Mr. Porter announced that the committee report and the bill were now at the Assembly desk

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: By what rule can a bill which is not in the possession of a committee be set for hearing in that committee?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore read Rule No. 56 to the members, and suggested that the record be expunged.

**Parliamentary Inquiry**

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Does not a suspension of the Rules also suspend Rule No 56?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that Rule No. 56 was suspended only insofar as a three-day notice and setting for hearing was concerned.

**Parliamentary Inquiry**

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Cannot the House suspend any rule if it so desires?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it could, with the necessary votes.

### Motion to Expunge Record and Rescind Action on Motion to Suspend Rule No. 56

Mr. Unruh moved to expunge the record, and rescind the action whereby the Assembly, on this day (Assembly Journal, page 5119), suspended Rule No. 56 for the purpose of setting Senate Bill No. 1106 for hearing in the Committee on Ways and Means at 3 p.m. on Wednesday

Motion carried by the following vote:

AYES—Banc, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—Bruce F. Allen, Burke, Chapel, Collier, Cusanovich, Dahl, Davis, Francis, Levering, Lowrey, Lunardi, Masterson, Pattee, Reagan, and Shell—15

## REPORTS OF STANDING COMMITTEES

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Senate Constitutional Amendment No. 11
Senate Constitutional Amendment No. 31

With the recommendation: Be adopted

BUSTERUD, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Senate Constitutional Amendment No. 20
Senate Constitutional Amendment No. 21

With the recommendation: That the resolutions be filed, and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BUSTERUD, Chairman

Above resolutions ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 401
Senate Bill No. 898
Senate Bill No. 1454

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

LOWREY, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports.

Senate Bill No. 508
Senate Bill No. 620
Senate Bill No. 798
Senate Bill No. 1263
Senate Bill No. 1264
Senate Bill No. 1265

With the recommendation: Do pass.

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports.

Senate Bill No. 1158
Senate Bill No. 1194
Senate Bill No. 1267
Senate Bill No. 1359

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

LOWREY, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 1420

With amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Chairman

Above bill ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1106

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports.

Senate Bill No. 1350

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports

Senate Bill No. 1353

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRUCE F. ALLEN, Chairman

Above bill ordered to second reading.

## PARLIAMENTARY INQUIRY

Mr. Collier arose to the following parliamentary inquiry: Are not the committees operating under the same rules as the House?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that, generally, the House Rules apply to committee procedure.

### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Should not amendements at the desk be disposed of before reporting a bill out of committee?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that there were no committee amendments at the desk.

Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Should not amendments offered in committee, which are in the hands of the committee chairman, be handled the same as in the House?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that there were no committee amendments at the desk.

Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Can a committee, when there are proposed amendments to a bill in the hands of the committee chairman, take final action on the bill without first disposing of the amendments?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the House does not concern itself with the committee's proceedings.

Parliamentary Inquiry

Mr. Hanna arose to the following parliamentary inquiry: If a member is not satisfied with the ruling of the Speaker, can he not appeal from the decision of the Speaker?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the Rules so provide.

Parliamentary Inquiry

Mr. Hanna arose to the following parliamentary inquiry: Should not an appeal from a committee chairman's action then be made in the committee?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it should be made in the committee.

Parliamentary Inquiry

Mr. Burton arose to the following parliamentary inquiry: Is not the discussion presently being carried on, out of order?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was.

Parliamentary Inquiry

Mr. Cusanovich arose to the following parliamentary inquiry: Is the House on the order of business of Motions and Resolutions?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it was on the order of business of Committee Reports

## MOTION TO TEMPORARILY SUSPEND RULE NO. 56 TO HEAR SENATE BILL NO. 1106 IN COMMITTEE

Mr. Unruh moved that Rule No. 56 be temporarily suspended, and that Senate Bill No. 1106 be set for hearing in the Committee on Ways and Means without the three-day notice.

**Parliamentary Inquiry**

Mr. Bruce F. Allen arose to the following parliamentary inquiry: Is the motion debatable?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was not.

**Request for Division of Question**

Mr. Lowrey asked for a division of the question.

The Speaker pro Tempore ruled the question not divisible

**Point of Order**

Mr Lowrey arose to the following point of order: That the motion was for suspension of Rule No. 56, and waiving the three-day notice.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order not well taken.

**Point of Order**

Mr Conrad arose to the following point of order: That Rule No. 56 provides for open hearings, and the committee would be able to hold a meeting without a public hearing.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order not well taken.

The question being on the motion by Mr. Unruh that Rule No. 56 be temporarily suspended, and that Senate Bill No. 1106 be set for hearing without the three-day notice.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Unruh moved a call of the Assembly.

Mr. Munnell seconded the motion.

Motion carried. Time, 5.26 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1163**—An act to amend Section 10641 of, and to add Section 10640.1 to, the Insurance Code, relating to employee health and welfare programs

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel

R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—Levering, Shell, and Thelin—3

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1856**—An act to add Article 12 (commencing at Section 20240) to Chapter 1 of Division 10 of the Education Code, and to add Chapter 5 (commencing at Section 23530) to Division 17 of the Education Code as enacted at the 1959 Regular Session, relating to municipal services afforded the University of California by the City of Berkeley, and declaring the urgency thereof, to take effect immediately

Bill read third time.

**Urgency Clause**

Urgency clause read.

**Speaker Presiding**

At 5.38 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Hanna, Schrade, Johnson, Charles H. Wilson, and Kennick demanded the previous question. Demand sustained.

The question being on the adoption of the urgency clause

Urgency clause adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—57.

NOES—Bruce F. Allen, Burton, Collier, Crawford, Crown, Hegland, House, Luckel, Masterson, Munnell, Schrade, Sumner, Unruh, and Z'berg—14

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—57.

NOES—Bruce F. Allen, Burton, Collier, Crawford, Crown, Hegland, House, Luckel, Masterson, Munnell, Schrade, Sumner, Unruh, and Z'berg—14

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO HEAR SENATE BILL NO. 1106 IN COMMITTEE

At 5.45 p.m., Mr. Unruh moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Rule No. 56 be temporarily suspended, and that Senate Bill No. 1106 be

set for hearing in the Committee on Ways and Means without the three-day notice carried by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53

NOES—Bruce F. Allen, Backstrand, Belotti, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Cusanovich, Dahl, Davis, Francis, Grant, Holmes, Johnson, Lanterman, Levering, Lowrey, Lunardi, Masterson, Pattee, Reagan, Shell, Thelin, and Waldie—26.

### Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: Was the motion just carried to suspend the three-day rule?

### Reply by Speaker

The Speaker replied that it was.

### Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: Should not the Rules also be suspended so that the bill will not be placed on the second reading file, but will be re-referred to the Committee on Ways and Means immediately?

### Reply by Speaker

The Speaker replied that the bill should be sent to the Committee on Ways and Means.

### Request for Unanimous Consent

Mr. Unruh asked for unanimous consent that Senate Bill No. 1106 be re-referred to the Committee on Ways and Means.

Mr Lowrey withheld unanimous consent.

### Motion to Re-refer

Mr. Unruh moved that Senate Bill No. 1106 be re-referred to the Committee on Ways and Means.

Motion carried by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62

NOES—Bruce F. Allen, Chapel, Collier, Cusanovich, Dahl, Davis, Johnson, Lanterman, Levering, Lowrey, Lunardi, Reagan, Shell, Thelin, and Waldie—15

## ANNOUNCEMENT

Mr. Unruh announced that Senate Bill No. 1106 would be set for hearing in the Committee on Ways and Means at 3 p.m on Thursday, June 11, 1959.

## RECESS

At 5.50 p.m., on motion of Mr. Winton, the Assembly recessed until 8 p.m.

## REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senator Dolwig to replace Senator McCarthy as a member of the Committee on Conference concerning:

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Miller, Stiern and Montgomery as a Second Committee on Conference concerning:

**Assembly Bill No. 700**—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 219
Assembly Bill No. 220
Assembly Bill No. 647
Assembly Bill No. 1586
Assembly Bill No. 1751
Assembly Bill No. 1843
Assembly Bill No. 2136
Assembly Bill No. 2299
Assembly Bill No. 1999

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns to the Assembly without further action:

Assembly Bill No. 688
Assembly Bill No. 402
Assembly Bill No. 244

From committee: To be re-referred to Assembly Rules Committee for Interim study.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 146

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, June 9, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 1227 | Assembly Bill No. 1585 |
| Assembly Bill No. 1242 | Assembly Bill No. 1629 |
| Assembly Bill No. 1301 | Assembly Bill No. 1755 |
| Assembly Bill No. 1409 | Assembly Bill No. 2085 |
| Assembly Bill No. 1537 | Assembly Bill No. 2134 |
| Assembly Bill No. 1562 | Assembly Bill No. 2331 |
| Assembly Bill No. 1563 | Assembly Bill No. 2338 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 9, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 928
Senate Bill No. 1344
Senate Bill No. 545

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## RESOLUTIONS

The following resolutions were offered:

By Mr. Britschgi:

### House Resolution No. 345

Relating to a study of problems connected with the expulsion of pupils from the public schools

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the need of revising the laws relating to the subject of expulsion of pupils from the public schools, including but not limited to the desirability of consolidating the numerous pertinent statutory provisions pertaining to that subject, the need for and feasibility of providing automatic review by county boards of education and other bodies of all expulsions of pupils, and the desirability and necessity of permitting county boards of education to request the assumption of jurisdiction by the juvenile courts in special cases. The committee to which such subject is assigned shall make appropriate recommendations for legislation and shall report its findings and recommendations to the Assembly by the tenth calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Mr. Thomas:

### House Resolution No. 346

Relative to the retirement of George T. McCoy

WHEREAS, It has come to the attention of the Legislature that George T. McCoy, State Highway Engineer, is within a few months of attaining compulsory retirement age after a distinguished engineering career extending over 44 years in the public service, 32 years of it in the service of the State of California; and

WHEREAS, Mr. McCoy has served as State Highway Engineer and Chief of the California Division of Highways since 1943, during which period he has been responsible for the expenditure of more than two and a half billion dollars in the construction, maintenance and operation of the State Highway System; and

WHEREAS, Under Mr. McCoy's strong and capable leadership the highway program of the State of California has attained a position of widely acknowledged pre-eminence throughout the Nation and the world, particularly in the development of freeways and other modern contributions to the economy, efficiency and safety of motor vehicle transportation so essential to the growth and welfare of the State; and

WHEREAS, Mr. McCoy has been accorded nationwide professional recognition and honor, including his election in 1954 as President of the American Association of State Highway Officials and his selection by that association in 1958 as the recipient

of the Thomas H. MacDonald Award for outstanding achievement in the development of highways, reflecting great honor on the State of California and its highway program; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California do hereby express to George T. McCoy the gratitude and appreciation of the people of California for his accomplishments in the field of modern highway transportation and their heartiest wishes for a long and enjoyable retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to George T. McCoy.

Resolution read, and referred to the Committee on Rules.

By Messrs. Luckel, Crawford, Hegland, and Schrade:

**House Resolution No. 347**

Relating to the death of Charles O. Taylor

WHEREAS, The Members of the Assembly have learned of the recent death of one of San Diego's leading citizens, Mr. Charles O. Taylor; and

WHEREAS, "Spud," as he was known to his innumerable friends, was a native of Missouri, but received his education in Arizona and came to San Diego 20 years ago where he started work as a carpenter; and

WHEREAS, Because of his deep interest in securing stable working conditions in the building industry he was chosen as business representative of the District Council of Carpenters, and secretary-treasurer of Millmen's Local 202, and since 1945 had been president of the San Diego County Labor Council; and

WHEREAS, He was also active in the labor division of the United Fund and Community Chest, and had been a member of the City Planning Commission since 1953, serving as chairman until ill health necessitated his resignation a few months ago; and

WHEREAS, It was largely through Spud's untiring efforts in the field of labor relations that the high degree of industrial peace in San Diego has been achieved; and

WHEREAS, The loss of this capable and public-spirited citizen, who gave so generously of his time and energies for the betterment of his fellow men, will be sorely felt by the people of his community as well as by his many close friends and associates; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution express their sincere regret at the passing of Charles O. Taylor, and extend their heartfelt condolences to his widow, Mrs. Ida Taylor, his daughters, Mrs. Patricia Hoffman, Mrs. Wendell Hearne, Mrs. Richard Bishop, and Miss Sue Taylor, and his brothers, Harness E. Taylor, and John T. Taylor, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Ida Taylor, Mr. Harness E. Taylor, and Mr. John T. Taylor.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Government Organization

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 543
Senate Bill No. 1208
Senate Bill No. 1373
Senate Bill No. 1402

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 122
Senate Bill No. 1093

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 1178

With amendments with the recommendation: That the bill be amended and filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

WINTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 2848

With the recommendation That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

WINTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Governmental Efficiency and Economy**

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports

Senate Bill No. 587
Senate Bill No. 1233
Senate Bill No. 1468

With amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports

Assembly Bill No. 1760
Assembly Bill No. 2323

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 9, 1959

MR SPEAKER. Your Committee on Governmental Efficiency and Economy reports

Senate Bill No 102
Senate Bill No. 948

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bills re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 101
Senate Bill No. 610
Senate Bill No 853

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 650

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 511
Senate Bill No. 609
Senate Bill No. 611
Senate Bill No. 1144
Senate Bill No. 1237
Senate Bill No. 1239
Senate Bill No. 1259
Senate Bill No. 1297
Senate Bill No. 1325

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 421
Senate Bill No. 1405
Senate Bill No. 1484

With amendments with the recommendation: Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Water

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1310
Senate Bill No. 1375

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 538

With amendments with the recommendation: Amend, and re-refer to the Committee on Water.

PORTER, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, June 9, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*Sacramento*

DEAR SIR: I am returning herewith Senate Bill No. 923, as requested by the Assembly, for further action.

Very truly yours,

J. A. BEEK, Secretary of the Senate

Senate Bill No. 923 ordered to the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Hegland was granted unanimous consent to offer and consider a resolution, at this time.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

**Assembly Concurrent Resolution No. 148**: By Messrs. Hegland, Grant, and Winton, and co-authored by Senators Dilworth, Donnelly, and Grunsky—Relative to expenses of the Joint Legislative Committee for the Revision of the Education Code.

#### Request for Unanimous Consent

Mr. Hegland was granted unanimous consent to take up Assembly Concurrent Resolution No 148 without reference to committee, print, or file, and that the same be considered engrossed.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 148

**Assembly Concurrent Resolution No. 148**—Relative to expenses of the Joint Legislative Committee for the Revision of the Education Code.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Busterud, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, McCollister, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, George A. Willson, Zberg, and Mr. Speaker—48.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Cunningham was granted unanimous consent to take up Assembly Bill No. 2276 for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2276

**Assembly Bill No. 2276**—An act to add Sections 11723, 11724 and 11725 to the Health and Safety Code, relating to the rehabilitation and testing of narcotic addicts, and making an appropriation therefor.

Bill read third time.

#### Motion to Amend

Mr. Cunningham moved the adoption of the following amendments:

#### Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on June 4, 1959, strike out ", and making an appropriation therefor".

#### Amendment No. 2

On page 3, strike out lines 30 to 35, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Rush Order Placed Upon Printing of Assembly Bill No. 2276

Mr. Cunningham was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2276.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hanna was granted unanimous consent to take up Assembly Bill No. 2715 for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2715

**Assembly Bill No. 2715**—An act making an appropriation in augmentation of the appropriation for the support of the Department of Justice, for investigation and prosecution of alleged illegal trade practices, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hanna moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Assembly on June 8, 1959, strike out "ninety thousand dollars ($90,000)", and insert "_____".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Rush Order Placed Upon Printing of Assembly Bill No. 2715

Mr. Hanna was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No 2715.

REQUESTS FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Biddick was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bills Nos. 1132, 679, 1451, and 1376 for hearing in the Committee on Judiciary—Civil.

Mr. Cunningham was granted unanimous consent that Rule No. 56 be temporarily suspended for the purpose of setting Senate Bills Nos. 931 and 598 for hearing in the Committee on Public Utilities and Corporations.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2420**—An act to add Article 9.5 (commencing with Section 7040) to Chapter 5 of Part 1 of Division 2 of the Insurance Code, relating to merger of county mutual fire insurers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick,

Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A Willson, Winton, and Z'berg—55.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2472**—An act to amend Section 9359.8 of the Government Code, relating to Legislators' Retirement Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, McCollister, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Winton, and Z'berg—52.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2756**—An act to amend Sections 11610, 11612, 11614, 11619, 11621, and 11622 of, and to repeal Section 11620 of the Health and Safety Code, relating to the forfeiture of vehicles for the unlawful transportation, depositing, concealment, and possession of narcotics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E Brown, Burton, Busterud, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—60.
NOES—Winton—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2872**—An act to add Section 426.7 to the Health and Safety Code and Chapter 6 (commencing at Section 28000) to Division 12 of the Vehicle Code as enacted at the 1959 Regular Session, relating to air pollution.

Bill read third time.

### Speaker pro Tempore Presiding

At 8.22 p m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Demand for Previous Question

Messrs. Grant, Schrade, Levering, Kennick, and Marks demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bane, Beaver, Belotti, Biddick, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Lunardi,

MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—55.

NOES—Bruce F. Allen, Backstrand, Bradley, Burke, DeLotto, Ernest R. Geddes, Holmes, Lanterman, Levering, Luckel, Reagan, and Shell—12.

Bill ordered transmitted to the Senate.

## INTRODUCTION OF LIEUTENANT GOVERNOR AND MRS. ANDERSON

Mr. Dills announced the presence in the Assembly Chamber of Lieutenant Governor and Mrs. Glenn M. Anderson, and presented them to the Members of the Assembly, who welcomed them upon their visit to the Assembly Chamber

## ANNOUNCEMENT

Speaker pro Tempore Bee announced that the Chief Clerk had compiled the following information relative to the bills on file today:

There were 143 Assembly bills on third reading this morning.

We have taken off 42 of the bills at this time and added 1, leaving 102 bills. If we work four hours tonight 25 bills must be disposed of each hour, which means that about 2½ minutes may be devoted to each bill if the file is to be cleared by midnight.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1462**—An act authorizing the Director of Finance to acquire real property in the City of San Jose for incorporation into the campus of San Jose State College.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72

NOES—Hanna—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2758**—An act to amend Sections 2100, and 2106 of, to repeal Section 2108 of, and to add Section 2108 to, the Health and Safety Code, relating to pet birds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2870**—An act to add Chapter 6 (commencing at Section 23550) to Division 17 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to municipal services afforded by the City of Albany in connection with facilities maintained by the University of California.

Bill read third time.

#### Demand for Previous Question

Messrs. Burton, MacBride, Biddick, Waldie, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Backstrand, Bane, Cameron, Conrad, DeLotto, Francis, Mulford, Rees, Rumford, Shell, Thomas, and Waldie—12.

NOES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, Donahoe, Elliott, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Munnell, Nisbet, Petris, Reagan, Schrade, Sedgwick, Sumner, Thelin, Unruh, George A Willson, and Z'berg—53.

### MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 1856

Mr. Munnell moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 1856.

Speaker pro Tempore Bee ruled the motion not in order, since the bill had already been transmitted to the Senate, and would first have to be recalled from the Senate.

### CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2827**—An act to amend Section 20134 of the Government Code and Section 14026 of the Education Code as enacted by the Legislature at its 1959 Regular Session, and to add Section 75005 to the Government Code, relating to information available from retirement systems.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Marks, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Williamson, Winton, Z'berg, and Mr. Speaker—56.

NOES—Burton, Hegland, Kennick, Lunardi, Masterson, Sumner, Waldie, and George A Willson—8.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1538**—An act to add Chapter 10 (commencing at Section 3551) to Division 5 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district organization.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Bee, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Francis,

Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Petris, Porter, Rees, Rumford, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—47.

NOES—Bruce F. Allen, Don A. Allen, Beaver, Belotti, Burke, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Grant, Hegland, House, Kennick, Levering, Luckel, Mulford, Nisbet, Schrade, Shell, and Sumner—22.

Bill ordered transmitted to the Senate

**Assembly Bill No. 2856**—An act to add Chapter 2 (commencing at Section 1670) to Part 6 of Division 2 of the Labor Code, relating to the licensing and regulation of consultants to management on executive selection.

Bill read third time, and presented by Mr. MacBride.

Further consideration of the bill ordered passed on file, and the bill to hold its place on file.

**Assembly Bill No. 1**—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to eligibility for old age assistance.

Bill read third time.

#### Motion to Pass Temporarily on File

Mr. Munnell moved that the bill be passed temporarily on file.

#### Point of Order

Mr. Masterson arose to the following point of order: That Mr. Munnell arose to ask a question, asked his question, and then made the motion so the motion is not in order.

#### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

#### Parliamentary Inquiry

Mr. Lanterman arose to the following parliamentary inquiry: Does this bill require a letter from the Governor?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore directed the inquiry to Mr. Bruce F. Allen, who stated that the bill did not carry an appropriation.

#### Demand for Previous Question

Messrs. Masterson, Belotti, Miss Donahoe, Crawford, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—54

NOES—Backstrand, Burke, Conrad, Crown, Dahl, Francis, Hanna, Hegland, Johnson, Lanterman, Levering, Lowrey, MacBride, Reagan, Shell, Sumner, Thelin, Unruh, and Winton—19.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1725**—An act to add Chapter 2.8 (commencing at Section 8160) to Division 1 of Title 2 of the Government Code, relating to the Capitol Building and Planning Commission.

Bill read third time.

Speaker Presiding

At 8.55 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is this not an appropriation measure?

Reply by Speaker

The Speaker replied that the appropriation had been amended out.

Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is there not an opinion of the Legislative Counsel that the bill carries an appropriation?

Reply by Speaker

The Speaker replied that it was Mr. Z'berg's responsibility as to whether or not the bill should be considered at this time.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—60.

NOES—Don A. Allen, Britschgi, Dahl, Levering, Reagan, and Shell—6.

Bill ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 12**—Relative to augmenting the funds of the Joint Legislative Committee for School Visitations.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69

NOES—Levering and Reagan—2.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 140**—Relative to the exclusion of dump truck contractors from the provisions of the Carriers' Act.

Resolution read.

Parliamentary Inquiry

Mr. Winton arose to the following parliamentary inquiry: Will the Assembly be considering Assembly bills tomorrow?

Reply by Speaker

The Speaker replied that it appeared that it would.

Further consideration of the resolution ordered passed on file, and to retain its place on file.

Assembly Bill No. 102 Placed on the Inactive File

The following bill was placed upon the inactive file:

**Assembly Bill No. 102,** on motion of Mr. Hanna.

**Assembly Bill No. 2765**—An act to amend Section 5201 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school holidays and observances.

Bill read third time.

Demand for Previous Question

Messrs. Burton, DeLotto, Masterson, Kennick, and Dills demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Belotti, Britschgi, Busterud, Cameron, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Ernest R. Geddes, Samuel R. Geddes, Hegland, House, Lanterman, Luckel, MacBride, Miller, Munnell, Porter, Rees, Schrade, Thomas, Unruh, George A. Willson, Winton, and Z'berg—27.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, George E. Brown, Burke, Burton, Chapel, Collier, Coolidge, Crown, Cunningham, Cusanovich, Donahoe, Elliott, Francis, Gaffney, Garrigus, Grant, Hawkins, Kennick, Levering, Lowrey, Lunardi, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Petris, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Waldie, and Williamson—42.

**Assembly Bill No. 2774**—An act to amend Section 1306 of the Penal Code, relating to bail.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—66

NOES—Hanna, Holmes, and Lowrey—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2818**—An act to amend Section 653h of the Penal Code, relating to interception of communications.

Bill read third time.

Point of Order

Mr. Conrad arose to the following point of order: That there is no provision in the Rules for yielding time for debate.

Ruling by Speaker

The Speaker ruled the point of order not well taken, at this time, since no one had yielded time for debate.

**Demand for Previous Question**

Messrs. Dahl, Johnson, Schrade, Ernest R. Geddes, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

**Motion to Re-refer**

Mr. Burton moved that the bill be re-referred to the Committee on Rules, and that the subject matter be assigned for interim study.

**Parliamentary Inquiry**

Mr. Cusanovich arose to the following parliamentary inquiry: How can Mr. Burton close, if Mr. Masterson opened the debate on the bill?

**Reply by Speaker**

The Speaker replied that Mr. Masterson was recognized to speak on the bill, and that Mr. Burton was the author of the bill, and was entitled to close the debate.

The question being on the motion to re-refer.

**Substitute Motion to Table**

Mr. Gaffney moved, as a substitute motion, that the bill be laid on the table.

**Point of Order**

Mr. Masterson arose to the following point of order: That the previous question had been demanded, so the substitute motion was not in order.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

**Parliamentary Inquiry**

Mr. Unruh arose to the following parliamentary inquiry: Was the motion in order during the closing debate?

**Reply by Speaker**

The Speaker replied that it was.

**Parliamentary Inquiry**

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Is the substitute motion in order?

**Reply by Speaker**

The Speaker replied that it was.

**Point of Order**

Mr. Elliott arose to the following point of order: That Mr. Gaffney spoke on the question before he offered his substitute motion.

**Ruling by Speaker**

The Speaker ruled the point of order not well taken.

The question being on the substitute motion that the bill be laid on the table.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Mulford, Nisbet, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin,

Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—58.

NOES—Biddick, Cameron, Crown, Cunningham, Elliott, Samuel R. Geddes, Hawkins, Kilpatrick, Meyers, Munnell, O'Connell, Petris, Porter, Rees, Unruh, and Z'berg—16.

**Assembly Bill No. 2819**—An act to add Section 7515 to the Business and Professions Code, relating to the interception of communications.

Bill read third time.

Motion to Table

Mr. Crawford moved that the bill be laid on the table.

Mr. Beaver seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Shell, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—49.

NOES—Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Elliott, Francis, Garrigus, Samuel R. Geddes, Hawkins, Kilpatrick, Lunardi, Masterson, McMillan, Munnell, O'Connell, Petris, Rees, Sumner, Unruh, Waldie, Winton, and Z'berg—25.

## ANNOUNCEMENT

Mr. Belotti announced that today was the birthday of Mrs. Alene Meyers, the wife of Assemblyman Charles W. Meyers, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mrs. Meyers.

## INTRODUCTION OF GUEST

Speaker Brown announced the presence in the Assembly Chamber of Mrs. Ruth Holmes, the wife of Assemblyman James L. Holmes, whereupon the members joined in welcoming her on her visit to the Assembly Chamber.

## PRESENTATION OF GOVERNOR

Speaker Brown announced the presence in the Assembly Gallery of the Honorable Edmund G. Brown, Governor of the State of California, and presented him to the Members of the Assembly and guests, who joined in welcoming him on his visit to the Assembly Chamber.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No 2276
Assembly Bill No 2715

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2062

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2529**—An act to add Section 816 to the Insurance Code, relating to insurance adjusters.

Bill read third time.

### Speaker pro Tempore Presiding

At 9.29 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding:

### Motion to Re-refer

Mr. Munnell moved that the bill be re-referred to the Committee on Rules for possible interim study.

Mr. Gaffney seconded the motion.

The roll was called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Bradley moved a call of the Assembly.

### Roll Call Demanded

Messrs. Crawford, Luckel, and Schrade demanded a roll call.

The roll was called.

### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly on the motion for a call of the Assembly.

Motion ruled not in order.

The vote was announced, and the motion for a call of the Assembly lost by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Burton, Busterud, Collier, Davis, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Lanterman, Lowrey, MacBride, Marks, McMillan, Nisbet, Rumford, Shell, Sumner, Thelin, Waldie, Williamson, Charles H. Wilson, and Z'berg—34.

NOES—Don A. Allen, Beaver, Britschgi, George E. Brown, Burke, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Frew, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, Kilpatrick, Levering, Luckel, Lunardi, Masterson, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Thomas, Unruh, George A. Willson, and Winton—38.

The question being on the motion to re-refer to the Committee on Rules for possible interim study.

Motion lost by the following vote:

AYES—Don A. Allen, Beaver, Bee, Belotti, George E. Brown, Busterud, Cameron, Crawford, Crown, Cunningham, Dills, Gaffney, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Unruh, and Winton—38.

NOES—Bruce F. Allen, Backstrand, Bane, Biddick, Bradley, Britschgi, Burke, Burton, Chapel, Collier, Conrad, Coolidge, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Johnson, Lanterman, Lowrey, Marks, Rumford, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—36.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Biddick, Bradley, Britschgi, Coolidge, Davis, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, Lanterman, Lowrey, McMillan, Meyers, Mulford, Petris, Porter, Rumford, Thelin, Thomas, Williamson, Charles H. Wilson, and Z'berg—30.

NOES—Beaver, Belotti, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cusanovich, DeLotto, Gaffney, Hanna, Hegland,

Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Schrade, Shell, Sumner, Unruh, Waldie, George A. Willson, Winton, and Mr. Speaker—42.

**Assembly Bill No. 2528**—An act to add Section 557 to the Insurance Code, relating to insurance claims.

Bill read third time.

**Speaker Presiding**

At 9.43 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Grant, Schrade, Burke, Crawford, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Does not the last sentence of Rule No. 110 provide that no member shall yield his time for debate?

**Reply by Speaker**

The Speaker replied that it does.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: Did not Mr. Bradley yield his time to answer a question by Mr. Unruh?

**Reply by Speaker**

The Speaker replied that Mr. Unruh asked the question on his own time.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Donahoe, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Kilpatrick, Lanterman, Lowrey, Marks, Meyers, Mulford, Pattee, Petris, Rumford, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, and Z'berg—41

NOES—George E. Brown, Cameron, Crawford, Crown, DeLotto, Elliott, Gaffney, Hawkins, Hegland, Holmes, House, Kennick, Levering, Luckel, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, Porter, Reagan, Rees, Sumner, Unruh, Charles H. Wilson, and Mr. Speaker—27.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2650**—An act to amend Section 537 of the Penal Code, relating to defrauding innkeepers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Biddick, Bradley, George E. Brown, Burke, Cameron, Chapel, Conrad, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Kennick, Lanterman, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—44

NOES—Backstrand, Belotti, Britschgi, Burton, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, Dills, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, Levering, Luckel, McCollister, Munnell, Pattee, Reagan, Schrade, Shell, Thelin, and Williamson—26.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 174**—An act to amend Sections 633, 705, and 709 of, and to add Section 710 to, the Unemployment Insurance Code, relating to unemployment insurance coverage for municipal and county employees.

Bill read third time, and passed by the following vote:

AYES—Bane, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, and Z'berg—42.

NOES—Backstrand, Belotti, Bradley, Britschgi, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Ernest R. Geddes, Grant, Hegland, Luckel, Mulford, Porter, Reagan, Schrade, Sedgwick, Shell, and Thelin—22.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2573**—An act to add Article 4.5 (commencing at Section 28340) to Chapter 7, Division 21 of the Health and Safety Code, relating to crabmeat.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2900**—An act to amend Section 553.1 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—73.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2458**—An act to add Chapter 3 (commencing at Section 24375) to Division 20 of the Health and Safety Code, relating to the State Air Pollution Board.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Johnson, Kennick, Lanterman, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford,

Schrade, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—49.

NOES—Bruce F. Allen, Bradley, Collier, Cusanovich, Levering, Luckel, Reagan, and Shell—8.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1076**—An act to amend Sections 2011, 2016, 2160, and 2163 of, and to repeal Sections 2181, 2181.01, 2181.05, 2224, and 2224.1, of the Welfare and Institutions Code and to amend Section 206.7 of the Civil Code, relating to relatives' responsibility requirements with respect to the old age assistance program.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—Bradley, Cusanovich, House, Levering, Reagan, and Shell—6.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 123**—An act to amend Section 2020.002 of the Welfare and Institutions Code, relating to old age security grants.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 123:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

*Assembly Bill No. 123 is an act relating to public assistance grants.*

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 123 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—Levering and Reagan—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2464**—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

### Speaker pro Tempore Presiding

At 10 21 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—54.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Chapel, Collier, Coolidge, Cusanovich, Hegland, Johnson, Levering, Luckel, Mulford, Nisbet, Schrade, Sedgwick, Shell, Thelin, and Williamson—19.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 1

Mr. Pattee was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 1.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2665**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Del Norte, State of California.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2654**—An act to add Section 6508 5 to the Business and Professions Code, relating to the practice of barbering.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Nisbet, Pattee, Petris, Rees, Rumford, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—62.

NOES—Thelin—1.

Bill ordered transmitted to the Senate.

### Assembly Bill No. 2802 Placed on the Inactive File

The following bill was placed upon the inactive file:

**Assembly Bill No. 2802**, on request of Mrs Davis.

**Assembly Bill No. 2330**—An act to amend Sections 6710, 6711, and 6712 of the Business and Professions Code, relating to the State Board of Registration for Civil and Professional Engineers.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2687**—An act to add Section 576 5 to the Agricultural Code, relating to imitation dairy products.

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—63
NOES—Bruce F. Allen, Burton, and Masterson—3

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2660**—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to relatives' responsibility under the Old Age Security Law.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2786**—An act to amend Section 20630 of the Government Code, relating to member contributions under the State Employees' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2733**—An act to add Section 11332 to the Health and Safety Code, relating to narcotics.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2643**—An act to amend Sections 8045 and 8046 of the Fish and Game Code, relating to the imposition of privilege taxes on fish packers and processors.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2643:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 2643 is an act relating to the imposition of privilege taxes on fish packers and processors.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2643 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2644**—An act to add Sections 8057, 8058, 8059, 8060, 8061, 8062, 8063, 8064, 8065, 8066, 8067, 8068, 8069, and 8070 to the Fish and Game Code, relating to the payment of privilege taxes and claims and suits for refund.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2644:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 2644 is an act relating to the payment of privilege taxes and claims and suits for refund.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2644 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78

NOES—None

Bill ordered transmitted to the Senate.

**Names Placed Upon Roll Call**

Messrs. Bradley and Grant were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2644.

**Assembly Bill No. 2813**—An act to add Article 5 (commencing at Section 380 20) to Chapter 3, Division 3, of the Agricultural Code, and to amend Section 12022 of the Business and Professions Code, relating to poultry meat.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Hegland, Luckel, and Miller—3

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2534**—An act to amend Sections 23604, 23605, and 23606 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the state college faculty.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick,

Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2887**—An act to amend the title of Chapter 4 (commencing at Section 645) of Division 10, and Sections 645, 646, 647, 652, 653, 654, 655, 656, and 657 of, the Vehicle Code, and to amend Section 24006 of, and to add Sections 27156, 27157, 27158, and 27159 to, the Vehicle Code as proposed by Assembly Bill No. 5, relating to equipment of motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 706**—An act to add the heading of Article 1 (commencing at Section 12880) of, and Article 2 (commencing at Section 12892) to, Chapter 5 of Part 6 of Division 6 of the Water Code, relating to the planning, construction, and operation of water development projects for cities, counties, and districts throughout the State.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1046**—An act to add Section 10184 to the Business and Professions Code; and to add Article 1 (commencing at Section 3081.1) and to add a heading to Article 2 to, and to amend Sections 3081.1, 3081.3, and 3081.93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to real property loans and brokers.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1046:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Assembly Bill No. 1046 is an act relating to real property loans and brokers.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1046 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2390**—An act to create the Yuba-Bear River Basin Authority, to develop and promote the regulation of the water resources of the Yuba and Bear Rivers watersheds for beneficial use in the Counties of Placer, Nevada, and Sierra, prescribing the authority's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the authority, authorizing the incurrence of indebtedness, providing for the issuance of bonds, providing for the levy and collection of taxes, and for co-operation and contracts with any entity.

Bill read third time.

### Speaker Presiding

At 10.44 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2890**—An act to amend Section 60.5 of the Labor Code, relating to the Division of Industrial Safety.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Bradley, Conrad, and Coolidge—3.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Burton was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2890

**Assembly Bill No. 2662**—An act to add Sections 110, 4167, 4310 and 6053 to, to amend Section 4750 of, and to add Articles 2.5 (commencing at Section 27175) and 2.6 (commencing at Section 27250) to Chapter 5 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the prevention of air pollution by motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Gorge A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—Bruce F. Allen, Francis, Luckel, Reagan, and Shell—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2891**—An act to add Section 18807 to the Government Code, relating to maritime engineers.

Bill read third time.

### Speaker pro Tempore Presiding

At 10.55 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Collier, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—57

NOES—Chapel, Conrad, Coolidge, Dahl, Lanterman, Levering, Lowrey, Mulford, and Reagan—9.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2715**—An act making an appropriation in augmentation of the appropriation for the support of the Department of

Justice, for investigation and prosecution of alleged illegal trade practices, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65

NOES—Coolidge, Samuel R. Geddes, Lanterman, Levering, and Thelin—5

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2720**—An act to amend Section 11563 of the Government Code, relating to salaries of state officers.

Bill read third time.

Speaker Presiding

At 11.04 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Coolidge—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2303**—An act to amend Section 72604 of the Government Code, relating to the fees of official reporters of municipal courts of judicial districts in Los Angeles County.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2062**—An act to add Sections 20004.5, 20004.6, 20014.6, 20031.5, 20031.6, 20124.5, 20230.5, 20497, 20498, 20601.5, 20750.13, 20750.23, 20750.33, 20750.43, 20989, 21251.14, 21293.5, 21364.7, 22152, 22153, and 22213 of; to add Chapter 6.5 (commencing at Section 20780) to Part 3, Division 5, Title 2 of; to add Article 6 (commencing at Section 21380) to Chapter 9, Part 3, Division 5, Title 2 of; to amend Section 22009.1, 22013, 22210 of; and to repeal Part 3.5 (commencing

at Section 21600) of Division 5, Title 2 of; the Government Code, relating to State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2062:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 2062 is an act relating to State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2062 prior to final enactment of the Budget Bill

Respectfully,

EDMUND G. BROWN, Governor

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent to consider the Consent Calendar for the first legislative day, at this time.

## ITEMS REMOVED FROM CONSENT CALENDAR

The following items were removed from the Consent Calendar, and ordered placed on the third reading file by unanimous consent:

**Assembly Joint Resolution No. 35**, on request of Mr. Burton.

**Senate Bill No. 1002**, on request of Mr. Shell.

**Senate Bills Nos. 908** and **911**, on request of Miss Donahoe.

**Senate Bill No. 1294**, on request of Speaker Brown.

**House Resolution No. 324**, on request of Mr. Ernest R. Geddes.

**House Resolution No. 322**, on request of Mr. Burton made earlier this day.

### CONSIDERATION OF CONSENT CALENDAR

Speaker Ralph M. Brown announced that the next roll call would be on the first item on the Consent Calendar.

### CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Concurrent Resolution No. 141**—Relative to economy in legislative printing.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

#### Consideration of House Resolution No. 325

By Mr. Miller:

#### House Resolution No. 325

Relative to providing copies of the Larmac Index to California Laws for Members of the Assembly

*Resolved by the Assembly of the State of California*, That any Member of the Assembly who desires to have a copy of the Larmac Index to California Laws shall notify the Chief Clerk of the Assembly; and be it further

*Resolved*, That the Chief Clerk of the Assembly is authorized and directed to purchase one copy of the Larmac Index to be used at the Assembly desk and such number of copies of the Larmac Index as may be necessary to comply with the requests therefor and to deliver a copy to each member who has requested one; and be it further

*Resolved*, That the State Controller is authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Recorder Printing and Publishing Company in such amount as is necessary to pay for the copies of the Larmac Index to California Laws that are purchased pursuant to this resolution.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

**Assembly Concurrent Resolution No. 137**—Relative to the creation of the Joint Interim Committee on the Public Education System.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

### Consideration of House Resolution No. 318

By Mr. Thomas:

### House Resolution No. 318

Relative to a study by the Assembly Committee on Interstate Co-operation of a port authority for Los Angeles-Long Beach Harbor

WHEREAS, There is unnecessary duplication of facilities and administration by the Cities of Los Angeles and Long Beach in connection with their harbors; and

WHEREAS, These harbors could be more efficiently and economically administered by a single authority which would accomplish the following desirable ends:

1. Attract more trade and commerce through improved facilities.
2. Reduce the tax burden on the public.
3. Cut administrative costs.
4. Provide a vehicle for co-ordinated future planning in the area.
5. Remove the management of key transportation facilities from politics.
6. Provide a compact administrative setup allowing better salaries with which to attract the most competent men.
7. Broaden the credit base and make bonds more saleable.
8. Reduce intra area competition and put both harbors on a more competitive footing with other cities.
9. Allow a greater administrative elasticity to the management of enterprises presently encumbered with restrictions.
10. Pool assets and expenditures in a more vigorous area-wide promotion program.
11. Improve the position or bargaining power of the harbors in lease negotiations; and

WHEREAS, Port authorities have been established and are operating successfully in other states, including New York, Delaware, Maryland, Massachusetts, North and South Carolina, Virginia, Texas, Louisiana and Washington; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of the organization and administration of the port authorities in the states referred to hereinabove and the desirability and feasibility of establishing a port authority for the operation of the Los Angeles and Long Beach Harbors, including the matters referred to in this resolution and any other matters pertaining thereto, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—Lowrey—1.

**Consideration of House Resolution No. 316**

By Mr. O'Connell:

**House Resolution No. 316**

Relative to recodification of the Penal Code

WHEREAS, The Penal Code was enacted in 1872 and numerous provisions have been added to it over a period of 87 years; and

WHEREAS, Much of the Penal Code is characterized by archaic language, undue prolixity, real and apparent conflicts, obsoleteness, illogical organization, and failure to reflect the interpretations of the courts; and

WHEREAS, Persons seeking to apprise themselves of the criminal law of this State and who, for this purpose, logically refer to the Penal Code, are in grave danger of being misled as to the law because so many laws of a criminal nature are in codes other than the Penal Code; and

WHEREAS, It is basic that the people of this State, in order to avoid prohibited conduct, are entitled to have the law presented in understandable convenient form; and

WHEREAS, It is desirable that peace officers in this State, on whom is imposed the duty of enforcing the State's criminal laws, and who are often in situations requiring immediate reference to the law, be able, if this is feasible, to have the laws they must enforce set forth clearly in a single volume, to which ready reference can be made; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of the feasibility of recodifying the Penal Code in such manner as to eliminate the undesirable characteristics described above in this resolution and to include therein criminal laws found in other codes of this State, is assigned to the Committee on Rules for re-assignment to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—Lowrey—1.

**Assembly Bill No. 137**—An act to add Section 1252.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2700**—An act to amend Section 349.1 of the Code of Civil Procedure, relating to improvement districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2554**—An act providing for the formation of municipal water districts and prescribing the powers, duties, and functions of such districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2909**—An act to add Section 104.12 to the Streets and Highways Code, relating to state highway property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 762**—An act to add Section 957.5 to the Streets and Highways Code, relating to the abandonment of streets and highways

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 915**—An act to add Section 144.5 to the Streets and Highways Code, relating to state highways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. **Speaker—75.**

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1122**—An act to add Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16 of, and to amend Section 27182 of, the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. **Speaker—75.**

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1193**—An act to amend Sections 2110, 2150, and 2152 of the Streets and Highways Code, relating to county roads.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. **Speaker—75.**

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1352**—An act to amend Sections 7306, 7352, 7401, 7402, 7403, 7407, 7451, 7656, 7727, 8102, and 8252 of, to repeal Section 7405 of, and to add Sections 7506.5 and 8255 to, the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Multord, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 62**—Relative to city streets and county roads.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 719**—An act to amend Section 5500.5 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 605**—An act to amend Section 5908 5 of the Labor Code, relating to workmen's compensation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2742**—An act to amend Section 2025 of the Welfare and Institutions Code, relating to old age assistance grants.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69

NOES—Levering and Reagan—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1514**—An act to add Section 7241 to the Education Code and Section 20211 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the support of junior colleges, and declaring the urgency thereof to take effect immediately.

Bill read third time.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2559**—An act to add Section 8403 to the Government Code, relating to the administration of programs for the aged, blind, and disabled.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Porter,

Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—64.
NOES—Bruce F. Allen, Bradley, Dahl, House, Lanterman, Levering, Reagan, and Shell—8.

Bill ordered transmitted to the Senate.

### NAME PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2742

Mr. Porter was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2742.

### NAMES PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 2559

Messrs. Lowrey, Mulford, and Johnson were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 2559

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2117**—An act to add Chapter 2 8 (commencing at Section 8160) to Division 1 of Title 2 of the Government Code, relating to the State Advisory Commission on Indian Affairs.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Crawford, Levering, Luckel, Reagan, and Shell—5.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2276**—An act to add Sections 11723, 11724 and 11725 to the Health and Safety Code, relating to the rehabilitation and testing of narcotic addicts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2849**—An act to amend Section 3542 and Section 3666 of the Public Utilities Code, relating to highway carriers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller,

Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Burke, Burton, Davis, Ernest R. Geddes, Hegland, Lanterman, Levering, Lowrey, and Schrade—9

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Bee was granted unanimous consent that he be recorded as voting "Aye" on Assembly Bill No. 2849.

**Assembly Bill No. 2889**—An act to add Section 21415 to the Public Utilities Code, relating to persons intoxicated in or about aircraft.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Schrade, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—58.

NOES—Burton, Cameron, Petris, and Charles H. Wilson—4.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2480**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court.

Bill read third time.

### Demand for Previous Question

Messrs. Hegland, Luckel, Ernest R. Geddes, Burke, and Crawford demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Don A. Allen, Backstrand, Biddick, Busterud, Conrad, Coolidge, Crawford, Crown, Dahl, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Johnson, Luckel, Marks, McMillan, Miller, Mulford, Reagan, Rumford, Sumner, Thelin, Charles H. Wilson, and Winton—26.

NOES—Bane, Bee, Burke, Burton, Cameron, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Hegland, Holmes, House, Kennick, Levering, Lunardi, MacBride, Meyers, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Schrade, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—35.

## ASSEMBLY BILL NO. 1168 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1168**, on request of Mr. Belotti.

## ANNOUNCEMENT

Speaker Brown announced that there were 10 Assembly bills, excluding appropriation bills, remaining on the file, which would be considered tomorrow.

## EXPLANATION OF ABSENCE

Any absentee votes this date are due to other legislative business in the Capitol.

PAULINE DAVIS

## STATEMENT RELATIVE TO PRINTER'S ERROR ON ROLL CALL ON ASSEMBLY BILL NO. 2869

The Assembly Daily Journal of Monday, June 8th, at page 5047, is in error in that it does not record my vote on Assembly Bill No. 2869. The official roll shows that I voted "No" on this item.

MILTON MARKS

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker pro Tempore Bee of Hayward to Judge William Rosenthal of Los Angeles, former Assemblyman.

On request of Mr. Williamson of Bakersfield and Miss Donahoe of Bakersfield to R. B. Husband, Mrs. Everett Hollaway, Paul Cutting, Jr., Neal Pavletich, Marcille Husband, Cindy Taylor, Steven Gong and Virginia Hollaway of McFarland.

On request of Mr. Luckel of San Diego and the San Diego Delegation to Milton J. Urner of San Diego.

On request of Speaker Brown of Modesto to Governor Edmund G. Brown of Sacramento, Mrs. Ruth Holmes, wife of Assemblyman Holmes of Santa Barbara, and Mrs. Charles Meyers, wife of Assemblyman Meyers of San Francisco.

On request of Mr. Dills of Gardena to Lieutenant Governor and Mrs. Glenn M. Anderson of Hawthorne.

## ADJOURNMENT

At 11.55 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, June 10, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED SIXTH LEGISLATIVE DAY

ONE HUNDRED THIRTEENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, June 10, 1959

The Assembly met at 9.30 a m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Our Father and Our God*, If, in these recent sessions of the Assembly, we have been keen in judgment, decisive in action, and clear in our thinking, it is because Thou hast been with us. If we have comforted one another, it is because we ourselves have been comforted of Thee. Grant us patience to endure the failure of causes that seemed important to us, and humility to outgrow those things in which we have triumphed. We leave our decisions, not in the lap of whimsical gods, but in Thy merciful hands, as we gird ourselves for great issues yet to be resolved. We would hear the words of Christ: "Come unto me all ye that labor and are heavy laden, and I will give you rest"—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Sumner, seconded by Mr. Bradley.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of illness:

Mr. Reagan, on motion of Mr. Beaver.

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. Grant, on motion of Mr. Sumner.

Mr. Mulford, on motion of Mr. Shell.

Mr. Kilpatrick, on request of Speaker Brown.

Mr. Ernest R Geddes, on motion of Mr. Hegland.

## CONSIDERATION OF DAILY FILE

## SECOND READING OF SENATE BILLS

**Senate Bill No. 1356**—An act to add Article 10 (commencing at Section 2780) to Chapter 7 of Division 5 of the Education Code as enacted at the 1959 Regular Session, relating to junior college district organization.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1467**—An act to amend Section 5302 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to elementary schools.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1065**—An act to add Section 24054 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to audit of state college funds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1212**—An act to amend Section 19577 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid

Bill read second time, and ordered to third reading.

**Senate Bill No. 1092**—An act to add Sections 5721 and 5722 to, and to amend Section 10506 of, the Education Code as enacted at the 1959 Regular Session, relating to tuition fees for nonresident junior college students.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

#### Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Senate on May 6, 1959, strike out "my", and insert "by".

#### Amendment No. 2

On page 2, line 3, after "colleges", insert ", except that a person whose parent or guardian is living in the State at the time of the person's registration at the junior college shall not be deemed a nonresident student".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1214**—An act to amend Section 9802 of the Education Code, and amend Section 6904 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded minors, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 to 16, inclusive.

Amendment No. 2

On page 2, strike out lines 13 to 18, inclusive, and insert "to 6913, inclusive."

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1157**—An act to amend Section 13963 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to membership in the State Teachers' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1164**—An act to add Section 17200 to Article 2 of Chapter 1 of Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to school district accounting procedures.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 87**—An act to amend Section 5715 of, and to add Section 5715.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to maintaining of junior college classes outside of school district.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 559**—An act to amend Section 13162 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to issuance of temporary teaching certificates.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1227**—An act to amend Sections 15007, 19577, and 19632 of, and to add Section 19559.5 to, the Education Code as enacted at the 1959 Regular Session, and to amend Section 11544 of the Business and Professions Code, relating to the management and disposition of school district properties.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1075**—An act to amend Section 13824 of, and to add Sections 13824.1, 13824.2, and 13824.3 to, the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1028**—An act to amend Sections 27365, 27561 and 28256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to libraries.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 693**—An act to amend Section 19581 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 888**—An act to amend Sections 28260 and 28261 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to union high school district public libraries.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 718**—An act to amend Section 15803 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to loss of school property by fire.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 717**—An act to amend Section 3352 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to liability of school districts for bonded indebtedness.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1029**—An act to amend Sections 31219 and 31251 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to scholarships.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 957**—An act to add Section 50 to the Education Code, as enacted at the 1959 Regular Session, relating to the Department of Education.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1472**—An act to add Section 21156 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1959, strike out "21156", and insert "21157".

**Amendment No. 2**

On page 1, line 1, strike out "21156", and insert "21157".

**Amendment No. 3**

On page 1, line 3, strike out "21156", and insert "21157".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1226**—An act to add Section 21156 to the Government Code, relating to legislative employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "21156.", and insert "21157."

Amendment No. 2

On page 1, line 1, of the title, strike out "21156", and insert "21157".

Amendment No. 3

On page 1, line 1, strike out "21156", and insert "21157".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1086**—An act to add Section 31110.1 to the Government Code, relating to payment of compensation and expenses to members of a county civil service commission.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 832**—An act to amend Section 350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in the Senate on May 15, 1959, strike out "5017", and insert "5018".

Amendment No. 2

On page 2, line 34, after "trailer.", insert "Notwithstanding the provisions of Section 12501, the driver of any farm tractor used as specified in this subdivision shall be in possession of a license other than a junior permit."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 952**—An act to amend Section 12201 of the Penal Code, relating to machineguns.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on May 5, 1959, after the comma, insert "or".

Amendment No. 2

On page 1, line 7, strike out ", or any other public agency".

Amendment No. 3

On page 1, lines 12 and 13, strike out "city marshal's office, or other public agency", and insert "or city marshal's office".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Concurrent Resolution No. 75**—Relative to fire extinguishers and appliances and devices for extinguishing fires.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

On page 1, lines 20 and 21, of the printed measure, as amended in the Senate on May 28, 1959, strike out "1961 General Session of the Legislature", and insert "Legislature, not later than the fifth calendar day of the 1961 Regular Session,".

Resolution ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 508**—An act to add Section 5016.1 to the Public Resources Code, relating to the Division of Beaches and Parks.

Bill read second time, and ordered to third reading.

**Senate Bill No. 620**—An act to add Section 5008.5 to the Public Resources Code, relating to the Division of Beaches and Parks.

Bill read second time, and ordered to third reading.

**Senate Bill No. 798**—An act to add Section 3605.5 to, and amend Sections 3605, 3606, and 3606.1 of the Public Resources Code, relating to oil and gas wells.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1263**—An act to amend Section 4167 of the Public Resources Code, relating to use of equipment without approved spark arresters.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1264**—An act to amend Section 4168 of the Public Resources Code, relating to the prohibition against possessing and firing of tracer and incendiary bullets

Bill read second time, and ordered to third reading.

**Senate Bill No. 1265**—An act to add Chapter 11 (commencing at Section 4980) to Division 4 of the Public Resources Code, relating to California Conservation Camps.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1158**—An act to amend Section 5782.10 of the Public Resources Code, relating to recreation and park districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1194**—An act to amend Section 5783.2 of, to repeal Section 5785.2 of, and to add Section 5785.2 to, the Public Resources Code, relating to recreation and park districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1267**—An act to amend Section 4009 of the Public Resources Code, relating to the appointment of voluntary fire wardens, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1359**—An act to add Section 5781 45 to the Public Resources Code, relating to recreation and park districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1420**—An act to add Section 6359 to the Public Resources Code, relating to grants of tide and submerged lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Natural Resources, Planning, and Public Works, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on May 28, 1959, after "conveyed", insert "or whenever a previous enactment is amended, and no prior survey has been made".

Amendment No. 2

On page 1, line 7, strike out "one year", and insert "two years".

Amendment No. 3

On page 1, line 14, after "conveyance", insert "or amended grant or conveyance".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1350**—An act to add Section 20826.5 to the Business and Professions Code, relating to petroleum products.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1353**—An act to amend Section 1 of Chapter 687 of the Statutes of 1935, relating to the granting of certain tidelands and submerged lands of the State to the County of Santa Cruz

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Manufacturing, Oil, and Mining Industry, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1959, after "Section 1", insert "and repeal Sections 2 and 3".

Amendment No. 2

On page 2, between lines 15 and 16, insert

"Nothing contained in this subdivision (a) shall be deemed to affect the validity or term of any franchise previously granted by the County of Santa Cruz under Article 1 (commencing at Section 6001), Chapter 1, Division 3 of the Public Utilities Code, and any such franchise shall be effective with respect to said land when title thereto passes to said county hereunder"

Amendment No. 3

On page 3, line 24, strike out the period, and insert "; and provided that notification of such conveyance be given to and acknowledged by the State Lands Commission prior to the effective date of such conveyance.

SEC. 2. Section 2 of said act is repealed.

~~SEC. 2. There is hereby reserved, however, for the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands when improved as aforesaid.~~

SEC. 3. Section 3 of said act is repealed.

~~SEC. 3. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the lands granted by this act.~~"

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 543**—An act to amend Section 25752 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1208**—An act to amend Section 25502 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1373**—An act to add Section 25658.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1402**—An act to amend Section 23355 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 122**—An act to amend Section 87 of, and to add Section 73.1 to, the Agricultural Code, and to amend Section 19534 of the Business and Professions Code, and Section 19537 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to fairs, including racing thereat.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on June 4, 1959, strike out ", and to add Section 73.1 to,".

**Amendment No. 2**

On page 2, strike out lines 25 to 36, inclusive.

**Amendment No. 3**

On page 2, line 37, strike out "SEC. 4.", and insert "SEC. 3."

**Amendment No. 4**

On page 2, strike out lines 42 to 44, inclusive, and insert "each county."

**Amendment No. 5**

On page 3, line 1, strike out "SEC. 5.", and insert "SEC. 4."

**Amendment No. 6**

On page 3, strike out lines 7 to 9, inclusive, and insert "days per year."

**Amendment No. 7**

On page 3, line 19, strike out "SEC. 6.", and insert "SEC. 5."

**Amendment No. 8**

On page 3, line 19, strike out "Section 5", and insert "Section 4".

**Amendment No. 9**

On page 3, line 24, strike out "Section 4", and insert "Section 3".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1093**—An act to repeal Sections 172, 172a, 172b, 172d, and 172.5 of the Penal Code, and to amend Section 23789 of, and to add Section 23789.5 to the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Government Organization, was read, and adopted:

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on June 1, 1959, strike out "a", and insert "an on-sale".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1178**—An act to repeal Sections 19480.2, and 19480.3 of the Business and Professions Code, relating to horse racing.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "Code," insert "and to repeal Sections 19483 and 19484 of the Business and Professions Code as proposed by Assembly Bill No. 1755 of the 1959 Regular Session,"

**Amendment No. 2**

On page 1, after line 2, insert

"SEC. 2. Section 19483 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session is repealed.

~~19483. No license to conduct a horse racing meeting at any track shall be issued to any person having any financial interest in the conduct of any horse racing meeting by any other person at any other track in this State.~~

~~Ownership of stock in one corporation by another corporation constitutes a financial interest within the meaning of this section.~~

SEC. 3. Section 19484 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session is repealed.

~~19484. No person licensed under this article to conduct a horse racing meeting at any place, track or inclosure shall own any stock or hold any other financial interest in any other track of another such licensee or in the operation thereof, or in the operation of authorized wagering on the results of horse races at any such other track.~~

SEC. 4. Sections 2 and 3 of this act become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular

Session, and in such case at the same time as said Assembly Bill No. 1755 takes effect, at which time Section 1 of this act is repealed."

Bill ordered reprinted, and filed, as amended; and the subject matter referred to the Committee on Rules.

**Senate Bill No. 587**—An act to amend Sections 11270, 11272, and 11413 of the Government Code, relating to administrative costs of state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, line 1, of the printed bill, as amended in the Senate on May 22, 1959, before "Section", insert "SECTION 1"

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1233**—An act to add Sections 5212 and 5295 to the Business and Professions Code, relating to outdoor advertising structures.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 1, line 10, of the printed bill, after "structure", insert "of the type defined in Section 5212".

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 1468**—An act to add Section 11163 to the Government Code, relating to regulations and orders of state agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, strike out line 3, and insert

"11163. When any state agency places into effect any regulation or order having the same effect as any bill or measure which, within five years prior to the proposed effective date of the regulation or order, was heard in a committee of either the Senate or the Assembly and such committee did not recommend its passage or such bill was defeated by vote of either house, such agency must report that fact to both the Senate and the Assembly within 15 days after the beginning of the next general session of the Legislature and said regulation or order shall become null and void thereafter in the absence of such report within the said time."

**Amendment No. 2**

On page 1, strike out lines 4 to 9, inclusive.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 101**—An act to amend Section 5536 of the Business and Professions Code, relating to the practice of architecture.

Bill read second time, and ordered to third reading

**Senate Bill No. 610**—An act to add Section 7113.5 to the Business and Professions Code, relating to contractors.

Bill read second time, and ordered to third reading.

**Senate Bill No. 853**—An act to amend Sections 5000, 5001, 5002, 5020.5, 5032, 5033, 5091, 5092, 5093, 5096, 5098, and 5132 of, and to add Section 5030.5 to, the Business and Professions Code, and to amend Sections 5001, 5002, 5020.3, 5020.5, 5032, 5033, 5035, 5084, 5091, 5092, 5096 and 5098 of the Business and Professions Code as proposed to be amended, added, and renumbered by Senate Bill No. 104, relating to the practice of accountancy.

Bill read second time, and ordered to third reading.

**Senate Bill No. 650**—An act to add Article 4 (commencing at Section 21625) to Chapter 9 of Division 8 of the Business and Professions Code, relating to the reporting of transactions involving identifiable secondhand tangible personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 4, line 22, of the printed bill, strike out "21635", and insert "21636."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 511**—An act to add Section 14311.5 to the Government Code, relating to the State Contract Act.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 609**—An act to amend Section 6535.1 of the Business and Professions Code, relating to the practice of barbering.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 611**—An act to amend Section 5054 of, and to add Sections 5055 and 5135 to, the Business and Professions Code, and to amend Section 5134 of the Business and Professions Code as amended by Senate Bill No. 104, relating to the practice of accountancy

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1144**—An act to amend Section 6240 of the Harbors and Navigation Code, relating to port districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1237**—An act to amend Section 2653 of the Business and Professions Code, relating to the Physical Therapy Examining Committee.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1239**—An act to add Section 2671.5 to the Business and Professions Code, relating to the Physical Therapy Examining Committee.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1259**—An act to amend Section 19035.5 of the Business and Professions Code, relating to the California Advisory Board of Furniture and Bedding.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1297**—An act to add Section 11629 to the Business and Professions Code, relating to subdivision maps.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1325**—An act to add Section 11618 to the Business and Professions Code, relating to subdivision maps.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 421**—An act to add Section 6539 to the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 13, 1959, strike out lines 22 to 24, inclusive.

Amendment No. 2

On page 2, strike out lines 1 to 3, inclusive, and insert "application and, if the crime of which the applicant was convicted was a crime involving moral turpitude, shall notify the applicant in writing that such conviction constitutes grounds for the denial of a certificate of registration under this chapter. Any knowing"

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1405**—An act to amend Section 7397 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Senate on May 21, 1959, after "day", insert ", except that a student may be permitted to complete a service in process, but not to exceed 30 consecutive minutes".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1484**—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent

herewith,'' approved by electors November 7, 1922, by amending Section 1 thereof, relating to practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, between lines 11 and 12, insert
"SEC. 2. Section 12.5 is added to said act to read:
12.5 The Legislature may by law fix the amounts of the fees payable by applicants and licensees and the amount of the per diem compensation payable to members of the board"

**Amendment No. 2**

On page 2, line 12 strike out "SEC. 2. Section 1", and insert
"SEC. 3. Sections 1 and 2".

**Amendment No. 3**

On page 2, line 15, strike out "SEC. 3. Section 1", and insert
"SEC. 4. Sections 1 and 2".

**Amendment No. 4**

On page 2, line 25, strike out "Section 1", and insert "Sections 1 and 2".

Bill ordered reprinted, and returned to the second reading file.

**Senate Bill No. 1310**—An act to add Section 51362.5 to the Water Code, relating to reclamation district operation and maintenance assessments.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1375**—An act to add Part 9.1 (commencing at Section 33200) to Division 12 of the Water Code, relating to county water districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 538**—An act to amend Sections 12800, 12803, 12826, and 12829, to repeal Article 2 (commencing at Section 12810) of Chapter 3, Part 6, Division 6, and to amend and renumber the title of Article 3 (commencing at Section 12825) of Chapter 3, Part 6, Division 6, of the Water Code, relating to the Flood Control Fund of 1946, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 2, line 36, of the printed bill, as amended in the Senate on May 15, 1959, strike out "at midnight".

Bill ordered reprinted, and to be re-referred to the Committee on Water.

## APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 700

The Speaker appointed Messrs. Winton, Lunardi, and Sumner as a Second Committee on Conference concerning Assembly Bill No. 700.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 169**—An act to amend Sections 6851, 6852, and 6853 of, and to add Section 6854 and 6855 to, the Education Code as enacted at the 1959 Regular Session, relating to school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 169?

### Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on May 8, 1959, strike out "10", and insert "30".

The Assembly concurred in Senate amendment to Assembly Bill No. 169 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R Geddes, Hawkins, Hegland, House, Kennick, Lanterman, Levering, Lowrey, MacBride, Marks, McCollister, McMillan, Munnell, Nisbet, Pattee, Porter, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—49.
NOES—None

Assembly Bill No. 169 ordered enrolled.

**Assembly Bill No. 1143**—An act to amend Section 689b of the Code of Civil Procedure, relating to execution of civil judgments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1143?

### Amendment No. 1

On page 2, line 27, of the printed bill, strike out "by the levying officer".

### Amendment No. 2

On page 2, lines 28 and 29, strike out "officer's certificate thereof", and insert "certificate of the serving officer".

### Amendment No. 3

On page 2, line 33, after the period, insert "Such written demand of the levying officer may be served by him, or for him by any sheriff, marshal, or constable whose office is closer to the place of service, and whose fees and mileage shall be paid out of the prepaid fees in the possession of the levying officer."

The Assembly concurred in Senate amendments to Assembly Bill No. 1143 by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lanterman, Levering, Lowrey, MacBride, Marks, McCollister, McMillan, Munnell, Nisbet, Pattee, Porter, Schrade, Sedgwick, Shell, Thomas, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—48
NOES—None.

Assembly Bill No. 1143 ordered enrolled.

**Assembly Bill No. 720**—An act to amend Sections 506, 506 6, 506.7, 5001, 5003, 5003 5, 5004, 5005, 5006, 5006.1, 5006.5, 5007, 5008, 5010, 5010.5, 5012, 5015, 5016, 5019.5, 5020, 5021, 5022, 5023, 5025 11, 5025 12, 5025.2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072.5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5012 1, 5013 5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050), of Chapter 1, Division 5 of, and to add Sections 5017 and 5018 to, the Public Resources Code, relating to beaches and parks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 720?

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on March 19, 1959, strike out "5012 1".

**Amendment No. 2**

In line 7 of the title, after "Sections", insert "5012 1,".

**Amendment No. 3**

On page 1, strike out lines 6 to 9, inclusive, and insert "Except as provided in this section, the Depart-".

**Amendment No. 4**

On page 2, between lines 11 and 12, insert

"The commission shall establish general policies for the guidance of the Director of Natural Resources, and the Chief of the Division of Beaches and Parks in the administration, protection, and development of the State Park System."

**Amendment No. 5**

On page 3, line 3, after "with", insert "agencies of the United States,".

**Amendment No. 6**

On page 6, strike out lines 24 to 35, inclusive, and insert

"5012. The department may, where it finds no substantial interference with, or impairment of, state park use and values, grant permits and easements for the following purposes and upon such terms as the department may prescribe:

(a) To a public agency for public roads

(b) To a public agency for utility lines.

(c) For electric, gas, water, sewer, telephone, telegraph, and utility lines, and pipelines and structures incidental thereto, to perform a public service

(d) To a public agency for channels or facilities for the development of small craft harbors and recreational areas."

**Amendment No. 7**

On page 6, line 36, strike out "amended to read:", and insert "repealed.

~~5012.1. The State Park Commission upon application by any public utility, either publicly or privately owned, shall specify the location, manner of construction, and maintenance of light, power, gas, water, telephone and telegraph lines across state park lands under the jurisdiction of the State Park Commission unless the commission finds that the construction and maintenance of such utility structures unduly and measurably interfere with the development, use and enjoyment of the State Park System, provided that if at any time the location of such structures interferes with the development, use and enjoyment of the state park on which they are located they will, on demand of the commission, be moved to another location, designated by the commission, at the expense of the owner thereof.~~

~~The commission may, upon application therefor, grant easements, upon terms and conditions prescribed by the commission, for such public utility structures across state park lands when in their judgment~~

~~the public necessity requires that the structure be permanent and the nature of the structure may reasonably be permanently located or may be of a nature, such as underground construction, that would not interfere with the development of the state park.~~"

**Amendment No. 8**

On page 6, strike out lines 37 to 52, inclusive; and on page 7, strike out lines 1 to 5, inclusive.

**Amendment No. 9**

On page 7, line 26, after "Legislature", insert ", or the director,".

**Amendment No. 10**

On page 7, line 28, strike out "department", and insert "division".

**Amendment No. 11**

On page 11, line 45, strike out "Director of Natural Resources", and insert "Governor".

**Amendment No. 12**

On page 12, strike out lines 2 to 8, inclusive, and insert

"5074 The terms of members of the committee are at the pleasure of the Governor Each member of the com-".

**Amendment No. 13**

On page 12, line 12, strike out "director", and insert "Governor".

**Amendment No. 14**

On page 6 of the printed bill, as amended in the Senate on April 24, 1959, strike out lines 44 and 45, and insert

"5012. The department may, upon application by the proper authorities,".

**Amendment No. 15**

On page 5, line 2, strike out "conclusive", and insert "prima facie".

NOTE—Later this day, Assembly Bill No. 720 was recalled from enrollment, and the record was expunged, and the action rescinded on the above Senate amendments. *See* pages 5194-5195 and 5199.

## ANNOUNCEMENT

Speaker Brown announced that he had been advised by the Chairman of the Senate Committee on Local Government that the committee was meeting, at this time, and requested that those members with bills to be heard appear for their hearing.

## PARLIAMENTARY INQUIRY

Mr. Lanterman arose to the following parliamentary inquiry: Is it not customary to have copies of the printed bills, as amended in the Senate, on the desks of the members?

**Reply by Speaker**

The Speaker replied that it was, and read a note from the Legislative Bill Room explaining the arrangement of the bills in the bill file books.

## PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Did the Speaker announce that the Chairman of the Senate Committee on Local Government was holding another caucus?

**Reply by Speaker**

The Speaker replied that he had announced a meeting of the committee, and the need for the members to appear and present their bills.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 205**—An act to amend Sections 3818, 3819, 3830, 3925, 3929, 3941, and 3946 of the Elections Code, relating to office designations on election ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 205?

### Amendment No. 1

On page 5, line 4, of the printed bill, as amended in the Assembly on May 18, 1959, strike out "In", and insert "Beginning in".

### Amendment No. 2

On page 5, line 8, strike out "In the second column, under", and insert "Under".

### Amendment No. 3

On page 5, line 16, after the period, insert "As many columns as needed shall be used to accommodate the offices to be filled.

At a presidential primary, the names of the persons preferred for President by each group of candidates shall appear first in the column to the left, followed by the sequence of offices as prescribed above."

The Assembly concurred in Senate amendments to Assembly Bill No. 205 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Burke, Burton, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Nisbet, Pattee, Porter, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 205 ordered enrolled.

**Assembly Bill No. 687**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of the Business and Professions Code, relating to trading stamps.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 687?

### Amendment No. 1

On page 2, between lines 2 and 3, of the printed bill, as amended in the Assembly on March 24, 1959, insert

"17802. Nothing contained in this chapter shall be construed as requiring the giving of trading stamps with any article when the giving of such stamps with the particular article is specifically prohibited by statute of this State or rule or regulation adopted pursuant thereto."

### Amendment No. 2

On page 2, line 3, strike out "17802", and insert "17803".

### Amendment No. 3

On page 1, line 7, of the printed bill as amended in the Senate on April 15, 1959, after "device,", insert "given by a retailer at his expense,".

### Amendment No. 4

On page 2, line 4, after "stamps", insert "or any premium".

### Amendment No. 5

On page 1 of the printed bill, as amended in the Senate on April 29, 1959, strike out lines 6 and 7, and insert

"17800. For the purposes of this chapter, "trading stamp" means any stamp, or other similar device,".

**Amendment No. 6**

In line 2 of the title of the printed bill, as amended in the Senate on May 13, 1959, after "7 of", insert ", and Sections 17763.3, 17763.5, 17818, and 17819 to,".

**Amendment No. 7**

On page 2, after line 14, insert

"SEC. 2. Section 17763.3 is added to said code, to read:

17763.3. Any person who advertises the giving of trading stamps, or who gives trading stamps, with the sale of any merchandise shall give such stamps, if the purchaser requests them, with the sale of all items of merchandise offered for sale at his place of business, unless such person advertises that he does not give trading stamps on certain items of merchandise and designates such items in the advertisement or posts a list of such items in a conspicuous place in his place of business.

SEC. 3. Section 17763.5 is added to said code, to read.

17763.5. Nothing contained in this chapter shall be construed as requiring the giving of trading stamps with any article when the giving of such stamps or any premium with the particular article is specifically prohibited by statute of this State or rule or regulation adopted pursuant thereto.

SEC. 4. Section 17818 is added to said code, to read:

17818. Any person who advertises the giving of trading stamps, or who gives trading stamps, with the sale of any merchandise shall give such stamps, if the purchaser requests them, with the sale of all items of merchandise offered for sale at his place of business, unless such person advertises that he does not give trading stamps on certain items of merchandise and designates such items in the advertisement or posts a list of such items in a conspicuous place in his place of business.

SEC. 5. Section 17819 is added to said code, to read.

17819. Nothing contained in this chapter shall be construed as requiring the giving of trading stamps with any article when the giving of such stamps or any premium with the particular article is specifically prohibited by statute of this State or rule or regulation adopted pursuant thereto.

SEC. 6. Sections 17763.3 and 17763.5 added to the Business and Professions Code by this act become operative only if Assembly Bill No. 1698 is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as said bill takes effect, at which time Sections 17818 and 17819 added to the Business and Professions Code, and Chapter 9 (commencing at Section 17800) added to Part 3 of Division 7 of said code, by Sections 1, 4 and 5 of this act are repealed.

SEC. 7. Sections 17818 and 17819 added to the Business and Professions Code by this act become operative only if Senate Bill No. 102 is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as said bill takes effect, at which time Sections 17763.3 and 17763.5 added to the Business and Professions Code, and Chapter 9 (commencing at Section 17800) added to Part 3 of Division 7 of said code, by Sections 1, 2 and 3 of this act are repealed."

The Assembly concurred in Senate amendments to Assembly Bill No. 687 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Burke, Burton, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Nisbet, Pattee, Porter, Reagan, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—51

NOES—None.

Assembly Bill No. 687 ordered enrolled.

**Assembly Bill No. 2354**—An act to convey certain tide and submerged lands to the City of Richmond, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2354?

**Amendment No. 1**

On page 3, line 52, of the printed bill, as amended in the Assembly on May 19, 1959, after "water", insert "and for public recreation purposes, and for the establishment, improvement and conduct of utilities, facilities, structures, buildings, works and appliances necessary or convenient for the promotion and accommodation of public recreation,".

**Amendment No. 2**

On page 4, between lines 44 and 45, insert

"(g) The lands herein granted are held upon the express condition that within 10 years from the effective date of this act said lands shall be substantially improved by the city without expense to the State, and if the State Lands Commission determines that the city has failed to improve said lands as herein required, all right, title, and interest of said city in and to all lands granted by this act shall cease and said lands shall revert and rest in the State."

The Assembly concurred in Senate amendments to Assembly Bill No. 2354 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Burke, Burton, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2354 ordered enrolled.

**Assembly Bill No. 47**—An act to amend Section 20801 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 47?

**Amendment No. 1**

On page 1, line 20, of the printed bill, as amended in the Assembly on March 17, 1959, strike out "not maintaining a junior college.".

**Amendment No. 2**

On page 2, strike out lines 4 to 9, inclusive.

The Assembly concurred in Senate amendment to Assembly Bill No. 47 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 47 ordered enrolled.

**Assembly Bill No. 140**—An act to add Section 233 to the Water Code, relating to water projects.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 140?

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Assembly on March 18, 1959, after "justifiable", insert "in terms of statewide interest,".

The Assembly concurred in Senate amendment to Assembly Bill No. 140 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Burke, Burton, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes,

Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.

NOES—None.

Assembly Bill No. 140 ordered enrolled.

**Assembly Bill No. 555**—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 555?

**Amendment No. 1**

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 28105 of the Government Code is amended to read:

28105. In a county of the fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, ten thousand five hundred dollars ($10,500) a year.

(b) The district attorney, fifteen thousand dollars ($15,000) a year *The district attorney shall not engage in the private practice of law and shall not, directly or indirectly, refer litigation to any attorney or receive and accept any payment from any attorney or firm of attorneys for his personal account.*

(c) Each supervisor, eight thousand four hundred dollars ($8,400) a year for personal services performed by him as supervisor and member of the board of equalization. Each supervisor shall be allowed not to exceed 5 percent of his monthly salary for expenses necessarily incurred in the conduct of his office. He shall file an itemized statement, supported by receipts and vouchers, on the first day of each month, designating the actual expenditure on his part of such expenses for the preceding month. No allowance shall be made to him for such expenses unless they are itemized and designated in his claim.

(d) Grand jurors and trial jurors, six dollars ($6) a day and mileage for each attendance at the rate of seven cents ($0.07) for each mile actually traveled. Grand jurors shall also receive as compensation three dollars ($3) for each day's attendance as a member of any committee of the grand jury called by the secretary or committee of the grand jury or committee chairman and mileage at seven cents ($0.07) for each mile actually traveled in attending such committee meeting.

No official of the county whose compensation is fixed by this section shall receive any other compensation in any form in any other capacity from the county. The salaries and expenses provided are in full compensation for the services required of them by law, or by virtue of their offices, and all other fees, mileage, or other remuneration or compensation of any kind or character received by such officers for or by reason of any duty imposed by law on them or by virtue of their offices shall be paid by them into the county treasury at the times and in the manner required by law, except that until the county provides for them and makes available to their use such automobiles as are reasonably necessary to carry out the duties of their offices, they may retain for their own use and benefit such mileage as is allowed by law In lieu of the mileage allowed members of the board of supervisors, each member shall be supplied by the county with an automobile for use in performance of official duties. All expenses for fuel, oil, supplies, upkeep, and maintenance of automobiles for members of the board of supervisors shall be paid from county funds.

The compensation provided by this section shall be payable to incumbent officers."

**Amendment No. 2**

On page 1 strike out lines 2 to 21, inclusive; and strike out all of page 2

The Assembly concurred in Senate amendments to Assembly Bill No 555 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson,

Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 555 ordered enrolled.

**Assembly Bill No. 579**—An act to amend Sections 13581, 13582, 13592, 13601, 13621, 13622, and 13651 of, and to add Sections 13580, 13604, 13651 3, 13651.4, and 13739.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 579?

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on April 29, 1959, before "employees", insert "(a)".

**Amendment No. 2**

On page 1, line 7, strike out "defined", and insert "provided".

**Amendment No. 3**

On page 1, line 9, after "chapter", insert "and (b) employees of a school district lying wholly within a city or city and county which provides in its charter for a merit system of employment for employees not employed in positions requiring certification qualifications"

**Amendment No. 4**

On page 1, line 16, after "chapter", insert "or Section 13756".

**Amendment No. 5**

On page 2, between lines 6 and 7, insert

"The provisions of this section shall be complied with no later than July 1, 1960"

**Amendment No. 7**

On page 4, strike out line 4; in line 5, strike out "standing, the", and insert "child. The".

**Amendment No. 8**

On page 4, lines 18 and 19, strike out "is entitled to three days leave of absence for", and insert "may be granted necessary leave of absence, not to exceed three days, on account of".

**Amendment No. 9**

On page 4, line 19, strike out ", and to"; strike out line 20, and in line 21, strike out "district may allow".

The Assembly concurred in Senate amendments to Assembly Bill No. 579 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—None.

Assembly Bill No. 579 ordered enrolled.

**Assembly Bill No. 806**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 806?

Amendment No. 1

On page 3, line 12, of the printed bill, as amended in the Assembly on March 31, 1959, after "trailer", insert "owned by a farmer and".

The Assembly concurred in Senate amendment to Assembly Bill No. 806 by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—63.
NOES—None.

Assembly Bill No. 806 ordered enrolled.

**Assembly Bill No. 1037**—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1037?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 27, 1959, strike out lines 16 and 17, and insert "of interest and attorney's fees, is less than one hundred dollars ($100) "

The Assembly refused to concur in Senate amendment to Assembly Bill No. 1037 by the following vote:

AYES—Biddick, Holmes, and Winton—3.
NOES—Backstrand, Bane, Bee, Belotti, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—60.

**Assembly Bill No. 1248**—An act to add Sections 7032 to the Business and Professions Code, relating to contractors, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1248?

Amendment No. 1

On page 1, lines 15 and 16, of the printed bill, as amended in the Assembly on April 2, 1959, strike out "Any system of permits adopted may require", and insert "Nothing in this chapter shall limit the power of a city or county to adopt any system of permits requiring".

Amendment No. 2

On page 1, between lines 18 and 19, insert
"Nothing contained in this section shall be construed as authorizing a city or county to enact regulations relating to the qualifications necessary to engage in the business of contracting."

The Assembly concurred in Senate amendments to Assembly Bill No. 1248 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, George E. Brown, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto,

Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—None.

Assembly Bill No. 1248 ordered enrolled.

**Assembly Bill No. 1673**—An act to add Section 6008 to the Public Resources Code, relating to sale of state lands.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1673?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on April 2, 1959, between lines 14 and 15, insert

"(d) Tax deeded land."

The Assembly concurred in Senate amendment to Assembly Bill No. 1673 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOES—None.

Assembly Bill No. 1673 ordered enrolled.

**Assembly Bill No. 1882**—An act to amend Section 2020.01 of the Welfare and Institutions Code, relating to lump sum income of old age assistance applicants and recipients.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1882?

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Assembly on May 1, 1959, after the period, insert "Such income shall be utilized fully by the recipient to meet his needs."

The Assembly concurred in Senate amendment to Assembly Bill No. 1882 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Brutschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None

Assembly Bill No. 1882 ordered enrolled

## REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 923

Mr. Kennick was granted unanimous consent to rescind the action whereby the Assembly, on June 2, 1959 (Assembly Journal, page 4584), approved the Assembly Journal for May 28, 1959.

Mr. Kennick was granted unanimous consent to rescind the action whereby the Assembly, on May 28, 1959 (Assembly Journal, page 4288), ordered Senate Bill No. 923 filed, and the subject matter referred to the Committee on Rules.

### Senate Bill No. 923 Re-referred to Committee

Mr. Kennick was granted unanimous consent that Senate Bill No. 923 be re-referred to the Committee on Social Welfare.

## CONSENT TO CONSIDER ASSEMBLY MEASURES

Speaker Brown granted his consent that all Assembly measures on the third reading and Consent Calendar files, with the exception of appropriation bills, unless they have a letter from the Governor, be considered today.

### Inquiry of Mr. McCollister

Speaker Brown inquired of Mr. McCollister if a motion suspending Joint Rule No. 23 to consider the bills in a group had been the accepted procedure at previous sessions.

### Reply by Mr. McCollister

Mr. McCollister replied that this could be done in a group if each measure is listed, and suggested that the floor leader make the motion.

## MOTION TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the measures, Mr. Winton moved that Joint Rule No. 23 be suspended to take up today Assembly Bills Nos. 2611, 2243, 1074, 1678, 96, 1535, 1536, 103, 1970, 2894, 2077, 1164, 2856, 2684, Assembly Concurrent Resolutions Nos. 140, and 138, Assembly Joint Resolution No. 35, Assembly Constitutional Amendment No. 46, Assembly Concurrent Resolutions Nos. 145, 143, 144, and Assembly Joint Resolution No. 36.

The roll was called, and the motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Brutschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

### Notice Served

Mr. Unruh served notice that after today he would object to the suspension of Joint Rule No. 23 for the consideration of appropriation bills by a group motion.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: What vote will be required to pass the bills after the rule has been suspended?

### Reply by Speaker

The Speaker replied that the regular vote would be required.

### Parliamentary Inquiry

Mr. Coolidge arose to the following parliamentary inquiry: Are not 60 votes required for passage of the bills?

Reply by Speaker

The Speaker replied that 60 votes are required for the suspension of the rule to consider the bills, but not for passage of the bills after the rule has been suspended.

Parliamentary Inquiry

Mr. Coolidge arose to the following parliamentary inquiry: What bills were included in the motion by Mr. Winton?

Reply by Speaker

The Speaker replied that the suspension was for consideration on today only of all Assembly measures except appropriation bills, unless they carry a letter from the Governor.

Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: Has further consideration of the unfinished business file been dispensed with?

Reply by Speaker

The Speaker replied that it had, until completion of the Assembly third reading file.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 1065, 1212, 87, 1227, 508, 798, 1264, 1265, 1267, 511, 609,** and **611.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1074**—An act to amend Section 753 of, to amend and renumber Sections 755, 756, 758, 759, 760 of, to repeal Sections 754, 757, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1904, 1905, 1906, 1907, 1908, and Article 4 (commencing at Section 2001) of Chapter 2, Part 3, Division 1 of, and to add Sections 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, and 1825 to, the Revenue and Taxation Code, and to repeal Section 28 of Chapter 1466 of the Statutes of 1949, relating to property.

Bill read third time.

Point of Personal Privilege

Mr. DeLotto arose on a point of personal privilege.

The question being on the passage of the bill.

Majority Floor Leader Presiding

At 10.20 a.m., Hon. William A. Munnell, Majority Floor Leader of the Assembly, presiding.

Point of Personal Privilege

Mr. Coolidge arose on a point of personal privilege.

Point of Order

Mr. Hegland arose to the following point of order: That Mr. DeLotto's time for debate had expired.

Ruling by Acting Speaker

Acting Speaker Munnell ruled the point of order not well taken.

Speaker Presiding

At 10.32 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Point of Order

Mr. Coolidge arose to the following point of order: That Mr. Lowrey was not speaking to the question.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Point of Order

Mr. Coolidge arose to the following point of order: That Mr. Collier was not speaking to the question.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Point of Order

Mr. Holmes arose to the following point of order: That Mr. Collier had exceeded his time for debate.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Motion to Grant Extra Time for Debate

Mr. Masterson moved that Mr. Collier be granted an additional three minutes of time for debate

Mr. Lowrey seconded the motion.

Motion carried.

The question being on the passage of the bill.

Demand for Previous Question

Messrs. Garrigus, Luckel, Schrade, Holmes, and Bane demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Point of Personal Privilege

Mr. Coolidge arose on a point of personal privilege.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. DeLotto moved a call of the Assembly.

Mr. Lowrey seconded the motion

Motion carried. Time, 10.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1678**—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 96**—An act to amend Sections 29011 and 29017 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1535**—An act to amend Sections 3084 and 3084.1 of, the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1535.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Assembly Bill No. 1535 is an act relating to aid to the needy blind.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No 1535 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe,

Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1536**—An act to amend Sections 3472, and 3472.1 of, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1536:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 1536 is an act relating to aid to partially self-supporting blind residents.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1536 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 103**—An act to amend Section 4020 of the Welfare and Institutions Code, relating to aid to the needy disabled.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 103:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 103 is an act relating to aid to the needy disabled.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 103 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2894**—An act to add Section 7071.4 to the Business and Professions Code, relating to contractors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—60.

NOES—Burke, Samuel R. Geddes, Lanterman, Levering, McCollister, Shell, and Z'berg—7.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2077**—An act to add Article 3.5 (commencing at Section 1130) to Chapter 8, Division 5 of the Agricultural Code, relating to the sale of poultry.

Bill read third time, and refused passage by the following vote:

AYES—Belotti, Cunningham, DeLotto, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, House, Lowrey, Pattee, Porter, Rumford, Thomas, Williamson, George A. Willson, and Winton—17

NOES—Don A. Allen, Backstrand, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Dills, Elliott, Francis, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Munnell, Nisbet, O'Connell, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Charles H. Wilson, and Z'berg—42.

**Assembly Concurrent Resolution No. 140**—Relative to the exclusion of dump truck contractors from the provisions of the Carriers' Act.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

**Assembly Bill No. 1164**—An act to repeal Section 3 of Chapter 2167 of the Statutes of 1957, to amend Sections 10643 and 10649 of, to repeal Section 10647 of, and to add Section 10647 to the Insurance Code, relating to employee health and welfare programs.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34 of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1164:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Assembly Bill No. 1164 is an act relating to employee health and welfare programs

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1164 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bee, Belotti, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60

NOES—Thelin—1.

Bill ordered transmitted to the Senate.

**Assembly Joint Resolution No. 35**—Relative to pricing gold on the free market.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65

NOES—Burton—1.

Resolution ordered transmitted to the Senate.

## REQUESTS TO CHANGE VOTES

NOTE—Later this day, the record was expunged and the action rescinded on a series of requests to change votes on concurrence in Senate amendments to Assembly Bill No. 720. *See* page 5199.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 720

Mr. Charles H. Wilson moved to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 720 (Assembly Journal, page 5199).

Mr. Hegland seconded the motion.

Motion ruled not in order, since the bill had been sent to enrollment, and would first have to be recalled.

The Speaker requested that the bill be recalled from enrollment.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Can the House act on a bill which is not in its possession?

Reply by Speaker

The Speaker replied that it could not.

Point of Order

Mr. Lowrey arose to the following point of order: That the bill was not before the House.

Ruling by Speaker

The Speaker ruled the point of order well taken.

## ASSEMBLY BILL NO. 720 RECALLED FROM ENROLLMENT

Mr. Charles H. Wilson asked for unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 720 from the Committee on Engrossment and Enrollment.

Mr. Lowrey withheld unanimous consent.

Motion

Mr. Charles H. Wilson moved that the Chief Clerk be instructed to recall Assembly Bill No. 720 from the Committee on Engrossment and Enrollment.

Mr. Hegland seconded the motion.

Motion carried.

## CONSIDERATION OF CONSENT CALENDAR BY UNANIMOUS CONSENT

Mr. McCollister was granted unanimous consent that the items on the Consent Calendar for the First Legislative Day be considered today.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—ASSEMBLY BILLS

**Assembly Concurrent Resolution No. 145**—Relative to administrative rules and regulations.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 143**—Relative to adding Rule No. 40.1 to the Joint Rules of the Senate and the Assembly to provide for the transfer of the duties and funds of the Joint Legislative Committee for School Visitations to the Joint Committee on Legislative Organization.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—74.
NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

**Assembly Concurrent Resolution No. 144**—Relative to augmenting the funds of the Joint Committee on Legislative Organization.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74.
NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

**Assembly Joint Resolution No. 36**—Relative to adoption of foreign-born children.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74.
NOES—Lowrey—1.

Resolution ordered transmitted to the Senate

## CONSENT CALENDAR—SENATE BILLS

**Senate Concurrent Resolution No. 88**—Relative to extending the thanks of the Legislature to officials of the Travis Air Force Base.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—74.
NOES—Lowrey—1

Resolution ordered transmitted to the Senate.

**Senate Joint Resolution No. 27**—Relative to protection of the North Pacific fisheries.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—74.
NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2243**—An act to add Chapter 8 (commencing with Section 1600) to Title 10 of Part 3 of the Code of Civil Procedure, and to repeal Article 5 (commencing with Section 1530) and Article 6 (commencing with Section 1540) of Chapter 6 of Title 10 of Part 3 of said code, relating to unclaimed property in the custody of federal officers, agencies, and departments, and making an appropriation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—72.
NOES—None.

### Motion to Amend Title

Mr. Miller moved the adoption of the following amendment to the title:

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 29, 1959, strike out "and to"; strike out lines 3 and 4 of the title; and in line 5 of the title, strike out "Title 10 of Part 3 of said code,".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and transmitted to the Senate.

**Assembly Bill No. 2856**—An act to add Chapter 2 (commencing at Section 1670) to Part 6 of Division 2 of the Labor Code, relating to the licensing and regulation of consultants to management on executive selection.

Bill read third time.

### Demand for Previous Question

Messrs. Grant, Schrade, Johnson, Kennick, and Lunardi demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Unruh moved a call of the Assembly.

Mr. MacBride seconded the motion.

Motion carried. Time, 11.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1970**—An act to amend Section 75033 of the Government Code, relating to the judges retirement law

Bill read third time, and passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, George A. Willson, Winton, and Z'berg—66.

NOES—Williamson—1.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2611**—An act to add Section 5005.1 to, to amend Section 5005.5 of, the Elections Code, and to add Section 45b to the Civil Code, relating to misrepresentation in election campaigns.

Bill read third time.

### Demand for Previous Question

Messrs. Crawford, Holmes, Burke, Cusanovich, and Luckel demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Burton, Crown, Davis, Elliott, Hawkins, Lowrey, Masterson, Petris, Rumford, Sumner, Waldie, Winton, and Z'berg—13

NOES—Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Dills, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Munnell, Nisbet, Pattee, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—54.

### Motion to Expunge Record and Rescind Action

Mr. Burton moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2611.

Mr. Lunardi seconded the motion.

### Motion Withdrawn

Mr. Burton withdrew his motion.

**Assembly Concurrent Resolution No. 138**—Relative to salaries of state employees.

Resolution read, and refused adoption by the following vote:

AYES—Bane, Bee, Belotti, Biddick, George E Brown, Burton, Busterud, Davis, DeLotto, Francis, Gaffney, Garrigus, Samuel R Geddes, Hawkins, Holmes, Johnson, Lunardi, MacBride, Marks, McCollister, Meyers, Miller, Pattee, Porter, Rumford, Thomas, Winton, and Z'berg—28.

NOES—Don A. Allen, Backstrand, Beaver, Bradley, Burke, Chapel, Collier, Conrad, Crown, Cusanovich, Dahl, Frew, Ernest R Geddes, Grant, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Masterson, Mulford, Nisbet, Petris, Reagan, Rees, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, and Charles H Wilson—34.

## REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY, CALIFORNIA LEGISLATURE
June 10, 1959

*Arthur A. Ohnimus, Chief Clerk*
*Assembly Chamber*

Pursuant to your instructions I am returning Assembly Bill No. 720 from enrollment.

CHARLES W ROBBINS
Engrossing and Enrolling Clerk

Assembly Bill No. 720 ordered to the unfinished business file.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 720

Mr. Charles H. Wilson moved to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 720 (Assembly Journal, pages 5179-5180). *See also* page 5194.

Mr. Hegland seconded the motion

### Point of Personal Privilege

Mr. Marks arose on a point of personal privilege.

The question being on the motion to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 720.

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—Bruce F. Allen, Burton, and Lowrey—3.

Assembly Bill No. 720 ordered to the unfinished business file.

## VOTE CHANGED UPON ROLL CALL ON ASSEMBLY CONCURRENT RESOLUTION NO. 138

Mr. Holmes was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Concurrent Resolution No. 138.

## PARLIAMENTARY INQUIRY

Mrs. Davis arose to the following parliamentary inquiry: Can not further consideration of the Senate amendments to Assembly Bill No. 720 be taken up now?

### Reply by Speaker

The Speaker replied that the bill had been ordered to the unfinished business file for consideration tomorrow.

## MOTION TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 720

Mrs. Davis moved to take up further consideration of Senate amendments to Assembly Bill No. 720, at this time.

Mr. Lowrey seconded the motion.

Motion carried.

## FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 720

**Assembly Bill No. 720**—An act to amend Sections 506, 506.6, 506.7, 5001, 5003, 5003.5, 5004, 5005, 5006, 5006.1, 5006.5, 5007, 5008, 5010, 5010.5, 5012, 5015, 5016, 5019.5, 5020, 5021, 5022, 5023, 5025.11, 5025.12, 5025.2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072.5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5012.1, 5013.5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050), of Chapter 1, Division 5 of, and to add Sections 5017 and 5018 to, the Public Resources Code, relating to beaches and parks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 720?

### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 19, 1959, strike out "5012.1".

### Amendment No. 2

In line 7 of the title, after "Sections", insert "5012.1,".

### Amendment No. 3

On page 1, strike out lines 6 to 9, inclusive, and insert "Except as provided in this section, the Depart-".

### Amendment No. 4

On page 2, between lines 11 and 12, insert

"The commission shall establish general policies for the guidance of the Director of Natural Resources, and the Chief of the Division of Beaches and Parks in the administration, protection, and development of the State Park System."

### Amendment No. 5

On page 3, line 3, after "with", insert "agencies of the United States,"

### Amendment No. 6

On page 6, strike out lines 24 to 35, inclusive, and insert

"5012. The department may, where it finds no substantial interference with, or impairment of, state park use and values, grant permits and easements for the following purposes and upon such terms as the department may prescribe:

(a) To a public agency for public roads.

(b) To a public agency for utility lines.

(c) For electric, gas, water, sewer, telephone, telegraph, and utility lines, and pipelines and structures incidental thereto, to perform a public service.

(d) To a public agency for channels or facilities for the development of small craft harbors and recreational areas."

**Amendment No. 7**

On page 6, line 36, strike out "amended to read:", and insert "repealed.

~~5012.1. The State Park Commission upon application by any public utility, either publicly or privately owned, shall specify the location, manner of construction, and maintenance of light, power, gas, water, telephone and telegraph lines across state park lands under the jurisdiction of the State Park Commission unless the commission finds that the construction and maintenance of such utility structures unduly and measurably interfere with the development, use and enjoyment of the State Park System, provided that if at any time the location of such structures interferes with the development, use and enjoyment of the state park on which they are located they will, on demand of the commission, be moved to another location, designated by the commission, at the expense of the owner thereof.~~

~~The commission may, upon application therefor, grant easements, upon terms and conditions prescribed by the commission, for such public utility structures across state park lands when in their judgment the public necessity requires that the structure be permanent and the nature of the structure may reasonably be permanently located or may be of a nature, such as underground construction, that would not interfere with the development of the state park.~~"

**Amendment No. 8**

On page 6, strike out lines 37 to 52, inclusive; and on page 7, strike out lines 1 to 5, inclusive.

**Amendment No. 9**

On page 7, line 26, after "Legislature", insert ", or the director,".

**Amendment No. 10**

On page 7, line 28, strike out "department", and insert "division".

**Amendment No. 11**

On page 11, line 45, strike out "Director of Natural Resources", and insert "Governor".

**Amendment No. 12**

On page 12, strike out lines 2 to 8, inclusive, and insert

"5074. The terms of members of the committee are at the pleasure of the Governor. Each member of the com-".

**Amendment No. 13**

On page 12, line 12, strike out "director", and insert "Governor".

**Amendment No. 14**

On page 6 of the printed bill, as amended in the Senate on April 24, 1959, strike out lines 44 and 45, and insert

"5012. The department may, upon application by the proper authorities,".

**Amendment No. 15**

On page 5, line 2, strike out "conclusive", and insert "prima facie".

Senate amendments read.

**Demand for Previous Question**

Messrs. Lunardi, Schrade, Johnson, Shell, and Pattee demanded the previous question. Demand sustained.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 720?

The Assembly concurred in Senate amendments to Assembly Bill No. 720 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Cameron, Chapel, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Sedgwick, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—49.

NOES—Beaver, Bee, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Gaffney, Hegland, Lanterman, Luckel, Marks, Meyers, Mulford, Reagan, Rumford, Schrade, Shell, Waldie, and Z'berg—23.

Assembly Bill No. 720 ordered enrolled.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 2684**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2684:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 2684 is an act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2684 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

NOES—Dahl, Luckel, Mulford, Nisbet, Reagan, and Thelin—6.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2856

At 12.15 p.m., Mr. Unruh moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 2856 passed by the following vote:

AYES—Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Grant, Hanna, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris,

Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—46.

NOES—Don A. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Busterud, Collier, Cusanovich, Dahl, Francis, Hegland, Holmes, Johnson, Lanterman, Levering, Luckel, McCollister, McMillan, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Charles H. Wilson—27.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1074

At 12.17 p.m., Mr. DeLotto moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and Assembly Bill No. 1074 passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Chapel, Collier, Crown, Davis, DeLotto, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, House, Kennick, Lowrey, Lunardi, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—41.

NOES—Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Grant, Hawkins, Hegland, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Marks, McCollister, McMillan, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, and Charles H. Wilson—38.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Unruh asked for unanimous consent that Rule No. 56 be suspended for the balance of the session for the purpose of hearing all Senate bills in the Committee on Ways and Means without the three-day notice.

Mr. Coolidge withheld unanimous consent.

### Request Withdrawn

Mr. Unruh withdrew his request.

## MOTION TO INVOKE CONSTITUTIONAL PROVISION

Mr. Miller moved that, pursuant to Article IV, Section 2(a), of the Constitution, Senate Bill No. 1489 may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

### Point of Order

Mr. O'Connell arose to the following point of order: Joint Rule No. 10.8 sets forth the procedure for this action, so is not compliance with the Joint Rule necessary?

### Ruling by Speaker

The Speaker replied that the bill had been referred to the Committee on Rules, and that the request was from the chairman of the committee.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is this a request for unanimous consent?

**Reply by Speaker**

The Speaker replied that the question was on the motion by Mr. Miller that, pursuant to Article IV, Section 2(a), of the Constitution, Senate Bill No. 1489 may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: This is simply a request to permit the bill to be heard before 30 calendar days?

**Reply by Speaker**

The Speaker replied that it was.

**Parliamentary Inquiry**

Mrs. Davis arose to the following parliamentary inquiry: Are the costs still in the bill?

**Reply by Speaker**

The Speaker replied that the bill was not under consideration, and the question was on the motion to permit the bill to be heard.

The question being on the motion by Mr. Miller.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Davis and Lowrey—2.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 575**—An act to amend Section 1532 of the Probate Code, relating to sales by guardians;

**Assembly Bill No. 576**—An act to amend Section 787 of the Probate Code, relating to a sale made upon a credit by an executor or administrator;

**Assembly Bill No. 577**—An act to amend Section 1530a of the Probate Code, relating to compromise of claims by guardians;

**Assembly Bill No. 608**—An act to amend Section 14273 of the Government Code, relating to public works contracts;

**Assembly Bill No. 925**—An act to amend Section 1557.1 of the Probate Code, relating to the purchase of realty;

**Assembly Bill No. 1139**—An act to amend Section 1198.1 of, and to add Section 1198.2 to, the Code of Civil Procedure, relating to mechanics' liens;

**Assembly Bill No. 1775**—An act to amend Section 1195 of the Penal Code, relating to bail;

**Assembly Bill No. 1776**—An act to amend Sections 1278, 1287, 1458, and 1459 of the Penal Code, relating to undertakings of bail;

**Assembly Bill No. 1872**—An act to add Section 108 to the Water Code, relating to development of the water resources of the State;

**Assembly Bill No. 1960**—An act to add Section 2708.1 to the Unemployment Insurance Code, relating to unemployment insurance;

**Assembly Bill No. 1988**—An act to add Section 27271 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to county free libraries;

**Assembly Bill No. 2054**—An act to add Chapter 6 (commencing with Section 12550) to Title 2, Part 4, of the Penal Code, relating to firearms;

**Assembly Bill No. 2349**—An act to add Section 205 to the Business and Professions Code, relating to the funds of the state agencies comprising the Department of Professional and Vocational Standards;

**Assembly Bill No. 2376**—An act to amend Section 3402 of the Education Code, as enacted by the Legislature at the 1959 Regular Session, relating to employees of reorganized school districts;

**Assembly Bill No. 2377**—An act to amend Section 111 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to proceedings of the State Board of Education;

**Assembly Bill No. 2380**—An act to amend Sections 2401, 2402, 2403, 2404, 2407, 2408, 2409, 2413, 2414, and 2415 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school districts;

**Assembly Bill No. 2381**—An act to amend Section 1705 of, and to add Section 1716 to, the Corporations Code, relating to investment companies, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 2408**—An act to amend Sections 12205, 12206, 12300 3, and 12301 of the Financial Code, relating to check sellers and cashers;

**Assembly Bill No. 2448**—An act to add Section 10176.1 to the Insurance Code, relating to insurance policies;

**Assembly Bill No. 2457**—An act to amend Section 24051 1 of the Financial Code, relating to exemptions from the California Small Loan Law;

**Assembly Bill No. 2475**—An act to amend Section 7100 of the Financial Code, relating to loans by savings and loan associations;

And reports the same correctly enrolled, and presented to the Governor on the tenth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 127**—Relative to reports of the department encampments or conventions of the United Spanish-American War Veterans;

**Assembly Concurrent Resolution No. 129**—Relative to printing the Education Code;

**Assembly Concurrent Resolution No. 131**—Relative to the publication of copies of the new Education Code;

And reports the same correctly enrolled, and presented to the Secretary of State on the tenth day of June, 1959, at 11 a.m.

BURKE, Chairman

### Committee on Fish and Game

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 1399

With amendments with the recommendation: Amend, and re-refer to the Committee on Fish and Game.

DAVIS, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 1177
Senate Bill No. 1446

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

DAVIS, Chairman

Above bills ordered to second reading.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 1100
Senate Bill No. 1386

With amendments with the recommendation: Be amended; that the bills be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MASTERSON, Chairman

Above bills ordered to second reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 9, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2577

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MACBRIDE, Chairman

Above bill ordered to second reading.

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

Assembly Bill No. 2531

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules.

## VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 2611

Mr. Unruh was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Assembly Bill No. 2611.

## ASSEMBLY BILL NO. 1009 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1009**, on request of Mr. Ernest R. Geddes.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Rumford was granted unanimous consent to take up Senate Bill No. 501 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 501

**Senate Bill No. 501**—An act to amend Section 3300 of the Health and Safety Code, relating to the state tuberculosis subsidy.

Bill read third time.

### Motion to Amend

Mr. Rumford moved the adoption of the following amendments:

### Amendment No. 1

On page 2, line 19, of the printed bill, as amended in the Senate on April 23, 1959, after "for", insert "a total of".

### Amendment No. 2

On page 2, line 22, after "for", insert "a total of".

**Amendment No. 3**

On page 2, line 26, after "for", insert "a total of".

**Amendment No. 4**

On page 2, line 29, strike out "October 1, 1959", and insert "January 1, 1960".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## ASSEMBLY BILL NO. 1029 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1029,** on request of Mr. Masterson.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Porter was granted unanimous consent to take up Senate Bill No. 460 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 460

**Senate Bill No. 460**—An act to repeal Sections 23102 and 23103 of, to add Section 23102 to, and to amend Sections 23104.4, 24071 and 24075 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

**Motion to Amend**

Mr. Porter moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 41, of the printed bill, as amended in the Senate on March 26, 1959, after "persons," insert "or a licensee may transfer upon compliance with Section 24073 any license to a corporation whose entire stock is owned by the licensee, or his spouse,".

**Amendment No. 2**

On page 2, line 42, after "($27.50) ", insert "The regular transfer fee provided in Section 24070 shall be due and payable upon the subsequent transfer of 25 percent of the stock in a corporation to which a license has been transferred by a licensee or his spouse pursuant to this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## ANNOUNCEMENT

Mr. Winton announced that the Senate's procedure relative to setting bills for hearing was that they be first referred to the Committee on Rules.

## EXPLANATIONS OF ABSENCE

June 10, 1959

I was absent from the Assembly Chamber from 9:45 a.m. to 11 a.m. because I had to present a bill before the Senate Committee on Governmental Efficiency.

HOWARD J. THELIN

I missed a number of roll calls this morning because I was taking up a bill before the Senate Education Committee.

JOHN A. O'CONNELL

I was in attendance in Senate Committee on Education from the time of the roll call until 11:45.

ERNEST R. GEDDES

June 10, 1959

I was absent from the Assembly floor for a portion of the morning session as I was presenting one of my bills before a Senate committee

TOM BANE

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mrs. Davis of Portola to Mrs. R. B. Goldsworthy, leader, Mrs. Ralph Andree, and Mrs. Eugene Soules, adults, and the following members of Girl Scout Troop 158 of the Sequoia School: Connie Hess, Kathleen Junkans, Chris Gribble, Pam Parker, Sally Andree, Louise Goldsworthy, Karen Alvares, Carolyn Sheen, Sheryl Lockhart, and Sandra Soules.

On request of Speaker Ralph M. Brown of Modesto to Philip F. O'Brien, Ben Ferro of Turlock, and Jack Stockman of Livingston

On request of Mr. Backstrand of Riverside to Mrs. Leo Fitzwilliam and Mrs. Walter Merksamer of Sacramento

On request of Mr. McMillan of Los Angeles to Dr. and Mrs. Lawrence Moore and Pauline and Floyd Stover of Los Angeles.

On request of Mr. Samuel R. Geddes of Napa to Richard Payne of Vallejo.

On request of Mr. Thelin of Glendale to Wendall Stratton of Glendale.

## ADJOURNMENT

At 12:32 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9:30 a.m., Thursday, June 11, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED SEVENTH LEGISLATIVE DAY

ONE HUNDRED FOURTEENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, June 11, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—76

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*We Thank Thee, O God,* For the safeguard of two groups of lawmakers, and for the conscientious work that is revealed in Senate bills. How they got that way we may not always understand, but help us, O God, to confirm in their proposals all that is good for California, and give us the wisdom to deny whatever would hurt the State. Enable Assemblymen in conference and committee to stand up boldly for helpful compromise, but never at the expense of moral and ethical principle. Let there be an abrupt end to passing unpopular decisions from one body to another, and in all significant legislation let both bodies stand helpfully together, thus building a better world.—AMEN

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Samuel R. Geddes.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Unruh, on request of Speaker Brown.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Don A. Allen, on motion of Mr. House.

Mr. Grant, on motion of Mr. Sumner.

Mr. MacBride, on request of Speaker Brown.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for part of the day, because of legislative business elsewhere:

Mr. Mulford, on request of Speaker Brown.

Mr. Marks, upon his own request.

Mr. Nisbet, on request of Speaker Brown.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Marcel Krufal of Santa Monica and L. Wolaz of Los Angeles, relative to Assembly Bill No. 2727. Referred to the Committee on Public Health.

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Byers Candy and Tobacco Co., of Los Angeles, relative to the cigarette stamp tax. Referred to the Committee on Revenue and Taxation.

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Laura E. Foster of Glendale, relative to aged aid. Referred to the Committee on Social Welfare.

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Etta Mankins of Santa Rosa, relative to the California Guild for the Care of the Aged, and Rest Home Operators. Referred to the Committee on Social Welfare.

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The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

COUNTY OF SAN DIEGO, CHIEF ADMINISTRATIVE OFFICE
SAN DIEGO, June 8, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*State Assembly, State Capitol, Sacramento*

DEAR SIR: I am forwarding as an attachment to this letter a copy of a resolution adopted by the San Diego County Board of Supervisors on June 4, 1959, concerning Senate Bill No. 1106 and request that it be printed in the Journal.

Yours very truly,

T. M HEGGLAND, Chief Administrative Officer

Above transmitted resolution relative to Senate Bill No. 1106 referred to the Committee on Ways and Means.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Thomas, Porter, Hawkins, and Elliott:

### House Resolution No. 348

Relative to commending Mr. Thomas Consiglio and Mr. Cass D. Alvin for their work with the Conference on Legislative Action of the United Steelworkers of America

WHEREAS, Mr. Thomas Consiglio and Mr. Cass D. Alvin, Legislative Education Co-ordinator and Publicity Education Director, respectively, of District 38 of the United Steelworkers of America, were responsible for the preparations and arrangements for the second Conference on Legislative Action sponsored by the United Steelworkers of America, which was held in Sacramento during the week of March 15 to 20, 1959; and

WHEREAS, Mr. Consiglio and Mr. Alvin did a spendid job in completing the arrangements and preparations, and their efforts contributed immeasurably to the success of the conference and thus enabled the many delegates and members to become acquainted with and to participate in the important issues pending before the Legislature at the 1959 Regular Session, now, therefore, be it

*Resolved by the Assembly of the State of California*, That its Members hereby commend Mr. Thomas Consiglio and Mr. Cass D. Alvin for their notable efforts and contributions in making the conference a success; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Thomas Consiglio and Mr. Cass D. Alvin.

Resolution read, and referred to the Committee on Rules.

By Mr. Chapel:

### House Resolution No. 349

Relative to commending Robert Norman Geddes

WHEREAS, In the scientific and technological engineering fields which are of such vital concern to all Americans today, the subject of electronic engineering stands out as a matter of prime importance to the security of this Nation; and

WHEREAS, The interest of young Americans in electronic engineering, and the characteristic spirit of the youth of our Country in general, is typified by the contributions of Robert Norman Geddes in the field of electronics, and

WHEREAS, Robert Norman Geddes has since childhood displayed an intense interest in mathematics and science; and

WHEREAS, His purposeful spirit has led him to map his own course of studies which has led to his outstanding record as an undergraduate at Stanford University and in securing his Masters degree from the University of California; and

WHEREAS, While devoted to his chosen field of endeavor, Robert Geddes has displayed his talents of leadership and has distinguished himself in his hobbies of skin diving and skiing; now, therefore, be it

*Resolved, by the Assembly of the State of California*, That the Members of this body take this opportunity to commend Robert Norman Geddes for his contributions and devotion to the field of electronics and to call the attention of young America to an outstanding example of an all-around American; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Robert Norman Geddes

Resolution read, and referred to the Committee on Rules

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 132**—An act to amend Section 72069 of the Government Code, relating to the fee for preparing copies of records of municipal courts;

**Assembly Bill No. 232**—An act to repeal Sections 31734, 31735, and 31736 of the Government Code, relating to the County Employees' Retirement Law of 1937;

**Assembly Bill No. 256**—An act to amend Section 31625 of, and to add Section 31625.1 to, the Government Code, relating to the County Employees' Retirement Law of 1937;

**Assembly Bill No. 310**—An act to amend Section 1181 of the Civil Code, relating to officers who may take proof or acknowledgment of an instrument,

**Assembly Bill No. 366**—An act to amend Section 72602 of the Government Code, relating to municipal courts in Los Angeles County;

**Assembly Bill No. 595**—An act to add Section 211.5 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health;

**Assembly Bill No. 685**—An act to add Sections 70047.5 and 71705 to the Government Code, relating to court reporters;

**Assembly Bill No. 804**—An act to amend Section 25253 of the Government Code, relating to county boards of supervisors;

**Assembly Bill No. 968**—An act to repeal Article 8 (commencing at Section 32080) of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the retirement of county peace officers;

**Assembly Bill No. 969**—An act to amend Section 31760.1 of the Government Code, relating to the retirement of county employees;

**Assembly Bill No. 1015**—An act to amend Sections 3601, 4453, 4455, 4460, 4553, 4554, 4600, 4601, 4650, 4656, 4658, 4659, 4701, and 4702 of, and to add Sections 4553.1 and 4555.5 to, the Labor Code, relating to workmen's compensation

**Assembly Bill No. 1058**—An act to add Section 31809.5 to the Government Code, relating to pension determination formulas for members of county retirement systems;

**Assembly Bill No. 1085**—An act to amend Section 21683 of the Water Code, relating to elections in irrigation districts;

**Assembly Bill No. 1090**—An act to add Sections 20007, 20144, and 20302 to, and Article 5 (commencing at Section 20350) to Chapter 2, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts;

**Assembly Bill No. 1133**—An act to amend Section 35305 of the Government Code, relating to the annexation of uninhabited territory to cities;

And reports the same correctly enrolled, and presented to the Governor on the tenth day of June, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2243

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Rules

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Bill No. 1489

With amendments with the recommendation: Amend, and do pass, as amended

MILLER, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 333

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 34
Senate Concurrent Resolution No. 48
Senate Concurrent Resolution No. 57

With the recommendation: That the resolutions be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolutions re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER. Your Committee on Rules reports.

House Resolution No 334
House Resolution No. 338
House Resolution No 339
House Resolution No. 341
House Resolution No 342
House Resolution No. 343
House Resolution No 344
House Resolution No. 332
House Resolution No 335
House Resolution No 336
House Resolution No 337
House Resolution No 340

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Social Welfare reports.

Senate Bill No. 940
Senate Bill No. 1202

With the recommendation: Do pass.

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Social Welfare reports

Senate Bill No. 445
Senate Bill No. 923
Senate Bill No. 926

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BURTON, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 795

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No 1077

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER. Your Committee on Social Welfare reports:

Senate Bill No. 1062

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Judiciary—Civil**

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 1266
Senate Bill No. 1268
Senate Bill No. 1274
Senate Bill No. 1303
Senate Bill No. 1304
Senate Bill No 1306
Senate Bill No 1332
Senate Bill No. 1363
Senate Bill No. 1376
Senate Bill No 1423
Senate Bill No. 1434
Senate Bill No 1451
Senate Bill No. 1404

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2 and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports·

Senate Bill No. 979

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means

BIDDICK, Chairman

Above bill re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports·

Senate Bill No. 457
Senate Bill No. 814
Senate Bill No. 1044
Senate Bill No 1055
Senate Bill No 1242
Senate Bill No 1345
Senate Bill No 1422

With the recommendation: Do pass

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports.

Senate Bill No. 679

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 168
Senate Bill No. 424
Senate Bill No. 1175
Senate Bill No 1181
Senate Bill No. 1285
Senate Bill No 1401

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 3
Senate Bill No. 121
Senate Bill No. 142
Senate Bill No. 204
Senate Bill No. 262
Senate Bill No 346
Senate Bill No. 454
Senate Bill No. 466
Senate Bill No. 585
Senate Bill No. 702
Senate Bill No. 712
Senate Bill No. 734
Senate Bill No 759
Senate Bill No. 811
Senate Bill No. 815
Senate Bill No. 847
Senate Bill No. 974
Senate Bill No 975
Senate Bill No 987
Senate Bill No. 1008
Senate Bill No. 1050
Senate Bill No. 1104
Senate Bill No. 1126
Senate Bill No 1132
Senate Bill No. 1136
Senate Bill No 1162
Senate Bill No. 1176
Senate Bill No. 1209
Senate Bill No 1219
Senate Bill No. 1236

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2 and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No 1137
Senate Bill No. 328
Senate Bill No. 1383
Senate Bill No. 1340
Senate Bill No. 931
Senate Bill No. 598

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

CUNNINGHAM, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Public Utilities and Corporations reports

Senate Bill No. 1416
Senate Bill No. 904

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CUNNINGHAM, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No. 1258

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar

CUNNINGHAM, Chairman

Above bill ordered to second reading.

### Committee on Social Welfare

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Social Wefare reports:

Senate Bill No. 939

With amendments with the recommendation. Amend, and do pass, as amended

BURTON, Chairman

Above bill ordered to second reading.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 2906

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Elections and Reapportionment reports

Senate Bill No. 606

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

GRANT, Vice Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Public Health**

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER Your Committee on Public Health reports

Senate Bill No. 1005
Senate Bill No. 1087

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Public Health reports:

| | |
|---|---|
| Senate Bill No. 574 | Senate Bill No 1392 |
| Senate Bill No 1217 | Senate Bill No 1403 |
| Senate Bill No. 1280 | Senate Bill No. 1414 |

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

RUMFORD, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER Your Committee on Public Health reports:

Senate Bill No. 1398

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 644

With amendments with the recommendation Amend, and do pass, as amended.

RUMFORD, Chairman

Above bill ordered to second reading.

### Committee on Education

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 2590
Assembly Bill No 2769
Assembly Bill No 2998

Has had the same under consideration, and reports the same back with the recommendation That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the property interim committee for study

GARRIGUS, Vice Chairman

Bill ordered filed; and the subject matter ordered referred to the Committee on Rules

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Education reports

Senate Bill No 1339
Senate Bill No 1243
Senate Bill No 1228
Senate Bill No 1030
Senate Bill No 1488
Senate Bill No 1406

With the recommendation. Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No 742
Senate Bill No 1063

With amendments with the recommendation: Amend, and do pass, as amended.

GARRIGUS, Vice Chairman

Above bills ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No 1172
Senate Bill No 1298

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar

BELOTTI, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No 1167

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BELOTTI, Chairman

Above bill ordered to second reading.

### Committee on Rules

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 80

With the recommendation. That the resolution be re-referred to the Committee on Social Welfare

MILLER, Chairman

Above resolution re-referred to the Committee on Social Welfare.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 3, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 1182
Senate Bill No. 794

With amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary—Civil.

BIDDICK, Chairman

Above bills ordered to second reading

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 1479

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

### Committee on Agriculture

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER: Your Committee on Agriculture reports·

Senate Bill No 1288
Senate Bill No. 1486

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22 1, 22 2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bills ordered to second reading.

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER Your Committee on Agriculture reports:

Senate Bill No. 1125

With the recommendation · Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 1230

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

SAMUEL R. GEDDES, Chairman

Above bill ordered to second reading.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 10, 1959

MR SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 1440

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No 345
Senate Bill No. 69

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar

BIDDICK, Chairman

Above bills ordered to second reading.

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No 1443

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22 1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BELOTTI, Chairman

Above bill ordered to second reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 10, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 507

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 101
Assembly Concurrent Resolution No 104
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 17

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, June 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 145
Assembly Bill No. 265
Assembly Bill No. 483
Assembly Bill No. 642
Assembly Bill No. 1051
Assembly Bill No 1142
Assembly Bill No. 1180
Assembly Bill No 1241
Assembly Bill No. 1228
Assembly Bill No. 1394
Assembly Bill No. 1871
Assembly Bill No. 2065
Assembly Bill No 2224
Assembly Concurrent Resolution No 128

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 10, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 782
Senate Bill No. 977
Senate Bill No. 986
Senate Concurrent Resolution No. 60

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No 689
Assembly Bill No. 1522
Assembly Bill No. 1642
Assembly Bill No. 1754
Assembly Bill No 1883
Assembly Bill No. 1973
Assembly Bill No. 2002
Assembly Bill No 2067
Assembly Bill No. 2184
Assembly Bill No 2214
Assembly Bill No. 2217
Assembly Bill No 2284
Assembly Bill No 2320
Assembly Bill No 2355
Assembly Bill No 2440

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action

Assembly Bill No. 717
Assembly Bill No. 2241

From Senate: Bills to be re-referred to Committee on Rules for interim study.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 1827

*From Senate. Bill to be re-referred to Committee on Rules for interim study assignment*

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 10, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 481

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

**Senate Bill No. 481**—An act to amend Section 2815 of the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Governmental Efficiency and Economy.

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Senate Bills Nos. 1092, 1214, 1472, 1226, 952, 1420, 1353, 122, 1093, 650, 421, 1405,** and **1484.**

Senate Bills Nos. 1092, 1214, 1420, 122, 1093, 421, 1405, and 1484 ordered to third reading

Senate Bills Nos 1472, 1226, 952, 1353, and 650 ordered to the Consent Calendar.

## SECOND READING OF ASSEMBLY BILLS

**Assembly Bill No. 2577**—An act to add Chapter 12 (commencing at Section 8451) to Part 2 of Division 2 of, the Revenue and Taxation Code, relating to a county motor vehicle fuel tax.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

#### Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "distributing motor vehicle fuel", and insert "selling motor vehicle fuel at retail"

#### Amendment No. 2

On page 1, line 10, strike out "distributed", and insert "sold at retail".

#### Amendment No. 2.5

On page 1, line 12, strike out "in", strike out lines 13 and 14, and insert a period

#### Amendment No. 3

On page 2, line 5, strike out "distributed", and insert 'sold at retail"

#### Amendment No. 4

On page 2, line 7, strike out "distributed", and insert "sold at retail".

#### Amendment No. 5

On page 2, line 10, strike out "distributed", and insert "sold at retail".

#### Amendment No. 6

On page 2, line 11, strike out "distributed", and insert "sold at retail"

#### Amendment No. 7

On page 2 of the printed bill, strike out line 14, and insert 'highway purposes".

Bill ordered reprinted, engrossed, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 1399**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Fish and Game, were read, and adopted:

#### Amendment No. 1

On page 2, line 9, of the printed bill, after the first "the", insert "State".

#### Amendment No. 2

On page 2, lines 11 and 12, strike out "with two license stamps affixed thereto,".

Bill ordered reprinted, and to be re-referred to the Committee on Fish and Game.

**Senate Bill No. 1177**—An act to amend Section 333 of the Fish and Game Code, relating to antelope.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1446**—An act to add Section 3243.5 to, and to amend Section 3280 of the Fish and Game Code, relating to hunting clubs.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1100**—An act to add Section 5295 to the Business and Professions Code, relating to subliminal radio and television messages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, after "subliminally", insert ", unless consented to by the listener or viewer".

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

**Senate Bill No. 1386**—An act to add Section 5295 to the Business and Professions Code, relating to subliminal radio and television messages.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 8, of the printed bill, after "subliminally", insert ", unless consented to by the listener or viewer".

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## SENATE BILLS NOS. 1075 AND 693 REMOVED FROM CONSENT CALENDAR

Mr. Backstrand was granted unanimous consent to take up Senate Bills Nos. 1075 and 693, now on the Consent Calendar, for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 1075

**Senate Bill No. 1075**—An act to amend Section 13824 of, and to add Sections 13824.1, 13824.2, and 13824.3 to, the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read third time.

Motion to Amend

Mr. Backstrand moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "14521, 14575", and insert "14151, 14251".

Amendment No. 2

On page 2, line 8, strike out "14575 2", and insert "14253"

Amendments read, and adopted.

Bill ordered reprinted, and returned to the second reading file, pursuant to Joint Rule 22.2.

## CONSIDERATION OF SENATE BILL NO. 693

**Senate Bill No. 693**—An act to amend Section 19581 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read third time.

Motion to Amend

Mr. Backstrand moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill as amended in Assembly May 6, 1959, strike out lines 31 to 34, inclusive.

Amendment read, and adopted.

Bill ordered reprinted and returned to the second reading file pursuant to Joint Rule No. 22 2.

## SENATE BILL NO. 1294 RETURNED TO CONSENT CALENDAR

Speaker Brown was granted unanimous consent that Senate Bill No 1294 be returned to the Consent Calendar; and explained that he had originally requested its removal from the Consent Calendar because of a printer's error in the File, which had now been clarified.

## REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Crawford was granted unanimous consent that Rule No 56 be temporarily suspended for the purpose of hearing Senate Bill No. 728 in the Committee on Criminal Procedure this evening.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 892**—An act to add Section 2015 to the Fish and Game Code, relating to possession of fish and game

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 892?

Amendment No. 1

On page 1, after line 10, of the printed bill, insert

"This section does not apply to birds, mammals, fish or amphibia in a restaurant or other eating establishment for consumption on the premises which are tagged with a signed statement of the name and address of the person who took them, the date taken, and the total number and kind of birds, mammals, fish or amphibia and a warden is notified of the fact that they will be in the restaurant or other eating establishment when the taker is not present."

Amendment No. 2

On page 1, line 6, of the printed bill, as amended in the Senate on April 15, 1959, after "took", insert "or otherwise legally possessed"

Amendment No. 3

On page 1, line 8, after "took", insert "or possessed".

**Amendment No. 4**

On page 1, line 9, after "took", insert "or possessed".

**Amendment No. 5**

On page 1, strike out lines 16 to 18, inclusive, and insert "mammals, fish or amphibia"

**Amendment No. 6**

On page 1, lines 13 and 14, of the printed bill, as amended in the Senate on May 19, 1959, strike out "for consumption on the premises".

The Assembly concurred in Senate amendments to Assembly Bill No 892 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Burton Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Samuel R Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Levering, Marks, Meyers, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson George A Willson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 892 ordered enrolled.

**Assembly Bill No. 1503**—An act to add Section 376 to the Elections Code, relating to voter statistics.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1503?

**Amendment No. 1**

On page 1, line 3, of the printed bill, strike out "between the"; strike out line 4, and in line 5 strike out "odd-numbered year", and insert "immediately following the cancellation of affidavits of registration pursuant to Section 295"

The Assembly concurred in Senate amendment to Assembly Bill No 1503 by the following vote.

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Lanterman, Levering, Marks, Masterson, McMillan, Meyers, Munnell, O'Connell, Pattee, Petris, Porter, Reagan Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A Willson, Zberg and Mr Speaker—53.

NOES—None

Assembly Bill No. 1503 ordered enrolled.

**Assembly Bill No. 1504**—An act to add Section 577 to the Elections Code, relating to the boundaries of election precincts.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1504?

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on May 4, 1959, strike out "new"

**Amendment No. 2**

On page 1 line 7, strike out "400", and insert "250".

The Assembly concurred in Senate amendments to Assembly Bill No. 1504 by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver Bee, Belotti, Bradley, George E Brown, Burton, Chapel, Collier, Conrad Coolidge, Crawford, Cusanovich, Dahl Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell,

Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—56
NOES: None

Assembly Bill No. 1504 ordered enrolled

**Assembly Bill No. 1529**—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1529?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "290,000", and insert "291,000"

Amendment No. 2

On page 1, line 12, strike out "290,000", and insert "291,000"

Amendment No. 3

On page 2 of the printed bill, as amended in the Senate on May 29, 1959, strike out lines 4 and 5, and insert "of twelve thousand five hundred dollars ($12,500) and shall".

The Assembly refused to concur in Senate amendments to Assembly Bill No. 1529 by the following vote:

AYES—Coolidge, Frew, Hanna, Holmes, Masterson, Munnell, and Sumner—7
NOES: Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunckel, Marks, McCollister, McMillan, Meyers, Miller, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—53

Speaker pro Tempore Presiding

At 9:50 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2280**—An act to amend Sections 1505, 1535.7, 1541, 1550.04, 1562, 1564, and 1571 of the Military and Veterans Code, relating to mutual aid for local disaster.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2280?

Amendment No. 1

In line 1 of the title of the printed bill, after "1541,", insert "1550.04,"

Amendment No. 2

On page 3, between lines 5 and 6, insert

"SEC. 3.5. Section 1550.04 of said code is amended to read

1550.04. The qualifications of each stand-by officer shall be carefully investigated and a summary of the qualifications of each such officer shall be entered on the minutes when he is appointed. Each prospective appointee to a post of stand-by officer shall be examined as to his qualifications under oath.

The legislative body may request the Director of the California Disaster Office to aid in the investigation of any prospective appointee in the manner provided in this section. No examination or investigation shall be made without the consent of the prospective appointee.

Consideration shall be given to places of residence and work, so that for each office for which stand-by officers are appointed there shall be the greatest probability

of survivorship. *Stand-by officers may be residents or officers of a local agency other than that to which they are appointed as stand-by officers.*"

The Assembly concurred in Senate amendments to Assembly Bill No. 2280 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62

NOES—None

Assembly Bill No. 2280 ordered enrolled.

**Assembly Bill No. 2316**—An act to amend Section 199 of the Code of Civil Procedure, relating to competency to act as a juror.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2316?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 8, 1959, strike out line 3, and insert

"199. A person is not competent to act as a trial juror if any of the following apply:

(a) The person does not possess the qualifications prescribed by Section 198.

(b) The person has been convicted of malfeasance in office or any felony or other high crime.

(c) The person is serving as a grand juror in any court of this State.

(d) The person has been discharged as a trial juror by any court of record in this State within a year as provided in Section 200.

(e) The person has been drawn as a grand juror in a court of this State and served as such within a year and been discharged.

(f) In a county with a population of not less than 600,000 as ascertained by the last preceding census taken under the authority of the Congress of the United States, or the Legislature of the State of California, the person, during the preceding two years, has actually served 10 days as a trial juror in the trial of cases in a court of record in this State; but a juror shall in any event complete his service as such juror in the trial of a case in which he may be actually engaged.

The clerk shall immediately remove from the jury list the name of any trial juror who becomes disqualified under this section."

**Amendment No. 2**

On page 1, strike out lines 4 to 24, inclusive; and strike out all of page 2

The Assembly concurred in Senate amendments to Assembly Bill No. 2316 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 2316 ordered enrolled.

**Assembly Bill No. 276**—An act to amend Sections 825 and 849 of the Penal Code, relating to arrests.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 276?

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Assembly on April 1, 1959, after "booked", insert "as soon as possible, and in any event,".

Amendment No. 2

On page 1, line 18, after "if", insert "he gives his consent to a delay the booking may be delayed for a period not exceeding six hours; and provided further, that if".

The Assembly concurred in Senate amendments to Assembly Bill No. 276 by the following vote:

AYES—Bruce A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—60.

NOES—None

Assembly Bill No. 276 ordered enrolled.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1529

The Speaker appointed Messrs. Beaver, Sumner, and Waldie as a Committee on Conference concerning Assembly Bill No. 1529.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 797**—An act to maintain the Water Code by amending Sections 163, 251, 401, 2603, 11581, 12640, 12868, 12874, the heading of Article 9.5 (commencing with Section 11260) of Chapter 2, Part 3, Division 6, and the heading of Article 4 (commencing with Section 55610) of Chapter 2, Part 4, Division 16 thereof, and by amending and renumbering the heading of Article 9.6 (commencing with Section 11270) of Chapter 2, Part 3, Division 6 thereof, relating to the control, utilization, and distribution of water.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 797?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1959, strike out "26328,".

Amendment No. 2

In lines 8 and 9 of the title, strike out "and by repealing Section 154.5 thereof,".

Amendment No. 3

On page 3, line 36, strike out "California Water Commission", and insert "department".

Amendment No. 4

On page 4, line 3, strike out "California Water Commission", and insert "department".

Amendment No. 5

On page 4, strike out lines 9 to 14, inclusive.

Amendment No. 6

On page 4, line 15, strike out "SEC 11", and insert "SEC 10".

Amendment No. 7

On page 4, strike out line 21.

The Assembly concurred in Senate amendments to Assembly Bill No. 797 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford,

Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 797 ordered enrolled

**Assembly Bill No. 1239**—An act to add Section 25.5 to the Civil Code, relating to giving of blood donations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1239?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "blood donation", and insert "donation of his blood".

The Assembly concurred in Senate amendment to Assembly Bill No. 1239 by the following vote.

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—58.

NOES—None

Assembly Bill No. 1239 ordered enrolled.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1037

The Speaker appointed Messrs. Hanna, Biddick, and Busterud as a Committee on Conference concerning Assembly Bill No. 1037.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1391**—An act to amend Sections 2981 and 2982 of the Civil Code, relating to conditional sales.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1391?

Amendment No. 1

On page 2, of the printed bill, as amended in the Assembly on March 30, 1959, commencing in line 20, strike out "based upon the unpaid balance", and insert "included in the time price differential".

Amendment No. 2

On page 3, line 12, strike out " Any", and insert "; provided, any".

Amendment No. 3

On page 3, commencing on line 13, strike out "based upon the unpaid balance, Item 6, unless", and insert "may be".

Amendment No. 4

On page 3, commencing on line 14, strike out ", shall be", and insert "if".

Amendment No. 5

On page 3, commencing on line 15, strike out "and included in the contract balance".

**Amendment No. 6**

On page 3, commencing on line 25, strike out ", plus any cost for credit life or disability insurance required by Item 4 to be separately stated"

**Amendment No. 7**

On page 4, line 15, after the period, insert 'Such persons shall be liable for any deficiency after sale of the repossessed motor vehicle only if notice has been given pursuant to this subdivision

(h) No such contract shall contain any provision by which, in the absence of default by the buyer in the performance of any of his obligations under the contract, the holder may accelerate the maturity of any part or all of the amount owing thereunder or repossess the motor vehicle."

The Assembly concurred in Senate amendments to Assembly Bill No 1391 by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker 61

NOES—None.

Assembly Bill No. 1391 ordered enrolled.

**Assembly Bill No. 2093**—An act to amend Section 26827 of the Government Code, relating to fees of county clerk.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2093?

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on May 11, 1959, after the period, insert "For filing any subsequent petition for letters of administration, special letters of administration, letters testamentary, letters of guardianship, or letters of conservatorship, or a petition to contest any will or codicil, in the same proceeding, the fee is six dollars ($6)."

The Assembly concurred in Senate amendment to Assembly Bill No 2093 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—62

NOES—None

Assembly Bill No. 2093 ordered enrolled.

**Assembly Bill No. 2237**—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2237?

**Amendment No. 1**

On page 1, line 17, of the printed bill, after "tag", insert "or brand".

**Amendment No. 2**

On page 1, line 21, after "tag", insert "or brand".

**Amendment No. 3**

On page 1, line 22, after "tagged", insert "or branded"

Amendment No. 4

On page 2 of the printed bill, as amended in the Senate on May 19, 1959, after line 10, insert

"SEC 3 This act shall become operative July 1, 1960."

The Assembly concurred in Senate amendments to Assembly Bill No. 2237 by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None

Assembly Bill No. 2237 ordered enrolled.

**Assembly Bill No. 2291**—An act to add Section 715.4 to the Civil Code, relating to exclusion of certain trusts from the rule against perpetuities and the rule against restraints of alienation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2291?

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "715.1, 715.2 or 716", and insert "715.2".

The Assembly concurred in Senate amendment to Assembly Bill No. 2291 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2291 ordered enrolled.

**Assembly Bill No. 2430**—An act to amend Sections 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of, and add Article 11.5 (commencing at Section 73750) to Chapter 10, Title 8 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2430?

Amendment No. 1

On page 6, line 29, of the printed bill, as amended in the Assembly on May 25, 1959, strike out "One supervising deputy marshal who", and insert "Two supervising deputy marshals, each of whom".

The Assembly refused to concur in Senate amendment to Assembly Bill No. 2430 by the following vote:

AYES—Biddick, Ernest R Geddes, Porter, and Sumner—4.

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson,

Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

**Assembly Bill No. 484**—An act to amend Section 35002.3 of the Government Code, relating to the annexation of territory by cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 484?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 27, 1959, strike out "and to repeal Sections 35158 and 35326".

Amendment No. 2

On page 1, strike out lines 14 and 15.

The Assembly concurred in Senate amendments to Assembly Bill No. 484 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 484 ordered enrolled.

**Assembly Bill No. 1475**—An act to amend Sections 14400, 14501, 14504, and 14540 of and add Section 14400.5 to the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1475?

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Assembly on May 5, 1959, after "complete," insert "or before January 1, 1960 whichever is later,".

The Assembly concurred in Senate amendment to Assembly Bill No. 1475 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 1475 ordered enrolled.

**Assembly Bill No. 1557**—An act to add Article 13.5 (commencing at Section 73840) to Chapter 10, Title 8 of the Government Code, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1557?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Division", and insert "Title".

**Amendment No. 2**

On page 1, line 2, strike out "Division", and insert "Title".

**Amendment No. 3**

On page 1, line 4, strike out "-Costa Mesa".

**Amendment No. 4**

On page 1, strike out line 16, and insert

"73842 There shall be one clerk who shall receive a minimum of six hundred eight dollars ($608) monthly with annual increments of thirty-three dollars ($33), thirty-six dollars ($36), thirty-eight dollars ($38), and forty dollars ($40) to a maximum of seven hundred fifty-five dollars ($755) monthly

73843 The clerk may appoint:

(a) One chief deputy clerk who shall receive a minimum salary of four hundred eighty-nine dollars ($489) monthly with annual increments of twenty-seven dollars ($27), twenty-nine dollars ($29), thirty dollars ($30), and thirty-three dollars ($33) to a maximum of six hundred eight dollars ($608) monthly

(b) Three deputy clerks grade IV (division heads), each of whom shall receive a minimum salary of four hundred seventeen dollars ($417) monthly with annual increments of twenty-three dollars ($23), twenty-four dollars ($24), twenty-five dollars ($25), and twenty-seven dollars ($27) to a maximum of five hundred sixteen dollars ($516) monthly.

(c) Two deputy clerks grade III (courtroom clerks), each of whom shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly

(d) Three deputy clerks grade II (bookkeeper, cashier, calendar clerk), each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20) to a maximum of three hundred seventy-five dollars ($375) monthly.

(e) Six deputy clerks grade I (general clerks), each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred fifty-five dollars ($355) monthly

(f) One telephone operator who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of twelve dollars ($12), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16) to a maximum of three hundred nineteen dollars ($319) monthly

73844 There shall be one marshal who shall receive a monthly salary of eight hundred dollars ($800) The marshal may appoint

(a) Five deputy marshals grade II (field deputies), each of whom shall receive a minimum salary of four hundred seventeen dollars ($417) monthly with annual increments of twenty-three dollars ($23), twenty-four dollars ($24), twenty-five dollars ($25), and twenty-seven dollars ($27) to a maximum of five hundred sixteen dollars ($516) monthly.

(b) Two deputy marshals grade I (bailiffs), each of whom shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly.

(c) One chief clerk who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly

(d) One clerk grade II (bookkeeper) who shall receive a minimum salary of three hundred thirty-seven dollars ($337) monthly with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22) to a maximum of four hundred seventeen dollars ($417) monthly

(e) Four clerks grade I (general clerical duties) each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred fifty-five dollars ($355) monthly "

**Amendment No. 5**

On page 1, strike out lines 17 to 21, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 22, inclusive

The Assembly concurred in Senate amendments to Assembly Bill No 1557 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 1557 ordered enrolled

**Assembly Bill No. 1576**—An act to amend Section 31592 of, and to add Sections 31592.2 and 31727.6 to, the Government Code, relating to retirement systems

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1576?

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1959, strike out "31726.6", and insert "31727.6".

The Assembly concurred in Senate amendment to Assembly Bill No. 1576 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61

NOES—None

Assembly Bill No. 1576 ordered enrolled

**Assembly Bill No. 1742**—An act to amend Section 1750 of, and to add Sections 1778 and 1779 to, the Government Code, relating to resignations and vacancies of public employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1742?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 1778", and insert "Sections 1778 and 1779".

**Amendment No. 2**

On page 1, line 14, after "than", insert "an air pollution control district which includes territory in more than one county or a"

**Amendment No. 3**

On page 1, line 16, after "counties", insert ", unless by the terms of the act under which a district is formed appointment to vacancies is made by other than the board of supervisors, in which case the resignation shall be submitted to the appointing body".

**Amendment No. 4**

On page 2, after line 9, insert

"SEC. 2. Section 1779 is added to said code, to read:

1779. With respect to a vacancy on any governing board of a special district, other than a school district, where the method of filling vacancies on the board is

left to the discretion of the board members and no action is taken for a period of 90 days immediately subsequent to a vacancy on such a board, the board of supervisors of the county in which the larger portion of the district is located shall have authority to fill the vacancy by appointment"

The Assembly concurred in Senate amendments to Assembly Bill No. 1742 by the following vote.

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr Speaker—63
NOES—None.

Assembly Bill No. 1742 ordered enrolled.

**Assembly Bill No. 2050**—An act to add Section 12.2 to the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes of 1949), relating to the Sonoma County Flood Control and Water Conservation District.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2050?

**Amendment No. 1**

On page 1, line 20, of the printed bill, as amended in the Assembly on March 26, 1959, after "of the", insert "construction".

**Amendment No. 2**

On page 2, strike out lines 6 to 9, inclusive, and insert
"This section shall be inoperative and of no force and effect on and after October 1, 1961."

The Assembly concurred in Senate amendments to Assembly Bill No. 2050 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—65
NOES—None.

Assembly Bill No. 2050 ordered enrolled.

**Assembly Bill No. 1063**—An act to amend Section 1256 of, to add Part 1.5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to, the Water Code, relating to the California Water Plan.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1063?

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "plan", insert "looking toward the control, protection, development, utilization, and conservation of the water resources of the State".

**Amendment No. 2**

On page 1, strike out lines 7 to 9, inclusive, and insert "ment of Water Resources or any predecessor thereof and any modification thereto as may be adopted by the

department or as may be adopted by the Legislature by concurrent resolution or by law."

**Amendment No. 3**

On page 2, strike out lines 5 to 8, inclusive, and insert "Water Plan." The Department of Water Resources shall, from time to time, adopt such amendments, supplements and additions to the plan as it finds necessary and desirable, which amendments, supplements and additions shall become effective when reported to the Legislature at any session thereof. The Legislature may also adopt, from time to time, any amendments, supplements and additions to the plan that it finds necessary or desirable, which amendments, supplements or additions may be adopted by concurrent resolution or by law."

**Amendment No. 4**

On page 2, line 19, after "projects", insert "or routes for transfer of water".

**Amendment No. 5**

On page 1, line 4, of the printed bill, as amended in the Senate on May 12, 1959, strike out "State Water Rights Board" and insert "board".

**Amendment No. 6**

On page 2, line 1, strike out "Department of Water Resources", and insert "State Water Resources Board".

**Amendment No. 7**

On page 2, lines 2 and 3, strike out "Department of Water Resources", and insert "State Water Resources Board".

Further consideration of Senate amendments to Assembly Bill No. 1063 ordered passed on file.

**Assembly Bill No. 1227**—An act to amend Section 6021 of the Government Code, relating to newspapers of general circulation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1227?

**Amendment No. 1**

On page 1, line 13, of the printed bill, after "then", insert ", in lieu thereof,".

**Amendment No. 2**

On page 1, line 15, strike out ", in lieu thereof,".

The Assembly concurred in Senate amendments to Assembly Bill No. 1227 by the following vote:

AYES—Bruce F Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Assembly Bill No. 1227 ordered enrolled.

**Assembly Bill No. 1242**—An act to add Article 2.6 (commencing at Section 265) to Chapter 2.5 of Division 1 of, and Section 11554.1 to, the Water Code, relating to contracts by the Department of Water Resources for construction of projects.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1242?

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "a provision shall be included in such contracts which makes".

**Amendment No. 2**

On page 1, line 11, after "State", insert "in such contracts shall be expressly".

**Amendment No. 3**

On page 1, lines 17 and 18, strike out "a provision shall be included in such contracts which makes".

**Amendment No. 4**

On page 1, line 19, after "State", insert "in such contracts shall be expressly".

The Assembly concurred in Senate amendments to Assembly Bill No. 1242 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Luckel, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Waldie, Williamson, George A. Willson, and Mr. Speaker—50.

NOES—Burke, Cusanovich, Dahl, Davis, Samuel R. Geddes, Levering, Lowrey, Shell, Thelin, and Z'berg—10.

Assembly Bill No. 1242 ordered enrolled.

**Assembly Bill No. 1301**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving a vehicle under the influence of liquor and drugs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1301?

**Amendment No. 1**

In line 1 of the title of the printed bill strike out "add Section 507 to the Vehicle Code, and to add", strike out line 2; and in line 3 strike out "Bill No. 5", and insert "amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 2**

On page 1, strike out line 1, and insert:

"SECTION 1. Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

23102. (a) It is unlawful for any person who is under the influence of intoxicating liquor, *or under the combined influence of intoxicating liquor and any drug,* to drive a vehicle upon any highway. Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than 30 days nor more than six months or by fine of not less than two hundred fifty dollars ($250) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction by imprisonment in the county jail for not less than five days nor more than one year and by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000). A conviction under this section shall be deemed a second conviction if the person has previously been convicted of a violation of Section 23101 of this code.

(b) Any person convicted of a second or subsequent offense under this section shall not be granted probation by the court, nor shall the court suspend the execution of the sentence imposed upon such person."

**Amendment No. 3**

On page 1, strike out lines 2 through 19, inclusive; and strike out all of page 2.

The Assembly concurred in Senate amendments to Assembly Bill No. 1301 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1301 ordered enrolled.

**Assembly Bill No. 1409**—An act to add Section 26207 to the Government Code, relating to rewards for apprehension and conviction of vandals

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1409?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "26206", and insert "26207".

**Amendment No. 2**

On page 1, line 1, strike out "26206", and insert "26207".

**Amendment No. 3**

On page 1, line 3, strike out "26206", and insert "26207"

The Assembly concurred in Senate amendments to Assembly Bill No. 1409 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63

NOES—None

Assembly Bill No. 1409 ordered enrolled.

**Assembly Bill No. 1537**—An act to add Section 918 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to co-operative studies by school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1537?

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "with", insert "the governing boards of".

**Amendment No. 2**

On page 1, line 5, strike out the period, and insert "as are determined by the governing board or boards to be required in connection with the present and future management, conditions, needs, and financial support of the schools."

The Assembly concurred in Senate amendments to Assembly Bill No. 1537 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65

NOES—None

Assembly Bill No. 1537 ordered enrolled.

**Assembly Bill No. 1585**—An act to add Section 771.5 to the Probate Code, relating to the sale of subscription rights without prior court approval.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1585?

**Amendment No. 1**

On page 1, line 7, of the printed bill, strike out "prior".

The Assembly concurred in Senate amendment to Assembly Bill No. 1585 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1585 ordered enrolled.

**Assembly Bill No. 1629**—An act to amend Sections 206.5 and 206.7 of the Civil Code, relating to proceedings by adult for release from obligation to support parent.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1629?

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on April 10, 1959, strike out "under 16 years of age".

**Amendment No. 2**

On page 1, line 8, strike out "16", and insert "18"

**Amendment No. 3**

On page 2, line 18, strike out "under 16 years of age".

The Assembly concurred in Senate amendments to Assembly Bill No. 1629 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—60.
NOES—None.

Assembly Bill No 1629 ordered enrolled

**Assembly Bill No. 1755**—An act to repeal and add Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, thereby recodifying the law relating to horse racing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1755?

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on April 23, 1959, after line 5, insert

"19418 The provisions of this chapter insofar as they are substantially the same as existing code provisions relating to the same subject matter shall be construed as restatements and continuations thereof, and not as new enactments."

**Amendment No. 2**

On page 23, following line 14, insert

"SEC 2. Section 19539 of the Business and Professions Code as proposed to be added by this act is amended to read:

19539. The board may allow not to exceed a total of 100 days for quarter horse racing only. Fifty of such days shall be allocated to licensed racing associations conducting horse-racing meetings, south of the sixth standard parallel south, Mount Diablo Base and Meridian, and the remainder to licensed racing associations conducting such meetings north of that parallel.

~~No quarter horse racing meeting, including any charity days allowed during the meeting, shall. in any one county. in any one year, extend over a total period of more than seven weeks of seven consecutive days each. Such a meeting may be for consecutive racing days or split into not more than two periods, and if split into two periods, the periods may be separated by any number of days or weeks.~~

*This section shall not be applied to deprive any nonquarter-horse racing association of racing days which such association was using during 1958 and 1959 or of the number of Saturdays allocated to such association during 1958 and 1959.*

SEC. 3. Section 2 of this act becomes operative only if Assembly Bill No. 1154 is enacted into law at the 1959 Regular Session of the Legislature, and in such case at the same time as Assembly Bill No. 1154 takes effect, at which time Section 19539 as proposed to be added to the Business and Professions Code by this act is repealed."

**Amendment No. 3**

On page 22, between lines 19 and 20, insert

"19638.5 The Controller shall pay from the fund to the 48th District Agricultural Association the appropriation for its support."

The Assembly concurred in Senate amendments to Assembly Bill No. 1755 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—64

NOES—Lowrey—1.

Assembly Bill No. 1755 ordered enrolled

**Assembly Bill No. 2085**—An act to amend Section 4000 of, and to add Section 4016 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration for vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2085?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 4016 to,".

**Amendment No. 2**

On page 1, after line 6, insert

"SEC. 2. Section 4016 is added to said code, to read:

4016. Notwithstanding the provisions of Section 4000, unregistered vehicles may be left standing upon a highway adjacent to a vehicle dealer's place of business

when done so in connection with the loading and unloading of vehicles to be used in the dealer's business, unless otherwise prohibited by law."

The Assembly concurred in Senate amendments to Assembly Bill No 2085 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None

Assembly Bill No. 2085 ordered enrolled.

**Assembly Bill No. 2134**—An act to repeal Sections 69894, 69898, 69899, 69899.5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892.1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 69894.2, 69894.3 and 69894.4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2134?

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 12, 1959, in line 4 strike out "75 percent"; strike out all of lines 5 and 6 and insert "55 56" (so that "55" is in lefthand column under "Schedule number" and "56" is in righthand column).

The Assembly concurred in Senate amendment to Assembly Bill No 2134 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Assembly Bill No. 2134 ordered enrolled.

**Assembly Bill No. 2331**—An act to amend Sections 8825, 8826, 8827, and 8828 of the Health and Safety Code, relating to cemeteries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2331?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 8, 1959, strike out "8250,".

Amendment No. 2

On page 1, strike out lines 1 to 16, inclusive, and insert
"SECTION 1. Section 8825 of the Health and Safety Code is amended to read:".

**Amendment No. 3**

On page 2, line 1, strike out "copings and improve-"; strike out lines 2 to 7, inclusive, and insert "such copings, improvements, and embellishments which the governing board finds to be a threat or danger to the health, safety, comfort, or welfare of the public."

**Amendment No. 4**

On page 2, line 8, strike out "SEC. 3", and insert "SEC. 2".

**Amendment No. 5**

On page 2, line 13, strike out "may"; strike out lines 14 to 17, inclusive, and in line 18, strike out "bery", and insert "will remove such copings, improvements, and embellishments which are found to be a threat or danger to the health, safety, comfort, or welfare of the public"

**Amendment No. 6**

On page 2, line 22, strike out "SEC. 4", and insert "SEC. 3"

**Amendment No. 7**

On page 2, line 25, strike out "may remove the existing copings", strike out lines 26 to 29, inclusive, and insert "shall remove such copings, improvements, and embellishments which have been found to be a threat or danger to the health, safety, comfort, or welfare of the public"

**Amendment No. 8**

On page 2, line 30, strike out "SEC. 5", and insert SEC. 4"

The Assembly concurred in Senate amendments to Assembly Bill No. 2331 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2331 ordered enrolled.

**Assembly Bill No. 2338**—An act to amend Section 70141.5 of, and and to add Section 70141.8 to, the Government Code, relating to superior court commissioners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2338?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 70141.8 to,".

**Amendment No. 2**

On page 1, line 4, strike out "281,000", and insert "291,000".

**Amendment No. 3**

On page 1, line 14, strike out "any commis-"; strike out lines 15 to 21, inclusive; and in line 22, strike out "case such", and insert "Such"

**Amendment No. 4**

On page 1, after line 23, insert

"SEC. 2. Section 70141.8 is added to said code, to read:

70141.8. In any county with a population exceeding 290,000 and not exceeding 291,000, as determined by the 1950 federal census, the superior court may provide that the commissioner in addition to the duties prescribed in Section 259 of the Code of Civil Procedure, shall perform the duties prescribed by Section 259a of the Code of Civil Procedure and in addition thereto the duties of a probate commissioner appointed pursuant to Section 69897 of this code. Any commissioner

authorized to perform such duties shall receive an annual salary of twelve thousand dollars ($12,000)."

The Assembly concurred in Senate amendments to Assembly Bill No. 2338 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 2338 ordered enrolled.

## INQUIRY BY SPEAKER PRO TEMPORE

The Speaker pro Tempore inquired if there was any objection to suspending Joint Rule No. 23 to permit consideration of Assembly bills, except appropriation bills unless they carry a letter from the Governor?

### Parliamentary Inquiry

Mr. Hawkins arose to the following parliamentary inquiry: Does the request include consideration of appropriation bills for purpose of amendment only?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that they would be included.

## MOTION TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bills, Speaker pro Tempore Bee requested that Joint Rule No. 23 be suspended to take up Assembly Bills Nos 1399, 1675, 1398, 2264, 2582, 245, 2865, 2904, 1975, 1404, 2504, 1009, 345, and 1551.

The roll was called, and the Joint Rule suspended by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—67.
NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 284

By Mr. Cameron:

**House Resolution No. 284**—Directing the Committee on Rules to assign to the appropriate interim committee for study the subject of group insurance plans.

Resolution read, and ordered passed on file, and to retain its place on file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS

**Assembly Bill No. 1399**—An act to amend Sections 3306 and 3332 of the Welfare and Institutions Code, to amend Sections 135 and 633 of, and to add Section 605 5 to the Unemployment Insurance Code, relating to unemployment compensation benefits and unemployment compensation disability benefits for employees of certain public agencies, and making an appropriation.

Bill read third time.

### Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

### Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on May 7, 1959, strike out ", and making an appropriation"

### Amendment No. 2

On page 1, line 19, strike out ", and"; and strike out lines 20 and 21.

### Amendment No. 3

On page 2, strike out line 1; and in line 2 strike out "ployment Insurance Code"

### Amendment No. 4

On page 3, strike out lines 43 to 47, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 1675**—An act to add Sections 13837, 13838, 14256, 14258, 14259, and 14260 to, and to amend Section 14216 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the providing of survivor allowances in the State Teachers' Retirement System.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1675:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 1675 is an act relating to the providing of survivor allowances in the State Teachers' Retirement System.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given Assembly Bill No. 1675 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Pettis, Porter, Reagan, Rees, Rumford Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Speaker pro Tempore Bee announced that Mr Rumford would receive the degree of Master of Arts in Public Administration in the Department of Political Science at graduation ceremonies at Memorial Stadium, University of California at Berkeley, this afternoon; whereupon the Members of the Assembly joined in extending best wishes and congratulations to Mr. Rumford.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1398**—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Section 3306 and 3332 of, the Welfare and Institutions Code, relating to social security coverage for state employees not covered by a retirement system, and making an appropriation.

Bill read third time.

### Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

### Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in the Assembly on May 27, 1959, strike out ", and making an appropriation"

### Amendment No. 2

On page 2, strike out lines 33 to 41, inclusive

### Amendment No. 3

On page 3, strike out lines 3 to 7, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2264**—An act to amend Section 661 of the Agricultural Code, relating to milk and dairy products

Bill read third time

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 2264

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No 2264 is an act relating to milk and dairy products

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Assembly Bill No. 2264 prior to final enactment of the Budget Bill

Respectfully,

EDMUND G BROWN, Governor

The question being on the passage of the bill

Bill passed by the following vote

AYES—Bruce F Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George D Brown Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson McCollister, McMillan, Meyers, Miller, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas,

Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2582**—An act to amend Section 30608 of the Streets and Highways Code, relating to San Francisco-Oakland Bay Bridge tolls, and making an appropriation

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2582:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Senate:*

Assembly Bill No. 2582 is an act relating to San Francisco-Oakland Bay Bridge tolls, and making an appropriation

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2582 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Speaker Presiding

At 11:03 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, and Zberg—54.
NOES—Beaver, Holmes, and Sumner—3.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency, and making an appropriation.

Bill read third time.

### Motion to Amend

Mr. Elliott moved the adoption of the following amendments:

### Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly on June 8, 1959, after "assessment", strike out "on", and insert "in an amount equal to 1 percent of"

### Amendment No. 2

On page 4, line 38, strike out "the penalty assess-", strike out all of lines 39 to 41, inclusive, and insert "a fine, penalty, or forfeiture imposed for a violation of

the Vehicle Code or any local ordinance relating to the stopping, standing, parking or operation of a vehicle."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

**Assembly Bill No. 2865**—An act to add Section 346 to the Water Code, relating to State water projects.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2865:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 10, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No 2865 is an act relating to State water projects.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2865 prior to final enactment of the Budget Bill

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crown, Cunningham, Dahl, DeLotto, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate

**Assembly Bill No. 2904**—An act making an appropriation for studies and investigations of pollution in the Sacramento River and the San Francisco Bay area.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2904:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No 2904 is an act making an appropriation for studies and investigations of pollution in the Sacramento River and the San Francisco Bay area.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No 2904 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Beaver and Reagan—2.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1975**—An act to add Section 18715 to the Government Code, relating to blind workers, and making an appropriation

Bill read third time.

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendments:

**Amendment No. 1**

In line 2 of the title of the printed bill, strike out ", and making an appropriation".

**Amendment No. 2**

On page 1, strike out lines 9 to 13, inclusive.

NOTE—Later this day, the record on adoption of the above amendments was expunged. *See* page 5262.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 122, 650, 1177,** and **1446.**

## CONSIDERATION OF HOUSE RESOLUTION NO. 317

**House Resolution No. 317**

Relative to a function at the Junction by E Clampus Vitus

WHEREAS, It has come to the attention of the Members of the Assembly that June 13, 1959, will be an auspicious occasion in the long and eventful history of the City of Roseville, California, as it is on that date that the city will be honored by the world renowned organization known as E Clampus Vitus; and

WHEREAS, The primary purpose, or at least one of the purposes, of the celebration is to commemorate the Fiftieth Anniversary of Roseville, and

WHEREAS, The growth of Roseville reads like the story of the "Great Train Robbery" since the remarkable expansion of the city was the direct result of the swiping of the Southern Pacific Company from Rocklin; and

WHEREAS, Junction, as Roseville was known as in 1906, was a tiny village of 250 inhabitants and Rocklin a bustling giant of a railroad town, but, by 1909, Junction had successfully pilfered the railroad and changed its name to Roseville to make the deal smell sweeter; and

WHEREAS, In a fitting tribute to the City of Roseville and the citizens thereof, E Clampus Vitus is holding a big celebration on June 13, 1959, and it promises to be quite a blowout; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take this opportunity to congratulate the City of Roseville on its Fiftieth Anniversary, to commend the significant achievements of E Clampus Vitus, and to wish all participants in the grand and glorious occasion—a good time; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the City of Roseville and to Ray Carlisle, Grand Noble Humbug of Lord Sholto Douglas chapter of E Clampus Vitus.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 321

By Messrs. Z'berg and Beaver:

### House Resolution No. 321

Relative to congratulating Colonel Charles R Heffner of the United States Air Force

WHEREAS, It has come to the attention of the Members of the Assembly that a truly great American and distinguished military leader, Colonel Charles R. Heffner, has been awarded the Order of the Legion of Merit, one of the highest peacetime awards given by the United States Air Force, and

WHEREAS, From October 18, 1957, to May 28, 1959, Colonel Heffner distinguished himself as the Commander of the 552nd Airborne Early Warning and Control Wing, stationed at McClellan Air Force Base in Sacramento, California, and

WHEREAS, During this period by demonstrating inspired leadership and organizational ability he accomplished a tremendous increase in the efficiency and effectiveness of the airborne early warning radar system on the west coast of the United States; and

WHEREAS, In addition to his outstanding record in behalf of the improvement of this nation's defenses, he also contributed greatly to improving civilian-military relationships in the Sacramento area by conducting an active community relations and public information program; and

WHEREAS, Colonel Heffner, having been recently reassigned to Allied Headquarters in Europe, will doubtlessly continue to perform his duties in a most superior manner, to the great benefit of the people of the United States and the other free countries of the world; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House take this opportunity to extend to Colonel Charles R. Heffner heartiest congratulations upon his receipt of the Order of the Legion of Merit, and commend him for his truly outstanding achievements as Commander of the 552nd Airborne Early Warning and Control Wing of the United States Air Force; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to the Chief of Staff of the United States Air Force, and to Colonel Heffner.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 323

By Mr. Crawford:

**House Resolution No. 323**—Relating to congratulating Archibald Lee Moore.

Resolution read.

### Members Made Co-authors of House Resolution No. 323

Mr. Crawford was granted unanimous consent that all members so desiring be placed upon House Resolution No. 323 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—77.

NOES—None.

### Consideration of House Resolution No. 323, as Amended

By Messrs. Crawford, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad,

Coolidge, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 323**

Relating to congratulating Archibald Lee Moore

WHEREAS, Archibald Lee Moore, better known as Archie Moore, has climbed from his life as one of six children in the broken home of a St. Louis laborer to a position of prominence within the United States and the world, a prominence not only based upon his many successes in the pugilistic world but also based upon his life as a fine citizen; and

WHEREAS, Archie Moore has had a long career in prizefighting and while not always victorious it has been a career of honor, diversity, and success of which Archie Moore can well be proud; and

WHEREAS, It has been said of Archie Moore that in his long career of fighting he has accumulated the finest collection of boxing moves and punches now extant; and

WHEREAS, Archie Moore, rising from the slums of St Louis has taken a particular interest in the problems of juveniles and in combating juvenile delinquency, and

WHEREAS, This interest in juveniles has been demonstrated by his establishment of the headquarters of a training camp at Kenwood Camp for Children in North Adams, Massachusetts, and further by the fact that Archie Moore on merely one occasion raised $7,000 for a successful operation on a little girl of Miami, Florida, who was going blind; and

WHEREAS, In 1955 Archie Moore was summoned by the President of the United States to the White House to assist in the President's program of combating juvenile delinquency; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this House commends Archibald Lee Moore for his outstanding career as a fighter, for his exemplary life as a citizen, and for his notable and understanding work with juveniles; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit illuminated copies of this resolution to Archie Moore and to his wife

Resolution read, and adopted unanimously.

**CONSIDERATION OF HOUSE RESOLUTION NO. 320**

By Messrs Elliott and Hawkins:

**House Resolution No. 320**—Relative to the death of Samuel A. Rosenthal.

Resolution read.

**Members Made Co-authors of House Resolution No. 320**

Mr Elliott was granted unanimous consent that all members so desiring be placed upon House Resolution No. 320 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

**Consideration of House Resolution No. 320, as Amended**

By Messrs. Elliott, Hawkins, Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs DeLotto, Dills, Miss Donahoe, Messrs. Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 320**

Relative to the death of Samuel A. Rosenthal

WHEREAS, The Members of the Legislature have learned with sadness of the recent death of the widely known and highly respected attorney, Samuel A. Rosenthal; and

WHEREAS, Mr. Rosenthal, a native of New York, had practiced law in Los Angeles for more than 25 years and was admitted to practice before the Supreme Court of the United States; and

WHEREAS, He was a brother of Municipal Court Judge and former Assemblyman, William H. Rosenthal, and the late Municipal Court Judge and former Assemblyman, Benjamin Rosenthal; and

WHEREAS, Among his many activities Mr Rosenthal was a founder and Past President of Beverly Hills B'nai B'rith Lodge and the University Synagogue, and a member of the Druids and the Maaca, legal organizations; and

WHEREAS, The loss of this distinguished and esteemed citizen will be keenly felt by his many close friends and associates; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution express their sincere regret at the passing of Samuel A. Rosenthal, and extend their heartfelt condolences to his widow, Harriett Rosenthal, his daughter, Mrs. Marilyn Stein, his brothers, David Rosenthal and Judge William H. Rosenthal, and his sisters, Rhea Bleich, Bertha Gladstone, and Mildred Yuster; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Mrs Harriett Rosenthal, Mr. David Rosenthal and Judge William H. Rosenthal.

Resolution read, and adopted unanimously.

**CONSIDERATION OF HOUSE RESOLUTION NO. 319**

By Messrs. Rumford, Bee, Mulford, Dahl, Crown, and Petris:

**House Resolution No. 319**

Relative to congratulating Mr Gilbert D. Eaton on receiving the Golden Achievement Award of the National Council of the Boys' Clubs of America

WHEREAS, It has come to the attention of the Members of this House that, as a richly deserved and crowning tribute to almost 50 years of dedicated service to the Boys' Clubs of this Nation, Mr. Gilbert D. Eaton has recently been granted the highest honor of the National Council of the Boys' Clubs of America, the "Golden Achievement Award," in recognition of his outstanding youth work; and

WHEREAS, Mr Eaton, who was born in Liverpool, England, on November 3, 1896, was himself but a youth when he left Britain and moved to the United States, where he settled in Massachusetts; and

WHEREAS, He received his primary and secondary education in the public schools of the seaport city of Lynn, Massachusetts, going on to higher education at Springfield College, Boston University, and Northeastern University; and

WHEREAS, Even as a student this dedicated man interested himself in the problems and welfare of the youth of New England, serving as assistant director of physical education at the Y. M. C. A. in Lynn, Massachusetts, from 1912 to 1924; and in later life he found the time and energy to serve in various capacities with the Boys' Club of Boston for some 18 fruitful years; and

WHEREAS, It was California's very good fortune that in 1942 Gilbert Eaton departed from Massachusetts and made a new home in Oakland where he immediately became active in the Boys' Club of that city and for 17 years served as the popular, capable, energetic and beloved executive director of the organization; and

WHEREAS, In addition to his fine work with the Boys' Club of Oakland, Mr. Eaton has tirelessly extended his efforts to activities at the regional level, where he was a former member of the National Board of Boys' Clubs of America and is presently a member of the Northern California Boys' Club Workers Association; and

WHEREAS, The hard work, professional competence and popularity of this man have received recognition through his appointment as secretary of the Northern California Area Council of the Boys' Clubs of America and his election as president of the Northern California Boys' Club Professional Association; and

WHEREAS, The State of California is indeed fortunate that she is possessed of citizens of the caliber of Gilbert D Eaton who are not only willing to give selflessly of their time and efforts so that the youth of our Nation may grow into useful and productive citizens, but, as well, are possessed of sufficient competence, energy and friendliness to make a success of their efforts; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend their sincere commendations and congratulations to Mr. Gilbert D. Eaton not only on his outstanding career of devoted service in the Boys' Clubs of New England and California but on his receipt of this recent highest honor, the "Golden Achievement Award" of the National Council of Boys' Clubs of America, a tribute which no man more richly deserves; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mr. Gilbert D. Eaton

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 327

By Messrs. Hawkins, MacBride, and Z'berg:

### House Resolution No. 327

Relative to the retirement of Joseph Patrick Moloney

WHEREAS, January, 1960, will mark the end of an enviable career of over 30 years of state service, as it is on that date that the respected friend of the California Legislature, Mr. Joseph Patrick Moloney, on the staff of the Legislative Bill Room, will retire; and

WHEREAS, Joe, as he is known to his many friends, began his career with the State shortly after serving as a member of the 91st Infantry Division in World War I; and

WHEREAS, In 1935 he was elected Sergeant-at-Arms of the Assembly in which post he served ably and efficiently; and

WHEREAS, During the last 15 years he has been on the staff of the Legislative Bill Room; and

WHEREAS, Through many sessions of the Legislature he has shown himself to be capable and efficient and devoted to his duties as a legislative attache; and

WHEREAS, His ability as demonstrated in the performance of his duties has won the respect of all who know him as has his ready wit and warm smile won their friendship; and

WHEREAS, It can be said that Joe has well earned the extended vacation upon which he is about to embark; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take this occasion to congratulate and commend Mr Joseph Patrick Moloney on the occasion of his retirement from public service, and extend to him the heartiest wish for a long and enjoyable vacation, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Joe Moloney.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 329

By Messrs. Porter and Hanna:

### House Resolution No. 329

Relative to the congratulating of Ned M Clinton as he approaches the time of retirement

WHEREAS, Mr. Clinton from 1912 to 1925 was employed in the Long Beach Dairy and Creamery Corporation which later became known as the Crescent Creamery and worked his way through the company to become assistant manager; and

WHEREAS, Mr. Clinton in 1921 became a partner in a dairy production enterprise in Long Beach and has been continuously in production since that date; and

WHEREAS, Mr. Clinton has long been interested and active in the future welfare of the dairy production industry as indicated by such activity as Past Chairman and present Director of the Orange County Farm Bureau, Dairy Department; Regional Chairman of the Dairy Department of the Farm Bureau, Region 1; Chairman of the Legislative Study Committee for the State Dairy Department, Past Chairman and present Director in the California Dairy Council and California Dairy Industry Advisory Board; Chairman of the Los Angeles Milk Producers Control Board; Director and later President of the California Milk Producers Association; leader in the formation of the Protected Milk Producers Association under the Central Milk Sales Agency; and in 1942 when the Protected Milk Producers Association became an independent marketing association, he became manager at that time, now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly takes great pleasure in congratulating Ned M Clinton as he approaches the time of retirement after many years of loyal service to the milk production industry and his community; now, therefore, be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Ned M. Clinton

Resolution read, and adopted unanimously.

## ANNOUNCEMENT

Mr. Lunardi announced that the City of Roseville invites the Members of the Assembly to its Fiftieth Anniversary Celebration on June 13, 1959.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 261**—An act to amend Sections 2201, 2208 and 2210.5 of the Streets and Highways Code, relating to financial aid for county highways

Bill read third time, and presented by Mr. Backstrand.

### Amendments Read

The following amendments, proposed by Mr. Rees, were read:

### Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, strike out "ninety-eight and one-half percent (98½%)", and insert "eighty-seven and one-half percent (87½%)"

### Amendment No. 2

On page 2, lines 7 and 8, strike out "ninety eight and one-half percent (98½%)", and insert "eighty-seven and one-half percent (87½%)".

### Amendment No. 3

On page 2, lines 33 and 34, strike out "two hundred thousand dollars ($200,000)", and insert "one hundred thousand dollars ($100,000)".

### Amendments Withdrawn

Mr Rees withdrew his amendments.

### Speaker pro Tempore Presiding

At 11.17 a m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Motion to Re-refer

Mr. Rees moved that the bill be re-referred to the Committee on Rules for assignment of the subject matter for interim study.

Mr. Lanterman seconded the motion.

### Demand for Previous Question

Messrs. Dahl, Reagan, Shell, House, and Frew demanded the previous question. Demand sustained.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Backstrand moved a call of the Assembly.

Mr Belotti seconded the motion.

Motion carried. Time, 11.37 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 494**—An act to amend Section 5 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), relating to the Humboldt County Flood Control District.

Bill read third time, and presented by Mr Belotti.

Request for Unanimous Consent

Mr. Belotti was granted unanimous consent to present an amendment proposed by Mr. Lowrey.

Parliamentary Inquiry

Mrs Davis arose to the following parliamentary inquiry: Is this the bus bar amendment?

Reply by Speaker

The Speaker directed the Clerk to read the amendment.

Amendment read in full.

Motion to Amend

Mr Belotti moved the adoption of the following amendment, proposed by Mr Lowrey:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Senate on April 9, 1959, strike out "at the bus bar"

Amendment read and adopted

Bill ordered reprinted, and to third reading.

**Senate Bill No. 999**—An act to create the Mariposa County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collections of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time, and presented by Mr. Lunardi.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—Winton—1.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—Winton—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 831**—An act to amend Section 405 of, and to add Section 12520 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the issuance of junior permits for the operation of motor-driven cycles.

Bill read third time, and presented by Mr. Bane.

### Motion to Amend

Mr. Bane moved the adoption of the following amendments, and that the bill be then reprinted, and placed on the inactive file:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 27, 1959, strike out lines 19 through 21.

#### Amendment No. 2

On page 2, strike out lines 1 through 12, and insert "the Department of Motor Vehicles with proof of ability to respond in damages as prescribed in Section 16430 of this code. If proof of ability to respond in damages shall fail or is canceled, the Department of Motor Vehicles shall cancel the junior permit. If the holder of the junior permit is convicted of two moving violations, the department may revoke the junior permit."

Amendments read, and adopted.

Bill ordered reprinted, and placed on the inactive file

**Senate Joint Resolution No. 22**—Relative to a world fair in 1963.

Resolution read, presented by Mr. Miller.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott,

Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Mr Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 114**—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1043**—An act to amend Section 777.1 of the Insurance Code, relating to free insurance.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest G Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 565**—An act to amend Sections 5931, 5970, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, and 7848 of, to add Section 7801, 7802, 7808, and 7849 to, to add Chapter 4.5 (commencing at Section 7650) to Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, and 7807 of, the Elections Code, relating to canvass of ballots.

Bill read third time, and presented by Mr. Crown.

NOTE—On June 16, 1959, the record was expunged, and the action rescinded whereby Senate Bill No. 565 was this day passed *See* page 5494.

**Senate Bill No. 13**—An act to amend Section 2421.5 of the Education Code and Section 1722 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr Biddick

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 369**—An act to amend Section 851 of the Public Utilities Code, relating to the disposition of property by public utilities.

Bill read third time, and presented by Mr. Francis

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 542**—An act to amend Sections 16838, 16839, 16840, 16841, and 16843 of the Education Code, and Sections 12408, 12409, 12410, 12411, and 12413 of the Education Code as proposed by Senate Bill No. 2, and Section 700 of the Welfare and Institutions Code, relating to insubordinate or disorderly school children.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 417**—An act to add Article 1.5 (commencing at Section 23800) to Chapter 5, Division 9 of the Business and Professions Code, relating to alcoholic beverage licenses.

Bill read third time, and presented by Mr. McMillan.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Lanterman and Levering—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 682**—An act to add Section 3136 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to county-wide school districts.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 470**—An act to add Section 46179 to, and to amend Section 46202 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin,

Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 471**—An act to add Section 45559 to, and Chapter 6 (commencing at Section 45800) to Part 8 of Division 14 of the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

### Speaker Presiding

At 11.59 a m , Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1404**—An act making an appropriation for support of the Department of Public Health.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1404:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No 1404 is an act making an appropriation for support of the Department of Public Health.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1404 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 2504**—An act to repeal Chapter 611 of the Statutes of 1943; to repeal Sections 5 and 6 of Chapter 541 of the Statutes of 1913; to repeal Sections 8 and 9 of Chapter 161 of the Statutes of 1925; to repeal Sections 4 and 5 of the "University of California Building Bond Act," an initiative measure adopted by the people at the general election held on November 3, 1914; to repeal Sections 6 and 7 of Chapter 313 of the Statutes of 1927; to repeal Sections 5 and 6 of Chapter 383 of the Statutes of 1909; and to repeal Sections 5 and 6 of Chapter 404 of the Statutes of 1915, relating to state funds, and abolishing certain special funds.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2504:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 2504 is an act relating to state funds, and abolishing certain special funds.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2504 prior to final enactment of the Budget Bill

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

**Assembly Bill No. 1009**—An act to add Section 188 to the Education Code, and Section 369 to the Education Code as proposed by Senate Bill No. 2, relating to establishment by the State Board of Education of

a School Library Consultant Service in the State Department of Education, and making an appropriation therefor.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1009:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1009 is an act relating to establishment by the State Board of Education of a school library consultant service in the State Department of Education.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1009 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Levering and Shell—2.

Bill ordered transmitted to the Senate

**Assembly Bill No. 345**—An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 345:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 345 is an act relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 345 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Demand for Previous Question

Messrs. Crawford, Schrade, Dahl, Lunardi, and Burke demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Garrigus moved a call of the Assembly.

Mr. Lowrey seconded the motion.

Motion carried. Time, 12.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2430

The Speaker appointed Messrs. Hanna, Sumner, and Garrigus as a Committee on Conference concerning Assembly Bill No. 2430.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS (RESUMED)

**Assembly Bill No. 1551**—An act making an appropriation for the acquisition and development of a public recreational area by Yolo and Solano Counties.

Bill read third time

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1551:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 1551 is an act making an appropriation for the acquisition and development of a public recreational area by Yolo and Solano Counties.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1551 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown,

Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Sedgwick, Thelin, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—Cusanovich, Dahl, Luckel, Reagan, and Shell—5.

Bill ordered transmitted to the Senate

### REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 1975

Mr. Bruce F. Allen was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted amendments to Assembly Bill No. 1975 (Assembly Journal, page 5247).

### FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1975

**Assembly Bill No. 1975**—An act to add Section 18715 to the Government Code, relating to blind workers, and making an appropriation.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1975:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1975 is an act relating to blind workers.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1975 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Porter, Rees, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58

NOES—Beaver, Cusanovich, Lanterman, Levering, Luckel, Mulford, Reagan, and Thelin—8.

Bill ordered transmitted to the Senate.

### ASSEMBLY BILL NO. 1717 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 1717,** on request of Mr. Lunardi.

### VOTE CHANGED UPON ROLL CALL ON ASSEMBLY BILL NO. 1975

Mr. Sedgwick was granted unanimous consent that he be recorded as voting "Aye" instead of "No" on Assembly Bill No. 1975.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER SENATE BILL NO. 261

At 12.35 p.m., on motion of Mr. Backstrand, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion that Senate Bill No. 261 be re-referred to the Committee on Rules for assignment of the subject matter for interim study lost by the following vote:

AYES—Bane, George E Brown, Burke, Cameron, Chapel, Collier, Conrad, Cusanovich, Dahl, Dills, Elliott, Ernest R Geddes, Hanna, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, McMillan, Miller, Mulford, Munnell, Petris, Porter, Reagan, Rees, Shell, Sumner, Thelin, George A. Willson, and Charles H. Wilson—32

NOES—Bruce F Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hegland, House, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Nisbet, O'Connell, Pattee, Schrade, Sedgwick, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—43.

#### Further Consideration of Senate Bill No. 261

The question being on the passage of the bill.

#### Demand for Previous Question

Messrs. Burton, Dahl, MacBride, Masterson, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Coolidge, Crawford, Cunningham, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hegland, House, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Nisbet, O'Connell, Pattee, Schrade, Sedgwick, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—41.

NOES—Bane, George E. Brown, Burke, Cameron, Chapel, Collier, Conrad, Crown, Cusanovich, Dahl, Dills, Elliott, Ernest R. Geddes, Hanna, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, McMillan, Miller, Mulford, Munnell, Petris, Porter, Reagan, Rees, Shell, Sumner, Thelin, George A. Willson, and Charles H. Wilson—33.

Bill ordered transmitted to the Senate.

### MOTION TO APPROVE JOURNALS

On motion of Mr. Munnell, the following Journals were approved, as corrected by the Minute Clerk: Thursday, May 28, 1959; Monday, June 1, 1959; Tuesday, June 2, 1959; Wednesday, June 3, 1959; Thursday, June 4, 1959; Friday, June 5, 1959; and Saturday, June 6, 1959.

### REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND RULE NO. 56

Mr. Munnell was granted unanimous consent that Rule No. 56, the three-day rule, be suspended, effective June 12, 1959, on all Senate bills, including those as to which previous such requests have heretofore been made.

### ANNOUNCEMENTS

Mr. Munnell announced that members desiring to appear before the Conference Committee concerning Assembly Bill No 800 (the Budget Bill) should present their matters at its meeting between 4 and 4.30 p m. this afternoon in the Senate Lounge.

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Mr. Munnell announced that the Committee on Ways and Means would meet at 3 p m., instead of at 1.30 p.m., this afternoon.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Coolidge was granted unanimous consent to speak on a point of personal privilege.

### POINTS OF PERSONAL PRIVILEGE

Mr. Coolidge arose on a point of personal privilege.
Mr. Lowrey arose on a point of personal privilege
Mr. Pattee arose on a point of personal privilege.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Senate Bill No. 1325, now on the Consent Calendar, for purpose of amendment.

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1325**—An act to add Section 11618 to the Business and Professions Code, relating to subdivision maps.

Bill read third time.

#### Motion to Amend

Mr. Masterson moved the adoption of the following amendments.

#### Amendment No. 1

In the first line of the title of the printed bill, strike out "11618", and insert "11619".

#### Amendment No. 2

In line 1, strike out "11618", and insert "11619"

#### Amendment No. 3

In line 3, strike out "11618", and insert "11619"

Amendments read, and adopted.

Bill ordered reprinted, and returned to the second reading file, pursuant to Joint Rule 22 2

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO WATER DEVELOPMENT

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 10, 1959

*Hon. Bruce F. Allen*
*Assembly Chamber*

**Water Development—No. 17243**

*Question*

DEAR MR ALLEN: You have referred us to the following language contained on page 2, lines 22 to 24, inclusive, of Senate Bill No. 1106, as amended in Senate May 28, 1959:

> "For the purposes of this chapter the Sacramento-San Joaquin Delta shall be deemed to be within the watershed of the Sacramento River."

You have asked whether this language gives a priority under the "watershed protection" provisions (Secs. 11460-11463, incl, Wat. C.) to the entire San Joaquin Valley and Tulare Basin.

*Opinion and Analysis*

The "watershed protection" provisions, which are made applicable by the bill to all facilities acquired or constructed as a part of the State Water Resources Development System with funds made available under the bill (see proposed Sec. 12931, Wat. C.), are designed to afford protection to "a watershed or area wherein water originates, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom" (Sec. 11460, Wat. C.).

The language to which you have referred would, for the purposes of the bill, declare the Sacramento-San Joaquin Delta to be within the watershed of the Sacramento River Thus, to the extent the area within the watershed of the Sacramento River is protected by the "watershed protection" provisions, the Sacramento-San Joaquin Delta would likewise be protected.

As to whether any or all of the San Joaquin Valley or Tulare Basin would likewise be protected would depend upon the determination of two facts:

(1) Whether the area in question is "immediately adjacent" to the watershed of the Sacramento River (including the Sacramento-San Joaquin Delta); and

(2) Whether the area in question "can conveniently be supplied with water" from the watershed of the Sacramento River.

We believe that both of these facts would have to be determined in each particular case and that no general answer can be given to your question. For example, if at some future date after the Department of Water Resources had constructed and commenced operating certain facilities of the State Water Resources Development System, the question of the availability of water in a certain portion of the Tulare Basin under the "watershed protection" provision arose, it would have to be determined whether the area in question was "immediately adja-

cent" to the watershed of the Sacramento River (including the Sacramento-San Joaquin Delta) and whether it could "conveniently be supplied with water therefrom."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to Hon. Hugh M. Burns,
pursuant to Joint Rule No. 34.

### CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 345

At 12.54 p.m., Mr. Garrigus moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called.

#### Motion to Expunge Record and Rescind Action on Assembly Bill No. 345

Mr. Garrigus moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 345.

Mr. Meyers seconded the motion.

Motion carried by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Cameron, Chapel, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Sedgwick, Sumner, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—54.

NOES—Burke, Busterud, Collier, Crawford, Cusanovich, Gaffney, Hegland, Johnson, Levering, Luckel, Reagan, Schrade, Shell, and Thelin—14.

Assembly Bill No. 345 ordered retained on third reading file.

### SENATE BILL NO. 1488 RE-REFERRED TO COMMITTEE

Speaker Brown announced that Senate Bill No. 1488 had been reported out of committee before the 30-calendar day period had elapsed, and ordered the bill returned to the Committee on Education.

### PARLIAMENTARY INQUIRY

Miss Donahoe arose to the following parliamentary inquiry: Was the constitutional provision dispensed with for hearing and consideration of Senate Bill No. 1488 in the Senate.

#### Reply by Speaker

The Speaker replied that it was.

### MOTION TO INVOKE CONSTITUTIONAL PROVISION

Miss Donahoe moved that, pursuant to Article IV, Section 2(a), of the Constitution, Senate Bill No. 1488 may be heard in committee, and acted upon by the Assembly before 30 calendar days have elapsed.

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis,

Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, Winton, Z'berg, and Mr Speaker—62

NOES—Cusanovich, Dahl, Levering, Reagan, and Shell—5.

## PARLIAMENTARY INQUIRY

Mr. Collier arose to the following parliamentary inquiry: What is the present status of Assembly Bill No. 345?

### Reply by Speaker

The Speaker replied that it was back on the third reading file.

## ASSEMBLY BILL NO. 1067 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 1067,** on request of Mr. O'Connell.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. Bradley announced that the Committee on Municipal and County Government would meet at 2 p.m. instead of at 1.30 p.m. this afternoon.

Mr. Backstrand announced that the Committee on Transportation and Commerce would meet at 2.15 p.m., instead of at 1 30 p.m., this afternoon.

Mr. Masterson announced a special meeting of the Committee on Governmental Efficiency and Economy would be held at 8 p.m. tonight.

Mr. Crawford announced that the Committee on Military and Veterans Affairs would meet at 2 p.m., instead of at 1.30 p.m., today.

Mr. Porter announced a meeting of the Committee on Water at 8 p.m. tonight in Room 4202.

Mr. Winton announced that the Committee on Government Organization would meet at 2 p.m., instead of at 1.30 p.m., today.

## BILLS ORDERED FILED AND SUBJECT MATTER REFERRED

The Speaker ordered the following bills filed; and referred the subject matter to the Committee on Rules for assignment for interim study:

**Senate Bills Nos. 1178, 1100,** and **1386.**

## RE-REFERENCE OF SENATE BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 832** to the Committee on Ways and Means.

**Senate Bills Nos. 587, 1233,** and **1468** to the Committee on Governmental Efficiency and Economy.

**Senate Bill No. 538** to the Committee on Water.

**Senate Bill No. 1399** to the Committee on Fish and Game.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Garrigus of Reedley to Donald E. Code, Aleen Neil, Albert K Schiebelhut, and Louise Schiebelhut, adults; and the following pupils of the Big Creek Elementary School: Tad Berkebile, Alan Chamness, Wayne Cook, Diane Hill, Jerrilyn Irby, William Neil, Caroline Noyes, and Nancy Thacker

On request of Mr Luckel of San Diego and the San Diego Delegation to Judge Abernethy and Bill Howell of San Diego

On request of Speaker pro Tempore Bee of Hayward to Mrs J. S. Corbett and Mrs. William Mills, adults; and the following Girl Scouts of Pleasanton: Billie Amis, Patsy Bernard, Paula Corbett, Dawn Hallstein, Mary Ann Hill, Patricia Mederios, Aurora Meris, Renee Mills, Beverly Ritchie, Cindy Lietz, Martha Whittaker, and Betsy Maupin; and Mary Corbett and Timmy Corbett, children of the leader.

## ADJOURNMENT

At 1.01 p m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 30 a.m , Friday, June 12, 1959.

RALPH M BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED EIGHTH LEGISLATIVE DAY

ONE HUNDRED FIFTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, June 12, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Ever-present and Loving Father,* Keep us working with the same zest with which we began the labors of this Assembly. Let not weariness, nor frustration, nor personal affront take from us the deep sense of privilege and real joy of making life count in this way. Inspire us to our noblest service; deepen the resources upon which we call; and strengthen the fellowship in which we work, so that truly the right man may have been in the right place at the right time; meriting the trust placed in him by his fellow citizens, and by his God, whose strength is equal to any event, even the service to which we are called this day.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Shell.

## LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Unruh, on motion of Mr. Munnell.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Grant, on motion of Mr. Sumner.

The following member was granted leave of absence for a part of the day, because of illness:

Mr. Pattee, on motion of Mr. Charles H. Wilson.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Vernon Balsbaugh of Modesto, relative to a 10-day hunting period for archers. Referred to the Committee on Fish and Game.

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Mrs. Ben Huntington of San Diego, relative to the sale of alcoholic beverages near colleges and universities. Referred to the Committee on Government Organization.

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Guadalupe and Marcelino Solis of Los Angeles, relative to aged aid. Referred to the Committee on Social Welfare.

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Gordon S. Potter, Raymond P. Wybas, and James L. Apple of Torrance, relative to telephone taxes. Referred to the Committee on Revenue and Taxation.

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Mrs. Wm. J. Taylor, Sr., of Norfolk, Virginia, relative to the motion picture industry. Referred to the Committee on Governmental Efficiency and Economy.

## RESOLUTIONS

The following resolutions were offered:

By Mr. George E. Brown:

### House Resolution No. 350

Relative to an interim study of the financing of fire departments

WHEREAS, In many instances local governmental agency revenues are no longer sufficient to finance the costs of an adequate fire department; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of ways and means of meeting the costs of adequate fire departments in the State, including the possibility of a gross premiums tax on fire insurers to obtain revenues to assist local agencies in meeting the costs of fire protection, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Johnson:

**House Resolution No. 351**

Relative to commending Mrs. Ardell B. Beltz

WHEREAS, The Members of the Assembly have learned of the retirement of Mrs. Ardell B. Beltz as Head Teacher at the Berkeley Child Care Center in the City of Los Angeles; and

WHEREAS, Mrs. Beltz, a native of Ogden, Utah, who received her education in the elementary and high schools and state university of that state, taught in the public schools in Ogden before removing to Los Angeles; and

WHEREAS, She became a teacher in the Los Angeles Child Care Program on May 5, 1943, and later became head teacher serving in that capacity at Brooklyn Avenue and Berkeley Child Care Centers; and

WHEREAS, Her service in the Child Care Centers has been an inspiration to her associates in the administration of such centers, and to the children coming under her care, by all of whom she will be greatly missed after her retirement; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members thereof commend Mrs. Beltz for her years of outstanding service to the children who came in contact with her and to her associates in the Child Care Center Program of the City of Los Angeles, and wish her health and happiness in her retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Ardell B Beltz

Resolution read, and referred to the Committee on Rules.

By Mr. Marks:

**House Resolution No. 352**

Relative to commending Walter S. Johnson

WHEREAS, Over the years the lovely Palace of Fine Arts in San Francisco has been gradually falling into ruin and decay; and

WHEREAS, This romantic work of architecture by Bernard Maybeck was erected as a temporary building for the 1915 Panama-Pacific Exposition in the City by the Golden Gate; and

WHEREAS, Standing majestically on the shore of a tranquil lagoon, this beautiful old structure is loved by millions of visitors to San Francisco, as well as by the residents of the city who often stroll through the verdant park surrounding it; and

WHEREAS, The Palace of Fine Arts has been saved from ultimate destruction by the generosity of one of California's leading citizens, Mr. Walter S. Johnson; and

WHEREAS, With Mr. Johnson's munificent gift of $2,000,000 matched by state funds and aided by additional contributions by other public-spirited citizens, the Palace can be rebuilt as a permanent work of lasting beauty, once again glowing with its former splendor; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members, in the name of the people of California, express their grateful appreciation to Walter S. Johnson for his most generous gift, and commend him on his magnanimous civic spirit in taking this step to preserve for posterity one of the city's beloved landmarks; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Walter S. Johnson.

Resolution read, and referred to the Committee on Rules.

## UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker Brown was granted unanimous consent that the Rules be temporarily suspended in order that all bills reported out of committee today be read the second time, with appropriate actions taken thereon; and that all bills amended on second reading today be placed on the third reading file without being returned to the second reading file pursuant to Rule No. 69.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

Assembly Bill No. 245
Assembly Bill No. 1398
Assembly Bill No. 1399

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bills ordered to third reading.

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 1117

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

CRAWFORD, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1117**—An act to amend Section 6701 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to nonresident vehicles owned and operated by military personnel.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No 1488

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

DONAHOE, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1488**—An act to amend Section 2313 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to schools.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Social Welfare

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No 1082

With amendments with the recommendation: Amend, and re-refer to the Committee on Social Welfare.

BURTON, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1082**—An act to add Sections 1620.7 and 2313 to the Welfare and Institutions Code, and to add Section 1423 to the Health and Safety Code, relating to the placement of children, aged and infirm persons in boarding and nursing homes and institutions.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

### Amendment No. 1

On page 1, between lines 8 and 9, of the printed bill, as amended in the Senate on May 1, 1959, insert

"Nothing in this section shall be construed to hold any person liable for placement of a child in an unlicensed facility made under an emergency to protect the welfare and safety of the child until adequate provision can be made for such child's care."

### Amendment No. 2

On page 1, between lines 16 and 17, insert

"Nothing in this section shall be construed to hold any person liable for placement of an aged person in an unlicensed facility made under an emergency to protect the welfare and safety of the aged person until adequate provision can be made for such aged person's care."

### Amendment No. 3

On page 1, after line 24, insert

"Nothing in this section shall be construed to hold any person liable for the placement of an individual in an unlicensed facility made under an emergency to protect the welfare and safety of the individual until adequate provision can be made for such individual's care."

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

## REPORTS OF STANDING COMMITTEES

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports.

Senate Constitutional Amendment No. 22

With amendments with the recommendation: Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Constitutional Amendment No. 22**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 5, 18 and 23 of Article IV, Sections 4.5, 17 and 22 of Article V, Section 2 of Article IX, Section 7 of Article X, Section 9 of Article XIII and Section 20 of Article XX, by repealing Section 19 of Article V, Sections 1, 2, 3, 4, 5 and 6 of Article X, Sections 3, 10, 11 and 12 of Article XXII, and by adding a new Section 3 to Article XXII, relating to the elimination of obsolete or superseded constitutional provisions affecting state officers and agencies.

Resolution read.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Constitutional Amendments, were read, and adopted:

**Amendment No. 1**

In line 4 of the title of the printed measure, strike out "and 23", and insert "22 as proposed by Resolution Chapter 184 of the Statutes of 1951 and 23".

**Amendment No. 2**

In line 7 of the title, after "repealing", insert "Section 22 of Article IV as proposed by Resolution Chapter 220 of the Statutes of 1951".

**Amendment No. 3**

On page 2, between lines 29 and 30, insert

"Fourth, That Section 22 of Article IV, as proposed by Resolutions Chapter 184 of the Statutes of 1951, is amended to read:

SEC. 22. No money shall be drawn from the Treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State ~~;~~ ~~provided~~ *, except that notwithstanding anything contained in this or any other section of the Constitution:*

*(1) Whenever federal funds are made available for the construction of hospital facilities by public agencies and nonprofit corporations organized to construct and maintain such facilities, nothing in this Constitution shall prevent the Legislature from making state money available for that purpose, or from authorizing the use of such money for the construction of hospital facilities by nonprofit corporations organized to construct and maintain such facilities.*

*(2) The* ~~that notwithstanding anything contained in this or any other section of the Constitution,~~ the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions ~~;~~ ~~provided, further, that the~~.

*(3) The* Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, and no person concerned with the administration of aid to needy blind persons shall dictate how any applicant or recipient shall expend such aid granted him, and all money paid to a recipient of such aid shall be intended to help him meet his individual needs and is not for the benefit of any other person, and such aid when granted shall not be construed as income to any person other than the blind recipient of such aid, and the State Department of Social Welfare shall take all necessary action to enforce the provisions relating to aid to needy blind persons as heretofore stated ~~;~~ ~~provided further, that the~~.

*(4) The* Legislature shall have power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State ~~; provided further, that the~~ .

*(5) The* State shall have at any time the right to inquire into the management of such institutions ~~; provided further, that whenever~~ .

*(6) Whenever* any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control.

An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Fifth, That Section 22 of Article IV, as proposed by Resolutions Chapter 220 of the Statutes of 1951, is hereby repealed."

**Amendment No. 4**

On page 2, line 30, strike out "Fourth," and insert "Sixth,".

**Amendment No. 5**

On page 2, line 39, strike out "Fifth," and insert "Seventh,".

**Amendment No. 6**

On page 2, line 49, strike out "Sixth," and insert "Eighth,"

**Amendment No. 7**

On page 3, line 3, strike out "Seventh," and insert "Ninth,".

**Amendment No. 8**

On page 3, line 4, strike out "Eighth," and insert "Tenth,".

**Amendment No. 9**

On page 3, line 22, strike out "Ninth," and insert "Eleventh,".

**Amendment No. 10**

On page 3, line 30, strike out "Tenth," and insert "Twelfth,".

**Amendment No. 11**

On page 3, line 32, strike out "Eleventh," and insert "Thirteenth,".

**Amendment No. 12**

On page 4, line 7, strike out "Twelfth," and insert "Fourteenth,".

**Amendment No. 13**

On page 4, line 40, strike out "Thirteenth," and insert "Fifteenth,".

**Amendment No. 14**

On page 4, line 48, strike out "Fourteenth," and insert "Sixteenth,".

Resolution ordered reprinted and on file.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 519
Senate Bill No. 777
Senate Bill No. 566
Senate Bill No. 1106
Senate Bill No. 43

With the recommendation: Do pass.

UNRUH, Chairman

*Above bills ordered to second reading.*

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 519**—An act to amend the heading of Chapter 2 (commencing at Section 30600) of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of, Division 17 and to amend Sections 30608 and 30609 of the Streets and Highways Code, relating to the construction of a San Francisco-Oakland Rapid Mass Transit Tube, and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 777**—An act to require the sale of certain lands now in the possession and control of the San Francisco Port Authority.

Bill read second time, and ordered to third reading.

**Senate Bill No. 566**—An act to amend Section 6150 of, and to add Sections 6150.5 and 6159 to, the Elections Code, relating to the State Commission on Voting Machines and Vote Tabulating Devices.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1106**—An act to add Chapter 8 (commencing with Section 12930) to Part 6 of Division 6 of the Water Code, relating to provision for the development of the water resources of the State by providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1960.

Bill read second time, and ordered to third reading.

**Senate Bill No. 43**—An act to add Chapter 5 5 (commencing with Section 13480) to Part 3, Division 3, Title 2 of the Government Code, and to amend Section 11555 of said code, relating to the establishment of an economic development agency in the Department of Finance.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 11, 1959

MR SPEAKER Your Committee on Ways and Means reports:

Senate Bill No. 576

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 576**—An act to create the Golden Gate Commission, prescribing its organization, government, powers, duties, and functions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 1, 1959, after "Gate", insert "Authority".

Amendment No. 2

On page 1, line 1, after "Gate", insert "Authority".

Bill ordered reprinted and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 434
Senate Bill No. 697
Senate Bill No. 1354

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 214
Senate Bill No. 1204
Senate Bill No. 1257

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 214**—An act to create the Sutter County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Sutter County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1204**—An act to amend Section 12901 of the Water Code, relating to water projects.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1257**—An act to amend Section 1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 469
Senate Bill No. 872
Senate Bill No. 1179
Senate Bill No. 1281
Senate Bill No. 1290

With the recommendation: Do pass

PORTER, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 469**—An act to amend Section 232 of the Water Code, relating to determination of water supplies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 872**—An act to add Section 1394 to the Water Code, relating to reservation of jurisdiction by the State Water Rights Board

Bill read second time, and ordered to third reading.

**Senate Bill No. 1179**—An act to amend Sections 34014, 34026, 34801, 34802, 34803, 35907, and 36575 of, and to add Sections 36409, 36831, 36832 and 36833 to, the Water Code, relating to California water districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1281**—An act to amend Section 11260 of the Water Code, relating to the Feather River Project.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1290**—An act to amend Section 91 of, and to add Sections 61, 62, 95.5, and Chapter 11 (commencing at Section 135) to, the Shasta County Water Agency Act (Ch. 1512, Stats. 1957), relating to powers of the agency.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 622
Senate Bill No. 1231

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 622**—An act to amend Sections 21121, 21122, 21605, 21606, 21607, 21608, 21652, 21654, 21658, 21661, 21826, 21827, 21830 of,

and to add Section 21650.1 to the Water Code, relating to irrigation districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 1, line 22 of the printed bill, as amended in the Senate on June 1, strike out "and election precincts".

**Amendment No. 2**

On page 2, line 5, strike out "and election precincts".

**Amendment No. 3**

On page 5, after line 10, insert

"SEC. 15. Section 21650.1 is added to said code, to read:

21650.1. At least 65 days before a general election the secretary shall publish a preliminary notice of election in a newspaper of general circulation published in the district or, if no such newspaper is published in the district, in a newspaper having general circulation in the district published in any affected county in the district. The preliminary notice shall contain the date of the general election in the district and name the offices for which candidates may be proposed. The notice shall state that official nominating petitions for eligible candidates desiring to file for any of the elective offices may be obtained from the office of the secretary of the district. The substance of this notice may be combined with the notice required by Section 21661.1.

SEC. 16. Section 15 of this act becomes operative only if Section 21661.1 is added to the Water Code by Senate Bill No. 1168 of the 1959 Regular Session, and at the same time as said section takes effect, at which time Section 21650.1 added to the Water Code by Section 7 of this act is repealed."

Bill ordered reprinted and to third reading.

**Senate Bill No. 1231**—An act to amend Sections 3, 4, 5, 10, 12, 13, 14, 15, 17, 18, 20, and 29 of, and to add Sections 13.1 and 20.1 to, the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 2, line 25, of the printed bill, as amended in the Senate on June 1, 1959, strike out the second "and", and insert "any".

**Amendment No. 2**

On page 2, line 42, strike out "work", and insert "works".

**Amendment No. 3**

On page 6, line 18, after "superintendence", insert a comma.

**Amendment No. 4**

On page 8, line 27, strike out "one only", and insert "only one".

**Amendment No. 5**

On page 10, line 37, strike out "government", and insert "governmental"

**Amendment No. 6**

On page 10, line 40, after "act", insert a comma.

**Amendment No. 7**

On page 11, line 17, after "zone", insert a comma.

**Amendment No. 8**

On page 18, line 5, strike out "affect", and insert "effect".

Bill ordered reprinted and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 646
Senate Bill No. 1129

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 646**—An act to amend Sections 175, 177, and 181 of the Water Code, relating to the State Water Rights Board.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in Senate on June 4, 1959, after "Board", insert ", and making an appropriation".

**Amendment No. 2**

On page 2, after line 12, insert

"SEC. 4. There is hereby appropriated sixty thousand dollars ($60,000) from the General Fund during the 1959-60 Fiscal Year for support of the State Water Rights Board in augmentation of Item 269, Budget Act of 1959."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 1129**—An act making an appropriation for an investigation of power sources for state water project pumping and other purposes.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 2 of the title of the printed bill, after "purposes", insert ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 2**

On page 1, after line 23, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution, and shall go into immediate effect. The facts constituting such necessity are:

The United States Department of the Interior is considering the possibility of an intertie between the Pacific Northwest hydroelectric power systems of the Federal Government and power systems in California. The Senate Interior and Insular

Affairs Committee, by resolution adopted May 19, 1959, has asked the Secretary of the Interior to direct the Bonneville Power Administration to conduct a study and analysis of such an intertie in consultation with the Governors of the States of California, Oregon, Washington, Idaho and Montana, and to report its conclusions and recommendations not later than July 15, 1959. In order that the interests of the State may be adequately considered and required study by the State be pursued promptly, it is necessary that this act take effect immediately."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 176
Senate Bill No. 224
Senate Bill No. 910
Senate Bill No. 921

With the recommendation: Do pass.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 176**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 224**—An act to add Article 5 (commencing with Section 34900) to Chapter 7, Part 1, Division 2, Title 4 of the Government Code, relating to cities.

Bill read second time, and ordered to third reading.

**Senate Bill No. 910**—An act to amend Section 103 3 of the Welfare and Institutions Code, relating to adjustments for overpayments of public assistance.

Bill read second time, and ordered to third reading.

**Senate Bill No. 921**—An act to add Section 29390 to the Government Code, relating to shortages in county funds.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 6
Senate Bill No. 768
Senate Bill No. 882
Senate Bill No 1042
Senate Bill No. 1115
Senate Bill No. 1131
Senate Bill No. 1222
Senate Bill No. 1223
Senate Bill No. 1224
Senate Bill No. 1270
Senate Bill No. 1272
Senate Bill No. 1273
Senate Bill No. 1333
Senate Bill No. 1357
Senate Bill No. 1395
Senate Bill No. 1461

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 6**—An act to add Section 21759 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school bond validation actions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 768**—An act to add Section 25020.1 to the Government Code, relating to meetings of county boards of supervisors.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 882**—An act to amend Section 31 of the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to real or personal property acquired by the district.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1042**—An act to amend Section 36 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the establishment, government, operation and financing of zone in Pleasanton or Murray Townships.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1115**—An act to amend Section 54951 of the Government Code, relating to meetings of legislative bodies of local agencies.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1131**—An act to add Sections 35097, 35098 and 35099 to Article 1 of Chapter 2 of Part 4 of Division 13 of the Water Code, relating to the election of district officers in California water districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1222**—An act to amend Sections 35430 and 35550.1 of the Streets and Highways Code, relating to the Parking District Law of 1951.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1223**—An act to add Section 4284.1 to, and to amend Section 4288 of, the Streets and Highways Code, relating to Street Opening Act of 1903.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1224**—An act to amend Section 2857 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1270**—An act to amend Section 4614.14 of the Health and Safety Code, relating to municipal sewer districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1272**—An act to add Part 10.5 (commencing at Section 8740) to Division 10 of the Streets and Highways Code, relating to the Improvement Bond Act of 1915.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1273**—An act to amend Sections 18, 43, 90, 105, of, and to add Article 9.5 (commencing at Section 185) to, the Solvang Municipal Improvement District Act (Chapter 1635 of the Statutes of 1951), relating to the Solvang Municipal Improvement District.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1333**—An act to amend Section 31569.1 of the Streets and Highways Code, relating to the formation of districts under the Vehicle Parking District Law of 1943.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1357**—An act to amend Sections 21166 and 22840 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1395**—An act to add Section 31684.1 to the Government Code, relating to retirement of county peace officer members.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1461**—An act to add Chapter 12 (commencing at Section 6950) to Division 7 of Title 1 of the Government Code, relating to the purchase of interests in real property by counties and to the preservation of open spaces and areas for public use and enjoyment.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

| | |
|---|---|
| Senate Bill No. 985 | Senate Bill No. 1130 |
| Senate Bill No. 991 | Senate Bill No. 1336 |

With the recommendation: Do pass, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BRADLEY, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 985**—An act to add Chapter 2.5 (commencing at Section 1440) to Division 2 of the Health and Safety Code, to repeal Sections 200, 201, 202, 203, 203.5, 203.6, 203.7, 203.8, 203.9, 204, 204.5, 206, and 206.5 of the Welfare and Institutions Code, to amend Section 2500 of the Welfare and Institutions Code, and to add Section 202 to the Welfare and Institutions Code, relating to county medical facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on May 22, 1959, strike out lines 20 through 27, inclusive.

Bill ordered reprinted and to be placed on the Consent Calendar.

**Senate Bill No. 991**—An act to amend Section 61600 of the Government Code, relating to community services districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Municipal and County Government, was read, and adopted:

Amendment No. 1

On page 1, of the printed bill, as amended in the Senate on June 3, 1959, after line 25, insert

"(j) The opening, widening, extending, straightening, and surfacing, in whole or part of any street in such district, subject to the consent of the governing body of the county or city in which said improvement is to be made.

(k) The construction and improvement of bridges, culverts, curbs, gutters, drains, and works incidental to the purposes specified in subdivision (j), subject to the consent of the governing body of the county or city in which said improvement is to be made."

Bill ordered reprinted and to be placed on the Consent Calendar.

**Senate Bill No. 1130**—An act to add Article 8.5 (commencing at Section 31690) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to county employment of persons over retirement age.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on May 25, 1959, strike out line 24; on line 25, strike out "ment or", and insert "person who served as a peace officer or whose principle duties consisted of".

Amendment No. 2

On page 3, line 6, after "person", insert "who served as a peace officer or".

Amendment No. 3

On page 3, line 7, strike out "active law enforcement or".

Bill ordered reprinted and to be placed on the Consent Calendar.

**Senate Bill No. 1336**—An act to add Section 25209 to the Government Code, relating to powers of board of supervisors.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "25209", and insert "25209.5".

**Amendment No. 2**

On page 1, line 1, strike out "25209", and insert "25209 5".

**Amendment No. 3**

On page 1, line 3, strike out "25209", and insert "25209.5".

Bill ordered reprinted and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 727

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 727**—An act to add Section 23014 to the Government Code, relating to the establishment of county revolving funds to finance district improvements.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Senate on April 20, 1959, after "supervisors", insert "by a four-fifths vote of all of the members of the board of supervisors".

**Amendment No. 2**

On page 1, line 5, after "fund", insert "not to exceed three hundred fifty thousand dollars ($350,000)".

**Amendment No. 3**

On page 1, line 14, after "agreement", insert "with a term not exceeding five years".

**Amendment No. 4**

On page 1, line 17, after the period, insert "The district shall reimburse the fund for any amount disbursed to the district within five years after such disbursement, together with interest at a rate of 2 percent per annum"

Bill ordered reprinted and to third reading.

## REPORTS OF STANDING COMMITTEES

**Committee on Municipal and County Government**

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 1431

With amendments, with the recommendation: That the bill be amended and filed as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study

BRADLEY, Chairman

Bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1431**—An act to add Chapter 4.7 (commencing at Section 20597) to Part 3 of Division 5 of Title 2 of the Government Code, relating to county peace officers not covered by a retirement plan.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 25, inclusive, and insert

"20597.1. For purposes of this chapter, "county peace officers" means county peace officers as defined in Section 20021.5 of this code.

20597.2. Notwithstanding any other provisions of this part, in any county where, after July 1, 1961, county peace officers are not covered by a retirement plan authorized by this code other than the old-age, survivors, and disability provisions of the Social Security Act, the board of supervisors of such county, within 30 days after such date, or within 30 days after the county peace officers cease to be covered by any retirement plan authorized by this code, may begin proceedings pursuant to Chapter 4 of this part and take all action provided therein preliminary to approval of a contract for inclusion of the county peace officers in the system, and upon completion of such proceedings may approve such contract, provided, however, that the contract shall not be approved if a majority of the county peace officers vote to disapprove the proposed plan.

20597.3. A contract entered into pursuant to this chapter shall provide that the county and its employees who are county peace officers shall be subject to Section 21252.5 of this code.

20597.4. If coverage of county peace officers by any retirement plan authorized by this code is terminated in any county with the approval of a majority of the county peace officers expressed by secret ballot, or if a majority of county peace officers voted to disapprove the proposed plan in proceedings under this chapter, proceedings for approval of a contract pursuant to this chapter shall be taken thereafter by the board of supervisors of such county hereunder only upon the direction of a majority of the county peace officers expressed by secret ballot."

Amendment No. 2

On page 2, strike out lines 1 to 50, inclusive.

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 988
Senate Bill No. 1271
Senate Bill No. 1184

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 988**—An act to amend Section 10500 of the Water Code, relating to the appropriation of water by the Department of Water Resources.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, strike out "The", and insert "Until October 1, 1963, or such later date as may be prescribed by further legislative enactment, the".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1271**—An act to amend the heading of Chapter 3 (commencing at Section 37650) of, and to add Chapter 4 (commencing at Section 37700) to, Part 8 of Division 13 of the Water Code, relating to California water districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Water, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, after line 17, insert

"37708 Upon dissolution of a district, the lands within the district shall continue to be subject to assessment for the payment of the principal of and interest on any indebtedness, whether evidenced by bonds, notes, or other similar evidences of indebtedness and for all other obligations of the district outstanding at the time of adoption of the order ordering dissolution as fully as though the district has not been dissolved; and all provisions which could have been used to compel the payment by the lands within the district of said indebtedness and interest thereon and other obligations had the dissolution not occurred can be used to compel the payment on the part of the territory of the dissolved district."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1184**—An act to add Section 30700.5 to the Water Code, relating to county water districts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on May 20, 1959, strike out "30700.5", and insert "30700.7".

**Amendment No. 2**

On page 1, line 1, strike out "30700.5", and insert "30700.7".

**Amendment No. 3**

On page 1, line 7, strike out "30700.5", and insert "30700.7".

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Government Organization**

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 1191

With amendments with the recommendation: Amend, and re-refer to the Committee on Government Organization.

WINTON, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1191**—An act to amend Sections 23817 and 23954.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 3, 1959, after "of", insert ", and to add Section 24072.4 to,".

Amendment No. 2

On page 2, following line 23, insert

"SEC. 3. Section 24072.4 is added to said code, to read:

24072.4. Offsale general licenses and offsale general licenses for seasonal business are transferable from person to person and from premises to premises from one county to another county upon the approval of the department as provided in this division, and upon the payment of a transfer fee of two thousand five hundred dollars ($2,500) which shall be in addition to the regular transfer fee.

All money collected from the fees and charges provided for in this section shall be deposited directly in the General Fund in the State Treasury, rather than in the Alcoholic Beverage Control Fund as provided in Section 25761."

Bill ordered reprinted, and to be re-referred to the Committee on Government Organization.

REPORTS OF STANDING COMMITTEES

Committee on Government Organization

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 597

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 597**—An act to repeal Sections 65004, 65060 and 65061, and Articles 1.5 (commencing at Section 65020) and 2 (commencing at Section 65030) of Chapter 1 of Title 7, to amend Section 65062, and to add Chapter 1.5 (commencing at Section 65011.1) to Title 7, of the Government Code, relating to state, regional and local planning, establishing the State Office of Planning in the Department of Finance, providing for and assigning powers and duties to such office, and creating an advisory committee for the office.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Government Organization

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 813
Senate Bill No. 1238
Senate Bill No. 1349

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WINTON, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 813**—An act to add Sections 19464, 19465, and 19466 to the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1238**—An act to amend Section 200 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1349**—An act to amend Section 24046 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Government Organization

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 603

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 603**—An act to repeal Section 23363 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 4, 1959, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1, line 16, strike out "repealed.", and insert "amended to read:

23363. Any licensed manufacturer of distilled spirits originally distilled in this State may sell them to any person holding a license authorizing the sale of distilled spirits.

*This section shall not apply to distilled spirits manufacturer licenses issued after the effective date of this act, and the section shall not apply to manufacturers of distilled spirits who have not regularly and continuously exercised the privileges of this section by sales to retail licensees.*"

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 1360
Senate Bill No 1482

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above bills be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1360**—An act to amend Section 869 of the Penal Code, relating to transcripts of testimony in homicide cases.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1482**—An act to amend Section 1547 of the Penal Code, relating to rewards for apprehension.

Bill read second time, and ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports

*Senate Bill No. 1465*

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

O'CONNELL, Chairman

Above bill re-referred to the Committee on Criminal Procedure.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 1113

With the recommendation: Do pass, as amended.

*Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.*

BACKSTRAND, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1113**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Senate on May 25, 1959, after "balance", insert "; provided, any such cost for credit life or disability insurance may be included in the time price differential if separately stated on the face of the contract".

Amendment No. 2

On page 3, line 5, strike out "amount"; strike out lines 6 and 7; and on line 8, strike out "sories", and insert "contract balance".

Amendment No. 3

On page 4, lines 17 and 18, strike out "after such notice is sent and before sale lawfully occurs", and insert "of five days after such notice is sent".

Amendment No. 4

On page 4, line 19, after "contract.", insert "Such persons shall be liable for any deficiency after sale of the repossessed motor vehicle only if notice has been given *pursuant to this subdivision*

(h) No such contract shall contain any provision by which, in the absence of default by the buyer in the performance of any of his obligations under the contract, the holder may accelerate the maturity of any part or all of the amount owing thereunder or repossess the motor vehicle."

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Joint Resolution No. 21

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

| | |
|---|---|
| Senate Bill No. 45 | Senate Bill No. 861 |
| Senate Bill No. 103 | Senate Bill No. 1300 |

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 504

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 504**—An act to amend Sections 326, 347, 356, 362, 369, 376, 380, 403, 410, 414, 443, 476, and 526 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to amend Sections 326, 347, 356, 376, 380, 403, 414, 443, 526, and 553.1 of the Streets and Highways".

#### Amendment No. 2

On page 2, strike out lines 5 through 14, inclusive.

#### Amendment No. 3

On page 2, line 15, strike out "6", and insert "4".

#### Amendment No. 4

On page 2, line 22, strike out "7", and insert "5".

#### Amendment No. 5

On page 2, line 32, strike out "8", and insert "6".

#### Amendment No. 6

On page 2, strike out lines 35 through 38, inclusive.

#### Amendment No. 7

On page 2, line 39, strike out "10", and insert "7".

#### Amendment No. 8

On page 2, line 42, strike out "11", and insert "8".

**Amendment No. 9**

On page 2, strike out lines 45 through 47, inclusive.

**Amendment No. 10**

On page 2, line 48, strike out "13", and insert "9".

**Amendment No. 11**

On page 3, after line 7, insert

"SEC. 10. Section 553.1 of said code is amended to read:

553.1. Route 253 is from:

(a) Route 68 near the south city limits of San Francisco to Route 224 near the San Francisco-Oakland Bay Bridge.

(b) Route 68 near Alemany Boulevard to the route described in subdivision (a) of this section.

*(c) Construction of either portion of Route 253 described in subdivisions (a) and (b) may be commenced when the City and County of San Francisco has acquired all rights of way necessary for the construction of such portion and has conveyed these rights of way to the State of California for highway purposes.*"

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 128
Senate Bill No. 618
Senate Bill No. 1109
Senate Bill No. 1199
Senate Bill No. 1205
Senate Bill No. 1408
Senate Bill No. 1409

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 128**—An act to amend Section 12501 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of operators of vehicles.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 618**—An act to add Sections 3246 and 4100 to the Streets and Highways Code, relating to street improvements.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1109**—An act to add Section 101.8 to the Streets and Highways Code, relating to the construction, reconstruction, and maintenance of structures on limited access highways.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1199**—An act to amend Section 447 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1205**—An act to repeal Section 2413 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to seat belt reports.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1408**—An act to add Section 2813 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to inspections of commercial vehicles.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1409**—An act to add Section 838 to the Streets and Highways Code, relating to the reservation of easements in abandoned state highways.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 944

With the recommendation: Do pass.

McMILLAN, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 944**—An act to amend Sections 6901 and 6903 of, and to add Section 6902.1 to, the Labor Code, relating to safeguards on railroads.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Joint Resolution No. 19

With the recommendation: Be adopted.

McMILLAN, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 1365

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

McMILLAN, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1365**—An act to add Section 229 of the Labor Code, relating to payment of wages.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Industrial Relations, were read, and adopted:

### Amendment No. 1

On page 1, line 2, of the printed bill, after "article", insert "for the collection of due and unpaid wages claimed by an individual".

**Amendment No. 2**

On page 1, line 4, after the period, insert "This section shall not apply to claims involving any dispute concerning the interpretation or application of any collective bargaining agreement containing such an arbitration agreement"

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Industrial Relations

ASSEMBLY CHAMBER, June 12, 1959

MR SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 720

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

McMILLAN, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 875
Senate Bill No. 1476

With the recommendation: Do pass.

MacBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 875**—An act to amend Section 833 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1476**—An act to add Section 1170.5 to the Government Code, relating to withholding of taxes from wages, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 655
Senate Bill No. 112
Senate Bill No. 1464

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MacBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 655**—An act to amend Section 14 of the Orange County Flood Control Act (Chapter 723, Statutes of 1927), relating to maximum tax rates and use of revenues.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 112**—An act to amend Sections 14361, 14373, 14383, 14391, 14392, 14403, 14413, 14423, 14428, 14798, and 14901 of, to repeal Section 14792 of, and to add Section 14902 to, the Revenue and Taxation Code, relating to inheritance tax refunds, creating the Inheritance Tax Fund, and making an appropriation thereof.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1464**—An act to add Section 2125 to the Revenue and Taxation Code, relating to the assessed valuation of property.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 636
Senate Bill No. 485

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MACBRIDE, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 636**—An act to add Sections 7208 and 7209 to the Revenue and Taxation Code, relating to local sales and use taxes.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Revenue and Taxation, was read, and adopted:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 1, 1959, strike out lines 17 and 18.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 485**—An act to amend Section 16302.1 of, and to repeal Section 13145 of, the Government Code, and to amend Sections 19052, 19053, 19053.9, 26072, and 26073 of the Revenue and Taxation Code, relating to the disposition of overpayments of taxes, fees, and other revenues collected by state agencies.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

### Amendment No. 1

On page 4, line 40, of the printed bill, as amended in the Assembly on June 1, 1959, after "tax", insert ", interest,".

### Amendment No. 2

On page 4, line 44, after "taxes", insert ", interest,".

Amendment No. 3

On page 5, lines 3 and 4, strike out "after the next assessment against", and insert "by".

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 349

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Joint Resolution No. 20

With amendments with the recommendation: Amend, and be adopted, as amended.

MASTERSON, Chairman

Above resolution ordered on file.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Joint Resolution No. 20**—Relative to memorializing Congress to enact legislation prohibiting subliminal radio and television messages.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed measure, strike out "enact", and insert "consider the feasibility of enacting".

Resolution ordered reprinted, and on file.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports

Senate Bill No. 789

Senate Bill No. 1369

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means

MASTERSON, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 789**—An act to amend Section 8352 of, and to repeal Sections 8357, 8357.5 and 8358 of, the Revenue and Taxation Code, and to add Article 4 (commencing at Section 21680) to Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, relating to financial assistance for airports and making an appropriation.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

**Amendment No. 1**

On page 4, line 35, of the printed bill, as amended in the Senate on May 1, 1959, strike out "Civil", and insert "California".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 1369**—An act authorizing the Director of Finance to sell property belonging to the State in Fresno County, authorizing the Director of Finance to acquire real property for the Fresno State College, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on June 1, 1959, strike out "sell", and insert "dispose of".

**Amendment No. 2**

In line 2 of the title, strike out "in Fresno County, authorizing the"; strike out lines 3 to 5, inclusive, of the title, and insert a period.

**Amendment No. 3**

On page 1, strike out line 6, and insert

"Parcel 1. Approximately 0.6 acre of real property known as the Agostini Building, also known as the Key Route Building, and adjacent parking area, being a portion of the block bounded by Grove Street, West Grand Avenue, Twenty-second Street and San Pablo Avenue, in the City of Oakland, County of Alameda, State of California.

Parcel 2. Lot 10 of Hurd's Ocean View Tract, in the City of Hermosa Beach, County of Los Angeles, State of California.

Parcel 3. Approximately 125 acres being portions of Rancho Ex-Mission, County of Ventura, State of California, comprising the existing Ventura School for Girls.

Parcel 4. Approximately 0.53 acre being a portion of the south one-half of Lot 24 of Stephenson's Addition to Visalia, in the City of Visalia, County of Tulare, State of California, and comprising the present office of the California Highway Patrol.

Parcel 5. Approximately 175 acres of unimproved real property comprised of four parcels of land containing various acreage, said parcels not being contiguous, at Metropolitan State Hospital, being portions of Sections 8, 17 and 18, Township 3 South, Range 11 West, S. B. B. M., in the County of Los Angeles, State of California

Parcel 6. Approximately 357 acres in the County of Orange, State of California, being the westerly portion of the site for Fairview State Hospital.

Parcel 7. Approximately 1.85 acres located within the easterly 250 feet of the westerly 499 feet of the Tahoe Fish Hatchery, being a portion of the Southwest one-quarter of Section 32, Township 16 North, Range 17 East, M. D. B. M., in the County of Placer, State of California.

With respect to the real property contained in this parcel, the Director of Finance is authorized to enter into a lease purchase agreement not to exceed 20 years with the County of Placer, upon such terms and conditions and with such reservations and exceptions as in his judgment may be in the best interests of the State.

Parcel 8. Approximately 0.08 acre of unimproved real property at the Compton Armory site, being a portion of Lot 2, Range 1 of Temple and Gibson Tract, in the City of Compton, County of Los Angeles

As to this parcel, which was originally conveyed without charge to the State by the City of Compton, the Director of Finance, with the consent of the Adjutant General, is authorized to quitclaim to the original grantor at no cost to said grantor, all right, title and interest of the State of California thereto.

Parcel 9. Approximately 2.0 acres of real property at the southwesterly corner of the San Diego Armory site, being a portion of Pueblo Lot 1203 of the Pueblo Lands of the City of San Diego, in the County of San Diego.

As to this parcel, which was originally conveyed without charge to the State by the City of San Diego, the Director of Finance, with the consent of the Adjutant General, is authorized to quitclaim to the original grantor at no cost to said grantor, all right, title and interest of the State of California thereto.

Parcel 10. Approximately 0.018 acres of real property at the Victorville Armory site, being a portion of the northwest one-quarter of Section 11, Township 5 North, Range 4 West, S. B. B. M., in the County of San Bernardino, State of California.

As to this parcel, which was originally conveyed without charge to the State, the Director of Finance, with the consent of the Adjutant General, is authorized to quitclaim to the original grantor at no cost to said grantor, all right, title and interest of the State of California thereto.

Parcel 11. Approximately 165 acres of real property in the County of Los Angeles consisting of a portion of the Kellogg Campus, California Polytechnic College; said acreage comprising the right of way for the proposed extension by the County of Los Angeles of Temple Avenue and that portion of the Kellogg Campus, California Polytechnic College to be served by said right of way.

Parcel 12. Lot 40 of Tract No. 9116 in the City of San Gabriel, County of Los Angeles, State of California.

Parcel 13 That certain real property consisting of approximately 360 acres in the County of Fresno, known as the Hammer Field property.

SEC. 2. The Director of Finance is authorized to convey and transfer to any local governmental agency or to any nonprofit association that certain parcel of real property designated as the State Burial Ground in San Mateo county and known as the Union Cemetery if such agency or association will undertake to maintain in perpetuity the property for cemetery or public park purposes and upon such terms and conditions as may be mutually agreed upon; provided, it shall be stipulated in the grant that title to the property shall revert to the State of California should the grantee at any time fail to maintain the property as a cemetery or public park.

SEC. 3. Any costs or expenses necessarily incurred in the sale or other disposition of any parcel herein referred to shall be reimbursed from the proceeds of such sale or disposition.

SEC 4. A copy of each deed of conveyance executed and delivered by the Director of Finance pursuant to this act, shall be delivered to the State Lands Commission.

SEC. 5. Prior to the sale of parcels of property for value pursuant to this chapter, notice thereof shall be posted on the property to be sold and shall be published pursuant to Government Code Section 6061 in a newspaper published in the county in which the real property to be sold is situated, and if there is no newspaper published in such county, notice shall be published in a newspaper published in an adjoining county and shall be posted in at least three public places in the county in which the real property to be sold is situated, including one posting on the subject property; provided, this requirement shall not be applicable to the disposition of said parcels to any federal, state or local governmental agency.

SEC. 6. Subject to Section 3 hereof, any moneys received from the sale or other disposition of said property shall be paid into the General Fund, except that money received from the sale or disposition of Parcel 7 shall be paid into the Fish and Game Preservation Fund, and money received from the sale or disposition of Parcels 11 and 13 shall be paid into the State Construction Program Fund."

**Amendment No. 4**

On page 1, strike out lines 7 to 23, inclusive; and strike out all of page 2.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 1255
Senate Bill No. 1284
Senate Bill No. 1379

With amendments with the recommendation Amend, and do pass, as amended.

MASTERSON, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1255**—An act to amend Section 16731 of the Government Code, relating to the registration of state bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "11612.5. Any city or county may, by ordinance, provide that the subdivider may elect to install the improve-".

Amendment No. 2

On page 2, line 34, strike out "six", and insert "four".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1284**—An act to amend Sections 7504, 7512, 7514, 7521, 7522, 7525, 7526, 7528, 7533, 7534, 7538, 7540, 7551, 7553, 7553.1, 7560, and 7580 of, and to add Sections 7523.1, 7526.1, 7526.2, 7526.3, 7526.4, 7536, 7538.1, and 7538.2 to, and Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 of, and to repeal Sections 7536 and 7552 of, the Business and Professions Code, relating to private investigators and adjustors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

Amendment No. 1

On page 7, line 5, of the printed bill, as amended in the Senate on May 21, 1959, after "any", insert "private".

Amendment No. 2

On page 9, line 25, strike out "or other clerical activities", and insert ", clerical, or other activities which do not constitute the work of a private investigator, insurance adjuster, or repossessor as described in subdivisions (a), (d), and (e), respectively, of Section 7521".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1379**—An act to add Section 16906 to the Business and Professions Code, relating to fair trade contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on May 28, 1959, strike out "a city or county", and insert "this State or any political subdivision of this State".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 510
Senate Bill No. 613

With the recommendation: Do pass.

MASTERSON, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 510**—An act to amend Sections 5324 and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

**Senate Bill No. 613**—An act to add Article 4.5 (commencing with Section 19501) to Chapter 4, Division 8 of the Business and Professions Code, relating to the licensing and regulation of persons selling or offering to sell information predicting the outcome of horse races.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 481
Senate Bill No. 513
Senate Bill No. 587
Senate Bill No. 955
Senate Bill No. 1066
Senate Bill No. 1235
Senate Bill No. 1361

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 1183
Senate Bill No. 1201
Senate Bill No. 1232
Senate Bill No. 1283
Senate Bill No. 1330
Senate Bill No. 1382
Senate Bill No. 1421
Senate Bill No. 1444
Senate Bill No. 1460

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

MASTERSON, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1183**—An act to add Section 438 to the Government Code, relating to United States flags.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1201**—An act to amend Section 1170 of the Harbors and Navigation Code, relating to bar pilotage rates for the Bays of San Francisco, San Pablo and Suisun.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1232**—An act to amend Section 16651 of the Government Code, relating to state bonds and bond coupons.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1283**—An act to amend Section 17462 of the Health and Safety Code, relating to the State Housing Act.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1330**—An act to amend Section 54523 of the Government Code, relating to revenue bonds.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1382**—An act to add Section 152.5 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1421**—An act to amend Section 5 of Chapter 1701 of the Statutes of 1957, relating to freeing certain lands from the public trust for navigation, commerce, and fisheries and to empower the State Lands Commission to sell such lands

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1444**—An act to amend Section 18900 of the Health and Safety Code, relating to the State Building Standards Commission.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1460**—An act to add Section 21714.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to ambulances.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports: Senate Bill No 1342

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

MASTERSON, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1342**—An act authorizing the sale of an armory in the City and County of San Francisco, and providing for disposition of the proceeds thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Governmental Efficiency and Economy, was read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 28, 1959, strike out line 11, and insert "armory purposes within the City and County of San Francisco."

Bill ordered reprinted, and to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 10, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 1321

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1321**—An act to amend Section 1845.5 of the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on June 3, 1959, strike out "and", and insert "including".

Amendment No. 2

On page 1, line 6, strike out "any witness".

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1327

With amendments with the recommendation: Amend, and do pass, as amended.

PORTER, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1327**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to delivery of surplus water into, and extractions thereof for exportation from, the Sacramento-San Joaquin Delta.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

#### Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on June 4, 1959, strike out "and around".

#### Amendment No. 2

On page 2, line 15, after "area", strike out the comma, and insert "as set forth in Section 12220, Chapter 2, of this part,".

#### Amendment No. 3

On page 2, line 22, after "System", insert ", in co-ordination with the activities of the United States in providing salinity control for the Delta through operation of the Federal Central Valley Project.".

#### Amendment No. 4

On page 2, line 24, after "Delta.", strike out "Said"; strike out all of lines 25, 26, and 27; and on line 28, strike out "to salinity control."

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 425

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 425**—An act to amend Section 12880 of, and to add Sections 12881, 12882, 12883, 12884, 12885, 12886, 12887, 12888, 12889, and 12890 to, the Water Code, relating to state financial assistance for local projects, and making an appropriation therefor.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 1, 1959, after "12881," insert "12881.5,".

#### Amendment No. 2

In line 3 of the title, strike out "and 12890", and insert "12890, 12891, and 12892".

#### Amendment No. 3

On page 3, between lines 6 and 7, insert

"SEC. 2.5. Section 12881.5 is added to said code, to read

12881.5. The Director of Finance shall cause all moneys in the fund which are in excess of current requirements to be invested and reinvested from time to time in securities described in Section 16430 of the Government Code, and such securities may be sold or exchanged if in his opinion such sale or exchange is in the best interests of the State in effectuating the purposes of this chapter. All income derived from such investment, reinvestment, sale, or exchange shall be credited to the fund."

**Amendment No. 4**

On page 4, strike out lines 34 to 36, inclusive, and insert

"SEC. 12 Section 12891 is added to said code, to read

12891. It shall be the duty of the State Controller to make such audit or audits of the books and records of public agencies receiving loans or grants pursuant to this chapter, as he may deem necessary from time to time, for the purposes of determining that the money received by such public agencies as loans or grants hereunder has been expended for the purposes and under the conditions authorized herein. Whenever the State Controller determines that any money paid to such a public agency has been expended by such public agency for purposes not authorized by this chapter, or exceeds the final cost of the project for which a loan or grant was made, the State Controller shall furnish written notice to the department and to the public agency directing the public agency to pay into the State Treasury the amount of such unauthorized expenditures, or the amount in excess of the final authorized cost of the project. Upon receipt of such notice, such public agency shall, at the time specified therein, pay to the State Treasurer the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Local Projects Assistance Fund, to be available for the purpose of carrying out the provisions of this chapter

It shall be the duty of such public agency to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

SEC. 13 Section 12892 is added to said code, to read:

12892. This chapter shall be known and may be cited as the "Davis-Grunsky Act."

SEC. 14. In the event Senate Bill No 1106 is enacted at the 1959 Regular Session of the Legislature and thereafter adopted by the people at an election, then, upon the effective date of the California Water Resources Development Bond Act, the Local Projects Assistance Fund in the State Treasury is abolished, and the Controller shall transfer all resources of the Local Projects Assistance Fund to the California Water Fund. Thereafter all moneys, securities and increments which would have been deposited in the Local Projects Assistance Fund pursuant to Section 12882 of the Water Code shall be deposited instead in the California Water Fund."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 231

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 231**—An act to amend Section 63.5 of the Agricultural Code, relating to county agricultural commissioners.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, lines 16 and 17, of the printed bill, as amended in the Senate on March 3, 1959, strike out "four thousand five hundred dollars ($4,500)", and insert "three thousand three hundred dollars ($3,300)".

Bill ordered reprinted, and to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1595
Assembly Bill No. 1636
Assembly Bill No 1753
Assembly Bill No. 2230
Assembly Bill No. 2492
Assembly Bill No 2589

J A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 802
Assembly Bill No 1031
Assembly Bill No. 1167
Assembly Bill No. 1405
Assembly Bill No. 1550
Assembly Bill No. 1574
Assembly Bill No. 1662
Assembly Bill No. 1712
Assembly Bill No. 1892
Assembly Bill No. 2292
Assembly Bill No. 2462
Assembly Bill No. 2476

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 131
Assembly Bill No. 1517
Assembly Bill No. 1637
Assembly Bill No. 1733
Assembly Bill No. 2079
Assembly Bill No. 2128
Assembly Bill No. 2109
Assembly Bill No. 2491
Assembly Bill No. 2522

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 64
Assembly Bill No. 317
Assembly Bill No. 376
Assembly Bill No. 871
Assembly Bill No. 1580
Assembly Bill No. 1875
Assembly Concurrent Resolution No. 60
Assembly Bill No. 2026
Assembly Bill No. 2164
Assembly Bill No. 2221
Assembly Bill No. 2374
Assembly Bill No. 2484
Assembly Bill No. 2651

And respectfully requests your honorable body to concur in said amendmnets.

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 11, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Murdy, Grunsky, and Cobey as a Committee on Conference concerning:

**Assembly Bill No. 2430**—An act to amend Section 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of, and add Article 11.5 (commencing at Section 73750) to Chapter 10, Title 8 of the Government Code, relating to municipal courts.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Shaw, Slattery, and Stiern as a Committee on Conference concerning:

**Assembly Bill No. 1529**—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No 2240

From committee: Bill to be re-referred to Committee on Rules for interim study assignment.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 11, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 605
Senate Bill No. 719
Senate Concurrent Resolution No 62

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## CONSIDERATION OF DAILY FILE

### BILLS ON SECOND READING FILE PURSUANT TO RULE NO. 69

Pursuant to Rule No. 69, the following bills were this day on the second reading file:

**Senate Bills Nos. 1075, 693,** and **1325.**

Above bills ordered to third reading.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 1489**—An act to amend Section 9108 of the Government Code, relating to the State Capitol.

Bill read second time.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, strike out all of line 3, and insert
"9108. The first floor, and the sixth floor including any enlargements thereof,".

#### Amendment No. 2

On page 1, line 12, strike out "accepted", and insert "excepted".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 940**—An act to amend Section 2302 of, and to repeal Section 2311 of, the Welfare and Institutions Code, relating to boarding homes and institutions for the aged.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1202**—An act to amend Section 104.5 of the Welfare and Institutions Code, relating to proceedings before the State Social Welfare Board.

Bill read second time, and ordered to third reading.

**Senate Bill No. 445**—An act to add Section 2163.6 to the Welfare and Institutions Code, relating to old age security.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 923**—An act to repeal Sections 863, 864, 865, and 866 of, and to add Sections 863, 864, 865, 866, and 866.5 to, and to amend Sections 867 and 868 of, the Welfare and Institutions Code, relating to reimbursement of counties for their cost of care and maintenance of juvenile court wards.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 926**—An act to amend Section 728 of the Welfare and Institutions Code, relating to arrest of minors.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 795**—An act to amend Section 9034 of the Welfare and Institutions Code, relating to community mental health services.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on June 1, 1959, after "until", strike out "the", and insert "such net".

Amendment No. 2

On page 1, line 8, strike out "one cent ($0.01)", and insert "two cents ($0.02)".

Amendment No. 3

On page 1, line 13, strike out "one cent ($0.01)", and insert "two cents ($0.02)".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 1062**—An act to add Sections 2300.1, 2300.2, 2300.3, and 2300.4 to, and to amend Section 2301 of, the Welfare and Institutions Code, relating to the regulation of institutions and boarding homes for aged persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on April 28, 1959, after "elected", insert "and appointed as herein provided".

**Amendment No. 2**

On page 1, line 9, after "members", insert ", 16 of whom shall be".

**Amendment No. 3**

On page 1, line 10, after "licensed", insert "as institutions".

**Amendment No. 4**

On page 1, line 11, strike out "or any of its accredited agencies".

**Amendment No. 5**

On page 1, lines 22 and 23, strike out "or boarding homes for the aged".

**Amendment No. 6**

On page 2, line 13, strike out "five", and insert "four".

**Amendment No. 7**

On page 2, line 14, strike out "five", and insert "four".

**Amendment No. 8**

On page 2, line 16, strike out "five", and insert "four".

**Amendment No. 9**

On page 2, line 17, strike out "five", and insert "four".

**Amendment No. 10**

On page 2, between lines 19 and 20, insert

"The remaining four members of the board shall be appointed by the foregoing 16 elected members from persons holding licenses for boarding homes for the aged which are issued by accredited and approved city or county agencies. Their terms shall be for four years and shall be staggered as provided above for the elected members."

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

**Senate Bill No. 1266**—An act to amend Section 4012 of the Public Resources Code, relating to the procedure of releasing arrested persons on their promise to appear before a magistrate.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1268**—An act to amend Section 4011 of the Public Resources Code, relating to the designation of peace officers and their powers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1274**—An act to add Sections 73526, 73606, and 74306 to the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1303**—An act to amend Sections 74742, 74743, 74744, and 74745 of, and to add Sections 74750 and 74751 to, the Government Code, relating to the municipal court of the South Bay Judicial District.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1304**—An act to amend Sections 73642, 73643, 73644, 73645, and 73650 of the Government Code, relating to the municipal court of the El Cajon Judicial District.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1306**—An act to amend Sections 73952, 73953, 73954, and 73955 of, and to add Sections 73960 and 73961 to, the Government Code, relating to the municipal court of the Oceanside Judicial District

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1332**—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Bill read second time, and ordered to the Consent Calendar

**Senate Bill No. 1363**—An act to amend Section 870 of the Welfare and Institutions Code, relating to wards of the juvenile court.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1376**—An act to amend Section 28108 of the Government Code, relating to compensation for public services in the counties of eighth class.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1423**—An act to amend Section 1642 of the Welfare and Institutions Code, relating to maternity care for expectant unmarried mothers.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1434**—An act to amend Sections 6728, 6729, and 6734 of the Welfare and Institutions Code, relating to mental illness.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1451**—An act to amend Section 68083 of the Government Code, relating to partners of judges.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1404**—An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court established in the Fresno Judicial District.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 457**—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in small claims courts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 814**—An act to add Section 1193 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1044**—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency commitments of mentally ill persons.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1055**—An act to add Section 1885 to the Code of Civil Procedure, relating to interpreters for deaf parties in civil and

criminal actions and proceedings, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1242**—An act to amend Section 75104.4 of the Government Code, relating to the Judges' Retirement System.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1345**—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1422**—An act to amend Section 830 of the Corporations Code, relating to indemnity for litigation expenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 679**—An act to amend Sections 10204, 68200, and 68201 of, and to repeal Sections 68202, 68203, and 68204 of, and to add Sections 68547 and 68548 to, the Government Code, relating to the justices and judges of courts of records and other state legal officers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 1, 1959, strike out "and 68201", and insert ", 68201, and 68202".

### Amendment No. 2

In line 2 of the title, strike out "68202, 68203," and insert "68203".

### Amendment No. 3

On page 1, lines 10 and 11, strike out "one thousand dollars ($1,000)", and insert "two thousand dollars ($2,000)".

### Amendment No. 4

On page 1, strike out lines 12 to 19, inclusive, and insert

"(b) Justice of District Court of Appeal, four thousand dollars ($4,000).

SEC. 3. Section 68202 of said code is amended to read:

68202. ~~The annual salary of a judge of a municipal court in a county having a population of 500,000 or more is fifteen hundred dollars ($1,500) less than the annual salary of a judge of a superior court of the same county.~~ *The annual salary of each of the following judges is the amount of the salary of the Chief Justice of the Supreme Court less the amount indicated opposite the name of the office:*

*(a) Judge of the superior court of a county having a population of 100,000 or more, eight thousand dollars ($8,000).*

*(b) Judge of the superior court of a county having a population of less than 100,000, ten thousand dollars ($10,000).*

*(c) Judge of the municipal court in a county having a population of 250,000 or more, ten thousand dollars ($10,000).*

*(d) Judge of the municipal court in a county having a population of less than 250,000, twelve thousand dollars ($12,000).*"

**Amendment No. 5**

On page 1, line 20, strike out "SEC. 3", and insert "SEC. 4".

**Amendment No. 6**

On page 1, line 20, strike out "68202, 68203," and insert "68203".

**Amendment No. 7**

On page 2, line 1, strike out "SEC. 4", and insert "SEC. 5".

**Amendment No. 8**

On page 2, line 8, strike out "SEC. 5", and insert "SEC. 6".

**Amendment No. 9**

On page 2, lines 10 and 11 strike out "twenty-two thousand dollars ($22,000)", and insert "twenty-one thousand dollars ($21,000)".

**Amendment No. 10**

On page 2, after line 13, insert
"SEC. 7 This act shall become operative on January 1, 1960."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 168**—An act to amend Sections 605, 607 and 608 of the Probate Code, relating to the appointment of appraisers.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "may", and insert "shall".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 424**—An act to amend Sections 658 and 660 of the Civil Code, relating to the definitions of real and personal property.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Senate on May 11, 1959, after line 43, insert

"(b) A transfer of personal property if:

(1) Said personal property is leased back to the transferor immediately following said transfer

(2) The transferor (lessee) or the transferee (lessor) records at least 10 days before the date of the transfer and leaseback in the office of the county recorder in the county or counties in which the personal property is situated, a notice of the intended transfer and leaseback which states the name and address of the transferor (lessee) and transferee (lessor) The notice shall contain a general statement of the character of the personal property intended to be transferred and leased back, and show the date when and place where the transaction is to be consummated

(3) The transferor (lessee) or the transferee (lessor) publishes a copy of the notice pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the judicial district in which the personal property is situated, if there is one, and if there is none in the judicial district, then in a newspaper of general circulation in the county embracing the judicial district. The publication shall be completed not less than five days before the date of the intended transfer and leaseback.

This section shall not affect the rights of a chattel mortgagee who acquires his rights to the personal property from the transferee or his successor, if

1. The intended mortgagor or mortgagee records at least 10 days before the consummation of the mortgage in the office of the county recorder in the county or counties in which the personal property is situated, a notice of the transfer and intended mortgage which states the names and addresses of the transferor and transferee and of the intended mortgagor and mortgagee. The notice shall contain a general statement of the character of the personal property transferred and intended to be mortgaged, and show the date when and place where the mortgage is to be consummated, and

2. The intended mortgagor or mortgagee publishes a copy of the notice pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the judicial district in which the personal property is situated, if there is one, and if there is none in the judicial district, then in a newspaper of general circulation in the county embracing the judicial district. The publication shall be completed not less than five days before the date of the intended mortgage.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1175**—An act to amend Section 73974 of the Government Code, relating to municipal courts.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 1, of the printed bill, as amended in the Senate on May 22, 1959, strike out lines 17 and 18, and insert

| | | | | | |
|---|---|---|---|---|---|
| "Deputy marshal | 360 | 378 | 397 | 417 | 438 |
| Deputy marshal clerk | 311 | 327 | 343 | 360 | 378". |

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1181**—An act to amend Section 74264 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 24, of the printed bill, as amended in the Senate on May 22, 1959, strike out "500 500 500 500 500", and insert "525 525 525 525 525".

**Amendment No. 2**

On page 2, strike out lines 2 to 7, inclusive, and insert

| | | | | | |
|---|---|---|---|---|---|
| "Chief deputy marshal | 397 | 417 | 438 | 460 | 483 |
| Deputy marshal | 360 | 378 | 397 | 417 | 438 |
| Deputy bailiff | 343 | 360 | 378 | 397 | 417 |
| Deputy marshal clerk | 311 | 327 | 343 | 360 | 378". |

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1285**—An act to amend Sections 6850, 6851, 6852, 6857, 6870, 6875, 6877, 6880, 6881, 6885, 6886, 6887, 6888, 6889, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6907, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6921, 6922, 6923, 6925, 6930, 6931, 6947, 6948, 6949, 6950, 6951, 6955, and 6956 of, and to amend and renumber Sections 6863, 6866, and 6867 of, and to add Sections 6854, 6854.5, 6855, 6860, 6861, 6865, 6865.5, 6866, 6866.5, 6867, 6867.5, 6868, 6868.5, 6876, 6876.1, 6876.2, 6878, 6878.1, 6886.1, 6906.1, 6916.1, 6925.1, 6947.1, 6949.1, and 6949.2 to, and Articles 5.5 (commencing at Section 6894)

and 6.5 (commencing at Section 6904) to Chapter 8 of Division 3 of, and to repeal Sections 6854, 6855, 6860, 6861, 6862, 6864, 6864.5, 6865, 6872, 6876, 6878, 6879, 6926, 6945, and 6946 of, the Business and Professions Code, relating to collection agencies.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

**Amendment No. 1**

On page 23 of the printed bill, as amended in the Senate on May 27, 1959, strike out lines 35 to 41, inclusive, and insert

"6947.1. In the event that an agreement in writing, in which reference is made to "Costs of Collection" or "Collection Costs," or words of similar import, is assigned to a collection agency for collection on a contingent fee basis, or on any basis wherein the fee or remuneration due to the collection agency shall vary in accordance with the amount collected, or such agreement is sold to a collection agency, the reference to such costs in said agreement shall not be construed to be the fee, remuneration of any part thereof, charged by a collection agency to its customer; and no collection agency shall attempt to or collect any such fee from the obligor in such agreement as any part of its fee or remuneration."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1401**—An act to amend Section 28109 of the Government Code, relating to compensation for public service in counties.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out "other than the chairman of the board,".

**Amendment No. 2**

On page 1, line 15, strike out "The"; strike out line 16; and in line 17, strike out "hundred dollars ($8,400) a year for all services."

**Amendment No. 3**

On page 1, line 22, strike out "eighty dollars ($80)", and insert "fifty dollars ($50)".

**Amendment No. 4**

On page 2, lines 3 and 4, strike out "one hundred five dollars ($105)", and insert "seventy-five dollars ($75)".

**Amendment No. 5**

On page 2, line 7, strike out "thirty dollars ($130)", and insert "dollars ($100)"

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 3**—An act to add Section 674.5 to the Code of Civil Procedure, relating to judgment liens.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 121**—An act to amend Section 69595 of the Government Code, relating to the superior court in San Diego County.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 142**—An act to add Section 69613 to the Government Code, relating to the number of judges of the Superior Court of the County of San Luis Obispo.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 204**—An act to amend Section 70046.1 of the Government Code, relating to court reporters.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 262**—An act to amend Sections 74502, 74503, 74504 and 74504.5, and to repeal Section 74516 of the Government Code, relating to the Municipal Court in the City and County of San Francisco.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 346**—An act to add Section 1247b to the Code of Civil Procedure, relating to evidence in eminent domain proceedings.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 454**—An act to amend Section 74512 of the Government Code, relating to additional reporters in the municipal court in the City and County of San Francisco.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 466**—An act to amend Section 868 of the Welfare and Institutions Code, relating to audit of the books and accounts of the probation officer.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 585**—An act to amend Section 3031 of the Civil Code, relating to inventory liens.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 702**—An act to add Section 94.5 to the Penal Code, and to add Sections 69507 and 72006 to the Government Code, relating to fees and gratuities for performing marriage.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 712**—An act to amend Sections 2016, 2019, 2020, 2021, 2024, 2025, 2026, 2030, 2032, 2033 and 2034 of, and to add Sections 1991.1, 1991.2 and 2023 to, the Code of Civil Procedure, relating to depositions and discovery.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 734**—An act to amend Section 108 of the Civil Code, relating to divorce on the ground of incurable insanity.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 759**—An act to amend Section 200 of the Code of Civil Procedure, relating to persons exempt from liability to act as jurors.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 811**—An act to add Section 70044.5 to the Government Code, relating to court reporters of the Superior Court of the County of San Mateo.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 815**—An act to add Sections 4209 and 4210 to the Government Code, relating to stop notices and bonds of contractors for public works.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 847**—An act to amend Section 1871 of the Code of Civil Procedure, relating to compensation of court-appointed medical expert witnesses.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 974**—An act to amend Sections 27463 and 27464 of the Government Code, relating to coroners.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 975**—An act to amend Sections 27470 and 27471 of the Government Code, relating to coroners.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 987**—An act to amend Section 74261 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1008**—An act to amend Section 834 of the Corporations Code, relating to derivative actions.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1050**—An act to amend Sections 74842, 74843, 74844, and 74845 of the Government Code, relating to the municipal court established in a district embracing the City of Vallejo.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1104**—An act to add Section 5259.5 to the Welfare and Institutions Code, relating to the commitment of feeble-minded persons.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1126**—An act to amend Section 1881 of the Code of Civil Procedure, relating to privileges of witnesses.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1132**—An act to amend Section 720 of the Welfare and Institutions Code, relating to juvenile courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1136**—An act to amend Section 28110 of the Government Code, relating to compensation for public service in a county of the tenth class.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1162**—An act to amend Section 74263 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1176**—An act to amend Section 73972 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1209**—An act to amend Section 74045 of, and to add Sections 74045.5, 74561, and 74562 to the Government Code, relating to salaries of court reporters.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1219**—An act to amend Section 70141.6 of the Government Code, relating to superior court commissioners.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1236**—An act to amend Section 70055.1 of the Government Code, relating to filing fees in the superior court.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1137**—An act to add Section 11891.5 to the Public Utilities Code, relating to municipal utility districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 328**—An act to amend Section 16574 of the Public Utilities Code, relating to public utilities districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1383**—An act to amend Section 1005 of the Public Utilities Code, relating to issuance of certificates by the Public Utilities Commission.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1340**—An act to add Section 11550.7 to, and to amend Section 11553 of the Government Code, relating to the annual salary of the members of the Public Utilities Commission of California.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 931**—An act to add Part 7 (commencing at Section 7000) to Division 8 of the Harbors and Navigation Code, relating to small craft harbor districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 598**—An act to add Sections 12816.5 and 12817 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1258**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations

Bill read second time

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Public Utilities and Corporations, was read, and adopted:

Amendment No. 1

On page 1, line 17 of the printed bill, as amended in the Senate on May 27, 1959, strike out the period, and insert ", and such percentage so determined shall be presumed to continue for said year.

"Passenger stage corporation" does not include that part of the operations of any corporation or person engaged in the ownership, control, operation or management of any passenger stage over any public highway in this State, whether between fixed termini or over a regular route or otherwise, engaged in the transportation of any pupils or students to and from a public or private school, college or university, or to and from activities of a public or private school, college or university, where the rate, charge, or fare for such transportation is not computed, collected, or demanded on an individual fare basis."

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 939**—An act to amend Section 5701 of, and to add Sections 5710, 5711, 5712, and 5713 to, the Welfare and Institutions Code, relating to private mental institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Social Welfare, were read, and adopted:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Senate on May 7, 1959, strike out "five", and insert "seven".

Amendment No. 2

On page 2, line 24, strike out the first "two", and insert "three".

Amendment No. 3

On page 2, line 25, strike out "one", and insert "two".

Bill ordered reprinted, and to third reading

**Senate Bill No. 1005**—An act to add Section 32109 to the Health and Safety Code, relating to local hospital district boards.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "32109", and insert "32110".

Amendment No. 2

On page 1, line 1, strike out "32109", and insert "32110".

Amendment No. 3

On page 1, line 3, strike out "32109", and insert "32110".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1087**—An act to add Section 8961.5 to the Health and Safety Code, relating to public cemetery districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "unnecessarily and unfairly".

Amendment No. 2

On page 1, line 21, strike out "unnecessary and unfair".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 574**—An act to add Article 11 (commencing at Section 428), to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to the prevention of blindness.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1217**—An act to add Section 8991 to the Health and Safety Code, relating to public cemetery districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1280**—An act to add Section 203.11 to the Welfare and Institutions Code, relating to a county hospital safety commission.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1392**—An act to add Section 26467 to the Health and Safety Code, relating to food labeling.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1403**—An act to amend Section 4886 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1414**—An act to add Section 13 to the Business and Professions Code, relating to the definitions used in such code.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 644**—An act to add Chapter 2.6 (commencing at Section 24375) to Division 20 of the Health and Safety Code, creating the San Joaquin Valley Air Pollution Control District, setting forth its organization, powers, and duties, all relating to the control of air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Public Health, were read, and adopted:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate on May 15, 1959, after the first "to", insert "Division 20 of".

Amendment No. 2

On page 7, between lines 8 and 9, insert

"24375.59. The provisions of Section 24375.55 do not apply to:

(a) Agricultural operations in the growing of crops, or raising of fowls or animals, or,

(b) The use of an orchard or citrus grove heater which does not produce unconsumed solid carbonaceous matter at a rate in excess of one (1) gram per minute, or,

(c) The use of other equipment in agricultural operations in the growing of crops, or raising of fowls or animals

This section does not, however, authorize such operations or the use of such heaters or other equipment in violation of any general order, rule or regulation adopted by the board pursuant to Section 24375.73."

**Amendment No. 3**

On page 7, line 9, strike out "24375.59", and insert "24375.60".

**Amendment No. 4**

On page 7, line 20, strike out "24375.60", and insert "24375.61"

**Amendment No. 5**

On page 7, line 22, strike out "24375.61", and insert "24375.62".

**Amendment No. 6**

On page 7, line 28, strike out "24375.62", and insert "24375.63"

**Amendment No. 7**

On page 7, line 33, strike out "24375.63", and insert "24375.64".

**Amendment No. 8**

On page 2, line 28, strike out "the", and insert "an".

**Amendment No. 9**

On page 2, strike out lines 47 to 50, inclusive, and insert "ated which shall be called the San Joaquin Valley Air Pollution Control District and shall comprise the area lying within the boundaries of Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare Counties and all of the area within Kern County except that lying within the boundaries of the China Lake, Indian Wells Valley Union, Johannesburg, Mojave Unified, Randsburg, Tehachapi Union, Aqueduct, Cummings Valley, South Kern County Union and Muroc Unified School Districts as shown on the School District Map of Kern County prepared by the office of the County Surveyor, February 15, 1955."

**Amendment No. 10**

On page 15, line 40, after "Tulare", insert "within the proposed district"

**Amendment No. 11**

On page 15, line 50, after "Tulare", insert "within the proposed district"

**Amendment No. 12**

On page 16, line 11, strike out "consisting of", and insert "in".

**Amendment No. 13**

On page 10, strike out all of lines 25 and 26, and insert

"(c) The effect of the variance upon the health, safety, and general welfare of the community, district, or area was considered."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1339**—An act to amend Section 24206 of the Education Code as enacted at the 1959 Regular Session, relating to employees of state colleges.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1243**—An act to add Section 24456 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to student housing facilities.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1228**—An act to amend Sections 14302, 14303, and 14306 of, and to add Section 14309.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System and providing for retirement for disability and adjusting disability allowances therein

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1030**—An act to add Section 1621 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to changes in school district boundaries.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1406**—An act to amend Sections 19687 and 19689 of the Education Code as enacted at the 1959 Regular Session, relating to state school aid for exceptional pupils.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 742**—An act to amend Sections 937, 938, 939, 943, 987, 1231, 1301, 1302, 1303, 1407, 1485, 1487, 3258, and 3259, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Senate on May 6, 1959, strike out "July 1st", and insert "June 30th".

Amendment No. 2

On page 5, lines 8 and 9, strike out "first day of the second calendar month", and insert "third Monday".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1063**—An act to amend Section 24502 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 27, 1959, after "Section", insert "20542 of the Education Code, and Section".

Amendment No. 2

In line 3 of the title, after "colleges", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 20542 of the Education Code is amended to read:

20542. The following terms wherever used or referred to in this act, or in any indenture entered into pursuant hereto, shall have the following meanings, respectively, unless a different meaning appears from the context:

(a) "Board" means the State Board of Education of the State of California.

(b) "State college" means a state college maintained under the authority of this code.

(c) The term "project" means any one or more dormitories or other housing facilities ~~or~~, boarding facilities, *student union or activity facilities, vehicle parking facilities or any other auxiliary or supplementary facilities for individual or group accommodation*, owned or operated or authorized to be acquired, constructed, furnished, equipped and operated by the board for use by students, faculty members or other employees of any one or more state colleges, or a combination of such facilities, which may include facilities already completed and facilities authorized for future completion, designated by the board as a project in providing for the issuance of revenue bonds.

(d) The term "bonds" or "revenue bonds" means the written evidence of any obligation issued by the board with the approval of the State Board of Control, payment of which is secured by a pledge of revenues or any part of revenues, as provided in this article, in order to obtain funds with which to carry out the purposes of this article, irrespective of the form of such obligations.

(e) The term "revenues" means and includes any and all fees, rates, rentals and other charges received or receivable in connection with, and any and all other incomes and receipts of whatever kind and character derived by, the board from the operation of or arising from a project, including any such revenue as may have been or may be impounded or deposited in any fund in the State Treasury created by this article for the security of any revenue bonds issued hereunder, or for the purpose of providing for the payment thereof or the interest thereon.

(f) The "holder of bonds" or "bondholder" or any similar terms shall mean any person who shall be the bearer of any outstanding revenue bond or bond registered to bearer or not registered or the registered owner of any such outstanding revenue bond or bond which shall at the time be registered other than to bearer.

(g) The term "indenture" means an agreement entered into by the board pursuant to which revenue bonds are issued, regardless of whether such agreement is expressed in the form of a resolution of the board or by other instrument.

(h) The term "person" includes any individual, firm, corporation, association, copartnership, trust, business trust or receiver or trustee or conservator for any thereof, but does not include this State or any public corporation, political subdivision, city, county, district or any agency thereof or of this State.

(i) (a) The present tense includes the past and future tenses; and the future, the present.

(b) The masculine gender includes the feminine and neuter.

(c) The singular number includes the plural, and the plural the singular.

(d) "Shall" is mandatory and "may" is permissive.

SEC. 2. Section 24502 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:"

**Amendment No. 4**

On page 2, between lines 41 and 42, insert

"SEC. 3. Section 2 of this act shall become operative at the same time as the Education Code as enacted by the Legislature at its 1959 Regular Session, at which

time Section 20542 of the Education Code as amended by Section 1 of this act is repealed.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There exists a shortage of parking and student activity facilities on the campuses of the various state colleges. The Federal Government is offering to guarantee the purchase of revenue bonds for such purposes at a favorable rate of interest. The State is currently constructing residence halls partially financed from this source. To insure that these presently financed facilities can be kept completely filled so as to insure repayment of the loans, parking facilities are needed and can be financed within the amount of the original loan. These parking facilities for dormitory residents should be available as close to the time the residence halls are completed as possible. The estimated completion date of most of the residence halls is September 1, 1959. Therefore it is necessary to commence work on the parking facilities by July 1, 1959."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1172**—An act to amend Section 631 of the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1298**—An act to amend Section 1142 of the Agricultural Code, relating to egg products.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1167**—An act to add Chapter 21 (commencing at Section 6000) to Division 6 of the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Livestock and Dairies, was read, and adopted:

Amendment No. 1

On page 16, after line 5, of the printed bill, as amended in the Senate on June 1, 1959, insert

"SEC. 3. If any provision of this act or its application to any person or circumstance is found by a court to invalidate any provision of either Chapter 16 (commencing at Section 4100) or Chapter 17 (commencing at Section 4200) of Division 6, this act shall be inoperative on the date such finding becomes final."

Bill ordered reprinted, and to be filed, as amended, and the subject matter referred to the Committee on Rules.

**Senate Bill No. 1182**—An act to amend Section 74262 of the Government Code, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "one bail clerk, one account clerk, one assistant supervising clerk", and insert "three deputy municipal court clerks".

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 794**—An act to amend Sections 538 and 690 11 of the Code of Civil Procedure, relating to exemptions from attachment

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on May 25, 1959 strike out "and".

Amendment No. 2

On page 1, line 14, strike out the period, and insert "; and"

Amendment No. 3

On page 1, line 16, strike out "on", and insert "because of a failure to make payments required by".

Amendment No. 4

On page 2, strike out lines 26 to 31, inclusive, and insert

"All of such earnings shall be exempt from attachment if sought to be levied upon solely because of a failure to make payments required under a retail installment contract which provides for four or more weekly installments, unless the defendant has defaulted on two or more successive payments scheduled under such contract and the affidavit presented pursuant to Section 538 sets forth the fact of such default"

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary—Civil.

**Senate Bill No. 1479**—An act to add Section 73093 to the Government Code, relating to municipal court reporters in Alameda County.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "73093", and insert "73096"

Amendment No. 2

On page 1, line 1, strike out "73093", and insert "73096".

Amendment No. 3

On page 1, line 3, strike out "73093", and insert "73096".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1288**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle

Bill read second time, and ordered to the Consent Calendar

**Senate Bill No. 1486**—An act to add Division 1a (commencing at Section 25) and add Sections 37, 38, and 71 to, and to amend Section 45 of, the Citrous Pest District Control Act (Chapter 89, Statutes of 1939), relating to the consolidation of districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1125**—An act to amend Section 1300 12 of the Agricultural Code, relating to the marketing of agricultural commodities

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Agriculture, was read, and adopted:

Amendment No. 1

On page 5, line 8, of the printed bill, as amended in the Senate on June 3, 1959, strike out "if", and insert "of".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1230**—An act to amend Sections 92.7 and 92.8 of the Agricultural Code and Sections 19624 and 19626 of the Business and Professions Code, and Sections 19626, 19627, and 19630 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, relating to fairs and the Fair and Exposition Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Agriculture, were read, and adopted:

Amendment No. 1

On page 5, line 28, of the printed bill, as amended in the Senate on June 3, 1959, after "hereby", insert "annually".

Amendment No. 2

On page 5, line 30, after "percent", insert ", but not to exceed one hundred eighty thousand dollars ($180,000),".

Amendment No. 3

On page 6, line 9, strike out "and the"; strike out all of lines 10 and 11; and in line 12 strike out "year".

Amendment No. 4

On page 7, strike out lines 23 to 31, inclusive, and insert

"19630. There is hereby appropriated annually from the second balance of the fund, for expenditure without regard to fiscal years, the sum of two million two hundred fifty thousand dollars ($2,250,000) or so much thereof".

Amendment No. 5

On page 7, line 33, after "descretion", insert "for any of the following".

Amendment No. 6

On page 7, strike out lines 48, 49, and 50.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

**Senate Bill No. 1440**—An act to add Section 69941.1 to, and to amend Section 72195 of, the Government Code, relating to court reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, after "those", insert "criminal".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 69**—An act to add Section 1267 to the Code of Civil Procedure, relating to negotiations by state agencies with respect to proposed acquisition of property.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on June 3, 1959, strike out "a", and insert "the".

Amendment No. 2

On page 1, line 8, strike out "In connection with such"; and strike out lines 9 to 12, inclusive.

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 345**—An act to add Section 1250a to the Code of Civil Procedure, relating to offers of purchase in eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Senate on May 4, 1959, after "negotiating", insert "on behalf of a public agency".

Amendment No. 2

On page 1, line 14, after "use", insert "by such public agency".

Bill ordered reprinted, and to be placed on the Consent Calendar.

**Senate Bill No. 1443**—An act to amend Sections 595 and 599 of, to repeal Sections 597 and 598 of, and to add Section 657 to, the Agricultural Code, relating to milk and dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Livestock and Dairies, were read, and adopted:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 9, 1959, strike out lines 18 to 21, inclusive, and insert

"599. Butter scoring less than 90 shall not be sold or served to consumers. Such butter when sold shall be in bulk packages containing not less than thirty (30) pounds, and shall be labeled "for cooking and baking purposes only." "

Amendment No. 2

On page 2, lines 38 and 39, strike out "satisfy himself", and insert "ascertain".

Amendment No. 3

On page 2, line 42, after "code.", insert "Any standard established or promulgated under the provisions of Sections 657, 658, and 659 shall expire on the ninety-first day after the final adjournment of the general session of the Legislature which next convenes after its adoption."

Bill ordered reprinted, and to be placed on the Consent Calendar.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 445, 1242, 121, 142, 1340, 931, 574, 1392, 1339, 1243,** and **1172.**

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 1326 FROM COMMITTEE

Mr. Porter was granted unanimous consent that Senate Bill No. 1326 be withdrawn from the Committee on Water, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF SENATE BILL NO. 1326

**Senate Bill No. 1326**—An act providing for the investigation of water supplies for the western Sacramento-San Joaquin Delta, and making an appropriation therefor.

Bill read second time.

#### Motion to Amend

Mr. Porter moved the adoption of the following amendments:

#### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 5, 1959, strike out "western".

#### Amendment No. 2

In line 2 of the title, after "Delta", strike out the period, and insert "and making an appropriation therefor."

#### Amendment No. 3

In line 13, after "United States", strike out ", and", and insert a semicolon.

#### Amendment No. 4

In line 15, after "investigation", strike out the period, and insert ", and shall consult with and keep appropriate legislative committees informed of the progress of this work."

#### Amendment No. 5

After Section 1, add a new section as follows:

"SEC. 2. There is appropriated from the California Water Fund to the Department of Water Resources the sum of two hundred thousand dollars ($200,000) to be expended for the purposes of this act."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Water.

#### Rush Order Placed Upon Printing of Senate Bill No. 1326

Mr. Porter was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1326.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 145**—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care.

The question being· Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 145?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 8, 1959, strike out lines 18 to 22; on page 2, strike out lines 1 and 2, and insert

"(c) An interment space, crypt, or niche intended for the interment of the applicant or recipient of aid.

(d) Funds placed in trust for funeral or burial expenses to the extent that such funds do not exceed the sum of five hundred dollars ($500).

(e) Insurance policies having an actual cash surrender value of not to exceed five hundred dollars ($500)."

The Assembly concurred in Senate amendment to Assembly Bill No. 145 by the following vote:

AYES—Don A. Allen, Belotti, Biddick, Bradley, George E Brown, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 145 ordered enrolled.

**Majority Floor Leader Presiding**

At 9.43 a.m., Hon William A. Munnell, Majority Floor Leader of the Assembly, presiding.

**Assembly Bill No. 642**—An act to amend Section 6301 of the Business and Professions Code, relating to boards of law library trustees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 642?

**Amendment No. 1**

On page 1, line 21, of the printed bill, as amended in the Assembly on March 30, 1959, after the period, insert "The appointment of the person selected in lieu of the chairman of the board of supervisors shall expire when a new chairman of the board of supervisors is selected, and such appointment shall not be subject to the provisions of Section 6302."

The Assembly concurred in Senate amendment to Assembly Bill No. 642 by the following vote:

AYES—Don A. Allen, Beaver, Belotti, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—51.

NOES—None.

Assembly Bill No. 642 ordered enrolled.

**Assembly Bill No. 1180**—An act to amend Sections 447a and 449a of the Penal Code, relating to arson.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1180?

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "coach", insert ", as defined in Section 635 of the Vehicle Code,".

**Amendment No. 2**

*On page 2, line 1, after "coach", insert ", as defined in Section 635 of the Vehicle Code".*

The Assembly concurred in Senate amendments to Assembly Bill No. 1180 by the following vote:

AYES—Don A. Allen, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 1180 ordered enrolled.

**Assembly Bill No. 1241**—An act to amend Section 72622 of the Government Code, relating to the official body of judges of municipal courts established in Los Angeles County.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1241?

**Amendment No. 1**

On page 1, line 13, of the printed bill, strike out the period, and insert ", provided that such attache shall not receive a compensation which is greater than the compensation received by a judge of the municipal court in that county."

The Assembly concurred in Senate amendment to Assembly Bill No. 1241 by the following vote:

AYES—Don A. Allen, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—51.
NOES—None.

Assembly Bill No. 1241 ordered enrolled.

**Assembly Bill No. 1228**—An act to amend Sections 73821, 73822, 73823, 73824, and 73825 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1228?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 20, 1959, strike out "and".

**Amendment No. 2**

In line 2 of the title, after "73823", insert ", 73824, and 73825".

**Amendment No. 3**

On page 2, after line 31, insert

"SEC. 4. Section 73824 of said code is amended to read:

73824. There shall be one marshal who shall receive a salary of ~~three hundred thirty-three dollars ($333)~~ *three hundred eighty-two dollars ($382)* monthly, with annual increments of ~~sixteen dollars ($16)~~ *eighteen dollars ($18)*, ~~sixteen dollars ($16)~~ *nineteen dollars ($19)*, ~~seventeen dollars ($17)~~ *twenty dollars ($20)*, and ~~eighteen dollars~~

~~($18)~~ *twenty-one dollars ($21)* to a maximum of ~~four hundred dollars ($400)~~ *four hundred sixty dollars ($460)* monthly.

SEC. 5. Section 73825 of said code is amended to read:

73825. The marshal may appoint the following:

(a) ~~One~~ *Two* deputy ~~marshal~~ *marshals* who shall be ~~a~~ court ~~bailiff~~ *bailiffs*, and who shall receive a minimum salary of ~~three hundred eighteen dollars ($318)~~ *three hundred forty-nine dollars ($349)* monthly with annual increments of ~~fifteen dollars ($15)~~ *sixteen dollars ($16)*, ~~sixteen dollars ($16)~~ *seventeen dollars ($17)*, ~~sixteen dollars ($16)~~ *eighteen dollars ($18)*, and ~~seventeen dollars ($17)~~ *nineteen dollars ($19)* to a maximum of ~~three hundred eighty-two dollars ($382)~~ *four hundred nineteen dollars ($419)* monthly.

(b) One deputy marshal clerk who shall receive a minimum salary of ~~two hundred fifty-three dollars ($253)~~ *two hundred sixty-five dollars ($265)* monthly with annual increments of twelve dollars ($12), twelve dollars ($12), ~~thirteen dollars ($13)~~ *fourteen dollars ($14)*, and ~~fourteen dollars ($14)~~ *fifteen dollars ($15)* to a maximum of ~~three hundred four dollars ($304)~~ *three hundred eighteen dollars ($318)* monthly.

(c) Two deputies who shall be custodians at the fee allowed by law for keeping property."

The Assembly concurred in Senate amendments to Assembly Bill No. 1228 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1228 ordered enrolled.

**Assembly Bill No. 1394**—An act to amend Section 4500 of the Welfare and Institutions Code, relating to medical services to public assistance recipients.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1394?

**Amendment No. 1**

On page 1, lines 3 and 4, of the printed bill, strike out "in whole or in part".

The Assembly concurred in Senate amendment to Assembly Bill No. 1394 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Z'berg—59.

NOES—None.

Assembly Bill No. 1394 ordered enrolled.

**Name Placed Upon Roll Call**

Mr. Holmes was granted unanimous consent that he be recorded as voting "Aye" on concurrence in Senate amendments to Assembly Bill No. 1394.

**Assembly Bill No. 2224**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2224?

**Amendment No. 1**

On page 2, line 19, of the printed bill, after "Los Angeles," insert "the College of the Pacific at Stockton,".

**Amendment No. 2**

On page 2, after line 21, insert

"With respect to Leland Stanford Junior University, the provisions of this section shall not apply to the sale, giving away, exposing for sale or serving of alcoholic beverages by any licensee under the Alcoholic Beverage Control Act (commencing at Section 23000, Business and Professions Code) in any premises for which a license is issued and in effect on September 15, 1959.

With respect to the University of San Francisco, and the University of California Medical Center in San Francisco, the provisions of this section shall not apply to any license or the transfer thereof to any location which is issued and in effect at the time the number of students enrolled increases to exceed 1,000 and the number of students residing or lodging upon the grounds or campus increases to exceed 500."

**Speaker Presiding**

At 9.54 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2224?

The Assembly concurred in Senate amendments to Assembly Bill No. 2224 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, Burton, Busterud, Collier, Conrad, Crown, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hawkins, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Sedgwick, Shell, Sumner, Waldie, Williamson, Charles H. Wilson, and Winton—42

NOES—Crawford, Samuel R. Geddes, Hegland, Mulford, Rumford, Schrade, Thelin, and Mr. Speaker—8.

Assembly Bill No. 2224 ordered enrolled.

**Assembly Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 483?

**Amendment No. 1**

On page 1, strike out line 5 of the printed bill, as amended in the Assembly on May 5, 1959, and insert "of 3,000,000 may authorize the sheriff to enforce the provisions of the Vehicle Code in the unincorporated area of such county but only upon county highways. The expense incurred by the sheriff in the performance of such duties shall be a proper county charge.

The sheriff shall, on or before the fifth day of each month, forward to the Department of the California Highway Patrol copies of all accident reports made to the sheriff's office and all accident reports of accidents investigated by the sheriff's office."

**Amendment No. 2**

On page 1, strike out lines 6 through 21, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 483 by the following vote:

AYES—Don A. Allen, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 483 ordered enrolled.

**Assembly Bill No. 1142**—An act to amend Section 1405 of the Probate Code, relating to guardians.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1142?

**Amendment No. 1**

On page 1, line 12, of the printed bill, after the period, insert "If the estate does not exceed ten thousand dollars ($10,000), the court may require that the money in the estate be deposited in a bank or trust company or be invested in an account in an insured savings and loan association subject to withdrawal only upon the order of the court in which case no bond be required of the guardian."

The Assembly concurred in Senate amendment to Assembly Bill No. 1142 by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 1142 ordered enrolled.

**Assembly Bill No. 265**—An act to amend Sections 576 and 578 of, to add Section 575.1 to, and to repeal Sections 577 and 578.1 of, the Welfare and Institutions Code, relating to juvenile court referees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 265?

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on May 8, 1959, strike out the colon, and insert "a referee of a juvenile court may be appointed."

The Assembly concurred in Senate amendment to Assembly Bill No. 265 by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 265 ordered enrolled.

### INQUIRY BY SPEAKER

The Speaker inquired if any member had an objection to the consideration of all Assembly appropriation bills which carry a letter from the Governor.

Mr. Collier withheld consent as to the consideration of Assembly Bill No. 345.

### PARLIAMENTARY INQUIRY

Mr. Collier arose to the following parliamentary inquiry: What is the procedure required to consider Assembly bills today?

#### Reply by Speaker

The Speaker replied that the consent of the Speaker and 60 votes are required.

#### Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Will the request to suspend the rule be taken up for each bill individually?

#### Reply by Speaker

The Speaker replied that each author will be required to request the consent of the Speaker and suspension of the rule for his bill.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF ASSEMBLY BILLS

#### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Hawkins was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No 1399.

#### Consideration of Assembly Bill No. 1399

**Assembly Bill No. 1399**—An act to amend Sections 3306 and 3332 of the Welfare and Institutions Code, to amend Sections 135 and 633 of, and to add Section 605.5 to the Unemployment Insurance Code, relating to unemployment compensation benefits and unemployment compensation disability benefits for employees of certain public agencies.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Coolidge, Crawford, Crown, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

#### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Hawkins was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1398.

#### Consideration of Assembly Bill No. 1398

**Assembly Bill No. 1398**—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Sections 3306 and 3332 of, the Welfare and Institutions Code, relating to social

security coverage for state employees not covered by a retirement system.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

### Request to Consider Assembly Bill No. 345

Mr. Garrigus requested the consent of the Speaker to consider Assembly Bill No. 345, and stated that he would accept amendments being offered by Mr. Winton.

### Consent of Speaker Granted

After an explanation of the proposed amendments, by Mr Winton, the Speaker granted consent to consider Assembly Bill No. 345.

### Motion to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Garrigus moved that Joint Rule No. 23 be suspended to take up Assembly Bill No. 345.

Mr. Z'berg seconded the motion.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Garrigus moved a call of the Assembly.

Mr. Z'berg seconded the motion.

Motion carried. Time, 10.20 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Elliott was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 245.

### Consideration of Assembly Bill No. 245

**Assembly Bill No. 245**—An act to add Article 6 (commencing with Section 1800) to Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency, and making an appropriation.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 245:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 245 is an act relating to Juvenile delinquency and the prevention thereof, creating the California Youth Commission and prescribing its powers and duties, and providing for allocations to local governmental agencies to aid in the prevention of juvenile delinquency, and making an appropriation.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 245 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Demand for Previous Question

Messrs. Schrade, Hegland, Burke, Dahl, and Bee demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Elliott moved a call of the Assembly.

Mr. Hawkins seconded the motion.

Motion carried. Time 10.36 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF ASSEMBLY BILLS (RESUMED)

### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Rumford was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 72.

### Consideration of Assembly Bill No. 72

**Assembly Bill No. 72**—An act to add Section 143.3 to the Streets and Highways Code, relating to city streets and county roads in urban areas.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 72:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 72 is an act relating to city streets and county roads in urban areas.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Assembly Bill No. 72 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

### Names Placed Upon Roll Call

Messrs. O'Connell, MacBride, and George E. Brown were granted unanimous consent that they be recorded as voting "Aye" on Assembly Bill No. 72.

### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Masterson was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1029.

### Consideration of Assembly Bill No. 1029

**Assembly Bill No. 1029**—An act to amend Sections 7393, 7398, and 7442 of, and to repeal Section 7441 of, the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1029:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1029 is an act relating to the practice of cosmetology.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Assembly Bill No. 1029 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 571 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 571,** on request of Mr. Bee.

Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Bee was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 571.

CONSIDERATION OF ASSEMBLY BILL NO. 571

**Assembly Bill No. 571**—An act making an appropriation for participation by the State in the benefits of the National Defense Education Act of 1958, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No 571:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 571 is an act making an appropriation for participation by the State in the benefits of the National Defense Education Act of 1958.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 571 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 334

By Messrs. Luckel, Crawford, Schrade, and Hegland:

**House Resolution No. 334**

Relative to the death of Lieutenant Commander Benton W. Decker, Jr

WHEREAS, The Members of the Assembly have learned with profound grief of the recent tragic death of Lieutenant Commander Benton W. Decker, Jr.; and

WHEREAS, His death occurred when his jet bomber crashed while on a training flight 12 miles southeast of the coast of Iwakuni, Japan; and

WHEREAS, He was an honor graduate of Point Loma High School and graduated from the United States Naval Academy in 1945; his military assignments including Photo Reconnaissance Squadron 61 at Miramar Naval Air Station, Photo Interpretation School at Anacostia, N A S., duty on the Seventh Fleet Staff, a tour in Atsugi, Japan, and duty with the Naval Air Basic Training Command at Pensacola, N A S., and staff member of the Intelligence Training Department at Sheppard Air Force Base, Wichita Falls, Texas; and

WHEREAS, He is survived by his widow, Helen, a daughter, April, and his father, Rear Admiral Benton W. Decker, U S.N., ret; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby express their deep regret at the passing of Lieutenant Commander Benton W. Decker, Jr., and wish to convey their heartfelt condolences to the members of his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Lieutenant Commander Decker's widow, Mrs. Helen Decker, and to his father, Rear Admiral Benton W. Decker, U S.N., ret.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 338

By Mr. Porter:

**House Resolution No. 338**

Relative to commending John N. Gentert

WHEREAS, June 9th will mark another birthday in the colorful and distinguished career of John N. Gentert; and

WHEREAS, Mr. Gentert has recently been honored as the City of Lynwood's Distinguished Citizen of the Year; and

WHEREAS, Mr. Gentert was born in Lostant, Illinois, accompanied his parents to Nebraska where he married Emmaline Hansen, and moved to Hillrose, Colorado, where he operated a general store for a quarter of a century; and

WHEREAS, In 1945 John Gentert and his family moved to Lynwood where he was active in several commercial enterprises until his retirement in 1950; and

WHEREAS, In 1957 John Gentert returned to the public spotlight when he was elected President of the Senior Citizens' Club; and

WHEREAS, Under his guiding hand and inspiration the Senior Citizens' Club has grown from 30 to over 250 members, has undertaken a program of varied activities for the senior citizens, and has initiated the publication of the monthly "*The Senior Citizen Times*"; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members of this body take the occasion of John N. Gentert's birthday to commend and congratulate him on his work of public devotion and especially for his active leadership in the Lynwood Senior Citizens' Club; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Mr. John N. Gentert.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 339

By Mr. Porter:

### House Resolution No. 339

Relative to commending Mr. W. W. Butler

WHEREAS, Warren W. Butler has recently been awarded the "Realty Week" Distinguished Service Award; and

WHEREAS, Mr. Butler has long been recognized as a top water and tax authority and a distinguished citizen of Compton; and

WHEREAS, Mr. Butler, a native of Kansas, spent his early life on a Navajo Reservation in the Arizona Territory with his missionary parents, and received his first schooling in Tuba and Flagstaff; and

WHEREAS, He embarked upon a distinguished career in journalism as editor of the Huntington Park high school newspaper, became a reporter for the *Huntington Park Signal* at the age of 19, became editor of the *Compton News-Tribune*, and became managing editor of the *Herald American*, from which position he retired two years ago; and

WHEREAS, As vice chairman of the board of directors of the Metropolitan Water District and as a member of the Compton Kiwanis club, Mr. Butler has demonstrated his fine sense of civic responsibility; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take the occasion of Warren W. Butler's receipt of the "Realty Week" Distinguished Service Award to join with the citizens of Compton in commending him on his record of distinguished public service; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Warren W. Butler.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 341

By Mr. Unruh:

### House Resolution No. 341

Relative to the commendation of Donald W. Douglas, Senior

WHEREAS, Donald W. Douglas, Senior, Chairman of the Board of Directors and Chief Executive Officer of Douglas Aircraft Company, has been chosen a co-winner of the California Industrialist of the Year Award by an awards jury of distinguished business and industrial leaders at the Second Annual Science and Industry Awards program, sponsored by the California Museum of Science and Industry; and

WHEREAS, Donald W. Douglas, Senior, received this honor and outstanding recognition at the Science and Industry Awards presentation banquet May 21, 1959, for outstanding industrial leadership; and

WHEREAS, He was chosen primarily for the personal conception, design, and production of his company's new jet passenger transport aircraft; and

WHEREAS, Donald W. Douglas, Senior, in addition, was chosen in further recognition of his design, production, and development to full operational status of the Thor intermediate range ballistic missile, a significant weapon in our Nation's arsenal of deterrents and an important tool in American space research; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body commend Donald W. Douglas, Senior, for his outstanding industrial achievement in the field of jet aircraft and missile management, and express their approval of his activities which bring honor, respect, and good will to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to Donald W. Douglas, Senior, and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 342

By Mr. Unruh:

### House Resolution No. 342

Relative to the commendation of Mr. Robert E. Gross

WHEREAS, Robert E. Gross, Chairman of the Board of Directors and Chief Executive Officer of Lockheed Aircraft Corporation, has been chosen a co-winner of the California Industrialist of the Year Award by an awards jury of distinguished business and industrial leaders at the Second Annual Science and Industry Awards Program sponsored by the California Museum of Science and Industry; and

WHEREAS, Robert E. Gross received this honor and outstanding recognition at the Science and Industry Awards presentation banquet May 21, 1959, for significant industrial leadership; and

WHEREAS, He was chosen primarily for guiding his corporation into an aggressive missile program that produced the system management of the Polaris ballistic missile and the Discoverer satellite series; and

WHEREAS, Robert E. Gross, in addition, was honored in recognition of his efforts to extend the philosophy of modern American capitalism to Mexico through a unique stewardship program in which, after a period of initial help, management of his corporation's new Mexican subsidiary will be relinquished to that nation's government; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body commend Robert E. Gross for his outstanding achievements in the field of industrial management and express their approval of his activities which bring honor, respect, and good will to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Robert E. Gross and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 343

By Mr. Unruh:

### House Resolution No. 343

Relative to commending Dr. Robert Hofstadter

WHEREAS, Dr. Robert Hofstadter, Professor of Physics, Stanford University, has been chosen and honored as California Scientist of the Year at the Second Annual Science and Industry Awards presentation on May 21, 1959, sponsored by the California Museum of Science and Industry; and

WHEREAS, Dr. Hofstadter was chosen by a distinguished awards jury of nationally famous scientists for discovering, for the first time, the size and shape of the proton and neutron, the two basic building blocks of all nuclei; and

WHEREAS, The eminent nuclear physicist has provided, for the first time, precise information on the internal arrangements of electric charge and magnetic moment in these smallest nuclear particles; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly commend Dr. Robert Hofstadter for his outstanding scientific achievements in the field of nuclear physics, and express their approval of his activities which bring honor, respect, and good will to the institution he serves, Stanford University, and to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to Dr. Robert Hofstadter and to J. Howard Edgerton, President of the Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 344

By Mr. Unruh:

**House Resolution No. 344**

Relative to the volunteer service given by George E. Kinsey, member of the Board of Directors, Sixth District Agricultural Association, and representative of said district to the Los Angeles Memorial Coliseum Commission, as chairman of the Building Committee of the Los Angeles Memorial Sports Arena

WHEREAS, George E Kinsey, as a member of the Board of Directors of the Sixth District Agricultural Association, has served as said district's and the State of California's representative to the Los Angeles Memorial Coliseum Commission; and

WHEREAS, He has served in a faithful, thoughtful, and generous manner as that commission's Building Committee Chairman for the new $6,000,000 Los Angeles Sports Arena, to be formally dedicated July 4, 1959; and

WHEREAS, George E. Kinsey has served in the capacity of Building Committee Chairman since that group's inception on May 3, 1955, devoting thousands of volunteer hours to the cause of economy and structure design during the vital, formulative period; and

WHEREAS, He has given additional thousands of hours since the start of construction on April 7, 1958, personally attending to various aspects of construction management for the Coliseum Commission, the Sixth District Agricultural Association, and the State of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly commend George E. Kinsey for his devotion and richness of spirit to the cause of a sports arena worthy of the citizens of the State of California, and express their approval of his activities which bring honor, respect, and good will to the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to George E Kinsey and to J Howard Edgerton, President of the Board of Directors, Sixth District Agricultural Association, of which the California Museum of Science and Industry is a part

Resolution read, and adopted unanimously.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 1157**—An act to amend Section 13963 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to membership in the State Teachers' Retirement System.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1164**—An act to add Section 17200 to Article 2 of Chapter 1 of Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to school district accounting procedures.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

~~Bill ordered transmitted to the Senate.~~

NOTE—Later this day, a motion to reconsider the vote on Senate Bill No. 1164 was made. *See* page 5354.

**Senate Bill No. 559**—An act to amend Section 13162 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to issuance of temporary teaching certificates.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1028**—An act to amend Sections 27365, 27561 and 28256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to libraries.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 888**—An act to amend Sections 28260 and 28261 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to union high school district public libraries.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 718**—An act to amend Section 15803 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to loss of school property by fire.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 717**—An act to amend Section 3352 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to liability of school districts for bonded indebtedness.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1029**—An act to amend Sections 31219 and 1251 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to scholarships.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 957**—An act to add Section 50 to the Education Code, as enacted at the 1959 Regular Session, relating to the Department of Education.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller,

Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1086**—An act to add Section 31110.1 to the Government Code, relating to payment of compensation and expenses to members of a county civil service commission.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 75**—Relative to fire extinguishers and appliances and devices for extinguishing fires.

Resolution read, and adopted by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 1158**—An act to amend Section 5782.10 of the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1194**—An act to amend Section 5783.2 of, to repeal Section 5785 2 of, and to add Section 5785.2 to, the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1359**—An act to add Section 5781 45 to the Public Resources Code, relating to recreation and park districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1350**—An act to add Section 20826.5 to the Business and Professions Code, relating to petroleum products.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 543**—An act to amend Section 25752 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1208**—An act to amend Section 25502 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman,

Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1373**—An act to add Section 25658.1 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1402**—An act to amend Section 23355 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1144**—An act to amend Section 6240 of the Harbors and Navigation Code, relating to port districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1237**—An act to amend Section 2653 of the Business and Professions Code, relating to the Physical Therapy Examining Committee.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1239**—An act to add Section 2671.5 to the Business and Professions Code, relating to the Physical Therapy Examining Committee.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1259**—An act to amend Section 19035 5 of the Business and Professions Code, relating to the California Advisory Board of Furniture and Bedding.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1297**—An act to add Section 11629 to the Business and Professions Code, relating to subdivision maps.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1310**—An act to add Section 51362.5 to the Water Code, relating to reclamation district operation and maintenance assessments.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1375**—An act to add Part 9.1 (commencing at Section 33200) to Division 12 of the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 369**—An act to amend Section 851 of the Public Utilities Code, relating to the disposition of property by public utilities.

Bill read third time, and presented by Mr. O'Connell.

### Speaker pro Tempore Presiding

At 10.49 a m, Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, MacBride, Marks, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—Burton, Masterson, and Williamson—3

Bill ordered transmitted to the Senate.

**Senate Bill No. 391**—An act to amend Sections 26472 and 26516.7 of the Health and Safety Code, relating to the manufacturing, importation, and sale of foods.

Bill read third time, and presented by Mr. Rumford.

Bill ordered passed on file temporarily.

**Senate Bill No. 150**—An act to repeal Section 8183 of, and amend Sections 8184, 8185, 8186, 8187, and 8189 of, the Fish and Game Code, relating to anchovies.

Bill read third time, and presented by Mr. Hanna.

Demand for Previous Question

Messrs. Ernest R. Geddes, Lanterman, Burke, Samuel R. Geddes, and Williamson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hanna moved a call of the Assembly.

Mr. Sumner seconded the motion.

Motion carried. Time, 11.10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1101**—An act to add Chapter 6 (commencing at Section 50970) to Part 5 of Division 15 of, and to repeal Section 50902 and Article 11 (commencing at Section 51485) of Chapter 2 of Part 7 of Division 15 of, the Water Code, relating to reclamation districts.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1102**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to co-operation and contracts between private entities and the United States with respect to water development.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis,

Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1058**—An act to amend Section 14376 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 998**—An act to amend Section 35401 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the lengths of semitrailers and combinations of vehicles.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Masterson—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 805**—An act to add Article 3 6 (commencing at Section 75075) to Chapter 11 of Title 8 of, and add Sections 75103.1, 75106.5 and 75109 to, the Government Code, relating to judges' retirement.

Bill read third time, and presented by Mr. Miller.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND JOINT RULE TO CONSIDER ASSEMBLY BILL NO. 345

At 11.20 a.m., Mr. Garrigus moved to dispense with further proceedings under the call of the Assembly.

Mr. Frew seconded the motion.

Motion carried.

The names of the absentees were called, and the motion that Joint Rule No. 23 be suspended to take up Assembly Bill No. 345 carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rumford, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—Collier, Conrad, Crawford, Cusanovich, Dahl, Johnson, Lanterman, Luckel, Reagan, Sedgwick, Shell, and Thelin—12

### CONSIDERATION OF ASSEMBLY BILL NO. 345

**Assembly Bill No. 345**—An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read third time.

#### Motion to Amend

Mr. Winton moved the adoption of the following amendments:

#### Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 5, 1959, strike out lines 4 to 16, inclusive, and insert "late free of tuition charges and other necessary fees which are imposed during a two-semester school year, to the extent of six hundred dollars ($600) The amounts of the tuition charges and other necessary fees shall be credited to the award winner as they fall due during the school year, but any item of such credit shall be given, except upon his initial matriculation, only if: (1)".

#### Amendment No. 2

On page 3, strike out lines 18 and 19, and insert "the date upon which a tuition charge or other necessary fee would otherwise be payable by him, in the course of study prescribed".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

#### Rush Order Placed Upon Printing of Assembly Bill No. 345

Mr. Garrigus was granted unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 345.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 74**—An act to amend Section 30350 of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the San Mateo-Hayward and Dumbarton Bridges, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Bee.

**Inquiry by Speaker**

Speaker Brown inquired of Mr. Bee if the bill did not require a letter.

On request of Mr. Bee, the bill was ordered passed temporarily on file.

**Senate Bill No. 479**—An act to amend Section 427 of the Streets and Highways Code, relating to Highway Route 127.

Bill read third time, and presented by Mr. Frew.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 64**—Relative to hearing officers in the Division of Administrative Procedure.

Resolution read, and presented by Mr. Winton.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 52**—An act to add Section 5017 to the Public Resources Code, relating to state-owned beach and park lands.

Bill read third time, and presented by Mr. Belotti.

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Don A. Allen, Crawford, Luckel, and Schrade demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bruce F. Allen, Bane, Belotti, Coolidge, Cunningham, Davis, Elliott, Garrigus, Samuel R. Geddes, Hawkins, Lunardi, McCollister, Meyers, and Thomas—14.

NOES—Don A. Allen, Backstrand, Beaver, Bee, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Donahoe, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—52.

**Senate Bill No. 845**—An act to amend Section 148.1 of the Penal Code, relating to false reports of the secreting of bombs and explosives.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1394**—An act to add Section 4019.3 to the Penal Code, relating to work credit for prisoners in county jails.

Bill read third time, and presented by Mr. Crown.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 338**—An act to amend Section 26470 of, and to add Sections 26465, 26466, and 26542.1 to, the Health and Safety Code, relating to foods, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Rumford.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, and Z'berg—68.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 393**—An act to amend Section 28361 of the Health and Safety Code, relating to canneries.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 391**—An act to amend Sections 26472 and 26516.7 of the Health and Safety Code, relating to the manufacturing, importation, and sale of foods.

Bill read third time, and presented by Mr. Rumford.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment, proposed by Mr. Bruce F. Allen:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "either", and insert "ether".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

## CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 245

At 11.50 a.m., Mr. Elliott moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Assembly Bill No. 245 refused passage by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Britschgi, George E. Brown, Burton, Cameron, Chapel, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.

NOES—Backstrand, Beaver, Belotti, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Dahl, Francis, Grant, Hegland, Lanterman, Levering, Luckel, Marks, McCollister, Meyers, Mulford, Reagan, Schrade, Shell, Sumner, and Thelin—25.

NOTE—Later this day, a motion to reconsider the vote on Assembly Bill No. 245 was ruled not in order. *See* page 5354.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 150

At 11.54 a.m., Mr. Hanna moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Senate Bill No. 150 refused passage by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Burke, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Davis, DeLotto, Dills, Samuel R. Geddes, Grant,

Hanna, Hegland, Holmes, House, Kilpatrick, Lanterman, Miller, Munnell, Nisbet, Sumner, Thelin, and Mr. Speaker—28.

NOES—Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Dahl, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Hawkins, Kennick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—44.

### ANNOUNCEMENT

Mr. DeLotto announced that today was the birthday of Mr. Charles B. Garrigus, whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Mr. Garrigus.

### MOTION TO RECONSIDER SENATE BILL NO. 1164

Mr. Cusanovich moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1164 was this day passed (Assembly Journal, page 5340).

Senate Bill No. 1164 and the motion to reconsider ordered to the unfinished business file.

### MOTION TO RECONSIDER ASSEMBLY BILL NO. 245

Mr. Elliott moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 245 was this day refused passage (Assembly Journal, page 5353).

Motion to reconsider an Assembly bill ruled not in order on this day.

### ANNOUNCEMENT

Mr. Rees announced that the Committee on Conference concerning Assembly Bill No. 800 would work all afternoon and this evening, and hoped to have a report ready tonight.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 146**—Approving a certain amendment to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-sixth day of May, 1959;

**Assembly Concurrent Resolution No. 88**—Relative to higher education;

**Assembly Concurrent Resolution No. 132**—Relative to amending the Joint Rules of the Senate and Assembly;

**Assembly Concurrent Resolution No. 136**—Approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of May, 1959;

**Assembly Joint Resolution No. 21**—Relative to state-federal relations in water development;

And reports the same correctly enrolled, and presented to the Secretary of State on the twelfth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 12, 1959

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1181**—An act to amend Section 692 of the Code of Civil Procedure, relating to notice of sale of property;

**Assembly Bill No. 1194**—An act to amend Section 23384 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 1266**—An act to amend Section 73431 of the Government Code, relating to judges of the municipal court established in the district embracing the City of Bakersfield;

**Assembly Bill No. 1279**—An act to amend Section 22 of the Alameda County Flood Control and Water Conservation District Act (Chapter 1275, Statutes 1949), relating to contracts for improvements;

**Assembly Bill No. 1387**—An act to add Section 3448 to Title 3, Part 2, Division 4 of the Civil Code, relating to assignments for the benefit of creditors;

**Assembly Bill No. 1443**—An act to add Section 1481.1 to the Government Code, and to amend Section 1203.8 of the Penal Code, relating to bonding of probation officers and their assistants;

**Assembly Bill No. 1519**—An act to amend Section 29320 of the Government Code, relating to a revolving fund for the superior court;

**Assembly Bill No. 1532**—An act to amend Sections 21756, 21810, 21812, 22051, and 22052 of, and to add Section 21800 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district bonds;

**Assembly Bill No. 1544**—An act to amend Section 36522 of the Government Code, relating to monthly financial reports in general law cities;

**Assembly Bill No. 1546**—An act to amend Sections 36936.1, 51508 and 51511 of the Government Code, relating to city ordinances and resolutions fixing the amount of revenue to be raised by taxation;

**Assembly Bill No. 1575**—An act to amend Sections 31652, 31652.2 and 31726 of the Government Code, relating to county retirement systems;

**Assembly Bill No. 1577**—An act amending Sections 31460, 31527, 31602, 31680, 31720, 31765, 31765.1, 31780 and 31787 of, repealing Sections 31646 and 31720.2 of, and adding Sections 31481, 31681.4, and 31739.2, to, the Government Code, relating to county retirement systems;

**Assembly Bill No. 1606**—An act to amend Section 24103 of the Government Code, relating to peace officers' deputies;

**Assembly Bill No. 1724**—An act to amend Sections 9251, 9253, 9604, and 10008 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school textbooks;

**Assembly Bill No. 1738**—An act to amend Section 25536 of the Government Code, relating to leasing of county real property;

**Assembly Bill No. 1746**—An act to amend Sections 1162 and 1169 of, and to add Section 1178.5 to, the Streets and Highways Code, relating to permanent road divisions;

**Assembly Bill No. 1747**—An act to amend Section 9006 of the Welfare and Institutions Code, relating to community mental health services;

**Assembly Bill No. 1801**—An act to repeal Sections 11501, 11502, 11712, 11713 and 11714 of, and to amend Sections 11500, 11530, 11557, 11715.5 and 11715.6 of, and to add Sections 1103.1, 11501, 11502, 11503, 11531, 11532 to the Health and Safety Code and to add a new Article 2.5 (commencing with Section 11540) to Chapter 5 of Division 10 of said code, relating to narcotics, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1805**—An act to amend Section 31727.4 of the Government Code, relating to county employees' retirement;

**Assembly Bill No. 1894**—An act to amend Section 31591 of, and to add Section 31781.2 to, the Government Code, relating to retirement allowances payable under the County Employees Retirement Law of 1937;

**Assembly Bill No. 1931**—An act to amend Section 103.4 of the Welfare and Institutions Code, relating to public assistance recipients;

**Assembly Bill No. 1993**—An act to amend Sections 141.5 and 2183 of the Welfare and Institutions Code, relating to public assistance warrants;

**Assembly Bill No. 1997**—An act to add Section 35114 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to width of loads;

**Assembly Bill No. 2018**—An act to amend Section 197.8 of the Streets and Highways Code, relating to city street project contracts;

**Assembly Bill No. 2021**—An act to amend Section 3107 of the Government Code, relating to oaths of allegiance;

**Assembly Bill No. 2111**—An act to add Section 29333 to the Government Code, relating to county revolving funds;

**Assembly Bill No. 2137**—An act to amend Section 9256 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited acts of public school employees;

**Assembly Bill No. 2177**—An act to amend Sections 16401, 16404, and 16406 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sale of personal property of school districts;

**Assembly Bill No. 2207**—An act to amend Sections 1363 and 1433 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to notice of school board meetings;

**Assembly Bill No. 1866**—An act to amend Sections 11380, 11422, 11422.1, and 11423 of the Government Code, relating to administrative rules and regulations;

**Assembly Bill No. 2281**—An act to add Section 53019 to, to amend Sections 53021 and 53023 of, the Government Code, relating to emergency powers of local agencies;

**Assembly Bill No. 2287**—An act to amend Section 21711 of, and to add Section 21650.5 to, the Water Code, relating to irrigation districts;

**Assembly Bill No. 2304**—An act to amend Section 5005 of the Business and Professions Code, relating to the State Board of Accountancy;

**Assembly Bill No. 2334**—An act to repeal Section 32958 of the Water Code, relating to county water districts;

**Assembly Bill No. 2363**—An act to add Chapter 25 (commencing at Section 32500) to Part 8 of Division 12 of the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 2370**—An act adding Article 9 (commencing with Section 1318) to Chapter 1 of Title 10 of Part 2 of the Penal Code, relating to the release of defendants on their own recognizance;

**Assembly Bill No. 2532**—An act to amend Section 139 of the Civil Code, relating to support of spouse and children;

**Assembly Bill No. 2549**—An act to add Section 146b to the Penal Code, relating to simulating official inquiries;

**Assembly Bill No. 2607**—An act to add Section 812 to Chapter 4, Title 3, Part 2 of the Penal Code, relating to arrest warrants;

**Assembly Bill No. 2619**—An act to amend Sections 4250 and 4252 of the Penal Code, relating to blood donations by prisoners;

**Assembly Bill No. 47**—An act to amend Section 20801 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district taxes;

**Assembly Bill No. 140**—An act to add Section 233 to the Water Code, relating to water projects;

**Assembly Bill No. 169**—An act to amend Sections 6851, 6852, and 6853 of, and to add Section 6854 and 6855 to, the Education Code as enacted at the 1959 Regular Session, relating to school districts;

**Assembly Bill No. 219**—An act to add Sections 6801.5 and 6802.5 to the Elections Code, relating to electronic counting;

**Assembly Bill No. 220**—An act to add Section 5931.8 to the Elections Code, relating to absent voters;

**Assembly Bill No. 368**—An act to add Section 9065 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to legal counsel for school districts;

**Assembly Bill No. 555**—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class;

**Assembly Bill No. 579**—An act to amend Sections 13581, 13582, 13592, 13601, 13621, 13622, and 13651 of, and to add Sections 13580, 13604, 13651.3, 13651.4, and 13739.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees;

**Assembly Bill No. 647**—An act to amend Section 11200 of, and to add Article 9.9 (commencing at Section 11276) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project;

**Assembly Bill No. 687**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of, and Sections 17763.3, 17763.5, 17818, and 17819 to, the Business and Professions Code, relating to trading stamps;

**Assembly Bill No. 720**—An act to amend Sections 506, 506.6, 506.7, 5001, 5003, 5003.5, 5004, 5005, 5006, 5006.1, 5006.5, 5007, 5008, 5010, 5010.5, 5012, 5015, 5016, 5019.5, 5020, 5021, 5022, 5023, 5025.11, 5025.12, 5025.2, 5033, 5034, 5037, 5041, 5042, 5060, 5063, 5064, 5072.5, 5073, 5074, 5076, 5080, 5082, 5084, 5085, 5086, 5087, 5088, 5089, 5090, and 5091 of, to repeal Sections 5012.1, 5013.5, 5035, 5036, 5075, and Article 4 (commencing at Section 5050) of Chapter 1, Division 5 of, and to add Sections 5017 and 5018 to, the Public Resources Code, relating to beaches and parks;

**Assembly Bill No. 806**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the registration of vehicles;

**Assembly Bill No. 1143**—An act to amend Section 689b of the Code of Civil Procedure, relating to execution of civil judgments;

**Assembly Bill No. 1248**—An act to add Section 7032 to the Business and Professions Code, relating to contractors, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1673**—An act to add Section 6008 to the Public Resources Code, relating to sale of state lands;

**Assembly Bill No. 1751**—An act to amend Section 11601 of the Business and Professions Code, relating to subdivisions, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1843**—An act to add Section 18372 to the Health and Safety Code, relating to trailer coaches;

**Assembly Bill No. 1882**—An act to amend Section 202001 of the Welfare and Institutions Code, relating to lump sum income of old age assistance applicants and recipients;

**Assembly Bill No. 1999**—An act to amend Section 1147 of the Probate Code, relating to public administrators;

**Assembly Bill No. 2110**—An act to amend Section 69955 of the Government Code, relating to the reporting notes taken by court reporters;

**Assembly Bill No. 2136**—An act to amend Section 784 of the Code of Civil Procedure, relating to partition sales of property;

**Assembly Bill No. 2277**—An act to amend Section 24360.2 of the Health and Safety Code, relating to air pollution control;

**Assembly Bill No. 2299**—An act to add Section 10853 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to corporal punishment of pupils;

And reports the same correctly enrolled, and presented to the Governor on the twelfth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 2577

And reports the same correctly engrossed.

BURKE, Chairman

Above bill ordered filed, and the subject matter referred to the Committee on Rules.

## EXPLANATIONS OF ABSENCE

I was in Subcommittee of Ways and Means Committee from 10.45 to 11.50 a.m

CHARLES J. CONRAD

---

Returned to Chamber at 10.38 a.m. Have been with Board of Equalization on legislative business.

JAMES L. HOLMES

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June 12, 1959

Because I was required to appear before the Senate Water Committee much of this morning it resulted in my not voting on a number of bills during my absence.

CARLEY V. PORTER

---

I was in the Senate Water Committee Friday morning, June 12th, where two of my bills were heard.

LLOYD W. LOWREY

## RECESS

At 12.02 p.m., on motion of Mr. Winton, the Assembly recessed until 1.30 p.m.

## REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## RESOLUTIONS

The following resolutions were offered:

By Mrs. Davis:

### House Resolution No. 353

Relative to the death of Edward Paul Denny

WHEREAS, The Members of the Legislature have learned with deep regret of the death of former Assemblyman Edward Paul Denny; and

WHEREAS, Mr. Denny was born in Scott Valley near Etna, California, on October 6, 1892, attended Etna schools and, later, the University of California where he was a member of the Class of 1914; and

WHEREAS, He was a member of the Board of Supervisors of Siskiyou County from 1939 to 1943 when he took office as Assemblyman from the Second District; and

WHEREAS, He served with distinction for two terms in the State Legislature, following which he was appointed to a six-year term as a member of the State Fish and Game Commission; and

WHEREAS, Throughout his outstanding career in public service he was a diligent and conscientious representative of the people; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby pay tribute to the memory of their former colleague, Edward Paul Denny, and extend their sincere and heartfelt condolences to the members of his family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Susan Denny, and his brother, Mr. Carl Denny.

Resolution read, and referred to the Committee on Rules.

By Messrs. Bane, Cusanovich, and Miller:

### House Resolution No. 354

Relative to the *Valley Times* campaign against pornography

WHEREAS, There has been a great increase in the amount of pornographic literature published and distributed through the mails and other channels; and

WHEREAS, The difficulty of the police and postal authorities is great because of the public's lack of knowledge concerning what is illegal material and where to report violations; and

WHEREAS, The *Valley Times*, through its series of articles on pornography, has made the public aware of their responsibility to notify police and postal authorities of such material received in the mails, or of persons who are producing illegal material for sale to others; and

WHEREAS, The *Valley Times* series have been helpful to the police for many reasons, among them making complaints more readily given to police and postal authorities, and aiding the police in their problem of getting sufficient evidence to make arrests and get convictions; and

WHEREAS, The time and space given by the *Valley Times* to this problem has caused the distribution of pornographic literature to diminish in the area covered by the circulation of the *Valley Times;* now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members extend their congratulations to the *Valley Times* for their campaign against pornography; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to the *Valley Times*.

Resolution read, and referred to the Committee on Rules.

By Mr. Beaver:

### House Resolution No. 355

Relative to a study of barber colleges

WHEREAS, Within recent years a serious conflict has developed between barber colleges, licensed barbers, and others interested in the trade; and

WHEREAS, A great variety of legislation has been introduced at this and past sessions of the Legislature dealing with barbers and the problems thereof; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for the study and report to the Legislature at its 1961 Regular Session the subject of the practice

of barbering. The committee shall study all facts and circumstances relating to the subject of this resolution, shall make appropriate recommendations as to the advisability or necessity for legislation in this area, and shall report its findings and recommendations to the Legislature by the fifth calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Mr. Bane:

**House Resolution No. 356**

Relative to the development of the Foothill Freeway

WHEREAS, The Foothill Freeway as planned by the Department of Public Works will pass through Sunland and Tujunga in Los Angeles County; and

WHEREAS, The orderly planning of the future requires that businessmen and homeowners be informed of the location of the proposed freeway; and

WHEREAS, The route to Antelope Valley, the development of Wentworth as a four-lane highway, and the widening and straightening of Sunland Boulevard has brought about a concentration of traffic and traffic hazards in Sunland and Tujunga; and

WHEREAS, Good community planning calls for the removal of through traffic from community activity; now, therefore, be it

*Resolved*, That the Assembly of the State of California hereby requests the California Highway Commission to hold a public hearing in the Tujunga City Hall or other appropriate place in the vicinity as soon as possible to give the citizens of Sunland and Tujunga an opportunity to express their views as to the location and development of the Foothill Freeway; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the members of the California Highway Commission.

Resolution read, and referred to the Committee on Rules.

By Messrs. Hegland and Ernest R. Geddes:

**House Resolution No. 357**

Relating to the preservation of the integrity of scholastic degrees and diplomas

*Resolved by the Assembly of the State of California*, That the Committee on Rules of the Assembly be directed to assign to an appropriate interim committee for study the subject matter of Division 21 of the Education Code, including the preservation of the integrity of scholastic degrees and diplomas; and be it further

*Resolved*, That the interim committee to which such subject matter is referred shall make a final report of the results of its study with its recommendations to the Legislature on or before the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Messrs. Cunningham, Holmes, and Hawkins:

**House Resolution No. 358**

Relative to a study of subscription, box office and pay television

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the Assembly Interim Committee on Public Utilities and Corporations a study and report to the Legislature at its 1961 Regular Session, on the subject of subscription, box office and pay television.

The committee shall study all facts and circumstances relating to the subject of this resolution, including a study of the actual functions of this new, competitive entertainment industry, and its impact upon the economy and the culture of the State of California, as a means of determining the need or the lack of need, the advisability or the inadvisability, for legislation, and shall report its findings and its recommendations to the Legislature not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

## REFERENCE OF SENATE BILLS NOS. 1154 AND 1159

Speaker Brown ordered Senate Bills Nos. 1154 and 1159 referred to the Committee on Social Welfare.

### CALL OF THE ASSEMBLY

Mr. Cusanovich moved a call of the Assembly.

Mr. Hawkins seconded the motion.

Motion carried. Time, 1.34 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 438**—An act to add Sections 21641 and 21642 to the Public Utilities Code, relating to airspace hazards.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lunardi, Marks, Miller, Petris, Porter, Rees, Rumford, Schrade, Thomas, Williamson, George A. Willson, Charles H. Wilson, and Winton—43

NOES—Levering and Reagan—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 501**—An act to amend Section 3300 of the Health and Safety Code, relating to the state tuberculosis subsidy.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Biddick, George E Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, Miller, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thomas, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 502**—An act to add Section 6309 to the Public Resources Code, relating to salvage operations on tide and submerged lands.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Miller, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 572**—An act to amend Sections 1408 and 1410 of the Health and Safety Code, relating to the regulation of hospitals and other institutions providing care for the infirm.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Busterud, Collier, Conrad, Crawford, Crown, Cusanovich, Davis, DeLotto, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Lunardi, Marks, Miller, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thomas, Williamson, George A. Willson, Charles H. Wilson, and Winton—44.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Constitutional Amendment No. 11**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4e to Article VI thereof, relating to the appellate jurisdiction of the district courts of appeal.

Resolution read, and presented by Mr. Busterud.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, Meyers, Miller, Munnell, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Chapel was granted unanimous consent to take up House Resolution No. 349 without reference to file.

## CONSIDERATION OF HOUSE RESOLUTION NO. 349

By Mr. Chapel:

### House Resolution No. 349

Relative to commending Robert Norman Geddes

WHEREAS, In the scientific and technological engineering fields which are of such vital concern to all Americans today, the subject of electronic engineering stands out as a matter of prime importance to the security of this Nation; and

WHEREAS, The interest of young Americans in electronic engineering, and the characteristic spirit of the youth of our Country in general, is typified by the contributions of Robert Norman Geddes in the field of electronics; and

WHEREAS, Robert Norman Geddes has since childhood displayed an intense interest in mathematics and science; and

WHEREAS, His purposeful spirit has led him to map his own course of studies which has led to his outstanding record as an undergraduate at Stanford University and in securing his Masters degree from the University of California; and

WHEREAS, While devoted to his chosen field of endeavor, Robert Geddes has displayed his talents of leadership and has distinguished himself in his hobbies of skin diving and skiing; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take this opportunity to commend Robert Norman Geddes for his contributions and devotion to the field of electronics and to call the attention of young America to an outstanding example of an all-around American; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Robert Norman Geddes.

Resolution read, and adopted unanimously.

### Members Made Co-authors of House Resolution No. 349

Mr. Burton was granted unanimous consent that all members so desiring be placed upon the illuminated copy of House Resolution No. 349 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

## INTRODUCTION OF ROBERT NORMAN GEDDES

Speaker Brown announced the presence in the Assembly Chamber of Mr. Robert Norman Geddes, the son of Assemblyman Samuel R. Geddes, and presented him to the Members of the Assembly; who then joined in welcoming him on his visit, and offering their congratulations upon his receiving a master's degree from the University of California.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1002**—An act to amend Section 12052 of the Penal Code, relating to the issuance of licenses to carry concealed firearms.

Bill read third time, and presented by Mr. Petris.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Crown, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, O'Connell, Porter, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—41.

NOES—Backstrand, Bee, Britschgi, Dahl, Donahoe, Samuel R. Geddes, Grant, Lanterman, Levering, McCollister, and Reagan—11.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Britschgi was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Senate Bill No. 1002.

**Senate Bill No. 908**—An act to amend Section 12027 of the Penal Code, relating to concealed carrying of firearms.

Bill read third time, and presented by Mr. Petris.

### Hon. George A. Willson Presiding

At 2:04 p.m., Hon. George A. Willson, Member of the Assembly from the Fifty-second District, presiding.

### Demand for Previous Question

Messrs. Ernest R. Geddes, Schrade, Johnson, Crown, and DeLotto demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown,

DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—53.

NOES—Bee, Britschgi, Collier, Davis, Samuel R. Geddes, and McCollister—6.

Bill ordered transmitted to the Senate.

**Senate Bill No. 911**—An act to amend Section 12076 of the Penal Code, relating to the sale of concealable firearms.

Bill read third time, and presented by Mr. Petris.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—49.

NOES—Backstrand, Beaver, Bee, Britschgi, Davis, Samuel R. Geddes, McCollister, and Pattee—8.

Bill ordered transmitted to the Senate.

**Senate Bill No. 620**—An act to add Section 5008.5 to the Public Resources Code, relating to the Division of Beaches and Parks.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.

NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Marks was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 620.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1467**—An act to amend Section 5302 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to elementary schools.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1356**—An act to add Article 10 (commencing at Section 2780) to Chapter 7 of Division 5 of the Education Code as enacted at the 1959 Regular Session, relating to junior college district organization.

Bill read third time, and presented by Miss Donahoe.

NOTE—On June 15, 1959, Senate Bill No. 1356 was recalled from the Senate (Assembly Journal, page 5383), and on June 17, 1959, the record was expunged, and the action rescinded whereby the bill was this day passed (Assembly Journal, page 5640).

*Speaker Presiding*

At 2.20 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Senate Bill No. 1263**—An act to amend Section 4167 of the Public Resources Code, relating to use of equipment without approved spark arresters.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 101**—An act to amend Section 5536 of the Business and Professions Code, relating to the practice of architecture.

Bill read third time, and presented by Mr. Munnell.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, Dills, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—55.
NOES—Don A. Allen—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 853**—An act to amend Sections 5000, 5001, 5002, 5020.5, 5032, 5033, 5091, 5092, 5093, 5096, 5098, and 5132 of, and to add Section 5030.5 to, the Business and Professions Code, and to amend Sections 5001, 5002, 5020.3, 5020.5, 5032, 5033, 5035, 5084, 5091, 5092, 5096, and 5098 of the Business and Professions Code as proposed to be

amended, added, and renumbered by Senate Bill No. 104, relating to the practice of accountancy.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, Pattee, Petris, Porter, Rumford, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—60.
NOES—Bane, Cameron, and Munnell—3.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1092**—An act to add Sections 5721 and 5722 to, and to amend Section 10506 of, the Education Code, as enacted at the 1959 Regular Session, relating to tuition fees for nonresident junior college students.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—Burton—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1214**—An act to amend Section 9802 of the Education Code, and amend Section 6904 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded minors, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Nisbet.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—57.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller,

Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1420**—An act to add Section 6359 to the Public Resources Code, relating to grants of tide and submerged lands.

Bill read third time, and presented by Mr. Francis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 421**—An act to add Section 6539 to the Business and Professions Code, relating to the practice of barbering.

Bill read third time, and presented by Mr. Rumford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1405**—An act to amend Section 7397 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and presented by Mr. Z'berg.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1484**—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent

herewith," approved by electors November 7, 1922, by amending Section 1 thereof, relating to practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Motion to Amend Title

Mr. Lunardi moved the adoption of the following amendment to the title:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on June 10, 1959, after "thereof", insert "and adding Section 12.5 thereto".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate

**Senate Bill No. 724**—An act to amend Sections 8951 and 8955 of and to add Section 6913.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read third time.

Motion to Amend

Mr. Z'berg moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out the first "Section", and insert "Sections 6915 and".

Amendment No. 2

On page 2, strike out lines 9 and 10, and insert "for the education of mentally retarded minors who come within the provisions of Section 6902.

SEC. 3. Section 6915 of said code is amended to read:

6915. The application shall be made prior to September 1st of each school year in the form and manner prescribed by the Superintendent of Public Instruction and shall include an estimate of the average daily attendance that will be credited to such schools ~~or~~, classes *or integrated programs* during the school year ~~in which they are established~~ *for which an advance apportionment is requested*. Such estimate shall be based upon the number of minors residing in the district or in an adjacent district that come within the provisions of Section*s 6801, 6802, and* 6903 and who will attend such schools ~~and~~, classes *or integrated programs, and* shall be subject to the approval of the Superintendent of Public Instruction."

**Amendment No. 3**

On page 2, line 11, strike out "3", and insert "4".

**Amendment No. 4**

On page 3, line 11, strike out "4", and insert "5".

**Amendment No. 5**

On page 4, line 4, strike out "SEC. 5", and insert "SEC. 6".

**Amendment No. 6**

On page 4, line 27, strike out "6", and insert "7".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 460**—An act to repeal Sections 23102 and 23103 of, to add Section 23102 to, and to amend Section 23104.4, 24071 and 24075 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Mr. Porter.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—68.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 787**—An act to amend Sections 22162 and 23196 of the Water Code, relating to irrigation districts.

Bill read third time, and presented by Mrs. Davis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1302**—An act to amend Sections 12212 and 12511 of the Business and Professions Code, relating to weighing and measuring devices.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto,

Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 869**—An act to add Sections 20014.4, 20017.4 and 21363.4 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and presented by Mr. Meyers.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—69.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT

Mr. O'Connell was granted unanimous consent to take up Assembly Bill No. 1350 for purpose of amendment.

## CONSIDERATION OF ASSEMBLY BILL NO. 1350

**Assembly Bill No. 1350**—An act to amend Sections 2020, and 2025 of, the Welfare and Institutions Code, relating to old age assistance.

Bill read third time.

### Motion to Amend

Mr. O'Connell moved the adoption of the following amendments:

### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 8, 1959, strike out "for basic needs".

### Amendment No. 2

On page 2, line 40, strike out "one hundred dollars ($100)", and insert "one hundred five dollars ($105)".

### Amendment No. 3

On page 3, strike out lines 7 to 9, inclusive.

Amendments read, ~~and adopted.~~

~~Bill ordered reprinted, and re-engrossed.~~

NOTE—Later this day, a motion to reconsider the amendments to Assembly Bill No. 1350 was made. *See* page 5377.

## THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Belotti was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1168.

### Consideration of Assembly Bill No. 1168

**Assembly Bill No. 1168**—An act to appropriate moneys in the Small Craft Harbors Revolving Fund for the Shelter Cove Project, Humboldt County.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1168:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1168 is an act to appropriate moneys in the Small Craft Harbors Revolving Fund for the Shelter Cove Project, Humboldt County.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1168 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Demand for Previous Question

Messrs. Ernest R. Geddes, Schrade, Burke, House, and Don A. Allen demanded the previous question. Demand sustained.

The question being on the passage of the Bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—58.

NOES—Don A. Allen, Luckel, Reagan, and Thelin—4.

Bill ordered transmitted to the Senate.

### Request for Unanimous Consent to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Lunardi was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1717.

### Consideration of Assembly Bill No. 1717

**Assembly Bill No. 1717**—An act to make an appropriation for a loan to the South Sutter Water District for the construction of an irrigation project, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1717.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1717 is an act relating to a loan to the South Sutter Water District

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No 1717 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILL NO. 1168 FROM COMMITTEE

Mr. Beaver was granted unanimous consent that Senate Bill No. 1168 be withdrawn from the Committee on Water, for purpose of amendment, and that the bill be re-referred to the committee.

### CONSIDERATION OF SENATE BILL NO. 1168

**Senate Bill No. 1168**—An act to add Sections 6588.2, 14060.1, 14654 6, 20063 2, and 32109 to the Health and Safety Code, Sections 5781.20 and 9204.1 to the Public Resources Code, Section 16175 to the Public Utilities Code, Sections 21661 1, 30818, and 60141.1 to the Water Code, Section 4.2 to the Municipal Water District Act of 1911 (Ch. 671, Stats. 1911), Section 14.1 to the Water Conservation Act of 1927 (Ch. 91, Stats. 1927), Section 14.6 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), Section 14.2 to the Orange County Water District Act (Ch. 924, Stats. 1933) and Section 24.1 to the Kings River

Conservation District Act (Ch. 931, Stats. 1951), relating to notice on elections.

Bill read second time.

**Motion to Amend**

Mr. Beaver moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "on", insert ", or within one week prior to,".

**Amendment No. 2**

On page 2, line 2, after "on", insert ", or within one week prior to,".

**Amendment No. 3**

On page 2, line 13, after "on", insert ", or within one week prior to,".

**Amendment No. 4**

On page 2, line 24, after "on", insert ", or within one week prior to,".

**Amendment No. 5**

On page 2, line 35, after "on", insert ", or within one week prior to,".

**Amendment No. 6**

On page 2, line 47, after "on", insert ", or within one week prior to,".

**Amendment No. 7**

On page 3, line 7, after "on", insert ", or within one week prior to,".

**Amendment No. 8**

On page 3, line 18, after "on", insert ", or within one week prior to,".

**Amendment No. 9**

On page 3, line 31, after "on", insert ", or within one week prior to,".

**Amendment No. 10**

On page 3, line 42, after "on", insert ", or within one week prior to,".

**Amendment No. 11**

On page 4, line 1, after "on", insert ", or within one week prior to,".

**Amendment No. 12**

On page 4, line 13, after "on", insert ", or within one week prior to,".

**Amendment No. 13**

On page 4, line 25, after "on", insert ", or within one week prior to,".

**Amendment No. 14**

On page 4, line 37, after "on", insert ", or within one week prior to,".

**Amendment No. 15**

On page 4, line 49, after "on", insert ", or within one week prior to,".

**Amendment No. 16**

On page 5, line 8, after "on", insert ", or within one week prior to,".

Amendments read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Water.

## SENATE BILL NO. 1069 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Senate Bill No. 1069,** on request of Mr. Hawkins.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up Senate Constitutional Amendment No. 31 for purpose of amendment.

### CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 31

**Senate Constitutional Amendment No. 31**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, relating to the compensation of Members of the Legislature.

Resolution read.

#### Motion to Amend

Mr. Miller moved the adoption of the following amendment:

#### Amendment No. 1

On page 1, after line 12 of the printed measure, insert

"Notwithstanding any other provision of this Constitution or of law, the increased compensation for Members of the Legislature resulting from the amendment to this subdivision as proposed by the Legislature at its 1959 Regular Session shall not be considered in computing the retirement benefits under the Legislators' Retirement System of any person who has retired under that system prior to the operative date of said amendment and the retirement benefits payable to such retired members shall not be increased as the result of such increased compensation."

Amendment read, and adopted.

Resolution ordered reprinted, and on file.

### NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 728 FROM COMMITTEE

Mr. Bruce F. Allen gave notice that on the second legislative day he would move to withdraw Senate Bill No. 728 from the Committee on Criminal Procedure.

### REPORT ORDERED PRINTED IN JOURNAL

Speaker Brown ordered the following letter of transmittal and report printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, June 12, 1959

*Hon. Ralph Brown*
*Speaker of the Assembly*
*State Capitol, Sacramento*

DEAR MR. BROWN: The Assembly Legislative Representation Committee has met and is herewith submitting a Progress Report for consideration of the Members of the Assembly.

The committee requests that this Progress Report be appropriately inserted in the Assembly Daily Journal.

Respectfully submitted,

MYRON H. FREW, Chairman
CHARLES H. WILSON, Vice Chairman
CARLOS BEE
WALTER I. DAHL

*Minority Report:* I refuse to sign the above because some of the advocates should be investigated.

CHARLES EDWARD CHAPEL

## PROGRESS REPORT OF THE SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

This committee, pursuant to the duties with which it is charged by the Standing Rules of the Assembly and Section 9909 of the Government Code, has reviewed the statements, letters of authorization, and monthly reports of the persons hereinafter named, and unless good cause to the contrary is shown, each person named in this report is entitled to have this committee grant to him a Certificate of Registration as Legislative Advocate. Accordingly, not less than five days after the filing of this report, unless in the meantime good cause for not doing so appears, your committee will grant Certificates of Registration as Legislative Advocate to the following named persons:

BLAINE, JACK L., 775 Post Street, San Francisco
Ted W. Heskett

BROWN, ARNOLD B., 600 Stockton Street, San Francisco
Metropolitan Life Insurance Co.

BROWN, WAT W., Senator Hotel or 917 Tenth St., Sacramento
Pacific Finance Corporation

BRUCE, N. D., 37 W. San Carlos St., San Jose
California Associated Schools of Cosmetology

CHILDRESS, HENRY H., Senator Hotel, Sacramento
Pacific Mutual Life Insurance Co.

CONN, ZEL L., El Mirador Hotel, Sacramento
Tobacco Distributors

COTTER, FRANK T., Senator Hotel, Sacramento
Kevin M. Tuohy

CULVER, JAMES M., 8676 La Mesa Blvd., La Mesa
La Mesa Frozen Food Lockers, Inc.

DOHERTY, EMMETT E., Senator Hotel, Sacramento
Pacific Finance Corporation

DOYLE, JEROME D., 1 Madison Avenue, New York City
Metropolitan Life Insurance Co.

DURKEE, FRANK B., 1901 Eleventh Avenue, Sacramento
Retired State Government Employees Assoc.

GARIBALDI, JAMES D., Hotel Senator, Sacramento
Northern California Harley-Davidson Dealers Assoc.
Wayne Pump Company

GARLAND, GORDON H., Hotel Senator, Sacramento
California Music Merchants Assoc., Inc.
J. G. Boswell Co., Corcoran, Calif.

GARROD, MRS. EDNA MAY, El Mirador Hotel, Sacramento
California Farmers, Inc.

HENLEY, ALBERT T., Senator Hotel, Sacramento
Santa Clara Valley Water Conservation District

HUTCHINS, J. BARTON, Senator Hotel, Sacramento
Edwin W. Pauley & Associates

INNIS, R. D., Senator Hotel or 917 Tenth St., Sacramento
Pacific Finance Corporation

KEATON, MORGAN, Senator Hotel, Sacramento
Pinkerton's National Detective Agency, Inc.

LEPORINI, DOROTHY, 1040 Ninth Avenue, Sacramento
California Associated Schools of Cosmetology

LERTEN, ERWIN, 315 West Ninth Street, Los Angeles 15
Dealers Employers Association

LOWENTHAL, ALFRED, 465 West 7th Street, San Pedro
California Associated Schools of Cosmetology

MAES, LAURENCE A., Hotel Senator, Sacramento
Alameda County Milk Dealers Association

MOSKOVITZ, ADOLPH, 926 J Building, Sacramento
Nevada County
Placer County Board of Supervisors
Sierra County

NATAPOFF, MILTON, El Mirador Hotel, Sacramento
Farm Leases Inc.

NELSON, HERM, 735 Industrial Way, San Carlos
Peninsula Builders' Exchange
Construction Employers Association
California Council of Insurance Buyers

O'HARA, JOHN F., Senator Hotel, Sacramento
California Labor Industry Committee for Shipbuilding

PETERS, OLIVE L., 141 B Harvard, Claremont
League of Women Voters of California

PEYSER, JEFFERSON E., Senator Hotel, Sacramento
Dr. Milton B. Rich, San Francisco
Dr. Berry Bleeck, Los Angeles
Dr. S. Gordon, Oxnard

PHILLIPS, JAMES H., 926 J Building, Sacramento
Pacific Blind Products Co.

POTRUCH, FREDERICK A., 315 West Ninth Street, Los Angeles 15
Dealers Employers Association

RAREY, ARTHUR, 484 Twelfth Street, Oakland
California Associated Schools of Cosmetology

REDWINE, H. KENT, El Mirador Hotel, Sacramento
Pacific Finance Corporation

REEVES, L. A., El Dorado Hotel, Sacramento
Metropolitan Transit Authority

RICHTER, GEORGE R., 458 South Spring Street, Los Angeles
C. I. T. Corporation

THOMPSON, JOHN H., 600 Stockton Street, San Francisco
Metropolitan Life Insurance Co.

WEBER, ALBERT E., 7831 East Jackson Street, Paramount
Protected Milk Producers Association

## REQUEST FOR UNANIMOUS CONSENT TO SET SENATE BILL NO. 1106 FOR SPECIAL ORDER

Mr. Porter was granted unanimous consent that Senate Bill No. 1106 be made a special order of business for Wednesday, June 17, 1959, at 10 a.m.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To: Chief Clerk of the Assembly.*

In accordance with the provisions of Joint Rule No. 8.3, I give notice of my intention to introduce a bill after the 120th calendar day of this session. The bill and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed. I am just advised that this resolution would help the passage of S. 1846 of the Eighty-sixth Congress. I did not have request for this help until June 10, 1959.

### Digest of Bill

Memorializes the Congress of the United States to enact S. 1846 which would establish procedures for the discovery and report of unclaimed funds and property in the custody of federal officers, agencies and departments to the interested states and territories.

ALLEN MILLER

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules, pursuant to Joint Rule No. 8.3, after an examination of the proposed bill, has determined that there exists an urgent need for its introduction, and recommends that introduction of the proposed bill be permitted.

The title of the bill proposed by Mr. Miller reads as follows:

Relative to unclaimed funds and property held by Federal Government.

MILLER, Chairman

## RESOLUTIONS

The following resolution was offered:

By Mr. Miller:

### House Resolution No. 359

WHEREAS, Pursuant to Joint Rule No. 8.3, the Assembly Rules Committee has determined that there exists an urgent need for the introduction of a bill proposed by Mr. Miller, the title of which reads as follows:

Relative to unclaimed funds and property held by Federal Government.

*Be it Resolved by the Assembly of the State of California*, That permission to introduce such proposed bill be granted.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted, Mr. Miller was granted unanimous consent that Joint Rule No. 23 be suspended to permit the introduction of Assembly Joint Resolution No. 41.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Joint Resolution No. 41**: By Mr. Miller—Relative to unclaimed funds and property held by Federal Government.

Referred to Committee on Rules.

### SENATE REQUESTED TO RETURN SENATE BILL NO. 565

Mr. Crown was granted unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 565 for further consideration.

### NAME PLACED UPON ROLL CALL ON SENATE BILL NO. 853

Mr. Bane was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 853.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Crown asked for unanimous consent that the Rules be suspended to permit consideration of Senate Bill No. 1285 without re-reference to the Committee on Ways and Means.

Request ruled not in order, since the bill was out for reprint.

### MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1350

Mr. Winton moved to reconsider on the next legislative day the vote whereby amendments to Assembly Bill No. 1350 were this day adopted (Assembly Journal, page 5369).

Assembly Bill No. 1350 and the motion to reconsider ordered to the unfinished business file.

### CALL OF THE ASSEMBLY DISPENSED WITH

At 3.15 p.m , Mr. Winton moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

### LEAVES OF ABSENCE FOR PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. Mulford, on request of Speaker Brown.
Mr. Shell, on request of Speaker Brown.

### RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bill No. 795** to the Committee on Ways and Means.
**Senate Bill No. 1182** to the Committee on Judiciary—Civil.

### EXPLANATIONS OF ABSENCE

June 12, 1959

I missed a number of roll calls this morning due to the fact that I was attending to legislative matters elsewhere in the Capitol.

CHARLES W. MEYERS

Mr. Coolidge asked to be excused to attend Committee on Conference on the Budget.

GLENN E. COOLIDGE

### ADJOURNMENT

At 3.17 p m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.30 a.m., Monday, June 15, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED NINTH LEGISLATIVE DAY

ONE HUNDRED SIXTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Monday, June 15, 1959

The Assembly met at 9.30 a.m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty God*, Whose law of life is change, in the midst of a forest of flags yesterday we noted the addition of a new star, a symbol of a Nation open to change and growth. We are met concerned with one growing State, California, and our prayer is especially for the one remaining week of labor in this Assembly. If ever we have devoted ourselves to truly important issues let it be in these remaining days. If ever we have needed Thy help, O God, it is now. Help us to act this week as if there were never to be another Assembly, and as if it is ours, with Thy guidance, to determine the future of the State.—AMEN.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Brown, the Assembly then gave the pledge of allegiance to the Flag.

## MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Porter, seconded by Mr. Britschgi.

## LEAVES OF ABSENCE FOR A PART OF THE DAY

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. Reagan, on motion of Mr. Shell.

Mr. Ernest R. Geddes, on his own request, starting at 10.30 a.m. to attend a meeting of the Senate Committee on Finance relative to Assembly Bill No. 1000.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

**Letter of Transmittal**

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., June 11, 1959

*Mr. Arthur A. Ohnimus, Chief Clerk*
*Assembly, California Legislature*
*State Capitol, Sacramento*

DEAR MR. OHNIMUS: Thank you for providing Mr. Mailliard with a copy of Assembly Joint Resolution No. 33 regarding the international outfall sewer. Enclosed is a copy of HR 3610, a water pollution control bill, which passed the House on June 9th This measure may be of interest to you.

With best wishes,

Sincerely,

MATTHEW J. HARVEY
Executive Secretary to Congressman Mailliard

Above transmitted copy of HR 3610 referred to the Committee on Natural Resources, Planning, and Public Works.

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The following communications were presented by the Chief Clerk from:

George H. Winters, Secretary to Commissioner Hewitt of the International Boundary and Water Commission of the United States and Mexico, acknowledging receipt of Assembly Joint Resolution No. 33 relative to sanitation at Imperial Beach. Referred to the Assembly Interstate Co-operation Committee of the Interstate Co-operation Commission.

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Southern California Marine Assn., Inc., of Los Angeles, relative to the State Boating Act. Referred to the Committee on Public Utilities and Corporations.

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A resolution by the City Council of the City of Antioch, relative to the California water development plan. Referred to the Committee on Water.

## RESOLUTIONS

The following resolution was offered:

By Mr. Schrade:

### House Resolution No. 360

Relative to an interim study of the feasibility of establishing a veterans' home in San Diego County

WHEREAS, The majority of the veterans in California reside in the southern portion of the State; and

WHEREAS, There is at present no veterans' home in the southern part of the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of the desirability and feasibility of establishing a State veterans' home in San Diego County is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

## UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker Brown was granted unanimous consent that the Rules be temporarily suspended in order that all bills reported out of committee today be read the second time, with appropriate actions taken thereon; and that all bills amended on second reading today be placed on the third reading file without being returned to the second reading file pursuant to Rule No. 69.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 345

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 855

With amendments with the recommendation: Amend, and do pass, as amended.

MACBRIDE, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 855**—An act to amend Section 607 of, and to add Section 609.5 to, the Probate Code, and to add Section 14773.5 to the Revenue and Taxation Code, relating to inheritance tax appraisers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Revenue and Taxation, were read, and adopted:

### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 7, 1959, after "that", insert "in".

### Amendment No. 2

On page 1, line 4, strike out "or appraisers".

**Amendment No. 3**

On page 2, line 5, after "tax", insert "appraiser's".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 1474

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1474**—An act to amend Section 4125.1 of the Penal Code, relating to the employment of county jail prisoners.

Bill read second time, and ordered to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Rattigan and Shaw as a Committee on Conference concerning:

Assembly Bill No. 1037—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns to the Assembly without further action.

Assembly Bill No. 2743

From committee: Bill to be re-referred to Assembly Rules Committee for interim study assignment.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 115
Assembly Concurrent Resolution No. 123
Assembly Concurrent Resolution No. 135
Assembly Concurrent Resolution No. 141
Assembly Concurrent Resolution No. 142
Assembly Concurrent Resolution No. 143
Assembly Concurrent Resolution No. 144
Assembly Concurrent Resolution No. 145
Assembly Concurrent Resolution No. 147

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 141
Assembly Bill No. 163
Assembly Bill No. 375
Assembly Bill No. 498
Assembly Bill No. 565
Assembly Bill No. 650
Assembly Bill No. 653
Assembly Bill No. 782
Assembly Bill No. 911
Assembly Bill No. 959
Assembly Bill No. 1184
Assembly Bill No. 1061
Assembly Bill No. 1219
Assembly Bill No. 1229

Assembly Bill No. 1315
Assembly Bill No. 1369
Assembly Bill No. 1378
Assembly Bill No. 1459
Assembly Bill No. 1531
Assembly Bill No. 1794
Assembly Bill No. 1799
Assembly Bill No. 1848
Assembly Bill No. 1849
Assembly Bill No. 1881
Assembly Bill No. 1899
Assembly Bill No. 1927
Assembly Bill No. 1930
Assembly Bill No. 2059
Assembly Bill No. 2125
Assembly Bill No. 2126
Assembly Bill No. 2222
Assembly Bill No. 2223
Assembly Bill No. 2366
Assembly Bill No. 2378
Assembly Bill No. 2388
Assembly Bill No. 2473
Assembly Bill No. 2527
Assembly Bill No. 2586
Assembly Bill No. 2655

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 156
Assembly Bill No. 166
Assembly Bill No. 367
Assembly Bill No. 656
Assembly Bill No. 950
Assembly Bill No. 986
Assembly Bill No. 1148
Assembly Bill No. 1157
Assembly Bill No. 1203
Assembly Bill No. 1220
Assembly Bill No. 1497
Assembly Bill No. 1698
Assembly Bill No. 1810
Assembly Bill No. 1957
Assembly Bill No. 2037
Assembly Bill No. 2049
Assembly Bill No. 2175
Assembly Bill No. 2543
Assembly Bill No. 2689
Assembly Bill No. 2806
Assembly Bill No. 2533
Assembly Concurrent Resolution No. 105

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 13
Senate Bill No. 682
Senate Bill No. 999
Senate Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day is returning Senate Bill No. 565 as per your request.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business.

## CORRECTION

On request of Mr. Schrade, Speaker Brown ordered the name of Mr. Crawford stricken as the author of House Resolution No. 360 (Assembly Journal, page 5381), and the name of Mr. Schrade substituted in its place.

## SENATE REQUESTED TO RETURN SENATE BILL NO. 1356

Mr. Pattee was granted unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 1356 for further consideration.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Cusanovich and House:

### House Resolution No. 361

Commending David Crum

WHEREAS, The attention of the Legislature has been called to the achievements of David Crum, a fourth generation scion of the Crum family of Susanville, California; and

WHEREAS, David was born November 1, 1936, and attended McClatchy High School in Sacramento, Menlo Prep School, Menlo Junior College, and the University of California; and

WHEREAS, He is one of only four Americans who have been selected since World War II to train with Lloyds of London; and

WHEREAS, He is the youngest American ever allowed to conduct brokerage transactions on the floor of that establishment; and

WHEREAS, He is presently employed in England by Griffiths, Tate Insurance, Ltd., which is affiliated with Lloyds; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend David Crum on the outstanding successes he has achieved in such a few short years, and extend their very best wishes for his future; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to David Crum.

Resolution read, and referred to the Committee on Rules.

By Mr. Burke:

### House Resolution No. 362

Commending Dr. C. E. Britton

WHEREAS, This year marks the thirty-fifth anniversary of Dr. C. E. Britton as pastor of the Bethany Church of Alhambra, California; and

WHEREAS, Under his skillful leadership the church has grown to its present membership of 760, of whom 36 are original charter members; and

WHEREAS, Exercising a rare blend of spiritual and materialistic ability, Doctor Britton has achieved a solid financial foundation for the church which now has a property valuation of $800,000; and

WHEREAS, The Bethany Church alone has given over $369,000 in the past 30 years for missionary work in foreign countries, of which $44,000 was contributed in 1958; and

WHEREAS, In addition to devoting his life to the religious guidance of his parishoners, Doctor Britton has taken an active part in many community matters of both civic and cultural nature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Dr. C. E Britton on his long and distinguished service as pastor of the Bethany Church, and wish him many more years of fruitful endeavor; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Dr. C. E. Britton.

Resolution read, and referred to the Committee on Rules.

By Mr. Levering:

### House Resolution No. 363

Relative to the retirement of Dr. Adaline C. Guenther

WHEREAS, The Assembly of the State of California has learned that Dr. Adaline C. Guenther will retire this year as Executive Secretary of the University Religious Conference after a long and distinguished career; and

WHEREAS, Dr. Guenther, affectionately known as "Gram," first became associated with the University Religious Conference in 1928, when the campus of the University of California at Los Angeles was first located in Westwood; and

WHEREAS, Dr. Guenther was chiefly responsible for the establishment of University Camp, a mountain summer camp for underprivileged children, which has grown to accommodate over 600 children each summer; and

WHEREAS, The inspiration, imagination, and administration of Dr. Guenther were responsible for the creation, success, and continuance of Project India, a group of UCLA students whom she has led to India each summer since 1952 to present an accurate picture of the United States and the American way of life to the Indian community; and

WHEREAS, Dr. Guenther founded the Panel of Americans, an inter-religious and inter-racial student group which has spoken throughout the United States in an effort to remove religious and racial tensions and frictions; and

WHEREAS, Dr. Guenther's many contributions in the field of religion, education, and public service have benefited the University, the State, and the Nation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Dr. Adaline C. "Gram" Guenther for her many years of outstanding service, and wish her health and happiness in her retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Guenther.

Resolution read, and referred to the Committee on Rules.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2086**—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2086?

**Amendment No. 1**

On page 1, after line 9, of the printed bill, insert

"This section shall not apply to any motor vehicle using any attachment or device used for loading the motor vehicle on railroad cars"

The Assembly refused to concur in Senate amendment to Assembly Bill No. 2086 by the following vote:

AYES—George E. Brown, Davis, and Nisbet—3.

NOES—Bruce F. Allen, Backstrand, Bee, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Coolidge, Crawford, Cusanovich, Dahl, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, Miller, Mulford, Munnell, Pattee, Petris, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—47.

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1562?

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "six dollars ($6)", and insert "five dollars ($5)".

The Assembly refused to concur in Senate amendment to Assembly Bill No. 1562 by the following vote:

AYES—Frew, Garrigus, Holmes, Lunardi, and Sumner—5.

NOES—Bruce F. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—45.

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1563?

**Amendment No. 1**

On page 1 of the printed bill, strike out line 5, and insert "six dollars ($6)."

The Assembly refused to concur in Senate amendment to Assembly Bill No. 1563 by the following vote:

AYES—Frew, Garrigus, Holmes, Lunardi, and Sumner—5.
NOES—Bruce F. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—45.

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2065?

**Amendment No. 1**

On page 1, lines 6 and 7, of the printed bill, as amended in the Assembly on April 24, 1959, strike out "twenty-five dollars ($25)", and insert "thirty-five dollars ($35)".

**Amendment No. 2**

On page 1, line 5, of the printed bill as amended in the Senate on June 1, 1959, strike out "nine thousand six hundred dollars ($9,600)", and insert "eight thousand four hundred dollars ($8,400)".

The Assembly refused to concur in Senate amendments to Assembly Bill No. 2065 by the following vote:

AYES—Frew, Garrigus, Holmes, Lunardi, and Sumner—5.
NOES—Bruce F. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—45.

**Assembly Concurrent Resolution No. 128**—Relative to planning in Mother Lode and adjacent areas.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 128?

**Amendment No. 1**

On page 1, line 17, of the printed measure, after "economy", insert ", and also realize that these values and assets must be reconciled and integrated with the demands and uses of the present day".

**Amendment No. 2**

On page 1, line 20, strike out "That the Division of Beaches and".

**Amendment No. 3**

On page 2, strike out lines 1 to 12, inclusive, and insert "That the Department of Finance is directed to prepare a report setting forth the necessary content of a comprehensive planning survey of the Mother Lode and adjacent areas, which report shall: (1) describe the scope and type of the required planning studies; (2) recommend the organization and procedures for carrying out the survey and the appropriate division of responsibility among the state agencies concerned; and (3) specify the approximate cost of the proposed survey; and be it further

*Resolved*, That all historical, physical and economic studies proposed to be included in said comprehensive planning survey are to".

**Amendment No. 4**

On page 2, line 18, after "resolution", insert "to the Director of Finance,".

**Amendment No. 5**

On page 2, line 19, after "Parks," insert "and to".

**Amendment No. 6**

On page 1, lines 17, 18, and 19, of the printed measure, as amended in the Senate on June 1, 1959, strike out ", and also realize that these values and assets must be reconciled and integrated with the demands and uses of the present day".

**Amendment No. 7**

On page 2, strike out lines 12 to 23, inclusive, and insert "That the Division of Beaches and Parks, through its History Section, is requested to make a survey of this region leading to its preservation for the enjoyment and use of the general public, and this survey shall be integrated with future planning for the development of the California State Highway System in this region and the planning programs of the Department of Water Resources, various county planning commissions and other affected agencies so that the highways through these areas will be a continuous route of historic interest to the traveling tourist; and be it further

*Resolved*, That the survey encompass a study of potential travel, potential interest and potential accommodations; and be conducted with the co-operation of the"

**Amendment No. 8**

On page 2, line 28, strike out "to the Director of Finance,".

The Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 128 by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Elliott, Frew, Gaffney, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—49.

NOES—None.

Assembly Concurrent Resolution No. 128 ordered enrolled.

**Assembly Bill No. 131**—An act to repeal Section 72053 of, and to add Section 72053 to, the Government Code, relating to expenses of clerks, deputy clerks, commissioners and court reporters of municipal courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 131?

**Amendment No. 1**

On page 1, line 12, of the printed bill, as amended in the Assembly on April 17, 1959, after the period, insert "Traveling expenses allowed under this section shall be only for travel within the county in which the municipal court is established."

The Assembly concurred in Senate amendment to Assembly Bill No. 131 by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Coolidge, Cusanovich, Dahl, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 131 ordered enrolled.

**Assembly Bill No. 1517**—An act to amend Section 12900 of the Corporations Code, relating to co-operative corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1517?

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 10 through 14, inclusive, and insert "(a) The approval of any amendment by resolution of the board of directors is not required, and (b) any such amendment shall be approved by the vote or written consent of shareholders representing at least two-thirds of the voting power."

**Amendment No. 2**

On page 1, line 5, of the printed bill, as amended in the Senate on June 3, 1959, strike out ", except"; strike out all of lines 6 to 9, inclusive, and insert a period.

The Assembly concurred in Senate amendments to Assembly Bill No. 1517 by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 1517 ordered enrolled.

**Assembly Bill No. 1733**—An act to add Section 69749.2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1733?

**Amendment No. 1**

On page 1, line 10, of the printed bill as amended in the Assembly on April 24, 1959, strike out the period, and insert "unless the board of supervisors by resolution provides an earlier date upon which such sessions may be held."

The Assembly concurred in Senate amendment to Assembly Bill No. 1733 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 1733 ordered enrolled.

**Assembly Bill No. 2128**—An act to amend Section 11620 of the Health and Safety Code, relating to forfeiture of vehicles for narcotics violations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2128?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 29, 1959, strike out "11619", and insert "11620".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 11620 of the Health and Safety Code is amended to read:

11620. The claimant of any right, title or interest in the vehicle may prove his lien, mortgage, or conditional sales contract to be bona

fide and that his right, title, or interest was created after a reasonable investigation of the moral responsibility, character, and reputation of the purchaser, and without any knowledge that the vehicle was being, or was to be, used for the purpose charged but, in any case, a reasonable investigation of the moral responsibility, character and reputation of the purchaser or mortgagor shall be deemed to have been made if it was made in good faith and it disclosed and the fact also was that:

(a) The purchaser or mortgagor was at the time the holder of any occupational or business license issued by the State of California, or

(b) The purchaser or mortgagor was at the time a civil service employee or an employee with tenure of the United States, the State of California or of any political subdivision thereof or of any municipal corporation, or

(c) The purchaser or mortgagor was at the time a commissioned or noncommissioned officer of any of the branches of the armed forces of the United States or of the State Militia, or

(d) The purchaser or mortgagor, for at least one year immediately prior to the time such right, title or interest was created, had been regularly employed in a legitimate occupation and his present or last employer reports in substance that he is of good moral responsibility, character and reputation,

(e) ~~And no facts were known to the claimant or his successor tending to show that the purchaser or mortgagor was not of good moral responsibility, character and reputation.~~ *And the claimant or his successor had no actual knowledge that the purchaser or mortgagor was not of good moral responsibility, character, and reputation.''*

**Amendment No. 3**

On page 1, strike out lines 2 to 14, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 2128 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2128 ordered enrolled.

**Assembly Bill No. 2109**—An act to add Article 6.5 (commencing at Section 53800) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relative to the issuance of building certificates by local public agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2109?

**Amendment No. 1**

On page 1, line 19, of the printed bill, as amended in the Assembly on April 23, 1959, delete "which is a contracting agency under the State", and insert a period.

**Amendment No. 2**

On page 1, delete line 20.

The Assembly concurred in Senate amendments to Assembly Bill No. 2109 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2109 ordered enrolled.

**Assembly Bill No. 2522**—An act to amend Sections 3167, 3254, and 3255 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to unification of school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2522?

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on May 20, 1959, strike out line 15, and insert "district is cast in favor of the proposal.

If the proposal for unification or reorganization includes a city elementary school district governed by a city board of education and having an average daily attendance of more than 225,000 during the immediately preceding fiscal year, and any one or more other elementary school districts, or a portion of one or more other elementary districts, any such other elementary school district or portion of such other elementary school district shall be excluded from the unification or reorganization proposal, no election shall be held in, and the unification or reorganization shall be ineffective in, such district or portion of district, if the governing board of the district adopts a resolution by a vote of four-fifths of its total membership stating that the district or portion of the district is excluded and files a certified copy of a resolution with the county committee or committees prior to adjournment of the hearings prescribed by Section 3153. If any such elementary district or portion of an elementary district so excluded is located in a high school district included in the unification or reorganization proposal, territory of the high school district which is coextensive with the excluded elementary district or excluded portion of an elementary district shall also be excluded and the unification or reorganization shall be ineffective in such territory of the high school district. The provisions of this paragraph shall remain effective until June 30, 1962.

If the majority of all".

The Assembly concurred in Senate amendment to Assembly Bill No. 2522 by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 2522 ordered enrolled.

**Assembly Bill No. 64**—An act to amend Section 29007 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the granting of diplomas widening the completion of courses beyond high school.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 64?

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 3, 1959, strike out "amend Section 29007 of", and insert "add Section 29007.2 to".

**Amendment No. 2**

In line 4 of the title, strike out "widening", and insert "evidencing".

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 29007.2 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session to read:

29007.2. In addition to the persons, firms, associations, partnerships, or corporations, authorized by Section 29007 to issue or confer a diploma or an honorary diploma, any person, firm, association, partnership or corporation which meets the requirements of this section is authorized to issue or confer the diplomas specified by the Superintendent of Public Instruction. The person, firm, association, partnership, or corporation shall first obtain the permission of the Superintendent of Public Instruction to issue specified diplomas. Such permission shall be granted upon a year-to-year basis by the Superintendent of Public Instruction upon the submission of information to him that the courses of instruction, and the faculty or requirements of such applicant will afford students or require of students a course of education comparable to that being furnished by persons, firms, associations, partnerships and corporations offering similar instruction and complying with Section 29007. If a person, firm, association, partnership or corporation has faculty and educational standards comparable to the faculty and educational standards of institutions which qualify under Section 29007, but offers a course in a field of knowledge or endeavor not given by any such institution, the Superintendent of Public Instruction may, at his discretion, authorize the issuance of any specified diploma based thereon other than a degree and other than a document bearing the word "diploma"; provided, that he finds that the course furnishes necessary training to reach a professional or vocational objective and has substantial educational merit. For the purpose of this section, the Superintendent of Public Instruction may rely on the findings of an accrediting agency generally accepted by the class of institution concerned and shall consider the results of the examination taken pursuant to Business and Professions Code Section 2941.5 by students of any applicant. The provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code shall be applicable to any determination of the superintendent made pursuant to this section."

**Amendment No. 4**

On page 1, strike out lines 2 to 21, inclusive; and strike out all of pages 2 and 3.

The Assembly concurred in Senate amendments to Assembly Bill No. 64 by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 64 ordered enrolled.

**Assembly Bill No. 317**—An act to add Section 1773.1 to the Labor Code, relating to per diem wages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 317?

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on April 6, 1959, strike out "hourly".

**Amendment No. 2**

On page 1, line 4, strike out "contributions", and insert "payments".

**Amendment No. 3**

On page 1, line 14, after "involved.", insert "Such agreements shall be filed within ten days after their execution and thereafter may be taken into consideration pursuant to Section 1773."

**Amendment No. 4**

On page 1, line 12, of the printed bill, as amended in the Senate on May 12, 1959, after "Relations", insert "fully executed".

**Amendment No. 5**

On page 1, line 16, strike out the period, and insert "whenever filed 30 days prior to the call for bids."

The Assembly concurred in Senate amendments to Assembly Bill No. 317 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 317 ordered enrolled.

**Assembly Bill No. 871**—An act to amend Section 2350 of the Health and Safety Code, relating to mosquito abatement districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 871?

**Amendment No. 1**

On lines 14 and 15, of the printed bill, as amended in the Assembly on April 6, 1959, strike out "program of mosquito abatement and gnat control", and insert "control program".

The Assembly concurred in Senate amendment to Assembly Bill No. 871 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 871 ordered enrolled.

**Assembly Bill No. 1580**—An act to add Article 5.9 (commencing with Section 779.1), Chapter 1, Part 2, Division 1, and Section 10270.505 to the Insurance Code, relating to the regulation of credit life and credit disability insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1580?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 16, 1959, strike out "799.1", and insert "779.1".

**Amendment No. 2**

On page 1, line 21, after "transaction", insert ", exclusive of any such insurance procured at no expense to the debtor Insurance shall be deemed procured at no expense to the debtor unless the cost of the credit transaction to the debtor varies depending on whether or not the insurance is procured".

**Amendment No. 3**

On page 2, line 35, after "initial indebtedness", insert "or the indebtedness existing at the date of claim, whichever is greater".

**Amendment No. 4**

On page 3, line 26, after "creditor", insert "holding the indebtedness".

**Amendment No. 5**

On page 3, strike out lines 34 to 46, inclusive.

**Amendment No. 6**

On page 3, line 47, strike out "If said", and insert "If a creditor requires a debtor to make any payment for credit life insurance or credit disability insurance, and an".

**Amendment No. 7**

On page 4, line 1, strike out ", if any,".

**Amendment No. 8**

On page 4, line 16, after the period, insert "A debtor shall not be deemed to be required to make any payment for credit life insurance or credit disability insurance unless the cost of the credit transaction to the debtor varies depending upon whether or not such insurance is procured."

**Amendment No. 9**

On page 4, strike out lines 20 to 24, inclusive, and insert "which the policy is issued."

**Amendment No. 10**

On page 6, line 11, after the period, insert "This section shall not prevent the creditor from exercising his right to approve or disapprove of the insurer furnishing the credit insurance."

**Amendment No. 11**

On page 6, strike out lines 44 to 46, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1580 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1580 ordered enrolled.

**Assembly Bill No. 1875**—An act to amend Sections 72706 and 72708 of the Government Code, relating to the officers and attaches of municipal courts in Los Angeles County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1875?

**Amendment No. 1**

On page 1, lines 13 to 15, inclusive, of the printed bill, strike out "an annual salary equal to that made payable by law to commissioners of the Superior Court of Los Angeles County.", and insert "the monthly salary specified in Step D of Schedule 55 of the salary schedule provided in this article."

**Amendment No. 2**

On page 2, lines 1 to 3, inclusive, strike out "an annual salary equal to that made payable by law to commissioners of the Superior Court of Los Angeles County.", and insert "the monthly salary specified in Step D of Schedule 55 of the salary schedule provided in this article."

The Assembly concurred in Senate amendments to Assembly Bill No. 1875 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1875 ordered enrolled.

**Assembly Bill No. 2026**—An act to amend Section 74263 of the Government Code, relating to San Bernardino municipal court district and sheriff's duties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2026?

**Amendment No. 1**

On page 1, line 8, of the printed bill, after the period, insert

"The sheriff shall not become ex officio marshal and act as such unless at an election held in the judicial district of which he is sheriff a majority of the district electors voting on the proposition to make the sheriff ex officio marshal pursuant to this section vote in favor of such proposition. Such election shall be called by the board of supervisors as soon as practicable after the presentation to the board of supervisors of a petition signed by at least 5 percent of the electors of the judicial district requesting the submission of the proposition to the district electors. Such election shall be called, held, and conducted in the same manner as the elections in the judicial district for the election of the judge of the district."

**Amendment No. 2**

On page 1, lines 11 and 12, strike out "upon the effective date of this section.", and insert "at such time as the sheriff becomes ex officio marshal."

The Assembly concurred in Senate amendments to Assembly Bill No. 2026 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 2026 ordered enrolled.

**Assembly Bill No. 2164**—An act to amend Sections 13308, 13309, 15111 and 15112 of the Revenue and Taxation Code, relating to adopted children.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2164?

**Amendment No. 1**

**On page 1, line 9, of the printed bill, after "adopted", insert "or acknowledged".**

**Amendment No. 2**

On page 1, line 10, strike out ", provided that such child was"; strike out line 11, and insert a period.

**Amendment No. 3**

On page 1, line 19, after "adopted", insert "or acknowledged".

**Amendment No. 4**

On page 1, line 20, strike out ", provided that such child was under"; strike out line 21, and insert a period.

**Amendment No. 5**

On page 2, line 8, after "adopted", insert "or acknowledged".

**Amendment No. 6**

On page 2, line 9, strike out ", provided that such child was under"; strike out line 10, and insert a period.

**Amendment No. 7**

On page 2, line 18, after "adopted", insert "or acknowledged".

**Amendment No. 8**

On page 2, line 19, strike out ", provided that such child was under"; strike out line 20, and insert a period.

The Assembly concurred in Senate amendments to Assembly Bill No. 2164 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2164 ordered enrolled.

**Assembly Bill No. 2221**—An act to amend Sections 10605 and 10606 of the Health and Safety Code, relating to vital statistics.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2221?

**Amendment No. 1**

In the first and second lines of the title of the printed bill, as amended in the Assembly on May 8, 1959, strike out ", and to add Section 10607 to,".

**Amendment No. 2**

On page 1, strike out lines 11 to 19, inclusive, and insert
"SEC. 3. This act shall be effective January 1, 1960."

The Assembly concurred in Senate amendments to Assembly Bill No. 2221 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2221 ordered enrolled.

**Assembly Bill No. 2374**—An act to add Section 53064 to the Government Code, relating to publicly owned public utilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2374?

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Assembly on May 15, 1959, strike out "revenue for the purpose of"; strike out line 16, and insert "revenues as required by".

**Amendment No. 2**

On page 1, after line 17, insert

"This section does not apply to an increase in a rate or charge which is increased pursuant to a procedure made applicable to such agencies by charter, ordinance, or statute which requires notice and hearing prior to the establishment of the increase.

This section does not apply to an increase in a rate or charge to the extent that such increase is a result of an increase in wholesale rates or charges imposed upon such city, county, or city and county, district, or other public agency."

The Assembly concurred in Senate amendments to Assembly Bill No. 2374 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2374 ordered enrolled.

**Assembly Bill No. 2484**—An act to amend Section 32221 of the Health and Safety Code, relating to local hospital districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2484?

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 22, 1959, strike out ", and to add Section 3222.1 to,".

**Amendment No. 2**

On page 1, line 22, strike out "does", and insert "shall".

**Amendment No. 3**

On page 1, line 24, after "census", insert "until one year has elapsed after the effective date of the amendment of this section at the 1959 Regular Session".

**Amendment No. 4**

Strike out page 2.

The Assembly concurred in Senate amendments to Assembly Bill No. 2484 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2484 ordered enrolled.

**Assembly Bill No. 2651**—An act to add Sections 813.6, and 828.61 to the Agricultural Code, relating to fruit, nut, and vegetable standards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2651?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "to", insert ", and to amend Section 829.35 of,".

**Amendment No. 2**

On page 2, following line 31, insert
"SEC. 3. Section 829.35 of said code is amended to read:
829.35. 14. Carrots, numbers 45N, 45O, 45P, 45Q, 45R and 45T.
15. Cauliflower, number 46.
*15.5. Celery, numbers 45E, 45F, 45G, 45H, 45I, 45J, and 45K.*"

The Assembly concurred in Senate amendments to Assembly Bill No. 2651 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 2651 ordered enrolled.

**Assembly Concurrent Resolution No. 60**—Relative to a legislative investigation of the problems of vertical integration or contract farming in the agricultural industries of this State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 60?

**Amendment No. 1**

On page 1, in line 12, strike out "Joint", and insert "Assembly".

**Amendment No. 2**

On page 1, in line 13, strike out "and Livestock Problems".

**Amendment No. 3**

On page 1, in line 17, after the word "legislation", strike out the period, and insert ", said report to be available prior to the fifteenth legislative day in January, 1961."

The Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 60 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Concurrent Resolution No. 60 ordered enrolled.

### MOTION TO RECONSIDER SENATE BILL NO. 1164

In compliance with a motion given on a previous day, Mr. Cusanovich moved that the vote whereby Senate Bill No. 1164 was passed be reconsidered.

Senate Bill No. 1164 reconsidered by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, and Z'berg—65

NOES—None.

Bill ordered to third reading file.

### FURTHER CONSIDERATION OF SENATE BILL NO. 1164

**Senate Bill No. 1164**—An act to add Section 17200 to Article 2 of Chapter 1 of Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to school district accounting procedures.

Bill read third time.

#### Motion to Amend

Mr. Cusanovich moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on May 27 1959, strike out "in a classroom".

#### Amendment No. 2

On page 1, line 20, strike out "in a classroom".

#### Amendment No. 3

On page 1, line 22, strike out "in the classroom".

#### Amendment No. 4

On page 2, line 4, strike out "in the classroom".

Amendments read, and adopted.

Bill ordered reprinted and to third reading.

### THIRD READING OF ASSEMBLY BILLS

#### Motion to Suspend Joint Rule

Consent of the Speaker having been granted to consider the bill, Mr. Garrigus moved that Joint Rule No. 23 be suspended to take up Assembly Bill No. 345 today.

Mr. DeLotto seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—63.

NOES—Cusanovich and Thelin—2.

Consideration of Assembly Bill No. 345

**Assembly Bill No. 345**—An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Coolidge, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.

NOES—Bradley, Busterud, Conrad, Cusanovich, Levering, Schrade, and Thelin—7.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF HOUSE RESOLUTION NO. 324

By Mr. Miller:

House Resolution No. 324

Relative to extending the time for completion of the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works

*Resolved by the Assembly of the State of California*, That notwithstanding the provisions of subdivision 9 of House Resolution No. 200 (1951 General Session) the time for submitting the printed reports required under that resolution is hereby extended to the expiration of the 1960 Budget Session at no cost to the State of California.

Resolution read, and adopted.

## ASSEMBLY BILL NO. 1067 RE-REFERRED TO COMMITTEE

Mr. O'Connell moved that Assembly Bill No. 1067 be re-referred to the Committee on Rules.

Motion carried.

## BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file and placed upon the third reading file:

**Assembly Bill No. 1417**, on request of Mr. McMillan.

**Senate Bill No. 614**, on request of Mr. O'Connell.

The following bills were withdrawn from the inactive file and placed upon the unfinished business file:

**Assembly Bill No. 481**, on request of Mr. Lanterman.

**Assembly Bill No. 482**, on request of Mr. Lanterman.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Crawford was granted unanimous consent that Senate Bills Nos. 1303, 1304, and 1306 be removed from the Consent Calendar, and placed upon the third reading file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1063**—An act to amend Section 1256 of, to add Part 1.5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to, the Water Code, relating to the California Water Plan.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1063?

**Amendment No. 1**

On page 1, line 5, of the printed bill, after "plan", insert "looking toward the control, protection, development, utilization, and conservation of the water resources of the State".

**Amendment No. 2**

On page 1, strike out lines 7 to 9, inclusive, and insert "ment of Water Resources or any predecessor thereof and any modification thereto as may be adopted by the department or as may be adopted by the Legislature by concurrent resolution or by law."

**Amendment No. 3**

On page 2, strike out lines 5 to 8, inclusive, and insert "Water Plan." The Department of Water Resources shall, from time to time, adopt such amendments, supplements and additions to the plan as it finds necessary and desirable, which amendments, supplements and additions shall become effective when reported to the Legislature at any session thereof. The Legislature may also adopt, from time to time, any amendments, supplements and additions to the plan that it finds necessary or desirable, which amendments, supplements or additions may be adopted by concurrent resolution or by law."

**Amendment No. 4**

On page 2, line 19, after "projects", insert "or routes for transfer of water".

**Amendment No. 5**

On page 1, line 4, of the printed bill, as amended in the Senate on May 12, 1959, strike out "State Water Rights Board" and insert "board".

**Amendment No. 6**

On page 2, line 1, strike out "Department of Water Resources", and insert "State Water Resources Board".

**Amendment No. 7**

On page 2, lines 2 and 3, strike out "Department of Water Resources", and insert "State Water Resources Board".

The Assembly concurred in Senate amendments to Assembly Bill No. 1063 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—56.

NOES—Don A. Allen, Johnson, Lanterman, Levering, Shell, and Thelin—6.

Assembly Bill No. 1063 ordered enrolled.

**Assembly Bill No. 1051**—An act to add Section 10143 to the Business and Professions Code, relating to rentals.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1051?

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on April 9, 1959, strike out "the fee", and insert "any amount over and above the sum of ten dollars ($10) service charge".

**Amendment No. 2**

On page 1, line 9, after "rental.", insert "A demand from the prospective tenant for the return of the fee, or any part of it, shall be made within 10 days following the final day on which the real estate licensee has contracted to perform services to the prospective tenant. In the event that rental information is not current or accurate in regard to the type of rental desired, the full fee shall be repaid to the tenant."

The Assembly concurred in Senate amendments to Assembly Bill No. 1051 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—61.

NOES—None.

Assembly Bill No. 1051 ordered enrolled.

**Assembly Bill No. 1871**—An act to amend Section 3075 of the Penal Code, relating to the county board of parole commissioners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1871?

**Amendment No. 1**

On page 1, lines 13 and 14, of the printed bill, as amended in the Assembly on April 29, 1959, strike out "four years", and insert "one year".

The Assembly concurred in Senate amendment to Assembly Bill No. 1871 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1871 ordered enrolled.

**Assembly Bill No. 1637**—An act to amend Section 19577 of the Education Code as enacted at the 1959 Regular Session, relating to state school building aid.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1637?

**Amendment No. 1**

On page 1, line 14, of the printed bill, after "within", insert "five years in the case of an application for an elementary grade level maintained by the district, or within".

**Amendment No. 2**

On page 1, line 15, after "years", insert ", in the case of an application for a high school grade level maintained by the district,".

**Amendment No. 3**

On page 1, line 16, after "plan", insert ", or for the plans and specifications,".

**Amendment No. 4**

On page 1, strike out line 18, and insert "hensive master plan, or for the plans and specifications, it may approve the application. The board may modify a determination respecting future enrollment in connection with an application for

an elementary grade level maintained by the district to utilize a period of seven years from the date of the application if it is necessary to meet the emergency conditions existing in that certain district due to a rapid increase in the enrollment of pupils, or due to the scarcity of land within the district, or both."

**Amendment No. 5**

On page 1, strike out lines 19 to 21, inclusive; on page 2, strike out lines 1 to 10, inclusive, and insert "Any application referred to the board pursuant to this section may be either approved in whole or in part, not exceeding the amount applied for, as the board may deem appropriate, pursuant to Sections 19571 and 19576, except that the board may approve additional portions of an application and make an additional apportionment or apportionments within five years of the original approval without requiring a district to issue additional bonds. No additional approval pursuant to the original application or apportionment thereunder may be made unless the board first has investigated and determined the necessity of such additional approval or apportionment, and has received a report thereon from the Department of Education. Any provi-".

**Amendment No. 6**

On page 2, line 12, after the period, insert "As used in this section, an "elementary grade level maintained by the district" is a grade level composed of the grades and maintained by the districts specified in (1) of subdivision (e) of Section 19553. As used in this section a "high school grade level maintained by the district" is a grade level composed of the grades and maintained by the districts specified in (2) of subdivision (e) of Section 19553."

**Amendment No. 7**

On page 2, strike out lines 15 and 16, and insert "include an amount for the preparation of plans and specifications for school facilities and for the development of the site, which will conform to those eligible for construction under this chapter (Sections 19551 to 19689, inclusive)."

**Amendment No. 8**

On page 2, after line 48, insert

"The interpretation by the board of the word "used" in the preceding paragraph and whether or not the district has complied therewith shall be conclusive upon the district affected, after a hearing and finding of the State Allocation Board."

The Assembly concurred in Senate amendments to Assembly Bill No. 1637 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—64.

NOES—None.

Assembly Bill No. 1637 ordered enrolled.

**Assembly Bill No. 2491**—An act to amend Section 1269b of the Penal Code, relating to bail.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2491?

**Amendment No. 1**

On page 1, line 6, of the printed bill, after "committed", insert "and the clerk of the superior court in which the case against the defendant is pending".

**Amendment No. 2**

On page 2, strike out lines 18 and 19, and insert "It is the duty of the municipal and justice court judges in each county to prepare and adopt, by a majority vote, a schedule of bail for all misde-".

**Amendment No. 3**

On page 2, line 22, strike out "judge or".

**Amendment No. 4**

On page 2, lines 25 and 26, strike out "judge or judges of the judicial district", and insert "judges of the county".

**Amendment No. 5**

On page 2, lines 28 and 29, strike out "judge or judges of the judicial district", and insert "judges of the county, and the senior judge at each county seat shall call not more than two or less than one meeting each year of all municipal and justice court judges in the county for the purpose of establishing or revising a countywide uniform bail schedule".

**Amendment No. 6**

On page 2, line 31, strike out "judicial district", and insert "county".

The Assembly concurred in Senate amendments to Assembly Bill No. 2491 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2491 ordered enrolled.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2086

The Speaker appointed Messrs. Lunardi, Nisbet, and Waldie as a Committee on Conference concerning Assembly Bill No. 2086.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1562

The Speaker appointed Messrs. Nisbet, Sumner, and Petris as a Committee on Conference concerning Assembly Bill No. 1562.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1563

The Speaker appointed Messrs. Nisbet, Sumner, and Petris as a Committee on Conference concerning Assembly Bill No. 1563.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2065

The Speaker appointed Messrs. Nisbet, Sumner, and Petris as a Committee on Conference concerning Assembly Bill No. 2065.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 494**—An act to amend Section 5 of the Humboldt County Flood Control District Act (Chapter 939, Statutes of 1945), relating to the Humboldt County Flood Control District.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto,

Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 391**—An act to amend Sections 26472 and 26516.7 of the Health and Safety Code, relating to the manufacturing, importation, and sale of foods.

Bill read third time, and presented by Mr. Rumford.

**Speaker pro Tempore Presiding**

At 10.38 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 234**—An act to add Chapter 2.5 (commencing at Section 1203.50) to Title 4, Part 3 of the Code of Civil Procedure, relating to oil and gas liens.

Bill read third time, and presented by Mr. Sumner.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 1240**—An act to add Section 5005.7 to the Elections Code, relating to ballot measures.

Bill read third time, and presented by Mr. Mulford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 123**—An act to amend Section 650 of the Streets and Highways Code, relating to the naming of state highway routes.

Bill read third time, and presented by Mr. Britschgi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 925**—An act to amend Section 884 of the Welfare and Institutions Code, relating to medical care of persons before the juvenile court.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1076**—An act to amend Section 602 of the Penal Code, relating to the crime of trespass.

Bill read third time, and presented by Mr. Petris.

**Speaker Presiding**

At 10.49 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 830**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle air and vacuum brakes.

Bill read third time, and presented by Mr. Backstrand.

Bill ordered passed temporarily on file.

**Senate Constitutional Amendment No. 31**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, relating to the compensation of Members of the Legislature.

Resolution read, and presented by Mr. Miller.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—56

NOES—Bruce F. Allen, Luckel, and Sumner—3.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 1325**—An act to add Section 11619 to the Business and Professions Code, relating to subdivision maps.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

NOES—Waldie—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 940**—An act to amend Section 2302 of, and to repeal Section 2311 of, the Welfare and Institutions Code, relating to boarding homes and institutions for the aged.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1044**—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency commitments of mentally ill persons.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Elliott, Levering, and Shell—3.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1345**—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A. Willson, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 939**—An act to amend Section 5701 of, and to add Sections 5710, 5711, 5712, and 5713 to, the Welfare and Institutions Code, relating to private mental institutions.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 742**—An act to amend Sections 937, 938, 939, 943, 987, 1231, 1301, 1302, 1303, 1407, 1485, 1487, 3258, and 3259, of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

Bill read third time, and presented by Mr. Waldie.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1063**—An act to amend Section 20542 of the Education Code, and Section 24502 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Miss Donahoe.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Constitutional Amendment No. 22**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 5, 18, 22 as proposed by Resolution Chapter 184 of the Statutes of 1951 and 23 of Article IV, Sections 4.5, 17 and 22 of Article V, Section 2 of Article IX, Section 7 of Article X, Section 9 of Article XIII and Section 20 of Article XX, by repealing Section 22 of Article IV as proposed by resolution Chapter 220 of the Statutes of 1951 Section 19 of Article V, Sections 1, 2, 3, 4, 5 and 6 of Article X, Sections 3, 10, 11 and 12 of Article XXII, and by adding a new Section 3 to Article XXII, relating to the elimination of obsolete or superseded constitutional provisions affecting state officers and agencies.

Resolution read, and presented by Mr. Backstrand.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—69.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 566**—An act to amend Section 6150 of, and to add Sections 6150.5 and 6159 to, the Elections Code, relating to the State Commission on Voting Machines and Vote Tabulating Devices.

Bill read third time, and presented by Mr. Crown.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 576**—An act to create the Golden Gate Authority Commission, prescribing its organization, government, powers, duties, and functions.

Bill read third time, and presented by Mr. Bee.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 576:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 15, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Senate Bill No. 576, an act to create the Golden Gate Authority, etc. There is no expenditure in this measure which affects the budget.

The subject matter of the bill should receive adequate consideration, and no useful purpose could be served by awaiting further action on the bill until the Budget Bill is enacted.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 576 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 469, 872, 597, 1476, 1284, 510, 613, 1285, 1258, 1125, 1443, 214, 813, 1482, 1109, 1199, 112, 485, 1201, 1382, 1444, 1460,** and **1342.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 519**—An act to amend the heading of Chapter 2 (commencing at Section 30600) of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of, Division 17 and to amend Sections 30608 and 30609 of the Streets and Highways Code, relating to the construction of a San Francisco-Oakland Rapid Mass Transit Tube, and making an appropriation.

Bill read third time, and presented by Mr. McCollister.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 519:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 2, 1959

*To the Honorable Members of the Assembly:*

Senate Bill No. 519 is a measure to provide for construction of a transbay rapid transit between San Francisco and Oakland.

This bill carries no actual appropriation It is of such importance that adequate consideration should be given to its provisions

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 519 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—68.

NOES—Bruce F. Allen—1.

Bill ordered transmitted to the Senate

**Senate Bill No. 1231**—An act to amend Sections 3, 4, 5, 10, 12, 13, 14, 15, 17, 18, 20, and 29 of, and to add Sections 13.1 and 20.1 to, the Lake County Flood Control and Water Conservation District Act (Chapter 1544 of the Statutes of 1951), relating to the Lake County Flood Control and Water Conservation District, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Lowrey

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Haw-

kins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote.

AYES—Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 176**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Sumner.

**Bill Placed on Inactive File**

On request of Mr. Sumner, Senate Bill No. 176 was ordered placed on the inactive file.

**Senate Bill No. 224**—An act to add Article 5 (commencing with Section 34900) to Chapter 7, Part 1, Division 2, Title 4 of the Government Code, relating to cities.

Bill read third time, and presented by Mr. Hegland.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 910**—An act to amend Section 103 3 of the Welfare and Institutions Code, relating to adjustments for overpayments of public assistance.

Bill read third time, and presented by Mr. Mulford.

**Motion to Re-refer**

Mr. Burton moved that Senate Bill No. 910 be re-referred to the Committee on Social Welfare.

Mr. Holmes seconded the motion.

#### Demand for Previous Question

Messrs. Crawford, Burke, Johnson, Lanterman, and Luckel demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

The roll was called.

#### Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Burton moved a call of the Assembly.

Mr. Garrigus seconded the motion.

Motion lost.

The vote was announced, and the motion to re-refer lost by the following vote:

AYES—Bane, Burton, Cameron, Chapel, Crown, Elliott, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, McMillan, Miller, Munnell, O'Connell, Petris, Rees, Unruh, George A. Willson, and Z'berg—24.

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Brutschgi, Burke, Busterud, Conrad, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Francis, Grant, Hegland, Johnson, Lanterman, Levering, Lowrey, Marks, Masterson, McCollister, Mulford, Pattee, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, Charles H. Wilson, and Winton—38.

The question being on the passage of the bill.

#### Demand for Previous Question

Messrs. Charles H. Wilson, Burke, Johnson, Crawford, and Schrade demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Mulford moved a call of the Assembly.

Mr. Schrade seconded the motion.

Motion carried. Time, 11.50 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### PARLIAMENTARY INQUIRY

Mr. Meyers arose to the following parliamentary inquiry: Am I in order to request to change my vote on Senate Bill No. 910?

#### Reply by Speaker

The Speaker replied that he would not be in order until the call was lifted.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 921**—An act to add Section 29390 to the Government Code, relating to shortages in county funds.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.

NOES—None.

Bill ordered transmitted to the Senate.

## ASSEMBLY BILL NO. 1087 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1087,** on request of Mr. Bee.

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bill, Mr. Bee was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1087.

## CONSIDERATION OF ASSEMBLY BILL NO. 1087

**Assembly Bill No. 1087**—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition and construction of state parks in Alameda County.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1087:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1087 is an act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition and construction of a state park in Alameda County.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1087 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

### Point of Order

Mr. Unruh arose to the following point of order: That copies of the bill are not on the members' desks.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Further consideration of Assembly Bill No. 1087 passed temporarily on file.

## ASSEMBLY BILL NO. 1082 WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Bill No. 1082,** on request of Mr. Crawford.

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bill, Mr. Crawford was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1082.

## CONSIDERATION OF ASSEMBLY BILL NO. 1082

**Assembly Bill No. 1082**—An act to appropriate one hundred thousand dollars ($100,000) to be expended pursuant to Chapter 13 of Division 10 of the Education Code, relating to the National Defense Education Act of 1958, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1082.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1082 is an act relating to the National Defense Education Act of 1958.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1082 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins,

Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bill, Mr. McMillan was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1417.

### CONSIDERATION OF ASSEMBLY BILL NO. 1417

**Assembly Bill No. 1417**—An act to amend Sections 1510 and 1557 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read third time.

#### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1417.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1417 is an act relating to aid to needy children.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1417 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 727**—An act to add Section 23014 to the Government Code, relating to the establishment of county revolving funds to finance district improvements.

Bill read third time, and presented by Mr. Z'berg.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel,

MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 20**—Relative to memorializing Congress to enact legislation prohibiting subliminal radio and television messages.

Resolution read, and presented by Mr. George E. Brown.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, Meyers, Miller, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—51.
NOES—Bradley, Burke, Dahl, Hegland, Lanterman, Luckel, Schrade, Shell, Thelin, Unruh, and Charles H. Wilson—11.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 1255**—An act to add Section 11612.5 to the Business and Professions Code, relating to subdivision maps.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT RELATIVE TO PROCEDURE

Mr. Winton announced that, with the consent of the House, the Assembly would recess at noon each day until 4 p.m., and meet until 5.30 or 6 p.m., until night sessions become necessary.

The Speaker inquired if there were any objections to following this procedure, and no objection was heard.

## MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1350 WAIVED

Mr. Winton waived his motion to reconsider the vote whereby the amendments to Assembly Bill No. 1350 were adopted.

Assembly Bill No. 1350 ordered reprinted, re-engrossed, and returned to the third reading file.

### Parliamentary Inquiry

Mr. Conrad arose to the following parliamentary inquiry: Was Assembly Bill No. 1350 ordered out to reprint, re-engrossment, and back on file?

**Reply by Speaker**

The Speaker replied that it was.

**Parliamentary Inquiry**

Mr. Conrad arose to the following parliamentary inquiry: Will the bill require 60 votes for its further consideration?

**Reply by Speaker**

The Speaker replied that it would require 60 votes and the consent of the Speaker.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 910

At 12.15 p.m., Mr. Mulford moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Senate Bill No. 910 refused passage by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Biddick, Bradley, Britschgi Burke, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, DeLotto, Francis, Grant, Hegland, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Miller, Mulford, Petris, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, and Winton—36.

NOES—Bane, Belotti, Burton, Cameron, Chapel, Crown, Cunningham, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lunardi, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Porter, Rees, Rumford, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—37.

NOTE: Later this day, a motion to reconsider Senate Bill No. 910 was made. *See* page 5441.

## REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 12, 1959

MR. SPEAKER: The Second Committee on Conference concerning:

**Assembly Bill No. 1172**, as amended in Senate May 25, 1959—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 2, line 18, of the printed bill, as amended in the Senate on May 25, 1959, after "shipment", strike out the comma, and insert a period.

**Amendment No. 2**

On page 2, line 20, strike out "purpose of sale", and insert "the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale".

**Amendment No. 3**

On page 2, lines 42 and 43, strike out "untaxed cigarettes or", and insert "cigarettes".

**Amendment No. 4**

On page 3, strike out line 15, and insert

"30104. The taxes imposed by this part shall not apply to the".

**Amendment No. 5**

On page 3, line 19, strike out "Wherever", and insert "Whenever".

**Amendment No. 6**

On page 3, line 28, strike out "rates", and insert "rate".

**Amendment No. 7**

On page 3, line 45, after "cable", strike out the comma.

**Amendment No. 8**

On page 5, line 4, after the period, insert
"Notwithstanding any other provisions of this part, any amount of tax imposed by this article which is not paid within the time required shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from July 25, 1959."

**Amendment No. 9**

On page 5, between lines 38 and 39, insert
"30142. The board shall fix the amount of the bond or bonds required of any distributor and may increase or reduce the amount at any time."

**Amendment No. 10**

On page 7, between lines 13 and 14, insert
"30181. When the tax imposed under Article 1 of Chapter 2 of this part is not paid through the use of stamps or meter impressions, the tax shall be due and payable monthly on or before the fifteenth day of the month following the calendar month in which a distribution of cigarettes occurs."

**Amendment No. 11**

On page 7, line 15, strike out "30181", and insert "30182".

**Amendment No. 12**

On page 7, line 21, strike out "every month each", and insert "each month every".

**Amendment No. 13**

On page 7, line 44, strike out "or tobacco products".

**Amendment No. 13.5**

On page 8, line 8, strike out "paid", and insert "prepaid".

**Amendment No. 14**

On page 8, between lines 10 and 11, insert "Stamps and meter impressions shall be of such designs, specifications and denominations as may be prescribed by the board."

**Amendment No. 14.1**

On page 8, strike out lines 19 to 23, inclusive.

**Amendment No. 14.2**

On page 8, line 24, strike out "30193", and insert "30192".

**Amendment No. 14.3**

On page 8, line 29, strike out "30194", and insert "30193".

**Amendment No. 14.4**

On page 8, between lines 33 and 34, insert
"30194. A distributor shall be allowed, as a refund on his payments for stamps and prepayments for use of meter impressions, the amount of his necessary costs incurred in affixing the stamps or meter impressions to packages of cigarettes. The amount of such refund shall not exceed a maximum allowance of 2 percent of the face value of the stamps and meter impressions affixed by the distributor. The board shall prescribe rules and regulations for determination of the necessary costs incurred in affixing stamps or meter impressions to packages of cigarettes, and the rules and regulations shall include but not be limited to provisions for the apportionment of capital outlay and overhead costs.

30195. Claims for refund of costs for affixing stamps or meter impressions shall be filed with the board in such form as the board may prescribe. A distributor may file no more than one claim for refund of costs in each calendar month. No such refund shall be allowed or approved unless the claim therefor is filed with the board within three years from the last day of the month for which the costs were incurred. Failure to file a claim for refund of costs within the time prescribed in this section constitutes a waiver of any claim against the State on account of the costs.

30196. When approved by the board a claim for refund of costs for affixing stamps or meter impressions shall be paid from the Cigarette Tax Fund upon order of the State Controller.

30197. At any time within three years of the date of payment of the warrant of the State Controller for refund of costs for affixing stamps or meter impressions, the board may redetermine the amount of the refund If the board determines that the amount of refund was excessive it shall proceed in the manner prescribed in this part for deficiency determinations. If the amount determined as an excessive refund is not paid when it becomes final the amount shall be deducted by the board from any subsequent refunds allowed the distributor, and if not fully paid in this manner it shall constitute an erroneous refund and be recoverable as such."

**Amendment No. 15**

On page 9, line 28, after "distributed", insert ", sold or received".

**Amendment No. 16**

On page 10, line 10, strike out "imposed upon", and insert "required to be paid by".

**Amendment No. 17**

On page 10, line 50, strike out "continued", and insert "continue".

**Amendment No. 18**

On page 13, line 31, after "or", strike out the comma.

**Amendment No. 19**

On page 13, line 34, after "or", strike out the comma.

**Amendment No. 19.1**

On page 15, lines 36 and 37, strike out "less the discount allowed on their purchase".

**Amendment No. 19.2**

On page 15, line 38, strike out ", less the discount allowed,".

**Amendment No. 19.3**

On page 15, line 42, strike out ", less the discount allowed,".

**Amendment No. 20**

On page 17, line 3, after "amount", insert "in excess of one hundred dollars ($100)".

**Amendment No. 21**

On page 17, line 9, after the period, insert "If an amount not exceeding one hundred dollars ($100) has been illegally determined, the board without certifying this fact to the State Board of Control shall authorize the cancellation of the amount upon the records of the board."

**Amendment No. 22**

On page 17, line 14, strike out "any cigarettes".

**Amendment No. 23**

On page 17, line 15, after "State", insert "any cigarettes which are not contained in packages to which are affixed California cigarette tax stamps or meter impressions".

**Amendment No. 24**

On page 17, line 17, strike out "any", and insert "the".

**Amendment No. 25**

On page 17, line 20, after "as", insert "may be".

**Amendment No. 26**

On page 17, between lines 20 and 21, insert "The board may issue a permit for a single load or shipment or for a number of loads or shipments to be transported under specified conditions."

**Amendment No. 27**

On page 17, line 22, strike out "any cigarettes".

**Amendment No. 28**

On page 17, line 23, after "State", insert "any cigarettes which are not contained in packages to which are affixed California cigarette tax stamps or meter impressions".

**Amendment No. 29**

On page 18, line 21, after "part", strike out the comma.

**Amendment No. 30**

On page 19, line 12, after "alters", insert ", reuses".

**Amendment No. 31**

On page 19, line 15, after "altered", insert ", reused".

**Amendment No. 32**

On page 19, line 18, strike out "altered, forged", and insert "forged, altered, reused".

**Amendment No. 33**

On page 19, between lines 24 and 25, insert

"30474. Any person who possesses, sells or offers to sell any package of cigarettes to which there is not affixed the stamp or meter impression required to be affixed under this part is guilty of a misdemeanor and shall for each offense be fined not more than five hundred dollars ($500), or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment, in the discretion of the court."

**Amendment No. 34**

On page 19, line 25, strike out "30474", and insert "30475".

**Amendment No. 35**

On page 19, line 49, strike out "30475", and insert "30476".

**Amendment No. 36**

On page 20, between lines 4 and 5, insert

"SEC. 3. *Notwithstanding any other provisions of this act, if the State Board* of Equalization determines that stamps, stamp affixing equipment and metering machines are not available, the State Board of Equalization may provide that the tax imposed by this act with respect to cigarettes may be paid without the use of stamps or meter impressions for a period not to exceed two months beginning with July 1, 1959."

**Amendment No. 37**

On page 20, line 5, strike out "SEC. 3", and insert "SEC. 4".

RANDOLPH COLLIER
STANLEY ARNOLD
NELSON S. DILWORTH
Senate Second Committee on Conference

JESSE M. UNRUH,
ROBERT W. CROWN
GEORGE G. CRAWFORD
Assembly Second Committee on Conference

June 12, 1959

I have signed the conference report in order that Assembly Bill No. 1172, although emasculated by Senate amendments, might be passed and necessary revenues be received by the State of California.

I deplore the action of the Senate for removing cigars from the provisions of this bill and imposing the stamp method for the collection of the cigarette tax. I feel that not to tax cigar smokers too is discriminatory and that the expense of stamps is unnecessary. I recognize, however, the futility of attempting to secure passage of *Assembly Bill No. 1172 without these amendments and I am acceding to the Senate* demands, wrong as they are, only in the interest of assuring that we will have the benefit of this tax in balancing the 1959-60 Budget.

The Senate members of the conference committee have at least conceded that cost *or* 2 percent, whichever is smaller, shall be paid for affixing the stamps It is my hope that this small concession will result in some savings in the collection of this tax.

GEORGE G. CRAWFORD

**Speaker pro Tempore Presiding**

At 12.24 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs. Rees, Schrade, Luckel, Hanna, and House demanded the previous question. Demand sustained.

The question being on the adoption of the report of the Second Committee on Conference concerning Assembly Bill No. 1172.

Speaker Presiding

At 12.32 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the report of the Second Committee on Conference concerning Assembly Bill No. 1172.

Report adopted by the following vote:

AYES—Bruce F. Allen, Bane, Bee, Bradley, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, Kennick, Kilpatrick, Lowrey, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—44.

NOES—Backstrand, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Samuel R. Geddes, Grant, Hawkins, Holmes, Lanterman, Luckel, Lunardi, Marks, Mulford, Pattee, Schrade, Shell, Sumner, Thelin, and Charles H. Wilson—30.

## BILLS REMOVED FROM CONSENT CALENDAR

Mr. Charles H. Wilson was granted unanimous consent that Senate Bills Nos. 1332 and 1136 be removed from the Consent Calendar, and placed on the third reading file.

Mr. Elliott was granted unanimous consent that Senate Bill No. 1228 be removed from the Consent Calendar, and placed on the third reading file.

## ANNOUNCEMENTS OF CHANGES IN COMMITTEE MEETINGS AND ROOMS

Mr. Meyers announced that the Committee on Civil Service and State Personnel would meet at 2 p.m., instead of at 1.30 p m.

Mr. O'Connell announced that the Committee on Criminal Procedure would meet at 2 p.m., instead of at 3.45 p.m., Room 4168.

Mr. Biddick announced that the Committee on Judiciary—Civil would meet at 2 p.m., instead of at 1.30 p.m., in Room 5168.

Mr. Unruh announced that the Committee on Ways and Means would meet at 2 p.m., instead of at 1.30 p.m., in Room 4202.

Mr. Backstrand announced that the Committee on Transportation and Commerce would meet at 2 p.m., instead of at 1.30 p.m., in Room 2170.

## RE-REFERENCE OF SENATE BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 425, 679, 1230, 646, 1129, 504, 789,** and **1369** to the Committee on Ways and Means.

**Senate Bills Nos. 1062** and **1082** to the Committee on Social Welfare.

**Senate Bill No. 794** to the Committee on Judiciary—Civil.

**Senate Bill No. 1191** to the Committee on Government Organization.

**Senate Bill No. 1168** to the Committee on Water.

### SENATE BILLS ORDERED FILED, AND SUBJECT MATTER REFERRED TO RULES

Pursuant to committee recommendations, the Speaker ordered the following bills filed, and the subject matter referred to the Committee on Rules:

**Senate Bills Nos. 1167** and **1431.**

### EXPLANATIONS OF ABSENCE

June 15, 1959

Please place in Journal that I was in Senate Finance from 10.30 to 11.15 a.m

SETH J. JOHNSON

I was excused at 10 30 a.m. to present Assembly Bill No. 1000 before Senate Finance Committee. My return is at 12.10 p.m.

ERNEST R. GEDDES

June 15, 1959

I missed many roll calls during this morning's session because I had to present one of my bills to the Senate Public Utilities Committee.

LOUIS FRANCIS

Most of Monday forenoon was spent in Senate committees.

LLOYD W. LOWREY

June 15, 1959

I missed a number of roll calls this morning because I was presenting bills before Senate committees.

CHARLES W. MEYERS

### RECESS

At 12.35 p m., on motion of Mr. Winton, the Assembly recessed until 4 p.m.

### REASSEMBLED

At 4 p m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### REPORTS OF STANDING COMMITTEES

#### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Joint Resolution No. 17**—Relative to memorializing Congress to enact a bill to provide assistance to the states in the construction, modernization, additions, and improvements of domiciliary and hospital buildings of state veterans' homes by a grant to subsidize, in part, the capital outlay cost;

And reports the same correctly enrolled, and presented to the Secretary of State on the fifteenth day of June, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 797**—An act to maintain the Water Code by amending Sections 163, 251, 401, 2603, 11581, 12640, 12868, 12874, the heading of Article 9 5 (commencing with Section 11260) of Chapter 2, Part 3, Division 6, and the heading

of Article 4 (commencing with Section 55610) of Chapter 2, Part 4, Division 16 thereof, and by amending and renumbering the heading of Article 9.6 (commencing with Section 11270) of Chapter 2, Part 3, Division 6 thereof, relating to the control, utilization, and distribution of water;

**Assembly Bill No. 892**—An act to add Section 2015 to the Fish and Game Code, relating to possession of fish and game;

**Assembly Bill No. 1227**—An act to amend Section 6021 of the Government Code, relating to newspapers of general circulation;

**Assembly Bill No. 1239**—An act to add Section 25.5 to the Civil Code, relating to giving of blood donations;

**Assembly Bill No. 1242**—An act to add Article 2.6 (commencing at Section 265) to Chapter 2.5 of Division 1 of, and Section 11554.1 to, the Water Code, relating to contracts by the Department of Water Resources for construction of projects;

**Assembly Bill No. 1301**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving a vehicle under the influence of liquors and drugs;

**Assembly Bill No. 1391**—An act to amend Sections 2981 and 2982 of the Civil Code, relating to conditional sales;

**Assembly Bill No. 1409**—An act to add Section 26207 to the Government Code, relating to rewards for apprehension and conviction of vandals;

**Assembly Bill No. 1475**—An act to amend Sections 14400, 14501, 14504, and 14540 of and add Section 14400.5 to the Health and Safety Code, relating to fire protection districts;

**Assembly Bill No. 1503**—An act to add Section 376 to the Elections Code, relating to voter statistics;

**Assembly Bill No. 1504**—An act to add Section 577 to the Elections Code, relating to the boundaries of election precincts;

**Assembly Bill No. 1522**—An act to amend Section 8732.5 of, and to add Sections 6055 and 6203.5 to, and to repeal Section 6453.5 of, the Revenue and Taxation Code, relating to credits against the sales, use and use fuel tax;

**Assembly Bill No. 1576**—An act to amend Section 31592 of, and to add Sections 31592.2 and 31727.6 to, the Government Code, relating to retirement systems;

**Assembly Bill No. 1629**—An act to amend Sections 206.5 and 206.7 of the Civil Code, relating to proceedings by adult for release from obligation to support parent;

**Assembly Bill No. 2067**—An act to amend Section 74265 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino;

**Assembly Bill No. 2085**—An act to amend Section 4000 of, and to add Section 4016 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to registration for vehicles;

**Assembly Bill No. 2284**—An act to add Section 21156 to the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 2291**—An act to add Section 715.4 to the Civil Code, relating to exclusion of certain trusts from the rule against perpetuities and the rule against restraints of alienation;

**Assembly Bill No. 2316**—An act to amend Section 199 of the Code of Civil Procedure, relating to competency to act as a juror;

**Assembly Bill No. 2320**—An act to add Section 23958.1 to the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 2331**—An act to amend Sections 8825, 8826, 8827, and 8828 of the Health and Safety Code, relating to cemeteries;

**Assembly Bill No. 2338**—An act to amend Section 70141.5 of, and to add Section 70141.8 to, the Government Code, relating to superior court commissioners;

**Assembly Bill No. 2355**—An act to amend Section 25611 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 2440**—An act to add Section 2399.5 to the Business and Professions Code, relating to the practice of medicine,

And reports the same correctly enrolled, and presented to the Governor on the fifteenth day of June, 1959, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1350

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill ordered to third reading.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Williamson and Miss Donahoe:

### House Resolution No. 364

Relating to the passing of Tom Sawyer

WHEREAS, The Members of this House have learned with great shock and grief of the passing of Mr. Tom Sawyer on June 2, 1959, at the age of 58; and

WHEREAS, "Tom," as he was affectionately known to his multitude of friends and admirers, was born in Magupan County, Illinois, on December 3, 1900, and it was California's good fortune that this man moved to the Golden State in 1919; and

WHEREAS, After his arrival in California he became engaged in varied and successful business activities in Tulare and Kern Counties, the conduct of which he continued and expanded until his death; and

WHEREAS, This dedicated man was always willing to take time from his business affairs to devote to civic and fraternal activities, having served for many years as an outstanding member of the Board of Trustees of the Lerdo Elementary School District and as past president of the Eagles Lodge in Tulare, California; and

WHEREAS, Tom Sawyer not only exhibited great pride in his community, which came to be known as "Sawyerville," but gave freely of his friendship and counsel to people of all walks of life; and

WHEREAS, To mourn his passing and receive the heartfelt sympathy of all he leaves his wife, Bessie Mae Sawyer; his daughter, Mrs. Joyce Bayless of Bakersfield, California; his brothers, Frank and Howard Sawyer of Oakland, California; his sisters, Mrs. Cora Garcia, Mrs Doris Cornell of San Francisco, California, and Mrs Rosa Corder of Tulare, California; and

WHEREAS, It is fitting that by means of this resolution, the Members of this House pay solemn tribute to the memory of Tom Sawyer and make known their deep sorrow at his passing; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend to Mrs. Bessie Mae Sawyer and the other members of the family of Mr. Tom Sawyer their sincere and deepfelt condolences in this, their time of grief; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to his wife, Mrs. Bessie Mae Sawyer and his daughter, Mrs. Joyce Bayless.

Resolution read, and referred to the Committee on Rules.

By Messrs. Williamson, Garrigus, and Samuel R. Geddes:

### House Resolution No. 365

Relative to an interim study of the problems of the family sized farm

WHEREAS, The family farm is considered to be a basic element in the American community; and

WHEREAS, The welfare of the people engaged in operating family farms is of primary concern to all; and

WHEREAS, The rapidly changing conditions to which all agricultural industry has been subjected has created problems of survival for family farms; and

WHEREAS, A study should be made of the farming industry as it applies to the family farm including but not limited to the following subject:

1. Present day characteristics of the family farm in California.
2. The extent to which family farms are giving way to larger corporate type farms.
3. Problems resulting in relative disadvantage to family farms, including:
   a. Finance problems.
   b. Tax problems.
   c. Labor problems.
   d. Marketing problems.

Now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on the results of its study with its recommendations on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Britschgi:

**House Resolution No. 366**

Relative to an interim study of the acquisition of land by the State and local governments

*Resolved by the Assembly of the State of California*, That the subject matter of methods and proceedings relating to the acquisition of land by the State and by counties, cities, districts, and other political subdivisions of the State by condemnation or other methods or proceedings, and the laws relating thereto, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. McMillan:

**House Resolution No. 367**

Relative to a study of the feasibility of a Space Age Exposition

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study the subject of the feasibility of conducting a Space Age Exposition; and be it further

*Resolved*, That the appropriate interim committee is directed to study all facts and circumstances relating to the subject of this resolution, with special emphasis on such an exposition's beneficial impact upon industry, labor, business, and the general economy and culture of the State of California, to make appropriate recommendations as to the advisability or necessity for legislation on the subject of this resolution, and to report its findings and recommendations to the Legislature not later than the fifth calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Messrs. Miller, Cusanovich, Bane, and Conrad:

**House Resolution No. 368**

Relative to the use of lands of the 51st District Agricultural Association

WHEREAS, Assembly Bill No. 656, if finally enacted, will abolish the 51st District Agricultural Association and transfer its real and personal property to the Department of Finance to be held by it until the Legislature determines by appropriate legislation, that the property should be used to meet the educational needs of San Fernando Valley State College or devoted to some other urgent educational use; and

WHEREAS, It is not the intention of the Legislature that the property remain idle or in disuse during the period it is under the jurisdiction and control of the Department of Finance; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Finance is hereby requested, in the event of final passage of Assembly Bill No. 656, to make use of such real and personal property so far as possible for improvement, encouragement and stimulation of the educational, cultural, and recreational interests and needs of the area formerly included in the 51st District Agricultural Association, including the operation of any local fair in which the participants are confined to citizens and organizations of the former district, or any similar interim or temporary use that would promote the interest and fulfill such interests and needs; and be it further

*Resolved*, That the Department of Education is hereby requested to co-operate with the Department of Finance in the carrying out of the purposes of this resolution; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Finance and the Department of Education.

Resolution read, and referred to the Committee on Rules.

By Messrs. Kilpatrick, Ernest R. Geddes, Elliott, and Hawkins:

House Resolution No. 369

Relative to commending Lillian Laubach

WHEREAS, The Members of the Legislature have learned of the impending retirement on June 30, 1959, of Lillian Laubach, marking the completion of 30 years of teaching in the elementary schools; and

WHEREAS, Miss Laubach in recent years has been very active in professional organizations, particularly in respect to their sponsorship of legislation to improve the California public school system; and

WHEREAS, She has been steering committee chairman of the Affiliated Teachers Organization of Los Angeles many times, and Chairman of its Legislative Committee in 1946-47, 1948-49, 1957-58; and

WHEREAS, She was Chairman of the Los Angeles Elementary Teachers Legislative Committee from 1945 to 1949 and from 1955 to 1959; and

WHEREAS, She has served for 11 years on the State Legislative Committee of the California Teachers Association, and was a representative to the Governor's Conference in 1955; and

WHEREAS, She is an honorary life member of the Parent Teachers Association and a member of the League of Women Voters; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Lillian Laubach for her many years of public service as a teacher and her outstanding work in the support of legislation to improve the public schools, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Lillian Laubach.

Resolution read, and referred to the Committee on Rules.

## ANNOUNCEMENT RELATIVE TO MEMBERS ATTENDING COMMITTEE MEETING

Speaker Brown announced that Messrs. O'Connell, Chairman; Waldie, Burton, Bruce F. Allen, Crown, Kilpatrick, and Petris were attending a meeting of the Committee on Criminal Procedure, at this time.

## BILLS REMOVED FROM CONSENT CALENDAR

Mr. Pattee was granted unanimous consent that Senate Bills Nos. 734 and 1461 be removed from the Consent Calendar, and placed on the third reading file.

### Request for Unanimous Consent

Mr. Pattee was granted unanimous consent to take up Senate Bills Nos. 734 and 1461, at this time, for purpose of amendment.

## CONSIDERATION OF SENATE BILLS NOS. 734 AND 1461

**Senate Bill No. 734**—An act to amend Section 108 of the Civil Code, relating to divorce on the ground of incurable insanity.

Bill read third time.

### Motion to Amend

Mr. Pattee moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 19, of the printed bill, as amended in the Senate on May 13, 1959, strike out "in the Veterans Administration".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1461**—An act to add Chapter 12 (commencing at Section 6950) to Division 7 of Title 1 of the Government Code, relating to the purchase of interests in real property by counties and to the preservation of open spaces and areas for public use and enjoyment.

Bill read third time.

Motion to Amend

Mr. Pattee moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 3, 1959, after "counties", insert "and cities".

Amendment No. 2

On page 1, lines 9 and 10, strike out "and county which borders on the Bay of Monterey".

Amendment No. 3

On page 2, line 6, strike out "such county or city and county", and insert "county or city".

Amendment No. 4

On page 2, lines 16 and 17, strike out "and county which borders on the Bay of Monterey".

Amendment No. 5

On page 2, line 21, strike out "such county or city and county", and insert "county or city".

Amendment No. 6

On page 2, line 28, strike out "the fact"; strike out lines 29 to 31, inclusive, and insert "(1) great natural scenic beauty or (2) whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding urban development, or would maintain or enhance the conservation of natural or scenic resources."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## SENATE BILL NO. 1472 REMOVED FROM CONSENT CALENDAR

Mr. Lunardi was granted unanimous consent that Senate Bill No. 1472 be removed from the Consent Calendar, and placed upon the third reading file.

Request for Unanimous Consent

Mr. Lunardi was granted unanimous consent to take up Senate Bill No. 1472, at this time, for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 1472

**Senate Bill No. 1472**—An act to add Section 21157 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Lunardi moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 10, 1959, strike out "21157", and insert "21158".

Amendment No. 2

On page 1, line 1, strike out "21157", and insert "21158".

Amendment No. 3

On page 1, line 3, strike out "21157", and insert "21158".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Sumner was granted unanimous consent to take up Senate Bill No. 234, out of order.

## CONSIDERATION OF SENATE BILL NO. 234

**Senate Bill No. 234**—An act to add Chapter 2.5 (commencing at Section 1203.50) to Title 4, Part 3 of the Code of Civil Procedure, relating to oil and gas liens.

Bill read third time, and presented by Mr. Sumner.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Biddick, Britschgi, Burke, Chapel, Conrad, Crawford, Cunningham, Dahl, DeLotto, Dills, Elliott, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Masterson, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, Sumner, Thelin, Charles H. Wilson, Winton, and Mr. Speaker—41.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 304**—An act to add Article 6 (commencing with Section 12060) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, to provide for a Co-ordinator of Atomic Activities in the Office of the Governor, to provide for co-ordination of development and regulatory activities of the peaceful uses of atomic energy, to create an official advisory council thereon, and a public citizens' advisory committee.

Bill read third time, and presented by Mr. Johnson.

The roll was called.

### Point of Order

Mr. Unruh arose to the following point of order: That the bill is not on the members' desks.

### Ruling by Speaker

The Speaker ruled the point of order not well taken since the House was in the middle of a roll call.

### Parliamentary Inquiry

Mr. Unruh arose to the following parliamentary inquiry: Is the bill at the desk?

### Reply by Speaker

The Speaker replied that it was.

The vote was announced, and Senate Bill No. 304 passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—57.

NOES—Bruce F. Allen, Chapel, Levering, and Reagan—4.

Bill ordered transmitted to the Senate.

### Names Placed Upon Roll Call

Messrs. Unruh, Burton, Mrs. Davis, Miss Donahoe, Messrs. Samuel R Geddes, Bane, Cameron, Z'berg, and Thomas were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 304.

Mr. Bruce F. Allen was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 304.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Unruh was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO APPLICABILITY OF CHAPTER 201, 1959 REGULAR SESSION, TO SALE OF INSURANCE

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 2, 1959

*Hon. Jesse M. Unruh*
*Assembly Chamber*

**Applicability of Chapter 201 of the 1959 Regular Session (Assembly Bill No. 500) to the Sale of Insurance—No. 16107**

DEAR MR. UNRUH: You have called to our attention Section 1802.2 of the Civil Code, as added by Chapter 201 of the 1959 Regular Session, which defines "services" for purposes of the new Unruh Act which relates to credit and installment sales, and ask the following question:

*Question*

Would the definition of the term "services" found in Section 1802.2 of the Civil Code as enacted in Chapter 201 of the 1959 Regular Session cover the arrangement by which the insurer permits the insured to pay the insurance premiums in installments?

*Opinion*

In our opinion the term "services" as defined in Section 1802.2 of the Civil Code, as enacted in Chapter 201 of the 1959 Regular Session, would not include the arrangement by which an insured is allowed to pay his insurance premiums in installments rather than in one lump sum.

*Analysis*

Section 1802.2 of the Civil Code defines "services" as including "services furnished in connection with * * * the providing of insurance * * * ."

In question is the arrangement frequently entered into by the insurer and the insured by which the insured is allowed to pay his insurance premium in installments rather than in one lump sum. The payments

under this arrangement normally include the addition of an "installment payment fee" which is said to be added to cover the greater expense to the insurer of receiving the payments by installments.

The general purport of the Unruh Act, as indicated by an examination of its specific provisions, is to regulate credit and installment sales with emphasis placed upon controlling the manner and method of financing such contracts The determination of the question here presented must then turn upon whether the essential nature of the arrangement entered into by the insured and the insurer is one primarily of installment financing or rather simply the sale of insurance for a different "price" or premium depending on the time paid. In other words, the distinction is between "services furnished in connection with * * * the providing of insurance * * * " and the insurance sale transaction itself. It would seem that this act was not intended to regulate the primary insurance sale transaction itself.

It is well established that in the law of insurance, the "premium" means the price or amount paid to the insuring company for the insurance coverage (*State Farm etc. Ins. Co.* v. *Carpenter,* 31 Cal. App. 2d 178). It is equally well established that the expense of administering the insurance is a legitimate component of the premium (*State Comp. Ins. Fund* v. *McConnell,* 46 Cal. 2d 330). Therefore, where the sole basis for the imposition of the additional "installment payment fee" and the determination of its amount is the added expense to the company of the additional installment collection it becomes a legitimate component of the "premium" which is the price the insured chooses to pay when he chooses to pay in installments rather than in a lump sum. (See *Allstate Ins. Co.* v. *State Board of Equalization,* 169 A.C.A. 162). This is more in the nature of the basic consideration or "quid pro quo" for the insurance coverage offered by the insurer than installment credit charges. Therefore, we conclude that a court would probably find such an arrangement between the insurer and the insured to be not included under the definition of "services" found in Section 1802.2 of the Civil Code as enacted at the 1959 Regular Session and in turn would hold the provisions of the Unruh Act inapplicable.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RICHARD J. WYLIE, Deputy

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. Unruh announced a meeting of the Committee on Ways and Means at 8 p.m. tonight in Room 4202.

Mr. O'Connell announced a meeting of the Committee on Criminal Procedure on adjournment in Room 4168.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 556**—An act to amend Section 216 of the Labor Code, relating to failure to pay wages.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 7**—An act to amend Section 172a of the Penal Code, relating to sale or gift of intoxicating liquors near certain universities.

Bill read third time, and presented by Mr. Biddick.

**Bill Placed on Inactive File**

On request of Mr. Biddick, Senate Bill No. 7 was ordered placed on the inactive file.

**Senate Bill No. 474**—An act to amend Section 1061 of the Insurance Code, relating to the audit of proceedings in cases of insolvency and delinquency.

Bill read third time, and presented by Mr. Coolidge.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 610**—An act to add Section 7113.5 to the Business and Professions Code, relating to contractors.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1075**—An act to amend Section 13824 of, and to add Sections 13824.1, 13824.2, and 13824.3 to, the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 693**—An act to amend Section 19581 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.

NOES—None.

Bill ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately.

J. A. BEEK, Secretary of the Senate

Above bill ordered enrolled.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1202**—An act to amend Section 104.5 of the Welfare and Institutions Code, relating to proceedings before the State Social Welfare Board.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan,

Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66

NOES—Kilpatrick—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 457**—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in small claims courts.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—52.

NOES—Donahoe and Z'berg—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 814**—An act to add Section 1193 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time, and presented by Mr. Hanna.

Amendments by Mr. Masterson read.

Further consideration of the bill and amendments ordered passed on file, the bill to retain its place on file.

### REQUEST FOR UNANIMOUS CONSENT

Mr. O'Connell asked for unanimous consent to refer back to Assembly Bill No. 1350, at this time.

Speaker Brown withheld unanimous consent until Mr. Conrad was at his desk.

Mr. Conrad presented himself at his desk, and withheld unanimous consent.

#### Motion to Refer Back to Assembly Bill No. 1350

Mr. O'Connell moved to refer back to Assembly Bill No. 1350, at this time.

Mr. Elliott seconded the motion.

Motion carried.

### REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bill, Mr. O'Connell asked for unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1350 today.

Mr. Shell withheld unanimous consent.

#### Motion to Suspend Joint Rule

Mr. O'Connell moved that Joint Rule No. 23 be suspended to take up Assembly Bill No. 1350 today.

Mr. Elliott seconded the motion.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. O'Connell moved a call of the Assembly.

Mr. Hawkins seconded the motion.

Motion carried. Time, 4.46 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Hanna was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1055**—An act to add Section 1885 to the Code of Civil Procedure, relating to interpreters for deaf parties in civil and criminal actions and proceedings, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Lowrey.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1479**—An act to add Section 73096 to the Government Code, relating to municipal court reporters in Alameda County.

Bill read third time, and presented by Mr. Petris.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Crawford, Crown, Cunningham, Davis, Delotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—63.

NOES—Bee, Dahl, Mulford, and Rumford—4.

Bill ordered transmitted to the Senate.

### Names Placed Upon Roll Call

Messrs. Dahl and Bee were granted unanimous consent that they be recorded as voting "No", instead of "Aye" on Senate Bill No. 1479.

**Senate Bill No. 777**—An act to require the sale of certain lands now in the possession and control of the San Francisco Port Authority.

Bill read third time, and presented by Mr. Meyers.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 777:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Senate Bill No. 777, "An act to require the sale of certain lands now in the possession and control of the San Francisco Port Authority," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 777 as an emergency measure.

Respectfully,

EDMUND G BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1179**—An act to amend Sections 34014, 34026, 34801, 34802, 34803, 35907, and 36575 of, and to add Sections 36409, 36831, 36832 and 36833 to, the Water Code, relating to California water districts.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey,

Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 622**—An act to amend Sections 21121, 21122, 21605, 21606, 21607, 21608, 21652, 21654, 21658, 21661, 21826, 21827, 21830 of, and to add Sections 21650.1 to the Water Code, relating to irrigation districts.

Bill read third time, and presented by Mr. Porter.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Frew—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 603**—An act to repeal Section 23363 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

**Motion to Amend**

Mr. Cunningham moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on June 12, 1959, strike out "this act", and insert "the amendment of this section enacted at the 1959 Regular Session of the Legislature".

**Amendment No. 2**

On page 1, line 8, strike out "the", and insert "this".

**Amendment No. 3**

On page 1, after line 10, insert

"In addition to the rights and privileges granted by this section, any person holding a distilled spirits manufacturer license may sell brandy to any person holding a license authorizing the sale of brandy."

Amends read, and adopted.

Bill ordered reprinted, and to third reading.

**Rush Order Placed Upon Printing of Senate Bill No. 603**

Speaker Brown ordered a rush order placed upon the printing of Senate Bill No. 603.

**Senate Bill No. 944**—An act to amend Sections 6901 and 6903 of, and to add Section 6902.1 to, the Labor Code, relating to safeguards on railroads.

Bill read third time, and presented by Mr. Waldie.

Motion to Re-refer

Mr. Cunningham moved that the bill be re-referred to the Committee on Rules for assignment of the subject matter for interim study.

Mr. Charles H. Wilson seconded the motion.

Speaker pro Tempore Presiding

At 5.15 p.m , Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Mr. Crawford demanded the previous question. Demand not sustained.

Demand for Previous Question

Messrs. Grant, Luckel, Schrade, Burke, and Crown demanded the previous question. Demand sustained.

The question being on the motion that Senate Bill No. 944 be re-referred to the Committee on Rules for assignment of the subject matter for interim study.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cunningham moved a call of the Assembly.

Mr. Dills seconded the motion.

Motion carried. Time, 5.21 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Joint Resolution No. 19**—Relative to a minimum wage law for agricultural workers.

Resolution read, and presented by Mr. Pattee.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—Lanterman, Levering, Reagan, Shell, and Thelin—5.

Resolution ordered transmitted to the Senate.

Name Placed Upon Roll Call

Mr. Elliott was granted unanimous consent that he be recorded as voting "Aye" on Senate Joint Resolution No. 19.

**Senate Bill No. 875**—An act to amend Section 833 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and presented by Mr. Nisbet.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 231**—An act to amend Section 63.5 of the Agricultural Code, relating to county agricultural commissioners.

Bill read third time, and presented by Mr. Winton.

### Speaker Presiding

At 5.31 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

### Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on June 12, 1959, strike out "four thousand five hundred dollars ($4,500)", and insert "three thousand three hundred dollars ($3,300)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

## FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1087

**Assembly Bill No. 1087**—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition and construction of state parks in Alameda County.

Bill read third time.

Joint Rule No. 23 complied with previously.

Letter from Governor read previously.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—58

NOES—Collier, Cusanovich, Levering, and Thelin—4.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bill, Mr. Hanna was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 749 today.

## CONSIDERATION OF ASSEMBLY BILL NO. 749

**Assembly Bill No. 749**—An act providing for home studies in connection with the adoption of foreign-born children, and making an appropriation therefor.

Bill read third time.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 749:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 749 is an act providing for home studies in connection with the adoption of foreign-born children.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 749 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—59.

NOES—Crawford, Lanterman, Levering, Reagan, and Thelin—5.

Bill ordered transmitted to the Senate.

## BILLS REMOVED FROM CONSENT CALENDAR

The following bills were removed from the Consent Calendar, and ordered placed on the third reading file by unanimous consent.

**Senate Bill No. 1365**, on request of Mr. Burton.

**Senate Bill No. 985**, on request of Mr. House.

**Senate Bills Nos. 768, 1395**, and **1232**, on request of Mr. Crawford.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Masterson was granted unanimous consent that the following computation by the Legislative Analyst be ordered printed in the Journal:

## COMPUTATION BY LEGISLATIVE ANALYST

JOINT LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
SACRAMENTO, June 12, 1959

*Hon. S. C. Masterson*
*Assemblyman, 11th District*
*State Capitol, Sacramento*

DEAR ASSEMBLYMAN MASTERSON: Pursuant to your request, we have computed below, by year, the interest and principal costs on bonds issued under Senate Bill 1106 as far into the future as we have been able to secure data from the Department of Water Resources. A simple assumption that the bonds will be repaid over 40 years after a 10-year

development period is the best approximation we can make, at this time, of the bond terms.

| *Year* | *Cumulative total bonds issued* | *Annual interest at 4 percent* | *Annual principal repayment* |
|---|---|---|---|
| 1962 | $ 1,490,000 | $ 59,600 | |
| 1963 | 144,500,000 | 5,780,000 | |
| 1964 | 261,000,000 | 10,440,000 | |
| 1965 | 366,800,000 | 14,672,000 | |
| 1966 | 489,500,000 | 19,850,000 | |
| 1967 | 681,900,000 | 27,276,000 | |
| 1968 | 879,200,000 | 35,168,000 | |
| 1969 | 1,020,700,000 | 40,828,000 | |
| 1970 | 1,119,800,000 | 44,792,000 | |
| 1971 | 1,190,900,000 | 47,636,000 | |
| 1972 | 1,232,700,000 | 49,308,000 | $37,250 |
| 1973 | 1,267,300,000 | 50,692,000 | 3,612,500 |
| 1974 | 1,298,000,000 | 51,920,000 | 6,525,000 |
| 1975 | 1,319,300,000 | 52,772,000 | 9,170,000 |
| 1976 | 1,326,400,000 | 53,056,000 | 12,237,500 |
| 1977 | 1,348,400,000 | 53,936,000 | 17,047,500 |
| 1978 | 1,397,100,000 | 55,884,000 | 21,980,000 |
| 1979 | 1,453,800,000 | 58,152,000 | 25,517,500 |
| 1980 | 1,523,400,000 | 60,936,000 | 27,995,000 |
| 1981 | 1,599,000,000 | 63,960,000 | 29,772,500 |
| 1982 | 1,633,100,000 | 65,324,000 | 30,817,500 |
| 1983 | 1,639,500,000 | 65,580,000 | 31,682,500 |
| | | $928,021,600 | $216,394,750 |

We might observe that there is a probability that all of the general obligation bonds will be issued and expended. Section 12938 of Senate Bill No. 1106, page 7, starting at line 10, states "To the extent that money is expended from the California Water Fund for construction of the State Water Facilities, proceeds from the sale of bonds authorized pursuant to this act in an equal amount is appropriated and *shall* be expended for the construction of such additional facilities of the State Water Resources Development System as the department shall determine to be necessary and desirable to meet local needs" and to augment supplies of water in the Delta. We interpret this as language which will have the effect of making mandatory the issuance of all bonds irrespective of California Water Fund accruals.

Further, the determination of the size of the bond issue has allowed for no increase in prices over the 25-year construction period involved and it has been assumed that complimentary federal expenditures of $270,800,000 will be made in the Delta, at San Luis and at Oroville. Of this amount, only the $70,000,000 of assumed federal flood control expenditure at Oroville is reasonably assured at this time by any congressional action. Increasing costs and lack of federal expenditures

may require greater state expenditures. All of these factors lead us to conclude that it is highly probable that all the bonds will be issued.

I hope this provides the information you desire.

Sincerely yours,

A. ALAN POST, Legislative Analyst

### MOTION TO RECONSIDER SENATE BILL NO. 910

Mr. Masterson moved to reconsider on the next legislative day the vote whereby Senate Bill No. 910 was this day refused passage. (Assembly Journal, page 5417).

Senate Bill No. 910 and the motion to reconsider ordered to the unfinished business file.

### REQUEST FOR UNANIMOUS CONSENT

Mrs. Davis was granted unanimous consent to take up Senate Bill No. 1290 for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 1290

**Senate Bill No. 1290**—An act to amend Section 91 of, and to add Sections 61, 62, 95.5, and Chapter 11 (commencing at Section 135) to, the Shasta County Water Agency Act (Ch. 1512, Stats 1957), relating to powers of the agency.

Bill read third time.

#### Motion to Amend

Mrs. Davis moved the adoption of the following amendments:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 1, 1959, strike out "Section", and insert "Sections 55 and".

#### Amendment No. 2

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 55 of the Shasta County Water Agency Act (Chapter 1512, Statutes of 1957) is amended to read:

Sec. 55. The agency shall have the power to develop hydroelectric power only to the extent that such power can be developed incidentally to the construction and operation of its projects, and only for use solely by the agency in the operation of its works, in which case it may transmit such power to the place of use, or only to be sold ~~at bus bar and~~ at wholesale rates to any public or private agency engaged in the retail distribution of power, or both. The agency shall have the power to contract for the sale of rights to falling waters incidental to the construction and operation of the projects with any public or private agency engaged in the retail distribution of power.

SEC. 1 5 Section 61 is added to said act, to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## REQUEST FOR UNANIMOUS CONSENT TO RE-REFER SENATE BILL NO. 1167

Mr. Winton asked for unanimous consent that Senate Bill No. 1167 be re-referred to the Committee on Livestock and Dairies.

Mr. McCollister withheld unanimous consent.

### Motion to Re-refer

Mr. Winton moved that the bill be re-referred to the Committee on Livestock and Dairies.

Mr. Biddick seconded the motion.

### Ruling by Speaker

Speaker Brown ruled the motion in order, pursuant to an opinion of the Legislative Counsel relative to a bill which had been ordered filed, and the subject matter referred to the Committee on Rules.

### Demand for Previous Question

Messrs. Munnell, Lanterman, Burke, Schrade, and Hanna demanded the previous question Demand sustained.

The question being on the motion that Senate Bill No. 1167 be re-referred to the Committee on Livestock and Dairies.

Motion carried by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Cameron, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, House, Johnson, Kennick, Lowrey, Luckel, Lunardi, MacBride, Meyers, Miller, Mulford, Munnell, Nisbet, Rumford, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—43.

NOES—Don A. Allen, Backstrand, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Cusanovich, Dahl, Dills, Francis, Ernest R. Geddes, Holmes, Lanterman, Levering, Marks, Masterson, McCollister, Pattee, Reagan, Sedgwick, Thelin, and Charles H. Wilson—25.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER

At 5.56 p.m., Mr. Cunningham moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Senate Bill No. 944 be re-referred to the Committee on Rules for assignment of the subject matter for interim study lost by the following vote:

AYES—Don A. Allen, Backstrand, Belotti, Bradley, Britschgi, Burke, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Dills, Francis, Ernest R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kilpatrick, Levering, Marks, McCollister, Pattee, Reagan, Schrade, Sedgwick, Shell, Thelin, Thomas, George A. Willson, and Charles H. Wilson—34.

NOES—Bruce F. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Busterud, Collier, Crown, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Samuel, R. Geddes, Hanna, Kennick, Lowrey, Luckel, Lunardi, MacBride, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Sumner, Unruh, Waldie, Williamson, Winton, Z'berg and Mr. Speaker—40.

### Further Consideration of Senate Bill No. 944

The question being on the passage of the bill.

**Demand for Previous Question**

Messrs. Burton, Schrade, Beaver, Dahl, and Cunningham demanded the previous question. Demand sustained.

The question being on the passage of Senate Bill No. 944.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Bee, Biddick, George E Brown, Burton, Busterud, Collier, Conrad, Crawford, Crown, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—51.

NOES—Don A. Allen, Backstrand, Belotti, Bradley, Britschgi, Cameron, Chapel, Coolidge, Cunningham, Dahl, Dills, Francis, Grant, Holmes, House, Kilpatrick, Levering, McCollister, Pattee, Reagan, Thelin, Thomas, and Charles H. Wilson—23.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND JOINT RULE NO. 23

At 6.18 p.m., Mr. O'Connell moved to dispense with further proceedings under the call of the Assembly as they pertained to the motion to suspend Joint Rule No. 23 to permit consideration of Assembly Bill No. 1350 today.

Motion carried.

The names of the absentees were called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. O'Connell moved a call of the Assembly.

Mr. Elliott seconded the motion.

**Roll Call Demanded**

The roll was called, and the motion carried by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Coolidge, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—40.

NOES—Bruce F Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Francis, Ernest R. Geddes, Grant, Hegland, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, Mulford, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—31

Time, 6.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Burton asked for unanimous consent that his proposed amendments to Senate Bills Nos. 93 and 209 be ordered printed in the Journal.

Mr. Hegland withheld unanimous consent.

Speaker Brown ruled that unanimous consent was not required pursuant to the Rules; and ordered the proposed amendments printed in the Journal.

## PROPOSED AMENDMENTS TO SENATE BILL NO. 1093

By Mr. Burton:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly June 10, 1959, after "Code," insert "and to amend Section 24200 of the Business and Professions Code,".

### Amendment No. 2

On page 1, following line 13, insert

"SEC. 2. Section 24200 of the Business and Professions Code is amended to read:

24200. The following are the grounds which constitute a basis for the suspension or the revocation of licenses:

(a) When the continuance of a license would be contrary to public welfare or morals; but proceedings under this section upon this ground are not a limitation upon the department's authority to proceed under Article XX, Section 22, of the Constitution

(b) Except as limited by Chapters 11 and 12 of this division, the violation or the causing or the permitting of a violation by a licensee of this division, any rules of the board adopted pursuant to Part 14 of Division 2 of the Revenue and Taxation Code or any rules of the department adopted pursuant to the provisions of this division, or any other penal provisions of law of this State prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding, or mislabeling of alcoholic beverages or intoxicating liquors.

(c) The misrepresentation of a material fact by any applicant in obtaining any license.

(d) The plea, verdict, or judgment of guilty to any public offense involving moral turpitude or under any federal law prohibiting or regulating the sale, exposing for sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors, or prohibiting the refilling or reuse of distilled spirits containers charged against the licensee.

(e) Where the portion of the premises of the licensee upon which the activities permitted by the license are conducted are a resort for illegal possessors or users of narcotics, prostitutes, pimps, panderers, or sexual perverts. In addition to any other legally competent evidence, the character of the premises may be proved by the general reputation of the premises in the community as a resort for illegal possessors or users of narcotics, prostitutes, pimps, panderers, or sexual perverts.

(f) Failure to correct objectionable conditions constituting a nuisance within a reasonable time after receipt of notice to make such corrections from a district attorney under Section 373a of the Penal Code.

*(g) The willful or persistent violation of Sections 51 and 52 of the Civil Code.*"

## PROPOSED AMENDMENTS TO SENATE BILL NO. 209

By Mr. Burton:

### Amendment No. 1

*In line 1 of the title of the printed bill as amended in Assembly June 1, 1959,* strike out "repeal Chapter 7 (commencing with"; strike out lines 2 and 3 of the title; and in line 4 of the title, strike out "and to".

### Amendment No. 2

On page 1, strike out lines 3 to 7, inclusive, and insert

"SECTION 1. Chapter 9 (commencing with Section 1151) is added to Part 3, Division 2, of the Labor Code, to read:".

### Amendment No. 3

On page 3, line 46, strike out "other than advertising".

## PARLIAMENTARY INQUIRY

Mr. Bee arose to the following parliamentary inquiry: Has Rule No. 106 been suspended?

### Reply by Speaker

The Speaker replied that it had not.

### Parliamentary Inquiry

Mr. Masterson arose to the following parliamentary inquiry: Would it not be permissible to take up a noncontroversial bill even if the rule preventing a call upon a call was not suspended?

Reply by Speaker

The Speaker replied that it would.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO SUSPEND JOINT RULE

At 6.30 p.m., Mr. O'Connell moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion to suspend Joint Rule No. 23 to permit consideration of Assembly Bill No. 1350 today lost by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Coolidge, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—57.

NOES—Bruce F. Allen, Backstrand, Beaver, Bradley, Britschgi, Burke, Collier, Conrad, Crawford, Cusanovich, Dahl, Grant, Lanterman, Levering, Mulford, Reagan, Schrade, Shell, Sumner, Thelin, and Winton—21.

Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: What is the present status of Assembly Bill No. 1350?

Reply by Speaker

The Speaker replied that it was still on the third reading file.

Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: Can a request to suspend the Rules to consider the bill be offered tomorrow?

Reply by Speaker

The Speaker replied that it could, since the previous request was for consideration of the bill today only.

## NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 711 FROM COMMITTEE

Mr. Ernest R. Geddes gave notice that on the second legislative day he would move to withdraw Senate Bill No. 711 from the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 223

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

BACKSTRAND, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 405
Senate Bill No. 1291

With amendments with the recommendation: Amend, and do pass, as amended.

BACKSTRAND, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 405**—An act to add Section 486 to the Streets and Highways Code, relating to adoption of a state highway route.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, strike out "486", and insert "591".

#### Amendment No. 2

On page 1, line 1, strike out "486", and insert "591".

#### Amendment No. 3

On page 1, line 3, strike out "486. Route 186", and insert "591. Route 291".

#### Amendment No. 4

On page 1, line 4, after "via", insert "the vicinity of".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1291**—An act to amend Section 415 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Transportation and Commerce, were read, and adopted:

#### Amendment No. 1

In the heading of the printed bill below "Introduced by Senator Donnelly", insert "(Co-authored by Mr. Ralph M. Brown)".

#### Amendment No. 2

On page 1, strike out lines 3 and 4, and insert

"415. Route 115 is from:

(a) The intersection of Route 5 and Route 239 near Moorpark Avenue to Route 68 near Story Road.

(b) Route 68 near San Jose to Patterson via the vicinity of Mount Hamilton."

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 1061
Senate Bill No. 1108

With the recommendation: Do pass.

BACKSTRAND, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1061**—An act to amend Sections 72 and 73 of, and to add Section 72.5 to, the Streets and Highways Code, relating to abandonment and relinquishment of state highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1108**—An act to amend Sections 30050 and 30051 of the Streets and Highways Code, relating to public ways and all appurtenances thereto, including toll bridges, toll tubes, toll ferries and toll roads.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Bill No. 1047
Senate Bill No. 1455

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1047**—An act to amend Section 2120 of the Streets and Highways Code, relating to services furnished by the State for counties.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1455**—An act to add Article 4 (commencing at Section 31510) to Chapter 5, of Division 13 of the Vehicle Code as enacted at the 1959 Regular Session, relating to safety standards for vehicle loads.

Bill read second time, and ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Concurrent Resolution No. 34
Senate Concurrent Resolution No. 48

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Senate Concurrent Resolution No. 57

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

BACKSTRAND, Chairman

Above resolution ordered on file.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Concurrent Resolution No. 57**—Relative to public transportation planning and development.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Transportation and Commerce, was read, and adopted:

Amendment No. 1

On page 2, line 21, of the printed measure, strike out the period, and insert "; and be it further

*Resolved*, That the Secretary of the Senate be directed to transmit copies of this resolution to all state and local governmental agencies having jurisdiction over the planning, development, construction, and operation of public transportation facilities including freeways, highways, toll bridges, roads, streets, vehicular parking, motor transit, rail transit, rail rapid transit, and such other public facilities as relate to the movement of people."

Resolution ordered reprinted, and to be placed on the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 364
Senate Bill No. 1182

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

BIDDICK, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 364**—An act to amend Section 68542 of the Government Code, relating to expenses of judges.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1182**—An act to amend Section 74262 of the Government Code, relating to municipal courts.

Bill read second time, and ordered to the Consent Calendar.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 1140

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1140**—An act to amend Section 74265 of the Government Code, relating to municipal court reporters.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 74265", and insert "Sections 74012, 74013, 74014, 74015, 74015 5, 74018, 74882, 74883, 74884, 74885, 74885.5, and 74888".

**Amendment No. 2**

In line 2 of the title, strike out "court reporters", and insert "courts".

**Amendment No. 3**

On page 1, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 74012 of the Government Code is amended to read:

74012. There shall be one clerk who shall receive a minimum salary of ~~three hundred sixty dollars (\$360)~~ *three hundred eighty-four dollars ($384)* monthly with annual increments, in the manner provided in this article, of ~~seventeen dollars (\$17), nineteen dollars (\$19), twenty dollars (\$20) and twenty-one dollars (\$21)~~ *nineteen dollars ($19), twenty dollars ($20), twenty-two dollars ($22), and twenty-one dollars ($21)* to a maximum of ~~four hundred thirty-seven dollars (\$437)~~ *four hundred sixty-six dollars ($466)* monthly.

SEC. 2. Section 74013 of said code is amended to read:

74013. The clerk may appoint:

(a) Three deputy clerks grade III, each of whom shall receive a minimum salary of ~~two hundred seventy-nine dollars (\$279)~~ *three hundred fifteen dollars ($315)* monthly with annual increments, in the manner provided in this article, of ~~fifteen dollars (\$15), fifteen dollars (\$15), sixteen dollars (\$16) and seventeen dollars (\$17)~~ *fifteen dollars ($15), eighteen dollars ($18), eighteen dollars ($18), and eighteen dollars ($18)* to a maximum of ~~three hundred forty-two dollars (\$342)~~ *three hundred eighty-four dollars ($384)* monthly.

(b) Three deputy clerks grade II, each of whom shall receive a minimum salary of ~~two hundred fifty-two dollars (\$252)~~ *two hundred eighty-three dollars ($283)* monthly with annual increments, in the manner provided in this article, of ~~thirteen dollars (\$13), fourteen dollars (\$14), fifteen dollars (\$15) and fifteen dollars (\$15)~~ *fifteen dollars ($15), seventeen dollars ($17), fifteen dollars ($15), and eighteen dollars ($18)* to a maximum of ~~three hundred nine dollars (\$309)~~ *three hundred forty-eight dollars ($348)* monthly.

(c) One deputy clerk grade I who shall receive a minimum salary of ~~two hundred twenty-seven dollars (\$227)~~ *two hundred fifty-five dollars ($255)* monthly with annual increments, in the manner provided in this article, of ~~twelve dollars (\$12), thirteen dollars (\$13), thirteen dollars (\$13) and fourteen dollars (\$14)~~ *fifteen dollars ($15), thirteen dollars ($13), fifteen dollars ($15) and seventeen dollars ($17)* to a maximum of ~~two hundred seventy-nine dollars (\$279)~~ *three hundred fifteen dollars ($315)* monthly.

*(d) One deputy clerk grade I (half time) who shall receive a minimum salary of one hundred twenty-seven dollars and fifty cents ($127.50) monthly with annual increments, in the manner provided in this article, of seven dollars and fifty cents ($7.50), six dollars and*

*fifty cents ($6.50), seven dollars and fifty cents ($7.50), and eight dollars and fifty cents ($8.50) to a maximum of one hundred fifty-seven dollars and fifty cents ($157.50) monthly.*

SEC. 3. Section 74014 of said code is amended to read:

74014. There shall be one marshal who shall receive a minimum salary of ~~three hundred forty-two dollars ($342)~~ *three hundred sixty-six dollars ($366)* monthly with annual increments, in the manner provided in this article, of eighteen dollars ($18), ~~seventeen dollars ($17), nineteen dollars ($19) and twenty dollars ($20)~~ *nineteen dollars ($19), twenty dollars ($20), and twenty-two dollars ($22)* to a maximum of ~~four hundred sixteen dollars ($416)~~ *four hundred forty-five dollars ($445)* monthly.

SEC. 4. Section 74015 of said code is amended to read:

74015. The marshal may appoint three deputy marshals, each of whom shall receive a minimum salary of ~~two hundred ninety-four dollars ($294)~~ *three hundred fifteen dollars ($315)* monthly with annual increments, in the manner provided in this article, of fifteen dollars ($15), ~~sixteen dollars ($16), seventeen dollars ($17) and eighteen dollars ($18)~~ *eighteen dollars ($18), eighteen dollars ($18), and eighteen dollars ($18)* to a maximum of ~~three hundred sixty dollars ($360)~~ *three hundred eighty-four dollars ($384)* monthly.

SEC. 5. Section 74015.5 of said code is amended to read:

74015.5. The marshal may appoint one clerk who shall receive a a minimum salary of ~~two hundred twenty-seven dollars ($227)~~ *two hundred fifty-five dollars ($255)* monthly with annual increments, in the manner provided in this article, of ~~twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13) and fourteen dollars ($14)~~ *fifteen dollars ($15), thirteen dollars ($13), fifteen dollars ($15), and seventeen dollars ($17)* to a maximum of ~~two hundred seventy-nine dollars ($279)~~ *three hundred fifteen dollars ($315)* monthly.

SEC. 6. Section 74018 of said code is amended to read:

74018. ~~On October 1, 1957, an incumbent officer or attache of the court shall be placed in the step level of the salary range made applicable by statute to his position which pays the same rate of compensation as he received under the superseded salary range, and if there is no such equivalent salary in the new range, he shall be placed in the step level having a rate of compensation next higher than his former salary. Nothing contained herein shall serve to change the anniversary dates of incumbent officers and attaches at the effective date hereof.~~ *The compensation assigned to the salary ranges of officers and attaches of the court by the Statutes of 1959 shall not become payable until October 1, 1959, and there shall be no change of the anniversary dates or salary steps of said officers and attaches merely because a new compensation plan has been assigned to their salary ranges.*

SEC. 7. Section 74882 of said code is amended to read:

74882. There shall be one clerk who shall receive a minimum salary of ~~three hundred sixty dollars ($360)~~ *three hundred eighty-four dollars ($384)* monthly with annual increments, in the manner provided in this article, of ~~seventeen dollars ($17), nineteen dollars ($19), twenty dollars ($20) and twenty-one dollars ($21)~~ *nineteen dollars*

*($19), twenty dollars ($20), twenty-two dollars ($22), and twenty-one dollars ($21)* to a maximum of ~~four hundred thirty-seven dollars ($437)~~ *four hundred sixty-six dollars ($466)* monthly.

SEC. 8. Section 74883 of said code is amended to read:

74883. The clerk may appoint:

(a) Three deputy clerks grade III, each of whom shall receive a minimum salary of ~~two hundred seventy-nine dollars ($279)~~ *three hundred fifteen dollars ($315)* monthly with annual increments, in the manner provided in this article, of ~~fifteen dollars ($15),~~ ~~fifteen dollars ($15),~~ ~~sixteen dollars ($16)~~ ~~and seventeen dollars ($17)~~ *fifteen dollars ($15), eighteen dollars ($18), eighteen dollars ($18), and eighteen dollars ($18)* to a maximum of ~~three hundred forty-two dollars ($342)~~ *three hundred eighty-four dollars ($384)* monthly.

(b) Two deputy clerks grade II, each of whom shall receive a minimum salary of ~~two hundred fifty-two dollars ($252)~~ *two hundred eighty-three dollars ($283)* monthly with annual increments, in the manner provided in this article, of ~~thirteen dollars ($13),~~ ~~fourteen dollars ($14),~~ ~~fifteen dollars ($15)~~ ~~and fifteen dollars ($15)~~ *fifteen dollars ($15), seventeen dollars ($17), fifteen dollars ($15), and eighteen dollars ($18)* to a maximum of ~~three hundred nine dollars ($309)~~ *three hundred forty-eight dollars ($348)* monthly.

(c) One deputy clerk grade I who shall receive a minimum salary of ~~two hundred twenty-seven dollars ($227)~~ *two hundred fifty-five dollars ($255)* monthly with annual increments, in the manner provided in this article, of ~~twelve dollars ($12),~~ ~~thirteen dollars ($13),~~ ~~thirteen dollars ($13)~~ ~~and fourteen dollars ($14)~~ *fifteen dollars ($15), thirteen dollars ($13), fifteen dollars ($15), and seventeen dollars ($17)* to a maximum of ~~two hundred seventy-nine dollars ($279)~~ *three hundred fifteen dollars ($315)* monthly.

SEC. 9. Section 74884 of said code is amended to read:

74884. There shall be one marshal who shall receive a minimum salary of ~~three hundred forty-two dollars ($342)~~ *three hundred sixty-six dollars ($366)* monthly with annual increments, in the manner provided in this article, of eighteen dollars ($18), ~~seventeen dollars ($17),~~ ~~nineteen dollars ($19)~~ ~~and twenty dollars ($20)~~ *nineteen dollars ($19), twenty dollars ($20), and twenty-two dollars ($22)* to a maximum of ~~four hundred sixteen dollars ($416)~~ *four hundred forty-five dollars ($445)* monthly.

SEC. 10. Section 74885 of said code is amended to read:

74885. The marshal may appoint two deputy marshals, each of whom shall receive a minimum salary of ~~two hundred ninety-four dollars ($294)~~ *three hundred fifteen dollars ($315)* monthly with annual increments, in the manner provided in this article, of fifteen dollars ($15), ~~sixteen dollars ($16),~~ ~~seventeen dollars ($17)~~ ~~and eighteen dollars ($18)~~ *eighteen dollars ($18), eighteen dollars ($18), and eighteen dollars ($18)* to a maximum of ~~three hundred sixty dollars ($360)~~ *three hundred eighty-four dollars ($384)* monthly.

SEC. 11. Section 74885.5 of said code is amended to read:

74885.5. The marshal may appoint one clerk who shall receive a minimum salary of ~~two hundred twenty-seven dollars ($227)~~ *two hundred fifty-five dollars ($255)* monthly with annual increments, in the

manner provided in this article, of ~~twelve dollars ($12),~~ ~~thirteen dollars ($13),~~ ~~thirteen dollars ($13)~~ ~~and fourteen dollars ($14)~~ *fifteen dollars ($15), thirteen dollars ($13), fifteen dollars ($15), and seventeen dollars ($17)* to a maximum of ~~two hundred seventy-nine dollars ($279)~~ *three hundred fifteen dollars ($315)* monthly.

SEC. 12. Section 74888 of said code is amended to read:

74888. ~~On October 1, 1957, an incumbent officer or attache of the court shall be placed in the step level of the salary range made applicable by statute to his position which pays the same rate of compensation as he received under the superseded salary range, and if there is no such equivalent salary in the new range, he shall be placed in the step level having a rate of compensation next higher than his former salary. Nothing contained herein shall serve to change the anniversary dates of incumbent officers and attaches at the effective date hereof.~~ *The compensation assigned to the salary ranges of officers and attaches of the court by the Statutes of 1959 shall not become payable until October 1, 1959, and there shall be no change of the anniversary dates or salary steps of said officers and attaches merely because a new compensation plan has been assigned to their salary ranges.*"

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 754
Senate Bill No. 1185

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 84
Senate Bill No. 942

With amendments with the recommendation: Be amended; that the bills be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 84**—An act to amend Section 731a of the Code of Civil Procedure, relating to industrial nuisances.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

### Amendment No. 1

On page 1, line 5 of the printed bill, as amended in the Senate on May 21, 1959, after "commercial", insert "or airport".

Amendment No. 2

On page 1, line 12, after "zone", insert "or airport".

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

**Senate Bill No. 942**—An act to add Section 1238.6 to the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1238 6", and insert "1238 8".

Amendment No. 2

On page 1, line 1, strike out "1238.6", and insert "1238.8".

Amendment No. 3

On page 1, line 3, strike out "1238.6", and insert "1238 8".

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 1328
Senate Bill No. 1329
Senate Bill No. 1174

With amendments with the recommendation: Amend, and do pass, as amended.

MEYERS, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1328**—An act to add Sections 20004.5, 20004.6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601.5, 20989, 21251.14, 22153, 22213, and 22550.5 to, to amend Section 22009.1 of, and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2, of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

Amendment No. 1

On page 7, lines 5 and 6, of the printed bill, as amended in the Assembly on June 3, 1959, strike out "and employees in the office of the county superintendent of schools".

Amendment No. 2

On page 7, after line 52, insert

"SEC. 13.5. Section 22153 of the Government Code, as added by Section 13 of this act, shall supersede Section 22153 of the Government Code as added by Assembly Bill No. 2062 of the 1959 Regular Session."

**Amendment No. 3**

On page 8, between lines 26 and 27, insert

"SEC. 15.5. Sections 1 to 12, inclusive, and Sections 14 and 15 of this act shall not be operative if Assembly Bill No. 2062 is enacted at the 1959 Regular Session of the Legislature."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1329**—An act to add Sections 20499, 20601.5 and 21251.14 to the Government Code, relating to retirement of public employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Senate on June 1, 1959, after "part", insert ", except school districts in which the average daily attendance of all districts combined is in excess of 400,000, and which are governed by the same governing board".

**Amendment No. 2**

On page 2, between lines 39 and 40, insert:

"SEC. 4. Section 20601.5 is added to said code, to read:

20601.5. The normal rate of contribution otherwise established pursuant to this article for a member whose services are included in coverage of the federal system shall be reduced by one-third as applied to that part of compensation, for such services rendered after the date of execution of the modification of the federal-state agreement including such services in the federal system, which does not exceed the monthly equivalent of the maximum annual amount subject to contribution under the federal system at the time the services for which the compensation is paid are rendered.

This section shall apply to state miscellaneous members. It shall also apply to local miscellaneous members who are included in the system under Chapter 4.5 (commencing at Section 20580), and to a school district subject to Section 20493, and the employees of such school district, other than such a district whose employees, before the effective date of this section, were subject to Section 21251.1 and were included in the federal system without modification of the benefit formula specified in Section 21251.1. It shall apply to local miscellaneous members who are employees of any other contracting agency which elects to be subject hereto by amendment to its contract made at the time it includes its employees who are members of the system in the federal system or by appropriate contract provision in case of a new contract if employees become members under such contract are or currently will be included in the federal system. Contract amendments under this section shall be made in the manner provided for approval of new contracts except that an election among employees shall not be required.

SEC. 5. Section 21251.14 is added to said code, to read:

21251.14. The fraction of final compensation, for purposes of calculating the current service pension under Section 21251.1 based on service in any period after the effective date of coverage of a member under the federal system, shall be reduced from 1/60 to 1/90 as applied to that part of the member's final compensation which does not exceed the monthly equivalent of the maximum annual amount subject to contribution under the federal system during such period. Any change in such maximum amount shall affect allowances based on service after the date of such change only.

This section shall apply to state miscellaneous members. It shall also apply to local miscellaneous members who are included in the system under Chapter 4.5 (commencing at Section 20580), and to a school district subject to Section 20493, and the employees of such school district, other than such a district whose employees, before the effective date of this section, were subject to Section 21251.1 and were included in the federal system without modification of the benefit formula specified in Section 21251.1. It shall apply to local miscellaneous members who are employees of any other contracting agency electing to be subject hereto by amendment to its contract made at the time it includes its employees who are members of the system in the federal system or by appropriate contract provision in case of a new contract if employees becoming members under such contract are, or currently will be, included in the federal system. Contract amendments under this section shall be made in the manner provided for approval of new contracts except that an election among employees shall not be required.

SEC. 6. Sections 4 and 5 of this act shall become operative only if Assembly Bill No. 2062 is enacted at the 1959 Regular Session of the Legislature, in which case Sections 20601.5 and 21251.14 as added by Sections 4 and 5 of this act shall supersede Sections 20601.5 and 21251.14 as added by Assembly Bill No. 2062. Sections 2 and 3 of this act shall become operative only if Senate Bill No. 1328 is enacted at the 1959 Regular Session of the Legislature, in which case Sections 20601.5 and 21251.14 as added by Sections 2 and 3 of this act shall supersede Sections 20601.5 and 21251.14 as added by Senate Bill No. 1328."

**Amendment No. 3**

On page 2, line 40, strike out "4", and insert "7".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1174**—An act to add Sections 20990, 22154, and 22214 to the Government Code, relating to participation in the Federal Old Age, Survivors and Disability Insurance Program by employees of school districts declaring the urgency thereof, to take effect immediately.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel, were read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Senate on April 28, 1959, strike out "has elected to be", and insert "is".

**Amendment No. 2**

On page 1, line 19, after "system", insert ", except school districts in which the average daily attendance of all districts combined is in excess of 400,000, and which are governed by the same governing board".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Senate Bill No. 1372

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MEYERS, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1372**—An act to amend Sections 20303 and 20600.5 of the Government Code, relating to state employees' retirement law.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Civil Service and State Personnel were read, and adopted:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Senate on May 28, 1959, after "Section 20600.5," insert "either".

**Amendment No. 2**

On page 1, line 18, after "month", insert "or on the first day of the payroll period".

Amendment No. 3

On page 1, line 20, strike out "or by a contracting agency", and insert ", by the university, or by a contracting agency, in accordance with the rules of the Board of Administration of this system".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 209

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 209**—An act to add Chapter 9 (commencing with Section 1151), to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1959, strike out "repeal Chapter 7 (commencing with"; strike out lines 2 and 3 of the title; and in line 4 of the title, strike out "and to".

Amendment No. 2

On page 1, strike out lines 3 to 7, inclusive, and insert

"SECTION 1. Chapter 9 (commencing with Section 1151) is added to Part 3, Division 2, of the Labor Code, to read:".

Amendment No. 3

On page 3, line 46, strike out "other than advertising".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 487
Senate Bill No. 587
Senate Bill No. 669
Senate Bill No. 948
Senate Bill No. 1177
Senate Bill No. 1220

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1220**—An act to amend Sections 189 and 190 of the Streets and Highways Code, relating to separations.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1177**—An act to amend Section 333 of the Fish and Game Code, relating to antelope.

Bill read second time, and ordered to third reading.

**Senate Bill No. 948**—An act to amend Sections 1615, 3016, 4806, 5053, 7205, 7605, 8921, and 9530 of, and to add Sections 103, 2117, 2131, 2655, 2716, 2855, 2926, 4011, 5516, 5622, 6720, 7016, 7315, 8002, 8526, 9014, 9627, 18625, and 19035.7 to, and to repeal Sections 2117, 2131, 2655, 2716, 2855, 2926, 4011, 5516, 5622, 6720, 7016, 7315, 8002, 8526, 9014, 9627, 18625 and 19035.7 of the Business and Professions Code, and to amend Section 5053 of the Business and Professions Code as proposed to be amended and renumbered by Senate Bill No. 104, relating to payments to members of licensing boards, commissions, or committees.

Bill read second time, and ordered to third reading.

**Senate Bill No. 487**—An act to amend Section 12304 of the Government Code, relating to the organization and administration of the Office of the State Treasurer, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 587**—An act to amend Sections 11270, 11272, and 11413 of the Government Code, relating to administrative costs of state agencies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 669**—An act to repeal Article 6 (commencing at Section 54150), and to add Article 6 (commencing at Section 54150), to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to the repair and restoration of property damaged or destroyed by storms or floods.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 171 | Senate Bill No 878 |
| Senate Bill No. 1354 | Senate Bill No. 857 |
| Senate Bill No. 516 | Senate Bill No. 784 |
| Senate Bill No. 142 | Senate Bill No. 735 |
| Senate Bill No. 1111 | Senate Bill No. 729 |
| Senate Bill No. 930 | Senate Bill No 611 |
| Senate Bill No. 893 | Senate Bill No. 609 |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 171**—An act to add Section 12648.2 to, and to amend Section 12657 of the Water Code, relating to flood protection.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1354**—An act to add Section 12898 to the Water Code, relating to the Sacramento Canals Unit of the Central Valley Project.

Bill read second time, and ordered to third reading.

**Senate Bill No. 516**—An act to amend Sections 2780, 6200, 6203, 6204, 6205, 6206, 6207, and 6208 and to repeal Section 6202 of, and to add Sections 5067, 6201 and 6202 to, the Penal Code, relating to institutions under the jurisdiction of the Department of Corrections.

Bill read second time, and ordered to third reading.

**Senate Bill No. 142**—An act to add Section 69613 to the Government Code, relating to the number of judges of the Superior Court of the County of San Luis Obispo.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1111**—An act to amend Section 399 of the Streets and Highways Code, relating to the adoption of state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 930**—An act to add Sections 72196 and 72197 to the Government Code, relating to traffic commissioners in municipal courts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 893**—An act to amend Sections 68540, 68540.5, and 68541 of, and to add Sections 68547 and 75082 to, the Government Code, relating to judges.

Bill read second time, and ordered to third reading.

**Senate Bill No. 878**—An act to add Chapter 20 (commencing at Section 5400) to Division 6 of the Agricultural Code, relating to the fish industry.

Bill read second time, and ordered to third reading.

**Senate Bill No. 857**—An act to add Section 6900 to the Labor Code, relating to safety in employment.

Bill read second time, and ordered to third reading.

**Senate Bill No. 784**—An act to amend Section 75081 of the Government Code, relating to the assignment of retired judges.

Bill read second time, and ordered to third reading.

**Senate Bill No. 735**—An act to add Section 30610 to the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Bill read second time, and ordered to third reading.

**Senate Bill No. 729**—An act to amend Section 30608 of the Streets and Highways Code, relating to toll highway crossings of San Francisco Bay.

Bill read second time, and ordered to third reading.

**Senate Bill No. 611**—An act to amend Section 5054 of, and to add Sections 5055 and 5135 to, the Business and Professions Code, and to amend Section 5134 of the Business and Professions Code as amended by Senate Bill No. 104, relating to the practice of accountancy.

Bill read second time, and ordered to third reading.

**Senate Bill No. 609**—An act to amend Section 6535.1 of the Business and Professions Code, relating to the practice of barbering.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 472 | Senate Bill No. 488 |
| Senate Bill No. 315 | Senate Bill No. 1180 |
| Senate Bill No. 103 | Senate Bill No. 1212 |
| Senate Bill No. 51 | Senate Bill No. 1227 |
| Senate Bill No. 45 | Senate Bill No. 1264 |
| Senate Bill No. 473 | Senate Bill No. 1265 |
| Senate Bill No. 481 | Senate Bill No. 1267 |
| Senate Bill No. 486 | |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 472**—An act to add Sections 46206, 46207, 46208, 46209, and 46210 to, to amend Sections 46225 and 46280 of, and to repeal Sections 46228 and 46229 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 315**—An act to amend Section 26060 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the officers and employees of the California Maritime Academy.

Bill read second time, and ordered to third reading.

**Senate Bill No. 103**—An act to add Chapter 7.5 (commencing with Section 8201) to Part 2 of, and to add Part 2.5 (commencing with Section 8298.01) to, Division 9 of the Streets and Highways Code, relating to grade crossings.

Bill read second time, and ordered to third reading.

**Senate Bill No. 51**—An act to amend Section 221 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read second time, and ordered to third reading.

**Senate Bill No. 45**—An act to amend Section 422 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 473**—An act to add Sections 12585.1 and 12750.1 to, and to amend Section 12639 of, the Water Code, relating to flood control projects.

Bill read second time, and ordered to third reading.

**Senate Bill No. 481**—An act to amend Section 2815 of the Business and Professions Code, relating to the practice of nursing.

Bill read second time, and ordered to third reading.

**Senate Bill No. 486**—An act to amend and renumber the heading of Part 10 (commencing with Section 15750) of Division 3 of Title 2 of, to amend Sections 16407, 16408, and 16409 of, and to repeal Sections 15750, 15751, 15772, 15794, 15795, 15796, 15797, 15798, 16407.1, 16407.2, and 16407.4 of, the Government Code, relating to the construction of state buildings, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 488**—An act to amend Section 16486 of the Government Code, relating to the sale or transfer of bonds by state agencies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1180**—An act to add Section 827.8 to the Agricultural Code, relating to apple standards.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1212**—An act to amend Section 19577 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1227**—An act to amend Sections 15007, 19577, and 19632 of, and to add Section 19559.5 to, the Education Code as enacted at the 1959 Regular Session, and to amend Section 11544 of the Business and Professions Code, relating to the management and disposition of school district properties.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1264**—An act to amend Section 4168 of the Public Resources Code, relating to the prohibition against possessing and firing of tracer and incendiary bullets.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1265**—An act to add Chapter 11 (commencing at Section 4980) to Division 4 of the Public Resources Code, relating to California Conservation Camps.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1267**—An act to amend Section 4009 of the Public Resources Code, relating to the appointment of voluntary fire wardens, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 1339 | Senate Bill No. 511 |
| Senate Bill No. 1243 | Senate Bill No. 398 |
| Senate Bill No. 1392 | Senate Bill No. 344 |
| Senate Bill No. 1361 | Senate Bill No. 236 |
| Senate Bill No. 575 | Senate Bill No. 798 |
| Senate Bill No. 552 | Senate Bill No. 617 |
| Senate Bill No. 931 | Senate Bill No. 533 |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1339**—An act to amend Section 24206 of the Education Code as enacted at the 1959 Regular Session, relating to employees of state colleges.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1243**—An act to add Section 24456 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to student housing facilities.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1392**—An act to add Section 26467 to the Health and Safety Code, relating to food labeling.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1361**—An act to add Section 2079 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time, and ordered to third reading.

**Senate Bill No. 575**—An act to amend Section 6214 of the Public Resources Code, relating to fees payable to the State Lands Commission.

Bill read second time, and ordered to third reading.

**Senate Bill No. 552**—An act to amend Section 2211 of the Streets and Highways Code, relating to the apportionment of federal aid for secondary highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 931**—An act to add Part 7 (commencing at Section 7000) to Division 8, of the Harbors and Navigation Code, relating to small craft harbor districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 511**—An act to add Section 14311.5 to the Government Code, relating to the State Contract Act.

Bill read second time, and ordered to third reading.

**Senate Bill No. 398**—An act to amend and renumber Section 96, as added by Chapter 1471 of the Statutes of 1957, of the Agricultural Code, relating to horse racing meetings at state and agricultural district fairs.

Bill read second time, and ordered to third reading.

**Senate Bill No. 344**—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Bill read second time, and ordered to third reading.

**Senate Bill No. 236**—An act to add Section 27459 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the use of snow-tread tires on vehicles.

Bill read second time, and ordered to third reading.

**Senate Bill No. 798**—An act to add Section 3605.5 to, and amend Sections 3605, 3606, and 3606.1 of the Public Resources Code, relating to oil and gas wells.

Bill read second time, and ordered to third reading.

**Senate Bill No. 617**—An act to add Section 6211 to the Public Resources Code, relating to sale of state lands, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 533**—An act to add Sections 7307.5 and 7372.5 to the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, JUNE 15, 1959

MR. SPEAKER. Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 549 | Senate Bill No. 1446 |
| Senate Bill No. 1049 | Senate Bill No. 427 |
| Senate Bill No 650 | Senate Bill No. 432 |
| Senate Bill No. 1286 | Senate Bill No. 697 |
| Senate Bill No. 245 | Senate Bill No. 478 |
| Senate Bill No. 780 | Senate Bill No. 733 |
| Senate Bill No. 76 | Senate Bill No. 53 |
| Senate Bill No 106 | |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 549**—An act to amend Section 18940 of the Government Code, relating to state civil service examinations.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1049**—An act to amend Section 8361 of the Water Code, relating to the Sacramento River Flood Control Project.

Bill read second time, and ordered to third reading.

**Senate Bill No. 650**—An act to add Article 4 (commencing at Section 21625) to Chapter 9 of Division 8 of the Business and Professions Code, relating to the reporting of transactions involving identifiable secondhand tangible personal property.

Bill read second time, and ordered to third reading

**Senate Bill No. 1286**—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Bill read second time, and ordered to third reading.

**Senate Bill No. 245**—An act to amend Section 11200 of, and to add Article 9.1 (commencing at Section 11252) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project

Bill read second time, and ordered to third reading.

**Senate Bill No. 780**—An act making an appropriation for the City Creek Flood Control Project, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 76**—An act to add Chapter 6 (commencing at Section 1600) to Division 2 of the Fish and Game Code, relating to the Prado Dam Recreational Area and providing for its acquisition and management.

Bill read second time, and ordered to third reading.

**Senate Bill No. 106**—An act to add Division 19 (commencing at Section 65000) to the Water Code, relating to state assistance to local agencies in areas affected by state-financed water resource construction projects.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1446**—An act to add Section 3243.5 to, and to amend Section 3280 of the Fish and Game Code, relating to hunting clubs.

Bill read second time, and ordered to third reading.

**Senate Bill No. 427**—An act to amend Sections 890, 891, 894 and 895 of, and to add Section 896.1 to the Military and Veterans Code, relating to educational assistance to veterans' dependents.

Bill read second time, and ordered to third reading.

**Senate Bill No. 432**—An act to add Section 996 21 to the Military and Veterans Code, relating to facilities and buildings of the Department of Veterans Affairs.

Bill read second time, and ordered to third reading.

**Senate Bill No. 697**—An act making an appropriation for the Water Rights Board Revolving Fund for the use of the State Water Rights Board in making reimbursable determinations of water rights and to amend Sections 2862 and 2863 of and to add Section 2866 to the Water Code, relating to said fund.

Bill read second time, and ordered to third reading.

**Senate Bill No. 478**—An act to add Section 21292.25 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

**Senate Bill No. 733**—An act to amend Section 9575.6 of the Business and Professions Code, relating to the State Board of Dry Cleaners, and making an appropriation, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 53**—An act to amend Section 525.1 of the Vehicle Code and Section 21654 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving in the right-hand lane.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 1068 | Senate Bill No. 832 |
| Senate Bill No. 1073 | Senate Bill No. 121 |
| Senate Bill No. 1300 | Senate Bill No. 122 |
| Senate Bill No. 1235 | Senate Bill No. 509 |

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1068**—An act creating the Mojave-Antelope Water Agency and prescribing its boundaries, organization, operation, management, financing and other powers and duties of the agency.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

### Amendment No. 1

On page 21 of the printed bill, as amended in the Assembly on May 28, 1959, strike out lines 47 to 52, inclusive, and insert

"(10) To construct, operate, and maintain works to develop hydroelectric energy as a means of assisting in financing the construction, operation and maintenance of works for other beneficial uses and purposes, and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale or use of electric energy."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1073**—An act to add Section 26310 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to truck and trailer brakes.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2, line 3, of the printed bill, after "laboratories.", insert "No device shall be approved by the department that creates a hazard on the highway or increases the stopping distance of a truck or combination of vehicles."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1300**—An act to add Section 149 to the Streets and Highways Code, relating to telephones on freeways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 27, 1959, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 4, after the comma, insert "emergency".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 1235**—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "pay", and insert "not assess against any member of the department".

Amendment No. 2

On page 1, line 8, after "department", insert "after the effective date of this section".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 832**—An act to amend Section 350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 10, 1959, strike out "amend Section 350 of", and insert "add Section 351 to, and to amend Section 4007 of,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 351 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read:

351. Implement of husbandry includes any farm tractor, otherwise an implement of husbandry only incidentally operated upon a highway, used upon a highway to draw a trailer carrying farm produce or carrying implements of husbandry when operated for a one way distance of not exceeding five miles between farms or from a farm to a processing or handling point and when returning, either with or without the trailer. Notwithstanding the provisions of Section 12501, the driver of any farm tractor used as specified in this section shall be in possession of a license other than a junior permit.

SEC. 2. Section 4007 of said code is amended to read:

4007. Implements of husbandry which are only incidentally operated or moved over a highway and implements of husbandry listed in Section 350 *or 351* are exempt from registration."

Amendment No. 3

On page 1, strike out lines 2 through 23, inclusive; and strike out page 2.

Amendment No. 4

On page 2, lines 30 and 31, strike out "or carrying implements of husbandry".

Bill ordered reprinted, and to third reading.

NOTE—On June 16, 1959, the action was rescinded whereby Amendment No. 4 to Senate Bill No. 832 was this day adopted. *See* page 5492.

**Senate Bill No. 121**—An act to amend Section 69595 of the Government Code, relating to the superior court in San Diego County.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 5 of the printed bill, as amended in the Senate on March 19, 1959, strike out "January 15, 1961", and insert "the first day of July 1960".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 122**—An act to amend Section 87 of, and to add Section 73.1 to, the Agricultural Code, and to amend Section 19534 of the Business and Professions Code, and Section 19537 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to fairs, including racing thereat.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

Strike out lines 2 to 5, inclusive, of the title of the printed bill, as amended in the Assembly on June 10, 1959, and insert "the Agricultural Code, relating to fairs, including racing thereat."

Amendment No. 2

On page 2, strike out lines 37 to 52, inclusive; and strike out page 3.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 509**—An act to add Section 6503.3 to the Welfare and Institutions Code, relating to the conveyance of property of the Agnews State Hospital.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 3, 1959, after line 40, insert

"The Director of Finance under the same conditions may grant a right-of-way for road purposes to the County of Orange over a portion of the Fairview State Hospital property adjacent to Harbor Boulevard."

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 861

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 861**—An act to add Section 516 to the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "29 near", and insert "20 north of".

Bill ordered reprinted, and to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 16 | Assembly Bill No. 2451 |
| Assembly Bill No. 53 | Assembly Bill No. 2461 |
| Assembly Bill No 218 | Assembly Bill No. 2487 |
| Assembly Bill No. 890 | Assembly Bill No. 2574 |
| Assembly Bill No. 1189 | Assembly Bill No. 2614 |
| Assembly Bill No. 1491 | Assembly Bill No. 2616 |
| Assembly Bill No. 2348 | Assembly Bill No. 2618 |
| Assembly Bill No. 2424 | Assembly Bill No. 2701 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

### RUSH ORDER PLACED UPON PRINTING OF SENATE BILL NO. 209

Mr. Munnell was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 209.

### ANNOUNCEMENT OF CHANGE IN COMMITTEE MEETING TIME

Mr. O'Connell announced that the meeting of the Committee on Criminal Procedure, previously announced to be held on adjournment today, would be held at 2 p.m. tomorrow afternoon, June 16th.

### EXPLANATIONS OF ABSENCE

Mr. Coolidge requests permission to be absent from the floor on June 15th in order to attend the Committee on Free Conference on the Budget.

GLENN E. COOLIDGE

I was not present in the Assembly Monday afternoon, June 15th. Was attending a joint Conference Committee on the Budget.

THOMAS M. REES

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Petris of Oakland, Mr. MacBride of Sacramento and Mr. Z'berg of Sacramento to Dan Fotos and Frank Fotos of Sacramento.

On request of Mr. Backstrand of Riverside to Mr. and Mrs. Ed Chambers of Glendora.

On request of Mr. Z'berg of Sacramento to Laura B. Sikich and Mary Jo Day, adults; and the following members of Florin Cub Pack 44: Jack Sikich, Robin Baumgart, Denny Ward, Robert Ward, Danny Baumgart, Bruce Day, Melvin Hall, Jim Perez, David Roberts, and Bobby Donhue.

On request of Mr. Frew of Dinuba to Ross H. Boyd of Porterville.

On request of Mr. Petris of Oakland and Mr. Crown of Alameda to Sam J. Vlahos and Miss Penelope Vlahos of San Leandro.

On request of Speaker pro Tempore Bee of Hayward to Mrs. A. L. Johnson, leader; Mrs. A. Ellis, co-leader; Mrs. T. Strand, co-leader; and Mrs. J. Bollinger, committee; and Mrs. Martha Johnson from Pennsylvania, adults; and the following members of Girl Scout Troop 342 of the James Monroe School of San Leandro: Beverly Addington, Shelly Ackel, Vickie Atkinson, Devannie Benson, Diana Bettencourt, Sherry Bollinger, Linda Chamberlain, Melanie Childs, Kristine Ellis, Gloria Duarte, Nancy Griffin, Monica Jepson, Kathy Johnson, Merrilee Kelly, Sandra Mole, Dyane Silva, Linda Stephenson, Linda Strand, Karen Tejada, Barbara Waterman, Richard Ellis, and Phillip Ellis.

On request of Mr. Mulford of Berkeley to Mrs. Muriel Blank, Mrs. Irene Georgette, Mrs. Gertrude Atkinson, Mrs. Maude Goodare, and Mrs. Vernie Gustafson of Albany.

On request of Speaker pro Tempore Bee of Hayward to Sister Teresa of England, Sister Vianney of Scotland, Sister Mary Emanuel, Superior of Santa Clara, Sister Peter of Santa Clara, and Sister Teresa Augustine of Los Gatos.

## ADJOURNMENT

At 6.33 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9.00 a.m., Tuesday, June 16, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED TENTH LEGISLATIVE DAY

ONE HUNDRED SEVENTEENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Tuesday, June 16, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Gracious and Loving God,* Remembering that a gentleman farmer has been described as one who puts more into the soil than he takes out, so must be the character of a gentleman in all of life, and in this Assembly. In conversation, personal encounter, committee, and Assembly sessions make us to be men who more than pay the rent, adding the spice of good humor when it is needed, furnishing information when there is a lack of it, serving others first and ourselves not at all, putting far more into public life than we take out. Make us to be God's men, gentle men, as we draw near to the close of a good legislative session —AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Petris.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of illness:

Mr. House, on motion of Mr. George A. Willson.

The following members were granted leaves of absence for a part of the day, because of legislative business elsewhere:

Mr. Mulford, on motion of Mr. Shell.

Mr. Grant, on his own request.

Mr. Porter, on motion of Mr. Thomas.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

I. Freeman of Los Angeles, relative to fluoridization of water. Referred to the Committee on Public Health.

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Mrs. Odette Parsels of Redwood City, relative to laws re illegitimate children and unmarried mothers. Referred to the Committee on Social Welfare.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 370

*Resolved by the Assembly of the State of California*, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved*, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved*, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

### House Resolution No. 371

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of five hundred dollars ($500), in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for postage, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1959 Regular Session of the Assembly of the State of California.

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

House Resolution No. 372

*Resolved*, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1959 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1959 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1959 Regular Session. He shall also have charge of compiling, preparing and having printed after adjournment, a final calendar of the legislative business of the 1959 Regular Session, said calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the final calendar is prepared, said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly; and be it further

*Resolved*, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the members of the status of each individual bill introduced during the 1959 Session.

He shall mail a copy of said bulletin to each Member of the Assembly and to each person making a request for a copy of the same.

Resolution read, and referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 424
Assembly Bill No. 494
Assembly Bill No. 913
Assembly Bill No. 1670
Assembly Bill No. 1748
Assembly Bill No. 1750
Assembly Bill No. 2208
Assembly Bill No. 2225
Assembly Bill No. 2329
Assembly Bill No. 2365
Assembly Bill No. 2398
Assembly Bill No. 2410
Assembly Bill No. 2418
Assembly Bill No. 2442
Assembly Bill No. 2445
Assembly Bill No. 2449
Assembly Bill No. 2524
Assembly Bill No. 2453
Assembly Bill No. 2481
Assembly Bill No. 2497
Assembly Bill No. 2585
Assembly Bill No 2598
Assembly Bill No. 2642
Assembly Bill No. 2764
Assembly Bill No. 2775
Assembly Bill No. 2838

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 12, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1656

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Cameron, Rodda, and Beard as a Committee on Conference concerning:

**Assembly Bill No. 2086**—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Shaw, Stiern, and Slattery as a Committee on Conference concerning:

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Shaw, Stiern, and Slattery as a Committee on Conference concerning:

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Arnold, and Teale as a Committee on Conference concerning:

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 15, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1043

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 15, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 222
Senate Bill No. 688
Senate Bill No. 731
Senate Bill No. 1186
Senate Bill No. 1293

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 222**—An act to add Chapter 3 8 (commencing at Section 20715) to Division 10 of the Education Code, and to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 688**—An act to amend Section 5003 of the Public Utilities Code, relating to transportation fees, to take effect immediately, tax levy.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 731**—An act to repeal Section 6 of Chapter 9 of the 1958 Regular Session, relating to transportation fees.

Referred to Committee on Public Utilities and Corporations.

**Senate Bill No. 1186**—An act making an appropriation from the State Highway Fund for allocations to counties and cities for the construction of grade protections.

Referred to Committee on Ways and Means.

**Senate Bill No. 1293**—An act to provide for the acquisition and improvement of real property in San Bernardino County for state park purposes, and making an appropriation therefor.

Referred to Committee on Natural Resources, Planning, and Public Works.

### SENATE BILL NO. 1353 WITHDRAWN FROM CONSENT CALENDAR

Mr. Coolidge was granted unanimous consent that Senate Bill No. 1353 be withdrawn from the Consent Calendar, and placed upon the third reading file.

#### Request for Unanimous Consent

Mr. Coolidge was granted unanimous consent to take up Senate Bill No. 1353, at this time, for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 1353

**Senate Bill No. 1353**—An act to amend Section 1 and repeal Sections 2 and 3 of Chapter 687 of the Statutes of 1935, relating to the granting of certain tidelands and submerged lands of the State to the County of Santa Cruz.

Bill read third time.

#### Motion to Amend

Mr. Coolidge moved the adoption of the following amendments:

#### Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 10, 1959, strike out lines 20 to 26, inclusive, and insert "(f)".

#### Amendment No. 2

On page 3, line 29, after "agency", insert ", within 10 years from the effective date of the amendment of this section made at the 1959 Regular Session of the Legislature,"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

#### Rush Order Placed Upon Printing of Senate Bill No. 1353

Mr. Coolidge was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1353.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Biddick was granted unanimous consent that Senate Bill No. 424 be removed from the Consent Calendar, and placed upon the third reading file.

#### Request for Unanimous Consent

Mr. Biddick was granted unanimous consent to take up Senate Bill No. 424, at this time, for purpose of amendment.

### CONSIDERATION OF SENATE BILL NO. 424

**Senate Bill No. 424**—An act to amend Sections 658 and 660 of the Civil Code, relating to the definitions of real and personal property.

Bill read third time.

#### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

#### Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on June 12, 1959, strike out "hereof", and insert "of the amendment of this section at the 1959 Regular Session of the Legislature".

#### Amendment No. 2

On page 1, line 20, strike out "the", and insert "said".

#### Amendment No. 3

On page 1, line 20, strike out "hereof".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

#### Rush Order Placed Upon Printing of Senate Bill No. 424

Mr. Biddick was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 424.

### ANNOUNCEMENT RELATIVE TO RULES COMMITTEE MEETING

Speaker Brown announced that Messrs. Miller, Chairman; Conrad, Hanna, Hawkins, Nisbet, Schrade, and Sedgwick were attending a meeting of the Committee on Rules, at this time.

### CONSIDERATION OF DAILY FILE (RESUMED)

### UNFINISHED BUSINESS

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 156**—An act to add Article 5 (commencing with Section 53090) to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, relating to local agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 156?

#### Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 6, 1959, after "include", insert "the State,".

#### Amendment No. 2

On page 3, line 35, after "to", insert "a proposed use of property by".

Amendment No. 3

On page 3, line 47, before "such", insert "the use of the property by".

The Assembly concurred in Senate amendments to Assembly Bill No. 156 by the following vote:

AYES—Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Garrigus, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Levering, Luckel, Marks, Masterson, McCollister, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Waldie, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 156 ordered enrolled.

Hon. Richard H. McCollister Presiding

At 9.20 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

**Assembly Bill No. 166**—An act to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 166?

Amendment No. 1

In line 1 of the heading of the printed bill, as amended in the Assembly on March 25, 1959, after "Brown", insert "(Senator Donnelly, co-author)".

The Assembly concurred in Senate amendment to Assembly Bill No. 166 by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Hawkins, Hegland, Kennick, Kilpatrick, Luckel, Marks, Masterson, McCollister, Nisbet, O'Connell, Petris, Reagan, Schrade, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr Speaker—41.

NOES—None.

Assembly Bill No. 166 ordered enrolled.

Speaker Presiding

At 9.22 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Assembly Bill No. 367**—An act to add Section 752 to the Welfare and Institutions Code, relating to the expunging of juvenile court records and other records relating to wards of the juvenile court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 367?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on April 16, 1959, strike out "destroyed or".

Amendment No. 2

On page 2, line 2, after "expunged", strike out the comma.

**Amendment No. 3**

On page 2, line 10, strike out "destroy or".

The Assembly concurred in Senate amendments to Assembly Bill No. 367 by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Garrigus, Hegland, Holmes, Johnson, Kennick, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—42.
NOES—None.

Assembly Bill No. 367 ordered enrolled.

**Assembly Bill No. 986**—An act to add Sections 7058.5, 7059, 7060, and 7061 to the Public Resources Code, relating to production of oil, gas or other hydrocarbons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 986?

**Amendment No. 1**

On page 2, line 21, of the printed bill, as amended in the Assembly on March 19, 1959, strike out "and until", and insert "prior to adopting the resolution provided for by Section 7058.5 the city shall have petitioned the State Lands Commission for approval of the proposed resolution, and the proposed resolution shall have been".

**Amendment No. 2**

On page 2, strike out lines 26 to 28, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 986 by the following vote:

AYES—Bruce F. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Garrigus, Hegland, Holmes, Johnson, Kennick, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sumner, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr. Speaker—42.
NOES—None.

Assembly Bill No. 986 ordered enrolled.

**Assembly Bill No. 1148**—An act to add Section 7933.5 to the Elections Code, relating to the demise of a candidate for public office.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1148?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate on June 2, 1959, strike out lines 11 to 14, inclusive, and insert "If the deceased candidate receives the majority of the votes cast for the office he shall be considered elected and the office to which he was elected shall be vacant at the beginning of the term for which he was elected. The vacancy thus created shall be filled in the same manner as if the candidate had died subsequent to taking office for that term."

**Amendment No. 2**

On page 1, line 9, of the printed bill, as amended in the Assembly on May 12, 1959, strike out "If the deceased candidate re-"; strike out lines 10 and 11, and insert "The vacancy arising in the succeeding term of the office shall be filled in the same manner as if the candidate had died subsequent to taking office for that term."

The Assembly concurred in Senate amendments to Assembly Bill No. 1148 by the following vote:

AYES—Bruce F. Allen, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis,

Frew, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Levering, Luckel, Marks, McCollister, McMillan, Nisbet, Petris, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Mr Speaker—41.

NOES—None.

Assembly Bill No. 1148 ordered enrolled

**Assembly Bill No. 1157**—An act to add Section 27491.1 to the Government Code, relating to coroners' investigations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1157?

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on June 3, 1959, after "which", insert "a person has suddenly died under such circumstances as to afford a reasonable ground to suspect that his death has been occasioned by the act of another by criminal means".

**Amendment No. 2**

On page 1, line 3, after "required", strike out "by"; and strike out lines 4 to 6, inclusive, and insert "to immediately upon receiving notification of the death".

**Amendment No. 3**

On page 1, line 8, strike out "city marshal, town marshal,".

The Assembly concurred in Senate amendments to Assembly Bill No. 1157 by the following vote:

AYES—Bruce F. Allen, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Levering, Luckel, Marks, McCollister, McMillan, Nisbet, Petris, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr Speaker—41.

NOES—None.

Assembly Bill No. 1157 ordered enrolled.

**Assembly Bill No. 1203**—An act to amend Sections 1208 and 4532 of the Penal Code, relating to the offense of failure of a prisoner released from jail during working hours to return to the jail.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1203?

**Amendment No. 1**

On page 2, line 50, of the printed bill, as amended in the Assembly on March 25, 1959, strike out "after", and insert "not later than".

**Amendment No. 2**

On page 3, line 35, strike out "after", and insert "not later than".

The Assembly concurred in Senate amendments to Assembly Bill No 1203 by the following vote:

AYES—Bruce F. Allen, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Levering, Luckel, Marks, McCollister, McMillan, Nisbet, Petris, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr Speaker—41.

NOES—None.

Assembly Bill No. 1203 ordered enrolled.

**Assembly Bill No. 1220**—An act to add Section 7054.5 to, and to amend Section 7052 of, the Public Resources Code, relating to oil, gas, and mineral leases by public agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1220?

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on May 12, 1959, strike out "any".

**Amendment No. 2**

On page 1, line 4, after "thereto", insert "for the production, extraction, or removal of minerals, oil, gas, or other hydrocarbons from tide or submerged lands which have been granted by the State to a public agency in trust wherein the State has not reserved the minerals,".

**Amendment No. 3**

On page 2, line 18, after "renewal", insert "or extension for a fixed term not exceeding the original term".

**Amendment No. 4**

On page 2, line 19, after "agreements", insert "initially".

**Amendment No. 5**

On page 2, line 19, strike out "; provided, that such", and insert a period.

**Amendment No. 6**

On page 2, strike out lines 20 and 21.

The Assembly concurred in Senate amendments to Assembly Bill No. 1220 by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Petris, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—47.
NOES—None.

Assembly Bill No. 1220 ordered enrolled.

**Assembly Bill No. 1497**—An act to amend Sections 71085, 74502, 74503, 74504 and 74504.5 of the Government Code, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1497?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 10, 1959, strike out "Section 71085", and insert "Sections 71085, 74502, 74503, 74504 and 74504.5".

**Amendment No. 2**

On page 2, after line 19, insert

"SEC. 2. Section 74502 of said code is amended to read:

74502. There shall be one clerk who shall also serve as secretary to the judges and who shall be paid a ~~minimum~~ salary of one thousand *three hundred fifty* dollars ~~($1,000)~~ *($1,350) a month* ~~monthly during the first year of service, a salary of one thousand one hundred dollars ($1,100) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of one thousand two hundred dollars ($1,200) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment~~. Whenever any vacancy occurs after the effective date hereof, the

judges, or a majority of them, notwithstanding any other provisions of the Government Code, shall appoint one clerk who shall also serve as secretary to the judges, and who shall hold office at their pleasure and who shall receive the salary hereinabove provided.

SEC. 3. Section 74503 of said code is amended to read:

74503. (a) There shall be one jury commissioner *who shall exercise the powers of jury commissioners of superior courts insofar as they are applicable to the municipal courts* and who shall perform such other duties as assigned by the judges of the court and who shall be paid a ~~minimum~~ salary of ~~seven~~ *nine* hundred ~~thirty-five~~ *ten* dollars ~~($735)~~ *($910)* monthly ~~during the first year of service, a salary of seven hundred sixty dollars ($760) monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of seven hundred eighty dollars ($780) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment~~. Whenever any vacancy occurs after the effective date hereof, the judges, or a majority of them, notwithstanding any other provisions of the Government Code, shall appoint one jury commissioner, and who shall hold office at their pleasure, and who shall perform such other duties as assigned by the judges of the court, and who shall receive a salary hereinabove provided.

(b) The clerk shall appoint four deputy clerks who shall be the chief division clerks in the civil, criminal, traffic and accounting departments of the court, and who shall be paid a minimum salary of *seven* ~~six~~ hundred *eighty* ~~seventy~~ dollars ~~($670)~~ *($780)* monthly during the first year of service, a salary of ~~seven~~ *eight* hundred *fifteen* dollars ~~($700)~~ *($815)* monthly after the first year of service commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~seven~~ *eight* hundred ~~twenty-five~~ *forty-five* dollars ~~($725)~~ *($845)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment. While assigned to the traffic department or the civil department of the court such chief division clerks shall be paid in addition to the salary provided by this article the additional sum of twenty-five dollars ($25) monthly.

SEC. 4. Section 74504 of said code is amended to read:

74504. The clerk shall also appoint:

(a) Five deputy clerks who shall be assistant chief division clerks and who shall be paid a minimum salary of ~~five hundred seventy-five dollars ($575)~~ *six hundred seventy dollars ($670)* monthly during the first year of service, a salary of ~~six hundred dollars ($600)~~ *seven hundred dollars ($700)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~six hundred twenty-five dollars ($625)~~ *seven hundred thirty dollars ($730)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

~~(b) One Deputy Clerk who shall be paid a minimum salary of five hundred fifty-five dollars ($555) monthly during the first year of service, a salary of five hundred sixty-five dollars ($565) monthly after~~

~~the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of five hundred seventy-five dollars ($575) monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.~~

~~(c)~~ *(b)* ~~Twenty-one~~ *Twenty-two* deputy clerks who shall be paid a minimum salary of ~~five hundred dollars ($500)~~ *five hundred eighty-five dollars ($585)* monthly during the first year of service, a salary of ~~five hundred twenty-five dollars ($525)~~ *six hundred ten dollars ($610)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~five hundred fifty dollars ($550)~~ *six hundred forty dollars ($640) monthly* after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

~~(d)~~ *(c)* Fifteen deputy clerks who shall be paid a minimum salary of ~~four hundred thirty dollars ($430)~~ *five hundred dollars ($500)* monthly during the first year of service, a salary of ~~four hundred fifty dollars ($450)~~ *five hundred twenty-five dollars ($525)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~four hundred seventy dollars ($470)~~ *five hundred fifty dollars ($550)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

~~(e)~~ *(d)* Sixteen deputy clerks who shall be paid a minimum salary of ~~four hundred dollars ($400)~~ *four hundred sixty-five dollars ($465)* monthly during the first year of service, a salary of ~~four hundred ten dollars ($410)~~ *four hundred eighty dollars ($480)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~four hundred twenty dollars ($420)~~ *four hundred ninety dollars ($490)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

~~(f)~~ *(e)* Nineteen deputy clerks who shall be paid a minimum salary of ~~three hundred seventy dollars ($370)~~ *four hundred thirty dollars ($430)* monthly during the first year of service, a salary of ~~three hundred eighty dollars ($380)~~ *four hundred forty-five dollars ($445)* monthly after the first year of service commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~three hundred ninety-five dollars ($395)~~ *four hundred sixty dollars ($460)* monthly after the second year of service commencing on the first day of the month following the second anniversary of his appointment.

~~(g)~~ *(f)* ~~Twenty-four~~ *Twenty-seven* deputy clerks who shall be paid a minimum salary of ~~three hundred twenty-five dollars ($325)~~ *three hundred eighty dollars ($380)* monthly during the first year of service, a salary of ~~three hundred forty-five dollars ($345)~~ *four hundred dollars ($400)* monthly after the first year of service commencing on

the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~three hundred sixty-five dollars ($365)~~ *four hundred twenty-five dollars ($425)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

~~(h)~~ *(g)* Two information clerks who shall be paid a minimum salary of ~~three hundred dollars ($300)~~ *three hundred fifty dollars ($350)* monthly during the first year of service, a salary of ~~three hundred twenty-five dollars ($325)~~ *three hundred eighty dollars ($380)* monthly after the first year of service, commencing on the first day of the month following the first anniversary of his appointment, and a maximum salary of ~~three hundred fifty dollars ($350)~~ *four hundred ten dollars ($410)* monthly after the second year of service, commencing on the first day of the month following the second anniversary of his appointment.

SEC. 5. Section 74504.5 of said code is amended to read:

74504.5. The salary of each position mentioned in ~~this article, and the present salary of each person mentioned in~~ Sections ~~74502,~~ 74503 and 74504 *of this article* shall be increased ~~ten~~ *four* ~~(10)~~ *(4)* percent over the amount therein specified, effective *July 1, 1960* ~~September 16, 1957~~."

The Assembly concurred in Senate amendments to Assembly Bill No. 1497 by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Luckel, Marks, Masterson, McCollister, McMillan, Petris, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr Speaker—47.

NOES—None

Assembly Bill No. 1497 ordered enrolled.

**Assembly Bill No. 1698**—An act to add Chapter 3 (commencing with Section 17750) to Part 3 of Division 7 of the Business and Professions Code, relating to the regulation, licensing, and bonding of trading stamp companies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1698?

**Amendment No. 1**

On page 4, between lines 31 and 32, of the printed bill, as amended in the Assembly on April 17, 1959, insert

"17754. The hearings provided for in this chapter shall be conducted in accordance with the provisions of Chapter 5 (commencing at Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code and the Secretary of State shall have all the powers granted therein."

**Amendment No. 2**

On page 4, line 32, strike out "17754", and insert "17755".

**Amendment No. 3**

On page 5, line 1, strike out "17755", and insert "17756".

**Amendment No. 4**

On page 5, line 8, strike out "17756", and insert "17757".

**Amendment No. 5**

On page 5, line 17, strike out "17757", and insert "17758".

**Amendment No. 6**

On page 5, line 24, strike out "17758", and insert "17759".

**Amendment No. 7**

On page 5, line 30, strike out "17759", and insert "17760".

**Amendment No. 8**

On page 5, line 34, strike out the period, and insert "; provided, however, that this chapter shall not repeal nor be construed to repeal Chapters 16 (commencing at Section 4100) and 17 (commencing at Section 4200) of Division 6 of the Agricultural Code, Chapters 10 (commencing at 24750), 11 (commencing at Section 24850), and 12 (commencing at 25000) of Division 9 of the Business and Professions Code, or any provisions of any of such chapters."

**Amendment No. 9**

On page 1, of the printed bill, as amended in the Senate on May 27, 1959, strike out line 7.

**Amendment No. 10**

On page 1, line 8, strike out "(a)", and insert "17750."

**Amendment No. 11**

On page 1, strike out lines 12 to 16, inclusive and insert "redemption, to receive merchandise, service or cash.

17751. "Trading stamp" does not include any redeemable device used by the manufacturer or packer of an article, in advertising or selling it, or any redeemable device issued and redeemed by a newspaper, magazine, or other publication.

17752. "Trading stamp" does not include any coupon, caused to be prepared by the merchant using the same and distributed by him to his customers, which coupon, ticket, certificate, card or other similar device is redeemable only by such merchant for or in connection with the purchase of specific articles of merchandise carried in his stock.

17753. The Legislature finds and declares that the devices described in Sections 17751 and 17752 are classes of articles that are not employed in connection with practices which must be regulated as provided in this chapter to protect the people of California against improper activities of irresponsible trading stamp companies."

**Amendment No. 12**

On page 1, line 17, strike out "(b)", and insert "17754."

**Amendment No. 13**

On page 2, line 1, strike out "(c)", and insert "17755."

**Amendment No. 14**

On page 2, between lines 2 and 3, insert

"17756. "Commissioner" means the Commissioner of Corporations.

17757. "Issue" includes use, distribute, give away, sell, furnish, and license such use, distribution, gift, sale or furnishing.

17758. "Merchant" includes retailer, person dealing in services, or person in a similar capacity.

17759. It is unlawful for any person to issue any trading stamp unless such stamp shall have imprinted thereon:

(a) The name of a trading stamp company licensed under the provisions of this chapter, which is responsible for the redemption of the stamp.

(b) The redeemable value thereof in cents, mills, or fractions of cents.

17760. Any trading stamp company shall redeem upon presentation, any trading stamp which it has issued either in goods, wares, or merchandise, or in cash, good and lawful money of the United States, at the option of the holder thereof. Trading stamps shall only be presented for redemption in cash in an amount aggregating not less than one dollar ($1).

17761. It is unlawful for any person to willfully issue or redeem any trading stamp without the consent of the trading stamp company which issued such stamps.

17762. It is unlawful for any person to engage in the business or act in the capacity of a trading stamp company without having a license obtained under the provisions of this chapter.

Nothing contained in this chapter shall prohibit any person who was licensed as a trading stamp company under the provisions of this chapter, but who ceased to possess such a license, from redeeming the trading stamps issued pursuant to such license.

17763. Nothing in this chapter shall prevent any person from redeeming, pursuant to contract, any trading stamps issued on or before June 30, 1960."

**Amendment No. 15**

On page 2, line 3, strike out "17751", and insert "17764".

**Amendment No. 16**

On page 2, line 6, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 17**

On page 2, line 31, strike out "17752", and insert "17765".

**Amendment No. 18**

On page 2, line 38, strike out "17753", and insert "17766".

**Amendment No. 19**

On page 2, line 40, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 20**

On page 2, line 45, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 21**

On page 2, line 47, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 22**

On page 2, line 50, strike out "Secretary", and insert "commissioner".

**Amendment No. 23**

On page 3, line 4, strike out "Secretary", and insert "commissioner".

**Amendment No. 24**

On page 3, strike out line 14, and insert "the commissioner within such three months period, the commissioner".

**Amendment No. 25**

On page 3, lines 18 and 19, strike out "Secretary", and insert "commissioner".

**Amendment No. 26**

On page 3, line 21, strike out "Secretary", and insert "commissioner".

**Amendment No. 27**

On page 3, line 24, strike out "Secretary", and insert "commissioner".

**Amendment No. 28**

On page 3, line 26, strike out "Secretary", and insert "commissioner".

**Amendment No. 29**

On page 3, line 29, strike out "Secretary", and insert "commissioner".

**Amendment No. 30**

On page 3, lines 33 and 34, strike out "Secretary", and insert "commissioner".

**Amendment No. 31**

On page 3, line 35, strike out "Secretary", and insert "commissioner".

**Amendment No. 32**

On page 3, line 39, strike out "Secretary", and insert "commissioner".

**Amendment No. 33**

On page 3, line 44, strike out "Secretary", and insert "commissioner".

**Amendment No. 34**

On page 3, line 48, strike out "Secretary", and insert "commissioner".

**Amendment No. 35**

On page 4, between lines 4 and 5, insert

"17767. A surviving member or members of a licensed copartnership by reason of death shall be entitled to continue in business under such license, until the expiration date thereof, if the surviving member or members shall continue to comply with the provisions of this chapter and if notice is given to the commissioner within 30 days after death of the member.

17768. In the event that any trading stamp company should cease to comply with the provisions of Section 17765, the license and all rights, powers, and privileges conferred by it to the company shall be automatically suspended.

17769. The commissioner may, after a hearing, suspend or revoke any license, if he finds that the licensee, or any of its partners, officers, or directors:

(a) Has violated any provision of this chapter.

(b) Has been convicted of a felony.

(c) Made any false statement in his application for a license.

17770. All fees and penalties and all receipts of any kind and nature received under the provisions of this chapter, shall be paid into the State Treasury and shall be credited to the General Fund.

17771. The commissioner may, in accordance with the provisions of Chapter 4 (commencing at Section 11370) of Part 1 of Division 3 of Title 2 of the Government Code, adopt, amend, or repeal such rules and regulations as are reasonably necessary for carrying out the provisions of this chapter."

**Amendment No. 36**

On page 4, line 5, strike out "17754", and insert "17772".

**Amendment No. 37**

On page 4, line 8, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 38**

On page 4, line 10, strike out "17755", and insert "17773".

**Amendment No. 39**

On page 4, line 29, strike out "17756", and insert "17774".

**Amendment No. 40**

On page 4, line 34, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 41**

On page 4, line 36, strike out "17757" and insert "17775".

**Amendment No. 42**

On page 4, lines 37 and 38, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 43**

On page 4, line 41, strike out "Secretary of State", and insert "commissioner".

**Amendment No. 44**

On page 4, strike out lines 45 to 51, inclusive, and insert

"17776. Any merchant who has issued to his customers or other persons the trading stamps of any licensee under this chapter, and who proposes to discontinue or does discontinue the issuance of the stamps of such licensee for any reason whatsoever, shall post a notice at every place in his establishment at which such stamps were or are issued, in letters equal at least in size to 18-point type, containing at least the following information:

(a) The fact that such stamps will no longer be issued by the merchant and the date of discontinuance of issuance.

(b) The name and address in this State, of the licensee under this chapter, who is responsible for the redemption of such stamps.

(c) The fact that the licensee is licensed by the Commissioner of Corporations of the State of California and has posted a bond with the commissioner to assure the redemption of such stamps upon presentation to the licensee.

(d) The fact that the stamps are redeemable either in goods, wares, merchandise, or in cash, good and lawful money of the United States, at the option of the stamp holder, and stating the cash redemption value of each stamp, and that it is necessary for the holder to present trading stamps in an amount aggregating not less than one dollar ($1) for redemption in cash.

The notice required by this section shall be posted within at least seven days from the date on which the issuance of such stamps is discontinued and shall remain posted for 30 days.

Any person who violates this section is guilty of a misdemeanor and is punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding five hundred dollars ($500), or both.

17777. No trading stamp company shall cease the issuance of trading stamps unless it notifies the commissioner in writing at least 90 days prior to such cessation, and gives written notice at such time to each merchant in the State which has at any time within one year issued trading stamps which the company is obligated to redeem."

**Amendment No. 45**

On page 5, line 1, strike out "17759", and insert "17778".

**Amendment No. 46**

On page 5, between lines 6 and 7, insert

"17779. Trading stamps issued by a licensee under this chapter are exempt from the Corporate Securities Law (Division 1, commencing at Section 25000, of Title 4 of the Corporations Code)."

**Amendment No. 47**

On page 5, line 7, strike out "17760", and insert "17780".

**Amendment No. 48**

On page 5, after line 18, insert

"SEC. 2. This act shall take effect on July 1, 1960.

SEC. 3 If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable."

**Amendment No. 49**

In line 3 of the title of the printed bill, as amended in the Senate on June 1, 1959, strike out "registration", and insert "licensing".

**Amendment No. 50**

On page 3, strike out lines 4 to 7, inclusive; in line 8, strike out "registration", and insert

"17764. An applicant for a license to engage in the business of a trading stamp company under this chapter shall file with the commissioner an application for a license".

**Amendment No. 51**

On page 3, line 11, strike out "statement", and insert "application".

**Amendment No. 52**

On page 3, line 32, strike out "statement of registration", and insert "application for license".

**Amendment No. 53**

On page 3, between lines 38 and 39, insert

"17765.1. The commissioner shall issue a license to any applicant who complies with the provisions of this chapter. All licenses shall expire annually on June 30th. Licenses shall be nontransferable."

**Amendment No. 54**

On page 4, line 51, strike out "shall", and insert "may".

**Amendment No. 55**

On page 6, line 17, strike out "statement of registration" and insert "application for license".

**Amendment No. 56**

On page 6, line 20, after "and", insert "the application for a renewal of such license and the bond therefor shall be filed".

**Amendment No. 57**

On page 6, lines 21 and 22, strike out "registration", and insert "license".

**Amendment No. 58**

On page 6, line 23, strike out "registration statement", and insert "application for license".

**Amendment No. 59**

On page 7, line 38, strike out "and 12 (commencing at 25000)", and insert "12 (commencing at Section 25000), and 16 (commencing at Section 25600)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1698 by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Biddick, Britschgi, George E Brown, Burke, Busterud, Chapel, Collier, Crawford, Crown, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, O'Connell, Petris, Reagan, Rumford, Schrade, Shell, Thelin Waldie, Williamson, Charles H. Wilson, and Winton—46.

NOES—None.

Assembly Bill No. 1698 ordered enrolled.

**Assembly Bill No. 1810**—An act to add Article 5 (commencing with Section 33955) to Chapter 5, Part 1, Division 24 of the Health and Safety Code, relating to community redevelopment and urban renewal plans and bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1810?

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on May 1, 1959, between lines 49 and 50, insert

"33957.1. Not less than 20 days before the date jurisdiction is complete as provided in Section 33957, a copy of said order shall be mailed, postage prepaid, to each person to whom land within the project area affected by the redevelopment or renewal plan is assessed as shown on the last equalized county assessment roll, at his address as shown upon such roll."

**Amendment No. 2**

On page 3, between lines 41 and 42, insert "The judgment shall be subject to being reopened under the provisions of Section 473 or Section 473a of the Code of Civil Procedure or otherwise only within 90 days after the entry of the judgment and petitioner and any person who has appeared in said special proceeding as provided by Section 33958 of this chapter shall have the right to move for a new trial under proper circumstances and upon appropriate grounds and to appeal from said judgment."

The Assembly concurred in Senate amendments to Assembly Bill No. 1810 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1810 ordered enrolled.

**Assembly Bill No. 1957**—An act to add Sections 20933.4 and 20814 to the Government Code, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1957?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 23, 1959, strike out "20933.5", and insert "20933.4".

**Amendment No. 2**

On page 1, line 1, strike out "20933.5", and insert "20933.4".

**Amendment No. 3**

On page 1, line 3, strike out "20933.5", and insert "20933.4".

The Assembly concurred in Senate amendments to Assembly Bill No. 1957 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bellotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1957 ordered enrolled.

**Assembly Bill No. 2049**—An act to add Article 3 (commencing at Section 4170) to Chapter 3 of Division 7 of the Harbors and Navigation Code, relating to the development, improvement or maintenance of ports, harbors, and tidelands by Sonoma County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2049?

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "other state", and insert "federal, state,".

**Amendment No. 2**

On page 1, in line 9, strike out "agency or city", and insert "or city agency".

**Amendment No. 3**

On page 1, in line 9, strike out "exclusive".

**Amendment No. 4**

On page 1, in line 9, strike "or a title".

**Amendment No. 5**

On page 1 strike out all of line 10.

**Amendment No. 6**

On page 1, in line 11, strike out "the Legislature,".

**Amendment No. 7**

In line 4 of the title of the printed bill, as amended in the Senate on May 28, 1959, strike out "counties", and insert "Sonoma County".

**Amendment No. 8**

On page 1, line 5, after "Article 3.", insert "Sonoma County".

**Amendment No. 9**

On page 1, strike out lines 7 to 10, inclusive, and insert

"4170. The board of supervisors of Sonoma County, with respect to any port, harbor, or tidelands, over which no federal, state, city agency, or district is exercising jurisdiction,".

**Amendment No. 10**

On page 1, line 12, after "tidelands", insert ", if the county has title to such port, harbor or tidelands".

**Amendment No. 11**

On page 1, line 13, strike out "4171."

**Amendment No. 12**

On page 1, strike out line 19, and insert "this section."

**Amendment No. 13**

On page 1, strike out line 20, and insert

"The board of supervisors may appro-".

**Amendment No. 14**

On page 1, line 23, strike out "Section 4170.", and insert "this section.

This special provision applicable only to Sonoma County is necessary due to the special facts and circumstances which are applicable only to this county Sonoma County is acquiring title from the State and private entities to all tidelands in Bodega Bay. The grant from the State requires that the county substantially improve the lands granted within ten years or the lands shall revert to the State. In order that the board of supervisors of Sonoma County will have sufficient power and authority to develop, improve, and maintain the port and harbor facilities involved, it is necessary that this special law be enacted granting such powers and authority to the board of supervisors of Sonoma County."

**Amendment No. 15**

On page 1, line 11, of the printed bill, as amended in the Senate on June 3, 1959, after "tidelands", insert "in said county".

**Amendment No. 16**

On page 1, line 12, after "exercising", insert "exclusive".

**Amendment No. 17**

On page 1, line 13, strike out "tidelands,"; strike out line 14, and insert "tidelands."

**Amendment No. 18**

On page 2, line 9, strike out "and private entities to all", and insert "to".

The Assembly concurred in Senate amendments to Assembly Bill No. 2049 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2049 ordered enrolled.

**Assembly Bill No. 2175**—An act to amend Sections 16651, 16652, and 16653 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, and to add Section 25208.5 to the Government Code, relating to community recreation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2175?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 8, 1959, strike out "16652", and insert "16651, 16652,".

**Amendment No. 2**

In line 3 of the title, after the comma, insert "and to add Section 25208.5 to the Government Code,".

**Amendment No. 3**

On page 2, after line 28, insert

"SEC. 3. Section 16651 of said code is amended to read:

16651. The purposes of this chapter (commencing at Section 16651) are:

(a) To promote and preserve the health and general welfare of the people of the State and to cultivate the development of good citizenship by provision for adequate programs of community recreation.

(b) To authorize *public corporations or districts having powers to provide recreation,* cities, counties, cities and counties, ~~public corporations or districts having powers to provide recreation~~ and public school districts to organize, promote, and conduct such programs of community recreation as will contribute to the attainment of general educational and recreational objectives for children and adults of the State.

SEC. 4. Section 25208.5 is added to the Government Code, to read:

25208.5. The board of supervisors of a county has all of the powers to provide for community recreation which are granted to the governing board of a public authority by Chapter 6 (commencing with Section 16651), Division 12 of the Education Code.

SEC. 5. It is hereby declared by the Legislature that the addition of Government Code Section 25208.5 and the amendment of Section 16651 of the Education Code made by this act **does not** constitute a

change in, but is a restatement of existing, law without substantive change."

The Assembly concurred in Senate amendments to Assembly Bill No. 2175 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 2175 ordered enrolled.

**Assembly Bill No. 2543**—An act to amend Sections 3007, 3652, 4370, 8212, 8373 and 12006 of, and to repeal Sections 8216 and 8437 of, the Fish and Game Code, relating to fish and game, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2543?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1959, strike out "4332, 4600", and insert "4370".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "to amend and renumber Section 4187 (as added by Chapter 1496, Statutes 1957), of".

**Amendment No. 3**

In line 5 of the title, after "game", insert ", and declaring the urgency thereof, to take effect immediately".

**Amendment No. 4**

On page 2, strike out lines 17 to 51, inclusive; on page 3 strike out lines 1 to 5; and in line 6 strike out "SEC. 6.", and insert

SEC. 3. Section 4370 of said code is amended to read:

4370. In every area in which deer may lawfully be taken during the regular open season there is an archery season for the taking of deer with bow and arrow. The season for each area shall be *a 10 day season opening on the second Saturday* ~~as the commission may prescribe, with a minimum interposing interval of three days~~ immediately preceding the regular open season on deer in that area. *Such taking of deer with bow and arrow shall be in accordance with the applicable provisions, other than as to the season, of Section 600 of Title 14 of the California Administrative Code as it read on January 1, 1959.*

No person taking or attempting to take deer during such archery season shall carry, or have under his immediate control, any firearm of any kind.

*The amendment of this section at the 1959 Regular Session of the Legislature shall be in effect until January 1, 1961 and thereafter the amendment shall have no force or effect.*

SEC. 4."

**Amendment No. 5**

On page 3, line 14, strike out "SEC. 7", and insert "SEC. 5".

**Amendment No. 6**

On page 3, line 15, strike out "SEC. 8", and insert "SEC. 6".

**Amendment No. 7**

On page 3, line 18, strike out "2362", and insert "2363'.

**Amendment No. 8**

On page 3, line 19, strike out "SEC. 9", and insert "SEC. 7".

**Amendment No. 9**

On page 3, line 20, strike out "SEC. 10", and insert "SEC. 8".

**Amendment No. 10**

On page 3, after line 44, insert

"SEC. 9. Section 3 of this act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are: That in order to provide an archery season for hunting deer during 1959 it is necessary that Section 3 be in effect immediately."

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

NOES—None.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2543?

The Assembly concurred in Senate amendments to Assembly Bill No. 2543 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

NOES—None.

## REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON AMENDMENTS TO SENATE BILL NO. 832

Mr. Lowrey was granted unanimous consent to rescind the action whereby the Assembly, on June 15, 1959 (Assembly Journal, page 5465-66), adopted the following amendment to Senate Bill No. 832:

**Amendment No. 4**

On page 2, lines 30 and 31, strike out "or carrying implements of husbandry".

**Amendment Withdrawn**

Mr. Lowrey was granted unanimous consent to withdraw the above Amendment No. 4.

Senate Bill No. 832 ordered reprinted, and to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2689**—An act to add Section 25266 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to flashing lights for levee maintenance vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2689?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "25265", and insert "25266".

**Amendment No. 2**

On page 1, line 1, strike out "25265", and insert "25266".

**Amendment No. 3**

On page 1, line 4, strike out "25265", and insert "25266".

The Assembly concurred in Senate amendments to Assembly Bill No. 2689 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 2689 ordered enrolled.

**Assembly Bill No. 2533**—An act to amend Section 70047 of the Government Code, relating to superior court reporters.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2533?

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "500,000," insert "as determined on the basis of the 1950 Federal Decennial Census".

The Assembly concurred in Senate amendment to Assembly Bill No. 2533 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Biddick, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 2533 ordered enrolled.

**Assembly Concurrent Resolution No. 105**—Relative to the imposition of inheritance or other death taxes by chartered cities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 105?

**Amendment No. 1**

On page 1, line 8, of the printed measure, strike out "onerous burdens", and insert "taxes".

The Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 105 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson,

Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—59.

NOES—None.

Assembly Concurrent Resolution No. 105 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 565

Mr. Crown was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on June 11, 1959 (Assembly Journal, page 5255), passed Senate Bill No. 565.

Bill ordered returned to third reading file.

## FURTHER CONSIDERATION OF SENATE BILL NO. 565

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Bill read third time.

### Motion to Amend

Mr. Crown moved the adoption of the following amendments:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 1, 1959, strike out line 5, and insert "that day, or

(e) He resides more than 10 miles from the nearest polling place by the most direct route for public travel."

### Amendment No. 2

On page 4, line 26, strike out "canvas", and insert "canvass".

### Amendment No. 3

On page 5, line 7, strike out "received", and insert "mailed".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 656**—An act to amend Section 80 of, and to add Section 80.5 to, the Agricultural Code, relating to district agricultural associations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 656?

### Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 81 of", and insert "Sections 80 and 81 of, and to add Section 80.5 to,".

Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 80 of the Agricutlural Code is amended to read:

80. The several counties of this State constitute agricultural districts numbered as follows:

District 1. The County of Alameda.

District 1a. The City and County of San Francisco and the County of San Mateo.

District 2. The County of San Joaquin.

District 3. The County of Butte.

District 4. The Counties of Sonoma and Marin.

District 6. All that portion of Los Angeles County not included in Agricultural District Number 48, Agricultural District Number 50 and Agricultural District 51.

District 7. The County of Monterey.

District 9. The County of Humboldt.

District 10. That portion of the County of Siskiyou not included in District 10a.

District 10a. All that portion of Siskiyou and Modoc Counties described as follows:

Beginning at the intersection of west longitude 122 degrees 10 minutes with the Oregon-California boundary line, thence southerly along said line of longitude to north latitude 41 degrees 30 minutes, thence easterly along said line of latitude to the point where it intersects west longitude 121 degrees 10 minutes, thence northerly along said line of longitude to the Oregon state line, thence westerly along said state line to the point of beginning.

District 12. The County of Mendocino.

District 13. The Counties of Sutter and Yuba.

District 14. The County of Santa Cruz.

District 15. The County of Kern.

District 16. The County of San Luis Obispo.

District 17. The County of Nevada.

District 18. The Counties of Mono, Inyo, and Alpine.

District 19. All that portion of Santa Barbara County lying east of Gaviota and south of the Santa Ynez Mountains.

District 20. The County of Placer.

District 21. The County of Fresno.

District 21a. The County of Madera.

District 22. The County of San Diego.

District 23. The County of Contra Costa.

District 24. The County of Tulare.

District 24a. The County of Kings.

District 25. The County of Napa.

District 26. The County of Amador.

District 27. The County of Shasta.

District 28. The County of San Bernardino.

District 29. The County of Tuolumne.

District 30. The County of Tehama.

District 31. The County of Ventura.

District 32. The County of Orange.
District 33. The County of San Benito.
District 34. That portion of the County of Modoc not included in District 10a.
District 35. The County of Merced.
District 35a. The County of Mariposa.
District 36. The County of Solano.
District 37. All that portion of Santa Barbara County not included in Agricultural District Number 19.
District 38. The County of Stanislaus.
District 39. The County of Calaveras.
District 40. The County of Yolo.
District 41. The County of Del Norte.
District 42. The County of Glenn.
District 44. The County of Colusa.
District 45. The County of Imperial.
District 46. The County of Riverside.
District 48. All that portion of Los Angeles County described as follows:

Beginning at the intersection of a southerly extension of the east line of Avalon Boulevard with the Pacific Ocean, proceed north to the east line of Avalon Boulevard; thence north along the east line of Avalon Boulevard to its intersection with the south line of Slauson Avenue; thence west along the south line of Slauson Avenue to La Brea Boulevard; thence north along west line of La Brea Boulevard to north line of Exposition Boulevard; thence east along north line of Exposition Boulevard to west line of Crenshaw Boulevard; thence south along the west line of Crenshaw Boulevard to south line of Vernon Avenue; thence east along south line of Vernon Avenue to Main Street; thence north along the west line of Main Street to the north line of Valley Boulevard; thence east along the north line of Valley Boulevard to the east line of San Gabriel Boulevard; thence south along the east line of San Gabriel Boulevard to the north line of Whittier Boulevard; thence east along the north line of Whittier Boulevard to the Orange county line; thence south along the Orange county line to its intersection with the Pacific Ocean; then west along the Pacific Coast to point of beginning.

District 49. The County of Lake.
District 50. All that portion of Los Angeles County lying north of the south line of Township 5 North, San Bernardino base.
~~District 51. All that portion of Los Angeles County described as Assembly Districts 41 and 42 in subdivisions 41 and 42 of Section 491 of the Government Code as enacted by Chapter 134 of the Statutes of California, Fifty-fifth Regular Session, excepting therefrom any portion of the area so described lying in Agricultural District 50, all of the City of Burbank. and that portion of Assembly District 42 lying east of a line extended south from the center of the south line of T. 3 N., R. 14 W., S. B. B. & M.~~

SEC. 2. Section 80.5 is added to said code, to read:

80.5. The 51st District Agricultural Association is abolished. All property, both real and personal, of the district is transferred to the

San Fernando Valley State College to be used for educational and community development purposes, including, but not limited to, the improvement, exploitation, encouragement and stimulation of the cultural, recreational, and industrial interests and needs of the area served by the college.

The incumbent members of the Board of Directors of the 51st District Agricultural Association on the effective date of this section shall serve as ex officio members of the Advisory Board of the San Fernando Valley State College until the expiration of their terms.

SEC. 3. Section 81 of said code is amended".

**Amendment No. 3**

On page 1, line 12, strike out "eight", and insert "nine".

**Amendment No. 4**

In line 1 of the title of the printed bill, as amended in the Senate on June 8, 1959, strike out "Sections 80 and 81", and insert "Section 80".

**Amendment No. 5**

On page 3, strike out lines 31 to 40, inclusive, and insert "transferred to the Department of Finance to be held by it until the Legislature determines, by appropriate act, that the property should be used to meet the educational needs of San Fernando Valley State College or devoted to some other urgent educational use."

**Amendment No. 6**

On page 3, strike out lines 41 to 52, inclusive; and strike out all of page 4.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 656 by the following vote:

AYES—Holmes, MacBride, Munnell—3.

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—60.

**Appointment of Committee on Conference Concerning Assembly Bill No. 656**

The Speaker appointed Messrs. Miller, MacBride, and Waldie as a Committee on Conference concerning Assembly Bill No. 656.

NOTE—Later this day, Mr. Cusanovich was appointed to the above committee, vice Mr. Waldie, resigned. *See* page 5502.

**Assembly Bill No. 53**—An act to add Section 919 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 53?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 24, 1959, strike out "amend Section 992 of", and insert "add Section 918 to".

**Amendment No. 2**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 918 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:

918. Nothing in this code shall be construed as prohibiting any member of the governing board of a school district or any administrative officer of a school district who does not have any teaching responsibilities from appearing at any time before a citizens group, which requests his appearance, to discuss the reasons why the

governing board of the school district called an election to submit to the voters of the district a proposition for the issuance of bonds or for an increase in the maximum tax rate of the district and to answer questions put to him by any taxpayer concerning the cost of such proposals."

**Amendment No. 3**

On page 1, strike out lines 3 to 23, inclusive.

**Amendment No. 4**

In line 1 of the title of the printed bill, as amended in the Senate on May 29, 1959, strike out "918", and insert "919".

**Amendment No. 5**

On page 1, line 3, strike out "918", and insert "919".

**Amendment No. 6**

On page 1, line 6, strike out "918", and insert "919".

The Assembly concurred in Senate amendments to Assembly Bill No. 53 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 53 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 9.50 a.m., Miss Donahoe was granted unanimous consent to hold a special meeting of the Committee on Education in the rear of the Assembly Chamber, at this time.

### Speaker pro Tempore Presiding

At 9.51 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 218**—An act to add Chapter 15 (commencing at Section 17261) to Division 14 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to property valuations for the purpose of allocating money to school districts, and the adjustment of school district tax rates as a result thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 218?

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Assembly on February 18, 1959, strike out "The State Board of Equalization", and insert "With respect to locally assessed property, the State Director of Finance".

**Amendment No. 2**

On page 1, line 14, strike out "board", and insert "Director of Finance".

**Amendment No. 3**

On page 1, line 16, strike out "and".

**Amendment No. 4**

On page 1, line 17, strike out "by the State Board of Equalization. It", and insert ". He".

**Amendment No. 5**

On page 1, line 17, after "also", insert "periodically".

**Amendment No. 6**

On page 1, line 18, strike out "the", and insert "each".

**Amendment No. 7**

On page 1, lines 18, 19, 20, and 21, strike out "compiled by appraisers competent to determine accurately the market value of the property. Such data shall relate to representative samples of property in each county".

**Amendment No. 8**

On page 1, line 22, strike out "cross section", and insert "sample".

**Amendment No. 9**

On page 1, line 22, after "the", insert "locally assessable".

**Amendment No. 10**

On page 1, line 23, strike out "both as to the classes of property enumerated".

**Amendment No. 11**

On page 2, lines 1 and 2, strike out "and their location and so far as possible such representative samples shall be taken", and insert "and so far as possible within the appropriation made available therefor,".

**Amendment No. 12**

On page 2, line 2, after the period, insert "Such sales and appraisal data may relate to the market value of the properties in the sample on a lien date prior to the lien date of the current roll. If they relate to the value of the properties on a prior lien date, the market value of all assessable tangible property in the county on the lien date for taxes due in the fiscal year for which the determination is made shall be estimated by reference to the value of all such property on the prior lien date, together with any change in school enrollment, retail sales, wage payments or other factors reasonably indicative of growth or deterioration of the economy of the county that may have occurred since such prior lien date."

**Amendment No. 13**

On page 2, line 4, strike out "Board of Equalization", and insert "Director of Finance".

**Amendment No. 14**

On page 2, line 4, after "shall", insert "with respect to locally assessed property,".

**Amendment No. 15**

On page 2, line 11, strike out "Board of Equalization", and insert "Director of Finance".

**Amendment No. 16**

On page 2, line 15, strike out "board", and insert "State Director of Finance".

**Amendment No. 17**

On page 2, line 17, strike out "board", and insert "State Director of Finance".

**Amendment No. 18**

On page 2, line 25, strike out "board's", and insert "director's".

**Amendment No. 19**

On page 2, line 26, strike out "it", and insert "he".

**Amendment No. 20**

On page 2, line 26, strike out "Its", and insert "His".

**Amendment No. 21**

On page 2, line 27, strike out "Its", and insert "His".

**Amendment No. 22**

On page 2, lines 30 and 31, strike out "Board of Equalization", and insert "Director of Finance".

**Amendment No. 23**

On page 2, line 31, after "assessor", insert "or the State Board of Equalization".

**Amendment No. 24**

On page 2, line 32, strike out "Board of Equalization", and insert "Director of Finance".

**Amendment No. 25**

On page 2, line 34, strike out "Board of Equalization", and insert "Director of Finance".

**Amendment No. 26**

On page 2, line 35, after "assessor", insert "or the State Board of Equalization".

**Amendment No. 27**

On page 2, line 36, strike out "it", and insert "him".

**Amendment No. 28**

On page 2, line 36, strike out "its", and insert "his".

**Amendment No. 29**

On page 2, line 46, strike out "Board of Equalization", and insert "Director of Finance".

**Amendment No. 30**

On page 2 of the printed bill, as amended in the Senate on April 6, 1959, strike out lines 4 to 7, inclusive; and in line 8, strike out "trict in the county", and insert "wealth within each county."

**Amendment No. 31**

On page 3, strike out lines 24 to 50, inclusive, and insert

"17267. Notwithstanding any other provision of this code, the maximum general fund tax rate of a school district as determined by Section 20751 or 20803, whose district aid is computed under Sections 17702 and 17702.1 or under Section 17901 or 17903, using a valuation based upon the statewide ratio that is greater than a valuation based upon the local ratio, shall be increased by a percentage equal to the proportion which the difference between valuations based on the statewide and local ratios bear to a valuation based on a local ratio."

**Amendment No. 32**

On page 4, line 1, strike out "17269", and insert "17268".

**Amendment No. 33**

On page 1 of the printed bill, as amended in the Senate on April 28, 1959, strike out line 7, and insert

"17261. On the basis of computations made by the staff of the State Board of Equalization, the secretary of that board shall certify on or before October 1st of each year to the Superintendent of Public Instruction the factor, carried to two decimal points, by which the total assessed value of all tangible property on the current local roll of each county must be modified to conform to the statewide average assessment level of all such property.

17262. Any state department, board, or agency which allocates funds to any school district on the basis of the assessed valuation of property within the district, or which makes any computation on this basis for school building fund repayment purposes, first shall modify that part of the valuation of the district shown upon the local roll by application of the factor certified for that roll as required in Section 17261. If a district is located in more than one county, this modification shall be made by applying the factor appropriate for the assessed value of the property upon the local roll of each county within which the district is located.

17263. Notwithstanding any other provision of this code, whenever the assessed valuation of the district has been modified upward under Section 17262, the maximum general fund tax rate of that district as determined by Sections 20751 or 20803 shall be increased sufficiently to provide the funds required to offset the decrease in school equalization aid resulting from such modification of the assessed value of the district.

17264. The provisions of Sections 17262 and 17263 shall be applicable initially to funds made available to, repayments from, or tax rates of school districts during the fiscal year beginning July 1, 1960, as a result of modification of the assessed valuations of such districts determined as of the first Monday in March 1959. In succeeding fiscal years, these provisions shall apply in a like manner.

17265. The Legislature hereby declares that its sole motive in enacting this chapter is to provide a reasonable and equitable method for ascertaining the value of property located within school districts for use in connection with the administration of state laws providing for the allocation of state funds to such districts for school purposes on the basis of value. The Legislature hereby further declares that in enacting this chapter it has no intention to affect in any way, whether directly or indirectly, any determination of the assessed value of property for tax purposes; and that it has no intention by such enactment to modify any phase or aspect of

the process of property taxation in any respect whatsoever, except to the limited extent necessary for tax levy adjustment purposes in accordance with this chapter. The certification with respect to the factor applicable to the assessed value of tangible property on the local roll of any county to conform that value to the statewide average assessment level shall not be construed as a finding of the State Board of Equalization concerning the relationship between the assessed value of locally assessed property in that county to the market value thereof, but shall be regarded only as a report of the staff of that board for the purposes specified in this chapter."

**Amendment No. 34**

On page 1, strike out lines 8 to 18, inclusive; and strike out pages 2 to 4, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 218 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 218 ordered enrolled.

**Assembly Bill No. 890**—An act to add Part 5 (commencing at Section 35700) to Division 24 of the Health and Safety Code, relating to discrimination in publicly assisted housing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 890?

**Amendment No. 1**

On page 2 of the printed bill, strike out lines 13 and 14, and insert "a religious, fraternal, or charitable association or corporation not organized or operated for private profit, provided that such accommodations are being used in furtherance of the primary purpose or purposes for which the association or corporation was formed."

**Amendment No. 2**

On page 2, line 20, after "subdivisions", insert "; provided, that nothing herein contained shall apply to any housing accommodation solely because the owner thereof enjoys any type of tax exemption by virtue of his veteran status".

**Amendment No. 3**

On page 2, strike out lines 28 to 30, inclusive, and in line 31, strike out "(e)", and insert "(d)".

**Amendment No. 4**

On page 2, line 38, strike out "(f)", and insert "(e)".

**Amendment No. 5**

On page 3, line 43, strike out "person", and insert "owner of any publicly assisted housing accommodation to make or".

**Amendment No. 6**

On page 3, line 46, after "accommodation", insert "for the purpose of violating any of the provisions of this part."

**Amendment No. 7**

On page 3, line 50, strike out "or" and strike out lines 51 and 52; on page 4, strike out lines 1 to 5, inclusive, and insert "shall have a right of action".

**Amendment No. 8**

On page 4, line 13, strike out "one thousand dollars ($1,000)", and insert "five hundred dollars ($500)".

**Amendment No. 9**

On page 4, after line 19, insert

"35741. Nothing in this part shall be construed to affect the title or other interest of a person who purchases, leases, or takes an encumberance on a publicly assisted housing accommodation in good faith and without knowledge that the owner or lessor of the property has violated any provision of this part."

**Amendment No. 10**

On page 3, line 40, of the printed bill, as amended in the Senate on May 5, 1959, after "modation", insert "with knowledge of such assistance".

**Amendment No. 11**

On page 3, line 45, after "modation", insert "with knowledge of such assistance".

**Amendment No. 12**

On page 3, line 51, after "accommodation", insert "with knowledge of such assistance".

**Amendment No. 13**

On page 2, line 33, of the printed bill, as amended in the Senate on May 26, 1959, after "construction", insert "; provided, that nothing herein contained shall apply to any housing accommodation constructed in whole or in part on any property acquired by the Department of Veterans Affairs under the Veterans' Farm and Home Purchase Act of 1943."

The Assembly concurred in Senate amendments to Assembly Bill No. 890 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 890 ordered enrolled.

## RUSH ORDER PLACED UPON PRINTING OF SENATE BILL NO. 832

Speaker Brown ordered a rush order placed upon the printing of Senate Bill No. 832.

## NAME PLACED UPON ROLL CALL ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 656

Mr. Cusanovich was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 656.

## CHANGE IN CONFERENCE COMMITTEE APPOINTMENT CONCERNING ASSEMBLY BILL NO. 656

Speaker Brown appointed Mr. Cusanovich as a member of the Committee on Conference concerning Assembly Bill No. 656, vice Mr. Waldie, resigned. (For committee appointment, *see* page 5497.)

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1189**—An act to amend Sections 493 and 494 of the Agricultural Code, relating to the qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1189?

**Amendment No. 1**

On page 2, line 23, of the printed bill, as amended in the Assembly on March 16, 1959, strike out "agricultural".

The Assembly concurred in Senate amendment to Assembly Bill No. 1189 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Mr. Speaker—55.
NOES—Britschgi, Burton, Samuel R Geddes, Lowrey, and Luckel—5

Assembly Bill No. 1189 ordered enrolled.

**Assembly Bill No. 1491**—An act to add Section 169.2 to the Civil Code, relating to earnings and accumulations after an interlocutory judgment of divorce.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1491?

**Amendment No. 1**

On page 1, lines 5 and 6, of the printed bill, strike out "and of his minor children living with him or in his custody".

The Assembly concurred in Senate amendment to Assembly Bill No. 1491 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Nisbet, O'Connell, Petris, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 1491 ordered enrolled.

**Assembly Bill No. 2348**—An act to amend Sections 3301, 3302, 3305, and 3320 of, and to add Section 3320.5 to, the Penal Code, relating to the Department of Corrections and agencies therein.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2348?

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Assembly on May 7, 1959, strike out "two", and insert "three".

**Amendment No. 2**

On page 1, strike out lines 9 to 15, inclusive, and insert
"3302. The terms of office of the women members of the board shall expire as follows: two on March 15, 1955 and one on March 15, 1957. The terms of office of the male members of the board expire on the effective date of the amendments to this section enacted at the 1959 Regular Session of the Legislature. Their".

**Amendment No. 3**

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1959, strike out "3306,".

**Amendment No. 4**

On page 2, strike out lines 8 to 15, inclusive.

**Amendment No. 5**

On page 2, line 16, strike out "SEC. 5", and insert "SEC. 4".

**Amendment No. 6**

On page 2, line 25, strike out "SEC. 6", and insert "SEC. 5".

The Assembly concurred in Senate amendments to Assembly Bill No. 2348 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Francis, Hegland, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, McCollister, McMillan, Meyers, Munnell, Nisbet, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—45.

NOES—Bane, Burton, Busterud, Crown, Frew, Marks, Masterson, O'Connell, and Petris—9.

Assembly Bill No. 2348 ordered enrolled.

## VOTE CHANGED UPON ROLL CALL ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1189

Mr. Samuel R. Geddes was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on concurrence in Senate amendments to Assembly Bill No. 1189.

## NAME PLACED UPON ROLL CALL ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2348

Mr. Busterud was granted unanimous consent that he be recorded as voting "No" on concurrence in Senate amendments to Assembly Bill No. 2348.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2424**—An act to amend Section 11715 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicles owned by dealers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2424?

**Amendment No. 1**

On page 2, after line 15, of the printed bill, insert

"(e) The provisions of this section do not apply to vehicles currently registered in this State which are owned and operated by a licensed dealer when the notice of transfer has been forwarded to the department by the former owner of record pursuant to Section 5900 and when a copy of the notice is displayed in the same manner as is required of registration certificates."

The Assembly concurred in Senate amendment to Assembly Bill No. 2424 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Britschgi, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Levering, Lowrey, Luckel,

Lunardi, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 2424 ordered enrolled.

**Assembly Bill No. 2451**—An act to amend Section 54309 of, and to add Sections 54309.1 and 54516.3 to, the Government Code, relating to the issuance of revenue bonds by local agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2451?

**Amendment No. 1**

On page 1, line 21, of the printed bill, as amended in the Assembly on May 25 1959, after "of", insert "harbors, including without limitation".

**Amendment No. 2**

On page 1, line 21, after "harbors", insert a comma.

**Amendment No. 3**

On page 2, line 2, strike out "small boat".

**Amendment No. 4**

On page 2, line 23, strike out "small boat".

**Amendment No. 5**

On page 2, line 23, after "harbor", insert "including small boat harbors, marinas, aquatic playgrounds and similar recreational facilities".

The Assembly concurred in Senate amendments to Assembly Bill No. 2451 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 2451 ordered enrolled.

**Assembly Bill No. 2487**—An act to amend Section 13275 of, to add Section 12915 to, and to repeal Sections 917, 13276, 13584, and 13585 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to public school employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2487?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 20, 1959, strike out lines 12 to 14, inclusive, and insert "The X-ray film may be taken by a competent and qualified X-ray technician if the".

**Amendment No. 2**

On page 1, line 15, after "X-ray", insert "film".

The Assembly concurred in Senate amendments to Assembly Bill No. 2487 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House,

Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2487 ordered enrolled.

**Assembly Bill No. 2574**—An act to add Sections 31641.6 and 31807 to, and to repeal Section 31807 of, the Government Code, relating to county employees' retirement.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2574?

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly on June 1, 1959, after "be", insert "not less than".

The Assembly concurred in Senate amendment to Assembly Bill No. 2574 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2574 ordered enrolled.

**Assembly Bill No. 2614**—An act to add Article 10.8 (commencing at Section 70030) to Chapter 5, Title 8 of the Government Code, relating to superior court reporters in Nevada County.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2614?

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on May 29, 1959, strike out "reporters".

The Assembly concurred in Senate amendment to Assembly Bill No. 2614 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2614 ordered enrolled.

**Assembly Bill No. 2701**—An act to amend Sections 7, 285, 350, 675, 1503, 1651, 2101, 2105, 2259, 2400, 4150, 5017, 5750, 6850, 6851, 9255, 9262, 9264, 9400, 9401, 9703, 11102, 11107, 11703, 11801, 11802, 12513, 12514, 12816, 13350, 13555, 13953, 14100, 16005, 16053, 16107, 16482, 17700, 20013, 21058, 21457, 21460, 21464, 22107, 22352, 22452, 22510, 24001, 24404, 24600, 24604, 24610, 24951, 25251, 25301, 25501, 25651, 25800, 26116, 30069, 30800, 30801, 31009, 31608, 31610, 35414, 35713,

35714, 35790, 40303, 40516, 42050 of, to amend and renumber Section 25789 of, to amend the headings preceding Sections 9700 and 9800 of, to add Sections 286, 676, 11112 and 16110 to, and to repeal Sections 13353, 40308, 40309, and 40310 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to technical changes in the Vehicle Code as recodified.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2701?

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in Assembly May 22, 1959, strike out "9401,".

**Amendment No. 2**

On page 3, between lines 19 and 20, insert

"(f) Persons who are engaged in a business involving the purchase, sale or exchange of boat trailers.

(g) Persons who are engaged in a business activity which does not involve the purchase, sale or exchange of vehicles except incidentally in connection with the purchase, sale or exchange of vehicles of a type not subject to registration under this code, boat trailers or midget autos or racers advertised as being built exclusively for use by children"

**Amendment No. 3**

On page 9, strike out lines 40 through 52, inclusive; and strike out page 10.

**Amendment No. 4**

On page 20, line 29, after "white", insert "or yellow".

**Amendment No. 5**

On page 20, line 32, strike out "white".

**Amendment No. 6**

On page 20, line 33, after "white", insert "or yellow".

**Amendment No. 7**

On page 20, line 43, after the first "white", insert "or yellow"

**Amendment No. 8**

On page 21, strike out lines 45, 46 and 47, and insert

"On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code."

**Amendment No. 9**

On page 22, strike out lines 3 through 6, inclusive.

**Amendment No. 10**

On page 23, between lines 24 and 25, insert

"(e) No spotlamp when in use shall be directed so as to illuminate any other moving vehicle."

**Amendment No. 11**

On page 32, line 5, after "Session", insert "other than Chapters 6, 11, 173, 255 and 403".

The Assembly concurred in Senate amendments to Assembly Bill No. 2701 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2701 ordered enrolled.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Bruce F. Allen was granted unanimous consent that the following letter of transmittal be ordered printed in the Journal, and that 2,000 copies of the Report of the Subcommittee on Rackets of Assembly Interim Committee on Judiciary be ordered printed as a separate document 8½ x 11 inches in size.

### LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, June 11, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*and Members of the Assembly*
*Assembly Chamber, Sacramento*

GENTLEMEN: Enclosed is the Report of the Subcommittee on Rackets of the Assembly Interim Committee on Judiciary relating to organized crime in California.

Respectfully submitted,

BRUCE F. ALLEN

### SUBCOMMITTEE LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY INTERIM COMMITTEE ON JUDICIARY
SACRAMENTO, June 11, 1959

*Hon. Bruce F. Allen, Chairman*
*Assembly Interim Committee on Judiciary*
*State Capitol, Sacramento*

DEAR MR. ALLEN: Pursuant to your directive and in conformance with the provisions of House Resolution No. 224 of the 1957 general session, the Subcommittee on Rackets herewith submits its report on organized crime in California.

Respectfully submitted,

BRUCE F. ALLEN, Chairman
*Subcommittee on Rackets*
WILLIAM BIDDICK, JR.
CLARK L. BRADLEY
THOMAS J. MACBRIDE
BRUCE SUMNER

### REQUEST FOR UNANIMOUS CONSENT TO PRINT EXTRA COPIES OF REPORT

Mr. Bruce F. Allen asked for unanimous consent that 1,000 additional copies of the Report of the Subcommittee on Pornographic Literature of the Assembly Interim Committee on Judiciary be ordered printed.

Mr. O'Connell withheld unanimous consent.

Motion

Mr. Bruce F. Allen moved that 1,000 additional copies of the Report of the Subcommittee on Pornographic Literature be ordered printed.

Mr. Schrade seconded the motion.

Objections Withdrawn

Mr. O'Connell withdrew his objections.

Motion Withdrawn

Mr. Bruce F. Allen, with the consent of his second, withdrew his motion.

Unanimous consent to print the reports was granted to Mr. Bruce F. Allen.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS

**Senate Bill No. 830**—An act to add Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle air and vacuum brakes.

Bill read third time, and presented by Mr. Charles H. Wilson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker pro Tempore ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 405, 1291, 1061, 1108, 1328,** and **1455.**

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 603**—An act to amend Section 23363 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Mr. Cunningham.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 875**—An act to amend Section 833 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time, and presented by Mr. Nisbet.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—61.

NOES—Busterud, Marks, and Thelin—3.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1069**—An act to add Section 2020.1 to the Welfare and Institutions Code, relating to old age assistance.

Bill read third time.

**Motion to Amend**

Mr. Hawkins moved the adoption of the following amendments:

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "add Section 2020.1 to", and insert "amend Sections 2020 and 2025 of".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 2020 of the Welfare and Institutions Code is amended to read:

2020. Amount of Aid Allowed. The amount of aid to which any applicant shall be entitled *for basic needs* shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, ~~eighty-five dollars ($85)~~ *ninety-five dollars ($95)* per month. If, however, in any case it is found the actual need of an applicant exceeds ~~eighty-five dollars ($85)~~ *ninety-five dollars ($95)* per month, such applicant shall be entitled to receive aid in an amount, not to exceed ~~eighty-five dollars ($85)~~ *ninety-five dollars ($95)* per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

The State Department of Social Welfare may provide by rule that any change in grant for an amount of two dollars ($2) or less may be delayed for not more than two months beyond the month in which the recipient reported the change in circumstances.

SEC. 2. Section 2025 of said code is amended to read:

2025. Increase or Decrease of Federal Contributions: Change in Amount of Aid: Maximum and Minimum: Legislative Intent. If, when, and during such times as the United States Government increases or decreases its contributions in assistance of the aged in this State above or below the amount being paid on ~~May 1, 1955~~ *November 1, 1958*, or above or below the amount payable as a result of any such increase or decrease, the ~~amount of the~~ *maximum* grant of aid provided for in *each of* ~~this article~~ *Sections 2020 and 2020.002* shall be increased

or decreased by an amount equal to *the nearer dollar of* such increase or decrease by the United States Government, but in no event shall the ~~total aid granted~~ *maximum grant of aid* under ~~this chapter~~ *Section 2020* be *decreased below* ~~more than ninety dollars ($90) nor less than seventy-five dollars ($75)~~ *ninety dollars ($90) or increased above one hundred five dollars ($105)* per month. It is the intent of the Legislature that any change in contributions by the United States Government, whether increase or decrease, shall result in a corresponding change in the amount of ~~this grant~~ *the maximum grant prescribed in Section 2020*, within the limits established by this section.

It is also the intent of the Legislature that should the Federal Government require that any increase in assistance to the aged in this State granted by it after May 1, 1955 be considered necessary to meet medical or health needs of the applicant or recipient, such increase shall be considered necessary to meet such medical or health needs.

SEC. 3. This act shall be operative January 1, 1960."

**Amendment No. 3**

On page 1, strike out lines 2 to 14, inclusive.

Amendments read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—53

NOES—Burke, Cusanovich, Lanterman, Levering, Reagan, Shell, and Thelin—7.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 231**—An act to amend Section 63.5 of the Agricultural Code, relating to county agricultural commissioners.

Bill read third time, and presented by Mr. Winton.

**Speaker Presiding**

At 10.20 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don. A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1164**—An act to add Section 17200 to Article 2 of Chapter 1 of Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to school district accounting procedures.

Bill read third time, and presented by Mr. Cusanovich.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1332**—An act to amend Section 28133 of the Government Code, relating to compensation for public service in counties of the thirty-third class.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Crawford, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, MacBride, Marks, Masterson, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thomas, Waldie, George A. Willson, Z'berg, and Mr. Speaker—44.
NOES—Burke, Dahl, Holmes, Luckel, Williamson, and Charles H. Wilson—6.

Bill ordered transmitted to the Senate.

**Senate Bill No. 985**—An act to add Chapter 2.5 (commencing at Section 1440) to Division 2 of the Health and Safety Code, to repeal Sections 200, 201, 202, 203, 203.5, 203.6, 203.7, 203.8, 203.9, 204, 204.5, 206, and 206.5 of the Welfare and Institutions Code, to amend Section 2500 of the Welfare and Institutions Code, and to add Section 202 to the Welfare and Institutions Code, relating to county medical facilities.

Bill read third time.

**Motion to Amend**

Mr. House moved the adoption of the following amendment:

**Amendment No. 1**

On page 3, between lines 19 and 20, of the printed bill, as amended in the Assembly on June 12, 1959, insert

"1450. The board of supervisors of a county may contract for optometric service with an optometrist licensed pursuant to provisions of the Business and Professions Code."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 855**—An act to amend Section 607 of, and to add Section 609.5 to, the Probate Code, and to add Section 14773.5 to the Revenue and Taxation Code, relating to inheritance tax appraisers.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McMillan, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1220**—An act to amend Sections 189 and 190 of the Streets and Highways Code, relating to separations.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 669**—An act to repeal Article 6 (commencing at Section 54150), and to add Article 6 (commencing at Section 54150), to Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, relating to the repair and restoration of property damaged or destroyed by storms or floods.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 171**—An act to add Section 12648.2 to, and to amend Section 12657 of the Water Code, relating to flood protection.

Bill read third time, and presented by Mr. Lowrey.

**Request for Unanimous Consent to Expunge Record, and Rescind Action**

Mr. Lowrey was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 171.

The question being on the passage of Senate Bill No. 171.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1354**—An act to add Section 12898 to the Water Code, relating to the Sacramento Canals Unit of the Central Valley Project.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 516**—An act to amend Sections 2780, 6200, 6203, 6204, 6205, 6206, 6207, and 6208 and to repeal Section 6202 of, and to add Sections 5067, 6201 and 6202 to, the Penal Code, relating to institutions under the jurisdiction of the Department of Corrections.

Bill read third time, and presented by Mrs. Davis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 142**—An act to add Section 69613 to the Government Code, relating to the number of judges of the Superior Court of the County of San Luis Obispo.

Bill read third time, and presented by Mr. Holmes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1111**—An act to amend Section 399 of the Streets and Highways Code, relating to the adoption of state highway routes.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford,

Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 930**—An act to add Sections 72196 and 72197 to the Government Code, relating to traffic commissioners in municipal courts.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 893**—An act to amend Sections 68540, 68540.5, and 68541 of, and to add Sections 68547 and 75082 to, the Government Code, relating to judges.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 857**—An act to add Section 6900 to the Labor Code, relating to safety in employment.

Bill read third time, and presented by Mr. Waldie.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—66.

NOES—McCollister—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 878**—An act to add Chapter 20 (commencing at Section 5400) to Division 6 of the Agricultural Code, relating to the fish industry.

Bill read third time, and presented by Mr. Thomas.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George A. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 784**—An act to amend Section 75081 of the Government Code, relating to the assignment of retired judges.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 611**—An act to amend Section 5054 of, and to add Sections 5055 and 5135 to, the Business and Professions Code, and to amend Section 5134 of the Business and Professions Code as amended by Senate Bill No. 104, relating to the practice of accountancy.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 609**—An act to amend Section 6535.1 of the Business and Professions Code, relating to the practice of barbering.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering,

Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 472**—An act to add Sections 46206, 46207, 46208, 46209, and 46210 to, to amend Sections 46225 and 46280 of, and to repeal Sections 46228 and 46229 of, the Water Code, relating to water storage districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

### Speaker pro Tempore Presiding

At 10.54 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

The question being on the passage of the bill

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 103**—An act to add Chapter 7.5 (commencing with Section 8201) to Part 2 of, and to add Part 2.5 (commencing with Section 8298.01) to, Division 9 of the Streets and Highways Code, relating to grade crossings.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McCollister, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—58.

NOES—Lowrey, Thelin, and Winton—3.

Bill ordered transmitted to the Senate.

**Senate Bill No. 45**—An act to amend Section 422 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 473**—An act to add Sections 12585.1 and 12750.1 to, and to amend Section 12639 of, the Water Code, relating to flood control projects.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 481**—An act to amend Section 2815 of the Business and Professions Code, relating to the practice of nursing.

Bill read third time, and presented by Mr. Samuel R. Geddes.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 481:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 8, 1959

*To the Honorable Members of the Senate and Assembly of the State of California:*

Senate Bill No. 481 is an act revising the fee schedule for nurses.

This measure will in no way affect the General Fund, and is urgently requested by the Board of Nurse Examiners.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 481 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes,

Samuel R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1180**—An act to add Section 827.8 to the Agricultural Code, relating to apple standards.

Bill read third time, and presented by Mr. Coolidge.
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1212**—An act to amend Section 19577 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state school building aid.

Bill read third time, and presented by Mr. Backstrand.
Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1227**—An act to amend Sections 15007, 19577, and 19632 of, and to add Section 19559.5 to, the Education Code as enacted at the 1959 Regular Session, and to amend Section 11544 of the Business and Professions Code, relating to the management and disposition of school district properties.

Bill read third time, and presented by Mr. Backstrand.
Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, George A Willson, Charles H. Wilson, Winton, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1264**—An act to amend Section 4168 of the Public Resources Code, relating to the prohibition against possessing and firing of tracer and incendiary bullets.

Bill read third time, and presented by Mr. Don A. Allen.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1265**—An act to add Chapter 11 (commencing at Section 4980) to Division 4 of the Public Resources Code, relating to California Conservation Camps.

Bill read third time, and presented by Mrs. Davis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1339**—An act to amend Section 24206 of the Education Code as enacted at the 1959 Regular Session, relating to employees of state colleges.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1243**—An act to add Section 24456 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to student housing facilities.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad,

Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1361**—An act to add Section 2079 to the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read third time, and presented by Mr. Burton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 575**—An act to amend Section 6214 of the Public Resources Code, relating to fees payable to the State Lands Commission.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 552**—An act to amend Section 2211 of the Streets and Highways Code, relating to the apportionment of federal aid for secondary highways.

Bill read third time, and presented by Mr. Holmes.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 931**—An act to add Part 7 (commencing at Section 7000) to Division 8 of the Harbors and Navigation Code, relating to small craft harbor districts.

Bill read third time, and presented by Mr. Sumner.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 511**—An act to add Section 14311.5 to the Government Code, relating to the State Contract Act.

Bill read third time, and presented by Mr. Belotti.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 236**—An act to add Section 27459 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the use of snow-tread tires on vehicles.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1286**—An act to add Section 95 to the Streets and Highways Code, relating to snow removal.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 780**—An act making an appropriation for the City Creek Flood Control Project, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 106**—An act to add Division 19 (commencing at Section 65000) to the Water Code, relating to state assistance to local agencies in areas affected by state-financed water resource construction projects.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1446**—An act to add Section 3243.5 to, and to amend Section 3280 of the Fish and Game Code, relating to hunting clubs.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

### Speaker Presiding

At 11.30 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### SENATE BILL NO. 1401 REMOVED FROM CONSENT CALENDAR

Mr. DeLotto was granted unanimous consent that Senate Bill No 1401 be removed from the Consent Calendar, and placed upon the third reading file.

### Parliamentary Inquiry

Mr. DeLotto arose to the following parliamentary inquiry: Would it be permissible to take up Senate Bill No. 1401 later on this day?

### Reply by Speaker

The Speaker replied that it would.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—RESOLUTIONS

### Consideration of House Resolution No. 332

By Mr. House:

### House Resolution No. 332

Relative to the California-Arizona State Boundary

WHEREAS, The California Colorado River Boundary Commission is engaged in negotiations with representatives of the State of Arizona in an endeavor to reach an agreement regarding the location of the common boundary between this State and the State of Arizona; and

WHEREAS, That boundary is described in Section 1 of Article XXI of the Constitution; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this Assembly recommend to the commission that the location of the permanent boundary between the States of California and Arizona from Laguna Dam to the International Boundary approximate the center line of the present channel of the Colorado River; and be it further

*Resolved*, That, if such a location from Laguna Dam to Yuma is not acceptable to the representatives of the State of Arizona, we urge the members of the commission to insist that the southern boundary line as described in the Constitution of this State shall remain unchanged; and be it further

*Resolved*, That the Chief Clerk of the Assembly is instructed to transmit copies of this resolution to each member of the Colorado River Boundary Commission.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

### Consideration of House Resolution No. 335

By Mr. Belotti:

### House Resolution No. 335

Relative to a study of high school and college aviation education programs

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study and report to the Legislature at its 1961 Regular Session the subject of high school and college aviation education programs in the State of California. The committee shall study all facts and circumstances relating to the subject of this resolution, shall make appropriate recommendations as to the advisability or necessity for legislation in this area, and shall report its findings and recommendations to the Legislature by the seventh calendar day of the 1961 Regular Session.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

**Consideration of House Resolution No. 336**

By Messrs. Masterson, Sedgwick, Waldie, and Belotti:

**House Resolution No. 336**

Relative to an archery deer season

WHEREAS, Section 4370 of the Fish and Game Code provides, in part, "In every area in which deer may lawfully be taken during the regular open season there is an archery season for the taking of deer with bow and arrow. The season for each area shall be as the commission may prescribe with a minimum interposing interval of three days immediately preceding the regular open season on deer in that area . . ."; and

WHEREAS, Provisions for this season have been in the law ever since the original enactment of such a provision in 1949; and

WHEREAS, The very nature of archery hunting, by stealth and concealed maneuver, makes it incompatible with hunting with high powered rifles; and

WHEREAS, At its May meeting the Fish and Game Commission, ignoring not only the obvious intent of the law but also the safety of bow and arrow hunters, precipitously abolished the pre-regular season archery hunting, allowing such hunting only during the regular season for firearms; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Fish and Game Commission is directed to restore the archery season, in conformity with the intent and spirit of Section 4370, at its earliest opportunity; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to each member of the Fish and Game Commission.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

**Consideration of House Resolution No. 337**

By Mr. Charles H. Wilson:

**House Resolution No. 337**

Relative to an interim study of the Los Angeles Metropolitan Transit Authority

*Resolved by the Assembly of the State of California*, That the subject matter of the Los Angeles Metropolitan Transit Authority, including all phases of its operations, the relationship between the authority and private transit companies operating within the same territory, proposals for modern rapid transit, and all other phases of the transportation problems in the Los Angeles metropolitan area, is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Consideration of House Resolution No. 340

By Messrs. Z'berg, Samuel R. Geddes, and Meyers:

House Resolution No. 340

Relative to the salaries of laborers, workmen and mechanics employed by the State of California

WHEREAS, Section 18853 of the Government Code provides a specific method of setting salaries for "laborers, workmen and mechanics" employed by the State and permits the State Personnel Board to establish different salaries for the various localities of the State depending upon the local prevailing rate; and

WHEREAS, It is the intent of this section that, when required by the needs of the State, salaries for such employees be set at the local prevailing rate rather than as a statewide salary range; and

WHEREAS, It has been the long-standing practice to compensate many such employees at the local prevailing rate; and

WHEREAS, The State Personnel Board did, on June 2, 1956, change the salaries of large numbers of employees, particularly those in the building trades classes, from an hourly rate to a lower monthly salary range and place the employees on a monthly "red-circle rate"; and

WHEREAS, This action by the State Personnel Board created extensive dissatisfaction among the affected employees and has adversely affected their morale and at the same time has added to the difficulty of recruiting and obtaining competent employees by the State; and

WHEREAS, It appears that the main factor taken into consideration by the State Personnel Board was the permanency of employment rather than the nature of the work performed and the skills required; and

WHEREAS, The work appears to be as permanent for employees in private industry as those in state service and therefore such factor was given greater weight by the State Personnel Board than the prevailing practice justifies; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the State Personnel Board, at its earliest opportunity, review its action taken on June 2, 1956, reducing the salaries for "laborers, workmen and mechanics" employed in state service as the matter relates to the permanency of similar positions and work in private industry and particularly in relation to the work performed and the skills required, and that in making such review the State Personnel Board place primary emphasis on the nature of the work performed and the skills required in making its review and its comparisons with similar positions and work in private industry; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the State Personnel Board.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 1226**—An act to add Section 21157 to the Government Code, relating to legislative employment.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 952**—An act to amend Section 12201 of the Penal Code, relating to machineguns.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1294**—An act to add Section 12521 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to chauffeurs' licenses for special highway construction equipment operators.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 923**—An act to repeal Sections 863, 864, 865, and 866 of, and to add Sections 863, 864, 865, 866, and 866.5 to, and to amend Sections 867 and 868 of, the Welfare and Institutions Code, relating to reimbursement of counties for their cost of care and maintenance of juvenile court wards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 926**—An act to amend Section 728 of the Welfare and Institutions Code, relating to arrest of minors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1266**—An act to amend Section 4012 of the Public Resources Code, relating to the procedure of releasing arrested persons on their promise to appear before a magistrate.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1268**—An act to amend Section 4011 of the Public Resources Code, relating to the designation of peace officers and their powers.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1274**—An act to add Sections 73526, 73606, and 74306 to the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1363**—An act to amend Section 870 of the Welfare and Institutions Code, relating to wards of the juvenile court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1376**—An act to amend Section 28108 of the Government Code, relating to compensation for public services in the counties of eighth class.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1423**—An act to amend Section 1642 of the Welfare and Institutions Code, relating to maternity care for expectant unmarried mothers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1434**—An act to amend Sections 6728, 6729, and 6734 of the Welfare and Institutions Code, relating to mental illness.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1451**—An act to amend Section 68083 of the Government Code, relating to partners of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1404**—An act to amend Sections 73682, 73683, and 73684 of the Government Code, relating to officers and attaches of the municipal court established in the Fresno Judicial District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 168**—An act to amend Sections 605, 607 and 608 of the Probate Code, relating to the appointment of appraisers.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1175**—An act to amend Section 73974 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1181**—An act to amend Section 74264 of the Government Code, relating to the municipal court established in a district embracing the City of San Bernardino.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 3**—An act to add Section 674.5 to the Code of Civil Procedure, relating to judgment liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 204**—An act to amend Section 70046 1 of the Government Code, relating to court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 262**—An act to amend Sections 74502, 74503, 74504 and 74504.5, and to repeal Section 74516 of the Government Code, relating to the municipal court in the City and County of San Francisco.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 346**—An act to add Section 1247b to the Code of Civil Procedure, relating to evidence in eminent domain proceedings.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 454**—An act to amend Section 74512 of the Government Code, relating to additional reporters in the municipal court in the City and County of San Francisco.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 466**—An act to amend Section 868 of the Welfare and Institutions Code, relating to audit of the books and accounts of the probation officer.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 585**—An act to amend Section 3031 of the Civil Code, relating to inventory liens.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 702**—An act to add Section 94.5 to the Penal Code, and to add Sections 69507 and 72006 to the Government Code, relating to fees and gratuities for performing marriage.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 712**—An act to amend Sections 2016, 2019, 2020, 2021, 2024, 2025, 2026, 2030, 2032, 2033 and 2034 of, and to add Sections 1991.1, 1991.2 and 2023 to, the Code of Civil Procedure, relating to depositions and discovery.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 759**—An act to amend Section 200 of the Code of Civil Procedure, relating to persons exempt from liability to act as jurors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 811**—An act to add Section 70044.5 to the Government Code, relating to court reporters of the Superior Court of the County of San Mateo.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 815**—An act to add Sections 4209 and 4210 to the Government Code, relating to stop notices and bonds of contractors for public works.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 847**—An act to amend Section 1871 of the Code of Civil Procedure, relating to compensation of court-appointed medical expert witnesses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 974**—An act to amend Sections 27463 and 27464 of the Government Code, relating to coroners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 975**—An act to amend Sections 27470 and 27471 of the Government Code, relating to coroners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 987**—An act to amend Section 74261 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1008**—An act to amend Section 834 of the Corporations Code, relating to derivative actions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1050**—An act to amend Sections 74842, 74843, 74844, and 74845 of the Government Code, relating to the municipal court established in a district embracing the City of Vallejo.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1104**—An act to add Section 5259.5 to the Welfare and Institutions Code, relating to the commitment of feeble-minded persons.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1126**—An act to amend Section 1881 of the Code of Civil Procedure, relating to privileges of witnesses.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1132**—An act to amend Section 720 of the Welfare and Institutions Code, relating to juvenile courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1162**—An act to amend Section 74263 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1176**—An act to amend Section 73972 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1209**—An act to amend Section 74045 of, and to add Sections 74045.5, 74561, and 74562 to the Government Code, relating to salaries of court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1219**—An act to amend Section 70141.6 of the Government Code, relating to superior court commissioners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1236**—An act to amend Section 70055.1 of the Government Code, relating to filing fees in the superior court.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1137**—An act to add Section 11891.5 to the Public Utilities Code, relating to municipal utility districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 328**—An act to amend Section 16574 of the Public Utilities Code, relating to public utilities districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1383**—An act to amend Section 1005 of the Public Utilities Code, relating to issuance of certificates by the Public Utilities Commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 598**—An act to add Sections 12816.5 and 12817 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1005**—An act to add Section 32110 to the Health and Safety Code, relating to local hospital district boards.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1087**—An act to add Section 8961.5 to the Health and Safety Code, relating to public cemetery districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1217**—An act to add Section 8991 to the Health and Safety Code, relating to public cemetery districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1280**—An act to add Section 203.11 to the Welfare and Institutions Code, relating to a county hospital safety commission.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1403**—An act to amend Section 4886 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1414**—An act to add Section 13 to the Business and Professions Code, relating to the definitions used in such code.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1030**—An act to add Section 1621 to the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to changes in school district boundaries.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl,

Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1406**—An act to amend Sections 19687 and 19689 of the Education Code as enacted at the 1959 Regular Session, relating to state school aid for exceptional pupils.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1298**—An act to amend Section 1142 of the Agricultural Code, relating to egg products.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1288**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1486**—An act to add Division 1a (commencing at Section 25) and add Sections 37, 38, and 71 to, and to amend Section

45 of, the Citrous Pest District Control Act (Chapter 89, Statutes of 1939), relating to the consolidation of districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1440**—An act to add Section 69941.1 to, and to amend Section 72195 of, the Government Code, relating to court reporters.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 69**—An act to add Section 1267 to the Code of Civil Procedure, relating to negotiations by state agencies with respect to proposed acquisition of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 345**—An act to add Section 1250a to the Code of Civil Procedure, relating to offers of purchase in eminent domain.

Bill read third time, and passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis. DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1117**—An act to amend Section 6701 of the Vehicle Code, as enacted by the Legislature at its 1959 Regular Session, relating to nonresident vehicles owned and operated by military personnel.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1488**—An act to amend Section 2313 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to schools.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1204**—An act to amend Section 12901 of the Water Code, relating to water projects.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1257**—An act to amend Section 1 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to the Orange County Water District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 6**—An act to add Section 21759 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school bond validation actions.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 882**—An act to amend Section 31 of the Santa Clara County Flood Control and Water Conservation District Act (Ch. 1405, Stats. 1951), relating to real or personal property acquired by the district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1042**—An act to amend Section 36 of the Alameda County Flood Control and Water Conservation District Act (Ch. 1275, Stats. 1949), relating to the establishment, government, operation and financing of zone in Pleasanton or Murray Townships.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House,

Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1115**—An act to amend Section 54951 of the Government Code, relating to meetings of legislative bodies of local agencies.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1131**—An act to add Sections 35097, 35098 and 35099 to Article 1 of Chapter 2 of Part 4 of Division 13 of the Water Code, relating to the election of district officers in California water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1222**—An act to amend Sections 35430 and 35550.1 of the Streets and Highways Code, relating to the Parking District Law of 1951.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1223**—An act to add Section 4284.1 to, and to amend Section 4288 of, the Streets and Highways Code, relating to Street Opening Act of 1903.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1224**—An act to amend Section 2857 of the Streets and Highways Code, relating to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1270**—An act to amend Section 4614.14 of the Health and Safety Code, relating to municipal sewer districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1272**—An act to add Part 10.5 (commencing at Section 8740) to Division 10 of the Streets and Highways Code, relating to the Improvement Bond Act of 1915.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1273**—An act to amend Sections 18, 43, 90, 105, of, and to add Article 9.5 (commencing at Section 185) to, the Solvang Municipal Improvement District Act (Chapter 1635 of the Statutes of 1951), relating to the Solvang Municipal Improvement District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1333**—An act to amend Section 31569.1 of the Streets and Highways Code, relating to the formation of districts under the Vehicle Parking District Law of 1943.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1357**—An act to amend Sections 21166 and 22840 of the Water Code, relating to irrigation districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 991**—An act to amend Section 61600 of the Government Code, relating to community services districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1130**—An act to add Article 8.5 (commencing at Section 31690) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to county employment of persons over retirement age.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1336**—An act to add Section 25209 5 to the Government Code, relating to powers of board of supervisors.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 988**—An act to amend Section 10500 of the Water Code, relating to the appropriation of water by the Department of Water Resources.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell,

Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1271**—An act to amend the heading of Chapter 3 (commencing at Section 37650) of, and to add Chapter 4 (commencing at Section 37700) to, Part 8 of Division 13 of the Water Code, relating to California water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1184**—An act to add Section 30700.7 to the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1238**—An act to amend Section 200 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1349**—An act to amend Section 24046 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1360**—An act to amend Section 869 of the Penal Code, relating to transcripts of testimony in homicide cases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1113**—An act to amend Section 2982 of the Civil Code, relating to conditional sales of motor vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 21**—Relating to the construction of roads by federal agencies.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 128**—An act to amend Section 12501 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing of operators of vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 618**—An act to add Sections 3246 and 4100 to the Streets and Highways Code, relating to street improvements.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1205**—An act to repeal Section 2413 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to seat belt reports.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1408**—An act to add Section 2813 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to inspections of commercial vehicles.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet,

O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1409**—An act to add Section 838 to the Streets and Highways Code, relating to the reservation of easements in abandoned state highways.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 655**—An act to amend Section 14 of the Orange County Flood Control Act (Chapter 723, Statutes of 1927), relating to maximum tax rates and use of revenues.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1464**—An act to add Section 2125 to the Revenue and Taxation Code, relating to the assessed valuation of property.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 636**—An act to add Sections 7208 and 7209 to the Revenue and Taxation Code, relating to local sales and use taxes.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1183**—An act to add Section 438 to the Government Code, relating to United States flags.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1283**—An act to amend Section 17462 of the Health and Safety Code, relating to the State Housing Act.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1330**—An act to amend Section 54523 of the Government Code, relating to revenue bonds.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1421**—An act to amend Section 5 of Chapter 1701 of the Statutes of 1957, relating to freeing certain lands from the public trust for navigation, commerce, and fisheries and to empower the State Lands Commission to sell such lands.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1321**—An act to amend Section 1845.5 of the Code of Civil Procedure, relating to eminent domain.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—77.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. Unruh announced that copies of the report of the Committee on Conference concerning Assembly Bill No. 800 and the analysis of changes therein were being distributed to the members' desks.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 427**—An act to amend Sections 890, 891, 894 and 895 of, and to add Section 896.1 to the Military and Veterans Code, relating to educational assistance to veterans' dependents.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 432**—An act to add Section 996.21 to the Military and Veterans Code, relating to facilities and buildings of the Department of Veterans Affairs.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

## PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Are all members to receive copies of the report of the Committee on Conference concerning Assembly Bill No. 800 and the analysis of changes therein, or are just a few of the members to receive them?

### Reply by Speaker

The Speaker directed the inquiry to Mr. Unruh.

### Reply by Mr. Unruh

Mr. Unruh replied that the Sergeant-at-Arms would distribute copies to all members.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 697**—An act making an appropriation for the Water Rights Board Revolving Fund for the use of the State Water Rights Board in making reimbursable determinations of water rights and to amend Sections 2862 and 2863 of and to add Section 2866 to the Water Code, relating to said fund.

Bill read third time, and presented by Mr. Z'berg.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 697:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1959

*To the Honorable Members of the Senate and Assembly of the State of California:*

Senate Bill No. 697 is an act which appropriates funds to the Water Commission Revolving Fund.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 697 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 478**—An act to add Section 21292.25 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 733**—An act to amend Section 9575.6 of the Business and Professions Code, relating to the State Board of Dry Cleaners, and making an appropriation, to take effect immediately.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill ordered passed on file temporarily.

## UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker Brown was granted unanimous consent that the Rules be temporarily suspended in order that all bills reported out of committee today be read the second time, with appropriate actions taken thereon; and that all bills amended on second reading today be placed on the third reading file without being returned to the second reading file pursuant to Rule No. 69.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 534
Senate Bill No. 102

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 534**—An act to amend Section 7049 of, and to add Sections 7026.3 and 7085 to, the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 7, 1959, strike out "and to"; strike out lines 3 and 4 of the title; and in line 5 of the title, strike out "Bill No. 470".

Amendment No. 2

On page 1, lines 19 and 20, strike out "section shall not be construed as applying to or affecting", and insert "chapter do apply to".

Amendment No. 3

On page 2, strike out lines 9 to 29, inclusive, and insert

"SEC. 4. Section 7049 of said code is amended to read:

7049. ~~This~~ *Where the cost is less than one thousand dollars ($1,000), this* chapter does not apply to any construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation districts, or to farming, dairying, agriculture, viticulture, horticulture, or stock or poultry raising, or clearing or other work upon land including, but not limited to, land leveling except when performed by a licensee under this chapter.

*The provisions of this chapter do apply to the business of drilling, digging, boring, or otherwise constructing, deepening, repairing, re-perforating, or abandoning of water wells.*

SEC. 5. Section 4 of this act shall become operative only if Assembly Bill No. 470 is enacted by the Legislature at its 1959 Regular Session, and in such case at the same time as Assembly Bill No. 470 takes effect, at which time Section 2 of this act is repealed."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 102**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of, the Business and Professions Code, relating to trading stamps.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in the Assembly on June 4, 1959, strike out "and".

Amendment No. 2

On page 3, line 16, after "25000)", insert ", and 16 (commencing at Section 25600)".

Amendment No. 3

On page 9, line 7, strike out "shall", and insert "may".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Constitutional Amendment No 14

With amendments with the recommendation: Amend, and be adopted, as amended.

UNRUH, Chairman

Above resolution ordered on file.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Constitutional Amendment No. 14**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of, and by adding Sections 1b, 1c, 10b, and 26a to, Article VI of said Constitution, relating to the administration of justice, including removal and retirement of judges, the membership and duties of the Commission on Judicial Qualifications, Judicial Council, and State Bar, and the renaming of the Commission on Qualifications.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 14, of the printed measure, as amended in the Assembly on June 4, 1959, after "years", strike out the comma, and insert "; (iii)".

**Amendment No. 2**

On page 2, line 4, after "years", strike out ", and", and insert "; and (iv)".

**Amendment No. 3**

On page 4, line 25, after "hearing," insert "or after considering the record and report of the masters,".

**Amendment No. 4**

On page 4, lines 29 and 30, strike out "hearing before the commission", and insert "proceedings".

**Amendment No. 5**

On page 4, line 40, after "Qualifications", insert "or masters appointed by the Supreme Court,".

**Amendment No. 6**

On page 4, line 42, after "commission", insert "or the masters".

**Amendment No. 7**

On page 4, line 51, after "commission", insert "or the masters".

**Amendment No. 8**

On page 5, line 1, after "Qualifications", insert ", the masters,".

Resolution ordered reprinted, and on file.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 898
Senate Bill No. 354
Senate Bill No. 1242
Senate Bill No 86
Senate Bill No. 1065
Senate Bill No. 513
Senate Bill No. 1454
Senate Bill No. 871
Senate Bill No. 873
Senate Bill No. 1172
Senate Bill No. 623
Senate Bill No. 508
Senate Bill No. 401
Senate Bill No. 434
Senate Bill No. 169

*With the recommendation: Do pass.*

UNRUH, Chairman

Above reported bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 898**—An act to add Section 5038 to the Public Resources Code, relating to parks.

Bill read second time, and ordered to third reading.

**Senate Bill No. 354**—An act to repeal Section 2 of Chapter 1820 of the Statutes of 1955 and to repeal and add Article 7 (commencing with Section 12580) to Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code, relating to state supervision and enforcement of certain charitable trusts and similar relationships, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1242**—An act to amend Section 75104.4 of the Government Code, relating to the Judges' Retirement System.

Bill read second time, and ordered to third reading.

**Senate Bill No. 86**—An act to add Section 7717.6 to the Education Code, and Section 19588.1 to the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1065**—An act to add Section 24054 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to audit of state college funds.

Bill read second time, and ordered to third reading.

**Senate Bill No. 513**—An act to amend Section 19031 of the Business and Professions Code, relating to the Bureau of Furniture and Bedding Inspection.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1454**—An act to amend Sections 504, 8600, 8604, 8607, 8700, 8701, 8702, 8703, and the title of Chapter 2 (commencing at Section 8700) of Division 7 of, to repeal Sections 8605, 8606, and 8608 of, and to add Sections 509.6, 8605, 8606, and 8704 to, the Public Resources Code, relating to recreation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 871**—An act to add Section 10504.1 to the Water Code, relating to appropriation of water.

Bill read second time, and ordered to third reading.

**Senate Bill No. 873**—An act to amend Sections 10504 and 10505 of and to add Sections 10504.2, 10504.5, and 10507 to, the Water Code, relating to applications for the appropriation of unappropriated water.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1172**—An act to amend Section 631 of the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to third reading.

**Senate Bill No. 623**—An act to amend Sections 20040, 20081, 20082, 20083, 20085 and 20086 of, to repeal Section 20084 of, and to add Sections 20082.5 and 20084 to, the Water Code, relating to supervision of districts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 508**—An act to add Section 5016.1 to the Public Resources Code, relating to the Division of Beaches and Parks.

Bill read second time, and ordered to third reading.

**Senate Bill No. 401**—An act making an appropriation for the acquisition of additional beach and park lands, and providing for the transfer of money to the State Beach and Park Fund.

Bill read second time, and ordered to third reading.

**Senate Bill No. 434**—An act to amend Section 226 of the Water Code, relating to water use investigations, and making an appropriation

Bill read second time, and ordered to third reading.

**Senate Bill No. 169**—An act to amend Section 104.6 of, and to add Section 104.10 to, the Streets and Highways Code, relating to the distribution of rentals from properties held for highway purposes.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 1752

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

UNRUH, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 588

With amendments with the recommendation: Amend, and do pass, as amended.

BIDDICK, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 588**—An act to amend Sections 70, 73, and 79 of, and to add Sections 69.5, 70.1, 70.5, 70.7, and 73.5 to, the Civil Code, and to amend Section 10350 of the Health and Safety Code, relating to marriage.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Judiciary—Civil, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 14, 1959, strike out "Sections 70, 73, and 79", and insert "Section 73".

#### Amendment No. 2

In line 1 of the title, strike out the second "Sections", and insert "Section".

#### Amendment No. 3

In line 2 of the title, strike out ", 70.1, 70.5, 70.6, 70.7 and 73.5".

#### Amendment No. 4

On page 1, strike out lines 15 to 21, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 19, inclusive.

#### Amendment No. 5

On page 3, line 20, strike out "SEC. 6", and insert "SEC. 2".

#### Amendment No. 6

On page 3, line 30, strike out ", the county in which", and insert ". The person solemnizing the marriage shall also type or print his name and address."

#### Amendment No. 7

On page 3, strike out lines 31 to 35, inclusive.

#### Amendment No. 8

On page 3, strike out lines 40 to 52, inclusive; on page 4, strike out lines 1 to 8, inclusive.

#### Amendment No. 9

On page 4, line 9, strike out "SEC. 8", and insert "SEC. 3".

#### Amendment No. 10

On page 4, line 24, strike out "and the number of the certifi-"; strike out lines 25 and 26; and on line 27, strike out "Code".

#### Amendment No. 11

On page 4, line 28, after the period, insert "The person performing the marriage ceremony shall also type or print his name and address on the certificate."

#### Amendment No. 12

On page 4, line 28, strike out "If a priest, minister, or clergyman"; and strike out lines 29 to 33, inclusive.

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

ASSEMBLY CHAMBER, June 16, 1959

MR SPEAKER: Your Committee on Education reports:

Senate Bill No. 222

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GARRIGUS, Vice Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 222**—An act to add Chapter 3.8 (commencing at Section 20715) to Division 10 of the Education Code, and to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Education, were read, and adopted:

### Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended in the Senate on June 12, 1959, and insert "An act to add Article".

### Amendment No. 2

In lines 4 and 5 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

### Amendment No. 3

In line 6 of the title, before the period, insert ", and making an appropriation therefor".

### Amendment No. 4

On page 1, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Article 10 (commencing at Section 25151) is added to Chapter 13 of Division 18 of the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:".

### Amendment No. 5

On page 2, strike out lines 15 to 20, inclusive, and insert

"SEC. 2. The sum of five hundred thousand dollars ($500,000) is hereby appropriated from the State Construction Program Fund, to be expended by the Department of Education for construction, improvements, and equipment of the Stanislaus State College.

The Department of Finance shall include the amount of this appropriation in the total amount of Budget Act appropriations in the same manner and with the same effect as if this appropriation had been included in a section of the Budget Act of 1959, as provided in the State Construction Program Bond Act of 1955 (Statutes of 1955, Chapter 1709) or the State Construction Program Bond Act of 1958 (Chapter 88 of the Statutes of 1958, 1st Ex. Sess.)."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No 1213

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1213**—An act to add Section 1252.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 945

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

REES, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 15, 1959

MR SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 1427

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1427**—An act to add Section 3362 to the Labor Code, relating to workmen's compensation.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

#### Amendment No. 1

On page 1, line 7, of the printed bill, strike out "is an", and insert "shall, upon the adoption of a resolution by the governing body of the county, city, town or district so declaring, be deemed an".

#### Amendment No. 2

On page 1, line 9, strike out "is", and insert "shall be".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 15, 1959

MR SPEAKER. Your Committee on Finance and Insurance reports.

Senate Bill No. 838

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 838**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 353

With the recommendation: Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered on file.

## AMENDMENT OF HOUSE RESOLUTION NO. 353

By Mrs. Davis:

**House Resolution No. 353**—Relative to the death of Edward Paul Denny.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the resolution, as printed on page 5358 of the Assembly Journal for June 12, 1959, strike out "Edward".

### Amendment No. 2

In line 2 of the first "WHEREAS" clause, strike out "Edward".

### Amendment No. 3

After the fourth "WHEREAS" clause, insert

"WHEREAS, He leaves a daughter, Mrs. B. W. Sheahan of Chula Vista; two sons, Robert Denny of Carmichael, and Allen Denny of Scott Valley; and".

### Amendment No. 4

In line 2 of the first "*Resolved*" clause, strike out "Edward"

### Amendment No. 5

In line 2 of the second "*Resolved*" clause, strike out "Susan", and insert "Susie".

### Amendment No. 6

In line 3 of the second "*Resolved*" clause, strike out "Carl", and insert "Karl".

### House Resolution No. 353, as Amended

By Mrs. Davis:

### House Resolution No. 353

Relative to the death of Paul Denny

WHEREAS, The Members of the Legislature have learned with deep regret of the death of former Assemblyman Paul Denny; and

WHEREAS, Mr. Denny was born in Scott Valley near Etna, California, on October 6, 1892, attended Etna schools and, later, the University of California where he was a member of the Class of 1914; and

WHEREAS, He was a member of the Board of Supervisors of Siskiyou County from 1939 to 1943 when he took office as Assemblyman from the Second District, and

WHEREAS, He served with distinction for two terms in the State Legislature, following which he was appointed to a six-year term as a member of the State Fish and Game Commission; and

WHEREAS, He leaves a daughter, Mrs. B. W. Sheahan of Chula Vista; two sons, Robert Denny of Carmichael, and Allen Denny of Scott Valley; and

WHEREAS, Throughout his outstanding career in public service he was a diligent and conscientious representative of the people; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby pay tribute to the memory of their former colleague, Paul Denny, and extend their sincere and heartfelt condolences to the members of his family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Susie Denny, and his brother, Mr Karl Denny.

Resolution, as amended, ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Bill No. 1060

With the recommendation: That the bill be re-referred to the Committee on Government Organization.

MILLER, Chairman

Above bill re-referred to the Committee on Government Organization.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 29

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 41

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 346
House Resolution No. 347
House Resolution No. 348
House Resolution No. 351
House Resolution No. 352
House Resolution No. 362
House Resolution No. 360
House Resolution No. 370
House Resolution No. 371
House Resolution No. 372
House Resolution No. 363

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 1261

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

O'CONNELL, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 666

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 666**—An act to amend Section 1417, and to repeal Section 1418 of, and to add Sections 1418 and 1418.5 to, the Penal Code, relating to disposal of exhibits in criminal cases.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

### Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 1418.5", and insert ", 1418.5, and 1418.6".

### Amendment No. 2

On page 2, after line 39, insert

"SEC. 5. Section 1418.6 is added to said code, to read:

1418.6. For the purposes of Section 1418 and 1418.5, it shall be deemed that there has been no "final determination of the action or proceeding" while defendant is imprisoned, including any period on parole, pursuant to judgment in the action or proceeding."

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 1287

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1287**—An act to add Article 5 (commencing with Section 10506), Chapter 5, Part 2, Division 2 to the Insurance Code, relating to issuance of pension contracts and the establishment and operation of special pension plan funds by life insurers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

### Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on June 8, 1959, strike out "in".

**Amendment No. 2**

On page 3, strike out lines 5 to 8, inclusive, and insert

"10506.8. The issuance of pension contracts and all action taken or to be taken by a life insurer pursuant to this article shall be subject to the supervision and administration of the Insurance Commissioner in accordance with all applicable laws of this State.

All sums paid to a life insurer under and pursuant to any pension contract, including any sums paid for administration costs or other expense, shall be deemed to be premiums received in the year of such payment taxable for that year at the rate applicable to annuity considerations. The transfer from a special pension plan fund to the general assets of a life insurer pursuant to provisions of a pension contract as set out in Section 10506.1 shall be deemed to be neither receipt of nor return of premium."

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 1397

With amendments with the recommendation: Amend, and do pass, as amended.

REES, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1397**—An act to repeal Section 10131.1 of, and to add Chapter 5 (commencing at Section 10350) to Part 1, Division 4, of the Business and Professions Code; and to amend Sections 3081.1, 3081.3 and 3081.93 of the Civil Code, relating to mortgage loans and brokers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Finance and Insurance, were read, and adopted:

**Amendment No. 1**

In the heading of the printed bill, as amended in the Senate on May 28, 1959, after "Burns", insert "(Assemblyman Unruh, co-author)".

**Amendment No. 2**

Strike out the title, and insert

"An act to add Section 10184 to the Business and Professions Code; and to add Article 1 (commencing at Section 3081.01) and to add a heading to Article 2 to, and to amend Sections 3081.1, 3081.3, and 3081.93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to real property loans and brokers."

**Amendment No. 3**

On page 1, strike out line 1, and insert

"SECTION 1. Section 10184 is added to the Business and Professions Code, to read:

10184. All records, books and accounts of a real estate broker or salesman as defined in this part whether or not actually so licensed shall, upon the appearance of sufficient cause, be subject to inspection and audit by the commissioner or his designated representative.

SEC. 2. Article 1 (commencing at Section 3081.01) is added to Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, to read:

Article 1. Real Property Loan Brokers

3081.01. It is unlawful for any real estate broker to act as a real property loan broker within this State without first registering as a real property loan broker with the Division of Real Estate.

Any violation of this section shall be grounds for disciplinary action by the Real Estate Commissioner pursuant to Section 10176 of the Business and Professions Code.

3081.02. A real property loan broker within the meaning of this article is a real estate broker, other than a lender, who for compensation payable by a borrower or lender, either directly or indirectly, or from the proceeds of a loan, negotiates or solicits a prospective borrower or lender, for the purpose of negotiating a loan to be secured by real property; or who in this State as principal or agent engages in the business of buying, selling or exchanging promissory notes, secured by mortgages or deeds of trust on real property, or makes collateral agreements for buying and selling or for the performance of services in connection with said mortgages and deeds of trust, and who engages in such activities as a main or principal business or vocation or maintains a regular place of business where the public may sell, purchase or exchange such promissory notes.

3081.03. The definition of real property loan broker as set forth in Section 3081.02 does not include the negotiation of loan or loans by a licensed real estate broker in connection with the sale or exchange by him of real property, or the sale or exchange by him of any note or notes made or taken in connection with such transaction.

3081.04. Any licensed real estate broker may file an application for registration as a real property loan broker. The application shall be made in writing to the Real Estate Commissioner, and shall be accompanied by such registration fee as may be established by the commissioner.

3081.05. The applicant shall if a corporation file and maintain with the commissioner a fidelity bond issued by an admitted corporate surety insurer, in a minimum amount of twenty-five thousand dollars ($25,000) and at all times in a principal amount that is equal to the total aggregate amount of all moneys held by or under the control of the mortgage broker at any one time for the account of others. Said fidelity bond shall be in favor of the applicant and shall provide for the recovery by him for any loss of such funds held by him or his agent or employees arising out of a defalcation, misappropriation or theft of such funds by such agent or employees. If the applicant is an individual or a copartnership, the individual or copartner shall file with the application in lieu of said fidelity bond, a bond in the sum of not less than five thousand dollars ($5,000) issued by an admitted corporate surety insurer, approved by the commissioner, in which the applicant is the obligor. Any debtor or lender claiming to be injured by the fraud, deceit, or willful negligence of any real property loan broker may bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud, deceit, or willful negligence, or the failure to comply with the provisions of this chapter. The provisions of this section shall not be applicable to the negotiation of a loan or loans by a

licensed real estate broker in which he does not actually or constructively in any way keep, have charge of, or otherwise handle any of the funds involved in the loan.

3081.06. The registration as a real property loan broker shall expire at the same time as does the applicant's license as a real estate broker. Thereafter the license and the registration shall run for concurrent periods.

3081.07. When a registration as a real property loan broker has been issued, the applicant's real estate brokers license shall be affixed with a distinctive insignia, as designated by the Real Estate Commissioner, to clearly indicate to the public that the licensee is also registered as a real property loan broker.

3081.08. Every person registered as a real property loan broker under this article shall be subject to the disciplinary provisions of Article 3 (commencing at Section 10175) of Chapter 3, Part 1, Division 4 of the Business and Professions Code.

3081.09. All funds accepted by a real property loan broker for the purchase of a promissory note secured by a lien on real property or for the negotiation of a loan evidenced by a promissory note secured by a lien on real property, either as principal or as agent, shall be maintained in a trust account in a legal depository until such time as the buyer or lender approves or disapproves of the purchase or loan.

SEC. 3. An article heading is added to Chapter 8, Title 14, Part 4, Division 3, immediately preceding Section 3081.1, of said code, to read:

Article 2. Real Property Loans

SEC. 4. Section 3081.1 of said code is amended to read:

3081.1. Every person, other than a lender, who, for compensation payable by a borrower either directly or from the proceeds of a loan, negotiates a loan to be secured by real property must, before the borrower becomes obligated to complete the loan, deliver to the borrower a statement in writing, containing all the information required by Section 3081.2. It shall be personally signed by the borrower, and by the person negotiating the loan, or his authorized representative. The person negotiating the loan, or his authorized representative, in said statement shall certify that the loan is being made in compliance with the provisions of this chapter. When so executed, an exact copy thereof shall be delivered to the borrower at the time of its execution. The person negotiating the loan shall retain on file for a period of three years after the original date fixed for termination of the note a true and correct copy of such statement as signed by the borrower.

No person in connection with or incidental to the making of any loan regulated by this chapter shall induce, require or permit such statement to be signed by a principal to the transaction if such statement contains any blank portions required by subdivisions (a), (b), *(c), (d),* (e), (f), (g), (h), (i), *or* (j) ~~or (k)~~ of Section 3081.2 *: except that the person shall state a street number or other identification of the property and then may complete or fill in a blank or blanks with the legal description of the property, the closing date of the sale and the identity of the lender at a time subsequent to the time when the principal signs the statement.*

SEC. 5. Section 3081.3 of said code is amended to read:

3081.3. The maximum amount of total costs, ~~and~~ expenses, charges, and interest to be paid on any note, *by a borrower,* executed under this chapter shall be as follows:

(a) The total amount of all costs and expenses referred to in paragraph (a) of Section 3081.2 which are to be paid by the borrower shall not exceed 4 percent (4%) of the principal amount of the note or one hundred twenty dollars ($120), whichever is greater, but in no event to exceed two hundred fifty dollars ($250), and not exceeding costs and expenses paid, incurred or earned. If the total amount of the costs and expenses exceeds the estimated amount in the statement furnished to the borrower, the person negotiating the loan shall so inform the borrower in writing and the borrower may withdraw from the transaction, subject, however, to the borrower's obligation for actual costs and expenses theretofore incurred or paid to persons other than the person negotiating the loan.

(b) The total amount of the charges referred to in paragraph (b) of Section 3081.2 shall not exceed the following amounts:

1. In the case of a loan secured in whole or in part by a first mortgage or first trust deed, *except as provided in paragraph 3,* 5 percent (5%) of the principal amount of the note referred to in paragraph (e) of Section 3081.2 where the term of the loan is for a period of less than three (3) years or 10 percent (10%) where the said period is for three (3) years or more.

2. In the case of a loan secured in whole or in part by a mortgage or trust deed, other than a first mortgage or first trust deed, *except as provided in paragraph 3*, five percent (5%) of the principal amount of the note referred to in paragraph (e) of Section 3081.2 where the term of the loan is for a period of less than two (2) years, ten percent (10%) where the term of the loan is for a period of two (2) years but less than three (3) years, and fifteen percent (15%) where the term of the loan is for a period of three (3) years or more.

*3. A. In the case of a loan secured in whole or in part by a first mortgage or first deed of trust if at the time of the transaction it is understood that the deed of trust is to be subordinated to another lien to secure a loan for building or construction and the mortgage or deed of trust contains a provision providing for the subordination of said security to a subsequent lien that may be placed on said property, the total amount of the charges may be as provided in paragraph 2.*

*B. In the case a collateral loan is negotiated on a first deed of trust or first mortgage the total charge may be the same as provided in paragraph 1.*

*C. In the case a collateral loan is negotiated on a second trust deed or second mortgage the total charge may be the same as provided in paragraph 2.*

~~3.~~ *4.* If before the date of maturity of the loan, the borrower obtains an additional sum or advance of money on the note, the allowable charges on such additional sum shall not exceed the charges applicable to a new loan for the remainder of the term of the note or any extension thereof.

*(c)* No loan secured by real property shall be made which provides for payment of interest in excess of ten percent (10%) per year as provided by Section 22 of Article XX of the California Constitution, and as implemented by the Statutes of 1919, page LXXXIII, known as the "Usury Law." *Interest charges not otherwise in excess of the limits imposed by this subdivision shall not be deemed to be excessive merely because they are paid not to exceed 30 days in advance.*

*(d)* No loan secured by real property shall be made under this chapter which provides for payment of interest to cover any period prior to the date that the proceeds of the loan are made available by the lender to the borrower or are deposited in escrow.

SEC. 6. Section 3081.93 of said code is amended to read:

3081.93. The provisions of this chapter shall take effect on October 1, 1955, ~~and shall remain in effect until the ninety-first day after adjournment of the 1959 Regular Session of the Legislature~~."

**Amendment No. 4**

On page 1, strike out lines 2 to 18, inclusive; and strike out all of pages 2 to 6, inclusive.

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Joint Resolution No. 41
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No. 897
With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 897**—An act to amend Section 771 of the Insurance Code, relating to insurance in connection with sales and loans.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No 679
Senate Bill No 87
With amendments with the recommendation. Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 679**—An act to amend Sections 10204, 68200, and 68201 of, and to repeal Sections 68202, 68203, and 68204 of, and to add Sections 68547 and 68548 to, the Government Code, relating to the justices and judges of courts of records and other state legal officers.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

### Amendment No. 1

In the title of the printed bill, as amended in the Assembly on June 12, 1959, strike out lines 2 and 3, and insert "68202, 68203, and 68204 of the Government".

### Amendment No. 2

On page 1, strike out line 4, and insert "preme Court is twenty-five thousand two hundred dollars ($25,200)".

### Amendment No. 3

On page 1, strike out line 11, and insert "one thousand fifty dollars ($1,050)

(b) Presiding Justice of District Court of Appeal, two thousand *one hundred* dollars ~~($2,000)~~ *($2,100)*.

(c) Justice of District Court of Appeal other than Presiding Justice, two thousand ~~five hundred dollars ($2,500)~~ *six hundred twenty-five dollars ($2,625)*.

(d) Judge of the superior court of a county having a population of 250,000 or more, six thousand *three hundred* dollars ~~($6,000)~~ *($6,300)*.

(e) Judge of the superior court of a county having a population of more than 40,000 and less than 250,000, seven thousand ~~five hundred dollars ($7,500)~~ *eight hundred seventy-five dollars ($7,875)*.

(f) Judge of the superior court of a county having a population of 40,000 or less, nine thousand *four hundred fifty* dollars ~~($9,000)~~ *($9,450)*."

### Amendment No. 4

On page 2, strike out lines 1 to 29, inclusive, and insert

"SEC. 3. Section 68202 of said code is amended to read:

68202. The annual salary of a judge of a municipal court in a county having a population of 500,000 or more is fifteen hundred *seventy-five* dollars ~~($1,500)~~ *($1,575)* less than the annual salary of a judge of a superior court of the same county.

SEC. 4. Section 68203 of said code is amended to read:

68203. The annual salary of a judge of a municipal court in a county having a population of 250,000 or more and less than 500,000 is fifteen hundred *seventy-five* dollars ~~($1,500)~~ *($1,575)* less than the annual salary of a judge of a municipal court in a county having a population of 500,000 or more.

SEC. 5. Section 68204 of said code is amended to read:

68204. The annual salary of a judge of a municipal court in a county having a population of more than 40,000 and less than 250,000 is three thousand *one hundred fifty* dollars ~~($3,000)~~ *($3,150)* less than the annual salary of a judge of a municipal court in a county having a population of 500,000 or more."

**Amendment No. 5**

On page 2, lines 33 and 34, strike out "twenty-one thousand dollars ($21,000)", and insert "nineteen thousand nine hundred fifty dollars ($19,950)".

**Amendment No. 6**

On page 2, strike out lines 37 and 38.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 87**—An act to amend Section 5715 of, and to add Section 5715.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to maintaining of junior college classes outside of school district.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 2, line 26, of the printed bill, as amended in the Senate on April 9, 1959, strike out "1963", and insert "1961".

Bill ordered reprinted, and to third reading.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Unruh was granted unanimous consent that Messrs. Harkness and Post be permitted to sit at his desk during consideration of the report of the Committee on Conference concerning Assembly Bill No. 800.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of committee on conference was received, and read:

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**(Item 4)**

**Amendment No. 1**

On page 2, line 15, of the printed bill, as amended in Senate June 2, 1959, strike out "1,226,593", and insert "1,239,093".

**(Item 8)**

**Amendment No. 2**

On page 2, line 26, strike out "655,950", and insert "668,450".

**(Item 10.5)**

**Amendment No. 3**

On page 2, after line 34, insert

"10.5—For the expenses of the Citizens Advisory Commission on the Public Education System pursuant to Section 9135 of the Government Code, the amount necessary to pay such expenses from the sum made available by Assembly Concurrent Resolution No. 137 of the 1959 Regular Session of the Legislature."

(Item 11)

**Amendment No. 4**

On page 2, strike out lines 35 through 50, inclusive.

(Item 16)

**Amendment No. 5**

On page 3, line 28, strike out "793,573", and insert "804,573".

**Amendment No. 6**

On page 3, after line 28, insert
"provided, however, that $11,000 of the amount made available by this item shall be available for expenditure only if legislation is adopted at the 1959 Regular Session increasing salaries of the justices of this court."

(Item 19)

**Amendment No. 7**

On page 3, line 35, strike out "333,069", and insert "340,069".

**Amendment No. 8**

On page 3, after line 35, insert
"provided, however, that $7,000 of the amount made available by this item shall be available for expenditure only if legislation is adopted at the 1959 Regular Session increasing salaries of the justices of this court."

(Item 20)

**Amendment No. 9**

On page 3, line 37, strike out "436,773", and insert "447,273".

**Amendment No. 10**

On page 3, after line 37, insert
"provided, however, that $10,500 of the amount made available by this item shall be available for expenditure only if legislation is adopted at the 1959 Regular Session increasing salaries of the justices of this court."

(Item 21)

**Amendment No. 11**

On page 3, line 39, strike out "164,421", and insert "167,921".

**Amendment No. 12**

On page 3, after line 39, insert
"provided, however, that $3,500 of the amount made available by this item shall be available for expenditure only if legislation is adopted at the 1959 Regular Session increasing salaries of the justices of this court."

(Item 22)

**Amendment No. 13**

On page 3, line 41, strike out "227,182", and insert "230,682".

**Amendment No. 14**

On page 3, after line 41, insert
"provided, however, that $3,500 of the amount made available by this item shall be available for expenditure only if legislation is adopted at the 1959 Regular Session increasing salaries of the justices of this court."

(Item 27)

**Amendment No. 15**

On page 4, line 14, after "committees", insert ", in accordance with the following schedule".

**Amendment No. 16**

On page 4, line 14, strike out "1,042,886", and insert "737,074".

**Amendment No. 17**

On page 4, after line 18, insert
"Schedule:

| | |
|---|---|
| (a) Salaries and Wages | 578,666 |
| (b) Operating Expenses and Equipment | 298,385 |
| Total of schedule | 877,051 |
| Less estimated reimbursements | 139,977 |
| Net appropriation | 737,074" |

(Item 31)

**Amendment No. 18**

On page 5, line 3, strike out "2,489,879", and insert "2,509,879".

**Amendment No. 19**

On page 5, line 7, strike out "434,337", and insert "454,337".

**Amendment No. 20**

On page 5, line 9, strike out "2,748,092", and insert "2,768,092".

**Amendment No. 21**

On page 5, line 12, strike out "2,489,879", and insert "2,509,879".

(Item 50)

**Amendment No. 22**

On page 10, line 15, strike out "1,351,466", and insert "1,349,264".

**Amendment No. 23**

On page 10, line 18, strike out "859,224", and insert "857,022".

**Amendment No. 24**

On page 10, line 24, strike out "1,371,672", and insert "1,369,470".

**Amendment No. 25**

On page 10, line 28, strike out "1,351,466", and insert "1,349,264".

(Item 67)

**Amendment No. 26**

On page 14, line 28, strike out "2,908,027", and insert "3,056,027".

**Amendment No. 27**

On page 14, line 31, strike out "2,984,725", and insert "2,980,725".

**Amendment No. 28**

On page 14, line 34, strike out "981,002", and insert "975,002".

**Amendment No. 29**

On page 14, line 37, strike out "3,965,727", and insert "3,955,727".

**Amendment No. 30**

On page 14, line 41, strike out "972,400", and insert "814,400".

**Amendment No. 31**

On page 14, line 47, strike out "2,908,027", and insert "3,056,027".

(Item 91)

**Amendment No. 32**

On page 21, line 9, strike out "410,866", and insert "406,251".

**Amendment No. 33**

On page 21, line 12, strike out "395,658", and insert "391,566".

**Amendment No. 34**

On page 21, line 15, strike out "194,146", and insert "193,623".

**Amendment No. 35**

On page 21, line 18, strike out "589,804", and insert "585,189".

**Amendment No. 36**

On page 21, line 22, strike out "410,866", and insert "406,251".

(Item 108.5)

**Amendment No. 37**

On page 24, line 35, strike out "30,000", and insert "15,000".

(Item 112)

**Amendment No. 38**

On page 25, line 24, strike out "3,149,752", and insert "3,020,112".

**Amendment No. 39**

On page 25, line 27, strike out "3,144,218", and insert "3,035,578".

**Amendment No. 40**

On page 25, line 30, strike out "1,089,255", and insert "1,068,255".

**Amendment No. 41**

On page 25, line 33, strike out "4,233,473", and insert "4,103,833".

**Amendment No. 42**

On page 25, line 51, strike out "3,149,752", and insert "3,020,112".

**(Item 121)**

**Amendment No. 43**

On page 27, line 15, strike out "7,323,269", and insert "7,373,269".

**Amendment No. 44**

On page 27, line 20, strike out "3,834,674", and insert "3,884,674".

**Amendment No. 45**

On page 27, line 23, strike out "12,623,332", and insert "12,673,332".

**Amendment No. 46**

On page 27, line 35, strike out "7,323,269", and insert "7,373,269".

**(Item 124)**

**Amendment No. 47**

On page 28, line 8, strike out "2,106,467", and insert "2,083,607".

**(Item 125)**

**Amendment No. 48**

On page 28, line 15, strike out "400,360", and insert "377,500".

**(Item 129)**

**Amendment No. 49**

On page 28, line 35, strike out "988,468", and insert "1,015,468".

**Amendment No. 50**

On page 28, line 40, strike out "396,551", and insert "423,551".

**Amendment No. 51**

On page 28, line 43, strike out "1,024,839", and insert "1,051,839".

**Amendment No. 52**

On page 28, line 47, strike out "988,468", and insert "1,015,468".

**(Item 130)**

**Amendment No. 53**

On page 28, line 50, strike out "6,687,558", and insert "6,726,681".

**Amendment No. 54**

On page 29, line 4, strike out "5,694,063", and insert "5,721,939".

**Amendment No. 55**

On page 29, line 7, strike out "993,495", and insert "1,004,742".

**Amendment No. 56**

On page 29, line 10, strike out "6,687,558", and insert "6,726,681".

**(Item 132)**

**Amendment No. 57**

On page 29, line 29, strike out "27,875,616", and insert "27,705,611".

**Amendment No. 58**

On page 29, line 32, strike out "19,679,067", and insert "19,528,119".

**Amendment No. 59**

On page 29, line 35, strike out "8,426,089", and insert "8,407,032".

**Amendment No. 60**

On page 29, line 38, strike out "28,105,156", and insert "27,935,151".

**Amendment No. 61**

On page 29, line 42, strike out "27,875,616", and insert "27,705,611".

**Amendment No. 62**

On page 30, strike out lines 6 through 22, and insert "Auxiliary; provided further, that 10 clerical positions are intended solely for the purpose of relieving uniformed personnel from non-road patrol activities".

**Amendment No. 63**

On page 30, line 23, strike out "ways".

**Amendment No. 64**

On page 30, line 33, before "Personnel", insert "State".

**(Item 135)**

**Amendment No. 65**

On page 31, line 21, after "Relations", insert "and establishment of offices in San Francisco and Los Angeles".

**(Item 139)**

**Amendment No. 66**

On page 32, line 10, strike out "5,753,280", and insert "5,754,780".

**Amendment No. 67**

On page 32, line 13, strike out "4,983,816", and insert "4,985,316".

**Amendment No. 68**

On page 32, line 19, strike out "6,529,131", and insert "6,530,631".

**Amendment No. 69**

On page 32, line 23, strike out "5,753,280", and insert "5,754,780".

**Amendment No. 70**

On page 32, after line 23, insert

"provided, however, that $1,500 of the amount made available by this item shall be available for expenditure only if legislation is adopted at the 1959 Regular Session increasing the salaries of the associate justices of the Supreme Court."

**(Item 143)**

**Amendment No. 71**

On page 32, line 40, strike out "3,734,574", and insert "3,730,944".

**Amendment No. 72**

On page 32, line 43, strike out "2,940,315", and insert "2,936,685".

**Amendment No. 73**

On page 32, line 48, strike out "3,916,019", and insert "3,912,389".

**Amendment No. 74**

On page 33, line 9, strike out "3,734,574", and insert "3,730,944".

**(Item 148)**

**Amendment No. 75**

On page 33, line 50, strike out "677,222", and insert "671,726".

**Amendment No. 76**

On page 34, line 4, strike out "669,903", and insert "664,407".

**Amendment No. 77**

On page 34, line 9, strike out "766,674", and insert "761,178".

**Amendment No. 78**

On page 34, line 17, strike out "677,222", and insert "671,726".

**(Item 151)**

**Amendment No. 79**

On page 34, line 42, strike out "8,741,818", and insert "8,764,048".

**Amendment No. 80**

On page 34, line 45, strike out "6,843,914", and insert "6,866,144".

**Amendment No. 81**

On page 34, line 51, strike out "8,839,464", and insert "8,861,694".

**Amendment No. 82**

On page 35, line 5, strike out "8,741,818", and insert "8,764,048".

**(Item 152)**

**Amendment No. 83**

On page 35, line 8, strike out "3,053,479", and insert "3,127,318".

**Amendment No. 84**

On page 35, line 11, strike out "2,407,065", and insert "2,480,904".

**Amendment No. 85**

On page 35, line 17, strike out "3,092,967", and insert "3,166,806".

**Amendment No. 86**

On page 35, line 21, strike out "3,053,479", and insert "3,127,318".

**(Item 153)**

**Amendment No. 87**

On page 35, line 24, strike out "11,032,546", and insert "11,056,450".

**Amendment No. 88**

On page 35, line 27, strike out "8,513,735", and insert "8,537,639".

**Amendment No. 89**

On page 35, line 33, strike out "11,225,833", and insert "11,249,737".

**Amendment No. 90**

On page 35, line 37, strike out "11,032,546", and insert "11,056,450".

**(Item 154)**

**Amendment No. 91**

On page 35, line 40, strike out "5,276,327", and insert "5,327,123".

**Amendment No. 92**

On page 35, line 43, strike out "3,843,301", and insert "3,894,097".

**Amendment No. 93**

On page 35, line 49, strike out "5,343,383", and insert "5,394,179".

**Amendment No. 94**

On page 36, line 5, strike out "5,276,327", and insert "5,327,123".

**(Item 155)**

**Amendment No. 95**

On page 36, line 8, strike out "4,844,239", and insert "4,920,427".

**Amendment No. 96**

On page 36, line 11, strike out "3,778,394", and insert "3,854,582".

**Amendment No. 97**

On page 36, line 17, strike out "4,938,044", and insert "5,014,232".

**Amendment No. 98**

On page 36, line 21, strike out "4,844,239", and insert "4,920,427".

**(Item 156)**

**Amendment No. 99**

On page 36, line 24, strike out "7,296,486", and insert "7,314,414".

**Amendment No. 100**

On page 36, line 27, strike out "5,507,472", and insert "5,525,400".

**Amendment No. 101**

On page 36, line 33, strike out "7,383,919", and insert "7,401,847".

**Amendment No. 102**
On page 36, line 37, strike out "7,296,486", and insert "7,314,414".

**(Item 157)**
**Amendment No. 103**
On page 36, line 40, strike out "5,635,293", and insert "5,722,433".

**Amendment No. 104**
On page 36, line 43, strike out "4,264,252", and insert "4,351,392" .

**Amendment No. 105**
On page 36, line 49, strike out "5,696,237", and insert "5,783,377".

**Amendment No. 106**
On page 37, line 5, strike out "5,635,293", and insert "5,722,433".

**(Item 158)**
**Amendment No. 107**
On page 37, line 8, strike out "9,752,650", and insert "9,859,797".

**Amendment No. 108**
On page 37, line 11, strike out "7,550,335", and insert "7,657,482".

**Amendment No. 109**
On page 37, line 17, strike out "9,857,690", and insert "9,964,837".

**Amendment No. 110**
On page 37, line 21, strike out "9,752,650", and insert "9,859,797".

**(Item 159)**
**Amendment No. 111**
On page 37, line 24, strike out "9,060,017", and insert "9,084,803".

**Amendment No. 112**
On page 37, line 27, strike out "7,159,575", and insert "7,184,361".

**Amendment No. 113**
On page 37, line 32, strike out "9,148,538", and insert "9,173,324".

**Amendment No. 114**
On page 37, line 36, strike out "9,060,017", and insert "9,084,803".

**(Item 160)**
**Amendment No. 115**
On page 37, line 39, strike out "8,181,865", and insert "8,366,109".

**Amendment No. 116**
On page 37, line 42, strike out "6,278,830", and insert "6,463,074".

**Amendment No. 117**
On page 37, line 47, strike out "8,252,732", and insert "8,436,976".

**Amendment No. 118**
On page 37, line 51, strike out "8,181,865", and insert "8,366,109".

**(Item 161)**
**Amendment No. 119**
On page 38, line 4, strike out "4,091,519", and insert "4,111,199".

**Amendment No. 120**
On page 38, line 7, strike out "3,391,985", and insert "3,411,665".

**Amendment No. 121**
On page 38, line 12, strike out "4,120,371", insert "4,140,051".

**Amendment No. 122**
On page 38, line 16, strike out "4,091,519", and insert "4,111,199".

(Item 162)

Amendment No. 123

On page 38, line 19, strike out "7,215,929", and insert "7,296,605".

Amendment No. 124

On page 38, line 22, strike out "5,717,744", and insert "5,798,420".

Amendment No. 125

On page 38, line 28, strike out "7,310,059", and insert "7,390,735".

Amendment No. 126

On page 38, line 32, strike out "7,215,929", and insert "7,296,605".

(Item 163)

Amendment No. 127

On page 38, line 35, strike out "5,964,612", and insert "5,982,540".

Amendment No. 128

On page 38, line 38, strike out "4,702,301", and insert "4,720,229".

Amendment No. 129

On page 38, line 44, strike out "6,014,228", and insert "6,032,156".

Amendment No. 130

On page 38, line 48, strike out "5,964,612", and insert "5,982,540".

(Item 164)

Amendment No. 131

On page 38, line 51, strike out "8,592,675", and insert "8,723,931".

Amendment No. 132

On page 39, line 4, strike out "6,890,583", and insert "7,021,839".

Amendment No. 133

On page 39, line 9, strike out "8,690,429", and insert "8,821,685".

Amendment No. 134

On page 39, line 13, strike out "8,592,675", and insert "8,723,931".

(Item 166)

Amendment No. 135

On page 40, after line 17, insert

"provided, that from the funds herein appropriated not more than one field office shall be established and maintained in the Reedley-Dinuba area."

(Item 170)

Amendment No. 136

On page 40, line 45, strike out "8,590,679", and insert "8,605,799".

Amendment No. 137

On page 40, line 49, strike out "5,143,431", and insert "5,149,289".

Amendment No. 138

On page 41, line 4, strike out "4,031,532", and insert "4,040,794".

Amendment No. 139

On page 41, line 7, strike out "9,174,963", and insert "9,190,083".

Amendment No. 140

On page 41, line 11, strike out "8,590,679", and insert "8,605,799".

(Item 178)

Amendment No. 141

On page 42, line 27, strike out "7,125,517", and insert "7,073,669".

Amendment No. 142

On page 42, line 30, strike out "4,701,499", and insert "4,654,651".

Amendment No. 143

On page 42, line 33, strike out "2,607,172", and insert "2,602,172".

**Amendment No. 144**

On page 42, line 36, strike out "7,308,671", and insert "7,256,823".

**Amendment No. 145**

On page 42, line 40, strike out "7,125,517", and insert "7,073,669".

**(Item 182)**

**Amendment No. 146**

On page 43, line 19, strike out "16,569,611", and insert "16,576,907".

**Amendment No. 147**

On page 43, line 22, strike out "13,477,989", and insert "13,484,049".

**Amendment No. 148**

On page 43, line 25, strike out "6,122,484", and insert "6,123,720".

**Amendment No. 149**

On page 43, line 28, strike out "19,600,473", and insert "19,607,769".

**Amendment No. 150**

On page 43, line 32, strike out "16,569,611", and insert "16,576,907".

**(Item 190)**

**Amendment No. 151**

On page 45, line 8, strike out "20,500", and insert "28,000".

**(Item 191)**

**Amendment No. 152**

On page 45, line 17, strike out "706,125", and insert "566,625".

**Amendment No. 153**

On page 45, strike out lines 27 through 29, and insert

"Less amounts available from other sources:

(c) Estimated reimbursements from sale of mineral information service and publications ..... 53,500

(d) Amount payable from the State Lands Act Fund (Item 191) ..... 139,500".

**Amendment No. 154**

On page 45, line 32, strike out "706,125", and insert "566,625".

**(Item 191.5)**

**Amendment No. 155**

On page 45, after line 32, insert

"191.5—For additional support of Division of Mines, Department of Natural Resources, payable from the State Lands Act Fund ..... 139,500".

**(Item 201)**

**Amendment No. 156**

On page 47, line 22, strike out "7,156,619", and insert "7,228,759".

**Amendment No. 157**

On page 47, line 25, strike out "6,513,241", and insert "6,529,681".

**Amendment No. 158**

On page 47, line 28, strike out "2,938,959", and insert "2,994,659".

**Amendment No. 159**

On page 47, line 31, strike out "9,452,200", and insert "9,524,340".

**Amendment No. 160**

On page 47, line 41, strike out "7,156,619", and insert "7,228,759".

**(Item 201.5)**

**Amendment No. 161**

On page 47, after line 41, insert

"201.5—For research on water quality in water supply reservoirs, with respect to recreational use thereof, Department of Public Health, payable from any moneys in the Fair and Exposition Fund available for capital outlay for fair purposes under Paragraph (c) of Section 19626 of the Business and Professions Code ..... 25,000".

(Item 212)

Amendment No. 162

On page 49, line 48, strike out "1,819,844", and insert "1,807,408".

Amendment No. 163

On page 49, line 51, strike out "1,862,008", and insert "1,852,008".

Amendment No. 164

On page 50, line 4, strike out "447,444", and insert "445,008".

Amendment No. 165

On page 50, line 7, strike out "2,309,452", and insert "2,297,016".

Amendment No. 166

On page 50, line 11, strike out "1,819,844", and insert "1,807,408".

Amendment No. 167

On page 50, strike out lines 12 to 15, inclusive

(Item 224)

Amendment No. 168

On page 53, lines 2 and 3, strike out "Department of Professional and Vocational Standards,".

(Item 225)

Amendment No. 169

On page 53, line 19, strike out "75,057", and insert "73,057".

Amendment No. 170

On page 53, line 24, strike out "40,294", and insert "38,294".

Amendment No. 171

On page 53, line 27, strike out "75,057", and insert "73,057".

(Item 226)

Amendment No. 172

On page 53, line 32, strike out "308,376", and insert "305,376".

Amendment No. 173

On page 53, line 37, strike out "117,312", and insert "114,312".

Amendment No. 174

On page 53, line 40, strike out "308,376", and insert "305,376".

(Item 232)

Amendment No. 175

On page 54, line 45, after "Standards", insert ",".

(Item 248)

Amendment No. 176

On page 58, line 16, strike out "3,124,811", and insert "3,095,055".

Amendment No. 177

On page 58, line 19, strike out "4,594,856", and insert "4,578,668".

Amendment No. 178

On page 58, line 22, strike out "1,124,204", and insert "1,110,636".

Amendment No. 179

On page 58, line 25, strike out "5,719,060", and insert "5,689,304".

Amendment No. 180

On page 58, line 34, strike out "3,124,811", and insert "3,095,055".

(Item 250)

Amendment No. 181

On page 58, line 48, strike out "3,032,568", and insert "3,067,992".

**Amendment No. 182**

On page 59, line 3, strike out "3,439,075", and insert "3,514,875".

**Amendment No. 183**

On page 59, line 6, strike out "1,467,630", and insert "1,463,754".

**Amendment No. 184**

On page 59, line 9, strike out "4,906,705", and insert "4,978,629".

**Amendment No. 185**

On page 59, line 14, strike out "1,704,137", and insert "1,740,637".

**Amendment No. 186**

On page 59, line 17, strike out "3,032,568", and insert "3,067,992".

**(Item 251)**

**Amendment No. 187**

On page 59, line 21, strike out "62,049", and insert "44,769".

**Amendment No. 188**

On page 59, line 24, strike out "33,760", and insert "26,920".

**Amendment No. 189**

On page 59, line 27, strike out "28,289", and insert "17,849".

**Amendment No. 190**

On page 59, line 30, strike out "62,049", and insert "44,769".

**(Item 260)**

**Amendment No. 191**

On page 61, line 14, strike out "10,858,385", and insert "10,226,690".

**Amendment No. 192**

On page 61, line 17, strike out "5,291,919", and insert "4,980,785".

**Amendment No. 193**

On page 61, line 20, strike out "16,150,304", and insert "15,207,475".

**Amendment No. 194**

On page 61, line 26, strike out "4,279,359", and insert "3,336,530".

**(Item 262)**

**Amendment No. 195**

On page 62, line 25, strike out "4,279,359", and insert "3,336,530".

**(Item 262.6)**

**Amendment No. 196**

On page 62, after line 34, insert

"262.6—For conducting surveys and studies as to the feasibility of providing service from the South Bay Aqueduct or Airpoint Reservoir to San Mateo County, including the preliminary location of the necessary aqueducts and other transmission and storage facilities therefor, and preparing plans and estimates, making reports thereon, and otherwise performing all work and doing all things required relative thereto, Department of Water Resources, payable from the Investment Fund_____ 120,000".

**(Item 273)**

**Amendment No. 197**

On page 64, line 29, strike out "239,439", and insert "240,599".

**Amendment No. 198**

On page 64, line 44, strike out "1,060", and insert "2,220".

**Amendment No. 199**

On page 65, line 26, strike out "239,439", and insert "240,599".

(Item 275.1)

Amendment No. 200

On page 65, after line 42, insert

"275.1—For temporary transfers to the General Fund in accordance with Section 16310 of the Government Code, payable from the California Water Fund; provided, that this item does not authorize any transfer which will interfere with the object for which said California Water Fund was created."

(Item 275.6)

Amendment No. 201

On page 66, after line 13, insert

"275.6—For support of the State Advisory Commission on Indian Affairs; provided, that none of the moneys made available by this item shall be available unless Assembly Bill No. 2117 is finally enacted at the 1959 Regular Session of the Legislature." 10,000

(Item 276)

Amendment No. 202

On page 67, line 20, strike out "in the state civil service".

(Item 292.1)

Amendment No. 203

On page 71, line 12, strike out "Branches", and insert "branches".

(Item 292.2)

Amendment No. 204

On page 71, line 21, strike out "Branches", and insert "branches".

(Item 298)

Amendment No. 205

On page 72, line 43, strike out "27,310", and insert "29,535".

Amendment No. 206

On page 72, after line 47, insert "(c) Equip housing unit---------- 2,225".

Amendment No. 207

On page 72, line 50, strike out "27,310", and insert "29,535".

(Item 299)

Amendment No. 208

On page 73, line 7, strike out "553,450", and insert "608,300".

Amendment No. 209

On page 73, line 16, after "line", insert "and purchase rights-of-way and easements".

Amendment No. 210

On page 73, after line 16, insert

"(d) Site development for housing unit---------- 13,750
(e) Construct housing unit---------- 41,100"

Amendment No. 211

On page 73, line 19, strike out "553,450", and insert "608,300".

(Item 317)

Amendment No. 212

On page 77, lines 46 and 47, strike out "for forestry building".

(Item 341)

Amendment No. 213

On page 85, line 28, strike out "16,385,230", and insert "15,396,782".

Amendment No. 214

On page 87, line 29, strike out "1,994,448", and insert "1,006,000".

Amendment No. 215

On page 87, line 33, strike out "16,385,230", and insert "15,396,782".

(Item 341.1)

**Amendment No. 216**

On page 87, after line 33, insert

"341.1—For capital outlay, University of California, payable from the unexpended and unencumbered balance of any money in the Fair and Exposition Fund which is available for expenditure pursuant to paragraph (b) of Section 19626 of the Business and Professions Code ---------- 4,440,442".

(Item 345)

**Amendment No. 217**

On page 89, strike out lines 2 through 13.

(Item 346.5)

**Amendment No. 218**

On page 89, after line 26, insert

"346.5—For capital outlay, county, district agricultural association and citrus fruit fairs, allocable by the Department of Finance in such amounts as may be approved by the State Public Works Board, payable from the General Fund ---------- 3,858,078 provided, however, that none of the moneys appropriated by this item shall be available for expenditure unless legislation is enacted at the 1959 General Session of the Legislature discontinuing the deposit or payment of any revenue into the Fair and Exposition Fund."

(Item 378)

**Amendment No. 219**

On page 97, line 35, strike out "467,843", and insert "452,073".

**Amendment No. 220**

On page 97, line 40, strike out "430,968", and insert "415,198".

**Amendment No. 221**

On page 97, line 43, strike out "467,843", and insert "452,073".

(Item 383.5)

**Amendment No. 222**

On page 100, after line 40, insert

"383.5—For acquisition of lands, easements and rights-of-way for the North Bay Aqueduct, as authorized by Section 11270 of the Water Code, Department of Water Resources, payable from the Investment Fund ---------- 1,000,000"

(Item 393)

**Amendment No. 223**

On page 104, line 35, strike out "8,095,429", and insert "8,081,884".

(Item 396)

**Amendment No. 224**

On page 105, line 24, strike out "10,368,142", and insert "9,999,942".

**Amendment No. 225**

On page 105, line 29, strike out "10,339,842", and insert "9,971,642".

**Amendment No. 226**

On page 105, line 32, strike out "10,413,142", and insert "10,044,942".

**Amendment No. 227**

On page 105, line 36, strike out "10,368,142", and insert "9,999,942".

**Amendment No. 228**

On page 105, after line 46, insert

"The Department of Finance shall establish a procedure which will indicate any cases in which the numbers and estimated costs of textbooks represented in printing orders placed during the 1959-60 Fiscal Year vary from the amounts contained in the budget schedule submitted by the Department of Education upon which this item of appropriation is based, and the Department of Finance shall unallot all amounts which are made available because of such differences. Upon presentation of need, the Department of Finance may reallot such funds as it finds necessary. It shall report all such actions to the Joint Legislative Budget Committee prior to January 1, 1960."

(Item 411)

Amendment No. 229

On page 113, line 38, after "Code", insert
"; provided, that the sum of $537,711 contained in this item shall be used solely for the payment of increased judicial salaries prescribed by the Legislature at its 1959 Regular Session and for the payment of salaries of judges appointed to new judgeships created at that session".

Amendment No. 230

On page 113, line 38, strike out "2,355,500", and insert "2,893,211".

(Item 417.1)

Amendment No. 231

On page 115, line 48, strike out "206,288", and insert "190,608".

(Item 417.5)

Amendment No. 232

On page 115, after line 48, insert
"417.5—For additional support of the Department of Employment, payable from money credited to this State's account in the Unemployment Trust Fund pursuant to Section 903 of the Social Security Act, as amended, made available for expenditure pursuant to Section 1528.5 of the Unemployment Insurance Code; provided, that all or any portion of this appropriation may be transferred to the Unemployment Administration Fund upon executive order of the Department of Finance ..... 15,680".

(Secs. 3.1 to 3.5)

Amendment No. 233

On page 117, after line 10, insert
"SEC. 3.1. The amounts appropriated by Items 77, 79, 312, 312.5, 315 and 334 of this act, payable from the State College Fund, shall be payable from the General Fund if the deposit or payment of any revenue into the State College Fund is discontinued by any legislation enacted at the 1959 General Session of the Legislature.

SEC. 3.2. The unexpended balances of the amounts appropriated by Items 35, 89, 106, 107, 108, 108.5, 122, 137, 177, 201.5, 210, 280, 301.1 and 346 of this act, payable from the Fair and Exposition Fund, shall be payable from the General Fund on the operative date of any legislation enacted at the 1959 General Session of the Legislature discontinuing the deposit or payment of any revenue into the Fair and Exposition Fund.

SEC. 3.3. The references to Section 19626, paragraph (b) of Section 19626 and paragraph (c) of Section 19626 of the Business and Professions Code contained in this act shall be construed as being references to Section 19630, paragraph (b) of Section 19630 and paragraph (c) of Section 19630 of the Business and Professions Code if Assembly Bill No. 1755 is enacted at the 1959 Regular Session of the Legislature.

SEC. 3.4. The unexpended balances of the amounts appropriated by Item 89 and Item 341.1 of this act shall be payable from the General Fund if legislation is enacted at the 1959 Regular Session of the Legislature deleting the appropriations in paragraphs (a) and (b) of Section 19626 of the Business and Professions Code.

SEC. 3.5. The references to paragraph (c) of Section 19626 of the Business and Professions Code in this act shall be construed as meaning that part of the moneys in the Fair and Exposition Fund after the appropriation for permanent improvements for fair purposes made by Section 19626 of the Business and Professions Code if legislation is enacted at the 1959 Regular Session of the Legislature eliminating the reference to (c) from said Section 19626 of the Business and Professions Code."

(Sec. 8)

Amendment No. 234

On page 120, line 9, strike out "Public Works", and insert "Finance".

(Sec. 8.2)

Amendment No. 235

On page 120, after line 21, insert
"SEC. 8.2. From the unexpended balance of the amount appropriated by Item 362, Budget Act of 1958, $500,000 is hereby reappropriated for acquisition of real property at La Jolla Campus, University of California, which amount shall continue to be available for expenditure until June 30, 1961."

**(Sec. 8.6)**

**Amendment No. 236**

On page 120, after line 29, insert

"SEC. 8.6. Upon request of the Director of Natural Resources and upon his certification that he has consulted the applicable board of supervisors the Director of Finance may augment any appropriation herein or heretofore by any law made for acquisition for the State Park System in the County of Los Angeles by transfer of all or any part of any unexpended appropriation, category, schedule or item herein or heretofore by any law made for acquisition for the State Park System in said County of Los Angeles, and such augmentation shall to that extent be deemed a specific appropriation for the project so augmented within the meaning of Section 5010 of the Public Resources Code."

**(Sec. 8.7)**

**Amendment No. 237**

On page 120, after line 29, insert

"SEC. 8.7. From the amount appropriated by Item 400 of the Budget Act of 1956, the sum of $200,000, shown as subdivision (oo) of the schedule in that item as available for expenditure for acquisition of real property for Mount Diablo State Park, is hereby reappropriated for acquisition of real property for the Frank's Tract area for a state aquatic park project, subject to the same terms and conditions applicable to the appropriation as provided in Item 400 of the Budget Act of 1956."

**(Sec. 8.8)**

**Amendment No. 238**

On page 120, line 40, strike out the second "as", and insert "is".

**(Sec. 10)**

**Amendment No. 239**

On page 121, after line 9, insert "Item 400 (qq), Budget Act of 1956".

**(Sec. 15.5)**

**Amendment No. 240**

On page 121, after line 38, insert

"SEC. 15.5. As of June 30, 1959, the State Controller shall transfer from the State Printing Fund to the General Fund any capital amount which is in excess of $5,250,000, and as of June 30, 1960, shall transfer from the State Printing Fund to the General Fund any accumulated earnings which have accrued to the State Printing Fund during the fiscal year ending June 30, 1960.

No augmentation shall be made to the capital of the State Printing Fund during the 1959-60 Fiscal Year. Any proposed capital addition to the State Printing Fund for the 1960-61 Fiscal Year shall be included in the proposed budget for that fiscal year as an appropriation out of the General Fund."

**(Sec. 22)**

**Amendment No. 241**

On page 123, strike out lines 10 through 15.

| | |
|---|---|
| JAMES J. MACBRIDE | JESSE M. UNRUH |
| GEORGE MILLER | THOMAS M. REES |
| RICHARD J. DOLWIG | GLENN E. COOLIDGE |
| Senate Committee on Conference | Assembly Committee on Conference |

**Demand for Previous Question**

Messrs. Ernest R. Geddes, Charles H. Wilson, Schrade, Hanna, and Burke demanded the previous question. Demand sustained.

The question being on the adoption of the report of the Committee on Conference concerning Assembly Bill No. 800.

Report adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—Bruce F. Allen, Backstrand, Britschgi, Burke, Chapel, Collier, Cusanovich, Dahl, Francis, Garrigus, Holmes, Johnson, Lanterman, Levering, Lowrey, Luckel, Mulford, Reagan, Shell, and Thelin—20.

## COMMENDATION OF MR. UNRUH

Messrs. Beaver, Coolidge, and Munnell commended Mr. Unruh upon the manner in which the Budget Bill had been handled.

## RECESS

At 12.45 p.m., on motion of Mr. Winton, the Assembly recessed until 4 p.m.

## REASSEMBLED

At 4 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined.

**Assembly Bill No. 145**—An act to amend Section 2611 of the Welfare and Institutions Code, relating to county medical and hospital care;

**Assembly Bill No. 265**—An act to amend Sections 576 and 578 of, to add Section 575.1 to, and to repeal Sections 577 and 578.1 of, the Welfare and Institutions Code, relating to juvenile court referees;

**Assembly Bill No. 483**—An act to add Section 26613 to the Government Code, relating to the powers and duties of the sheriff in counties exceeding 3,000,000 population;

**Assembly Bill No. 642**—An act to amend Section 6301 of the Business and Professions Code, relating to boards of law library trustees;

**Assembly Bill No. 802**—An act to add Chapter 3 (commencing with Section 13200) to Division 10 of the Fish and Game Code, relating to accounting by the Department of Fish and Game;

**Assembly Bill No. 1031**—An act to amend Sections 69592 and 69748.1 of the Government Code, relating to the superior court;

**Assembly Bill No. 1142**—An act to amend Section 1405 of the Probate Code, relating to guardians;

**Assembly Bill No. 1167**—An act to amend Section 37208 of the Government Code, relating to city budgetary procedure;

**Assembly Bill No. 1180**—An act to amend Sections 447a and 449a of the Penal Code, relating to arson;

**Assembly Bill No. 1228**—An act to amend Sections 73821, 73822, 73823, 73824, and 73825 of the Government Code, relating to municipal courts;

**Assembly Bill No. 1241**—An act to amend Section 72622 of the Government Code, relating to the official body of judges of municipal courts established in Los Angeles County;

**Assembly Bill No. 1394**—An act to amend Section 4500 of the Welfare and Institutions Code, relating to medical services to public assistance recipients;

**Assembly Bill No. 1405**—An act to amend Section 74701 of the Government Code, relating to the Santa Rosa Municipal Court;

**Assembly Bill No. 1550**—An act to add Sections 7208 and 7209 to the Revenue and Taxation Code, relating to local sales and use taxes;

**Assembly Bill No. 1574**—An act to amend Section 1372 of the Financial Code, relating to investment of funds of retirement systems;

**Assembly Bill No. 1586**—An act to amend Sections 676, 677 and 680½ of the Code of Civil Procedure, relating to undertakings in actions to set aside fraudulent transfers and conveyances;

**Assembly Bill No. 1595**—An act to add Article 3.5 (commencing at Section 5920) to Chapter 6 of Division 6 of Part 2 of the Education Code as enacted at the 1959 Regular Session, relating to evening study halls in high schools;

**Assembly Bill No. 1636**—An act to repeal Article 2 (commencing at Section 525) of Chapter 1 of Division 2 of the Business and Professions Code, relating to State Medical Library;

**Assembly Bill No. 1662**—An act to add Article 13.5 (commencing at Section 997) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to the reserves of disability insurers;

**Assembly Bill No. 1712**—An act to amend Section 22400 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to minimum speeds for vehicles;

**Assembly Bill No. 1753**—An act to repeal Chapter 2 (commencing at Section 4659), Chapter 8 (commencing at Section 5500), Chapter 9 (commencing at Section 5700), and Chapter 10 (commencing at Section 5900) of Part 3, Division 5 of the Health and Safety Code, relating to sewer and sanitation districts;

**Assembly Bill No. 1892**—An act to repeal Section 31805, and to add Sections 31805.1, 31815, 31816, and 31816.1 to, the Government Code, relating to the County Employees Retirement Law of 1937;

**Assembly Bill No. 2224**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages;

**Assembly Bill No. 2230**—An act to amend Sections 12845 and 12846 of the Public Utilities Code, and to amend Sections 2864 and 2865 of the Public Districts Code, as proposed by Assembly Bill No. 908, relating to municipal utility districts;

**Assembly Bill No. 2292**—An act to amend Section 3308 of, and to add Section 3310 to, the Health and Safety Code, relating to tuberculosis hospitals;

**Assembly Bill No. 2354**—An act to convey certain tide and submerged lands to the City of Richmond, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof;

**Assembly Bill No. 2462**—An act to amend Section 357.1 of the Agricultural Code, relating to the slaughter of cattle;

**Assembly Bill No. 2476**—An act to amend Sections 73649, 73959 and 74749 of the Government Code, relating to the payment of official reporters in the municipal courts in San Diego County;

**Assembly Bill No. 2492**—An act to add Chapter 5C (commencing with Section 853.6) to Title 3, Part 2, of the Penal Code, relating to citations for misdemeanors under state law;

**Assembly Bill No. 2589**—An act to amend Section 1944 of the Labor Code, relating to employment of aliens;

And reports the same correctly enrolled, and presented to the Governor on the sixteenth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 205**—An act to amend Sections 3818, 3819, 3830, 3925, 3929, 3941, and 3946 of the Elections Code, relating to office designations on election ballots;

**Assembly Bill No. 276**—An act to amend Sections 825 and 849 of the Penal Code, relating to arrests;

**Assembly Bill No. 484**—An act to amend Section 35002.3 of the Government Code, relating to the annexation of territory by cities;

**Assembly Bill No. 689**—An act to amend Section 704 of the Insurance Code, relating to suspension of certificate of convenience of an insurer;

**Assembly Bill No. 1537**—An act to add Section 918 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to co-operative studies by school districts;

**Assembly Bill No. 1557**—An act to add Article 13.5 (commencing at Section 73840) to Chapter 10, Title 8 of the Government Code, relating to municipal courts;

**Assembly Bill No. 1585**—An act to add Section 771.5 to the Probate Code, relating to the sale of subscription rights without prior court approval;

**Assembly Bill No. 1642**—An act to amend Section 71180 of, and to add Section 71180.3 to, the Government Code, relating to judges of justice courts, and declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1742**—An act to amend Section 1750 of, and to add Sections 1778 and 1779 to, the Government Code, relating to resignations and vacancies of public employees;

**Assembly Bill No. 1754**—An act to amend Section 16657 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to board of recreation commissioners and providing compensation and traveling expenses of members thereof;

**Assembly Bill No. 1755**—An act to repeal and add Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code, thereby recodifying the law relating to horse racing;

**Assembly Bill No. 1883**—An act to amend Section 72757 of the Government Code, relating to municipal courts;

**Assembly Bill No. 1973**—An act to amend Section 172b of the Penal Code, relating to alcoholic beverages;

**Assembly Bill No. 2002**—An act to amend Sections 5780 1, 5780 13, 5780 16, 5781 3, 5781 4, 5781.6, 5781 13, 5781.14, 5782.5, 5784 5, 5785 4, and 5787 of, to amend and renumber Sections 5781.9, 5781 10, 5781.11, 5781.12, 5781.15, 5781.16, 5781.17, 5781 18, 5781 19, and 5787 3 of, to repeal Section 5784.22 of, and to add Sections 5782.21, 5784 22, and 5787 01 to, the Public Resources Code, relating to recreation and park districts;

**Assembly Bill No. 2050**—An act to add Section 12 2 to the Sonoma County Flood Control and Water Conservation District Act (Chapter 994, Statutes 1949), relating to the Sonoma County Flood Control and Water Conservation District;

**Assembly Bill No. 2093**—An act to amend Section 26827 of the Government Code, relating to fees of county clerk;

**Assembly Bill No. 2134**—An act to repeal Sections 69894, 69898, 69899, 69899 5, 69899.6, 69905, 70050 and 70140 of the Government Code, to repeal Section 1744 of the Code of Civil Procedure, to amend Sections 69892 1, 69901 and 70043 of the Government Code, to amend Sections 575 and 5026 of the Welfare and Institutions Code, and to add Sections 69894.1, 698894 2, 69894.3 and 69894.4 to, the Government Code, relating to officers and employees of the superior court in counties of over 2,000,000 population;

**Assembly Bill No. 2184**—An act to repeal Section 323 of the Military and Veterans Code, relating to allowances for uniforms;

**Assembly Bill No. 2214**—An act to amend Section 6026 of the Water Code, relating to the regulation of dams;

**Assembly Bill No. 2217**—An act to amend Sections 73772 and 73773 of the Government Code, relating to municipal courts;

**Assembly Bill No. 2237**—An act to amend Sections 321 and 323 of the Agricultural Code, relating to foreign cold storage meat;

**Assembly Bill No. 2280**—An act to amend Sections 1505, 1535 7, 1541, 1550.04, 1562, 1564, and 1571 of the Military and Veterans Code, relating to mutual aid for local disaster;

And reports the same correctly enrolled, and presented to the Governor on the sixteenth day of June, 1959, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 101**—Relative to the Upper Sacramento River development projects;

**Assembly Concurrent Resolution No. 104**—Relative to Allen Camp Dam and Reservoir;

**Assembly Joint Resolution No. 18**—Memorializing Congress to increase federal aid to state veterans homes;

And reports the same correctly enrolled, and presented to the Secretary of State on the sixteenth day of June, 1959, at 2 p.m.

BURKE, Chairman

### Committee on Constitutional Amendments

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Senate Constitutional Amendment No. 13

With the recommendation: Be adopted.

BUSTERUD, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Senate Constitutional Amendment No. 1

With amendments with the recommendation. Amend, and be adopted, as amended.

BUSTERUD, Chairman

Above resolution ordered on file.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XXVI thereof, relating to the use of revenues obtained from motor vehicle fuel taxes and motor vehicle registration and license fees.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Constitutional Amendments, was read, and adopted:

### Amendment No. 1

On page 2, line 5, of the printed measure, after "railroad", insert "or rapid transit".

Resolution ordered reprinted, and on file.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 1225

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1225**—An act to amend Sections 31530.1, 31626, 31629, 31635, 31636, 31640, 31680, 31709, 31730 and 31770.1 of, to add Sections 31568.1, 31594, 31595, and 31634.1 to, to add Chapter 2.1 (commencing at Section 31580) to Part 1, Division 18 of, and to repeal Section 31571 of, the Streets and Highways Code, relating to the Vehicle Parking District Law of 1943.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 2415

With amendments with the recommendation: Amend, and re-refer to the Committee on Municipal and County Government.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2415**—An act to amend Section 35009 of the Government Code, relating to annexation of territory to cities.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

### Amendment No. 1

In line 1 of the title of the printed bill, after "35009 of", insert ", and to add Sections 35013, 35014, 35015, and 35016 to,".

### Amendment No. 1.5

In line 2 of the title, strike out "annexation of territory to cities", and insert "land uses".

### Amendment No. 2

On page 1, line 10, strike out "35158", and insert "35002.3, 35158,".

### Amendment No. 3

On page 1, lines 11 and 12, strike out ", on or before December 31, 1954,".

### Amendment No. 4

On page 1, line 16, strike out "such date", and insert "the effective date of the amendment of this section adopted by the Legislature at its 1959 Regular Session".

### Amendment No. 5

On page 1, strike out lines 17 to 21, inclusive.

### Amendment No. 6

On page 1, after line 21, insert

"SEC. 2. Section 35013 is added to said code, to read:

35013. Any territory which is by consent of the owners zoned and restricted for reservoir, airport, open spaces, open spaces recreational, or municipal service purposes exclusively pursuant to a master plan for land use in any county shall not while it is so zoned be annexed to a city pursuant to Articles 2 or 5 without the consent of the owners of the land in the territory which is proposed to be annexed.

Territory so zoned shall not be considered unincorporated territory for the purposes of Sections 35158, 35326 and 35002.3. This section shall apply only to counties which have adopted a master plan for land use which includes provision for the zoning and restricting of areas for exclusively reservoir, airport, open spaces, open space recreational, or municipal service purposes, and this section shall apply to any territory which is so zoned and restricted pursuant to such plan before or after the effective date of this section.

SEC. 3. Section 35014 is added to said code, to read:

35014. Sections 35009 and 35013 shall not be construed and are not intended to prevent the providing of reasonable easements for utility services to city areas on the other side of exclusively zoned and restricted lands provided such utility services cannot be furnished by reasonable alternate means or routes. In such cases the board of supervisors of a county shall request the County Planning Commission to prepare recommendations in accord with the county's master plan for land use, for the location of utility service easements primarily, but not limited to, routes along existing roads so that such easements may be sought by a city or other utility with a minimum of disruption, damage and interference with the purposes for which the exclusively zoned and restricted areas were created.

SEC. 4. Section 35015 is added to said code, to read:

35015. Eminent domain actions by any public agency to acquire land or easements against land which has been zoned and restricted for agricultural, reservoir, airport, open spaces, open spaces recreational, or municipal service purposes exclusively pursuant to a master plan for land use in any county shall not while the land is so zoned be commenced without first securing the approval of the board of supervisors which created the zoning and restrictions.

Applications for approval of eminent domain actions may be denied unless the board of supervisors determines that there is no other reasonable site available and that the proposed use under the eminent domain action would be a more desirable use of the land than the purposes which caused the board of supervisors to zone and restrict the land. Board of supervisors shall approve or disapprove applications for eminent domain action approval as rapidly as possible and shall state the reasons for their approval or denial.

SEC. 5. Section 35016 is added to said code, to read:
35016. Sections 35009 and 35013 shall not be construed and are not intended to prevent the annexation of roads, and territory so zoned shall not be included in computing the one-half-mile limitation under Government Code Sections 35105.5 or 35304.5 as to any territory situated outside of the territory so zoned."

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

## REPORTS OF STANDING COMMITTEES

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:
Assembly Bill No. 942
With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the Committee on Municipal and County Government for study.

BRADLEY, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:
Senate Bill No. 1011
With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1011**—An act to add Part 2.5 (commencing at Section 34601) to Division 24 of the Health and Safety Code, relating to community redevelopment and housing.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 15, 1959, strike out "34601", and insert "34600".

#### Amendment No. 2

On page 1, line 1, strike out "34601", and insert "34600".

#### Amendment No. 3

On page 1, between lines 5 and 6, insert
"34600. This part applies only to redevelopment agencies organized under Part 1 (commencing at Section 33000) and housing authorities organized under Part 2 (commencing at Section 34200) of this division which are existing and functioning in counties with a population of more than 80,000 and less than 90,000, as determined by the 1950 federal census."

#### Amendment No. 4

On page 1, line 20, strike out "may", and insert "shall".

#### Amendment No. 5

On page 2, line 29, after "enacted", insert "; and this part shall not constitute a precedent".

#### Amendment No. 6

On page 1, line 15, after "projects", insert ", including temporary veterans' emergency housing projects,".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports: Senate Bill No. 1452

With the recommendation: That the bill be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bill re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports: Senate Bill No. 562

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

MASTERSON, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 562**—An act to add Article 3 (commencing at Section 11200) to Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state departments

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Governmental Efficiency and Economy, were read, and adopted:

#### Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 26, 1959, strike out lines 7 to 15, inclusive, and insert

"11200. The Governor, upon recommendation of the director of the following state departments, may appoint not to exceed two chief deputies for the directors of the Departments of Finance, Public Works, and Mental Hygiene, and not to exceed one chief deputy for the directors of the Departments of Social Welfare, Agriculture, Insurance, Employment, Motor Vehicles, and Water Resources.

The deputies provided for in this section shall be in addition to those authorized by any other law.

11201. Each deputy appointed pursuant to Section 11200 shall serve at the pleasure of the director of the department in which he is appointed, and his salary shall be fixed by the director of that department in accordance with law. The deputy shall have such duties as may be assigned to him by the director of the department, and he shall be responsible to the director of the department for the performance of those duties."

#### Amendment No. 2

On page 1, line 16, strike out "11201", and insert "11202".

#### Amendment No. 3

On page 1, line 16, strike out "person", and insert "deputy".

#### Amendment No. 4

On page 1, line 17, strike out "(pursuant to", and insert ", which is authorized under".

#### Amendment No. 5

On page 1, line 18, strike out ")", and insert a comma.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 15, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports.

Senate Bill No. 1246

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22 3, the committee recommends that the above bill be placed on the Consent Calendar.

BIDDICK, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1246**—An act to amend Section 74041 of the Government Code, relating to judges of the Palo Alto-Mountain View Judicial District.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Judiciary—Civil, was read, and adopted:

### Amendment No. 1

On page 1 of the printed bill, after line 3, insert

"SEC. 2. The amendment to Section 74041 of the Government Code, made by this act, shall become operative on September 1, 1960."

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 361

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered on file.

## AMENDMENT OF HOUSE RESOLUTION NO. 361

By Messrs Cusanovich and House:

**House Resolution No. 361**—Commending David Crum.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

In line 2 of the first "WHEREAS" clause of the printed measure, as printed on page 5384 of the Assembly Journal for June 15, 1959, strike out "of the Crum family"

### House Resolution No. 361, as Amended

By Messrs. Cusanovich and House:

### House Resolution No. 361

Commending David Crum

WHEREAS, The attention of the Legislature has been called to the achievements of David Crum, a fourth generation scion of Susanville, California; and

WHEREAS, David was born November 1, 1936, and attended McClatchy High School in Sacramento, Menlo Prep School, Menlo Junior College, and the University of California; and

WHEREAS, He is one of only four Americans who have been selected since World War II to train with Lloyds of London; and

WHEREAS, He is the youngest American ever allowed to conduct brokerage transactions on the floor of that establishment; and

WHEREAS, He is presently employed in England by Griffiths, Tate Insurance, Ltd., which is affiliated with Lloyds; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend David Crum on the outstanding successes he has achieved in such a few short years, and extend their very best wishes for his future; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to David Crum.

Resolution, as amended, ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Government Organization

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 1060

With amendments with the recommendation: Amend, and do pass, as amended.

WINTON, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1060**—An act to add Sections 1323, 1774.1, 1774.2, and 1774.3 to the Government Code, relating to appointments by the Governor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Government Organization, were read, and adopted:

### Amendment No. 1

On page 1, line 27, of the printed bill, as amended in the Senate on May 25, 1959, strike out "adjourns without having confirmed the".

### Amendment No. 2

On page 2, line 1, strike out "appointment, whether or not the Senate".

### Amendment No. 3

On page 2, lines 2 and 3, strike out "or merely failed to act on the appointment,".

### Amendment No. 4

On page 2, line 5, strike out "failed", and insert "refused".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Government Organization

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 1191

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1191**—An act to amend Sections 23817 and 23954.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Government Organization

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 1320

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

WINTON, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

Committee on Water

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 538
Senate Bill No. 995
Senate Bill No. 1168
Senate Bill No. 1435
Senate Bill No. 1437

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

PORTER, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 538**—An act to amend Sections 12800, 12803, 12826, and 12829, to repeal Article 2 (commencing at Section 12810) of Chapter 3, Part 6, Division 6, and to amend and renumber the title of Article 3 (commencing at Section 12825) of Chapter 3, Part 6, Division 6, of the Water Code, relating to the Flood Control Fund of 1946, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 995**—An act to amend Section 18 of and to add Sections 21.1 and 21.2 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), relating to financial statements and district liability.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1168**—An act to add Sections 6588.2, 14060.1, 14654.6, 20063.2, and 32109 to the Health and Safety Code, Sections 5781.20 and 9204.1 to the Public Resources Code, Section 16175 to the Public Utilities Code, Sections 21661.1, 30818, and 60141.1 to the Water Code, Section 4.2 to the Municipal Water District Act of 1911 (Ch. 671, Stats. 1911), Section 14.1 to the Water Conservation Act of 1927 (Ch. 91, Stats. 1927), Section 14.6 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), Section 14.2 to the Orange County Water District Act (Ch. 924, Stats. 1933) and Section 24.1 to the Kings River Conservation District Act (Ch. 931, Stats. 1951), relating to notice on elections.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1435**—An act to add Section 31051 to, and to amend Section 31575 of, the Water Code, relating to county water districts.

Bill read second time, and ordered to the Consent Calendar.

**Senate Bill No. 1437**—An act to add Section 31578 to the Water Code, relating to the Kings County Water District.

Bill read second time, and ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1013

With the recommendation: Do pass.

PORTER, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1013**—An act to amend Section 4 of Chapter 2092, Statutes of 1957, relating to barriers for salinity and flood control purposes.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Concurrent Resolution No. 79

With the recommendation: Be adopted.

PORTER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1368

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

PORTER, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1368**—An act to create a flood control district to be called "San Mateo County Flood Control District" to provide for the control of flood and storm waters and for the protection of watercourses, watersheds, harbors, public highways, life and property in said district from damage or destruction from such waters and to save and conserve all or any of such waters for beneficial use in said district; to provide for the dividing of said district into zones; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district in the respective zones thereof, and providing certain limitations on assessments, bonded indebtedness and expenditures with respect to the district and the

respective zones thereof; and to define the powers of said district, including the right of the district to sue and be sued, and the powers and duties of the officers thereof; to provide for the government, management and control of said district; to provide for the construction of works, the acquisition of property by the district, and other things necessary to carry out the purposes of this act.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Water, were read, and adopted:

**Amendment No. 1**

On page 6 of the printed bill, as amended in the Senate on June 1, 1959, between lines 21 and 22, insert

"Nothing provided for in this act shall be construed, or intended to be construed, to prohibit any city from undertaking and completing flood control projects for the control of flood and storm waters within the territory of such city or for the alleviation of flood conditions existing in such city."

**Amendment No. 2**

On page 8, line 49, after "section.", insert "The boundaries of any such zone shall follow and be the same as the boundaries of a natural drainage basin as determined by engineering studies or surveys authorized by the board of supervisors. No such zone shall include more than one natural drainage basin."

**Amendment No. 3**

On page 9, line 42, strike out "15", and insert "10".

**Amendment No. 4**

On page 9, line 44, strike out "60", and insert "90".

**Amendment No. 5**

On page 12, line 35, strike out "After", and insert "Any other provision of this section to the contrary notwithstanding, after".

**Amendment No. 6**

On page 13, strike out lines 23 to 27, inclusive, and insert "zones."

**Amendment No. 7**

On page 18, strike out lines 24 to 41, inclusive, and insert

"SEC. 21. Whenever a city is wholly or partially included in a zone in which a project or projects are instituted and such city has acquired property or caused engineering surveys, reports or plans to be prepared for, or performed flood control work either alone or in connection with other projects on or after September 1, 1950, and prior to the formation of such zone by the board of supervisors, which properties, surveys, reports, plans, or flood control works can be utilized in carrying out the contemplated project and thus benefit the entire zone, the city shall be credited with the reasonable cost of such properties, surveys, reports, plans, and flood control works, including incidental expenses.

The amount of such credit shall be determined by the board of supervisors after hearing thereon in conjunction with the hearing of the initiation of the project and shall be paid by the district to the city from any district or zone funds."

Bill ordered reprinted, and to be placed on the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Water**

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 1326

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1326**—An act providing for the investigation of water supplies for the western Sacramento-San Joaquin Delta, and making an appropriation therefor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Water, were read, and adopted:

### Amendment No. 1

On page 1, in line 1 of the title of the printed bill, as amended in the Assembly on June 12, 1959, after "supplies", insert "and flood control levees".

### Amendment No. 2

On page 1, after line 21, insert

"SEC. 3. Section 4.5 is added to the Abshire-Kelly Salinity Control Barrier Act of 1957 (Chapter 2092, Statutes of 1957), to read:

Sec. 4.5. As a part of the studies being performed hereunder and to obtain such information as may be required to implement the plan included in the report referred to in Section 4, the department may conduct studies and investigations to determine the most economical and efficient type and methods and procedures of construction to provide an adequate levee system in the delta.

SEC. 4. There is hereby appropriated to the Department of Water Resources from the California Water Fund the sum of two hundred thirty thousand dollars ($230,000), of which one hundred eighty thousand dollars ($180,000), may be expended for the studies and investigations authorized by Section 3 hereof, and fifty thousand dollars ($50,000) may be expended for such remedial work as may be necessary in connection with levee tests being performed as a part of the studies and investigations authorized by Section 3 hereof."

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Water

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 958

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

PORTER, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No. 688
Senate Bill No. 731

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

CUNNINGHAM, Chairman

Above bills re-referred to the Committee on Ways and Means.

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 728

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 728**—An act to add Section 11689 to the Health and Safety Code, relating to evidence in criminal actions and proceedings involving narcotic laws.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Criminal Procedure, was read, and adopted:

### Amendment No. 1

On page 1, line 13 of the printed bill, as amended in the Senate on April 2, 1959, strike out "the ninety-first day", strike out line 14; and on line 15 strike out "islature", and insert "January 1, 1962".

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and read:

### Veto Message Concerning Assembly Bill No. 2278

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith without my signature

**Assembly Bill No. 2278,** an *act relating to destruction of records of the Los Angeles County Flood Control District.*

My objections to this bill are as follows:

The bill adds a new section to the Los Angeles Flood Control Act, authorizing destruction of records or documents of the district, not expressly required by law to be preserved, where such records or documents have been microfilmed or otherwise preserved on film

Another bill, Assembly Bill No. 1021, covers the same subject matter as far as *all* special districts are concerned, thereby rendering this measure unnecessary.

It is my understanding that the matter of disapproving this bill, on the ground that the subject matter thereof is adequately covered by Assembly Bill No. 1021, has been discussed with the Los Angeles County Board of Supervisors, at whose request the bill was introduced, and also with the author, and that both the supervisors and the author concur in disapproval under these circumstances.

Since I am signing Assembly Bill No. 1021, I am, therefore, returning Assembly Bill No. 2278 without my signature

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 2278 ordered to the unfinished business file.

### Veto Message Concerning Assembly Bill No. 499

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith without my signature

**Assembly Bill No. 499,** which adds a new section to the Public Resources Code, relating to land acquisition procedures by the State Division of Beaches and Parks.

My objections to this bill are as follows:

The bill provides that before the State Park Commission or the State Division of Beaches and Parks commences purchase or condemnation proceedings for the acquisition of property, it shall consult with and advise the legislative body of each local agency, in which any portion of the property is situated, as to the proposed project and the acquisition of property and plan for development therefor

The bill apparently assumes that land acquisition activities may be engaged in by either the State Park Commission or the Division of Beaches and Parks, and is intended to require whichever of these agencies does engage in this work to consult with each city council and county board of supervisors that might be interested in any plan for development of a state park in their area. Since most city councils and county boards of supervisors meet only once each week, this requirement of consultation with the legislative bodies might impose a difficult burden on the state agency, particularly in the case of parks located in more than one county, and where more than one city is involved

The Legislature has also passed Assembly Bill No. 720, which makes certain organizational changes in the State Park Commission and the Division of Beaches and Parks Among other matters, Assembly Bill No. 720 vests in the Department of Natural Resources, as such, the land acquisition duties presently vested in the Park Commission If Assembly Bill No. 720 is approved, the reference in Public Resources Code Section 5006.2, added by Assembly Bill No. 499, to acquisition of property by either the Park Commission or the State Division of Beaches and Parks, would be incorrect.

In addition, Assembly Bill No. 720 contains a provision requiring the Division of Beaches and Parks to consult and advise with the local planning agencies, as distinguished from the local legislative bodies, with respect to acquisition of property for State Beaches and Parks. This consultation with the local planning agencies would appear to accomplish the same general purpose as the consultation with the legislative bodies required by Assembly Bill No 499

I have not yet determined whether Assembly Bill No. 720 will be approved or disapproved. If it is approved, there would be two provisions in the Public Resources Code, each requiring consultation with local agencies in a slightly different manner, and the two sections would be technically in conflict with each other

I believe my final decision should await my action on Assembly Bill No. 720, which being a later bill reaching my desk, expresses the final determination of the Legislature on this matter.

These conflicts have been discussed with the author and he has no objection to this procedure.

I am, therefore, returning Assembly Bill No. 499 without my signature

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 499 ordered to the unfinished business file.

### Veto Message Concerning Assembly Bill No. 1028

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1959

*To the Honorable Members of the Assembly:*

I am returning, herewith, without my signature,

**Assembly Bill No. 1028** entitled: "An act to amend Sections 7376 and 7381 of, to add Section 7396 72, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology."

My objections to this bill are as follows.

Among other provisions, Assembly Bill No. 1028 adds a new section to the Cosmetology Act, providing that every cosmetology school, within 15 days after enrolling a student therein, shall require the student to submit proof of completion of a tenth grade education in the public schools of this State, or its equivalent, and requires the dismissal of any student, and refund of tuition fees, when such proof is not produced within this 15-day period.

Under present law, while it is necessary, in order to take the state examination for a license as a hairdresser or cosmetologist, for the applicant to submit proof of

completion of a tenth grade education, or its equivalent, such proof is not required in order to obtain admission to a cosmetology school. I am informed that many cosmetology students, who have not previously completed their tenth grade education, do so while they are attending cosmetology school so that when they apply for admission to take the examination they have their tenth grade education, or its equivalent. Imposing the additional requirement, that proof of completion of a tenth grade education be made at the time of admission to the cosmetology school, would, according to my information, bar many persons, particularly adults who are seeking a self-supporting vocation, and foreign students in this Country on a visa, from obtaining their cosmetology training and their tenth grade education at the same time.

There are other changes, of a technical nature, that this bill makes in various provisions of the Cosmetology Act. It is regrettable that my disapproval of the bill will result in these other changes failing to be enacted into law at this session of the Legislature. However, I do not believe that these other changes are of so great importance that they cannot wait for enactment into law at the next session of the Legislature.

Under these circumstances, therefore, I am returning Assembly Bill No. 1028 without my signature.

Respectfully,

EDMUND G BROWN, Governor

Assembly Bill No. 1028 ordered to the unfinished business file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned to the Assembly this bill pursuant to your request of June 15, 1959:

Senate Bill No. 1356

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Senate Bill No. 1356 ordered to the unfinished business file.

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To Chief Clerk of the Assembly:*

In accordance with the provisions of Joint Rule No. 8.3, I give notice of my intention to introduce a resolution after the 120th calendar day of this session. The resolution and the digest prepared pursuant to Joint Rule No. 8.5, are herewith filed.

### Digest of Resolution

Completion of study of Subcommittee on Economic and Financial Policies for State Water Projects of the Joint Committee on Water Problems.

Directs the Assembly Committee on Rules to assign the subject matter of Assembly Concurrent Resolution 198 of 1957 Regular Session to an appropriate Assembly interim committee for study and report to the Legislature by 20th legislative day of 1960 Regular Session.

CARLEY V. PORTER

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Rules, pursuant to Joint Rule No. 8.3, after an examination of the proposed resolution, has determined that there exists an urgent need for its introduction, and recommends that introduction of the proposed resolution be permitted.

The title of the bill proposed by Mr. Porter reads as follows:

Relative to the completion of the study of the Subcommittee on Economic and Financial Policies for State Water Projects of the Joint Committee on Water Problems.

MILLER, Chairman

## NOTICE OF INTENTION TO INTRODUCE A BILL

*To Chief Clerk of the Assembly:*

In accordance with the provisions of Joint Rule No. 8 3, I give notice of my intention to introduce a resolution after the 120th calendar day of this session. The resolution and the digest prepared pursuant to Joint Rule No 8.5, are herewith filed.

### Digest of Resolution

Memorializes the President and Congress to reconsider the present proposal to increase the interest rate on government bonds, and to give serious thought to lowering the federal reserve rediscount rate

WILLIAM A. MUNNELL

The above notice of intention to introduce a bill along with the bill and a digest of the bill transmitted to the Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 373

Relative to postage for official mail for Members of the Assembly

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Rules is authorized and directed to purchase postage stamps to be used by Members of the Assembly for official mail during the interim between legislative sessions The committee shall purchase postage stamps in such amounts and denominations and at such times as it determines, and shall supply them to the Members as requested, except that no member may requisition more than a total of twenty-five dollars ($25) worth of stamps at any one time nor more than fifty dollars ($50) worth of stamps in any fiscal year.

Resolution read, and referred to the Committee on Rules.

By Mr. Lunardi:

### House Resolution No. 374

Relating to the passing of Michael J. Royer, Sr.

WHEREAS, The Members of this House have learned with profound shock and deep regret of the passing in Roseville, at the age of 68 years, of Mr. Michael J. Royer, Sr., on June 11, 1959; and

WHEREAS, Mr. Royer was born in Roseville on July 8, 1890, and is the son of the late Mr. and Mrs. Thomas Royer, Roseville pioneers, who operated a successful cattle ranch in the early days of the city; and

WHEREAS, After working with his parents for many years in efficiently operating a dairy located where the present Royer Street in the City of Roseville now runs, "Joe," as he was known to his multitude of friends and acquaintances, married Fern Lohse in 1914; and

WHEREAS, Long active in Roseville commercial activities, and ever alert to new business opportunities, Mr. Royer was one of the organizers of the Roseville Ice and Beverage Company in 1921, and of the Citizens Bank in 1929, the latter organization of which he was president; he was also engaged as an appraiser, for many years, with the State Board of Equalization; and

WHEREAS, As one of Roseville's civic leaders, Joe Royer, in addition to his many commercial interests, was also active in the city's fraternal affairs, having been for many years a member of the Roseville Lions Club; and

WHEREAS, To mourn his passing, and to receive the heartfelt sympathy of all, he leaves his wife, Fern, two sons, Robert and Michael, Jr, a brother, Paul Royer, and a sister, Mrs. Margaret Lambert of Oakland; and

WHEREAS, It is fitting that by this resolution the Members of this House express to the bereaved widow and family of Michael J. Royer, Sr, their deep shock and sincere grief at the passing of this most prominent Roseville citizen; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereof at this time of extreme grief do extend to Mrs. Fern Royer and the other members of the family of Michael J. Royer, Sr., their sincere condolences and deepfelt sympathy; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Royer's widow, Mrs. Fern Royer,

his sons, Messrs. Robert Royer and Michael Royer, Jr, his brother, Mr Paul Royer, and his sister, Mrs. Margaret Lambert.

Resolution read, and referred to the Committee on Rules.

By Messrs. Crown and Chapel:

**House Resolution No. 375**

Relative to Sam J. Vlahos

WHEREAS, June 8, 1959, marked the fifty-second anniversary of the arrival of Sam J. Vlahos in the United States; and

WHEREAS, At the age of 15, Sam was brought to this Country from Greece by his father, and they came directly to San Francisco where Sam immediately went to work in a confectionery store; and

WHEREAS, In 1912 he moved to San Leandro where until his retirement in 1948 he operated "Sam's Sweet Shop"; and

WHEREAS, He was the first merchant to join the San Leandro Chamber of Commerce, of which he was later a director, and in 1937 founded the San Leandro Merchants Association; and

WHEREAS, He became a charter member and first treasurer of the Fraternal Order of Eagles in San Leandro, a charter member and later president of the Oakland chapter of the American Hellenic Educational Progressive Association known as the AHEPA, and has been president for the past 15 years of the Kyparissioton Society; and

WHEREAS, A naturalized citizen since 1927, Sam demonstrated his patriotism by selling $250,000 worth of United States War Bonds in World War II through a special program of the AHEPA, and in 1947 was made chairman of the Freedom Train campaign in San Leandro; and

WHEREAS, From 1952 to 1956 he was a member of the San Leandro city council and served as vice mayor in 1956; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution commemorate the fifty-second anniversary of Sam J. Vlahos' arrival in this country, and commend him for his numerous contributions to the welfare of his community and the fine civic spirit he has demonstrated toward his adopted homeland; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Vlahos.

Resolution read, and referred to the Committee on Rules.

By Mr. Kilpatrick:

**House Resolution No. 376**

Relative to a study of federal state lands exchanges

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of federal and state lands exchange; and be it further

*Resolved*, That the committee to which such subject is assigned shall study all facts relating thereto and report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Kilpatrick:

**House Resolution No. 377**

Relative to a study of civil defense

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of civil defense; and be it further

*Resolved*, That the committee to which such subject is assigned shall study all facts relating thereto and report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Kilpatrick:

**House Resolution No. 378**

Relative to a study of the subject of correctional institutions, probation and parole

*Resolved by the Assembly of the State of California,* That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of correctional institutions, including jails, and the subject of probation and parole; and be it further

*Resolved,* That the committee to which such subjects are assigned shall study all facts relating to such subjects and shall report its findings and recommendations for legislation to the Assembly by the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Kilpatrick:

**House Resolution No. 379**

Relative to a study of foster homes and adoptions

*Resolved by the Assembly of the State of California,* That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of foster homes and adoptions; and be it further

*Resolved,* That the committee to which such subject is assigned shall study all facts relating thereto and report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Lanterman:

**House Resolution No. 380**

WHEREAS, The County of Los Angeles now owns in fee that all-year botanical garden known as Descanso Gardens in La Canada; and

WHEREAS, Descanso Gardens comprises an area of approximately 370 acres, consisting of not only natural mountain areas but also a beautiful hospitality house; the world-famous Camellia Gardens with over 50,000 specimens occupying 25 acres in a grove of live oaks; a "History of the Rose" Garden with over 7,500 bushes from all over the world depicting the leading varieties of each historical period; and other areas constituting a floral wonderland blooming the year around in alternating seasons of ornamental botanical plants; and

WHEREAS, Descanso Gardens is rich in the romantic background of California, being a part of the Spanish grant from Governor Pedro Fages of California to Jose Maria Verdugo in 1784 and later becoming a part of the famous Rancho San Rafael before it became a horticultural show place; and

WHEREAS, Descanso Gardens is operated by the County of Los Angeles through the Department of Arboreta and Botanic Gardens, which also manages and operates in behalf of the county and the State, the Los Angeles State and County Arboretum at Arcadia; and

WHEREAS, In addition to the beautiful camellias, roses, and other ornamental plants now growing at Descanso Gardens, there is under initial development a project to develop fire-resistant plants—in co-operation with the United States Forest Service—for planting in the fire-ravaged watersheds in Southern California; and also a California Native Plant Section for purposes of education and stimulating the use of proper native plants for soil erosion purposes and beautification; and

WHEREAS, All of the above facts so recited are matters of benefit, pleasure, and education to the entire State of California, and therefore of current concern and interest to the State Legislature and to the State Park Commission; now, therefore, be it

*Resolved,* That the Assembly of the California State Legislature directs the Rules Committee and the State Park Commission to study the suitability of the acquisition by the State of a participating interest in Descanso Gardens to the end that said gardens be designated as a state park to be operated by the County of Los Angeles as an adjunct of the Los Angeles State and County Arboretum, and report back to the Legislature not later than the twentieth day of the Budget Session of 1960.

Resolution read, and referred to the Committee on Rules.

By Mr. Backstrand:

**House Resolution No. 381**

Relative to studies of the administration of motor vehicle affairs

WHEREAS, Motor vehicle transportation has grown at a phenomenal pace in California in recent years and there is clear prospect that its growth in the future will be even more spectacular; and

WHEREAS, The Legislature after much diligent and continuing study has developed successful programs for the financing, constructing, and maintaining of the highway plant; and

WHEREAS, It is equally essential that concerted attention and study be given to motor vehicle functions, other than the financing and engineering of highways, if optimum service is to be rendered to the people of California; and

WHEREAS, The administration of all motor vehicle affairs, not only involves tremendous costs which are certain to increase greatly in the future, but also affects the lives and welfare of our citizens; and

WHEREAS, Deficiencies and inconsistencies in the law pertaining to motor vehicle affairs may have resulted from failure to develop an overall approach, which would clearly define basic policy objectives that would provide guidance to affected administrators, and which would also provide for re-evaluation of traditional activities in the light of changing and anticipated conditions; and

WHEREAS, State difficulties in dealing evenly with the many problems inherent in the administration of motor vehicle affairs may lead to unwelcome activity in this field by the Federal Government, a possibility suggested by current studies initiated by the Federal Government to determine what it should do to promote highway safety; and

WHEREAS, The facts heretofore cited have been recognized by the Western Interstate Committee on Highway Policy Problems, the American Association of Motor Vehicle Administrators, and the International Association of Chiefs of Police, all of whom by resolution have urged that state legislatures make provision for study of current problems and future needs in the administration of motor vehicle affairs; and

WHEREAS, Basic issues of state transportation policy are involved in the provision of service, the control of privilege, and the exercise of police power with respect to administration of motor vehicle affairs, which issues should be given comprehensive study; and

WHEREAS, Illustrative activities that should have benefit of such study include driver education and licensing; vehicle registration and title issuance; financial responsibility requirements; highway-user tax administration; law enforcement as it relates to all highway and motor vehicle affairs; and record maintenance and data collection and analysis in regard to all of the foregoing; and

WHEREAS, Such study should include: (1) an inventory of all functions, activities, and duties of the State pertaining to operations on the highway plant and administration of motor vehicle affairs, together with a determination and evaluation of the purposes and objectives of all such functions, activities, and duties; and (2) an estimate of future needs for effective and economical performance of all such functions, activities, and duties, analyses of benefits in relation to costs in each case, and exploration of alternative means of achieving useful and necessary purposes and objectives; and

WHEREAS, The subject matter of this resolution not only involves long-range research and study as well as immediate investigation, but also cuts across many fronts which will be dealt with by one or more of the duly created interim committees of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. The subject matter of this resolution shall be referred by the Speaker of the Assembly to an appropriate interim or fact-finding committee which may be created to deal with highway and motor vehicle matters during the 1959 Regular Session of the Legislature.

2. The chairman of said committee shall, in his discretion, appoint an advisory council on the subject matter of this resolution, which council shall include representatives of departments of the State Government, the cities, the counties, and the public generally.

Resolution read, and referred to the Committee on Rules.

By Mr. Hawkins:

**House Resolution No. 382**

Relative to an interim committee study of railroad transportation needs and policies

WHEREAS, Railroad transportation continues to be a vital factor in the growth and development of the Pacific Coast and is an inseparable link in the movement of freight and passengers; and

WHEREAS, It is desirable to maintain this service at its highest peak in relationship with other modes of transportation and consistent with the needs of our industries and people; and

WHEREAS, Continued high levels of employment in the railroad industry are highly important to our economy; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Messrs. Elliott and Hawkins:

**House Resolution No. 383**

Relative to a study relating to juvenile delinquency

*Resolved by the Assembly of the State of California*, That the Committee on Rules of the Assembly be directed to assign to an appropriate interim committee for study the subject of juvenile delinquency and the prevention thereof as set forth in Assembly Bill No. 245, as amended April 2, 1959; and be it further

*Resolved*, That the interim committee to which such subject matter is referred shall make a final report to the Assembly of the results of its study with its recommendations for legislation no later than the fifth calendar day of the 1961 Regular Session.

Resolution read, and referred to the Committee on Rules.

By Messrs. Chapel and Thomas:

**House Resolution No. 384**

Relative to a study of the landslide area of Portuguese Bend

WHEREAS, The land on which is located the community of Portuguese Bend on the Palos Verdes peninsula, Los Angeles County, has, since August, 1956, been slowly slipping towards the Pacific Ocean; and

WHEREAS, The landslide has continuously progressed with a movement of nearly an inch a day over a 225-acre area and has caused many irregular crevices of considerable depths to occur; and

WHEREAS, Of the 178 homes in the area, 82 have been moved or abandoned and the remainder have been adversely affected and imperiled; and

WHEREAS, The principal access road along the coast has been threatened by the movement of this land mass and is in danger of being permanently closed within three years; and

WHEREAS, It has been proposed that the building of a rock wall in the ocean a short distance from the shore and the movement of earth from the top of the slide to fill the area behind the rock wall would arrest the slide at an estimated cost of $375,000; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is directed to make a thorough study of all aspects to this problem and to report to the Legislature at the beginning of the 1960 Regular Session the results of its study together with its recommendation for continuing to maintain the coastal highway serving the area of Portuguese Bend; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to submit copies of this resolution to the Department of Public Works.

Resolution read, and referred to the Committee on Rules.

By Mr. Sumner:

**House Resolution No. 385**

Relative to a study of the priority of tax liens under the Motor Vehicle Transportation License Tax Law

WHEREAS, The State of California imposes a gross receipt tax referred to as the Motor Vehicle Transportation License Tax (Part 4, commencing at Section 9601, of Division 2, Revenue and Taxation Code) on all companies engaged in the for-hire movement of freight and passengers; and

WHEREAS, The State of California maintains a prior lien on all of the equipment used by these companies for the for-hire transportation of freight and passengers for the purpose of collecting such transportation license tax; and

WHEREAS, The legal owner of such equipment is not always engaged in the business of for-hire transportation of freight and passengers and therefore not fully

aware of the payment or nonpayment of such tax and has been relieved of such prior liens by other states of this Nation; and

WHEREAS, The legal owner not engaged in the business of for-hire transportation of freight and passengers has not incurred the tax debt, the State's prior lien places an unjust hardship on such legal owners; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including a study of all phases of the problem of relieving the legal owner not engaged in the business of for-hire transportation of freight and passengers from the State's prior lien for the collection of such transportation license tax, is assigned to the committee on rules for reassignment by it to an appropriate interim committee.

Resolution read, and referred to the Committee on Rules.

### RUSH ORDER PLACED UPON PRINTING OF SENATE BILL NO. 679

Mr. Miller was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 679.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent that the committee amendments to House Resolution No. 326 be adopted, and that the resolution, as amended, be printed in the Journal, and retain its place on file.

### AMENDMENT OF HOUSE RESOLUTION NO. 326

By Messrs. Miller, Ralph M. Brown, Conrad, Hanna, Nisbet, Schrade, and Sedgwick:

**House Resolution No. 326**—Relative to constituting certain standing committees of the Assembly as interim committees.

Resolution read.

#### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

#### Amendment No. 1

In line 3, of subparagraph (d), of the paragraph numbered 1, of the *Resolved* clause of the measure, as printed on pages 4860, 4861, and 4862 of the Assembly Journal of June 5, 1959, after "procedure", insert "and constitutional rights".

#### Amendment No. 2

In line 2, of subparagraph (n), of the paragraph numbered 1, after "hydrocarbons", insert ", and tide and submerged lands,".

#### Amendment No. 3

In line 1, of the paragraph numbered 6, after "subcommittee", insert "chairman".

#### Amendment No. 4

In line 2, of the paragraph numbered 6, after "Rules", insert "or the Speaker".

#### Amendment No. 5

In lines 2 and 3, of the paragraph numbered 11, strike out "or hold hearings upon", and insert "of".

#### Amendment No. 6

In line 3, of the paragraph numbered 11, after "matter", insert "not specifically authorized herein or assigned to it".

#### Amendment No. 7

In line 4, of the paragraph numbered 11, after "Rules", insert "or the Speaker".

#### Amendment No. 8

In line 1, of the paragraph numbered 14, strike out "three hundred fifty thousand dollars ($350,000)", and insert "four hundred fifty thousand dollars ($450,000)".

**Amendment No. 9**

In line 7, of the paragraph numbered 14, after the period, insert "After allocations have been made by the Committee on Rules to a committee pursuant to this resolution, the Committee on Rules shall not thereafter reduce or revert any funds or portions thereof so allocated."

**House Resolution No. 326, as Amended**

By Messrs. Miller, Ralph M. Brown, Conrad, Hanna, Nisbet, Schrade, and Sedgwick:

**House Resolution No. 326**

Relative to constituting certain standing committees of the Assembly as interim committees

*Resolved by the Assembly of the State of California*, As follows:

1. The following standing committees of the Assembly are hereby constituted Assembly interim committees and are authorized and directed to ascertain, study and analyze all facts relating to (1) the subjects and matters assigned to them by this resolution; (2) any subjects or matters referred to them by the Assembly; (3) any subjects or matters related to (1) or (2) which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative:

(a) The Committee on Agriculture is assigned the subject matter embraced in the Agricultural Code, uncodified laws on the same subject, and other matters relating to agriculture.

(b) The Committee on Civil Service and State Personnel is assigned the subject matter of the State Civil Service System and state personnel, and matters relating thereto

(c) The Committee on Constitutional Amendments is assigned the subject matter of the State Constitution, and all matters relating thereto.

(d) The Committee on Criminal Procedure is assigned the subject matter embraced in the Penal Code, uncodified laws on the same subject, and matters relating to crimes and criminal procedure and constitutional rights.

(e) The Committee on Education is assigned the subject matter embraced in the Education Code, uncodified laws on the same subject, and matters relating to education.

(f) The Committee on Elections and Reapportionment is assigned the subject matter embraced in the Elections Code, uncodified laws on the same subject, and matters relating to elections and reapportionment.

(g) The Committee on Finance and Insurance is assigned the subject matter embraced in the Unemployment Insurance Code relating to unemployment insurance, the Insurance Code, the workmen's compensation law in the Labor Code, the matters in the Financial Code relating to finance and investment, uncodified laws relating to finance and insurance, and other matters relating thereto.

(h) The Committee on Fish and Game is assigned the subject matter embraced in the Fish and Game Code, uncodified laws relating thereto and other matters relating to fish and game.

(i) The Committee on Government Organization is assigned the subject matter embraced in the Government Code relating to the State Government, uncodified laws relating thereto, and other matters relating to the organization and operation of the State Government.

(j) The Committee on Governmental Efficiency and Economy is assigned the subject matter in the Government Code relating to state and local government, uncodified laws relating thereto, and other matters relating to the efficiency and economy of state and local government.

(k) The Committee on Industrial Relations is assigned the subject matter in the Labor Code, uncodified laws relating to labor and industrial relations, and other matters relating to industrial relations.

(*l*) The Committee on Judiciary—Civil is assigned the subject matter in the Civil Code, the Code of Civil Procedure and the Probate Code, uncodified laws relating to civil matters, and other matters relating to the civil law and procedure of the State.

(m) The Committee on Livestock and Dairies is assigned the subject matter of livestock, poultry, dairies, and dairy products in the Agricultural Code, uncodified laws relating thereto, and other matters relating to livestock and dairies.

(n) The Committee on Manufacturing, Oil, and Mining Industry is assigned the subject matter of oil, gas, and other hydrocarbons, and tide and submerged lands, as contained in the Public Resources Code, and uncodified laws relating thereto and the subject matters of manufacturing and mining, and other matters relating to manufacturing, oil and mining industry.

(o) The Committee on Military and Veterans Affairs is assigned the subject matter of the Military and Veterans Code, uncodified laws relating to veterans and the military, and other matters relating to military and veterans affairs.

(p) The Committee on Municipal and County Government is assigned the subject matter in the Government Code relating to the government of cities, counties, cities

and counties, districts, and other political subdivisions of the State, uncodified laws relating thereto, and other matters relating to municipal and county government.

(q) The Committee on Natural Resources, Planning, and Public Works is assigned the subject matter of the Public Resources Code and the Streets and Highways Code, and uncodified laws relating to such subject matters, and other matters relating to natural resources, planning, and public works.

(r) The Committee on Public Health is assigned the subject matter of the Health and Safety Code and the subject matter of the healing arts in the Business and Professions Code, all uncodified laws relating thereto, and other matters relating to the public health.

(s) The Committee on Public Utilities and Corporations is assigned the subject matter of the Public Utilities Code and the Corporations Code, all uncodified laws relating thereto, and other matters relating to public utilities and corporations.

(t) The Committee on Revenue and Taxation is assigned the subject matter of the Revenue and Taxation Code, uncodified laws relating thereto, and other matters relating to federal, state or local revenues or taxation.

(u) The Committee on Social Welfare is assigned the subject matter of the Welfare and Institutions Code, uncodified laws relating thereto, and other matters relating to social welfare and the administration and financing of the social welfare program of the State.

(v) The Committee on Transportation and Commerce is assigned the subject matter of the Vehicle Code, the Streets and Highways Code, uncodified laws relating thereto, and other matters relating to transportation and commerce.

(w) The Committee on Water is assigned the subject matter of the Water Code, uncodified laws relating thereto, and other matters relating to water, water resources, flood control and irrigation.

(x) The Committee on Ways and Means is assigned the subject matter of the State Budget, laws relating thereto, the adequacy of the revenues of the State, and other matters relating to ways and means of financing the operation of the State Government.

(y) The Committee on Legislative Representation is assigned the subject matter specified in Assembly Standing Rule 20.

2. Each of the above committees shall consist of the members of the Assembly Standing Committee on the same subject for the 1959 Regular Session. The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. Each committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the fifth calendar day of that session. All reports shall be printed out of the funds allocated to said committee and shall be in the form prescribed by the Rules of the Assembly and the Committee on Rules.

4. Each committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. Each committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. No subcommittee chairman shall be appointed by the chairman of any interim committee or otherwise except upon prior written consent of the Committee on Rules or the Speaker.

7. No consultants, staff members, or other employees may be employed by any interim committee except upon prior written approval of the Committee on Rules.

8. No contracts for goods or services or otherwise may be negotiated or entered into by any interim committee without the prior written approval of the Committee on Rules.

9. No committee or any member or employee thereof may travel outside the State on committee business without the prior written consent of the Committee on Rules or the Speaker in each case.

10. Within 30 days after the adoption of this resolution, each interim committee shall file with the Rules Committee a proposed work schedule program report setting forth the specific matters it is contemplated the committee shall study and report upon, which program may be supplemented from time to time, and which report shall also contain the personnel or staff needed for said committee and the estimated expenses of said committee for the period June 19, 1959 to March 19, 1960

11. In order to prevent duplication and overlapping of interim studies between the various interim committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules or the Speaker.

12. Each interim committee shall file with the Assembly a brief general preliminary or progress report of its activities on or before the twentieth calendar day of the 1960 Budget Session of the Legislature.

13. Each interim committee shall file its final report with the Assembly on or before the fifth calendar day of the 1961 Regular Session of the Legislature

14. The sum of four hundred fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the above committees and their members and for any charges, expenses or claims they may incur under this resolution. The Committee on Rules shall allocate from the above sum to each committee created by this resolution such amount as the Committee on Rules from time to time deems appropriate and sufficient to carry out the duties assigned to each such committee. After allocations have been made by the Committee on Rules to a committee pursuant to this resolution, the Committee on Rules shall not thereafter reduce or revert any funds or portions thereof so allocated. The original amount so allocated shall be for expenses for the period June 20, 1959, to March 20, 1960. Funds not to exceed the amount so allocated shall be paid from the said Contingent Fund and disbursed, after certification by the Chairman of the respective committees, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution, as amended, ordered to retain its place on file.

### BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file and placed upon the third reading file:

**Senate Bill No. 176,** on request of Mr. Sumner.

**Assembly Bill No. 2403,** on request of Mr. Bee.

### REQUEST FOR UNANIMOUS CONSENT

Mr Bee was granted unanimous consent to take up Assembly Bill No. 2403, at this time, for purpose of amendment.

### CONSIDERATION OF ASSEMBLY BILL NO. 2403

**Assembly Bill No. 2403**—An act making an appropriation to the Joint Legislative Budget Committee for a study of the organization and functions of the Department of California Highway Patrol.

Bill read third time

#### Motion to Amend

Mr. Bee moved the adoption of the following amendments:

#### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "making an appropriation to the Joint Legislative Budget Committee", and insert "providing".

#### Amendment No. 2

On page 1, strike out lines 1, 2 and 3; on line 4 strike out "contracting", and insert

"SECTION 1. The Joint Legislative Budget Committee shall contract".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Lowrey was granted unanimous consent to set Senate Bill No. 1293 for hearing in the Committee on Natural Resources, Planning, and Public Works for tomorrow afternoon.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2079**—An act to amend Section 126 of the Government Code, relating to acquisition of lands by the United States, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2079?

#### Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 1, 1959, after "conditions", insert "and reservations".

#### Amendment No. 2

On page 2, line 4, strike out "and (c)", and insert "(c), (e), and (h),".

#### Amendment No. 3

On page 2, line 18, strike out "performance", and insert "utilization".

#### Amendment No. 4

On page 2, lines 19 and 20, strike out "its functions as are performed upon such land", and insert "such use of the land for which such jurisdiction is accepted".

#### Amendment No. 5

On page 2, between lines 37 and 38, insert

"(i) In granting this consent, the Legislature and the State except and reserve to the State all deposits of minerals, including oil and gas, in the land, and to the State, or persons authorized by the State, the right to prospect for, mine, and remove such deposits from the land"

#### Amendment No. 6

On page 2, line 23, of the printed bill, as amended in the Senate on June 3, 1959, strike out "of such".

Senate amendments read.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Mr. Winton seconded the motion.

Motion carried. Time, 4.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

#### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 700,** as amended in Senate April 22, 1959—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1959, strike out "20894", and insert "20852, 20894, 20895".

### Amendment No. 2

On page 2, line 1, insert

"SEC. 2. Section 20852 is added to said code, to read:

20852. There shall be prominently displayed on every dispensing device, from which gasoline is being sold at retail as a fuel for internal combustion engines, a sign or label, placed so as to be read in connection with the brand name, trade-mark, or trade name of the gasoline, consisting of the words "minimum octane number" or "octane number," together with arabic numbers identifying the octane rating of the gasoline.

The letters and numbers used in connection with this sign or label shall be of not less than one inch in height with a stroke of not less than one-eighth inch in width.

This section does not apply to gasoline sold for use in aircraft."

### Amendment No. 3

On page 2, line 13, strike out "SEC. 2.", and insert "SEC. 3."

### Amendment No. 4

On page 2, between lines 27 and 28, insert

"This section does not apply to gasoline offered for sale or advertised for sale for use in aircraft.

SEC. 4. Section 20895 is added to said code, to read:

20895. When gasoline is offered for sale by any producer, manufacturer, distributor, broker, jobber, wholesaler, or seller, except at retail, said seller, at the time of the sale, must specify in writing the octane number of the gasoline sold The octane number of said gasoline at the time of sale by said seller shall be not less than the octane number specified by said seller.

This section does not apply to gasoline offered for sale or sold for use in aircraft."

### Amendment No. 5

On page 2, line 36, strike out "SEC. 3.", and insert "SEC 5."

### Amendment No. 6

On page 2, line 38, strike out "Section 20894", and insert "Sections 20894 or 20895".

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| | GORDON H. WINTON |
| WALTER P. STIERN | BRUCE SUMNER |
| ROBERT I. MONTGOMERY | PAUL J LUNARDI |
| Senate Committee on Conference | Assembly Committee on Conference |

Report adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Miller, Petris, Porter, Reagan, Rumford, Schrade, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—44.

NOES—None.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 16**—An act to amend Section 1356 and to repeal Sections 1460 to 1475 and 1478 to 1578, inclusive, and to add Chapter 7 (commencing with Section 1500) to Title 10 of Part 3 of the Code of Civil Procedure, relating to disposition of unclaimed property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 16?

**Amendment No. 1**

On page 3, line 51, of the printed bill, as amended in the Assembly on March 30, 1959, strike out "valuable personal property", and insert "personal property of obvious commercial value".

**Amendment No. 2**

On page 3, line 52, after the comma, insert "after discharge of any lien or liens for storage charges,".

**Amendment No. 3**

On page 6, line 25, strike out "not", and insert "except property of the classes".

**Amendment No. 4**

On page 7, line 10, strike out "unclaimed funds", and insert "money".

**Amendment No. 5**

On page 7, line 12, strike out "funds", and insert "money".

**Amendment No. 6**

On page 7, line 13, after the period, insert "The report shall set forth any amounts owing to the holder for unpaid rent and for the cost of opening the safe deposit box."

**Amendment No. 7**

On page 7, line 31, after "30th", insert "or fiscal year-end".

**Amendment No. 8**

On page 9, line 29, strike out "seven months thereof", and insert "20 days after the time specified in Section 1511 for claiming the property from the holder".

**Amendment No. 9**

On page 9, line 32, strike out "shall", and insert "may".

**Amendment No. 10**

On page 9, line 41, strike out "verified".

**Amendment No. 11**

On page 10, line 1, after the period, insert "Property removed from a safe deposit box or other repository shall be received by the State Controller subject to any valid lien of the holder for rent and other charges, such rent and other charges to be paid out of the proceeds remaining after the State Controller has deducted therefrom his selling cost."

**Amendment No. 12**

On page 11, line 11, after "bonds", insert ", or for payment to the person entitled thereto, for any unpaid lawful charges or costs which arose from holding any specific property or any specific funds which were delivered or paid to the State Controller, or which arose from complying with this chapter with respect to such property or funds".

**Amendment No. 13**

On page 11, line 47, after "claim", insert "under this section".

**Amendment No. 14**

On page 12, line 32, strike out "direct", and insert "authorize".

**Amendment No. 15**

On page 12, line 33, strike out "proprty", and insert "property".

**Amendment No. 16**

On page 12, line 35, strike out "direction", and insert "authorization".

**Amendment No. 17**

On page 12, line 38, strike out "of", and insert "taken by".

**Amendment No. 18**

On page 12, line 39, after the period, insert

"If the holder has not received any such direction within seven years after the final date for filing a report under Section 1510, the holder at his option may destroy or otherwise dispose of the property without the consent or direction of the State Controller."

**Amendment No. 19**

On page 12, between lines 39 and 40, insert

"(c) If the property is claimed by the owner or by his successor in interest at any time before the holder has destroyed or otherwise disposed of the property as provided in subdivision (b), the holder may pay or deliver the property against a written proof of claim and payment of any delinquent rent and other charges owing to the holder, and the holder shall notify the State Controller of such payment or delivery and file a copy of such proof of claim with the State Controller."

**Amendment No. 20**

On page 5, line 48, of the printed bill as amended in the Senate on May 20, 1959, strike out "to", and insert "in".

**Amendment No. 21**

On page 7, line 28, after "offsets," insert "other than unclaimed funds,".

**Amendment No. 22**

On page 8, strike out lines 34, 35, and 36, and insert "Section 1510 shall, within seven months from the final date for filing reports as required by Section 1510, pay or deliver to the State Controller all".

**Amendment No. 23**

On page 12, line 46, after "of a", insert "municipal utility district; nor to a".

The Assembly concurred in Senate amendments to Assembly Bill No. 16 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Lowrey, Luckel, Marks, Miller, Mulford, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Winton—43.

NOES—None.

Assembly Bill No. 16 ordered enrolled.

**Assembly Bill No. 2461**—An act to amend Section 24207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to state colleges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2461?

**Amendment No. 1**

On page 1, lines 23 and 24, of the printed bill, as amended in the Assembly on May 20, 1959, strike out "and administrative".

The Assembly concurred in Senate amendment to Assembly Bill No. 2461 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E Brown, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, McCollister, Miller, Mulford, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2461 ordered enrolled.

**Assembly Bill No. 2616**—An act to amend Sections 74660, 74662, and 74663 and to add Section 74665 to the Government Code, relating to municipal court districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2616?

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "and fifty dollars ($50)", and insert "fifty dollars ($50) and fifty-two dollars ($52)".

**Amendment No. 2**

On page 2, line 4, strike out "and thirty-nine dollars ($39)", and insert "thirty-nine dollars ($39), and forty-one dollars ($41)".

**Amendment No. 3**

On page 2, lines 11 and 12, strike out "and twenty-nine dollars ($29)", and insert "twenty-nine dollars ($29), and thirty-one dollars ($31)".

**Amendment No. 4**

On page 2, lines 19 and 20, strike out "and twenty-two dollars ($22)", and insert "twenty-two dollars ($22), and twenty-three dollars ($23)".

**Amendment No. 5**

On page 2, lines 27 and 28, strike out "and nineteen dollars ($19)", and insert "nineteen dollars ($19), and twenty dollars ($20)".

The Assembly concurred in Senate amendments to Assembly Bill No. 2616 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Miller, Mulford, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2616 ordered enrolled.

**Assembly Bill No. 2618**—An act to amend Sections 74040, 74042, and 74043, and to add Sections 74046, 74047, 74048, 74049, 74050, and 74051 to the Government Code, relating to municipal court districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2618?

**Amendment No. 1**

On page 1, line 14, of the printed bill, strike out "and fifty dollars ($50)", and insert "fifty dollars ($50), and fifty-two dollars ($52)".

**Amendment No. 2**

On page 2, line 5, strike out "and thirty-nine dollars ($39)", and insert "thirty-nine dollars ($39), and forty-one dollars ($41)".

**Amendment No. 3**

On page 2, line 13, strike out "and twenty-nine dollars ($29)", and insert "twenty-nine dollars ($29), and thirty-one dollars ($31)".

**Amendment No. 4**

On page 2, line 18, strike out "($388)", and insert "($338)".

**Amendment No. 5**

On page 2, lines 20 and 21, strike out "and twenty-two dollars ($22)", and insert "twenty-two dollars ($22), and twenty-three dollars ($23)".

**Amendment No. 6**

On page 2, lines 28 and 29, strike out "and nineteen dollars ($19)", and insert "nineteen dollars ($19), and twenty dollars ($20)".

The Assembly concurred in Senate amendments to Assembly Bill No. 2618 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Miller, Mulford, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 2618 ordered enrolled.

**Assembly Bill No. 2806**—An act to amend Sections 803, 803.5, 806.1, 828.4, and 829.2 of the Agricultural Code, relating to agricultural containers, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2806?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 29, 1959, strike out "and 828.4", and insert "828.4, and 829.2".

**Amendment No. 2**

On page 4, between lines 10 and 11, insert

"SEC. 5. Section 829.2 of said code is amended to read:

829.2. 7. Fresh peaches, numbers, 1, 1A, 5, 6, 7, 8, 9, 9A, 9B, 12B, ~~15, 16, 17, 18, 18A,~~ 22D, 25, 26, 27, 27A, ~~or~~ 27B, *or 27C*.

7a. Nectarines, numbers 1, 1A, 5, 6, 7, 8, 9, 9A, 9B, 12B, 12C, ~~15, 16, 17, 18, 18A,~~ 22B, 22D, 25, 26, 27, ~~or~~ 27A, *27B, or 27C*.

8. Fresh pears, numbers 1A, ~~5, 6, 7, 8, 9, 16, 17, 18,~~ 19, 20, 26, 27 or 29A. Container number 19 shall be standard only when used with three pads or cushions.

9. Oriental persimmons, numbers 6, 7, 8, 13, 14, 15, 16, 17, 18, 22D, 27, 27B or 32.

10. Plums or fresh prunes, numbers 1, 1A, 5, 6, 7, 8, 9, 9C, 12A, 12B, 14, 15, 16, 17, 18A, 22B, 22D, 23, 24, 25, 26 or 27.

11. "Wonderful" pomegranates, number 34."

**Amendment No. 3**

On page 4, line 11, strike out "SEC. 5.", and insert "SEC. 6."

The Assembly concurred in Senate amendments to Assembly Bill No. 2806 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 2806 ordered enrolled.

## MOTION TO WITHDRAW SENATE BILL NO. 728 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Bruce F. Allen moved that Senate Bill No. 728 be withdrawn from the Committee on Judiciary—Civil.

*Speaker pro Tempore Presiding*

At 4.27 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Munnell, Burke, Schrade, Charles H. Wilson, and Johnson demanded the previous question. Demand sustained

The question being on the motion to withdraw.

Point of Personal Privilege

Mr. O'Connell arose on a point of personal privilege.

Point of Order

Mr. Munnell arose to the following point of order: That Mr. Bruce F. Allen's time for closing debate had expired.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

Speaker Presiding

At 4.43 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the motion that Senate Bill No. 728 be withdrawn from the Committee on Judiciary—Civil.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Mr. Lowrey seconded the motion.

Motion carried. Time, 4.44 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### *UNFINISHED BUSINESS (RESUMED)*

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2037**—An act to add Section 14377 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deductions of group insurance premiums from teachers' retirement allowances.

*The question being:* Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2037?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 15, 1959, after "payment", insert "of".

The Assembly concurred in Senate amendment to Assembly Bill No. 2037 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 2037 ordered enrolled.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, June 16, 1959

MR SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 1529**—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

| | |
|---|---|
| STANFORD C. SHAW | JACK A. BEAVER |
| WALTER W. STIERN | BRUCE SUMNER |
| WAVERLY JACK SLATTERY | JEROME R. WALDIE |
| Senate Committee on Conference | Assembly Committee on Conference |

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Wilson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.
NOES—None.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 376**—An act to add Section 219 to the Welfare and Institutions Code, relating to real property of public assistance recipients.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 376?

### Amendment No. 1

On page 1, line 13, of the printed bill, strike out ", in order that the recipient may bid"; and strike out all of line 14, and insert "and agrees to subordinate its liens to any subsequent mortgage or deed of trust on the real property so long as the title thereto remains in the name of the recipient."

The Assembly concurred in Senate amendment to Assembly Bill No. 376 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell,

Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 376 ordered enrolled.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

**Assembly Bill No. 800**—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, and declaring the urgency thereof to take effect immediately.

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 800 ordered enrolled.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1068**—An act creating the Mojave-Antelope Water Agency and prescribing its boundaries, organization, operation, management, financing and other powers and duties of the agency.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1073**—An act to add Section 26310 to the Vehicle Code, as enacted by the Legislature at the 1959 Regular Session, relating to truck and trailer brakes.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1300**—An act to add Section 149 to the Streets and Highways Code, relating to telephones on freeways.

Bill read third time, and presented by Mr. Elliott.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Speaker Brown announced that the Senate had just passed the following bills by Mr. MacBride:

Assembly Bill No. 1171, relative to taxation of alcoholic beverages, 28 to 6; Assembly Bill No. 1173, relative to taxation of horse racing, 30 to 6; Assembly Bill No. 1175, relative to taxation of banks and corporations, 27 to 9; and Assembly Bill No. 1176, relative to inheritance and gift taxation, 27 to 9.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 832**—An act to add Section 351 to, and to amend Section 4007 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Sedgwick, Sumner, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 121**—An act to amend Section 69595 of the Government Code, relating to the superior court in San Diego County.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 122**—An act to amend Sections 87 of the Agricultural Code, relating to fairs, including racing thereat.

Bill read third time, and presented by Mr. DeLotto.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 509**—An act to add Section 6503 3 to the Welfare and Institutions Code, relating to the conveyance of property of the Agnews State Hospital.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 861**—An act to add Section 516 to the Streets and Highways Code, relating to state highways.

Bill read third time, and presented by Mrs. Davis.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 4**—An act to amend Section 10500 of the Water Code, relating to the development, utilization, and conservation of the water resources of the State.

Bill read third time, and presented by Mr. Porter.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest F. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Reagan—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 74**—An act to amend Section 30350 of, and to add Article 5 (commencing at Section 30770) to Chapter 2 of Division 17 of the Streets and Highways Code, relating to the San Mateo-Hayward and Dumbarton Bridges, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Bee.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 74:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 74 is an act relating to the San Mateo-Hayward and Dumbarton Bridges.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 74 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'Berg, and Mr. Speaker—75.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'Berg, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1076**—An act to amend Section 602 of the Penal Code, relating to the crime of trespass.

Bill read third time, and presented by Mr. Petris.

Bill passed by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Crown, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan,

Meyers, Miller, Nisbet, Pattee, Petris, Rumford, Sedgwick, Williamson, Charles H. Wilson, and Winton—43.

NOES—Don A. Allen, Biddick, Busterud, Collier, Coolidge, Cusanovich, Holmes, Mulford, Reagan, Shell, Thelin, and Waldie—12.

Bill ordered transmitted to the Senate.

**Senate Bill No. 724**—An act to amend Section 8951 of, to repeal Section 6915 and 8955 of, and to add Sections 6913.1, 8955, 8955.1 and 18352.2 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read third time.

**Motion to Amend**

Mr. Z'berg moved the adoption of the following amendment proposed by Mr. Hegland:

**Amendment No. 1**

On page 3, lines 14 and 15, of the printed bill, as amended in the Assembly on June 12, 1959, strike out ", with the approval of the county board of education,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

**Senate Bill No. 814**—An act to add Section 1193 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time, and presented by Mr. Hanna.

**Request for Unanimous Consent**

By unanimous consent, Speaker Brown ordered that Senate Bill No. 814 be not sent to reprint until all proposed amendments thereto had been considered.

The question being on the passage of the bill.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, as amended in the Senate on May 1, 1959, strike out "prior to the filing of a claim of lien", and insert "after the commencement of the furnishing of such labor, service, equipment, or material,".

**Amendment No. 2**

On page 1, line 13, after "furnished", insert "and a statement that, unless paid, the charges made for any materials, equipment, labor, or services furnished will constitute a lien on the property".

**Amendment No. 3**

On page 1, strike out lines 20 and 21; and on page 2 strike out lines 1 and 2.

Amendments read.

**Roll Call Demanded**

Messrs. Masterson, Lowrey, and Frew demanded a roll call.

NOTE—On June 18, 1959, the record was expunged, and the action rescinded whereby the above amendments were this day adopted. *See* pages 5843 and 5850.

### Consideration of Further Amendments
### Motion to Amend

Mr. Busterud moved the adoption of the following amendments:

#### Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Senate on May 1, 1959, strike out "registered or certified", and insert "first class".

#### Amendment No. 2

On page 2, line 17, strike out "certified or registered", and insert "first class".

#### Amendment No. 3

On page 2, line 22, strike out "registered or certified".

#### Amendment No. 4

On page 2, line 23, strike out "registered or certified".

#### Amendment No. 5

On page 2, line 28, strike out ", unless the same is furnished under"; strike out lines 29 to 32, inclusive, and insert a period.

Amendments read.

NOTE—On June 18, 1959, the record was expunged, and the action rescinded whereby the above amendments were this day adopted. *See* pages 5843 and 5850.

## REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the bill, Mr. Backstrand was granted unanimous consent that Joint Rule No. 23 be suspended to take up Assembly Bill No. 909 today.

## CONSIDERATION OF ASSEMBLY BILL NO. 909

**Assembly Bill No. 909**—An act making an appropriation for the installation of street improvements, including sidewalks, at the California School for the Deaf at Riverside.

Bill read third time.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 909:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 909 is an act making an appropriation for the installation of street improvements, including sidewalks, at the California School for the Deaf at Riverside.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 909 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick,

Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'Berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Cunningham was granted unanimous consent to hold a special meeting of the Committee on Public Utilities and Corporations in the rear of the Assembly Chamber at this time. Subject: Senate Bills Nos. 731 and 688.

### CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2079

At 5.40 p.m., Mr. Lowrey moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2079 by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cusanovich, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Regan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 2079 ordered enrolled.

### POINT OF PERSONAL PRIVILEGE

Mr. Lowrey arose on a point of personal privilege.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW SENATE BILL NO. 728

At 5.44 p.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Senate Bill No. 728 be withdrawn from the Committee on Judiciary—Civil lost by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Burke, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Dills, Francis, Garrigus, Ernest R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Masterson, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, and Thelin—36.
NOES—Bane, Bee, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Samuel R Geddes, Hawkins, Kennick, Lunardi, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—41.

### RUSH ORDER PLACED UPON PRINTING OF SENATE BILL NO. 222

Miss Donahoe was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 222.

### PARLIAMENTARY INQUIRY

Mr. Lanterman arose to the following parliamentary inquiry: In view of the information that the Senate Committee on Finance would hold its last meeting tonight, should not the Assembly Committee on Ways and Means be directed by motion tomorrow to refuse to consider any further Senate bills?

#### Reply by Speaker

Speaker Brown replied that he could not answer the question; but stated that he would go to the Senate to clarify the situation, and would report back to the House.

#### Speaker pro Tempore Presiding

At 5.46 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

**Assembly Concurrent Resolution No. 149:** By Messrs. Porter and Miller—Relative to the completion of the study of the Subcommittee on Economic and Financial Policies for State Water Projects of the Joint Committee on Water Problems.

Referred to Committee on Rules.

**Assembly Joint Resolution No. 42:** By Mr. Munnell—Relative to Federal Government bond rates.

Referred to Committee on Rules.

### PARLIAMENTARY INQUIRY

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Do not joint resolutions require special permission for their introduction?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that Joint Rule No. 10.8 applies to bills and constitutional amendments, but not to joint or concurrent resolutions.

### RESOLUTIONS

The following resolutions were offered:

By Mr. Cunningham:

#### House Resolution No. 386

Relative to an interim committee study of the regulation of railroads and other utilities by the Public Utilities Commission

*Resolved by the Assembly of the State of California*, That the subject matter of the regulation of railroads and other utilities under the jurisdiction of the Public Utilities Commission, including but not limited to safety regulations and orders of the Public Utilities Commission, the procedures of the commission in enforcing its regulations, the procedures of the commission in handling complaints, the methods and procedures of investigation, hearings and findings and the methods of reporting or publishing thereof, is assigned to the Assembly Interim Committee on Public Utilities and Corporations, which committee shall study and report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Charles H. Wilson:

House Resolution No. 387

Relative to an interim study of business licenses for contractors

WHEREAS, There is a duplication of license requirements of local governmental agencies relating to the contracting business; and

WHEREAS, The result is that contractors doing incidental business in communities other than the city of their principal place of business often must obtain many licenses; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including any necessary or desirable changes in the law relating thereto, is hereby assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

## COMMUNICATIONS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

### LETTER OF TRANSMITTAL

Report of California Commission on Interstate Co-operation

California Commission on Interstate Cooperation

Sacramento, June 15, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*
*State Assembly, Sacramento*

DEAR MR. OHNIMUS: I am happy to transmit herewith a copy of the report of the California Commission on Interstate Co-operation for the period May 28, 1957, to May 30, 1959.

This report is submitted in accordance with the provisions of Section 8009 of the Government Code. It constitutes a report to the Governor and the Legislature, and may also be considered as the report of the Senate and Assembly Interim Committee on Interstate Co-operation.

Cordially yours,

GLENN M. ANDERSON, Chairman

Above transmitted report referred to the Committee on Rules.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

### OPINION OF LEGISLATIVE COUNSEL RELATIVE TO STATE WATER DEVELOPMENT

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 16, 1959

*Hon. Bruce F. Allen*
*Assembly Chamber*

State Water Development—Senate Bill No. 1106—No. 17685

DEAR MR. ALLEN: You have asked two questions with respect to Senate Bill No. 1106, as amended in Senate May 28, 1959, which we shall set forth and answer separately below.

*Question No. 1*

Assuming the bill is passed and is approved by the voters, is it mandatory for the Department of Water Resources to construct aqueducts into Santa Clara County and Los Angeles County?

*Opinion and Analysis No. 1*

Under the proposed Section 12938 of the Water Code, the department "is authorized to construct any and all facilities for which funds are appropriated to it for expenditure pursuant to this chapter." Since all money from the sale of bonds and in the California Water Fund would be appropriated, among other things, for the construction of certain designated facilities (including the aqueducts into Santa Clara County and Los Angeles County (see proposed Sec. 12934, Wat. C.)), the department would be *authorized* to construct those facilities.

However, while the department would be *authorized* to construct any facilities for which funds are appropriated under the bill, including the facilities mentioned by you, there is nothing in the proposed measure which would *require* the construction of any particular facilities.

We conclude, therefore, that the department would not be required to construct any particular facilities. On the other hand, it should be noted that the bond funds cannot be expended for purposes other than those prescribed in the bill.

Question No. 2

Who would have the standing in court to enforce the provisions of the bond act, assuming its provisions were not carried out? Could the bondholders maintain an action so long as there is no default in payment and the full faith and credit of the State is behind the bonds?

Opinion and Analysis No. 2

In our opinion any bondholder could bring an action to enforce the provisions of the bond act. A mandamus action could be brought to compel the performance by state officers of acts which the law specifically requires (Sec. 1085, C. C. P.). A third-party beneficiary action could be brought to enforce the terms of a state water or power contract (Sec. 1559, Civ. C.). An action against the State based upon the express contract represented by the bonds could be brought (Sec. 16041, Gov. C.). In our opinion the right to bring any such action would not be limited to situations in which there is a default in payment. Since the net revenues of the State Water Development System are pledged to the payment of the bonds, as well as the general credit of the State, any action which affected the system might, under the particular circumstances involved, affect the security of the bondholders.

It might be noted, also, that persons or entities contracting with the State for the sale, delivery, or use of water or power, or for other services or facilities, would be authorized to sue the State with respect to such contracts (see proposed Sec. 12937, Wat. C.).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to Hon. Hugh M. Burns
pursuant to Joint Rule No. 34.

### REQUEST TO PRINT IN JOURNAL

On request of Mr. Burton, the following proposed amendments to Senate Bill No. 1228 were ordered printed in the Journal:

### PROPOSED AMENDMENTS TO SENATE BILL NO. 1228

By Mr. Burton:

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Section 14309.1 to,".

**Amendment No. 2**

On page 3 strike out lines 28 to 50, inclusive; and strike out all of page 4.

### ANNOUNCEMENTS

Mr. Holmes announced that all members interested in the Air Command trip to Omaha, Nebraska, in October should contact him for details and reservations; and announced further that all Members of the Assembly and the Senate were invited to take the trip.

### REQUEST TO PRINT IN JOURNAL

On request of Mr. Lanterman, the following proposed amendment to Senate Bill No. 1106 was ordered printed in the Journal:

### PROPOSED AMENDMENT TO SENATE BILL NO. 1106

**As Amended in Senate May 28, 1959**

By Mr. Lanterman:

**Amendment No. 1**

On page 6, line 11, of the printed bill, as amended in the Senate on May 28, 1959, after the period, insert "Notwithstanding any other provision of law, including but not limited to Section 10505 and Sections 11460 to 11463, inclusive, of this code, if in any year, due to extreme drought or other emergency situation, there is, in any area in which water originates, insufficient water to fulfill the delivery requirements under such contracts and to fulfill any appropriative rights to water in said area under permits granted subsequent to the effective date of this chapter (or licenses granted pursuant to such permits) the department on the one hand, and such other permittees or licensees, on the other hand, shall share such shortage equally."

**Speaker Presiding**

At 5.51 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### ANNOUNCEMENT

Speaker Brown announced that the Senate Committee on Finance would meet tonight, and would hold another meeting tomorrow, the details of which would be announced later; and that the Members of the Assembly would be advised of the time and place tomorrow.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: How can a member ascertain whether his bills will be heard tonight or tomorrow?

**Reply by Speaker**

The Speaker replied that he should contact the chairman of the committee.

**Announcement**

Mr. Johnson announced that a list of the bills set for hearing was posted in the hall.

### BILLS ORDERED FILED, AND SUBJECT MATTER REFERRED

Speaker Brown ordered the following bills filed, and the subject matter referred to the Committee on Rules:

**Senate Bills Nos. 84** and **942.**

### RE-REFERENCE OF SENATE BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 1372** and **209** to the Committee on Ways and Means.

### EXPLANATIONS OF ABSENCE

I have not voted on any measure until 10.10 a.m. this morning as I have been before Senate committees from 9.05 a.m. to 10.10 a.m.

ERNEST R. GEDDES

I was not present in the Assembly Tuesday morning, June 16th. Was attending a joint Conference Committee on the Budget.

THOMAS M. REES

I was in the Rules Committee meeting from 9 to 9.45 a.m. and in Senate Committee from 10 to 10.45 a.m. this morning.

CHARLES J. CONRAD
June 16, 1959

I missed a number of roll calls this morning due to legislative business elsewhere in the Capitol.

CHARLES W. MEYERS

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Ralph M. Brown of Modesto to Billie Dorton and Dorothy F. Walker, adults; and the following pupils of the Knights Ferry School: Jimmy Magenti, Michael McDaniel, Kathy McNees, Leon Dorton, Jimmie Sharp, Paul Dolling, Cherrie McNees, Darlene Bright, Mary Wright, Judy Fitzgerald, Patty Ulrich, Linda Wade, Joan Anderson, Mike McNees, Jerry Anderson, Jimmy Criswell, Loran Valenzuela, and Roy Vaulier.

On request of Mr. Lowrey of Rumsey to Mrs. James Eustis, Mrs. Frank Gayaldo, Mrs. Hubert Smith, Mrs. Thomas Patten, Mrs. William Kruse, Eugene Holdenried, and Russell H. Gripp, adults; and the following members of the 4-H Club of Lake County: Russell Gripp, Michael Prindle, Eugene Holdenried, Sally David, Dorace Garner, JoAnn Eustis, Louise Rippel, Marsha Scott, DiAnn Eustis, Coral Bradley, Jean Morrison, Sandra Peterson, Cheryl Rippee, Janet Rinder, Janet Eustis, David Hildebrand, Peter Windrem, David Petterson, Jean Kruse, Dorothy Kruse, Carolyn Gayaldo, Christie Morrisson, Danny Patten, Westly Patton, Mary Ellen Lee, Gary Smith, and Gwynne Jones.

On request of Mr. Busterud of San Francisco to Theodore Chung, Mrs. Lillian Kay, Lt. Col. Robert Ecoff, Mrs. Katherine Fiege, Mrs. Teddy Halkias, Mrs. Robert Slatton, and Mrs. Jean Jorgensen, adults; and the following members of Cub Scout Pack 39: Harlan Chung, Oscar Chung, Robert Ecoff, Jr., Michael Ecoff, Jr., Teddy Kay, Rich-

ard Kay, Michael Kay, Allen Nasser, William Fiege, Margaret Fiege, Dino Halkias, Jim Carter, John Carter, George Gatsos, Michael Mashburn, Jim Kauffman, Robert Wang, Bob Slatton, Jr., Jill Slatton, Wendy Slatton, John Jorgensen, and Jean Jorgensen.

On request of Speaker Ralph M. Brown of Modesto to Wallace Henderson of Fresno, former Assemblyman.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Thomas Twohig and Miss Eileen McCarthy of San Francisco.

On request of Mr. Backstrand of Riverside to James Krieger, Jim Krieger, and Tor Krieger of Riverside.

On request of Mr. Frew of Dinuba to Dr. Thomas Nagy of Tulare.

On request of Mr. Petris of Oakland to Mr. and Mrs. Edward A. Goggin, Nancy J. Goggin, and Barry D. Goggin of Oakland.

On request of Speaker Ralph M. Brown of Modesto to the following members of the American Guild of Organists: Loren V. Adair of Pomona, William J. Beasley of Santa Barbara, Emma D. Cornell of Fort Bragg, Mrs. Raymond G. Cox of Tucson, Arizona, Miss Helen Crozier of Fortuna, Mrs. Esther De Young of Folsom, Mrs. Louis Duit of Los Angeles, Mrs. James S. Eley and Mrs. George Gregerson of Eureka, Karl A. Gullander of Oakland, Miss Barbetta Heartwell of Montebello, Dorothy Hester of Arlington, Ethel Hoffman and Mark Hoffman of Lawndale, Miss Florence Linthicum of Los Angeles, Marguerite Larwood of Fresno, Alvin Marshall and Vivian Marshall of Fullerton, Janeen Perry of San Diego, Miss Hazel Peterson of Fresno, G. Leland Ralph of Sacramento, Dr. Charles Schilling of Stockton, Noel J. Stowe of Sacramento, Mrs. Walter Tischer of Sebastopol, Mrs. Clarence Trued of Roseburg, Oregon, Mrs. Belle Veall of Pittsburg, Rhea Young of Long Beach, Julian Zuniga of Mexico City, Dr. Roberta Bitgood of Riverside, Dr. Leslie Spellman of Redlands, Mrs. Wm. J. Beasley of Santa Barbara, (Mrs. C. R.) Yvonne Harmon of Sacramento, Berenice Anderson of Walnut Creek, Barbara Parsons of Diablo, Frederic Errett of Sacramento, Mr. and Mrs. J. C. Swinford of San Jose, Mrs. Mabel Van Gresen of Watsonville, and Iva Rodgers of Saratoga.

## ADJOURNMENT

At 5.45 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Wednesday, June 17, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED ELEVENTH LEGISLATIVE DAY

ONE HUNDRED EIGHTEENTH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Wednesday, June 17, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

Upon invitation of Speaker Brown, the following prayer was offered by the Honorable Charles B. Garrigus, Member of the Assembly from the Thirty-third District:

*O Great Spirit of All Wisdom and All Power!* Of what worth are our words unless our minds are open to Thy will?

The oceans of responsibility are wide and deep. The winds of contrary opinion are rising about us. The tempest of prejudice and greed breaks with fury on the frail craft of our human judgment.

O God, how shall we steer a safe course unless Thy hand shall strengthen ours upon the tiller?

Give us the wisdom to place ourselves within Thy care so that we may safely reach the harbor of Thy purpose. We ask in Jesus' Name.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Lowrey, seconded by Mr. Lanterman.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Porter, on motion of Mr. Winton.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 1529**—An act to amend Section 70141.5 of, and to add Section 70141.7 to, the Government Code, relating to court commissioner of superior courts.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 1529 ordered enrolled.

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Rodda, Richards, and Cobey as a Committee on Conference concerning:

**Assembly Bill No. 656**—An act to amend Section 80 of, and to add Section 80.5 to, the Agricultural Code, relating to district agricultural associations.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 469
Assembly Bill No. 894
Assembly Bill No. 895
Assembly Bill No. 924
Assembly Bill No. 929
Assembly Bill No. 930
Assembly Bill No. 931
Assembly Bill No. 932
Assembly Bill No 933
Assembly Bill No. 934
Assembly Bill No. 935
Assembly Bill No. 936
Assembly Bill No. 937
Assembly Bill No. 1088
Assembly Bill No. 1175
Assembly Bill No. 1176
Assembly Bill No. 1435
Assembly Bill No. 1473
Assembly Bill No. 1570
Assembly Bill No. 1620
Assembly Bill No. 1686
Assembly Bill No. 1730
Assembly Bill No. 1758
Assembly Bill No. 1884
Assembly Bill No. 1862
Assembly Bill No. 1964
Assembly Bill No. 2028
Assembly Bill No. 2220
Assembly Bill No. 2246
Assembly Bill No. 2327
Assembly Bill No. 2335
Assembly Bill No. 2339
Assembly Bill No. 2409
Assembly Bill No. 2564
Assembly Bill No. 2570
Assembly Bill No. 2579
Assembly Bill No. 2587
Assembly Bill No. 2613
Assembly Bill No. 2702
Assembly Bill No. 2738

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2820
Assembly Bill No. 2778
Assembly Bill No. 2873

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 468
Assembly Bill No. 621
Assembly Bill No. 1092
Assembly Bill No. 1171
Assembly Bill No. 1173
Assembly Bill No. 1243
Assembly Bill No. 1309
Assembly Bill No. 1310
Assembly Bill No. 1356
Assembly Bill No. 1676
Assembly Bill No. 1787
Assembly Bill No. 1797
Assembly Bill No. 2160
Assembly Bill No. 2167
Assembly Bill No. 2523
Assembly Bill No. 2615
Assembly Bill No. 2617

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 391
Senate Bill No. 438
Senate Bill No. 460
Senate Bill No. 494
Senate Bill No. 501
Senate Bill No. 576
Senate Bill No. 727
Senate Bill No. 742
Senate Bill No. 853
Senate Bill No. 939
Senate Bill No. 940
Senate Bill No. 998
Senate Bill No. 1063
Senate Bill No. 1092
Senate Bill No. 1158
Senate Bill No. 1214
Senate Bill No. 1231
Senate Bill No. 1240
Senate Bill No. 1255
Senate Bill No. 1352
Senate Bill No. 1355
Senate Bill No. 1405
Senate Bill No. 1420
Senate Bill No. 1484
Senate Concurrent Resolution No. 75
Senate Joint Resolution No. 20
Senate Constitutional Amendment No. 31

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 16, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 267
Senate Bill No. 422
Senate Bill No. 586
Senate Bill No. 589
Senate Bill No. 653
Senate Bill No. 654
Senate Bill No. 732
Senate Bill No. 867

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 267**—An act making an appropriation for the regulation and control of drugs, medicines, compounds, and devices used in the diagnosis, treatment, or cure of cancer.

Referred to Committee on Ways and Means.

**Senate Bill No. 422**—An act to amend Sections 6549, 6550.5, 6566, 6625, 6627.5, 6627 6, and 6630 of, and add Section 6549.1 to, the Business and Professional Code, relating to the practice of barbering.

Referred to Committee on Public Health.

**Senate Bill No. 586**—An act to add Sections 16353 and 16354 to the Government Code, relating to the State Construction Program Fund, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

**Senate Bill No. 589**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange and for accomplishing the purposes of this act.

Referred to Committee on Ways and Means.

**Senate Bill No. 653**—An act to amend Sections 11044, 11271, and 14030 and to repeal Section 11273 of the Government Code, relating to charges against state funds, and making an appropriation.

Referred to Committee on Ways and Means.

**Senate Bill No. 654**—An act to amend Section 135 of the Water Code, and to amend Sections 11044, 11271 and 20751 and to repeal Section 11273 of the Government Code, relating to charges against state funds, and making an appropriation.

Referred to Committee on Ways and Means.

**Senate Bill No. 732**—An act to add Chapter 10 (commencing at Section 4500) to Division 2 of the Business and Professions Code, relating to the certification of psychiatric technicians.

Referred to Committee on Governmental Efficiency and Economy.

NOTE: Later this day, Senate Bill No. 732 was withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

**Senate Bill No. 867**—An act to amend Sections 2020, 2020.002, and 2025 of, the Welfare and Institutions Code, relating to old age assistance.

Referred to Committee on Social Welfare.

## CONSIDERATION OF DAILY FILE

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 481**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 481?

### Amendment No. 1

On page 3, between lines 21 and 22, of the printed bill, as amended in the Assembly on March 9, 1959, insert "Zones of flood control and water conservation districts".

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Lanterman moved a call of the Assembly.

Mr. Pattee seconded the motion.

Motion carried. Time, 9.14 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 482**—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, and to provide limitations of time within which actions may be commenced in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 482?

**Amendment No. 1**

On page 3, between lines 17 and 18, of the printed bill, as amended in the Assembly on March 9, 1959, insert "Zones of flood control and water conservation districts".

The Assembly concurred in Senate amendment to Assembly Bill No. 482 by the following vote:

AYES—Backstrand, Bane, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Marks, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Shell, Sumner, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—43.

NOES—Bruce F. Allen—1.

Assembly Bill No. 482 ordered enrolled.

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Shell was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1656**—An act to amend Section 2710 of, and to add Section 2801.1 to, the Unemployment Insurance Code, relating to the payment of hospital benefits to persons confined in mental institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1656?

**Amendment No. 1**

In the heading of the printed bill, as amended in the Assembly on May 27, 1959, below "Introduced by Mr. Charles H. Wilson", insert

"(Co-author: Senator Alan Short)".

**Amendment No. 2**

On page 1, strike out lines 13 to 19, inclusive, and insert "satisfy the requirements of this section. With respect to any eligible claimant who is hospitalized pursuant to court order or physician's or health officer's certificate, a statement from the superintendent or registrar of the hospital stating the dates of such confinement shall satisfy the requirements of this section."

**Amendment No. 3**

On page 2, after line 17, insert

"SEC. 3. The amendment to Section 2710 of, and the addition of Section 2801.1 to the Unemployment Insurance Code made by this act shall become operative with respect to periods of disability commencing on and after January 1, 1960, and the provisions of Section 2710 and 2801 of said code in effect prior to such amendment and addition shall continue to be applicable with respect to periods of disability commencing prior to January 1, 1960."

The Assembly concurred in Senate amendments to Assembly Bill No. 1656 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Marks, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1656 ordered enrolled.

## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 2278**—An act to add Section 2½ to the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to records.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2278 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, MacBride, Marks, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 1356

Mr. Pattee was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on June 12, 1959 (Assembly Journal, page 5364), passed Senate Bill No. 1356.

Senate Bill No. 1356 ordered to third reading.

## FURTHER CONSIDERATION OF SENATE BILL NO. 1356

**Senate Bill No. 1356**—An act to add Article 10 (commencing at Section 2780) to Chapter 7 of Division 5 of the Education Code as enacted at the 1959 Regular Session, relating to junior college district organization.

Bill read third time.

**Motion to Amend**

Mr. Pattee moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 17, after "elementary", insert "or unified".

**Amendment No. 2**

On page 2, line 24, after "elementary", insert "or unified".

**Amendment No. 3**

On page 2, line 31, after "College", insert "District".

**Amendment No. 4**

On page 2, line 35, after "elementary", insert "or unified".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

**Rush Order Placed Upon Printing of Senate Bill No. 1356**

Mr. Pattee was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1356.

## CONSIDERATION OF HOUSE RESOLUTION NO. 353

By Mrs. Davis:

**House Resolution No. 353**—Relative to the death of Paul Denny.

Resolution read.

NOTE—Later this day, the record was expunged, and the action rescinded on House Resolution No. 353. *See* page 5645.

## CONSIDERATION OF HOUSE RESOLUTION NO. 346

By Mr. Thomas:

**House Resolution No. 346**

Relative to the retirement of George T. McCoy

WHEREAS, It has come to the attention of the Legislature that George T. McCoy, State Highway Engineer, is within a few months of attaining compulsory retirement age after a distinguished engineering career extending over 44 years in the public service, 32 years of it in the service of the State of California; and

WHEREAS, Mr. McCoy has served as State Highway Engineer and Chief of the California Division of Highways since 1943, during which period he has been responsible for the expenditure of more than two and a half billion dollars in the construction, maintenance and operation of the State Highway System; and

WHEREAS, Under Mr. McCoy's strong and capable leadership the highway program of the State of California has attained a position of widely acknowledged pre-eminence throughout the Nation and the world, particularly in the development of freeways and other modern contributions to the economy, efficiency and safety of motor vehicle transportation so essential to the growth and welfare of the State; and

WHEREAS, Mr. McCoy has been accorded nationwide professional recognition and honor, including his election in 1954 as President of the American Association of State Highway Officials and his selection by that association in 1958 as the recipient of the Thomas H. MacDonald Award for outstanding achievement in the development of highways, reflecting great honor on the State of California and its highway program; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly of the State of California do hereby express to George T. McCoy the gratitude and appreciation of the people of California for his accomplishments in the field of modern highway transportation and their heartiest wishes for a long and enjoyable retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to George T. McCoy.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 347

By Messrs. Luckel, Crawford, Hegland, and Schrade:

### House Resolution No. 347

Relating to the death of Charles O. Taylor

WHEREAS, The Members of the Assembly have learned of the recent death of one of San Diego's leading citizens, Mr. Charles O. Taylor; and

WHEREAS, "Spud," as he was known to his innumerable friends, was a native of Missouri, but received his education in Arizona and came to San Diego 20 years ago where he started work as a carpenter; and

WHEREAS, Because of his deep interest in securing stable working conditions in the building industry he was chosen as Business Representative of the District Council of Carpenters and Secretary-Treasurer of Millmen's Local 202, and since 1945 had been President of the San Diego County Labor Council; and

WHEREAS, He was also active in the Labor Division of the United Fund and Community Chest, and had been a member of the City Planning Commission since 1953, serving as chairman until ill health necessitated his resignation a few months ago; and

WHEREAS, It was largely through Spud's untiring efforts in the field of labor relations that the high degree of industrial peace in San Diego has been achieved; and

WHEREAS, The loss of this capable and public-spirited citizen, who gave so generously of his time and energies for the betterment of his fellow men, will be sorely felt by the people of his community as well as by his many close friends and associates; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution express their sincere regret at the passing of Charles O. Taylor, and extend their heartfelt condolences to his widow, Mrs. Ida Taylor, his daughters, Mrs. Patricia Hoffman, Mrs. Wendell Hearne, Mrs. Richard Bishop, and Miss Sue Taylor, and his brothers Harness E. Taylor, and John T. Taylor; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Ida Taylor, Mr. Harness E. Taylor, and Mr. John T. Taylor.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 348

By Messrs. Thomas, Porter, Hawkins, and Elliott:

### House Resolution No. 348

Relative to commending Mr. Thomas Consiglio and Mr. Cass D. Alvin for their work with the Conference on Legislative Action of the United Steelworkers of America

WHEREAS, Mr. Thomas Consiglio and Mr. Cass D. Alvin, Legislative Education Co-ordinator and Publicity Education Director, respectively, of District 38 of the United Steelworkers of America, were responsible for the preparations and arrangements for the second Conference on Legislative Action sponsored by the United Steelworkers of America, which was held in Sacramento during the week of March 15 to 20, 1959; and

WHEREAS, Mr. Consiglio and Mr. Alvin did a splendid job in completing the arrangements and preparations, and their efforts contributed immeasureably to the success of the conference and thus enabled the many delegates and members to become acquainted with and to participate in the important issues pending before the Legislature at the 1959 Regular Session; now, therefore, be it

*Resolved by the Assembly of the State of California*, That its Members hereby commend Mr. Thomas Consiglio and Mr. Cass D. Alvin for their notable efforts and contributions in making the conference a success; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Thomas Consiglio and Mr. Cass D. Alvin.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 351

By Mr. Johnson:

### House Resolution No. 351

Relative to commending Mrs. Ardell B. Beltz

WHEREAS, The Members of the Assembly have learned of the retirement of Mrs. Ardell B. Beltz as head teacher at the Berkeley Child Care Center in the City of Los Angeles; and

WHEREAS, Mrs. Beltz, a native of Ogden, Utah, who received her education in the elementary and high schools and state university of that state, taught in the public schools in Ogden before removing to Los Angeles; and

WHEREAS, She became a teacher in the Los Angeles Child Care Program on May 5, 1943, and later became head teacher serving in that capacity at Brooklyn Avenue and Berkeley Child Care Centers; and

WHEREAS, Her service in the child care centers has been an inspiration to her associates in the administration of such centers, and to the children coming under her care, by all of whom she will be greatly missed after her retirement; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members thereof commend Mrs. Beltz for her years of outstanding service to the children who came in contact with her and to her associates in the Child Care Center Program of the City of Los Angeles, and wish her health and happiness in her retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Ardell B. Beltz.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 352

By Mr. Marks:

### House Resolution No. 352

Relative to commending Walter S. Johnson

WHEREAS, Over the years the lovely Palace of Fine Arts in San Francisco has been gradually falling into ruin and decay; and

WHEREAS, This romantic work of architecture by Bernard Maybeck was erected as a temporary building for the 1915 Panama-Pacific Exposition in the City by the Golden Gate; and

WHEREAS, Standing majestically on the shore of a tranquil lagoon, this beautiful old structure is loved by millions of visitors to San Francisco, as well as by the residents of the city who often stroll through the verdant park surrounding it; and

WHEREAS, The Palace of Fine Arts has been saved from ultimate destruction by the generosity of one of California's leading citizens, Mr. Walter S. Johnson; and

WHEREAS, With Mr. Johnson's munificent gift of $2,000,000 matched by state funds and aided by additional contributions by other public spirited citizens, the Palace can be rebuilt as a permanent work of lasting beauty, once again glowing with its former splendor; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members, in the name of the people of California, express their grateful appreciation to Walter S. Johnson for his most generous gift, and commend him on his magnanimous civic spirit in taking this step to preserve for posterity one of the city's beloved landmarks; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Walter S. Johnson.

Resolution read, and adopted unanimously.

### Members Made Co-authors of House Resolution No. 352

Mr. Marks was granted unanimous consent that all members so desiring be placed upon the illuminated copy of House Resolution No. 352 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors upon the illuminated copy of the resolution:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, Meyers, Mulford, Nisbet, Petris, Reagan, Rumford, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.

NOES—None.

## CONSIDERATION OF HOUSE RESOLUTION NO. 362

By Mr. Burke:

### House Resolution No. 362

Commending Dr. C. E. Britton

WHEREAS, This year marks the thirty-fifth anniversary of Dr. C. E. Britton as Pastor of the Bethany Church of Alhambra, California; and

WHEREAS, Under his skillful leadership the church has grown to its present membership of 760, of whom 36 are original charter members; and

WHEREAS, Exercising a rare blend of spiritual and materialistic ability, Dr. Britton has achieved a solid financial foundation for the church which now has a property valuation of $800,000; and

WHEREAS, The Bethany Church alone has given over $369,000 in the past 30 years for missionary work in foreign countries, of which $44,000 was contributed in 1958; and

WHEREAS, In addition to devoting his life to the religious guidance of his parishioners, Dr. Britton has taken an active part in many community matters of both civic and cultural nature; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate Dr. C. E. Britton on his long and distinguished service as Pastor of the Bethany Church, and wish him many more years of fruitful endeavor; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Dr. C. E. Britton.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 363

By Mr. Levering:

### House Resolution No. 363

Relative to the retirement of Dr. Adaline C. Guenther

WHEREAS, The Assembly of the State of California has learned that Dr. Adaline C. Guenther will retire this year as Executive Secretary of the University Religious Conference after a long and distinguished career; and

WHEREAS, Dr. Guenther, affectionately known as "Gram," first became associated with the University Religious Conference in 1928, when the Campus of the University of California at Los Angeles was first located in Westwood; and

WHEREAS, Dr. Guenther was chiefly responsible for the establishment of University Camp, a mountain summer camp for underprivileged children, which has grown to accommodate over 600 children each summer; and

WHEREAS, The inspiration, imagination, and administration of Dr. Guenther were responsible for the creation, success, and continuance of Project India, a group of UCLA students whom she has led to India each summer since 1952 to present an accurate picture of the United States and the American way of life to the Indian community; and

WHEREAS, Dr. Guenther founded the Panel of Americans, an inter-religious and inter-racial student group which has spoken throughout the United States in an effort to remove religious and racial tensions and frictions; and

WHEREAS, Dr. Guenther's many contributions in the field of religion, education, and public service have benefited the University, the State, and the Nation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Dr. Adaline C. "Gram" Guenther for her many years of outstanding service, and wish her health and happiness in her retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Dr. Guenther.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 361

By Messrs. Cusanovich and House:

### House Resolution No. 361

Commending David Crum

WHEREAS, The attention of the Legislature has been called to the achievements of David Crum, a fourth generation scion of Susanville, California; and

WHEREAS, David was born November 1, 1936, and attended McClatchy High School in Sacramento, Menlo Prep School, Menlo Junior College, and the University of California; and

WHEREAS, He is one of only four Americans who have been selected since World War II to train with Lloyds of London; and

WHEREAS, He is the youngest American ever allowed to conduct brokerage transactions on the floor of that establishment; and

WHEREAS, He is presently employed in England by Griffiths, Tate Insurance, Ltd., which is affiliated with Lloyds; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend David Crum on the outstanding successes he has achieved in such a few short years, and extend their very best wishes for his future; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to David Crum

Resolution read, and adopted unanimously.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Charles H. Wilson asked for unanimous consent to amend a House resolution previously adopted.

Speaker Brown withheld consent, and suggested that Mr. Wilson introduce a new resolution.

### REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON HOUSE RESOLUTION NO. 353

Mrs. Davis was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted House Resolution No. 353. (Assembly Journal, page 5641).

Resolution ordered retained on file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF GOVERNOR'S VETOES

**Assembly Bill No. 1028**—An act to amend Sections 7376 and 7381 of, to add Section 7396.7 to, and to repeal Section 7439 of, the Business and Professions Code, relating to the practice of cosmetology.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1028 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—George A Willson—1.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Dahl, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rumford, Shell, Sumner, Thelin, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—53.

**Assembly Bill No. 499**—An act to add Section 5006.2 to the Public Resources Code, relating to state parks.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 499 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.
NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 950**—An act to add Section 542 to the Streets and Highways Code, relating to state highways, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 950?

### Amendment No. 1

On page 1 of the printed bill, in the first line of the title, strike out "562", and insert "542".

### Amendment No. 2

On page 1, line 1, strike out "562", and insert "542".

### Amendment No. 3

On page 1, at the beginning of line 3, strike out "562", and insert "542".

### Amendment No. 4

On page 1, line 3, after "Route 6", insert "between Harbor Boulevard and the Yolo Causeway".

The Assembly concurred in Senate amendments to Assembly Bill No. 950 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rumford, Shell, Sumner, Thelin, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 950 ordered enrolled.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 724**—An act to amend Section 8951 of, to repeal Sections 6915 and 8955 of, and to add Sections 6913.1, 8955, 8955.1 and 18352.2 to, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to education of mentally retarded children.

Bill read third time, and presented by Mr. Z'berg.

### Speaker pro Tempore Presiding

At 9.29 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson,

Miller, Mulford, Munnell, Nisbet, Petris, Reagan, Rumford, Shell, Sumner, Thelin Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

#### Name Placed Upon Roll Call

Mr. MacBride was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 724.

**Senate Bill No. 1422**—An act to amend Section 830 of the Corporations Code, relating to indemnity for litigation expenses.

Bill read third time, and presented by Mr. Francis.

#### Motion to Re-refer

Mr. Busterud moved that the bill be re-referred to the Committee on Rules for assignment of the subject matter for interim study.

Mr. Bruce F. Allen seconded the motion.

#### Motion Withdrawn

Mr. Busterud, with the consent of his second, withdrew his motion.

#### Bill Passed on File

Mr. Francis was granted unanimous consent that the bill be passed on file, and retain its place on file.

**Senate Bill No. 1281**—An act to amend Section 11260 of the Water Code, relating to the Feather River Project.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

### REQUEST TO WITHDRAW AND RE-REFER SENATE BILL NO. 732

Speaker pro Tempore Bee requested unanimous consent that Senate Bill No. 732 be withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

Mr. Beaver withheld unanimous consent.

NOTE—Later this day Mr. Beaver withdrew his objections, and the bill was withdrawn, and re-referred. *See* page 5681.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1379**—An act to add Section 16906 to the Business and Professions Code, relating to fair trade contracts.

Bill read third time, and presented by Mr. Hanna.

### Motion to Refer for Interim Study

Mr. Rumford moved that the subject matter of the bill be referred to the Committee on Rules for assignment for interim study, and that the bill be filed.

Mr. Samuel R. Geddes seconded the motion.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Samuel R. Geddes, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—49.

NOES—Britschgi, Collier, Dahl, Francis, Grant, Hanna, Johnson, Shell, and Thelin—9.

Bill ordered returned to the Senate.

## MEMBERS ATTENDING RULES COMMITTEE MEETING

Mr. Miller was granted unanimous consent that the record show that he and Messrs. Conrad, Hanna, Hawkins, Nisbet, Schrade, and Sedgwick were absent for a part of this morning for the purpose of holding a meeting of the Committee on Rules.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 734**—An act to amend Section 108 of the Civil Code, relating to divorce on the ground of incurable insanity.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1461**—An act to add Chapter 12 (commencing at Section 6950) to Division 7 of Title 1 of the Government Code, relating to the purchase of interests in real property by counties and cities and to the preservation of open spaces and areas for public use and enjoyment.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1472**—An act to add Section 21158 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1365**—An act to add Section 229 of the Labor Code, relating to payment of wages.

Bill read third time, and presented by Mr. Luckel.

NOTE—Later this day, Senate Bill No. 1365 was recalled from the Senate (*See* page 5697), and the record was expunged and the action rescinded whereby the bill was this day passed. *See* page 5705.

**Senate Bill No. 985**—An act to add Chapter 2.5 (commencing at Section 1440) to Division 2 of the Health and Safety Code, to repeal Sections 200, 201, 202, 203, 203.5, 203.6, 203.7, 203.8, 203.9, 204, 204.5, 206, and 206.5 of the Welfare and Institutions Code, to amend Section 2500 of the Welfare and Institutions Code, and to add Section 202 to the Welfare and Institutions Code, relating to county medical facilities.

Bill read third time, and presented by Mr. House.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 768**—An act to add Section 25020.1 to the Government Code, relating to meetings of county boards of supervisors.

Bill read third time, and presented by Mr. Luckel.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

**Bill ordered transmitted to the Senate.**

**Senate Bill No. 1395**—An act to add Section 31684.1 to the Government Code, relating to retirement of county peace officer members.

Bill read third time, and presented by Mr. Hegland.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Samuel R. Geddes, Grant, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

**Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 1395**

Mr. Hegland asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 1395.

Mr. Britschgi withheld unanimous consent.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1232**—An act to amend Section 16651 of the Government Code, relating to state bonds and bond coupons.

Bill read third time, and presented by Mr. Hegland.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1329**—An act to add Sections 20499, 20601.5 and 21251.14 to the Government Code, relating to retirement of public employees, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Meyers.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Crawford,

Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1174**—An act to add Sections 20990, 22154, and 22214 to the Government Code, relating to participation in the Federal Old Age, Survivors and Disability Insurance Program by employees of school districts declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Meyers.

**Speaker Presiding**

At 10.03 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Grant and Kennick—2.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Grant and Kennick—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1177**—An act to amend Section 333 of the Fish and Game Code, relating to antelope.

Bill read third time, and presented by Mrs Davis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick,

Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 487**—An act to amend Section 12304 of the Government Code, relating to the organization and administration of the Office of the State Treasurer, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 587**—An act to amend Sections 11270, 11272, and 11413 of the Government Code, relating to administrative costs of state agencies.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 1106 was taken up.

**Senate Bill No. 1106**—An act to add Chapter 8 (commencing with Section 12930) to Part 6 of Division 6 of the Water Code, relating to provision for the development of the water resources of the State by

providing the funds necessary therefor through the issuance and sale of bonds of the State of California, and by providing for the handling and disposition of said funds, and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1960.

Bill read third time, and presented by Mr. Porter.

**Request for Unanimous Consent**

Mr. Porter was granted unanimous consent that Messrs. Banks and Brody be permitted to sit at his desk during the consideration of Senate Bill No. 1106.

**Request for Unanimous Consent**

Speaker Brown was granted unanimous consent that all proposed amendments to Senate Bill No. 1106 be considered before sending the bill to reprint if any amendments be adopted.

**Parliamentary Inquiry**

Mr. Lowrey arose to the following parliamentary inquiry: What procedure will be followed in consideration of the bill and amendments?

**Reply by Speaker**

The Speaker replied that Mr. Porter would open his debate on the bill, and that the amendments would be considered in the order in which they were presented at the desk.

**Parliamentary Inquiry**

Mr. Levering arose to the following parliamentary inquiry: What will be the time limit on debate for authors of amendments?

**Reply by Speaker**

The Speaker replied that the question would be at the will of the House.

**Request**

Mr. Munnell requested that the rule providing 10 minutes for opening and five minutes for closing, and five minutes time for other members debating the question be adhered to; but that a member be granted additional time for debate if necessary.

Request granted.

**Consideration of Lanterman Amendment Temporarily Postponed**

Speaker Brown announced that consideration of the first amendment (proposed by Mr. Lanterman and ordered printed in the Assembly Daily Journal for yesterday) would be passed on file until the Journal arrived from the printer.

**Consideration of Amendment by Mr. Bruce F. Allen**
**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendment:

**Amendment No. 1**

On page 2, lines 22, 23, and 24 of the printed bill, as amended in the Senate on May 28, 1959, strike out "For the purposes of this chapter the Sacramento-San Joaquin Delta shall be deemed to be within the watershed of the Sacramento River."

Amendment read.

**Demand for Previous Question**

Messrs. Biddick, DeLotto, MacBride, Williamson, and Unruh demanded the previous question Demand sustained.

The question being on the adoption of the amendment.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Shell, and Cusanovich demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Davis, Elliott, Francis, Samuel R Geddes, Grant, Hawkins, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Marks, McMillan, Mulford, Reagan, Shell, and Thelin—26.

NOES—Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, Kennick, Lowrey, Luckel, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—46.

**Consideration of Further Amendments by Mr. Bruce F. Allen**

**Motion to Amend**

Mr. Bruce F. Allen moved the adoption of the following amendments:

**Amendment No. 1**

On page 2, line 5, of the printed bill, as amended in the Senate on May 28, 1959, strike out "department", and insert "Legislature".

**Amendment No. 2**

On page 5, lines 46 and 47, strike out "are hereby appropriated for use and".

**Amendment No. 3**

On page 5, line 47, after "department", insert ", when appropriated by the Legislature by a two-thirds vote of all members elected to each house thereof,".

**Amendment No. 4**

On page 6, line 2, after the period, insert "Such revenues are hereby appropriated for the purposes described in subparagraphs (1), (2), and (3) of this subdivision (b) of Section 12937."

**Amendment No. 5**

On page 6, line 45, strike out "hereby appropriated to the department", and insert "available".

**Amendment No. 6**

On page 6, lines 46 and 47, strike out "without regard to fiscal years", and insert ", when appropriated by the Legislature by a two-thirds vote of all members elected to each house thereof,".

**Amendment No. 7**

On page 7, line 15, strike out "is appropriated and shall", and insert "may".

**Amendment No. 8**

On page 7, line 34, strike out "hereby appropriated to the department", and insert "available".

**Amendment No. 9**

On page 7, lines 35 and 36, strike out "without regard to fiscal years", and insert ", when appropriated by the Legislature by a two-thirds vote of all members elected to each house thereof,".

Amendments read.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Lanterman, and Shell demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Davis, Elliott, Samuel R. Geddes, Hawkins, Holmes, Johnson, Lanterman, Levering, Lowrey, Marks, Masterson, Mulford, Pattee, Reagan, Shell, Thelin, and Z'berg—27

NOES—Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, Cunningham, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—45.

### Consideration of Amendment by Mr. Belotti

### Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

### Amendment No. 1

On page 8 of the printed bill, as amended in the Senate on May 28, 1959, between lines 44 and 45, insert

"12943. Nothing contained in this chapter, nor any facilities constructed or operated with funds made available by this chapter shall directly or indirectly deprive any county, watershed, or area anywhere within the State wherein water originates, or an area adjacent thereto which can conveniently be supplied with water therefrom, of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the county, watershed, or area, or any of the inhabitants or property owners therein."

Amendment read.

### Roll Call Demanded

Messrs. Belotti, Shell, and Dahl demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Belotti, Biddick, Britschgi, Burke, Busterud, Dahl, Davis, Garrigus, Holmes, Lanterman, Lowrey, Marks, Masterson, Mulford, Shell, and Waldie—16.

NOES—Don A. Allen, Backstrand, Bane, Beaver, Bee, George E. Brown, Burton, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Ernest R Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—51.

### Consideration of Amendments by Mr. Levering

### Motion to Amend

Mr. Levering moved the adoption of the following amendments:

### Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Senate on May 28, 1959, strike out "as a part of (1) the"; strike out lines 4 to 21, inclusive; and in line 22 strike out "amended", and insert "Nothing herein contained shall affect or be construed as affecting vested water rights."

### Amendment No. 2

On page 3, line 38, strike out "termini", and insert "a terminus".

### Amendment No. 3

On page 3, line 39, strike out "Perris", and insert "by an east branch along the southerly edge of the Antelope-Mojave region and through the San Bernardino area to a terminus in the vicinity of Perris".

### Amendment No. 4

On page 4, line 5, after "Valley", insert "necessary for (2) and (3) above".

### Amendment No. 5

On page 4, line 7, after "energy", insert "appurtenant to or necessary for (1), (2) and (3) above".

**Amendment No. 6**

On page 5, line 35, after "chapter", insert "and on any additional bonds issued by the State for any facilities of the State Water Resources Development System".

**Amendment No. 7**

On page 6, strike out lines 2 and 3, and insert "ter and also to the direct benefit of the taxpayers of the State. The department shall enter into contracts, upon such terms and conditions as in the department's opinion will best subserve the public interest and as may be necessary or advisable to effectuate the purposes of this chapter,".

**Amendment No. 8**

On page 6, line 8, strike out "impaired", and insert "subject to Section 10505, and/or Sections 11460 to 11465, inclusive, of the Water Code, or subject to unilateral abrogation, modification or amendment".

**Amendment No. 9**

On page 6, line 11, after "contracts", insert ", except as herein provided,".

**Amendment No. 10**

On page 6, line 12, after "for", insert "not less than".

**Amendment No. 11**

On page 6, lines 13 and 14, strike out "and each", and insert "; provided, that such contracts for the sale or delivery of water may provide, in whole or in part, for permanent service. Each".

**Amendment No. 12**

On page 6, line 16, after "chapter", insert "and for the direct benefit of the taxpayers of the State".

**Amendment No. 13**

On page 7, line 6, after "Facilities", insert "and such funds to the extent that they exceed the sum of one hundred seventy million dollars ($170,000,000) so expended from the California Water Fund subsequent to January 1, 1959, shall be".

**Amendment No. 14**

On page 7, line 8, strike out "that", and insert "said excess over said sum of one hundred seventy million dollars ($170,000,000) that may be".

**Amendment No. 15**

On page 7, line 10, strike out "money is", and insert "such excess money is so".

**Amendment No. 16**

On page 7, lines 18 and 19, strike out "to meet local needs, including, but not restricted to, flood control, and".

**Amendment No. 17**

On page 7, line 24, after "System," insert "and in connection therewith, to meet local needs, including, but not restricted to, flood control,".

**Amendment No. 18**

On page 7, line 36, after "the", insert "State Water Facilities as defined in Section 12934 and after such facilities have been acquired, constructed and completed, for the".

**Amendment No. 19**

On page 7, line 38, after "year", insert "after said sum of one hundred seventy million dollars ($170,000,000) has been so expended from the California Water Fund for the construction of said State Water Facilities,".

Amendments read.

**Hon. Gordon H. Winton Presiding**

At 11.25 a.m., Hon. Gordon H. Winton, Member of the Assembly from the Thirty-first District, presiding.

**Speaker Presiding**

At 11.33 a.m., Hon Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments by Mr. Levering.

**Roll Call Demanded**

Messrs. Levering, Lanterman, and Burke demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Burke, Chapel, Collier, Cusanovich, Dahl, Dills, Elliott, Francis, Hawkins, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Masterson, Mulford, Pattee, Reagan, Shell, and Thelin—23

NOES—Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53.

**Consideration of Amendment by Mr. Lanterman**

**Motion to Amend**

Mr. Lanterman moved the adoption of the following amendment:

**Amendment No. 1**

On page 6, line 11, of the printed bill, as amended in the Senate on May 28, 1959, after the period, insert "Notwithstanding any other provision of law, including but not limited to Section 10505 and Sections 11460 to 11463, inclusive, of this code, if in any year, due to extreme drought or other emergency situation, there is, in any area in which water originates, insufficient water to fulfill the delivery requirements under such contracts and to fulfill any appropriative rights to water in said area under permits granted subsequent to the effective date of this chapter (or licenses granted pursuant to such permits), the department, on the one hand, and such other permittees or licensees, on the other hand, shall share such shortage equally."

Amendment read.

**Speaker pro Tempore Presiding**

At 11 38 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendment.

**Motion to Grant Extra Time for Debate**

Mr. Thomas moved that Mr. Lanterman be granted one minute additional time for debate on his amendment.

Mr. Winton seconded the motion.

Motion carried.

The question being on the adoption of the amendment by Mr. Lanterman.

**Roll Call Demanded**

Messrs. Lanterman, Shell, and Burke demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bradley, Britschgi, Burke, Chapel, Collier, Cusanovich, Dahl, Dills, Elliott, Francis, Grant, Holmes, Johnson, Kilpatrick, Lanterman, Levering, Masterson, Pattee, Reagan, Shell, and Thelin—24.

NOES—Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53.

### Consideration of Amendment by Mr. Lowrey
### Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

### Amendment No. 1

On page 6, line 7, of the printed bill, as amended in the Senate on May 28, 1959, after the period, insert "Such contracts for the sale, delivery or use of water for agricultural use shall contain provisions limiting the use of water to farm units of sufficient acreage for the support of an average sized family at a suitable living level, which units shall be established by the department, having in mind the character of soil, topography, location with respect to the irrigation system, and such other relevant factors as, in the judgment of the department, enter into the determination of the area and boundaries thereof."

Amendment read.

### Point of Order

Mr. Thomas arose to the following point of order: That copies of the amendment have not been distributed to the members' desks.

### Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order well taken.

### Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Lowrey asked for unanimous consent that the Rules be temporarily suspended for the purpose of permitting consideration of the amendment, at this time.

Mr. Unruh withheld unanimous consent.

### Motion to Temporarily Suspend the Rules

Mr. Lowrey moved that the Rules be temporarily suspended for the purpose of permitting consideration of his amendment, at this time.

Mrs. Davis seconded the motion.

Motion for temporary suspension of the Rules carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Shell, Thelin, Waldie, George A Willson, and Z'berg—56

NOES—Don A. Allen, Bane, George E. Brown, Coolidge, DeLotto, Frew, Kennick, Luckel, McMillan, Munnell, Nisbet, Porter, Sedgwick, Sumner, Thomas, Unruh, Williamson, Charles H. Wilson, and Winton—19.

The question being on the adoption of the amendment.

Amendment read again in full.

### Speaker Presiding

At 11.55 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Demand for Previous Question

Messrs. Biddick, Bee, McCollister, Meyers, and Belotti demanded the previous question Demand sustained.

The question being on the adoption of the amendment by Mr Lowrey.

### Roll Call Demanded

Messrs Chapel, Garrigus, and Levering demanded a roll call

The roll was called, and the amendment refused adoption by the following vote:

AYES—Bruce F. Allen, Backstrand, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Coolidge, Davis, Dills, Elliott, Francis, Samuel R. Geddes, Grant, Hawkins, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, Pattee, Shell, Waldie, and Z'berg—25

NOES—Don A. Allen, Bane, Beaver, Bee, Belotti, George E. Brown, Burton, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Levering, Luckel, MacBride, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, and Winton—49.

### Consideration of Amendments by Mr. Collier

### Motion to Amend

Mr. Collier moved the adoption of the following amendments:

### Amendment No. 1

On page 4, line 5, of the printed bill, as amended in the Senate on May 28, 1959, strike out the period, and insert "necessary for (2) and (3) above."

### Amendment No. 2

On page 4, line 7, strike out the period, and insert "appurtenant to or necessary for (1), (2) and (3) above."

### Amendment No. 3

On page 5, line 35, strike out the period, and insert "and on any additional bonds issued by the State for any facilities of the State Water Resources Development System."

### Amendment No. 4

On page 7, line 6, after "Facilities", insert "and such funds to the extent that they exceed the sum of $170,000,000 so expended from the California Water Fund subsequent to January 1, 1959, shall be".

### Amendment No. 5

On page 7, line 8, strike out "that", and insert "said excess over said sum of one hundred seventy million dollars ($170,000,000) that may be".

### Amendment No. 6

On page 7, line 10, strike out "money is", and insert "such excess money is so".

### Amendment No. 7

On page 7, lines 18 and 19, strike out "to meet local needs, including, but not restricted to, flood control, and".

### Amendment No. 8

On page 7, line 24, following "System," insert "and in connection therewith, to meet local needs, including, but not restricted to, flood control,".

### Amendment No. 9

On page 7, line 36, after "the", insert "State Water Facilities as defined in Section 12934 and after such facilities have been acquired, constructed and completed, for the".

Amendments read.

### Demand for Previous Question

Messrs. Schrade, Charles H. Wilson, Crawford, House, and Johnson demanded the previous question. Demand sustained.

The question being on the adoption of the amendments by Mr. Collier.

### Roll Call Demanded

Messrs. Levering, Shell, and Reagan demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Cusanovich, Dahl, Dills, Elliott, Francis, Grant,

Holmes, Johnson, Kilpatrick, Lanterman, Levering, Pattee, Reagan, Shell, and Thelin—25.

NOES—Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53

The question being on the passage of the bill.

### Speaker pro Tempore Presiding

At 12.42 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

### Motion to Grant Extra Time for Debate

Mr. Lowrey moved that Mr. Masterson be granted five minutes additional time for debate.

Mr. Backstrand seconded the motion.

Motion carried.

### Demand for Previous Question

Messrs. Garrigus, Pattee, McCollister, Burke, and Holmes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

### Point of Order

Mr. Bradley arose to the following point of order: That the subject matter of the bill, as last amended in the Senate, is not germane to the title pursuant to Joint Rule No. 9, Assembly Standing Rule No. 94, Mason's Manual, Section 729, page 515, and Section 402, page 274; and the Constitution of the State of California, Article XXIV, Section 24.

### Speaker Presiding

At 12.58 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Point of Order Submitted to House

Speaker Brown submitted the point of order and the question of the germaneness of the subject matter of the bill to the House for ruling.

The roll was called, and the subject matter was ruled germane by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Collier, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Luckel, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—53.

NOES—Bruce F. Allen, Bradley, Britschgi, Burke, Busterud, Chapel, Coolidge, Cusanovich, Dahl, Davis, Francis, Holmes, Johnson, Lanterman, Levering, Lowrey, Lunardi, Marks, Mulford, Pattee, Reagan, Shell, and Thelin—23.

### Speaker pro Tempore Presiding

At 12.59 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, George E. Brown, Burton, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Hanna, Hawkins, Hegland, House,

Kennick, Kilpatrick, Luckel, MacBride, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—50.

NOES—Bruce F. Allen, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Chapel, Coolidge, Cusanovich, Dahl, Davis, Dills, Francis, Samuel R. Geddes, Grant, Holmes, Johnson, Lanterman, Levering, Lowrey, Lunardi, Marks, Masterson, Mulford, Pattee, Reagan, Shell, Thelin, and Waldie—30.

Bill ordered transmitted to the Senate.

### Explanations of Vote on Senate Bill No. 1106

Since I am confident no better bill can be brought out of this Legislature, I am voting for Senate Bill No. 1106 only to provide that it be submitted to the people. My "Aye" vote is not an endorsement.

The voters will have to pay the bonds, if authorized, and should have the responsibility of acceptance or rejection.

VERNON KILPATRICK

The Riverside County Board of Supervisors by resolution support Senate Bill No. 1106 in its present form. Therefore I voted for it. I recognize weaknesses in it in respect to Southern California's needs. I hope future Legislatures will correct these weaknesses.

L. M. BACKSTRAND

### Speaker Presiding

At 1.04 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Porter was granted unanimous consent that the following statement relative to legislative intent be ordered printed in the Journal:

## STATEMENT BY MR. CARLEY V. PORTER

June 10, 1959

This statement is made by way of explanation of legislative intent. In my support of Senate Bill No. 1106, I have relied upon the interpretation presented here Reference is made to page 7 of the bill as amended May 28th, starting with line 19. "and to augment the supplies of water in the Sacramento-San Joaquin Delta from multiple purpose dams * * * for use in the State Water Resources Development System * * *".

I interpret this phraseology, as do water lawyers with whom I have been in contact and as do other Members of the Legislature who are likewise supporting this bill and with whom I have discussed this matter, as being phraseology operating as a condition precedent to the expenditure of funds for the construction of facilities discussed in Section 12938 of the bill. The word "and" on page 7, line 19, is deemed to be read in the conjunctive, with the limitations following that word being a part of the necessary elements which must be met before the department can authorize construction, and before money can be spent, on units of water development discussed in Section 12938 of the bill.

In other words, no construction is contemplated in Section 12938 unless it fulfills the clear purpose of augmenting the supplies of water in the Sacramento-San Joaquin Delta, and is of a multiple purpose nature, and contributes directly to use in the State Water Resources Development System, and thus produces water directly or indirectly for export.

It will also be recalled that the above interpretation was made abundantly clear in the hearings held before the Senate Water Committee on this bill, prior to its passage from that committee to the Senate as a whole and its transmission "do pass" to the Assembly.

It is my further and separate understanding that neither the County of Origin Statutes, or the Watershed Protection Act is given any greater status in the law, or effect in litigation, of standing in the face of court challenge, than would otherwise be the case if Senate Bill No. 1106 were not enacted into law; and I understand the same is true whether the bond issue contemplated in Senate Bill No. 1106 is ultimately enacted by the people, voting on the ballot measure, or not.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Porter was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO WATER RESOURCES DEVELOPMENT

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, May 29, 1959

*Hon. Carley V. Porter*
*Assembly Chamber*

**Water Resources Development—No. 16320**

DEAR MR. PORTER: Pursuant to your request we are enclosing an analysis of Senate Bill No. 1106, as amended in Senate May 28, 1959.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to Hon. Hugh M. Burns,
pursuant to Joint Rule No. 34.

**Analysis of Senate Bill No. 1106—Water Resources Development—No. 16320**

Generally speaking, Senate Bill No. 1106, as amended May 28, 1959, would provide for the submission of the California Water Resources Development Bond Act (hereinafter referred to as the Act), to the people for adoption. The act, if approved, would authorize the issuance and sale, from time to time, of general obligation bonds of the State in the total amount of $1,750,000,000. The funds would be used to construct enumerated facilities for the conservation, development and distribution of water (designated as the "State Water Facilities") (with an amount not to exceed $130,000,000 thereof required to be used only for water development facilities for local areas), and, to a certain extent (described below), for additions to the "State Water Resources Development System." The State Water Resources Development System would consist of (1) State Water Facilities, (2) such additional facilities as may now or hereafter be authorized by the Legislature as a part of the Central Valley Project, (3) such additional facilities as may now or hereafter be authorized by the Legislature as part of the California Water Plan, and (4) such other additional facilities as the Department of Water Resources deems necessary and desirable to meet local needs, including flood control, and to augment the supplies of water in the Sacramento-San Joaquin Delta and for which funds are appropriated in the act.

The bill would also appropriate the California Water Fund and surplus revenues from the State Water Resources Development System for expenditure and allocation by the Department of Water Resources for the State Water Resources Development System. The bill would require available California Water Fund money and surplus project revenues to be expended for State Water Facilities, and bond proceeds in an equal amount to such expenditures from the California Water Fund would be authorized to be expended for construction of the facilities described in (4) above.

More particularly, the bill would provide for submission to the voters at the next general election to be held in November, 1960, of the California Water Resources Development Bond Act (Sec. 12930 * and Sec. 3 of bill) which would take effect only if a majority of the votes cast for and against it at the election are cast in favor of the act (Secs. 2 and 4 of the bill).

The object of the act is stated to be that of providing funds to assist in the construction of a State Water Resources Development System for the State of California (Sec. 12931). The system would be comprised of:

(I) The State Water Facilities. These facilities are defined to include certain enumerated facilities which may be summarized, generally, as follows:

(1) A multiple purpose dam and reservoir on the Feather River in the vicinity of Oroville, Butte County, and dams and reservoirs upstream therefrom in Plumas County in the vicinity of Frenchman, Grizzly Valley, Abbey Bridge, Dixie Refuge and Antelope Valley;

(2) An aqueduct system which will provide for the transportation of water from a point or points at or near the Sacramento-San Joaquin Delta to termini in the Counties of Marin, Alameda, Santa Clara, Santa Barbara, Los Angeles and Riverside, and for delivery of water both at such termini and at canal-side points en route, for service in Solano, Napa, Sonoma, Marin, Alameda, Contra Costa, Santa Clara, San Benito, Santa Cruz, Fresno, Tulare, Kings, Kern, Los Angeles, Ventura, San Bernardino, Riverside, Orange, San Diego, San Luis Obispo, Monterey and Santa Barbara Counties.

(3) Master levees, control structures, channel improvements, and appurtenant facilities in the Sacramento-San Joaquin Delta for water conservation, water supply in the delta, transfer of water across the delta, flood and salinity control, and related functions.

(4) Facilities for removal of drainage water from the San Joaquin Valley.

(5) Facilities for the generation and transmission of electrical energy.

(6) Provision for water development facilities for local areas.

(7) Including for the foregoing (1 through 5), the relocation of utilities and highways and acquisition of all lands, rights of way, easements, machinery, equipment, apparatus, and all appurtenances necessary or convenient therefor.

(II) Facilities now or hereafter authorized by the Legislature as a part of the Central Valley Project.

(III) Facilities now or hereafter authorized as a part of the California Water Plan.

(IV) Facilities deemed necessary and desirable by the department to meet local needs, including flood control, and to augment the supplies of water in the Sacramento-San Joaquin Delta and for which funds are appropriated pursuant to the act. (Sec. 12931)

* Except as otherwise indicated, all section references are to proposed sections of the Water Code which would be added as Ch. 8 (commencing with Sec. 12930) to Part 6 of Div. 6 of the Water Code by Senate Bill No. 1106.

It is further stated that the enactment of the Act should not be construed as creating any right to the water or the use thereof, nor as affecting any legislation with respect to water or water rights (except as expressly provided), nor as affecting vested water rights (Sec. 12931).

It is also declared that any facilities heretofore or hereafter authorized as a part of the Central Valley Project or facilities which are acquired or constructed as a part of the State Water Resources Development System with funds made available by the Act shall be acquired, constructed, operated, and maintained pursuant to the statutory provisions relating to the Central Valley Project, as they may now or hereafter be amended (Sec. 12931). This would result, among other things, in the so-called "watershed protection" provisions (Secs. 11460-11463, incl., Wat. C.) being applicable to the construction and operation of facilities acquired or constructed as a part of the State Water Resources Development System with funds made available by the act. It is also declared that for the purposes of the act, the Sacramento-San Joaquin Delta shall be deemed to be within the watershed of the Sacramento River (Sec. 12931).

It is also provided that no facility constructed in whole or in part with funds made available by the Act shall be used to transport water secured by eminent domain by others than the State unless approved by the Legislature by concurrent resolution adopted by a majority of the members elected to each house (Sec. 12931).

The act would create a California Water Resources Development Finance Committee, composed of the Governor, the State Treasurer, the State Controller, the Director of Finance and the Director of Water Resources (Sec. 12933). The committee, upon written request of the Department of Water Resources and supported by a statement of expenditures made and to be made for the State Water Resources Development System, would be required to determine whether or not it was necessary or desirable to issue bonds in order to make the expenditures, and if so, the amounts then to be issued and sold (Sec. 12939). Any such bonds would be issued, sold and repaid, generally speaking, in accordance with the State General Obligation Bond Law (Ch. 4 (commencing at Sec. 16720) of Part 3, Div. 4, Title 2, of the Government Code) (Sec. 12932). The bonds could be issued in series and in such denominations as determined by the committee, with the maturity of the first series of bonds not more than 10 years, and the last dates of maturity not more than 50 years (Secs. 12939, 12940, and 12936), and not to exceed an aggregate amount of $1,750,000,000 (Sec. 12935). The rate of interest to be borne by the bonds would be fixed by the committee, not to exceed 5 percent per annum, payable semiannually (Sec. 16731 (d), Gov. C.).

The proceeds from the sale of such bonds would be deposited in the California Water Resources Development Bond Fund and would be appropriated to the department without regard to fiscal years for the State Water Facilities defined in the bill (with $130,000,000 of such proceeds to be available exclusively for provision of water development facilities for local areas) and, to a certain extent (as explained below), for additions to the State Water Resources Development System (Sec. 12938).

Any available money in the California Water Fund and surplus project revenues (more fully described below) would be required to be used for the construction of the State Water Facilities. An amount of bond proceeds equal to that expended from the California Water Fund would be authorized to be expended by the department for the construction of such additional facilities of the State Water Resources Development System as it determines to be necessary and desirable to meet local needs, including flood control, and to augment the supplies of water in the Sacramento-San Joaquin Delta from multiple purpose dams, reservoirs, aqueducts, and appurtenant works in the Watershed of the Sacramento, Eel, Trinity, Mad, Van Duzen, and Klamath Rivers for use in the system (Sec. 12938). The additional facilities for local needs would be required to include those necessary to conserve or develop water which is tributary to the stream on which any of the facilities of the system are constructed, and the department would be required to diligently plan such full development and submit plans and reports thereon to the Legislature (Sec. 12938).

The moneys in the California Water Fund would be appropriated to the department for expenditure and allocation for the State Water Development Resources System (and see the more restrictive requirements described above), but the Legislature would be authorized in any fiscal year to appropriate any available money therein, or accruing thereto, for any lawful purpose (Sec. 12938).

The bonds issued pursuant to the act would constitute valid and legally binding obligations of the State and the full faith and credit of the State would be pledged for the punctual payment of principal and interest thereon (Sec. 12936). The ways and means specified for the payment of the principal and interest of the bonds would include provision for collection of such revenue as may be necessary to pay the principal and interest of the bonds (in addition to the ordinary revenues of the State) with a continuing appropriation from the General Fund of the sum necessary to pay such principal and interest. Provision is also made for annual transfers of project revenues from the California Water Resources Development Bond Fund to the General Fund to meet bond service payments. To the extent project revenues in any year were insufficient to meet such payments, the deficiency would be made up from the General Fund, and such amount would be required to be transferred to the General Fund from project revenues as soon as available, together with simple interest thereon until so returned at the same rate as borne by the bonds (Sec. 12937).

All revenues from the sale and delivery and use of water and all other income derived by the State from the State Water Resources Development System would be used only for the following purposes:

(1) The payment of the reasonable costs of the annual maintenance and operation of the system, and the replacement of any parts thereof.

(2) The annual payment of the principal of and interest on the bonds issued pursuant to the act.

(3) Transfer to the California Water Fund as reimbursement for funds utilized from said fund for construction of the system.

(4) Any surplus revenues in each year not required for the purpose specified in the foregoing subparagraphs (1), (2), and (3) and not otherwise required to be transferred to the General Fund would be

deposited in a special account in the California Water Resources Development Bond Fund and appropriated for expenditure by the department for acquisition and construction of the State Water Resources Development System. (Sec. 12937)

The revenues from the State Water Resources Development System would constitute a trust fund pledged for the designated uses, which pledge would inure to the direct benefit of the owners and holders of all general obligation bonds issued under the act (Sec. 12937).

The Department of Water Resources would be required to enter into contracts for the sale, delivery or use of water or for other services and facilities made available by the State Water Resources Development System, subject to such terms and conditions as may be prescribed by the Legislature. The act would provide that such contracts "shall not be impaired by subsequent acts of the Legislature during the time when any of the bonds authorized herein are outstanding and the State may sue and be sued with respect to said contracts." Such contracts would be for a stated term, which insofar as practicable and feasible would be for the full life of the general obligation bonds, and each such contract would recite:

(a) That it is entered into for the direct benefit of the holders and owners of all the general obligation bonds; and

(b) That the income and revenues derived from the contracts are pledged for the purposes and in the priorities set forth in the act The pledge of revenues would be declared to be an essential term of the act and, upon the act's ratification by the people, binding upon the State as long as the general obligation bonds are outstanding and unpaid. (Sec. 12937)

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to Hon. Hugh M. Burns pursuant to Joint Rule No. 34.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO STATE WATER DEVELOPMENT

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 16, 1959

*Hon. Bruce F. Allen*
*Assembly Chamber*

**State Water Development—Senate Bill No. 1106—No. 17754**

*Question*

DEAR MR. ALLEN: You have directed our attention to the provisions of Section 11460 of the Water Code, one of the so-called "watershed protection" provisions which are included in the part (Pt. 3 (commencing at Section 11100) of Div. 6) governing the Central Valley Project. Generally speaking, this section constitutes a limitation on the powers of the entity constructing and operating the Central

Valley Project, and provides that a watershed or area wherein water originates or an area immediately adjacent thereto which can be conveniently supplied with water therefrom, shall not be deprived directly or indirectly of the prior right to all water reasonably required to adequately supply the beneficial needs of the watershed, or area, or any of the inhabitants or property owners therein.

This provision is incorporated in Senate Bill No. 1106 by reference with the following language:

> "Any facilities heretofore or hereafter authorized as a part of the Central Valley Project or facilities which are acquired or constructed as a part of the State Water Resources Development System with funds made available hereunder shall be acquired, constructed, operated, and maintained pursuant to the provisions of the code governing the Central Valley Project, as said provisions may now or hereafter be amended. For the purposes of this chapter the Sacramento-San Joaquin Delta shall be deemed to be within the watershed of the Sacramento River."

With respect to the last sentence of this language you ask us to assume that the San Joaquin-Tulare basin is an area immediately adjacent to the Sacramento River watershed from which water can conveniently be supplied within the meaning of watershed protection provisions. Based on this assumption you ask:

1. How could the area in the San Joaquin-Tulare basin assert such priority as to water exported south from the Sacramento River?

2. If, after the area asserts such priority and a right to receive such water, an initiative measure is prepared and passed which repeals Section 11460, would such initiative measure be effective to cut off such right?

*Opinion and Analysis*

1. As indicated above, the watershed protection provisions constitute a limitation on the powers of the entity constructing and operating the Central Valley Project. Under Section 11460,[1] that entity cannot deprive the inhabitants or property owners of the prior rights to all of the water reasonably required to adequately supply the beneficial needs of the watershed or area wherein the water originates or an area immediately adjacent thereto which can conveniently be supplied with water therefrom.

If the Department of Water Resources, in constructing and operating the facilities of the State Water Resources Development System, left sufficient unappropriated water to meet the needs of the area of origin[2] in question, the priority could, of course, be asserted by securing an appropriative right to water needed. If the water was subject to applications held by the Department of Water Resources under Section 10500 (filed as being required in the development and completion of a general or co-ordinated plan for water resource development) a release

[1] All section references are to sections of the Water Code, except as otherwise indicated

[2] For the purposes of this opinion we have used the phrase "area of origin" to include also the "area immediately adjacent thereto which can conveniently be supplied with water therefrom"

from priority or assignment of such a right could be secured to meet the needs in question (see Sec. 10504).

If neither unappropriated water nor water subject to applications held by the department under Section 10500 was available to meet the needs of the area of origin, the department could fulfill its obligation under the watershed protection provision in several different ways. While the manner in which the obligation would be met under such circumstances would undoubtedly depend on conditions existing at the time, we believe that the following courses, among others, would be open to the department:

(a) Water appropriated by the department in connection with the facilities which was not committed for delivery under a contract could be made available through project facilities or otherwise for use in the area of origin.

(b) Water for use in the area of origin could be secured through the construction of additional facilities.

(c) Water for use in the area of origin could be secured through the purchase of existing rights.

(d) If the rights of the users under contracts previously made for use outside the area of origin were so subject to the watershed protection provision, the water required by its terms could be secured by reducing the amount delivered under the contracts, if no other water was available.

If the entity charged with construction and operation of the facilities (the Department of Water Resources) failed to comply with the provisions of law, we think an appropriate court action could be brought to compel compliance.

2. As indicated above, Section 11460 operates as a limitation on the entity constructing and operating the Central Valley Project. As incorporated in Senate Bill No. 1106 it would constitute a limitation on the Department of Water Resources in the construction and operation of the State Water Resources Development System.

If this section were repealed by initiative legislation, the effect of such repeal would depend, we believe on whether a right protected by law had been obtained prior to such repeal.

For example, if an appropriative water right had been obtained, in absence of other considerations, the right would not be affected by repeal of the watershed protection provisions. The user would be protected by the vested water right rather than by the watershed protection provisions. Therefore rights thus secured would not be "cut off" by repeal of Section 11460 whether adopted by initiative or otherwise.

Similarly, if a private entity secured water through contract with the department, such a contract would be protected against substantial impairment under the Federal and State Constitutions (Sec. 10, Art. I, U. S. Const.; Sec. 16, Art. I, Cal. Const.) and, in absence of other considerations, legislation (whether adopted by the Legislature or by

initiative) eliminating the operation of the watershed protection provisions would not affect such contracts. The renewal of such contracts might, however, be affected by the change in the law.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to Hon. Hugh M. Burns,
pursuant to Joint Rule No. 34.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent that Senate Bill No. 867 be set for hearing in the Committee on Social Welfare today.

#### Reply by Speaker

Speaker Brown replied that consent was not necessary, since a blanket request for permission had been approved at an earlier date.

### PARLIAMENTARY INQUIRY

Mr. Bradley arose to the following parliamentary inquiry: Will the citations contained in the point of order relative to Senate Bill No. 1106 be printed in the Journal?

#### Reply by Speaker

The Speaker replied that they would.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Kilpatrick was granted unanimous consent that the following letter of transmittal, opinion of the Legislative Counsel, and communication be ordered printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
June 17, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*

DEAR MR. SPEAKER: Enclosed herewith are two letters which have to do with land values, one for tax assessment purposes and the other for acquisition. The first of these is by the Legislative Counsel on the subject of constitutional requirements for tax values. The other is by the Director of Water Resources pertaining to fixing of values for acquisition of lands for state purposes.

A comparison of the two would tend to show need for some method of bringing the realities of these policies closer together. Thus I offer them for insertion in the Journal as they may reflect on operation of Senate Bill No. 1106 when enacted.

Respectfully yours,

VERNON KILPATRICK

Encl.

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO PROPERTY TAXATION: ASSESSORS AND ASSESSMENTS

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
September 26, 1957

*Hon. Vernon Kilpatrick*
*3715 Abbott Road*
*Lynwood, California*

**Property Taxation: Assessors and Assessments—No. 227**

DEAR MR. KILPATRICK: You have asked the three questions stated and answered below, relating to the assessment of property for tax purposes.

*Question No. 1*

Is there any legally specified standard for the assessment of property for property tax purposes?

*Opinion*

There is such a standard, and that is the "full cash value" (i.e., "market value") of the property.

*Analysis*

Our State Constitution states that all taxable property "shall be taxed in proportion to its value" (Art. XIII, Sec. 1), and provides that all "property subject to taxation shall be assessed for taxation at its full cash value" (Art. XI, Sec. 12).

"Full cash value" has been defined as "the amount at which property would be taken in payment of a just debt from a solvent debtor" (R. & T. C., Sec. 110). As our Supreme Court recently described it, it is "the price that property would bring to its owner if it were offered for sale on an open market under conditions in which neither buyer nor seller could take advantage of the exigencies of the other. It is a measure of desirability translated into money amounts * * * and might be called the market value of property for use in its present condition" (*DeLuz Homes, Inc.* v. *County of San Diego* (1955), 45 Cal. 2d 546, 562). The Supreme Court of the United States has stated unequivocally that it is synonymous with "market value" (*San Francisco National Bank* v. *Dodge* (1904), 49 L. Ed. 669, 674).

As thus defined, "full cash value" is the standard of value for property tax purposes (see *DeLuz Homes, Inc.* v. *County of San Diego,* above, at pp. 561-562).

In concluding this analysis, we direct your attention to the case of *Eisley* v. *Mohan* (1948), 31 Cal. 2d 637, in which the court considered the constitutionality of former Section 987 of the Revenue and Taxation Code, which read:

> "The cash value of a possessory interest in real estate of the Veterans Welfare Board is the following percentage of the cash value of the property during the following periods of the life of the contract covering sale of the property:
>
> "(a) Thirty percent during the first quarter period of the life of the contract;
>
> "(b) Forty-five percent during the second quarter period;
>
> "(c) Sixty-five percent during the third quarter period; and
>
> "(d) Eighty-five percent during the fourth quarter period."

The possessory interests involved were those of veterans in property being purchased for them by the State pursuant to the Veterans' Farm and Home Purchase Act (M. & V. C., Sec. 800 and following), title, however, remaining in the State for security purposes until the completion of all required payments.

Holding that Section 987 was unconstitutional, the Supreme Court stated (at p. 645):

> " * * * But the Legislature cannot set aside the constitutional provision declaring that '(a) all property * * * shall be taxed in proportion to its value' * * * by requiring the assessment of property at less than its full cash value. Section 987 is, therefore, invalid as being in conflict with the constitutional provision."

Before *Eisley* v. *Mohan*, the courts had evidently countenanced the practice of assessing property at less than its market value (e g, *Rittersbacher* v. *Board of Supervisors of Los Angeles County* (1934), 220 Cal. 535; *Southern California Telephone Company* v. *County of Los Angeles* (1941), 45 Cal App 2d 111, 126-127). In none of the cases, however, was there any issue as to the propriety of the practice. The question almost invariably was whether the action of the assessor or board of equalization in assessing a particular class of property at a percentage of market value different from that used in assessing other classes resulted in a violation of the constitutional provision in Section 1 of Article XIII for taxation in proportion to value; and, more particularly, whether, since the latter necessitates uniformity in imposing the burdens of taxation (*Joint Highway District No. 13 of the State of California* v. *Hinman* (1934), 220 Cal 578), there was any discrimination as to any of such other classes.

In the *Rittersbacher* case, supra, the court stated (at pp. 543-544):

> " * * * It is the assessor's recognized duty to see that the valuation placed on the various kinds of property shall be in proportion to the worth of such properties. If it is proportional and all are treated alike, no one contends that the taxpayers must be charged a full hundred percent, for such is not required by the law."

While the last clause of this statement is clearly to the point that an assessment may be made on the basis of a percentage of market value, it has the effect only of dictum, since there was no issue whatever in the case as to whether property might be assessed at anything less than market value The primary question was whether there had been any discrimination in the assessment of the plaintiff's property at a particular percentage of its market value, when it appeared from the evidence that other categories of property had been assessed at smaller percentages of their market value.

*Question No. 2*

In the event that the county assessor assesses property at less than its full cash value for tax purposes, is there any way in which the assessment could be corrected to conform to that value?

*Opinion*

Such a correction could be made either by the board of supervisors on equalization or by subsequent court order. However, on the basis of currently applicable court decisions, it is doubtful that any such correction would be made.

*Analysis*

The law provides for the assessment of common property for tax purposes by the county assessor between the first Mondays in March and July (R. & T. C. Sec. 405), for the delivery of his completed assessment roll to the clerk of the board of supervisors (R. & T. C. Sec. 617), and for the equalization by the board of supervisors between the first and third Mondays in July of the assessments shown on that roll (R. & T. C. Sec. 1603).

In equalizing, the board of supervisors "may increase or lower any assessment on the local roll" (R. & T. C. Sec. 1605), for the purpose of adjusting the value of the property listed "to conform to its real and true value" (see *People* v. *Dunn* (1881), 59 Cal. 328, and *Abrams* v. *City and County of San Francisco* (1941), 48 Cal. App. 2d 1, 6).

The functions of an assessor are considered judicial in nature; hence, when he has acted within the limits of a reasonable discretion, his judgment, even though erroneous, usually will not be interfered with in the absence of actual or constructive fraud (*Eastern-Columbia, Inc.* v. *County of Los Angeles* (1943), 61 Cal. App. 2d 734).

Evidence of constructive fraud may be found in a systematic and intentional undervaluation of property (*Mahoney* v. *City of San Diego* (1926), 198 Cal. 388), and this apparently might consist of a practice of assessing property at less than its full cash value. Nonetheless, in consideration of presently applicable court decisions, if all taxpayers similarly situated are affected alike by such practice, it is doubtful that the board of equalization or the courts would increase the assessments or order an increase therein (see *Rittersbacher* v. *Board of Supervisors of Los Angeles County* (1934), 220 Cal. 535, 543, 544, and see discussion of this case in analysis of first question). In the absence of a type of discrimination creating unfair tax burdens, the courts have shown no inclination to upset assessments concededly made at less than full cash value.

*Question No. 3*

Does an assessor who assesses property at less than full cash value thereby subject himself to any liability?

*Opinion and Analysis*

Section 1365 of the Revenue and Taxation Code provides for the prosecution of an assessor by the district attorney on the request of the State Board of Equalization when the latter "is satisfied that an assessor or deputy assessor has knowingly * * * assessed any property at less than cash value." The section reads in its entirety as follows:

> "Whenever the State Board of Equalization is satisfied that an assessor or deputy assessor has knowingly, fraudulently, or corruptly assessed any property at less than cash value, it shall immediately inform the district attorney of his county in writing of

the facts within its knowledge, requesting that the assessor or deputy assessor be prosecuted. The district attorney shall at once comply."

Apparently also applicable is Section 1222 of the Government Code, which provides that every "willful omission to perform any duty enjoined by law upon any public officer, or person holding any public trust or employment, where no special provision is made for the punishment of such delinquency, is punishable as a misdemeanor."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Deputy

## COMMUNICATION FROM DIRECTOR OF WATER RESOURCES

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
SACRAMENTO, April 13, 1959

*Hon. Vernon Kilpatrick*
*55th Assembly District*
*State Capitol, Sacramento*

DEAR MR. KILPATRICK: This is in reference to your letter of March 25, 1959, wherein you requested information concerning our established policies in the acquisition of reservoir sites and rights of ways for aqueducts and other appurtenances to such projects as the Feather River Project. Our answers to your specific questions are as follows:

1. What influences, if any, the assessment values have on acquisition of properties, such as areas where land is on the tax rolls for as little as $1.25 to $5.00 an acre?

Assessment values shown on the tax rolls are not used as a yardstick in determining the fair market value of the property. This is true whether the land is acquired by negotiation or through eminent domain. Article I, Section 14 of the State Constitution provides that private property shall not be taken or damaged for public use without paying just compensation to the owner. The measure of "just compensation" in our appraisals is "market value," which has been defined by the California Supreme Court as being "the highest price estimated in terms of money which the land will bring if exposed for sale in the open market, with a reasonable time allowed to find a purchaser, buying with full knowledge of all the uses and purposes to which it is adapted, and for which it is capable of being used."

To determine the market value, we rely generally upon well-qualified, independent appraisers. Their opinions as to market value are based upon the selling price of comparable property, the anticipated income, and the original and the replacement cost of improvements thereon.

2. What values should be accounted for in arriving at a purchase figure giving consideration to the service rendered the adjacent lands by the fact that water is brought directly to these properties? What part does it play in the cost to the State that tremendous sums would be required for the owners to provide their own channel construction?

Compensation for land acquired for project purposes is due not only for the value of or damage to land directly taken or damaged, but also for so-called severance damage, that is, damage to an owner's remaining property by reason of the fact that it is severed from the part actually taken for public use The benefit to the remaining part of the owner's land by reason of the construction of the improvements proposed may be "set off" against this severance damage. The Department of Water Resources has no way of collecting for the benefits which might accrue to lands as a result of project construction unless a portion of the ownership is taken for project purposes. In other words, in its land acquisition program, the department deals only with those owners whose property is being acquired. However, if water service from the state project is to be furnished to lands adjacent to project facilities, the owners of such lands will be required to pay for such service. The water rates will reflect the total cost of the project, including land acquisition costs.

3. Will the department take into consideration the fact that the shore lands of reservoirs will be enhanced in value, and therefore, acquire such areas?

The Department of Water Resources is authorized to acquire any property which it considers necessary for state water and dam purposes. Thus, a determination must first be made that the property is necessary for such purposes before it can be

acquired. However, the department is expressly prohibited by Section 345 of the Water Code from acquiring property for recreational purposes without first submitting a proposed recreational plan and obtaining specific legislative authorization. The department is currently preparing such recreational plans in connection with the presently authorized reservoirs.

If we can be of further assistance, please call on us.

Very truly yours,

HARVEY O. BANKS, Director

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 481

At 1.07 p m, Mr. Lanterman moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 481 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—Bruce F. Allen—1.

## RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 1060, 538, 1368, and 1287.**

## ANNOUNCEMENTS OF CHANGES IN TIME FOR COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

*Today—*

*At 2 15 p.m., instead of at 1 30 p.m.—*

Elections and Reapportionment, in Room 2170.

Ways and Means, in Room 4202.

*At 2.30 p.m., instead of at 1.30 p.m.—*

Natural Resources, Planning, and Public Works, in Room 4164.

Mr. Rumford announced that there would be no meeting of the Committee on Public Health today.

## UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker Brown was granted unanimous consent that the Rules be temporarily suspended in order that all bills reported out of committee today be read the second time, with appropriate actions taken thereon; and that all bills amended on second reading today be placed on the third reading file without being returned to the second reading file pursuant to Rule No. 69.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 1172**—An act to add Part 13 (commencing with Section 30001) to Division 2 of the Revenue and Taxation Code, imposing a tax with respect to cigarettes, and making an appropriation, to take effect immediately;

And reports the same correctly enrolled, and presented to the Governor on the seventeenth day of June, 1959, at 9 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 2403

And reports the same correctly re-engrossed

BURKE, Chairman

Above bill ordered to third reading.

### Committee on Fish and Game

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 423
Senate Bill No. 1399

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DAVIS, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 1004

With amendments with the recommendation: Amend, and do pass, as amended.

BRADLEY, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1004**—An act to add Section 11543.5 to the Business and Professions Code, relating to subdivision maps.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Municipal and County Government, were read, and adopted:

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 2, 1959, strike out "Sections", and insert "Section".

#### Amendment No. 2

On page 1, strike out lines 4 to 23, inclusive, and insert

"11543.5. A local ordinance may require the payment of a fee as a condition of approval of a final subdivision map for purposes of defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas.

Such local ordinances may require payment of fees pursuant to this section if:

(1) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of any subdivision for which payment of a fee is required;

(2) The ordinance refers to a drainage element of a general plan adopted pursuant to Section 65469 of the Government Code, which contains an estimate of the total costs of constructing the local drainage facilities required by the plan;

(3) The drainage plan, in the case of a city, situated in a county having a countywide general drainage plan, has been determined by resolution of the governing body of the county to be in conformity with the county drainage plan;

(4) The costs, whether actual or estimated, are based upon findings by the governing body that subdivision and development of property within the planned local drainage area will require construction of the facilities described in the drainage plan, and that the fees are fairly apportioned within the local drainage area either on the basis of benefits conferred on property proposed for subdivision or on the need for local drainage facilities created by the proposed subdivision and development of other property within the local drainage area;

(5) The fee as to any property proposed for subdivision within a local drainage area does not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within the local drainage area which would be assessable on such property if such costs were apportioned uniformly on a per acre basis.

(6) The drainage facilities planned are in addition to existing local drainage facilities serving the area at the time of the adoption of the drainage plan for the area.

Fees required by an ordinance adopted pursuant to this section shall be paid into a "planned local drainage facilities fund." A separate fund shall be established for each local drainage area. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of local drainage facilities within the planned local drainage area from which the fees comprising the fund were collected. An ordinance adopted pursuant to this section may provide for the acceptance of cash or other consideration in lieu of the payment of fees.

A county or city imposing fees pursuant to this section may advance money from its general fund to pay the costs of constructing drainage facilities within a local drainage area and reimburse the general fund for such advances from the planned local drainage facilities fund for the local drainage area in which the drainage facilities were constructed.

A county or city imposing fees pursuant to this section may incur an indebtedness for the construction of drainage facilities within a local drainage area; provided, that the sole security for repayment of such indebtedness shall be moneys in the planned local drainage facilities fund.

This section shall be effective until the ninety-first day after final adjournment of the 1961 Regular Session of the Legislature."

**Amendment No. 3**

**On page 2, strike out lines 1 to 12, inclusive.**

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

| | |
|---|---|
| House Resolution No. 365 | House Resolution No. 356 |
| House Resolution No. 364 | House Resolution No. 367 |
| House Resolution No. 374 | House Resolution No 380 |
| House Resolution No. 375 | House Resolution No. 383 |
| House Resolution No. 354 | House Resolution No. 379 |
| House Resolution No. 350 | House Resolution No 369 |
| House Resolution No. 355 | House Resolution No. 373 |

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

## RECESS

At 1.12 p.m., on motion of Mr. Winton, the Assembly recessed until 3 p.m.

## REASSEMBLED

At 3 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 141**—An act to add Section 1243 to, and amend Section 1257 of, the Water Code, relating to the use of water for recreation and the preservation and enhancement of fish and wildlife resources;

**Assembly Bill No. 163**—An act to add Section 4302.6 to the Government Code, relating to the purchase, by public agencies, of printing presses not manufactured in the United States;

**Assembly Bill No. 375**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 498**—An act to amend Sections 3854, 3858, 3859, and 3861 of, to repeal Sections 3856, 3860, and 3863 of, and to add Sections 3856 and 3860 to, the Labor Code, relating to workmen's compensation;

**Assembly Bill No. 565**—An act to amend Sections 4119, 4124, 6403, 6700 and 6801 of, to add Sections 6403.1, 6403.2, and 6403.3 to, and to repeal Sections 6202, 6303, 6400, 6401, 6402, 6408, 6409 and 6802 of, the Corporations Code, relating to foreign corporations;

**Assembly Bill No. 650**—An act to amend Sections 151 and 153 of the Water Code, relating to the California Water Commission;

**Assembly Bill No. 653**—An act to amend Section 69599.5 of the Government Code, relating to superior courts;

**Assembly Bill No. 782**—An act to maintain the Business and Professions Code by amending Section 2457.5 thereof, and by repealing Sections 202.5, 6060.5, 6060.8, and 6061 thereof, relating to the regulation and protection of licensed professions and business enterprises, and making an appropriation;

**Assembly Bill No. 911**—An act to amend Sections 14001 and 14057 of, and to add Section 14001.3 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to amend Section 20335 of the Government Code, relating to the State Teachers' Retirement System;

**Assembly Bill No. 959**—An act to amend Section 18941 of the Government Code, relating to nonsalaried assistants to the State Personnel Board;

**Assembly Bill No. 1061**—An act to amend Sections 20100, 20100.1, 20101, 20102, and 20104 of the Government Code, relating to the State Employees' Retirement System in respect to composition, appointment and election of members of the board of administration;

**Assembly Bill No. 1184**—An act to amend Sections 21019 and 21408 of the Public Utilities Code, relating to aviation;

**Assembly Bill No. 1219**—An act to add Section 7062 to the Public Resources Code, relating to the production of oil, gas or other hydrocarbons;

**Assembly Bill No. 1229**—An act to amend Section 69604 of the Government Code, relating to the superior courts;

**Assembly Bill No. 1315**—An act to amend Section 69582 of the Government Code, relating to superior courts;

**Assembly Bill No. 1369**—An act to amend Sections 69580 and 73075 of the Government Code, relating to courts in Alameda County;

**Assembly Bill No. 1459**—An act to add Section 24311.1 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to resignations of state college employees;

**Assembly Bill No. 1531**—An act to amend Section 8278 of the Fish and Game Code, relating to crabs;

**Assembly Bill No. 1794**—An act to add Section 1030 to the Government Code, relating to peace officers;

**Assembly Bill No. 1799**—An act to add Section 6375 to the Revenue and Taxation Code, relating to sales and use taxes;

**Assembly Bill No. 1848**—An act to amend Sections 11102, 11104, 11105, 11106, 11107 and 11110 of the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to driving schools and instructors and licenses issued in connection therewith;

**Assembly Bill No. 1849**—An act to amend Section 17454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to service of process on nonresident vehicle operators;

**Assembly Bill No. 1881**—An act to amend Sections 14000 and 14001 of the Fish and Game Code, relating to the Pacific Marine Fisheries Compact;

**Assembly Bill No. 1899**—An act to amend Sections 31212, 31214, and 31219 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to competitive scholarships;

**Assembly Bill No. 1927**—An act to add Section 21369 to, and to amend Section 21403 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle speed signs;

**Assembly Bill No. 1930**—An act to add Article 9 (commencing at Section 8690) to Chapter 14 of Division 3 of the Business and Professions Code, relating to maintaining of financial responsibility by structural pest control operators;

**Assembly Bill No. 2059**—An act to amend Section 26361 of the Government Code, relating to revenue bonds for county improvements, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 2125**—An act to amend Section 13355 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to revocation of vehicle operating privileges of juveniles,

**Assembly Bill No. 2126**—An act to add Section 22519 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the regulation of offstreet parking facilities by local authorities;

**Assembly Bill No. 2222**—An act to amend Section 8608 of the Revenue and Taxation Code, relating to the Use Fuel Tax Law;

**Assembly Bill No. 2223**—An act to amend Section 7204 of the Revenue and Taxation Code, relating to transmittal of local sales and use tax collections by the State Board of Equalization,

**Assembly Bill No. 2366**—An act to amend Section 582 of the Agricultural Code, relating to imitation ice cream and imitation ice milk;

**Assembly Bill No. 2378**—An act to amend Sections 479 and 626 of the Agricultural Code, relating to milk and dairy products;

**Assembly Bill No. 2388**—An act to amend Section 21454 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to traffic control signals;

**Assembly Bill No. 2473**—An act to add Article 9 (commencing at Section 29190) to Chapter 1 of Division 3 of Title 3 of the Government Code, relating to county investment boards;

**Assembly Bill No. 2527**—An act to amend Section 23661 of the Business and Professions Code, relating to alcoholic beverages;

**Assembly Bill No. 2586**—An act to amend Section 5580 of the Business and Professions Code, relating to the practice of architecture, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 2655**—An act to amend Sections 1030 and 1256 of the Unemployment Insurance Code, relating to Unemployment Insurance Code;

And reports the same correctly enrolled, and presented to the Governor on the seventeenth day of June, 1959, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined

**Assembly Concurrent Resolution No. 115**—Relative to the construction of a freeway through the City of Concord;

**Assembly Concurrent Resolution No. 123**—Relative to expenses of the Joint Interim Committee on Law Revision;

**Assembly Concurrent Resolution No. 135**—Relative to the California Law Revision Commission;

**Assembly Concurrent Resolution No. 141**—Relative to economy in legislative printing;

**Assembly Concurrent Resolution No. 142**—Relative to augmenting the funds of the Joint Legislative Committee for School Visitations;

**Assembly Concurrent Resolution No. 143**—Relative to adding Rule No. 40.1 to the Joint Rules of the Senate and the Assembly to provide for the transfer of the duties and funds of the Joint Legislative Committee for School Visitations to the Joint Committee on Legislative Organization;

**Assembly Concurrent Resolution No. 144**—Relative to augmenting the funds of the Joint Committee on Legislative Organization;

**Assembly Concurrent Resolution No. 145**—Relative to administrative rules and regulations;

**Assembly Concurrent Resolution No. 147**—Relative to the Flag of the United States of America.

And reports the same correctly enrolled, and presented to the Secretary of State on the seventeenth day of June, 1959, at 11 a.m.

BURKE, Chairman

**Committee on Natural Resources, Planning, and Public Works**

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 1293

With the recommendation. Do pass, and be re-referred to the Committee on Ways and Means.

LOWREY, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Livestock and Dairies**

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Senate Bill No. 1167

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BELOTTI, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and read:

**Veto Message Concerning Assembly Bill No. 1920**

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith, without my signature,

**Assembly Bill No. 1920,** entitled "An act to add Section 150 to Streets and Highways Code, relating to state freeways."

My objections to this bill are as follows.

Assembly Bill No. 1920 provides that the Department of Public Works shall erect, or cause the erection of center strip vehicle barriers at such places on state freeways, the roadways of which are not separated or only separated by a divider strip, as the Department determines is required for the public safety.

I am informed that the Department of Public Works has ample authority, under Section 144 of the Streets and Highways Code, to erect center strip vehicle barriers on state freeways, or any other state highways, wherever there is particular danger to the traveling public of collision between vehicles proceeding in opposite directions, or from cross-traffic. Under these circumstances, further legislation on the subject seems unnecessary and superfluous. In addition, although permissive in fact, Assembly Bill No. 1920 is mandatory in form. To the extent that the bill constitutes a mandate to the Department to erect barriers, it may also encourage claims and litigation based on the theory that the department's engineers were negligent in *failing to place a barrier at a particular location where an accident happened to* occur.

I am, therefore, returning Assembly Bill No. 1920 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 1920 ordered to the unfinished business file.

### Veto Message Concerning Assembly Bill No. 1572

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Assembly of the State of California*

I am returning herewith, without my signature,

**Assembly Bill No. 1572**, entitled: "An act to add Section 627 to the Labor Code, relating to orders of the Division of Industrial Safety on pressure vessels."

My objections to this bill are as follows:

Assembly Bill No. 1572 provides, in effect, that no standard or order of the Division of Industrial Safety relating to air tanks or reservoirs, used to provide storage of compressed air for vehicle brake application, or other air controlled auxiliaries common to automotive vehicles equipped with compressed air, shall be more restrictive than the "applicable standards for such tanks as set forth by the Society of Automotive Engineers."

I would have no objection to legislation requiring the Division of Industrial Safety, in adopting standards or orders relating to air brake pressure tanks, or any other pressure tanks, to *consider* the standards adopted by nationally recognized organizations such as the Society of Automotive Engineers. However, I do object to legislation such as this, absolutely prohibiting the division from making its standards, which apply to pressure tanks of all kinds, including but not limited to those used on motor vehicles, any more restrictive than those adopted by an outside organization, no matter how eminent that organization may be. This is particularly true in a case like the present one, where the standards, which the state regulatory agency would be required by law to adopt as its *maximum* standards, are subject to periodic change. It may well be that the standards of the Society of Automotive Engineers, as they exist at *the present time*, are sufficiently strict to be adopted as our state standards; however, there is no guarantee that the Society's standards will not become less strict in the future, and thereby become unsatisfactory for use as California's standards of safety.

I am, therefore, returning Assembly Bill No. 1572 without my signature.

Respectfully submitted

EDMUND G. BROWN, Governor

Assembly Bill No. 1572 ordered to the unfinished business file.

### Veto Message Concerning Assembly Bill No. 2033

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith without my signature

**Assembly Bill No. 2033**, entitled. "An act to add Section 69891.6 to the Government Code, relating to secretaries to Superior Court Judges."

My objections to this bill are as follows:

Assembly Bill No. 2033 provides that in each county with a population of less than 102,000, and more than 95,000, each judge of the superior court may appoint a secretary, at a salary to be determined by the board of supervisors, but in no event to be less than $275 per month.

It is my understanding that the only county in the State with a population of more than 95,000 and less than 102,000 is Santa Barbara County, and that therefore the bill is intended to apply only to Santa Barbara County. I am informed by the author of the bill that it was introduced at the request of the Santa Barbara County Supervisors and the Grand Jury, but it is customary, with respect to all legislation creating new positions in county offices, or increasing salaries for county officials, superior court clerks and attaches, and similar county employees, to furnish the Governor with a favorable recommendation, in writing, from the county supervisors and the grand jury, preferably in the form of a resolution adopted by the county supervisors and the grand jury. The reason for this is that in the absence of some such written recommendation, the Governor cannot be certain that the county is willing to assume the increased expense.

In this instance there is no written recommendation, in form of a resolution or otherwise, directly from the county. In the absence of such recommendation, since I must take action on the bill today, I feel that I have no alternative but to disapprove the measure.

I am, therefore, returning Assembly Bill No. 2033 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 2033 ordered to the unfinished business file.

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 150**: By Messrs. Charles H. Wilson and Pattee—Relative to investigating California boxing.

Referred to Committee on Rules.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 732

Mr. Beaver having withdrawn his objections (Assembly Journal, page 5647), the Speaker ordered Senate Bill No. 732 withdrawn from the Committee on Governmental Efficiency and Economy, and re-referred to the Committee on Ways and Means.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Charles H. Wilson and Pattee:

### House Resolution No. 388

Relative to investigating California boxing

WHEREAS, It has been rumored for some time that mobster elements were attempting to move into California boxing; and

WHEREAS, These rumors were given credence last week by the savage and unprovoked attack upon Jackie Leonard, Hollywood Legion matchmaker; and

WHEREAS, This vicious beating, which took place in Mr. Leonard's garage, was inflicted by two unknown assailants after he had received threats from underworld figures; and

WHEREAS, Other boxing figures, including Oakland matchmaker Don Chargin, have been threatened with physical harm by underworld elements; and

WHEREAS, Governor Brown, cognizant of this serious threat to boxing, has requested Attorney General Stanley Mosk to assist the State Athletic Commission in investigating the attack upon Jackie Leonard and to co-operate with the local police forces and sheriff's office in Los Angeles; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the California Athletic Commission be directed to discontinue sanctioning any further professional boxing matches in California until the completion of a thorough investigation which assures them that the profession is free from gangster elements and illegal monopolies which bring discredit to the sport and to this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Athletic Commission.

Resolution read, and referred to the Committee on Rules.

By Mr. Holmes:

### House Resolution No. 389

Relating to commending and congratulating the *Lompoc Record* of Santa Barbara County and its editor-publisher, Kenneth L Adam

WHEREAS, The *Lompoc Record* is one of the pioneer newspapers of Santa Barbara County, serving its community since 1875; and

WHEREAS, After 84 years of weekly publication, the present editor and publisher, Kenneth L. Adam, son of Ronald Adam who acquired the *Lompoc Record* in 1913, has through his progressive management made it recently possible to publish bi-weekly editions of the paper; and

WHEREAS, The demand for the *Lompoc Record's* news and views is also reflected in the acquisition in 1958 of large, attractive quarters on North H Street in Lompoc, California, after having been published for 34 years in a building on East Ocean Avenue, Lompoc, California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this Assembly commends and congratulates the *Lompoc Record* and its editor-publisher, Kenneth L. Adam, for this joint achievement, in acquiring new facilities and publishing a bi-weekly edition of the *Lompoc Record* so as to better serve the community, and offers every good wish for the continued success of this pioneer newspaper; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the editor-publisher, Kenneth L. Adam, of the *Lompoc Record*.

**Request for Unanimous Consent**

Mr. Holmes was granted unanimous consent to take up House Resolution No. 389 without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Holmes:

**House Resolution No. 390**

Relative to congratulating Mr. G. Allen Hancock upon his receipt of the honorary doctorate of science degree

WHEREAS, The Members of the Assembly have learned that Mr. G. Allen Hancock of Santa Maria was recently awarded an honorary doctorate of science degree at the University of Santa Clara for his varied and notable accomplishments for the welfare of society; and

WHEREAS, As a musician, businessman, and financier, Mr. Hancock has bestowed upon the people of this State and his community the benefits of his years of diverse experience and great human understanding; and

WHEREAS As an accomplished musician he served as president of the Los Angeles Symphony Orchestra for 23 years; and

WHEREAS, Mr Hancock, a well-known philanthropist, established the Allen Hancock Foundation for Scientific Research on the campus of the University of Southern California, devoted to biological research, especially in the fields of marine zoology and botany; and

WHEREAS, In addition to his other outstanding accomplishments, Mr. Hancock was the first president of the Southern California Automobile Club and the founder of the Hibernian Bank in Los Angeles, now known as the California Bank, with 65 branches; and

WHEREAS, A resident of Santa Maria since 1925 he has added significantly to the cultural and business endeavors of his community; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take great pleasure in extending heartiest congratulations to G. Allen Hancock upon his receipt of the honorary doctorate of science degree at the University of Santa Clara, a tribute that is so justly deserved; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Mr. Hancock

**Request for Unanimous Consent**

Mr. Holmes was granted unanimous consent to take up House Resolution No. 390 without reference to committee or file.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 679**—An act to amend Sections 10204, 68200, 68201, 68202, 68203, and 68204 of the Government Code, relating to the justices and judges of courts of record and other state legal officers.

Bill read third time, and presented by Mr. Miller.

NOTE—Later this day, the record was expunged, and the action rescinded on Senate Bill No. 679. *See* page 5685.

**Motion for Quorum Call of the Assembly**

Mr. Chapel moved a quorum call of the Assembly.

The Speaker ruled a quorum present, and the motion not in order.

**Motion to Expunge Record and Rescind Action on Senate Bill No. 729**

Mr. Chapel moved to expunge the record, and rescind the action whereby the Assembly on this day, passed Senate Bill No. 729.

Mr. George E. Brown seconded the motion.

Motion lost by the following vote:

AYES—George E. Brown, Chapel, Cusanovich, Grant, Holmes, Kilpatrick, Shell, and Charles H. Wilson—8

NOES—Don A. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Conrad, Crawford, Crown, Cunningham, Dahl, Francis, Garrigus, Samuel R. Geddes, House, Marks, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—33.

### Motion to Reconsider on Second Legislative Day

Mr. Chapel moved to reconsider on the second legislative day the vote whereby Senate Bill No. 679 was this day passed.

Speaker Brown ruled the motion not in order.

**Senate Bill No. 735**—An act to add Section 30610 to the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Don A. Allen, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Marks, McCollister, Meyers, Miller, Mulford, Nisbet, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

### CHANGES IN VOTES ON SENATE BILL NO. 679

NOTE—Later this day, changes in votes on Senate Bill No. 679 were expunged, and the action rescinded. *See* page 5685.

### RUSH ORDER PLACED UPON PRINTING OF ASSEMBLY CONCURRENT RESOLUTION NO. 150

Mr. Charles H. Wilson was granted unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 150.

### SENATE BILL NO. 729 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 729**, on motion of Mr. Francis.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 51**—An act to amend Section 221 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Crawford, Crown, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Schrade, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—49

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 486**—An act to amend and renumber the heading of Part 10 (commencing with Section 15750) of Division 3 of Title 2 of, to amend Sections 16407, 16408, and 16409 of, and to repeal Sections 15750, 15751, 15772, 15795, 15796, 15797, 15798, 16407.1, 16407.2, and 16407.4 of, the Government Code, relating to the construction of state buildings, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 486.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1959

*To the Honorable Members of the Assembly:*

Senate Bill No. 486, an act to abolish the Capital Outlay and Savings Fund, etc.

I have been advised by the Department of Finance that the early enactment of the measure is essential in order that planning for the Capital Outlay program for the year 1959-60 may proceed without delay.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 486 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 488**—An act to amend Section 16486 of the Government Code, relating to the sale or transfer of bonds by state agencies.

Bill read third time, and presented by Mr. Reagan.

Bill passed by the following vote:

AYES—Don A. Allen, Bane Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, McCollister, Miller, Mulford, Pattee, Petris, Reagan, Schrade, Shell, Thelin, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.

NOES—None.

## ANNOUNCEMENT

Speaker Brown announced that the Senate Committee on Finance would hold its last meeting at 9 a.m. tomorrow morning (June 18th), and read the list of bills set for hearing at that time, and advised the members that the list was available at his desk.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1267**—An act to amend Section 4009 of the Public Resources Code, relating to the appointment of voluntary fire wardens, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Nisbet.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1392**—An act to add Section 26467 to the Health and Safety Code, relating to food labeling.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Don A. Allen, Beaver, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Conrad, Crawford, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Levering, Luckel, MacBride, Marks, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—50.
NOES—None.

Bill ordered transmitted to the Senate.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 679

Mr. Miller moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 679 (Assembly Journal, page 5682):

Motion carried by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown,

Cunningham, Cusanovich, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—57.

NOES—None.

### FURTHER CONSIDERATION OF SENATE BILL NO. 679

**Senate Bill No. 679**—An act to amend Sections 10204, 68200, 68201, 68202, 68203, and 68204 of the Government Code, relating to the justices and judges of courts of record and other state legal officers.

Bill read third time, and presented by Mr. Miller.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Crown, Cunningham, Dills, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Levering, MacBride, Marks, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—48.

NOES—Chapel, Cusanovich, Elliott, Ernest R. Geddes, Holmes, Kilpatrick, Luckel, Masterson, Munnell, Pattee, Reagan, Williamson, and Charles H. Wilson—13.

Bill ordered transmitted to the Senate.

#### Parliamentary Inquiry

Mr. O'Connell arose to the following parliamentary inquiry: What is the vote required for passage of Senate Bill No. 679?

#### Reply by Speaker

The Speaker replied that 41 votes are required.

#### Vote Changed Upon Roll Call on Senate Bill No. 679

Mr. Francis asked for unanimous consent that he be recorded as voting "Aye" instead of "No", on Senate Bill No. 679.

Mr. Chapel withheld unanimous consent.

Mr. Chapel withdrew his objections.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 552**—An act to amend Section 2211 of the Streets and Highways Code, relating to the apportionment of federal aid for secondary highways.

Bill read third time, and presented by Mr. Holmes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 344**—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 798**—An act to add Section 3605.5 to, and amend Sections 3605, 3606, and 3606.1 of the Public Resources Code, relating to oil and gas wells.

Bill read third time, and presented by Mr. Bruce F. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 617**—An act to add Section 6211 to the Public Resources Code, relating to sale of state lands, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. McCollister.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 533**—An act to add Sections 7307.5 and 7372.5 to the Business and Professions Code, relating to cosmetology.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 549**—An act to amend Section 18940 of the Government Code, relating to state civil service examinations.

Bill read third time, and presented by Mr. Nisbet.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1049**—An act to amend Section 8361 of the Water Code, relating to the Sacramento River Flood Control Project.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles A. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 245**—An act to amend Section 11200 of, and to add Article 9.1 (commencing at Section 11252) to, and amend and renumber the title of Article 9.6 (commencing at Section 11270) of, Chapter 2 of Part 3 of Division 6 of, the Water Code, relating to the Central Valley Project.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner,

Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 780**—An act making an appropriation for the City Creek Flood Control Project, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Beaver.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 780:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

GENTLEMEN: Senate Bill No. 780, "An act making an appropriation for the City Creek Flood Control Project, declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 780 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 76**—An act to add Chapter 6 (commencing at Section 1600) to Division 2 of the Fish and Game Code, relating to the Prado Dam Recreational Area and providing for its acquisition and management.

Bill read third time, and presented by Mr. Nisbet.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 53**—An act to amend Section 525.1 of the Vehicle Code and Section 21654 of the Vehicle Code as proposed by Assembly Bill No. 5, relating to driving in the right-hand lane, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. McCollister.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1235**—An act to add Section 2265 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to the replacement of California Highway Patrol employees' uniforms.

Bill read third time, and presented by Mr. Munnell.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—Unruh—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 122**—An act to amend Section 87 of the Agricultural Code, relating to fairs, including racing thereat.

Bill read third time, and presented by Mr. DeLotto.

NOTE: Later this day, the record was expunged, and the action rescinded whereby Senate Bill No. 122 was this day refused passage. *See* page 5699.

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Crawford was granted unanimous consent to hold a special meeting of the Committee on Military and Veterans Affairs in the Assembly Lounge, at this time.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 424**—An act to amend Sections 658 and 660 of the Civil Code, relating to the definitions of real and personal property.

Bill read third time, and presented by Mr. Biddick.

#### Speaker pro Tempore Presiding

At 4.11 p m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Elliott, Frew, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Munnell, O'Connell, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 565**—An act to amend Sections 88, 2400, 5931, 5932, 5970, 7207, 7609, 7799, 7803.1, 7804, 7840, 7841, 7841.5, 7842, 7843, 7844, 7845, 7847, 7848, 8001, 8002, 8003, 8004, 8005, 8008, 8025.5, 8026, 8027, 8131, 8132, 8134, 8136, 8137, 8140, 8501, 8530, 8531, 8602, and 8603 of, to add Sections 7801, 7802, 7849, and 8029.5 to, to repeal and add Article 1 (commencing with Section 7920) and to repeal Article 2 (commencing with Section 7960), of Chapter 7 of Division 9 of, and to repeal Sections 5932.5, 7801, 7801.5, 7802, 7803, 7806, 7807, 8133, and 8135 of, the Elections Code, relating to the canvass of ballots.

Bill read third time, and presented by Mr. Crown.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1401**—An act to amend Section 28109 of the Government Code, relating to compensation for public service in counties.

Bill read third time, and presented by Mr. DeLotto.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 534**—An act to amend Section 7049 of, and to add Sections 7026.3 and 7085 to, the Business and Professions Code, relating to contractors.

Bill read third time, and presented by Mr. Samuel R. Geddes.

### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Since this bill contains costs, has it been referred to the Committee on Ways and Means?

### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it had.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Nisbet, O'Connell, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—61.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Burton was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 534.

**Senate Bill No. 102**—An act to add Chapter 3 (commencing at Section 17800) to Part 3 of Division 7 of, the Business and Professions Code, relating to trading stamps.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT

Speaker pro Tempore Bee again announced the meeting of the Senate Committee on Finance for tomorrow morning in Room 4203; and stated that schedules of the bills to be heard would be posted in the halls.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Constitutional Amendment No. 14**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of, and by adding Sections 1b, 1c, 10b, and 26a to, Article VI of said Constitution, relating to the administration of justice, including removal and retirement of judges, the membership and duties of the Commission on Judicial Qualifications, Judicial Council, and the State Bar, and the renaming of the Commission on Qualifications.

Resolution read, and presented by Mr. Bruce F. Allen.

#### Demand for Previous Question

Messrs. Sumner, Ernest R. Geddes, Burke, Schrade, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

NOES—Burton, Hegland, Luckel, Munnell, O'Connell, and Schrade—6.

Resolution ordered transmitted to the Senate.

### REQUEST FOR UNANIMOUS CONSENT

Mr. MacBride was granted unanimous consent to take up consideration of Senate amendments to Assembly Bills Nos. 1171 and 1173.

### CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1171

**Assembly Bill No. 1171**—An act to amend Section 32151 of, and to add Section 32010 to, the Revenue and Taxation Code, relating to the taxation of alcoholic beverages, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1171?

#### Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on May 22, 1959, strike out "two dollars and seventeen cents ($2.17)", and insert "one dollar and twenty-four cents ($1.24)".

**Amendment No. 2**

On page 2, lines 9 and 10, strike out "one dollar and fifty-five cents ($1.55)", and insert "sixty-two cents ($0.62)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1171 by the following vote:

AYES—Backstrand, Bane, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Sedgwick, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, and Mr. Speaker—54.

NOES—Bruce F. Allen, Collier, Dahl, Davis, Elliott, Garrigus, Hawkins, Holmes, Reagan, Schrade, Shell, Winton, and Z'berg—13.

Assembly Bill No. 1171 ordered enrolled.

## CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1173

**Assembly Bill No. 1173**—An act to amend Sections 19485, 19485.1, 19597 and 19620.1, and to repeal Section 19627.1, of the Business and Professions Code, and to amend Sections 19491, 19596, 19597, and 19633 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to revenue derived from horse racing, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1173?

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on April 23, 1959, after "Code," insert "and to amend Sections 19491, 19596, 19597, and 19633 of the Business and Professions Code as proposed by Assembly Bill No. 1755,".

**Amendment No. 2**

On page 1, line 4, strike out "6", and insert "5".

**Amendment No. 3**

On page 1, line 7, strike out "7", and insert "6".

**Amendment No. 4**

On page 1, line 10, strike out "8", and insert "7".

**Amendment No. 5**

On page 1, lines 12 and 13, strike out "fifty million dollars ($50,000,000)", and insert "seventy-five million dollars ($75,000,000)".

**Amendment No. 6**

On page 1, line 13, strike out "8.5", and insert "7.5".

**Amendment No. 7**

On page 1, line 14, strike out "fifty million dollars ($50,000,000)", and insert "seventy-five million dollars ($75,000,000)".

**Amendment No. 8**

On page 1, lines 15 and 16, strike out "one hundred million dollars ($100,000,000)", and insert "one hundred twenty-five million dollars ($125,000,000)".

**Amendment No. 9**

On page 1, line 16, strike out "9", and insert "8".

**Amendment No. 10**

On page 1, lines 17 and 18, strike out "one hundred million dollars ($100,000,000)", and insert "one hundred twenty-five million dollars ($125,000,000)".

**Amendment No. 11**

On page 2, line 2, strike out "five cents ($0.05)", and insert "ten cents ($0.10)".

**Amendment No. 12**

On page 2, strike out lines 3 to 8, inclusive, and insert "are known as breakage. In such case one-half of the total amount of the moneys so deducted as breakage on the first twenty-four million dollars ($24,000,000) or less of the gross amount of money handled in the parimutuel pool operated by him during the period of the license may be retained by the licensee. The other one-half of such breakage, and all breakage deducted on amounts handled in the parimutuel pool over twenty-four million dollars ($24,000,000)".

**Amendment No. 13**

On page 2, line 24, strike out "fifty million dollars ($50,000,000)", and insert "seventy-five million dollars ($75,000,000)".

**Amendment No. 14**

On page 2, line 26, strike out "fifty million dollars ($50,000,000)", and insert "seventy-five million dollars ($75,000,000)".

**Amendment No. 15**

On page 2, line 27, strike out "one hundred million dollars ($100,000,000)", and insert "one hundred twenty-five million dollars ($125,000,000)".

**Amendment No. 16**

On page 2, line 29, strike out "one hundred million dollars ($100,000,000)", and insert "one hundred twenty-five million dollars ($125,000,000)".

**Amendment No. 17**

On page 2, line 31, strike out "five cents ($0.05)", and insert "ten cents ($0.10)".

**Amendment No. 18**

On page 2, between lines 48 and 49, insert

"SEC. 6. Section 19491 of the Business and Professions Code, as proposed by Assembly Bill No. 1755, is amended to read:

19491. Every person licensed under this article who conducts a horse racing meeting shall pay a license fee equal to the sum of the following:

(a) ~~Four~~ *Five* percent of all money not in excess of ten million dollars ($10,000,000) handled in the parimutuel pools operated by him during the period of the license.

(b) ~~Five~~ *Six* percent of the amount by which the total amount so handled by him exceeds ten million dollars ($10,000,000) but is not more than twenty million dollars ($20,000,000).

(c) ~~Six~~ *Seven* percent of the amount by which the total amount so handled by him exceeds twenty million dollars ($20,000,000) *but is not more than seventy-five million dollars ($75,000,000)*.

*(d) Seven and one-half percent of the amount by which the total amount so handled by him exceeds seventy-five million dollars ($75,000,000) but is not more than one hundred twenty-five million dollars ($125,000,000).*

*(e) Eight percent of the amount by which the total amount so handled by him exceeds one hundred twenty-five million dollars ($125,000,000).*

~~(d)~~ *(f) One-half of the "breakage" deducted by him pursuant to Section 19597 on the first twenty-four million dollars ($24,000,000) or less of the total amount so handled, and* the "breakage" deducted by him pursuant to Section 19597 on the amount by which the total amount so handled exceeds ~~twenty-seven~~ *twenty-four* million dollars ~~($27,000,000)~~ *($24,000,000)*.

Payment of the fee shall be made daily on account during each meeting, and the amount attributable to breakage shall be reported and paid as a separate item.

SEC. 7. Section 19596 of said code, as proposed by Assembly Bill No. 1755, is amended to read:

19596. Any commission deducted by any person licensed under this chapter to conduct a horse racing meeting from a parimutuel pool operated by him shall not exceed the following:

(a) Nine percent of the gross amount of money not in excess of ten million dollars ($10,000,000) handled in the parimutuel pools during the period of the license.

(b) Eight percent of the amount by which the total amount so handled exceeds ten million dollars ($10,000,000) but is not more than twenty million dollars ($20,000,000).

(c) Seven percent of the amount by which the total amount so handled by him exceeds twenty million dollars ($20,000,000) *but is not more than seventy-five million dollars ($75,000,000)*.

*(d) Six and one-half percent of the amount by which the total amount so handled by him exceeds seventy-five million dollars ($75,000,000) but is not more than one hundred twenty-five million dollars ($125,000,000).*

*(e) Six percent of the amount by which the total amount so handled by him exceeds one hundred twenty-five million dollars ($125,000,000).*

~~(d)~~ ~~The~~ *(f) One-half of the* "breakage" deducted by him pursuant to Section 19597 on the first ~~twenty-seven million dollars ($27,000,000)~~ *twenty-four million dollars ($24,000,000)* or less of the total amount so handled.

The amount of the commission deducted by the licensee shall be in addition to any deduction for the license fee payable by him under this chapter.

SEC. 8. Section 19597 of said code, as proposed by Assembly Bill No. 1755, is amended to read:

19597. Notwithstanding any other provision of this chapter, a person licensed under this chapter to conduct a horse racing meeting shall, as to any payment made to a person who has wagered by contributing to a parimutuel pool operated by such licensee, also deduct the odd cents by which the amount payable on each dollar ($1) wagered exceeds a multiple of ~~five cents ($0.05)~~ *ten cents ($0.10)*. The amount so deducted is known as "breakage."

SEC. 9. Section 19633 of said code, as proposed by Assembly Bill No. 1755, is amended to read:

19633. All license fees for conducting horse racing meetings attributable to breakage shall be paid into the ~~State College Fund~~ *General Fund of the State. The State College Fund is continued in existence, but any unappropriated balance therein as of the effective date of the amendment to this section in 1959 is hereby transferred to the General Fund.*

SEC. 10. Sections 6 to 9, inclusive, of this act shall become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular Session, and in such case, at the same time as Assembly Bill No. 1755 takes effect; at which time Sections 19485, 19485.1, 19597,

and 19620.1 of the Business and Professions Code as amended by Sections 1 to 4, inclusive, of this act are repealed."

**Amendment No. 19**

On page 2, line 49, strike out "SEC. 6.", and insert "SEC. 11."

**Amendment No. 20**

On page 4, line 41, of the printed bill, as amended in the Senate on May 21, 1959, strike out "operative", and insert "effective".

**Amendment No. 21**

On page 4, line 49, after "effect", insert ", except as otherwise provided in Section 10 of this act".

**Amendment No. 22**

On page 4, after line 49, insert
"SEC. 12. This act shall not become operative until July 23, 1959."

**Amendment No. 23**

On page 4, line 39, of the printed bill, as amended in the Senate on June 9, 1959, strike out "July 23", and insert "June 29".

The Assembly concurred in Senate amendments to Assembly Bill No. 1173 by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Crawford, Crown, Cunningham, Davis, Elliott, Francis, Frew, Gaffney, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—48

NOES—Backstrand, Chapel, Collier, Cusanovich, Dahl, Garrigus, Samuel R. Geddes, Holmes, Levering, Lowrey, Luckel, McCollister, Reagan, Schrade, Shell, and Thelin—16.

Assembly Bill No. 1173 ordered enrolled.

## SENATE REQUESTED TO RETURN SENATE BILL NO. 1365

Mr. Luckel was granted unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 1365 for further consideration.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 898**—An act to add Section 5038 to the Public Resources Code, relating to parks.

Bill read third time, and presented by Mr. Lunardi.

**Speaker Presiding**

At 4.45 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

### ANNOUNCEMENT

Mr. Winton announced that the House would meet until 5.30 or 6 p.m., this afternoon, and that there would be no night session tonight.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 354**—An act to repeal Section 2 of Chapter 1820 of the Statutes of 1955 and to repeal and add Article 7 (commencing with Section 12580) to Chapter 6 of Part 2 of Division 3 of Title 2 of the Government Code, relating to state supervision and enforcement of certain charitable trusts and similar relationships, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Biddick.

#### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1242**—An act to amend Section 75104.4 of the Government Code, relating to the Judges' Retirement System.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 86**—An act to add Section 7717.6 to the Education Code, and Section 19588.1 to the Education Code as proposed by Senate Bill No. 2, relating to state school building aid.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 122

Mr. DeLotto moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 122 (Assembly Journal, page 5691).

Motion carried by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—George E. Brown, Cusanovich, Thelin—3.

Bill ordered to third reading.

## NAME PLACED UPON ROLL CALL ON SENATE BILL NO. 679

Mr. Munnell was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 679.

## VOTE CHANGED UPON ROLL CALL ON SENATE BILL NO. 679

Mr. Masterson was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Senate Bill No. 679.

## CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 513**—An act to amend Section 19031 of the Business and Professions Code, relating to the Bureau of Furniture and Bedding Inspection.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Sedgwick,

Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.
NOES—Bradley and Busterud—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 871**—An act to add Section 10504.1 to the Water Code, relating to appropriation of water.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 873**—An act to amend Sections 10504 and 10505 of and to add Sections 10504.2, 10504.5, and 10507 to, the Water Code, relating to applications for the appropriation of unappropriated water.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.
NOES—Davis—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1172**—An act to amend Section 631 of the Agricultural Code, relating to milk and dairy products.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 623**—An act to amend Sections 20040, 20081, 20082, 20083, 20085 and 20086 of, to repeal Section 20084 of, and to add Sections 20082.5 and 20084 to, the Water Code, relating to supervision of districts.

Bill read third time, and presented by Mr. Frew.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 508**—An act to add Section 5016.1 to the Public Resources Code, relating to the Division of Beaches and Parks.

Bill read third time, and presented by Mr. Crawford.

**Hon. Charles J. Conrad Presiding**

At 5.03 p.m., Hon. Charles J. Conrad, member of the Assembly from the Fifty-seventh District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 401**—An act making an appropriation for the acquisition of additional beach and park lands, and providing for the transfer of money to the State Beach and Park Fund.

Bill read third time, and presented by Mr. Sumner.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 588**—An act to amend Section 73 of, and to add Section 69.5 to, the Civil Code, and to amend Section 10350 of the Health and Safety Code, relating to marriage.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe,

Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1427**—An act to add Section 3362 to the Labor Code, relating to workmen's compensation.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—72.
NOES—Levering—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1397**—An act to add Section 10184 to the Business and Professions Code; and to add Article 1 (commencing at Section 3081.01) and to add a heading to Article 2 to, and to amend Sections 3081.1, 3081.3, and 3081.93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to Real Property Loans and Brokers.

Bill read third time, and presented by Mr. Unruh.

**Speaker Presiding**

At 5.11 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

NOTE—Later this day, the record was expunged and the action rescinded on Senate Bill No. 1397. *See* page 5704.

**Senate Bill No. 897**—An act to amend Section 771 of the Insurance Code, relating to insurance in connection with sales and loans.

Bill read third time, and presented by Mr. Beaver.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 87**—An act to amend Section 5715 of, and to add Section 5715.1 to, the Education Code as enacted by the Legislature

at its 1959 Regular Session, relating to maintaining of junior college classes outside of school district.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 176**—An act to validate certain actions relating to the annexation of property to cities and to the zoning of such property, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Sumner.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Constitutional Amendment No. 13**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ and adding Section 1¼a to Article XIII thereof, relating to the veterans' tax exemption.

Resolution read, and presented by Mr. Busterud.

**Demand for Previous Question**

Messrs. Crawford, Schrade, Burke, Hegland, and Luckel demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Winton—62.

NOES—Bruce F. Allen, Collier, Petris, George A. Willson, and Z'berg—5.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 1290**—An act to amend Sections 55 and 91 of, and to add Sections 61, 62, 95.5, and Chapter 11 (commencing at Section 135) to, the Shasta County Water Agency Act (Chapter 1512, Statutes of 1957), relating to powers of the agency.

Bill read third time, and presented by Mrs. Davis.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 1397

Mr. Unruh was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 1397 (Assembly Journal, page 5702).

## FURTHER CONSIDERATION OF SENATE BILL NO. 1397

**Senate Bill No. 1397**—An act to repeal Section 10131.1 of, and to add Chapter 5 (commencing at Section 10350) to Part 1, Division 4, of the Business and Professions Code; and to amend Sections 3081.1, 3081.3 and 3081.93 of the Civil Code, relating to mortgage loans and brokers.

Bill read third time.

### Motion to Amend

Mr. Unruh moved the adoption of the following amendments:

### Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on June 16, 1959, after "10184 to", insert ", and to repeal Section 10131.1 of,".

### Amendment No. 2

On page 5, between lines 41 and 42, insert

"SEC. 7. Section 10131.1 of the Business and Professions Code is repealed.

~~10131.1. A real estate broker within the meaning of this part also includes a person who, for a compensation sells or offers to sell, buys or offers to buy, negotiates the purchase or sale or exchange of a promissory note secured by a lien on real property, unless such note is sold to an underwriter or is one of a series of notes. Notwithstanding any~~

~~other provisions of law, any person who, on the effective date of this act and for three (3) months prior thereto held an unrevoked and unsuspended license as a securities broker under the provisions of the Corporations Code and was engaged in the business of buying, selling or exchanging promissory notes secured by liens on real property, shall, upon application made not later than 60 days after such effective date and payment of the appropriate fees to the Real Estate Commissioner on such form as said commissioner may prescribe, be issued an original real estate broker's license. Such original real estate broker's license shall be renewable for a period of two consecutive years before the holder thereof shall be required to take and pass the qualifying examination for an original real estate broker's license.~~"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, June 17, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR MR. OHNIMUS: I am returning herewith Senate Bill No. 1365 for further consideration by the Assembly, as requested by your honorable body.

Very truly yours,

J. A. BEEK

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 1365

Mr. Luckel was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 1365 (Assembly Journal, page 5649).

Senate Bill No. 1365 ordered to the third reading file.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 1037,** as amended in Senate May 26, 1959—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in the Senate on May 26, 1959, strike out "one hundred dollars ($100)", and insert "seventy-five dollars ($75)".

| | |
|---|---|
| EDWIN J. REGAN | RICHARD T. HANNA |
| JOSEPH A. RATTIGAN | WILLIAM BIDDICK, JR. |
| STANFORD C. SHAW | JOHN A. BUSTERUD |
| Senate Committee on Conference | Assembly Committee on Conference |

Report read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris,

Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 2430**—An act to amend Sections 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of, and add Article 11.5 (commencing at Section 73750) to Chapter 10, Title 8 of the Government Code, relating to municipal courts.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

The Conference Committee on Assembly Bill No. 2430 having found that Assemblyman Biddick's Assembly Bill No. 2821 had been amended to remove the conflict, the bill is reported back to the Assembly without change. Recommendation for passage.

J. A. MURDY, JR.
DONALD L. GRUNSKY
JAMES A. COBEY
Senate Committee on Conference

RICHARD T. HANNA
BRUCE SUMNER
CHARLES B. GARRIGUS
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 656**—An act to amend Section 80 of, and to add Section 80.5 to, the Agricultural Code, relating to district agricultural associations.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

### Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on June 11, 1959, between lines 18 and 19, insert
"District 52. The County of Sacramento."

### Amendment No. 2

On page 3, line 35, after the period, insert "Pending the determination by the Legislature pursuant to this section, the Department of Finance may lease or otherwise use such property, on such terms and conditions as the Director of Finance deems to be in the best interest of the State."

### Amendment No. 3

On page 3, between lines 35 and 36, insert
"SEC. 3. This act shall become operative on January 1, 1960."

ALBERT RODDA
RICHARD RICHARDS
JAMES A. COBEY
Senate Committee on Conference

ALLEN MILLER
LOU CUSANOVICH
T. J. MACBRIDE
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

## MOTION TO RECONSIDER SENATE BILL NO. 910 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Senate Bill No. 910 be continued until the next legislative day.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 2086,** as amended in Senate May 27, 1959—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Senate on May 27, 1959, after "any", insert "passenger".

**Amendment No. 2**

On page 1, strike out lines 10, 11 and 12.

J. WILLIAM BEARD
ALBERT S. RODDA
RONALD G. CAMERON
Senate Committee on Conference

PAUL J. LUNARDI
JEROME R. WALDIE
EUGENE G. NISBET
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Schrade, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 832**—An act to amend Section 350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

And appointed Senators Slattery, O'Sullivan, and Rattigan as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Shaw, Stiern, and Slattery as a Committee on Conference concerning:

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 16

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 405
Assembly Bill No. 407
Assembly Bill No. 409
Assembly Bill No. 719
Assembly Bill No. 880
Assembly Bill No. 1135
Assembly Bill No. 1188
Assembly Bill No. 1448
Assembly Bill No. 1500
Assembly Bill No. 1726
Assembly Bill No. 1962
Assembly Bill No. 2017
Assembly Bill No. 2031
Assembly Bill No. 2051
Assembly Bill No. 2088
Assembly Bill No. 2145
Assembly Bill No. 2397
Assembly Bill No. 2521
Assembly Bill No. 2851

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 31
Assembly Bill No. 349
Assembly Bill No. 406
Assembly Bill No. 408
Assembly Bill No. 410
Assembly Bill No. 1007
Assembly Bill No. 1179
Assembly Bill No. 1492
Assembly Bill No. 1533
Assembly Bill No. 1539
Assembly Bill No. 1617
Assembly Bill No. 1934
Assembly Bill No. 2129
Assembly Bill No. 2144
Assembly Bill No. 2147
Assembly Bill No. 2154
Assembly Bill No. 2446
Assembly Bill No. 2555
Assembly Bill No. 2695

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 220
Senate Bill No. 602
Senate Bill No. 624
Senate Bill No. 673
Senate Bill No. 737
Senate Bill No. 739
Senate Bill No. 740
Senate Bill No. 1078

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 220**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control, and making an appropriation.

Referred to Committee on Ways and Means.

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Education.

**Senate Bill No. 624**—An act to add Chapter 11.5 (commencing at Section 7041) to Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sheltered workshops for the disabled, and making an appropriation.

Referred to Committee on Education.

**Senate Bill No. 673**—An act authorizing a study of the problem of rehabilitation of industrially disabled workers, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 737**—An act making an appropriation to the State Department of Public Health for physically handicapped children.

Referred to Committee on Education.

**Senate Bill No. 739**—An act to establish a pilot project for the extension of crippled children services to children suffering from epilepsy, and making an appropriation therefor.

Referred to Committee on Education.

**Senate Bill No. 740**—An act to amend Sections 16616 and 16618 and the heading of Chapter 5 (commencing at Section 16601) of, and to add Article 2 (commencing at Section 16645.1) to Chapter 5 of, Division 12 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to child care centers for mentally retarded and physically handicapped children.

Referred to Committee on Education.

**Senate Bill No. 1078**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Referred to Committee on Industrial Relations.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 92

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 92**—Relative to the compiling, publishing, and distribution of the official State Roster.

Referred to Committee on Rules.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 391

Relative to a study by the Committee on Rules of proposals for administrative assistants and office space for Members of the Assembly

*Resolved by the Assembly of the State of California*, That there be assigned to the Assembly Committee on Rules the subject matter of the desirability and feasibility of providing each Member of the Assembly with an administrative assistant and office space in his district by means of an allocation of a specific sum to each Member for such expenses, similar to the practice of the United States Congress. The committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Holmes:

### House Resolution No. 392

Commending Major General David Wade

WHEREAS, For the past year and a half Major General David Wade has been Commander of the Ballistics Missiles Force in the Strategic Air Command now operating from Vandenberg Air Force Base in Santa Barbara County; and

WHEREAS, General Wade, a native of Louisiana, joined the Air Corps, as it was then known, in 1935 after graduating from the Louisiana Technical College and working as a civil engineer; and

WHEREAS, In World War II he served with bomber groups in the Pacific and commanded a bombardment wing during the Korean War; and

WHEREAS, In his present command, General Wade has charge of integrating ballistic missiles into SAC's global striking force of bombers, and overall charge of training personnel in every aspect of the handling and firing of the missiles; and

WHEREAS, In the short period since his appointment he has achieved remarkable progress in establishing the Vandenberg Air Force Base as a vital part of the Country's defense system; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Major General David Wade for his outstanding accomplishments in the missile program and assure him of the co-operation of the people of the State of California, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to General Wade.

### Request for Unanimous Consent

Mr. Holmes was granted unanimous consent to take up House Resolution No 392 without reference to committee or file.

Resolution read, and adopted.

By Mr. Marks:

### House Resolution No. 393

Relative to an interim study of the consolidation of the tax collection agencies of the State

*Resolved by the Assembly of the State of California*, That the subject matter of the desirability and feasibility of consolidating the tax collection functions of the various agencies of the State Government, including the functions of the State Board of Equalization relative to sales and use taxes, gas and diesel taxes, truck taxes, personal income and bank and corporation taxes, and itinerant merchants; the functions of the Franchise Tax Board relative to personal income and bond and corporation taxes; and the functions of the State Controller relative to the gas, truck and insurance taxes; and the effect of such consolidation on the efficient and economical administration of State Government, is assigned to the Assembly Committee

on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Meyers:

**House Resolution No. 394**

Relative to establishing speedometer check points

WHEREAS, On January 1, 1960, California will inaugurate a new maximum speed law; and

WHEREAS, To permit the motoring public to properly obey the new vehicle speed law it is essential that vehicle speedometers function accurately and reliably; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works, in co-operation with the Department of the California Highway Patrol and the Department of Motor Vehicles, is requested to mark and post stretches of state highways at appropriate places throughout the State to enable motorists to check the accuracy of their speedometers while traveling, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works, to the Department of the California Highway Patrol and to the Department of Motor Vehicles.

Resolution read, and referred to the Committee on Rules.

By Mr Meyers:

**House Resolution No. 395**

Relative to an interim study of the use of electronic detection devices

*Resolved by the Assembly of the State of California*, That the subject matter of the use of electronic detection devices in school buildings or in other public buildings is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Meyers:

**House Resolution No. 396**

Relative to continuing the investigation of the pollution of waters of this State

WHEREAS, Pursuant to House Resolution No 297 of the 1957 Regular Session the Assembly Interim Committee on Conservation, Planning, and Public Works, through its subcommittee on Bay and Water Pollution, conducted numerous and extensive surveys and studies of the water pollution problems in this State; and

WHEREAS, These problems were found to be of a continuing nature and subject to constant change by reason of the ever-increasing population and industry in this State; and

WHEREAS, The problems of water pollution must be constantly surveyed and studied in order to insure an equitable solution of them; and

WHEREAS, The full effect of the corrective legislation enacted at this session can not properly be evaluated until it has been placed in operation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Natural Resources, Planning, and Public Works is hereby authorized and directed to study and analyze all facts relative to the pollution of waters of this State, the causes thereof, the effectiveness of recent legislation, and the desirability of or necessity for additional legislation controlling such pollution, and to do such other things as are necessary to effectuate the purposes of this resolution, and to report thereon to the Assembly, including in its report any recommendations for further legislation.

Resolution read, and referred to the Committee on Rules.

By Mr. Meyers:

**House Resolution No. 397**

Commending the Legislative Counsel

WHEREAS, The 1959 Regular Session of the California Legislature has been confronted with many new operational problems resulting from the lengthened session and discontinuance of the February recess; and

WHEREAS, Changes in the procedures for introducing and amending bills placed a great many added responsibilities on the Office of Legislative Counsel; and

WHEREAS, Despite an unforeseen increase of several thousand requests over the number taken in any previous year, the Legislative Counsel, Ralph N. Kleps, and his staff handled the workload with efficiency and the minimum of delay; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend the Legislative Counsel and the personnel of his staff on their fine work during the past busy months and express their appreciation for the valuable assistance rendered in connection with the many problems which arose during the 1959 legislative session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Kleps.

Resolution read. and referred to the Committee on Rules.

By Mr. Meyers:

**House Resolution No. 398**

Relative to the passing of Captain Ernest E. Williams

WHEREAS, Members of the Assembly learned with deep regret of the death of Captain Ernest E Williams on August 11, 1958; and

WHEREAS, Captain Williams was born in Denver, Colorado, February 3, 1893, and moved to California at the turn of the century; and

WHEREAS, He attended public school in Watsonville and San Jose and graduated from the University of Stanford in law; and

WHEREAS, His many years of service to the people of the United States began during World War I when he served in the Army and thereafter joined the Naval Reserve; and

WHEREAS, Appointment as Assistant United States Attorney in 1926 and as United States Commissioner of the Federal Courts in San Francisco in 1929, were the next significant accomplishments of Captain Williams; and

WHEREAS, In 1941 he was called to Washington to serve with the Judge Advocate General and later was appointed Legal and Real Estate Officer of the Twelfth Naval District, Public Works, until his retirement as Captain from the United States Navy in 1947; and

WHEREAS, Captain Williams served as President of the Planning Commission in San Francisco in 1952, having been appointed by Mayor Elmer E. Robinson, and

WHEREAS, He was an active and distinguished member of many social and fraternal groups, including various Masonic Orders, the American Legion, and the Civic League of Improvement Clubs and Associations of San Francisco; and

WHEREAS, The passing of Captain Williams was deeply felt by his family and many friends throughout the country; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body express their heartfelt regret at the loss of Captain Ernest E Williams, to his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Maud Williams, the widow of Captain Williams, to their three daughters, Mrs Virginia Matheny, Mrs. Winifred Kerrigan, and Mrs Maxine Missamore, and to the sister of Captain Williams, Mrs. Lillian Kletzker.

Resolution read, and referred to the Committee on Rules.

By Mr. Charles H. Wilson:

**House Resolution No. 399**

Relating to the commendation of Ralph P. Merritt

WHEREAS, Ralph P. Merritt was born in Rio Vista, California, educated in the public schools of Oakland and graduated from the University of California; and

WHEREAS, Mr. Merritt has had a long career of outstanding success in the fields of commerce, business, and agriculture and has served as a director of the Chamber of Commerce of the State of California and of the United States; and

WHEREAS, Mr Merritt held several important positions in connection with the war effort during World War I and World War II; and

WHEREAS, Ralph P. Merritt was one of the leaders in securing the formation of the Los Angeles Metropolitan Transit Authority, recognizing the need for modern mass transportation in the Los Angeles area; and

WHEREAS, He served as General Manager of the Los Angeles Metropolitan Transit Authority from 1952 to 1956 and as a member of the Los Angeles Metropolitan Transit Authority from 1955 to 1956; and

WHEREAS, Upon reorganization of the Los Angeles Metropolitan Transit Authority in September of 1957, he became Executive Director of the Los Angeles Metropolitan Transit Authority; and

WHEREAS, Mr. Merritt has announced his resignation as Executive Director of the Los Angeles Metropolitan Transit Authority; and

WHEREAS, Mr. Merritt's contribution to the formulation of plans and development of the Los Angeles Metropolitan Transit Authority has indeed been an important benefit for the Los Angeles area; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body commends Mr. Ralph P. Merritt for his outstanding career in the fields of endeavor which he has undertaken; and be it further

*Resolved*, That the Chief Clerk of the Assembly shall transmit suitably prepared copies of this resolution to Mr Ralph P. Merritt and to the members of the Los Angeles Metropolitan Transit Authority.

**Request for Unanimous Consent**

Mr. Charles H. Wilson was granted unanimous consent to take up House Resolution No. 399 without reference to committee or file.

Resolution read, and adopted.

By Mr. Masterson:

**House Resolution No. 400**

Relative to assigning certain subjects to the Assembly Interim Committee on Governmental Efficiency and Economy for interim study

*Resolved by the Assembly of the State of California*, That the following subject matters are assigned to the Assembly Interim Committee on Governmental Efficiency and Economy, which committee shall study and analyze all facts relating thereto and report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature:

1. The State Government and the government of counties, cities, and districts of this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and otherwise to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof

2 The need for legislation relating to the licensing of mining, geological, metallurgical, and petroleum engineers.

3. The cost and problems involved at all levels of government of the program for aid to needy children.

4. The cost and efficiency of operation of transportation facilities in state parks.

5. The subject matter of the use of force account methods of construction work by counties rather than the letting of construction contracts by competitive bids and the effect of such methods upon private enterprise.

6. The subject matter of the following bills as introduced and subsequently amended at the 1959 Regular Session of the Legislature:

(a) Assembly Bill No. 192, relating to structural pest control.
(b) Assembly Bill No. 308, relating to the practice of barbering.
(c) Assembly Bill No. 335, relating to preference for American-made materials in public purchases.
(d) Assembly Bill No. 578, relating to architecture.
(e) Assembly Bill No. 640, relating to the licensing and regulation of contractors.
(f) Assembly Bill No. 1281, relating to the practice of engineering.
(g) Assembly Bill No. 1347, relating to cosmetology.
(h) Assembly Bill No. 1375, relating to contractors
(i) Assembly Bill No. 1422, relating to regulation and licensing of interior designers and decorators.
(j) Assembly Bill No. 1548, relating to contractors.
(k) Assembly Bill No. 1553, relating to unfair practices in the sale of cigarettes
(l) Assembly Bill No. 1633, relating to advertisements for the sale of diamond jewelry.
(m) Assembly Bill No. 1661, relating to the creation of a State Board of Control of Blind-made Products.
(n) Assembly Bill No 1760, relating to the offenses of failure to provide a proper bond for construction and repair work and improperly obtaining or using a certificate of completion for such work.
(o) Assembly Bill No. 1761, relating to contractors.
(p) Assembly Bill No. 1791, relating to fair trade contracts.
(q) Assembly Bill No. 1904, relating to the creation of a Bureau of Building Designers.

(r) Assembly Bill No. 2138, relating to the practice of engineering.
(s) Assembly Bill No. 2181, relating to meetings of legislative bodies of local agencies.
(t) Assembly Bill No. 2213, relating to interests of public officers in contracts.
(u) Assembly Bill No. 2323, relating to public accountancy.
(v) Assembly Bill No. 2416, relating to contractors.
(w) Assembly Bill No 2417, relating to the definition of "highway carrier."
(x) Assembly Bill No. 2583, relating to a State Board of Registration of Professional Appraisers.
(y) Assembly Bill No. 2691, relating to emergency illumination in buildings used by the public.
(z) Assembly Bill No. 2768, relating to creation of a Board of X-ray Technician Examiners.
(aa) Assembly Bill No 2780, relating to the practice of engineering.
(bb) Assembly Bill No. 2799, relating to real estate and business opportunity promotional services
(cc) Assembly Bill No. 2875, relating to the practice of engineering.
(dd) Assembly Bill No. 2880, relating to licenses
(ee) Assembly Bill No. 2882, relating to incompatible activities of public officers and employees.
(ff) Assembly Bill No. 2903, relating to the San Francisco Port Authority.
(gg) Senate Bill No. 251, relating to preference for American-made materials in public works contracts.
(ii) Senate Bill No. 996, relating to guide dogs for the blind.
(jj) Senate Bill No. 1100, relating to subliminal radio and television messages.
(kk) Senate Bill No. 1386, relating to subliminal radio and television messages.

Resolution read, and referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 358
House Resolution No 381

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

## AMENDMENT OF HOUSE RESOLUTION NO. 358

By Messrs. Cunningham, Holmes, and Hawkins:

**House Resolution No. 358**—Relative to a study of subscription, box office and pay television.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

In line 1 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 12, 1959, at page 5359, strike out "Assembly Com-"; strike out lines 2 to 4, inclusive, and insert "subject matter of subscription, box office and pay television is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee."

### House Resolution No. 358, as Amended

By Messrs. Cunningham, Holmes, and Hawkins:

### House Resolution No. 358

Relative to a study of subscription, box office and pay television

*Resolved by the Assembly of the State of California*, That the subject matter of subscription, box office and pay television is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee.

The committee shall study all facts and circumstances relating to the subject of this resolution, including a study of the actual functions of this new, competitive entertainment industry, and its impact upon the economy and the culture of the State of California, as a means of determining the need or the lack of need, the advisability or the inadvisability, for legislation, and shall report its findings and its recommendations to the Legislature not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered to the Consent Calendar.

## AMENDMENT OF HOUSE RESOLUTION NO. 381

By Mr. Backstrand:

**House Resolution No. 381**—Relative to studies of the administration of motor vehicle affairs.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

Strike out the first paragraph of the "*Resolved*" clause of the measure as printed in the Assembly Journal for June 6, 1959, at page 5608, and insert

"1. The subject matter of this resolution is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

### House Resolution No. 381, as Amended

By Mr. Backstrand:

### House Resolution No. 381

Relative to Studies of the Administration of Motor Vehicle Affairs

WHEREAS, Motor vehicle transportation has grown at a phenomenal pace in California in recent years and there is clear prospect that its growth in the future will be even more spectacular; and

WHEREAS, The Legislature after much diligent and continuing study has developed successful programs for the financing, constructing, and maintaining of the highway plant; and

WHEREAS, It is equally essential that concerted attention and study be given to motor vehicle functions, other than the financing and engineering of highways, if optimum service is to be rendered to the people of California; and

WHEREAS, The administration of all motor vehicle affairs, not only involves tremendous costs which are certain to increase greatly in the future, but also affects the lives and welfare of our citizens; and

WHEREAS, Deficiencies and inconsistencies in the law pertaining to motor vehicle affairs may have resulted from failure to develop an overall approach, which would clearly define basic policy objectives that would provide guidance to affected administrators, and which would also provide for re-evaluation of traditional activities in the light of changing and anticipated conditions; and

WHEREAS, State difficulties in dealing evenly with the many problems inherent in the administration of motor vehicle affairs may lead to unwelcome activity in this field by the Federal Government, a possibility suggested by current studies initiated by the Federal Government to determine what it should do to promote highway safety; and

WHEREAS, The facts heretofore cited have been recognized by the Western Interstate Committee on Highway Policy Problems, the American Association of Motor Vehicle Administrators, and the International Association of Chiefs of Police, all of whom by resolution have urged that state legislatures make provision for study of current problems and future needs in the administration of motor vehicle affairs; and

WHEREAS, Basic issues of state transportation policy are involved in the provision of service, the control of privilege, and the exercise of police power with respect to administration of motor vehicle affairs, which issues should be given comprehensive study; and

WHEREAS, Illustrative activities that should have benefit of such study include driver education and licensing; vehicle registration and title issuance; financial responsibility requirements; highway-user tax administration; law enforcement as

it relates to all highway and motor vehicle affairs; and record maintenance and data collection and analysis in regard to all of the foregoing; and

WHEREAS, Such study should include: (1) an inventory of all functions, activities, and duties of the state pertaining to operations on the highway plant and administration of motor vehicle affairs, together with a determination and evaluation of the purposes and objectives of all such functions, activities, and duties; and (2) an estimate of future needs for effective and economical performance of all such functions, activities, and duties, analyses of benefits in relation to costs in each case, and exploration of alternative means of achieving useful and necessary purposes and objectives; and

WHEREAS, The subject matter of this resolution not only involves long-range research and study as well as immediate investigation, but also cuts across many fronts which will be dealt with by one or more of the duly created interim committees of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. The subject matter of this resolution is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

2. The chairman of said committee shall, in his discretion, appoint an advisory council on the subject matter of this resolution, which council shall include representatives of departments of the state government, the cities, the counties, and the public generally.

Resolution, as amended, ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2863

With the recommendation: That the bill be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

BIDDICK, Chairman

Above bill ordered filed; and the subject matter referred to the Committee on Rules.

### Committee on Social Welfare

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 1027

With the recommendation: Do pass.

BURTON, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1027**—An act to amend Sections 25608 and 25852 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deaf and blind pupils.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Social Welfare

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 867

With the recommendation: Be re-referred to the Committee on Ways and Means.

BURTON, Chairman

Above bill re-referred to the Committee on Ways and Means.

**Committee on Military and Veterans Affairs**

ASSEMBLY CHAMBER, June 17, 1959

MR SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 799

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CRAWFORD, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 799**—An act to amend Section 980 of the Military and Veterans Code, relating to the definition of term "veteran."

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Military and Veterans Affairs, was read, and adopted:

**Amendment No. 1**

On page 1, line 5, of the printed bill, strike out "5", and insert "6".

Bill ordered reprinted, and to be filed, as amended; and the subject matter referred to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

**Committee on Military and Veterans Affairs**

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Concurrent Resolution No. 49

With the recommendation: That the resolution be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CRAWFORD, Chairman

Above resolution ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

House Resolution No. 239
House Resolution No. 309
Assembly Concurrent Resolution No. 125

With the recommendation: Be adopted.

UNRUH, Chairman

Above House resolutions ordered on file.

Assembly Concurrent Resolution No. 125 ordered engrossed.

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 789 | Senate Bill No. 158 |
| Senate Bill No. 425 | Senate Bill No. 445 |
| Senate Bill No. 1342 | Senate Bill No. 476 |
| Senate Bill No. 1328 | Senate Bill No. 515 |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 789**—An act to amend Section 8352, of, and to repeal Sections 8357, 8357.5 and 8358 of, the Revenue and Taxation

Code, and to add Article 4 (commencing at Section 21680) to Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, relating to financial assistance for airports and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 425**—An act to amend Section 12880 of, and to add Sections 12881, 12882, 12883, 12884, 12885, 12886, 12887, 12888, 12889, and 12890 to, the Water Code, relating to state financial assistance for local projects, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1342**—An act authorizing the sale of an armory in the City and County of San Francisco, and providing for disposition of the proceeds thereof.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1328**—An act to add Sections 20004.5, 20004.6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601 5, 20989, 21251.14, 22153, 22213, and 22550 5 to, to amend Section 22009.1 of, and to repeal Part 3 5 (commencing at Section 21600) of Division 5, Title 2, of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 158**—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to unemployment disability compensation hospital benefits.

Bill read second time, and ordered to third reading.

**Senate Bill No. 445**—An act to add Section 2163 6 to the Welfare and Institutions Code, relating to old age security.

Bill read second time, and ordered to third reading.

**Senate Bill No. 476**—An act to amend Section 7300 of, and to repeal Sections 7301 and 7309 of, and to add Sections 7301 and 7309 to, the Welfare and Institutions Code, relating to the Langley Porter Neuropsychiatric Institute.

Bill read second time, and ordered to third reading.

**Senate Bill No. 515**—An act to add Sections 2020.003, 3084.05, and 4604.5 to, and to repeal Section 4576 of, the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No 1230
Senate Bill No. 914

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1230**—An act to amend Sections 92.7 and 92.8 of the Agricultural Code and Sections 19624 and 19626 of the Business and Professions Code, and Sections 19626, 19627, and 19630 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, relating to fairs and the Fair and Exposition Fund.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

### Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill, as amended in the Assembly on June 12, 1959, and insert

"An act to amend Sections 92.7 and 92.8 of, and to add Sections 92.2 and 92.3 to, the Agricultural Code, to amend Sections 19624 and 19626 of, and to add Sections 19624.1, 19624.2, and 19624.3 to, the Business and Professions Code, to amend Sections 19626, 19627, and 19630 of, the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, and to add Sections 19626.1, 19626.2, and 19626.3 to Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code as proposed to be added".

### Amendment No. 2

On page 1, strike out line 1, and insert

"SECTION 1. Section 92.2 is added to the Agricultural Code, to read:

92.2. During the 1959-60 Fiscal Year, the funds apportioned by the Department of Finance under the provisions of Section 92 of this code and other applicable provisions of law, shall be paid to the several counties and district agricultural associations from the revenue deposited in the Fair and Exposition Fund during the 1958-59 Fiscal Year and appropriated for encouragement of county, district or combined county and district agricultural fairs under the provisions of subdivision (b) of Section 19624 of the Business and Professions Code.

SEC. 2. Section 92.3 is added to said code, to read.

92.3. During the 1960-61 Fiscal Year and each fiscal year thereafter, the funds apportioned by the Department of Finance under the provisions of Section 92 of this code and other applicable provisions of law shall be paid monthly to the several counties and district agricultural associations from the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined county and district agricultural fairs under the provisions of subdivision (b) of Section 19624 of the Business and Professions Code during the fiscal year in which the apportionment is made. The department shall apportion monthly to the several counties and district agricultural associations the funds available for such apportionment in such amounts as the department shall determine; provided, however, that the aggregate of the monthly apportionments to each of the several counties and district agricultural associations shall not exceed the maximum apportionment provided by law.

The amount of the premiums used in determining such apportionments shall be the amount of premiums paid by each of the several counties and district agricultural associations in the calendar year preceding the fiscal year in which the apportionment is made.

SEC. 3. Section 92.7 of said code is".

### Amendment No. 3

On page 2, line 23, strike out "It"; and strike out lines 24 to 28, inclusive.

### Amendment No. 4

On page 2, line 37, strike out "SEC. 2.", and insert "SEC. 4."

### Amendment No. 5

On page 3, line 12, strike out "SEC. 3.", and insert "SEC. 5."

### Amendment No. 6

On page 4, between lines 46 and 47, insert

"SEC. 6. Section 19624.1 is added to said code, to read:

19624.1. Notwithstanding the provisions of Section 19624, the first $500,000 of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined district and county agricultural fairs under

the provisions of subdivision (b) of Section 19624 during the 1959-60 Fiscal Year, or so much thereof, as may be needed, may be allocated by the Department of Finance during the 1959-60 Fiscal Year to supplement the amount apportioned to any county or district agricultural association during the 1959-60 Fiscal Year under the provisions of Section 92 of the Agricultural Code and subdivision (b) of Section 19624 of this code. Such supplementary allocations shall be in such amounts as deemed necessary by the Department of Finance but the amount so allocated to any one county or district agricultural association shall not exceed thirty thousand dollars ($30,000). The funds so allocated shall be paid to the various counties and district agricultural associations and may be expended under the supervision of the Department of Finance in the manner and for the purposes prescribed by Section 92 of the Agricultural Code and other applicable provisions of law. The funds so allocated shall not be deemed a separate appropriation under the provisions of Section 92 of the Agricultural Code.

The balance of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined county and district agricultural fairs during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month.

SEC. 7. Section 19624.2 is added to said code, to read:

19624.2 During the 1960-61 Fiscal Year and each fiscal year thereafter the funds appropriated and allocated for payment to and use of citrus fruit fairs under the provisions of subdivision (a) of Section 19624 shall be payable from the revenue deposited in the Fair and Exposition Fund and appropriated for said purpose during the fiscal year in which the funds are to be allocated and paid to the several citrus fruit fairs and expositions. The Department of Finance shall allocate monthly to the several citrus fruit fairs and expositions, the funds available for such allocation in such amounts as the department shall determine; provided, however, that the aggregate of the monthly allocations to each of the several citrus fruit fairs and expositions shall equal the allocation provided by law.

SEC. 8. Section 19624.3 is added to said code, to read:

19624.3. The revenue deposited in the Fair and Exposition Fund and appropriated for allocation and payment to and use of citrus fruit fairs under the provisions of subdivision (a) of Section 19624 during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month."

### Amendment No. 7

On page 4, line 47, strike out "SEC. 4.", and insert "SEC. 9."

### Amendment No. 8

On page 5, line 13, strike out "upon the certifica-"; strike out lines 14 and 15, and insert "at the end of each calendar month. Any money in".

### Amendment No. 9

On page 5, line 19, strike out "SEC. 5.", and insert "SEC. 10."

### Amendment No. 10

On page 6, between lines 2 and 3, insert

"SEC. 11. Section 19626.1 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Profession Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, to read:

19626.1. Notwithstanding the provisions of Section 19627, the first five hundred thousand dollars ($500,000) of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined district and county agricultural fairs under the provisions of Section 19627 during the 1959-60 Fiscal Year, or so much thereof, as may be needed, may be allocated by the Department of Finance during the 1959-60 Fiscal Year to supplement the amount apportioned to any county or district agricultural association during the 1959-60 Fiscal Year under the provisions of Section 92 of the Agricultural Code and Section 19627 of this code. Such supplementary allocations shall be in such amounts as deemed necessary by the Department of Finance but the amount so allocated to any one county or district agricultural association shall not exceed thirty thousand dollars ($30,000). The funds so allocated shall be paid to the various counties and district agricultural associations and may be expended under the supervision of the Department of Finance in the manner and for the purposes prescribed by Section 92 of the Agricultural Code and other applicable provisions of law. The funds so allocated shall not be deemed a separate appropriation under the provisions of Section 92 of the Agricultural Code.

The balance of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined county and district agricultural fairs during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month.

SEC. 12. Section 19626.2 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, to read:

19626.2. During the 1960-61 Fiscal Year and each fiscal year thereafter the funds appropriated and allocated for payment to and use of citrus fruit fairs under the provisions of Section 19626 shall be payable from the revenue deposited in the Fair and Exposition Fund and appropriated for said purpose during the fiscal year in which the funds are to be allocated and paid to the several citrus fruit fairs and expositions. The Department of Finance shall allocate monthly to the several citrus fruit fairs and expositions, the funds available for such allocation in such amounts as the department shall determine; provided, however, that the aggregate of the monthly allocations to each of the several citrus fruit fairs and expositions shall equal the allocation provided by law.

SEC. 13. Section 19626.3 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, to read:

19626.3. The revenue deposited in the Fair and Exposition Fund and appropriated for allocation and payment to and use of citrus fruit fairs under the provisions of Section 19626 during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month."

**Amendment No. 11**

On page 6, line 3, strike out "SEC. 6.", and insert "SEC. 14"

**Amendment No. 12**

On page 7, line 6, strike out "SEC. 7", and insert "SEC. 15."

**Amendment No. 13**

On page 7, line 34, strike out "in such amounts and at such"; strike out line 35, and insert "at the end of each calendar month. Any money in".

**Amendment No. 14**

On page 7, strike out lines 39 to 45, inclusive, and insert

"SEC. 16. Sections 10 to 15, inclusive, of this act shall become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular Session and in such case, at the same time as Assembly Bill No. 1755 takes effect; at which time Sections 5 to 9, inclusive, of this act are repealed."

Bill ordered reprinted, and to third reading

**Senate Bill No. 914**—An act to add Section 103.2 to the Welfare and Institutions Code, relating to the rule-making power of the State Social Welfare Board.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1 of the printed bill, after line 10, insert.

"Prior to the adoption of rules and regulations, or amendments thereto, the director shall provide the board with an appraisal of the effects of such rules upon program costs and administrative expenditures, together with estimates of the added costs or savings, if any, resulting therefrom. Copies of such estimates shall be provided to the Department of Finance."

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

**Committee on Ways and Means**

ASSEMBLY CHAMBER, June 17, 1959

MR SPEAKER. Your Committee on Ways and Means reports:

Senate Bill No. 209
Senate Bill No. 1368

With amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 209**—An act to add Chapter 9 (commencing with Section 1151), to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 2, line 33, of the printed bill, as amended in the Assembly on June 15, 1959, after the semicolon, insert "provided, that a majority of the members at a regular meeting approve such inspection;".

Amendment No. 2

On page 3, strike out lines 21 to 26, inclusive.

Amendment No. 3

On page 3, strike out lines 45 to 51, inclusive.

Amendment No. 4

On page 4, line 7, strike out the colon; strike out lines 8 to 20, inclusive; and in line 21, strike out "(b) Any", and insert "any".

Amendment No. 5

On page 4, strike out lines 27 to 41, inclusive.

Amendment No. 6

On page 5, line 43, strike out "and shall not be imposed for a period in excess of one"; strike out lines 44 and 45, and insert a period.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means

**Senate Bill No. 1368**—An act to create a flood control district to be called "San Mateo County Flood Control District" to provide for the control of flood and storm waters and for the protection of watercourses, watersheds, harbors, public highways, life and property in said district from damage or destruction from such waters and to save and conserve all or any of such waters for beneficial use in said district; to provide for the dividing of said district into zones; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district in the respective zones thereof, and providing certain limitations on assessments, bonded indebtedness and expenditures with respect to the district and the respective zones thereof; and to define the powers of said district, including the right of the district to sue and be sued, and the powers and duties of the officers thereof; to provide for the government, management and control of said district; to provide for the construction of works, the acquisition of property by the district, and other things necessary to carry out the purposes of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

Amendment No. 1

On page 9, line 45, of the printed bill, as amended in the Assembly on June 16, 1959, strike out "thirty (30)", and insert "sixty (60)".

**Amendment No. 2**

On page 10, line 8, strike out "90", and insert "120".

**Amendment No. 3**

On page 14, line 30, after "zone", insert "; provided, that the number of members appointed to the advisory committee by the board shall number one less than the members appointed by city councils pursuant to this section".

**Amendment No. 4**

On page 14, line 33, after "zone", insert "; provided, that where only one city or part thereof is included in the zone, the city council of such city shall appoint two such persons to the advisory committee".

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 731
Senate Bill No. 688
Senate Bill No. 510
Senate Bill No. 504
Senate Bill No. 469
Senate Bill No. 223
Senate Bill No. 214
Senate Bill No. 813
Senate Bill No. 1284
Senate Bill No. 1285
Senate Bill No. 597
Senate Bill No. 1460
Senate Bill No. 1382
Senate Bill No. 795
Senate Bill No. 1129

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 731**—An act to repeal Section 6 of Chapter 9 of the 1958 Regular Session, relating to transportation fees.

Bill read second time, and ordered to third reading.

**Senate Bill No. 688**—An act to amend Section 5003 of the Public Utilities Code, relating to transportation fees, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

**Senate Bill No. 510**—An act to amend Sections 5324 and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

**Senate Bill No. 504**—An act to amend Sections 326, 347, 356, 362, 369, 376, 380, 403, 410, 414, 443, 476, and 526 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 469**—An act to amend Section 232 of the Water Code, relating to determination of water supplies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 223**—An act to add Section 330 to the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 214**—An act to create the Sutter County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Sutter County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read second time, and ordered to third reading.

**Senate Bill No. 813**—An act to add Sections 19464, 19465, and 19466 to the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1284**—An act to amend Sections 7504, 7512, 7514, 7521, 7522, 7525, 7526, 7528, 7533, 7534, 7538, 7540, 7551, 7553, 7553.1, 7560, and 7580 of, and to add Sections 7523.1, 7526.1, 7526.2, 7526.3, 7526.4, 7536, 7538.1, and 7538.2 to, and Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 of, and to repeal Sections 7536 and 7552 of, the Business and Professions Code, relating to private investigators and adjustors.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1285**—An act to amend Sections 6850, 6851, 6852, 6857, 6870, 6875, 6877, 6880, 6881, 6885, 6886, 6887, 6888, 6889, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6907, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6921, 6922, 6923, 6925, 6930, 6931, 6947, 6948, 6949, 6950, 6951, 6955, and 6956 of, and to amend and renumber Sections 6863, 6866, and 6867 of, and to add Sections 6854, 6854.5, 6855, 6860, 6861, 6865, 6865.5, 6866, 6866.5, 6867, 6867.5, 6868, 6868.5, 6876, 6876.1, 6876.2, 6878, 6878.1, 6886.1, 6906.1, 6916.1, 6925.1, 6947.1, 6949.1, and 6949.2 to, and Articles 5.5 (commencing at Section 6894) and 6.5 (commencing at Section 6904) to Chapter 8 of Division 3 of, and to repeal Sections 6854, 6855, 6860, 6861, 6862, 6864, 6864.5, 6865, 6872, 6876, 6878, 6879, 6926, 6945, and 6946 of, the Business and Professions Code, relating to collection agencies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 597**—An act to repeal Sections 65004, 65060 and 65061, and Articles 1.5 (commencing at Section 65020) and 2 (commencing at Section 65030) of Chapter 1 of Title 7, to amend Section 65062, and to add Chapter 1.5 (commencing at Section 65011.1) to Title 7, of the Government Code, relating to state, regional and local planning, establishing the State Office of Planning in the Department of Finance, providing for and assigning powers and duties to such office, and creating an advisory committee for the office.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1460**—An act to add Section 21714.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to ambulances.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1382**—An act to add Section 152.5 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read second time, and ordered to third reading.

**Senate Bill No. 795**—An act to amend Section 9034 of the Welfare and Institutions Code, relating to community mental health services.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1129**—An act making an appropriation for an investigation of power sources for state water project pumping and other purposes.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

| | |
|---|---|
| Senate Bill No. 1287 | Senate Bill No. 112 |
| Senate Bill No. 574 | Senate Bill No. 455 |
| Senate Bill No. 405 | Senate Bill No. 1258 |
| Senate Bill No. 1291 | Senate Bill No. 1201 |
| Senate Bill No. 1199 | Senate Bill No. 1125 |
| Senate Bill No. 1444 | Senate Bill No. 1109 |
| Senate Bill No. 1443 | Senate Bill No. 872 |
| Senate Bill No. 1476 | |

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1287**—An act to add Article 5 (commencing with Section 10506), Chapter 5, Part 2, Division 2 to the Insurance Code, relating to issuance of pension contracts and the establishment and operation of special pension plan funds by life insurers.

Bill read second time, and ordered to third reading.

**Senate Bill No. 574**—An act to add Article 11 (commencing at Section 428), to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to the prevention of blindness.

Bill read second time, and ordered to third reading.

**Senate Bill No. 405**—An act to add Section 486 to the Streets and Highways Code, relating to adoption of a state highway route.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1291**—An act to amend Section 415 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1199**—An act to amend Section 447 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1444**—An act to amend Section 18900 of the Health and Safety Code, relating to the State Building Standards Commission.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1443**—An act to amend Sections 595 and 599 of, to repeal Sections 597 and 598 of, and to add Section 657 to, the Agricultural Code, relating to milk and dairy products.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1476**—An act to add Section 1170.5 to the Government Code, relating to withholding of taxes from wages, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 112**—An act to amend Sections 14361, 14373, 14383, 14391, 14392, 14403, 14413, 14423, 14428, 14798, and 14901 of, to repeal Section 14792 of, and to add Section 14902 to, the Revenue and Taxation Code, relating to inheritance tax refunds, creating the Inheritance Tax Fund, and making an appropriation thereof.

Bill read second time, and ordered to third reading.

**Senate Bill No. 455**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailers used to haul fruits, olives, grapes, or nuts.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1258**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1201**—An act to amend Section 1170 of the Harbors and Navigation Code, relating to bar pilotage rates for the Bays of San Francisco, San Pablo and Suisun.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1125**—An act to amend Section 1300.12 of the Agricultural Code, relating to the marketing of agricultural commodities.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1109**—An act to add Section 101.8 to the Streets and Highways Code, relating to the construction, reconstruction, and maintenance of structures on limited access highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 872**—An act to add Section 1394 to the Water Code, relating to reservation of jurisdiction by the State Water Rights Board.

Bill read second time, and ordered to third reading.

## PROPOSED AMENDMENTS TO SENATE BILL NO. 1365

By Mr. Burton:

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 12, 1959, strike out "add Section 229 of", and insert "amend the heading of Part 4 (commencing at Section 1171) of Division 2, and Sections 1171, 1172, 1173, 1174, 1182, 1194, 1195, 1195.5, 1197, 1199 of, and to repeal Sections 1191, 1192, and 1193 of, and to add Sections 229, 1205, 1206, and 1207 to,".

### Amendment No. 2

In line 2 of the title, strike out "payment of".

### Amendment No. 3

On page 1, after line 8, insert

"SEC. 2. The heading of Part 4 (commencing at Section 1171 of Division 2 of said code is amended to read:

PART 4. ~~WOMEN AND MINORS~~ WAGES, HOURS AND CONDITIONS OF LABOR

SEC. 3. Section 1171 of said code is amended to read:

1171. The provisions of this chapter shall apply to and include *all persons* ~~women and minors~~ employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise *except that this chapter does not authorize the Department of Industrial Relations or the Industrial Welfare Commission to fix maximum hours of work on the conditions of labor of men of the age of 18 or over*.

SEC. 4. Section 1172 of said code is amended to read:

1172. As used in this chapter "minor" means any person under 21 years of age; ~~but this chapter shall not authorize the department to fix minimum wages or maximum hours for male minors between 18 and 21 years of age~~.

SEC. 5. Section 1173 of said code is amended to read:

1173. It shall be the continuing duty of the Industrial Welfare Commission, hereinafter referred to in this chapter as the commission, to ascertain the wages paid *to all employees* and the hours and conditions of labor and employment *of women and minors* in the various occupations, trades, and industries ~~in which women and minors are employed~~ in this State, and to investigate the comfort, health, safety, and welfare of ~~such women and minors~~ *employees as necessary to carry out its duties with respect to wages, hours, and conditions of labor and employment*.

SEC. 6. Section 1174 of said code is amended to read:

1174. Every person, employing labor in this State shall:

(a) Furnish to the commission, at its request, reports or information which the commission requires to carry out this chapter. Such reports and information shall be verified if required by the commission or any member thereof.

(b) Allow any member of the commission or the employees of the Division of Industrial Welfare, free access to the place of business or employment of such person to secure any information or make any investigation which they are authorized by this chapter to ascertain or make. The commission may inspect or make excerpts, relating to the employment of ~~women and minors~~ *any employee*, from the books, reports, contracts, pay rolls, documents, or papers of such person.

(c) Keep a record showing the names and addresses of all ~~women and minors~~ *persons* employed and the ages of all minors.

(d) Keep at the plants or establishments at which ~~women or minors~~ *persons* are employed, pay roll records showing the hours worked daily by, and the wages paid to, ~~women and minors~~ *persons* employed at the respective plants or establishments, and which shall be kept in accordance with rules established for this purpose by the commission. All such records shall be kept on file for at least one year.

SEC. 7. Section 1182 of said code is amended to read:

1182. After the wage board conference and public hearing, as provided in this chapter, the commission may, upon its own motion or upon petition, fix:

(a) A minimum wage to be paid to women and minors engaged in any occupation, trade, or industry in this State, which shall not be less than a wage adequate to supply the necessary costs of proper living to, and maintain the health and welfare of such women and minors, *and which shall not be less than the applicable minimum, if any, fixed by statute*.

(b) The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade, or industry in this State. The hours so fixed shall not be more than the maximum now or hereafter fixed by law.

(c) The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade, or industry in this State.

The commission may thereupon make a mandatory order to be effective on a date fixed by the commission, which date shall not be less than sixty (60) nor more than ninety (90) days from the publication thereof, specifying the minimum wage, the maximum hours, and the standard conditions of labor for women or minors in the occupation, trade, or industry in question. The hours specified shall not be more than the maximum for women or minors in California. Such order shall be published in at least one newspaper in each of the Cities of Los Angeles, Sacramento, Oakland, San Jose, Fresno, San Diego, and San Francisco.

SEC. 8. Sections 1191, 1192, and 1193 of said code are repealed.

SEC. 9. Section 1194 of said code is amended to read:

1194. Any ~~woman or minor~~ *person* receiving less than the legal minimum wage *established for any occupation, trade, or industry by statute or by order of the commission* ~~applicable to such woman or minor~~ is entitled to recover in a civil action the unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for a lesser wage.

SEC. 10. Section 1195 of said code is amended to read:

1195. Any person may register with the Division of Industrial Welfare a complaint that the wage paid to ~~a woman or minor~~ *an employee* for whom a minimum wage has been fixed by the commission *or by statute* is less than that rate The division shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the minimum wage.

SEC. 11. Section 1195.5 of said code is amended to read:

1195.5. The Division of Industrial Welfare shall determine, upon request, whether the wages of ~~women and minors~~ *employees*, which exceed the minimum wages fixed by the commission *or by statute*, have been correctly computed and paid. For this purpose, the division may examine the books, reports, contracts, pay rolls and other documents of the employer relative to the employment of ~~women and minors~~ *such employees*. The division shall enforce the payment of any sums found, upon examination, to be due and unpaid to the ~~women or minors~~ *employees*.

SEC. 12. Section 1197 of said code is amended to read:

1197. The minimum wage for *employees, as* ~~women and minors~~ fixed by the commission *or by statute* is the minimum wage to be paid to ~~women and minors~~ *employees*, and the payment of a less wage than the minimum so fixed is unlawful.

SEC. 13. Section 1199 of said code is amended to read:

1199. Every employer or other person acting either individually or as an officer, agent, or employee of another person is guilty of a misdemeanor and is punishable by a fine of not less than fifty dollars ($50) or by imprisonment for not less than 30 days, or by both, who does any of the following:

(a) Requires or causes any woman or minor to work for longer hours than those fixed, or under conditions of labor prohibited by an order of the commission.

(b) Pays or causes to be paid to any ~~woman or minor~~ *person* a wage less than the minimum fixed by an order of the commission *or by statute*.

(c) Violates or refuses or neglects to comply with any provision of this chapter or any order or ruling of the commission.

SEC. 14. Section 1205 is added to said code, to read:

1205. (a) Except as otherwise provided in this section or Section 1206, no employer shall pay less than one dollar and ten cents ($1.10) an hour to any adult person employed by him in any occupation, trade or industry, except in agriculture.

(b) The minimum wage for a "learner" is ninety-five cents ($0.95) an hour; provided, that the number of persons employed at this rate pursuant to this subdivision shall not exceed 10 percent of the persons regularly employed in the establishment, except that an employer of less than 10 persons may employ one learner at such rate. A person may be employed as a "learner," within the meaning of the preceding provisions of this subdivision, during his first 200 hours of employment in a skilled or semiskilled occupation in which he has had no previous similar or related experience.

(c) The commission may issue a permit authorizing employment of a person whose earning capacity is impaired by advanced age, physical disability, or mental deficiency at less than the minimum wage prescribed by this section. Such permits shall be granted only upon joint application of the employer and employee.

(d) This section shall not be construed to restrict the authority otherwise granted to the commission by this chapter to fix, for any trade, occupation, or industry, such minimum wage as is required to supply the necessary costs of proper living, except that the commission

may not fix a minimum wage lower than the applicable minimum wage fixed by this section. Any provision of an order or ruling of the commission promulgated prior to the effective date of this section which fixes a lower minimum wage than that fixed by this section is void as to any person to whom such minimum wage fixed by this section is applicable.

SEC. 15. Section 1206 is added to said code, to read:

1206. Section 1205 does not apply to the following persons:

(a) Any person employed in domestic service in or about a private home, other than those employed primarily to do housecleaning, cooking, house repair, or maintenance work. For the purposes of this paragraph, child care is deemed to be domestic service.

(b) Any person engaged in the activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not in fact exist or where the services rendered to such organization are on a voluntary basis.

(c) Any person subject to an apprentice agreement entered into under Chapter 4 (commencing with Section 3070) of Division 3 of this code.

(d) A minor engaged in the delivery or distribution of newspapers, shopping news, or magazines, not including delivery or distribution to any point for subsequent delivery or distribution.

(e) A person engaged in the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price, his commission being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back.

(f) Any person employed as an outside salesman who is compensated solely by way of commission and whose working time is not supervised or controlled.

(g) Any person employed in agriculture.

SEC. 16. Section 1207 is added to said code, to read:

1207. The commission shall make rules and regulations reasonably necessary to carry out the provisions of this chapter, including, but not limited to, rules and regulations prescribing the manner in which hours of work shall be computed for purposes of determining whether the minimum wage prescribed by statute or order is being paid, including compensation on a piece rate, commission and other methods of calculation or work of an intermittent or occasional nature. In computing minimum wages the commission shall make rules and regulations that shall value meals, lodging and other facilities for inclusion.

SEC. 17. This act shall become operative on January 1, 1960."

## NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 209 FROM COMMITTEE

Mr. Unruh gave notice that on the second legislative day he would move to withdraw Senate Bill No. 209 from the Committee on Ways and Means.

### REQUESTS FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETINGS OF COMMITTEES

Miss Donahoe was granted unanimous consent to hold a special meeting of the Committee on Education in the Assembly Lounge at 9 a.m. tomorrow morning.

Mrs. Davis was granted unanimous consent to hold a special meeting of the Committee on Fish and Game in the Assembly Lounge at 2 p.m. tomorrow afternoon.

### ANNOUNCEMENTS

Speaker Brown announced that the Assembly may meet tomorrow night in order to clear the file.

Mr. Backstrand announced that the Committee on Transportation and Commerce would hold a meeting tomorrow.

### RE-REFERENCE OF BILLS

The Speaker ordered the following bills re-referred to committee:

**Senate Bills Nos. 222, 526, and 1326** to the Committee on Ways and Means.

### SENATE BILL NO. 728 ORDERED FILED, AND SUBJECT MATTER REFERRED

Speaker Brown ordered Senate Bill No. 728 filed, and the subject matter referred to the Committee on Rules.

### NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 711 LAPSED

The notice of motion to withdraw Senate Bill No. 711 from the Committee on Ways and Means lapsed.

### EXPLANATIONS OF ABSENCE

Mr. Coolidge asked to be excused from the Assembly floor to attend a Senate committee meeting.

GLENN E. COOLIDGE

June 17, 1959

I was off the Assembly floor this afternoon attending a meeting of Military and Veterans Affairs Committee, and missed some roll calls.

DON MULFORD

June 17, 1959

I missed a number of roll calls today because of legislative business elsewhere in the Capitol and because I was presenting bills before Senate committees.

CHARLES W. MEYERS

### GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Mr. Levering of Los Angeles to Mr. and Mrs. Dan Broadhurst, Mrs. Alma Gardner, Mrs. Lois Grayson, Mrs. Dorothy Hackley, Mrs. Adria Harrison, Mrs. Heyes, Mrs. Lois Logan, Mr. and Mrs. Raymond Merz, Mrs. Vi Quimby, Mrs. Connie Smith, Mrs. Bernice Turnquist, Mrs. Tesch, Mrs Darrah, and Mrs. Seeley of Stockton.

On request of Mr. Masterson of El Sobrante to Mrs. L. Rollino and Mrs. J. Sacco, adults; and the following members of the Camp Fire

Group of St. Jerome's School of El Cerrito: Sharon Abrie, Angela Armijo, Judith Conway, Lena Durante, Karen Egger, Kathleen McCarty, Sandra Mikulich, Colleen Moore, Linda Rollino, Donna Rollino, Julie Sacco, and Bruce Sacco.

On request of Mr. Conrad of Sherman Oaks to Mrs. Betty Glasgow of Studio City.

On request of Speaker Ralph M. Brown of Modesto to Mrs. Verne Withon of Modesto and Mrs. C. R. Peterson of Turlock.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Dr. C. Donald Noonan of San Francisco.

On request of Speaker pro Tempore Bee of Hayward to Mrs. Doris Leavitt, Mrs. Lois Curtis, Mrs. Rose Hanson, and Mrs. Shirley Alexander, adults; and the following members of the Blue Birds of Clifton School: Chris Alexander, Vickie Alexander, Jane Curtis, Bobby Curtis, Betty Hanson, Sue Hanson, Donna George, Myrna Leavitt, Kathleen Johnson, Peggy Smith, Sue Tiffany, Nancy Sprague, Lois Schaeffer, and Sue Brundage.

## ADJOURNMENT

At 5.46 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Thursday, June 18, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, *Minute Clerk*

## CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED TWELFTH LEGISLATIVE DAY

ONE HUNDRED NINETEENTH CALENDAR DAY
(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Thursday, June 18, 1959

The Assembly met at 9 a m.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Almighty and Everlasting God*, Reverently we ask, how are we doing? What will happen to posterity as a result of this Assembly? Mindful of an old truth, "nothing ventured, nothing gained" we have set in motion a far-reaching water program and we commend it to Thy merciful care, for Thou dost hold the future in Thy hand. Faced with exploding population we pray for vision to anticipate the supports needed by industry, schools, homes, and all things essential to a good society. Help us to hold on for two more days that we may finish the work Thou gavest us to do, taking our place in a sequence of great public service in this State, through Jesus Christ, our Lord —AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. House.

## LEAVES OF ABSENCE FOR PART OF THE DAY

The following member was granted leave of absence for a part of the day, because of legislative business elsewhere:

Mr. Mulford, on motion of Mr. Winton.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

A. E. Meyers of Gardena, relative to aged aid. Referred to the Committee on Social Welfare.

---

Florence M. Trudelle of San Diego, relative to adult sewing classes in schools. Referred to the Committee on Education.

## UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker Brown was granted unanimous consent that the Rules be temporarily suspended in order that all bills reported out of committee today be read the second time, with appropriate actions taken thereon; and that all bills amended on second reading today be placed on the third reading file without being returned to the second reading file pursuant to Rule No. 69.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Concurrent Resolution No. 125
And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2415
And reports the same correctly re-engrossed

BURKE, Chairman

Above bill re-referred to the Committee on Municipal and County Government.

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:
Senate Bill No 48
Senate Bill No 372
With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

CROWN, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

NOTE—Later this day, Senate Bill No. 48 was re-referred to the Committee on Elections and Reapportionment. *See* page 5842.

**Committee on Ways and Means**

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:
Senate Bill No. 222
With the recommendation: Do pass.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 222**—An act to add Chapter 3.8 (commencing at Section 20715) to Division 10 of the Education Code, and to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

**Committee on Education**

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Education reports:

| | |
|---|---|
| Senate Bill No. 1457 | Senate Bill No. 737 |
| Senate Bill No. 740 | Senate Bill No. 673 |
| Senate Bill No. 739 | Senate Bill No. 624 |

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bills re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Education reports:
Senate Bill No. 738
Senate Bill No. 672
With the recommendation: Do pass.

DONAHOE, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 738**—An act to add Section 18062 to the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to allowances for transportation of physically handicapped minor pupils to special classes.

Bill read second time, and ordered to third reading.

**Senate Bill No. 672**—An act to add Chapter 9.5 (commencing at Section 6931) to Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to occupational training programs for physically and mentally handicapped minors.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Public Health

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 422

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

RUMFORD, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Education

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 602

With the recommendation: Do pass, and be re-referred to the Committee on Ways and Means.

DONAHOE, Chairman

Above bill re-referred to the Committee on Ways and Means.

### Committee on Rules

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 37
Assembly Joint Resolution No 38
Assembly Joint Resolution No. 39
Assembly Joint Resolution No. 40

Without recommendation.

MILLER, Chairman

Above resolutions ordered engrossed.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 28

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 366
House Resolution No. 345
House Resolution No 387
House Resolution No 394
House Resolution No. 395
House Resolution No. 397
House Resolution No. 398
House Resolution No. 368
House Resolution No. 382
House Resolution No. 384
House Resolution No. 376
House Resolution No 377
House Resolution No. 378
House Resolution No 357
House Resolution No 292

With the recommendation Be adopted

Pursuant to the provisions of Joint Rules Nos. 22 1, 22 2, and 22 3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 391
House Resolution No. 393

With the recommendation: Be adopted

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MILLER, Chairman

Above resolutions ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 149

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered engrossed.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 16

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22 2, and 22 3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered to the Consent Calendar.

ASSEMBLY CHAMBER, June 18, 1959

MR SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 89

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

**Committee on Engrossment and Enrollment**

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Joint Resolution No. 37
Assembly Joint Resolution No. 38
Assembly Joint Resolution No. 39
Assembly Joint Resolution No. 40

And reports the same correctly engrossed.

BURKE, Chairman

Above resolutions ordered on file.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Concurrent Resolution No. 149

And reports the same correctly engrossed.

BURKE, Chairman

Above resolution ordered to the Consent Calendar.

**Committee on Social Welfare**

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Concurrent Resolution No. 80

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos 22.1, 22 2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BURTON, Chairman

Above resolution ordered to the Consent Calendar.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt the report of the Second Committee on Conference concerning:

**Assembly Bill No. 700**—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Holmdahl, Beard and O'Sullivan as a Third Committee on Conference concerning:

**Assembly Bill No. 700**—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 656**—An act to amend Section 80 of, and to add Section 80.5 to, the Agricultural Code, relating to district agricultural associations.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 656 ordered enrolled.

SENATE CHAMBER, June 17, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 336 | Assembly Bill No. 2382 |
| Assembly Bill No. 938 | Assembly Bill No. 2436 |
| Assembly Bill No. 981 | Assembly Bill No. 2502 |
| Assembly Bill No. 1018 | Assembly Bill No. 2565 |
| Assembly Bill No. 1348 | Assembly Bill No. 2575 |
| Assembly Bill No. 1490 | Assembly Bill No. 2588 |
| Assembly Bill No. 1496 | Assembly Bill No. 2664 |
| Assembly Bill No. 1579 | Assembly Bill No. 2717 |
| Assembly Bill No. 1583 | Assembly Bill No. 2722 |
| Assembly Bill No. 1594 | Assembly Bill No. 2781 |
| Assembly Bill No. 1841 | Assembly Bill No. 2840 |
| Assembly Bill No. 1974 | Assembly Bill No. 2842 |
| Assembly Bill No. 2263 | Assembly Bill No. 2849 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 340 | Assembly Bill No. 2012 |
| Assembly Bill No. 903 | Assembly Bill No. 2486 |
| Assembly Bill No. 1800 | |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1484
Assembly Bill No. 1530
Assembly Bill No. 1718
Assembly Bill No. 2061
Assembly Bill No. 2216
Assembly Bill No. 2450
Assembly Bill No. 2456
Assembly Bill No. 2525
Assembly Bill No. 2635
Assembly Bill No. 2744
Assembly Bill No. 2858
Assembly Bill No 2889
Assembly Bill No. 2340

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 17, 1959

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 175
Assembly Bill No. 344
Assembly Bill No. 1328
Assembly Bill No. 2485

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Assembly Bill No. 2488

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 69
Senate Bill No. 106
Senate Bill No. 168
Senate Bill No. 231
Senate Bill No. 304
Senate Bill No. 345
Senate Bill No. 575
Senate Bill No. 603
Senate Bill No. 622
Senate Bill No. 636
Senate Bill No. 693
Senate Bill No. 702
Senate Bill No. 712
Senate Bill No 830
Senate Bill No. 878
Senate Bill No 930
Senate Bill No. 952
Senate Bill No. 988
Senate Bill No. 991
Senate Bill No. 1005
Senate Bill No. 1075
Senate Bill No. 1087
Senate Bill No. 1092
Senate Bill No. 1113
Senate Bill No. 1130
Senate Bill No. 1164
Senate Bill No 1175
Senate Bill No. 1181
Senate Bill No 1184
Senate Bill No. 1226
Senate Bill No. 1227
Senate Bill No. 1271
Senate Bill No. 1283
Senate Bill No. 1336
Senate Bill No. 1440
Senate Bill No. 1479
Senate Constitutional Amendment No 22

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 672
Senate Bill No 738
Senate Bill No 1445
Senate Bill No. 1457

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

**Senate Bill No. 672**—An act to add Chapter 9.5 (commencing at Section 6931) to Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to occupational training programs for physically and mentally handicapped minors.

Referred to Committee on Education.

**Senate Bill No. 738**—An act to add Section 18062 to the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to allowances for transportation of physically handicapped minor pupils to special classes.

Referred to Committee on Education.

**Senate Bill No. 1445**—An act making an appropriation for the acquisition of real property for the State Park System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

**Senate Bill No. 1457**—An act to add Section 14355.1 and to amend Section 14359 of, to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 17, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Joint Resolution No. 16**—Relative to the construction of the Tehama-Colusa Canal of the Sacramento Valley Canals Project.

Referred to Committee on Rules.

### ANNOUNCEMENT

Speaker Brown announced that the Committees on Rules and Education, and the Senate Committee on Finance were meeting, at this time.

### CONSIDERATION OF HOUSE RESOLUTION NO. 353

By Mrs. Davis:

**House Resolution No. 353**

Relative to the death of Paul Denny

WHEREAS, The Members of the Legislature have learned with deep regret of the death of former Assemblyman Paul Denny; and

WHEREAS, Mr. Denny was born in Scott Valley near Etna, California, on October 6, 1892, attended Etna schools and, later, the University of California where he was a member of the Class of 1914; and

WHEREAS, He was a member of the Board of Supervisors of Siskiyou County from 1939 to 1943 when he took office as Assemblyman from the Second District; and

WHEREAS, He served with distinction for two terms in the State Legislature, following which he was appointed to a six-year term as a member of the State Fish and Game Commission; and

WHEREAS, He leaves a daughter, Mrs. B. W. Sheahan of Chula Vista; two sons, Robert Denny of Carmichael, and Allen Denny of Scott Valley; and

WHEREAS, Throughout his outstanding career in public service he was a diligent and conscientious representative of the people; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereby pay tribute to the memory of their former colleague, Paul Denny, and extend their sincere and heartfelt condolences to the members of his family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to his widow, Mrs. Susie Denny, and his brother, Mr. Karl Denny.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 364

By Mr. Williamson and Miss Donahoe:

### House Resolution No. 364

Relating to the passing of Tom Sawyer

WHEREAS, The Members of this House have learned with great shock and grief of the passing of Mr. Tom Sawyer on June 2, 1959, at the age of 58; and

WHEREAS, "Tom," as he was affectionately known to his multitude of friends and admirers, was born in Magupan County, Illinois, on December 3, 1900, and it was California's good fortune that this man moved to the Golden State in 1919; and

WHEREAS, After his arrival in California he became engaged in varied and successful business activities in Tulare and Kern Counties, the conduct of which he continued and expanded until his death; and

WHEREAS, This dedicated man was always willing to take time from his business affairs to devote to civic and fraternal activities, having served for many years as an outstanding member of the Board of Trustees of the Leido Elementary School District and as past President of the Eagles Lodge in Tulare, California; and

WHEREAS, Tom Sawyer not only exhibited great pride in his community, which came to be known as "Sawyerville," but gave freely of his friendship and counsel to people of all walks of life; and

WHEREAS, To mourn his passing and receive the heartfelt sympathy of all he leaves his wife, Bessie Mae Sawyer; his daughter, Mrs. Joyce Bayless of Bakersfield, California; his brothers, Frank and Howard Sawyer of Oakland, California; his sisters, Mrs. Cora Garcia, Mrs. Doris Cornell of San Francisco, California, and Mrs Rosa Corder of Tulare, California; and

WHEREAS, It is fitting that by means of this resolution, the Members of this House pay solemn tribute to the memory of Tom Sawyer and make known their deep sorrow at his passing; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House extend to Mrs. Bessie Mae Sawyer and the other members of the family of Mr. Tom Sawyer their sincere and deepfelt condolences in this, their time of grief; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to his wife, Mrs. Bessie Mae Sawyer, and his daughter, Mrs. Joyce Bayless.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 374

By Mr. Lunardi:

### House Resolution No. 374

Relating to the passing of Michael J. Royer, Sr.

WHEREAS, The Members of this House have learned with profound shock and deep regret of the passing in Roseville, at the age of 68 years, of Mr. Michael J. Royer, Sr., on June 11, 1959; and

WHEREAS, Mr Royer was born in Roseville on July 8, 1890, and is the son of the late Mr. and Mrs. Thomas Royer, Roseville pioneers, who operated a successful cattle ranch in the early days of the city; and

WHEREAS, After working with his parents for many years in efficiently operating a dairy located where the present Royer Street in the City of Roseville now runs, "Joe," as he was known to his multitude of friends and acquaintances, married Fern Lohse in 1914; and

WHEREAS, Long active in Roseville commercial activities, and ever alert to new business opportunities, Mr. Royer was one of the organizers of the Roseville Ice and Beverage Company in 1921, and of the Citizens Bank in 1929, the latter organization of which he was president; he was also engaged as an appraiser, for many years, with the State Board of Equalization; and

WHEREAS, As one of Roseville's civic leaders, Joe Royer, in addition to his many commercial interests, was also active in the city's fraternal affairs, having been for many years a member of the Roseville Lions Club; and

WHEREAS, To mourn his passing, and to receive the heartfelt sympathy of all, he leaves his wife, Fern, two sons, Robert and Michael, Jr., a brother, Paul Royer, and a sister, Mrs. Margaret Lambert of Oakland; and

WHEREAS, It is fitting that by this resolution the Members of this House express to the bereaved widow and family of Michael J. Royer, Sr., their deep shock and sincere grief at the passing of this most prominent Roseville citizen; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereof at this time of extreme grief do extend to Mrs. Fern Royer and the other members of the family of Michael J. Royer, Sr., their sincere condolences and deepfelt sympathy; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. Royer's widow, Mrs. Fern Royer, his sons, Messrs. Robert Royer and Michael Royer, Jr., his brother, Mr. Paul Royer, and his sister, Mrs. Margaret Lambert

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 375

By Messrs. Crown and Chapel:

### House Resolution No. 375

Relative to Sam J. Vlahos

WHEREAS, June 8, 1959, marked the fifty-second anniversary of the arrival of Sam J. Vlahos in the United States; and

WHEREAS, At the age of 15, Sam was brought to this Country from Greece by his father, and they came directly to San Francisco where Sam immediately went to work in a confectionary store; and

WHEREAS, In 1912 he moved to San Leandro where until his retirement in 1948 he operated "Sam's Sweet Shop"; and

WHEREAS, He was the first merchant to join the San Leandro Chamber of Commerce, of which he was later a director, and in 1937 founded the San Leandro Merchants Association; and

WHEREAS, He became a charter member and first Treasurer of the Fraternal Order of Eagles in San Leandro, a charter member and later President of the Oakland Chapter of the American Hellenic Educational Progressive Association known as the AHEPA, and has been President for the past 15 years of the Kyparissioton Society; and

WHEREAS, A naturalized citizen since 1927, Sam demonstrated his patriotism by selling $250,000 worth of United States War Bonds in World War II through a special program of the AHEPA, and in 1947 was made Chairman of the Freedom Train Campaign in San Leandro; and

WHEREAS, From 1952 to 1956 he was a member of the San Leandro City Council and served as Vice Mayor in 1956; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members by this resolution commemorate the fifty-second anniversary of Sam J. Vlahos' arrival in this Country, and commend him for his numerous contributions to the welfare of his community and the fine civic spirit he has demonstrated toward his adopted homeland; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Vlahos

Resolution read, and adopted

## CONSIDERATION OF HOUSE RESOLUTION NO. 354

By Mr. Bane:

### House Resolution No. 354

Relative to the *Valley Times* campaign against pornography

WHEREAS, There has been a great increase in the amount of pornographic literature published and distributed through the mails and other channels; and

WHEREAS, The difficulty of the police and postal authorities is great because of the public's lack of knowledge concerning what is illegal material and where to report violations; and

WHEREAS, The *Valley Times*, through its series of articles on pornography, has made the public aware of their responsibility to notify police and postal authorities of such material received in the mails, or of persons who are producing illegal material for sale to others; and

WHEREAS, The *Valley Times* series have been helpful to the police for many reasons, among them making complaints more readily given to police and postal authorities, and aiding the police in their problem of getting sufficient evidence to make arrests and get convictions; and

WHEREAS, The time and space given by the *Valley Times* to this problem has caused the distribution of pornographic literature to diminish in the area covered by the circulation of the *Valley Times;* now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members extend their congratulations to the *Valley Times* for their campaign against pornography; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to the *Valley Times*

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 369

By Messrs. Kilpatrick, Ernest R. Geddes, Elliott, and Hawkins:

### House Resolution No. 369

Relative to commending Lillian Laubach

WHEREAS, The Members of the Legislature have learned of the impending retirement on June 30, 1959, of Lillian Laubach, marking the completion of 30 years of teaching in the elementary schools; and

WHEREAS, Miss Laubach in recent years has been very active in professional organizations, particularly in respect to their sponsorship of legislation to improve the California Public School System; and

WHEREAS, She has been Steering Committee Chairman of the Affiliated Teachers Organization of Los Angeles many times, and Chairman of its Legislative Committee in 1946-47, 1948-49, 1957-58; and

WHEREAS, She was Chairman of the Los Angeles Elementary Teachers Legislative Committee from 1945 to 1949 and from 1955 to 1959; and

WHEREAS, She has served for 11 years on the State Legislative Committee of the California Teachers Association, and was a representative to the Governor's Conference in 1955; and

WHEREAS, She is an honorary life member of the Parent-Teachers' Association and a member of the League of Women Voters; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend Lillian Laubach for her many years of public service as a teacher and her outstanding work in the support of legislation to improve the public schools, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Lillian Laubach.

Resolution read, and adopted.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Z'berg, Meyers, and Bruce F. Allen:

### House Resolution No. 401

Relative to congratulating the Fraternal Order of Eagles

WHEREAS, June 18, 19 and 20, 1959, will mark the Fifty-sixth Annual State Aerie and the Eleventh Annual State Auxiliary Convention of the Fraternal Order of Eagles, to be held in the City of Sacramento; and

WHEREAS, The more than 1,600 delegates to the two gatherings will be engaged in formulating their farsighted programs of civic betterment; and

WHEREAS, The magnificent program undertaken by the Fraternal Order of Eagles and their auxiliary includes advancements in the fields of workmen's compensation, pensions and social security, a program for senior citizen's co-operative housing units, and the famed "Jobs after 40" campaign; and

WHEREAS, The Fraternal Order of Eagles, in addition to being an outstanding organization, is noteworthy for the quality, integrity, and civic mindedness of its

individual members, most of whom are outstanding leaders in their respective communities; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body take the occasion of the convention of the Fraternal Order of Eagles in Sacramento in June, 1959, to extend their sincere and hearty congratulations to the Fraternal Order of Eagles and to its many members; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to Judge James M. McDonnell, Convention Chairman

**Request for Unanimous Consent**

Mr. Z'berg was granted unanimous consent to take up House Resolution No. 401 without reference to committee or file.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE

## UNFINISHED BUSINESS

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1092**—An act to amend Section 607f of the Civil Code, and Sections 6601, 6603, 13591, 15802, and 15803 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to classification of cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1092?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Sections 9361,"; and strike out line 2, and insert "and".

**Amendment No. 2**

In line 4 of the title, strike out "proposed by Senate Bill No 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 3, strike out lines 29 to 52, inclusive; strike out page 4; and on page 5, strike out lines 1 to 19, inclusive, and insert

"SEC. 2 Section 6601 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, is amended to read:"

**Amendment No. 4**

On page 5, line 31, strike out "8", and insert "3".

**Amendment No. 5**

On page 5, line 40, strike out "SEC. 9", and insert "SEC 4".

**Amendment No. 6**

On page 6, line 6, strike out "10", and insert "5".

**Amendment No. 7**

On page 6, line 19, strike out "11", and insert "6".

**Amendment No. 8**

On page 6, line 38, strike out "Notwithstanding any other provision of law, such", and insert "Such".

**Amendment No. 9**

On page 6, strike out line 43, and insert "Warrants shall".

**Amendment No. 10**

On page 7, strike out lines 8 to 14, inclusive

The Assembly concurred in Senate amendments to Assembly Bill No. 1092 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Dahl, DeLotto, Donahoe, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Miller,

Munnell, Pattee, Petris, Reagan, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—47.
NOES—None.

Assembly Bill No. 1092 ordered enrolled.

### APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 832

The Speaker appointed Messrs. Lowrey, House, and Pattee as a Committee on Conference concerning Senate Bill No. 832.

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1309**—An act to amend Sections 73602 and 73603 of the Government Code, relating to the municipal court in the Cities of Daly City and South San Francisco.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1309?

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 24, 1959, strike out "73603 and 73605", and insert "and 73603".

#### Amendment No. 2

On page 2, line 9, strike out "Clerk: Compensation."

#### Amendment No. 3

On page 2, strike out lines 43 to 52, inclusive; and strike out all of page 3.

The Assembly concurred in Senate amendments to Assembly Bill No. 1309 by the following vote:

AYES—Bruce F Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Dahl, DeLotto, Donahoe, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Miller, Munnell, Pattee, Petris, Reagan, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—47.
NOES—None.

Assembly Bill No. 1309 ordered enrolled.

**Assembly Bill No. 1310**—An act to amend Sections 73522 and 73523 of the Government Code, relating to the municipal court in the Cities of Burlingame and San Mateo.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1310?

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 24, 1959, strike out "73523 and 73525", and insert "and 73523".

#### Amendment No. 2

On page 1, line 6, strike out "Clerk: Compensation."

#### Amendment No. 3

On page 2, line 33, after "seventy-one", insert "dollars ($371)".

#### Amendment No. 4

On page 2, strike out lines 34 to 51, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1310 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Dahl, DeLotto, Donahoe, Francis, Frew,

Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Miller, Munnell, Pattee, Petris, Reagan, Schrade, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1310 ordered enrolled.

**Assembly Bill No. 1356**—An act to amend Sections 72640, 72645, 72646, 72647, 72649, and 72650 of the Government Code, relating to the office of marshal of municipal courts, Los Angeles County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1356?

**Amendment No. 1**

On page 2 of the printed bill, between lines 11 and 12, insert

"(aa) One inspector who shall be the personnel officer and who shall receive monthly compensation as provided in Schedule 50 set forth in Section 72649. The captain performing the duties of personnel officer immediately prior to the effective date of this section shall automatically succeed to the office created by this subsection (aa) upon the effective date of this section."

**Amendment No. 2**

On page 2, line 12, strike out "Thirteen", and insert "Twelve".

**Amendment No. 3**

On page 1, line 6, of the printed bill, as amended in the Senate on May 26, 1959, strike out "57", and insert "56".

**Amendment No. 4**

On page 1, strike out lines 7 to 10, inclusive, and insert "forth in Section 72649."

**Amendment No. 5**

On page 2, strike out lines 12 to 18, inclusive.

**Amendment No. 6**

On page 2, line 19, strike out "Twelve", and insert "Thirteen".

**Amendment No. 7**

On page 3, line 2, strike out "34", and insert "35".

**Amendment No. 8**

On page 3, line 12, strike out "36", and insert "37".

**Amendment No. 9**

On page 3, line 23, strike out "37", and insert "38".

The Assembly concurred in Senate amendments to Assembly Bill No. 1356 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, DeLotto, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Miller, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1356 ordered enrolled.

**Assembly Bill No. 1676**—An act to amend Sections 675, 11802 and 11803 of the Vehicle Code as enacted by the Legislature in its 1959 Regular Session, relating to the power to refuse to renew the license of vehicle salesmen and to issue probationary and temporary licenses to such vehicle salesmen and to provide for written demand for hearing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1676?

**Amendment No. 1**

In line 1 of the title of the printed bill, after "Sections", insert "675,".

**Amendment No. 2**

On page 2, after line 28 of the printed bill, insert

"SEC. 3. Section 675 of said code is amended to read:

675. (a) "Vehicle salesman" is a person not otherwise expressly excluded by this section, who.

(1) Is employed as a salesman by a dealer as defined in Section 285, or who, under any form of contract, agreement, or arrangement with a dealer, for commission, money, profit, or other thing of value, sells, exchanges, buys, or offers for sale, negotiates, or attempts to negotiate, a sale or exchange of an interest in a vehicle required to be registered under this code; or

(2) Induces or attempts to induce any person to buy or exchange an interest in a vehicle required to be registered, and who receives or expects to receive a commission, money, brokerage fees, profit, or any other thing of value, from either the seller or purchaser of said vehicle.

(b) The term "vehicle salesman" does not include

(1) Representatives of insurance companies, finance companies, or public officials who in the regular course of business, are required to dispose of, or sell vehicles under a contractual right or obligation of the employer, or in the performance of an official duty, or in authority of any court of law; provided, such sale is for the purpose of saving the seller from any loss or pursuant to the authority of a court of competent jurisdiction.

(2) Persons who sell or distribute vehicles to dealers holding a license under the provisions hereof, or who are employed by manufacturers or distributors to promote the sale of vehicles dealt in by such manufacturers or distributors; provided, however, that if any such persons also sell vehicles to retail purchasers, they shall be deemed to be vehicle salesmen and are subject to the provisions of Article 1 (commencing at Section 11700), of Chapter 1, of Division 5

(3) Persons exclusively employed in a bona fide business of exporting vehicles, or of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States.

(4) Persons not engaged in the purchase or sale of vehicles as a business, disposing of vehicles acquired for their own use, or for use in their business when the same shall have been so acquired and used in good faith, and not for the purpose of avoiding the provisions of this code.

*(5) Persons regularly employed as salesmen by persons who are engaged in a business involving the purchase, sale or exchange of boat trailers.*

*(6) Persons regularly employed as salesmen by persons who are engaged in a business activity which does not involve the purchase, sale or exchange of vehicles except incidentally in connection with the purchase, sale or exchange of vehicles of a type not subject to registration under this code, boat trailers or midget autos or racers advertised as being built exclusively for use by children.*

SEC. 4. Section 3 of this act becomes operative only if Senate Bill No. 639 is enacted by the Legislature at its 1959 Regular Session."

The Assembly concurred in Senate amendments to Assembly Bill No. 1676 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, DeLotto, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, Miller, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1676 ordered enrolled

**Assembly Bill No. 1797**—An act to add Section 320 to the Agricultural Code, and Section 26528 to the Health and Safety Code, relating to illegal possession or use of sulfur dioxide.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1797?

**Amendment No. 1**

On page 1, between lines 5 and 6, of the printed bill, insert

"It shall not, however, be unlawful for an establishment which has a refrigerating system or unit on the effective date of this section and which uses sulfur dioxide as a refrigerant to continue to use such equipment."

**Amendment No. 2**

On page 1, after line 10, insert

"It shall not, however, be unlawful for a person owning or operating such an establishment which has a refrigerating system or unit on the effective date of this section and which uses sulfur dioxide as a refrigerant to continue to use such equipment"

The Assembly concurred in Senate amendments to Assembly Bill No. 1797 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1797 ordered enrolled.

**Assembly Bill No. 2523**—An act to add Section 31053 to the Water Code, relating to county water districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2523?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1959, strike out "31051", and insert "31053".

**Amendment No. 2**

On page 1, line 1, strike out "31051", and insert "31053".

**Amendment No. 3**

On page 1, line 3, strike out "31051", and insert "31053".

**Amendment No. 4**

On page 1, line 15, before "utility", insert "publicly owned".

The Assembly concurred in Senate amendments to Assembly Bill No. 2523 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2523 ordered enrolled.

**Assembly Bill No. 2615**—An act to repeal Article 3 (commencing at Section 73390) of Chapter 10, Title 8, of the Government Code and to add Article 26.5 (commencing at Section 74550) to Chapter 10, Title 8, of the Government Code, relating to municipal court districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2615?

**Amendment No. 1**

On page 2, line 1, of the printed bill, strike out "and fifty-two dollars ($52)" and insert "fifty-two dollars ($52), and fifty-five dollars ($55)".

**Amendment No. 2**

On page 2, lines 9 and 10, strike out "and forty-one dollars ($41)", and insert "forty-one dollars ($41), and forty-three dollars ($43)".

**Amendment No. 3**

On page 2, line 17, strike out "and twenty-nine dollars ($29)", and insert "twenty-nine dollars ($29), and thirty-one dollars ($31)".

**Amendment No. 4**

On page 2, lines 23 and 24, strike out "and twenty-two dollars ($22)", and insert "twenty-two dollars ($22), and twenty-three dollars ($23)".

**Amendment No. 5**

On page 2, lines 30 and 31, strike out "and nineteen dollars ($19)", and insert "nineteen dollars ($19), and twenty dollars ($20)".

**Amendment No. 6**

On page 3, line 34, strike out "74560", and insert "74558".

**Amendment No. 7**

On page 3, line 40, strike out "74560", and insert "74558".

The Assembly concurred in Senate amendments to Assembly Bill No. 2615 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2615 ordered enrolled.

**Assembly Bill No. 2617**—An act to add Article 32.5 (commencing at Section 74820) to Chapter 10, Title 8 of the Government Code, relating to Municipal Court Districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2617?

**Amendment No. 1**

On page 1, line 12, of the printed bill, strike out "($799)", and insert "($779)".

**Amendment No. 2**

On page 1, line 15, strike out "and fifty dollars ($50)", and insert "fifty dollars ($50), and fifty-two dollars ($52)".

**Amendment No. 3**

On page 2, line 3, strike out "and thirty-nine dollars ($39)", and insert "thirty-nine dollars ($39), and forty-one dollars ($41)".

**Amendment No. 4**

On page 2, lines 9 and 10, strike out "and twenty-nine dollars ($29)", and insert "twenty-nine dollars ($29), and thirty-one dollars ($31)".

**Amendment No. 5**

On page 2, lines 16 and 17, strike out "and twenty-two dollars ($22)", and insert "twenty-two dollars ($22), and twenty-three dollars ($23)".

**Amendment No. 6**

On page 2, lines 23 and 24, strike out "and nineteen dollars ($19)", and insert "nineteen dollars ($19), and twenty dollars ($20)".

The Assembly concurred in Senate amendments to Assembly Bill No. 2617 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Bradley, George E. Brown, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.
NOES—None

Assembly Bill No. 2617 ordered enrolled.

**Assembly Bill No. 405**—An act to add Division 3.5 (commencing with Section 700) to Title 1 of the Government Code, to repeal Section 342 of the Code of Civil Procedure and to add Sections 313 and 342 to said Code, relating to claims against the State, local public entities and public officers and employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 405?

**Amendment No. 1**

On page 3, line 13, of the printed bill, as amended in the Assembly on May 8, 1959, following "party," strike out "of".

**Amendment No. 2**

On page 4, line 39, after "property", insert "or growing crops".

**Amendment No. 3**

On page 4, lines 47 and 48, strike out "would be deemed to have".

**Amendment No. 4**

On page 4, line 48, following "of the", insert "applicable".

**Amendment No. 5**

On page 6, line 34, strike out "Any", and insert
"Except where a different statute of limitations is specifically applicable to a local public entity, any".

**Amendment No. 6**

On page 6, lines 38 and 39, strike out "if the claim were being asserted against a defendant other than a local public entity", and insert "if the suit were being brought against a private party".

**Amendment No. 7**

On page 7, line 3, strike out "and rejected".

**Amendment No. 8**

On page 7, strike out lines 10 through 17, inclusive.

**Amendment No. 9**

On page 7, line 18, strike out "4", and insert "3".

**Amendment No. 10**

On page 7, after line 26, insert
"SEC. 4. Nothing in this act shall be deemed to allow suit or reinstate claims which have been denied or barred prior to the effective date of this act".

**Amendment No. 11**

On page 7, line 6, of the printed bill, as amended in the Senate on June 3, 1959, strike out the period, and insert ", including but not limited to claims under the Revenue and Taxation Code which have been denied or barred by the provisions of the Government Code."

The Assembly concurred in Senate amendments to Assembly Bill No. 405 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis,

DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 405 ordered enrolled.

**Assembly Bill No. 407**—An act to repeal Sections 29700, 29700.1, 29701, 29702, 29703, 29704, 29705, 29707, 29711, 29713, 29714, 29714.1, 29715, 29716, 29720, to add Sections 29700 and 29706, to renumber Section 29719, to renumber and amend Sections 29706, 29708, 29709, 29710, 29712, 29717, 29718, 29721 and to amend Sections 29741, 29744 and 29748 of the Government Code, and to amend Section 439.56 of the Agricultural Code and Section 945 of the Military and Veterans Code, all relating to claims against counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 407?

Amendment No. 1

On page 5, in lines 21 and 22 of the printed bill, strike out "one hundred fifty dollars ($150)", and insert "two hundred fifty dollars ($250)".

The Assembly concurred in Senate amendment to Assembly Bill No. 407 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 407 ordered enrolled.

**Assembly Bill No. 409**—An act to amend Section 903 of the Education Code, Sections 6370 and 6960 of the Harbors and Navigation Code, Section 14164 of the Health and Safety Code, Sections 5553 and 5784.19 of the Public Resources Code, Section 27182 of the Streets and Highways Code and Section 56117 of the Water Code; to repeal Sections 61628, 61630, and 61631 of the Government Code, Sections 4817, 5617, and 6096 of the Health and Safety Code, Sections 16682, 16683, 16684, 16685, 16686, Article 5a (commencing with Section 12830) of Chapter 6 of Division 6 and Article 6 (commencing with Section 29060) of Chapter 6 of Part 2 of Division 10 of the Public Utilities Code, Sections 22727, 22728, 22729, 31084, 31085, 31086, 31087, 35752, 35753 and 35754 of the Water Code; and to add Article 1.5 (commencing with Section 926) to Chapter 1 of Division 4 of, Article 2 5 (commencing with Section 27591) to Chapter 4 of Division 20 of, Article 3.5 (commencing with Section 27891) to Chapter 5, Division 20, of, Article 8.5 (commencing at Section 28381) to Chapter 6, Division 20 of, and Section 16978 to, the Education Code, Section 61628 to the Government Code, Chapter 4 (commencing with Section 5790) to Part 1.5 of Division 8, Chapter 3 5 (commencing with Section 5905) to Part 2 of Division 8, Chapter 3.5 (commencing with Section 6095) to Part 3 of Division 8 and Article 3 (commencing with Section 6680) to Chapter 5 of Part 5 of Division 8 of the Harbors and Navigation Code, Sections 954, 4817,

5617, 4665.6, 6096, 14163.5, Article 5.5 (commencing with Section 2320) to Chapter 5 of Division 3, Article 4.5 (commencing with Section 2880) to Chapter 8 of Division 3, Article 4 5 (commencing with Section 4130) to Chapter 1 of Part 2 of Division 5, Article 5.5 (commencing with Section 4185.1) to Chapter 1.5 of Part 2 of Division 5, Article 5.5 (commencing with Section 5745) to Chapter 9 of Part 3 of Division 5, Article 8 (commencing with Section 6805) to Chapter 7 of Part 1 of Division 6, Article 5 (commencing with Section 9010) to Chapter 8 of Part 4 of Division 8, Article 6.5 (commencing with Section 14363) to Chapter 1a of Part 3 of Division 12, Article 7.1 (commencing with Section 14488) to Chapter 2 of Part 3 of Division 12, Article 4.1 (commencing with Section 20115) to Chapter 1 of Part 1 of Division 14, Article 2.5 (commencing with Section 24232) to Chapter 2 of Division 20, Article 16 (commencing with Section 24374) to Chapter 2.5 of Division 20, Chapter 7 (commencing with Section 32492) to Division 23, Article 6 (commencing with Section 33340) to Chapter 2 of Part 1 of Division 24 and Article 6 (commencing with Section 34380) to Chapter 1 of Part 2 of Division 24 of the Health and Safety Code, Article 2.5 (commencing with Section 1209) to Chapter 1 of Division 6 of the Military and Veterans Code, Section 5553.5, Article 3 (commencing with Section 9420) to Chapter 4 of Division 9 and Article 1.5 (commencing with Section 11520) to Chapter 7 of Division 10 of the Public Resources Code, Section 16682, Article 5a (commencing with Section 12830) to Chapter 6 of Division 6, Article 6 (commencing with Section 29060) to Chapter 6 of Part 2 of Division 10, Chapter 4.5 (commencing with Section 22601) to Part 2 of Division 9 and Article 9 (commencing with Section 25951) to Chapter 6 of Part 1 of Division 10 of the Public Utilities Code, Sections 31867, 33550, 35707, Chapter 10.5 (commencing with Section 27190) to Part 3 of Division 16, Chapter 9.5 (commencing with Section 8230) to Part 2 of Division 9, Chapter 10.5 (commencing with Section 19190) to Part 4 of Division 14, Chapter 15.5 (commencing with Section 25360) to Part 1 of Division 16 and Chapter 13.5 (commencing with Section 26225) to Part 2 of Division 16 of the Streets and Highways Code, Sections 8991, 22727, 31084, 35752, 44457, Article 4.5 (commencing with Section 50145) to Chapter 2 of Part 1 of Division 15 and Chapter 4 (commencing with Section 55720) to Part 4 of Division 16 of the Water Code, relating to claims against the State, local public entities and public officers and employees.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 409?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 24, 1959, strike out "1007", and insert "903".

**Amendment No. 2**

Strike out lines 15 to 20, inclusive, of the title and insert "tion 926) to Chapter 1 of Division 4 of, Article 2 5 (commencing with Section 27591) to Chapter 4 of Division 20 of, Article 3.5 (commencing with Section 27891) to Chapter 5, Division 20, of, Article 8.5 (commencing at Section 28381) to Chapter 6, Division 20 of, and Section 16978 to, the".

**Amendment No. 3**

On page 2, line 1, strike out "1007 of the Education Code", and insert "903 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 4**

On page 2, between lines 2 and 3, insert

"903. The governing board of any school district is liable as such in the name of the district for any judgment against the district on account of injury to person or property arising because of the negligence of the district, or its officers, or employees ~~in any case where a verified claim for damages has been presented in writing and filed with the secretary or clerk of the school district within ninety (90) days after the accident has occurred. The claim shall specify the name and address of the claimant, the date and place of the accident, and the extent of the injuries or damages received.~~"

**Amendment No. 5**

On page 2, strike out lines 3 and 4

**Amendment No. 6**

On page 3, strike out lines 1 to 3, inclusive

**Amendment No. 7**

On page 3, line 4, strike out "1018", and insert "926".

**Amendment No. 8**

On page 3, line 5, strike out "2 of the Education Code", and insert "4 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 9**

On page 3, line 9, strike out "1018", and insert "926".

**Amendment No. 10**

On page 3, strike out lines 14 to 18, inclusive, and insert

"SEC 3. Section 16978 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:".

**Amendment No. 11**

On page 3, line 19, strike out "21658", and insert "16978".

**Amendment No. 12**

On page 3, line 24, strike out "22360", and insert "27591".

**Amendment No. 13**

On page 3, line 25, strike out "11 of the Education Code", and insert "20 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 14**

On page 3, line 29, strike out "22360", and insert "27591".

**Amendment No. 15**

On page 3, line 34, strike out "22680", and insert "27891".

**Amendment No. 16**

On page 3, line 35, strike out "11 of the Education Code", and insert "20 of the Education Code as enacted by the Legislature at its 1959 Regular Session"

**Amendment No. 17**

On page 3, line 39, strike out "22680", and insert "27891".

**Amendment No. 18**

On page 3, line 44, strike out "22980", and insert "28381".

**Amendment No. 19**

On page 3, line 45, strike out "11 of the Education Code", and insert "20 of the Education Code as enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 20**

On page 3, line 49, strike out "22980", and insert "28381".

The Assembly concurred in Senate amendments to Assembly Bill No. 409 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 409 ordered enrolled.

**Assembly Bill No. 1135**—An act to amend Section 7050 of the Business and Professions Code, relating to contractors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1135?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 19, 1959, strike out ", and to add Section 7054 to,".

**Amendment No. 2**

On page 1, strike out lines 10 to 15, inclusive.

**Amendment No. 3**

On page 1, line 4, of the printed bill, as amended in the Senate on May 27, 1959, strike out "contractor or contractors", and insert "general contractor".

**Amendment No. 4**

On page 1, lines 5 and 6, strike out "engages in the business or acts in the capacity of a contractor by building", and insert ", not so contracting, builds or causes to be built".

**Amendment No. 5**

On page 1, line 8, after "two", insert "such".

**Amendment No. 6**

On page 1, line 9, strike out "thereof", and insert "of the structure last built. "Completion," within the meaning of this section, means when the structure was completed or when the cessation from labor occurred."

**Amendment No. 7**

On page 1, line 5, of the printed bill, as amended in the Senate on June 2, 1959, after "contractor", insert "or with a licensed general contractor and one or more licensed specialty contractors".

**Amendment No. 8**

On page 1, line 8, strike out "two", and insert "one".

**Amendment No. 9**

On page 1, line 9, strike out "two", and insert "one".

The Assembly concurred in Senate amendments to Assembly Bill No. 1135 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1135 ordered enrolled.

**Assembly Bill No. 1188**—An act to add Section 17201 5 to, and to amend Sections 17004, 17203, 17207, 17418, 17600 and 17608 of the Financial Code, relating to escrow transactions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1188?

**Amendment No. 1**

In line 2 of the heading of the printed bill, as amended in the Assembly on June 5, 1959, strike out "(By Request)".

**Amendment No. 2**

On page 3, lines 20 and 21, strike out "or a crime involving moral turpitude".

The Assembly concurred in Senate amendments to Assembly Bill No. 1188 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1188 ordered enrolled.

**Assembly Bill No. 1448**—An act to add Title 4 (commencing with Section 13500) to Part 4 of the Penal Code, relating to standards for recruitment and training of local law enforcement officers, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1448?

**Amendment No. 1**

On page 3, line 16 of the printed bill, as amended in the Assembly on March 25, 1959, after "Act", insert "(Chapter 4 (commencing at Section 11370) and Chapter 5 (commencing at Section 11500) of Part 1, Division 3, Title 2 of the Government Code)".

**Amendment No. 2**

On page 3, line 36, strike out "an", and insert "a penalty".

**Amendment No. 3**

On page 3, line 38, after "than", insert "for a violation of any regulation governing the standing or parking of a vehicle under the Vehicle Code or any ordinance enacted by local authorities or".

**Amendment No. 4**

On page 3, line 39, strike out "Section 773", and insert "Sections 42050, 42051, and 42052".

**Amendment No. 5**

On page 3, line 40, after the period, insert "When a fine is suspended, in whole or in part, the penalty assessment shall be reduced in proportion to the suspension."

**Amendment No. 6**

On page 3, line 47, after the period, insert "If bail is returned, the assessment made thereon pursuant to this section shall also be returned"

**Amendment No. 7**

On page 4, between lines 2 and 3, insert
"In any case where a person convicted of any offense to which this section applies is imprisoned until the fine is satisfied, the judge may waive all or any part of the penalty assessment the payment of which would work a hardship on the person convicted or his immediate family."

**Amendment No. 8**

**On page 4, line 30, before "standards", insert "recruitment and training".**

**Amendment No. 9**

On page 4, line 31, after "commission", insert "as applicable to personnel recruited or trained by such city, county, or city and county during such period".

**Amendment No. 10**

On page 1, lines 19 and 20, of the printed bill, as amended in the Senate on May 21, 1959, strike out "members of either city police departments or county sheriffs' offices", and insert "either sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police"

**Amendment No. 11**

On page 1, line 18, of the printed bill, as amended in the Senate on June 1, 1959, after "members", strike out the comma.

**Amendment No. 12**

On page 1, line 18, strike out "Attorney General", and insert "Governor, after consultation with, and with the advice of, the Attorney General and with the advice and consent of the Senate".

**Amendment No. 13**

On page 2, lines 5 and 6, strike out "State. The Attorney General", and insert "State, as well as the Attorney General, who".

**Amendment No. 14**

On page 2, line 7, strike out "The members shall serve at the pleasure of the Attorney"; and strike out line 8, and insert "Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor."

**Amendment No. 15**

On page 3, line 48, after "Code", insert "and other than for a violation of the Fish and Game Code".

**Amendment No. 16**

On page 3, line 49, strike out "10", and insert "5".

**Amendment No. 17**

On page 3 of the printed bill, as amended in the Senate on June 12, 1959, strike out lines 50 to 52, inclusive; on page 4, strike out lines 1 to 7, inclusive, and insert 13521. On and after the effective date of this section, there shall be levied a penalty assessment in an amount equal to 5 percent of every fine, penalty, and forfeiture imposed and collected by the courts for criminal offenses, other than a fine, penalty or forfeiture for a violation of the Vehicle Code or any local ordinance relating to the stopping, standing, parking, or operation of a vehicle, and other than for a violation of the Fish and Game Code. When a fine".

The Assembly concurred in Senate amendments to Assembly Bill No. 1448 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1448 ordered enrolled

**Assembly Bill No. 1500**—An act to add Section 74346.5 to the Government Code, relating to the municipal court districts embracing the City of San Diego

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1500?

**Amendment No. 1**

In line 1 of the title of the printed bill as amended in Assembly April 24, 1959, after "73650", insert "(as added by Chapter 2051, Statutes of 1957)".

**Amendment No. 2**

On page 3, line 1, after "73650", insert ", as added by Chapter 2051, Statutes of 1957,".

**Amendment No. 3**

In lines 6 and 7 of the title of the printed bill, as amended in the Senate on June 4, 1959, strike out "the office of marshal of".

**Amendment No. 4**

On page 3, strike out lines 3 to 12, inclusive, and insert

"73650. The compensation of the clerk and marshal of the municipal court and their deputies shall be as follows:

| Schedule | A | B | C |
|---|---|---|---|
| 1 | $343 | $360 | $378 |
| 2 | 417 | 438 | 460 |
| 3 | 507 | 532 | 559 |
| 4 | 532 | 559 | 587 |
| 5 | 679 | 713 | 749 |
| 6 | 713 | 749 | 786". |

**Amendment No. 5**

On page 5, lines 2 and 3, strike out "seven hundred fifty dollars ($750) a month.", and insert "a monthly salary as provided in Schedule No. 6 of Section 73650."

**Amendment No. 6**

On page 5, lines 4 and 5, strike out "seven hundred thirteen dollars a month.", and insert "a monthly salary as provided in Schedule No. 5 of Section 73650."

**Amendment No. 7**

On page 5, strike out line 12, and insert "receive a monthly salary as provided in Schedule No. 4 of Section 73650."

**Amendment No. 8**

On page 5, strike out lines 41 to 45 inclusive, and insert "receive a monthly salary as provided in Schedule No. 2 of Section 73650. (The classification".

**Amendment No. 9**

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended in the Senate on June 10, 1959, and insert "An act to add Section 74346.5 to the Gov-".

**Amendment No. 10**

In line 6 of the title, strike out "municipal"; strike out line 7, and insert "the municipal court districts embracing the City of San Diego."

**Amendment No. 11**

On page 1, strike out line 1, and insert

"SECTION 1. Section 74346.5 is added to the Government Code, to read:

74346.5. With respect to any position provided for by Sections 74342 to 74346, inclusive, if the salary provided by law for a person occupying a corresponding position, after the same period of service, in the municipal courts of the South Bay Judicial District, El Cajon Judicial District, or Oceanside Judicial District is higher than the salary provided by Sections 74342 to 74346, inclusive, then, notwithstanding such sections, the salary of such person occupying a position provided for by such sections shall be equal to the highest salary provided by law for a person occupying the corresponding position, and having the same period of service, in any of the three above-named judicial districts."

**Amendment No. 12**

On page 1, strike out lines 2 to 13, inclusive; and strike out all of pages 2 to 8, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1500 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter,

Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1500 ordered enrolled.

**Assembly Bill No. 1726**—An act to amend Section 26108 of the Government Code, relating to compensation and traveling expenses of the members of a county board of trade or county chamber of commerce.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1726?

**Amendment No. 1**

On page 1, line 8, of the printed bill, as amended in the Assembly on April 20, 1959, after "thereof", insert "; provided, that no such expenses shall be paid for travel outside the limits of this State".

The Assembly concurred in Senate amendment to Assembly Bill No. 1726 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1726 ordered enrolled.

**Assembly Bill No. 2031**—An act to repeal Section 24755 of, and to add Sections 24749, 24750.5 and 24755 to, the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2031?

**Amendment No. 1**

On page 2, line 46, of the printed bill as amended in Assembly May 13, 1959, strike out "retailers", and insert "retailer's".

**Amendment No. 2**

On page 2, line 47, strike out "price", and insert "tax-paid cost of acquisition".

**Amendment No. 3**

On page 2, lines 47 and 48, strike out "such costs", and insert "the minimum retail price per case to consumers".

**Amendment No. 4**

In line 1 of the title of the printed bill as amended in Senate May 28, 1959, after "24749", insert ", 24750.5".

**Amendment No. 5**

On page 2, between lines 2 and 3, insert
"SEC. 1.5. Section 24750.5 is added to said code, to read:
24750.5. Fair trade contracts for wine have been and shall continue to be authorized by this chapter. Such contracts shall be governed by the applicable provisions of this chapter, and Chapter 11."

The Assembly concurred in Senate amendments to Assembly Bill No. 2031 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burton, Busterud, Cameron, Chapel, Crawford, Dahl, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House,

Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 2031 ordered enrolled.

**Assembly Bill No. 2051**—An act to amend Sections 9, 10, 13.1, 13.4, and 13.5 of, and to add Sections 3.6 and 13.15 to, the Sonoma County Flood Control and Water Conservation District Act (Ch. 994, Stats. 1949), relating to the Sonoma County Flood Control and Water Conservation District.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2051?

**Amendment No. 1**

On page 1, line 16, of the printed bill, as amended in the Assembly on April 20, 1959, strike out the period, and insert ", except that the title to water rights held by the district shall not be conveyed or alienated except by vote of the electors at an election held for that purpose. Nothing contained in this section, however, shall be deemed or construed to prevent the board by majority vote thereof from entering into a contract or contracts binding the district to provide a firm supply of water either within or without the boundaries of the district to any person, firm, corporation, municipal corporation or any other agency whatsoever without either a vote of the electorate or compliance with the law relating to the sale of property of counties."

The Assembly concurred in Senate amendment to Assembly Bill No. 2051 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2051 ordered enrolled.

**Assembly Bill No. 2145**—An act to amend Sections 35450, 35451, 35452, 35453, 35456 and 35457 of the Government Code, relating to the annexation of territory to cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2145?

**Amendment No. 1**

On page 2, line 11, of the printed bill, as amended in the Assembly on May 11, 1959, strike out "10", and insert "30".

**Amendment No. 2**

On page 2, between lines 17 and 18, insert
"If a resolution adopted by the legislative body of the city objecting to the proposed annexation to that city is filed with the board of supervisors prior to the date set for the hearing, the proceedings as to that city shall be abandoned."

The Assembly concurred in Senate amendments to Assembly Bill No. 2145 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade,

Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 2145 ordered enrolled.

**Assembly Bill No. 2521**—An act to add Chapter 4.5 (commencing with Section 26970) to Part 3, Division 2, Title 3 of the Government Code, relating to counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2521?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on June 1, 1959, strike out "Therefore", and insert "Thereafter".

The Assembly concurred in Senate amendment to Assembly Bill No. 2521 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garigus, Samuel R. Geddes, Grant, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 2521 ordered enrolled.

**Assembly Bill No. 2851**—An act to add Article 2.1 (commencing at Section 35575) to Chapter 2 of Part 2 of Division 2 of Title 4 of the Government Code, relating to exclusion of territory from cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2851?

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "governing", and insert "legislative".

Amendment No. 2

On page 1, line 18, after "by", insert "the legislative body of".

The Assembly concurred in Senate amendments to Assembly Bill No. 2851 by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Reagan, Rees, Rumford, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2851 ordered enrolled.

## WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1078

Speaker Brown was granted unanimous consent that Senate Bill No. 1078 be withdrawn from the Committee on Industrial Relations, and re-referred to the Committee on Ways and Means.

## THIRD READING OF SENATE BILLS

**Senate Bill No. 644**—An act to add Chapter 2.6 (commencing at Section 24375) to Division 20 of the Health and Safety Code, creating the San Joaquin Valley Air Pollution Control District, setting forth its organization, powers, and duties, all relating to the control of air pollution.

Bill read third time, and presented by Mr. DeLotto.

### Motion to Amend

Mr. Biddick moved the adoption of the following amendments:

### Amendment No. 1

On page 3, lines 3 and 4, of the printed bill, as amended in the Assembly on June 12, 1959, strike out "San Joaquin,".

### Amendment No. 2

On page 3, line 11, after the period, insert "San Joaquin County shall be included in the San Joaquin Valley Air Pollution Control District if a majority of the voters voting at a special election consolidated with the next general election in November, 1960, vote in favor of a proposition for the inclusion of the county in the district."

### Amendment No. 3

On page 15, line 47, strike out "San Joaquin,".

### Amendment No. 4

On page 15, line 49, after "ratification", insert "and to the people of San Joaquin County for their approval of the inclusion of San Joaquin County in the district".

### Amendment No. 5

On page 15, line 49, after "until", insert "either".

### Amendment No. 6

On page 15, line 51, after "county", insert ", except San Joaquin County,".

### Amendment No. 7

On page 16, line 1, after "District", insert "or, if a majority of the voters in San Joaquin County at a special election called and held in such county vote in favor of the proposition for the inclusion of San Joaquin County in the district, the votes cast at the election in favor of the inclusion of San Joaquin County in the San Joaquin Valley Air Pollution Control District, together with the votes cast at the elections in the other counties in favor of the establishment and creation of the district, equal at least a majority of the total number of votes cast at all such elections".

### Amendment No. 8

On page 16, lines 5 and 6, strike out "San Joaquin".

### Amendment No. 9

On page 16, line 9, after the period, insert "A proposition for the inclusion of San Joaquin County in the San Joaquin Valley Air Pollution Control District shall be submitted to the voters of such county at a special election which shall be consolidated with the next general election held in the month of November, 1960."

### Amendment No. 10

On page 16, line 15, after "election", insert ", except the election held in San Joaquin County,".

### Amendment No. 11

On page 16, lines 21 and 22, strike out "San Joaquin,"

### Amendment No. 12

On page 16, between lines 25 and 26, insert

"SEC. 5. The ballot for the election held in San Joaquin County shall contain such instructions as are required by law to be printed thereon, and in addition there shall appear the following:

| | |
|---|---|
| Shall San Joaquin County be included in the San Joaquin Valley Air Pollution Control District if the district is created and established? | YES<br>NO". |

**Amendment No. 13**

On page 16, line 26, strike out "5.", and insert "6."

**Amendment No. 14**

On page 16, line 34, after "if", insert "either".

**Amendment No. 15**

On page 16, line 35, after "elections", insert ", except the election in San Joaquin County,".

**Amendment No. 16**

On page 16, line 36, after "district", insert "or, if a majority of the votes cast at the election in San Joaquin County were in favor of the inclusion of such county in the San Joaquin Valley Air Pollution Control District, the votes cast at the election in favor of the inclusion of San Joaquin County in the district, together with the votes cast at the elections in the other counties in favor of the establishment and creation of the San Joaquin Valley Air Pollution Control District, equal at least a majority of the total number of votes cast at all such elections".

**Amendment No. 17**

On page 16, line 37, strike out "6.", and insert "7."

**Amendment No. 18**

On page 16, line 42, after "shows", insert "either".

**Amendment No. 19**

On page 16, line 44, after "elections", insert ", except the election in San Joaquin County,".

**Amendment No. 20**

On page 16, line 45, after "district", insert "or, if a majority of the votes cast at the election in San Joaquin County were in favor of the inclusion of such county in the San Joaquin Valley Air Pollution Control District, the votes cast at the election in favor of the inclusion of San Joaquin County in the district, together with the votes cast at the elections in the other counties in favor of the establishment and creation of the San Joaquin Valley Air Pollution Control District, equal at least a majority of the total number of votes cast at all such elections".

**Amendment No. 21**

On page 16, line 48, strike out "7.", and insert "8."

**Amendment No. 22**

On page 16, line 51, strike out "8.", and insert "9."

Amendments read.

***Speaker pro Tempore Presiding***

At 9.47 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendments by Mr. Biddick.

**Roll Call Demanded**

Messrs. Biddick, Marks, and Busterud demanded a roll call.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. DeLotto moved a call of the Assembly.

Mr. Biddick seconded the motion.

Motion carried. Time, 9.54 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 43**—An act to add Chapter 5.5 (commencing with Section 13480) to Part 3, Division 3, Title 2 of the Government Code, and to amend Section 11555 of said code, relating to the establishment of an economic development agency in the Department of Finance.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Don A. Allen, Bee, Belotti, Biddick, George E. Brown, Burton, Cameron, Crawford, Crown, DeLotto, Elliott, Frew, Garrigus, Samuel R. Geddes, Hawkins, House, Kennick, Kilpatrick, Lunardi, MacBride, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—41.

NOES—Bruce F. Allen, Backstrand, Beaver, Burke, Busterud, Collier, Conrad, Cusanovich, Dahl, Dills Francis, Grant, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, Mulford, Reagan, Schrade, Sedgwick, Shell, Sumner, and Thelin—26.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1327**—An act to add Part 4 (commencing at Section 12000) to Division 6 of the Water Code, relating to delivery of surplus water into, and extractions thereof for exportation from, the Sacramento-San Joaquin Delta.

Bill read third time, and presented by Mr. Waldie.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, June 18, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR SIR: I am directed to request your honorable body to return to the Senate Assembly Bill No 2088 for further consideration by the Senate.

Very truly yours,

J. A. BEEK, Secretary of the Senate

## ASSEMBLY BILL NO. 2088 ORDERED RETURNED TO SENATE

Speaker pro Tempore Bee was granted unanimous consent that the Chief Clerk be instructed to return Assembly Bill No. 2088 to the Senate pursuant to its request.

### APPOINTMENT OF THIRD COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 700

The Speaker appointed Miss Donahoe, Messrs Garrigus, and Bane as a Third Committee on Conference concerning Assembly Bill No. 700.

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Rumford was granted unanimous consent to hold a special meeting of the Committee on Public Health in the rear of the Assembly Chamber, at this time.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up House Resolution No. 326, out of order, at this time.

### CONSIDERATION OF HOUSE RESOLUTION NO. 326

By Messrs. Miller, Ralph M. Brown, Conrad, Hanna, Nisbet, Schrade, and Sedgwick:

**House Resolution No. 326**—Relative to constituting certain standing committees of the Assembly as interim committees.

Resolution read.

#### Motion to Amend

Mr. Winton moved the adoption of the following amendment:

#### Amendment No. 1

In line 3 of subparagraph (i) of the paragraph numbered 1 of the measure, as printed in the Assembly Journal for June 5, 1959, at pages 4860 to 4862, inclusive, after the comma, insert "laws relating to alcoholic beverage control, liquor law enforcement, and horse racing,".

Amendment read, and adopted.

#### Consideration of House Resolution No. 326, as Amended

By Messrs. Miller, Ralph M. Brown, Conrad, Hanna, Nisbet, Schrade, and Sedgwick:

#### House Resolution No. 326

Relative to constituting certain standing committees of the Assembly as interim committees

*Resolved by the Assembly of the State of California*, As follows:

1. The following standing committees of the Assembly are hereby constituted Assembly interim committees and are authorized and directed to ascertain, study and analyze all facts relating to (1) the subjects and matters assigned to them by this resolution; (2) any subjects or matters referred to them by the Assembly; (3) any subjects or matters related to (1) or (2) which the Committee on Rules shall assign to them upon request of the Assembly or upon its own initiative:

(a) The Committee on Agriculture is assigned the subject matter embraced in the Agricultural Code, uncodified laws on the same subject, and other matters relating to agriculture.

(b) The Committee on Civil Service and State Personnel is assigned the subject matter of the State Civil Service System and state personnel, and matters relating thereto.

(c) The Committee on Constitutional Amendments is assigned the subject matter of the State Constitution, and all matters relating thereto.

(d) The Committee on Criminal Procedure is assigned the subject matter embraced in the Penal Code, uncodified laws on the same subject, and matters relating to crimes and criminal procedure and constitutional rights.

(e) The Committee on Education is assigned the subject matter embraced in the Education Code, uncodified laws on the same subject, and matters relating to education.

(f) The Committee on Elections and Reapportionment is assigned the subject matter embraced in the Elections Code, uncodified laws on the same subject, and matters relating to elections and reapportionment.

(g) The Committee on Finance and Insurance is assigned the subject matter embraced in the Unemployment Insurance Code relating to unemployment insurance, the Insurance Code, the workmen's compensation law in the Labor Code, the matters in the Financial Code relating to finance and investment, uncodified laws relating to finance and insurance, and other matters relating thereto.

(h) The Committee on Fish and Game is assigned the subject matter embraced in the Fish and Game Code, uncodified laws relating thereto and other matters relating to fish and game.

(i) The Committee on Government Organization is assigned the subject matter embraced in the Government Code relating to the State Government, uncodified laws relating thereto, laws relating to alcoholic beverage control, liquor law enforcement, and horse racing, and other matters relating to the organization and operation of the State Government.

(j) The Committee on Governmental Efficiency and Economy is assigned the subject matter in the Government Code relating to state and local government, uncodified laws relating thereto, and other matters relating to the efficiency and economy of state and local government.

(k) The Committee on Industrial Relations is assigned the subject matter in the Labor Code, uncodified laws relating to labor and industrial relations, and other matters relating to industrial relations.

(l) The Committee on Judiciary—Civil is assigned the subject matter in the Civil Code, the Code of Civil Procedure and the Probate Code, uncodified laws relating to civil matters, and other matters relating to the civil law and procedure of the State.

(m) The Committee on Livestock and Dairies is assigned the subject matter of livestock, poultry, dairies, and dairy products in the Agricultural Code, uncodified laws relating thereto, and other matters relating to livestock and dairies.

(n) The Committee on Manufacturing, Oil, and Mining Industry is assigned the subject matter of oil, gas, and other hydrocarbons, and tide and submerged lands, as contained in the Public Resources Code, and uncodified laws relating thereto and the subject matters of manufacturing and mining, and other matters relating to manufacturing, oil and mining industry.

(o) The Committee on Military and Veterans Affairs is assigned the subject matter of the Military and Veterans Code, uncodified laws relating to veterans and the military, and other matters relating to military and veterans affairs

(p) The Committee on Municipal and County Government is assigned the subject matter in the Government Code relating to the government of cities, counties, cities and counties, districts, and other political subdivisions of the State, uncodified laws relating thereto, and other matters relating to municipal and county government.

(q) The Committee on Natural Resources, Planning and Public Works is assigned the subject matter of the Public Resources Code and the Streets and Highways Code, and uncodified laws relating to such subject matters, and other matters relating to natural resources, planning, and public works.

(r) The Committee on Public Health is assigned the subject matter of the Health and Safety Code and the subject matter of the healing arts in the Business and Professions Code, all uncodified laws relating thereto, and other matters relating to the public health.

(s) The Committee on Public Utilities and Corporations is assigned the subject matter of the Public Utilities Code and the Corporations Code, all uncodified laws relating thereto, and other matters relating to public utilities and corporations.

(t) The Committee on Revenue and Taxation is assigned the subject matter of the Revenue and Taxation Code, uncodified laws relating thereto, and other matters relating to federal, state or local revenues or taxation.

(u) The Committee on Social Welfare is assigned the subject matter of the Welfare and Institutions Code, uncodified laws relating thereto, and other matters relating to social welfare and the administration and financing of the social welfare program of the State.

(v) The Committee on Transportation and Commerce is assigned the subject matter of the Vehicle Code, the Streets and Highways Code, uncodified laws relating thereto, and other matters relating to transportation and commerce.

(w) The Committee on Water is assigned the subject matter of the Water Code, uncodified laws relating thereto, and other matters relating to water, water resources, flood control and irrigation

(x) The Committee on Ways and Means is assigned the subject matter of the State Budget, laws relating thereto, the adequacy of the revenues of the State, and other matters relating to ways and means of financing the operation of the State Government.

(y) The Committee on Legislative Representation is assigned the subject matter specified in Assembly Standing Rule 20.

2. Each of the above committees shall consist of the members of the Assembly Standing Committee on the same subject for the 1959 Regular Session. The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. Each committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the fifth calendar day of that session. All reports shall be printed out of the funds allocated to said committee and shall be in the form prescribed by the Rules of the Assembly and the Committee on Rules.

4. Each committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. Each committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. No subcommittee chairman shall be appointed by the chairman of any interim committee or otherwise except upon prior written consent of the Committee on Rules or the Speaker.

7. No consultants, staff members, or other employees may be employed by any interim committee except upon prior written approval of the Committee on Rules

8. No contracts for goods or services or otherwise may be negotiated or entered into by any interim committee without the prior written approval of the Committee on Rules.

9. No committee or any member or employee thereof may travel outside the State on committee business without the prior written consent of the Committee on Rules or the Speaker in each case.

10. Within 30 days after the adoption of this resolution, each interim committee shall file with the Rules Committee a proposed work schedule program report setting forth the specific matters it is contemplated the committee shall study and report upon, which program may be supplemented from time to time, and which report shall also contain the personnel or staff needed for said committee and the estimated expenses of said committee for the period June 19, 1959 to March 19, 1960.

11. In order to prevent duplication and overlapping of interim studies between the various interim committees herein created, no committee shall commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules or the Speaker.

12. Each interim committee shall file with the Assembly a brief general preliminary or progress report of its activities on or before the twentieth calendar day of the 1960 Budget Session of the Legislature.

13. Each interim committee shall file its final report with the Assembly on or before the fifth calendar day of the 1961 Regular Session of the Legislature.

14. The sum of four hundred fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the above committees and their members and for any charges, expenses or claims they may incur under this resolution. The Committee on Rules shall allocate from the above sum to each committee created by this resolution such amount as the Committee on Rules from time to time deems appropriate and sufficient to carry out the duties assigned to each such committee After allocations have been made by the Committee on Rules to a committee pursuant to this resolution, the Committee on Rules shall not thereafter reduce or revert any funds or portions thereof so allocated. The original amount so allocated shall be for expenses for the period June 20, 1959, to March 20, 1960. Funds not to exceed the

amount so allocated shall be paid from the said Contingent Fund and disbursed, after certification by the Chairman of the respective committees, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Waldie was granted unanimous consent to take up Senate Bill No. 425 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 425

**Senate Bill No. 425**—An act to amend Section 12880 of, and to add Sections 12881, 12882, 12883, 12884, 12885, 12886, 12887, 12888, 12889, and 12890 to, the Water Code, relating to state financial assistance for local projects, and making an appropriation therefor.

Bill read third time.

### Motion to Amend

Mr. Waldie moved the adoption of the following amendments:

### Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 12, 1959, strike out "12892", and insert "12891.1".

### Amendment No. 2

On page 5, line 20, strike out "12892", and insert "12891.1".

### Amendment No. 3

On page 5, line 21, strike out "12892", and insert "12891.1".

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

### Rush Order Placed Upon Printing of Senate Bill No. 425

Mr. Waldie was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 425.

### Speaker Presiding

At 10.25 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## MOTION TO RE-REFER HOUSE RESOLUTION NO. 228 TO COMMITTEE

Mr. Hawkins moved that House Resolution No. 228 be re-referred to the Committee on Rules.

Motion carried.

## CONSIDERATION OF HOUSE RESOLUTION NO. 249

By Mr. Lowrey and Mrs. Davis:

**House Resolution No. 249**—Relative to water rights applications.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In line 9 of the first *"Resolved"* clause of the printed measure, as printed on page 3386 of the Assembly Journal for May 8, 1959, after "Legislature", insert "by the first Monday in February of 1960".

#### Consideration of House Resolution No. 249, as Amended

By Mr. Lowrey and Mrs. Davis:

#### House Resolution No. 249

Relative to water rights applications

WHEREAS, Large amounts of power will be required for pumping in the State Water Plan and the power revenues can be used to assist in the repayment of state water projects; and

WHEREAS, The California Oregon Power Company and the Pacific Gas and Electric Company have filed with the State Water Rights Board various and conflicting applications to appropriate water from the McCloud River and several of its tributaries in Shasta and Siskiyou Counties for the purpose of producing between 500,000 and 800,000 h.p. of hydroelectric power, said applications being identified as Nos. 14622, 14785, 15717, 15718, 15719 and 16553; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature (1) request the State Water Rights Board to hold in abeyance the issuance of any permits or licenses pursuant to Applications 14622, 14785, 15717, 15718, 15719 and 16553 until the Department of Water Resources shall have informed the Legislature whether the public interest would be better served by state construction of the power plants which are the subject of these applications as a part of the State Water Plan, and (2) request the Department of Water Resources to investigate the feasibility of state construction of these power plants as a part of the State Water Plan and report thereon to the Legislature by the first Monday in February of 1960; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Water Rights Board, and the Department of Water Resources.

Resolution read, as amended, and adopted

### CONSIDERATION OF HOUSE RESOLUTION NO. 299

By Mr. George E. Brown:

**House Resolution No. 299**—Relating to the establishment of a legislative document distribution center in Los Angeles.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

Strike out the *"Resolved"* clause of the measure as printed in the Assembly Journal for May 29, 1959, at page 4378, and insert

*"Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

#### Consideration of House Resolution No. 299, as Amended

By Mr. George E. Brown:

#### House Resolution No. 299

Relating to the establishment of a legislative document distribution center in Los Angeles

WHEREAS, In any democratic government it is essential to an intelligent understanding of the legislative process by the people that bills, resolutions, amendments, and other legislative documents be made quickly and readily available to them; and

WHEREAS, It is the responsibility of the Legislature to make available quickly and efficiently to the citizens of California the bills, resolutions, amendments and other legislative documents connected with its meetings; and

WHEREAS, In the Legislative Bill Room in the State Capitol there exists such a distribution center, but this center is far removed from the southern portion of this State; and

WHEREAS, Many citizens in the Los Angeles area are presently denied the opportunity to obtain bills and other legislative documents quickly enough to enable them to take timely and intelligent action on matters of concern; and

WHEREAS, It would thus be desirable if a legislative document distribution center were established in Los Angeles for the benefit of citizens residing in Southern California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 293

By Mr. Z'berg:

**House Resolution No. 293**—Relative to a study of state water development problems.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

Strike out lines 1 to 4, inclusive, of the "*Resolved*" clause of the measure as printed in the Assembly Journal for May 28, 1959, at pages 4280 and 4281, and insert

"*Resolved by the Assembly of the State of California*, That the following questions should be studied and reported upon by an interim committee:".

### Amendment No. 2

In the last line of the measure, after the question mark, insert "and be it further *Resolved*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the first Monday in February, 1960."

### Consideration of House Resolution No. 293, as Amended

### House Resolution No. 293

Relative to a study of state water development problems

WHEREAS, A Joint Interim Committee on Water Problems was created in 1955 by Senate Concurrent Resolution No. 84 (Resolution Chapter 249) of the 1955 Regular Session, and again in 1957 by Senate Concurrent Resolution No. 105 (Resolution Chapter 337) of the 1957 Regular Session; and

WHEREAS, The many problems related to the state development of water resources require the continued study of a legislative committee; and

WHEREAS, Legislative committees and the Legislature have in the past considered principally the questions of financing such development and the adoption of measures adequate to protect the present and future water needs of all areas of the State; and

WHEREAS, In connection with the state water development, the Legislature has given little consideration to the many related policy problems which should be determined by the Legislature prior to submission of a bond issue to the public; and

WHEREAS, Insufficient time remains in the present session of the Legislature to give full and adequate consideration to the many vital policy questions which remain unsolved; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the following questions should be studied and reported upon by an interim committee:

(a) Should public agencies be given a preference in the purchase of water and power and, if so, how shall such preference be exercised?

(b) How shall project costs be allocated to the various project beneficiaries?

(c) Shall the charge for irrigation water be subsidized either directly by the taxpayers or through increasing the charge for municipal and industrial water for power or for other services and commodities available from the projects?
(d) On what basis shall water and power and other commodities and services available from state projects be priced?
(e) Shall the State construct water and power transmission systems?
(f) Shall the State expend funds for development of recreation facilities at reservoirs created as a part of the State Water Plan?
(g) Shall the State establish a limit on the amount of water which will be made available from state projects to irrigate land in order to prevent unjust enrichment? and be it further
*Resolved*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the first Monday in February, 1960.

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 305

By Mr. Z'berg:

**House Resolution No. 305**—Relative to a study of child custody and adoption proceedings.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

Strike out the "*Resolved*" clause of the measure as printed in the Assembly Journal for June 1, 1959, at page 4502, and insert
"*Resolved by the Assembly of the State of California*, That the subject matter of adoption procedures in the State of California is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

### Consideration of House Resolution No. 305, as Amended

By Mr. Z'berg:

### House Resolution No. 305

Relative to a study of child custody and adoption procedures

*Resolved by the Assembly of the State of California*, That the subject matter of adoption procedures in the State of California is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 306

By Messrs. Z'berg, MacBride, and Meyers:

**House Resolution No. 306**—Relative to putting the State Employees' Retirement System on a cost of living basis.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

Strike out the "*Resolved*" clause of the measure as printed in the Assembly Journal for June 1, 1959, at page 4502, and insert
"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it

to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

**Consideration of House Resolution No. 306, as Amended**

By Messrs. Z'berg, MacBride, and Meyers:

**House Resolution No. 306**

Relative to putting the State Employees' Retirement System on a cost of living basis

WHEREAS, The long duration of the inflationary economy has produced increasing pressures to relate retirement benefits to living costs; and

WHEREAS, The career state employee, on retirement, expects from the system a lifetime income which will provide a standard of living for himself and his dependents reasonably approaching that which he earned prior to retirement; and

WHEREAS, A prolonged period of constantly increasing living costs can defeat the retirement objective of providing an adequate income when the allowance is a fixed dollar one; and

WHEREAS, The State Employees' Retirement System Administrative Board has listed a number of methods available to keep retirement benefits on a level with living costs; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 284

By Mr. Cameron:

**House Resolution No. 284**—Relative to a study of hospital and medical costs.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

Strike out the *"Resolved"* clause of the measure as printed in the Assembly Journal for May 26, 1959, at page 4166, and insert

*"Resolved by the Assembly of the State of California*, That the subject matter of group insurance plans providing medical and hospital insurance coverage and their relation to the costs of hospital services and medical care in the State of California is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

**Consideration of House Resolution No. 284, as Amended**

By Mr. Cameron:

**House Resolution No. 284**

Relative to a study of hospital and medical costs

*Resolved by the Assembly of the State of California*, That the subject matter of group insurance plans providing medical and hospital insurance coverage and their relation to the costs of hospital services and medical care in the State of California is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

### CONSIDERATION OF HOUSE RESOLUTION NO. 131

By Messrs. Rumford, Hanna, Johnson, Mulford, and Grant:

**House Resolution No. 131**—Relative to air pollution.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

Strike out the "*Resolved*" clause of the measure as printed in the Assembly Journal for March 11, 1959, at page 1290, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

#### Consideration of House Resolution No. 131, as Amended

By Messrs. Rumford, Hanna, Johnson, Mulford, and Grant:

#### House Resolution No. 131

Relative to Air Pollution

WHEREAS, Air Pollution is presently a hazard to the health of the people of this State; and

WHEREAS, The control of automobile exhaust products is an essential part of any plan to solve the air pollution problem; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

### CONSIDERATION OF HOUSE RESOLUTION NO. 307

By Mr. Johnson:

**House Resolution No. 307**—Relating to mutual aid laws.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

Strike out the "*Resolved*" clause in the measure, as printed in the Assembly Journal for June 1, 1959, at pages 4531 and 4532, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of mutual aid between and among public agencies which engage in the prevention and suppression of fire and the recodification and rearrangement of the laws relating to such subject matter into a single code is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

#### Consideration of House Resolution No. 307, as Amended

By Mr. Johnson:

#### House Resolution No. 307

Relating to mutual aid laws

WHEREAS, Each year the State of California has witnessed tremendous destruction of property and the loss of life and natural resources due to fires, particularly in brush and forested areas; and

WHEREAS, The forces needed to combat these disastrous fires are many times greater than those available in a given community or district; and

WHEREAS, The mutual aid and assistance of several fire departments are required; and

WHEREAS, The present laws relating to mutual aid are scattered through at least three codes of the State of California and in several different sections, leading to serious questions concerning the territorial liabilities of fire departments and personnel; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of mutual aid between and among public agencies which engage in the prevention and suppression of fire and the recodification and rearrangement of the laws relating to such subject matter into a single code is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 308

By Mr. Johnson:

**House Resolution No. 308**—Relative to directing the Assembly Interim Committee on Public Health to study the laws relating to the transportation to flammables and corrosive liquids.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

Strike out the "*Resolved*" clause in the measure, as printed in the Assembly Journal for June 1, 1959, at page 4532, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

### Consideration of House Resolution No. 308, as Amended

By Mr. Johnson:

### House Resolution No. 308

Relative to directing the Assembly Interim Committee on Public Health to study the laws relating to the transportation to flammables and corrosive liquids.

WHEREAS, The existing laws relating to the transportation of flammables and corrosive liquids do not appear to be adequate for uniformity of regulation and enforcement within the various political subdivisions for the safe transportation of flammables and corrosive liquids; and

WHEREAS, These existing laws have created many problems for the fire service, industry, transportation companies, and other related organizations; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature

Resolution, as amended, read and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 108

By Miss Donahoe:

**House Resolution No. 108**—Relating to a study of the maximum tax rates of school districts.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

Strike out the "*Resolved*" clause of the measure, as printed in the Assembly Journal for March 2, 1959, at page 981, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

**Consideration of House Resolution No. 108, as Amended**

By Miss Donahoe:

**House Resolution No. 108**

*Relating to a study of the maximum tax rates of school districts*

WHEREAS, The maximum tax rates prescribed by law for school districts have not been increased in over 10 years; and

WHEREAS, The prescribed maximum rates may be unrealistic in the light of the present day requirements for an educational program and the present day costs of such a program, as indicated by the fact that a large number of school districts now levy the maximum rate, or under the local option provisions, a rate greater than the prescribed maximum; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 200

By Messrs. Miller and Rees:

**House Resolution No. 200**—Relative to insurance practices in the cancellation of policies.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

Strike out both "*Resolved*" clauses of the measure, as printed in the Assembly Journal for April 14, 1959, at page 2379, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

**Consideration of House Resolution No. 200, as Amended**

By Messrs. Miller and Rees:

**House Resolution No. 200**

Relative to insurance practices in the cancellation of policies

WHEREAS, It has been alleged that great inequities are prevalent today due to the practice of many insurance companies of cancelling policies in an arbitrary manner; and

WHEREAS, The Members of the Assembly believe that the present practices of insurance companies in this regard should be investigated in order to determine the need for legislation on this matter; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the interim committee on Finance and Insurance, if established, is hereby authorized and directed to ascertain, study and analyze all facts relative to the subject matter of this resolution and to the desirability of or necessity for legislation in that field, and to report

thereon to the Assembly, including in its reports its recommendations for appropriate legislation; and be it further

"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

Resolution read, as amended, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 322

By Mr. Sedgwick:

### House Resolution No. 322

Relative to a study of maximum hours of work by women

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of desirability of revising the laws governing maximum hours of work of women so as to permit an employer, during emergency periods and by permit from an appropriate state agency, to have women employees work nine hours per day for five days a week, with the ninth hour to be paid for at overtime rates. The committee to which such subject is assigned shall make appropriate recommendations for legislation and shall report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session.

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 309

By Mr. Hanna:

### House Resolution No. 309

Relative to faculty participation in state college affairs

*Resolved by the Assembly of the State of California*, That the Superintendent of Public Instruction is hereby directed to report to the Legislature at its 1961 Regular Session, not later than the fifth legislative day thereof, setting forth the rules and regulations promulgated pursuant to Chapter 25 (commencing at Section 23681) of Division 18 of the Education Code by the State Board of Education to establish the relative responsibility of faculty and administration in state colleges on policy making within such colleges; and be it further

*Resolved*, That the Chief Clerk is directed to transmit a copy of this resolution to the Superintendent of Public Instruction

Resolution read, and adopted.

## CONSIDERATION OF HOUSE RESOLUTION NO. 333

By Messrs. Mulford, Crawford, Rumford, and Johnson:

**House Resolution No. 333**—Relative to fire prevention and fire protection.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

In line 1 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 9, 1959, at page 5080, strike out "Interim"; strike out line 2; and in line 3, strike out "analyze all facts relating to", and insert "Committee on Rules is assigned for reassignment to an appropriate interim committee the subject matter of".

### Amendment No. 2

In line 5 of the "*Resolved*" clause, strike out "is directed to study".

### Amendment No. 3

In line 7 of the "*Resolved*" clause, strike out ", and to report its findings.", and insert ". The committee to which the subject matter of this resolution is assigned shall report its findings".

**Amendment No. 4**

In line 9 of the "*Resolved*" clause, strike out "at its", and insert "not later than the fifth calendar day of the".

**Consideration of House Resolution No. 333, as Amended**

By Messrs. Rumford, Mulford, Crawford, and Johnson:

**House Resolution No. 333**

Relative to fire prevention and fire protection

WHEREAS, Fires continue to be a leading cause of death and injury to the people of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is assigned for reassignment to an appropriate interim committee the subject matter of fires as a cause of accident and death, including all facts and circumstances relating to fires occurring in family dwelling units, apartment houses, hotels, and schools, and the State Housing Act, Part 1 (commencing at Section 15000), Division 13 of the Health and Safety Code, and other laws relating to fire prevention and fire protection. The committee to which the subject matter of this resolution is assigned shall report its findings together with appropriate recommendations as to the advisability or necessity of legislation on these subjects, to the Legislature not later than the fifth calendar day of the 1961 Regular Session.

Resolution read, as amended, and adopted.

**CONSIDERATION OF HOUSE RESOLUTION NO. 239**

By Mr. Lunardi:

**House Resolution No. 239**

Relative to a study of the Lake Tahoe fish resource

WHEREAS, Lake Tahoe at one time supported very large populations of native game fishes, consisting principally of the Lahontan cutthroat trout (*Salmo clarki henshawi*) and the mountain whitefish (*Coregonus williamsoni*). The cutthroat trout were sufficiently numerous to support an important commercial fishery, with thousands of pounds shipped from the lake annually. Both the cutthroat trout and the whitefish have now disappeared completely from the lake; and

WHEREAS, All indications are that game fish are far less abundant in Lake Tahoe than they once were, both in numbers and in weight. The causes of the apparent decline in abundance are not known and are difficult even to guess on the basis of available information; and

WHEREAS, It also appears that Lake Tahoe, because of its great area and volume, combined with a rapidly increasing resident population and great numbers of summer visitors, offers a tremendous opportunity for development of sport fisheries; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the State Department of Fish and Game is requested to make a thorough and extensive study to discover some means of producing good fishing in Lake Tahoe at a reasonable cost. This study shall include the testing of the most promising management methods, and an analysis of the physical and biological changes which have taken place. In order to obtain this objective, the following should be done:

(a) Determine the approximate production of game fish in past years, from an analysis of published records, and the present production of the lake, by creel census. The purpose here would be to get some idea of the potential fish production, and how much of it is now being realized.

(b) Test the possibilities of stocking large numbers of trout of various strains

(c) Study the interrelationships of game and forage species, and the food chains of the game fish, with the hope of finding possibilities for introducing new forage species which would increase the production of game fish.

(d) Test the importance of lake tributaries to the sport fisheries. The lake tributaries provide some trout and forage species with a place to spawn. With increasing use of water it may be difficult to maintain suitable flows in the tributaries.

(e) Carry out chemical and limnological sampling as necessary to provide a clear picture of the interrelationships of the fishes present and various facets of their environment, and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of the State Department of Fish and Game

Resolution read, and adopted.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1125**—An act to amend Section 1300.12 of the Agricultural Code, relating to the marketing of agricultural commodities.

Bill read third time.

### Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

### Amendment No. 1

On page 5, line 9, of the printed bill, as amended in the Senate on June 12, 1959, after "17", insert "(commencing at Section 4200) of Division 6".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### Rush Order Placed Upon Printing of Senate Bill No. 1125

Mr. Lowrey was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1125.

**Senate Bill No. 455**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailers used to haul fruits, olives, grapes, or nuts

Bill read third time.

### Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

### Amendment No. 1

On page 4, between lines 7 and 8, of the printed bill, as amended in the Senate on May 15, 1959, insert

"(o) Any vegetable trailer owned by a farmer and designed and used for the exclusive purpose of transporting vegetables in bulk from the farms where they are grown and harvested to a packing shed or other place where they are prepared for consumption and use, except that Section 5018 shall apply to such trailers."

### Amendment No. 2

On page 4, line 8, strike out "(o)", and insert "(p)".

### Amendment No. 3

On page 4, line 13, strike out "(p)", and insert "(q)".

### Amendment No. 4

On page 4, line 20, strike out "and (p)", and insert ", (p) and (q)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

### Rush Order Placed Upon Printing of Senate Bill No. 455

Mr. Lowrey was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 455.

**Senate Bill No. 1303**—An act to amend Sections 74742, 74743, 74744, and 74745 of, and to add Sections 74750 and 74751 to, the Government Code, relating to the municipal court of the South Bay Judicial District.

Bill read third time.

Motion to Amend

Mr. Crawford moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 1, 1959, strike out lines 38 to 40, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Rush Order Placed Upon Printing of Senate Bill No. 1303

Mr. Crawford was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1303.

**Senate Bill No. 1304**—An act to amend Sections 73642, 73643, 73644, 73645, and 73650 of the Government Code, relating to the municipal court of the El Cajon Judicial District.

Bill read third time.

Motion to Amend

Mr. Crawford moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on June 1, 1959, strike out lines 1 to 3, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Rush Order Placed Upon Printing of Senate Bill No. 1304

Mr. Crawford was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1304.

**Senate Bill No. 1306**—An act to amend Sections 73952, 73953, 73954, and 73955 of, and to add Sections 73960 and 73961 to, the Government Code, relating to the municipal court of the Oceanside Judicial District.

Bill read third time.

Motion to Amend

Mr. Crawford moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 1, 1959, strike out lines 38 to 40, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Rush Order Placed Upon Printing of Senate Bill No. 1306

Mr. Crawford was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1306.

**Senate Bill No. 1228**—An act to amend Sections 14302, 14303, and 14306 of, and to add Section 14309.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System and providing for retirement for disability and adjusting disability allowances therein.

Bill read third time, and presented by Mr. Backstrand.

Amendments by Mr. Burton withdrawn by Mr. Burton before being read.

**Hon. Richard H. McCollister Presiding**

At 10.44 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 948**—An act to amend Sections 1615, 3016, 4806, 5053, 7205, 7605, 8921, and 9530 of, and to add Sections 103, 2117, 2131, 2655, 2716, 2855, 2926, 4011, 5516, 5622, 6720, 7016, 7315, 8002, 8526, 9014, 9627, 18625, and 19035.7 to, and to repeal Sections 2117, 2131, 2655, 2716, 2855, 2926, 4011, 5516, 5622, 6720, 7016, 7315, 8002, 8526, 9014, 9627, 18625 and 19035.7 of the Business and Professions Code, and to amend Section 5053 of the Business and Professions Code as proposed to be amended and renumbered by Senate Bill No. 104, relating to payments to members of licensing boards, commissions, or committees.

Bill read third time, and presented by Mr. Samuel R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—71.

NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT

Mr. MacBride announced that the Chairman of the Senate Committee on Finance had requested that those members with bills before the committee appear to have them heard.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 315**—An act to amend Section 26060 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the officers and employees of the California Maritime Academy.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe,

Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 398**—An act to amend and renumber Section 96, as added by Chapter 1471 of the Statutes of 1957, of the Agricultural Code, relating to horse race meetings at state and agricultural district fairs.

Bill read third time, and presented by Mr. MacBride.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1353**—An act to amend Section 1 and repeal Sections 2 and 3 of Chapter 687 of the Statutes of 1935, relating to the granting of certain tidelands and submerged lands of the State to the County of Santa Cruz.

Bill read third time, and presented by Mr. Coolidge.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Porter was granted unanimous consent that the following letter of transmittal and Report of the Subcommittee on Bonded Indebtedness of School Districts of the Assembly Interim Committee on Education be ordered printed in the Journal:

### LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
June 17, 1959

*Hon. Ralph M. Brown*
*Speaker of the Assembly*
*Honorable Members of the Assembly*
*State Capitol, Sacramento*

GENTLEMEN: Pursuant to House Resolution No. 285 of the 1957 General Session, the Honorable Donald D. Doyle, Chairman of the Assembly Interim Committee on Education, appointed the following persons

as a Subcommittee on Bonded Indebtedness of School Districts. Your subcommittee presents herewith this Progress Report on Bonded Indebtedness of School Districts, together with its findings and recommendations, and requests that same be printed in the Assembly Journal.

Respectfully submitted,

CARL A. BRITSCHGI
JOHN L. E. COLLIER
PAULINE L. DAVIS
ERNEST R. GEDDES
RICHARD T. HANNA
CARLEY V. PORTER, Chairman

## SCOPE OF THE REPORT

The Subcommittee on Bonded Indebtedness of School Districts was created under the general authority of House Resolution No. 285 of the 1957 Regular Session of the California Legislature.

The subcommittee was established to specifically study Assembly Bill No. 2315 which had been introduced in the 1957 Legislature. However, the subcommittee, in the course of hearings and studies, did not limit itself to merely the provisions of this particular bill, but explored to some small extent, at least, the general problems of school district bonded indebtedness.

Hearings were held in Los Angeles on September 26, 1957, and in San Francisco on October 2, 1958, to allow various interested persons to testify before the subcommittee either on the total effect of Assembly Bill No. 2315, or upon particular provisions of the bill. These hearings also allowed the subcommittee to study with greater intensity the overall nature and coverage of Assembly Bill No. 2315. These hearings also briefly allowed the subcommittee to delve into some of the key problems facing school districts in relation to their bonded indebtedness.

This report briefly outlines the present statutes of California which govern bond liability, particularly where boundary changes or other school district reorganization occurs. This report also includes brief summaries of expert testimony presented to the subcommittee. This testimony was not limited entirely to the positive or negative aspects of Assembly Bill No. 2315 and it is included here to give the reader some small concept of the complexities and intricacies of the problems of bonded indebtedness which came before the subcommittee during its interim study.

## FINDINGS AND RECOMMENDATIONS

It is customary and proper that an interim committee should be expected, at the conclusion of the interim period, to produce recommendations, findings, and perhaps proposed legislative solutions to a problem. In the large, important, and complicated area of school district bonded indebtedness, however, the subcommittee has decided to refrain from making any legislative recommendations this year.

The subcommittee felt it could make certain minor legislative recommendations, but that these recommendations would ignore the major issues involved and would not solve the large financial and organizational problems involved. The subcommittee was also concerned that in the complicated area of bonded indebtedness, which entails such far-

reaching consequences and implications, that what might appear at the present time as minor, might in the future cause hardships which were never originally intended.

Rather than run the risk of doing only a makeshift job in this area of legislation, the subcommittee is recommending to the Legislature that the entire problem of school district bonded indebtedness be thoroughly investigated with a view toward an ultimate, acceptable, and equitable solution.

Further, this subcommittee is recommending that various interested groups and organizations be encouraged to individually conduct thorough studies of this problem and attempt to reach proposed solutions. A combination of such studies, background materials, and proposed plans from different organizations will more clearly highlight the key areas of disagreement. Through this method a legislative subcommittee can more adequately attempt to solve the problems involved in a thorough, all-encompassing manner.

It is the hope of this subcommittee that solutions to these financial and redistricting problems can be found which are not only acceptable to all concerned, but which are in the best interests of the taxpayer, the State's financial resources, and, more importantly, to the school children of the State of California.

## FULL REPORT

The Subcommittee on Bonded Indebtedness of School Districts has attempted to study this subject, but has been able to reach no discernible areas of agreement on the major issues involved. The subcommittee has also failed to find agreement on Assembly Bill No. 2315 from the various parties who would be involved in operating under such a proposed law.

Every member of the subcommittee and every witness who appeared before the subcommittee admits this is a most important subject, which has far-reaching implications affecting the financial condition of every school district in the State.

The Legislature has, through the years, adopted specific statutes to solve specific problems or to permit certain types of district reorganization. In many cases these local reorganizations were fair and equitable for the local district involved. Many times, however, these statutes have resulted in producing unforeseen inequities in ways which were never intended nor thought of by the original authors.

The total effect of constantly adopting piecemeal statutes concerning bonded indebtedness has resulted in a system which is cumbersome, which is complicated, and which, in some cases, actually permits inequities to exist. One example can clearly illustrate this latter type of situation. It is possible, under certain special conditions, for an area to leave its school district and join with another. The school district may, in this manner, be absolved of its share of the district debt in the district which it leaves and may also be permitted to not assume its share of the debt of the district to which it is annexed.

During the hearings it became evident that a great deal of confusion exists as to what the present law actually is concerning the retention and assumption of liabilities when areas are transferred between districts. The legislative history of these laws reveal that the

multitude of minor changes which have been enacted have made interpretation of the Education Code very difficult, even for experts in this field. A long line of court cases have only served to further complicate this already complicated field.

In order to indicate the wide range of methods regarding the liability for outstanding bonds of school districts in those instances in which territory is transferred from one district to another, the following analysis from the Office of the Legislative Counsel is presented here:

STATE OF CALIFORNIA
OFFICE OF THE LEGISLATIVE COUNSEL
Sacramento, November 13, 1958

*Hon. Donald D. Doyle*
*3585 Powell Drive*
*Lafayette, California*

**Bonded Indebtedness of School Districts—No. 4168**

DEAR MR. DOYLE: You have asked several questions regarding the liability for outstanding bonds of school districts in those instances in which territory is transferred from one district to another. Specifically, you have asked what happens when territory is transferred from one district to another when (1) there is situated in such transferred territory a school building or other school property which has been acquired by the district from which the territory is transferred and (2) when there is no school property situated in the transferred territory.

The subject of your inquiry, we believe, can best be discussed by considering first the situation where territory is transferred from a district having an outstanding bonded indebtedness and second, the situation in which territory is annexed to a school district having an outstanding bonded indebtedness. In the first situation the question is whether the transferred territory continues to be liable for the outstanding bonds of the district of which it was formerly a part. On the other hand, the second situation presents the question whether the transferred territory becomes liable for outstanding bonds of the district to which it is annexed. We shall consider these two situations in the order referred to above under the separate headings "Retention of Liability" and "Acquisition of Liability"

**1. Retention of Liability**

Whether or not territory taken from a school district remains liable for the outstanding bonds of the district of which it was formerly a part depends upon whether or not there is any statutory provision which so provides. In the absence of such statutory provision, the common law rule prevails and the transferred territory is no longer liable for outstanding bonds of the district of which it was formerly a part (*Pass School District* v. *Hollywood District* (1909), 156 Cal. 416, 419; *Hughes* v. *Ewing* (1892), 93 Cal. 414; *Scott* v. *County of San Mateo* (1915), 27 Cal. App. 708; also see 26 Ops. Cal. Atty. Gen. 79, 81; 29 Ops. Cal. Atty. Gen. 180).

Thus, in order to determine whether transferred territory remains liable for the bonded indebtedness of the district of which it was

formerly a part, we must examine the various statutory provisions on that subject, for, as stated by the Attorney General:

> "The Legislature has in several instances made express provision for the retention of liability for the bonded indebtedness of transferring territories" (26 Ops. Cal. Atty. Gen. 79, 81).

To simplify the problem, we shall consider first the situation in which the transferred territory does not include any school property or improvements acquired by the district from which the territory is transferred. That situation will be discussed under a separate heading. Also, as requested, we shall set forth under separate headings the result of our search for statutory provisions providing for retention of such liability, which headings will indicate the several types of school districts to which such provisions have application.

#### a. Elementary School Districts

Insofar as single elementary school districts are concerned, we find no statutory provision which provides in effect that territory transferred from such districts shall continue to be liable for the bonded indebtedness of the district of which it was formerly a part. We therefore conclude that territory transferred from a single elementary district does not retain liability for the bonded indebtedness of the district of which it was formerly a part.

With respect to union elementary school districts, Section 1601 of the Education Code provides, in part, as follows:

> "Whenever any territory withdraws from a union elementary * * * school district, the territory withdrawing shall continue to be liable for such portion of the bonded indebtedness of the union elementary school district * * * incurred before the withdrawal as it would have been liable for had it not withdrawn."

Thus, territory withdrawing from a union elementary school district retains liability for the pre-existing bonded indebtedness of the district of which it formerly was a part.

#### b. High School Districts

Education Code Section 1601, quoted above, which provides in effect that territory withdrawn from a union elementary school district shall continue to be liable for the pre-existing bonded indebtedness of the district of which it was a part, also provides that territory withdrawn from a union high school district shall continue to be liable for the pre-existing bonded indebtedness of the high school district of which it formerly was a part.

Also, under the provisions of Article 10 (commencing with Section 3661) of Chapter 11 of Division 2 of the Education Code, one or more elementary school districts may withdraw from the high school district of which they are a part, pursuant to the procedure therein prescribed, for the purpose of forming a new high school district. It is specifically provided, however, by Section 3671 that:

> "Any elementary or union elementary school district electing to withdraw from a high school district shall continue to be liable for the same proportion of the bonded indebtedness of the high school

district incurred before the withdrawal, as it would have been liable for had it not withdrawn."

#### c. Junior College District

Under the provisions of Article 5 (commencing with Section 4341) of Chapter 13 of Division 2 of the Education Code, a high school district included within a junior college district may withdraw therefrom pursuant to the procedure therein prescribed. However, with respect to the pre-existing bonded indebtedness of the junior college district, Section 4343 of the Education Code provides that:

> "Any high school district excluded from a junior college district shall continue to bear its proportionate share of the bonded indebtedness of the junior college district incurred prior to the exclusion of the high school district, as though the exclusion had not taken place."

#### d. Unified School Districts

As in the case of single elementary school districts, we find no statutory provision which provides in effect that territory transferred from a unified school district shall continue to be liable for the bonded indebtedness of the district of which it formerly was a part Therefore, we conclude that territory withdrawing from a unified school district, such as through a change of district boundaries, ceases to be liable for the pre-existing bonded indebtedness of the district.

### 2. Acquisition of Liability

Under this heading we shall consider the question whether territory added to a school district automatically becomes liable for the pre-existing bonded indebtedness of the district to which it is attached. As stated in McQuillan on Municipal Corporations, Vol. 2, 3d Ed., pages 298 and 399:

> "* * * As a rule, existing debts of the corporation contracted before the limits were extended, unless otherwise provided by law, are chargeable upon the added territory as well as that comprehended by the boundaries before they were altered or extended."

This general rule finds expression in Section 1599 of the Education Code which provides, in part, that:

> "When territory is taken from one school district and annexed to another, the territory becomes liable to taxation for the bonded indebtedness of the district to which it is annexed."

The provisions of that section (Ed. C. Sec. 1599), however, are qualified by the provisions of Section 1597.1 of the same code which reads, as follows:

> "Notwithstanding any provision of this code to the contrary, no territory which comprises the whole or a part of a district and which is made a part of another district or of a new district through any proceeding involving any affirmative action taken by the residents of such territory shall be liable for any of the then outstanding bonded indebtedness of the district of which it is made a part unless such liability is specifically authorized by a vote of

two-thirds of the electors of the territory or district voting at an election called for that purpose in accordance with applicable provisions of this code."

Also, to be considered in connection with this question are the provisions of Section 18 of Article XI of the State Constitution and the court decisions in *People* v. *Hanford High School Dist* (1906), 148 Cal. 705, and *People* v. *San Bernardino High School Dist.* (1923), 62 Cal. App. 67.

In the *Hanford* case, the question presented to the court was whether an elementary school district seeking admission to a contiguous high school district could be bound by an agreement executed by the elementary school board in which it was agreed, as a condition to such admission, that it would pay a pro rata share of the pre-existing bonded indebtedness of the high school district. The court quoted that portion of Section 18 of Article XI which provides that no city, county, "or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the qualified electors thereof," and said:

> "* * * Such a liability on the part of any political subdivision named in the constitutional provision can be created, the constitution says, only with the assent of two thirds of the qualified electors of such subdivision, voting at an election to be held for that purpose * * *" (p. 710)

The court then concluded that the agreement was invalid.

In the *San Bernardino* case, an elementary school district was annexed to a contiguous high school district having an outstanding bonded indebtedness. In that case it was argued that the annexation was invalid since the district would be liable for a proportion of the indebtedness of the high school district without the assent of two-thirds of the electors of the district as required by Section 18 of Article XI. However, there the annexation was accomplished pursuant to a statute which required the board of supervisors to annex any elementary district not a part of a high school district to that high school district "whose high school is most accessible to the children of the particular common school district," upon recommendation of the county superintendent of schools. In that instance, the court concluded that the constitutional provision (Sec. 18, Art. XI, Cal. Const.) was not applicable, stating that:

> "* * * In the instant case it cannot be said that the Highland School District did anything by which any indebtedness or liability was incurred against it. If any debt or liability was created as against the Highland School District, it was one which was not of its own chosing or making, but was thrust upon it primarily by the board of supervisors of San Bernardino County, and secondarily by operation of law." (p. 79)

These two cases have been summarized by the Attorney General in an opinion dated May 22, 1941 (Opinion No. NS-3527), which summary is quoted in 29 Ops. Cal. Atty. Gen. 82, at page 88, as follows:

> "These cases appear to establish the rule that when a territory becomes a part of a school district having an outstanding bonded indebtedness and the merger is due at least in part to affirmative action taken by residents of the annexed district as required by law, that section 18 of Article XI prohibits such territory from becoming liable for any bonded indebtedness unless it is specifically authorized by a vote of two-thirds of the electors of the territory voting at an election called for that purpose. However, if the merger or annexation results from action by boards not connected with the territory annexed and without any action by the inhabitants of such territory, the territory annexed may be required to pay a share of the outstanding bonded debt by operation of law."

Thus it appears that in those instances in which territory is taken from one school district and made a part of another as a result of "any affirmative action taken by the residents of such territory" such territory does not automatically become liable for the pre-existing bonded indebtedness of the district to which it is attached. On the other hand, if the annexation is the result of action other than action taken by the residents of such territory, Section 1599 of the Education Code is applicable and the annexed territory is liable for the pre-existing bonded indebtedness of the district to which it is attached. The foregoing is applicable, we believe, to all types of districts, including elementary, high school, junior college and unified school districts.

### 3. School Property Situated in Transferred Territory

Under the provisions of Section 1599.1 of the Education Code, "whenever a portion of a school district" is taken from one district and annexed to another, the acquiring district shall "take possession of all real property and all fixtures therein and thereon * * * and shall pay the original school district for the use of such property as herein provided."

The section (Ed. C. Sec. 1599.1) then provides, in part, that:

> "Within sixty (60) days after the annexation has been effected, the board of supervisors of the county [in which the districts are situated] * * * shall, by order entered upon its minutes, determine what proportion of the then outstanding bonded indebtedness of the original school district was incurred for the acquisition or improvement of said real property and all fixtures therein or thereon Commencing one (1) year after the date of such determination, the new school district [the acquiring district] shall pay annually to the original district for the use of such property an amount equal to the annual amount required for the payment of interest and for redemption of such portion of the bonded indebtedness as was determined by said board of supervisors."

Thus, in those instances in which territory is transferred from one district to another and the district from which the territory is transferred has an outstanding bonded indebtedness, a portion of which was

incurred for the acquisition of school property situated in the transferred territory, the acquiring district is required to pay annually an amount determined in the manner prescribed for the use of such property. Except as provided in that section (Ed. C. Sec. 1599.1), a district to which territory is transferred and in which territory there is situated school property acquired by another district, is not liable for the preexisting bonded indebtedness of the district from which the territory is transferred (see *Pass School Dist.* v. *Hollywood Dist.* (1909), 156 Cal. 416).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBLEY E. GEORGE, Deputy

The following chart graphically illustrates what happens when territories are transferred between districts under the present law and what they would be if Assembly Bill No. 2315 were enacted into law.

**Bonded Indebtedness of School Districts**
**Transfer of Territories Between Districts**

New district assumes proportionate share of cost

| *Type of district* | *With property* | | | | *Without property* | | | |
|---|---|---|---|---|---|---|---|---|
| | *Retain* | | *Assume* | | *Retain* | | *Assume* | |
| | *Now* | *AB 2315* | *Now* | *AB 2315* | *Now* | *AB 2315* | *Now* | *AB 2315* |
| Elementary | Yes** | | No* | Yes | No | No | No* | Yes |
| Union Elementary | Yes** | | No* | Yes | Yes | No | No* | Yes |
| Union High School | Yes** | | No* | Yes | Yes | No | No* | Yes |
| Junior College | Yes** | | No* | Yes | Yes | No | No* | Yes |
| Unified District | Yes** | | No* | Yes | No | No | No* | Yes |

* Unless agreed to by ⅔ vote of the people
** Portion applicable to territory

The following excerpts from the testimony of expert witnesses, who appeared before the subcommittee, are presented here to indicate the wide range of viewpoints, opinions and disagreements which exist in this area of bonded indebtedness.

**Dr. Bruce Hawk, Office of the Los Angeles County Superintendent of Schools and Principal Author of Assembly Bill No. 2315:**

I would like to review a little of the history of school bond liability laws and some of the statutes and court decisions that affect them.

The first statutes affecting school bond liability were enacted in 1907 in old Political Code Section 1888-A. That section primarily encompassed, without any reference to school buildings, the ideas now included in Section 1598, Section 1599, and Section 1600. I think the original statutes were very good, at least for that time.

In 1909 the City of Hollywood annexed part of the old school district in Los Angeles County. A suit was brought against the city because the annexation also included a school building.

The case finally went to the California Supreme Court and the court on November 1, 1909 made a very important decision. In stating its decision the court made several very important statements. The first

was that school districts are creatures of the State and that they may be altered or abolished by the Legislature without the consent of the people.

Secondly, the court said that the powers of the Legislature over school districts are plenary; they have full power. In this matter of bonded indebtedness the Legislature had the power to determine how any indebtedness might be determined in case school districts were altered or changed. But in the absence of any statutes dealing with the matter, common law would apply and the area would drop its liability in the old district and automatically assume it in the new district.

In 1945 Section 1597.1 was put into the code, which provided that no territory could assume the debt in a new district unless they did so at a special election by a vote of two-thirds of the people, and that still applies in certain cases.

Another very important decision was when the court ruled that the State of California owns all of the school buildings in the State, that local school districts and their trustees are only trustees of those buildings for the State, and that if there is a boundary change, and a building goes over to another school district, then the new district and the new board of trustees are the new trustees for the State.

As a result of this ruling and the court ruling that the Legislature could enact legislation to determine how debt would be imposed, a lot of legislation was passed, most of which was enacted to take care of special situations.

Under the present law, when a normal elementary district transfers to another elementary district in another high school district and another junior college district, here is what happens: The boundary change is made and the territory ceases to be liable in the elementary district where they were. They do not assume any bond liability in the district to which they are annexed and where their children are going to school.

The area continues to be liable for their proportionate share of the high school debt in the district where they were. They automatically assume their proportionate share of the debt in the high school district to which they have been annexed. They drop liability in the junior college district where they were located and they automatically assume their proportionate share of the debt in the junior college district to which they have been annexed. You can see where they remain liable.

Every time they remain liable in the old district a special assessment area has to be set up so that they will continue to be assessed, and also in the new district to which they have been annexed. If they are going to be liable for any of the bonds that were outstanding at the time they were annexed, then a special code area has to be set up so that they will not be charged for bonds for which, under the law, they are not supposed to pay.

Because the elementary district also becomes part of the high school district or the union high school district or the joint union high school district, Section 1597.1 does not apply.

Consequently, a great deal of debt is being imposed on certain areas without a two-thirds vote. Assembly Bill No. 2315 attempts to stop this idea that districts can transfer and escape taxation both ways. It is

unfair to the elementary districts and it is unfair to the taxpayers. It was the intent of Assembly Bill No. 2315 to protect districts as well as taxpayers and put a little equity back into the law.

The State of California has been embarked since 1945 in trying to create unified school districts in the State. Yet, a section in the Education Code says that any territory which forms a unified district or annexes itself to a unified school district shall continue to be liable for their share of the bonded indebtedness of all the districts of which they were formerly a part.

There are many districts of great wealth; very highly concentrated industrial wealth. If, just by accident, they happen to be located next to a regular elementary district whose tax rate is fairly low, they can make a boundary change from one of these districts and annex to the other elementary district. In so doing they drop liability for bonds where they were, they do not assume any in the district where they go, and thereby they get a great reduction in their tax rate.

All territories should pay whatever taxes are levied for the support of the education in the district of which they are a part. It is unreasonable that they should continue to pay for buildings and services they no longer can use. If, under the law, they have paid everything they are supposed to pay and they make a change, they should drop the liability in the old district and automatically assume their full share of the debt in the new district where their children are using the facilities.

As this territory is transferred, large and costly administrative problems are created for the county assessor, the county auditor, and the county engineer. This is a tremendously costly problem, as well as being a distinct hardship on those individuals involved.

Assembly Bill No. 2315 has attempted to solve many of these problems. Briefly what it tries to do is this:

Assembly Bill No. 2315 revises the general provisions relating to liability of a territory for outstanding indebtedness upon creation, dissolution, annexation, or change of boundaries of school districts and eliminates exceptions to such general provisions and portions of law relating to particular types of school districts.

It provides, when a territory is taken from a school district and annexed to another and such territory *contains no building or realty,* such territory ceases to be liable for outstanding bonded indebtedness of the district of which it formerly was a part and becomes liable for bonded indebtedness of the district to which it is annexed.

It provides that when a territory is taken from a school district and annexed to another and such territory *does contain buildings or realty,* that the board of the district from which it was taken shall determine what portion of the outstanding bonded indebtedness of its district was incurred for the acquisition of these school buildings and fixtures that are being transferred to another district. The annexing district thereupon becomes liable for this portion.

However, in the case where a new district is formed from a portion of one or more existing districts and the newly formed district contains no buildings or realty, that the new district is liable for a portion of the old district's bonded indebtedness if, in forming the new district, it leaves the old district with more than the legal maximum. It provided

that when the old district, by payments from the new district, has reduced its bonded indebtedness to the legal maximum, the new district no longer must pay a portion of this bonded indebtedness.

In the case of a new district where there are school buildings or realty the county board shall determine what portion of the bonded indebtedness of the new district was incurred for the acquisition of school buildings, fixtures and equipment situated in the new district and makes the new district liable for a portion of the bonded indebtedness so determined.

It provides that, for purposes of determining legal maximum of bonded indebtedness of school districts, such portion of indebtedness as another district or territory is liable for shall be excluded and that bonded indebtedness of another district for which district is liable, shall be included in computation of district's bonding capacity.

The bill authorizes assumption of all or a portion of outstanding bonded indebtedness of component district by any school district by a two-thirds majority of the electors voting at an election called for that purpose.

The bill then goes on to repeal certain present sections of the Education Code which would be in conflict with the new section.

**Mr. Paul Martin, President, Compton Junior College:**

Mr. Martin testified he was in full agreement on the major objective of the bill, inasfar as it attempts to simplify a very complex group of laws on boundary changes. He also agreed there were many inequities and contradictory laws in the present laws. He presented three major objections to Assembly Bill No. 2315:

1. The provision that a territory withdrawing may be forgiven its bonded indebtedness in its original district provides very strong incentives for wealthy industrial or oil or business territory to withdraw from a poor district and annex to a richer district for a tax advantage. He said that normally he feels that districts do this, but that if this bill were enacted into law and those incentives did remain, the tendency would be for rich districts to become richer and poor districts to become poorer.

2. The same provision of Assembly Bill No. 2315 would provide very strong incentives for an industrial territory or oil or any other wealthy territory to withdraw from a poor district and to form a new district with a small population and, therefore, with a very favorable tax rate. Mr. Martin feels the two above points were in conflict with the principle of equal educational opportunity for all.

3. Mr. Martin feels a thorough study should be made by organizations such as the California Teachers' Association, the California School Board Association, and the California Association of School Administrators. He feels these people are interested in this type of legislation and have not given it enough serious consideration.

**Dr. Ronald W. Cox, State Department of Education:**

Dr. Cox testified there was great confusion on this question of bonded indebtedness and that, although the Staff of the Department of Education had studied it, they had no recommendations to make on Assembly

Bill No. 2315. They did, however, have some suggestions that any change in the laws should be based on three general principles:

1. Bonded indebtedness, when voted and incurred, should be considered a continuing liability of all the territory in the district at the time the debt was incurred, until such liability is assumed by some other district.

2. Any adjustments in the liability for bonded indebtedness should never leave any district with a liability beyond the legal limit.

3. The administrative procedures necessary in handling the bonded indebtedness, repayment, and the collection of revenue for such repayment, should be made as simple as possible.

Dr. Cox went on to list two possible alternatives which are outlined below:

**Proposal A**

(1) Whenever a new district is formed, such new district would assume the liability for all of the outstanding bonded indebtedness of any district included, in whole, within the new district, and a portion of the bonded indebtedness of a former district included in part in the new district. When a portion of a district is included within the new district, that the new district assume the bonded indebtedness proportionate to the assessed valuation of the original district included within the new district.

(2) Whenever territory consisting of either the whole or a portion of a district is added to another district, the district to which the territory is added becomes liable for all the bonded indebtedness of the territory added to the district The territory added to the district, in turn, shares in the liability of the district in which it is added. (That provision means that when you have a territory that goes from one district to another, the assessed valuation changes and there is no possibility of either district going beyond their legal limits.)

(3) At the time of any transfer of a portion of a district to another district, or a new district, the county auditor shall determine the portion of assessed valuation of the original district included in such transfer, and this portion shall constitute the proportion of the payment of principal and interest on the then outstanding bonds of the original district for which the new district shall be liable.

(4) The proportion of a district's bonded indebtedness for which another district is liable shall not be considered bonded indebtedness of the original district for the purpose of determining the limits of bonded indebtedness of such original district specified in Sections 4714 and 7431.

(5) The present provision of law contained in Section 1607 of the Education Code which prohibits annexation or withdrawal of a territory including a school building unless such withdrawal is approved by either both of the school boards involved or by the county committee on school district organization, be continued in effect so that unreasonable annexation, taking a school building from one district, including it in the territory of another district cannot be effected.

**Proposal B**

An alternative part of the program may be considered if it is not desired to provide for the automatic assumption of bonded indebtedness when districts are reorganized or boundaries changed. This would

provide for any territory to remain liable for the outstanding bonded indebtedness of any district of which it was a part at the time such indebtedness was incurred, and allow the electors of a given district to mutually assume the bonded indebtedness obligations of the territory included within the district at an election called for that purpose. Such elections should be allowed to be called either by petition of the registered electors of the district or by resolution of the governing board of the district.

**Mr. Homer C. Livingston, Office of the Los Angeles County Assessor's Office:**

Mr. Livingston testified that as far as the Los Angeles County Assessor was concerned, they felt they were the victim of existing legislation and they were firmly of the opinion that there must be some better way to do it He explained they are the ones who have to set up map records and set up the assessment records all the way through; that there were over 1,700,000 parcels of property in Los Angeles, so that when you have districts that are part of several assessment districts, it complicates things considerably.

**Mr. Jack Crowther, Los Angeles City School District:**

Mr. Crowther testified his office was in favor of the general principle of simplifying the inter-district problems, but he felt there were certain things about the proposal that needed to be considered for ramifications which they will have in a district as large as the Los Angeles City School District. Mr. Crowther then gave an example of a district that was transferred from the Los Angeles City School District to the Montebello City School District. In effect, this transfer meant that they were still carrying the bonds of this district in the Los Angeles High School District. Therefore, it reduced the limitation for bonded indebtedness If this happened very much, he said, it would seriously jeopardize the Los Angeles High School District.

**Dr. Lawrence B. White, Executive Secretary, California School Boards Association:**

Dr. White explained that the California Schools Boards Association was extremely interested in this problem and had been studying it for a period of two years. He said the association will continue its interest and support of the proposals contained in Assembly Bill No. 2315 and if certain provisions of the measure adversely affect some districts, amendments could be adopted to rectify such situations. They believe, however, that the provisions of Assembly Bill No. 2315 would be an important step forward in the solution of many vexing problems in this field.

**Mr. Robert McKay, California Teachers' Association:**

Mr. McKay testified his association was deeply interested in the problem; that Dr. Hawk had appeared before the Finance Public Education Committee of the C.T.A. and that that committee was still working on studying Dr. Hawk's proposal. He said the C.T.A. did not feel it would be fair to permit or encourage the owners of high assessed valued property in one district to change their district setup to avoid carrying their fair share of the school costs, and at the same time to impoverish the district from which they withdrew. They don't feel this should serve to reduce the eligibility of a school district for state

building aid on the one hand, or should serve to reduce their obligation to pay aid after it has been obtained.

### Total Bond of Indebtedness in California

The following information, gathered by the Research Department of the California State Chamber of Commerce, is placed in this report in order to emphasize the huge amount of bonded indebtedness in California at the present time and to stress the necessity of adopting simple and clear laws concerning this subject.

California's Constitution authorizes school districts to issue bonds with the assent of two-thirds of the qualified electors. Statutes limit the debt of a school district to 5 percent of assessed valuation for each level: elementary, high school, and junior college. A maximum of 15 percent is authorized for all three levels in a unified district.

The outstanding bonded indebtedness of all school districts as of June 30, 1957, was $1.279 billion. High school districts led with $428,965,000 outstanding. Elementary districts had a debt of $408,051,000 and unified districts $406,801,000. The debt of junior college districts was $35,253,000.

| | *District bonded indebtedness June 30th* | |
|---|---|---|
| | *1954* | *1957* |
| Elementary | $311,007,000 | $408,051,000 |
| High school | 308,261,000 | 428,965,000 |
| Junior college | 16,158,000 | 35,253,000 |
| Unified | 347,683,000 | 406,801,000 |
| Total | $983,109,000 | $1,279,070,000 |

In 1940, the bonded indebtedness of all school districts was $182 million. With the slackening of construction during the war, debt dropped to $133 million in 1945. The necessity of providing more classrooms increased debt to $476 million in 1950 and to over $1¼ billion as of June 30, 1957—an increase of $166,828,000 over the previous year.

| | | | |
|---|---|---|---|
| 1940 | $182,435,000 | 1954 | $844,033,000 |
| 1950 | 475,949,000 | 1955 | 983,109,000 |
| 1951 | 569,997,000 | 1956 | 1,112,742,000 |
| 1952 | 601,206,000 | 1957 | 1,279,070,000 |
| 1953 | 718,391,000 | | |

*SCHOOL DISTRICT*

*Annual Bond Costs*

| | *Interest* | *Redemption* | *Total* |
|---|---|---|---|
| 1950-51 | $12,589,091 | $28,264,719 | $40,853,810 |
| 1951-52 | 13,981,868 | 33,237,705 | 47,219,573 |
| 1952-53 | 14,395,290 | 37,745,590 | 52,140,880 |
| 1953-54 | 17,764,613 | 43,869,555 | 61,634,168 |
| 1954-55 | 22,404,520 | 51,300,440 | 73,704,960 |
| 1955-56 | 25,525,188 | 59,556,454 | 85,081,642 |
| 1956-57 | 29,084,462 | 67,273,961 | 96,358,423 |

Interest and redemption charges totaled $96,358,000 in 1956-57—an increase of $55,505,000 in the six years since 1950-51. The $96,358,000 was the combination of $29,084,000 of interest charges and $67,274,000 for repayment of principal.

**Conclusion**

The previous excerpts of testimony have clearly indicated that there still remain wide areas of disagreement on major and basic issues involved in the area of bonded indebtedness.

The subcommittee feels that major studies of the bonded indebtedness of school districts should be undertaken immediately by various interested parties and organizations. With these organizations submitting proposed plans to the Legislature, and with the assistance of the office of the Legislative Analyst, a future subcommittee should be able to come to a reasonable and equitable bonded indebtedness program that will serve the best interests of all concerned.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1454**—An act to amend Sections 504, 8600, 8604, 8607, 8700, 8701, 8702, 8703, and the title of Chapter 2 (commencing at Section 8700) of Division 7 of, to repeal Sections 8605, 8606, and 8608 of, and to add Sections 509.6, 8605, 8606, and 8704 to, the Public Resources Code, relating to recreation.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 434**—An act to amend Section 226 of the Water Code, relating to water use investigations, and making an appropriation.

Bill read third time, and presented by Mr. Lunardi.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No 434:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 434 is an act relating to water use investigations.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 434 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 169**—An act to amend Section 104.6 of, and to add Section 104.10 to, the Streets and Highways Code, relating to the distribution of rentals from properties held for highway purposes.

Bill read third time, and presented by Mr. MacBride.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 169:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and the Assembly:*

Senate Bill No. 169 is an act relating to the distribution of rentals from properties held for highway purposes.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 169 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

### Speaker Presiding

At 10 54 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Demand for Previous Question

Messrs. Masterson, Belotti, Winton, Williamson, and Bane demanded the previous question. Demand sustained.

The question being on the passage of the bill.

### Point of Order

Mr. Unruh arose to the following point of order: That copies of the bill are not on the members' desks.

### Ruling by Speaker

The Speaker ruled the point of order not well taken.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Busterud, Coolidge, Crawford, Crown, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.
NOES—Burton, Collier, Conrad, Cusanovich, Kilpatrick, Miller, Munnell, Sumner, Unruh, Waldie, and Charles H. Wilson—11.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1397**—An act to add Section 10184 to, and to repeal Section 10131.1 of, the Business and Professions Code; and to add Article 1 (commencing at Section 3081.01) and to add a heading to Article 2 to, and to amend Sections 3081.1, 3081 3, and 3081.93 of Chapter 8, Title 14, Part 4, Division 3 of the Civil Code, relating to real property loans and brokers.

Bill read third time, and presented by Mr. Unruh.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Constitutional Amendment No. 1**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XXVI thereof, relating to the use of revenues obtained from motor vehicle fuel taxes and motor vehicle registration and license fees.

Resolution read, and presented by Mr. Samuel R. Geddes.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, Charles H. Willson, Winton, and Z'berg—66.

NOES—Beaver, Miller, Reagan, and Sumner—4.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 1011**—An act to add Part 2.5 (commencing at Section 34600) to Division 24 of the Health and Safety Code, relating to community redevelopment and housing.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1191**—An act to amend Sections 23817 and 23954.5 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time, and presented by Mr. McMillan.

**Motion to Re-refer**

Mr. Miller moved that the bill be re-referred to the Committee on Rules for assignment of the subject matter for interim study.

Mr. George E. Brown seconded the motion.

Motion carried by the following vote:

AYES—Bane, Beaver, Bee, Belotti, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—58.

NOES—Francis, Holmes, Masterson, McCollister, McMillan, and Schrade—6.

**Senate Bill No. 1013**—An act to amend Section 4 of Chapter 2092, Statutes of 1957, relating to barriers for salinity and flood control purposes.

Bill read third time, and presented by Mr. Waldie.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 79**—Relative to a study of the "Colusa Basin."

Resolution read, and presented by Mr. Lowrey.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 1356**—An act to add Article 10 (commencing at Section 2780) to Chapter 7 of Division 5 of the Education Code as

enacted at the 1959 Regular Session, relating to junior college district organization.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—78

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1365**—An act to add Section 229 of the Labor Code, relating to payment of wages.

Bill read third time, and presented by Mr. Luckel.

Amendments by Mr. Burton withdrawn before being read.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1027**—An act to amend Sections 25608 and 25852 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to deaf and blind pupils.

Bill read third time, and presented by Mr. Hegland.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 789**—An act to amend Section 8352 of, and to repeal Sections 8357, 8357.5 and 8358 of, the Revenue and Taxation Code, and to add Article 4 (commencing at Section 21680) to Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, relating to financial assistance for airports and making an appropriation

Bill read third time, and presented by Mr. Lunardi

Speaker pro Tempore Presiding

At 11.33 a.m, Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs Don A. Allen, Luckel, Schrade, Hegland, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

Parliamentary Inquiry

Mr. Lunardi arose to the following parliamentary inquiry: What is the vote required for passage of the bill?

Reply by Speaker pro Tempore

The Speaker pro Tempore advised that Mr. Lunardi obtain an opinion from the Legislative Counsel relative to the question.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lunardi moved a call of the Assembly.

Mr. DeLotto seconded the motion.

Motion carried. Time, 11.44 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Burton was granted unanimous consent to hold a special meeting of the Committee on Social Welfare in the rear of the Assembly Chamber, at this time.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Munnell was granted unanimous consent to offer a concurrent resolution, at this time.

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULES

Consent of the Speaker having been granted to consider the measure, Mr. Munnell was granted unanimous consent that Joint Rule No. 23 be suspended to take up an Assembly concurrent resolution (Assembly Concurrent Resolution No. 151).

## INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

**Assembly Concurrent Resolution No. 151:** By Messrs. Munnell, Ernest R. Geddes, and Ralph M. Brown—Relative to the enactment of Senate Bill No. 1106.

### Request for Unanimous Consent

Mr. Munnell was granted unanimous consent to take up Assembly Concurrent Resolution No. 151 without reference to committee, print, or file, and that the same be considered engrossed.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 151

**Assembly Concurrent Resolution No. 151**—Relative to the enactment of Senate Bill No. 1106.

Resolution read.

### Demand for Previous Question

Messrs. Don A. Allen, Schrade, Rees, Cameron, and Holmes demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

### Roll Call Demanded

Messrs. Bruce F. Allen, Masterson, and Shell demanded a roll call.

The roll was called, and the resolution adopted by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Biddick, George E. Brown, Cameron, Conrad, Crawford, Crown, Cunningham, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Luckel, MacBride, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—45.

NOES—Bruce F. Allen, Busterud, Masterson, and Thelin—4.

Resolution ordered printed, and transmitted to the Senate.

### Speaker Presiding

At 11.59 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bills Nos. 1562, 1563, and 2065;**

Consisting of the undersigned members, has met, and failed to reach an agreement.

| | |
|---|---|
| STANFORD C. SHAW | EUGENE G. NISBET |
| WALTER W. STIERN | NICHOLAS C. PETRIS |
| WAVERLY J. SLATTERY | BRUCE SUMNER |
| Senate Committee on Conference | Assembly Committee on Conference |

## APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1562

The Speaker appointed Messrs. Hanna, Beaver, and Waldie as a Second Committee on Conference concerning Assembly Bill No. 1562.

### APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1563

The Speaker appointed Messrs. Hanna, Beaver, and Waldie as a Second Committee on Conference concerning Assembly Bill No. 1563.

### APPOINTMENT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2065

The Speaker appointed Messrs. Hanna, Beaver, and Waldie as a Second Committee on Conference concerning Assembly Bill No. 2065.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Arnold, Rodda, and O'Sullivan as a Second Committee on Conference concerning

Assembly Bill No. 2065—An act to amend Section 70046 of the Government Code, relating to court reporters.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### NAMES PLACED UPON ROLL CALL ON SENATE BILL NO. 169

Messrs. Marks and Gaffney were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 169.

### VOTE CHANGED UPON ROLL CALL ON SENATE BILL NO. 169

Mr. Busterud was granted unanimous consent that he be recorded as voting "Aye", instead of "No" on Senate Bill No. 169.

#### Speaker pro Tempore Presiding

At 12.04 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding:

### CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 789

At 12.05 p.m., Mr. Lunardi moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

#### Parliamentary Inquiry

Mr. Lunardi arose to the following parliamentary inquiry: If the bill requires 54 votes for passage, could the record be expunged later?

#### Reply by Speaker pro Tempore

The Speaker pro Tempore replied that it could, with the consent of the House.

The names of the absentees were called.

NOTE—Later this day, the record was expunged, and the action rescinded on the roll call on Senate Bill No. 789. *See* page 5850.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Holmes asked for unanimous consent to take up Assembly Bill No 2033, at this time.

Mr. Winton withheld unanimous consent.

Mr. Holmes withdrew his request.

## CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO SENATE BILL NO. 644

At 12.11 p.m., Mr. DeLotto moved to dispense with further proceedings under the call of the Assembly on the amendments to Senate Bill No. 644.

Motion carried.

### Speaker Presiding

At 12.12 p m., Hon Ralph M. Brown, Speaker of the Assembly, presiding.

### Request for Unanimous Consent

Mr. DeLotto was granted unanimous consent that he and Mr. Biddick each be granted one minute of time to explain the amendments.

The names of the absentees were called, and the amendments offered by Mr. Biddick to Senate Bill No. 644 refused adoption by the following vote:

AYES—Bruce F. Allen, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Coolidge, Crawford, Dahl, Davis, Elliott, Francis, Gaffney, Hawkins, Hegland, Holmes, Kennick, Lanterman, Lowrey, Luckel, Marks, McCollister, McMillan, Meyers, O'Connell, Pattee, Schrade, Sedgwick, Sumner, Thelin, George A. Willson, Charles H. Wilson, and Z'berg—36.

NOES—Don A Allen, Backstrand, Bane, Britschgi, George E. Brown, Cameron, Collier, Conrad, Cunningham, DeLotto, Dills, Donahoe, Frew, Garrigus Ernest R. Geddes, Grant, House, Johnson, Kilpatrick, Levering, Lunardi, MacBride, Masterson, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Shell, Thomas, Unruh, Waldie, Williamson, and Winton—38.

Further consideration of Senate Bill No. 644 passed temporarily on file until after the noon recess.

## PARLIAMENTARY INQUIRY

Miss Donahoe arose to the following parliamentary inquiry: What provision, if any, will be made for the members of the Committee on Ways and Means who are attending meetings of the committee while the House is in session, and who thereby are not able to vote on important bills which come up for passage while they are attending the committee meetings?

### Reply by Speaker

The Speaker directed the inquiry to Mr. Unruh, and it was agreed that only noncontroversial bills should be considered during the time that the committee was meeting.

## ANNOUNCEMENTS OF COMMITTEE MEETINGS

Mr. Unruh announced that the Committee on Ways and Means would meet at 2 p.m , instead of at 1.30 p.m., today.

Mr. MacBride announced that the Committee on Revenue and Taxation would meet at 2 p.m., instead of at 1.30 p m., today.

## RECESS

At 12.23 p.m., on motion of Mr. Winton, the Assembly recessed until 2 p.m.

## REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and read:

### Veto Message Concerning Assembly Bill No. 1770

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith without my signature,

**Assembly Bill No. 1770,** entitled "An act to add Section 34704.1 to the Water Code, relating to officers of California water districts."

My objections to this bill are as follows:

Assembly Bill No. 1770 prescribes a procedure for cancellation of elections for water district officers, where only one person has been nominated for each office to be filled at the election, or where no nominations have been made for one or more of the offices.

I have no objection to the bill on its merits. However, I am informed that Assembly Bill No. 1144, which is also before me for consideration, covers the identical subject matter in a more thorough manner. The advisability of giving preference to Assembly Bill No. 1144 over the present bill, under the circumstances, has been discussed with the author, and I am advised that the proposal to veto his bill is satisfactory with him.

Since I am approving Assembly Bill No. 1144, I am, therefore, returning Assembly Bill No. 1770 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 1770 ordered to the unfinished business file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 105 | Assembly Bill No. 2161 |
| Assembly Bill No. 945 | Assembly Bill No. 2359 |
| Assembly Bill No. 1253 | Assembly Bill No. 2561 |
| Assembly Bill No. 2087 | Assembly Bill No. 2599 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

| | |
|---|---|
| Assembly Bill No. 415 | Assembly Bill No. 2011 |
| Assembly Bill No. 471 | Assembly Bill No. 2118 |
| Assembly Bill No. 476 | Assembly Bill No. 2400 |
| Assembly Bill No. 670 | Assembly Bill No. 2429 |
| Assembly Bill No. 1850 | Assembly Bill No 2562 |
| Assembly Bill No. 1984 | Assembly Bill No. 2601 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 679**—An act to amend Sections 10204, 68200, and 68201 of, and to repeal Section 68202, 68203, and 68204 of, and to add Sections 68547 and 68548 to, the Government Code, relating to the justices and judges of courts of records and other state legal officers.

And appointed Senators Miller, Dolwig, and Stiern, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to the unfinished file.

### APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 679

The Speaker appointed Messrs. Miller, Beaver, and Masterson as a Committee on Conference concerning Senate Bill No. 679.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 970
Senate Bill No. 1051

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

**Senate Bill No. 970**—An act to amend Section 23320 of, and to add Section 23321.6 to, the Business and Professions Code, relating to alcoholic beverages.

Referred to Committee on Government Organization.

**Senate Bill No. 1051**—An act to make an appropriation for acquisition of real property as additions to the Custom House Historical Monument in the City of Monterey.

Referred to Committee on Ways and Means.

### PARLIAMENTARY INQUIRY

Mr. Charles H. Wilson arose to the following parliamentary inquiry: Is it not the policy that two members voting on the prevailing side and one from the minority side, be appointed on Conference Committees?

#### Reply by Speaker

The Speaker replied that this was correct, unless there were no votes on the minority side.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Holmes asked for unanimous consent that the Journal for Wednesday, June 17th, be corrected to show him as voting "Aye" on Senate Bill No. 679, since he had changed his vote from "No" to "Aye," and was the forty-first Aye vote on the roll call.

#### Ruling by Speaker

Speaker Brown ruled the request not in order; and, stated that the record showed that Mr. Holmes had changed his vote on the first roll call on the bill, which was expunged later in the day.

### REPORTS OF STANDING COMMITTEES

#### Committee on Water

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Concurrent Resolution No. 66

With the recommendation: Be adopted, and be re-referred to the Committee on Ways and Means.

PORTER, Chairman

Above resolution re-referred to the Committee on Ways and Means.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Busterud, Marks, Gaffney, and Meyers:

### House Resolution No. 402

Relative to the passing of Francis X. LaTulipe

WHEREAS, The Members of this House have learned with deep regret of the passing in San Francisco, at the age of 69, of Mr. Francis X. LaTulipe, on June 12, 1959; and

WHEREAS, Mr. LaTulipe, who served for 42 years as a member of the San Francisco Police Department, was recognized as a pioneer in the field of scientific criminology having founded and developed for the San Francisco Police Department a crime and photographic laboratory, Police Academy, police target range, and the department's "show-up" facility, while, in addition, making police history with his patient technical probing and development of scientific evidence ultimately used against uncounted criminals; and

WHEREAS, Since his retirement from the San Francisco Police Department four years ago he has served as an examiner of questioned documents and an expert in handwriting and photographic identification; and

WHEREAS, Mr. LaTulipe is survived by his wife, Viola Louise, two sons, Francis LaTulipe of San Francisco, and Robert A. LaTulipe of Spokane, Washington, and a daughter, Mrs. John H. Ludemann of San Mateo; now therefore, be it

*Resolved by the Assembly of the State of California*, That the Members hereof at this time of extreme grief do extend to Mrs. Viola Louise LaTulipe and the other members of the family of Francis X. LaTulipe their sincere condolences and heartfelt sympathy; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mr. LaTulipe's widow, Mrs. Viola Louise LaTulipe, his sons, Messrs. Robert A. LaTulipe and Francis LaTulipe, and his daughter, Mrs. John H. Ludemann.

### Request for Unanimous Consent

Mr. Busterud was granted unanimous consent to take up House Resolution No. 402 without reference to committee or file.

Resolution read, and adopted unanimously.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. Frew was granted unanimous consent that 1,000 copies of the Final Supplement to the Report on Legislative Advocate be ordered printed as a separate document.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 476**—An act to amend Section 7300 of, and to repeal Sections 7301 and 7309 of, and to add Sections 7301 and 7309 to, the Welfare and Institutions Code, relating to the Langley Porter Neuropsychiatric Institute.

Bill read third time, and presented by Mr. Busterud.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, MacBride, Marks, Meyers, Miller, O'Connell, Reagan, Rees, Schrade, Sedgwick, Thelin, Waldie, George A. Willson, Z'berg, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 880**—An act to add Section 1773.3 to the Labor Code, relating to prevailing wage rates.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 880?

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 9, 1959, strike out lines 4 to 9, inclusive, and insert "shall file, annually, with the Director of Industrial Relations its determination, pursuant to Section 1773 of this code, of general prevailing rates of per diem wages in the locality in which the public work is to be performed. If during any annual period the awarding body determines that there has been a change in any prevailing rate of per diem wages in such locality it shall notify the Director of Industrial Relations within 10 days thereof."

### Amendment No. 2

On page 1, line 3, of the printed bill, as amended in the Senate on March 30, 1959, strike out "each awarding body, other than an agency," and insert "The awarding body of each city, county and city and county".

The Assembly concurred in Senate amendments to Assembly Bill No. 880 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, MacBride, Marks, Meyers, Miller, Nisbet, O'Connell, Reagan, Rees, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—46.
NOES—Cusanovich—1.

Assembly Bill No. 880 ordered enrolled.

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 731**—An act to repeal Section 6 of Chapter 9 of the 1958 Regular Session, relating to transportation fees.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 688**—An act to amend Section 5003 of the Public Utilities Code, relating to transportation fees, to take effect immediately, tax levy.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Meyers,

Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

## PARLIAMENTARY INQUIRY

Mr. Johnson arose to the following parliamentary inquiry: Are the bills listed on the blackboard separate from those in the Daily File?

### Reply by Speaker

The Speaker replied that the bills were being listed on the blackboard in the order of their receipt from the Senate today, and would not be considered until copies of the bills have been placed on the member's desks.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1230**—An act to amend Sections 92.7 and 92.8 of the Agricultural Code and Sections 19624 and 19626 of the Business and Professions Code, and Sections 19626, 19627, and 19630 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, relating to fairs and the Fair and Exposition Fund.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, DeLotto, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

## ANNOUNCEMENT BY SPEAKER BROWN

Speaker Brown directed the attention of the members to the fact that the Rules had been suspended early this morning, and that all bills reported out of committee today would be read the second time today, with any committee amendments adopted; and the bills would be ordered to third reading file for tomorrow.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 209

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 209**—An act to add Chapter 9 (commencing with Section 1151), to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

### Amendment No. 1

On page 2, lines 28 and 29, of the printed bill, as amended in the Assembly on June 17, 1959, strike out "provided that a majority of the members at a regular meeting approve such inspection;".

### Amendment No. 2

On page 3, between lines 14 and 15, insert

"Books and accounts, which shall be kept and maintained by a local union, shall be made available by said local union for inspection at reasonable times by any member of said local union upon request. Such inspection shall be conducted within the offices and in the presence of the responsible officer of the local union."

### Amendment No. 3

On page 3, between lines 38 and 39, insert

"1156. Any organization, person, corporation, or consultant receiving any sum of money or thing of value from any employer in the State for the purpose of performing services, other than advertising, specified in Section 1155, shall be required to file with the Department of Industrial Relations annual financial reports and statements setting forth their receipts and disbursements with respect to such activities."

### Amendment No. 4

On page 4, between lines 2 and 3, insert

"(a) Any stock, bond, security, or other interest, legal or equitable, which he directly or indirectly held in, and any money or thing of value which he derived directly or indirectly from (1) an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a regular employee of such employer; (2) any business a substantial part of which it is generally known consists of buying from, selling or leasing to, or otherwise dealing with, an employer whose employees such labor organization represents or is actively seeking to represent; or (3) a business any part of which consists of buying from, selling or leasing to, or otherwise dealing with such labor organization."

### Amendment No. 5

On page 4, line 16, strike out "any", and insert

"(b) Any".

### Amendment No. 6

On page 4, between lines 21 and 22, insert

"1158. The contents of the reports and documents filed with the department pursuant to this chapter shall be confidential except that they must be made available by the department and the labor organization to any member of the filing labor organization upon request, and must be made available by the department and the person, organization, firm, corporation, association, employer, and consultant to anyone owning any interest or having membership in any of the same. The department may publish any information and data concerning labor organizations, employers and labor relations consultants which it obtains pursuant to the provisions of this chapter, use the information and data for statistical and research purposes, and compile and publish such studies, analyses, reports, and surveys based thereon as it may deem appropriate without disclosing the identity of the person or entity concerned."

### Amendment No. 7

On page 5, line 38, after "zation", insert "and shall not be imposed for a period in excess of one year, except for good cause shown to the Department of Industrial Relations".

Bill ordered reprinted, and to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 510**—An act to amend Sections 5324 and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time, and presented by Mr. Belotti.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 510:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 510 is an act relating to outdoor advertising.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 510 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Francis, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 504**—An act to amend Sections 326, 347, 356, 362, 369, 376, 380, 403, 410, 414, 443, 476, and 526 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cusanovich, DeLotto, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 469**—An act to amend Section 232 of the Water Code, relating to determination of water supplies.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Cusanovich, Dahl, DeLotto, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Rees, Rumford,

Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—48.
NOES—Beaver and Reagan—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 223**—An act to add Section 330 to the Streets and Highways Code, relating to state highways.

Bill read third time, and presented by Mr. Nisbet.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—54.
NOES—Reagan—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 214**—An act to create the Sutter County Water Agency, to develop and promote the beneficial use and regulation of the water resources of Sutter County, prescribing the agency's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for the issuance of bonds payable solely from revenues, providing for the levy and collection of taxes for the payment of general agency expenses, and for co-operation and contracts with any entity.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 813**—An act to add Sections 19464, 19465, and 19466 to the Business and Professions Code, relating to horse racing.

Bill read third time, and presented by Mr. Backstrand.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—57.
NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 1284**—An act to amend Sections 7504, 7512, 7514, 7521, 7522, 7525, 7526, 7528, 7533, 7534, 7538, 7540, 7551, 7553, 7553.1, 7560, and 7580 of, and to add Sections 7523.1, 7526.1, 7526.2, 7526.3, 7526.4, 7536, 7538.1, and 7538.2 to, and Article 3.5 (commencing at Section 7544) to Chapter 11 of Division 3 of, and to repeal Sections 7536 and 7552 of, the Business and Professions Code, relating to private investigators and adjustors.

Bill read third time, and presented by Mr. Crown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1284:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1284 is an act relating to private investigators and adjustors.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 1284 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Levering, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1285**—An act to amend Sections 6850, 6851, 6852, 6857, 6870, 6875, 6877, 6880, 6881, 6885, 6886, 6887, 6888, 6889, 6890, 6891, 6892, 6895, 6900, 6901, 6902, 6905, 6906, 6907, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6921, 6922, 6923, 6925, 6930, 6931, 6947, 6948, 6949, 6950, 6951, 6955, and 6956 of, and to amend and renumber Sections 6863, 6866, and 6867 of, and to add Sections 6854, 6854.5, 6855, 6860, 6861, 6865, 6865.5, 6866, 6866.5, 6867, 6867.5, 6868, 6868.5, 6876, 6876.1, 6876.2, 6878, 6878.1, 6886.1, 6906.1, 6916.1, 6925.1, 6947.1, 6949.1, and 6949.2 to, and Articles 5 5 (commencing at Section 6894) and 6.5 (commencing at Section 6904) to Chapter 8 of Division 3 of, and to repeal Sections 6854, 6855, 6860, 6861, 6862, 6864, 6864.5, 6865, 6872, 6876, 6878, 6879, 6926, 6945, and 6946 of, the Business and Professions Code, relating to collection agencies.

Bill read third time, and presented by Mr. Crown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1285:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1285 is an act relating to collection agencies.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 1285 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Levering, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF GOVERNOR'S VETOES

**Assembly Bill No. 2033**—An act to add Section 69891.6 to the Government Code, relating to secretaries of superior court judges.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2033 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Bradley, Britschgi, Busterud, Cameron, Crown, Cunningham, Cusanovich, Dahl, Elliott, Francis, Grant, Hawkins, Holmes, House, Johnson, Lanterman, Levering, Marks, Meyers, Mulford, Pattee, Reagan, Schrade, Thelin, Charles H. Wilson, and Mr. Speaker—29.

NOES—Don A. Allen, Bane, George E Brown, DeLotto, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Kennick, Luckel, Lunardi, Miller, Nisbet, O'Connell, Rumford, George A Willson, Winton, and Z'berg—18.

**Assembly Bill No. 1920**—An act to add Section 150 to the Streets and Highways Code, relating to state freeways.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1920 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—Beaver, Burton, Busterud, Cameron, Elliott, Francis, Garrigus, Levering, Marks, Masterson, Reagan, Thelin, and Charles H. Wilson—13

NOES—Bruce F. Allen, Don A. Allen, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Chapel, Crawford, Crown, Cunningham, DeLotto, Dills, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, Nisbet, O'Connell, Petris, Rumford, Schrade, Thomas, Waldie, George A. Willson, Z'berg, and Mr. Speaker—36.

CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2397**—An act to amend Section 637.5 of the Agricultural Code, relating to milk and milk products.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2397?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 22, 1959, after "or", insert "market milk combined with".

The Assembly concurred in Senate amendment to Assembly Bill No. 2397 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Marks, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, George A. Willson, Winton, Z'berg, and Mr. Speaker—52.
NOES—Crawford and Luckel—2.

Assembly Bill No. 2397 ordered enrolled.

**Assembly Bill No. 1243**—An act to add Section 53292 to, and to repeal Section 35005 of, the Government Code, relating to firemen.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1243?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1959, after "53292 to", insert ", and to repeal Section 35005 of,".

Amendment No. 2

On page 1, after line 27, insert

"SEC. 2. Section 35005 of said code is repealed.

~~35005. Whenever a city which maintains a fire department consisting of paid firemen annexes territory which comprises all or part of a fire protection district, the city shall employ in its fire department such number of full-time paid firemen of the fire protection district available for such employment as may be needed to provide, together with the existing fire department of the city, fire protection service in the annexed territory equivalent to that furnished by the fire protection district. To be eligible for such employment, a fireman shall have had two or more years of service as a full-time fireman with the district territory of which has been annexed to the city and shall possess such physical qualifications as are comparable to those possessed by city firemen of like age. No such fireman shall be disqualified because he is older than the maximum age at which the commencement of employment is otherwise permitted, if he is not older than the age at which retirement from such employment is compulsory.~~"

The Assembly concurred in Senate amendments to Assembly Bill No. 1243 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee,

Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1243 ordered enrolled.

**Assembly Bill No. 719**—An act to amend Section 1805 of, to add Sections 1816 and 13103 to, and to repeal Sections 13204 and 13554 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the reporting of traffic violations committed by minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 719?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 11, 1959, strike out "add Section 1816 to", and insert "amend Section 1805 of, to add Sections 1816 and 13103 to, and to repeal Sections 13204 and 13554 of,".

**Amendment No. 2**

On page 1, strike out lines 2 and 3, and insert "1805 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:

1805. The failure, refusal, or neglect of any such judicial officer to comply with any of the requirements of Sections 1802, 1803, ~~and~~ 1804 *and 1816* is misconduct in office and is ground for removal therefrom.

SEC. 2. Section 1816 is added to said code, to read:".

**Amendment No. 3**

On page 1, line 12, strike out "need", and insert "shall".

**Amendment No. 4**

On page 1, line 13, after "that the", insert "alleged".

**Amendment No. 5**

On page 1, after line 18, insert

"SEC. 3. Section 13103 is added to said code, to read:

13103. For purposes of this division, a plea or judgment of guilty, whether probation is granted or not, a forfeiture of bail, or a finding reported under Section 1816, constitutes a conviction of any offense prescribed by this code, other than offenses relating to the unlawful parking of vehicles.

SEC. 4. Section 13204 of said code is repealed.

~~13204. For the purposes of this chapter, a plea of guilty or a judgment of guilty, whether probation is granted or not, or a forfeiture of bail, constitutes a conviction of any of the crimes mentioned in this code, except those relating to unlawful parking of vehicles.~~

SEC. 5. Section 13554 of said code is repealed.

~~13554. For the purposes of this chapter, a plea of guilty or a judgment of guilty, whether probation is granted or not, or a forfeiture of bail, constitutes a conviction of any of the crimes mentioned in this code, except those relating to unlawful parking of vehicles.~~"

The Assembly concurred in Senate amendments to Assembly Bill No. 719 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Crawford,

Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Wilson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 719 ordered enrolled.

**Assembly Bill No. 2160**—An act to amend Section 16626 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to employees in child care centers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2160?

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in the Assembly on May 15, 1959, after "children", insert ", or for service as a physician, dentist, or nurse,".

**Amendment No. 2**

On page 2, lines 1 and 2, strike out "Notwithstanding any other provisions of law, a district may lay off such an employee", and insert "A district may lay off an employee required to have such a permit".

**Amendment No. 3**

On page 2, lines 16 and 17, strike out "Probationary employees who have been employed by a district", and insert "A person who is employed by a district as a probationary employee".

**Amendment No. 4**

On page 2, line 18, after "children", insert ", or for service as a physician, dentist, or nurse,".

**Amendment No. 5**

On page 2, line 19, after "program", insert "and who has served in such a position".

**Amendment No. 6**

On page 2, line 19, after "years", insert "as defined in Sections 13328 and 13464 of the Education Code, immediately".

**Amendment No. 7**

On page 2, line 20, after "dismissed", insert "only".

**Amendment No. 8**

On page 2, line 22, after "Other", insert "persons who are employed as".

**Amendment No. 9**

On page 2, line 23, after "permits", insert "on or after the effective date of this section".

The Assembly concurred in Senate amendments to Assembly Bill No. 2160 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 2160 ordered enrolled.

## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 1572**—An act to add Section 7627 to the Labor Code, relating to orders of the Division of Industrial Safety on pressure vessels.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1572 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—59.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 621**—An act to amend Section 5397 of the Streets and Highways Code, relating to special assessment proceedings under the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 621?

### Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, strike out "full faith and credit of the city shall be pledged to make", and insert "official bond of the superintendent of streets shall guarantee the".

The Assembly concurred in Senate amendment to Assembly Bill No. 621 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 621 ordered enrolled.

**Assembly Bill No. 1962**—An act to amend Sections 729.03, 729.12, and 729.15 of, and to add Sections 729.17, 729.18, 729.19, 729.20 and 729.21 to, the Vehicle Code, and to amend Sections 31602, 31611, and 31614 of, and to add Sections 31616, 31617, 31618, 31619 and 31620 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the transportation of explosives, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1962?

### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 15, 1959, after "729.03", insert ", 729.12,".

### Amendment No. 2

In line 3 of the title, after "31602", insert ", 31611,".

**Amendment No. 3**

On page 1, line 13, after "vehicle", insert ", or for the driver to drive such vehicle".

**Amendment No. 4**

On page 1, line 17, strike out "additional".

**Amendment No. 5**

On page 2, line 12, after "as", insert "a safe parking place, a safe stopping place, or as".

**Amendment No. 6**

On page 2, line 12, strike out "spot", and insert "stop".

**Amendment No. 7**

On page 2, between lines 16 and 17, insert

"SEC. 1.5. Section 729.12 of said code is amended to read:

729.12. Instructions to drivers. Every owner of a vehicle used in the transportation of explosives and subject to this division shall ~~give to each person employed by him to drive any said vehicle~~ *make available in each vehicle the latest map showing the routes which are to be used for the transportation of explosives which has been furnished for the vehicle by the Department of the California Highway Patrol, a list of the safe stopping places prescribed by the regulations of the State Fire Marshal for vehicles transporting explosives, and* a summary of the provisions of this division ~~and~~. *The owner* shall require that ~~said~~ *the* driver be thoroughly familiar with ~~said~~ *the* provisions *of this division* before operating any vehicle in ~~such~~ *the* transportation of explosives."

**Amendment No. 8**

On page 4, line 40, after "vehicle", insert ", or for the driver to drive such vehicle".

**Amendment No. 9**

On page 4, line 44, strike out "additional".

**Amendment No. 10**

On page 5, line 6, after "as", insert "a safe parking place, a safe stopping place, or as".

**Amendment No. 11**

On page 5, line 6, strike out "spot", and insert "stop".

**Amendment No. 12**

On page 5, between lines 11 and 12, insert

"SEC. 7.5. Section 31611 of said code is amended to read:

31611. Every owner of a vehicle used in the transportation of explosives and subject to this division shall ~~give to each person employed by him to drive any such vehicle~~ *make available in each vehicle the latest map showing the routes which are to be used for the transportation of explosives which has been furnished for the vehicle by the Department of the California Highway Patrol, a list of the safe stopping places prescribed by the regulations of the State Fire Marshal for vehicles transporting explosives, and* a summary of the provisions of this division ~~and~~. *The owner* shall require that the driver be thoroughly familiar with the provisions *of this division* before operating any vehicle in the transportation of explosives."

**Amendment No. 13**

On page 7, line 20, after "Sections", insert "7 through 12, inclusive, of this act shall become operative at the same time as the Vehicle Code as enacted by the Legislature at the 1959 Regular Session takes effect, and at such time Sections".

**Amendment No. 14**

On page 7, line 20, after "729.03,", insert "729.12,".

**Amendment No. 15**

On page 7, line 21, strike out "at the"; strike out all of line 22; and in line 23 strike out "1959 Regular Session takes effect".

**Amendment No. 16**

On page 3, line 13, of the printed bill, as amended in the Assembly on May 13, 1959, strike out "person shall operate any said", and insert "driver or other person in charge of such vehicle shall operate or permit the operation of any".

**Amendment No. 17**

On page 3, line 18, strike out "person shall operate any", and insert "driver or other person in charge of such vehicle shall operate or permit the operation of any".

**Amendment No. 18**

On page 6, line 20, strike out "person shall operate any", and insert "driver or other person in charge of such vehicle shall operate or permit the operation of any".

**Amendment No. 19**

On page 6, line 25, strike out "person shall operate any", and insert "driver or other person in charge of such vehicle shall operate or permit the operation of any".

**Amendment No. 20**

In line 2 of the title of the printed bill, as amended in the Assembly on May 29, 1959, strike out "and 729.20", and insert ", 729.20 and 729.21".

**Amendment No. 21**

In line 4 of the title, strike out "and 31619", and insert ", 31619 and 31620".

**Amendment No. 22**

On page 4, between lines 46 and 47, insert

"SEC. 6.5 Section 729.21 is added to said code, to read:

729.21. The State Fire Marshal, upon application of any interested party, with the concurrence of the fire chief or chiefs in the area or areas affected, and if he determines that such action may be taken with jeopardizing the public safety, may suspend, or waive compliance with, the whole or any part of the requirements of this division insofar as they apply to the delivery or transportation of explosives in sparsely populated, unincorporated areas or in any area where there may be practical difficulties or unnecessary or unreasonable hardship in carrying out the provisions of this division No person shall be charged with any crime for any violation of the provisions of this division when such a suspension or waiver by the State Fire Marshal is in effect in the area in which the alleged violation occurs."

**Amendment No. 23**

On page 7, after line 50, insert

"SEC. 13. Section 31620 is added to said code, to read:

31620. The State Fire Marshal, upon application of any interested party, with the concurrence of the fire chief or chiefs in the area or areas affected, and if he determines that such action may be taken without jeopardizing the public safety, may suspend, or waive compliance with, the whole or any part of the requirements of this division insofar as they apply to the delivery or transportation of explosives in sparsely populated, unincorporated areas or in any area where there may be practical difficulties or unnecessary or unreasonable hardship in carrying out the provisions of this division No person shall be charged with any crime for any violation of the provisions of this division when such a suspension or waiver by the State Fire Marshal is in effect in the area in which the alleged violation occurs."

**Amendment No. 24**

On page 8, strike out "13. Sections 7 through 12", and insert "14 Sections 7 through 13".

**Amendment No. 25**

On page 8, line 5, strike out "and 729.20", and insert "729.20 and 729.21".

**Amendment No. 26**

On page 8, line 7, strike out "SEC. 14.", and insert "SEC. 15."

The Assembly concurred in Senate amendments to Assembly Bill No. 1962 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge,

Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1962 ordered enrolled

**Assembly Bill No. 468**—An act to add Sections 35717, 35718, 35719, 35720, and 35721 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the restricting of highways by counties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 468?

**Amendment No. 1**

On page 2, line 39, of the printed bill, as amended in the Assembly on April 20, 1959, strike out "utility facilities", and insert "works projects".

**Amendment No. 2**

On page 2, line 49, of the printed bill, as amended in the Senate on May 27, 1959, after "facilities", insert "or public works projects".

The Assembly concurred in Senate amendments to Assembly Bill No. 468 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr Speaker—66.

NOES—None.

Assembly Bill No. 468 ordered enrolled.

**Assembly Bill No. 2017**—An act to amend Section 16562 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to use of school property for public purposes.

The question being. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2017?

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly on May 15, 1959, strike out "full fair rental value", and insert "fair rental value for the use of such schoolhouses, property and grounds".

**Amendment No. 2**

On page 1, line 10, strike out "of all the property so used".

The Assembly concurred in Senate amendments to Assembly Bill No. 2017 by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick,

Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 2017 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. O'Connell was granted unanimous consent to hold a special meeting of the Committee on Criminal Procedure in the rear of the Assembly Chamber, at this time. Subject: Senate Bill No. 291.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1069**—An act to amend Sections 2020 and 2025 of of the Welfare and Institutions Code, relating to old age assistance.

Bill read third time, and presented by Mr. Hawkins.

### Motion to Amend

Mr. Bruce F. Allen moved the adoption of the following amendments:

### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 16, 1959, strike out "Sections 2020 and 2025 of", and insert "Section 2160 of, and to repeal Section 2160.4 of,".

### Amendment No. 2

On page 1, line 2, strike out "2020", and insert "2160".

### Amendment No. 3

On page 1, between lines 3 and 4, insert

"2160. Aid shall be granted under this chapter to any person who comes within all of the following descriptions:

(a) Who has attained the age of 65 years; provided, that if, when and during such time as the Federal Government shall provide or make available to this State grants-in-aid to persons who have attained the age of 60 years, the age contained in this subdivision shall be reduced to 60 years and persons who have attained the age of 60 years and who come within all of the descriptions hereinafter contained shall be eligible for aid under this chapter.

(b) Who is a citizen of the United States or who has ~~lived~~ *resided continuously* in the United States *since January 1, 1934* ~~for 25 years at the time of making application and was not eligible to citizenship prior to December 24, 1952, and has not~~ *; provided, that aid shall not be granted to any alien who has* been convicted of an overt act against the Government of the United States; *provided further, that any noncitizen who applies for aid under this chapter shall submit evidence that he is proceeding diligently within the limits of his ability to qualify for citizenship;*

(c) Who possesses either of the following residence qualifications:

(1) Who resides in the State and has so resided continuously for at least 15 years immediately preceding the date of application, but continuous residence in the State shall not be deemed to have been interrupted by any period of absence therefrom if the total of such periods does not exceed three years; or who has so resided for a period of 40 years at least five of which have immediately preceded this application;

(2) During such time as grants-in-aid are provided by the United States Government for such aid in this State and accepted by this State, however, aid may be granted under this chapter to any person who resides in the State and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of application;

(d) Who is not cared for under a contract for a period of time exceeding one month; provided, however, that during such times as the federal statutes or rules and regulations of the Federal Security Agency provided for federal sharing, all persons cared for under such a contract may be granted assistance for their personal and incidental expenses not to exceed ten dollars ($10) per month if the contract does not specifically provide for this need; provided further, that during such time as the additional federal funds made available for that purpose by federal legislation enacted in 1952 remain available, all persons cared for under a contract mentioned in the last preceding clause of this subdivision may be granted assistance for their personal and incidental expenses not to exceed fifteen dollars ($15) per month in lieu of the ten-dollar ($10) grant authorized by said last preceding clause, if the contract does not specifically provide for this need.

(e) Who is not receiving adequate support from a husband or wife, or child able and responsible under the laws of this State to furnish such support; free board and lodging supplied to an applicant, because of his necessity, by a friend or relative who is not responsible for his support, shall not be grounds for refusing aid;

(f) Who has not made any voluntary assignment or transfer of property for the purpose of qualifying for such aid.

(g) Who is not a patient in a public institution for tuberculosis or mental disease.

(h) Who is not a patient in a public medical institution as the result of a diagnosis as having tuberculosis or psychosis.

(i) Who is not an inmate of a public institution of a custodial (nonmedical), penal or correctional character.

(j) Who is not an inmate of a federal medical institution.

SEC. 2. Section 2160.4 of said code is repealed.

~~2160.4. Notwithstanding any provision of subdivision (b) of Section 2160 to the contrary, aid shall be granted to any person who, because of race or national origin, was ineligible to citizenship prior to December 24, 1952, and who has lived in the United States continuously for 25 years at time of making application, if he satisfies the other requirements of law; provided, however, that this section shall not be construed to authorize the granting of aid to any person who has committed an overt act against the Government of the United States nor to any person who had not attained the age of 60 years on or before December 24, 1952.~~

SEC. 3. This act shall be operative July 1, 1960."

**Amendment No. 4**

On page 1, strike out lines 4 through 22, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

**Rush Order Placed Upon Printing of Senate Bill No. 1069**

Mr. Bruce F. Allen was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1069.

**Senate Bill No. 1460**—An act to add Section 21714.5 to the Vehicle Code as enacted by the Legislature at its 1959 Regular Session, relating to ambulances.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1382**—An act to add Section 152.5 to the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read third time, and presented by Mr. Samuel R. Geddes.

**Speaker pro Tempore Presiding**

At 3.32 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 795**—An act to amend Section 9034 of the Welfare and Institutions Code, relating to community mental health services.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1129**—An act making an appropriation for an investigation of power sources for state water project pumping and other purposes, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Lunardi.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1129:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 26, 1959

*To the Honorable Members of the Assembly*
*Sacramento, California*

Gentlemen:

Senate Bill No. 1129, "An act making an appropriation for an investigation of power sources for state water project pumping and other purposes", in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Senate Bill No. 1129 as an emergency measure.

Respectfully,

EDMUND G. BROWN, Governor

### Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1287**—An act to add Article 5 (commencing with Section 10506), Chapter 5, Part 2, Division 2 to the Insurance Code, relating to issuance of pension contracts and the establishment and operation of special pension plan funds by life insurers.

Bill read third time, and presented by Mr. Cameron.

Mr. Cameron requested that the bill be passed on file, and retain its place on file.

### Parliamentary Inquiry

Mr. Beaver arose to the following parliamentary inquiry: Can this bill come up again today if the request is granted?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it holds its place on file, but could be considered at the will of the House.

Mr. Cameron requested that the bill be passed temporarily on file.

Request granted.

**Senate Bill No. 574**—An act to add Article 11 (commencing at Section 428), to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to the prevention of blindness.

Bill read third time, and presented by Mr. Mulford.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 405**—An act to add Section 486 to the Streets and Highways Code, relating to adoption of a state highway route.

Bill read third time, and presented by Mr. Sedgwick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—60.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1291**—An act to amend Section 415 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and presented by Mr. Ralph M. Brown.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1444**—An act to amend Section 18900 of the Health and Safety Code, relating to the State Building Standards Commission.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad,

Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Shell, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1443**—An act to amend Sections 595 and 599 of, to repeal Sections 597 and 598 of, and to add Section 657 to, the Agricultural Code, relating to milk and dairy products.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1476**—An act to add Section 1170.5 to the Government Code, relating to withholding of taxes from wages, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. House.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 112**—An act to amend Sections 14361, 14373, 14383, 14391, 14392, 14403, 14413, 14423, 14428, 14798, and 14901 of, to repeal

Section 14792 of, and to add Section 14902 to, the Revenue and Taxation Code, relating to inheritance tax refunds, creating the Inheritance Tax Fund, and making an appropriation thereof.

Bill read third time, and presented by Mr. MacBride.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 112:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 112 is an act relating to inheritance tax refunds.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 112 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1258**—An act to amend Section 226 of the Public Utilities Code, relating to passenger stage corporations.

Bill read third time, and presented by Mr. Charles H. Wilson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1201**—An act to amend Section 1170 of the Harbors and Navigation Code, relating to bar pilotage rates for the Bays of San Francisco, San Pablo and Suisun.

Bill read third time, and presented by Mr. O'Connell.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1201:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1201 is an act relating to bar pilotage rates for the Bays of San Francisco, San Pablo and Suisun.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 1201 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1109**—An act to add Section 101.8 to the Streets and Highways Code, relating to the construction, reconstruction, and maintenance of structures on limited access highways.

Bill read third time, and presented by Mr. Holmes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF CONSENT CALENDAR BY UNANIMOUS CONSENT

Speaker pro Tempore Bee was granted unanimous consent that the Consent Calendar for both the First and the Second Legislative Days be considered, at this time.

## CONSIDERATION OF CONSENT CALENDAR

Speaker pro Tempore Bee announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—RESOLUTIONS

### Consideration of House Resolution No. 365

By Messrs. Williamson, Garrigus, and Samuel R. Geddes:

### House Resolution No. 365

Relative to an interim study of the problems of the family sized farm

WHEREAS, The family farm is considered to be a basic element in the American community; and

WHEREAS, The welfare of the people engaged in operating family farms is of primary concern to all; and

WHEREAS, The rapidly changing conditions to which all agricultural industry has been subjected has created problems of survival for family farms; and

WHEREAS, A study should be made of the farming industry as it applies to the family farm including but not limited to the following subject:

1. Present day characteristics of the family farm in California.
2. The extent to which family farms are giving way to larger corporate type farms.
3. Problems resulting in relative disadvantage to family farms, including:
   a. Finance problems.
   b. Tax problems.
   c. Labor problems
   d. Marketing problems.

Now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on the results of its study with its recommendations on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

### Consideration of House Resolution No. 350

By Mr. George E. Brown:

### House Resolution No. 350

Relative to an interim study of the financing of fire departments

WHEREAS, In many instances local governmental agency revenues are no longer sufficient to finance the costs of an adequate fire department; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of ways and means of meeting the costs of adequate fire departments in the State, including the possibility of a gross premiums tax on fire insurers to obtain revenues to assist local agencies in meeting the costs of fire protection, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 355**

By Mr. Beaver:

**House Resolution No. 355**

Relative to a study of barber colleges

WHEREAS, Within recent years a serious conflict has developed between barber colleges, licensed barbers, and others interested in the trade; and

WHEREAS, A great variety of legislation has been introduced at this and past sessions of the Legislature dealing with barbers and the problems thereof; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for the study and report to the Legislature at its 1961 Regular Session the subject of the practice of barbering. The committee shall study all facts and circumstances relating to the subject of this resolution, shall make appropriate recommendations as to the advisability or necessity for legislation in this area, and shall report its findings and recommendations to the Legislature by the fifth calendar day of the 1961 Regular Session.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 356**

By Mr. Bane:

**House Resolution No. 356**

Relative to the development of the Foothill Freeway

WHEREAS, The Foothill Freeway as planned by the Department of Public Works will pass through Sunland and Tujunga in Los Angeles County; and

WHEREAS, The orderly planning of the future requires that businessmen and homeowners be informed of the location of the proposed freeway; and

WHEREAS, The route to Antelope Valley, the development of Wentworth as a four-lane highway, and the widening and straightening of Sunland Boulevard has brought about a concentration of traffic and traffic hazards in Sunland and Tujunga; and

WHEREAS, Good community planning calls for the removal of through traffic from community activity; now, therefore, be it

*Resolved*, That the Assembly of the State of California hereby requests the California Highway Commission to hold a public hearing in the Tujunga City Hall or other appropriate place in the vicinity as soon as possible to give the citizens of Sunland and Tujunga an opportunity to express their views as to the location and development of the Foothill Freeway; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the members of the California Highway Commission.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 367**

By Mr. McMillan:

**House Resolution No. 367**

Relative to a study of the feasibility of a Space Age Exposition

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to the appropriate interim committee for study the subject of the feasibility of conducting a Space Age Exposition; and be it further

*Resolved*, That the appropriate interim committee is directed to study all facts and circumstances relating to the subject of this resolution, with special emphasis on such an exposition's beneficial impact upon industry, labor, business, and the general economy and culture of the State of California, to make appropriate recommendations as to the advisability or necessity for legislation on the subject of this resolution, and to report its findings and recommendations to the Legislature not later than the fifth calendar day of the 1961 Regular Session.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79.

NOES—None.

**Consideration of House Resolution No. 380**

By Mr. Lanterman:

**House Resolution No. 380**

WHEREAS, The County of Los Angeles now owns in fee that all-year botanical garden known as Descanso Gardens in La Canada; and

WHEREAS, Descanso Gardens comprises an area of approximately 370 acres, consisting of not only natural mountain areas but also a beautiful hospitality house; the world-famous Camellia Gardens with over 50,000 specimens occupying 25 acres in a grove of live oaks; a "History of the Rose" Garden with over 7,500 bushes from all over the world depicting the leading varieties of each historical period; and other areas constituting a floral wonderland blooming the year around in alternating seasons of ornamental botanical plants; and

WHEREAS, Descanso Gardens is rich in the romantic background of California, being a part of the Spanish grant from Governor Pedro Fages of California to Jose Maria Verdugo in 1784 and later becoming a part of the famous Rancho San Rafael before it became a horticultural show place; and

WHEREAS, Descanso Gardens is operated by the County of Los Angeles through the Department of Arboreta and Botanic Gardens, which also manages and operates in behalf of the county and the State, the Los Angeles State and County Arboretum at Arcadia; and

WHEREAS, In addition to the beautiful camellias, roses, and other ornamental plants now growing at Descanso Gardens, there is under initial development a project to develop fire-resistant plants—in co-operation with the United States Forest Service—for planting in the fire-ravaged watersheds in Southern California; and also a California Native Plant Section for purposes of education and stimulating the use of proper native plants for soil erosion purposes and beautification; and

WHEREAS, All of the above facts so recited are matters of benefit, pleasure, and education to the entire State of California, and therefore of current concern and interest to the State Legislature and to the State Parks Commission; now, therefore, be it

*Resolved*, That the Assembly of the California State Legislature directs the Rules Committee and the State Parks Commission to study the suitability of the acquisition by the State of a participating interest in Descanso Gardens to the end that said Gardens be designated as a State Park to be operated by the County of Los Angeles as an adjunct of the Los Angeles State and County Arboretum, and report back to the Legislature not later than the twentieth day of the Budget Session of 1960.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 383**

By Messrs. Elliott and Hawkins:

**House Resolution No. 383**

Relative to a study relating to juvenile delinquency

*Resolved by the Assembly of the State of California*, That the Committee on Rules of the Assembly be directed to assign to an appropriate interim committee for study the subject of juvenile delinquency and the prevention thereof as set forth in Assembly Bill No. 245, as amended April 2, 1959; and be it further

*Resolved*, That the interim committee to which such subject matter is referred shall make a final report to the Assembly of the results of its study with its recommendations for legislation no later than the fifth calendar day of the 1961 Regular Session.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 379**

By Mr. Kilpatrick:

**House Resolution No. 379**

Relative to a study of foster homes and adoptions

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of foster homes and adoptions; and be it further

*Resolved*, That the committee to which such subject is assigned shall study all facts relating thereto and report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 373**

By Mr. Miller:

**House Resolution No. 373**

Relative to postage for official mail for Members of the Assembly

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Rules is authorized and directed to purchase postage stamps to be used by Members of the Assembly for official mail during the interim between legislative sessions. The committee shall purchase postage stamps in such amounts and

denominations and at such times as it determines, and shall supply them to the Members as requested, except that no Member may requisition more than a total of twenty-five dollars ($25) worth of stamps at any one time nor more than fifty dollars ($50) worth of stamps in any fiscal year.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

### Consideration of House Resolution No. 358

By Messrs. Cunningham, Holmes, and Hawkins:

### House Resolution No. 358

Relative to a study of subscription, box office and pay television

*Resolved by the Assembly of the State of California,* That the subject matter of subscription, box office and pay television is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee.

The committee shall study all facts and circumstances relating to the subject of this resolution, including a study of the actual functions of this new, competitive entertainment industry, and its impact upon the economy and the culture of the State of California, as a means of determining the need or the lack of need, the advisability or the inadvisability, for legislation, and shall report its findings and its recommendations to the Legislature not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

### Consideration of House Resolution No. 381

By Mr. Backstrand:

### House Resolution No. 381

Relative to Studies of the Administration of Motor Vehicle Affairs

WHEREAS, Motor vehicle transportation has grown at a phenomenal pace in California in recent years and there is clear prospect that its growth in the future will be even more spectacular; and

WHEREAS, The Legislature after much diligent and continuing study has developed successful programs for the financing, constructing, and maintaining of the highway plant; and

WHEREAS, It is equally essential that concerted attention and study be given to motor vehicle functions, other than the financing and engineering of highways, if optimum service is to be rendered to the people of California; and

WHEREAS, The administration of all motor vehicle affairs, not only involves tremendous costs which are certain to increase greatly in the future, but also affects the lives and welfare of our citizens; and

WHEREAS, Deficiencies and inconsistencies in the law pertaining to motor vehicle affairs may have resulted from failure to develop an overall approach, which would clearly define basic policy objectives that would provide guidance to affected administrators, and which would also provide for re-evaluation of traditional activities in the light of changing and anticipated conditions; and

WHEREAS, State difficulties in dealing evenly with the many problems inherent in the administration of motor vehicle affairs may lead to unwelcome activity in this field by the Federal Government, a possibility suggested by current studies initiated by the Federal Government to determine what it should do to promote highway safety; and

WHEREAS, The facts heretofore cited have been recognized by the Western Interstate Committee on Highway Policy Problems, the American Association of Motor Vehicle Administrators, and the International Association of Chiefs of Police, all of whom by resolution have urged that state legislatures make provision for study of current problems and future needs in the administration of motor vehicle affairs; and

WHEREAS, Basic issues of state transportation policy are involved in the provision of service, the control of privilege, and the exercise of police power with respect to administration of motor vehicle affairs, which issues should be given comprehensive study; and

WHEREAS, Illustrative activities that should have benefit of such study include driver education and licensing; vehicle registration and title issuance; financial responsibility requirements; highway-user tax administration; law enforcement as it relates to all highway and motor vehicle affairs; and record maintenance and data collection and analysis in regard to all of the foregoing; and

WHEREAS, Such study should include: (1) an inventory of all functions, activities, and duties of the state pertaining to operations on the highway plant and administration of motor vehicle affairs, together with a determination and evaluation of the purposes and objectives of all such functions, activities, and duties; and (2) an estimate of future needs for effective and economical performance of all such functions, activities, and duties, analyses of benefits in relation to costs in each case, and exploration of alternative means of achieving useful and necessary purposes and objectives; and

WHEREAS, The subject matter of this resolution not only involves long-range research and study as well as immediate investigation, but also cuts across many fronts which will be dealt with by one or more of the duly created interim committees of the Legislature; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. The subject matter of this resolution is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

2. The chairman of said committee shall, in his discretion, appoint an advisory council on the subject matter of this resolution, which council shall include representatives of departments of the state government, the cities, the counties, and the public generally.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Assembly Joint Resolution No. 41**—Relative to unclaimed funds and property held by Federal Government.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Resolution ordered transmitted to the Senate.

**Consideration of House Resolution No. 370**

By Mr. Miller:

**House Resolution No. 370**

*Resolved by the Assembly of the State of California,* That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of four thousand dollars ($4,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

*Resolved,* That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding four thousand dollars ($4,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

*Resolved,* That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 371**

By Mr. Miller:

**House Resolution No. 371**

*Resolved,* That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of five hundred dollars ($500), in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for postage, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1959 Regular Session of the Assembly of the State of California.

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 372**

By Mr. Miller:

**House Resolution No. 372**

*Resolved,* That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1959 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1959 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of

the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1959 Regular Session. He shall also have charge of compiling, preparing and having printed after adjournment, a final calendar of the Legislative business of the 1959 Regular Session, said calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the final calendar is prepared, said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly; and be it further

*Resolved*, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the Members of the status of each individual bill introduced during the 1959 session

He shall mail a copy of said bulletin to each Member of the Assembly and to each person making a request for a copy of the same.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

**Consideration of House Resolution No. 360**

By Mr. Schrade:

**House Resolution No. 360**

Relative to an interim study of the feasibility of establishing a veterans' home in San Diego County

WHEREAS, The majority of the veterans in California reside in the southern portion of the State; and

WHEREAS, There is at present no veterans' home in the southern part of the State; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of the desirability and feasibility of establishing a State veterans' home in San Diego County is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

## CONSENT CALENDAR—SENATE BILLS

**Senate Bill No. 1474**—An act to amend Section 4125.1 of the Penal Code, relating to the employment of county jail prisoners.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1047**—An act to amend Section 2120 of the Streets and Highways Code, relating to services furnished by the State for counties.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 34**—Relative to the issuance of warning citations by the California Highway Patrol.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 48**—Relative to the compilation of statistics by the California Highway Patrol.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade,

Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 57**—Relative to public transportation planning and development.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 364**—An act to amend Section 68542 of the Government Code, relating to expenses of judges.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1182**—An act to amend Section 74262 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1140**—An act to amend Sections 74012, 74013, 74014, 74015, 74015.5, 74018, 74882, 74883, 74884, 74885, 74885.5, and 74888 of the Government Code, relating to municipal courts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R.

Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1213**—An act to add Section 1252.1 to the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate

**Senate Bill No. 838**—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Joint Resolution No. 29**—Relative to demonstration sea water conversion plants

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Bill No. 666**—An act to amend Section 1417, and to repeal Section 1418 of, and to add Sections 1418 and 1418.5 to, the Penal Code, relating to disposal of exhibits in criminal cases.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1225**—An act to amend Sections 31530.1, 31626, 31629, 31635, 31636, 31640, 31680, 31709, 31730 and 31770.1 of, to add Sections 31568.1, 31594, 31595, and 31634.1 to, to add Chapter 2.1 (commencing at Section 31580) to Part 1, Division 18 of, and to repeal Section 31571 of, the Streets and Highways Code, relating to the Vehicle Parking District Law of 1943.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1246**—An act to amend Section 74041 of the Government Code, relating to judges of the Palo Alto-Mountain View judicial district.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 995**—An act to amend Section 18 of and to add Sections 21.1 and 21.2 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), relating to financial statements and district liability.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron,

Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1168**—An act to add Sections 6588.2, 14060.1, 14654.6, 20063.2, and 32109 to the Health and Safety Code, Sections 5781.20 and 9204.1 to the Public Resources Code, Section 16175 to the Public Utilities Code, Sections 21661.1, 30818, and 60141.1 to the Water Code, Section 4.2 to the Municipal Water District Act of 1911 (Ch. 671, Stats. 1911), Section 14.1 to the Water Conservation Act of 1927 (Ch. 91, Stats. 1927), Section 14.6 to the Water Conservation Act of 1931 (Ch. 1020, Stats. 1931), Section 14.2 to the Orange County Water District Act (Ch. 924, Stats. 1933) and Section 24.1 to the Kings River Conservation District Act (Ch. 931, Stats. 1951), relating to notice on elections.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1435**—An act to add Section 31051 to, and to amend Section 31575 of, the Water Code, relating to county water districts.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1437**—An act to add Section 31578 to the Water Code, relating to the Kings County Water District.

Bill read third time, and passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi,

MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—79.

NOES—None.

Bill ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1093**—An act to add Section 172e to the Penal Code, relating to alcoholic beverages

Bill read third time, and presented by Mr. Masterson.

### Demand for Previous Question

Messrs. Pattee, Beaver, Dills, Lunardi, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Belotti, Britschgi, George E. Brown, Burton, Cameron, Chapel, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Schrade, Sedgwick, Sumner, George A. Willson, Charles H. Wilson, and Winton—42.

NOES—Beaver, Bee, Biddick, Burke, Busterud, Collier, Conrad, Coolidge, Davis, Donahoe, Francis, Samuel R. Geddes, Hanna, House, Levering, Lowrey, MacBride, Mulford, Petris, Reagan, Rees, Rumford, Thelin, Thomas, Waldie, Williamson, Z'berg, and Mr. Speaker—28.

### Explanation of Vote

June 18, 1959

I was required to be present in Senate Transportation Committee for a special hearing on my own legislation when Senate Bill No. 1093 pertaining to alcoholic beverages was being heard on the Assembly floor.

Had I been present in the Assembly chambers during consideration of Senate Bill No. 1093 I would have voted "No"!

FRANK LANTERMAN

## REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 48

Mr. Crown asked for unanimous consent to rescind the action whereby Senate Bill No. 48 was ordered filed, and the subject matter referred to the Committee on Rules (Assembly Journal, page 5734); and that the bill be re-referred to the Committee on Elections and Reapportionment.

Mr. Bruce F. Allen withheld unanimous consent.

### Motion to Withdraw and Re-refer

Mr. Crown moved that Senate Bill No. 48 be withdrawn from filing, and re-referred to the Committee on Elections and Reapportionment.

Mr. Rumford seconded the motion.

Motion carried.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Crown was granted unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the rear of the Assembly Chamber, at this time.

## LEAVES OF ABSENCE FOR BALANCE OF THE DAY

At 4.20 p.m., the following member was granted leave of absence for the balance of the day, because of illness:

Mr. Shell, on motion of Mr. Levering.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 814**—An act to add Section 1193 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time, and presented by Mr. Hanna.

### Motion to Expunge Record and Rescind Action on Amendments

Mr. Hanna moved to expunge the record, and rescind the action whereby the Assembly, on June 16, 1959 (Assembly Journal, page 5626) adopted amendments offered by Mr. Masterson, and (Assembly Journal, page 5627) adopted amendments offered by Mr. Busterud to Senate Bill No. 814.

Mr. George A. Willson seconded the motion.

### Hon. Frank P. Belotti Presiding

At 4.26 p.m., Hon. Frank P. Belotti, Member of the Assembly from the First District, presiding.

### Hon. Gordon H. Winton Presiding

At 4.27 p.m., Hon. Gordon H. Winton, Member of the Assembly from the Thirty-first District, presiding.

### Point of Order

Mr. Masterson arose to the following point of order: That, since the amendments were adopted several days ago, the motion was not in order today.

### Ruling by Acting Speaker

Acting Speaker Winton ruled the point of order not well taken.

### Demand for Previous Question

Messrs. Busterud, Crawford, Schrade, Dahl, and Marks demanded the previous question. Demand sustained.

The question being on the motion to expunge the record, and rescind the action whereby the amendments offered by Mr. Masterson and by Mr. Busterud to Senate Bill No. 814 were adopted.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Hanna moved a call of the Assembly.

Mr. Cusanovich seconded the motion.

Motion for a call of the Assembly carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—57.

NOES—None.

Time, 4.46 p.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Sumner was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Belotti was granted unanimous consent that the letter from the Governor relative to Senate Bill No. 510 be ordered printed in the Journal with the bill. (NOTE—Letter is printed at page 5810.)

### FURTHER CONSIDERATION OF SENATE BILL NO. 644

**Senate Bill No. 644**—An act to add Chapter 2.6 (commencing at Section 24375) to Division 20 of the Health and Safety Code, creating the San Joaquin Valley Air Pollution Control District, setting forth its organization, powers, and duties, all relating to the control of air pollution.

Bill read third time, and presented by Mr. DeLotto.

#### Speaker Presiding

At 4.51 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

#### Demand for Previous Question

Messrs. Don A. Allen, Luckel, Hegland, Crawford, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Britschgi, George E. Brown, Burke, Burton, Chapel, Collier, Crawford, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, and Z'berg—52.

NOES—Bruce F. Allen, Biddick, Cusanovich, House, Lowrey, Luckel, Sedgwick, and Mr. Speaker—8.

Bill ordered transmitted to the Senate.

#### Statement by Speaker Brown

Speaker Brown stated that he and Mr. Biddick did not sign the bill and do not know how they became co-authors of Senate Bill No. 644.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: How can a member's name be put on a bill as a co-author without his consent?

#### Reply by Speaker

The Speaker replied that this was a Senate bill, and was done by authority of a Joint Rule relative to co-authorship of bills in the other house.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is there any way to remove names in such instances?

Reply by Speaker

The Speaker replied that it could be done by amendment.

Parliamentary Inquiry

Mr. Francis arose to the following parliamentary inquiry: Is there not a House Rule which provides that any member may, by motion, have his name stricken?

Reply by Speaker

The Speaker replied that the Joint Rule and not the House Rule applies.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 614**—An act to amend Sections 1050 and 1382 of, and to repeal Section 681a of, the Penal Code, relating to the time within which a criminal prosecution must be brought to trial.

Bill read third time, and presented by Mr. O'Connell.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1303**—An act to amend Sections 74742, 74743, 74744, and 74745 of, and to add Sections 74750 and 74751 to, the Government Code, relating to the municipal court of the South Bay Judicial District.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Bustrud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Holmes, House, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1304**—An act to amend Sections 73642, 73643, 73644, 73645, and 73650 of the Government Code, relating to the municipal court of the El Cajon Judicial District.

Bill read third time, and presented by Mr. Crawford.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Bustrud, Cameron, Chapel,

Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Holmes, House, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1136**—An act to amend Section 28110 of the Government Code, relating to compensation for public service in a county of the tenth class.

Bill read third time, and presented by Mr. Britschgi.

Bill ordered passed on file, and to retain its place on file.

**Senate Bill No. 650**—An act to add Article 4 (commencing at Section 21625) to Chapter 9 of Division 8 of the Business and Professions Code, relating to the reporting of transactions involving identifiable secondhand tangible personal property.

Bill read third time, and presented by Mr. Munnell.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—64.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1065**—An act to add Section 24054 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to audit of state college funds.

Bill read third time, and presented by Mr. Ernest R. Geddes.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Samuel R. Geddes, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
June 18, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR MR. OHNIMUS: I am directed to request that the Assembly return Assembly Bill No 2778 to the Senate for further consideration.

Very truly yours,

J. A. BEEK

### ASSEMBLY BILL NO. 2778 RECALLED FROM ENROLLMENT

Mr. Lunardi was granted unanimous consent that the Chief Clerk recall Assembly Bill No. 2778 from the Committee on Engrossment and Enrollment.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended:

Assembly Bill No. 828

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bill ordered to the unfinished business file.

### ASSEMBLY BILL NO. 2778 RETURNED FROM ENROLLMENT

The following communication was presented by the Chief Clerk:

ASSEMBLY, CALIFORNIA LEGISLATURE
June 18, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

Pursuant to your instructions I am returning Assembly Bill No. 2778 from enrollment.

Respectfully yours,

CHARLES W. ROBBINS,
Engrossing and Enrolling Clerk

### ASSEMBLY BILL NO. 2778 ORDERED RETURNED TO SENATE

Mr. Lunardi was granted unanimous consent that the Chief Clerk be instructed to return Assembly Bill No. 2778 to the Senate pursuant to its request.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 425**—An act to amend Section 12880 of, and to add Sections 12881, 12882, 12883, 12884, 12885, 12886, 12887, 12888, 12889, and 12890 to, the Water Code, relating to state financial assistance for local projects, and making an appropriation therefor.

Bill read third time, and presented by Mr. Waldie.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Button, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—Reagan—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1342**—An act authorizing the sale of an armory in the City and County of San Francisco, and providing for disposition of the proceeds thereof.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1328**—An act to add Sections 20004.5, 20004.6, 20031.5, 20031.6, 20124.5, 20497, 20498, 20601.5, 20989, 21251.14, 22153, 22213, and 22550 5 to, to amend Section 22009.1 of, and to repeal Part 3.5 (commencing at Section 21600) of Division 5, Title 2, of the Government Code, relating to the State Employees' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Miss Donahoe.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—Cusanovich, Grant, Kennick, Levering, and Thelin—5.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Hegland, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—63.
NOES—Cusanovich, Grant, Kennick, Levering, and Thelin—5

Bill ordered transmitted to the Senate.

**Senate Bill No. 445**—An act to add Section 2163.6 to the Welfare and Institutions Code, relating to old age security.

Bill read third time, and presented by Mr Don A. Allen.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 515**—An act to add Sections 2020.003, 3084.05, and 4604.5 to, and to repeal Section 4576 of, the Welfare and Institutions Code, relating to medical services to public assistance recipients.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 597**—An act to repeal Sections 65004, 65060 and 65061, and Articles 1.5 (commencing at Section 65020) and 2 (commencing at Section 65030) of Chapter 1 of Title 7, to amend Section 65062, and to add Chapter 1.5 (commencing at Section 65011.1) to Title 7, of the Government Code, relating to state, regional and local planning, establishing the State Office of Planning in the Department of Finance, providing for and assigning powers and duties to such office, and creating an advisory committee for the office.

Bill read third time, and presented by Mr. Rees.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, and Z'berg—55.

NOES—Backstrand, Cusanovich, Dahl, Lanterman, Luckel, and Mr. Speaker—6.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1287**—An act to add Article 5 (commencing with Section 10506), Chapter 5, Part 2, Division 2 to the Insurance Code, relating to issuance of pension contracts and the establishment and operation of special pension plan funds by life insurers.

Bill read third time, and presented by Mr. Rees.

**Demand for Previous Question**

Messrs. Schrade, Burke, Kennick, Ernest R. Geddes, and Hegland demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill refused passage by the following vote:

AYES—Bane, Britschgi, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Francis, Holmes, Masterson, Petris, Rees, Unruh, and Waldie—15.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel

R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, Meyers, Mulford, Munnell, Nisbet, Porter, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.

## MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 789

Mr. Lunardi moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 789.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73

NOES—None

Senate Bill No. 789 ordered to third reading.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO EXPUNGE RECORD ON AMENDMENTS TO SENATE BILL NO. 814

At 5.50 p.m., Mr. Hanna moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

### Parliamentary Inquiry

Mr. McCollister arose to the following parliamentary inquiry: Is the question on the adoption of the amendments?

### Reply by Speaker

The Speaker replied that it was on the expunging of the record relative to the Masterson and Busterud Amendments.

The names of the absentees were called, and the record was expunged, and the action was rescinded on the adoption of the Masterson and Busterud Amendments to Senate Bill No. 814 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Burton, Cameron, Collier, Crown, Cunningham, Cusanovich, Dahl, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lunardi, MacBride, Marks, Meyers, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Unruh, Waldie, Williamson, George A. Willson, and Winton—47.

NOES—Bruce F. Allen, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Conrad, Crawford, Davis, DeLotto, Frew, Lanterman, Lowrey, Luckel, Masterson, McCollister, McMillan, Miller, Mulford, Pattee, Schrade, Sedgwick, Sumner, Thelin, Charles H. Wilson, and Z'berg—27.

Bill ordered reprinted and to third reading.

## PROPOSED AMENDMENTS TO SENATE BILL NO. 209

### As Amended in Assembly June 18, 1959

By Mr. Burton:

### Amendment No. 1

In the title of the printed bill, as amended in the Assembly on June 18, 1959, strike out lines 1 to 3, inclusive.

**Amendment No. 2**

On page 1, strike out line 6.

**Amendment No. 3**

On page 1, strike out lines 1 to 17, inclusive; and strike out pages 2 to 6, inclusive.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 18, 1959

MR SPEAKER: Your Committee on Rules reports.

House Resolution No. 396
House Resolution No. 385
House Resolution No. 289

With the recommendation: Be adopted, as amended

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar

MILLER, Chairman

Above resolutions ordered on file

## AMENDMENT OF HOUSE RESOLUTION NO. 396

By Mr. Meyers:

**House Resolution No. 396**—Relative to continuing the investigation of the pollution of waters of this State.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

Strike out the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 17, 1959, at page 5711, and insert

"*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including all facts relative to the pollution of waters of this State, the causes thereof, the effectiveness of recent legislation, and the desirability of or necessity for additional legislation controlling such pollution, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

### House Resolution No. 396, as Amended

By Mr. Meyers:

**House Resolution No. 396**

Relative to continuing the investigation of the pollution of waters of this State

WHEREAS, Pursuant to House Resolution No. 297 of the 1957 Regular Session the Assembly Interim Committee on Conservation, Planning, and Public Works, through its subcommittee on Bay and Water Pollution, conducted numerous and extensive surveys and studies of the water pollution problems in this State; and

WHEREAS, These problems were found to be of a continuing nature and subject to constant change by reason of the ever-increasing population and industry in this State; and

WHEREAS, The problems of water pollution must be constantly surveyed and studied in order to insure an equitable solution of them; and

WHEREAS, The full effect of the corrective legislation enacted at this session can not properly be evaluated until it has been placed in operation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including all facts relative to the pollution of waters of this State, the causes thereof, the effectiveness of recent legislation, and the desirability of or necessity for additional legislation controlling such pollution, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature

Resolution, as amended, ordered to the Consent Calendar.

### AMENDMENT OF HOUSE RESOLUTION NO. 385

By Mr. Sumner:

**House Resolution No. 385**—Relative to a study of the priority of tax liens under the Motor Vehicle Transportation License Tax Law.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In line 6 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 16, 1959, at pages 5609 and 5610, after "committee", insert ", which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature".

#### House Resolution No. 385, as Amended

By Mr. Sumner:

#### House Resolution No. 385

Relative to a study of the priority of tax liens under the Motor Vehicle Transportation License Tax Law

WHEREAS, The State of California imposes a gross receipt tax referred to as the Motor Vehicle Transportation License Tax (Part 4, commencing at Section 9601, of Division 2, Revenue and Taxation Code) on all companies engaged in the for-hire movement of freight and passengers; and

WHEREAS, The State of California maintains a prior lien on all of the equipment used by these companies for the for-hire transportation of freight and passengers for the purpose of collecting such transportation license tax; and

WHEREAS, The legal owner of such equipment is not always engaged in the business of for-hire transportation of freight and passengers and therefore not fully aware of the payment or nonpayment of such tax and has been relieved of such prior liens by other states of this Nation; and

WHEREAS, The legal owner not engaged in the business of for-hire transportation of freight and passengers has not incurred the tax debt, the State's prior lien places an unjust hardship on such legal owners; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including a study of all phases of the problem of relieving the legal owner not engaged in the business of for-hire transportation of freight and passengers from the State's prior lien for the collection of such transportation license tax, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered to the Consent Calendar.

### AMENDMENT OF HOUSE RESOLUTION NO. 289

By Mr. Winton:

**House Resolution No. 289**—Relative to contract laboratories for milk fat testing.

Resolution read.

#### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

#### Amendment No. 1

In line 3 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for May 27, 1959, at page 4197, after "study", insert ", which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature".

**House Resolution No. 289, as Amended**

By Mr. Winton:

**House Resolution No. 289**

Relative to contract laboratories for milk fat testing

WHEREAS, Milk fat testing is necessary to insure the public that milk and milk products conform to all applicable standards; and

WHEREAS, Accuracy in milk fat testing and uniformity in such testing are necessary to insure stability in the milk industry and the orderly marketing of milk and milk products; and

WHEREAS, The Department of Agriculture at the present time supervises various private milk fat testing operations in this State; and the feasibility of establishing contract laboratories under the supervision of the department for milk fat testing should be studied to determine if this type of testing would be an improvement over the present system; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the matters contained in this resolution be referred to the Committee on Rules for assignment to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

**Committee on Rules**

ASSEMBLY CHAMBER, June 18, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 386

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

## AMENDMENT OF HOUSE RESOLUTION NO. 386

By Mr. Cunningham:

**House Resolution No. 386**—Relative to an interim study of the regulation of railroads and other utilities by the Public Utilities Commission.

Resolution read.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Rules, was read, and adopted:

**Amendment No. 1**

In line 7 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 16, 1959, at page 5629, strike out "Assembly Interim Committee"; strike out line 8, and insert "Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report".

**House Resolution No. 386, as Amended**

By Mr. Cunningham:

**House Resolution No. 386**

Relative to an interim committee study of the regulation of railroads and other utilities by the Public Utilities Commission

*Resolved by the Assembly of the State of California*, That the subject matter of the regulation of railroads and other utilities under the jurisdiction of the Public Utilities Commission, including but not limited to safety regulations and orders of the Public Utilities Commission, the procedures of the commission in enforcing its regulations, the procedures of the commission in handling complaints, the methods and procedures of investigation, hearings and findings and the methods of reporting or publishing thereof, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered on file.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 298

With the recommendation: Be adopted, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MILLER, Chairman

Above resolution ordered on file.

## AMENDMENT OF HOUSE RESOLUTION NO. 298

By Mr. Samuel R. Geddes:

**House Resolution No. 298**—Relative to the problems of small agricultural and commercial businesses.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

### Amendment No. 1

In line 5 of the second "*Resolved*" clause of the measure, as printed in the Assembly Journal for May 29, 1959, at pages 4377 and 4378, strike out the period, and insert "; and be it further

*Resolved*, That the committee report to the Assembly on the subject matter of this resolution not later than the fifth calendar day of the 1961 Regular Session of the Legislature."

### House Resolution No. 298, as Amended

By Mr. Samuel R. Geddes:

### House Resolution No. 298

Relative to the problems of small agricultural and commercial businesses

WHEREAS, The small business man has traditionally been a bulwark of those values we consider to be fundamental to the American way of life; and

WHEREAS, The present status of the small business man is very perilous, for the rate of bankruptcy and the rate of absorption by larger enterprises are increasing sharply; and

WHEREAS, Among these small businesses, a particularly critical situation exists with respect to small agricultural operations; and

WHEREAS, An increasing number of small farms has been abandoned in the past few years, due in large part to fluctuating price levels; and

WHEREAS, There presently exists as an agency of the federal government a Small Business Administration which is able to give aid to a portion of the small businesses throughout the nation and has been widely acclaimed for its farsighted benefits; and

WHEREAS, A legislative program along lines similar to the federal program is necessary in California to assist in the vast number of situations to which the limited federal program is unable to offer adequate help; now, therefore be it

*Resolved by the Assembly of the State of California*, That the Rules Committee is directed to refer to an appropriate interim committee for study during the 1959-61 interim the subject of problems peculiar to small agricultural and commercial businesses; and be it further

*Resolved*, That the committee consider the feasibility of enacting legislation to solve or alleviate the problems facing the small business man and that the committee give careful study to the formulation of legislation of a type similar to the federal program which would include provision for the giving of financial aid and for the furnishing of technical and managerial counseling; and be it further

*Resolved*, That the committee report to the Assembly on the subject matter of this resolution not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution, as amended, ordered to the Consent Calendar.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 291

With amendments with the recommendation: Amend, and do pass, as amended.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 291**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving vehicles while under the influence of intoxicating liquor.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

#### Amendment No. 1

On page 2, line 16 and 17, of the printed bill as amended in the Senate on March 18, 1959, strike out "upon any highway".

#### Amendment No. 2

On page 2, line 31, strike out "consecutive".

#### Amendment No. 3

On page 2, line 35, strike out "consecutive".

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 602
Senate Bill No. 979
Senate Bill No. 732
Senate Bill No. 267
Senate Bill No. 867

With amendments with the recommendation: Amend, and do pass, as amended.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

Bill read second time.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

#### Amendment No. 1

On page 2, after line 31, of the printed bill, as amended in the Senate on June 15, 1959, insert

"SEC. 5. This act shall be operative until January 1, 1961, at which date it shall cease to have any force or effect."

Bill ordered reprinted, and to third reading.

**Senate Bill No. 979**—An act to amend Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, lines 5 and 6, of the printed bill, strike out "eighteen thousand dollars ($18,000)", and insert "fifteen thousand seven hundred fifty dollars ($15,750)".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 732**—An act to add Chapter 10 (commencing at Section 4500) to Division 2 of the Business and Professions Code, relating to the certification of psychiatric technicians.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

On page 1, line 15, of the printed bill, as amended in the Senate on May 25, 1959, strike out "supervision", and insert "direction".

**Amendment No. 2**

On page 1, line 16, strike out ", performs professional", and insert "or a registered professional nurse, performs".

**Amendment No. 3**

On page 1, lines 17 and 18, strike out ", mentally deficient,".

**Amendment No. 4**

On page 1, line 20, strike out "supervision of such mentally ill," and insert "nursing and therapeutic procedures for such mentally ill".

**Amendment No. 5**

On page 1, line 21, strike out ' mentally deficient,".

**Amendment No. 6**

On page 1, line 22, after "requiring", insert "interpersonal and".

**Amendment No. 7**

On page 2, line 17, after "chapter", insert "and shall appoint an advisory committee composed of a psychiatric nurse educator, a psychiatrist educator, a public health nurse educator and two instructors in accredited licensed vocational nurse programs. Each member of the advisory committee shall serve without compensation, except that he shall be reimbursed for his traveling expenses necessarily incurred in the performance of his duties".

**Amendment No. 8**

On page 2, line 20, strike out "psychiatric technician", and insert "person".

**Amendment No. 9**

On page 2, strike out lines 23 through 25, inclusive.

**Amendment No. 10**

On page 2, line 35, strike out "21", and insert "19".

**Amendment No. 11**

On page 3, line 2, after "study", insert "and training".

**Amendment No. 12**

On page 3, line 3, after "study", insert "and training".

**Amendment No. 13**

On page 3, line 6, strike out "deficient", and insert "retarded".

**Amendment No. 14**

On page 3, line 7, after "study", insert "and training".

**Amendment No. 15**

On page 3, line 24, strike out "experience", and insert "training".

**Amendment No. 16**

On page 3, line 26, strike out "without an examination".

**Amendment No. 17**

On page 3, lines 28 and 29, strike out "without examination".

**Amendment No. 18**

On page 3, line 34, strike out "licensee", and insert "person certified".

**Amendment No. 19**

On page 4, strike out lines 7 to 28, inclusive, and insert

"(4) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or chiropodist administer to himself or furnish or administer to another, any narcotic as defined in Division 10 (commencing at Section 11000) of the Health and Safety Code or any dangerous drug as defined in Article 8 (commencing at Section 4210) of Chapter 9 of Division 2 of the Business and Professions Code.

(5) Use any narcotic as defined in Division 10 (commencing at Section 11000) of the Health and Safety Code, or any dangerous drug as defined in Article 8 (commencing at Section 4210) of Chapter 9 of Division 2 of the Business and Professions Code, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself, any other person, or the public or to the extent that such use impairs his ability to conduct with safety to the public the practice authorized by his license.

(6) Be convicted of a criminal offense involving the falsification of records concerning prescription, possession, or consumption of any of the substances described in paragraphs (4) and (5) of this subdivision, in which event the record of the conviction is conclusive evidence of such conviction. The board may inquire into the circumstances surrounding the commission of the crime in order to fix a degree of discipline.

(7) Be committed or confined by a court of competent jurisdiction for intemperate use of or addiction to the use of any of the substances described in paragraphs (4) and (5) of this subdivision, in which event the court order of commitment or confinement is prima facie evidence of such commitment or confinement.

(8) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in paragraph (4) of this subdivision.

**Amendment No. 20**

On page 4, strike out lines 31 to 33, inclusive, and insert

"(c) Procuring, or aiding, or abetting, or attempting, or agreeing or offering to procure or assist at a criminal abortion.

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or terms of this chapter."

**Amendment No. 21**

On page 4, line 35, strike out "the application for a certificate", and insert "an application".

**Amendment No. 22**

On page 4, strike out lines 36 to 38, inclusive, and insert

"(f) Conviction of a felony or of any offense involving moral turpitude, in which event the record of the conviction shall be conclusive evidence of such conviction. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if such conviction is of an offense involving moral turpitude."

**Amendment No. 23**

On page 4, line 41, strike out "certified psychiatric technician", and insert "practitioner".

**Amendment No. 24**

On page 4, strike out lines 45 to 49, inclusive; and on page 5, strike out lines 1 to 8, inclusive, and insert

"(j) Aiding or assisting, or agreeing to aid or assist any person or persons, whether a licensed physician or not, in the performance of or arranging for a

violation of any of the provisions of Article 13 (commencing at Section 2360) of Chapter 5 of Division 2 of this code.

4522. The adjudication of insanity or mental illness, or the voluntary commitment or admission to a state hospital or other mental hospital of any certificate holder for a mental illness shall operate as a suspension of the right to practice of any such certificate holder under this chapter, such suspension to continue until restoration to or declaration of sanity or mental competence. The record of adjudication, judgment or order of voluntary commitment is conclusive evidence of such insanity or mental illness, and upon receipt of a certified copy of any such adjudication, judgment, voluntary commitment or order by the board it shall immediately suspend the certificate of the person adjudicated or committed. The board shall not restore such certificate to good standing until it shall receive competent evidence of restoration to or declaration of sanity and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated; provided, that in the case of a voluntary commitment to a state hospital or other mental hospital, receipt of a certificate of discharge from such hospital and the certificate of the superintendent of said hospital that the certificate holder is restored to mental competency, shall constitute competent evidence of restoration to sanity Before reinstating such person, the board may require the person to pass an oral examination to determine his present fitness to resume his practice."

**Amendment No. 25**

On page 5, line 10, strike out "may", and insert "made".

**Amendment No. 26**

On page 5, line 35, strike out "men-"; strike out lines 36 to 42, inclusive, and insert "the care of the mentally ill and the mentally retarded."

**Amendment No. 27**

On page 6, line 16, after "misdemeanor", insert "and upon a conviction thereof shall be punished by imprisonment in the county jail for not less than 10 days nor more than one year, or by a fine of not less than ten dollars ($10) nor more than five hundred dollars ($500), or by both such fine and imprisonment".

**Amendment No. 28**

On page 6, line 20, strike out "application filing".

**Amendment No. 29**

On page 6, line 32, after "chapter", insert "and upon submission of such proof of the applicants' qualifications as may be required by the board".

**Amendment No. 30**

On page 6, line 35, after "section", insert "solely by reason of nonpayment of the renewal fee".

**Amendment No. 31**

On page 7, line 4, strike out "filing an application for".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 267**—An act making an appropriation for the regulation and control of drugs, medicines, compounds, and devices used in the diagnosis, treatment, or cure of cancer.

Bill read second time.

**Consideration of Committee Amendments**

The following amendment, proposed by the Committee on Ways and Means, was read, and adopted:

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "care", and insert "cure".

Bill ordered reprinted, and to third reading.

**Senate Bill No. 867**—An act to amend Sections 2020, 2020.002, and 2025 of, the Welfare and Institutions Code, relating to old age assistance.

Bill read second time.

**Consideration of Committee Amendments**

The following amendments, proposed by the Committee on Ways and Means, were read, and adopted:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on June 2, 1959, strike out "and 2025", and insert "2025, and 4020".

**Amendment No. 2**

In line 3 of the title, strike out "old age", and insert "public".

**Amendment No. 3**

On page 2, between lines 20 and 21, insert

"The additional grant provided by this section is to provide additional aid to persons with special needs arising because of circumstances and situations not common to all recipients and not covered by the basic needs allowance within the maximum grant payable pursuant to Section 2020."

**Amendment No. 4**

On page 2, strike out line 29, and insert "maximum grant of aid provided in each of Sections 2020 and 2020.002 of this chapter shall".

**Amendment No. 4.5**

On page 2, line 33, strike out "be".

**Amendment No. 5**

On page 2, line 34, strike out "per month as", and insert "or increased above one hundred five dollars ($105) per month".

**Amendment No. 6**

On page 2, strike out line 35.

**Amendment No. 7**

On page 2, line 36, strike out "States Government".

**Amendment No. 8**

On page 2, line 39, strike out "to the nearer dollar".

**Amendment No. 9**

On page 2, strike out lines 48 to 50, inclusive, and insert

"SEC. 4. Section 4020 of said code is amended to read:

4020. For needy disabled persons qualifying for aid under the provisions of this chapter there shall be paid an amount equivalent to the actual need *s* of the recipient *as set forth in this section* but not to exceed ~~the maximum amount payable to a recipient of aid under Chapter 1 of Division 3 of this code.~~ *an average grant computed statewide for all recipients of aid under this chapter of ninety-eight dollars ($98) per month. In the event the average grant per recipient in any month exceeds an amount of ninety-eight dollars ($98) the State Department of Social Welfare shall take immediate steps to reduce or curtail payments for attendant services to the end that the monthly average per recipient for the full fiscal year does not exceed ninety-eight dollars ($98).*

The State Social Welfare Board shall establish a standard of assistance, within the limits set forth in this section, which will enable each recipient to maintain ~~a standard of living compatible with~~ *himself in* decency and health. *The board shall establish a standard to cover actual needs, common to all persons, not to exceed one hundred six dollars ($106) per month. Within the limit of the average grant set forth in this section the board may provide for payment of an additional sum to those recipients whose physical condition is such that they require the services of a full or part time attendant. Such additional sum is to provide for attendant services rendered by a person other than a relative with whom the recipient is living.*

*The board shall give priority to persons in the greatest need without replacing other public or private resources which can provide the services. Voluntary contributions or grants from other public sources, private agencies, friends or relatives which are specifically and solely provided for such attendant services and which would not otherwise be available shall not be considered as applying toward the actual needs of said recipient.*

The State Department of Social Welfare may provide by rule that any change in grant for an amount of two dollars ($2) or less may be delayed not more than two months beyond the month in which the recipients reported the change in circumstances."

**Amendment No. 10**

On page 3, strike out line 16, and insert
"SEC. 5. This act shall become operative January 1, 1960."

Bill ordered reprinted, and to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 538
Senate Bill No. 1261

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 538**—An act to amend Sections 12800, 12803, 12826, and 12829, to repeal Article 2 (commencing at Section 12810) of Chapter 3, Part 6, Division 6, and to amend and renumber the title of Article 3 (commencing at Section 12825) of Chapter 3, Part 6, Division 6, of the Water Code, relating to the Flood Control Fund of 1946, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1261**—An act to amend Section 6025.1 of the Penal Code, relating to the Board of Corrections.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 562
Senate Bill No. 737
Senate Bill No. 739
Senate Bill No. 740
Sentae Bill No 624
Senate Bill No. 422
Senate Bill No. 673
Senate Bill No. 589
Senate Bill No. 586
Senate Bill No. 654
Senate Bill No. 653
Senate Bill No. 485
Senate Bill No 1482
Senate Bill No. 1186
Senate Bill No. 1457

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 562**—An act to add Article 3 (commencing at Section 11200) to Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state departments.

Bill read second time, and ordered to third reading.

**Senate Bill No. 737**—An act making an appropriation to the State Department of Public Health for physically handicapped children.

Bill read second time, and ordered to third reading.

**Senate Bill No. 739**—An act to establish a pilot project for the extension of crippled children services to children suffering from epilepsy, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**Senate Bill No. 740**—An act to amend Sections 16616 and 16618 and the heading of Chapter 5 (commencing at Section 16601) of, and to add Article 2 (commencing at Section 16645.1) to Chapter 5 of, Division 12 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to child care centers for mentally retarded and physically handicapped children.

Bill read second time, and ordered to third reading.

**Senate Bill No. 624**—An act to add Chapter 11 5 (commencing at Section 7041) to Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sheltered workshops for the disabled, and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 422**—An act to amend Sections 6549, 6550.5, 6566, 6625, 6627.5, 6627.6, and 6630 of, and add Section 6549.1 to, the Business and Professions Code, relating to the practice of barbering.

Bill read second time, and ordered to third reading.

**Senate Bill No. 673**—An act authorizing a study of the problem of rehabilitation of industrially disabled workers, and making an appropriation therefor

Bill read second time, and ordered to third reading.

**Senate Bill No. 589**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange and for accomplishing the purposes of this act.

Bill read second time, and ordered to third reading.

**Senate Bill No. 586**—An act to add Sections 16353 and 16354 to the Government Code, relating to the State Construction Program Fund, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 654**—An act to amend Section 135 of the Water Code, and to amend Sections 11044, 11271 and 20751 and to repeal Section 11273 of the Government Code, relating to charges against state funds, and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 653**—An act to amend Sections 11044, 11271, and 14030 and to repeal Section 11273 of the Government Code, relating to charges against state funds, and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 485**—An act to amend Section 16302.1 of, and to repeal Section 13145 of, the Government Code, and to amend Sections 19052, 19053, 19053.9, 26072, and 26073 of the Revenue and Taxation Code, relating to the disposition of overpayments of taxes, fees, and other revenues collected by state agencies.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1482**—An act to amend Section 1547 of the Penal Code, relating to rewards for apprehension.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1186**—An act making an appropriation from the State Highway Fund for allocations to counties and cities for the construction of grade protections.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1457**—An act to add Section 14355.1 and to amend Section 14359 of, to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 1051
Senate Bill No. 1399
Senate Bill No. 220
Senate Bill No. 1293
Senate Bill No. 1078
Senate Bill No. 1368
Senate Bill No. 1445
Senate Bill No 423
Senate Bill No. 1061
Senate Bill No. 1369
Senate Bill No. 1060
Senate Bill No. 1326
Senate Bill No. 945
Senate Bill No. 1108
Senate Bill No. 1455

With the recommendation: Do pass.

UNRUH, Chairman

Above bills ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 1051**—An act to make an appropriation for acquisition of real property as additions to the Custom House Historical Monument in the City of Monterey.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1399**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 220**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control, and making an appropriation.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1293**—An act to provide for the acquisition and improvement of real property in San Bernardino County for state park purposes, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1078**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1368**—An act to create a flood control district to be called "San Mateo County Flood Control District" to provide for the control of flood and storm waters and for the protection of watercourses, watersheds, harbors, public highways, life and property in said district from damage or destruction from such waters and to save and conserve all or any of such waters for beneficial use in said district; to provide for the dividing of said district into zones; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district in the respective zones thereof, and providing certain limitations on assessments, bonded indebtedness and expenditures with respect to the district and the respective zones thereof; and to define the powers of said district, including the right of the district to sue and be sued, and the powers and duties of the officers thereof; to provide for the government, management and control of said district; to provide for the construction of works, the acquisition of property by the district, and other things necessary to carry out the purposes of this act.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1445**—An act making an appropriation for the acquisition of real property for the State Park System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 423**—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1061**—An act to amend Sections 72 and 73 of, and to add Section 72.5 to, the Streets and Highways Code, relating to abandonment and relinquishment of state highways.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1369**—An act authorizing the Director of Finance to sell property belonging to the State in Fresno County, authorizing the Director of Finance to acquire real property for the Fresno State College, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1060**—An act to add Sections 1323, 1774.1, 1774.2, and 1774.3 to the Government Code, relating to appointments by the Governor.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1326**—An act providing for the investigation of water supplies for the western Sacramento-San Joaquin Delta, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

**Senate Bill No. 945**—An act to amend Section 128 of, and to add Part 3 (commencing with Section 3501) to Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1108**—An act to amend Sections 30050 and 30051 of the Streets and Highways Code, relating to public ways and all appurtenances thereto, including toll bridges, toll tubes, toll ferries and toll roads.

Bill read second time, and ordered to third reading.

**Senate Bill No. 1455**—An act to add Article 4 (commencing at Section 31510) to Chapter 5, of Division 13 of the Vehicle Code as enacted at the 1959 Regular Session, relating to safety standards for vehicle loads.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Senate Bill No. 48

With the recommendation: Do pass

CROWN, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 48**—An act to amend Sections 26, 951, 953, 2792, 2799, 2807, 2842, 3946, and 10050 of, and to repeal Section 2792.1 of, the Elections Code, relating to elections

Bill read second time, and ordered to third reading.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

| | |
|---|---|
| Senate Bill No. 724 | Senate Bill No. 4 |
| Senate Bill No. 734 | Senate Bill No. 74 |
| Senate Bill No. 855 | Senate Bill No. 121 |
| Senate Bill No. 985 | Senate Bill No. 1068 |
| Senate Bill No 1174 | Senate Bill No. 1300 |
| Senate Bill No. 1294 | Senate Bill No. 1461 |
| Senate Bill No. 1321 | Senate Bill No. 1472 |
| Senate Bill No. 1329 | |

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No. 590 | Assembly Bill No. 1551 |
| Assembly Bill No. 898 | Assembly Bill No. 1598 |
| Assembly Bill No. 1414 | Assembly Bill No. 2600 |
| Assembly Bill No. 1505 | Assembly Bill No. 2771 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

## RECESS

At 5.55 p.m., on motion of Mr. Winton, the Assembly recessed until 8 p.m.

## REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

## RESOLUTIONS

The following resolutions were offered:

By Messrs. Dills, Crawford, and Grant:

### House Resolution No. 403

Relative to creating a subcommittee of the Interim Committee on Public Health

WHEREAS, Many environmental health and safety problems exist in the State with attendant economic problems; and

WHEREAS, These problems include, but are not limited to, the following:

1. Landslides on streets and highways and elsewhere;
2. Problems of filled or reclaimed land;
3. Abandoned facilities, such as wells, sumps, and other man-made artifacts;
4. Natural formations such as the delta peat problem and the western San Joaquin Valley dust problem;
5. The problem of the invasion of marine recreation areas by man-eating sharks; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Public Health is hereby authorized and directed to appoint a Subcommittee on Environmental Safety and to assign to such subcommittee the subject matter of this resolution, and to report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the chairman of the Assembly Interim Committee on Public Health.

Resolution read, and referred to the Committee on Rules.

By Messrs. Bruce F. Allen, Crawford, Sumner, and Bradley:

**House Resolution No. 404**

Relative to the creation of the Assembly Interim Committee on Penal Laws and Law Enforcement

WHEREAS, Reports of the State Department of Justice show that the rate of major felony crimes in California per 100,000 population increased in 1957 and again in 1958; and

WHEREAS, Various interim committee reports to the Legislature have called the attention of the Legislature to the influx of organized crime into California; and

WHEREAS, Since 1954, law enforcement in California has been increasingly hampered by a series of judicial decisions restricting admissibility of evidence in narcotics and other criminal cases, and narcotics use in California is on the increase; and

WHEREAS, The 1959 Session of the Legislature has produced no significant gains in law enforcement, but, on the contrary, a series of enactments restrictive of the manner and methods of law enforcement; and

WHEREAS, There appears to be an overall program of attacks on and restrictions on law enforcement and that this program may be connected with those who profit from organized crime; and

WHEREAS, The people of California are in danger of further increases in crime and attacks on law enforcement; now, therefore, be it

*Resolved by the Assembly of the State of California*, As follows:

1. The Assembly Interim Committee on Penal Laws and Law Enforcement is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subjects dealt with in the Penal Code and in all uncodified laws relating to crime, all narcotics laws, and the subjects of subversive activities, the extent of organized crime in California, and the relationship, if any, between organized crime and the recurring attacks on law enforcement, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the fifth calendar day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To co-operate with and secure the co-operation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Mr. Cunningham:

**House Resolution No. 405**

Relative to an interim study of the sale of business franchises

*Resolved by the Assembly of the State of California*, That the subject matter of transactions involving the sale of business franchises and the sale of rights to use exclusive processes, patents or trade names, with particular emphasis upon fraudulent transactions in relation thereto and the needed revision of any laws pertaining thereto, is assigned to the Committee on Rules for reassignment to the Assembly Interim Committee on Public Utilities and Corporations, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Mr. Meyers:

**House Resolution No. 406**

Relative to congratulating Grace Stall and the staff of the Assembly Stenographic Pool

WHEREAS, As the end of a long and busy session draws to a close it is appropriate that the Members of this House make known their thanks and appreciation to the loyal and hard working members of the Assembly staff; and

WHEREAS, One of the most outstanding members of this staff is Mrs. Grace Stall, the gracious and extremely competent Chief Stenographer of the Assembly; and

WHEREAS, Mrs. Stall, who began her legislative employment in 1941 as a committee secretary, since 1958 has served with distinction as Chief Stenographer; and

WHEREAS, Mrs. Stall has a staff of over 150 stenographers and secretaries, including the secretaries of the members and the Assembly stenographic pool, which employs over 30 persons; and

WHEREAS, During the current session the stenographers under the directions of Mrs. Stall, completed almost 3,000 assignments for which job order records were kept and tens of thousands of the stapling, stamping and enveloping tasks so necessary to the legislative function; and

WHEREAS, Mrs. Stall and the loyal members of her staff justly merit the highest commendation and thanks of this House for their outstanding work during the session; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House do extend to Mrs. Grace Stall and all the secretaries and stenographers of the Assembly their sincere congratulations, commendations and thanks for a job well done; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit a suitably prepared copy of this resolution to Mrs. Grace Stall.

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 406 without reference to committee or file.

Resolution read, and adopted.

By Mr. Meyers:

**House Resolution No. 407**

Relative to commending the California State Police

WHEREAS, The Members of the Assembly have been favorably impressed throughout the 1959 Regular Session by the skill, efficiency and courtesy with which the officers of the California State Police have preserved and maintained the peace on the Capitol Grounds with a minimum of disturbance and to the satisfaction of all; and

WHEREAS, Their efficiency in the performance of their duties under the stress of a busy session of the Legislature has constituted a significant contribution to the transaction of legislative business; and

WHEREAS, It is altogether fitting that the performance of excellent work by public employees be proclaimed and recorded; and

WHEREAS, The Members of the Assembly desire to express their appreciation to all the officers of the California State Police for their courtesy and helpfulness; now, therefore, be it

*Resolved by the Assembly of the State of California*, That all of the officers of the California State Police be commended on the performance of their duties during the 1959 Regular Session of the Legislature, and that the appreciation of the Members of the Assembly for their courtesy and efficient work be expressed to them; and be it further

*Resolved*, That the Chief Clerk of the Assembly be directed to transmit a suitably prepared copy of this resolution to Vincent J. Strei, Chief of the California State Police.

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 407 without reference to committee or file.

Resolution read, and adopted.

By Mr. Meyers:

**House Resolution No. 408**

Commending the State Capitol Telephone Operators

WHEREAS, The record volume of business transacted by the 1959 Session of the California State Legislature has placed an exceptionally heavy burden on the State Capitol telephone operators; and

WHEREAS, Despite the additional workload, the operators have rendered cheerful and efficient service at all hours of the day and night; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend the State Capitol telephone operators on the excellent service they have provided throughout the session, and thank them for their invaluable co-operation and assistance; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Supervisors Elsie Huot and Rubie Burnett, and Chief Operator Merle Birnie.

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 408 without reference to committee or file.

Resolution read, and adopted.

By Mr. Meyers:

**House Resolution No. 409**

Relative to commending the Assembly Multilith Crew

WHEREAS, At the 1959 Reguler Session of the Legislature the requests made of the Multilith Crew of the Assembly not only included the usual requests for reproduction of a great number of various materials but also, due to the new rules on amendments to bills to be offered on the floor, a much greater use of their time and services was made, with such operations often being under almost impossible deadlines; and

WHEREAS, Not only did they meet these deadlines but did so in what has become their characteristic attitude of utmost co-operation and efficiency, and

WHEREAS, Such devotion to duty and immeasurable service all too often are not given the proper recognition they so richly deserve; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Multilith Crew of the Assembly is heartily commended for its magnificent efforts during the 1959 Regular Session of the Legislature; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Domingo Correia and to Roy Eberline, the persons responsible for providing these multilith services to the Assembly.

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 409 without reference to committee or file.

Resolution read, and adopted.

## INQUIRY

Mr. Lowrey arose to the following inquiry: What is the cost on printing these resolutions?

**Reply by Speaker**

The Speaker replied that, being House resolutions, they are printed in the Journal.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Meyers:

### House Resolution No. 410

Relative to commending the State Capitol Garage Employees

WHEREAS, The diligent and conscientious service rendered by the employees of the State Capitol Garage during the 1959 Regular Session of the Legislature is deserving of commendation; and

WHEREAS, The courteous and efficient manner in which these employees have performed their duties during all the irregular hours and under the adverse conditions of this session has brought forth much praise; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body extend their hearty and sincere "Thanks" to the employees of the State Capitol Garage; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the employees of the State Capitol Garage.

### Request for Unanimous Consent

Mr. Meyers was granted unanimous consent to take up House Resolution No. 410 without reference to committee or file.

Resolution read, and adopted.

By Mr. Meyers:

### House Resolution No. 411

Relative to congratulating Flora Gilliam and the staff of the Joint Legislative Committee for School Visitations

WHEREAS, Since 1955 the Joint Legislative Committee on School Visitations has undertaken the task of conducting tours of the State Capitol and the Houses of the Legislature for the school children of the State; and

WHEREAS, Under the extremely able guidance of Flora Gilliam, many thousands of school children have taken advantage of the opportunity of inspecting the "Home" of the California Government; and

WHEREAS, Flora Gilliam and her staff have undertaken to formulate and organize this program of educational tours which has resulted in the remarkable success of the endeavor; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House congratulate Flora Gilliam and her staff for their excellent work in the conduct of the educational tours of the State Capitol which has resulted in better understanding of the functions of the State Government by the school children; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Flora Gilliam.

### Request for Unanimous Consent

Mr. Meyers was granted unanimous consent to take up House Resolution No. 411 without reference to committee or file.

Resolution read, and adopted.

By Mr. Burton:

### House Resolution No. 412

Relating to congratulating the Chinese-American citizens on the Double-Ten Celebration

WHEREAS, The date of October 10th, marks the National Day of the Chinese Republic and is the occasion for celebration of the anniversary of the culmination of a great struggle for freedom which occurred in China on a pattern very similar to that of the early history of the United States of America, and makes most fitting the extending of congratulations to that valiant people on the occasion of their commemoration of the day upon which their freedom was achieved; and

WHEREAS, During the closing decades of the nineteenth century, the Chinese people, oppressed by the tyranny and corruption of the Manchu and Ching dynasties undertook action of revolt throught the nation, and

WHEREAS, The long and bitter struggle of these downtrodden millions was climaxed by the great victory at the Wuchang Revolution, centered at Hupeh, in Central China, on October 10, 1911, under the inspired leadership of Dr. Sun Yat

Sen, which marked the beginning of the downfall of the dictatorial Ching Dynasty, and was followed by successful revolutions in 17 other provinces and Shanghai and Nanking; and

WHEREAS, These actions resulted in the formation of the Chinese Republic with Dr. Sun elected the first president, assuming his office on January 1, 1912, and caused the abdication of the Manchu emperor on February 12, 1912; and

WHEREAS, After the establishment of the Republic, the date of October 10th was designated by the Chinese Government as the National Day or Day of the Double Ten Celebration, with the same significance to the people of that nation as the Independence Day holiday in the United States of America has to the citizens of this Country, and is celebrated annually by the Chinese people; now, therefore be it

*Resolved by the Assembly of the State of California*, That the Chinese people are congratulated on the anniversary of their National Day and the Double Ten Celebration; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Chinese Consolidated Benevolent Association; the San Francisco and Los Angeles Lodges of the Chinese-American Citizens' Alliance; the Chinese-American Citizens' Alliance, Grand Lodge; the Chinese Chamber of Commerce; The Cathay Post of the American Legion; the Chinatown Post No 4618, Veterans of Foreign Wars; and The Chinese Memorial Chapter No 69 of the Disabled American Veterans.

**Request for Unanimous Consent**

Mr. Burton was granted unanimous consent to take up House Resolution No. 412 without reference to committee or file.

Resolution read, and adopted.

By Mr. Burton:

**House Resolution No. 413**

Relative to the Chinese New Year

WHEREAS, The Members of the Legislature of the State of California take great pleasure in hereby extending to their fellow Californians of Chinese ancestry heartiest congratulations and best wishes with regard to the coming celebration of the Chinese New Year; and

WHEREAS, The Chinese lunar calendar year 4658 will commence with the first day of the "Year of the Rat" on January 28, 1960; and

WHEREAS, It is the sincere wish of each and every Member of the California Legislature that the "Year of the Rat" will be a peaceful and prosperous one for all California residents of Chinese descent, a year blessed with happiness and joy for each of them; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Legislature of the State of California do express to all Californians of Chinese ancestry congratulations and best wishes with regard to the coming public celebration of the Chinese New Year; and be it further

*Resolved*, That the Chief Clerk be directed to transmit suitably prepared copies of this resolution to the Chinese Chamber of Commerce, the Chinese Six Companies, the San Francisco and Los Angeles Lodges of the Chinese-American Citizens Alliance, the Cathay Post of the American Legion, the Chinatown Post No. 4618 of the Veterans of Foreign Wars, and the Disabled American Veterans, Chinese Memorial Chapter No. 69.

**Request for Unanimous Consent**

Mr. Burton was granted unanimous consent to take up House Resolution No. 413 without reference to committee or file.

Resolution read, and adopted.

By Mr. Burton:

**House Resolution No. 414**

Commemorating the birth of Jason Liddell Winnett

WHEREAS, It has come to the attention of the Assembly that on the thirtieth day of March, 1959, Lucille and Tom Winnett of Berkeley, California, were blessed with a bundle of joy in the person of a son, Jason Liddell Winnett, and

WHEREAS, The baby weighed eight pounds one half ounce and was born at the Kaiser Hospital in Oakland, and

WHEREAS, Since Jason Liddell Winnett's parents are fine citizens and active leaders in the Democratic Party, a career in public service for Master Jason seems probable, if not assured, and

WHEREAS, This Assembly rejoices with the parents in their happiness, and desires to extend to them its felicitations; now, therefore, be it

*Resolved by the Assembly of the State of California*, That it hereby extends to Mr. and Mrs. Tom Winnett its best wishes and congratulations on the addition of this new member to their family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. and Mrs. Tom Winnett

Resolution read, and referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 2086**—An act to add Section 24008 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to modification of vehicles.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 2086 ordered enrolled.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

**Senate Bill No. 832**—An act to amend Section 350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 861
Senate Bill No. 1365

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1806

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Arnold, Rodda, and O'Sullivan as a Second Committee on Conference concerning.

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Arnold, Rodda, and O'Sullivan as a Second Committee on Conference concerning:

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

J. A. BEEK, Secretary of the Senate

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Concurrent Resolution No. 137
Assembly Concurrent Resolution No. 140

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered to unfinished business file.

SENATE CHAMBER, June 18, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 10 | Assembly Bill No. 2260 |
| Assembly Bill No. 594 | Assembly Bill No. 2296 |
| Assembly Bill No. 1008 | Assembly Bill No 2511 |
| Assembly Bill No 1340 | Assembly Bill No. 2690 |
| Assembly Bill No 1354 | Assembly Bill No 2715 |
| Assembly Bill No. 1705 | Assembly Bill No 2748 |
| Assembly Bill No. 1886 | Assembly Bill No. 2833 |
| Assembly Bill No 1969 | Assembly Bill No. 2877 |

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file

## REMARKS ON CONDITION OF THE FILE

Mr. McCollister spoke on the condition of the file.

Mr. Munnell spoke on the condition of the file.

## RESOLUTIONS

The following resolution was offered:

By Messrs. Elliott, Munnell, and Johnson:

### House Resolution No. 415

Commemorating the Fiftieth Anniversary of the B'nai B'rith Women

WHEREAS, The organization of B'nai B'rith Women, 137,000 strong, devoted to educational, humanitarian and philanthropic causes, is observing its Fiftieth Anniversary this year; and

WHEREAS, Our golden State was the scene of major events in the growth of B'nai B'rith Women, California being the scene of its organization with a handful of women on March 9, 1909, in the City of San Francisco, its various units were co-ordinated in the formation of the first B'nai B'rith Women's District Grand Lodge (now one of seven in the United States and Canada) in 1922 in our State Capitol Building at Sacramento; its first B'nai B'rith girls group was formed in San Francisco in 1927 (now numbering thousands of members in the United States, Canada and other countries); and in 1940, a San Francisco woman, Judge Lenore D. Underwood, became the first National President of B'nai B'rith Women; and

WHEREAS, The benevolence and services of this organization of Jewish women have been extended without regard to religion, race or creed, in countless hours of personal service, volunteer aid and contributions of funds in times of peace and war, disaster and distress, in aid to the orphaned, to the aged and infirm, in community drives in California, mobilizing instantly to aid the victims of the Long Beach, Tehachapi earthquakes and Central Valley floods, among many needs; and

WHEREAS, Its projects and programs are devoted to the advancement of youth, better human relations, patriotic causes and services to the hospitalized veterans; and

WHEREAS, B'nai B'rith Women of District No 4 celebrated its Fiftieth Birthday by giving instead of receiving, through a national program of donations of blood by its members in behalf of the Red Cross; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members pay tribute to the organization of B'nai B'rith Women on the occasion of its fiftieth year in commemoration of its history of distinguished service in the growth and progress in the State of California; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the B'nai B'rith Women of District 4, Los Angeles, California.

**Request for Unanimous Consent**

Mr. Elliott was granted unanimous consent to take up House Resolutin No. 415 without reference to committee or file

Resolution read, and adopted.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 2907 FROM COMMITTEE

Mr. Bane was granted unanimous consent that Assembly Bill No. 2907 be withdrawn from the Committee on Rules for purpose of amendment, and that the bill be re-referred to the committee.

## CONSIDERATION OF ASSEMBLY BILL NO. 2907

**Assembly Bill No. 2907**—An act to add Division 9 (commencing with Section 9000) to the Welfare and Institutions Code, relating to marriage and its preservation.

Bill read second time.

**Motion to Amend**

Mr. Bane moved the adoption of the following amendment:

**Amendment No. 1**

On page 2 of the printed measure as amended in the Assembly on June 5, 1959, on line 36 after "interests", insert "The first visit by either party shall be free of charge. Subsequent visits shall be charged for according to the ability to pay and such charges shall be agreeable to the parties receiving conciliation services."

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and re-referred to the Committee on Rules.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Third Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: The Third Committee on Conference concerning:

**Assembly Bill No. 700**—An act to add Sections 20710, 20894, and 20896 to the Business and Professions Code, relating to petroleum products.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1959, after "20894," insert "20895,".

**Amendment No. 2**

On page 2, between lines 27 and 28, insert

"This section does not apply to gasoline offered for sale or advertised for sale for use in aircraft

SEC. 3. Section 20895 is added to said code, to read:

20895. When gasoline is offered for sale by any producer, manufacturer, distributor, broker, jobber, wholesaler, or seller, except at retail, said seller, at the time of the sale, must specify in writing the octane number of the gasoline sold. The octane number of said gasoline at the time of sale by said seller shall be not less than the octane number specified by said seller.

This section does not apply to gasoline offered for sale or sold for use in aircraft."

**Amendment No. 3**

On page 2, line 36, strike out "SEC. 3.", and insert "SEC. 4."

**Amendment No. 4**

On page 2, line 38, strike out "Section 20894", and insert "Sections 20894 or 20895".

| | |
|---|---|
| STEPHEN TEALE | DOROTHY M. DONAHOE |
| WAVERLY J. SLATTERY | CHARLES B. GARRIGUS |
| VIRGIL O'SULLIVAN | TOM BANE |
| Third Senate Committee on Conference | Third Assembly Committee on Conference |

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Biddick, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Ernest R Geddes, Samuel R Geddes, Hanna, Hawkins, Johnson, Kilpatrick, Lowrey, Lunardi, Marks, Masterson, McCollister, Miller, Munnell, Pattee, Petris, Rumford, Schrade, Sedgwick, Unruh, Waldie, George A Willson, Winton, and Mr. Speaker—42.

NOES—Francis—1.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2061**—An act to amend Section 14345 of the Revenue and Taxation Code, relating to inheritance taxation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2061?

**Amendment No. 1**

On page 2, line 18, of the printed bill, after "deposits", insert "or to a savings and loan association permitting withdrawals from share and certificate accounts".

The Assembly concurred in Senate amendment to Assembly Bill No. 2061 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, Munnell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, George A Willson, Winton, Z'berg, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2061 ordered enrolled

**Assembly Bill No. 1718**—An act to amend Sections 11710, 11711, and 11713 of, and to add Sections 11718, 11719, 11720, and 11721 to, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the licensing and regulation of manufacturers, transporters, and dealers of vehicles.

The question being: Shall the Assemby concur in the following Senate amendments to Assembly Bill No. 1718?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section 11713", and insert "Sections 11710, 11711, and 11713".

**Amendment No. 2**

On page 3, lines 31 and 32, strike out "February 5th", and insert "January 1st".

**Amendment No. 3**

On page 3, after line 33, insert

"SEC. 6. Section 11710 of said code as enacted by the Legislature at the 1959 Regular Session is amended to read:

11710. (a) Before any dealer's license shall be issued or renewed by the department to any applicant therefor, the said applicant shall procure and file with the department a good and sufficient bond in the

amount of five thousand dollars ($5,000) with corporate surety thereon, duly licensed to do business within the State of California approved as to form by the Attorney General, and conditioned that said applicant shall not practice any fraud, make any fraudulent representation which will cause a monetary loss to a purchaser, seller, financing agency, or governmental agency.

(b) Liability under such bond is to remain at five thousand dollars ($5,000). If the amount of liability under the bond is decreased or there is outstanding a final court judgment for which the dealer and bonding company is liable, the dealer's license shall be automatically suspended. In order to reinstate the license and certificate, the licensee shall either file an additional bond or restore the bond on file to the original amount, or shall terminate the outstanding judgment for which he and the bonding company are liable.

(c) From and after the effective date of this section, a dealer's license, or renewal of such license, shall not be issued to any applicant therefor, unless and until such applicant shall file with the department a good and sufficient instrument in writing in which he shall appoint the director as the true and lawful agent of said applicant upon whom all process may be served in any action, or actions, which may thereafter be commenced against such applicant, arising out of any claim for damages suffered by any firm, person, association or corporation, by reason of the violation of said applicant of any of the terms and provisions of this code or any condition of the dealer's bond. The applicant shall stipulate and agree in said appointment that any process directed to said applicant, when personal service of process upon him cannot be made in this State after due diligence, in such a case which is served upon the director, or in the event of his absence from his office, upon any employee in charge of the office of such director, shall be of the same legal force and effect as if served upon said applicant personally. Said applicant shall further stipulate and agree in writing that the agency created by said appointment shall continue for and during the period covered by any license that may be issued and so long thereafter as the applicant may be made to answer in damages for a violation of this code or any condition of his bond, as aforesaid. The instrument appointing the director as the agent for the applicant for service of process shall be acknowledged by the applicant before a notary public. In any case wherein the licensee be served with process by service thereof upon the director ~~three (3) copies of said process together with a fee in the amount of five dollars ($5) shall be left with said director. Not later than two (2) days after the service of said process upon him, the director shall mail one copy thereof to the licensee address to such licensee at his principal place of business. as the same appears of record in the office of the department, postpaid, by registered mail with request for return receipt. One copy shall be mailed to the surety on the applicant's bond at the address of the surety given in said bond, postpaid and registered with request for return receipt. The remaining copy shall be retained on file with the director; provided, however, that~~ *one copy of the summons and complaint shall be left with the director or in his office in Sacramento or mailed to the office of the director in Sacramento. A fee of five dollars*

*($5) shall also be paid to the director at the time of service of the copy of the summons and complaint. Such service on the director shall be a sufficient service on said licensee; provided, a notice of such service and a copy of the summons and complaint shall be forthwith sent by registered mail by the plaintiff or his attorney to said licensee. A copy of the said summons and complaint shall also be mailed by the plaintiff or his attorney to the surety on the applicant's bond at the address of the surety given in said bond, postpaid and registered with request for return receipt. The director shall keep a record of all process so served upon him which record shall show the day and hour of service and shall retain the summons and complaint so served on him on file.* Where the licensee is served with process by service thereof upon the director, the licensee shall have and be allowed thirty (30) days from and after the service thereof within which to answer any complaint or other pleading which may be filed in said cause; and provided further, that for purposes of venue, where the licensee is served with process by service thereof upon the director, the service shall be deemed to have been made upon the licensee in the county in which he has or last had his established place of business.

SEC. 7. Section 11711 of said code as enacted by the Legislature at the 1959 Regular Session is amended to read:

11711. (a) If any person shall suffer any loss or damage by reason of any fraud practiced on him or fraudulent representation made to him by a licensed dealer or one of such dealer's salesmen acting for the dealer, in his behalf, or within the scope of the employment of such salesman; provided, such person has possession of a written instrument furnished by the licensee, containing stipulated provisions and guarantees which the person believes have been violated by the licensee, or shall suffer any loss or damage by reason of the violation by such dealer or salesman of any of the provisions of Division 3 of this code, *or fails to pay for a vehicle sold to and purchased by a licensee*, such person shall have a right of action against such dealer, his said salesmen, and the surety upon the dealer's bond, in an amount not to exceed the value of the vehicle purchased from or sold to the dealer.

(b) If the State or any political subdivision thereof shall suffer any loss or damage by reason of any fraud practiced on the State or fraudulent representation made to the State by a licensed dealer, or one of such dealer's representatives acting for the dealer, in his behalf, or within the scope of employment of such representatives, or shall suffer any loss or damage by reason of the violation of such dealer or representative of any of the provisions of Division 3 of this code, or Division 2, Part 5 of the Revenue and Taxation Code, the State or any political subdivision thereof, through the department, shall have a right of action against such dealer, his representative, and the surety upon the dealer's bond in an amount not to exceed the value of the vehicles involved."

**Amendment No. 4**

On page 2 of the printed bill, as amended in the Senate on May 29, 1959, between lines 14 and 15, insert

"(j) To deliver, following sale of a new unregistered vehicle for operation on California highways, if such vehicle does not meet all of the equipment requirements of Division 12 of this code."

**Amendment No. 5**

On page 5, line 20, strike out "fails to pay", and insert "is not paid".

The Assembly concurred in Senate amendments to Assembly Bill No. 1718 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1718 ordered enrolled.

**Assembly Bill No. 2216**—An act to amend Sections 72 and 73 of, and to add Sections 72.5 and 838 to, the Streets and Highways Code, relating to relinquishment of state highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2216?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 29, 1959, strike out "Section 73 of", and insert "Sections 72 and 73 of, and to add Sections 72.5 and 838 to,".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 72 of the Streets and Highways Code is amended to read:

72. The commission may abandon any ~~easement or~~ portion ~~thereof~~ *of a state highway* ~~which has been acquired for state highway purposes, and~~ which by reason of change in location of a state highway ; *has been superseded and* is no longer necessary for such purposes.

*The abandonment shall be by resolution and certified copies thereof shall be filed with the board of supervisors and recorded with the county recorder in the county in which the abandoned highway is located.*

SEC. 2. Section 72.5 is added to said code, to read:

72.5. In any proceeding for the abandonment of any state highway or part thereof, the commission may reserve and except from the abandonment the easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove and renew sanitary sewers and storm drains and appurtenant structures in, upon, over and across any highway or part thereof proposed to be abandoned and pursuant to any existing franchise or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment and fixtures for the operation of gas pipe lines, telegraphic and telephone lines, railroad lines and for the transportation or distribution of electric energy, petroleum, and its products, ammonia, water, and for incidental purposes, including access to protect the property from all hazards in, upon and over the highway or part thereof proposed to be abandoned.

SEC. 3. Section 73 of said code"

**Amendment No. 3**

On page 2, strike out lines 20 to 26, inclusive; in line 27, strike out "city.", and insert "council, as the case may be."

**Amendment No. 4**

On page 2, after line 34, insert

"Within the 90-day period the board of supervisors or the city council may protest in writing to the commission stating the reasons therefor, including, but not limited to, objections that the highway is not in a good state of repair or is not needed for public use and should be abandoned by the commission. In the event that the commission does not comply with the requests of the protesting body, it may proceed with the relinquishment only after a public hearing given to the protesting body on 10 days written notice.

SEC. 4. Section 838 is added to said code, to read:

838. In any proceeding for the abandonment of any state highway or part thereof, the commission may reserve and except from the abandonment the easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove and renew sanitary sewers and storm drains and appurtenant structures in, upon, over and across any highway or part thereof proposed to be abandoned and pursuant to any existing franchise or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment and fixtures for the operation of gas pipe lines, telegraphic and telephone lines, railroad lines and for the transportation or distribution of electric energy, petroleum, and its products, ammonia, water, and for incidental purposes, including access to protect the property from all hazards in, upon and over the highway or part thereof proposed to be abandoned."

The Assembly concurred in Senate amendments to Assembly Bill No. 2216 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Untuh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2216 ordered enrolled.

**Assembly Bill No. 2450**—An act to add Section 6456.5 to, and to amend Sections 8108 and 8256 of the Financial Code, relating to stock of savings and loan associations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2450?

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 20, 1959, strike out "Section 8108", and insert "Sections 8108 and 8256".

**Amendment No. 2**

On page 2, after line 13, insert:

"SEC. 3. Section 8256 of said code is amended to read:

8256. No shareholders of an association subject to this article shall be permitted to withdraw whose shares are pledged to the association as security for a loan ~~until such loan is fully paid~~ *if after giving effect to such withdrawal the principal amount of such loan would be greater than is permitted by Section 7157.*"

The Assembly concurred in Senate amendments to Assembly Bill No. 2450 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins,

Hegland, House, Johnson, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2450 ordered enrolled.

**Assembly Bill No. 2456**—An act to add Section 20567.5 to the Government Code, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2456?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20567.4", and insert "20567.5".

Amendment No. 2

On page 1, line 1, strike out "20567 4", and insert "20567.5".

Amendment No. 3

On page 1, line 3, strike out "20567 4", and insert "20567.5".

The Assembly concurred in Senate amendments to Assembly Bill No. 2456 by the following vote:

AYES—Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2456 ordered enrolled.

**Assembly Bill No. 2525**—An act to amend Section 75030.5 of the Government Code, relating to the retirement of judges.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2525?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 29, 1959, strike out "salaried".

Amendment No. 2

On page 1, line 14, after "State", insert "or any agency of the State".

Amendment No. 3

On page 1, line 15, after "State", insert "who is paid a salary or other fixed regular compensation and who is".

The Assembly concurred in Senate amendments to Assembly Bill No. 2525 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McCollister, Miller, Mulford, Munnell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—Lowrey—1.

Assembly Bill No. 2525 ordered enrolled.

**Assembly Bill No. 2635**—An act to amend Sections 3.1, 3.3, and 3.6 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2635?

**Amendment No. 1**

On page 1, line 4, of the printed bill, strike out "31", and insert "3 1".

The Assembly concurred in Senate amendment to Assembly Bill No. 2635 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, Miller, Mulford, Munnell, Pattee, Petris, Rumford, Schrade, Sedgwick, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 2635 ordered enrolled.

**Assembly Bill No. 2858**—An act to add Sections 55530, 55531, and 55532 to the Water Code, relating to county waterworks districts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2858?

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, as amended in Assembly June 5, 1959, strike out "55529, 55530, and 55531", and insert "55530, 55531, and 55532".

**Amendment No. 2**

On page 1, line 1, strike out "55529", and insert "55530".

**Amendment No. 3**

On page 1, line 3, strike out "55529", and insert "55530".

**Amendment No. 4**

On page 1, line 7, strike out "55530", and insert "55531".

**Amendment No. 5**

On page 1, line 8, strike out "55530", and insert "55531".

**Amendment No. 6**

On page 1, line 16, strike out "55531", and insert "55532".

**Amendment No. 7**

On page 1, line 17, strike out "55531", and insert "55532".

The Assembly concurred in Senate amendments to Assembly Bill No. 2858 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Assembly Bill No. 2858 ordered enrolled.

### ANNOUNCEMENT

Speaker Brown announced that today was the twenty-fourth birthday of Legislative Intern Stuart Hall, whereupon the Members of the Assembly joined in extending best wishes and birthday congratulations to Mr. Hall.

### UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2889**—An act to add Section 21415 to the Public Utilities Code, relating to persons intoxicated in or about aircraft.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2889?

#### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on June 5, 1959, strike out ", other than a passenger,".

#### Amendment No. 2

On page 1, line 4, strike out "noncommercial".

#### Amendment No. 3

On page 1, after line 5, insert

"This section does not apply to a person who is in an aircraft merely as a passenger, but this section shall not be construed to relieve any such person of criminal liability imposed by any other law for being intoxicated while in an aircraft."

#### Amendment No. 4

On page 1, line 4, of the printed bill as amended in Assembly June 5, 1959, after "with", insert "the maintenance or operation of".

Senate amendments read.

#### Point of Order

Mr. Lowrey arose to the following point of order: That copies of the bill were not on the desks of the members.

#### Ruling by Speaker

The Speaker ruled the point of order not well taken.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2889?

The Assembly concurred in Senate amendments to Assembly Bill No. 2889 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62

NOES—Burton, Cameron, Davis, Lowrey, and O'Connell—5.

Assembly Bill No. 2889 ordered enrolled.

**Assembly Bill No. 2744**—An act to amend Section 19574 of the Government Code, relating to punitive actions against state employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2744?

#### Amendment No. 1

In line 1 of the title of the printed bill as amended in Assembly June 4, 1959, strike out "Section 19574", and insert "Sections 19175 and 19575".

The Assembly concurred in Senate amendment to Assembly Bill No. 2744 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—Lowrey—1.

Assembly Bill No. 2744 ordered enrolled.

**Assembly Bill No. 344**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 344?

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in Assembly February 18, 1959, after "expense," insert "in the presence of a public officer or employee,".

**Amendment No. 2**

On page 1, line 6, strike out "person", and insert "persons".

**Amendment No. 3**

On page 1, line 6, after "called", insert a comma.

**Amendment No. 4**

On page 1, line 7, strike out "either".

The Assembly concurred in Senate amendments to Assembly Bill No. 344 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.
NOES—Bruce F. Allen, Cameron, Lowrey, and Winton—4.

Assembly Bill No. 344 ordered enrolled.

**Assembly Bill No. 1328**—An act to amend Section 8453 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to prohibited instruction in schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1328?

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly May 15, 1959, strike out "schools", and insert "classes or students".

The Assembly concurred in Senate amendment to Assembly Bill No. 1328 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62.

NOES—Bruce F. Allen and Burton—2.

Assembly Bill No. 1328 ordered enrolled.

**Assembly Bill No. 2485**—An act to amend Section 13583 of, and to add Sections 13590.1, 13590.2, and 13590.3 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to school district employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2485?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on May 20, 1959, strike out "of a district to which Section 13303 or 13304 applies".

Amendment No. 2

On page 2, between lines 2 and 3, insert

"This section shall apply only to districts which are required by law to classify as permanent employees those employees of the district who are employed in a position requiring certification qualifications and who otherwise meet the requirements of law for attaining the status of a permanent employee of the district."

The Assembly concurred in Senate amendments to Assembly Bill No. 2485 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2485 ordered enrolled.

## VOTES CHANGED UPON ROLL CALL ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1328

Messrs. Bruce F. Allen and Burton were granted unanimous consent that they be recorded as voting "No" instead of "Aye" on concurrence in Senate amendments to Assembly Bill No. 1328.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2340**—An act to amend Section 39560 of, and to add Sections 39567.1 and 39574.5 to, the Government Code, relating to weed and rubbish abatement.

The question being: Shall the Assembly concur in the following Senate title amendment to Assembly Bill No. 2340?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1959, strike out "39574.5", and insert "39576.5".

The Assembly concurred in the Senate title amendment to Assembly Bill No. 2340.

Assembly Bill No. 2340 ordered enrolled.

**Assembly Bill No. 415**—An act to amend Sections 318, 319, 320, 708, 978, 1028, 1562, 1585, 1956, 2053, 2055, 2902, 3004, and 3254 of, to add Sections 20, 930 5, and 1179 5 to, to add an article heading to Article 2 of Chapter 2, Part 1, Division 1 of, to, and to repeal Section 138 of, the Unemployment Insurance Code, relating to unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 415?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "978, 979,".

**Amendment No. 2**

In line 2 of the title of the printed bill, strike out "1556, 1558,".

**Amendment No. 3**

In line 2 of the title of the printed bill, strike out "2054", and insert "2053".

**Amendment No. 4**

On page 1, between lines 8 and 9, insert

"~~138. "Social Security Board" means the Social Security Board established by the Social Security Act or any other person or agency to whom the functions vested in the Social Security Board by the Social Security Act are transferred.~~"

**Amendment No. 5**

On page 2, line 39, strike out "and of", and insert "or".

**Amendment No. 6**

On page 3, strike out lines 16 through 50; and on page 4, strike out lines 1 through 34

**Amendment No. 7**

On page 4, line 36, strike out "11", and insert "9".

**Amendment No. 8**

On page 6, line 8, strike out "12", and insert "10".

**Amendment No. 9**

On page 6, line 16, strike out "dollars", and insert "dollar".

**Amendment No. 10**

On page 6, line 17, strike out "13", and insert "11".

**Amendment No. 11**

On page 6, strike out lines 39 through 52; and on page 7, strike out lines 1 through 8.

**Amendment No. 12**

On page 7, line 9, strike out "16", and insert "12".

**Amendment No. 13**

On page 7, line 16, after "date," insert "and".

**Amendment No. 14**

On page 7, lines 17 to 20, strike out "and any money thereafter made available by this State or its political subdivisions matched by money granted to this State pursuant to the provisions of the Wagner-Peyser Act,".

**Amendment No. 15**

On page 7, line 25, after "part", insert "and Part 3 of this division"

**Amendment No. 16**

On page 7, line 34, strike out "17", and insert "13".

**Amendment No. 17**

On page 7, line 46, strike out "18", and insert "14"

**Amendment No. 18**

On page 8, strike out lines 7 through 26, and insert

"SEC. 15. Section 2053 of said code is amended to read:

2053. All money ~~made available by the State or~~ received by the State under the Wagner-Peyser Act and paid into the Unemployment Administration Fund shall be expended as provided by this division and by that act of Congress."

**Amendment No. 19**

On page 8, line 27, strike out "SEC. 20", and insert "SEC. 16".

**Amendment No. 20**

On page 8, line 32, strike out "21", and insert "17".

**Amendment No. 21**

On page 8, line 49, strike out "22", and insert "18".

**Amendment No. 22**

On page 9, line 7, strike out "23", and insert "19".

**Amendment No. 23**

On page 9, line 46, strike out "24", and insert "20".

The Assembly concurred in Senate amendments to Assembly Bill No. 415 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 415 ordered enrolled.

**Assembly Bill No. 471**—An act to amend Section 7058 of the Business and Professions Code, relating to contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 471?

**Amendment No. 1**

On page 8 of the printed bill, after "are", insert "principally".

The Assembly concurred in Senate amendment to Assembly Bill No. 471 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 471 ordered enrolled.

**Assembly Bill No. 476**—An act to amend Section 316 of the Unemployment Insurance Code, relating to publication of information.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 476?

**Amendment No. 1**

On page 1, line 11, of the printed bill, as amended in the Assembly on April 23, 1959, after "Spanish", insert ", or at the discretion of the director, in English and Spanish,".

The Assembly concurred in Senate amendment to Assembly Bill No. 476 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—Thelin—1.

Assembly Bill No. 476 ordered enrolled.

## POINTS OF PERSONAL PRIVILEGE

Mr. Rees arose to a point of personal privilege.

Mr. Munnell arose to a point of personal privilege.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 670**—An act to add Article 7 (commencing at Section 2048) to Chapter 1, Title 1, Part 3 of the Penal Code, and to amend Section 5003 of said code, relating to the establishment and functions of the correctional institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 670?

**Amendment No. 1**

In lines 4 and 5 of the title of the printed bill, strike out "the California Correctional Institution at Tehachapi", and insert "correctional institutions".

**Amendment No. 2**

On page 2, line 29, strike out "California State Prison at Soledad", and insert "Correctional Training Facility".

The Assembly concurred in Senate amendments to Assembly Bill No. 670 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 670 ordered enrolled.

**Assembly Bill No. 1850**—An act to amend Section 1227 of the Penal Code, relating to executions of judgments of death.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1850?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 15, 1959, after "of", insert ", and to add Section 209.5 to,".

**Amendment No. 2**

In line 2 of the title strike out "executions of judgments of", and insert "kidnapping and other offenses punishable by".

**Amendment No. 3**

On page 1, after line 25, insert

"SEC. 2. Section 209.5 is added to said code, to read:

209.5. For the purposes of Sections 207 and 209, a person shall not be deemed to be "kidnapped," "abducted" or "carried away" where any of the following conditions exist:

(a) The movement does not involve the removal of the victim either out of, or into, the confines of an enclosure, such as a dwelling, apartment house or other building or a vehicle or other clearly definable enclosure.

(b) The total distance the victim is moved does not exceed 50 feet.

(c) The movement is made as a minor adjunct, incident or detail in the commission of some public offense other than kidnapping.

This section shall not be construed to relieve any person of liability for the crime of false imprisonment under Sections 236 and 237."

**Amendment No. 4**

In lines 1 and 2 of the title of the printed bill, as amended in Senate June 16, 1959, strike out ", and to add Section 209.5 to,".

**Amendment No. 5**

In lines 3 and 4 of the title, strike out "kidnapping and other offenses punishable by", and insert "executions of judgments of".

**Amendment No. 6**

On page 2, strike out lines 6 to 21, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1850 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1850 ordered enrolled.

**Assembly Bill No. 1984**—An act to amend Section 27051 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the administration of the State Library and its services to public libraries.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1984?

**Amendment No. 1**

On page 2 of the printed bill, as amended in the Assembly on June 1, 1959, in line 29, after "Federal" strike out "and"; and in line 30, strike out "state".

The Assembly concurred in Senate amendment to Assembly Bill No. 1984 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None

Assembly Bill No. 1984 ordered enrolled.

**Assembly Bill No. 2118**—An act to create a flood control district to be called Lassen-Modoc County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2118?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1959, after "Lassen", insert "-Modoc".

**Amendment No. 2**

On page 1, line 2, after "Lassen", insert "-Modoc".

**Amendment No. 3**

On page 1, line 5, after "thereof", insert "and all of the area of Modoc County situated within the drainage area of the Pit River".

**Amendment No. 4**

On page 1, line 6, after "Lassen", insert "-Modoc".

**Amendment No. 5**

On page 2, line 46, strike out "county", and insert "district".

**Amendment No. 6**

Strike out all of page 4 and on page 5, strike out lines 1 to 20, inclusive.

**Amendment No. 7**

On page 6, lines 50 and 51, strike out "County of Lassen", and insert "Counties of Lassen and Modoc".

**Amendment No. 8**

On page 7, line 34, after "Lassen", insert "-Modoc".

**Amendment No. 9**

On page 7, line 48, after "Lassen", insert "-Modoc".

**Amendment No. 10**

On page 10, line 12, after "County", insert "or Modoc County".

**Amendment No. 11**

On page 10, line 30, after "County", insert "or Modoc County".

**Amendment No. 12**

On page 10, line 51, strike out "Board of Supervisors of Lassen County", and insert "members of the Board of Supervisors of Lassen County and the members of the Board of Supervisors of Modoc County whose supervisorial districts includes the area within Modoc County which is a part of the district,".

**Amendment No. 13**

On page 11, line 12, strike out "of supervisors".

**Amendment No. 14**

On page 13, between lines 37 and 38, insert

"SEC. 17.5 Whenever the board is to levy taxes within the district pursuant to this act the board shall avail itself of the assessments shown by the equalized assessment rolls of Lassen County, and of Modoc County to the extent of the territory of the district within Modoc County, and shall take such assessments as a basis for district taxation and shall have its taxes collected by the county officials of Lassen and of Modoc Counties.

The county auditor of each county shall on or before the second Monday in August of each year, transmit to the board a statement in writing showing the total value of all property within the district, ascertained from the assessments referred to in this section as equalized

The board shall on or before the first weekday in September, or if such weekday falls upon a holiday, then on the first business day thereafter, fix the rate of taxes, designating the number of cents upon each hundred dollars, using as a basis the value of property transmitted to the board by the county auditors, which rate of taxation shall be sufficient to raise the amount previously fixed by the board These acts by the board shall constitute a valid assessment of the property and a valid levy of the taxes so fixed

The board shall immediately after fixing the rate of taxes as provided in this section, transmit to the county auditors of Lassen and Modoc Counties a statement of the rate of taxes fixed by the board. The district's taxes so levied shall be collected at the same time and in the same manner as county taxes When collected, the net amount, ascertained as provided in this act, shall be paid to the treasurer of the district under the general requirements and penalties provided by law for the settlement of other taxes.

Whenever any real property situated in the district has been sold for taxes due to the district and has been redeemed, the money paid for redemption shall be appropriated and paid to the district by the county auditor receiving it in accordance with the provisions of Chapter 1c (commencing at Section 4656) of Part 8 of Division 1 of the Revenue and Taxation Code.

All taxes levied under this act are a lien on the property on which they are levied Unless the board has by ordinance provided otherwise, the enforcement of the collection of such taxes shall be in the same manner and by the same means provided by law for the enforcement of county taxes, all of the provisions of law relating to the enforcement of the latter being made a part of this act so far as applicable."

**Amendment No. 15**

On page 13, strike out lines 42 and 43, and insert "in said district. Said tax shall be levied and collected as provided in Section 17.5 of this act".

**Amendment No. 16**

On page 13, line 44, strike out "not to" and insert "shall not".

**Amendment No. 17**

On page 13, line 47, strike out "roll" and insert "rolls".

**Amendment No. 18**

On page 15, line 30, after "County" insert "or Modoc County".

**Amendment No. 19**

On page 20, line 24, strike out "assessment", and insert "assessments".

**Amendment No. 20**

On page 20, line 24, strike out "roll", and insert "rolls".

**Amendment No. 21**

On page 20, line 25, after "Lassen", insert ", and the County of Modoc to the extent of the territory of the district within Modoc County,".

**Amendment No. 22**

On page 20, line 26, strike out "said", and insert "each".

**Amendment No. 23**

On page 20, line 27, strike out "auditor", and insert "auditors of Lassen and Modoc Counties".

**Amendment No. 24**

On page 20, line 29, strike out "such", and insert "each".

**Amendment No. 25**

On page 20, line 32, after "property", insert "in such county".

**Amendment No. 26**

On page 20, line 35, after "in", insert "such county within".

**Amendment No. 27**

On page 20, line 45, strike out "auditor", and insert "auditors of Lassen and Modoc Counties".

**Amendment No. 28**

On page 20, line 46, after "zone", insert "in the respective counties".

**Amendment No. 29**

On page 20, line 47, strike out "auditor", and insert "auditors of Lassen and Modoc Counties".

**Amendment No. 30**

On page 21, line 12, strike out "the county", and insert "the Counties of Lassen and Modoc".

**Amendment No. 31**

On page 21, line 17, strike out "such", and insert "each".

**Amendment No. 32**

On page 22, line 15, after "Lassen", insert "-Modoc".

**Speaker pro Tempore Presiding**

At 9.06 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2118?

The Assembly concurred in Senate amendments to Assembly Bill No. 2118 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 2118 ordered enrolled.

**Assembly Bill No. 2400**—An act relating to certain lands located within the subsidence area of a portion of the Long Beach Harbor District and providing for the extension, amendment and modification of existing contracts, royalty arrangements and other agreements, for the production of oil, gas and other hydrocarbon substances from

such lands, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2400?

**Amendment No. 1**

On page 1 of the printed bill as amended in Assembly May 14, 1959, strike out lines 13 to 18, inclusive, and insert "or portions thereof are located within that segment of the Wilmington Oil Field designated as Fault Block IV, as said Fault Block IV descriptive boundaries are set forth in the officially published Findings of Fact and Orders of the State Oil and Gas Supervisor, dated February 26, 1959, and are the subject of presently existing contracts or royalty arrangements between the City of Long Beach and the following oil operators: The Termo Company-Oakes-Combs Group, General American Oil Company of Texas, Signal Oil and Gas Company, Hancock Oil Company, D. D. Dunlap Oil Company and Royalty Service Corporation, Ltd, hereinafter called "enumerated oil operators." Said contracts or royalty arrangements provide for the production of oil and gas therefrom, which contracts or royalty arrangements will expire by their terms within the next five years or thereafter. Such lands are located within".

**Amendment No. 2**

On page 2, line 5, strike out ", royalty arrangements, or other agreements", and insert "or royalty arrangements".

**Amendment No. 3**

On page 2, line 6, strike out "such oil operators", and insert "the enumerated oil operators, their successors or assigns,".

**Amendment No. 4**

On page 2, lines 12 and 13, strike out "the lands, easements or well sites", and insert "said lands".

**Amendment No. 5**

On page 2, line 13, after "thereof,", insert "located within said Fault Block IV,".

**Amendment No. 6**

On page 2, line 15, strike out "the existing contracts," and insert "the City of Long Beach may extend the presently existing contracts or".

**Amendment No. 7**

On page 2, strike out lines 16 to 19, inclusive, and insert "rangements between the City of Long Beach and any or all of the enumerated oil operators, their successors or assigns (together with any presently existing agreements providing for the use of surface drill sites or drill-through easements incidental thereto), without".

**Amendment No. 8**

On page 2, line 23, after "conditions", insert "thereof".

**Amendment No. 9**

On page 2, line 43, strike out "SEC. 4", and insert "SEC. 3".

**Amendment No. 10**

On page 2, line 44, strike out "oil operators", and insert "enumerated oil operators, their successors or assigns".

**Amendment No. 11**

On page 2, line 51, strike out "SEC. 5", and insert "SEC. 4".

The Assembly concurred in Senate amendments to Assembly Bill No. 2400 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 2400 ordered enrolled.

**Assembly Bill No. 2429**—An act to add Section 13655 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to classified employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2429?

**Amendment No. 1**

On page 1, line 8, of the printed bill, strike out "shall be", and insert "may, if agreed to by the employing district,".

**Amendment No. 2**

On page 1, strike out line 9, and insert "have transferred with him all or any part of the accumulated sick ".

**Amendment No. 3**

On page 1, line 12, after "All", insert "or any part of the".

**Amendment No. 4**

On page 1, line 13, strike out "shall", and insert "may, if agreed to by the employing district,".

**Amendment No. 5**

On page 2, strike out lines 1 to 3, inclusive, and on line 4, strike out "may be waived."

**Amendment No. 6**

On page 2, line 8, strike out "are", and insert "may be".

The Assembly concurred in Senate amendments to Assembly Bill No. 2429 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Williamson, George A. Willson, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2429 ordered enrolled.

**Assembly Bill No. 2562**—An act to add Section 24052 to the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2562?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1959, strike out "24051", and insert "24052".

**Amendment No. 2**

On page 1, line 1, strike out "24051", and insert "24052".

**Amendment No. 3**

On page 1, line 3, strike out "24051", and insert "24052".

The Assembly concurred in Senate amendments to Assembly Bill No. 2562 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride,

Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Lowrey—1.

Assembly Bill No. 2562 ordered enrolled.

**Assembly Bill No. 10**—An act to add Article 13 (commencing at Section 6401) to Chapter 6 of Division 6 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to the advanced education of twelfth grade high school students.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 10?

**Amendment No. 1**

On page 2, line 15, of the printed bill, as amended in the Assembly on February 27, 1959, strike out "one-half", and insert "one-third".

The Assembly concurred in Senate amendment to Assembly Bill No. 10 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.
NOES—None.

Assembly Bill No. 10 ordered enrolled.

**Assembly Bill No. 1008**—An act to amend Section 13842 of the Education Code, and to repeal Section 13842 of said code as amended by Chapter 1635 of the Statutes of 1953, and to repeal Section 13525 of, and to amend and renumber Section 13525.1 of the Education Code as proposed by Senate Bill No. 2, relating to the compensation of personnel employed in the public schools, declaring the urgency thereof to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1008?

**Amendment No. 1**

On page 1, line 8, of the printed bill before the period, insert "prior to July 1, 1960, and four thousand five hundred dollars ($4,500) on and after July 1, 1960".

**Amendment No. 2**

On page 1, line 14, after "($4,200)", insert "prior to July 1, 1960, and to four thousand five hundred dollars ($4,500) on and after July 1, 1960,".

**Amendment No. 3**

On page 2, line 22, before the period, insert "prior to July 1, 1960, and four thousand five hundred dollars ($4,500) on and after July 1, 1960".

**Amendment No. 4**

On page 2, line 28, after "($4,200)", insert "prior to July 1, 1960, and to four thousand five hundred dollars ($4,500) on and after July 1, 1960,".

The Assembly concurred in Senate amendments to Assembly Bill No. 1008 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—59.

NOES—Dahl, House, Levering, Luckel, and Winton—5.

Assembly Bill No. 1008 ordered enrolled.

**Assembly Bill No. 1340**—An act to amend Sections 6535, 6537, 6546, 6560, 6561, and 6562 of, and to add Sections 6546.5 and 6560.5 to, the Business and Professions Code, relating to the practice of barbering.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1340?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out "and 6561", and insert "6561, and 6562".

**Amendment No. 2**

On page 1, strike out lines 5 to 7, inclusive, and insert "for persons who apply on or after January 1, 1960, completion of the ninth grade, or the".

**Amendment No. 3**

On page 2, strike out lines 41 to 43, inclusive, and insert "tion as a registered apprentice on or after January 1, 1961, and shall have completed the ninth grade".

**Amendment No. 4**

On page 3, strike out lines 25 to 27, inclusive, and insert "a certificate of registration as a registered barber on or after January 1, 1960, shall have completed the ninth".

**Amendment No. 5**

On page 4, after line 14, insert:

"SEC. 8. Section 6562 of said code is amended to read:

6562. For the purposes of this chapter, a diploma or certificate or certification duly issued by the issuing authority of the appropriate unit of any state public school or of any elementary or secondary school, in this or any other state, establishing that any individual has at least ~~an eighth grade education~~ *the proper grade in school as provided in Section 6535, 6546.5, and 6560.5*, shall be conclusive evidence of that fact and shall be accepted by the board. The board shall accept a certification or certificate of equivalency issued by a California elementary or secondary school, establishing that a person has at least the equivalent of ~~an eighth grade education~~ *the proper grade in school as provided in Sections 6535, 6546.5, and 6560.5.*"

**Amendment No. 6**

On page 1, line 4, of the printed bill, as amended in the Senate on June 16, 1959, after "thereto", insert "for persons who apply on or before December 31, 1959, completion of the eighth grade,".

**Amendment No. 7**

On page 2, line 49, strike out "after January 1, 1961," and insert "before December 31, 1959, shall have completed the eighth grade, on or after January 1, 1960,".

**Amendment No. 8**

On page 2, line 52, after "board.", insert "Any student enrolled in any approved barber college prior to January 1, 1960, shall need to have completed only the eighth grade or shall have the equivalent education as determined by an examination conducted by the board."

**Amendment No. 9**

On page 3, line 31, after "barber", insert "on or before December 31, 1959, shall have completed the eighth grade,".

**Amendment No. 10**

On page 3, line 34, after "board.", insert "Any apprentice registered as an apprentice prior to January 1, 1960, or any student enrolled in an approved barber college prior to January 1, 1960, shall need to have completed only the eighth grade or shall have the equivalent education as determined by an examination conducted by the board."

The Assembly concurred in Senate amendments to Assembly Bill No. 1340 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1340 ordered enrolled.

**Assembly Bill No. 1354**—An act to amend Section 33738 of the Health and Safety Code, relating to community redevelopment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1354?

**Amendment No. 1**

On page 1, line 7 of the printed bill, as amended in the Assembly on June 5, 1959, after "available", insert "in the same county in which the housing facilities to be displaced are located,".

**Amendment No. 2**

On page 1, line 12, after "occupants", insert "in such county".

**Amendment No. 3**

On page 1, line 14, strike out "of the city or county", and insert "of such county or of the city".

The Assembly concurred in Senate amendments to Assembly Bill No. 1354 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1354 ordered enrolled.

**Assembly Bill No. 1705**—An act to add Section 2943 to the Civil Code, relating to the duties of a mortgagee and beneficiary of a deed of trust.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1705?

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on June 5, 1959, after "agent", insert "or assignee".

**Amendment No. 2**

On page 1, after line 20, insert

"Notwithstanding any other provisions of this section, a mortgagee or beneficiary of a deed of trust, or his assignee, who has furnished one such certificate as herein required need not furnish another until a period of six months has elapsed. If the mortgagee or beneficiary of a deed of trust, or his assignee, has more than one branch, office or other place of business, then the demand shall be made to the branch or office at which the obligation was originally incurred or to the branch or office at which the payments of the obligation are made."

The Assembly concurred in Senate amendments to Assembly Bill No. 1705 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—70.

NOES—None.

Assembly Bill No. 1705 ordered enrolled.

**Assembly Bill No. 1969**—An act to amend Sections 22126 and 31801 and to repeal Section 22306 of the Government Code, relating to the participation of policemen and firemen in federal old age and survivors' insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1969?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 22126 and".

**Amendment No. 2**

On page 1, after line 21, insert

"Nothing in this article shall authorize the extension of the federal system to service in any policeman's or fireman's position covered by a separate retirement system unless all of the policemen or firemen are included as a unit without any division of their separate retirement system."

**Amendment No. 3**

On page 2, after line 5, insert

"SEC. 3. Section 22126 of said code is amended to read:

22126. When and as permitted by the Social Security Act, for all purposes under this part each retirement system in which firemen and policemen are classified separately from other members of such system and separate benefit and contribution provisions are applicable to such class shall be deemed to constitute a separate retirement system with respect to the positions of such policemen or firemen or both, as the case may be, covered by the retirement system.

*If federal benefits are extended to any fireman's or policeman's position they shall be extended to them as a unit without any division of their separate retirement systems.*"

The Assembly concurred in Senate amendments to Assembly Bill No. 1969 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, George E. Brown, Burke, Burton, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 1969 ordered enrolled.

**Assembly Bill No. 2260**—An act to amend Section 23820 of the Business and Professions Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2260?

**Amendment No. 1**

On page 1, line 13 of the printed bill, insert

"After the effective date of this section, the issuance of a new and original on-sale beer and wine license for a bona fide public eating place and the continued exercise of the privilege of such a license shall be subject to the condition that the premises to which such license be issued be primarily designed and operated as a bona fide public eating place, and such license shall not be included in the premise count which determines the limitation of an on-sale general license under Section 23816."

**Amendment No. 2**

On page 1, line 9 of the printed bill, as amended in the Senate on May 21, 1959, after "bona fide", insert "public".

**Amendment No. 3**

On page 1, line 18, of the printed bill, as amended in the Senate on May 26, 1959, after "such", insert "a new and original".

The Assembly concurred in Senate Amendments to Assembly Bill No. 2260 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—52.
NOES—Backstrand, Beaver, Collier, Cusanovich, Francis, Hanna, Lanterman, Levering, and Lowrey—9.

Assembly Bill No. 2260 ordered enrolled.

**Assembly Bill No. 2296**—An act to amend Section 3042 of, to add Section 2553.3 to, and to add Chapter 5.4 (commencing with Section 2540) to Division 2 of, the Business and Professions Code, relating to prescription lenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2296?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly May 27, 1959, after "of", insert ", to add Section 2553.3 to,".

**Amendment No. 2**

In line 2 of the title, after "of", insert a comma.

**Amendment No. 3**

On page 2, after line 27, insert

"SEC. 3. Section 2553.3 is added to said code, to read:

2553.3. Any person who on the effective date of this section has had at least five full years of actual experience in this State immediately preceding such effective date in fitting contact lenses upon prescriptions by licentiates authorized to issue such prescriptions and who was engaged, as owner or as a principal, in such business during said five-year period, shall be granted a certificate by the Board of Medical Examiners, subject to all the provisions of this chapter other than Section 2552, to engage in the business of a registered dispensing optician in this State, upon the filing, prior to January 1, 1960, of affidavits as provided in this section and upon the payment of the prescribed fees.

The affidavits referred to in this section shall be sworn affidavits, in a form prescribed by the board, of three physicians and surgeons licensed by the Board of Medical Examiners who specialize in the treatment of eyes, stating and certifying according to their own knowledge, that the person has the required experience, is of good moral character, and is fully competent and qualified to accurately fill prescriptions for contact lenses and to fit contact lenses."

The Assembly concurred in Senate amendments to Assembly Bill No. 2296 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Beaver—1.

Assembly Bill No. 2296 ordered enrolled.

**Assembly Bill No. 2511**—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to county responsibility for the payment of old age assistance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2511?

**Amendment No. 1**

In the heading of the printed bill, as amended in the Assembly on May 29, 1959, after "Burton", insert "(Senator Cameron, co-author)".

The Assembly concurred in Senate amendment to Assembly Bill No. 2511 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 2511 ordered enrolled.

**Assembly Bill No. 2690**—An act to amend Sections 2, 4.2, 6.3, 8.3, 9, 10.1, 11.1, 11.6, 11.7, 11.9, 11 12, and 11.13 of, to add Sections 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, and 31 to, and to repeal Section 4.4 of, the Sacramento County Water Agency Act (Chapter 10 of the Statutes of 1952 (1st Ex. Sess.)), relating to the powers of the agency.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2690?

**Amendment No. 1**

On page 8, line 41, of the printed bill, as amended in the Assembly on May 29, 1959, strike out "14", and insert "14.5".

**Amendment No. 2**

On page 12, line 1, strike out "19", and insert "17".

The Assembly concurred in Senate amendments to Assembly Bill No. 2690 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

Assembly Bill No. 2690 ordered enrolled.

**Assembly Bill No. 2715**—An act making an appropriation in augmentation of the appropriation for the support of the Department of Justice, for investigation and prosecution of alleged illegal trade practices, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2715?

**Amendment No. 1**

On page 1, line 1, of the printed bill, as amended in the Assembly on June 9, 1959, after "of", insert "ninety thousand dollars ($90,000)".

The Assembly concurred in Senate amendment to Assembly Bill No. 2715 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—Collier, Cusanovich, Lanterman, Levering, and Thelin—5.

Assembly Bill No. 2715 ordered enrolled.

**Assembly Bill No. 2748**—An act to amend Section 20009.1 of the Government Code, relating to state retirement systems.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2748?

**Amendment No. 1**

On page 1, line 1 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out "20012", and insert "20009.1".

**Amendment No. 2**

On page 1, line 1, strike out "20012", and insert "20009.1".

**Amendment No. 3**

On page 1, strike out lines 3 to 22, inclusive, and insert

"20009.1. "Public agency" *also* includes the following:

(a) The office of county superintendent of schools with respect to its employees whose compensation is not paid from county funds and with respect to employees of school districts within the jurisdiction of the superintendent which are not contracting agencies.

(b) The Commandant, Veterans Home of California, with respect to employees of the post exchange and other post fund activities whose compensation is paid from the post fund of the Veterans Home of California.

(c) Any foundation or trust established for the purpose of providing essential activities related to but not normally included as a part of the regular instructional program of a state *or junior* college.

(d) Any student body or nonprofit organization composed exclusively of students of a state *or junior* college or of members of the faculty of a state *or junior* college, or both, and established for the purpose of providing essential activities related to but not normally included as a part of the regular instructional program of the state *or junior* college.

*(e) The Adjutant General with respect to persons employed by him pursuant to federal regulations and compensated directly from federal funds."*

**Amendment No. 4**

On page 2, strike out lines 1 to 6, inclusive.

**Speaker Presiding**

At 9.38 p.m., Hon. Ralph M Brown, Speaker of the Assembly, presiding.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2748?

The Assembly concurred in Senate amendments to Assembly Bill No. 2748 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 2748 ordered enrolled.

**Assembly Bill No. 2833**—An act to add Sections 10200.5 and 10203.6 to the Insurance Code, relating to group life insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2833?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on June 5, 1959, strike out "Section 10200.5", and insert "Sections 10200.5 and 10203.6".

**Amendment No. 2**

On page 1, strike out lines 3 to 20, inclusive, and insert

"10200.5. The term "franchise" or "wholesale" insurance shall mean a life insurance plan under which a number of individual life insurance policies are issued at special rates to a selected group. A special rate is any rate lower than the rate shown in the issuing insurance company's manual for individually issued policies of the same type and to insureds of the same class.

After the effective date of this section no franchise or wholesale life insurance plan shall be entered into in this State unless the individuals to whom such insurance is made available are employees of a common employer or affiliated employers, or unless the insurance is made available in connection with an indebtedness or a contract of sale. The word "employees" as used in this section shall be deemed to include the individual proprietors or partners who constitute the employer or affiliated employers.

In the case of any plan existing on or before the effective date of this section, any individual policy then in effect shall not be changed or affected by this section, but no individual may thereafter become insured for more than ten thousand dollars ($10,000) under any such plan except those written in connection with an indebtedness, a contract of sale, or an employee pension plan.

SEC. 2. Section 10203.6 is added to said code, to read:

10203.6. Life insurance conforming to all the following conditions is another form of group life insurance:

(a) Covering members of any professional or national veterans' association formed for purposes other than obtaining insurance and having been in existence for more than five years;

(b) Covering members for not more than ten thousand dollars ($10,000) of life insurance on any member;

(c) Covering at least 50 percent of the members of such association unless at least one thousand members are so covered, or if such association is divided into units or classes, which have been in existence for more than five years and have not been formed for purposes of insurance, the insurance may become effective as to any such unit or class if 75 percent or more of the members in such unit or class are insured;

(d) Such insurance may be issued with or without evidence of insurability;

(e) In no event may the insurance on any member over age 65 exceed the following percentages of the maximum provided in the policy:

| | |
|---|---|
| 66 | 90% |
| 67 | 80% |
| 68 | 70% |
| 69 | 60% |
| 70 | 50% |
| Over age 70 | 25% |

Residence in any particular geographical location shall not be deemed to create an identifiable unit or class. Such unit or class shall not be considered as such unless it includes at least 24 members."

**Amendment No. 3**

On page 2, lines 15 and 16, of the printed bill, as amended in the Senate on June 11, 1959, strike out "ten thousand dollars ($10,000)", and insert "fifty thousand dollars ($50,000)".

**Amendment No. 4**

On page 2, line 22, after "professional", insert "association".

**Amendment No. 5**

On page 2, lines 26 and 27, strike out "ten thousand dollars ($10,000)", and insert "twenty-five thousand dollars ($25,000)".

The Assembly concurred in Senate amendments to Assembly Bill No. 2833 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 2833 ordered enrolled

**Assembly Concurrent Resolution No. 137**—Relative to the creation of the Joint Interim Committee on the Public Education System.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 137?

**Amendment No. 1**

On page 3, line 8, of the printed measure, as amended in the Assembly on June 8, 1959, strike out "_____", and insert "one hundred thousand dollars ($100,000)".

The Assembly refused to concur in Senate amendment to Assembly Concurrent Resolution No. 137 by the following vote:

AYES—George E. Brown, Burton, Ernest R. Geddes, Hanna, Hegland, Lanterman, Miller, and Sumner—8.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Biddick, Bradley, Britschgi, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Holmes, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—66.

**Appointment of Committee on Conference Concerning Assembly Concurrent Resolution No. 137**

The Speaker appointed Messrs. Winton, Lanterman and Sedgwick as a Committee on Conference concerning Assembly Concurrent Resolution No. 137.

**Assembly Concurrent Resolution No. 140**—Relative to the exclusion of dump truck contractors from the provisions of the Carriers' Act.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 140?

**Amendment No. 1**

On page 2, line 3, of the printed measure, strike out "exclude the carriers", and insert "consider the exemption of the transportation".

The Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 140 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Assembly Concurrent Resolution No. 140 ordered enrolled.

**Assembly Bill No. 1484**—An act to amend Section 3287 of the Civil Code, relating to interest as damages.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1484?

**Amendment No. 1**

On page 1, line 10, of the printed bill, as amended in the Assembly on May 18, 1959, after "including", insert "the State or".

The Assembly concurred in Senate amendment to Assembly Bill No. 1484 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R.

Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 1484 ordered enrolled.

**Assembly Bill No. 175**—An act to amend Section 69599 of the Government Code, relating to superior court judges of San Mateo County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 175?

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on May 6, 1959, strike out "On October", and insert "Prior to November".

**Amendment No. 2**

On page 1, line 7, strike out "on", and insert "prior to".

**Amendment No. 3**

On page 1, line 8, of the printed bill as amended in the Senate on May 21, 1959, strike out "prior to", and insert "to take office on".

The Assembly concurred in Senate amendments to Assembly Bill No. 175 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 175 ordered enrolled.

**Assembly Bill No. 828**—An act to add Chapter 5 (commencing at Section 650) to Division 3 of the Harbors and Navigation Code, and to amend Section 5861 of the Public Resources Code, relating to the operation and equipment of vessels, and the registration thereof, and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 828:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 828 is an act relating to the operation and equipment of vessels, and the registration thereof.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 828 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 828?

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on April 9, 1959, after "vessels," insert "and the registration thereof, and making an appropriation therefor,".

**Amendment No. 2**

On page 1, line 5, strike out "and Equipment", and insert ", Equipment and Registration".

**Amendment No. 3**

On page 1, line 6, insert

"Article 1. Operation and Equipment".

**Amendment No. 4**

On page 2, between lines 18 and 19, insert

"(f) "Legal owner" is a person holding the legal title to a vessel under a conditional sale contract, the mortgagee of a vessel, or the renter or lessor of a vessel to the State, or to any county, city, district or political subdivision of the State, under a lease, lease-sale, or rental-purchase agreement which grants possession of the vessel to the lessee for a period of 30 consecutive days or more.

(g) "Registered owner" is the person registered by the division as the owner of the vessel."

**Amendment No. 5**

On page 2, line 19, strike out "(f)", and insert "(h)".

**Amendment No. 6**

On page 2, line 21, strike out "(g)" and insert "(i)".

**Amendment No. 7**

On page 2, line 25, strike out "(h)", and insert "(j)".

**Amendment No. 8**

On page 2, line 27, strike out "(i)", and insert "(k)".

**Amendment No. 9**

On page 8, lines 5 and 6, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

**Amendment No. 10**

On page 8, line 8, strike out "ten thousand dollars ($10,000)", and insert "twenty thousand dollars ($20,000)".

**Amendment No. 11**

On page 8, lines 10 and 11, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

**Amendment No. 12**

On page 8, line 34, strike out "ten thousand dollars ($10,000)", and insert "twenty thousand dollars ($20,000)".

**Amendment No. 13**

On page 11, between lines 16 and 17, insert

"Article 2. Registration

680. Every undocumented vessel using the waters of this State shall be numbered. No person shall operate or a county, city, or political subdivision give permission for the operation of any undocumented vessel on such waters unless the undocumented vessel is numbered in accordance with this chapter, or in accordance with applicable federal law, or in accordance with a federally approved numbering system of another state, and unless (1) the certificate of number awarded to such undocumented vessel is in full force and effect, and (2) the identifying number set forth in the certificate of number is displayed on each side of the bow of such undocumented vessel.

681. (a) The owner of each vessel requiring numbering by this State shall file an initial application for number with the division or authorized agent on forms approved by the commission. The application shall contain the name and address of the owner, and of the legal owner if any. The application shall be signed by the owner of the vessel and shall be accompanied by a fee of five dollars ($5). Upon receipt of the application in approved form, the division shall enter the same upon the records of its office and issue a certificate of ownership to the legal owner and a certificate of number to the owner, or both to the owner if there is no legal owner, stating the number awarded to the vessel and the name and address of the owner. The owner shall paint on or attach to each side of the bow of the vessel

the identification number in such manner as may be prescribed by rules and regulations of the commission in order that it may be clearly visible The number shall be maintained in a legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the vessel for which issued, whenever such vessel is in operation.

(b) The owner of any vessel already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall make application within thirty (30) days after the ninety (90) day reciprocity period provided for in Section 605. Such application shall be in a manner and pursuant to the procedure required for the award of a number under subdivision (a) of this section.

(c) Should the ownership of an undocumented vessel change, the existing certificate of ownership and a new application form accompanied by a fee of three dollars ($3) shall be filed with the division and a new certificate of ownership and a new certificate of number shall be awarded in the same manner as provided for in the initial award of number and the number shall be reassigned to the new owner.

(d) In the event that an agency of the United States Government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this article by the division shall be in conformity therewith.

(e) The division may award any certificate of ownership and certificate of number or temporary certificate of number directly or the commission may authorize any person to act as agent for the awarding thereof. In the event that a person accepts such authorization, he may be assigned a block of numbers and certificates therefor which upon award, in conformity with this article and with any rules and regulations of the commission, shall be valid as if awarded directly by the division. The commission may do any act or enter into any contract or agreement desirable in carrying out the purposes of this article.

(f) All records of the commission and the division made or kept pursuant to this section shall be public records.

(g) Every certificate of number awarded pursuant to this article shall continue in full force and effect for a period of three years unless sooner terminated, discontinued or extended in accordance with the provisions of this article. Certificates of number may be renewed by the owner on forms and in the manner set forth by the commission. The fee for renewal shall be three dollars ($3) and shall accompany the request for such renewal.

(h) The commission shall fix a day and month of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this article. The certificate of number initially awarded to an owner under Sections 681(a) and 681(c) shall continue in full force and effect for a period of three years from the date of the owner's birthday next occurring after the date the certificate of number is issued

(i) If the initial application for number is not received by the division on or before the date set by the commission a penalty of one-half the fee shall be assessed If a certificate of number is not renewed on or before the date on which it expires a penalty of one-half the fee shall be assessed.

(j) All money received by the division pursuant to this article shall be deposited in the General Fund.

(k) The owner shall furnish the division notice of the transfer of all or any part of his interest in an undocumented vessel numbered in this State pursuant to subdivisions (a) or (b) of this section, or of the destruction or abandonment of such undocumented vessel, within 30 days thereof. Such transfer, destruction, or abandonment shall terminate the certificate of ownership and certificate of number of such undocumented vessel, except, that in the case of a transfer of a part interest which does not affect the owner's right to operate such undocumented vessel, such transfer shall not terminate the certificate of number.

(l) Any holder of a certificate of number shall notify the division within 30 days, if his address no longer conforms to the address appearing on the certificate and shall, as a part of such notification, furnish the division with his new address. The commission may provide in its rules and regulations for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

(m) No number other than the number awarded to an undocumented vessel or granted reciprocity pursuant to this article shall be painted, attached, or otherwise displayed on either side of the bow of such undocumented vessel

(n) A fee of one dollar ($1) shall be charged for a copy of certificate of number, certificate of ownership, or any application filed with the division pursuant to this article.

(o) Fees received pursuant to this article are appropriated to the division for payment of refunds of money received or collected in the payment of fees, permits, or services whenever the fee, permit or service cannot lawfully be issued or rendered

to the applicant, and in cases where the payment in whole or in part represents overpayment or payment in duplicate.

(p) The division shall transmit a copy of each initial application and each transfer application or renewal application to the county assessor in the county of residence of the owner of the vessel and to the county assessor in the county in which the vessel is principally kept if other than the county of residence of the owner.

The rules and regulations adopted by the commission shall be adopted in accordance with the provisions of Chapter 4 (commencing at Section 11370), Part 1, Division 3, Title 2 of the Government Code.

682. An undocumented vessel shall not be required to be numbered under this article if it is:

(a) Already covered by a number in full force and effect which has been awarded to it pursuant to federal law or a federally approved numbering system of another state; provided, that such undocumented vessel shall not have been within this State for a period in excess of 90 consecutive days.

(b) A vessel from a country other than the United States temporarily using the waters of this State.

(c) A public vessel of the United States, a state or subdivision thereof or municipality of such state.

(d) A ship's lifeboat.

(e) Any vessel belonging to a class of boats which has been exempted from numbering by the commission after the commission has found that the numbering of vessels of such class will not materially aid in their identification; and, if any agency of the Federal Government has a numbering system applicable to the class of vessels to which the vessel in question belongs, after the commission has further found that the vessel would also be exempt from numbering if it were subject to the federal law. Undocumented vessels propelled solely by oars, paddles, or electric motors of 10 horsepower or less and undocumented vessels less than 8 feet in length propelled by sail or motors of 10 horsepower or less are exempt from the provisions of this article.

683. Any person who violates any provision of this article or any rule or regulation of the commission is guilty of a misdemeanor and shall be subject to a fine of not to exceed fifty dollars ($50) or imprisonment in the county jail for not to exceed five days, or both, for each violation.

SEC. 2. The sum of six hundred thousand dollars ($600,000) is hereby appropriated from the General Fund to the Department of Natural Resources for the support of the Division of Small Craft Harbors and the Small Craft Harbors Commission for the purposes of Chapter 5 (commencing at Section 650) of Division 3 of the Harbors and Navigation Code as added by this act, including refunds.

**Amendment No. 14**

On page 11, line 17, strike out "2.", and insert "3."

**Amendment No. 15**

On page 11, line 32, strike out "3.", and insert "4."

**Amendment No. 16**

On page 2, between lines 2 and 3 of the printed bill, as amended in the Senate on May 22, 1959, insert

"(b) "Department" means the Department of Natural Resources."

**Amendment No. 17**

On page 2, line 3, strike out "(b)", and insert "(c)".

**Amendment No. 18**

On page 2, line 5, strike out "(c)", and insert "(d)".

**Amendment No. 19**

On page 2, line 8, strike out "(d)", and insert "(e)".

**Amendment No. 20**

On page 2, line 14, strike out "(e)", and insert "(f)".

**Amendment No. 21**

On page 2, line 26, strike out "(f)", and insert "(g)".

**Amendment No. 22**

On page 2, line 33, strike out "(g)", and insert "(h)".

**Amendment No. 23**

On page 2, line 34, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 24**

On page 2, line 35, strike out "(h)", and insert "(i)".

**Amendment No. 25**

On page 2, line 37, strike out "(i)", and insert "(j)".

**Amendment No. 26**

On page 2, line 41, strike out "(j)", and insert "(k)".

**Amendment No. 27**

On page 2, line 43, strike out "(k)", and insert "(*l*)".

**Amendment No. 28**

On page 5, line 42, strike out "division", and insert "department".

**Amendment No. 29**

On page 5, line 45, strike out "division", and insert "department".

**Amendment No. 30**

On page 5, line 48, strike out "division", and insert "department".

**Amendment No. 31**

On page 6, line 3, strike out "division", and insert "department".

**Amendment No. 32**

On page 8, line 39, strike out "division", and insert "department".

**Amendment No. 33**

On page 11, line 11, strike out "Every", and insert "Effective April 1, 1960 every".

**Amendment No. 34**

On page 11, line 18, strike out "awarded", and insert "issued".

**Amendment No. 35**

On page 11, line 25, strike out "division or authorized agent", and insert "Department of Motor Vehicles or an agent authorized by the Department of Motor Vehicles".

**Amendment No. 36**

On page 11, lines 30 and 31, strike out "the division shall enter the same upon the records of its office and" and insert "the Department of Motor Vehicles shall".

**Amendment No. 37**

On page 11, line 34, strike out "awarded", and insert "issued".

**Amendment No. 38**

On page 11, between lines 34 and 35, insert "The Department of Motor Vehicles shall forward the original application to the department."

**Amendment No. 39**

On page 11, line 43, strike out "awarded", and insert "issued".

**Amendment No. 40**

On page 11, line 47, strike out "605", and insert "682".

**Amendment No. 41**

On page 11, line 48, strike out "award", and insert "issuance".

**Amendment No. 42**

On page 12, line 1, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 43**

On page 12, line 2, strike out "awarded", and insert "issued".

**Amendment No. 44**

On page 12, line 3, strike out "award", and insert "issuance".

**Amendment No. 45**

On page 12, line 8, strike out "by the division".

**Amendment No. 46**

On page 12, line 10, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 47**

On page 12, line 10, strike out "award", and insert "issue".

**Amendment No. 48**

On page 12, line 12, strike out "commission", and insert "Department of Motor Vehicles".

**Amendment No. 49**

On page 12, line 13, strike out "awarding thereof", and insert "issuance of a certificate of number".

**Amendment No. 50**

On page 12, line 15, strike out "and certificates therefor".

**Amendment No. 51**

On page 12, line 15, strike out "award", and insert "issuance".

**Amendment No. 52**

On page 12, line 17, strike out "awarded", and insert "issued".

**Amendment No. 53**

On page 12, line 18, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 54**

On page 12, lines 18, 19, and 20, strike out "The commission may do any act or enter into any contract or agreement desirable in carrying out the purposes of this article".

**Amendment No. 55**

On page 12, line 21, strike out "and the division", and insert ", the department, and the Department of Motor Vehicles".

**Amendment No. 56**

On page 12, line 23, strike out "awarded", and insert "issued".

**Amendment No. 57**

On page 12, line 28, after "commission", insert "in consultation with the Department of Motor Vehicles".

**Amendment No. 58**

On page 12, line 35, strike out "awarded", and insert "issued".

**Amendment No. 59**

On page 12, line 36, strike out "shall", and insert "may".

**Amendment No. 60**

On page 12, line 40, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 61**

On page 12, line 44, strike out "by the division", and insert ", except moneys collected under Section 683,".

**Amendment No. 62**

On page 12, line 46, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 63**

On page 13, line 6, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 64**

On page 13, line 8, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 65**

On page 13, line 9, strike out "commission may provide in its rules and regulations", and insert "Department of Motor Vehicles may provide".

**Amendment No. 66**

On page 13, line 14, strike out "awarded", and insert "issued".

**Amendment No. 67**

On page 13, line 20, strike out "with the division".

**Amendment No. 68**

On page 13, line 22, strike out "to the division".

**Amendment No. 69**

On page 13, line 28, strike out "division", and insert "Department of Motor Vehicles".

**Amendment No. 70**

On page 13, line 28, strike out "a copy of", and insert "information from".

**Amendment No. 71**

On page 13, line 41, strike out "awarded", and insert "issued".

**Amendment No. 72**

On page 14, lines 8 and 9, strike out "less than eight feet in length propelled by sail or motors of 10 horsepower or less", and insert "eight feet or less propelled solely by sail".

**Amendment No. 73**

On page 14, lines 18, 19, and 20, strike out "Natural Resources for the support of the Division of Small Craft Harbors and the Small Craft Harbors Commission", and insert "Finance for allocation to the department and the Department of Motor Vehicles".

**Amendment No. 74**

On page 14, line 31, strike out "by the division".

The Assembly concurred in Senate amendments to Assembly Bill No. 828 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Beaver, Crawford, House and Lowrey—4

Assembly Bill No. 828 ordered enrolled.

**Assembly Bill No. 2011**—An act to amend Section 22050 of, and to add Section 22458.1 to the Financial Code, relating to personal property brokers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2011?

**Amendment No. 1**

On page 1, line 17, of the printed bill, as amended in Assembly May 20, 1959, after "borrowers", insert "with his or her consent, the form to be approved by the commissioner and in an amount not in excess of the amount of the indebtedness".

The Assembly concurred in Senate amendment to Assembly Bill No. 2011 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'Berg, and Mr. Speaker—73.

NOES—Reagan—1.

Assembly Bill No. 2011 ordered enrolled

**Assembly Bill No. 594**—An act to amend Sections 51 and 52 of, and to repeal Sections 53 and 54 of, the Civil Code, relating to civil rights

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 594.

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 12, 1959, strike out lines 18 and 19, and on page 2, strike out lines 1 to 11, inclusive

**Amendment No. 2**

On page 2, line 23, strike out "five hundred dollars ($500)", and insert "two hundred fifty dollars ($250)".

**Amendment No. 3**

On page 2, after line 32, insert

"SEC 5. This act shall be known, and may be cited, as the Unruh Civil Rights Act."

**Amendment No. 4**

On page 1, line 3, of the printed bill, as amended in the Senate on June 11, 1959, strike out "All", and insert "This section shall be known, and may be cited, as the Unruh Civil Rights Act.

All".

**Amendment No. 5**

On page 2, strike out lines 26 and 27.

**Amendment No. 6**

On page 1, strike out lines 6 to 11, inclusive, and insert "accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever".

The Assembly concurred in Senate amendments to Assembly Bill No. 594 by the following vote:

AYES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Crown, Cunningham, Davis, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Hawkins, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Summer, Unruh, Waldie, Williamson, Charles H. Wilson, Winton, and Mr. Speaker—45.

NOES—Bruce F. Allen, Backstrand, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Cusanovich, Dahl, Hegland, Johnson, Lanterman, Levering, Luckel, McCollister, Reagan, Schrade, and Thelin—19.

Assembly Bill No. 594 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Schrade was granted unanimous consent to have the Sergeant-at-Arms distribute a letter on the members' desks.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1886**—An act to amend Sections 18200, 18207, 18406.1, 18412, 18413, 18614, 18616, 18668, and 18673 of the Financial Code, to add Sections 18200.1, 18200.2, 18200.3, 18200.4, 18200.5, 18200.6, 18203.5, 18205.5, 18607.1, 18610.5, 18617.1, 18624.1, 18625, 18626, 18668.1, 18668.2, 18818, 18818.1, and 18818.2 to said code, to add an article heading to Chapter 3 of Division 7, to add an article heading and new Article 2 (commencing with Section 18420) to Chapter 3 of Division 7 of said code, to add Chapter 6 (commencing with Section 18850) to Division 7 of said code, and to repeal Sections 18404, 18414, 18415, and 18818 of said code, relating to industrial loan companies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1886.

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on April 22, 1959, strike out "and 18669", and insert ", 18669 and 18673".

**Amendment No. 2**

In line 4 of the title, after "18617.1," insert "18624.1,".

**Amendment No. 3**

On page 3, strike out line 30, and insert "in the amount of twenty-five thousand dollars ($25,000)."

**Amendment No. 4**

On page 4, line 41, after "unsatisfied", insert ", except that where the security is aircraft, such security need not be in California at the time the loan or purchase or discount is made, nor need it thereafter be held in California while the loan or thing purchased or discounted remains unsatisfied".

**Amendment No. 5**

On page 7, between lines 15 and 16, insert

"SEC. 22.5. Section 18624.1 is added to said code, to read:

18624.1. The commissioner may under rules and regulations permit loans to be made or entered into at places other than designated by an industrial loan company in its application if such loans can be so made consistent with the purposes of the Industrial Loan Law."

**Amendment No. 6**

On page 7, line 29, after the period, insert "This section shall not affect the right of a company to issue preferred stock or debentures when permitted to do so under the Corporate Securities Law."

**Amendment No. 7**

On page 8, between lines 31 and 32, insert

"SEC. 28.5. Section 18673 of said code is amended to read:

18673. No industrial loan company shall take any confession of judgment or any power of attorney *at the time of making the loan* except a power of attorney taken to effectuate the transfer of the ownership of any motor vehicle, ~~or~~ the transfer of the ownership of securities, ~~at the time of making the loan.~~ *or the cancellation of an insurance policy and the receipt and distribution of any unearned premiums in the event of default in the payment of a loan made to finance the purchase of any such insurance policy.*"

**Amendment No. 8**

On page 3, line 51, after "company" insert a period.

**Amendment No. 9**

On page 3, lines 51 and 52, strike out "except that loans or other obligations of a face amount of two thousand dollars ($2,000) or more may".

**Amendment No. 10**

On page 4, strike out lines 1 and 2.

**Amendment No. 11**

On page 8, line 3, after "more", insert "which is not secured by real property".

**Amendment No. 12**

In line 2 of the title of the printed bill, as amended in the Senate on June 3, 1959, strike out "18669".

**Amendment No. 13**

On page 3, strike out lines 43 to 50, inclusive, and insert

"18406.1. Except as provided in Section 18406, no industrial loan company shall make or purchase any loan secured by real property unless such loan is repayable in substantially equal weekly, semimonthly, monthly or quarterly installments during the term of the loan which shall not exceed two years from the date of making or acquiring the loan."

**Amendment No. 14**

On page 8, strike out lines 3 to 11, inclusive.

**Amendment No. 15**

On page 3 of the printed bill, as amended in the Senate on June 10, 1959, strike out lines 50 to 52, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert

"18406.1. Except as provided in Section 18406, no industrial loan company shall make any loan or purchase or discount any note secured by real property unless such loan or other obligation is repayable in substantially equal weekly, semimonthly, monthly, or quarterly installments during its term which shall not exceed two years from the date the loan or other obligation is made or acquired by the company except that loans or other obligations of a face amount of two thousand dollars ($2,000) or more may have a maturity of not to exceed three years from the date of making or acquisition."

**Amendment No. 16**

On page 8, between lines 7 and 8, insert

"SEC. 26. Section 18669 of said code is amended to read:

18669. No industrial loan company shall make any loan for a longer period than two years from the date of making the loan, except as provided in Sections 18406 and 18406.1; provided, however, that a loan in the amount of two thousand dollars ($2,000) or more may be made for a period not exceeding three years from the date of making the loan if the loan is amortized over its life by equal periodic payments."

The Assembly concurred in Senate amendments to Assembly Bill No. 1886 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—Bruce F. Allen and Burton—2.

Assembly Bill No. 1886 ordered enrolled.

**Assembly Bill No. 2877**—An act to amend Section 6001 of the Public Utilities Code, and Section 26001 of the Government Code, relating to the granting of franchises.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2877?

**Amendment No. 1**

On page 1, after line 26, of the printed bill, as amended in the Assembly on May 29, 1959, insert

"Any general law applicable to the granting of franchises by municipal corporations and counties throughout the State for purposes involving the furnishing of any service or commodity to the public or any portion thereof shall be complied with in the granting of any franchises by the board of supervisors."

The Assembly concurred in Senate amendment to Assembly Bill No. 2877 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—69.

NOES—None.

Assembly Bill No. 2877 ordered enrolled.

**Assembly Bill No. 1530**—An act to add Article 6.5 (commencing at Section 790) to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1530?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 6, 1959, strike out lines 21 through 30, and insert

"(b) Making or disseminating or causing to be made or disseminated before the public in this State, in any newspaper or other publication, or any advertising device, or by public outcry or proclamation, or in any other manner or means whatsoever, any statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue, deceptive or misleading."

The Assembly concurred in Senate amendment to Assembly Bill No. 1530 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72

NOES—None.

Assembly Bill No. 1530 ordered enrolled.

## MOTION TO RECONSIDER SENATE BILL NO. 910 CONTINUED

Mr. Masterson was granted unanimous consent that his motion to reconsider the vote on Senate Bill No. 910 be continued until the next legislative day.

## CONSIDERATION OF DAILY FILE (RESUMED)
## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1787**—An act to add Chapter 7.5 (commencing at Section 28350) to Division 21 of the Health and Safety Code, relating to warehouse sanitation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1787?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended in the Assembly on April 22, 1959, strike out "for others than the owners of the enclosure", and insert ", except privately owned enclosures in which an individual stores food or food materials for his own or his family's consumption".

The Assembly concurred in Senate amendment to Assembly Bill No. 1787 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick,

Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—76.

NOES—None.

Assembly Bill No. 1787 ordered enrolled.

**Assembly Bill No. 2167**—An act to amend Section 26504 of the Government Code, relating to funds received by district attorneys.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2167?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on May 4, 1959, strike out lines 3 through 7, inclusive, and insert

"26504. On the first Monday of each month, or at more frequent intervals as may be directed by the board of supervisors, the district attorney shall account for all money received by him in his official capacity and pay it over to the treasurer upon a deposit permit issued by the auditor"

The Assembly concurred in Senate amendment to Assembly Bill No. 2167 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—Cameron—1

Assembly Bill No. 2167 ordered enrolled.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: The Committee on Conference concerning

**Senate Bill No. 832**—An act to amend Section 350 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to farm tractors used on highways.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 1, line 13, of the printed bill, as amended in the Assembly on June 16, 1959, after "used", insert "to carry farm produce"

| | |
|---|---|
| WAVERLY J. SLATTERY | LLOYD W. LOWREY |
| JOSEPH A. RATTIGAN | LEVERETTE D. HOUSE |
| VIRGIL O'SULLIVAN | ALAN G. PATTEE |
| Senate Committee on Conference | Assembly Committee on Conference |

Report adopted by the following vote.

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Master-

son, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—74.

NOES—None.

## PARLIAMENTARY INQUIRY

Mr. Ernest R Geddes arose to the following parliamentary inquiry: What became of my notice of motion to withdraw Senate Bill No. 711 from the Committee on Ways and Means, which was on the unfinished business file yesterday?

### Reply by Speaker

The Speaker replied that it was first passed temporarily on file, and lapsed when it was not continued by motion.

### Parliamentary Inquiry

Mr. Ernest R. Geddes arose to the following parliamentary inquiry: Since I was attending committee meetings yesterday when the notice came up on file, is there any remedy?

### Reply by Speaker

The Speaker replied that he knew of no remedy at this late date.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Z'berg was granted unanimous consent that the following statement of legislative intent be ordered printed in the Journal:

## STATEMENT BY ASSEMBLYMAN EDWIN L. Z'BERG

This statement is made by way of legislative intent on Senate Bill No 1106, and with reference to the statement by Mr Carley Porter printed in the Assembly Journal of June 17, 1959, at page 5661 Neither that statement of Mr Porter nor the interpretation of Section 1293S of Senate Bill No. 1106 in the conjunctive was presented to or mentioned in the Assembly, or in any Assembly committee hearings on Senate Bill No. 1106 during consideration of Senate Bill No. 1106. The explanations of this portion of Senate Bill No. 1106 which were made in support of the bill during committee and Assembly consideration were all in the alternative, i.e., that this section would provide funds for construction of projects to meet local needs, and without regard to the other purposes mentioned

Edwin L. Z'berg
Lloyd W. Lowrey
Pauline L. Davis
Jerome R. Waldie
Bruce F. Allen
S. C. Masterson
Harold T. Sedgwick
John A. Busterud
Milton Marks
F. P. Belotti
Carl Britschgi
William Biddick, Jr.

## NAME PLACED UPON ROLL CALL ON SENATE BILL NO. 1287

Mr. Levering was granted unanimous consent that he be recorded as voting "No" on Senate Bill no. 1287.

## SENATE BILL NO. 914 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 914**, on motion of Mr. Burton.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Reagan:

### House Resolution No. 416

Relative to investigating the relationships between certain lobbyists and the Governor

WHEREAS, The people of the State of California appear to face a real danger of betrayal to the domination of certain selfish interests; and

WHEREAS, These interests, namely the Teamsters' Union and its infamous leader James Hoffa, pose a real threat to our liberty and safety; and

WHEREAS, A leading San Francisco daily newspaper has indicated that an unholy alliance may exist between these union lobbyists and the Governor of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That this body appoint a special investigating committee to determine whether or not these allegations are true and, if necessary, to prepare legislation to prevent such nefarious acts in the future.

Resolution read, and referred to the Committee on Rules

By Mr. Meyers:

### House Resolution No. 417

Relating to an interim study of the problems of regional planning in the San Francisco Bay area counties and an interim study of the borough form of government

*Resolved by the Assembly of the State of California*, That the Committee on Rules be directed to refer to an appropriate interim committee for study the subject matter of regional planning in the San Francisco Bay area counties and also the subject matter of the use of borough form of government as a means of maintaining effective local control upon consolidation or merger of overall government functions, including the ascertainment, study, and analysis of all facts relating to such matters, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon and relating thereto Such committee shall report thereon to the Assembly, including in the reports its recommendation for appropriate legislation or constitutional amendments, not later than the tenth legislative day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

By Messrs. Meyers, O'Connell, Marks, Gaffney, Busterud, and Burton:

### House Resolution No. 418

Relative to an interim study of the transportation and mass transportation problems of the San Francisco Bay area

*Resolved by the Assembly of the State of California*, That the subject matter of transportation and mass transportation problems in the San Francisco Bay area is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
June 18, 1959

*Hon. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR MR. OHNIMUS I am directed to request that the Assembly return Assembly Bill No. 1414 to the Senate for further consideration.

Very truly yours,

J. A. BEEK

Request ordered to the unfinished business file.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 491
Assembly Bill No. 1258
Assembly Bill No. 2133
Assembly Bill No. 2143
Assembly Bill No. 2595
Assembly Bill No. 2625

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 413
Assembly Bill No. 571
Assembly Bill No. 1082
Assembly Bill No. 1888
Assembly Bill No. 2045
Assembly Bill No. 2282
Assembly Bill No. 2298
Assembly Bill No. 2636
Assembly Bill No. 2712
Assembly Bill No. 2828

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1000
Assembly Bill No. 1245
Assembly Bill No. 2023
Assembly Bill No. 2053
Assembly Bill No. 2353
Assembly Bill No. 2554
Assembly Bill No. 2593
Assembly Bill No. 2650
Assembly Bill No. 2698

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 706
Assembly Bill No. 1558

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

## EXPLANATIONS OF ABSENCE

I was in the Rules Committee from 9 to 10:05 a.m., this morning, and I was in the Committee on Ways and Means and the Office of the Legislative Counsel from 2 p.m. until 2.55 p.m., this afternoon.

CHARLES J. CONRAD

I was unable to be present on the Assembly floor until 10:05 this morning as I was presenting my bill, A. B. 902, before the Senate Finance Committee

TOM BANE

I was off the floor this afternoon attending a meeting of the Revenue and Taxation Committee.

DON MULFORD
WALTER DAHL

Any absentee votes cast today were due to attendance of committee meetings.

PAULINE L. DAVIS

June 18, 1959

Because I was required to be in the Senate Chambers much of this afternoon I missed voting on a number of bills in the Assembly.

CARLEY V. PORTER

## EXPLANATION OF ABSENCE FOR JUNE 17TH AND 18TH

Being a member of Ways and Means Committee it has been necessary for me to be in that committee Wednesday and Thursday, June 17th and 18th, while the House was in session. Therefore, I was not voting on floor bills between 1.30-3.30 Wednesday, and 1.30-4 p.m. Thursday.

DOROTHY M. DONAHOE

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## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Ralph M. Brown to Mr. and Mrs. Oscar Thrasher of Modesto.

On request of Speaker Ralph M. Brown of Modesto to Mrs. Bette Rischall, leader, and the following members of Camp Fire Girls of the Roosevelt Elementary School: Kandy Murray, Pamela Rischall, Susan Rayner, Susie Jones, Pam Avery, and Pattie Avery.

On request of Speaker pro Tempore Bee of Hayward to Mrs. Eleanor Roche, adult, and the following members of Cub Scouts, Pack 166, F. H. Muller School, and E. L. Music School of Newark: Tommy Ordonez, Michael Hinkley, Lewie Roche, Newell Roche, Mike Roche, and Donald Penman.

On request of Mr. Z'berg of Sacramento and Mr. MacBride of Sacramento to the following pupils of the Junior High Class of the Arcade Branch of the Reorganized Church of Jesus Christ of Latter Day Saints: Daniel Olson, Mary Elizabeth Olson, Edwin Olson, Mary Jacks, Bob Chellburg, Janet Chellburg, Marsha Klusman, Terry Elam, Susan Wixom, Geraldine Smith, Marliss Childs, Phyllis Stephenson, and Steve Knight.

On request of Mr. Mulford of Berkeley to Mr. and Mrs. R. Behouvek of Maryland, Paul Behouvek, and Michael McCahill of Berkeley.

On request of Mr. Luckel of San Diego and the San Diego Delegation to Henry Cramer of San Diego.

On request of Mr. Thomas of San Pedro, Bruce F. Allen of Los Gatos, and Mr. Bradley of San Jose to Victor Corsiglia and Fred Watson of San Jose.

On request of Mr. Petris of Oakland and Mr. DeLotto of Fresno to Elie Skofis of Fresno.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Miss Marge Warren, Ruth Thorman Hurley and Mrs. Robert Jessee of San Francisco.

## ADJOURNMENT

At 10.30 p.m., on motion of Mr. Winton, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 19, 1959.

RALPH M. BROWN, Speaker

ELEANOR K. DONOGHUE, Minute Clerk

CALIFORNIA LEGISLATURE

1959 REGULAR SESSION

# ASSEMBLY DAILY JOURNAL

ONE HUNDRED THIRTEENTH LEGISLATIVE DAY

ONE HUNDRED TWENTIETH CALENDAR DAY

(Saturdays and Sundays Excepted)

## IN ASSEMBLY

ASSEMBLY CHAMBER
Friday, June 19, 1959

The Assembly met at 9 a.m.

Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

### ROLL CALL

The roll was called, and the following answered to their names:

Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—80.

Quorum present.

### PRAYER

The following prayer was offered by the Chaplain, Rev. R. Wilbur Simmons:

*Most Gracious God,* Beginning the last day of this legislative session we lift up our hearts in gratitude for the experiences of this Assembly. Where decisions have been right, further them, we pray Thee; where they have been wrong, correct them, in Thy wisdom; where noble purposes have become dead bills, provide some more favorable climate. We thank Thee for the rich interplay of personalities so vastly different that one wonders at the choices of the electorate; for friendships formed, and respect and affection won by many who have been opponents on numerous issues. For genial and courteous presiding officers, and for an efficient and pleasant Assembly staff, we lift up our humble thanks. May we return to families and home communities mindful of invisible bonds which unite us, of a loyalty to this Commonwealth shared by us all, and knowing that some memories will linger always. And now may the Lord bless you and keep you; the Lord make His face to shine upon you and be gracious unto you; the Lord lift up the light of His countenance upon you, and give you peace.—AMEN.

### MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Mr. Cusanovich, seconded by Mr. Williamson.

## ANNOUNCEMENT

Speaker Brown announced that the Assembly Committee on Rules and the Senate Committee on Finance were holding meetings, at this time.

## COMMUNICATIONS

The following communications were presented by the Chief Clerk from:

Natha Estrin, Estrin Thrifty Mart of Ontario and Hessman's Argus Market of Trona, relative to Senate Bill No. 1155. Referred to the Committee on Revenue and Taxation.

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Walter Huckabay of Oceanside, relative to Senate Bill No. 1287. Referred to the Committee on Finance and Insurance.

## OPINION ORDERED PRINTED IN JOURNAL

On request of Mr. Miller, Speaker Brown ordered the following opinion of the Legislative Counsel printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO RETIREMENT

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 15, 1959

*Hon. Allen Miller*
*Assembly Chamber*

**Retirement—No. 17611**

DEAR MR. MILLER: You have asked us for an analysis of Senate Constitutional Amendment No. 31, as amended in Assembly June 12, 1959, and an opinion as to the measure's validity under the United States Constitution.

A. *Analysis*

The measure would increase the monthly compensation paid to Members of the Legislature from $500 to $750.

The measure would provide that the retirement benefits payable to persons who have retired under the Legislators' Retirement System prior to the operative date of the measure shall not be increased as the result of such increased compensation, and that the increased compensation shall not be used in computing the retirement benefits of such retired persons.

Under the Legislators' Retirement System retirement allowances are based upon the compensation payable, at the time the allowances fall due, to the current incumbent of the office (Sec. 9359.1, Gov. C.). Thus, under the existing law if the compensation of Members of the Legislature are increased, the retirement allowances now being paid under the Legislators' Retirement System to former Members of the Legislature would be automatically increased.

The measure would prevent such an increased allowance for former Members of the Legislature who have retired prior to the operative date of the amendment, resulting from the increase in the compensation payable to Members of the Legislature.

B. *Validity Under United States Constitution*

It seems clear that under the existing California Constitution legislation which would increase the salary of Members of the Legislature but would prohibit such an increase from being considered in determining the allowances paid to retired members would be invalid (*Abbot* v. *City of Los Angeles* (1958), 50 Cal. 2d 438). However, the measure is a constitutional amendment and specifically controls over other provisions of the California Constitution.

The rules developed by the California courts as to modification of public retirement systems are based on the contract clause of the California Constitution (*Kern* v. *City of Long Beach* (1947), 29 Cal. 2d 848, 853).

The United States Supreme Court has held that a state statute reducing the retirement benefit payable to retired teachers did not unconstitutionally impair the obligation of contract or deprive such teachers of a vested right without due process of law under the United States Constitution (*Dodge* v. *Board of Education* (1937), 302 N. S. 74, 82 L. Ed. 57). The lower federal courts have consistently followed this holding that public retirement benefits are not protected by the United States Constitution (see 52 A. L. R. 2d at p. 443). In view of this construction of the United States Constitution by the United States Supreme Court, it would appear that an amendment to the California Constitution to modify the retirement benefits of retired members of the Legislators' Retirement System, by preventing an increase in such benefits by changing the benefits from a fluctuating type pension to a fixed amount, as would be the effect of the measure, would not be held to violate the United States Constitution.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By OWEN K. KUNS, Principal Deputy

Two copies to Hon. Randolph Collier
pursuant to Joint Rule No. 34.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 137
Assembly Bill No. 202
Assembly Bill No. 395
Assembly Bill No. 758
Assembly Bill No. 1168
Assembly Bill No. 1271
Assembly Bill No. 1379
Assembly Bill No. 1426
Assembly Bill No. 1597
Assembly Bill No. 1682
Assembly Bill No. 1717
Assembly Bill No. 1773
Assembly Bill No. 2020
Assembly Bill No. 2024
Assembly Bill No. 2100
Assembly Bill No. 2232
Assembly Bill No. 2421
Assembly Bill No. 2520
Assembly Bill No. 2541
Assembly Bill No 2547
Assembly Bill No. 2657
Assembly Bill No. 2674
Assembly Bill No. 2700
Assembly Bill No. 2724
Assembly Bill No 2770
Assembly Bill No. 2774
Assembly Bill No. 2841
Assembly Bill No. 2857
Assembly Bill No. 2874
Assembly Bill No. 2892
Assembly Bill No. 2909

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 399 | Assembly Bill No. 2289 |
| Assembly Bill No. 556 | Assembly Bill No. 2344 |
| Assembly Bill No. 1489 | Assembly Bill No. 2371 |
| Assembly Bill No. 1514 | Assembly Bill No. 2542 |
| Assembly Bill No. 1704 | Assembly Bill No. 2621 |
| Assembly Bill No. 1713 | Assembly Bill No. 2622 |
| Assembly Bill No. 1714 | Assembly Bill No. 2632 |
| Assembly Bill No. 1809 | Assembly Bill No. 2633 |
| Assembly Bill No. 1992 | Assembly Bill No. 2637 |
| Assembly Bill No. 2088 | Assembly Bill No. 2803 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Miller, Farr, and Grunsky as a Committee on Conference concerning:

**Assembly Concurrent Resolution No. 137**—Relative to the creation of the Joint Interim Committee on the Public Education System.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 35
Assembly Joint Resolution No. 36

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day tabled:

Assembly Bill No. 2708

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 2737

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day ordered stricken from file:

Assembly Bill No 2675

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 509
Senate Bill No. 587
Senate Bill No. 1073

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 91

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 91**—Relative to the study of vehicle accident factors.

Referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE
## UNFINISHED BUSINESS
## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 1770**—An act to add Section 34704.1 to the Water Code, relating to officers of California water districts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1770 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—None

NOES—Backstrand, Bee, Belotti, Biddick, Bradley, Burke, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, McCollister, McMillan, Mulford, Munnell, Nisbet, Petris, Rumford, Schrade, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—42.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2554**—An act providing for the formation of municipal water districts and prescribing the powers, duties, and functions of such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2554?

### Amendment No. 1

On page 3, lines 1 and 2 of the printed bill, as amended in the Assembly on June 6, 1959, strike out "51 percent of the owners of real property", and insert "the owners of 51 percent of the area of the real property".

### Amendment No. 2

On page 12, lines 22 and 23, strike out "51 percent of the owners of", and insert "the owners of 51 percent of the area of the real property owning".

### Amendment No. 3

On page 13, strike out lines 10 to 13, inclusive, and insert

"SEC. 31. This act is effective only in that portion of the County of Santa Clara embraced within the following election precincts, as constituted at the general election of 1930: Agnew, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont Nos. 1 and 2, Fruitvale, Jefferson Nos. 1 and 2, Linda Vista Nos. 1 and 2, Los Altos Nos. 1 to 3, inclusive, Midway, Milpitas Nos. 1 and 2, Miramonte, Mount Hamilton Nos. 1 and 2, Mountain View Nos. 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos. 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos. 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos. 1 to 9, inclusive, San Tomas, Saratoga Nos. 1 and 2, Seale, Stanford Nos. 1 and 2 and Sunnyvale Nos. 1 to 4, inclusive.

The Legislature finds and declares that the unique problems of municipal growth and the peculiar water storage and water supply problems in this area are unique and require the enactment of this special act to meet a problem for which a general law cannot be made applicable."

**Amendment No. 4**

On page 13, line 18, strike out "Municipal", and insert "Limited".

**Amendment No. 5**

On page 13, line 44, of the printed bill, as amended in the Senate on June 15, 1959, after "SEC. 32.", insert "No district formed hereunder shall exercise the power of eminent domain in a county other than the County of Santa Clara without first having received the consent of the board of supervisors of the county where the property is located

SEC. 33."

**Amendment No. 6**

On page 13, line 48, strike out "SEC. 33", and insert "SEC. 34".

**Amendment No. 7**

On page 13, line 50, strike out "SEC. 34", and insert "SEC. 35".

**Amendment No. 8**

On page 14, line 5, strike out "SEC. 35", and insert "SEC. 36".

The Assembly concurred in Senate amendments to Assembly Bill No. 2554 by the following vote:

AYES—Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Rumford, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 2554 ordered enrolled.

**Assembly Bill No. 2650**—An act to amend Section 537 of the Penal Code, relating to defrauding innkeepers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2650?

**Amendment No. 1**

On page 2 of the printed bill as amended in Assembly June 8, 1959, strike out lines 5 to 8, inclusive, and insert "without paying or offering to pay for such food or accommodation shall be prima facie evidence that such person obtained such food or accommodations with intent to defraud the proprietor or manager."

The Assembly concurred in Senate amendment to Assembly Bill No. 2650 by the following vote:

AYES—Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—48

NOES—None.

Assembly Bill No. 2650 ordered enrolled.

**Assembly Bill No. 2698**—An act to add Section 12419.4 to the Government Code, relating to liens for amounts owing to the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2698?

**Amendment No. 1**

On page 1, line 3, of the printed bill, as amended in the Assembly on June 5, 1959, strike out "amount", and insert "taxes".

**Amendment No. 2**

On page 1, line 11, strike out "amount", and insert "taxes".

**Amendment No. 3**

On page 1, line 22, strike out "amount", and insert "taxes".

**Amendment No. 4**

On page 2, line 2, strike out "amount", and insert "taxes".

**Amendment No. 5**

On page 2, line 4, strike out "amount", and insert "taxes".

**Amendment No. 6**

On page 2, line 6, strike out the second "an amount", and insert "taxes".

**Amendment No. 7**

On page 2, line 8, strike out the second "amount", and insert "taxes".

**Amendment No. 8**

On page 2, line 11, strike out "amount", and insert "taxes".

The Assembly concurred in Senate amendments to Assembly Bill No. 2698 by the following vote:

AYES—Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Crawford, Cusanovich, Dahl, Davis, Donahoe, Frew, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 2698 ordered enrolled.

**Assembly Bill No. 706**—An act to add the heading of Article 1 (commencing at Section 12880) of, and Article 2 (commencing at Section 12892) to, Chapter 5 of Part 6 of Division 6 of the Water Code, relating to the planning, construction, and operation of water development projects for cities, counties, and districts throughout the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 706?

**Amendment No. 1**

On page 2, line 6, of the printed bill, as amended in the Assembly on May 28, 1959, after "industrial," insert "recreational,".

**Amendment No. 2**

On page 2, line 26, after "agricultural", insert ", recreational,".

The Assembly concurred in Senate amendments to Assembly Bill No. 706 by the following vote:

AYES—Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Crawford, Davis, Donahoe, Frew, Garrigus, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—45.

NOES—None

Assembly Bill No. 706 ordered enrolled.

**Assembly Bill No. 2353**—An act to amend Section 17082 of the Business and Professions Code, relating to unfair trade practices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2353?

Amendment No. 1

On page 1, after line 14, of the printed bill, insert
"The amendments to this section adopted at the 1959 Regular Session of the Legislature do not apply to any action commenced prior to September 18, 1959."

The Assembly concurred in Senate amendment to Assembly Bill No. 2353 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Petris, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 2353 ordered enrolled.

**Assembly Bill No. 2593**—An act to amend Section 16750 of the Business and Professions Code, relating to restraints of trade.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2593?

Amendment No. 1

On page 1, after line 11, of the printed bill, insert
"The amendments to this section adopted at the 1959 Regular Session of the Legislature do not apply to any action commenced prior to September 18, 1959."

The Assembly concurred in Senate amendment to Assembly Bill No. 2593 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Dahl, Davis, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—49.
NOES—Thelin—1.

Assembly Bill No. 2593 ordered enrolled.

**Assembly Bill No. 1245**—An act to add Section 402 to the Penal Code, relating to the offense of sightseeing at the scene of fires, accidents, and other events.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1245?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on June 4, 1959, after the comma, insert "and thereby impedes such policemen, firemen, emergency personnel or military personnel in the performance of their duties in coping with the disaster,".

Amendment No. 2

On page 1, line 17, strike out "major".

The Assembly concurred in Senate amendments to Assembly Bill No. 1245 by the following vote:

AYES—Bruce F. Allen, Backstrand, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Coolidge, Crawford, Cusanovich, Davis,

Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1245 ordered enrolled.

## CONSIDERATION OF HOUSE RESOLUTION NO. 397

By Mr. Meyers:

**House Resolution No. 397**

Commending the Legislative Counsel

WHEREAS, The 1959 Regular Session of the California Legislature has been confronted with many new operational problems resulting from the lengthened session and discontinuance of the February recess; and

WHEREAS, Changes in the procedures for introducing and amending bills placed a great many added responsibilities on the Office of Legislative Counsel; and

WHEREAS, Despite an unforeseen increase of several thousand requests over the number taken in any previous year, the Legislative Counsel, Ralph N Kleps, and his staff handled the workload with efficiency and the minimum of delay; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members commend the Legislative Counsel and the personnel of his staff on their fine work during the past busy months and express their appreciation for the valuable assistance rendered in connection with the many problems which arose during the 1959 Legislative Session; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. Kleps.

Resolution read, and adopted unanimously.

## CONSIDERATION OF HOUSE RESOLUTION NO. 398

By Mr. Meyers:

**House Resolution No. 398**

Relative to the passing of Captain Ernest E. Williams

WHEREAS, Members of the Assembly learned with deep regret of the death of Captain Ernest E Williams on August 11, 1958; and

WHEREAS, Captain Williams was born in Denver, Colorado, February 3, 1893, and moved to California at the turn of the century; and

WHEREAS, He attended public schools in Watsonville and San Jose and graduated from the University of Stanford in law; and

WHEREAS, His many years of service to the people of the United States began during World War I when he served in the Army and thereafter joined the Naval Reserve; and

WHEREAS, Appointment as Assistant United States Attorney in 1926 and as United States Commissioner of the Federal Courts in San Francisco in 1929, were the next significant accomplishments of Captain Williams; and

WHEREAS, In 1941 he was called to Washington to serve with the Judge Advocate General and later was appointed Legal and Real Estate Officer of the Twelfth Naval District, Public Works, until his retirement as Captain from the United States Navy in 1947; and

WHEREAS, Captain Williams served as President of the Planning Commission in San Francisco in 1952, having been appointed by Mayor Elmer E Robinson; and

WHEREAS, He was an active and distinguished member of many social and fraternal groups, including various Masonic Orders, the American Legion, and the Civic League of Improvement Clubs and Associations of San Francisco; and

WHEREAS, The passing of Captain Williams was deeply felt by his family and many friends throughout the Country; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this body express their heartfelt regret at the loss of Captain Ernest E. Williams, to his family and his many friends; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Maud Williams, the widow of Captain Williams, to their three daughters, Mrs. Virginia Matheny, Mrs. Winifred Kerrigan, and Mrs. Maxine Missamore, and to the sister of Captain Williams, Mrs. Lillian Kletzker.

Resolution read, and adopted unanimously.

### PARLIAMENTARY INQUIRY

Mr. Cusanovich arose to the following parliamentary inquiry: Are copies of Senate Bill No. 209 available, as last amended?

#### Reply by Speaker

The Speaker replied that they were not yet back from the printer.

#### Point of Personal Privilege

Mr. Lowrey arose to a point of personal privilege.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is the Bill Room operating under a program that all interested parties can not receive copies of bills?

#### Reply by Speaker

The Speaker replied that sometimes only a few copies of publications are rushed over for the members' convenience; but that full delivery is made as soon as possible thereafter.

#### Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: When will copies of Senate Bill No. 209, as last amended be available?

#### Reply by Speaker

The Speaker replied that as soon as they are printed they will be placed on the members' desks.

### CONSIDERATION OF DAILY FILE (RESUMED)
### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1000**—An act to amend Sections 1504, 5153, 5154, 5202, 7001, 7018.1, 7032, 7032.1, 7034, 7035.1, 7036, 7037.2, 7038, 7041, 7042, 7043, 7044, 7075, 7081, 7091, 7092.1, 7096, 7097, 7101.1, 7101.2, 7102.1, 7102.2, 7103.1, 7103.2, 7119, 7121, 7121 1, 9191, 9192, and 10208, of, to repeal Sections 7037, 7037.1, 7094, 7095, 7109.2, 7109.21, 7109.22, and 9176.1 of, and to add Sections 6999, 7037, 7037.01, 7037.02, 7037.1, 7038.1, 7083, 7091.1, 7093.1, 7095.1, 7096.2, 7109.01, 7109.2, and 7121.3 to, and to add Article 11.2 (commencing at Section 7099) and Article 11.3 (commencing at Section 7100) to Chapter 15, Division 3 of, the Education Code, to amend Sections 6354, 8109, 10808, 12155, 13525.1, 17301.1, 17303.1, 17306.1, 17352, 17402, 17403.1, 17405.1, 17411.1, 17503.1, 17614, 17616.1, 17655.1, 17656.1, 17658.1, 17660.1, 17661.1, 17665.1, 17666.1, 17702.1, 17751.1, 17801.1, 17851 1, 17901.1, 17903.1, 17951.1, 18060.1, 18102, 18103, 18152, 18153, 18202, 18203, 18352.1, 18355.1, 18356.1, 18357.1, 18358.1, 18401.1, 18451 1, 18452.1, 18453.1, 18455.1, 18456.1, and 18460.1 of, to repeal Sections 6354, 13525, 17301, 17303, 17306, 17403, 17405, 17411, 17503, 17616, 17655, 17656, 17658, 17660, 17661, 17663, 17663.1, 17664, 17664.1, 17665, 17666, 17702, 17751, 17801, 17851, 17901, 17903, 17905, 17905.1, 17906, 17906.1, 17951, 17952, 18003, 18005, 18005.1, 18006, 18060, 18101, 18104, 18105, 18151, 18154, 18155, 18201, 18204, 18205, 18352, 18355, 18356, 18357, 18358, 18401, 18451, 18452, 18453, 18454, 18455, 18456, 18457, 18459, and 18460 of, and to add Sections 17300, 17404.5, 17663, 17663.5, 17663.7, 17664, 17666.2, 17704, 17903.2, 17901.1, 17906.2, 18001.5, 18003, and Article 8.5

(commencing at Section 17970) and Article 8.6 (commencing at Section 17990) to Chapter 3 of Division 14 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, and to repeal Section 47 of Chapter 1073 of the Statutes of 1957, relating to the Public School System, making an appropriation, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1000?

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on May 22, 1959, after "7092.1,", insert "7096,".

**Amendment No. 2**

In line 7 of the title, strike out "7032.5, 7033.1,".

**Amendment No. 3**

In line 8 of the title, strike out "7091.2,".

**Amendment No. 4**

In line 14 of the title, after "17503.1,", insert "17614,".

**Amendment No. 5**

On page 2, line 4 of the title, strike out "17656.01,".

**Amendment No. 6**

On page 2, line 4 of the title, strike out "17657.1,".

**Amendment No. 7**

On page 2, line 6 of the title, strike out "17901.5,".

**Amendment No. 8**

On page 8, strike out lines 47 to 52, inclusive; on page 9, strike out lines 1 to 52, inclusive; and on page 10, strike out lines 1 to 13, inclusive.

**Amendment No. 9**

On page 19, strike out lines 11 to 52, inclusive; and on page 20, strike out lines 1 to 22, inclusive.

**Amendment No. 10**

On page 24, between lines 26 and 27, insert

"SEC. 36. Section 7096 of said code is amended to read:

7096. Notwithstanding anything in this chapter to the contrary, if under Section 6907 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as basic state aid and state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amounts of basic state aid and state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily attendance to the acquiring school district. He shall allow to the original school district as basic state aid and state equalization aid the amount computed by multiplying the resulting quotients by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as basic state aid and state equalization aid the amount computed by multiplying the same quotients by the units of average daily attendance credited to the district under Section 6907.

*Whenever a small elementary school or small high school has been maintained during the preceding fiscal year within the territory of the original district included in the acquiring district, for which a small school foundation program is computed under the provisions of Article 4 of this chapter, the amount allowed by the Superintendent of Public Instruction shall be the larger of (1) an amount determined as the product of the units of average daily attendance credited to the acquiring district and the basic aid for each unit of average daily attendance prescribed in Articles 7 and 8 of this chapter or (2) an amount equal to the product of the average daily attendance credited to the acquiring district and an amount equal to the difference between the foundation program computed for each unit of such average*

*daily attendance under the provisions of Article 4 of this chapter and the district aid for each unit of average daily attendance under the provisions of Article 10 of this chapter.*"

**Amendment No. 11**

On page 36, strike out lines 3 to 51, inclusive; and on page 37, strike out lines 1 to 22, inclusive.

**Amendment No. 12**

On page 46, strike out lines 49 to 52, inclusive; on page 47, strike out lines 1 to 52, inclusive; and on page 48, strike out lines 1 to 7, inclusive.

**Amendment No. 13**

On page 52, between lines 24 and 25, insert

"SEC. 104. Section 17614 of said code is amended to read:

17614. Notwithstanding anything in Sections 11256, 11257, and 17251, Sections 17401 to 17417, inclusive, and Sections 17601 to 18460.1, inclusive, whichever are in effect, to the contrary, if under Section 11255 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as basic state aid and state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amounts of basic state aid and state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily attendance to the acquiring school district. He shall allow to the original school district as basic state aid and state equalization aid the amount computed by multiplying the resulting quotients by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as basic state aid and state equalization aid the amount computed by multiplying the same quotients by the units of average daily attendance credited to the district under Section 11255.

*Whenever a small elementary school or small high school has been maintained during the preceding fiscal year within the territory of the original district included in the acquiring district, for which a small school foundation program is computed under the provisions of Sections 17651 to 17667, inclusive, the amount allowed by the Superintendent of Public Instruction shall be the larger of (1) an amount determined as the product of the units of average daily attendance credited to the acquiring district and the basic aid for each unit of average daily attendance prescribed in Sections 17751, 17801, or 17871, or (2) an amount equal to the product of the average daily attendance credited to the acquiring district and an amount equal to the difference between the foundation program computed for each unit of such average daily attendance under the provisions of Sections 17651 to 17667, inclusive, and the district aid for each unit of average daily attendance under the provisions of Sections 17702 and 17703.*"

**Amendment No. 14**

In line 3 of the title of the printed bill, as amended in the Senate on June 10, 1959, after "7091," insert "7092.1,".

**Amendment No. 15**

In line 4 of the title, after "7103.2," insert "7119,".

**Amendment No. 16**

On page 2, lines 19 and 20, strike out "seventy-one cents ($201.71)", and insert "ten cents ($201.10)".

**Amendment No. 17**

On page 3, lines 32 and 33, strike out "seventy-four dollars and thirty-nine cents ($174.39)", and insert "seventy-three dollars and seventy-eight cents ($173.78)".

**Amendment No. 18**

On page 8, line 4, strike out "twenty-five dollars ($5,625)", and insert "dollars ($5,600)".

**Amendment No. 19**

On page 8, line 12, strike out "fifty dollars ($11,250)", and insert "dollars ($11,200)".

**Amendment No. 20**

On page 8, line 20, strike out "seventy-five dollars ($16,875)", and insert "dollars ($16,800)".

**Amendment No. 21**

On page 8, line 28, strike out "five hundred dollars ($22,500)", and insert "four hundred dollars ($22,400)".

**Amendment No. 22**

On page 8, line 38, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 23**

On page 8, line 46, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 24**

On page 10, line 23, strike out "twenty-five dollars ($5,625)", and insert "dollars ($5,600)".

**Amendment No. 25**

On page 10, lines 30 and 31, strike out "fifty dollars ($11,250)", and insert "dollars ($11,200)".

**Amendment No. 26**

On page 10, lines 38 and 39, strike out "seventy-five dollars ($16,875)", and insert "dollars ($16,800)".

**Amendment No. 27**

On page 10, lines 46 and 47, strike out "five hundred dollars ($22,500)", and insert "four hundred dollars ($22,400)".

**Amendment No. 28**

On page 11, line 5, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 29**

On page 11, line 14, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 30**

On page 11, line 25, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 31**

On page 11, lines 34 and 35, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 32**

On page 11, line 42, after "4871)", insert "and Chapter 14 (commencing at Section 4601)".

**Amendment No. 33**

On page 13, line 26, strike out "three hundred dollars ($33,300)", and insert "dollars ($33,000)".

**Amendment No. 34**

On page 13, lines 30 and 31, strike out "four hundred dollars ($38,400)", and insert "one hundred dollars ($38,100)".

**Amendment No. 35**

On page 13, lines 35 and 36, strike out "five hundred dollars ($43,500)", and insert "two hundred dollars ($43,200)".

**Amendment No. 36**

On page 13, lines 40 and 41, strike out "six hundred dollars ($48,600)", and insert "three hundred dollars ($48,300)".

**Amendment No. 37**

On page 13, lines 45 and 46, strike out "seven hundred dollars ($53,700)", and insert "four hundred dollars ($53,400)".

**Amendment No. 38**

On page 13, lines 50 and 51, strike out "eight hundred dollars ($58,800)", and insert "five hundred dollars ($58,500)".

**Amendment No. 39**

On page 14, lines 4 and 5, strike out "nine hundred dollars ($63,900)", and insert "six hundred dollars ($63,600)".

**Amendment No. 40**

On page 14, lines 9 and 10, strike out "sixty-nine thousand dollars ($69,000)", and insert "sixty-eight thousand seven hundred dollars ($68,700)".

**Amendment No. 41**

On page 14, lines 14 and 15, strike out "seventy-four thousand one hundred dollars ($74,100)", and insert "seventy-three thousand eight hundred dollars ($73,800)".

**Amendment No. 42**

On page 14, lines 19 and 20, strike out "seventy-nine thousand two hundred dollars ($79,200)", and insert "seventy-eight thousand nine hundred dollars ($78,900)".

**Amendment No. 43**

On page 14, line 25, strike out "three hundred dollars ($84,300)", and insert "dollars ($84,000)".

**Amendment No. 44**

On page 14, line 30, strike out "four hundred dollars ($89,400)", and insert one hundred dollars ($89,100)".

**Amendment No. 45**

On page 14, line 35, strike out "five hundred dollars ($94,500)", and insert two hundred dollars ($94,200)".

**Amendment No. 46**

On page 15, line 2, strike out "twenty-five dollars ($325)", and insert "twenty-four dollars ($324)".

**Amendment No. 47**

On page 15, lines 8 and 9, strike out "twenty-five dollars ($425)", and insert "twenty-four dollars ($424)".

**Amendment No. 48**

On page 15, line 16, strike out "ninety-five dollars ($495)", and insert "ninety-four dollars ($494)".

**Amendment No. 49**

On page 15, lines 49 and 50, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 50**

On page 15, line 51, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 51**

On page 16, line 3, strike out "thirty dollars ($330)", and insert "twenty-four dollars ($324)".

**Amendment No. 52**

On page 16, line 17, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 53**

On page 16, line 19, strike out "five dollars ($235)", and insert "four dollars ($234)".

**Amendment No. 54**

On page 16, lines 29 and 30, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 55**

On page 16, line 31, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 56**

On page 16, line 39, strike out "twenty-five dollars ($325)", and insert "twenty-four dollars ($324)"

**Amendment No. 57**

On page 18, line 1, strike out "three hundred dollars ($300)", and insert "two hundred ninety-nine dollars ($299)".

**Amendment No. 58**

On page 18, line 5, strike out "ten dollars ($310)", and insert nine dollars ($309)".

**Amendment No. 59**

On page 20, line 33, strike out "ninety-five dollars ($395)", and insert "ninety-four dollars ($394)".

**Amendment No. 60**

On page 20, line 36, strike out "five dollars ($405)", and insert four dollars ($404)".

**Amendment No. 61**

On page 21, lines 40 and 41, strike out "fifteen dollars ($15)", and insert "fourteen dollars ($14)".

**Amendment No. 62**

On page 22, line 37, strike out "twenty-five dollars ($425)", and insert "twenty-four dollars ($424)".

**Amendment No. 63**

On page 27, between lines 30 and 31, insert

"SEC. 46.5. Section 7119 of said code is amended to read:

7119. If the total amount allowed county school service funds under Article 2 (commencing with Section 7001) of this chapter is less than the amounts provided by Section 7001 the balance shall be added to the balances resulting from the application of Sections 7019, 7109.43, 7112, 7113, and subdivision (b) of Section 7121.2. The total of such balances shall be used as follows:

(a) First, to increase proportionately the allowances made to which Section 7115 applied. The increased allowances shall not exceed the amounts computed under Articles 5, 6, 7, 8, 9, 11, and 11.1 of this chapter. The increase for each elementary, high school, or junior college district shall be an amount that bears the same ratio to the total balance as the amount of equalization aid allowed such district bears to the total amount of equalization aid allowed to all districts.

(b) Second, to restore, in the order herein listed, the amounts reduced under Sections 7109.41, 7109.42, 7116, and subdivision (a) of Section 7019.

(c) ~~Thereafter, to allow any remaining balance as additional state equalization aid to the districts that were allowed state equalization aid pursuant to Article 11 of this chapter during the then current fiscal year. The amount of additional state equalization aid allowed each such district for each unit of average daily attendance shall be determined by dividing such remaining balance by the average daily attendance of all districts receiving equalization aid.~~ *Thereafter, to allow any remaining balance as additional state aid to all of the districts. The amount of additional state aid allowed each such district for each unit of average daily attendance shall be determined by dividing such remaining balance by the average daily attendance of all districts.*

*Should the balance be sufficient to provide in excess of five dollars ($5) per unit of average daily attendance to such districts, then that part of the balance which would produce such excess shall be apportioned to all districts which receive equalization aid on the basis of average daily attendance.*"

**Amendment No. 64**

On page 28, lines 1 and 2, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 65**

On page 29, line 13, strike out "seventy-one cents ($201.71)", and insert "ten cents ($201.10)".

**Amendment No. 66**

On page 30, lines 15 and 16, strike out "four dollars and thirty-nine cents ($174.39)", and insert "three dollars and seventy-eight cents ($173.78)".

**Amendment No. 67**

On page 34, line 48, strike out "twenty-five dollars ($5,625)", and insert "dollars ($5,600)".

**Amendment No. 68**

On page 35, line 4, strike out "fifty dollars ($11,250)", and insert "dollars ($11,200)".

**Amendment No. 69**

On page 35, line 12, strike out "seventy-five dollars ($16,875)", and insert "dollars ($16,800)".

**Amendment No. 70**

On page 35, line 20, strike out "five hundred dollars ($22,500)", and insert "four hundred dollars ($22,400)".

**Amendment No. 71**

On page 35, line 32, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 72**

On page 35, line 40, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 73**

On page 37, line 20, strike out "twenty-five dollars ($5,625)", and insert "dollars ($5,600)".

**Amendment No. 74**

On page 37, lines 27 and 28, strike out "fifty dollars ($11,250)", and insert "dollars ($11,200)".

**Amendment No. 75**

On page 37, lines 35 and 36, strike out "seventy-five dollars ($16,875)", and insert "dollars ($16,800)".

**Amendment No. 76**

On page 37, lines 43 and 44, strike out "five hundred dollars ($22,500)", and insert "four hundred dollars ($22,400)".

**Amendment No. 77**

On page 38, lines 4 and 5, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 78**

On page 38, line 14, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 79**

On page 38, line 27, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 80**

On page 38, line 37, strike out "five dollars ($235)", and insert "four dollars ($234)".

**Amendment No. 81**

On page 38, line 45, after "inclusive," insert "or formed under Sections 813, 1481 to 1493, inclusive, 2811 to 2931, inclusive, 13005, 13554, and 21802,".

**Amendment No. 82**

On page 40, line 30, strike out "three hundred dollars ($33,300)", and insert "dollars ($33,000)".

**Amendment No. 83**

On page 40, lines 34 and 35, strike out "four hundred dollars ($38,400)", and insert "one hundred dollars ($38,100)".

**Amendment No. 84**

On page 40, lines 39 and 40, strike out "five hundred dollars ($43,500)", and insert "two hundred dollars ($43,200)".

**Amendment No. 85**

On page 40, lines 44 and 45, strike out "six hundred dollars ($48,600)", and insert three hundred dollars ($48,300)".

**Amendment No. 86**

On page 40, lines 49 and 50, strike out "seven hundred dollars ($53,700)", and insert "four hundred dollars ($53,400)".

**Amendment No. 87**

On page 41, lines 2 and 3, strike out "eight hundred dollars ($58,800)", and insert "five hundred dollars ($58,500)".

**Amendment No. 88**

On page 41, lines 7 and 8, strike out "nine hundred dollars ($63,900)", and insert "six hundred dollars ($63,600)".

**Amendment No. 89**

On page 41, lines 12 and 13, strike out "sixty-nine thousand dollars ($69,000)", and insert "sixty-eight thousand seven hundred dollars ($68,700)".

**Amendment No. 90**

On page 41, lines 17 and 18, strike out "seventy-four thousand one hundred dollars ($74,100)", and insert "seventy-three thousand eight hundred dollars ($73,800)".

**Amendment No. 91**

On page 41, lines 22 and 23, strike out "seventy-nine thousand two hundred dollars ($79,200)", and insert "seventy-eight thousand nine hundred dollars ($78,900)".

**Amendment No. 92**

On page 41, lines 27 and 28, strike out "three hundred dollars ($84,300)", and insert "dollars ($84,000)".

**Amendment No. 93**

On page 41, lines 32 and 33, strike out "four hundred dollars ($89,400)", and insert "one hundred dollars ($89,100)".

**Amendment No. 94**

On page 41, lines 37 and 38, strike out "five hundred dollars ($94,500)", and insert "two hundred dollars ($94,200)".

**Amendment No. 95**

On page 42, line 7, strike out "twenty-five dollars ($325)", and insert "twenty-four dollars ($324)".

**Amendment No. 96**

On page 42, lines 15 and 16, strike out "twenty-five dollars ($425)", and insert "twenty-four dollars ($424)".

**Amendment No. 97**

On page 42, line 23, strike out "ninety-five dollars ($495)", and insert "ninety-four dollars ($494)".

**Amendment No. 98**

On page 43, line 7, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 99**

On page 43, line 9, strike out "five dollars ($235)", and insert "four dollars ($234)".

**Amendment No. 100**

On page 43, line 12, strike out "thirty dollars ($330)", and insert "twenty-four dollars ($324)".

**Amendment No. 101**

On page 43, line 29, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 102**

On page 43, line 30, strike out "thirty-five dollars ($235)", and insert "thirty-four dollars ($234)".

**Amendment No. 103**

On page 43 line 43, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 104**

On page 43, line 45, strike out "five dollars ($235)", and insert "four dollars ($234)".

**Amendment No. 105**

On page 44, line 3, strike out "twenty-five dollars ($325)", and insert "twenty-four dollars ($324)".

**Amendment No. 106**

On page 45, lines 28 and 29, strike out "three hundred dollars ($300)", and insert "two hundred ninety-nine dollars ($299)".

**Amendment No. 107**

On page 45, line 32, strike out "ten dollars ($310)", and insert "nine dollars ($309)".

**Amendment No. 108**

On page 48, line 13, strike out "ninety-five dollars ($395)", and insert "ninety-four dollars ($394)".

**Amendment No. 109**

On page 48, line 16, strike out "five dollars ($405)", and insert "four dollars ($404)".

**Amendment No. 110**

On page 49, line 31, strike out "fifteen dollars ($15)", and insert "fourteen dollars ($14)".

**Amendment No. 111**

On page 50, line 24, strike out "twenty-five dollars ($425)", and insert "twenty-four dollars ($424)".

**Amendment No. 112**

On page 55, line 47, strike out "twenty-five dollars ($225)", and insert "twenty-four dollars ($224)".

**Amendment No. 113**

On page 63, strike out lines 24 to 32, inclusive, and insert

"*(c) Thereafter, to allow any remaining balance as additional state aid to all of* the districts The amount of additional state aid allowed each such district for each unit of average daily attendance shall be determined by dividing such remaining balance by *the average daily attendance of all districts.*

Should the balance be sufficient to provide in excess of five dollars ($5) per unit of average daily attendance to such districts, then that part of the balance which would produce such excess shall be apportioned to all districts which receive equalization aid on the basis of average daily attendance."

**Amendment No. 114**

In line 5 of the title of the printed bill, as amended in the Senate on June 15, 1959, strike out "9192,".

**Amendment No. 115**

In line 6 of the title, strike out "and 9176.1", and insert "9176.1, and 9192".

**Amendment No. 116**

In line 8 of the title, strike out "7093.1, 7095.1, 7096.2", and insert "7092.6, 7095.1".

**Amendment No. 117**

In line 12 of the title, strike out "6354", and insert "6353".

**Amendment No. 118**

In line 27 of the title, strike out "and 18460", and insert "18460, and 18602".

The Assembly concurred in Senate amendments to Assembly Bill No. 1000 by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Beddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1000 ordered enrolled.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Senate Bill No. 679,** as amended in Assembly June 16, 1959—An act to amend Sections 10204, 68200, 68201, 68202, 68203, and 68204 of the Government Code, relating to the justices and judges of courts of record and other state legal officers

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on June 16, 1959, after "68201", insert "and 68202 of, and to repeal Sections 68203 and 68204 of, and to add Section 68548 to, the Government".

**Amendment No. 2**

In lines 3 and 4 of the title, strike out "68202, 68203, and 68204 of the Government".

**Amendment No. 3**

On page 1, strike out lines 5 and 6, and insert "preme Court is twenty-eight thousand dollars ($28,000)."

**Amendment No. 4**

On page 1, strike out line 13, and insert "two thousand dollars ($2,000)."

**Amendment No. 5**

On page 1, strike out lines 14 and 15, and insert

"(b) Justice of District Court of Appeal, four thousand dollars ($4,000)."

**Amendment No. 6**

On page 2, strike out lines 1 to 12, inclusive, and insert

"SEC. 3. Section 68202 of said code is amended to read:

68202. The annual salary of each of the following judges is the amount of the salary of the Chief Justice of the Supreme Court less the amount indicated opposite the name of the office:

(a) Judge of the superior court of a county having a population of 100,000 or more, eight thousand dollars ($8,000).

(b) Judge of the superior court of a county having a population of less than 100,000, ten thousand dollars ($10,000).

(c) Judge of a municipal court in a county having a population of 250,000 or more, ten thousand dollars ($10,000).

(d) Judge of a municipal court in a county having a population of less than 250,000, twelve thousand dollars ($12,000).

SEC. 4. Sections 68203 and 68204 of said code are repealed.

SEC. 5. Section 68548 is added to said code, to read:

68548. Each justice or judge assigned by the Chairman of the Judicial Council to another court of a like or higher jurisdiction pursuant to Section 1a, Article VI, of the State Constitution has no authority to refuse such assignment and shall forthwith accept such assignment and shall sit and hold court as so assigned."

**Amendment No. 7**

On page 2, strike out lines 36 to 52, inclusive; and on page 3, strike out lines 1 and 2

**Amendment No. 8**

On page 3, lines 5 and 6, strike out "nineteen thousand nine hundred fifty dollars ($19,950)", and insert "twenty-one thousand dollars ($21,000)".

**Amendment No. 9**

On page 3, after line 9, insert

"SEC. 7. This act shall become operative on January 1, 1960."

| | |
|---|---|
| GEORGE MILLER, JR. | ALLEN MILLER |
| RICHARD J. DOLWIG | S. C. MASTERSON |
| WALTER W. STIERN | JACK A. BEAVER |
| Senate Committee on Conference | Assembly Committee on Conference |

Report adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Collier, Crawford, Cusanovich, Gaffney, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Nisbet, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, George A. Willson, Z'berg, and Mr. Speaker—42.

NOES—Bee, Chapel, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Kilpatrick, Lowrey, Lunardi, Pattee, Williamson, Charles H. Wilson, and Winton—16.

NOTE—See page 6145 for explanation of vote by Mr. Meyers relative to Senate Bill No. 679.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2023**—An act to add Article 11 (commencing at Section 11640) to Chapter 2 of Part 2 of Division 4 of the Business and Professions Code, relating to subdivision maps.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2023?

**Amendment No. 1**

On page 1, line 9, of the printed bill, as amended in the Assembly on May 11, 1959, after "date", insert "of this section".

**Amendment No. 2**

On page 1, line 13, of the printed bill, as amended in the Senate on May 21, 1959, strike out "which approved the map", and insert "of the city, city and county, or county having jurisdiction of the land under this chapter at the time said public hearing is called".

**Amendment No. 3**

On page 1, line 14, after "approval", insert "of such final map".

**Amendment No. 4**

On page 1, line 15, strike out "the", and insert "such".

**Amendment No. 5**

On page 1, line 18, after the period, insert "Such revocation shall be effective upon recordation of a certified copy of such resolution in the county in which the map was recorded, and thereupon all streets, ways and other easements dedicated or offered for dedication by such map shall be of no further force or effect."

**Amendment No. 6**

On page 1, line 9, of the printed bill, as amended in the Senate on June 2, 1959, strike out the word "two", and insert "five".

The Assembly concurred in Senate amendments to Assembly Bill No. 2023 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grunt, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2023 ordered enrolled.

**Assembly Bill No. 1558**—An act to amend Section 68540 of the Government Code, relating to assignment of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1558?

**Amendment No. 1**

On page 2 of the printed bill after line 10, insert

"SEC. 2. Section 68540 of said code is amended to read:

68540. (a) Whenever a judge of a superior court is assigned by the Chairman of the Judicial Council to sit in a superior court in another county, any extra compensation to which this judge is entitled under the Constitution for the time so served shall be paid by the county to which such judge is assigned.

Further, ~~where such extra compensation is paid by a given county to a particular judge for a total time so served of 30 days or more within any one fiscal year, such county shall also~~ *the county to which such judge is assigned shall* reimburse the county in which such judge was elected or appointed by the Governor as a superior court judge in an amount equal to that portion of the regular salary of such judge paid for ~~said~~ *the* time ~~by the last mentioned county~~ *he was assigned*

*to the other court*. This reimbursement shall be made from the same funds as the extra compensation is paid ~~; and at such times and in such manner as the State Controller may by rule provide~~.

~~In computing the time served under this subdivision (a), there shall be counted the actual time so served, plus Saturday, Sunday and holiday time duly allocable thereto.~~

(b) The State shall pay the same proportion of the extra compensation of a judge of a municipal or justice court, assigned to a superior court, that it pays of the salary of a judge of the superior court to which the assignment is made, and the remainder of such extra compensation shall be paid by the county in and for which is held the superior court to which the assignment is made.

SEC. 3. Section 2 of this act shall become operative only if Senate Bill No. 893 is enacted by the Legislature at its 1959 Regular Session, and Section 1 of this act shall become operative only if Section 2 of this act does not become operative."

The Assembly concurred in Senate amendment to Assembly Bill No. 1558 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66

NOES—None.

Assembly Bill No. 1558 ordered enrolled.

### ASSEMBLY BILL NO. 2712 RECALLED FROM ENROLLMENT

Speaker Brown directed that the Chief Clerk be instructed to recall Assembly Bill No. 2712 from the Committee on Engrossment and Enrollment, and return it to the Senate pursuant to its request.

### ANNOUNCEMENTS

Speaker Brown announced that, as Senate messages on bills requiring concurrences in Senate amendments, or other items to go on file, are received, they would be listed on the blackboard set up at the rostrum; and copies of the bills would be placed on the members' desks as soon as they were available.

### VOTE CHANGED UPON ROLL CALL ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 679

Mr. Bee was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on the adoption of report of the Committee on Conference concerning Senate Bill No 679.

### NAMES PLACED UPON ROLL CALL ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 679

Messrs. Chapel, DeLotto, and Pattee were granted unanimous consent that they be recorded as voting "No" on the adoption of the report of the Committee on Conference concerning Senate Bill No. 679.

### RE-REFERENCE OF BILLS PURSUANT TO RULE NO. 62

On advice of the Legislative Counsel, and pursuant to Rule No. 62, the Speaker ordered the following bills re-referred to the Committee on Ways and Means:

**Senate Bills Nos. 738, 672,** and **48.**

### REQUEST FOR UNANIMOUS CONSENT TO SUSPEND JOINT RULE

Consent of the Speaker having been granted to consider the measures, unanimous consent was granted that Joint Rule No. 23 be suspended to take up Assembly Concurrent Resolution No. 125 and Assembly Joint Resolutions Nos. 37, 38, 39, and 40, and Assembly Concurrent Resolution No. 149 today.

### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 125

**Assembly Concurrent Resolution No. 125**—Relative to study by the Judicial Council of automobile accident litigation.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—63.
NOES—None.

Resolution ordered transmitted to the Senate.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2712

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

### CONSIDERATION OF DAILY FILE (RESUMED)
### THIRD READING OF SENATE BILLS

**Senate Bill No. 814**—An act to add Section 1193 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time, and presented by Mr. Hanna.

#### Parliamentary Inquiry

Mr. Masterson arose to the following parliamentary inquiry: Since the record was expunged, and the action rescinded on the Masterson and Busterud Amendments to Senate Bill No. 814, are they now before the House?

#### Reply by Speaker

The Speaker replied that the amendments were now in the same position that they were in before they were adopted, so the Masterson Amendments were now before the House for consideration.

The question being on the adoption of the amendments by Mr. Masterson.

**Motion to Amend**

Mr. Masterson moved the adoption of the following amendments:

**Amendment No. 1**

On page 1, lines 9 and 10, of the printed bill, as amended in the Senate on May 1, 1959, strike out "prior to the filing of a claim of lien", and insert "after the commencement of the furnishing of such labor, service, equipment, or material,".

**Amendment No. 2**

On page 1, line 13, after "furnished", insert "and a statement that, unless paid, the charges made for any materials, equipment, labor, or services furnished will constitute a lien on the property".

**Amendment No. 3**

On page 1, strike out lines 20 and 21; and, on page 2, strike out lines 1 and 2.

Amendments read.

**Speaker pro Tempore Presiding**

At 9.52 a.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Demand for Previous Question**

Messrs Grant, Schrade, Crawford, Luckel, and Britschgi demanded the previous question. Demand sustained.

The question being on the adoption of the amendments.

**Roll Call Demanded**

Messrs. Bruce F. Allen, Lunardi, and Masterson demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bruce F. Allen, Burke, Busterud, Chapel, Coolidge, Frew, Garrigus, Kilpatrick, Masterson, McCollister, Mulford, Pattee, Reagan, Thelin, Charles H. Wilson, and Z'berg—16.

NOES—Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Cameron, Collier, Crawford, Cusanovich, Davis, DeLotto, Donahoe, Francis, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Meyers, Miller, Munnell, Nisbet, O'Connell, Rees, Rumford, Schrade, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, and Winton—42.

The question being on the adoption of the following amendments by Mr. Busterud:

**Amendment No. 1**

On page 2, line 10, strike out "registered or certified", and insert "first class".

**Amendment No. 2**

On page 2, line 17, strike out "certified or registered", and insert "first class".

**Amendment No. 3**

On page 2, line 22, strike out "registered or certified".

**Amendment No. 4**

On page 2, line 23, strike out "registered or certified".

**Amendment No. 5**

On page 2, line 28, strike out ", unless the same is furnished under"; strike out lines 29 to 32, inclusive, and insert a period.

**Amendments Withdrawn**

Mr. Busterud withdrew his amendments.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Biddick, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Conrad, Crawford, Cusanovich, Dills, Donahoe, Francis, Frew, Ernest R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sumner, Thelin, Unruh, Waldie, Williamson, and Charles H. Wilson—41

NOES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Burke, Collier, Coolidge, Dahl, DeLotto, Gaffney, Garrigus, Levering, Lowrey, Masterson, McCollister, Mulford, Pattee, Reagan, Shell, Thomas, George A. Willson, Winton, and Z'berg—24.

Bill ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
June 19, 1959

*Hon Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

DEAR MR. OHNIMUS: I am directed to request that the Assembly return Assembly Bill No 2298 to the Senate for further consideration.

Very truly yours,

J. A. BEEK

## ASSEMBLY BILL NO. 2298 RECALLED FROM ENROLLMENT AND RETURNED TO SENATE

Speaker pro Tempore Bee was granted unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 2298 from the Committee on Engrossment and Enrollment, and return it to the Senate pursuant to the above request.

### Assembly Bill No. 2298 Returned From Enrollment

The following communication was presented by the Chief Clerk:

ASSEMBLY, CALIFORNIA LEGISLATURE
9 a.m., June 19, 1959

*Mr. Arthur A. Ohnimus*
*Chief Clerk of the Assembly*

Pursuant to your instructions I am returning Assembly Bill No. 2298 from Enrollment.

Respectfully yours,

CHARLES W. ROBBINS, Engrossing and Enrolling Clerk

### Assembly Bill No. 2298 Ordered Returned to Senate

Speaker pro Tempore Bee instructed the Chief Clerk to return Assembly Bill No. 2298 to the Senate pursuant to its request.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1489**—An act to amend Section 9108 of the Government Code, relating the State Capitol.

Bill read third time, and presented by Mr Miller.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 10.16 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### MOTION TO APPROVE JOURNALS

On motion of Mr Munnell, the following Journals were approved, as corrected by the Minute Clerk: Monday, June 8, 1959; Tuesday, June 9, 1959; Wednesday, June 10, 1959, Thursday, June 11, 1959; Friday, June 12, 1959; Monday, June 15, 1959; Tuesday, June 16, 1959; Wednesday, June 17, 1959; Thursday, June 18, 1959; and Friday, June 19, 1959.

### REQUEST FOR UNANIMOUS CONSENT TO CHANGE VOTE UPON ROLL CALL ON SENATE BILL NO. 814

Mr. Meyers asked for unanimous consent that he be recorded as voting "No" instead of "Aye," on Senate Bill No. 814.

Mr. Charles H. Wilson withheld unanimous consent because the result would be changed.

#### Motion to Temporarily Suspend the Rules

Mr. Meyers moved that the Rules be temporarily suspended for the purpose of permitting him to change his vote from "Aye" to "No" on Senate Bill No. 814.

Mr. Unruh seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bee, Belotti, Bradley, Burton, Coolidge, Dahl, Gaffney, MacBride, Meyers, Mulford, O'Connell, Reagan, Unruh, and George A. Willson—16.

NOES—Biddick, Britschgi, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Donahoe, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Nisbet, Petris, Schrade, Sumner, Thelin, Thomas, Waldie, Williamson, and Charles H. Wilson—37.

### NAME PLACED UPON ROLL CALL ON SENATE BILL NO. 814

Mr. Gaffney was granted unanimous consent that he be recorded as voting "No" on Senate Bill No. 814.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1069**—An act to amend Section 2160 of, and to repeal Section 2160.4 of, the Welfare and Institutions Code, relating to old age assistance.

Bill read third time, and presented by Mr. Bruce F. Allen.

#### Point of Order

Mr. Unruh arose to the following point of order: That the bill should be re-referred to the Committee on Ways and Means pursuant to Rule No. 62.

Point of Order

Mr. Bruce F. Allen arose to the following point of order: That the point of order by Mr. Unruh was not in order on the third reading of the bill.

Point of Order

Mr. Unruh arose to the following point of order: That the bill was previously amended on third reading, and those amendments made its re-reference to the Committee on Ways and Means in order, so the point of order is in order.

Ruling by Speaker pro Tempore

The Speaker pro Tempore read Rule No. 62 to the members; and ruled that the point of order by Mr. Unruh was not well taken.

Point of Order

Mr. Unruh arose to the following point of order: That an opinion of the Legislative Counsel, now at the desk, clearly states that the bill should be re-referred to the Committee on Ways and Means.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken, since the bill had been read the third time today, and was now before the House for consideration; but that a motion to re-refer would be in order.

Motion to Re-refer

Mr. Unruh moved that the bill be re-referred to the Committee on Ways and Means.

Point of Order

Mr. Bruce F. Allen arose to the following point of order: That Mr. Unruh did not have the floor, so his motion was not in order.

Ruling by Speaker pro Tempore

The Speaker pro Tempore ruled the point of order not well taken.

The question being on the motion to re-refer.

Request by Mr. Unruh

Mr. Unruh requested that the Legislative Counsel be requested to come in to the Assembly Chamber to clarify the Rule.

Request ruled not in order, except by a motion for a Committee of the Whole.

Parliamentary Inquiry

Mr. Bruce F. Allen arose to the following parliamentary inquiry: What is the question before the House?

Reply by Speaker pro Tempore

The Speaker pro Tempore replied that the question was on the motion by Mr. Unruh.

The question being on the motion that the bill be re-referred to the Committee on Ways and Means.

Motion lost by the following vote:

AYES—Bane, Conrad, Crown, Dahl, Hegland, House, Levering, Miller, Petris, Rees, Shell, Thelin, Unruh, Waldie, George A. Willson, and Winton—16

NOES—Bruce F. Allen, Don A. Allen, Beaver, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Marks, Masterson, Meyers, Mulford, Munnell, O'Connell, Pattee, Porter, Reagan, Rumford, Thomas, Williamson, Charles H. Wilson, and Z'berg—44.

**Demand for Previous Question**

Messrs. Crawford, Schrade, Luckel, Holmes, and House demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crawford, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—59.

NOES—Conrad, Cusanovich, Dahl, Francis, Lanterman, Levering, Miller, Shell, Sumner, Thelin, Unruh, and Winton—12.

Bill ordered transmitted to the Senate.

## INTRODUCTION OF GUESTS

Speaker Brown introduced his granddaughter, Elizabeth Ann Pierson, and his son-in-law, Mr. Frank Pierson, District Attorney of Stanislaus County, to the Members of the Assembly, who joined in welcoming them on their visit to the Assembly Chamber.

## NAMES PLACED UPON ROLL CALL ON MOTION TO RE-REFER SENATE BILL NO. 1069

Mr. Munnell was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on the motion to re-refer Senate Bill No. 1069 to the Committee on Ways and Means

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Winton was granted unanimous consent to hold a special meeting of the Committee on Government Organization in the rear of the Assembly Chamber, at this time.

## NAMES PLACED UPON ROLL CALL ON MOTION TO RE-REFER SENATE BILL NO. 1069

Messrs. Gaffney, Busterud, Biddick, and Meyers were granted unanimous consent that they be recorded as voting "No" on the motion that Senate Bill No. 1069 be re-referred to the Committee on Ways and Means

## NAMES PLACED UPON ROLL CALL ON SENATE BILL NO. 1069

Mr. Francis was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on Senate Bill No. 1069.

Mr. Lunardi was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 1069.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW SENATE BILLS NOS. 738, 672, AND 48 FROM COMMITTEE

Mr. Unruh was granted unanimous consent that Senate Bills Nos. 738, 672, and 48 be withdrawn from the Committee on Ways and Means, and placed on the third reading file.

Above bills ordered to third reading.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1306**—An act to amend Sections 73952, 73953, 73954, and 73955 of, and to add Sections 73960 and 73961 to, the Government Code, relating to the municipal court of the Oceanside Judicial District.

Bill read third time, and presented by Mr. Crawford.

### Parliamentary Inquiry

Mr. Crawford arose to the following parliamentary inquiry: Are there amendments proposed by Mr. Holmes at the desk?

### Reply by Speaker pro Tempore

The Speaker replied that there were not.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, O'Connell, Pattee, Porter, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 679—An act to amend Sections 10204, 68200, and 68201 of, and to repeal Sections 68202, 68203, and 68204 of, and to add Sections 68547 and 68548 to, the Government Code, relating to the justices and judges of courts of records and other state legal officers

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Speaker pro Tempore Bee was granted unanimous consent that the Rules be temporarily suspended in order that all bills reported out of committee today be read the second time, with appropriate actions taken thereon.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2907

And reports the same correctly re-engrossed.

BURKE, Chairman

Above bill re-referred to the Committee on Rules.

Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 418

With the recommendation: That the resolution be re-referred to the Committee on Transportation and Commerce.

MILLER, Chairman

Above resolution re-referred to the Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 417

With the recommendation: That the resolution be re-referred to the Committee on Municipal and County Government.

MILLER, Chairman

Above resolution re-referred to the Committee on Municipal and County Government.

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 388

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 19, 1959

MR SPEAKER: Your Committee on Rules reports:

House Resolution No. 414

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 19, 1959

MR SPEAKER: Your Committee on Rules reports:

Assembly Bill No. 2907

With the recommendation: Do pass.

MILLER, Chairman

Above bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

**Assembly Bill No. 2907**—An act to add Division 9 (commencing with Section 9000) to the Welfare and Institutions Code, relating to marriage and its preservation.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Government Organization

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 970

With the recommendation: Do pass.

WINTON, Chairman

Above bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 970**—An act to amend Section 23320 of, and to add Section 23321.6 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 91

*With the recommendation: Be adopted.*

MILLER, Chairman

Above resolution ordered on file.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Masterson was granted unanimous consent to take up Senate Bill No. 1399 for purpose of amendment.

## CONSIDERATION OF SENATE BILL NO. 1399

**Senate Bill No. 1399**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Bill read third time.

### Motion to Amend

Mr. Masterson moved the adoption of the following amendments:

### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 11, 1959, strike out lines 6 and 7, and insert "shall be issued a renewable sport fishing license authorizing the licensee to take any fish and amphibia anywhere in this State for purposes other than profit, free of charge.

Any woman over 62 years of age and any man over 65 years of age who has been a resident of this State for the five years immediately preceding and whose total monthly income from all sources, including any old age assistance payments, does not exceed one hundred forty dollars ($140) on application to the department shall be issued a sport fishing license, which may be renewable, authorizing the licensee to take fish from the ocean waters of this State and amphibia anywhere in this State for purposes other than profit, free of charge."

### Amendment No. 2

On page 2, lines 13 and 14, strike out "recipients of aid to the aged,".

### Amendment No. 3

On page 2, lines 15 and 16, strike out "which authorizes", and insert "authorizing".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

### Speaker Presiding

At 10.46 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Rush Order Placed Upon Printing of Senate Bill No. 1399

Mr. Masterson was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1399.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 733**—An act to amend Section 9575.6 of the Business and Professions Code, relating to the State Board of Dry Cleaners, and making an appropriation, to take effect immediately.

Bill read third time, and presented by Mr. Bradley.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott,

Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 122**—An act to amend Sections 87 of the Agricultural Code, relating to fairs, including racing thereat.

Bill read third time, and presented by Mr. DeLotto.

#### Demand for Previous Question

Messrs. Holmes, Dahl, Johnson, Kennick, and Bee demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

#### Call of the Assembly

Pending the announcement of the vote, Mr. DeLotto moved a call of the Assembly.

Mr. Frew seconded the motion.

Motion carried. Time, 11.03 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

### PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

### CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1004**—An act to add Section 11543.5 to the Business and Professions Code, relating to subdivision maps.

Bill read third time, and presented by Mr. Hanna.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 789**—An act to amend Section 8352 of, and to repeal Sections 8357, 8357.5 and 8358 of, the Revenue and Taxation Code, and to add Article 4 (commencing at Section 21680) to Chapter

4 of Part 1 of Division 9 of the Public Utilities Code, relating to financial assistance for airports and making an appropriation.

Bill read third time, and presented by Mr. Lunardi.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 789:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 18, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 789 is an act relating to financial support to airports.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 789 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G BROWN, Governor

### Demand for Previous Question

Messrs. Masterson, Johnson, Holmes, Charles H. Wilson, and Frew demanded the previous question. Demand sustained.

The question being on the passage of the bill.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Lunardi moved a call of the Assembly.

Mr. Z'berg seconded the motion.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 158**—An act to amend Sections 2710 and 2801 of the Unemployment Insurance Code, relating to unemployment disability compensation hospital benefits.

Bill read third time, and presented by Mr. Munnell.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1199**—An act to amend Section 447 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and presented by Mr. Holmes.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 455**—An act to amend Sections 350 and 5018 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailers used to haul fruits, olives, grapes, or nuts.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

**Senate Bill No. 1125**—An act to amend Section 1300.12 of the Agricultural Code, relating to the marketing of agricultural commodities.

Bill read third time, and presented by Mr. Lowrey.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Williamson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Masterson—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 872**—An act to add Section 1394 to the Water Code, relating to reservation of jurisdiction by the State Water Rights Board.

Bill read third time, and presented by Mr. Winton.

Bill ordered passed temporarily on file.

**Hon. Charles J. Conrad Presiding**

At 11.20 a.m., Hon. Charles J. Conrad, Member of the Assembly from the Fifty-seventh District, presiding.

**Senate Bill No. 222**—An act to add Chapter 3.8 (commencing at Section 20715) to Division 10 of the Education Code, and to add Article 10 (commencing at Section 25151) to Chapter 13 of Division 18 of the Education Code as proposed by Senate Bill No. 2, relating to state colleges.

Bill read third time, and presented by Mr. Ralph M. Brown.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 222:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 222 is an act relating to state colleges.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 222 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 738**—An act to add Section 18062 to the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to allowances for transportation of physically handicapped minor pupils to special classes.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—73.

NOES—None.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Hegland was granted unanimous consent that he be recorded as voting "Aye", instead of "No" on Senate Bill No. 738.

Bill ordered transmitted to the Senate.

**Senate Bill No. 672**—An act to add Chapter 9.5 (commencing at Section 6931) to Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to occupational training programs for physically and mentally handicapped minors.

Bill read third time, and presented by Miss Donahoe.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO SET SENATE BILL NO. 209 FOR SPECIAL ORDER

Mr. Unruh was granted unanimous consent that Senate Bill No. 209 be made a special order of business for today, June 19, 1959, at 3 p.m.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

Bill read third time, and presented by Miss Donahoe.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 602:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 602 is an act relating to workmen's compensation.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 602 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel,

Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69.

NOES—Collier, Cusanovich, and Thelin—3.

Bill ordered transmitted to the Senate.

**Senate Bill No. 979**—An act to amend Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court.

Bill read third time, and presented by Mr Munnell.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 732**—An act to add Chapter 10 (commencing at Section 4500) to Division 2 of the Business and Professions Code, relating to the certification of psychiatric technicians.

Bill read third time, and presented by Mr. Biddick.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Reagan and Shell—2.

Bill ordered transmitted to the Senate.

**Senate Bill No. 267**—An act making an appropriation for the regulation and control of drugs, medicines, compounds, and devices used in the diagnosis, treatment, or cure of cancer.

Bill read third time, and presented by Mr. Rumford.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 267:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 267 is an act making an appropriation for the regulation and control of drugs, medicines, compounds, and devices used in the diagnosis, treatment, or cure of cancer.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 267 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

Speaker Presiding

At 11.30 a.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Kennick, Kilpatrick, Lanterman, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—Hanna, House, Luckel, and Reagan—4.

Bill ordered transmitted to the Senate.

**Senate Bill No. 867**—An act to amend Sections 2020, 2020.002, 2025, and 4020 of, the Welfare and Institutions Code, relating to public assistance.

Bill read third time, and presented by Mr. O'Connell.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 867:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1959

*To the Honorable Members of the Assembly:*

Senate Bill No. 867 is an act relating to old age assistance.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 867 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Backstrand, Beaver, Bee, Belotti, Biddick, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Davis, Dills, Donahoe, Elliott, Francis Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Z'berg, and Mr. Speaker—60.

NOES—Cusanovich, Lanterman, Reagan, and Shell—4.

Bill ordered transmitted to the Senate.

**Senate Bill No. 737**—An act making an appropriation to the State Department of Public Health for physically handicapped children.

Bill read third time, and presented by Miss Donahoe.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 737:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 737 is an act making an appropriation to the State Department of Public Health for physically handicapped children.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 737 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, and Z'berg—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 739**—An act to establish a pilot project for the extension of crippled children services to children suffering from epilepsy, and making an appropriation therefor.

Bill read third time, and presented by Miss Donahoe.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 739:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 739 is an act to establish a pilot project for the extension of crippled children services to children suffering from epilepsy.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 739 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 740**—An act to amend Sections 16616 and 16618 and the heading of Chapter 5 (commencing at Section 16601) of, and to add Article 2 (commencing at Section 16645.1) to Chapter 5 of, Division 12 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to child care centers for mentally retarded and physically handicapped children.

Bill read third time, and presented by Miss Donahoe.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 740:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 740 is an act relating to child care centers for mentally retarded and physically handicapped children.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 740 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Dahl, Davis, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 624**—An act to add Chapter 11.5 (commencing at Section 7041) to Division 6 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to sheltered workshops for the disabled, and making an appropriation.

Bill read third time, and presented by Miss Donahoe.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 624:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 624 is an act relating to sheltered workshops for the disabled.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 624 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Second Committee on Conference concerning:

**Assembly Bills Nos. 1562, 1563 and 2065.**

Consisting of the undersigned members, have met, and report that they have failed to reach an agreement.

ALBERT S. RODDA
STANLEY ARNOLD
VIRGIL O'SULLIVAN
Second Senate Committee on Conference

JACK A. BEAVER
JEROME R. WALDIE
RICHARD T. HANNA
Second Assembly Committee on Conference

## APPOINTMENT OF THIRD COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1562

The Speaker appointed Messrs. Unruh, Munnell and Crawford as a Third Committee on Conference concerning Assembly Bill No. 1562.

## APPOINTMENT OF THIRD COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1563

The Speaker appointed Messrs. Unruh, Munnell, and Crawford as a Third Committee on Conference concerning Assembly Bill No. 1563.

## APPOINTMENT OF THIRD COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2065

The Speaker appointed Messrs. Unruh, Munnell, and Crawford as a Third Committee on Conference concerning Assembly Bill No. 2065.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 562**—An act to add Article 3 (commencing at Section 11200) to Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state departments.

Bill read third time, and presented by Mr. Miller.

### Demand for Previous Question

Messrs. Masterson, Crawford, House, Burke, and Schrade demanded the previous question. Demand sustained.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Chapel, Crawford, Crown, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Samuel

R. Geddes, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Lunardi, Masterson, McMillan, Meyers, Miller, Nisbet, Petris, Porter, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—42.

NOES—Bruce F. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Coolidge, Cusanovich, Dahl, Francis, Gaffney, Ernest R. Geddes, Grant, Lanterman, Levering, Luckel, MacBride, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, and Sumner—29.

Bill ordered transmitted to the Senate.

### Name Placed Upon Roll Call

Mr. Unruh was granted unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 562.

**Senate Bill No. 422**—An act to amend Sections 6549, 6550.5, 6566, 6625, 6627.5, 6627.6, and 6630 of, and add Section 6549.1 to, the Business and Professions Code, relating to the practice of barbering.

Bill read third time, and presented by Mr. Rumford.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 422:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 422 is an act relating to the practice of barbering.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 422 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 673**—An act authorizing a study of the problem of rehabilitation of industrially disabled workers, and making an appropriation therefor.

Bill read third time, and presented by Miss Donahoe.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 673:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 673 is an act authorizing a study of the problem of rehabilitation of industrially disabled workers.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 673 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 789

At 11.55 a.m, Mr. Lunardi moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Senate Bill No. 789 passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Crown, Cunningham, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.

NOES—Bradley, Collier, Conrad, Coolidge, Cusanovich, Grant, Holmes, Johnson, Lanterman, Levering, Luckel, Mulford, Reagan, Shell, and Thelin—15.

Bill ordered transmitted to the Senate.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 122

At 11.57 a.m., Mr. DeLotto moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Senate Bill No. 122 passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Biddick, George E. Brown, Burke, Busterud, Crown, Dahl, DeLotto, Donahoe, Frew, Ernest R. Geddes, Samuel R. Geddes, Hawkins, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell,

Pattee, Porter, Reagan, Rees, Rumford, Shell, Thomas, Unruh, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—43.

NOES—Beaver, Belotti, Bradley, Burton, Collier, Conrad, Coolidge, Crawford, Cusanovich, Hanna, House, Johnson, Lowrey, Luckel, Petris, Schrade, Sedgwick, Sumner, Thelin, and George A. Willson—20.

Bill ordered transmitted to the Senate.

## REPORTS OF STANDING COMMITTEES

### Committee on Engrossment and Enrollment

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Bill No. 424**—An act to amend Section 25450.4 of the Government Code, relating to contracts for the construction, alteration or repair of county buildings;

**Assembly Bill No. 494**—An act to amend Sections 2655, 3266, 3270, and 3271 of, and to add Section 3105 and Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to unemployment compensation disability benefits;

**Assembly Bill No. 913**—An act to amend Sections 14310, 14311, and 14372 of, and to add Section 14372.1 to, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to State Teachers' Retirement System;

**Assembly Bill No. 1670**—An act to amend Section 4742.1 of the Health and Safety Code, relating to county sanitation districts;

**Assembly Bill No. 1748**—An act to add Section 29002.1 to, and repeal Section 29008 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance, acquisition and use of degrees, diplomas, certificates, transcripts and documents evidencing the completion of courses beyond high school;

**Assembly Bill No. 1750**—An act to add Chapter 2.7 (commencing at Section 8150) to Division 1, Title 2 of the Government Code, to authorize instrumentalities created jointly by this State or any other state or states to obtain federal old age and survivors' insurance for the employees of such instrumentalities;

**Assembly Bill No. 2208**—An act to amend Section 15957 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to school district contracts;

**Assembly Bill No. 2225**—An act to add Section 13006 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to leaves of absence for school district employees;

**Assembly Bill No. 2329**—An act to add Section 4820 to the Health and Safety Code, relating to county sanitation districts;

**Assembly Bill No. 2365**—An act to amend Section 1207 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to costs of elections of members of the board of education;

**Assembly Bill No. 2398**—An act to add Chapter 15 (commencing at Section 19890) to Division 14 of the Education Code as enacted at the 1959 Regular Session, relating to state school construction bond issues;

**Assembly Bill No. 2418**—An act to add Section 6017.5 to the Insurance Code, relating to county mutual insurers;

**Assembly Bill No. 2442**—An act to amend Section 21706 of the Government Code, relating to State Employees' Retirement System in respect to the integration therein of federal old age and survivors' insurance coverage;

**Assembly Bill No. 2445**—An act to amend Section 17153 of, and to add Section 17154 to, the Education Code as enacted at the 1959 Regular Session, relating to deposit and control of school district funds;

**Assembly Bill No. 2449**—An act to add Article 1.1 (commencing at Section 26620) to Chapter 2 of Part 3 of Division 2 of Title 3 of the Government Code, relating to additional duties of sheriff as ex officio director of civil defense and disaster;

**Assembly Bill No. 2453**—An act to add Section 53608 to the Government Code, and Section 17203.5 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the investment of public funds and money;

**Assembly Bill No. 2481**—An act to amend Section 2877 of the Penal Code, relating to handiwork articles made by prisoners;

**Assembly Bill No. 2497**—An act to amend Section 10607 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to suspension of pupils;

**Assembly Bill No. 2524**—An act to amend Section 28121 of the Government Code, relating to compensation for public service in counties;

**Assembly Bill No. 2585**—An act to amend Sections 1044 and 15802 of the Education Code as enacted at the 1959 Regular Session, and to amend Sections 1956 and 53056 of the Government Code, relating to insurance coverage for school districts;

**Assembly Bill No. 2598**—An act to amend Sections 74130 and 74131 of the Government Code, relating to municipal courts in Riverside County;

**Assembly Bill No. 2642**—An act to amend Section 10202 of the Insurance Code, relating to employees' groups covered by group life policies;

**Assembly Bill No. 2764**—An act to amend Sections 1711 and 1712 of the Insurance Code, relating to insurance agents;

**Assembly Bill No. 2775**—An act to amend Sections 74132, 74133, 74134, 74135 and 74137 of the Government Code, relating to the municipal court in Riverside County;

**Assembly Bill No. 2838**—An act to amend Section 12002.1 of, and to add Section 12002.2 to, the Financial Code, relating to licenses under the Check Sellers and Cashers Law;

**Assembly Bill No. 64**—An act to add Section 29007.2 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the granting of diplomas evidencing the completion of courses beyond high school;

**Assembly Bill No. 131**—An act to repeal Section 72053 of, and to add Section 72053 to, the Government Code, relating to expenses of clerks, deputy clerks, commissioners and court reporters of municipal courts;

**Assembly Bill No. 317**—An act to add Section 1773.1 to the Labor Code, relating to per diem wages;

**Assembly Bill No. 871**—An act to amend Section 2350 of the Health and Safety Code, relating to mosquito abatement districts;

**Assembly Bill No. 1051**—An act to add Section 10143 to the Business and Professions Code, relating to rentals;

**Assembly Bill No. 1063**—An act to amend Section 1256 of, to add Part 1 5 (commencing at Section 10004) to Division 6 of, and to add Section 13056 to, the Water Code, relating to the California Water Plan;

**Assembly Bill No. 1378**—An act to add Sections 7¾ and 7⅝ to Chapter 361 of the Statutes of 1915, relating to the Sacramento River West Side Levee District;

**Assembly Bill No. 1517**—An act to amend Section 12900 of the Corporations Code, relating to co-operative corporations;

**Assembly Bill No. 1580**—An act to add Article 5 9 (commencing with Section 779.1), Chapter 1, Part 2, Division 1, and Section 10270.505 to the Insurance Code, relating to the regulation of credit life and credit disability insurance;

**Assembly Bill No. 1637**—An act to amend Section 19577 of the Education Code as enacted at the 1959 Regular Session, relating to state school building aid;

**Assembly Bill No. 1733**—An act to add Section 69749 2 to the Government Code, relating to sessions of the superior court, declaring the urgency thereof, to take effect immediately;

**Assembly Bill No. 1871**—An act to amend Section 3075 of the Penal Code, relating to the county board of parole commissioners;

**Assembly Bill No. 1875**—An act to amend Sections 72706 and 72708 of the Government Code, relating to the officers and attaches of municipal courts in Los Angeles County;

**Assembly Bill No. 2026**—An act to amend Section 74263 of the Government Code, relating to San Bernardino Municipal Court District and sheriff's duties;

**Assembly Bill No. 2109**—An act to add Article 6 5 (commencing at Section 53800) to Chapter 4, Part 1, Division 2, Title 5 of the Government Code, relative to the issuance of building certificates by local public agencies;

**Assembly Bill No. 2128**—An act to amend Section 11620 of the Health and Safety Code, relating to forfeiture of vehicles for narcotics violations;

**Assembly Bill No. 2164**—An act to amend Sections 13308, 13309, 15111 and 15112 of the Revenue and Taxation Code, relating to adopted children;

**Assembly Bill No. 2221**—An act to amend Sections 10605 and 10606 of the Health and Safety Code, relating to vital statistics;

**Assembly Bill No. 2374**—An act to add Section 53064 to the Government Code, relating to publicly owned public utilities;

**Assembly Bill No. 2484**—An act to amend Section 32221 of the Health and Safety Code, relating to local hospital districts;

**Assembly Bill No. 2491**—An act to amend Section 1269b of the Penal Code, relating to bail;

**Assembly Bill No. 2522**—An act to amend Sections 3167, 3254, and 3255 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to unification of school districts;

**Assembly Bill No. 2651**—An act to add Sections 813 6, and 828 61 to, and to amend Section 829.35 of, the Agricultural Code, relating to fruit, nut, and vegetable standards;

And reports the same correctly enrolled, and presented to the Governor on the nineteenth day of June, 1959, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

**Assembly Concurrent Resolution No. 60**—Relative to a legislative investigation of the problems of vertical integration or contract farming in the agricultural industries of this State;

**Assembly Concurrent Resolution No. 128**—Relative to planning in Mother Lode and adjacent areas;

And reports the same correctly enrolled, and presented to the Secretary of State on the nineteenth day of June, 1959, at 10 a m.

BURKE, Chairman

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received, and read:

### Veto Message Concerning Assembly Bill No. 2142

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 19, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning, herewith, without my signature, Assembly Bill No. 2142, relating to organized camps.

My objections to this bill are as follows:

This bill defines the terms "organized camp," "camper," and "camp employee"

I feel there is no present need for this bill since there are no existing provisions relating to organized camping to which these definitions can give meaning

I am, therefore, returning Assembly Bill No 2142 without my signature

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 2142 ordered to the unfinished business file.

### Veto Message Concerning Assembly Bill No. 1824

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 19, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning, herewith, without my signature, Assembly Bill No. 1824, an act relating to board of directors sessions of local hospital districts.

My objections to this bill are as follows:

Assembly Bill No. 1824 would permit executive sessions of district boards of directors in matters pertaining to employment or discipline of employees or members of the medical staff. It would prohibit adverse official action by the board without first having offered the person affected an opportunity for a public hearing

I have been advised of pending litigation which Assembly Bill No 1824 may affect. The author has advised me that under the circumstances the sponsors of the legislation recommend that my signature not be affixed to the measure. I concur in their recommendation.

I am, therefore, returning Assembly Bill No. 1824 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 1824 ordered to the unfinished business file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Short, Holmdahl and Dilworth as a Third Committee on Conference concerning:

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Short, Holmdahl and Dilworth as a Third Committee on Conference concerning:

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Short, Holmdahl and Dilworth as a Third Committee on Conference concerning:

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1708

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Farr, Grunsky, and Dilworth as a Committee on Conference concerning:

**Assembly Bill No. 1992**—An act to amend Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320, 13322, and 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 93

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

**Senate Concurrent Resolution No. 93**—Relative to the selection of state college sites.

Resolution ordered held at the desk.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 63

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

House Resolution No. 418

With the recommendation: Be adopted.

BACKSTRAND, Chairman

Above resolution ordered on file.

### Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No 403

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No 85

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

## RESOLUTIONS

The following resolutions were offered.

By Mr. Miller:

### House Resolution No. 419

Relative to the retirement of Charles J. Hagerty

WHEREAS, Mr. Charles J Hagerty will retire from his position in the Secretary of State's Office on October 31, 1959; and

WHEREAS, Due to his retirement this is a seasonable time to recount his outstanding ability and distinguished service to the people of the State of California; and

WHEREAS, Mr. Hagerty entered public service as a clerk in the Office of the Secretary of State on November 1, 1912, which position he held until July 1, 1919, when he was appointed bookkeeper to the Secretary of State. In October of 1920, he was promoted to Statistician and thereafter was appointed to the position of Assistant to the Secretary of State. In 1951 he was appointed Assistant Secretary of State; and

WHEREAS, Mr Hagerty has demonstrated outstanding ability in his various positions and is particularly known for a remarkable memory for significant events and dates relating to California State Government; and

WHEREAS, Affectionately known as "Charlie", during his many years with the State he has earned the friendship, respect and admiration of all those who have had the opportunity to know him; and

WHEREAS, He has endeared himself to the Members and officers of the Assembly and all others having business in his office by his constant courtesy, his complete understanding of the affairs of the office, and his willingness to be of service; now, therefore, be it

*Resolved by the Assembly of the State of California*, That it commends and congratulates Charles J Hagerty on his long and distinguished service and extends to him its best wishes for a happy retirement; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Charles J. Hagerty.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 419 without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Meyers, O'Connell, Marks, Gaffney, Busterud, and Burton:

**House Resolution No. 420**

Congratulating the San Francisco Boys' Club

WHEREAS, On January 5, 1959, the San Francisco Boys' Club Band was the official band representing the City of San Francisco at the inauguration of Governor Edmund G. (Pat) Brown, a former member of the club; and

WHEREAS, The San Francisco Boys' Club Band was organized in February, 1954, with a nucleus of 14 boys, under the volunteer leadership of their present conductor, Roland W. Terry; and

WHEREAS, Through the continuous support of the Rotary Club, and the untiring efforts of Mr. Terry and the music instructors, the band, now numbering 120 boys, has gained recognition as an outstanding musical organization; and

WHEREAS, In addition to its annual Spring and Christmas programs, and its appearance at the Shriners' Annual Football Game, the Boys' Club Band has represented San Francisco at the California State Fair in Sacramento for the past three years; and

WHEREAS, For its contribution as an important cultural institution, the band has been named "Ambassadors of Goodwill" by Mayor Christopher of San Francisco; and

WHEREAS, The band has made possible the privilege of studying music for a very large number of boys who might not otherwise have had the opportunity to make music a career; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members congratulate the San Francisco Boys' Club Band on its excellent performance at the Inaugural Day ceremonies, and commend Director Roland W. Terry, Assistant Director Richard T. Atwood, Music Committee Members Clarke E. Wayland, Jack Ingold, Marco F. Hellman, J. Max Moore, Mrs. Mary Scanlon, and Mrs. George Whitney, Student Officers Robert Johnson and Robert Geddes, Section Leaders Charles Novak, Robert Arevalo, Garrett Grant, and Norman Andrews, Property Officer Otto Van Duyn, and the members of the teaching staff, Jess Jessup, Wallace Steele, Irving Person, and Armin Oliveras, on their fine work in making the band a successful undertaking; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Director Roland W. Terry and the chairman of the Music Committee, Clarke E. Wayland.

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 420 without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Meyers, Elliott, Gaffney, Biddick, Burton, Busterud, Hawkins, Marks, and O'Connell:

**House Resolution No. 421**

Relating to the death of the Honorable Jesse W. Carter

WHEREAS, It was with profound sorrow and deepest regret that the Members of the Assembly of the State of California learned of the passing of the Honorable Jesse W. Carter, Associate Justice of the California Supreme Court; and

WHEREAS, His almost 20 years on the Supreme Court bench climaxed a lifetime spent in the field of public service as District Attorney of Shasta County, City Attorney of Mount Shasta, City Attorney of Redding, and State Senator from the Fifth Senatorial District; and

WHEREAS, Justice Carter was a man who epitomized the spirit of freedom and championed the rights of the individual which form the foundation of our democratic way of life in these United States; and

WHEREAS, Although his beliefs in the liberal tradition were often assailed, he is respected and admired for the unwavering strength of his convictions and his firm determination to stand by his principles in the meting of justice; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members, by this resolution, pay homage to the memory of California's distinguished jurist, the Honorable Jesse W. Carter; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to Justice Carter's widow, Mrs. Jean Woodward Carter, and to his children, Mrs Marian Rose Bui, Harlan Field Carter, and Judge Oliver Jesse Carter.

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 421 without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Meyers, O'Connell, Gaffney, Busterud, Marks, and Burton:

**House Resolution No. 422**

Relative to congratulating Mr Frank Curley

WHEREAS, Mr. Frank Curley of San Francisco, a nationally known and recognized authority on veterans' affairs, has long enjoyed an excellent reputation for his unstinting service to disabled veterans, having, among other things, introduced to the Veterans Administration as early as 1945 a workable on-the-job training program which was successful in returning thousands of World War II disabled veterans to employability, dignity, and full status as taxpaying citizens; and

WHEREAS, At an even earlier period this dedicated man developed a set of "Rules for Evidence" to aid veterans in presenting disability claims to the Veterans Administration, and these rules proved so successful that they are still in wide use throughout the United States; and

WHEREAS, Many honors have been bestowed upon Mr. Curley in recognition of his outstanding work, a few of which include a Presidential Citation for unselfish and untiring efforts on behalf of disabled veterans, and an appointment, by President Truman, to the President's Committee on Employment of the Physically Handicapped, which membership he still holds; and

WHEREAS, At the local level Frank Curley has spearheaded many drives to obtain recreational facilities for disabled veterans, such as the Amputees' Shelter at Kezar Stadium, the only one of its kind in the United States; and

WHEREAS, Mr. Curley is a guiding light in the activities of many veterans' and fraternal organizations, holding memberships in Post 93 of the American Legion, Chapter No. 3 of the Disabled American Veterans and San Francisco Lodge No. 3 of the Benevolent and Protective Order of Elks; and

WHEREAS, It is appropriate that Members of this House commend and congratulate Mr Curley for his outstanding and magnificent work on behalf of the veterans of California; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House do extend to Mr. Curley their highest commendation and sincerest congratulations on a job well done; and be it further

*Resolved*, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Mr. Frank Curley, to Post 93 of the American Legion, to Chapter 3 of the Disabled American Veterans, and to San Francisco Lodge No 3 of the Benevolent and Protective Order of Elks

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 422 without reference to committee or file.

Resolution read, and adopted unanimously.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 48**—An act to amend Sections 26, 951, 953, 2792, 2799, 2807, 2842, 3946, and 10050 of, and to repeal Section 2792.1 of, the Elections Code, relating to elections.

Bill read third time.

**Motion to Amend**

Mr. Conrad moved the adoption of the following amendments:

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Senate on May 1, 1959, strike out lines 15 and 16, and insert "Saturday in September next following the date upon which the primary election preliminary to the general election is held and shall".

**Amendment No. 2**

On page 2, strike out line 19, and insert "Saturday in September of the then current year."

**Amendment No. 3**

On page 2, line 28, strike out "Tuesday", and insert "Saturday".

**Amendment No. 4**

On page 2, strike out lines 33 and 34, and insert "following the third Saturday in September."

**Amendment No. 5**

On page 2, lines 49 and 50, strike out "Tuesday following the direct primary election", and insert "Saturday in September".

**Amendment No. 6**

On page 3, line 8, strike out "third Wednesday", and insert "second Tuesday in September".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

**Rush Order Placed Upon Printing of Senate Bill No. 48**

Mr. Conrad was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 48.

## ANNOUNCEMENT

Speaker Brown announced the presence in the Assembly gallery of Miss Georgeann McLaughlin, the daughter of Pete McLaughlin of the Associated Press, who was celebrating her thirteenth birthday today; whereupon the Members of the Assembly joined in extending best wishes and birthday greetings to Miss McLaughlin.

## UNFINISHED BUSINESS (RESUMED)

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Concurrent Resolution No. 137**, as amended in Senate June 16, 1959—Relative to the creation of the Joint Interim Committee on the Public Education System.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 3, lines 9 and 10, of the printed measure, as amended in Senate June 16, 1959, strike out "one hundred thousand dollars ($100,000)", and insert "fifty thousand dollars ($50,000)".

FRED S. FARR
DONALD L. GRUNSKY
Senate Committee on Conference

GORDON H. WINTON
FRANK D. LANTERMAN
HAROLD T. SEDGWICK
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Lowrey, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Charles H. Wilson, Winton, and Mr. Speaker—44.

NOES—None.

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 399**—An act to amend Section 8107 of the Education Code as enacted by the Legislature at the 1959 Regular Session, relating to automobile driver training in the public schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 399?

### Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 13, 1959, strike out line 6, and insert "or who is not enrolled in either grades 10, 11, or 12 shall receive automobile driver training after July 1, 1960."

The Assembly concurred in Senate amendment to Assembly Bill No. 399 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Cusanovich, Davis, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Kilpatrick, Levering, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, Charles H. Willson, Winton, Z'berg, and Mr. Speaker—50.

NOES—Lowrey—1

Assembly Bill No. 399 ordered enrolled.

**Assembly Bill No. 556**—An act to add Section 1242.5 to the Code of Civil Procedure, relating to survey and exploration of land for reservoir purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 556?

### Amendment No. 1

On page 1, after line 20, of the printed bill, as amended in the Assembly on February 27, 1959, insert

"The court shall retain such cash security for a period of 90 days following the termination of the entry, survey, and exploration activities or until the end of any litigation commenced during that period relating to such entry, survey and exploration activities and shall award to the landowner out of the cash security on deposit an amount equal to that necessary to compensate him for any damage caused by the State, county, city, public district, or other public agency while engaged in survey and exploration on his property. Any suit for damages by a landowner under this section shall be governed by the applicable provisions of Part 2 of the Code of Civil Procedure."

### Amendment No. 2

On page 2, line 7, of the printed bill, as amended in the Senate on May 8, 1959, after "property", insert "as well as for any costs and reasonable attorney fees fixed by the court".

### Amendment No. 3

On page 2, line 10, of the printed bill, as amended in the Senate on May 15, 1959, strike out "and reasonable attorney fees", and insert "of court and reasonable attorney fees, to be".

### Amendment No. 4

On page 2, line 11, after "court", insert ", incurred in the proceeding before the court".

**Amendment No. 5**

On page 2, line 13, after the period, insert "Such cash security shall be held, invested, deposited, and disbursed in the manner specified in Section 1254 of the Code of Civil Procedure, and interest earned or other increment derived from its investment shall be apportioned and disbursed in the manner specified in that section."

The Assembly concurred in Senate amendments to Assembly Bill No. 556 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Levering, Lowrey, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 556 ordered enrolled.

**Assembly Bill No. 1489**—An act to amend Section 35790 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to trailer coaches.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1489?

**Amendment No. 1**

On page 3, line 7, of the printed bill, as amended in the Assembly on May 11, 1959, after the word "width", insert a comma.

The Assembly concurred in Senate amendment to Assembly Bill No. 1489 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Levering, Lowrey, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 1489 ordered enrolled.

**Assembly Bill No. 2289**—An act to amend Section 162 of and to add Section 162.5 to the Probate Code, relating to income earned during probate.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2289?

**Amendment No. 1**

On page 2, of the printed bill, strike out lines 11 and 12, and insert
"SEC. 3. The amendment to Section 162 and the provisions of Section 162.5 of the Probate Code contained in Sections 1 and 2 of this act shall not affect the estate of any person dying before the effective date hereof."

The Assembly concurred in Senate amendment to Assembly Bill No. 2289 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Levering, Lowrey, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford,

Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 2289 ordered enrolled.

**Assembly Bill No. 2344**—An act to amend Section 1243 of the Civil Code, relating to abandonment of homestead.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2344?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 29, 1959, strike out "A", and insert
"Except as provided in Chapter 2A (commencing with Section 1435.1) of Division 4 of the Probate Code where one or both spouses are incompetent, a".

The Assembly concurred in Senate amendment to Assembly Bill No. 2344 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Coolidge, Crawford, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Levering, Lowrey, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 2344 ordered enrolled.

**Assembly Bill No. 2088**—An act to add Chapter 13 (commencing at Section 22200) to Division 8 of the Business and Professions Code, relating to containers, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2088?

Amendment No. 1

On page 1, line 15 of the printed bill, as amended in Assembly June 5, 1959, after "bag", insert ", or upon a gummed label which is securely attached to such bag,".

Amendment No. 2

On page 2, line 2, strike out "; provided however, that until January"; and strike out lines 3 and 4, and insert ", or a similar warning that the bag is dangerous to small children."

Amendment No. 3

On page 1, line 10, of the printed bill as amended in Senate June 12, 1959, after "products", insert ", other than for food products weighing not more than five pounds,".

The Assembly concurred in Senate amendments to Assembly Bill No. 2088 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Levering, Lowrey, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 2088 ordered enrolled.

**Assembly Bill No. 2637**—An act to amend Section 5202 of the Business and Professions Code, relating to outdoor advertising.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2637?

**Amendment No. 1**

On line 18 of the printed bill, after "regarding," insert "civic,".

The Assembly concurred in Senate amendment to **Assembly Bill No. 2637** by the following vote:

AYES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Levering, Lowrey, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.
NOES—Don A. Allen—1.

Assembly Bill No. 2637 ordered enrolled.

**Assembly Bill No. 1514**—An act to add Section 7241 to the Education Code and Section 20211 to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the support of junior colleges, and declaring the urgency thereof to take effect immediately.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 1514:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 1514 is an act relating to the support of junior colleges.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 1514 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1514?

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on June 9, 1959, after "colleges", insert "and making an appropriation therefor,".

**Amendment No. 2**

On page 2, after line 46, insert

"There is hereby appropriated from the General Fund each year, commencing with the 1959-1960 Fiscal Year, to the Superintendent of Public Instruction, the total of the amounts reported to him by each county superintendent of schools pursuant to this section, to be expended pursuant to this section."

**Amendment No. 3**

On page 4, between lines 12 and 13, insert

"There is hereby appropriated from the General Fund each year, commencing with the 1959-1960 Fiscal Year, to the Superintendent of Public Instruction, the total of the amounts reported to him by each county superintendent of schools pursuant to this section, to be expended pursuant to this section."

The Assembly concurred in Senate amendments to Assembly Bill No. 1514 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—62

NOES—None.

Assembly Bill No. 1514 ordered enrolled.

**Assembly Bill No. 2803**—An act to amend Section 834 of the Corporations Code, relating to derivative actions by corporate shareholders.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2803?

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "right of any unincorporated association or of any domestic or foreign corporation by a member of such association or by the holder or".

Amendment No. 2

On page 1, line 8, after "a", insert "member,".

Amendment No. 3

On page 1, line 11, after "his" insert "membership,".

Amendment No. 4

On page 3, after line 4, insert

"(d) The provisions of this section are applicable to all associations, both incorporated and unincorporated. As used in this section "corporation" includes an unincorporated association, and "board of directors" includes the managing body of an unincorporated association."

The Assembly concurred in Senate amendments to Assembly Bill No. 2803 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George, E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Levering, Lowrey, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—60

NOES—None.

Assembly Bill No. 2803 ordered enrolled.

**Assembly Bill No. 2371**—An act to amend Sections 858 and 859 of the Penal Code, relating to notification to parent or guardian of arrest of child or ward.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2371?

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 to 20, inclusive; strike out all of page 2 and insert:

"SEC. 2. Section 859 of said code is amended to read:

859. When the defendant is charged with the commission of a public offense, over which the superior court has original jurisdiction, by a written complaint subscribed under oath and on file in a court within the county in which the public offense is triable, he shall, without unnecessary delay, be taken before a magistrate of the court in which such complaint is on file. The magistrate shall immediately deliver to him a copy of the complaint, inform him of his right to the aid of counsel, ask

him if he desires the aid of counsel, and allow him a reasonable time to send for counsel; and the magistrate must, upon the request of the defendant, require a peace officer to take a message to any counsel whom the defendant may name, in the judicial district in which the court is situated. The officer must, without delay and without fee, perform that duty. If the defendant desires and is unable to employ counsel, the court must assign counsel to defend him. *If it appears that the defendant may be a minor, the magistrate shall ascertain whether such is the case, and if the magistrate concludes that it is probable that the defendant is a minor, he shall immediately either notify the parent or guardian of the minor, by telephone or messenger, of the arrest, or appoint counsel to represent the minor.*"

The Assembly concurred in Senate amendment to Assembly Bill No. 2371 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 2371 ordered enrolled.

**Assembly Bill No. 2712**—An act to repeal Sections 647 and 647.1 of, and to add Section 647 to, the Penal Code, relating to criminal offenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2712?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1959, strike out "Section 647", and insert "Sections 647 and 647.1".

**Amendment No. 2**

On page 1, line 10, after "alms", insert "as a business".

**Amendment No. 3**

On page 1, between lines 18 and 19, insert

"(f) Loiters in or about public toilets or parks;".

**Amendment No. 4**

On page 1, after line 22, insert

"SEC. 3. Section 647.1 is added to said code, to read:

647.1. With respect to the matters covered by Section 647 of the Penal Code as enacted in 1872 and subsequently amended, repealed by the Legislature at its 1959 Regular Session, and the matters covered by Section 647 of the Penal Code as enacted at said session, the Legislature declares the policy of the State to be that persons shall be punished for their acts, not their status."

**Amendment No. 5**

In line 1 of the title of the printed bill, as amended in the Senate on June 16, 1959, strike out "Sections 647 and 647.1", and insert "Section 647".

**Amendment No. 6**

In line 2 of the title strike out "Section 647", and insert "Sections 647 and 647.1".

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. O'Connell moved a call of the Assembly.

Mr. Elliott seconded the motion.

Motion carried. Time, 2.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1713**—An act to add Chapter 7 (commencing with Section 12700) to Part 2 of Division 3 of Title 2 of the Government Code, relating to succession of the offices of Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Controller in event of war or enemy-caused disaster.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1713?

Amendment No. 1

On page 2 between lines 16 and 17 of the printed bill, as amended in Assembly May 21, 1959, insert

"The names of the persons designated pursuant to this section shall be submitted to, and be subject to confirmation by, the Senate as soon as possible after such designation is made."

The Assembly concurred in Senate amendment to Assembly Bill No. 1713 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Burke, Busterud, Chapel, Conrad, Coolidge, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Z'berg—54.

NOES—Burton and Winton—2.

Assembly Bill No 1713 ordered enrolled.

**Assembly Bill No. 1714**—An act to add Article 5 (commencing with Section 12050) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, relating to succession to the Office of Governor in the event of war or enemy-caused disaster.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1714?

Amendment No. 1

On page 2, of the printed bill, as amended in the Assembly on April 2, 1959, between lines 6 and 7, insert

"The names of the persons designated pursuant to this section shall be submitted to, and shall be subject to confirmation by, the Senate as soon as possible after such designation is made."

The Assembly concurred in Senate amendment to Assembly Bill No. 1714 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter,

Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.
NOES—Burton, Lowrey, and Winton—3.

Assembly Bill No. 1714 ordered enrolled.

## INTRODUCTION OF GUEST

Speaker Brown presented Mr. Thomas A. Maloney of San Francisco, former Speaker pro Tempore of the Assembly, to the Members of the Assembly, who joined in welcoming him on his visit to the Assembly Chamber.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1704**—An act to amend Section 9575 of the Business and Professions Code, relating to dry cleaning.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1704?

### Amendment No. 1

On page 1, line 10, of the printed bill strike out "as follows:"; strike out lines 11 to 19, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert "for".

### Amendment No. 2

On page 2, line 7, after "Cleaners", insert "and for expenditure for support of the State Fire Marshal in administering and enforcing the provisions contained in Chapter 2 (commencing at Section 13201) and Chapter 3 (commencing at Section 13501) of Part 2 of Division 12 of the Health and Safety Code".

### Amendment No. 3

In lines 2 and 3 of the title of the printed bill, strike out ", and making an appropriation therefor".

The Assembly concurred in Senate amendments to Assembly Bill No. 1704 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—67
NOES—None

Assembly Bill No. 1704 ordered enrolled.

**Assembly Bill No. 2621**—An act to amend Section 42271 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to expenditures of the Department of Motor Vehicles and the Department of the California Highway Patrol.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2621?

### Amendment No. 1

On page 1, line 4, of the printed bill, after "42271.", insert "(a)".

### Amendment No. 2

On page 1, starting on line 7, strike out "and the Department of the California Highway Patrol".

### Amendment No. 3

On page 1, line 8, strike out "departments", and insert "department".

**Amendment No. 4**

On page 1, starting on line 10, strike out "departments", and insert "department".

**Amendment No. 5**

On page 1, strike out line 14, and insert "not to exceed in the aggregate one hundred fifty thousand dollars ($150,000),".

**Amendment No. 6**

On page 1, after line 19, insert

"(b) Such moneys in the Motor Vehicle Fund as are appropriated in the Budget Act or any other appropriation act for the support of or expenditure by the Department of the California Highway Patrol shall be expended by the department in carrying out the provisions of this code and in enforcing any other laws relating to vehicles or the use of highways The Department of California Highway Patrol may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate one hundred thousand dollars ($100,000), the sums so drawn to be used as a Revolving Fund where cash advances are necessary. At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the State Controller."

The Assembly concurred in Senate amendments to Assembly Bill No. 2621 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2621 ordered enrolled.

**Assembly Bill No. 2632**—An act to amend Section 117i of the Code of Civil Procedure, relating to unlawful detainer proceedings in small claims court.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2632?

**Amendment No. 1**

On page 1, line 12, of the printed bill after the period, insert "No fee shall be charged in the superior court upon the filing of any document or paper by the plaintiff in the small claims action."

The Assembly concurred in Senate amendment to Assembly Bill No. 2632 by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—66.

NOES—None

Assembly Bill No. 2632 ordered enrolled.

**Assembly Bill No. 2633**—An act to amend Sections 1500 and 1590 of the Probate Code, relating to guardianship.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2633?

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "division," insert "whichever shall occur first,".

**Amendment No. 2**

On page 2, line 10, before the period, insert ", whichever shall occur first".

The Assembly concurred in Senate amendments to Assembly Bill No. 2633 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.

NOES—None.

Assembly Bill No. 2633 ordered enrolled.

## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 2142**—An act to add Part 2.3 (commencing at Section 18897) to Division 13 of the Health and Safety Code, relating to organized camps.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2142 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Bruce F. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—69.

## REPORTS OF STANDING COMMITTEES

### Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 405

With amendments with the recommendation: Amend, and be adopted, as amended.

MILLER, Chairman

Above resolution ordered on file.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 92

With the recommendation: Be adopted.

MILLER, Chairman

Above resolution ordered on file.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 586**—An act to add Sections 16353 and 16354 to the Government Code, relating to the State Construction Program

Fund, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 586:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
Sacramento, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 586 is an act relating to the State Construction Program Fund.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 586 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 654**—An act to amend Section 135 of the Water Code, and to amend Sections 11044, 11271 and 20751 and to repeal Section 11273 of the Government Code, relating to charges against state funds, and making an appropriation.

Bill read third time, and presented by Mr. Winton.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 654:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 654 is an act relating to charges against state funds.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 654 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 653**—An act to amend Sections 11044, 11271, and 14030 and to repeal Section 11273 of the Government Code, relating to charges against state funds, and making an appropriation.

Bill read third time, and presented by Mr. Winton.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 653:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 653 is an act relating to charges against state funds.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 653 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 485**—An act to amend Section 16302.1 of, and to repeal Section 13145 of, the Government Code, and to amend Sections 19052, 19053, 19053.9, 26072, and 26073 of the Revenue and Taxation Code, relating to the disposition of overpayments of taxes, fees, and other revenues collected by state agencies.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1482**—An act to amend Section 1547 of the Penal Code, relating to rewards for apprehension.

Bill read third time, and presented by Mr. Bane.

**Motion to Re-refer**

Mr. Britschgi moved that the bill be re-referred to the Committee on Rules for assignment of the subject matter for interim study.

Mr. Schrade seconded the motion.

**Demand for Previous Question**

Messrs. Don A. Allen, Crawford, Schrade, Kennick, and Rees demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

**Motion Withdrawn**

Mr. Britschgi, with consent of his second, withdrew his motion.

Bill ordered temporarily passed on file.

**Senate Bill No. 1186**—An act making an appropriation from the State Highway Fund for allocations to counties and cities for the construction of grade protections.

Bill read third time, and presented by Mr. Biddick.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1186:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1186 is an act making an appropriation from the State Highway Fund for allocations to counties and cities for the construction of grade protections.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 1186 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1457**—An act to add Section 14355.1 and to amend Section 14359 of, to the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to the State Teachers' Retirement System.

Bill read third time, and presented by Mr. Ernest R. Geddes.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1457:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1457 is an act relating to the State Teachers' Retirement System.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 1457 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1399**—An act to amend Section 7149 of the Fish and Game Code, relating to sport fishing licenses.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 220**—An act to add Sections 12713, 12714, and 12715 to the Water Code, relating to flood control, and making an appropriation.

Bill read third time, and presented by Mr. Belotti.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 220:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 220 is an act relating to flood control.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 220 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1293**—An act to provide for the acquisition and improvement of real property in San Bernardino County for state park purposes, and making an appropriation therefor.

Bill read third time, and presented by Mr. Nisbet.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1293:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1293 is an act to provide for the acquisition and improvement of real property in San Bernardino County for state park purposes.

Pursuant to authority granted me under Article IV, Section 34 of the State Constitution, I recommend consideration be given to Senate Bill No. 1293 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie,

Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Hegland was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal.

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO SCHOOL DISTRICT TAXES FOR O. A. S. I. OBLIGATIONS

SACRAMENTO, June 1, 1959

*Hon. Sheridan N. Hegland*
*Assembly Chamber*

**School District Taxes for O. A. S. I. Obligations—No. 15912**

*Question*

DEAR MR. HEGLAND: In connection with Assembly Bill No. 704 (now Chapter 112 of the Statutes of 1959), which increases the maximum school district tax rate by an amount which will produce moneys sufficient to reimburse the State for costs incurred in administering the Old Age and Survivors' Insurance System as it affects a school district, plus the district's employer's contribution, you ask:

Since the provisions of the bill will, in all likelihood, not become effective until some time after mid-September, 1959 (the ninety-first day after final adjournment of the Regular Session of the Legislature), and school district tax needs for the next fiscal year must be estimated by some time in August (before the effective date of the bill), may the estimate of tax needs include the estimated needs for the O. A. S. I. program?

*Opinion*

In our opinion, the budget and estimate of tax needs may include amounts estimated to be necessary to meet the school district's O. A. S. I. obligations.

The terms of the bill increase the maximum school district tax rates, and it is our opinion that the increased rates may be utilized even though the effective date of the bill may occur after the final date set by law for fixing school district tax rates.

*Analysis*

Assembly Bill No. 704 adds Section 6357.4 to the present Education Code, and Section 20801.5 to the 1959 Education Code, to provide as follows:

> "The maximum rate of school district tax for any school year is hereby increased by such amount as will produce the amount which the district is required to pay to the State in the administration of the Old Age and Survivors' Insurance System pursuant to Section 22551 of the Government Code, plus the amount of employer's contribution for which the district is liable under the provisions of Section 22553 of the Government Code, as shown by the budget of the district for such school year, as finally adopted

by the governing board of the district, less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section.

"If at the end of any school year there remains an unencumbered balance derived from the increase in tax rate hereby provided, such balance shall be used exclusively in the following school year for the payment of such obligations of the district."

The bill contains no urgency clause and is not one of the special forms of legislation made effective immediately by Section 1 of Article IV of the California Constitution. It will, consequently, become effective in the ordinary course on the 91st day after final adjournment of the 1959 Regular Session. It is apparent that this will be after September 1, 1959.

The final date for fixing district tax rates is September 1st (Gov. C, Sec. 29120). The school district tentative budget must be submitted to the county superintendent of schools on or before July 1st, and the final adoption of the budget occurs on or before August 10th (Ed. C., Secs.* 6301, 6306).

It will be noted, however, that the bill does not purport to expand or otherwise deal with the power and authority of the local governmental officers in respect to these taxation procedures. The terms of the bill directly increase the tax rate. It provides that the "maximum rate of school district tax for any school year is hereby increased * * * ." Thus, on its effective date the maximum tax rates will be so increased.

There would appear to be nothing in the law governing school district budget and taxing procedures (Ed. C., Secs. 6301-6387, incl.) which would prohibit the inclusion in a school district's budget of amounts which will be needed to meet the district's O. A. S. I. obligations even though they can be raised only through an increase in maximum district tax rate which will become effective a few weeks in the future. Insofar as tax collection procedures are concerned, they will become operative after the effective date of the bill (see R. & T. C., Secs. 2601, et seq ).

In our opinion the budgets and estimates of tax needs for a school district may include amounts to be needed to meet the district's O. A. S. I. obligations and the various procedures preceding the assessment and levy of the tax may, with respect to those districts whose O. A. S. I. obligations can be met only through tax rate increases, be conducted on the basis that the rate will be increased on the effective date of the bill.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ERNEST H. KUNZI, Deputy

* All references to the Education Code are to the present code rather than the 1959 Code.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1368**—An act to create a flood control district to be called "San Mateo County Flood Control District" to provide for the control of flood and storm waters and for the protection of watercourses, watersheds, harbors, public highways, life and property in said district from damage or destruction from such waters and to save and conserve all or any of such waters for beneficial use in said district; to provide for the dividing of said district into zones; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district in the respective zones thereof, and providing certain limitations on assessments, bonded indebtedness and expenditures with respect to the district and the respective zones thereof; and to define the powers of said district, including the right of the district to sue and be sued, and the powers and duties of the officers thereof; to provide for the government, management and control of said district; to provide for the construction of works, the acquisition of property by the district, and other things necessary to carry out the purposes of this act.

Bill read third time, and presented by Mr. Britschgi.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1445**—An act making an appropriation for the acquisition of real property for the State Park System, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Britschgi.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1445:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1445 is an act making an appropriation for the acquisition of real property for the State Park System.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No 1445 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

## SENATE BILL NO. 1061 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

**Senate Bill No. 1061**, on request of Speaker Brown.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1369**—An act authorizing the Director of Finance to sell property belonging to the State in Fresno County, authorizing the Director of Finance to acquire real property for the Fresno State College, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Winton.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick,

Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1060**—An act to add Sections 1323, 1774.1, 1774.2, and 1774.3 to the Government Code, relating to appointments by the Governor.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—Schrade—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1326**—An act providing for the investigation of water supplies for the western Sacramento-San Joaquin Delta, and making an appropriation therefor.

Bill read third time, and presented by Mr. Waldie.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1326:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 1326 is an act providing for the investigation of water supplies for the Western Sacramento-San Joaquin Delta, and relates to barriers for salinity and flood control purposes.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 1326 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 945**—An act to amend Section 128 of, and to add Part 3 (commencing with Section 3501) to Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read third time, and presented by Mr. Waldie.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—71.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1108**—An act to amend Sections 30050 and 30051 of the Streets and Highways Code, relating to public ways and all appurtenances thereto, including toll bridges, toll tubes, toll ferries and toll roads.

Bill read third time, and presented by Mr. Unruh.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—66.

NOES—Bruce F. Allen—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1455**—An act to add Article 4 (commencing at Section 31510) to Chapter 5, of Division 13 of the Vehicle Code as enacted at the 1959 Regular Session, relating to safety standards for vehicle loads.

Bill read third time, and presented by Mr. Masterson.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

### Names Placed Upon Roll Call

Messrs. MacBride, O'Connell, and Busterud were granted unanimous consent that they be recorded as voting "Aye" on Senate Bill No. 1455.

## REQUEST FOR UNANIMOUS CONSENT

Speaker Brown was granted unanimous consent that all items on the Consent Calendar—First Legislative Day be considered, at this time.

## CONSIDERATION OF CONSENT CALENDAR

Speaker Brown announced that the next roll call would be on the first item on the Consent Calendar.

## CONSENT CALENDAR—RESOLUTIONS

### Consideration of House Resolution No. 366

By Mr. Britschgi:

### House Resolution No. 366

Relative to an interim study of the acquisition of land by the State and local governments

*Resolved by the Assembly of the State of California*, That the subject matter of methods and proceedings relating to the acquisition of land by the State and by counties, cities, districts, and other political subdivisions of the State by condemnation or other methods or proceedings, and the laws relating thereto, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

### Consideration of House Resolution No. 345

By Mr. Britschgi:

### House Resolution No. 345

Relating to a study of problems connected with the expulsion of pupils from the public schools

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of the need of revising the laws relating to the subject of expulsion of pupils from the public schools, including but not limited to the desirability of consolidating the numerous pertinent statutory provisions pertaining to that subject, the need for and feasibility of providing automatic review by county boards of education and other bodies of all expulsions of pupils, and the desirability and necessity of permitting county boards of education to request the assumption of jurisdiction by the juvenile courts in special cases. The committee to which such subject is assigned shall make appropriate recommendations for legislation and shall report its findings and recommendations to the Assembly by the tenth calendar day of the 1961 Regular Session.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 387**

By Mr. Charles H. Wilson:

**House Resolution No. 387**

Relative to an interim study of business licenses for contractors

WHEREAS, There is a duplication of license requirements of local governmental agencies relating to the contracting business; and

WHEREAS, The result is that contractors doing incidental business in communities other than the city of their principal place of business often must obtain many licenses; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including any necessary or desirable changes in the law relating thereto, is hereby assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 394**

By Mr. Meyers:

**House Resolution No. 394**

Relative to establishing speedometer check points

WHEREAS, On January 1, 1960, California will inaugurate a new maximum speed law; and

WHEREAS, To permit the motoring public to properly obey the new vehicle speed law it is essential that vehicle speedometers function accurately and reliably; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works, in co-operation with the Department of the California Highway Patrol and the Department of Motor Vehicles, is requested to mark and post stretches of state highways at appropriate places throughout the State to enable motorists to check the accuracy of their speedometers while traveling; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Department of Public Works, to the Department of the California Highway Patrol and to the Department of Motor Vehicles.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 395**

By Mr. Meyers:

**House Resolution No. 395**

Relative to an interim study of the use of electronic detection devices

*Resolved by the Assembly of the State of California*, That the subject matter of the use of electronic detection devices in school buildings or in other public buildings

is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 368**

By Messrs. Miller, Conrad, Cusanovich, and Bane:

**House Resolution No. 368**

Relative to the use of lands of the 51st District Agricultural Association

WHEREAS, Assembly Bill No. 656, if finally enacted, will abolish the 51st District Agricultural Association and transfer its real and personal property to the Department of Finance to be held by it until the Legislature determines by appropriate legislation, that the property should be used to meet the educational needs of San Fernando Valley State College or devoted to some other urgent educational use; and

WHEREAS, It is not the intention of the Legislature that the property remain idle or in disuse during the period it is under the jurisdiction and control of the Department of Finance; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Finance is hereby requested, in the event of final passage of Assembly Bill No. 656, to make use of such real and personal property so far as possible for improvement, encouragement and stimulation of the educational, cultural, and recreational interests and needs of the area formerly included in the 51st District Agricultural Association, including the operation of any local fair in which the participants are confined to citizens and organizations of the former district, or any similar interim or temporary use that would promote the interests and fulfill such interests and needs; and be it further

*Resolved*, That the Department of Education is hereby requested to cooperate with the Department of Finance in the carrying out of the purposes of this resolution; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the Department of Finance and the Department of Education.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 382**

By Mr. Hawkins:

**House Resolution No. 382**

Relative to an interim committee study of railroad transportation needs and policies

WHEREAS, Railroad transportation continues to be a vital factor in the growth and development of the Pacific Coast and is an inseparable link in the movement of freight and passengers; and

WHEREAS, It is desirable to maintain this service at its highest peak in relationship with other modes of transportation and consistent with the needs of our industries and people; and

WHEREAS, Continued high levels of employment in the railroad industry are highly important to our economy; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report to the Assembly on such subject matter not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

### Consideration of House Resolution No. 384

By Messrs. Chapel and Thomas:

### House Resolution No. 384

Relative to a study of the landslide area of Portuguese Bend

WHEREAS, The land on which is located the community of Portuguese Bend on the Palos Verdes peninsula, Los Angeles County, has, since August, 1956, been slowly slipping towards the Pacific Ocean; and

WHEREAS, The landslide has continuously progressed with a movement of nearly an inch a day over a 225-acre area and has caused many irregular crevices of considerable depths to occur; and

WHEREAS, Of the 178 homes in the area, 82 have been moved or abandoned and the remainder have been adversely affected and imperiled; and

WHEREAS, The principal access road along the coast has been threatened by the movement of this land mass and is in danger of being permanently closed within three years; and

WHEREAS, It has been proposed that the building of a rock wall in the ocean a short distance from the shore and the movement of earth from the top of the slide to fill the area behind the rock wall would arrest the slide at an estimated cost of $375,000; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works is directed to make a thorough study of all aspects to this problem and to report to the Legislature at the beginning of the 1960 Regular Session the results of its study together with its recommendation for continuing to maintain the coastal highway serving the area of Portuguese Bend, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to submit copies of this resolution to the Department of Public Works.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 376**

By Mr. Kilpatrick:

**House Resolution No. 376**

Relative to a study of federal state lands exchanges

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of federal and state lands exchange; and be it further

*Resolved*, That the committee to which such subject is assigned shall study all facts relating thereto and report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 377**

By Mr. Kilpatrick:

**House Resolution No. 377**

Relative to a study of civil defense

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of civil defense; and be it further

*Resolved*, That the committee to which such subject is assigned shall study all facts relating thereto and report its findings and recommendations to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 378**

By Mr. Kilpatrick:

**House Resolution No. 378**

Relative to a study of the subject of correctional institutions, probation and parole

*Resolved by the Assembly of the State of California*, That the Assembly Committee on Rules is directed to assign to an appropriate interim committee for study the subject of correctional institutions, including jails, and the subject of probation and parole; and be it further

*Resolved*, That the committee to which such subjects are assigned shall study all facts relating to such subjects and shall report its findings and recommendations

for legislation to the Assembly by the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 357**

By Messrs. Hegland and Ernest R. Geddes:

**House Resolution No. 357**

Relating to the preservation of the integrity of scholastic degrees and diplomas

*Resolved by the Assembly of the State of California*, That the Committee on Rules of the Assembly be directed to assign to an appropriate interim committee for study the subject matter of Division 21 of the Education Code, including the preservation of the integrity of scholastic degrees and diplomas; and be it further

*Resolved*, That the interim committee to which such subject matter is referred shall make a final report of the results of its study with its recommendations to the Legislature on or before the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 292**

By Mr. Backstrand:

**House Resolution No. 292**

Requesting a study of a proposed highway from Niland to the California border at Yuma, Arizona

WHEREAS, Interstate traffic from the east on U. S. 80 enters California at the border across the Colorado River from Yuma, Arizona; and

WHEREAS, A highway following generally the route of the main line of the Southern Pacific Railroad from Yuma to Niland, California, and joining State Highway Route 187 at that point would appear to cut the distance to the metropolitan areas of California by many miles; and

WHEREAS, The people of the entire State would benefit from the saving of transportation costs as to goods being brought into or transported from such areas; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Department of Public Works be and it is hereby requested to make a study of a proposed highway from Niland to the California border immediately across the Colorado River from Yuma, covering in such study the savings in distance and time, the probable cost, and the ratio of traffic benefits to cost of such highway; and be it further

*Resolved*, That said department report its findings to this Assembly at the opening of the 1961 Regular Session; and be it further

*Resolved*, That the Chief Clerk is instructed to transmit a copy of this resolution to the Director of Public Works.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Consideration of House Resolution No. 391**

By Mr. Miller:

**House Resolution No. 391**

Relative to a study by the Committee on Rules of proposals for administrative assistants and office space for Members of the Assembly

*Resolved by the Assembly of the State of California*, That there be assigned to the Assembly Committee on Rules the subject matter of the desirability and feasibility of providing each Member of the Assembly with an administrative assistant and office space in his district by means of an allocation of a specific sum to each member for such expenses, similar to the practice of the United States Congress. The committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—76

NOES—None.

**Consideration of House Resolution No. 393**

By Mr. Marks:

**House Resolution No. 393**

Relative to an interim study of the consolidation of the tax collection agencies of the State

*Resolved by the Assembly of the State of California*, That the subject matter of the desirability and feasibility of consolidating the tax collection functions of the various agencies of the State Government, including the functions of the State Board of Equalization relative to sales and use taxes, gas and diesel taxes, truck taxes, personal income and bank and corporation taxes, and itinerant merchants; the functions of the Franchise Tax Board relative to personal income and bond and corporation taxes; and the functions of the State Controller relative to the gas, truck and insurance taxes; and the effect of such consolidation on the efficient and economical administration of State Government, is assigned to the Assembly Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell,

Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

### Consideration of House Resolution No. 396

By Mr. Meyers:

### House Resolution No. 396

Relative to continuing the investigation of the pollution of waters of this State

WHEREAS, Pursuant to House Resolution No. 297 of the 1957 Regular Session the Assembly Interim Committee on Conservation, Planning, and Public Works, through its subcommittee on Bay and Water Pollution, conducted numerous and extensive surveys and studies of the water pollution problems in this State; and

WHEREAS, These problems were found to be of a continuing nature and subject to constant change by reason of the ever-increasing population and industry in this State; and

WHEREAS, The problems of water pollution must be constantly surveyed and studied in order to insure an equitable solution of them, and

WHEREAS, The full effect of the corrective legislation enacted at this session can not properly be evaluated until it has been placed in operation; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including all facts relative to the pollution of waters of this State, the causes thereof, the effectiveness of recent legislation, and the desirability of or necessity for additional legislation controlling such pollution, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lauterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

### Consideration of House Resolution No. 385

By Mr. Sumner:

### House Resolution No. 385

Relative to a study of the priority of tax liens under the Motor Vehicle Transportation License Tax Law

WHEREAS, The State of California imposes a gross receipt tax referred to as the Motor Vehicle Transportation License Law (Part 4, commencing at Section 9601, of Division 2, Revenue and Taxation Code) on all companies engaged in the for-hire movement of freight and passengers; and

WHEREAS, The State of California maintains a prior lien on all of the equipment used by these companies for the for-hire transportation of freight and passengers for the purpose of collecting such transportation license tax; and

WHEREAS, The legal owner of such equipment is not always engaged in the business of for-hire transportation of freight and passengers and therefore not fully aware of the payment or nonpayment of such tax and has been relieved of such prior liens by other states of this Nation; and

WHEREAS, The legal owner not engaged in the business of for-hire transportation of freight and passengers has not incurred the tax debt, the State's prior lien places an unjust hardship on such legal owners; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution, including a study of all phases of the problem of relieving the legal owner not engaged in the business of for-hire transportation of freight and passengers from the State's prior lien for the collection of such transportation license tax is assigned to the Committee on Rules for reassignment by it to an appropriate

interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattèe, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

### Consideration of House Resolution No. 289

By Mr. Winton:

### House Resolution No. 289

Relative to contract laboratories for milk fat testing

WHEREAS, Milk fat testing is necessary to insure the public that milk and milk products conform to all applicable standards; and

WHEREAS, Accuracy in milk fat testing and uniformity in such testing are necessary to insure stability in the milk industry and the orderly marketing of milk and milk products; and

WHEREAS, The Department of Agriculture at the present time supervises various private milk fat testing operations in this State; and the feasibility of establishing contract laboratories under the supervision of the department for milk fat testing should be studied to determine if this type of testing would be an improvement over the present system; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the matters contained in this resolution be referred to the Committee on Rules for assignment to an appropriate interim committee for study, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

### Consideration of House Resolution No. 298

By Mr. Samuel R. Geddes:

### House Resolution No. 298

Relative to the problems of small agricultural and commercial businesses

WHEREAS, The small business man has traditionally been a bulwark of those values we consider to be fundamental to the American way of life; and

WHEREAS, The present status of the small business man is very perilous, for the rate of bankruptcy and the rate of absorption by larger enterprises are increasing sharply; and

WHEREAS, Among these small businesses, a particularly critical situation exists with respect to small agricultural operations; and

WHEREAS, An increasing number of small farms has been abandoned in the past few years, due in large part to fluctuating price levels; and

WHEREAS, There presently exists as an agency of the federal government a Small Business Administration which is able to give aid to a portion of the small businesses throughout the Nation and has been widely acclaimed for its farsighted benefits; and

WHEREAS, A legislative program along lines similar to the federal program is necessary in California to assist in the vast number of situations to which the limited federal program is unable to offer adequate help; now, therefore be it

*Resolved by the Assembly of the State of California*, That the Rules Committee is directed to refer to an appropriate interim committee for study during the 1959-61 interim the subject of problems peculiar to small agricultural and commercial businesses; and be it further

*Resolved*, That the committee consider the feasibility of enacting legislation to solve or alleviate the problems facing the small business man and that the committee give careful study to the formulation of legislation of a type similar to the federal program which would include provision for the giving of financial aid and for the furnishing of technical and managerial counseling; and be it further

*Resolved*, That the committee report to the Assembly on the subject matter of this resolution not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

**Assembly Concurrent Resolution No. 149**—Relative to the completion of the study of the Subcommittee on Economic and Financial Policies for State Water Projects of the Joint Committee on Water Problems.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

## CONSENT CALENDAR—SENATE BILLS

**Senate Joint Resolution No. 28**—Relative to the cessation of services by the Federal Bureau of Indian Affairs.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.

NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Joint Resolution No. 16**—Relative to the construction of the Tehama-Colusa Canal of the Sacramento Valley Canals Project.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Resolution ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 80**—Relative to the recommendations of the Interdepartmental Medical Fee Committee.

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76
NOES—None.

Resolution ordered transmitted to the Senate.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1051**—An act to make an appropriation for acquisition of real property as additions to the Custom House Historical Monument in the City of Monterey.

Bill read third time, and presented by Mr. Pattee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 538**—An act to amend Sections 12800, 12803, 12826, and 12829, to repeal Article 2 (commencing at Section 12810) of Chapter 3, Part 6, Division 6, and to amend and renumber the title of Article 3 (commencing at Section 12825) of Chapter 3, Part 6, Division 6, of the Water Code, relating to the Flood Control Fund of 1946.

and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Mr. Cunningham.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—76.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1261**—An act to amend Section 6025.1 of the Penal Code, relating to the Board of Corrections.

Bill read third time, and presented by Mr. Meyers

**Speaker pro Tempore Presiding**

At 2 54 p m., Hon Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2622**—An act to amend Sections 12805 and 12808 of the Vehicle Code as enacted by the Legislature at its 1959 Regular

Session, relating to testing applicants, licensing, and grounds for withholding issuance of drivers' licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2622?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "12804".

**Amendment No. 2**

On page 1, strike out lines 1 to 18, inclusive; on page 2, strike out lines 1 through 14, inclusive.

**Amendment No. 3**

On page 2, line 15, strike out "SEC. 2", and insert "SECTION 1".

**Amendment No. 4**

On page 2, line 40, strike out "3", and insert "2".

The Assembly concurred in Senate amendments to Assembly Bill No. 2622 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—Dahl—1.

Assembly Bill No. 2622 ordered enrolled.

**Assembly Bill No. 1809**—An act to amend Section 22452 of, and to repeal Section 22455 of, the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to the stopping of vehicles at railroad grade crossings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1809?

**Amendment No. 1**

In lines 1 and 2 of the title of the printed bill, strike out "Section 576 of, and to repeal Section 686 of, the Vehicle Code, and to amend".

**Amendment No. 2**

In lines 3 and 4 of the title, strike out "proposed by Assembly Bill No. 5", and insert "enacted by the Legislature at the 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 through 18, inclusive; on page 2, strike out lines 1 through 32, inclusive, and insert

"SECTION 1. Section 22452 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 2, line 35, strike out "(1)".

**Amendment No. 5**

On page 2, line 36, strike out "(2)".

**Amendment No. 6**

On page 2, line 38, strike out "(3)".

**Amendment No. 7**

On page 2, line 39, strike out "(4)".

**Amendment No. 8**

On page 2, line 40, strike out "(5)".

**Amendment No. 9**

On page 2, line 42, strike out "(6)".

**Amendment No. 10**

On page 3, line 3, strike out "Exceptions: (1)".

**Amendment No. 11**

On page 3, line 5, strike out "(2)", and insert "(d)".

**Amendment No. 12**

On page 3, line 9, strike out "(3)", and insert "(e)".

**Amendment No. 13**

On page 3, line 12, strike out "(4)", and insert "(f)".

**Amendment No. 14**

On page 3, line 15, strike out "(d)", and insert "(g)".

**Amendment No. 15**

On page 3, strike out lines 24 through 29, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1809 by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 1809 ordered enrolled.

**Assembly Bill No. 2542**—An act to repeal Section 73076, to amend Sections 73086, 73092, 73084.1, 73084.2, 73084.3, 73084.4, 73085.1, 73085.2, 73085.3, 73085.4, 73085.5, 73085.6, 73088, 73089 and 73090 of, and to add Sections 73076, 73093, 73094 and 73095 to, the Government Code, relating to municipal courts in Alameda County.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2542?

**Amendment No. 1**

On page 1, line 4, of the printed bill, as amended in the Assembly on May 29, 1959, after the comma, insert "until 90 days after the adjournment of the next regular session of the Legislature,".

**Amendment No. 2**

On page 1, line 9, after "compensation", insert "up to but not exceeding ten percent (10) of the maximum amounts specified in this article,".

**Amendment No. 3**

On page 1, line 17, after "pensation", insert "up to but not exceeding ten percent (10) of the maximum amounts specified in this article,".

**Amendment No. 4**

On page 2, between lines 12 and 13, insert

"21a ---------- 536 565 595 626 660".

Amendment No. 5

On page 3, line 21, strike out "38", and insert "21a".

The Assembly concurred in Senate amendments to Assembly Bill No. 2542 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr Speaker—73.

NOES—None.

Assembly Bill No. 2542 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Ralph M. Brown was granted unanimous consent to take up Senate Concurrent Resolution No. 93, at this time, without reference to committee or file

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 93

**Senate Concurrent Resolution No. 93**—Relative to the selection of state college sites.

Resolution read, and presented by Mr. Ralph M. Brown.

Demand for Previous Question

Messrs. Rees, Ernest R. Geddes, Miller, Schrade, and Charles H. Wilson demanded the previous question. Demand sustained.

The question being on the adoption of the resolution.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1992**—An act to amend Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320, 13322, and 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1992?

**Amendment No. 1**

Strike out lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 22, 1959, and insert "An act to amend Section 13443 of the Education Code as".

**Amendment No. 2**

On page 1, strike out lines 1 to 23, inclusive; strike out page 2; and on page 3, strike out lines 1 to 30, inclusive, and insert

"SECTION 1. Section 13443 of the Education Code is amended to read:".

The Assembly refused to concur in Senate amendments to Assembly Bill No. 1992 by the following vote:

AYES—Backstrand and House—2.

NOES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

**Appointment of Committee on Conference Concerning Assembly Bill No. 1992**

The Speaker appointed Messrs. Ernest R Geddes, Bee, and House as a Committee on Conference concerning Assembly Bill No. 1992.

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1482**—An act to amend Section 1547 of the Penal Code, relating to rewards for apprehension.

Bill read third time.

**Motion to Amend**

Mr. Bane moved the adoption of the following amendment:

**Amendment No. 1**

On page 1, line 18, of the printed bill, after "assaulting," insert "with a deadly weapon or inflicting serious bodily harm upon".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

**Rush Order Placed Upon Printing of Senate Bill No. 1482**

Mr. Bane was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1482.

## POINT OF ORDER

Mr. Munnell arose to the following point of order: That the hour for consideration of the special order of business had arrived.

**Ruling by Speaker pro Tempore**

The Speaker pro Tempore ruled the point of order well taken.

## CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 209 was taken up.

**Senate Bill No. 209**—An act to add Chapter 9 (commencing with Section 1151), to Part 3, of Division 2, of the Labor Code, relating to labor organizations.

Bill read third time.

**Speaker Presiding**

At 3.14 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

**Speaker pro Tempore Presiding**

At 3 20 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Motion to Amend**

Mr. Burton moved the adoption of the following amendment:

**Amendment No. 1**

On page 5, between lines 35 and 36, of the printed bill, as amended in the Assembly on June 18, 1959, insert

"1164 5 No labor organization shall compensate employees employed for clerical or other office work, in an amount less than that equal to or equivalent to one dollar and fifty cents ($1 50) for each hour in which the employee rendered services to the organization.

No labor organization shall, on the basis of the race, creed, color, national origin, or ancestry, of an employee or applicant for employment, practice any form of discrimination in terms or conditions of employment or in the hiring of applicants for employment"

Amendment read.

**Parliamentary Inquiry**

Mr. Miller arose to the following parliamentary inquiry: Does the amendment comply with the Rules?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it did, since copies of the amendment were being distributed on the members' desks, at this time.

**Parliamentary Inquiry**

Mr. DeLotto arose to the following parliamentary inquiry: Is the amendment germane?

**Reply by Speaker pro Tempore**

The Speaker pro Tempore replied that it was.

The question being on the adoption of the amendment by Mr. Burton.

Amendment refused adoption.

**Point of Personal Privilege**

Mr. Reagan arose on a point of personal privilege.

The question being on the passage of the bill.

**Motion to Re-refer**

Mr. Bruce F. Allen moved that the bill be re-referred to the Committee on Industrial Relations.

Mr. Sumner seconded the motion.

**Point of Personal Privilege**

Mr. Unruh arose on a point of personal privilege.

**Speaker Presiding**

At 4.56 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

### Motion to Grant Extra Time for Debate

Mr. Lowrey moved that Mr. Bruce F. Allen be granted five minutes additional time for debate.

Mr. Collier seconded the motion.

Motion carried.

### Demand for Previous Question

Messrs. Charles H. Wilson, Schrade, McMillan, Elliott, and Ernest R. Geddes demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Bruce F. Allen moved a call of the Assembly.

Mr. Lowrey seconded the motion.

### Roll Call Demanded

Messrs. Munnell, DeLotto, and Conrad demanded a roll call.

Motion for call of the Assembly carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Marks, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Schrade, Sedgwick, Shell, Sumner, Thelin, Williamson, George A. Willson, Winton, and Z'berg—57

NOES—Crawford, DeLotto, Hanna, Luckel, MacBride, McMillan, Munnell, Rees Thomas, Unruh, Waldie, and Charles H. Wilson—12.

Time, 4.19 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2712

At 4.20 p.m., Mr. O'Connell moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2712 by the following vote:

AYES—Bee, Biddick, George E. Brown, Burton, Cameron, Chapel, Crown, Cunningham, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Hawkins, House, Kennick, Kilpatrick, Lunardi, Marks, Masterson, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—41.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, Dills, Donahoe, Francis, Hanna, Hegland, Johnson, Levering, Lowrey, Luckel, MacBride, McCollister, Mulford, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, and Thelin—35.

Assembly Bill No. 2712 ordered enrolled.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1489

At 4.26 p.m., Mr. Miller moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called.

### Motion to Expunge Record and Rescind Action on Senate Bill No. 1489

Mr. Miller moved to expunge the record, and rescind the action on the roll call to Senate Bill No. 1489.

Motion carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—62.

NOES—Burton—1.

### Further Consideration of Senate Bill No. 1489

**Senate Bill No. 1489**—An act to amend Section 9108 of the Government Code, relating to the State Capitol.

Bill read third time, and presented by Mr. Miller.

### Motion to Amend

Mr. Rees moved the adoption of the following amendment:

### Amendment No. 1

On page 1, lines 4 and 5 of the printed bill, as amended in the Assembly on June 12, 1959, strike out "the sixth floor including any enlargements thereof, of the annex to the State Capitol", and insert "that portion of the sixth floor of the annex to the State Capitol which is not now occupied by Assembly offices".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

### Rush Order Placed Upon Printing of Senate Bill No. 1489

Mr. Miller was granted unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1489.

## REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Backstrand was granted unanimous consent to hold a special meeting of the Committee on Transportation and Commerce in the rear of the Assembly Chamber, at this time.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 423**—An act to amend Section 7149 of the Fish and Game Code, relating to fishing licenses.

Bill read third time, and presented by Mr. McCollister.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier,

Conrad, Crawford, Crown, Cunningham, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—69.

NOES—Don A. Allen—1.

Bill ordered transmitted to the Senate.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 1824**—An act to amend Section 32106 of the Health and Safety Code, relating to local hospital districts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1824 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—Cameron, Donahoe, Munnell, Rees, and Unruh—5.

NOES—Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Lanterman, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Thelin, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—56.

## ASSEMBLY BILL NO. 2601 PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file.

**Assembly Bill No. 2601 and Senate amendments,** on motion of Mr. Thelin.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2053**—An act to amend Section 145 of the Penal Code, relating to offenses of public officer or other person with respect to arrested persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2053.

### Amendment No. 1

On page 1, line 6, of the printed bill, after "who", insert "willfully".

### Amendment No. 2

In line 2 of the title of the printed bill, as amended in Senate June 5, 1959, after "officer", insert "or other person".

### Amendment No. 3

On page 1, line 6, after "officer", insert "or other person".

The Assembly concurred in Senate amendments to Assembly Bill No. 2053 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hawkins.

House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Unruh, Waldie, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—Bruce F. Allen—1.

Assembly Bill No. 2053 ordered enrolled.

## CONSIDERATION OF HOUSE RESOLUTION NO. 386

By Mr. Cunningham:

### House Resolution No. 386

Relative to an interim committee study of the regulation of railroads and other utilities by the Public Utilities Commission

*Resolved by the Assembly of the State of California*, That the subject matter of the regulation of railroads and other utilities under the jurisdiction of the Public Utilities Commission, including but not limited to safety regulations and orders of the Public Utilities Commission, the procedures of the commission in enforcing its regulations, the procedures of the commission in handling complaints, the methods and procedures of investigation, hearings and findings and the methods of reporting or publishing thereof, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Belotti, Britschgi, Burke, Chapel, Collier, Crawford, Cunningham, Cusanovich, Dahl, Dills, Francis, Ernest R. Geddes, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, McCollister, McMillan, Meyers, Mulford, Porter, Rumford, Schrade, Shell, Thelin, Thomas, George A. Willson, and Charles H Wilson—37.

NOES—Beaver, George E. Brown, Burton, Davis, DeLotto, Donahoe, Frew, Garrigus, Samuel R Geddes, Lowrey, Miller, Petris, Reagan, Waldie, Winton, and Z'berg—16.

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1136**—An act to amend Section 28110 of the Government Code, relating to compensation for public service in a county of the tenth class.

Bill read third time, and presented by Mr. Britschgi.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Britschgi moved a call of the Assembly.

Mr. Crown seconded the motion.

Motion carried Time, 4.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER SENATE BILL NO. 209

At 4.51 p.m., Mr. Bruce F. Allen moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called on the motion that Senate Bill No. 209 be re-referred to the Committee on Industrial Relations.

### Call of the Assembly

Pending the announcement of the vote, Mr. Unruh moved a call of the Assembly.

Mr. Munnell seconded the motion.

Motion carried. Time, 4.54 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Ernest R Geddes was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 872**—An act to add Section 1394 to the Water Code, relating to reservation of jurisdiction by the State Water Rights Board.

Bill read third time, and presented by Mr. Lunardi.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Garrigus, Ernest R. Geddes, Grant, Hawkins, Holmes, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—61.

NOES—Davis—1.

Bill ordered transmitted to the Senate.

**Senate Bill No. 1078**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

Bill read third time, and presented by Mr. Bee.

Bill passed by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Busterud, Cameron, Collier, Conrad, Crawford, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 89**—Relative to amending Rule No. 40 of the Joint Rules of the Senate and Assembly to provide for the transfer of the duties and funds of the Joint Legislative Committee on Legislative Reference Library to the Joint Committee on Legislative Organization.

Resolution read, and presented by Mr. Miller.

### Speaker pro Tempore Presiding

At 5.02 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the resolution.

The roll was called.

### Call of the Assembly

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

Mr. Conrad seconded the motion.

Motion carried. Time, 5.10 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

### THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 291**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving vehicles while under the influence of intoxicating liquor.

Bill read third time, and presented by Mr. O'Connell.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

### Speaker Presiding

At 5.12 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER SENATE BILL NO. 209

At 5.13 p.m., Mr. Unruh moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, on the motion that Senate Bill No. 209 be re-referred to the Committee on Industrial Relations.

### Call of the Assembly

Pending the announcement of the vote, Mr. Munnell moved a call of the Assembly.

### Roll Call Demanded

Messrs. Shell, Levering, and Chapel demanded a roll call.

Motion carried by the following vote:

AYES—Bane, Bee, Biddick, George E. Brown, Burton, Cameron, Crown, Cunningham, DeLotto, Donahoe, Elliott, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, House, Kennick, MacBride, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—36.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Busterud, Chapel, Collier, Conrad, Crawford, Cusanovich, Dahl, Dills, Francis, Grant, Hawkins, Holmes, Johnson, Lanterman, Levering, Luckel, Marks, McCollister, Mulford, Pattee, Reagan, Schrade, Shell, Sumner, and Thelin—33.

Time, 5.18 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

## TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Munnell was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## CONSIDERATION OF DAILY FILE (RESUMED)

## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 1482**—An act to amend Section 1547 of the Penal Code, relating to rewards for apprehension.

Bill read third time, and presented by Mr. Bane.

### Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Senate Bill No. 1482:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 11, 1959

*To the Honorable Members of the Senate and Assembly:*

Senate Bill No. 589 is an act relating to the sale, exchange, other disposition, or administration of state property.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Senate Bill No. 589 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

**Senate Bill No. 589**—An act relating to the sale, exchange, other disposition, or administration of state property, and providing for the disposition of the proceeds from such sale or exchange and for accomplishing the purposes of this act.

Bill read third time, and presented by Mr. Winton.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Bruce F. Allen was granted unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

## OPINION OF LEGISLATIVE COUNSEL RELATIVE TO WATER DEVELOPMENT

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, June 19, 1959

*Hon. Bruce F. Allen*
*Assembly Chamber*

**Water Development: Senate Bill No. 1106—No. 18228**

*Question*

DEAR MR. ALLEN: You have directed our attention to Senate Bill No. 1106 as amended in the Senate May 28, 1959, and more particularly to the provision which is contained in proposed Section 12938 of the Water Code and found on page 7 of the bill which reads:

> "To the extent that money is expended from the California Water Fund for construction of state water facilities, proceeds from the sale of bonds * * * is appropriated and shall be expended for the

construction of such additional facilities of the State Water Resources Development System as the department shall determine to be necessary and desirable *(1)* to meet local needs, including, but not restricted to, flood control, *and (2)* to augment the supplies of water in the Sacramento-San Joaquin Delta from multiple purpose dams, reservoirs, aqueducts and appurtenant works in watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen and Klamath Rivers * * * " (emphasis added).

You have asked if the word "and" (underscored above) would be construed in the conjunctive and, if so, would the provision require that all facilities under (1) above for "local needs" must be facilities under (2) above "to augment the supplies of water in the Sacramento-San Joaquin Delta."

*Opinion and Analysis*

From the provision quoted above it is clear, in our opinion, that while the word "and" is used in the conjunctive and would authorize expenditure for both "local needs" and "to augment the supplies of water in the Sacramento-San Joaquin Delta," it does not require that each facility serve both purposes. In other words, we believe that the provision in question would authorize expenditures for *either* or *both* local needs and to augment the supplies of water in the delta. The determination of the particular facilities to be constructed is expressly left to the discretion of the Department of Water Resources.

It is noted that the provision in question specifically distinguishes additional facilities constructed to meet local needs from the additional facilities constructed to augment the supplies in the Sacramento-San Joaquin Delta by broadly expanding the local needs as including, but not limited to, flood control which might or might not augment the supply of water in the delta. Similarly the facilities to augment the supplies of water in the Sacramento-San Joaquin Delta are specifically identified as being multiple purpose dams, reservoirs, aqueducts and appurtenant works in the watersheds of the Sacramento, Eel, Trinity, Mad, Van Duzen and the Klamath Rivers.

We conclude that "additional facilities" contemplated would be either or both those necessary and desirable to meet local needs and those necessary and desirable to augment the supplies of water in the Sacramento-San Joaquin Delta.

This conclusion is supported, we believe, by the well established rule of statutory construction that all parts of a statute must be read together (45 Cal Jur. 2d, pp. 626, 627). The next sentence in proposed Section 12938 following the provision in question reads, in part:

"Such additional facilities for local needs *shall* include those necessary to conserve or develop water which is tributary to the stream upon which any of the facilities of the State Water Resources Development System are constructed * * *" (Emphasis added).

Facilities to meet local needs would undoubtedly include works which, like flood control structures, would not augment the supplies of water of the Delta. Considered in light of the language quoted above, which *requires* that such facilities be included, it is clear that facilities for local needs need not augment the water supplies of the Delta.

In considering the interpretation of the provision in question, at various times while Senate Bill No. 1106 has been pending before the Legislature, we have consistently construed the provision as discussed above. In so doing, we have based our opinions solely on the language of the bill. We note that a statement of one of the proponents of Senate Bill No. 1106, which appears on page 5661 of the Assembly Journal for June 17, 1959, presents a different interpretation of the provision in question. While any such statement of legislative intent might be material in considering the interpretation to be given this provision, we cannot attempt to evaluate the effect of this statement until such time as the corrected copies of the Journals of both houses of the Legislature for this session of the Legislature are available and any other statements, materials or facts which might likewise bear on the matter are available.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By GEORGE H. MURPHY, Principal Deputy

Two copies to Hon. Hugh M. Burns,
pursuant to Joint Rule No. 34.

## CONSIDERATION OF DAILY FILE (RESUMED)
## THIRD READING OF SENATE BILLS (RESUMED)

**Senate Bill No. 48**—An act to amend Sections 26, 951, 953, 2792, 2799, 2807, 2842, 3946, and 10050 of, and to repeal Section 2792.1 of, the Elections Code, relating to elections.

Bill read third time, and presented by Mr. Conrad.

Bill passed by the following vote:

AYES—Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Williamson, George A. Willson, and Mr. Speaker—60.

NOES—Bruce F. Allen, Bane, Bradley, Burton, Frew, Holmes, Lowrey, Rees, and Winton—9.

Bill ordered transmitted to the Senate.

### Request by Mr. Burton

Mr. Burton requested that the bill be held at the desk for an hour or two because he might want to move to reconsider.

Request ruled not in order.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1136

At 5.31 p.m., Mr. Britschgi moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called.

### Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 1136

Mr. Britschgi was granted unanimous consent to expunge the record, and rescind the action on the roll call on Senate Bill No. 1136.

The question being on the passage of Senate Bill No. 1136.

Bill passed by the following vote:

AYES—Bruce F. Allen, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—65.

NOES—Crawford, Hegland, and Winton—3.

Bill ordered transmitted to the Senate.

## REMARKS ON CONDITION OF THE FILE

Speaker Brown spoke on the condition of the file.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONCURRENT RESOLUTION NO. 89

At 5.37 p.m., Mr. Miller moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and Senate Concurrent Resolution No. 89 was refused adoption by the following vote:

AYES—Bee, Biddick, Bradley, George E. Brown, Busterud, Cameron, Conrad, Crown, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hegland, Kennick, Lowrey, Marks, Miller, Munnell, Nisbet, Rees, Unruh, Waldie, Williamson, Z'berg, and Mr. Speaker—30.

NOES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Britschgi, Burke, Burton, Chapel, Collier, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, Dills, Elliott, Francis, Grant, Hawkins, Holmes, House, Johnson, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, Masterson, McCollister, McMillan, Meyers, Mulford, Pattee, Petris, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, George A. Willson, and Charles H. Wilson—46.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day tabled:

Assembly Bill No. 395

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 43
Senate Bill No. 86
Senate Bill No. 87
Senate Bill No. 102
Senate Bill No. 344
Senate Bill No. 405
Senate Bill No. 424
Senate Bill No. 425
Senate Bill No. 504
Senate Bill No. 534
Senate Bill No. 565
Senate Bill No. 588
Senate Bill No. 617
Senate Bill No. 644
Senate Bill No. 650
Senate Bill No. 666
Senate Bill No. 780
Senate Bill No. 795
Senate Bill No. 813
Senate Bill No. 867
Senate Bill No. 1129
Senate Bill No. 1140
Senate Bill No. 1168
Senate Bill No. 1182
Senate Bill No. 897
Senate Bill No. 1093
Senate Bill No. 1230
Senate Bill No. 1235
Senate Bill No 1258
Senate Bill No. 1284
Senate Bill No. 1285
Senate Bill No. 1290
Senate Bill No. 1291
Senate Bill No. 1327
Senate Bill No. 1356
Senate Bill No. 1304
Senate Bill No 1328
Senate Bill No. 1342
Senate Bill No. 1303
Senate Bill No. 1397

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 515
Senate Bill No. 1401
Senate Bill No. 1427
Senate Bill No. 1443
Senate Bill No. 1353
Senate Concurrent Resolution No. 57
Senate Constitutional Amendment No. 1
Senate Constitutional Amendment No. 14

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1605

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day tabled:

Assembly Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 979**—An act to amend Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court.

And appointed Senators Regan, Dolwig, and Teale, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Senate Bill No. 979 ordered to the unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 2430**—An act to amend Section 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of, and add Article 11.5 (commencing at Section 73750) to Chapter 10, Title 8 of the Government Code, relating to municipal courts.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 2430 ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 23
Assembly Concurrent Resolution No. 148

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, tabled:

Assembly Bill No. 1481

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, passed:

Assembly Bill No. 6
Assembly Bill No. 423
Assembly Bill No. 433
Assembly Bill No. 831
Assembly Bill No 1087
Assembly Bill No. 1403
Assembly Bill No. 1675
Assembly Bill No. 2234
Assembly Bill No. 2298
Assembly Bill No. 2343
Assembly Bill No. 2395
Assembly Bill No 2559
Assembly Bill No. 2628
Assembly Bill No. 1303
Assembly Bill No. 1975

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 342
Assembly Bill No. 453
Assembly Bill No 520
Assembly Bill No. 749
Assembly Bill No. 923
Assembly Bill No. 995
Assembly Bill No. 1009
Assembly Bill No. 1110
Assembly Bill No. 1433
Assembly Bill No. 1599
Assembly Bill No. 1600
Assembly Bill No. 1660
Assembly Bill No. 1919
Assembly Bill No. 2276
Assembly Bill No. 2279
Assembly Bill No. 2357
Assembly Bill No. 2361
Assembly Bill No. 2482
Assembly Bill No. 2817
Assembly Bill No. 2904

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2062
Assembly Bill No. 1414
Assembly Bill No. 909
Assembly Bill No. 96

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

NOTE—Later this day, the record was expunged, and the action rescinded whereby Assembly Bill No. 96 was ordered enrolled, since the above Senate message was incorrect, and the bill had been amended in the Senate. *See* pages 6074 and 6075.

**CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 209**

At 5.44 p.m., Mr. Munnell moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Senate Bill No. 209 be re-referred to the Committee on Industrial Relations carried by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Belotti, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Holmes, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, McCollister, Meyers, Mulford, O'Connell, Pattee, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, and Z'berg—50.

NOES—Bane, Bee, Biddick, Cameron, Crawford, Crown, DeLotto, Garrigus, Ernest R. Geddes, Hanna, Hegland, House, MacBride, Masterson, McMillan, Miller, Munnell, Nisbet, Petris, Porter, Rees, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—29.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Masterson:

**House Resolution No. 423**

Relative to assigning certain subjects to the Assembly Interim Committee on Governmental Efficiency and Economy for interim study

*Resolved by the Assembly of the State of California*, That the following additional subject matters are assigned to the Assembly Interim Committee on Governmental Efficiency and Economy, which committee shall study and analyze all facts relating thereto and report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature:

1. The need for legislation relating to the licensing of mining, geological, metallurgical, and petroleum engineers

2. The cost and problems involved at all levels of government of the program for aid to needy children.

3. The cost and efficiency of operation of transportation facilities in state parks.

4. The subject matter of the use of force account methods of construction work by counties rather than the letting of construction contracts by competitive bids and the effect of such methods upon private enterprise.

5. The subject matter of the following bills as introduced and subsequently amended at the 1959 Regular Session of the Legislature:

(a) Assembly Bill No. 335, relating to preference for American made materials in public purchases.

(b) Assembly Bill No. 1553, relating to unfair practices in the sale of cigarettes.

(c) Assembly Bill No. 1633, relating to advertisements for the sale of diamond jewelry.

(d) Assembly Bill No. 1760, relating to the offenses of failure to provide a proper bond for construction and repair work and improperly obtaining or using a certificate of completion for such work.

(e) Assembly Bill No. 1791, relating to fair trade contracts.

(f) Assembly Bill No. 2213, relating to interests of public officers in contracts.

(g) Assembly Bill No. 2417, relating to the definition of "highway carrier."

(h) Assembly Bill No. 2768, relating to creation of a Board of X-ray Technician Examiners.

(i) Senate Bill No. 1100, relating to subliminal radio and television messages.

Resolution read, and referred to the Committee on Rules.

By Mr. Gaffney:

**House Resolution No. 424**

Relative to the creation of the Assembly Interim Committee on Transportation Safety

*Resolved by the Assembly of the State of California* as follows:

1. The Assembly Interim Committee on Transportation Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to transportation safety, including but not limited to the drastic toll of life and tremendous amount of personal injury and property damage caused by traffic accidents, the need for undertaking concerted efforts to develop and improve means and methods for enhancing the effectiveness of safety measures on the highways in the State, and

the methods and procedures by which adequate traffic and transportation safety programs can be developed.

2. The committee shall consist of five members who are also members of the Interim Committee on Transportation and Commerce. The chairman of the Interim Committee on Transportation and Commerce shall be a member of the committee and he shall appoint the other four members thereof.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the tenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman, and a vice chairman from its membership.

(b) To contract with such other agencies, individuals, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To co-operate with and secure the co-operation of county, city and county and other local law enforcement agencies in investigating any matters within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the county.

(d) To report its findings and recommendations to the Legislature and to the people from time to time, and at any time, not later than herein provided.

(e) *To do any and all other things necessary or convenient to enable it fully* and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution.

6. The sum of three thousand five hundred dollars ($3,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Mr. Gaffney:

**House Resolution No. 425**

Relative to the creation of the Assembly Interim Committee on Industrial Safety

*Resolved by the Assembly of the State of California* as follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial safety, including but not limited to the drastic economic and social hardship caused by industrial injuries, the need for undertaking concerted efforts to develop and improve means and methods for enhancing the effectiveness of safety measures against personal injury in all industrial or commercial establishments in the State, and the methods and procedures by which adequate industrial safety programs can be developed.

2. The committee shall consist of five members who are also members of the Interim Committee on Industrial Relations. The chairman of the Interim Committee on Industrial Relations shall be a member of the committee and he shall appoint the other four members thereof.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1961 Regular Session, with authority to file its final report not later than the tenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman, and a vice chairman from its membership.

(b) To contract with such other agencies, individuals, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To co-operate with and secure the co-operation of county, city and county and other local law enforcement agencies in investigating any matters within the

scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the county.

(d) To report its findings and recommendations to the Legislature and to the people from time to time, and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purposes of this resolution.

6. The sum of three thousand five hundred dollars ($3,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to the Committee on Rules.

By Mr. Miller:

**House Resolution No. 426**

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly after the close of the 1959 Regular Session, or that may be drawn upon the Contingent Fund of the Assembly.

Above resolution ordered held at the desk.

## REQUEST FOR UNANIMOUS CONSENT

Mr. Burton was granted unanimous consent to take up House Resolution No. 414.

## CONSIDERATION OF HOUSE RESOLUTION NO. 414

By Mr. Burton:

**House Resolution No. 414**

Commemorating the birth of Jason Liddell Winnett

WHEREAS, It has come to the attention of the Assembly that on the thirtieth day of March, 1959, Lucille and Tom Winnett of Berkeley, California, were blessed with a bundle of joy in the person of a son, Jason Liddell Winnett, and

WHEREAS, The baby weighed eight pounds one-half ounce and was born at the Kaiser Hospital in Oakland, and

WHEREAS, Since Jason Liddell Winnett's parents are fine citizens and active leaders in the Democratic Party, a career in public service for Master Jason seems probable, if not assured, and

WHEREAS, This Assembly rejoices with the parents in their happiness, and desires to extend to them its felicitations; now, therefore, be it

*Resolved by the Assembly of the State of California*, That it hereby extends to Mr. and Mrs. Tom Winnett its best wishes and congratulations on the addition of this new member to their family; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mr. and Mrs. Tom Winnett.

Resolution read, and adopted.

## MEMBERS MADE CO-AUTHORS OF HOUSE RESOLUTION NO. 402

Messrs. Busterud, Chapel, and Burton were granted unanimous consent that they be placed upon the illuminated copy of House Resolution No. 402 as co-authors.

## LEAVES OF ABSENCE FOR BALANCE OF THE DAY

The following member was granted leave of absence for the balance of the day, because of illness:

Mr. Holmes, on motion of Mr. House.

The following member was granted leave of absence for the balance of the day, because of illness in his family:

Mr. Francis, on request of Speaker Brown.

### REQUEST THAT NAME BE PLACED UPON ROLL CALL ON SENATE BILL NO. 679

Mr. Meyers asked for unanimous consent that he be recorded as voting "Aye" on Senate Bill No. 679.

Mr. Johnson withheld unanimous consent since the copy of the roll call was at the printer's.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 15

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 94

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

### FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

**Senate Concurrent Resolution No. 94**—Relative to the Fairs Allocation and Classification Committee.

Resolution ordered held at the desk.

### REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Mr. Coolidge was granted unanimous consent that the following letter of transmittal and report be ordered printed in the Journal:

### LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
JOINT INTERIM COMMITTEE ON ASSESSMENT PRACTICES
SACRAMENTO, June 19, 1959

*Hon. Glenn M. Anderson,*
*President of the Senate;*
*Hon. Ralph M. Brown,*
*Speaker of the Assembly; and*
*Members of the Legislature*

GENTLEMEN: Pursuant to Senate Concurrent Resolution No. 92, adopted June 12, 1957, your committee conducted exhaustive investigations throughout California into all facets of the assessment-equalization problem which has faced the Legislature during the past decade.

In order to facilitate consideration of our legislative recommendations, your committee released a report on May 27, 1959, which contained all of the relevant material and data compiled during our study.

Having completed the studies with which we were charged, we forward herewith a supplementary report to conclude the *Final Report of*

*the Joint Interim Committee on Assessment Practices to the California Legislature,* a copy of which is attached.

GEORGE MILLER, JR., Vice Chairman
CARL L. CHRISTENSEN, JR.
RANDOLPH COLLIER
JOHN A. MURDY, JR.
J. HOWARD WILLIAMS

GLENN E. COOLIDGE, Chairman
CLARK L. BRADLEY
SAMUEL R. GEDDES
FRANK LANTERMAN
CHARLES H. WILSON

**SUPPLEMENTARY REPORT TO CONCLUDE THE FINAL REPORT OF THE JOINT INTERIM COMMITTEE ON ASSESSMENT PRACTICES TO THE CALIFORNIA LEGISLATURE**

Assembly Constitutional Amendment No. 46, set forth at length on pages 13 to 15 of the *Final Report of the Joint Interim Committee on Assessment Practices,* and Assembly Bill No. 2674, set forth at length on pages 16 to 26 of the final report, were introduced in the Assembly on April 29, 1959, as a basis for discussion leading to final legislative solution of the problems which grew out of Chapter 1466, Statutes of 1949.

The full report of the committee, set forth on pages 27 to 42 of the final report, analyzed the committee's findings which led to the introduction of its two bills. This supplementary report shall, therefore, be limited to a brief discussion of Assembly Bill No. 2674, as amended in Assembly June 5, 1959, which is the legislation finally passed by both the Senate and the Assembly.

Chapter 1466, Statutes of 1949, is repealed in toto. This is done by restoring all language in Art. 1, Ch. 4, Pt. 2, Div. 1 of the Revenue and Taxation Code (Sections 751 to 760) to its exact form prior to enactment of Chapter 1466, by repealing all language in Art. 1, Ch. 2, Pt. 3, Div. 1 of the code (Sections 1831 to 1843) and adding entirely new language therefore (new Sections 1815 to 1825), and by repealing all other language contained in Chapter 1466.

Restoration of the language in Sections 751 to 760 to its pre-1949 condition completely removes the problem of equalization between state and locally assessed property from the bill. This was done in view of the recent actions by the members of the State Board of Equalization in their responsibility for assessing utilities and railroads rather than passively accepting staff recommendations. Further resolution of problems surrounding state assessments may safely be left in the hands of the board.

The new Sections 1815 to 1825 accomplish three objectives. First, they embody the procedures set forth in the Monterey Agreement between the State Board of Equalization and the County Assessors Association. The Monterey Agreement provided for the conduct of triennial equalization surveys by the board, for discussion of survey appraisals with the assessor involved, for trending survey results up to the current lien date, for tabulating the trended survey results as a basis for intercounty equalization, and for discussion of the tabulations with the several assessors. Writing these sections into the Revenue and Taxation Code provide, for the first time, a solid legal basis for equitable intercounty equalization.

The second objective is accomplished in the last sentences of Sections 1818 and 1819. These provide for the disclosure and publication of the equalization tabulations prepared by the board—in effect, revelation of the assessment ratios prevailing in each of the several counties. This will permit local assessees to compare their assessments with the level prevailing throughout their county and will give them a solid basis for appeals against alleged over-assessments before the local board of equalization. No longer will they be forced to base their appeals on comparisons with like properties, all of which may be over-assessed. Though the committee does not believe that these full disclosure provisions will completely solve the problems of intracounty equalization, it is firmly convinced that they will open up for inspection the true nature of these problems, permitting corrective legislation if deemed necessary by future legislatures, and will force the several assessors to narrow the spread between assessment levels for various locally assessed properties which is now believed to exist.

The third objective is accomplished in Sections 1823 and 1825. During the series of informal meetings held with county supervisors, assessors and other interested individuals throughout the State, the committee found that the greatest resistance to equalization orders of the State Board of Equalization has been based on the reluctance of local governing boards to reduce their tax rates in inverse proportion to the increase in the assessment level. Failure to so reduce tax rates results in an increase in actual taxes and in a resultant financial windfall to the jurisdiction. The bill requires that equalization orders shall be issued after local tax rates have been set, and that such tax rates shall be shifted in inverse proportion to the assessment level shift after final action has been taken on the equalization orders. Actual taxes due from local assessees thus will remain undisturbed by equalization actions of the State Board of Equalization.

Experience under Assembly Bill No. 2674 will no doubt reveal areas where further improvement will be necessary. However, enactment of this bill will have removed the roadblock which has barred all progress for a decade, and will provide the tools necessary to achieve far superior equalization standards than were ever possible before.

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 979

The Speaker appointed Messrs. Munnell, Meyers, and Burke as a Committee on Conference concerning Senate Bill No. 979.

## CONSIDERATION OF DAILY FILE

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 342**—An act to add Section 851.5 to the Penal Code, relating to telephone calls by arrested persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 342?

### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on February 18, 1959, after "expense," insert "in the presence of a public officer or employee,".

**Amendment No. 2**

On page 1, line 6, after "called", insert a comma.

**Amendment No. 3**

On page 1, line 7, strike out "either".

The Assembly concurred in Senate amendments to Assembly Bill No. 342 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, House, Johnson, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, and Mr. Speaker—45.

NOES—Bruce F. Allen—1.

Assembly Bill No. 342 ordered enrolled.

**Vote Changed Upon Roll Call**

Mr. Bruce F. Allen was granted unanimous consent that he be recorded as voting "No" instead of "Aye" on concurrence in Senate amendments to Assembly Bill No. 342.

**Assembly Bill No. 453**—An act to repeal Section 7018.1 of, and to add Section 7018.1 to, the Education Code, to repeal Section 18060 of, and to amend and renumber Section 18060.1 of, the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to allowances to local school districts for transportation of pupils, declaring the urgency thereof to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 453?

**Amendment No. 1**

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in Assembly May 8, 1959, and insert "An act to add Section 7018 2 to the Education Code and Section 18060.2 to the Education".

**Amendment No. 2**

On page 1, strike out line 1 and insert

"SECTION 1. Section 7018.2 is added to the Education Code, to read:

7018.2. As used in Section 7018.1, "blind" includes partially seeing, "deaf" includes hard of hearing, and "special day classes" includes integrated programs of instruction for children handicapped in vision and hearing where the services of a qualified special teacher are provided.

An integrated program of instruction for children handicapped in vision or hearing shall be defined as any program in which such physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, supplementary teaching services of a full time special teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program. Such supplementary teaching services may include instruction in the appropriate tool skills, the provision of special materials and use of appropriate special equipment, and counseling and guidance necessary to enable children handicapped in vision and hearing to benefit fully from their instruction.

SEC. 2. Section 18060.2 is added to the Education Code as enacted by the Legislature at its 1959 Regular Session, to read:

18060.2. As used in Section 18060 or 18060.1, whichever is in effect, "blind" includes partially seeing, "deaf" includes hard of hearing, and "special day classes" includes integrated programs of instruction for children handicapped in vision and hearing where the services of a qualified special teacher are provided.

An integrated program of instruction for children handicapped in vision or hearing shall be defined as any program in which such physically handicapped children receive their education in regular classrooms from regular classroom teachers, but receive, in addition, supplementary teaching services of a full time special teacher, possessing a valid credential to teach exceptional children of the type enrolled in the program. Such supplementary teaching services may include instruction in the appropriate tool skills, the provision of special materials and use of appropriate

special equipment, and counseling and guidance necessary to enable children handicapped in vision and hearing to benefit fully from their instruction."

**Amendment No. 3**

On page 1, strike out lines 2 to 18, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 51, inclusive, and insert

"SEC. 3. Section 2 of this act shall become operative".

**Amendment No. 4**

On page 4, line 1, strike out "7018.1", and insert "7018.2".

**Amendment No. 5**

On page 4, line 2, strike out "2", and insert "1".

**Amendment No. 6**

On page 4, line 4, strike out "6", and insert "4".

The roll was called.

**Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Amendments to Assembly Bill No. 453**

Mr. Bee was granted unanimous consent to expunge the record, and rescind the action on the roll call on the Senate amendments to Assembly Bill No. 453.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 453?

The Assembly concurred in Senate amendments to Assembly Bill No. 453 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 453 ordered enrolled.

**Assembly Bill No. 520**—An act to amend Section 1552.2 of the Welfare and Institutions Code, relating to the payment of aid to needy children in mismanagement cases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 520?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in Assembly May 11, 1959, strike out "Section", and insert "Sections 103.3 and".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 103.3 of the Welfare and Institutions Code is amended to read:

103.3. The provisions of this code relative to public assistance for which state grants-in-aid are made to the counties shall be administered fairly to the end that all persons who are eligible and apply for such public assistance shall receive the assistance to which they are entitled promptly, with due consideration for the needs of applicants and the safeguarding of public funds.

(a) Any applicant for, or recipient or payee of, such public assistance shall be informed as to the provisions of eligibility and his responsibility for reporting facts material to a correct determination of eligibility and grant.

(b) Any applicant for, or recipient or payee of, such public assistance shall be responsible for reporting accurately and completely within his competence those facts required of him pursuant to subdivision (a) and to report promptly any changes in those facts.

(c) Any person who makes full and complete disclosure of those facts as explained to him pursuant to subdivision (a) is entitled to rely upon the award of the board of supervisors as being accurate, and that the warrant he receives correctly reflects the award made by the board, except that the county paying the aid shall be allowed a period of two months following the month of payment within which to adjust any errors or changes in amount of grant resulting from changes in income or need which occur too late to be reflected in the grant for the current month.

(d) If any overpayment which results because of the failure to report facts in accordance with subdivision (b) is not adjusted within a period of two months following the month of overpayment, the person receiving the aid shall make restitution and all actions necessary to secure restitution may be brought against him

If the recipient or family is currently eligible in accordance with law and the rules of the State Social Welfare Board, collection of overpayments shall not be made through discontinuance or reduction of aid beyond the grant adjustment period permitted by subsection (c) except where the recipient or family at the time of determination of the overpayment possessed liquid assets sufficient to support himself or his family at the rate of the grant during the period of reduction or discontinuance thereof.

*Notwithstanding anything contained in this subdivision to the contrary, if the recipient or family is currently eligible for aid to needy children in accordance with law and the rules of the State Social Welfare Board, collection of overpayments may be made though discontinuance or reduction of aid for not to exceed a period of six months following the date of disclosure, except a longer reduction period may be permitted where the recipient or family at the time of determination of the overpayment possessed liquid assets sufficient to support himself or his family at the rate of the grant during the period of reduction or discontinuance thereof.*

(e) If it is found that a recipient or a family was possessed of property in excess of the amount permitted by law, and it is established that the recipient or family received such aid in good faith, honestly believing eligibility was properly established, the amount collectible shall be limited to an amount equal to the market value of the excess property or the amount of aid granted during the period the excess property was held, whichever is the lesser.

(f) When an underpayment of aid occurs because of an administrative error or inadvertence on the part of a county, and as a result the recipient receives a lesser amount than that to which he is entitled, the county shall pay aid equal to the full amount of the underpayment which occurred during the period of four years immediately preceding the date the error or inadvertence is discovered.

SEC. 2. Section 1552.2 of said".

The Assembly concurred in Senate amendments to Assembly Bill No. 520 by the following vote:

AYES—Bruce F. Allen, Backstraud, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Sumner, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—46.

NOES—Burton, Elliott, and Hawkins—3

Assembly Bill No. 520 ordered enrolled.

**Assembly Bill No. 749**—An act providing for home studies in connection with the adoption of foreign-born children, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 749?

**Amendment No. 1**

On page 2, line 3, of the printed bill, as amended in the Assembly on June 5, 1959, after "which", insert "the department finds".

The Assembly concurred in Senate amendment to Assembly Bill No. 749 by the following vote:

AYES—Bruce F Allen, Backstrand, Banc, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride,

Marks, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54
NOES—Lowrey—1.

Assembly Bill No. 749 ordered enrolled.

**Assembly Bill No. 995**—An act to amend Sections 3364 and 3365 of the Welfare and Institutions Code, relating to purchase of blind-made products by public agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 995?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 8, 1959, strike out "Sections 3364 and", and insert "Section".

Amendment No. 2

On page 1, strike out lines 1 to 17, inclusive, and insert
"SECTION 1. Section 3365 of the Welfare and Institutions Code is amended to read:".

Amendment No. 3

On page 2, line 6, after "Blind", insert "whenever it is feasible for the political subdivision to do so and the proximity of the blind workshops makes such purchases reasonably convenient".

The Assembly concurred in Senate amendments to Assembly Bill No. 995 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—56.
NOES—None

Assembly Bill No. 995 ordered enrolled.

**Assembly Bill No. 1009**—An act to add Section 188 to the Education Code, and Section 369 to the Education Code as proposed by Senate Bill No. 2, relating to establishment by the State Board of Education of a School Library Consultant Service in the State Department of Education, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1009?

Amendment No. 1

*On page 2, line 7, of the printed bill, strike out "Item_____", and insert* "Item 67".

The Assembly concurred in Senate amendment to Assembly Bill No. 1009 by the following vote:

AYES—Bruce F Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.
NOES—Cusanovich and Lowrey—2.

Assembly Bill No. 1009 ordered enrolled.

**Assembly Bill No. 1110**—An act to add Sections 34327.5 and 34327.6 to the Health and Safety Code, and to repeal Section 933 of the Penal Code, as enacted at the 1959 Regular Session, relating to housing authorities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1110?

**Amendment No. 1**

In line 2 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out "928a of the Penal Code", and insert "933 of the Penal Code, as enacted at the 1959 Regular Session".

**Amendment No. 2**

On page 1, line 9, after the period, insert "This section is not intended, and shall not be construed, to prohibit prosecution and conviction of violation of any law of this State."

**Amendment No. 3**

On page 1, line 12, strike out "subject to audit", and insert "audited at least once each year at the expense of the housing authority".

**Amendment No. 4**

On page 1, line 13, after "Finance", insert "or, at the option of the housing authority, by a certified public accountant approved by the Director of Finance".

**Amendment No. 5**

On page 1, lines 13 and 14, strike out "at the expense of the housing authority".

**Amendment No. 6**

On page 1, line 14, after the period, insert "If the audit is made by a certified public accountant, a copy of the audit shall be filed with the Department of Finance."

**Amendment No. 7**

On page 1, strike out line 15, and insert

"SEC. 3. Section 933 of the Penal Code, as enacted at the 1959 Regular Session, is repealed.

~~933. The grand jury shall have full and complete authority, at any time, to examine the books, records, and accounts of any housing authority in the county, to investigate the operations of any such housing authority, and to report as to the facts it has found, with such recommendations as it may deem proper and satisfactory.~~

~~In making such examination, the grand jury shall have all the powers granted by Sections 925 to 931, inclusive, and any expenses incurred shall be paid from the same fund and in the same manner as expenses incurred under Sections 925 to 931, inclusive.~~"

The Assembly concurred in Senate amendments to Assembly Bill No. 1110 by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Davis, DeLotto Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—54.

NOES—Bruce F. Allen—1.

Assembly Bill No. 1110 ordered enrolled.

**Assembly Bill No. 1919**—An act to add Section 6501.3 to, and to amend Sections 6827 and 7057 of, of the Public Resources Code, relating to oil and gas leases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1919?

**Amendment No. 1**

On page 1, line 7, of the printed bill, as amended in the Assembly on April 16, 1959, after "may", insert ", with the approval of the Department of Finance,".

**Amendment No. 2**

On page 1, line 11, after the period, insert "This section does not, however, authorize the commission or any department, board, or other commission of the State to make any interests in lands, or lands in fee simple, acquired by the State for beach or park purposes available to any lessee of the State."

**Amendment No. 3**

On page 2, line 51, strike out "lands. The commission shall", and insert "lands, and".

**Amendment No. 4**

On page 3, line 4, after "(2)", insert "specify that bidding shall be on the basis of a flat rate of royalty and".

**Amendment No. 5**

On page 3, line 33, strike out "which shall result in"; and in line 34, strike out "the restoration of", and insert "for the purpose of restoring".

**Amendment No. 6**

In line 1 of the title of the printed bill, as amended in the Senate on June 12, 1959, strike out "Section 6827", and insert "Sections 6827 and 7057".

**Amendment No. 7**

On page 3, after line 35, insert

"SEC. 3. Section 7057 of said code is amended to read:

7057. The property of any ~~municipality~~ *city* may be leased for the purpose of producing or effecting the production of minerals, oil, gas or other hydrocarbon substances for a period not to exceed 35 years unless such property shall have been dedicated or acquired as a park, highway, street, walk or public playground, in which event such property may be leased for such purposes provided that the use of such property for park, highway, street, walk or public playground purposes shall not be substantially interfered with thereby; provided, however, that if in the judgment of the governing body of any such park, highway, street, walk or public playground, drilling for oil or gas would not substantially interfere with the use of such property for park, highway, street, walk or playground purposes, then any such lease on any such property shall provide that drilling for oil or gas beneath the surface of such property shall be done by means of slant drilling from surface locations outside the outer boundaries of any such property, or from designated locations inside the outer boundaries of such property, which inside locations will not interfere substantially with the use of such property for such park, highway, street, walk or playground purposes. Such governing body shall prescribe such terms and conditions in such lease to the end that any drilling and producing operations will interfere as little as is possible with the use of the property for such park, highway, street, walk or playground purposes.

*The amendment of this section made at the 1959 Regular Session of the Legislature does not constitute a change in, but is declaratory of, the pre-existing law."*

The Assembly concurred in Senate amendments to Assembly Bill No. 1919 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kilpatrick, Lowrey, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—52.

NOES—None.

Assembly Bill No. 1919 ordered enrolled.

**Assembly Bill No. 2279**—An act to amend Section 5012 of the Public Resources Code, relating to public utility and other structures in state parks and easements therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2279?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "5012.1", and insert "5012".

**Amendment No. 2**

On page 1, strike out line 1, and insert

"SECTION 1. Section 5012 of the Public Resources Code is amended to read:

5012. The ~~Director of Natural Resources~~ *department may,* upon application by the proper authorities ~~and on such terms and conditions as the State Park Commission may prescribe, may grant easements for public highways over and across state park lands under the jurisdiction of the department and the State Park Commission.~~

~~The director may also, upon application by the board of supervisors of any county which is developing within its own boundaries a small craft harbor and recreational area in co-operation with the Government of the United States. and on such terms and conditions as the State Park Commission may prescribe, grant easements for channels or facilities necessary for the development of such small craft harbor and recreational area, over and across state park lands under the jurisdiction of the department and the State Park Commission~~, *grant permits and easements for the following purposes and upon such terms as the department may prescribe:*

*(a) To a public agency for public roads.*

*(b) To a public agency for utility lines.*

*(c) For electric, gas, water, sewer, telephone, oil, gas, telegraph and utility lines, and pipelines and structures incidental thereto, to perform a public service.*

*(d) To a public agency for channels or facilities for the development of small craft harbors and recreational areas.*

*(e) To any oil and gas lessee of the State for pipeline right of way purposes.*

**Amendment No. 3**

On page 1, strike out lines 2 to 21, inclusive; and strike out all of page 2.

**Amendment No. 4**

On page 2, line 1, of the printed bill, as amended in the Senate on June 11, 1959, strike out "oil, gas,".

**Amendment No. 5**

On page 2, line 3, after "service", insert "or oil or gas pipelines".

**Amendment No. 6**

On page 2, after line 31, insert

"No permit, easement, or right of way for oil or gas pipelines shall be granted pursuant to this section as to any land acquired by the State for beach or park purposes by condemnation after September 18, 1959, unless and until a period of 12 calendar months has elapsed following the date of acquisition of such land."

The Assembly concurred in Senate amendments to Assembly Bill No. 2279 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burton, Busterud, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—51.

NOES—Cameron and Hegland—2.

Assembly Bill No. 2279 ordered enrolled.

**Assembly Bill No. 2357**—An act to amend Sections 13145 and 13146 of, and to add Sections 13146.3 and 13146.5 to, the Health and Safety Code, relating to the inspection of buildings for the prevention of fire and protection of life and property against fire or panic.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2357?

**Amendment No. 1**

On page 1, line 6, of the printed bill, as amended in Assembly June 5, 1959, strike out "250,000", and insert "220,000".

**Amendment No. 2**

On page 2, line 8, strike out "250,000", and insert "220,000".

The Assembly concurred in Senate amendments to Assembly Bill No. 2357 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—57.

NOES—None

Assembly Bill No. 2357 ordered enrolled.

## INQUIRY OF MR. RUMFORD

Speaker Brown inquired of Mr. Rumford how he had requested that he be recorded on the motion to re-refer Senate Bill No. 209, since the Reading Clerk was not certain of his final request to be recorded.

Mr. Rumford stated that he had changed his vote from "No" to "Aye" on the motion.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2361**—An act to amend Section 35201.5 of the Government Code, relating to the annexation of noncontiguous territory owned by the annexing city.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2361?

### Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert "proposed for annexation, one or more registered voters reside in the territory. If after the completion".

### Amendment No. 2

On page 1, line 13 after "thereof", insert "or one or more registered voters reside thereon".

The Assembly concurred in Senate amendments to Assembly Bill No. 2361 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2361 ordered enrolled.

**Assembly Bill No. 2482**—An act to repeal Chapter 10 (commencing at Section 6590) of Part 5 of Division 7 of, the Streets and Highways Code, relating to the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2482?

### Amendment No. 1

In line 1 of the title of the printed bill as amended in the Assembly on May 25, 1959, after "act", insert "to amend Section 6443 of, and".

### Amendment No. 2

On page 1, line 1, after "Section 1.", insert
"Section 6443 of the Streets and Highways Code is amended to read:
6443. At least 15 days before each respective fifteenth day of May and November, until the assessment is paid in full, the treasurer shall mail, postage prepaid, to each owner of property described in the assessment, at his last known address, as appears upon the tax rolls *current at the time of mailing* a postal card notifying him of the amount due and the date when payment is due from him on the assessment and stating that the payment is subject to penalty if not paid on or prior to the due date of the coupons. The failure of the treasurer to mail the card or the failure of the property owner to receive it shall not affect the validity of any penalty or invalidate any act or proceeding.
SEC. 2.".

The Assembly refused to concur in Senate amendments to Assembly Bill No. 2482 by the following vote:

AYES—Backstrand and Nisbet—2.
NOES—Bruce F. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Samuel R Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—59.

**Appointment of Committee on Conference Concerning Assembly Bill No. 2482**

The Speaker appointed Messrs. Hegland, Backstrand, and Schrade as a Committee on Conference concerning Assembly Bill No. 2482.

**Assembly Bill No. 2817**—An act to add Section 56 to the Elections Code, relating to election returns.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2817?

**Amendment No. 1**

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert "56. The county clerk, as defined in this code, in every county shall compile and make available to the Legislature or any appropriate committee thereof, such information and statistics as may be necessary for use in connection with the reapportionment of legislative districts, including, but not limited to, lists showing the election returns for each precinct in the county at state-wide elections held in the years 1958 and 1960."

The Assembly concurred in Senate amendment to Assembly Bill No. 2817 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 2817 ordered enrolled.

**Assembly Bill No. 2904**—An act making an appropriation for studies and investigations of pollution in the Sacramento River and the San Francisco Bay area.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2904?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on June 8, 1959, strike out lines 4 to 15, inclusive, and insert "California Water Fund for expenditure for water pollution studies and investigations in accordance with the following schedule:
(a) One hundred thirty thousand dollars ($130,000), or so much thereof as may be necessary, to the Department of Water Resources for expenditure by it for studies and investigations of pollution in the Sacramento River.
(b) Eighty-three thousand dollars ($83,000), or so much thereof as may be necessary, to the University of California for expenditure by it for studies and investigations of pollution in the San Francisco Bay area."

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Meyers moved a call of the Assembly.

Motion carried. Time, 8.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

## UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1433**—An act to amend Sections 92.7 and 92.8 of the Agricultural Code, to amend Sections 19624 and 19626 of the Business and Professions Code, and to amend Sections 19626, 19627, and 19630 of the Business and Professions Code as proposed by Assembly Bill No. 1755 of the 1959 Regular Session, relating to fairs and to the Fair and Exposition Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1433?

#### Amendment No. 1

In the title of the printed bill as amended in Assembly April 22, 1959, strike out lines 1 to 7, inclusive, and insert

"An act to amend Sections 92.7 and 92.8 of the Agricultural Code, to amend Sections 19624 and 19626 of the Business and Professions Code, and to amend Sections 19626, 19627, and 19630 of the Business and Professions Code as proposed by Assembly Bill No. 1755 of the 1959 Regular Session, relating to fairs and to the Fair and Exposition Fund."

#### Amendment No. 2

On page 1, strike out lines 1 to 19, inclusive; strike out pages 2, 3, and 4; and on page 5, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 92.7 of the Agricultural Code is amended to read:

92.7. There is hereby created the Fairs *Allocation and* Classification Committee which shall consist of ~~the following:~~ *seven Members of the Senate and seven Members of the Assembly.*

~~(a) The Director of Finance or a person nominated by him who shall be an employee of the Department of Finance, excluding employees in the Division of Fairs and Expositions of said department.~~

~~(b) The Chief of the Division of Fairs and Expositions or person nominated by him who is an employee of the said division.~~

~~(c) Seven members consisting of one member from each of the following areas:~~

*To the extent that it is feasible, appointments shall be so made that there is one Member of the Senate and one Member of the Assembly on the committee from each of the following areas:*

Area 1. Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, and Sierra Counties.

Area 2. Butte, Yuba, Sutter, Glenn, Colusa, Yolo, Sacramento, and Solano Counties.

Area 3. Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, and Marin Counties.

Area 4. El Dorado, Amador, Calaveras, Tuolumne, Mariposa, Nevada, and Placer Counties.

Area 5. San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern Counties.

Area 6. San Francisco, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, and San Luis Obispo Counties.

Area 7. Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, San Bernardino, Inyo, Mono, Alpine, and Riverside Counties.

*The first meeting of the committee shall be at the call of that Member of the Senate on the committee who is senior in point of service in the Senate. If two or more Members of the Senate on the committee have equal seniority, the one whose name would appear first if the surnames of such members were arranged in alphabetical order shall be deemed to be the senior. The committee shall, at its first meeting and thereafter from time to time, elect its chairman and vice chairman. The committee may meet at any time, whether or not the Legislature is in session, and shall continue in existence until otherwise provided by law.*

*The committee shall have authority to investigate, study, and analyze any or all facts and matters relating to the operation and financing of fairs which are subject to Section 92.6, and the effect and operation of the laws relating thereto. It shall annually review, in such detail as it deems proper, the statements of operations and the budget of each such fair and all allocations, apportionments, and appropriations of state money thereto, and may, from time to time, review the propriety of the classification of any or all such fairs.*

*The committee shall report to the Legislature at the commencement of each regular session and may report thereto at any time, including in such reports its recommendations, if any, as to necessary or desirable legislative action. The provisions of the Joint Rules of the Senate and Assembly, as they may exist from time to time, which relate to joint investigating committees shall apply to the committee created by this section.*

~~In each area and prior to November 15th of each even-numbered year the board of directors of each district agricultural association and the board of supervisors of each county in which a county fair is conducted shall appoint one person as its representative at the meetings hereinafter provided for and shall notify the Chief of the Division of Fairs and Expositions of the name and address of the person so appointed.~~

~~In January of each odd-numbered year the Chief of the Division of Fairs and Expositions shall fix a time and place of meeting in each area and shall notify the representatives appointed in said area of such time and place. The chief, or an employee of the division designated by him, shall preside at each such meeting. At the meeting, the representatives appointed in the area shall select one person who shall become a member of the Fairs Classification Committee and who shall serve as such until his successor is selected and qualifies.~~

~~(d) One Member of the Senate and one Member of the Assembly, appointed in accordance with the rules of the respective houses, shall meet with and participate in the affairs of said Fairs Classification Committee to the extent that such participation is not incompatible with their respective positions as Members of the Legislature. Said Senator and Member of the Assembly shall constitute a legislative investigating committee on the subject of agricultural fairs and shall have all the~~

~~powers conferred upon such a committee by the Joint Rules of the Senate and the Assembly as said rules exist from time to time.~~

~~The members of the Fairs Classification Committee shall serve without compensation for their services as such members but may be reimbursed for their traveling expenses from any money available for the support of such committee.~~

SEC. 2. Section 92.8 of said code is amended to read:

92.8. ~~The Fairs Classification Committee shall meet at least once in each year. It~~ *The Department of Finance* shall review the statements of operation filed by the several fairs pursuant to Section 92.6. It shall consider such reports, statistics and other information as to the conduct, operation, management of, and other matters relating to *all* fairs *which are subject to Section 92.6.* ~~for which an apportionment of state money is being sought.~~

The ~~committee~~ *Department of Finance* shall, *from time to time,* classify such fairs. In making such classifications ~~the committee~~ *it* shall take into consideration all of the following:

(a) The type and class of agricultural, including livestock, industrial and natural resources exhibited and the amount of premiums paid in accordance with the approved premium list of such fair.

(b) Whether the fair is regional in nature, offers a special feature for agriculture, livestock or industry, or is a sectional fair limiting exhibits to the region in which the fair is held, and such other characteristics and factors as the ~~committee~~ *Department of Finance* deems necessary.

(c) The ratio of attendance at the fair to the population of the area served by it.

(d) The efficiency of management, including operational procedures, revenue from sources other than the State, quality of exhibits and community interest in such fair.

(e) The extent and nature of interim utilization of fair property as promoted by the fair management.

(f) The need of the fair for money from state sources.

~~The committee shall submit a report to the Legislature and to the Director of Finance on or before the fifteenth of February of each year.~~

SEC. 3. Section 19624 of the Business and Professions Code is amended to read:

19624. The first balance of the fund is hereby annually appropriated as follows:

(a) Five percent, *but not to exceed one hundred eighty thousand dollars ($180,000),* for payment to and use of those certain fruit fairs defined in Section 94 of the Agricultural Code, but not to district agricultural associations, district or county fairs, for the purpose of conducting and carrying on annually citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State.

Of said 5 percent, one hundred fifty thousand dollars ($150,000) thereof is appropriated and allocated annually to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of 160,000 as shown by the last federal census, according to population, and if there be but

one of such fairs held in counties having a population in excess of 160,000 then the whole of said one hundred fifty thousand dollars ($150,000) is appropriated and allocated to and for the use of such citrus fruit fair. The balance of said 5 percent is appropriated and allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code (if any there be), held in counties having a population of less than 160,000 and to those other citrus fruit fairs and expositions in such counties having a population of less than 160,000 which have been conducted and carried on annually for not less than 20 years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California; each such citrus fruit fair held in counties having a population of less than 160,000 shall receive thirty thousand dollars ($30,000) each year. *except that no appropriation shall be made under this subdivision to any citrus fruit fair or citrus fruit fair and exposition which did not receive such an appropriation prior to 1959.* ~~The balance of the 5 percent remaining after the foregoing appropriations and allocations shall revert to and become a part of said first balance of the fund.~~

(b) Forty percent, *but not more than four million six hundred eighty thousand dollars ($4,680,000)*, for the encouragement of county, district, or combined county and district agricultural fairs (exclusive of the *California* State Fair *and Exposition*, the Los Angeles County Fair, *1-A District Agricultural Association*, the Sixth District Agricultural Association, *the 48th District Agricultural Association*, and citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law, *including this subdivision.*

*The Department of Finance shall apportion the money appropriated by this subdivision to the several eligible county, district, or combined county and district agricultural fairs on the basis of the need of each such fair for financial assistance from the State during the year for which the apportionment is to be made. No such fair shall receive such an apportionment in excess of such need as established by the department. In determining such need, the department shall take into consideration, as to each such fair, all relevant factors, including, but not limited to, the following:*

*(1) The approved budget of the fair.*

*(2) The statements of operations of the fair filed pursuant to Section 92.6 of the Agricultural Code.*

*(3) The amount of money available to the fair from its own resources or from sources other than the State.*

*(4) The propriety and amount of any reserve funds established, or sought to be established, by the fair.*

*(5) The maximum amount of revenue from all sources which might reasonably be expected to become available to the fair during such year, and the times within such year at which it will become available.*

*(6) The classification of the fair.*

~~but no~~ *No* such county, district or combined county and district agricultural fair shall receive *an apportionment of more* ~~a sum greater~~ than

sixty-five thousand dollars ($65,000) ~~under Section 92 of the Agricultural Code~~ in any one year. *No such fair shall be eligible for an apportionment pursuant to this subdivision unless it has filed, for each year subsequent to 1958, a statement of its operations during such year as provided in Section 92.6 of the Agricultural Code, irrespective of whether or not an apportionment for any such year or years is sought or made; and all such fairs shall be deemed to be subject to said Section 92.6 for all purposes.*

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code.

SEC. 4. Section 19626 of said code is amended to read:

19626. The second balance of the fund is hereby appropriated for expenditure without regard to fiscal years; ~~as follows:~~

~~(a) Twenty-five percent (25%) for permanent improvements or minor construction and repairs at, or support of, or purchase of land for, the California Polytechnic School;~~

~~(b) Thirty-three percent (33⅓) for permanent improvements at, or support of, the University of California;~~

~~(c) The remainder,~~ in such amounts as may be approved by the State Public Works Board and allocated by the Director of Finance in his discretion, for permanent improvements for fair purposes upon the property of ~~the State or~~ any county; *or* district agricultural association; ~~citrus fruit~~ fair *which is subject to the provisions of Section 92.6 of the Agricultural Code* ~~and exposition as defined in Section 94 of the Agricultural Code, or other citrus fruit fair and exposition qualified to receive an allocation under subdivision (a) of Section 19624~~, or for the purchase of equipment for fair purposes *of such fairs,* or the acquisition or purchase of real property, including costs of appraisal and incidental costs, to be used as sites for such permanent improvements. *The total of all such allocations shall not exceed two million two hundred fifty thousand dollars ($2,250,000) in any one year.*

*Any unappropriated money in the fund shall be transferred to the General Fund by the State Controller upon the certification of the Director of Finance in such amounts and at such times as shall be specified in such certification. Any money in the fund required to satisfy allocations made under subdivision (c) of this section prior to the effective date of this amendment shall not be deemed to be unappropriated money.*

SEC. 5. Section 19626 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session is amended to read:

19626. The first balance of the fund is hereby appropriated as follows:

(a) Five percent, *but not to exceed one hundred eighty thousand dollars ($180,000),* for payment to and the use of *those certain* ~~the citrus~~ fruit fairs defined in Section 94 of the Agricultural Code, *but not*

*to district agricultural associations,* ~~excluding any~~ district or county fairs, for the purpose of conducting and carrying on ~~annual~~ *annually* citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State.

(b) One hundred fifty thousand dollars ($150,000) of such 5 percent is allocated annually to the citrus fruit fairs *and expositions* defined in Section 94 of the Agricultural Code held in counties with a population in excess of 160,000, as shown by the last federal population census. If there is but one such fair in such counties, all of such one hundred fifty thousand dollars ($150,000) is allocated to and for the use of such fair.

(c) The balance of the 5 percent is allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code in counties with a population of less than 160,000, and to those other citrus fruit fairs and expositions in such counties with a population of less than 160,000 which have been conducted and carried on annually for not less than 20 years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California.

Each citrus fruit fair held in a county with a population of less than 160,000 shall receive thirty thousand dollars ($30,000) each year, *except that no appropriation shall be made under this subdivision to any citrus fruit fair or citrus fruit fair and exposition which did not receive such an appropriation prior to 1959.*

~~(d) Any balance of the 5 percent remaining after the foregoing allocations shall revert to and become a part of the first balance of the fund.~~

SEC. 6. Section 19627 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session is amended to read:

19627. (a) Forty percent, *but not to exceed four million six hundred eighty thousand dollars ($4,680,000),* of the first balance of the fund is hereby annually appropriated for the encouragement of county, district, or combined county and district *agricultural* fairs (exclusive of the California State Fair and Exposition, the Los Angeles County Fair, *1A District Agricultural Association,* the Sixth District Agricultural Association, *the 48th District Agricultural Association* and citrus fruit fairs), to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law *including this subdivision.*

*The Department of Finance shall apportion the money appropriated by this subdivision to the several eligible county, district, or combined county and district agricultural fairs on the basis of the need of each such fair for financial assistance from the State during the year for which the apportionment is to be made. No such fair shall receive such an apportionment in excess of such need as established by the department. In determining such need, the department shall take into consideration, as to each such fair, all relevant factors, including, but not limited to, the following:*

*(1) The approved budget of the fair.*

*(2) The statements of operations of the fair filed pursuant to Section 92.6 of the Agricultural Code.*

*(3) The amount of money available to the fair from its own resources or from sources other than the State.*

*(4) The propriety and amount of any reserve funds established, or sought to be established, by the fair.*

*(5) The maximum amount of revenue from all sources which might reasonably be expected to become available to the fair during such year, and the times within such year at which it will become available.*

*(6) The classification of the fair.*

(b) No such county, district, or combined county and district *agricultural* fair shall receive a sum greater than sixty-five thousand dollars ($65,000) ~~under Section 92 of the Agricultural Code~~ in any one year. *No such fair shall be eligible for an apportionment pursuant to this subdivision unless it has filed, for each year subsequent to 1958, a statement of its operations during such year as provided in Section 92.6 of the Agricultural Code, irrespective of whether or not an apportionment for any such year or years is sought or made; and all such fairs shall be deemed to be subject to said Section 92.6 for all purposes.*

(c) If in any year the sum appropriated to county, district, or combined county and district *agricultural* fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code.

SEC. 7. Section 19630 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session is amended to read:

19630. The second balance of the fund is hereby appropriated for expenditure without regard to fiscal years ~~as follows:~~

~~(a) Twenty-five percent (25%) for permanent improvements or minor construction and repairs at, the support of, or the purchase of land for, the California Polytechnic School.~~

~~(b) Thirty-three percent (33⅓%) for permanent improvements at, or the support of, the University of California.~~

~~(c) The remainder for any of the following,~~ in such amounts as may be approved by the State Public Works Board and allocated by the Director of Finance in his discretion ~~:~~

~~(1) Permanent improvements for fair purposes upon the property of the State or any county, district agricultural association, citrus fruit fair defined in Section 91 of the Agricultural Code, or other citrus fruit fair and exposition qualified to receive an allocation under Section 19626.~~

~~(2) The purchase of equipment for fair purposes.~~

~~(3) The acquisition or purchase of real property, including costs of appraisal and incidental costs, to be used as sites for the permanent improvements specified in (1).~~ *for permanent improvements for fair purposes upon the property of any county or district agricultural association fair which is subject to the provisions of Section 92.6 of the Agricultural Code, or for the purchase of equipment for fair purposes of such fairs, or the acquisition or purchase of real property, including costs of appraisal and incidental costs, to be used as sites for such permanent improvements. The total of all such allocations shall not exceed two million two hundred fifty thousand dollars ($2,250,000) in any one year.*

*Any unappropriated money in the fund shall be transferred to the General Fund by the State Controller upon the certification of the Director of Finance in such amounts and at such times as shall be specified in such certification. Any money in the fund required to satisfy allocations made under subdivision (c) of this section prior to the effective date of this amendment shall not be deemed to be unappropriated money.*

SEC. 8. Sections 5 to 7, inclusive, of this act become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular Session, and in such case and at the same time as said Assembly Bill No. 1755 takes effect, at which time Sections 3 and 4 of this act are repealed."

**Amendment No. 3**

On page 9, lines 36 and 37, of the printed bill, as amended in the Senate on May 29, 1959, strike out "as follows:".

**Amendment No. 4**

On page 9, line 44, after "Board", insert "and allocated by the Director of Finance in his discretion, for".

**Amendment No. 5**

On page 11, line 13, strike out "subdivision", and insert "section".

**Amendment No. 6**

In line 4 of the title of the printed bill, as amended in the Senate on June 1, 1959, after "proposed", insert "to be added".

**Amendment No. 7**

On page 4 strike out lines 49 to 52, inclusive; on page 5 strike out lines 1 to 16, inclusive, and insert

"19626. There is hereby appropriated annually from the second balance of the fund, for expenditure without regard to fiscal years, the sum of two million two hundred fifty thousand dollars ($2,250,000), or so much thereof as may be approved by the State Public Works Board and allocated by the Director of Finance in his discretion, for permanent improvements for fair purposes upon the property of any county or district agricultural association fair which is subject to the provisions of Section 92.6 of the Agricultural Code, or of any citrus fruit fair and exposition as defined in Section 94 of the Agricultural Code or other citrus fruit fair and exposition qualified to receive an allocation under subdivision (a) of Section 19624, or for the purchase of equipment for fair purposes of such fairs, or the acquisition or purchase of real property, including costs of appraisal and incidental costs, to be used as sites for such permanent improvements.

Any unappropriated money in the fund shall be transferred to the General Fund by the State Controller upon the certification of the Director of Finance in such amounts and at such times as shall be specified in such certification. Any money in the fund required to satisfy allocations made under subdivision (c) of this section prior to the effective date of this amendment shall not be deemed to be unappropriated money."

**Amendment No. 8**

On page 5 strike out lines 22 to 49, inclusive, and insert

"(a) Five percent for payment to and the use of the citrus fruit fairs defined in Section 94 of the Agricultural Code, excluding any district or county fairs, for the purpose of conducting and carrying on annual citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State.

(b) One hundred fifty thousand dollars ($150,000) of such 5 percent is allocated annually to the citrus fruit fairs defined in Section 94 of the Agricultural Code held in counties with a population in excess of 160,000, as shown by the last federal population census. If there is but one such fair in such counties, all of such one hundred fifty thousand dollars ($150,000) is allocated to and for the use of such fair.

(c) The balance of the 5 percent is allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code in counties with a population of less than 160,000, and to those other citrus fruit fairs and expositions in such counties with a population of less than 160,000 which have been conducted and carried on annually for not less than 20 years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California.

Each citrus fruit fair held in a county with a population of less than 160,000 shall receive thirty thousand dollars ($30,000) each year.

(d) No appropriation shall be made under this section to any citrus fruit fair or citrus fruit fair and exposition which did not receive such an appropriation prior to 1959 and the total of all appropriations under this section shall not exceed one hundred eighty thousand dollars ($180,000) in any one year."

**Amendment No. 9**

On page 6, strike out lines 4 to 51, inclusive; and on page 7, strike out lines 1 to 5, inclusive, and insert

"19627. Forty percent, but not more than four million six hundred eighty thousand dollars ($4,680,000), of the first balance of the fund is hereby annually appropriated for the encouragement of county, district, or combined county and district fairs (exclusive of the California State Fair and Exposition, the Los Angeles County Fair, 1-A District Agricultural Association, the Sixth District Agricultural Association, the 48th District Agricultural Association, and citrus fruit fairs), to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law including this section.

The Department of Finance shall apportion the money appropriated by this section to the several eligible county, district, or combined county and district agricultural fairs on the basis of the need of each such fair for financial assistance from the State during the year for which the apportionment is to be made. No such fair shall receive such an apportionment in excess of such need as established by the department. In determining such need, the department shall take into consideration, as to each such fair, all relevant factors, including, but not limited to, the following:

(1) The approved budget of the fair.

(2) The statements of operations of the fair filed pursuant to Section 92.6 of the Agricultural Code.

(3) The amount of money available to the fair from its own resources or from sources other than the State.

(4) The propriety and amount of any reserve funds established, or sought to be established, by the fair.

(5) The maximum amount of revenue from all sources which might reasonably be expected to become available to the fair during such year, and the times within such year at which it will become available.

(6) The classification of the fair. No such county, district or combined county and district agricultural fair shall receive an apportionment of more than sixty-five thousand dollars ($65,000) in any one year. No such fair shall be eligible for an apportionment pursuant to this section unless it has filed, for each year subsequent to 1958, a statement of its operations during such year as provided in Section 92.6 of the Agricultural Code, irrespective of whether or not an apportionment for any such year or years is sought or made; and all such fairs shall be deemed to be subject to said Section 92.6 for all purposes.

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code."

**Amendment No. 10**

On page 7, strike out lines 9 to 28, inclusive, and insert

"19630. The second balance of the fund is hereby appropriated for expenditure without regard to fiscal years for any of the following, in such amounts as may be approved by the State Public Works Board and allocated by the Director of Finance in his discretion:

(a) Permanent improvements for fair purposes upon the property of any county or district agricultural association fair which is subject to the provisions of Section 92.6 of the Agricultural Code, or of any citrus fruit fair defined in Section 94 of the Agricultural Code, or other citrus fruit fair and exposition qualified to receive an allocation under Section 19626.

(b) The purchase of equipment for fair purposes of such fairs, citrus fruit fairs and citrus fruit fairs and expositions.

(c) The acquisition or purchase of real property, including costs of appraisal and incidental costs, to be used as sites for the permanent improvements specified in subdivision (a).

The total of all such allocations shall not exceed two million two hundred fifty thousand dollars ($2,250,000) in any one year.

Any unappropriated money in the fund shall be transferred to the General Fund by the State Controller upon the certification of the Director of Finance in such amounts and at such times as shall be specified in such certification. Any money in the fund required to satisfy allocations made under subdivision (c) of Section 19626

prior to the effective date of this amendment shall not be deemed to be unappropriated money."

**Amendment No. 11**

On page 7, strike out lines 29 to 33, inclusive, and insert

"SEC. 8. Sections 5, 6 and 7 of this act shall become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular Session, and in such case, at the same time as Assembly Bill No. 1755 takes effect; at which time Sections 19624 and 19626 of the Business and Professions Code as respectively amended by Sections 3 and 4 of this act are repealed."

**Amendment No. 12**

On page 5, line 48, of the printed bill, as amended in the Senate on June 4, 1959, after "hereby", insert "annually".

**Amendment No. 13**

On page 6, line 26, after "percent", insert ", but not to exceed one hundred eighty thousand dollars ($180,000),".

**Amendment No. 14**

On page 6, line 52, after "1959", insert a period, and strike out "and the".

**Amendment No. 15**

On page 7, strike out lines 1 to 3, inclusive.

**Amendment No. 16**

On page 9, strike out lines 32 to 34, inclusive, and insert

"19630. There is hereby appropriated annually from the second balance of the fund, for expenditure without regard to fiscal years, the sum of two million two hundred fifty thousand dollars ($2,250,000) or so much thereof as may be approved by the".

**Amendment No. 17**

On page 9, line 36, after "discretion", insert "for any of the following".

**Amendment No. 18**

On page 9, strike out lines 49 to 51, inclusive.

**Amendment No. 19**

Strike out lines 1 to 4, inclusive, of the title of the printed bill, as amended in Senate, June 11, 1959, and insert

"An act to amend Sections 92.7 and 92.8 of, and to add Sections 92.2, and 92.3 to, the Agricultural Code, to amend Sections 19624 and 19626 of, and to add Sections 19624.1, 19624.2, and 19624.3 to, the Business and Professions Code, to amend Sections 19626, 19627, and 19630 of, the Business and Professions Code, as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, and to add Sections 19626.1, 19626.2, and 19626.3 to Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code as proposed".

**Amendment No. 20**

On page 1, strike out line 1, and insert

"SECTION 1. Section 92.2 is added to the Agricultural Code, to read:

92.2. During the 1959-60 Fiscal Year, the funds apportioned by the Department of Finance under the provisions of Section 92 of this code and other applicable provisions of law, shall be paid to the several counties and district agricultural associations from the revenue deposited in the Fair and Exposition Fund during the 1958-59 Fiscal Year and appropriated for encouragement of county, district or combined county and district agricultural fairs under the provisions of subdivision (b) of Section 19624 of the Business and Professions Code.

SEC. 2. Section 92.3 is added to said code, to read:

92.3. During the 1960-61 Fiscal Year and each fiscal year thereafter, the funds apportioned by the Department of Finance under the provisions of Section 92 of this code and other applicable provisions of law shall be paid monthly to the several counties and district agricultural associations from the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined county and district agricultural fairs under the provisions of subdivision (b) of Section 19624 of the Business and Professions Code during the fiscal year in which the apportionment is made. The department shall apportion monthly to the several counties and district agricultural associations the funds available for such apportionment in such amounts as the department shall determine; provided, however, that the aggregate of the monthly apportionments to each of the several counties and district agricultural associations shall not exceed the maximum apportionment provided by law.

The amount of the premiums used in determining such apportionments shall be the amount of premiums paid by each of the several counties and district agricultural

associations in the calendar year preceeding the fiscal year in which the apportionment is made.

SEC. 3. Section 92.7 of said code is"

**Amendment No. 21**

On page 2, line 27, strike out "It"; strike out lines 28 to 32, inclusive.

**Amendment No. 22**

On page 2, line 41, strike out "SEC. 2.", and insert "SEC. 4."

**Amendment No. 23**

On page 3, line 16, strike out "SEC. 3.", and insert "SEC. 5."

**Amendment No. 24**

On page 4, following line 50, insert

"SEC. 6. Section 19624.1 is added to said code, to read:

19624.1. Notwithstanding the provisions of Section 19624, the first five hundred thousand dollars ($500,000) of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined district and county agricultural fairs under the provisions of subdivision (b) of Section 19624 during the 1959-60 Fiscal Year, or so much thereof, as may be needed, may be allocated by the Department of Finance during the 1959-60 Fiscal Year to supplement the amount apportioned to any county or district agricultural association during the 1959-60 Fiscal Year under the provisions of Section 92 of the Agricultural Code and subdivision (b) of Section 19624 of this code. Such supplementary allocations shall be in such amounts as deemed necessary by the Department of Finance but the amount so allocated to any one county or district agricultural association shall not exceed thirty thousand dollars ($30,000). The funds so allocated shall be paid to the various counties and district agricultural associations and may be expended under the supervision of the Department of Finance in the manner and for the purposes prescribed by Section 92 of the Agricultural Code and other applicable provisions of law. The funds so allocated shall not be deemed a separate appropriation under the provisions of Section 92 of the Agricultural Code.

The balance of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined county and district agricultural fairs during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month.

SEC. 7. Section 19624.2 is added to said code, to read:

19624.2. During the 1960-61 Fiscal Year and each fiscal year thereafter the funds appropriated and allocated for payment to and use of citrus fruit fairs under the provisions of subdivision (a) of Section 19624 shall be payable from the revenue deposited in the Fair and Exposition Fund and appropriated for said purpose during the fiscal year in which the funds are to be allocated and paid to the several citrus fruit fairs and expositions. The Department of Finance shall allocate monthly to the several citrus fruit fairs and expositions, the funds available for such allocation in such amounts as the department shall determine; provided, however, that the aggregate of the monthly allocations to each of the several citrus fruit fairs and expositions shall equal the allocation provided by law.

SEC. 8. Section 19624.3 is added to said code, to read:

19624.3. The revenue deposited in the Fair and Exposition Fund and appropriated for allocation and payment to and use of citrus fruit fairs under the provisions of subdivision (a) of Section 19624 during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month."

**Amendment No. 25**

On page 5, line 1, strike out "SEC. 4.", and insert "SEC. 9."

**Amendment No. 26**

On page 5, line 19, strike out "upon the certifi-"; strike out lines 20 and 21, and insert "at the end of each calendar month Any money in".

**Amendment No. 27**

On page 5, line 25, strike out "SEC. 5", and insert "SEC. 10."

**Amendment No. 28**

On page 6, between lines 9 and 10, insert:

"SEC. 11. Section 19626.1 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code as proposed to added by Assembly Bill No. 1755 of the 1959 Regular Session, to read:

19626.1. Notwithstanding the provisions of Section 19627, the first five hundred thousand dollars ($500,000) of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined district

and county agricultural fairs under the provisions of Section 19627 during the 1959-60 Fiscal Year, or so much thereof, as may be needed, may be allocated by the Department of Finance during the 1959-60 Fiscal Year to supplement the amount apportioned to any county or district agricultural association during the 1959-60 Fiscal Year under the provisions of Section 92 of the Agricultural Code and Section 19627 of this code. Such supplementary allocations shall be in such amounts as deemed necessary by the Department of Finance but the amount so allocated to any one county or district agricultural association shall not exceed thirty thousand dollars ($30,000). The funds so allocated shall be paid to the various counties and district agricultural associations and may be expended under the supervision of the Department of Finance in the maner and for the purposes prescribed by Section 92 of the Agricultural Code and other applicable provisions of law. The funds so allocated shall not be deemed a separate appropriation under the provisions of Section 92 of the Agricultural Code.

The balance of the revenue deposited in the Fair and Exposition Fund and appropriated for encouragement of county, district or combined county and district agricultural fairs during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month.

SEC. 12. Section 19626.2 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, to read:

19626.2 During the 1960-61 Fiscal Year and each fiscal year thereafter the funds appropriated and allocated for payment to and use of citrus fruit fairs under the provisions of Section 19626 shall be payable from the revenue deposited in the Fair and Exposition Fund and appropriated for said purpose during the fiscal year in which the funds are to be allocated and paid to the several citrus fruit fairs and expositions. The Department of Finance shall allocate monthly to the several citrus fruit fairs and expositions, the funds available for such allocation in such amounts as the department shall determine; provided, however, that the aggregate of the monthly allocations to each of the several citrus fruit fairs and expositions shall equal the allocation provided by law.

SEC. 13. Section 19626.3 is added to Chapter 4 (commencing at Section 19400) of Division 8 of the Business and Professions Code as proposed to be added by Assembly Bill No. 1755 of the 1959 Regular Session, to read:

19626.3. The revenue deposited in the Fair and Exposition Fund and appropriated for allocation and payment to and use of citrus fruit fairs under the provisions of Section 19626 during the 1959-60 Fiscal Year shall be transferred to the second balance of the fund by the State Controller at the end of each calendar month."

**Amendment No. 29**

On page 6, line 10, strike out "SEC. 6.", and insert "SEC. 14."

**Amendment No. 30**

On page 7, line 15, strike out "SEC. 7.", and insert "SEC. 15."

**Amendment No. 31**

On page 7, line 44, strike out "in such amounts and at such"; strike out line 45 and insert "at the end of each calendar month. Any money in".

**Amendment No. 32**

On page 8, strike out lines 1 to 7, inclusive, and insert

"SEC. 16. Sections 10 to 15, inclusive, of this act shall become operative only if Assembly Bill No. 1755 is enacted by the Legislature at its 1959 Regular Session and in such case, at the same time as Assembly Bill No. 1755 takes effect; at which time Sections 5 to 9, inclusive, of this act are repealed."

The Assembly concurred in Senate amendments to Assembly Bill No. 1433 by the following vote:

AYES—Beaver, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Backstrand, Davis, and Lowrey—3.

Assembly Bill No. 1433 ordered enrolled.

**Assembly Bill No. 1599**—An act to add Section 9355.16 to the Government Code, relating to the Legislators' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1599?

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 6, 1959, strike out ", and shall not be entitled to any refund of his contributions".

Amendment No. 2

On page 1, line 12, after the period, insert "At any time during the period of suspension of membership, the person so suspended shall be entitled to withdraw his accumulated contributions from the system, and such withdrawal shall constitute an election to terminate membership in the system."

Amendment No. 3

On page 1, line 14, after "commission", insert "after the effective date of this section".

Senate amendments read.

Point of Personal Privilege

Mr. Burton arose to a point of personal privilege.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1599?

The Assembly concurred in Senate amendments to Assembly Bill No. 1599 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Burke, Busterud, Cameron, Conrad, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Frew, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, McCollister, Meyers, Mulford, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—48.

NOES—Burton, Elliott, Hawkins, Kennick, McMillan, O'Connell, Reagan, and Charles H. Wilson—8.

Assembly Bill No. 1599 ordered enrolled.

**Assembly Bill No. 1600**—An act to add Section 20390.2 to the Government Code, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1600?

Amendment No. 1

On page 1, lines 15 and 16, of the printed bill, as amended in the Assembly on May 6, 1959, strike out ", and shall not be entitled to any refund of his contributions,".

Amendment No. 2

On page 1, line 17, after the period, insert "At any time during the period of suspension of membership, the person so suspended shall be entitled to withdraw his accumulated contributions from the system, and such withdrawal shall constitute an election to terminate membership in the system."

Amendment No. 3

On page 1, line 19, after "commission", insert "after the effective date of this section".

The Assembly concurred in Senate amendments to Assembly Bill No. 1600 by the following vote:

AYES—Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Cameron, Chapel, Coolidge, Crawford, Dahl, Davis, DeLotto, Donahoe, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kilpatrick, Lanterman,

Lowrey, Luckel, Marks, McCollister, Meyers, Miller, Mulford, Munnell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—50

NOES—Burton, Elliott, Hawkins, Kennick, McMillan, O'Connell, Reagan, Waldie, and Charles H Wilson—9.

Assembly Bill No. 1600 ordered enrolled.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 174 | Assembly Bill No. 2390 |
| Assembly Bill No. 316 | Assembly Bill No. 2423 |
| Assembly Bill No. 414 | Assembly Bill No. 2433 |
| Assembly Bill No. 875 | Assembly Bill No. 2503 |
| Assembly Bill No. 1462 | Assembly Bill No. 2526 |
| Assembly Bill No. 1019 | Assembly Bill No 2656 |
| Assembly Bill No. 1096 | Assembly Bill No. 2626 |
| Assembly Bill No 1145 | Assembly Bill No. 2629 |
| Assembly Bill No. 1502 | Assembly Bill No 2631 |
| Assembly Bill No. 1604 | Assembly Bill No. 2644 |
| Assembly Bill No. 1625 | Assembly Bill No. 2665 |
| Assembly Bill No. 2007 | Assembly Bill No. 2779 |
| Assembly Bill No. 2264 | Assembly Bill No 2813 |
| Assembly Bill No 2290 | Assembly Bill No. 2821 |
| Assembly Bill No. 2308 | |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1502**—An act to amend Section 373 of the Elections Code, relating to indexes of registrations of voters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1502?

### Amendment No. 1

On page 1, line 10, of the printed bill, strike out "no more than", and insert "at least".

### Amendment No. 2

On page 1, line 11, after the first "the", insert "most recent".

### Amendment No. 3

On page 1, line 13, after the second "or", insert "the election".

### Amendment No. 4

On page 1, line 14, after "candidate", insert "for the county or city office".

### Amendment No. 5

On page 1, strike out lines 18 to 21, inclusive.

### Amendment No. 6

On page 1 of the printed bill, as amended in the Senate on June 11, 1959, strike out line 3, and insert

"373. The county clerk, upon demand, shall furnish at least two copies of the most recent printed indexes of registration, at a charge of fifty cents ($0.50) per thousand names, to the following:

(a) Members of the Legislature or of Congress.

(b) Any candidate for federal, state, or local office who is to be voted for in the county or in a political subdivision wholly or partially within the county, or to the campaign committee of such candidate

(c) Any committee for or against any proposed ballot measure

All money collected pursuant to this section shall be deposited in the county treasury to the credit of the General Fund."

Amendment No. 7

On page 1, strike out lines 4 to 18, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1502 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—66

NOES—Burton, O'Connell, and Winton—3.

Assembly Bill No. 1502 ordered enrolled.

## CONSIDERATION OF HOUSE RESOLUTION NO. 388

By Mr. Charles H. Wilson:

**House Resolution No. 388**—Relative to investigating California boxing.

Resolution read.

### Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

Strike out the first "Resolved" clause of the printed measure, as printed on page 5681 of the Assembly Journal for June 17, 1959, and insert

"*Resolved by the Assembly of the State of California*, That the California Athletic Commission is requested to use extreme caution in sanctioning any professional boxing matches in California involving any individuals who are under investigation by the Office of the Attorney General or by the commission as persons who are contributing to the detriment of the boxing profession and bringing discredit to the sport in this State; and be it further".

### Consideration of House Resolution No. 388, as Amended

By Mr. Charles H. Wilson:

House Resolution No. 388

Relative to investigating California boxing

WHEREAS, It has been rumored for some time that mobster elements were attempting to move into California boxing; and

WHEREAS, These rumors were given credence last week by the savage and unprovoked attack upon Jackie Leonard, Hollywood Legion matchmaker; and

WHEREAS, This vicious beating, which took place in Mr. Leonard's garage, was inflicted by two unknown assailants after he had received threats from underworld figures; and

WHEREAS, Other boxing figures, including Oakland matchmaker Don Chargin, have been threatened with physical harm by underworld elements; and

WHEREAS, Governor Brown, cognizant of this serious threat to boxing, has requested Attorney General Stanley Mosk to assist the State Athletic Commission in investigating the attack upon Jackie Leonard and to co-operate with the local police forces and sheriff's office in Los Angeles; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the California Athletic Commission is requested to use extreme caution in sanctioning any professional boxing matches in California involving any individuals who are under investigation by the Office of the Attorney General or by the commission as persons who are contributing to the detriment of the boxing profession and bringing discredit to the sport in this State; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Athletic Commission.

Resolution read, as amended, and adopted.

### CONSIDERATION OF HOUSE RESOLUTION NO. 418

By Messrs. Meyers, O'Connell, Marks, Busterud, Gaffney, and Burton:

**House Resolution No. 418**

Relative to an interim study of the transportation and mass transportation problems of the San Francisco Bay area

*Resolved by the Assembly of the State of California*, That the subject matter of transportation and mass transportation problems of the San Francisco Bay area is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, and adopted.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 63

**Senate Concurrent Resolution No. 63**—Relative to expenses of the Joint Interim Committee on Uniform Laws.

Resolution read, and presented by Mr. Biddick.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg and Mr. Speaker—67.

NOES—Burke, Levering, and Reagan—3.

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 94

**Senate Concurrent Resolution No. 94**—Relative to the Fairs Allocation and Classification Committee.

Resolution read, and presented by Mr. Rees.

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—67.

NOES—Levering, Lowrey, and Reagan—3

Resolution ordered transmitted to the Senate.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 91

**Senate Concurrent Resolution No. 91**—Relative to the study of vehicle accident factors.

Resolution read, and presented by Mr. Backstrand.

Resolution ordered passed temporarily on file.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2308**—An act authorizing the State Lands Commission to exchange the interest of the State in parcels of land in the vicinity of San Francisco Bay for the interest of persons in other parcels of land in the vicinity of San Francisco Bay for the purposes of commerce, navigation and reclamation and the settlement of titles and boundaries and providing for actions against the State to quiet title to the lands exchanged, and authorizing actions to quiet title against the State the lands conveyed by the State pursuant to Chapter 353 of the Statutes of 1955.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2308?

### Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 14, 1959, after "land", insert ", except land used for highway purposes,".

The Assembly concurred in Senate amendment to Assembly Bill No. 2308 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—65.

NOES—Crawford—1

Assembly Bill No. 2308 ordered enrolled.

**Assembly Bill No. 1625**—An act to amend Section 3472 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1625?

### Amendment No. 1

On page 1, line 10, of the printed bill, strike out "ninety-nine dollars ($99)", and insert "one hundred four dollars ($104)".

### Amendment No. 2

On page 1, line 12, strike out "ninety-nine dollars ($99)", and insert "one hundred four dollars ($104)".

### Amendment No. 3

On page 1, lines 13 and 14, strike out "ninety-nine dollars ($99)", and insert "one hundred four dollars ($104)".

### Amendment No. 4

On page 1, line 19, strike out "ten dollars ($110)", and insert "fifteen dollars ($115)".

### Amendment No. 5

On page 2, line 1, strike out "ten dollars ($110)", and insert "fifteen dollars ($115)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1625 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, Burke, Burton, Busterud, Cameron, Chapel Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott,

Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1625 ordered enrolled.

**Assembly Bill No. 1096**—An act to add Section 235 to, and to repeal Section 12605 of, the Water Code, relating to weather modification.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1096?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on March 12, 1959, strike out "234", and insert "235".

**Amendment No. 2**

On page 1, line 1, strike out "234", and insert "235".

**Amendment No. 3**

On page 1, line 3, strike out "234", and insert "235".

The Assembly concurred in Senate amendments to Assembly Bill No. 1096 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—71

NOES—None.

Assembly Bill No. 1096 ordered enrolled.

**Assembly Bill No. 1462**—An act authorizing the Director of Finance to acquire real property in the City of San Jose for incorporation into the campus of San Jose State College.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1462?

**Amendment No. 1**

On page 1 of the printed bill, after line 9, insert

"SEC. 2. In the event the immediate acquisition of any parcel of property in the block described in Section 1 of this act would prevent hardship to the owner thereof and be for the best interests of the State, the State Public Works Board is hereby requested to give consideration to approving any allocation made by the Director of Finance for said purpose pursuant to applicable provisions of law."

The Assembly concurred in Senate amendment to Assembly Bill No. 1462 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson Winton, Z'berg, and Mr. Speaker—69.

NOES—Hanna—1.

Assembly Bill No. 1462 ordered enrolled.

**Assembly Bill No. 875**—An act to amend Section 75025 of the Government Code, relating to judges' retirement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 875?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 20, 1959, strike out lines 4 to 6, inclusive.

Amendment No. 2

On page 2, line 7, strike out "(h)", and insert "(g)".

Amendment No. 3

On page 2, line 10, strike out "(i)", and insert "(h)".

The Assembly concurred in Senate amendments to Assembly Bill No. 875 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Lowrey—1.

Assembly Bill No. 875 ordered enrolled.

**Assembly Bill No. 316**—An act to amend Sections 23320 and 23397 of, and to add Sections 23321.6, 23374.5, 23375.5, and 24051 to the Business and Professions Code, relating to alcoholic beverages.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 316:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1959

*To the Honorable Members of the Senate and Assembly*

Assembly Bill No. 316 is an act relating to alcoholic beverages.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 316 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 316?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1959, strike out "Section", and insert "Sections".

Amendment No. 2

On line 2 of the title, following the number "24051", insert ", 23374.5 and 23375.5".

Amendment No. 3

On page 2, following line 11, insert

"(12) Distilled spirits importer's license.....276.00 per year".

Amendment No. 4

On page 2, line 12, strike out "(12)", and insert "(13)".

**Amendment No. 5**

On page 2, line 13, strike out "(13)", and insert "(14)".

**Amendment No. 6**

On page 2, line 14, strike out "(14)", and insert "(15)".

**Amendment No. 7**

On page 2, line 15, strike out "(15)", and insert "(16)".

**Amendment No. 8**

On page 2, line 16, strike out "(16)", and insert "(17)".

**Amendment No. 9**

On page 2, line 17, strike out "(17)", and insert "(18)".

**Amendment No. 10**

On page 2, line 18, strike out "(18)", and insert "(19)".

**Amendment No. 11**

On page 2, line 20, strike out "(19)", and insert "(20)".

**Amendment No. 12**

On page 2, line 26, strike out "(20)", and insert "(21)".

**Amendment No. 13**

On page 2, line 27, strike out "(21)", and insert "(22)".

**Amendment No. 14**

On page 2, line 28, strike out "(22)", and insert "(23)".

**Amendment No. 15**

On page 2, line 30, strike out "(23)", and insert "(24)".

**Amendment No. 16**

On page 2, line 32, strike out "(24)", and insert "(25)".

**Amendment No. 17**

On page 2, line 32, strike out "(25)", and insert "(26)".

**Amendment No. 18**

On page 2, line 36, strike out "(26)", and insert "(27)".

**Amendment No. 19**

On page 2, line 42, strike out "(27)", and insert "(28)".

**Amendment No. 20**

On page 2, line 50, strike out "(28)", and insert "(29)".

**Amendment No. 21**

On page 3, line 11, strike out "(29)", and insert "(30)".

**Amendment No. 22**

On page 3, line 16, strike out "(30)", and insert "(31)".

**Amendment No. 23**

On page 3, line 17, strike out "(31)", and insert "(32)".

**Amendment No. 24**

On page 3, following line 40, insert

"SEC. 4. *Section 23374.5 is added to said code, to read:*

23374.5. A distilled spirits importer's general license authorizes the person to whom issued to become an importer of distilled spirits and to sell distilled spirits to distilled spirits manufacturers, distilled spirits manufacturer's agents, distilled spirits wholesalers, rectifiers and distilled spirits general importers.

SEC. 5. Section 23775.5 is added to said code, to read

23375.5 No distilled spirits importer's general license shall be issued to any person who *holds an interest, directly or indirectly, in an on-sale or off-sale general* license "

**Amendment No. 25**

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1959, strike out "Section", and insert "Sections 23321.6, and".

**Amendment No. 26**

On page 2, line 36, strike out the colon, and insert "_____480.00 per year".

**Amendment No. 27**

On page 2, strike out lines 37 to 41, inclusive.

**Amendment No. 28**

On page 2, line 43, strike out the colon, and insert "_____120.00 per quarter year".

**Amendment No. 29**

On page 2, strike out lines 44 to 49, inclusive.

**Amendment No. 30**

On page 3, line 5, strike out the colon, and insert "_____ 260.00 per year".

**Amendment No. 31**

On page 3, strike out lines 6 to 10, inclusive.

**Amendment No. 32**

On page 3, between lines 19 and 20, insert

"(32) On-sale general license for vessels of more than 1,000 tons burden _____ 128.00 per year
Duplicate on-sale general license for vessels of more than 1,000 tons burden_____ 32.00 per year".

**Amendment No. 33**

On page 3, between lines 24 and 25, insert

"The changes in fees made by the amendments to this section at the 1959 Regular Session of the Legislature shall be applicable on or after January 1, 1960, for all on-sale licenses.

SEC. 1.5. Section 23321.6 is added to said code, to read:

23321.6. The license for vessels of more than 1,000 tons burden engaged in interstate and foreign commerce shall be issued to a common carrier by water selling distilled spirits on board vessels operating in this State, and a duplicate thereof shall be obtained for each vessel on which distilled spirits are sold."

**Amendment No. 34**

On page 2, line 12, of the printed bill, as amended in the Senate on May 21, 1959, after "importer's", insert "general".

**Amendment No. 35**

On page 3, line 33, strike out "(32)", and insert "(33)".

**Amendment No. 36**

On page 2 of the printed bill, as amended in the Senate on May 27, 1959, strike out lines 38 to 47, inclusive, and insert

"(27) On-sale general license:
In cities of 40,000 population or over_____ 580.00 per year
In cities of less than 40,000 but more than 20,000 population _____ 412.00 per year
In all other localities _____ 360.00 per year
(28) On-sale general license for seasonal business:
In cities of 40,000 population or over_____ 145.00 per quarter year
In cities of less than 40,000 but more than 20,000 population _____ 103.00 per quarter year
In all other localities _____ 90.00 per quarter year
(29) (a) On-sale general license for bona fide clubs,
(b) Club license (issued under Article 4 of this chapter), or
(c) Veterans' club license (issued under Article 5 of this chapter):
In cities of 40,000 population or over_____ 330.00 per year
In cities of less than 40,000 but more than 20,000 ____ 248.00 per year
In all other localities _____ 220.00 per year".

**Amendment No. 37**

In line 2 of the title of the printed bill, as amended in the Senate on May 27, 1959, strike out "24051", and insert "24052".

**Amendment No. 38**

On page 3, line 36, strike out "24051", and insert "24052".

**Amendment No. 39**

On page 3, line 37, strike out "24051", and insert "24052"

The Assembly concurred in Senate amendments to Assembly Bill No. 316 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Reagan, Rees, Rumford Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—62.

NOES—Davis and Lowrey—2.

Assembly Bill No. 316 ordered enrolled.

**Assembly Bill No. 2007**—An act to add Part 3 (commencing at Section 6510) to Division 3 of the Water Code, relating to voluntary co-ordination of releases of water from reservoirs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2007?

**Amendment No. 1**

On page 2, line 48, of the printed bill, as amended in the Assembly on May 1, 1959, after "recommendations," insert "for injunctive relief or".

The Assembly concurred in Senate amendment to Assembly Bill No. 2007 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—66.

NOES—None.

Assembly Bill No. 2007 ordered enrolled.

**Assembly Bill No. 1604**—An act to amend Section 37395 of the Government Code, as enacted by Chapter 1475 of the Statutes of 1957, relating to manner of making sale or lease of county-owned real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1604?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "25525", and insert "37395".

**Amendment No. 2**

In line 1 of the title after "Code," insert "as enacted by Chapter 1475 of the Statutes of 1957,".

**Amendment No. 3**

On page 1, line 1, strike out "25525", and insert "37395".

**Amendment No. 4**

On page 1, line 1, after "Code" insert ", as enacted by Chapter 1475 of the 1957 Statutes,".

**Amendment No. 5**

On page 1, strike out lines 3 to 5, inclusive, and insert

"37395. A city, county or city and county may lease property owned, held or controlled by it for not to exceed 99 years, for stadium, park, recreational, fair, exposition or exhibition purposes.

*A lease made by a county pursuant to this section is subject to the provisions of Article 8 (commencing at Section 25520), Chapter 5, Part 2, Division 2, Title 3 of this code.*"

The Assembly concurred in Senate amendments to Assembly Bill No. 1604 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—65.

NOES—Bruce F. Allen—1.

Assembly Bill No. 1604 ordered enrolled.

**Assembly Bill No. 2423**—An act to amend Sections 13588 and 13589, and to repeal Section 13590, of the Education Code as enacted at the 1959 Regular Session, relating to classified employees of school districts, and making an appropriation.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2423:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 2423 is an act relating to classification of employees of school districts.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2423 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being: Shall the Assembly concur in Senate amendments to Assembly Bill No. 2423?

**Amendment No. 1**

In line 4 of the title of the printed bill, as amended in the Assembly on June 5, 1959, before the period, insert ", and making an appropriation".

**Amendment No. 2**

On page 3, in line 11, strike out "the fee shall be"; strike out line 12, and insert "the district shall pay the fee required by this section, which fee shall be a proper charge against the general fund of the district, and no fee shall be charged the employee. All money received by the Bureau of Criminal Identification and Investigation pursuant to this section is hereby appropriated for the support of the Department of Justice in addition to such other funds as may be appropriated therefor by the Legislature."

The Assembly concurred in Senate amendments to Assembly Bill No. 2423 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis,

DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2423 ordered enrolled.

**Assembly Bill No. 2290**—An act to add Chapter 8 (commencing at Section 30200) to Division 3, Title 3 of the Government Code, relating to county accounting procedures.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2290?

**Amendment No. 1**

On page 1, after line 13, of the printed bill, as amended in the Assembly on May 11, 1959, insert "The State Controller shall prescribe such procedures only after consultation with and approval by the Committee on County Accounting Procedures. Approval of such procedures shall be by a majority vote of the members present at a meeting of the committee called by the chairman thereof.

30201. The Committee on County Accounting Procedures shall consist of 10 members appointed by the State Controller, to serve at the pleasure of the Controller. Five of the members shall be county auditors, three shall be county administrative officers, and two shall be members of a county board of supervisors. The members of the committee shall serve without compensation but shall be reimbursed for their necessary traveling and other expenses incurred in attending meetings of the committee. Such expenses shall be paid by the county of which the member is an officer. The State Controller shall designate a member of the committee to act as chairman. The committee shall meet at the call of the chairman and each member shall be given written notice of any meeting at least 10 days prior to the date of the meeting."

The Assembly concurred in Senate amendment to Assembly Bill No. 2290 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Wilson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2290 ordered enrolled.

**Assembly Bill No. 2503**—An act to amend the article heading of Article 5d (commencing at Section 996.13) of Chapter 6 of Division 4 of the Military and Veterans Code, to amend Sections 996.13, 996.15 and 996.19, and to repeal Sections 996.16 and 996.20 thereof, relating to military and veterans affairs and abolishing the Veterans Affairs Construction Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2503?

**Amendment No. 1**

On page 1, lines 14 and 15, of the printed bill, strike out "Controller, upon request of the California Veterans Board, shall", and insert "Department of Veterans Affairs may".

**Amendment No. 2**

On page 2, line 5, strike out "building", and insert "buildings".

The Assembly concurred in Senate amendments to Assembly Bill No. 2503 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 2503 ordered enrolled.

**Speaker pro Tempore Presiding**

At 9 p.m., Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding.

**Assembly Bill No. 2526**—An act to amend Section 415 of the Streets and Highways Code, relating to state highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2526?

**Amendment No. 1**

In the heading of the printed bill, below "Introduced by Messrs. Ralph M. Brown and Bruce F. Allen", insert

"(Co-authored by Senator Donnelly)".

**Amendment No. 2**

On page 1, strike out lines 3 and 4, and insert

"415. Route 115 is from:

(a) The intersection of Route 5 and Route 239 near Moorpark Avenue to Route 68 near Story Road.

(b) Route 68 near San Jose to Patterson via the vicinity of Mount Hamilton."

The Assembly concurred in Senate amendments to Assembly Bill No. 2526 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 2526 ordered enrolled.

**Assembly Bill No. 174**—An act to amend Sections 633, 705, and 709 of, and to add Section 710 to, the Unemployment Insurance Code, relating to unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 174?

**Amendment No. 1**

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on June 8, 1959, strike out "coverage for municipal and county employees".

**Amendment No. 2**

On page 1, line 8, strike out "An", and insert
"(a) Except as provided by subdivision (b) of this section, an".

**Amendment No. 3**

On page 1, between lines 16 and 17, insert
"(b) An election under Section 709 by a political subdivision or instrumentality of this State or by an instrumentality of one or more political subdivisions or departments or units thereof, may be terminated as of the end of any calendar quarter, without regard to whether its elective coverage agreement has been in effect for two calendar years, by filing with the director a written application for termination on or before the last day of the month following the close of such calendar quarter."

**Amendment No. 4**

On page 3, between lines 10 and 11, insert
"After the termination of an election under this section, governmental entities shall remain liable for their proportionate share of benefits paid which are based on wages paid for services during the period of election."

**Amendment No. 5**

On page 3, strike out lines 28 through 34.

**Amendment No. 6**

On page 3, after line 49, insert
"SEC. 5. No right or cause of action founded upon any provision of law amended by this act as the provision existed prior to such amendment shall be abolished or impaired by this act
SEC. 6. The provisions of subdivision (b) of Section 705 of the Unemployment Insurance Code as amended by this act shall apply only to elections which have been approved under Section 709 of said code prior to the effective date of this act. The provisions of Section 710 of the Unemployment Insurance Code as added by this act may apply to any governmental entity as defined in said section which has terminated, pursuant to subdivision (b) of Section 705 as amended by this act, an election approved under Section 709 of said code as the provisions of that section existed prior to the amendments made by this act."

The Assembly concurred in Senate amendments to Assembly Bill No. 174 by the following vote:

AYES—Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Coolidge, Crown, Cunningham, DeLotto, Dills, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kilpatrick, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Petris, Rees, Rumford, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—48.
NOES—Bruce F. Allen, Backstrand, Beaver, Burke, Cusanovich, Lanterman, Levering, Mulford, Reagan, Shell, and Thelin—11.

Assembly Bill No. 174 ordered enrolled.

**Assembly Bill No. 2656**—An act to amend Section 25351.3 of the Government Code, relating to powers and duties of boards of supervisors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2656?

**Amendment No. 1**

On page 2, line 5, of the printed bill, as amended in the Assembly on June 5, 1959, strike out "operating", and insert "maintenance, operation and management".

**Amendment No. 2**

On page 2, line 6, strike out "taxes,".

The Assembly concurred in Senate amendments to Assembly Bill No. 2656 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto,

Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 2656 ordered enrolled.

**Assembly Bill No. 2433**—An act to amend Section 19538.2 of the Business and Professions Code, and to amend Section 19557 of the Business and Professions Code as proposed by Assembly Bill No. 1755, relating to horse racing.

Senate amendments presented by Mr. Frew.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2433?

**Amendment No. 1**

In line 1 of the designation of authors in the heading of the printed bill, after "Brown", insert ", Frew".

**Amendment No. 2**

In line 1 of the title of the printed bill, strike out "amend Section 19538.2", and insert "add Article 4.5 (commencing with Section 19501) to Chapter 4, Division 8".

**Amendment No. 3**

In line 2 of the title, strike out "amend Section 19557", and insert "add Article 4.5 (commencing with Section 19501) to Chapter 4 of Division 8".

**Amendment No. 4**

On page 1, strike out line 1, and insert

"SECTION 1. Article 4.5 (commencing with Section 19501) is added to Chapter 4, Division 8 of the Business and Professions Code, to read.

Article 4.5. Sale of Information

19501. Any person who sells, or offers to sell, to another person, information or purported information predicting the outcome of any horse race to be run in this State or elsewhere, shall be licensed and regulated as provided in this article.

19501.1. This article does not apply to any newspaper or other regularly published periodical, including any individual who owns, publishes, or is employed by, or who sells, any such newspaper or periodical, which, in the ordinary course of its business and not as its principal business, publishes information predicting the outcome of any horse race.

19501.2. It is unlawful for any person to perform or offer to perform any of the acts described in Section 19501, unless he is licensed under this article.

19501.3. An application for a license under this article shall be on a form prescribed by the board, shall include such information as may be required by the board, and shall be accompanied by the fee provided by this article.

19501.4. Nothing contained in this article shall prevent any city, county, or city and county, from imposing further regulations upon the business regulated by this article or from requiring a further license of such business for the purposes of regulation.

19501.5. Before an application for a license is granted, the applicant shall meet all of the following requirements:

(a) Be at least 21 years of age.

(b) Be a citizen of the United States.

(c) Be of good moral character.

(d) Shall not have been convicted of any felony, or for a violation of Sections 337.1 or 337a of the Penal Code.

19501.6. The board, after a hearing, shall deny a license if the applicant, or if the applicant is not an individual, its partners, officers, and directors, has:

(a) Committed any act, which, if committed by a licensee, would be grounds for the suspension or revocation of a license under this article.

(b) A bad moral character.

(c) Been convicted of a felony, or for a violation of Sections 337.1 or 337a of the Penal Code.

(d) While unlicensed committed, or aided and abetted the commission of, any act for which a license is required by this chapter.

(e) Knowingly made any false statement in his application.

19501.7. The board may upon its own motion, and shall upon verified complaint in writing of any person, investigate the actions of any licensee under this article or any person alleged to be performing any act prohibited by this article.

After hearing, the board may suspend or revoke a license issued under the provisions of this article if the holder, or if the licensee is not an individual, any of its officers, directors or partners, is guilty of or commits any one or more of the acts or omissions constituting grounds for disciplinary action.

19501.8. The following constitute grounds for disciplinary action under this article:

(a) Making any false statement or giving any false information in connection with an application for a license.

(b) Violation of any provision of this chapter.

(c) Being convicted of a felony or for a violation of Sections 337.1 or 337a of the Penal Code.

(d) Committing any act in the course of the licensee's business constituting dishonesty or fraud.

(e) Impersonating, or permitting or aiding an employee to impersonate any horse owner, trainer, jockey or other licensee under this chapter, or any racing official.

(f) Using words or terms or other devices, in advertising or in any other manner in connection with the licensee's business which would imply that the licensee is connected with, or obtains information on which his predictions are based from, any horse owner, jockey or other licensee under this chapter, or any racing official.

(g) Making, offering to make, or implying any guarantee that if the selections of the licensee do not perform as predicted, that all or any part of the purchase price for the information will be refunded, or the offering of information at a price to be determined contingent upon the outcome of any race.

(h) Selling or otherwise furnishing the name or names of any of the subscribers to, or customers of, the licensee's business to any person known to be a tout; or permitting or allowing any known tout to frequent the premises of the licensee's place of business

(i) Referring any subscriber to, or customer of the licensee's business to any person known to the licensee as a bookmaker for the purpose of wagering on horse races

(j) Engaging in the practice sometimes known as bulldogging or any practice by which a licensee disseminates or causes to be disseminated any information or advertisement claiming or implying that he had correctly predicted the outcome of any race when in fact the licensee had not sold, offered for sale or otherwise furnished a correct prediction of such race before the running of said race.

19501.9. No licensee shall use in the conduct of his business, or in any advertising media, any name other than that shown on his license. Violation of this section shall be a cause for disciplinary action.

19501.10. The board shall not authorize the use on any license of any fictitious name which is so similar to that used by any other licensee that the public may be confused or misled thereby or which implies that the licensee is connected with any horse owner, jockey or other licensee under this chapter, or any racing official; or more than three fictitious names for any one licensee. Only one license may be issued to a person.

19501.11. No licensee shall sell, offer to sell or otherwise furnish other information predicting or purporting to predict the outcome of any horse race by which more than one selection is made for any race, through one or more than one media, or under one or more than one name under which the licensee is authorized to conduct his business, except that a licensee may select for such purposes his single best choice or favorite and a single long shot. Violation of this section shall be a cause for disciplinary action

19501.12. No licensee shall sell, offer for sale, or otherwise furnish information predicting or purporting to predict the outcome of any horse race, the entire charge or price for which exceeds the sum of five dollars ($5).

19501.13. A license issued under this article shall be valid for not more than one year and shall expire on *March 31st. Application for renewal of a license shall be made before March 15th for the license year commencing on April 1st.*

19501.14. The fee for a license issued under this article is one hundred dollars ($100).

SEC. 2. Article 4.5 is added to Chapter 4 of Division 8 of said code, as proposed to be added by Assembly Bill No. 1755, to read:

Article 4.5. Sale of Information

19501. Any person who sells, or offers to sell, to another person, information or purported information predicting the outcome of any horse race to be run in this State or elsewhere, shall be licensed and regulated as provided in this article.

19501.1. This article does not apply to any newspaper or other regularly published periodical, including any individual who owns, publishes, or is employed by, or who sells, any such newspaper or periodical, which, in the ordinary course of

its business and not as its principal business, publishes information predicting the outcome of any horse race.

19501.2. It is unlawful for any person to perform or offer to perform any of the acts described in Section 19501, unless he is licensed under this article.

19501.3. An application for a license under this article shall be on a form prescribed by the board, shall include such information as may be required by the board, and shall be accompanied by the fee provided by this article.

19501.4 Nothing contained in this article shall prevent any city, county, or city and county, from imposing further regulations upon the business regulated by this article or from requiring a further license of such business for the purposes of regulation.

19501.5. Before an application for a license is granted, the applicant shall meet all of the following requirements:

(a) Be at least 21 years of age.

(b) Be a citizen of the United States.

(c) Be of good moral character.

(d) Shall not have been convicted of any felony, or for a violation of Sections 337 1 or 337a of the Penal Code.

19501.6. The board, after a hearing, shall deny a license if the applicant, or if the applicant is not an individual, its partners, officers, and directors, has:

(a) Committed any act, which, if committed by a licensee, would be grounds for the suspension or revocation of a license under this article.

(b) A bad moral character.

(c) Been convicted of a felony, or for a violation of Sections 337 1 or 337a of the Penal Code.

(d) While unlicensed committed, or aided and abetted the commission of, any act for which a license is required by this chapter.

(e) Knowingly made any false statement in his application

19501 7. The board may upon its own motion, and shall upon verified complaint in writing of any person, investigate the actions of any licensee under this article or any person alleged to be performing any act prohibited by this article.

After hearing, the board may suspend or revoke a license issued under the provisions of this article if the holder, or if the licensee is not an individual, any of its officers, directors or partners, is guilty of or commits any one or more of the acts or omissions constituting grounds for disciplinary action

19501.8. The following constitute grounds for disciplinary action under this article:

(a) Making any false statement or giving any false information in connection with an application for a license.

(b) Violation of any provision of this chapter.

(c) Being convicted of a felony or for a violation of Sections 337.1 or 337a of the Penal Code.

(d) Committing any act in the course of the licensee's business constituting dishonesty or fraud.

(e) Impersonating, or permitting or aiding an employee to impersonate any horse owner, trainer, jockey or other licensee under this chapter, or any racing official

(f) Using words or terms or other devices, in advertising or in any other manner in connection with the licensee's business which would imply that the licensee is connected with, or obtains information on which his predictions are based from, any horse owner, jockey or other licensee under this chapter, or any racing official

(g) Making, offering to make, or implying any guarantee that if the selections of the licensee do not perform as predicted, that all or any part of the purchase price for the information will be refunded; or the offering of information at a price to be determined contingent upon the outcome of any race.

(h) Selling or otherwise furnishing the name or names of any of the subscribers to, or customers of, the licensee's business to any person known to be a tout; or permitting or allowing any known tout to frequent the premises of the licensee's place of business.

(i) Referring any subscriber to, or customer of the licensee's business to any person known to the licensee as a bookmaker for the purpose of wagering on horse races

(j) Engaging in the practice sometimes known as bulldogging or any practice by which a licensee disseminates or causes to be disseminated any information or advertisement claiming or implying that he had correctly predicted the outcome of any race when in fact the licensee had not sold, offered for sale or otherwise furnished a correct prediction of such race before the running of said race.

19501.9. No licensee shall use in the conduct of his business, or in any advertising media, any name other than that shown on his license. Violation of this section shall be a cause for disciplinary action.

19501.10. The board shall not authorize the use on any license of any fictitious name which is so similar to that used by any other licensee that the public may be confused or misled thereby or which implies that the licensee is connected with any horse owner, jockey or other licensee under this chapter, or any racing official; or

more than three fictitious names for any one licensee. Only one license may be issued to a person.

19501.11. No licensee shall sell, offer to sell or otherwise furnish other information predicting or purporting to predict the outcome of any horse race by which more than one selection is made for any race, through one or more than one media, or under one or more than one name under which the licensee is authorized to conduct his business, except that a licensee may select for such purposes his single best choice or favorite and a single long shot. Violation of this section shall be a cause for disciplinary action

19501.12. No licensee shall sell, offer for sale, or otherwise furnish information predicting or purporting to predict the outcome of any horse race, the entire charge or price for which exceeds the sum of five dollars ($5).

19501.13 A license issued under this article shall be valid for not more than one year and shall expire on March 31st. Application for renewal of a license shall be made before March 15th for the license year commencing on April 1st.

19501.14. The fee for a license issued under this article is one hundred dollars ($100).

SEC 3. Section 2 of this act becomes operative only if Assembly Bill No 1755 is enacted by the Legislature at its 1959 Regular Session, and in such case Article 4 5 of Division 8 of the Business and Professions Code as added by Section 1 of this act is repealed on the effective date of this act.

SEC. 4 This act shall take effect on April 1, 1960."

**Amendment No. 4**

On page 1, strike out lines 2 to 21, inclusive, and strike out page 2.

Senate amendments read.

**Point of Personal Privilege**

Mr. McMillan arose to a point of personal privilege.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2433?

**Motion to Re-refer**

Mr. Munnell moved that the bill and amendments be re-referred to the Committee on Government Organization.

Mr. Unruh seconded the motion.

**Demand for Previous Question**

Messrs. Dahl, Belotti, MacBride, Backstrand, and Dills demanded the previous question. Demand sustained.

The question being on the motion to re-refer.

The roll was called.

**Call of the Assembly**

Pending the announcement of the vote, Mr. Munnell moved a call of the Assembly.

Mr. Unruh seconded the motion.

**Roll Call Demanded**

Messrs. McCollister, Conrad, and Backstrand demanded a roll call.

Motion for call of the Assembly carried by the following vote:

AYES—Don A. Allen, Backstrand, Belotti, Biddick, George E. Brown, Burton, Chapel, Crawford, Crown, Cusanovich, Dills, Elliott, Gaffney, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sedgwick, Shell, Thelin, Unruh, Waldie, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—42.

NOES—Bruce F. Allen, Bane, Beaver, Bradley, Britschgi, Burke, Busterud, Collier, Conrad, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Samuel R. Geddes, Hanna, Hegland, Lanterman, Levering, Lowrey, Luckel, Lunardi, Reagan, Schrade, Sumner, and Williamson—27.

Time, 9.26 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

## PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

### TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 106

Mr. Winton was granted unanimous consent that Assembly Rule No. 106 be temporarily suspended for the purpose of placing a call of the Assembly on any matter before the House.

**Speaker Presiding**

At 9.27 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

## UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1019**—An act to amend Section 19629 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to repayment of unauthorized expenditures or excess apportionments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1019?

**Amendment No. 1**

Strike out line 1 of the title of the printed bill, and insert "An act to amend".

**Amendment No. 2**

In lines 2 and 3 of the title, strike out "proposed by Senate Bill No. 2", and insert "enacted by the Legislature at its 1959 Regular Session".

**Amendment No. 3**

On page 1, strike out lines 1 to 13, inclusive; on page 2, strike out lines 1 to 42, inclusive, and insert

"SECTION 1. Section 19629 of the Education Code as enacted by the Legislature at its 1959 Regular Session is amended to read:".

**Amendment No. 4**

On page 2, strike out lines 48 to 50, inclusive, and insert "chapter to be paid therefrom".

**Amendment No. 5**

On page 2, line 51, strike out "chapter".

**Amendment No. 6**

On page 3, strike out lines 8 and 9, and insert "as the".

**Amendment No. 7**

On page 3, strike out lines 42 to 47, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1019 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1019 ordered enrolled.

**Assembly Bill No. 2644**—An act to add Sections 8057, 8058, 8059, 8060, 8061, 8062, 8063, 8064, 8065, 8066, 8067, 8068, 8069, and 8070 to

the Fish and Game Code, relating to the payment of privilege taxes and claims and suits for refund.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2644?

Amendment No. 1

On page 2, line 6, of the printed bill after "after", insert "the close of the calendar year in which".

The Assembly concurred in Senate amendment to Assembly Bill No. 2644 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 2644 ordered enrolled.

**Assembly Bill No. 2629**—An act to create the Amador County Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the agency, and providing for the levy and collection of taxes for the payment of general agency expenses and for co-operation and contracts with any entity.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2629?

Amendment No. 1

On page 3, line 13, of the printed bill, as amended in the Assembly on May 29, 1959, after "use", insert "without the consent of the public agency owning such property,".

Amendment No. 2

On page 3, line 40, strike out "private".

Amendment No. 3

On page 5, strike out all of lines 1 through 22, inclusive, and insert "penses of any action or proceeding:

(a) to declare rights in or otherwise involving the ownership or use of the natural flow of any stream or surface or subterranean supply of waters used or useful for any purpose of the agency or of common benefit to the lands within the agency or to its inhabitants;

(b) to prevent interference with or diminution of such waters;

(c) to prevent the wasteful use of water in the agency;

(d) to prevent the unlawful exportation of water from the agency;

(e) to prevent contamination, pollution or otherwise rendering unfit for beneficial use the surface or subsurface water used in the agency;

(f) to prevent any such interference with such waters as may endanger or damage the inhabitants, lands, or use of water in, or flowing into, the agency.

This section shall not authorize the agency to intervene or take part in, or to pay the costs or expenses of, actions or controversies between the owners of lands or water rights which do not affect the interests of the agency."

Amendment No. 4

On page 7, line 35, after "construction", insert "or acquisition".

Amendment No. 5

On page 7, line 42, after "underwriter", strike out "or", and insert "of".

**Amendment No. 6**

On page 7, line 46, strike out "water storage facilities", and insert "works".

**Amendment No. 7**

On page 8, line 15, strike out "5 6", and insert "5 5".

**Amendment No. 8**

On page 8, line 17, strike out "SEC. 5 3.", and insert "SEC. 5 2."

**Amendment No. 9**

On page 8, line 23, strike out "SEC. 5 4.", and insert "SEC. 5.3."

**Amendment No. 10**

On page 9, line 3, strike out "SEC. 5.5.", and insert "SEC. 5 4."

**Amendment No. 11**

On page 9, line 22, strike out "SEC. 5.6.", and insert "SEC. 5.5."

**Amendment No. 12**

On page 9, line 28, after "assignment", strike out ", the", and insert ". The".

**Amendment No. 13**

On page 9, line 33, strike out "SEC. 5 7", and insert "SEC. 5.6".

**Amendment No. 14**

On page 10, line 19, after "person", strike out the semicolon, and insert a colon

**Amendment No. 15**

On page 11, line 3, strike out "with", and insert "within".

**Amendment No. 16**

On page 13, line 49, strike out "employees", and insert "employee".

**Amendment No. 17**

On page 18, strike out lines 14 to 16, inclusive, and insert "The".

**Amendment No. 18**

On page 18, line 30, strike out "auditor", and insert "secretary".

**Amendment No. 19**

On page 18, line 31, strike out "clerk", and insert "secretary".

**Amendment No. 20**

On page 18, line 34, strike out "auditor", and insert "secretary".

**Amendment No. 21**

On page 19, lines 14 and 15, strike out "the provisions", and insert "Section 15".

**Amendment No. 22**

On page 19, line 33, strike out "under the provisions", and insert "pursuant to Section 15".

**Amendment No. 23**

On page 19, lines 35 and 36, strike out "as provided in this act.", and insert "upon all taxable property within each member unit for which such bonds were issued."

**Amendment No. 24**

On page 20, line 22, strike out "SEC. 18 ", and insert "SEC. 17."

**Amendment No. 25**

On page 20, line 22, after the word "that", insert "a".

**Amendment No. 26**

On page 20, line 41, strike out "SEC. 19 ", and insert "SEC. 18."

**Amendment No. 27**

On page 20, line 45, strike out "SEC. 20.", and insert "SEC. 19."

**Amendment No. 28**

On page 21, line 21, at the beginning thereof, insert "SEC. 20."

**Amendment No. 29**

On page 22, line 13, strike out "or the levy of any special assessment".

**Amendment No. 30**

On page 22, line 16, strike out "or of the levy".

**Amendment No. 31**

On page 22, lines 29 and 30, strike out "levy of any assessment or".

**Amendment No. 32**

On page 22, line 42, strike out "or levy".

**Amendment No. 33**

On page 4, line 27, strike out "rates".

The Assembly concurred in Senate amendments to Assembly Bill No. 2629 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hanna, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 2629 ordered enrolled.

**Assembly Bill No. 2626**—An act to amend Sections 4102 and 4124 of the Penal Code, relating to county industrial farms and road camps.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2626?

**Amendment No. 1**

On page 1, line 21, of the printed bill, as amended in the Assembly on June 5, 1959, after "included.", insert "The reasonable value of services rendered by city prisoners to the extent that such services inure to the benefit of the county shall be deducted from the average cost of caring for city prisoners. Cities may, under terms and conditions suitable to the board of supervisors, be assigned prisoners for the purposes authorized by Section 36904 of the Government Code"

The Assembly concurred in Senate amendment to Assembly Bill No. 2626 by the following vote:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Waldie, Williamson, George A Willson, Winton, Z'berg, and Mr. Speaker—63.
NOES—Kennick and Lanterman—2.

Assembly Bill No. 2626 ordered enrolled.

**Assembly Bill No. 2631**—An act to add Section 71604.1 to the Government Code, relating to constables.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2631?

**Amendment No. 1**

On page 2, after line 7, of the printed bill, insert

"No constable whose office is an elective office shall be included in the division of constabulary, and this section shall not apply to such constable, unless at an election held in the judicial district of which he is constable a majority of the district electors

voting on a proposition to make the office appointive under civil service pursuant to this section vote in favor of such proposition. Such election shall be called by the board of supervisors as soon as practicable after the presentation to the board of supervisors of a petition signed by at least five percent of the electors of the judicial district requesting the submission of the proposition to the district electors. Such election shall be called, held, and conducted in the same manner as the elections in the judicial district for the election of the judge or constable of the district."

The Assembly concurred in Senate amendment to Assembly Bill No. 2631 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67.
NOES—None.

Assembly Bill No. 2631 ordered enrolled.

**Assembly Bill No. 2665**—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Del Norte, State of California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2665?

**Amendment No. 1**

On page 2, line 5, of the printed bill, as amended in the Assembly on June 5, 1959, strike out "quiet", and insert "quit".

The Assembly concurred in Senate amendment to Assembly Bill No. 2665 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—64.
NOES—None

Assembly Bill No. 2665 ordered enrolled.

**Assembly Bill No. 2821**—An act to add Article 11.5 to Chapter 10, Title 8, of the Government Code, relating to Lodi Municipal Court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2821?

**Amendment No. 1**

In line 1 of the title of the printed bill as amended in Assembly on June 5, 1959, strike out "11.5", and insert "5".

**Amendment No. 2**

On page 1, line 1, strike out "11.5 (commencing at Section 73750)", and insert "5 (commencing at Section 73480)".

**Amendment No. 3**

On page 1, line 4, strike out "11.5", and insert "5".

**Amendment No. 4**

On page 1, line 6, strike out "73750.", and insert "73480."

**Amendment No. 5**

On page 1, line 8, strike out "73751.", and insert "73481."

**Amendment No. 6**

On page 1, line 10, strike out "73752.", and insert "73482."

**Amendment No. 7**

On page 1, line 17, strike out "73753.", and insert "73483."

**Amendment No. 8**

On page 2, line 13, strike out "73754.", and insert "73484."

**Amendment No. 9**

On page 2, line 15, strike out "73755.", and insert "73485."

**Amendment No. 10**

On page 2, line 35, strike out "73757.", and insert "73486."

The Assembly concurred in Senate amendments to Assembly Bill No. 2821 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—67.

NOES—None.

Assembly Bill No. 2821 ordered enrolled.

**Assembly Bill No. 2390**—An act to create the Yuba-Bear River Basin Authority, to develop and promote the regulation of the water resources of the Yuba and Bear Rivers watersheds for beneficial use in the Counties of Placer, Nevada, and Sierra, prescribing the authority's powers and duties, providing for its organization, operation and management and authorizing the acquisition of property and works to carry out the purposes of the authority, authorizing the incurrence of indebtedness, providing for the issuance of bonds, providing for the levy and collection of taxes, and for co-operation and contracts with any entity.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2390?

**Amendment No. 1**

On page 13 of the printed bill, as amended in the Assembly on June 4, 1959, strike out lines 36 to 52, inclusive; strike out pages 14 to 17, inclusive; and on page 18, strike out lines 1 to 11, inclusive.

**Amendment No. 2**

On page 18, line 12, strike out "51", and insert "50".

**Amendment No. 3**

On page 18, line 26, strike out "52", and insert "51".

**Amendment No. 4**

On page 18, line 32, strike out "53", and insert "52".

**Amendment No. 5**

On page 19, line 7, strike out "54", and insert "53".

**Amendment No. 6**

On page 19, line 11, strike out "55", and insert "54"

Amendment No. 7

On page 3, line 44, after "authority.", insert "No action in eminent domain to acquire property or interests therein outside the boundaries of the authority shall be commenced unless the board of supervisors of each affected county has consented to such acquisition by resolution."

The Assembly concurred in Senate amendments to Assembly Bill No. 2390 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2390 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 96

Mr. Hegland was granted unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, ordered Assembly Bill No. 96 enrolled, and that the bill be returned to the Senate for correction of the Senate message (Assembly Journal, page 6021). *See* page 6075 for the corrected Senate message.

## REPORTS OF STANDING COMMITTEES

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 17, 1959

MR SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 403

With amendments with the recommendation: Be amended; that the bill be filed, as amended; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

O'CONNELL, Chairman

Above bill ordered to second reading.

## SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

**Senate Bill No. 403**—An act to add Article 4 (commencing with Section 11190) to Chapter 2 of Title 1 of Part 4 of the Penal Code, relating to disposition of prisoners, declaring the urgency thereof, to take effect immediately.

Bill read second time.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Criminal Procedure, were read, and adopted:

Amendment No. 1

On page 7, line 39, of the printed bill, as amended in the Senate, on May 29, 1959, after the period, insert "No such contract may authorize the confinement of an inmate, who is in the custody of the Director of Corrections, in an institution of a state other than a state specifically named in Article VII of the Western Interstate Corrections Compact as set forth in Section 11190"

Amendment No. 2

On page 7, line 45, after the period, insert "In determining the suitability of such institution of another state, the director shall assure himself that such institution maintains standards of care and discipline not incompatible with those of the State of California and that all inmates therein are treated equitably, regardless of race, religion, color, creed, or national origin."

**Amendment No. 3**

On page 7, line 39, after "Corrections", insert ", subject to the approval of the Adult Authority or the Board of Trustees of the California Institution for Women, as appropriate,".

Bill ordered reprinted, and to be transmitted to the Senate; and the subject matter referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 96

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

Above bill ordered to unfinished business file.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1627**—An act to add Sections 651.3 and 3031 to the Business and Professions Code, relating to the healing arts professions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1627?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 15, 1959, strike out ", 3029, 3030".

**Amendment No. 2**

On page 1, line 16, after "licensed", insert "; provided, however, that the furnishing of information regarding benefits available, and charges therefor, under the coverage of any hospital or medical service or insurance plan shall not be deemed to constitute advertising."

**Amendment No. 3**

On page 2, strike out lines 1 to 17, inclusive.

**Amendment No. 4**

On page 2, line 18, strike out "4", and insert "2".

**Amendment No. 5**

On page 2, line 20, strike out "Sections 3029 and 3030", and insert "Section 651.3".

**Amendment No. 6**

On page 1, line 16, of the printed bill, as amended in the Senate on June 16, 1959, strike out "; pro-"; strike out lines 17 and 18; and on page 2 strike out lines 1 and 2 and insert a period.

**Amendment No. 7**

On page 1, line 16, of the printed bill, as amended in the Senate on June 18, 1959, after "licensed", insert "; provided, however, that the provisions of this section do not apply to the furnishing of information regarding benefits available, and charges therefor, under the coverage of any hospital or medical service or insurance plan".

The Assembly concurred in Senate amendments to Assembly Bill No. 1627 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes,

Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1627 ordered enrolled.

**Assembly Bill No. 414**—An act to amend Sections 139, 633, 939, 1275, 1403, 1523, 2767, 3014, and 3260 of, and to add Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of, the Unemployment Insurance Code, relating to unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 414?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 139, 633, 1275, 1403, 1523, 2767, 3014, and".

**Amendment No. 2**

In line 2 of the title of the printed bill, strike out "compensation disability".

**Amendment No. 3**

On page 1, line 1, strike out "3260", and insert "139".

**Amendment No. 4**

On page 1, between lines 2 and 3, insert

"139. "State" includes ~~Alaska,~~ Hawaii ~~,~~ and the District of Columbia, as well as each of the states of the United States.

SEC. 2. Section 633 of said code is amended to read:

633. Except as provided in Sections 605 ~~,~~ *605.5,* ~~and~~ 709, *and 710,* "employment" does not include service performed in the employ of a state, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions

SEC. 3. Section 1275 of said code is amended to read:

1275. Unemployment compensation benefit award computations shall be based on wages paid in the base period. "Base period" means: for benefit years beginning in November, December, or January, the four calendar quarters ended in the next preceding month of June; for benefit years beginning in February, March, or April, the four calendar quarters ended in the next preceding month of September; for benefit years beginning in May, June, or July, the four calendar quarters ended in the next preceding month of December; for benefit years beginning in August, September, or October, the four calendar quarters ended with the next preceding month of March. ~~Wages used in the determination of benefits payable to an individual during any benefit year shall not be used in determining such individual's benefits in any subsequent benefit year.~~

SEC. 4. Section 1403 of said code is amended to read:

1403. "Trainee" as used in this article means an individual who entered military service after April 1, 1940, and who continued such service for not less than 90 consecutive days and whose military service was terminated on or before the ninetieth day after the final adjournment of the ~~1959~~ *1961* Regular Session of the Legislature

SEC. 5. Section 1523 of said code is amended to read:

1523. Withdrawals by the director from the Unemployment Fund are exempted from the operation of Sections ~~16002~~ *602* and ~~16003~~ *603* of the Government Code.

SEC. 6. Section 2767 of said code is amended to read:

2767. "Trainee" as used in this article means an individual who entered military service after April 1, 1940, and who continued such service for not less than 90 consecutive days and whose military service was terminated on or before the ninetieth day after the final adjournment of the ~~1959~~ *1961* Regular Session of the Legislature.

SEC. 7. Section 3014 of said code is amended to read:

3014. Withdrawals by the director from the Disability Fund for the payment of refunds or judgments and the payment of disability benefits are exempted from the operation of Section ~~16003~~ *603* of the Government Code.

SEC. 8. Section 3260 of said code is amended to read:".

**Amendment No. 5**

On page 2, after line 9, insert

"SEC. 9. The provisions of Section 633 of the Unemployment Insurance Code as amended at the 1959 Regular Session by this act shall be operative with respect to wages paid on and after October 1, 1959, insofar as such provisions relate to the addition of Section 605.5 to the Unemployment Insurance Code by Assembly Bill No. 1399 enacted by the 1959 Regular Session. In all other respects the provisions of said Section 633 as amended by this act shall be operative as otherwise provided by law. The provisions of this Section 9 of this act shall become effective only if the provisions of Section 605.5 added to the Unemployment Insurance Code are enacted by Assembly Bill No. 1399 by the Legislature at its 1959 Regular Session and in addition the provisions of Section 710 added to the Unemployment Insurance Code by Assembly Bill No. 174 are also enacted by the Legislature at its 1959 Regular Session. If both Assembly Bills Nos. 174 and 1399 are enacted by the 1959 Regular Session of the Legislature, then this Section 9 of this act shall become effective and the provisions of Section 633 of the Unemployment Insurance Code as amended by this act shall supersede the amendments made by each of said bills to said section"

**Amendment No. 6**

In line 1 of the title of the printed bill, as amended in the Senate on June 11, 1959, after "633," insert "939,".

**Amendment No. 7**

In line 2 of the title of the printed bill, after "of", insert ", and to add Chapter 3.5 (commencing with Section 2851) to Part 2 of Division 1 of,".

**Amendment No. 8**

On page 1, between lines 9 and 10, insert

"SEC. 3. Section 939 of said code is amended to read:

939. Sections ~~930,~~ 931, 932, 933, 934, 935, 936, 937, and 938 shall be operative only during such time as the respective type or types of payments set forth in those sections are similarly excluded from the definition of wages contained in the Federal Unemployment Tax Act."

**Amendment No. 9**

On page 1, line 10, strike out "3", and insert "4".

**Amendment No. 10**

On page 2, line 4, strike out "SEC. 4", and insert "SEC. 5".

**Amendment No. 11**

On page 2, line 11, strike out "SEC. 5", and insert "SEC. 6".

**Amendment No. 12**

On page 2, line 15, strike out "SEC. 6", and insert "SEC. 7".

**Amendment No. 13**

On page 2, between lines 21 and 22, insert

"SEC. 8. Chapter 3.5 (commencing with Section 2851) is added to Part 2 of Division 1 of said code, to read:

CHAPTER 3.5. PRORATED BENEFITS

2851. Benefits to individuals whose employment has terminated or who are in non-covered employment at the time their period of disability commences and who are otherwise eligible for benefits under this part shall be payable from the Disability Fund.

2852. The cost of benefits paid under Section 2851 shall be prorated as provided in Section 3266."

**Amendment No. 14**

On page 2, line 22, strike out "7", and insert "9".

**Amendment No. 15**

On page 2, line 27, strike out "8", and insert "10".

**Amendment No. 16**

On page 2, between lines 50 and 51, insert

"SEC. 11. Section 3 of this act shall become effective only if Assembly Bill No. 590 is enacted by the Legislature at its 1959 Regular Session, and in such case, at the same time as Assembly Bill No. 590 takes effect."

**Amendment No. 17**

On page 2, line 51, strike out "9", and insert "12".

**Amendment No. 18**

On page 3, line 7, strike out "9", and insert "12".

**Amendment No. 19**

On page 3, line 16, strike out "9", and insert "12".

**Amendment No. 20**

On page 3, after line 19, insert

"SEC. 13. Sections 6 and 9 of this act shall become effective only if Assembly Bill No 406 is enacted by the Legislature at its 1959 Regular Session, and in such case, at the same time as Assembly Bill No. 406 takes effect.

SEC. 14. Section 8 of this act shall become effective only if Assembly Bill No. 494 is enacted by the Legislature at its 1959 Regular Session, and in such case, shall supersede the provisions of Chapter 3.5 of Part 2 of Division 1 of the Unemployment Insurance Code as added by said Assembly Bill No. 494."

The Assembly concurred in Senate amendments to Assembly Bill No. 414 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 414 ordered enrolled.

**Assembly Bill No. 1145**—An act to amend Section 2982 of and to add Section 2982.5 to the Civil Code, relating to conditional sales of motor vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1145?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on May 29, 1959, after "of", insert "and to add Section 2982.5 to".

**Amendment No. 2**

On page 4, strike out line 18, and insert
"SEC. 2. Section 2982.5 is added to said code, to read:
2982.5. A conditional sales contract may contain a state-".

**Amendment No. 3**

On page 4, line 22, strike out "shall", and insert "may".

**Amendment No. 4**

On page 4, line 23, strike out "10", and insert "6".

**Amendment No. 5**

On page 4, line 23, strike out "shall", and insert "may".

**Amendment No. 6**

On page 4, line 25, after the period, insert "If this statement is signed or acknowledged it then becomes a part of the contract."

**Amendment No. 7**

In line 1 of the title of the printed bill, as amended in the Senate on June 16, 1959, strike out "to amend Section 2982 of and".

**Amendment No. 8**

On page 1, strike out lines 1 to 18, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 42, and insert
"SECTION 1. Section 2982.5 is added to the Civil Code, to read:".

The Assembly concurred in Senate amendments to Assembly Bill No. 1145 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, House, Kennick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Winton, and Z'berg—56.
NOES—Collier, Crawford, Cusanovich, Ernest R. Geddes, Hanna, Hegland, Johnson, Levering, Sumner, and Thelin—10.

Assembly Bill No. 1145 ordered enrolled.

**Parliamentary Inquiry**

Mr. Collier arose to the following parliamentary inquiry: How can the error appearing on page 2, line 9, of the bill be corrected?

**Reply by Speaker**

The Speaker replied that all printer's errors in bills are corrected when the bill is enrolled.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2813**—An act to add Article 5 (commencing at Section 380.20) to Chapter 3, Division 3, of the Agricultural Code, and to amend Section 12022 of the Business and Professions Code, relating to poultry meat.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2813?

**Amendment No. 1**

On page 2, line 6, of the printed bill, after "thereof.", insert "The rules and regulations adopted by the director shall be, insofar as possible, similar to and

consistent with regulations adopted by the United States Department of Agriculture."

The Assembly concurred in Senate amendment to Assembly Bill No. 2813 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 2813 ordered enrolled.

**Assembly Bill No. 2779**—An act to add Section 35791 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to permits for vehicles of an excessive size or weight.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2779?

**Amendment No. 1**

In line 1 of the title of the printed bill, strike out "35790", and insert "35791".

**Amendment No. 2**

On page 1, line 1, strike out "35790", and insert "35791".

**Amendment No. 3**

On page 1, line 4, strike out "35790", and insert "35791".

**Amendment No. 4**

On page 1, line 5, strike out "highways", and insert "such highways as may be agreed upon".

**Amendment No. 5**

On page 1, line 10, strike out "on all such highways".

The Assembly concurred in Senate amendments to Assembly Bill No. 2779 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 2779 ordered enrolled.

**Assembly Bill No. 96**—An act to amend Sections 29011 and 29017 of, the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school, and making an appropriation therefor.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 96:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1959

*To the Honorable Members of the Assembly and Senate:*

Assembly Bill No. 96 is an act relating to educational institutions and the issuance of diplomas and honorary diplomas evidencing the completion of courses of instruction beyond high school.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 96 prior to final enactment of the Budget Bill

Respectfully,

EDMUND G. BROWN, Governor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 96?

**Amendment No. 1**

In line 5 of the title of the printed bill, as amended in the Assembly on June 9, 1959, after "school", insert ", and making an appropriation therefor".

**Amendment No. 2**

On page 2, after line 12, insert

"SEC. 3 The sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby appropriated to the Department of Justice, payable from the General Fund, for the support of the department in carrying out the provisions of this act."

The Assembly concurred in Senate amendments to Assembly Bill No. 96 by the following vote:

AYES—Bruce F Allen, Don A Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr Speaker—72

NOES—None.

Assembly Bill No. 96 ordered enrolled.

**Assembly Bill No. 2778**—An act to amend Sections 28142 and 28146 of the Government Code, relating to compensation for public services in counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2778?

**Amendment No. 1**

In line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1959, strike out "Sections 28142 and", and insert "Section"

**Amendment No. 2**

On page 1, line 3, strike out "28142", and insert "28146".

**Amendment No. 3**

On page 1, strike out lines 5 through 24, inclusive; and on page 2, strike out lines 1, 2 and 3.

The Assembly concurred in Senate amendments to Assembly Bill No. 2778 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, and Z'berg—65.
NOES—None.

Assembly Bill No. 2778 ordered enrolled.

**Assembly Bill No. 1592**—An act to create a flood control district to be called Siskiyou County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the development and sale of electric power; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1592?

**Amendment No. 1**

On page 7 of the printed bill, as amended in the Assembly on May 14, 1959, strike out lines 3 to 9, inclusive, and insert

"(v) To construct, operate, and maintain works to develop hydroelectric energy as a means of assisting in financing the construction, operation and maintenance of works for other beneficial uses and purposes, and to enter into contracts for the sale of such energy for a term not to exceed 50 years. Such energy may be marketed only at wholesale rates to any public agency or private entity engaged in the sale or use of electric energy."

The Assembly concurred in Senate amendment to Assembly Bill No. 1592 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Winton, and Z'berg—68.
NOES—None.

Assembly Bill No. 1592 ordered enrolled.

**Assembly Bill No. 1970**—An act to amend Section 75033 of the Government Code, relating to the judges retirement law.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1970?

**Amendment No. 1**

On page 1, line 8, of the printed bill, after "elect", insert "in writing filed with the State Controller".

**Amendment No. 2**

On page 2, line 3, after "years", insert "and fractions of years".

The Assembly concurred in Senate amendments to Assembly Bill No. 1970 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—70.
NOES—None.

Assembly Bill No. 1970 ordered enrolled.

**Assembly Bill No. 1660**—An act to amend Section 3077 of the Business and Professions Code, relating to the practice of optometry.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1660?

**Amendment No. 1**

On page 2, line 33, of the printed bill, as amended in the Assembly on May 8, 1959, after "chapter", insert ", nor prevent an optometrist from acquiring any branch office or offices of his parent".

**Amendment No. 2**

On page 2, between lines 38 and 39, insert

"Nothing in this chapter shall prevent an optometrist from owning, maintaining or operating more than one branch office if he is in personal attendance at each of his offices fifty percent (50%) of the time during which such office is open for the practice of optometry."

The Assembly concurred in Senate amendments to Assembly Bill No. 1660 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 1660 ordered enrolled.

**Assembly Bill No. 1605**—An act to amend Section 2110 of the Streets and Highways Code, relating to Highway Users Tax Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1605?

**Amendment No. 1**

On page 2, between lines 14 and 15, of the printed bill, insert

"(b) During the 1959-1960 and 1960-1961 Fiscal Years, an additional two hundred thousand dollars ($200,000), prior to the apportionment made pursuant to

subdivision (c) hereof, shall be apportioned for snow removal on county roads, to the following counties in the named percentages:

| | |
|---|---|
| Alpine | 2.21 percent |
| Calaveras | 2.45 percent |
| Del Norte | 1.45 percent |
| El Dorado | 9.65 percent |
| Fresno | 3.99 percent |
| Glenn | 2.98 percent |
| Humboldt | 3.27 percent |
| Inyo | 1.85 percent |
| Kern | .07 percent |
| Lassen | 3.94 percent |
| Mendocino | .28 percent |
| Mono | 15.40 percent |
| Nevada | 8.69 percent |
| Placer | 16.06 percent |
| Plumas | 9.22 percent |
| San Bernardino | 5.84 percent |
| Sierra | 5.52 percent |
| Tulare | .40 percent |
| Tuolumne | 6.65 percent |
| Ventura | .08 percent". |

**Amendment No. 2**

On page 2, line 16, strike out "(b)", and insert "(c)".

**Amendment No. 3**

On page 3, line 1, strike out "(c)", and insert "(d)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1605 by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1605 ordered enrolled.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

| | |
|---|---|
| Assembly Bill No. 72 | Assembly Bill No. 2375 |
| Assembly Bill No. 139 | Assembly Bill No. 2420 |
| Assembly Bill No. 165 | Assembly Bill No. 2472 |
| Assembly Bill No. 285 | Assembly Bill No. 2501 |
| Assembly Bill No. 902 | Assembly Bill No. 2504 |
| Assembly Bill No. 989 | Assembly Bill No. 2528 |
| Assembly Bill No. 1013 | Assembly Bill No. 2546 |
| Assembly Bill No. 1029 | Assembly Bill No. 2556 |
| Assembly Bill No. 1047 | Assembly Bill No. 2558 |
| Assembly Bill No. 1417 | Assembly Bill No. 2627 |
| Assembly Bill No. 1680 | Assembly Bill No. 2638 |
| Assembly Bill No. 1700 | Assembly Bill No. 2640 |
| Assembly Bill No. 1847 | Assembly Bill No. 2641 |
| Assembly Bill No. 1863 | Assembly Bill No. 2694 |
| Assembly Bill No. 2058 | Assembly Bill No. 2719 |
| Assembly Bill No. 2243 | Assembly Bill No. 2721 |
| Assembly Bill No. 2303 | Assembly Bill No. 2758 |
| Assembly Bill No. 2330 | Assembly Bill No. 2753 |
| Assembly Bill No. 2358 | Assembly Bill No. 2777 |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

| | |
|---|---|
| Assembly Bill No 2810 | Assembly Bill No. 2733 |
| Assembly Bill No. 2822 | Assembly Bill No. 2766 |
| Assembly Bill No 2854 | Assembly Bill No. 2786 |
| Assembly Bill No. 2567 | Assembly Bill No 2832 |
| Assembly Bill No. 2603 | Assembly Bill No 2839 |
| Assembly Bill No 2610 | Assembly Bill No 2846 |
| Assembly Bill No. 2685 | Assembly Bill No 2881 |
| Assembly Bill No. 2693 | |

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

| | |
|---|---|
| Assembly Bill No. 1627 | Assembly Bill No. 1970 |
| Assembly Bill No. 1592 | Assembly Bill No. 2684 |

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 151

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered to unfinished business file.

## CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE AMENDMENT TO ASSEMBLY BILL NO. 2904

At 9.52 p.m., Mr. Meyers moved to dispense with further proceedings under the call of the Assembly.

The names of the absentees were called, and the Senate amendment to Assembly Bill No. 2904 was concurred in by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Hanna, House, Kennick, Lanterman, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—58.

NOES—Backstrand, Burke, Crawford, Cusanovich, Garrigus, Samuel R. Geddes, Grant, Hegland, Johnson, Kilpatrick, Lowrey, Luckel, Schrade, Sumner, and Thelin—15.

Assembly Bill No 2904 ordered enrolled.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2276**—An act to add Sections 11723, 11724 and 11725 to the Health and Safety Code, relating to the rehabilitation and testing of narcotic addicts, and making an appropriation therefor.

**Recommendation of the Governor**

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the consideration of Assembly Bill No. 2276:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1959

*To the Honorable Members of the Assembly:*

Assembly Bill No. 2276 is an act relating to the rehabilitation and testing of narcotic addicts, and making an appropriation therefor.

Pursuant to authority granted me under Article IV, Section 34, of the State Constitution, I recommend consideration be given to Assembly Bill No. 2276 prior to final enactment of the Budget Bill.

Respectfully,

EDMUND G. BROWN, Governor

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2276?

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Assembly on June 9, 1959, after "addicts", insert ", and making an appropriation therefor".

**Amendment No. 2**

On page 2, after line 19, insert

"SEC. 4. There is hereby appropriated to the Department of Justice out of the General Fund in the State Treasury the sum of fifty thousand dollars ($50,000) to be expended during the 1959-60 Fiscal Year, for the rehabilitation, testing, and control of narcotic addicts as provided in Sections 11723 to 11725, inclusive, of the Health and Safety Code."

**Amendment No. 3**

In line 1 of the title, strike out "11723, 11724 and 11725", and insert "11728, 11729, and 11730".

**Amendment No. 4**

On page 1, line 1, strike out "11723", and insert "11728".

**Amendment No. 5**

On page 1, line 3, strike out "11723", and insert "11728".

**Amendment No. 6**

On page 1, line 12, strike out "11724", and insert "11729".

**Amendment No. 7**

On page 1, line 13, strike out "11724", and insert "11729".

**Amendment No. 8**

On page 2, line 11, strike out "11725", and insert "11730".

**Amendment No. 9**

On page 2, line 12, strike out "11725", and insert "11730".

The Assembly concurred in Senate amendments to Assembly Bill No. 2276 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2276 ordered enrolled.

### REQUEST FOR UNANIMOUS CONSENT

Mr. Miller was granted unanimous consent to take up Senate Bill No. 1489.

### CONSIDERATION OF SENATE BILL NO. 1489

**Senate Bill No. 1489**—An act to amend Section 9108 of the Government Code, relating to the State Capitol.

Bill read third time, and presented by Mr. Miller.

Bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Britschgi, George E. Brown, Burton, Coolidge, Crown, Cunningham, DeLotto, Dills, Donahoe, Elliott, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, House, Johnson, Kennick, MacBride, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Waldie, Williamson, George A. Willson, Charles H. Wilson, and Mr. Speaker—42

NOES—Beaver, Bee, Bradley, Burke, Busterud, Chapel, Conrad, Crawford, Cusanovich, Hegland, Kilpatrick, Levering, Lowrey, Luckel, Marks, Masterson, Reagan, Schrade, Shell, and Thelin—20.

Bill ordered transmitted to the Senate.

### UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 923**—An act to amend Sections 35120 and 35121 of the Government Code, relating to annexation procedure.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 923?

#### Amendment No. 1

On page 2, line 12, of the printed bill, as amended in the Assembly on April 27, 1959, after "shall", insert ", without charge,".

#### Amendment No. 2

On page 2, line 3, of the printed bill, as amended in the Senate on June 12, 1959, strike out "each separate paper comprising".

#### Amendment No. 3

On page 2, line 4, strike out "of", and insert "or owner of property within".

#### Amendment No. 4

On page 2, line 11, after "owner", insert "or duly authorized agent of the owner".

#### Amendment No. 5

On page 2, line 12, after "shall," insert "on request and".

#### Amendment No. 6

On page 2, lines 24 and 25, strike out "or property not wholly owned by the protestant".

#### Amendment No. 7

On page 2, line 26, after the period, insert "The value for protest purposes to be given property held in joint tenancy or tenancy in common shall be determined by the legislative body in proportion to the proportionate interest of the protestant in such property."

#### Amendment No. 8

On page 2, line 9, of the printed bill, as amended in the Senate on June 17, 1959, after "petition", insert ", or an agent of either such owner or voter".

The Assembly concurred in Senate amendments to Assembly Bill No. 923 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees,

Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 923 ordered enrolled.

## RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Masterson:

*Resolved*, That Senate Bill No. 970 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—68.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

## CONSIDERATION OF SENATE BILL NO. 970

**Senate Bill No. 970**—An act to amend Section 23320 of, and to add Section 23321.6 to, the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—68.
NOES—None.

Bill ordered transmitted to the Senate.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Senate Bill No. 979,** as amended in Assembly June 18, 1959—An act to amend Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

### Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 18, 1959, strike out lines 5 and 6, and insert "sixteen thousand five hundred dollars ($16,500)."

EDWIN J. REGAN
STEPHEN TEALE
RICHARD J. DOLWIG
Senate Committee on Conference

WM. A. MUNNELL
MONTIVEL A. BURKE
CHARLES W. MEYERS
Assembly Committee on Conference

Report read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Coolidge, Crawford, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Kennick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—55.

NOES—Bee, Chapel, Davis, Hegland, House, Lowrey, Schrade, Unruh, and Williamson—9.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2264

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 2264 ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

**Senate Bill No. 979**—An act to amend Section 68841 of the Government Code, relating to the salary of the Clerk of the Supreme Court

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Third Committee on Conference concerning.

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Third Committee on Conference concerning:

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Third Committee on Conference concerning:

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## UNFINISHED BUSINESS (RESUMED)

### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Concurrent Resolution No. 151**—Relative to the enactment of Senate Bill No. 1106.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 151?

**Amendment No. 1**

On page 1, line 2, of the printed measure, strike out "will", and insert "is intended to".

The Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 151 by the following vote:

AYES—Don A. Allen, Bane, Bee, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Conrad, Crawford, Crown, DeLotto, Frew, Gaffney, Garrigus,

Ernest R. Geddes, Grant, Hanna, Hegland, House, Kennick, Lanterman, Luckel, MacBride, Marks, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—45.

NOES—Bruce F. Allen, Bradley, Britschgi, Chapel, Davis, Samuel R. Geddes, Lowrey, Lunardi, Masterson, Mulford, Reagan, and Z'berg—12.

Assembly Concurrent Resolution No. 151 ordered enrolled.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of committee on conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 2482,** as amended in Senate June 18, 1959—An act to repeal Chapter 10 (commencing at Section 6590) of Part 5 of Division 7 of, the Streets and Highways Code, relating to the Improvement Act of 1911.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

### Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on June 18, 1959, strike out "May and November", and insert "April and October".

### Amendment No. 2

On page 1, line 11, strike out "of the coupons".

HUGO FISHER
STANLEY ARNOLD
VIRGIL O'SULLIVAN
Senate Committee on Conference

SHERIDAN HEGLAND
JACK SCHRADE
L. M. BACKSTRAND
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

## REPORT OF THIRD COMMITTEE ON CONFERENCE

The following report of Third Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Third Committee on Conference concerning:

**Assembly Bill No. 1562**
**Assembly Bill No. 1563**
**Assembly Bill No. 2065**

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

JOHN HOLMDAHL
ALAN SHORT
Senate Committee on Conference

JESSE M. UNRUH
WM. A. MUNNELL
GEORGE G. CRAWFORD
Assembly Committee on Conference

### Consideration of Third Conference Report Concerning Assembly Bill No. 1562

**Assembly Bill No. 1562**—An act to amend Section 74266 of the Government Code, relating to fees to be paid to the court clerk by parties to actions or proceedings.

Report of Third Committee on Conference concerning Assembly Bill No. 1562 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 1562 ordered enrolled.

### Consideration of Third Conference Report Concerning Assembly Bill No. 1563

**Assembly Bill No. 1563**—An act to amend Section 70055 of the Government Code, relating to filing fees.

Report of Third Committee on Conference concerning Assembly Bill No. 1563 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 1563 ordered enrolled.

### Consideration of Third Conference Report Concerning Assembly Bill No. 2065

**Assembly Bill No. 2065**—An act to amend Section 70046 of the Government Code, relating to court reporters.

Report of Third Conference Committee concerning Assembly Bill No. 2065 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, O'Connell, Pattee, Petris, Porter, Reagan, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg—65.
NOES—Beaver and Nisbet—2.

Assembly Bill No. 2065 ordered enrolled.

### MOTION TO RECONSIDER SENATE BILL NO. 910 WAIVED

Mr. Masterson waived his motion to reconsider the vote whereby Senate Bill No. 910 was refused passage.

Senate Bill No. 910 ordered returned to the Senate.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Assembly Bill No. 1992,** as amended in Senate June 12, 1959—An act to amend Section 13443 of the Education Code as enacted at the 1959 Regular Session of the Legislature, relating to certificated employees of school districts;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

In line 3 of the title of the printed bill, as amended in the Senate on June 12, 1959, strike out "Section", and insert "Sections 13303, 13304, 13305, 13307, 13308, 13315, 13320, 13322, and".

**Amendment No. 2**

On page 3, strike out line 35, and insert

"SECTION 1. Section 13303 of the Education Code as enacted at the 1959 Regular Session is amended to read:

13303. Every employee of a joint union or union high school district, having an average daily attendance of ~~850~~ *650* or more, maintaining eight or more schools lying not less than six miles apart, who, after having been employed by the district has served for three complete consecutive school years in a position or positions requiring certification qualifications, in a school having an average daily attendance of ~~850~~ *650* or more, is re-elected for the next succeeding school year to a position requiring certification qualifications shall, at the commencement of the succeeding school year, be classified as and become a permanent employee of the district. Employees of such districts shall be deemed to have commenced to serve the regular three-year probationary period at the beginning of a school year following the date upon which the employing district becomes subject to the provisions of this section.

SEC. 2. Section 13304 of said code is amended to read:

13304. Every employee of a school district of any type or class having an average daily attendance of ~~850~~ *650* or more except a joint union or union high school district maintaining eight or more schools lying not less than six miles apart, who, after having been employed by the district for three complete consecutive school years in a position or positions requiring certification qualifications, is re-elected for the next succeeding school year to a position requiring certification qualifications shall, at the commencement of the succeeding school year be classified as and become a permanent employee of the district. Employees of such districts shall be deemed to have commenced to serve the regular three-year probationary period at the beginning of a school year following the date upon which the employing district becomes subject to the provisions of this section.

SEC. 3. Section 13305 of said code is amended to read:

13305. Every certificated employee of a school district of any type or class having an average daily attendance of less than ~~850~~ *650* may be offered a continuing contract to cover a period longer than one year but not to exceed four years.

SEC. 4. Section 13307 of said code is amended to read:

13307. Every employee of a school district of any type or class having an average daily attendance of less than ~~850~~ *650* pupils, who, after having been employed by the district for three complete consecutive school years in a position or positions requiring certification qualifications, is re-elected for the next succeeding school year to a position requiring certification qualifications, may be classified by the governing board of the district as a permanent employee of the district. If the classification is not made the employee shall not attain permanent status and may be re-elected from year to year thereafter without becoming a permanent employee until the classification is made.

SEC. 5 Section 13308 of said code is amended to read:

13308. Every employee of a joint union or union high school district having an average daily attendance of ~~850~~ *650* or more, maintaining eight or more high schools lying not less than six miles apart, who, after having been employed by the district has served for three complete consecutive school years in a position or positions requiring certification qualifications in a school having an average daily attendance of less than ~~850~~ *650*, and is re-elected to a position requiring certification qualifications, may be classified by the governing board of the district as a permanent employee of the district. If the classification is not made the employee shall not attain permanent status and may be re-elected from year to year thereafter without becoming a permanent employee until the classification is made. If the classification is not made the employee may be dismissed from the service of the district only by an unanimous vote of all the members of the governing board of the district, on the recommendation of the superintendent of schools, if there is one, of the district.

SEC. 6. Section 13315 of said code is amended to read:

13315. A person employed in an administrative or supervisory position requiring certification qualifications upon completing a probationary period, including any time served as a classroom teacher, in the same district, shall, in a district having an average daily attendance of ~~850~~ *650* or more pupils, be classified as and become a permanent employee as a classroom teacher. Employees of such districts shall be deemed to have commenced to serve the regular three-year probationary period at the beginning of a school year following the date upon which the employing district becomes subject to the provisions of this section. In a district having an average daily attendance of less than ~~850~~ *650* pupils, he may be so classified.

SEC. 7. Section 13320 of said code is amended to read:

13320. A certificated employee who has served in a position or positions requiring certification qualifications in two or more districts, each having an average daily attendance of ~~850~~ *650* or more and governed by governing boards of identical personnel, for a total of three complete consecutive school years, upon being elected for the fourth consecutive school year to a position or positions requiring certification qualifications in any of the districts, shall be classified as a permanent employee of the last district in which he was employed prior to his election for the fourth consecutive school year. Employees of such districts shall be deemed to have commenced to serve the regular three-year probationary period at the beginning of a school year following the date

upon which the employing district becomes subject to the provisions of this section.

SEC. 8. Section 13322 of said code is amended to read:

13322. On the unionization, unification, uniting, or consolidation of one or more school districts in which the average daily attendance for the preceding school year was less than ~~850~~ *650* pupils, with a district or districts in which the average daily attendance was or, as a result of the unionization, uniting, consolidation, or unification, becomes ~~850~~ *650* or more pupils, the regular three-year probationary period shall be served after the effective date of the unionization, unification, uniting, or consolidation, by any probationary employee who has been serving in a district of less than ~~850~~ *650* average daily attendance. The elected governing board of any such union, unified, or consolidated district, or of the school district formed by uniting two or more school districts, at its option, may classify as a permanent employee of the district, any probationary employee of the districts making up the union, unified, or consolidated district, or of the school district formed by uniting two or more school districts, who, prior to the unionization, unification, uniting, or consolidation of the districts, had been employed by any of the districts for three complete, consecutive school years in a position or positions requiring certification qualifications.

SEC. 9. Section 13443 of said code is''.

DONALD L. GRUNSKY
FRED S. FARR
Senate Committee on Conference

ERNEST R. GEDDES
LEVERETTE D HOUSE
CARLOS BEE
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Z'berg, and Mr. Speaker—63.

NOES—Winton—1.

NOTE—The Conference report concerning Assembly Bill No. 1992 was tabled in the Senate. *See* page 6122.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day ordered stricken from the file.

Assembly Bill No 2500

J. A BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 345
Assembly Bill No. 1056
Assembly Bill No 1420
Assembly Bill No 1439
Assembly Bill No 2272
Assembly Bill No 2605
Assembly Constitutional Amendment No 29

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

## REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW HOUSE RESOLUTION NO. 423 FROM COMMITTEE

Mr. Masterson was granted unanimous consent that House Resolution No. 423 be withdrawn from the Committee on Rules.

## CONSIDERATION OF HOUSE RESOLUTION NO. 423

By Mr. Masterson:

### House Resolution No. 423

Relative to assigning certain subjects to the Assembly Interim Committee on Governmental Efficiency and Economy for interim study

*Resolved by the Assembly of the State of California*, That the following additional subject matters are assigned to the Assembly Interim Committee on Governmental Efficiency and Economy, which committee shall study and analyze all facts relating thereto and report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature

1. The need for legislation relating to the licensing of mining, geological, metallurgical, and petroleum engineers.

2. The cost and problems involved at all levels of government of the program for aid to needy children.

3. The cost and efficiency of operation of transportation facilities in state parks.

4. The subject matter of the use of force account methods of construction work by counties rather than the letting of construction contracts by competitive bids and the effect of such methods upon private enterprise.

5. The subject matter of the following bills as introduced and subsequently amended at the 1959 Regular Session of the Legislature:

(a) Assembly Bill No. 335, relating to preference for American made materials in public purchases.

(b) Assembly Bill No. 1553, relating to unfair practices in the sale of cigarettes.

(c) Assembly Bill No. 1633, relating to advertisements for the sale of diamond jewelry.

(d) Assembly Bill No. 1760, relating to the offenses of failure to provide a proper bond for construction and repair work and improperly obtaining or using a certificate of completion for such work.

(e) Assembly Bill No. 1791, relating to fair trade contracts.

(f) Assembly Bill No. 2213 relating to interests of public officers in contracts.

(g) Assembly Bill No. 2417, relating to the definition of "highway carrier."

(h) Assembly Bill No. 2768, relating to creation of a Board of X-ray Technician Examiners.

(i) Senate Bill No. 1100, relating to subliminal radio and television messages.

Resolution read, and adopted.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2684**—An act making funds available for surveys and studies of an additional San Francisco Bay crossing.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2684?

### Amendment No. 1

On page 1, line 10, of the printed bill as amended in the Assembly on June 8, 1959, after "to", insert ", and in the immediate vicinity of,".

The Assembly concurred in Senate amendment to Assembly Bill No. 2684 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie,

Williamson, George A. Willson, Charles H Wilson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 2684 ordered enrolled.

## FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 91

**Senate Concurrent Resolution No. 91**—Relative to the study of vehicle accident factors.

Resolution read, and presented by Mr. Backstrand.

Resolution adopted by the following vote:

AYES—Bruce F Allen, Don A. Allen, Backstrand, Bane Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Senate Concurrent Resolution No. 91 ordered enrolled.

## MESSAGES FROM THE GOVERNOR

The following message from the Governor was received, and read:

### Veto Message Concerning Assembly Bill No. 846

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 19, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith without my signature

**Assembly Bill No. 846,** entitled. "An act to amend Section 4.4 of, and to add Section 2.14, to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service."

My objections to this bill are as follows.

Assembly Bill No 846 adds to Section 4.4 of the Los Angeles Metropolitan Transit Authority Act, which now prescribes the general powers of the Transit Authority with respect to operation and maintenance of a mass rapid transit system, a provision to the effect that the authority shall not have the power to operate or provide a sightseeing service.

I am informed that the Transit Authority has not been operating a sightseeing service in the past, and has no intention of operating such service in the future. If so, a legislative prohibition against this activity seems unnecessary, but I would not veto the bill on this ground alone.

My more serious objection to the bill arises out of the fact that the Los Angeles Metropolitan Transit Authority has issued and sold bonds, secured solely by revenues from the operation of its transit system, to finance the acquisition of the privately operated systems that were the predecessors of the Transit Authority. I have conflicting opinions from the Legislative Counsel and Attorney General on the question of whether the legislation substantially impairs the obligation of the authority's contract with the holders of its revenue bonds, and therefore violates the provisions of Section 10 of Article 1 of the United States Constitution, and Section 16 of Article 1 of the State Constitution. However, assuming the validity of the measure from a constitutional standpoint, I would still object to Assembly Bill No. 846 from the standpoint of its possible adverse effect on the marketability, and interest rate, of all public agency revenue bond issues. The State of California, and its agencies, such as the California Toll Bridge Authority, presently enjoy an excellent credit reputation with investment houses throughout the Nation. Legislation such as this, prohibiting public agencies which have outstanding revenue bonds, from engaging in any revenue producing service authorized by the enabling act which created the agency in the first instance, could have an adverse effect on this reputation.

For the reasons above noted, namely, that there is at least some question as to the constitutionality of the measure, that even if valid from a constitutional standpoint it might have an adverse effect on other public agency revenue bond issues, and because I believe the bill to be unnecessary. I am, therefore, returning Assembly Bill No. 846 without my signature.

Respectfully submitted,

EDMUND G. BROWN Governor

## CONSIDERATION OF GOVERNOR'S VETO

**Assembly Bill No. 846**—An act to amend Section 4.4 of, and to add Section 2.14 to, the Los Angeles Metropolitan Transit Authority Act of 1957 (Chapter 547 of the Statutes of 1957), relating to charter service.

The question being: Shall Assembly Bill No. 846 become a law notwithstanding the objections of the Governor?

On request of Mr. Miller, the Governor's message was read again in full.

### Demand for Previous Question

Messrs. Masterson, Schrade, Kennick, Busterud, and DeLotto demanded the previous question. Demand sustained.

The question being: Shall Assembly Bill No. 846 become a law notwithstanding the objections of the Governor?

The Assembly sustained the objections of the Governor by the following vote:

AYES—Don A. Allen, Bradley, Britschgi, Burke, Chapel, Collier, Conrad, Dahl, Lanterman, Levering, McCollister, Pattee, Reagan, Schrade, Shell, Thelin, and Charles H. Wilson—17.

NOES—Backstrand, Bee, Biddick, George E. Brown, Burton, Busterud, Cameron, Crawford, Crown, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, MacBride, Marks, Masterson, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Rees, Rumford, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—45.

## CONSIDERATION OF HOUSE RESOLUTION NO. 403

By Messrs. Dills, Crawford, and Grant:

**House Resolution No. 403**—Relative to creating a subcommittee of the Interim Committee on Public Health.

Resolution read.

### Consideration of Committee Amendments

The following amendments, proposed by the Committee on Rules, were read, and adopted:

### Amendment No. 1

Strike out all of the title of the resolution, as printed in the Assembly Journal for June 18, 1959, on page 5865, and insert

"Directing the Assembly Committee on Rules to assign to an appropriate interim committee for study the subject of environmental safety".

### Amendment No. 2

In the first "*Resolved*" paragraph of this resolution, strike out "Assembly Interim Committee on Public Health is hereby authorized and directed to appoint a Subcommittee on Environmental Safety and to assign to such subcommittee the subject matter of this resolution, and", and insert "Subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed".

### Amendment No. 3

Strike out all of the second "*Resolved*" paragraph of the resolution.

Consideration of House Resolution No. 403, as Amended

By Messrs. Dills, Crawford, and Grant:

House Resolution No. 403

Directing the Assembly Committee on Rules to assign to an appropriate interim committee for study the subject of environmental safety

WHEREAS, Many environmental health and safety problems exist in the State with attendant economic problems; and

WHEREAS, These problems include, but are not limited to, the following:

1. Landslides on streets and highways and elsewhere;
2. Problems of filled or reclaimed land;
3. Abandoned facilities, such as wells, sumps, and other man-made artifacts;
4. Natural formations such as the delta peat problem and the western San Joaquin Valley dust problem;
5. The problem of the invasion of marine recreation areas by man-eating sharks; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the subject matter of this resolution is assigned to the Committee on Rules for further assignment by it to an appropriate Assembly interim committee, which committee is directed to report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 405

By Mr. Cunningham:

**House Resolution No. 405**—Relative to an interim study of the sale of business franchises.

Resolution read.

Consideration of Committee Amendments

The following amendment, proposed by the Committee on Rules, was read, and adopted:

Amendment No. 1

In lines 5 and 6 of the "*Resolved*" clause of the measure, as printed in the Assembly Journal for June 18, 1959, at page 5867, strike out "to the Assembly Interim Committee on Public Utilities and Corporations", and insert "by it to an appropriate interim committee".

Consideration of House Resolution No. 405, as Amended

By Mr. Cunningham:

House Resolution No. 405

Relative to an interim study of the sale of business franchises

*Resolved by the Assembly of the State of California*, That the subject matter of transactions involving the sale of business franchises and the sale of rights to use exclusive processes, patents or trade names, with particular emphasis upon fraudulent transactions in relation thereto and the needed revision of any laws pertaining thereto, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report thereon to the Assembly not later than the fifth calendar day of the 1961 Regular Session of the Legislature.

Resolution read, as amended, and adopted.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

**Assembly Constitutional Amendment No. 29**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2.6 to Article XIII, relating to the assessment of property used for golf course purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 29?

**Amendment No. 1**

In line 5 of the title of the printed measure, as amended in the Assembly on May 21, 1959, strike out "recreational", and insert "golf course".

**Amendment No. 2**

On page 1, line 11, strike out "recreational purposes", and insert "golf course purposes for at least two successive years prior to the assessment".

The Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 29 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.
NOES—Burton, Lowrey, and O'Connell—3.

Assembly Constitutional Amendment No. 29 ordered enrolled.

**Assembly Bill No. 345**—An act to add Chapter 3.5 (commencing at Section 31230) to Division 22 of the Education Code as enacted by the Legislature at its 1959 Regular Session, relating to scholarships for the study of agriculture at the University of California and at the several state colleges, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 345?

**Amendment No. 1**

On page 1 of the printed bill, as amended in the Assembly on June 12, 1959, strike out line 11, and insert "California colleges accredited by the Western College Association."

**Amendment No. 2**

On page 2, lines 7 and 8, strike out "the University of California or at a state college", and insert "an accredited California college".

**Amendment No. 3**

On page 2, line 17, strike out "the Uni-"; strike out line 18, and insert "the college".

**Amendment No. 4**

On page 2, line 51, strike out "branch of the"; on page 3, line 1, strike out "University of California or of the state".

**Amendment No. 5**

On page 3, strike out line 3, and insert
"31234 Any accredited college".

**Amendment No. 6**

On page 3, line 44, strike out "and the"; strike out line 45; and in line 46, strike out "ministering it".

**Amendment No. 7**

On page 3, strike out lines 51 and 52, and on page 4, strike out lines 1 to 10, inclusive.

**Amendment No. 8**

On page 4, lines 11 and 12, strike out "sixty-one thousand seven hundred dollars ($61,700)", and insert "thirty thousand dollars ($30,000)".

The Assembly concurred in Senate amendments to Assembly Bill No. 345 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel,

Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Shell, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Zberg, and Mr. Speaker—64

NOES—Crawford, Cusanovich, and Thelin—3

Assembly Bill No. 345 ordered enrolled.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 920

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 123

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1535
Assembly Bill No. 1536

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1404
Assembly Bill No. 1578
Assembly Bill No. 2311
Assembly Bill No. 2576

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day tabled.

Assembly Bill No. 2507

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1725
Assembly Bill No. 2648
Assembly Bill No. 1399
Assembly Bill No. 2185

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2865

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day ordered stricken from file:

Assembly Bill No. 2887

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1056**—An act to amend Sections 10177, 10302 and 10562 of the Business and Professions Code, and Section 25102 of the Corporations Code, relating to real estate transactions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1056?

### Amendment No. 1

In the heading of the printed bill, strike out "(At the request of Division of Real Estate)".

### Amendment No. 2

In line 2 of the title, after the comma, insert "and Section 25102 of the Corporations Code,".

### Amendment No. 3

In line 2 of the title, strike out "revocation or suspen-"; strike out line 3 of the title, and insert "real estate transactions"

### Amendment No. 4

On page 4, after line 25, insert

"SEC. 4. Section 25102 of the Corporations Code is amended to read:

25102. Except as otherwise expressly provided in this division, the Corporate Securities Law does not apply to any of the following ~~classes of securities~~ :

(a) Any security (except notes, bonds, debentures, or other evidences of indebtedness, whether interest-bearing or not) is issued by a company organized under the laws of this State exclusively for educational, benevolent, fraternal, charitable, or reformatory purposes and not for pecuniary profit, no part of the earnings of which inures to the benefit of any private shareholder or individual.

(b) Bills of exchange, trade acceptances, promissory notes and any guarantee thereof, and other commercial paper issued, given, or acquired in a bona fide way in the ordinary course of legitimate business, trade, or commerce.

(c) Promissory notes, whether secured or unsecured, and any guarantee thereof, where the notes are not offered to the public, or are not sold to an underwriter for the purpose of resale.

(d) ~~A promissory note, secured by a lien on a single parcel of real property, when such note is not one of a series of notes executed by one maker or persons associated together in the issue of notes.~~ *Mortgages, deeds of trust and notes incident thereto, in whole or in part, except as follows:*

*(1) Any note, bond, debenture, or other similar instrument issued (a) under and where the rights are determined by a common instrument or indenture or (b) as one of a series executed by one maker or persons associated together in the issue of notes; or*

*(2) A guarantee from a party other than the maker, except the assumption or endorsement of the obligation in the ordinary course of business upon the transfer of the obligation; or*

*(3) Where part of an investment contract wherein the investor is led to expect returns primarily from the efforts of a promoter or third party."*

**Amendment No. 5**

On page 4 of the printed bill, as amended in the Senate on June 16, 1959, strike out lines 26 to 52, inclusive.

**Amendment No. 6**

On page 5, strike out lines 1 to 9, inclusive.

**Amendment No. 7**

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on June 18, 1959, strike out "and Section 25102 of the Corporations Code,".

The Assembly concurred in Senate amendments to Assembly Bill No. 1056 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Kennick, Kilpatrick, Lanterman, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1056 ordered enrolled.

**Assembly Bill No. 1439**—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1439?

**Amendment No. 1**

On page 2, line 22, of the printed bill, after the comma, insert "the College of the Pacific at Stockton, and the University of Santa Clara,".

**Amendment No. 2**

On page 2, after line 31, insert

"With respect to Leland Stanford Junior University, the provisions of this section shall not apply to the sale, giving away, exposing for sale or serving of alcoholic beverages by any licensee under the Alcoholic Beverage Control Act (commencing at Section 23000, Business and Professions Code) in any premises for which a license is issued and in effect on September 15, 1959."

The Assembly concurred in Senate amendments to Assembly Bill No. 1439 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Belotti, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Crown, Cunningham, Cusanovich, DeLotto, Dills, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Nisbet, O'Connell, Pattee, Petris, Sedgwick, Sumner, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—50.

NOES—Beaver, Conrad, Coolidge, Crawford, Lowrey, Mulford, Munnell, Schrade, Thelin, and Unruh—10.

Assembly Bill No. 1439 ordered enrolled.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Collier, and Slattery as a Committee on Conference concerning:

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 602

The Speaker appointed Miss Donahoe, Messrs. Bee, and Hanna as a Committee on Conference concerning Senate Bill No. 602.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 123**—An act to amend Sections 2020, 2025, and 2020.002 of the Welfare and Institutions Code, relating to old age security grants.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 123?

### Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 8, 1959, strike out "Section", and insert "Sections 2020, 2025, and".

### Amendment No. 2

On page 2, strike out line 1, and insert
"SECTION 1. Section 2020.002 of the Welfare and Institutions Code is amended".

### Amendment No. 3

On page 2, line 11, strike out "SEC. 2".

### Amendment No. 4

On page 2, lines 11 and 12, strike out "Section 1 of this act", and insert "this section".

### Amendment No. 5

On page 2, line 16, strike out "of the Welfare and Institutions Code".

### Amendment No. 6

On page 2, between lines 16 and 17, insert

"SEC. 2. Section 2020 of said code is amended to read:

2020. Amount of Aid Allowed. The amount of aid to which any applicant shall be entitled *for basic needs* shall be, when added to the income (including the value of currently used resources, but excepting casual income and inconsequential resources) of the applicant from all other sources, ~~eighty-five dollars ($85)~~ *ninety-five dollars ($95)* per month. If, however, in any case it is found the actual need of an applicant exceeds ~~eighty-five dollars ($85)~~ *ninety-five dollars ($95)* per month, such applicant shall be entitled to receive aid in an amount, not

to exceed ~~eighty-five dollars ($85)~~ *ninety-five dollars ($95)* per month, which when added to his income (including the value of currently used resources, but excepting casual income and inconsequential resources) from all other sources, shall equal his actual need.

The State Department of Social Welfare may provide by rule that any change in grant for an amount of two dollars ($2) or less may be delayed for not more than two months beyond the month in which the recipient reported the change in circumstances.

SEC. 3. Section 2025 of said code is amended to read:

2025. Increase or Decrease of Federal Contributions: Change in Amount of Aid: Maximum and Minimum: Legislative Intent. If, when, and during such times as the United States Government increases or decreases its contributions in assistance of the aged in this State above or below the amount being paid on ~~May 1, 1955~~ *November 1, 1958*, or above or below the amount payable as a result of any such increase or decrease, the ~~amount of the~~ *maximum* grant of aid provided for in *each of* ~~this article~~ *Sections 2020 and 2020.002* shall be increased or decreased by an amount equal to *the nearer dollar of* such increase or decrease by the United States Government, but in no event shall the ~~total aid granted~~ *maximum grant of aid* under ~~this chapter~~ *Section 2020* be *decreased below* ~~more than ninety dollars ($90) nor less than seventy-five dollars ($75)~~ *ninety dollars ($90) or increased above one hundred five dollars ($105)* per month. It is the intent of the Legislature that any change in contributions by the United States Government, whether increase or decrease, shall result in a corresponding change in the amount of ~~this grant~~ *the maximum grant prescribed in Section 2020, within the limits established by this section.*

It is also the intent of the Legislature that should the Federal Government require that any increase in assistance to the aged in this State granted by it after May 1, 1955, be considered necessary to meet medical or health needs of the applicant or recipient, such increase shall be considered necessary to meet such medical or health needs."

**Amendment No. 7**

On page 3, line 3, strike out "SEC. 2", and insert "SEC. 4".

The Assembly concurred in Senate amendments to Assembly Bill No. 123 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.

NOES—Reagan—1.

Assembly Bill No. 123 ordered enrolled.

**Assembly Bill No. 1535**—An act to amend Sections 3084 and 3084.1 of, the Welfare and Institutions Code, relating to aid to the needy blind.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1535?

**Amendment No. 1**

On page 2, line 1, of the printed bill, as amended in the Assembly on June 5, 1959, strike out "except as provided in Section 3084.2,".

The Assembly concurred in Senate amendment to Assembly Bill No. 1535 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—67.
NOES—Reagan—1.

Assembly Bill No. 1535 ordered enrolled.

**Assembly Bill No. 1536**—An act to amend Sections 3472 and 3472.1 of, the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1536?

**Amendment No. 1**

On page 2, line 5 of the printed bill, as amended in the Assembly on June 5, 1959, strike out "except as provided in Section 3472.2,".

**Amendment No. 2**

On page 2, line 17, after "thousand", insert "two hundred".

**Amendment No. 3**

On page 2, line 18, strike out "($1,000)", and insert "($1,200)".

**Amendment No. 4**

On page 2, line 19, after "thousand", insert "two hundred".

**Amendment No. 5**

On page 2, line 20, strike out "($1,000)", and insert "($1,200)".

The Assembly concurred in Senate amendments to Assembly Bill No. 1536 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 1536 ordered enrolled.

**Assembly Bill No. 1420**—An act to amend Section 18853 of the Government Code, relating to state civil service.

Senate amendments presented by Mr. MacBride.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1420?

**Amendment No. 1**

On page 1 of the printed bill, after line 16, insert

"When an employee who is compensated in accordance with this section receives state benefits such as retirement, sick leave, and vacation, such employee shall receive the prevailing rate, less the difference between the state benefits and those paid in private industry as determined by the board."

**Amendment No. 2**

In line 1 of the title of the printed bill, as amended in the Senate on June 15, 1959, strike out "amend Section 18853 of", and insert "add Section 31809.5 to".

**Amendment No. 3**

In line 2 of the title, strike out "state civil service", and insert "pension determination formulas for members of county retirement systems".

**Amendment No. 4**

On page 1, strike out lines 1 and 2, and insert

"SECTION 1. Section 31809.5 is added to the Government Code, to read:

31809.5. Notwithstanding any other provisions of this chapter, with respect to those members of a county retirement system as defined in Sections 31470.2 and 31470.4, pension computations pursuant to Section 31809 shall be made in accordance with the formula contained in subdivision (a) of Section 31809 with respect to service performed prior to such time as the member acquires an insured status under the federal old age and survivors' insurance provisions of the Social Security Act, and in accordance with the formula contained in subdivision (b) of Section 31809 with respect to service performed thereafter.

This section is not applicable to safety members subject to the provisions of Sections 31676.1 or 31695.1.

This section shall not be operative in any county until such time as the board of supervisors shall, by resolution adopted by a four-fifths vote, make the provisions of this section applicable in such county."

**Amendment No. 5**

On page 1, strike out lines 3 to 21, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1420 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 1420 ordered enrolled.

**Assembly Bill No. 2605**—An act to amend Section 28105 of the Government Code, relating to the salary of the supervisors of counties of the fifth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2605?

**Amendment No. 1**

On page 1, line 9, of the printed bill, after the period, insert "The district attorney shall not engage in the private practice of law and shall not, directly or indirectly, refer litigation to any attorney or receive and accept any payment from any attorney or firm of attorneys for his personal account."

**Amendment No. 2**

On page 1, lines 13 and 14, strike out "not to exceed 5 percent of his monthly salary for".

**Amendment No. 3**

On page 2, line 7, after "section", insert ", other than the county auditor if he is also designated as county controller,".

The Assembly concurred in Senate amendments to Assembly Bill No. 2605 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 2605 ordered enrolled.

**Assembly Bill No. 2272**—An act to amend Section 5406 of the Labor Code, relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2272?

**Amendment No. 1**

On page 1, line 17, of the printed bill, after "injury", insert ", except as provided in subdivision (c) of this section".

**Amendment No. 2**

On page 1, line 11, of the printed bill, as amended in the Senate on June 16, 1959, strike out "no", and insert "the date of death is more than one year after the date of injury and compensation".

**Amendment No. 3**

On page 1, strike out lines 12 to 14, inclusive, and insert a period.

**Amendment No. 4**

On page 1, strike out lines 17 and 18, and insert "date of injury."

The Assembly concurred in Senate amendments to Assembly Bill No. 2272 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crown, Cunningham, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—68.
NOES—Crawford, Schrade, and Thelin—3.

Assembly Bill No. 2272 ordered enrolled.

## REQUEST FOR UNANIMOUS CONSENT TO PRINT REPORT

Mr. O'Connell was granted unanimous consent that 2,000 copies of the Report of the Subcommittee on Constitutional Rights be ordered printed, as a separate document.

## SENATE CONCURRENT RESOLUTION NO. 85 PLACED ON THE INACTIVE FILE

The following resolution was placed upon the inactive file:

**Senate Concurrent Resolution No. 85,** on motion of Mr. Samuel R. Geddes.

### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 92

**Senate Concurrent Resolution No. 92**—Relative to the compiling, publishing, and distribution of the official State Roster.

Resolution read, and presented by Mr. Conrad.

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—65.

NOES—None.

Senate Concurrent Resolution No. 92 ordered enrolled.

### UNFINISHED BUSINESS (RESUMED)
### CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1399**—An act to amend Sections 3306 and 3332 of the Welfare and Institutions Code, to amend Sections 135 and 633 of, and to add Section 605.5 to the Unemployment Insurance Code, relating to unemployment compensation benefits and unemployment compensation disability benefits for employees of certain public agencies.

Senate amendments presented by Mr. Elliott.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1399?

#### Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 11, 1959, strike out "Sections 3306 and", and insert "Section".

#### Amendment No. 2

In line 1 of the title, after "of", insert ", and to add Section 3306.1 to,".

#### Amendment No. 3

In line 6 of the title, after "agencies", insert ", and making an appropriation".

#### Amendment No. 4

On page 1, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 3306.1 is added to the Welfare and Institutions Code, to read:

3306.1. Blind persons and other physically handicapped persons employed by California Industries for the Blind shall be deemed to be employees of the State for the purposes of unemployment compensation insurance and unemployment compensation disability insurance."

#### Amendment No. 5

On page 1, line 19, after "Education", insert ", and for the payment of employer and worker contributions, penalties and interest, with respect to the services of blind and physically handicapped workers, required under the Unemployment Insurance Code".

#### Amendment No. 6

On page 2, line 5, after the period, insert "The fund may also be used for the refund of overpayment to any person making such overpayment, whatever the amount, to the California Industries for the Blind. Any amount due to any person for merchandise returned to the California Industries for the Blind for credit shall be deemed to be an "overpayment" within the meaning of this section."

#### Amendment No. 7

On page 2, between lines 12 and 13, insert

"The Controller shall transfer from the fund to the Old Age and Survivors Insurance Revolving Fund, from time to time, an amount sufficient to pay all costs incurred by the State in the administration of the Old Age and Survivors Insurance

System as it affects blind and handicapped persons employed by the California Industries for the Blind, and to pay, with respect to such person, the contributions required of an employer under the provisions of Section 3111 of the Internal Revenue Code of 1954."

**Amendment No. 8**

On page 3, after line 42, insert

"SEC. 7. There is hereby appropriated from the General Fund in the State Treasury the sum of one thousand eight hundred dollars ($1,800), or so much thereof as is necessary, to the Department of Education for the administration of the provisions of this act."

**Amendment No. 9**

In line 7 of the title of the printed bill, as amended in the Senate on June 18, 1959, strike out ", and making an appropriation".

**Amendment No. 10**

On page 4, line 8, strike out "and 709", and insert "709, and 710".

**Amendment No. 11**

On page 4, strike out lines 20 to 24, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1399 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Cameron, Chapel, Crawford, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—60.

NOES—House—1.

Assembly Bill No. 1399 ordered enrolled.

**Assembly Bill No. 1725**—An act to add Chapter 2.8 (commencing at Section 8160) to Division 1 of Title 2 of the Government Code, relating to the Capitol Building and Planning Commission, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1725?

**Amendment No. 1**

On page 3 of the printed bill, as amended in the Assembly on June 8, 1959, after line 20, insert

"8171. The City of Sacramento and the County of Sacramento, respectively, may each contribute a sum not to exceed fifteen thousand dollars ($15,000) for the support of the commission, and the commission may accept such contributions."

**Amendment No. 2**

On page 2, line 21, of the printed bill, as amended in the Assembly June 8, 1959, strike out "an overall policy and".

**Amendment No. 3**

On page 2, strike out lines 40 to 42, inclusive, and insert

"8167. The commission may request the assistance and advice of any".

**Amendment No. 4**

On page 2, line 44, strike out "shall", and insert "may".

**Amendment No. 5**

On page 3, line 2, after "to the", insert "Division of Architecture in the Department of Public Works for additional recommendations and suggestions, and thereafter shall be transmitted to the".

The Assembly concurred in Senate amendments to Assembly Bill No. 1725 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge,

Crawford, Dahl, Davis, DeLotto, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1725 ordered enrolled.

**Assembly Bill No. 2648**—An act to amend Section 10752 of the Education Code, as enacted by the Legislature at its 1959 Regular Session, relating to schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2648?

Amendment No. 1

On page 1, line 7, of the printed bill, before "shall", insert ", or a copy of the record,".

Amendment No. 2

On page 1, line 6, after "pil", insert ", which may be available to the pupil's parent for inspection during consultation with a certificated employee of the district,".

The roll was called.

**Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 2648**

Mr. Lowrey was granted unanimous consent to expunge the record, and rescind the action on the roll call on Senate amendments to Assembly Bill No. 2648.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 2648?

The Assembly concurred in Senate amendments to Assembly Bill No. 2648 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bee, Biddick, Bradley, George E. Brown, Chapel, Crown, Cunningham, Davis, DeLotto, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, MacBride, Masterson, McMillan, Meyers, Mulford, Nisbet, O'Connell, Petris, Porter, Rumford, Sedgwick, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—42.

NOES—Backstrand, Beaver, Belotti, Burke, Burton, Busterud, Collier, Conrad, Crawford, Cusanovich, Dahl, Johnson, Lanterman, Levering, Luckel, Lunardi, Marks, McCollister, Miller, Reagan, Rees, Schrade, Shell, Sumner, and Thelin—25.

Assembly Bill No. 2648 ordered enrolled.

**Assembly Bill No. 2185**—An act relating to the transfer and repayment of certain state funds with respect to the loan made to the Golden Gate Bridge and Highway District by Chapter 1505 of the Statutes of 1945, and in this connection amending Section 2 of Chapter 1505 of the Statutes of 1945.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2185?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on May 1, 1959, strike out "Motor Vehicle Transportation Tax", and insert "State Highway"

**Amendment No. 2**

On page 2, line 11, strike out "Motor Vehicle Transportation Tax", and insert "State Highway".

**Amendment No. 3**

On page 2, after line 12, insert

"SEC. 3. No part of this act, including the amendment of Section 2 of Chapter 1505 of the Statutes of 1945, shall become operative for any purpose unless and until federal legislation is enacted providing for apportionments of federal aid funds for the National System of Interstate and Defense Highways for the fiscal years ending June 30, 1961 and June 30, 1962, in not less than the amounts provided for in the Federal-Aid Highway Act of 1956."

**Amendment No. 4**

Strike out lines 4 and 5 of the title of the printed bill, as amended in the Senate June 18, 1959, and insert "utes of 1945."

**Amendment No. 5**

On page 1, strike out lines 6 to 16, inclusive; on page 2, strike out lines 1 to 22, inclusive, and insert

"SEC. 2. Notwithstanding the provisions of Chapter 1505 of the Statutes of 1945, and any contract entered into pursuant thereto, the obligation of the Golden Gate Bridge and Highway District to repay to the State of California the amounts expended pursuant to such chapter, with interest thereon, is hereby extinguished."

The Assembly concurred in Senate amendments to Assembly Bill No. 2185 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 2185 ordered enrolled.

## CONSIDERATION OF HOUSE RESOLUTION NO. 426

By Mr. Miller:

**House Resolution No. 426**

*Resolved*, That the Chief Clerk of the Assembly be and he is hereby authorized and empowered to receipt for any warrants that may be due Members, officers, or other attaches of the Assembly after the close of the 1959 Regular Session, or that may be drawn upon the Contingent Fund of the Assembly.

Resolution read, and adopted.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 291**—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving vehicles while under the influence of intoxicating liquor;

And appointed Senators Grunsky, Regan, and Dolwig as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 291

The Speaker appointed Messrs. O'Connell, Burton, and Sumner as a Committee on Conference concerning Senate Bill No. 291.

## MESSAGES FROM THE GOVERNOR

The following message from the Governor was received, and read:

### Veto Message Concerning Assembly Bill No. 1097

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 19, 1959

*To the Honorable Members of the Assembly of the State of California:*

I am returning herewith without my signature

**Assembly Bill No. 1097,** an act adding Section 25660 1 to the Business and Professions Code, relating to alcoholic beverages

My objections to this bill are as follows:

The bill adds a new section to the Alcoholic Beverage Control Act, providing that in any criminal prosecution or proceeding for the suspension or revocation of any license, where the offense with which the licensee is charged is the sale of alcoholic beverage to a minor, or permitting consumption by a minor, evidence that a reasonable person would have considered the minor to be over the age of 21 may be a defense to the prosecution or administrative proceeding.

The Attorney General entertains doubts as to the constitutionality of the measure, as being in conflict with the amendment of Article XX, Section 22, of the Constitution, relating to alcoholic beverages, which amendment became effective January 1, 1957. This amendment absolutely prohibits the sale, furnishing, or giving of any alcoholic beverage to any person under the age of 21 years.

In addition to concurring with the Attorney General's view on the question of the possible conflict between the provisions of Assembly Bill No. 1097 and the provisions of the Constitution, I am personally opposed to any legislation that would permit either the courts, or the Department of Alcoholic Beverage Control, to impose less strict, rather than more strict penalties upon licensees for the sale of liquor to minors.

I am, therefore, returning Assembly Bill No. 1097 without my signature.

Respectfully submitted,

EDMUND G. BROWN, Governor

Assembly Bill No. 1097 ordered to the unfinished business file.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 162
Assembly Bill No. 1538

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 41

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

## COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

MALONEY AND MARITZEN
SAN FRANCISCO, June 18, 1959

*Hon. Ralph Brown*
*Speaker, State Assembly*
*State Capitol, Sacramento*

FRIEND RALPH: Would you kindly express to the Members of the Assembly my sincere thanks and appreciation for the lovely birthday resolution presented by my grandfather the Honorable Edward M. Gaffney and the other seventy-nine members. You tell Gaffney, but not the members, that the grandchildren with the

exception of one of them, will be very happy when they see the resolution. Which one will be unhappy I do not know, because the resolution says I have twelve grandchildren although I do have thirteen. Tell him to go to Eleventh and J Streets and atone for the sin he committed.

To you and the members, thanks again, as you have really had a tough session.

With my kindest regards to all, I am

Sincerely yours,

THOMAS A MALONEY

## INTRODUCTION OF MRS. EDMUND G. BROWN

Speaker Brown presented Mrs. Edmund G. Brown, the wife of Governor Edmund G. Brown, to the Members of the Assembly, who joined in welcoming her on her visit to the Assembly Chamber.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Hanna:

### House Resolution No. 427

Relative to the problems of the construction industry in California

*Resolved by the Assembly of the State of California*, That the subject matter of all phases of the construction industry in California and the relation of the segments thereof, including financial stability in the industry, is assigned to the Committee on Rules for reassignment by it to an appropriate interim committee, which committee shall report to the Assembly no later than the fifth calendar day of the 1961 Regular Session of the Legislature.

### Request for Unanimous Consent

Mr. Hanna was granted unanimous consent to take up House Resolution No. 427 without reference to committee or file.

Resolution read, and adopted.

By Messrs. Burton and George E. Brown:

**House Resolution No. 428**—Relative to the celebration of Columbus Day.

Resolution read.

### Request for Unanimous Consent

Mr. Burton was granted unanimous consent to take up House Resolution No. 428 without reference to committee or file.

### Members Made Co-authors of House Resolution No. 428

Mr. Burton was granted unanimous consent that all members so desiring be placed upon House Resolution No. 428 as co-authors.

### Roll Call

The roll was called with the following result:

AYES—Bruce F. Allen, Don A Allen, Backstrand, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—66.

NOES—Levering, Reagan, and Shell—3.

**Consideration of House Resolution No. 428, as Amended**

By Messrs. Burton, George E. Brown, Bruce F. Allen, Don A. Allen, Backstrand, Bee, Belotti, Biddick, Bradley, Ralph M. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 428**

Relative to the celebration of Columbus Day

WHEREAS, October 12, 1959, will mark the 467th anniversary of the discovery of the Americas by the renowned Italian explorer, Cristofero Colombo, or as he is referred to by those of us not of the great man's own Italian ancestry, Christopher Columbus; and

WHEREAS, The commemoration of this most extraordinary event in human history has made the Columbus Day Holiday an occasion for festive rejoicing among all peoples of the New World ever since the first such holiday was observed in New York City on October 12, 1792; and

WHEREAS, The observance of Columbus Day is a matter of special importance and pride for those Americans who trace their ancestry to native Italy where the great Cristofero Colombo himself was born and reared, and the holiday is an especially festive occasion in the City of San Francisco; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly, by this resolution, take occasion to note again the significance of the Columbus Day Holiday and the tremendous events in the history of man on this earth that evolved from the daring and unprecedented undertaking of Cristofero Colombo in the year 1492, and be it further

*Resolved*, That the Assembly hereby extends its special congratulations and commendations upon the observance of Columbus Day to those persons of Italian ancestry to whom the achievements of the great explorer are matters of special importance and pride; and be it further

*Resolved*, That the Chief Clerk of the Assembly is directed to transmit suitably prepared copies of this resolution to the Columbus Day Committee, The Honorable Fred J. Casassa, President, Columbus Civic Club; The Honorable Robert Grassilli, Grand President, Central Council of the Italian Catholic Federation; The Honorable John P. Pigone, President, Branch No. 38, Italian Catholic Federation; The Honorable Armond J. DeMartini, President, Italian Federation of Societies in California, Inc.; The Honorable Angelo Dorenzi, President, North Beach Lions' Club; The Honorable Frank J. Lavezzo, President North Beach Merchants & Boosters' Association; The Salesian Boys' Club, The Honorable Attilio Raeta, Grand Venerable, Lodge of California Order Sons of Italy in America; Father Gabriel J. Zavattaro, SS Peter's and Paul's Church; The Consul General of Italy

Resolution read, and adopted unanimously.

## COMMENDATION OF SPEAKER PRO TEMPORE

Mr. Conrad and the Members of the Assembly joined in commending Speaker pro Tempore Bee on the manner in which he had performed the duties of the office of Speaker pro Tempore of the Assembly for this 1959 Session of the Legislature.

## RESOLUTIONS

The following resolution was offered:

By Mr. Meyers:

**House Resolution No. 429**—Relative to congratulating Al Knapp and the staff of the Legislative Bill Room.

### Request for Unanimous Consent

Mr. Meyers was granted unanimous consent to take up House Resolution No. 429 without reference to committee or file.

### Members Made Co-authors of House Resolution No. 429

Mr. Meyers was granted unanimous consent that all members so desiring be placed upon House Resolution No. 429 as co-authors.

### Roll Call

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z berg—72.

NOES—None.

### Consideration of House Resolution No. 429, as Amended

By Messrs. Meyers, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

### House Resolution No. 429

Relative to congratulating Al Knapp and the staff of the Legislative Bill Room

WHEREAS, As the end of the 1959 Regular Session nears completion it is most fitting that the Members of this body extend their thanks and congratulations to Al Knapp and the other hard-working members of the staff of the Legislative Bill Room; and

WHEREAS, The performance of the Bill Room staff during the stress of the session was of outstanding quality and contributed significantly to the success of the Members and attaches, and

WHEREAS, Handling many thousands of bills, journals and histories, this superlative staff has managed to earn the lasting respect of the Members and fellow employees of the Capitol; and

WHEREAS, The courtesy and efficiency of Al Knapp and his staff are truly a remarkable achievement and must be commended; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House congratulate Al Knapp and his fine staff of the Legislative Bill Room, and extend to each of them a most sincere thanks, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Al Knapp.

Resolution read, and adopted unanimously.

By Mr. Meyers:

**House Resolution No. 430**—Relative to expressing gratitude to Sergeant-at-Arms Tony Beard and his staff

**Request for Unanimous Consent**

Mr. Meyers was granted unanimous consent to take up House Resolution No. 430 without reference to committee or file.

**Members Made Co-authors of House Resolution No. 430**

Mr. Meyers was granted unanimous consent that all members so desiring be placed upon House Resolution No. 430 as co-authors.

**Roll Call**

The following members indicated a desire to become co-authors:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—74.

NOES—None.

**Consideration of House Resolution No. 430, as Amended**

By Messrs. Meyers, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

**House Resolution No. 430**

Relative to expressing gratitude to Sergeant-at-Arms Tony Beard and his staff

WHEREAS, At the 1959 Regular Session of the Legislature, Sergeant-at-Arms Tony Beard and his staff rendered many courtesies and much assistance to the Members of the Assembly; and

WHEREAS, The willingness and efficiency with which the services were rendered served to lighten greatly the burdens borne by the Members of the Assembly during the course of their deliberations; and

WHEREAS, At the close of the 1959 Regular Session it is appropriate that the Members of the Assembly express their gratitude to the Sergeant-at-Arms and his staff who have rendered such valuable service and assistance during the session; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Assembly expresses its gratitude to Sergeant-at-Arms Tony Beard and all of his staff for the help and assistance rendered to the Members of the Assembly at the 1959 Regular Session of the Legislature, and that the Members of the Assembly extend their hearty and sincere "Thanks"; and be it further

*Resolved,* That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Sergeant-at-Arms Tony Beard.

Resolution read, and adopted unanimously.

**RECESS (BY UNANIMOUS CONSENT)**

At 11.20 p.m., on request of Speaker pro Tempore Bee, the Assembly recessed until 11.21 p.m. to hear from Sergeant-at-Arms Tony Beard.

### REASSEMBLED

At 11.21 p.m., the Assembly reconvened.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### RESOLUTIONS

The following resolution was offered:

By Mr. Meyers:

**House Resolution No. 431**—Relative to congratulating Arthur A. Ohnimus and his staff.

#### Request for Unanimous Consent

Mr. Meyers was granted unanimous consent to take up House Resolution No. 431 without reference to committee or file.

#### Members Made Co-authors of House Resolution No. 431

Mr. McCollister was granted unanimous consent that all members be placed upon House Resolution No. 431 as co-authors.

#### Consideration of House Resolution No. 431, as Amended

By Messrs. Meyers, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs. DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

#### House Resolution No. 431

Relative to congratulating Arthur A. Ohnimus and his staff

WHEREAS, Arthur A Ohnimus, the Chief Clerk of the Assembly, and his staff at the Desk of the Assembly Chamber have once again performed their duties in a most superlative manner; and

WHEREAS, The members of this body are most appreciative of the fine performance which has consistently been put forth by the clerks and attaches at the Assembly desk; and

WHEREAS, On many occasions during the current session the Chief Clerk and his staff have been burdened with work which it has been necessary to complete in a short time, and on each and every occasion they have completed the tasks in a manner which is truly a credit to their profession; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of this House take this occasion to congratulate Arthur A. Ohnimus and his fine staff and to thank them sincerely for a job well done; and be it further

*Resolved*, That the Chief Assistant Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to Arthur A. Ohnimus, Chief Clerk of the Assembly.

Resolution read, and adopted unanimously.

### RECESS (BY UNANIMOUS CONSENT)

At 11.23 p.m., on request of Speaker Brown, the Assembly recessed until 11.24 p.m. to hear from Chief Clerk Arthur A. Ohnimus.

### REASSEMBLED

At 11.24 p.m., the Assembly reconvened.

Hon. Carlos Bee, Speaker pro Tempore of the Assembly, presiding. Chief Clerk Arthur A. Ohnimus at the desk.

### RESOLUTIONS

The following resolution was offered:

By Mr. Meyers:

**House Resolution No. 432**—Relative to commending the Speaker and his staff, and the Speaker pro Tempore.

#### Request for Unanimous Consent

Mr. Meyers was granted unanimous consent to take up House Resolution No. 432 without reference to committee or file.

#### Members Made Co-authors of House Resolution No. 432

Mr. McCollister was granted unanimous consent that all members be placed upon House Resolution No. 432 as co-authors.

#### Consideration of House Resolution No. 432, as Amended

By Messrs. Meyers, Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Ralph M. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Mrs. Davis, Messrs DeLotto, Dills, Miss Donahoe, Messrs. Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Z'berg:

#### House Resolution No. 432

Relative to commending the Speaker and his staff, and the Speaker pro Tempore

WHEREAS, The Assembly is today finishing a long and arduous session; and

WHEREAS, During the course of this session Speaker Ralph M. Brown has demonstrated over and again in the way in which he has conducted the proceedings of this House and the business of his office that he was a wise choice on the part of this body to serve as their Speaker, and Speaker pro Tempore Carlos Bee has likewise fulfilled the obligations of his office in a most commendable way; and

WHEREAS, The efficient and able services of the Speaker's staff have not escaped the attention of the Members of the Assembly; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members of the Assembly hereby commend Speaker Ralph Brown and Speaker pro Tempore Carlos Bee for able and efficient handling of their duties in every way at this session of the Legislature, and express their appreciation therefor; and be it further

*Resolved*, That the Members of the Assembly likewise commend the staff of the Speaker's Office, Francis Ruggieri, Administrative Assistant, Edith MacNair, Administrative Secretary, and Bette Coffey, Secretary; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Speaker Ralph Brown, Speaker pro Tempore Carlos Bee, Francis Ruggieri, Edith MacNair, and Bette Coffey.

Resolution read, and adopted unanimously.

### COMMENDATIONS BY SPEAKER

Speaker Brown addressed the Members of the Assembly, and expressed his appreciation to the members for their co-operation and diligence to duty during the session; and commended Majority Floor Leader William A. Munnell, Minority Floor Leader Joseph C. Shell, the members of the Rules Committee, the chairmen of all of the standing committees, Democratic Whip Gordon H. Winton, Republican Whip Bruce W. Sumner, and the Assembly staff upon the manner in which they had performed the duties of their offices at this 1959 Session.

### APPRECIATION EXPRESSED

Mr. Waldie, representing the Freshmen Legislators, expressed appreciation to the "senior" members for their co-operation and assistance during this session of the Legislature.

#### Speaker Presiding

At 11.34 p.m., Hon. Ralph M. Brown, Speaker of the Assembly, presiding.

Mr. McMillan expressed the appreciation of the Members of the Assembly to James T. Doyle, Assembly Console Operator, for the able and conscientious manner in which he had performed his duties during the daily sessions of this Legislature.

Mr. Munnell expressed his appreciation to the Officers and Members of the Assembly and the Assembly staff for their services and co-operation at this session of the Legislature.

### RECESS (BY UNANIMOUS CONSENT)

At 11.36 p.m., on request of Speaker Brown, the Assembly recessed until 11.43 p.m. to hear from the Honorable Edmund G. Brown, Governor of the State of California.

### REASSEMBLED

At 11.43 p.m., the Assembly reconvened.
Hon. Ralph M. Brown, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Assembly Concurrent Resolution No. 137—Relative to the creation of the Joint Interim Committee on the Public Education System.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 125

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

| | |
|---|---|
| Senate Bill No. 48 | Senate Bill No. 1326 |
| Senate Bill No. 122 | Senate Bill No. 1368 |
| Senate Bill No. 485 | Senate Bill No. 1369 |
| Senate Bill No. 538 | Senate Bill No. 1399 |
| Senate Bill No. 789 | Senate Bill No. 1482 |
| Senate Bill No. 1060 | |

J. A. BEEK, Secretary of the Senate
By LACHLAN M RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

**Senate Bill No. 1489**—An act to amend Section 9108 of the Government Code, relating to the State Capitol.

And appointed Senators Collier, Dolwig, and Richards as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

## APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1489

The Speaker appointed Messrs. Miller, Rees, and Collier as a Committee on Conference concerning Senate Bill No. 1489.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Senate Bill No. 291**, as amended in Assembly June 18, 1959—An act to amend Section 23102 of the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to driving vehicles while under the influence of intoxicating liquor.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on June 18, 1959, after "vehicle", insert "upon any highway".

| | |
|---|---|
| DONALD L. GRUNSKY | PHILLIP BURTON |
| RICHARD J. DOLWIG | BRUCE SUMNER |
| EDWIN J. REGAN | JOHN A. O'CONNELL |
| *Senate Committee on Conference* | *Assembly Committee on Conference* |

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowery, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Chapel—1.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in.

JAMES J. McBRIDE
WAVERLY J. SLATTERY
Senate Committee on Conference

DOROTHY M. DONAHOE
CARLOS BEE
RICHARD T HANNA
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H Wilson, Winton, and Z'berg—75.

NOES—None.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 1037**—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 1037 ordered enrolled.

## RESOLUTIONS

The following resolutions were offered:

By Mr. Miller:

### House Resolution No. 433

*Resolved*, That the Speaker appoint a Select Committee of Five to notify the Senate that the Assembly is ready to adjourn sine die for the 1959 Regular Session and ask if the Senate has any further communication to transmit to this House.

### Request for Unanimous Consent

Mr. Miller was granted unanimous consent to take up House Resolution No. 433 without reference to committee or file.

Resolution read, and adopted.

### Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 433, Speaker Brown appointed Messrs. Miller, Waldie, Johnson, Marks, and Cameron as such Select Committee to wait upon the Senate.

By Mr. Miller:

### House Resolution No. 434

*Resolved*, That the Speaker appoint a Select Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors for this 1959 Regular Session and is ready to adjourn sine die, and awaits his further pleasure.

**Request for Unanimous Consent**

Mr. Miller was granted unanimous consent to take up House Resolution No. 434 without reference to committee or file.

Resolution read, and adopted.

**Appointment of Select Committee**

Pursuant to the provisions of House Resolution No. 434, Speaker Brown appointed Messrs. Unruh, Munnell, and Shell as such Select Committee to wait upon the Governor.

## REPORT OF COMMITTEE ON CONFERENCE

The following report of committee on conference was received, and read:

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: The Committee on Conference concerning:

**Senate Bill No. 1489,** as amended in Assembly June 19, 1959—An act to amend Section 9108 of the Government Code, relating to the State Capitol.

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

**Amendment No. 1**

On page 1, line 5, of the printed bill, as amended in the Assembly on June 19, 1959, after "sixth floor", insert "including any enlargement thereof,".

RANDOLPH COLLIER
RICHARD J. DOLWIG
RICHARD RICHARDS
Senate Committee on Conference

THOMAS M. REES
ALLEN MILLER
Assembly Committee on Conference

Report adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, George E. Brown, Burke, Burton, Busterud, Cameron, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Kennick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—62.

NOES—Beaver, Britschgi, Chapel, Crawford, Kilpatrick, Levering, Lowrey, Reagan, and Shell—9.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Senate Bill No. 602**—An act to add Sections 3213, 3214, and 3215 to the Labor Code, relating to workmen's compensation.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day tabled:

Conference report on **Assembly Bill No. 1992**

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 149

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2596
Assembly Bill No. 2827

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1398
Assembly Bill No. 2756

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bills ordered to unfinished business file.

## UNFINISHED BUSINESS (RESUMED)
## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 1398**—An act to amend Section 20330 of, and to add Section 22210.1 to, the Government Code, and to amend Sections 3306 and 3332 of, the Welfare and Institutions Code, relating to social security coverage for state employees not covered by a retirement system, and making an appropriation.

Senate amendments presented by Mr. Hawkins.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1398?

### Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on June 11, 1959, after "system", insert ", and making an appropriation".

### Amendment No. 2

On page 2, between lines 32 and 33, insert

"The Controller shall transfer from the fund to the Old Age and Survivors Insurance Revolving Fund, from time to time, an amount sufficient to pay all costs incurred by the State in the administration of the Old Age and Survivors Insurance System as it affects blind and handicapped persons employed by the California Industries for the Blind, and to pay, with respect to such person, the contributions required of an employer under the provisions of Section 3111 of the Internal Revenue Code of 1954."

### Amendment No. 3

On page 3, after line 7, insert

"SEC. 5. There is hereby appropriated from the General Fund in the State Treasury the sum of two thousand dollars ($2,000), or so much thereof as is necessary, to the Department of Education for the administration of the provisions of this act."

### Amendment No. 4

On page 1, line 11, of the printed bill, as amended in the Senate on June 16, 1959, after "Education", insert "and in the public schools of the State".

### Amendment No. 5

On page 2, line 27, after the period, insert "The fund may also be used for the refund of overpayment to any person making such overpayment, whatever the amount, to the California Industries for the Blind. Any amount due to any person for merchandise returned to the California Industries for the Blind for credit shall be deemed to be an "overpayment" within the meaning of this section."

### Amendment No. 6

In line 5 of the title of the printed bill, as amended in the Senate on June 18, 1959, strike out ", and making an appropriation".

**Amendment No. 7**

On page 3, strike out lines 14 to 18, inclusive.

The Assembly concurred in Senate amendments to Assembly Bill No. 1398 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—75.
NOES—Hegland—1.

Assembly Bill No. 1398 ordered enrolled.

**Assembly Bill No. 2756**—An act to amend Sections 11610, 11612, 11614, 11619, 11621, and 11622 of, and to repeal Section 11620 of the Health and Safety Code, relating to the forfeiture of vehicles for the unlawful transportation, depositing, concealment, and possession of narcotics.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2756?

**Amendment No. 1**

On page 1, line 4, of the printed bill, after "transport", insert "or facilitate the unlawful transportation of".

**Amendment No. 2**

On page 1, line 6, after "concealed", insert "or which is used to facilitate the unlawful keeping, depositing or concealment of any narcotic".

**Amendment No. 3**

On page 1, line 9, after "thereof", insert "or which is used to facilitate the unlawful possession of any narcotic by an occupant thereof,".

The Assembly concurred in Senate amendments to Assembly Bill No. 2756 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, House, Kennick, Kilpatrick, Levering, Lowrey, Luckel, Lunardi, MacBride, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Waldie, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 2756 ordered enrolled.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2231

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered to unfinished business file.

## UNFINISHED BUSINESS (RESUMED)

## CONSIDERATION OF SENATE AMENDMENTS

**Assembly Bill No. 2231**—An act to add Section 24009 to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, relating to vehicle equipment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2231?

### Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 27, 1959, strike out "Article 3 (commencing at Section 26525) to Chapter 3 of Division 12 of", and insert "Section 24009 to".

### Amendment No. 2

In line 4 of the title, strike out "air and vacuum brakes", and insert "equipment".

### Amendment No. 3

On page 1, strike out line 1, and insert

"SECTION 1. Section 24009 is added to the Vehicle Code as enacted by the Legislature at the 1959 Regular Session, to read:

24009. Whenever the Department of Motor Vehicles or the Department of the California Highway Patrol approves any device or equipment pursuant to the provisions of this code, they shall approve any device or equipment approved by the Interstate Commerce Commission for the same purpose which is at least as effective as the device or equipment approved by the department concerned."

### Amendment No. 4

On page 1, strike out lines 2 through 9, inclusive; and strike out page 2.

### Amendment No. 5

On page 1, line 8, of the printed bill, as amended in the Senate on June 10, 1959, strike out "shall", and insert "may".

The Assembly concurred in Senate amendments to Assembly Bill No. 2231 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hegland, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—72.

NOES—Burton—1.

Assembly Bill No. 2231 ordered enrolled.

## REPORTS OF STANDING COMMITTEES

### Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 1679
Assembly Bill No. 2749
Assembly Bill No. 2750

With the recommendation: That the bills be filed; and that the subject matter be referred to the Committee on Rules for assignment to the proper interim committee for study.

MEYERS, Chairman

Above bills ordered filed; and the subject matter referred to the Committee on Rules.

**Committee on Agriculture**

ASSEMBLY CHAMBER, June 19, 1959

MR SPEAKER: Your Committee on Agriculture reports:

Assembly Bill No. 84
Assembly Bill No. 2104
Assembly Bill No. 1017
Assembly Bill No. 2437
Assembly Bill No. 899
Assembly Concurrent Resolution No. 124

Without action.

SAMUEL R. GEDDES, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Agriculture reports:

Senate Bill No. 983
Senate Concurrent Resolution No. 70

Without action.

SAMUEL R. GEDDES, Chairman

Above bills ordered transmitted to the Senate.

**Committee on Civil Service and State Personnel**

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Civil Service and State Personnel reports:

Assembly Bill No. 50
Assembly Bill No. 207
Assembly Bill No. 427
Assembly Bill No. 532
Assembly Bill No. 699
Assembly Bill No. 803
Assembly Bill No. 958
Assembly Bill No. 960
Assembly Bill No. 983
Assembly Bill No. 1247
Assembly Bill No. 1467
Assembly Bill No. 1552
Assembly Bill No. 1654
Assembly Bill No. 1657
Assembly Bill No. 1699
Assembly Bill No. 2153
Assembly Bill No. 2328
Assembly Bill No. 2830
Assembly Bill No. 2843
Assembly Bill No. 2844

Without action.

MEYERS, Chairman

**Committee on Constitutional Amendments**

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Senate Constitutional Amendment No 19
Senate Constitutional Amendment No. 23
Senate Constitutional Amendment No. 24

Without action.

BUSTERUD, Chairman

Above resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Constitutional Amendments reports:

Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No. 3
Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 8
Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 10
Assembly Concurrent Resolution No. 4
Assembly Constitutional Amendment No. 11
Assembly Constitutional Amendment No. 12
Assembly Constitutional Amendment No. 14
Assembly Constitutional Amendment No. 17
Assembly Constitutional Amendment No. 19
Assembly Constitutional Amendment No. 20
Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 23
Assembly Constitutional Amendment No. 24
Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No. 27
Assembly Constitutional Amendment No. 30
Assembly Constitutional Amendment No. 32
Assembly Constitutional Amendment No. 41
Assembly Constitutional Amendment No. 42
Assembly Constitutional Amendment No. 43
Assembly Constitutional Amendment No. 49
Assembly Constitutional Amendment No. 54

Without action.

BUSTERUD, Chairman

### Committee on Criminal Procedure

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Assembly Bill No. 13
Assembly Bill No. 128
Assembly Bill No. 129
Assembly Bill No. 214
Assembly Bill No. 266
Assembly Bill No. 267
Assembly Bill No. 270
Assembly Bill No. 354
Assembly Bill No. 388
Assembly Bill No. 400
Assembly Bill No. 411
Assembly Bill No. 426
Assembly Bill No. 437
Assembly Bill No. 581
Assembly Bill No. 1134
Assembly Bill No. 1197
Assembly Bill No. 1272
Assembly Bill No. 1291
Assembly Bill No 1478
Assembly Bill No. 1716
Assembly Bill No 1851
Assembly Bill No. 1959
Assembly Bill No. 2097
Assembly Bill No 2204
Assembly Bill No. 2250
Assembly Bill No. 2251
Assembly Bill No 2252
Assembly Bill No. 2620
Assembly Bill No 2731
Assembly Bill No. 2876

Without action.

O'CONNELL, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports

Assembly Bill No. 39
Assembly Bill No. 146
Assembly Bill No. 624
Assembly Bill No 810
Assembly Bill No. 1400
Assembly Bill No. 1638
Assembly Bill No. 2249
Assembly Bill No 2253

Without action.

O'CONNELL, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Criminal Procedure reports:

Senate Bill No. 290
Senate Bill No. 524
Senate Bill No. 1138

Without action.

O'CONNELL, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Education

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 18
Assembly Bill No. 54
Assembly Bill No. 186
Assembly Bill No. 247
Assembly Bill No. 430
Assembly Bill No. 449
Assembly Bill No. 496
Assembly Bill No. 1162
Assembly Bill No. 1199
Assembly Bill No. 1215
Assembly Bill No. 1216
Assembly Bill No. 1276
Assembly Bill No. 1288
Assembly Bill No. 1333
Assembly Bill No. 1349
Assembly Bill No. 1408
Assembly Bill No. 1427
Assembly Bill No. 1440
Assembly Bill No. 1460
Assembly Bill No 1464
Assembly Bill No. 1632
Assembly Bill No. 1651
Assembly Bill No. 1653
Assembly Bill No. 1672
Assembly Bill No. 1723
Assembly Bill No. 1817
Assembly Bill No. 1864
Assembly Bill No. 1878
Assembly Bill No. 1987
Assembly Bill No. 2057
Assembly Bill No. 2064
Assembly Bill No. 2173
Assembly Bill No. 2226
Assembly Bill No. 2238

Without action.

DONAHOE, Chairman

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 659
Assembly Bill No. 1195
Assembly Bill No. 1225
Assembly Bill No. 2055
Assembly Bill No. 2245
Assembly Bill No. 2305
Assembly Bill No. 2336
Assembly Bill No. 2337
Assembly Bill No. 2401
Assembly Bill No. 2630
Assembly Bill No. 2639
Assembly Bill No. 2798

Without action.

DONAHOE, Chairman

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Bill No. 2261
Assembly Bill No. 2262
Assembly Bill No. 2455
Assembly Bill No. 2493
Assembly Bill No. 2494
Assembly Bill No. 2566
Assembly Bill No. 2692
Assembly Bill No. 2767
Assembly Bill No. 2862

Without action.

DONAHOE, Chairman

ASSEMBLY CHAMBER, June 11, 1959

MR. SPEAKER: Your Committee on Education reports:

Assembly Concurrent Resolution No. 89
Assembly Bill No. 17
Assembly Bill No. 89
Assembly Bill No. 173
Assembly Bill No. 183
Assembly Bill No. 392
Assembly Bill No. 632
Assembly Bill No. 646
Assembly Bill No. 1688
Assembly Bill No. 1879

Without action.

DONAHOE, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Education reports:

Senate Bill No. 90
Senate Bill No. 899
Senate Bill No. 1188
Senate Bill No. 1477

Without action.

DONAHOE, Chairman

Above bills ordered transmitted to the Senate.

**Committee on Elections and Reapportionment**

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 30
Assembly Bill No. 40
Assembly Bill No. 41
Assembly Bill No. 110
Assembly Bill No. 196
Assembly Bill No. 230
Assembly Bill No. 240
Assembly Bill No. 291
Assembly Bill No. 295
Assembly Bill No. 328
Assembly Bill No. 391
Assembly Bill No. 514
Assembly Bill No. 757
Assembly Bill No. 897
Assembly Bill No. 1086
Assembly Bill No. 1232
Assembly Bill No. 1506
Assembly Bill No. 1507
Assembly Bill No. 1737
Assembly Bill No. 1921
Assembly Bill No. 2265
Assembly Bill No. 2452
Assembly Bill No. 2471
Assembly Bill No. 2792
Assembly Bill No. 2814
Assembly Bill No. 2815
Assembly Bill No. 2816
Assembly Bill No. 2868

Without action.

CROWN, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Elections and Reapportionment reports:

Assembly Bill No. 239
Assembly Bill No. 315
Assembly Bill No. 611

Without action.

CROWN, Chairman

## Committee on Finance and Insurance

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 25
Assembly Bill No. 98
Assembly Bill No. 136
Assembly Bill No. 287
Assembly Bill No. 322
Assembly Bill No. 333
Assembly Bill No. 334
Assembly Bill No. 347
Assembly Bill No. 348
Assembly Bill No. 352
Assembly Bill No. 353
Assembly Bill No. 422
Assembly Bill No. 432
Assembly Bill No. 434
Assembly Bill No. 435
Assembly Bill No. 439
Assembly Bill No. 441
Assembly Bill No. 442
Assembly Bill No. 445
Assembly Bill No. 447
Assembly Bill No. 460
Assembly Bill No. 461
Assembly Bill No. 473
Assembly Bill No. 474
Assembly Bill No. 475
Assembly Bill No. 477
Assembly Bill No. 478
Assembly Bill No. 480
Assembly Bill No. 493
Assembly Bill No. 504
Assembly Bill No. 505
Assembly Bill No. 509
Assembly Bill No. 510
Assembly Bill No. 511

Without action.

REES, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 512
Assembly Bill No. 526
Assembly Bill No. 587
Assembly Bill No. 589
Assembly Bill No. 636
Assembly Bill No. 728
Assembly Bill No. 729
Assembly Bill No. 731
Assembly Bill No. 732
Assembly Bill No. 733
Assembly Bill No. 735
Assembly Bill No. 736
Assembly Bill No. 737
Assembly Bill No. 738
Assembly Bill No. 739
Assembly Bill No. 740
Assembly Bill No. 741
Assembly Bill No. 742
Assembly Bill No. 743
Assembly Bill No. 744
Assembly Bill No. 745
Assembly Bill No. 746
Assembly Bill No. 751
Assembly Bill No. 761
Assembly Bill No. 762
Assembly Bill No. 768
Assembly Bill No. 769
Assembly Bill No. 771
Assembly Bill No. 818
Assembly Bill No. 819
Assembly Bill No. 820
Assembly Bill No. 821
Assembly Bill No. 822
Assembly Bill No. 864

Without action.

REES, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 865
Assembly Bill No. 876
Assembly Bill No. 939
Assembly Bill No. 1010
Assembly Bill No. 1039
Assembly Bill No. 1065
Assembly Bill No. 1070
Assembly Bill No. 1071
Assembly Bill No. 1072
Assembly Bill No. 1075
Assembly Bill No. 1136
Assembly Bill No. 1137
Assembly Bill No. 1182
Assembly Bill No. 1209
Assembly Bill No. 1260
Assembly Bill No. 1261
Assembly Bill No. 1318
Assembly Bill No. 1322
Assembly Bill No. 1330
Assembly Bill No. 1331
Assembly Bill No. 1372
Assembly Bill No. 1373
Assembly Bill No. 1384
Assembly Bill No. 1385
Assembly Bill No. 1386
Assembly Bill No. 1388
Assembly Bill No. 1389
Assembly Bill No. 1485
Assembly Bill No. 1486
Assembly Bill No. 1524
Assembly Bill No. 1525
Assembly Bill No. 1621
Assembly Bill No. 1623
Assembly Bill No. 1703

Without action.

REES, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 1706
Assembly Bill No. 1767
Assembly Bill No. 1979
Assembly Bill No. 2056
Assembly Bill No. 2266
Assembly Bill No. 2267
Assembly Bill No. 2268
Assembly Bill No. 2269
Assembly Bill No. 2270
Assembly Bill No. 2271
Assembly Bill No. 2273
Assembly Bill No. 2372
Assembly Bill No. 2373
Assembly Bill No. 2419
Assembly Bill No. 2459
Assembly Bill No. 2535
Assembly Bill No. 2836
Assembly Bill No. 1053

Without action.

REES, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Assembly Bill No. 77
Assembly Bill No. 164
Assembly Bill No. 1527
Assembly Bill No. 1855
Assembly Bill No. 2751

Without action.

REES, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Finance and Insurance reports:

Senate Bill No. 722
Senate Bill No. 793

Without action.

REES, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Fish and Game

ASSEMBLY CHAMBER, JUNE 19, 1959

MR. SPEAKER. Your Committee on Fish and Game reports:

Assembly Bill No. 69
Assembly Bill No. 90
Assembly Bill No. 190
Assembly Bill No. 298
Assembly Bill No. 374
Assembly Bill No. 564
Assembly Bill No. 648
Assembly Bill No. 703
Assembly Bill No. 730
Assembly Bill No. 764
Assembly Bill No. 765
Assembly Bill No. 823
Assembly Bill No. 861
Assembly Bill No. 1093
Assembly Bill No. 1282
Assembly Bill No. 1925
Assembly Bill No. 2003
Assembly Bill No. 2474

Without action.

DAVIS, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Fish and Game reports:

Senate Bill No. 218
Senate Bill No. 301
Senate Concurrent Resolution No. 46

Without action.

DAVIS, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 101
Assembly Bill No. 178
Assembly Bill No. 206
Assembly Bill No. 224
Assembly Bill No. 225
Assembly Bill No. 307
Assembly Bill No. 309
Assembly Bill No. 396
Assembly Bill No. 450
Assembly Bill No. 518
Assembly Bill No. 601
Assembly Bill No. 645
Assembly Bill No. 677
Assembly Bill No. 701
Assembly Bill No. 724
Assembly Bill No. 1187
Assembly Bill No. 1211
Assembly Bill No. 1257
Assembly Bill No. 1339
Assembly Bill No. 1358
Assembly Bill No. 1466
Assembly Bill No. 1482
Assembly Bill No. 1696
Assembly Bill No. 1786
Assembly Bill No. 1789
Assembly Bill No. 1790
Assembly Bill No. 1813
Assembly Bill No. 1838
Assembly Bill No. 1842
Assembly Bill No. 1880
Assembly Bill No. 1906
Assembly Bill No. 2048
Assembly Bill No. 2150
Assembly Bill No. 2321

Without action.

MASTERSON, Chairman

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Bill No. 2389
Assembly Bill No. 2396
Assembly Bill No. 2402
Assembly Bill No. 2510
Assembly Bill No. 2572
Assembly Bill No. 2688
Assembly Bill No 2785
Assembly Bill No 2791
Assembly Bill No. 2794
Assembly Bill No. 2795
Assembly Bill No. 2797
Assembly Bill No. 2800
Assembly Bill No. 2883
Assembly Bill No. 2895

Without action.

MASTERSON, Chairman

ASSEMBLY CHAMBER, June 16, 1959

MR SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Assembly Constitutional Amendment No. 38

Without action.

MASTERSON, Chairman

ASSEMBLY CHAMBER, June 16, 1959

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy reports:

Senate Bill No. 582
Senate Bill No. 1233
Senate Bill No. 1468
Senate Bill No. 1483

Without action.

MASTERSON, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Government Organization

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Assembly Bill No. 97
Assembly Bill No. 693
Assembly Bill No. 1431
Assembly Bill No. 1432
Assembly Bill No. 1602
Assembly Bill No. 1814
Assembly Bill No. 2182
Assembly Bill No 2183
Assembly Bill No. 2187
Assembly Bill No. 2188
Assembly Bill No. 2193
Assembly Bill No. 2194
Assembly Bill No. 2195
Assembly Bill No. 2196
Assembly Bill No. 2197
Assembly Bill No. 2198
Assembly Bill No. 2199
Assembly Bill No. 2200
Assembly Bill No. 2201
Assembly Bill No. 2202
Assembly Bill No. 2256
Assembly Bill No. 2259
Assembly Bill No. 2347
Assembly Bill No. 2499
Assembly Bill No. 2505
Assembly Bill No. 2514
Assembly Bill No. 2515
Assembly Bill No. 2516
Assembly Bill No. 2517
Assembly Bill No. 2518
Assembly Bill No. 2519
Assembly Bill No. 2551
Assembly Bill No. 2624
Assembly Bill No. 2697
House Resolution No. 35

Without action.

WINTON, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Government Organization reports:

Senate Bill No. 410
Senate Bill No. 535

Without action.

WINTON, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Industrial Relations

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 209

Without action.

McMILLAN, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Assembly Bill No. 46
Assembly Bill No. 299
Assembly Bill No. 301
Assembly Bill No. 303
Assembly Bill No. 331
Assembly Bill No. 431
Assembly Bill No. 440
Assembly Bill No. 446
Assembly Bill No. 479
Assembly Bill No. 519
Assembly Bill No. 603
Assembly Bill No. 709
Assembly Bill No. 834
Assembly Bill No. 1149
Assembly Bill No. 1416
Assembly Bill No. 1421
Assembly Bill No. 1445
Assembly Bill No. 1772
Assembly Bill No. 1839
Assembly Bill No. 2025
Assembly Bill No. 2658
Assembly Bill No. 2790
Assembly Bill No. 2878

Without action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Industrial Relations reports:

Senate Bill No. 1364

Without action.

McMILLAN, Chairman

Above bill ordered transmitted to the Senate.

### Committee on Judiciary—Civil

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 15
Assembly Bill No. 26
Assembly Bill No. 32
Assembly Bill No. 44
Assembly Bill No. 56
Assembly Bill No. 99
Assembly Bill No. 130
Assembly Bill No. 133
Assembly Bill No. 155
Assembly Bill No. 204
Assembly Bill No. 223
Assembly Bill No. 246
Assembly Bill No. 259
Assembly Bill No. 314
Assembly Bill No. 346
Assembly Bill No. 420
Assembly Bill No. 421
Assembly Bill No. 443
Assembly Bill No. 517
Assembly Bill No. 574
Assembly Bill No. 588
Assembly Bill No. 593
Assembly Bill No. 629
Assembly Bill No. 635
Assembly Bill No. 652
Assembly Bill No. 811
Assembly Bill No. 847
Assembly Bill No. 852
Assembly Bill No. 1036
Assembly Bill No. 1057
Assembly Bill No. 1191
Assembly Bill No. 1238
Assembly Bill No. 1251
Assembly Bill No. 1423

Without action.

BIDDICK, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 1451
Assembly Bill No. 1472
Assembly Bill No. 1474
Assembly Bill No. 1495
Assembly Bill No. 1582
Assembly Bill No. 1609
Assembly Bill No. 1619
Assembly Bill No. 1658
Assembly Bill No. 1685
Assembly Bill No. 1756
Assembly Bill No. 1783
Assembly Bill No. 1784
Assembly Bill No. 1823
Assembly Bill No. 1854
Assembly Bill No. 1861
Assembly Bill No. 2027
Assembly Bill No. 2069
Assembly Bill No. 2070
Assembly Bill No. 2090
Assembly Bill No. 2091
Assembly Bill No. 2092
Assembly Bill No. 2094
Assembly Bill No. 2095
Assembly Bill No. 2096
Assembly Bill No. 2127
Assembly Bill No. 2162
Assembly Bill No. 2215
Assembly Bill No. 2239
Assembly Bill No. 2324
Assembly Bill No. 2325
Assembly Bill No. 2326
Assembly Bill No. 2345
Assembly Bill No. 2367
Assembly Bill No. 2391

Without action.

BIDDICK, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Assembly Bill No. 2404
Assembly Bill No. 2441
Assembly Bill No. 2467
Assembly Bill No. 2597
Assembly Bill No. 2602
Assembly Bill No. 2663
Assembly Bill No. 2666
Assembly Bill No 2705
Assembly Bill No. 2759
Assembly Bill No. 2782
Assembly Bill No. 2787

Without action.

BIDDICK, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Judiciary—Civil reports:

Senate Bill No. 794
Senate Bill No. 883
Senate Bill No. 1045
Senate Bill No. 1088
Senate Bill No. 1305
Senate Bill No. 1312
Senate Bill No. 1388
Senate Bill No. 1393

Without action.

BIDDICK, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Legislative Representation

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Legislative Representation reports:

Assembly Bill No. 2151

Without action.

FREW, Chairman

### Committee on Livestock and Dairies

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Livestock and Dairies reports:

Assembly Bill No. 65
Assembly Bill No. 562
Assembly Bill No. 1324
Assembly Bill No. 1325
Assembly Bill No. 1479
Assembly Bill No. 2032
Assembly Bill No. 2149
Assembly Bill No. 2235
Assembly Bill No. 2411
Assembly Bill No. 2734
Assembly Bill No. 2805
House Resolution No. 265

Without action.

BELOTTI, Chairman

### Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry reports:

Assembly Bill No. 87
Assembly Bill No. 610
Assembly Bill No. 1102

Without action.

BRUCE F. ALLEN, Chairman

### Committee on Military and Veterans Affairs

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Assembly Bill No. 459
Assembly Bill No. 1588
Assembly Joint Resolution No. 30

Without action.

CRAWFORD, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Military and Veterans Affairs reports:

Senate Bill No. 634

Without action.

CRAWFORD, Chairman

Above bill ordered transmitted to the Senate.

### Committee on Municipal and County Government

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports.

Assembly Bill No. 19
Assembly Bill No. 42
Assembly Bill No. 62
Assembly Bill No. 82
Assembly Bill No. 86
Assembly Bill No. 112
Assembly Bill No. 233
Assembly Bill No. 371
Assembly Bill No. 537
Assembly Bill No. 546
Assembly Bill No. 548
Assembly Bill No. 550
Assembly Bill No. 619
Assembly Bill No. 644
Assembly Bill No. 661
Assembly Bill No. 884
Assembly Bill No. 926
Assembly Bill No. 1080
Assembly Bill No. 1089

Without action.

BRADLEY, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1114
Assembly Bill No. 1115
Assembly Bill No. 1161
Assembly Bill No. 1183
Assembly Bill No. 1224
Assembly Bill No. 1230
Assembly Bill No. 1231
Assembly Bill No. 1240
Assembly Bill No. 1344
Assembly Bill No. 1396
Assembly Bill No. 1735
Assembly Bill No. 1740
Assembly Bill No. 1745
Assembly Bill No. 1762
Assembly Bill No. 1766
Assembly Bill No. 1778
Assembly Bill No. 1807
Assembly Bill No. 1893
Assembly Bill No. 1895

Without action.

BRADLEY, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Assembly Bill No. 1980
Assembly Bill No. 1990
Assembly Bill No. 1991
Assembly Bill No. 2000
Assembly Bill No. 2106
Assembly Bill No. 2219
Assembly Bill No. 2255
Assembly Bill No. 2384
Assembly Bill No. 2415
Assembly Bill No. 2489
Assembly Bill No. 2496
Assembly Bill No. 2498
Assembly Bill No. 2571
Assembly Bill No. 2634
Assembly Bill No. 2679
Assembly Bill No. 2710
Assembly Bill No. 2711
Assembly Bill No. 2831
Assembly Bill No. 2835
Assembly Bill No. 2837

Without action.

BRADLEY, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports:

Senate Bill No. 394
Senate Bill No. 578
Senate Bill No. 621
Senate Bill No. 708
Senate Bill No. 763
Senate Bill No. 1206
Senate Bill No. 1396

Without action.

BRADLEY, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Municipal and County Government reports

House Resolution No. 417

Without action.

BRADLEY, Chairman

### Committee on Natural Resources, Planning, and Public Works

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER. Your Committee on Natural Resources, Planning, and Public Works reports:

Assembly Bill No. 1295
Assembly Bill No. 1395
Assembly Bill No. 2568
Assembly Bill No. 2824
Assembly Concurrent Resolution No. 96

Without action.

LOWREY, Chairman

ASSEMBLY CHAMBER, June 18, 1959

MR. SPEAKER: Your Committee on Natural Resources, Planning, and Public Works reports:

Senate Bill No. 747

Without action.

LOWREY, Chairman

Above bill ordered transmitted to the Senate.

### Committee on Public Health

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Assembly Bill No. 95
Assembly Bill No. 104
Assembly Bill No. 332
Assembly Bill No. 394
Assembly Bill No. 772
Assembly Bill No. 827
Assembly Bill No. 900
Assembly Bill No. 1158
Assembly Bill No. 1410
Assembly Bill No. 1463
Assembly Bill No. 1659
Assembly Bill No. 1732
Assembly Bill No. 1812
Assembly Bill No. 2030
Assembly Bill No. 2212
Assembly Bill No. 2434
Assembly Bill No. 2468
Assembly Bill No. 2545
Assembly Bill No. 2696
Assembly Bill No. 2735
Assembly Bill No. 2761

Without action.

RUMFORD, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Public Health reports:

Senate Bill No. 107
Senate Bill No. 628
Senate Bill No. 629
Senate Bill No. 631

Without action.

RUMFORD, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Assembly Bill No. 138
Assembly Bill No. 523
Assembly Bill No. 673
Assembly Bill No. 815
Assembly Bill No. 908
Assembly Bill No. 971
Assembly Bill No. 1210
Assembly Bill No. 1294
Assembly Bill No. 1549
Assembly Bill No. 1566
Assembly Bill No. 2120
Assembly Bill No. 2159
Assembly Bill No. 2247
Assembly Bill No. 2385
Assembly Bill No. 2443
Assembly Bill No. 2444
Assembly Bill No. 2608
Assembly Bill No. 2686
Assembly Bill No. 2847
Assembly Joint Resolution No. 31

Without action.

CUNNINGHAM, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Public Utilities and Corporations reports:

Senate Bill No. 1195
Senate Joint Resolution No. 5

Without action.

CUNNINGHAM, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Revenue and Taxation

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 12
Assembly Bill No. 52
Assembly Bill No. 63
Assembly Bill No. 78
Assembly Bill No. 126
Assembly Bill No. 147
Assembly Bill No. 167
Assembly Bill No. 228
Assembly Bill No. 253
Assembly Bill No. 255
Assembly Bill No. 260
Assembly Bill No. 279
Assembly Bill No. 280
Assembly Bill No. 337
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 364
Assembly Bill No. 429
Assembly Bill No. 558
Assembly Bill No. 592
Assembly Bill No. 605
Assembly Bill No. 625
Assembly Bill No. 658
Assembly Bill No. 862
Assembly Bill No. 1174
Assembly Bill No. 1285
Assembly Bill No. 1326
Assembly Bill No. 1380
Assembly Bill No. 1437
Assembly Bill No. 1438
Assembly Bill No. 1521
Assembly Bill No. 1607
Assembly Bill No. 1834
Assembly Bill No. 1860

Without action.

MACBRIDE, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1900
Assembly Bill No. 1971
Assembly Bill No. 2052
Assembly Bill No. 2068
Assembly Bill No. 2189
Assembly Joint Resolution No. 7
Assembly Bill No. 2283
Assembly Bill No. 2369
Assembly Bill No. 2548
Assembly Bill No. 2671

Without action.

MACBRIDE, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Revenue and Taxation reports:

Senate Bill No. 125
Senate Bill No. 1155

Without action.

MACBRIDE, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Rules

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Bill No. 1469
Assembly Bill No 1150
Assembly Bill No. 1067
Assembly Bill No. 2672
Assembly Bill No. 1335

Without action.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Constitutional Amendment No. 53

Without action.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 5
Assembly Concurrent Resolution No. 32
Assembly Concurrent Resolution No. 39
Assembly Concurrent Resolution No. 61
Assembly Concurrent Resolution No. 63
Assembly Concurrent Resolution No. 92
Assembly Concurrent Resolution No. 95
Assembly Concurrent Resolution No. 109
Assembly Concurrent Resolution No. 117
Assembly Concurrent Resolution No. 118
Assembly Concurrent Resolution No. 139
Assembly Concurrent Resolution No. 150

Without action.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Joint Resolution No. 11
Assembly Joint Resolution No. 19
Assembly Joint Resolution No. 20
Assembly Joint Resolution No. 42

Without action.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

House Resolution No. 416
House Resolution No. 197
House Resolution No. 91
House Resolution No. 196
House Resolution No. 400
House Resolution No. 288
House Resolution No. 210
House Resolution No. 30
House Resolution No. 74
House Resolution No. 118
House Resolution No. 130
House Resolution No. 142
House Resolution No. 143
House Resolution No. 225
House Resolution No. 37
House Resolution No. 213
House Resolution No. 203
House Resolution No. 154
House Resolution No. 124
House Resolution No. 115
House Resolution No. 228
House Resolution No. 404
House Resolution No. 424
House Resolution No. 425

Without action.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Bill No. 1191

Without action.

MILLER, Chairman

Above bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Concurrent Resolution No. 20
Senate Concurrent Resolution No. 56
Senate Concurrent Resolution No. 81
Senate Concurrent Resolution No. 90

Without action.

MILLER, Chairman

Above resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Senate Joint Resolution No. 1
Senate Joint Resolution No. 2
Senate Joint Resolution No. 3
Senate Joint Resolution No. 8
Senate Joint Resolution No. 25
Senate Joint Resolution No. 30

Without action.

MILLER, Chairman

Above resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 122

Without action.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules returns without action the following request for permission to introduce a bill:

The title of the bill proposed by Mr. Gaffney reads as follows:

An act to add Section 86.7 to the Agricultural Code, relating to district agricultural associations.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules returns without action the following request for permission to introduce a bill:

The title of the bill proposed by Mr. Beaver reads as follows:

An act to amend Section 94.5 of the Agricultural Code, relating to fairs.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Rules returns without action the following request for permission to introduce a bill:

The title of the bill proposed by Mrs. Davis reads as follows:

An act to amend Section 4370 of the Fish and Game Code, relating to an archery deer season.

MILLER, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER. Your Committee on Rules reports:

Assembly Bill No. 2796

Without action.

MILLER, Chairman

**Committee on Social Welfare**

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 3
Assembly Bill No. 9
Assembly Bill No. 143
Assembly Bill No. 144
Assembly Bill No. 1103
Assembly Bill No. 1392
Assembly Bill No. 1393
Assembly Bill No. 1450
Assembly Bill No. 1477
Assembly Bill No. 1869
Assembly Bill No. 1915
Assembly Bill No. 2422
Assembly Bill No. 2431
Assembly Bill No. 2432
Assembly Bill No. 2508
Assembly Bill No. 2678
Assembly Bill No. 2776
Assembly Bill No. 2793

Without action.

BURTON, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Assembly Bill No. 106
Assembly Bill No. 521
Assembly Bill No. 553
Assembly Bill No. 1897

Without action.

BURTON, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Social Welfare reports:

Senate Bill No. 1062
Senate Bill No. 1080
Senate Bill No. 1082
Senate Bill No. 1148
Senate Bill No. 1154
Senate Bill No. 1159

Without action.

BURTON, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Transportation and Commerce

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 70
Assembly Bill No 79
Assembly Bill No. 80
Assembly Bill No 182
Assembly Bill No. 261
Assembly Bill No 343
Assembly Bill No. 329
Assembly Bill No. 503
Assembly Bill No. 529
Assembly Bill No. 585
Assembly Bill No. 606
Assembly Bill No. 649
Assembly Bill No. 679
Assembly Bill No. 859
Assembly Bill No. 891
Assembly Bill No. 962
Assembly Bill No. 1048
Assembly Bill No. 1169
Assembly Bill No. 1206
Assembly Bill No 1296
Assembly Bill No. 1297
Assembly Bill No 1298
Assembly Bill No. 1312
Assembly Bill No 1371
Assembly Bill No. 1461
Assembly Bill No. 1509
Assembly Bill No. 1769
Assembly Bill No. 1808
Assembly Bill No. 1835
Assembly Bill No. 1846
Assembly Bill No. 1858
Assembly Bill No. 1877
Assembly Bill No. 1907
Assembly Bill No. 1972

Without action.

BACKSTRAND, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Transportation and Commerce reports:

Assembly Bill No. 1995
Assembly Bill No. 2080
Assembly Bill No 2274
Assembly Bill No 2295
Assembly Bill No. 2356
Assembly Bill No 2387
Assembly Bill No. 2407
Assembly Bill No. 2463
Assembly Bill No. 2470
Assembly Bill No. 2538
Assembly Bill No. 2676
Assembly Bill No 2683
Assembly Bill No 2706
Assembly Bill No 2728
Assembly Bill No. 2752
Assembly Bill No. 2896
Assembly Bill No. 2897
Assembly Bill No. 2910
Assembly Bill No 1311

Without action.

BACKSTRAND, Chairman

### Committee on Water

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Water reports:

Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 35
Assembly Constitutional Amendment No. 36
Assembly Constitutional Amendment No. 37
Assembly Constitutional Amendment No. 39
Assembly Constitutional Amendment No. 55
Assembly Bill No. 161
Assembly Bill No. 591
Assembly Bill No. 1064
Assembly Bill No 1304
Assembly Bill No. 1305
Assembly Bill No. 1306
Assembly Bill No. 1314
Assembly Bill No. 1453
Assembly Bill No. 1918
Assembly Bill No. 2035
Assembly Bill No. 2036
Assembly Bill No. 2479
Assembly Bill No. 2879

Without action.

PORTER, Chairman

ASSEMBLY CHAMBER, June 17, 1959

MR. SPEAKER: Your Committee on Water reports:

Senate Bill No. 960
Senate Bill No. 962

Without action.

PORTER, Chairman

Above bills ordered transmitted to the Senate.

### Committee on Ways and Means

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No. 37
Assembly Bill No. 116
Assembly Bill No. 121
Assembly Bill No. 248
Assembly Bill No. 249
Assembly Bill No. 264
Assembly Bill No. 296
Assembly Bill No. 318
Assembly Bill No. 321
Assembly Bill No. 617
Assembly Bill No. 698
Assembly Bill No. 747
Assembly Bill No. 755
Assembly Bill No. 829
Assembly Bill No. 878
Assembly Bill No. 882
Assembly Bill No. 957
Assembly Bill No. 1060
Assembly Bill No. 1265
Assembly Bill No. 1313
Assembly Bill No. 1355
Assembly Bill No. 1415
Assembly Bill No. 1471
Assembly Bill No. 1542
Assembly Bill No. 1567
Assembly Bill No. 1590
Assembly Bill No. 1624
Assembly Bill No. 1655
Assembly Bill No. 1664
Assembly Bill No. 1665
Assembly Bill No. 1666
Assembly Bill No. 1667
Assembly Bill No. 1757
Assembly Bill No. 1816
Assembly Bill No. 1885

Without action.

UNRUH, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Assembly Bill No 2009
Assembly Bill No. 2044
Assembly Bill No. 2047
Assembly Bill No. 2075
Assembly Bill No. 2135
Assembly Bill No. 2178
Assembly Bill No. 2294
Assembly Bill No 2383
Assembly Bill No. 2495
Assembly Bill No. 2506
Assembly Bill No. 2509
Assembly Bill No. 2645
Assembly Bill No. 2653
Assembly Bill No. 2740
Assembly Bill No 2829
Assembly Bill No. 2869
Assembly Bill No. 2888
House Resolution No. 234
House Resolution No. 98

Without action.

UNRUH, Chairman

ASSEMBLY CHAMBER, June 19, 1959

MR. SPEAKER: Your Committee on Ways and Means reports:

Senate Bill No. 613
Senate Bill No. 646
Senate Bill No. 711
Senate Bill No. 863
Senate Bill No. 876
Senate Bill No. 955
Senate Bill No. 1066
Senate Bill No. 1077
Senate Bill No. 1147
Senate Bill No. 1340
Senate Bill No. 1372
Senate Bill No. 1398
Senate Bill No. 1452
Senate Bill No. 1465
Senate Concurrent Resolution No. 13
Senate Concurrent Resolution No. 66

Without action.

UNRUH, Chairman

Above bills ordered transmitted to the Senate.

## MESSAGES FROM THE SENATE

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 2430**—An act to amend Sections 73732, 73733, 73734, 73735, 73992, 73993, and 73994 of, and add Article 11.5 (commencing at Section 73750) to Chapter 10, Title 8 of the Government Code, relating to municipal courts.

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Assembly Bill No. 2430 ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

| | |
|---|---|
| Assembly Bill No. 76 | Assembly Bill No. 38 |
| Assembly Bill No. 158 | Assembly Bill No. 210 |
| Assembly Bill No. 419 | Assembly Bill No. 289 |
| Assembly Bill No. 470 | Assembly Bill No. 522 |
| Assembly Bill No. 686 | Assembly Bill No. 544 |
| Assembly Bill No. 692 | Assembly Bill No. 716 |
| Assembly Bill No. 711 | Assembly Bill No. 922 |
| Assembly Bill No. 726 | Assembly Bill No. 940 |
| Assembly Bill No. 1332 | Assembly Bill No. 987 |
| Assembly Bill No. 1444 | Assembly Bill No. 1012 |
| Assembly Bill No. 1518 | Assembly Bill No. 1163 |
| Assembly Bill No. 1603 | Assembly Bill No. 1164 |
| Assembly Bill No. 1626 | Assembly Bill No 1165 |
| Assembly Bill No. 1683 | Assembly Bill No. 1166 |
| Assembly Bill No. 1771 | Assembly Bill No 1283 |
| Assembly Bill No. 1826 | Assembly Bill No. 1341 |
| Assembly Bill No. 2312 | Assembly Bill No. 1345 |
| Assembly Bill No 2360 | Assembly Bill No. 1569 |
| Assembly Bill No. 2573 | Assembly Bill No. 1702 |
| Assembly Bill No. 2654 | Assembly Bill No 1804 |

Committee report From Senate committee without further action.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

| | |
|---|---|
| Assembly Bill No. 1 | Assembly Bill No. 946 |
| Assembly Bill No. 43 | Assembly Bill No. 1005 |
| Assembly Bill No. 103 | Assembly Bill No 1034 |
| Assembly Bill No 113 | Assembly Bill No. 1068 |
| Assembly Bill No. 120 | Assembly Bill No 1223 |
| Assembly Bill No. 122 | Assembly Bill No. 1256 |
| Assembly Bill No. 127 | Assembly Bill No 1764 |
| Assembly Bill No. 150 | Assembly Bill No. 2005 |
| Assembly Bill No. 152 | Assembly Bill No. 2076 |
| Assembly Bill No. 277 | Assembly Bill No 2108 |
| Assembly Bill No. 313 | Assembly Bill No. 2227 |
| Assembly Bill No. 320 | Assembly Bill No. 2350 |
| Assembly Bill No. 487 | Assembly Bill No. 2435 |
| Assembly Bill No. 497 | Assembly Bill No. 2458 |
| Assembly Bill No 671 | Assembly Bill No 2544 |
| Assembly Bill No. 722 | Assembly Bill No. 2591 |
| Assembly Bill No 756 | Assembly Bill No 2643 |
| Assembly Bill No. 767 | Assembly Bill No. 2682 |
| Assembly Bill No 809 | Assembly Bill No 2687 |
| Assembly Bill No. 867 | Assembly Bill No. 2732 |

Committee report From Senate committee without further action.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

| | |
|---|---|
| Assembly Bill No. 134 | Assembly Bill No. 1564 |
| Assembly Bill No. 170 | Assembly Bill No. 1565 |
| Assembly Bill No 222 | Assembly Bill No. 1584 |
| Assembly Bill No. 403 | Assembly Bill No. 1678 |
| Assembly Bill No. 455 | Assembly Bill No. 1710 |
| Assembly Bill No. 967 | Assembly Bill No. 1715 |
| Assembly Bill No. 1078 | Assembly Bill No. 1796 |
| Assembly Bill No 1140 | Assembly Bill No. 1821 |
| Assembly Bill No. 1152 | Assembly Bill No. 1857 |
| Assembly Bill No. 1200 | Assembly Bill No. 1889 |
| Assembly Bill No. 1222 | Assembly Bill No. 2112 |
| Assembly Bill No. 1252 | Assembly Bill No. 2113 |
| Assembly Bill No. 1366 | Assembly Bill No. 2141 |
| Assembly Bill No. 1494 | Assembly Bill No. 2163 |
| Assembly Bill No. 1541 | Assembly Bill No. 2168 |

Assembly Bill No. 2254
Assembly Bill No. 2300
Assembly Bill No. 2322
Assembly Bill No. 2454
Assembly Bill No. 2582
Assembly Bill No. 2609
Assembly Bill No. 2623
Assembly Bill No. 2662
Assembly Bill No. 2704
Assembly Bill No. 2707

Committee report: From Senate committee without further action.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day ordered stricken from file:

Assembly Bill No. 297

J. A. BEEK, Secretary of the Senate
BY LACHLAN M. RICHARDS, Chief Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 2823

J. A. BEEK, Secretary of the Senate
By LACHLAN M. RICHARDS, Chief Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 235
Assembly Bill No. 398
Assembly Bill No. 501
Assembly Bill No. 582
Assembly Bill No. 664
Assembly Bill No. 702
Assembly Bill No. 760
Assembly Bill No. 1006
Assembly Bill No. 1043
Assembly Bill No. 1046
Assembly Bill No. 1059
Assembly Bill No. 1076
Assembly Bill No. 1104
Assembly Bill No 1246
Assembly Bill No. 1284
Assembly Bill No 1382
Assembly Bill No. 1425
Assembly Bill No. 1591
Assembly Bill No. 1669
Assembly Bill No. 1768
Assembly Bill No. 1774
Assembly Bill No. 1837
Assembly Bill No. 1856
Assembly Bill No. 1867
Assembly Bill No. 1876
Assembly Bill No. 1887
Assembly Bill No. 1890
Assembly Bill No. 1898
Assembly Bill No. 1914
Assembly Bill No 2013
Assembly Bill No. 2186
Assembly Bill No. 2203
Assembly Bill No 2233
Assembly Bill No. 2258
Assembly Bill No. 2275
Assembly Bill No. 2306
Assembly Bill No. 2310
Assembly Bill No. 2317
Assembly Bill No 2405
Assembly Bill No. 2406

Committee report: From committee without further action.

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No 358
Assembly Bill No. 506
Assembly Bill No. 570
Assembly Bill No. 678
Assembly Bill No. 715
Assembly Bill No. 807
Assembly Bill No. 948
Assembly Bill No. 1221
Assembly Bill No. 1249
Assembly Bill No. 1336
Assembly Bill No. 1441
Assembly Bill No. 1663
Assembly Bill No 1985
Assembly Bill No. 2117
Assembly Bill No. 2140
Assembly Bill No. 2155
Assembly Bill No. 2332
Assembly Bill No. 2464
Assembly Bill No. 2465
Assembly Bill No. 2469
Assembly Bill No. 2490
Assembly Bill No. 2512
Assembly Bill No. 2534
Assembly Bill No 2581
Assembly Bill No 2612
Assembly Bill No. 2660
Assembly Bill No. 2677
Assembly Bill No. 2727
Assembly Bill No. 2730
Assembly Bill No. 2741

Assembly Bill No. 2742
Assembly Bill No. 2757
Assembly Bill No. 2807
Assembly Bill No. 2856
Assembly Bill No 2872
Assembly Bill No. 2884
Assembly Bill No. 2885
Assembly Bill No. 2890
Assembly Bill No. 2891
Assembly Bill No. 2894
Assembly Bill No. 2900
Assembly Bill No. 2905

Committee report: From committee without further action.

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Constitutional Amendment No. 26
Assembly Constitutional Amendment No. 33
Assembly Constitutional Amendment No. 47
Assembly Concurrent Resolution No. 62
Assembly Concurrent Resolution No. 114
Assembly Concurrent Resolution No. 130

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 306 (inactive file)
Assembly Bill No. 515 (inactive file)
Assembly Bill No. 530 (inactive file)
Assembly Bill No. 773 (inactive file)
Assembly Bill No. 2063 (inactive file)

Died on Senate inactive file.

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action

Assembly Bill No. 2652

Laid on Senate table.

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 2720

Stricken from Senate File.

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

**Assembly Bill No. 2482**—An act to repeal Chapter 10 (commencing at Section 6590) of Part 5 of Division 7 of, the Streets and Highways Code, relating to the Improvement Act of 1911.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

Assembly Bill No. 2482 ordered enrolled.

SENATE CHAMBER, June 19, 1959

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Constitutional Amendment No. 4

J. A. BEEK, Secretary of the Senate
By J. W. MURPHY, Assistant Secretary

SENATE CHAMBER, June 19, 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 1074
Assembly Bill No. 1811
Assembly Bill No. 1868
Assembly Bill No. 2649
Assembly Bill No. 2659
Assembly Constitutional Amendment No. 18

From Senate committee without further action.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

SENATE CHAMBER, June 19 1959

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned without further action:

Assembly Bill No. 198
Assembly Bill No 385
Assembly Bill No. 905

From Senate committee without further action.

J. A. BEEK, Secretary of the Senate
By R. W. LYONS, Assistant Secretary

## BILLS REMAINING ON THE INACTIVE FILE

The following bills remained on the inactive file without further action:

Assembly Bills Nos. 93, 102, 215, 602, 778, 830, 844, 928, 947, 1351, 1501, 1692, 1728, 2148, 2172, 2309, 2351, 2379, 2802, 2859, and 2911.

Assembly Bill No. 2601, concurrence in Senate amendments pending.

Assembly Constitutional Amendment No. 46.

House Resolution No. 270.

Senate Bills Nos. 7, 83, 420, 442, 729, 831, 914, and 1061.

## BILLS REMAINING ON FILE

The following bills remained on the third reading file without further action:

Assembly Bills Nos. 1350, 2403, 2483, 2907, 2723, and 2773.

Assembly Joint Resolutions Nos. 37, 38, 39, and 40.

Senate Concurrent Resolution No. 85.

## BILLS REMAINING IN CONFERENCE COMMITTEE

The following bills died in Committee on Conference:

Assembly Bills Nos. 700, 1982, 1992 (tabled in Senate).

## BILLS REMAINING ON UNFINISHED BUSINESS FILE

The following bills remained on the unfinished business file without further action:

Assembly Bill No. 1097, Governor's veto pending.

Assembly Bill No. 2433, concurrence in Senate amendments pending.

## GUESTS EXTENDED COURTESIES OF THE ASSEMBLY

The Members of the Assembly welcomed, and extended the courtesies of the Assembly to the following guests for this legislative day:

On request of Speaker Ralph M. Brown of Modesto to Mr. and Mrs. Frank Pierson, son in law and daughter of Speaker Ralph M. Brown, and his granddaughter, Elizabeth Ann, of Modesto.

On request of Mr. Frew of Dinuba to John and Royce Delmatier of Visalia, John Lynch of Tulare, James Lewis of Visalia, and Ken Clifford of Strathmore.

On request of Mr. Luckel of San Diego and the San Diego Delegation to Hal Chambers, Max Strauss and Otto Hahn of San Diego.

On request of Mr. Garrigus of Reedley to Mr. and Mrs. Thomas A. Berkebile, adults; and the pupils of the Big Creek Elementary School and Fresno State College: Ann Berkebile, Tad Berkebile, and Jane Berkebile.

On request of Speaker Ralph M. Brown of Modesto to Thomas A. Maloney of San Francisco, former Speaker pro Tempore of the Assembly.

On request of Mr. Conrad of Sherman Oaks to Chico Ramos of Hollywood.

On request of Mr. Meyers of San Francisco and the San Francisco Delegation to Bob Spiegel, John Landrum, and John Greiner of San Francisco.

On request of Speaker Ralph M. Brown of Modesto to Mrs. Edmund G. Brown of Sacramento, wife of Governor Brown.

On request of Mr. DeLotto of Fresno to Mr. and Mrs. V. DeLuca and Mr. and Mrs. J. Ochinero of Fresno.

On request of Mr. Busterud of San Francisco to the following delegates from the Maui, Kona and Hilo 1959 Hawaiian Islands Girl Scout Roundup: Judy Ogawa, Lorna Moniz, Lette Ikeoka, Barbara Morgan, and Patsie Nakagawa. Sacramento Area Council: Judy Schei, Helen Holt, Sandra McIntyre, Heather Teall, and Sandra Lee.

## EXPLANATIONS OF ABSENCE

June 18, 1959

I missed a number of roll calls today as I was attending to legislative duties elsewhere in the Capitol.

CHARLES W. MEYERS

June 19, 1959

It was necessary for me to be before the Senate Finance Committee much of this morning. Because of this I missed voting on a number of bills in the Assembly.

CARLEY V. PORTER

I was in the Committee on Rules from 9 a.m. to 9.30 a.m.

CHARLES J. CONRAD

## STATEMENT BY MR. CARLEY V. PORTER

ASSEMBLY, CALIFORNIA LEGISLATURE

June 19, 1959

Reference is made to my statement in the Assembly Journal, June 17, 1959, on page 5661.

In the preparation of this statement Senator Richard Richards and I, together with others in both Houses of the Legislature, discussed this matter and fully agreed.

CARLEY V. PORTER

## EXPLANATION OF VOTE ON SENATE BILL NO. 679

June 19, 1959

I was absent from the Chamber attending to legislative matters in the Senate, and had I been present I would have voted "Aye" on Senate Bill No. 679.

CHARLES W. MEYERS

### EXPLANATION OF VOTE ON SENATE BILL NO. 814

June 19, 1959

I voted "Aye" on Senate Bill No. 814 with the understanding that amendments which had been offered eliminated major objections. However, I find that with the amendments which were offered there were still certain objections to the bill. I intended to change my vote from "Aye" to "No" but if I had done so it would have changed the results of the passage of the bill

CHARLES W. MEYERS

### REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor reported that it had performed its duties.

The Select Committee appointed to wait upon the Senate reported that it had performed its duties.

### SELECT COMMITTEE FROM THE SENATE

Senators McCarthy, Fisher, and Cameron appeared before the bar of the Assembly, and announced that the Senate had concluded its labors, and was ready to adjourn sine die.

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### TEXT OF PROPOSED CONSTITUTIONAL AMENDMENTS WHICH HAVE BEEN APPROVED BY BOTH HOUSES OF THE LEGISLATURE, TOGETHER WITH THE YEAS AND NAYS TAKEN THEREON

Pursuant to the provisions of Article XVIII, Section 1, of the Constitution of the State of California, the following proposed constitutional amendments, two-thirds of all the members elected to each of the two houses of the Legislature having voted in favor thereof, are hereby entered in the Journal, together with the yeas and nays taken thereon:

#### Assembly Constitutional Amendment No. 5

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 1 of Article II thereof to read as follows:

SECTION 1. Every native citizen of the United States of America, every person who shall have acquired the rights of citizenship under and by virtue of the Treaty of Querétaro, and every naturalized citizen thereof, who shall have become such 90 days prior to any election, of the age of 21 years, who shall have been a resident of the State one year next preceding the day of the election, and of the county in which he or she claims his or her vote 90 days, and in the election precinct 54 days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; provided, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within 54 days, or any person duly registered as an elector in any county in California and removing therefrom to another county in California within 90 days prior to an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct or county from which he so removed until after such election; provided, further, no alien ineligible to citizenship, no idiot, no insane person, no person convicted of any felony, while paying the penalties imposed by law therefor, including any period of probation or parole, no person convicted of treason, the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State; provided, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any

person who had the right to vote on October 10, 1911, nor to any person who was 60 years of age and upwards on October 10, 1911; provided, further, that the Legislature may, by general law, provide for the casting of votes by duly registered voters who expect to be absent from their respective precincts or unable to vote therein, by reason of physical disability, on the day on which any election is held.

**Yeas and Nays on Assembly Constitutional Amendment No. 5**

*Excerpt from Assembly Journal for February 25, 1959, page 895*

The names of the absentees were called, and Assembly Constitutional Amendment No. 5 adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burton, Busterud, Cameron, Conrad, Crown, Cunningham, Cusanovich, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Holmes, House, Kennick, Kilpatrick, Lunardi, MacBride, Marks, McCollister, McMillan, Meyers, Miller, Munnell, Nisbet, O'Connell, Petris, Porter, Rees, Rumford, Sumner, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—54.

NOES—Backstrand, Beaver, Bradley, Burke, Chapel, Collier, Coolidge, Crawford, Dahl, Davis, Francis, Ernest R. Geddes, Hegland, Johnson, Lanterman, Levering, Lowrey, Luckel, Masterson, Mulford, Pattee, Reagan, Schrade, Sedgwick, Shell, and Thelin—26.

*Excerpt from Senate Journal for May 5, 1959, page 2079*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Beard, Berry, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dilworth, Dolwig, Donnelly, Erhart, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, Montgomery, O'Sullivan, Rattigan, Regan, Richards, Rodda, Short, Stiern, and Teale—28.

*Excerpt from Assembly Journal for May 7, 1959, page 3360*

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 5 by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cusanovich, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—61.

NOES—Bradley, Dahl, Lowrey, Reagan, Shell, and Thelin—6.

**Assembly Constitutional Amendment No. 15**

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article IV, relating to the term of office of Members of the Assembly.

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 3 of Article IV to read:

SEC. 3. Members of the Assembly elected in the year 1960 and thereafter, shall be chosen for a term of four years; and each election shall be on the first Tuesday after the first Monday in November unless otherwise ordered by the Legislature. The seats of 40 Members of the Assembly elected in the year 1960 from the odd-numbered districts shall be vacated at the expiration of the second year, so that half of the Members of the Assembly shall be elected every two years.

**Yeas and Nays on Assembly Constitutional Amendment No. 15**

*Excerpt from Assembly Journal for April 3, 1959, page 2078*

Resolution adopted by the following vote:

AYES—Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crawford,

Crown, Cunningham, Cusanovich, Dahl, Davis, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Marks, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, Pattee, Porter, Rees, Rumford, Schrade, Sedgwick, Sumner, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, and Winton—58.

NOES—Bruce F. Allen, Burton, DeLotto, Elliott, Ernest R. Geddes, Levering, Luckel, Masterson, O'Connell, Petris, Unruh, and Mr. Speaker—12

*Excerpt from Senate Journal for June 19, 1959, page 4134*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Beard, Brown, Burns, Byrne, Cameron, Christensen, Cobey, Coombs, Dilworth, Dolwig, Erhart, Farr, Fisher, Gibson, Hollister, Holmdahl, Johnson, McBride, McCarthy, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Short, Slattery, Stiern, Teale, Thompson, and Williams—33.

NOES—Senators Donnelly and McAteer—2.

### Assembly Constitutional Amendment No. 16

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 10 to Article XI thereof, relating to the presentation, consideration and enforcement of claims against chartered counties, cities and counties and cities and against officers, agents and employees thereof.

*Resolved by the Assembly, the Senate concurring*, That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 10 to Article XI thereof, to read:

SEC. 10. No provision of this article shall limit the power of the Legislature to prescribe procedures governing the presentation, consideration and enforcement of claims against chartered counties, chartered cities and counties, and chartered cities, or against officers, agents and employees thereof

### Yeas and Nays on Assembly Constitutional Amendment No. 16

*Excerpt from Assembly Journal for April 9, 1959, page 2257*

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Wilson, Charles H Wilson, Z'berg, and Mr. Speaker—76.

NOES—None.

*Excerpt from Senate Journal for June 17, 1959, page 3887*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Beard, Berry, Brown, Burns, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, Thompson, and Williams—38.

NOES—None.

### Assembly Constitutional Amendment No. 21

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1¼ of, and adding Section 1¼a to, Article XIII, relating to the exemption of property from taxation on account of military service.

*Resolved by the Assembly, the Senate concurring*, That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows: First—That Section 1¼ of Article XIII be amended to read:

SEC. 1¼. The property to the amount of one thousand dollars ($1,000) of every resident of this State who has served in the Army, Navy, Marine Corps, Coast

Guard or Revenue Marine (Revenue Cutter) Service of the United States (1) in time of war, or (2) in time of peace, in a campaign or expedition for service in which a medal has been issued by the Congress of the United States, and in either case has received an honorable discharge therefrom, or who after such service of the United States under such conditions has continued in such service, or who in time of war is in such service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, or lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and the property to the amount of one thousand dollars ($1,000) of the widow resident in this State, or if there be no such widow, of the widowed mother resident in this State, of every person who has so served and has died either during his term of service or after receiving an honorable discharge from said service, or who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions, and the property to the amount of one thousand dollars ($1,000) of pensioned widows, fathers, and mothers, resident in this State, of soldiers, sailors and marines who served in the Army, Navy, Marine Corps, Coast Guard or Revenue Marine (Revenue Cutter) Service of the United States shall be exempt from taxation; provided, this exemption shall not apply to any person named herein owning property of the value of five thousand dollars ($5,000) or more, or where the wife of such soldier or sailor owns property of the value of five thousand dollars ($5,000) or more No exemption shall be made under the provisions of this section of the property of a person who is not legal resident of the State; provided, however, all real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation

Second—That Section 1¾a be added to Article XIII, to read:

SEC 1¾a The Legislature may exempt from taxation, in whole or in part, the property, constituting a home, of every resident of this State who, by reason of his military or naval service, is qualified for the exemption provided in Section 1¾ of this article, without regard to any limitation contained therein on the value of property owned by such person or his wife, and who, by reason of a permanent and total service-connected disability incurred in such military or naval service due to the loss, or loss of use, as the result of amputation, ankylosis, progressive, muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, has received assistance from the Government of the United States in the acquisition of such property; except that such exemption shall not extend to more than one home nor exceed five thousand dollars ($5,000) for any person or for any person and his spouse This exemption shall be in lieu of the exemption provided in Section 1¾ of this article.

Where such totally disabled person sells or otherwise disposes of such property and thereafter acquires, with or without the assistance of the Government of the United States, any other property which such totally disabled person occupies habitually as a home, the exemption allowed pursuant to the first paragraph of this section shall be allowed to such other property.

### Yeas and Nays on Assembly Constitutional Amendment No. 21

*Excerpt from Assembly Journal for March 13, 1959, pages 1377-1378*

Resolution read, and adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Grant, Hanna, Hawkins, Hegland, House, Johnson, Kennick, Kilpatrick, Lanterman, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Munnell, Nisbet, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Winton—68.

NOES—None.

*Excerpt from Senate Journal for April 21, 1959, page 1619*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Berry, Burns, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dilworth, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Johnson, McAteer, Murdy, O'Sullivan, Richards, Rodda, Short, Stiern, Teale, and Williams—28.

NOES—None.

*Excerpt from Assembly Journal for April 23, 1959, page 2757*

The Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 21 by the following vote:

AYES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, Z'berg, and Mr. Speaker—77.

NOES—None.

### Assembly Constitutional Amendment No. 29

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2.6 to Article XIII, relating to the assessment of property used for golf course purposes.

*Resolved by the Assembly, the Senate concurring*, That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 2.6 to Article XIII thereof, to read:

SEC. 2.6. In assessing real property consisting of one parcel of 10 acres or more and used exclusively for nonprofit golf course purposes for at least two successive years prior to the assessment, the assessor shall consider no factors other than those relative to such use. He may, however, take into consideration the existence of any mines, minerals and quarries in the property, including, but not limited to oil, gas and other hydrocarbon substances

### Yeas and Nays on Assembly Constitutional Amendment No. 29

*Excerpt from Assembly Journal for May 28, 1959, page 4359*

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, Burke, Busterud, Cameron, Chapel, Conrad, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Garrigus, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Nisbet, Pattee, Porter, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—54.

NOES—Bradley, George E. Brown, Burton, Collier, Elliott, Ernest R. Geddes, Samuel R. Geddes, Kilpatrick, Lowrey, Luckel, Miller, Munnell, O'Connell, Petris, Rumford, Unruh, Waldie, Williamson, and Z'berg—19.

*Excerpt from Senate Journal for June 19, 1959, page 4186*

The names of the absentees were called, and Assembly Constitutional Amendment No. 29 adopted by the following vote:

AYES—Senators Arnold, Beard, Berry, Brown, Burns, Byrne, Cameron, Christensen, Coombs, Dolwig, Donnelly, Erhart, Farr, Gibson, Grunsky, Johnson, McAteer, McCarthy, Miller, Montgomery, O'Sullivan, Rattigan, Regan, Short, Slattery, Teale, and Thompson—27.

NOES—Senators Cobey, Collier, Fisher, Hollister, Holmdahl, McBride, Murdy, Richards, Rodda, Shaw, Stiern, and Williams—12.

*Excerpt from Assembly Journal for June 19, 1959, page 6099*

The Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 29 by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Waldie, George A. Willson, Charles H. Wilson, Winton, and Z'berg—61.

NOES—Burton, Lowrey, and O'Connell—3.

### Senate Constitutional Amendment No. 1

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XXVI thereof, relating to the use of revenues obtained from motor vehicle fuel taxes and motor vehicle registration and license fees.

*Resolved by the Senate, the Assembly concurring*, That the Legislature of the State of California at its 1959 Regular Session, commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that Section 3 of Article XXVI of the Constitution of the State be amended to read:

SEC. 3. The provisions of this article are self-executing but the Legislature shall have full power to appropriate such moneys and to provide the manner of their expenditure by the State, counties, cities and counties, cities, or separation of grade districts for the purposes specified and to enact legislation not in conflict with this article. This article shall not prevent any part of the moneys referred to in Sections 1 or 2 hereof from being temporarily loaned to the State General Fund upon condition that the amount so loaned shall be repaid therefrom to the funds from which so borrowed to be used for the purposes specified in Sections 1 or 2 hereof. The moneys referred to in Sections 1 or 2 hereof, allocated for general expenditure in counties, cities and counties, cities, or separation of grade districts, may be used for the payment of the principal and interest of bonds issued by counties, cities, cities and counties, or by separation of grade districts to the extent of 50 percent of sums so allocated in any one year. Such bonds must be approved by a two-thirds vote of the electors and the term thereof shall not exceed 25 years. The proceeds from such bonds shall be used only to finance grade crossing separation projects involving the intersection of public streets and highways with railroad or rapid transit rights-of-way.

### Yeas and Nays on Senate Constitutional Amendment No. 1

*Excerpt from Senate Journal for May 28, 1959, page 2872*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Beard, Berry, Burns, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dolwig, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, McAteer, McCarthy, Montgomery, Murdy, O'Sullivan, Rattigan, Shaw, Short, Slattery, Teale, Thompson, and Williams—30.

NOES—None.

*Excerpt from Assembly Journal for June 18, 1959, page 5797*

Resolution read, and adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Gaffney, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Mulford, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Thelin, Thomas, Waldie, Williamson, Charles H. Wilson, Winton, and Z'berg—66.

NOES—Beaver, Miller, Reagan, and Sumner—4.

*Excerpt from Senate Journal for June 19, 1959, page 4098*

The roll was called, and the Senate concurred in Assembly amendment to Senate Constitutional Amendment No. 1 by the following vote:

AYES—Senators Arnold, Berry, Brown, Burns, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dilworth, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, and Williams—37.

NOES—None.

### Senate Constitutional Amendment No. 11

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4e to Article VI thereof, relating to the appellate jurisdiction of the district courts of appeal.

*Resolved by the Senate, the Assembly concurring*, That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of

the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 4e to Article VI thereof to read as follows:

SEC. 4e. The district courts of appeal shall have appellate jurisdiction on appeal in all cases within the original jurisdiction of the municipal and justice courts, to the extent and in the manner provided for by law.

### Yeas and Nays on Senate Constitutional Amendment No. 11

*Excerpt from Senate Journal for May 13, 1959, page 2328*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Beard, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dilworth, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Johnson, McAteer, McCarthy, Montgomery, Murdy, O'Sullivan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Thompson, and Williams—31.
NOES—None.

*Excerpt from Assembly Journal for June 12, 1959, page 5361*

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, Davis, DeLotto, Dills, Francis, Frew, Ernest R. Geddes, Samuel R Geddes, Grant, Hawkins, House, Johnson, Kennick, Kilpatrick, Lanterman, Levering, Lunardi, Marks, Masterson, Meyers, Miller, Munnell, Petris, Porter, Reagan, Rumford, Schrade, Shell, Sumner, Thomas, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—56.
NOES—None.

### Senate Constitutional Amendment No. 13

A resolution to propose to the people of the State of Calfiornia an amendment to the Constitution of the State, by amending Section 1¼ of, and adding Section 1¼a to, Article XIII thereof, relating to the veterans' tax exemption.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California at its 1959 Regular Session, commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First—That Section 1¼ of Article XIII be amended to read:

SEC. 1¼. (a) The property to the amount of one thousand dollars ($1,000) of every resident of this State who has served in the Armed Forces of the United States (1) in time of war, or (2) in time of peace, in a campaign or expedition for service in which a medal has been issued by, or under the authority of, the Congress of the United States, and in either case has received an honorable discharge therefrom, or who after such service of the United States under such conditions has continued in such service, or who in time of war is in such service, or (3) who has been released from active duty because of disability resulting from such service in time of peace or under other honorable conditions; or lacking such amount of property in his own name, so much of the property of the spouse of any such person as shall be necessary to equal said amount, shall be exempt from taxation; provided, this exemption shall not apply to any person described herein owning property of the value of five thousand dollars ($5,000) or more, or where the spouse of such person owns property of the value of five thousand dollars ($5,000) or more.

(b) The property to the amount of one thousand dollars ($1,000) of the surviving resident spouse in this State, or if there be no such surviving spouse, of the widowed mother resident in this State, of every person who has so served and has died, and the property to the amount of one thousand dollars ($1,000) of pensioned surviving spouses, fathers, and mothers, resident in this State, of persons described herein who have so served in the Armed Forces of the United States, shall be exempt from taxation; provided, this exemption shall not apply to any surviving spouse, father or mother described in this subdivision owning property of the value of ten thousand dollars ($10,000) or more.

(c) All real property owned by the Ladies of the Grand Army of the Republic and all property owned by the California Soldiers Widows Home Association shall be exempt from taxation.

No person described herein who has served in the Armed Forces of the United States shall be elegible for such exemption unless he was a resident of California at the time of his entry into such Armed Forces, or unless he was a resident of California at the effective date of the amendment of this section as proposed at the 1959 Regular Session of the Legislature.

No surviving spouse, father or mother of such person described herein who has served in the Armed Forces of the United States shall be eligible for such exemption unless such described person was eligible for such exemption at the time of his

death, and unless such surviving spouse, father or mother of such described person was a resident at the time of the application for such exemption.

Second—That Section 1¾a be added to Article XIII, to read:

SEC. 1¾a. The Legislature may exempt from taxation, in whole or in part, the property, constituting a home, of every resident of this State who, by reason of his military or naval service, is qualified for the exemption provided in subdivision (a) of Section 1¾ of this article, without regard to any limitation contained therein on the value of property owned by such person or his spouse, and who, by reason of a permanent and total service-connected disability incurred in such military or naval service due to the loss, or loss of use, as the result of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair, has received assistance from the Government of the United States in the acquisition of such property; except that such exemption shall not extend to more than one home nor exceed five thousand dollars ($5,000) for any person or for any person and his spouse This exemption shall be in lieu of the exemption provided in subdivision (a) of Section 1¾ of this article

Where such totally disabled person sells or otherwise disposes of such property and thereafter acquires, with or without the assistance of the Government of the United States, any other property which such totally disabled person occupies habitually as a home, the exemption allowed pursuant to the first paragraph of this section shall be allowed to such other property.

### Yeas and Nays on Senate Constitutional Amendment No. 13

*Excerpt from Senate Journal for June 3, 1959, page 3207*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Beard, Berry, Brown, Burns, Byrne, Cameron, Christensen, Cobey, Coombs, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McBride, McCarthy, Miller, Montgomery, Murdy, Rattigan, Regan, Richards, Rodda, Short, Slattery, Stiern, Thompson, and Williams—35.

NOES—Senators Dilworth, O'Sullivan, Shaw, and Teale—4.

*Excerpt from Assembly Journal for June 17, 1959, page 5704*

Resolution adopted by the fololwing vote:

AYES—Don A. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, George E. Brown, Busterud, Cameron, Chapel, Conrad, Coolidge, Crawford, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Francis, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hawkins, Hegland, Holmes, House, Johnson, Kennick, Kilpatrick, Levering, Lowrey, Luckel, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, O'Connell, Pattee, Reagan, Rees, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waldie, Williamson, Charles H. Wilson, and Winton—62.

NOES—Bruce F. Allen, Collier, Petris, George A. Willson, and Z'berg—5.

### Senate Constitutional Amendment No. 14

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 1a of, and by adding Sections 1b, 1c, 10b, and 26a to, Article VI of said Constitution, relating to the administration of justice, including removal and retirement of judges, the membership and duties of the Commission on Judicial Qualifications, Judicial Council and State Bar, and the renaming of the Commission on Qualifications.

*Resolved by the Senate, the Assembly concurring*, That the Legislature of the State of California at its 1959 Regular Session, commencing on the fifth day of January, 1959, two-thirds of all members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First—That Section 1a of Article VI is amended to read.

SEC. 1a. There shall be a Judicial Council. It shall consist of: (i) the Chief Justice or Acting Chief Justice; (ii) one Associate Justice of the Supreme Court, three justices of district courts of appeal, four judges of superior courts, two judges of municipal courts, and one judge of a justice court, designated by the Chief Justice for terms of two years; (iii) four members of the State Bar of California appointed by the Board of Governors of the State Bar for terms of two years, two of the first such appointees to be appointed for one year and two for two years; and (iv) one member of each house of the Legislature designated as provided by the respective house. If any judge so designated shall cease to be a judge of the court from which he is selected, his designation shall forthwith terminate If any member of the State Bar so appointed shall cease to be a member of the State Bar, his appointment shall forthwith terminate, and the Board of Governors of the State Bar shall

fill the vacancy in his unexpired term. If any Member of the Legislature so designated shall cease to be a member of the house from which designated, his designation shall forthwith terminate, and a new designation shall be made in the manner provided by the respective house. The Chief Justice or Acting Chief Justice shall be chairman and the Clerk of the Supreme Court shall serve as secretary. The council may appoint an administrative director of the courts, who shall hold office at its pleasure and shall perform such of the duties of the council and of its chairman, other than to adopt or amend rules of practice and procedure, as may be delegated to him. No act of the council shall be valid unless concurred in by a majority of its members.

The Judicial Council shall from time to time:

(1) Meet at the call of the chairman or as otherwise provided by it.

(2) Survey the condition of business in the several courts with a view to simplifying and improving the administration of justice

(3) Submit such suggestions to the several courts as may seem in the interest of uniformity and the expedition of business

(4) Report to the Governor and Legislature at the commencement of each regular session with such recommendations as it may deem proper

(5) Submit to the Legislature, at each general session thereof, its recommendations with reference to amendments of, or changes in, existing laws relating to practice and procedure.

(6) Adopt or amend rules of practice and procedure for the several courts not inconsistent with laws that are now or that may hereafter be in force.

(7) Exercise such other functions as may be provided by law.

The chairman shall seek to expedite judicial business and to equalize the work of the judges, and shall provide for the assignment of any judge to another court of a like or higher jurisdiction to assist a court or judge whose calendar is congested, to act for a judge who is disqualified or unable to act, or to sit and hold court where a vacancy in the office of judge has occurred. A judge may likewise be assigned with his consent to a court of lower jurisdiction, and a retired judge may similarly be assigned with his consent to any court.

The judges shall co-operate with the council, shall sit and hold court as assigned, and shall report to the chairman at such times and in such manner as he shall request respecting the condition, and manner of disposal, of judicial business in their respective courts.

No member of the council shall receive any compensation for his services as such, but shall be allowed his necessary expenses for travel, board and lodging incurred in the performance of his duties as such. Any judge assigned to a court wherein a judge's compensation is greater than his own shall receive while sitting therein the compensation of a judge thereof. The extra compensation shall be paid in such manner as may be provided by law. Any judge assigned to a court in a county other than that in which he regularly sits shall be allowed his necessary expenses for travel, board and lodging incurred in the discharge of the assignment.

Second—That Section 1b is added to Article VI, to read:

SEC 1b. There shall be a Commission on Judicial Qualifications. It shall consist of: (i) Two justices of district courts of appeal, two judges of superior courts, and one judge of a municipal court, each selected by the Supreme Court for a four-year term; (ii) two members of the State Bar, who shall have practiced law in this State for at least 10 years and who shall be appointed by the Board of Governors of the State Bar for a four-year term; and (iii) two citizens, neither of whom shall be a justice or judge of any court, active or retired, nor a member of the State Bar, and who shall be appointed by the Governor for a four-year term. Every appointment made by the Governor to the commission shall be subject to the advice and consent of a majority of members elected to the Senate, except that if a vacancy occurs when the Legislature is not in session, the Governor may issue an interim commission which shall expire on the last day of the next regular or special session of the Legislature Whenever a member selected under subdivision (i) ceases to be a member of the commission or a justice or judge of the court from which he was selected, his membership shall forthwith terminate and the Supreme Court shall select a successor for a four-year term; and whenever a member appointed under subdivision (ii) ceases to be a member of the commission or of the State Bar, his membership shall forthwith terminate and the Board of Governors of the State Bar shall appoint a successor for a four-year term; and whenever a member appointed under subdivision (iii) ceases to be a member of the commission or becomes a justice or judge of any court or a member of the State Bar, his membership shall forthwith terminate and the Governor shall appoint a successor for a four-year term. No member of the commission shall receive any compensation for his services as such, but shall be allowed his necessary expenses for travel, board and lodging incurred in the performance of his duties as such.

No act of the commission shall be valid unless concurred in by a majority of its members. The commission shall select one of its members to serve as chairman.

Third—That Section 1c is added to Article VI, to read:

SEC. 1c. The State Bar of California is a public corporation with perpetual existence and succession. Every person admitted and licensed to practice law in this State is and shall be a member of the State Bar except while holding office as a justice or judge of a court of record.

Fourth—That Section 10b is added to Article VI, to read:

SEC. 10b. A justice or judge of any court of this State, in accordance with the procedure prescribed in this section, may be removed for willful misconduct in office or willful and persistent failure to perform his duties or habitual intemperance, or he may be retired for disability seriously interfering with the performance of his duties, which is, or is likely to become, of a permanent character. The Commission on Judicial Qualifications may, after such investigation as the commission deems necessary, order a hearing to be held before it concerning the removal or retirement of a justice or a judge, or the commission may in its discretion request the Supreme Court to appoint three special masters, who shall be justices or judges of courts of record, to hear and take evidence in any such matter, and to report thereon to the commission. If, after hearing, or after considering the record and report of the masters, the commission finds good cause therefor, it shall recommend to the Supreme Court the removal or retirement, as the case may be, of the justice or judge.

The Supreme Court shall review the record of the proceedings on the law and facts and in its discretion may permit the introduction of additional evidence and shall order removal or retirement, as it finds just and proper, or wholly reject the recommendation. Upon an order for retirement, the justice or judge shall thereby be retired with the same rights and privileges as if he retired pursuant to statute. Upon an order for removal, the justice or judge shall thereby be removed from office, and his salary shall cease from the date of such order.

All papers filed with and proceedings before the Commission on Judicial Qualifications or masters appointed by the Supreme Court, pursuant to this section, shall be confidential, and the filing of papers with and the giving of testimony before the commission or the masters shall be privileged; but no other publication of such papers or proceedings shall be privileged in any action for defamation except that (a) the record filed by the commission in the Supreme Court continues privileged and upon such filing loses its confidential character and (b) a writing which was privileged prior to its filing with the commission or the masters does not lose such privilege by such filing. The Judicial Council shall by rule provide for procedure under this section before the Commission on Judicial Qualifications, the masters, and the Supreme Court. A justice or judge who is a member of the commission or Supreme Court shall not participate in any proceedings involving his own removal or retirement.

This section is alternative to, and cumulative with, the methods of removal of justices and judges provided in Sections 10 and 10a of this article, Sections 17 and 18 of Article IV, and Article XXIII, of this Constitution.

Fifth—That Section 26a is added to Article VI, to read:

SEC. 26a. The "Commission on Qualifications" created by Section 26 of this article is renamed and henceforth shall be known as the "Commission on Judicial Appointments."

**Yeas and Nays on Senate Constitutional Amendment No. 14**

*Excerpt from Senate Journal for May 20, 1959, page 2550*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Beard, Berry, Cobey, Coombs, Dilworth, Dolwig, Erhart, Farr, Fisher, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McBride, Miller, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, Thompson, and Williams—30.

NOTE—No record of the "No" votes is shown in the Senate Journal of this date.

*Excerpt from Assembly Journal for June 17, 1959, page 5693*

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Beaver, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Busterud, Cameron, Collier, Conrad, Coolidge, Crown, Cunningham, Cusanovich, Dahl, DeLotto, Dills, Francis, Frew, Garrigus, Ernest R. Geddes, Samuel R. Geddes, Grant, Hanna, Holmes, House, Johnson, Kennick, Lanterman, Levering, Lunardi, MacBride, Marks, Masterson, McCollister, Miller, Mulford, Nisbet, Pattee, Petris, Reagan, Rees, Sedgwick, Shell, Sumner, Thelin, Waldie, Williamson, George A. Willson, Charles H. Wilson, Winton, and Mr. Speaker—57.

NOES—Burton, Hegland, Luckel, Munnell, O'Connell, and Schrade—6.

*Excerpt from Senate Journal for June 19, 1959, pages 4092-4093*

The roll was called, and the Senate concurred in Assembly amendments to Senate Constitutional Amendment No. 14 by the following vote:

AYES—Senators Arnold, Berry, Brown, Burns, Byrne, Cameron, Christensen, Cobey, Collier, Coombs, Dilworth, Dolwig, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, and Williams—36.

NOES—None.

**Senate Constitutional Amendment No. 22**

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 5, 18, 22 as proposed by Resolution Chapter 184 of the Statutes of 1951 and 23 of Article IV, Sections 4.5, 17 and 22 of Article V, Section 2 of Article IX, Section 7 of Article X, Section 9 of Article XIII and Section 20 of Article XX, by repealing Section 22 of Article IV as proposed by Resolution Chapter 220 of the Statutes of 1951 Section 19 of Article V, Sections 1, 2, 3, 4, 5 and 6 of Article X, Sections 3, 10, 11 and 12 of Article XXII, and by adding a new Section 3 to Article XXII, relating to the elimination of obsolete or superseded constitutional provisions affecting state officers and agencies.

*Resolved by the Senate, the Assembly concurring*, That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes that the Constitution of the State be amended as follows, solely for the purpose of eliminating obsolete or superseded provisions therefrom:

First, that Section 3 of Article IV be amended to read:

SEC. 3. Members of the Assembly shall be elected biennially, and their term of office shall be two years. Each election shall be on the first Tuesday after the first Monday in November, unless otherwise ordered by the Legislature

Second, that Section 5 of Article IV be amended to read:

SEC. 5. The Senate shall consist of 40 members, and the Assembly of 80 members, to be elected by districts, numbered as hereinafter provided. One-half of the Senators shall be elected every two years, those from the odd-numbered districts being elected when the number of the year is divisible by four.

*Third, that Section 18 of Article IV be amended to read*

SEC. 18. The Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Chief Justice and Associate Justices of the Supreme Court, judges of the district court of appeal, and judges of the superior courts, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit under the State; but the party convicted or acquitted shall nevertheless be liable to indictment, trial, and punishment according to law All other civil officers shall be tried for misdemeanor in office in such manner as the Legislature *may provide.*

Fourth. That Section 22 of Article IV, as proposed by Resolutions Chapter 184 of the Statutes of 1951, is amended to read:

SEC. 22. No money shall be drawn from the Treasury but in consequence of *appropriation made by law, and upon warrants duly drawn thereon by the Controller* and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State, except that notwithstanding anything contained in this or any other section of the Constitution:

(1) Whenever federal funds are made available for the construction of hospital facilities by public agencies and nonprofit corporations organized to construct and maintain such facilities, nothing in this Constitution shall prevent the Legislature from making state money available for that purpose, or from authorizing the use of such money for the construction of hospital facilities by nonprofit corporations organized to construct and maintain such facilities.

(2) The Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or in suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions.

(3) The Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, and no person concerned with the administration of aid to needy blind persons shall dictate how any applicant or recipient shall expend such aid granted him, and all money paid to a recipient of such aid shall be intended to help him meet his individual needs and is not for the benefit of any other person, and such aid when granted shall not be construed as income to any person other than the blind recipient of such aid, and the State Department of Social Welfare shall take all necessary action to enforce the provisions relating to aid to needy blind persons as heretofore stated.

(4) The Legislature shall have the power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State

(5) The State shall have at any time the right to inquire into the management of such institutions.

(6) Whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abondoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control.

An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature

Fifth, that Section 22 of Article IV, as proposed by Resolutions Chapter 220 of the Statutes of 1951, is hereby repealed.

Sixth, that Section 23 of Article IV be amended to read:

SEC. 23. The Members of the Legislature shall receive mileage to be fixed by law and paid out of the State Treasury, such mileage not to exceed five cents (0.05) per mile.

Seventh, that Section 4.5 of Article V be amended to read:

SEC. 4. The Legislature may regulate by law the manner of making returns *of elections for Governor and Lieutenant Governor.*

Eighth, that Section 17 of Article V be amended to read:

SEC. 17. A Secretary of State, a Controller, a Treasurer, and an Attorney General shall be elected at the same time and places, and in the same manner as the Governor and Lieutenant Governor, and their terms of office shall be the same as that of the Governor.

Ninth, that Section 19 of Article V be repealed.

Tenth, that Section 22 of Article V be amended to read:

SEC. 22. The compensation for the services of the Governor, the Lieutenant Governor, the State Controller, Secretary of State, Superintendent of Public Instruction and State Treasurer may be fixed at any time by the Legislature at an amount not less than ten thousand dollars ($10,000) per annum, for the Governor, and not less than five thousand dollars ($5,000) per annum for each of the other state officers named herein. The compensation of no state officer named herein shall be increased or diminished during his term of office. Such compensation shall be in full for all services respectively rendered by them in any official capacity or employment whatsoever during their respective terms of office, and none of the officers named in this section, or the Attorney General, shall receive for his own use any fees or perquisites for the performance of any official duty.

Eleventh, that Section 2 of Article IX be amended to read:

SEC. 2. A Superintendent of Public Instruction shall be elected by the qualified electors of the State at each gubernatorial election. He shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election.

Twelfth, that Sections 1, 2, 3, 4, 5 and 6 of Article X be repealed.

Thirteenth, that Section 7 of Article X be renumbered and amended to read:

SEC. 1. The Legislature may provide for the establishment, government, charge and superintendence of all institutions for all persons convicted of felonies. For this purpose, the Legislature may delegate the government, charge and superintendence of such institutions *to any public governmental agency or agencies,* officers, board or boards, whether now existing or hereafter created by it. Any of such agencies, officers, or boards shall have such powers, perform such duties

and exercise such functions in respect to other reformatory or penal matters, as the Legislature may prescribe.

The Legislature may also provide for punishment, treatment, supervision, custody and care of females in a manner and under circumstances different from men similarly convicted.

The labor of convicts shall not be let out by contract to any person, copartnership, company or corporation, and the Legislature shall, by law, provide for the working of convicts for the benefit of the State.

Fourteenth, that Section 9 of Article XIII be amended to read:

SEC. 9. A State Board of Equalization, consisting of four members, shall be elected by the qualified electors of their respective districts, at each gubernatorial election, whose term of office shall be for four years; whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purposes of taxation. The Controller of State shall be ex officio a member of the board. The boards of supervisors of the several counties of the State shall constitute boards of equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation; provided, such state and county boards of equalization are hereby authorized and empowered, under such rules of notice as the county boards may prescribe, as to the county assessments, and under such rules of notice as the state board may prescribe as to the action of the state board, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll; provided, that no board of equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value, The present State Board of Equalization shall continue in office until their successors, as herein provided for, shall be elected and shall qualify. The Legislature shall have power to redistrict the State into four districts as nearly equal in population as practical, and to provide for the elections of members of said Board of Equalization.

Fifteenth, that Section 20 of Article XX be amended to read:

SEC. 20. Elections of the officers provided for by this Constitution shall be held on the even-numbered years next before the expiration of their respective terms. The terms of such officers shall commence on the first Monday after the first day of January next following their election.

Sixteenth, that Sections 3, 10, 11 and 12 of Article XXII be repealed, and that a new Section 3 be added to said article to read:

SEC. 3. Any amendment to this Constitution which is proposed by the Legislature solely for the purpose of eliminating obsolete or superseded provisions therefrom shall be subject to the following limitations:

(1) Any other measure submitted to the people at the same election which affects a section of the Constitution included in the Legislature's proposal shall, to the extent of any conflict between the two, prevail over such proposal; and

(2) If the Legislature's proposal repeals or eliminates constitutional language which originally validated, ratified, confirmed or gave effect to other governmental action, such proposal shall not be construed so as to alter or invalidate the action previously validated, ratified, confirmed or given effect.

**Yeas and Nays on Senate Constitutional Amendment No. 22**

*Excerpt from Senate Journal for May 15, 1959, page 2421*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Berry, Brown, Byrne, Cameron, Christensen, Cobey, Collier, Dilworth, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Slattery, Stiern, Teale, Thompson, and Williams—34

NOES—None.

*Excerpt from Assembly Journal for June 15, 1959, page 5408*

Resolution adopted by the following vote:

AYES—Bruce F. Allen, Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Bradley, Britschgi, George E. Brown, Burke, Busterud, Cameron, Chapel, Collier, Coolidge, Crawford, Crown, Cunningham, Cusanovich, Dahl, Davis, DeLotto, Dills, Donahoe, Frew, Gaffney, Garrigus, Samuel R. Geddes, Grant, Hanna, Hawkins, Hegland, Holmes, House, Kennick, Kilpatrick, Lanterman, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, McCollister, McMillan, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Rees, Rumford, Schrade, Sedgwick, Shell, Sumner, Thelin, Thomas, Unruh, Waidie, Williamson, George A. Willson, Charles H. Wilson, and Zberg—69.

NOES—None.

*Excerpt from Senate Journal for June 17, 1959, page 3866*

The roll was called, and the Senate concurred in Assembly amendments to Senate Constitutional Amendment No. 22 by the following vote:

AYES—Senators Arnold, Beard, Berry, Brown, Burns, Byrne, Cameron, Christensen, Collier, Coombs, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McAteer, McBride, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, Thompson, and Williams—38

NOES—None.

**Senate Constitutional Amendment No. 31**

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, relating to the compensation of Members of the Legislature.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California at its 1959 Regular Session commencing on the fifth day of January, 1959, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending the first paragraph of subdivision (b) of Section 2 of Article IV thereof, to read:

(b) Each Member of the Legislature shall receive for his services the sum of seven hundred fifty dollars ($750) for each month of the term for which he is elected.

Notwithstanding any other provision of this Constitution or of law, the increased compensation for Members of the Legislature resulting from the amendment to this subdivision as proposed by the Legislature at its 1959 Regular Session shall not be considered in computing the retirement benefits under the Legislators' Retirement System of any person who has retired under that system prior to the operative date of said amendment and the retirement benefits payable to such retired members shall not be increased as the result of such increased compensation.

**Yeas and Nays on Senate Constitutional Amendment No. 31**

*Excerpt from Senate Journal for June 1, 1959, page 3038*

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Arnold, Berry, Brown, Burns, Byrne, Cameron, Cobey, Collier, Coombs, Dilworth, Dolwig, Erhart, Farr, Fisher, Grunsky, Hollister, Johnson, McAteer, McCarthy, Miller, Montgomery, O'Sullivan, Rattigan, Regan, Richards, Rodda, Shaw, Short, Slattery, Stiern, Teale, and Thompson—32.

NOES—Senator Williams—1.

*Excerpt from Assembly Journal for June 15, 1959, page 5406*

Resolution adopted by the following vote:

AYES—Don A. Allen, Backstrand, Bane, Bee, Belotti, Biddick, Britschgi, George E. Brown, Burke, Burton, Busterud, Cameron, Chapel, Collier, Conrad, Coolidge, Crawford, Crown, Cusanovich, Dahl, DeLotto, Dills, Donahoe, Elliott, Frew, Gaffney, Garrigus, Grant, Hawkins, Hegland, House, Kennick, Kilpatrick, MacBride, Marks, Masterson, Meyers, Miller, Mulford, Munnell, Nisbet, O'Connell, Pattee, Petris, Porter, Rees, Rumford, Schrade, Sedgwick, Thelin, Thomas, Unruh, Waldie, Williamson, George A. Willson, and Mr. Speaker—56.

NOES—Bruce F. Allen, Luckel, and Sumner—3.

*Excerpt from Senate Journal for June 16, 1959, page 3779*

The roll was called, and the Senate concurred in the Assembly amendment to Senate Constitutional Amendment No. 31 by the following vote:

AYES—Senators Arnold, Berry, Brown, Cameron, Cobey, Coombs, Dolwig, Donnelly, Erhart, Farr, Fisher, Gibson, Grunsky, Hollister, Holmdahl, Johnson, McBride, McCarthy, Miller, Montgomery, Murdy, O'Sullivan, Rattigan, Richards, Rodda, Short, Slattery, Stiern, and Teale—29.

NOES—Senator Williams—1.

### TEXT OF BILLS WHICH WILL BE SUBMITTED TO A VOTE OF THE ELECTORS

NOTE: The text of any bills which have been passed by both houses, and which will be submitted to a vote of the electors if they are approved by the Governor, will appear in the Appendix to the Assembly Journal.

### CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 2433

At 11.58 p.m., Mr. Lowrey moved to dispense with further proceedings under the call of the Assembly.

Motion carried.

The names of the absentees were called, and the motion that Assembly Bill No. 2433 be re-referred to the Committee on Government Organization lost by the following vote:

AYES—Don A. Allen, Belotti, George E. Brown, Burke, Burton, Cameron, Crawford, Crown, Cusanovich, Dills, Elliott, Gaffney, Ernest R. Geddes, Grant, Hawkins, Hegland, Johnson, Kennick, Lanterman, McCollister, McMillan, Meyers, Munnell, Pattee, Petris, Porter, Reagan, Rees, Schrade, Shell, Thelin, Unruh, Waldie, and Charles H. Wilson—34.

NOES—Bruce F. Allen, Backstrand, Bane, Beaver, Bee, Biddick, Bradley, Britschgi, Busterud, Chapel, Collier, Conrad, Coolidge, Cunningham, Dahl, Davis, DeLotto, Donahoe, Frew, Garrigus, Samuel R. Geddes, Hanna, Levering, Lowrey, Luckel, Lunardi, MacBride, Marks, Masterson, Mulford, Nisbet, O'Connell, Rumford, Sedgwick, Sumner, Williamson, George A. Willson, Winton, Z'berg, and Mr. Speaker—40.

### ADJOURNMENT SINE DIE

At 12 midnight, on Friday, June 19, 1959, in accordance with the provisions of the Constitution of the State of California, the Honorable Ralph M. Brown, Speaker of the Assembly, announced that the time for final adjournment of the 1959 Regular Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned, sine die.

RALPH M. BROWN, Speaker of the Assembly

ELEANOR K. DONOGHUE, Minute Clerk